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PROCEEDINGS AND DEBATES OF THE 101st CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Wednesday, February 7, 1990*

The House met at 12 noon.

Rev. Dr. Calvin V. French, pastor, Massachusetts Avenue Congregation, Reorganized Church of Jesus Christ of Latter Day Saints, Washington, DC, offered the following prayer:

O God and Father of us all: These are momentous times as the winds of freedom swirl in many lands. As this yearning for democracy unfolds before us, may it remind us of the freedoms we enjoy—freedoms so carefully crafted by our forefathers with Thy divine help. May we who are charged with protecting and defending the rights of the people be guided by that same spirit.

We approach our tasks knowing that there will be differences of opinion, but may we be one in spirit, and one in purpose, and may good will abide.

Amidst the noise and stress that surround us, help us to listen for Thy still small voice, that it may direct us to do that which is right.

Grant us integrity of character that we will not break faith with Thee or with those who look to us as leaders.

And now Father, bless the Republic and those who lead with wisdom and skill to implement our just intentions. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Iowa [Mr. GRANDY] come forward and lead the House in the Pledge of Allegiance.

Mr. GRANDY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SOCIAL SECURITY

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, there they go again. Back in 1981 the Republican Party and the administration in which the present President was Vice President decided to cut $200 billion out of Social Security.

In 1985, President—then Vice President George Bush—rushed to the Senate to break a tiebreaking vote on cost of living COLA's for Social Security, and in the 1980's they took tens of thousands of disabled people who were on Social Security off disability. They closed hundreds of offices across the country.

Recently they are suggesting that we privatize Social Security. The leadership on the Republican side of the aisle has suggested this idea. The President indicated the other day that it was an interesting idea.

Mr. Speaker, there they go again. The Democrats have fought for Social Security, created it and defended it—defended it for the last 55 years—and we will do the same for the next 55 years.

ELEMENTARY SCHOOL COUNSELING ACT

(Mr. PURSELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PURSELL. Mr. Speaker, today I am introducing H.R. 3970, the Elementary School Counseling Act that is the first of a series of bills I intend to offer which will strengthen our educational system.

Elementary teachers are overwhelmed with students that need early counseling.

Single parent families, drug and alcohol abuse, and other unprecedented stresses make it imperative that we assist the classroom teacher at the early stage of life.

The Elementary School Counseling Demonstration Act would provide demonstration grants to local school districts, to establish effective counseling programs.

My bill would make grants available for up to $200,000 per school per year, for up to 3 years. Demonstration grants would be made to urban, suburban, and rural schools.

Early elementary counseling and Head Start will greatly reduce the dropout rate, help the classroom teacher, and provide a higher standard of educational excellence that we need to compete in the 21st century.

Counselors are more valuable in the elementary system, where problems are identified in the early stages.

MORE ACTION, FEWER STUDIES

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRICELLI. Mr. Speaker, this week the President has announced a plan to study global warming. Since the President has come to office he has also asked for studies on competitiveness, space, a study of technology, of health care, agriculture, a study of rural America, education, and transportation. There is even, Mr. Speaker, a study on a thousand points of light.

All these studies can lead us to only one conclusion. There is no problem so big, so serious, and so immediate that the administration cannot duck it, hide from it, avoid it by some study or another, by some commission or board.

Mr. Speaker, we now know what it is the President had in mind when he said he wanted to be the education President. He wanted to educate himself, to study it, to have another commission, not to lead America.

Mr. Speaker, what we need is for the President to confront bold problems, to come up with answers, not to peer at America's problems behind a mounting pile of paper produced by another board and another commission.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

KEEPING PROMISES TO THE AMERICAN PEOPLE

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, in my last visit and communications from Wyoming people, there are two issues that seem to have the highest priority among all others. One is financial responsibility. They believe we spend too much, that we have too large a government, and that we are not responsible in our financial organization of that government.

The second priority is that we maintain and keep our promises that we have made to people, promises that have been made in terms of retirement, and specifically in terms of Social Security. The Moynihan proposal which has been talked about a great deal in the last number of days deals with both those issues.

One issue is the notion that we are hiding the real deficit by the Social Security trust fund. I agree that we are doing that, and if we are we should take it off. This is a government of the people, and we ought to share with everyone the real depth of that irresponsible deficit.

□ 1210

The other is to maintain a fund that will be able to meet the obligations and the promises that we have made.

Mr. Speaker, I support the President in his admonishment in that we should not mess around with Social Security. I hope we take heed in the Congress.

GEORGE BUSH'S PRESIDENCY: STUDY, STUDY, STUDY

(Mr. NAGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NAGLE. Mr. Speaker, a disturbing trend is beginning to emerge as George Bush's Presidency enters its second year.

Plainly put, George Bush wants to study everything. Talk takes the place of action, public relations replaces public policy.

This week the topic was global warming: the President recommended a study but no action.

Last week, it was health care: after a decade of studies and after a decade of increasing crisis in America's health care system—the President used his State of the Union address to propose yet another study, this one to be headed by the Secretary of Health and Human Services.

The week before, the issue was rural development.

Mr. Speaker, rural America aches for meaningful action to meet its critical development needs. So we waited anxiously as the President unveiled his rural development plan. Its central component: creation of a Presidential advisory commission to study the development needs of rural America.

The list goes on. Last year education was the President's top priority. He summoned the Nation's Governors to an "education summit" where—over the course of 2 days—he talked about education, promised to study it further, and promptly adjourned the meeting.

The American people have a right to expect more than a "we'll get back to you" Presidency.

They deserve more than a President who seeks only to deflect and delay in order to defend his standing in the popularity polls because to make choices, to decide—to govern—is to run the risk of ruffling the feathers of somebody somewhere.

After 8 years of a President who played to the grandstands, the last thing this country needs is a President who wants to sit in the grandstands and merely watch the world go by.

FIFTY-FIVE PERCENT OF OUR ARMED SERVICES ARE MADE UP OF EITHER RESERVISTS OR GUARDSMEN

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, earlier today Mr. MAZZOLI, Mr. HUBBARD, and I had the privilege of attending the ceremony wherein newly promoted Lt. Gen. John Conoway was sworn in as head of the National Guard. I think it is important to point out to the Members of the House that more than 55 percent of our armed services are made up of either reservists or members of the National Guard and that 50 percent of our combat forces are in fact National Guardsmen.

With all the talk about reducing the size of our Army and our armed services, it is more important than ever that National Guards and reservists be of high-quality people and highly trained.

To that extent I am pleased as I can be that Lt. Gen. John Conoway has been given the job of heading up that effort.

IEP THREATENS TAKEOVER BID OF CUMMINS

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLOSKEY. Mr. Speaker, a shining example of American industrial competitiveness is the Cummins Engine Co. which has its headquarters in Columbus, IN. Cummins, with 7,000 workers in Columbus, is now threatened by a foreign raider.

The continued existence of Cummins, the largest independent diesel engine manufacturer in the world, is imperiled by a Hong Kong corporate raider with a history of disrupting companies to reap short-term profits. Industrial Equity (Pacific) Ltd. allegedly has threatened to commence a proxy contest or launch a takeover bid for the sole purpose of putting Cummins' stock in play. These tactics, which are the tools of trade for so-called greenmailers, have been used before by IEP to disrupt other U.S. companies' operations. Cummins has charged IEP with violations of the securities, antitrust, and racketeering laws.

Of course, not all corporate takeovers are bad. However, I believe Congress must ensure our laws are not violated by those seeking to make quick profits.

KEEP YOUR COTTON-PICKIN' HANDS OFF SOCIAL SECURITY

(Mr. CAMPBELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAMPBELL of California. Mr. Speaker, Senator MOYNIHAN, and colleagues, I have a word on Social Security: Keep your cotton-pickin' hands off of it.

This proposal that will jeopardize the Social Security trust fund has caused concern among our senior citizens and among our younger citizens alike. They have good reason to worry whether there will be any money in the Social Security trust fund.

I put to you a very simple choice: Are you going to put money aside now so that there is money available for when we need it, or are you going to tell the American people, "Don't worry, come the next century we are just going to double or triple the tax rate and the people then will willingly pay for it?"

I think the people who rely on Social Security deserve an honest answer.

Mr. Speaker, there are two types of people in America, those who are over 65 and those who want to be over 65. To each of those groups we should tell them, "Your money is safe."

Do not mess around with Social Security; keep your cotton-pickin' hands off Social Security.

CLOSED CAPTION TELEVISION AND PUBLIC FACILITIES ACT OF 1990

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, today it is a great pleasure for me to introduce the Closed Caption Television and Public Facilities Act of 1990.

My bill will provide access to the crucial information available via television for the deaf and hearing-impaired segment of our Nation's population.

Two years ago we were advised by the Commission on Education of the Deaf that the most effective way to assist persons who are deaf and hearing impaired is to better utilize closed captioning, that is, the appearance on screen of what is being said.

This important technology is available, and I believe it is high time that Congress mandates its use.

Mr. Speaker, nearly 38 percent of older Americans suffer from some loss of hearing and could potentially benefit from closed-captioning technology.

Mr. Speaker, by requiring public facilities to provide access to closed-captioning television, this legislation targets the badly needed assistance to the most vulnerable of all, deaf and hearing-impaired persons.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation.

THE ROLE OF INTERNATIONAL TRADE IN THE WAR AGAINST ILLEGAL DRUGS

(Mr. LEWIS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Florida. Mr. Speaker, for whatever reasons we have ignored a front of attack available to us in the war against the production of illegal drugs.

That point of attack is on the international trading field.

The U.S. Trade Representative could be doing much, much more.

Ambassador Hills has the tools and the opportunity at the trading table to get the message to our trading partners that we no longer tolerate complacency, or complicity, in the production of drugs.

A resolution I have filed today tells the Trade Ambassador that this Congress expects her to get tough and deal with the issue of illegal narcotics as an integral part of our trade policies.

Let us take the war to every front. Let us send a message no one can misunderstand. If you tolerate drug harvesting, you threaten your position on the world trading field.

IF IT WORKED FOR SEARS, ROEBUCK, WHY NOT FOR UNCLE SAM?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, now that the Iron Curtain is a screen door, literally Pentagon cuts are in order although the Pentagon says, "Be careful, we have needs."

I would like to talk about a couple of those needs. Several years ago the Pentagon spent $2.5 million to study brain-injured soldiers at Louisiana State University. They took hundreds of cats and shot them in the head, and the conclusion was that, at the end of the study, if you shoot a cat in the head, it dies. The Pentagon coined a whole new clinical term; it is called catmort.

But the Army went a step further. They had 40 different sizes of women's shirts. So they spent $3 million to study the need for women's sizes in shirts. After the $3 million, they came up with 120 different sizes that are now rotting in warehouses all over the world.

Whatever happened to small, medium, and large? If it worked for Sears, Roebuck, why not Uncle Sam?

The bottom line here is we have a Pentagon out of control, and Congress is letting them get away with it. Cuts are in order. Let us start doing something for the people.

Enough is enough.

□ 1220

NATIONAL QUARTER HORSE WEEK

(Mr. SARPALIUS asked and was given permission to address the House for 1 minute.)

Mr. SARPALIUS. Mr. Speaker, there is something about the beauty, the majesty, and heritage of the American quarter horse. There are 2.8 million registered quarter horses in every State in the Union and in 62 countries in the world. More people participate in the American quarter horse activities than any other breed of horse in the world.

The national headquarters is located in the heart of my district, in Amarillo, TX. I am asking for your support in supporting Resolution 345 which will recognize the American quarter horse on their 50th anniversary designating the week of March 1 through 7 as "National Quarter Horse Week." I ask for all Members' support on signing on to this resolution.

RESPONSIBLE DEFENSE REDUCTION

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, I would like to commend President Bush and Defense Secretary Cheney for proposing orderly and prudent reductions in the defense budget, one of only two proposed cuts in defense spending since the 1970s'. Proposed savings would result from large troop reductions, cancellation of 20 major weapons programs and closure of numerous military bases.

Almost every congressional district in the country will be affected by current and future proposals to cut defense spending. While I am always willing to fight against spending cuts which may affect Ohio citizens and my own constituents, I also realize that we must pay some price for freedom and peace around the world.

In light of the numerous job losses that will occur as defense spending is reduced, and the recent slowing of the Nation's economy, it is irresponsible for those who want new tax money not to support the President's call for reasonable and realistic cuts in defense spending. Those who are calling for swifter and deeper cuts are insensitive to the economic impact larger cuts would have on the economy. The slow, responsible restructuring adopted by the President and Secretary Cheney will allow the economy to not only absorb dislocated workers, but create more jobs.

THE CRIMINAL PROCEDURES REFORM ACT

(Mr. SANGMEISTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANGMEISTER. Mr. Speaker, to sentence a person to death is a gut wrenching task to ask of 12 jurors, and as a former prosecutor of capital crimes I can tell you that supporting the death penalty is not all that easy. But despite all the money we spend, prisons we build, or drug wars we fight, every time a violator beats the system—whether because of endless Federal appeals or supressed evidence—the integrity of our criminal justice system is undermined and the morale of citizens and law enforcement officers is devastated.

This doesn't have to be the case though, Mr. Speaker. While I realize the delicate balance between due process and an effective criminal justice system, there are changes that can—and should—be made. For instance: First, implementing a limited death penalty for visible, Federal crimes; second, limiting Federal appeals in capital cases, if competent counsel is provided; and third, codifying current Supreme Court exceptions to the exclusionary rule.

Today, as the Senate and law enforcement groups convene in Washington to consider these topics, I will be introducing the Criminal Procedures Reform Act to implement these reforms. I invite all my colleagues who are interested in furthering this neces-

sary dialog on crime to join me in this effort.

REPUBLICAN TASK FORCE PROTECTS SOCIAL SECURITY

(Mr. RIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIDGE. Mr. Speaker, I am pleased to announce the creation of the Republican Task Force To Protect Social Security. We need to send a message loud and very clear to the American people.

Like the emperor's new clothes, the Democrats' plan for Social Security is very revealing. Cut benefits and raise taxes. The response of the Republican task force is simple: We will not allow the Democrats to take Members back to the perilous days of 1983 and 1984 when Social Security was nearly bankrupt. We will not allow Democrats to put a dollar back in the left pocket of working America with reduced Social Security taxes, and take out $2 for increased sales tax or gasoline tax. We will not allow the Democrats to undermine the confidence of the elderly, justifiably, now in the system, nor will we allow them to jeopardize the future of Social Security benefits for short-term election year gain.

As members of this task force we will work together to ensure that the Social Security system remains sound, remains secure, and on a strong foundation, now and in the future. We invite our Democratic colleagues to join.

CONGRATULATING LIEUTENANT GENERAL CONAWAY

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, today I attended ceremonies, along with my colleague from Kentucky [Mr. HUBBARD], at the Pentagon at which John B. Conaway was promoted to lieutenant general in the Air Froce, and was also promoted to become Chief of the National Guard Bureau.

While I am always proud any time an American rises to heights in his or her profession, I was particularly proud today because John is a long-time friend of mine. John is a native-born Kentuckian, having been born in my colleague's district in Henderson, and John spent many of his formative years in my district in the city of Louisville when he was in charge of our Air National Guard at Standiford Field.

John is an outstanding military man, pilot, and commander; he is also an outstanding American and Kentuckian. I wanted to salute John and to extend praise to him and to his wife, Linda, and to their four children on a job well done. I wish John much luck in the years ahead.

SECRETARY CHENEY NEEDS UPDATE

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, something curious happened at the Armed Services Committee meeting yesterday. I told Secretary Cheney again, as I have told this House, that we are not going to win the drug war until the military starts shooting down the drug planes. No shooting to be done, of course, until every precaution is taken to prevent mistakes. I told him that I hoped he was doing contingency planning for this eventuality. Mr. Speaker, do you know what that man told the committee? He said they were not going to be shooting down any drug planes because they "didn't know which planes were carrying drugs." Well, why don't they know? Last year this Congress designated the military the "lead agency for the detection and monitoring of air and sea drug smugglers." The military does know which planes and ships are carrying the drugs. Mr. Cheney, how come you don't know?

TRIBUTE TO LT. GEN. JOHN B. CONAWAY

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, at 10 a.m. this morning U.S. Senator TED STEVENS, of Alaska, Congressmen RON MAZZOLI, of Kentucky, and JIM SAXTON, of New Jersey, and I were among about 150 admirers of Lt. Gen. John B. Conaway attending his swearing-in ceremony as Chief of the National Guard Bureau.

The impressive Pentagon ceremony was also attended by dozens of our Nation's top military leaders.

President George Bush recently nominated Maj. Gen. John B. Conaway for the rank of lieutenant general and to serve as Chief of the National Guard Bureau. In this new responsibility Lieutenant General Conaway will be the senior National Guard officer representing the interests of the National Guard, consisting of 575,000 Army and Air National Guard soldiers and airmen.

I am very proud that General Conaway, a long-time friend of mine, was born in my congressional district at Henderson, KY, in 1934.

After graduating from Bosse High School, Evansville, IN, he attended the University of Evansville, IN, and graduated in 1956 with a BS degree in business administration. He continued graduate work at the University of Louisville and the University of Kentucky. In 1975 he received a master's degree in management and human relations from Webster College, St. Louis. General Conaway completed U.S. Air Force Commanders Safety School in 1969, Air Command and Staff College in 1971, Air University Commanders School in 1972, and the Industrial College of the Armed Forces in 1973. In 1986, General Conaway received an honorary doctor of laws degree from his alma mater, the University of Evansville, and, in 1988, was elected to the board of trustees of the University of Evansville.

At the University of Evansville, General Conaway entered the ROTC program and was commissioned a second lieutenant in the U.S. Air Force in 1956. After completing basic pilot training he attended advanced combat crew training, graduating in 1958. His next assignments were as an F-102 fighter interceptor pilot in the Air Defense Command at K.I. Sawyer Air Force Base and Kincheloe Air Force Base, MI. The general is a command pilot with more than 6,000 flight hours.

In 1960, he joined the West Virginia Air National Guard as a SA-16 pilot, flying a special forces operations mission. In 1963 he transferred to the Kentucky Air National Guard's 123d Tactical Reconnaissance Wing in Louisville, as an RB-57 pilot, and, in 1965, became an air technician flight training instructor in operations, flying RF-101's.

I am proud that General Conaway and I served together in the Kentucky Air National Guard for about 7 years.

He was called to active duty with the Kentucky Air National Guard in January 1968 and served in Alaska, Panama, Japan, and Korea. Upon deactivation in June 1969, he returned to the Kentucky Air National Guard as operations officer.

In October 1972, General Conaway was appointed air commander of the Kentucky Air National Guard. In December 1974, he was appointed vice commander of the 123d Tactical Reconnaissance Wing. His other assignments have included duty as wing director of operations, wing chief of safety, wing chief of standardization and evaluation, group commander, group deputy commander for operations, and squadron operations officer.

General Conaway was recalled to active duty as Deputy Director, Air National Guard in April 1977 and in April 1981 was named Air National Guard Director. He was reappointed to that position in April 1985 and was named to his current position as the first Vice Chief, National Guard Bureau, on July 20, 1988.

His military decorations and awards include the Air Force Distinguished Service Medal, Legion of Merit, Meritorious Service Medal, Air Force Commendation Medal, Army Commendation Medal, Air Force Outstanding Unit Award with one oak leaf cluster, Combat Readiness Medal with three oak leaf clusters, Air Force Organizational Excellence Award, Air Force Recognition Ribbon, National Defense Service Medal with one bronze service star, Armed Forces Expeditionary Medal, Armed Forces Reserve Medal with hourglass device, Air Force Training Ribbon, Small Arms Expert Marksmanship Ribbon, and Kentucky Distinguished Service Medal. He is also the recipient of the Air Force's Eugene M. Zuckert Management Award and the Air National Guard's Order of the Sword.

General Conaway was promoted and federally recognized as a major general on April 1, 1981.

General Conaway is married to the former Linda K. Narcavage of Mt. Carmel, PA. He has four children: Ellen, David, who is a lieutenant in the U.S. Navy, Daniel, and Bolyn. His talented and very attractive wife Linda and their four outstanding children, General Conaway's parents, and mother-in-law attended this morning's ceremony at the Pentagon.

MARINE MAMMAL PUBLIC DISPLAY REFORM ACT

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, we need to clarify the Marine Mammal Protection Act when it comes to dolphin captures for public display.

The problem is clear. Under the MMPA, the Federal Government has the right to grant capture permits for dolphins—even in State waters that have been protected from such captures by State law.

When Congress passed the MMPA in 1972, its purpose was to protect dolphins and other marine mammals. Unfortunately—and ironically—this law has become a tool for the exploitation of dolphins.

It is increasingly possible to see federally permitted dolphin capturers plying the waters off coastal communities. Dolphins are becoming big business.

This situation has fueled the drive among citizens and elected officials to seek greater protection for dolphins at the State level. For instance, the State of Florida has protected specially designated areas along its coastline under the Aquatic Preserve Program.

However, the MMPA preempts States like Florida from enforcing their own, more stringent standards for marine mammal protection in State waters. Federal capture permits are granted—and dolphins are captured—in waters expressly protected by State law.

Mr. Speaker, today I am introducing legislation to correct this problem. My bill, the Marine Mammal Public Display Reform Act of 1990, would allow States to enforce their own, more stringent standards of dolphin protection in State waters. The legislation would give the States the right to say no.

I urge my colleagues to join me in this effort to make sure the Marine Mammal Protection Act lives up to its name.

□ 1230

CHINA'S MOST RECENT RESTRICTIONS ON OVERSEAS STUDY

(Mr. WEISS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, the Chinese Government made a telling announcement yesterday. Chinese university graduates will now be required to work for 5 years before they become eligible to study abroad.

This announcement gives us further proof, if it were needed, that Congress should have followed the lead of this House and overridden the President's veto of H.R. 2712. In doing so, Congress would have sent a clear message that this country will not bow to threats from a brutish Chinese Government. It would have proven that Congress has not forgotten the Chinese Government's murderous crackdown on prodemocracy forces and its continued repression of dissent and freedom of speech.

President Bush told Congress that signing H.R. 2712 into law would threaten student exchange programs. He told us as an "old China hand" that because of his veto things would get better in China. The President was wrong. The Chinese Government's 5-year work requirement tells us that Congress was wrong in permitting George Bush to equivocate on defending the human rights of the Chinese students in this country.

A PROPOSED REDUCTION OF SOCIAL SECURITY REVENUES

(Mr. SCHIFF asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, Senator MOYNIHAN deserves great praise for bringing public attention to a long-standing problem, and that problem is the misuse of the Social Security trust fund figures to conceal the actual budget deficit each year of the U.S. Government. However, although Senator MOYNIHAN has correctly pointed out a problem, he has not proposed a correct solution.

To do as Senator MOYNIHAN proposes, to reduce Social Security revenues to 1983 levels, threatens the ultimate collapse of the Social Security system. The Social Security revenues were set to insure that benefits would be available to Americans when they reach Social Security retirement age.

Mr. Speaker, I believe that the Moynihan plan to subvert those revenues should be rejected by the Congress.

THE ADMINISTRATION SURRENDERS ON TRADE ISSUE

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, the President in today's business section of the Post announced surrender. The headline says, "The President Vows to Resist Calls for Managed Trade." What he has just done is laid our cards on the table.

As the Europeans band together to give an advantage to them against American companies, mandating that certain processes and products that were previously made in the United States be made in Europe, as the Japanese bluntly admit that they have restrictions on American agricultural products and other products, our President says he is not going to manage trade. The tug of war in the administration is over, and the answer is to surrender on trade. There would be no HDTV, no policy to try to maintain America's base for defense, either in a military sense or for our economy.

This administration had better focus on this economy and the trade of this economy before we lose the most important battle of the next decade. While changes in Eastern Europe may make us feel more secure militarily, our economy is under seige today with an industrial base that is rapidly falling apart and with an economy that has a continued increase of deficit in trade in excess of $100 billion.

No, policy is not the answer here. We need an administration that is ready to engage the American people, American industry, and American workers to make sure that we have a competitive economy to hand off to our children and not just the remnants of what was once a great and powerful nation.

THE 1990 GOODWILL GAMES TO BE HOSTED BY THE STATE OF WASHINGTON

(Mr. CHANDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHANDLER. Mr. Speaker, I would like to bring to my colleagues' attention an important event which will take place in the Pacific Northwest this summer. Between July 20 and August 5, some 2,500 amateur athletes from over 50 countries will convene in the State of Washington to participate in the 1990 Goodwill Games. Competition will be held in 21 sports at sites in Seattle, Tacoma, Federal Way, Redmond, Enumclaw, Spokane and the tri-cities. Also featured are cultural performances of musicians, singers, and dancers from participating countries.

The many changes that have recently occurred in Eastern Europe make this event a very important one. This is a time when ties to Eastern bloc countries need to be strengthened. I believe this event will help foster improved trade relations and better understanding between the cultures of the participating countries.

Since this is the first time this event will be held on American soil, it is important that our country make every effort to ensure that the experience of those participating in the games is a good one. Today I am introducing legislation with my colleagues from Washington State to enhance the facilitation and expeditious processing of the international travelers participating in the event. My proposal would allow for the duty-free entry of the personal effects and equipment of participants and officials involved in the 1990 Goodwill Games.

I would encourage my colleagues to support this measure and to be sure to visit Washington State this summer to observe this world-class event.

FEDERAL RETIREES—NOT SOCIAL SECURITY RECIPIENTS—IN JEOPARDY

(Mr. SMITH of Florida asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SMITH of Florida. Mr. Speaker, let me just talk about an issue that has just come up on the floor of the House on savings Social Security. Let there be no mistake—and I say this to all of you out there who can hear this—Social Security is not in jeopardy, and this is a bogus issue run up by the President.

If we want to know what is in jeopardy, we should look at the President's budget. No. 1, he has cut COLA's for retired military personnel in the budget. No. 2, he has cut COLA's for retired Federal employees.

It is not Social Security that is in jeopardy; it is all the other retired elderly in this country who are in jeopardy, and I say, shame on the people who made up that budget. I say, shame on you for pitting one elderly group against another to try to make sure you have enough money to build more weapons.

Mr. Speaker, it is time to save everybody and stop the bogus issue of Social Security being in jeopardy. I say, "It just ain't so."

A TRIBUTE TO THE BATTELLE MEMORIAL INSTITUTE

(Mr. MORRISON of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORRISON of Washington. Mr. Speaker, many changes have occurred in the State of Washington and at the Hanford site in the Fourth Congressional District over the past 25 years. One of the most significant events was Battelle Memorial Institute being selected in 1965 by the Federal Government to manage and operate what was then called the Hanford Laboratories, and is now called the Pacific Northwest Laboratory. Battelle is today a unique asset to the Tri-Cities, to the State, and to the entire Pacific Northwest.

When Battelle was selected to manage the Hanford Laboratories in 1965, it committed to create a northwest division of Battelle Memorial Institute whose business is contract research. In the ensuing 25 years, Battelle has invested more than $50 million in laboratories and equipment in Washington not only to support its contract research business but to complement the Department of Energy's own laboratories at Hanford. To my knowledge, no other contractor to the Federal Government has made such a corporate commitment to a local community or region.

The Hanford Laboratories employed approximately 1,525 people in 1965 in support of the materials production mission of the former Atomic Energy Commission. In 1990, there are approximately 3,300 scientists, engineers and support staff at the Pacific Northwest Laboratories, with the largest percentage supporting the research and development programs of the Department of Energy.

Battelle also conducts research for private industry. Several spin-off companies have been formed in the Northwest as a result of technologies developed by its scientists and engineers. In addition, Battelle supports research projects in several foreign countries.

Battelle is also well recognized for its community involvement. Every year Battelle is the largest supporter of the local United Way, and supports many educational and cultural organizations with financial and human resources.

Mr. Speaker, as Battelle commemorates 25 years in the State of Washington during 1990, I would like to share with you and my colleagues the strong feeling that all of us have in the Tri-Cities and the State of Washington—Battelle is a class act and Washington looks forward to many more years of its presence and commitment to a better Washington, a better Pacific Northwest, and a better world.

ONTARIO VIOLATES UNITED STATES-CANADA FREE TRADE AGREEMENT

(Mr. KOSTMAYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOSTMAYER. Mr. Speaker, the Canadian Province of Ontario is engaged in a remarkable, blatant violation of the United States-Canada Free Trade Agreement. Ontario's action threatens the American trucking and truck trailer manufacturing industries.

In January, Ontario began a new program that allows truckers to operate 53-foot trailers within Ontario—if they get a permit from the Ontario government. But there's a hitch; only new trucks built in Canada can get these permits.

What Ontario is doing, Mr. Speaker, is quite simple. They are attempting to capture all or part of the new 53-foot trailer market for Canadian manufacturers, particularly the two major manufacturers located in Ontario. Protecting Canadian manufacturers, of course, comes directly at the expense of truck and trailer manufacturers throughout the United States—who are widely considered the leaders in 53-foot trailer production.

Ontario's action is unacceptable, Mr. Speaker, and I suggest that we consider strong steps to end it, including barring any truck with one of these discriminatory permits from operating in the United States.

□ 1240

WHY THE PRESIDENT'S DEFENSE BUDGET MUST BE IMPLEMENTED

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, the term "alive and well" would be a gross exaggeration in describing the multiparty system which is developing in the Soviet Union. However, Mr. Speaker, it is very clear that within the past 72 hours we have witnessed historic changes, and it is apparent that we are seeing the prospects for a multiparty system in the Soviet Union grow dramatically.

Mr. Speaker, as we look at some of the developments that have come about in the wake of these changes, it is very important that the defense budget, which the President has called

for, is implemented, and let me tell my colleagues why.

Mr. Speaker, we have heard within the last several hours that Yegor Ligachev, who had been the head of ideology and personnel, now the head of agriculture in the Soviet Union, one of the hard-line conservatives, has made an attempt to negotiate with the military standing up to Mikhail Gorbachev, and so the prospect of expending 4.3 percent of gross national product on defense, juxtaposed to the 8.7 percent of our gross national product that was spent on national defense before the Vietnam war by John F. Kennedy, would be very, very good for us to do.

CHINA DISCONTINUING STUDENT EXCHANGE PROGRAM WITH THE UNITED STATES

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, as was mentioned earlier on the floor, it was announced that China will discontinue its student exchange program with the United States, that only those students who are eligible to travel to the United States for study are those who have spent 5 years working in China.

Mr. Speaker, what are they afraid of? They are afraid of democracy.

It is very curious to me that only 2 weeks ago in the debate for the override of the Chinese student bill we were told that, if the veto was overridden, then the Chinese would cut off the student exchange program. We did not, the veto was sustained, and the Chinese have cut off the student exchange program. It seems to me they were going to do it anyway.

Mr. Speaker, it is also very clear that they have done nothing in China to address the human rights problem. The administration's own human rights report, which will be released this month, reads like an indictment of Deng Xiaoping and a few senior officials to keep them in government at the expense of the many people who demonstrated for democratic reform.

In fact, the entire freshman class of the University of Beijing has been assigned to a remote camp for ideological indoctrination and reeducation.

So, Mr. Speaker, we look forward to receiving this human rights report from the administration in a couple of weeks, but I think it is clear to this House that we acted correctly in overriding the veto. They were never going to continue the programs anyway. They are afraid of the democratic principles the students learn in the United States.

MANDATED PARENTAL LEAVE

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I think most of the distinguished Members of this Chamber have already read at least part of a new book, "The Japan That Can Say 'No.'"

That book spells out clearly the feeling many Japanese have that they—not America—are destined to be the world's No. 1 economic power.

Mr. Speaker, this book is just one more example of how we are in an era of unprecedented foreign competition. And the reason I bring this to your attention is that now more than ever we in the Congress must create a business climate that fosters initiative, entrepreneurship, and growth.

If we keep writing expensive regulations and piling them on the backs of small businessmen and women then America will lose her economic superiority. Not only will the Japanese have beaten us, we will have beaten ourselves.

Mr. Speaker, soon this body will consider mandated parental leave. I will oppose that bill because I believe it is just one more attempt by the Federal Government to tell businesses how to operate.

Should we help families in need? Of course. Should we give businesses incentives to provide for parental leave? Yes.

But, Mr. Speaker, a unilateral dictum from the Federal Government—issued without regard for individual circumstances—is not the way to go.

When this issue comes to the floor, I will vote "no" and I urge my colleagues to do the same.

THE MISUSE OF SOCIAL SECURITY SURPLUSES

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute.)

Mr. DORGAN of North Dakota. Mr. Speaker, I have noticed today the buttons that say "Save Social Security, Vote Republican."

Mr. Speaker, I just want to make this point about Social Security. We are collecting a surplus in Social Security that is taken from the paychecks of the working people in this country, and they are told it is going to be saved in Social Security for their future. This President, this administration, in concert with some in Congress think it is wonderful that we take that surplus and use it to reduce the Federal deficit. We use it as an offset to either reduce spending or higher taxes.

Mr. Speaker, one way or another this is dishonest budgeting. It not only is unfair to the working people of this country. It is dishonest in terms of the Social Security promise that is made that this money is going to be saved for America's future. Some of us want it stopped.

The President says, "Well, the Moynihan plan; that threatens Social Security." Mr. Speaker, I will tell my colleagues what threatens Social Security. The President threatens Social Security by saying, "I want to take money that we collect for Social Security and misuse it to reduce the Federal deficit." That is what threatens the Social Security program.

Mr. Speaker, some of us want to say, "No more. Take those computations out of the Federal budget, out of the Federal budget now, and unmask the real Federal deficit," and then we are going to have to confront what the real deficit is and make the tough choice to put this country back on track, but none of this nonsense about who is for and who is against.

My colleagues, what threatens Social Security is the people who misuse the Social Security surpluses.

PLUGGING AMTRAK'S DISCHARGE PIPE

(Mr. GRANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRANT. Mr. Speaker, in January, we ushered in a new decade, full of promise and opportunity around the globe.

Unfortunately, our national railroad wants the nineties to look just like the eighties—the 1880's, that is.

I really think it's time to stop the obnoxious Amtrak practice of dumping untreated human sewage from its passenger trains.

In my home State of Florida, Amtrak was recently found guilty of three counts of criminal littering for dumping raw sewage onto four unsuspecting retirees fishing under the railroad bridge which crosses the St. Johns River. Amtrak is appealing the decision, contending that Federal law supersedes State standards. That may be true, but Amtrak is the national railroad of the United States and depends on this body for its operating subsidy.

Now, is this the kind of practice Members of the U.S. Congress want to condone?

I do not think so. Congressman HOWARD NIELSON and I and others have introduced legislation, H.R. 3772, to correct this disgraceful practice. It gives Amtrak 3 years to retrofit its cars and provides the means to do it. I urge everyone to support this sensible legislation.

Let 1990 be the year we finally plug Amtrak's discharge pipe and being our national rail service into compliance with the public health standards we require of everyone else.

TAXPAYER RECOVERY ACT OF 1990

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, today Congressman HILER and I are introducing the Taxpayer Recovery Act of 1990. Senator DOLE introduced this bill in the Senate on January 31, 1990, and it currently has four Senate cosponsors.

The bill would amend the Federal Bankruptcy Code to prevent bankruptcy courts from discharging criminal restitution orders issued against those individuals who have caused losses to a financial institution. The bill would also prevent those who have committed acts, involving fraud or reckless disregard of the law, against any financial institution that is now in receivership from taking advantage of generous State homestead exemptions. In certain cases, these homestead exemptions have been abused by bankrupt debtors that were involved in the looting of insured depository institutions by allowing them to protect personal property—including multimillion dollar mansions—from the reach of the FDIC and other regulatory agencies.

The average taxpayer is angry over abuses uncovered during the passage of FIRRES and Congress must do everything in its power to recover money that has been recklessly or fraudulently appropriated from our federally insured depository institutions. We must not support the lavish lifestyles of those who abused their government granted privileges and created havoc in the thrift industry. Criminals have been able to use the shelter of the Bankruptcy Code to shield assets obtained through fraud and dishonesty. The list of miscreants in the thrift industry who abused the Federal deposit system for their own personal benefit at the expenses of taxpayers is long and sordid. These individuals should not be able to shelter their ill-gotten profits through bankruptcy protections and homestead exemptions. We strengthened the Government's hand in prosecuting criminals at federally insured institutions. However, these powers become meaningless if in the final analysis, the taxpayer is still left holding the losses. This bill corrects this situation.

The bill we introduce today works to protect taxpayers by allowing Federal regulators to relentlessly pursue the ill-gotten gains of those who have defrauded our federally insured financial institutions. I urge my colleagues to support the Taxpayer Recovery Act and promptly pass this legislation.

PROVIDING TIME TO LEARN THE ECONOMIC AND HEALTH EFFECTS OF BST

(Mr. SMITH of Vermont asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Vermont. Mr. Speaker, I have introduced legislation today that would create a 3-year moratorium on the marketing of milk produced with the synthetic hormone bovine somatotropin. This bill is not intended to throw a permanent roadblock in front of BST or in front of biotechnology in general. Rather, this legislation would make certain we have enough time to learn all the economic and health effects of this hormone before it is used to produce the milk you, I, and all Americans purchase at our neighborhood stores.

BST, also known as bovine growth hormone, increases per-cow milk production significantly. While that sounds like a great stride forward in farm technology, it scares many dairy farmers back in my home State of Vermont and all across the country. Why? Because we do not know how BST will truly affect the economic stability of farms, particularly smaller family-owned farms. Nor do we know how it will affect consumer trust in dairy products.

We may decide that BST will benefit the entire dairy industry. But for now, I maintain we must come down on the side of caution.

I ask my colleagues to join me in supporting this legislation.

□ 1250

FRAUDULENT FREE MEDICAL SCREENING TESTS FOR SENIOR CITIZENS

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, last Friday I told the senior citizens across south Florida: if it seems too good to be true, it's probably not true. I rise this morning to urge my colleagues to return to their districts for the Lincoln and Washington work period and share this message with their senior citizens.

What is too good to be true? Free medical screening tests for senior citizens.

Medicare is being bilked out of millions of dollars for medical tests provided at mobile laboratories in Fort Lauderdale. Senior citizens are offered free cholesterol screening at labs that are set up in their condominium rec center, housing projects, or wherever seniors gather. After an initial cholesterol test, Medicare beneficiaries are advised that they need followup tests. Before seniors leave these mobile labs they are asked to sign a Medicare form—like the ads maintain—all the tests are free of charge. But months later these same seniors receive forms from Medicare indicating that Medicare has been charged for thousands of dollars of tests and other services that may have never been provided at the mobile labs, or were probably not needed.

I talked with HHS Secretary Dr. Sullivan last Thursday. As he shares my concern, he has investigators working already. However, chances are that similar mobile labs may be operating in your own congressional district, so I urge you to inform seniors that they may be victimized by similar free testing offers.

A MISLEADING STANDARD OF COMPARISON IN EDUCATION

(Mr. PETRI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETRI. Mr. Speaker, bad studies lead to bad policy. And one of the worst studies in years keeps getting more ink in the liberal media. Last Sunday's Washington Post devoted an entire page to reprint a study that has already been thoroughly discredited, the Economic Policy Institute effort to show that the United States spends less money than its industrialized competitors on elementary and secondary education.

The EPI says we spend a lower percentage of our GNP on education, and that is true. But it is a stupid standard of comparison. We also spend a far lower percentage of GNP on food. But that does not mean we eat less. It means we are richer, so a lower percentage of our income buys more food, or more education. By the EPI standard of comparison, Mississippi spends more of its State product on education than Minnesota, 3.9 percent to 3.7 percent. But Minnesota, being richer, spends almost twice as many dollars per pupil. Actual dollars per pupil is the only sensible standard of comparison, and by that standard, we rank near the top.

The liberals are trumpeting this hokum from the ramparts for one reason: They want to pump in more and more money. It's the same old religion of tax and spend. But we have already increased our spending 27 percent in real terms in the eighties, with no appreciable results.

Mr. Speaker, the answer is not more money; it is more effective money. It is reforms like competition between schools, parental involvement, school-based management, standards and testing, and less bureaucratic overhang.

SOCIAL SECURITY IS BIPARTISAN

(Mr. GUNDERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Speaker, I think many of us remember the decade of the eighties here in the Congress. During that time we read little bumper strips and saw little buttons that said, "Save Social Security. Vote Democrat." I did not believe that at that time.

There is a button out right now that is just the opposite. It says, "Save Social Security. Vote Republican."

I would like to think Social Security is not any more partisan today than it was back in the 1980's; but if it is not going to be partisan, I have got to call on my Democratic colleagues to join with us now in 1990 to reject the Moynihan proposal.

A pay-as-you-go plan for Social Security sends two signals. Immediately we have to start looking at a cut in benefits and we send a signal to the baby boomer generation that when they get there, there will be no funds for them.

That is why even the AARP this week came out against the Moynihan proposal.

Let us take the politics out of Social Security. Let us, Democrats and Republicans, reject the Moynihan proposal.

COMMENTS ON DEMOCRATIC SPEECHES OF TODAY

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I have several comments on some Democrat speeches we have heard today.

The chief deputy whip for the Democrats, the gentleman from Michigan [Mr. BONIOR] claims that Republicans are trying to undermine Social Security. The gentleman from Michigan [Mr. BONIOR] should talk to a fellow Democrat, Senator MOYNIHAN, who has a proposal which could lead to Social Security benefit cuts.

Another Democrat, Senator BENTSEN, is holding hearings on that irresponsible idea and other Democrats have embraced the proposal.

The gentleman from New Jersey [Mr. TORRICELLI] accused the President of relying too much on commissions. Well, I happen to serve on the Science, Space, and Technology Committee with the gentleman from New Jersey. On that committee, one of his chief legislative proposals is none other than a Mars Commission.

Et tu, Brute?

Other Democrats have noted an inability to move on national issues. They do so while the President's anticrime program languishes in congressional committees. His antidrug program languishes in congressional committees, and the balanced budget amendment remains buried in a congressional committee.

No wonder most of America finds politicians untrustworthy and unbelievable.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

URGENT ASSISTANCE FOR DEMOCRACY IN PANAMA ACT OF 1990

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3952) to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

The Clerk read as follows:

H.R. 3952

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Urgent Assistance for Democracy in Panama Act of 1990".

TITLE I—PANAMA

SEC. 101. IMMEDIATE UNITED STATES ASSISTANCE.

(a) ECONOMIC ASSISTANCE PROGRAMS.—

(1) AUTHORITY TO USE FUNDS FOR ECONOMIC ASSISTANCE.—

(A) IN GENERAL.—The President may use up to $32,000,000 of funds made available for economic assistance programs in order to provide economic assistance for Panama for fiscal year 1990 notwithstanding the provisions of law specified in subsection (c) of this section.

(B) DEOBLIGATION/REOBLIGATION AUTHORITY.—Funds may be made available for use under subparagraph (A) without regard to the limitation in section 515 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167), that funds deobligated under that section are available for reobligation only for countries within the same general region for which the funds were originally obligated.

(C) ECONOMIC ASSISTANCE DEFINED.—As used in subparagraph (A), the term "economic assistance" means assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development and related economic assistance programs) and assistance under chapter 4 of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund).

(2) AUTHORITY TO USE CERTAIN GUARANTEE AUTHORITIES.—The President—

(A) may use up to $10,000,000 of the guaranty authority available to carry out section 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2182; relating to the housing guaranty program), and

(B) may exercise the authorities of section 224 of that Act (2 U.S.C. 2184; relating to the trade credit insurance program for Central America),

with respect to Panama for fiscal year 1990 without regard to the provisions of law specified in subsection (c) of this section.

(b) LAW ENFORCEMENT ASSISTANCE.—

(1) ADMINISTRATION OF JUSTICE PROGRAM.—Up to $1,200,000 of the funds made available for Panama under subsection (a)(1) of this section may be used to provide—

(A) assistance authorized by subsection (b)(3) of section 534 of Foreign Assistance Act of 1961 (22 U.S.C. 2346c; relating to the administration of justice program); and

(B) training for the Public Forces and other civilian law enforcement forces of Panama in human rights, civil law, and investigative and civilian law enforcement techniques, notwithstanding section 660 of that Act (22 U.S.C. 2420; relating to the prohibition on assistance for law enforcement forces).

All assistance provided for Panama under this paragraph shall be counted toward the limitation contained in the second sentence of section 534(e) of that Act and toward the requirement of the second sentence of section 599G(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167).

(2) USE OF MILITARY ASSISTANCE PIPELINE FOR PANAMA TO PROCURE LAW ENFORCEMENT EQUIPMENT.—

(A) AUTHORITY.—Prior year military assistance funds that are obligated for Panama shall be available to finance the procurement of defense articles by law enforcement forces in Panama and related defense services (other than training) notwithstanding the provisions of law specified in subsection (c) of this section and section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420; relating to the prohibition on assistance for law enforcement forces).

(B) LIMITATIONS ON LETHAL EQUIPMENT.—Not more than $500,000 of the funds made available under subparagraph (A) may be used for the procurement of lethal equipment. Only lethal equipment that is appropriate for standard civilian law enforcement requirements may be procured with such funds.

(C) PRIOR YEAR MILITARY ASSISTANCE FUNDS DEFINED.—As used in subparagraph (A), the term "prior year military assistance funds" means funds that were appropriated for a fiscal year prior to fiscal year 1990 to carry out chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 and following; relating to the grant military assistance program) or section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to foreign military sales credits).

(3) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B) of this paragraph, the President shall notify the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1) in accordance with the procedures applicable to reprogrammings under that section at least 15 days before—

(i) each obligation of funds under paragraph (1) of this subsection, and

(ii) each commitment to use funds under paragraph (2) of this subsection.

(B) EXCEPTION.—Such notification is not required with respect to—

(i) obligations under paragraph (1), and

(ii) commitments to use funds under paragraph (2) for the procurement of uniforms and communications equipment (and related defense services),

that occur prior to the end of the 15-day period beginning on the date of enactment of this Act to the extent that such obligations or commitments, as the case may be, were previously justified to the Congress.

(c) BROOKE-ALEXANDER AMENDMENT.—The provisions of law referred to in subsections (a)(1), (a)(2), and (b)(2)(A) of this section are section 620(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(q)); and section 518 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167), and the corresponding sections of foreign assistance appropriations Acts for prior fiscal years.

SEC. 102. RESUMPTION OF UNITED STATES ASSISTANCE: ANTINARCOTICS CERTIFICATION REQUIREMENTS.

Because the vital national interests of the United States so require and because the Endara government of Panama has indicated its willingness, and is taking steps, to cooperate fully with the United States to control narcotics production, trafficking, and money laundering, the requirements of paragraphs (1) and (5) of section 481(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(h)) shall cease to apply to Panama as of the date of enactment of this Act to the extent that those requirements became applicable to Panama by reason of the fact that the President did not make a certification with respect to Panama under paragraph (2) of that section at the time the international narcotics control strategy reports for 1988 and 1989 were submitted to the Congress pursuant to section 481(e) of that Act.

SEC. 103. RESUMPTION OF TRADE BENEFITS: ANTINARCOTICS CERTIFICATION REQUIREMENTS.

(a) RESUMPTION UPON DATE OF ENACTMENT.—Because the vital national interests of the United States so require and because the Endara government of Panama has indicated its willingness, and is taking steps, to cooperate fully with the United States to control narcotics production, trafficking, and money laundering, the conditions specified in section 802(b)(4)(B) of the Narcotics Control Trade Act (19 U.S.C. 2492(b)(4)(B)) shall be deemed to be satisfied as of the date of enactment of this Act with respect to the action taken pursuant to section 802 (a) of that Act that is described in subsection (b) of this section.

(b) SPECIFICATION OF BENEFITS.—The action referred to in subsection (a) is the denial to articles imported from Panama of preferential tariff treatment under the Generalized System of Preferences (19 U.S.C. 2461 and following) and the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 and following) pursuant to Presidential Proclamation 5779 of March 23, 1988.

SEC. 104. REPORT ON PANAMANIAN BANK SECRECY LAWS.

(a) CONGRESSIONAL CONCERNS.—The Congress commends the Endara Government for its cooperation and assistance in freezing Panamanian bank accounts believed to be implicated in narcotics-related and other illegal financial transactions. The Congress remains concerned, however, that the current status of bank secrecy laws in Panama may lend itself to continued criminal abuse of those laws despite the best intentions of the Endara Government.

(b) REPORT.—Therefore, no later than April 15, 1990, the President shall submit a detailed report to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate on specific actions being undertaken by the Government of Panama to modify the existing bank secrecy regime in order to facilitate detection and prosecution of criminal activities, including—

(1) the modification of bank secrecy laws by the Government of Panama;

(2) the conclusion of an exchange-of-information agreement between the United States and Panama; and

(3) agreements entered into by the Government of Panama or in the process of negotiation that are designed to deter illegal financial transactions and to facilitate early detection and prosecution of such illegal activities.

TITLE II—EASTERN EUROPE AND YUGOSLAVIA

SEC. 201. ASSISTANCE TO SUPPORT TRANSITION TO DEMOCRACY.

(a) AUTHORITY.—Notwithstanding any other provision of law, the President may use up to $10,000,000 of the funds appropriated for fiscal year 1990 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 and following; relating to the economic support fund) to support the process of democratic transition in East European countries and Yugoslavia, in addition to amounts otherwise available for such purposes.

(b) LIMITATION.—Funds provided under this section shall be made available only—

(1) after the President has certified to the Congress that the country where funds are being expended has had, or is scheduled to have, open and free multiparty national or regional elections; and

(2) in such a manner so as to benefit substantially a full range of non-Communist political parties in the countries in which such funds are used.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker. H.R. 3952 is being considered under expedited procedures in order to provide the President with the authority to immediately remove the remaining restrictions on aid and trade with Panama and provide urgent assistance. This bill permits the administration to initiate the steps which must be taken to assist in returning Panama to civilian control and recommence economic activity. Under the administration's plan, this legislation will be followed by a much larger package, authorizing some $500 million in supplemental fiscal year 1990 appropriations and an equal amount in credits and guarantees, designed to jump start the economy.

H.R. 3952 also authorizes up to $10 million in assistance for democracy for the countries of Eastern Europe. This bill is being used as the vehicle for this initiative in order to provide pre-election assistance to those countries which have experienced rapid political transformation since the enactment in November of the SEED Act and have scheduled free, multiparty elections for this spring.

H.R. 3952 was referred to four committees—the Committee on Foreign Affairs, Committee on Ways and Means, Committee on Banking, Finance and Urban Affairs and the Committee on Appropriations. I appreciated the expeditious consideration of the bill by the Committee on Ways and Means, and the willingness of the Committees on Appropriations and Banking to support the bill's consideration in the House without formal action by those committees. The bill has been drafted and brought to the floor in the period of a week. It has been done with the cooperation of the four committees, the administration, the House leadership, and the Senate. The Senate Committee on Foreign Relations reported an identical bill, and the Senate is expected to consider the House passed bill tomorrow. The bill could be signed into law as early as this week end. I would like to commend the many participants for the cooperative and bipartisan approach which they brought to the process of developing this bill and which permitted a quick consensus.

I urge all members to vote in favor of this urgent legislation to support democratic, civilian government in Panama and Eastern Europe.

I submit for the RECORD a brief summary of the bill:

SUMMARY OF DRAFT BILL ON PANAMA

SECTION 101—ASSISTANCE

(a) Economic Assistance authorizes $32 million for urgent economic assistance for Panama; exempts this assistance from the provision in FY 1990 appropriations act which restricts deobligation/reobligation authority to funds being used in the same region; authorizes $10 million for housing guarantees; and authorizes Trade Credit Insurance Program for Panama.

(b) Law Enforcement authorizes $1.2 million for Administration of Justice and training law enforcement authorities, notwithstanding the prohibition against police training in section 660 of the Foreign Assistance Act; authorizes use of MAP and FMS pipeline for procurement of equipment for law enforcement forces, except not more than $500,000 may be used for procurement of lethal equipment; and 15 day notification period is waived for non-lethal assistance

provided as justified to Congress within 15 days of enactment.

(c) Brooke-Alexander waives restrictions against assistance to countries in arrears on repayment of U.S. government loans.

SECTIONS 102 AND 102—ANTINARCOTICS REQUIREMENTS

Sections 102 (FAA) and 103 (Narcotics Trade Control Act) lift restrictions on aid and trade with Panama for reasons of narcotics trafficking.

SECTION 104—BANK SECRECY LAWS

Commends Endara government for freezing bank accounts implicated in narcotics-related transactions and requires Presidential report on steps by the Panamanian government to modify bank secrecy and deter illegal financial transactions.

SECTION 201—EASTERN EUROPE

Authorizes up to $10 million for assistance to support the process of democratic transition in Eastern Europe and Yugoslavia, subject to 15-day notification requirement and Presidential certification that multi-party elections have been held or are scheduled in the recipient country.

□ 1300

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the House has moved quickly to consider this important legislation providing certain U.S. assistance and trade benefits for Panama.

The administration has proposed a two-part $1 billion Panama assistance package to address the emergency and long-term needs of the Panamanian people. The second part of the package will be a supplemental assistance program which the House will consider in March.

The first part of the package, which we are considering now, authorizes $42 million for an emergency assistance program. This program will include funds for new housing, employment and public works, small business rehabilitation, and technical assistance.

The remainder of the bill waives numerous prohibitions in current law which were passed to put some teeth into the U.S. sanctions against Noriega and his regime.

By waiving those prohibitions and thus withdrawing United States sanctions now that a democratic government is in place, the bill we are now considering will allow Panama's private sector to serve as the key to that nation's economic recovery.

Panama and, particularly, its private sector will once again benefit from a package of loans, guarantees, market access, and private investment incentives under such initiatives as the Caribbean Basin Initiative [CBI], the Generalized System of Preferences [GSP], the Overseas Private Insurance Corporation [OPIC], and U.S. sugar quota programs.

The administration has estimated that the worth of the benefits of these programs to Panama is approximately $500 million.

I believe that the first part of this two-part package sets out a reasonable but appropriate and responsible commitment on the part of the United States to assist both the emergency and long-term needs of the Panamanian people.

I would also like to note that this bill provides $10 million to support the process of democratic transition in East European countries. At a crucial time in the development of democracy in this important part of the world, this important initiative also deserves our support.

I urge all Members to support this legislation.

Mr. FASCELL. Mr. Speaker, I thank my colleague, the gentleman from Michigan [Mr. BROOMFIELD], the distinguished ranking member of the Committee on Foreign Affairs, for his remarks and his assistance.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. ROSTENKOWSKI], the distinguished chairman of the Committee on Ways and Means.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise in support of H.R. 3952, the Urgent Assistance for Democracy in Panama Act of 1990, which the Committee on Ways and Means ordered favorably reported to the House yesterday.

Section 103 of that bill enables the President to restore immediately trade benefits to Panama as part of his program of economic assistance to aid Panama's recovery efforts. These benefits consist of preferential duty-free treatment under the generalized system of preferences and Caribbean basin initiative programs that were removed as trade sanctions in March 1988. Specifically, section 103 waives the 45 legislative-day period under the Narcotics Control Trade Act for congressional disapproval of the certification by the President on January 26 that the new government of Panama is fully cooperating with the United States on narcotics control.

While recognizing the urgency of economic aid to Panama, the Committee on Ways and Means is very concerned about reports that the Endara government is resisting changes in bank secrecy laws that are necessary to prevent the continuation of money laundering in Panama. The committee expects the administration to keep it fully informed of its efforts to ensure that Panama fully complies with the President's certification in this regard.

Mr. Speaker, I urge my colleagues to support H.R. 3952.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is the gentleman from California [Mr. LAGOMARSINO] now controlling the time?

Mr. LAGOMARSINO. Mr. Speaker, I am controlling the time temporarily.

The SPEAKER pro tempore. Without objection, the gentleman from California is recognized.

There was no objection.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to express my strong support for H.R. 3952, legislation to authorize U.S. assistance for Panama and to support the transition to democracy in Eastern Europe.

The decision by President Bush to send American forces to Panama was supported by both the Panamanian people and by a majority of Americans, as well. The President chose a course of action designated to accomplish four objectives: To protect Americans living in Panama; to protect American interests in the Panama canal; to restore democracy in Panama and to bring to justice indicted drug kingpin Manuel Antonio Noriega.

All four of those objectives were accomplished. While all of us regret the loss of life—both American and Panamanian—that resulted from this military action, the defense of freedom and democracy and the prevention of even greater threats against Americans fully justified the President's decisive order to introduce American combat troops into Panama.

The defense of both democracy and of U.S. national security interests in Panama deserve our strong support. We have both rights and obligations in Panama, and it is vital that we help the Endara administration in Panama strengthen its government institutions, its economy, and its control over the security forces. Moreover, if we are to see the prompt return of all the American troops sent to Panama in December, it is imperative that we help the Panamanians develop for its new public force the police functions necessary to provide for the security of Americans and Panamanians living in Panama.

This assistance package deals with the immediate needs of Panama and provides the President with the flexibility he requires to respond effectively to the desperate conditions for some sector in Panama. Obviously, followup legislation will be necessary as additional areas where assistance can be useful are identified. In order to respond to emergency conditions, however, it is essential that we act expeditiously.

I enthusiastically join those of my colleagues who have commended our U.S. Armed Forces personnel who served and continue to serve so effectively in Panama and also our commander in chief for his decisive leadership at a critical time in U.S. history.

I urge my colleagues to support this vital legislation.

Mr. FASCELL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CROCKETT], the distinguished chairman of the Subcommittee on Western Hemisphere Affairs.

Mr. CROCKETT. Mr. Speaker, while I support the compromise fashioned by my colleagues and the administration which provides that the fiscal year 1990 supplemental appropriations bill will return to the African foreign aid account the $30 million which the administration now wants to give Panama, I still have very grave concerns about the very disturbing pattern and practice that is emerging with respect to the African foreign aid account.

This is the second time this year that the administration has attempted to raid the meager African aid budget to give money to other regions of the world.

Just this past September, the State Department proposed that $10 million in funds earmarked for Somalia be reprogrammed for use in the resettlement of ethnic Turkish refugees who had fled Bulgaria.

The situation in Turkey may, indeed, have merited the immediate attention of our Government, but Turkey alone already receives more U.S. financial assistance than all of the countries of Africa together.

It was a travesty for the administration to look to the paltry foreign aid appropriations for Africa to find those funds for Turkey.

There were tremendous unmet needs for those funds for refugees on the African continent. All of us have seen the pictures of starvation in the Horn of Africa—a cause for which our colleague, Mickey Leland, gave his life.

Africa is, after all, home to the world's largest refugee population. And that is, precisely, why the Congress had earmarked those funds for Africa and why members objected so strongly to the reprogramming.

Fortunately, faced with our adamant congressional opposition, the administration decided to look elsewhere for funds for Turkish refugees.

Now, we are told that we have no choice but to tranfer $30 million in aid from Africa to Panama. The administration claims to be unable to find the funds needed for Panama anyplace except in the minuscule amount of aid we give to Africa.

Why Africa again? Why not Central America? The State Department recently reported that there were more than $700 million in unexpended funds in the aid accounts of four Central American countries—El Salvador, Guatemala, Honduras, and Costa Rica.

Let me point out that $700 million in unexpended funds is more than the $575 million that all of Africa received in fiscal year 1990. And had the administration chosen an intraregional transfer of funds from Central America to Panama, it could have done so quickly and easily without needing congressional consent.

It's time for the administration and Congress to end this blatant and willful disregard for Africa. No region of the world has experienced the steep economic decline that Africa has in the past few years; and yet, Africa is still allocated the smallest portion of U.S. foreign assistance—less than 6 percent. And Africa is still the region first and hardest hit when cuts in assistance are made.

In his State of the Union speech, President Bush said, and I quote: "Every one of us must confront and condemn racism. * * * Not next week, not tomorrow, but right now. Every single one of us."

I urge the Congress here and now to stop this pattern and practice of taking from the poorest continent in the world to provide for middle- and upper-income countries.

□ 1310

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, I regret that this bill, originally drafted to assist Panama, has now become a vehicle to increase U.S. foreign assistance to Eastern Europe, and Yugoslavia. Unfortunately, in my view, this makes H.R. 3952 totally unacceptable. The short description of the bill is very misleading since it attempts to mask the dual purpose of this legislation, the second title of which provides expanded foreign aid to Eastern Europe.

The issues related to Panama and to Eastern Europe are farther apart than the miles that separate them geographically. Congress should deal with them separately. Originally, this bill was intended primarily to extend or reinstate certain benefits to Panama following that country's liberation from the tyrannical rule of Gen. Manuel Noriega. In my view, that goal should be the sole focus of this legislation.

Although I cannot support H.R. 3952 in the form before us today, primarily because I question the wisdom of rushing massive foreign aid to Eastern Europe before that region has demonstrated a true commitment to and actual implementation of democratic principles, I want to reaffirm my support for the people of Panama who have struggled so long for the freedom that is now in their grasp.

Section 103 of the bill is the section under the jurisdiction of the Committee on Ways and Means. These provisions would immediately reinstate tariff benefits for Panama under the Generalized System of Preferences [GSP] for developing countries and under the Caribbean Basin Initiative [CBI]. The duty-free treatment of certain imports to the U.S. from Panama under these two programs was suspended on March 23, 1988 by the President under the Narcotics Control Trade Act after determining that Panama was not cooperating with the U.S. in the fight against drug trafficking.

Now that the duly elected administration of President Guillermo Endara has assumed the reigns of government in Panama, it is appropriate for the U.S. to act quickly to support this new leadership. Unfortunately, under existing law, the President must recommend to Congress that trade benefits be reinstated and that recommendation must pend before Congress for 45 days of continuous session. During this time, the Congress would have the option of passing a joint resolution disapproving the President's determination.

This is a long time to wait for such a fragile economy, long devastated by corrupt leadership and repressive policies. It is also a long time to wait for the new government, widely supported by the American people and anxious to begin the process of healing and revitalizing the economy of their country.

H.R. 3952 would waive the 45-day layover requirement and allow these trade benefits to go into effect almost immediately. These provisions, along with the additional foreign assistance benefits to Panama provided under the bill, are extremely important to Panama not only substantively but also as a demonstration of the continued support of the United States for freedom and democracy in Panama.

It is very unfortunate that the bill has gained controversy and opposition because of unrelated provisions dealing with Eastern Europe. I strongly believe that we should enact the Panama provisions separately, and quickly, but we need to remove the unrelated sections and address the Eastern European question on its own merits based on adequate commitments to freedom, democracy, and market principles made by individual countries in that region.

I have long supported the Panamanian people in their struggle for self-determination and freedom. I have also considered vital the strategic importance of that country, and have spoken out strongly against the Panama Canal Treaty which was the first step demonstrating a policy of neglect by the United States. Such a policy paved the way for militaristic leadership. Now we have another chance to stand up for the Panamanian people and for freedom and self-government in that region.

The United States put a great deal at risk when it stepped in to insure that the government elected by the Panamanian people could indeed have the chance to govern. The Panamanian people embrace the same ideals, principles, and desire for certain inalienable rights that brave young American men and women so recently fought to reaffirm. Some died in this

precious cause. To those that died and to the Panamanian people who have also suffered and died over the years waiting for freedom, we owe every ounce of support we can muster to assure that these ideals are preserved.

Mr. Speaker, I urge my colleagues to reject H.R. 3952, strip the unrelated provision from the bill, and move quickly to enact new legislation incorporating those provisions that support the Panamanian people along their new road to freedom and democracy.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. GEJDENSON] who is the chairman of the Subcommittee on International Economic Policy and Trade and who has taken the lead with respect to the Panama question now for quite some time.

Mr. GEJDENSON. Mr. Speaker, I would like to take this opportunity to commend the gentleman from Florida [Mr. FASCELL], the chairman of the committee, and the leadership of the House for reaching out to the President in an area where there is broad agreement in the Congress. Often times when we disagree out of principle we are accused of being partisan. I hope that some of my friends on the other side who raise the partisan issue when it is to their advantage recognize that where we agree on the proper course for the United States that the chairman of this committee and the leadership of this House have rushed forward with as quick a process as possible. The gentleman from Michigan [Mr. BROOMFIELD], who always is someone it is a pleasure to work with on this and other issues I think recognizes that. There are times when we have deep disagreements. But where there is an agreement, the chairman and the Speaker and the majority leader of this House assist the administration in every way they can.

We do owe a debt to Panama. The economic embargo has caused a significant portion of the crisis they presently face. There is no question that within Panama we need to see changes in their banking laws and a movement toward full participation of all their citizens in this new democracy they have undertaken.

This is an important step to try to start that economy, which is stalled, but it is an economy which has great strength within it. The revenues from the Canal, the revenues from the pipeline, the fact that it is a dollar economy gives it a certain stability and an opportunity for rebuilding that often is not present in other countries in similar situations.

This is a first step. I would hope the administration comes quickly to the Congress with its final piece of legislation. If this area of the world was important enough to risk and lose American lives for, to those of our colleagues who often take great pride in voting against foreign assistance but then go to the floor and applaud military intervention, if it was worth risking and losing American lives, it is worth more capital to make sure that this democracy becomes a democracy and that its people prosper.

Again, I commend the chairman and the leadership as well as the gentleman from Michigan [Mr. BROOMFIELD] for their efforts.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, the world is upside down. I never thought I would stand on this floor and say I concur wholeheartedly with the remarks of the gentleman from Connecticut [Mr. GEJDENSON]. But it is not often that I take the floor of the House in order to announce my support for a foreign aid bill. Today happens to be one of those times, and it is only the second time in my 12 years in this Congress.

This package for Panama is a necessary part of finishing the job that Operation Just Cause began.

Let me take off my hat to the gentleman from Florida [Mr. FASCELL], chairman of the committee, and to the ranking Republican, the gentleman from Michigan [Mr. BROOMFIELD] for bringing this package to the floor the way they have today. I find this package particularly worthwhile because it does combine, and I would ask my friend, the gentleman from Ohio [Mr. TRAFICANT] and my other colleagues to listen, this package combines aid, trade and investment and that is important for Panama and for the American people.

Prior to Noriega's reign of repression and plunder, Panama had the highest standard of living and the most well developed economic and physical infrastructure in all of Central America. So our task here today is to help the Panamanians build on that foundation that is already there.

Mr. Speaker, some of my conservative colleagues have raised some concern about $10 million being in this bill for Eastern Europe. I for one would have preferred to see that come here under a different bill too. But the fact of the matter is it is in the bill, and the reason we are a deliberative body, and the reason we do compromise is because we have to accomplish something. We have done that, and again I say to the gentleman from Florida, the gentleman from Michigan and the Ways and Means Committee, they have done a very able job.

Limitations on that $10 million are built into the last section of the bill. For my conservative colleagues out there listening and questioning whether they are going to vote for this bill, let me just read this. It says "(1) after the President has certified to the Congress that the country where funds are being expended has had, or is scheduled to have, open and free multiparty national or regional elections." That is important. That is why I am going to vote for the bill, because that limitation is in here.

Second, "in such a manner so as to benefit substantially a full range of nonCommunist political parties in the countries in which such funds are used."

□ 1320

There is plenty of protection for those of us who are concerned that these funds are going to go to a Communist party or a Communist Government. I think we all should get behind this bill.

I take off my hat to the gentleman from Florida, Mr. DANTE FASCELL, and the gentleman from Michigan, Mr. BROOMFIELD, for bringing this bill before us in a timely manner and in the form in which it is.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. RUSSO] a member of the Committee on Ways and Means.

Mr. RUSSO. Mr. Speaker, it is critical that before the United States moves to life sanctions on Panama that we obtain from their government and their banking community assurances that the country's bank secrecy laws will be changed to prevent hidden banks accounts and money laundering. The United States must insist that we get from Panama an exchange-of-information agreement and a requirement that Panama override bank secrecy and confidentiality laws such an agreement should provide for the exchange of such information, not limited to information concerning nationals or residents of the United States or Panama, as are necessary to enforce the tax laws of the United States and Panama, whether criminal or civil proceedings. We have insisted on and obtained such exchange of information agreements from many other countries, such as many Caribbean countries that are part of the Caribbean Basin initiative. An article in the New York Times yesterday states that the Panamanian Government is resisting United States pressure to change their bank secrecy laws.

Let me quote from that article in the New York Times:

The nation's new President, Guillermo Endara, has for years been a director of a Panamanian bank used extensively by Colombia's Medellín drug traffickers.

Guillermo (Billy) Ford, the Second Vice President and chairman of the banking commission, is a part owner of the Dadeland Bank of Florida, which was named in a court case two years ago as a central finan-

cial institution for one of the biggest Medellín launderers, Gonzalo Mora.

Rogello Cruz, the new Attorney General, has been a director of the First Interamericas Bank, owned by Gilberto Rodriguez Orejuela, one of the bosses of the Cali drug gang in Columbia.

It is no wonder they are resisting United States pressure to change the bank secrecy laws. It would be unconscionable for the Congress to act at this time to improve economic relations with Panama without first taking this essential step that will help to crackdown on Panama's flourishing drug trade, which uses Panama's bank laws to its benefit. We must insist that Panama cooperate with the United States on this issue.

The text of the article referred to is as follows:

PANAMA IS RESISTING U.S. PRESSURE TO ALTER INADEQUATE BANK LAWS

(By Stephen Labaton)

PANAMA, Feb 5.—Officials of the new Panamanian Government are resisting United States pressure to change the banking laws that the Americans say have made the country a haven for enormous illicit drug profits before Gen. Manuel Antonio Noriega was removed from power.

"The only problem of money laundering in Panama is the newspapers that mention that Panama is a big money-laundering center," Edgardo Lasso Valdes, president of the Panamanian banking association and one of the country's seven banking commissioners, said in an interview. "To be honest, we don't feel there is any problem."

But a senior State Department official here, who asked not to be identified, said the existing laws "are grossly inadequate" to prevent money laundering, a process in which illegally earned profits are deposited in bank accounts or legitimate businesses, then withdrawn as "clean money." He said the United States was strongly urging Panama to revise them.

Indeed, American law-enforcement officials and legislators are concerned that the new Government and the country's appetite for foreign investment will actually lead to even greater use of Panamanian financial institutions to conceal illicit drug profits.

In a series of interviews in recent days, local banking regulators, senior Panamanian officials and United States officials demonstrated through their comments a growing tension between the two nations over the money-laundering issue. A fight now appears likely in Congress over a proposed $1 billion aid package for Panama.

An extensive review of Panamanian banking records and court documents shows, too, that many senior leaders in the Government, while never accused of money laundering, have had strong ties to corrupt banks. Several of the banks have either been indicted for money laundering or been shut because of pressure from the United States.

TOP OFFICIALS' BANK TIES

The nation's new President, Guillermo Endara, has for years been a director of a Panamanian bank used extensively by Colombia's Medellín drug traffickers.

Guillermo (Billy) Ford, the Second Vice President and chairman of the banking commission, is a part owner of the Dadeland Bank of Florida, which was named in a court case two years ago as a central financial institution for one of the biggest Medellín launderers, Gonzalo Mora.

Rogello Cruz, the new Attorney General, has been a director of the First Interamericas Bank, owned by Gilberto Rodriguez Orejuela, one of the bosses of the Cali drug gang in Colombia.

There is no evidence that President Endara, Vice President Ford, Mr. Cruz or other current leaders were aware of or involved with the illegal operations carried out at the banks to which they have ties. But officials of the Drug Enforcement Administration and the Justice Department say the business connections and friendships make it difficult to believe that any real crackdown against money laundering is likely.

American law-enforcement officials said they had evidence that Panamanian banks were used to launder money through the waning hours of the administration of General Noriega, who is awaiting trial in Miami on drug and money-laundering charges. And though most of General Noriega's senior aides remain either fugitives or in jail, all the bankers with whom they are said to have dealt remain in key positions.

"I'm very concerned about it," said Senator John F. Kerry, Democrat of Massachusetts, who has held extensive hearings on money laundering and the use of Panamanian banks. "This is the moment to do something—but it now appears that not enough is being done."

LONG HISTORY OF AIDING MONEY LAUNDERERS

Panama's secrecy laws and tax breaks for foreign depositors, coupled with the country's proximity to cocaine production and trafficking in the Andes, have long made banks here a kind of hidden tub for cleaning dirty money.

In a recent interview, President Endara acknowledged that the success of Panama's financial center in the 1970's and 1980's was a result of the Latin American drug cartels.

Increased pressure is now on the nation's banks, whose foreign deposits have fired rapid economic growth for two decades, to lure back more foreign investors, many of whom had left during the turmoil of recent months.

ILLEGALITIES AID GNP

The financial community represents as much as 15 percent of the Panamanian economy, according to Government figures. Last year, the gross national product was estimated at $1.76 billion, and virtually all economists agree that laundered drug money, arms sales and other illicit income have played a large role in the accumulation of that wealth.

The United States imposed economic sanctions on Panama in 1988 in an attempt to halt money laundering. As a result some banks were forced to freeze some deposits, and some banks failed. Until the sanctions, Panamanian authorities would occasionally seize assets of suspected accounts but would generally not provide information to law-enforcement authorities.

Merchants from Colón, on the Atlantic coast about 50 miles north of Panama City, said one common way of laundering money was the purchase of large amounts of clothes with millions of dollars in drug profits. The clothes are then shipped to Colombia and sold for Colombian pesos, which are deposited in local banks.

HIDDEN BANK ACCOUNTS AND SECRECY LAWS

But the strongest attraction for money launderers appears to be Panama's hidden bank accounts.

The bank secrecy laws permit a depositor to sue a bank if confidential information is disclosed, and prosecutors can also bring criminal charges against the banker who, without authorization, provides information about an account. Panama also has corporate secrecy protection that enables the founder or founders of a business to keep their identity secret.

TALKS ON COOPERATION

Negotiations have been under way to forge an agreement on cooperation between Panamanian and American law-enforcement authorities, following a preliminary agreement signed last month by the Panamanian Government and the State Department.

Nonetheless, the widely held view among drug officials is that as banking restrictions imposed during the period of United States sanctions are lifted over the next four months, illegal profits will again pour into many of the country's 110 banks.

"Given the chaos and general turmoil of the country following the invasion, there is now an excellent opportunity for organized crime and the cocaine cartels to step back in," said James E. Preston, an Arizona prosecutor who has spent recent months on a Federal grant studying international money laundering.

President Endara has said he sees no need for any significant banking-law changes and so does not expect any. The National Banking Commission, which regulates banks, is dominated by local and international bankers, many of whom agree with the President and Mr. Lasso that the magnitude of the drug problem has been exaggerated.

FEELINGS OF RESENTMENT OVER U.S. PRESSURE

Disputing reports by the Drug Enforcement Administration and other people at the Justice Department, the new Finance Minister, Mario Galindo, said in an interview that there was no money-laundering problem in Panama. Many banks and some officials expressed resentment over pressure by the United States to alter the banking system.

Mr. Lasso, who is also general manager of the Panamanian branch of the International Bank of Costa Rica, said it was hypocritical of United States officials to be citing Panamanian banks. He said the punishment meted out recently in the two largest drug money-laundering cases in the United States shows that American officials themselves are not particularly tough on money laundering.

The settlements were of $5 million over four years in the case of Banco de Occidente and $14 million for Bank of Credit and Commerce International. Both banks admitted in courts that their Panamanian branches were used extensively to launder drug money.

"How can you ask us to break a bank in Panama when all they do in the U.S. is pay a fine?" Mr. Lasso asked. "We don't understand it. It gives us some doubts."

REPUTABLE BANKS DRIVEN OUT

The economic sanctions have driven out some of the more reputable international banks, and many of those left continue to be found to have drug ties, knowingly or not. Testimony in one recent case tied a third of the banks to laundering operations for drug money. Most of those banks were used not as points at which customers would deposit cash but rather as places to which launders in the United States would electronically transfer funds for deposit.

Virtually all those banks remain in operation today, and none were prosecuted for laundering.

"There are already laws here on the books that make money laundering illegal," said a senior banker who has been in Panama for more than 20 years and now works at a large Asian bank in Panama City. "But the laws have only been as good as the people who enforce them."

IMPORTANT BANKING TIES OF TOP PANAMA OFFICIALS

It is difficult to find any senior officials here who do not have important ties to banks.

President Endara has for years been a director of Banco Interoceanico de Panama, one of the two dozen Panamanian banks named in a case based on a Federal Bureau of Investigation case code-named Cash-web/Expressway. F.B.I. agents posing as money launderers were given large amounts of cash in that case by Colombians in the United States who instructed them to transfer the funds to these 24 banks.

Mr. Endara, a corporate lawyer before becoming President, is a close friend of Carlos Eleta, a Panamanian businessman who was arrested in Atlanta in April on charges of conspiring to set up a major cocaine smuggling ring. Released on bail, he is now awaiting trial.

The families of First Vice President Ricardo Arias Calderón and the Finance Minister, Mr. Galindo, are also heavily involved in banking. Mr. Galindo's cousin, Samuel Lewis Galindo, is chairman of Banco del Istmo.

Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. I thank the gentleman for yielding.

Mr. Speaker, it is difficult to rise in opposition to any kind of legislation which would help people who have been devastated by an invasion. That is not my intention.

I simply want to raise a couple of issues. One, for the third time in recent years we are raiding the Africa account to support other regions.

The Latin American region is not without adequate funds. We could have gotten the $30 million which we have taken from the African account to send to Panama.

The second issue I want to raise is that we seem to equate democracy with free elections. And we do not take into account that free elections in Panama have not included a number of poor people and a number of people of color. It is like saying we have free elections in New York but blacks and Puerto Ricans cannot participate.

As we administer aid in Panama, we have to keep in mind the fact that by and large this country has had some very racist policies in the administration of its Government and its policies.

We need to examine very closely the whole operation of race relations in Panama as we proceed to give them American taxpayer dollars.

CHANGING AID TO AFRICA (DEVELOPMENT ASSISTANCE PLUS ECONOMIC SUPPORT FUND)

[Dollar amounts in millions]

	Africa	Percent of total
Fiscal year:		
1984	$667	13.95
1985	759	9.66
1988	636	12.5
1989	645	12.6
1990	575	11.1
1991 (request)	616	10.9

Among all the world's regions, sub-Saharan Africa has experienced substantial absolute and proportional cuts in economic aid in the last few years. Between fiscal year 1984 and fiscal year 1988, allocations to Africa plummetted from $667 million to $636 million and fell further to $575 million in fiscal year 1990. In proportional terms they fell from 13.95 percent of the total to 11.1 percent.

The administration's fiscal year 1991 request confirms this trend and aggravates it. The proposed level—$616 million—would be $50 million below fiscal year 1984, $143 million below fiscal year 1985 and $29 million below fiscal year 1989. In proportional terms, it would take Africa down to only 10.9 percent of the total economic aid, well below the 13.95 percent of fiscal year 1984 and even the 12.5 percent of fiscal years 1988 and 1989.

No region has experienced the steep economic decline that Africa has in the past few years, according to the World Bank.

The decline in Africa's per capita output during the 1980's, together with the decline in the 1970's, will wipe out all its rise in per capita output since 1960. As a result, low-income Africa is poorer today than in 1960. Improvements over those years in health, education, and infrastructure are increasingly at risk. For the first time since World War II, a whole region has suffered retrogression over a generation.

Two-thirds of African countries have embarked, amidst unfavorable external trends like falling commodity prices and high interest rates, upon important economic policy reforms that Eastern Europe is now just considering and beginning. But these reforms will not succeed if the United States and other donors cut back on, rather than increase their resources.

United States aid to Africa is proportionally lower than all of our major allies and not commensurate with our important national interests on the continent. As the cold war eases, we need to pay more, not less, attention to these interests. First there are evident humanitarian interests concerning the poorest and most recently decolonized continent. Second, Africa is of economic interest importance, producing more than 25 percent of 15 minerals essential to United States productivity and supplying us with nearly 40 percent of our imported oil. U.S. exports generally amount to over $4 billion annually, supporting over 160,000 American jobs. Nearly 40 percent of these exports comprise agricultural equipment or products. Third, Africa comprises a third of the world's nations and its support is critical in terms of our new global foreign policy agenda of environmentalism, the war on drugs, antiterrorism, and creating the conditions for economic and political reforms in an interdependent world.

Beyond assuring that the $130 million to be transferred to Panama under this legislation shall be restored in the Panama supplemental, we need to support major increases in the fiscal year 1991 budget for development assistance to Africa.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. I thank the chairman for yielding.

Mr. Speaker, later today the House will vote on H.R. 3952 to provide emergency economic assistance to the new government of Panama.

Before we vote, however, all Americans should be aware of the continuing allegations of drug money laundering against Panamanian banks, some of them with leading government officials on their boards of directors.

U.S. law enforcement agencies have confirmed the widespread use of Panamanian banks throughout the 1980's by the cocaine cartels which utilize that country's banking secrecy laws to conceal deposits of billions of dollars in drug-derived funds. The president of the Panamanian banking association denies there is a problem; but our own State Department acknowledges that existing antilaundering laws are grossly inadequate.

I do not hesitate to vote for economic aid to a reviving democracy that has historic, economic, and strategic importance to the United States.

But we should all be very cautious—and on notice—about voting to spend our own taxpayer money to any government that cannot, or will not, take aggressive action against the drug cartels that are pouring billions of dollars in narcotic poison into the United States.

According to the New York Times, the extent of illicit activity in the Panamanian economy is no state secret. "[V]irtually all economists agree that laundered drug money, arms sales, and other illicit income have played a large role in the accumulation of [Panama's] wealth," the Times reported yesterday.

I recognized that much of this activity took place during the reign of Gen. Manuel Noriega, and with his approval, and that our 1988 sanctions were

designed in part to halt the money laundering activities. But apparently the evil that Noriega did lives after him.

And I am concerned that current leaders of the new government maintain their close ties to institutions that have been directly implicated in drug money laundering.

President Guillermo Endara, for example, has long served as a director of a bank used heavily by the Medillin drug cartel.

Second Vice President Guillermo Ford is the chairman of the banking commission, and a part owner of the Dadeland Bank of Florida, named 2 years ago as a central financial institution for Gonzalo Mora, one of the Medillin cartel's biggest money launderers.

And Rogello Cruz, the new Attorney General, is a director of the First Interamericas Bank, owned by one of the bosses of the Cali gang in Colombia.

Mr. Speaker, I will not oppose this bill, but I do raise serious concerns that the Congress not begin down the long road of hundreds of millions of dollars in aid to Panama without strong assurances that vigorous action will be taken against drug money launderers.

To those in Panama who raise objections of United States interference, I respond: I believe the American taxpayer, who is writing the checks for Panama aid, have a right to know that the banks in which their money is being deposited, and the government that we are supporting, is drug free. That is not intereference: it is protecting our investment.

I will be watching the ongoing negotiations between our governments, and will want an accounting from the State Department, the Justice Department, and the Drug Enforcement Administration before supporting additional funds to Panama. We are providing aid to a struggling democracy. But we will not write a blank check to those without the commitment to rooting out drug trafficking and drug profiteers.

The text of the article referred to is as follows:

PANAMA IS RESISTING U.S. PRESSURE TO ALTER "INADEQUATE" BANK LAWS

(By Stephen Labaton)

PANAMA, February 5.—Officials of the new Panamanian Government are resisting United States pressure to change the banking laws that the Americans say have made the country a haven for enormous illicit drug profits before Gen. Manuel Antonio Noriega was removed from power.

"The only problem of money laundering in Panama is the newspapers that mention that Panama is a big money-laundering center," Edgardo Lasso Valdes, president of the Panamanian banking association and one of the country's seven banking commissioners, said in an interview. "To be honest, we don't feel there is any problem."

But a senior State Department official here, who asked not to be identified, said the existing laws "are grossly inadequate" to prevent money laundering, a process in which illegally earned profits are deposited in bank accounts or legitimate businesses, then withdrawn as "clean money." He said the United States was strongly urging Panama to revise them.

Indeed, American law-enforcement officials and legislators are concerned that the new Government and the country's appetite for foreign investment will actually lead to even greater use of Panamanian financial institutions to conceal illicit drug profits.

In a series of interviews in recent days, local banking regulators, senior Panamanian officials and United States officials demonstrated through their comments a growing tension between the two nations over the money-laundering issue. A fight now appears likely in Congress over a proposed $1 billion aid package for Panama.

An extensive review of Panamanian banking records and court documents shows, too, that many senior leaders in the Government, while never accused of money laundering, have had strong ties to corrupt banks. Several of the banks have either been indicted for money laundering or been shut because of pressure from the United States.

TOP OFFICIALS' BANK TIES

The nation's new President, Guillermo Endara, has for years been a director of a Panamanian bank used extensively by Colombia's Medellin drug traffickers.

Guillermo (Billy) Ford, the Second Vice President and chairman of the banking commission, is a part owner of the Dadeland Bank of Florida, which was named in a court case two years ago as a central financial institution for one of the biggest Medellin launderers, Gonzalo Mora.

Rogello Cruz, the new Attorney General, has been a director of the First Interamericas Bank, owned by Gilberto Rodriguez Orejuela, one of the bosses of the Cali drug gang in Colombia.

There is no evidence that President Endara, Vice President Ford, Mr. Cruz or other current leaders were aware of or involved with the illegal operations carried out at the banks to which they have ties. But officials of the Drug Enforcement Administration and the Justice Department say the business connections and friendships make it difficult to believe that any real crackdown against money laundering is likely.

American law-enforcement officials said they had evidence that Panamanian banks were used to launder money through the waning hours of the administration of General Noriega, who is awaiting trial in Miami on drug and money-laundering charges. And though most of General Noriega's senior aides remain either fugitives or in jail, all the bankers with whom they are said to have dealt remain in key positions.

"I'm very concerned about it" said Senator John F. Kerry, Democrat of Massachusetts, who has held extensive hearings on money laundering and the use of Panamanian banks. "This is the moment to do something—but it now appears that not enough is being done."

LONG HISTORY OF AIDING MONEY LAUNDERERS

Panama's secrecy laws and tax breaks for foreign depositors, coupled with the country's proximity to cocaine production and trafficking in the Andes, have long made banks here a kind of hidden tub for cleaning dirty money.

In a recent interview, President Endara acknowledged that the success of Panama's financial center in the 1970's and 1980's was a result of the Latin American drug cartels.

Increased pressure is now on the nation's banks, whose foreign deposits have fired rapid economic growth for two decades, to lure back more foreign investors, many of whom had left during the turmoil of recent months.

ILLEGALITIES AID G.N.P.

The financial community represents as much as 15 percent of the Panamanian economy, according to Government figures. Last year, the gross national product was estimated at $1.76 billion, and virtually all economists agree that laundered drug money, arms sales and other illicit income have played a large role in the accumulation of that wealth.

The United States imposed economic sanctions on Panama in 1988 in an attempt to halt money laundering. As a result some banks were forced to freeze some deposits, and some banks failed. Until the sanctions, Panamanian authorities would occasionally seize assets of suspected accounts but would generally not provide information to law enforcement authorities.

Merchants from Colón, on the Atlantic coast about 50 miles north of Panama City, said one common way of laundering money was the purchase of large amounts of clothes with millions of dollars in drug profits. The clothes are then shipped to Colombia and sold for Colombian pesos, which are deposited in local banks.

HIDDEN BANK ACCOUNTS AND SECRECY LAWS

But the strongest attraction for money launderers appears to be Panama's hidden bank accounts.

The bank secrecy laws permit a depositor to sue a bank if confidential information is disclosed, and prosecutors can also bring criminal charges against the banker who, without authorization provides information about an account. Panama also has corporate secrecy protection that enables the founder or founders of a business to keep their identity secret.

TALKS ON COOPERATION

Negotiations have been under way to forge an agreement of cooperation between Panamanian and American law-enforcement authorities, following a preliminary agreement signed last month by the Panamanian Government and the State Department.

Nonetheless, the widely held view among drug officials is that as banking restrictions imposed during the period of United States sanctions are lifted over the next four months, illegal profits will again pour into many of the country's 110 banks.

"Given the chaos and general turmoil of the country following the invasion, there is now an excellent opportunity for organized crime and the cocaine cartels to step back in," said James E. Preston, an Arizona prosecutor who has spent recent months on a Federal grant studying international money laundering.

President Endara has said he sees no need for any significant banking-law changes and so does not expect any. The National Banking Commission, which regulates banks, is dominated by local and international bankers, many of whom agree with the President and Mr. Lasso that the magnitude of the drug problem has been exaggerated.

FEELINGS OF RESENTMENT OVER U.S. PRESSURE

Disputing reports by the Drug Enforcement Administration and other people at the Justice Department, the new Finance Minister, Mario Galindo, said in an inter-

view that there was no money-laundering problem in Panama. Many bankers and some officials expressed resentment over pressure by the United States to alter the banking system.

Mr. Lasso, who is also general manager of the Panamanian branch of the International Bank of Costa Rica, said it was hypocritical of United States officials to be citing Panamanian banks. He said the punishment meted out recently in the two largest drug money-laundering cases in the United States show that American officials themselves are not particularly tough on money laundering.

The settlements were of $5 million over four years in the case of Banco de Occidente and $14 million for Bank of Credit and Commerce International. Both banks admitted in courts that their Panamanian branches were used extensively to launder drug money.

"How can you ask us to break a bank in Panama when all they do in the U.S. is pay a fine?" Mr. Lasso asked. "We don't understand it. It gives us some doubts."

REPUTABLE BANKS DRIVEN OUT

The economic sanctions have driven out some of the more reputable international banks, and many of those left continue to be found to have drug ties, knowingly or not. Testimony in one recent case tied a third of the banks to laundering operations for drug money. Most of those banks were used not as points at which customers would deposit cash but rather as places to which launderers in the United States would electronically transfer funds for deposit.

Virtually all those banks remain in operation today, and none were prosecuted for laundering.

"There are already laws here on the books that make money laundering illegal," said a senior banker who has been in Panama for more than 20 years and now works at a large Asian bank in Panama City. "But the laws have only been as good as the people who enforce them."

IMPORTANT BANKING TIES OF TOP PANAMA OFFICIALS

It is difficult to find any senior officials here who do not have important ties to banks.

President Endara has for years been a director of Banco Interoceanico de Panama, one of the two dozen Panamanian banks named in a case based on a Federal Bureau of Investigation case code-named Cash-web/Expressway. F.B.I. agents posing as money launderers were given large amounts of cash in that case by Colombians in the United States who instructed them to transfer the funds to these 24 banks.

Mr. Endara, a corporate lawyer before becoming President, is a close friend of Carlos Eleta, a Panamanian businessman who was arrested in Atlanta in April on charges of conspiring to set up a major cocaine smuggling ring. Released on bail, he is now awaiting trial.

The families of First Vice President Ricardo Arias Calderón and the Finance Minister, Mr. Galindo, are also heavily involved in banking. Mr. Galindo's cousin, Samuel Lewis Galindo, is chairman of Banco del Istmo.

PANAMA REVIEWS BANK CHANGES THAT WOULD PREVENT LAUNDERING

(By David Harris)

PANAMA CITY, Panama.—In an effort to wipe out money laundering by drug traffickers, Panama's new government is considering changes in its banking secrecy laws, which have been called "grossly inadequate" by a U.S. official.

Bankers, meanwhile, say they are worried that any changes could harm Panama's recovery as an offshore banking center after massive capital flight by foreign depositors since 1987.

No proposals have been made public, and the head of Panama's National Bank said recently that he did not know what was in store.

Panamanian President Guillermo Endara, however, said at a news conference with U.S. Vice President Dan Quayle last week that Panama is committed to fighting drug trafficking and that some changes are being examined.

"We don't know yet what exact changes will have to be made in the banking laws," he said at the end of Mr. Quayle's three-day visit.

But he added that because under existing law authorities can examine accounts when sufficient evidence exists to warrant an investigation, "the changes we are talking about are not that major."

A U.S. official, however, said that the United States was not heartened by Mr. Endara's remarks and that present laws are "grossly inadequate."

"I wasn't very reassured by President Endara's words on this subject, but we're early on in this game," said the official, who asked not to be identified.

The official said that existing laws left too much discretion to Panamanian authorities to decide when to examine a particular account and had been designed to let cronies of deposed strongman Gen. Manuel Noriega expose illicit activities by rivals.

But he sought to reassure bankers that the changes the United States wants would not allow it to go on a fishing expedition and said "there will be procedural safeguards."

U.S. banking experts are in Panama looking at what changes might be made and draft agreements will be drawn up soon for negotiation, he said.

While there are no hard figures on how much drug money moved through Panama last year, U.S. officials say the Central American nation flourished as a money-laundering center until the Dec. 20 U.S. military intervention that ousted Gen. Noriega.

Panama's bankers, meanwhile, are worried.

Foreign deposits dropped from about $30 billion in June 1987, when Panama's political crisis erupted, to about $8 billion before the U.S. action, according to Panama's National Bank.

They say deposits are just beginning to trickle back, and talk of changing the secrecy laws drives customers away.

"We don't want any changes in that law [that] we don't think it is needed," said Rene Diaz, general manager of Panama's International Bank. "The secrecy law is not made for the United States, it is made for Panama."

The president of the Panama Banking Association said he told visiting U.S. officials recently that the banking community is not necessary opposed to an agreement as long as it does not threaten the secrecy law. But he added the officials are not clear about what changes they had in mind.

"We don't know what they really want," said Edgardo Lasso Valdes, who also heads the International Bank of Costa Rica. "They are just saying they want an agreement."

Panamanian Vice President Guillermo Ford said earlier this month that with a new judicial system in place there is no immediate need to change the law. He echoed Mr. Endara that Panama will no longer be used as a money-laundering haven.

"Secrecy will not be used for illegal purposes, period," he said. "They have a claim against an account, we have a judiciary now we feel proud of all the way up to the Supreme Court. They can use our system. Secrecy is not synonymous with corruption."

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I just want to briefly say the elections in Panama were free down there last May, that it was one of the most observed elections in history, certainly in this hemisphere and the Endara government won by a 3-to-1 margin.

So the taking of office of the Endara government is in fulfillment of the democratic process.

I also would like to take issue with the words of my friend from California [Mr. DYMALLY], who said the country was devastated by the invasion. It was devastated by Mr. Noreiga and the Dignity Battalions. It was liberated by the invasion. There is a vast difference.

Mr. Speaker, as far as raiding the African account, I think it should be understood that the $30 million was to be taken from money for Somalia, and Somalia was not eligible because of its horrible human rights record.

So we would not send them any money. That was part of it.

The other was for the Sudan, which does not have a government, which has undergone a military coup.

So the areas of Africa are not homogenous. There are different countries and different sums allocated to different countries.

So no hardships would have been worked on people who have a minimal respect for human rights.

As far as the banking laws are concerned, Panama does not even have a parliament yet. So the bank laws will be addressed when their parliament is elected and takes office.

Mr. Aronson, Assistant Secretary of State for Inter-American Affairs, has pledged a review, a close review of the banking laws. We are told by experts that they have adequate laws, they just need to be enforced. They have not been enforced.

I feel all of us will be very cautious to make sure that laundering, which was part of the Colombian Mafia's operation under Mr. Noriega and his predecessor, Mr. Torrejos, with whom we were happy to conclude a treaty to provide the Panama Canal to the Government of Panama, there was not much of an improvement under Noreiga, if any. So I think we will be very cautious. We will make sure launder-

ing is not facilitated by weak laws or unenforced laws.

I want to congratulate the gentleman from Florida [Mr. FASCELL] and the gentleman from Michigan [Mr. BROOMFIELD] and their respective staffs for the timely, effective response to a fledgling democracy in our hemisphere.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. WOLPE], the chairman of the Subcommittee on Africa of the Committee on Foreign Affairs.

Mr. WOLPE. Mr. Speaker, I intend to lend my support to this legislation, but I also want to underscore, as I do so, the concern a number of us have that $30 million of the funding in this legislation is to be reprogrammed from the Africa region.

The gentleman from Illinois is correct when he indicates that the money cannot now appropriately be spent in Somalia and Sudan. That is not the issue. The issue is that there are enormous high priorities in the remainder of the African Continent where that money could be directed. It needs to be emphasized, among all of the world's regions, sub-Saharan Africa alone has experienced both absolute and proportional cuts in United States economic aid in the last few years.

Between fiscal years 1984 and 1988, allocations to Africa plummeted from $667 million to $636 million and they fell further to $575 million in fiscal year 1990. In proportional terms they fell from 13.95 percent of the total to 11.1 percent.

The administration's fiscal year 1991 request confirms this trend and aggravates it. The proposed level—$616 million—would be $50 million below fiscal year 1984, $143 million below fiscal year 1985, and $29 million below fiscal year 1989. In proportional terms, it would take Africa down to only 10.9 percent of the total economic aid, well below the 13.95 percent of fiscal year 1984 and even the 12.5 percent of fiscal years 1988 and 1989.

□ 1330

It also needs to be emphasized that no region has experienced the steep economic declines that Africa has in the past few years. Africa is very low on the totem pole of American foreign policy interests and concerns to our enormous disadvantage, in terms of our own strategic, economic, and political interests.

In terms of trade and potential trade, in terms of imports of natural resources, in terms of our humanitarian concerns, Africa is a very important continent indeed. I share the concern expressed by some of my colleagues about the recommended transfer of funds. In fact, I indicated to the Administration, when I was first approached, that I did not support the transfer unless the account would be made whole. I have been given such assurances.

Our leadership here in the House, and the leading members of the Foreign Affairs Committees and the Committees on Appropriations of the House and Senate, have all provided assurances that the $30 million to be reprogrammed from Sudan and Somalia will be part of the fiscal year 1990 Panama supplemental that will soon come before the Congress.

The administration likewise has provided assurances it will not object to the reinclusion of those funds in the supplemental so that the Africa amounts will be kept whole. Only on that basis can this legislation be affirmed.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Michigan [Mr. BROOMFIELD] has 7½ minutes remaining, and the gentleman from Florida [Mr. FASCELL] has 5½ minutes remaining.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise to express my strong support for H.R. 3952, a bill to lift certain restrictions on Panama.

During the 2 years of Manuel Noriega's dictatorship in Panama, the nation became a haven for narcotics traffickers and money laundering. In an endeavor to restrict these activities, the U.S. Government imposed a series of economic sanctions on that nation. We ceased Overseas Private Investment Corporation privileges, as well as halting Export-Import Bank and U.S. sugar quota programs.

Following the successful "Operation Just Cause," President Bush has prepared a $1 billion aid program to help Panama get back on its feet again. H.R. 3952 comprises the first two aid packages, each totaling $500 million in aid.

The first aid package authorizes $42 million to meet immediate humanitarian needs, including a housing program, public works, small business rehabilitation, and technical assistance to strengthen the Panamanian justice system.

The other critical aspects of this legislation are that it waives the prohibitions necessary to restore Panama's eligibility for the above-mentioned programs and trade benefits with the United States and provides the necessary certification under the Narcotics Control Act, based on the Endara government's commitment to playing a cooperative role with the United States in the antidrug war.

Mr. Speaker, this is an appropriate timely measure. I urge my colleagues to fully support its adoption.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, I rise today in support of the emergency assistance package for Panama that was approved yesterday by the Foreign Affairs Committee. This aid will meet immediate needs of the Panamanians, including assistance for housing and urgently needed communication equipment for law enforcement.

However, I am compelled to tell my colleagues that there are serious deficiencies in the area of money laundering that must be addressed as we proceed with consideration of the larger administration aid package legislation over the next 2 months. As a member of the Banking Committee, I have, for a number of years, been actively working to strengthen our domestic banking laws to curb money laundering through U.S. banks. I am equally distressed by drug-money-laundering transactions in Panama, which are to a large extent facilitated by Panama's current bank secrecy laws.

While I am pleased to see the bill before us today includes a mandatory report to Congress on Panamanian bank secrecy laws by April 15, we should not approve additional assistance until more concrete steps are taken by the Panamanians to stop the laundering of billions of dollars through their banks.

It is estimated that as many as one-third of all Panama's banks are involved in money laundering. Yet, not one has been prosecuted for money laundering and all of them remain in operation today. Unfortunately, money laundering remains big business in Panama. This is just not acceptable as we in this country are undertaking an all-out war on drugs and drug-related crime. The American people are committed to ending the drug scourge and we should expect no less of a commitment from those countries to whom we extend our taxpayers' dollars.

I am announcing today that I will be introducing a proposal to secure from the Panamanians positive, measurable progress in the war on money laundering in exchange for our aid dollars. I will be working closely with the Foreign Affairs Committee to see that we have meaningful money-laundering reforms incorporated into the second phase of the Panamanian aid package.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, first let me thank the gentleman for ceding me this time.

Mr. Speaker, I have been very much troubled by this huge aid request, because Panama is one of the world capitals of money laundering. In fact, many have argued that if Panama had not been fulfilling to the role it has been with its bank secrecy laws, the amount of illegal drugs flowing into this country would have been much decreased.

Now there is no more Noriega, but there are still the same laws to protect drug profits. There is still money laundering going on. There are disturbing signs at the top of the Panamanian

leadership that they do not intend to change. The Panamanian banking commissioner says there is no problem, the Panamanian Finance Minister says they are not going to change. Even the President, Mr. Endara, says he sees no need to change any laws.

I think both this body and the other body, we should all put Panama on notice: No more aid until they get rid of their bank secrecy laws that allow the drug profiteers to continue killing our young men and women on the streets of our cities.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. SMITH].

Mr. BROOMFIELD. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Speaker, as chairman of the Task Force on the Foreign Affairs International Narcotics, I want to respond and be very direct to the very, very significant arguments made by the gentleman from New York [Mr. SCHUMER], and prior to that, both the gentleman from Illinois [Mr. RUSSO] and the gentleman from Washington [Mr. MILLER].

There is a reality to what they say that would be underscored. They have suffered for a long time with the nonenforcement of any laws that were on the books in Panama with enormous amounts of money laundering, with the use by the Medellin cartel and other drug traffickers as a haven for money laundering, as a haven for trafficking and as a haven for themselves, a safe haven. We believe that with the advent of the Endara government which was popularly elected, there will be a change. It is a smidgen too early, quite honestly. We would ask if the gentleman from New York [Mr. SCHUMER] and the gentleman from Illinois [Mr. RUSSO] and the gentleman from Washington [Mr. MILLER] had their way, we would ask of the Panamanians, something I do not believe they are quite capable of doing at this moment.

However, we anticipate exactly what those gentlemen want to do, and what Mr. SCHUMER says ought to be done. No. 1, this bill only authorizes $32 million in temporary aid. The administration still must come back for significant authorization for the amounts of money that they want for Panama.

One of the items that I will be looking for, and we discussed this at the committee meeting yesterday, will be a commitment on money laundering then, and changing bank secrecy laws in addition to enforcing the existing laws. No 2, in this bill there is a commitment because there is a provision that by April 15 there will be a report to Congress by the administration, by the President, on the movement toward changes in the bank secrecy laws. No. 3, the certification process for trafficking in growing countries. Though the certification process which will take place March 1 for all the trafficking and producing countries will allow Members to go over what Panama is doing for the fiscal year 1991 authorization to provide money, without sanctions. When the President comes in and certifies Panama, as I am sure he will, we are going to want to know exactly what "fully cooperative" means, in terms of the money laundering issue. We are going to hold their feet to the fire.

The gentleman from Illinois is correct. They do not have a legislature. It will be impossible to change their laws now. They should be on notice as of today, we want some changes. We want them to commit to those changes. This business about saying that there is not any change necessary ought to be rhetoric left in the dust.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY. Mr. Speaker, I rise in support of this legislation. However, I am concerned. I am concerned we are often in the position of lobbying the poorest nations to finance and transfer funds to other nations.

However, I am pleased to know that there is a commitment that funds that are being temporarily transferred from the Africa account, in order to meet this emergency need, will be restored. Therefore, I join with the gentleman from Michigan [Mr. WOLPE], the gentleman from Michigan [Mr. CROCKETT], and the gentleman from California [Mr. DYMALLY] in their concern about Africa.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER], a member of the Committee on Foreign Affairs.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in strong support of the Panama legislation. Indeed, I am happy to be a cosponsor of it. I have, quite sincerely, great respect for the leadership of the House Committee on Foreign Affairs on both sides of the aisle.

I would have to say, however, I am also a member of the Committee on Banking, and perhaps it is appropriate that my remarks follow those of the gentleman from New York [Mr. SCHUMER], and the gentleman from Florida [Mr. SMITH]. Specifically, on section 104, it appropriately requires the President to report to Congress by April 15 of this year on progress being made by the Government of Panama in modifying and enforcing the bank secrecy laws and other banking laws.

This is within the shared burden, in this instance, of the House Committee on Foreign Affairs and the House Committee on Banking, appropriately.

□ 1340

It is my understanding further that the report of the Committee on Foreign Affairs that accompanies H.R. 3952 states that this report will be referred to both the Committee on Foreign Affairs and the Committee on Banking, Finance and Urban Affairs. This issue is surely one in which the Banking Committee has a long-standing interest. The majority and the minority on the Banking Committee have asked me to speak on this matter and to assure the Members of the Committee on Foreign Affairs of our interest in this matter, and I would say further that since the gentleman from Pennsylvania [Mr. KOSTMAYER] gave indication at the meeting of the Committee on Foreign Affairs the other day that he would be offering a further amendment relating to the Panamanian banking law, the Banking Committee will certainly scrutinize this section in anything offered by the gentleman from Pennsylvania or otherwise.

Finally, though, I want to say that I think it is appropriate that we do focus on the actual implementation of existing banking law and not simply on exactly whether the law is sufficient as it exists in Panamanian statutes. This has been a major concern to all of us in the Congress, especially those on the Committee on Foreign Affairs and on the Committee on Banking, Finance and Urban Affairs.

But, Mr. Speaker, I do rise in strong support of this Panama legislation. It is the first of at least two necessary bills that the Congress will have to pass this year.

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair will state that the gentleman from Michigan [Mr. BROOMFIELD] has 3 minutes remaining, and the gentleman from Florida [Mr. FASCELL] has 1½ minutes remaining.

Mr. FASCELL. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Ohio [Mr. TRAFICANT], who has been patiently awaiting his turn.

Mr. TRAFICANT. Mr. Speaker, I oppose the bill for two reasons. No. 1, we have captured Noriega with the freedom fighters in October. Our Government said, "No." In my opinion, the CIA and our President wanted Noriega dead, not alive. We should have an investigation, not an appropriation.

Second of all, I opposed the Panama Canal Treaty to start with. I am against more foreign aid, and this new money will come out of a supplemental appropriation the taxpayers are going to pay for.

Finally, Noriega was a crook. We went in there after him. I say, "When you knock down and kick down Al Ca-

pone's door, you don't build him a new house, folks."

I think it is time to take a look at kids who cannot read in America and start spending some bucks at home. We conjure up ways to find money for everybody. I do not mean to demean the chairman of this committee, because he is one of the best in the House, and he is probably doing the right thing. I may be wrong, but I am sick and tired of this, and I am voting no.

Mr. BROOMFIELD. Mr. Speaker, I yield one minute to the distinguished gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, this is a bipartisan bill brought to the floor by the gentleman from Michigan and the gentleman from Florida. I congratulate them for that effort. This is a very important piece of legislation.

The effort in Panama is more than simply an effort to go in and knock out Noriega, as important as that was. Now we have an obligation to make certain that we assure the kind of stability in Central America that allows us to move on from there, that allows us to do something about the drug-running that was going on through that country, that allows us to take steps to assure that the neighboring countries around Panama benefit from what happened there, and also allows us to assure that the Panama Canal remains a major economic asset for this entire hemisphere.

Mr. Speaker, by moving forward on this bill today, it seems to me that we give those kinds of guarantees, and I would like to thank the gentleman for bringing it to the floor.

Mr. MONTGOMERY. Mr. Speaker, I rise in support of this legislation and I commend the authors for bringing it to the floor today.

I have been to Panama three times over the past 6 weeks. I went once before Operation Just Cause and then shortly after the military action. Just two weekends ago, I accompanied Vice President DAN QUAYLE there and I can tell you that things have settled down quite a bit.

I support President Bush's decision to bring our troops home by the end of this month, but as we do that, I think it is important to give Panama the means to strengthen their civilian police force. President Endara and his Vice Presidents told us they would prefer that American troops stay on in Panama for a while because of their concern about being able to keep order after we pull out.

As you know, Noriega's thugs ran the police and the army, so it is going to take time and some money to help them build that police force.

That is why the funding for training law enforcement authorities is so important, even though it would be an exception to the prohibition against police training under section 660 of the Foreign Assistance Act. This is a necessary exception, given the circumstances that exist today in Panama. Noriega's thugs ran the army and the civilian police forces. We want to make sure the forces of democracy get their law enforcement people in place and prevent factions of the Dignity Battalions from having any chance to rise up and cause trouble for the Endara government.

The bill also provides $500,000 for procurement of equipment for law enforcement purposes and that is also essential, in my opinion.

We have given Panama the chance to have freedom with Operation Just Cause. Our troops and military equipment worked well. It was a totally successful operation and our troops deserve great credit for it. But we also have an obligation to help this struggling Government get on its feet and move ahead. That is what this bill will do.

The people of Panama must get behind their new Government and I am confident they will, because it was obvious from my visits that they approve of the United States action to rid their country of Noriega. But they do need our help and I think this action today is important to the continuation of the process of restoring democracy and freedom down there. I hope you will join me in support of the bill.

SUMMARY OF DRAFT BILL ON PANAMA

SECTION 101—ASSISTANCE

(a) Economic Assistance:

Authorizes $32 million for urgent economic assistance for Panama.

Exempts this assistance from the provision in FY 1990 appropriations act which restricts deobligation/reobligation authority to funds being used in the same region.

Authorizes $10 million four housing guarantees.

Authorizes Trade Credit Insurance Program for Panama.

(b) Law Enforcement:

Authorizes $1.2 million for Administration of Justice and training law enforcement authorities, notwithstanding the prohibition against police training in section 660 of the Foreign Assistance Act.

Authorizes use of MAP and FMS pipeline for procurement of equipment for law enforcement forces, except not more than $500,000 may be used for procurement of lethal equipment.

15 day notification period is waived for non-lethal assistance provided as justified to Congress within 15 days of enactment.

(c) Brooke-Alexander:

Waives restrictions against assistance to countries in arrears on repayment of U.S. government loans.

SECTIONS 102 AND 103—ANTINARCOTICS REQUIREMENTS

Sections 102(FAA) and 103 (Narcotics Trade Control Act) lift restrictions on aid and trade with Panama for reasons of narcotics trafficking.

SECTION 104—BANK SECRECY LAWS

Commends Endara government for freezing bank accounts implicated in narcotics-related transactions and requires Presidential report on steps by the Panamanian government to modify bank secrecy and deter illegal financial transactions.

SECTION 201—EASTERN EUROPE

Authorizes up to $10 million for assistance to support the process of democratic transition in Eastern Europe and Yugoslavia, subject to 15-day notification requirement and Presidential certification that multi-party elections have been held or are scheduled in the recipient country.

Mr. DORGAN of North Dakota. Mr. Speaker, the United States military intervention in Panama has produced considerable debate among my constituents. Whatever the merits of the action, the final score on the United States policy in Panama will hinge not so much on what we already did but on what we do in the future.

I generally have opposed military incursions by U.S. troops because they usually produce counterproductive results. They show a proclivity for military solutions over diplomatic ones and fail to recognize the causes which give rise to conflict. They tend to mire our Government in untenable or unwinnable situations and breed contempt among our neighbors around the world. This has been particularly true in Latin America, where the repetition of United States intervention has left a legacy of bitterness and ill will.

In Panama alone, the United States has intervened a dozen times in this century. It's no wonder that our latest action was greeted by nearly universal disapproval or opprobrium in the Western Hemisphere. Admittedly, many neighboring countries privately expressed a more supportive position than their public posture. Nevertheless, the image of Yankee imperialism was again printed on newspapers throughout the region.

At the same time, I believe that the President had some good reasons for sending down American forces to Panama. We needed to protect American citizens and military personnel from unprovoked attacks by armed thugs under the control of then-Panamanian dictator Manuel Noriega. General Noriega's declaration of a state of war also threatened major United States security interests, including the Panama Canal. We needed to give Panama a chance to establish a democratic government, one stolen from the Panamanian people by General Manuel Noriega. Finally, we needed to stop the use of Panama as a safe haven and money launderer in the international drug trade.

President Bush has now submitted a $1 billion request for aid to Panama. I am leery of pumping that much aid into a small country so quickly. I can support the $42 million package before us today which also includes some trade preferences and loan guarantees.

However, I would urge my colleagues to exercise caution in approving further aid. We should first insist on the removal of all U.S. expeditionary troops, a clear commitment to democratic elections by the Endara government, and a workable game plan for using the aid. We must also weigh the merits of sending another $500 million of proposed supplemental appropriations against our own pressing domestic needs and other competing humanitarian needs in Africa and Eastern Europe.

Finally, the test of our policy will depend on our willingness to fashion a constructive and creative policy toward all of Latin America. It will require that we recognize the dramatic changes in East-West relations and match our concern about democracy in Panama with

more even-handed treatment of all neighbors on the democratic path.

This will mean we stop relying on security aid to prop up right-wing regimes and to arm proxy armies and start responding to the human needs of our neighbors with food, medicine, and technical aid. It will entail creative solutions to the crushing burden of debt repayments in Mexico, Argentina, and Brazil, diplomatic backing for Chile in its effort to restore civilian control, partnerships with Andean nations in the antidrug war, and a recognition of the desperate poverty which grips most of Central America and the Caribbean, particularly in Haiti. These are the kinds of bridges to peace which we ought to be building.

In short, if our action in Panama serves to trigger a new awareness of hemispheric problems and to engender new policies which address the key problems, then we will be on the right track. If not, I fear we will drift down the old, dead-end road of gunboat diplomacy and security aid.

Mr. NEAL of Massachusetts, Mr. Speaker, we have arrived at a point in history toward which decades of American foreign and defense policies have been directed. Freedom is returning to the countries of Eastern Europe, faster in some than in others to be sure, but the direction is clear, and, I believe, irreversible.

We must now decide how best to seize the opportunities recent events in Eastern Europe have provided. Last month, I had a chance to visit Poland and East Germany. In the meetings I had with leaders in both countries, the very clear impression I received was that, while there is no illusion as to the difficulty of the economic, social, and political challenges ahead, neither is there the slightest hesitation about doing whatever is necessary to meet them. Extraordinary sacrifice and patience will be required from the people of Eastern Europe, for their needs are great and their economies are not going to be reborn overnight. But I was struck by the spirit of hope found in the countries I visited, hope that those sacrifices for democratic reform would pay big dividends in the years to come.

With commitment from within, and material and moral support from outside their borders, I believe that the hopes of the people of Eastern Europe will be realized. Nations with democratic traditions, like the United States, have a particular responsibility to ensure that the movement away from communism in Eastern Europe succeeds. This is a responsibility born only partly out of altruism. We have long talked of the benefits of freedom. That talk has inspired the people of Eastern Europe, who have now taken the first steps toward attaining the kind of political and economic system we have so glowingly described. Who can believe that the United States will not be better off, by any imaginable standard of measurement, in being confronted by an Eastern Europe striving to open its markets and its political process, than by a Warsaw Pact arrayed threateningly behind armored divisions, missile batteries, and miles of barbed wire.

Yes, investments in democracy cost money. Yes, we have unmet needs at home with legitimate claims on our budgetary resources which for too long have been ignored. But the actions of those seeking liberty in the countries of Eastern Europe have presented us with opportunities we simply cannot afford to ignore. If the United States is not an active participant in the struggle now being waged by the democratic reform movements in those countries, we risk not only the success of those movements, but our credibility as a champion of liberty as well.

Today we take a small, but important step in providing the kind of assistance the people of Eastern Europe need. H.R. 3952 builds on the program of aid Congress fashioned for Poland and Hungary last year. By restricting its economic assistance to countries in which free, multiparty elections have been held, or are scheduled, the legislation offers both clear political goals, which we should support, and an incentive for attaining them. More U.S. assistance is going to be required, especially in the economic area and we must be clear on that. But passage of this measure sends an important message that the United States is committed to working with the worlds' other democracies to ensure that the revolutions which began in the shipyards in Gdansk, the streets of Prague and Budapest, and at the Berlin wall, do not fail.

Mr. FAUNTROY, Mr. Speaker, I rise in qualified support of the bill before the House today. My qualification is based on the assumption that an agreement reached between the administration and those of us here on the Hill concerned about aid levels for Africa will be honored.

I, along with Chairman WOLPE, Senator SIMON, and the entire membership of the Black Caucus were opposed to the resolution in its original form. Our opposition was based on the fact that $30 million was to be transferred from the already depleted foreign aid allocations for sub-Saharan Africa.

While I have supported the President in his efforts to restore democracy in Panama, it makes no rational sense to take precious resources away from the poorest region of the world. I am pleased, therefore, and can only support this bill, in light of the fact that Chairman OBEY, Chairman LEAHY, House leadership, and President Bush have agreed to restore this $30 million in funds to the Africa account during consideration of the supplemental. I hope and trust that such a transfer is only the first step we take this year to ensure equitable treatment for sub-Saharan Africa.

As a member of the Committee on Banking, Finance and Urban Affairs, I want to briefly comment on a provision of the legislation that is within the shared jurisdiction of the Foreign Affairs and Banking Committees. Section 104 requires the President report to Congress by April 15 on progress being made by the Government of Panama in modifying its bank secrecy laws. It is my understanding that the report of the Committee on Foreign Affairs that accompanies H.R. 3952 states that this report will be referred to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs. It is also my expectation that the Secretary of the Treasury and Federal bank regulators will be consulted during the development of this report.

Mr. BROOMFIELD. Mr. Speaker, I yield back the balance of my time.

Mr. FASCELL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspended the rules and pass the bill, H.R. 3952.

The question was taken.

Mr. TRAFICANT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS CONCERNING OPERATION JUST CAUSE IN PANAMA

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 262) expressing the sense of Congress concerning Operation Just Cause in Panama.

The Clerk read as follows:

H. CON. RES. 262

Whereas the President, with the support of the Congress and the American people, acted decisively and appropriately in ordering United States forces to intervene in Panama after making substantial efforts to resolve the crisis in Panama by political, economic, and diplomatic means in order to avoid resorting to military action;

Whereas United States Armed Forces showed great dedication and professionalism in their actions to restore democracy to Panama during Operation Just Cause, which began December 20, 1989;

Whereas those United States military personnel involved in the Panama operation performed their duties selflessly, as evidenced by the tragic loss of 23 soldiers' lives in support of the democratic aspirations of the people of Panama;

Whereas those soldiers who lost their lives in Panama demonstrated the full measure of their devotion to their country and to the democratic ideal;

Whereas the United States' action has received broad support and approval from the people of Panama;

Whereas the United States' action in Panama was a response to a unique set of circumstances, and does not undermine the commitment of the government of the United States to the principle of non-intervention in the internal affairs of other countries; and

Whereas the American people overwhelmingly support and are proud of the actions taken by the United States forces to further universal democratic ideals, to protect American lives and to bring to justice a major international criminal: Now, therefore, be it

Resolved that the House of Representatives (the Senate concurring): That the Congress—

(1) expresses its sadness over the loss of 23 United States soldiers' lives in Panama, and conveys deep condolences to the families of those who died in Panama;

(2) commends the President for his efforts to provide for the early return to the United States of the remaining United States

troops engaged in Operation Just Cause; and

(3) urges the President to continue his efforts to foster democratic ideals in Panama and the establishment of a democratic government so long sought by the people of Panama.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

Mr. EDWARDS of California. Mr. Speaker, may I inquire, is the gentleman from Michigan opposed to the bill?

Mr. BROOMFIELD. Mr. Speaker, let me state that I am not opposed to the bill. I was not aware that the gentleman from California was going to be opposed to the bill. I would be glad to share my 20 minutes with the gentleman, if we could do it that way. We have a number of speakers who wish to be heard.

Mr. EDWARDS of California. Mr. Speaker, let me say that I have no desire to be difficult. I would be satisfied if the gentleman would yield the opposition an appropriate amount of time so that my speakers might be heard.

Mr. FASCELL. Mr. Speaker, let me suggest that we yield the opposition 5 mintues. Would the gentleman be satisfied if he had a total of 10 minutes?

Mr. EDWARDS of California. Mr. Speaker, that would be enough as long as some of our colleagues have an opportunity to express their views. I know that both the gentleman from Michigan and the chairman of the committee are more than cooperative.

Mr. FASCELL. Mr. Speaker, we want to give the Members sufficient time to be heard. Let us just agree on the time here.

Mr. BROOMFIELD. Mr. Speaker, I wonder if I might, by unanimous consent, ask that the gentleman from Florida, the gentleman from California, and the gentleman from Michigan each have 20 minutes?

Mr. FASCELL. Mr. Speaker, if the gentleman from Michigan would just hold up on that request for a minute, let us see if we can get an agreement on time.

The SPEAKER pro tempore. The Chair will state that if the gentleman from California is opposed to the bill, he is entitled to the 20 minutes if he so requests it.

Mr. FASCELL. I recognize that, Mr. Speaker, but if I may be heard for just 1 minute, may I ask, if both the majority and the minority gave the gentleman and the opposition 7½ minutes apiece, for a total of 15 minutes in opposition to the legislation, would that be satisfactory?

Mr. EDWARDS of California. Yes, of course it is, Mr. Speaker, I doubt if we will use all the time. I just want to make sure that those of us who are in opposition to the bill have enough time to express our views.

The SPEAKER pro tempore. The Chair is satisfied that the gentleman from California does not claim the time, and so, without objection, the request of the gentleman from Florida is implemented.

There was no objection.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair wishes to state the situation. The gentleman from Florida [Mr. FASCELL] has 20 mintues, and the gentleman from Michigan [Mr. BROOMFIELD] also has 20 minutes. Without objection, the gentleman from Florida and the gentleman from Michigan may yield 7½ minutes each to the gentleman from California [Mr. EDWARDS].

Mr. FASCELL. Mr. Speaker, without objection, I yield 7½ minutes to the gentleman from California, and I will reserve the balance of my time for myself.

Mr. BROOMFIELD. Mr. Speaker, I make the same request.

There was no objection.

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the principal purpose of the resolution before the House is to commend the dedication of the U.S. military personnel involved in the operation in Panama.

These men and women demonstrated their dedication to American ideals and their professionalism in the courageous and correct manner in which they performed their responsibilities in this incursion.

Our heartfelt sorrow is extended to those families who lost members in this action, and we hope they can take solace in the proud and courageous role which these Americans played in removing the yoke of oppression and restoring democracy to the Panamanian people.

The resolution takes note of the support of the American people for the success of this action. It also commends the President for his efforts to extend democracy in Panama and to provide for the early return home of United States forces involved in the operation.

Mr. Speaker, I would now like to defer to the principal author of this resolution, the gentleman from Michigan, the ranking Republican on the Committee on Foreign Affairs, Mr. BROOMFIELD.

□ 1350

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by saying how pleased I am that this resolution has the support of both parties.

It has been said that politics stops at the water's edge. That may not always have been the case, but it reflects the principle that a President can sustain no great initiative in foreign affairs without the support of Congress.

This resolution offers bipartisan support for the President and the thousands of soldiers who served in Operation Just Cause under his command.

The fact that it has such wide bipartisan support is due in no small measure to two Members of this great House: the highly esteemed chairman of the Foreign Affairs Committee, DANTE FASCELL, and our distinguished colleague, STEVE SOLARZ.

I would like to thank them and all the other Members who made it possible to vote on this important resolution today.

Mr. Speaker, 2 months ago, Manuel Noriega was a brutish and dangerous tyrant. He had destroyed political freedom in Panama; his goons had assaulted both Panamanian and American civilians.

What is more, this unpredictable dictator presented a serious threat to the West's most strategically important waterway.

Today Manuel Noriega is a common inmate in the U.S. prison system. For that outcome, America can thank the courage and professionalism of its Armed Forces and the decisive leadership of its President.

I am sure the President and our men and women in uniform shared some dark days during the time when Manuel Noriega was able to avoid being captured. At the time, I recall faint stirrings of the kind of criticism that comes up when leaders engage in bold enterprises.

President Bush and America's fighting men and women stayed the course. In doing so, they won the support of their countrymen and the profound gratitude of the Panamanian people.

Panama is once again a democratic nation. But freedom was obtained, as it always is, at no small cost. Twenty-three brave Americans gave their lives fighting for the rights of others.

The deeds of these courageous soldiers will not be forgotten. Their courage and their selflessness will be memorialized in the resolution we passed today.

The sacrifices made by our troops in Panama should not be in vain. This resolution urges the President to continue his efforts to foster democratic ideals in Panama and help promote the kind of political and economic environment in which democracy will thrive.

I urge my colleagues to vote for this resolution.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of this resolution that has been presented by the gentleman from Michigan [Mr. BROOMFIELD] and also supported by the gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs.

Mr. Speaker, I had the privilege of going to Panama twice since the Operation Just Cause had been completed, and I might say, to follow up what the gentleman from Michigan [Mr. BROOMFIELD] said, it was a totally successful military operation. The American soldiers and volunteers did a splendid job. Mr. Speaker, we are saddened by the loss of lives and those severely wounded.

So, Mr. Speaker, on behalf of us who have been down to Panama and saw that operation, I certainly think this resolution is in order, and I totally support it, and I commend the gentleman from Michigan [Mr. BROOMFIELD] for getting it to the floor, as well as the gentleman from Florida [Mr. FASCELL], the chairman of the Committee on Foreign Affairs.

Mr. EDWARDS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, only portions of this resolution should be approved.

We all join every American in expressing sadness over the loss of 23 U.S. soldiers and convey deep condolences to their families.

The resolution should also express sadness over the deaths of hundreds of Panamanians and offer condolences to their families. It should also express regret for the widespread physical destruction caused by the U.S. invasion.

We should not declare that the President acted appropriately in invading this small, weak nation.

The invasion was unwise and illegal. It violated all of our treaties and agreements wherein we were bound not to intervene militarily in another country.

Our invasion turned a Panamanian problem, the burden of having a corrupt and cruel leader into an American problem.

Like it or not, the invasion created for America a client state, with all the resulting obligations and expenses.

We Americans have volunteered to be responsible for Noriega's present and future, a formidable task involving much expense, tedious legal proceedings, and hyped up media coverage.

The war has also given us the responsibility of repairing the enormous damage caused by the invasion. We approved the first installment of $42 million today. We will be asked to approve at least another billion.

As time passes and the euphoria of a victorious war fades. President Bush will be hard put to justify legally this decision.

Our national security was not at risk. Neither American lives nor the Panama Canal were in danger. And there is no law licensing the President to send an invading army to arrest a minor drug suspect in a foreign country.

My view is the overwhelming majority view of the nations of the world. The minority view is that the President acted appropriately.

I hope that President Bush will hereafter respect the constitutional mandate that Congress be included in warmaking decisions.

Both the Constitution and the War Powers Act allow unilateral Presidential warmaking only in an emergency requiring an immediate response.

In the case of Panama there was no emergency and the plans for the invasion were secretly drawn up months ago without congressional consultation or even knowledge.

Congress shares some of the blame in these Presidential decisions to engage in unauthorized wars. It is not Congress' job to be a cheerleader for any military adventure.

The Constitution requires us to be advisers, authorizers, and critics.

The invasion of Panama was the 36th American military intervention in Central America in this century.

It is time for us to give up the practice of foreign policy by military force and instead to be a responsible law-abiding member of the world family of nations.

I urge a "no" vote on this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, permit me to take this opportunity to commend the President of the United States and our military personnel for the outstanding manner in which they fulfilled their mission defending United States interests in Panama. The United States action in Panama made an unequivocal statement to the world that our Nation will not allow itself to be kicked around by anyone.

This legislation is particularly noteworthy, because it recognizes that after extensive diplomatic, political, and economic efforts, the President took appropriate and decisive action. The resolution recognizes the broad support and approval of the Panamanian people for the U.S. action. Finally, the resolution expresses the Congress's profound sadness over the loss of 23 of our soldier's lives, and conveys our condolences to their families.

I commend the chairman of the committee, the gentleman from Florida [Mr. FASCELL], the ranking Republican, the gentleman from Michigan [Mr. BROOMFIELD], as well as all of our colleagues on the Committee on Foreign Affairs who were involved in the drafting of this legislation and particularly the gentleman from New Jersey [Mr. TORRICELLI] and the gentleman from New York [Mr. SOLARZ].

□ 1400

Mr. EDWARDS of California. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I rise in opposition to the resolution before the House today.

I certainly share those sentiments expressed in this resolution which express deep sadness for the American servicemen who lost their lives during the Panama invasion. The bravery of those who served and died in Panama deserves the respect of all Americans, and this resolution rightly conveys deep condolences to the families of these brave men; but Mr. Speaker, I cannot support a resolution that calls our illegal invasion of Panama a decisive and appropriate operation.

The invasion violated international law, including the OAS Charter and the United Nations Charter, and it violated the Panama Canal Treaty, which prohibits military intervention by the United States in the internal affairs of Panama.

Perhaps most importantly, the invasion violated the U.S. Constitution which gives the Congress the responsibility for the introduction of U.S. Armed Forces into hostilities abroad, and says that it has to be done by way of a declaration of war, except in emergency circumstances, which certainly did not apply in this instance.

The U.S. invasion has also hampered our diplomatic efforts to gain cooperation from our Latin American allies in the war against drug trafficking, and it has given unwarranted credibility to the ridiculous notion that the U.S. Government, or any government for that matter, may invade another country in pursuit of an indicted criminal. Can you imagine the outcry if Mu'ammar Qadhafi decided to apply that principle to this Nation's leaders?

Even though President Bush may have achieved some of the short-term goals he outlined as justification for the invasion, I am convinced that the U.S. action was contrary to our long term national security interests, and will ultimately reflect poorly, as it has already begun to, on the reputation and prestige of the United States.

The real costs of this unjustified invasion are only now becoming clear. Whole neighborhoods in Panama City were completely destroyed. Hundreds of innocent Panamanian civilians were killed and thousands are now homeless as a result of the so-called Just Cause operation.

Was the capture of one drug trafficker whom we helped elevate to that position worth so much devastation?

Mr. Speaker, I join with my colleagues today in mourning the loss of 23 brave Americans and the hundreds of Panamanians who were killed, but I cannot support President Bush's decision to place these United States troops at risk in an invasion that was unjustified and illegal.

Mr. Speaker, I urge my colleagues to oppose the resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I rise in strong support of House Concurrent Resolution 262.

The decision by President Bush to send American forces to Panama was applauded by the Panamanian people and supported by a majority of Americans, as well. After exhausting all other diplomatic, economic and political alternatives and after Noriega declared war on the United States the President chose a course of action designed to accomplish four objectives: To protect Americans living in Panama, to protect American interests in the Panama Canal, to restore democracy in Panama and to bring to justice indicted drug kingpin Manuel Antonio Noriega.

All four of those objectives were accomplished, due to large part to the exemplary service of United States personnel already in Panama and those sent by the President to bolster our forces there.

While all of us regret the loss of life—both American and Panamanian—that resulted from this military action, the defense of freedom and democracy and the prevention of even greater threat's against Americans fully justified the President's decisive order to introduce American combat troops into Panama.

Virtually all those who have investigated the actions carried out by American service personnel during the initial hours of combat and the following several days of stabilization activities believe U.S. Armed Forces, both men and women, conducted themselves in an extraordinary manner. I am proud to the professional conduct of our military forces throughout this operation. The success of their mission reflects the training, the discipline and the leadership that are so vital to preserving the defense of American interests both at home and abroad.

I am pleased this resolution recognizes the decisive action of President Bush in ordering American combat troops to Panama. I am only sorry that some in this House find it impossible to more directly commend the President for what he did, particularly when it was supported by the majority of the American people, and more importantly, by a very strong majority of Panamanians.

I urge my colleagues to give their strong support to this resolution.

Mr. EDWARDS of California. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, I rise in opposition to the resolution.

Certainly I agree that we should express our sadness over the loss of lives of 23 U.S. soldiers in Panama, and we should convey our deepest condolences to the families of the soldiers that were killed.

I think that also we should have gone further and expressed our regrets to the civilians who were killed, our regrets over the loss of life. A great Nation, one of the world's two superpowers, can afford to be generous enough to regret the loss of civilian life in an operation of this kind. I think it is unfortunate that the resolution omitted that.

I think also that we should understand that these men who died had to carry out orders. They did their job well. They ought to be commended. It is up to us to see to it that they did not die in vain. Since they were there to deal with problems created by the thug fanatic, totally out of control Noriega, I hope that they did not die in vain and that Noriega will be punished for his crimes. I hope that we will not have a deal made with Noriega and that after a pretense of a trial he will walk off scot-free someplace to enjoy the millions that he has stored away. Those soldiers would have died in vain, and our Nation would look ridiculous, and the immorality of this invasion will be that much greater if that happens.

I hope they have not died in vain in the pursuit of the elimination of Panama as a drug trafficking center. I hope that our Government will take steps to guarantee that the people who are in power now are not also in any way involved with drug trafficking. I hope our Government will keep the members of the Government and their families placed under immediate scrutiny and certify to us that these men did not die in vain, that we do not have one set of drug traffickers replaced with another set of drug traffickers.

I hope that our Government will see to it that they have not died in vain and they have advanced the cause of human rights and democracy. We have said that we helped to make a democracy in Panama. I hope they have not died in vain, that truly we will have democracy throughout this hemisphere, including Panama. Panama has serious human rights problems.

Panama is primarily a country where the minorities are in the majority. The Indians, the West Indians, the mulattoes, constitute the majority, but in the present government you see very few of their faces. They have a definite human rights problem in Panama which I hope our Government will use its influence and its present role as a mentor for Panama to deal with that human rights problem that is there.

The men who built the Panama Canal, the canal was built mostly by persons who were black, who were transported from the West Indies Islands after other people could not do it. They laid aside their racism and brought black people in. They built the Panama Canal. They have not been given credit for that by this Government or any government. They deserve some justice as we distribute the aid that we have by voice vote voted to begin. That is not enough, but as we distribute that aid I hope that it gets down to the men who built the Panama Canal, the poor people, many of whom blindly followed Noriega, because like most dictators he looked down at the downtrodden and he knew that he could build a supporting constituency there, so he gave them some opportunities and they blindly followed him.

But Noriega was a thug and eventually he was out of control. He had to be stopped. I think our Government should have put more pressure on him.

□ 1410

I think the Government should have made the kind of deal with him before we lost all of these lives that they are going to make now. They are going to make a deal. They would not accept a deal before, but they are going to make a deal now.

I hope the 22 U.S. soldiers did not die in vain and have a deal made that takes care of Noriega after all of these deaths. I hope the civilians who were killed unjustly did not die in vain. I hope the reputation of our Nation, as a nation that represents law and order, international law and order, was not sullied in vain.

I hope that we have learned from this importance of democracy in our whole hemisphere, and that 90 miles from the shores of our Nation just off the coast of Florida, the nation of Haiti, which suffers under a more brutal dictatorship even, a dictatorship that often is involved in drug-running, the dictatorship in Haiti, the dictatorship of Lieutenant General Avril, which has never been opposed by this Government in loud terms. They say they are against it, but they do not speak out against it. No pressure is being applied against Haiti.

I hope we will go on in the name of these soldiers, in the name of all people who died, to establish democracy everywhere in the hemisphere including in Haiti and including Panama. I hope that they have not died in vain.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me this time.

At the outset, Mr. Speaker, let me just thank our chairman, the gentleman from Florida [Mr. FASCELL], for his understanding cooperation in allowing this resolution to be marked up in his Committee on Foreign Affairs and to come to the floor here today.

Mr. Speaker, I strongly support this resolution. Because it is entirely appropriate for us to consider this resolution in tandem with the aid package for Panama, because the whole idea of helping Panama and supporting the democracy there would not even be an issue right now if not for the skill and courage of our American armed forces, as well as the decisiveness and leadership of their commander in chief, President George Bush.

Mr. Speaker, every American regrets the circumstances that made Operation Just Cause necessary. But I am convinced, as the American people are convinced, that military intervention was justified as a last resort when all other options had been exhausted. Moreover, Operation Just Cause had a clearly defined set of objectives. And the commitment of troop strength and materiél was appropriate to those objectives.

But most importantly, our American forces were welcomed as liberators by the Panamanian people themselves. They were the ones who had suffered under the cruel yoke of Noriega and the dictators who came before him. They were the ones whose hopes for democracy had been denied repeatedly. And they are the ones who hold the keys to Panama's future.

I have always believed that our policy toward Panama, particularly with respect to the future of the canal, has to be based on maintaining the confidence and support of the Panamanian people. That is why it is so important that they responded to Operation Just Cause in the way they did.

One final thing, Mr. Speaker: This is an appropriate time to commend the leadership of Gen. Colin Powell. He is not mentioned by name in the resolution, but certainly he deserves the gratitude of the American and Panamanian people. General Powell assumed the responsibility for planning Operation Just Cause, as well as the operational responsibilities once the action was actually under way which saved hundreds of American lives as well as hundreds and hundreds of Panamanians lives.

We mourn the dead, but we know they did not die in vain. Americans are justifiably proud of the success achieved by Operation Just Cause. This resolution here today pays proper tribute to all for whom it is due. We thank all of those involved.

Mr. FASCELL. Mr. Speaker, I yield an additional 6 minutes to the distinguished gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I thank the distinguished chairman for his cooperation.

Mr. Speaker, I yield 3 mintues to the distinguished gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Speaker, I share the Nation's grief over the loss of 23 United States soldiers in the invasion of Panama. I extend my sympathy to their families and their loved ones. I also grieve for the innocent Panamanian civilians killed or injured in this invasion, and I commend the President for his commitment to bring our troops home at the earliest opportunity.

But I cannot support a resolution that congratulates the President for invading a sovereign nation at great cost to our Nation in lives and in dollars without approval from Congress and without even prior consultation with congressional leadership. We do our institution, this institution, the U.S. Congress, a grave disservice by approving an action that was illegal under the U.S. Constitution and under international law.

We have to ask ourselves whether this action which cost the lives of 23 young Americans and will cost this Nation dearly before all is said and done was really necessary. It did wonders for the President's public approval ratings. But did it really advance the interests of the United States for all of the lives lost and the billions of dollars it will cost the American taxpayer? We got one drug-running thug locked up in a Miami jail and more than 2 million Panamanian dependents.

I cannot support the part of this resolution that states that the President acted decisively and appropriately. I would say he acted sadly and inevitably as a result of the bankrupt and short-sighted policies followed by the Reagan-Bush administration since 1981 toward Central America and their single-minded obsession with Nicaragua.

In 1984 the Reagan-Bush administration condoned Noriega and his party when they stole a national election, and in 1990 we invaded to depose the despicable dictator that we created.

I urge my colleagues to vote against this resolution.

The SPEAKER pro tempore (Mr. MCDERMOTT). The gentleman yielded back 1 minute of his time.

Mr. EDWARDS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Mr. Speaker, I also rise in opposition to this motion, because I do not consider that might can ever be a substitute for right. One cannot impose, and should not attempt to impose, democracy at the end of a gun.

This country too long in its history has had a record of using force to impose its will upon our weaker neighbors, and I think we need an end to that gunboat diplomacy. America was wrong in invading Panama as well as would any other nation be wrong in international law in invading a neighbor. We were wrong, and it is wrong to praise those who committed that wrong whether they had any choice or not. It was wrong for America to invade Panama. It was wrong for America to invade Grenada. It was wrong for America to raid a Nicaraguan Embassy, and it was wrong for America to fire upon an unarmed Cuban vessel in international waters.

That is the road not to democracy and peace but to war and dictatorship.

Mr. EDWARDS of California. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Wisconsin [Mr. KASTENMEIER]

Mr. KASTENMEIER. Mr. Speaker, I thank the gentleman for yielding me this time, but I do not know that I will require all of that.

Mr. Speaker, earlier today we voted for the emergency aid legislation to Panama which authorizes economic aid including support for low-income housing construction and a small support for police training funds.

In view of the great damage brought to Panama as a result of the U.S. invasion, I think this is the least we could do, and it certainly represents a consensus of those of us 29 Members who went to Panama earlier last month at the request of the Speaker.

Later on in this session we are going to be called on to handle a much larger Panamanian aid bill which we will have to review very carefully. However, we are now considering a resolution which incorporates several matters.

I join with all of my colleagues in expressing sadness over the loss of American servicemen and conveying our condolences to their families. I certainly also support an early return of U.S. troops from Panama.

Mr. Speaker, however, I take great exception to that provision of the resolution which gratuitously commends President Bush for ordering the invasion of Panama, an independent and sovereign nation, an action which, in my view, does violate international law and which has been condemned by 20 of 21 Latin American countries.

□ 1420

The pretext which President Bush used to go to war with Panama was indeed stretched. I find it regrettable that the President in the latter part of

the 20th century, in 1989 and 1990, found it necessary to resort to the use of gunboat diplomacy, a policy long before discredited.

Mr. Speaker, last month the House was to consider a resolution which would have appropriately expressed our sadness over the deaths of our servicemen in Panama, condolences to their families, without heaping praise on the President. I would have voted for that resolution. But today, Mr. Speaker, I will vote against this resolution and urge my colleagues to do so as well.

Mr. BROOMFIELD. Mr. Speaker, I yield the balance of my time, 4½ minutes, to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I just would like to reply briefly to some of the statements made by other speakers. I heard the phrase "how wrong it is to invade a sovereign nation."

I do not know what the technical or legal definition of a sovereign nation is, but if it is a country where a tyrant is running things and dignity battalions and armed to the teeth paramilitary groups of thugs are roaming the streets shooting at will, and who shot and killed an unarmed marine, who pistol whipped another marine officer and threatened his wife with sexual abuse, if they declare war on the United States, their puppet parliament and their thug of a dictator, I have difficulty looking at that as a sovereign state.

When they have a democratic election on May 7 and it is nullified by the dictator, and when the vice president who was elected in one of the most internationally observed elections in this hemisphere by 3 to 1 is beaten bloody by the dignity battalions on the streets of Panama City, it seems to me something ought to be done, unless you are totally impotent.

One phrase we heard down there from the acting director of the Panama Canal Commission, Mr. Manfredo, from the Papal Annuncio and others, this was not an invasion, it was a liberation. And if you cannot distinguish between force for subjugation and force for liberation, then I suppose it is difficult to discuss this matter with you.

The canal was under threat. We have a treaty that gives us the right to protect our national interests in the canal. The director of the Canal Commission said workers were quitting their jobs because their license plates were being revoked, their automobiles were confiscated, and they could not get to work.

There is a way to shut the canal down without bombing it or causing a landslide. It was harassment of the employees that was going on. That was one legal basis.

Article 51, section 51 of the U.N. Charter and article 21 of the OAS Charter grant the right of self-defense to a country. When that is involved, lives are at stake. Our lives were at stake, lives of American citizens, 35,000 American citizens in the Panama Canal Zone.

Now, we tried negotiation. We tried diplomacy. Nothing worked. Nothing worked. I suggest to you that if the people of Pamana count on anything, they were jubilant at the liberation that our government gave them.

I regret that this resolution, while it has the right words, it does not have them in the right place. We commend the President for getting our troops out. We ought to commend the President for sending them down there.

We sort of do that in the first paragraph, and, as long as the words are there, I will accept that. But I think we ought to find it in our political hearts to commend the President. I do not think that would violate partisanship around here.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to my dear friend, the gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Mr. Speaker, I want to ask two quick questions: one is, is the gentleman suggesting that this Nation has the authority to determine whether or not it wishes to recognize the sovereignty of another nation, No. 1? is that right?

Mr. HYDE. No; I am saying that I have difficulty being hemmed in by the concept of sovereignty when a country is lawless and when a country violates the democratic procedure recognized, but nullifying a fair and free election, which is what Mr. Noriega did.

Mr. SAVAGE. When that happens, does the gentleman suggest that wherever that happens in the world this Nation then is justified in invading that nation militarily?

Mr HYDE. Mr. Speaker, no. Just where there is a Panama Canal. I would give that great weight, great weight. If there is a Panama Canal where half our imports and exports pass through. I would suggest the whole world has an interest in protecting that canal.

Mr. SAVAGE. Is it not true the only time the Panama Canal traffic has been interfered with, it was interfered with by this Nation and not by Panama?

Mr. HYDE. Oh, it would be too late, sir.

Mr. SAVAGE. Is that not true, what I just asked the gentleman? Historically, the only time traffic in the Panama Canal has been interfered with was by this Nation, not Panama?

Mr. HYDE. The gentleman from Illinois [Mr. SAVAGE] certainly has heard of preventive medicine.

Mr. SAVAGE. Mr. Speaker, maybe we are the ones that need to use the medicine on ourselves. We are the ones that interfered with traffic in the Panama Canal, not Panama.

Mr. HYDE. Would the gentleman tell me why he is so protective of the dictator Manuel Noriega?

Mr. SAVAGE. Mr. Speaker, I am protective of the sovereignty of nations and the rights of all people, no matter how weak, no matter what color, no matter how underdeveloped. I believe that all people under God are equal. All nations likewise.

Mr. HYDE. If the gentleman from Illinois would go to Panama he would find out how the people think. They welcomed us. They would even welcome him.

Mr. FASCELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, I thank the gentleman for yielding. I hate to interrupt this dialog, this lively dialog, we have going here. Let me do that if I may.

Mr. Speaker, I was privileged to join a number of colleagues in the congressional delegation led by our majority leader, the gentleman from Missouri [Mr. GEPHARDT], to Panama last month. We did meet with Panamanians from all walks of life. We met with people both high and low, people who expressed their heartfelt gratitude to us as Americans for the actions that we had taken.

I, too, recall the words of one of the religious leaders of Panama with whom we met who said, yes, indeed, that he and his countrymen regarded us as liberators and not as invaders.

I think this resolution before us today, and we can quibble about whether or not it gives the President enough credit or it doesn't, I think it is about right. I for one think that he did the right thing.

Having said that, let me say this resolution represents an effort to convey the gratitude that we as a delegation heard from the Panamanian people and an effort to convey that gratitude to American families who lost their loved ones, to our American military personnel who were willing to risk their lives, for an American President, and I think for a Congress, both of whom were willing to take some risks including political risks, in this endeavor.

Mr. Speaker, I realize that some of our colleagues and some Americans regret the use of force in this intervention. Let me just say we did not use force in the beginning. We used, I think, reasonable economic pressure to try to bring about change. We used reasonable diplomatic pressure to try to bring about change.

Finally, when literally the physical well-being of our men and women and their families in Panama was being

threatened, we took the overt action we did on December 20.

Let me further add there are some in Panama who would now like to see us provide for them an enormous aid package, almost a mini-Marshall plan. The administration, I think, has provided a very generous plan, maybe not up to the expectations of some in Panama. It is not a bad proposal. I think it has merit. I believe we will want to work our will on that plan here in Congress. I think we have an obligation to help put Panama back on their feet, and we intend to meet that obligation.

Mr. Speaker, having said that, I believe we in the Congress also look forward to the Panamanian Government taking some steps to address a major concern to us, and that concern is the elimination of money laundering of drug money in that country. There are some steps that they already have taken. There is more that they need to do. In the months ahead, between now and the time that we take up the larger aid package for Panama, we in this body will be looking carefully to the Panamanian Government to see what further steps they are willing and able to take.

Mr. Speaker, I again thank the gentleman from Florida [Mr. FASCELL] for yielding this time.

Mr. FASCELL. Mr. Speaker, if the gentleman would yield, I want to thank the gentleman for his comments. They are very well thought out. I agree totally with his presentation and his conclusions.

I urge my colleagues to listen to the advice of the gentleman from Delaware [Mr. CARPER]. It is very persuasive. I trust that Members will support this resolution.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 262.

The SPEAKER pro tempore (Mr. MCDERMOTT). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I yield myself such time as I may consume.

I just want to end this very interesting debate with this point: It is patently ludicrous to think that any nation has the sacred right to invade another, independent nation, because we don't like its leader, or the actions of its government.

□ 1430

I wonder how we would feel if the Soviets said that they were going to take over neighboring Finland, because they do not like the way the government runs, or they're disturbed that a Russian has been killed while walking down one of the streets of a Finnish city.

I used that example the other day when someone said an American soldier was killed in Panama. Yes, he was tragically killed, but if a Canadian citizen is mugged in New York City, would the Canadians then be justified in sending into the United States a 26,000 person army?

I urge a no vote on the resolution.

Mr. DELLUMS. Mr. Speaker, I rise, Mr. Speaker, in opposition to the resolution before the House which proposes to authorize emergency aid to Panama.

I fully support the re-integration of Panama into the global community of nations, following President Bush's ill-advised Operation Just Cause, the military action against that nation, and I do support the concept of providing genuine humanitarian assistance to the people of Panama.

I question in particular, Mr. Speaker, the method we have arrived at to fund these expenditures. House Concurrent Resolution 262 would transfer funds from accounts containing monies appropriated for economic and development assistance to African countries. These nations are already underserved, in both absolute and relative terms, by our foreign aid programs. The diversion of $30 million, measured against a base which has, since 1984, declined in both real dollars and as a percentage of our overall foreign aid expenditures, represents a significant loss of non-military, non-food aid to sub-Saharan Africa.

I am aware, Mr. Speaker, that the leadership of the committees with jurisdiction over this matter have pledged to restore these funds. I think it is important to point out, however, that there may have been several other choices in this matter, and I would hope that in revisiting the issue, those with jurisdiction would be mindful of the tremendous cuts that African nations have already absorbed. We can, and should, elevate assistance levels to a level more commensurate with our national interests in the region.

In addition, this deduction further skews the proportional relationship between economic amd military assistance; globally, that proportion is already dangerously tilted toward the military side of the equation. We have for several years debated with successive administrations the question of military vs. economic aid, and have repeatedly restructured the proposals sent to us by the Executive to reflect a more humane set of priorities. I object, Mr. Speaker, to this ad-hoc means of restacking the deck. Our long-term national interests are injured by the perception that the United States is not a reliable partner in development; we foster the impression that, in order to establish a bilateral relationship with the United States, a nation must host a military base or shelter an insurgency. We will one day regret that image—the demographics of underdeveloped nations have superceded the utility of foreign extensions of our military might.

Finally, Mr. Speaker, we must note that some of this aid would be targeted for balance of payments assistance to African nations, and it is truly needed. In most cases, countries south of the Sahara remit more to the United States and international lending institutions in debt repayment than they receive in export income and foreign aid. Our redirection of resources only exacerbates that situation. We will pay a global price for the invasion of Panama, and this aspect of House Concurrent Resolution 262 will be implemented at the expense of the people of sub-Saharan Africa, our lending institutions and taxpayers.

Mr. PANETTA. Mr. Speaker, I am pleased to have the opportunity to join with my colleagues in commending the American soldiers who lost their lives or were wounded in the recent operation in Panama, and I want to express my profound condolences to the families of those who gave up their lives in the operation.

As of January 22, 1990, four soldiers based in Fort Ord, CA had died in Panama since the deployment of December 20. I want to pay highest tribute to those soldiers today: CWO Andrew P. Porter, Sgt. William D. Gibbs, Pfc Anthony J. Pettignano, and Sp. Douglas J. Duff. We are all very proud of these young men and their contributions to the operation in Panama. We remember their families, too, who have endured the loss of their loved ones in the service of the Nation. These soldiers and their families have our lasting and deepest appreciation.

I also want to honor our countrymen wounded in Panama. From Fort Ord 27 soldiers were injured before January 22. They, too, deserve the gratitude of the Nation for their tremendous courage. Today we join their families in expressing our highest commendations and pride in their services in Panama.

Mr. COUGHLIN. Mr. Speaker, I rise in strong support of measures before us today to commend the actions of United States personnel in the Panama operation and to restore normalcy to the Panamanian economy and United States-Panamanian trade relations.

Mr. Speaker, as the vice chairman of both the House Select Committee on Narcotics Abuse and Control and the Transportation Appropriations Subcommittee, which has responsibility for funding issues relative to the Panama Canal, I have long been concerned about the situation in Panama. These concerns were heightened all the more when I traveled to Panama in May as a member of the congressional delegation appointed by the President to observe the elections there. They were further intensified when United States service personnel and their dependents were threatened and assaulted—and in one case—killed by members of the now-defunct Panama Defense Forces.

Accordingly, I was extremely supportive of President Bush's decision to send United States forces into action in Panama. We all know that no President sends our Nation's military personnel into harm's way without great regard for the risks to which those men and women will be subjected The use of military force must always be a cause of last resort, after all other possible efforts have failed. In the case at hand, I believe very strongly that the President pursued all other mean at his disposal in his efforts to bring about an end to the Noriega dictatorship

through nonmilitary means. His actions were, under the circumstances, fully justified.

When it became clear that military force was required, U.S. forces rose to the occasion, performing with great distinction. Operation Just Cause was a tremendous success. The resolution before us today properly expresses the great appreciation of the Congress and of the American people for the actions undertaken by our servicemen and women; it also expresses our deepest condolences to the families of the 23 servicemen who made the ultimate sacrifice in carrying out this critical mission.

In addition, we will today be pursuing legislation to restore some normalcy to the Panamanian economy. This will be done through the lifting of trade and other sanctions imposed during the Noriega dictatorship and through the authorization of assistance to meet, in particular, Panama's most immediate humanitarian needs. These needs are great, and the legislation before us merits our strong support.

I know all of my colleagues join me in extending their fullest possible support and very best wishes to the Panamanain people as they strive to institutionalize democracy and to address their pressing economic requirements.

Mrs. PATTERSON. Mr. Speaker, later today, the House will be considering House Concurrent Resolution 262 to commend our military forces for their action in Panama. These brave men and women deserve our thanks for a job well done. Because of them, the drug running and dictatorial rule of Manuel Noriega are over. Our forces moved swiftly to restore democracy, ensure the safety of the canal, and close a major drug route to the United States.

As successful as the mission turned out to be, it was not without its costs. Those costs had special significance for one family in the Fourth Congressional District of South Carolina.

In the early morning hours of December 20, Marine Cpl. Garreth C. Isaak, of Greenville, SC, joined other United States soldiers taking part in the conflict in Panama. Sadly, Corporal Isaak was one of the first casualties of the operation.

I want to again express my sympathy to Corporal Isaak's family and friends. His loss will be felt deeply. Their hurt cannot easily be soothed. But, hopefuly, they can take solace that their son, their friend, truly gave his life in the cause of freedom and democracy.

Gary fought for the values that we as Americans hold near and dear. He fought to end the reign of a dictator. He fought to disrupt the flow of drugs that are besieging this country. He gave his life in Panama to save lives at home. In the finest Marine Corps tradition, Gary Isaak put his duty to his country first.

Today, we in Congress will honor the memory of Corporal Isaak, and all the others who fought and died in Panama. Their mission was a success. They deserve this commendation. I know my colleagues will join me in supporting this resolution.

Mr. BILIRAKIS. Mr. Speaker, I join my colleagues today in commending the service of U.S. troops in Panama during Operation Just Cause.

As we all know, this operation, launched last December 20, was successful in bringing to justice in the United States Gen. Manuel Antonio Noriega, wanted in this country for narcotics trafficking on a vast scale. The speedy completion of this objective in itself is worthy of our praise and gratitude.

However, more—much more, in fact—was at stake during this operation. Indeed, during those early morning hours of last December 20, elements of our Armed Forces acted to do nothing less than restore democratic government to Panama and its thousands of oppressed people.

That this was accomplished with the utmost professionalism—even at the sacrifice of 23 soldiers' lives—is worthy not only of our praise and gratitute, but of our respect and honor, as well.

Furthermore, Mr. Speaker, it should not go without being said that President Bush, the commander in chief of these troops and the leader of the greatest democratic nation on Earth, deserves our greatest respect and admiration, as well, for having the courage to make the difficult decision to initiate this action.

While we and the Nation express our most heartfelt sympathy to the families and friends of those killed during Operation Just Cause, we nevertheless understand that tofs was a necessary action—one forced upon us by the repeated rejection by General Noriega of a negotiated solution, whether through U.S. authorities or those of the Organization of American States.

In fact, General Noriega's declaration of a state of war with the United States and harassment of U.S. nationals in Panama—to the point of the murder of a U.S. officer and the beating of another—precluded any course but military action.

The success of this operation must be assessed not only from our point of view, of course, but of Panama's, as well. The gratitude of the legitimately elected leader of that nation, Enrique Endara, and the overwhelming support of the people of Panama testify to this success as much as the cheers of U.S. citizens.

In the days to come, as the cheers fade and the troops come home to their deserved welcome, we as a Nation must ensure that the lamp of democracy, relit through the sacrifice of both Panamanian and American lives, remains a bright beacon in Central America.

Mr. BLILEY. Mr. Speaker, today we have the opportunity to recognize and champion the valiant efforts of the United States servicemen and women who demonstrated their commitment to democracy and an outstanding level of expertise in Panama. These men and women gave heroically when this country asked them to give, 23 even gave their lives in the defense of democracy and freedom.

The United States has maintained a responsibility in Panama that is threefold; to protect the neutrality of the Panama Canal and to assist in the restoration of democracy. Most importantly, however, was the United States responsibility to protect the lives of the almost 50,000 American citizens in Panama. For these reasons it has been critical that the United States preserve a close and positive relationship with the Panamanian Government. Yet since the signing of the Panama Canal Treaties in the late 1970's, the political and economic stability of Panama had been an era of the past.

For the past 2 years the Panamanian people have been forced to succumb to a dictator who, through drug trafficking, has amassed and hoarded millions of dollars while his country tumbled into chaos. The lawlessness of the Noriega regime threatened the neutrality and security of the Panama Canal, the zone that surrounds it and the lives of the thousands of Americans employed by the Panama Canal Commission.

Operation Just Cause brought the end of the Noriega regime, the arrest of an international criminal and the restoration of a democratically elected government. In the course of that action, many of our friends and families met the challenge and some had to make great sacrifices. If it were not for those brave men and women in Panama who defended democracy, an international criminal would still be trafficking drugs. And the question of the security of the Panama Canal would remain unanswered. The families of those 23 brave men who sacrificed their lives to bring democracy to Panama should be proud. The American servicemen and women in Panama exhibited a level of professionalism for which they should also be proud. The American people owe a mighty debt to these men and women for the sacrifices they made to protect democracy and restore a legal government to Panama that does not rely on the profits of drugs to maintain its economy. Mr. Speaker, today I offer my most sincere condolences to the families and friends of those 23 heroic men who gave their lives for freedom and I congratulate the expertise and valor demonstrated by our armed forces. The American people should be proud of the superior caliber of men and women we have defending the freedoms on which this Nation was founded.

The SPEAKER pro tempore (Mr. MCDERMOTT). The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspended the rules and agree to the concurrent resolution, House Concurrent Resolution 262.

The question was taken.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 389, nays 26, answered "present" 2, not voting 14, as follows:

[Roll No. 12]

YEAS—389

Ackerman	Archer	Barton
Akaka	Armey	Bateman
Alexander	Aspin	Bennett
Anderson	Atkins	Bentley
Andrews	Baker	Bereuter
Annunzio	Ballenger	Berman
Anthony	Barnard	Bevill
Applegate	Bartlett	Bilbray

Bilirakis	Gingrich	McCurdy
Bliley	Glickman	McDade
Boehlert	Goodling	McDermott
Boggs	Gordon	McEwen
Bonior	Goss	McGrath
Borski	Gradison	McHugh
Bosco	Grandy	McMillan (NC)
Boucher	Grant	McMillen (MD)
Boxer	Gray	McNulty
Brennan	Green	Meyers
Brooks	Guarini	Michel
Broomfield	Gunderson	Miller (OH)
Browder	Hall (OH)	Miller (WA)
Brown (CA)	Hall (TX)	Mineta
Brown (CO)	Hamilton	Moakley
Bruce	Hammerschmidt	Mollohan
Bryant	Hancock	Montgomery
Buechner	Hansen	Moody
Bunning	Hastert	Moorhead
Burton	Hatcher	Morella
Bustamante	Hayes (LA)	Morrison (CT)
Byron	Hefley	Morrison (WA)
Callahan	Hefner	Mrazek
Campbell (CA)	Henry	Murphy
Campbell (CO)	Herger	Murtha
Cardin	Hertel	Myers
Carper	Hiler	Nagle
Carr	Hoagland	Natcher
Chandler	Hochbrueckner	Neal (MA)
Chapman	Holloway	Neal (NC)
Clarke	Hopkins	Nelson
Clement	Horton	Nielson
Clinger	Houghton	Nowak
Coble	Hubbard	Oakar
Coleman (MO)	Huckaby	Oberstar
Coleman (TX)	Hughes	Olin
Combest	Hunter	Ortiz
Condit	Hutto	Owens (UT)
Conte	Hyde	Oxley
Cooper	Inhofe	Packard
Costello	Ireland	Pallone
Coughlin	Jacobs	Panetta
Courter	James	Parker
Cox	Jenkins	Parris
Coyne	Johnson (CT)	Pashayan
Craig	Johnson (SD)	Patterson
Crane	Johnston	Paxon
Dannemeyer	Jones (GA)	Payne (VA)
Darden	Jones (NC)	Pease
Davis	Jontz	Pelosi
de la Garza	Kanjorski	Penny
DeLay	Kaptur	Perkins
Derrick	Kasich	Petri
DeWine	Kennedy	Pickett
Dickinson	Kennelly	Pickle
Dicks	Kildee	Porter
Dingell	Kolbe	Poshard
Dixon	Kolter	Price
Donnelly	Kostmayer	Pursell
Dorgan (ND)	Kyl	Quillen
Dornan (CA)	LaFalce	Rahall
Douglas	Lagomarsino	Ravenel
Downey	Lancaster	Ray
Dreier	Lantos	Regula
Duncan	Laughlin	Rhodes
Durbin	Leach (IA)	Richardson
Dwyer	Lehman (CA)	Ridge
Dyson	Lehman (FL)	Rinaldo
Eckart	Lent	Ritter
Edwards (OK)	Levin (MI)	Roberts
Emerson	Levine (CA)	Robinson
Engel	Lewis (FL)	Roe
English	Lightfoot	Rogers
Erdreich	Lipinski	Rohrabacher
Espy	Livingston	Ros-Lehtinen
Evans	Lloyd	Rose
Fascell	Long	Rostenkowski
Fawell	Lowery (CA)	Roth
Fazio	Lowey (NY)	Roukema
Feighan	Luken, Thomas	Rowland (CT)
Fields	Lukens, Donald	Rowland (GA)
Fish	Machtley	Russo
Foglietta	Madigan	Sabo
Frank	Manton	Saiki
Frenzel	Markey	Sangmeister
Frost	Marlenee	Sarpalius
Gallegly	Martin (IL)	Sawyer
Gallo	Martin (NY)	Saxton
Gaydos	Martinez	Schaefer
Gejdenson	Matsui	Scheuer
Gekas	Mavroules	Schiff
Gephardt	Mazzoli	Schneider
Geren	McCandless	Schroeder
Gibbons	McCloskey	Schuette
Gillmor	McCollum	Schulze
Gilman	McCrery	Schumer
Sensenbrenner	Solomon	Upton
Sharp	Spence	Valentine
Shaw	Spratt	Vander Jagt
Shays	Staggers	Vento
Shumway	Stallings	Visclosky
Shuster	Stangeland	Volkmer
Sikorski	Stark	Vucanovich
Sisisky	Stearns	Walgren
Skaggs	Stenholm	Walker
Skeen	Stump	Walsh
Skelton	Sundquist	Washington
Slattery	Swift	Waxman
Slaughter (NY)	Synar	Weber
Slaughter (VA)	Tallon	Weldon
Smith (FL)	Tanner	Wheat
Smith (IA)	Tauke	Whittaker
Smith (NE)	Tauzin	Whitten
Smith (NJ)	Taylor	Wilson
Smith (TX)	Thomas (CA)	Wise
Smith (VT)	Thomas (GA)	Wolf
Smith, Denny (OR)	Thomas (WY)	Wolpe
	Torres	Wyden
Smith, Robert (NH)	Torricelli	Wylie
	Traficant	Yatron
Smith, Robert (OR)	Traxler	Young (AK)
	Udall	Young (FL)
Snowe	Unsoeld	

NAYS—26

Bates	Edwards (CA)	Owens (NY)
Beilenson	Flake	Payne (NJ)
Clay	Gonzalez	Roybal
Collins	Hayes (IL)	Savage
Conyers	Kastenmeier	Stokes
Crockett	Kleczka	Towns
DeFazio	Lewis (GA)	Weiss
Dellums	Mfume	Yates
Dymally	Miller (CA)	

ANSWERED "PRESENT"—2

Studds Williams

NOT VOTING—14

AuCoin	Harris	Obey
Early	Hawkins	Rangel
Flippo	Hoyer	Solarz
Ford (MI)	Leath (TX)	Watkins
Ford (TN)	Lewis (CA)	

□ 1451

Mrs. UNSOELD and Messrs. GUNDERSON, SKAGGS, STARK, INHOFE, and MOODY changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HOYER. Mr. Speaker, on the vote on House Concurrent Resolution 262, I unfortunately did not hear the buzzer and, therefore, did not respond and did not vote.

Had I been present, I would have voted aye.

□ 1450

PRIVILEGES OF THE HOUSE—RELATING TO THE INTEGRITY OF THE PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES

Mr. WALKER. Mr. Speaker, I offer a privileged resolution (H. Res. 330) and I ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 330

Whereas the gentleman from Illinois, Mr. Savage, addressed the House on February 1, 1990, in the period known as Special Orders;

Whereas certain of his remarks did not appear in the body of the Congressional Record of February 1, 1990;

Whereas numerous other examples of deletions from the Congressional Record of remarks actually uttered on the floor have been mentioned in the press;

Whereas these omissions seriously threaten the integrity of the proceedings of the House;

Resolved, That the Committee on House Administration report to the House as soon as practicable its recommendations with respect to deletions from the Congressional Record pursuant to permission granted by the House to revise and extend remarks, in light of the adoption by the House of clause 9, Rule I which directs the Speaker to implement a system of complete and unedited audio and visual broadcasting and recording of the proceedings of the House of Representatives.

The SPEAKER pro tempore (Mr. MCDERMOTT). The Chair will rule that the resolution offered by the gentleman from Pennsylvania [Mr. WALKER] constitutes a question of the privileges of the House under rule IX since it addresses the question of the integrity of the CONGRESSIONAL RECORD in a generic way. The Chair would note that the remarks mentioned in the resolution were removed from the RECORD pursuant to permission of the House to revise and extend and consistent with precedent and the Parliamentarian's suggestion.

The gentleman from Pennsylvania [Mr. WALKER] is recognized for 1 hour.

Mr. WALKER. Mr. Speaker, as the Chair has just noted, the particular remarks that were removed from the CONGRESSIONAL RECORD that this resolution refers to were, in fact, done at the request of the Parliamentarians. Nevertheless, I think we have an issue before Members which is, clearly, one that has to be addressed at some point by this body.

We have a situation here where remarks were made that were unparliamentary in nature and where there are real questions about whether or not they should have been said on the floor. In this gentleman's opinion, they should not have been.

However, the question before Members is this: We now have two records of the proceedings of the House of Representatives. One of them is printed in the CONGRESSIONAL RECORD. The other is on videotape for all Members to see. One record is, in fact, the accurate presentation of what goes on in the House of Representatives. The other is a record of what we wish we would have said, if only we had said it right. The problem is that those two do not match.

It is this gentleman's contention that we ought to have a printed record which reflects what the actual proceedings of the House said and did during any legislative day. In this particular case, we have a situation where the words that were uttered were, in fact, words that are substantially changed when a person removes the offending language. In this gentleman's opinion, rather than having a situation where we substantially change the speech, what a person should have said is a situation where the Chair, in noting offensive speech, orders the Member to order, rather than have a situation where later on, offensive words are removed.

I think that we are now in a position where the House of Representatives, because of electronic media, has become a bully pulpit for all Members. All 435 Members elected to this body have an ability to come to the floor of the House of Representatives and speak to the country. Today, the only penalty that exists if a Member who does something which is just outrageous, is that someone will come along and suggest we remove the word from the CONGRESSIONAL RECORD. For most Members, as politicians, our reaction to that is "So what?" It has already had its impact. In this case, the words that were offensive, in fact, got reported in every newspaper, or in many newspapers across the country. The purpose was achieved. Yet, they do not appear at any point in the CONGRESSIONAL RECORD.

All this resolution is attempting to do is have the Committee on House Administration focus on the fact that we have two different CONGRESSIONAL RECORDS in existence, and try to come to some resolution as to how we match those and maintain the integrity of the proceedings of this body.

I would ask the adoption of the resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I rise in support of this resolution. The gentleman from Pennsylvania has been very articulate in pointing out that in the case of the remarks of the gentleman from Illinois [Mr. SAVAGE] on the floor of the House of Representatives on February 1, which were widely reported in the press around the country, did not appear in the official transcript of proceedings published in the CONGRESSIONAL RECORD the next day.

When a controversial statement is uttered on the floor of the House, that becomes a part of the House, whether the person who made that mistake wants it a part of that RECORD or not. The time has come, given the fact that we have a contemporaneous video record kept of the proceedings of this House, that we address the problem of the accuracy of the CONGRESSIONAL RECORD in a meaningful way.

This resolution sets the wheels in motion by having the Committee on House Administration do just that.

Second, I would like to express my concern, and place it on the record that whomever happens to be occupying the chair at the time of the offensive words are stated on the floor of the House of Representatives has a duty under the rules of the House to call the Member to order who has uttered those offensive words, and to have a ruling on whether the words are, indeed, in violation of the rules of the House in parliamentary procedure in the precedents of the House.

□ 1500

It should not happen that in the dead of night offensive words get x-ed out of the RECORD or, as it happens, that another Member should have to jump up and demand that the speaker's words be taken down for a formal ruling of the Chair. The rules place that duty in the hands of the Member who happens to be occupying the Chair.

I have read the allegedly unparliamentary words uttered by the gentleman from Illinois [Mr. SAVAGE], and I agree with the Parliamentarian and with the gentleman from Pennsylvania that at least insofar as they related to the gentlewoman from Colorado [Mrs. SCHROEDER] and the gentleman from Massachusetts [Mr. FRANK], they were unparliamentary and should have been striken from the RECORD.

But there are procedures contained in the Rules of the House of Representatives that allow that to be done and set a precedent as to what type of debate is in order and what type of debate is not in order. It is one of the duties of the Chair to enforce those rules.

So, Mr. Speaker, I thank the gentleman from Pennsylvania for giving me this time, and I hope this sets the House on the road to having a more accurate RECORD, as well as reminding whoever happens to be occupying the chair that one of the duties is to make sure that unparliamentary language is not put in the RECORD.

Mr. WALKER. Mr. Speaker, I thank the gentleman for his remarks, because it does seem to me that that is one of the crucial issues here, that the Chair has tremendous power, and I for one never minimize the tremendous power the Chair wields over this body.

The Chair also has responsibilities, and one of those responsibilities is to maintain the decorum of the House. In this particular instance it would have been well for the Chair to have instructed the gentleman from Illinois that he was out of order at the point that the out-of-order remarks took place.

Mr. DURBIN. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am very happy to yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Speaker, I thank the gentleman for yielding.

Does the gentleman think there is any hypocrisy involved in any Member who has ever asked to revise and extend his remarks to vote in favor of the gentleman's motion?

Mr. WALKER. Mr. Speaker, I would say to the gentleman that as far as I am personally concerned, I do not revise and extend my remarks. I do not ask for permission to revise and extend.

Mr. DURBIN. God bless you.

Mr. WALKER. I do not revise and extend my remarks because I believe my remarks should remain in the RECORD the way they were spoken on the floor. I would wish that other Members would follow the same procedure. I realize that under the rules of the House right now that is not something that is typically done, and many Members revise and extend their remarks.

Mr. DURBIN. The gentleman sees no inconsistency in Members rising for 1 minute and asking permission to revise and extend their remarks and yet supporting the gentleman in his motion?

Mr. WALKER. I would say to the gentleman that this gentleman personally does not do that. If the gentleman from Illinois will listen to this gentleman when I get up for 1 minute speeches, I always ask unanimous consent to address the House for 1 minute, and I do not ask to revise and extend.

Mr. DURBIN. Mr. Speaker, I thank the gentleman.

Mr. WALKER. Mr. Speaker, if there are no other Members who wish to speak, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCDERMOTT). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 373, nays 30, answered "present" 16, not voting 12, as follows:

[Roll No. 13]

YEAS—373

Akaka	Annunzio	Armey
Alexander	Anthony	Aspin
Anderson	Applegate	Baker
Andrews	Archer	Ballenger

Barnard	Gekas	McCloskey
Bartlett	Geren	McCollum
Barton	Gibbons	McCrery
Bateman	Gillmor	McCurdy
Bates	Gilman	McDade
Beilenson	Gingrich	McDermott
Bennett	Glickman	McEwen
Bentley	Goodling	McGrath
Bereuter	Gordon	McMillan (NC)
Berman	Goss	McMillen (MD)
Bevill	Gradison	McNulty
Bilbray	Grant	Meyers
Bilirakis	Green	Michel
Bliley	Guarini	Miller (CA)
Boehlert	Gunderson	Miller (OH)
Bonior	Hall (OH)	Miller (WA)
Borski	Hall (TX)	Mineta
Bosco	Hamilton	Moakley
Boucher	Hammerschmidt	Montgomery
Boxer	Hancock	Moody
Brennan	Hansen	Moorhead
Brooks	Hastert	Morella
Broomfield	Hatcher	Morrison (CT)
Browder	Hayes (LA)	Morrison (WA)
Brown (CA)	Hefley	Mrazek
Brown (CO)	Hefner	Murphy
Bruce	Henry	Murtha
Bryant	Herger	Myers
Buechner	Hertel	Nagle
Bunning	Hiler	Natcher
Burton	Hoagland	Neal (MA)
Bustamante	Hochbrueckner	Neal (NC)
Byron	Holloway	Nelson
Callahan	Hopkins	Nielson
Campbell (CA)	Horton	Nowak
Campbell (CO)	Houghton	Oakar
Cardin	Hoyer	Oberstar
Carper	Hubbard	Olin
Carr	Huckaby	Ortiz
Chandler	Hughes	Owens (UT)
Chapman	Hunter	Oxley
Clarke	Hutto	Packard
Clement	Hyde	Pallone
Clinger	Inhofe	Panetta
Coble	Ireland	Parker
Coleman (MO)	Jacobs	Parris
Combest	James	Patterson
Condit	Jenkins	Paxon
Conte	Johnson (CT)	Payne (VA)
Cooper	Johnson (SD)	Pease
Costello	Johnston	Pelosi
Coughlin	Jones (NC)	Penny
Courter	Jontz	Perkins
Cox	Kanjorski	Pickett
Craig	Kaptur	Pickle
Crane	Kasich	Porter
Dannemeyer	Kastenmeier	Poshard
Darden	Kennedy	Price
Davis	Kennelly	Pursell
de la Garza	Kildee	Quillen
DeFazio	Kleczka	Rahall
DeLay	Kolbe	Ravenel
Derrick	Kolter	Ray
DeWine	Kostmayer	Regula
Dickinson	Kyl	Rhodes
Dicks	LaFalce	Richardson
Dingell	Lagomarsino	Ridge
Donnelly	Lancaster	Rinaldo
Dorgan (ND)	Lantos	Ritter
Dornan (CA)	Laughlin	Roberts
Douglas	Leach (IA)	Robinson
Downey	Leath (TX)	Roe
Dreier	Lehman (FL)	Rogers
Duncan	Lent	Rohrabacher
Dyson	Levin (MI)	Ros-Lehtinen
Eckart	Levine (CA)	Rose
Edwards (CA)	Lewis (FL)	Rostenkowski
Edwards (OK)	Lightfoot	Roth
Emerson	Lipinski	Roukema
Engel	Livingston	Rowland (CT)
English	Lloyd	Rowland (GA)
Erdreich	Long	Russo
Espy	Lowery (CA)	Sabo
Evans	Lowey (NY)	Saiki
Fascell	Luken, Thomas	Sangmeister
Fawell	Lukens, Donald	Sarpalius
Feighan	Machtley	Sawyer
Fields	Madigan	Schaefer
Fish	Marlenee	Scheuer
Flippo	Martin (IL)	Schiff
Ford (MI)	Martin (NY)	Schneider
Frenzel	Martinez	Schuette
Frost	Matsui	Schulze
Gallegly	Mavroules	Schumer
Gallo	Mazzoli	Sensenbrenner
Gejdenson	McCandless	Sharp
Shaw	Solomon	Valentine
Shays	Spence	Vander Jagt
Shumway	Spratt	Visclosky
Shuster	Staggers	Volkmer
Sikorski	Stallings	Vucanovich
Sisisky	Stangeland	Walgren
Skaggs	Stark	Walker
Skeen	Stearns	Walsh
Skelton	Stenholm	Washington
Slattery	Studds	Waxman
Slaughter (NY)	Stump	Weber
Slaughter (VA)	Sundquist	Weldon
Smith (FL)	Tallon	Wheat
Smith (IA)	Tanner	Whittaker
Smith (NE)	Tauke	Wilson
Smith (NJ)	Tauzin	Wise
Smith (TX)	Taylor	Wolf
Smith (VT)	Thomas (CA)	Wolpe
Smith, Denny (OR)	Thomas (GA)	Wyden
	Thomas (WY)	Wylie
Smith, Robert (NH)	Torres	Yates
	Torricelli	Yatron
Smith, Robert (OR)	Traxler	Young (AK)
	Udall	Young (FL)
Snowe	Unsoeld	
Solarz	Upton	

NAYS—30

Ackerman	Flake	Mfume
Clay	Foglietta	Owens (NY)
Coleman (TX)	Gephardt	Payne (NJ)
Collins	Gray	Rangel
Conyers	Hayes (IL)	Roybal
Coyne	Jones (GA)	Stokes
Crockett	Lehman (CA)	Swift
Dellums	Lewis (GA)	Towns
Durbin	Manton	Traficant
Dymally	Markey	Weiss

ANSWERED "PRESENT"—16

Atkins	Gonzalez	Petri
Dixon	Grandy	Savage
Dwyer	Hawkins	Schroeder
Fazio	McHugh	Synar
Frank	Mollohan	
Gaydos	Pashayan	

NOT VOTING—12

AuCoin	Harris	Vento
Boggs	Lewis (CA)	Watkins
Early	Obey	Whitten
Ford (TN)	Saxton	Williams

□ 1525

Messrs. BATES, WALGREN, and BROOKS changed their vote from "nay" to "yea."

Mr. MARKEY changed his vote from "yea" to "nay."

Mr. DAVIS changed his vote from "present" to "yea."

Mr. MOLLOHAN changed his vote from "yea" to "present."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 256. Concurrent resolution providing for the adjournment of the two Houses.

APPOINTMENT OF CONFEREES ON H.R. 1465, OIL POLLUTION PREVENTION, RESPONSE LIABILITY, AND COMPENSATION ACT OF 1989

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1465) to establish limitations on liability for damages resulting from oil pollution, to establish a fund for the payment of compensation for such damages, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. MCDERMOTT). Is there objection to the request of the gentleman from North Carolina?

Mr. DAVIS. Mr. Speaker, reserving the right to object, I do not intend to object; I just want to have this opportunity to say that I do agree with the chairman of the Committee on Merchant Marine and Fisheries. We need to do this, and the minority does support it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. GALLO

Mr. GALLO. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. GALLO moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1465 be instructed to insist upon inclusion in the conference report of a requirement for equipping new and existing tank vessels with double bottoms or double hulls.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. GALLO] will be recognized for 30 minutes, and the gentleman from North Carolina [Mr. JONES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first let me thank members of the Merchant Marine Committee, especially my colleague, the gentleman from Michigan [Mr. DAVIS] for his cooperation on this motion.

Also, it is important to remember the involvement and effort of my colleagues from New Jersey and Wisconsin, Mr. TORRICELLI and Mr. GUNDERSON. I want to thank both of them for their continued commitment.

As conferees prepare to work out the differences in the House and Senate versions of the oil pollution and liability bill, H.R. 1465, I believe it is impor-

tant to send a strong message to the conferees that the House will insist on requiring double hulls or double bottoms on tank vessels operating in U.S. waters.

While the bill goes a long way in responding to oilspills once they happen, the only significant measure of prevention is double hulls and double bottoms. That is why, Mr. Speaker, I seek to instruct the House conferees to insist on a provision requiring double hulls and double bottoms.

Double hulls will reduce the likelihood of a massive spill from a grounding by more than 90 percent.

When calculated over the lifetime of a tanker, the cost for this critical safety requirement is one-tenth of one cent per gallon transported.

Since we debated this bill 2 months ago, the arguments for this requirement have been strengthened.

First, the Alaskan Oil Spill Commission has concluded that the single most effective action we can take to prevent large spills is this double hull requirement.

The report also concludes that new tanker designs, including double hulls, will reduce the risk of massive spills more than all other known safety measures combined.

We can discuss at length the various proposals for further study, but I am confident that none of these so-called alternatives can be as effective as double hulls.

The Alaskan Commission report clearly recommends that double hulls be required on all tankers operating in U.S. waters, and that is what the House version of our bill also requires.

In addition, tankers with double hulls can be designed without loss of cargo capacity.

Our window of opportunity is now. Aging fleets will soon have to be replaced.

By 1992, over 40 percent of the world fleet will be more than 20 years old and another 25 percent will be 15 to 19 years old. In the Alaskan fleet alone, the average age is 18 years.

This same window of opportunity existed 15 years ago when this requirement was debated in Congress.

We ignored the opportunity then and we have seen the results. In the last 10 years, 5 major accidents have occurred in Alaskan waters, including the *Valdez.* Four of those spills would have been totally prevented with double hulls.

And the *Valdez* accident would have been reduced by 60 percent, according to a Coast Guard assessment, if double hulls were required.

Very recently, on January 21, 57,600 gallons of gasoline was spilled in the inlet passage in Alaska.

Again, that spill would not have occurred if the ship had been double hulled.

I think my colleagues would agree that a 100-percent prevention rate in four of five accidents is a proven track record that should not require additional study.

The steel shell of most tankers is only an inch and a quarter in thickness.

With double hulls, that margin of safety is increased to as much as 12 feet between the outer hull and the inner hull.

Even with the fastest and most professional emergency response available today, 80 percent of the oil spilled from a large tanker cannot be recovered once it is in the water.

In fact, double hulls are now required on all tankers carrying hazardous chemicals.

As sponsor of the double-hull requirement in the House Oil Pollution and Liability Act, I believe that the Alaskan Commission report and other new evidence shows that this requirement has been studied enough and should be mandated by Federal law this year.

Congress would be irresponsible to ignore this opportunity to protect our environment from almost certain future spills perhaps more serious than in Alaska.

This requirement is included in our version of the bill, but a similar requirement offered in the Senate was only two votes short of approval.

In conference, those two Senate votes could be the margin of victory or defeat for this recognized and affordable safety measure.

We cannot let this opportunity slip away.

Given the likelihood of another devastating tanker accident and the need to replace aging tankers, we simply cannot afford the price of further delays.

So, I urge my colleagues to vote yes on the motion to instruct and to require double hulls or double bottoms on tank vessels.

Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. JONES of North Carolina. Mr. Speaker, I yield 7 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. STANGELAND. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I am happy to yield to the gentleman from Minnesota.

Mr. STANGELAND. Mr. Speaker, I rise to commend the gentleman from New Jersey [Mr. GALLO].

Mr. Speaker, I today to commend the gentleman from New Jersey on offering a motion to instruct the conferees for H.R. 1465 that provides greater flexibility than is contained in the House-passed bill with respect to double hulls and double bottoms.

Some confusion has an with regard to the amendments on this issue in the bill. With this motion, Mr. GALLO provides the conferees with a bit more flexibility and a better approach to the double hulls question.

As I am sure most of my colleagues are aware there has been a great deal of discussion and concern about the double hull/double bottom amendments by groups on both sides of the issue. This motion will lay the groundwork for the conferees to address these concerns. In addition, it will add more flexibility for the conferees to address serious concerns about the timing and increased cost of a double bottom or double hull requirement.

Mr. TAUZIN. Mr. Speaker, the environmental consequences of the *Exxon Valdez* accident shocked the Nation.

After 15 years' deliberations, with today's appointment of conferees, Congress takes an important step toward the completion of oilspill legislation. As we begin this important conference, I wish to express several concerns and offer a word of caution.

The unanswered questions about this debate remain with us. They are two: How much are these reforms going to cost the consumers of America, and what impact will the U.S. ability to compete in global markets be the result of this particular legislation?

Both the House and Senate bills place extensive new requirements on the movement of oil and petroleum products through our waterways and coastal areas. Each of these requirements, considered in isolation, may have merit, yet in combination the requirements can have significant impacts on the cost of moving our cargoes. Clearly it will cost more for marine transportation of oil. Consumer costs will, therefore, increase. We have to look at the situation in the context of how much we depend upon marine transportation.

Nearly half of the Nation's total consumption of oil is now supplied by foreign oil that comes in tankers. In addition, one-quarter of our domestic production is moved by tankers from Alaska. On top of that, a considerable portion of refined petroleum, anything from heating oil for our homes to fuel for boats and vehicles and airplanes, moves through coastal and inland waterways on barges and coastal tankers.

Whatever bill is ultimately agreed upon by the conferees will increase the cost of heating oil, gasoline, jet fuel, diesel, other petroleum products. In large measure, this increased cost will be passed along to consumers in the form of higher energy prices.

In addition, since the 5-cent-per-barrel fee is applied to every drop of oil regardless of how it is transported, that cost, too, will be paid by consumers. These factors will have an inflationary impact upon our prices, but they pale in comparison to the potential price increases that could result from the liability and financial-responsibility requirements in combination with new-vessel construction, oper-

ation, manning, response, and planning requirements of the two bills.

Without question, each has individual merit. Together, unless there is some flexibility in their implementation, these requirements could significantly limit the number of tankers that can legally move in U.S. waters. If we are not careful in this bill, we just might impose a self-imposed oil embargo upon America. Think about it.

To be sure, the marketplace is creative. It can find ways to minimize disruptions and limitations, but that raises new questions about what creative solutions will present even greater risks to our environment. For example, will supertankers, rather than meet a retrofit requirement of this double-hull requirement, merely lay off the exclusive economic zone of the United States outside of our reach in international waters and then lighten their cargoes into smaller coastal tankers to bring oil into port, increasing the congestion of our ports and our coasts and our waterways? Or by our potentially unlimited Federal-State liability system, will we encourage the creation of one-ship corporations that effectively preempt the unlimited State liability by limiting the value of assets available to clean up a spill and, therefore, placing the real burden upon the national fund?

All one has to do is read the CONGRESSIONAL RECORD of the House and Senate debates to realize that most of the amendments, most of the arguments were framed around the *Exxon Valdez* model. Unfortunately, the model represents a very small portion of world tanker trade and fleets. Very few tankers are owned by huge oil companies. Very few have multimillion-dollar profit portfolios. The total value of most inland barges and their companies, lock, stock, and barrel, is less than the average week of cleanup in Prince William Sound.

To some extent, the House bill recognizes this problematic situation with secondary liability for cargo owners. But that liability has limits, too.

All we have to do is recognize those limits. After all, the cargo owner often enough will be a public utility, a small business manufacturer, a heating oil distributor, or even a Government agency like the Department of Defense or the Department of Environment, when it is formed. They, too, will have to buy insurance from our bill.

□ 1540

They, too, will have to buy insurance under our bill. They, too, will pass that cost on to consumers. But maybe the horror stories we have heard about the improbability of insuring our shipments will turn out to be exaggerated. I hope so. But the question will be will there be enough tankers that qualify to bring oil to America when we cannot do anything but depend upon foreign shipments?

Let me say a word about this double bottom issue. While I understand this is not a binding instruction to conferees and the instructions give us room to work a compromise hopefully with the Senate, let me make a couple of points.

Had the *Exxon Valdez* had a double bottom, two skins, experts tell us it would have only saved 15 percent of that spill; 200,000 gallons would have still spilled in the Prince William Sound. We would have still had the biggest spill in U.S. history.

Double bottoms is not the answer. Double bottoms is only part of the answer. In some cases double bottoms may cause us problems.

In the last decade two big Norwegian tankers experienced explosions because they had double bottoms. Leaks in the ship created oil in the double bottom, which then exploded and caused an incident that should not have been caused.

Let me point out again there are better ways. Simple hydrostatic balancing would have prevented the *Valdez* spill. Most of the oil that spilled out of the *Valdez* incident came out of oil that was stacked above the waterline in the cargo holds of the ship. A simple reloading of that vessel would have prevented most of that oil from spilling.

We can make those agreements in conference. I hope we will. We can find better ways.

Keep in mind the point I made. We could double hull the *Exxon Valdez* and you would still have lost 200,000 gallons of oil in Prince William Sound. Let us work to find a better way.

I will work with the gentleman from New Jersey [Mr. GALLO]. I will work with the conferees. I realize the gentleman's instruction is not binding. Let us find a constructive way to prevent what happened in Prince William Sound. Then I think we will be better off.

Mr. JONES of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Speaker, March 24 will be the first anniversary of the *Valdez* oilspill. On that day we will have either acted to prevent future tragedies or we will still be talking, still debating about potential solutions, alternate technologies. But we will have taken a stand with the one technology that we know is available today, with the provision that can be approved now to prevent future spills.

Last November this House took that stand. It voted to require, to mandate, double bottoms and double hulls on oil tankers. Double bottoms in 7 years, double hulls in 15 years.

Now we are told we should wait, as we were told in the 1970's, as we were told in the 1960's, that the issue should be studied, as it has been studied so many times for so long.

Indeed, Mr. Speaker, as far back as 1975 the Coast Guard was asked to study groundings in the previous years and concluded that double bottoms on tankers would have prevented 96 percent of oilspills in all groundings. That study was made, it was received, it was debated, and we did not take action.

Now the question is whether we wait again. In 1975 the Office of Technology Assessment looked at the same question again and once again concluded that the best available technology to prevent the loss of oil into the ocean was a double hull or a double bottom. We failed to act in each of those instances.

Now again, in the wake of the *Valdez* incident, the Alaska Oil Spill Commission was asked to make a report, to study the same question for a third time.

On December 8 they issued their report. They recommended double hulls for tankers and several other design changes, all of which if implemented would increase the cost of ships only 10 percent. But nevertheless those changes as envisioned by these instructions for the actions that we took last year are the best available technology.

Mr. Speaker, simply put, 14 years of study is enough. It is time to face the reality that for whatever technologies may develop in the future, whatever other things we can devise, the best thing that we can do today is to require the construction in the future of double bottoms and double hulls.

Mr. Speaker, if we fail to act we have only ourselves to blame. The next time it could be the Pacific Coast, it could be the Atlantic Coast.

I do not argue that costs will be imposed. There is an inevitable cost. Oil spills, or oilspill prevention. In either case the cost will be high. But in what we are envisioning in double hulls and double bottoms, a potential cost of $2 billion, it would be less than the cost of the *Valdez* spill alone. A single oilspill is more expensive than the entire 15-year effort to have double hulls and double bottoms on our ships.

Mr. Speaker, for the sake of wildlife, for the sake of our beaches and our coastline, for the sake of fishermen and all people who depend upon the sea for their livelihood, it is time to act. The single best vehicle for doing so today is this instruction to the conferees, to say enough studies, enough time, it is time to act.

Mr. Speaker, I urge the membership to cast a yea vote in favor of the instruction of the gentleman from New Jersey [Mr. GALLO], and to take a stand today.

Mr. GALLO. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Speaker, I want to commend the gentleman from New Jersey [Mr. GALLO] for working with the committees of jurisdiction in drafting his motion to instruct the conferees.

At the outset, let me state that I have had a number of reservations about the language which was adopted on the House floor dealing with double hulls and double bottoms.

Part of my concern stems from drafting problems with the House provision owing to the different floor amendments that were adopted by different sponsors addressing slightly different aspects of the same issue. The result of these amendments is a somewhat confusing and inconsistent approach to the double hull/double bottom question.

Recognizing this, the gentleman from New Jersey has drafted a motion instructing the conferees to adhere to the principles embodied in the House bill while providing flexibility to depart from its exact language.

For example, while the House bill calls for retrofitting existing vessels with double hulls and double bottoms over specified periods of time, the motion to instruct conferees is silent as to timing. This will allow consideration of information on shipbuilding capacity and industry rate structure to arrive at a retrofitting requirement that ensures a conversion of our existing fleet as quickly as is possible without a complete disruption of oil transportation capability.

Also, the motion instructs the conferees to develop language requiring double hulls or double bottoms rather than both if the evidence indicates that both would not be needed.

In addition, the motion provides some flexibility to allow conferees to evaluate the scope of coverage in the industry. It may be that only vessels over a certain size need be included in the provision's sweep. There are also a number of other concerns that have been raised about the impact of the double hull/double bottom requirement on various aspects of the oil transportation industry.

For example, there is some concern that by requiring all vessels to be equipped with double hulls or double bottoms we may be encouraging the practice of lightering from single hulled vessels on to double hulled vessels 200 miles beyond the U.S. coastline rather than encouraging the use of environmentally-preferable modes of transportation. This motion provides the conferees with the flexibility to address these and other concerns which have been raised.

Mr. GALLO. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I appreciate the gentleman from New Jersey [Mr. GALLO] yielding me this time.

As all Members are well aware, this is an extremely important bill that we are going to be going to conference on. It is a bill that we need to pass. We need to get the President to sign it.

It is not going to be easy to work out all the differences between the Senate and the House. Certainly, the issue of double bottoms is going to be a conscientious issue.

Mr. Speaker, I do congratulate the two gentlemen from New Jersey. We worked with them to see if we could come up with something on double bottoms that would not bind us to anything specific, which would leave us in conference committee the ability to be able to separate retrofitting from new ships.

We recognized that the issue of double-bottom hulls, when one looks at the vote that was cast here on the House side, it strongly supports doing something. I believe that that is what we have agreed to here.

Again I congratulate the gentleman from New Jersey [Mr. GALLO]. This is something that is reasonable. It gives us the flexibility that we need.

We also need to recognize that whatever we do in the way of protecting the environment, in passing this legislation, and it will pass, we must recognize that we have to be able to continue to haul oil on the waterways, the rivers, and the oceans in this country.

□ 1550

We again have to make sure that we give the ability to these companies and still protect the environment.

There is also a difference in ships, the ships on the high seas that haul oil. There is a difference in the barges that haul oil on the rivers, and there are many of them, and we may have to come up with some type of compromise that will differentiate the two.

Again, it is important that we work something out that does the job. What this specific motion does is preserve the will of the House and tells our conferees that we want them to come up with something that will give us double bottom or double hulls, and also give us the flexibility to be able to negotiate that agreement.

A lot of the things that my chairman of the Coast Guard Subcommittee says, of course, are things that we have to consider. He is going to be one of the conferees. The chairman of the full committee, the gentleman from North Carolina [Mr. JONES], is also very cognizant of the issues we have to deal with, and I would guess the double-bottom, double-hull issue is going to be one of the chief bones of contention.

So I would hope Members would support this motion because it is a reasonable, responsible motion, and it gives us the flexibility we need in conference.

Again, I appreciate the gentleman from New Jersey taking the lead on this issue. It was his amendment originally that passed the House on double bottoms, and he negotiated with us to come up with what I consider to be a very fair proposal that we are voting on now.

Mr. Speaker, I am pleased to speak in support of the motion to instruct the conferees on the Oil Pollution Act of 1989 to include in the conference report a requirement for new and existing tank vessels to be equipped with double bottoms or double hulls.

Simply put, this instruction will allow the conferees to do their job and produce a workable double-hull or double-bottom requirement for tank vessels. We have a proven track record for pollution-prevention construction requirements. The last major vessel construction requirement imposed by Congress was enacted as part of the Port and Tanker Safety Act of 1978. That approach worked well then, and will serve us well now.

Many factors must be considered in crafting a vessel-construction requirement of this type, including the type of vessel concerned, the age of the vessel, the trade in which the vessel is employed, as well as a myriad of others. Our goal is to ensure transportation of oil in U.S. waters in a safe and environmentally sound manner. The conferees must have the authority to work out the details of the double-bottom or double-hull requirement to ensure that our goal is met.

The motion to instruct by my colleague from New Jersey, Mr. GALLO, gives the conferees this authority, and I commend the gentleman for his diligent efforts on this issue.

Mr. Speaker, I urge all of my colleagues to support this motion without any reservation.

Mr. JONES of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Washington [Mr. MCDERMOTT].

Mr. McDERMOTT. Mr. Speaker, I rise in support of the motion of the gentleman from New Jersey.

Last fall, this House made history. Not only did we enact the strongest oilspill legislation in many years, but we adopted an amendment that will do more to protect our coasts and marine waters from oilspills than any other single safety measure—requiring that the tankers and barges that carry oil on American waters be built for safety, with double hulls and double bottoms.

This historic amendment is based on the bill Senator ADAMS, Congressman DICKS, Congressman SWIFT, and I introduced last spring, the Puget Sound Tanker Safety Act. But it applies to all American waters—Narragansett Bay, the Delaware Bay, the Galveston ship channel, Prince William Sound, and all the rest—those which have suffered oil spills in the last year and those which remain at risk every day.

Forty-eight Members of the Senate voted for a double-hull amendment, but a majority of the Senate chose to require only a study by the Coast Guard. So the choice for the conferees will be between a study and a firm requirement of double hulls.

Now, there is nothing wrong with another study. We should learn more about how to make tankers safer and prevent major oil spills. The studies done in the 1970's, which clearly showed that double hulls work, should

be updated. The Coast Guard study of the *Exxon Valdez* spill, which showed that a double hull would have reduced oil outflow by 25 to 60 percent, should be extended to other cases.

But history tells us that the oil industry and the Coast Guard will never turn to double hulls unless we make them do it. As our colleague NORM DICKS said on this floor when we were debating this amendment last November, the Coast Guard will always find a reason not to require double hulls. They cost money. The oil industry does not like them.

The Alaska Governor's Oil Spill Commission put it this way in its report:

> Industry tends to measure success as operating the biggest vessel with the thinnest hull and the smallest crew at the highest speed with the quickest port turnaround consistent with meeting minimum government requirements.

This bill does a lot to improve the requirements on the oil transport industry to prevent spills and clean them up when they happen. But nothing will work better than double hulls to keep the oil out of our water. And nothing short of legislation, in my view, will make double hulls happen.

To best reflect the will of this House on double hulls, our conferees will need the direction this motion provides. It will help them show the Senate that double hulls must be required in the conference report. I urge my colleagues to vote yes on the motion to instruct.

Mr. JONES of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, there are several questions on this issue that I would like for Members to consider during the time that I have. The first question is is it realistic to expect overnight the construction or the conversion of significant numbers of tankers bringing oil to our shores? Clearly it is not. This is a process, to the extent that this instruction carries, and to the extent that the conferees carry it out, that would simply begin a process, and it is a process that frankly is going to take years, perhaps as many as 10 or even 15 years to accomplish.

How about the cost of the changes that are envisioned by this motion? Will the cost be small; will the cost be large; or will the cost be somewhere in between? Let us not kid ourselves. The cost of doing this will not be cheap.

Is it realistic to expect the shippers, those people bringing oil to our shores, is it realistic to expect them to absorb all of those costs that might relate to conversion? I for one do not believe that it is realistic to expect the shippers to absorb all of the costs. They will not, and they will pass along not an inconsiderable amount of the cost to the consumer.

Finally, I would ask is it reasonable to ask that those shippers, and consumers and our constituents be expected or asked to pay the incremental costs that will be created or caused by this legislation? I think the answer is yes, it is reasonable to expect all of us to absorb those additional costs.

Why is that? This legislation to which this motion speaks to, just one part of, is designed to do a number of things. One of the things we hope to do is to reduce the incidence of oilspills. A second thing we want to do is to increase the rapidity, the quickness, if you will, of our response to those oilspills, and to clean them up. The last thing we want to do is to ensure that those people or those businesses that are damaged by these spills are fairly and adequatly compensated, frankly, for the damages that they have incurred.

Having said that, despite the best of intentions with this oilspill legislation, oilspills will occur, just as they have for as long as people have been shipping oil. There will be maybe not another *Exxon Valdez*, but there will be another oilspill. It may be in Alaskan waters or it may be on the west coast, or there will be another *Exxon Valdez*. There will be another *Presidente Rivera*, the kind of spill we had in the Delaware River last fall.

To the extent that the next *Exxon Valdez* that runs ashore or to the extent that the next *Presidente Rivera* that runs ashore in Alaskan waters or the Delaware River, to the extent that ship is double hulled or double bottomed, we will ensure that the cleanup costs that result from that accident are diminished. We will ensure that those cleanup costs are brought down. We will ensure that the damage to the marine environment is reduced as well. In fact, in some instances, in the majority of instances we will ensure that there is no damage to the environment as a result of a ship with a double hull or a double bottom running aground.

Mr. Speaker, I urge my colleagues to join the gentleman from New Jersey who has offered this motion to instruct and myself in voting for the motion. I believe it is the right thing to do, and I urge its adoption.

Mr. JONES of North Carolina. Mr. Speaker, I yield back the balance of my time.

Mr. GALLO. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Speaker, let me begin by thanking my friend and colleague, the gentleman from New Jersey [Mr. GALLO] for his leadership on this particular issue.

What we are talking about today, ladies and gentlemen, is not a cure to a problem. It is prevention of that problem from ever occurring.

People ask should we not study the issue of double hulls. I guess this motion to instruct reaffirms the decision made last fall, and that is that we have had the studies. We have had four studies on this issue, and the most recent study will suggest that double hulls are effective in 88 percent of groundings and 90 percent of collisons.

Now as we move forth we look at the language in the House bill versus the Senate bill, and the motion to instruct becomes so important because we are not only dealing with coastal collisions, we are also dealing with American inland waterways. I, of course, come at this from a very parochial perspective, that of the Mississippi River running down the center of our Nation. The fact is since 1985 we have had one or two major spills of oil and gas every year. If we look at that spill in 1985, ice chunks penetrated.

Now I cannot guarantee that double hull would have prevented that, but I doubt there are any of us who would bet money against a double hull preventing ice chunks from causing an oilspill.

When you move back even further in 1979 over 100,000 gallons of jet fuel were disposed in a spill on the Mississippi River.

When you take a small inland waterway, spills become even more serious by virtue of the concentration.

Today we have a change, not to cure, but to prevent a problem. Double hulls is the way to go.

We do it in a reasonable fashion; all new, 15 years within the retrofit. From that perspective I think we are not here in the business of putting anyone out of business, we are in the business of protecting the environment in a fair and reasonable manner.

Mr. Speaker, I commend the gentleman for his motion. I commend the gentleman for his amendment last fall. I ask every one of our members on the committee to work the will of the House in conference on this issue.

Mr. GALLO. Mr. Speaker, I yield 1 minute to the gentleman from the State of Washington [Mr. MILLER].

Mr. MILLER of Washington. I want to thank my colleague from New Jersey, Mr. GALLO, for his distinguished work on this issue in bringing this important motion to instruct conferees to the floor.

I had originally intended to speak at great length on this issue, but I think the issue has been exhausted.

The oilspill bill which we passed in the House, which has been worked on for years, does many good things, not the least of which is to require some sorely needed planning in key water areas of the United States.

But in addition to planning, we need some specific measures. We want to be

double sure, we want to be double safe, and that is why we need double hulls.

Mr. Speaker, I urge support of the gentleman's motion to instruct conferees.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. I yield to the gentleman from California.

Mr. Speaker, I rise in favor of the Gallo amendment.

Mr. Speaker, I would like to take a moment to provide some background on the appointment of conferees from the Committee on Energy and Commerce to title VIII of H.R. 1465.

After the bill was passed, Chairman DINGELL expressed concern that some provisions of title VIII might affect matters under the jurisdiction of his committee. Therefore, he requested that the Energy and Commerce Committee be appointed conferees.

I would like to take this opportunity to place in the RECORD, letters from Chairmen UDALL and DINGELL concerning this request.

In his letter, Chairman UDALL points out that he has no objection to the appointment of Energy and Commerce conferees provided that this action not be construed as diminishing or expanding the jurisdiction of any committee.

The appointment of conferees in this instance is solely for the purpose of dealing with pipeline safety issues, and matters related to rates and economics of the trans-Alaska pipeline or tariffs at the Federal Energy Regulatory Commission. These matters are currently under the jurisdiction of the Energy and Commerce Committee.

Chairman DINGELL agrees with this interpretation.

Mr. Speaker, I ask unanimous consent that the letters be included at this point in the RECORD.

FEBRUARY 6, 1990.

Hon. THOMAS S. FOLEY,
U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to clarify my letter of January 29, 1990 requesting that Energy and Commerce Committee conferees be appointed for several sections of H.R. 1465, the "Oil Pollution Act of 1989."

My request was prompted by a concern that the conferees address mattters which are presently under the jurisdiction of this committee when they consider sections 8103, 8201 and 8202 of the House bill. Specifically, issues relating to:

Pipeline safety for the trans-Alaska pipeline system, and particularly matters related to the Hazardous Liquid Pipeline Safety Act, and

Civil penalties as they might affect the rates and economics of the pipeline or tariffs at the Federal Energy Regulatory Commission.

Appointment of Energy and Commerce conferees for these issues should not be construed as diminishing the jurisdiction of any other committee, or expanding the jurisdiction of this committee. My request is being made solely to address those matters presently under the jurisdiction of this committee.

Thank you for your consideration of this request.

Sincerely yours,

JOHN D. DINGELL,
Chairman.

FEBRUARY 6, 1990.

Hon. THOMAS S. FOLEY,
U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I am writing concerning a request you have received from Chairman John D. Dingell of the Committee on Energy and Commerce concerning the appointment of conferees on several sections of H.R. 1465, the "Oil Pollution Act of 1989."

Chairman Dingell has requested that conferees be appointed for sections 8103, 8201 and 8202 for matters which are presently under the jurisdiction of his committee. These include issues relating to pipeline safety for the trans-Alaska pipeline system, and civil penalties as they might affect the rates and economics of the pipeline or tariffs at the Federal Energy Regulatory Commission.

I would have no objection to Chairman Dingell's request with the understanding that the appointment of Energy and Commerce conferees for these issues should not be construed as diminishing the jurisdiction of any other committee, or expanding the jurisdiction of his committee. Chairman Dingell's request is being made solely to address only those matters presently under the jurisdiction of his committee.

Sincerely yours,

MORRIS K. UDALL,
Chairman.

Mr. GALLO. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Mr. Speaker, I rise in support of the motion to instruct conferees being offered by my friend from New Jersey, Mr. GALLO.

When the House passed this comprehensive oilspill prevention and compensation bill last November, it marked the culmination of years of hearings, debate, and planning on how best to protect our natural resources from devastating oilspills. I believe the final bill is a good one.

One of the more important provisions is the Gallo amendment to require double hulls on all new tankers and barges using American ports.

This will be expensive, as will be the cost of retrofitting old tankers after a 15-year phase-in period. But compare the $20 million cost of a double hull with the almost $2 billion Exxon has already spent simply to rinse oil from slimy beaches in Prince William Sound and to skim it from the surface of the sea. The true cost of such an oilspill can never be reckoned.

The price of the double hull is truly a cost-effective investment in the environment.

We don't need to study this issue; we need to require this protective measure on boats. The Coast Guard has said that a double hull on the *Exxon Valdez* would have contained much of the 11 million gallons that spilled.

We already require double hulls on tankers carrying certain extremely dangerous chemicals. We know a double hull will prevent future spills of hazardous materials that pollute our waters. Prevention is far better than cleanup.

I urge my collegeues to vote for the Gallo motion to instruct conferees to require double hulls on tankers.

Mr. GALLO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCDERMOTT). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. GALLO].

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GALLO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant-at-Arms will notify absent Members.

The vote was taken by electronic device and there were—yeas 376, nays 37, not voting 18, as follows:

[Roll No. 14]

YEAS—376

Ackerman	Clement	Fazio
Akaka	Clinger	Feighan
Anderson	Coble	Fish
Annunzio	Coleman (MO)	Flake
Anthony	Coleman (TX)	Flippo
Applegate	Collins	Foglietta
Atkins	Condit	Ford (MI)
Ballenger	Conte	Frank
Barnard	Conyers	Frenzel
Bartlett	Cooper	Frost
Bateman	Costello	Gallegly
Bates	Coughlin	Gallo
Beilenson	Courter	Gaydos
Bennett	Cox	Gejdenson
Bentley	Coyne	Gekas
Bereuter	Craig	Gephardt
Berman	Dannemeyer	Gibbons
Bevill	Darden	Gillmor
Bilirakis	Davis	Gilman
Bliley	de la Garza	Gingrich
Boehlert	DeFazio	Glickman
Bonior	Dellums	Gonzalez
Borski	DeWine	Goodling
Bosco	Dicks	Gordon
Boucher	Dingell	Goss
Boxer	Dixon	Gradison
Brennan	Donnelly	Grandy
Brooks	Dorgan (ND)	Grant
Broomfield	Dornan (CA)	Green
Browder	Douglas	Guarini
Brown (CO)	Downey	Gunderson
Bruce	Dreier	Hall (OH)
Bryant	Duncan	Hamilton
Buechner	Durbin	Hammerschmidt
Burton	Dwyer	Hansen
Bustamante	Dymally	Harris
Byron	Dyson	Hastert
Campbell (CA)	Eckart	Hatcher
Campbell (CO)	Edwards (CA)	Hawkins
Cardin	Edwards (OK)	Hayes (IL)
Carper	Engel	Hefley
Carr	English	Hefner
Chandler	Erdreich	Henry
Chapman	Evans	Herger
Clarke	Fascell	Hertel
Clay	Fawell	Hiler

Hoagland	Mineta	Schumer
Hochbrueckner	Moakley	Sensenbrenner
Hopkins	Mollohan	Sharp
Horton	Moody	Shaw
Houghton	Moorhead	Shays
Hoyer	Morella	Shumway
Hubbard	Morrison (CT)	Shuster
Huckaby	Morrison (WA)	Sikorski
Hughes	Mrazek	Sisisky
Hunter	Murphy	Skaggs
Hutto	Murtha	Skeen
Hyde	Myers	Skelton
Ireland	Nagle	Slattery
Jacobs	Natcher	Slaughter (NY)
James	Neal (MA)	Slaughter (VA)
Jenkins	Neal (NC)	Smith (FL)
Johnson (CT)	Nelson	Smith (IA)
Johnson (SD)	Nielson	Smith (NE)
Johnston	Nowak	Smith (NJ)
Jones (GA)	Oakar	Smith (VT)
Jones (NC)	Oberstar	Smith, Denny (OR)
Jontz	Olin	
Kanjorski	Ortiz	Smith, Robert (NH)
Kaptur	Owens (NY)	
Kasich	Owens (UT)	Smith, Robert (OR)
Kastenmeier	Oxley	
Kennedy	Packard	Snowe
Kennelly	Pallone	Solarz
Kildee	Panetta	Solomon
Kleczka	Parris	Spence
Kolbe	Pashayan	Spratt
Kolter	Patterson	Staggers
Kostmayer	Paxon	Stallings
Kyl	Payne (NJ)	Stark
LaFalce	Payne (VA)	Stearns
Lagomarsino	Pease	Stokes
Lancaster	Pelosi	Studds
Lantos	Penny	Sundquist
Leach (IA)	Perkins	Tallon
Leath (TX)	Petri	Tanner
Lehman (CA)	Pickett	Tauke
Lehman (FL)	Pickle	Taylor
Lent	Porter	Thomas (CA)
Levin (MI)	Poshard	Thomas (GA)
Levine (CA)	Price	Thomas (WY)
Lewis (FL)	Pursell	Torres
Lewis (GA)	Rahall	Torricelli
Lightfoot	Rangel	Towns
Lipinski	Ravenel	Traficant
Lloyd	Regula	Traxler
Long	Rhodes	Udall
Lowery (CA)	Richardson	Unsoeld
Lowey (NY)	Ridge	Upton
Luken, Thomas	Rinaldo	Valentine
Lukens, Donald	Ritter	Vento
Machtley	Roberts	Volkmer
Madigan	Roe	Vucanovich
Markey	Rogers	Walgren
Marlenee	Rohrabacher	Walker
Martin (IL)	Ros-Lehtinen	Walsh
Martin (NY)	Rose	Washington
Martinez	Rostenkowski	Waxman
Matsui	Roth	Weber
Mavroules	Roukema	Weiss
Mazzoli	Rowland (CT)	Weldon
McCollum	Rowland (GA)	Wheat
McCurdy	Roybal	Whittaker
McDade	Russo	Whitten
McDermott	Sabo	Williams
McEwen	Saiki	Wilson
McGrath	Sangmeister	Wise
McHugh	Savage	Wolf
McMillan (NC)	Sawyer	Wolpe
McMillen (MD)	Saxton	Wyden
McNulty	Schaefer	Wylie
Meyers	Scheuer	Yates
Mfume	Schiff	Yatron
Michel	Schneider	Young (AK)
Miller (CA)	Schroeder	Young (FL)
Miller (OH)	Schuette	
Miller (WA)	Schulze	

NAYS—37

Alexander	Espy	Parker
Andrews	Fields	Quillen
Archer	Geren	Ray
Armey	Hall (TX)	Sarpalius
Baker	Hancock	Smith (TX)
Barton	Hayes (LA)	Stangeland
Boggs	Holloway	Stenholm
Bunning	Inhofe	Stump
Callahan	Laughlin	Synar
Combest	Livingston	Tauzin
Crane	Manton	Visclosky
DeLay	McCandless	
Emerson	McCrery	

NOT VOTING—18

Aspin	Dickinson	Montgomery
AuCoin	Early	Obey
Bilbray	Ford (TN)	Robinson
Brown (CA)	Gray	Swift
Crockett	Lewis (CA)	Vander Jagt
Derrick	McCloskey	Watkins

□ 1626

The Clerk announced the following pair:

On this vote:

Mr. AuCoin for, with Mr. Montgomery against.

Mr. ANDREWS and Mr. EMERSON changed their vote from "yea" to "nay."

Mr. KASTENMEIER changed his vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the votes was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees, and without objection, reserves the authority to make additional appointments of conferees and to specify particular portions of the House bill and Senate amendment as the subject of the various appointments:

From the Committee on Merchant Marine and Fisheries, for consideration of the House bill (except title VIII), and the Senate amendment (except sections 601 and 602), and modifications committed to conference:

Messrs. JONES of North Carolina, STUDDS, TAUZIN, CARPER, HUGHES, DAVIS, YOUNG of Alaska, and LENT.

Provided, Mr. SHUMWAY is appointed in place of Mr. YOUNG of Alaska for consideration of title I and section 2004 of the House bill, and title I and section 405 of the Senate amendment.

From the Committee on Public Works and Transportation, for consideration of the House bill (except title VIII), and the Senate amendment (except sections 601 and 602), and modification committed to conference:

Messrs. ANDERSON, ROE, MINETA, OBERSTAR, NOWAK, HAMMERSCHMIDT, SHUSTER, and STANGELAND.

Provided, Mr. KOLTER is appointed in place of Mr. ANDERSON for consideration of section 4114 of the House bill; Mr. RAHALL is appointed in place of Mr. ROE for consideration of title VII of the House bill, and sections 205, 309, 354 and 356 of the Senate amendment; Mr. LAUGHLIN is appointed in place of Mr. ROE for consideration of sections 1002 and 1004 of the House bill, and corresponding portions of section 102 of the Senate amendment; Mr. BORSKI is appointed in place of Mr. ROE for consideration of sections 4101 through 4205 of the House bill, and corresponding portions of the Senate amendment; and Mr. UPTON is appointed in place of Mr. SHUSTER for consideration of section 4203 of the House bill and section 203 of the Senate amendment.

From the Committee on Foreign Affairs, for consideration of title III of the House bill, and sections 603 and 604 of the Senate amendment, and modifications committed to conference:

Messrs. FASCELL, YATRON, OWENS of Utah, LANTOS, FEIGHAN, BROOMFIELD, BEREUTER, and MILLER of Washington.

From the Committee on Science, Space and Technology, for consideration of title VII of the House bill, and sections 205, 309, 354, and 506 of the Senate amendment, and modifications committed to conference:

Messrs. ROE, SCHEUER, BROWN of California, Mrs. LLOYD, Mr. WALGREN, Mr. WALKER, Ms. SCHNEIDER, and Mr. MORRISON of Washington.

From the Committee on Interior and Insular Affairs, for consideration of title I and section 2004 of the House bill, and title I and section 405 of the Senate amendment, and modifications committed to conference:

Messrs. UDALL, MILLER of California, SHARP, YOUNG of Alaska, and CRAIG.

From the Committee on Interior and Insular Affairs, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committed to conference:

Messrs. UDALL, MILLER of California, SHARP, VENTO, DEFAZIO, YOUNG of Alaska, MARLENEE, and CRAIG.

From the Committee on Energy and Commerce, for consideration of sections 8103, 8201 and 8202 of the House bill, and section 601 of the Senate amendment, and modifications committed to conference:

Messrs. DINGELL, HALL of Texas, and LENT.

From the Committee on Merchant Marine and Fisheries, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committed to conference:

Messrs. JONES of North Carolina, TAUZIN, CARPER, DAVIS, and FIELDS.

From the Committee on Public Works and Transportation, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committed to conference:

Messrs. ANDERSON, MINETA, NOWAK, HAMMERSCHMIDT, and STANGELAND.

There was no objection.

□ 1630

AUTHORIZING THE SPEAKER TO DECLARE RECESSES ON WEDNESDAY, FEBRUARY 21, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, Feb-

ruary 21, 1990, for the Speaker to declare recesses, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Vaclav Havel, President of the Czechoslovak Socialist Republic.

The SPEAKER pro tempore (Mr. HAYES of Illinois). Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING THE SPEAKER AND THE MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES, NOTWITHSTANDING ADJOURNMENT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Tuesday, February 20, 1990, the Speaker and the minority leader be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, FEBRUARY 21, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, February 20, 1990, it adjourns to meet at 10 a.m. on Wednesday, February 21, 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 21, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday, February 21, 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

IT WOULD BE TRAGIC TO LEGALIZE DRUGS NOW

(Mr. GALLEGLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GALLEGLY. Mr. Speaker, Members of this Chamber don't always agree on the exact methods to be used in fighting the scourge of drugs. But there is one area where we do agree—drug abuse harms everyone in our society, and must remain illegal.

It's amazing that this basic element of our antidrug strategy is even being contested. Yet it seems that every week there are more people who say legalization is the miracle cure for our drug problems.

If we in Congress remain silent on this issue, it will undermine the great progress that's been made in the war on drugs.

Mr. Speaker, it would be tragic to legalize drugs now. Drug use would increase dramatically, and so would the suffering and misery drugs cause. Simply stated, legalization would be the unilateral surrender of our country, our neighborhoods, our schools, and our children to the evils of drugs.

Therefore, I am introducing today a concurrent resolution to reaffirm our opposition to legalization. I urge my colleagues to support the resolution, which I ask to be made a part of the record.

H. CON. RES. —

Whereas ending drug abuse is a top priority of Americans from every region and locality of the country;

Whereas antidrug efforts between 1985 and 1988 have succeeded in decreasing the annual use of illicit drugs among Americans signficiantly;

Whereas an estimated 28,000,000 Americans nonetheless continue to consume drugs and to suffer the debilitating effects of drug abuse, including permanent health damage, severed personal and familial relationships, a decline in productivity, an increase in severe accidents, and a loss in dignity and autonomy;

Whereas addiction to illegal drugs is still a significant problem with over half a million Americans in drug treatment requiring the commitment of valuable resources and personnel, and with drug-related deaths and hospital emergencies shown to be increasing;

Whereas the abuse of drugs has been shown to be linked to an increase in human suffering, among users and nonusers, because of resulting crimes against people and property, including a rampant level of drug-related homicides in the poorest urban areas;

Whereas the legalization of drugs, which has been proposed as an alternative to current policies, would represent an unacceptable threat to the institutions and citizens of the States;

Whereas the legalization of drugs would remove the stigma of illegality and the moral authority of law, and would thus encourage new experimentation with drugs;

Whereas the legalization of drugs would increase the abuse of drugs, by both adults and minors, and the numbers of drug addicts due to the greater availability and lower prices of such substances; and

Whereas according to public opinion polls, the American people overwhelmingly and forcefully oppose drug legalization: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That all levels of government should fully continue efforts to enforce antidrug laws and to discourage the use of illegal drugs, and that such controlled substances should in no manner or form be legalized.

HEADS SHOULD ROLL AT MARAD

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous material.)

Mr. BROOMFIELD. Mr. Speaker, yesterday I received a letter from the head of the Maritime Administration, Capt. Warren G. Leback. This letter really raised my hackles.

In a typical example of bureaucratic stonewalling, Captain Leback refuses to even consider allowing a private study on alternatives to the National Defense Reserve Fleet. Many of these ships haven't been to sea for over 15 years and are literally rotting away.

"Citizens Against Government Waste," formerly the Grace Commission, believes that these vessels can do more than rust at anchor. They can be turned into an important source of Government revenue rather than a continuing expense.

Mr. Speaker, it seems to me some heads should roll at MarAd. Transportation Secretary Skinner should take a personal interest in this classic case of Government waste mismanagement.

I include the most recent letter I received from MarAd in the RECORD. It demonstrates the height of rudeness and in flexibility by a Federal official.

U.S. DEPARTMENT OF TRANSPORTATION,
MARITIME ADMINISTRATION,
Washington, DC, February 2, 1990.

Hon. WILLIAM S. BROOMFIELD,
House of Representatives, Washington, DC.

DEAR MR. BROOMFIELD: Thank you for your letter of January 17, 1990, which appears to have crossed with my letter of the same date regarding a study of the National Defense Reserve Fleet (NDRF) and its subset Ready Reserve Force (RRF) proposed by a nonprofit organization called "Citizens Against Government Waste."

Both the NDRF and RRF are subject to continuing investigation by the General Accounting Office and Department of Transportation Inspector General, and more recently were part of the study done by the presidentially appointed Commission on Merchant Marine and Defense established by Public Law 98-525, as amended. In view of the thoroughness of each of these examinations, I fail to see the relevance nor requirement for an inquiry conducted by metal scrapping and salvaging entrepreneurs to examine the necessity of retaining the NDRF and the RRF.

Absent a more detailed proposal of objectives and methodology of this group, together with the lack of credentials presented for the proposed team members, I regret once again having to say that I am unable to commit this agency's resources to accommodate the study team's request.

Should you need specific data relative to particular vessels in either the NDRF or RRF, please advise me of your requirements and I will be pleased to assist you.

Sincerely,

Capt. Warren G. Leback,
Maritime Administrator.

THE IDENTIFICATION OF FELONS PURCHASING FIREARMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MCCOLLUM] is recognized for 5 minutes.

Mr. MCCOLLUM. Mr. Speaker, when I offered my amendment to the Anti-Drug Abuse Act of 1988 concerning the identification of felons purchasing firearms, I had one goal in mind. I wanted to find a way to keep firearms out of the hands of dangerous criminals without infringing upon the rights of law-abiding Americans. It appeared that the most logical balance of these two interests would be achieved by equipping firearms dealers to screen out felons attempting to buy guns. Thus, the amendment was intended to serve as the first step in developing a point-of-purchase identification system. Such a system would reduce gun-related violence by restricting predatory felons from having access to firearms.

Of course no one disputes the fact that the Federal Government is incapable of eliminating all firearm violence. The only question is to what extent can we do anything about this problem. New criminal penalties are one response to the problem of firearm violence. In recent years, we have established several tough penalties, including some for convicted felons who simply possess firearms and some for those who carry firearms while committing violent felonies or drug trafficking offenses.

While we know that passing a law against a particular criminal act does not stop such an act from occurring, I believe that the gun possession offenses could dramatically reduce violent crime if they were more frequently used. Most Americans are unaware that the Federal law contains a mandatory 5-year prison sentence—no parole—for carrying a firearm in the course of most crimes, and that a second conviction for such an act is punishable by a mandatory 20 years in prison. They also are unaware that after three felony convictions, the mere possession of a firearm carries a penalty of 15 years in prison, no parole. Given the obvious limitations of gun control to stop violence, these penalties should be our first priority of any anticrime strategy. A major initiative by the Justice Department using these statutes against career gun criminals would create a changed attitude on the streets.

In addition to these penalties, we have attempted, and continue to consider ways, to reduce violence by imposing restrictions on the sale of firearms. Here it should be noted that the limited effectiveness of this type of gun control is well documented. A frequently cited study, which was sponsored by the National Institute of Justice and entitled "The Armed Criminal in America," reports that only about one out of six gun-owning felons obtained their most recent handguns through a customary retail transaction involving a licensed firearms dealer. The study concludes:

> Controls imposed at the point of retail sale would not be effective in preventing the acquisition of guns by serious adult felons because these felons rarely obtain their guns through customary retail outlets.

Nevertheless, the passage of my felon identification amendment during the last Congress represented the ongoing desire of Congress to do something about the small minority of predatory felons who buy guns from licensed dealers. Even though the potential results of this effort are clearly limited, it is a goal worth pursuing in an effort to reduce violence.

OVERVIEW OF THE ATTORNEY GENERAL'S PLAN

On November 20, 1989, the Attorney General submitted to Congress, pursuant to the language of my amendment, his plan for establishing a system to identify felons purchasing firearms. This plan is a clear affirmation of the point-of-purchase identification policy established by my amendment. It recognizes the fact that such a policy is the fairest and most effective way of reducing firearm violence through the screening of gun buyers. For example, the Attorney General states:

> While a comprehensive, accurate system for identifying felons at the point-of-sale simply cannot be fully accomplished in the near term, we must recognize it as a worthwhile goal to be accomplished over time.

The Attorney General recommends that a point-of-sale telephone verification system be established for firearms dealers across the country. This would be an interim system. It would be replaced when a more accurate, biometric identification system can be established. The report also indicates that certain improvements must be achieved before any identification system would be effective. First, there is a need to fully automate all of the FBI's criminal records—only 40 to 60 percent are currently automated—and to merge the computerized index of 8.8 million manual records into the FBI's automated identification system.

The Attorney General also concludes that the quality of these records must be improved, particularly with regard to case disposition. This would be accomplished through further study, the establishment of reporting standards for State and local law enforcement agencies, and the issuance of grants to assist the States. Finally, the Department of Justice will continue to monitor the changing state of technology in the area of biometric identification so that such a system may be established in the foreseeable future.

On the issue of record quality, the report by the Task Force on Felon Identification in Firearm Sales, which provided the information from which the Attorney General established his plan, includes startling information. The report explains that FBI opens an individual criminal history file upon receipt of information regarding such individual's arrest. Convictions or acquittals in these cases are often not reported to the State central repository or to the FBI. The task force found that approximately one-half of the arrest charges in the FBI's records do not show a final disposition. Some States have even higher amounts of incomplete records.

REACTION TO THE ATTORNEY GENERAL'S REPORT

In my opinion, the most significant aspect of the Attorney General's study and report concerns this issue of the quality of the criminal history records. As it now stands, one out of every two inquiries to the FBI's records could be inconclusive with regard to felony convictions. No screening program, either point-of-purchase or as part of a waiting period, will succeed with this state of affairs. In the debate concerning the waiting period and my substitute amendment from the last Congress, I suppose you could say that "what is bad for the goose, is bad for the gander."

With regard to other aspects of the Attorney General's report, there is much that could be said. While the Attorney General has adopted a reasonable plan of action, I believe that the specific steps to be taken in the immediate future fall short of what is needed. Reference is made to the touch-tone telephone system, but no details are provided for how and when such a system will be established. With regard to biometric identification, the Attorney General has not proposed a system that realistically could be established in any satisfactory period of time.

It appears to me that the Attorney General did not propose another plan for biometric identification because the task force did not identify all of the options available. My amendment only requires that a system capable of immediate and accurate identification be established. While this language clearly suggests, and the legislative history supports, that Congress expected this system to involve biometric identification, there are more methods for such identification than reported by the task force.

The aim of any biometric identification system is to achieve positive identification for the purpose of avoiding firearms sales to dangerous felons. The task force asserts that this can only be accomplished at the point of sale with 10-print fingerprint scanners located at the dealer's place of business. These scanners would interface with a central data base of over 20 million felon fingerprints. This concept is extremely expensive and time consum-

ing. My concern is that this is not the only way to fulfill the legislative mandate. I regret that the task force did not propose other methods for biometrically screening felons at the point of purchase.

A MODIFIED PLAN

When I offered my amendment on the House floor in 1988, I realized there could be a number of different ways to immediately and accurately identify felons attempting to buy firearms. I was aware that some States were developing automated fingerprint identification systems [AFIS] to access criminal justice records. I suspected that the AFIS technology could work on a national level, but that the expense would be great, particularly for fingerprint digitizing technology. In order to explore all the possibilities, the amendment instructs the Attorney General to study this issue and to establish a plan for felon identification.

Much more information on this issue has become available since the passage of my amendment. Based on this information, I now believe that the goal of immediate and accurate identification can be reached without digitizing fingerprints at the point-of-purchase and then electronically comparing them with millions of fingerprints in a centralized data base. A criminal records check at the point of purchase could be conducted using just a name and other identifying information if the firearms dealer was certain about the identity of the buyer. Thus, if identification was presented by the buyer that could be biometrically verified, the dealer could rely on the accuracy of a name check.

Therefore, while I support the Attorney General's plan with regard to improving criminal justice records, I believe that a modified approach to the portions involving biometric identification should be adopted. This modified plan consists of three phases:

Phase I: Establish a telephone identification system.

Like the Attorney General's plan, this phase would require the FBI to setup a telephone response system for firearms dealers. Dealers could be required to call FBI personnel stationed at NCIC terminals as a condition for a Federal license, or the States where the dealers are located could be given some incentive by the Federal Government to establish such a requirement. Of course, the major flaws to this system are the quality of the records and that it would be a name identification system. This allows for false identification to foil the system. That is why this is only phase I.

In its testimony before the Subcommittee on Crime, SEARCH Group, Inc., reports that the Attorney General's proposed touchtone identification system currently is technically unfeasible. SEARCH states:

To the best of our knowledge it is not possible, for instance, to enter the alphanumeric data required for a name search into a standard touchtone telephone. Modifications are required, including a new tone-coding format, a view-before-send display and a response display.

Therefore, this is why I am proposing that this first phase consist of a telephone request to a live computer operator.

Phase II: Develop an identification system using drivers' licenses that can be biometrically verified at the point of purchase.

Rather than focusing primarily on an identification system that requires the electronic transmission of fingerprints from the dealer's location, a system utilizing identifying documentation should be considered. The latter system would achieve the same results as the former if there could be safeguards minimizing the possibility that the purchaser is not the same person named in the identifying document. If we rely on identification documentation, there are three questions that must be answered by a firearms dealer who is attempting to avoid selling a gun to a felon. These three questions, and the system's solution to them, are as follows:

First. Is the document presented by the buyer genuine or counterfeit?

There are at least two days that a driver's license or other document can be designed to protect against counterfeiting or tampering. It could be made with a magnetic strip that would be run through a scanner just like a credit card. This scanner would indicate to the dealer whether the license was genuine and unexpired. Another method would be to place a hologram on the face of the card. An inspection of the hologram would assist the dealer in determining whether any tampering had occurred.

Second. Is the individual presenting the identification document the same person to whom the document was lawfully issued?

This is the stage where biometric identification is necessary. One way to compare the card against the person presenting it would be to affix biometric data on the card. A biometric pattern recognition device can be used to compare the presenter's fingerprint with the print on the card. Such a device would be far less expensive than the high cost of the fingerprint digitizer described in the task force's report.

Of course, this method requires that the State government issuing the card take special precautions to insure that the card is not fraudulently obtained. Using biometric identification with drivers' licenses has many advantages. The State of California already is moving in this direction. Imagine the benefit this identification standard would be to immigration authorities. Studies have shown that driver's license fraud is a serious problem.

Third. Is the prospective buyer eligible under Federal law to possess a firearm?

Once the dealer has positively identified the buyer, he can conduct an on-the-spot check of the name by way of the telephone. The speed of these telephone checks will improve as the available technology is applied to this task. Again, criminal justice records must be dramatically improved before this check is fully reliable.

If a dealer can answer these three questions, he will have achieved all of the goals of an immediate and accurate point-of-purchase identification system. When fingerprint digitizing technology becomes more affordable, we may wish to move in that direction. However, in light of the fact that felons rarely obtain firearms from licensed dealers, large expenditures may not be justified.

Phase III: Develop a one-print biometric identification system that interfaces the firearms dealer with a pool of violent felons.

The task force notes that the cost of machines that digitize a single print for communication to an external data base are much less expensive than the ten-print machines. These single-print machines range from $3,000 to $6,000 in cost, compared with $35,000 to $100,000 for the ten-print technology. We also know that the felons most likely to commit an act of violence with a gun are those who have been convicted of a violent felony within the last 5 years. It is my understanding that the FBI is in the process of developing an automated system that would check one fingerprint with a somewhat limited group of prints.

This third phase, which would run concurrently with the first and second phases, would involve establishing some pilot projects in this type of biometric identification. The effectiveness and efficiency of this approach would then be compared with the driver's license system to determine which best served the interests of the public.

CONCLUSION

If we are to ever have a reliable, time-sensitive and cost-effective way to identify felons who attempted to purchase guns, criminal justice records must be improved. The Attorney General is clear in his support of this assertion. At the same time, a point-of-purchase telephone system of screening out those felons who can be identified by name using existing records should be developed and put in place nationwide. However, it should be recognized that the biggest problem with this or any other felon screening system is the lack of a way to know whether the person attempting to buy a gun is who he says he is. For this reason, a biometric identification

system must be developed and put in place.

In the long run, a point-of-purchase fingerprint system that automatically verifies whether or not the prints of the buyer are those of a felon would be the best and most effective method of screening out felons. While the technology exists to do this now, the costs are prohibitive. An alternative, much less expensive system could be created using a single fingerprint on a driver's license to simply verify at the point-of-purchase that the buyer is the person whose name and other data are on the face of the license. Then the telephone could be used to check the name against existing felon records with much more reliability. I hope the administration and Congress work quickly to establish such a system. Waiting periods will not work, but a point-of-purchase system like this will.

□ 1640

THE 100TH ANNIVERSARY OF NATIONAL SLOVAK SOCIETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. COYNE] is recognized for 5 minutes.

Mr. COYNE. Mr. Speaker, on February 17, a very special event will take place in my hometown of Pittsburgh. The National Slovak Society—under the able leadership of its national president, Joseph Stefka—will be celebrating its 100th anniversary with a banquet at the Sheraton Hotel.

This anniversary is a milestone, not only for the society but for all Americans of Slovak descent. It is a good time to pause and recall some of the history and contributions of Slovaks in America.

The great migration of Slovaks to the United States began in the 1800's, largely because the system of land ownership in their native country left many Slovak peasants landless and unable to survive. Many emigrated here, and our Nation has been richer as a result.

The list of Americans of Slovak descent who have distinguished themselves is long and impressive. It includes the great inventor Jozef Murgas, the internationally recognized historian Jaroslav Pelikan, the astronaut Eugene Cernan—and our good friend and colleague Representative JOSEPH GAYDOS.

But just as important are the thousands of Slovak men and women who have worked hard, built homes, raised their families, contributed to community organizations like the National Slovak Society, and been a part of the American dream. We may not know their names, but they represent a vital strand in the fabric of American life.

For 100 years, the National Slovak Society has played an important role in the cultural and social life of Slovaks in America. The society has accomplished a great deal. On this occasion, I know my colleagues join me in saluting the National Slovak Society as they celebrate their first century on February 17 and look forward to their second hundred years.

DISTRICT OF COLUMBIA DOES NOT NEED SHADOW SENATORS AND REPRESENTATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. PARRIS] is recognized for 5 minutes.

Mr. PARRIS. Mr. Speaker, one of the interesting proposals proffered by proponents of statehood for the District of Columbia is the election of so-called shadow Senators and Representatives. Proponents of statehood say that these shadow congressional officials are needed to help lobby the statehood bill through Congress and to provide an increased form and level of congressional representation for the residents of the District of Columbia.

While this proposal is supported by some, whatever one thinks of statehood, closer examination suggests that it may well be illegal, it is definitely very expensive, and it denigrates the representation authorized by Congress in the District of Columbia Delegate Act. For all of this, it may well be nothing more than an employment opportunity for those politicians and their friends who can't give the citizens of the city ample justification to elect them to positions of real authority. Once fully analyzed, one will find that shadow Senators and Representatives are, in short, a bad idea.

Why? Why may the provision be illegal? While the citizens may have voted for the idea of statehood, the Constitution they voted upon is the not the one which is presently before Congress. Who is to say that the citizens want anyone to lobby for passage of statehood based on the present, city council and District of Columbia Committee passed, Constitution? As a minimum, the citizens ought to have had their views respected. Equally important, however, is the fact that these members-in-waiting—which is what they are properly called—are lobbyists. Use of appropriated funds to lobby Congress is prohibited by law. So, if these persons are to lobby for statehood, it must be done with funds that are raised outside of the appropriations process. The Federal Government, which contributes more than one-half billion dollars to the city, should not have to pay to have itself lobbied or its funds shuffled in a bookkeeping morass of fungibility.

The proponents of statehood have also been anything but parsimonious with the appropriated funds for these officials. Depending on which set of numbers you choose to use, the cost will be exactly equal to that which Senators and Representatives currently receive or maybe something less if some of the proposals to reduce the salaries of these shadow members is followed. Whatever number is used, it's a lot of money; it's money the city can ill afford at a time when schools are in distress, when homelessness continues to be rampant, and medical and public safety services are taxed from murders and drug abuse.

The District of Columbia already has a federally supported and paid representative on Capitol Hill. The nonvoting Delegate, as he is known, possesses all the rights and privileges of the House, its committees and its floor. He also has the privileges of the floor in the Senate if he chooses to avail himself of it. Whether he, as the individual serving in that office, is effective or not, of course, is for the citizens of the District of Columbia to decide. Congress has, however, provided for this position and has a right to expect that it will not be diminished by the establishment of competing offices.

In fairness, there has been some suggestion that perhaps this proposal would be more palatable if the shadow members served without pay. I would simply note that such a proposal does not speak to the question of whether the citizens want anyone to lobby for them on this particular constitution and statehood proposal. If the local citizenry raised the funds and paid the bills which the lobbyists would incur, it would, at least, have some credibility. The facts are that there is no evidence that the local citizenry has demonstrated any interest in or capacity for raising the resources necessary to achieve any greater level of home rule, congressional representation, or statehood except when the Federal Government provides the resources and pays the bill.

The questions of statehood, congressional representation, and greater levels of home rule are serious issues. They should not be taken lightly; they are not the private preserves of a few people who are paid from Government funds or self-styled activists who may or may not be representing anyone except themselves and their cronies. For those who think that using these positions and this serious issue as a way to pay political debts and to keep people out of other races, they need to understand that Congress will not fail to react to such a scheme.

SUPPLEMENTAL SECURITY INCOME FOR AMERICAN SAMOA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, today I am introducing legislation which will provide basic assistance for the 1,600 aged, blind, or disabled individuals residing in American Samoa.

The elderly who live in American Samoa are without resources which are available to other Americans who reside in other parts of the United States. Those programs available to their brothers and sisters in Puerto Rico, Guam, the Virgin Islands, and other Pacific territories are not available to the elderly in American Samoa. To receive benefits under the supplemental security income [SSI] program at this time, an aged, blind, or disabled individual must be living in 1 of the 50 States, the District of Columbia, or be a resident of the Commonwealth of the Northern Mariana Islands [CNMI].

The Commonwealth of the Northern Mariana Islands was included under the supplementary security income program in 1976. This has been fortunate for their handicapped and needy elderly. In 1988 there were 590 recipients in CNMI who benefited from the program.

The men and women I seek to help with this legislation have been caught between two

systems. When Social Security went into effect in American Samoa, this group of people were too old to contribute long enough to qualify for minimum benefits. The territorial retirement system did not begin until 1971. By that time, many of these people had already left the work force or had so little time remaining that they were also excluded from benefits under this system.

Mr. Speaker, the elderly and severely handicapped individuals—some 1,600 of them—have nowhere to turn—no personal resources or Federal support programs. Even the territorial government is severely strained financially at the present time.

Mr. Speaker, American Samoa currently does not receive aid for dependent children or food stamp benefits, and it does not want these programs. I do believe, however, SSI benefits should be extended to relieve the more critical needs of our severely handicapped and elderly who do not qualify for any other assistance.

H.R. 3981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF SUPPLEMENTAL SECURITY INCOME BENEFITS PROGRAM TO AMERICAN SAMOA.

(a) IN GENERAL.—The 7th sentence of section 1101(a)(1) of the Social Security Act (42 U.S.C. 1301(a)(1)) is amended by inserting "and title XVI (as in effect pursuant to the amendment made by section 301 of the Social Security Amendments of 1972)" before "also".

(b) CONFORMING AMENDMENTS.—

(1) Section 1614(e) of such Act (42 U.S.C. 1282c(e)) is amended by inserting ", American Samoa," before "and".

(2) Section 1614(a)(1)(B)(ii) of such Act (42 U.S.C. 1382c(a)(1)(B)(ii)) is amended by inserting "or national" after "citizen".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on January 1, 1991.

THE 125TH ANNIVERSARY OF THE AMERICAN SOKOL ORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise to call to the attention of my colleagues in the House of Representatives that February 14 will mark the 125th anniversary of the founding of the first American Sokol unit by Czech immigrants, Karel Prochazka, Jaroslav Vostrovsky, and E.B. Erben, meeting in St. Louis, MO, in 1865.

During the ensuring 50 years, many Sokols were formed throughout the United States, and all of these units were incorporated into the American Sokol Organization on January 1, 1917.

Sokol is the Czechoslovak word for falcon, and it is an appropriate symbol, since the falcon is a bird that has a great love for freedom, as well as strength, courage, and agility. The Sokol philosophy strives for physical fitness for their members, believing that to maintain a free nation, its people must be physically and morally strong.

This Sokol ideal was originally created in Czechoslovakia in 1862 by Dr. Miroslav Tyrs, a professor of history and aesthetics at Charles University in Prague, and Jindrich Fuegner, a businessman with a special love for the arts and music. These two individuals perfected a system of physical fitness through a series of calisthenics and other activities, based on the notion that each individual is important and could progress to an ultimate peak of physical fitness. Their well-known motto was "A sound mind in a healthy body."

Sokol festivals, called Slets are held every 4 years, and last for 4 days featuring competitions in gymnastics, volleyball, basketball, and rhythmics. In addition to physical fitness, Americans of Czech and Slovak descent, who are Sokol members, emphasize spiritual, moral, and cultural enlightenment. Educational lectures and films are given at the organization's workshops and competitions, teaching the values of hard work, determination, and physical stamina are essential to personal achievement in everyday life. The American Sokol Organization also maintains camps for youngsters, libraries, and statistics on gymnasts, and provides scholarships to members on the basis of their attainment and achievement.

Sokol members range from preschool age to retirement age, enabling the older members to pass on the benefit of their wisdom and experience to the young people in a personal way. In combining Czechoslovak culture, the American heritage, and Sokol ideals, this organization has contributed greatly to the welfare of the United States. Many Sokol members have served their country with distinction, in World War I, World War II, the Korean war and the Vietnam conflict.

Mr. Speaker, I am proud to join with Sokol members in the 11th Congressional District of Illinois, which I am honored to represent, and members of American Sokol Organization in the city of Chicago and all over the United States, as they celebrate their 125th year of excellence, achievement, and contributions to the greatness of the United States.

THE LAST FRONTIER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, in 1957 when the Soviet Union launched Sputnik, Americans were justifiably concerned as an enemy satellite circled the globe without an adequate American response. It appeared that the Soviets had leapfrogged over us right into space and we were left kneeling in the dust.

From the streets of New York to corporate boardrooms, Americans demanded better education, they said, we must catch up. Americans knew that Edmund Burke was right when he said, "Education is the cheap defense of nations."

In response, the education initiatives of Presidents Eisenhower and Kennedy fueled the technological explosion of the sixties and seventies. Not only were Americans on the way to the Moon, but they were also taking the lead in every major economic sector in the world. Education and good old-fashioned elbow grease spurred innovation and created growth and prosperity.

Americans knew then, as they know now, what was ailing the Nation. They have common sense; they know that our position in the world has slipped; and they know what is going on.

Thirty years ago, Americans purchased cars from General Motors, Chrysler, and Ford and televisions from Magnavox, RCA, and Zenith. Today our constituents see friends and neighbors driving Japanese and German cars and they see them purchasing Japanese televisions, radios, and VCR's—all evidence of a new economic order. They cannot even buy a U.S.A.-made VCR even though it was invented here.

These daily reminders are not only seen, but, more importantly, they also are felt—Americans can feel the mantle of economic leadership and prosperity slipping away.

When IMB cuts 10,000 jobs, it is not just computers that are lost. When GM and Ford close production plants, it is not just cars and trucks that are lost. And when Lowell, MA, the high-technology bastion of the East, faces a recession, it is not just computer chips that are lost.

It is jobs, families, and communities that are lost—and believe me, these losses are felt like no other. Couple these losses with recent Japanese purchases of signature American assets like Rockefeller Center and Columbia Pictures, and you can understand why yesterday's New York Times poll "detected an erosion of positive attitudes toward Japan among Americans."

The New York Times article by Michael Oreskes points out that Americans are voicing fear over Japanese investments in this country. They watch as their dollars pile up overseas and they blame both America and Japan for this growing phenomenon.

Of course America is not blameless—we have been active participants in our own decline. Whether it is the CEO who can't compete or the Government official who turns a blind eye on our economic problems, we all share the blame.

Removing our blinders is a good first step. Rather than watching our bottom line, we should be watching our front line. You might not remember that Boeing manufactures much of the world's supply of airplanes or that Lotus and MicroSoft create much of the world's supply of software.

Both the aerospace and software industries create export surpluses; and, without them, our balance would sink to the bottom of a sea of red ink, already in the red—it would be much

worse. However, success is often fleet-footed—now you see it now you don't—may become our next national anthem.

An article in Northeast International Business entitled, "The One Who Controls the Software Controls the War," discusses the possibility of losing the software market to the Japanese.

The author poses an interesting question. He asks:

Over the last two decades, Japan's Ministry of International Trade and Industry [MITI] has targeted industry after industry for priority development, with blinding success at home and devastating repercussions abroad. Now that MITI has finished with electronics and autos, could software be its next target?

This question requires examination. To date, the only comprehensive study on this issue comes from the Computer Software and Services Industry Association or [ADAPSO]. Their study, entitled, "Japanese Software, The Next Competitive Challenge" outlines the industry's fear of obsolescence in the face of Japanese competition.

Their concern is valid—it is difficult to be No. 1 and it is even more difficult to remain No. 1. The world software market was "roughly $50 billion in 1988 and is expected to burgeon to an estimated $1 trillion by the year 2000." Quite a market—everything from A to Z will be operated by high-tech software.

Currently, the United States consumes 52 percent of the world software and produces approximately 70 percent of the total world market in software. This figure is probably a bit low considering the high incidence of software piracy.

Seventy percent of the market share is impressive—but the question we should be asking ourselves is not "How well we are doing now?" It is "How well we will be doing in the future?"

Mr. Reade also quotes Joseph Garber, a consultant at A.T. Kearney Technology Consulting, as saying:

In Japan, software is a strategic national imperative or a flag issue . . . and they have the will to be material players in the software industry as they have in just about every other major industry.

The U.S. software association notes that MITI has targeted the software industry for growth. A knowledge-based industry, Mr. Reade reports that "MITI has identified software as a national deficiency so great that it is regarded as a national threat."

This might explain why Japan's Nomura Securities Co., the world's largest brokerage house, recently commissioned a study of 10,000 American software companies.

Mr. Garber, who oversaw the study for Nomura, thinks that their stated objective was to identify American software companies that could plug gaps in the Japanese market with their products."

But then he admits that there were probably unstated objectives for the study. He says:

I think there unstated objective was threefold: first, to look for United States distributors for Japanese software, second, to find people with expertise in the American market for their companies and three, they were probably looking for some good ideas.

A concerted Japanese effort to gain market share in the software industry should be taken seriously. The software industry is profitable and innovative—the Japanese recognize this—but resting on our laurels is oftentimes a dangerous policy.

Take the example given in the January 24 Journal of Commerce. The article, entitled, "Software Mart in EC at Stake," details Japanese lobbying efforts to weaken an EC policy directive. To give the full effect of what is going on Mr. Speaker, I would like to read a few paragraphs from Mr. Lawrence's article and submit the text for the record.

In reading the article, it says:

The Alliance has filed its warning about the proposed EC directive with the U.S. Trade Representative's office. Nine other U.S. computer software firms added their names to the Alliance's statement. The directive is part of the EC's 1992 plan to create free markets in goods, capital and people among its 12-member nations. The directive is due to be voted by the ED's Council of Ministers by June. At issue is a proposal in the European Parliament to modify the proposed directive by allowing an exception to software copyright protection, the Alliance says. The exception, it contends, would allow software firms to engage in reverse engineering, the act of decompiling another firm's software for the purpose of developing a competing product. The Alliance argues that the exception would significantly weaken the EC directive. It says the exception would allow firms, especially big Japanese companies, to copy successful computer programs built on the research and development of others. The chief lobbyist for this exception, Alliance sources say, is Japan's Fujitsu, although a few West European firms, notably France's Bull, have supported the Japanese effort in part. The Alliance says the Japanese would benefit most from the exception even though they have so far been relatively unsuccessful in computer software.

Software makers beware—Japan would like to know how you create software—whether they reverse engineer the product or purchase a software vendor outright, Mr. Lawrence's article is telling us that the Japanese are ready to compete.

Layoffs throughout the high-tech sector, declining profits, and product delays have been a very real part of the recent software industry picture. Last spring another Journal of Commerce article by James Mitchell predicted that software makers would face problems in the near and the long term. He says:

The big three of the personal computer software industry, Microsoft Corp., Lotus Development Corp., and Ashton-Tate Corp., are all struggling, with varying degrees.

Mr. Mitchell fears that "countless companies will be forced to shrink, be acquired or go out of business because of fierce Japanese competition. High technology companies are particularly vulnerable because this industry has been targeted by the Japanese."

The bottom line—high tech companies are vulnerable because of the inherent nature of their products—constant technological improvements require large amounts of capital—and capital is in short supply in the United States.

This alone could wipe out the software industry if a strong challenge was mounted by the Japanese. I don't think any U.S. software manufacturer could match the Japanese dollar for dollar on capital expenditures.

Not only do the Japanese consider software to threaten its national sovereignty, but they also have the large amount of capital it would take to start a competitive software industry. Considering the excellent performance of U.S. software exports, industry losses would be devastating to our already weak export balance.

Consider what happened last November when exports tumbled, causing a deficit of $10.5 billion for the month.

Richard Lawrence of the Journal of Commerce explained it this way:

Exports have been stagnating since early last spring, and some analysts said that does not bode well for the year ahead.

He then says,

Almost all of the export decline in November can be laid to the recent Boeing Co. strike. U.S. aircraft exports plunged to $537 million, down almost $900 million from October and $1.4 billion less than in September.

The Boeing strike did not do our economy any favors, but it did expose the frailty of our export base. An industry dispute brought down the entire U.S. export balance and I am sure we have not seen the last of this phenomenon. Our Nation depends on industries like software and aerospace to pull it through the 1990's—but I fear this may be just another pipe dream.

Last year, the administration, the Congress and the aerospace industry inked a deal with Japan for the coproduction and codevelopment of an FSX fighter plane.

Japan is building an aerospace industry and the United States will be providing technology in exchange for a few billion dollars. In the long run we lose. Once the Japanese are able to produce planes at home, why would they want to purchase planes from General Dynamics?

And now we have decided to help South Korea build their aerospace industry by agreeing to coproduce the F/A-18 Hornet fighter jet. The agree-

ment includes direct purchase of only 12 complete planes, with 36 kits to be assembled in Korea and a licensing agreement between McDonnel Douglas and Samsung Aerospace Industries of Seoul to coproduce 72 planes. What a bargain.

As if these developments were not enough, Boeing has decided to build a widebody jet in partnership with the Japanese aircraft industry which "will probably lay the groundwork for a Japanese bid for some other United States aerospace company," one publication read.

Our aerospace industry is vital to our economy—yet we give away technology and agree to offsets that drain the Treasury. The Boeing deal is just another example of the greedy corporation chasing the short-term profit.

Today's CEO will not, in all probability, be held accountable 10 to 15 years down the road when Boeing and Lockheed plants are bought by British, Korean, or Japanese interests. He will take his golden parachute and land safely—no problem in his world.

Who will be accountable? It is not a question we have put to our domestic industries. Instead, we have allowed the market to ask all of the questions and I cannot recall the last time the market asked a displaced worker how he liked being unemployed.

No, I don't think we look very far ahead, but it is time that we started. The Boeing venture with Japan may cost jobs and future revenues while the fighter plane deals with Japan and Korea may cost the industry its life.

In another deal, Pratt & Whitney and General Electric have agreed to assist Japan's Ministry of International Trade and Industry [MITI] with the development of a jet engine to power a plane capable of flying at approximately five times the speed of sound.

These deals have come amid reports that the aerospace sector will soar in the 1990's. With a trade surplus of $18 billion in 1988, the aerospace industry and the jobs it provides must not be lost to foreign producers.

John Anderson, chief of Washington's Department of Trade and Economic Development says:

> An analogy with Michigan's automotive industry, which shrank as the Japanese enlarged their role, would be misleading.

He believes that—

> Boeing's global experience and use of brainpower to meet world standards will prevent what happened in Detroit from happening in Seattle.

Well, I'd like to add another dimension to this assumption. Although I do not doubt Boeing's global skills and use of brainpower, I do doubt Mr. Anderson's knowledge of Japanese plans for a domestic aerospace industry.

In 1988, Business Tokyo published an article entitled, "America's Quality Crisis, subtitled, Lessons from the Boeing-JAL affair, Can U.S. Workers Learn How To Do Things Properly?" The author, Murray Sayle, reminds us that Boeing owes its success to Japan. He says:

> Japanese Air Lines is arguably America's biggest foreign corporate customer. Seattle has reciprocated graciously with "Japan Airlines Day," where the streets are decked with intertwined Stars and Stripes and Rising Sun flags.

However, America's largest aerospace customer is getting restless. Mr. Sayles' article is a warning—the Japanese will be moving away from American-made commercial jets and defense-related aircraft. Whether they cite quality concerns or other reasons, Japan would prefer a domestic aerospace industry. As the cover story of Tokyo Business, the article is meant to familiarize readers with this inevitable development.

An article by Takayuki Kamada and Takehiko Koyanagi in the Japanese Economic Journal underscores this intent. Entitled, "Boeing May Be Ticket To Aerospace Big League," the article states:

> If core members of Japan's aerospace industry can successfully take part in the [Boeing] project as codesigners, the industry will be closer to breaking into the international aircraft market, which is now dominated by a small number of American and European companies.

In addition, the article which I include clearly points to the shortage of investment capital as the reason for the Boeing/Japan joint venture. The authors say:

> Boeing's desire for the three Japanese firms to be involved in developing the 767X could also be due to the fact that even the biggest aerospace companies are finding it too expensive to develop new planes on their own.

It is ironic to say the least. Boeing decides to team up with its future competition so it won't go out of business today. In effect, they are either ensuring their own destruction or their own dependence. However you look at it, I guess they are living by the old motto, "Live now, pay later." All this when there are available Grumman and Lockheed facilities in their country.

Like the software industry, defense related aerospace sales are extremely profitable—and this includes both commercial and defense related aerospace ventures.

U.S. industry seriously must consider the threat of obsolescence at the hands of their Japanese competitors. Little by little, Japan is preparing for its debut of both aerospace and software.

Rather than selling-out to the highest bidder, American industry should work to preserve itself. Joint ventures and off-shore production are not viable solutions. Domestic industry must invest in America—employ Americans; improve quality; build new plants.

As U.S. News and World Report concludes: "Long the teacher, America now must learn to compete." It is not only industry which must adjust to a fiercely competitive world, but the American Government and the American people also must learn to adjust.

Education and research and development projects are well worth the return on investment. If we refuse to invest in our future today, we may get what we paid for—absolutely nothing.

America always has had a venturesome spirit; and Americans always have yearned to go to places no-one has gone before. The quest to explore frontiers has taken us from the Mariana's Trench to the Moon.

Americans need this same spirit again—in the days of technological wonderment, the future approaches ever so quickly. Others, impressed with our past accomplishments, have followed our example, but these others no longer wait for us to lead.

We may soon find that these others—Japan for example—have gone ahead and staked out their claims in this last frontier—technology. And when we show up at our future—the frontier may be posted with keep out and no treaspassing signs. We'll be on the outside looking in at what was to be our frontier.

SOFTWARE MART IN EC AT STAKE

(By Richard Lawrence)

WASHINGTON.—Japanese computer software manufacturers are threatening to turn a proposed European Community software directive against U.S. manufacturers, a U.S. group contents.

If the Japanese succeed, says the Business Software Alliance, it would "seriously jeopardize" the U.S. trade surplus in packaged software of almost $9 billion a year.

How the EC directive evolves has even larger implications, according to the alliance, which comprises six U.S. software makers, including Microsoft, Lotus Development and WordPerfect.

If the EC computer software directive is shaped to Japanese suggestions, an alliance spokesman said, it could disrupt the Uruguay Round intellectual property rights negotiations at the General Agreement on Tariffs and Trade in Geneva.

The alliance has filed its warning about the proposed EC directive with the U.S. Trade Representative's Office. Nine other U.S. computer software firms added their names to the alliance's statement.

The software group wants the trade representative to emphasize U.S. concern to the EC about the Japanese attempt to alter the proposed directive for the legal protection of computer programs.

The directive is part of the EC's 1992 plan to create free markets in goods, capital and people among its 12 member nations. The directive is due to be voted by the EC's Council of Ministers by June.

At issue is a proposal in the European Parliament to modify the proposed directive by allowing an "exception" to software copyright protection, the alliance says.

The exception, it contends, would allow software firms to engage in "reverse engineering, the act of decompiling another firm's software for the purpose of developing a competing product."

The alliance argues that the exception would "significantly weaken" the EC directive. It says the exception would allow firms, especially big Japanese companies, to copy successful computer programs built on the research and development of others.

The chief lobbyist for this exception, alliance sources say, is Japan's Fujitsu, although a few West European firms, notably France's Bull, have supported the Japanese effort in part.

The alliance says the Japanese would benefit most from the exception, even though they have so far been "relatively unsuccessful" in computer software.

The debate over the EC directive has even broader implications, says Brad Smith, a Covington and Burling attorney in London for the alliance.

He maintains that Fujitsu and other Japanese software makers have been pressing the Japanese government to push for a reverse engineering exception in a prospective GATT agreement this year on intellectual property rights protection.

BOEING MAY BE TICKET TO AEROSPACE BIG LEAGUE

(By Takayuki Kamada and Takehiko Koyanagi)

After years of working as hired help in the international aerospace business, three Japanese companies look set to become full partners with one of the industry's major players.

Boeing Co. officially invited three Japanese companies to be co-developers of its twin-engine, 300-seat 767X passenger jet at the four companies' regular top-level meeting in Seattle, Washington, Oct. 20, Kawasaki Heavy Industries Ltd. Chairman Kenko Hasegawa told The Nihon Keizai Shimbun last week.

The two other firms attending the meeting were Mitsubishi Heavy Industries Ltd. and Fuji Heavy Industries Ltd. All three Japanese makers have served as subcontractors on Boeing's 767-300 jet.

INTO THE GLOBAL MARKET

If these core members of Japan's aerospace industry can successfully take part in the project as co-designers, the industry will be closer to breaking into the international aircraft market, which is now dominated by a small number of American and European companies.

The new plane will be based roughly on Boeing's 200-seat 767, with revamped body and wings and modified engines.

The Japanese makers are particularly interested in designing the 767X's wing-body fairings and tail parts, sources close to the three firms said.

"Their quality and production control techniques may have led Boeing to choose them as co-developers of its newest aircraft," said Yoshihiro Sakamoto, deputy director general of the Ministry of International Trade and Industry's machinery and information industries bureau.

This development has come at a time when the Japanese aerospace industry is expanding its activities from plane assembling to development of various aerospace technologies, including an advanced wing composition method, Japanese industrial analysts say.

However, Sakamoto does not think Boeing is deepening its ties with these Japanese companies merely to take advantage of their advanced technology.

"The move instead reflects the fact that we are now in an era of international cooperation in aircraft development," Sakamoto said. He cited as an example the Airbus Industrie joint venture by European countries.

Japanese companies should be competitive within the framework of international aircraft development cooperation, Sakamoto added.

The most recent example of Japan-U.S. cooperation in the aircraft development field was the November 1988 FSX accord between the two nations.

General Dynamics Corp. of the U.S. and Mitsubishi Heavy Industries, along with Kawasaki Heavy Industries and Fuji Heavy Industries, cooperate in developing Japan's new FSX fighter, which is based on the American F-16 aircraft.

Boeing's desire for the three Japanese firms to be involved in developing the 767X could also be due to the fact that even the biggest aerospace companies are finding it too expensive to develop new planes on their own, analysts say.

PROJECTS AND STUDIES

The Japanese aerospace industry and MITI are involved in various international joint commercial aircraft development projects and studies, such as 75- and 150-seat aircraft bodies, a commercial jet engine, avionics equipment and components, as well as the supersonic transport development initiative.

The 767X project, however, faces one major hurdle: money. Its total development cost is estimated at $4 billion. The three Japanese firms are expected to bear some 20% of that amount, but they cannot afford to provide all of it themselves.

Boeing and the three Japanese aerospace companies have worked together since 1984, when MITI initiated the 7J7 150-seat passenger plane project.

However, the recent trend toward stable oil prices and the shift in airlines' needs from smaller to larger planes have made the fuel-saving, small-sized 7J7 less of a priority. As a result, the program is unlikely to enter the full-fledged development stage for the time being.

But MITI, which has already provided the 7J7 project with Y10 billion in research money, cannot drop the project just because of the 767X. MITI plans to spend another Y10 billion on the 7J7 project in fiscal 1960 alone.

MITI SUPPORT

Meanwhile, MITI appears to be basically supportive of the 767X plan, although ministry officials refuse to discuss their approach to the project before official consultation with the companies involved.

"We won't turn a deaf ear to the 767X story when they ask us to do something," said Shinichiro Ota, director of MITI's aircraft and ordnance division. "It is good for Japan's aerospace industry to have some variety in their development programs."

Both Boeing and its three Japanese partners have specific reasons for going ahead with the 767X joint venture.

The Seattle-based giant needs to bridge the gap between its 200-seat 767 and 430-seat 747 jets to compete in the increasingly lucrative 300-seat market. That market is now dominated by Airbus industries's A330-300 and McDonnell Douglas Corp.'s MD-11.

For their part, the Japanese partners also need to secure orders in the new field before fiscal 1995, when their contracts with the Defense Agency end. Defense-related deals are said to account for some 80% of the Japanese aircraft industry's orders.

According to Boeing's timetable, it hopes to start 767X shipments sometime during 1994, an airline source said.

Because the development of new wings and body for the 767X will take about five years, MITI will be urged to decide on its assistance before too long.

"It will be acted upon next year," MITI's Sakamoto said, which suggests that the ministry will make its decision sometime before the compilation of the fiscal 1991 budget in the middle of 1990.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 876 AND H.R. 3751

Mr. CAMPBELL of Colorado. Mr. Speaker, I ask unanimous consent that my name be deleted from cosponsorship of H.R. 876, and H.R. 3751.

The SPEAKER pro tempore (Mr. HAYES of Illinois). Is there objection to the request of the gentleman from Colorado?

There was no objection.

□ 1700

GENERAL LEAVE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. HAYES of Illinois). Is there objection to the request of the gentleman from Ohio?

There was no objection.

PEACE DIVIDEND

The SPEAKER pro tempore (Mr. HAYES of Illinois). Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, I requested today's special order to focus attention on the issue of the "peace dividend." During the 9-week recess of Congress, we witnessed a dramatic change in the world order. Between November 1989 and February 1990, six governments in Eastern Europe fell. Yugoslavia and Albania may be next.

And on Monday, President Gorbachev announced an historic proposal—to allow multiparty rule in the Soviet Union for the first time since 1917.

These are events few of us expected to witness in our lifetimes. Revolutionary events that must change the way we look at the world—and America's role in it.

Rightly, the changes in Eastern Europe have ignited a debate here about America's budget priorities in a post-cold war world. As we set the agenda for the 1990's, it centers on questions such as what should we spend on national defense? Should our

allies shoulder more of the burden for our collective defense? What should we spend on foreign aid? And how much do we commit to meet our domestic needs?

In early December, Defense Secretary Richard Cheney provided the first reference point for the peace dividend debate. Secretary Cheney announced that almost $180 billion in U.S. defense savings could be achieved over the next 5 years.

Members of the House and Senate responded by issuing wishlists, showing how the extra $180 billion could be spent. Some have argued for spending the windfall on crucial domestic programs such as education, housing and infrastructure. Others say that the dividend should go exclusively to paying off the budget deficit. Others contend that any savings should be used to offset a tax cut.

The administration moved swiftly to qualify Secretary Cheney's announcement. The original estimates were said to be based on outdated and exaggerated projections of future defense spending. Office of Management and Budget Director Richard Darman called the peace dividend a fantasy. In the words of President Bush, "what peace dividend?"

I can understand President Bush's caution. There's no way to be sure that all of the changes in Eastern Europe are permanent. But we have a pretty good idea. The INF Treaty, signed by President Reagan and Chairman Gorbachev, began destroying nuclear weapons on both sides for the first time ever. Conclusion of the Convention Forces in Europe Treaty [CFE] will bring drastic troop reductions across Europe. The Warsaw Pact is in shambles.

It is time for us to shift our focus to other pressing national security issues such as—increasing U.S. productivity to regain our top spot in the world economy and making the American people the most educated society in the world. We cannot accomplish this without the administration's help.

For the past 40 years, we have heard over and over again that "the Russians are coming, the Russians are coming." Well, if the Russians are coming, they are going to be a little late. They must first end the civil war in Azerbaijan. Then they must deal with the Baltics and the Ukraine. This is before they even begin to look at Eastern Europe.

In the meantime, Japan is becoming the dominant world economic power. West Germany and the European Community are staring us in the face waiting to take us on in 1992. What kind of planning is being done by the administration? What steps have been taken to fight the economic and competitive war in the global marketplace? And why can't the peace dividend fit into these plans?

It is all well and good to say what peace dividend? Or call it a fantasy. But I do know that if the administration cannot find the peace dividend, Congress will. I am certain the administration does not relish that prospect. And I honestly believe that many of us here in the House do not relish that prospect either.

This special order is the beginning of the congressional debate on this issue. It is clear to me that the American people expect Congress to find the peace dividend and to allocate it.

A recent New York Times poll indicated that 75 percent of all Americans believe the warming of relations between the United States and the Soviet Union provides an opportunity to cut military spending.

In my hometown of Cleveland, anticipation of a peace dividend is also running high. In December, Cleveland's Mayor-elect Michael White set forth an ambitious agenda for a reallocation of military spending.

At this time, I insert into the RECORD an article written by Mayor White. The article appeared in the Plain Dealer, and is entitled "Now Let Us End the Cold War at Home.

(Article follows:)

[From the Plain Dealer, Dec. 19, 1989]

NOW LET US END THE COLD WAR AT HOME

(By Mike White)

Every holiday season we hear a lot about good will and peace on Earth. But this year these words hold a special promise. Not long ago few would have believed that 1989 would see a Polish government led by Solidarity activists, Hungary's Communist Party embracing multiparty politics, or the Berlin Wall—the ultimate symbol of Cold War division—becoming a passageway to freedom.

For those of us who grew up in the shadow of superpower conflict, the remarkable growth and success of the democracy movements in Eastern Europe has been as astonishing as it has been inspiring. After all, who could have imagined that by 1990 Western Europe would face a siege not by Soviet tanks, but by East German tourists?

This grass-roots uprising against communism reminds all of us that the hunger for liberty, whether it be in Cracow, Cape Town or Cleveland, remains one of the greatest forces on Earth. In the wake of this peaceful revolution few can doubt that we now face the most significant opportunity for real peace in Europe since World War II.

For Americans the events in Europe have meant something else, too: new prospects for reduced tensions with the Soviet Union and, with it, a return to a peacetime economy. And for us the impact of that second "revolution," while hardly as dramatic, may be almost as far reaching.

Defense Secretary Richard Cheney's plan to trim $180 billion from the 1992-94 military budget—through representing only a minor poke at Pentagon fat—opens a long-awaited dialogue over how defense spending should be trimmed in the wake of our changing relationship with the Soviets. But, more than that, it raises the issue of how those savings should be reallocated.

According to our city's own Finance Department more than $35 billion will leave Cuyahoga County to help pay for military-related spending for fiscal year 1990. That comes to more than $2,300 per person. With Pentagon spending averaging $34 million an hour, its not hard to understand how we came to be paying so much.

What isn't as clear is why, as we enter what President Bush has described as a new era in U.S.-Soviet relations, we cannot redirect some of those dollars to meet our needs here at home. For Cleveland families joblessness, drugs, crime and overcrowded classrooms loom as a far greater danger than the prospect of a Soviet invasion.

The choice is not whether we can afford to bankrupt our cities and public services for the sake of unlimited military expansion. Clearly we cannot. Instead the issue is where military budget cuts are made—how deep they will go—and whether the savings will be applied to rebuilding our communities. If anyone doubts the impact that defense budget savings could have on urban life he should just consider what we could buy with the $1 trillion the Star Wars system would cost us.

According to Sane-Freeze, America's most prestigious peace activist organization, for the cost of one Star Wars system we could afford to give every family in Ohio a $75,000 house, place it on $5,000 worth of land, furnish it with $10,000 worth of furniture and put a $10,000 car in each garage.

We'd still have enough money left to do the same for every family in Indiana and West Virginia while having still enough to build a $10 million hospital and a $10 million library in 250 other cities and towns.

Of course, most in government would argue that the idea of spending so much on civilian needs is inconceivable. And perhaps that's part of the problem, too.

Too many in government have come to accept that it is impossible to address the fact that every year at least 10,000 people in Cleveland have no place to live, but are unwilling to question the propriety of spending $100 billion for the Trident II submarine and F-18 jet fighter programs. Too many accept our government's refusal to adequately fund child care and its willingness to spend $4 billion on nuclear warheads during one six-month period—while in 1987, 13,000 children of parents on welfare in Cleveland needed child care in order for their parents to work.

While Rich DeColibus of the Cleveland Teachers Union and other community leaders rightly point out the necessity of bringing more educators into our public school system, federal spending for education was slashed by 14% between 1982 and 1986, while dollars for the military increased by a rate almost three times as great.

In the 1990s, we can't tolerate federal spending priorities that place more value on developing military technology than on safeguarding the very human resources our nation will depend on for the next century. True, the $1 billion we invest in new military hardware can create 48,000 defense industry jobs, but that same $1 billion once invested in housing could generate jobs for 76,000 unemployed workers. If invested in public schools, it could pay the salaries of 100,000 new teachers.

Though a modernized steel industry and an expanded U.S. capability in electronics and machine tools may not fit some conventional definitions of national security, we also know that we cannot build America's future on fast-food jobs and foreign imports. By redirecting some of the 70% of federal research dollars now dedicated to

the military to the civilian sector, we can begin to strengthen our ability to compete once again in the world marketplace.

The events in Eastern Europe and the redefinition of our relationship with the Soviets provide us with a historic opportunity to address priorities that have been on our national back burner for too long.

Whether it is finding a cure for AIDS, expanding mass transit or rescuing our public schools from neglect, we must begin to bring our tax dollars home, now, to defend America's cities. Because while we may be winning the Cold War in Europe, we still face a life and death struggle against drugs, joblessness and disease within our own borders.

America's children deserve a better future from us than poverty-ridden cities and high-tech weaponry.

That's why the cry for freedom that today is heard from the Baltic to Bulgaria can become our rallying cry, too, as we speak out for new spending priorities and a productive peacetime economy.

Just as we have shown ourselves strong enough to fight any war, let us be wise enough to plan for peace.

Mayor White's essay begins by saying "For Americans, the events in Europe have meant * * * new prospects for reduced tensions with the Soviet Union and, with it, a return to a peacetime economy." Mayor White goes on to list several pressing needs faced by the city of Cleveland, such as—housing the more than 10,000 homeless people, helping the 13,000 children of parents on welfare get quality child care, training and sending back to work the 76,000 unemployed Clevelanders. He sums up by saying, "Just as we have shown ourselves strong enough to fight any war, let us be wise enough to plan for peace." I'm sure that mayors of our other great cities would agree.

Today, I call on President Bush to appoint a bipartisan Presidential Commission to address the issue of the peace dividend. Just as we have had the Kerner Commission and the Grace Commission to bring important issues before the public, I am recommending that the President take a similar path to move this issue away from the partisan political arena and into the public arena.

□ 1710

Mr. Speaker, I thank the many Members who have submitted statements for the RECORD and yield to my colleague, the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Speaker, I want to thank the gentleman from Ohio for inviting me to participate in his special order, where I share many of the concerns he has just spoken about.

Mr. Speaker, there has been much debate recently over a term that has reentered our political vocabulary. I am referring to the phrase "peace dividend." The peace dividend is the payback to the American people for the end of the cold war. In considering this issue, we must face squarely the question of whether or not the cold war is over.

Before I go further in my remarks, I would like to applaud the President for his bold proposal for a bilateral reduction of American and Soviet troops in Europe to 195,000 on each side. I would hope the President continues this kind of leadership by reconsidering some of the priorities he has set in his fiscal year 1991 budget proposal.

Can anyone credibly argue that the Soviet Union poses the same threat now as it did even 1 year ago? Keeping in mind that the Soviet Union still must be considered our greatest military adversary, I would like to briefly highlight some of the dramatic changes that have taken place this past year.

For me, the most important symbol signaling an end to the cold war occurred last year on November 9. On this date, for the first time since 1961, East Germany allowed free travel from East to West Berlin. An estimated 3 million East Germans visited West Berlin over that weekend. This was especially significant for me because I can vividly remember the construction of the Berlin wall and the historical visit by President Kennedy to West Berlin pledging American resolve, to not only contain the spread of communism, but to eventually prevail over it.

Who could forget the day, August 24, when the Polish Parliament approved a non-Communist as prime minister—the first non-Communist ever to lead a Soviet-bloc nation.

Poland, Hungary, East Germany, Bulgaria, Czechoslovakia, and Romania are all working toward creating strong pluralist democracies. All of these nations have expressed their desire for the complete withdrawal of Soviet military forces from their soil. What makes all of the changes equally amazing is that the Soviet Union under Gorbachev has promoted them. In fact, as I speak now, there is lively discussion going on among Soviet citizens in response to a vote taken yesterday by the Communist Party approving Secretary Gorbachev's plan calling for an end to the Communist Party's monopoly and the establishment of a multiparty system in the Soviet Union.

Despite these important changes, the President has submitted a defense budget with large spending increases in programs that were questionable even before these events took place. For example, the B-2 stealth bomber program the strategic defense initiative, and the MX Rail-Garrison program all received substantial increases in funding.

For argument's sake, let's suppose Congress approves the President's fiscal year 1991 budget in its entirety. On an average day of spending, the Government will spend $15,167,000 a day on the Stealth bomber program, a 29 percent increase over fiscal year 1990. This is compared to $1,336,000 a day for State grants to combat the abuse of drugs and alcohol by this Nation's youth or $1,088,000 a day for cancer research. Assuming that the cost of one bomber doesn't increase, which we know always does, this will build us only five planes in an era where bombers are considered, by numerous military experts, to be minimal strategic value.

Under the President's plan, the star wars program will receive a 23-percent increase to $4 billion plus. I understand most of this funding increase goes to an early deployment of a project known as brilliant pebbles. I believe instead of worrying about producing a brilliant pebbles program, we should begin to worry about educating brilliant children so that America can face the next challenge which has more to do with Marshall Fields than it does with battlefields. It has more to do with engineers than it does with bombardiers. Improving education and healthcare, winning the drug war, creating jobs, and eliminating the deficit, are goals that we cannot continue to put off reaching any longer because of a bloated defense budget. Having served in the U.S. Army myself, I strongly believe that national security should be a top priority of the Federal Government. But national security includes having a strong economy and a healthy, well-educated work force. I believe we have tipped the balance toward military hardware, while we should be paying more attention to computer software.

The last program I will bring up is the MX Rail-Garrison program, The President calls for a 118 percent increase to $2 billion. At the same time, we are continuing research on another land based missile system—the Midgetman. Instead of putting nuclear weapons on trains, which would be just as vulnerable during a surprise attack as our present silo-based missiles, we should be filling those trains with American made automobiles, tractors, steel, soybeans, and other goods to be distributed to markets throughout the Nation and the world. If we don't reach a reasonable level of military spending and stop the contribution of subsidizing outdated and wasteful programs, eventually, the only things we will be able to put on our trains will be nuclear missiles, since the Japanese and the West Germans, and who knows who else will be beating us out in the marketplace.

At a time when we have an overwhelming nuclear strike capability and the Soviet military budget is decreasing for the first time in many years, The American public deserves to see a peace dividend. Either we have a military budget that bends with the new

breeze that is blowing across the world, or we must accept the risk of getting blown away in the marketplace by neglecting America's most important resources—her people.

□ 1720

Mr. FEIGHAN. Mr. Speaker, I yield to my very distinguished colleague from Ohio [Mr. DON PEASE] a member of the Committee on Ways and Means, someone who has been, I think, one of the finest thinkers in this institution on the allocation of Federal resources.

Mr. PEASE. Mr. Speaker, I thank the gentleman very much for yielding.

My colleague from Ohio, ED FEIGHAN, I appreciate his kind words. Let me reciprocate them by way of commending him for asking for this special order today on a very, very important subject about which creative thinking is sorely needed in this House and in this Nation.

Mr. Speaker, last December, the Joint Economic Committee held a very useful set of hearings on U.S. defense spending and its implications for our national economy. Those hearings set the stage for a comprehensive review of U.S. defense strategies and alternative defense spending options by the Congress this year. This top-down reexamination of the defense budget has been made possible largely by astonishing changes that have occurred in eastern Europe and the Soviet Union during the past year. Even as we speak, President Mikhail Gorbachev boldly is striving to transfer responsibility and power from the entrenched Communist Party to the presidency and the elected parliament in the Soviet Union.

For purposes of this discussion, let me underscore that I have always supported a strong national defense. I believe very strongly that we need a strong defense to preserve our freedom and to conduct an effective foreign policy.

At the same time, our goal should be to spend whatever is needed for our defense and not to simply outspend our potential adversaries, be they in the Soviet Union or elsewhere. I am very encouraged that trends toward real cuts in Soviet defense spending and toward greater freedom in much of Eastern Europe are now opening historic opportunities for major cutbacks in conventional forces in Europe and for major reductions in the Soviet and United States nuclear arsenals. For the first time in decades, we can honestly debate and achieve sizable cuts in U.S. defense spending in the next few years.

I expect to devote a great deal of time this year to identifying what changes in United States defense spending make sense given movement toward a more peaceful, stable order in Europe and given rapidly improving United States-Soviet relations. Will there be a "peace dividend" now that President Bush has declared our entry into the post cold war era? If so, what should be done with this "peace dividend?"

To me, now there are several arguments for substantial U.S. military budget cuts. First, events in Eastern Europe and the Soviet Union have dramatically lessened the military threat to the United States. Second, with approximately half the Pentagon budget devoted to possible warfare in the European theater, that part of the budget in particular should begin to decline. Third, the excessive Federal budget deficit, and the further cutbacks in the deficit compelled by the Gramm-Rudman law, require deep cuts in military spending. Fourth, the Pentagon remains beguiled by costly and unnecessary weapons systems that could be substantially trimmed or eliminated altogether with no threat to U.S. national security, such as the $530 million-per-copy B-2 Stealth bomber, the rail mobile MX system, and the inflated Star Wars program. Fifth, several arms control agreements now entering the closing phases of negotiation will reduce the production of nuclear, conventional, and chemical weapons and will make many of the current weapons programs and personnel deployments unnecessary. Sixth, the U.S. need to divert resources to other critical national security needs, including economic competitiveness, rebuilding the infrastructure, encouraging technologies of the future, strengthening the health care and educational systems and protecting the environment. Seventh, overdue reforms of the weapons procurement process could also save billions of dollars every year.

In spite of these arguments, President Bush has proposed a fiscal year 1991 defense budget of $5.3 billion [1.8 percent] in budget authority over the fiscal year 1990 level of $301.6 billion. The Bush administration 5-year defense plan also proposes increases for each of the remaining 4 years.

Clearly, this Congress can and must do better. We need to confront the military-industrial complex in America and force it to come to terms with what we have reason to believe is the dawning of a more stable, peaceful world. Most economists believe that reduced defense spending will benefit our national economy. Resources that would have gone into defense eventually can be devoted to investments that more directly raise the American standard of living. But there are difficult choices to be made about the best way for this to be done.

Some Americans want to use the "peace dividend" to reduce the budget deficit, thereby reducing interest rates and encouraging private investment. Others want to spend the money for needed public investment in physical infrastructure and human capital. Still others suggest using defense savings to cut taxes.

For my part, I think we should do all these. The Federal Government must achieve real reductions in our massive budget deficit. The Federal Government must do more to help Americans compete more effectively in the global economy. And the Federal Government must assume a more active, supportive role in improving and financing our educational system.

Toward these ends, I will soon introduce legislation calling for a $20 billion cut in U.S. defense spending in each of the next 5 years. The resulting $100 billion in savings will be dedicated to three purposes under my legislation: One-third of the savings will go for deficit reduction; one-third will go for public expenditures to enhance American competitiveness; and one-third will be distributed for property tax relief in those States that are willing to improve their schools and make certain that their students meet specific national performance standards for educational excellence.

□ 1730

Mr. FEIGHAN. Mr. Speaker, I thank my colleague from Ohio [Mr. PEASE] for his worthwhile presentation.

I yield to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSTON of Florida. Mr. Speaker, history is being made in the Soviet Union and Eastern Europe this week. In fact, today. A short time ago we could have scarcely envisoned a multiparty system and a freely elected President. However, that possibility exists, and along with it the potential for closing the books, finally, once and for all, on the cold war. However, I ask the President, who is our enemy?

In light of the dramatic changes that is sweeping across Eastern Europe and the Soviet Union, it is unfortunate that here in the United States we continue to fight the same predictable, irresponsible budget war. There were 55 armored divisions in the Warsaw Pact that were facing Members this time last year, and they no longer exist. In fact, if they did exist, they would, in all likelihood, fight with Members this year. Again I ask, Mr. President, who is our enemy?

Here we find that once again the politics of the budget has overshadowed the substance of the budget. The budget talk of Gramm-Rudman and of the cookie monster and of the peace dividend blur the reality. There is a stark failure of commitment to our country's greatest needs. Mr. President, who is our enemy?

Arguably, our greatest challenge is fighting the epidemic of drug use and drug-related crime in the United States. The President celebrated a $1.1-billion increase in spending on the

drug war, yet the allocation of $10.6 billion is only eight-tenths of 1 percent of the overall budget. Mr. President, who is our enemy?

In the same budget, the President earmarked over $300 billion for the Pentagon to defend against an enemy which seems to be fading with each passing day. Members could not help but feel that we are fighting the wrong war.

Mr. President, we cannot meet your education goals that were established in this Chamber last Wednesday night, if we cut $460 million from the school lunch program. Who is our enemy, Mr. President? Quoting Walt Kelly's Pogo, "We have met the enemy and they is us."

Mr. FEIGHAN. Mr. Speaker, I want to thank again the gentleman from Florida for his participation and his meaningful presentation.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. FRANK], who I am pleased to have participating in this special order, one of our brightest colleagues, who has spent a great deal of time and effort in formulating an alternative budget to the President's proposal of last week.

Mr. FRANK. Mr. Speaker, I think we should note how appropriate it is that the Speaker pro tempore at this time is a Member who has been a leader in trying to redirect spending of this country into the right places, and who has recognized early on the importance of educational spending.

I was delighted to learn that our colleague from Ohio was taking this initiative. Clearly, the Members of the House have got to take the lead if we are going to bring fiscal sanity to the country. Fiscal sanity at the current moment, requires that we stop spending unneeded tens of billions of dollars on a military threat which has diminished. No one is suggesting that the threat to our security has entirely disappeared. Therefore, no one is suggesting that the military budget entirely disappear. What we are saying is simple: For 40 years and more we have directed a large part of our national budget toward protecting ourselves and allies and others against a threat of an aggressive and hostile unified Communist bloc.

There is still a need for a nuclear deterrent on the part of the United States and for the United States to maintain forces that can vindicate our interest against nations like Iran and Libya that can threaten them. However, the fact is undeniable: The threat that came from this hostile and aggressive and unified Communist bloc has substantially diminished. They would like the question to be, the administration and its allies argue, will there be a peace dividend, as if that were a phenomenon of nature over which mortals have no control, kind of like, "Will it snow tomorrow." What will the world be like 20 years from now? The question is not will there be a peace dividend, but the question is, do we have the wit and determination to say, with a substantial dimunition in the threat to our security, there can be a corresponding dimunition in our spending.

The administration has given a couple of reasons not to do that. Let me talk briefly about three of them. One, they say, events in the Soviet Union and elsewhere are not irreversible. Not everything that happens is irreversible, of course. Gorbachev might be overthrown. We hope he will not be, by someone who is right, in terms of being a harder line individual. However, I think it is very clear as Members look at what is going on in the Soviet Union, and I see we have a former chairman of the Permanent Select Committee on Intelligence here, who I believe is well-suited to speak on this. Given the tremendous economic pressures they face, if one did replace Gorbachev, it would be virtually impossible for that group of individuals to reemphasize an aggressive military posture on the Soviet Union. They do not have the resources. Anyone who overthrew Gorbachev would have done so in part by promising the Russian people a better standard of living. There is no way that anyone can conceive of doing that in the Soviet Union without substantial military reductions.

The movement out of Afghanistan, the movement away from funding of Vietnamese troops in Kampuchea, the cutbacks elsewhere, are matters of economic necessity, and the case for irreversibility is stronger talking about Eastern Europe.

No one, no one believes today there is still any military threat, on the ground, from the land forces of Bulgaria, East Germany, Hungary, Poland, and Czechoslovakia, against the West. Yet President Bush's budget contains far more money to prevent Hungary and Poland from invading France than it does to help them with the transition to democracy and freedom. That is what we mean by a peace dividend, that we begin to scale down now, that we recognize reductions that are coming.

I believe that we could easily reduce the military budget $22 billion below the $307 billion baseline. We can retain the Trident submarine, we can retain the B-1 bomber with nuclear missiles, we can retain an accurate and secure land-based missile, we could keep 200,000 troops in Europe for the next year, we could keep troops elsewhere, and still cut the budget by $22 billion.

The second argument we get is, "But we cannot reduce the troops, even if there is no more need for them, because it will upset our allies." Mr. Speaker, can we not at some point ask our allies about upsetting the United States? Having, for many, many years, kind of selflessly as a nation, protected them when they were poor, now that our European and Asian allies and friends are equals in many ways economically, or are competitors, do they have a right to insist we continue to spend far more of our gross national product on military than they do? The United States now spends 6 percent of its GNP on military, and President Bush's budget does not change that in any significant way. The European NATO members average 3 percent. I do not think that our allies have a right to insist we waste money that they themselves do not want to spend.

□ 1740

I think in fact it is important for us to say to them, "We will be your friends, but we are not going to buy your friendship," and I do not think we have to.

The final argument is: What about the economy? Overwhelmingly people recognize that in the macroeconomic sense this would be very good for the econony. For a long time we have been in two competitions, a military competition with the Russians and a civilian competition with our allies whom we have been protecting from the Russians. To the extent we can shift some of our resources, beginning now and building and building on that, out of the military into the civilian area, we will enhance the ability of this country to grow, and we will enhance our ability to make America strong.

Yes, there will be some difficulty for individuals. There will be decent, hardworking people who may face a loss of work in some areas, and a sensible, compassionate government will act on legislation in that area. Our colleagues, the gentleman from Connecticut [Mr. GEJDENSON], the gentleman from Massachusetts [Mr. MAVROULES], the gentleman from New York [Mr. WEISS], and others have put forward legislation to deal with that. The majority leader, the gentleman from Missouri [Mr. GEPHARDT], has indicated an interest in working with Members in that area. The two gentleman here now, including our colleague, the gentleman from Cleveland, OH, and the gentlewoman from Ohio [Ms. OAKAR], who chairs a subcommittee on that subject, have indicated an interest in that field.

We have the ability to provide assistance to those who will be unfairly hurt by this, but we should recognize that overall it will be good for this econony to the extent that we can shift resources out of military spending and into the kind of civilian goods where competition exists.

The budget decisions this House will make within a couple of months will be enormously important. We can re-

joice that the American policy has been successful. The threat to freedom has receded substantially. We should not unilaterally disarm, but we can begin to scale down the extent to which we have spent on our defense and on the defense of our allies and in recognition of their greater capacity to contribute, with the diminished threat, and we can begin to put the money where it will do a lot of us more good.

Mr. Speaker, for giving us the opportunity to make this point and to prepare the House for that decision, I am very grateful to the gentleman from Ohio [Mr. FEIGHAN], and I look forward to working with him in the months to come to accomplish that.

Mr. FEIGHAN. Mr. Speaker, again I thank the gentleman from Massachusetts [Mr. FRANK] for his typically eloquent presentation, and particularly for outlining specific actions we can take in order to find the resources to meet the very pressing domestic demands first and at the same time maintain a responsible program of expenditures to insure the protection of American interests both at home and abroad.

Mr. Speaker, I am delighted at this point to yield to my colleague, the gentleman from Ohio [Mr. STOKES] the former chairman of the Permanent Select Committee on Intelligence. The gentleman from Ohio is a man who for the 7 years I have been in this institution has struggled to bring a more rational and sane debate to the allocation of Federal dollars, one whose voice perhaps this year given the changing circumstances globally, will be heard with even greater attention by not only his colleagues in this Chamber but also by this Nation.

Mr. STOKES. Mr. Speaker, I would like to thank my friend, the distinguished gentleman from Ohio, Congressman EDWARD FEIGHAN, for taking out this special order and providing us with the opportunity to address a burning issue—the peace dividend.

Now that the walls of oppression have come tumbling down all over the world, the United States no longer needs to carry the burden of protecting the entire world. We should now be able to direct our efforts inward to ensure that this country has the resources to meet the challenges of the 21st century. Unfortunately, President Bush and his administration do not seem interested in preparing America for these challenges.

President Bush recently presented the Congress with a $1.23 trillion budget plan for fiscal year 1991. For those of us who were hoping for a windfall or dividend resulting from a decrease in defense spending, and who believed that this President might be in touch with the needs of this country, the President's budget is a bitter disappointment. According to the President, there is no dividend for peace.

The President's budget does not reflect the dramatic events in Eastern Europe and the Soviet Union. The President's request for the Defense Departement totals $295.1 billion in budget authority. It does not propose canceling or reducing any of the new generation of strategic weapons. In fact, large increases are included in the budget for the Stealth bomber, star wars and the MX missile. If we continue to support all of these weapons systems and not choose among them, we will see expenditures for these already expensive weapons increase significantly in a few years, when they will reach full production stage. Yet, OMB Director Richard Darman did not include these out-year costs among the "pacmen" that threaten to gobble up our budgetary resources.

I, too, am concerned about the magnitude of the Federal deficit. If the President's budget were adopted, the deficit would be reduced to $61.4 billion, under the Gramm-Rudman target of $64 billion. The military, however is not being asked to assume a fair share of spending reductions that must be made in order to reduce the deficit. The budget includes over $16.1 billion in spending reductions. Four-fifths of this amount is expected to come from domestic programs. Defense contributes only one-fifth of the total amount of the reduction package. A large portion of these cuts would come from entitlement programs, such as Medicare and child nutrition programs.

I question the priorities expressed in the President's budget. Under the President's plan, the National Aeronautics and Space Administration would receive the largest increase in the budget—$2.9 billion. This represents an increase of nearly 24 percent for this agency. The program being asked to absorb the largest cut is the Medicare Program, which provides health care to some 35 million elderly and handicapped Americans. A cut of nearly $5.5 billion could result in reduction of services to this vulnerable population and would exacerbate the health care crisis facing this Nation.

Apparently, the President feels that we should use the peace dividend to support space exploration. Here in America, on planet Earth, we have 3 million homeless people. Their needs are not addressed in this budget. The President states that he is increasing funding to combat homelessness by 66 percent in fiscal year 1991. At the same time, he declined to request funds to develop new public housing units. The waiting list nationwide for public housing now includes nearly 1 million people.

Cuts in important domestic spending programs have been justified by the administration as necessary to reduce the budget deficit. Reduction of the budget deficit, however, only seems to be a priority when the administration considers programs that affect certain populations—the poor, the elderly, and minorities. This policy is embodied in the resurrected capital gains tax cut proposal. A report of the Joint Economic Committee indicates that this type of tax cut will result in a loss of revenue to the Government in the long run.

The budget proposal that the President has asked us to consider demonstrates that despite the outbreak of peace, his administration is still functioning in a military mode. It does not devote enough resources to vital domestic programs, such as health care, and education. The 1990's symbolize the gateway to the 21st century. This is the time to ensure that as we face the challenges of this new century, we go forward with a healthy and well-educated citizenry, and that our cities provide a safe and enriching environment for our children. This is the ideal that America has always stood for. We must fulfill it, if we expect to prosper in the 21st century. We cannot move forward unless we reorder our priorities.

Finally, Mr. Speaker, I just once again want to commend the gentleman from Ohio [Mr. FEIGHAN] for taking time out of his busy schedule to provide all of us an opportunity to address this very important subject for the American people.

Mr. FEIGHAN. Mr. Speaker, I particularly want to thank my colleague, the gentleman from Ohio [Mr. STOKES] for joining us in this special order. I think that the vision of America that he outlined in his remarks is the vision that is shared by the overwhelming majority of the people of this Nation. It is clearly the vision that would most benefit future generations to whom we have the greatest obligation.

□ 1750

Mr. Speaker, I simply want to conclude my remarks today on the isue of a peace dividend by reminding Members of this House that just a few weeks ago former Defense Secretary Robert McNamara testified before one of our committees, and he testified that by the year 2000, only 10 years away, $300 billion could be saved by cutting only 5 percent, or $15 billion annually after adjusting for inflation from our defense budget. Only 5 percent nets us a savings of $300 billion over the next 10 years. That is a savings that is achieved by various troop reductions, some of which the President has already called for, and other

reductions in various strategic weapons purchases.

Mr. Speaker, the proposal offered by Secretary McNamara I think is a sensible one; it is one that clearly can be absorbed without in any way straining our defense capability. It is an alternative that has been endorsed by Lawrence Korb, who was the Assistant Defense Secretary during President Reagan's first term, demonstrating, I think, that the proposal has a bipartisan appeal and clearly is not something that brings jeopardy to our defense posture.

There have been other proposals. The gentleman from Massachusetts [Mr. KENNEDY] has proposed an alternative, shorter timetable than that offered by Secretary McNamara, a timetable that would save us substantial amounts of money, almost $170 billion by 1995.

I think it is particularly important, Mr. Speaker, to note the results of an analysis that was done for Business Week, which was an analysis of the 5 percent annual cut proposed by former Secretary McNamara; the study showed that cuts of that nature could, in fact, result in a stronger economy, a more vibrant economy. Such cuts, "would energize U.S. investment producing lower inflation, lower interest rates, and cutting the deficit and boosting the gross national product."

So, Mr. Speaker, the consequences seem to be all positive by having a sensible reduction of that nature.

I find myself also on this issue in agreement with the former Assistant Secretary of State, Richard Perle, who stated, "For the foreseeable future I believe we can safely reduce the investment we make in protecting against a massive Soviet nuclear attack." I would hope as he contemplated that statement that Mr. Perle was endorsing at least the concept of a reduction in the range somewhat beyond the President's proposal of 2 percent, more akin to the proposal that has been supported by Mr. Korb and offered by Secretary McNamara that gives us a range of a least a 5-percent cut.

Mr. Speaker, at this point I would like to conclude this special order. I appreciate the assistance and patience today of the gentleman from Illinois [Mr. HAYES] in presiding over this special order.

Mr. KENNEDY. Mr. Speaker, the dramatic changes that have come about in Eastern Europe and in the Soviet Union during the past year have caught the attention of people around the globe. The end of the cold war has finally arrived. The gradual breakdown and disintegration of the communist system has created fresh, new political opportunities that are being implemented by daring, new political faces. All this has resulted from the cries of the ordinary man for democracy. While we welcome these extraordinary geopolitical developments with open arms, we must also take this time to reexamine the historical views, policies, and attitudes that we have developed regarding the Soviet Union and the defense of our own nation.

Yes, the time has come for us to reconsider our defense budget priorities. Our main focus needs to include an examination of how the military budget is being spent, and where the money will go. We must take full advantage of the inevitable defense cuts to convert them into opportunities to reinvest in America's future. There will be a peace dividend. And we must be ready to redirect that surplus peace dividend and incorporate it into a civilian economy.

During the past 10 years the United States has accumulated the largest peacetime military buildup in our Nation's history. At the same time there has been a decline in housing, in health and in educational opportunities. This military buildup has robbed the United States of its competitive edge. While we spend $300 billion on national defense, one-third of which is used to defend NATO in Europe, we are watching the Nation's infrastructure deteriorate. Spending one third of our national defense budget on NATO is no longer necessary nor defensible. The Warsaw Pact nations are no longer the threat we once knew. So, without jeopardizing our military security in Europe, we must slowly begin to alter and reduce our presence there. Of course these changes must be strategically planned in order to maintain the American military presence in Europe as a stabilizing force during an unpredictable period in political history. There is time to orderly and safely reduce our strength there and the President has agreed that we will do so. So what about the cuts in our defense budget? We can save billions of dollars by terminating the antiquated MX missile program. We can reduce funding for the Strategic Defense Initiative. We can eliminate the costly B-2 Bomber. We can streamline procurement procedures. I maintain that we can make these cuts and not lose one bit of our ability to deter aggression.

The peace dividend—the actual budgetary savings from the impending builddown in U.S. defense spending—can be used in two ways: first, to reduce the national deficit, and second, to address our domestic problems which, in fact, present the greatest threat to our own national security.

In a recent poll—the New York Times/CBS News Poll January 13 to January 15—10 percent of the American people stated that a peace dividend should be used to cut taxes, 21 percent believed that a peace dividend should be used to tackle the deficit, and the majority of the American people (68 percent) believed that a peace dividend should be used to combat serious domestic problems, specific problems such as homelessness, education, health issues, poverty, and the Nation's drug epidemic. These are just a few of the major domestic issues that face us today. I ask, what are our priorities? We must support a peace dividend that allows us to reinvest in our own economy and to reduce the Federal deficit—our best defense of our national interests. This is the true meaning of a peace dividend, and this is where that dividend shall show its greatest return.

Mr. CLAY. Mr. Speaker, as we witness the changes that have been occurring in Eastern Europe, it is clear that the United States no longer needs to spend as much money on defense programs. This decrease in defense spending will lead to what some have called the "peace dividend". The money that is no longer needed for military buildup can now be used for programs that will help the citizens of the United States who have been overlooked in the past by overemphasis on defense spending.

I believe in a peace dividend. I believe that the money that might once have been used for the improvement of weapons to defeat our enemies should now be concentrated to improve the quality of life in America. This is a positive step forward—a true step toward the kinder and gentler nation we were promised throughout the Bush campaign.

I believe that a good portion of this money should go toward expanding the quality and access to health care in the United States. There are currently 37 million Americans under age 65 who do not have adequate coverage. It is alarming to think that in such a wealthy and advanced country as the United States, there are millions of citizens who must face the possibility of going without medical treatment because they cannot afford to pay for it.

More importantly, we need the help of our President. The only way the health care crisis can be solved is through Presidential leadership. It is clear that voluntary efforts do not work.

I was extremely pleased to hear President Bush, in his State of the Union address, acknowledge that he has an important role to play in this area. The President assigned Dr. Louis W. Sullivan, the Secretary of Health and Human Services, to lead to review of recommendations on the quality, accessibility and cost of health care in the country. This was a major step forward since the health care crisis had previously been dealt with only at lower levels of the Department of Health and Human Services. Mr. Bush has elevated the issue, and I commend him for that. But his encouraging words must be followed by deeds.

There are currently a number of legislative proposals to deal with expanding health insurance. I am proud to be an original cosponsor of H.R. 1845, the Basic Health Benefits for All Americans Act. This is a comprehensive legislative package designed to assure that by the year 2000, all Americans will enjoy access to health insurance either through an employer-sponsored benefit plan or a Government-sponsored public program.

Building on the already existing coverage provided by most employers, H.R. 1845 combines the requirement that all employers provide basic health insurance to employees and their families with the recognition that for low-income families, particularly those in which no family member is employed, the Government has a critical role to play in providing a mechanism to assure access to health care. The benefit package required under both the public and private plans would generally be the same; no employer would be required to provide a benefit to its employees that was not also required under the Government-spon-

sored program. The Basic Health Benefits for All Americans Act is an ambitious, yet in my opinion necessary, proposal designed to forge a strong partnership between the private sector and Government to meet the challenge of extending health coverage to the 37 million Americans who today lack health insurance.

As chairman of the Subcommittee on Labor-Management Relations, I held hearings on H.R. 1845. Although there are differing views on this legislation, I feel it is appropriate. I also, however, realize the importance of exploring all options and working together with those of differing views to craft the most effective proposal.

I, once again, applaud President Bush for recognizing that America's health care delivery system is in crisis. It is true that costs are out of control and consumers are incapable of making rational market choices because they lack fundamental information necessary to assess the quality of care that is available. It is not enough, however, for the President to order yet another study of this issue. The problem has been studies to deal with. We need leadership not additional study.

I hope that President Bush and Congress can work together on this one. Also, I hope that the impending decrease in defense spending will lead to an increase in Federal dollars going toward this problem. It is going to take a sincere commitment from all parties involved in the health care arena to work together to finally solve America's health care crisis.

Mr. WEISS. Mr. Speaker, I would first like to thank Congressman FEIGHAN for taking the time for this special order on the important issue of the peace dividend. I think the other Members have aptly described the opportunity we have to reorient our budget priorities in a more rational, fair, and compassionate direction.

I would like to focus on one aspect of a budget transfer which I believe to be an intrinsic part. It is the missing link between cutting the defense budget and avoiding economic dislocation. The issue is economic conversion.

I have introduced legislation, which has 64 cosponsors, to help communities adjust to defense spending reductions. H.R. 101 would establish local alternative use committees at every defense facility which employs more than 100 employees. These committees, comprised of equal numbers of representatives of management and labor, would be responsible for developing alternative use plans for the facility in the event that its contract is substantially reduced or eliminated.

The detailed plans developed by the alternative use committee would provide the community and the employees of the defense facility with a viable and workable blueprint for successful conversion. If this process is completed in a timely manner—that is, before the announced contract reduction, the community would be able to implement the transition of the facility. The defense plant could retrain its workers, and start production without the massive employee layoffs and community disruption which often occurs with contract cancellations.

Mr. Speaker, we are only at the beginning of what will ultimately become an avalanche of defense budget reductions. Defense experts representing all political persuasions agree that hundreds of billions of dollars of current defense programming must be cut in the next 5 years just to stay within projected levels of defense spending. Without conversion planning, the economic dislocation caused by this type of reorientation within our defense budget will be devastating.

At this point, I'd like to give you some examples of what the peace dividend could bring. The B-1B bomber program would—at $27.3 billion—pay for the cost of reducing acid rain for the next 5 years. The cost of the C-17A heavy transport plane—at $35.4 billion—could fund 7 years of pre-natal care for the poorest mothers in our country. I could keep going but I think the message is clear.

The comprehensive plan for economic conversion contained in the Defense Economic Adjustment Act would assure that the approval of military contracts would be on the merits rather than on the very legitimate concern about economic hardship.

It will allow us to pursue a lasting peace without sacrificing our commitment to increasing employment. Moreover, it would contribute to a national economic renewal by providing resources necessary for the revitalization of basic industries and the repair of our infrastructure.

Indeed, economic conversion offers a way of rethinking the meaning of security and provides the hope that humanity will manage to survive into a peaceful and prosperous future.

Mr. EDWARDS of California. Mr. Speaker, I rise today to join my colleagues in discussing the need for a reordering of our spending priorities in light of the developments in Eastern Europe. I wish to thank my distinguished colleague from Ohio, ED FEIGHAN, for arranging this special order on an important and timely subject.

Last fall, we all watched events occur in Eastern Europe which only a year ago were thought impossible. The evening news brought us daily reports of how the citizens of each Warsaw Pact nation were demanding democratic reforms, and how the Communist governments of those nations crumbled under such pressures. Perhaps the most moving event from last fall was the tearing down of the Berlin Wall, an event often wished for, but rarely seriously considered.

It is not an understatement to say that the international picture has changed virtually overnight. After over four decades of cold war, our country now has to prepare for survival in a world where the balance of power is no longer based on military hardware, but on economic performance.

In looking at his budget proposal for fiscal year 1991, it seems this is a lesson President Bush has yet to learn. After a decade in which military spending increased over 50 percent, the President is asking for an additional $5 billion for the Pentagon. The President's budget continues the trend of spending exorbitant amounts of money on such big-ticket items as Star Wars, the B-2 Stealth bomber, and the Midgetman missile.

This is a budget which reflects a continuing cold war mentality, and which does little to address the real international challenges facing our country. We are a first-rate military power in many ways unprepared for a world in which economic strength will determine international standing. While the Bush and Reagan administrations spent the last decade stockpiling weapons, we have seen the national debt triple, making us beholden to foreign investors to finance our excesses.

The previous and current administrations have also dramatically shortchanged those areas of Federal spending which have the most direct impact on our competitiveness. Over the last decade, funding for educaton is down by 11 percent. Spending on transportation was reduced by 18 percent and energy development programs were cut 81 percent. These policies have put us at an extreme disadvantage as we try to compete with nations which have long recognized the need for government investment in these areas.

Both the Bush administration and Congress have to realize our competitors are no longer on the other side of the Iron Curtain. Rather, they are economic powers such as West Germany and Japan, as well as emerging industrial nations like South Korea. These countries will not wait for us to adapt our budget priorities to the new challenges we face abroad.

The battle we now confront is not for territory, but for market shares, and more missiles and fighter planes will not help us in that task. I urge the administration and my colleagues to begin this year to channel our resources away from an outdated military spending plan and into areas like deficit reduction, education, rebuilding our infrastructure, and drafting a national plan for economic conversion. The events in Eastern Europe provide us with an invaluable opportunity to eliminate the burden excessive military spending places on our economy. We must take advantage of that opportunity.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SANGMEISTER) to revise and extend their remarks and include extraneous material:)

Mr. COYNE, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, each day on February 20 and 22.

Mr. STOKES, for 60 minutes, on February 27.

(The following Member (at the request of Mr. FEIGHAN) to revise and extend his remarks and include extraneous material:)

Mr. DELLUMS, for 60 minutes, on February 27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCCOLLUM) and include extraneous material:)

Mr. RITTER.
Mr. LENT.
Mr. GILMAN in four instances.
Ms. ROS-LEHTINEN.
Mr. GEKAS in two instances.
Mr. PETRI in two instances.
Mr. MARTIN of New York.
Mr. GREEN.
Mr. MCEWEN.
Ms. SCHNEIDER in two instances.
Mr. BILIRAKIS.
Mr. PORTER.
Mr. BLILEY.
Mr. HEFLEY.
Mr. SMITH. of New Jersey
Mr. HORTON in three instances.
Mr. CONTE.

(The following Members (at the request of Mr. SANGMEISTER) and to include extraneous matter:)

Mr. RANGEL.
Mr. DARDEN.
Mr. SKELTON.
Mr. YATRON.
Mr. CARDIN.
Mr. SMITH of Iowa.
Mr. KOLTER in five instances.
Mr. LIPINSKI.
Mr. WALGREN.
Mr. ACKERMAN.
Mr. FOGLIETTA.
Mr. MRAZEK.
Mr. TOWNS.
Mr. DORGAN of North Dakota in two instances.
Mr. COLEMAN of Texas in two instances.
Mr. KILDEE.
Mr. MATSUI.
Mr. HALL of Ohio in two instances.
Mr. FASCELL in two instances.
Mr. WOLPE in two instances.
Mr. HAWKINS in two instances.

(The following Members (at the request of Mr. FEIGHAN) and to include extraneous matter:)

Mr. OBERSTAR.
Mr. KANJORSKI.
Mr. HAMILTON in two instances.
Mr. MORRISON of Connecticut.
Mr. STARK.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 103. Joint resolution to designate the period commencing February 18, 1990, and ending February 24, 1990, as "National Visiting Nurse Associations Week;" and

S.J. Res. 217. Joint resolution to designate the period commencing February 4, 1990, and ending February 10, 1990, and the period commencing February 3, 1991, and ending February 9, 1991, as "National Burn Awareness Week."

ADJOURNMENT TO TUESDAY, FEBRUARY 20, 1990

Mr. FEIGHAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 256 of the 101st Congress, the House stands adjourned until 12 noon, Tuesday, February 20, 1990.

Thereupon (at 5 o'clock and 55 minutes p.m.), pursuant to House Concurrent Resolution 256, the House adjourned until Tuesday, February 20, 1990, at 12 noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the first, second, third, and fourth quarters of 1989 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bob McEwen	1/6	1/12	France	8,100	1,350.00		38.83				1,388.83
	1/12	1/15	Sweden	4,695	750.00						750.00
	1/15	1/18	Hungary	26,488	498.00						498.00
Military							4,447.40				4,447.40
Committee total					2,598.000		4,486.23				7,084.23

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

G.V. MONTGOMERY, Chairman, Oct. 30, 1989.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Matt Pinkus	5/28	5/30	Germany		520.00				30.14		550.14
	5/30	6/2	France		651.00						651.00
	6/2	6/3	Belgium		125.00						125.00
Military aircraft							2,520.00				2,520.00
Committee total					1,296.00		2,520.00		30.14		3,846.14

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LEON E. PANETTA, Chairman, Jan. 30, 1990.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bob McEwen	8/18	8/19	Morocco		96.00						96.00
	8/19	8/22	Turkey		525.00				118.92		643.92
	8/22	8/26	Poland		350.00						350.00
	8/26	8/27	Netherlands		328.00		[3] 4,206.00				4,534.00
Benjamin H. Grumbles	8/21	8/24	Canada		250.00		312.68				562.68
Richard J. Sullivan	8/6	8/9	Korea		600.00				114.73		714.73
	8/9	8/13	Thailand		668.00						668.00
	8/13	8/15	Hong Kong		420.00		[3] 4,137.65		225.66		4,783.31
Dorothy A. Beam	8/6	8/9	Korea		600.00				114.73		714.73
	8/9	8/13	Thailand		668.00						668.00
	8/13	8/15	Hong Kong		420.00		[3] 4,137.65		225.66		4,783.31
Cheri Lee Roe	8/6	8/9	Korea		600.00				114.73		714.73
	8/9	8/13	Thailand		668.00						668.00
	8/13	8/15	Hong Kong		420.00		[3] 4,137.65		225.66		4,783.31
Hon. Mel Hancock	7/28	7/28	Guatemala	149.00	149.00						149.00
	7/28	7/29	Nicaragua	95.00	95.00		[3] 2,820.56				2,915.56
Hon. Mike Parker	7/28	7/28	Guatemala		149.00						149.00
	7/28	7/29	Nicaragua		95.00		[3] 2,820.56				2,915.56
Hon. Bill Grant	9/8	9/8	El Salvador								0
	9/8	9/9	Panama		206.00						206.00
	9/9	9/10	Nicaragua				[3] 4,161.69				4,163.69
HOn. Wm. F. Clinger, Jr.	6/30	7/2	Egypt		(4)				79.93		79.93
	7/2	7/4	Israel		(4)				81.98		81.98
	7/4	7/6	Italy		(4)				80.74		80.74
	7/6	7/9	England		(4)		[3] 6,722.04		142.17		6,864.21
Committee total					7,307.00		33,458.48		384.82		42,290.39

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military transport.
[4] Figures unavailable at this time. Will be submitted in an amended report when available.

GLENN M. ANDERSON, Chairman, Jan. 24, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jim Olin	7/2	7/9	Soviet Union		780.00						780.00
Commercial transportation							2,577.00				2,577.00
Codel											
Hon. E de la Garza	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Hon. Jerry Huckaby	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Hon. Dan Glickman	8/21	8/22	Denmark		194.00						194.00
	8/22	8/25	Soviet Union		650.00						650.00
Commercial transportation							545.20				545.20
Military transportation							2,474.70				2,474.70
Hon. Robin Tallon	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Hon. Claude Harris	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Fred Clark	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Marshall Livingston	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
William O'Conner	8/22	8/25	Soviet Union		650.00						650.00
Military transportation							5,196.87				5,196.87
Codel de la Garza other costs:											
Control room									594.02		594.02
Committee total					6,174.00		41,974.99		594.02		48,733.01

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

E de la GARZA, Chairman, Nov. 15, 1989

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Switzerland and Austria, Oct. 5–9, 1989:											
Hon. Les Aspin	10/5	10/7	Switzerland		169.00						169.00
	10/7	10/9	Austria		416.00						416.00
Commercial transportation							2,082.40				2,082.40
Mr. James N. Miller, Jr	10/5	10/7	Switzerland		169.00						169.00
	10/7	10/9	Austria		416.00						416.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial transportation							2,082.40				2,082.40
Visit to Italy Oct. 6-9, 1989:											
Hon. Thomas M. Foglietta	10/6	10/9	Italy		595.00						595.00
Commercial transportation							4,863.00				4,863.00
Visit to Panama, Nicaragua and El Salvador, Oct. 27-30, 1989:											
Hon. Arthur Ravenel, Jr	10/27	10/28	Panama		306.00						306.00
	10/28	10/29	Nicaragua								0.00
	10/29	10/30	El Salvador		127.00						127.00
Visit to Panama and Nicaragua, Nov. 2-5, 1989:											
Hon. Jim McCrery	11/2	11/4	Panama		66.00						66.00
	11/4	11/5	Nicaragua		95.00						95.00
Visit to Morocco, Egypt, Oman and Portugal, Nov. 26-December 5, 1989:											
Hon. Patricia Schroeder	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/03	12/05	Portugal		338.00						338.00
Hon. William L. Dickinson	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						388.00
	12/01	12/03	Oman		388.00						453.00
	12/03	12/05	Portugal		338.00						338.00
Hon. Solomon P. Ortiz	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
Commercial transportation					1,309.78						1,309.78
Hon. Andy Ireland	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/03	12/05	Portugal		338.00						338.00
Ms. Alma B. Moore	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/03	12/05	Portugal		338.00						338.00
Mr. Peter M. Steffes	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/04	12/07	Korea		600.00						600.00
Commercial transportation							3,175.78				3,175.78
Mr. Andrew A. Feinstein	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/03	12/05	Portugal		338.00						338.00
Mr. Wade H. Heck	11/26	11/28	Morocco		318.00						318.00
	11/28	12/01	Egypt		453.00						453.00
	12/01	12/03	Oman		388.00						388.00
	12/03	12/05	Portugal		338.00						338.00
Delegation expenses	12/01	12/03	Oman				1,082.74		1,304.21		2,386.95
Visit to Portugal and Spain: Nov. 27-30, 1989:											
Hon. Beverly B. Byron	11/27	11/29	Portugal		338.00						338.00
	11/29	11/30	Spain		125.00						125.00
Commercial transportation							727.00				727.00
Ms. Karen S. Heath	11/27	11/29	Portugal		338.00						338.00
	11/29	11/30	Spain		125.00						125.00
Commercial transportation							493.50				493.50
Mr. Henry J. Schweiter	11/27	11/29	Portugal		338.00						338.00
	11/29	11/30	Spain		125.00						125.00
Commercial transportation							493.50				493.50
Hon. Marvin Leath	12/9	12/12	Korea		600.00						600.00
	12/12	12/15	Thailand		680.00						680.00
Hon. David O'B. Martin	12/9	12/12	Korea		600.00						600.00
	12/12	12/15	Thailand		680.00						680.00
Hon. Solomon P. Ortiz	12/4	12/12	Korea		1,600.00						1,600.00
	12/12	12/15	Thailand		680.00						680.00
Hon. H. Martin Lancaster	12/9	12/12	Korea		600.00						600.00
	12/12	12/15	Thailand		680.00						680.00
Mr. Williston B. Cofer	12/9	12/12	Korea		600.00						600.00
	12/12	12/15	Thailand		680.00						680.00
Mr. James C. Waters	12/9	12/12	Korea		600.00						600.00
	12/12	12/15	Thailand		680.00						680.00
Visit to West Berlin, Switzerland, Germany, Austria, Hungary, and Czechoslavakia, Dec. 7-17, 1989:											
Hon. Herbert H. Bateman	12/7	12/7	West Berlin		191.00						191.00
	12/7	12/11	Switzerland		796.00						796.00
	12/11	12/12	Germany								
	12/12	12/14	Austria		358.00						358.00
	12/14	12/15	Hungary		174.00						174.00
	12/15	12/17	Czechoslavakia		392.00						392.00
Visit to West Berlin, Czechoslavakia, and Germany, Dec. 8-15, 1989:											
Hon. Thomas M. Foglietta	12/8	12/12	West Berlin		423.00						423.00
	12/12	12/14	Czechoslavakia		292.00						292.00
	12/14	12/15	Germany		138.00						138.00
Returned to Treasury				-150.00							-150.00
Commercial transportation							4,185.00				4,185.00
Visit to West Berlin, Germany, Czechoslavakia, and Austria, 13-17, 1989:											
Hon. Dennis M. Hertel	12/13	12/14	West Berlin		191.00						191.00
	12/14	12/15	Germany		73.00						73.00
	12/15	12/16	Czechoslavkia		146.00						146.00
	12/16	12/17	Austria		194.08						194.08
Commercial transportation							4,313.00				4,313.00
Hon. Robert W. Davis	12/13	12/14	West Berlin		191.00						191.00
	12/14	12/15	Germany		68.00						68.00
	12/15	12/16	Czechoslavakia		146.00						146.00
	12/16	12/17	Austria		203.04						203.04
Commercial transportation	12/16	12/17	Austria				4,313.00				4,313.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to France, Dec. 29-31, 1989:											
Hon. James H. Bilbray	12/29	12/31	France		418.00						418.00
Committee total					28,711.90		23,646.52		1,304.21		53,662.63

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LES ASPIN, Chairman, Jan. 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Congressman D. Dreier	9/29	9/29	El Salvador		145.00						145.00
	9/29	10/1	Nicaragua				[3] 3,911.18				3,911.18
Congressman W. Fauntroy	11/2	11/4	Jamaica		344.00		[3] 737.00				1,081.00
Steve Horblitt	11/2	11/6	Jamaica		608.47						1,554.47
Returned					−79.53		[3] 946.00				−79.53
Congressman Al McCandless	11/2	11/4	Panama		116.00						116.00
	11/4	11/5	Nicaragua		95.00		[3] 2,852.30				2,947.30
Congresman D. Dreier	11/2	11/4	Panama		182.00						182.00
Returned					−58.00						−58.00
	11/4	11/5	Nicaragua		95.00		[3] 2,852.30				2,947.30
Gregory Hallisey	12/13	12/17	London, England		868.00						868.00
	12/17	12/18	Strasbourg, France		176.00						176.00
	12/18	12/20	Brussels, Belgium		400.00						400.00
	12/20	12/23	Rome, Italy		624.00		1,577.19				2,201.19
Committee total					3,515.94		12,875.97				16,391.91

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Denotes military transportation.

HENRY B. GONZALEZ, Chairman, Jan. 30, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Patrick Bogenberger	12/11	12/13	West Germany		123.28						123.28
	12/13	12/15	Austria		358.00						358.00
	12/15	12/19	Norway		876.00						876.00
Commercial airline transportation							2,130.00				2,130.00
Committee total					1,357.28		2,130.00				3,487.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LEON E. PANETTA, Chairman, Jan. 30, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
P. Abbruzzese	12/4	12/6	Austria		358.00						358.00
	12/6	12/9	Germany		382.00						382.00
Commercial transportation							3,016.00				3,016.00
Hon. D. Bereuter	12/4	12/6	Austria		358.00						358.00
	12/6	12/7	Switzerland		[3] 398.00						398.00
Commercial transportation							2,589.00				2,589.00
S. Berry	11/3	11/4	Panama		66.00						66.00
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
S. Biegun	12/8	12/15	Japan		1,623.00						1,623.00
Commercial transportation							2,757.00				2,757.00
R. Boyer	11/2	11/6	Jamaica		688.00						688.00
Military transportation							946.00				946.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Total					3,873.00		12,685.00				16,588.00
Hon. W. Broomfield	11/3	11/4	Panama		66.00						66.00
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
T. Bruce	10/2	10/3	Netherlands		164.00						164.00
	10/3	10/5	Belgium		366.00						366.00
	10/5	10/7	Switzerland		416.00						416.00
Commercial transportation							4,242.00				4,242.00
R. Bush	10/2	10/7	Thailand		838.31						838.31
Commercial transportation							4,951.00				4,951.00
	11/30	12/3	Taiwan		777.00						777.00
	12/3	12/5	Japan		490.00						490.00
Commercial transportation							4,925.00				4,925.00
Hon. G. Crockett	11/2	11/6	Jamaica		688.00						688.00
Military transportation							946.00				946.00
Total					3,805.31		18,441.00				22,246.31
Hon. M. Dymally	11/9	11/11	Gambia		318.00						318.00
	11/11	11/12	United Kingdom		217.00						217.00
	11/12	11/13	France		209.00				45.00		254.00
Commercial transportation							5,091.00				5,091.00
	11/27	11/29	Venezuela		348.00						348.00
	11/29	12/1	Suriname		222.00						222.00
	12/3	12/5	Haiti		266.00		45.98		20.00		331.98
Commercial transportation							2,290.36				2,290.36
	12/10	12/12	Japan		490.00						490.00
	12/12	12/16	Korea		800.00						800.00
	12/16	12/19	Taiwan		777.00						777.00
	12/19	12/21	Hong Kong		420.00						420.00
Commercial transportation							3,997.00				3,997.00
Total					4,067.00		11,424.34		65.00		15,556.34
Hon. E. Faleomavaega	10/27	10/28	Panama		116.00						116.00
	10/28	10/29	Nicaragua		190.00						190.00
	10/29	10/30	El Salvador		127.00						127.00
Military transportation							3,626.33				3,626.33
	11/2	11/6	Jamaica		688.00						688.00
Military transportation							946.00				946.00
	11/19	11/27	New Zealand		[3] 1,158.03						1,158.03
Commercial transportation							6,140.00				6,140.00
Hon. D. Fascell	11/3	11/4	Panama								
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
Hon E. Feighan	11/30	12/3	Taiwan		777.00						777.00
	12/3	12/6	Hong Kong		630.00				104.84		734.84
	12/6	12/10	People's Republic of China		772.00						772.00
Total					4,458.03		14,089.33		104.84		18,652.20
	12/10	12/11	Japan		245.00						245.00
Commercial transportation							4,655.00				4,655.00
M. Goodman	11/14	11/15	United Kingdom		217.50						217.00
	11/16	12/2	Kenya		752.00						752.00
Commercial transportation							1,863.00				1,863.00
M. Gueye	10/12	10/17	France		1,010.00						1,010.00
Commercial transportation							4,473.80				4,473.80
	11/5	11/14	France		1,818.00						1,818.00
	12/1	12/6	Liberia		700.00						700.00
	12/6	12/7	France		209.00						209.00
Commercial transportation							6,334.80				6,334.80
D. Hickey	11/2	11/6	Jamaica		688.00						688.00
Military transportation							946.00				946.00
Total					5,639.00		18,272.60				23,911.60
W. Inglee	12/3	12/6	Austria		537.00						537.00
	12/6	12/8	Germany		[3] 271.00						271.00
Commercial transportation							2,997.00				2,997.00
G. Ingram	11/3	11/4	Panama		66.00						66.00
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
V. Johnson	10/12	10/14	Cuba		204.00						204.00
Commercial transportation							861.00				861.00
	11/2	11/6	Jamaica		[3] 652.12						652.12
Military transportation							946.00				946.00
R. Jenkins	12/7	12/13	United Kingdom		1,085.00						1,085.00
	12/13	12/15	Austria		358.00						358.00
Total					3,173.12		8,181.00				11,354.12
C. Kojm	12/1	12/3	Saudi Arabia		244.66						244.66
	12/3	12/4	Kuwait		193.00						193.00
	12/4	12/6	Iraq		205.35						205.35
	12/6	12/7	Bahrain		75.00				34.41		109.41
	12/7	12/9	Oman		244.00				13.38		257.38
	12/9	12/12	United Arab Emirates		477.50						477.50
	12/12	12/13	United Kingdom		217.00						217.00
Commercial transportation							5,689.00				5,689.00
Hon. R. Lagomarsino	11/2	11/3	Panama		116.00						116.00
	11/3	11/5	Nicaragua		95.00						95.00
Military transportation							2,852.30				2,852.30
Hon. O. Lukens	10/27	10/28	Panama		116.00						116.00
	10/28	10/29	Nicaragua		190.00						190.00
	10/29	10/30	El Salvador		127.00						127.00
Military transportation							3,626.33				3,626.33

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Total					2,300.51		12,167.63		47.79		14,515.93
	11/30	12/4	Taiwan		1,036.00						1,036.00
Commercial transportation							4,187.00				4,187.00
	12/21	12/25	Czechoslovakia		980.00						980.00
	12/26	12/28	Hungary		522.00						522.00
No transportation cost											
F. Marshall	11/2	11/6	Jamaica		[3]684.28						684.28
Military transportation							946.00				946.00
Hon. J. Miller	11/9	11/10	Panama		206.00						206.00
	11/10	11/12	Nicaragua								
Military transportation							5,963.48				5,963.48
R.S. Oliver	10/5	10/10	Italy		1,015.00						1,015.00
Commercial transportation							2,720.22				2,720.22
Total					4,443.28		13,816.70				18,259.76
	11/3	11/4	Panama		66.00						66.00
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
	12/26	12/30	Soviet Union		1,072.00						1,072.00
Commercial transportation							2,866.00				2,866.00
Hon. W. Owens	10/13	10/15	Cyprus		296.00				48.85		344.85
	10/15	10/16	Greece		142.00						142.00
Commercial transportation							3,841.00				3,841.00
	12/10	12/12	Israel		546.00						546.00
	12/12	12/14	Egypt		151.00						151.00
	12/14	12/15	Jordan		153.50		152.04				305.54
	12/15	12/16	Syria		202.00						202.00
	12/16	12/17	Jordan		153.50						153.50
	12/17	12/18	Israel		182.00						182.00
Commercial transportation							5,409.00				5,409.00
Total					2,964.00		15,645.04		48.85		18,657.89
M. Poloyac	12/1	12/3	Saudi Arabia		244.66						244.66
	12/3	12/4	Kuwait		193.00						193.00
	12/4	12/6	Iraq		221.48						221.48
	12/6	12/7	Bahrain		75.00				34.41		109.41
	12/7	12/9	Oman		244.00				13.38		257.38
	12/9	12/12	United Arab Emirates		477.50						477.50
	12/12	12/15	England		651.00						651.00
Commercial transportation							5,689.00				5,689.00
A. Roberts	10/2	10/6	Thailand		668.00						668.00
Commercial transportation							4,951.00				4,951.00
	12/2	12/8	Korea		1,200.00						1,200.00
	12/8	12/15	Japan		1,623.00						1,623.00
Commercial transportation							4,925.00				24,925.00
Total					5,597.64		15,565.00		47.79		21,210.43
W. Roberts	11/3	11/4	Panama		[3]16.00						16.00
	11/4	11/4	Nicaragua								
Military transportation							3,377.00				3,377.00
Hon. T. Roth	11/2	11/6	Jamaica		688.00						688.00
Military transportation							946.00				946.00
I. Scheibel	12/4	12/5	Hungary		522.00						522.00
	12/6	12/10	Poland		344.00						344.00
Commercial transportation							4,191.00				4,191.00
M. Sletzinger	12/7	12/9	Germany		382.00						382.00
Military transportation							8,816.00				8,816.00
Hon. L. Smith	12/26	12/30	Japan		980.00						980.00
	12/30	1/3	Korea		800.00						800.00
Commercial transportation							2,180.00				2,180.00
Total					3,732.00		19,510.00				23,242.00
S. Smith	11/9	11/11	Gambia		318.00						318.00
	11/11	11/12	United Kingdom		217.00						217.00
	11/12	11/13	France		209.00						209.00
Commercial transportation							4,856.80				4,856.80
	11/27	11/28	Venezuela		348.00						348.00
	11/29	12/1	Suriname/Curacao		222.00						222.00
	12/3	12/4	Haiti/Guyana		266.00						266.00
Commercial transportation							2,102.00				2,102.00
	12/10	12/12	Japan		490.00						490.00
	12/12	12/16	Korea		800.00						800.00
	12/16	12/19	Taiwan		777.00						777.00
	12/19	12/21	Hong Kong		420.00						420.00
Commercial transportation							4,759.00				4,759.00
Total					4,067.00		11,717.80				15,784.80
Hon. S. Solarz	11/30	12/3	Taiwan		777.00						777.00
	12/3	12/5	Japan		490.00						490.00
Commercial transportation							4,925.00				4,925.00
I. Spalatin	12/4	12/6	Austria		358.00						358.00
	12/6	12/9	Germany		382.00						382.00
Commercial transportation							4,356.00				4,356.00
M. Tavlarides	10/13	10/15	Cyprus		296.00				48.85		344.85
	10/15	10/16	Greece		142						142.00
Commercial transportation							3,841.00				3,841.00
	12/7	12/13	United Kingdom		1,085.00						1,085.00
	12/13	12/15	Austria		358.00						358.00
Commercial transportation							4,820.00				4,820.00
Total					3,888.00		17,942.00		48.85		21,878.85
M. Van Dusen	12/1	12/3	Saudi Arabia		244.66						244.66

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/3	12/4	Kuwait		193.00						193.00
	12/4	12/6	Iraq		221.48						221.48
	12/6	12/7	Bahrain		75.00				34.41		109.41
	12/7	12/9	Muscat		244.00				13.38		257.38
	12/9	12/12	United Arab Emirates		477.50						477.50
	12/12	12/13	United Kingdom		217.00						217.00
Commercial transportation							5,689.00				5,689.00
R. Wilson	12/1	12/3	Saudi Arabia		244.66						244.66
	12/3	12/4	Kuwait		193.00						193.00
	12/4	12/6	Iraq		189.22						189.22
	12/6	12/7	Bahrain		75.00				34.41		109.41
	12/7	12/9	Oman		244.00				13.38		257.38
	12/9	12/12	United Arab Emirates		477.50						477.50
Total					3,096.02		5,689.00		95.58		8,880.60
	12/12	12/13	United Kingdom		217.00						217.00
Commercial transportation							5,689.00				5,689.00
P. Yeo	12/4	12/6	Hungary		522.00						522.00
	12/7	12/9	Poland		375.00						375.00
Commercial transportation							2,741.00				2,741.00
Total					1,114.00		8,430.00				9,544.00
Grand total for 4th quarter											260,252.83

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANTE B. FASCELL, Chairman, Jan. 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
John D. Holmfeld	10/1	10/12	Italy		1,375.00						1,375.00
Commercial air							1,178.00				1,178.00
Hon. Harold L. Volkmer	11/2	11/4	Panama		116.00						116.00
	11/4	11/5	Nicaragua	95.00							95.00
Military air							2,852.30				2,852.30
Hon. Robert A. Roe	11/8	11/9	England		216.67						216.67
	11/9	11/11	France	3,737.22	597.00			1,750.40	286.01	5,487.62	883.01
	11/12	11/14	Switzerland	646.55	398.00					646.55	398.00
Commercial air							825.60				825.60
Robert W. Maitlin	11/8	11/9	England		216.67						216.67
	11/19	11/11	France	3,737.22	597.00			1,750.40	286.01	5,487.62	883.01
	11/12	11/14	Switzerland	646.55	398.00					646.55	398.00
Commercial air						825.60					825.60
James R. Miller	11/8	11/9	England		216.67						216.67
	11/9	11/11	France	3,737.22	597.00			1,750.40	286.01	5,487.62	883.01
	11/12	11/14	Switzerland	646.55	398.00					646.55	398.00
Commercial air							825.60				825.60
Harold P. Hanson	11/27	12/4	Norway	10,540.10	1,533.00					10,540.10	1,533.00
Commercial air						1,205.00					1,205.00
Hon. Dana Rohrabacher	12/1	12/2	Panama								
	12/2	12/3	Honduras								
Military air							1,667.33				1,667.33
Committee total					6,754.01		9,379.43		858.03		16,991.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT A. ROE, Chairman, Jan. 30, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. G.V. Montgomery	12/2	12/3	Panama								
	12/3	12/4	Honduras				[3] 1,667.33				1,667.33
Dr. J. Roy Rowland	12/2	12/3	Panama								
	12/3	12/4	Honduras				[3] 1,667.33				1,667.33
Hon. G.V. Montgomery	12/28	12/29	Panama				[3] 1,535.00				1,535.00
Committee total							4,869.66				4,869.66

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air.

G.V. MONTGOMERY, Chairman, Jan. 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bill Frenzel	11/2	11/6	Jamaica	4,066.08	688.00						688.00
Military transportation							946.00				946.00
Hon. Guy Vander Jagt	12/26	12/31	Thailand		1,020.00						1,020.00
Meredith Broadbent	12/10	12/17	Switzerland	1,903.26	1,194.00		635.00				1,829.00
Jefferson Fox	11/9	11/11	Dominican Republic		301.00						301.00
Janet Nuzum	11/26	12/6	Switzerland	3,207.30	1,990.00		2,417.00				4,407.00
George Weise	11/2	11/6	Jamaica	4,066.08	688.00		946.00				1,634.00
Mary Jane Wignot	10/22	11/4	Switzerland		1,996.00		2,417.00				4,413.00
Committee total					7,877.00		7,361.00				15,238.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN ROSTENKOWSKI, Chairman, Jan. 30, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, SELECT COMMITTEE ON HUNGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETEWEN APR. 1 AND JUNE 30, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Tony P. Hall	4/20	4/25	Sierra Leone				4,276.00				4,276.00
Anthony W. Gambino	4/20	4/25	Sierra Leone		347.27		4,276.00				4,623.27
Committee total					3447.27		8,552				8,899.27

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TONY P. HALL, Chairman, Jan. 18, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON HUNGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. George Thomas Leland	8/6	8/6	England		208.00						208.00
	8/7		Ethiopia		([3])						
Hugh A. Johnson, Jr	8/6	8/6	England		208.00						208.00
	8/7		Ethiopia		([3])						
Patrice Yvonne Johnson	8/6	8/6	England		208.00						208.00
	8/7		Ethiopia		([3])						
Joyce Francine Williams	8/6	8/6	England		208.00						208.00
	8/7		Ethiopia		([3])						
Committee total					832.00						832.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Travelers were briefed on arrival in Ethiopia and immediately boarded the flight which crashed. Accounting for possible fund disbursement is confused. Information is unavailable on air transportation.

TONY P. HALL, Chairman, Jan. 18, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bob Livingston	11/2	11/5	Central America		211.00						211.00
Military aircraft							2,852.30				2,852.30
Louis H. Dupart	11/2	11/5	Central America		211.00						211.00
Military aircraft							2,852.30				2,852.30
Committee total					211.00		5,704.60				6,126.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ANTHONY C. BEILENSON, Chairman, Jan. 23, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Charles B. Rangel	12/13	12/15	Colombia		198.00				56.80		254.80
Military Transportation							1,789.29				1,789.29
Lawrence R. Coughlin	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Frank Guarini	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
William Hughes	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Benjamin A. Gilman	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Christopher Shays	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Edward H. Jurith	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Nancy Hobbs	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Rebecca Hedlund	12/13	12/15	Colombia		198.00		1,789.29		56.80		254.80
Military Transportation							1,789.29				1,789.29
Committee total					1,782.00		16,103.61		511.20		18,396.81

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLES B. RANGEL, Chairman, Jan. 29, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1989

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Steny H. Hoyer	12/7	12/8	West Germany		382.00		8,816.00		62.50		9,260.50
Judith Ingram	12/7	12/8	West Germany		382.00		8,816.00				9,198.00
Jesse L. Jacobs	12/7	12/8	West Germany		382.00		8,816.00				9,198.00
Beth L. Ritchie	12/7	12/8	West Germany		382.00		8,816.00				9,198.00
Samuel G. Wise	12/7	12/8	West Germany		382.00		8,816.00				9,198.00
Committee total					1,910.00		44,080.00		62.50		46,052.50

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STENY H. HOYER, Jan. 8, 1990.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2449. A letter from the Inspector General, Department of Defense, transmitting a report on investigations of reprisal allegations brought to his office by military members under 10 U.S.C. 1034, pursuant to 10 U.S.C. 1034 nt.; to the Committee on Armed Services.

2450. A letter from the Acting Administrator, General Services Administration, transmitting the agency's 10th report on its administration of the personal property donation program and the identification and use of Federal real property to assist the homeless, pursuant to Public Law 100-77, section 501(e) (101 Stat. 510); to the Committee on Banking, Finance and Urban Affairs.

2451. A letter from the President and Chief Executive Officer, Oversight Board, Resolution Trust Corporation, transmitting the Board's report regarding equal opportunity and outreach programs, pursuant to 12 U.S.C. 1833e; to the Committee on Banking, Finance and Urban Affairs.

2452. A letter from the Controller, Washington Gas, transmitting a certified copy of the company's balance sheet as of December 31, 1989, pursuant to D.C. Code section 43-513; to the Committee on the District of Columbia.

2453. A letter from the President, Chesapeake & Potomic Telephone Co., transmitting a copy of the company's statement of receipts and expenditures and a comparative general balance sheet for the year 1989, pursuant to the act of April 27, 1904, ch. 1628 (33 Stat. 374, 375); to the Committee on the District of Columbia.

2454. A letter from the Assistant Secretary, Indian Affairs; Assistant Secretary, Policy, Budget and Administration, Department of the Interior, transmitting the Department's third annual safety plan for bringing Indian educational facilities into compliance with health and safety standards pursuant to 25 U.S.C. 2005(b); to the Committee on Education and Labor.

2455. A letter from the Secretary of Energy, transmitting the Department's report on energy projections, pursuant to 42 U.S.C. 7361(a); to the Committee on Energy and Commerce.

2456. A letter from the Administrator, Environmental Protection Agency, transmitting the agency's annual report on progress in implementing the Clean Air Act, entitled "Progress in the Prevention and Control of Air Pollution in 1988," pursuant to 42 U.S.C. 7613; to the Committee on Energy and Commerce.

2457. A letter from the Acting Secretary, Interstate Commerce Commission, transmitting notification that the Commission has extended the time period for acting on the appeal in No. 38301S, *Coal Trading Corporation, et al. v. The Baltimore And Ohio Railroad Company, et al.*, pursuant to 49 U.S.C. 10327(k)(2); to the Committee on Energy and Commerce.

2458. A letter from the Chairman, Nuclear Regulatory Commission, transmitting copies of certifications received from the Governors of 30 States and the District of Columbia of their capability to store, dispose of, or manage any low-level radioactive waste generated within the State, pursuant to 42 U.S.C. 2021e(e)(1)(E); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2459. A letter from the Secretary of Transportation, transmitting a copy of a report entitled "Electric Vehicles," and appendices thereto, pursuant to Public Law 100-494, section 7(a) (102 Stat. 2452); to the Committee on Energy and Commerce.

2460. A letter from the Assistant Administrator, Legislative Affairs, Agency for International Development, transmitting a report on economic conditions prevailing in Israel that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 nt.; to the Committee on Foreign Affairs.

2461. A letter from the Assistant Administrator, Legislative Affairs, Agency for International Development, transmitting a

report on economic conditions prevailing in Portugal that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 nt.; to the Committee on Foreign Affairs.

2462. A letter from the Assistant Administrator, Legislative Affairs, Agency for International Development, transmitting a report on economic conditions prevailing in Turkey that may affect its ability to meet international debt obligations and stabilize its economy, pursuant to 22 U.S.C. 2346 nt.; to the Committee on Foreign Affairs.

2463. A letter from the Acting Secretary, Department of State, transmitting the listing of a commercial military export that is eligible for approval in calendar year 1990, to be considered as a supplementary item to part II of the broader report transmitting separately, pursuant to 22 U.S.C. 2765(a)(1); to the Committee on Foreign Affairs.

2464. A letter from the Acting Secretary, Department of State, transmitting a list covering all sales and licensed commercial exports of major weapons or weapons-related defense equipment which the administration considers eligible for approval during the calendar year 1990, pursuant to 22 U.S.C. 2765(a)(1); to the Committee on Foreign Affairs.

2465. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated settlement of the Cyprus question covering the 2 months between November 1 and December 31, 1989; a revelant report of the Secretary-General of the United Nations for the period June 1-December 4, 1989, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

2466. A letter from the Comptroller General, transmitting a copy of his report that in each instance the Federal agencies implemented GAO's recommendations made in connection with bid protests decided during the prior fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Operations.

2467. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the annual report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2468. A letter from the Assistant Secretary (Policy, Budget & Administration), Department of the Interior, transmitting the annual report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2469. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the annual report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2470. A letter from the Chairman, Federal Trade Commission, transmitting the annual report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2471. A letter from the Inspector General, National Endowment for the Arts, transmitting a copy of the Endowment's Internal Audit Report No. I-A-90-1; a report on the results of his review of its consulting services activities during fiscal year 1989, pursuant to Public Law 95-452, section 8E(h)(2) (102 Stat. 2525); to the Committee on Government Operations.

2472. A letter from the Executive Secretary, National Security Counsel, transmitting the annual report of the Council's activities under the Freedom of Information Act, calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2473. A letter from the Secretary of Commerce, transmitting the annual report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2474. A letter from the Secretary of the Interior, transmitting the 18th annual report of the actual operation during water year 1988 for the reservoirs along the Colorado River; projected plan of operation for water year 1989, pursuant to 43 U.S.C. 1552(b); to the Committee on Interior and Insular Affairs.

2475. A letter from the Chairman, Copyright Royalty Tribunal, transmitting the Tribunal's annual report of activities and its fiscal statement of account for the fiscal year ending September 30, 1989, pursuant to 17 U.S.C. 808; to the Committee on the Judiciary.

2476. A letter from the Deputy Assistant Secretary of the Army (Civil Works), transmitting the Secretary's recommendations on the Department's review of prior water resources development feasibility reports to determinine whether any modifications of the recommendations contained therein are advisable for flood control and allied purposes in the Miami River, Little Miami River, and Mill Creek basins, Ohio; to the Committee on Pulbic Works and Transportation.

2477. A letter from the Secretary, Department of Commerce, transmitting the 1989 annual report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology, pursuant to Public Law 100-418, section 5131(b) (102 Stat. 1443); to the Committee on Science, Space, and Technology.

2478. A letter from the Director, National Science Foundation, transmitting the report, "Women and Minorities in Science and Engineering", the fifth in a biennial series of the Foundation, pursuant to 42 U.S.C. 1885c(f); to the Committee on Science, Space, and Technology.

2479. A letter from the Chairman, U.S. International Trade Commission, transmitting the Commission's 60th quarterly report on trade between the United States and the nonmarket economy countries, pursuant to 19 U.S.C. 2441(c); to the Committee on Ways and Means.

2480. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the President's determination and the memorandum of justification for a waiver of Export-Import Bank restrictions with respect to Iraq, pursuant to Public Law 101-167, section 512 (103 Stat. 1219); jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs.

2481. A letter from the Federal Inspector, Alaska Natural Gas Transportation System, transmitting the 33d report on the status of the Alaska Natural Gas Transportation System, pursuant to 15 U.S.C. 719e(a)(5)(E); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Foreign Affairs. H.R. 3952. A bill to authorize certain United States assistance and trade benefits for Panama, and for other purposes (Rep. 101-401, Pt. 1). Ordered to be printed.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 3952. A bill to authorize certain United States assistance and trade benefits for Panama, and for other purposes (Rep. 101-401, Pt. 2). Ordered to be printed.

Mr. FORD of Michigan: Committee on Post Office and Civil Service. H.R. 2544. A bill to amend title 5, United States Code, to allow degree training for Federal employees in critical skills occupations, to allow for repayment of student loans for certain Federal employees, and for other purposes; with an amendment (Rep. 101-402). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PURSELL:

H.R. 3970. A bill to improve counseling services for elementary school children; to the Committee on Education and Labor.

By Mr. GILMAN (for himself, Mr. HORTON, Mr. MANTON, Mr. SOLOMON, Mr. FUSTER, Mrs. MORELLA, Mr. ENGEL, Mr. ROWLAND of Connecticut, Mr. OWENS of New York, Mr. CLINGER, Mr. HOCHBRUECKNER, Mrs. LOWEY of New York, and Mr. DORNAN of California):

H.R. 3971. A bill to amend title 32, United States Code, to authorize enlistment of certain aliens in the National Guard and to amend the Immigration and Nationality Act to provide for adjustment of status of aliens so enlisting; jointly, to the Committees on Armed Services and the Judiciary.

By Mr. ARCHER (for himself, Mr. MICHEL, Mr. VANDER JAGT, Mr. CRANE, Mr. FRENZEL, Mr. SCHULZE, Mr. GRADISON, Mr. THOMAS of California, Mr. MCGRATH, Mr. BROWN of Colorado, Mr. CHANDLER, Mr. SHAW, Mr. SUNDQUIST, Mrs. JOHNSON of Connecticut, Mr. GINGRICH, Mr. LEWIS of California, Mr. MCCOLLUM, Mr. WEBER, Mr. EDWARDS of Oklahoma, Mr. HUNTER, Mr. DORNAN of California, Mr. THOMAS of Wyoming, Mr. WHITTAKER, Mr. GALLO, Mr. PURSELL, Mr. CALLAHAN, Mr. BURTON of Indiana, Mr. SHAYS, Mr. GOSS, Mr. HILER, Mr. ROTH, Mr. BAKER, Mr. SMITH of Texas, Mrs. MEYERS of Kansas, Mr. CRAIG, Mr. SMITH of New Hampshire, Mr. JAMES, Mr. MILLER of Ohio, Mr. GRANDY, Mr. DANNEMEYER, Mr. GALLEGLY, Mr. MARTIN of New York, Mr. LENT, Mr. NIELSON of Utah, Mr. WALSH, Mr. GILMAN, Mr. MARLENEE, Mr. SENSENBRENNER, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. HORTON,

Mr. DUNCAN, Ms. ROS-LEHTINEN, Mr. ROBINSON, Mr. SAXTON, Mr. COURTER, Mr. RHODES, Mr. SMITH of New Jersey, Mr. HAMMERSCHMIDT, Mr. CLINGER, Mr. MCEWEN, Mr. RAVENEL, Mr. HANCOCK, Mr. BROOMFIELD, Mrs. LLOYD, Mr. GRANT, Mr. MADIGAN, Mr. SOLOMON, Mr. TAUKE, Mr. HERGER, Mr. KOLBE, Mr. OXLEY, Mr. HEFLEY, Mr. GEKAS, Mr. LIGHTFOOT, Mr. RITTER, Mr. EMERSON, Mr. LEWIS of Florida, Mr. HASTERT, Mr. PACKARD, Mr. FAWELL, Mr. UPTON, Mr. GUNDERSON, Mr. HANSEN, Mr. ROGERS, Mr. GILLMOR, Mr. SHUSTER, Mrs. VUCANOVICH, and Mr. COMBEST):

H.R. 3972. A bill to amend the Internal Revenue Code of 1986 to provide incentives for savings and investments in order to stimulate economic growth; to the Committee on Ways and Means.

By Mr. ARMEY:

H.R. 3973. A bill to provide that farm operators with adjustable gross incomes of $100,000 or more or farm entities with gross receipts of $500,000 or more shall be ineligible to receive payments under any agricultural program under the Agricultural Act of 1949; to the Committee on Agriculture.

By Mr. CARDIN:

H.R. 3974. A bill to exclude the receipt and disbursements of the Social Security trust funds, the highway trust fund, and the airport and airway trust fund from the calculation of deficits and maximum deficit amounts under the Balanced Budget and Emergency Deficit Control Act of 1985, and for other purposes; to the Committee on Government Operations.

By Mr. CHANDLER (for himself, Mr. DICKS, Mr. SWIFT, Mr. MORRISON of Washington, Mr. MILLER of Washington, Mr. MCDERMOTT, and Mrs. UNSOELD):

H.R. 3975. A bill to provide duty-free entry for the personal effects and equipment of participants and officials involved in the 1990 Goodwill games to be held in the State of Washington; to the Committee on Ways and Means.

By Mrs. COLLINS (for herself and Mr. MANTON):

H.R. 3976. A bill to amend the Communications Act of 1934 to establish procedures for the discontinuance of mobile radio services to persons engaged in drug trafficking, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONTE (for himself, Mr. JONES of North Carolina, and Mr. OWENS of Utah):

H.R. 3977. A bill to protect and conserve the Continent of Antarctica, and for other purposes; jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

By Mr. DELLUMS (for himself, Mr. KASICH, Mr. ROWLAND of Connecticut, Mr. SLATTERY, Mr. BRENNAN, Mr. MOODY, Mr. KOLBE, Mr. RIDGE, Mr. PENNY, Mr. MACHTLEY, Mr. SABO, Mr. PORTER, Mr. FOGLIETTA, Mr. MARKEY, Mr. BENNETT, Mr. RAVENEL, Mrs. BOXER, Mr. EVANS, Mrs. SCHROEDER, Mr. STOKES, Ms. SCHNEIDER, Mr. HOPKINS, Mr. PANETTA, Mr. IRELAND, Mr. FRANK, and Mr. TOWNS):

H.R. 3978. A bill to provide for the termination of further production of the B-2 aircraft; to the Committee on Armed Services.

By Mr. ACKERMAN (for himself, Mr. HOYER, and Mrs. MORELLA):

H.R. 3979. A bill to amend title 5, United States Code, to provide for greater flexibility in the procedures by which rates of pay for Federal employees are adjusted in order to contribute to the effectiveness of the Government's recruitment and retention efforts, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ERDREICH (for himself, Mr. BEVILL, Mr. CALLAHAN, Mr. BROWDER, Mr. DICKINSON, Mr. HARRIS, and Mr. FLIPPO):

H.R. 3980. A bill to permit a physician in solo or group practice to bill under the Medicare Program for physicians' services covered by another physician on an occasional basis; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. FALEOMAVAEGA:

H.R. 3981. A bill to include the Territory of American Samoa in the Supplemental Security Income Program; to the Committee on Ways and Means.

By Mr. WYLIE (for himself and Mr. HILER):

H.R. 3982. A bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed depository institutions; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 3983. A bill to amend the Controlled Substances Act to impose a mandatory minimum sentence for illegal manufacture, distribution, or dispensation of smokable crystal methamphetamine; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. GOSS:

H.R. 3984. A bill to amend the Marine Mammal Protection Act of 1972 to provide for State disapproval of issuance of permits for the taking of marine mammals in State waters; to the Committee on Merchant Marine and Fisheries.

By Mr. GUNDERSON (for himself, Mrs. MARTIN of Illinois, and Mr. TAUKE):

H.R. 3985. A bill to require the Director of the Geological Survey to conduct a study of the water quality of the Mississippi River; jointly, to the Committees on Interior and Insular Affairs and Public Works and Transportation.

By Mr. HEFLEY (for himself, Mr. DONALD E. LUKENS, Mr. HEFNER, Mr. HYDE, Mr. BEVILL, Mr. STOKES, Mr. MYERS of Indiana, Mr. FUSTER, Mr. GREEN, Mr. RICHARDSON, Mr. BATEMAN, Mr. SPENCE, Mr. RANGEL, Mr. TOWNS, Mr. BILIRAKIS, Mr. SKEEN, Mr. BLAZ, Mr. HUTTO, Mr. SAXTON, Mr. SLATTERY, Mr. DERRICK, Mr. WOLF, Mr. WILSON, Mr. HORTON, Mr. DWYER of New Jersey, Mr. BENNETT, Mr. MONTGOMERY, Mr. APPLEGATE, Mr. THOMAS of Wyoming, Mr. KILDEE, Mr. DEFAZIO, Mrs. PATTERSON, Mr. SOLARZ, Mr. ROE, Mr. LAGOMARSINO, Mr. GONZALEZ, Mr. NIELSON of Utah, Mr. BROWN of Colorado, Mr. EMERSON, Mr. FAZIO, Ms. OAKAR, Mr. ACKERMAN, Mr. MADIGAN, Mr. IRELAND, Mr. HARRIS, Mr. CAMPBELL of Colorado, Mr. SCHAEFER, Mr. SKAGGS, Mr. DYSON, Mr. HATCHER, Mr. JONTZ, Mr. STUMP, Mr. ORTIZ, Mr. INHOFE, Mr. LOWERY of California, Mr. DENNY SMITH, Mr. DE LUGO, Mr. FAUNTROY, Mr. FLIPPO, Mr. HAMILTON, Mr. JONES of North Carolina, Mr. HOLLOWAY, Mr. LIPINSKI, Mr. MCCOLLUM, Mr. MARLENEE, Mr. MATSUI, Mr. AKAKA, Mr. MILLER of Washington, Mr. MURPHY, Mr. OWENS of New York, Mr. SAVAGE, Mr. ROBINSON, Mr. REGULA, Mr. LENT, Mr. SMITH of New Jersey, Mr. TALLON, Mr. TAUZIN, Mr. LIVINGSTON, Mr. RHODES, Mr. COURTER, Mrs. BENTLEY, Mr. LANTOS, Mr. HANSEN, Mr. LANCASTER, Mr. SUNDQUIST, Ms. KAPTUR, Mr. MARTIN of New York, Mr. CHAPMAN, Mr. WYDEN, Mr. GEJDENSON, Mr. HALL of Ohio, Mr. GILMAN, Mr. DORNAN of California, Mr. TRAFICANT, Mr. STENHOLM, Mrs. BOXER, Mr. BUSTAMANTE, Mr. EVANS, Ms. PELOSI, Mr. GALLO, Mr. WALSH, Mr. DUNCAN, Mr. BURTON of Indiana, Mr. HILER, Mr. BOSCO, Mr. SARPALIUS, Mr. COSTELLO, Mr. PALLONE, Mr. GOSS, Mr. SMITH of Texas, Mr. WOLPE, Mr. GRANT, Mr. SKELTON, Mr. MCGRATH, Mr. SMITH of Vermont, Mr. ROSE, Mr. ROBERTS, Mr. ANDERSON, Mr. COBLE, Mr. ROBERT F. SMITH, Mr. PANETTA, Mr. THOMAS of Georgia, Mr. DANNEMEYER, Mr. SANGMEISTER, Mr. FRENZEL, Mr. PENNY, Mr. PRICE, and Mr. MCEWEN):

H.R. 3986. A bill to recognize the organization known as the Retired Enlisted Association, Inc.; to the Committee on the Judiciary.

By Mr. HOAGLAND:

H.R. 3987. A bill to amend the Internal Revenue Code of 1986 to restore a capital gains tax differential for individual and corporate taxpayers for high-risk, long-term, growth-oriented small business stock held more than 5 years; to the Committee on Ways and Means.

By Mr. JOHNSTON of Florida:

H.R. 3988. A bill to amend the Export Administration Act of 1979 to clarify the items to be included on the commodity control list and the United States munitions list; to the Committee on Foreign Affairs.

By Mr. JONTZ (for himself, Mr. DORGAN of North Dakota, Mr. EVANS, Mr. JOHNSON of South Dakota, Mr. NAGLE, and Mr. STALLINGS):

H.R. 3989. A bill to provide for target price adjustments for the 1991 through 1995 program crops based upon an index of production costs of farmers; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 3990. A bill to amend title 17, United States Code, to protect works of architecture by creating a new category of copyright subject matter, and for other purposes; to the Committee on the Judiciary.

H.R. 3991. A bill to amend title 17, United States Code, by modifying the definition of "useful article" to exclude unique architectural structures, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. STAGGERS, and Mr. ATKINS):

H.R. 3992. A bill to direct the Secretary of Veterans Affairs to establish and maintain a comprehensive services program for homeless veterans; to the Committee on Veterans' Affairs.

By Mrs. LLOYD:

H.R. 3993. A bill to require that certain Federal entities and certain non-Federal entities receiving Federal financial assistance provide television sets capable of displaying closed captioning, to prohibit Federal funding of conferences held at certain places of public accommodation which do not provide guests with guest rooms furnished with televisions capable of displaying closed captioning, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, Veterans' Affairs, Education and Labor, and Government Operations.

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By Mrs. MARTIN of Illinois (for herself, Mr. COURTER, Mr. DWYER of New Jersey, Mr. ECKART, Mr. LAGOMARSINO, Mr. LEWIS of Florida, Mr. LIPINSKI, Mr. NOWAK, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PORTER, Mr. SMITH of Florida, Mr. SMITH of Vermont, and Mr. WALSH):

H.R. 3994. A bill to provide better enforcement of the environmental laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MATSUI:

H.R. 3995. A bill for the relief of certain importers, wholesalers, and users of industrial fasteners; to the Committee on Ways and Means.

By Mr. MAZZOLI:

H.R. 3996. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to reduce the amount of non-Federal funds required to be provided to obtain Federal funds under subpart 1 of part E of such title; to the Committee on the Judiciary.

By Mr. MORRISON of Washington, (for himself, Mr. SWIFT, Mr. DICKS, Mr. ROBERT F. SMITH, Mr. DEFAZIO, Mr. MCDERMOTT, Mrs. UNSOELD, Mr. THOMAS of Georgia, Mr. MILLER of Washington, and Mr. CHANDLER):

H.R. 3997. A bill to improve the economic, social, and environmental well-being of rural America through the economic diversification of rural communities dependent on forest land resources; to the Committee on Agriculture.

By Mr. NOWAK:

H.R. 3998. A bill to provide duty-free entry for the personal effects and equipment of participants and officials involved in the 1993 World University games to be held in the State of New York; to the Committee on Ways and Means.

By Ms. OAKAR (for herself, Mr. MAVROULES, Mr. TORRES, and Mr. NEAL of Massachusetts):

H.R. 3999. A bill to promote economic stability in communities adversely affected by reductions in defense spending, reduce the impact of such spending reductions on workers, and facilitate the conversion of defense-related industries to civilian uses; jointly, to the Committees on Banking, Finance and Urban Affairs; Education and Labor; Ways and Means; Small Business; Public Works and Transportation; and Armed Services.

By Mr. HAWKINS (for himself, Mr. EDWARDS of California, Mr. FISH, Mr. GEPHARDT, Mr. GRAY, Mr. HOYER, Mr. FORD of Michigan, Mr. GAYDOS, Mr. CLAY, Mr. MILLER of California, Mr. MURPHY, Mr. KILDEE, Mr. WILLIAMS, Mr. MARTINEZ, Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. SAWYER, Mr. PAYNE of New Jersey, Mrs. LOWEY of New York, Mrs. UNSOELD, Mr. RAHALL, Mr. FUSTER, Mr. MFUME, Mr. ACKERMAN, Mr. AKAKA, Mr. ANDREWS, Mr. ATKINS, Mr. AUCOIN, Mr. BATES, Mr. BEILENSON, Mr. BERMAN, Mrs. BOGGS, Mr. BONIOR, Mr. BOUCHER, Mrs. BOXER, Mr. BRENNAN, Mr. BRYANT, Mr. BUSTAMANTE, Mr. CARDIN, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. CONTE, Mr. CONYERS, Mr. COURTER, Mr. CROCKETT, Mr. DELLUMS, Mr. DELUGO, Mr. DIXON, Mr. DURBIN, Mr. DYMALLY, Mr. ESPY, Mr. EVANS, Mr. FASCELL, Mr. FAUNTROY, Mr. FEIGHAN, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FRANK, Mr. GEJDENSON, Mr. GILMAN, Mr. GONZALEZ, Mr. GREEN, Mr. HORTON, Mr. HUGHES, Mr. JOHNSON of South Dakota, Mr. KASTENMEIER, Mr. KENNEDY, Mrs. KENNELLY, Mr. KLECZKA, Mr. KOSTMAYER, Mr. LANTOS, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. MCHUGH, Mr. MCNULTY, Mr. MARKEY, Mr. MATSUI, Mr. MAVROULES, Mr. MINETA, Mr. MOODY, Mrs. MORELLA, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. NEAL of Massachusetts, Ms. OAKAR, Mr. OWENS of Utah, Mr. PANETTA, Ms. PELOSI, Mr. RANGEL, Mr. RICHARDSON, Mr. ROSE, Mr. ROWLAND of Connecticut, Mr. ROYBAL, Mr. SABO, Mr. SAVAGE, Ms. SCHNEIDER, Mrs. SCHROEDER, Mr. SHAYS, Mr. SIKORSKI, Ms. SLAUGHTER of New York, Ms. SNOWE, Mr. SOLARZ, Mr. STAGGERS, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. SYNAR, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. UDALL, Mr. WEISS, Mr. WHEAT, Mr. WILSON, Mr. WOLPE, Mr. WYDEN, Mr. YATES, and Mr. WASHINGTON):

H.R. 4000. A bill to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and for other purposes; jointly, to the Committees on Education and Labor and the Judiciary.

By Mr. PETRI (for himself, Mr. BATES, and Mr. JACOBS):

H.R. 4001. A bill to amend the Automobile Information Disclosure Act to make the requirements of that act applicable to light duty trucks, to the Committee on Energy and Commerce.

By Mr. SANGMEISTER (for himself, Mr. GEKAS, Mr. COBLE, Mr. LIPINSKI, Mr. GEREN, Mr. TRAFICANT, Mr. PARKER, Mr. SARPALIUS, and Mr. HANSEN):

H.R. 4002. A bill to provide for the penalty of death in limited cases, to codify certain exceptions to the exclusionary rule, and to reform habeas corpus procedures in death penalty cases; to the Committee on the Judiciary.

By Mr. SLATTERY (for himself, Mr. SPENCE, Mrs. UNSOELD, and Mr. HYDE):

H.R. 4003. A bill to amend section 1174 of title 10, United States Code, to provide separation pay for regular enlisted members of the Armed Forces who are involuntarily discharged or released or are denied reenlistment; to the Committee on Armed Services.

By Mr. SMITH of Vermont:

H.R. 4004. A bill to amend section 201(e) of the Agricultural Act of 1949 to prohibit the sale, during a 3-year period, of milk produced by cows injected with bovine growth hormone, and to require that the Secretary of Agriculture issue rules requiring records to be kept by producers regarding the manufacture and sale of bovine growth hormone during such period, and for other purposes; jointly, to the Committees on Agriculture and Energy and Commerce.

By Mr. STARK:

H.R. 4005. A bill to amend section 1867 of the Social Security Act to provide for strict liability of hospitals and physicians in the case of improper denial of services to individuals with an emergency medical condition, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. WALGREN:

H.R. 4006. A bill to amend title 38, United States Code, to revise the computation of retirement annuities for part-time employment by persons employed under that title; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself, Mr. EMERSON, Mr. GLICKMAN and Mr. ROBERT F. SMITH):

H.R. 4007. A bill to amend the Food Stamp Act of 1977 to require participating retail food stores and wholesale food concerns to provide their taxpayer identifying numbers to the Secretary; to establish criminal penalties applicable to laundering funds obtained from trafficking in coupons; and for other purposes; jointly, to the Committees on Agriculture and the Judiciary.

By Mr. BILIRAKIS (for himself, Mr. NEAL of North Carolina, and Mr. DYSON):

H.J. Res. 473. Joint resolution designating March 25, 1990, as "Greek Independence Day; A National day of Celebration of Greek and American democracy"; to the Committee on Post Office and Civil Service.

By Mr. DE LA GARZA (for himself and Mr. MADIGAN):

H.J. Res. 474. Joint resolution to proclaim March 20, 1990, as "National Agriculture Day"; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS (for himself and Mr. DREIER of California):

H.J. Res. 475. Joint resolution designating April 1990 as "National Recycling Month"; to the Committee on Post Office and Civil Service.

By Mr. SMITH of New Jersey (for himself, Mr. ACKERMAN, Mr. AUCOIN, Mrs. BENTLEY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOUCHER, Mr. BURTON of Indiana, Mr. COSTELLO, Mr. COURTER, Mr. CRAIG, Mr. DORNAN of California, Mr. DREIER of California, Mr. EMERSON, Mr. FAWELL, Mr. FRENZEL, Mr. GRANDY, Mr. HARRIS, Mr. HASTERT, Mr. HAWKINS, Mr. HENRY, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. HUGHES, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. JONTZ, Mr. KILDEE, Mr. KOLTER, Mr. LANCASTER, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEWIS of California, Mr. LIGHTFOOT, Mrs. LLOYD, Mr. THOMAS A. LUKEN, Mr. MCCOLLUM, Mr. MCDADE, Mr. MCGRATH, Mr. MCMILLEN of Maryland, Mr. MCNULTY, Mr. MADIGAN, Mr. MANTON, Mr. MAZZOLI, Mr. MILLER of Washington, Mr. MOLLOHAN, Mrs. MORELLA, Mr. NEAL of North Carolina, Mr. OBERSTAR, Mr. OWENS of Utah, Mr. OWENS of New York, Mrs. PATTERSON, Mr. PAXON, Ms. PELOSI, Mr. POSHARD, Mr. RANGEL, Mr. RINALDO, Mr. ROE, Mr. ROWLAND of Connecticut, Mrs. SAIKI, Mr. SANGMEISTER, Mr. SAXTON, Mr. SCHIFF, Mr. SCHUMER, Mr. SKELTON, Mr. DENNY SMITH, Mr. SMITH of New Hampshire, Mr. STALLINGS, Mr. SUNDQUIST, Mr. TAUKE, Mr. TOWNS, Mr. UPTON, Mr. VALENTINE, Mr. WALSH, Mr. WELDON, Mr. WHITTAKER, Mr. WOLF, and Mr. YOUNG of Florida):

H.J. Res. 476. Joint resolution to designate the period commencing on November 18, 1990, and ending on November 24, 1990, as "National Adoption Week"; to the Committee on Post Office and Civil Service.

By Mr. BROOMFIELD (for himself, Mr. FASCELL, Mr. KOSTMAYER, Mr. ENGEL, Mr. GILMAN, Mr. LAGOMAR-

SINO, Mr. HYDE, Mr. BEREUTER, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mrs. MEYERS of Kansas, Mr. MILLER of Washington, Mr. DONALD E. LUKENS, Mr. BLAZ, Mr. GALLEGLY, Mr. HOUGHTON, Mr. GOSS, and Ms. ROS-LEHTINEN):

H. Con. Res. 262. Concurrent resolution expressing the sense of Congress concerning Operation Just Cause in Panama; to the Committee on Foreign Affairs.

By Mr. GALLEGLY (for himself, Mr. BAKER, Mr. BILIRAKIS, Mr. BLILEY, Mr. BUNNING, Mr. COBLE, Mr. CONDIT, Mr. COURTER, Mr. CRAIG, Mr. DANNEMEYER, Mr. DORNAN of California, Mr. DREIER of California, Mr. DUNCAN, Mr. EMERSON, Mr. GILMAN, Mr. GRANDY, Mr. GRANT, Mr. HANCOCK, Mr. HANSEN, Mr. HEFLEY, Mr. HERGER, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. JAMES, Mr. KENNEDY, Mr. KYL, Mr. LAGOMARSINO, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mr. LOWERY of California, Mr. MCCANDLESS, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. NIELSON of Utah, Mr. PACKARD, Mr. PARKER, Mr. PASHAYAN, Mr. PENNY, Mr. RANGEL, Ms. ROS-LEHTINEN, Mrs. SAIKI, Mr. SHUMWAY, Mr. SOLOMON, Mr. STALLINGS, Mr. THOMAS of Wyoming, Mr. TRAFICANT, Mr. UPTON, Mrs. VUCANOVICH, Mr. WALSH, Mr. WEBER, Mr. WELDON, Mr. WYDEN, Mr. YOUNG of Alaska, and Mr. DONALD E. LUKENS):

H. Con. Res. 263. Concurrent resolution expressing the sense of the Congress that this Nation continue to affirm fully and to enforce antidrug laws at all levels of government while unequivocally rejecting proposals to legalize illicit drugs; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. LANTOS (for himself and Mr. BROWN of Colorado):

H. Con. Res. 264. Concurrent resolution expressing the sense of the Congress with respect to popular anti-Semitism in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. LEWIS of Florida (for himself, Mr. FASCELL, Mr. MCCOLLUM, Mr. HYDE, Mr. IRELAND, Mr. SHAW, Mr. WEBER, Mr. YOUNG of Florida, Mr. HUNTER, Mr. GRANT, Mr. GOSS, Mr. JOHNSTON of Florida, Mr. ROTH, Mr. SMITH of New Jersey, Mr. BENNETT, Mr. INHOFE, Mr. SENSENBRENNER, Mr. SHAYS, Mr. HERGER, Mr. OXLEY, Mr. MILLER of Washington, and Mr. STEARNS):

H. Con. Res. 265. Concurrent resolution expressing the sense of the Congress that the Office of the U.S. Trade Representative should take ongoing responsibility in the drug war by incorporating the issue of the illegal narcotics trade as an integral component of U.S. trade policy; to the Committee on Ways and Means.

By Mr. WALKER:

H. Res. 330. Resolution relating to certain privileges of the House: considered and agreed to.

By Mr. ANDERSON (for himself and Mr. HAMMERSCHMIDT):

H. Res. 331. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Public Works and Transportation in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. CONYERS:

H. Res. 332. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Government Operations in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. DE LA GARZA:

H. Res. 333. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Agriculture in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. DELLUMS:

H. Res. 334. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on the District of Columbia in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. JONES of North Carolina (for himself and Mr. DAVIS):

H. Res. 335. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Merchant Marine and Fisheries in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. LAFALCE:

H. Res. 336. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Small Business in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. MILLER of California:

H. Res. 337. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Select Committee on Children, Youth, and Families in the 2d session of the 101st Congress; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

311. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to actions to prevent the closing of the Department of Veterans Affairs regional office, Togus, ME; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FASCELL introduced a bill (H.R. 4008) to permit issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel the *Lady Rose Anne*; which was referred to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. LANCASTER and Mr. OBERSTAR.
H.R. 60: Mr. MYERS of Indiana.
H.R. 70: Mr. DE LUGO, Mr. GOSS, and Mr. HANSEN.
H.R. 83: Mr. JAMES.
H.R. 84: Mr. KOSTMAYER.
H.R. 118: Mr. TAUKE.
H.R. 145: Mr. CHANDLER.
H.R. 195: Mr. JONTZ.
H.R. 245: Mr. LEVINE of California and Mr. COX.
H.R. 283: Mr. LEVINE of California, Mr. TORRES, Mr. NELSON of Florida, Mr. SPRATT, and Mr. FIELDS.
H.R. 563: Mr. FAZIO, Mr. MAZZOLI, Mr. MCDADE, Mr. PORTER, and Mr. COYNE.
H.R. 642: Mr. GLICKMAN.
H.R. 791: Mr. DEWINE and Mr. TAUKE.
H.R. 844: Mr. COX.
H.R. 855: Mr. BONIOR, Mr. APPLEGATE, Mr. HUBBARD, and Mr. COUGHLIN.
H.R. 857: Mr. JOHNSTON of Florida.
H.R. 860: Mr. LEWIS of Florida, and Mr. LIGHTFOOT.
H.R. 930: Mr. MAVROULES.
H.R. 1133: Mr. LAFALCE.
H.R. 1161: Mr. JAMES.
H.R. 1180: Mr. MACHTLEY.
H.R. 1227: Mr. AKAKA, Mr. SAXTON, Mr. COMBEST, Mr. EMERSON, Mr. HALL of Texas, and Mr. SUNDQUIST.
H.R. 1383: Mr. TRAXLER.
H.R. 1439: Mr. PANETTA.
H.R. 1490: Mr. BOEHLERT, Mr. TRAFICANT, and Mr. BRUCE.
H.R. 1670: Mr. THOMAS of Wyoming.
H.R. 1730: Mr. IRELAND and Mrs. UNSOELD.
H.R. 1746: Mr. MILLER of Washington.
H.R. 1932: Mr. OWENS of Utah.
H.R. 2015: Mr. THOMAS of Georgia.
H.R. 2265: Mr. LANTOS, Mr. WOLPE, Mr. MCMILLEN of Maryland, Mrs. UNSOELD, and Mr. RHODES.
H.R. 2285: Mr. CLINGER, Mr. KOSTMAYER, Mr. SKELTON, Mr. YATRON, and Mr. LAUGHLIN.
H.R. 2373: Mr. EMERSON.
H.R. 2418: Mr. PURSELL, Mr. DENNEY SMITH, Mr. MORRISON of Washington, Mr. BROOMFIELD, Mr. MCCOLLUM, Mr. CAMPBELL of Colorado, Mr. SKAGGS, Mr. MCEWEN, Mr. THOMAS of Wyoming, and Mr. THOMAS of Georgia.
H.R. 2460: Mr. FRANK and Mrs. COLLINS.
H.R. 2584: Mr. INHOFE, Mr. DARDEN, Mr. EDWARDS of California, Ms. SLAUGHTER of New York, Mr. VENTO, and Mr. FAUNTROY.
H.R. 2596: Mr. VALENTINE.
H.R. 2674: Mr. BLILEY and Mr. PURSELL.
H.R. 2786: Mr. SAXTON, Mr. SAWYER, Mr. BUNNING, Mr. MARKEY, Mr. CAMPBELL of California, Mr. FRANK, Ms. SLAUGHTER of New York, Mr. ACKERMAN, Mr. SHAYS, Mr. MOODY, Mr. LEHMAN of Florida, Mr. WAXMAN, Mr. BARNARD, Mr. LEWIS of California, Mr. GINGRICH, Mr. KILDEE, Ms. KAPTUR, Mrs. SAIKI, Mr. BERMAN, Mr. HAWKINS, Mr. HOCHBRUECKNER, Mrs. UNSOELD, Mr. LANTOS, Mr. DURBIN, Mr. PRICE, Mr. BRUCE, Mr. BOSCO, Mr. CARPER, Mr. THOMAS A. LUKEN, Mr. SCHUETTE, Mr. UPTON, Mr. MATSUI, Mr. HORTON, Mrs. KENNELLY, and Mr. WYLIE.
H.R. 2789: Mr. ECKART.
H.R. 2819: Mr. DICKS.
H.R. 2870: Mr. CAMPBELL of Colorado, Ms. SLAUGHTER of New York, and Mr. QUILLEN.
H.R. 2984: Mr. SKAGGS.
H.R. 3004: Mrs. SCHROEDER, Mr. WILLIAMS, and Mr. YATRON.
H.R. 3080: Mr. ENGLISH, Mr. MCCURDY, Mr. UDALL, Mr. STENHOLM, Mr. SCHIFF, and Mr. SMITH of New Hampshire.
H.R. 3123: Mr. EDWARDS of California, Mr. FAWELL, Mr. APPLEGATE, Mr. DAVIS, Ms. SCHNEIDER, Mr. GORDON, Mr. PENNY, Mr. SIKORSKI, Mr. WHEAT, Mr. VALENTINE, Mr. HAYES of Louisiana, and Mr. ECKART.
H.R. 3200: Mr. FROST, Mr. KOLTER, Mr. DONNELLY, Mr. TRAFICANT, Mr. ROE, Mr. SIKORSKI, Mr. MOODY, Mr. SMITH of New

Jersey, Mr. MORRISON of Connecticut, Mr. YATRON, Mr. STARK, Mr. WYDEN, Mr. ENGEL, Mr. BONIOR, Mr. BROWN of California, Mr. BOUCHER, Ms. LONG, Mr. DE LUGO, Mr. FUSTER, Mr. KASTENMEIER, Mr. GEJDENSON, Mr. DYSON, Mr. HERTEL, Mr. MURTHA, Mr. EVANS, Mr. LEVINE of California, Mr. GAYDOS, Mr. SWIFT, Mr. SKAGGS, Ms. SCHNEIDER, Mr. SANGMEISTER, Mr. JONTZ, Mr. KENNEDY, Mr. POSHARD, Mr. DEFAZIO, Mr. SABO, Mr. SCHUMER, and Mr. OBERSTAR.

H.R. 3258: Mr. SAWYER.

H.R. 3271: Mr. DUNCAN.

H.R. 3315: Mr. ESPY.

H.R. 3319: Mr. MOAKLEY.

H.R. 3347: Mr. SCHAEFER.

H.R. 3386: Mr. DEWINE.

H.R. 3401: Mr. IRELAND, Mr. DICKS, Mr. INHOFE, Mr. STUDDS, Mr. PENNY, Mrs. UNSOELD, Mr. RANGEL, Mr. HAYES of Illinois, Mr. SYNAR, Mr. DENNY SMITH, Mr. RAY, Mr. GALLEGLY, Mr. MCHUGH, Mr. SMITH of Florida, and Mr. MCNULTY.

H.R. 3412: Mr. THOMAS A. LUKEN and Mr. WILSON.

H.R. 3463: Mr. DURBIN, Mr. DE LUGO, Mr. KOSTMAYER, Mr. EVANS, Mr. ATKINS, Ms. KAPTUR, Mr. BEILENSON, Mr. BONIOR, Mr. WOLPE, Mr. OWENS of New York, Mr. MACHTLEY, Mr. BERMAN, Mr. JAMES, and Mr. WHEAT.

H.R. 3501: Mr. EMERSON, Mr. RAY, and Mr. HANCOCK.

H.R. 3517: Mr. RAVENEL and Mr. ECKART.

H.R. 3643: Mr. FAWELL.

H.R. 3654: Mr. HUNTER, Mr. WILSON, Mr. OWENS of New York, Mr. DANNEMEYER, and Mr. LIPINSKI.

H.R. 3655: Mr. TALLON, Mrs. PATTERSON, Mr. RAVENEL, Mr. DERRICK, Mr. SPENCE, and Mr. HEFNER.

H.R. 3713: Mr. SAVAGE and Mr. BOUCHER.

H.R. 3735: Mr. HARRIS, Mr. HAMILTON, Mr. CONYERS, Mr. DYMALLY, Mr. FORD of Michigan, Mr. HAYES of Illinois, Mr. MARTINEZ, Mr. PAYNE of Virginia, and Mr. LEVIN of Michigan.

H.R. 3756: Mr. FAWELL.

H.R. 3766: Mr. CHAPMAN, Mr. DIXON, Mrs. MEYERS of Kansas, Mr. MORRISON of Connecticut, Mr. ROWLAND of Connecticut, Mr. SMITH of Vermont, and Mr. UPTON.

H.R. 3768: Mrs. SMITH of Nebraska.

H.R. 3772: Mr. CAMPBELL of Colorado.

H.R. 3800: Mr. SHAYS, Mr. HENRY, Mr. RAY, Mr. OLIN, Mr. COX, Mr. FAWELL, Mr. COBLE, Mr. DORNAN of California, Mr. HYDE, Mrs. JOHNSON of Connecticut, Mr. TRAFICANT, Mr. LANCASTER, Mr. BATES, Mr. COURTER, Mr. WILSON, Mr. SUNDQUIST, Mr. TAUZIN, Ms. LONG, Mr. HAYES of Louisiana, and Mrs. UNSOELD.

H.R. 3816: Mr. BOEHLERT.

H.R. 3821: Mrs. COLLINS, Mr. EMERSON, Mr. NIELSON of Utah, Mr. POSHARD, and Mr. RANGEL.

H.R. 3859: Mr. ESPY and Mr. MCNULTY.

H.R. 3906: Mr. COSTELLO, Mr. LANCASTER, Mr. ROBERTS, Mr. BEREUTER, Mr. GLICKMAN, Mr. YATES, and Mr. MURPHY.

H.R. 3907: Mr. WHITTAKER, Mr. DANNEMEYER, Mr. NIELSON of Utah, and Mr. LAGOMARSINO.

H.R. 3922: Mr. BATES, Mr. LEWIS of Florida, Mr. RHODES, Mr. TALLON, Mr. HYDE, Mr. BLAZ, Mrs. UNSOELD, Mr. FRANK, Mr. SLAUGHTER of Virginia, Mr. SMITH of Florida, Mr. COX, and Mr. GALLEGLY.

H.R. 3929: Mr. PAYNE of Virginia, Mr. TALLON, Mr. JOHNSON of South Dakota, Mr. PRICE, Mr. OLIN, Mr. FASCELL, and Mr. ATKINS.

H.R. 3961: Mr. GEPHARDT, Mr. JONTZ, Mrs. PATTERSON, and Mrs. BOXER.

H.J. Res. 110: Ms. ROS-LEHTINEN, Mr. GOSS, Mr. WALSH, Mr. SLAUGHTER of Virginia, and Mr. HANCOCK.

H.J. Res. 127: Mr. PASHAYAN.

H.J. Res. 226: Mr. BOEHLERT, Mr. CONYERS, Mr. KLECZKA, Mrs. BOXER, and Mr. WAXMAN.

H.J. Res. 285: Mr. BLILEY, Mr. FAWELL, Mr. HANSEN, Mr. DENNY SMITH, Mrs. VUCANOVICH, Mr. JACOBS, Mr. LAGOMARSINO, Mr. LAUGHLIN, Mr. GALLEGLY, and Mr. MCEWEN.

H.J. Res. 345: Mr. HUTTO, Mr. LEATH of Texas, Mr. BRYANT, Mr. ANDREWS, Mr. BROOKS, Mr. BUSTAMANTE, Mr. HOAGLAND, Mr. OLIN, Mr. GRANDY, Mr. RUSSO, Mr. MRAZEK, Mr. ARCHER, Mr. YATRON, Mr. YOUNG of Florida, Mr. STARK, Mr. BATES, and Mr. SANGMEISTER.

H. Con. Res. 62: Mr. LEHMAN of Florida, Mr. HASTERT, Mrs. JOHNSON of Connecticut, and Mr. SHAYS.

H. Con. Res. 116: Mr. OBERSTAR, Mr. SIKORSKI Mr. FRENZEL, Mr. STANGELAND, Mr. RAVENEL, Mrs. PATTERSON, Mr. SPRATT, and Mr. TALLON.

H. Con. Res. 138: Mr. COOPER, Mr. SAWYER, Mr. FALEOMAVAEGA, Mr. TANNER, Mr. BOUCHER, Mr. PALLONE, Mr. JONES of Georgia, Mr. SANGMEISTER, Mr. PAYNE of New Jersey, Mr. CARPER, Mr. SLATTERY, Mrs. UNSOELD, and Mr. DOWNEY.

H. Con. Res. 177: Mr. KANJORSKI and Mr. TRAFICANT.

H. Con. Res. 232: Mr. BUECHNER, Mr. CARDIN, Mr. COURTER, Mr. TAUZIN, Mr. KENNEDY, Mr. KANJORSKI, Mr. TOWNS, Mr. ROE, Mr. MRAZEK, Mr. PERKINS, Mrs. VUCANOVICH, Mr. PARKER, Mr. HOCHBRUECKNER, Mr. MORRISON of Washington, and Mr. WALSH.

H. Con. Res. 250: Mr. FASCELL, Mr. BROOMFIELD, Mr. WEISS, Mr. BEREUTER, Mr. LAGOMARSINO, and Mr. GOSS.

H. Res. 314: Mr. MACHTLEY, Mr. SAVAGE, Mr. SMITH of Vermont, and Mr. BROWN of California.

H. Res. 329: Mrs. ROUKEMA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3751: Mr. CAMPBELL of Colorado.

PETITIONS, ETC.

Under clause 1 of rule XXII,

139. The SPEAKER presented a petition of the Council of the District of Columbia, relative to the Council-adopted resolution entitled, "National Park Service-Georgetown Branch Rail Right-of-Way Acquisition Resolution of 1990"; which was referred to the Committee on the District of Columbia.

SENATE—*Wednesday, February 7, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we reverence God, the Senate will be led in prayer by the Chaplain, Dr. Richard C. Halverson.

Dr. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

** * * he that is greatest among you shall be your servant.*—Matthew 23:11.

** * * Let the Lord be magnified, which hath pleasure in the prosperity of his servant.*—Psalm 35:37.

Loving Father in Heaven, with gratitude to Thee we pray for the many unsung heroes who labor tirelessly and faithfully behind the scenes. However hard and long the Senators work, they work harder and longer on duty before the Senate comes in and continue after the Senate recesses. Often they go about their tasks unnoticed and unheralded, yet, without them, the Senate could not function.

Thank Thee for those who counsel the Senators and provide the mountains of information they require. Thank Thee for those who are always busy about the most menial tasks. Thank Thee for those who provide security, for those who maintain buildings and grounds. Thank Thee, Father, for this multitude of dedicated women and men who provide efficient, dependable, indispensable service, day in, day out. May Thy blessing rest upon them and their loved ones, and may they be aware of our appreciation, even when unspoken.

In the name of Jesus, the Servant of servants. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, following the time for the two leaders this morning there will be a period for morning business until 10 a.m. with Senators permitted to speak therein up to 5 minutes each. At 10 the Senate will resume consideration of S. 695, the excellence in education bill.

Last night, a unanimous-consent agreement was entered into relative to this bill. The agreement limits the amendments in order to the bill and further provides time limitations on each of the amendments. The list of amendments and time limits can be found on page 2 of the Senate Legislative Calendar.

I alert Senators to the possibility that rollcall votes will occur throughout the day on these remaining amendments to S. 695. There is a possibility of as many as four votes occurring before action is completed on the bill. Those votes could begin as early as midmorning today.

Once action is completed on S. 695, it is my intention to call up the urgent Panama assistance legislation, either Senate S. 2073 or the House companion bill.

Mr. President, I also remind Senators that at 2 p.m. today, in room S-207, former President Carter will provide a briefing for Senators only on the Nicaraguan election process. I urge all Senators to attend what I know will be an informative briefing by President Carter.

RESERVATION OF LEADERS' TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time and I reserve all of the leader time for the distinguished Republican leader.

The PRESIDENT pro tempore. Without objection the unused portions of both leaders' time will be reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the order the Senate will proceed to the consideration of morning business with Senators permitted to speak for not to exceed 5 minutes each with the period to end at 10 a.m.

The Senator from Louisiana [Mr. BREAUX].

NEGOTIATIONS ON THE CLEAN AIR BILL

Mr. BREAUX. Mr. President, I take this time to tell the Members of the Senate about the negotiations that are currently underway with regard to the clean air bill which the Senate is getting ready to consider in the near future once again on the Senate floor.

I think one thing is very clear. The lobbyists in Washington will not be satisfied with the product that we produce. That is not particularly unusual.

When I say the lobbyists will not be completely in agreement with the product that we ultimately produce, I mean the lobbyists for both industry and plants and industries around America that will be affected as well as those who lobby for environmental organizations and environmental concerns in America. Many in the environmental world will think we will not do enough, that we have not been stringent enough nor tight enough in the standards. While at the same time, those who represent, legitimately, industry's concerns in America, will also probably say we have gone too far; that we have required them to do too much and that it is going to be too costly.

I think the truth lies somewhere between the wishes of both organizations in the sense that we as a Congress have to do what is best for all Americans. Our primary, driving, concern is to do what is needed to improve the quality of health in this country. We have seen the statistics that are very frightening with regard to the amount of cancer that is being caused in this country. Many of these cancers are associated with the pollutants that we are discharging into the atmosphere, not to mention the legitimate concerns that we have with regard to global warming, all caused by the products that we produce in this country.

We need those products. We need to keep the industries that produce them open. We need the jobs they produce.

My State of Louisiana is particularly affected from both sides, from an environmental perspective as well as from an industry perspective. So, to do what is right is sometimes very difficult, but we are not trying to please the lobbyists who represent the interest groups on both sides. We are really trying to do what is best for all Americans. And that will require a balanced approach.

I think we can achieve that balanced approach. It is not going to be easy but indeed that is our charge with regard to the reauthorization of the Clean Air Act.

I will mention one aspect which I have worked to put into the clean air bill, and that is to try to clean up the automobiles that we use that are producing vast quantities of pollution every day. In some of the more polluted areas of our country, the nonattainment areas, like Los Angeles, where we literally have millions of automobiles on the highways at one time, it is clear that automobiles are indeed a very major cause of pollution.

One way we can help clean up pollution from automobiles is to change the type of fuel they use. There are many innovative ideas. Natural gas vehicles are one of those which I am advocating to be used in a program which ultimately will produce more natural-gas-powered vehicles in use on the highways of America.

My amendment to the clean air bill will do that by requiring, by the year 1993, that we be required to produce a certain amount of natural-gas-powered vehicles for those Federal vehicles, fleet vehicles. We all know the Federal Government has large fleets of vehicles that produce a great deal of pollution right now. My amendment, requiring they be gradually converted to natural gas vehicles, or to ethanol-powered vehicles that meet the standards, indeed would be a major step in cleaning up the atmosphere.

My legislation simply requires beginning in September 1993, that 30 percent of all Federal fleet vehilces that are purchased in that year be required to meet a very high standard of being free of pollution. Those of the cities that are the most polluted in America would have to come up to this requirement with my amendment.

Then the percentage of vehicles would increase to 60 percent beginning in September 1996, and 90 percent beginning in September 1999. This would be for federally owned vehicles. So the Federal Government, and Government vehicles, should set the standard and be the incentive to encourage that private vehicles do the same thing.

My amendment also requires that for private fleet vehicles, for companies that own 10 or more vehicles in their fleet—there are many of these; the type of vehicles that deliver the mail for private companies; the type of private vehicles that service our telephones and our gas facilities that are large numbers of vehicles in our large cities—that they be brought into the program a little bit later.

With private fleet vehicles, we are trying to make it easy for their vehicles to comply, so we require the privately owned vehicle fleets, vehicles of 10 or more, that are centrally fueled, go to a central location to get gas and use the vehicles in the cities, that these privately owned fleet vehicles that are centrally fueled at a central location be required to convert 30 percent of their vehicles in September 1996 to alternate fuel automobiles. Then it goes up to a higher requirement, an additional percentage in 1999.

What my amendment will do, Mr. President, is to encourage, through a market-oriented program, that fleet-owned vehicles of the Federal Government, as well as privately owned vehicles, would, in fact, use ultraclean fuel. It would be a major ingredient in helping us produce a clean air bill that is going to be acceptable and one that works.

The health concerns of Americans in the 1990's are legitimate. This is the one chance, the best chance, certainly, that we, as a Congress, have to address this national and, indeed, international problem that is affecting every American and every citizen of the world.

I urge my colleagues to keep close track of what we are doing in our meetings now so that the product, when we bring it to the floor, will be well understood and I think accepted by a majority of the Members of the House and the Senate and ultimately signed by the President of the United States.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BREAUX). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN FOREIGN ASSISTANCE IN THE 1990'S

Mr. BYRD. Mr. President, none of us can help but be struck and even stunned by the momentous political changes that have swept through Eastern Europe over the last several months. In the 9 weeks since the first session of this Congress adjourned, Communist political authorities have been removed from power throughout Eastern Europe. The fragility of these new developments, the early stages of building new resilient political institutions, provides historic opportunities for the West. The shredding of the Iron Curtain prompts us to accelerate and solidify the pace of political change and the reformation of economic institutions that will engrave the values of democracy, human rights, and political and economic pluralism into lasting new institutional arrangements.

America cannot control the pace and nature of these changes, but we can help. A central mechanism of assistance is through a reformation of our foreign assistance programs, with an emphasis on multilateral cooperation with our Western European allies, in particular. A new debate in these halls has commenced over how we can redistribute the limited foreign assistance pie so as to help meet the tremendous new challenges, new opportunities, and needs of these emerging new systems.

The distinguished minority leader, my good friend, Mr. DOLE has made a proposal on reallocating foreign assistance to reflect new priorities to help begin to respond to the call for help from the East. In doing so, Mr. DOLE has done this body a service, and he has raised the issues publicly. He has taken criticism from many sides. He has sat out on the edge, so to speak, with his legs dangling over the side. While I do not necessarily subscribe to every detail of his proposal, I congratulate him for beginning the debate. In addition, our distinguished colleague from Vermont, who chairs the appropriations subcommittee which will be conducting the surgery on the foreign assistance budget, Mr. LEAHY, has also contributed a thoughtful exposition on this difficult matter.

I join my colleagues from Kansas and Vermont on the central point—our foreign aid budget has taken on a new and suddenly enhanced importance as an instrument of our goals and policies in the world. It no longer can be viewed as a kind of well-heeled junior varsity lobbyist sport, with a limited number of traditional client States vying for advantage on the margins of the spending accounts. Important new stakes have emerged for the United States, and foreign assistance is one of the major tools that we have with which to help channel the changes coursing through Europe.

I join my two colleagues in the proposition, as Mr. LEAHY has put it, that "every program in the fiscal 1991 foreign aid appropriations will be reviewed. No program will be exempt from scrutiny." Everything should be on the table, and a thorough review of our priorities is demanded. The administration will be presenting its budget request, of course, and the administration's request deserves our careful consideration and consultation. We need to review the size of the aid request in the light of not only the potential recipients countries' needs, but also the needs of our own Nation. Czechoslovakia needs a new road system, as a casual glance of the map of that country's road system makes obvious, but

the United States needs a lot of work done on its roads as well. Our highways and bridges are deteriorating. Our infrastructure is going to pot. So we have to approach this matter with a balanced view with respect to our own needs and concerns, as well as those of other countries.

I do not feel that a detailed recitation of each account, each country's legitimate share of these limited funds, is appropriate here. The appropriations subcommittees will be giving this a thorough examination.

At this point, however, I will make several observations. First, regarding the debate over so-called earmarking of funds by individual country. This is a priority setting exercise, which is conducted routinely by the Congress in fashioning the budget throughout the Federal Government. No one can seriously presume that we are going to hand over some $15 billion, whatever it may be, to the administration and say, have at it, let us know to whom you gave it to and for what purpose. The Congress has a legitimate and responsible job of setting our priorities. The size and nature of the items are what the debate will be over, and the size of the foreign aid pie should not grow as the result of the so-called peace dividend by cutting the defense budget. The foreign aid budget is going to remain limited. It certainly cannot grow out of proportion to our own domestic needs. Foreign aid is not going to be a pie in the sky. It is going to be limited, and the priority setting will consist of reallocating the funds within that pie, and that is the way it should be. If the administration wants to increase the size of the pie, then it should tell us which taxes it wishes to raise in order to increase that pie.

Third, rather than an across-the-board reduction, it may be wiser to look at each country on its merits. I am not saying it necessarily should be that. Perhaps it ought to be an across-the-board reduction with some special consideration given to countries that deserve priority. Some countries, certainly the largest of our historic aid recipients, could probably take cuts substantially larger than 5 percent. Probably between 10 and 20 percent would be more realistic. Some recipients might not take any cut at all. These precise figures are the job of the committees of jurisdiction. But there is one thing for certain. No foreign country has earned the right to our money or our resources, and no foreign country can assume that it has an American entitlement program.

Fourth, we need to reallocate aid not only among recipients, but also between military aid and economic aid, with a renewed emphasis on economic aid, since that will pay the biggest dividends in the long run. In doing so, particularly in the economic aid that we provide Eastern Europe, I would support aid aimed at long-term substantial development help, which builds infrastructures, which emphasizes the growth of free market institutions, and which helps to get U.S. business into joint ventures and partnerships with Eastern European entrepreneurs so that the American private sector can roll up its sleeves and be involved early. Our aid should avoid flashy projects and short-term glitz, which would quickly be wasted. The emphasis should be on less glamorous infrastructure development yet tailored to provide wide opportunity for the participation of all sectors of Eastern European populations in free market enterprises. Let us provide momentum for economic opportunity and pluralism, and break the long stagnation of failed socialistic, burdensome, command economic methods.

Fifth, there are apparently substantial backlogs of U.S. aid in the pipelines of some recipients. These ought to be carefully examined. I think we ought to free up those backlogs and put that money on the table as well.

Mr. President, the landscape of Europe is changing, and America can rightfully participate in the opportunities and fruits of that emerging landscape. Having held the course for Western values in Europe for over four decades, as the leader of the West, America can and should continue to participate in the evolution of the European continent. Many fear the resurgence of nationalism in Europe, nationalism which brought two devastating wars in this century. The strongest bulwark against such dangers is cooperation with our allies in building transnational institutions. We should continue to support the pan-European movement, free trans-European markets in goods and services, and promote an extension of those transnational institutions into Eastern Europe.

Europe is asking us to be a general partner in the future of its continent, and we ought to accept the invitation. In this light, we ought to nurture the development of the new Eastern European development bank, which is an ambitious undertaking for regional assistance. We need to help Eastern Europe, but America should not have to do it alone. We have healthy, close allies in Western Europe with which to work together. I hope that we will do everything possible to foster the multinational institutions needed to create economic momentum throughout the States of Eastern Europe, and to influence the characteristics of those multinational institutions firmly in the direction of free market enterprises.

The leadership of the Foreign Relations Committee, under the distinguished Senator from Rhode Island [Mr. PELL] and the distinguished Senator from Delaware [Mr. BIDEN] has put forth a proposal to provide new assistance to the countries of Eastern Europe. They are to be congratulated for this initiative; it is a contribution to the debate. Any such proposal can be criticized for emphasizing some tools for assistance over others, but no one can deny that new assistance is needed now in those nations. No proposal can be perfect, but all proposals should be viewed positively. Certainly the administration should have some flexibility to respond to events as they unfold, but the emphasis should be on the development of strong democratic institutions, market economies, links to the West of all kinds, and prosperous stable growth.

So, Mr. President, as the second session of this 101st Congress begins, new challenges confront us. The debate has already begun. With hard work, we ought to be able to make the tough reallocation decisions. I hope the administration is ready to consult closely with us to reorder our priorities to take maximum advantage of the opportunities available.

I again congratulate Mr. DOLE and Mr. LEAHY and others who have initiated a debate that has long been needed.

Mr. President, I yield the floor.

Mr. RIEGLE. Mr. President, I salute the Senator from West Virginia for his outstanding comments as always.

(The remarks of Mr. RIEGLE pertaining to the introduction of Senate Joint Resolution 251 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. RIEGLE. Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONGRESSMEN PENNY AND WEBER: RISING STARS

Mr. DURENBERGER. Mr. President, I rise with great pride to draw attention to the cover article in this week's National Journal, entitled "Congress' Rising Stars." Among the 11 Members of Congress selected as rising stars by the Journal are 2 Minnesotans: VIN WEBER and TIM PENNY.

I know both men and consider them not only very good friends, but extremely good legislators who represent their constituents and the Nation very well. Thus, in many respects, the article tells us what Minnesotans already know. It is no mistake that of the 11 Members profiled as "Rising Stars" of the 535 Members of Congress, 2 were

Minnesotans. Nor is it unusual that they are of different parties. Minnesota has a tradition of good, innovative, and responsible government. VIN WEBER and TIM PENNY are just the most recent such leaders. And we are very proud of their accomplishments and leadership.

VIN WEBER, as secretary of the Republican Conference, is the fifth-ranking Member of the House Republican leadership. In his fifth term representing southwestern Minnesota, VIN is a respected Republican strategist working behind the scenes to solve problems and mediate disputes. He has a vision of what the country can and should be and works very hard pushing the Congress toward that vision, but he does so in a pragmatic and innovative way earning the deserved accolades from both sides of the aisle. In this respect he is indeed a rising star.

Although TIM PENNY sits across the aisle, we have joined together in many efforts because of our similar views of the Nation's problems and ways to solve them. Most recently he chaired Americans for Generational Equity with me. As the profile indicates, he keeps a close eye on the Federal deficit because he knows the threat it poses to the future. Serving southeastern Minnesota, TIM combines fiscal toughness with social compassion and therefore sits on the cutting edge of Democratic thinking. I agree he is a star rising in Congress.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Journal, Jan. 27, 1990]

WEBER: POLICY MAVEN

(By Christopher Madison)

The hottest Republican property on Capitol Hill in 1989 was Newt Gingrich, the brash Georgian who helped topple House Speaker Jim Wright, D-Texas, and got himself elected minority whip by narrowly defeating the favored veteran and moderate, Edward R. Madigan of Illinois.

But as House Republicans gear up for the 1990 and 1992 elections with modest expectations that they will reverse their fortunes of the past decade by picking up seats, the focus may turn to a quieter presence: Minnesota's Vin Weber.

Weber, first elected to the House in 1980 at the age of 28, is the fifth-ranking member of the House Republican leadership as secretary of the Republican Conference. But many Republicans and even some Democrats suggest that he may be a good deal more important than that, especially where the House GOP's future is concerned.

If Gingrich slips, some congressional handicappers say, Weber even stands a chance to succeed Minority Leader Robert H. Michel of Illinois when Michel decides to retire. At the moment, that is a long shot. Gingrich, in his first year in the leadership, has won high marks and surprised some skeptics.

Nevertheless, Weber is a popular figure in the House among members of both parties, and his influence only stands to increase.

For Republicans, gaining influence in the House is no easy matter, and Weber has chosen an appropriately quirky path. He is not a legislative tactician. Although he is a member of the Appropriations Committee, he considers that post chiefly a means of serving his district.

"You get taught early on that there are these little pigeonholes that you have to fit into. . . . I really have resisted that, and taken a holistic approach to the job. . . . I want to impact on legislation, but I'm not a policy wonk."

Instead, Weber is a behind-the-scenes problem solver. Late last year, for example, he mediated a dispute between Housing and Urban Development Secretary Jack F. Kemp and Appropriations Committee members Bob Traxler, D-Mich., and Bill Green, R-N.Y., over some important details in the spending bill for Kemp's department. Because he knew all the parties involved, Weber was able to arrange a compromise before the issue came to a floor fight. "They all trusted me," he said.

"He's one of the better policy guys in the House, and he also has good political skills," said Daniel P. Meyer, a former Weber aide who now works for Gingrich. "If he weren't in Congress, he could make lots of money as a political consultant."

Weber managed Gingrich's whip campaign last year—in fact, some House observers give him the lion's share of credit for the victory. And when he was only 26, he managed Sen. Rudy Boschwitz's 1978 Minnesota Senate campaign.

"There is a part of me that I learned from Jack Kemp, which is that ideas rule the world, and the party of ideas is the party that's going to dominate," Weber said. "I also think we need leadership that thinks seriously about political strategy and tries to help other Members with that."

To that end, Weber is serving, along with Rep. William M. Thomas of California, as co-chairman of a task force on Republican redistricting efforts.

Weber's relationship to Gingrich may be one of the more complex aspects of his political character. There is much that binds the two together. They are joint founders of the Conservative Opportunity Society, the conservative caucus that blossomed during the Reagan years as a means of challenging both the Democratic and Republican establishments in the House. And, after Gingrich's election as whip, Weber helped to redesign the whip structure over which Gingrich now presides.

So it's no surprise that the two men are viewed as close. "They believe the same things," someone who knows both said. At the same time, another source said, Weber keeps a slight distance from Gingrich because "he does not want to be tied to everything Newt does."

Though some Democrats still bristle at Gingrich's style and methods, they find Weber easier to work with. In fact, because they view him as a likable conservative, some Democrats (as well as Gingrich himself) have begun referring to Weber as "the new Cheney," a reference to the Wyoming Republican who resigned as House whip last year to become Defense Secretary. A Democratic staffer said of Weber: "He's very clever, very formidable, just as cunning and cutthroat as Gingrich. But he's much more likable and reasonable."

"He's a hard worker and an easy guy to work with," said Rep. Mel Levine, D-Calif., who has teamed with Weber on U.S. aid to Israel.

Weber, in an interview, said: "Obviously, the most important thing to effectiveness in the House of Representatives is your personal relationships with your colleagues. There are 435 big egos in the House, and you don't want to come across as arrogant. You want a certain amount of genuine affection from your colleagues. On the other hand, they have to know that there's a certain toughness to you."

Weber said he has become more restrained in his criticism of other Members. "Back in 1984, when we formed the Conservative Opportunity Society, we engaged in quite a few tough attacks on our Democratic friends, and I did a little bit of that myself," he said. "A year later, you realize you're still working with those same people long after the issue of the moment has faded. I learned through that process not that you back down, and not that you aren't willing to occasionally play some hardball politics, but that your long-term relationships with people around here are really the key to your success."

[From the National Journal, Jan. 27, 1990]

PENNY: BUDGET SCOLD

(By Christopher Madison)

When it comes to the issue of budget deficits, Rep. Timothy J. Penny, D-Minn., is in no danger of winning any popularity contests. Many fellow Democrats consider him to be a bit of a scold on the issue, if not a pain in the neck.

But Penny believes that nagging the leadership is one way to have an impact in the House.

"You have to be persistent, you have to remain visible," he said in an interview. "In a sense, you have to stay in their face. The most important thing is to be your own person, because it is easy in Congress to be driven by somebody else's agenda."

But can an outsider be effective in an institution that seems to reward those who play by the rules? Yes, if your definition of effective is something short of winning outright—such as keeping your issue on the agenda.

Penny has done that, and he also hints that he's edging closer to the inside of the Democratic tent. "The new crop of [House] leadership makes the legislative process a bit different than it was for a number of years around here," he said, "and I fit into this new leadership style much better."

But Penny remains a man with a mission. "My fundamental goal is to give the Democratic Party a better image on budget issues," he said. "It was the most important issue to me and remains the most important issue to me—not only reducing the deficit, but setting the right kind of priorities within that budget."

Like most crusaders, Penny, who is 38, is single-minded about his cause. He campaigned on the budget issue when he first ran for the House in 1982, and he helped found a budget task force for members of his freshman class. The task force survives as the Democratic Budget Group, which meets weekly to hear speakers on budget issues and tries to educate Members on those issues.

"We had hoped from the beginning that once [Members] know the facts, once they hear an objective analysis of these issues, they'll come to similar conclusions," Penny said.

So far, Penny has chosen the House floor for his activist assault on the budget, focusing largely on efforts to amend annual appropriations and supplemental spending bills.

In 1987, he and Rep. Thomas J. Tauke, R-Iowa, formalized the process through their Truth in Budgeting Task Force, a vehicle for proposing percentage reductions in every appropriations bill that came to the floor.

They won a few, but lost more. Even so, Penny said, "It makes everybody a little leery of coming forward with appropriations bills that are above the budget in the future."

But if the budget deficit is his overriding concern, why not try for a seat on the Budget Committee? "I'm content with my committee assignments," Penny said. His membership on the Agriculture Committee is important to his district, and on Veterans' Affairs, he is the chairman of the Education, Training and Enforcement Subcommittee, a post he doesn't want to give up. Besides, he added, "I don't know that I would achieve as much by being on the Budget Committee. Frankly, I've got more freedom to agitate by being on the outside."

Agitate, perhaps, but House budgeters don't yet consider Penny a player. That's partly because he is too much of a budget "hawk" for mainstream Democrats, but also, some say, because it took him a few years to get the budget process down, and he didn't always know what he was talking about.

There also is the matter of partisanship. Conservative Democrats who vote with Republicans—as Penny has done from time to time—are not popular in the Democratic Caucus, especially when they are as vocal as Penny is. And some Democrats complain that his tone suggests that he knows better than most where the House should go.

Penny acknowledged that "there are a lot of rewards that come your way if you play the game. . . . But, personally, I don't believe those rewards are as important as balancing the budget. We were elected to deal with the big issues."

At the same time, Penny said, he has become more cooperative under the new team of House leaders. He is, for example, close to Democratic Whip William H. Gray III of Pennsylvania and serves as an at-large assistant whip.

That role came into play last summer. As a Democrat who supported President Bush early in the fight over minimum-wage legislation, Penny signaled to the White House that he was going back to the Democratic fold and helped round up other Democratic rebels in the process. The Bush Administration quickly cut a compromise deal. He and other Democrats, Penny said, "didn't want to be put through the wringer again on essentially the same vote as occurred six months earlier." And he also felt, he said, that House Democratic leaders were listening to him for a change. "There was more trust that they had made the effort, that they tried to accommodate our concerns," he said.

That was not alway true, he added. "For the first several years I was here, almost every time that a deal was cut between the more-conservative Democrats and the leadership, we were rolled," he said. "There has to be a level of honesty and trust that runs both ways, and that exists now. Consequently, I think there's a possibility I may become less of a pain."

U.S. FOREIGN AID AND POPE'S TRIP TO AFRICA

Mr. DURENBERGER. Mr. President, Pope John Paul's recently completed tour of several west African nations draws our attention to a region of the world that is often forgotten and certainly little noticed. A primary message expressed by the Pope before and during his travels is that the wealthy countries of the North "cannot abandon their common responsibility for the South, for the problems of the Third World."

This is an important message for us in the United States to consider, especially at a time when we face increasing pressure to reassess our foreign assistance program and to provide greater aid to newly emerging democracies around the world. Senator DOLE recently highlighted this issue when he called for the United States to reconsider its foreign aid programs, in an effort to support the East European and Latin American democracies.

As I stated last year during the foreign assistance appropriations debate, "as we witness remarkable changes taking place throughout the world, I believe that the time is ripe for us to reconsider the objectives and goals of U.S. foreign assistance."

Furthermore, it is important to recognize that in the past, much of our aid has been related in some way to the East-West struggle—the political, military, ideological, and philosophical conflict between the United States and the Soviet Union. But that justification is no longer as certain or valid as it once was.

Senator DOLE, to his credit, has prominently initiated an important debate. In my opinion, however, it is essential that we take heed of the Pope's admonition to assist the lesser known countries of the Third World. Without question, it is important philosophically and diplomatically for us to assist in the promotion of democracy, establishment of democratic freedoms and institutions, and creation of free and open markets. We must also recognize, however, that there are many countries throughout the Third World that, although they may not make the headlines, they do require and warrant U.S. financial assistance.

The Pope toured several of the same countries in west Africa that I visited last summer. Many of the countries in Africa and Asia to which I traveled are among the most destitute and impoverished lands in the world, where profound deprivation persists unabated. I believe strongly that even small amounts of U.S. foreign assistance to these countries can make an enormous difference.

When a country basically has nothing, the smallest amounts of assistance, while maybe not solving their long-term problems, can certainly alleviate much of the human suffering and misery that I witnessed last summer, and the Pope has reminded us of this week.

Even in a period of budget constraints, I believe it is possible to restructure the U.S. aid program in such a way as to provide meaningful support to a larger number of countries than we currently do. There will be considerable debate about cuts in foreign aid to various countries. But it is clear to this Senator that we in this country have both an obligation and the resources to provide more assistance to more countries around the world that have desperate needs for food, health care, and economic development. I think the Pope's recent trip reminds us that in an era of bold new realities in the international arena, we should not ignore our obligation to do what we can to alleviate suffering and deprivation in some of the world's most impoverished countries.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,789th day that Terry Anderson has been held in captivity in Beirut.

THE UNITED STATES, PANAMA, AND THE NICARAGUA ELECTIONS

Mr. LEAHY. Mr. President, Elizabeth Dore, an assistant professor of Latin American history at Middlebury College, recently visited Nicaragua to observe the preparations for the February 25 elections there. She was in Nicaragua shortly after the United States invasion of Panama, and she noticed an unintended side effect of the United States action—it caused an upsurge of anti-Americanism and support for the Sandinistas, and undermined the campaign of UNO candidate Violeta Chamorro. According to Professor Dore, an increasing number of Nicaraguan voters are critical of UNO and its close association with the United States. For many Nicaraguans, the United States intervention in nearby Panama makes the possibility of another United States invasion of their country all the more real.

Mr. President, Professor Dore makes several very valid points which I would like to share with other Senators. I ask unanimous consent that her January 30 op-ed piece in the New York Times be printed in the RECORD in full.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 30, 1990]

PANAMA, KEY TO ORTEGA'S CAMPAIGN

(By Elizabeth Dore)

MIDDLEBURY, VT.—The U.S. Invasion of Panama produced an unintended side-effect:

It turned the Feb. 25 elections in Nicaragua into a referendum on whether the U.S. will once again dominate the country. Ironically, at a time when George Bush least wanted to help the Sandinistas, he may have decisively strengthened President Daniel Ortega Saavedra's hand.

In January, I was in Nicaragua as a member of a delegation organized by Hemisphere Initiatives, a nonpartisan group created to observe the coming elections I saw that the U.S. invasion of Panama had increased support for the Sandinistas and undermined their strongest rival, the National Opposition Union, a tenuous coalition of 14 parties laboriously forged by the U.S. Embassy and funded by Congress.

Several months ago, two issues promised to dominate the campaign: the economy and national sovereignty. The Sandinistas say that the economic crisis devastating their country is caused by the U.S. attempt to overthrow them; they remind voters that, over the past five years, their Government had to spend more than 60 percent of its budget to defend the country against the contras. In addition, the U.S. commercial and financial blockade of Nicaragua impeded reconstruction.

Most Nicaraguans accept these explanations and hold the U.S. responsible for their poverty. Still, the standard of living has plummeted and people are impatient with the hardships of daily life. The opposition parties try to fan and focus this discontent, accusing the Sandinistas of incompetence and blaming them for the economic crisis. So far, they have had limited success. Election polls—now all the rage in Nicaragua—indicate that less than 20 percent of the voters think the economy is the major problem facing the next president.

Instead, they think that national sovereignty is paramount and, on this issue, most voters believe that the Sandinistas' record is impeccable. In the wake of the invasion of Panama, January polls indicated that a growing number of voters were critical of the opposition coalition for its association with the U.S.; almost two-thirds of the electorate believes that the sending of U.S. troops to Panama and the removal of Gen. Manuel Antonio Noriega was "bad" or "very bad."

The invasion provoked major pronouncements by all of the presidential candidates. President Ortega unequivocally denounced the invasion and declared a state of alert. On Jan. 7, as a somber interlude to a large festive campaign rally, he delievered a foreign policy address analyzing events in Panama. Careful not to express support for General Noriega, Mr. Ortega concentrated on reaffirming the principle of nonintervention.

He said that the Panamanians should have been left alone to resolve their own problems. Recalling numerous U.S. invasions and occupations of Central America and the Caribbean, Mr. Ortega declared that the invasion demonstrated that U.S. policy had not changed. To cheering crowds, he spoke of the valiant and successful resistance led by Augusto Cesar Sandino to the series of U.S. military occupations of Nicaragua from 1911 to 1933, and pledged that, if necessary, Nicaraguans will take up arms against another U.S. invasion.

In contrast, Violeta Barrios de Chamorro, the opposition's presidential candidate, equivocated. Her statement both supported her U.S. backers and offered a gesture to nationalism—a dangerous political maneuver.

Mrs. Chamorro said that "events in Panama, although very painful, should be evaluated in the context of the all-out war that is being waged by the civilized world against the drug trafficking empire that had seized control of Panama." Although "lamenting the North American military action in Panama that violated the principle of nonintervention," she was "reassured that the representative Government of President Endara [in Panama] has assumed power." In the U.S., this statement may seem reasonable. In Nicaragua, it was interpreted as waffling and it may cost her the election.

As seen through the eyes of Nicaraguans, the U.S. military intervention in Panama makes the possibility of another U.S. invasion of their country frighteningly real. In light of the history of Nicaragua in this century, this cannot be dismissed as paranoia.

After President José Santos Zelaya refused to give the U.S. complete sovereignty over a proposed canal zone, the U.S. orchestrated a coup that ousted him in 1909. Unable to govern without a U.S. presence, his successor invited in the Marines. From then until 1979, when the Sandinistas overthrew Anastasio Somoza Debayle, no president ruled without the express support of Washington.

In blatant violation of international law, the U.S. overthrew General Noriega. With equal disregard for law and world opinion, U.S. troops invaded the residence of the Nicaraguan Ambassador in Panama. Both of these acts greatly magnified tensions in Nicaragua. People had believed that the political struggle in their country had shifted from the battlefield to the ballot box.

Now, with the U.S. occupation of Panama, many Nicaraguans fear that their hopes for peace are unfounded. The invasion of Panama jeopardizes the demilitarization of Nicaragua—and it may well hand a stunning electoral victory to the Sandinistas, and secure the presidency for Daniel Ortega until 1996.

JOHN HARTY, JR.

Ms. MIKULSKI. Mr. President, I would like to take a moment to note the death of John Harty, Jr., recently killed in a plane crash while on a mission for the Food and Drug Administration, and to remind our colleagues of the important work carried out by the FDA.

John Harty, a constituent of mine from Silver Spring, was employed by the FDA for over 25 years and until his death headed the Agency's international affairs staff. He died earlier this month while in Chile on an important mission for the Government.

This was Mr. Harty's second visit to Chile in less than 1 year. In 1989, he served as the principal liaison with Chilean Government officials at the height of the public crisis involving contaminated fruit, and his involvement was pivotal to the successful management of this frightening incident. After the crisis was contained, Mr. Harty played a key role in negotiating a working agreement between the two governments aimed at ensuring the future safety of Chilean-produced fruit products exported to the United States.

His return trip to Chile this month included an inspection of security measures in cultivation areas and processing centers. Joined by an FDA investigator and two Chilean officials, Mr. Harty was en route to Santiago when the plane they were traveling on crashed, killing all four men and the pilot.

I know that our colleagues join me in extending our sympathy to the families of the victims.

I also want to commend the Chilean Government, the Chilean Ambassador, Mr. Errazuriz, and United States Ambassador Gillespie for their extraordinary efforts to return the victims' bodies to their families and for their thoughtful assistance to Mrs. Harty.

LITERACY ACT AND EDUCATION EXCELLENCE ACT

Ms. MIKULSKI. Mr. President, I rise in support of the two bills under consideration this week, S. 1310, the National Literacy Act, and S. 695, the Excellence in Education Act.

As we enter the 21st century, we face serious challenges in our education system. America's economic growth and social progress depend on high quality education.

As you know, many studies have been conducted, reports issued, and proposals made on how to improve our school systems. But, one thing we can agree on is that, we need national goals for educating our kids and we have to stick to them.

We need a national agenda for education to promote high standards in education. We need to expand our ideas for innovative and effective teaching by supporting the best and brightest in our education system. We need to increase our expectations, of schools, of students, and parents.

Mr. President, we need to highlight the positive and drive the mediocre out of the system and I believe that the Excellence in Education Act will do just that.

S. 695 will promote excellence in American education by recognizing and rewarding schools, teachers, and students for outstanding achievement. This bill will also encourage school systems to establish alternative certification plans for teachers and school principals.

I especially like the alternative certification proposals. Mr. President, as a U.S. Senator, I would not be able to teach American history in a high school in some States. In fact, the astronaut, Dr. Sally Ride, would not be qualified to teach physics in most junior high schools in this country. Alternative certification is a logical step to increase the number of qualified teachers in our school systems for specialized subjects, such as math and science.

Mr. President, the Excellence in Education Act is a bipartisan effort to invest in our future. We must do all we can to make sure that only our best efforts in education will be acceptable. Our kid's futures, and America's future, depend on it.

Second, I'd like to address the National Literacy Act because I think it is very important.

The act will be the framework for our country's future. There are at least 30 million adult Americans who cannot read. Not only is that a tragedy for them, but it is a productivity issue. We cannot afford 30 million people who are not ready and fit for duty for the 21st century. This bill provides the opportunity to mobilize primarily voluntary organizations in this important battle against illiteracy.

What I like about the act is that it mobilizes student volunteers and volunteer organizations such as Vista to do the work of teaching people to read. The bill does not call for a heck of a lot more money, but it says, we'll use our money smarter to help our people become better.

Mr. President, America's progress in academic, social, and economic development in the 21st century will depend on eliminating adult illiteracy, and on raising standards for educational achievement in our Nation's schools. The National Literacy Act, and the Excellence in Education Act are our best opportunity to make sure that our education system is America's strengths and not our weakness.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Under the order, the time for morning business has expired.

EDUCATIONAL EXCELLENCE ACT OF 1989

The PRESIDENT pro tempore. The Senate will resume consideration of the pending business, Calendar Order No. 250, S. 695, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 695) to promote excellence in American education by recognizing and rewarding schools, teachers, and students for their outstanding achievements, enhancing parental choice, encouraging the study of science, mathematics, and engineering, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDENT pro tempore. On this bill there are certain amendments which are enumerated and which appear on page 2 in the Calendar of Business.

There is a time limitation on each of those amendments. There is no limitation for debate on the bill.

Mr. DODD. Mr. President, may I request of the Chair as to what the time limits are on the pending legislation?

The PRESIDENT pro tempore. The time limits are as set forth on page 2 of the Calendar of Business. On an amendment by Mr. WILSON relating to Dollars for Dare, 40 minutes equally divided and controlled; an amendment by Mr. WILSON relating to the "Healthy Start," 2 hours equally divided and controlled; an amendment by Mr. HELMS relating to title X, 90 minutes equally divided; a possible second-degree amendment to the Helms amendment relating to the same subject to be offered by Senator PELL or his designee, under which there will be 1 hour equally divided. There is no time limit on the bill itself or on the committee substitute.

Mr. DODD. I thank the Chair for that information.

I understand my colleague from California will now proceed to the Dare amendment, is that correct?

Mr. WILSON. Yes.

The PRESIDENT pro tempore. The Senator from California [Mr. WILSON].

AMENDMENT NO. 1244

(Purpose: To establish a Drug Abuse Resistance Education program)

Mr. WILSON. Mr. President, on behalf of myself, Mr. DECONCINI, Mr. PACKWOOD, Mr. THURMOND, Mr. LUGAR, Mr. COATS, Mr. GRAHAM of Florida, Mr. KASTEN, Mr. CHAFEE, Mr. LEVIN, Mr. HEINZ, Mr. BOSCHWITZ, Mr. REID, Mr. BINGAMAN, Mr. WIRTH, Mr. MCCONNELL and Mr. BAUCUS, I offer an amendment and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from California [Mr. WILSON], for himself, Mr. DECONCINI, Mr. PACKWOOD, Mr. HEINZ, Mr. COATS, Mr. GRAHAM, Mr. REID, Mr. BINGAMAN, Mr. LEVIN, Mr. KASTEN, Mr. LUGAR, Mr. WIRTH, Mr. BOSCHWITZ, Mr. THURMOND, Mr. CHAFEE, Mr. MCCONNELL, and Mr. BAUCUS proposes an amendment numbered 1244.

Mr. WILSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill insert the following new section:

SEC. . (a) IN GENERAL.—The Secretary of Education is authorized to award grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through six to recognize and resist pressures that influence such students to use controlled substances, as defined in schedules I and II of section 202 of the Controlled Substances Act (21 U.S.C. 812), the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education, that meet the requirements of subsection (b).

(b) REQUIREMENTS.—A local education agency in consortium with an entity shall not be eligible for a grant under subsection (a) unless such local education agency in consortium with an entity will use assistance provided under such grant to provide or arrange for the provisions of services that shall include—

(1) drug abuse resistance education instruction for students grades kindergarten through six to recognize and resist pressures to experiment that influence such children to use controlled substances, as defined under subsection (a), or beverage alcohol, including instruction in the following areas—

(A) drug use and misuse;

(B) resistance techniques;

(C) assertive response styles;

(D) managing stress without taking drugs;

(E) decisionmaking and risk taking;

(F) media influences on drug use;

(G) positive alternatives to drug abuse behavior;

(H) interpersonal and communication skills;

(I) self-esteem building activities; and

(J) resistance to gang pressure;

(2) classroom instruction by uniformed law enforcement officials;

(3) the use of positive student leaders to influence younger students not to use drugs; and

(4) an emphasis on activity-oriented techniques designed to encourage student-generated responses to problem-solving situations; and

(c) APPLICATION.—The Secretary shall not make a grant under subsection (a) unless—

(1) an application for the grant is submitted to the Secretary;

(2) with respect to carrying out the purpose for which the grant is to be made, the application provides assurances of compliance satisfactory to the Secretary;

(3) the application otherwise is in such form, agreements, assurances, and information as the Secretary determines to be necessary to carry out this section; and

(4) the application contains an assurance that the applicant will provide funds, either in cash or in kind that are not less than 10 percent of the amount of the grant under subsection (a);

(d) SUPPLEMENTAL FUNDS.—Amounts received under subsection (a) by the entity shall be used only to supplement, not to supplant, the amount of Federal, State, and local funds expended for the support of projects of the type described in subsection (b); and

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 in fiscal year 1990, and such sums as may be necessary for each of the 3 succeeding fiscal years.

The PRESIDENT pro tempore. The Chair inquires, Is this the so-called DARE amendment?

Mr. WILSON. It is, Mr. President. It is my understanding that it is acceptable to both sides.

The PRESIDENT pro tempore. There is a time limitation of 40 minutes to be equally divided. Who yields time?

Mr. DODD. I yield myself such time as I may consume.

I want to commend our colleagues from California for this amendment.

The DARE Program is a very well-established drug education program. I can speak from firsthand knowledge. In my own State of Connecticut we have a very successful DARE Program in some of our major cities. The police officers are trained to go to elementary schools and work with children as early as kindergarten through sixth grade. It has been very, very effective in drug education programs.

The program was included for funding under the omnibus drug bill. Regrettably, through some sort of a procedural glitch, to use a colloquial expression, I understand that program was dropped in the conference, through no intention to the conferees, and the intention of our colleague from California is to see that that program gets funded and, therefore, be included as part of this legislation.

We are prepared to accept the amendment. It is an excellent program, one that has worked extremely well across the country and is very effective in providing significant education programs for some of our youngest children. We have all painfully come to accept drug education programs, even at those early ages.

So I commend my colleague for the introduction of the amendment. I am glad to accept it. As I understand, I am speaking as well for the minority on acceptance of this amendment.

The PRESIDENT pro tempore. The Senator from California.

Mr. WILSON. Mr. President, I thank my friend from Connecticut for his very generous comments. The legislation is acceptable to our side. I will simply say he is correct in his observation that the Senate has already acted upon this legislation. We did approve it as part of S. 1711. Unfortunately S. 1711 does not appear to be moving in the other House. But I think his comments are well taken.

This has been given extensive acceptance. It seems to offer one of the most promising overall drug education programs. I thank him and I see no necessity for a rollcall vote, it being accepted on both sides, and therefore see no necessity for extensive debate.

Mr. COATS. Mr. President, I want to thank my distinguished colleague from California [Mr. WILSON] for his leadership in promoting the DARE Program. DARE [Drug Abuse Resistance Education] began with the Los Angeles Police Department and the Los Angeles Unified School District to prevent drug abuse in school-age youth.

We all agree that the war on drugs cannot be won solely on the streets. I have actively supported almost every proposal to help win this fight. I favor decertification of countries that allow drugs to be exported into this Nation without attempts to shut down that drug trade. I support additional funding for the DEA, the FBI, local law enforcement, and others in the front lines of this war. I have supported more funds for prisons, for prosecutors and judges, and for treatment.

I am also a strong believer in drug testing. The Tippecanoe County School District in Indiana has implemented an effective drug testing program for student athletes that is the national model. Since its implementation, neither McCutcheon nor Harrison High School has had a single drug test failure.

But when all is said and done, ultimately this war will be won or lost in the hearts of individuals. Our best long-term hope is to reach the next generation of young people with the message that drugs are wrong. To teach them that actions have consequences. To teach them problem-solving techniques so that when faced with tough decisions they are not unprepared.

Howard County, IN, of which Kokomo is the county seat, and Allen County, IN, of which Fort Wayne is the county seat, both have featured the DARE Program based upon the Los Angeles model.

Let me cite a few examples from the Howard County manual which is taken directly from the Los Angeles model. In the section on risks and results, a brief story sets up the situation. One example is a new girl in the neighborhood, with no friends, being asked to bring some of her father's beer to a party. Then the class is asked to discuss the following questions:

First, what is the risk?

Second, what are the possible choices?

Third, what might happen if she takes her father's beer to the party?

Fourth, what might happen if she refuses?

Fifth, what else can she do?

Sixth, what should she decide?

Seventh, is the risk worth taking? Why or why not?

I believe that it is important for a program to go beyond just lecturing about the basic facts of drug abuse. DARE stresses from the beginning the importance of the right to say no, the right to be safe, the right to be respected as a person. DARE includes warnings about drug abuse and effective strategies to say no.

But DARE also begins to get to the tough questions behind drug abuse. Peer pressure, lack of self-esteem, understanding personal stresses, and avoiding advertising manipulation are but a few key questions addressed.

There are many good drug education programs in the schools. But I strongly admire DARE for several additional reasons. It stresses not only both the dangers of drug abuse and the importance of developing self-esteem but does so in a directed manner.

With young children, I believe it is essential to provide direction when they are presented with difficult situations like the new student with no friends to whom I just referred. Young children need to go through the decisionmaking process—an adult will not always be standing there to tell them what decision to make—but they also do not necessarily have the experience or knowledge to make intelligent choices at that age. So when situations are discussed, directed discussion and conclusions are still necessary. For example, a police officer leading a discussion on whether a student should sneak their dad's beer to a party is unlikely to conclude that such a move is a wise one.

Which raises a second point. I think it is healthy to promote the interaction of education and law enforcement. It is important for those in school to understand that the police department is not the enemy—desiring just to lock them up. It is important for the police department to be committed to prevention and to reaching young people in a positive way. It also sends a message: a police officer may only discuss positive approaches and still, more subtly than others could, communicate that drug abuse also has legal consequences.

So, again, I praise Senator WILSON for leading this effort to promote the DARE Program. I am pleased to join with him as an original cosponsor of this amendment, as well as his original bill.

The PRESIDENT pro tempore. Is all time yielded back?

Mr. WILSON. I yield back the remainder of my time.

Mr. DODD. I yield back the remainder of my time.

The PRESIDENT pro tempore. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from California.

The amendment (No. 1244) was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WILSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1245

(Purpose: To establish a Healthy Start Demonstration Grant program)

Mr. WILSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will state the amendment.

The bill clerk read as follows:

The Senator from California [Mr. WILSON] proposes an amendment numbered 1245.

Mr. WILSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill insert the following:

SEC. . HEALTHY START DEMONSTRATION PROGRAM.

(a) IN GENERAL.—(1) The Secretary is authorized to pay the Federal share of the costs of making demonstration grants to local educational agencies to assist local educational agencies in coordinating support services to children and youth.

(2)(A) The Federal share shall be 80 percent.

(B) The non-Federal share of the costs of the demonstration grant under this subsection shall be supplied from sources other than the Federal Government.

(C) The non-Federal share of payments under this Act may be in cash or in kind fairly evaluated, including planned equipment or services.

(b) REQUIREMENT.—A local educational agency shall not be eligible for a grant under subsection (a) unless such local educational agency is eligible to receive financial assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(c) COUNCIL.—(1) Each local educational agency desiring a grant under subsection (a) shall, in conjunction with other local social service and law enforcement providers, establish a local service delivery coordination council which consists of not more than 20 members, including—

(A) the chairman of the county board of supervisors or his designee;

(B) the county superintendent of schools;

(C) a representative of school principals;

(D) a representative of teachers;

(E) a representative of parents;

(F) a representative of students;

(G) a representative of child protection and welfare agencies;

(H) a representative of a public health agency;

(I) a child psychiatrist;

(J) a child development specialist;

(K) a drug and alcohol treatment specialist;

(L) a mental health services specialist;

(M) a representative of a public safety and justice agency;

(N) the district attorney for the area served by the local educational area;

(O) a representative of community based organizations with experience in child development and service delivery;

(P) a public housing official;

(Q) a representative of the local school board;

(R) a representative of the private sector; and

(S) a representative of any other appropriate human support services agencies.

(2) Each local service delivery coordination council established pursuant to paragraph (1) shall develop a coordinated service delivery plan which includes the establishment of—

(A) formal channels of communication between public agencies and organizations responsible for service delivery to children and youth;

(B) cooperative service delivery agreements between public agencies and organizations responsible for children and youth services; and

(C) procedures to better coordinate interagency budgeting and planning for children and youth services.

(d) REPORTS.—(1) Each local education agency which received a grant under subsection (a) shall submit a report to the Secretary which includes—

(A) a description of the local coordinated service delivery plan;

(B) a timetable for implementation of the coordinated service delivery plan;

(C) the identification of any Federal, State, or local regulations which impede coordinated service delivery to children and youth;

(D) recommendations for administrative or legislative action to provide for greater coordination of service delivery to children and youth;

(E) an accounting of local budget savings, if any, resulting from the implementation of the coordinated service delivery plan; and

(F) any other information the local education agency may deem appropriate.

(2) The Secretary shall annually prepare and submit a report to the Congress on the success of the demonstration grants under this section.

(e) APPLICATION.—Each local educational agency desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(f) DEFINITIONS.—For the purposes of this section—

(1) the term "local educational agency" has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965; and

(2) the term "Secretary" means the Secretary of Education.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 for each of the fiscal years 1991, 1992, and 1993.

The PRESIDENT pro tempore. There is a 2-hour time limitation on this amendment to be equally divided.

Mr. WILSON. I thank the Chair.

The PRESIDENT pro tempore. How much time does the Senator wish to allow himself?

Mr. WILSON. Mr. President, I ask that I be extended as much of that hour as I shall need.

The PRESIDENT pro tempore. The Senator from California is recognized for whatever time he requires out of this 1 hour which he controls.

Mr. WILSON. Thank you, Mr. President.

Mr. President, we are a Nation who traditionally has looked to the family and to the home for the kind of social guidance that would prepare children for life, for productive adulthood and for their responsibilities as citizens.

Suffice it to say that while we continue in that tradition, that happy tradition no longer conforms with reality in all too many cases. We are in a time of broken homes. We are in a time of alcohol abuse, drug use by parents. We are in a time of child abuse. We are in a time of neglect. We are in a time when even well-meaning parents in many cases are simply incapable of exercising the kind of supervision, giving the kind of guidance to their children that we have accepted as the norm throughout the tradition of this Nation.

That is in part because in many instances the parents themselves are children. In many instances we have teenage mothers. They are the single heads of household. They are themselves incapable of giving direction, having had little in their own lives. In many instances they are incapable even of looking to the basic health needs of their children, in many cases incapable of looking to even of their own.

The fact of the matter is we have coming to America's classrooms each day a distinct challenge to find teachers who are not police officers, or psychiatrists, or social workers, or the parents of the children that they teach. They are educators. Yet, they find themselves involuntarily increasingly cast into the role of being in loca parentis. They have to watch for children, children who may have simply a hearing problem, or a vision problem. And God help us, were it not for the school nurses, who deserve our thanks and blessing for having rescued any number of children from being thought and treated as though retarded when in fact they simply had a vision or hearing problem.

But even the little girl who comes from a loving family, who experiences perfect vision, perfect hearing may be incapable of learning if she suffers from depression. It is necessary that somehow we have the capability early on to detect that that little girl is laboring under a special burden, in order that early on we may get to her the kind of help necessary to relieve her of that burden so she can learn and can progress to maturity without the experience of all too many children who suffer one form of mental health problem or another, who go undetected, who find that they cannot learn, who in some cases become a disruptive influence in the classroom.

What of the little boy who suffers persistent mental child abuse? There may not be a mark upon his body but he may have been so damaged in self-esteem by a parent who is a hideous role model that the boy experiences no confidence in his ability to even try to learn for fear of failure and, therefore, he does not try and he may become a disruptive influence.

In any case, he or she may drop out.

What we are experiencing increasingly is a tragedy that is difficult for those of us from an earlier, simpler time to fully comprehend. But the facts are unavoidable. We have seen changed demographic trends in this Nation. We have seen a basic change in the home setting for all too many American children. And the impact that these changes have had upon these children in many instances is that they are simply falling through the cracks. They are going to classrooms sometimes; sometimes they are

not. When they go, they go without having done their homework. In many cases they go unhealthy. In many cases they are neither healthy in mind nor body.

Some progress well into the elementary grades without ever having seen or having been seen by a pediatrician or by a dentist, much less by someone competent to administer mental health services to them.

In some urban areas between 40 to 60 percent of the children within certain ethnic groups are dropping out of school before graduating. That is just not fair to those kids nor is it fair to society. We cannot afford to waste their talent or their energy, and if they do not become productive adults we face almost the certainty in some communities that their energy will be misdirected into drug gangs, into lives of crime. These are, in many cases, the children who become teenage mothers; in many others they not only enter drug gangs but they are themselves drug users.

On the average, student achievement scores have risen only slightly in a number of school districts. In all too many they are falling tragically. In many it is almost impossible to get a meaningful statistic because of another meaningful statistic, and that is the school dropout rate which is wasting talent, wasting energy and creating almost immeasurable problems for the rest of society.

If we are going to succeed in reversing these alarming trends in this age of broken homes and alcohol abuse, drug use, child abuse, neglect, then we have simply got to see to it that the support and motivation that is so desperately needed by every child, that the basic health care that should be the expectation of every American child, is supplied if not by the family of the child, if for whatever reason the family is incapable, then it must be supplied from some source outside the home.

If those who are fine teachers in our classrooms are to be permitted to teach effectively in safe schools, drug and weapon-free schools, if they are not to spend their time in other roles, then it is essential that we bring to bear, bring to focus in an area where most of our children are spending at least half their waking hours, the kind of school-based or school-connected child development and child social services that are essential to give early warning, to give detection and, therefore, to give preventive care so that farther down the road we are not engaged in reacting to problems that we could have prevented, not compelled, as a result of our failure to engage in early prevention, in the kind of far more expensive, less cost-effective, less probable of success, and therefore infinitely less humane remedial action.

Why is it, Mr. President, that in a time when this body and when State legislatures and even local governments have noted the tragic occurrences that I have been talking about and sought to respond to those critical means to avoid them with a proliferation of programs, why is it that we seem to be experiencing an increase in these manifold problems that so trouble and so diminish the capacity of our children to face life with a decent break?

Let me just suggest to you that any number of people have had the experience of observing the failure of the system to provide help where it is required. Perhaps the story did not reach the east coast or the Midwest, but in California recently there was a news story, a pathetic news story, of a 15-year-old girl, a Vietnamese immigrant and a high school honor student, who was taken into custody when she gave birth to a 6-pound baby boy in a high school restroom toilet and the baby drowned. Suddenly, Mr. President, every child service and social service agency in her city and in her county were there to help after the fact, too late to help.

Now, in no way am I finger-pointing, in no way suggesting that any of these agencies, any of the professionals within them or that anyone on the staff at the girl's school was at fault in failing to avoid this tragedy. The fact is in the culture of this poor child—and that is what she was—it was a mark of shame to be pregnant out of wedlock. Well, that has been our own tradition as well, but in hers it was keenly felt so much so that she was successful in concealing her pregnant situation from virtually everyone even her fellow students.

What I am suggesting is not a fault on the part of those who were seeking to provide social services. What I am saying is that there is a clear need that we far better integrate the preventive delivery of social and child services so that her tragedy and others like it can be prevented, not mourned.

In my State, it is my intention to see to it that every county, through the chairman of the board of supervisors or his designee, will achieve this kind of integration of agencies, social and child services, with the schools as a focal part of preventive service delivery by seeing to it that we have in effect a school watch in which a concerned teacher can, at the very least, serve as an early warning system. Where it appears to a concerned teacher that there is reason to believe that a child's home environment is dangerous or destructive or destabilizing or, in short, promises a threat to the child warranting investigate and possible intervention, there must be a clearly understood protocol for involving prompt response by child protective services or other appropriate agencies. Where it appears to the school nurse that there is some physical problem or some mental problem that requires early mental health counseling to vulnerable young children, that must occur.

We must provide the kind of coordination of services that all too often simply does not occur; that all too often fails to occur with the result, Mr. President, that those who need services do not get them.

To get the little girl that I spoke of with depression, the little boy who has been the victim of mental child abuse, the kind of help they need requires that we make mental health counseling available to little children from the point of entry into the school system and consistently thereafter. Because that kind of early life counseling of very young and vulnerable children can detect serious problems inherent either in the child's personal chemistry or in his environment.

So how do we assure that these children can get the help they need when they need it, which is as early as possible? Well, there is, I repeat, a clear need to integrate the function of county and social service agencies with school-based health programs.

What we have been doing by contrast, I would suggest, Mr. President, is that we have somehow been compartmentalizing our children because we have been compartmentalizing those services which we presumably have devised and appropriated money for to address the needs of those children and yet the services are not reaching them. Too often what has seemed to have happened is that those social service agencies function almost in isolation and clearly without adequate communication with each other or without adequate communication with the schools, and that is, of course, where the children are. That is where those agencies should be looking.

So what we are doing is isolating these problems, treating them separately instead of looking at the child as a whole being. In my State alone there are over 160 children's programs administered by close to a dozen State agencies. Most are not engaged in the sort of preventive comprehensive approach to problem solving which offers the best hope of providing our children the assistance which they, in so many cases desperately need.

Let me introduce you to some grim statistics, after which I will introduce you to a case in point, we call him Ricardo. But first, what I am talking about is the need to integrate social services to better address and therefore to prevent these kinds of statistics. These relate to 1 day, Mr. President, 1 day in the life of America's children.

(Mr. KOHL. assumed the chair.)

Mr. WILSON. Of the almost 17,000 women who become pregnant each day, over 2,700 of them are teenagers and of those teenage mothers, slightly over 1,100 have abortions. About 400 miscarry; about 1,300 actually give birth. And what becomes of these children to whom they give birth?

Well, of all the babies born in this country each day, 676 are born to women who have had inadequate or no prenatal care, and, therefore, not surprisingly, 700 babies are born at low birth weight. By low birth weight, I mean less than 5.8 ounces. One hundred twenty-five of these are born at very low birth weight. Less than 3 pounds, 5 ounces.

As you know, Mr. President, from your work in dealing with addicted newborns, those innocently afflicted with drug use through no fault of their own but through the use of their mothers during pregnancy, we have some born at a pound-and-a-half, at 2 pounds. But that by itself is a separate problem that we have and will again discuss.

Of these babies, 69 die before they have lived a month; 107 die before their first birthday.

This is America. In this Nation, this caring Nation—and I do not say that with any sarcasm, we are a generous people—there are 7,742 teenagers who become sexually active. Of that number, about 600-plus are getting syphilis and gonorrhea. About 1,400 each day are dropping out of high school. Almost 1,900 are being abused either physically or mentally or both. So it is not surprising that many run away, and the figure there is well over 3,000. Not surprisingly, almost 1,700 of them wind up, daily, in adult jails.

To this unahppy group of children, many other things happen. They become as I have said, teenage parents—2,407 children each day in the United States are born out of wedlock. Almost 3,000 experience divorce each day. Maybe there is some connection between that and the fact that 31,000 lose jobs, even as this economy is producing millions of new jobs as it has over the past decades.

Well, those are statistics of the whole, and, frankly, I think they are understated. But they are the best we can find.

But now let me talk about an individual as a case. We will call him Ricardo. This is from an article called "Failure by Fragmentation." The author is Sid Gardner. Mr. Gardner is concerned with children.

Ricardo has problems. His teacher knew he had the ability to be a B student or better but he had skipped classes 25 days last semester and when he came, he sat quietly and said little. His homework was handed in only about half the time, and his grades were far below what his intelligence test scores indicated that he could do. Ricardo's homeroom teacher asked the school's guidance counselor to talk to him.

After a few days, a slip came to Ricardo in first period, asking him to see the counselor. He never went, and the counselor had a caseload of 178 students and so, because he was so fully occupied with the ones who did come, the counselor never saw Ricardo.

The teacher also asked Ricardo if he wanted to attend an afterschool tutorial program. Ricardo said he did not have the time, and the teacher did not follow up on the suggestion.

Ricardo's mother was a welfare recipient and, therefore, his family was known to the welfare agency. His older brother had a cirminal record, and 4 years earlier, a juvenile justice program had targeted younger siblings of that older brother as the siblings of arrested minors. Therefore, Ricardo was also in the files of that criminal justice system, that juvenile justice program.

The program had been cut back, however, and no one had ever seen Ricardo to pursue the preventive goals of that juvenile program.

A United Way agency in Ricardo's neighborhood offered afterschool recreation programs. Ricardo had dropped in several times and the counselor there had entered his name in the records as a youth that he wanted to get to know, seeing his obvious intelligence and his somewhat disturbing quietness. But outreach was difficult for the agency. The counselor had not been able to do any home visits.

Ricardo had also worked at a summer job last year and, because of that, the local job training agency had his name in their records. They had in their records a rating of his performance at a downtown printing shop. He had really liked the job. He had worked hard at it. He enjoyed making money for the first time that was his own. He had actually attended some career orientation classes as part of his summer training but the agency had not yet worked out how it would get information about his summer job performance back to the high school so the high school was totally ignorant of any work history with respect to Ricardo. It was unknown to anyone in his school.

Ricardo also had a younger sister and she had been abused by their mother's boyfriend. One of her classmates complained anonymously about this abuse. But since no life-threatening circumstances existed, the overworked child protective service workers opened a file but it remained inactive. And it bothered Ricardo. He knew something was deeply troubling to his younger sister but he could do nothing about it.

I am not going to go on with this. "Failure by Fragmentation" is the name of the article. What Mr. Gardner is saying in this, which is one of many articles, is despite the good intentions of a generous Nation through those who care a great deal about children at the Federal level, at the State, and the local level, our children are the victims of the fragmentation of our good intentions. Those good intentions are not translating into real help for them. In too many instances the agencies we have devised to supply the services are failing to do so because, in fact, there is simply not the kind of coordination and integration that is required.

What better place to focus this attention, to bring together these agencies and the services that they are meant to provide with the audience for whom they are meant to provide them, than in the schools where we sent our children to receive basic education.

This is not just my idea, Mr. President. Nor is it the complaint just of Mr. Gardner. Let me read to the Presiding Officer what a number of rather distinguished private sector agencies have said about the need for integrating social services with the schools in order to reach school children.

The Children's Defense Fund, in putting forward what they term "A Vision for America's Future: An Agenda for the 1990's" says:

> Family supports must begin with preventive services to build resilience and strengthen family functioning. The Federal Government should encourage unified children's services. Money should be provided to States which document interagency collaborations.

The Ford Foundation has produced this document, "The Common Good: Social Welfare and the American Future." What they say in part, in this document, published in May of last year is:

> Changing economic and household arrangements are creating a new kind of vulnerability for many families today. The present system of child welfare services deserves better attention. It is a maze of overlapping jurisdictions and fragmented services geared to addressing crises after they occur rather then averting them.
>
> The basic outline seems clear enough. Our systems of health care, nutrition services, day-care and child development should be connected and delivered to those children and parents who need them most. Therefore, we recommend the creation of interagency State youth councils. Local communities must take prime responsibility for designing better programs. Elements include the use of schools as centers for delivering integrated services to adolescents.

Similarly, the Carnegie Council on Adolescent Development, in the document they published in June 1989 entitled "Turning Points: Preparing America's Youth for the 21st Century" stated:

> Young adolescents face significant turning points. For many youths 10 to 15 years old,

early adolescence offers opportunities to choose a path toward a productive and fulfilling life. But for many others it represents their last, best chance to avoid a diminished future.

The recommendations contained in this report will vastly improve the experiences of all middle grade students but will mostly benefit those at risk of being left behind. The task force calls for middle grade schools that connect schools with communities which, together, share a responsibility for each middle grade student's success through collaborations to ensure students access to health and social services.

Another study recently published, published just last year in 1989 by a group called Policy Analysis for California Education, in a document in which they sought to assess "Conditions of Calfiornia Children" had this to say:

Service professionals within agencies seldom view their work as interactive and interdependent with the work of those in other agencies. Much of the duplication and confusion of fragmented children's service delivery can be prevented by providing related services at the same site, such as schools, where possible. Services targeting a shared clientele should be located under one roof.

"In Children In Need: Investment Strategies for the Educationally Disadvantaged," in 1987, the Committee for Economic Development stated:

We urge a re-evaluation of schools that serve large numbers of disadvantaged children. Public schools and communities must work together to design and tailor programs that meet the special, academic, vocational and social health needs of disadvantaged children and adolescents.

Finally, the Massachusetts Institute of Technology the past month, in January 1990, publishing a document entitled "Education that Works and Action Plan for the Education of Minorities," the quality of education for minorities project of MIT, wrote:

The needs of students also can be served by school-linked comprehensive social, welfare, health, and other delivery systems. Bureaucratic structures are grossly inadequate for the complex problems confronting today's young people, especially minority students. School-linked comprehensive service systems can overcome these problems, more efficiently meet needs and thereby improve student achievement.

Why is everyone looking to the schools, and why is everyone saying the same thing about the need to bring about collaboration to make those in the agencies understand that they should actually reach their audience?

It is because it is obvious, and it is also obvious that the schools are being blamed, in many cases, for factors that are clearly beyond their control; because the children that come into the classrooms are not healthy and, therefore, not able to concentrate, they are not able to learn. Even if they are healthy, in many cases, they are totally without motivation to learn. They are, I will tell you, without, in many instances, the kind of adult participation in their lives that encourages them to learn, that makes learning relevant to them, that measures their progress as individual children, because there is no one in their life who does that except for the classroom teacher.

Listen to what Keith Geiger, president of the National Education Association, has to say in response to the Metropolitan Life survey of American education. He said this just last fall, September 21, 1989. I quote Mr. Geiger:

Over the years, the people who work in schools have accepted increasing responsibilities for the health and welfare of students, and that's good. But the problems students bring to their classes are becoming more diverse and complex each day. Their solution demands the experience, training, resources and time that school staffs simply do not have.

Mr. President, of course, the teacher is in loco parentis, in all too many instances, and tries to substitute for the parent, but when the teacher does detect that problem of hearing, of vision, of inadequate nutrition, of mental health problems, like depression, of inadequate motivation, of inattentiveness, of failure to do homework, when that happens, Mr. President, Mr. Geiger is absolutely right: The teacher is entitled and, God knows, more important, the child is entitled, to get those services for which we are paying so much money as taxpayers in order that those professionals, presumably capable of helping, are actually there to do the job and help them.

Mr. President, there are other articles that quote any number of other teachers who note their children coming to class in winter with thin summer dresses and no undergarments; children who come routinely without breakfast; children who come not healthy, not motivated, and, therefore, not prepared, not ready for learning. We have to change that because the cost to children is intolerable: the cost to America is really unacceptable.

We should recognize the need for prevention. What this legislation does, very simply, is to authorize a modest grant program to States and local school districts and to local governments operating in conjunction with those school districts so that, in fact, they can go forward with the kind of integration of social service and child development service delivery to schoolchildren that is required if we are to change all of these unhappy reports that I have read into the RECORD this morning. It is that simple.

It will not be that simple to deal with each individual problem, but what we are saying is that there is a basic proposition whose time has come. We really do not need to agonize further about the wisdom of integrating those services with the schools. What we are saying in this amendment is we will provide some money, a modest amount, and we will then allow those who wish to achieve that kind of integration to go forward and do so. In 3 years, we will have the basis for determining, throughout this land, what works best and, very likely, we will discover that different situations dictate different responses, but with one common thread: that is, we have to pull together the people who are engaged in child development, and in a whole variety of different programs, aimed at addressing a specific need of children and bring those to the attention of those in charge of the children through half their waking moments.

That is all, Mr. President. It is a very simple proposition.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 24 minutes.

Mr. WILSON. Mr. President, at this time, I reserve the remainder of my time and entertain whatever presentation my colleagues may wish to make.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut [Mr. DODD].

Mr. DODD. Mr. President, I yield myself such time as I may consume of the time allotted to us under the unanimous-consent agreement.

Mr. President, first of all, let me say to my colleague from California, I certainly respect tremendously what he is attempting to do here. Over the last 40 minutes or so, he has outlined a very serious problem. There is no question about it. There is certainly a need to try and coordinate services and to achieve a greater efficiency in reaching these children in need.

I held hearings on Monday in New York City, Mr. President, on substance abusing parents and their addicted infant children. One of the points made over and over again by people in these intensive care units and major hospitals in New York, as well as the experts who testified later that day, was that we do not deal with the delivery of services in a whole fashion; that you have to go to one agency for drug treatment, another agency to try and encourage people or to get prenatal care or postnatal care, another agency for job training, another agency if the parent needs treatment for drug abuse. It is a patchwork system.

What we need to try and achieve has been called, and I like to call, the seamless garment of services that serve families and serve children. If I heard my colleague from California correctly, that is what he is attempting to achieve here with this proposed legislation, to try and achieve some seamless garment of services delivered so that you reduce the problems by having families or individuals search

and seek out one agency after the other, and it ends up being a very disjointed delivery system.

Having said that, however, and in sincere support of the concept he is advocating with his amendment this morning, I must reluctantly oppose the amendment. The reason I do that is very simple, Mr. President. This is a matter that is complex, and how best to do this, how best to get our local agencies at the State level and below to engage in the kind of coordination that the Senator from California is talking about ought to be the subject of some consideration by the Senate and by the respective committees, where you invite in local officials, State officials, people from the very departments and organizations that are going to be affected by this kind of a decision and sort out how best to do it.

That is why we have a committee system. This five-page amendment poses some very serious questions, and I will shortly identify a few of them, that I am sure my colleagues would want to have some answers to before deciding whether or not to support the amendment, no matter how much we all may support the concept behind the proposal of the Senator from California.

For instance, on the very first page, the Federal share shall be 80 percent of this program to set up these councils.

Most programs that I am familiar with usually have a sliding scale where the Federal commitment is one percentage and then over the next several years it deceases as local share or private sector involvement increases.

Why 80 percent? Most programs people are talking about today are usually 50 percent—50 percent matching share, Federal. So where does this number come from? Why is it not a sliding scale? Why was it set so high? Should it be higher? Should it be a 100-percent Federal commitment, and not be asking local governments to take on the added burden? Or should it be less than 50 percent because of the demand on our own budget process and a variety of other programs that need to be served.

Head Start is coming along this year. The President has asked for a $500 million commitment so that we might reach 180,000 more kids in this country in the 4-year-old range who today cannot get into a Head Start Program. That is going to be a program that I think is strongly supported in a bipartisan way in this body, and I presume in the other.

The proposal here from my colleague from California is a good idea. Healthy start even sounds like Head Start. When I first heard about it, I thought it was Head Start. I did not listen to the word "healthy" carefully. I thought he said "head," "Head Start."

In that case we are going to be detracted in a sense from the resource capacities we need for the Head Start Program. So these are the things you have to consider.

I go in to page 2, just looking at some of it here. The non-Federal share of payments under the act may be in cash or in kind, and fairly evaluated, including plant, equipment, or services.

Well, what does that include? Does that mean that the Federal Government can buy all the typewriters and pay the administrative costs and so forth, and the local agencies do not have to do that much? Does it mean seminars, trips they might take, lodging? These things have to be laid out very carefully before you come forward with a new bureaucracy that you are talking about.

I proposed several years ago in the child care bill that we mandate some things that would have to be done at the local level. I could tell you firsthand how my colleagues reacted to that. They did not like the idea that we would be sitting here in Washington and mandating what local departments and agencies would have to do; that we could set up goals, if you will, or models that ought to be adopted, or we hope would be adopted at the local level, but to sit there and absolutely mandate what ought to be done at the local level received a very strong negative reaction from our colleagues.

Certainly, when I read paragraph (c), under the heading "Council" on page 2 of this amendment, if I read it correctly, it says, "Each local education agency desiring a grant under this subsection (a) shall, in conjunction with other local social service and law enforcement providers, establish a local service delivery coordination council"—it mandates the establishment of that council in every county in America, and second, which consists—that is a verb, consist—"which consists of not more than 20 members, including—"not only does it tell you you have to establish the council, but then it goes on to list the 20 people you ought to have.

So this is not decided at the local level, or whether or not in fact the board of education locally can do the job this council sets up. Maybe they have a good system; maybe they do not. But here we lay out 20 people, including the superintendent of schools, principal, teachers, parents, a representative of the students, child protection welfare agencies, a representative of the public health agency, a child psychiatrist, a child development specialist, a drug treatment specialist, a mental health specialist, a representative of public safety, a district attorney, a representative of community-based organizations, a public housing official a representative of the local school board, a representative of the private sector. My God, we just go on. We are setting down every single individual that should be a part of this.

Again, I am sympathetic to the notion it would help to do these things, but, quite frankly, when you sit here and decide you are going to establish the institution and then mandate who sits on it, I think in the past we have rejected that kind of approach at this level.

Third, is the issue of who can receive funds. "A local educational agency"—I am going up to part (b), "Requirement," on page 2. "A local education agency shall not be eligible for a grant under subsection (a) unless such local educational agency is eligible to receive financial assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965."

That raises again the church-state issue. There is a serious question here about whether or not a church-based program could qualify. I have gone through those debates on other matters, and people have very strong feelings about whether or not they ought to be included.

That issue ought to be examined, and it is hard to examine it in a 1-hour or 2-hour debate on the floor of the Senate. Yet I am confident that many of my colleagues who feel one way or the other on the church-state debate would like to have that sorted out effectively so that they know the answer to the question before they vote on establishing this healthy start program.

On the makeup of this council that has been described, I mentioned earlier that a representative of the public health agency would be included. What about abortion counseling or pregnancy counseling?

Again, we have Members with very strong views on that subject matter in this body and some are going to want to prohibit this council from even considering pregnancy counseling. I am not sure they ought to prohibit it. In fact, I would disagree with that, quite frankly, and I presume in the absence of any language in this amendment, they would be permitted to do so. Frankly, I think they ought to be permitted to do so. But I know in past years a number of our colleagues have raised very strong reservations about that. And yet this amendment, if adopted as is, would obviously leave that question open, at the very least. Again, I presume that is the kind of thing on which you would want to conduct hearings, debate it, sort out those problems, and craft language that would make it possible for this council to move forward in that area.

The council itself, what it does, is described on page 3 of the amendment. It says it "shall develop a coordinated service delivery plan which includes

the establishment of—and it goes on to page 3 and lists three jobs that it would do, I guess—how it would develop a coordinated service delivery plan. Formal channels of communication would be established; cooperative service delivery agreements would be reached, I gather, procedures to better coordinate, and then file reports.

I see nowhere here where you would actually deliver the services. So here is $80 million each year for 3 years that coordinates, cooperates, and reports, and frankly at a time when we are with scarce dollars, you are trying to deliver services. This does nothing more, it seems, than to require there be meetings between people on these councils to discuss these questions.

Again, I do not fault the idea of trying to coordinate these efforts but, frankly, I am not sure we are achieving it is what I am saying to you, Mr. President, with this amendment. Despite the good intentions behind it, despite the laudatory goals behind it, there are serious questions raised in a 5-page amendment that would set up a new bureaucracy at the State level.

And there is no question about that. This mandates the establishment of local councils in every county, as I read it, in this country and tells you who should sit on it. I must say there has been some discussion here about various groups, reports, and so forth. We have tried to check around. I can find no group that supports this specific proposal. If there are some groups that have come on board and support this unequivocally, then we ought to know about them.

Normally, you get groups when you get a proposal, submit this, take it to the committee, have hearings, and you invite people to come in who know something about it. And they comment, and tell you how it could work better. Again, we have had nothing of the kind here in the proposal—no case of how it works.

So I say to my colleague from California—and I mean this. Normally we say these things, and there is usually sort of a hidden secondary meaning that, I support the concept, I support the goals and ideals. I clearly do. I do. I chair the Subcommittee on Children, Families, Drugs, and Alcoholism.

It is the kind of thing we should probably look at. And it would be well to look at it at the subcommittee level, conduct some hearings, see how it works, how it can be improved, and how you answer some of these questions. I am confident that many of my colleagues on both sides of this aisle would want to raise this debate before they vote to establish a $240 million program over the next 3 years. That is what we are doing. It is a quarter of a billion dollars we will be voting on shortly here on a program that we have had a 2-hour debate on, no hearings, no discussion, and no examination of how these questions work. We cannot function that way around here. You just cannot. You would never have any really intelligent program if you went that way or you might as well abandon the committee process entirely.

So I hope when this issue comes for a vote in the next few moments that my colleagues, no matter how strongly we may applaud the goals laid out in this amendment, that they would reject this amendment as of now, have it go to the committee process, then come back to the floor after we have had that kind of consideration, and then decide whether or not they want to commit themselves to a $240 million program over the next 3 years that raises the kinds of questions that are raised in the language of this amendment as crafted. So for those reasons, Mr. President, I will reluctantly oppose this amendment, and at the appropriate time offer a tabling motion. At this point I reserve the remainder of my time.

Mr. WILSON addressed the Chair.

The PRESIDING OFFICER. The Senator from California [Mr. WILSON].

Mr. WILSON. Mr. President, I am saddened, frankly, by the response of my friend. He has raised no serious questions, at least none that are raised by the legislation. This simply authorizes $10 million, not $80 million, for a grant program.

Mr. DODD. The Senator is absolutely correct about the $10 million.

Mr. WILSON. I know I am correct. I will be correct in the other assertions that I make as well. To suggest that this imperils Head Start is the most blatant nonsense I think I have ever heard. I think we are all very happy that President Bush has sought to increase the funding for Head Start by 36-plus percent. It does not imperil Head Start. That is ridiculous.

Mr. President, we have committees, and they are important. But this is the U.S. Senate, and it is an organization that has rather loose rules. If we waited for a committee hearing on every amendment that we act upon, then we would diminish our workload about 90 percent. Perhaps that might be a good thing, but it is not the way this body operates. I have seen all but the Manhattan phone book brought up here without committee hearing and pass easily.

Let me just suggest that we have done some things on the floor without committee hearing that evidently have not caused deep heartburn, either to the Senator from Connecticut or anyone else. We passed S. 1711, legislation to implement the President's drug control strategy. We passed the Cranston amendment to that legislation to amend the Public Health Service Act to assist communities in developing coalitions to implement substance abuse prevention and intervention programs. We passed with no hearing whatever the Kennedy-Hatch drug treatment amendments to S. 1711. All of those were very comprehensive pieces of legislation. None of them had any hearings—none, not one moment.

The Moynihan amendment to H.R. 2990, the Labor-HHS appropriations measure, which established a President's award for addiction research had no hearing. The Chiles amendment to H.R. 4783, the Labor-HHS appropriation, to provide funds to carry out a comprehensive child development program and to develop interactice laser video disk technology course materials for upgrading workplace literacy had no hearings.

The list could go on for days, but, Mr. President, I think that makes the point sufficiently. To argue that a simple grant should be denied passage when, in fact, all of its goals are not just embraced but lauded does not make any sense because we are not talking about anything complex. Indeed, what would be required of grant applicants, and I believe we have all heard of grant applicants before, is that they meet some simple criteria, the criteria being relevant to the goals for which the legislation is proposed. This legislation is proposed to bring about the integration of child and social services with schools. It is not a mandate. It is a grant program. There is not anybody in the country that has to apply for the grant. So what is this nonsense about a mandate?

And $10 million, a mandate to every county in the Nation—well, Mr. President, I only wish that every county in the Nation would undertake the kind of effort that is required to bring about the integration of child and social service delivery, preventive delivery, and that is my goal. But this does not mandate it. And $10 million I will assure you is going to be enough for a very few demonstration programs which will provide us the basis and experience of those different programs to determine what seems to be the most optimum, the optimum workable way to bring about this coordination, this integration instead of the fragmentation that has meant that all of this tax money is spent to no purpose.

I must tell you I resent an argument that is constructed for the purpose of denying a good idea because it did not come from a member of the committee. The fact that this has had no hearing means relatively little. It is not difficult to understand either the basic proposition or the simple mechanics of this grant. If you are a school district, eligible under existing law to make application for other grants, then you are the kind of school district that can apply for this.

What are you required to do? What is the mandate? The mandate is to come together with those social service and child development agencies in your region and establish formal channels of communication between yourselves and them, between public agencies and organizations responsible for service delivery to children, and youth, and schools—so that classroom teacher has a protocol for communicating to the mental health specialist about the little girl who seems strangely depressed, so that she can deal with child protective services, about the little boy who though he does not have a mark on him seems to have been so traumatized by mental child abuse that he is incapable of even undertaking any concentration or learning.

The next thing that this mandate imposes—and I am being sarcastic if anyone is in doubt—is that there be a simple agreement for a cooperative service delivery between public agencies and organizations responsible for children, youth services, and the schools.

Finally, it requires that this be devised as a part of this getting together, procedures to better coordinate interagency budgeting and planning for children and youth services. Mr. President, this is not very hard to understand. It is real simple. It is real necessary. It is an idea whose time has come, come to the Ford Foundation, to the Carnegie Endowment, an idea embraced by the President of the National Education Association, an idea very clearly advocated by the Children's Defense Fund.

Mr. President, I think it is an idea that makes simple, good sense. We are not going to be spending much money. We are not mandating anything. We are saying to people who wish to apply for a grant that if they want 80 percent and are willing to put up 20 percent and their 20 percent can be in kind, that is through services, then they will be designated as one of the grant recipients. And after 3 years time we will look to see whether or not in their county and in their school system they have been able, not just to integrate services, but as a result, to claim some victories for children. That is what this is about. To talk about injuring Head Start and mandating that every county will have this program is sheer and unadulterated nonsense.

I do wish to give offense to a colleague, but, frankly, these arguments are pure straw. That is being kind. This is an idea whose time has come. It is an idea that is really late. It is simple, common sense. Instead of funding organizations that do not talk to each other and do not talk to the schools, where our children—I repeat—spend 50 percent of their waking hours, is to be blind to an obvious requirement.

Mr. President, I feel that what is at work here is a little turf jealousy. Ordinarily, I would not care very much about that, but I have seen a little too much recently in the way of what happens because of the failure to provide the kind of services that are necessary to prevent some real tragedies. That 15-year-old Vietnamese honor student who became pregnant is no isolated case. She is only one of many teenage mothers, or in her case, a teenage pregnancy which came to tragic end.

If we are serious about doing something about being able to deal with learning problems, if we are serious about teenage pregnancy, if we are serious about drug gangs and drug use, if we are serious about the kind of dropout rate that is robbing America of the work force that it will need and robbing each of those dropouts of hope for simple dignity and earning power, then, by God, the time has come to do something about it—not to say, well, this is complex stuff; we had better have some hearings.

There have been so many hearings on the different facets of all of what we are talking about, that it would fill—and it has—volumes of committee records. Has this proposal today had a hearing? No. Does it need one? No. What we need is response, response from those agencies that are involved in teaching, and those that are involved in providing service delivery, in order to bring the services to the children for whom they are intended. It is not happening. I am angry about it, because it is time it happened. I will just tell you that what we are talking about, simply stated, is prevention, rather than remedial care.

Mr. President, I will put it to you very simply. We will start with crime. I am, some would say, a hardliner on crime. I believe the President is, too. I do not care whether you are a conservative who believes in the death penalty and in stiff sentences, as the President and I do, or whether you are a liberal who does not. In either case, how much better it is to prevent crime than to punish it. How much better to keep kids in school than to see them in reform school. How much better it is to prevent drug use than to go the expensive and uncertain route of rehabilitation.

I want to put those dedicated people to whom I am so grateful, those who are specialists in compensatory education, into the category of being a diminishing, rather than a growth industry, by preventing the need for their attention.

How much better to prevent learning disorders than to suffer then, and to have to go through the tremendous exertions, and all of the expense that is involved in special compensatory education. How much better, Mr. President, to engage in prevention than in the far less humane—because it is far less effective and far less cost effective—course of remedial action that is likely not to succeed, even as it spends dollars.

Mr. President, the case for this, I think, is compelling. There is no need for committee hearings; there is need for action. It does not require great courage to take this action to authorize $10 million to allow those agencies who wish to, to apply for a grant that will assist them in better integrating the delivery of preventive health and social and child development services to school children. That is what this is about. We, by God, should get to it.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. SHELBY). Who yields time?

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I must oppose the amendment offered by the Senator from California and urge my colleagues to do the same. The amendment submitted by him charts new ground, maybe good ground, but new ground, and I believe, really, as chairman of the Subcommittee on Education, it is a matter that should first be the subject of consideration by our Committee on Labor and Human Resources.

As the Senator knows, the text of the amendment was not available until, I believe, this morning. That has made any detailed examination difficult.

Mr. WILSON. Will my friend yield the floor? The text was provided to the committee staff.

Mr. PELL. I think you will find there is a dispute on this. My staff said they did not receive it.

Mr. WILSON. A summary was provided, and I assume that, frankly, the staff was able to read it and understand it. I have high confidence in the staff.

Mr. PELL. At any rate, my understanding is that it was a summary that was provided, but no text.

I congratulate the Senator, too, on his project D.A.R.E. amendment, which was accepted earlier and which provides for police officers to be trained to go into the classrooms of our elementary school children, and I think that is a good and positive step in the fight against drug abuse.

But in this case, I think that we should examine very carefully this proposal and how it affects other successful proposals. I must, as I said earlier, vote against it. I am prepared to yield back the remainder of my time and move to table, if the Senator is willing to yield back the remainder of his time.

Mr. WILSON addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. WILSON. Mr. President, first as a courtesy to my friend, I ask him what questions he has, what questions does the staff have?

Mr. PELL. Basically, speaking as a member of our committee, I think it should go through our committee.

Mr. WILSON. I am afraid I am not being clear. What specific questions about this legislation does the chairman or the staff have? I mean, it is so patently obvious, I want to know what question they have, what it is they fail to understand?

Mr. PELL. I think that the specifics were well articulated by my colleague the distinguished Senator from Connecticut, earlier. But my main objection is that it should first go through the committee. We would like to work with him on the committee, but unfortunately no effort was made to go through the committee.

Mr. WILSON. Mr. President, no effort was made to go through the committee, because there should be no effort required.

This is so patently obvious. The necessity for it is so clear that it has been documented by one organization after another. Only the Labor and HHS committee seems not yet apprised of the need to do this.

I do not think this is a bold new course being turned. I wish I could claim the credit that my friend is seeking to give. I will just tell him that the time for action on a simple proposition, a $10 million grant application, is now. We do not need to go through the process of such a hearing.

We did not give a hearing to the Chiles amendment, to the Moynihan amendment, to the Kennedy-Hatch drug treatment amendment to S. 111, to the Cranston amendment to S. 111. These were far, far more complicated and more extensive.

What we are talking about is simply giving those very few local districts that could apply under the modest amount of money provided in this grant the opportunity to do so, so that we will have some basis in experience. Then we might have a hearing that would be useful where we examine the experience of those school districts that have actually put to work an agreement that requires only three things: Communication, cooperative service delivery agreements, and procedures to better coordinate the budgeting and planning for the delivery of child and youth services.

I frankly do not see how anyone could have a question, and I have not heard any question. Therefore, I have to conclude that there are strange forces at work that make it impossible for those who should understand to do so, which is certainly strange because they are bright intelligent people.

Mr. President, I will yield back the remainder of my time and when my friend moves to table I want him to know that I intend to seek a rollcall vote because I cannot imagine anyone who would not be ashamed really to vote against this.

They should be if they do.

Mr. LEVIN. Mr. President, I believe that authorizing demonstration grants to assist local educational agencies in coordinating support services to children and youth is a worthy goal. Unfortunately, this amendment would impose inflexible requirements on local education agencies which seek to apply for these demonstration grants.

For example, this amendment would mandate that local educational councils which apply for a demonstration grant include a range of public officials and private citizens with a variety of specialties. However, under the language of the amendment, if a local educational council has people to fill 19 of the specified slots, but does not have a person for the 20 slot, then that agency—regardless of how suited it might otherwise be for the project and regardless of how great might otherwise be the need—would not be eligible to apply for the grant.

This amendment would be useful if it were less rigid. For that reason, I will vote against the Wilson amendment.

Mr. PELL. I am prepared to yield back the remainder of my time now and am glad to have a rollcall vote.

Mr. WILSON. The Senator can yield his time. Whatever the distinguished chairman wishes, there is going to be a rollcall vote.

Mr. PELL. Sure. So does the Senator yield back the remainder of his time?

Mr. WILSON. Yes.

Mr. PELL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. PELL. Mr. President, I move to table.

Mr. WILSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the amendment of the Senator from California.

On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—51

Adams	Byrd	Dodd
Baucus	Coats	Exon
Biden	Conrad	Ford
Boren	Cranston	Fowler
Bryan	Daschle	Glenn
Bumpers	DeConcini	Gore
Burdick	Dixon	Graham
Harkin	Levin	Reid
Hollings	Lieberman	Riegle
Humphrey	Matsunaga	Robb
Inouye	Metzenbaum	Rockefeller
Johnston	Mikulski	Rudman
Kennedy	Mitchell	Sanford
Kerrey	Moynihan	Sarbanes
Kerry	Nunn	Sasser
Kohl	Pell	Simon
Leahy	Pryor	Wirth

NAYS—49

Armstrong	Gorton	McConnell
Bentsen	Gramm	Murkowski
Bingaman	Grassley	Nickles
Bond	Hatch	Packwood
Boschwitz	Hatfield	Pressler
Bradley	Heflin	Roth
Breaux	Heinz	Shelby
Burns	Helms	Simpson
Chafee	Jeffords	Specter
Cochran	Kassebaum	Stevens
Cohen	Kasten	Symms
D'Amato	Lautenberg	Thurmond
Danforth	Lott	Wallop
Dole	Lugar	Warner
Domenici	Mack	Wilson
Durenberger	McCain	
Garn	McClure	

So the motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The pending business is the committee substitute amendment, as amended.

Mr. JOHNSTON. Mr. President, wil the Senator from Rhode Island yield me 2 minutes?

Mr. PELL. Yes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. HOHNSTON. I thank the Chair.

(The remarks of Mr. JOHNSTON pertaining to the introduction of S. 2088 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

PROVIDING FOR ADJOURNMENT OF THE TWO HOUSES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 256, the adjournment resolution, now at the desk.

The PRESIDING OFFICER (Mr. SIMON). The clerk will report.

The assistant legislative clerk read as follows:

concurrent resolution (H. Con. Res. 256) providing for the adjournment of the two Houses.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 256) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EDUCATIONAL EXCELLENCE ACT OF 1989

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the committee substitute amendment, as amended. The Senator from North Carolina is recognized.

AMENDMENT NO. 1246

(Purpose: To amend the National Board for Professional Teaching Standards)

Mr. HELMS. Mr. President, I thank the Chairm, both personally and professionally.

Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS,] proposes an amendment numbered 1246.

Mr. HELMS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 118, line 5, insert "public" after "the".

On page 118, line 5, insert "public school" after "all."

On page 119, line 3, insert "for competency in a discipline" after "standards".

On page 119, line 4, insert "public schools" after "the".

On page 119, line 12, beginning with "has" strike all through line 14 and insert "means a public school which provides elementary education, as determined under State law,".

On page 119, line 15, beginning with "has" strike all through line 17, and insert "means a public school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.".

Mr. HELMS. Mr. President, it became quite apparent last night that a majority in this body is content with allowing a union-dominated National Board to set standards for the public teaching professions.

While the Board has said publicly that the standards will be voluntary, and that word voluntary has been run through this Chamber time and time again during the debate on this piece of legislation, what do the unions say? They are unabashedly saying that they intend to have the States adopt the Board's future standards as de facto State licensing standards.

Those are the facts.

From the point of view of this Senator, I am concerned that with the overwhelming union influence on the National Board for Professional Teaching Standards, the Board will not promulgate truly rigorous and meaningful standards in light of the teachers' union's overwhelming opposition to the many attempts by the States in the past to implement written competency tests.

But all of that was last night's debate, Mr. President. I do not intend to go into it again. What I do want to discuss—and I think that I am obliged to discuss—is the question of whether the Senate intends to permit the National Board to use Federal funds to develop standards for private schoolteachers and home-schooling parents.

Therefore, the pending amendment would stipulate that the National Board's activities will be confined to developing standards for the public elementary and secondary schoolteachers, and, if this amendment is agreed to, the Board will be prohibited by law from using Federal funds for activities directly related to developing competency assessments or certification requirements for private schoolteachers or parents who teach their children at home.

I think we ought to write it in indelibly, unmistakably, and that is the purpose of this amendment.

The point is this, Mr. President. Parents who have been their children out of the public school system essentially pay twice to educate their children since, in addition to paying the cost of their children's private education, they must also pay taxes to support the public school system. Most of the parents who make such sacrifices do so for religious or academic reasons, and those who teach their own children at home or put them in religious private schools for religious reasons disagree with erroneous Supreme Court decisions prohibiting even voluntary religious activities in the public schools. They do not want their children educated in an environment devoid of religious content or in an environment that is implicitly—and in many instances virulently—prejudiced against religious beliefs.

Many parents, religious and nonreligious, also prefer to take their children out of the public schools because they disagree with the educational theories and philosophies prevailing these days in the public schools.

Such parents will hardly be interested in applying to the National Board for certification when the Board's bylaws ensure that a majority of its composition at all times will be public schoolteachers. You may not agree with these parents, but that is the way they feel, and their feelings ought to be respected by the Senate of the United States.

Mr. President, it is particularly enlightening that even though private school and home-schooled children currently constitute between 15 and 20 percent of the Nation's total student population, only one—only one—of the National Board's 60-odd members comes from the private school sector, and even then that member does not speak for the concerns of religious schools or home-schooling parents.

Mr. President, I must assume that most of us agree that parents who are willing to endure great additional personal expense and sacrifice in order to seek out an alternative to public education should be permitted to do so if they wish. After all, this is supposed to be a free country. And once these parents find and pay for alternative ways of teaching their children, they should not be required to turn their private schools and homes into clones of the public school system.

Mr. President, that is what they are trying to get away from. Agree with them or not, they have that right as Americans. But this is precisely what the public school professionals are trying to force upon them, forcing them to knuckle under to what somebody else thinks is best for their children.

For example, the National Board itself has declared that one of its purposes is to dispel the myth "that any modestly educated person with some instinct for nurturing has the requisite qualifications to teach."

The Lord knows what all that means, but I think I know what it means. It means, as I said over and over again yesterday and last evening on this floor, that what this crowd is after is monopoly power and control financed by the taxpayers of the United States of America.

By definition, most home-schooling parents are, I suppose, modestly educated people who have an instinct and desire to nurture their children. So, if I were them, I would be greatly alarmed by the Board's statement as to its purpose in this regard.

Mr. President, what would be more disturbing to this Senator would be the boldness with which the rest of the public school teaching profession declares their hostility to the existence of private schools and home-schools outside their control.

The NEA as recently as 1984 said that "Nonpublic school instructional personnel must be credentialed"—and between the lines that means by them—"according to minimum stand-

ards"—again decided by them—"comparable to and comparable with those applied in certifying public educators."

The National Education Association also believes that private K-12 educational institutions must employ teachers who hold public educator certification.

Do you see where that leads us, Mr. President? Taking everything away from these people who are paying double to educate their children, taking away all of their rights. The NEA is saying, "We will decide who is or is not competent to teach your children, not you."

So, Mr. President, the problem here for private schools, particularly religious schools, is that a public teaching certificate is usually contingent upon an individual's having graduated from an accredited teachers college. Of course, the NEA does not want any teachers college to be accredited unless that college teaches "pedagogical" theories and other matters which border on nonsense.

The NEA also does not want teachers colleges to be accredited if they are overly involved in teaching religion. I happen to be one of those who thinks that the Supreme Court stood itself on its ear when it yielded to Madalyn Murray O'Hair and took school prayer out of the public schools of America. In terms of the effectiveness of the schools, the respect for the schools, the participation by parents, and the deterioration of schools, I think they all could be charted on a graph downward after that decision. When we took every element of religion out of our schools, we set them on a slippery slope, as evidenced by the state of education in this country today.

Mr. President, the point is that the many teachers colleges in this country were established precisely because their founders did not believe in such "educational theories." So in many instances they felt—just as many religious school and home-schooling parents do—that such theories are antithetical to their religious beliefs. But here we have the specter of the NEA, advocating that graduates from religious teachers colleges should be prohibited from teaching anywhere, even in elementary or secondary schools belonging to the teachers college's same denomination.

Mr. President, the NEA is equally unequivocal in its opposition to home-schooling parents. The NEA at its convention in New Orleans in 1988 adopted a resolution stating that the NEA "believed that home-schooling programs cannot provide the child with a comprehensive education experience."

I am sure that comes as news to the many parents who have observed over the years that the vast majority of public schoolteachers spend more time trying to keep order in the classroom than in instructing the students.

Mr. President, I mentioned yesterday that Mrs. Helms and I have an older daughter who is a school principal. Later on this year she will be principal of two schools simultaneously, an elementary school, and a middle school, as it is called. Yes, their school is connected with the Episcopal Church. My daughter began as a public schoolteacher, but she realized that she was doing nothing for the students because the problem was keeping order, and most of her time was consumed with keeping order, filling out forms, and doing things that schoolteachers in years past never had to bother with. Back then teachers could teach. But the problem with public education as we have allowed it to develop in this country is that the schools are not teaching.

You see all sorts of comparisons between America's young people, and those of other countries, which show that the public schools are not teaching our children properly. For instance, compare the students in Japan in terms of their knowledge of technology with students in this country and I am afraid it will be all too evident that our students do not measure up.

Mr. President, this past Friday, I flew to Raleigh, NC, with the President of the United States. The President is earnestly trying to do something about the educational deficiencies. We stopped at North Carolina State University, which is a great university, and specifically we visited the part of the university that emphasizes semiconductors. When we walked in, I was surprised to see that most of the people, I gathered, were not even U.S. students. I remember one very bright and personable young man who knew all about the semiconductors. And he was the one chosen to explain the semiconductors to the President of the United States. The young man had on a white jacket, and he spoke meticulously. He is from Taiwan.

Do not let anybody try to tell this Senator that the intervention of the Federal Government into the educational processes of this country has not done decided damage. That is the reason you have home-schooling. That is the reason you have so many parents paying twice to give their children a little more in terms of education. That is why you have so many protests about title X that this Senate insisted time and time again yesterday must remain in the bill.

Mr. President, I said at the outset of my remarks yesterday that if we wanted to go to final passage on this bill all we had to do was take title X out and thereby give the President of the United States the bill he originally sent to Congress. But by repeated votes, rollcall votes, the teachers unions prevailed.

I expect that Senators are going to hear quite a bit from people all over America once word finally gets out about what has been done in this Chamber in the last 24 hours.

The point is Mr. President, that the private school and home-schooling parents have grounds for concern. Some say, as my friend from Connecticut said or at least implied yesterday, title X does not apply to private schools or home schools. But unless this amendment is adopted, the Senator from Connecticut is wrong. He may be sincere, and I am sure he is, but he is sincerely wrong.

Senators should take note that title X's definition of "elementary school" and "secondary school" tracks exactly and precisely with the meanings given those terms by the Elementary and Secondary Education Act of 1965. And that act states that "an elementary school means a day of residential school which provides elementary instruction." The word "residential" is of particular note since it unequivocally brings home-schools within the purview of the National Board's activities. And the definition for secondary schools is exactly the same except for the word "elementary."

Mr. President, title X specifically authorizes the Board to develop "teacher assessments and certification procedures for elementary and secondary schoolteachers."

Of course, according to the act's definitions which I just read that includes private teachers and home-schooling parents who are providing elementary and secondary school instruction. Those who disagree with me can protest all they wish, but we will eventually and ultimately see who is right.

Other Senators may say that title X will not affect private schools and home-schools because religious schoolteachers and parents would have to apply for Board certification. But such teachers and parents are not in the least interested in applying for such certification. In fact, it is the kind of philosophy driving the Board which prompted most of them to take their children out of the public schools in the first place.

I want Senator DODD to be exactly right. I want the Senate to say that Senator DODD is exactly right in his contention that, as the act is written, that the National Board's activities will be confined to developing teacher assessment and certification requirements for public school-teachers. I want it to be clear that the National Board cannot use Federal funds to develop certification or assessment standards for private schools or home-schooling parents.

Mr. President, I do not want the NEA to be able to use standards emanating from federally funded entity as

ammunition in its efforts to force public school standards, methods, and philosophies on private religious schools and home-schooling parents. These are citizens who have desperately tried to opt out of the public school system altogether. If left alone, they are more than willing to be judged by the educational progress of their students. That is a teacher competence standard that I am sure we will never see the National Board promulgate that competency standard for public school-teachers because the NEA would never accept it. Too many of its members would flunk.

Mr. President, I urge Senators to go on record as protecting the rights of all parents to seek out alternatives to public education for their children, if they wish, with as little interference from Government as possible. That can be accomplished, or course, by adopting the pending amendment.

Mrs. KASSEBAUM. Mr. President, I wonder if the Senator will yield for a question?

Mr. HELMS. I am glad to yield to my friend.

Mrs. KASSEBAUM. Is it not true that today, as a matter of fact, home-schools or private schools are not under any State requirement requiring competency or testing?

Mr. HELMS. I do not believe it is true. I state this respectfully to my friend. The States regulate home-schools in many ways. In some States, one parent must have a college degree. In others, the children are required to take a test to see that they are doing at least as well as the public schools. In every instance so far, by the way, the home-schooled children do much better than the public school students.

Mrs. KASSEBAUM. Today, as it stands, do teachers in home schools have to meet any standards that a State may have regarding teaching requirements?

Mr. HELMS. I suppose that varies from State to State.

Mrs. KASSEBAUM. Well, the requirements do. I am asking, because I was not sure. I did not realize that private school-teachers or home school-teachers had to meet any existing State requirements.

Mr. HELMS. Well, let me say for the RECORD that the State of Michigan, for example, has already acquiesced in the NEA's position and currently requires parents to hold a public school teacher's license before they can teach their own children at home.

Mr. KERREY. Will the Senator yield?

Mrs. KASSEBAUM. I would be happy to yield.

Mr. KERREY. I am here to talk about something else, but I have some experience with that certification issue, both for the purposes of the Senator from North Carolina and the Senator from Kansas. I believe a half-dozen States require—mine being one of them, and I tried to get that law changed unsuccessfully—advanced certification before permission can be granted to teach either in a private or home school.

Most of the States—I do not know the exact number—will permit testing of the students themselves to determine whether or not the school is getting the job done. There are still a handful of States that require certification prior to that teacher being given permission to teach in school, whether a public, home, or a private school.

Mrs. KASSEBAUM. I thank the Senator from Nebraska. I thank the Senator from North Carolina.

Mr. HELMS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I yield the floor.

Mr. KERREY. Mr. President, I ask unanimous consent that I be permitted to speak on the underlying bill.

The PRESIDING OFFICER. Without objection.

Mr. KERREY. Mr. President, I rise, first of all, in support of S. 695. I believe it is a worthy proposal being offered for serious Americans problems in our schools. I am pleased to be able to join in support of the Chair's legislation yesterday, which addresses the problem of adult illiteracy, because I believe it is a serious effort to deal with a serious problem. Those of you, including the distinguished Senator from Illinois, the Senator from Rhode Island, and the distinguished Senator from Kansas, and others, who have spent an awful lot of time on this, I believe understand very well what ought to be done and what can be done.

Mr. President, the worst dilemma for an elected official is to be caught between the public's desire for a solution to a problem and our own ignorance of the problem itself. The squeeze of the proverbial rock of public sentiment and the resistance of a hardened mind is not uncommon in American politics.

Sometimes, however, our dilemma is more accurately described by the Latin expression once passed on to me by Nebraska's super literate attorney general, Bob Spire. We are caught "a fronte praecipitium a tergo lupi"—between the cliff in front and the wolves behind.

Mr. President, the passage of the National Literacy Act yesterday is a good effort directed at a serious problem. Today, we have before us a proposal by the President which is a good effort, too.

The President has set the year 2000 before us and has challenged us to participate in the effort to achieve several astonishingly worthwhile objectives by that date. Leaving aside the question of whether a 9-year plan is a long term goal, I am concerned by the President's almost breathless enthusiasm to accomplish all sorts of things by this day.

President Bush, has become fascinated lately with the potential for harmonic convergence in the year 2000. He wants to eliminate adult illiteracy, reduce dropout rates to 10 percent, and advance 17-year-olds to the top of the industrial world's math and science class by the dawning of that magical moment.

We are rushing headlong toward the year 2000, trying to pass appropriate legislation along the way. Faster and faster we go while behind us are voters and pollsters tolling us to do something about education.

My fear, Mr. President, is that instead of finding the promised land in the year 2000, we will find a cliff. We will find we are at the edge of a precipice rushing headlong to our destruction. The hard fact of the matter is—and we all know it—simply by passing legislation, we will not improve the literacy of our adults and our children.

It would be a great tragedy if—while the people are behind us—we took steps which do not lead to the improvement of our schools. It would be tragic if we stood on the floor and only pretend to understand what is needed or to simply posture about the long term benefits.

It would be a tragedy because we need to dramatically improve the quality of American primary and secondary education. The performance of our best teachers and students suggest what we could do; but the aggregate performance of all our students make it clear how far we have to go. I happen to be one of many Americans who the President of the United States referenced in Charlottesville when he said "Americans are ready for a radical change in their schools." I do not believe the President's proposals are up to that particular task.

At their best, and indeed they can be good—given the proper oversight and funding—these legislative moves will improve things at the margin. At their worst, which I fear is more likely, they offer promise unsupportable by honest evaluation.

In this case, we will have thrown a little more money at the problem, adding credibility to the conclusion of many parents and teachers that nothing can or will be done to add to the intellectual performance or capacity of the American student. And there is the very real possibility of strengthening the two most formidable barriers facing America's teachers, parents, taxpayers, and pupils, and that is the bu-

reaucracy of education and regulation of education in this country.

All the clearing houses, public-private partnerships, challenge grants, merit schools, alternative certification programs, and the rest, take us in many cases in the opposite direction suggested earlier by Secretary Cavozos. Apparently he is the concerned by bureaucracies in America's schools, not in America's human capital.

When I look at the long list of all the new and expanded ideas contained in two education bills being considered this week, the words of an old Muscovite man who was commenting on the Soviet Communist party come to mind. He said:

When the mouth is eating more food than both hands can hold it is time to shut the mouth.

Mr. President, I feel the same way now about our education policy. It is time for us to shut our mouths and put a lot more money into the hands of teachers, principals, and parents who are struggling against great odds. There are 40 million students in America's 16,000 primary and secondary school districts; they need a lot more than we are prepared to give them this week.

They will need a comprehensive effort which, I believe, must be centered around encouraging the most innovative, creative and promising educational programs around the country.

In the near future I plan to introduce legislation establishing an Education Trust Corporation which attempts to accomplish that objective. I believe radical changes are needed but I believe the Federal Government is going to have to be an active partner; otherwise, those radical changes will not occur.%

My proposal in many ways is analagous to the Resolution Trust Corporation in that both establish a source of funds to address the problem and make sure that problem is addressed in an adequate way.

We must understand that housing, health care, transportation, public libraries and parks, and job retraining are more important than they have ever been in the struggle to educate our children. As important as good law enforcement is we will not educate our children by promising them good shelter only if they end up doing hard time.

We must struggle against our own schedules and ages to understand what it is like to be a teacher or a principal today. The heroic effort of our best must be joined by us. We must stand shoulder to shoulder with our school leaders to fight for better pay, improved working conditions, and the opportunity to be held accountable for their performance.

We must examine the status of American productivity and connect American educational effort with the daunting task of reversing an almost two decade decline which threatens the standard of living of all of us.

Mr. President, you, above all people, have not only spoken but written at length about declining productivity in United States of America, and understand how crucial it is for us to connect our educational achievement with our economic gain and our economic machine.

When I graduated from high school in 1961, the statistics said I would double my standard of living in 20 years, but today's graduate, the person who graduates from school in 1990, statistics say that that individual will have the opportunity to double his standard of living in 120 years.

Additionally, we must make certain that our Tax Code simultaneously rewards long-term productivity and provides a fair shake for middle America. We must turn back those greedy friends who approach the Federal tax trough for exemptions, deductions, or lower rates that amount in the end to welfare for the rich.

We must stop the annual charade of talking about $100 billion deficits in January while knowing we will increase the national debt by $300 billion in October. Mr. President, it is a fatal hypocrisy for us to promise educational improvement with these grand legislative measures at the same time we understand that our fiscal policies force interest rates higher, shift wealth away from those Americans upon whom we depend as we compete with the world, and worse of all burdened today's children with the debt of our consumption today.

In short, Mr. President, if we have any real expectation, desire, or hope to stand on the edge of the year 2000 looking back on the work we did in the year 1990 with the pride of mature men and women who gave their all to the cause of preparing a better world for their children we will have to do more than pass a few education bills.

I yield the floor, and I thank the distinguished Senator from Rhode Island and the distinguished Senator from Kansas for permitting me to speak.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I have studied this amendment and find it a very interesting one. As I understand it, it says that a teacher at a private school or home school could not take the examination to be certified. I am a trustee and have been a trustee of a private school, and we have no certification requirements, to the best of my knowledge, for any of our teachers at that school.

As of now a teacher, if she wanted to and if this basic legislation is passed, could go ahead and take the test to be certified. She does not have to, but she has that privilege. I think the passage of this amendment could prevent her from having that privilege and that right, and I think that would be an error.

I would hope we could adjust the legislation or amend it in such a way that it would not interfere with the present practice in private schools or in home teaching.

The present procedure is that the Board certifies teachers, not schools, and sometimes in our discussions we forget that the individuals being certified are not the schools but they are actually the teachers.

This amendment would place a restriction on teachers who move from public to private schools or, to give the example I just did, move from private school to a public school.

When we certify doctors, we do not restrict that certification to practice in a public hospital. I think that that analogy is pretty correct here, that when teachers get certified they should be certified without the requirement that they must teach in a public school.

I suggest the absence of a quorum, and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. HELMS. Mr. President, I did not know we are under a time agreement. I yield such time as the Senator from Pennsylvania may require.

The PRESIDING OFFICER. The Senator is recognized.

Mr. SPECTER. I thank my distinguished colleague from North Carolina.

Mr. President, I have sought recognition to address the pending amendment and to speak more broadly on the questions which were discussed yesterday in a series of amendments which sought to limit the funding for the National Board for Professional Teachers and also to change the composition to provide for open bidding on such funding.

In my votes yesterday, I opposed the reduction in the $25 million figure and I also opposed providing for a change in the composition of the Board because of the very considerable progress which has been made already following the Carnegie Task Force report on teaching as a profession which was issued in 1986. With respect to funding, at this juncture I am not sure how much that funding should be, but with an authorization provided in this legislation there can always be

a tailoring during the appropriations process. I am the ranking Republican on the Subcommittee on Labor, Health and Human Services and Education, so we can address the funding issue more closely at that time.

As I listen to the distinguished Senator from North Carolina earlier today, I share his frustration in the educational system in America. I commented to him in the Cloakroom a few moments ago about my own observations in a classroom taught by my wife, Joan Specter, as to what Senator HELMS had observed or commented about with his own daughter.

I visited the classroom on one occasion many years ago and it was similar to that of a track and field event. The teacher was really a warden of a small institution.

We do know that our educational process in this country is in a state of disrepair and in tremendous need, and it is one which requires our very devoted attention. I compliment my distinguished colleague from North Carolina for the close attention which he has paid to it and his efforts to try improve the situation. In addition, I compliment my colleague, the distinguished Senator from Kansas [Mrs. KASSEBAUM] and the distinguished chairman of the subcommittee, Senator PELL, as we struggle here today to try to find some ways to improve this system and it is very hard to do.

I have struggled with the issues which were presented yesterday. It is very difficult because we were in the midst of hearings on the nomination of Clarence Thomas and it was back and forth from the floor on a series of amendments, talking to my colleagues in the well, on the floor, trying to reach some conclusion. With the help of my very excellent staff assistant, Earthamae Issac, I cast the votes I did yesterday and wanted to comment very briefly today on the pending amendment.

I have been impressed with the work which has been done by the Carnegie Task Force on Teaching as a Profession. It issued an extensive report in 1986 entitled "A Nation Prepared: Teachers for the 21st Century." That report calls for the establishment of a National Board for Professional Teaching Standards. I have noted that there is considerable private funding which has already been advanced, a $5 million, 5-year grant from the Carnegie Corp. in New York. The National Board for Professional Teaching Standards was launched as a result of that. There has been additional funding in excess of $6 million: $3 million from the Lilly Foundation, $1 million from the Ford Foundation, $75,000 from Charlson Research, $500,000 from AT&T, $500,000 from the Chrysler Corp., $500,000 from Du Pont, $500,000 from Xerox, and many other contributions.

When we are looking at Federal funding, we are looking at it in the context of very considerable private funding. I think it is a very important public-private partnership which is in process here. So that when we look at this authorization for $25 million, it is in the context of others having put up considerable money from the private sector.

I have noted the composition of this Board. I heard some of my colleagues complain yesterday about a Board dominated by folks which were antithetical to this particular Member's point of view, let me put it that way, charitably and diplomatically.

As I look at the composition of this Board, it is very diversified and there is no monopoly of power anywhere. Some may complain about the participation of some groups, but as I look over this Board of 64 members, the American Federation of Teachers has 7 members; the National Education Association has 7 members; 14 members represent specialty and disciplinary associations, such as the National Council of Teachers of Mathematics. The remaining 21 directors include Governors, State legislators, local and State school board members, chief State school officers, superintendents, principals, community and business leaders, parents, and outstanding individuals from higher education. That looks to me like it is a pretty representative Board. Obviously this is not an allocation of Federal money to some special interest groups which are going to have their own interests at heart as opposed to the public interest.

I discussed some of these issues with Mr. Albert Shanker of the American Federation of Teachers some time ago, and others who are in this group.

Mr. President, I would also like to note the participation of three very distinguished Pennsylvanians, which is something this Senator considers, although it is not dispositive. We have had representations from three members of my State whose word I value highly.

Martha Dolfi is on the Board. She teaches math and language arts in the Brookline Elementary Teachers Center in Pittsburgh. Ms. Dolfi was the 1986 Pennsylvania Teacher of the Year.

Another Board member is Mr. Alan K. Campbell, executive vice president and vice chairman of the board of ARA Services, Inc., in Philadelphia. He is former Chairman of the Civil Service Commission and former Director of the Office of Personnel Management.

In addition, Miss Helen E. Martin, who teaches Earth and space science to seniors and juniors at the Unionville High School in Pennsylvania. She has come to my office on a couple of occasions. She and her students have a unique process for a weather satellite tracking station which they use to track American and Russian satellites.

This is a teacher who is in the trenches. She really, I think, knows what is going on.

From these three Board members I, frankly, have a lot of confidence in what they are doing. And the concern I have about the amendments which have been pending so far is a concern that we would start over from scratch. This Board is now ready to commence the intensive research and development program that will enable it to issue the first certificates to teachers in 1993. That is why, notwithstanding the able arguments presented by the proponents of the bill for opening up the competition, it seems to me we should not take a step away from the Board, which already is in existence; and that if we forfeit these 3 years of work, we will start all over again, forcing a setback of this important project.

The whole project, Mr. President, of establishing high and rigorous standards for what teachers should know and be able to do is a very lofty goal. And this certification, I think, has significant promise to advance educational goals and to improve the quality of our teachers and the quality of education in America.

This is an issue which, of course, the Senate must pass on without being experts in the field. I have not had the opportunity to attend the hearings or to delve with the depth which the committee has which has presented this proposal.

When the distinguished Senator from North Carolina offers the current amendment, as best I understand it, that would preclude private schools from participating in the certification program. My own sense is they do not have to if they do not want to. I would be reluctant however, to see a Federal bar, if I accurately understand this amendment. A Federal prohibition which would rule out participation in this certification process if anyone, any school, private or home school, wishes to undertake that.

I do agree with the rest of the comment that we ought not to force it on private schools or on home schools. But if they wish to do so on a voluntary basis, at least at this stage of the debate, I have not seen forceful reasons which ought to preclude its availability, if they choose to undertake it.

Mr. President, although considerable debate has occurred regarding title X of S. 695, the Educational Excellence Act, not enough attention has been focused on the public/private partnership nature of this initiative.

In 1986 the Carnegie Task Force on Teaching as a Profession issued its report "A Nation Prepared: Teachers for the 21st Century," which called for

the establishment of a National Board for Professional Teaching Standards. One year later, with a $5 million, 5-year grant from the Carnegie Corp. of New York, the National Board for Professional Teaching Standards was launched.

The National Board for Professional Teaching Standards is an independent, nonprofit, nonpartisan organization governed by a 64-person board of directors. Two-thirds of the board must be teaching professionals—32 of whom must be elementary and secondary school teachers—with 7 members representing the American Federation of Teachers; 7 members representing the National Education Association; 14 members representing specialty and disciplinary associations; for example, National Council of Teachers of Mathematics; and 14 members must be outstanding teachers. The remaining 21 directors include Governors, State legislators, local and State school board members, chief State school officers, superintendents, principals, community and business leaders, parents and outstanding individuals from higher education.

Three of the current board members are Pennsylvanians: First, Martha Dolfi, teachers math and language arts at the Brookline Elementary Teachers Center in Pittsburgh. Ms. Dolfi was the 1986 Pennsylvania Teacher of the Year. Second, Alan K. Campbell is executive vice president and vice chairman of the board of ARA Services, Inc, in Philadelphia. He is a former chairman of the Civil Service Commission and former director of the Office of Personnel Management. And third, Helen E. Martin teaches earth and space science to juniors and seniors at the Unionville High School in Pennsylvania. Ms. Martin and her students built and now operate a weather satellite tracking station, which they use to track American and Russian satellites, and which has enabled them to follow hurricanes.

The purpose of the National Board for Professional Teaching Standards is to establish high and rigorous standards for what teachers should know and be able to do, to certify teachers who meet those standards, and to advance other education reforms to improve student learning in the schools. The certification will be offered on a voluntary basis, and will be designed for experienced teachers. Such certification is meant to complement, not replace, State systems of mandatory licensure, which set minimum standards for beginning teachers.

Mr. President, in addition to the $5 million grant from the Carnegie Corp., the National Board for Professional Teaching Standards has received other gifts and pledges totaling $6,425,000. These include: $3 million from the Lilly Foundation; $1 million from the Ford Foundation; $75,000 from Charlson Research; $500,000 from AT&T; $500,000 from Chrysler Corp.; $500,000 from Du Pont; $500,000 from Xerox; $150,000 from RJR Nabisco; $100,000 from ARA Services; and $100,000 from Sears, Roebuck & Co.

The corporate contributions totaling $3,350,000 have been raised this year and represent slightly more than a quarter of the $10 billion the Board plans to raise from the business community in 1990. The 1990 corporate campaign is being chaired by David Kearns, chairman and CEO of the Xerox Corp., and Richard E. Heckert, retired chairman and CEO of E.I. du Pont de Nemours & Co., both of whom are members of the National Board for Professional Teaching Standards.

Mr. President, there is ample precedence for providing Federal funds for private nonprofit organizations: the Close Up Foundation, the American Red Cross, and the Corporation for Public Broadcasting are only three examples of private organizations receiving Federal support. The funds would be used for research and development purposes and could not be used for administrative costs. In addition, the National Board for Professional Teaching Standards will conduct an open competition for research grants. Requests for Proposals [RFP's] will be published in the Federal Register, ensuring that the research community is aware of the availability of funds, and the procedure for obtaining these funds. Further, the Board's research agenda must be submitted to the Secretary of Education, the director of the National Science Foundation, and the National Research Council for Comment and Review.

Mr. President, the Board for Professional Teaching Standards has already developed policies regarding certification standards, assessment processes, and education reform issues. The Board is now ready to commence the intensive research and development program that will enable it to issue the first certificates to teachers in 1993. This issue is too important to the future of education in this country, to forfeit 3 years of work and start all over again. I believe that our colleagues on the Labor and Human Resources Committee have given this issue careful consideration. Further, I believe that the willingness of the private sector, including the business community to invest in the work proposed by the Board should be matched, to the extent possible, by the Federal Government. The future of teachers and therefore of education in this country is irrevocably tied to our future ability to be internationally competitive. This is a national problem, and it demands a national response.

In the fiscal year 1990 Labor, HHS, Education and related agencies appropriations bill, Congress provided $5 million for the National Board for Professional Teaching Standards, pending authorization of such legislation. The private sector has demonstrated strong leadership in the development of this vehicle to professionalize teaching and to help attract and retain talented people in teaching. It is now up to the Federal Government to contribute to this effort.

I urge my colleagues to support this public/private sector initiative.

Mrs. KASSEBAUM. Mr. President, I think the Senator from Pennsylvania has made some very thoughtful observations. I particularly appreciate his comments regarding the composition of the Board. I introduced the names in the RECORD yesterday because I think there are many distinguished men and women who are serving on that Board.

I know this whole area, education, is of great interest to the Senator from Pennsylvania, as it is to all of us. My opposition to the Board of Professional Standards, as it is so construed, is, for one, if the teachers themselves believe this is important, the funding should come from the profession itself, as doctors have done for their specialty board credentials.

The Senator from Pennsylvania is exactly right. It is a matching, dollar for dollar, as a matter of fact, between public and private funds. Many in the business community are very supportive and have already, as the Senator pointed out, put in a sizable amount of funding for this endeavor.

I think it will have the ability to enhance professionalism and criterion standards, which I think are very important. But I also believe this is really not the heart of the matter as far as trying to determine and support and increase the recognition and quality of teachers who are in our system today.

It is for that reason I felt there were other things that perhaps our energies and talents could be channeled into at this point that would be more beneficial. But I certainly think the points raised are valid ones and important ones.

Mr. SPECTER. Will the distinguished Senator yield for a question?

Mrs. KASSEBAUM. I will be happy to.

Mr. SPECTER. On the amendment which the Senator proposed yesterday, as I understood it from our informal discussions in the well, the Senator would have had the Board constituted by competitive bidding or open offers.

Who would have made the decision as to the ultimate composition of the board under the amendment which the Senator proposed yesterday.

Mrs. KASSEBAUM. The Secretary of Education. And I would just add,

the competitive bidding. I think there were a lot of concerns that we do provide funds without competitive bidding—and I am not sure this group would not have been the ones that would have been selected, because they have already done so much work.

But I just think it behooves us, whenever we can, to encourage the competitive process. That is why I made that suggestion.

Mr. SPECTER. I thank the Senator for that response, and that was my understanding, that it would have been a decision made by the Secretary of Education. It was with great reluctance I opposed that amendment of Senator KASSEBAUM because of my high regard for her work and customary deference for her decisions concerning her committee work.

But it seemed to me when I took a look at what the Carnegie Task Force had done in 1986, it would force the initiative to start over from scratch. We have a very able Secretary of Education. But I think there is a high value to encouraging foundations like Carnegie to undertake this kind of work and if we, the Congress, came in at this stage and said, well, we do not like your Board and we do not like your activities, for one reason or another, that would discourage activities like those of the Carnegie Foundation.

If there was some very positive reason, if they had done something wrong, or if they had a board which was not adequate, then I think it would be our duty to say so. But at least presumptively, given the three members I identified and the composition of the Board and the presidents, where we have private and nonprivate organizations. In addition, we have the Close Up Foundation, organization like Organization for Public Broadcasting, even the American Red Cross, where we have in the private sector very positive activities.

It just seemed to me in light of the urgency of the need for improvements in education and the work already done, on balance I wanted to stay with what the Carnegie Task Force had done since they had put substantial money into it. Other foundations had taken a look at it, prominent people. We can always handle, in the appropriations process, further limitations if we think they are appropriate.

I know these are complex decisions. I appreciate the work which Senator KASSEBAUM and others have done. I thank the Senator for her comments.

Mrs. KASSEBAUM. And I thank the Senator from Pennsylvania for his comments in this debate.

Mr. President, I suggest the absence of a quorum with the time to be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. PELL. I ask unanimous consent that the Senator from Michigan have 5 minutes not to be charged against my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, earlier today we adopted a very important amendment which will authorize $10 million for grants to local communities to provide drug abuse resistance education. I want to spend a moment saying why this is such an important program.

One of the most exciting and important aspects of our Nation's war on drugs is the growing awareness and the growing toughness of our young people. In elementary schools and high schools, just saying no is no longer just rhetoric; it is struggling to be reality. In community after community in my State of Michigan and around the country, drug free is becoming the way to be.

Families deserve the lion's share of the credit for the turnaround that we are beginning to see in some places. There never will be a substitute for the active involvement of parents. In the schools where the social pressures on young people are the greatest, resistance to drugs has a chance to become a new standard of behavior.

One proven way to improve our odds to clean up our schools and give young people the tools of confidence and self-esteem to say no is the DARE Program. DARE is a 17-week program led by law enforcement officers to teach fifth and sixth graders how to resist drugs. The program has four major goals: Providing accurate information about alcohol and drugs, teaching students decisionmaking skills, showing them how to resist peer pressure, and giving them ideas for alternatives to drug use.

The DARE Program is unique in encouraging law enforcement officers to spend time directly with the students. This creates contact from classroom to playground to lunchroom, creates a sense of partnership and citizenship that can last a lifetime. Along the way, the truth about drugs replaces the myths and an entirely new form of peer pressure arises in our schools.

Michigan started implementing the DARE Program in 1987. Already the State police and other local law enforcement agencies have reached thousands of fifth and sixth graders. There are over 150 trained DARE law enforcement personnel teaching drug resistance to 250 elementary schools, 430 fifth grade classes and almost 300 sixth grade classes.

Last year the DARE Program reached 20,000 youngsters in Michigan and this year the State police expect that the program will reach over 40,000 youngsters.

Mr. President, one of the most impressive aspects of the Michigan program is that it is funded by private donors almost exclusively. However, as impressive as that is, there are still more students that we need to reach and in this the Federal Government ought to help. This amendment would provide that additional assistance.

Americans can win the war on drugs and will do it by keeping our children off drugs. DARE has given thousands of Michigan children the tools to say "no" and an important new relationship with police officers. DARE is on the frontlines, and that is where Federal money for the war on drugs should be spent.

I thank my friend from Rhode Island. I thank the Chair. I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I yield 5 minutes of my time to the Senator from Mississippi [Mr. COCHRAN].

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi for 5 minutes.

Mr. COCHRAN. Thank you, Mr. President.

Mr. President, I thank the distinguished chairman of the committee, the Subcommittee on Education, Senator PELL, for yielding this time.

I am hoping that we can work out an agreement on this issue where we can clearly spell out in the bill the need for an understanding that nothing in this legislation seeks to abolish or in any way adversely affect teaching in homes or private schools. That effort is a challenge we are finding out, but we are working on that and I think people are trying to come together on some language there to get that understanding reflected in language that everybody can agree with. That is what is happening right now, Mr. President.

But I think this also illustrates how, while we may not agree on exact language, for instance, in this amendment right now, we are hoping we can come to an agreement. We all agree that education efforts need to be improved. I think the debate that we had on the Education Excellence Act today, and yesterday as well, has shown that Senators are strongly committed to sup-

porting the effort to improve our Nation's schools, to improve teaching, to improve recruitment of teachers, trying to attract the better minds in our country to a career in education—these are goals that we all share.

Just the other day, for example, I was noticing an op-ed piece, an editorial in the Northeast Mississippi Daily Journal by Tom Pittman, who is the editor of that fine newspaper. He concludes with a sentence that it would be great news if we can "improve our schools to match the economic opportunities that we have."

He was talking specifically about northeast Mississippi because there are a lot of good things happening in that part of the State that illustrate the fact that new opportunities are being created for those who are capable, who have the skills, and who have the experience to handle some space age technology jobs.

But the challenge is to bring to the marketplace the skills and the know-how to take advantage of those opportunities. So I hope that, as we continue this debate today and put the final touches on this important legislation, we keep that goal in mind.

That is what we are trying to do—bring our opportunities, bring our education in line. We have a lot of new opportunities developing around the world with the changes that are occurring in Eastern Europe. It is really a dramatic time to be observing these changes. I feel that they are going to bring us new economic opportunities. I hope we are up to the challenge.

Mr. President, I think we will. One good first step is the passage of this important Excellence in Education Act.

Mr. President, I ask unanimous consent that the article to which I referred from the Northeast Mississippi Daily Journal be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Northeast Mississippi Daily Journal, Jan. 27, 1990]

NASA LAUNCHES CAMPAIGN FOR MATH AND SCIENCE

(By Tom Pittman)

I didn't know that Monday begins NASA Education Week when I went to Huntsville, Ala., earlier this week. Editorial Page Editor Joe Rutherford and I simply wanted to learn more about space-related industry like the NASA facility coming to Tishomingo County.

Huntsville proved a good example. Tupelo and this north Alabama city, which is less than 100 miles from the Tishomingo NASA site, were about the same size in 1950. Now Huntsville has 165,000 residents and an average household income of $37,508. It is one of "Inc." magazine's Top 10 hot spots in the nation and competes for businesses with California's Silicon Valley, Boston's Route 124 and North Carolina's Research Triangle.

We were cautioned not to expect Iuka to become another Huntsville, but who could have anticipated Huntsville's growth 40 years ago?

Among the 20 high-tech leaders we interviewed, the overriding concern was for more and better math and science education. Nationwide the predictions are that by the year 2000 the number of scientific jobs will far exceed the number of people qualified to fill them. Scientists and engineers are necessary for space, computer, electronics and other high-tech industries that are the wave of the future throughout the world.

A NASA leader pointed out that while the number of graduate engineering students in American universities has remained relatively stable, foreign citizens now compose more than half that number. And most of those students return to their homelands after graduation.

An advanced degree is not necessary for most high-tech jobs, however. There's a tremendous need for graduates of two-year college programs in automated manufacturing, who have learned math and science essential to their industries.

The concern we heard in Huntsville, however, is even more broadly based. It looks to spreading knowledge of math and science throughout the general population. A functional scientific literacy, you might say.

Numerous organizations—public and private—are using the space effort to stimulate students' interest in math and science. If students want to become part of that effort, they need at least a functional scientific literacy.

The Tishomingo County plant, we were told in Huntsville, will be NASA's largest construction project since 1964. The manufacturing process will be completely automated. There will be robots, artificial intelligence and all those other things that used to sound like science fiction.

The typical worker in the plant will need at least two years in automated manufacturing courses, have a basic knowledge of chemistry and be comfortable working with computers.

I hope Mississippi can supply those workers. Northeast Mississippi and Itawamba community colleges offer the courses. But if those colleges do not get enough qualified students into the courses, we were told that Alabama and Tennessee will. If Northeast Mississippi students want to work at the NASA facility in Tishomingo or any other high-tech industry anywhere in the world, they will need to develop beyond a functional scientific literacy.

The product of the Tishomingo County facility—Advanced Solid Rocket Motors—is necessary to increase the weight that the shuttle can carry. That means it is essential for building the space station, developing a colony on the moon and launching flights to Mars.

To avoid thinking those projects are more science fiction, consider the timetable. The first flight to begin constructing the space station is scheduled in five years. Plans call for completion of the space station before the end of the decade. The first flight to begin building the moon colony is scheduled for the year my older son finishes high school—2001. The first flight to Mars is projected for 2030. If all goes well, the Tishomingo facility will still be making Advanced Solid Rocket Motors for that flight.

Huntsville leaders expect President Bush to back up last year's commitment to the Mars flight when he makes his State of the Union address Tuesday night. That would be good news to Tishomingo County and all Northeast Mississippi.

It will be even better news if we in Northeast Mississippi can improve our schools to match the economic opportunities that we have.

Mr. PELL addressed the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DIXON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President I ask the Senator how much time he desires.

I yield 6 minutes to the Senator from Oregon.

The PRESIDING OFFICER. Without objection, the Senator from Oregon is recognized for 6 minutes.

Mr. PACKWOOD. I thank the Senator.

Mr. President, when I was home in Oregon in December and early January I had the opportunity to observe some truly valuable programs aimed at reducing the drug abuse problem among my State's youth. These are programs which could be implemented anywhere by any school or any individual.

One particularly innovative approach is a program called Self-Enhancement, Inc. This program serves at-risk students, those students who are involved or likely to become involved in drug abuse, street gangs or are likely to drop out of school. Portland is a magnificent city. But like all other cities we have a drug problem as well as inner-city gang problems, and these kids are taught that they can possibly succeed by joining the gang. Self-Enhancement is designed to teach them that they have options, that they have a way of getting out, that they can have faith in themselves and make it.

Self-Enhancement was founded by Tony Hobson in 1981 and it began in 1981 as a 1-week athletic camp for inner city Portland youth. With the assistance of Ray Leary, Self-Enhancement now serves approximately 700 students at 3 elementary schools, and 1 high school in inner city Portland.

Self-Enhancement is dedicated to the total learning experience of the urban child. Self-Enhancement strives to teach children that life has options. It seeks to increase self-esteem, improve academic skills, and encourage civic and community involvement, and through this process the students learn that they do indeed have choices other than the street, and other than the gang.

They learn that there are alternatives to abusing drugs and their bodies, and joining gangs. They learn

that they as individuals have something positive to contribute to society.

Self-Enhancement, Tony Hobson and Ray Leary have been recognized by William Bennett, the Nation's drug czar, in his report on fighting back. They are among the community leaders cited by Secretary Bennett for his efforts in helping America win the war on drugs.

These community leaders are showing the Nation that communities can fight back and make a difference. I was very impressed by the kids in Self-Enhancement, and I am convinced that this program will make a difference in the lives of these children.

I want to mention another innovative approach to fighting the war on drugs. Crater High School in Central Point, OR, south Oregon, has undertaken a very effective poster campaign, and you will see the poster in the back that they started. This poster campaign work is not just an art contest; it is basically a pyramid club in which the school designs its own poster that says "We will win," and sends it on to five other schools, and the five other schools send them on to five others, each creating their own posters.

But the poster is not the point. What is involved in this program is a requirement that students from the school, leaders of the school, speak to the grade schools, to the community, and Mr. President, it is working. Crater High School put up this poster with the "We will win" slogan and sent it on to five other schools, and each school finds five others. There are several hundred schools today in this program which was started last November. Several hundred schools throughout the Nation are participating.

On the day that I was at the school, they had phone calls from Arkansas and Alaska wanting to participate in the program. During my visit to Crater High School in December—and bear in mind that this program had been going at that time only a month—five other schools came from around the State to Crater to join in the program. They were Grant Union High School in John Day, Eagle Point High School, Ashland High School, Phoenix High School, and South Medford High School. There are now several hundred schools nationwide committed to participating in the poster program, and that number continues to grow.

What Crater High School has started is probably more important than all the money Congress can put into the war against drugs. The very foundation of the poster campaign itself, peer pressure, is what makes the program work. If you can get high school students to talk to high school students and grade school students, it means much more than a parent or a teacher or the policeman on the beat. Peer pressure is one of the most effective tools there is. Money will not buy it, and Oregon high schools are proving it can succeed.

The programs I have described are just two of the innovative methods Oregonians have developed to fight this war. There are many more. I believe if we support these local grassroots efforts—in many cases already in place—as these posters indicate, "we will win" the war against drugs.

I thank the manager of the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon yields the floor.

The manager, the Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, what is the time situation?

The PRESIDING OFFICER. The time situation is that the Senator from Rhode Island, as manager, has 15 minutes, 3 seconds.

Mr. PELL. The Senator from North Carolina?

The PRESIDING OFFICER. He has no time.

Mr. PELL. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator yields the remainder of his time.

AMENDMENT NO. 1247 TO AMENDMENT NO. 1246

Mr. PELL. Mr. President, I send an amendment in the second degree to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. PELL] proposes an amendment, No. 1247 to amendment number 1246.

Mr. PELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In the pending amendment—

On line 1, strike "public".

On line 2, strike "public school".

On lines 4 and 5, strike "for competency in a discipline".

On line 6, strike "public schools".

On line 9, in lieu of the matter proposed to be inserted, insert the following: "has the same meaning given that term in section 1471(8) of the Elementary and Secondary Education Act of 1965."

On line 13, in lieu of the matter proposed to be inserted, insert the following: "has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965.

Nothing in this Act shall be construed to infringe upon the practice or accreditation of home school or private school teaching.

Mr. PELL. Mr. President, this amendment would simply make clear that this legislation would not infringe upon home or private school teaching. The important language, the governing language is: "Nothing in this Act shall be construed to infringe upon the practice or accreditation of home school or private school teaching."

I think that this amendment would meet the objections and concerns which have been raised, and I hope we can accept it and move on to the underlying amendment and to final passage of the bill.

The PRESIDING OFFICER. Is there further discussion of the amendment of the Senator from Rhode Island?

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The time will be charged to the Senator from North Carolina.

Mr. HELMS. That is fine.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Carolina.

Mr. HELMS. Mr. President, last evening I agreed to a unanimous consent in good faith assuming that there would be good faith on both sides. I think I have learned something about my future practices in the Senate. I do not think at this moment that I am ever going to agree to another time limitation or unanimous consent with respect to a piece of legislation.

I am being denied a vote on a perfectly sensible amendment by the offering of a second-degree amendment that is unclear. Maybe we can clear up the ambiguity of the meaning of the second-degree amendment, in which case I will say to the Chair that I have no pride of authorship in my underlying amendment. I think the underlying amendment is far superior to the second-degree amendment, but perhaps we can make a silk purse out of a sow's ear. Let us try by establishing some legislative history.

I would pose a couple questions to the distinguished managers of the bill. If they will turn to page 124 of the bill, line 8, or line 7 as a matter of fact, where it says "Section 1006. Authorized Activities," do we agree that section 1006 is compelling when it says "(a) In General, Federal funds received under this act may only be used for research and development activities directly related to the development"—and I repeat—"development of teacher assessment and certification procedures for elementary and secondary school teachers"?

The PRESIDING OFFICER. If the distinguished senior Senator from North Carolina will yield, does he direct that question to the manager on our side or to the minority manager?

Mr. HELMS. To the managers, plural.

The PRESIDING OFFICER. Would either manager care to yield to the Senator from North Carolina to respond to that inquiry?

The Senator from Kansas is recognized.

Mrs. KASSEBAUM. I am happy to yield.

Mr. HELMS. Excuse me. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HELMS. I thought the hour was equally divided.

The PRESIDING OFFICER. The hour is equally divided, may I say to the Senator from North Carolina. I thought he was presenting a question to the managers; was he not?

Mr. HELMS. Yes. But why would they have to yield to me? I thought I understood the Chair to say "Will either yield to me."

The PRESIDING OFFICER. No. I meant respond to the question. If I phrased that wrong, I apologize to the Senator from North Carolina. Is there an inquiry of the managers by the Senator from North Carolina?

Mr. HELMS. I would like to pose it to both of them, and I have posed it. Is this provision, section 1006, compelling? Do we really mean what we are saying with 1006?

Mrs. KASSEBAUM. Mr. President, I might take a stab at responding to the Senator from North Carolina. Does the Senator mean compelling in stating that the development activities directly relate to the development of teacher assessment and certification procedures?

Mr. HELMS. Not exactly. I am saying that, I say to my good friend, whom I admire greatly, as she knows, that in line 9 the act reads "Federal funds received under this Act may only be used for research and development activities directly related to teacher assessment and certification procedures for elementary and secondary school teachers."

My question is whether or not the only purpose for which the Board may use the Federal funds granted them by the act is research and development, and that is all they can use the money for. If that is true, the word "only" in line 9 where the act reads "this Act may only be used for research and development activities" is out of place. It should read "This act may be used only for research and development activities." The "only" should not be where it is. But can we assume that the "only" is meant to precede the word "for"?

Mrs. KASSEBAUM. I assume so.

Mr. HELMS. Does the distinguished manager agree with that?

Mr. PELL. I did not properly understand the question. Would the Senator repeat it?

Mr. HELMS. I am trying to lay out a little bit of legislative history as to the intent both of the bill and the second-degree amendment to my first-degree amendment.

Mr. PELL. And the Senator's question?

Mr. HELMS. It is fair to say that what was meant was Federal funds received under this act may be used only for research and development activities. Do you agree with that?

Mrs. KASSEBAUM. I would agree with that. I am not an English teacher, but it seems to me that it means the same either way you read it.

Mr. PELL. I might say the same thing; "only be used," "used only," I do not see the difference.

Mr. HELMS. There is a vast difference between "only to be used" and "to be used only." My English teacher in high school, Miss Annie Lee, is looking down from the heavens and compelling me to make this inquiry. And I say "hello" to my friend from Georgia.

Mr. FOWLER. "Hello" to my friend from North Carolina.

Mrs. KASSEBAUM. I defer to the interpretation of the Senator from North Carolina, from a grammatic standpoint. I think regardless of which place "only" falls, it is clearly stated here.

Mr. HELMS. I thank the Senator.

I assume that my distinguished chairman agrees with that.

Mr. PELL. It means exactly what it says, may only be used or used only, for research and development activities.

Mr. HELMS. I think the grammarians will agree with me about where "only" ought to be in that sentence.

Mr. COCHRAN. If the distinguished Senator from North Carolina will yield to me for an observation, I think he is eminently correct. I cannot see why we do not ask unanimous consent to move the word "only" where it should be. You pointed out a simple grammatic error that exists in the bill. I do not see why anyone would object to changing it.

Mr. HELMS. Will the Senator make that request?

Mr. COCHRAN. Mr. President, I ask unanimous consent that the word "only" in line 9, on page 124 of the bill, be struck and that it be substituted after the word "used" and before the word "for."

The PRESIDING OFFICER. The statement of the Senator from Mississippi has been made.

Is there any objection to the unanimous consent request of the distinguished senior Senator from Mississippi?

Mr. HELMS. I thank the Chair and I thank my friend from Mississippi.

The PRESIDING OFFICER. Without objection, the change is made, and Miss Annie is happy wherever she is.

Mr. HELMS. I will say to the distinguished Presiding Officer that this may or may not tell us something about the school systems in America.

Now seriously, getting to the point that I wanted to make, two or three questions, and I will direct these, Mr. President, to the managers of the bill.

Can I be assured that this second-degree amendment will not permit the Board to develop competency assessments or standards for home-schooling parents?

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. If I may respond with my interpretation, I will say to the Senator from North Carolina that, yes, indeed that would be the case.

Mr. HELMS. I thank the Senator.

The PRESIDING OFFICER. Does the majority manager have comment to the Senator?

Mr. PELL. I fail to understand the specific question. Will the Senator repeat it, please?

Mr. HELMS. The Senator wants me to repeat the question a little louder?

Would the distinguished chairman, the manager of the bill for the majority, assure me that the second-degree amendment now pending will not permit the Board to develop competency assessments or standards for home-schooling parents?

I ask that question, Mr. President, because it has been repeatedly said over and over again on this floor that we need not worry about this point.

I do worry about it because in section 1004 of this bill it states that the bill will use the same definitions as the Elementary and Secondary Education Act of 1965. The definition of "elementary and secondary" schools in the 1964 act includes "day and residential" schools as well as public schools. So by my literal reading of section 1006 of the pending legislation, it would appear that the National Board will be able to use Federal funds to develop "teacher assessment and certification procedures" for residential schools—which means home-schools if I am not mistaken.

What I am asking the distinguished manager of the bill for the majority is whether he can assure me that the pending second-degree amendment will not permit the National Board to use Federal funds to develop teacher assessments or standards for home-schooling parents.

If the answer to this question is "yes," then I will ask one more question and I will be through.

Mr. PELL. In other words, what the Senator is saying, can I assure him that the Board will not make competency tests compulsory for home schools; is that right?

Mr. HELMS. I prefer my phraseology on it. Will not permit the Board to

develop competency assessment or standards for home-schooling parents. That is the King's English.

Mr. PELL. In other words, is the competency test mandatory? The answer is it is not mandatory.

Mr. HELMS. That answer has nothing to do with my question.

Mr. PELL. If the home school teacher, for example, asked to take a competency test for it, should they be denied it? No, I do not think so.

Mr. HELMS. That is an analogy that escapes me, I say to my friend. But if they ask for it, that is another kettle of fish.

Mr. PELL. Another kettle of fish?

Mr. HELMS. Yes.

Mr. PELL. I do not see how if the Board receives a request from a teacher in a private school, or if that private school makes a request to the Board for a teacher in the school to take a competency test, such a request should be denied.

Mr. HELMS. I thought we had the burden of the argument on the other side from the very beginning that this bill does not touch or intend to touch home-schooling or private or religious schools. Was all this so much gibberish that I heard yesterday and last night and this morning, or is it fact? What is correct? Are we leaving out the home-school or leaving out the religious school or the private school?

Mr. PELL. We say nothing in this act shall be construed to infringe upon the practice or accreditation of home-school or private school teaching. I think that phrase covers the point the Senator made.

Mr. HELMS. In that case, if that is what the Senator meant, then the answer to my question is yes; is that correct?

Mr. PELL. I am not sure I understand the question.

Mr. HELMS. Let me read it again. I will read it. I wrote it out so I would say it the same way each time.

Can the Senator assure me, as Senator KASSEBAUM already has, that the pending amendment will not permit the Board to develop compentency assessments or standards for home-schooling parents?

Mr. PELL. I am informed that it will not permit it.

Mr. HELMS. If you are saying the answer is yes, the ballgame is over and we can go to a vote.

Mr. PELL. When I say "yes," I want to be able to stand by it. This act would not have an impact, in any way, on private or home schools.

Mr. HELMS. Including development of competency assessments or standards for home-schooling parents?

Mr. PELL. Unless they requested it.

Mr. HELMS. Well, I think I will buy that because it will snow in August before a home-schooling parent will request that. May I have the chairman's attention?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. My next question is, Does the pending second-degree amendment permit the board to develop competency assessments or standards for teachers in private religious schools? Is the same answer applicable?

Mr. PELL. As far as I am concerned, the same answer would be applicable.

Mr. HELMS. Fine. We are making some headway here.

Now, the last question, and this is important legislative history, and those who read it in months and years to come will understand why I have been so careful in the articulation of my question.

Will Federal funds provided by this act be used for Board testing of teachers?

Mrs. KASSEBAUM. My understanding is the Federal funds would not be used for board testing.

Mr. HELMS. Very good.

Mrs. KASSEBAUM. This is an initiative where there is reasearch done on professional standards that could be used as a guideline.

Mr. HELMS. In other words, what my colleague is stating is, section 1006(a) on lines 7 through 12, on page 124, where it reads, "Federal funds received under this act"—as modified by my friend from Mississippi—"may be used only for research and development activities directly related to the development of teacher assessment and certification procedures for elementary and secondary school teachers" means that Federal funds cannot be used to implement, conduct, or enforce any teacher assessment or certification procedures.

Mrs. KASSEBAUM. That is correct.

Mr. HELMS. Does the manager agree?

Mr. PELL. I do.

Mr. HELMS. Mr. President, we have nailed down the point that was of primary interest to me and I think to the home-schooling parents and to teachers and administrators of private religious schools.

I do not see any difference between the underlying amendment and the second-degree amendment, and I have no objection to the amendment.

I yield back any time I may have.

Mr. COCHRAN. Will the Senator yield just a minute to me?

Mr. HELMS. Absolutely.

Mr. COCHRAN. I want to compliment and thank the distinguished Senator from North Carolina for helping to make this clear so we all understand what the facts are about whether this has any impact on or adversely affects the interests of those who go to school in their own homes.

Mr. HELMS. Right.

Mr. COCHRAN. I think the answer is clear now that it does not act adversely. I thank the Senator for getting us to this point so that is resolved.

Mr. HELMS. I thank the Senator.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Will the Senator yield just a moment?

Mr. HELMS. Absolutely.

Mrs. KASSEBAUM. I would say to the Senator from North Carolina that I appreciate his help in working out some language which I believe is a little clearer in getting across the message and the intent of the language from the Senator from North Carolina.

I very much appreciate his willingness to try to clarify the language.

Mr. HELMS. Mr. President, the distinguished Senator from Kansas, the junior Senator, is always gracious and she is always kind, and I thank her.

Mr. PELL. I thank my ranking minority member for her help in this, which was tremendous; and I thank the Senator from North Carolina for his willingness to work out this accommodation.

But I suggest we vitiate the order for the yeas and nays on the underlying amendment—we have not called for them on this amendment—and by voice vote adopt the underlying amendment as amended and move on to final passage.

Mr. HELMS. I think that is fine, unless somebody wants to build up their voting record a little bit.

Have the yeas and nays been ordered on final passage, Mr. President?

The PRESIDING OFFICER (Mr. ADAMS). They have been ordered on the Helms amendment, not the second-degree or final passage.

Mr. HELMS. I judge the Senator is going to vitiate the yeas and nays?

Mr. PELL. I would ask to vitiate the yeas and nays.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from North Carolina.

Mr. HELMS. Have the yeas and nays been ordered on final passage?

The PRESIDING OFFICER. They have not.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair.

The PRESIDING OFFICER. Who yields time on the amendment?

Mr. PELL. I yield such time as he may need to the majority leaders.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, as Members of the Senate know, President Carter is here to brief Members of the Senate on the election process in Nicaragua. That was scheduled

from 2 to 3. He has a similar meeting with House Members at 3 o'clock.

I am going to suggest to the managers—I have discussed this with the distinguished Republican leader—that they complete action on the amendment and then I am going to ask unanimous consent that we go into recess and have the vote on final passage at 3:15, unless there is some objection by the managers or any interested Senators, because we will not have time for the briefing otherwise.

The PRESIDING OFFICER. Is there objection to the request?

Mr. MITCHELL. Mr. President, I ask decision on my request be withheld for a moment.

Because of commitments by other Senators, when I make the request I am going to modify it and suggest the vote occur at 3.

Mr. President, I ask whether action on the pending amendment has yet occurred?

The PRESIDING OFFICER. No, it has not.

Mr. MITCHELL. I will yield to the manager to permit that to occur and then, after this occurs, I will make the unanimous-consent request which I have just sought.

Mr. DURENBERGER. Mr. President, I would like to express my support for the Helms amendment as modified by Senator PELL. I have received several hundred phone calls and letters from constituents of mine who are concerned about the effect the funding of the National Board for Professional Teaching Standards would have on teachers in private schools or on parents who choose to teach their children in their home. While I support efforts to increase professionalism in teaching, I do share the concerns that some have expressed that the establishment of such a certification process could infringe on the rights of private schoolteachers and home-schoolers. I strongly support the traditional structure of our current educational system that leaves certification authority to the States. For this reason, I support the Helms amendment which would prohibit the NBPTS from establishing certification for private or home-school individuals. The amendment by Senator PELL clearifies that if a home-school parent or a private schoolteacher wishes to become certified under the NBPTS' certification process, that they are not prohibited from doing so. You can be sure that I will be following the development of this program to ensure that it continues to operate as intended in a voluntary manner.

The PRESIDING OFFICER. Do the managers yield back the remainder of their time?

Mr. PELL. I yield back the remainder of our time.

Mrs. KASSEBAUM. Yes.

The PRESIDING OFFICER. The remainder of the time having been yielded back by all parties, the question is on agreeing to the amendment of the Senator from Rhode Island.

Mr. PELL. I vitiated the request for the yeas and nays on amendment No. 1246.

The PRESIDING OFFICER. There has been a vitiation of the request for the yeas and nays.

Mr. PELL. I thank the Chair.

The PRESIDING OFFICER. There being no further debate, the question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment (No. 1247) was agreed to.

The PRESIDING OFFICER. Now the question is on agreeing to the amendment of the Senator from North Carolina, as amended.

The amendment (No. 1246), as amended, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I inquire now whether all that remains is the rollcall vote on final passage on the bill?

The PRESIDING OFFICER. We have to adopt the substitute amendment, as has been amended and voted upon, read the bill a third time, and then it is ready for a vote on final passage.

The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Mr. KENNEDY. Mr. President, as we near a final vote on this bill, I would like to recognize our colleagues and their staffs who put this bill together. As he always does, Senator PELL provided distinguished leadership on an education bill. Senator PELL has been the "education senator" for many years and it is always a pleasure to work with him. His staff, David Evans, Ann Young, Sarah Flanagan, Marissa Quinn, and Merry Richter, and Mike Epstein did their usual professional job.

Senator KASSEBAUM should also be commended for her work on this bill. Filling Bob Stafford's shoes on an education bill is a big task, but she did an excellent job. I also wish to say that her staff, Susan Hatton, Becky Rogers, and Linda Wood all did fine work.

Other members and staff of the Labor Committee played a major role in this process. Senator DODD and his staffer, Joan Hogan, did much of the work on the National Board for Professional Teaching Standards. Cheryl Smith on Senator SIMON's staff, Meg Thale and Cheryl Birdsall from Senator METZENBAUM's office, and Terry Muilenberg from Senator HARKIN's office, also played a major role in this bill.

I want to commend Senator HATCH, the ranking minority member of the Labor Committee, for his work on the bill and to thank Laurie Chivers of his staff. I would also like to recognize Pam Kruse of Senator JEFFORDS' office and Doris Dixon of Senator COHEN's office.

Finally, I want to especially thank my own staff who worked on this bill. Amanda Broun, Rusty Barbour, and Terry Hartle did an excellent job and their interns, Michael Epp, Melissa Soza, and Jeffrey Blackburn also made important contributions.

Mr. HOLLINGS. Mr. President, I rise in support of S. 695, the Excellence in Education Act of 1990. President Bush has asked for congressional cooperation on education, and I am pleased to see legislative evidence of his yearning for educational quality in America. I am glad to join with the President in supporting scholarships for math and science students, funding for historically black colleges and universities, encouragement of alternative certification programs, and loan-default reforms.

Mr. President, I also support title X of this act which authorizes research and development funds for the National Board of Professional Teaching Standards. This effort reminds me of legislation I introduced in 1983 to raise teacher salaries and give them more control over their profession. A panoply of studies in that year trumpeted the need for improved education. A common thread among those studies and many which followed—including the Carnegie Corp. study which gave rise to the National Board—has been the need for increased professionalism in teaching. Under my earlier bill, State commissions of teachers would establish standards for entry into teaching, coordinate inservice programs, and develop curricula, and the Federal Government would supplement the salary of each teacher to repay the months of extra work.

Mr. President, I am glad to see a similar idea resurface and I strongly support it. On every count, this is a fine effort in tune with the history of the Federal involvement in education and with the purposes of the parts of this bill requested by the President. Specifically, the Federal Government has committed itself to ensuring that each child receives an education which will allow him or her to understand and exercise America's rights and freedoms and to take equal advantage of her wealth of opportunities. The Federal Government has also addressed itself to national needs and crises in

education. President Bush has proclaimed a commitment to increased quality and has followed that proclamation with legislation which places an emphasis on rewards for quality.

Today we are faced with a national crisis in the availability of quality teachers. More than half of our new teachers quit during the first 5 years of teaching, and we are graduating only about half as many teachers as we will need to fill openings in the next decade. We also need improved specialization for the populations that Federal aid has targeted in the past. As the Quality Education for Minorities project has pointed out recently, minorities make up 30 percent of our K-12 students, but fewer than 10 percent of our teachers. The National Board addresses all of these concerns. Recognizable, respected, portable, credentials will assure parents that their children are being challenged by capable, knowledgeable educators who view teaching as a long-term commitment to excellence. Professional credentials will also give teaching the respect and economic drawing power needed to make sure that the best students enter teaching and are properly rewarded—as Albert Einstein said, "A society which pays its teachers less than its plumbers will have neither good teachers nor good plumbers." And the Board's priorities—research and development on the teaching of mathematics, sciences, foreign languages, and literacy—could not be more appropriate in our climate of increasing international competitiveness, increasing needs for technological expertise, and inadequate progress on literacy.

Mr. President, the public schools of America have been, by and large, an American success story. Central to that success has been the provision of teachers of a quality commensurate with the needs of the day. Our needs are increasing, but we as a nation are treading water on education. Look at our education budget and look at the interest costs on our deficit which will jump over the next year by $23 billion. This incremental increase in debt service could double our education spending, but instead it is buying nothing. For the security and prosperity of this Nation, we must reorder our priorities, and that reordering must begin at the level of personal aspirations and of personal and community perceptions. I urge my colleagues to join me in a significant step in that direction by supporting the National Board of Professional Teaching Standards.

Mr. DOLE. Mr. President, I am pleased to see the Senate move toward passage of the President's Educational Excellence Act. The initiatives at the core of this bill—Presidential merit schools, the New Schools of Excellence Program, alternative certification for teachers and principals, endowment assistance for historically black colleges and universities, and the National Science Scholars Program—will help us achieve the education goals outlined by the President in his State of the Union Address. I commend the President for putting forward the proposals on which this legislation is based and I thank my colleague from Kansas for all she has done on behalf of this important measure.

The legislation before us is designed to reward educational excellence, target Federal funds to the most needy, promote flexibility, and bring about more accountability for results. These principles have guided the education policy of the President and Secretary of Education Lauro Cavazos. And they are ideas the American people endorse.

Americans know that the existing education system is failing their children—and they want and demand change. At the same time, they believe education should remain a State responsibility and a local function. Parents don't want Uncle Sam dictating what or how their children learn. Where the Federal Government should be most involved is in ensuring access to education by the disadvantaged, promoting innovation, and rewarding academic excellence. This bill will strengthen the Federal Government's leadership role in these critical areas.

Mr. President, I am very disappointed that the bill includes certain provisions which were not a part of the President's package and which, though well intentioned, will not in my view ultimately advance the goals of this legislation. In particular, I do not support the authorization of funding for the National Board for Professional Teaching Standards, for many of the same reasons the White House and some of my colleagues have expressed. I hope that these concerns will be fully addressed by the other body. If they are not addressed, and title 10 remains in the bill, I for one will support the administration if they ultimately oppose the bill.

Notwithstanding my serious concerns about this particular component of the bill, I would still urge my colleagues to give this measure their support. We all know what is at stake. Without a sound education system, we won't have a competitive economy or a functioning democracy. President Bush clearly understands the seriousness of the situation, and he has responded by putting forward the proposals on which this bill is based and by forging a compact with the Nation's Governors to improve the quality of education. I commend the President on his commitment, and I urge the Senate to act favorably on his education initiative.

Mr. SHELBY. Mr. President, I rise today in support of S. 695, the Educational Excellence Act of 1989. The legislation would recognize and reward excellence in education, target Federal funds to those who need it most, encourage educational choice and flexibility, and assure greater accountability in education.

I an encouraged by this legislation which would increase funding to the Department of Education by over $400 million.

Specifically, the incentives propose: $200 million for merit schools; $50 million for schools of excellence; $15 million for alternative teacher and principal certification; $6 million for the National Science Scholars Program; $25 million for drug-free schools; $20 million for historically black colleges and universities; $50 million for "We the People"; $5 million for the President's Council on Academic Excellence; $25 million for middle school teaching demonstration programs; and $25 million for research and development for the National Board for Professional Teaching Standards.

This increased funding for education is commendable—but more is needed to ensure that students in the richest country in the world receive an education that is second to none.

We all become very concerned when we hear that America is losing its competitive edge with foreign countries. But how can we remain competitive if our education system is not turning out a work force that can work within this highly advanced, technologically oriented world?

Data prepared by the U.S. Bureau of Labor Statistics show a direct correlation between education and jobs. For example, March 1988 figures indicate that: 88 percent of all college graduates ages 25 to 64 were in the labor force; 83 percent of individuals with 1 to 3 years of college had jobs; 77 percent of individuals with only a high school diploma had jobs; and only 61 percent of persons with less than a high school diploma had jobs.

It is increasingly clear that the most rapidly growing jobs though the year 2000 will require relatively more education.

In 1983, the White House released a 5-year report ominously entitled "A Nation at Risk" which documented the inadequacies of the American system of education. The report came to a startling conclusion: "Our Nation is at risk * * * the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people."

A 1988 update to the 1983 report, entitled "Making It Work," claims that we have made progress. Education is now the single largest budget item in all but 2 of the 50 States. However, the report hastens to add that we are not doing well enough, fast enough.

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Let me share with you some of my concerns about the State of Alabama's educational system. I am deeply concerned that we still rank near the bottom in education.

Of the 28 States who test their high school graduates with the same test we use, Alabama students score eighth from the bottom.

With respect to the number of students for each teacher, Alabama teachers have larger classes than 42 other States.

Forty States pay their teachers more than Alabama does.

And we're almost last in the expenditures per pupil category with only two States spending less money per pupil than Alabama.

Every year, I conduct countywide town meetings in all 67 counties of my State. The people are always concerned about education. And invariably the question is, "How can we improve education?" I always answer that question with the old adage, "You get what you pay for." We've got to invest in the education system.

I believe that the education of our children is our most important national obligation and that the States cannot fulfill this obligation without further assistance from the Federal Government. The legislation that we are considering today would go a long way toward providing the kind of financial assistance needed by the States.

As I stated earlier, the relative competitiveness of the U.S. economy will to a large extent depend on the relative performance of our education system. Thus, there may be useful lessons to be learned from looking at comparative data from other countries.

Elementary and secondary students in the United States in 1985 had an average school year of 180 days versus 243 days for students in Japan.

Between 1983 and 1986, American elementary and secondary students scored substantially worse than Japanese students on science achievement tests.

In 1982, United States scored substantially worse than Japanese students on mathematics achievement tests and worse also than students in Canada, France, Sweden, and Great Britain.

In 1984, the starting salary of a Japanese high school teacher was 15 percent higher than the starting salary of a white-collar employee with an equivalent degree.

In Japan, about 200,000 applicants compete annually for about 38,000 teacher vacancies in the public school system. In the United States most large urban school systems experience difficulty in finding applicants to fill projected vacancies.

In 1985, 62 percent of the United States educational expenditures were for primary and secondary education versus 75 percent for Japan and 80 percent for West Germany.

I believe that these data indicate that the Nation which pioneered free public education is rapidly losing its leadership role to other nations—other nations whose leaders have recognized that the children are a country's greatest asset.

I would like to suggest that if the United States is to regain its competitive position in the world economy, we must raise by quantum leaps the quality of our public education system. In spite of the harm that has been done by years of neglect, these are not times for despair. We must remind ourselves that this great Nation was not built by men and women lacking in vision, courage, or a capacity for hard work.

Moreover, I believe that the initiatives that we have discussed here today represent important steps toward educational excellence. As we pursue these and other initiatives, let us resolve not to forget a painful lesson of recent history; that is, that an America that fails to invest adequately in the future of its children runs the risk of destroying its children's legacy and falling short of being the richest, most democratic, best educated, and most powerful Nation in the world.

Mr. KASTEN. Mr. President, I rise today in strong support of the Educational Excellence Act of 1989. This year, Congress must come to grips with the competitive challenge facing America—and the front line will be the battle to improve our schools. This bill makes a good stride toward this important goal.

Many of my colleagues, myself included, were concerned about the National Board for Professional Teaching Standards provision of the bill. But the language on this has been worked out—and I am convinced that it will not interfere with home-schooling and private schools.

We have a great task before us: preparing tomorrow's Americans for the greatest economic struggle of our country's history. We begin this task today, with this bill. That is why I was an original cosponsor of the bill—and that is why I'm voting for it.

Mr. GRASSLEY. Mr. President, we have spent many hours discussing this bill. Most of the debate, however, has focused on title X, which would federalize teacher certification. I participated in that debate, expressing my opposition to Federal Government intrusion into teacher standards and certification.

The President also opposes title X, even though he supports the rest of the bill. The rest of the bill, in fact, is the President's bill. I am sure that many Senators find themselves in the same situation as I. That is, I enthusiastically support the majority of the Excellence in Education Act, but adamantly oppose one title.

Despite my opposition to title X, it does not seem appropriate to me to let that one bad apple spoil the whole bushel basket of excellent educational programs contained in S. 695. Therefore I will cast my vote in favor of final passage of S. 695.

I hope the House of Representatives will omit any reference to the National Board of Professional Teaching Practices when it takes up the bill. In the event that title X remains in the bill essentially as passed by the Senate, and if the President thus vetoes the legislation on the grounds of his opposition to title X, I will then vote to sustain the President's veto. Since the bulk of the bill is his legislation, I feel that he has the right to treat it in the manner he feels would best meet the needs of our country's education programs.

I believe this statement clarifies my position on this legislation and on title X, in the event that the Senate will later need to react to a Presidential veto.

Mr. KOHL. Mr. President, I have received a number of calls from my constituents in the State of Wisconsin in the past 2 days. I am being urged to vote against S. 695, the Education Excellence Act.

This bill includes a number of provisions which the President asked Congress to pass last spring as a part of his educational initiatives. Included in the bill are provisions establishing a Merit-based National Science Scholars Program, to provide scholarships to outstanding students to go on to college in the areas of science, math, and engineering. The bill also establishes Presidential Merit Schools, which will receive cash awards for substantial progress in: First, raising student educational achievement; second, creating a drug-free and safe school environment; and third, reducing the dropout rate. In addition, one section of the bill modifies requirements for determining eligibility for aid for those continuing on in higher education programs.

Another provision of the bill extends the School Dropout Demonstration Assistance Act. Under this act, the Milwaukee Public Schools and the Milwaukee Area Technical College received grants to help work on innovative solutions for reducing the dropout rate in the Milwaukee area. In addition, Lac Du Flambeau Band of Lake Chippewa Indians also received a grant to reduce the high dropout rate among students in their community.

Due to the controversy concerning this bill, I carefully weighed the arguments for and against the bill and came down in favor of this set of educational programs. In listening to the

concerns raised by my constituents, I found that many had been given misinformation about the bill.

I learned that concern was really limited to but one section of the bill, title X, providing for a one-time authorization to support the National Board for Professional Teaching Standards. I also learned that there really wasn't a clear understanding of this section of the bill.

Let me quote directly from the bill in order to provide you with a better understanding as to what the bill is authorizing, and the reasons behind Federal funding for the Board:

The Congress finds that—

(1) the economic well-being and national security of the United States depends on efforts to strengthen the educational system to provide all children with an education which will ensure a well-educated workforce;

(2) improved teaching is central to the goal of ensuring a well-educated workforce;

(3) incentives to enhance the professionalism and status of teaching can be provided through the development and promulgation of voluntary standards of professional certification that are rigorous and unbiased, that complement and support State licensing practices and recognize the diversity of American society;

(4) the National Board for Professional Teaching Standards, a private nonprofit organization has been created to establish such voluntary standards and a significant initial investment in research and development from non-Federal sources will be required to create such a system of professional certification; and

(5) the Federal Government has played an active role in funding vital educational research and can continue to support this national effort by providing limited but essential support for critical research activities.

(b) PURPOSE.—It is the purpose of this Act to provide financial assistance to the National Board for Professional Teaching Standards to enable the board to conduct independent research and development related to the establishment of national, voluntary professional standards and assessment methods for the teaching profession.

This section of the bill is designed to enhance the profession of teaching in the hopes of both retaining the best and the brightest already in the profession, and in attracting outstanding individuals to the profession. The National Board will facilitate research to help identify what is working, and what is needed in our classrooms to provide the best educational environment possible for our Nation's youth. State certification standards are not affected by this provision, nor are home-based schools.

In order to make certain that there be no misunderstanding as to congressional intent, an amendment to title X was approved unanimously by the Senate, which adds the following language to title X: "Nothing in this act shall be construed to infringe upon the practice or accreditation of home school or private school teaching."

I feel strongly about education in this country. When an opportunity is presented to vote in favor of an education bill which will help our Nation's youth I will vote for it.

Mr. CHAFEE. Mr. President, everyone in this Chamber—indeed everyone in this country—will agree that we need to do more to promote educational excellence in our society. The legislation before us, S. 695, moves beyond mere good intentions and proposes a blueprint for change and improvement in our educational system—from grade school through the secondary and postsecondary levels. Accordingly, I am proud to support the Educational Excellence Act.

In his State of the Union Address last week, the President outlined a number of ambitious educational goals to be met by the year 2000: a 90-percent high school graduation rate, a drug-free school environment, and a challenge to place U.S. students first in the world in math and science achievement. These goals can only be reached if each of us demand more from students, teachers, schools, parents, and from ourselves.

The Excellence in Education Act represents a significant step toward meeting the educational challenges of the next decade, and beyond.

I am particularly pleased with two aspects of this proposal: The Presidential Merit Schools Program and the National Science Scholars Program. Both programs encourage and reward the best in American education.

This act authorizes $200 million for a new national program to reward outstanding schools: merit schools. At a time when many of the Nation's classrooms are in crisis, it is appropriate to recognize deserving schools that have distinguished themselves through raising educational achievement, establishing a drug-free climate, and increasing graduation rates.

This legislation also authorizes $6 million to establish a merit-based National Science Scholars Program to reward achieving high school students who will continue their study of the sciences, math, and engineering at the postsecondary level.

Some may say that $6 million is only a drop in the bucket—if we are serious about returning American students to the top in global science and math achievement, more money is needed. This new proposal, however, is an important step in reclaiming American supremacy in math and science achievement. This new funding indicates that America is willing to do more to encourage our young students to pursue a career in the sciences.

The most contentious provision in this legislation is title X. Title X will authorize $25 million over 3 years for the National Board for Professional Teaching Standards to develop a set of teacher certification standards for elementary and secondary school teachers throughout the United States.

I fully support the need for high and rigorous standards for our Nation's teachers. Teachers represent a distinguished profession and a system must be established to identify and certify the Nation's most outstanding teachers. The National Board for Professional Teaching Standards, in my opinion, is best prepared to develop a set of voluntary examinations to help teachers distinguish themselves within their profession.

Nevertheless, I must agree with my distinguished colleague from Kansas [Mrs. KASSEBAUM]. The Federal Government must encourage competitiveness when considering grant proposals of this magnitude. The funding that this legislation calls for, $25 million over 3 years, is simply too much to direct to one group—even such a deserving group as the National Board for Professional Teaching Standards—on a noncompetitive basis.

This $25 million grant would represent approximately 20 percent of the Department of Education's entire research budget. It is imprudent to designate this large sum without the benefit of a competitive process.

I supported Senator KASSEBAUM's amendment to S. 695 because in my view the Federal Government should not make it a practice to award such a sizable grant without the benefit of a competitive bidding process. The Department of Education should make the final decision on what group is best prepared to establish the criteria for recognizing outstanding American teachers.

In closing, I would like to commend Senator KASSEBAUM and the entire Committee on Labor and Human Resources for bringing this legislation to the Senate floor.

It is my hope that the Excellence in Education Act will serve as a guide for members of the educational community who share our deep concern for promoting excellence and achievement in America's classrooms.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MITCHELL. Mr. President, I renew my inquiry. Is there any further action remaining on this bill, other than a rollcall vote on final passage?

The PRESIDING OFFICER. No further action is required, and the yeas and nays have been ordered.

ORDER OF PROCEDURE

RECESS UNTIL 3 P.M.; ROLLCALL VOTE ON S. 695

Mr. MITCHELL. Accordingly, Mr. President, I now ask unanimous consent that the Senate stand in recess until the hour of 3 p.m. and that at 3

p.m., the rollcall vote occur on final passage of this bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS UNTIL 3 P.M.

Thereupon, at 2:10 p.m., the Senate recessed until 3 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. REID].

EXCELLENCE IN EDUCATION ACT OF 1989

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 92, nays 8, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—92

Adams	Ford	McConnell
Baucus	Fowler	Metzenbaum
Bentsen	Glenn	Mikulski
Biden	Gore	Mitchell
Bingaman	Gorton	Moynihan
Bond	Graham	Murkowski
Boren	Grassley	Nickles
Boschwitz	Harkin	Nunn
Bradley	Hatch	Packwood
Breaux	Hatfield	Pell
Bryan	Heflin	Pressler
Bumpers	Heinz	Pryor
Burdick	Hollings	Reid
Burns	Inouye	Riegle
Byrd	Jeffords	Robb
Chafee	Johnston	Rockefeller
Coats	Kassebaum	Roth
Cochran	Kasten	Rudman
Cohen	Kennedy	Sanford
Conrad	Kerrey	Sarbanes
Cranston	Kerry	Sasser
D'Amato	Kohl	Shelby
Danforth	Lautenberg	Simon
Daschle	Leahy	Simpson
DeConcini	Levin	Specter
Dixon	Lieberman	Stevens
Dodd	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	Wilson
Durenberger	Matsunaga	Wirth
Exon	McCain	

NAYS—8

Armstrong	Helms	Symms
Garn	Humphrey	Wallop
Gramm	McClure	

So the bill (S. 695), as amended, was passed.

NOTE

(The text of S. 695, a bill To Promote Excellence in American Education, passed by the Senate on February 7, 1990, is as follows:)

S. 695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Educational Excellence Act of 1990".

SEC. 2. TABLE OF CONTENTS.

This Act is organized as follows:

TITLE I—IMPROVING ELEMENTARY AND SECONDARY EDUCATION
PART A—PRESIDENTIAL SCHOOLS OF DISTINCTION
PART B—SCHOOLS OF EXCELLENCE
PART C—ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS
PART D—ADMINISTRATIVE PROVISION
PART E—BILINGUAL EDUCATION
PART F—PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM
TITLE II—NATIONAL SCIENCE SCHOLARS
TITLE III—HISTORICALLY BLACK COLLEGES AND UNIVERSITIES
TITLE IV—EXTENSION OF SCHOOL DROPOUT DEMONSTRATION PROGRAM
TITLE V—STAFFORD STUDENT LOAN DEFAULT PREVENTION AND MANAGEMENT PROVISIONS
TITLE VI—NEEDS ANALYSIS AMENDMENTS
TITLE VII—OTHER HIGHER EDUCATION AMENDMENTS
TITLE VIII—WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION
TITLE IX—NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS
TITLE X—MIDDLE SCHOOL TEACHING DEMONSTRATION PROGRAMS
TITLE XI—PRESIDENT'S COUNCIL ON ACADEMIC EXCELLENCE
TITLE XII—STUDENT ATHLETE RIGHT-TO-KNOW
TITLE XIII—EFFECTIVE DATE
TITLE XIV—GENERAL PROVISIONS

TITLE I—IMPROVING ELEMENTARY AND SECONDARY EDUCATION

PART A—PRESIDENTIAL SCHOOLS OF DISTINCTION

SEC. 101. PRESIDENTIAL SCHOOLS OF DISTINCTION.

Title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended by adding at the end thereof a new part G to read as follows:

"PART G—PRESIDENTIAL SCHOOLS OF DISTINCTION

"SEC. 4701. SHORT TITLE.

"This part may be cited as the 'Presidential Schools of Distinction Act'.

"SEC. 4702. FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) the basic goal of all schools is to develop the skills and abilities of students to their maximum potential;

"(2) achievable standards of excellence can and should be set for all students and for all schools;

"(3) financial incentives can spur schools to rise to the challenge of meeting these standards; and

"(4) improvement in the quality of our educational system is vital to the Nation's future, and demonstrated schoolwide progress in achieving excellence deserves public recognition.

"(b) PURPOSE.—The purpose of this part is to recognize and reward public and private elementary and secondary schools that have made substantial progress in—

"(1) raising student educational achievement;

"(2) creating a safe and drug-free school environment; and

"(3) reducing the dropout rate.

"SEC. 4703. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—The amount authorized to be appropriated for the purposes of carrying out the provisions of this part for each of the fiscal years 1991, 1992, and 1993 is an amount equal to the lesser of—

"(1) the excess, if any, of—

"(A) the amount appropriated to carry out parts A, B, D, E, and F of chapter 1, of title I, of this Act for such fiscal year, over

"(B) $5,090,000,000, or

"(2) the excess, if any, of—

"(A) the amount appropriated to carry out part C of chapter 1 of title I of this Act for such fiscal year, over

"(B) $200,000,000.

"(b) LIMITATION.—The amount authorized to be appropriated under subsection (a) shall not exceed $200,000,000 for fiscal year 1991.

"SEC. 4704. ALLOCATION OF APPROPRIATIONS.

"(a) RESERVATION.—From the amount appropriated under section 4703 for any fiscal year, the Secretary may reserve up to one quarter of 1 per centum for grants to Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau) for activities under this part.

"(b) ALLOCATION AMONG STATES.—(1) The amount remaining after any reservation of funds under subsection (a) shall be allocated to States as follows:

"(A) from one half of such amount, each State shall be allocated an amount that bears the same ratio to such amount as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all such States, according to the most recent available data that are satisfactory to the Secretary; and

"(B) the other one half of such amount shall be allocated among such States on the same basis as funds are allocated among such States under section 1005 of this Act for the same fiscal year.

"(2) For purposes of this subsection, the term 'State' means each of the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 4705. STATE APPLICATIONS.

"(a) THREE-YEAR APPLICATION.—Each State that wishes to receive a grant under this part shall submit to the Secretary, through its State educational agency, an application for a three-year period, at such time and in such manner as the Secretary may prescribe.

"(b) APPLICATION CONTENTS.—Each State application shall contain—

"(1) the criteria the State educational agency will use to select Presidential Schools of Distinction under section 4708;

"(2) the criteria it will use to determine the amount of awards;

"(3) an assurance that it will carry out this part in accordance with the requirements of this part and other applicable legal requirements; and

"(4) other information the Secretary may require.

"(c) GEPA PROVISIONS INAPPLICABLE.—Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this part.

"SEC. 4706. STATE USE OF FUNDS.

"(a) ADMINISTRATION.—Each State educational agency may use up to 5 per centum of

its grant for the administrative costs of carrying out this part.

"(b) PRESIDENTIAL SCHOOL OF EXCELLENCE AWARDS.—Each State educational agency shall use at least 95 per centum of its grant for Presidential School of Distinction Awards made in accordance with section 4708.

"(c) INSULAR AREAS.—The provisions of Public Law 95-134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds received by such areas under this part.

"SEC. 4707. STATE ACTIVITIES AND RESPONSIBILITIES.

"(a) STATE REVIEW PANEL.—(1) Each State educational agency shall establish a State review panel to assist in the selection of Presidential Schools of Distinction.

"(2) The State review panel shall be broadly representative of the following interests in the State—

"(A) elementary and secondary school teachers and administrators;

"(B) college and university faculty and administrators;

"(C) parents;

"(D) State and local boards of education;

"(E) State and local governments;

"(F) labor;

"(G) business; and

"(H) the general public.

"(b) ANNUAL REPORTS TO THE SECRETARY.—(1) Within sixty days of making Presidential School of Distinction Awards under this part for any fiscal year, each State educational agency shall submit a report to the Secretary that—

"(A) identifies the schools chosen as Presidential Schools of Distinction;

"(B) states the reasons for their selection; and

"(C) states the amount of their awards.

"(2) Beginning with the second year for which any State educational agency receives funds under this part, its annual report shall also include a brief description of how schools selected in the previous year used their awards.

"SEC. 4708. SELECTION OF PRESIDENTIAL SCHOOL OF DISTINCTION.

"(a) ELIGIBLE SCHOOLS.—(1) A State educational agency may designate as a Presidential School of Distinction any public or private elementary or secondary school in the State whose students are receiving services under chapter 1 of title I of this Act that has been nominated through procedures established by such agency.

"(2) In selecting Presidential Schools of Distinction, each State educational agency shall apply the selection criteria uniformly.

"(3) DISTRIBUTION OF AWARDS.—Each State educational agency shall make at least one Presidential School of Distinction Award in each congressional district.

"(b) CRITERIA ESTABLISHED BY SECRETARY.—(1) The Secretary shall establish minimum criteria to be used by every State educational agency in selecting Presidential Schools of Distinction.

"(2) The criteria established by the Secretary shall address—

"(A) progress in improving educational performance, with particular emphasis on mastery of reading, writing, and mathematics skills;

"(B) the degree to which the school demonstrates progress in achieving and maintaining a safe environment, including reduction or elimination of problems related to drug and alcohol use; and

"(C) secondary school progress in reducing the number of students who drop out of school or in encouraging those who have dropped out to reenter school and complete their schooling.

"(c) STATE CRITERIA.—(1) Based on the selection criteria established by the Secretary, as required by subsection (b), each State educational agency shall establish additional criteria that measure progress in such areas as—

"(A) student achievement, as measured by such factors as year-to-year improvement in test scores, college entrance rates, and employment of graduates in jobs with significant potential for career development; and

"(B) other indicators of a school's success, such as improvements in school leadership, the teaching and learning environment, and parental and community support and involvement.

"(2) In setting criteria for Presidential Schools of Distinction, the State educational agency shall establish standards that recognize the composition of the student body and other relevant factors, and that give special consideration to schools with substantial numbers of proportions of children from low-income families. The State educational agency may also set different criteria for different grade levels.

"(3) In applying the criteria to a school in which a program is conducted under part A of chapter 1 of title I of this Act, the State educational agency shall consider the desired outcomes identified for children in the application submitted under section 1012(b) of this Act by the local educational agency operating the school. No school that a local educational agency has identified under section 1021(b) of this Act shall be eligible for a Presidential School of Distinction Award until such time as the school has demonstrated progress in complying with the provisions of the State or local improvement plan set forth under section 1020 or 1021 of this Act.

"(4) In selecting Presidential Schools of Distinction and in setting the amount of their awards, the State educational agency may not consider a school's planned use of a Presidential School of Distinction award.

"(5) Except as provided in section 4706, each State educational agency receiving assistance under this Act shall make the same number of awards to elementary schools within the State as such State educational agency makes to secondary schools within the State.

"(d) AMOUNT OF AWARD.—(1) Each State educational agency shall establish criteria, subject to subsection (c)(4), including criteria relating to the size of the school and the economic circumstances of the student body, for determining the amount of Presidential School of Distinction Awards.

"(2) The amount of Presidential School of Distinction Awards shall be substantially equivalent among congressional districts.

"(e) BYPASS.—If a State educational agency is either prohibited by State law from providing funds made available under this part to private schools, or is unwilling to do so, it shall notify the Secretary of such prohibition or unwillingness, as well as the private schools it has designated as Presidential Schools of Distinction and the amount of their awards. The Secretary shall then provide those funds, from the State's allocation under this part, to the designated private schools, through such arrangements as the Secretary finds suitable. The Secretary shall also withhold from the State's allocation under this part the administrative costs of making such arrangements.

"SEC. 4709. PRESIDENTIAL CERTIFICATES OF DISTINCTION AND AWARDS CEREMONY.

"(a) PRESIDENTIAL CERTIFICATES OF DISTINCTION.—Each Presidential School of Distinction shall be awarded a Presidential Certificate of Distinction.

"(b) AWARDS CEREMONY.—The Secretary is authorized to accept gifts to pay the costs of conducting awards ceremonies for Presidential Schools of Distinction.

"SEC. 4710. PUBLIC SCHOOL USE OF FUNDS BY PRESIDENTIAL SCHOOLS OF DISTINCTION.

"A Presidential School of Distinction shall use its Presidential School of Distinction Award for activities that further the educational program of the school. Such activities may include, but are not limited to—

"(1) development, implementation, or expansion of special programs, such as those focused on: dropout prevention or reentry, student transition to college or employment, preschool children, remedial services, or gifted and talented students;

"(2) the purchase or lease of computers, telecommunications equipment, scientific instruments, instructional materials, library books, and other equipment and materials, except that a public agency shall have title to, and exercise administrative control of, all such equipment and materials;

"(3) bonus payments for faculty, administrators, and school personnel;

"(4) school based management/shared decision making;

"(5) parental involvement activities; and

"(6) community outreach activities;

"SEC. 4711. PRIVATE SCHOOL USE OF FUNDS BY PRESIDENTIAL SCHOOLS OF DISTINCTION.

"Each State educational agency receiving financial assistance under this part shall ensure that each private school designated as a Presidential School of Distinction under section 4708 will use the Presidential School of Distinction Award for capital expenses as set forth in section 1017(d) of the Elementary and Secondary Education Act of 1965, and after capital expenses have been met, use such award for purposes as set forth and administered under section 1572 of the Elementary and Secondary Education Act of 1965.

"SEC. 4712. PROHIBITION ON STATE OR LOCAL REDUCTION OF OTHER ASSISTANCE.

"No Federal, State, or local agency may, in any year, take a Presidential School of Distinction Award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either the Presidential School of Distinction itself or the local educational agency, if any, that operates the school.

"SEC. 4713. EVALUATION.

"(a) IN GENERAL.—The Secretary shall conduct a biennial evaluation of Presidential Schools of Distinction.

"(b) NATIONAL DIFFUSION NETWORK.—The Secretary shall submit information on successful Presidential Schools of Distinction programs to the National Diffusion Network for possible dissemination.

"SEC. 4714. DEFINITION.

"(a) IN GENERAL.—As used in this part the term 'school based management/shared decision making' means a process by which a team of individuals is formed at a school site to make decisions regarding the management of the school. Such a team may include teachers, the school principal, other school administrators, parents, and community representatives.

"(b) RESPONSIBILITIES.—The school based management/shared decision making team is responsible for decisions which affect the school and classroom environment. Such decisions may include decisions regarding—

"(1) curriculum and instruction priorities which meet priorities and goals of the local educational agency, including materials and activities, organization, and evaluation and assessment, while taking into account the special needs of students;

"(2) student grouping, promotion, and tracking;

"(3) school rules and discipline policies;

"(4) the scheduling and structure of the school day;

"(5) the school environment;

"(6) the physical structure of school facilities;

"(7) the administrative structure of the school;

"(8) the use of funds available to the school;

"(9) hiring and evaluation of teachers and administrators;

"(10) professional development programs which will meet faculty needs; and

"(11) relationships with parents and community.".

PART B—SCHOOLS OF EXCELLENCE

SEC. 111. SCHOOLS OF EXCELLENCE.

Title IV of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof a new part H to read as follows:

"PART H—SCHOOLS OF EXCELLENCE

"SEC. 4801. SHORT TITLE.

"This part may be cited as the 'Schools of Excellence Act of 1990'.

"SEC. 4802. FINDINGS.

"The Congress finds that—

"(1) no single method of education, or single way of organizing schools and school systems, is best for every community or every group of students;

"(2) schools that have increased competition and choice have helped to improve the quality of schools and the education of children in the school districts in which they have been established; and

"(3) schools that focus on mathematics and science train future leaders in such disciplines are of critical importance to the Nation's economic competitiveness;

"SEC. 4803. PURPOSE.

"It is the purpose of this part to support the establishment, expansion, or enhancement of Schools of Excellence in order to promote open enrollment through parental choice and to strengthen the knowledge of elementary and secondary school students in academic and vocational subjects.

"SEC. 4804. DEFINITION.

"As used in this part, the term 'School of Excellence' means a public elementary or secondary school that—

"(1) offers the highest quality instruction in an academic or vocational discipline or creates a unique and effective learning environment;

"(2) is open to students from beyond the immediate school attendance area; and

"(3) is capable of attracting students from a variety of backgrounds.

"SEC. 4805. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—The amount authorized to be appropriated for the purposes of carrying out the provisions of this part for each of the fiscal years 1991, 1992, and 1993 is an amount equal to the lesser of—

"(1) the excess, if any, of—

"(A) the amount appropriated to carry out title III of the Elementary and Secondary Education Act of 1965 for such fiscal year, over

"(B) $165,000,000, or

"(2) the excess, if any, of—

"(A) the amount appropriated to carry out section 4606 of the Elementary and Secondary Education Act of 1965 for such fiscal year, over

"(B) $35,000,000.

"(b) LIMITATION.—The amount authorized to be appropriated under subsection (a) shall not exceed $50,000,000 for fiscal year 1991.

"SEC. 4806. GRANT APPLICATIONS.

"(a) IN GENERAL.—(1) Any local educational agency, intermediate educational agency, or consortia of such agencies desiring to receive a grant under this part shall submit an application at such time, in such manner, and containing such information, as the Secretary may require.

"(2) An applicant may be, but is not required to be, adopting or implementing a desegregation plan.

"(b) REQUIREMENTS.—Each application shall contain—

"(1) a description of—

"(A) the objectives of the proposed project and how those objectives will achieve the purpose of this part, as set out in section 4803; and

"(B) how the funds made available to the applicant will be used to provide an educational program of the highest quality that will encourage greater parental decisionmaking and involvement;

"(C) the method of information dissemination;

"(D) the unique learning environment; and

"(E) the open enrollment policy for students beyond the immediate attendance area; and

"(2) such assurances as the Secretary may reasonably require.

"(c) SPECIAL RULE.—The Secretary shall encourage applications for proposed projects that—

"(1) recognize the potential of children who are educationally disadvantaged or who come from low-income families; and

"(2) establish, expand, or enhance schools that focus on a particular educational approach or on a particular subject area, such as mathematics and science.

"(d) DEMONSTRATION.—Each application submitted pursuant to this section shall demonstrate to the satisfaction of the Secretary that any proposed project assisted with funds under this part will not result in segregation based upon race, religion, color, national origin, sex, or handicap, or impede the progress of desegregation within the applicant's school system.

"SEC. 4807. SELECTION OF APPLICATIONS.

"In awarding grants under this part, the Secretary shall consider the quality of the proposed project, the likelihood of the project's successful implementation, and the likelihood of its strengthening the educational program of the applicant.

"SEC. 4808. LIMITATIONS.

"(a) IN GENERAL.—No School of Excellence may be supported with funds under this part for more than two years.

"(b) SATISFACTORY PROGRESS.—No applicant may receive a grant for more than one year under this part, unless it demonstrates to the Secretary that the School of Excellence for which assistance was provided in the first year is making satisfactory progress in meeting the objectives specified in its approved application.

"(c) SPECIAL RULE.—No Federal, State, or local agency may, in any year, take a School of Excellence award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either a School of Excellence itself or to the local educational agency or intermediate educational agency that operates the school.".

PART C—ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

SEC. 121. ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS PROGRAM.

Title IV of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof a new part I to read as follows:

"PART I—ALTERNATIVE CERTIFICATION FOR TEACHERS AND PRINCIPALS

"SEC. 4901. SHORT TITLE.

"This part may be cited as the 'Alternative Certification of Teachers and Principals Assistance Act of 1990'.

"SEC. 4902. FINDINGS.

"The Congress finds that—

"(1) effective elementary and secondary schools require competent teachers and strong leadership;

"(2) school systems would benefit greatly by recruitment pools of well-qualified individuals, such as scientists and engineers, from which to select teachers and principals;

"(3) talented professionals who have demonstrated a high level of subject area competence or management and leadership qualities outside the education profession wish to pursue second careers in education, but often do not meet traditional certification requirements; and

"(4) alternative certification requirements that do not exclude such individuals from teaching or school administration solely because they do not meet current certification requirements would allow school systems to take advantage of these professionals and improve the supply of well-qualified teachers and principals.

"SEC. 4903. PURPOSE.

"It is the purpose of this part to improve the supply of well-qualified elementary and secondary school teachers and principals by encouraging and assisting States to develop and implement alternative teacher and principal certification requirements.

"SEC. 4904. DEFINITIONS.

"As used in this part—

"(1) The term 'alternative teacher and principal certification requirements' means State or local requirements that permit entry into elementary and secondary teacher and principal positions for individuals who have demonstrated a high level of appropriate subject area competence, or management or leadership qualities, in careers in or out of the education field, but who would not otherwise meet existing requirements for teaching or supervisory positions. Alternative teacher and principal certification requirements may recognize that—

"(A) for teachers, a high level of demonstrated competence in an appropriate subject area may be substituted for traditional teacher certification requirements (such as teacher training course work); and

"(B) for principals, a high level of demonstrated competence in administration and management may be substituted for traditional principal certification requirements.

"(2) The term 'State' means any of the States of the Union, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 4905. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this part, there are authorized to be appropriated $15,000,000 for fiscal year 1991.

SEC. 4906. ALLOTMENTS.

"(a) IN GENERAL.—(1) From the amount appropriated to carry out this part, the Secretary shall allot to each State the lesser of either the amount the State applies for under section 4907 or an amount that is proportional to the State's share of the total population of children ages five through seventeen in all the States (based on the most recent data available that is satisfactory to the Secretary).

"(2) If a State does not apply for its allotment, or the full amount of its allotment, under the preceding paragraph, the Secretary may reallocate the excess funds to one or more other States that demonstrate, to the satisfaction of the Secretary, a current need for the funds.

"(b) SPECIAL RULE.—Notwithstanding section 412(b) of the General Education Provisions Act, funds awarded under this part shall remain available for obligation by a recipient for a period of two calendar years from the date of the grant.

"SEC. 4907. STATE APPLICATIONS.

"(a) IN GENERAL.—Any State desiring to receive a grant under this part shall submit, through its State educational agency, an application at such time, in such manner, and containing such information, as the Secretary may reasonably require.

"(b) REQUIREMENTS.—Each State application shall—

"(1) describe the programs, projects, and activities to be undertaken; and

"(2) contain such assurances as the Secretary deems necessary, including assurances that—

"(A) funds awarded to the State educational agency will be used to supplement, and not to supplant, any State or local funds available for the development and implementation of alternative teacher and principal certification requirements;

"(B) the State educational agency has, in developing the State's application, consulted with representatives of local educational agencies, elementary and secondary school teachers and principals, parents, and other interested organizations and individuals; and

"(C) the State educational agency will submit to the Secretary, at such time as the Secretary may specify, a final report describing the activities carried out with funds awarded under this part and the results achieved.

"(c) SPECIAL RULE.—Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this part.

"SEC. 4908. USE OF FUNDS.

"(a) IN GENERAL.—(1) A State educational agency shall use funds awarded under this part to support programs, projects, or activities that develop and implement new, or expand and improve existing, alternative teacher and principal certification requirements.

"(2) A State educational agency may carry out such programs, projects, or activities directly, through contracts, or through subgrants to local educational agencies, intermediate educational agencies, institutions of higher education, or consortia of such agencies.

"(b) PROGRAMS, PROJECTS, AND ACTIVITIES.—Programs, projects, and activities supported under this part may include, but are not limited to, the—

"(1) design, development, implementation, testing, and evaluation of alternative teacher and principal certification requirements;

"(2) establishment of administrative structures necessary to the development and implementation of alternative teacher and principal certification requirements;

"(3) training of staff, including the development of appropriate support programs, such as mentor programs, for teachers and principals entering the school system through the alternative teacher and principal certification program;

"(4) development of recruitment strategies; and

"(5) development of reciprocity agreements between or among States for the certification of teachers and principals.

"SEC. 4909. EXPIRATION DATE.

"Effective October 1, 1992, the Alternative Certification of Teachers and Principals Assistance Act of 1989 is repealed.".

PART D—ADMINISTRATIVE PROVISION

SEC. 131. DEFINITION.

Section 403(6) of Public Law 81-874 is amended by adding the following sentence at the end thereof:

"Such term does not include any agency or school authority that the Secretary determines, on a case-by-case basis—

"(A) was constituted or reconstituted primarily for the purpose of receiving assistance under this Act or increasing the amount of that assistance;

"(B) is not constituted or reconstituted for legitimate educational purposes; or

"(C) was previously part of a school district upon being constituted or reconstituted.".

SEC. 132. TECHNICAL AMENDMENTS.

(a) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 is amended—

(1) in sections 1005(a), 1006(a)(1)(A), 1291, 2004(a), and 4502 by striking "and the Trust Territory of the Pacific Islands" each place such term appears and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau";

(2) in sections 1404, 1405(a)(2)(A), 1405(a)(2)(B) and 1471(22) by striking "or the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau";

(3) in sections 1511(a)(1), 2104(a)(1), 5112(a)(1) and 5141(b)(6) by striking "the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, Palau";

(4) in section 1469 by—

(A) redesignating subsections (g), (h) and (i), as subsections (h), (i) and (j), respectively; and

(B) striking "(f) Staff" and inserting "(g) Staff"; and

(5) by redesignating title heading relating to title 10 as the title heading relating to title 8.

(b) ADULT EDUCATION ACT.—The Adult Education Act is amended—

(1) in sections 312(7) and 371(b)(7)(B)(i) by striking "the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, Palau"; and

(2) in sections 313(b) and 361(a) by striking "and the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau".

(c) STAR SCHOOLS PROGRAM.—Section 907(8) of the Star Schools Program Assistance Act is amended by striking "the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, Palau".

(d) IMPACT AID PROGRAM.—Section 5(a) of Public Law 81-874 is amended by—

(1) inserting "(1)" before "Any"; and

(2) inserting at the end thereof the following new paragraph (2):

"(2) Notwithstanding any other provision of law or regulation, a State educational agency that had been accepted as an applicant for funds under section 3 for fiscal years 1985, 1986, 1987 and 1988 shall be permitted to continue as an applicant under the same conditions by which it made application during such fiscal years only if such State educational agency distributes all funds received for the students for which application is being made by such State educational agency to the local educational agencies providing educational services to such students.".

(e) EDUCATION OF THE HANDICAPPED.—The Education of the Handicapped Act is amended in—

(1) section 602(a)(6) by striking "or the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau";

(2) section 611(a)(2) by striking "and the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau"; and

(3) Section 611(e)(1) by striking "and the Trust Territory of the Pacific Islands" and inserting "the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau".

(f) LIBRARY SERVICES AND CONSTRUCTION ACT.—The Library Services and Construction Act is amended in—

(1) section 3(g) by striking "or the Trust Territory of the Pacific Islands" and inserting in lieu thereof "Palau, the Republic of the Marshall Islands, or the Federated States of Micronesia";

(2) section 5(a)(3) by striking "and the Trust Territory of the Pacific Islands" each place such term appears and inserting in lieu thereof "Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia";

(3) section 7(a) by striking "the Trust Territory of the Pacific Islands" and inserting in lieu thereof "Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia"; and

(4) section 7(b) by striking "and the Trust Territory of the Pacific Islands" each place such term appears and inserting in lieu thereof "the Commonwealth of the Northern Mariana Islands, Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia".

PART E—BILINGUAL EDUCATION

SEC. 141. BILINGUAL EDUCATION.

Awards made by the Secretary of Education to the Franklin-Northwest Supervisory Union of Vermont under the Bilingual Education Act (20 U.S.C. 3221 et seq.), in amounts of—

(1) $388,076.56 for fiscal year 1984 (for programs of bilingual education);

(2) $400,061.00 for fiscal year 1986 (for programs of transitional bilingual educa-

tion) and any expenditure of funds by the Franklin-Northwest Supervisory Union pursuant to such awards, shall be treated as if they were made in accordance with the provisions of the Bilingual Education Act for purposes of any claims for repayment asserted by the Secretary of Education.

PART F—PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM

SEC. 151. PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM.

(a) TITLE HEADING AND TABLE OF CONTENTS.—(1) The heading for title II of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"CRITICAL SKILLS IMPROVEMENT AND PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION".

(2) Section 1 of the Elementary and Secondary Education Act is amended by inserting after "SEC. 2203. Authorization of Appropriations." the following:

"PART F—PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM

"Sec. 2301. Findings and purpose.
"Sec. 2302. Allocation to States.
"Sec. 2303. State applications.
"Sec. 2304. Selection of award recipients.
"Sec. 2305. Amount and use of awards.
"Sec. 2306. Awards ceremony.
"Sec. 2307. Authorization of appropriations.".

(b) AMENDMENT TO TEXT.—Title II of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new part:

"PART F—PRESIDENTIAL AWARDS FOR EXCELLENCE IN EDUCATION PROGRAM

"SEC. 2301. FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) the success of America's elementary and secondary schools depends most heavily upon the Nation's educators;

"(2) when educators are highly motivated and committed to excellence, they succeed not only in imparting subject matter knowledge, but also in instilling in their students an appreciation of the value and importance of education;

"(3) elementary and secondary school systems should have in place standards of teacher excellence and fair and effective procedures for measuring teacher success; and

"(4) in return for their efforts, excellent elementary and secondary school educators deserve public recognition, respect, and appropriate financial awards.

"(b) PURPOSE.—It is the purpose of this subpart to reward educators in every State who meet the highest standards of excellence.

"SEC. 2302. ALLOCATION TO STATES.

"(a) ALLOCATION FORMULA.—From the funds appropriated under section 2307—

"(1) 50 per centum shall be allocated among the States in an amount which bears the same ratio to such amount as the number of children aged 5 to 17, inclusive, in the State bears to the number of such children in all such States, according to the most recent available data that are satisfactory to the Secretary; and

"(2) 50 per centum shall be allocated among the States on the same basis as funds are allocated among such States under section 1005 of this Act for the same fiscal year.

"(b) ADMINISTRATIVE EXPENSES.—Each State may reserve up to 5 per centum of its allocation under subsection (b) for administrative expenses, including the cost of convening the panel described in section 2304(c).

"(c) STATE DEFINED.—For the purposes of this part, the term 'State' shall include the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(d) INSULAR AREAS.—The provisions of Public Law 93-134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds allocated under this part.

"(e) DISTRIBUTION OF AWARDS.—Other provisions of this title notwithstanding, each State shall make at least one Presidential Award for Excellence in Education in each congressional district.

"SEC. 2303. STATE APPLICATIONS.

"(a) SUBMISSION OF STATE APPLICATIONS.—The Secretary is authorized to make allocations to States in accordance with the provisions of this part. In order to receive an allocation under this part, the Governor of each State shall submit a one-time application to the Secretary. Such application shall be filed at such time in such manner, and shall contain such information, as the Secretary may reasonably require.

"(b) DESCRIPTION OF STATE CRITERIA AND PROCEDURES.—The application submitted pursuant to subsection (a) shall contain a description of the State's criteria and procedures for selecting recipients of Presidential Awards for Excellence in Education. The State's criteria and procedures shall be subject to the approval of the Secretary.

"(c) ASSURANCES.—The application submitted pursuant to subsection (a) shall contain assurances that—

"(1) Presidential Awards for Excellence in Education shall be made in accordance with the provisions of this part;

"(2) the State shall provide such fiscal control and fund accounting procedures as the Secretary shall require; and

"(3) the State shall apply the selection criteria uniformly to nominations for recipients of Presidential Awards for Excellence in Education that are received from public and private schools, educators, associations of educators, parents, associations of parents and educators, businesses, business groups, or student groups, as well as those received from educational agencies.

"SEC. 2304. SELECTION OF AWARD RECIPIENTS.

"(a) ELIGIBLE RECIPIENTS.—Any full-time public or private elementary or secondary school teacher of academic or vocational subjects or any full-time public or private elementary or secondary school principal or headmaster shall be eligible to receive an award under this subpart, except that teachers of religion (other than religion as an academic discipline) shall not be eligible.

"(b) NOMINATIONS.—(1) Local educational agencies, public and private schools, educators, parents, associations of educators, associations of parents and educators, businesses, business groups and student groups may nominate teachers for awards under this part.

"(2) The State educational agencies shall notify local educational agencies, public and private schools, associations of educators, associations of parents and educators, business groups, and the general public of the deadlines and procedures for making nominations, and inform them of the selection criteria which will be used in selecting award recipients in a given year.

"(c) SELECTION BY STATE PANEL.—Selection of award recipients in each State shall be made from among the teachers nominated in accordance with subsection (b). Award recipients shall be selected by a panel which is chosen by the Governor in consultation with the chief State officer and is composed of members representing parents, school administrators, teachers, school board members, and the business community.

"(d) SELECTION CRITERIA.—The State panel shall select award recipients in accordance with the criteria approved by the Secretary in the State's application. Such selection criteria may include an educator's success in—

"(1) educating 'at-risk' students, such as educationally or economically disadvantaged, handicapped, limited English proficient, or homeless children to their fullest potential;

"(2) educating gifted and talented students to their fullest potential;

"(3) encouraging students to enroll, and succeed, in advanced classes in subjects such as mathematics, science, and foreign languages;

"(4) teaching in schools educating large numbers of 'at-risk' students, including schools in low-income inner-city or rural areas;

"(5) introducing a new curriculum area into a school or strengthening an established curriculum;

"(6) acting as a 'master teacher' by helping new teachers make the transition into a teaching career;

"(7) encouraging potential dropouts to remain in school or encouraging individuals who have dropped out to reenter and complete their schooling;

"(8) improving daily attendance;

"(9) leadership qualities; and

"(10) success in employing other innovative educational techniques.

"SEC. 2305. AMOUNT AND USE OF AWARDS.

"(a) AMOUNT OF AWARDS.—The amount of a Presidential Award for Excellence in Education shall be $5,000.

"(b) PRO RATA REDUCTION.—Should the amount allocated by the Secretary to a State not be sufficient to support one Presidential Award for Excellence in Education in each congressional district, the State is authorized to make pro rata reductions in the amount of other awards to enable the award of at least one Presidential Award for Excellence in Education in each congressional district.

"(c) USE OF AWARDS.—An award to an individual recipient under this part shall be available for the recipient's use of any purpose, except that private school educators receiving a Presidential Award for Excellence in Education may only use such award for capital expenses at the school where such individual teaches as set forth in section 1017(d) of the Elementary and Secondary Education Act of 1965.

"SEC. 2306. AWARDS CEREMONY.

"The Secretary is authorized to accept gifts to pay for the costs of conducting awards ceremonies to recognize recipients of Presidential Awards for Excellence in Education.

"SEC. 2307. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $7,600,000 for the fiscal year 1991 and each of the fiscal years 1992 and 1993 to carry out the provisions of this part.".

TITLE II—NATIONAL SCIENCE SCHOLARS

SEC. 201. NATIONAL SCIENCE SCHOLARS PROGRAM.

Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.; hereinafter referred to in this title as "the Act"), is amended—

(1) by redesignating subparts 7 and 8 as subparts 8 and 9, respectively; and

(2) by inserting immediately after subpart 6 the following new subpart:

"SUBPART 7—NATIONAL SCIENCE SCHOLARS PROGRAM

"PURPOSE

"SEC. 419L. (a) PURPOSE.—It is the purpose of this subpart—

"(1) to establish a National Science Scholars Program to recognize student excellence and achievement in the physical, life, and computer sciences, mathematics, and engineering;

"(2) to encourage role models in physical, life, and computer sciences, mathematics, and engineering fields for young people by offering opportunities to pursue a postsecondary education in such fields;

"(3) to strengthen the leadership of the United States in the fields of physical, life, and computer sciences, mathematics, and engineering; and

"(4) to assist students who have demonstrated outstanding academic achievement in continuing their education in these fields of study.

"SCHOLARSHIPS AUTHORIZED

"SEC. 419M. (a) PROGRAM AUTHORITY.—(1) The Secretary is authorized, in consultation with the Director of the National Science Foundation (hereinafter referred to as the 'Director') and in accordance with the provisions of this subpart, to carry out a program of awarding scholarships for the study of the life, physical, or computer sciences, mathematics, or engineering.

"(2) The Director, in consultation with the Secretary, shall establish and implement a merit-based program for annually awarding scholarships for the study of physical, life, or computer sciences, mathematics, or engineering to—

"(A) one male and one female from each congressional district of the United States, the District of Columbia, and Puerto Rico, and

"(B) one male and one female from Guam, the Virgin Islands, American Samoa, Palau, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Commonwealth of the Northern Mariana Islands.

"(3) Wherever possible in awarding scholarships, special consideration shall be given to economically disadvantaged students or students from groups traditionally underrepresented in the life, physical, or computer sciences, mathematics, and engineering professions.

"(b) NOTIFICATION OF SECONDARY SCHOOLS.—The Secretary shall notify all public and private secondary schools and all institutions of higher education in each State and in each of the entities set forth in subsection (a)(2)(B) annually of the availability of scholarships under this subpart.

"(c) CRITERIA AND PROCEDURE FOR NOMINATION AND SELECTION.—(1) Individuals shall be nominated and selected for scholarships under this subpart on the basis of the student's—

"(A) academic achievement in the life, physical, or computer sciences, mathematics, or engineering;

"(B) promise of outstanding academic achievement in physical, life, or computer sciences, mathematics, or engineering;

"(C) potential to successfully complete a post- secondary program in physical, life, or computer sciences, mathematics, or engineering; and

"(D) motivation to pursue a career in physical, life, or computer sciences, mathematics, or engineering.

"(2) The Director, in consultation with the Secretary, shall appoint a National Science Scholars Program Board (hereinafter referred to as the 'Board'), composed of scientists, mathematicians, educators, engineers, and representatives of the business community, to—

"(A) recommend to the Director specific academic achievement criteria for use in the nomination of scholars; and

"(B) make recommendations for awarding scholarships to the Director.

The Director, in consultation with the Secretary, shall review the Board's recommendations and shall each publish the appropriate academic achievement criteria in the Federal Register.

"(3) The Director, in consultation with the Secretary, is authorized to establish, either directly or by contract, a procedure for nominating at least 4, but not more than 10 students from each congressional district and from each of the entities set forth in subsection (a)(2)(B), for scholarships under this subpart. The Director shall ensure that such nominations shall be made in consultation with educators, scientists, mathematicians, engineers, and representatives of the business community.

"(4) After considering the students nominated under paragraph (3), the Director, in consultation with the Board, shall recommend to the President one male and one female from each congressional district of the United States, and one male and one female from each of the entities set forth in subsection (a)(2)(B), for scholarships under this subpart.

"(d) DISBURSAL OF SCHOLARSHIP PROCEEDS.—Scholarship proceeds shall be disbursed by the Secretary on behalf of students who receive scholarships under this subpart to the institutions of higher education at which the students are enrolled. No scholarship proceeds shall be disbursed on behalf of a student until the student is enrolled at an institution of higher education.

"(e)(1) NATIONAL SCIENCE SCHOLARS.—Students awarded scholarships under this subpart shall be known as 'National Science Scholars'.

"(2) Students nominated under subsection (c) but not awarded scholarships under this subpart shall be known as 'National Science Scholarship Finalists'.

"(f) NATURE AND AMOUNT OF SCHOLARSHIPS.—(1) Scholarships shall be limited to a maximum of $5,000 per student, per year, for a period not to exceed 4 years.

"(2) In the event that funds available in a fiscal year are insufficient to fully fund all awards under this subpart, the amount paid to each student shall be ratably reduced.

"(g) USE OF EXCESS FUNDS.—If the funds available under this subpart for any fiscal year exceed the amounts required for initial and continuing awards under this section, additional scholarships may be awarded by the President, in consultation with the Director, to students selected as National Science Scholarship Finalists for the award year.

"(h) RELATION TO COST OF ATTENDANCE AND OTHER GRANTS AND SCHOLARSHIPS.—(1) The amount of a scholarship awarded under this subpart shall be reduced by the amount that the scholarship exceeds the student's cost of attendance, as defined in section 472 of the Act.

"(2) Notwithstanding any other provision of law, the award made under this subpart shall be considered as income for the purposes of awarding Federal student financial aid.

"(i) SPECIAL RULE.—The Director shall encourage the support and assistance of civic groups, the business community, professional associations, institutions of higher education, and others in providing scholarship assistance to National Science Scholarship Finalists.

"(j) ANNOUNCEMENT AND AWARD OF SCHOLARSHIPS.—The selection process shall be completed, and the announcement of the selection of National Science Scholars will be made by the President prior to January 1st of each fiscal year. The Secretary shall notify Members of Congress of selections before the public announcement by the President. Presentation of scholarships shall be made in a public ceremony.

"ELIGIBILITY OF SCHOLARS

"SEC. 419N. (a) REQUIREMENTS FOR INITIAL AWARD.—To be eligible to receive a scholarship under section 419M, a student shall—

"(1) be scheduled to graduate from a public or private secondary school, or to obtain the equivalent of a certificate of graduation (as recognized by the State or entity in which the student resides), during the school year in which the award is made;

"(2) be a citizen or national of the United States or the entities set forth in subsection (a)(2)(B), or be an alien lawfully admitted to the United States for permanent residence;

"(3) have applied, or intend to apply, for admission to an institution of higher education in the United States or an institution of higher education in the entities set forth in subsection (a)(2)(B), that is accredited by a nationally recognized accrediting agency or association in accordance with the provisions of section 1201(a) of this Act.

"(b) MAINTAINING ELIGIBILITY.—(1) In order to maintain eligibility to receive funds pursuant to a scholarship awarded under this subpart, a student must—

"(A) be enrolled at an institution of higher education that is accredited by a nationally recognized accrediting agency or association in accordance with the provisions of section 1201(a) of the Act;

"(B) major in any field of physical, life, or computer science, mathematics, or engineering;

"(C) maintain academic performance in good standing, as determined by such institution; and

"(D) except as provided in paragraph (2), carry a full-time academic work load, as determined by the institution in which the student is enrolled under standards applicable to all students enrolled in that student's program.

"(2) The Secretary shall make exceptions to the requirement under paragraph (1)(D) in the case of a student who—

"(A) is on active duty as a member of the armed services;

"(B) has a disability or serious injury as certified by a qualified physician; or

"(C) has exceptional personal circumstances or emergencies, as determined by the Secretary.

"(c) FAILURE TO MEET ELIGIBILITY REQUIREMENTS.—In the event that the student fails to meet the requirements of this section, the student's eligibility to receive further scholarships (or scholarship proceeds) under this subpart shall be determined in accordance with the regulations of the Secretary.

"SUMMER EMPLOYMENT OPPORTUNITIES FOR SCHOLARS

"SEC. 419O. (a) PRIORITY FOR SUMMER EMPLOYMENT.—To the extent that they are otherwise qualified, students receiving scholar-

ships under this subpart shall be given priority consideration for federally financed summer employment in federally funded research and development centers, that, to the maximum extent practicable, complements and reinforces the educational program of these students.

"(b) FEDERAL AGENCY COOPERATION.—Federal agencies shall cooperate fully with the Secretary and participate actively in providing appropriate summer employment opportunities for such students.

"EFFECTIVE DATE

"SEC. 419P. The amendments made by this subpart shall be effective on October 1, 1990, for award year 1991-1992 and each succeeding award year thereafter.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 419Q. There are authorized to be appropriated to the Department of Education for the purpose of carrying out this subpart $6,000,000 for the fiscal year 1991, and such sums as may be necessary for each of the 2 succeeding fiscal years.".

SEC. 202. CONFORMING AMENDMENTS.

(a) Section 401(b) of the Act is amended by striking out "subparts 1 through 8," and inserting in lieu thereof "subparts 1 through 9,".

(b) Section 481(a)(1) of the Act is amended by striking out "except subpart 6" and inserting in lieu thereof "except subparts 6 and 7".

TITLE III—HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

SEC. 301. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.

Section 360(a)(3) of the Higher Education Act of 1965 is amended by—

(1) redesignating paragraph (4) as paragraph (5);

(2) inserting the following new paragraph after paragraph (3):

"(4) There are authorized to be appropriated $20,000,000 for fiscal year 1990 and such sums as may be necessary for each of fiscal years 1991, 1992, and 1993 for awards under section 332 of the Act to historically black colleges and universities that qualify as part B institutions, except that any part B institution that receives an award from funds appropriated for any fiscal year under paragraph (4), shall not be eligible to receive an award in the same fiscal year under paragraph (3).".

TITLE IV—EXTENSION OF SCHOOL DROPOUT DEMONSTRATION PROGRAM

SEC. 401. EXTENSION OF SCHOOL DROPOUT DEMONSTRATION PROGRAMS.

Section 6003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3243) is amended—

(1) by striking "There" and inserting the following: "(a) IN GENERAL.—Subject to subsection (b), there";

(2) by inserting "each of" before "the fiscal";

(3) by striking "year" and inserting "years";

(4) by inserting before the period the following: ", 1990, and 1991"; and

(5) by adding at the end the following new subsection:

"(b) No amounts are authorized to be appropriated under subsection (a) for any fiscal year in which assistance is made availalbe to local educational agencies under part C of chapter 1 of title I.".

SEC. 402. AUTHORIZATION OF USE OF FUNDS FOR EVALUATION ACTIVITIES.

Subsection (a) of section 6004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3244) is amended—

(1) by inserting after "the Secretary" the following: "shall first reserve not more than $1,500,000 for the purposes of evaluating programs carried out with assistance under this part. From the remaining amount, the Secretary"; and

(2) by striking "the amount appropriated" each place it appears after the first occurrence and inserting "such remaining amount".

SEC. 403. AUTHORIZATION OF REALLOTMENT OF CERTAIN FUNDS.

Paragraph (1) of section 6004(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3244(b)) is amended by striking "25 percent" and inserting "not less than 25 percent and not more than 50 percent".

SEC. 404. DEADLINE FOR EVALUATIONS.

Subsection (d) of section 6201 of the Elementary and Secondary Education Act of 1965 is amended by striking "at the end" and all that follows and inserting "not later than the expiration of the 6-month period following the end of the grant period.".

TITLE V—STAFFORD STUDENT LOAN DEFAULT PREVENTION AND MANAGEMENT PROVISIONS

SEC. 501. GUARANTY AGENCY PROHIBITION ON THE SALE OF CERTAIN STAFFORD STUDENT LOAN LISTS.

Section 428(b)(3) of the Higher Education Act of 1965 (hereafter in this title referred to as the "Act" is amended—

(1) by striking out "or" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and "or"; and

(3) by adding at the end thereof the following:

"(D) sell lists of student borrowers who have loans made, insured, or guaranteed under this part.".

SEC. 502. GUARANTY AGENCY USE OF STATE LICENSING BOARD INFORMATION.

Section 428(b) of the Act is amended by adding at the end thereof the following new paragraph:

"(7) STATE GUARANTY AGENCY INFORMATION REQUEST OF STATE LICENSING BOARDS.—Each guaranty agency is authorized to enter into agreements with each appropriate State licensing board under which the State licensing board, upon request, will furnish the guaranty agency with the address of a student borrower in any case in which the location of the student borrower is unknown or unavailable to the guaranty agency.".

SEC. 503. SPECIAL LIMITATION ON THE DEFERMENT OF PAYMENT OF PRINCIPAL AND INTEREST ON PLUS LOANS.

Section 428B(c)(1) of the Act is amended—

(1) by striking out "(A)"; and

(2) by striking out "; and (B) during any period during which the borrower has a dependent student for whom a loan obligation was incurred under the section and who meets the conditions required for a deferral under clause (i) of either such section".

SEC. 504. CREDIT BUREAUS.

(a) NOTICE OF DELINQUENCY.—Section 430A(a) of the Act is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

"(3) with respect to any payment on a loan that has been delinquent for 90 days, information concerning the date the delinquency began and the repayment status of the loan; and".

(b) NOTICE TO BORROWER.—Section 430A(c) of the Act is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following:

"(5) with respect to notices of delinquency under subsection (a)(3), the borrower is informed that credit bureau organizations will be notified of any payment that is delinquent for 90 days or more.".

(c) LIMITATION ON REPORTING.—Section 463(c)(3)(B) of the Act is amended by striking ", if that account has not been previously reported by any other holder of the notes".

SEC. 505. ADDITIONAL BORROWER INFORMATION REQUIRED.

Section 484(b) of the Act is amended by adding at the end thereof the following new paragraph:

"(5) In order to be eligible to receive any loan under this title, a student shall provide to the lender at the time of applying for the loan the driver's license number of the student borrower, if applicable, and the name and address of the next of kin of the student borrower.".

SEC. 506. RESTRICTIONS ON INSTITUTIONAL PROMOTIONAL ACTIVITIES.

Section 487(a) of the Act (20 U.S.C. 1094(a)) is further amended by adding at the end thereof the following:

"(11) The institution does not—

"(A) use any contractor or any person other than salaries employees of the institution or a volunteer to conduct any activities related to recruiting and admission of students, including canvassing, surveying, promotion, or similar activities; or

"(B) pay any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments to any person engaged in any such activity.".

SEC. 507. ACADEMIC YEAR DEFINITION.

Section 487(a) of the Act is further amended by adding at the end thereof the following new paragraph:

"(12) The institution will use the same definition of 'academic year' for all programs authorized by this title.".

SEC. 508. NOTICE ON DELINQUENT LOANS REQUIRED.

(a) PRE-CLAIMS ASSISTANCE.—Section 435(d) of the Act is amended—

(1) in paragraph (1) by striking "(5)" the first two places it appears and inserting "(6)"; and

(2) by adding at the end thereof the following new paragraph:

"(6) REQUEST FOR PRE-CLAIMS ASSISTANCE.—To be an eligible lender under this part, each eligible lender shall, if the agency that guaranteed the loan offers pre-claims assistance for default prevention, request preclaims assistance within the first 10 days such assistance is available as specified by the guarantee agency.".

(b) NOTICE.—Section 428(k) of the Act is amended by—

(1) redesignating paragraph (2) as paragraph (3); and

(2) inserting the following new paragraph after paragraph (1):

"(2) PROVISION OF NOTICE OF REQUEST FOR PRE-CLAIMS ASSISTANCE TO ELIGIBLE INSTITUTIONS.—Each guaranty agency shall, within

30 days of receipt of the request for pre-claims assistance, notify each eligible institution, with respect to students who are delinquent on the repayment of any loan received for attendance at such institution, of the lender's request for pre-claims assistance for default prevention on such loan. Such information may be provided to the eligible institution by submission of a copy of the lender's pre-claims request or through other means.".

SEC. 509. REGULATIONS FOR INSTITUTIONAL DISCLOSURE OF BORROWER RECORDS.

The Secretary shall promulgate regulations specifying the legal restrictions and the requirements of eligible institutions relating to loan counseling and reporting requirements including but not limited to disclosure of borrower records to third parties, the Fair Debt Collection Practices Act, and any other applicable Federal law.

SEC. 510. EFFECT OF LOSS OF ACCREDITATION.

(a) STATUS AS ELIGIBLE INSTITUTION FOR STAFFORD STUDENT LOAN PROGRAM.—Section 435 of the Act (20 U.S.C. 1085) is amended—

(1) in subsection (a)(1), by striking out "The term" and inserting "Subject to subsection (m), the term"; and

(2) by adding at the end thereof the following:

"(m) IMPACT OF LOSS OF ACCREDITATION.—An institution may not be certified or recertified as an eligible institution under subsection (a) of this section if such institution—

"(1) had its institutional accreditation withdrawn, revoked, or otherwise terminated for cause during the preceding 24 months; or

"(2) has withdrawn from institutional accreditation voluntarily under a show cause order, suspension order, or other similar order during the preceding 24 months;

unless—

"(A) such accreditation has been restored by the same accrediting agency which had accredited it prior to the withdrawal, revocation, or termination; or

"(B) the institution has demonstrated its academic integrity to the satisfaction of the Secretary in accordance with section 1201(a)(5) (A) or (B) of this Act.".

(b) STATUS AS ELIGIBLE INSTITUTION FOR OTHER TITLE IV PROGRAMS.—Section 481 of the Act (20 U.S.C. 1088) is amended—

(1) in subsection (a)(1), by striking out "For the purpose" and inserting "Subject to subsection (e), for the purpose"; and

(2) by adding at the end thereof the following:

"(e) IMPACT OF LOSS OF ACCREDITATION.—An institution may not be certified or recertified as an eligible institution under subsection (a) of this section if such institution—

"(1) had its institutional accreditation withdrawn, revoked, or otherwise terminated for cause during the preceding 24 months; or

"(2) has withdrawn from institutional accreditation voluntarily under a show cause order, suspension order, or other similar order during the preceding 24 months;

unless—

"(A) such accreditation has been restored by the same accrediting agency which had accredited it prior to the withdrawal, revocation, or termination; or

"(B) the institution has demonstrated its academic integrity to the satisfaction of the Secretary in accordance with section 1201(a)(5) (A) or (B) of this Act.".

SEC. 511. SPECIAL ACCREDITATION RULES.

Section 487(c) of the Act is amended—

(1) by redesignating paragraph (3) as paragraph (5); and

(2) by adding after paragraph (2) the following new paragraphs:

"(3) The Secretary is authorized to carry out the provisions of paragraph (1)(D), relating to limitation, suspension, or termination of an eligible institution whenever the institution withdraws from a nationally recognized accrediting agency or association during a show cause or suspension proceeding brought against that institution.

"(4)(A) Whenever a nationally recognized accrediting agency or association reports pursuant to subparagraph (B) that an eligible institution was denied institutional accreditation, the Secretary is authorized to carry out the provisions of paragraph (1)(D) relating to limitation, suspension, or termination of an eligible institution.

"(B) The Secretary is authorized to enter into such arrangements with accrediting agencies and associations as may be necessary to assure notice of the denial of institutional accreditation in order to carry out subparagraph (A).".

SEC. 512. ELIGIBLE INSTITUTION ACCREDITATION RULE.

Section 481(a) of the Act is amended by inserting after paragraph (2) the following new paragraph:

"(3) Whenever the Secretary determines accreditation for the purpose of paragraph (1), the Secretary shall not approve the accreditation of any eligible institution of higher education under this section if the eligible institution of higher education is in the process of receiving new institutional accreditation by a national or regional accreditation agency unless the eligible institution submits to the Secretary all materials relating to the prior accreditation, including the reasons, if applicable, for changing the accrediting agency or association.".

SEC. 513. TOLL-FREE CONSUMER HOTLINE.

Section 485 of the Act is amended by adding at the end thereof the following new paragraph:

"(e) TOLL-FREE CONSUMER HOTLINE.—(1) In addition to the toll-free telephone information provided for in section 483, the Secretary shall contract for, or establish, and publicize a toll-free telephone number for use by the public, in order to permit students who allege fraud or unfair practices by eligible institutions to inform the Department of such fraud or unfair practices.

"(2) The Secretary shall, directly or by way of contract or other arrangement, make the toll-free telephone number, and the availability of the consumer hotline established by this subsection, generally available to students receiving financial assistance under this title.".

SEC. 514. TUITION REFUNDS.

(a) REFUND RULE.—Section 487(c)(2)(B)(i) of the Act is amended by adding at the end thereof the following new sentence: "In addition, the Secretary may require such eligible institutions to make refunds in accordance with division (iii).".

(b) REFUND PROCEDURES.—Section 487(c)(2)(B) of the Act is amended by adding the following new division after division (ii):

"(iii) When the Secretary determines there has been a violation, failure, or misrepresentation pursuant to division (i), the Secretary may require the institution to refund the student's tuition and fees. The Secretary shall establish procedures for refunding the tuition and fees. Such procedures shall—

"(I) first require the payment by the institution to the United States Government of any portion of the tuition and fees paid with Federal funds received under this title (other than funds under subpart 3 of part A and part B of this title); and

"(II) then require payment by the institution to the lender of that portion of the tuition and fees attributable to a loan made, issued, or guaranteed under part B of this title.".

SEC. 515. PELL GRANT PROGRAM AMENDMENT.

Section 411(c)(1)(A) of the Act (20 U.S.C. 1070a(c)(1)(A)) is amended by striking clauses (i) and (ii) and inserting the following:

"(i) the number of academic years (or portion of an academic year) that the undergraduate degree or certificate program normally requires, plus one academic year; or

"(ii) 6 academic years in the case of a undergraduate degree or certificate program normally requiring more than 4 academic years;".

SEC. 516. DISCLOSURE OBLIGATION FOR SLS AND PLUS LOANS; REPAYMENT PERIOD.

(a) AMENDMENT.—Section 433 of the Higher Education Act of 1965 (20 U.S.C. 1083) is amended by inserting at the end thereof the following new subsection:

"(e) SPECIAL DISCLOSURE RULES ON SLS AND PLUS LOANS.—

"(1) DISCLOSURE OF PROJECTED MONTHLY PAYMENTS.—Loans made under sections 428A and 428B shall not be subject to the disclosure of projected monthly payment amounts required under subsection (a)(8), provided that the lender, in lieu of such disclosure, provides the borrower with sample projections of monthly repayment amounts assuming different levels of borrowing and interest accruals resulting from capitalization of interest while the borrower is in school.

"(2) TIMING OF DISCLOSURES.—Disclosure pursuant to section 433(b) made on loans made under sections 428A and 428B shall be made not later than 30 days prior to the due date established by the lender for the first payment from the borrower.".

(b) COMPUTATION OF REPAYMENT PERIODS.—

(1) SLS LOANS.—Section 428A(c) of the Higher Education Act of 1965 (20 U.S.C. 1781-1(c)) is amended by inserting the following new paragraph at the end thereof:

"(6) REPAYMENT PERIOD.—For purposes of calculating the 10-year repayment period under section 428(b)(1)(D), such period shall be considered to commence at the time the first payment is due from the borrower.".

(2) PLUS LOANS.—Section 428B(c) of the Higher Education Act of 1965 (20 U.S.C. 1078-2(c)) is amended by inserting the following new paragraph at the end thereof:

"(6) REPAYMENT PERIOD.—For purposes of calculating the 10-year repayment period under section 428(b)(1)(D), such period shall be considered to commence at the time the first payment is due from the borrower.".

SEC. 517. STUDY OF DISCHARGE OF STAFFORD STUDENT LOANS IN BANKRUPTCY.

(a) STAFFORD STUDENT LOAN DISCHARGE STUDY.—The Comptroller General shall conduct a study relating to the discharge of student loan indebtedness in proceedings in bankruptcy. Such study shall include—

(1) an evaluation of the treatment of student loan debtors under chapter 13 of title 11, United States Code, including—

(A) the frequency of attempts to discharge or the discharging of such loans compared to such attempts to discharge or

the discharging of other consumer loans by such students; and

(B) the number and amount of such loans discharged;

(2) an evaluation of the effect of students who attempt to or do discharge such loans relative to the costs of the Stafford Student Loan Program and the institutional costs of the Perkins Loans Program; and

(3) an evaluation of the behavior of student loan debtors who discharge such loans as compared to other debtors who discharge debts in bankruptcy by evaluating such factors as—

(A) the average age of the debtors in each group;

(B) the amounts and types of debts sought to be discharged by each group; and

(C) the percentage of discharge of other types of consumer debts by each group.

(b) STAFFORD STUDENT LOAN DISCHARGE REPORT.—The Comptroller General shall prepare a report of the study required by this section and shall submit the study of the Congress within 3 years after the date of enactment of this Act.

TITLE VI—NEEDS ANALYSIS AMENDMENTS

SEC. 601. DEFINITION OF INDEPENDENT STUDENT.

(a) SECTION 411F.—Section 411F(12) of the Higher Education Act of 1965 (hereafter in this title referred to as the "Act") is amended to read as follows:

"(12) The term 'independent', when used with respect to a student, means any individual who—

"(A) is 24 years of age or older by December 31 of the first calendar year of the award year;

"(B) is an orphan or is or has been a ward of the court;

"(C) is a veteran of the Armed Forces of the United States;

"(D) is a graduate or professional student and will not be claimed by his or her parents (or guardian) for income tax purposes for the award year;

"(E) is married or has legal dependents;

"(F) is an undergraduate student who was not claimed by his or her parents (or guardian) for income tax purposes for the 2 calendar years preceding the first calendar year of the award year, and who either was awarded assistance under this title as an independent student in the prior year, or demonstrates to the student financial aid administrator total self-sufficiency during the 2 calendar years preceding the first calendar year of the award year by demonstrating annual total resources (including all sources other than parents and student aid) of $4,000; or

"(G) is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.".

(b) SECTION 480(d).—Section 480(d) of the Act is amended to read as follows:

"(d) INDEPENDENT.—The term 'independent', when used with respect to a student, means any individuals who—

"(1) is 24 years of age or older by December 31 of the first calendar year of the award year;

"(2) is an orphan or is or has been a ward of the court;

"(3) is a veteran of the Armed Forces of the United States;

"(4) is a graduate or professional student and will not be claimed by his or her parents (or guardian) for income tax purposes for the award year;

"(5) is married or has legal dependents;

"(6) is an undergraduate student who was not claimed by his or her parents (or guardian) for income tax purposes for the 2 calendar years preceding the first calendar year of the award year, and who either was awarded assistance under this title as an independent student in the prior year, or demonstrates to the student financial aid administrator total self-sufficiency during the 2 calendar years preceding the first calendar year of the award year by demonstrating annual total resources (including all sources other than parents and student aid) of $4,000; or

"(7) is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.".

SEC. 602. MODIFICATION TO COMPUTATION OF CONTRIBUTIONS.

(a) PELL GRANT NEEDS ANALYSIS.—(1) Section 411B(b)(3) of the Act is amended by striking out "a program of postsecondary education" and inserting in lieu thereof "a program of postsecondary education which meets the requirements of section 484(a)(1)".

(2) Section 411C(a)(3) of the Act is amended by striking out "a program of postsecondary education" and inserting in lieu thereof "a program of postsecondary education which meet the requirements of section 484(a)(1)".

(3) Section 411D(a)(3) of the Act is amended by striking out "a program of postsecondary education" and inserting in lieu thereof "a program of postsecondary education which meet the requirements of section 484(a)(1)".

(b) GENERAL NEEDS ANALYSIS.—(1) Section 475(b)(3) of the Act is amended by striking out "a program of postsecondary education" and inserting in lieu thereof "a program of postsecondary education which meets the requirements of section 484(a)(1)".

(2) Section 477(a)(3) of the Act is amended by striking out "a program of postsecondary education" and inserting in lieu thereof "a program of postsecondary education which meet the requirements of section 484(a)(1)".

SEC. 603. STUDENT CONTRIBUTION MODIFICATION.

Section 475(g)(1)(C) of the Act is amended by striking out "70 percent" and inserting in lieu thereof "not less than 50 percent".

SEC. 604. NEEDS ANALYSIS FINANCIAL AID ADMINISTRATOR ADJUSTMENTS.

(a) IN GENERAL.—Section 479A(a) of the Act is amended to read as follows:

"SEC. 479A. (a) IN GENERAL.—Nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator, on the basis of adequate documentation, to make necessary adjustments to the cost of attendance and expected student or parent contribution (or both) to allow for treatment of individual students with special circumstances. In addition, nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator to use supplementary information about the financial status or personal circumstance of eligible applicants in selecting recipients and determining the amount of awards under subparts 1 and 2 of part A and parts B, C, and E of this title.".

(b) SPECIAL RULE.—Section 479A of the Act is amended—

(1) by redesignating subsection (c) as subsection (d), and

(2) by inserting immediately after subsection (b) the following new subsection:

"(c) SPECIAL ADJUSTMENTS.—

"(1) ADJUSTMENTS FOR INDEPENDENT STUDENTS WITH DEPENDENTS.—A student financial aid administrator shall be considered to be making a necessary adjustment in accordance with subsection (a) if the administrator determines that the cost of attendance in section 472 should include costs of food and shelter for dependent care when the total income for independent students with dependents is less than the Standard Maintenance Allowance under section 477(b)(4).

"(2) ADJUSTMENT FOR DISLOCATED WORKER.—A student financial aid administrator shall be considered to be making a necessary adjustment in accordance with subsection (a) if, in the case of dislocated workers—

"(A) the administrator uses the income for the year in which the determination is made (the award year) rather than the income reported in the preceding tax year; and

"(B) the administrator excludes the net value of investments and real estate, including the primary residence in the calculation of the family contribution for the Pell Grant Program and the expected family contribution under part F.

"(3) ADJUSTMENT FOR DISPLACED HOMEMAKER.—A student financial aid administrator shall be considered to be making a necessary adjustment in accordance with subsection (a) if, for displaced homemakers, the administrator excludes the net value of investments and real estate, including the primary residence, from the calculation of the Pell Grant family contribution and from the expected family contribution under part F.".

(c) CONFORMING AMENDMENTS.—(1) Section 479A(d) of the Act (as amended by subsection (a)) is amended by striking out "subsection (b) is an example" and inserting in lieu thereof "subsections (b) and (c) are examples".

(2)(A) Section 411B(g)(1) of the Act is amended by striking out ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(B) Section 411B(l) of the Act is amended by striking out ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(C) Section 411C(f)(1) of the Act is amended by striking out ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(D) Section 411D(f)(3) of the Act is amended by striking out ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(E)(i) Section 411F(1)(G) of the Act is repealed.

(ii) Section 411F(9)(E) of the Act is repealed.

(F) Section 475(d)(2)(B) of the Act is amended by striking out "except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act)".

(G) Section 475(h) of the Act is amended by striking out ", except that in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act), the net value of a principal place of residence shall be considered to be zero".

(H) Section 476(c)(2)(B) of the Act is amended by striking out "except in the case of a displaced worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act)".

(I) Section 477(c)(2)(B) of the Act is amended by striking out "except in the case of a dislocated worker (certified in accordance with title III of the Job Training Partnership Act) or a displaced homemaker (as defined in section 480(e) of this Act)".

SEC. 605. TREATMENT OF VETERANS BENEFITS.

(a) PELL GRANT NEEDS ANALYSIS.—(1) Section 411B(d)(1)(C) of the Act is amended by striking out "one-half of the student's total veterans educational benefits, excluding Veterans' Administration contributory benefits," and inserting in lieu thereof "the student's total veterans educational benefits".

(2) Section 411C(c)(1)(C) of the Act is amended by striking out "one-half of the student's total veterans educational benefits, excluding Veterans' Administration contributory benefits," and inserting in lieu thereof "the student's total veterans educational benefits".

(3) Section 411D(c)(1)(C) of the Act is further amended by striking out "one-half of the student's total veterans educational benefits, excluding Veterans' Administration contributory benefits," and inserting in lieu thereof "the student's total veterans educational benefits".

(b) GENERAL NEEDS ANALYSIS.—(1) Section 475(a) of the Act is amended—

(A) by striking out "and" at the end of paragraph (2);

(B) by striking out the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and the word "and"; and

(C) by adding at the end thereof the following new paragraph:

"(4) any veterans educational benefits paid because of enrollment in a postsecondary institution, including (but not limited to) benefits received under chapters 105, 106, and 107 of title 10, and chapters 30, 31, 32, 34, and 35 of title 38, United States Code.".

(2) Section 476(b)(1)(D) of the Act is amended by striking out "plus the amount of veterans' benefits paid during the award period under chapters 32, 34, and 35 of title 28, United States Code".

(3) Section 477(a) of the Act is amended—

(A) by inserting "and" at the end of subparagraph (A) of paragraph (1);

(B) by striking out "and" at the end of subparagraph (B) of paragraph (1);

(C) by striking out subparagraph (C) of paragraph (1);

(D) by striking out "and" at the end of paragraph (2);

(E) by adding at the end of paragraph (3) the word "and"; and

(F) by adding at the end thereof the following new paragraph:

"(4) adding any veterans educational benefits paid because of enrollment in a postsecondary institution, including (but not limited to) benefits received under chapters 106 and 107 of title 10, and chapters 30, 31, 32, 34, and 35 of title 38, United States Code.".

(c) CONFORMING AMENDMENT.—Section 428(a)(2)(C)(i) of the Act is amended by striking out "and any amount paid to the student under chapters 32, 34, and 35 of title 38, United States Code".

SEC. 606. TREATMENT OF NONLIQUID ASSETS.

(a) PELL GRANT NEEDS ANALYSIS.—Section 411F(2) of the Act is amended—

(1) by inserting "(A)" after "(2)"; and

(2) by adding at the end thereof the following:

"(B) For academic year 1991-1992 and succeeding academic years, the term 'assets' shall not include, in the case of a family with an adjusted gross income which is equal to or less than $30,000, the net value of—

"(i) the family's principal place of residence; or

"(ii) a farm on which the family resides.".

(b) GENERAL NEED ANALYSIS.—Section 480(g) of the Act is amended—

(1) by inserting "(1)" after "ASSETS.—"; and

(2) by adding at the end thereof the following:

"(2) For academic year 1991-1992 and succeeding academic years, the term 'assets' shall not include, in the case of a family with an adjusted gross income which is equal to or less than $30,000, the net value of—

"(A) the family's principal place of residence; or

"(B) a farm on which the family resides.".

TITLE VII—OTHER HIGHER EDUCATION AMENDMENTS

SEC. 701. SUBSIDIZED EMPLOYMENT MODIFICATION UNDER WORKSTUDY.

Section 443(b)(4) of the Higher Education Act of 1965 (hereafter in this title referred to as the "Act") is amended to read as follows:

"(4) provide that for a student employed in a work-study program under this part, at the time income derived from any need-based employment (including non-working-study or both) is in excess of the determination of the amount of such student's need by more than $200, continued employment shall not be subsidized with funds appropriated under this part;".

SEC. 702. STUDENT LOAN MARKETING ASSOCIATION AMENDMENTS.

(a) ESTABLISHMENT.—Section 439(b) of the Act is amended to read as follows:

"(b) ESTABLISHMENT.—

"(1) IN GENERAL.—There is hereby created a body corporate to be known as the Student Loan Marketing Association (hereinafter referred to as the 'Association'). The Association shall have succession until dissolved. It shall maintain its principal office in the District of Columbia or the metropolitan area thereof and shall be deemed, for purposes of jurisdiction and venue in civil actions, to be a District of Columbia corporation. Offices may be established by the Association in such other place or places as it may deem necessary or appropriate for the conduct of its business.".

(b) DIRECTORS.—Section 439(c) of the Act is amended to read as follows:

"(c) BOARD OF DIRECTORS.—

"(1) COMPOSITION OF BOARD; CHAIRMAN.—The Association shall have a Board of Directors (hereinafter in this section referred to as the 'Board') which shall consist of 21 persons, 7 of whom shall be appointed by the President of the United States and shall be representative of the general public. The remaining 14 directors shall be elected by the common stockholders of the Association entitled to vote pursuant to subsection (e). Commencing with the annual shareholders meeting to be held in 1989—

"(A) 7 of the elected directors shall be affiliated with an eligible institution, and

"(B) 7 of the elected directors shall be affiliated with an eligible lender.

The President shall designate 1 of the directors to serve as Chairman.

"(2) TERMS OF APPOINTED AND ELECTED MEMBERS.—The directors appointed by the President shall serve at the pleasure of the President and until their successors have been appointed and have qualified. The remaining directors shall each be elected for a term ending on the date of the next annual meeting of the common stockholders of the Association, and shall serve until their successors have been elected and have qualified. Any appointive seat on the Board which becomes vacant shall be filled by appointment of the President. Any elective seat on the Board which becomes vacant after the annual election of the directors shall be filled by the Board, but only for the expired portion of the term.

"(3) AFFILIATED MEMBERS.—For the purpose of this subsection, the references to a director 'affiliated with an eligible institution' or a director 'affiliated with an eligible lender' means an individual who is, or within 5 years of election to the Board has been, an employee, officer, director, or similar official of—

"(A) an eligible institution or an eligible lender;

"(B) an association whose members consist primarily of eligible institutions or eligible lenders; or

"(C) a State agency, authority instrumentality, commission, or similar institution, the primary purpose of which relates to educational matters or banking matters.

"(4) MEETINGS AND FUNCTIONS OF THE BOARD.—The Board shall meet at the call of its Chairman, but at least semiannually. The Board shall determine the general policies which shall govern the operations of the Association. The Chairman of the Board shall, with the approval of the Board, select, appoint, and compensate qualified persons to fill the offices as may be provided for in the bylaws, with such functions, powers, and duties as may be prescribed by the bylaws or by the Board, and such persons shall be the officers of the Association and shall discharge all such functions, powers, and duties.".

(c) STOCK.—Section 439(f) of the Act is amended to read as follows:

"(f) STOCK OF THE ASSOCIATION.—

"(1) VOTING COMMON STOCK.—The Association shall have voting common stock having such par value as may be fixed by its Board from time to time. Each share of voting common stock shall be entitled to one vote with rights of cumulative voting at all elections of directors.

"(2) NUMBER OF SHARES; TRANSFERABILITY.—The maximum number of shares of voting common stock that the Association may issue and have outstanding at any one time shall be fixed by the Board from time to time. Any voting common stock issued shall be fully transferable, except that, as to the Association, it shall be transferred only on the books of the Association.

"(3) DIVIDENDS.—To the extent that net income is earned and realized, subject to subsection (g)(2), dividends may be declared on voting common stock by the Board. Such dividends as may be declared by the Board shall be paid to the holders of outstanding shares of voting common stock, except that

no such dividends shall be payable with respect to any share which has been called for redemption past the effective date of such call.

"(4) SINGLE CLASS OF VOTING COMMON STOCK.—As of the effective date of the Student Loan Marketing Association Amendments of 1990, all of the previously authorized shares of voting common stock and nonvoting common stock of the Association shall be converted to shares of a single class of voting common stock on a share-for-share basis, without any further action on the part of the Association or any holder. Each outstanding certificate for voting or nonvoting common stock shall evidence ownership of the same number of shares of voting stock into which it is converted. All preexisting rights and obligations with respect to any class of common stock of the Association shall be deemed to be rights and obligations with respect to such converted shares.".

(d) SHORT TITLE.—This section may be cited as the "Student Loan Marketing Association Amendments of 1990".

SEC. 703. FORMS AND REGULATIONS.

(a) FINANCIAL AID APPLICATION PREPARER.—Section 483 of the Act is amended by inserting the following new subsection at the end thereof:

"(g) Any financial aid application required to be made under subpart 1 of part A of this title or part B or this title shall include the name, signature, address, social security number, and organizational affiliation of the preparer of such financial aid application.".

(b) NOTICE OF FEDERAL STUDENT AID.—Section 483(f) of the Act is amended to read as follows:

"(f) NOTICE OF FEDERAL STUDENT AID RECEIPT.—Each eligible institution shall provide to each recipient of assistance under this title (except assistance received under subparts 4, 5, and 8 of part A) a statement listing the estimated student assistance received by the recipient, and specifying the estimated amount and type of assistance awarded under this title and specifically indicating that such aid is federally supported assistance.".

SEC. 704. LENDER OF LAST RESORT.

Section 428(j) of the Act is amended by adding at the end thereof the following: "Each State guaranty agency shall ensure that there is a lender of last resort in its State. The lender of last resort shall process loan applications of students enrolled in an eligible institution within 30 days after such application has been filed. The lender of last resort shall make loans to any eligible applicant attending an eligible institution.".

SEC. 705. PERKINS LOAN PROGRAM AMENDMENT.

Section 462(c)(3) of the Act is amended—

(1) by redesignating clause (B) and (C) as clause (C) and (D); and

(2) by inserting after clause (A) the following new clause:

"(B) 75 percent of the cash on hand at the institution under the program authorized by this part for the second year preceding the beginning of the award period;".

SEC. 706. ELIGIBILITY FOR EDUCATION PROGRAMS.

(a) HIGHER EDUCATION.—Section 484 of the Act is amended by adding a new subsection (k) at the end thereof:

"(k) STUDENTS ATTENDING INSTITUTIONS IN THE FREELY ASSOCIATED STATES AND ELIGIBILITY FOR TRIO PROGRAMS.—Notwithstanding any other provision of law, a student who meets the requirements of paragraph (a)(5) of this section or who is a resident of the freely associated states, and who attends a public or nonprofit institution of higher education located in any of the freely associated states rather than a State, shall be eligible, if otherwise qualified, for assistance under subparts 1, 2, or 4 of part A or part C of this title.

(b) TERRITORIAL TEACHER TRAINING ASSISTANCE PROGRAM.—Section 4502 of the Elementary and Secondary Education Act of 1965 is amended by striking "the Northern Mariana Islands, and the Trust Territory of the Pacific Islands" each place it appears and inserting in lieu thereof "the Commonwealth of the Northern Mariana Islands, Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.".

(c) TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE.—Section 1204 of the Higher Education Act of 1965 is amended by inserting at the end thereof the following new subsection (d):

"(d) Notwithstanding any other provision of law, an institution of higher education that is located in any of the freely associated states, rather than a State, shall be eligible, if otherwise qualified, for assistance under subpart 4 of part A of title IV of this Act.".

SEC. 707. CLERICAL AND TECHNICAL AMENDMENTS TO THE HIGHER EDUCATION ACT OF 1965.

The Higher Education Act of 1965 is further amended—

(1) in section 312(c)(2) (20 U.S.C. 1058(c)(2)), by striking "second" the second place it appears and inserting "the second such";

(2) in section 332(b)(5) (20 U.S.C. 1065(b)(5)), by striking out "year" the first place it appears;

(3) in section 411B(g)(5)(B) (20 U.S.C. 1070a-2(g)(5)(B))—

(A) by striking out "effective family income" each place it appears and inserting "discretionary income"; and

(B) by striking out "subsection (d)" and inserting "subsection (f)";

(4) in section 411C(f)(5)(B) (20 U.S.C. 1070a-3(f)(5)(B)), by striking out "effective family income" and inserting "discretionary income";

(5) in section 411D(f) (20 U.S.C. 1070a-4(f))—

(A) by striking out "effective family income" in paragraph (1) and inserting "discretionary income"; and

(B) by striking out "subsection (c)" each place it appears in paragraph (1) and (2) and inserting "subsection (e)";

(6) in section 411F(2) (20 U.S.C. 1070a-6(2)), by striking out "including amount" and inserting "including amounts";

(7) in section 411F(9)(B) (20 U.S.C. 1070a-6(9)(B)), by striking out "Student" and inserting "student";

(8) in section 413D(d)(3)(C) (20 U.S.C. 1070b-2(d)(3)(C)), by striking out "three-fourths in" and inserting "three-fourths of";

(9) in section 427(a)(2)(G)(i) (20 U.S.C. 1077(a)(2)(G)(i)); by striking out "system," and inserting "system";

(10) in section 428C(c)(3)(A) (20 U.S.C. 1078-3(c)(3)(A)), by inserting "be" before "equal to";

(11) in section 428E(a)(1) (20 U.S.C. 1078-5(1))—

(A) by inserting "(A)" after "except that" the first place it appears; and

(B) by striking out "except that" the second place it appears and inserting ", and (B)";

(12) in section 435(c)(1) (20 U.S.C. 1085(c)(1)), by striking out "section 481(d)" and inserting "section 484(d)";

(13) in section 435(d)(2) (20 U.S.C. 1085(d)(2))—

(A) by striking out "institutions" in subparagraph (C) and inserting "institution"; and

(B) by indenting the matter following subparagraph (D) two spaces;

(14) in section 435(d)(3) (20 U.S.C. 1085(d)(3)), by striking out "section 435(o)" and inserting "subsection (l) of this section";

(15) in the last sentence of section 442(e)(2) by striking "section 447(c)" and inserting "section 442(c)";

(16) in section 454(a)(3)(C) (20 U.S.C. 1087d(a)(3)(C)), by striking out "fourth and fifth" and inserting "fourth or fifth";

(17) in sections 462(a)(1) and 462(a)(2)(D) (20 U.S.C. 1087bb(a)(1), (a)(2)(D)), by striking out "institution which" and inserting "institution";

(18) in section 464(c)(2)(A)(iv) (20 U.S.C. 1087dd(c)(2)(A)(iv)), by inserting "Service" after "Volunteer";

(19) in section 465(a)(2)(D) (20 U.S.C. 1087ee(a)(2)(D)), by striking out "services" and inserting "service";

(20) in the table contained in section 475(c)(2) (20 U.S.C. 1087oo(c)(2))—

(A) by striking out "less than $15,000 or" and inserting "less than $15,000"; and

(B) by striking out "$15,000 more" and inserting "$15,000 or more";

(21) in the table contained in section 475(c)(4) (20 U.S.C. 1087oo(c)(4))—

(A) by striking out "substract" and inserting "subtract"; and

(B) by striking out "1,430" and inserting "$1,430";

(22) in section 475(e) (20 U.S.C. 1087oo(e)), by striking out "section 479" and inserting "section 478";

(23) in the table contained in section 477(b)(4) (20 U.S.C. 1087qq(b)(4)), by striking out "1,430" and inserting "$1,430";

(24) in the last sentence of section 481(b) (20 U.S.C. 1088(b)), by striking out "section 413(e)" and inserting "section 435(b)";

(25) in the last sentence of section 483(a)(1) (20 U.S.C. 1090(a)(1)), by striking out "that is" and inserting "that are";

(26) in section 491(h)(1) (20 U.S.C. 1098(h)(1)), by striking out "subtitle III" and inserting "subchapter III";

(27) in section 525(g) (20 U.S.C. 1105d(g)), by striking out "subpart" and inserting "part";

(28) in section 557 (20 U.S.C. 1111f), by striking out "part B of this title" and inserting "part B of title IV of this Act";

(29) in section 558(a)(6) (20 U.S.C. 1111g(a)(6)), by striking out the comma after "preschool";

(30) in section 571(g) (20 U.S.C. 1115(g)), by striking out "subpart" each place it appears and inserting "part";

(31) in section 622(a)(6) (20 U.S.C. 1132(a)(6)), by striking out "language an area studies" and inserting "language and area studies";

(32) in section 762(a) (20 U.S.C. 1132g-2(a)), by striking out "Secretary notwithstanding" and inserting "Secretary, notwithstanding";

(33) in section 762(h) (20 U.S.C. 1132g-2(h)), by striking out "subcontractors or any project" and inserting "subcontractors on any project";

(34) in section 764(b)(3)(B) (20 U.S.C. 1132g-3(b)(3)(B)), by striking out "anyone" and inserting "any one";

(35) in section 764(e) (20 U.S.C. 1132g-3(e)), by striking out "member" and inserting "members";

(36) in section 802(d)(1)(B) (20 U.S.C. 1133a(d)(1)(B)), by striking out "has demonstrated" and inserting a comma and "as demonstrated";

(37) in section 942(b)(2) (20 U.S.C. 1134m(b)(2)), by inserting a period at the end thereof;

(38) in section 1045(a) (20 U.S.C. 1135d-4(a)), by striking out "sexual, geographic," and inserting "gender, geography,"; and

(39) in section 1204(a) (20 U.S.C. 1144a(a)), by striking out "Trust Territories of the Pacific Islands, and the Northern Mariana Islands" and inserting "Commonwealth of the Northern Mariana Islands, Palau, and, subject to the provisions of Public Law 99-239, the Federated States of Micronesia, and the Republic of the Marshall Islands.".

SEC. 708. DEFINITION.

Section 545 of the Higher Education Act of 1965 is amended by striking "and the Trust Territory of the Pacific Islands" and inserting "the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau".

SEC. 709. ADMINISTRATION OF THE COMMISSION.

Section 1321 of the Higher Education Act of 1965 (20 U.S.C. 1221-1) is amended by inserting after subsection (d) the following:

"(e) ADMINISTRATION OF THE COMMISSION.—

"(1) RATE OF PAY.—Members of the Commission who are not full-time officers or employees of the United States and who are not Members of Congress may, while serving on business of the Commission, be compensated at a rate not to exceed the rate specified at the time of such service for Grade GS-18 of the General Schedule as authorized by section 5332 of title 5, United States Code, for each day, or any part of a day, they are engaged in the actual performance of Commission duties, including travel time; and while so serving away from their homes or regular places of business, all members of Commission may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(2) TEMPORARY EXEMPTION.—Subject to such rules as may be adopted by the Commission, the Chairperson, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power to—

"(A) appoint a Director or Executive Director who shall be paid at a rate not to exceed the rate of basic pay for GS-18 of the General Schedule; and

"(B) appoint and fix the compensation at a rate not to exceed the rate payable at the GS-18 rate of such other personnel as the Chairperson considers necessary.

"(3) AUTHORITY TO CONTRACT.—Subject to the Federal Property and Administrative Services Act of 1949, as amended, the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties and reponsibilities.

"(4) SOURCE OF ADMINISTRATIVE SUPPORT.—Financial and administrative support services (including those related to budget and accounting, financial reporting, payroll and personnel) shall be provided to the Commission by the General Services Administration (or other appropriate organization) for which payment shall be made in advance, or by reimbursement, from funds of the Commission, in such amounts as may be agreed by the Chairperson of the Commission and the Administrator of General Services.

"(5) AUTHORITY TO HIRE EXPERTS AND CONSULTANTS.—The Commission is authorized to procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS-18. Experts and consultants may be employed without compensation if they agree to do so in advance.

"(6) AUTHORITY FOR DETAIL OF EMPLOYEES.—Upon request of the Commission, the head of any Federal agency is authorized to detail on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this section.";

and redesignating subsections (e) and (f) as (f) and (g) respectively.

TITLE VIII—WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION

SEC. 801. WE THE PEOPLE . . . THE CITIZEN AND CONSTITUTION.

Part F of title IV of the Elementary and Secondary Education Act of 1965 is amended by—

(1) redesignating section 4608, as renumbered and amended in sections 202(1) and 202(2), respectively, of Public Law 100-569 as section 4610; and

(2) inserting after section 4608 as added by Public Law 100-569 and renumbered by Public Law 100-690 the following new section 4609:

"SECTION 4609.—We the People . . . The Citizen and the Constitution.

"(a) GENERAL AUTHORITY.—(1) The Secretary shall, in accordance with the provisions of this section, carry out a program entitled "We the People . . . The Citizen and the Constitution" to educate students about the history and principles of the Constitution and Bill of Rights and to foster civic competence and civil responsibility.

"(2) The education program authorized by this section shall continue and expand the educational activities of the National Bicentennial Competition of the Constitution and Bill of Rights administered by the Center for Civic Education.

"(3) The Secretary is authorized to contract with the Center for Civic Education to carry out the provisions of this section.

"(b) PROGRAM CONTENT.—The education program authorized by this section shall provide—

"(A) a course of instruction on the basic principles of our constitutional democracy and the history of the Constitution and Bill of Rights.

"(B) school and community simulated congressional hearings following the course of study at the request of participating schools.

"(C) an annual competition of simulated congressional hearings at the congressional district, State, and national level for secondary students who wish to participate in such program.

"(c) PROGRAM PARTICIPANTS.—The education program authorized by this section shall be made available to public and private elementary and secondary schools in the 435 congressional districts, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

"(d) SPECIAL RULE.—Funds provided under this section may be used for the advanced training of teachers about the Constitution and Bill of Rights after the provisions of subsection (b) have been implemented.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for fiscal year 1990 and such sums as may be necessary for each of the fiscal years 1991, 1992, and 1993 to carry out the provisions of this section.".

TITLE IX—NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

SEC. 901. SHORT TITLE.

This title may be cited as the "National Board for Professional Teaching Standards Act of 1990".

SEC. 902. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the economic well-being and national security of the United States depends on efforts to strengthen the educational system to provide all children with an education which will ensure a well-educated work force;

(2) improved teaching is central to the goal of ensuring a well-educated work force;

(3) incentives to enhance the professionalism and status of teaching can be provided through the development and promulgation of voluntary standards of professional certification that are rigorous and unbiased, that complement and support State licensing practices and recognize the diversity of American society;

(4) the National Board for Professional Teaching Standards, a private nonprofit organization has been created to establish such voluntary standards and a significant initial investment in research and development from non-Federal sources will be required to create such a system of professional certification; and

(5) the Federal Government has played an active role in funding vital educational research and can continue to support this national effort by providing limited but essential support for critical research activities.

(b) PURPOSE.—It is the purpose of this Act to provide financial assistance to the National Board for Professional Teaching Standards to enable the board to conduct independent research and development related to the establishment of national, voluntary professional standards and assessment methods for the teaching profession.

SEC. 903. DEFINITIONS.

For the purpose of this title—

(1) The term "Board" means the National Board for Professional Teaching Standards.

(2) The term "Committee" means the Research and Development Advisory Committee established pursuant to section 905 of this Act.

(3) The term "elementary school" has the same meaning given that term in section 1471(8) of the Elementary and Secondary Education Act of 1965.

(4) The term "secondary school" has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965. Nothing in this Act shall be construed to infringe upon the practice or accreditation of home school or private school teaching.

(5) The term "Secretary" means the Secretary of Education.

SEC. 904. PROGRAM AUTHORIZATION.

(a) PROGRAM AUTHORIZED.—From sums appropriated under subsection (b) in any fiscal year, the Secretary is authorized and directed, in accordance with this Act, to provide financial assistance to the National Board for Professional Teaching Standards, in

order to pay the Federal share of the costs of the activities described in section 906.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $25,000,000 for the period beginning October 1, 1989, and ending September 30, 1993 to carry out the provisions of this title.

(c) TERMS AND CONDITIONS.—(1) No financial assistance may be made available under this Act except upon an application as required by section 907.

(2) No financial assistance may be made available under this Act unless the Secretary determines that—

(A) the Board will comply with the provisions of this Act;

(B) the Board will use the Federal funds only for research and development activities in accordance with section 906 and such teacher assessment and certification procedures will be free from racial, cultural, gender or regional bias;

(C) the Board—

(i) will widely disseminate for review and comment announcements of specific research projects to be conducted with Federal funds, including a description of the goals and focus of the specific project involved and the specific merit review procedures and evaluation criteria to be used in the competitive award process, and

(ii) will send such announcements to the Secretary of Education, the Director of the National Science Foundation, the National Research Council, and the educational research community.

(D) the Secretary, pursuant to an arrangement with the Board, will publish the announcement described in subparagraph (C) in the Federal Register (or such other publication deemed appropriate by the Secretary) and in publications of general circulation designed to disseminate such announcements widely to the educational research community;

(E) the Board will, after offering any interested party an opportunity to make comment upon, and take exception to, the projects contained in the announcements described in subparagraph (C) for a 30-day period following publication, and after reconsidering any project which comment is made or to which exception is taken, through the Secretary issue a request for proposals in the Federal Register (or such other publication deemed appropriate by the Secretary) containing any revised project information;

(F) the Board will make awards of Federal funds competitively on the basis of merit, and, in the award process, the Board will select, to the extent practicable consistent with standards of excellence—

(i) a broad range of institutions associated with educational research and development; and

(ii) individuals who are broadly representative of the educational research and teaching communities with expertise in the specific area of research and development in question;

(G) the Board will adopt audit practices customarily applied to nonprofit private organizations and will comply with section 909(c);

(H) the Board will not use Federal funds to meet the administrative and operating expenses of the Board;

(I) the Board will submit an annual report to Congress in accordance with the provisions of section 909(a); and

(J) the Board will, upon request, disseminate to States, local educational agencies, or other public educational entities the results of any research or research project produced with funds authorized by this Act, upon the payment of the cost of reproducing the appropriate material.

(d) AVAILABILITY OF FUNDS.—(1) Notwithstanding any other provision of law, funds appropriated to carry out this Act shall remain available for obligation and expenditure until the end of the second fiscal year succeeding the fiscal year for which the funds were appropriated.

(2) No funds shall be made available to the Board after September 30, 1993, except as authorized by paragraph (1) of this subsection.

SEC. 905. RESEARCH AND DEVELOPMENT ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Board shall establish a Research and Development Advisory Committee composed of ten recognized scholars and experts in teaching, assessment, and other relevant fields. In carrying out the previous sentence the Board shall appoint two individuals selected by the Secretary. The Board shall consult with the Secretary of Education, the Director of the National Science Foundation, the National Research Council, and the educational research community on the appointment of other Members to the Committee.

(b) FUNCTIONS.—The Committee shall advise the Board on the design and execution of its overall research and development strategy, including procedures to assure compliance with the requirements of this Act. The procedures shall include—

(1) an outline of specific research and development agenda and activities to be conducted with the Federal funds; and

(2) provisions to ensure compliance with the open competition and merit review requirements of this Act for proposals and projects assisted under this Act.

SEC. 906. AUTHORIZED ACTIVITIES.

(a) IN GENERAL.—Federal funds received under this Act may be used only for research and development activities directly related to the development of teacher assessment and certification procedures for elementary and secondary school teachers.

(b) PRIORITIES.—(1) The Board shall give priority to research and development activities in—

(A) mathematics;

(B) the sciences;

(C) foreign languages; and

(D) literacy, including the ability to read, write and analyze.

(2) The Board shall give priority to research and development activities for the certification of elementary and secondary school teachers and the need and ability of such teachers to teach special educational populations, including—

(A) limited English proficient children;

(B) gifted and talented children;

(C) handicapped children; and

(D) economically and educationally disadvantaged children.

SEC. 907. APPLICATION.

(a) IN GENERAL.—The Board shall submit applications to the Secretary at such time and in such manner as the Secretary may reasonably require. Each such application shall—

(1) describe the activities for which assistance is sought; and

(2) provide assurances that the non-Federal share of the cost of activities of the Board is paid from non-Federal sources, together with a description of the manner in which the Board will comply with the requirements of this paragraph.

(b) APPROVAL.—The Secretary shall approve an application unless such application fails to comply with the provisions of this Act.

SEC. 908. FEDERAL SHARE.

(a) IN GENERAL.—The Secretary shall pay to the Board the Federal share of the costs of the activities of the Board for the period for which the application is approved under section 907.

(b) AMOUNT OF FEDERAL SHARE.—The Federal share shall be 50 percent of the costs of the activities described in section 906.

SEC. 909. REPORTS AND AUDITING PROVISION.

(a) NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS REPORT.—(1) The Board shall submit an annual report to the appropriate committees of the Congress not later than December 31 of 1990, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this Act. The Board shall disseminate the report for review and comment to the Department of Education, the National Science Foundation, the National Research Council, and the education research community. The report shall—

(A) include a detailed financial statement and a report of the audit practices described in section 904(c)(2)(G);

(B) include a description of the general procedure to assure compliance with the requirements of this Act as required in section 906; and

(C) provide a comprehensive and detailed description of the Board's agenda, activities, and planned activities for the preceding and succeeding fiscal years, including—

(i) the Board's overall research and development program and activities;

(ii) the specific research and development projects and activities conducted with Federal funds during the preceding fiscal year, including—

(I) a description of the goals and methodology of the project;

(II) a description and assessment of the findings (or status and preliminary findings if project is not yet completed);

(III) a description of the competitive bidding process, the merit review procedures, and the evaluation criteria used to award project funds; and

(IV) a description of the Board's plans for dissemination of the findings described in clause (ii);

(iii) the specific research and development projects and activities planned to be conducted with Federal funds during the succeeding fiscal year, including the goals and methodologies to be used; and

(iv) a listing of available publications of the Board, including publications related to policies, standards and general information, research reports, and commissioned papers of the Board.

(2) The first annual report required by this subsection shall include a description of the Board's research and development agenda for the succeeding 5-year period. Such first report shall include to the maximum extent practicable, a description of specific research and development projects and activities, and the goals and methodologies of such projects and activities.

(b) ADDITIONAL REPORTS.—The Department of Education, the National Science Foundation, and the National Research Council shall report to the appropriate committees of the Congress on the compliance of the Board with the requirements of this Act not later than 30 days after the Board

submits its annual report pursuant to subsection (a).

(c) AUDITING PROVISION.—The Comptroller General of the United States, and any of his authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the Board, and to any recipient of funds from the Board, that are pertinent to the sums received and disbursed under this Act.

SEC. 910. CONSTRUCTION.

Nothing in this Act shall be construed to—

(1) establish a preferred national curriculum or preferred teaching methodology for elementary and secondary school instruction;

(2) infringe upon the rights and responsibilities of the States to license elementary and secondary school teachers;

(3) provide an individual certified by the Board with a right of action against a State, local educational agency, or other public educational entity for any decisions related to hiring, promotion, retention or dismissal; or

(4) authorize the Secretary to exercise supervision or control over the research program, standards, assessment practices, administration, or staffing policies of the Board.

TITLE X—MIDDLE SCHOOL TEACHING DEMONSTRATION PROGRAMS

SEC. 1001. MIDDLE SCHOOL TEACHING DEMONSTRATION PROGRAMS.

Title V of the Higher Education Act of 1965 is amended by inserting at the end thereof the following new part F:

"PART F—MIDDLE SCHOOL TEACHING DEMONSTRATION PROGRAMS

"SEC. 581. STATEMENT OF PURPOSE.

"It is the purpose of this part to provide financial assistance to institutions of higher education which offer teacher training or retraining programs to develop model programs with a specialized focus on teaching grades 6 through 9.

"SEC. 582. DEFINITIONS.

"As used in this part—

"(1) The term 'developmentally appropriate' means a program that is appropriate for a child's age and all areas of an individual child's development, including educational, physical, emotional, social, cognitive, and communication.

"(2) The term 'institution of higher education' has the same meaning given that term in section 1201(a) of the Higher Education Act of 1965.

"(3) The term 'local educational agency' has the same meaning given that term in section 1471(12) of the Elementary and Secondary Education Act of 1965.

"(4) The term 'middle school' means a school which enrolls students in at least two of the grades 6, 7, 8, and 9.

"(5) The term 'State educational agency' has the same meaning given that term in section 1471(23) of the Elementary and Secondary Education Act of 1965.

"SEC. 583. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Secretary is authorized to make grants, on a competitive basis, to institutions of higher education to develop model programs with a specialized focus on teaching grades 6 through 9.

"(b) SPECIAL RULE.—(1) The Secretary shall ensure an equitable geographic distribution of grants awarded under this part.

"(2) The Secretary shall take into consideration equitable levels of funding for urban and rural areas in awarding grants under this part.

"(c) GRANT PERIOD.—Grants under this part may be awarded for a period not to exceed 3 years.

"(d) FUNDING LIMITATION.—Grants awarded under this part may not exceed $250,000 in the first year of funding.

"SEC. 584. APPLICATION.

"(a) IN GENERAL.—Each institution of higher education desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

"(b) CONTENTS.—Each application submitted pursuant to subsection (a) shall demonstrate that—

"(1) the applicant will establish and maintain a program of teacher training or retraining designed to offer specialized preparation for individuals teaching grades 6 through 9;

"(2) the applicant has designed a program of teacher training or retraining which includes—

"(A) a study of adolescent development (including cognitive, social, and emotional) with particular emphasis on early adolescent development;

"(B) a study of the influence of institutions such as schools, families, and peer groups in the socialization of adolescents;

"(C) information concerning the organization of schools for students in grades 6 through 9, with particular emphasis on developmentally appropriate school and classroom organization and practices;

"(D) training in at least 2 subject areas and related instructional strategies;

"(E) direct experience through internships in middle grade schools under the guidance of teachers who demonstrate exemplary classroom practices;

"(F) strategies for the prevention and detection of high risk behavior, particularly drug and alcohol abuse, and for the enhancement of self esteem among adolescents;

"(G) a study of effective methods and models of presenting substance abuse information and education to adolescent students; and

"(H) methods of encouraging parental and community involvement with middle schools; and

"(3) the program will be designed and operated with the active participation of classroom teachers and will include an in-service training component.

"SEC. 585. REPORTS AND INFORMATION DISSEMINATION.

"Each institution of higher education receiving a grant under this part shall submit to the Secretary such reports and other information regarding programs conducted under this part as the Secretary deems necessary. The Secretary shall disseminate such information to other institutions of higher education, State educational agencies, and local educational agencies.

"SEC. 586. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $25,000,000 for fiscal year 1991 to carry out the provisions of this part.".

TITLE XI—PRESIDENT'S COUNCIL ON ACADEMIC EXCELLENCE

SEC. 1101. SHORT TITLE.

This title may be cited as the "President's Council on Academic Excellence".

SEC. 1102. STATEMENT OF PURPOSE.

It is the purpose of this title to establish a President's Council on Academic Excellence to define the components or courses of an academically rigorous secondary school curriculum and to develop and present a medal or other suitable award to all secondary students who complete the curriculum.

SEC. 1103. COUNCIL ESTABLISHED.

There is established a President's Council on Academic Excellence (hereinafter referred to as the "Council").

SEC. 1104. DUTIES OF THE COUNCIL.

(1) The Council shall—

(A) enlist the active support and assistance of individual citizens, civic groups, private enterprise, voluntary organizations, the media, educators, and others in efforts to promote and improve American education and to encourage the pursuit of academic excellence in our secondary schools;

(B) initiate programs to inform the general public of the importance of academic excellence and the link which exists between academic excellence and international competitiveness;

(C) encourage State and local governments, private enterprise, and the media to recognize and honor academic excellence;

(D) encourage students to undertake an academically rigorous course of study;

(E) develop cooperative programs with professional societies to encourage the pursuit of academic excellence;

(F) stimulate and encourage research on academic excellence and achievement;

(G) assist educational agencies at all levels in developing high quality, innovative, educational programs which emphasize the importance of academic excellence; and

(H) encourage and cosponsor programs with public and private organizations which support and promote academic excellence.

(2) In addition to academic coursework, the Council may elect to include other activities such as school and community service, athletic participation, and artistic achievement in defining the components of an academically rigorous secondary school curriculum.

(3) The Council may adopt achievement standards that might be used to document academic excellence.

SEC. 1105. SPECIAL RULE.

The Council shall emphasize that the Council does not intend to establish a national curriculum, nor a national secondary school diploma; rather, the Council intends to recognize the successful completion of an academically demanding course of study.

SEC. 1106. MEMBERSHIP AND LOCATION.

(a) MEMBERSHIP.—The Council shall consist of—

(1) 11 members selected by the President;

(2) 5 members selected by the Senate Majority Leader; and

(3) 5 members selected by the Speaker of the House.

(b) VACANCIES.—A vacancy in the Council shall be filled in the same manner as the original appointment was made. A vacancy in the Council shall not affect the powers of the Council.

(c) CHAIRPERSON.—The members of the Council shall elect a Chairperson from among the members of the Council.

(d) COMPENSATION.—Members of the Council shall serve without compensation.

(e) TRAVEL.—While away from their home or regular places of business in the performance of duties for the Council, all members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at a rate established by the Council not to exceed the rates authorized for employees of agencies under section 5702 and 5703 of title 5, United States Code.

(f) LOCATION.—The Council shall be located in Washington, D.C.

SEC. 1107. COMMISSION STAFF.

(a) EXECUTIVE DIRECTOR.—The Council shall appoint an Executive Director who shall be compensated at a rate established by the Council not to exceed the rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) ADDITIONAL PERSONNEL.—With the approval of the Council, the Executive Director may appoint and fix the compensation of such additional personnel as the Executive Director considers necessary to carry out the duties of the Council.

SEC. 1108. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $5,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993 to carry out the provisions of this title.

TITLE XII—STUDENT ATHLETE RIGHT-TO-KNOW

SEC. 1201. SHORT TITLE.

This title may be cited as the "Student Athlete Right-to-Know Act".

SEC. 1202. FINDINGS.

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is increasing concern among citizens, educators, and public officials regarding the academic performance of student-athletes at institutions of higher education;

(3) an overwhelming majority of college presidents (86 percent) in a survey by the U.S. News and World Report believe that the pressure for success and financial rewards in intercollegiate athletics interferes with the educational mission of the United States' colleges and universities;

(4) more than 10,000 athletic scholarships are provided annually by institutions of higher education;

(5) prospective student athletes and their families should be aware of the educational commitments prospective colleges make to athletes; and

(6) knowledge of the graduation rates of student-athletes would assist prospective students and their families in making an informed judgment about the educational benefits available at a given institution of higher education.

SEC. 1203. REPORTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(a) REPORTS TO THE SECRETARY.—Each institution of higher education which receives Federal financial assistance and is attended by students receiving athletic scholarships shall annually submit a report to the Secretary which contains—

(1) the number of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(2) the number of students at the institution of higher education, broken down by race and sex;

(3) the graduation rate for students at the institution of higher education who received athletic scholarships for football, basketball, and all other sports, broken down by race and sex;

(4) the graduation rate for first-time, full-time students, broken down by race and sex;

(5) the average graduation rate for the 4 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(6) the average graduation rate for the 4 most recent graduating classes of all students, broken down by race and sex; and

(7) the average graduation rate for the 10 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex.

(b) STUDENT NOTIFICATION.—When an institution described in subsection (a) offers a potential student-athlete athletically related student aid, such institution shall provide to the student and his parents, his guidance counselor, and coach the information contained in the report submitted by such institution pursuant to subsection (a).

(c) SPECIAL CIRCUMSTANCES.—If an institution of higher education described in subsection (a) finds that the information collected pursuant to subsection (a), because of extenuating circumstances, does not provide an accurate representation of the school's graduation rate, the school may provide additional information to the student and the Secretary.

(d) COMPARABLE INFORMATION.—Each institution of higher education described in subsection (a) may provide supplemental information to students and the Secretary showing the graduation rate when such graduation rate does not include students transferring into, and out of, such institution. The Secretary shall ensure that the data presented to the student and the data submitted to the Secretary are comparable.

SEC. 1204. REPORT BY SECRETARY.

(a) IN GENERAL.—The Secretary shall, using the data required under section 1203, shall compile and publish a report containing the information required under section 1203, broken down by—

(1) individual institutions of higher education, and

(2) athletic conferences recognized by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics.

(b) REPORT AVAILABILITY.—The Secretary shall make available copies of the report required under subsection (a) to any individual or secondary school requesting a copy of such report.

SEC. 1205. INFORMATION.

The Secretary may, at his discretion, obtain the information required by section 1203 from a private, not-for-profit organization when, in the Secretary's opinion, such collection will reduce the paperwork burden imposed on higher education institutions.

SEC. 1206. WAIVER.

The Secretary shall waive the requirements of this Act for any institution of higher education which is a member of an athletic association or athletic conference that voluntarily publishes graduation rate data or has already agreed to publish the data that, in the opinion of the Secretary, is substantially comparable to the information required under this Act.

SEC. 1207. DEFINITION DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Education, through the Commissioner of Education Statistics and in consultation with State governments and institutions of higher education, shall develop definitions of the term "graduation rate" and other student outcome measures as such terms apply to postsecondary education.

(b) DEFINITION.—For the purposes of this section the term "institution of higher education" has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965.

SEC. 1208. DEFINITIONS.

For the purpose of this title—

(1) The term "athletically related student aid" means any scholarship, grant, or other form of financial assistance whose terms require the recipient to participate in an institution of higher education's program of intercollegiate athletics in order to be eligible to receive such assistance.

(2) The term "institution of higher education" has the same meaning given such term by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

SEC. 1209. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 1991.

TITLE XIII—EFFECTIVE DATES

SEC. 1301. EFFECTIVE DATE RULE.

(a) GENERAL RULE.—Except as otherwise provided, the amendments made by this Act shall be effective upon the date of enactment of this Act.

(b) SPECIAL RULE.—(1) The amendments made by sections 503, 505, 506, and 703(b) shall take effect for award year 1990-1991 and thereafter.

(2) The amendments made by title VI and section 515, 701, and 703(a) shall take effect for award year 1991-1992 and thereafter.

TITLE XIV—GENERAL PROVISIONS

SEC. 1401. DRUG TESTING.

Part B of the Drug-Free Schools and Communities Act of 1986 is amended by inserting at the end thereof the following new section:

"SEC. 5128. DRUG TESTING.

"(a) PROGRAM AUTHORIZED.—(1) The Secretary is authorized to make grants to States for use by the Governor of the State to fund a program of drug testing for student athletes in secondary schools in the State in accordance with the provisions of this section.

"(2) Grants awarded pursuant to paragraph (1) shall be awarded on the basis of the number of secondary school students in the State.

"(b) LOCAL GRANTS.—(1) Each Governor of a State receiving funds pursuant to subsection (a) shall use such funds to make grants to eligible schools within the State to pay the costs of testing student athletes for drug use.

"(2) Funds awarded pursuant to paragraph (1) shall only be used to test secondary school athletes who—

"(A) voluntarily choose to participate in a random drug testing program; and

"(B) attend eligible schools.

"(c) STATE APPLICATION.—(1) The Governor of each State desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary shall reasonably require.

"(2) Applications submitted pursuant to paragraph (1) shall—

"(A) describe the drug testing program for which financial assistance is sought; and

"(B) contain assurances that the State will implement the drug testing program for which financial assistance is sought within 6 months of the date the funds become available to the State.

"(d) LOCAL APPLICATION.—Each eligible school desiring a grant pursuant to subsection (b) shall submit an application to the Governor of the State in which such eligible school is located at such time, in such

manner, and accompanied by such information as the Governor shall require.

"(e) DEFINITIONS.—For the purposes of this section—

"(1) The term 'Governor' includes the chief executive officer of any State;

"(2) the term 'eligible school' means a secondary school that—

"(A) the Governor of the State in which the school is located has determined to be a school at risk of experiencing a serious drug problem;

"(B) has a drug and alcohol abuse problem as demonstrated by appropriate data;

"(3) the term 'secondary school' has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965; and

"(4) the term 'Secretary' means the Secretary of Education.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for fiscal years 1991, 1992, and 1993 to carry out the provisions of this section.".

SEC. 1402. DRUG ABUSE RESISTANCE EDUCATION PROGRAM.

(a) IN GENERAL.—The Secretary of Education is authorized to award grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through six to recognize and resist pressures that influence such students to use controlled substances, as defined in schedules I and II of section 202 of the Controlled Substances Act (21 U.S.C. 812), the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education, that meet the requirements of subsection (b).

(b) REQUIREMENTS.—A local education agency in consortium with an entity shall not be eligible for a grant under subsection (a) unless such local education agency in consortium with an entity will use assistance provided under such grant to provide or arrange for the provisions of services that shall include—

(1) drug abuse resistance education instruction for students grades kindergarten through six to recognize and resist pressures to experiment that influence such children to use controlled substances, as defined under subsection (a), or beverage alcohol, including instruction in the following areas—

(A) drug use and misuse;

(B) resistance techniques;

(C) assertive response styles;

(D) managing stress without taking drugs;

(E) decisionmaking and risk taking;

(F) media influences on drug use;

(G) positive alternatives to drug abuse behavior;

(H) interpersonal and communication skills;

(I) self-esteem building activities; and

(J) resistance to gang pressure;

(2) classroom instruction by uniformed law enforcement officials;

(3) the use of positive student leaders to influence younger students not to use drugs; and

(4) an emphasis on activity-oriented techniques designed to encourage student-generated responses to problem-solving situations; and

(c) APPLICATION.—The Secretary shall not make a grant under subsection (a) unless—

(1) an application for the grant is submitted to the Secretary;

(2) with respect to carrying out the purpose for which the grant is to be made, the application provides assurances of compliance satisfactory to the Secretary;

(3) the application otherwise is in such form, agreements, assurances, and information as the Secretary determines to be necessary to carry out this section; and

(4) the application contains an assurance that the applicant will provide funds, either in cash or in kind that are not less than 10 percent of the amount of the grant under subsection (a);

(d) SUPPLEMENTAL FUNDS.—Amounts received under subsection (a) by the entity shall be used only to supplement, not to supplant, the amount of Federal, State, and local funds expended for the support of projects of the type described in subsection (b); and

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 in fiscal year 1990, and such sums as may be necessary for each of the 3 succeeding fiscal years.

Mr. PELL. Mr. President, I move to reconsider the vote by which the bill, as amended, was passed.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I would like to commend Senator KASSEBAUM for her able work on S. 695. This legislation marks the first that we have worked together on education issues on the floor. I am happy to say that the new education firm of Pell and Kassebaum is carrying on in the great tradition of the old Pell and Stafford firm. Both partnerships have worked to strengthen and uphold the Federal commitment to education. I look forward to what I hope will be a very long partnership with Senator KASSEBAUM as we work together to provide the kind of assistance that will make this Nation's education the finest in the world.

In addition, I would like to thank the staff of each of the members of our committee. They have spent many hours in working together on this bipartisan package. I know I speak for all my colleagues when I extend our sincere appreciation for their efforts.

In that regard, I am most appreciative of the work of my own staff, including David Evans, Ann Young, Mike Epstein, Sarah Flanagan, Marisa Quinn, and Merry Richter. In addition, I would like to thank Susan Hattan, Becky Rogers, and Lydia Spencer of Senator KASSEBAUM's staff, Terry Hartle and Amanda Broun of Senator KENNEDY's staff, Laurie Chivers of Senator HATCH's staff, and Joan Gilman of Senator DODD's staff.

Mrs. KASSEBAUM. Mr. President, we have just completed action on S. 695, the Educational Excellence Act. I just want to say how pleased I am that the Senate has taken this action on President Bush's initiatives in education.

I want to express again my appreciation to Chairman PELL, majority leader MITCHELL, and others on both sides of the aisle who have moved along this effort. I would also like to express my appeciation for the many hours spent by my staff, Susan Hattan, Becky Rogers Voslow, and Lydia Spencer, throughout the consideration of this legislation. I would like to recognize as well the excellent work done by David Evans, Ann Young, Sarah Flanagan, Marisa Quinn, and Merry Richter with Senator PELL's staff and by the many other staff members who contributed to the success of this effort.

As has been said many times on the floor over the past 2 days, education is a top priority. It is the key to our ability to meet the demands of the present day and the challenges of the future. Failure to keep education at the forefront will mean failure to grow and progress. Senate enactment of this legislation underscores our commitment to quality education.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I rise in support of this measure, and I commend the Labor and Human Resources Committee for proposing a package of initiatives to improve and enhance the quality of our Nation's education system.

Improving this country's educational system is critical to the future and strength of our Nation. Report after report documents that our country is falling short of achieving an educated and competitive population. International comparisons of educational achievement indicate that students in other nations on the average attain higher levels of reading, comprehension, and computation proficiency. How is this poor showing by American students reflected in the marketplace?

American businesses are having a hard time finding qualified people to hire. The New York Telephone Co. had to test 60,000 people on an entry-level exam to hire just 3,000 people. Eighty-four percent of those tested failed the exam. Chemical Bank in New York must interview 40 applicants to find 1 applicant who can be trained successfully as a teller. Chrysler Corp. had to incorporate graphics on its assembly line because so many workers could not read the words "bad hood fit" on the button they were supposed to push when they detected an ill-fitting hood. I could go on and on with other examples from America's business community, but the point is this, America needs seriously to reconsider its attitude and approach to addressing the education of our country's young people.

We not only need a minimally competent work force that can read, write, and compute basic math and science equations, but we need a work force that possesses the advanced skills and training to lead the way in the increasingly technical and complicated global marketplace. If we are to remain competitive and to retain a position of leadership in the world, we must invest in the future of our young people.

S. 695 is a start in this direction. The initiatives contained in S. 695 are much-needed programs, but we need to do more, much more. This bill is just the tip of the iceberg compared to what we must do to reform our education system. A much-quoted study by the Economic Policy Institute confirms that when spending for higher education is removed, the United States ranks 14th of the 16 industrialized nations for public spending for grades K-12. That is a disgrace. Japan, West Germany, Great Britain, Canada, Italy, and France, to name a few, all spend more than we do on elementary and secondary education.

Remember the old adage, you get what you pay for? Well, that is what we are getting—students who have trouble reading, and writing, and who possess only the most basic math skills. If we are to have citizens who can perform at the top of their fields and contribute to our increasingly complicated world, we must do more than this small effort. To achieve the goals that President Bush proposed in his State of the Union Address—U.S. students as the first in the world in math and science achievement; high school graduation rates at no less than 90 percent; every American performing as a skilled, literate worker, and every school offering a disciplined, drug-free environment—we have to do more than the proposals in S. 695. S. 695 is a start. S. 695 represents a step in the right direction. I support S. 695, but I hope that we do not stop with this bill. Because if we do no more than this bill, our students will not be the first in the world by the beginning of the next decade. And they ought to be.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, I join all Senators in commending the managers, the distinguished Senators from Rhode Island and Kansas, for their leadership in this area. This is an important education legislation. I am pleased that the Senate was able to act promptly on it.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business until 3:45 p.m. with Senators permitted to speak therein for up to 5 minutes each; that Senator GORE be recognized first to address the Senate for up to 5 minutes, and upon the conclusion of his remarks, Senator GORTON be recognized to address the Senate for up to 5 minutes.

The PRESIDING OFFICER. The majority leader has propounded a unanimous-consent request. Is there objection? Without objection, it is so ordered.

CIVIL RIGHTS ACT OF 1990

Mr. GORE. Mr. President, I rise to address two subjects very briefly. First of all, this morning with the senior Senator from Massachusetts, Senator KENNEDY, taking the leading role, a press conference was conducted in the Senate Office Building to formalize the introduction of the Civil Rights Act of 1990. I would like to say a couple of words about it.

Coretta Scott King was there, along with a bipartisan group of Senators and Members of the other body, to announce the introduction of this bill. I am proud to be an original cosponsor of this legislation, and I would like to urge my colleagues who have not already joined in as supporters and cosponsors to actively consider doing so.

The Civil Rights Act of 1990 is necessary to continue forward progress on civil rights in the United States of America. The Supreme Court has issued a series of decisions which now threaten that progress. For example, they recently decided that although discrimination in hiring is prohibited, racial discrimination after someone is hired is not subject to the same kind of scrutiny. That decision, in this Senator's opinion, is simply wrong. Those and other decisions have raised many concerns which are addressed in this legislation.

Mr. President, 25 years ago, when the Voting Rights Act passed on this floor, the center of opposition was to be found in the part of the country from which I come. Twenty-five years later, the opposition to the Civil Rights Act of 1990 will not be in the South. The reason is that we are prouder of progress on civil rights than the people of any other part of this Nation. We have been through the fire. We know how important it is not to reopen the bitter arguments and hostilities and hatreds and debates of the past. We know how important it is to continue moving forward.

In this year, 1990, we are witnessing a wave of freedom, an expansion of what we mean by individual dignity and freedom for men and women all over the world. Whether you look at Eastern Europe or South Africa or the thus far unsuccessful revolution in China, one hears the words of Thomas Jefferson; one sees the strategy of Martin Luther King, Jr.; one is moved by the sounds of young men and women singing "we shall overcome."

American ideas, our commitment to liberty and justice and civil rights, have been the real motivating force in this revolution of freedom all over the world. It is, therefore, appropriate that here at home, we continue the historic progress on civil rights, which has made those freedoms real for people who have too often been subject to discrimination throughout our Nation's history.

So I call upon all Members of this body to look carefully at the bill introduced today and actively consider joining as cosponsors of that legislation.

THE CLEAN AIR ACT

Mr. GORE. Mr. President, if I can turn to another subject in the time I have remaining, I deeply respect those who have been conducting the negotiations and the dialog with the administration on the subject of clean air. I am a supporter of the legislation, and earlier I said that one of the reasons I think the bill is a good one is that it takes the first steps toward a posture of confronting the global environmental problems, including global warming.

One of the provisions which puts this body on record as taking such steps is the provision limiting CO_2 emissions from mobile sources for the first time. I think that provision is extremely important. But I hear of tentative conclusions to remove that provision from the bill. I hope those reports do not turn out finally to be true. I understand, as I say, the difficult choices that supporters have to make in judging whether or not the overall legislation can pass or not, depending upon amendments that come under consideration. I do understand that.

But I believe the problems we are facing in the global environment and particularly the challenge of global warming is so serious that we should keep the provision on CO_2 limits in this legislation. I hope we shall do so.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington is recognized for 5 minutes.

Mr. GORTON. I thank the Chair.

(The remarks of Mr. GORTON pertaining to the introduction of S. 2099 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. GLENN. I thank the Chair.

(The remarks of Mr. GLENN pertaining to the introduction of S. 2090 are located in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

Mr. McCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALLOP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized for 5 minutes.

ASBESTOS AND AIR TOXICS

Mr. WALLOP. Mr. President, title III of the 1990 Clean Air Amendments creates a new adventure for the Federal bureaucracy. This title introduces an ambitious program to regulate air toxics. Because of the behind-the-door negotiations now underway, it is difficult to criticize the specifics of this section. But, I feel we need to step back and examine its basic assumptions.

Title III attempts to regulate hazardous air pollutants. The proponents claim that the air toxics controlled by this title are generally cancer-causing substances, though other health and environmental problems may also result from the release of these substances. The bill lists 191 original substances to be regulated, with the implication that other substances can be added later.

The 1970 Clean Air Act, which is still our basic building block, contains a provision which was supposed to control toxic emissions. We all know that section 112 has been a failure, and should be replaced. However, there is a difference of opinion as to why it failed. And, there is definite disagreement over the solution developed by the Environmental Committee.

The committee has proposed a two-phased program to control emissions of substances known to cause or can be reasonably expected to cause damage to public health or the environment. The first phase would require controls based on available technology. The second phase would require controls based on a perceived threat to health.

A perceived health threat is an interesting concept. At some point during this debate, it would be useful to go through the list of 191 substances and to obtain for each substance an explanation of the health risk and of the research which documents the risk. Some risks are obvious. Others are simply suspected. The remainder are merely believed to have some risk.

Clearly, we need to limit emissions for any carcinogenic substance. That was the intent of old section 112. But it has not worked, and a new approach is necessary. But, the committee approach appears to be drafted by some Earth First Luddite who believes that American industry is intent on releasing as may toxic substances as they can put in their smokestacks. Title III more closely reflects that type of overreaction than it does public policy based on sound science.

An excellent example of the cost of basing public policy on bad science is the asbestos issue. In Casper, WY, there are two public high schools. Kelly-Walsh High School, the older of the buildings, has asbestos materials in its insulation. Under the 1986 Asbestos Hazard Emergency Response Act, local public schools are required to remove asbestos because it is a health hazard. As a result, the school has been closed since last summer to allow for asbestos cleanup.

All Kelly-Walsh students were transferred to Natrona County High School. We can imagine the confusion and hardship caused by doubling enrollment overnight. Natrona is now on a double-track system. Although classes run from early in the morning to late in the evening, students will still be 7 or 8 days short of the State minimum attendance requirements at the end of the school year. For the past 2 days, we have been discussing excellence in education. But, what has happened to the quality of education for Casper students?

Last week, we received more bad news. The earliest that Kelly-Walsh can reopen is next fall. The cost of the cleanup, to the local school system, is $4 million. The Wyoming congressional delegation is actively supporting Casper's application for a Federal grant to assist with this expense.

But the bottom line is that there is no sign of relief from the requirements of this law. In fact, we are now looking at legislation to actually expand the cleanup requirements to other public buildings—the cost of which is estimated at $100 to $150 billion.

The disruption and cost would perhaps be worth it if there was a clear health risk. Last month, Science magazine carried an article regarding the latest scientific research on asbestos. There are basically two forms of asbestos and the health risks differ between them. The basic conclusion of the article is that the form of asbestos found in buildings is not the type that poses the health risk.

Once again, politics has preceded science. And on a much grander scale, that is the dilemma we now face with the air toxics title of the clean air bill. In the meantime, Kelly-Walsh High School remains closed. The education of the students has been disrupted and possibly diminished. And the local school system will spend millions of dollars removing a material which may pose no health threat.

I ask, Mr. President, those who advocate this kind of a cleanup to tell those students what benefit they got from a cleanup of a risk that did not exist, over what benefit they might have gotten had they been able to continue their education uninterrupted with that money spent on books, teachers, and classroom equipment.

I ask unanimous consent that the article on asbestos entitled, "Asbestos: Scientific Developments and Implications for Public Policy" and a newsstory on Kelly-Walsh High School be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Casper (WY) Star-Tribune, Feb. 1, 1990]

DISTRICT DECIDES TO KEEP KW CLOSED FOR YEAR AFTER NEW ASBESTOS FOUND

(By Tom Rea)

CASPER.—Discovery of new asbestos contamination means Kelly Walsh High School will not be reopened before next fall, school officials say.

Kelly Walsh was closed for safety reasons Aug. 22, after cancer-causing airborne asbestos fibers were found in a basement journalism classroom and nearby utility tunnels.

The new discovery is expected to push asbestos cleanup costs above $4 million.

Family schedules have been disrupted throughout Natrona County this school year because of double session classes at Natrona County this school year because of double session classes at Natrona County High School for both KW and NC students.

District officials had hoped to reopen the school this school year, but a target date of December was postponed to March after additional contamination was found later in the fall.

Now the building will not reopen this school year, a decision that will require continuing the double sessions.

It could take two to three months to let bids and clean up the new contamination, officials said, which does not leave enough time to reopen the high school before the end of the school year.

"This is a very disappointing announcement for a school board to make," Board Chairman Steve Kinner said at a press conference Wednesday. But it is one that "cannot be avoided if we are to continue to protect the health, safety, and welfare of students, staff and patrons" at Kelly Walsh, he said.

But Kinner noted that many people have told him they prefer to maintain the present schedule for the rest of the school year. Students and families say they already have adjusted their schedules to fit the double sessions, he said.

The new contamination which ranges from three to 14 times the maximum allowed under federal law, was confirmed Sunday in the high school's E wing, a group of 11 classrooms and a teacher's room north of the east courtyard which contains portable classrooms.

Kelly Walsh and NCHS students' days under the double sessions are now about an hour shorter than they used to be, and 15 minutes shorter than the state minimum.

Supt. Jake Dailey said the current schedule will leave students seven or eight days short of the state minimum by the end of

the school year. He said he will ask the state for an emergency waiver of the schedule requirements.

Projected costs for the cleanup before Wednesday were $3.9 million. Ken Gorder of the Gorder/South Group, asbestos consultants to the school district, said Wednesday that it should cost less than $300,000 to clean up E wing.

Officials had expected to open the high school by early March after removing contamination in ductwork above F wing and the cafeteria. More expensive cleanup of D wing and the library was not to begin until summer.

In an attempt to recover the costs of cleanup, the school district has asked for emergency help from the Legislature.

The district has also brought one suit against a bonding company and two asbestos abatement contractors, claiming poor work in 1986-88 caused the contamination and a second suit against its own insurance company.

The recently discovered contamination was found when "investigations were conducted of the former contractors' work" in preparation for the litigation, Kinner said.

Gorder said the new contamination is concentrated around "relief vents" in ducts which exhaust air to the outside of the building. Other contamination has been found under lockers in E wing, he said.

But no contamination was found in E wing in August when the entire school was tested, Gorder said later Wednesday. Asked why contamination would show up now when it did not before, Gorder said "That's exactly what we don't understand."

But the recent tests "weren't any more stringent (or) any more numerous" than those done last year, he said.

At that time, air was run through the ventilation system for only three or four hours, while tests to confirm the recently discovered contamination ran the system for "a couple of days," Gorder said.

No contractors have been working in the E wing area since August, he said. Areas where abatement and remodeling work has been going on since then have been sealed off from the rest of the high school, he said.

Whether the new results are linked to the ventilation system's having been turned off for months and then turned back on, to the different lengths of time the air was run throught the system for the tests, or to some other factors entirely, "we really don't know," Gorder said.

And the long-term financial results of paying off the cleanup costs could be serious, board member David Driggers said. Asbestos expenses could cut into funds the board would normally use to pay salaries, buy books, and keep small elementary schools open over the next 10 years, he said.

And recent research showing asbestos may be less harmful than it was previously thought to be is so far having no effect on federal law, Driggers and Dailey said.

"There is a health risk" from asbestos, Driggers said, but only at "1,000 to 10,000 times the concentration" federal law mandates in schools. Federal law applies much stricter asbestos standards to schools than it does to other public buildings. But new laws are about to go into effect applying to businesses and other public buildings as well, Dailey said.

"I don't think until there's school districts across the nation" facing a crisis like Casper's "will there be enough outcry at the federal level" to change the law, Driggers said.

[From Science, January 1990]

ASBESTOS: SCIENTIFIC DEVELOPMENTS AND IMPLICATIONS FOR PUBLIC POLICY

(By B.T. Mossman, J. Bignon, M. Corn, A. Seaton, J.B.L. Gee)

(Asbestos is a commercial term for a group of fibrous minerals often associated with the development of pulmonary interstitial fibrosis (asbestosis), lung cancer, and malignant mesothelioma in occupationally exposed individuals. The pathogenicity of different forms of asbestos varies—long, thin, amphibole fibers are most pathogenic, particularly in the induction of mesothelioma. Available data do not support the concept that low-level exposure to asbestos is a health hazard in buildings and schools. The concentration of asbestos fibers in air, type of asbestos, and size of fibers must be considered in evaluation of potential health risks.)

Asbestos engenders both fear and panic in U.S. society. Observation that asbestos-containing materials (ACM) have been used in schools, buildings, and hospitals, and the Asbestos Hazard Emergency Response Act (AHERA), a mandate from the Environmental Protection Agency (EPA) that requires inspection of the nation's public and private schools for asbestos, have resulted in the explosive growth of asbestos identification and removal companies. By EPA estimates, extension of EPA reqirements to approximately 733,000 public and commercial buildings containing asbestos will cost $53 billion, discounted at 10% over 30 years [1]. Because of uncertainties regarding the amount of asbestos and its condition in these buildings, estimates for removal of asbestos are as high as $100 to $150 billion [2].

Asbestos was shown to cause asbestosis at the turn of the century. Its association with the causation of lung and pleural tumors in asbestos miners and workers was demonstrated in the 1950s and 1960s, respectively [3]. An important issue is whether these diseases are also hazards to the general population exposed to airborne levels of asbestos in schools and other buildings. Does available evidence support the concept that asbestos causes disease in the nonoccupational environment? What are the mechanisms of asbestos-induced fibrogenesis and carcinogenesis? Most importantly, have recent data been adequately considered in formulating policies in the United States for regulation and banning of asbestos? In this article, we summarize recent developments and discuss their implications for public policy.

PHYSICO-CHEMICAL CHARACTERISTIC OF ASBESTOS

"Asbestos" is a broad commercial term for a group of naturally occurring hydrated silicates that crystallize in a fibrous habit. The legal definition of a fiber as promulgated by the EPA and other U.S. regulatory agencies is one that possesses a >3:1 aspect ratio. However, this definition has been criticized by mineralogists [4].

Asbestos fibers in ores are not respirable until released and made airborne during mining and processing. The family of asbestos minerals can be subdivided into serpentine and amphibole fibers. Chrysotile, which accounts for over 90% of the world's production of asbestos, is the most common fibrous serpentine, whereas the amphiboles, a chemically diverse group of less industrially important minerals, include the fibrous minerals and crocidolite, amosite, anthophyllite asbestos, actinolite asbestos, and tremolite asbestos. Tremolite, actinolite and anthophyllite, which occur in both fibrous and nonfibrous forms, have been only rarely mined for use as commercial asbestos. Both the fibrous and nonfibrous forms of these amphibole minerals are sometimes found as contaminants of commercial deposits of chrysotile, talc, vermiculite, and other minerals [4]. The nonfibrous forms of crocidolite and amosite are referred to as riebeckite and grunerite, respectively.

The various types of asbestos fibers differ in their chemical composition, morphology, and durability. Therefore, the biologic effects should be considered individually for each fiber type. Identification of specific types of asbestos in air samples requires sophisticated technology such as transmission electron microscopy, x-ray diffraction, or energy dispersive x-ray spectroscopy. The rod-like amphiboles appear to penetrate the peripheral lung more readily than chrysotile fibers, which are curly, can occur in bundles, and can be intercepted at airway bifurcations. The chemical makeup of each fiber type is complex, and fibers may consist of a variety of trace metals and organic compounds acquired in ores or during processing.

Asbestos is attractive to industry because of its resistance to heat and chemicals, high tensile strength, and lower costs compared to man-made materials. Although use of spray-on asbestos as a fire-proofing material or insulation has been banned in this country, as well as in several European countries, asbestos is incorporated currently into cement construction materials (roofing, shingles, and cement pipes), friction materials (brake linings and clutch pads), jointing and gaskets, asphalt coats and sealants, and other similar products. As a result of these applications, an estimated 20% of buildings including hospitals, schools, and other public and private structures contain ACM [1]. Asbestos in buildings does not spontaneously shed fibers, but physical damage to ACM by decay, renovation, or demolition can cause release of airborne fibers [5].

DISEASES ASSOCIATED WITH OCCUPATION EXPOSURE TO ASBESTOS

Occupational exposure to asbestos can cause four types of disorders: asbestos; lung cancer; mesotheliomas of the pleura, pericardium, and peritoneum; and benign changes in the pleura [3]. Asbestosis, a pulmonary interstitial fibrosis with excessive deposition of collagen, caused progressive lung stiffening, impaired gas exchange, disability, and death in many workers exposed before the enforcement of occupational standards. Lung cancers, that is, tumors arising in tracheobronchial epithelial or alveolar epithelial cells, have occurred in asbestos workers in most cases 20 or more years after their first exposure to asbestos. In general, lung cancers have been found in asbestos workers who are smokers and only rarely in nonsmokers [6]. A number of epidemiologic studies have indicated that the relation between the development of lung cancers and cumulative exposure to asbestos is approximately linear, but wide variations in slope of the line occur apparently related to fiber type and industrial usage [7]. Death rates from lung cancers in asbestos workers, as measured by standard mortality ratios (SMRs), the observed mortality of a cohort divided by the mortality of a control population, are lowest in chrysotile miners and workers manufacturing friction materials. In contrast, lung cancer deaths are higher in those mining and working with amphibole asbestos. Textile workers in a South Carolina

plant in which chrysotile was used exhibited a striking increase in lung cancers with duration of exposure when compared to Canadian chrysotile miners and millers. Solvents and oils in textile production might act as cocarcinogens in the development of these lung tumors [7].

Diffuse malignant mesothelioma is a fatal tumor arising from mesothelial cells or underlying mesenchymal cells in the pleura, pericardium, and peritoneum.[8] The time between diagnosis and initial occupational exposure to asbestos commonly exceeds 30 years. Smoking evidently does not enhance risk of mesothelioma in asbestos workers.[3] Although mesotheliomas are extremely rare malignancies, that is, only 1648 were recorded from 1973 to 1984 in one survey covering approximately 10% of the U.S. population,[9] they may account for as much as 18% of the proportional mortality in crocidolite workers.[10] Mesotheliomas also have been observed after household exposure of family members of asbestos workers and in individuals living in close proximity to asbestos mines.[11] Although mesothelioma has been considered by some as a disease pathognomonic of exposure to asbestos, approximately 20 to 30% of mesotheliomas occur in the general population in adults not exposed occupationally to asbestos.[12] Mesotheliomas are rarely found in children.

Diagnosis of mesotheliomas is a challenge as the tumor may resemble metastases of other tumor types occuring in the pleura or peritoneum and assume a wide variety of microscopic appearances. Thus, death certificates may either underestimate (because these tumors are attributed to cancers of the gastrointestinal tract and other organs) [13] or overestimate the incidence of mesotheliomas. In France, mesotheliomas are overestimated by a factor of 3 on death certificates in comparison to the mesothelioma registry.[14]

A number of benign pleural changes that rarely cause functional impairment have been observed in asbestos workers. These include pleural effusions, pleural fibrosis, pleural plaques, that is, accumulations of acellular collagen on the diaphragm and chest wall, and pseudotumors of infoldings of the lung often associated with plaques. These pleural changes may reflect exposure to asbestos but have no demonstrated relation to the development of mesothelioma.

Tumors of the gastrointestinal tract, larynx, and other organs including the kidney, ovary, pancreas, pericardium, eye, and lymphatic system, have been reported in some cohorts of asbestos workers.[13 15] In general, the enhanced SMRs for these tumors are not statistically distinguishable from normal SMRs and have not been confirmed in most cohorts. Both laryngeal and gastrointestinal tumors have other etiologies such as smoking, alcohol, diet, and intestinal polyposis that confound the interpretation of epidemiologic data.

THE AMPHIBOLE HYPOTHESIS

The association of mesothelioma with asbestos exposure was first described in 1960 in the northwest Cape area of South Africa where long, thin crocidolite fibers were mined.[16] Since then, an increased incidence of mesothelioma has been reported in a number of occupational settings including factories that presumably used only chrysotile. Within the past decade, sophisticated technology has allowed examination of the types of fibers in the lung tissue of these workers. Results revealed that many chrysotile-exposed workers showed an appreciable lung burden of amphibole fibers, which were used for brief periods in the workplace.[17] The persistence of amphiboles in human lungs may be attributed to their increased ability to penetrate the peripheral lung, lack of clearance, or durability. In contrast, chrysotile has been found postmortem in smaller amounts than expected in the lungs of asbestos workers.[18] It disappears with time most likely because magnesium and silica are leached from the fibers.[19] Recently, the lung content of asbestos and nonasbestos fibers has been compared in diagnosed cases of mesothelioma, lung cancer, and cardiovascular disease (controls) from the western coast of France, a region containing shipyards.[20] The number of amphibole fibers (crocidolite and amosite) was significantly higher in lungs from mesothelioma patients, whereas numbers of chrysotile and nonasbestos fibers were similar in all groups. These data suggest that the lung burden of chrysotile and nonasbestos fibers bears no relation to the occurrence of these cancers.

Several recent studies indicate that the risk of pleural mesothelioma is lower where chrysotile is used without admixture or contamination by amphiboles.[21] For example, a gradation of death rates from mesothelioma has been observed in both male and female asbestos-exposed cohorts. Mesothelioma has been responsible for approximately 6 to 8% of the proportional mortality in men working with mixtures containing crocidolite or amphibole (crocidolite or amosite) in comparison to less than 1% of the proportional mortality in men working with chrysotile.[10] In female cohorts, the proportional mortality from mesothelioma was higher for amphibole exposure (10.6%) and lowest for chrysotile exposure (0.2%). Thus, these data suggest that amphiboles are the major cause of mesotheliomas in asbestos workers.

Chrysotile miners and millers in Quebec who were supposedly exposed only to chrysotile have developed few mesotheliomas.[22] However, recent fiber analyses on the lungs of both these workers and chrysotile factory workers showed the presence of tremolite.[23] This amphibole in the fibrous form has been implicated as the causative agent of mesothelioma and lung cancers in miners exposed to vermiculite heavily contaminated with tremolite.[24] Although tremolite composes less than 1% of the asbestos dust in the Quebec mines and mills, the relative ratio of tremolite to chrysotile fibers in the lungs of Canadian miners and millers is related directly to their risk of developing mesothelioma.[25]

For the reasons above, the few mesotheliomas observed in Canadian chrysotile workers appear to be attributable to fibrous tremolite, an observation compatible with other evidence that amphiboles are the most pathogenic asbestiform minerals. Likewise, recent data on London asbestos factory workers show that the severity of asbestosis and carcinoma of the lung (as well as mesothelioma) correlates with the lung burden of crocidolite and amosite asbestos and that the proportions of chrysotile and nonasbestos fibers are decreased in comparison to matched control patients.[26] A British cohort exposed since 1970 to chrysotile at airborne levels not exceeding 0.5 to 1.0 fiber per cubic centimeter in the manufacture of friction materials showed no excess of deaths from lung cancer, other asbestos-related tumors, or chronic respiratory disease.[27] These and other data [7,17,21,38] suggest that amphiboles are more potent than chrysotile in the induction of fibrotic lung disease and associated lung cancers.

EXPERIMENTAL MODELS OF ASBESTOS-INDUCED LUNG DISEASE

Several studies have shown that mesotheliomas are induced in a dosage-dependent fashion after intrapleural and intraperitoneal injection of asbestos and other asbestos-like fibers into rodents.[29] Chrysotile was as carcinogenic as the amphiboles by these routes of administration. However, differences have been observed between the carcinogenicity of fibrous and nonfibrous materials. For example, in one study, fibrous tremolite was carcinogenic after intrapleural injection, whereas nonfibrous tremolite was noncarcinogenic at identical concentrations ([30]). Although the natural route of exposure to fibers by inhalation was circumvented in these experiments, they were useful in indicating that fibers longer than 8 μm and less than 0.25 μm in diameter have the most marked carcinogenic potential, that is, the "Stanton hypothesis." These data have been supported by the results of inhalation studies in rats in which short ($\leq$5 μm in length) and long fiber preparations of amosite and chrysotile asbestos have been compared [31]). In contrast to the batches of amosite and chrysotile asbestos containing many long fibers, short fibers of amosite produced neither asbestosis nor pulmonary tumors. Short chrysotile produced a small amount of pulmonary tumors. Short chrysotile produced a small amount of asbestosis and malignancies, but these were attributed to contamination of the short chrysotile preparation by longer fibers. Fewer long than short fibers of both types were present in the lungs of all rats at the termination of exposure, but, regardless of size, fewer chrysotile fibers remained in the lung. These results support the observations that chrysotile fibers, in comparison to amphibole fibers, are cleared more rapidly from human lungs [17]). This phenomenon and limited alveolar penetration of curly chrysotile bundles (rather than their inherent absence of carcinogenicity) may account for the apparent lack of association of chrysotile fibers with the development of mesothelioma in human cohorts.

The exorbitant costs of inhalation experiments with animals preclude long-term studies to determine the carcinogenic potential of asbestos at low-level exposures. The development of malignancies in rodents approaches the 2- to 3-year life-span of these animals [32], a period of too brief to reflect the consequences of the long-term solubility of chrysotile in the human lung.

MECHANISMS OF ASBESTOS-INDUCED INFLAMMATION AND FIBROGENESIS

Both epidemiologic and experimental data support the concept of a threshold for chrysotile-induced pulmonary fibrosis. In a sheep model of asbestosis, inflammation and histopathologic evidence of disease were not observed after less than 100 mg of chrysotile were injected into the trachea of the sheep.[33] After brief, intense inhalation of chrysotile, the sheep accumulated alveolar macrophages (AMs) at areas of deposition of fibers.[34] These cell types are viewed as "effector" cells of disease as they produce a mixture of fibroblast growth factors, chemotactic factors, and fibronectin. Prostaglandins, plasminogen activator, a heat-stable factor similar to platelet-derived growth factor (PDGF), lysosomal enzymes, and active oxygen metabolites, one or more of which may cause proliferation or functional impairment of neighboring epithelial cells and fibroblasts in the lung, were released after exposure of AMs to asbestos in vitro.[35]

These substances might mediate both acute and chronic inflammatory reactions in man and animals after inhalation of asbestos. In support of this hypothesis, AM-derived growth factor (AMDGF), PDGF, superoxide (O_2), and H_2O_2 were spontaneously released from AMs recovered by bronchoalveolar lavage from patients with asbestosis.[36] Similarly, AMs lavaged from both mice and sheep that had an earlier intratracheal injection of chrysotile released enhanced amounts of a growth factor that stimulated proliferation of a human embryonic lung cell line (WI-38).[37]

In one study, AMs from both normal individuals and patients with idiopathic pulmonary fibrosis expressed a 4.2-kilobase messenger RNA complementary to c-sis, a proto-oncogene coding for the B chain of PDGF.[38] The amounts were approximately fourfola higher from AMs of patients with pulmonary fibrosis. Because PDGF is mitogenic to mesenchymal cells, which possess functional PDGF receptors, elevated levels of PDGF in lung tissue or fluids could induce lung fibroblasts to divide or to produce exorbitant amounts of collagen, the hallmark of the fibrotic lesion. Quiescent human mesothelial cells also undergo DNA synthesis after exposure to PDGF and a broad spectrum of other growth factors.[39]

Within the past few years, several laboratories have focused on active oxygen species (AOS) as causative agents of both asbestosis and asbestos-related malignancies. Increased amounts of superoxide (O_2) have been produced after rodent AMs were exposed in vitro to long asbestos fibers, whereas generation was minimal after shorter fibers and nonfibrous particles were introduced.[40] Smaller fibers and particles are incorporated into phagolysosomes by AMs, whereas longer fibers are incompletely phagocytosed, a process liberating more AOS.

The observation that exogenous administration of scavengers of AOS prevents asbestos-induced cell death to cultures of tracheal epithelial cells and lung fibroblasts [41] suggests that AOS are intimately related to asbestos toxicity even in the absence of AMs. Fibers may induce generation of AOS after phagocytosis or by extracellular mechanisms. For example, recent studies with asbestos in cell-free systems have demonstrated by electron spin resonance that chrysotile, crocidolite, and amosite generate AOS in the presence of H_2O_2 or physciological saline [42]. Under these circumstances, Fe^{2+} on the surface of the fiber appears to drive a modified Haber-Weiss (Fenton) reaction that results in production of the toxic hydroxyl radical (OH^-) from H_2O_2 and O_2. These reactions result in lipid peroxidation, which is prevented by incubation of asbestos with the iron chelator, desferroxamine [43].

At high concentrations, AOS are cytotoxic to cells of the respiratory tract, but at low concentrations they induce functional changes in rodent lung fibroblasts that may be critical to the pathogenesis of asbestos-inducted fibrotic lung disease. For example, after addition of xanthine and xanthine oxidase (a chemical generating system producing O_2^-), rat lung fibroblasts in vitro produced increased amounts of cell-associated collagen in a pattern similar to that observed after their exposure to crocidolite asbestos [40, 44]. In an inhalation model of rapid-onset asbestosis, osmotic pumps containing polyethylene glycol (PEG)—conjugated catalase, the enzyme scavenging H_2O_2 were implanted subcutaneously into rats before they were exposed to crocidolite for 20 days [45]. This procedure boosted levels of catalase in the sera and lungs of these animals and ameliorated both the inflammation and the severity and extent of fibrotic lesions that normally develop after inhalation of asbestos. This study was the first successful experimental approach to the prevention of asbestos-associated lung disease. Moreover, the results support the concept of a cause and effect relation between AOS and the development of asbestosis.

MECHANISMS OF ASBESTOS-INDUCED CARCINOGENESIS

Carcinogenesis is a multistage process that classically has been described in two stages [46]. The "initiation" stage corresponds to a heritable genetic change (point mutation) induced in a cell by a carcinogenic substance. It is followed by the "promotion" stage, a series of events in which the initiated cell undergoes proliferative and genotypic changes conferring the malignant phenotype. During the past few years, the identification of a number of protooncogenes has resulted in a new understanding of the successive genetic events involved in the process of malignant transformation. Increased expression of these genes may cause the production of growth factors or growth-factor receptors. Loss of other genes (antioncogenes) also appears to contribute to the carcinogenic process. These findings indicate that the distinction between genetic and epigenetic events in carcinogensis is not simple, especially because chromosomal rearrangements or deletions associated with point mutation and activation or loss of genes can happen at any stage in the process of cell transformation.

Whether the multistage model is directly applicable to asbestos-associated carcinogensis is unclear. Unlike most carcinogens, asbestos does not cause base substitution and frameshift mutations in bacteral-mutation assays.[47] Of the 23 agents designated as group 1 human carcinogens by the International Agency for Research on Cancer (IARC), only asbestos and conjugated estrogens were nongenotoxic as defined by both the Ames test and rodent bonemarrow assays for detection of chromosomal aberrations or micro-nucleated erythrocytes.[48] Although asbestos was weakly mutagenic in Chinese hamster lung cells,[49] it was not mutagenic in liver ephithelial cells or in Syrian hamster embryo (SHE) fibroblasts.[50] Asbestos did not cause morphologic transformation of C3H 10T½ cells,[51] but transformed both BALB/c#3T3 and SHE fibroblasts.[52] Glass fibers and nonfibrous silica (albeit at much higher concentrations) also were active in the SHE bioassay. In this system, longer, thinner fibers were more potent in the induction of transformation and chromosomal anomalies, an observation consistent with the increased malignant potential of these fibers in comparison to shorter fibers or particles after their administration intrapleurally, intraperitoneally, or by inhalation to rodents [29, 30].

In these and other in vitro studies, the biologic effects of fiber types have been assessed comparatively on a mass (milligrams of fibers per dish) rather than a numerical (numbers of fibers of a given size per dish) basis. Cytotoxicity and cytogenetic effects of chrysotile, crocidolite, and erionite (an aluminosilicate fiber) recently were compared in Chinese hamster lung fibroblasts (V79 cells).[53] Numbers of chrysotile fibers required to produce cytotoxic or cytogenetic changes were several orders of magnitudes higher in comparison to erionite, the most potent fiber, or crocidolite, a fiber of intermediate potency. These results are consistent with the higher tumorigenic potential of erionite in rodent inhalation experiments.[54]

In some studies, asbestos appears to augment the mutagenic and carcinogenic effects of chemical carcinogens and radiation. For example, both crocidolite and chrysotile increased the frequency of mutation and transformation in rodent epithelial cells and fibroblasts exposed to benzo[a] pyrene (BaP) [50] and radiation or radon alpha particles.[51] However, synergistic effects of asbestos and BaP were not observed in two studies with SHE and rat mesothelial cells, respectively,[52, 55].

The particulate nature of asbestos and its capacity to bind nucleic acids has prompted transfection studies in which asbestos was used as a vehicle for introducing DNA or RNA into a number of cell lines.[56] Under these circumstances, asbestos was intermediate in rank in comparison to a number of other insoluble facilitators including calcium phosphate, talc, and kaolin, none of which have been associated with the induction of cancer.

After addition to human or rat mesothelial cells, both chrysotile (in rats) [57] and amosite (in humans) [58] have caused aneuploidy and altered growth characteristics after repeated passaging. Injection of rat mesothelial cells into nude mice after a single exposure to chrysotile did not cause tumors in animals, but multiple exposures (36 times) to chrysotile and repeated passaging resulted in turmorigenic cell populations.[57] In contrast, human mesothelial cells displaying chromosomal abnormalities and growth alterations after duplicate exposures to cytotoxic concentrations of amosite were not tumorigenic in nude mice.[58] Asbestos promoted the proliferation of mesothelial cells both in organ cultures of human mesothelium exposed to asbestos in vitro and in mice given intraperitoneal injections of asbestos.[59]

Asbestos fibers come in contact with the chromosomes of rat mesothelial cells [60] and the mitotic apparatus of V79 [53] and SHE [61] cells in vitro. These interactions might induce chromosomal misaggregartion or abnormalities. Several investigators have examined chromosomal aberrations in human mesotheliomas, but changes appeared inconsistent from tumor to tumor. The most common abnormalities involved inversions, translocations, and deletions of chromosomes 1, 3, 7, 9, 17, and 22 [62]. Constitutively enhanced expression of the PDGF-B gene, the proto-oncogene *c-sis*, was observed in human mesothelioma cell lines when compared to normal human mesothelial cells [63].

In comparison to human mesothelial cells, human bronchial epithelial cells in vitro are relatively resistant to asbestos. In one study, concentrations of chrysotile, crocidolite, or amosite asbestos approximately ten times as high as that required for mesothelial cells were required to achieve a comparable increase in toxicity (as measured by a 50% decrease in colony-forming efficiency of human bronchial epithelial cells) [64]. In another study, aneuploidy was not increased significantly over a range of concentrations of either crocidolite or chrysotile asbestos [65]. This latter observation and the demonstration that insertion of asbestos into rat tracheal grafts can cause the development of carcinomas following insertion of subcarcionogenic amounts of the polycyclic aromatic hydrocarbon, dimethylbenzo [a]anthracene [66], suggest that asbestos is a promoter in the development of lung can-

cers. In support of this concept, both crocidolite and chrysotile asbestos induced a number of biochemical and proliferative alterations in both rodent and human tracheal epithelial cell and organ cultures that were similar to those observed in mouse skin that had been treated with the tumor promoter 12-O-tetradecanoylphorbol-13-acetate (TPA)[67]. The repertoire of these asbestos-associated proliferative changes, which were masked in tracheal epithelial cells in a high-serum containing medium or by addition of transforming growth factor-type B (TGF-β_1)[68], included enhanced incorporation of ^{3}H-thymidine, increases in colony-forming efficiency, and the development of squamous metaplasia, that is, conversion of differentiated mucociliary cells to keratinizing cells resembling epidermis. Induction of ornithine decarboxylase (ODC), a rate-limiting enzyme in the biosynthesis of polyamines that is increased in mouse skin after exposure to TPA but not after addition of nontumor promoting phorbol derivatives, also occurred in a dosage-dependent fashion in tracheal epithelial cells exposed to long, thin, asbestos and glass fibers. In contrast, nonfibrous particles and shorter fibers did not increase ODC activity at similar concentrations.[69]

Until quite recently, it was unclear how asbestos triggered proliferation in tracheal epithelial cells. However, several pieces of data suggest that mechanisms of cell signaling by asbestos are similar to those observed with TPA, a soluble tumor promoter that binds directly to protein kinase C (PKC), a calcium- and phospholipid-dependent enzyme that activates a limb of the phosphoinositide signal-transduction pathway[70]. Mitogenic concentrations of crocidolite asbestos caused increased accumulation of diacylglycerol in tracheal epithelial cells[71] and subsequent activation of PKC[72], presumably by activation of membrane phospholipases. The increased production of inositol tris- and tetrakisphosphates appeared responsible for the generation of diacylglycerol, which preceded increased cell division. Abrogation of crocidolite-induced ODC activity in tracheal epithelial cells by inhibitors of PKC and calcium channel antagonists[69] suggests that PKC is related causally to asbestos-associated cell proliferation.

Mechanisms other than tumor promotion by asbestos also may explain interactions between smoking and asbestos; these mechanisms could be important in the development of lung cancers in asbestoes workers[7, 73]. For example, smoking impaired clearance of amosite asbestos from rodent lungs and increased retention of fibers in airway epithelial cells[74]. Both cigarette smoke and asbestos induced AOS in a synergistic fashion in vitro and damaged isolated bacteriophage DNA[75]. AOS liberated from asbestos fibers also catalyzed the oxidation of 6-hydroxybenzo[a]pyrene to a more mutagenic and carcinogenic radical[76]. Because crocidolite and chrysotile asbestos adsorbed BaP and acted as vehicles to increase both uptake of these lipophilic carcinogens and formation of DNA adducts in tracheal epithelial cells[77], fibers might facilitate the initiation of lung tumors by BaP.

PUBLIC POLICY

The available experimental and epidemiological data indicate that both fiber type and size are important determinants of the pathogenicity of asbestos. Although asbestos has caused disease in the workplace[78] and such occurrence has resulted in calls for regulations to protect workers[79], recent epidemiologic data are concordant with the suggestion that exposure to chrysotile at current occupational standards does not increase the risk of asbestos-associated diseases[17, 21, 27, 28]. Unlike most other countries, particularly in the European community, which have more stringent requirements for regulation and importation of amphiboles, federal policy in the United States does not differentiate between different types of asbestos.

Does airborne asbestos present a risk to the health of individuals in schools and other buildings? The available data do not indicate that asbestos-associated malignancies or functional impairment will occur as a result of exposure to most airborne concentrations of asbestos in buildings. First and foremost, the levels of airborne asbestos in buildings, even with damaged ACM, are magnitudes lower than concentrations in the unregulated workplace in the past and approximately 1/100 of the permissible exposure of 0.2 fibers per cubic centimeter of air in the U.S. workplace[80]. Before the enforcement of occupational standards, workplace concentrations of 100 or more fibers per cubic centimeter of air were not uncommon[81]. In contrast, surveys of asbestos in schools and public buildings show that the mean airborne concentrations are several thousand-fold lower (Table 1). With few exceptions, the type of asbestos fiber found predominantly in buildings is chrysotile. Accumulating evidence indicates that this asbestos type is probably not associated with the occurence of mesotheliomas at low levels of exposure. For example, recent analyses on the fiber concentrations in lungs of asbestos workers showed that chrysotile workers with mesothelioma had 400 times the median lung fiber burden in comparison to workers exposed to amphiboles. Data indicate that mesotheliomas in chrysotile workers appeared at lung burdens comparable to that required for the development of asbestosis, a disease associated with occupational exposure to asbestos in the past unregulated workplace[82].

Transmission electron microscopy of air sample is essential for the identification and quantitation of finer asbestos fibers. In the United States and United Kingdom, the direct transmission electron microscopy method is advocated to determine airborne asbestos fiber concentrations in buildings. In France, the indirect transmission electron microscopy technique is used, and concentrations are expressed on a mass (milligram) basis. The limit for detection of fibers by phase-contrast microscopy is approximately 0.01 fibers per cubic centimeter of air, a concentration higher than that reported in most schools and buildings (Table 1). Moreover, phase-contrast microscopy cannot be used to identify types of fibers (asbestos or nonasbestos) or to detect fibers less than 0.5 μm in diameter, twice the diameter of fibers associated with the greatest biological activity and induction of tumors in rodents (diameters <0.25 μm, that is, Stanton fibers).[29, 30] Such long, thin asbestos fibers are rarely found in air samples of buildings[81, 83]. As shown in Table 1, fiber concentrations from recent studies in buildings are comparable to levels in outdoor air, a point surely relevant to assessing the health risks of asbestos in buildings. Airborne concentrations of asbestos in buildings reported in the 1970s were somewhat higher, presumably because of earlier, less sophisticated sampling and analytical techniques.

Table 1: Summary statistics for average airborne fiber concentrations in U.S. schools[88] and buildings.[89] The data used in the calculation of each statistic are the average concentrations (expressed as number of fibers greater than 5 μm in length per cubic centimeter of air) in a building (for indoor samples) or the concentration outside each building [for outdoor samples[89]]. By visual inspection, category 1 buildings contained no asbestos-containing material (ACM), category 2 buildings contained ACM in primarily good condition, and buildings in category 3 showed at least one area of significantly damaged ACM. In the study on public buildings, 387 indoor and 48 outdoor air samples were evaluated. No asbestos fibers were detected in 83% of the 387 samples. The sample size is given in parentheses below each heading.

TABLE 1

Statistic	Schools [71]	Outdoor air [48]	Public buildings		
			Category 1 [6]	Category 2 [6]	Category 3 [37]
Median		0.00000	0.00010	0.00040	0.00058
Mean	[1] 0.00024	.00039	.00099	.00059	.0.0073
SD	.00053	.00096	.00198	.00052	.00072

[1] 80th percentile = 0.00045; 90th percentile = 0.00083.

Recent epidemiologic studies of deaths from mesothelioma in the general population also suggest that risk from asbestos in buildings is miniscule[9, 10, 84]. In comparison to lung cancers (an average of 130,000 cases per year in the United States, largely attributed to smoking), an estimated 1,500 cases of mesothelioma per year occur in the U.S. population[85]. The data on death rates from pleural or peritoneal mesotheliomas over the past 10 to 20 years indicate that mesotheliomas are increasing in males over 65 years of age who have a past occupational history of exposure to asbestos.[84] By contrast, death rates from mesothelioma in females of all ages have declined slightly or remained constant. These results support the concept that asbestos in buildings is not an important risk factor, as one would expect increased mesotheliomas in both males and females in this case. A recent French study did not show increased risks of asbestos-associated malignancies, pleural plaques, or functional impairment of the lung (effects clearly present in asbestos workers) in persons exposed for 10 years to airborne asbestos in buildings.[86] Although this survey is still in progress, no mesotheliomas have been observed to date among approximately 15,000 permanent occupants.

Although the validity of extrapolating from high to low dose levels has never been confirmed empirically in the evaluation of asbestos, calculated lifetime risks from mesotheliomas and lung cancers attributable to asbestos in schools and other buildings have appeared in recent years[85, 87]. The linear dose-response equations in these models have been used with the assumption that there is no threshold for disease, a hypothesis which is open to question. Moreover, the range of estimated risks varies from study to study. With the exception of one analysis,[85], differences between the pathogenic potential of chrysotiles and amphiboles have not been considered in these assessments, and the importance of fiber size has been ignored. Regardless, examination of combined data from published risk estimates shows that risks of asbestos-related total deaths (both lung cancers and mesotheliomas) due to exposure in schools are

magnitudes lower than commonplace risks in modern-day society (Table 2).

Table 2. Estimates of risk from asbestos exposure in schools in comparison to other risks in U.S. society. Data from six published risk estimates [87] in which total deaths (lung cancer and mesotheliomas) attributable to asbestos exposure over a lifetime were estimated per 1 million students exposed to 0.00024 fibers per cubic centimeter air (the mean airborne concentration in schools, Table 1) for five school years, beginning at age 10. Estimates indicate that the annual rate is 0.005 to 0.093 deaths per million students for an average life expectancy of 75 years. Modified with permission from Weill and Hughes.[90]

Table 2

Cause:	*Annual rate (deaths per million)*
Asbestos exposure in schools	0.005 to 0.093
Whooping cough vaccination (1970 to 1980)	1 to 6
Aircraft accidents (1979)	6
High school football (1970 to 1980)	10
Drowning (ages 5 to 14)	27
Motor vehicle accident, pedestrian (ages 5 to 14)	32
Home accidents (ages 1 to 14)	60
Long-term smoking	1200

The AHERA ruling of 1986 brought asbestos to the attention of the U.S. public and instilled fears in parents that their children would contract asbestos-related malignancies because of high levels of airborne asbestos fibers in schools. Panic has been fueled by unsupported concepts such as the "one fiber theory," which maintains that one fiber of inhaled asbestos will cause cancer. As a result of public pressure, asbestos often is removed haphazardly from schools and public buildings even though most damaged ACM is in boiler rooms and other areas which are inaccessible to students or residents.[1] The removal of previously undamaged or encapsulated asbestos can lead to increases in airborne concentrations of fibers in buildings, sometimes for months afterwards,[83] and can result in problems with safe removal and disposal. Asbestos abatement also has led to the exposure of a large new cohort of relatively young asbestos removal workers. While these people should be protected by careful regulation of the circumstances of removal, they are often exposed under suboptimal working conditions.

As a result of the AHERA ruling, public and private schools are required to inspect for asbestos and inform parents if ACM are present. Although the law does not require or set standards for the removal of asbestos, schools, often with little expert advice, must submit a management plan detailing how they will deal with damaged asbestos and can be fined a maximum of $5000 per day for lack of compliance to deadlines. The EPA has recommended bulk sampling of ACM to determine the presence of asbestos and visual inspection to determine the course of action, rather than measurement of airborne levels of fibers—data that are far more important in determining the need, if any, for removal of ACM.

The available data and comparative risk assessments (Table 2) indicate that chrysotile asbestos, the type of fiber found predominantly in U.S. schools and buildings, is not a health risk in the nonoccupational environment. Clearly, the asbestos panic in the U.S. must be curtailed, especially because unwarranted and poorly controlled asbestos abatement results in unnecessary risks to young removal workers who may develop asbestos-related cancers in later decades. The extensive removal of asbestos has occurred less frequently in Europe.

Prevention (especially in adolescents) of tobacco smoking, the principal cause of lung cancer in the general population, is both a more promising and rational approach to eliminating lung tumors than asbestos abatement. Even acknowledging that brief, intense exposures to asbestos might occur in custodians and service workers in buildings with severely damaged ACM, worker education and building maintenance will prove far more effective in risk prevention for these workers.

FOOTNOTES

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Mr. WALLOP. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WALLOP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. WALLOP. Mr. President, I ask unanimous consent the time for morning business be extended to the hour of 4:10 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WALLOP. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BRYAN). Without objection, it is so ordered.

CLEAN AIR ACT OF 1989

Mr. DIXON. Mr. President, I would like to say at the outset of my comments on the clean air bill presently before us that I very much appreciate the work of the distinguished chairman of the Environment and Public Works Subcommittee on Environmental Protection, Senator MAX BAUCUS; as well as that of the committee's ranking member, Senator JOHN CHAFEE. Their diligence has produced a much needed bill at a time when the American people are demanding that we rid our cities of smog, protect our forests and lakes from acid precipitation, and control our emissions of hazardous air pollutants.

I support the American people in their fight for cleaner, healthier air. I am sure the rest of my Senate colleagues also favor clean air, and so it is most important that we cooperate with each other to pass an equitable and effective bill. There are divisions between us that must be reconciled before we can deliver to the American people the bill they demand. These divisions are neither partisan nor philosophical. Members on both sides of the aisle want healthier air, and none among us is ideologically against the Government passing laws to achieve that end.

Mr. President, what divides us is a polarizing debate that has slipped into "all-or-nothingism." Balancing our environmental goals with what is technologically and economically possible is a most difficult task. Indeed, because the task is so difficult, some have chosen not to seek balance at all. But may I remind my colleagues that we will never have a healthy environment with a sick economy. The truly life-threatening pollution in the economically weak states of Mexico, Poland, and the Soviet Union stands as proof of this fact.

I am speaking before my fellow Members today to plead that a spirit of cooperation prevail in this debate. It is counterproductive to label any of our colleagues a "dirty air Senator" simply because he or she dares to say that some pollution controls do not produce enough environmental benefit to justify their cost. By all indications, the American people are ready to pay the price for healthier air. But please hear me when I say the people will demand that they get what they paid for in air pollution controls. The new awakening to environmentalism will come to a sudden screeching halt if this Congress sells the people a bill of goods in the clean air bill, and that would be too bad because I happen to think it is important.

Some of my colleagues do not feel compelled to argue for a balanced bill because they do not believe critics of the bill, or they do not represent constituencies that would suffer from shutdowns in the coal, steel, automotive, chemical, or like industries. But I tell you, their constituents depend on the products of those industries that Illinois, and other States like mine, produce. Is it our purpose now to do serious economic harm to the industrial heartland that built this country and gave us the highest standard of living in the world? Despite the fact that it is obviously not our purpose to do that, we may unnecessarily wreak havoc on our economy if we do not

inject more balance into the bill before us.

Foremost among the provisions of the bill in need for balance is title IV, the acid rain control section. The bill requires nine States that generate about half of the sulfur dioxide in the country to make three-quarters or better of the sulfur reductions. I support the idea of making the lowest cost emission reductions first, and I acknowledge that there is great potential to make these reductions in the nine States targeted by the bill. It only seems fair, however, that if these nine States are asked to make a disproportionate share of this country's investment in acid rain control, that the other beneficiaries of the investment share in the cost. I accept the premise that the polluter should pay, but I would add that the polluter must pay in proportion to the pollution it emits. This bill violates the very polluter pay principle that its sponsors tout. A very conscious decision has been made to target utility plants in the Midwest to curb our nationwide sulfur and nitrogen oxides emissions. Someone unfamiliar with the facts would assume that these plants were our only source of sulfur and nitrogen oxides—but it is not true. The State of Texas—and I am not picking on Texas—has the largest overall emissions of nitrogen oxides, and it emits more—listen to this, Mr. President—sulfur dioxide than my own State of Illinois. Yet, Texas is exempted from any reduction requirements and costs associated with the national effort to curb acid rain. It is not fair that certain polluting States should get a free ride on my State's investment to control a national problem. If we are going to target just a few of the emitters of acid rain precursors, then we must spread the burden nationally. This is no different than the savings and loan bailout. Very few States were actually responsible for the S&L crisis, yet the entire country paid to bail out the industry. We did this because the vitality of the thrift industry is important to the whole country—not just California or Texas. Well, the whole country wants clean air, and we cannot expect my folks in Illinois and a few other States to pay the whole cost.

As a consequence of the inequity of the acid rain title, nearly 20,000 of my constituents are expected to lose their coal mining and related jobs. Hundreds of thousands of my constituents will experience utility rate increases of 20 to 25 percent which amounts to several hundred dollars per year. And my constituents will do this to control a problem where the benefit will be realized in the far away mountains of New England, while they continue to pay to subsidize cheap electric rates for customers of northwestern hydro projects, and cheap water rates for western farm irrigation. I ask my colleagues, where is the justice?

There are other areas of the bill that, I dare say, are also out of balance. I do not pretend to be an expert in the very technical field of environmental science and pollution control. It makes sense to me, however, that our industries that emit toxic and hazardous pollutants invest in the best pollution control devices and techniques that are available.

I am pleased that the Senate bill has taken this approach by requiring maximum achievable control technology [MACT]. I am told that MACT technology is expected to reduce toxic emissions from 90 to 95 percent. Let us do this, and then, if real human populations are still at risk, let us do what is reasonable to reduce emissions even more. Let us not, however, shut down important industries to this country's economic independence without some reasonable scientific certainty that a real human population is at risk, and therefore make such shutdowns necessary. If we begin shutting down our coking and steel plants is there anyone here that would deny that those activities will go on somewhere else in this world? Is the environmental community satisfied to simply stop the population here, only to send it to some poor Third World country that would jump at the chance to increase their exports of coke and steel? I promise you that the other nations that manufacture that which is no longer economic to make in this country, will do so without the strict controls that we already require today. The reality is that we live in both a global economy and a global environment. Can we really accomplish our environmental purposes if we do not keep U.S. businesses internationally competitive? I submit that we cannot, and that the residual risk provision in this bill could make this country's great new export the exportation of pollution, along with American jobs. Shut downs will come back to haunt us in the form of a deteriorating global environment.

My friends and colleagues, I simply want to say today, we can work out a bill that will give us clean air without pitting region against region. We should not attempt to have one region profit at the expense of another. Let us together fashion a bill, that will leave as our legacy, air that is fresh and healthy, as well as a robust economy.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader, the Senator from Kansas [Mr. DOLE] is recognized.

Mr. DOLE. Mr. President, I have listened with interest to the Senator from Illinois, and I hope there is some way we can resolve the problem. I know it is a very difficult problem with the States he mentioned. I know they are on that particular item right now in a private session trying to figure out some way to resolve it.

(The remarks of Mr. DOLE pertaining to the introduction of S. 2094 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PELL. Mr. President, I am very glad that the attention of the Chamber is pointed at the problem of help for Eastern Europe. The Lord knows that the changes have been fantastic in the last week and in fact, some, have occurred in the last few days. Whether the help they need will be more technical help, or advice, or more material, or dollars, remains to be seen.

A group of us in the Foreign Relations Committee have introduced a bill on that subject. I am delighted to hear that the administration has sent up its bill. I might add that it did seem a little premature to move ahead tomorrow. For that reason, I have postponed the meeting of our committee until after the recess. I hope that such a period of time will enable us to blend together the two bills in the best way possible in as nonpartisan a way as we can with as many people on both sides of the aisle showing support.

I must say, I yearn for the kind of situation that existed in the days when I first joined the committee, in 1964. It was truly nonpartisan. And I would like to see us move in that same direction.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Let me thank the distinguished Senator from Rhode Island and indicate for the record that this is exactly the type of response you would expect from the distinguished Senator from Rhode Island—fair and objective.

Hopefully we can, as he indicates, have a hearing, have the Secretary of State or whoever he may recommend, and come together with some bipartisan bill, as I think we almost did in the aid to Poland. It was pretty bipartisan, although we had our political differences. I suggest that if we do that, is is going to be properly grounded, and it will be a much better program. I thank the Senator.

Mr. BUMPERS. Mr. President, what is the parliamentary situation?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. In answer to the inquiry by the Senator, time for morning business has expired.

Mr. BUMPERS. Mr. President, I ask unanimous consent that I be allowed to proceed for 10 minutes in order to introduce a bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arkansas is recognized.

Mr. BUMPERS. I thank the Chair.

(The remarks of Mr. BUMPERS pertaining to the introduction of S. 2093 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LIEBERMAN). Without objection, it is so ordered.

Mr. D'AMATO. Mr. President, I ask that I might be permitted to speak for 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ASSISTANCE TO PANAMA

Mr. D'AMATO. Mr. President, I am tremendously pleased and delighted that we have moved so expeditiously, at the request of the President and the Foreign Relations Committee, in seeing to it that S. 2073 will be introduced. S. 2073 is a bill to authorize United States assistance and trade benefits to Panama and to authorize certain assistance to support the transition to democracy in Eastern Europe. I believe, it will be passed, if not unanimously, nearly unanimously, later today. I think it is important that we act expeditiously; that we send a signal to the free world and to the Panamanian people who are in need.

This bill will authorize up to $42 million for economic assistance, $10 million for housing guarantee programs, and an additional $1.2 million in law enforcement assistance to train civilian law enforcement forces in Panama which are the new public forces.

Mr. President, I think most important is a strong section of the bill which will require that no later than April 15 of this year the President submit a detailed report to the Congress as it relates to the specific actions being undertaken by the Panamanian Government to: One, modify the existing bank secrecy laws in order to facilitate detection and prosecution of criminal activities; second, and I think most important, the inclusion of an exchange-of-information agreement between the United States and Panama; and, third, agreements entered into by the Government of Panama, or in the process of negotiation, that are designed to deter illegal financial transactions and to facilitate the early detection and prosecution of such illegal activities.

It is important, Mr. President, that there be a strong signal from Panama that it will be rejecting the money-laundering activities in which so many of its banks have engaged. Some indications were that as many as 30 percent of the banks, these large financial institutions, may have been involved in money laundering for the drug cartel.

Certainly, the United States has no right to insist that they enact legislation that goes beyond what other countries have enacted, but we certainly have every right to expect that Panama enter into an agreement similar to those that we have entered into with other countries such as the Swiss and the Cayman Islands, and to enact legislation to see to it that their banks do not become money havens or money laundering centers for the Colombian drug cartel.

So I commend the committee for seeing to it that this legislation carries that mandate. We are anxious to assist in the restoration of an economy that has been shattered and we recognize the necessity of providing immediate housing assistance. I was there, Mr. President. I saw those who were impoverished, who were homeless, who were living in tent cities, who were living in an airport hangar, and a whole family in a little 9-by-6 cubbyhole. They were still, notwithstanding the tremendous sacrifice and the loss of their home and their merger possessions, grateful to the United States for liberating them. Some told me, "We were exiles; prisoners in our own country."

But we do have a responsibility to assist in their economic recovery and to assist these poorest of the poor in obtaining decent shelter. I believe, Mr. President, that important as that is, we also have to be mindful that the Panamanians cannot be permitted to slip back so that some can avail themselves of the richest of the cartel and slip into that kind of business as usual mentality.

So I commend the committee and its adoption of this legislation and the adoption of those provisions contained in S. 2073 that will see to it that money laundering does not become the business of the day.

Also, Mr. President, I think it is extremely unfortunate that some newspaper accounts have characterized the leader, President Endara, and others, as being opposed to changes in money laundering provisions. There have been innunedoes and the outright accusations in some accounts that somehow they are doing this because of their connections to the banking industry.

I have been told that President Endara indeed does not have a stake in any bank, is a private lawyer, and may have represented some. I tell you that is far different than the kind of thing that we have been hearing and reading about—that somehow the Government is opposed because they represented banks, or are involved in banks, engaged in money laundering activities. That is the furthest thing from the truth.

These men have placed their lives on the line. They stood up to a dictator. We saw Billy Ford and we saw Endara beaten down, and they almost lost their lives. They had no troops. They were there alone standing for democracy. They took incredible risks. I think it is absolutely the wrong kind of thing to cast the kind of aspersions that have been cast on their integrity.

Certainly there may be some in the banking community who are resisting and would like to attempt to do business as usual. I met with them about 10 days ago.

I have every confidence in speaking to the two vice presidents, Arias Calderon, Billy Ford, and to President Endara. They are committed to bringing democracy to Panama in a pluralistic way. They all represent different parties. They are working together. They are putting aside their political differences and they are committed to seeing to it that the cartel, and the fruits of the illegal drug enterprise, do not once again reestablish in Panama.

I think the media does a terrible disservice in attempting to put any kind of inference in that they are looking to protect the cartel and the banks that have engaged in this activity. That is not the case.

I believe that the day we pass this legislation, we will be moving forward in a very constructive manner. This is only the first initial emergency package. Certainly we will have to do more.

I think the Panamanian people recognize theirs is going to be a difficult lot in restoring their economic vibrance and vitality. But it is a price that they are willing to pay; a price for liberty and democracy. We have made it available.

I thank the President. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KERREY). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of Senators, following consultation with the distinguished Republican leader, the chairman of

the Appropriations Committee, the chairman and ranking member of the Foreign Relations Committee, and the administration, I will mometarily propound a unanimous-consent request governing consideration of H.R. 3952, legislation to provide assistance to Panama.

I believe we have this worked out in a way that is acceptable to all. I do not now have any request for a rollcall vote and, accordingly, it is our intention that the bill be considered and then approved by voice vote. If any Senator requests a vote, and I am not encouraging such request, indeed, I actively discourage it, it would mean we have to delay the vote for a while because several Senators are not immediately available and they would have to have time to be present for the vote.

If we can proceed with this matter, as I have suggested, by voice vote, there will be no further rollcall votes this evening and this will complete action for the day. Then we will return tomorrow morning.

PROVIDING URGENT ASSISTANCE FOR DEMOCRACY IN PANAMA

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3952, a bill to provide urgent assistance for democracy in Panama, and that it be considered under the following conditions: That no amendments, motions, or points of order be in order with respect to the consideration of the bill; that it be considered under a time limitation of 15 minutes—5 minutes under the direction and control of Senator BYRD; 10 minutes under the control of the managers equally divided between Senator PELL and Senator HELMS or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I thank my colleagues and I now yield the floor for whichever Senator wishes to proceed the first.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3952) to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

The Senate proceeded to consider the bill.

Mr. PELL. Mr. President, yesterday, our committee, the Senate Foreign Relations Committee, reported unanimously S. 2073, to provide $42 million in emergency humanitarian assistance to Panama, and to remove the sanctions in law against Panama, thereby restoring Panama's eligibility for a package of loans, guarantees, and private investment incentives totaling $500 million.

Equally importantly, this bill authorizes up to $10 million of funds to be made available immediately to provide Eastern European countries assistance for their upcoming multiparty elections this spring.

The Senate Foreign Relations Committee bill is identical to the companion bill passed by the House of Representatives earlier today, and which we are seeking to pass today so that the measure can go to the President for his signature without any delay

Let me take a moment to summarize the provisions of the bill for my colleagues.

Title I authorizes up to $32 million of prior year economic assistance funds to Panama for this fiscal year, notwithstanding the Brooke-Alexander amendment which prohibits Foreign Assistance Act [FAA] assistance to a country in arrears more than 6 months on FAA loans. It also waives the requirement in the annual Appropriations Act that reobligated funds must be made available for countries in the same region as the original obligation, thus allowing $15 million in 1985 funds originally obligated for Sudan and $15 million in 1987 funds originally obligated for Somalia be reobligated in Panama. I should note that an agreement has been reached among my colleagues on the Senate Foreign Relations Committee, members of the Senate Appropriations Committee, and the administration to restore $30 million to Africa in the so-called Panama supplemental which we will be considering later this year.

The bill further authorizes up to $10 million in off-budget housing investment guarantees and authorizes Trade Credit Insurance Program funding to support additional Exim lending to private sector borrowers for fiscal year 1990 to Panama, notwithstanding the Brooke-Alexander amendment.

The bill also authorizes up to $1.2 million for the Administration of Justice [AOJ] program for training civilian law enforcement forces in Panama in human rights, civil law, and investigative and civilian law enforcement techniqus, nowithstanding section 660 of the FAA, which prohibits FAA assistance for police training. The administration has provided very specific information as to how it intends to implement this aspect of the legislation, and I ask unanimous consent that a letter from Assistant Secretary Mullins be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, DC, February 6, 1990.

Hon. CLAIBORNE PELL,
Chairman, Committee on Foreign Relations, U.S. Senate.

This is to confirm information given to members of your staff regarding an interim program of assistance to the Panamanian police that we intend to implement through the International Criminal Investigative Training Assistance Program of the U.S. Department of Justice (ICITAP). This assistance would fall within the terms of section 102(b)(1) of the legislation currently under construction for urgent assistance to democracy in Panama.

The Government of Panama has requested U.S. assistance in establishing a truly professional law enforcement institution to replace the Panama Defense Forces. The assistance required falls into two basic categories—institutional development and individual training.

Based on its assessment of training needs and specific requests of the Minister of Government and Justice, ICITAP proposes to initiate activities in Panama by focusing on the following areas: (1) development of and technical assistance to implement recommendations to restructure basic police functions, e.g., the internal organization of police precincts or ozone stations, recruiting or screening of new officers, administration of central functions such as maintenance of criminal and fingerprint records, and establishment of an Office of Professional Responsibility; (2) courses in basic police skills, including patrol and traffic, minimum use of deadly force and mechanics of arrest, as well as more advanced courses for mid-level managers and executive-level seminars; and (3) equipment, training and technical assistance to enable the Technical Judicial Police to perform basic forensic and crime laboratory analyses and to develop crime scene processing capabilities, including fingerprint equipment and supplies, crime scene response equipment and equipment for firearms identification, drug analysis, serology, questioned documents and toxicology.

While priorities by activity may change over the next few months, present plans indicate the following approximate level of funding for each of these activities:

Assistance in reorganization	$250,000
Courses	700,000
Forensic development	250,000
Total	1,200,000

A tentative course list is attached for your information.

At the conclusion of these activities, approximately 1000 police officers and investigators will have been trained for a total of 1700 student weeks of training. Instructors will be trained along with regular officers to enable Panamanians to begin training, with technical assistance as needed, in patrol and traffic, techniques and mechanics of arrest, and basic police skills for recruits.

The program will be funded with $1.2 million of the $7 million in Economic Support Funds earmarked for FY 1990 for programs under section 534(b)(3) of the Foreign Assistance Act and section 599G of P.L. 101-167. In the supplemental appropriations bill for Panama, we will be seeking replenishment of these funds for previously planned programs in other countries of the region.

Officials of the Departments of State and Justice directly involved in the implementation of the administration of Justice program will continue their periodic briefings of committee staff and will be prepared to answer questions concerning the ICITAP program in Panama as it develops.

Sincerely,

JANET G. MULLINS,
Assistant Secretary, Legislative Affairs.

ICITAP COURSES PANAMA

[Phase I]

	Weeks per course	Number of courses	Number of students	Student weeks
Patrol and Traffic (FSC)	1	5	250	250
Use of Force/Firearms (LUF)	2	3	75	150
Techniques of Arrest (TMA)	1	3	75	75
Ethics and Discipline (EXE)	1	4	200	200
Basic Police Skills (TRC)	6	2	50	300
Cadet Training (ILI)	4	1	50	200
General Criminal Investigations (GCI)	5	2	60	300
Management of Criminal Investigations (MCI)	1	2	60	60
Responsibility and Integrity (OPR)	2	1	30	60
Crime Scene Search (CSS)	1	2	60	60
Interviewing and Report Writing (IRW)	1	2	60	60
Total		27	970	1,715

Mr. PELL. Also related to the program of assistance to develop a civilian Panamanian police force, the bill authorizes use of the military assistance pipeline for Panama ($5.5 million in MAP and $3.8 million in unused FMS concessional credits) for procurement of law enforcement equipment, primarily police uniforms and radios, and sets a $500,000 ceiling on the procurement of lethal weapons, restricting any procurement of lethal weapons to those appropriate for standard civilian law enforcement purposes.

Section 102 of the bill waives application of the requirement in the Foreign Assistance Act that the President certify that Panama is fully cooperating in the war on drugs for 1988 and 1989, citing United States vital national interests and the Endara government's indicated willingness to cooperate fully. The effect of this is to restore Panama's eligibility for Exim Bank financing, Public Law 480, and other non-FAA assistance.

Section 103 of the bill deems conditions of the Narcotics Control Act to have been satisfied upon enactment of this act, allowing preferential tariff treatment under the generalized system of preferences.

Section 104 requires a Presidential report on or before April 15, 1990, to the Congress detailing specific actions being taken by the goverment of Panama to modify Panama's existing bank secrecy laws.

Title II of the bill authorizes up to $10 million of fiscal year 1990 ESP funds to support open and free multiparty national or regional elections in Eastern Europe and Yugoslavia.

Mr. President, there is no question that Panama needs immediate assistance to meet basic human needs, trade, and investment opportunities for the private sector, and substantial new resources to reactivate the economy after 2 years of economic deterioration. The legislation before us will begin to repair the war damage and reconstruct the Panama economy. It will assist in the vitally needed efforts to replace Panama's corrupt and discredited military forces with an efficient, civilian police force. It will also lend vitally needed support to develop truly democratic institutions in Eastern Europe. I urge all of my colleagues to join with me in supporting this emergency legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The President pro tempore, the Senator from West Virginia.

Mr. BYRD. Mr. President, I wish to point out that the Appropriations Subcommittee on Foreign Operations, under the able leadership of Senator LEAHY, participated in identifying the sources from which the appropriations contained in this important measure will be transferred. There is one section of H.R. 3952, however, that does not contain the usual requirement that the President notify the appropriate congressional committees of the precise use of these funds prior to expending them. That section provides $10 million for assistance to Eastern Europe and Yugoslavia.

My concern about this matter has been expressed to the Acting Secretary of State, Lawrence S. Eagleburger, that I could not support the bill without his assurances that reprogramming procedures would be followed, even though the pending measure does not specifically require that those procedures be followed. Ordinarily, I would offer an amendment to insert language into the bill requiring that the usual reprogramming procedures should be followed. But, in this instance, it is my understanding that these funds are urgently needed and that it is the wish of the leadership that the House measure, H.R. 3952, be passed without amendment, enabling the legislation to be forwarded to the President for his signature.

I would still offer an amendment, Mr. President, were it not for the fact that the House of Representatives has recessed until February 20. There would be no opportunity for them to take up any Senate amendments to H.R. 3952 until their return.

Therefore, in this instance, which I want to clearly state for the record that it not be considered a precedent, I have received from Secretary Eagleburger his assurances, that I will ask at the close of my remarks be printed in the RECORD, that he will forward a letter to me within 48 hours, in which he will state that the President will not expend these funds for Eastern Europe and Yugoslavia until after he has notified the appropriate congressional committees pursuant to applicable reprogramming provisions.

With those assurances, I have no objection to passage of the legislation under these extenuating circumstances. I shall not ask for a rollcall vote. And, of course, as I have indicated, I will not offer an amendment.

But I shall read into the RECORD, now, the assurances that I received from Mr. Eagleburger.

DEPARTMENT OF STATE,
Washington, DC, February 7, 1990.

DEAR MR. CHAIRMAN: This is to advise that pursuant to your request, I will forward to you a letter within 48 hours which will state that the $10 million, in H.R. 3952, for Eastern Europe and Yugoslavia will be expended only after the President has notified the congressional committees specified in Section 634(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming under that section.

Sincerely,

LAWRENCE S. EAGLEBURGER,
Acting Secretary.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, let me indicate to the distinguished chairman of the Appropriations Committee, the Acting Secretary made the same assurances to me and indicated he would be contacting the distinguished Senator from West Virginia.

Mr. BYRD. If the distinguished minority leader will yield, I know the distinguished Republican leader has urged the administration, through Mr. Eagleburger, to give these assurances. That is what I was told and I want to express my appreciation to the Republican leader for his understanding of our concerns and for his efforts to help to allay those concerns.

Mr. DOLE. I thank my friend from West Virginia. He is correct. I appreciate the Acting Secretary moving as quickly as he was able to and I am pleased the bill is on the floor.

Mr. BENTSEN. Mr. President, I rise in support of the provision of the House bill which restores trade benefits for Panama under the Generalized System of Preferences [GSP] and the Caribbean Basin Initiative [CBI]. This morning the Finance Committee reported an original bill containing the identical provision to the House bill with respect to GSP and CBI benefits.

In 1988, under the authority granted to the President by the Narcotics Control Trade Act, President Reagan suspended GSP and CBI treatment for Panama because of its involvement in drug production and trafficking. With the new Endara government in Panama, President Bush has now certified to Congress that Panama is cooperating fully with the United States to control drug production, trafficking, and money laundering.

Under the current law, GSP and CBI benefits cannot be restored to Panama until the end of a 45-day layover period which gives Congress the opportunity to disapprove the President's certification. Because the administration wants to restore Panama's GSP and CBI benefits as soon as possible, it is asking Congress to pass legislation that would make the requirement for the 45-day waiting period unnecessary in this case.

Normally, I would have reservations about the Congress giving up the prerogatives granted to it by law. However, this is obviously an exceptional case. We have a new regime in Panama, one which we expect will be much more cooperative than the last in helping us in the war on drugs. That is why I believe we should act quickly to jumpstart that economy.

My second concern about this matter is that the administration failed to consult with the Finance Committee in the formulation of the legislation. The Narcotics Control Trade Act is part of the 1974 Trade Act and clearly in the jurisdiction of the Finance Committee. Yet I learned of the administration's desire to pass legislation in this area almost by happenstance. I therefore objected to the legislation being taken up unless the Finance Committee had an opportunity to consider the matter.

At the request of the administration, I scheduled a markup in the Finance Committee on this legislation. This morning the committee met and approved an original bill providing for the restoration of GSP and CBI benefits for Panama. The language of the committee bill is identical to the provision in the House bill which restores these trade benefits. Therefore, based on the committee's approval of identical language, I accept the provision of the House bill that is within the Finance Committee's jurisdiction and urge the Senate to support the legislation.

Mr. KENNEDY. Mr. President, It has been over 6 weeks since United States forces invaded the country of Panama and ousted the dictator Noriega. At that time, President Bush stated his intention to provide immediate humanitarian assistance to the Panamanian people and to lift the sanctions imposed against the corrupt, drug-running regime of Manuel Noriega. But Panamanian people have yet to receive that emergency assistance and United States sanctions against Panama remain in place.

While I continue to have reservations about the invasion of Panama, I believe that we have a deep responsibility—and that it is in our own fundamental interest—to move as quickly as possible to restore economic vitality and political stability in Panama. The best and fastest way to help the people of Panama rebuild their economy is for the United States to lift, without further delay, our sanctions against Panama.

Last week, I introduced a joint resolution lifting all sanctions against Panama. Today's emergency assistance package to Panama includes virtually all the provisions in that resolution and I hope the Congress will move swiftly to enact this important legislation.

The current legal requirements for the lifting of sanctions by the United States against Panama are complex and have already resulted in unnecessary delays of United States assistance to Panama. Right now there are emergency funds and supplies that could be being used for the Panamanians people but for the existence of the sanctions. Once lifted, the Panamanians will be eligible for benefits under the Overseas Private Investment Corporation, the Generalized System of Preferences, the Caribbean Basin Initiative, and the Commodity Credit Corporation, as well as multilateral loans, food aid, and a sugar quota with the United States. We would also be in a position to provide assistance and training to the newly formed police force in Panama.

Time is precious to people who have lost their jobs and homes and there is no reason for the Panamanian people to wait any longer for the assistance they deserve.

The Endara government has requested emergency economic aid and negotiations to reduce trade barriers. This $40 million down payment on a larger package of assistance is an important first step toward stabilizing the Panamanian economy.

The aid will be used to replace housing for the families who lost their homes during the invasion, to initiate an emergency works program for Panama City and Colon, to assist small businesses affected by the looting, and to provide technical support for agencies of the Panamanian Government, including law enforcement assistance.

For years, the Panamanin banking system has been a haven for money launderers. This bill will help put an end to such abuse of Panama by requiring the President to monitor actions undertaken by the Government of Panama to modify bank secrecy laws in order to facilitate detection and prosecution of criminal activities.

The bill also waives Presidential certification requirements regarding antinarcotics activities in Panama and restores certain forms of foreign assistance and preferential treatment under the Generalized System of Preferences and the Caribbean Basin Recovery Economic Act. These benefits will help Panamanians invest in the long-term recovery of their nation.

Finally, I am pleased that the bill authorizes $10 million to support the process of democratic transition in Eastern Europe countries and Yugoslavia. Our strong support for the process of democracy has always been in the best of America's tradition and this package will help to strengthen the free institutions being developed in those nations.

United States' interests in Panama and Eastern Europe are vast. We should lose no time in moving to restore economic prosperity and political stability to people—to friends—who have suffered so long.

Mr. DODD. Mr. President, the pending legislation is an emergency aid package designed to clear away the legislative debris left over from 2 years of U.S. sanctions against the Noreiga regime. It is also intended to be the first effort to assist the Endara government with immediate recovery efforts, including assistance to provide emergency shelter to displaced Panamanians in the Chorrillo neighborhood, and materiel and training to assist in the efforts to replace the Panamanian Defense Force with a Panamanian police force under civilian control.

Specifically, the $42 million of economic assistance includes the following: $22.5 million in shelter related assistance, including $10 million in AID housing guarantees; $7 million in emergency employment/public works assistance to deal with the more than 25 percent unemployment rate; $5.5 million in technical assistance designed to assist the Endara government in establishing a fiscal management program; $5 million for small business rehabilitation; and $2 million to assist in the strengthening of administration of justice, including training of the new police force by civilian law enforcement experts.

In addition, the legislation provides:

Authority to the administration to reallocate United States military assistance and credits obligated to Panama in earlier fiscal years (estimated at $10 million) but never expended, to be used to purchase uniforms and radios for the new police force. However, this same provision places a ceiling on the amount of lethal assistance which may be provided to the new force at $500,000.

Waives the Brooke-Alexander prohibition contained in the Foreign Assistance Act which prohibits assistance to countries who are in arrears in their debt obligations to the United States.

Provides deobligation/reobligation authority to AID to transfer unused funds from one region to another.

Deems as met provisions of the antinarcotics certifications required with respect to economic assistance and for purposes of trade preferences conferred under the generalized system of preferences and CBI.

Mandates a report on Panamanian bank secrecy laws no later than April 15 by the President to inform the Congress on steps being taken by the Endara government to prevent Panama from being used as a center for money laundering and other illicit financial activities.

Concerns which remain:

That the PDF not be recreated under another name.

That bank secrecy laws which acted as a magnet for illegal financial trans-

actions, including narcotics-related moneys, not remain unaltered.

That the civilian bureaucracy receive the same kind of scrutiny that the military side is receiving to remove corrupt elements there.

That Panamanians begin quickly to reinvest in their own economy—bringing back the billions of dollars which fled Panama during the crisis.

Finally, this package is only a very small part of what the Bush administration has announced it intends to do for Panama. The administration has spoken of a second $1 billion package. Mr. President, I would urge the executive branch to move forward quickly to transmit that request to the Congress.

Mr. DURENBERGER. Mr. President, I rise today to support strongly the aid package to Panama. After achieving complete success in obtaining the initial four objectives of the United States operation in Panama, it is now essential for the United States to assist the people of Panama in every reasonable way to establish the democratic society to which they are so strongly and enthusiastically committed.

The tasks that lie ahead are challenging, and the United States must remain steadfast in its commitment to assist the Panamanian people with establishing the democratic institutions and open society that they deeply desire and richly deserve. I am confident that the Panamanian people will work diligently and tirelessly to establish democracy in their country and restore their economy to a prosperous state.

It is incumbent on the United States to provide immediate as well as sustained, long-term assistance to Panama. This aid package will do just that. It will provide immediate humanitarian assistance, trade and export credits and loans, restoration of the sugar quota, as well as technical assistance to the Panamanian banking sector. The package will also provide support to Panama to assist that country in drawing down the arrearage it owes to several international financial institutions.

This Senator is committed to the long run in supporting the people of Panama to achieve their democratic aspirations. We in this country have that responsibility and obligation, and I am pleased to support this measure.

Mr. HELMS. Mr. President, the legislation now before the Senate will provide emergency humanitarian assistance to Panama. This assistance is made necesesary by the years of tyranny to which the people of Panama were subjected under the Noriega and Torrijos regimes.

Make no mistake about it, the American liberation of Panama was a tremendous victory for the people of Panama and for the forces of freedom and security throughout this hemisphere.

President Bush acted prudently, decisively, and fully within his rights under international and United States law to ensure the safety of American citizens and to rid the Panamanian people of an oppressive and diabolical dictator.

Despite the clear success of the United States liberation action, our thoughts and prayers are with the families of those brave American soldiers who lost their lives in Panama. Loss of life is always painful and regrettable.

But I hope that the families of those brave young men find some consolation in the fact that their boys were serving our Nation with courage, dignity, and commitment.

Mr. President, as I noted previously, this legislation is intended to provide urgent humanitarian aid to the Panamanian people. Specifically, this legislation will provide $42 million for housing, public works, small business rehabilitation, and technical assistance.

In addition, in light of the commitment of the Endara government to assist United States efforts to combat drug trafficking, the legislation revokes the Presidential certification that Panama was not fully cooperating with United States drug interdiction efforts.

Also included in the legislation is the transfer of $10 million from the Poland-Hungary aid package enacted last year to provide assistance for the free elections scheduled to take place in other Eastern European countries later this spring.

Mr. President, this legislation also includes two provisions added at the committee level at my request to emphasize our concern about Panama's previous role in money laundering and to assure that the election aid provided to Eastern Europe is used only for bona fide free elections and is distributed so as to benefit a range of political parties.

As my colleagues are no doubt well aware, Panama's bank secrecy laws were used during the Noriega years to facilitate the laundering of drug money and other illegal financial transactions. The Endara government is to be commended for freezing those bank accounts believed to be implicated in narcotics-related and other illegal transactions.

However, regardless of the best intentions of the Endara government, the bank secrecy laws on the books in Panama may still lend themselves to criminal abuse.

In order to express our concern that bank secrecy laws be revised to prevent money laundering of drug monies, I was pleased to work with the Senator from Connecticut [Mr. DODD] in developing section 104 of this bill.

Specifically, this section officially commends the Endara government for its efforts thus far to combat money laundering in Panama. In addition, it includes the requirement that a report be submitted by President Bush no later than April 15 of this year detailing the actions being undertaken by the Panamanian Government to modify existing bank secrecy laws in order to facilitate detection and prosecution of criminal activities.

I was pleased to work with the chairman of our committee, Mr. PELL, on the second provision added at my request which addresses the $10 million in the bill for aid to Eastern European democracy. The provision clarifies that the election aid be provided only to those countries in Eastern Europe which have had, or are scheduled to have free multiparty elections, and that the aid be used to support a wide range of political parties.

Mr. President, the proper role of foreign aid—if there is one—is to provide emergency humanitarian assistance. The proposal before our Senate would do just that.

The major media has been quick to conclude that the United States is obligated to assist the Panamanian people because of the damage done by the United States military action. But then again, the major media can always be counted upon to blame America first.

But the fact is, blame for the predicament faced by the Panamanian people should be laid where it belongs—on the doorstep of the Torrijos and Noreiga regimes.

President Bush simply had no other option but to send forces into Panama. Noriega declared himself in a state of war with the United States. American lives and security interests were clearly at stake.

This liberation brings to a close a shameful 12-year period of United States history when our Government became willing partners of a corrupt regime in Panama. When the treaties were being debated in 1978, it was already apparent that the Panama Government was in the hands of drug traffickers.

Omar Torrijos was the classic tinhorn dictator at the time, and his righthand man was none other than Manuel Noriega. It was well-known that Noriega ran the drug operations for Torrijos and his brothers.

I discussed this on the Senate floor, calling both of them by name—both in public session and in more detail in a closed secret session which I asked for. Unfortunately, our Government chose not to listen until it was much too late.

Militarily, the operation was executed with precision. We owe a debt of gratitude to the men and women of our Armed Forces. It was moved by the countless television images of Pan-

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amanian citizens embracing our soldiers.

In fact, there is a petition circulating now in Panama asking President Bush to keep American troops there. According to a recent poll 92 percent of the Panamanian people support the United States action.

Finally, Mr. President, when all is said and done, the liberation of Panama and the historic transition to democracy is a tribute to our former Ambassador, Arthur Davis. These changes could not have come about without Ambassador Davis' skill in handling the Panama crisis over the last few years. He maintained a close relationship with the leaders of the democratic opposition; and his ability to keep them together in the dark hours when there seemed to be no hope made him a central figure for democratic change.

He was, in fact, regarded as a hero by the people of Panama. Both Ambassador Davis, and his predecessor Ambassador Ted Briggs, had the knowledge and foresight—when the bureaucrats in Washington were praising Noriega—to uphold the finest ideals of freedom.

When others were making excuses, and giving supposed pragmatic reasons to support a gangster, these dedicated Ambassadors were quietly working within the system to expose the real Noriega regime. Their work exemplifies the most professional traditions of our diplomacy.

Mr. DOLE. Mr. President, I am pleased to join in supporting this bill. It will have overwhelming, bipartisan support—as it should.

A new dawn has emerged in Panama. Operation Just Cause has toppled Noreiga, and led to the establishment of a government supported by the Panamanian people—committed to democracy—and determined to throw out the drug cartel's puppet politicians and secret bank accounts.

We have an obligation to help the healing and building process in Panama.

Our policy of sanctions against Noreiga was the right one—but it did bring devastation to the Panamanian economy. Operation Just Cause was the right move—but the resulting fighting and unrest did cause widespread physical damage and dislocation.

Of course, we also have an enormous stake in Panama. It anchors the southern end of Central America—where the stuggle for democracy goes forward.

It is home for the Panama Canal—which remains an enormously important strategic waterway.

And Panama hosts thousands of Americans—soldiers and civilians—whose welfare and safety are always uppermost in our minds.

This is a modest package—a good beginning. It lifts the sanctions, and provides some immediately needed humanitarian assistance, to the tune of $32 million. It will provide some assistance and training to insure that Panamanian forces can insure security.

Panama is back on the right track—this package will help keep it there.

We will need to do more—but, again, this is the right first step.

I commend the Foreign Relations Committee—Chairman PELL, ranking member HELMS, and the membership; and the Finance Committee—Chairman BENTSEN, ranking member PACKWOOD and the membership. They worked quickly, effectively, and in a bipartisan way.

I commend the administration, too, for moving forward on this expeditiously, and working with the leadership and the relevant committees on the bill.

Most of all, I offer congratulations to the people of Panama. They have their future back again, and I am pleased and proud that the United States is going to help them make it a good future.

Mr. HELMS. Mr. President, title II of this legislation provides assistance to support transition to democracy in Eastern Europe and Yugoslavia. I feel strongly that we must make sure that these funds are used effectively by political parties to fight for freedom behind the Iron Curtain. Fighting for freedom in Communist countries is not an easy task given the power of the Communist Party, the secret police, and—in Poland, Czechoslovakia, and Hungary—the presence of tens of thousands of Soviet military occupation forces.

The managers of the bill have agreed on two limitations on these funds which can help the democratic processes develop in Communist countries.

First, the President must certify that the country where funds are being expended has had, or is scheduled to have, open and free multiparty elections at the national level or at the regional level.

Second, these funds must benefit substantially a full range of non-Communist political parties in the countries where such funds are used.

If we are going to assist non-Communist political parties by providing funds for such basics as telephones, fax machines, copying machines, printing equipment, and personal computers then these funds should be given on an even handed basis.

It appears that extensive U.S. assistance has been granted to political organizations, including the Solidarity labor union, which are on the political left but that political parties which are on the right of the spectrum have been cut out or neglected.

The phrase "full range of non-Communist political parties" means from the liberal to the conservative in the political spectrum such as the Republicans and Democrats in the United States or the Conservatives and Labor in the United Kingdom or the Christian Democrats/Christian Social Union and Social Democrats in West Germany.

Specifically excluded are parties with Communist—that is, Marxist-Leninist—ideologies and programs and parties with Nazi ideologies and programs.

Parties which are on the liberal or left side of the spectrum are more well known than the conservative parties in Eastern Europe. For reference, examples of conservative parties in Eastern Europe include: the Confederacy of Independent Poland [KPN]; the Christian Democrats and Christian Social Union in Czechoslovakia; the Independent Smallholders Party and FIDESZ in Hungary; and the Peasants Party in Romania. In my view parties such as these clearly fall under the definition of "full range of non-Communist political parties."

The phrase "benefit substantially" means that U.S. assistance would be apportioned equitably between liberal parties and conservative parties. Obviously, there must be balance. Liberal Senators would not want these funds slanted in favor of conservative parties and conservative Senators would not want these funds slanted in favor of liberal parties. Assistance must be extended in a balanced manner to all parties which are qualified so that the full range of the non-Communist political spectrum is assisted in an equitable and balanced manner.

Mr. PELL. Mr. President, I agree with my distinguished colleague that the assistance provided in title II must benefit substantially a full range of non-Communist political parties by apportioning the assistance in an equitable manner.

I thank the Senator. I yield back any time I have.

Mr. BYRD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

BILL INDEFINITELY POSTPONED—S. 2073

Mr. PELL. Mr. President, I ask unanimous consent that Calendar No. 441, S. 2073, the Senate companion bill, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

PROVIDING URGENT ASSISTANCE TO DEMOCRACY IN PANAMA

The Senate continued with the consideration of the bill.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I understand there are only about 3 minutes left on this.

The PRESIDING OFFICER. Three minutes fifty seconds.

Mr. BIDEN. Mr. President, I rise today in strong support of the bill before us, which will help Panama begin the process of rebuilding its shattered economy. But, while providing assistance to Panama in its time of need is important, I believe the assistance which is contained in this bill for Eastern Europe is equally as important.

As part of the new SEED II bill, authored by Senator PELL and the other Democrats on the Foreign Relations Committee, I have proposed that $10 million be immediately reprogrammed to assist the six Eastern European nations—as a appropriate—organize multiparty elections. Two of these nations, East Germany and Hungary, have scheduled their races for as early as March.

In my judgment, Mr. President, there are few higher priorities for American foreign policy than helping those countries that have lived under the iron fist of totalitarianism. By helping East European nations develop truly democratic institutions, we are helping to ensure that the Iron Curtain shall never fall again across Eastern Europe.

It would be folly indeed for Americans to sit on the sidelines as mere spectators, cheering democracies in Eastern Europe. Instead, Mr. President, we must do all we can to facilitate their transition to democracy.

Although I am hopeful that the SEED II bill can be acted upon quickly, I felt it important to attach my proposal on election assistance to the legislation now before us, because the need, as it is with Panama, is so urgent.

As drafted, we will be providing the President the authority to use $10 million from existing foreign aid money to help these emerging democracies, primarily through the National Endowment for Democracy. It is our hope that this money will be immediately available to those citizens' groups, opposition party and media organizations that desperately need basic equipment such as typewriters, computers, fax machines and telephones to conduct their elections.

However, this $10 million should be considered only a down payment. I believe we must not only help in the election process, but we must also provide sustained support for Eastern Europe's transition to democracy over the next several years to help those countries develop effective legislative and judicial systems. That is why I am hopeful that we can work with the administration to cover other countries and provide greater long-term assistance.

We created organizations like the National Endowment for Democracy precisely for this moment in history. I have met with several of the leaders of the opposition in Hungary and Czechoslovakia, and I can assure my colleagues that there is a need for such assistance. When I asked the Czech delegation which recently visited Washington what can we do most to help now, their immediate response was "Help us down the path of democracy by providing resources to organize our election".

It seems to me that it is our duty not to fail these countries now. We must give them our help and the benefit of over 200 years of American experience with democracy and its institutions. It would be a tragedy if we let this critical moment pass without doing all we can; $10 million is a very small price relative to the outcome.

I thank the chairman of the Foreign Relations Committee for his leadership on this and many other issues that face this Nation.

The PRESIDING OFFICER. All time has expired.

The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 3952) was passed.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. Without objection, the motion to lay on the table is agreed to.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE VISITS AND MEETINGS WITH FOREIGN LEADERS DURING RECENT RECESS

Mr. SPECTER. Mr. President, during my years in the Senate, I have made it a practice to spend much of the time while the Senate is in recess traveling through Pennsylvania. I hold open house/town meetings, visit schools, and take the opportunity to listen to the views of my constituents on State needs and problems, particularly those that can be addressed through Senate action. I have visited all 67 counties of my State many times. This is invaluable to my staying in close touch with the wide spectrum of interests that I represent.

This past recess was no exception. After the Senate went into recess on Wednesday, November 22, I went home to Philadelphia. Over the next several weeks I visited, in chronological order, Pittsburgh, Butler, New Castle, Mercer, Franklin, Oil City, Erie, Pottsville, Bloomsburg, Sunbury, Lewistown, Harrisburg, Scranton, Allentown, Bethlehem, Media, Coatesville, and Lancaster.

As a U.S. Senator, I represent national interests as well. As a member of the Senate Select Committee on Intelligence and the Foreign Operations Subcommittee on Appropriations, it is my responsibility to address national security, foreign aid and other international issues including terrorism, drug trafficking, nuclear, chemical and conventional weapons proliferation, U.S. hostages, and the volatile situation in the Middle East.

To address some of these concerns, in January 1990 I spent 18 days in discussions with leaders in the Soviet Union, India, Pakistan, and the Middle East. This statement reports some of the highlights of those meetings. I have already had an opportunity to discuss this trip with President Bush, Secretary of State Baker, Chief of Staff Sununu, National Security Adviser Scowcroft and many of my Senate colleagues.

For most of the trip, I was accompanied by my distinguished colleague from Alabama, Senator RICHARD SHELBY, who serves on the Senate Armed Services Committee. The fact that we represent different regions of the Nation and different political parties lent strength to our common concerns on many national security issues, as we expressed them to foreign leaders.

In the Soviet Union, we explored improved bilateral cooperation on terrorism and international drug trafficking. We met with Customs and law enforcement officials, including the new Soviet Minister of Internal Affairs Vadim Viktorovitch Bakatin. Mr. Bakatin was selected by President Gorbachev, and his attitude certainly reflects a new, refreshing style among Soviet officials. He appeared to have little faith in bureaucracy and expressed the view that the effectiveness of law enforcement could not be measured by statistics, but only by the level of acceptance and cooperation that the population accorded its police. Minister Bakatin responded favorably to my suggestion of the need for an

International Criminal Court to try terrorists and drug traffickers, saying "the idea is quite necessary and will be realized sooner or later." I will continue to press this concept in both bilateral and multilateral meetings.

Regarding the broader situation in the Soviet Union, there is much uncertainty. Glasnost appears to be in full flower, but perestroika lags seriously behind. There is great uncertainty about the fate of the Baltic States and other Soviet Republics, the future of the Soviet economy, the outcome of ethnic strife between the Armenians and Azerbaijanis and the very survival of President Gorbachev. There are few answers, and the whole world is watching closely as events unfold. Ambassador Jack Matlock briefed us in detail on United States-Soviet affairs and introduced us to a number of Soviets with whom we had interesting and productive discussions.

From the Soviet Union, we traveled to Riyadh, Saudi Arabia, where we met with the Saudi Defense and Foreign Ministers and pursued the predominant theme of our trip, which was Mideast regional security and the peace process. We noted and welcomed a more aggressive Saudi role as a moderating force in the region, as witnessed by their recent hosting of the Taif conference to promote a peaceful settlement in Lebanon.

We registered our concern with Saudi officials about their purchase of CS-2 missiles from China. While it is clear that the CS-2's were purchased to counter the perceived missile threat from Iran, it is notable that they also pose a potential threat to Israel. We had a lively discussion with Prince Turki, the Director of North American Affairs for the Saudi Foreign Ministry, who expresed deep concern about Israel's purported nuclear capabilities, and in his view, Israel's unwillingness to submit to inspections. I told Prince Turki that I would raise his concern with Prime Minister Shamir and I have done so. Prime Minister Shamir responded that he had proposed regional inspections many years ago in the United Nations and was interested in discussing arms control with inspections to guarantee compliance.

Our visits to India and Pakistan largely concerned nuclear proliferation issues and the war in Afghanistan. We raised our concerns about proliferations with the new political leadership in India, including the new Prime Minister V.P. Singh and key members of his Cabinet. India, of course, exploded a "peaceful" nuclear device in 1974, and this event continues to create concern in the region. India has numerous border disputes with Pakistan and China, and Indian officials point out that China has a nuclear capability and Pakistan may well be on the verge of having one. The good news to be reported is that India and Pakistan have concluded a "no attack" treaty—both sides have agreed not to attack each other's nuclear facilities.

Regarding free trade, we raised strong concerns about India's alleged pirating of drugs and other products without abiding by United States patent and copyright restrictions. These practices have resulted in loss of income to major drug companies, several of which are headquartered in Pennsylvania. These drug companies spent millions of dollars on research and development and now find that their products are being copied abroad through "reverse engineering" and other means. My sense is that much United States pressure, like the exhortations from Senator SHELBY and myself, must be brought to bear before United States property rights will be adequately respected in nations like India.

In Pakistan, we met with Prime Minister Benazir Bhutto, a dynamic and capable young leader. We had visited Ms. Bhutto 2 years earlier in Karachi and she reciprocated by visiting us in the Senate before her election, so our conversations covered a wide range of matters which we had discussed before. After our discussions with the President of Pakistan, Ghulam Ishaq Khan, and Prime Minister Bhutto, I was more convinced than ever of the importance of maintaining our extensive foreign aid to Pakistan. Pakistan has enormous problems and has been a very important ally in that region.

In talks with Pakistan civilian and military officials we stressed United States concerns about nuclear proliferation and the need to stand by the Afghan freedom fighters. Pakistani leaders suggested that the Soviet defeat and troop withdrawal in Afghanistan gave the initial impetus to glasnost and perestroika and the resulting changes in the U.S.S.R. We observed that despite the Soviet troop withdrawal from Afghanistan their enormous logistics support has stalemated the valiant efforts of the mujahideen. The United States should continue to negotiate with the Soviet Union to stop the influx of armaments into Afghanistan from foreign sources and to set the stage for elections to establish self determination there.

Ours was the first congressional delegation in several years to meet with President Saddam Hussein of Iraq. He is an imposing figure who exudes strength and confidence, which would be expected from a leader whose nation has recently emerged with the upper hand from an 8-year war with Iran.

Our discussions were cordial and candid. When I suggested his participation in regional security and peace talks with Israel, President Saddam Hussein responded that he needed to first concentrate on peace between Iraq and Iran, but he did not rule out Iraqi participation in regional meetings.

President Saddam Hussein expressed concern and annoyance that the United States specifically limits the number of Soviet Jewish immigrants in order to force them to go to Israel. I told him politely but firmly that he was misinformed—that the United States placed limits on immigrants from all nations. I added that as the son of Russian Jews, I had, in part, successfully opposed such restrictions in the Senate.

As this was my first meeting with President Sadam Hussein, we did not cover every sensitive issue. However, a substantive dialog was opened. Given his misapprehension regarding United States immigration policy, there is an obvious need for more contracts by the United States with Iraqi officials. I hope to meet with him again, and I urge my Senate colleagues to do the same.

In Damascus, I found President Assad of Syria cordial, thoughtful, and firm in his convictions on where he wished to lead his country. He showed pragmatism in his position that a Mideast peace conference could be convened by the United States and the Soviet Union rather than by all five permanent members of the United Nations Security Council. When I informed Prime Minister Shamir of President Assad's willingness to attend an international conference convened only by the United States and the U.S.S.R., Mr. Shamir noted the change in position, appeared interested, and noted that some time back he had personally favored such an international conference.

I have had three lengthy meetings with President Assad—in 1988, 1989, and again this year. In more than 10 hours of talks, many subjects have been discussed, including terrorism, Lebanon, United States hostages, and the plight of Syrian Jews. Following my latest meeting with President Assad, I visited Rabbi Abraham Hamrah at the Ifrange synagogue in Damascus and spoke with Jewish schoolchildren.

In Cairo, after a visit to the tomb of former President Anwar Sadat, we met with President Hosni Mubarak. President Mubarak is forceful and direct in his advocacy of the Mideast peace process. Largely through his efforts, Egypt has been brought back into the Arab League, where hopefully it will be able to exert its pragmatic diplomacy on Iraq, Syria, and the other nations critical to regional security. Egypt, of course, already has made peace with Israel; the Camp David accords were a first critical step, and now the process should go foward. I urged President Mubarak to meet with Prime Minister Shamir, but President

Mubarak said that such a meeting should be delayed until positive results would assuredly come from the meeting.

When I arrived in Israel on January 17, I was immediately confronted with a report that my distinguished colleague Senator BOB DOLE had called on Congress to support an amended foreign aid strategy, one of whose major components would be a cut of 5 percent in aid to Israel, Egypt, and three other countries in order to increase aid to Eastern Europe. In response to United States and Israeli news media inquiries, I publicly stated my opposition to Senator DOLE's proposal, opposition which I later restated in a speech to the Senate. This is not the time, in the midst of delicate regional negotiations being encouraged by Secretary of State Baker, to withdraw support from our allies. It is the wrong signal to send, especially to Israel, which faces enormous additional costs as a result of a continuing emigration from the Soviet Union.

We paid our third visit to Elias Freij, mayor of Bethlehem on the West Bank. As we all are aware, the Palestinian intifada continues in the West Bank and Gaza. In my view, exclusive and excessive attention to this situation has kept Mideast leaders from addressing broader issues of regional security and peace with Israel. This is the core of the message that I brought to Presidents Assad and Saddam Hussein, and to the Saudis. I believe that if Syria, Iraq, Jordan, and Saudi Arabia could be persuaded to join Egypt in negotiations with Israel to discuss regional stability and peace, the issues of the Palestinians and the intifada would then fall into place.

Regarding negotiation on the future of the West Bank and Gaza, the composition of the Palestinian delegation remains an issue. I, for one, remain unconvinced of the sincerity of Yassir Arafat and the PLO. Public statements by PLO leaders continue to claim that their peace offensive is merely a tactical ploy to cover their long-term plan for the "liberation of the Palestinian homeland." Also, I see increasing evidence of PLO activation of terrorist gangs attempting to infiltrate Israel, encouragement of violence in the West Bank and Gaza, and a persistent campaign of intimidation against Palestinians who are suspected of being less than ethusiastic about the PLO.

I am actively studying the possibility of a revised proposal for an international conference to be convened by the United States and the Soviet Union in light of President Assad's shift in willingness to accept that format and possible interest by Prime Minister Shamir.

As noted earlier, I discussed my trip with President Bush and other senior administration officials upon returning to the United States. Without speaking for the President, I believe he was genuinely interested in my finding and is determined to pursue the Mideast peace process.

Returning to the United States through Ramstein Air Base in the Federal Republic of Germany, I met with senior military personnel responsible for electricity and heat generation at the air base and at the nearby Army facilities in and around Kaiserslautern. I encouraged their use of anthracite coal from northeastern Pennsylvania and bituminous coal from southwestern Pennsylvania in their future energy planning. I described the important role that coal plays in U.S. national security planning, and our need to be free of dependence on foreign oil, particularly from the volatile Mideast.

Mr. President, world events are moving at an unprecedented pace. Despite the difficulties, there are numerous opportunities to promote democracy and peace, and the members of the Senate must be prepared to lend their informed advice and assistance to the administration in the formulation and execution of our foreign policies.

From our meetings with Soviet officials, I believe that there is an opportunity for agreement and greater cooperation on combating international drug dealing and terrorists. Our friendship with Pakistan and India can be of assistance in promoting a better relationship between those two important nations on border disputes and in dispelling the threat of nuclear confrontation in that region.

While these visits are very instructive in helping to decide on the allocation of substantial United States foreign aid and other complex international issues, the visits to Syria and Iraq were especially useful on the value of greater contacts between members of the Unites States Senate and House and Syrian and Iraqi officials. It is important to strengthen bilateral relations between the United States and Syria and the United States and Iraq. The results of our meetings in Syria and Iraq were so useful that I will extend my comments on our trip to those countries in separate floor statements.

PLO TERRORIST ACTS AGAINST ISRAEL

Mr. SPECTER. Mr. President, I had intended to attach a report on PLO terrorism against Isarel compiled by the Prime Minister's Bureau of the State of Israel to my trip report which I have just presented to my colleagues in the Senate, but I now consider it preferable to append that report on PLO terrorism to this supplemental floor statement in light of the attack on an Israeli tour bus in Egypt on February 4, resulting in the killing of 8—later raised to 9—Israelis and the wounding of 17 others.

In my trip last month to the Mideast, I discussed the Palestinian issue with many Mideast leaders including President Mubarak of Egypt, President Assad of Syria, President Saddam Hussein of Iraq, Mayor Elias Freij of Bethlehem and Israeli officials including Prime Minister Shamir, Deputy Prime Minister Peres, Minister Ariel Sharon and Minister Yitshak Moda'i. President Mubarak articulated the generally held Arab view that the PLO constitutes the appropriate representative of the Palestinians. Prime Minister Shamir emphatically insisted that the PLO could not represent the Palestinians in discussions with Israel because of the PLO's record of terrorism and public statements by PLO leaders that their peace offensive is only a tactical ploy in their effort to destroy Israel.

I personally continue to have grave doubts about the PLO because of the involvement of Yasser Arafat and the PLO in the murder of the U.S. Ambassador and the Charge' d'Affaires in the Sudan in 1974 and their involvement in the hijacking of the *Achille Lauro* and the murder of Mr. Leon Klinghoffer in 1985. Ultimately, the question of the composition of the Palestinian delegation is something that must be worked out by the negotiating parties. It may be that the laborious efforts of Secretary of State Baker, President Mubarak, and Prime Minister Shamir will lead to an agreement on the composition of the Palestinian delegation acceptable to all sides.

In my discussion with Israeli officials, I asked about their view of the PLO record on terrorism in terms of PLO deeds and PLO statements in the period since Yasser Arafat made his pronouncement in Geneva in December 1988. Shortly after Arafat made that renunciation of terrorism he threatened to kill Mayor Freij of Bethlehem, who had suggested an end to the bloodshed in the West Bank and Gaza. Soon after Mayor Freij, a christian Arab, proposed a truce, Arafat was heard to say: "Whoever thinks of stopping the Intifada before it achieves its goals, I will give him 10 bullets in the chest." Mayor Freij then withdrew his proposal. On January 14, 1989, I met with Mayor Freij in his office in Bethlehem. We discussed the threat and his withdrawal of his truce proposal. From my discussion with Mayor Freij, there was no doubt in my mind that Arafat's threat caused Mayor Freij's change of position. Notwithstanding the fact that this statement by Yasser Arafat had been tape recorded and was conclusively established to be Arafat's voice, Yasser Arafat denied making the statement.

In response to my request to Israeli officials on the PLO activities and statements since December 1988, the Israeli Prime Minister's Bureau made available to me a lengthy 29-page report on their conclusion on PLO terror in the period from December 15, 1988, to December 15, 1989. I believe this report to be of sufficient importance to be inserted in the CONGRESSIONAL RECORD, and I ask unanimous consent that it be so included at the conclusion of this statement.

While I obviously cannot attest to the accuracy of the incidents set forth in this report, it does state the position of the Israeli Prime Minister's Bureau and expresses the Israeli state of mind on this subject.

There is, however, no doubt on the accuracy of the report on the February 4, attack on the Israeli bus and the murder of 9 Israelis and the wounding of 17 others. I ask unanimous consent that the news account in the New York Times of February 5, 1988, be included in the CONGRESSIONAL RECORD at the end of the statement. While the initial report in the New York Times does not conclusively establish who was responsible for the terrorist attack, it is important to note the immediate comment of Minister Ariel Sharon who is quoted as saying, "I believe these are PLO terrorists. I cannot believe for a moment, though it has happened in the past, that it could be Egyptians." A New York Times article on February 7, 1990, reported Egyptian authorities stating that the men suspected of being the terrorists were Palestinians. I ask unanimous consent that the February 7, Times article be printed in the CONGRESSIONAL RECORD at the conclusion of this statement, along with the news accounts of the February 4, attack, and also the report from the Prime Minister's Bureau, because I believe they should be considered in evaluating the Israeli position about PLO participation in the Palestinian delegation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 5, 1990]

8 KILLED AND 17 WOUNDED IN RAID ON BUS OF ISRAELI TOURISTS IN EGYPT

(By Alan Cowell)

CAIRO, February 4.—Assailants armed with rifles and grenades attacked a tour bus carrying a group of Israeli academics and their wives on a main highway east of Cairo today, killing 8 Israelis and wounding 17 others, Israeli and Egyptian officials said.

The attack was among the worst on Israelis in Egypt since the two countries signed a peace treaty in 1979, and Western diplomats said it would bring new uncertainty to the latest United States Middle East peace diplomacy.

[In Washington, the State Department called the attack a "horrible act of terrorism" and said it was "an obvious attempt by the enemies of peace to halt efforts at reconciliation and dialogue," Reuters reported.]

FUNDAMENTALISTS' RALLYING CRY

A man claiming to represent a previously unheard-of Egyptian group calling itself the Organization for the Defense of the Oppressed of Egypt's Prisons called an international news agency here to take responsibility for the attack, but there was no immediate way to verify the claim.

The caller, speaking Arabic with an Egyptian accent, said the attack had been carried out to protest torture in Egyptian prisons. Reporters who heard the call quoted him as saying, "God is great," the rallying cry of Islamic fundamentalists. Western and Israeli officials said they had no direct knowledge of who was responsible.

Israeli officials said an Israeli military airplane would evacuate some of the wounded, who were initially taken to a hospital in the Cairo suburb of Heliopolis.

At the scene of the attack, 30 miles east of Cairo and close to 10th of Ramadan City—one of a string of new towns built to ease congestion in the capital—the bus could be seen toppled onto its side, with its windows smashed. The police did not permit reporters to examine the bus, which was operated by an Egyptian company.

Israeli officials said the bus, carrying 31 academics from Israeli universities and scholarly institutions and their family members, had been on its way from Rafah on Egypt's border with the Israeli-occupied Gaza Strip to Cairo via the Suez Canal port city of Ismailia.

The officials said it was normal practice for buses carrying Israelis to be escorted by the Egyptian police as far as Ismailia. But from there it proceeded alone.

Israeli officials said a car swerved in front of the bus and masked attackers opened fire with assault rifles, possibly causing the bus to fall onto its side as the driver swerved. Then the attackers lobbed hand grenades into the wreckage and sped off, the officials said, speaking on condition of anonymity.

The Egyptian Interior Ministry said two men speaking Arabic with a non-Egyptian accent launched the attack from a white Peugeot sedan. After forcing the bus to halt, they opened fire on the passengers with automatic weapons and threw four grenades two of which exploded. Then, they fled, the ministry's statement said.

ATTACK "SERIOUS AND SHOCKING"

The Israeli Prime Minister, Yitzhak Shamir, told Israeli television that the attack was "serious and shocking."

"This attack proves that hatred for Israel still exists and is running wild in the area," Mr. Shamir said. "I hope the Egyptian authorities will take all measures to find the attackers and punish them."

Hundreds of thousands of Israelis have visited Egypt since the 1979 peace treaty—the only one between Israel and an Arab country—and their presence has become routine.

In 1985, however, a crazed Egyptian soldier opened fire on Israeli tourists at the resort of Ras Burka on the Sinai peninsula killing seven. An Israeli official said that while the 1985 attack seemed to have been undertaken by "a soldier who was mad at the time," today's killing was apparently a planned and premeditated attack.

From 1984 to 1986, anti-Government Egyptians armed with automatic weapons carried out a series of attacks on Israeli diplomats, killing two and wounding others. Those on trial on charges related to those attacks include Khaled Abdel Nasser, son of the late President Gamal Abdel Nasser.

In Israel, Trade and Industry Minister Ariel Sharon, who is strongly opposed to Prime Minister Shamir's approach to American peace diplomacy, blamed the Palestine Liberation Organization for today's attack.

"I believe these are P.L.O. terrorists," he said. "I cannot believe for a moment though it has happened in the past, that it could be Egyptians."

Mr. Sharon opposes efforts by the United States to bring the Egyptian and Israeli Foreign Ministers together with Secretary of State James A. Baker 3d for talks to arrange direct negotiations between Israelis and Palestinians on the future of the Israeli-occupied West Bank and Gaza Strip.

Egyptian officials told newspapers here before today's killings that the talks could take place within days in Geneva. After the attack, however, it is unclear whether any Israeli official will feel politically able to discuss the possibility of a direct encounter with Palestinians as long as the identity of the assailants remains unclear.

"Who knows?" said an Israeli official. "It could be Egypt's Revolution, fundamentalists. All these groups are trying to hurt us." The official was referring to dissident Egyptian movements opposed to the policies of President Hosni Mubarak and his slain predecessor, Anwar Sadat, who signed the peace treaty with Israel in 1979.

[From the New York Times, Feb. 7, 1990]

ATTACK ON ISRAELIS UPSETS PALESTINIANS IN EGYPT

(By Alan Cowell)

CAIRO, February 6.—The Egyptian authorities said today that the men they suspected of killing nine Israelis in a rifle and grenade attack on a tour bus near here on Sunday were Palestinians. That has come as no comfort to a dwindling minority of 40,000 Palestinians whose roots here, once firm, have weakened with time.

"Many Palestinians who used to look at Egypt as the refuge feel some resentment at the loss of Egypt as that major haven of support," a senior Palestinian said. He said he feared that the Egyptian dragnet for the killers might draw in innocent people.

The police say the hunt for those who killed the Israelis, who were slain on a main desert highway east of Cairo, has narrowed to a Palestinian who used a Jordanian passport to hire the car used by the assailants. Along with the 9 who died, 17 Israelis were wounded in the attack. A faction of the Islamic Holy War terrorist group in Lebanon took responsibility for the raid.

PASSPORT IS DISCOVERED

The passport was discovered in an apartment close to where the abandoned car was found, in a village just north of Cairo. The photograph in the passport has been circulated to the police, who have been ordered to check hotels, car-rental companies and apartment agencies. The driver of the bus was also a Palestinian, police officials said, and he has been detained for questioning about whether he cooperated with the assailants. A second attacker is being sought.

The use of a Jordanian passport is seen by Western diplomats as significant. With Egypt, Iraq and Yemen, Jordan is a member of the Arab Cooperation Council, whose nationals are not required to have visas to enter the four countries. More then half of Jordan's population is of Palestinian origin.

On Monday, when the Shiite fundamentalist group in Lebanon took responsibility for the attack, it used a Syrian radio station

often associated with a Palestinian extremist movement, the Popular Front for the Liberation of Palestine, General Command.

[In Jerusalem, the authorities identified the dead as Eugenia Weisbard, 72 years old, of Tel Aviv; Zeev Shiftan, 70, of Jerusalem; Zvia Schumert, 67, of Jerusalem; Aya Meiri, 66, of Tel Aviv; Issachar Binyamini, 72, of Tel Aviv; Ruhama Berliner, 48, of Mevasseret Zion; Eli MIron, 39 of Bat Yam; Leah Berditchev, 57, of Moshav Ein Vered, and Shmuel Horowitz, 57, of Har Adar.]

For some of the Palestinians who live in Egypt and seek to avoid confrontation with the Government, the attack and the identification of Palestinians as the assailants is a burden.

"We do not want to be singled out, either as a community or as individuals, as terrorists," said a Palestinian businessman who asked not to be identified. "We don't want ordinary Egyptians to come to regard us as people who have brought bloodshed to their land."

P.L.O. DENOUNCES ATTACK

The Palestine Liberation Organization representatives, Sayed Kamal, denounced the assault, and reaffirmed P.L.O. policies prohibiting armed actions outside Israel and the occupied territories. But unease among other Palestinians reflects a sense that their position in Egypt has been eroded by economic pressures, as it has in other Middle Eastern countries.

The contrast is particularly striking in Cairo. Under Nasser, the first wave of Palestinian refugees after the creation of Israel had special status. Many of the leaders of the P.L.C., including Yasir Arafat, the chairman, were educated here and began their political careers as students. Moreover, said Dr. Nabil Shaath, a prominent Palestinian, in an interview before the assault, Nasser gave Palestinians the same work, property and rights as Egyptians.

"The community probably never exceeded 100,000, but its quality has deteriorated in terms of education," he said. At one time, 40,000 of the 100,000 Palestinians were in Egyptian universities. Now, he said, "the majority are very poor and because they are uneducated have little mobility."

HARD TIMES UNDER SADAT

"Many feel this is part of a much broader Egyptian problem, that Egypt is not in an economic condition that allows largess." said Dr. Shaath, a businessman and a member of the Palestine National Council, which the P.L.O. calls a parliament in exile.

Under Anwar el-Sadat in late 1970's, Palestinians lost the rights they were given by Nasser. Many have embarked to universities as far-flung as Romania and Sri Lanka, the Philippines and India.

But some Palestinian institutions survive. In a Cairo suburb, 2,000 patients, half of them Palestinians, are treated at the Palestine Hospital, run by the Red Crescent Society, whose chairman is Fathi Arafat, the younger brother of the P.L.O. chairman. The hospital is in the same Cairo suburb, Heliopolis, as the Egyptian hospital where Israeli wounded were treated after the attack on the bus.

[Prime Minister's Bureau Advisor for Countering Terrorism]

P.L.O. TERROR—A YEAR SINCE ITS RENUNCIATION (DECEMBER 15, 1988-DECEMBER 15, 1989)

EXECUTIVE SUMMARY

The P.L.O. continues with its terrorist activities inside Israel and on its borders in violation of its undertakings in Geneva in December 1988 and in violation of the U.S. conditions to the dialogue with P.L.O.

In the past year the following terrorist attacks took place:

13 terrorist attacks by "Fatah" inside Israel in its pre-1967 borders.

17 border attacks by P.L.O.-affiliated organizations, (including 2 Katyusha rocket attacks on Kibbutzim in the Jordan Valley and 15 infiltration attempts across all borders, including 2 by "Fatah").

125 Palestinian were murdered on directives of the "Unified Command" (an organ operated by P.L.O. in the territories).

UNITED STATES' POLICY CONCERNING P.L.O. TERRORISM

In 1984 the United States re-affirmed and codified its policy regarding P.L.O. in the U.S. Congress Amendment to the Foreign Aid Bill, Title XIII, section 1302.

It added a stipulation demanding that the P.L.O. renounces terrorism: "In accordance with that policy no officer or employee of the United States Government and no agent or other individual acting on behalf of the United States Government shall negotiate with the Palestine Liberation Organization or any representatives thereof (except in an emergency or humanitarian situation) unless and until the Palestine Liberation Organization recognizes Israel's right to exist, accepts United Nations Security Council resolutions 242 and 338, and renounces the use of terrorism".

The codification went into effect on October 1, 1985.

On December 15, 1988 the United States began contacts with the P.L.O. based on the assumption that Arafat's declaration in Geneva justified this move.

On Dec. 16, 1988 Ambassador Pickering conveyed to the Government of Israel the U.S. "Talking Points" regarding the U.S.-P.L.O. dialogue.

The Talking Points stipulated that "no American Administration can sustain the dialogue if terrorism continues by the P.L.O. or any of its factions".

Furthermore, the P.L.O. was required to "publicly disassociate yourselves from terrorism by any Palestinian group operating anywhere".

The U.S. also stipulated that "in the event of a terrorist action by any element of the P.L.O. or one or more of its members—we expect that you not only condemn this action publicly but also discipline those responsible for it, at least by expelling them from the P.L.O.".

Not only has the P.L.O. failed to fulfill these requirements but Arafat's own "Fatah" organization, in particular, has itself engaged in terrorist acts, as will be demonstrated in the following report, and it has, furthermore, encouraged and lauded these attacks, even in the midst of the dialogue.

Ambassador Pickering also informed the Government of Israel that Arafat had told the U.S. that he does not control the violence in the areas of Judea, Samaria and Gaza, and that the U.S. accepted this statement by Arafat.

The P.L.O. may or may not have ignited the violence, but there is no doubt that the P.L.O. directs and finances the activities of those who are leading and inciting it (namely, P.L.O.'s "Unified Command" in the territories).

It should be noted that this is not the first time that the P.L.O. has violated its commitment to renounce terrorism.

On November 1985 Arafat declared in Cairo that the P.L.O. would renounce terrorism (except in the "occupied territories").

However, since his November 1985 "Cairo Declaration" until his December 1988 "Geneva Declaration"—"Fatah" itself, commanded by Arafat, organized and carried out terrorist activities throughout Israel (in its pre-1967 borders) and abroad, including a major attack on an American airliner flying over Athens, on April 2, 1986 (See appendix).

On Dec. 19, 1988 Arafat responded to a question on Viennese Television on his "renunciation" of terror by stating: "I did not mean to renounce (terrorism) . . . Actually, I only repeated what our Palestine National Council had accepted. . . . I am still now committed to what I said in Cario in 1985".

ARAFAT'S "FATAH" TERRORIST APPARATUSES

The P.L.O. is an umbrella organization which encompasses several groups. By far the largest group with para-military characteristics is "Fatah".

Arafat, as commander of "Fatah", maintains centralized control over the organization through orders and instructions, approval of plans, and allocation of the funds necessary for the execution of terrorist operations.

The apparatuses involved with terrorist activities under "Fatah" are:

1. The "Western Sector"

This is the major operational body within "Fatah", which carries out terrorist activities within Israel's borders as well as occasional attacks abroad.

In the past, the "Western Sector" was headed by Khalil Al-Wazir ("Abu Jihad"), one of "Fatah's" senior leaders, thus indicating the importance of this apparatus within the terrorist community. Currently, Arafat himself commands the "Western Sector".

Within this body operates the "Committee 77" (headed previously by Basem Sultan and Muhammad Bheis). Its main function is to activate "Fatah's" "Islamic Jihad" special branch.

2. "Force 17"

The prime role of this apparatus is to provide personal security for Arafat and senior members of the P.L.O. and for P.L.O. delegations around the world.

Over the years this apparatus assumed an additional task, namely, the execution of terrorist attacks both in and out of Israel, as well as the elimination of Arab-Palestinian opponents to "Fatah" (like the murder of a Palestinian cartoonist in London in July 1987; (see appendix).

The commander of this apparatus is one of Arafat's closest associates, Mahmoud Al-Natur (alias "Abu Tayyib").

3. The "Hawari Apparatus"

This is a specialized strike force for the purpose of carrying out operations outside of Israel.

In the past it was a section within the "Central Security and Intelligence Apparatus" of "Fatah". Currently it is operating directly under Arafat's command.

The head of this apparatus is a senior "Fatah" activist named Abdallah Abd Al Hamid Labib (alias "Colonel Hawari") who has been a close confidant of Arafat for many years.

A number of members of this group have already been tried and found guilty for terrorist activities in various European countries. "Hawari" himself was recently sen-

tenced in France (in absentia) to ten years imprisonment.

Among members of the "Hawari Apparatus" are also former members of another radical terrorist group known by the name of "May 15".

Another member of this apparatus is the terrorist Muhammad Rashid who is in jail now in Greece and whose extradition was requested by the U.S. Government, for his responsibility for the 1982 attempt to blow up a Pan-American airliner over Honolulu (in which attack a civilian passenger was killed).

TERRORIST ACTS BY "FATAH" INSIDE ISRAEL IN ITS PRE-1967 BORDER SINCE DEC. 15, 1988

Since December 15, 1988 we have recorded thirteen acts of terror against civilians (involving explosives, hand-grenade and Molotov Cocktails) committed by members of "Fatah", within Israel's pre-67 borders.

The following list documents these acts.

In April 1989 a cell of terrorists was uncovered in the district of Jenin (Samaria). The terrorists, ten in number, all residents of the village of Arabeh, were members of the "Fatah"/"Force 17" apparatus.

The members of the cell were recruited in Amman (Jordan) during 1987-1988 and committed the following acts of terrorism after mid-December 1988, on instructions of their superiors in Amman:

Feb. 24, 1989: A Molotov Cocktail was thrown at a private car on the Nazareth-Yafi'a road.

Mar. 23, 1989: A Molotov Cocktail was thrown at a private car on the Kibbutz Kfar Hakhoresh-Yafi'a road.

Mar. 29, 1989: A handgrenade was thrown at a public bus on the Nazareth-Afula road.

In June 1989, a terrorist cell was uncovered in the district of Bethlehem. The terrorists, residents of the village of Teqoah, were members of "Fatah"/"Western Sector" apparatus. They were recruited in Amman in 1988, and instructed by their superiors after mid-December 1988 to commit acts of terrorism.

May 16, 1989: An explosive device was placed in the Liberty-Bell Park in West Jerusalem.

In June 1989, a terrorist cell was uncovered in the district of Tulkarm (Samaria). The terrorists, residents of the village of Al-Zawiya near Qalqilia, were members of the "Fatah"/"Force 17" apparatus.

They were recruited in Amman in 1988 and instructed by their superiors, after Mid-December 1988, to commit acts of terrorism:

Mar. 20, 1989: An explosive device was placed at a bus station near the "Beilinson" hospital in Petah-Tikva.

Mar. 21, 1989: Another explosive device was placed at the same location.

Mar. 31, 1989: An explosive device was placed at the entrance to a Jewish Synagogue in Kfar Avraham (near Petah-Tikva).

Apr. 16, 1989: An explosive device was placed near an apartment house in the town of Pardes Kats.

Apr. 30, 1989: An explosive device was placed at the Jabotinsky Street in the city of Ramat Gan.

May 15, 1989: An explosive device was placed at the industrial zone of Segula (near Petah-Tikva).

Jun. 5, 1989: An explosive device was placed in Hakovshim Street in Tel Aviv.

Another terrorist act committed by this cell could be added to the above list though it caused no damage inside Israel:

Jun. 15, 1989: An explosive device—intended to be placed in Tel Aviv—exploded in the hands of the perpetrator, during the preparation stages, in his village, causing him injury.

In October 1989 a terrorist cell was uncovered in the district of Jenin (Samaria). The terrorists, residents of the town of Jenin and the villages Siylat Al-Hartiya and Deir Abu-Dha'if were members of "Fatah". They were recruited in Jordan prior to Dec. 15, 1988 and instructed by their superiors to commit acts of terrorism after this date:

Apr. 11, 1989: An explosive device was placed in an irrigation installation in the village of Ram-On (near Afula).

Not included in this list are ten of "Fatah" operatives who were arrested before they were able to carry out their plans.

TERRORIST ATTACKS ACROSS ISRAELI BORDERS BY P.L.O.-AFFILIATED ORGANIZATIONS SINCE DECEMBER 15, 1988

Since December 15, 1988 we recorded seventeen attacks across all isreali borders, perpetrated by P.L.O-affiliated organizations.

These attacks take two forms:

a. "Katyusha" rocket attacks fired from outside Israel's borders on civilian targets within the country.

b. Infiltration attempts.

The following list records these attacks.

A. "Katyusha" Rockets

Two rocket attacks were perpetrated by the "P.F.L.P." ("The Popular Front for the Liberation of Palestine", headed by George Habash). Both attacks were launched from Jordanian territory.

The first attack took place on the night between the seventh and eighth of August 1989. The "P.F.L.P." took responsibility for the attack claiming that it was aimed at Kibbutz Ma'oz Hayim in the Jordan Valley.

The second attack took place on the night between the sixth and the seventh of September 1989. The "P.F.L.P." took responsibility for the attack claiming that it was aimed at Kibbutz Tel-Katzir.

(The rockets fell near a neighbouring Kibbutz-Sha'ar Hagolan).

In a third "Katyusha" attack (on May 27, 1989) on the town of Metulah in the upper Galilee, the "P.F.L.P." was one party to a coordinated attack perpetrated by three organizations: "Hizballah", "P.L.F." ("Palestine Liberation Front") Tal'at Ya'qub faction, and the "P.F.L.P.".

B. Infiltration Attempts

The following table lists seventeen infiltration attempts across all Israeli borders perpetrated by P.L.O.-affiliated organizations.

The P.S.F. ("Popular Struggle Front" headed by Samir Ghosheh) and the P.L.F./Tal'at Ya'qub Faction (headed by Yousef Al-Miqdah) participated in Algiers P.L.O. conference in November 1988 and were party to the decisions taken there.

On Nov. 19, 1989 P.L.O.'s organ "Falastin Al-Thawra" announced the re-unification of the two factions of the "P.L.F." (the "Abu Abbas" faction and the "Tal'at Ya' qub" faction), "thanks to Arafat's efforts."

Thus, since mid-November 1989, both organizations are part of P.L.O.

Nevertheless some observers consider the "P.S.F." and the "P.L.F."-Tal'at Ya'qub faction to be more inclined to the more radical grouping of Palestinian terrorist organizations.

Even if we omit the attacks committed by these organizations, we are still left with ten mainstream-P.L.O. attacks of this type.

LIST OF INFILTRATION ATTEMPTS

Organization	Attacks	Borders	Dates
"Fatah" (Headed by Yaser Arafat	2	Egyptian	Mar. 15, 1989
		Egyptian	Dec. 4, 1989
"P.F.L.P." (Headed by George Habash) "Popular Front for the Liberation of Palestine"	4	Lebanese	Feb. 4, 1989 (in cooperation with "P.L.F."/Tal'at Ya'qub faction
		Lebanese	Feb. 24, 1989
		Lebanese	Mar. 30, 1989 (in cooperation with the "Lebanese Communist Party").
		Lebanese	May 27, 1989 (in cooperation with "P.L.F." Tal'at Ya'qub faction and "Hizballah."
"D.F.L.P." (Headed by Nayef Hawatmeh) "Democratic Front for the Liberation of Palestine"	3	Lebanese	Feb. 23, 1989
		Lebanese	Mar. 2, 1989
		Lebanese	Jun. 4, 1989
"P.L.F." (Headed by Mahmoud Zeidan "Abu Abbas") "Palestine Liberation Front"	1	Lebanese	Oct. 6, 1989 (The organization took responsibility for the attack in "Al-Nahar", Beirut Oct. 9, 1989).
"P.S.F." (Headed by Samir Ghosheh) "Palestine Struggle Front"	2	Lebanese via Sea	Dec. 26, 1989.
		Lebanese via Sea	Apr. 8, 1989.
"P.L.F." (Tal'at Ya'qub faction headed by Yousef Al-Miqdah "Palestine Liberation Front"	3	Lebanese	Dec. 26, 1989.
		Jordanian	Mar. 13, 1989.
		Lebanese	Aug. 1, 1989.
		And additional two in cooperation with P.L.F.P. (Feb. 4, 1989; May 27, 1989)	

MURDER OF PALESTINIANS UNDER P.L.O'S "UNIFIED COMMAND" DIRECTIVES SINCE DECEMBER 15, 1988

Since December 15, 1988 one hundred and twenty five Arab residents of Judea, Samaria and Gaza were murdered by the "Hit Squads" operating under the directives of P.L.O.'s "Unified Command" in these territories.

In the leaflets issued by this organ (which consists of delegates from the major organizations of P.L.O.)—dates are determined for the "escalation of attacks" against "collaborators" "civil administration officials" and "municipal committees".

These murders serve the P.L.O. as a means of preventing Palestinian public figures from moving in the direction of peace. These victims serve as a warning to others not to deviate from the P.L.O. line.

Among the victims are Civil Administration workers, Mayors or municipality workers, council workers and Mukhtars, Health Department band Hospital workers, Arabs working in Israel or trading with Israelis etc.

Arafat himself threatened "any Palestinian leader who proposes an end to the Intifada" that he "exposes himself to the bullets of his own people and endangers his life. The P.L.O. will know how to deal with him". (Radio Monte Carlo, Jan. 2, 1989 and Al-Qabas, Kuwait Jan. 1, 1989).

This threat was specifically aimed at the well-known Mayor of Bethlehem, Elias Freij, who only suggested a few days earlier that there be a "ceasefire" between Israel and the Palestinians, in the territories.

Arafat (in a press conference in Amman/Jordan according to A.P Aug. 22, 1989 and in interviews in "Al-Qabas", Kuwait, Oct. 11, 1989 and in "Al-Ray", Jordan, Oct. 10, 1989) Abu Iyad (in a press conference in Tunis according to A.F.P Aug. 29, 1989) and Basam Abu-Sharif (in an interview to the B.B.C/Arabic service and in the Arab weekly "Al-Dustur" Sept. 19, 1989)—all took responsibility for these murders in the name of P.L.O., and justified them.

ATTACKS BY MOLOTOV COCKTAILS ON ISRAELI PUBLIC BUSES UNDER P.L.O.'S "UNIFIED COMMAND" DIRECTIVES SINCE DECEMBER 15, 1988

Since December 15, 1988 thirteen Israeli public buses were burnt as a result of repeated attacks by use of Molotov Cocktails. In the leaflets issued by P.L.O.'s "Unified Command", dates are determined for intensive attacks of this type.

On October 30, 1988 a woman and her three infant children were burnt to death as a result of a Molotov Cocktail attack on a civilian bus en route from Beit Shean to Jerusalem.

Arafat justified this attack in the Saudi Arabian newspaper Al-Majallah (on April 5, 1989) saying that the attack was carried out by way of a Molotov Cocktail rather than a gun.

KNIFE ATTACKS UNDER P.L.O.'S "UNIFIED COMMAND" DIRECTIVES SINCE DECEMBER 15, 1988

Since December 15, 1988 five Israelis (all civilians) were murdered in stabbing attacks (and 16 others were injured).

In the leaflets issued by P.L.O.'s "Unified Command" dates are determined for attacks of this type.

On March 21, 1989 an Israeli doctor, M. Schelinger (age 75) was stabbed to death by an Arab resident of Gaza, while walking on Bin-Nun Street in Tel-Aviv. Two other civilians were injured.

On May 3, 1989 two elderly Israeli pensioners, K. Vardy and N. Levi, were stabbed to death while sitting at a bus stop in the center of West Jerusalem, by an Arab resident of Ramallah. Four other civilians (including a woman) were severely injured.

In an interview with Radio Monte Carlo on May 4, 1989 Arafat related to these murders, stating: "We shall continue wave after wave until the Palestinian flag will fly over Jerusalem".

On July 14, 1989 an Israeli construction company owner Z. Schlein (age 60) was murdered in the village of Gan-Yavneh near the town of Ashdod, by two Arab residents of Gaza, member of a local "Fatah" cell.

On September 7, 1989 a building laborer, M. Eshtamkar, was stabbed to death at his working place in the center of Tel-Aviv by his colleague, an Arab resident of Ramallah (who two days later committed a knife attack on a civilian bus driver en route from Tel Aviv to Jerusalem in order to roll the bus over into a deep ravine, for the second time within one month).

Enclosed (in the appendix) are some examples of P.L.O.'s leaflets directives regarding murder of Palestinians, stabbing and Molotov Cocktails attacks.

P.L.O.'S UNDERSTANDING OF ITS COMMITMENT TO THE "GENEVA DECLARATION" REGARDING TERRORISM

Arafat has reiterated again and again that he has "neither changed his policy nor submitted to the American demands" ("AlQabas", Dec. 21, 1988).

When asked, on April 1989, about the infiltration attempts by P.L.O. in South Lebanon and whether he opposes such acts he said: "I want to stress that the P.L.O. gave no promise nor made any agreement to stop military actions in Southern Lebanon". (Al-Majallah Apr. 5, 1989).

In a statement he made to the Emirate of Dubay television on Mar. 3, 1989 one day after the D.F.L.P. infiltration attempt—and again to A.P. on Jul. 6, 1989, Arafat declared that the attacks will continue; "The P.L.O. will not stop the armed struggle" he said "and I did not ask anybody to refrain from military operations".

Abu Iyad (Salah Khalaf) also stated, that it is "unthinkable" that anyone will demand that the P.L.O. "put down its guns" (Agence France Presse Dec. 18, 1988), and stressed that "the P.L.O. has never obligated itself to stop the armed struggle, and it shall not renounce it" (Al-Jazirah, Mar. 9, 1989 and to the U.A.E. daily "Al-Ittihad" Aug. 17, 1989).

He further clarified that "Arafat's declaration in Geneva did not relate to military targets, and if Reagan thinks that such attacks will be stopped—then the dialogue with P.L.O. should be terminated immediately, because the attacks will continue until the flag of Palestine will fly over Jerusalem" (Reuter's Dec. 17, 1989).

A few days after the "P.F.L.P." and "D.F.L.P." infiltration attempts of February 1989 Faroug Al-Qaddumi, Head of the Political Department of P.L.O. declared that "the P.L.O. is not ready to condemn any operation for which Palestinian organization and factions had taken responsibility" (Al-Sharq al-Awsat and Reuter's Feb 28, 1989).

In several interviews, Abu Iyad drew a distinction between the murder of old men, women and children and attacks on military targets (Al-Qabas and Der Spiegel Jan. 5, 1988; Radio Monte Carlo Mar. 4, 1989; Al-Jazirah Mar. 9, 1989 and "Al-Majallah" Mar. 1, 1989), stating: "We informed the U.S. of our definition of terrorism. It is an act in which civilians of any nationality, including Israelis, are killed". (Radio Monte Carlo, Mar. 4, 1989).

But on Feb. 2, 1989 he made a contradictory statement in which he referred to the "Fatah" border attack of Mar. 7, 1988 (in which a public bus was hijacked and three civilians, two of them women, were murdered)—as a military operation, and stated that such operations will continue:

"The P.L.O. has decided to build up its range of military operations in the occupied land. We have a conception with regard to military operations; such operations are executed in specified zones like the "Dimona operation". As for operations of the skyjacking type—these will not be currently executed".

In none of the above mentioned cases has Arafat or his lieutenants disassociated themselves from these actions or moved to expel the individuals or organizations involved from the P.L.O., or attempted any kind of disciplinary action—as demanded by the U.S.

The recent Tel-Aviv-Jerusalem bus terrorist action of Jul. 6, 1989 demonstrates P.L.O.'s understanding of its commitment in this respect.

On Jul. 6, 1989 an Arab resident of Gaza, named Abd al-Hadi Suleiman Ghanayem, while a passenger on the Tel-Aviv-Jerusalem bus, over-powered the driver and forced the bus off the highway into a deep ravine.

The bus burst into flames; sixteen people were killed (among them an American woman) and 25 were injured (among them seven American citizens).

The "Islamic Jihad" took responsibility for the incident.

P.L.O.'s news agency ("Wafa") qualified the attack (on Jul. 9, 1989) as "an heroic act of a new type".

Arafat's political advisor, Basam Abu Sharif, claimed on Radio Monte Carlo on the day of the attack, that this was not a terrorist act but "a natural human reaction".

P.L.O.'s Radio broadcast from Bagdad, on Jul. 12, 1989 also qualified the attack as an "heroic act", and stated:

"The act has proven that the Zionist entity is a foreign implant and intruder in this region". It further declared that "The Jewish entity has no right to exist"; "It is an entity beyond the realm of history and reason, and beyond the long standing established realities of this part of the world".

The "Fatah" Conference Resolutions (of August 1989).

On Aug. 8, 1989 the "Fatah" Conference passed new resolutions which contradict, still further, Arafat's "Geneva Declaration"—:

Resolution No. 5 calls for the "continuation, intensification and escalation of the armed struggle in order to liquidate the Zionist occupation of our Palestinian land".

Resolution No. 13 establishes a special committee for the prevention of immigration of Jews to Israel.

APPENDIXES

THE P.L.O.'S "PALESTINE LIBERATION FRONT" FACTION LED BY "ABU ABBAS" TAKES RESPONSIBILITY FOR AN ATTEMPTED TERROR RAID ON KIBBUTZ MISGAV-AM (Oct. 6, 1989)

"Al-Nahar" (Lebanon), 9 October 1989.

"The 'Palestine Liberation Front" announced that a squad belonging to the "Unit of Nahariya Martyrs" was intercepted on 7 October 1989 by a joint patrol of Israeli forces and the South Lebanese Army near the town of Al-Taibeh.

The squad was on its way to attack Misgav Am.

The squad fought the force for some time, using machine guns and anti-tanks missiles, and thereby causing the disabling of an armored personnel carrier and casualties among the men on it.

The "Front" announced that its fighters "succeeded" in forcing a way open for themselves and withdrew towards Wadi Al-Litani".

LEAFLET FOUND WITH TERRORISTS OF THE "PALESTINE LIBERATION FRONT"/"ABU ABBAS" FACTION ON THEIR INFILTRATION ATTEMPT OF OCT. 6, 1989

THE PALESTINE LIBERATION FRONT

The measures of oppression and terrorism which you use against our masses in the occupied land only strengthen our resolution to confront you.

Here we are, the fighting men of the Palestine Liberation Front from the unit (named in honor) of the martyr commander Faud Zeiden Abu Al-Umreyn, coming with full resolution and intention to confront you in order to fight you on the soil of our homeland which you defile with your occupation, and to remove the hardships suffered by our people who are persevering and standing fast against you, and to prove to you once again that the capacity of the Palestinian figher is capable of reaching into your own home, whatever scientific measures you may use to prevent us from reaching our occupied land, (you will find that) our will and resolution are stronger than these preventive measures.

SOLDIERS OF ISRAEL

Our right to Palestine is an historical right which is confirmed by all conventions and laws, so go away from it, and if not, it will forever be burning under your feet.

DISPATCH FROM A "FATAH" OPERATIVE IN JORDAN TO RECRUITS IN THE TERRITORIES TO COMMIT ACTS OF TERRORISM UNDER THE NAME OF "THE EAGLES OF THE REVOLUTION" (AUGUST 18, 1989)

In the name of Allah the Compassionate and Merciful

To the rebel brother Abu Zaitun Bilal,

[A series of greetings]

You know that I went to Tunis and the messenger came while I was staying there, and therefore he was delayed. When I returned to Jordan I found that not even a cent was left. However, within a night, I obtained money and at the nearest opportunity ten thousand dollars or ten thousand dinars will reach you. But I requested that there be dinars, and I hope that so it shall be and the matter will not last long. Believe me that I asked for you the amount that you requested, but the lack of money is the basic reason [for the delay].

As to the military activity, we want it to take place on two levels: the first against agents, as you made clear in your letter, and we want you to focus on a few undesirable figures, such as Kamal Al-Wahidi, Gamal Al-Bilawi, Al-Abd Salaha who was shot in the past, Hanan Halifa who lives in the area of Al-Jadida near the home of the al-Ziara family, and in addition the man who was found in the orchard of Abu Sharkh, and the owner of the cafe near the prison, Abu Kamal, with whom intelligence officials meet. The second level will be against the enemy directly, such as with hand grenades. You may buy grenades if you can, for it is most vital during this period.

We want, after every killing of an agent, that you send to the press communication offices a letter in which you will write that the "Eagles of the Revolution" movement put the agent on trial and that he was shot and executed, having been judged by the people for having collaborated with the enemy. The letter must be written with the left hand and must not have any fingerprints on it so that [its writer] will not be exposed.

We want you to act in this manner so that we will not cast responsibility for that act on the Organization [the P.L.O.] under these circumstances due to the negotiations which are taking place with the United States on political matters.

Also in military activity against the enemy, one must write [sign] in the same name and only one sentence, [i.e.]: The "Eagles of the Revolution" movement carried out the armed attack against the [vehicle] of the enemy and destroyed it, etc.

We do not want anyone to know who delivered the letter [to the media] or who asked the office to deliver it or who sent it to the agency of the world press.

Brothers, as for the liquidations we hope that you will exercise great caution on this level, and first of all that there will be names suggested [that will be dealt with] who are well known to people, so that we will not be accused and no excuse will be given to people to talk about anarchy.

There is a man by the name of Abdallah Al-Husein, who lives opposite Al-Nur, who is one of the greatest drug dealers. It is very important that you be careful, and try to liquidate the people who are known to be agents, and not people who only you know, for that is insufficient, and it is important that the people know them, so that they will not have doubts about [the value] of your action.

We want, my brothers, for you to make sure that also the military activity against the enemy will continue, and that the squads will be composed of one person or two, that every person or every squad will be assigned to carry out [an action] against [specific] official targets.

(Area chart and designated sites in the Gaza district in which arms and combat equipment are stashed.)

My brothers, I do not want to obligate you in terms of the scanty communications with us. [However] there is no need for the messenger to arrive at the office, for everyone comes there: the agent as well as the [loyal] nationalist come there. The current messenger knows the telephone number and it is the second [number]: 832117. The messenger should guard it well, should call and stay at a distance from the office so as to safeguard his security and the security of the entire squad.

We strengthen your hands and highly value your position, and we are determined in our decision to continue along the path.

My brothers, there were good decisions at the Conference [the "Fatah" Conference of Aug. 1989] for new leaders as well as new blood emerged in the movement in the "Central Committee" and in the "Revolutionary Council" during the movement's Conference.

We hope that this new [phenomenon] will be an expression of the glory of your struggle and the struggle of everyone for the liberation of the stolen land.

Revolution until victory, until victory, until victory.

Your Brother, Halim.

AUGUST 18, 1989.

"THE POPULAR FRONT FOR THE LIBERATION OF PALESTINE" (GEORGE HABASH) CLAIMS RESPONSIBILITY FOR THE ATTACK ON THE SETTLEMENT OF MAOZ HAIM (ON AUGUST 7, 1989)

1. In a declaration of the "Popular Front" organization today (August 8, 1989), it was said that the organization yesterday fired two rockets from Jordanian territory towards the settlement Maoz Haim. The attack resulted in the wounding of a number of Israelis. "The occupation forces launched flares and searched in the area for our fighters." The declaration stated that the terrorists returned safely to their base, after achieving all the mission's goals. (Reuter in Damascus, August 8, 1989)

2. "The Popular Front for the Liberation of Palestine" announced that a squad of its fighters on the Jordanian border shelled on August 8 the settlement of Maoz Haim. The announcement added that the rockets hit their targets accurately and that all the members of the squad returned to their bases safely. (Radio Monte Carlo, August 8, 1989)

3. The military spokesman of the "Popular Front" organization (George Habash) said on August 8 in Damascus that the squad named after the martyr, Jabar Amar (of the Popular Front), fired from the Jordanian border, on the night of August 7-8, two rockets on Maoz Haim. (Kuwait News Agency, August 8, 1989)

THE ARREST OF TERRORISTS WHO ARE MEMBERS OF THE "POPULAR FRONT FOR THE LIBERATION OF PALESTINE" (GEORGE HABASH) FOR FIRING KATYUSHA ROCKETS TOWARDS MAOZ HAIM ON AUGUST 8, 1989

1. Reuters reports, based on official Jordanian sources, that Jordan arrested on October 5 a number of people who are members of the "Popular Front" (George Habash) for the firing of Katyusha rockets into Israel on September 7, 1989. (Radio Monte Carlo, October 5, 1989)

2. A reliable source stated, on October 6, that a number of people belonging to the Jordanian faction of the "Popular Front for the Liberation of Palestine" (George Habash) were arrested on the night between October 4-5 in Amman by the Jordanian authorities. A source close to the Popular Front in Amman added that 8 members of the Front were arrested, among them two who were responsible for the Jordanian faction, Hamdi Matar (Abu Samir) and Azmi Khouajah (Abu Issam). The six others who were arrested are—according to the same source—Ahmed Dahbur, Abu Muhammad Almragha, Ahmed Almahsiri, Majd Alkhouajah, Abbu Kifah and Nabil Najem. (Agence France Presse, October 6, 1989)

3. It is reported that a number of members of the "Popular Front" (George Habash) were arrested today in Jordan in connection with the firing of Katyushas on Israel from Jordanian territory on September 7.

4. Diplomats reported that between 7 to 17 members of the organization were arrested. (Reuter from Amman, October 5, 1989)

EXAMPLES OF P.L.O.'S "UNIFIED COMMAND" 'S DIRECTIVES TO ATTACK ARAB CIVILIANS IN JUDEA, SAMARIA AND GAZA AND TO USE MOLOTOV COCKTAILS AND KNIVES

Leaflet 34, February 11, 1989:

The 13th of February is set as the day of escalating attacks on the collaborators, traitors, the Cadre of (Arab) workers in the Civil Administration, and members of Local Municipal Councils.

Leaflet 39, April 30, 1989:

May 13, 1989, is set as a special day for the escalation of attacks and confrontations with Molotov Cocktails and knives.

Leaflet 41, June 11, 1989:

June 19 and 20, 1989, are set as days for the escalation of the struggle by way of increased use of Molotov Cocktails and knives.

B. TERRORIST ACTIVITIES BY "FATAH" INSIDE ISRAEL (IN ITS PRE-67 BORDERS) AND ABROAD—POST ARAFAT'S "CAIRO DECLARATION" OF NOV. 1985

INTERNATIONAL TERRORISM

Terrorist activities were carried out by "Fatah" members in several countries. The major cases to be mentioned are:

Apr. 2, 1986—Four passengers were killed and ten injured in an explosion on a T.W.A. airliner on its flight from Rome to Athens. (Among the victims were a woman and her child who were sucked out of the plane). The perpetrators were members of the "Fatah"/"Hawari Apparatus".

Aug. 22, 1986—Four members of the "Fatah"/"Hawari Apparatus", armed with explosives, were arrested in Casablanca, planning to attack Jewish targets while Israeli Prime Minister (at the time Shimon Peres) was visiting Morocco.

July 22, 1987—A Palestinian cartoonist working in the Kuwayti newspaper "Al-Qabas", was murdered in London by members of the Fatah/"Force 17" apparatus.

CROSS-BORDER ATTACKS

Fifteen infiltration attempts across Israel's borders were made during 1988 by "Fatah" members for the purpose of attacking Israeli communities. Thirteen attempts were made from the northern border and two from the Egyptian border.

In one of these attacks, a group of "Fatah" terrorists succeeded in penetrating the southern border near Mount Harif in the Negev, hijacked a public bus, murdered two women and a man, and injured another eight passengers—all civilians.

It is worth noting that 1988 was a peak year in "Fatah's" attempts to attack Israel across its borders.

TERRORIST ATTACKS WITHIN ISRAEL—CAR BOMBS

Three car bombs were placed during the above-mentioned period by "Fatah" members, but discovered prior to explosion.

The first was discovered in Hebron, on February 1986. It was intended to explode in the Beer-Sheva market.

The second was found in Jerusalem on March 3, 1988, aimed at Secretary of State G. Shultz who was visiting the area at the time.

"Fatah" took responsibility for the act.

The third car-bomb containing two gallons of gas exploded in a car park in the town of Kfar Saba, in March 1988.

HAND-GRENADES

In October 1986 hand-grenades were thrown at the "western Wall;" causing one death and 67 injuries.

In October 1987 a hand-grenade was thrown at the Carmel-Center of Haifa (but failed to explode).

In August 1988 a hand-grenade was thrown at the "Nordau Mall", in the center of Haifa, injuring 25 people (including children).

MOLOTOV COCKTAILS

During March and April of 1988 Molotov Cocktails were thrown at public buses near Kibbutz "Sha'ar Ha'amakim" by Arab Israelis, members of "Fatah".

EXPLOSIVE DEVICES

Explosive devices were placed by "Fatah" members during 1986 in a Jerusalem supermarket and at public bus stations in the city.

ATTEMPTED ASSASSINATION OF PRO-JORDANIAN PERSONALITIES

During 1986 attempts were made by "Fatah" member in order to assassinate Zahran Hassuna, Mayor of Kabatia, and Farida Rsheid, relative to the Royal Jordanian family.

MURDERS

In March 1987 a Jewish resident of Ramleh was murdered by a member of the "Fatah"/"Force 17" apparatus.

In May 1988 an elderly Jewish woman (a holocaust survivor) was murdered in her home at the village of Shafir near the town of Kiryat Malachi, by members of the "Shabibah"—"Fatah's" youth movement.

Mr. SPECTER. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTIONS SIGNED

At 1:10 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

S.J. Res. 103. Joint resolution to designate the period commencing February 18, 1990, and ending February 24, 1990, as "National Visiting Nurse Associations Week"; and

S.J. Res. 217. Joint resolution to designate the period commencing February 4, 1990, and ending February 10, 1990, and the period commencing February 3, 1991, and ending February 9, 1991, as "National Burn Awareness Week".

The enrolled joint resolutions were subsequently signed by the President pro tempore (Mr. BYRD).

At 3:04 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3952. An Act to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

At 3:42 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 262. A concurrent resolution expressing the sense of Congress concerning Operation Just Cause in Panama.

At 5:05 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the bill (S. 1096) to provide for the use and distribution of funds awarded the Seminole Indians in dockets 73, 151, and 73-A of the Indian Claims Commission; with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 198. A concurrent resolution authorizing a concert performance on the Capitol grounds; and

H. Con. Res. 254. A concurrent resolution expressing the sense of Congress concerning negotiations for a political settlement in Cambodia.

MEASURES REFERRED

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 198. A concurrent resolution authorizing a concert performance on the Capitol grounds; to the Committee on Rules and Administration.

H. Con. Res. 254. A concurrent resolution expressing the sense of Congress concerning negotiations for a political settlement in Cambodia; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2309. A communication from the Acting General Counsel of the Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend the Defense Production Act of 1950 to support mobilization of the defense industrial base of the United States; to the Committee on Banking, Housing, and Urban Affairs.

EC-2310. A communication from the Acting Deputy Inspector General of the Department of Transportation, transmitting, pursuant to law, a report on the protection of military whistleblowers from actual or threatened reprisals for reporting violations of law or regulations; to the Committee on Commerce, Science, and Transportation.

EC-2311. A communication from the Secretary of Commerce, transmitting, pursuant to law, the 1989 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology, Department of Commerce; to the Committee on Commerce, Science, and Transportation.

EC-2312. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on alternative methods for financing the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

EC-2313. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report on the progress of management activities concerning the northern spotted owl and timber sales from National Forest lands in the States of Oregon and Washington; to the Committee on Energy and Natural Resources.

EC-2314. A communication from the Assistant Secretary of the Interior (Policy, Budget, and Administration), transmitting, pursuant to law, a report on the implementation of section 318 of the 1990 Department of the Interior and Related Agencies Appropriations Act through January 1, 1990; to the Committee on Energy and Natural Resources.

EC-2315. A communication from the Assistant Secretary of the Interior (Policy, Budget, and Administration), transmitting, pursuant to law, a report on the implementation of section 318 of the 1990 Department of the Interior and Related Agencies Appropriations Act through December 1, 1989; to the Committee on Energy and Natural Resources.

EC-2316. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report on the allocation of certain funds; to the Committee on Foreign Relations.

EC-2317. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on each instance in which a Federal agency did not fully implement a recommendation made by the General Accounting Office in connection with a bid protest decided during the prior fiscal year; to the Committee Governmental Affairs.

EC-2318. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the annual report on competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2319. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the annual report on the implementation of the Federal Equal Opportunity Recruitment Program for fiscal year 1989; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BENTSEN, from the Committee on Finance, without amendment:

S. 2092: A bill to provide for the restoration of certain trade benefits for Panama.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER:

S. 2086. A bill to extend the current duty suspension on certain glass ceramic kitchenware; to the Committee on Finance.

By Mr. JOHNSTON:

S. 2087. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States to the status of lawful permanent residence of certain alien entrepreneurs and their spouses and children; to the Committee on the Judiciary.

By Mr. JOHNSTON (for himself and Mr. MCCLURE):

S. 2088. A bill to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOSCHWITZ (for himself, Mr. DURENBERGER, Mr. BUMPERS, Mr. PRYOR, Mr. SASSER, Mr. BREAUX, Mr. KOHL, Mr. KASTEN, and Mr. JOHNSTON):

S. 2089. A bill to require the Director of the Geological Survey to conduct a study of the water quality of the Mississippi River; to the Committee on Environment and Public Works.

By Mr. GLENN:

S. 2090. A bill to amend the Internal Revenue Code of 1986 to make changes to the earned income tax credit overseas and to clarify and improve current law; to the Committee on Finance.

By Mr. BENTSEN, from the Committee on Finance:

S. 2092. A bill to provide for the restoration of certain trade benefits for Panama; placed on the calendar.

By Mr. BUMPERS (for himself and Mr. REID):

S. 2093. A bill to amend the Federal Election Campaign Act to exclude from the definition of "independent expenditures" those expenditures that are not truly independent of the legislative process; to the Committee on Rules and Administration.

By Mr. DOLE:

S. 2094. A bill entitled the Eastern European Democracy and Free Market Act of 1990; to the Committee on Foreign Relations.

By Mr. WILSON:

S. 2095. A bill to establish a Healthy Start Demonstration Grant program; to the Committee on Labor and Human Resources.

By Mr. GARN:

S. 2096. A bill for the relief of John Gabriel Robledo-Gomez Dunn; to the Committee on the Judiciary.

By Mr. PELL:

S. 2097. A bill to promote and encourage alternative nondefense uses of defense facilities, to provide assistance for the retraining of unemployed defense workers whose employment is terminated, and to provide adjustment assistance to communities adversely affected by the termination or curtailment of defense contracts or the closure or realignment of military installations; to the Committee on Armed Services.

By Mr. BENTSEN (for himself, Mr. DOLE, Mr. ROCKEFELLER, Mr. DURENBERGER, Mr. MOYNIHAN, Mr. RIEGLE, and Mr. PRYOR):

S. 2098. A bill to amend title XVIII of the Social Security Act to provide Medicare coverage of Erythropoietin when self administered; to the Committee on Finance.

By Mr. GORTON (for himself and Mr. ADAMS):

S. 2099. A bill to provide duty-free entry for the personal effects and equipment of participants and officials involved in the 1990 Goodwill Games to be held in Washington State; to the Committee on Finance.

By Mr. CRANSTON (for himself, Mr. MURKOWSKI, Mr. MATSUNAGA, Mr. DECONCINI, Mr. MITCHELL, Mr. ROCKEFELLER, Mr. GRAHAM, Mr. THURMOND, Mr. SPECTER, and Mr. JEFFORDS):

S. 2100. A bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to amend title 38, United States Code, to improve veterans' compensation, health-care, insurance, and housing programs, and to provide for transitional group residences for veterans recovering from substance-abuse disabilities and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRANSTON (by request):

S. 2101. A bill to waive the waiting period requirement of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization involving the Loan Guaranty Division at the Togus Veterans Affairs Medical and Regional Office Center; to the Committee on Veterans' Affairs.

S. 2102. A bill to amend title 38, United States Code, to modify the prior Congressional "report and wait" restrictions which are imposed upon certain Department of Veterans Affairs administrative reorganizations by section 210(b)(2) of that title; to the Committee on Veterans' Affairs.

S. 2103. A bill to waive the reporting and waiting period requirements of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization of the regional field offices of the Veterans Health Services and Research Administration; to the Committee on Veterans' Affairs.

By Mr. KENNEDY (for himself, Mr. JEFFORDS, Mr. METZENBAUM, Mr. HATFIELD, Mr. SIMON, Mr. DURENBERGER, Mr. PELL, Mr. PACKWOOD, Mr. GORE, Ms. MIKULSKI, Mr. ADAMS, Mr. BIDEN, Mr. BINGAMAN, Mr. BRADLEY, Mr. BURDICK, Mr. COHEN, Mr. CONRAD, Mr. CRANSTON, Mr. DODD, Mr. FOWLER, Mr. HARKIN, Mr. INOUYE, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. MATSUNAGA, Mr. MITCHELL, Mr. MOYNIHAN, Mr. RIEGLE, Mr. SARBANES, Mr. SPECTER, and Mr. WIRTH):

S. 2104. A bill to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. RIEGLE (for himself, Mr. KASTEN, Mr. SIMON, Mr. DIXON, Mr. BUMPERS, Mr. PRESSLER, Mr. LEVIN, Mr. SARBANES, Mr. WILSON, Mr. GRASSLEY, Mr. LIEBERMAN, Mr. DASCHLE, Mr. LAUTENBERG, Mr. SASSER, Mr. WARNER, Mr. METZENBAUM, Mr. DURENBERGER, Mr. D'AMATO, Mr. DOLE, Mr. GARN, Mr. INOUYE, Mr. KOHL, Mr. EXON, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. DODD, Mr. MCCLURE, Mr. LEAHY, Mr. BRYAN, Mr. MITCHELL, Mr. GORTON, Mr. WIRTH, Mr. SYMMS, Mr. BURDICK, Mr. WALLOP, Mr. NUNN, Mr. BIDEN, Mr. LUGAR, Mr. HUMPHREY, Mr. COCHRAN, Mr. DECONCINI, Mr. BYRD, Mr. CONRAD, Mr. PELL, Mr. COATS, Mr. ROTH, Mr. HEINZ, Mr. GLENN, Mr. BOREN, Mr. SPECTER, and Mr. HELMS):

S.J. Res. 251. A joint resolution designating "Baltic Freedom Day"; to the Committee on the Judiciary.

By Mr. BENTSEN:

S.J. Res. 252. A joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week"; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. MCCAIN, Mr. KENNEDY, Mr. DURENBERGER, Mr. LUGAR, Mr. PELL, Mr. DODD, Mr. JEFFORDS, and Mr. GRAHAM):

S.J. Res. 253. A joint resolution to express the support of the Congress for Chile's transition to democracy; to the Committee on Foreign Relations.

By Mr. GORE:

S.J. Res. 254. A joint resolution designating May 1990 as "National Digestive Disease Awareness Month"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 2086. A bill to extend the current duty suspension on certain glass ceramic kitchenware; to the Committee on Finance.

DUTY SUSPENSION ON CERTAIN KITCHENWARE

● Mr. ROCKEFELLER. Mr. President, today I'm introducing a bill to extend an existing duty suspension on certain glass ceramic kitchenware. The original duty suspension which was enacted as part of the trade bill in 1988 was noncontroversial, receiving unanimous support in the relevant committees in the House and the Senate. I expect that the extension of this duty suspension will similarly be noncontroversial.●

By Mr. JOHNSTON:

S. 2087. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States to the status of lawful permanent residence of certain alien entrepreneurs and their spouses and children; to the Committee on the Judiciary.

PROVIDING LAWFUL RESIDENCE IN THE U.S. TO CERTAIN ALIEN ENTREPRENEURS

Mr. JOHNSTON. Mr. President, I am introducing this legislation at the suggestion of a distinguished group of Louisianians who have been working diligently to attract new economic opportunities for my State. Many of my colleagues have heard me speak about

the serious economic situation Louisiana has faced over the last 8 years. While there are a number of encouraging signs in many areas, the hard reality is that unemployment remains unacceptably high, preliminarily estimated at 6.9 percent in December 1989, with my State's average unemployment rate among the highest in the Nation and still will above the 5.1 percent national average unemployment rate for December.

We in Louisiana must continue to seek new opportunities for job creation aggressively, from potential domestic sources as well as from those overseas. This bill is designed to help attract new jobs from the latter source.

What I am recommending in this bill is not a new idea. It is based on one of the recommendations made in 1981 by the Select Commission on Immigration and Refugee Policy and contained in S. 358, the Immigration Act of 1989 which passed the Senate last July. My recommendation allows more flexibility in determining what is job creation, for example, by counting expansion of existing facilities and investments which would save failing industries and protect jobs which would otherwise be lost. In addition, I have tried to target this provision on States or areas within States suffering from high unemployment. However, if the maximum number of visas allowed has not been reached by the end of the third quarter of any year, the remainder can be made available to those who plan to invest in other areas.

Similar to S. 358, I have also tried to make sure that visas made available in this category do not come at the expense of family reunification. This is and should remain a principal goal of U.S. immigration policy. The number of visas I have allocated for those meeting the job creation criteria I have specified will be in addition to the world-wide levels in effect in any one year. I have also included the requirement set forth in S. 358 that the job creation, or savings, be permanent.

Just as we have recognized the need for workers with special job skills to enter our labor force to help keep our Nation competitive, I am persuaded that we should make some provision on a limited basis for those whose industry and initiative have enabled them to amass capital to invest in our country and whose capital will create new jobs and opportunities for American workers. I am further persuaded that entrepreneurs will bring a new vitality and know-how to American industry and will help those areas in the United States needing new economic opportunities to develop them.

It is my hope, Mr. President, that the House will act on S. 358 early in this session so that work can be completed on this very important part of the comprehensive revision of immigration law the Congress began several years ago. I hope the provisions in S. 358 and this free-standing bill which I am introducing today will help focus debate on the need for a new independent category and the need to make changes in our current policies to provide for those who would bring business acumen and talent to this country just as we do for those who have particular labor skills in short supply those who have achieved a certain level of education.

By Mr. JOHNSTON (for himself and Mr. MCCLURE):

S. 2088. A bill to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes; to the Committee on Energy and Natural Resources.

ENERGY POLICY AND CONSERVATION ACT AMENDMENTS

Mr. JOHNSTON. Mr. President, our Nation's dependence on foreign oil is large and growing. We are now importing some 77.6 million barrels a day, which is 44 percent of our consumption. By the year 2010, Mr. President, we will be importing two-thirds of our foreign oil.

Mr. President, the strategic petroleum reserve is the one part of our energy policy on which almost everyone agrees. It is our first line of defense against imports. Mr. President, we have had a policy of having 90 days of imports in the strategic petroleum reserve.

Unfortunately, today, with only 580 million barrels in the strategic petroleum reserve, it is well less than a 90-day supply. In fact, the 750 million goal presently allowed by law would not equal the 90-day supply.

Mr. President, I am, therefore, introducing a bill today to expand the strategic petroleum reserve to 1 billion barrels, which will be a 90-day supply.

The message from DOE, Mr. President, is do not worry, be happy with a smaller SPR, a weaker insurance policy, a shorter lifeline for this country if oil supplies are threatened.

We cannot have that, Mr. President. We must have the full 90-day supply, and this bill, which I am introducing today, will give us the full billion barrels of oil, the full 90-day supply which this country needs.

Our domestic supplies are dropping precipitously. Our consumption is going up quickly and the strategic petroleum reserve is our last line of defense against imported oil.

By Mr. BOSCHWITZ (for himself, Mr. DURENBERGER, Mr. BUMPERS, Mr. PRYOR, Mr. SASSER, Mr. BREAUX, Mr. KOHL, Mr. KASTEN, and Mr. JOHNSTON):

S. 2089. A bill to require the Director of the Geological Survey to conduct a study of the water quality of the Mississippi River; to the Committee on Environment and Public Works.

MISSISSIPPI RIVER WATER STUDY ACT

● Mr. BOSCHWITZ. Mr. President, I rise today to introduce the Mississippi River Water Study Act of 1990. The purpose of this bill is to authorize the U.S. Geological Survey to undertake a special 2-year study of the water quality of the Mississippi River.

The Ojibwa Indians appropriately named it the Misisipi which means great river. Water from 31 States flows into the Gulf of Mexico through the Mississippi River Basin. The river empties an average of more than 150,000 cubic feet of water per second into the gulf. That's about 1½ times the discharge of the St. Lawrence, 8 times that of the Rhine and 30 times that of the Thames.

Each year millions of people use the Mississippi for recreation, swimming, boating, fishing, and hunting. The Upper Mississippi River alone—that portion above the Mississippi-Ohio River junction—has 200 boat harbors, 445 water recreation sites and a total recreation value of approximately $700 million. Also, some 70 cities draw their water from the Mississippi. Yet, little is known about the quality of water which flows through this great river system, especially the portion north of St. Louis.

Mr. President, the first order of business for the Water Study Act should be to study the Mississippi River as a source of drinking water. The Mississippi and its tributaries are the source of 23 percent of the public surface-water supplies for the United States. Many cities in the 10 States that border it derive their water from the river. Several recent local studies have indicated that the water supplies drawn directly from the Mississippi, and those derived indirectly by pumping water from adjacent aquifers, carry a host of contaminants. And while a study of these contaminants does not in itself allow us to quantify the health threat associated with drinking water—because it generally undergoes treatment before delivery to customers—such a study does represent the first step in understanding the potential threat.

The act would also address the environmental impact upon fish, birds, and other wildlife, that habitate the Mississippi. Wildlife, as well as surrounding vegetation, relies on water from the river for survival. Many animals have the tendency to accumulate certain toxic substances in their tissue. This is known as biomagnification. The result of this process is that the tissue of the animal can have concentration of the contaminant that are hundreds or thousands of times greater than that in the water. This is one reason we need to know about con-

taminants in the river even if they are considerably lower than drinking water standards or health advisory levels.

This act would prove vital towards estimating the environmental health of the ever-important Mississippi. The quality of the water in the Mississippi River serves as a kind of national report card, a much-needed standard considering the fact that the river drains about 40 percent of the United States, the heartland of our Nation. It is an area that produces a substantial amount of our agricultural and industrial output. Over the past two decades Congress had enacted significant environmental legislation, and great effort and expenditures have been made by Government and the private sector. Much progress has been made. However, there still exists a number of threats to the water quality of the river.

The contaminants in the Mississippi River come from our homes and businesses, industries, agriculture, runoff from city streets, natural sources, and some are carried into the Mississippi watershed through the air. By measuring what flows down the river, dissolves in the water, attaches to sediment particles, or incorporates in the tissue of a plant or animal, we have the capability of identifying where our society is failing to meet the challenge of environmental management. This can help us set priorities for future controls.

We cannot solve our remaining water-quality problems overnight. Therefore, we need to know what to emphasize. Where do we start? Industry? Agriculture? Urban runoff? Municipal treatment plants, or some other sources?

The U.S. Geological Survey, Mr. President, is well suited to do such an assessment of the water quality of the Mississippi. Among its many scientific programs, the Survey has a responsibility to assess water resources in terms of both quantity and quality, and to improve our understanding of the impacts of human activities and natural phenomena on hydrologic systems. The Survey does this to provide water managers and policymakers at the Federal, State, and local levels with the information base for making the best possible environmental management decisions. The Survey is a fact finding organization, rather than one which is charged with enforcing laws or developing resources. Because it does not have either of these responsibilities, the Survey is able to provide highly objective and reliable analyses.

This bill instructs the Survey to carry out its study in consultation with three other agencies that have expertise and responsibility related to the river: First, the Fish and Wildlife Service, which has a responsibility for endangered species and the national system of refuges, and has considerable expertise in the sampling and interpretation of data on contaminants in animal tissue; second, the Environmental Protection Agency, which has responsibility for the enforcement of the key statutes aimed at protecting the quality of river water and human health as it relates to drinking water. EPA also has expertise in environmental chemistry and toxicity that can be very valuable to a study such as this; and, third, the U.S. Army Corps of Engineers, which has the responsibility for the navigation and flood control facilities along the river. As a part of this responsibility, the corps must take care of dredging the river and safely disposing of the dredge spoil. It also has expertise relating to contaminants in river sediments and the movement of contaminants between the water and the sediments.

Now is the time to begin this study because the Survey has recently been refining techniques for data collection and laboratory analyses designed for just such an assessment. Since 1987, the Survey has been working from St. Louis to the mouth of the Mississippi—including several of the major tributaries—collecting water and sediment samples and analyzing them for metals, organic chemicals—including pesticides and their breakdown products—and for sediment. The study proposed by this bill would extend the work of the Survey to include the entire river from the headwaters at Lake Itasca in Minnesota to the Gulf of Mexico, and lead to an overall assessment document in October 1992.

Mr. President, the issue of water quality in the Mississippi River is of the greatest importance to our Nation. If we are to make the right choices about future measures to improve the quality of this valuable resource, we must have an accurate assessment of its present status. I urge my colleagues to work with me to see that such a study begins as soon as possible.●

By Mr. GLENN:

S. 2090. A bill to amend the Internal Revenue Code of 1986 to make changes to the earned income tax credit to provide equitable treatment for military families overseas and to clarify and improve current law; to the Committee on Finance.

CORRECTING AN INEQUITY IN THE FEDERAL INCOME TAX TREATMENT OF CERTAIN MILITARY MEMBERS

● Mr. GLENN. Mr. President, I am introducing today a bill that would amend the Internal Revenue Code of 1986 to correct an inequity in the Federal income tax treatment of certain military members who are assigned outside of the United States and to clarify and improve current law.

Under current tax law, low-income families with children are authorized an indexed, refundable income tax credit. The maximum annual amount of this credit in 1989 was $910. For 1990, it will be $953.40. This maximum is reduced at a rate of 10 percent of earned income over $10,730.

The current construction of the law is such that only low-income families with children in the United States are eligible for this credit. Therefore, about 25,000 military personnel, who are assigned outside of the United States, who would otherwise be eligible for this tax credit, are being denied this credit solely because they are assigned outside of the United States.

All of these military personnel are young, junior enlisted members who are struggling to make ends meet. Most of these young men and women are on their first assignment outside of the United States and are experiencing for the first time the added financial burdens of being assigned to a foreign country where up-front housing costs and currency fluctuations put a squeeze on their pocketbooks. When you place on top of this the loss of the earned income tax credit because of their assignment outside of the United States, the squeeze is made worse.

Let me give you an example of what I mean. A married E-3—a private first class in the Army, a seaman in the Navy, an airman first class in the Air Force, or a lance corporal in the Marine Corps—with less than 2 years of service who has a dependent child and household in the United States would pay no Federal income tax. But this same individual, because he or she is eligible for the earned income tax credit, would receive a payment of about $450 a year. This same individual, if he or she is assigned outside of the United States, would not be eligible for this credit, and therefore lose about $450 a year because of being assigned outside of the United States.

I believe all of my colleagues can see the inequity involved here. I don't think that 25,000 out of the 115,000 military families who earn incomes that would otherwise qualify for earned income tax credit should be denied this credit when they are required by our Government to serve outside of the United States.

The Department of Defense has recognized this inequity and attempted to correct it last year by proposing legislation almost identical to the bill I am introducing. I understand that, because the legislation was submitted near the close of the legislative session last year, and because of the agreement between the legislative branches and the administration that the final budget reconciliation would be free of any items unrelated to deficit reduction, that it was not acted on. I believe the legislation was considered to be meritorious at the time so my purpose

in introducing this bill is to expedite the action this year.

As chairman of the Subcommittee on Manpower and Personnel of the Committee on Armed Services, I want to say that our military personnel are going through a very uncertain period of time. The amended defense budget for fiscal year 1991 proposes a reduction in military strength by 91,400 over the next 2 years. The reduction will require our military personnel to work harder and at the same time accept a more austere compensation and benefits package. So it is incumbent on all of us to do what we can to ameliorate some of this.

From a budget standpoint, the bill I am introducing is budget neutral. The revenue loss of including military personnel assigned outside of the United States under the eligibility criteria for earned income tax credit would be offset by clarifying language in the bill that would include the value of Government quarters for those who reside in them in the calculation of earned income. In the past the treatment of the value of Government provided housing was inconsistent, resulting in substantial overpayments.

Mr. President, the bill I am introducing, corrects an inequity for those military families most in need in our military establishment. I urge my colleagues to join me in support of this legislation.●

By Mr. BUMPERS (for himself and Mr. REID):

S. 2093. A bill to amend the Federal Election Campaign Act to exclude from the definition of "independent expenditures" those expenditures that are not truly independent of the legislative process; to the Committee on Rules and Administration.

INDEPENDENT CAMPAIGN EXPENDITURES

Mr. BUMPERS. Mr. President, I am pleased to be joined by my colleagues Senators BOREN, REID, BRYAN, and CRANSTON in introducing legislation today that will severely limit the use of independent expenditures in Federal election campaigns. According to records at the Federal Election Commission, so-called independent expenditures in congressional races in the 1988 election cycle totaled $7 and $14.1 million in the campaign for President. I am greatly concerned about the pernicious influence of these expenditures in Federal campaigns in the last several years and believe that their continued, unchecked use will be extremely detrimental to our election process.

Let me put the legislation in context. Under current law, expenditures made expressly to advocate the election or defeat of a clearly identified candidate, where they are made without prior consultation or cooperation with any candidate, are independent expenditures. The Supreme Court stated in Buckley versus Valeo that independent expenditures receive the constitutional protection of free speech, and thus are not subject to dollar limits, because they are made "totally independently" of the candidate and his campaign, thus "alleviating the danger that they will be given as a quid pro quo for improper commitments from the candidate." (424 U.S. 1, 47 (1976).)

In the absence of total independence, an expenditure made in support of a candidate constitutes a contribution limited to amounts specified under section 315 of the Federal Election Campaign Act (2 U.S.C. section 441a). Any contact or coordination with the candidate or campaign will destroy the requisite independence of the activity, and thus subject the expenditure to these limits.

In many campaigns, and most recently during the 1988 elections, this standard of independence has been shamelessly abused by political committees which are organized as separate segregated funds of organizations with active lobbying programs. In these situations, staff and members of an affiliated lobbying organization develop close working relationships with Members of Congress, particularly those who sit on committees with substantive jurisdiction over the organization's key issues. It is highly likely, if not inevitable, that in the course of their lobbying meetings conversations about the upcoming election and the member's campaign occur.

At election time the affiliated political committee then assists the very same members who have been supportive of its lobbying agenda by making independent expenditures in support of their campaigns. This degree of coordination and consultation prior to making an independent expenditure is clearly violative of the standard of total independence.

For example, take the case of a neck and neck race for the Senate. In the last week of the campaign before the election, a well-financed political committee places hundreds of thousands of dollars into media advertisements in opposition to one of the candidates whose stated position on several issues is viewed as infavorable by the PAC. The other candidate's position on these same issues is, not so coincidentally, supported by the PAC. The ads are seen by millions of local voters and the candidate attacked in the ads has little or no time or money to respond to this media blitz. He loses the race by only a few thousand votes, undoubtedly the victim of these "independent" expenditures by the political committee. That PAC now has helped to place their favored candidate in office, one who is sympathetic to the issues they support. Should this last minute spending in amounts often exceeding $1 million be allowed? Are these expenditures the type of spending envisioned by the Supreme Court in Buckley? I believe the answer to both questions is clearly no.

The Supreme Court emphasized that the expenditure must be given with no prior consultation or arrangement with the candidate in order to avoid any political quid pro quo which may arise in the form of campaign support in return for legislative access and favor. Clearly, the dual relationship that a political committee and its affiliated lobbying organization creates with a current or potential officeholder, by requesting support for its legislative agenda and providing financial support for the candidates' election, establishes precisely the quid pro quo that must be avoided.

My legislation is simple. It will amend the definition of independent expenditure under the act to prohibit a political committee which is tied to an organization that lobbies Congress, from making expenditures defined as independent. More formally stated, a political committee could not claim independence for any expenditures if the committee is directly or indirectly organized, financed, controlled or administered by a connected organization which is required to register, or which pays for the services of a person required to register under the Federal Regulation of Lobbying Act.

If Congress is truly interested in enacting campaign finance reform legislation, and God knows I hope we are, I urge my colleagues to support this legislation, which I believe to be an integral part of any serious effort at campaign finance reform.

In closing, Mr. President, I have labored long and hard over this legislation and I am not absolutely positive but I am absolutely secure in the belief that this will meet the Buckley versus Valeo test and is constitutional.

Mr. REID. Mr. President, in the past year, I've come to this floor and talked about the need for campaign finance reform. Again and again, I urged us to do something. Now is the time.

Today, my distinguished colleague from Arkansas, Senator DALE BUMPERS, has introduced legislation to limit independent expenditures.

I am a cosponsor of this bill because it does something to counter the single most important problem in campaign spending today.

Independent expenditures allow individuals or groups to spend as much money as they want for advertisements, direct mail, and other efforts on behalf of a candidate.

As long as they don't coordinate their activities with a candidate or the campaign, they are free to spend unlimited amounts of money. They are merely exercising their freedom of speech.

But I believe that most independent expenditures are not truly independent. They operate in accordance with a slightly skewed version of freedom.

This kind of freedom allows an individual like Donald Trump to spend $2 million of his own money—to ensure that his candidate wins the mayoral race in New York City.

This kind of freedom allows political action committees to elude Federal election laws.

It is a freedom that has contributed to an increase of 1,000 percent in independent expenditures since 1976. One of the more prominent players to exercise this freedom was the National Conservative Political Action Committee, led by the late Terry Dolan. In a 1980 interview with the Washington Post, Mr. Dolan cut to the essence of how independent expenditures can change the political landscape. He said:

> Groups like ours are potentially very dangerous to the political process. We could be a menace, yes. Ten independent expenditure groups, for example, could amass this great amount of money and defeat the point of accountability in politics. We could say whatever we want about an opponent of a Senator Smith and the Senator wouldn't have to say anything. A group like ours could lie through its teeth and the candidate it helps stays clean.

Unfortunately, Terry Dolan's words were not much of an exaggeration. His prophecy is coming true.

Mr. Dolan's words should strongly persuade us to limit independent expenditures. Mr. Dolan openly taunted and belittled the FEC. He said the loophole allowing unlimited independent expenditures enabled groups like his to "gleefully spend millions."

When that much money is being spent, I find it hard to fathom that there is absolutely no coordination or contact between the organization doling out the millions and the candidate or campaign who benefits from those expenditures.

Mr. Dolan was not ashamed to show up our campaign finance system for the fiasco that it has become.

He thought the whole thing was one big joke played on the FEC. But it is not funny. Not in the least.

I, for one, am ashamed that our country, the birthplace of democracy, can tolerate a practice that is tantamount to buying elections.

In 1984, the Supreme Court heard a case involving Mr. Dolan's National Conservative PAC and the FEC. The Court asserted that the only compelling governmental interest in restricting campaign finances is the prevention of corruption and the appearance of corruption.

If that's the case, Mr. President, we have a compelling reason for action.

The Congress must begin restricting independent expenditures, thereby restoring our democratic campaign practices to a clean, fair, high ground.

Senator BUMPERS' legislation is a critical step in this direction. I encourage my colleagues to join me in supporting this significant legislation.

But I must emphasize that this legislation is only a first step toward addressing the numerous problems plaguing our campaign finance system.

Senator MCCONNELL and I have introduced the Federal Election Enforcement Act which will provide the FEC with the authority and resources required to do its job.

My bill will help guarantee that campaigns in this country follow the letter and spirit of the law. If they do not, they will be quickly judged guilty of violations and penalized with more than a mere slap on the wrist and paltry fine.

It is time that the FEC gains the respect and power that the institution needs.

We must also require disclosure of independent expenditures. The bill introduced today helps tighten the definition of independent expenditures.

But we must additionally ensure that voters be made aware when organizations or individuals spend vast sums of money to support or oppose a candidate.

In Nevada, nobody was aware that the half a million dollars' worth of advertising on the social security issue was spent by an organization representing foreign car dealers.

Nobody was aware that an independent group—with no direct relation to social security—was the source of the media blitz.

I am a strong advocate of freedom of speech, but we must find a way to balance this right of free expression with the right of all Americans to participate in a fair, honest campaign process.

Other elements of the proposal I will endorse include stipulations for broadcast discounts within election timeframes, and restrictions to address bundling and the millionaire's loophole.

The bill introduced by Senator BUMPERS today is an important step—but only a first step—toward rectifying the credibility and viability of our Nation's campaign finance laws and—ultimately—our democratic electoral process.

By Mr. DOLE:

S. 2094. A bill entitled the "Eastern European Democracy and Free Market Act of 1990"; to the Committee on Foreign Relations.

EASTERN EUROPEAN DEMOCRACY AND FREE MARKET ACT OF 1990

Mr. DOLE. Mr. President, today, I am introducing legislation to implement the President's proposed program of assistance to the emerging democracies of Eastern Europe—as outlined in his recently submitted budget.

Yesterday, I expressed some chagrin that the Foreign Relations Committee intended to move tomorrow to markup—without any real hearing, or serious consideration—a Senate Democrat proposal on this same issue. I noted then that the President's proposal had not yet even been presented in legislative form.

Today, I have received some indication—which I hope will soon be confirmed—that the foreign relations markup has been postponed until after the recess. As everyone knows, providing aid to the emerging democracies of Eastern Europe is a matter of the highest priority. As far as I know, it is not a partisan concern. It is one we all want to support. It is one that the American people have mixed feelings on.

In fact, I was surprised by a survey of the New York Times, I think, about 10 days ago which indicated only about 38 percent of the American people even wanted to give any aid to Eastern Europe. The bottomline in foreign aid is not popular. We have a pretty big foreign aid program now. Many Americans think we ought to take a look at that foreign aid program before we start making it bigger to see if there is not some way to obtain some money from what we give international agencies or what we give around the world—to see if we cannot obtain some money from that particular pot.

I am pleased that the distinguished chairman of the Appropriations Committee, the distinguished Senator from West Virginia, the President pro tempore, Senator BYRD, indicated today that he agreed with me that we ought to take a look at foreign aid. There ought to be some way to save enough money in what we send in foreign aid to take care of the initial needs of the emerging democracies and also to take care of some 31 countries who have been receiving some aid from the United States.

We are going to have either reduced aid or zero aid because of all the earmarking we now find in the foreign aid program. I share the view expressed by the distinguished Senator from West Virginia. Obviously, the Congress does have a say in how we spend money. Obviously, the Congress is going to reserve some right to designate certain countries and certain amounts. But on the other hand, the President should have some flexibility in the event of some emergency. These are almost emergencies. Nobody knew when we left here last November we were going to have all of these new emerging democracies. The President ought to be in the position, whether he be a Democrat or Republican, to respond quickly with appropriate relief, aid, call it what you will.

So it seems to me this is a priority. There ought to be hearings. It ought to be thought through sensibly. I think there is a feeling on the part of the American people—and I might say some of the recipient nations, whether it be Czechoslovakia, Romania, Bulgaria, East Germany, or any of the other emerging democracies. They are not looking for welfare. They prefer investment, as Lech Walesa told us in a joint meeting in Congress not too long ago.

They are looking for American investment. I am not certain there is enough money available. I am not certain our taxpayers are willing to spend enough money to start some massive foreign aid program that is going to continue forever or at least in the foreseeable future.

And, on foreign policy especially, we should give due consideration to the recommendations of the President of the United States—who, according to the Constitution, has principal responsibility for formulating and conducting our foreign policy.

So I welcome the apparent decision—I hope it is a real decision—of the Democratic majority on the committee to postpone its markup, give the President an opportunity to present his proposal, and give the committee time to consider it in a rational, nonpartisan fashion.

I might also point out the Secretary of State is not even in the country. He is engaged in very important meetings in the Soviet Union with Secretary Shevardnadze. It is another reason I am pleased that it has been postponed. I hope that is true. It should be postponed.

Mr. President, the President's package which I have forwarded authorized $300 million in fiscal year 1991 to assist the emerging democracies of Eastern Europe and Yugoslavia.

It lays out sound policy outlines—especially in mandating that the aid should be used exclusively to encourage democratization and free enterprise economics. In other words, do not pour it into some pit and initiate some welfare program in some country we are going to have to continue time after time after time; that we are going to continue such aid only so long as the recipient countries continue to make progress toward those goals. That is a market economy, democracy, all the things we hope for—as long as they maintain friendly relations with the United States. If that ceases, then the aid ceases.

In other words, this is not aid tossed into a vacuum—but tied to specific policy objectives.

The bill will make the emerging democracies eligible for GSP and OPIC benefits—consistent with their commitment to democracy and free enterprise.

It mandates reporting that will keep the Congress informed about progress toward achieving our policy goals—without imposing a massive new reporting burden on the executive branch.

Mr. President, I have pressed the administration to prepare this legislation as quickly as possible. I endorse its goals and provisions, and hope that it will serve as the basis of our legislative action.

But—as I said in my statement of yesterday—good foreign policy almost has to be nonpartisan foreign policy. I do not regard the administration's proposal as the last, or the only word—any more than I regard the Senate Democrat proposal as the last or the only word.

So I hope we will go forward in prompt, but prudent, consideration of this issue—taking into account all responsible proposals—and that, finally, we will fashion a nonpartisan package that will enjoy overwhelming support in the Congress.

That is the way our foreign policy ought to work—especially on an issue as important as that of the emerging democracies of Eastern Europe.

Mr. President, I ask that the text of the bill I am introducing, including a section-by-section analysis, be included in the RECORD.

I encourage all Senators to review the legislation and to review the section-by-section analysis, and I ask unanimous consent that the bill and the section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2094

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eastern European Democracy and Free Market Act of 1990".

SEC. 2. FINDINGS AND STATEMENT OF POLICY.

(a) REASONS FOR ASSISTANCE.—The Congress finds as follows:

(1) A new era has begun in Eastern Europe and Yugoslavia. The year 1989 witnessed a great revolution, that is still continuing, in which Eastern European countries took the first steps toward establishing democratic institutions and market-oriented economies.

(2) The pivotal events of the past year validate the longstanding goals of United States policy and the principles of freedom and opportunity upon which it is based.

(3) The countries of Eastern Europe and Yugoslavia are now in a critical period of transition as they seek to transform the promise of the revolution into the reality of enduring, democratic societies.

(4) The success of independent, democratic governments and the establishment of free, market-oriented economies in Eastern Europe and Yugoslavia is in the national interest of the United States.

(5) In order to further the political, economic, and social democratization processes in Eastern Europe and Yugoslavia, the United States should provide assistance which would support the efforts of these countries to join the world community as democratic, self-reliant, and economically secure countries.

(b) STATEMENT OF POLICY.—It is the the Sense of the Congress that the policy of the United States to facilitate the reintegration of Eastern Europe and Yugoslavia into the community of democratic nations and to end the artificial division of Europe. In furtherance of this objective, the United States should provide and expand assistance to the countries of Eastern Europe and Yugoslavia to the extent that such countries are taking steps toward—

(1) political pluralism, based on progress toward free and fair elections and an end to the monopoly of the communist party;

(2) economic reform, based on progress toward the emergency of a market-oriented economy with a substantial private sector;

(3) respect for human rights, including the right to emigrate; and

(4) a willingness to build a friendly relationship with the United States.

(c) EXTRAORDINARY NATURE OF ASSISTANCE.—The Congress recognizes that—

(1) change is occurring quickly but unevenly in Yugoslavia and the individual countries of Eastern Europe, and it has not been possible, and will not be possible, to anticipate with certainty how United States assistance would best serve to facilitate the political and economic democratization processes in Eastern Europe and Yugoslavia;

(2) the pace of events in Eastern Europe and Yugoslavia requires that the President have the ability to provide United States assistance and resources expeditiously if the United States is to be able to influence events as they occur;

(3) the ability of the United States to participate effectively in the rebuilding of Eastern Europe and Yugoslavia will be directly related to how well United States assistance efforts are coordinate and integrated with the similar activities of friendly and allied donor countries, and international financial institutions; and

(4) the success of United States efforts to encourage political, economic, and social change depends in large measure on providing the President with the authority to use the resources available to him in those countries of Eastern Europe and in Yugoslavia, and for activities in those countries, which will most effectively promote the objectives of this Act and the Support for East European Democracy (SEED) Act of 1989.

SEC. 3. BASIC OBJECTIVES OF ASSISTANCE TO EASTERN EUROPE AND YUGOSLAVIA.

(a) BASIC OBJECTIVES.—In furtherance of the policy contained in section 2 of this Act, assistance programs authorized by this Act shall have the following two interrelated and mutually reinforcing objectives:

(1) PROMOTION OF DEMOCRACY.—Fostering political pluralism and the establishment of an open, accessible, fair, and predictable rule of law that values individual liberty and respect for individual property, and that facilitates the functioning of democratic and free market systems.

(2) ENCOURAGEMENT OF FREE MARKET SYSTEMS.—Fostering market-oriented economies and free enterprise, consistent with sound environmental policies, thereby facilitating and expanding the participation of the local private sector in the democratization process and enhancing the ability of the private sector in the United States and other free

market countries to participate in that process.

(b) DEMOCRACY.—Democratic development, political pluralism, and respect for internationally recognized human rights are intrinsically linked to economic and social progress. It is in the United States interest and in keeping with our democratic traditions to foster the spread of democratic values and aspirations and universal respect for civil and political liberties. While this is true worldwide, it is especially important in the newly emerging democratic nations within Eastern Europe and Yugoslavia.

(1) ELABORATION OF OBJECTIVE.—Activities in furtherance of this objective would promote:

(A) the ability of all citizens to organize and associate freely and independently of government;

(B) the ability of all citizens to speak and travel freely;

(C) the right to choose freely one's government, to hold that government accountable, and to participate in political life;

(D) the full observance of internationally recognized human rights; and

(E) the growth of indigenous non-governmental organizations which are committed to democratic values and active in the promotion of pluralism.

(2) TYPES OF ASSISTANCE.—In pursuing the above objective the President should undertake activities such as, but not limited to:

(A) assisting in election activities to ensure open and free elections and nationwide dissemination of information;

(B) strengthening newly established formal democratic institutions such as democratically elected legislatures and local governments, independent judiciaries, and unions;

(C) strengthening non-governmental organizations such as professional associations, indigenous private voluntary organizations and independent institutes and foundations;

(D) encouraging involvement of U.S. non-governmental agencies, foundations and institutions to participants in promoting democratic pluralism within these countries;

(E) promoting cultural and educational exchanges;

(F) promoting the establishment of independent and pluralistic media.

(c) FREE MARKET SYSTEM.—Establishment of a free enterprise, market economy is a key component of long-term sustainable growth of any nation. To be sustainable, such economic growth also must be environmentally sound. As the Eastern European countries abandon government-controlled pricing and allocation systems, they will be in a position to benefit from the experience of the United States and other democracies in operating market-oriented economies.

(1) ELABORATION OF OBJECTIVE.—Promoting a free market system covers a broad spectrum of activities which would include:

(A) establishing macroeconomic policies, legal and regulatory frameworks, and financial institutions and markets to address the structural problems inhibiting the development of free market economies;

(B) developing the indigenous private sector, mobilizing United States private sector investment and trade, and advancing United States business interests;

(C) developing human resources required by free market economies;

(D) providing interim support for the transition to market-oriented economic systems through the provision of essential goods and services such as farm implements, feed grains, food assistance, and fertilizers;

(E) improving environmental conditions; and

(F) providing for labor market reform.

(2) TYPES OF ASSISTANCE.—In pursuing the above objective, the President is authorized to undertake such actions as:

(A) support for International Monetary Fund and International Bank for Reconstruction and Development agreements, and participation in multilateral institutions and currency stabilization programs;

(B) provision of Most Favored Nation status and eligibility under the Generalized System of Preferences consistent with existing legislation;

(C) encouragement of bilateral trade, investment, and business agreements;

(D) mobilization of capital for private sector investment through such vehicles as enterprise funds, guarantees, financial and capital market development;

(E) provision of technical assistance, technical training and scholarships in relevant areas such as management, banking, economics, accounting, and privatization;

(F) provision of food assistance under Agricultural Trade Development and Assistance Act of 1954 and other food assistance programs, consistent with the need to avoid disincentives to domestic production and marketing; and

(G) promotion of sound environmental policies and practices which address the problems of environmental pollution.

SEC. 4. ASSISTANCE ACTIVITIES.

(a) AUTHORITY.—In order to carry out section 3 of this Act to foster the transition of the countries of Eastern Europe and Yugoslavia to a system of free market economies within the context of increasing political democratization, the President is authorized to furnish assistance for Poland, Hungary, Czechoslovakia, Bulgaria, the German Democratic Republic, Romania, Yugoslavia, and any other Eastern European country which he determines is making significant progress toward achieving political pluralism, economic reform, respect for human rights, and willingness to build a friendly relationship with the United States. Assistance authorized by this section may be furnished notwithstanding any other provision of law. Such assistance may include any of the SEED Actions contained in section 2(c) of the Support for East European Democracy (SEED) Act of 1989.

(b) AUTHORIZATION OF APPROPRIATIONS.—For programs of providing the assistance authorized by this section, there are authorized to be appropriated to the President $300,000,000 for fiscal year 1991, inclusive of amounts authorized to be appropriated under the Support for East European Democracy (SEED) Act of 1989. Amounts authorized to be appropriated by this subsection are authorized to remain available until expended.

(c) RELATIONSHIP WITH OTHER PROVISIONS OF LAW.—(1) Such amounts as are appropriated for fiscal year 1991 pursuant to the provisions of the Support for East European Democracy (SEED) Act of 1989 for SEED Actions for Poland and SEED Actions for Hungary may be used, notwithstanding any other provision of law, for such SEED Actions or for other assistance activities for Poland and Hungary (as the case may be) consistent with section 3 of this Act.

(2) Of the funds appropriated by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, for Poland and Hungary, up to $4,000,000 may be provided, notwithstanding any other provision of law, for support for independent, democratic organizations and activities in other Eastern European countries and in Yugoslavia.

SEC. 5. TRADE AND INVESTMENT.

(a) AMENDMENT TO THE LIST OF INELIGIBLE COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES.—Subsection (b) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462(b)) is amended by striking out "Czechoslovakia" and "Germany (East)" in the table within such subsection.

(b) ELIGIBILITY OF EASTERN EUROPEAN COUNTRIES FOR OPIC PROGRAMS.—(1) Section 231(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2191(2)) is amended by inserting "Eastern European countries as designated by the President, Yugoslavia, and" after "(other than".

(2) Section 234(g)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2194(g)(2)) is amended by inserting in the title "YUGOSLAVIA, EASTERN EUROPE," before "SUB-SAHARAN AFRICA" and inserting "Eastern European countries designated by the President, Yugoslavia," before "countries in sub-Saharan Africa".

(3) Section 239(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2199(f)) is amended by inserting "Bulgaria, Czechoslovakia, the German Democratic Republic, Romania, and such other Eastern European country as the President may designate," after "Hungary,".

SEC. 6. PROGRAM ADMINISTRATION.

(a) COORDINATION.—It is the Sense of the Congress that there should continue to be a Special Coordination for Assistance to Eastern Europe and Yugoslavia whose repsonsibility should be, in part, to promote maximum effectiveness and coordination of United States Government assistance programs for Eastern Europe and Yugoslavia and to foster coordination of these programs with the assistance programs of other countries and organizations.

(b) AUTHORITY OF UNITED STATES GOVERNMENT AGENCIES.—(1) United States Government agencies which are authorized to provide assistance or conduct programs for Poland and Hungary under the provisions of the Support of East European Democracy (SEED) Act of 1989, are hereby authorized, notwithstanding any other provision of law, to provide such assistance or conduct such programs as the President may determine for countries in Eastern Europe or Yugoslavia. Any administrative authorities provided by the SEED Act to any such agency to assist that agency to carry out programs for Poland and Hungary shall be applicable for programs, as designated by the President, to other East European countries or Yugoslavia.

(2) The term "United States Government agencies" shall include any agency as defined in section 644(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(a)).

(c) PRIVATE SECTOR DEVELOPMENT.—The President may authorize such agency or agencies as he may designate to develop and implement, in consultation with representatives of business organizations in the United States, programs for management and technical assistance to governments and private enterprises in East European countries.

SEC. 7. REPORTING REQUIREMENTS.

Not later than January 31 of each year (beginning in 1991), the President shall submit to the Congress a "Report on the United States Program of Support for Eastern Europe and Yugoslavia". Each such report shall describe the assistance provided to each Eastern European country under

this Act and the Support for East European Democracy (SEED) Act of 1989 during the preceding fiscal year. In addition, each such report shall contain an assessment of the progress made by each such recipient country in—

(1) implementing economic policies designed to promote sustainable economic growth, develop economic freedom, and increase opportunities for the people of that country; and

(2) adopting and implementing constitutional, legal, and administrative measures that—

(A) affect the powers of the executive and legislative authorities and the independence of the judiciary,

(B) affect the formation and operation of independent political parties, groups, associations, or organizations, or

(C) affect fundamental human rights and civil liberties.

SEC. 8. MISCELLANEOUS PROVISIONS.

(a) CONFORMING AMENDMENTS.—Section 602 of the Support for East European Democracy (SEED) Act of 1989 is amended—

(1) by striking out "SEED INFORMATION CENTER SYSTEM" from the section title and inserting in lieu thereof "EASTERN EUROPEAN BUSINESS INFORMATION CENTER";

(2) in subsection (a), by striking out "a SEED Information Center System" and inserting in lieu thereof "an Eastern European Business Information Center System";

(3) by striking out "Government of Poland and the Government of Hungary" and inserting in lieu thereof "Governments of Eastern European countries and Yugoslavia, as designated by the President"; and

(4) by amending subsection (c) to read as follows:

"(c) LOCATION.—The Eastern European Business Center may be based jointly in Washington, the District of Columbia, the United States Department of Commerce, and the capitals of Eastern European countries and Yugoslavia as designated by the President.".

(b) CREDIT UNIONS.—Paragraph (16) of section 107 of the Federal Credit Union Act (12 U.S.C. 1757) (as added by section 206 of the Support for East European Democracy (SEED) Act of 1989) is amended by striking out "Poland and Hungary" and inserting in lieu thereof "Eastern European countries and Yugoslavia as designated by the President".

SECTIONAL ANALYSIS

SECTION 1. SHORT TITLE

This section states that this Act may be cited as the "Eastern European Democracy and Free Market Act of 1990".

SECTION 2. FINDINGS AND STATEMENT OF POLICY

Subsection (a) of this section contains a statement of findings which note, in part, that 1989 was a watershed year in the history of Europe, that the countries of Eastern Europe and Yugoslavia are now in a critical period as they seek to transform the events of the past year into the reality of enduring, democratic societies, and that it is in the national interest of the United States to provide assistance which would support the efforts of these countries to join the world community as democratic, self-reliant, and economically secure countries.

Subsection (b) of this section states that it is the policy of the United States to facilitate the reintegration of Eastern Europe and Yugoslavia into the community of democratic nations and to end the artificial division of Europe. In furtherance of this objective, assistance should be provided to the extent such countries are taking steps toward: political pluralism, economic reform, respect for human rights, and a willingness to build a friendly relationship with the United States.

Subsection (c) of this section notes that the ability of the United States to participate meaningfully, in a timely fashion, and cooperatively with other donors in affecting change in Eastern Europe will depend in large measure on the discretion provided to the President to make use of the resources authorized in the bill to meet the emerging and changing needs of the countries of Eastern Europe and Yugoslavia.

SECTION 3. BASIC OBJECTIVES OF ASSISTANCE TO EASTERN EUROPE AND YUGOSLAVIA

Subsection (a) of this section states that United States assistance efforts shall have two interrelated objectives: (1) promotion of democracy, and (2) encouragement of free market systems. These objectives are elaborated upon in subsections (b) and (c) of the bill.

Subsection (b) of this section states that political pluralism, democratic development, and respect for human rights are intrinsically linked to economic and social progress. In furtherance of this objective, the United States should promote, for example: the ability of citizens to organize and associate freely and to speak and travel freely, the right to choose freely one's government, the growth of indigenous non-governmental organizations committed to democratic values. In pursuing this objective, various kinds of assistance are enumerated including: supporting election activities, strengthening newly established democratic institutions, strengthening non-governmental organizations such as labor unions and professional associations, and promoting the establishment of independent and pluralistic media.

Subsection (c) of this section states that the establishment of a free enterprise, market economy is a key component of long-term sustainable growth, and that to be sustainable, growth must be environmentally sound. Promoting a free market system covers a broad spectrum of activities including development of appropriate policy frameworks, financial institutions, and markets in order to address structural constrains, mobilizing the United States private sector, and the private sectors of other countries, in support of the development process in Eastern Europe, providing interim inputs of commodities, and seeking to improve environmental conditions and ensure that growth occurs within an environmentally sound context. Assistance activities might include support for and participation in multilateral institutions and agreements, provision of capital for private sector investment, provision of technical assistance and training, promotion of specific activities to foster appropriate environmental policies and practices.

SECTION 4. ASSISTANCE ACTIVITIES

Subsection (a) of this section authorizes the President to provide assistance to Poland, Hungary, Czechoslovakia, Bulgaria, the German Democratic Republic, Romania, Yugoslavia, and any other Eastern European country which he determines is making significant progress toward achieving political pluralism, economic reform, respect for human rights, and a willingness to build a friendly relationship with the United States. Assistance is authorized to be provided to carry out the purposes of section 3 of the bill and may also be used for activities contained in section 2(c) of the Support for East European Democracy (SEED) Act of 1989.

Subsection (b) of this section authorizes the appropriation of $300,000,000, to remain available until expended.

Subsection (c) of this section provides that amounts appropriated for fiscal year 1991 pursuant to the authority contained in the Support for East European Democracy (SEED) Act of 1989 for Poland and for Hungary may be used for those SEED actions or for activities for Poland and Hungary (as the case may be) consistent with section 3 of this bill.

Subsection (c) also provides the authority to use up to $4 million of funds appropriated for Poland and Hungary for fiscal year 1990 to support democratic organizations and activities in other Eastern European countries and in Yugoslavia.

SECTION 5. TRADE AND INVESTMENT

Subsection (a) of this section removes Czechoslovakia and the German Democratic Republic from the list of countries ineligible for the Generalized System of Preferences. These countries may be granted GSP subject to other statutory eligibility criteria.

Subsection (b) of this section amends the Foreign Assistance Act of 1961 to provide eligibility for Eastern European countries and Yugoslavia for programs administered by the Overseas Private Investment Corporation (OPIC). Section 234(g) of the Foreign Assistance Act of 1961 refers to OPIC's equity program, which may be used in Eastern European countries as designated by the the President.

SECTION 6. PROGRAM ADMINISTRATION

Subsection (a) of this section expresses the sense of the Congress that there should continue to be a Special Coordinator for Assistance to Eastern Europe and Yugoslavia in order to promote maximum effectiveness of United States assistance programs and their coordination with other donors.

Subsection (b) of this section provides authority for any agency or department which was authorized to conduct programs or provide assistance under the Support for East European Democracy (SEED) Act of 1989 to provide assistance or conduct programs, as the President may determine, for Eastern European countries and Yugoslavia. Funding for such assistance or programs may be derived from funds authorized to be appropriated by this bill or from funds otherwise available to such agencies or departments.

Subsection (c) of this section authorizes the President to provide management and technical assistance programs to governments and small businesses in Eastern European countries and Yugoslavia.

SECTION 7. REPORTING REQUIREMENTS

This section requires submission of an annual report on assistance activities conducted the previous year under the authority of this bill and the Support for East European Democracy (SEED) Act of 1989.

SECTION 8. MISCELLANEOUS PROVISIONS

Subsections (a) and (b) of this section makes certain conforming changes to current law to reflect the expansion of assistance programs to Yugoslavia and other countries in Eastern Europe in addition to Poland and Hungary.

By Mr. GARN:

S. 2096. A bill for the relief of John Gabriel Robledo-Gomez Dunn; to the Committee on the Judiciary.

RELIEF OF JOHN GABRIEL ROBLEDO-GOMEZ DUNN

● Mr. GARN. Mr. President, today I am introducing a bill for the relief of John Gabriel Robledo-Gomez Dunn of Brigham City, UT.

John was born in Perera, Colombia, to very meager circumstances. As an infant this young man was deserted by his natural father. Although his mother worked very hard to support her family she could not provide for them even the most basic essentials. In the summer of 1987 the Dunn family of Brigham City, UT, heard of John's situation and decided to see what they could do to help. With their sponsorship he was able to come to Utah to study at Box Elder High School on a student visa. He arrived malnourished and in need of a great deal of medical and dental care. Through his diligent efforts, he has learned English and progressed very well in school. He graduated from high school last May and is continuing his education at Weber State College in Ogden, UT.

Once John arrived in Utah the Dunns realized that they wanted him to become a part of their family permanently. This was not a new experience for them. Richard and Deon have eight children. Four of the children were born to them and the others have joined their family under a variety of special circumstances. This was the first time, however, that they had adopted a child from overseas. They proceeded with the adoption. When it became final in November 1987 they were excited and wanted to be certain that John received all the opportunities they had provided their other children. They realized they needed to change John's immigration status since he was now the son of U.S. citizens. Only then did they become aware of the fact that the immigration law does not recognize the adoption of a child over the age of 16 as conveying immediate relative status to the child. John could not remain in the United States unless he was a student.

The family was very upset and concerned. John was a part of their family and now there was a possibility he could not stay with them. Each family member has expressed to me how much they love and depend on John as a part of their family. John has expressed his desire to remain with his new brothers and sisters. He is pleased to have a new mom because now he has two. But perhaps his most telling comment was how much he was pleased to finally have a father. He allowed as how it wasn't always easy because it was a new experience for him but was grateful for his dad and the lessons he was learning from him.

This young man has made a profound impact on his family. If the letters and phone calls that have come to my office are any indication of his impact on the community, his school, and his church then there is no question that John Robledo Dunn has made a very positive mark on all who meet him. Two of his goals in life are to serve his church and to get a college education. He has started on his educational goal. He has recently been called to serve his church for the next 2 years. He has enthusiastically accepted. Passage of this bill would allow the Dunn family to remain complete and John to pursue his goals. I am confident he will be a valued addition to Brigham City, to Utah, and to the United States.●

By Mr. PELL:

S. 2097. A bill to promote and encourage alternative nondefense uses of defense facilities, to provide assistance for the retraining of unemployed defense workers, to provide continuity of certain benefits for defense workers whose employment is terminated, and to provide adjustment assistance to communities adversely affected by the termination or curtailment of defense contracts or the closure or realignment of military installations; to the Committee on Armed Services.

DEFENSE DIVERSIFICATION AND ADJUSTMENT ACT

● Mr. PELL. Mr. President, I am introducing today the Defense Diversification and Adjustment Act, a bill designed to give some measure of support to those who may be adversely effected by reductions in defense spending, and to assure the continuity of our defense industrial base.

This bill might best be described as a standby program for adjustment to a less contentious world. Its purpose is to preserve the vitality of our defense industries by encouraging their adaptation to commercial activities, and in the process, to maintain the well being of the workers and the communities on which those industries depend.

It would extend the same range of benefits to communities and workers who are dependent on the economic activity generated by military installations.

Mr. President, we have only just begun to discuss the probable impact of defense cuts now being contemplated in the wake of the recent and continuing momentous changes in international affairs. But every State in the Union is bound to be effected to some degree sooner or later. Even the preliminary cuts envisioned in the President's budget involve the termination of 20 major weapons programs at a projected savings of $28.2 billion between now and 1994.

And that is surely only a beginning, assuming continuation of the current trend of world affairs.

In my own State of Rhode Island, where the Electric Boat Division of General Dynamics, builder of nuclear submarines, is the largest private sector employer, we must consider future contingencies notwithstanding the fact that undersea warfare is probably the last area where the defense budget should be cut. We are currently awaiting two studies mandated by the fiscal year 1990 Defense Authorization Act, one on the feasibility of reducing the rate of Trident submarine production, and the other on the implications of the START treaty for the size of the Trident fleet.

The underlying rationale of the bill I am introducing today is that the Federal Government has a compelling obligation to mitigate economic distress and provide adjustment assistance when such massive shifts in Government spending occur as a result of factors which are far beyond the control of those who are most affected.

The main features of the bill are:

First. A program of planning grants for community adjustment for local jurisdictions deemed likely to be adversely effected by curtailment or termination of a contract or realignment of a military installation. Grants are limited to $250,000 and must cover specified matters, such as alternate uses of existing defense plants, maximized use of the existing workforce, and retraining of workers.

Second. Adjustment assistance for workers laid off due to curtailment or termination of a contract, or realignment of a military installation. Benefits include maintenance of health insurance for two years, retraining and reimbursement for relocation charges.

Third. Corporate planning for alternate use of defense plants. This provision simply requires defense contractors to set aside a modest one-tenth of 1 percent of their gross defense revenues up to a ceiling of $500,000 to establish a planning office for corporate diversification. The bill specifies that the office should consider such factors as alternate commercial uses of the facility and the prospects for retraining, and, if necessary retraining, the labor force. This requirement would not apply to companies with less than $15 million in annual defense revenues. And the bill includes an incentive provision which would reward contractors who successfully comply by exempting them from other financing provisions of the bill.

Fourth. A partial self-financing mechanism through the establishment of a defense adjustment trust fund. The fund would be sustained in part by deposits from two sources: First, a Treasury deposit of 10 percent of the projected peace dividend savings resulting from the cancellation or termination of defense contracts or closure of bases in each fiscal year; and second, a deposit of 1 percent of each defense contractor's gross revenues from new contracts, subject to waiver in whole or in part if the contractor has demonstrated a successful record of having diversified under a prior

contract termination, with resulting stability of employment. The bill authorizes appropriated funds as may be necessary to make up the difference between the costs and the contributions.

I have no illusions about the fact that some of these provisions will not be embraced by defense contractors, some of whom have been portrayed in the public press as being opposed to the idea of diversification. But the bill I am proposing seeks to address larger questions of public interest, not the least of which is the preservation of the defense industrial base of which these very contractors are a vital part.

Finally, Mr. President, I would note that the legislation I am introducing derives in part from bills introduced in the House by Congressmen GEJDENSON and WEISS, and I commend them both for their substantial contributions to this important matter. One notable area in which our approaches differ is in administration of the bill; I have opted for a minimum of new mechanisms, utilizing instead existing channels of government to the maximum extent.

The important underlying theme which I believe we are all seeking to address is the need for creative responses to a prospective economic vacuum, which is not addressed could vitiate many of the benefits we could derive from some of the most positive historical developments in the 20th century. I hope the bill I am offering today will be a constructive contribution to that process.●

By Mr. BENTSEN (for himself, Mr. DOLE, Mr. ROCKEFELLER, Mr. DURENBERGER, Mr. MOYNIHAN, Mr. RIEGLE, and Mr. PRYOR):

S. 2098. A bill to amend title XVIII of the Social Security Act to provide Medicare coverage of erythropoietin when self-administered; to the Committee on Finance.

HOME DIALYSIS EQUITY ACT

● Mr. BENTSEN. Mr. President, I am introducing today, with Senator DOLE, and Senators ROCKEFELLER, DURENBERGER, MOYNIHAN, REIGLE, and PRYOR, the Home Dialysis Equity Act of 1990, which would make an important new medical treatment for anemia available to beneficiaries of the Medicare End Stage Renal Disease [ESRD] Program, without regard to whether they receive dialysis services at home or in a facility.

With this treatment, the patient receives periodic doses of recombinant human erythropoietin, known commercially as Epogen, which is biologically indistinguishable from the substance produced by the body to stimulate the growth of red blood cells.

Because this substance is normally produced by the kidneys, individuals with chronic renal failure frequently lack a sufficient natural supply of it. This deficiency leads to anemia, which may impair the patient's ability to lead a productive life.

The Food and Drug Administration has already approved the use of Epogen for the treament of anemia in patients with chronic renal failure, and the Medicare Program covers this treatment when it is administered by a health care professional in a hospital, a doctor's office, or a dialysis facility.

As a general rule, however, Medicare does not pay for a drug or biological that is furnished "incident to" a physician's services if the substance is self-administered.

Because of this limitation in current law, many patients who receive dialysis services at home must, at the present time, travel to a doctor's office or a dialysis facility an average of three times a week to receive Epogen. In many cases, the destination is distant, and the patient is weak.

This frustrates two of the primary objectives of the ESRD Program: permitting patients to dialyze at home and promoting lives that are as normal and productive as possible.

Although anema may also be treated through blood transfusions or the use of androgenic steroids, both of these treatments pose risks that Epogen does not.

Transfusions may expose a patient to infectious agents in the blood supply; they may stimulate the development of antibodies that preclude a kidney transplant; and repeated transfusions may lead to iron overload. Androgens have some of the same adverse effect as anabolic steroids.

These complications exact a toll from the patient and impose additional costs on the Medicare Program as well.

The bill I am introducing today would not eliminate the general restriction on self-administered drugs under Medicare law. It would simply create a special exception for one form of treatment. This has been done once before in the case of blood clotting factors for hemophilia patients.

The legislation would also minimize the effects of a potentially costly anomaly in current Medicare reimbursement policy regarding Epogen.

While Medicare has established a flat $40 payment per Epogen treatment in a dialysis facility, it will pay the reasonable charge for the drug when it is administered in a physician's office. At current market prices, the reasonable charge for an average dosage of Epogen would be approximately $60.

The bill would permit dialysis facilities furnishing home dialysis services to their patients—and other providers of home dialysis supplies—to supply Epogen to these patients as well, receiving the same $40 payment as for patients receiving Epogen at a facility. This, in turn, would reduce the number of patients who would have to go to a physician's office to receive treatment.

Mr. President, the available evidence suggests that Epogen treatments can be integrated into the home dialysis process safely and with relative ease.

Legislation to permit self-administration at home is supported by the Renal Physicians Association and the American Nephrology Nurses Association. Both of these groups represent health care professionals who are actively involved in the delivery of dialysis services.

Likewise, the experience of the Northwest Kidney Center in Seattle suggest that administering the drug at home is no less safe than in a dialysis facility, as does that of four physicians reporting in the September 2, 1989, issue of the Lancet, the British health journal.

Finally, under current regulations, a dialysis facility is responsible for overseeing the treatments received by its home dialysis patients. The bill would not change that: a facility furnishing Epogen for self-administration at home would be required to monitor the administration and effects of the drug.

In fact, the bill would authorize Medicare to establish any additional methods and standards that are necessary to ensure its safe and effective use.

Mr. President, Congress was unable to complete action on a number of worthy proposals before the close of the last session. This provision, which appeared originally in the reconciliation bill approved and reported by the Finance Committee, is a deletion that I personally regret. It is my hope that Congress will consider and adopt this measure during its upcoming deliberations.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2098

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Home Dialysis Equity Act of 1990".

SEC. 2. COVERAGE OF ERYTHROPOIETIN WHEN SELF-ADMINISTERED.

(a) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) by striking "and" at the end of subparagraph (L);

(2) by adding "and" at the end of subparagraph (M); and

(3) by adding at the end thereof the following new subparagraph:

"(N) erythropoietin, for home dialysis patients competent to use such drug without medical or other supervision, and items re-

lated to the administration of such drug, subject to methods and standards established by the Secretary by regulation for the safe and effective use of such drug;".

(b) CONFORMING CHANGES.—(1) Section 1881(b)(1) of such Act (42 U.S.C. 1395rr(b)(1)) is amended—

(A) by striking "and (B)" and inserting in lieu thereof "(B)", and

(B) by inserting ", and (C) payments to a supplier of home dialysis supplies and equipment that is not a provider of services, a renal dialysis facility, or a physician for the item described in section 1861(s)(2)(N)" after "equipment".

(2) Section 1881(b)(2)(A) of such Act (42 U.S.C. 1395rr(b)(2)(A)) is amended—

(A) by inserting "(i)" after "(2)(A)", and

(B) by adding at the end the following:

"(ii) Notwithstanding the methodology authorized through (and established pursuant to) clause (i), the amount payable to a supplier of home dialysis supplies and equipment that is not a provider of services, a renal dialysis facility, or a physician for the item described in section 1861(s)(2)(N) shall be determined in the same manner as payment for such item is determined when furnished by a renal dialysis facility.".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to items and services furnished on or after October 1, 1990.●

By Mr. GORTON (for himself and Mr. ADAMS):

S. 2099. A bill to provide duty-free entry for the personal effects and equipment of participants and officials involved in the 1990 Goodwill Games to be held in Washington State; to the Committee on Finance.

DUTY-FREE ENTRY FOR EQUIPMENT OF PARTICIPANTS IN THE 1990 GOODWILL GAMES

Mr. GORTON. Mr. President, I speak today to herald the 1990 Goodwill Games, an event which will turn the world's attention to my home State of Washington.

The Goodwill Games will be the largest athletic and cultural event planned in North America for the next several years. The 1990 games, like the games of 1986 before them, aim to foster international goodwill through athletic competition—2,500 athletes from more than 50 countries will compete in 21 sports at sites in Spokane, Tacoma, Tri-Cities, Redmond, Federal Way, Enumclaw, and Seattle.

In addition to the world-class athletic and cultural performances, the games will include conferences on topics of international concern and a major trade exhibition to promote U.S. exports.

We in Washington State believe the relationships initiated at the Goodwill Games will constitute an important step to future international relationships. We intend to create a legacy from these games. By uniting the world's best—in both athletics and international trade—the Goodwill Games will offer Washington State, and the Nation as a whole, the chance not only to build on existing relationships, but to initiate new ones that will last into the next century.

Mr. President, Washington State has for years been an important gateway to the United States. That gateway will soon experience an influx of foreign friends, visitors and competitors unparalleled in the history of our State. It is with this influx in mind that I join my colleague from Washington State in introducing a bill which will make the arrival of those friends a pleasant experience.

Today we Washingtonians have joined in introducing a bill which will welcome the world's best to our State. That bill will provide duty-free entry for the personal effects and equipment of participants and officials involved in the 1990 Goodwill Games.

Mr. President, I urge my colleagues' support and timely passage of this bill which truly represents the goodwill of the United States toward the community of nations.

By Mr. CRANSTON (for himself, Mr. MURKOWSKI, Mr. MATSUNAGA, Mr. DECONCINI, Mr. MITCHELL, Mr. ROCKEFELLER, Mr. GRAHAM, Mr. THURMOND, Mr. SPECTER, and Mr. JEFFORDS):

S. 2100. A bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans' compensation, health-care, insurance, and housing programs, and to provide for transitional group residences for veterans recovering from substance-abuse disabilities; and for other purposes; to the Committee on Veterans' Affairs.

VETERANS COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1990

Mr. CRANSTON. Mr. President, as the Chairman of the Committee on Veterans' Affairs, I am today introducing S. 2100, the proposed Veterans Compensation Cost-of-Living Adjustment Act of 1990. I am delighted to note that I am joined by a bipartisan group of Veterans' Affairs Committee members, including the committee's ranking minority member, Mr. MURKOWSKI, and Senators MATSUNAGA, DECONCINI, MITCHELL, ROCKEFELLER, GRAHAM, THURMOND, SPECTER, and JEFFORDS.

Mr. President, this bill has as its basic purposes the provision of cost-of-living increases in certain benefits paid to veterans with service-connected disabilities, and to certain dependents and survivors of such veterans, and the continued maintenance and improvement of the Department of Veterans Affairs programs of benefits and services for our Nation's veterans and their dependents. In view of my very strong concern that we must continue our efforts to reduce the Federal deficit, this legislation seeks to find ways to improve VA programs without incurring any significant new costs.

SUMMARY OF PROVISIONS

Mr. President, this bill contains free-standing provisions and amendments to title 38, United States Code, that would:

First, require the Secretary of Veterans Affairs to increase, effective December 1, 1990, the rates and limitations for compensation paid to veterans with service-connected disabilities and dependency and indemnity compensation [DIC] paid to certain service-connected-disabled veterans' survivors by the same percentage as the increase that will be made, effective on that same date, in the benefits paid to Social Security recipients and VA pension beneficiaries.

Second, expand the presumption of service connection for radiation-exposed veterans to cover reservists who were serving on active duty for training or inactive duty for training during on-site participation in a nuclear weapons test.

Third, clarify that VA has authority to apply only to new claims a change in evaluation methods or standards under the VA disability rating schedule.

Fourth, extend the authorization, through September 30, 1991, for VA's mobile health clinic pilot program, and provide that all funds appropriated for this program remain available until expended.

Fifth, clarify an existing ambiguity in law and authorize VA to provide prosthetic appliances to veterans with non-service-connected disabilities if the provision of such appliances would obviate the need for hospitalization.

Sixth, increase from $600 to $1,200 the ceiling for a one-time grant for structural home modifications as part of home health services for a seriously disabled non-service-connected disabled veteran and from $2,500 to $5,000 the ceiling for a one-time grant for structural home modifications as part of home health services for a seriously disabled service-connected disabled veteran.

Seventh, authorize VA to provide supplemental coverage—at standard premiums—of up to $10,000 in service disabled life insurance to certain veterans who are eligible for a waiver of premiums due to total disability.

Eighth, increase from $40,000 to $90,000 the maximum amount of coverage under veterans' mortgage life insurance policies.

Ninth, extend by 2 years—until December 31, 1993—the December 31, 1991, time limit on the counting of Vietnam-era veterans in the statutory funding formula for disabled veterans outreach program specialists.

Tenth, extend for 3 years VA's authority to sell acquired properties to public or nonprofit entities for use as shelters primarily for homeless veterans and their families and extend that

authority to authorize the sale of acquired properties to public or nonprofit entities for use as transitional housing for veterans who are being furnished care and services under chapter 17 of title 38, United States Code, by or on behalf of the Secretary for alcohol or drug disabilities or mental illness disabilities.

Eleventh, establish a revolving fund—by transfer of $100,000 initially from the canteen service revolving fund—from which loans may be made to assist in the establishment of transitional residences for veterans who are being furnished services by the Secretary, directly or by contract, for alcohol or drug dependence or abuse disabilities, or who have recently been furnished such services by the Secretary.

Twelfth, make permanent the requirement for VA to notify and counsel veterans about the impact of, and alternatives to, foreclosure when the veteran defaults on a VA-guaranteed home loan.

Thirteenth, make various technical amendments to title 38, United States Code, primarily to correct errors or omissions in Public Law 101-237, the Veterans' Benefits Amendments of 1989, enacted December 18, 1989.

COMPENSATION/DIC COLA

Mr. President, section 101 of the bill would require the Secretary of Veterans Affairs to provide an fiscal year 1991 cost-of-living adjustment [COLA] in the rates of compensation paid to veterans with service-connected disabilities as well as in the rates of dependency and indemnity compensation [DIC] paid to the survivors of those who have died as a result of service-connected disabilities and to the survivors of certain veterans who died while totally and permanently disabled as the result of service-connected disabilities. The COLA would be at the same percentage as that which will be provided to Social Security recipients and VA pension beneficiaries and be effective on the same date, December 1, 1990. These increased benefits would actually appear in veterans' checks beginning on January 1, 1991. At this time, the Congressional Budget Office estimates that the COLA will be 4.1 percent; however, this is a preliminary estimate, and I expect it to be revised prior to enactment, as has occurred in previous years. The administration currently estimates that the increase will be 3.9 percent. The Congressional Budget Office also estimates that the 4.1-percent COLA would cost $397 million in budget authority and $358 in outlays.

Mr. President, we have a fundamental obligation to address the needs of these 2.2 million service-disabled veterans and 360,682 survivors. The needs and concerns of these veterans and survivors are uniquely related to service to our Nation, and addressing these needs continues to be my number one priority in veterans' affairs. In my 21 years in the Senate, I consistently have led the effort to provide COLA's in compensation and DIC benefits in order to ensure that the value of these top-priority service-connected VA benefits is not eroded by inflation. Most recently, Congress enacted Public Law 101-237 on December 18, 1990, providing a 4.7-percent COLA in these same benefits for the current fiscal year, effective last December 1.

I am proud that Congress has provided for such annual increases in these rates every fiscal year since 1976 and urge my colleagues to continue their support for annual COLA increases for these crucial veterans' benefits.

EXTENSION OF PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN RADIATION-EXPOSED VETERANS

Mr. President, section 102 would expand the presumption of service connection for certain diseases, accorded in section 312(c) of title 38, for certain radiation-exposed veterans to cover veterans who were serving on active duty for training or inactive duty for training during on-site participation in a nuclear weapons test.

In the Radiation-Exposed Veterans Compensation Act of 1988, Public Law 100-321, Congress established presumptions of service connection for 13 cancers in the cases of veterans who, during their service, participated in specified radiation-risk activities, including onsite participation in an atmospheric nuclear weapons test. As the principal Senate author of that measure, I am certain that Congress never intended to exclude from eligibility under that Act those who were serving on active or inactive duty for training when they participated onsite in a radiation-risk activity. However, despite the fact that a reservist who incurs a disability in the line of duty during such training is considered to be a veteran for title 38 purposes and is entitled to VA compensation for a disability rated at 10 percent or more, VA's general counsel has advised the Chief Benefits Director that the wording of the provision enacted in Public Law 100-321 is such that it does not cover reservists who were present at a weapons test. Our section would clarify that this is not the case.

Mr. President, I ask unanimous consent that a copy of the general counsel's opinion be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VETERANS ADMINISTRATION,
August 29, 1989.

From: Acting General Counsel (02).
Subject: Applicability of radiation-risk presumption to personnel on active duty for training.
To: Chief Benefits Director (20).

QUESTION PRESENTED

Do the provisions of 38 U.S.C. § 312(c), granting presumptive service connection to radiation-exposed veterans for listed diseases, apply to individuals who were on active duty for training during onsite nuclear test participation?

COMMENTS

1. The inquiry before us arose as part of an administrative review in the above-referenced case, in response to a reopened claim by the veteran's surviving spouse for Dependency and Indemnity Compensation (DIC) based on an assertion that in-service radiation exposure caused the veteran's fatal leukemia.

2. The record shows that the veteran served on active duty from June 1955 to September 1956. Also, while serving with the Tennessee Air National Guard, the veteran had a 20-day period of active duty for training which commenced on July 23, 1957. The veteran's flying activities on August 7, 1957, in connection with such duty, were determined to be consistent with participation in Shot Stokes of Operation PLUMBBOB, conducted on that date. The veteran died in August 1978 due to chronic myelocytic leukemia.

3. With the passage of Public Law No. 100-321, 102 Stat. 485, the "Radiation-Exposed Veterans Compensation Act of 1988," a new "presumption" was created under section 312 of title 38, United States Code. It provides that certain specified diseases, which become manifest in a radiation-exposed veteran to a degree of 10 percent or more within a specified presumptive period, "shall be considered to have been incurred in or aggravated during the veteran's service on active duty" (emphasis added) for purposes of VA compensation. The definition of "radiation-exposed veteran," codified at 38 U.S.C. § 312(c)(4)(A), is "a veteran who, while serving on active duty, participated in a radiation-risk activity." (Emphasis added).

4. The term "active duty" is defined for the purposes of title 38, United States Code, at section 101(21), in pertinent part, as including "full-time duty in the Armed Forces, other than active duty for training."

5. Our review of the pertinent legislative history concerning Public Law No. 100-321 discloses no discussion on this point. However, it is clear from the language of 38 U.S.C. § 312(c) that only individuals participating in a radiation-risk activity while on active duty are eligible for presumptive service connection under its provisions. The statutory language being unambiguous, we conclude that the plain language of the statute governs its consrtruction in this case. See 2A N.J. Singer, Sutherland Statutory Construction § 46.01 (4th ed. 1984).

HELD

In order to qualify for presumptive service connection under the provisions of 38 U.S.C. § 312(c), a radiation-exposed veteran must have been serving on "active duty" at the time of participation in a radiation-risk activity. Therefore, those onsite nuclear test participants who were on active duty for training at the time of such participation

are not entitled to the presumption created by that subsection.

DONALD L. IVERS.

Mr. CRANSTON. Mr. President, although the general counsel's opinion is technically sound, the result—excluding from the benefit of the presumptions members of the Selected Reserve who were present at the test—is clearly inequitable.

Section 102 of the bill would correct this inequity by including active and inactive duty for training within the definition of active duty for purposes of the presumptions. The expanded definition of active duty would not apply to any other provision of title 38.

The Defense Nuclear Agency, which is responsible for keeping records of all personnel who participated in the U.S. atmospheric nuclear testing program, estimates that the total, combined number of onsite participants who were serving on active or inactive duty for training or as National Guard civilian technicians is approximately 2,000 people. Thus, the number who would be covered by our proposal is less than 2,000, because section 102 would not include any civilians. An August 1989 cost estimate by the Congressional Budget Office stated that, even with the civilians included, the cost of expanded eligibility would be less than $1 million.

Most importantly, Mr. President, these individuals and their surviving families deserve these benefits. All of the reasons Congress had for enacting the original measure apply with equal force to these service members who are exposed to radiation from onsite participation in the Government's atmospheric nuclear test program: The fact that the Government deliberately chose to expose the service personnel; the Government's failure to warn participants of suspected health risks from the exposure; the Government's failure to provide adequate protection to the participants; the Government's failure to follow-up systematically on the health of the participants; and the almost impossible burden a veteran faces in trying to prove that the disability bears some relationship to in-service experience—when these cancers often take decades to appear.

AUTHORITY FOR PROSPECTIVE-ONLY READJUSTMENTS OF DISABILITY RATING SCHEDULE

Mr. President, section 103 of the bill would clarify that VA has authority to apply to only new claims a change in evaluation methods or standards under the VA disability rating schedule.

Under section 355 of title 38, the Secretary is required to "adopt and apply a schedule of ratings of reductions in earning capacity" from specific disabilities. The schedule must provide 10 grades of disability, from 10 percent to 100 percent, on which the payment of disability compensation is to be based. The schedule of ratings, which appears in part 4 of title 38 of the Code of Federal Regulations, provides very specific, detailed rules for evaluating disabilities and assigning percentage ratings. Section 355 requires that the Secretary "from time to time readjust this schedule of ratings in accordance with experience."

This provision would allow VA to implement such changes without having to make a reduction in the rate that veterans are then receiving. Under the current system, a veteran currently receiving compensation faces a possible reduction in his or her rating whenever VA changes its methods or standards for evaluating the veteran's particular disability or disabilities. Unfortunately, this possibility may discourage disabled veterans from seeking reevaluation even when they actually should be receiving a higher rating as a result of the change. It also may discourage VA from making certain changes likely to result in reductions for a large number of current recipients.

For example, a recent change in the technique for evaluating hearing loss theoretically could result in either reducing or increasing the rating for a particular veteran. In order to avoid discouraging veterans from seeking reevaluations, VA's benefits manual (M21-1, paragraph 50.13b) instructs claims adjudicators to ignore rating reductions that resulted from changed standards or methods of evaluation. However, VA's general counsel issued an opinion (Op. G.C. 11-88), dated October 27, 1988, that VA lacks the authority "to protect ratings assigned under superceded criteria." Whether or not this opinion is correct that VA does not have administrative authority to make prospective-only adjustments in the rating schedule, the general counsel's opinion precludes such action unless explicit statutory authority is provided.

Mr. President, I ask unanimous consent that the October 27, 1988, opinion of the general counsel be printed in the RECORD at this point.

There being on objection, the material was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL'S OPINION, VETERANS' ADMINISTRATION

Subject: Protection of disability ratings assigned under superceded criteria.

Questions presented:

a. Whether it is legally appropriate to revise the rating schedule as it applies to evaluating defective hearing while at the same time requiring by memorandum that the change in rating methods results in no decrease in any evaluation assigned under the old criteria, regardless of the results of current audiometric testing under the new criteria.

b. Whether the Board of Veterans Appeals must maintain the prior rating levels under the old criteria if the audiometric findings under the new criteria would result in a reduction or discontinuance of compensation benefits.

Comments: The questions presented arose from the following situation. Effective December 18, 1987, the VA adopted new regulations for testing and evaluating the degree of disability attributable to hearing loss. 52 Fed. Reg. 17607-17611 (1987). The revised regulations were implemented to provide more accurate measurement of hearing impairment and, by providing for a 100% rating in the most severe cases, to recognize that profound deafness may be totally disabling. The new schedule requires evaluation of hearing loss based on a combination of puretone averages and speech discrimination, as well as incremental ratings from 0% to 100%. It was prompted, in part, by a congressional request that the VA reassess the validity of its testing and evaluation methods, which had remained unchanged for nearly 30 years. After study, the VA found that advances in hearing-loss testing and improvement in hearing aid devices justified such revisions.

By memorandum dated April 6, 1988, the Chief Benefits Director instructed VA field stations that hearing disability ratings properly in effect on the day preceding the effective date of the change in testing methods are not to be reduced or discontinued in the absence of a finding of change in physical condition, citing paragraph 50.13b of M21-1 as authority. Paragraph 50.13b provides that, if a decrease in evaluation is due to changed criteria or testing methods rather than a change in disability, adjudicators should apply the old criteria and make no reduction. In effect, the memorandum would grandfather in and protect the ratings of those veterans whose ratings were already in effect at the time of adoption of the new criteria.

With respect to the first question, grandfather or savings provisions are a generally acceptable means of avoiding hardship when new laws are implemented. They not only "protect against loss to those who may have relied upon prior laws or regulations [but] they serve a rational and useful purpose in encouraging orderly change in government to meet new and desirable ends. . . ." *Poynter* v. *Drevdahl*, 359 F. Supp. 1137, 1143 (W.D. Mich. 1972).

The grandfather provision at issue would, in effect, establish dual rating schedules for evaluating hearing impairment. Those individuals whose evaluations would be reduced solely by reason of the new rating methods would be maintained under the former, superceded criteria, presumably to avoid financial hardship. Although the purpose of the provision is laudable, we believe it contravenes the Administrator's statutory authority.

Congress has not specifically authorized the Administrator to institute multiple rating schemes. To the contrary, 38 U.S.C. § 355 directs, in part: "The Administrator shall adopt and apply *a* schedule of ratings of reduction in earning capacity from specific injuries or combinations of injuries." (Emphasis supplied.) Section 355 literally provides for no more than one rating schedule.

Congressional intent to bar the use of multiple rating schedules is also clear from the legislative history of earlier statutes. For example, when the 1945 Schedule for Rating Disabilities was adopted to replace the 1925 Schedule under Public Law 458 (1946), House Report No. 1800 noted:

"As set forth in more detail in the report of the Administrator of Veterans' Affairs,

this bill will accomplish a threefold purpose: (1) Provide uniform effective dates for increased disability pension or compensation awards resulting from the changes in ratings provided in the revised Schedule for Rating Disabilities, 1945; (2) permit application of the revised schedule in pending and certain other initial claims over periods prior to April 1, 1946, which will remove the necessity for use of two rating schedules, and facilitate the training of rating officers; and (3) as to World War I veterans, eliminate the necessity for applying as many as three different schedules, and protect existing ratings and awards under the 1925 schedule. Under the bill the need of more than one schedule in practically all future ratings will be eliminated." H.R. Rep. No. 1800, 79th Cong., 2d Sess. 2 (1946).

Where savings clauses have been adopted by the VA to protect individuals in receipt of benefits under former criteria, such clauses have been explicitly authorized by statute. For example, Public Law 458 (1946) provided in part:

"Sec. 2. Nothing in the revised Schedule for Rating Disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the Schedule of Disability Ratings, 1925, but on and after the first day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitation by the Act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended, awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945."

Similarly, in repealing the law authorizing graduated ratings for inactive tuberculosis, Congress specifically provided in Public Law 90-493 (1968) for protection of ratings in effect prior to adoption of the statute. Consequently, the former schedule of ratings was preserved for application in claims involving protected ratings.

We note in passing that VA statutory authority contemplates that the Schedule for Rating Disabilities will be periodically revised and improved. Section 355 of title 38, United States Code, provides in part:

"The Administrator shall from time to time readjust this schedule of ratings in accordance with experience."

Also of some pertinence is 38 U.S.C. § 110, which implies that ratings are subject to change, unless in effect for twenty years or more.

Adoption of new rating criteria does not ipso facto abrogate the existing disability evaluations of veterans, but it does require the Agency, when subsequently evaluating veterans' claims, to apply the revised criteria. 6 Comp. Gen. 232 (1926). Moreover, to mitigate the harshness of any reduction or discontinuance of benefits upon re-rating, the VA must provide due notice and a grace period. Section 3012(b)(6) of title 38, United States Code, provides that 60 days notice will be given to a veteran entitled to disability compensation prior to reduction or discontinuance of benefits by reason of a change in law or administrative issue. The legislative history of the statute suggests that the grace period was intended to provide a recipient with a reasonable time to adjust to diminished benefits occasioned by a change in law or administrative issue or the interpretation of law or administrative issue. S. Rep. No. 2042, 87th Cong., 2d Sess. 8, reprinted in 1962 U.S. Code Cong. & Ad. New 3260, 3266-67.

In our view, the clear implication of these statutes is that, upon adoption of new rating standards, individual claims, including claims for increased ratings filed by veterans evaluated under prior methods, are subject to the new standards. The provision of section 3012 apply to any reduction in benefits called for by the re-rating.

Based upon the foregoing, our response to the second question is that the April 6 memorandum and paragraph 50.13b of M21-1 are not binding upon the Board of Veterans Appeals. As noted above, there is no statutory authority for a grand-father or savings clause designed to protect ratings assigned under superceded criteria. In our opinion, such a provision must be authorized by statute rather than instituted by administrative issuance. Moreover, under 38 U.S.C. § 4004(c), the Board is only bound by regulations duly promulgated, instructions of the Administrator, and precedent opinions of the General Counsel. See *Carter* v. *Cleland*, 643 F.2d 1 (D.C. Cir. 1980). Manual provisions and the like offer guidance but are not binding upon the Board. Digested Opinion, 10-17-86 (14-9c Effective Date-Pension).

Held: The manual provision that purports to protect disability evaluations assigned under superceded regulations on defective hearing is neither legally appropriate nor binding upon the Board of Veterans Appeals.

DONALD L. IVERS,
General Counsel.

Note: This opinion was released in the form of a memorandum to the Chairman of the Board of Veterans Appeals on October 27, 1988.

Mr. CRANSTON. Mr. President, hearing loss is an excellent example of when VA should exercise the authority to apply a technological change in the rating schedule only prospectively. It often is a degenerative disease that inevitably leads to increased disability. Most veterans with hearing loss should seek periodic reevaluation, as their condition worsens, in order to ensure they are receiving the full compensation to which they are entitled. Yet some veterans may avoid going in for reevaluation because they fear receiving a reduced rating under the new evaluation method.

MOBILE HEALTH-CARE CLINICS

Mr. President, the committee has long been interested in and concerned about access to health care for veterans in rural areas. The committee held a hearing in July 1983 which addressed this issue and, in 1987, the Senate Appropriations Committee directed VA to establish a pilot program to test ways to furnish care in rural areas. In response, VA established two medical offices, one in northern New Mexico and one in Redding, CA. Most recently, our committee, on November 15, 1989, held another hearing regarding health care for veterans in rural areas. At that hearing, as in the 1983 hearing, the Committee heard testimony about problems associated with travel distances, adverse weather conditions, and the capacity of health-care facilities to meet veterans' needs.

Section 113 of Public Law 100-322, enacted on May 20, 1988, required VA to implement a 2-year pilot program of mobile health-care clinics. Under this program, VA was to establish graphically-dispersed projects using appropriately equipped mobile vans to furnish health care to veterans in rural areas at least 100 miles from the nearest VA health-care facility. In addition, VA was directed to submit reports to the House and Senate Veterans' Affairs Committees on VA's experience during the program and, at its conclusion, reports containing information and detailed breakdowns on services provided, costs, and client characteristics, plus an evaluation of the program.

Unfortunately, there were no funds appropriated for this program in fiscal year 1989. In fiscal year 1990, however, $3 million was appropriated for the rural mobile health clinics, and VA is now moving toward their establishment.

In order to complete the 2-year period that was originally intended for the pilot program, section 201 of our bill would extend the authorization for another year. In addition, so that all funds appropriated for this pilot program can be used for that purpose, the authorizing legislation would be amended to provide that all funds appropriated for the program will remain available until expended. Because the reports on this pilot program are due at specific points following the initiation of the program, it is not necessary to modify their submission dates.

AUTHORITY TO FURNISH WHEELCHAIRS, PROSTHETIC DEVICES, AND SIMILAR APPLIANCES TO AMBULATORY-CARE PATIENTS

Mr. President, section 202 of our bill would amend title 38 to give VA the authority to provide veterans who are receiving non-service-connected outpatient care with wheelchairs, prosthetic devices, special clothing for users of prostheses, and certain other supplies and services in certain cases. Specifically, this provision would authorize the furnishing of such items as part of outpatient care necessary either to obviate the need for hospital admission or in preparation for hospital admission.

Legislation which I authored in 1973 and which was enacted in Public Law 93-82 authorizes VA to provide to veterans such outpatient care for non-service-connected disabilities as is necessary to obviate the need for hospital admission—known as obviate care. At the time that authority was established, an existing limitation in law which precluded VA from providing wheelchairs, prosthetic devices, and similar appliances as part of pre-hospital care to non-service-connected veterans was extended to cover these veterans when they are receiving obviate

care. No such restriction applies to the care and treatment of veterans while they are receiving VA hospital care.

This limitation remains in the law today and has the effect of generally prohibiting VA from furnishing to non-service-disabled veterans prosthetic devices and various other medical items which could help prevent the need for future hospital care. For example, under current law, a veteran who has non-service-connected disabilities cannot be furnished a corrective shoe for a foot ulcer even though the lack of the shoe could lead to later hospital care and possible amputation. Likewise the restriction on non-service-connected care prevents VA from providing an amputee who has a stump abrasion a liner or simple repairs to his artificial limb to prevent further breakdown and subsequent hospitalization, and even a paralyzed, wheelchair-bound veteran prone to bed sores cannot be provided a cushion to relieve pressure areas.

Our proposal would not authorize VA to provide prosthetic devices and other medical supplies to all veterans. Rather, it would, upon a determination by the Secretary that the particular items are "reasonable and necessary", permit VA to provide them in preparation for, or to obviate the need of, hospitalization. Some of the most commonly requested prosthetic items, such as eyeglasses and hearing aids, would, however, not be authorized to be furnished under this new authority because they would not be "reasonably necessary * * * to obviate the need of hospital admission".

It is my expectation that this proposal would result in only a modest increase in costs for VA's Prosthetic Service, which I believe would be offset to a substantial extent by improvements in outpatient care resulting in reduced hospital admissions for conditions that would otherwise have gone untreated.

Mr. President, this proposed expansion of VA authority to furnish certain items to ambulatory patients is part of my continuing commitment to make the VA health-care system as responsive as possible to the needs of the veterans it serves. Clearly, the very strong trend in modern health care is toward furnishing care on an outpatient, rather than an inpatient basis, whenever possible. I believe this is a very positive, medically sound, and cost-effective development, and I am pleased VA care is moving in this direction. Expanding VA's authority to furnish non-service connected veterans with outpatient treatment to obviate the need for hospital admission so that it includes the authority to furnish certain necessary medical and prosthetic devices would enhance VA's ability to furnish more efficient, up-to-date care.

HOME HEALTH SERVICES

Under section 617(a) of title 38, VA is authorized to furnish, as part of medical services, "such home health services as the Secretary determines to be necessary or appropriate for the effective and economical treatment of a veteran". Under this home health services program, VA is authorized to pay, using one-time grants, for improvements to the home of certain very seriously disabled veterans so that these veterans can be treated at home. Examples of such home improvements are the construction of temporary ramps to permit access to the house by wheelchair, the installation of electrical adjustments to permit the operation of dialysis equipment, and the installation of air-conditioning equipment or winterizing insulation.

This authority was established in 1973 by Public Law 93-82 but was amended in 1976 in Public Law 94-581 to address two concerns. First, the kind of projects covered by the home health services authority was clarified so as to include permanent improvements which provide access to the home or bathroom such as wheelchair ramps, improved paths and driveways, wider bathroom doors, and grip bars.

Second, under the initial authority, there had been no distinction between the extent of the structural home modifications available to seriously disabled veterans who have service-connected disabilities and those who do not. In 1976, Public Law 94-581 created two categories of the home improvements necessary and appropriate for the effective or economical treatment of the seriously disabled veterans: structural home modifications of a minor nature for the non-service-connected veterans with a cost ceiling of $600 and more extensive structural home modifications for the service-connected veterans with a cost ceiling of $2,500.

These limitations on the grant amounts have not been increased since 1976, a period during which the Consumer Price Index has more than doubled. Section 203 of the bill we are introducing today would, therefore, increase from $600 to $1,200 the ceiling for the one-time grant for home health services for a seriously disabled non-service-connected disabled veteran and from $2,500 to $5,000 the ceiling for the one-time grant for home health services for a seriously disabled service-connected disabled veteran.

SUPPLEMENTAL SERVICE DISABLED VETERANS' INSURANCE FOR TOTALLY DISABLED VETERANS

Mr. President, section 301 of our bill would increase from $10,000 to $20,000 the maximum amount of service disabled veterans' insurance [SDVI] available to those veterans who are eligible for a waiver of premiums due to total and permanent disability.

SDVI is designed to provide life insurance protection to service-connected disabled veterans. Under section 722 of title 38, a veteran with a service-connected disability rated at 10 percent or more who is released from active duty on or after April 25, 1951, and is otherwise insurable under health standards established by the Secretary is eligible for SDVI. Under VA regulations, this insurance is issued in increments of $1,000 up to a total of $10,000 and generally must be applied for within one year after the date of VA's determination of service connection. Premiums are waived for those who are under 65 years of age and have service-connected disabilities that are rated totally disabling and have been so rated continuously for at least 6 months.

As of December 31, 1989, approximately 40,000 of the 173,000 SDVI policyholders were eligible for the waiver of premiums due to total disability. For those veterans, purchasing additional life insurance coverage on the commercial market is prohibitively expensive. This provision would allow those totally disabled veterans, and future veterans in the same situation, the option of purchasing up to an additional $10,000 in life insurance coverage. Premiums for the additional coverage would not be waived, but would be charged at the standard SDVI premium level. An initial VA cost estimate for this provision places the cost at $1.66 million in fiscal year 1991, and about $6.5 million over the next 5 years.

Mr. President, the maximum amount of SDVI life insurance protection has not been raised since 1951 when the legislation creating the program was enacted. For many veterans with service-connected disabilities rated as totally disabling, SDVI represents an irreplaceable source of insurance coverage. Thus, I believe that this provision, by making optional additional life insurance coverage available to veterans with severe service-connected disabilities, would make a needed, worthwhile addition to the VA life insurance programs which provide needed financial security to the families of veterans who have sacrificed so very much in the service of our Nation.

INCREASE IN AMOUNT OF VETERANS' MORTGAGE LIFE INSURANCE

Mr. President, section 302 of our bill would inrease from $40,000 to $90,000 the maximum amount of veterans' mortgage life insurance [VMLI] available under section 806 of title 38 to veterans who have received a specially adapted housing grant under chapter 21 of title 38, which is available to veterans with certain service-connected disabilities rated permanently and totally disabling. This provision, which is substantially identical to legislation

(H.R. 2546) introduced by request in the House by Representative DOUGLAS APPLEGATE on June 6, 1989, would help resolve an existing inadequacy in current law. VA has officially expressed its support for this legislation.

The VMLI Program is designed to provide financial protection to cover an eligible veteran's outstanding home mortgage in the event of his or her death. The insurance is written and administered directly by VA, and, under VA regulations, veterans may purchase coverage in $1,000 increments to cover the outstanding mortgage on their homes up to $40,000. The program is restricted to those service-disabled veterans who have received grants for the purchase of a specially adapted home or for the purchase of special adaptations that are reasonably necessary because of the veteran's disability. Under chapter 21 of title 38, grants for the purchase of specially adapted housing are available to veterans with certain severe service-connected mobility impairments and grants for the purchase of special adaptations are available to veterans who are blind or have lost the use of both hands. Grants of both types are made to veterans whose disabilities are total and permanent.

Veterans with VMLI coverage pay standard premiums that do not take their disabilities into account. Consequently, additional funds are required to cover the extra mortality costs of this group. The premiums collected account for approximately 25 percent of the claims costs, thus requiring an annual subsidy from Congress to cover the remaining 75 percent of the claims cost. Proceeds from a VMLI policy are paid directly to the institution which holds the mortgage, not to the veteran's survivors.

According to the Department of Commerce, housing costs have risen 188 percent since 1976, when the maximum coverage was last increased—from $30,000 to $40,000. In the past 10 years, according to VA, over 60 percent of those who were issued VMLI coverage had mortgages in excess of $40,000. Thus, the current maximum amount of coverage available under a VMLI policy is insufficient to cover the outstanding mortgages on many catastrophically disabled veterans' homes. This is unsettling when one considers that severely disabled veterans generally do not have the option of purchasing extra life insurance coverage from commercial insurers because life insurance premiums are extraordinarily high for them.

According to VA, the VMLI program currently requires an annual subsidy of approximately $4 million, and this proposed increase would require additional subsidies. VA estimates that this increase would cost $1,686,000 in fiscal year 1991 and a total of $10 million over the next 5 years.

Mr. President, this proposed increase in the maximum amount of VMLI available to qualified veterans would help provide a fully deserved measure of security to our Nation's severely service-connected disabled veterans and their families by ensuring the maintenance of their family homes.

EXTENSION OF STATUTORY FUNDING FORMULA FOR DISABLED VETERANS' OUTREACH PROGRAM SPECIALISTS

Mr. President, section 401 of our bill would extend through calendar year 1993 the statutory formula in section 2003A(a)(1) of title 38 for the Federal funding of disabled veterans' outreach program specialists [DVOP's].

Under that formula, the Secretary of Labor is annually required to make available for use in each State sufficient funds to support the appointment of one DVOP "for each 5,300 veterans of the Vietnam era and disabled veterans" residing in the State. Under section 2001(2) of title 38, "veteran of the Vietnam era" is defined for purposes of chapter 41 "Job Counseling, Training, and Placement Service for veterans" by reference to the definition, in section 2011(2), used in chapter 42 "Employment and Training of Disabled and Vietnam Era Veterans." That definition reads "an eligible veteran any part of whose active military, naval, or air service was during the Vietnam era." However, that provision further states that, except for purposes of the Veterans Readjustment Appointment authority in section 2014, "[n]o veteran may be considered to be a veteran of the Vietnam era under [the definition] * * * after December 31, 1991."

Since the number of Vietnam-era veterans is a basic element of the formula for determining the amount of funds provided to States for the appointment of DVOP's, termination of the counting of Vietnam-era veterans for this purpose would drastically reduce the DVOP allocation for fiscal years 1992 and beyond. In fiscal year 1993, for example, it is projected that there will be about 8.7 million Vietnam-era veterans and 2.21 million non-Vietnam-era disabled veterans residing in the United States. If Vietnam-era veterans are counted, Federal funding for 1,895 DVOP's would be required; if they are not, Federal funding for only 438 would be required.

Mr. President, I am confident that the Congress does not wish such an enormous reduction in the DVOP program. Less than 2 years ago, we enacted in Public Law 100-323, the Veterans' Employment, Training, and Counseling Amendments of 1988, legislation I authored in the Senate to make important reforms in the design and administration of DVOP and related veterans employment and training programs. As I noted in my statement—beginning on page S5183 of the CONGRESSIONAL RECORD for April 28, 1988—on final passage of that legislation, it was "designed to make substantial improvements in the furnishing of veterans' employment, training, and counseling services through major revisions to chapter 41 designed to provide for a more effective working relationship between the Department of Labor's ASVET and the State employment agencies, for better utilization of the services of LVER's and DVOP's, and for greater accountability in the * * * program." Consistent with this goal, our measure would assure the stability of DVOP staffing through the fiscal year 1993 budget cycle and provide the opportunity for rethinking the formula, should Congress wish to do so, so that it is no longer so heavily influenced by the number of veterans of one particular era, without the threat to an imminent collapse of most of the Federal support for the program.

COMMUNITY-BASED HOUSING FOR CERTAIN VETERANS WHO ARE HOMELESS OR RECOVERING FROM SUBSTANCE ABUSE OR MENTAL-ILLNESS DISABILITIES

Mr. President, section 402 of our bill contains three provisions that are designed to assist certain veterans obtain community-based housing.

First, section 402(a) would extend for 3 years, through October 1, 1993, VA's authority to sell acquired property to public or nonprofit entities to assist homeless veterans and their families in acquiring shelter. Second, this authority would be expanded to permit the sale of such property for use as transitional residences for veterans receiving treatment for substance abuse or mental health problems.

Under section 9 of the Veterans' Home Loan Program Improvements and Property Rehabilitation Act of 1987, Public Law 100-198, VA is authorized to sell to States, State agencies, or nonprofit organizations property acquired as a result of a default on a loan made or guaranteed by VA under the VA home loan program if the property is to be used solely as a shelter for homeless veterans and their families. The sale price may be less than the full value; the law provides that the sale shall be "for such consideration as the [Secretary] determines is in the best interests of homeless veterans and the Federal Government." The authority provided under this law is scheduled to terminate on October 1, 1990.

This provision would extend through October 1, 1993, the authority provided by section 9 and expand that authority so as (a) to permit the sale of properties to the same types of entities for use as transitional housing for veterans who have been furnished within the most recent 90-day period care and treatment and rehabilitative services by the Secretary for sub-

stance-abuse disabilities or mental-illness disabilities, and (b) to provide for the Secretary to take into account the best interests of these veterans in determining the sale price.

Mr. President, this provision also would extend for an additional 3 years the reporting requirements on the activities carried out under the expanded authority, with reports to be transmitted by the Secretary to the Congress on March 1, 1990, 1991, 1992, and 1993.

Mr. President, as of January 5, 1990, two properties had been sold under the Public Law 100-198 authority to eligible groups for use solely as shelters primarily for homeless veterans and their families. In Pennsylvania, the Pennsylvania Department of the American Legion formed a nonprofit corporation, the American Legion Housing for Homeless Veterans Corp., which purchased in July 1988 from VA a four-unit VA-acquired property for $20,000 and, in conjunction with the Highland VA Medical Center in Pittsburgh, the corporation provides housing for 10 homeless veterans. In Washington State, on December 21, 1989, the Seattle Vietnam Veterans Leadership Program purchased from VA for $28,000 a large, old three-story home which is being renovated to make maximum use of the floor space and provide shelter to six homeless veterans.

It is most regrettable that the utilization of the authority thus far has been limited to two sites only. In response to an inquiry I made to VA in March 1989 regarding what aspects of the program precluded wider participation and what steps could be taken to facilitate and encourage additional sales under the program, VA directed its field stations to survey eligible homeless providers. VA stations reported contact with local offices of 967 community-based agencies and nonprofit organizations. More than half of those contacted indicated to VA that they were insufficiently funded to purchase real estate incident to their public assistance programs.

In a white paper transmitted to the committee on January 5, 1990, VA indicated that it was administratively revising the property selection and pricing criteria for the program so that the number of eligible properties would be increased approximately fourfold and the amount of the sale price would be 50 percent, rather than 75 percent as at present, of market value. With these changes and the extension that would be provided under this legislation, I very much hope that this program will be utilized to a far greater extent during this fiscal year and the following 3 fiscal years to assist homeless veterans and their families.

The housing needs of homeless persons are immediate and severe. Despite the difficulty in collecting data on the numbers of homeless persons, most studies cite the problem as one that is growing. The National Coalition of the Homeless estimates that as many as 3 million individuals are currently homeless, and that the numbers continue to grow. The U.S. Conference of Mayors reported in 1988 that there had been an overall increase in requests for shelter of 13 percent over the 1987 figure and that requests for shelter by homeless families with children had increased by 18 percent over the previous year. It is estimated that between 18 and 51 percent of homeless individuals are veterans. These numbers reflect a most urgent problem, and I strongly believe that such sales as are authorized under current law and would continue to be authorized under our legislation should be encouraged as part of the Government's efforts to address the very serious problems of homelessness in our society.

Mr. President, with respect to the provision in the legislation that would allow acquired property to be sold to nonprofit organizations for use as transitional housing for veterans who have been furnished within the most recent 90-day period care and treatment and rehabilitative services by the Secretary for alcohol or drug dependence or abuse disabilities or mental disabilities, it is widely recognized that the medical systems that currently exist for the treatment of substance-abuse disorders often lack adequate followup care to the initial detoxification and rehabilitation periods of treatment. In VA programs, veterans with substance-abuse disorders often undergo a 28-day rehabilitation program, after which they are eligible for treatment at VA's expense in community-based privately operated halfway houses for a period of up to 90 days. Among the problems that recovering alcohol- and drug-addicted veterans face upon completion of a detoxification and rehabilitation program is finding a safe drug-and-alcohol-free environment in which to live and continue their rehabilitation. Additionally, many of those with longstanding addictions are homeless or on the verge of homelessness. The legislation we are introducing today would allow these properties which VA controls to be sold at a discount to appropriate public or nonprofit entities for use as transitional housing for veterans who have been furnished within the most recent 90-day period care and treatment and rehabilitative services by the Secretary—directly or under contract—for alcohol or drug dependence or abuse disabilities or mental disabilities.

Mr. President, authorizing VA to sell repossessed properties to nonprofit groups which agree to use the properties as either shelters for homeless veterans and their families or transitional housing for veteran patients who are struggling to overcome their mental-health or substance-abuse problems would be a sensible and productive use of hard-to-sell acquired residential properties to address serious needs among our Nation's veterans. Our legislation would thus help ensure that the needs of some of our most forgotten veterans—those who are homeless, mentally ill, or suffering from substance-abuse disabilities, and many are in all three categories—would be more effectively addressed.

Mr. President, the third provision in section 402—subsection (b)—would establish a revolving fund f om which loans not to exceed $4,000 could be extended for the purpose of establishing transitional group homes for veterans who are receiving or have received—within the prior 90 days—care for drugs or alcohol abuse or addiction. This provision is modeled after section 2036 of the Anti-Drug Abuse Act of 1988, Public Law 100-690, which requires States to establish similar revolving funds in order to be eligible for block grants of Federal funds for drug and alcohol treatment programs.

Drug and alcohol addiction is a tremendous problem in our society and one that has risen to the forefront of our national consciousness. VA has vast expertise and experience in dealing with the treatment aspect of drug and alcohol addiction and related conditions. In fact, VA is the single largest direct provider of substance-abuse treatment in the United States if not the world. I believe that VA is particularly well-placed to be a leader in the treatment efforts.

In fiscal year 1989, Mr. President, VA furnished alcoholism treatment to more than 100,000 individual veterans—over 58,900 in 129 specialized alcoholism treatment units on an inpatient basis and another 41,500 on other VA inpatient units, such as general psychiatry. On an outpatient basis, VA handled almost 450,000 visits during fiscal year 1989 for alcoholism treatment in 139 outpatient alcohol dependence treatment programs.

Also in fiscal year 1989, VA's 53 drug dependence treatment programs provided treatment on an inpatient basis to 29,500 individual veterans with a wide variety of drug abuse and dependence problems, including opiate and cocaine dependency. VA statistics indicate that there were over 878,000 outpatient visits for drug dependence treatment. VA does not currently maintain statistics on the number of veterans who are treated for both alcohol and drug dependence, but such veterans are counted in either the drug treatment or the alcohol treatment category. VA's total expenditure on drug and alcohol treatment in fiscal year 1989 was estimated to be

$451 million, and the total expenditure in fiscal year 1990 is estimated to be $524 million—with the increase almost entirely due to Congress' $60-million addon.

Furthermore, under a provision, section 620A of title 38, that I authored in Public Law 96-22 in 1979, VA is authorized to contract with non-VA community-based halfway houses for rehabilitation services for veterans with substance-abuse problems. Under this authority, VA in fiscal year 1989 placed over 4,500 veterans in nearly 400 community halfway houses for 60 to 90 days of care.

Mr. President, it is my expectation that the knowledge that exists in the areas of drug and alcohol addiction treatment within VA will be instrumental in any of the efforts that the Government undertakes to improve and expand treatment to substance abusers. I was extremely pleased that the fiscal year 1990 Appropriation Acts included an additional $60 million for VA drug and alcohol treatment programs—all of which has been included in VA's fiscal year 1991 budget request. These funds are badly needed by VA in the Department's efforts to meet the service needs of the millions of veterans who suffer from addictive disorders.

I understand that as of today, VA has distributed $34.5 million to the field and plans to distribute another $16.5 million very soon. Nine million dollars will be distributed sometime thereafter. I further understand that VA plans to use the funds for restoration, expansion, or initiation of substance-abuse programs at 148 VA medical centers and outpatient clinics. At least $2.5 million will be channeled to VA's halfway house contract program, and $1 million will be used for a much-needed VA evaluation project of its drug and alcohol treatment programs that was authorized explicitly in legislation I authored in section 2501 of the Anti-Drug Abuse Act of 1988. A total of 72 facilities apparently will receive funds for so-called "dual diagnosis" programs, which provide treatment for both the substance-abuse and mental conditions of the patients, including 29 programs in which patients are treated for substance abuse in conjunction with PTSD.

Subsection (b) addresses one important aspect of substance-abuse treatment that is presently lacking in VA—and often in State, local, and private—treatment programs, namely, a safe, drug- and alcohol-free place for recovering veterans to stay upon discharge from a hospital program. As I noted, this provision is modeled on section 2036 of the Anti-Drug Abuse Act of 1988, under which 31 States have set up revolving funds to be used for loans to establish recovery homes for groups of recovering substance abusers.

The underlying model for both our proposal and the provision in the Anti-Drug-Abuse Act of 1988 is the Oxford House, a recovery program for individuals recovering from alcoholism or drug addiction. Since the first Oxford House was established in Silver Spring, MD, in 1975, this approach has demonstrated that a drug- and alcohol-free environment can be maintained by recovering drug and alcohol abusers. Today there are 76 Oxford Houses throughout the Nation in 15 States and the District of Columbia—each chartered by Oxford House, Inc., a nonprofit, tax-exempt corporation which acts as an umbrella organization for the national network of Oxford Houses, but all distinctly autonomous. Currently, there are 782 residents in these homes, and, in total, well over 3,000 men and women have been or are residents.

There are only three rules which all Oxford Houses are obliged to follow: First, the house must operate using democratic procedures; second, the group must be financially self-supporting; and third, any resident who relapses into using alcohol or drugs must be expelled immediately. All other rules governing individual houses are made democratically by its members. A recovering individual is generally permitted to live in an Oxford House as long as he or she does not drink or use drugs and pays a proportionate share of the house expenses. The average stay is a little over a year, but some residents stay longer. There is no pressure on anyone in good standing to leave. Our provision would differ from the Oxford House model in that the stay is definitely intended to be transitional since it is designed to be a part of a medical-care model and not a housing program.

The therapeutic aspects built into the Oxford Houses are many. The group residence allows the individuals in recovery the opportunity to determine their own living environments; it offers a supportive living environment free of alcohol or drug use; and, most importantly, it reinstills in the residents a good dose of pride and self-respect, commodities often in short supply among alcoholics and drug abusers. But Oxford House is only part of the recovery process. Residents are encouraged to participate in Alcoholics Anonymous and Narcotics Anonymous, and longtime residents often play vital roles in the further expansion of the Oxford House Program.

Mr. President, the proposal we are offering today would encourage the establishment of group homes similar to those under Oxford House for veterans recovering from substance abuse. Specifically, under the bill, on October 1, 1990, a revolving fund would be established to which a minimum of $100,000—and up to $1,000,000, as specified by the Secretary—would be transferred from VA's canteen service revolving fund.

Loans would be made from this revolving fund to groups of veterans who are receiving or have recently received from VA, or through contract care paid for by VA, treatment for substance-abuse disabilities. These loans will only be made to groups of veterans that agree that, as in the Oxford House model, the use of alcohol or any illegal drug in the house will be prohibited and result in the expulsion of the offending veteran; the costs of the house, including fees for rent and utilities, will be paid by the veteran residents of the house; the veteran residents will, through a majority vote, otherwise establish policies governing residence in the house, including the manner in which applications for residence are approved; and the house will be maintained only for veterans and will house at least six veterans.

The amount of these loans could not exceed $4,000, an amount that would allow a group of veterans to secure a lease on a house and pay the necessary security deposit and move-in costs. The veteran residents of the house would have to make payments to the new revolving fund—estimated to be about $175 per month on a usual Oxford House residence—for 24 months. A reasonable penalty would be assessed for each failure to pay such periodic installments by the date specified in the loan agreement. As money is repaid to the fund, other loans could be extended for the establishment of more group homes. This is the same manner in which loans are administered under the State programs called for under section 2036 of the Anti-Drug Abuse Act of 1988.

The success of the Oxford House model in communities throughout the country is thought by the founders of the model to be attributable to the self-run, self-help nature of the residences. By providing loans of not more than $4,000, the program envisioned by our bill would follow the self-help philosophy of Oxford House; the success of a residence and of the veterans residing there would depend on their upholding their obligations both under the loan from VA and the lease agreement with the owner of the property. The $4,000 amount is intended only to allow a group of veterans to secure a lease on a suitable residence and move in. The requirement that at least six veterans reside in the group home is included to ensure that the monthly rental cost per veteran is not prohibitively high. I am advised by Oxford House that there has never been a situation in which fewer than six persons have started an Oxford House.

In order to make this program easily workable, our proposal also would authorize the Secretary to enter into

contractual agreements with private nonprofit corporations for the purpose of collecting payments on the loans made from the revolving fund and then remitting the payments to VA. This is a function that the Oxford House often fulfills, for a charge of $830 per month for an entire program in a State, in the State programs. I believe that this aspect of our provision would allow VA the same flexibility in administering the revolving fund that States have in administering the revolving funds established pursuant to section 2036.

Mr. President, substance-abuse treatment does not end when the alcoholic or addict walks out the door of initial treatment. That is only the beginning. For persons whose lives have been ripped apart by addiction to alcohol or drugs, there is often the need to rebuild the communication skills and work abilities that have been impaired by the addiction. Hospital treatment programs and participation in halfway house programs can help recovering persons relearn these skills and begin rebuilding their lives. But it is when these persons are outside of the hospital or therapeutic halfway house and on their own that the real test begins. The Oxford House model, in which recovering persons live together, make decisions together, help each other find work, and support themselves and each other without any public or private assistance except for the startup rental and security deposits, provides an environment where the recovering addict lives with others with common experiences who can assist him or her in going forward. I am very encouraged by what I have learned about the Oxford House approach, and fully expect that in implementing this provision VA would consult the people who developed that model and who are instrumental in its operation.

Inherent in this provision and the Oxford House model on which it is based is faith in and trust of the recovering person. It may seem to some that it is a leap of faith to facilitate, by providing loans, the establishment of group homes for recovering-addict veterans who are unsupervised by anyone other than themselves. The clear success of the Oxford House homes leads me to believe that such faith is well worth the limited cost of and risk involved in this provision, and I look forward to its passage and implementation so that the veterans troubled by addiction can lead truly free and productive lives.

PERMANENT EXTENSION OF FINANCIAL INFORMATION AND COUNSELING ASSISTANCE FOR VETERANS

Mr. President, section 403 of the bill would make permanent the current requirement, in section 1832(a)(4) of title 38, that VA provide information and counseling to veterans who default on VA-guaranteed home loans about the effects of and alternatives to foreclosure. The assistance includes, as appropriate in light of the veteran's particular circumstances, information and counseling about methods of curing the default; conveyance to VA by a deed in lieu of foreclosure; other alternatives to foreclosure; and the liabilities of VA and the veteran in the event of foreclosure.

This counseling-assistance requirement, enacted in section 4 of Public Law 100-198, took effect on March 1, 1988, and will expire on March 1, 1991. The 3-year limit was meant to provide a trial period during which Congress could evaluate the effectiveness of the provision in lowering foreclosures on VA-guaranteed home loans. A very recent report by the General Accounting Office, entitled "Housing Programs: Increased Use of Alternatives to Foreclosure Could Reduce VA's Losses" (GAO/RCED-90-4 (December 1989)), indicates that this provision "is a step toward improving the program and reducing dollar losses." The report covered a period immediately preceding and following enactment of the provision, but its findings and recommendations are consistent with the policy embodied in the provision—that financial information and counseling assistance to defaulting veterans can produce savings for VA that can dwarf the costs of providing that assistance.

TECHNICAL CORRECTIONS

Mr. President, section 404 of the bill would make a series of technical amendments, primarily to correct errors in the Veterans' Benefits Amendments of 1989, Public Law 101-237, which was enacted on December 18, 1989.

CONCLUSION

Mr. President, as I noted at the outset, the central purposes of this bipartisan legislation are to provide COLA's in certain benefits paid to veterans with service-connected disabilities, and to certain dependents and survivors of such veterans, and to maintain and improve the VA programs of benefits and services for our Nation's veterans and their dependents. I look forward to gaining the views on this measure from VA, from the various veterans' service organizations, and from others interested in its various programs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Compensation Cost-of-Living Adjustment Act of 1990".

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—COMPENSATION

SEC. 101. DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASE.

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs shall, as provided in paragraph (2), increase, effective December 1, 1990, the rates of and limitations on Department of Veterans Affairs disability compensation and dependency and indemnity compensation.

(2)(A) The Secretary shall increase each of the rates and limitations in sections 314, 315(1), 362, 411, 413, and 414 of title 38, United States Code, that were increased by the amendments made by title XI of the Veteran's Benefits Improvement Act of 1988 (Public Law 100-687; 102 Stat. 4123). The increase shall be made in such rates and limitations as in effect on November 30, 1990, and shall be by the same percentage that benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1990, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(B) In the computation of increased rates and limitations pursuant to subparagraph (A), amounts of $0.50 or more shall be rounded to the next higher dollar amount and amounts of less than $0.50 shall be rounded to the next lower dollar amount.

(b) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(c) PUBLICATION REQUIREMENT.—At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1990, the Secretary shall publish in the Federal Register the rates and limitations referred to in subsection (a)(2)(A) as increased under this section.

SEC. 102. EXTENSION OF PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN RADIATION-EXPOSED RESERVISTS.

(a) IN GENERAL.—Section 312(c) is amended—

(1) in paragraph (3), by inserting "while serving on active duty" after "activity";

(2) in paragraph (4)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C);

(B) by inserting before subparagraph (B) (as redesignated by subparagraph (A)) the following new subparagraph:

"(A) the term 'active duty' includes active duty for training and inactive duty for training."; and

(C) in subparagraph (B) (as redesignated by subparagraph (A)), by striking out "a veteran" and inserting in lieu thereof "an individual".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as of May 1, 1988.

SEC. 103. AUTHORITY TO MAKE READJUSTMENTS IN THE DISABILITY RATING SCHEDULE PROSPECTIVE ONLY.

Section 355 is amended—

(1) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary";

(2) by designating the first three sentences as subsection (a);

(3) by designating the last sentence as subsection (b); and

(4) by adding at the end the following new subsection:

"(c) In making a readjustment under subsection (b) of this section, the Secretary may provide that the readjustment shall not have the effect of reducing any ratings in effect on the date that the readjustment takes effect.".

TITLE II—HEALTH CARE

SEC. 201. EXTENSION OF PILOT PROGRAM OF MOBILE HEALTH CARE CLINICS.

Section 113(b) of the Veterans' Benefits and Services Act of 1988 (Public Law 100-322; 102 Stat. 500) is amended—

(1) by striking out "and 1990" and inserting in lieu thereof a comma and "1990, and 1991"; and

(2) by adding at the end the following new sentence: "Funds appropriated to carry out the pilot program authorized by this section shall remain available until expended.".

SEC. 202. ELIGIBILITY FOR PROSTHETIC DEVICES AND OTHER MEDICAL ITEMS.

Section 601(6)(A)(i) is amended by striking out "(except under the conditions described in section 612(f)(1)(A)(i) of this title)".

SEC. 203. INCREASE IN MAXIMUM LIMITATIONS ON HOME HEALTH SERVICES.

Section 617(a)(2) is amended—

(1) in subparagraph (A), by striking out "$2,500" and inserting in lieu thereof "$5,000"; and

(2) in subparagraph (B), by striking out "$600" and inserting lieu thereof "$1,200".

TITLE III—INSURANCE

SEC. 301. SUPPLEMENTAL SERVICE DISABLED VETERANS' INSURANCE FOR TOTALLY DISABLED VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 19 is amended by inserting after section 722 the following new section:

"§ 722A. Supplemental service disabled veterans' insurance for totally disabled veterans

"(a) Any person insured under section 722 of this title who qualifies for a waiver of premiums under section 712 of this title is eligible, as provided in this section, for supplemental insurance in an amount not to exceed $10,000.

"(b) To qualify for supplemental insurance under this section a person must file with the Secretary an application for such insurance not later than the end of (1) the one-year period beginning on the first day of the first month following the month in which this section is enacted, or (2) the period during which the person must apply under section 722(a) of this title in order to be granted insurance under that section.

"(c) Supplemental insurance granted under this section shall be granted upon the same terms and conditions as insurance granted under section 722 of this title, except that such insurance may not be granted to a person under this section unless the application is made for such insurance before the person attains 65 years of age.

"(d) No waiver of premiums shall be made in the case of any person for supplemental insurance granted under this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 is amended by inserting after the item relating to section 722 the following new item:

"722A. Supplemental service disabled veterans' insurance for totally disabled veterans.".

SEC. 302. INCREASE IN AMOUNT OF VETERANS' MORTGAGE LIFE INSURANCE.

Section 806(b) is amended in the first sentence—

(1) by striking out "initial"; and

(2) by striking out "$40,000" and inserting in lieu thereof "$90,000".

TITLE IV—MISCELLANEOUS

SEC. 401. POSTPONEMENT OF TIME LIMITATION ON COUNTING OF VIETNAM-ERA VETERANS IN DISABLED VETERANS OUTREACH PROGRAM SPECIALISTS FUNDING FORMULA.

Section 2001(2) is amended by inserting before the period at the end ", except that a veteran may be considered to be a veteran of the Vietnam era for the purposes of this chapter until December 31, 1993".

SEC. 402. COMMUNITY-BASED HOUSING FOR CERTAIN VETERANS WHO ARE HOMELESS OR RECOVERING FROM SUBSTANCE ABUSE OR MENTAL ILLNESS DISABILITIES.

(a) EXTENSION AND EXPANSION OF AUTHORITY TO SELL ACQUIRED PROPERTIES FOR OCCUPANCY BY HOMELESS AND CERTAIN OTHER VETERANS.—Section 9 of the Veterans' Home Loan Program Improvements and Property Rehabilitation Act of 1987 (Public Law 100-198; 38 U.S.C. 1820 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "and to provide transitional housing for veterans recovering from substance abuse or mental illness disabilities" after "shelter";

(B) in paragraphs (2) and (3)(B)(iii), by striking out "best interests of homeless veterans" each place it appears and inserting in lieu thereof "best interests of veterans who are to occupy the property"; and

(C) in paragraph (3)(B)(i), by inserting "or as transitional housing for veterans who, at the time of entering the housing, are being furnished services by the Secretary, directly or by contract, for alcohol or drug dependence or abuse disabilities or mental illness disabilities or who, at any time within 90 days preceding the date of entering the housing, have been furnished such services by the Secretary for such purpose" after "families";

(2) in subsection (c) by striking out "October 1, 1990" and inserting in lieu thereof "December 31, 1993"; and

(3) in subsection (d)—

(A) by inserting "and March 1 of each of the next three years" after "March 1, 1990," and

(B) by striking out ", through December 31, 1989," and inserting in lieu thereof "through December 31 of the preceding year" after "section".

(b) TRANSITIONAL GROUP RESIDENCES FOR VETERANS RECOVERING FROM SUBSTANCE ABUSE DISABILITIES.—(1) Section 620A is amended by adding at the end the following new subsections:

"(h)(1) To assist veterans in recovering from alcohol or drug dependence or abuse disabilities, there is hereby established in the Treasury of the United States a revolving fund to be known as the 'Transitional Housing Fund'. The Secretary shall use the proceeds of the Fund to make loans authorized under subsection (j) of this section to nonprofit entities for the purpose of assisting such entities in meeting the costs of establishing programs for the provision of transitional residences for recovering veterans.

"(2) For the purposes of this paragraph, the term 'recovering veterans' means veterans who, at the time of entering the residences, are being furnished services by the Secretary, directly or by contract, for alcohol or drug dependence or abuse disabilities or who, at any time within 90 days preceding the date of entering the residences, have been furnished such services by the Secretary for such purpose.

"(i) On October 1, 1990, the Secretary of the Treasury shall transfer $100,000 from the revolving fund established pursuant to section 4204 of this title to the Transitional Housing Fund. After that date, the Secretary of the Treasury shall transfer from the revolving fund established pursuant to that section to the Transitional Housing Fund such amounts, not to exceed a total of $900,000, as the Secretary of Veterans Affairs may specify.

"(j) The Secretary shall make loans from the Transitional Housing Fund for the purpose described in subsection (h)(1) of this section. In making loans under this subsection, the Secretary shall ensure that—

"(1) each loan is repaid within two years after the date on which the loan is made;

"(2) each loan is repaid through monthly installments and that a reasonable penalty is assessed for each failure to pay an installment by the date specified in the loan agreement involved; and

"(3) each loan is made only to a nonprofit private entity which agrees that, in the operation of each residence established with the assistance of the loan—

"(A) the use of alcohol or any illegal drug in the residence will be prohibited;

"(B) any resident who violates the prohibition in subclause (A) of this clause will be expelled from the residence;

"(C) the costs of maintaining the residence, including fees for rent and utilities, will be paid by the residents;

"(D) the residents will, through a majority vote of the residents, otherwise establish policies governing the conditions of residence, including the manner in which applications for residence are approved; and

"(E) the residence will be operated solely as a residence for not less than six veterans.

"(k) No loan may be made under this section for more than $4,000 and not more than $4,000 in total loans may be made for the establishment of any particular transitional residence.

"(l) All loan repayments and penalties collected under this section shall be deposited to the credit of the Transitional Housing Fund.

"(m) Not later than 90 days after the date of the enactment of this subsection, the Secretary shall issue guidelines for the operation of residences described in subsection (h)(1) of this section.

"(n) The Secretary may enter into contractual agreements with private nonprofit corporations for the purposes of collecting on behalf of the Secretary payments on the loans described in subsection (h)(1) of this section.".

(2) The amendment made by paragraph (1) shall take effect on October 1, 1990.

SEC. 103. PERMANENT EXTENSION OF FINANCIAL INFORMATION AND COUNSELING ASSISTANCE FOR CERTAIN VETERANS WITH GUARANTEED LOANS.

Subparagraph (C) of section 1832(a)(4) is repealed.

SEC. 104. TECHNICAL CORRECTIONS.

(a) ADJUDICATIONS.—(1) The heading of section 3004 is amended to read as follows:

"§ 3004. Notice of decisions".

(2) The the table of sections at the beginning of chapter 51 is amended by striking out the item relating to section 3004 and inserting in lieu thereof the following:

"3004. Notice of decisions.".

(b) EDUCATION PROGRAMS.—(1) Section 1418(b)(4) is amended—

(A) by striking out the comma after "service" and inserting in lieu thereof "(i)"; and

(B) by inserting ", or (ii) has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree" before the semicolon.

(2) Section 1433(b) is amended by striking out "section 902 of the Department of Defense Authorization Act, 1981 (10 U.S.C. 2141 note)," and inserting in lieu thereof "chapter 109 of title 10".

(3) Section 1685(a)(5) is amended by inserting "or National Guard" after "Department of Defense".

(c) HOME LOAN PROGRAM.—(1) Section 1803(a)(1)(A)(i) is amended—

(A) in subclause (III)—

(i) by inserting "except as provided in subclause (IV) of this clause," after "(III)"; and

(ii) by striking out "but not more than $144,000,"; and

(B) in subclause (IV), by striking out "or (6)" and inserting in lieu thereof "(6), or (8)";

(2) Section 1825(c) is amended—

(A) in subparagraph (2), by striking out "There" and inserting in lieu thereof "Except as provided in paragraph (3) of this subsection, there"; and

(B) by adding at the end the following new paragraph:

"(3) In the case of a loan described in clause (C) of section 1829(a)(2) of this title, there also shall be credited to the Guaranty and Indemnity Fund—

"(A) for each loan closed during fiscal year 1990, an amount equal to 0.25 percent of the original amount of the loan for each of the fiscal years 1991 and 1992;

"(B) for each loan closed after fiscal year 1990, an amount equal to 0.25 percent of the original amount of the loan for the fiscal year in which the loan is closed and for the following fiscal year.".

(3) Section 1829(a) is amended by striking out paragraphs (3) and (4) and redesignating paragraph (5) as paragraph (3).

(4) Section 1829(c)(2) is amended by striking out "section 1825(c)(2) (A) or (B) of this title and subsection (a)(3) of this section" and inserting in lieu thereof "clause (A) or (B) of paragraph (2) of section 1825(c) of this title or paragraph (3) of that section".

(5) Any actions of the Secretary of Veterans Affairs in carrying out the provisions of section 1829 of title 38, United States Code, by contract or otherwise, with respect to loans closed during the period beginning on December 1, 1989, and ending on the date of the enactment of the Veterans' Benefits Amendments of 1989 (Public Law 101-237) are hereby ratified.

(d) MISCELLANEOUS AMENDMENTS.—(1) Chapter 36 is amended in sections 1732(c)(3), 1732(e), and 1733(a)(1), by striking out "Secretary of Veterans Affairs" and inserting in lieu thereof "Secretary".

(2) The chapter heading of chapter 71 is amended to read as follows:

"CHAPTER 71—BOARD OF VETERANS APPEALS".

(3) The table of sections at the beginning of chapter 71 is amended by striking out the item relating to section 4001 and inserting in lieu thereof the following:

"4001. Composition of Board of Veterans Appeals.".

(4) The heading of section 4001 is amended to read as follows:

"§ 4001. Composition of Board of Veterans Appeals".

(5) The text of chapters 71 and 72 is amended—

(A) by striking out "Board of Veterans' Appeals" each place it appears and inserting in lieu thereof "Board of Veterans Appeals";

(B) by striking out "Veterans' Administration" each place it appears and inserting in lieu thereof "Department"; and

(C) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

Mr. MURKOWSKI. Mr. President, I am pleased to join with my distinguished colleague, the chairman of the Committee on Veterans' Affairs, in introducing the legislation which would ensure that disabled veterans and their survivors will be protected from any reduction in the spending power of the compensation they receive as the result of disabilities or deaths which arise during service.

The proposed Veterans Compensation Cost-of-Living Adjustment Act, if enacted, will ensure that disability compensation—and related benefits for survivors—paid in 1991 are not reduced in their buying power by the impact of inflation. Legislation is necessary because, unlike most Federal benefits, disability compensation is not automatically indexed to the cost of living. The legislation we are introducing today would require VA to increase payments, effective December 1, 1990, by the same percentage that Social Security will be increased as a result of the indexing of that program.

The legislation would also extend, to reservists and National Guard personnel who particiapted in the above ground testing of nuclear devices, the same eligibility for disability compensation that was provided in Public Law 100-321 to active duty service members who participated in those tests. This provision would apply to Guard and reserve personnel who were on active duty for training or inactive duty for training at the time they participated in the test. I believe the Congress has always intended that reservists who are injured while participating in military activities as a result of their active or inactive duty for training should be compensated for the effects of those injuries. In the case of active duty participants of nuclear testing, compensation is payable for illnesses the Congress has determined to be associated with radiation exposure on the theory that their illness may have been caused by their participation in the test. It seems only equitable to extend the same principle to individuals who participated in the testing while on active, or inactive, duty for training.

Section 103 of the bill would allow VA to update its criteria for evaluating the severity of disabilities without threatening the income of veterans now in receipt of VA disability compensation. I believe this is a humane solution to the problems faced by VA and veterans when an objective review of improvements in medical science, rehabilitation techniques, or changes in the nature of employment indicate that a specific condition is no longer as disabling as it was in the past. I would note that the provision does not prohibit veterans now on the rolls from enjoying the benefit of a determination that a condition is more disabling, it only ensures current recipients will not suffer a reduction in income if a condition is determined to be less disabling.

Section 201 of the bill would authorize an appropriation of $5 million for fiscal year 1991 for the conduct of a pilot program of mobile health care clinics. Public Law 100-322 provided VA with the authority to conduct such a pilot program in order to evaluate the desirability of using mobile clinics to provide health care services to veterans residing in rural areas. VA, however, has not yet implemented this authority. The conference report to accompany H.R. 2916—which ultimately became Public Law 101-144—provided $3 million for this pilot program. I look forward to reviewing VA's implementation plans and eventually VA's evaluation of this promising program.

Section 202 of the bill would provide specific authority for VA to furnish needed medical equipment, prosthetic devices and similar such appliances to non-service-connected veterans when furnishing outpatient care to obviate the need for hospital care. This provision is supported by VA. According to VA officials, the current restriction on providing such equipment or devices limits VA efforts to reduce hospitalizations. That is, by providing limited and inexpensive items to veteran patients, VA could avoid—in some cases—costly hospital stays.

This bill would also increase the maximum limitations on home health services improvements. Section 617 of title 38 provides VA with the authority to provide funds for structural improvements to a veterans residence which may be necessary for the treatment of the veteran's condition and to provide access to necessary sanitary facilities.

The legislation would also allow veterans, who qualify for a waiver of pre-

miums, on the basis of total disability, for the life insurance VA makes available to veterans with service-connected disabilities, to purchase an additional $10,000 in VA life insurance at standard premium rates. This provision will allow veterans suffering from very serious disability—who are likely uninsurable at reasonable rates because of those disabilities—to increase their VA coverage to a maximum of $20,000. This additional coverage would not be a grant. The veterans in question would have to purchase the insurance. The only cost to the taxpayer would be the losses which will result from providing coverage at standard rates to veterans with severe disabilities or illnesses.

Veterans' mortgage life insurance is provided to veterans who qualify for a VA grant to help purchase a so-called "wheelchair home." This mortgage insurance helps ensure that, in the event of the veterans' death, his or her family will not lose their home. The veterans who qualify for this insurance are so severely disabled that they have lost—or lost the use of—limbs or sight due to a service-connected cause. The mortgage insurance is currently limited to $40,000. This legislation would increase that limitation to $90,000. This increase reflects the increase in housing costs in many areas of the country.

The bill would also address the problem created by the imminent sunset date of a provision which allows Vietnam-era veterans—that is, all veterans with active duty between August 4, 1964 and May 7, 1975, without regard to where they served or the nature of their duties—to be included in the formula establishing the number of Disabled Veteran Outreach Program [DVOP] staff funded by the Federal Government. Under current law, the number of DVOP staff would fall from 1,883 to less than 500 in 1992. Since the Department of Labor will soon begin its budget process for 1992, it is important to extend the sunset date for DVOP personnel until the Congress has time to carefully consider what long-term employment programs should be provided in the 1990's and beyond, without being preempted by the fiscal year 1992 budget process. To this end, the bill extends, through 1993, the requirement to include Vietnam-era veterans when determining the number of DVOP staff.

I believe it is particularly important to provide the dedicated and experienced DVOP staff some stability in their jobs since one of their responsibilities is the provision of employment services to newly discharged veterans. Given current international uncertainties, it is impossible to rule out the possibility that the size of the active duty force may be reduced in the future with a resulting surge of newly discharged veterans seeking employment services.

The legislation also extends the sunset date of authority for VA to sell homes it owns, due to foreclosure on VA guaranteed loans, to nonprofit groups who would, in turn, use the homes to provide shelter to homeless veterans. The authority would be expanded to include veterans being treated by VA for alcohol or drug abuse or mental illness. Given the association between mental illness, alcohol and drug abuse, and homelessness, this provision may serve to preempt the entry of the veterans housed under this program into homelessness.

The legislation also establishes a program to permit VA to assist veterans recovering from alcohol or drug dependence in establishing substance free transitional housing. It would allow VA to establish a revolving fund from which loans would be made to nonprofit corporations to establish transitional housing. The loan would be repaid by the corporation from funds received by the veteran residents as rent.

Although I support the concept of this transitional housing provision. I have certain drafting and substantive concerns which I will want to address as this bill works its way through the legislative process. I will be especially interested in hearing testimony about the proposed funding mechanism for the loans. I intend to explore the pros and cons of using the canteen revolving fund to make loans under this proposal.

Again, I thank the chairman for his fine work on this bill and am pleased to join with him as an original cosponsor. I look forward to working with him through the hearing and markup process as the Committee on Veterans' Affairs perfects this important legislation.

By Mr. CRANSTON (by request):

S. 2101. A bill to waive the waiting period requirement of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization involving the Loan Guaranty Division at the Togus Veterans Affairs Medical and Regional Office Center; to the Committee on Veterans' Affairs.

ADMINISTRATIVE REORGANIZATION RELATING TO THE TOGUS VETERANS AFFAIRS MEDICAL AND REGIONAL OFFICE CENTER

Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I have today introduced, by request, S. 2101, a bill to waive the waiting period requirement of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization involving the Loan Guaranty Division at the Togus—Maine—Veterans Affairs Medical and Regional Office Center. The Secretary of Veterans Affairs submitted this legislation by letter dated January 22, 1989, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others my direct their attention and comments—all administration-proposed draft legislation referred to the Veterans' Affair Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

At our committee's January 23, 1990, hearing the committee will be receiving testimony on this administration-requested legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, together with the January 22, 1990, transmittal letter and the detailed plan and justification for the transfer of the loan guaranty operation, Togus, ME.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The waiting period requirement of section 210(b)(2) of title 38, United States Code, shall not apply to a Department of Veterans Affairs planned administrative reorganization that involves the closing of the Loan Guaranty Division at the Togus Veterans Affairs Medical and Regional Office Center, and the transfer of the functions of that Loan Guaranty Division to the Manchester Veterans Affairs Regional Office.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, DC, January 22, 1990.

Hon. DAN QUAYLE,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill to "To waive the waiting period requirement of Section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization involving the Loan Guaranty Division at the Togus Veterans Affairs Medical and Regional Office Center" with the request that it be referred to the appropriate committee for prompt consideration and enactment.

Enactment of the enclosed draft bill will permit us to implement this reorganization immediately. Absent such a waiver, we must wait until fiscal year 1991 to initiate this action. The reason for the planned reorganization is set forth in the enclosed letter to the Chairman, Committee on Veterans' Affairs. This letter has been sent to our oversight committees to report this planned reorganization as required by 38 U.S.C. 210(b)(2).

We will be happy to provide any additional information concerning this proposal. Your staff may contact Raymond H. Avent, Deputy Chief Benefits Director for Field Operations, at 23-5244, if additional information is needed.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's program

to the submission of this report and legislative proposal to the Congress.

Sincerely yours,

EDWARD J. DERWINSKI.

DETAILED PLAN AND JUSTIFICATION—TRANSFER OF LOAN GUARANTY OPERATION, TOGUS, ME

I. The number of employees to be reduced at Togus VAM&ROC and their responsibilities, and the means by which reduction is to be accomplished:

Veterans Benefits Administration plans to transfer the Loan Guaranty operation at Togus to a consolidated New England Loan Guaranty Division at Manachester, New Hampshire. The authorized FTE of the Loan Guaranty Division at the VA Medical and Regional Office Center, Togus, Maine is 10. Those 10 Loan Guaranty employees have responsibility for origination, servicing, and termination of guaranteed loans as well as the resale of acquired properties and servicing of portfolio loans in the State of Maine. Clerical employees will be absorbed by the VAM&ROC. Employees in technical and supervisory positions will be offered positions at the consolidated site in Manchester, New Hampshire, with translocation costs being paid. We hope to offer those technical employees declining transfer the option of staying in comparable positions in other divisions of the Togus VAM&ROC. Employees whose positions are eliminated will be absorbed as normal attrition creates vacancies.

The other two Loan Guaranty divisions affected by closing and transfer to the consolidated Manchester Loan Guaranty division are at the Boston Veterans Affairs Regional Office. The authorized FTEE in the Loan Guaranty Division at Boston is 9; and at Hartford the FTE is 6. Since the FTE reduction percentages which will take place at the Boston and Hartford Regional Offices is less than 10% of their authorized station FTE, the closing of the Loan Guaranty divisions at those two stations is not subject to section 210(b)(2) reporting requirements.

II. The facility at which employees will be increased, the number of employees to be increased, and the specific responsibility of those employees:

The Manchester VA Regional Office will become the consolidated site for Loan Guaranty operations in the New England area. The Manchester Loan Guaranty Division currently has 6 FTEE. The consolidated division will have 22 positions. This consolidated division will provide Loan Guaranty benefits and services to Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. The 22 positions will be: 3 Staff appraisers (1 supervisory); 1 Construction Analyst; 1 Specially Adapted Housing Agent; 9 Loan Specialists (Realty) (2 supervisory); 3 Realty Specialists (1 supervisory); 1 Secretary; 3 Program Clerks; 1 Clerk Typist.

III. Description of changes in functions:

The functions of the Togus VAM&ROC and the VA Regional Offices in Boston and Hartford, except for Loan Guaranty operations, will remain the same. Veterans Service divisions at each station will continue to issue certificates of eligibility to walk-in veterans. However, all other loan guaranty benefits and services for veterans in New England (including issuance of certificates of reasonable value, processing of loan applications, issuance of guaranty, servicing of defaulted loans, payment of claims under guaranty and acquisition and disposition of foreclosed properties) will be handled from the Manchester Regional Office. At Manchester, the consolidated Loan Guaranty division will perform Loan Guaranty functions in the same manner as it now does except that its geographic area of responsibility will be greater. There will be no other functional changes as a result of this reorganization.

IV. Reasons that the reorganization is appropriate and advisable in terms of statutory missions and long-term goals of the Department of Veterans Affairs:

The New England Directors asked the Chief Benefits Director to convene a Task Force to examine the Loan Guaranty benefit delivery system in New England. They felt that the Loan Guaranty program was potentially at risk due to minimal staffing and limited flexibility to cope with personnel and program changes. The planned reorganization follows the recommendations made by the Task Force composed of staff members of the New England Offices and Loan Guaranty Service. A summary from the New England Task Force Study is enclosed.

Loan Guaranty Service reviewed the Task Force report, concurred in the findings, and made a recommendation to the Deputy Chief Benefits Director to consolidate the four New England Loan Guaranty Divisions into one site at the Veterans Affairs Regional Office, Manchester, New Hampshire. This site was selected due to its central location and its reasonable cost of living.

It has long been recognized that the Loan Guaranty program in New England is less efficient and more costly than in other parts of the country. Workloads support only minimal employment levels. Consequently, supervisory ratios are high and economies of scale impossible to achieve. This limits the four New England stations' ability to cope with potential personnel and program changes, and is detrimental to program operations over the long term. Boston and Hartford both have difficulty in recruiting and retaining personnel due in part to the high cost of living in those areas. Staffing is reaching a critical turning point. Since most of the Loan Guaranty workload in New England is related to loan origination, employees perform servicing and property disposition functions infrequently. When work is not performed regularly, poor quality and failure to meet timeliness standards often result. As stated, the program in New England is predominately origination-oriented and is being handled adequately with the present staff. However, any sudden shift in the New England economy or real estate market leading to loan terminations and property acquisitions could have negative impact on loan guaranty operations. The consolidated Loan Guaranty division will be able to better handle any such market changes.

A consolidation should improve productivity and the cost effectiveness of Loan Guaranty activities in New England while maintaining and even improving the timeliness and quality of Loan Guaranty benefits and services to veterans.

V. Effects of the reorganization on benefits and services to veterans and dependents of veterans:

The provision of benefits and services to veterans and their dependents should be enhanced with the consolidation of the four New England Offices as there will be more adequate staffing to provide specialized service in all four functional areas of the Loan Guaranty Program (Construction and Valuation, Loan Processing, Loan Service and Claims, and Property Management). Examples of improved servicing are:

Presently, specially adapted housing (SAH) actions are processed in all four offices by employees who perform varied duties. No one is assigned SAH processing as his/her sole duty. Two offices have centralized authority to approve SAH grants without VA Central Office authority. Manchester and Togus must submit SAH cases to VA Central Office for approval prior to issuing a grant. In the consolidated office, there will be a Specially Adapted Housing Agent whose primary responsibility will be processing SAH applications with centralized authority to approve grants.

The New England offices have a total of 33 properties in their combined inventory. The consolidation of the offices into one Loan Guaranty Division will enhance the processing of acquired property sales. There will be a full-time staff of 3 Realty Specialists compared to a staff of 2 now handling this workload on a part time basis in the four offices. The proposed staffing level will allow adequate staff to conduct property inspections as well as process in-house paperwork.

Servicing of loans is accomplished primarily by telephone; therefore, servicing defaulted loans in a consolidated Manchester office should ordinarily be no different than servicing from the four existing offices. Any delinquent borrower visiting a VA office with no Loan Guaranty division will still be able to receive personal service and Loan Guaranty program information through a Veterans Benefits Counselor (VBC) in the Veterans Services Division at each of the locations. Routine and continuing training of VBC's will be planned and carried out by the consolidated Loan Guaranty Division to keep them informed of policy and regulation changes as well as changes in state law which affect servicing and foreclosure of loans.

VI. Cost impact of the reorganization and supporting analyses:

The estimated cost to close the Togus Loan Guaranty Division and relocate 6 employees to the Manchester Regional Office is estimated at $212,000. This amount includes translocation cost at $204,000 ($34,000 per employee) and $8,000 to move files and supplies. Of course, the transfer of the Togus Loan Guaranty Division is only one part of the overall consolidation. The enclosed cost benefit analysis shows the estimated cost and savings for the entire reorganization.

COST BENEFIT ANALYSIS

IMPLEMENTATION RESOURCES NEEDED

	Fiscal year—					
	1990	1991	1992	1993	1994	1995
FTEE	0	0	0	0	0	0
Personnel compensation	0	0	0	0	0	0
Capital expenses	400	0	0	0	0	0
All other expenses	560	0	0	0	0	0

Estimated costs for consolidation include modification of office space at Manchester and translocation of employees. The All Other Expenses category includes $16,000 for moving files, supplies, furniture and equipment; and $544,000 for translocation of estimated 16 employees at $35,000 each. Office reconfiguration from Minor Construction including furniture is estimated at $400,000.

SAVINGS

Savings result from substantial reduction in the number of FTE needed to operate the consolidated Loan Guaranty activity, reduced SLUC costs due to space savings and reduced ADP equipment needs.

	Fiscal year—					
	1990	1991	1992	1993	1994	1995
FTEE	10	10	10	10	12	12
Personnel compensation	360	360	401	411	456	467
Capital expenses	50	50	25	0	0	0
All other expenses	110	110	110	110	110	110

	Current service		Proposed		Payroll savings	
	FTE	Payroll	FTE	Payroll	FTE	Payroll
Fiscal year						
1991	32	$1,145,404	22	$785,836	10	$359,568
1992	32	1,173,507	21	771,828	11	401,679
1993	32	1,202,055	21	790,605	11	411,450
1994	32	1,231,058	20	774,760	12	456,298
1995	32	1,260,521	20	793,301	12	467,220
Total		6,012,545		3,916,330		2,096,215

Other Savings: The five year Service Leasing Unit Contract (SLUC) savings is $535,800.

Summary

1. Payroll Savings	−$2,096,215
2. Relocation Costs	+560,000
3. Minor Construction	+400,000
4. SLUC Savings	−553,800
Five year net savings	−1,690,015
Five year GOE savings	[1] −2,090,015

[1] Excluding minor construction costs.

By Mr. CRANSTON (by request):

S. 2102. A bill to amend title 38, United States Code, to modify the prior congressional "report and wait" restrictions which are imposed upon certain Department of Veterans Affairs administrative reorganizations by section 210(b)(2) of that title; to the Committee on Veterans' Affairs.

MODIFYING "REPORT AND WAIT" RESTRICTIONS ON CERTAIN DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATIVE REORGANIZATIONS

Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I have today introduced, by request, S. 2102, a bill to modify the requirement for advance congressional notification prior to implementation of certain reorganization within the Department of Veterans Affairs. The Secretary of Veterans Affairs submitted this legislation by letter dated January 25, 1990, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, together with the January 25, 1990, transmittal letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 210(b)(2) of title 38, United States Code, is amended to read as follows:

(2)(A) The Secretary may not in any fiscal year implement an administrative reorganization described in subparagraph (B) of this paragraph unless the Secretary first submits to the appropriate committees of the Congress a report containing a detailed plan and justification for the administrative reorganization. No action to carry out such reorganization may be taken after the submission of such report until the expiration of a 60 day waiting period following the date of the submission of such report. Such 60 day waiting period shall be extended by a period equal to the total number of days during such period that either chamber of the Congress is not in session.

(B) An administrative reorganization described in this subparagraph is an administrative reorganization of a covered field office or facility which involves a reduction during any fiscal year in the number of full-time equivalent employees with permanent duty stations at such offices or facility by 25 percent or more.

(C) Not less than 30 days before the date on which the implementation of any administrative reorganization described in this subparagraph is to begin, the Secretary shall transmit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a notification regarding such reorganization. This subparagraph applies to an administrative reorganization of any unit of the Central Office of the Department of Veterans Affairs that is the duty station for more than 99 employees if the reorganization involves a reduction in any fiscal year in the number of full-time equivalent employees with permanent duty station in such unit by 25 percent or more.

(D) For the purposes of this paragraph—

(i) The term "administrative reorganization" means a consolidation, elimination, abolition, or redistribution of functions under the authority granted the Secretary under the second sentence of paragraph (1) of this subsection. This term does not include a consolidation or redistribution of functions between the Veterans Benefits Administration and Veterans Health Services and Research Administration components at a Department of Veterans Affairs medical and regional office center, provided that following such a consolidation or redistribution of functions the same number of full-time equivalent employees continue to perform the affected functions at that center.

(ii) The term "covered field office or facility" means a Department of Veterans Affairs office or facility outside the Department of Veterans Affairs Central Office that is the permanent duty station for 25 or more employees and that is a regional office, medical center, medical and regional office center, free-standing outpatient clinic, insurance center, or similar field office or facility which has as its primary mission providing care or services to veterans.

(iii) The term "detailed plan and justification" means, with respect to an administrative reorganization, a written report which, at a minimum—

(I) specifies the number of employees by which each covered office or facility affected is to be reduced, the responsibilities of those employees, and the means by which the reduction is to be accomplished;

(II) identifies any existing or planned office or facility at which the number of employees is to be increased and specifies the number and responsibilities of the additional employees at each such office or facility;

(III) describes the changes in the functions carried out at any existing office or facility and the functions to be assigned to an office or facility not in existence on the date that the plan and justification are submitted pursuant to subparagraph (A) of this paragraph;

(IV) explains the reasons for the determination that the reorganization is appropriate and advisable in terms of the statutory missions and long-term goals of the Department of Veterans Affairs;

(V) describes the effects that the reorganization may have on the provision of benefits and services to veterans and dependents of veterans (including the provision of benefits and services through offices and facilities of the Department of Veterans Affairs not directly affected by the reorganization); and

(VI) provides estimates of the costs of the reorganization and of the cost impact of the reorganization, together with analyses supporting those estimates.

SEC. 2. EFFECTIVE DATE. The provisions of Section 210(b)(2) of title 38, United States Code, as amended by this Act, shall apply to any reorganization within the Department of Veterans Affairs which is implemented on or after October 1, 1989.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, DC, January 25, 1990.

Hon. DAN QUAYLE,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill to modify the Congressional "report and wait" restrictions imposed upon certain Department of Veterans Affairs (VA) administrative reorganizations by section 210(b)(2) of title 38, United States Code, as amended, with the request that it be referred to the appropriate committee for prompt consideration and enactment.

Historically, section 210 provided statutory authority for past Administrators to reorganize the Agency so that changes in mission or programs could be efficiently implemented through organizational change. Section 210 was amended in 1981 to provide that unbridled reorganization would not occur without Congressional input. The amendment required that if a reorganization adversely affected certain organizational components, a notice of the reorganization was required to be submitted generally with the submission of the President's budget, with a waiting period before implementation which permitted Congress to review the proposal. We believe that the constraints of section 210 have unduly affected the ability of the Secretary to efficiently manage the Department. We believe that these constraints can be somewhat relaxed, so that more timely organizational adjustments can be effected, without disturbing the underlying concerns which led to enactment of this section, the reduction

of services to veterans. The draft bill is intended to accomplish this end.

Pub. L. No. 97-66 added a new paragraph (2), containing the "report and wait" requirements, to 38 U.S.C. § 210(b). The prior language of subsection 210(b) was retained and redesignated as paragraph 210(b)(1). It contains the basic delegation of authority to the Secretary to organize and manage the Department. The restrictions of paragraph 210(b)(2) apply to any planned VA administrative reorganization which involves a loss or transfer of functions away from a covered VA component resulting in the specified reduction in its number of full-time equivalent employees (FTEE). Under these restrictions the Department cannot implement any covered VA "administrative reorganization" until: (1) a detailed plan and justification has been sent to the appropriate committees of Congress not later than the date the budget for the next fiscal year is submitted to Congress; and (2) the first day of the next fiscal year arrives. Since the budget is submitted in January, the minimum waiting period would be 9 months. Under some circumstances, however, it may not be possible to submit a report by this reporting deadline; in that instance the statute would require the Department to delay a reorganization for as much as 21 months, until the first day of the next following fiscal year.

The legislative history of Pub. L. No. 97-66 indicates the purposes of the above VA reorganization restrictions were to protect the quality and levels of VA care and service, and to ensure the integrity and efficiency of program operations. We are proposing amendments to these restrictions which we believe preserve the true intent of Pub. L. No. 97-66, while enabling this Department to better and more efficiently achieve these ends. In the present budget climate VA, like other Departments and agencies, must utilize resources more efficiently. Also, because of demographic and other changes, the number and location of VA beneficiaries eligible for VA benefits, care, and treatment is changing. With fiscal limitations, a rapidly changing beneficiary profile, and the availability of new management and support technology, mainly computerization, we need greater flexibility to make timely organizational adjustments. It is simply inefficent and counterproductive to continue restrictions which impose a waiting period of up to 21 months upon any significant plan by VA management to adapt the VA organizational structure to these realities.

In order to establish a better balance between the need for VA to change and adapt, and the needs of oversight committees to have advance notice of significant VA reorganizations, the draft bill would amend the "report and wait" restrictions in five ways. First and foremost, it would shorten the lengthy waiting period presently required, following submission of the detailed plan and justification for a covered administrative reorganization, to 60 days. While the report could be submitted at any time, the 60 days waiting period would not run on any day that either chamber of Congress is not in session. This change would remove a principal difficulty which the VA now has with these restrictions. The delays and uncertainty caused by a long waiting period unduly limit VA management's ability to effect organizational change where such change is necessary and prudent in the efficent operation of Department programs and resources.

Second, the draft bill would modify reporting requirements for reorganizations within VA Central Office by limiting such requirements only to reorganizations which involve a 25 percent FTEE reduction in one fiscal year at a Central Office unit which has 100 or more employees, and would eliminate the combined two consecutive fiscal year FTEE reduction test. The proposed restriction would require only 30 days prior notice of such reorganizations of Central Office units. Section 210(b)(2)(B)(ii) now makes administrative reorganizations of a Central Office unit which has 100 or more employees subject to the full "report and wait" restrictions of section 210(b)(2)(A). The net effect of this proposed change would be to make only the 30 days prior notice applicable to reorganizations within Central Office, and such notice would be applicable only where the requisite function loss and FTEE cut results at a Central Office unit with 100 or more employees.

Third, the draft bill would amend the section 210(b)(2)(D)(iii) definition of a "covered field office or facility" to make "report and wait" restrictions applicable only at those offices or facilities which have 25 or more employees and which have as their primary mission providing care or services to veterans. This amendment would continue section 210(b)(2) coverage at all VA regional offices, medical centers, medical and regional office centers, insurance centers, free-standing outpatient clinics, and similar field offices or facilities. However, VA management and support facilities, such as data processing centers, finance centers, medical region management offices, supply depots and record centers, etc., would no longer be covered. This change is intended to limit section 210(b)(2) coverage to those VA field offices or facilities which have as their primary mission providing direct care or services to veterans, since it was such care and services which these restrictions were primarily intended to protect.

Fourth, the draft bill would amend section 210(b)(2)(B) to increase the size of the FTEE reduction required for an administrative reorganization which must be reported at a covered field office or facility from 10 percent to 25 percent in any one fiscal year. The combined 15 percent FTEE reduction test for two consecutive fiscal years, as set out in section 210(b)(2)(B)(i)(II),would be deleted. This change would raise the size of a reduction which must be reported to a more reasonable level. Presently, a transfer of as few as three to five FTEE at a field facility could be subject to these restrictions. For example, a recent proposed transfer of only six FTEE from the regional office component of a VA Medical and Regional Office Center (VAM&ROC) was examined and found to be a reportable reorganization within the literal meaning of section 210(b)(2) in its present form. Such a limitation on the Secretary's ability to manage the Department neither serves the best interests of our veteran constituency nor the legitimate oversight needs of the Congress.

Finally, the draft bill would amend the section 210(b)(2)(D)(i) definition of an "administrative reorganization" subject to these requirements to expressly provide that that term does not include any consolidation or redistribution of functions between components at a VAM&ROC, provided that following such a change the same number of FTEE continue to perform the same functions at that VAM&ROC. This change is proposed because it was recently determined that the transfer of support functions and FTEE between the Veterans Benefits Administration (VBA) and Veterans Health Services and Research Administration (VHS&RA) components at a VAM&ROC, even though no functions or FTEE were lost at the VAM&ROC, was subject to the "report and wait" restrictions. In this situation, VBA and VHS&RA agreed to transfer the FTEE in certain support functions from VBA to VHS&RA. Although the VAM&ROC had the same people, in the same place, performing the same functions, it was a reportable reorganization because VBA no longer performed these support functions and no longer retained the FTEE to support these functions.

Although the "report and wait" statutory restrictions were somewhat liberalized in 1988 by section 15 of Pub. L. No. 100-527, the statute still, on occasions, creates an artificial impediment to the proper and efficient management of the Department. Even comparatively minor reorganizations, for which the Congress presumably has absolutely no reservations, such as the realignment mentioned in the prior paragraph, cannot be implemented prior to the following fiscal year unless a special exempting law is enacted. In the press of other Congressional business such a legislative waiver may not be considered and enacted by the Congress notwithstanding the fact that no inherent objection exists. Moreover, we would submit that it simply should not require an Act of Congress to permit timely implementation of planned VA administrative reorganizations which are comparatively minor and noncontroversial. Given these circumstances, we recommend that the enclosed provisions amending paragraph (b)(2) of section 210 of title 38, United States Code, be enacted in order to further modify these "report and wait" restrictions for certain types of VA administrative reorganizations.

VA has had a long history of close and frank cooperation with those committees which have VA oversight responsibility. This relationship has ensured, and will continue to ensure, that any significant Department reorganization will take place only after discussion of such reorganization with our oversight committees. These committees have always carefully evaluated any significant VA proposal, including significant planned reorganizations. As a former Member, one of my highest priorities is to continue and improve upon this good working relationship and spirit of cooperation with our oversight committees, but it is, simply, time to relax the overly restrictive provisions of Section 210(b)(2).

We will be happy to provide any additional information concerning this proposal.

The Office of Management and Budget advises that there is no objection to the submission of this legislative proposal to the Congress and that its enactment would be in accordance with the program of the President.

Sincerely yours,

EDWARD J. DERWINSKI.

By Mr. CRANSTON (by request):

S. 2103. A bill to waive the reporting and waiting period requirements of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization of the regional field offices of the Veterans Health Services and Research Administration; to the Committee on Veterans' Affairs.

VETERANS HEALTH SERVICES AND RESEARCH ADMINISTRATION REORGANIZATION

Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I have today introduced, by request, S. 2103, to waive the reporting and waiting period requirements of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization of the regional field offices of the Veterans Health Services and Research Administration. The Secretary of Veterans Affairs submitted this legislation by letter dated February 7, 1990, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

At our committee's February 23, 1990, hearing the committee will be receiving testimony on this administration-requested legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point, together with the February 7, 1990, transmittal letter and the Secretary's January 22, 1990, letter to me, with enclosures, providing VA's justification for reorganization.

S. 2103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary may implement an administrative reorganization within the Department of Veterans Affairs to reduce from seven to four the number of regional field offices of the Veterans Health Services and Research Administration without regard to the reporting requirement and waiting period provided for by section 210(b)(2) of title 38, United States Code.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, February 6, 1990.

Hon. DAN QUAYLE,
President of the United States Senate, Washington, DC.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill "To waive the reporting and waiting period requirements of section 210(b)(2) of title 38, United States Code, for a planned administrative reorganization of the regional field offices of the Veterans Health Services and Research Administration," with the request that it be referred to the appropriate committee for prompt consideration and enactment.

The reasons for submitting this draft legislation are discussed in some detail in a report, submitted to our oversight committees pursuant to 38 U.S.C. § 210(b)(2), regarding a critically important reorganization of our regional medical field offices.

In essence, we must, in my judgment, reorganize the field offices to overcome a real lack of administrative uniformity in the VA medical system. We have found wide variation—from region to region and hospital to hospital—on so basic a matter as whether a veteran will or will not receive needed VA care. Such uncertainty often stems from the policy or practice of the particular medical facility or of the regional office to which that facility reports.

My responsibilities to our veterans, to the President, and to the Congress demand that VA do more toward achieving greater operational uniformity in our health care system. In that quest, wide ranging consultations led me to the judgment that only a substantial reorganization of the management structure of our Veterans Health Services and Research Administration (VHS&RA) field operations would yield the consistency in health care delivery that our veterans deserve. In my view, streamlining the organization by reducing the number of regional field offices from seven to four is critical to achieving greater consistency.

Section 210(b) of title 38, U.S. Code, governing certain administrative reorganizations within the VA, would, however preclude my carrying out that planned streamlining until Fiscal Year 1991. We are proposing this legislation, accordingly, to waive the statutory waiting period. Its enactment is critical to making our health care system more responsive to veterans' needs. Its enactment is also necessary to permit VA to set in motion the many implementing, logistical steps involved in restructuring the new regions. We can only begin to take such steps after the law's waiting period is lifted. Delay, on the other hand, could jeopardize this important opportunity to improve our health care system and might also erode past gains.

Although we have initiated this reorganization to improve the administration of VA health care delivery, it will yield savings once the restructuring is completed. We intend to apply those administrative savings to augment staffing for direct patient care. The reorganization process itself would necessarily involve short-term costs. We estimate that enactment of this measure early in this session of Congress would thus result in costs in Fiscal Year 1990 of some $7.7 million which will be absorbed within the existing Medical Care operating budget. However, significant cost recoveries of approximately $4 million, in each subsequent year, are expected to result from this reorganization.

Thank you for your consideration of this draft bill.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's program to the submission of this report and legislative proposal to the Congress.

Sincerely yours,

EDWARD J. DERWINSKI.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, January 22, 1990.

Hon. ALAN CRANSTON,
Committee on Veterans' Affairs, Washington, DC.

DEAR MR. CHAIRMAN: From my earliest days as Secretary of Veterans Affairs, I have received many reports of inconsistency in veterans' access to VA health care.

On virtually a daily basis, elected representatives from across the country have written and called me to document the existence of differing "VA" policies—from region to region and even among hospitals within close proximity—which affect whether or not a veteran will or will not receive needed care. My travels to VA facilities and meetings with medical administrators at all levels have borne out these accounts. My responsibilities to our veterans, to the President, and to the Congress demand that VA do a better job at achieving greater operational uniformity in our health care system.

Wide-ranging consultations, which included discussions with the Chief Medical Director and the Regional Directors, led me to the judgment that a substantial reorganization of the management structure of our Veterans Health Services and Research Administration (VHS&RA) field operations was needed to attain the consistency in health care delivery that our veterans deserve.

Consequently, I directed the Chief Medical Director, last August, to prepare to implement a reorganization with which I know you are familiar. That directive generally called for phasing out district offices and cutting the number of medical regions. Certainly, that step was not taken lightly or without careful regard for the dislocation it might mean for many dedicated VHS&RA employees.

In my judgment, however, this step is necessary to assure that our health care system remains viable over the long term. Medical districts represent an extra layer of management which I simply cannot justify. Larger issues of VHS&RA management and accountability underlie the proposed reorganization of our medical regions. That administrative reorganization is the subject of the enclosed report, required under 38 U.S.C. 210(b).

In submitting that report, let me underscore the critical goals it sets out to achieve. Rather than simply consolidating and realigning offices, this reorganization seeks to remedy the unacceptable variation in policy interpretation and implementation that has emerged under a seven-region structure. Reducing the number of regions and the number of regional directors will facilitate a return to strong, centralized policy-making and will reinforce management accountability. The restructuring aims, therefore, to strike a better balance between our needs for management flexibility at our local facilities and system-wide operational uniformity based on national policy.

In my judgment, the streamlined organization described in our report—while not the only approach I considered—will best carry out my management goals. This structure will encourage greater emphasis on centralized policy-making and operational implementation of those policies by the regional directors. In my view, reducing the number of regions and regional directors from seven to four is critical to achieving greater consistency.

Our plan to phase out the 27 medical districts by March 31, 1990, does not constitute an administrative reorganization subject to the requirements of Section 210(b). I believe it is important, nevertheless, to assure you and Congress generally that eliminating this administrative layer will serve the best interests of our patients and will not diminish VA's responsiveness to congressional concerns. To the contrary, it is a critical component of a restructuring which, I believe will make VHS&RA more responsive. Moreover, the administrative savings we hope to achieve once the restructuring is completed offer the opportunity to augment staffing for direct patient care.

Finally, let me acknowledge that in enacting the provisions of law codified at Section 210(b) of 38 U.S.C., Congress established a

mechanism to permit itself the opportunity to oversee certain proposed administrative reorganizations. While respectful of that important function, I intend to submit draft legislation to permit us to reorganize as soon as possible. The enactment of such legislation will be critical to permit VA to set in motion the many necessary steps involved in restructuring the new regions—particularly in helping dedicated employees find new positions as soon as possible. Such steps can really only begin after the law's waiting period is lifted. I request your support for this draft legislation.

We hope we have earned your support of our important effort to strengthen management of our medical care system, and trust that our enclosed report will answer such questions as you may have.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's program to the submission of this report and legislative proposal to the Congress.

Sincerely yours,

EDWARD J. DERWINSKI.

REORGANIZATION OF VHS&RA REGIONS, 1989—REPORT TO CONGRESS, TITLE 38 U.S. CODE, SECTION 210(b)(2)

I. Purpose: The purpose of this report is to describe the planned reorganization of the Veterans Health Services and Research Administration's (VHS&RA) regional structure and its impact on service delivery and resource utilization.

II. Background: A pressing concern which has confronted the VA throughout this Administration is the degree to which access to VA health care is determined or influenced by the policy or practice of the particular health care facility at which a veteran seeks care rather than by national policy. This inconsistency and unpredictability are untenable in themselves and at odds with sound management principles as well as with VA's responsibilities under law. Wide-ranging examination of the management of VA's health care system in light of this concern led to the conclusion that the lack of uniformity in access to VA health care is inextricably linked to a pattern of decentralized decision-making within VHS&RA that is reinforced by the organization of its field operations.

It was determined on the basis of extensive consultations, including discussions with the Chief Medical Director, that a reorganization of VHS&RA's field operations was necessary to achieve the desired improvements in the uniformity of policy implementation and equity of access to medical care. Accordingly, the Secretary's memorandum of August 25, 1989 (Appendix A), to the Chief Medical Director (CMD), establishes the rationale and parameters for a reorganization of VHS&RA field operations. The reorganization phases out the 27 Medical Districts by March 31, 1990, and reduces the number of regions from seven to three. The August 25 memorandum describes the benefits to be achieved as follows:

Greater balance between the operational uniformity of the system and management flexibility for individual facilities;

More efficient use of resources and improved communications by removing duplicative functions and administrative layers;

Redeployment of resources, including personnel to support direct patient care;

Increased accountability for implementation of centralized policy; and

Greater uniformity among regions of access to health care services.

The Secretary indicated that the proposed reorganization would be reported to Congress, in compliance with requirements of 38 U.S.C. 210(b)(2), with the FY 1991 budget submission. The CMD was asked to develop an implementation plan, including potential regional boundaries and field office locations, staffing requirements for field offices and VACO Regional Director's (RD) offices, and an estimate of recovered resources that could be redirected to patient care. These features of the reorganization are described in subsequent sections of this report.

III. Discussion:

1. Description of the Current Organization.

In accordance with 38 U.S.C., Section 4103, the current VHS&RA organization is headed by the CMD, who is directly responsible to the Secretary for operation of the Agency. To assist the CMD in carrying out operational responsibilities there are two line officials: the Deputy Chief Medical Director (DCMD), who serves as VHS&RA's Chief Operating Officer, and the Associate Deputy Chief Medical Director (ADCMD), who reports to the DCMD and is responsible for integrating line and program management responsibilities. A staff of approximately 557 (cumulative FTEE as of November 4, 1989) assist in the program, staff and operational functions of Central Office.

VHS&RA field elements consist of 172 medical centers (VAMCs), 233 outpatient clinics, 119 nursing home care units, 29 domiciliaries, 194 Vietnam Veteran Outreach Centers and various support units (ISCs, RMECs, etc.). The VHS&RA field elements are assigned to seven regions which are further divided into 27 medical districts. Each Region/Medical District encompasses specific geographic areas comprising all medical facilities available to the VA (including VA-operated facilities, State Veterans Homes and contracted services) within those areas.

a. *Regional Directors.*

The Regional Directors (RDs) report directly to the ADCMD. Each RD is physically located in the field and directly oversees a field office and staff of between 21 and 29 FTEE. The authorized core ceiling for the regional field offices is 196 FTEE. Although some regions are larger geographically than others, they are organized so that patient population, staff and financial resources are distributed equally among them. A Deputy Regional Director and approximately 4 FTEE provide the RD with an operational arm in VACO.

On several occasions since 1979, increased authority and responsibility have been delegated from central office to the regions and field facilities, most notably in the areas of program planning (MEDIPP), resource management (RAM), and quality assurance (SERP/MEDIPRO). Conversely, responsibility for information resources management (IRM) support (ISCs) has been centralized from the RDs to the Director, MIRMO in a 1987 realignment.

The RDs are delegated authority and responsibility for operations and the management of quality in field facilities. In addition to directing the activities of their immediate offices, the RDs are responsible for the specific functions that follow:

(1) Facility Operations—This function encompasses the following programmatic areas that are operational in nature:

Resource Management—Budget development and execution, financial planning and analysis, resource management site visits, data validation, monthly financial status reports, workload and employment monitoring, cost screens, reporting systems, funding transactions.

Planning—Regional strategic and implementation plans, mission analysis, demographic/market analysis, VA/DoD contingency planning, program planning, workload projection methodologies, needs assessments, facility development planning, planning board activities.

Construction—Construction program prioritization, facility five-year plans, allocations and tracking of project resources, activations, liaison with Office of Facilities, facility development planning, review and allocation of the Non-Recurring Maintenance (NRM) program.

Medical Center/Patient Communications—Responding to Congressional and consumer inquiries, public relations, news releases and publications, special events planning.

Human Resources—Personnel activities, Directors' performance monitoring, disciplinary actions, position descriptions, recruitment, commendations/awards programs, Equal Employment Opportunity (EEO) consultation and resolution, education and development activities, liaison with Regional Medical Education Centers (RMECs).

Information Resources Management (IRM)—Network development, Decentralized Hospital Computer Program (DHCP) functions, IRM security, regional office data processing, data collection and analysis, regional IRM initiatives, special projects, programmatic support.

(2) Quality Management—This function encompasses the following programmatic areas.

Risk Management—Patient Injury Control Program, tort claims analysis, OMB Circular A-123 oversight, occurrence screening.

Internal and External Review—Credentialing and privileging compliance, oversight and consultation for all Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and other external review field activities, Regional Review Program, participation in all surveys.

Nursing—Staff development, Nursing Service personnel issues, special salary rates, policy guidance.

Safety and Health—Employee safety programs are required by P.L. 91-596. Annual inspections, compliance with Occupational Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA) regulations, waste management, accident statistics, JCAHO Fire and Safety criteria, review of construction projects.

b. Medical Districts.

The seven regions are further divided into 27 medical districts, each comprised of four to seven VA Medical Centers (VAMCs) and headed by a Medical District Director (MDD) appointed by the CMD from among Medical Center Directors in a given district. Historically, the MDD's role has been to advise the RD on distribution of resources and planning of the district's healthcare services. However, MDDs exercise no line authority over the district VAMCs. The medical district operates as a consortium in planning (MEDIPP), quality assurance (MEDIPRO), and environmental management programs, and joint program sharing/service delivery efforts. District staffs of eight to ten FTEE support these programs and have had a significant role in data collection, analysis and development of recommendations for management review at both the district and regional levels. Figure 1 (not printed) depicts the current VHS&RA

organization and Figure 2 (not printed) depicts the current geographical boundaries of VHS&RA regions and medical districts.

The following describes the regions as depicted in Figure 2:

The seven current VHS&RA regions are comprised of healthcare facilities in the following states (the list also includes the Philippine Islands, Guam, Puerto Rico, Virgin Islands, and the District of Columbia; Regional boundaries are not drawn to correspond with state lines; therefore a state may fall in more than one region.

Region 1—Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Puerto Rico, Virgin Is.

Region 2—Pennsylvania, New Jersey, Delaware, Virginia, West Virginia, North Carolina, District of Columbia, Maryland, part of Tennessee, part of Kentucky, part of Ohio.

Region 3—South Carolina, Georgia, Florida, Alabama, Mississippi, part of Kentucky, part of Tennessee, part of Indiana.

Region 4—Part of Ohio, part of Indiana, Michigan, part of Wisconsin, part of Illinois.

Region 5—Minnesota, Utah, Colorado, Iowa, Missouri, Kansas, Nebraska, North Dakota, South Dakota, Montana, Wyoming, part of Ilinois, part of Idaho, part of Wisconsin, part of Nevada.

Region 6—Part of Idaho, Washington, Oregon, California, part of Nevada, Alaska, Hawaii, Guam, Philippine Is.

Region 7—Arizona, New Mexico, Louisiana, Texas, Oklahoma, Arkansas.

2. Description of the Proposed Organization.

A. *Geographic Boundaries.*

After careful analysis, the CMD recommended, and the Secretary approved, a four-region structure as the best of considered alternatives to achieve improvements in policy implementation, accountability and equity of access to VHS&RA services. The following criteria were used to define regional boundaries:

Drawing regional boundaries consistent with State lines;

Structuring regional boundaries that include natural patient referral patterns in each region;

Achieving the best possible balance of facilities, veteran population, and resources in each region; and

Retaining, where possible, existing regional office facilities.

b. *Location of Field Offices.*

Potential sites for the location of the four regional field offices were compared against significant demographic, travel, cost data an other considerations. Based on these analyses the following sites were selected for the Regional Directors' field offices: Region 1: Baltimore, Maryland; Region 2: Ann Arbor, Michigan; Region 3: Jackson, Mississippi; and Region 4: San Francisco, California. Figure 3 (not printed) depicts the reconfigured region boundaries and the Regional Directors' field office locations.

The following describes the reconfigured regions as depicted in Figure 3: The four proposed regions are comprised of healthcare facilities in the following states. The list also includes Puerto Rico, Virgin Islands, District of Columbia, Guam, and the Philippine Islands). New regional boundaries correspond to state lines.

Region 1—Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, District of Columbia.

Region 2—Ohio, Michigan Kentucky, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

Region 3—North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, Puerto Rico, Virgin Islands.

Region 4—Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, California, Alaska, Hawaii, Guam, Philippine Islands.

c. *Functions.*

Four region headquarters offices will be established to perform the major functions of facility operations and quality management, as described for the current organization. These functions will essentially remain unchanged except for the addition of some planning, peer review and fire, safety and industrial hygiene functions that were previously performed by the Medical Districts. The added regional functions are described as follows:

Planning—the district planning process will be replaced by a regional planning process. Central Office will provide overall direction, while the region oversees facility-based grass roots planning activities. Functioning as planning units grouped by common referral patterns, facilities will collectively plan for the vertical integration of services. Regional planners, the majority of whom will be located at the medical centers, will be responsible for data collection and analysis and coordinating planning efforts among facilities. Regional Planning Boards will continue to review plans, establish priorities and identify opportunities to share resources. Planning and construction responsibilities will be combined in one position, located at a planning unit site, to oversee planning, Facility Development Plans (FDP), and construction management.

Quality Management—Congress has mandated VHS&RA to implement objective, criteria-based, physician-directed peer reviews, which have been the responsibility of Medical District Peer Review Organization (MEDIPRO) Boards. Studies are designed by the Boards, data collected by clinical evaluators based in VAMCs, and analysis and reporting are performed by the Boards. Existing district- and region-based quality assurance activities, including peer review, monitoring implementation of and compliance with QA policies, and technical assistance activities will be integrated into a total quality management approach. Under the new structure, clinical evaluators, reporting to the RD, but housed in VAMCs, will collect peer review data. Analysis will be performed by regional peer review boards organized to conform with the quality management structure.

Safety and Health—Responsibilities will continue to include employee safety programs as required by P.L. 91-596 and other monitoring activities, such as, annual inspections, compliance with Occupation Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA) regulations, waste management, accident statistics, JCAHO Fire and Safety criteria, and review of construction projects. District-based staff performing these functions will be located in RD offices and VAMCs.

d. *Staffing.*

The accretion of medical district functions, coupled with the reduction in the number of regions from seven to four, will result in an increase in the staffing of each regional office from an average of 28 FTEE to a range of 91 to 97, allowing for variation in management style and program requirements. The number of certain categories of personnel, for example planners, is based on the ratio of staff to facility groupings as determined by patient referral patterns, medical center complexities, and transportation factors. Staffing levels for other categories of personnel, for example resource management specialists, are less dependent on the number and configuration of facilities. The estimated staff required to perform designated functions in a given region are indicated below.

(1) Field Office Staffing.

Top Management. This includes the Regional Director and a Deputy RD in the field, and their immediate staff. Estimated staffing—6 FTEE (not including the RD and VACO-based Deputy).

Quality Management. Includes peer review, risk management, internal and external review, nursing, safety, and health. Estimated staffing—45-49 FTEE (approximately 28 of this number will be located in VAMCs).

Facility operations. Includes resource management, planning, construction, medical center/patient communications, human resources, and IRM. Estimated staffing: 40-42 FTEE (8 of this number will be located in VAMCs).

(2) VACO Staffing.

Staffing of RD offices in VACO will essentially remain unchanged. A second Deputy RD, for each of the four regions, will be located in VACO to represent the RD and perform as a full assistant. The number of health system specialists is facility dependent, therefore the same number is required as presently exists. Support staff requirements will not change.

e. *Collateral Programs.*

The Regional Medical Education Centers (RMEC), Information System Centers (ISC) and the Regional Manager Offices (RMO) for Readjustment Counseling Service are also regionally based. However, these programs serve individual medical facilities and their effectiveness is not tied to regional configurations. Respectively, the ACMD for Academic Affairs, the Director, MIRMO and the Director, Readjustment Counseling Service have line responsibility for these field elements. The present structure of these organizations will be retained, but they will be reviewed at a later date to ensure that they continue to provide appropriate service and are responsive to needs emerging from the regional restructuring.

Overall the reorganization will result in significant cost recovery over a five year period of $8.4 million. This recovery results from a major reduction in total district/regional (field) staffing. The reorganization will redirect approximately 85 FTEE now employed in the medical districts and/or regions to perform functions at VA medical centers in support of VHS&RA's patient care missions. In FY 1990 approximately $2.4 million will be recovered from a combination of sources, including: $2.0 million (personal services funds for 85 FTEE as described above); $.25 million (costs avoided in closing RD offices in such accounts as leases, maintenance agreements, telecommunications expenses, etc.); and, $.2 million (recovery of two SES positions). In the outyears 1991-4 the reorganization will recover approximately $16.1 million. Below is a summary of the projected costs and recoveries of the reorganization.

SUMMARY START-UP AND OUTYEAR COST OF REORGANIZATION FISCAL YEAR 1990–94

[In thousands of dollars]

	Fiscal Year—				
	1990	1991	1992	1993	1994
Costs	10,169				
Recoveries	(2,444)	(4,034)	(4,034)	(4,034)	(4,034)
Net Cost/Recovery	7,725	(4,034)	(4,034)	(4,034)	(4,034)

Appendix B contains a more detailed analysis of costs and recoveries associated with the reorganization.

V. JUSTIFICATION. The reorganization of VHS&RA's field operations is determined to be appropriate and advisable in terms of the statutory missions and long term goals of the Department of Veterans Affairs. It will enhance accomplishment of VHS&RA's primary mission: to provide the highest quality of healthcare services to eligible veterans, while also maintaining the continuity of structures and systems that support the other missions of education, research and Department of Defense contingency.

The purpose of the reorganization is to improve service to veterans. Rather than simply consolidating and realigning offices, this reorganization will remedy the variation in policy interpretation and implementation that has emerged under a seven-region structure. Reducing the number of regions and the number of regional directors will result in strengthened centralized policy-making, more uniform policy implementation and greater management accountability. The new organization will create a better balance between management flexibility at the medical centers and system-wide operational uniformity based on national policy.

Reducing the number of regions is critical to achieving consistency and equity of access to services throughout the VA healthcare system. An additional benefit of reducing the number of regional field offices, when coupled with the elimination of the 27 medical districts, is the opportunity to recover resources from these administrative activities and redirect them to support patient care. The streamlined organization described in this report will best carry out these management goals.

APPENDIX A

VETERANS' ADMINISTRATION MEMORANDUM

Date: August 25, 1989.
From: Secretary (00).
Subj: VHS&RA Field Structure.
To: Chief Medical Director (10).

1. Veterans' medical programs must be operated on a consistent basis nationwide, and the issuance of policy from Central Office cannot alone accomplish that end. A responsive management structure in the Veterans Health Services and Research Administration is equally critical to success in our system of geographically dispersed, largely independent medical facilities.

2. As we have discussed numerous times, I am not convinced we are currently achieving the proper balance between two needs: (1) operational uniformity for the system as a whole, and (2) local management flexibility for individual facillities. Budgets that call for greater efficiency at a time of increasing demands upon the system make the need to address these matters even more pressing.

3. Over the past several months, we have consulted with knowledgeable parties on the management of VHS&RA field operations, both in and outside VA. We found near consensus regarding the medical districts whose functions as defined are seen as duplicative in view of the regions' line authority and accordingly creates administrative layering which is costly and impedes communication between Central Office and the medical centers. It is also evident the regions themselves have developed considerable variation in their management processes despite the existence of centralized policy guidance and directives. The result has been insufficient management accountability—an unacceptable price to pay for permitting greater regional and local discretion in operations. We must strive for greater uniformity especially in the area of access to care for our nation's veterans irrespective of the region where they reside.

4. After weighing many factors, I have made the following decisions:

(a) That we should begin to phase out the Districts, folding certain elements of grassroots planning and MEDIPRO into the Regions. This should begin immediately, and end no later than March 31, 1990.

(b) That we should cut the number of Regions from seven to three, along the lines of the attached map. This proposal will be reported to the appropriate Congressional committees with the transmittal of the FY 91 Budget. However, planning for this should begin immediately so we are able to implement this change as soon as Congressional clearance is obtained.

5. Please submit to me within 30 days an implementation plan for the new three-region structure for VHS&RA which would address the following considerations:

(a) Resource savings that will result, and *will be used* to provide additional direct patient care in the respective regions.

(b) Site location, bearing in mind logical demographics and ease of travel.

(c) Staffing patterns for each Region for both Central Office and the field, assuming the Regional Directors will remain in the field.

6. Within the next two weeks I would like to meet with you to discuss selection of the three Regional Directors and the geographic locations of their offices.

EDWARD J. DERWINSKI.

APPENDIX B

DEPARTMENT OF VETERANS AFFAIRS, VETERANS HEALTH SERVICES AND RESEARCH ADMINISTRATION, SUMMARY OF REORGANIZATION COSTS/RECOVERIES

ASSUMPTIONS

1. Reorganization will result in a four region structure. Existing regional offices will be closed in Albany, NY; Durham, NC; Gainesville, FL; Dallas, TX; and St. Louis, MO.

2. New regional offices will be activated in Baltimore, MD and Jackson, MS. Structure and staffing of these offices will be as recommended in the CMD's November 6, 1989, proposal to the Secretary.

3. Two Regional Offices in Ann Arbor, MI and San Francisco, CA will be expanded. Structure and staffing of these offices will be as recommended in the CMD's November 6, 1989, proposal to the Secretary.

4. Twenty-seven Medical Districts will be phased out NLT March 31, 1990. Activation of the new four region structure will occur on March 31, 1990. Assumes that a waiver to 210(b) will be grantd early in CY 1990.

5. The projected costs of this reorganization are one-time, non-recurring expenses. The resources associated with recovery of 85 FTEE from total region and district staff are recurring (per FTEE salary/benefits is $47,453).

6. The new regions will have a staffing complement of approximately 94 FTEE (fifty-eight will be located at the regional field office and thirty-six will be VAMC based; journalized to the region). As a result of the reorganization approximately 215 employees will be relocated throughout the system. The average cost per relocation is $40,000.

7. Two SES positions will be recovered from the reorganization (7-region structure requires 14 SES positions; 4-region structure requires 12 SES positions).

SUMMARY OF REORGANIZATION COSTS/RECOVERIES, FISCAL YEARS 1990–94

[Fiscal year 1990 start-up]

	Cost	Recovery
CLOSURES		
Region field offices in Albany, NY; Durham, NC; St. Louis, MO; Dallas, TX; Gainesville, FL and VACO SES positions.		
Personal services: (Separations)	[1] $136,436	
(Salary and benefits)		[2] $172,500
All others		[3] 254,249
Total regional closure	136,436	426,749
District offices:		
Total district recovery		[4] 2,016,753
Total for all closures	136,436	2,443,502
ACTIVATION OF NEW REGIONS (BALTIMORE AND JACKSON)		
Personal services: (relocations)	[5] 4,640,000	
All other	[6] 1,442,940	
Total for activation	6,082,940	
EXPANSIONS		
Expansion of existing field offices in Ann Arbor, MI and San Francisco, CA		
Personal services: (relocations)	$2,400,000	
All others	1,549,940	
Total for expansion	3,949,940	
Fiscal year 1990 reorganization total	10,169,316	$2,443,502
Total fiscal year 1990 costs	7,725,814	

[1] Separation Pay (terminal leave, severance pay, etc.)
[2] Recoveries of Two Senior Executive Positions (pay and benefits).
[3] Recoveries achieved through region phase out. Includes rental space, contractual agreements, equipment rentals, telephone service, ADP maint. mail (parcel post and express), etc.
[4] Recovery achieved through redirecting 85 FTEE at approximately an annual salary benefit of $42,453 to VAMCs at (½ year FY 1990).
[5] Cost of relocating 116 FTEE at approximately $40,000 per FTEE to establish the Baltimore and Jackson RD offices.
[6] Cost of establishing RD office includes: rental space, furniture, ADP and other equipment, maintenance agreements, telecommunications, vehicle rentals, etc.

By Mr. KENNEDY (for himself, Mr. JEFFORDS, Mr. METZENBAUM, Mr. HATFIELD, Mr. SIMON, Mr. DURENBERGER, Mr. PELL, Mr. PACKWOOD, Mr. GORE, Ms. MIKULSKI, Mr. ADAMS, Mr. BIDEN, Mr. BINGAMAN, Mr. BRADLEY, Mr. BURDICK, Mr. COHEN, Mr. CONRAD, Mr. CRANSTON, Mr. DODD, Mr. FOWLER, Mr. HARKIN, Mr. INOUYE, Mr. KERREY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. MATSUNAGA, Mr. MITCHELL, Mr. MOYNIHAN, Mr. RIEGLE, Mr. SARBANES, Mr. SPECTER, and Mr. WIRTH):

S. 2104. A bill to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and for other purposes; to the Committee on Labor and Human Resources.

CIVIL RIGHTS ACT OF 1990

Mr. KENNEDY. Mr. President, on behalf of Senator JEFFORDS and Senators METZENBAUM, DURENBERGER, GORE, HATFIELD, MIKULSKI, PACKWOOD, PELL, SIMON, ADAMS, BIDEN, BINGAMAN, BRADLEY, BURDICK, COHEN, CONRAD, CRANSTON, DODD, FOWLER, HARKIN, INOUYE, KERREY, KERRY, KOHL, LAUTENBERG, LEAHY, LEVIN, MATSUNAGA, MITCHELL, MOYNIHAN, RIEGLE, SARBANES, SPECTER, WIRTH, and I introduce the Civil Rights Act of 1990.

From the beginning, civil rights has been the unfinished business of America—and it still is. In the past 35 years, America has made significant progress in removing the stain of bigotry and segregation from our land. We have had our own ongoing peaceful revolution, and its accomplishments are a tribute to the remarkable resilience of our democracy and its institutions.

In achieving this progress, the role of one of these institutions—the Supreme Court—has been indispensable. For a generation, a long line of landmark decisions has kept the Nation true to the standard of the Constitution and the principle of equal justice under law.

In the past year, however, the Supreme Court has issued a series of rulings that mark an abrupt and unfortunate departure from its historic vigilance in protecting civil rights. The fabric of justice has been torn. Significant gaps have been opened in the existing laws that prohibit racism and other types of bias in our society.

The Civil Rights Act of 1990 is intended to overturn these Court decisions and restore and strengthen these basic laws.

The Patterson decision, interpreting an 1866 civil rights law, drew an artificial distinction that prohibits race discrimination in hiring workers, but leaves workers on the job unprotected from harassment or from being fired or denied promotion because of racial prejudice. At a single stroke, the Supreme Court nullified the only Federal antidiscrimination law applicable to the 11 million workers in the 3.7 million firms with fewer than 15 employees. Already, the damage is unmistakable. The Patterson decision has caused the dismissial of at least 96 claims of race discrimination in the past 8 months—and it should be overruled by Congress.

In the Wards Cove decision, the Court unfairly shifted a key burden of proof from employers to employees, in cases involving practices that operate to exclude minorities and women. Hundreds of cases in the past two decades have struck down subtle and not-so-subtle practices designed to keep minorities and women from participating fully and fairly in our economy. By shifting the burden of proof to workers, the Supreme Court has made it far more difficult and expensive for victims of discrimination to challenge the barriers they face.

Wards Cove was a 5 to 4 decision in 1989 that overruled the unanimous Griggs decision by Chief Justice Burger in 1971. Chief Justice Burger was right in 1971, and Congress should restore the law in 1990.

What is at stake in this apparently technical restoration of the law is of profound importance for the future of our country. Ninety-one percent of the growth in the Nation's work force in the 1990's will be women and minorities. If America is to compete successfully in the world, Congress cannot look the other way while the Supreme Court erects artificial and senseless barriers to their full participation in our economy.

My friend and colleague, Senator HOWARD METZENBAUM, has previously introduced S. 1261, a measure to overrule the Wards Cove decision, which has been substantially incorporated into the Civil Rights Act of 1990; and I am pleased that he is a cosponsor of this important legislation.

In a third objectionable decision, Martin versus Wilks, the Court held that consent decrees settling job discrimination cases may be reopened in future lawsuits. In the wake of that decision, longstanding decrees have been challenged in new lawsuits in cities across America. The Civil Rights Act proposes fair procedures to limit this endless litigation and ensure that fairly settled cases stay settled.

The act also contains a number of provisions to fill additional gaps in our antidiscrimination laws resulting from other Supreme Court decisions and to ensure fair and effective civil rights enforcement.

For example, victims of sexual harassment on the job currently have no effective Federal remedy. The act will close this serious loophole by granting victims of intentional discrimination the right to recover compensatory damages, and, in particularly flagrant cases, punitive damages as well.

Finally, one subject not addressed in our bill deserves mention. The rhetorical smoke screen that our opponents are already laying down is a blatant attempt to divert this important civil rights debate into a dead-end debate over quotas, minority set-asides and affirmative action. That is not the measure we are proposing. The bill does not address those questions, and it does not require quotas. The same die-hard opponents of civil rights will attempt to derail this legislation, just as they have attempted to block every other civil rights bill in Congress in recent years.

Second only to the Supreme Court, the bipartisan coalition for civil rights in Congress has been a powerful force for justice and equality of opportunity in America. All of us here today regret the Supreme Court's recent change of course, and we hope that it is only fleeting.

But as Senators and Representatives from both parties committed to civil rights, we intend to see this battle through. The Bush Administration has expressed a wait-and-see attitude about the need for this legislation. But our case is strong and our cause is just. As our bill moves through Congress, I urge the President to join us in enacting it this year. This is no time for Congress, the White House or America to retreat on civil rights.

I urge my colleagues to support the Civil Rights Act of 1990.

I am unanimous consent that the text of the bill and a detailed summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil Rights Act of 1990".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in a series of recent decisions addressing employment discrimination claims under Federal law, the Supreme Court cut back dramatically on the scope and effectiveness of civil rights protections; and

(2) existing protections and remedies under Federal law are not adequate to deter unlawful discrimination or to compensate victims of such discrimination.

(b) PURPOSES.—The purposes of this Act are—

(1) to respond to the Supreme Court's recent decisions by restoring the civil rights protections that were dramatically limited by those decisions; and

(2) to strengthen existing protections and remedies available under Federal civil rights laws to provide more effective deterrence and adequate compensation for victims of discrimination.

SEC. 3. DEFINITIONS.

Section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e) is amended by adding at the end thereof the following new subsections:

"(l) The term 'complaining party' means the Commission, the Attorney General, or a person who may bring an action or proceeding under this title.

"(m) The term 'demonstrates' means meets the burdens of production and persuasion.

"(n) The term 'group of employment practices' means a combination of employment practices or an overall employment process.

"(o) The term 'required by business necessity' means essential to effective job performance.

"(p) The term 'respondent' means an employer, employment agency, labor organization, joint labor-management committee, or those Federal entities subject to the provisions of section 717.".

SEC. 4. RESTORING THE BURDEN OF PROOF IN DISPARATE IMPACT CASES.

Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) is amended by adding at

the end thereof the following new subsection:

"(k) PROOF OF UNLAWFUL EMPLOYMENT PRACTICES IN DISPARATE IMPACT CASES.—

"(1) An unlawful employment practice is established under this subsection when—

"(A) a complaining party demonstrates that an employment practice results in a disparate impact on the basis of race, color, religion, sex, or national origin, and the respondent fails to demonstrate that such practice is required by business necessity; or

"(B) a complaining party demonstrates that a group of employment practices results in a disparate impact on the basis of race, color, religion, sex, or national origin, and the respondent fails to demonstrate that such practices are required by business necessity, except that—

"(i) if a complaining party demonstrates that a group of employment practices results in a disparate impact, such party shall not be required to demonstrate which specific practice or practices within the group results in such disparate impact; and

"(ii) if the respondent demonstrates that a specific employment practice within such group of employment practices does not contribute to the disparate impact, the respondent shall not be required to demonstrate that such practice is required by business necessity.

"(2) A demonstration that an employment practice is required by business necessity may be used as a defense only against a claim under this subsection.".

SEC. 5. CLARIFYING PROHIBITION AGAINST IMPERMISSIBLE CONSIDERATION OF RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN IN EMPLOYMENT PRACTICES.

(a) IN GENERAL.—Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) (as amended by section 4) is further amended by adding at the end thereof the following new subsection:

"(l) DISCRIMINATORY PRACTICE NEED NOT BE SOLE MOTIVATING FACTOR.—Except as otherwise provided in this title, an unlawful employment practice is established when the complaining party demonstrates that race, color, religion, sex, or national origin was a motivating factor for any employment practice, even though such practice was also motivated by other factors.".

(b) ENFORCEMENT PROVISIONS.—Section 706(g) of such Act (42 U.S.C. 2000e-5(g)) is amended by inserting before the period in the last sentence the following: "or, in a case where a violation is established under section 703(l), if the respondent establishes that it would have taken the same action in the absence of any discrimination".

SEC. 6. FACILITATING PROMPT AND ORDERLY RESOLUTION OF CHALLENGES TO EMPLOYMENT PRACTICES IMPLEMENTING LITIGATED OR CONSENT JUDGMENTS OR ORDERS.

Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) (as amended by sections 4 and 5) is further amended by adding at the end thereof the following new subsection:

"(m) FINALITY OF LITIGATED OR CONSENT JUDGMENTS OR ORDERS.—

"(1) Notwithstanding any other provision of law, and except as provided in paragraph (2), an employment practice that implements a litigated or consent judgment or order resolving a claim of employment discrimination under the United States Constitution or Federal civil rights laws may not be challenged in a claim under the United States Constitution or Federal civil rights laws—

"(A) by a person who, prior to the entry of such judgment or order, had—

"(i) notice from any source of the proposed judgment or order sufficient to apprise such person that such judgment or order might affect the interests of such person; and

"(ii) a reasonable opportunity to present objections to such judgment or order;

"(B) by a person with respect to whom the requirements of subparagraph (A) are not satisfied, if the court determines that the interests of such person were adequately represented by another person who challenged such judgment or order prior to or after the entry of such judgment or order; or

"(C) if the court that entered the judgment or order determines that reasonable efforts were made to provide notice to interested persons.

A determination under subparagraph (C) shall be made prior to the entry of the judgment or order, except that if the judgment or order was entered prior to the date of the enactment of this subsection, the determination may be made at any reasonable time.

"(2) Nothing in this subsection shall be construed to—

"(A) alter the standards for intervention under rule 24 of the Federal Rules of Civil Procedure;

"(B) apply to the rights of parties to the action in which the litigated or consent judgment or order was entered, or of members of a class represented or sought to be represented in such action, or of members of a group on whose behalf relief was sought in such action by the Federal government; or

"(C) prevent challenges to a litigated or consent judgment or order on the ground that such judgment or order was obtained through collusion or fraud, or is transparently invalid or was entered by a court lacking subject matter jurisdiction.

"(3) Any action, not precluded under this subsection, that challenges an employment practice that implements a litigated or consent judgment or order of the type referred to in paragraph (1) shall be brought in the court, and if possible before the judge, that entered such judgment or order.".

SEC. 7. STATUTE OF LIMITATIONS; APPLICATION TO CHALLENGES TO SENIORITY SYSTEMS.

(a) STATUTE OF LIMITATIONS.—Section 706(e) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(e)) is amended—

(1) by striking out "one hundred and eighty days" and inserting in lieu thereof "2 years";

(2) by inserting after "occurred" the first time it appears "or has been applied to affect adversely the person aggrieved, whichever is later,";

(3) by striking out ", except that in" and inserting in lieu thereof ". In"; and

(4) by striking out "such charge shall be filed" and all that follows through "whichever is earlier, and".

(b) APPLICATION TO CHALLENGES TO SENIORITY SYSTEMS.—Section 703(h) of such Act (42 U.S.C. 2000e-2) is amended by inserting after the first sentence the following new sentence: "Where a seniority system or seniority practice is part of a collective bargaining agreement and such system or practice was included in such agreement with the intent to discriminate on the basis of race, color, religion, sex, or national origin, the application of such system or practice during the period that such collective bargaining agreement is in effect shall be an unlawful employment practice.".

SEC. 8. PROVIDING FOR DAMAGES IN CASES OF INTENTIONAL DISCRIMINATION.

Section 706(g) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(g)) is amended by inserting before the last sentence the following new sentences: "With respect to an unlawful employment practice (other than an unlawful employment practice established in accordance with section 703(k))—

"(A) compensatory damages may be awarded; and

"(B) if the respondent (other than a government, government agency, or a political subdivision) engaged in the unlawful employment practice with malice, or with reckless or callous indifference to the Federally protected rights of others, punitive damages may be awarded against such respondent;

in addition to the relief authorized by the preceding sentences of this subsection, except that compensatory damages shall not include backpay or any interest thereon. If compensatory or punitive damages are sought with respect to a claim arising under this title, any party may demand a trial by jury.".

SEC. 9. CLARIFYING ATTORNEY'S FEES PROVISION.

Section 706(k) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(k)) is amended—

(1) by inserting "(1)" after "(k)";

(2) by inserting "(including expert fees and other litigation expenses) and" after "attorney's fee,";

(3) by striking out "as part of the"; and

(4) by adding at the end thereof the following new paragraphs:

"(2) A court shall not enter a consent order or judgment settling a claim under this title, unless the parties and their counsel attest that a waiver of all or substantially all attorneys' fees was not compelled as a condition of the settlement.

"(3) In any action or proceeding in which any judgment or order granting relief under this title is challenged, the court, in its discretion, may allow the prevailing party in the original action (other than the Commission or the United States) to recover from the party against whom relief was granted in the original action a reasonable attorney's fee (including expert fees and other litigation expenses) and costs reasonably incurred in defending (as a party, intervenor or otherwise) such judgment or order.".

SEC. 10. PROVIDING FOR INTEREST, AND EXTENDING THE STATUTE OF LIMITATIONS, IN ACTIONS AGAINST THE FEDERAL GOVERNMENT.

Section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16) is amended—

(1) in subsection (c), by striking out "thirty days" and inserting in lieu thereof "ninety days"; and

(2) in subsection (d), by inserting before the period ", and the same interest to compensate for delay in payment shall be available as in cases involving non-public parties".

SEC. 11. CONSTRUCTION.

Title XI of the Civil Rights Act of 1964 (42 U.S.C. 2000h et seq.) is amended by adding at the end thereof the following new section:

"SEC. 1107. RULES OF CONSTRUCTION FOR CIVIL RIGHTS LAWS.

"(a) EFFECTUATION OF PURPOSE.—All Federal laws protecting the civil rights of persons shall be broadly construed to effectuate the purpose of such laws to eliminate discrimination and provide effective remedies.

"(b) NONLIMITATION.—Except as expressly provided, no Federal law protecting the civil rights of persons shall be construed to restrict or limit the rights, procedures, or remedies available under any other Federal law protecting such civil rights.".

SEC. 12. RESTORING PROHIBITION AGAINST ALL RACIAL DISCRIMINATION IN THE MAKING AND ENFORCEMENT OF CONTRACTS.

Section 1977 of the Revised Statutes of the United States (42 U.S.C. 1981) is amended—

(1) by inserting "(a)" before "All persons within"; and

(2) by adding at the end thereof the following new subsection:

"(b) For purposes of this section, the right to 'make and enforce contracts' shall include the making, performance, modification and termination of contracts, and the enjoyment of all benefits, privileges, terms and conditions of the contractual relationship.".

SEC. 13. LAWFUL COURT-ORDERED REMEDIES, AFFIRMATIVE ACTION AND CONCILIATION AGREEMENTS NOT AFFECTED.

Nothing in the amendments made by this Act shall be construed to affect court-ordered remedies, affirmative action, or conciliation agreements that are otherwise in accordance with the law.

SEC. 14. SEVERABILITY.

If any provision of this Act, or an amendment made by this Act, or the application of such provision to any person or circumstances is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 15. APPLICATION OF AMENDMENTS AND TRANSITION RULES.

(a) APPLICATION OF AMENDMENTS.—The amendments made by—

(1) section 4 shall apply to all proceedings pending on or commenced after June 5, 1989;

(2) section 5 shall apply to all proceedings pending on or commenced after May 1, 1989;

(3) section 6 shall apply to all proceedings pending on or commenced after June 12, 1989;

(4) sections 7(a)(1), 7(b), 8, 9, 10 and 11 shall apply to all proceedings pending on or commenced after the date of enactment of this Act;

(5) paragraphs (2) through (4) of section 7(a) shall apply to all proceedings pending on or commenced after June 12, 1989; and

(6) section 12 shall apply to all proceedings pending on or commenced after June 15, 1989.

(b) TRANSITION RULES.—

(1) IN GENERAL.—Any orders entered by a court between the effective dates described in subsection (a) and the date of enactment of this Act that are inconsistent with the amendments made by sections 4, 5, 7(a)(2) through (4), or 12, shall be vacated if, not later than 1 year after such date of enactment, a request for such relief is made.

(2) SECTION 6.—Any orders entered between June 12, 1989 and the date of enactment of this Act, that permit a challenge to an employment practice that implements a litigated or consent judgment or order and that is inconsistent with the amendment made by section 6, shall be vacated if, not later than 6 months after the date of enactment of this Act, a request for such relief is made. For the 1-year period beginning on the date of enactment of this Act, an individual whose challenge to an employment practice that implements a litigated or consent judgment or order is denied under the amendment made by section 6, or whose order or relief obtained under such challenge is vacated under such section, shall have the same right of intervention in the case in which the challenged litigated or consent judgment or order was entered as that individual had on June 12, 1989.

(c) PERIOD OF LIMITATIONS.—The period of limitations for the filing of a claim or charge shall be tolled from the applicable effective date described in subsection (a) until the date of enactment of this Act, on a showing that the claim or charge was not filed because of a rule or decision altered by the amendments made by sections 4, 5, 7 (a)(2) through (4), or 12.

SUMMARY OF THE CIVIL RIGHTS ACT OF 1990

PROTECTING AMERICANS AGAINST RACE DISCRIMINATION ON THE JOB AND IN PRIVATE CONTRACTS

Last year, in *Patterson* v. *McLean Credit Union*, 109 S.Ct. 2363 (1989), the Supreme Court held that an 1866 statute barring intentional race discrimination in contracts (42 U.S.C sec. 1981) does not prohibit racial harassment on the job and other forms of discrimination in the application of contracts. The Civil Rights Act of 1990 amends sec. 1981 to reaffirm that the right "to make and enforce contracts" includes the enjoyment of all benefits, privileges, terms and conditions of the contractual relationship. By reaffirming the broad scope of sec. 1981, Congress will ensure that Americans may not be harassed, fired or otherwise discriminated against in contracts because of their race. Because sec. 1981 is the only federal statute barring race discrimination that is applicable to the 3.7 million employers with fewer than fifteen employees, it is vitally important to restore its broad ban on racism in contractual dealings.

RESTORING THE BURDEN OF PROOF IN DISPARATE IMPACT CASES

For eighteen years following Chief Justice Warren Burger's unanimous opinion for the Supreme Court in the landmark case of *Griggs* v. *Duke Power Co.*, 401 U.S. 424 (1971), Title VII had placed on employers the burden of showing that employment practices with a "disparate impact," (i.e., that operate to exclude women and minorities disproportionately) are required by business necessity. Last year, in *Wards Cove Packing Co.* v. *Atonio*, 109 S.Ct. 2115 (1989), the Court effectively overruled this Griggs rule and held that, no matter how strong the proof of discriminatory effect, the employer need no longer prove that its practices are required by business necessity. Instead, victims of discrimination must bear the heavy burden of proving that the employer has no legal justification for its exclusionary practices. The Civil Rights Act of 1990 restores the Griggs rule by providing that, once a person proves that an employment practice has a disparate impact, the employer must justify the practice by showing that it is based on business necessity.

FACILITATING PROMPT AND ORDERLY CHALLENGES TO CONSENT DECREES AND COURT ORDERS

In *Martin* v. *Wilks*, 109 S.Ct. 2180 (1989), a case involving a court-approved plan by the City of Birmingham to remedy past racial discrimination in its fire department, the Supreme Court held last year that whites who sat on the sidelines while the plan was being approved by the district court could later challenge it in a new lawsuit. The Civil Rights Act of 1990 guarantees notice to persons who might be adversely affected by a proposed court order, and a reasonable opportunity to challenge the order. But subsequent lawsuits challenging the court order will be barred except under certain unusual circumstances.

MAKING CLEAR THAT JOB BIAS IS ALWAYS ILLEGAL

In *Price Waterhouse* v. *Hopkins*, 109 S.Ct 1775 (1989), the Supreme Court suggested that employment decisions motivated at least in part by prejudice do not violate the law if the employer can show after the fact that the same decision would have been made if it had not engaged in intentional discrimination. The Civil Rights Act of 1990 provides that any reliance on prejudice in making employment decisions is illegal, while making clear that, in considering the appropriate relief for such discrimination, a court shall not order the hiring or promotion of a person not qualified for the position.

GRANTING WOMEN AND RELIGIOUS AND ETHNIC MINORITIES THE RIGHT TO RECOVER DAMAGES FOR INTENTIONAL EMPLOYMENT DISCRIMINATION NOW AVAILABLE TO RACIAL MINORITIES

Under present federal law, victims of sexual, religious, or ethnic harassment on the job have no effective remedy. The Civil Rights Act of 1990 closes this loophole by amending Title VII to grant any victim of intentional discrimination the right to recover compensatory damages, and, in egregious cases, punitive damages as well. The Act makes the remedies available for sex, religion and ethnic discrimination claims under Title VII the same as the remedies now available under sec. 1981 for racial discrimination.

RESTORING FAIR AND EFFECTIVE CIVIL RIGHTS ENFORCEMENT

The Civil Rights Act of 1990 also includes additional, technical provisions to address other Supreme Court decisions hampering antidiscrimination cases and to ensure fair and effective civil rights enforcement. These provisions clarify and extend the statute of limitations under Title VII and ensure that job bias victims will be able to obtain adequate legal assistance. They include the following:

Correcting Statutes of Limitation: In *Lorance* v. *AT&T Technologies*, 109 S.Ct. 2261 (1989), the Supreme Court held that the statute of limitations for challenging discriminatory seniority plans begins to run when the plan is adopted, rather than when the plan is applied to an individual. As a result, persons who were laid off pursuant to discriminatory seniority plans may be barred from bringing suit before they even knew they would be dismissed. The Act overrules Lorance and permits persons to challenge discriminatory seniority plans when those plans actually harm them, rather than only when they are adopted. At the same time, the Act confirms that proof of discrimination in the adoption of the seniority plan that actually required the layoff is required.

Extending statute of limitations in Title VII cases. The Act extends the statute of limitations in Title VII employment discrimination cases from 180 days to 2 years in all except federal-government cases, where the limit would be raised from 30 to ninety days.

Permitting Recovery of Prejudgment Interest Against the U.S.: To overrule the Supreme Court's 1986 decision in *Library of Congress* v. *Shaw*, 478 U.S. 310 (1985), the

bill permits the recovery of prejudgment interest against the federal government to compensate prevailing plaintiffs in job discrimination cases for delay in payment.

Permitting Award of Experts' Fees: To overrule a series of court of appeals decisions that extend the Supreme Court's 1987 *Crawford Fitting Co.* v. *J.T. Gibbons, Inc.*, 482 U.S. 437 (1986), decision to the civil rights area, the Act permits prevailing plaintiffs to recover the reasonable costs of experts who assist them in preparing their case.

Permitting Recovery of Attorneys' Fees Expended in Defending Decrees: In response to the Supreme Court's decision last year in *Independent Federation of Flight Attendants* v. *Zipes*, 109 S.Ct. 2372 (1989), the Act makes it clear that parties who prevail in job discrimination cases may recover attorneys' fees expended in defending their court decrees against subsequent challenges.

Barring Forced Waiver of Attorneys' Fees Claims. To overrule the Supreme Court's 1986 decision in *Evans* v. *Jeff D.*, 475 U.S. 717 (1986), the Act requires that courts entering consent decrees settling job discrimination cases must first obtain from the parties and their counsel an attestation that a waiver of attorneys' fees was not compelled as a condition of the settlement.

Rule of Construction in Civil Rights Cases. The Act adopts rules of construction reaffirming the intention of Congress that civil rights laws must be construed generously, in order to provide effective remedies to eliminate discrimination.

THE BILL DOES NOT ADDRESS THE SCOPE OF RACE-CONSCIOUS REMEDIES

The Act specifically makes clear that it does not affect or change the law governing affirmative action and other race-conscious remedies. The Act does not mandate quotas in any fashion.

Mr. JEFFORDS. Mr. President, I am here today joining with a distinguished and bipartisan group of colleagues for the purpose of introducing the Civil Rights Act of 1990. This legislation, which has been eagerly anticipated since the Supreme Court issued the series of decisions last summer radically altering the civil rights landscape, is a direct result of and response to this effort by the Supreme Court to roll back the hard fought gains in employment equality for minorities and women won over the past 25 years.

Only the few have hailed the actions of the Court, while the many have condemned this retrenchment as a wrongheaded ideological attack, needlessly stirring up dissent where, more often than not, accord and accommodation had come to rule. Mr. President, I find myself with the many on this issue. One characteristic of these decisions that has particularly troubled me was the expansiveness of the holdings. Rather than observing the dictates of judicial restraint and issuing decisions on the cases presented to them, the conservative majority often leapt over the boundaries of the legal disputes involved in order to reach broad and wholly unnecessary conclusions and answering questions which had neither been raised by the parties nor mandated by the presented facts.

Like most Americans, I am proud of the progress our country has made over the past few decades in attacking job discrimination. In my opinion, the civil rights legislation enacted during that time has represented a historical high water mark and has created standards worthy of our continued, vigilant defense. By its recent actions, the Supreme Court has made it necessary for us to rise to the defense of those standards and we are here today to do just that.

The Civil Rights Act of 1990 was drafted with the specific intention of overruling some of these decisions, as well as to restore and strengthen our civil rights laws. Mr. President, it is my understanding that the text of the bill and a copy of a summary of its terms have been placed in the record. If this assumption is incorrect, I now ask unanimous consent that these items be included in the record after my remarks and that the bill be appropriately referred. I will not belabor the record with a lengthy and detailed recitation of the terms of the bill. However, I would like to highlight a few significant points.

First. In Patterson versus McLean Credit Union, the Court reached the astounding conclusion that the Reconstruction-era civil rights statute (42 U.S.C. 1981), which bars intentional discrimination in contracts, pertained only to the formation of contracts and not to any conduct occurring thereafter. Thus, in the employment context, the Court held that racial harassment on the job and other forms of posthiring discrimination were not prohibited by that act. The Civil Rights Act of 1990 amends section 1981 to reaffirm that the right to make and enforce contracts includes the enjoyment of all the benefits, privileges, terms and conditions of the contractual relationship. This is all the more significant because section 1981 is the only Federal statute which bars race discrimination in employment by the 3.7 million employers with fewer than 15 employees. Thus, absent this restoration, and despite the existence of title VII (which governs only larger employers), a sizable population of employees would be without this vital Federal protection. To those who contend that State law provides coverage for such employees, I must respond that the hodgepodge of State tort and/or wrongful discharge actions is not an adequate substitute for Federal protection. The happy accident of State residence should not be the factor determining the measure of protection an employee will receive in so vital a right.

Second. The Court's decision in Martin versus Wilks reversed the longstanding and judicially accepted doctrine of impermissable collateral attack. By application of this doctrine, courts previously have permitted court ordered or consentual settlement decrees to have finality after allowing ample opportunity for affected persons to challenge their formulation on a before-the-fact basis. However, once such challenges had failed, or the duly notified potential challengers had failed to come forward, the doctrine would bar the raising of subsequent disputes about the operation of the decrees. The Wilks decision reversed this trend and allowed persons who had sat on their rights while a decree was being approved by the district court to attack it later in a separate lawsuit.

While it does ot specifically reinstate the impermissible collateral attack doctrine, the Civil Rights Act of 1990 achieves a similar effect by mandating that notice be given to persons who might be adversely affected by a proposed court order, and guaranteeing them a reasonable opportunity to challenge the order before it is instituted. Subsequent lawsuits challenging the court order would be barred except under the same unusual circumstances; (for example, fraud, collusion, lack of subject matter jurisdiction) which previously were accepted as exceptions to the doctrine. Thus, the interests of all parties are preserved in a context which provides for the due process rights of notice and opportunity to be heard. Accordingly, despite the protestations to the contrary which undoubtedly will be raised, none will be denied their day in court as a result of this legislation.

Third. We can also expect the detractors of this bill to rail against the imposition of a statistical standard of discrimination which they contend will result in the legitimization of quotas. We have already heard it stated on the floor of the Senate that this will be the inevitable result of that section which deals with the Court's decision in Wards Cove versus Atonio. However, this assessment is incorrect, for the act specifically makes clear that it does not affect or change the law governing affirmative action and does not mandate quotas in any fashion. All that is intended by the framers of this provision and, we believe, all that is accomplished therein is the restoration of the Griggs versus Duke Power rule that once a plaintiff has proven an employment practice produces a disparate impact on the basis of sex, race, or other protected category, the burden shifts to the employer to justify the practice on the basis of business necessity.

Obviously, there are other portions of the act which I have not chosen to highlight here. These partake of both the need to correct or reverse the incursions made by the Court on the existing body of civil rights law; (for example, reaffirming that mixed motive discrimination is still unlawful discrimination [Price Waterhouse] and

that civil rights laws are to be construed in a fashion which furthers, rather than hinders the objectives of equal opportunity), as well as the desire to strengthen the protections provided under those laws; (for example, equalizing the remedies available to women and religious, ethnic and racial minorities, extending the statute of limitations and assuring that job discrimination victims will be able to obtain adequate legal representation).

In these times when so many of the world's injustices are beginning to be addressed forthrightly an openly; when walls are coming down in eastern Europe and the doors of political prisons are being swung open in south Africa; now is no time for this Nation to backtrack on the civil rights promises it has been in the vanguard making. I have previously stated that I believe the Supreme Court's recent rulings represent an effort to renege on history and I, for one, am more than prepare to resist the effort. Equal employment opportunity is a worthy objecitve for this Nation. Whereas we have made great strides, we have not reached our goal and we must continue to strive onward. This bill presents us with an opportunity to do the right thing in this regard. Thus, I exhort my colleagues; let's continue to be the vanguard; let's do the right thing; let's give this legislation the prompt and complete attention it so rightly deserves; let's pass the Civil Rights Act of 1990.

Mr. METZENBAUM. Mr. President, I am proud to rise as an original cosponsor of the Civil Rights Act of 1990. At the outset, I want to commend Senator KENNEDY for his outstanding leadership on this bill. This is the latest example of his lifelong commitment to make America a better and fairer Nation.

The fact that there is a crying need for this legislation as we enter the 1990's is a sobering reminder that we are not moving forward as quickly as we should be to ensure justice and equality for all Americans. In 1965, I was privileged to join Dr. Martin Luther King, Jr.'s march in Selma. One could not help but share his spirit of optimism and commitment to justice for every man, woman and child in our society. Those were heady days. A year earlier, Congress had enacted the historic Civil Rights Act of 1964. That was a hard-fought victory—thousands of Americans struggled, marched, prayed and some even died to convince Congress to protect the basic civil rights of all people. One of these basic civil rights is embodied in title VII of the Civil Rights Act of 1964. That title holds out the promise of equal employment opportunity for all workers, regardless of race, creed, color, national origin or gender.

Twenty-five years later, despite significant progress, that promise remains unfulfilled. Women and minorities still fight major hiring and promotion barriers in our society. According to recent Government statistics, on average, a woman still earns some 30 percent less than a man. Black and Hispanic workers earn some 25 percent less than white workers. Even when women and minorities prove themselves at the highest levels of the corporate ladder they face discrimination. A major accounting firm recently denied a partnership to a woman because she was considered too "aggressive" and her managers suggested she stood a better chance if she would act "more femininely." A survey of black corporate executives indicates they feel frustrated and angry because they are continually stymied and they have not gained a level of acceptance from their white peers.

Regrettably, the situation is getting worse, not better. The Supreme Court, led by President Reagan's appointees, has taken aggressive action to turn back the clock on civil rights. In a stunning series of 5-to-4 decisions announced last spring, the new majority on the Court reversed longstanding precedents and denied protection to the victims of employment discrimination.

The Civil Rights Act of 1990 is a direct response to those decisions. It sends a resounding message to the Court and to the public: our march toward a more fair and just Nation will not be turned back. We must quicken the pace of reform to stop, once and for all times, discrimination and harassment against women and minorities.

This is a bipartisan initiative. Protecting civil rights is not a political issue. It is a matter of justice and fairness. But equal employment opportunity is also an economic necessity if we are to remain competitive in the world. As the Labor Department has reported, the demographic trends indicate that women and minorities will be the fastest growing segment of our work force. Irrational barriers to employment and promotion, based on erroneous stereotypes, cannot be tolerated. We, as a nation, cannot afford to exclude any workers as we strive to remain competitive.

Opponents of this initiative will attempt to downplay the significance of the Supreme Court decisions. But the impact of these decisions is devastating. For example, in the Patterson case, the newly constituted majority dramatically narrowed the scope of section 1981. That is one of the landmark statutes enacted immediately after the Civil War to enable newly freed slaves to enjoy the full rights of citizenship. The Patterson decision declared that section 1981 could not be used to remedy intentional racial discrimination or harassment that occurs on the job. The impact of Patterson has been sharp and swift: in the 6 months since the decision was announced, lower courts, relying on Patterson, have dismissed nearly 100 pending, intentional racial discrimination cases.

The decision in Wards Cove versus Atonio represents another stunning example of unwarranted judicial activism. That decision was particularly disturbing because the majority, in a case where the facts pointed to the worst kinds of institutionalized discrimination, reached out to repudiate a settled area of the law. Nonwhite employees were challenging an employment system that, according to dissenting Justice Stevens, resembled a "plantation economy" complete with racially segregated housing and dining facilities. Despite these egregious circumstances, the majority ignored the plight of these workers and effectively gutted the established precedent in this area. In particular, the majority rejected the 1971 unanimous decision in the Griggs case, a decision authored by Chief Justice Burger. Earlier this year, I introduced S. 1261, the Fair Employment Reinstatement Act, to reinstate the law set forth in the Griggs decision. I am pleased that the Civil Rights Act of 1990 incorporates fully the provisions of the Fair Employment Reinstatement Act.

We have already scheduled hearings in the Labor and Human Resources Committee on this important matter. Make no mistake, we intend to push forward with the legislation this year. I urge all of my colleagues, on both sides of the aisle, to support this bill so that the victims of discrimination will receive the protection of our laws to which they are entitled. The Civil Rights Act of 1990 is landmark legislation. Its passage will bring us closer to the day when there is full equal employment opportunity for all Americans.

Mr. HATFIELD. Mr. President, I rise today in support of the Civil Rights Act of 1990. I am pleased to be an original cosponsor of this important legislation and look forward to its prompt passage.

During the 1988-89 term, the Supreme Court issued a series of unfortunate decisions that cut back on the scope and effectiveness of various civil rights protections, particularly those protections applicable in employment discrimination matters. The Civil Rights Act of 1990 would essentially overturn those Supreme Court decisions.

Specifically, this act would do the following:

First, it would restore the prohibition against racial discrimination in the making and enforcement of contracts. The act reaffirms that "the

right to make and enforce contracts" includes the making, performance, modification and termination of contracts, including the enjoyment of all benefits, terms, and conditions of the contractual relationship.

Second, the act restores the burden of proof of unlawful employment practices in disparate impact cases. In other words, it restores prior law that once an employee proved an employer's employment practices had a discriminatory effect, then the employer must prove that such practices were based upon business necessity.

Third, the prohibition against impermissible consideration of race, color, religion, sex, or national origin in employment practices would be clarified. The law would be amended to provide that as a general rule an employer may not use race, religion, gender, or ethnicity as a motivating factor in employment decisions, regardless of whether such discrimination is accompanied by legitimate motives.

Fourth, the act would facilitate the prompt and orderly resolution of challenges to employment practices that carry out litigated or consent judgments or orders. Those who might be adversely affected by a proposed court order would be given the opportunity to be heard prior to the entry of the order. Once an order is entered, however, challenges would generally not be allowed.

Finally, a damages remedy for international discrimination would be added.

Mr. President, I commend my colleagues for their efforts in producing a comprehensive bill that reaffirms Congress' commitment to meaningful civil rights protections. The majority of the current Supreme Court, with its narrow interpretations of our civil rights laws, seems to lack the necessary commitment. It is up to Congress, therefore, to restore and strengthen the legal protections necessary to ensure equal employment opportunity for all. The Civil Rights Act of 1990 would do just that.

Mr. SIMON. Mr. President, I am pleased to be an original cosponsor of the Civil Rights Act of 1990. All Americans, as part of our birthright as citizens of this great Nation, should have equal opportunity to obtain a job, and should have equal opportunity for promotion and advancement once on the job. Today, more than ever before, our Nation must utilize the talents and productive capacity of all of its citizens in the work force, particularly that of minorities and women who frequently face the greatest barriers to employment opportunity.

Unfortunately, decisions reached by the Supreme Court last year put into place procedural and substantive roadblocks that serve to undermine the protections that Congress intended to be available to minorities and women under title VII of the Civil Rights Act of 1964. The recent Supreme Court decisions reflect a major shift away from equal employment rights established more than a quarter century ago when title VII of the Civil Rights Act was enacted.

Title VII has been an important weapon in the Nation's arsenal to eradicate discrimination in the workplace. As a result, women and minorities are integrated into the work force and have made major inroads where overt discriminatory practices once presented insurmountable barriers. But, the job is far from over. More subtle and intangible forms of bias still surface all too frequently in the workplace.

Last year, the Court changed its course drastically, narrowing the reach of title VII in ways that I believe Congress never intended. These decisions have already made it far more difficult for victims of bias to prove civil rights violations not only of title VII but also of section 1981, a long-established civil rights act guaranteeing equality in the making and enforcement of contracts. The protections that remain are not sufficient to provide women and minorities the justice that is their due. These recent decisions have, in effect, left many victims of discrimination with only hollow protection under title VII and section 1981.

It is now up to Congress to correct the mistakes made by the Court last year and to signal our clear intent that discrimination against women and minorities—no matter how unintentional or subtle—has no place in the workplace or in our society.

The Civil Rights Act of 1990 would reverse five Supreme Court decisions that do particular harm to the notion of equal employment rights for all. The bill would reverse Patterson versus McLean Credit Union to protect Americans against racial discrimination on the job and in private contracts. A legal system that does not include protection against racial harrassment on the job as a substantive part of an employment contract, as the Court ruled in Patterson, is unfair to employees and needs revision. Equal employment opportunity means little when it is limited only to the doorway of employment. What is opportunity when, as in Patterson, employers may not—under section 1981—discriminate against employees when the initial contract is formed, but as soon as the employee begins work, the employer has a free hand to discriminate against that worker on the basis of his or her race?

The Civil Rights Act of 1990 would restore the burden of proof in cases that involve employment practices that on their face seem neutral, but that in practice exclude minorities and women. A legal system that requires an employee who claims discriminatory treatment to unravel the complexities of an employer's personnel policies, as the Court ruled in Wards Cove Packing Co. versus Atonio, places a particularly unfair and unreasonable burden on employees and needs revision.

The Court's ruling in Wards Cove is especially troubling because it reverses a unanimous 1971 decision, Griggs versus Duke Power Co. Under Griggs, title VII has been used effectively by women and minorities to overcome not only individual bias, but also more subtle employment practices that have been used to screen out entire classes of people. Now we must repair the damage of the Wards Cove decision simply to maintain standards the court established 18 years ago.

The Civil Rights Act of 1990 would correct the Court's ruling in Lorance versus AT&T Technologies that would require an employee to anticipate, and to bring suit in advance of, a future adverse application of a seniority system in order to protect his or her rights.

The Lorance case involved an Illinois woman, Patricia Lorance, who lost her job and was denied any remedy by the Court. Patricia Lorance challenged a senority system that she believed had been changed to prevent her and other women from competing for mostly male, higher paying jobs in a manufacturing plant. She was laid off under this system in 1983, although the seniority system was actually adopted in 1979. The Supreme Court adopted the most narrow interpretation possible, holding that employees must file charges within 300 days after a seniority system or other employment practice is adopted; that is, 300 days from the date of adoption, not when the actual discrimination takes place. That's not a long time, especially in this world of complicated management, labor, and legal practices. The discriminatory effect of a senority system may not play itself out until well after its adoption, until well into those 300 days. It is easy to imagine the confusion an employee encounters when her company adopts a complicated seniority or benefit system, let alone keep track of when the courts allow a plaintiff to file charges or whether or not a system will affect her adversely months down the line. The Civil Rights Act of 1990 would protect those who do not realize, until too late, that certain employment practices jeopardize their ability to advance, as in the Lorance case.

The Civil Rights Act of 1990 would also reverse the Court's decisions in Price Waterhouse versus Hopkins, a decision that permits an employer to discriminate without ramification if the predominant reason for the em-

ployment decision was something other than the plaintiff's gender, and Martin versus Wilks, a decision that could undermine many affirmative action plans currently in place and discourage the voluntary settlement of disputes. These decisions seriously undermine the statutory objectives of fair employment laws and need to be revised.

Unfortunately, discrimination still limits work opportunities for many of our citizens in today's world, and the ideal of a work force based on equal opportunity and advancement through hard work and merit is a difficult goal to reach. That goal is pushed further from reach when the Supreme Court, long viewed as the protector of civil rights, restricts the scope and undermines the effectiveness of two of our most important antidiscrimination laws. Fortunately, Congress can, and should, step in to restore the civil rights safety net ripped open by the Supreme Court, to ensure that all victims of bias are afforded adequate remedies in our judicial system.

The Civil Rights Act of 1990 is legislation that deserves our attention and swift approval.

Mr. PACKWOOD. Mr. President, I rise today along with Senators KENNEDY and JEFFORDS and a number of our colleagues. Both Republican and Democrat, to introduce the Civil Rights Act of 1990. Identical legislation is being introduced in the House of Representatives today.

The genesis of all civil rights in our great country is the U.S. Constitution. This document prohibits the Federal Government from depriving any person of life, liberty or property without due process of law. Our Constitution also forbids States from denying any person the equal protection of the laws. States are further obliged to protect the rights of persons equally, that is, without discrimination against any class of persons. Slavery is prohibited and voting rights are guaranteed to all citizens.

The Constitution gives Congress the power to enforce our civil rights by appropriate legislation. The first Civil Rights Act, passed in 1866, guaranteed to every U.S. citizen the same rights that white citizens have to inherit, purchase, lease, and sell property. A series of other laws in the years following the Civil War made clear that our nonwhite citizens were to enjoy the same rights as whites in other areas such as contracting and sitting on juries.

Twentieth century civil rights laws reflect the growing recognition of Congress and the American people of the need for equal protection in the areas of voting, public accommodation, education, employment, housing, credit and access to Federal programs. In addition to the protection of these substantive rights, Congress has acted to extend constitutional protection beyond race to religion, sex, handicap, national origin, age, and marital status. Our history reflects a dynamic process, expanding protection to ensure that all basic rights of all groups are safeguarded.

Our courts have played a major role in enforcing the civil rights protections enacted by Congress. Where civil rights have been endangered by denial of equal opportunity to take part in the social, economic, and political life of this great land, those affected have been able to turn to the courts for protection of those rights.

During 1989, however, the U.S. Supreme Court issued a series of decisions in employment discrimination cases that threaten to set back our progesss in the area of job opportunity by decades. As a result of the decision in Patterson versus McLean Credit Union, victims of even the most egregious racial harassment in the workplace can obtain no meaningful remedy. Because of the decision in Price-Waterhouse versus Hopkins, a person who proves that illegal discrimination played a part in an action against them by an employer cannot receive any remedy if the employer shows that there was also a legal reason for the action. In other words, overt sexism or racism in an employment decision is acceptable so long as it is not the only reason for the decision. The Court's opinion in Wards Cove Packing Co. versus Atonio makes a person who proves discrimination by an employer that the employer had no justification for the discrimination.

The results in these cases indicate that the Supreme Court needs a clear signal from Congress that employment discrimination is unacceptable in all forms and under all circumstances, and that Congress expects the Court to reflect that in its decisions. That is what the Civil Rights Act of 1990 would do.

I urge my colleagues to support this bill because it is the right thing to do. It is our opportunity to begin this decade with a renewed commitment to civil rights.

But there is another reason to support this legislation. America's economic well-being depends as never before on the role of women and minorities in our work force. Work Force 2000, a study commissioned by the U.S. Department of Labor, states that by the end of this century, 47 percent of our work force will be women and 15 percent will be nonwhite. At the same time, new jobs will demand much higher skill levels. We will be more dependent on women and minorities as workers, and they must be increasingly better trained. We simply cannot afford the prejudice that keeps women and minorities from obtaining the best possible training and that keeps them from being able to give their best on the job.

I wish that this legislation were not necessary, but I conclude from the actions of the Court that we must now take steps to protect the gains of the last 25 years in eliminating employment discrimination. I am proud and pleased to be a sponsor of the Civil Rights Act of 1990.

Mr. CHAFEE. Mr. President, I commend my colleagues for their work in bringing the issue of civil rights before this body. Deeply entrenched in American culture is the belief that all individuals—no matter what their color, race, sex, religion, or national origin—deserve equal and fair treatment. That is the principle upon which Congress has established civil rights laws; today, that principle is being reemphasized.

Congressional intent is one of the tools used by the courts to decipher the meaning of Federal statutes. One of the purposes of the bill being introduced today is to make clear congressional intent regarding, and support for, civil rights. I applaud that goal wholeheartedly.

Currently, as my colleagues know, the Federal Government prevents discrimination in the workplace under two major statutes: the Civil Rights Acts of 1866 and 1964. The 1866 statute, known as section 1981, guarantees equal rights, regardless of race, in the making of employment and other contracts. Title VII of the 1964 act prohibits discrimination based on race, color, religion, sex, or national origin, with regard to employment decisions and practices.

Last year, the Supreme Court handed down a series of civil rights and employment-related rulings that affected the body of civil rights law that has developed from section 1981 and title VII over the past four decades. Three areas of civil rights law—burden of proof of discrimination, court-approved consent decrees, and on-the-job discrimination—were significantly affected.

The Civil Rights Act of 1990, as introduced, addresses to some degree each of those decisions. In the body of civil rights law, there are clear precedents or standards that served as the guidelines for this legislation. Sections of this act do faithfully restore civil rights guarantees as outlined by Court precedent; but the act also goes beyond simply restoring longstanding Court precedents.

First, the act would address those recent decisions in which no clear precedent or standard had been established by the Supreme Court. Second, there are sections of the bill that may loosely be referred to as compromise provisions: those that codify a position somewhere between the Supreme Court's ruling and the standard assumed prior to that ruling. Third, and

finally, the bill breaks what I consider to be entirely new ground in specific areas.

While I support many of these provisions, I recognize that none are small steps. Given the breadth, the importance, and the potential impact of this bill, I believe we must take the time for careful analysis. It is my understanding that 4 days of hearings on this measure have already been scheduled. The hearing process should prove invaluable, and the resulting discussion should produce more insight into how best to protect civil rights. Should more hearings be necessary, I hope that they, too, will be scheduled.

Mr. CRANSTON. Mr. President, I am pleased to join as an original cosponsor of the Civil Rights Act of 1990. This legislation would clarify and strengthen Federal laws which forbid discrimination in employment based on race or sex and ensure that adequate remedies exist for victims of such discrimination.

Since the enactment of the Civil Rights Act of 1964, countless Court decisions and congressional actions have underscored the need to be vigilant against discrimination. We have made steady progress toward achievement of a juster and fairer society. The current Supreme Court, however, doesn't seem to understand the depth of the problem of invidious discrimination in this country or the importance of maintaining strong and effective remedies to eradicate this problem.

Last year, the Supreme Court handed down a series of decisions which have blunted some of the most effective laws which protect employees from discrimination. The bipartisan legislation being introduced today is designed to reverse the adverse impact of these decisions and to restore our Nation's strong and effective weapons against employment discrimination.

Mr. President, last year's Supreme Court decisions dealt a crippling blow to the ability of victims of job discrimination to litigate cases under Federal civil rights statutes. One decision, Wards Cove, overturned 18 years of settled law on the burden of proof in employment discrimination cases. Another, Patterson, emasculated a 1866 civil rights statute by limiting its coverage to exclude on-the-job discrimination. A third, Martin, would allow long-accepted settlement agreements discrimination cases to now be reopened.

Mr. President, the devastating impact of these decisions is already taking effect. According to a survey conducted by the NAACP Legal Defense and Education Fund, 96 claims involving racial and ethnic harassment and discrimination have been dismissed as a result of the Patterson decision.

One case thrown out as a result of the Patterson decision involved an employer found to have subjected one black employee to verbal and physical abuse, and a racially motivated demotion. The employer demoted the employee because it "wasn't right for a black to occupy such a high position." The trial court had found the employer guilty of illegal discrimination and awarded the victim $150,000 in damages. The appeals court reversed, on the grounds that the Patterson decision held that section 1981 of title 42 of the United States Code—the 1866 civil rights law—did not apply to on-the-job discrimination, only discrimination in hiring.

Since the only other remedy—Title VII of the Civil Rights Act of 1964—does not apply to employers with less than 15 employees, no Federal remedy was available to redress the blatant discriminatory treatment of this employee. Mr. President, to leave a victim of this kind of discrimination without a remedy contravenes all that Congress has fought for in ensuring equal treatment for all Americans.

If we truly lived in a color and sex-blind society perhaps there would be no need for the type of civil rights laws which exist today. But one need not look far to realize that, while progress has been made, we are far from achieving that kind of a color- and sex-blind society. To make that dream a reality we must ensure that Federal equal employment laws remain strong and effective. We have come too far on the long and arduous path toward achievement of equality and justice to turn backward now. I strongly support this measure and will fight for its enactment.

By Mr. RIEGLE (for himself, Mr. KASTEN, Mr. SIMON, Mr. DIXON, Mr. BUMPERS, Mr. PRESSLER, Mr. LEVIN, Mr. SARBANES, Mr. WILSON, Mr. GRASSLEY, Mr. LIEBERMAN, Mr. DASCHLE, Mr. LAUTENBERG, Mr. SASSER, Mr. WARNER, Mr. METZENBAUM, Mr. DURENBERGER, Mr. D'AMATO, Mr. DOLE, Mr. GARN, Mr. INOUYE, Mr. KOHL, Mr. EXON, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. DODD, Mr. MCCLURE, Mr. LEAHY, Mr. BRYAN, Mr. MITCHELL, Mr. GORTON, Mr. WIRTH, Mr. SYMMS, Mr. BURDICK, Mr. WALLOP, Mr. NUNN, Mr. BIDEN, Mr. LUGAR, Mr. HUMPHREY, Mr. COCHRAN, Mr. DECONCINI, Mr. BYRD, Mr. CONRAD, Mr. PELL, Mr. COATS, Mr. ROTH, Mr. HEINZ, Mr. GLENN, Mr. BOREN, Mr. SPECTER, and Mr. HELMS):

S.J. Res. 251. Joint resolution designating "Baltic Freedom Day"; to the Committee on the Judiciary.

BALTIC FREEDOM DAY

Mr. RIEGLE. Mr. President, I rise today, along with 48 cosponsors, to introduce the Baltic Freedom Day resolution. I so do with great pride and feeling. This legislation will declare June 14, 1990, as Baltic Freedom Day. I hope and expect that before the day is out we will have fully half of the Senate as cosponsors of this legislation.

For each of the past 8 years Congress has overwhelmingly adopted similar legislation, and it has been important each year but no more so important than right now, this year, because today, with the dramatic developments unfolding in the Baltic States, this resolution continues to be an important expression of United States policy which has never recognized Soviet annexation of the Baltic States and has consistently supported the principle of self-determination.

Mr. President, for the past 50 years, our nonrecognition policy has been an important symbol of hope to the Baltic people. They have told us that time and time again.

Today, as the Baltic people prepare to take the final step toward regaining their lost independence, it provides important reassurance to them that our Government stands with them in their struggle to regain their freedom and independence.

The joint resolution that I am introducing today reaffirms that position and asks that in advance of the 51st anniversary of the signing of the Molotov-Ribbentrop Pact, which led to the illegal Soviet invasion and occupation of the Baltic States, the administration submit to Congress a statement articulating specific actions our Government is taking to support and to encourage Soviet support for the peaceful restoration of independence and democracy in the Baltic States.

I call attention to the fact that the occupant of the chair himself is a cosponsor of this legislation. This is a symbol of support and hope on behalf of the American people going out to the peoples of the Baltic States, telling them that we stand with them, and one of these days soon it is our expectation that they will be able to reestablish their independence with the encouragement and support of the people of this country. That will be a great day for all.

Mr. President, today, hundreds of thousands of citizens in the Soviet-occupied Baltic States of Estonia, Latvia, and Lithuania are waging a heroic, nonviolent battle against a violent occupying power that has grossly violated their human rights during the past 50 years and that continues to deny them the right to shape their own future.

At this historic turning point, one would expect that our Government would be cheering the Balts on in their quest for independence. But instead, the response of the administration to the Baltic movement has

ranged from silence to thinly veiled disapproval. Voices in the administration, echoed in the op-ed pages of major newspapers, argue that the United States should not be outspoken in its support of the Baltic independence movements, because the success of these movements could provoke a hard-line takeover in Moscow, thus spelling the end of Gorbachev's reforms and potentially unleashing a bloodbath. Interestingly, this is also the argument the Kremlin makes to oppose Baltic independence, and America's pundits seem to be buying it, lock, stock, and barrel.

Mr President, any conservative reaction in Russia would be most unfortunate, but we should not hold the Baltic States accountable for the possible intensification of this backlash.

An unraveling empire is always a breeding ground for progressive and regressive tendencies alike, and the Soviet Union, with over 100 different ethnic groups living in 15 separate republics, is certainly no exception. In the last few years we have seen ethnic violence erupt in Uzbekistan, in Kazakhstan, and in Georgia. And, today, the tragic conflict in Azerbaijan and Armenia continues to make front-page news. We have seen Soviet police and soldiers wielding tear gas, clubs, sharpened shovels, and poison gas against demonstrators in the non-Russian republics. Amidst this sea of violence, the Baltic States stand out for the consistently peaceful and disciplined nature of their protest. Why should we support Gorbachev in holding the Balts hostage because of what may or may not happen in republics less committed to nonviolent change?

The many forces for change within Soviet society may have been unleashed by Gorbachev's campaign of glasnost and perestroika, but at this point they are propelled by their own momentum. The Baltic peoples will continue to demand independence, regardless of cries for "patience" from Gorbachev, because they see independence as a matter of life and death. Despite Gorbachev's much touted reforms, in the Baltic States store shelves are still empty, industry and agriculture are still controlled by central planners in Moscow, heavily polluting factories are still ravaging the environment and the health of Baltic residents while providing hard currency income for Moscow, young men are still being forced to serve in the occupying Soviet army, where they are routinely beaten and even murdered, and trained to kill and be killed in distant lands, recently in Afghanistan and now in Azerbaijan. Having lost hundreds of thousands of their family and friends to the prisons and the gulag during the past five decades, the Balts feel they no longer have anything to lose, and they are not convinced that Gorbachev's maneuvering will bring about real freedom and democracy within the present structure of the U.S.S.R.

Mr. President, no matter what the United States does or does not say, the Baltic peoples will not give up the fight for freedom. And events in the Baltic States consistently suggest that sooner or later, and probably sooner, they will win. In the ongoing battle of wills with Moscow, it is the Balts who are setting the agenda and Gorbachev who is being forced to adjust. Thanks to Baltic pressure, last year the Soviet leadership acknowledged the existence and illegality of the secret protocols to the 1939 Molotov-Ribbentrop Pact, in which Soviet Russia and Nazi Germany divided Eastern Europe into spheres of influence. Then they granted limited economic autonomy to the Baltic States and now they are officially considering the possibility of eventual independence. And, when Gorbachev, earlier this week, called on the Communist party to give up its constitutional monopoly on power and allow a multiparty system, he was simply making official something that, in practice, has existed in the Baltic States for many months.

As Gorbachev continues to follow the Baltic agenda, it remains for us to decide whether we want to move forward with the flow of history or lag behind, parroting Moscow's calls for "patience." Do we want to be remembered for upholding the principles of freedom and self-determination, or for turning our backs on these courageous peoples at a crucial moment?

If we do abandon the Baltic cause, we will be sacrificing freedom for the sake of an illusory notion of "stability"—illusory because it is founded on the suppression of democratic change and the maintenance of empire. In spite of Gorbachev's immense popularity abroad, neither the "Man of the Decade" nor any other Soviet leader can restore "stability" in an empire of over 100 restive ethnic peoples, while retaining these peoples through force.

While Gorbachev was sweating it out in fierce debates with crowds of Lithuanian citizens recently, White House spokesman Marlin Fitzwater justified the White House's conspicuous lack of support for Lithuanian independence activists by claiming, "We don't want to take any positions that are not helpful to either side." Clearly, however, the United States cannot continue to avoid taking a position on this critical issue, and the position we take should be "helpful" to the side of the freedom seekers, not the empire-preservers. As Zbigniew Brzezinski argues in the lastest issue of Foreign Affairs:

> The West can no longer remain passive on this issue. A great historic drama is in the process of unfolding—and it can have either benign or malevolent international consequences * * * For the moment, silence on the part of the West may seem to be the better part of wisdom * * * [A]t some point the question will arise: by what standard does the West choose to support, for example, Polish independence but to ignore the cravings of say, the Lithuanians or, before too long, of the Ukrainians, for their own national statehood?
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> It is therefore timely for the West to formulate its own general approach on this large issue before national turmoil in the Soviet world begins to undermine the East-West relationship as a whole. The West's attitude should reflect the norms that have gained universal acceptance in our age and should aim at creating arrangements that benefit the peoples swept up by the ground swell of national feelings. It should emphasize that the West does not seek the fragmentation either of Eastern Europe or of the Soviet Union but rather wishes to facilitate the historically significant process of transforming ongoing repressive political arrangements into more voluntary and cooperative relationships.

It is incumbent upon the United States and other Western nations to take an active position on the Baltic question because it is our moral and legal duty to do so, stemming from our commitment to the nonrecognition principle. When, in June and July 1940, the Soviet Union invaded the Baltic States, deported their political leaders, and staged sham elections leading to annexation by the Soviet Union, acting United States Secretary of State Sumner Welles denounced these "predatory activities." From that day forward, the United States Government has consistently refused to accept that the Baltic States belong to the Soviet Union.

Recently, however, the administration has demonstrated a reluctance to hold true to the nonrecognition principle. President Bush, while reasserting the nonrecognition principle in theory, has referred to the Baltic question as Gobachev's "internal" problem. And the Washington Post recently reported that senior administration officials are frustrated by the "captive nations" policy which they regard as "a cold war anchronism kept on the back burner as a cheap way of appealing to U.S. voters with roots in these countries."

But as attorney William Hough noted in testimony last October before the Commission on Security and Cooperation in Europe:

> The United States position on this issue is not a remnant of cold-war, anti-Soviet foreign policy, nor * * *" a conceit of diplomatic formalism." Rather, non-recognition of the annexation is the direct result of a long-standing continuum of United States foreign policy which deliberately seeks to promote values of human rights, self-determination, and democracy world-wide. Indeed, non-recognition of seizure or territory is an *international legal requirement.* * * * (emphasis added)

The significance of upholding the nonrecognition principle may escape

some American officials and journalists, but it does not escape the people of the Baltic states, for whom it has been a beacon of hope throughout 50 years of Soviet oppression.

Mr. President, for the United States now to abandon its commitment to that principle would be to turn our backs on the Baltic peoples at a supremely important moment, when they are closer then ever before to ending the illegal Soviet occupation.

When President Gorbachev, representing the government that destroyed twenty percent of the Baltic States' populations in the prison camps of Siberia, claims that Lithuania will be obligated to pay "compensation" to anyone who wants to stay in the Soviet Union and will have to move if Lithuania secedes, our Government should point out the historical and legal absurdity of this claim. And when Mr. Gorbachev insists that Lithuania wait until Moscow drafts a "divorce law" to regulate Lithuania's so-called secession, the United States should remind him that, in the words of Lithuanian independence activist Algimantas Cekuolis, Lithuania does not need a "divorce law," because she never "married" the Soviet Union, but was "raped." The United States should continually be reminding Moscow and the world that what the Balts are fighting for is not secession from their own country, but rather liberation from foreign domination.

To those who claim that the exercise of self-determination will precipitate chaos and bloodshed, I submit that responsible action on the part of our Government could actually foster stability in a highly volatile situation. Active support for Baltic independence does not, of course, mean sending in United States troops or issuing ultimata to Moscow. What it could mean, however, is bringing the Baltic issue into the realm of international diplomacy, where it belongs. Rather than waiting for the Kremlin to draw up "divorce papers," we could be working with other Western governments who have upheld nonrecognition, to develop, I quote again from Mr. Hough:

> A peaceful diplomatic solution for the Baltic region that would take into account the security interests of nations of East-Central Europe, including the Soviet Union. * * *
>
> Today, with the advent of the Soviet Union's avowed interest in a common European home, respect for international law, and renunciation of the Brezhnev doctrine, there is absolutely no reason why the Western democracies should not, and could not advance a common plan for the Baltic States. * * *

By the same token, Mr. Brzezinski maintains that:

> The West should not be shy in publicly stating that it favors the eventual transformation of the Soviet Union—which in reality is a Great Russian empire—into a *genuinely voluntary* confederation or commonwealth. . . . [I]t behooves Americans to proffer concrete suggestions for how to alleviate the intensifying Soviet inter-national conflicts through deliberate adoption of confederational arrangements" (emphasis added).

For those non-Russian nations that continue to seek complete independence rather than voluntary confederational membership, says Brzezinski—

> Secession could be made conditional on treaty-based associate status with a Soviet Confederation—especially in economic cooperation and perhaps even in some security arrangements.

The role of the United States Government should not be quietly to undermine the nonrecognition principle and offer Moscow free rein to use force against "ethnic unrest," but rather to put pressure on Moscow to fundamentally rewrite the political contract that holds the Soviet empire together. We cannot in good conscience ask the Balts to be "patient" and stop demanding independence, until the Soviet Government begins to demonstrate that there is something worth waiting for—until they replace imperial domination with democratic self-determination. If we really want to see democracy and stability in the Soviet Union, then, in the memorable words of Lithuanian activist Cekuolis:

> Why not give power to the people? * * * If Mr. Gorbachev is really for perestroika, let's do it. * * * [P]atient we are. Let's see progress.

Finally, when Soviet officials proclaim that the Baltic States will face economic disaster if they break away from Moscow, the United States should state unequivocally that an independent Estonia, Latvia or Lithuania would have the same opportunities to apply for Western economic assistance that were made available to Poland and Hungary and the other emerging democracies.

In conclusion, let me quote the "Man of the Decade" himself. In his New Year's address to the people of the United States, President Gorbachev proclaimed:

> The 1990's may become a decade when freedom, democracy and equality will begin to be established on a global scale and in an increasingly irreversible way.
>
> People may say that all these are long-known truths and age-old values. This is so, indeed. But never before were we prepared so well for implementing them as now, at the turn of the century. Let us work purposefully, patiently and with belief in their triumph.

Mr. President, let us enter the new decade firmly and responsibly supporting the "irreversible" move toward "freedom, democracy, and equality," not supporting efforts to maintain the status quo in a crumbling empire.

I urge all of my colleagues to join me and Senator KASTEN in cosponsoring this year's Baltic Freedom Day resolution and in calling upon the administration actively to support the peaceful pursuit of freedom in the Baltic States.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 251

Whereas the people of the Baltic States of Estonia, Latvia, and Lithuania have cherished the principles of religious and political freedom and have recently held mass demonstrations calling for freedom and independence;

Whereas from 1918 to 1940, the Baltic States existed as independent, sovereign nations and as fully recognized members of the League of Nations;

Whereas 1990 marks the 50th anniversary of the invasion, seizure, and illegal incorporation of the Baltic States into the Soviet Union against the national will and the desire for independence and freedom of the Baltic people;

Whereas 1990 also marks the 50th anniversary of the continued policy of the United States of not recognizing the illegal forcible occupation of the Baltic States by the Soviet Union;

Whereas, due to Soviet and Nazi collusion, the Baltic States suffered a loss of one-third of their population by the end of World War II;

Whereas, under Soviet occupation, the native Baltic peoples have been deported from their homelands to forced labor and concentration camps in Siberia and elsewhere;

Whereas the people of the Baltic States have unique indigenous cultures, national traditions, and languages, which have been threatened by decades of russification;

Whereas the Soviet Union has introduced into the Baltic States ecologically unsound industries without proper safeguards, and the presence of those industries has critically endangered the environment and well-being of the Baltic people;

Whereas, as part of Soviet President Mikhail Gorbachev's campaign of openness, restructuring, and democratization, Soviet leaders have officially acknowledged the illegality of the secret protocols to the 1939 Molotov-Ribbentrop Pact, which led to the Soviet military invasion of the Baltic States in 1940;

Whereas, in the spirit of openness and democratization, the Baltic peoples are affirming their right, upheld both by international law and by the Soviet Constitution, to restore full independence through parliamentary and peaceful means; and

Whereas the United States, as a member of the United Nations, has repeatedly upheld the right of nations to self-determination: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) the Congress recognizes the continuing desire and right of the people of the Baltic States for freedom and independence;

(2) the Congress, in keeping with the policy of the United States to deny recognition of the Soviet occupation of the Baltic States, urges the Soviet Union to recognize the sovereignty of the Baltic States and to yield to the rightful demands of the Baltic peoples for independence from foreign domination and oppression, as guaranteed

by Principle Eight of the Helsinki Accords, to which the Soviet Union is a signatory;

(3) June 14, 1990, the anniversary of the first mass deportation of the Baltic peoples from their homelands in 1941, is designated as "Baltic Freedom Day", as a symbol of the solidarity of the people of the United States with the aspirations of the captive Baltic people; and

(4) the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Baltic Freedom Day with appropriate ceremonies and activities, and to submit to the Congress within 60 days a statement articulating specific actions the United States Government is taking, in fulfillment of the intent of the nonrecognition principle, to—

(A) support the peaceful restoration of the independence of the Baltic States; and

(B) encourage Soviet support for a peaceful transition to independence and democracy in the Baltic States.

Mr. KASTEN. Mr. President, I rise today to introduce along with Senator RIEGLE a resolution to designate June 14, 1990, as "Baltic Freedom Day." This is a critical time for the Baltic States, and I believe it is important that the United States—in line with our policy of nonrecognition of the Soviet occupation of these nations—support their aspirations in every way possible.

June 14 marks the 49th anniversary of a massive deportation of the Baltic people from their homelands. After this protracted bondage, these people are daily moving closer toward freedom. The historic visit of Soviet President Mikhail Gorbachev to Lithuania reveals the Soviet leadership's fear of the inevitable. The question for the Baltic States is not whether but when they will demand their rightful place in the community of nations.

In late November, I and many of my colleagues wrote to the President, asking him to raise the issue of the Baltic States at his Malta summit with President Gorbachev. The State Department recently responded to this letter—reaffirming the United States policy of nonrecognition of the "forcible incorporation of Estonia, Lithuania, and Latvia into the Soviet Union" and reasserting America's support for "self-determination for the Baltic peoples."

President Bush did discuss the fate of the Baltic States at the Malta summit, making it clear that the "use of force in the Baltic States would have serious repercussions for the entire bilateral relationship." The Soviets' response was that they did not plan to use force.

So there is ample reason for hope for peaceful progress toward independence. But there is cause for concern as well. At this juncture, it is essential that we let Mr. Gorbachev know where the U.S. Congress stands. And we stand in unity and hope on the side of the people of Latvia, Lithuania, and Estonia.

By Mr. BENTSEN:

S.J. Res. 252. Joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week"; to the Committee on the Judiciary.

NATIONAL MINORITY CANCER AWARENESS WEEK

● Mr. BENTSEN. Mr. President, today I am introducing a joint resolution providing for the designation of the third week in April as "National Minority Cancer Awareness Week."

We all know that cancer is a deadly disease that strikes thousands of Americans each year, throwing their lives, and the lives of those close to them, into turmoil. In recognition of this, and to promote awareness of the causes, types and treatments of cancer, the month of April in each year has been designated as "National Cancer Month."

But many of us are unaware that cancer has a disproportionately severe impact on certain segments of our population. Two of those segments that are unfortunate enough to be burdened with such a distinction are the minority and economically disadvantaged communities in our Nation. The overall incidence of cancer is higher among blacks and Hispanics as compared to the population in general. And while the overall cancer survival rate is improving steadily, the survival rate has actually dropped among blacks and Hispanics. In addition, the incidence of cancer and fatality rates among our economically disadvantaged population are higher than that in the general population.

National Minority Cancer Awareness Week will play an important role in our national fight against cancer. It will foster increased awareness of the causes, types and treatments of cancer among these population segments afflicted with high cancer rates. It will also give health care professionals and researchers an opportunity to focus on the characteristics of these at-risk populations and formulate new approaches to attacking their unique cancer problems. Finally, this week will focus attention on the need for increased collection of data regarding cancer and its impact in these groups.

I believe it is appropriate, and even necessary, for us to set aside 1 week each year to assess the problems posed by cancer to these groups as part of our overall struggle against cancer. A successful effort against cancer in its stronghold among minorities and the disadvantaged is a crucial element in the battle against cancer.●

By Mr. HARKIN (for himself, Mr. MCCAIN, Mr. KENNEDY, Mr. DURENBERGER, Mr. LUGAR, Mr. PELL, Mr. DODD, Mr. JEFFORDS, and Mr. GRAHAM):

S.J. Res. 253. Joint resolution to express the support of the Congress for Chile's transition to democracy; to the Committee on Foreign Relations.

SUPPORT FOR CHILE'S TRANSITION TO DEMOCRACY

● Mr. HARKIN. Mr. President, I am proud to join with a bipartisan group of Senators, including Senators LUGAR, DODD, MCCAIN, DURENBERGER, GRAHAM, JEFFORDS, and PELL, in introducing a bipartisan joint resolution commending the people of Chile for the dramatic step they took last December toward restoring democracy to their country.

In the last days of the 1980's, Americans watched with awe as communism began its dramatic withdrawal from Eastern Europe and as democracy took its place. But while Germans chipped away at the last remnants of the Berlin Wall, the Chilean people were making their own mark on history.

On December 14, 1989, more than 7 million Chileans demonstrated their commitment to the return to democracy of Chile. From the desert regions of Arica, in Northern Chile, to the most southern city in the world, Punta Arenas, Chileans waited in long lines to express their commitment to the democratic process and cast their votes for President of their country, the first democratic election in nearly two decades.

The shots fired in Romania may have drowned out sounds of the slow march of Chileans to the polls on December 14. Although the clamor of change in Eastern Europe may have been louder, developments in Chile are just as important an expression of the wave of democracy and freedom sweeping across the world. Furthermore, the fact that Chileans—from all political quarters—conducted themselves in such a civil and orderly manner on December 14 is a testament to the depth of their commitment to freedom and peaceful change.

The American people could learn a few lessons by observing the way the Chileans conducted themselves during the presidential and legislative elections last December. The turnout figures alone—more than 97 percent of all registered voters—demonstrate the profound commitment that Chileans have to a democratic system of government.

Equally impressive was the order and efficiency with which the elections were conducted. Credit on this score belongs to the National Electoral Service, which designed and administered the overall process.

The thousands of ordinary Chileans who administered the elections at polling sites throughout the country should be acknowledged. Also important was the Ministry of Interior's speedy presentation of results on the day of the elections. Whereas last year the Interior Ministry's delay in announcing results of the plebiscite caused unnecessary tensions, the Min-

istry's conduct this year was exemplary.

The conduct of Chile's presidential candidates was a vivid demonstration of all Chileans' desire for peaceful democratic transition. On election night, as it was clear that Patricio Aylwin had won the majority necessary to avoid a runoff, the two losing candidates, Hernan Buchi and Francisco Javier Errazuriz, personally congratulated Chile's President-elect and pledged their support for the new civilian government.

Elections by themselves cannot make a country democratic. Indeed, particularly in a country like Chile, which has survived more than 16 years of military dictatorship, citizens must be vigilant as they make the transition to democratic rule.

Patricio Aylwin, when he becomes president on March 11, faces significant obstacles in efforts to insure that democratic rule is consolidated in Chile. President-elect Aylwin must deal with an armed forces that has ruled Chile with an iron hand since seizing power in 1973. As we well know, maintaining this delicate civil-military balance has eluded many of Latin America's elected leaders in the 1980's.

To resume military ties with the United States, Chile's new government must deal with the case of the assassination of Orlando Letelier and Ronny Karpen Moffitt. According to current law, outstanding issues of compensation and accountability must be resolved before Congress fully restores military aid to Chile. It is my hope that a plan for handling both aspects of this case can be formulated and implemented so that all aspects of UnitedStates relations with Chile can be normalized.

Fortunately, the new government will inherit one of the most stable economies in the region—in large part due to the current regime's success at lowering inflation, reducing the foreign debt and cutting fiscal deficits. However, the Aylwin government must develop policies and find the funds to satisfy the frustrated social aspirations of those Chileans who have not benefited from Chile's overall economic successes. To reduce government expenditures, the military junta significantly reduced spending on health and education that serve middle- and working-class Chileans. Unemployment has dropped to record lows, but purchasing power for Chilean workers has yet to reach 1970 levels.

While striving to redress this social debt, President Aylwin will have to maintain recent macroeconomic stability as well as meet Chile's foreign debt obligations. How to satisfy the needs of the poor and the working class who have suffered the most during military dictatorship while reassuring investors is a critical task confronting the new government.

I am optimistic about the Chileans chances of success. Chileans have completed a long march to democracy—from the disunity that had characterized Chilean political parties even before the dictatorship to the slow often painful process of reconciliation and unity, from the National Accord in 1985, to the campaign for the NO in the 1988 plebiscite, to the coalition of 17 opposition parties supporting Aylwin's Presidential candidacy. Over the past few years, Chilean freedom fighters have peacefully fought for democracy, and struggled against a military dictatorship's financial and political advantages, media censorship, and more than a generation of political violence and repression.

The courage and the dignity they have shown during this process of reconciliation, unification, and campaigning should give them the strength and wisdom to take the step from a transition to the consolidation of democracy in Chile.

To complete this task and insure that Chile's democratic traditions remain uninterrupted for another 160 years, Chileans will need our support. Today, we are taking the first step by acknowledging the triumph of democracy last December. Over the next year, we can provide small but significant assistance to the new government to help it meet the challenges of administering democracy.

I know I speak for my colleagues in the Senate in telling the Chilean people that the slow and relatively silent progress they have made and plan to make toward guaranteeing democracy in their country will be heard here. Their voices will not be lost amidst the clamor of rapid changes now sweeping across Eastern Europe and the Soviet Union.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 253

Whereas the people of Chile have shown tremendous courage and determination in their efforts to return their nation to civilian democracy;

Whereas Chile's transition to civilian rule reached a critical turning point on October 5, 1988, when 97 per centum of the registered voters of Chile cast ballots in a nationwide plebiscite and, by a significant majority, voted to reject the presidential candidate of the military dictatorship;

Whereas in compliance with the results of the 1988 plebiscite, multiparty elections were scheduled for December 1989, and an open, competitive, and vigorous campaign for public office began;

Whereas Chile's major political parties and the Chilean Government reached an agreement on significant constitutional reforms to eliminate certain antidemocratic elements of the Chilean Constitution;

Whereas this package of constitutional reforms was put before the Chilean people in a second nationwide plebiscite on July 30, 1989, and was approved overwhelmingly;

Whereas three widely respected candidates, representing a broad spectrum of political opinion in Chile, were nominated for the office of President;

Whereas national elections were held on December 14, 1989, under conditions that were proclaimed free and fair by observers from around the world, in which Presidential candidate Patricio Aylwin received 55 per centum of the vote;

Whereas President-elect Aylwin commended the Chilean Armed Forces for their role in the administration of the electoral process;

Whereas, in a gesture of dignity and national unity, the defeated Presidential candidates congratulated the new President-elect and pledged their commitment to Chile's new civilian government;

Whereas the new government adopted a platform designed to continue Chile's economic prosperity, promote professionalism in the Chilean Armed Forces, exert civilan control over the military, and respect and guarantee the human rights of all Chileans; and

Whereas on March 11, 1990, the people of Chile will take another significant step in their transition to democracy when Patricio Aylwin is inaugurated as the first civilian president in almost two decades, reclaiming Chile's proud, century-old tradition of democracy: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress—

(1) commends the people of Chile for their courageous commitment to democracy;

(2) congratulates President-elect Patricio Aylwin for his decisive victory; and

(3) pledges support for the new civilain government as it leads Chile into a new era of democracy.●

● Mr. PELL. Mr. President, I am honored to be a cosponsor of this joint resolution to express the support of the United States Congress for Chile's transition to democracy. It has been a long, hard, and torturous struggle, but thanks to the efforts of true democrats like Patricio Aylwin, and many others like him who never lost hope, democracy is about to dawn once again in Chile. The transition to democracy has been incredibly smooth and tranquil indicating the depth to which the democratic spirit has remained in the hearts and minds of Chileans through the years of the military dictatorship. Chileans from all sectors of society, including those of the many political parties and within the military institution as well have demonstrated outstanding cooperation and goodwill to bring Chile through the plebiscite of October 1988, the free and fair elections of December 1989, and now, finally, the inauguration of March 11, 1990, when the world will witness the rebirth of democracy in Chile.

The people of Chile deserve the commendation of the United States Congress for their commitment to democracy. The Congress as a whole should join in congratulating Presi-

dent Aylwin and the Chilean people as Chile resumes its democratic path.●

By Mr. GORE:

S.J. Res. 254. Joint resolution designating May 1990 as "National Digestive Disease Awareness Month"; to the Committee on the Judiciary.

NATIONAL DIGESTIVE DISEASE AWARENESS MONTH

Mr. GORE. Mr. President, today, for the sixth year in a row, I am introducing legislation to recognize the terrible hardship of digestive diseases. This bill, which will designate May 1990 "National Digestive Disease Awareness Month," is an integral part of our continuing, successful effort to raise the awareness of the American people, the Congress, and the administration to this very serious problem that too often doesn't get the attention it deserves. Similar legislation has been introduced in the other body by my friend, the gentleman from California [Mr. ROYBAL] who chairs that body's Select Committee on Aging and who is a recognized expert on health issues.

Digestive diseases are more widespread than many imagine. More than 20 million Americans suffer from chronic diseases of the digestive system. Over 14 million cases of acute digestive diseases are treated in this country each year, and one-third of all malignancies are of the digestive tract.

Digestive diseases lead to 25 percent of all surgical operations. These illnesses represent one of the Nation's most serious health problems in terms of discomfort and pain, personal expenditures for treatment, lost working hours, and lost lives.

They rank third among illnesses in total cost in the United States—estimated at $17 billion per year in direct health care expenditures alone, and if you figure in the working hours lost and other economic losses, the total annual bill for digestive disease is a staggering $50 billion. Of course cost measured in dollars does little to accurately describe the heartfelt cost in terms of human suffering.

The bill I am introducing today reaches out to all who suffer from these diseases by calling for a unified, national effort to increase public awareness and to combat digestive disease.

I urge my colleagues to join me in cosponsoring this initiative, as so many have done in the past.

ADDITIONAL COSPONSORS

S. 458

At the request of Mr. DECONCINI, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 458, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans and Nicaraguans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans and Nicaraguans, and for other purposes.

S. 1076

At the request of Mr. BURDICK, the name of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Louisiana [Mr. BREAUX] were added as cosponsors of S. 1076, a bill to increase public understanding of the natural environment and to advance and develop environmental education and training.

S. 1310

At the request of Mr. SIMON, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1310, a bill to eliminate illiteracy by the year 2000, to strengthen and coordinate literacy programs, and for other purposes.

S. 1380

At the request of Mr. WILSON, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1380, a bill to amend title 31, United States Code, to increase both citizen participation in and funding for the war on drugs by directing the Secretary of the Treasury to issue Drug War Bonds, and for other purposes.

S. 1393

At the request of Mr. REID, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 1393, a bill to direct the Secretary of Defense to give priority to the Federal Bureau of Prisons in transferring any surplus real property or facility that is being closed or realigned.

S. 1664

At the request of Mr. HEINZ, the name of the Senator from Alaska [Mr. MURKOWSKI], the Senator from Vermont [Mr. LEAHY], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Indiana [Mr. COATS] were added as cosponsors of S. 1664, a bill to establish a congressional commemorative medal for members of the Armed Forces who were present during the attack on Pearl Harbor on December 7, 1941.

S. 1723

At the request of Mr. GRAHAM, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 1723, a bill to provide that the exception from the hospital insurance tax for service performed by an election official or election worker shall apply where remuneration for such service is less than $600 in a calendar year.

S. 1815

At the request of Mr. BOSCHWITZ, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 1815, a bill to amend the Internal Revenue Code of 1986 to exclude the imposition of employer social security taxes on cash tips.

S. 1892

At the request of Mr. REID, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 1892, a bill to amend subtitle D of the Internal Revenue Code of 1986 by imposing a tax on controlled substances.

S. 1933

At the request of Mr. HEINZ, the names of the Senator from New York [Mr. D'AMATO], the Senator from Arizona [Mr. MCCAIN], the Senator from Indiana [Mr. COATS], and the Senator from California [Mr. WILSON] were added as cosponsors of S. 1933, a bill to provide for the minting of coins in commemoration of the bicentennial of the death of Benjamin Franklin and to enact a fireservice bill of rights and programs to fulfill those rights.

S. 2005

At the request of Mr. GRAHAM, the name of the Senator from Pennsylvania [Mr. HEINZ] was added as a cosponsor of S. 2005, a bill to repeal the provision of law exempting intercity rail passenger service from certain waste disposal requirements.

S. 2021

At the request of Mr. DOLE, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 2021, a bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed financial institutions.

S. 2051

At the request of Mr. HEFLIN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 2051, a bill to amend the Social Security Act to provide for more flexible billing arrangements in situations where physicians in the solo practice of medicine or in another group practice have arrangements with colleagues to "cover" their practice on an occasional basis.

SENATE JOINT RESOLUTION 226

At the request of Mr. HEINZ, the names of the Senator from Indiana [Mr. COATS], the Senator from California [Mr. WILSON], the Senator from Rhode Island [Mr. PELL], and the Senator from New York [Mr. D'AMATO] were added as cosponsors of Senate Joint Resolution 226, a joint resolution to designate the year 1990 as the "Bicentennial Anniversary of the legacy of Benjamin Franklin."

SENATE JOINT RESOLUTION 227

At the request of Mr. KASTEN, the names of the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Mississippi [Mr. COCHRAN] and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of Senate Joint Resolution 227, a joint resolu-

tion to designate March 11, through March 17, 1990, as "Deaf Awareness Week."

SENATE JOINT RESOLUTION 229

At the request of Mr. CRANSTON, the names of the Senator from Rhode Island [Mr. CHAFEE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Montana [Mr. BURNS], the Senator from Indiana [Mr. LUGAR], the Senator from New Mexico [Mr. DOMENICI], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Joint Resolution 229, a joint resolution to designate April 1990 as "National Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 235

At the request of Mr. HUMPHREY, the names of the Senator from Utah [Mr. GARN] and the Senator from Nebraska [Mr. EXON] were added as cosponsors of Senate Joint Resolution 235, a joint resolution proposing a constitutional amendment to limit congressional terms.

SENATE JOINT RESOLUTION 241

At the request of Mr. D'AMATO, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Indiana [Mr. COATS], the Senator from Hawaii [Mr. INOUYE], and the Senator from Oklahoma [Mr. BOREN] were added as cosponsors of Senate Joint Resolution 241, a joint resolution to designate the week of April 29, 1990, through May 5, 1990, as "Jewish Heritage Week."

SENATE JOINT RESOLUTION 243

At the request of Mr. LAUTENBERG, the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from Oklahoma [Mr. BOREN], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Utah [Mr. GARN], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of Senate Joint Resolution 243, a joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

SENATE JOINT RESOLUTION 246

At the request of Mr. BOSCHWITZ, the names of the Senator from Oklahoma [Mr. BOREN], the Senator from Michigan [Mr. LEVIN] the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Arizona [Mr. DECONCINI], the Senator from Missouri [Mr. BOND], the Senator from Indiana [Mr. COATS], the Senator from South Dakota [Mr. PRESSLER], the Senator from New Hampshire [Mr. RUDMAN], the Senator from New Mexico [Mr. BINGAMAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of Senate Joint Resolution 246, a joint resolution calling upon the United Nations to repeal General Assembly Resolution 3379.

AMENDMENTS SUBMITTED

EXCELLENCE IN EDUCATION ACT

WILSON (AND OTHERS) AMENDMENT NO. 1244

Mr. WILSON (for himself, Mr. DECONCINI, Mr. PACKWOOD, Mr. HEINZ, Mr. COATS, Mr. GRAHAM, Mr. REID, Mr. BINGAMAN, Mr. LEVIN, Mr. KASTEN, Mr. LUGAR, Mr. WIRTH, Mr. BOSCHWITZ, Mr. THURMOND, Mr. CHAFEE, Mr. MCCONNELL, and Mr. BAUCUS) proposed an amendment to the bill (S. 695) to promote excellence in American education, by recognizing and rewarding schools, teachers, and students for their outstanding achievements, enhancing parental choice, encouraging the study of science, mathematics, and engineering, and for other purposes, as follows:

At the appropriate place in the bill insert the following new section:

SEC. . (a) IN GENERAL.—The Secretary of Education is authorized to award grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through six to recognize and resist pressures that influence such students to use controlled substances, as defined in schedules I and II of section 202 of the Controlled Substances Act (21 U.S.C. 812), the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education, that meet the requirements of subsection (b).

(b) REQUIREMENTS.—A local education agency in consortium with an entity shall not be eligible for a grant under subsection (a) unless such local education agency in consortium with an entity will use assistance provided under such grant to provide or arrange for the provisions of services that shall include—

(1) drug abuse resistance education instruction for students grades kindergarten through six to recognize and resist pressures to experiment that influence such children to use controlled substances, as defined under subsection (a), or beverage alcohol, including instruction in the following areas—

(A) drug use and misuse;

(B) resistance techniques;

(C) assertive response styles;

(D) managing stress without taking drugs;

(E) decisionmaking and risk taking;

(F) media influences on drug use;

(G) positive alternatives to drug abuse behavior;

(H) interpersonal and communication skills;

(I) self-esteem building activities; and

(J) resistance to gang pressure;

(2) classroom instruction by uniformed law enforcement officials;

(3) the use of positive student leaders to influence younger students not to use drugs; and

(4) an emphasis on activity-oriented techniques designed to encourage student-generated responses to problem-solving situations; and

(c) APPLICATION.—The Secretary shall not make a grant under subsection (a) unless—

(1) an application for the grant is submitted to the Secretary;

(2) with respect to carrying out the purpose for which the grant is to be made, the application provides assurances of compliance satisfactory to the Secretary;

(3) the application otherwise is in such form, agreements, assurances, and information as the Secretary determines to be necessary to carry out this section; and

(4) the application contains an assurance that the applicant will provide funds, either in cash or in kind that are not less than 10 percent of the amount of the grant under subsection (a);

(d) SUPPLEMENTAL FUNDS.—Amounts received under subsection (a) by the entity shall be used only to supplement, not to supplant, the amount of Federal, State, and local funds expended for the support of projects of the type described in subsection (b); and

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 in fiscal year 1990, and such sums as may be necessary for each of the 3 succeeding fiscal years.

WILSON AMENDMENT NO. 1245

Mr. WILSON proposed an amendment to the bill S. 695, supra, as follows:

At the appropriate place in the bill, insert the following:

SEC. . HEALTHY START DEMONSTRATION GRANT PROGRAM.

(a) IN GENERAL.—(1) The Secretary is authorized to pay the Federal share of the costs of making demonstration grants to local educational agencies to assist local educational agencies in coordinating support services to children and youth.

(2)(A) The Federal share shall be 80 percent.

(B) The non-Federal share of the costs of the demonstration grant under this subsection shall be supplied from sources other than the Federal Government.

(C) The non-Federal share of payments under this Act may be in cash or in kind fairly evaluated, including planned equipment or services.

(b) REQUIREMENT.—A local educational agency shall not be eligible for a grant under subsection (a) unless such local educational agency is eligible to receive financial assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(c) COUNCIL.—(1) Each local educational agency desiring a grant under subsection (a) shall, in conjunction with other local social service and law enforcement providers, establish a local service delivery coordination council which consists of not more than 20 members, including—

(A) the chairman of the county board of supervisors or his designee;

(B) the county superintendent of schools;

(C) a representative of school principals;

(D) a representative of teachers;

(E) a representative of parents;

(F) a representative of students;

(G) a representative of child protection and welfare agencies;

(H) a representative of a public health agency;

(I) a child psychiatrist;

(J) a child development specialist;

(K) a drug and alcohol treatment specialist;

(L) a mental health services specialist;

(M) a representative of a public safety and justice agency;

(N) the district attorney for the area served by the local educational area;

(O) a representative of community based organizations with experience in child development and service delivery;

(P) a public housing official;

(Q) a representative of the local school board;

(R) a representative of the private sector; and

(S) a representative of any other appropriate human support services agencies.

(2) Each local service delivery coordination council established pursuant to paragraph (1) shall develop a coordinated service delivery plan which includes the establishment of—

(A) formal channels of communication between public agencies and organizations responsible for service delivery to children and youth;

(B) cooperative service delivery agreements between public agencies and organizations responsible for children and youth services; and

(C) procedures to better coordinate interagency budgeting and planning for children and youth services.

(d) REPORTS.—Each local education agency which received a grant under subsection (a) shall submit a report to the Secretary which includes—

(A) a description of the local coordinated service delivery plan;

(B) a timetable for implementation of the coordinated service delivery plan;

(C) the identification of any Federal, State, or local regulations which impede coordinated service delivery to children and youth;

(D) recommendations for administrative or legislative action to provide for greater coordination of service delivery to children and youth;

(E) an accounting of local budget savings, if any, resulting from the implementation of the coordinated service delivery plan; and

(F) any other information the local education agency may deem appropriate.

(2) The Secretary shall annually prepare and submit a report to the Congress on the success of the demonstration grants under this section.

(e) APPLICATION.—Each local educational agency desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such informaton as the Secretary may reasonably require.

(f) DEFINITIONS.—For the purposes of this section—

(1) the term "local educational agency" has the same meaning given such term in section 147(12) of the Elementary and Secondary Education Act of 1965; and

(2) the term "Secretary" means the Secretary of Education.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 for each of the fiscal years 1991, 1992, and 1993.

HELMS AMENDMENT NO. 1246

Mr. HELMS proposed an amendment to the bill S. 695, supra, as follows:

On page 118, line 5, insert "public" after "the".

On page 118, line 5, insert "public school" after "all".

On page 119, line 3, insert "for competency in a discipline" after "standards".

On page 119, line 4, insert "public schools" after "the".

On page 119, line 12, beginning with "has" strike all through line 14 and insert "means a public school which provides elementary education, as determined under State law.".

On page 119, line 15, beginning with "has" strike all through line 17, and insert "means a public school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.".

PELL AMENDMENT NO. 1247

Mr. PELL proposed an amendment to amendment No. 1246 proposed by Mr. HELMS to the bill S. 695, supra; as follows:

In the pending amendment—

On line 1, strike "public".

On line 2, strike "public school".

On lines 4 and 5, strike "for competency in a disciple".

On line 6, strike "public schools".

On line 9, in lieu of the matter proposed to be inserted, insert the following: "has the same meaning given that term in section 1471 (8) of the Elementary and Secondary Education Act of 1965."

On line 13, in lieu of the matter proposed to be inserted, insert the following "has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965.

Nothing in this Act shall be construed to infringe upon the practice or accreditation of home school or private school teaching.

CLEAN AIR ACT AMENDMENTS

HATCH AMENDMENT NO. 1248

(Ordered to lie on the table.)

Mr. HATCH submitted an amendment intended to be proposed by him to the bill (S. 1630) to amend the Clean Air Act to provide for attainment and maintenance of health protective national ambient air quality standards, and for other purposes, as follows:

On page 281, insert between lines 17 and 18 the following new section:

ENVIRONMENTAL ASSISTANCE TO LATIN AMERICAN NATIONS

SEC. 115. (a) The Administrator of the Environmental Protection Agency (hereinafter referred to as the Administrator) shall make available to the Governments of Chile, Mexico, and Peru, such advice and counsel as may be appropriate and reasonable to assist those nations in putting in place an environmental clean air program designed to reduce the relatively high concentrations of sulfur dioxide in the gases emitted from their copper smelting and converting processes.

(b) The Secretary of the Treasury shall cooperate with the Administrator in encouraging the nations referred to in subsection (a) to undertake the clean air program described in subsection (a). For such purpose, the Secretary of the Treasury shall establish a debt reduction program which shall include the following:

(1) A nation referred to in subsection (a) shall receive a credit against debt held by the United States Government and private United States financial institutions in an amount equal to the amount spent by such nation, including the costs of establishing and operating private or public enterprises to operate in such nation, on technology, equipment, or services bought from United States providers designed to carry out subsection (a).

(2) The United States Government shall reimburse United States debt holders in the amount of the purchase of such technology, equipment, or services from the United States seller, upon notification to the United States Treasury by the seller that the contract has been consummated, subject to the following limitations and conditions:

(A) The United States Government shall apportion the amount available for reimbursement along all United States debt holders or creditors. Priority shall be given to private creditors in a manner to be determined by the Secretary of the Treasury.

(B) The aggregate amount of credits for all nations shall not exceed the sum of $50,000,000 in any single fiscal year.

(C) At the end of the first calendar year of the operation of this program, the Administrator shall report on the progress made by the nations referred to in subsection (a).

(D) If any nation referred to in subsection (a) has not achieved—

(i) a level of 90 percent control of the sulfur dioxide emissions from its domestic smelting and converting processes, or

(ii) compliance with another emission standard determined by the Adminstrator to be of equivalent value for sulfur dioxide control, at the end of the first calendar year of the operation of this program, the Administrator may recommend to the Secretary of Commerce that a tariff be imposed on copper and copper product imports from that nation into the United States. The Secretary of Commerce shall take any appropriate steps necessary to encourage compliance with the objectives in this section, to include tariff or other generalized system of preferences actions.

Mr. HATCH. Mr. President, I send to the floor an amendment to S. 1630, the Clean Air Act, and ask for its immediate consideration.

I intend to make a very short statement on my amendment, delaying further debate until after the recess, in accordance with the desires of the committee.

However, I want to file my amendment today to bring attention to the issue that it addresses, and to allow parties on both sides of the issue time to prepare their responses.

Let me tell you what my amendment proposes, Mr. President:

First, it recognizes that air pollution is a global problem, and for the United States, an acute regional problem because of our proximity to Latin America.

Second, it provides a plan for Third World Latin American countries to clean up their air, while crediting the costs of buying environmental technologies against their privately held debt in the U.S.

Third, it helps American firms that sell environmental clean air technologies, equipment and services since the debtor countries must buy American-made products to qualify for the debt reduction credits.

Fourth, Mr. President, my amendment assists the United States banking community, which at the insistence of our own Government, risked their shareholder and depositor funds to make loans to Latin American countries to promote United States foreign policy objectives there.

Finally, this amendment uses as a model the copper industry. In the United States, tens of thousands of jobs were sacrificed to pay the costs of scrubbing sulfur dioxide out of the gaseous emissions created by copper refining.

These expenditures also cost the industry market share in the United States and abroad. My amendment will take a long step toward making the U.S. copper industry more competitive again, and, at the same time, provide an incentive for our cleanup industries to compete in the foreign marketplace.

I look forward to much more debate on these issues after the recess, Mr. President, and thank the Chair for its considerations.

FEDERAL CRIME CONTROL ACT

SPECTER AMENDMENT NO. 1249

(Ordered referred to the Committee on the Judiciary.)

Mr. SPECTER submitted an amendment intended to be proposed by him to the bill (S. 1972) to enhance the ability of the Federal Government to enforce the criminal laws in drug cases, and for other purposes, as follows:

At the appropriate place, insert:

SEC. 1236. DECEIVING CONGRESS OR ITS COMMITTEES.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end thereof a new section, as follows:

"§ 1032. Deceiving Congress or its committees.

Whoever, in any matter within the jurisdiction of the Senate or the House of Representatives of the United States, or any committee or subcommittee thereof, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statement or misrepresentation, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry shall be imprisoned for not less than one year nor more than five years and may be fined not more than $10,000. Liability under the provisions of this section may be avoided by notifying the appropriate committee or subcommittee of the Senate or House of Representatives of the United States of any violation hereof and providing the truthful information in its place within five days.

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end thereof the following:

"1032. Deceiving Congress or its committees.".

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee hearing on Tuesday, February 27, 1990, to consider the nomination of Kyo R. Jhin to be chief counsel for advocacy for the Small Business Administration. The hearing will be held in room 428A of the Russell Senate Office Building and will commence at 9:30 a.m. For further information, please call John Ball, staff director of the committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, February 7, at 9:30 a.m., for a hearing on S. 2006, the Department of the Environment Act of 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CHILDREN, FAMILY, DRUGS, AND ALCOHOLISM

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Children, Family, Drugs, and Alcoholism, Committee on Labor and Human Resources, be authorized to meet during the session of the Senate on Wednesday, February 7, 1990, at 1 p.m. for a hearing on "Street Kinds—Runaway and Homeless Youth."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 7, 1990, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate Wednesday, February 7, 1990, at 10 a.m. to conduct a hearing on the safety and soundness of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Wednesday, February 7, 1990, at 9 a.m. to receive testimony on the military strategy and operational requirements for NATO defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 7, 1990, at 2:30 p.m. to hold a hearing on John W. Lyons (MD) to be Director of the Commerce Department's National Institute of Standards and Technology [NIST].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, February 7, 1990, at 9:30 a.m. to hold a hearing in preparation for the 1990 farm bill; the administration's views.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 7, 1990, at 9 a.m. to hold a hearing on Ervin S. Duggan (SC) to be a member of the Federal Communications Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Communications Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 7, 1990, at 9:30 a.m. to hold a hearing on S. 1660, Telephone Operator Consumer Services Improvement Act of 1989 and S. 1643, Telephone Operator Service Consumer Protection Act of 1989.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMERS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Consumer Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 7, 1990, at 10:30 a.m. to hold a hearing on the subject of child passenger safety.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 7, 1990, at 10:30 a.m. to consider an original bill to provide for the restoration of certain trade benefits for Panama; and, to hold a hearing on Oversight of the Omnibus Trade and Competitiveness Act of 1988.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

AFGHANISTAN

● Mr. BRADLEY. Mr. President, I want to bring the Senate's attention to an article on Afghanistan by John F. Burns that appeared in the magazine section of the New York Times on February 4, 1990. This is an important piece, and I hope my colleagues on both sides of the aisle will read it and think about its implications for human rights, for American leadership, for simple decency.

Several months ago, in an op-ed article that was published in the Washington Post I called upon the administration to reevaluate its policy toward the war in Afghanistan and to begin seriously to explore ways to end that conflict. Mr. Burns' description of what has been going on in the intervening months—mounting civilian casualties, continuing dissension and disarray among the military commanders, cynicism and confusion among administration officials—lends fresh urgency to that call, which I repeat today.

Mr. President, when Soviet troops invaded Afghanistan, I was among the first to advocate arming the resistance. I supported that policy until 1989 when the Soviet armed forces withdrew. That withdrawal was a victory for Afghanistan and a victory for the United States and those countries that joined with us in opposing the Soviet invasion. It was also a victory for the Soviet people who, as glasnost revealed the scope and costs of that terrible war, became increasingly open in their opposition. But as Mr. Burns' article makes clear, we have not capitalized on that victory to bring peace to a war-torn land or to begin the long, slow process of economic and political reconstruction. Instead, as he puts it "we have squandered that opportunity."

Mr. President, I ask unanimous consent to place Mr. Burns' article and the op-ed piece I referred to in the RECORD.

The articles follow:

[From the New York Times Magazine, Feb. 4, 1990]

AFGHANS: NOW THEY BLAME AMERICA

(By John F. Burns)

At first, it was just a morbid whistling overhead, the sound of an antipersonnel rocket in the dying moments of flight. Then it exploded in a shattering burst of smoke and dust.

A group of children had been playing a noisy game of tag near their mud-walled homes. Now, as the smoke cleared on this bright December afternoon, there was only moaning. Near the crater dug by the rocket lay two children, a boy of 17 and his 6-year-old sister, shattered by shards of twisted steel. Around them nearly a dozen other children were strewn about, many of them grievously wounded.

Throughout 1989, rocket attacks by United States-backed rebels had been pounding Government-held cities and towns; in major cities like Kabul and Kandahar I had seen these rockets kill as many as 40 people in a single blast. But this was Khost, a Government outpost in a remote, southeastern corner of the country (map, page 28), a place so small and so long besieged that its services barely function at all. It took 20 minutes for any help to appear. By then, another youngster, a 4-year-old girl, had died. By dusk, three more children were dead.

As a crowd gathered around the children, I was identified as an American reporter. There were murmurs as the word passed; the United States provides the rebels with $700 million in support each year—by far their largest single source—and the rockets are widely regarded as an American responsibility. One old man stepped forward. "Get away!" he shouted. "Why do you do this to us? Tell us why!"

The cry was familiar to the handful of American reporters who remained in Afghanistan after the last Soviet troops withdrew on Feb. 15, 1989. In the courtyards of 1,000-year-old mosques, in the sinuous back streets of ancient cities, in smoky restaurants where men in turbans chewed mutton kebabs, ordinary Afghans regularly approached and asked—sometimes in puzzlement, more often in anger—how the United States could allow the rebels to fire American-supplied weapons into neighborhoods and bazaars, killing and wounding the ordinary people on whose behalf they claim to be fighting.

During 1989, according to estimates made by Western relief agencies, rebel rocket attacks killed at least 1,000 people in Kabul, the capital, and perhaps several times that many across the country. But through it all, American officials insisted that the United States would continue to arm and finance the rebels, while supporting their refusal to negotiate with the Soviet-backed regime in Kabul. By the fall, the officials had begun to speak almost casually of the need for another "season" or two of fighting before the rebels could force the capitulation of the Kabul Government.

But the Government has shown no willingness to surrender, and no sign of collapsing in the face of the rebel attacks. Instead, it has pursued its own murderous military policies, killing large numbers of civilians—probably far more than the rebels—with its own long-range Soviet-made Scub-B missiles, a European battlefield weapon that is notoriously ill suited for the pinpoint accuracy required in strikes against guerrillas, and in high-altitude bombing raids that only rarely hit rebel targets.

Still, for many Afghan civilians, it was the rebels' resort to similar tactics that seemed the most troubling aspect of the war, so contrary was it to everything the United States had professed to seek in Afghanistan. That these tactics worried American officials was plain from the remarks of Peter Tomsen, President Bush's special envoy to the rebels, who told reporters during visits to rebel headquarters in Pakistan that their use of rockets against civilian targets reminded him of atrocities against civilians that he had seen in Vietnam, where he had served as a junior diplomat.

Mr. Tomsen said he had appealed to the rebel groups to end the attacks against civilians. But there was no sign that the United States was ready to cut back weapons supplied to the groups responsible, or to discipline them in any way. As 1990 began, the rocket attacks continued, with the overwhelming majority of them—more than 90 percent, according to the estimates of the International Committee of the Red Cross—hitting nowhere; near military targets.

The damage to American prestige has been immense. Since the Soviet Union sent its troops into Afghanistan in late 1979, Afghans had looked to the United States as the one foreign power with the resources, and the concern, to help end the country's miseries. It was American money and arms—together with support from China, Iran and Saudi Arabia—that ultimately helped force the Kremlin's decision to withdraw its troops.

But once the Russians were gone, many Afghans began to see the United States in a new guise, as a distant power that sanctioned the routine killing of civilians. And although these attitudes were widespread by last summer, it was only in the last few weeks, almost a year after Soviet troops withdrew, that there was any sign that the Administration was seriously reviewing its policy. Last month, the Administration sent a fact-finding mission to South Asia, led by Under Secretary of State Robert Kimmitt, the third-ranking official in the department. According to Administration officials, Mr. Kimmitt's conclusions will influence the United States position in the Moscow talks later this week between Secretary of State James A. Baker 3d and Foreign Minister Eduard A. Shevardnadze, where Afghanistan is expected to be high on the agenda.

It remains to be seen whether Mr. Kimmitt's mission has reaffirmed Washington's existing policy, or laid the groundwork for a shift toward a negotiated settlement. But one thing is certain. After the last Soviet armored vehicles slipped and slid through the snow-bound mountain passes of the Hindu Kush on their way home to the Soviet Union, few who witnessed the relief among ordinary Afghans could have imagined the situation a mere 12 months later—that the United States would come to be blamed by many of these same people for prolonging the suffering of the war, while the Soviet and Afghan Governments presented themselves as the harbingers of peace.

Though Afghanistan has a long history of invasions, no marauders have done more to stir hatred than the Russians. During the last decade of war, at least half of the coun-

try's more than 30,000 villages were obliterated. In ancient cities like Kandahar, founded by and named for Alexander the Great, Soviet fighter-bombers, seeking to root out rebels, carpet-bombed entire districts. The Soviet bombs, together with their rockets and mortars and shells, killed most of the 1.3 million Afghans (out of a prewar population of 12 million to 15 million) that Western relief agencies estimate have died in the war.

As I traveled about the country, I saw devastation that went far beyond anything I had seen in half a dozen other distant wars. In Darwaza-i-Mashad, the oldest section of the 2,500-year-old city of Herat, every building for miles was destroyed. In streets that had been thriving when Alexander's army passed through three centuries before the birth of Christ, nothing remained but rubble overgrown with weeds. A Russian military interpreter who had worked in the country throughout the Soviet occupation quietly wept as he looked over the devastation. "Look what we have done," he said. "My God, how can we be forgiven?"

In the Salang valley north of Kabul, beside the mountain road used by Soviet troops for their withdrawal, scores of villages had been leveled. Of the life that had sustained the valley since well before Columbus landed in America, nothing remained but flocks of scavenging birds. On the road, and on the river banks below, lay the wrecks of hundreds of fuel tankers, trucks, tanks, armored personnel carriers and jeeps, burned and destroyed in rebel attacks. These, and the wrecked aircraft and helicopters that litter the ravaged terrain, are the only memorials that remain to the 15,000 Soviet soldiers who died in the war.

Set against the Soviet barbarity, the United States seemed ideally placed to help usher in the peace. This prospect spread a mood of triumph among American officials. Jon Glassman, charge d'affaires of the American Embassy in Kabul, caught the mood when he called the Kabul Government, in the wintry days just before the last Soviet unit departed, "a house without girders," and predicted that it would fall to the rebels in a matter of weeks, months at the most.

Those forecasting a swift collapse did not reckon on the doggedness of a Government with its back to the wall. Last March, pressured by their American and Pakistani advisers, the rebels massed for an attack on Jalalabad, a strategic city 50 miles from the rebels' home base in Pakistan. Through Jalalabad was considered the most vulnerable of the Government's strongholds, after four months and perhaps 5,000 dead, the great majority of them rebels, the city had not fallen. The American officials who had encouraged the attack were soon acknowledging it as a "catastrophe" that should never have been launched.

In September, again on American advice, the rebels mounted another major attack, at Khost. Three months later that siege, too, had bogged down, and Government generals were boasting to visitors that they could hang on for years. It was the same story everywhere Western reporters went—at Kabul, Kandahar, Herat and a dozen other urban centers. By the end of the year, the Government had not lost a single city or town it had held when Soviet forces withdrew. In some districts, it had even extended its area of control, re-occupying terrain that Soviet forces had given up as lost.

Meanwhile, on the rebel side, there was growing disarray. Within two weeks of the Soviet pullout, the rebels established a "provisional government," largely at the urgings of the Americans. But this "government," based in Peshawar, Pakistan, remained mostly a fiction; its telephone numbers could be obtained only at the American consulate in Peshawar, and the numbers rarely answered. Privately, American officials came to regard the provisional defense ministry—which Mr. Tomsen, the American delegate, claimed was preparing to take over management of the war—as a joke.

"They're just a bunch of mullahs over there," one American diplomat in Peshawar told me. "Go ahead and talk to them, have a cup of tea, but don't expect to learn anything useful about the war."

Not only did the 15 rebel parties continue to operate as separate units, but the ethnic, religious and political splits that run like fissures through their ranks widened. Some groups stopped fighting. A few concluded their own cease-fire arrangements with the Government. Two major groups, Gulbuddin Hekmatyar's faction of the Islamic Party and Burnahuddin Rabbani's Islamic Society, began a private war, ambushing and assassinating each other's fighters whenever the opportunity arose.

Still others, while they continued to receive American arms, turned their energies toward a burgeoning trade in opium, a traditional Afghan enterprise that grew so rapidly in rebel-held areas that the country now exports at least 800 tons, and perhaps as many as 2,000 of opium gum a year—figures which, according to American drug enforcement officials, places Afghanistan second only to the "golden triangle" of Burma, Thailand and Laos as the world's largest source of the raw material for heroin.

"It's travesty," a Scandinavian aid official said last spring, after he had traveled on horseback through districts of Helmand province, in south-central Afghanistan, that are the biggest source of the opium. On some days, the official said, he had traveled for a dozen miles through fields vivid with the pink, red and white opium poppies, and saw rebel commanders consulting with peasants about the crop.

Most of the opium is processed in laboratories in the rebel areas, or shipped—generally aboard donkeys, but sometimes aboard jeeps bought with United States funds—to processing plants in Pakistan. According to official American estimates, perhaps proportions of the heroin—tons every year, worth billions of dollars on the street—is eventually sold in the United States, accounting for perhaps one in three heroin deals in the country.

For Americans, the enormous growth in the heroin trade may be the most lasting consequence of the war. Yet American officials made little of it in public until recent months. By last fall, the officials were sufficiently concerned about the heroin traffic—and about the potential damage that could be done to Congressional support for the rebels—that Robert B. Oakley, the United States Ambassador to Pakistan, was authorized to arrange an unusual diplomatic encounter; a meeting at the Islamabad Embassy between American officials and Maulvi Nasim Akhundzada, the 34-year-old rebel commander who is the drug kingpin of the upper Helmand Valley.

Mr. Akhundzada had let it be known before the October meeting that he was ready to suppress the opium traffic in return for payments of $2 million a week, enough to support a private army of 7,000 men. According to embassy officials, no deal was considered, much less struck. Instead, the officials said, they told Mr. Akhundzada that American aid for the area would only be considered once heroin trafficking stopped.

Mr. Akhundzada listened to the Americans, then went back to Helmand, where he has continued his drug-running. While cut off from American weapons and money—a belatedly adopted United States policy denies aid to any rebel commander known to be drug trafficking—Mr. Akhundzada has little immediate cause for concern. With his drug profits, he has found other rebel groups who still receive American backing only too eager to sell him the weapons and vehicles he needs.

The day after the last Soviet troops were withdrawn, Mikhail S. Gorbachev sent President Bush a letter outlining a proposal for a cease-fire: Washington and Moscow would suspend arms shipments, encourage the Government and the rebels to join in a coalition, and act as guarantors until the country could choose a permanent government. Soviet officials spoke of holding elections under United Nations supervision, and urged the deposed King, Mohammed Zahir Shah, to return to Kabul, where he reigned for 40 years until his exile in 1973.

But Washington promptly rebuffed the Soviet initiative, and continued to brush off all Soviet proposals for almost a year. Until the Kimmitt mission last month, American officials took the position that the Afghan fighting would continue until the Kremlin agreed to effect by manipulation what the rebels have failed to accomplish by force—the removal of the Kabul Government.

This demand originated with the rebels, who refused to have any dealings with President Najibullah, the 43-year-old Kabul leader and former head of the notorious Khad secret police, whom the rebels accused of killing thousands in Kabul's prisons. Initially, many Afghans saw a policy that demanded the removal of a Government with such a grisly record as hard to fault. But as the months passed and the war stagnated, they began to question whether demanding Mr. Najibullah's ouster as a precondition for talks made sense, especially if there was a chance that the same thing could be accomplished by negotiation.

The Kabul leader himself made this point in virtually every interview and speech, declaring that he and his Government were prepared to share power with the rebels, to compete in fair elections, and to step down if they lost. "Najibullah is not the issue," he said in an interview with The Times in June. "The issue is how to stop the war." As for his past as head of the secret police, Mr. Najibullah noted that the Bush administration has negotiated with other political groups and leaders it abhors, citing its participation in talks with, among others, the genocidal Khmer Rouge of Cambodia.

If the American policy had any hope, it appeared to rest with dissidents in the Government army, who attempted to remove Mr. Najibullah in at least three abortive coups in 1989. But for its part, the Kremlin pledged to stand by the man it installed as Kabul leader in 1986. And even if the Soviets did decide to replace him, the rebels would almost certainly have a tougher time in any negotiation now than they would have had at the time of the withdrawal. Then, the Government was at its weakest, uncertain how well its troops would fare once the Russians were gone.

Now the Government's confidence has been bolstered, and morale among front-line

troops seems higher than it has been in years. The defections that were occurring around the time of the Soviet withdrawal have slowed, in part because the rebels greeted some of the first soldiers to cross over by executing them. "Come back next year, or the year after, I'll still be here," said Brig. Gen. Abdul Sattar, commander of frontal units in Khost. Soldiers around him, Kabul loyalists hardened by years of seige, chuckled as he spoke.

The Najibullah Government has made some unexpected headway on the political front as well. In part, this is because Mr. Najibullah has proved to be a far more effective performer than his detractors had imagined. Almost daily, he has met with civic delegations—peasants, teachers, doctors, Islamic scholars, anybody who would give him a hearing—to present the Government's new image. Step by step, he repudiated virtually everything the 1978 revolution originally stood for, apologizing for trying to substitute the "utopianism, rhetoric and flashy slogans" of Marxism for common sense, for attempting to implement land reform in "a half-baked manner," and for riding roughshod over the country's deeply rooted Muslim faith and its complex structure of clans and tribes.

The expediency of all this is transparent, since Mr. Najibullah was a major figure in the Government during the years when many of the excesses were committed. But he has been assured an audience by the fact that he has been pressing for a negotiated peace at a time when the rebel leaders remained pledged to the continuation of the war. Even in refugee camps in Pakistan, among the 3.5 million Afghans who had fled their country, families gathered around their radio sets to listen to broadcasts of Mr. Najibullah's speeches and dialogues from Kabul. And in Afghanistan itself, in the Government-held cities and towns, and in the rebel-held valleys and villages, increasing numbers of Afghans were coming to the conclusion that the rebels, though they had driven the Soviets out, had not proved they were fit to govern the country.

For one thing, many Afghans seemed unpersuaded that the rebel leaders were likely to offer the country the social and political reforms it required. The Kabul Government's performance has been so heinous that few outside the country have remembered what it was about Afghanistan in 1978 that made the country such fertile ground for a communist coup—the fact that four Afghan children out of five received no education, that one child in two died before his or her fifth birthday, that as recently as 1971 more than half a million people had died of starvation in a single winter, and that the per capita income, at $157 was one of the lowest in the world. In Africa, such statistics are commonplace; in Asia, they put Afghanistan at the bottom of just about every list.

These facts help explain why, after all that had occurred in Kabul, there were still people of conscience working in the Government bureaucracy and army. Over flickering campfires, in backstreet restaurants and in the intimacy of their homes, many of these people expressed a loathing for Mr. Najibullah and his associates no less intense than that among the rebels. Yet they remained with the Government—in part because of their hope that from the ashes of the revolution a new regime would arise, a Government equally opposed to the religious fundamentalism of the rebels and the brutality of those who made the 1978 coup.

"What would you have people like me do?" one American-educated official asked one evening, as he sat on the balcony of a Kabul hotel room sipping a whisky and watching the sun slip behind the Koh-i-Baba mountains. "I know far more about the blood-thirstiness of Najibullah and his people than you ever will. But as I see it, it makes better sense to me to hope for a negotiated settlement of this war, something that doesn't simply hand the country over to the bearded men up there in the mountains."

By autumn, reports out of Washington were telling of skirmishes between the Central Intelligence Agency and the State Department, as officials scrambled to explain why forecasts of an early rebel triumph remained unfulfilled. Some blamed the C.I.A., which they said had been so confident of a rapid rebel victory that it began cutting back on weapons deliveries even before the Soviets had withdrawn. Others said the key blunder was in launching the Jalalabad attack, which cost the rebels their heaviest casualties of the war, without gaining any significant terrain.

In November, after hearing testimony from Mr. Tomsen and other officials, Congress voted to continue funding the rebels' military operations through the fall of 1990. New and more powerful munitions would be added to the rebels' armory, officials said, to help offset the heavier Soviet weaponry delivered in a daily airlift to Kabul.

But hearing Mr. Tomsen and other officials stretching their deadlines—in the summer, they spoke of victory by the fall, but by the winter they were talking of the need for another "season" of fighting, and possibly two—some old Asia hands thought they heard distant echoes of Vietnam. It was not only that officials greeted each new rebel failure with appeals for perseverance; they also began to show an unusual prickliness toward critics, within the bureaucracy and outside, who questioned the policy.

An early casualty was Edmund R. McWilliams Jr., a State Department officer who had been assigned to Kabul until 1988, then transferred to Pakistan. Despite a reputation as an uncompromising supporter of the rebels, Mr. McWilliams ran into trouble with his State Department superiors when his reporting from Pakistan began to cast doubt on the rebels' ability to prevail in the war. A few months after the Soviet withdrawal, he was ordered home to Washington, where he was assigned to duties that had nothing to do with Afghanistan. Among American officials who remained, talking to reporters came to be regarded as a hazardous pastime.

American reporters, too, became targets. When James Rupert, a reporter with extensive experience in Afghanistan, wrote in The Washington Post that public sentiment in Kabul appeared to be shifting in favor of Mr. Najibullah, Mr. Tomsen said the newspaper was "unreliable." After a Times story appeared reporting that rebel rockets were stirring anti-American sentiments in Kabul, another senior State Department official, Howard Schaffer, implied to a Congressional committee that this reporter had been duped by the Kabul Government.

Few of these officials had any firsthand knowledge of the situation inside Afghanistan; and some, like Mr. Tomsen, had no personal experience there at all. Neither they, nor any American political figure, included Kabul and the Government-held areas of the country on their visits to the region. And under a longstanding rule, no American official (at least none working in an overt capacity) was allowed to enter the country from the rebel side. All of this virtually guaranteed that perspectives appropriate to an earlier stage of the war would be slow to change.

Similar forces helped shape American reporting on the war. From 1980 until late 1986, few American journalists were allowed to visit Kabul or any other Government-held area, which meant that coverage of the war was left primarily to reporters working from the rebel side. Those venturing into the war zones carried back powerful accounts of the rebels' struggle, and of the destructiveness of the forces they faced. But it was inevitable that over the years, what Americans learned of the conflict came increasingly to reflect the rebel viewpoint; whatever balance access to the other side would have offered was lost.

In addition, much of the Afghan reporting available to Americans came from resident freeelancers, many of them relatively inexperienced. The result was that strong bonds often developed between those covering the conflict and the rebels. Many of the reporters became identified with a particular rebel group, usually the one that arranged their journeys "inside." To often, abuses by these groups went unreported, or at least underplayed.

In Peshawar's American Club, reporters skeptical of an approach that celebrated the rebels' virtues encountered ostracism. One visitor, Mary Williams Walsh of The Wall Street Journal, had her entry to the club "suspended" after reporting sardonically on the rebel boosterism she found. Later, after The New York Post ran a series of stories alleging that the CBS Evening News had used faked film footage in some of its reporting on rebel attacks, Ms. Walsh, who had done much of the initial reporting on that story, became a focus for renewed hostility. When in the fall of 1989 word of her departure from the Journal reached the American Club, some of the freelancers involved called for drinks all round.

Such attitudes did not encourage even-handed reporting. Little attention was given, for example, to the involvement of rebel commanders in the opium traffic, though it had been known in Peshawar for years. Nor, until his murderous attacks on other rebel groups attracted Washington's condemnation in 1989, did the Peshawar-based reporters—or American diplomats—pay much attention to the sinister nature of Mr. Hekmatyar, the dominant figure among the rebel leaders and the recipient, for years, of the lion's share of American money and weapons. But stories had long circulated in Kabul and Peshawar of how, as a Kabul student leader during the early 1970's, he had dispatched followers to throw vials of acid into the faces of women students who refused to wear veils.

Such selective reporting extended to the war itself. When in November 1988 the rebels executed more than 70 Government officers and men after they had surrendered at Torkham, the story was missed by many Peshawar-based American reporters. And there was little coverage in the United States, either, of massacres that occured in areas taken by the rebels, not even when Western human-rights groups offered well-documented accounts, as they did after the rebels engaged in a frenzy of rape and pillage in Kunduz in late 1988.

As the year passed, it became increasingly common to find among Westerners following the war a conviction that making clear-

cut moral and political choices between the two sides no longer made sense, from the point of view of Afghanistan or of the West's future standing there. A restiveness with what one Peshawar-based diplomat described as the "evil empire" approach was broadly detectable among Western officials following the war from Pakistan and other regional capitals, including some Americans. It surfaced, too, in the attitudes of Western human rights and relief agencies, many of which had contributed powerfully, through their pronouncements and publications during the course of the war, to the grim image of the Kabul Government and its Soviet backers.

In public, agencies of the United Nations and organizations like the International Committee of the Red Cross maintained a posture of impartiality. But by this winter, Westerners working for these organizations in Peshawar and Kabul, including some whose Afghan duties involved dealing with policy makers in Washington and Moscow, had come to a broad consensus—that the Western interest, as well as that of the Afghan people, required urgent steps to end the war, even if this required negotiations with Kabul.

Last fall, one senior international diplomat returned from a trip to Washington dismayed by the lack of interest that he had found in the State Department and other United States Government agencies in such a political initiative. "They sat there and talked about the need for another 'season' of fighting, just as though they were talking about baseball," the diplomat said. "And when I spoke to them about civilian casualties and human rights, they had their answer. 'Don't talk to us about human rights in Afghanistan,' they said. 'Go and talk about that in Moscow.'"

Now, with last month's Kimmitt mission and this week's meeting between Mr. Baker and Mr. Shevardnadze, this attitude may be changing. State Department officials briefing reporters before the Kimmitt trip told them that one option was a plan involving a cease-fire and an arms cutoff by both the United States and the Soviet Union—a plan that sounded remarkably like Mr. Gorbachev's proposal of a year ago, although the American officials made no mention of it.

As Mr. Baker prepared to head for Moscow, it seemed unlikely that the United States would agree to direct negotiations involving Mr. Najibullah, since the rebel leaders have sworn to fight on against the Kabul leader with or without American support. But a wide variety of diplomatic options are available to Moscow and Washington if, at last, they can agree that the war must end.

The two superpowers might play the role of umpires in the transition to a new government led by the exiled King, Mohammed Zahir Shah; or they might agree to give more active backing to the United Nations in a revival of the intermediary role it played in arranging the Soviet troop withdrawal. In any event, since peace is the professed goal of some of the more moderate rebel groups, and of almost all ordinary Afghans, inventive diplomacy would begin with a better than even chance.

But for those who witnessed the carnage of 1989, the conundrum of the American policy will remain. Was it simply a matter of momentum—of a new Administration with close links to the one that espoused the rebel cause failing to adjust to new realities? What role was played by President Bush's reluctance to provoke the Republican right, with its passionate commitment to a war that offered the United States an opportunity to confront and humiliate the Soviet Union, at virtually no cost in American lives? Or was there a deeper message, one that laid bare the cold-war reflexes of an American Government that enters the 1990's struggling to cope with a world that seems less and less amenable to the foreign policy approaches that have served it for more than two generations?

These will be questions for the historians to ponder. But in Afghanistan this winter, they are matters of life and death. In the country's dusty cities and towns, and in the deep valleys that spread like fingers through the Hindu Kush, millions of people are listening this winter for the terrifying whistling of the rebel rockets, and wondering when the men who fire them—and their enemies in Kabul—will be subjected to a new kind of influence from the superpowers; one that, instead of prolonging the killing, prevails on the combatants to stop it.

[From the Washington Post, June 8, 1989]

IT'S TIME TO WORK FOR PEACE IN AFGHANISTAN

(By Bill Bradley)

Even as military dictators trample popular democracy in China, Benazir Bhutto's pledge to uphold democracy in Pakistan rekindles hope that freedom will triumph over oppression. That is why the prime minister's visit to the United States should prompt a change in our policy toward South Asia. What is needed is a much more concerted effort to reach a negotiated settlement to the Afghan war. Otherwise we will have missed our greatest opportunity to support Pakistan's new democracy.

As long as Soviet troops continued their brutal occupation of Afghanistan, U.S. policy correctly focused on forcing their withdrawal. That goal has been achieved. Yet our policy has continued on automatic pilot, raising serious questions about American interests and objectives in the region.

I believe our interests are twofold: promoting a stable, independent Afghanistan and supporting democracy in Pakistan. These goals are fully consistent, provided we begin to define our interests less in terms of what America is against—Soviet expansion and Communist repression—and more in terms of what we are for—democracy and peace.

Benazir Bhutto's election is unambiguously the best hope for democracy in Pakistan and peace in South Asia. So the United States has a big stake in her success.

But unless we articulate an American vision for a political settlement to the Afghan conflict, we risk prolonging the enormous economic and social problems Bhutto's government has inherited from Gen. Zia. She has promised to liberate her people from poverty and illiteracy—people Americans applaud. Yet, her ability to deliver on those promises is seriously hindered by the presence of more than 3 million Afghan refugees who cannot return to their homeland without a credible peace.

The Soviet withdrawal was an unprecedented victory for the heroic Afghan freedom fighters and their Pakistani and American supporters. We must now begin working together to achieve the broad-based government on which a peaceful future depends. So far, U.S. support for the Afghan cause has consisted of supplying the mujaheddin's military struggle against the Soviet puppets. But military solutions alone, even if attainable, are not enough. It is time to begin, in partnership with Afghanstan, Pakistan and others, to plan for the political and economic reconstruction that is essential to lasting peace and genuine independence.

The naysayers will argue that total military victory over the Soviet-backed government in Kabul is required for political reconstruction. They will argue for such a policy even if it means making common cause with Islamic extremists. They will argue for it even if the fighting lasts for years and the flood of refugees pouring into Pakistan strains its economy to the breaking point and threatens the fragile democracy that has begun to take root there. They will pay this price because they believe that military victory is the only way to ensure that Soviet forces won't return.

I disagree. The mujaheddin already control most of the countryside. They would not agree to a political settlement unless it reflected this strategic reality and unless it excluded Najibullah and other key antagonists. For these reasons, a negotiated peace acceptable to the patriotic resistance commanders would be highly unlikely to produce a government that would permit, much less invite, Soviet soldiers to return. And no reasonable Soviet leadership would dare repeat the mistakes of its predecessors by fabricating new pretexts for military intervention in Afghanistan.

There is another reason why the Soviets will not risk a new invasion. Even before glasnost and perestroika, Soviet Moslems—the fastest-growing segment of the Soviet population—opposed the war in Afghanistan. That opposition became such a big concern to the Soviet leadership that it withdrew Central Asian troops from Afghanistan early in the conflict. Recently, Mikhail Gorbachev and his supporters, as a part of their political strategy, have begun to reduce limits on religious expression, including Islamic activities in Soviet Central Asia. As a result, mosques and religious organizations seem to be increasing, as I saw firsthand on a recent visit to Kazakhstan and Uzbekistan. This reinvigorated Islamic consciousness would make it even more risky for future Soviet leaders to get into another war with the people of Afghanistan.

A political settlement that leads to an independent, peaceful and pluralistic Afghanistan will not be easy to achieve, though it is likely to be welcomed by war-weary Afghans in the countryside, in Kabul and in exile. But if progress toward such a settlement is put off by protracted military campaigns and the tide of refugees flows into Pakistan uanbated, the prospects grow dim not only for Afghanistan but also for Bhutto's efforts to nurture an unprecedented Islamic democracy in Pakistan.

Yesterday Prime Minister Bhutto told Congress that she is counting on American help in ending the Afghan war. The time has come to join her in encouraging the recently constituted interim government of the seven-party alliance to broaden its base by including additional Afghan leaders, commanders and emigres. This would make it a more credible and effective competitor to the regime in Kabul. We should also assist Bhutto in enlisting Saudi Arabia's support for a negotiated settlement that would serve our mutual interests in a pluralistic, independent Afghanistan.

The prime minister's visit has made it clear that the time is ripe for the United States and Pakistan to join in a new partnership to end the Afghan conflict and repatriate the refugees. Let's not delay in ad-

vancing our common interests in democracy and peace.●

THE DECLINE OF CENTRAL GOVERNMENT

● Mr. LUGAR. Mr. President, I call to the attention of my colleagues a speech on "The Decline of Central Government" by Mitchell E. Daniels, Jr., president and chief executive officer of Hudson Institute in Indianapolis. The speech, delivered last fall at Princeton University's Woodrow Wilson School of Public and International Affairs, was published in the November 1 issue of Vital Speeches of the Day.

Mr. Daniels argues that a number of factors—historical, economic, technological—are converging to render central governments around the world less influential and relevant in people's lives, that history is on the side of "the small, the nimble, the decentralized, the private."

Mr. Daniels offers some specific suggestions for a response to the new realities we face: "Government that sees * * * citizens not as objects of therapy but as persons of innate dignity, will be relevant government. Government that measures its success by the scarcity, not the annual increase, of its dependent clients, can still be active government. Government that constantly searches for ways to attract, liberate and incentivize human talent will be successful government."

I ask that Mr. Daniels' entire speech be entered into the RECORD.

The speech follows:

[Vital Speeches of the Day, Nov. 1, 1989]

THE DECLINE OF CENTRAL GOVERNMENT

(By Mitchell E. Daniels, Jr.)

I was once instructed in Winston Churchill's five rules of public speaking. Of the three I can remember, I am about to violate one. Churchill believed that "amenities are inanities;" he preferred to shun initial pleasantries in favor of a dramatic opening chord of some kind. I hope the great man will not consider me disrespectful when, presented with this very special opportunity, I do take a moment to express sincere thanks at your invitation to spend an afternoon in this place of high standards and fond memories.

Another 20th Century statesman and phrasemaker, who resembled Churchill in physique and presence if not precisely in outlook, expressed my feelings: Hizzoner Richard Daley, on some occasion special to him, said he felt that he had reached the "pinochole of success." And so do I.

This year, as in Churchill's time, the headlines have often been dominated by news from Poland. There, a brave people undertakes the awesome challenge of transition to free political institutions, institutions for which its new leaders are, by their own admission, entirely unprepared.

Exactly 50 years ago, Nazi tanks and Stukas were annihilating a Polish Army that had proclaimed itself ready for anything. A bulletin of the Polish Information Service dated July 1, 1939, just 60 days before the blitzkrieg fell, praised the late Marshal Pilsudski for his foresight in building "one of the first class military powers of Europe."

Of special pride to the Poles was their horse cavalry, to which they had committed more than a quarter of their 132 standing regiments. A military observer of the day termed the cavalry "the outstanding feature of the Polish Army." He wrote "I should class this the best in Europe." And so it was. Regrettably, its skilled and courageous soldiers had prepared for the wrong war.

I am apprehensive that, many of today's Wilson School students may, like the cavalry graduates of the Polish military academies, be preparing for irrelevance. And, more like those Poles than the Solidarity leaders of today, today's public service trainees may not recognize fundamental transformations of the institutions they expect to lead, and the challenges they expect to face.

A basic fact of our time is that the American federal government is losing its purchase on events and is becoming less and less relevant to the outcomes with which it busies itself. Only some of the causes of this declining influence are temporary, domestic, or reversible.

My contention is not Paul Kennedy's; America is not in decline, not necessarily, versus other nations. But American government, along with central governments everywhere, is in decline versus private institutions, private individuals, private decision making. Leaders of 21st Century central government must anticipate with humility roles of facilitation and liberation rather than the Platonic "best and the brightest" status to which their intellect and training may have beckoned them.

One of Princeton's greatest products, Adlai Stevenson, said to a class on this campus in 1955, "The power of this American political organization is virtually beyond measurement. All of this is to say that *your* power is virtually beyond measurement." Stevenson spoke from an experience, and to an audience, steeped in confidence that a well-trained American elite, manning the levers of an active central government, was destined to be the decisive change agent in national and world events. This is the role for which places like the Wilson School have prepared their progeny.

By now, many have detected—and many, for reasons I find distasteful, have welcomed—a declining influence of the American central government on world affairs. But the reality is that our central government, the government to which I presume most of you are looking for careers "in the nation's service," is a diminishing factor in most outcomes, foreign and domestic. Moreover, this diminution is common to all central governments of our time, and is going to continue steadily. Ironically, the century that saw the near-perfecting of totalitarianism, and in the liberal countries the explosion of central authority, will close with a rapid erosion of government's centrality of structure, and centrality in events.

Let's examine the causes of this phenomenon, beginning with our own country.

A little over a month ago, I received a call from one of the country's top reporters, a White House and political correspondent for the *Boston Globe*. It was that time, he said. Time to write his annual "August" story, about the sudden shutting down of Washington for the summer recess. But what struck him this year, he said, was that "It's been like August all year long." He meant that, to the extent Washington had been newsworthy at all, it was due to small issues, or non-issues, such as the Tower nomination, flag desecration, or the Jim Wright contretemps. Sen. Patrick Moynihan had spoken of the "hush" fallen over the city. David Broder had lamented "small stakes" government.

In the *Globe*, my friend ultimately wrote "Thanks to a series of coincidences, Washington in 1989 has lost some of its ability to command attention, and with it some of (its) intoxicating allure. . . . [The] capital city's inflated sense of self-importance has been punctured this year." I agree, except that I don't think the situation is coincidental; although the puncture will surely be patched, I think a slow leak will persist over the long term.

The *Globe* identified some causes of this "year of Augusts." One most certainly is the fiscal handcuffs into which Congress has slowly locked itself.

After subtracting interest costs and untouchable entitlements spending, the discretionary share of the federal budget is down to about 40 percent. Of this portion, defense spending, cut for five straight years, has proven the easiest, almost the *only* budget category, Congress is capable of cutting meaningfully. But even the most reckless proposals for further defense cuts are small by comparison to the structural deficits the nation now runs.

The upshot is that massive domestic interventions of the sort that Wilson School seminars studied and devised over the last quarter century have long since become extinct. For evidence, consider this month's long-awaited drug policy. Backed by overwhelming political momentum, the Administration and Congressional negotiators labored all year, scoured the budget for extra cash, and finally gave birth to—what?—$2.2 billion in additional spending, a mouse in the context of a $1.1 trillion budget. By contrast, the CETA program of the '70s was a $10 billion program in unadjusted dollars, roughly three times the total spending on today's consensus crisis problem.

This bind is not going to loosen; if anything, it will tighten in the decades ahead. Even though flattened spending and continued economic growth will gradually grind down the annual deficit, the brakeless locomotive of entitlement spending hurtles on. The demands of Social Security, Medicare, civil service and military pensions, and other open-ended obligations will continue to eat up any spare cash that restraint elswhere might produce.

Reform is not in prospect. Congress' most recent foray into the field produced an *expansion* of benefits for the elderly, who are now the country's wealthiest age group. The catastrophic health legislation of 1988—a title that has beome more apt with time—had one virtue, in that for the first time the elderly were to finance their own benefit. As we meet, Congress is in headlong retreat on this point and, incredibly, is considering paying for the bill by yet another payroll tax increase on the working-age population.

Capitol Hill Democrats dream of income tax increases, but even if obtainable this would be no answer. Income tax hikes large enough to fund deficit reduction plus domestic initiatives would be self-defeating, economically and at the polls. Tax indexing, a fundamental triumph for governmental integrity, has ended "stealth" tax increases, and closed another door to federal expansionism.

A rising fraction of the money Washington does have is provided by the aforementioned payroll tax. All of its proceeds are

being spent currently; its "trust funds" are untrustworthy; in fact, they are mythical. Sometime in the '90s, when it becomes apparent that this most regressive of all taxes, already the biggest tax payment for a majority of Americans, is providing zero security to its payors, that there is no real money in the drawer, the next tax revolt will occur.

Payroll tax relief may be accompanied by some moderation of entitlement spending, but on a net basis the fiscal noose will probably tighten another notch. Creative federal service eventually could reduce to designing the ideal check-writing software.

Already the effects are showing up. Foreign assistance spending, Congress' other pet target, is a post-war lows. After deducting payments to the most favored nations of Israel and Egypt, Washington has virtually nothing left for the rest of the world. Japan has surpassed us in foreign aid spending. President Bush's recent trip to Eastern Europe underscored the fact that the cupboard is essentially bare; and that any romantic encounters between the U.S. and East Bloc freedom-seekers are likely to be Dutch treat.

Richard Fisher, a bright young Texan, left government after distinguished service in the Carter administration for what he found the more stimulating arena of capital management. He recently commented that "[T]he federal government . . . is effectively a poorly run business and, like any business suffering under the weight of anemic cash flow and excessive contingent liabilities, its influence is waning."

The public policy marketplace began to react even before most people in Washington were alert to their predicament. The first and most interesting sign was the reemergence of state governments. To an extent, Reagan policies aimed at devolving power to the states were responsible, but Congress thwarted or diluted most of these. In truth, the change was more de facto than de jure.

Across the board, states have reclaimed the policy initiative. They are innovating, reforming, regulating and, yes, taxing and spending in ways that Congressional liberals can only envy. The new Bush drug policy, it turns out, calls in actuality for two to three times more new spending by states and localities than by what we used to call Uncle Sugar.

In a striking political development, members of Congress are reversing the traditional career path by leaving Washington and running for state offices. Liberal Democrats whose undergraduate dreams were of lifelong prominence in D.C. are bailing out for statehouses where there is still a chance to flex their social engineering talent. Here in New Jersey, James Florio is making his second escape attempt against, I would note, another Congressman.

The states' resurgence does not even stop at the water's edge. In trade, the State and Commerce Departments frequently find themselves spectators to bilateral dealmaking by governors. You may be intrigued by the fact that, as of this year, more states are maintaining field offices in Tokyo than in Washington. Kentucky has recently floated an $80 million bond issue in Japan, yen-denominated.

Let's suppose for a moment that these trends can be arrested. Maybe a real implosion of the Soviet empire will produce a "peace dividend" well beyond the cuts of the last five years. Maybe the boom of the '80s will become even louder in the middle-aged, productive, high-income '90s. Maybe Washington will summon the courage to bell the entitlements cat and come into some "mad money" once again. Will it make a difference? Will central government become central again?

I think not. Still bigger forces are taking us elsewhere.

Let's start, as great trends usually do, in the world of ideas. Robert Heilbroner, who wrote to my generation of students on the merits of Maoism, now writes that "The contest between capitalism and socialism is over: capitalism has won. "Earlier, Jean Francois Revel had commented from France, "Anymore, when we want a Marxist for a debate over here, we have to import one from an American university."

By the '90s, Comintern convention planners will be down to a choice between Havana, Pyongyang, and Albania—if the meeting is still held at all.

The wholesale rout of Marxism as a credible economic theory has its greatest importance, of course, for those enslaved millions who have endured its practice. But the behavior of free nations will be affected as well.

Even before the abandonment of central planning by the East Bloc, Western governments were rearranging their policies away from central planning. The American tax rate cuts of 1981 and 1986 touched off a furious round of modeling which has now seen 55 countries reduce their top rates, and only two raise them, since 1984.

Privatization of parastatal industry is now the rage worldwide. Many LDCs are moving even faster than the multilateral lenders, who underwent their own conversion earlier in the decade, prod them to move.

In Jamaica, a devoted Socialist left office in defeat as the decade opened, and returned to power as a capital-chasing privatizer, all within an eight-year period. In Latin America, the acknowledged revolutionary doctrine is the populist capitalism of Hernando DeSoto, who castigates both "rightist" oligarchs and would-be Marxist dictators in favor of property rights and free economic entry for the masses.

It is not necessary to believe, with the author of this year's most provocative essay, that we have reached the "end of history" and a permanent worldwide victory for liberal ideals and consumerism.

It suffices to note that American policy will be constrained against retrogression by the emulation, and the competition, of a world scrambling to create incentives and private sector growth, through reduced statism. It is awkward to accept a standing ovation while unstringing the instrument with which you performed.

Finally, as my Hudson Institute colleague George Gilder has depicted in a brilliant new book, technology, led by microelectronics, is irresistibly pulling decisions downwards and outwards from central authorities of all kinds. Capital is able to evade and escape the clutches of the state. It already moves to international commerce in amounts rivaling the annual U.S. federal budget *every day*.

An economy more creatively destructive than Schumpeter ever envisioned dissolves and reforms industries faster than government can regulate them. More and more, governments are regulated by business: the Chinese are more at risk from disinvestment and curtailed tourism than from any sanction George Bush could impose.

Natural resources and geographic position, the main historic objectives for which mighty central power has been assembled and employed, are less and less relevant to the production of wealth. A silicon chip is 1 percent raw material, 99 percent mental input. Barren rocks off the Asian mainland, half a globe from their biggest markets, now house the earth's most dynamic economies.

As one totalitarian state after another has learned, their essential power to atomize society and isolate their population is ineffective before the arsenals of faxes, phones, and modems that now enable humans everywhere to reach each other, within and across national boundaries.

In this world, attempts to reconstruct greater central authority will wash downstream against an overwhelming current. Paul Johnson has observed that "scientific genius, for good or for ill, impinges on humanity far more than any statesman or warlord." The science of the late 20th Century impinges against the statesman and against the warlord on behalf of the small, the nimble, the decentralized, the private.

The great Senator Hubert Humphrey did not study at the Wilson School but, for his era, he received roughly equivalent training. He was a pharmacist, and it has been said that he thought of government as pharmacy, a process of prescription dispensed by the wise and compassionate.

Senator Humphrey would have been a frustrated pharmacist in the Washington of today and tomorrow. But, happily, room for active and creative government service will remain for those with different role models.

Churchill, describing the non-stop activism of the first Gladstone government, called it the "Golden Age, when Liberalism was still an aggressive, unshackling force."

In this framework of "aggressive unshackling" lies the continued viability of government in an age of liberalism more golden, because it is global, than Churchill imagined. Active policies that liberate, enable, and empower individuals will be needed and, I think, demanded.

To cite only a few examples, centralized action is needed to create the liberating infrastructure of the era ahead. Fiberoptic cable, connecting every home and workplace, will be the REA and the interstate highways of the next century, unleashing individual potential in massive degree. The digital network, a revolutionary force multiplier for small units of all kinds, must first be created by the standardization, deregulation, and perhaps direct investment of the federal government.

An entire empowerment agenda of vouchers, private ownership, and free choice awaits enactment. The federal goverment should forget about micromanagement in areas like education and transportation, and attack the R&D deficiency that impedes adoption of new technologies. At less than $50 per employee, education invests in R&D only 1 percent of the average for all business, and 1/600th the investment of high-tech businesses. Instead of wasting billions on urban mass transit in an increasingly suburban society, the federal government could fund hardware and software development aimed at maximizing the efficiency of the national transportation system.

Enormous opportunity awaits the policymakers who can bring off sensible risk management over the obstruction of the pop scientists, the Luddites, and the "I've got mine" lobby. The farcical but damaging cases of cyclamates and Alar could be trivial compared to the errors of which the current policy process is capable: global warming, for all we know now, may be the Piltdown

Man or "cold fusion" of its day, but we may spend billions before we "undiscover" it.

Our educational shortcomings notwithstanding, the Americans of coming years will be the best educated, best informed, and technologically most powerful individuals the world has known.

These Americans will be less and less prone to be herded into unions, political parties or other group identities for the convenience of experimenting paternalists. They will make their own decisions with declining guidance from government at any level. Government that sees these citizens not as objects of therapy but as persons of innate dignity, will be relevant government. Government that measures its success by the scarcity, not the annual increase, of its dependent clients, can still be active government. Government that constantly searches for ways to attract, liberate and incentivize human talent will be successful government.

A leading Democratic pollster recently emerged from a series of focus groups to say, "[P]eople were not expressing pro- or anti-Washington views. They just don't care. Washington is not a factor in their consciousness." He had glimpsed the future.

Thomas Mann once declared that, fundamentally, the life of men has nothing to do with politics. But, at levels beneath the metaphysical, 20th Century man has had everything to do with politics. Government has, for a large share of mankind, been inescapable. This has been, in Paul Johnson's phrase, the century of the career politician.

Secretary of State George Schultz once said to a few of us that he sometimes felt like the ant on a log in a rushing river. He said, "The ant runs and runs, believing he is rolling the log. But he's really just running to stay out of the creek."

In Kurt Vonnegut's *Jailbird*, he proposed that the Presidential limousine be outfitted with one of those toy plastic steering wheels, to remind whoever was President that he could only pretend to drive.

These are not the images I wish for federal government in our country, nor the ones I foresee for graduates of this school.

But if Washington is to avoid irrelevance, and an aeon of Augusts, it will be because its oncoming leadership brings great creativity and due humility to the task of "aggressively unshackling" the energies of free beings everywhere.●

THE WE THE PEOPLE . . . BICENTENNIAL PROGRAMS ON THE CONSTITUTION AND BILL OF RIGHTS

● Mr. BRADLEY. Mr. President, one of the most important things we can give our children is an understanding of the fundamental principles on which our Nation was founded. The Constitution and the Bill of Rights are the cornerstones of our Nation. These documents outline both our freedom and our responsibility. The Constitution is a living document—it depends on educated citizens to understand and interpret it, and to safeguard it against those who wish to restrict liberty.

In New Jersey, Alan Markowitz and Margaret Hayes are leading the effort to educate our children about the Constitution. As coordinators of the "We the People . . . Bicentennial Programs on the Constitution and Bill of Rights," they have volunteered their time and energy to help children learn about their precious legacy.

This program includes the national bicentennial competition, its noncompetitive program, Congress and the Constitution, and the national historical pictorial map contest in congressional districts. Thousands of New Jersey school children have taken part in these innovative programs that mark the bicentennial of the Constitution.

I ask my colleagues to join me in commending Dr. Markowitz, Ms. Hayes and the many other volunteers who are helping our children to learn more about the rights and responsibilities of democracy.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the latest budget scorekeeping report for fiscal year 1990, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended. This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $3.5 billion in budget authority, and over the budget resolution by $4 billion in outlays. Current level is under the revenue floor by $5.2 billion.

The current estimate of the deficit for purposes of calculating the maximum deficit amount under section 311(a) of the Budget Act is $114.6 billion, $14.6 billion above the maximum deficit amount for 1990 of $100 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 5, 1990.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of congressional action on the budget for fiscal year 1990 and is current through February 1, 1990. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 1990 Concurrent Resolution on the Budget (H. Con. Res. 106). This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

This is my first report on the second session of the 101st Congress. There has been no action that affects the current level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 101ST CONGRESS, 2D SESS., AS OF FEB. 1, 1990

[In billions of dollars]

	Current level [1]	Budget resolution H. Con. Res. 106	Current level +/- resolution
Fiscal year 1990			
Budget authority	1,325.9	1,329.4	−3.5
Outlays	1,169.2	1,165.2	4.0
Revenues	1,060.3	1,065.5	−5.2
Debt subject to limit	2,958.9	3,122.7	−163.8
Direct loan obligations	19.1	19.3	−.2
Guaranteed loan commitments	114.7	107.3	−7.4
Deficit	114.6	[2] 100.0	[3] 14.6

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval and is consistent with the technical and economic assumptions of H. Con. Res. 268. In addition, estimates are included of the direct spending effects for all entitlement or other mandatory programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions. In accordance with Sec. 102(a) of the Balanced Budget and Emergency Deficit Control Reaffirmation Act (101 Stat. 762) the current level deficit amount compared to the maximum deficit amount does not include asset sales.

[2] In accordance with section 3(7)(E) of the Congressional Budget Act, as amended. Maximum deficit amount (MDA).

[3] Current level plus or minus MDA.

PARLIAMENTARIAN STATUS REPORT 101ST CONGRESS, 2D SESS., SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 1, 1990

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			1,068,600
Permanent appropriations and trust funds	954,917	791,226	
Other legislation	639,255	638,374	566
Offsetting receipts	−237,825	−233,738	
Total enacted in previous sessions	1,356,347	1,195,862	1,069,166
II. Enacted this session			
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution:			
Salaries of judges	−2	5	
Payment to judicial officers' retirement fund	4	−4	
Judicial survivors' annuities fund	−3	−3	
Fees and expenses of witnesses	−2		
Justice assistance	−4		
Fisherman's guaranty fund	1	1	
Administration of territories	−1		
Firefighting adjustments	−624	−192	
Federal unemployment benefits (FUBA)	5		
Advances to unemployment trust fund	(48)	(48)	
Special benefits	−24		
Black Lung disability trust fund	52	32	
Vaccine improvement program trust fund	7	7	
Federal payment to railroad retirement	1	1	
Retirement pay and medical benefits	−4		
Supplemental security income	263	263	
Special benefits, disabled coal miners	21		
Grants to States for Medicaid	−907		
Payments to health care trust funds	(325)	(325)	
Family support payments to States	84	84	
Payments to States for AFDC work programs	15	15	
Payments to States for foster care	−83		
Health professions student loan insurance fund	−25	−7	
Guaranteed student loans	−175		
College housing and academic facilities loans	−3	−3	
Rehabilitation services	−79		

PARLIAMENTARIAN STATUS REPORT 101ST CONGRESS, 2D SESS., SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 1, 1990—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Payments to widows and heirs	(1)	(1)	
Reimbursement to the rural electrification fund	111	111	
Dairy indemnity program	(1)	(1)	
Conservation reserve program	720		
Special milk program	2		
Food stamp program	−800		
Child nutrition programs	−74		
Federal crop insurance corporation fund	(1)		
Agriculture credit insurance fund	342		
Rural housing insurance fund	(1)		
Rural communication development fund	(1)		
Payments to the farm credit system financial assistance corporation	−2		
Coast Guard retired pay	−17		
Payment to civil service retirement	(84)	(84)	
Government payments for annuitants	−3	−2	
Readjustment benefits	−62		
Compensation	−448	398	
Pensions	−62		
Burial benefits	−4		
Loan guaranty revolving fund	238	238	
Disaster relief	−1,100	−883	
Total entitlement authority	−1,757	62	
VI Adjustment for Economic and Technical Assumptions	−28,685	−26,763	−8,900
Total current level as of February 1, 1990	1,325,905	1,169,160	1,060,266
1990 budget resolution H. Con Res. 106	1,329,400	1,165,200	1,065,500
Amount remaining:			
Over budget resolution		3,960	
Under budget resolution	3,495		5,234

(1) Less than $500 thousand

Notes.—Numbers may not add due to rounding. Amounts shown in parenthesis are interfund transactions that do not add to totals.●

PEGGY SAY'S LONG ORDEAL

● Mr. McCONNELL. Mr. President, it has been nearly 5 years since the chief Middle East correspondent for the Associated Press was abducted in Lebanon. Since his kidnaping in March 1985, Terry Anderson—and his family and friends—have endured immeasurable pain and suffering.

The January 1990 edition of Kentucky Living contains an article that all my colleagues should read. Entitled "Peggy Say's Long Ordeal," it provides keen insight into the tireless efforts of Terry Anderson's sister. Mr. President, Peggy Say has done an exceptional job in keeping the faith: She has been described as a virtual one-woman diplomatic unit working to win the release of the hostages and to keep their plight in the public consciousness.

When asked if Terry Anderson knew of his sister's efforts, Marcel Fontaine, a former French hostage and the last person known to have seen him alive, replied:

He knows absolutely what you're doing and you are his hope for freedom. He knows that as long as you are out there, he's not going to be forgotten.

I think it is important for all Americans to know that Congress—indeed, America—has not forgotten our citizens held captive abroad. In his State of the Union Address, President Bush reaffirmed our commitment to their release: "Our hearts go out to our hostages—our hostages who are ceaselessly on our minds and in our efforts."

Mr. President, I ask that the article on Peggy Say appear in the RECORD so that all my colleagues may read of her heroic efforts.

The article follows:

PEGGY SAY'S LONG ORDEAL

(By Gary Luhr)

Peggy Say has a fantasy about what it will be like when her brother, Terry Anderson, is finally released by the Lebanese terrorists who have held him hostage for almost five years. "The house is going to be clean, the clothes are going to be packed (and) I'm going to get out of here before the press gets to me," she says. "The reality," she quickly adds, "is it's probably going to come at the worst of times."

As if times could get any worse than the last five years have been. Any worse than the more than 1,750 days (longer than any other hostage has been held) since her brother was abducted at gunpoint on March 16, 1985. Any worse than the emotional roller coaster she has endured, soaring every time there is news, even rumors, of activity that could lead to her brother's release, and plunging again every time the hoped for result failed to materialize.

Five years of anger laced with hope, of courage tempered by frustration. Five years in which she has become, as the New York Times described her, "a virtual one-woman diplomatic unit working to win the release of the hostages and to keep their plight in the public consciousness." The only thing, one imagines, that could make her life worse would be evidence that her brother had died or been executed by his captors.

That possibility is one she refuses to concede for now; not for Anderson or the seven other Americans and five other hostages imprisoned, presumably in Beirut. So strong is her belief that last year she bought the house next door to her own home near Cadiz in Western Kentucky. She expects Anderson to stay here, at least for a time, after he is released.

Until then she will continue to write and travel and speak out in her brother's behalf to anyone who will listen. She sat with relatives of other hostages across from President Reagan in the White House. She has been to the Middle East and other countries seeking help from anyone who might be able to influence her brother's captors. She is a persistent presence in Washington, where she makes the rounds of foreign embassies and of Administration and congressional offices, keeping the pressure on officials, whom she feels have forgotten about the hostages. She gives speeches and interviews freely, though the demands for such are so great she has to use an answering machine to screen telephone calls even when she is home.

The Associated Press, for whom Anderson was Chief Middle East Correspondent when he was captured, pays her phone bills and travel expenses. She talks at least once a day with someone at AP headquarters in New York. "My phone number is posted right in front of their faces," she says. "If any hostage story comes on the line they are to call me."

She and her husband, David, a self-employed general contractor, moved to Kentucky in July 1988 to escape the public and media attention that had dogged them whenever they left their house in Batavia, NY. They had considered moving to Nashville to be near friends whom they sometimes visited at the friends' cottage on the backwaters of Lake Barkley. When they learned the cottage was for sale, they bought it. "People in New York and Washington said, 'Why in the world did she move to Kentucky?' I guess they thought I had dropped off the end of the world or something," she says. "Once they come down here, there's no more questions. You get out on the lake and look around and it doesn't get any prettier."

The lake and the couple's 24-foot pontoon boat are a release from the daily demands of dealing with the hostage situation. For Say, it is a full-time job of answering mail, monitoring news broadcasts, and maintaining contact with the families and friends of other hostages.

"A lot of people have the perception that I'm in this alone. Far from it," she says. "The circle goes out and out. We have a mailing list of 2,000 people that, when anything happens, we notify. These are friends that have written for the whole four years, that have events (for the hostages) in their towns and everything."

Still, she concedes, things sometimes get frantic even on the best of days.

"You have to learn to go with that, you know—to be prepared. I can be doing the most mundane things and the phone will ring and it will be something in which the whole press goes nuts. You've got to be able to set everything else aside."

She has two telephones, one for reporters and other outsiders and a private line on which only a handful of people can call. Both have long extension cords so she can move about the room as she talks. On a "quiet" day she might get a dozen calls. When something significant occurs, the phone rings continuously.

"When anything happens," she says, "everybody is hitting all of their contacts to try to find out what it is about (and) we are all frantically passing information to each other to come up with a coherent story."

She spends at least two hours every day writing speeches, answering letters and distributing postcards addressed to President Bush with pictures of the American hostages. To date more than 400,000 have been mailed. A television set in the corner of the living room stays turned to the Cable News Network, the volume kept just loud enough for her to stop working if she hears any news about the hostages. For more than a year after moving to Kentucky, she could only watch news on the three network stations because she didn't have cable. Last fall, however, a satellite receiving dish was installed in the yard beside her home, a gift from the Kentucky Association of Electric Cooperatives and a fellow Western Kentuckian, former Governor Edward T. Breathitt. The association bought the dish and a year's worth of descrambled programming through Kentucky Telecommunications, Inc. of Owensboro with the money it saved when Breathitt declined any honorarium for speaking at the group's annual meeting in Louisville last November.

The nerve center of Say's crusade is a tiny office next to her bedroom where she has a small desk and a word processor. She uses it

to produce periodic newsletters for the 2,000 people on her mailing list. She also uses it to write the letter she publishes in the Beirut press each October on her brother's birthday. The walls of the room are covered with pictures of Anderson and with newspaper articles about his capture and captivity. "I get days when I just want to rip everything off the wall, I get so frustrated," she says, "but I'm sure Terry feels that way too."

Her own description of her brother and those of former hostages portray Anderson as in intense personality ill suited for coping with conditions the hostages must endure. He reportedly doesn't know that his father and brother both died in 1986. He has never seen his four-year-old daughter. The ex-Marine, who served two tours of duty in Vietnam, sits chained and blindfolded in a roach-infested cell for all but 10 minutes every day. He has been likened to a caged animal, working off his frustration by doing as many as 600 push-ups a day and wearing out his socks from running in place. He has gone on hunger strikes and, on Christmas Eve 1987, he beat his head against the wall until blood ran down his face and he had to be subdued by one of the guards. Eventually he was allowed to make a videotape in which he told President Reagan he was tired and lonely and there was a limit to how long the hostages could last.

Peggy Say is angry that the U.S. government hasn't worked harder for the hostages' release—that their lives have been, in her words, "devalued."

"This is a humanitarian issue and a human rights outrage," she declares. "This whole situation with these hostages, the injustice from day one and the fact that we're still debating what we should do for them. I don't think anybody can say that if there were 100 involved there would be a debate.

It was the government's willingness to negotiate the release of 39 Americans aboard a TWA airplane hijacked to Beirut in June 1985 that started her hostage crusade. For three months after Anderson's capture, she had remained silent at the urging of the U.S. State Department. Publicity, she was told, would only prolong her brother's ordeal. But when she saw the government was willing to ignore its non-negotiation policy for the hijack victims, she went on the Cable News Network to remind people there were then 46 hostages, not 39. There followed a nearly non-stop series of appearances on news broadcasts and at public forums that continued until November 1986, when the country learned that the government had tried to sell arms to Iran in exchange for the hostages' release.

"Iran-contra was the Waterloo for us," she says. "It destroyed us. Destroyed any hope for the hostages for a long, long time. It's just now that the feelings are coming back with people. But for a solid year, nobody wanted to hear it."

Critics attacked her on call-in shows and hate mail mounted from people who said she had forced the Administration to act irresponsibly. "They continue to do that to this day," she says. "They say, 'It's your fault. You made (the President) do something he shouldn't have done. I really feel that they should be ashamed of themselves, trying to blame what they did on the hostage families. It's ridiculous."

Although she sent President Reagan a letter supporting his initiative, she spent the next year in self-imposed silence, something she now regrets.

"Our distaste for terrorists does not alter the fact that such people hold the keys to our hostages' cells," she wrote in a *New York Times* column in November 1987. Her conviction that she is doing the right thing by speaking out was confirmed when she visited Marcel Fontaine, a former French hostage who had lived for a year with Anderson and the last person known to have seen him alive. She asked him if Anderson knew what she was doing and what he thought of it. Fontaine told her, "He knows absolutely what you're doing and you are his hope for freedom. He knows that as long as you are out there, he is not going to be forgotten."

Despite such assurances, the job of keeping the hostages' plight in people's minds grows more difficult with every week they remain in captivity. Last year, she says, she approached writing her brother's annual birthday letter with "a terrible sense of failure."

"I keep thinking I don't have the energy to go through another year, and then we find out we can and we do. I think basically that's what's gotten us through it." She credits her husband with helping her keep on fighting. "People don't see David, and they have this picture of me as a cyclone woman that is going out and daring to argue with the government. They don't understand that it's with David's support that I can do this," she says. "If I had to come home and argue or fight about what I'm doing, I couldn't do it. He never knows when he comes in the house (but) that I might say I'm leaving for Damascus or I'm going to Florida for two or three days. I've got to know that I'm free to do that, that he's not going to give me a hard time."

Since moving to Kentucky, her husband has been able to accompany her on more of her trips. "I'm paranoid about flying anyway," she says, "and it's just been easier for me when he goes with me.

"My family, my friends, they all say that I haven't changed, yet I know in some ways that I have. I'll never look at the world in the same way again, that's for sure. There's been so many disillusionments."

She longs for the day she can resume life as she knew it before March 16, 1985. She was three weeks away from earning a social work degree at a community college in Florida when her brother was abducted. She hopes to return to that field one day, yet she knows her present work won't be over until all of the hostages are home.

"Every year you think surely this is going to be the year," she says. In the meantime, she sits at the kitchen table and asks herself, "What do I have to say to people to make them care?"●

HERBERT AND FLORENCE BROWN

● Mr. REID. Mr. President, I have a friend named Jay Brown. I have had the privilege of knowing Jay for many years and have been fortunate to have him as a friend. Once I asked him who or what shaped him into the person he is, one so devoted to his family. Jay answered simply and quickly, "my father."

Jay's father's name is Herbert Brown. He was born to Jewish Polish immigrants in 1914. With eight brothers and sisters, Herbert Brown was raised in New York City.

Young Herbert had a simple childhood. He learned reading, writing and arithmetic at the New Utrecht School. From his parents and his synagogue he learned the ethics of his religious culture—the teachings of the Torah and the wisdom of the Talmud.

The ancient words touched the young man, and he has spent his entire life as a living example of the integrity of faith.

After graduating from high school, he took a job in a New York department store. At this place of employment he met a young woman named Florence, and they were soon married.

Together they made a Kosher home and raised one son, my friend Jay. Herbert Brown left the department store and opened his own business, a dry goods store in Brooklyn.

Herbert Brown's store was open 6 days a week, 9:30 a.m. to 9 p.m., except on Wednesdays when the store closed at 6 p.m. Herbert always worked when his store was open. Jay tells me it never occurred to his father to do otherwise. Burn out, stress, even tired were just not a part of Herbert Brown's vocabulary.

Today, Herbert and Florence Brown have been married 50½ years. Always together, they endured the inevitable hardships of life and wisely relished the good times.

Mr. President, I know that even as member of this prestigious body I cannot legislate the kind of values Herbert Brown embodies. As edicts and demands, hard work, family, faith and honesty are nothing more than abstract and intangible words. Only by living example do these words gain weight and definition.

However, here, on the floor of the U.S. Senate, I want to bring to the attention of my colleagues and my fellow Americans the inspiration of the life of Herbert Brown.

There is an old saying: "By the fruit of the vine, one can judge the beauty of the tree."

From my friend Jay I know and humbly respect the beauty of his father. Today as we grapple with ever increasing complexities, I am moved by the simplicity of one man's honor, living life in accordance to the will of the God of his understanding, and how freely his life provides an example of inestimable value for us all.●

THE HEALTH OBJECTIVES 2000 ACT

● Mr. COCHRAN. Mr. President, I am pleased to join my colleague from Iowa [Mr. HARKIN] in cosponsoring the Health Objectives 2000 Act.

For years we have known the challenge is not only to cure or treat illness, but that more should be done to prevent illness in our society. It is less painful, even painless some would claim, and it is certainly less expensive. This bill would help implement

the strategies developed by the U.S. Public Health Service. The 21 priorities the service has identified include: reducing tobacco use, reducing alcohol and other drug abuse, improving nutrition, increasing physical activity and fitness, detecting and controlling high blood cholesterol and high blood pressure, immunizing against infectious diseases, and others.

There is a clear need in our Nation for a comprehensive national health care policy. The legislation we are introducing today puts in place a fundamental component of such a policy. It creates and develops a partnership between Federal, State and local health agencies and other groups to develop initiatives for preventing disease and illness.

This legislation will help reduce health care costs. Expenditures for health care reached an estimated $544 billion in 1988. This amounts to $2,235 per person. Most of these funds pay for hospitalization and physician services.

We are already beginning to see support for preventive health programs in the private sector as more and more companies are incorporating preventive health services into their health benefit packages. It is time that the Federal Government encourage through the allocation of its resources a national preventive health initiative as a means of combating the escalating costs of health care and improving the quality of life for millions of Americans.●

ELMONT MEMORIAL HIGH SCHOOL MODEL UNITED NATIONS TEAM; ONLY UNITED STATES DELEGATION RECOGNIZED AT WORLD COMPETITION IN THE HAGUE

● Mr. MOYNIHAN. Mr. President, I rise today to offer both congratulations and praise to the fine group of students from Elmont Memorial High School, in the Sewanhaka Central High School District, who this past January ranked at The Hague fourth best in worldwide Model U.N. competition. Certainly an honor of high distinction. One must also commend their adviser, Mr. Lee Marcus, and his assistant, Mrs. Elaine Murphy, for their continual dedication to the program. This is an opportunity to applaud the excellence of these teachers and to demonstrate for all the ability of our students to meet the intellectual challenge and emerge victorious in the competitive international arena. As a former Ambassador to the United Nations I take special pride in such outstanding achievement by these students from New York State.

After unprecedented sweeping victories at the Georgetown University competition and their first national title earned at the 1988 Harvard University competition, this group of talented young men and women earned an invitation to the Model U.N. world finals at The Hague. The generosity of the Elmont community allowed the students to raise the funds necessary for the long journey to The Hague. Assigned to represent the island nation of Mauritius, recognition was given to these delegates for excellence in accurate representation of the country's policies, demonstration of consensus building, negotiating and leadership skills, responsible use of rules of procedure, knowledge of the issues, and effectiveness in speechmaking. It is no wonder that this team of future diplomats emerged with honorable mention, earning the title of fourth in the world in this most spirited competition.

Team members included Aly Kayne, Jennifer Lindbom, Nataly Gross, Glenn Hanna, Jaya Baloo, Ace Garcia, Jennifer Hili, Hussein Rachid, Monique Rahimi, John Gazzola, Diane Beasley, and Gary Nelson.●

NISSAN'S "DREAM" AD

● Mr. CHAFEE. Mr. President, I was extremely distressed to learn that, during television coverage of the Super Bowl a couple of Sundays ago, Nissan premiered an advertisement that seems to promote irresponsible driving.

The Nissan 300ZX is first shown fleeing at high speed from a motorcycle. Gaining velocity, the Nissan eludes the bike whereupon a race car picks up the chase. The 300ZX continues to accelerate, hurtling ever faster and faster, until it once again outguns its challenger. Pursuit is engaged a final time—this time by a jet. Still, the Nissan revs higher and higher, until it pulls away from the plane. Based on the number of revolutions per minute displayed on the tachometer, it is estimated the 300ZX reaches a speed in excess of 150 miles per hour in the last seconds of the advertisement.

Nissan claims the commercial is merely a fantasy. Try telling that to the families of the two Virginia men who went out of control at high speed in a 1990 ZX and collided with an oncoming truck.

One can certainly appreciate the need for creative license by advertisers whose goal is to sell products. A problem arises, however, when television is used to promote not only a product, but, unintentionally, a mode of behavior that can result in tragedy. High speed automobile crashes are a major cause of death and injury on our highways.

The message conveyed by Nissan's advertisement is unmistakable: Driving at high speeds is an enjoyable experience, which can be achieved in this car. As a strong supporter of legislation to require greater automobile passenger safety, I firmly believe that the message of this commercial is one that manufacturers ought not be sending to consumers.

The costs of reckless driving in lives and human suffering are tremendous. Furthermore, the skyrocketing costs of the medical care necessitated by high speed accidents are increasingly being paid for by the taxpayer. This fact disturbs me greatly. To address this situation, I am sponsoring the National Highway Fatality and Injury Reduction Act, S. 1007, legislation to encourage States to approve laws requiring the use of seat belts and motorcycle helmets.

But Government alone can not solve this problem. We must encourage a safety ethic among our citizens. Advertisements like Nissan's only frustrate our efforts here in Congress to focus greater attention on this issue.

Networks sell commercial air time during the Super Bowl at an enormous premium. I am sure Nissan invested great amounts of money, time, and effort into effectively bringing its car to the attention of a vast audience, but I would urge the company to find some other way to promote its product.

Today I have written to the chairman of Nissan Motors Ltd. to express my dismay over this matter. The Insurance Institute for Highway Safety has done much to bring this matter to the public's attention, and along with several other groups, is also urging Nissan to withdraw the ad. I ask that material provided to me by the Institute appear in the RECORD at this point.

The material follows:

[Insurance Institute for Highway Safety]

"BUILT FOR THE HUMAN RACE"—BUT NOT FOR HIGH-SPEED CRASHES; NISSAN COMMERCIAL TOUTS SPEED—DISREGARDS HEALTH AND SAFETY

ARLINGTON, VA, January 22, 1990.—A Nissan commercial scheduled to air during the Super Bowl on Sunday "irresponsibly promotes excessive speed and exhibits a blatant disregard for public safety," says Insurance Institute for Highway Safety President Brian O'Neill. The Institute is joined by 18 medical, insurance, and law enforcement groups (see attached list) in asking Nissan to withdraw the ad.

O'Neill says he and others in the public health and safety community question whether Nissan's advertising tagline, Built for the Human Race, is true "or whether Nissan's 300ZX Turbo model in particular is built simply to race, without regard for human safety at all." The Institute is asking Nissan "to live up to the company tagline and build cars for the *human* race" by equipping all of its vehicles with state-of-the-art safety technology such as air bags.

The commercial scheduled to air during the Super Bowl shows the Nissan 300ZX Turbo fleeing from a motorcycle, then from a race car, and finally from an airplane. The commercial's chase scene involves the ZX going faster and faster until it reaches an estimated 150 mph in the final seconds of

the 60-second spot, O'Neill says "the *only* message in the commercial is, look how fast this car can go." And, he adds "this is a very irresponsible message."

"Nissan has been totally insensitive to the laws, goals, and hopes we have to improve the quality of life and safety on the road," adds General Robert McDermott, Chairman of USAA in San Antonio, Texas.

The 300ZX Turbo has excessive speed capability built into it, but it doesn't have adequate safety technology. "In particular it doesn't have air bags," O'Neill points out. "Virtually every other car in its class does, but the 300ZX Turbo doesn't." Only about five percent of all 1990 Nissans will be equipped with air bags, compared with 100 percent of all Audis, BMWs, Mercedes, Porsches, Saabs, and Volvos. Among domestic automakers, Ford will put air bags in almost half of its 1990 models, and Chrysler will have this state-of-the-art technology in 90 percent of its models. Meanwhile, ZXs have automatic belt systems that are shown disconnected in sales brochures, even though there's a federal requirement that such belts be connected when they're displayed.

Nissan says the commercial is a fantasy having no "connection with real-world driving situations." O'Neill counters that "what isn't a fantasy at all—what's all too real—is that people are dying in high-speed crashes involving Nissan ZXs." Research shows 1985-87 ZXs with the fifth highest death rate among the 103 most popular cars on the road during 1986-88.

Excessive speed is a serious safety problem on U.S. highways. Travel speeds and motor vehicle deaths have increased dramatically on rural interstates since speed limits were raised from 55 mph to 65 mph. "Excessive speed is a growing problem," O'Neill explains, "which is why Nissan's commercial promoting speed is so irresponsible. It's a much worse problem even than a single objectional ad. Nissan is running a print ad for the 300ZX Turbo that it cannot claim is a fantasy—it unabashedly touts high speed as the car's main attraction."

STATEMENT OF BRIAN O'NEILL, PRESIDENT, JAN. 22, 1990

When we at the Insurance Institute for Highway Safety hold a press conference—and we don't hold many—we hope to do it in order to hail a breakthrough in safety on the highway. But this isn't the case today. This is a press conference we'd rather not have to hold at all because it's about hitting a new low in car advertising. It's about a company that makes and markets cars by touting excessive speed, which we *know* contributes to highway deaths and injuries.

Nissan plans to air during the Super Bowl this Sunday a new commercial for the 300ZX Turbo model that's the worst example of an out-and-out speed ad we've ever seen. The tagline on Nissan advertising says this company's cars are built for the human race. But we in the public health and safety community question whether this is true or whether Nissan's 300ZX Turbo model in particular is built and promoted simply to *race* without regard of human safety at all. The ZX advertisement has only one message—look how fast this car can go.

Promoting excessive and unsafe speed is irresponsible, and we have called this press conference to publicly ask Nissan to withdraw the ad. The time is overdue for Nissan to focus on safety—for Nissan to put air bags into the 300ZX Turbo, as has been done for competing models, and for Nissan to begin promoting safety instead of speed in its advertising.

Nissan excuses the new ZX ad by saying it's a fantasy. The company says it sees no "connection with real-world driving situations." Let's look at the commercial now and see . . .

. . . Nissan claims this ad is a fantasy. But what isn't a fantasy at all—what's all too *real* is that people are drying in high-speed crashes involving this car. Just a short while ago, for example, two Virginia men were riding in a 1990 ZX when it went out of control at high speed and slammed into an oncoming truck. The result is what you see in this photo—both men were killed. Even more recently, an earlier model ZX was being chased by a police car on a Virginia highway, hit a bump, went out of control, and sailed through the air—sort of like in Nissan's commercial—but, unlike the commercial, the real ZX then crashed into a fire truck. The car looked like this after the crash. And, unlike the driver in the commercial, the young man in this car didn't escape from danger by going fast—he died.

These are just a couple of examples of the reality of high-speed crashes involving Nissan ZXs. And to give you other perspectives on why we're asking Nissan to withdraw this ad, I'd like to introduce . . .

. . . Some of you here today may wonder whether we're simply bringing more attention and publicity to this Nisssan ad, whether we're making the ad itself a media event as Nissan wanted to do. Well, maybe so. But I don't think so, because the issue here involves more than just one irresponsible commercial. It involves Nissan's approach to safety in general as well as one car in particular. Nissan's 1990 ZX is unlike virtually all of its direct competitors in that it doesn't have state-of-the-art occupant crash protection like air bags, which are a must, especially in high-performance cars. Instead, Nissan equips ZXs with vastly inferior detachable automatic belt systems. And then Nissan deliberately disconnects these belts for the company's fancy sales brochures, even though the National Highway Traffic Safety Administration requires the belts to be connected when they're displayed.

Where is Nissan's commitment to safety? We estimate that only about five percent of all new Nissans sold this year will have air bags. In contrast, 100 percent of all Audis, BMWs, Mercedes, Porsches, Saabs, and Volvos will have air bags. On the domestic front, Ford will have air bags in almost half of its 1990 model cars. Chrysler will put this state-of-the-art safety technolgy into more than 90 percent of the cars it sells this year. And, in contrast to Nissan, responsible automakers are promoting safety in commercials like this one . . .

. . . Where are Nissan's safety ads? We cannot find any—none at all. Is it because, as the Chrysler ad suggests, Nissan has nothing good to say about the safety features of its cars? We challenge Nissan to start engineering air bags into all of its cars and begin promoting safety instead of speed. And we ask the company to take the first step toward this today by withdrawing the Super Bowl commercial as well as all other speed-promoting ads. In short, we're asking Nissan to live up to the comany's tagline and build cars for the *human* race.

The following organizations have joined the Insurance Institute for Highway Safety in calling on Nissan and/or CBS to withdraw Nissan's commercial promoting excessive speed:

Advocates for Highway and Auto Safety, Aetna, Alliance of American Insurers, American Academy of Pediatrics, American Trauma Society, Center for Auto Safety, Consumer Federation of America, Epilepsy Foundation of America, and GEICO. Also, International Association of Chiefs of Police, Kemper National Insurance Companies, National Association of Governors' Highway Safety Representatives, National Association of Independent Insurers, Nationwide Insurance Companies, National Head Injury Foundation, Professional Insurance Agents, Public Citizen, and USAA Group.

SPEED FACTS

High speed was a factor in many of the 47,093 motor vehicle deaths that occurred in 1988 (25,700 occupant deaths in passenger cars). Speed increases not only the likelihood of crashes but also crash severity.

Laws of physics dictate that, at high speeds, more destructive energy is involved in crashes so they are more severe. Crash forces increase with the square of the impact speed so that a crash occurring at 60 mph is four times as severe as one occurring at half the speed, or 30 mph.

The number of people injured per 100 crash involvements increases from 40 when the estimated travel speed prior to the crash is 50 mph to more than 140 when the travel speed prior to the crash is 80 mph, based on a widely cited 1964 study of rural highway crashes.

Increases in speed limits from 55 mph to 65 mph on most rural interstate highways have led to higher travel speeds, including especially more drivers going 70+ mph. Higher speed limits have also caused a 20 to 30 pecent increase in crash deaths on rural interstates where speed limits have been raised.

Among all citations issued for traffic violations in California, speeding convictions are the strongest predictors of future crash likelihood.

The five 1985-87 model cars with the highest death rates among the 103 most popular cars on the road in 1986-88 were the Chevrolet Corvette, Chevrolet Camaro, Dodge Charger/Shelby, Ford Mustang, and Nissan 300ZX.

INSURANCE INSTITUTE FOR HIGHWAY SAFETY,
Arlington, VA, November 20, 1989.

TAKASHI ISHIHARA,
Chairman, Nissan Motor Company, Ltd., 17-1 Ginza 6-Chome Chuo-ku, Tokyo 104 Japan.

DEAR MR. ISHIHARA: According to the Wall Street Journal, Nissan Motors is "back to basics: sex, speed" in car advertising. And it's disturbing. One ad in particular that your company is reportedly planning to debut during the Super Bowl in January shows a Nissan sports car speeding away from a motorcyclist, a racing car and, finally, a fighter jet.

Glamorizing high speed is a wholly irresponsible approach to advertising. Higher travel speeds are already causing a substantial increase in deaths on U.S. highways. Now car companies like Nissan are making matters worse by using their ads to promote the view that high-speed travel is fun. In reality, high-speed travel adds to the problem of highway deaths and injuries.

What's even more alarming is that the very car Nissan is touting in its new ad is the ZX Turbo. According to new Insurance

Institute for Highway Safety research, the 300ZX has the fifth highest death rate among 103 popular cars (see attached report). The ZX is thus in a league with Corvettes and Camaros when it comes to occupant deaths. It's one of the very worst.

Yet you're planning to sell this car on national television by emphasizing performance and speed. This is an irresponsible ad that shouldn't even be seen. We ask you stop promoting excessive speed and performance that cause death and injury. We ask you to drop all plans to air this Turbo ad and similar ones.

Sincerely,

BRIAN O'NEILL,
President.

NISSAN MOTOR CORP. IN U.S.A.,
January 5, 1990.

Mr. BRIAN O'NEILL,
President, Insurance Institute For Highway Safety, Arlington, VA.

DEAR MR. O'NEILL: Your letter to Nissan Motor Company, Ltd. has been forwarded to my attention.

We have reviewed the issues that you expressed in your letter. Nissan and the Insurance Institute for Highway Safety share the belief that advertising communications should not encourage irresponsible or unsafe driving practices. Certainly, as a major marketer in the United States, Nissan's interests are best served by presenting our products in a positive manner.

Our 300ZX Turbo commercial is one of a series of TV commercials in our new "Fantasy" advertising campaign which depicts the dreams of drivers. We do not believe that the Turbo Z commercial, or any of our fantasy commercials, encourage irresponsible driving practices. The futuristic Turbo Z commercial is so fanciful and farfetched that we see no confusion or connection with real-world driving situations.

The wonderful thing about advertising is that everyone has an opinion, including the Wall Street Journal writer whose articles was the basis of your letter to Nissan. However, we are confident that when you get a chance to actually see the imaginative Turbo Z commercial during the Superbowl on January 28th your feelings will be tempered from those formed by a newspaper description.

The American public respects and enjoys advertising that is intelligent and presents a message in an entertaining manner. They understand that good advertising can be an art form with its own poetry and sense of reality. This recognition of the good judgement and common sense of the American public is a point of view that you and your organization hopefully share with Nissan.

Sincerely,

R.R. HANNUM,
Director, Marketing.

INSURANCE INSTITUTE FOR HIGHWAY SAFETY,
Arlington VA, January 12, 1990.

Takashi Ishihara,
Chairman, Nissan Motor Company, Ltd., 17-1 Ginza 6-Chome Chuo-ku, Tokyo 104 Japan.

DEAR MR. ISHIHARA: This is a followup to my previous letter (November 20, 1989) as well as a response to the insulting reply to that letter received today from R.R. Hannum, Nissan USA's Director of Marketing (enclosed).

I have already expressed the Institute's serious concern about the Nissan commercial planned for debut during the Super Bowl. The basis of our concern is the fact that high speed travel on U.S. highways is a serious public health and safety problem, and advertising that glorifies speed can only add to this carnage.

Since writing the first letter, I have seen the commercial in question as well as a print ad for the 300 ZX Turbo that has no purpose at all other than to glorify speed. We find both the print ad and the television commercial to be irresponsible and offensive. In fact, the commercial scheduled for the Super Bowl and the print ad (enclosed) are the worst examples of excessive speed promotion we at the Institute have ever seen.

Nissan's commercial portrays speed as a fantasy, but the reality is that the 1985-87 models of the 300 ZX had the fifth highest death rate among more than 100 cars in the United States during 1986-88. The "chase scene" in Nissan's commercial is depicted as a dream, but the results of head and spinal cord injuries from high-speed crashes are a very real nightmare.

At a time when American concern about highway safety is growing, Nissan's advertising is totally inappropriate. It's especially inappropriate because, unlike virtually all competing models, the 300 ZX Turbo doesn't have state-of-the-art occupant crash protection technology such as air bags, a feature the U.S. safety community and most automakers consider a necessity in high-performance cars—cars like the Turbo ZX that will be driven at high speeds by motorists trying to live the fantasy portrayed in Nissan's commercial. Unfortunately, far too many of these motorists trying to live the fantasy will end up, in reality, dead in a crash.

We understand that a number of other organizations interested in reducing highway deaths and injuries have contacted you about this matter. Further, we have contacted appropriate Standards and Practices officials at CBS to communicate our views.

We urge you, once again and in the strongest possible terms, to withdraw both the print and television advertising. We further urge you to demonstrate safety leadership by building and promoting cars with state-of-the-art safety technology, instead of encouraging motorists to indulge in dangerous speed fantasies.

Sincerely,

BRIAN O'NEILL,
President.●

JOHN HVASTA FINDS FREEDOM

● Mr. PELL. Mr. President, 41 years ago John Hvasta was arrested and imprisoned in Czechoslovakia. He was accused of espionage in behalf of the American Consulate General which I had established. Not only was he arrested, but brutally treated.

He escaped from Leopoldov prison, spent 2 years hiding in the countryside and eventually made his way to freedom via the American Embassy.

Having been through this ordeal of fire and misery, he emerged a very fine, idealistic and decent human being. In this regard, I ask that an article that appeared in the Washington Post on Saturday, February 3, 1990, concerning my old friend John Hvasta, be printed in the RECORD.

The article follows:

[From the Washington Post, Feb. 3, 1990]

SLOVAK NATIVE COMES FULL CIRCLE ON VISIT HOME

(By Yasmine Bahrani)

Forty-one years ago, John Hvasta, a Slovak native and naturalized American citizen, was arrested and imprisoned in Czechoslovakia by the hard-line Communist government, which had just seized power. After escaping from prison 3½ years later and hiding in haystacks and caves for two years more, he made his way back to the United States in 1954.

Last month, buoyed by the changes sweeping through his native land and much of Eastern Europe, Hvasta, now 62 and an Oakton, Md., businessman, fulfilled a four-decade-old dream and returned to Czechoslovakia just as Communist rule was ending there.

Because his arrest and subsequent escape were later publicized in Czechoslovakia, and because his success as president of the public relations firm American Public Research Council, Hvasta became known to Czechoslovaks through interviews on Voice of America and Radio Free Europe.

"It's ironic. He was there at the inception of communism and I suppose he had to be there at the finish of Communist rule," said his wife, Helen.

Hvasta was born in Miglesov in eastern Czechoslovakia and left for the first time a week after Adolf Hitler marched into Prague. Hvasta was 10 years old when his mother took him and his brother to New Jersey, where their father already had a job working for the Ballantine brewery.

Hvasta is a tall, heavy-set, conservatively dressed man with bright eyes, glasses and evidence of a New Jersey accent.

When he was 20 and an American citizen, Hvasta returned to Czechoslovakia as a student and was hired in Bratislava part-time by then U.S. Vice Consul Clairborne Pell, now a U.S. Senator from Rhode Island and chairman of the Senate Foreign Relations Committee. Eight months later, Hvasta was arrested by the secret police and accused of being a U.S. agent and of photographing underground munitions factories. Hvasta denied the charges and continues to deny them today. After a secret trial, the government sentenced him on June 1, 1949, to 10 years, but he escaped after serving 3½ years at Leopoldv prison.

During this time Pell said he did what he could to gain the release of Hvasta. Pell said Hvasta "showed great bravery, he went through a crucible of fire."

He and four other men fled Leopoldov after they were sent to mend holes in the wall surrounding their prison. On Jan. 2, 1952, when the whistle signaled time to go inside, they stayed behind. They had no trouble pulling the new bricks from the wall they had just mended and wiggling through. They ran to a railroad embankment 250 yards away where they hid until dark, then separated.

Afterward, Hvasta made his way to a farmhouse and begged for help. The family hid him in a haystack and later in a cave that Hvasta described as "a grave." Each night, the farmer's wife or daughter would sing, and if she included a specific song, Hvasta knew it was safe to come out for food and exercise.

After 21 months of hiding there, he made his way to the U.S. Embassy in Prague, where he hid for four months until he was officially expelled by the Czechoslovak government in February 1954.

When he arrived in time for a demonstration last month in Bratislava, Hvasta was ushered to the podium. "It was a sight to see. A crowd of about 5,000 were gathered at the square, rejoicing each time a new concession was made by the Communists. This was a real revolution going on, it was exciting!" he said.

Hvasta quickly notices how much things had changed at home when he was caught speeding toward Bratislava last month. He showed the Czechoslovak policeman his U.S. passport and explained that he was rushing to speak at an anti-government demonstration. The policeman gave back the passport, saluted and said, 'Just watch for potholes. Give them hell.' "

However, the home of dissident Lubomir Feldek, where Hvasta stayed, was watched by the secret police during most of his stay in Czechoslovakia. "We were meeting in the dugouts in the hallways. The secret police was still eavesdropping," said Hvasta, squeezing his brow into deep furrows.

Hvasta told the story of how he and the family noticed a man shivering in the driver's seat of a car with the motor switched off. Olga Feldek, like her dissident writer husband Lubomir, knew that the man was watching their home. She went outside and approached the man and said, " 'If you are watching that nothing happens to us, we are very grateful but I'm afraid you will freeze to death.' Then she offered him coffee or tea. Finally he looked up and said, 'Some tea, please?' " He was there for several more days.

Hvasta said the struggle is not yet over for the Czechoslovak resistance movements of Civic Forum and Public Against Violence, even though after 40 years of hard-line rule, the Communist leadership relinquished power when Party Leader Milos Jakes resigned Nov. 28.

Hvasta said the coming spring elections are crucial. "If the Communists get 51 percent of the vote all will be lost!"

Hvasta is planning a letter-writing campaign. He will ask Czechoslovak Americans to write to their relatives in Czechoslovakia and ask them not to vote Communist.

Though Alexander Dubcek, then first secretary of the Communist Party, exonerated him in 1969, the Czechoslovak government would not allow Hvasta to enter Czechoslovakia until 1986.

Hvasta discovered that the resistance, far from being professional politicians, were primarily philosophers, environmentalists and literary critics who asked him basic questions about U.S. politics and government. One request from members of Public Against Violence was for copies of the U.S. Constitution—preferably in Slovak.

Hvasta and his wife, who is of Hungarian and Ukrainian descent, are active in the D.C. area Slavic community. But Helen Hvasta was concerned for her husband's safety on his trip.

"I told him if he did go, he could stay there. That's how strongly I felt about it," she said. He delayed his trip for several more days. "But his emotions won out. I suppose that was something he had to do," Helen Hvasta said.

Last month, Hvasta was at Wenceslas Square in Prague, and messages of solidarity were read to the crowd from around the world. "So I wrote a message on back of my calling card telling the people that they had the support of 6 million Czechoslovak Americans, and then the man reading the messages said, 'Come up, come up!' "

Hvasta climbed up to the podium and spoke to the crowd. That was when he heard that the Communist government had relinquished its power. He was "elated because that was the beginning of the steps, one after the other, which the Communist Party relinquished power," he said.

While Hvasta believes communism crippled the country in the last 41 years, he still has faith in Czechoslovakia's potential. "Now, just as one whose leg was broken and needs to stand and walk on his own, all of the inhabitants under communism will have to walk on their own, without the crutches," he said.●

PROTECTING PANAMA'S TROPICAL FORESTS

● Mr. LEAHY. Mr. President, when I was in Panama last week I saw how desperately that country needs our help to get back on its feet after the devastating corruption and mismanagement of General Noriega. One statistic that says more than perhaps any other is that over 30 percent of the labor force is unemployed. Without this aid to "jump-start" the Panamanian economy, the economic and political instability that exists there will only get worse.

One of the obvious consequences of that number of jobless people is that they are looking for any source of income anywhere they can find it, and one of the first casualties is the natural environment. The scarcity of jobs and services has unleashed a flood of emigration of peasants toward the country's tropical forests, including three critical areas which are in imminent danger. They are the Amistad International Park which protects fragile watersheds which have the capacity to generate 90 percent of Panama's future energy needs, the "Darien Biosphere Reserve," and the watersheds that directly feed the canal. Although these areas are theoretically under the protection of Panama's Institute of Natural Renewable Resources [INRENARE], that agency is totally bankrupt and unable to provide even the most basic protection. General Noriega confiscated its equipment and incorporated many of its staff into the Panamanian Defense Forces.

These areas are being taken over by swarms of poachers, loggers, squatters, miners and looters. INRENARE estimates that 90 percent of the 70,000 hectares of tropical forest that will be burned this year in Panama will be destroyed during the next 3 months of the dry season.

Mr. President, this emergency aid package we are approving today will be used primarily for housing for displaced families, to spur investment and create jobs, and to train and equip civilian law enforcement personnel. I support that. But just as important is the immediate threat to these natural areas. For a few hundred thousand dollars we can give INRENARE the support it needs—equipment for forest rangers, trucks, canoes, fuel and radios—to protect the integrity of these areas during the next crucial 3 months. I strongly urge the Agency for International Development that will be administering these funds to designate up to $500,000 for these urgent needs.●

POSITIVE MOVEMENT IN SOUTH AFRICA

● Mr. PELL. Mr. President, South African President F.W. de Klerk has announced that his government would release imprisoned African National Congress [ANC] leader Nelson Mandela and other political prisoners and detainees, lift the bans and/or restrictions on the ANC, the United Democratic Front [UDF] and other antiapartheid organizations, and remove certain regulations imposed under the nationwide state of emergency which has been in place since June 1986. I welcome President de Klerk's announcement.

The steps that his government is proposing are a necessary prelude to the opening of negotiations for a peaceful end to apartheid. The South African Government must now move quickly to turn these proposals into reality, particularly the release of Nelson Mandela, to demonstrate without question that it is serious about achieving a democratic, united, and nonracial South Africa.

For many months, the ANC, the UDF, and other antiapartheid organizations have been calling upon the South African Government to create the climate for negotiations. The step de Klerk outlined today will help to do this. However, they need to be complemented quickly by the termination of the state of emergency, the release of all political prisoners, and the repeal of all emergency regulations so that all South Africans, regardless of color or political persuasion, can have complete freedom of expression and association. Then the stage will be set for negotiations to begin.

This is a time of rising expectations in South Africa. Under de Klerk's leadership, the South African Government has offered millions of black South Africans the prospect of an imminent end to apartheid. The Government must now deliver. It must move quickly to open negotiations. It must be prepared to sit down at the bargaining table with genuine leaders of the black community in South Africa, not simply with those of its own choosing. And it must recognize that any viable solution to South Africa's problem must fulfill the aspirations of black South Africans for full political rights and democratic freedoms and be based on individual, not group, rights.

No doubt many factors have led the South African Government to move toward an end to apartheid. Surely one of these is pressure, both internal

and external. Now is not the time to release that pressure. We must wait and see whether the South African Government will deliver. We must be sure that the course President de Klerk has charted is irreversible and that the "new South Africa" that he calls for will be created by and for all South Africans.●

UKRAINIAN CATHOLIC CHURCH

● Mr. DECONCINI. Mr. President, after more than four decades of suppression, the ban on the Ukrainian Catholic Church, at long last, has been partially lifted. On December 1 of last year, officials in the Ukrainian SSR announced that Ukrainian Catholics will be allowed to register their congregations. Since then, over 700 congregations already have applied for registration. In the months leading up to this decision, over half of the Senate wrote individual letters to President Gorbachev calling for recognition of the Ukrainian Catholic Church. I would like to take this opportunity to commend my colleagues for their efforts on behalf of Ukrainian Catholic believers.

While permitting registration is an important step in the right direction, the Ukrainian Catholic Church still faces a struggle to achieve status as a full legal entity, particularly regarding the question of return of confiscated Church property.

Mr. President, I ask that the full text of a February 1, 1990, Wall Street Journal article by Edward McFadden appear at this point in the CONGRESSIONAL RECORD. This article aptly and accurately describes the current status of the Ukrainian Catholic Church.

The article follows:

[From the Wall Street Journal, Feb. 1, 1990]

IN UKRAINE, FAITH IN GOD—NOT IN GORBACHEV

(By Edward McFadden)

When the Soviet Council for Religious Affairs announced on Dec. 1 that Ukrainian Catholics would be allowed to register and "enjoy all the rights established by law for religious communities in the Ukrainian SSR," members of the long-banned church were justifiably unenthusiastic. Last week leaders of the Ukrainian Catholic Church gathered in the Church of the Transfiguration in Lvov, declared the church's dissolution in 1946 null and void, and announced that the church would from that moment on function as a fully legal entity within the Soviet Union.

The Ukrainian Catholics' faith in God and lack of same in the Soviet system has led to a quiet revolution.

The Ukrainian Catholic Church's history began in 1596 through an agreement between the Ukrainian Church of the Byzantine Rite and the Church of Rome in which the Ukrainian Catholics, also known as Uniates, pledged allegiance to the papacy but kept their Byzantine liturgy, language and church hierarchy. Josef Stalin banned the church in 1946 through the socalled Synod of Lvov, which forcibly "self-dissolved" the church and merged it with the Communist-backed Russian Orthodox Church. Uniate clergy who refused to surrender their allegiance to Rome and become Russian Orthodox priests were sent to Siberia. All Uniate property was confiscated, most of it going to the Orthodox Church.

Since then, many Ukrainian Catholics have practiced their faith in fields, forests or late in the evening in private homes. Today there are an estimated 3.5 million practicing Ukrainian Catholics in the Soviet Union, the majority of whom reside in Western Ukraine and are counted in official Soviet documents as Russian Orthodox. The Ukrainian Church is overseen by Cardinal Myroslav Lubachivsky from Rome along with 10 bishops in Ukraine, seven of whom only recently came out of hiding (where the other three remain).

Because the Uniates make up the largest Catholic group in the Soviet Union, Pope John Paul II has long placed the relegalization of the Ukrainian Church high on his list of concerns in his limited dealings with the Soviet Union. During the historic two-day meeting between Mikhail Gorbachev and the pontiff in Rome in late November, the Ukrainian Church was discussed often.

Vatican officials, whose policy it is to comment only under the condition of anonymity, say that the pope was willing to make a major concession, promising that should Mr. Gorbachev allow the full legalization of the Uniate Church the pontiff would not press for the return of all church property, the major stumbling block to the Russian Orthodox Church supporting legalization of the Ukrainian Catholic Church.

Despite the talks, however, the Ukrainian Church gained little from the Soviets that it already didn't have. Ivan Hel, head of the Lvov-based Committee for the Defense of the Ukrainian Catholic Church, told reporters that the new policy giving Ukrainian Catholics the right to register as Uniates "does not provide a real legal basis for the church. It does not recognize the 1946 [self-dissolution of the Church] as illegal and does not guarantee the return of property." In fact, there is no guarantee that congregations that apply for registration will even be accepted by the government.

According to officials of the Ukrainian Church in Rome, more than 700 congregations have applied for registration with Soviet officials but only 20 have been approved. More important, the church still does not have legal standing.

Over the past two years, Mr. Gorbachev has used his still-unenacted "Freedom of Conscience" bill, which purportedly would give all religions the same legal standing and property privileges as the official Russian Orthodox Church, to placate religious groups and their leaders—first with Lithuanian Catholics in mid-1988, and then in early 1989 when unrest among Moslems began to grow. When the pope pressed for Ukrainian Church legalization, Mr. Gorbachev once again promised a law early in 1990.

Vatican officials say they have not been consulted by Soviet officials about the law, and Ukrainian Church officials have not seen any of the three draft versions that are said to exist. The issue of church ownership of property might not even be considered in the law, since a Vatican source familiar with the continuing negotiations between Rome and Moscow says that Mr. Gorbachev feels that return of Ukrainian Church property is an issue to be resolved between the Russian Orthodox Church and Ukrainian Catholics.

Such inter-church negotiations began two weeks ago in Moscow, but the Russian Orthodox Church is hesitant to surrender any of the property it holds in Ukraine and the numbers bear out why: The Orthodox Church claims to have more than 10,000 parishes in the Soviet Union. More than 5,700 of the total are in Ukraine—3,000 of these in Western Ukraine. All told, about 60% of the Orthodox Church's holdings are in the republic. A mass re-conversion of members and property to the Ukrainian Catholic Church could be crippling to the Russian Orthodox Church.

In October, before the registration rule was enacted, Ukrainian Catholics were already growing weary of the lip service from Mr. Gorbachev and the Russian Orthodox hierarchy. Beginning with the annexation of Lvov's Church of the Transfiguration, believers have peaceably seized more than 600 churches formerly held by the Russian Orthodox Church. More than 350 Russian Orthodox priests have asked to be accepted as priests for the Ukrainian Church—all have been accepted. While the buildings technically belong to the Russian Orthodox Church, there is little the Orthodox Church can do when an entire parish—led by the parish clergy—returns to the fold of the Ukrainian Church.

In some areas of Western Ukraine, such as the town of Ivano-Frankivsk, where 100,000 of the 250,000 residents have been known to hold Sunday prayer services in the town square, there are no longer any functioning Russian Orthodox churches. Reports from Ukraine confirm that the taking of these churches has been peaceful, yet the Russian Orthodox Church has attempted to distort the story.

In a confidential cable sent Dec. 23 to Russian Orthodox Church leaders outside the Soviet Union, Archbishop Kirill, chairman of external church relations of the Moscow Patriarchate, reported that the Resurrection Cathedral in Ivano-Frankivsk had been taken "by force. . . . [And] many Orthodox churches in Lvov, Ternopol and other cities and villages have been seized. . . . I ask you to exert influence on the Christian and social circles of the country in which you are residing in favor of a most swift and peaceful resolution of the problem." This is the same man who has called publicly for brotherly negotiations between the two churches.

The Russian Orthodox Church, in the hope of coming away with something for its 44-year domination of the region's religious life, is requesting inter-church dialogue based on Christian love and understanding to resolve the current impasse without the aid of the Soviet government. But the Uniates note that only the state can give back what the state has taken away: the rights of religious freedom and the ownership of property.●

PRESIDENT GORBACHEV'S FUTURE—AND OURS

● Mr. PELL. Mr. President, perhaps the most fundamental question facing American foreign policy today is that of whether and how the United States can act to further an evolution in the Soviet Union toward political freedom and a market-based economy.

To the debate over this question, Arthur Macy Cox, a member of the American Committee on United

States-Soviet Relations, has made a useful contribution in a recent issue of the Los Angeles Times. A former CIA official who was involved in creating and implementing the multilateral restrictions on the export of sensitive technology to the Soviet Union, Mr. Cox speaks with a voice of long experience. His concern is that, even in the face of revolutionary developments triggered by President Gorbachev, American policy today continues to be constrained by "old thinking." Mr. Cox himself is not, and I ask unanimous consent that his wise words be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Jan. 28, 1990]

GORBACHEV WON'T MAKE IT WITHOUT MORE OF OUR HELP

(By Arthur Macy Cox)

WASHINGTON.—The Baltic states demand independence, the Red Army tries to prevent Azerbaijanis and Armenians from killing each other, Eastern Europe goes its separate way, the Soviet economy is in shambles—will Mikhail S. Gorbachev survive?

These are serious problems, but none is insurmountable for the man who has emerged as the world's most resourceful politician-statesman. Yet Gorbachev will probably fall if he loses the majority support of the Communist Party in his drive toward democracy. To succeed, he needs to show progress in the economy. To do that, the Soviet president needs the urgent assistance of the United States and its European partners in the form of mutually beneficial disarmament agreements.

It's almost miraculous that Gorbachev has been able to take perestroika and democratization as far as he has. This could not have happened without the support of the KGB. Western intelligence has thus failed to give sufficient attention to the role of Yuri V. Andropov.

According to Fedor Burlatsky, a former speech writer for Nikita S. Khrushchev and now a commentator, the idea of perestroika was first presented by Andropov in December, 1964, two months after Khrushchev was forced into retirement. Andropov, who was then a secretary in the Central Committee, recommended to First Secretary Leonid I. Brezhnev and Premier Aleksei N. Kosygin that Stalinism's totalitarian structure be replaced. He was rebuffed.

He did not give up. Although a dedicated communist, Andropov was convinced that the Stalinist system was slowly destroying the foundation of the Soviet Union. He helped younger men and women who shared his views advance their careers. When Andropov became head of the KGB, he was better able to encourage reforms both within the Communist Party and the KGB leadership. When Brezhnev died in 1982 and Andropov was named general secretary, there was jubilation among reformers in the party, the KGB and the military.

The star in the young crowd around Andropov was Gorbachev. Many key men and women who have emerged as leaders of Gorbachev's programs were protégés of Andropov as well. The current KGB chairman, Vladimir A. Kryuchkov, first served the future president when Andropov was Soviet ambassador to Hungary before and after the 1956 revolution. The Andropov factor, then, helps explain why Gorbachev has moved so far, so fast in destroying much of the machinery of the Stalinist police state.

But the resulting battle within the system is intense. The demand for political pluralism rises throughout the Soviet Union. Milovan Djilas, former Yugoslav deputy to Marshall Tito and the author of "The New Class," has discussed Gorbachev's dilemma: "While [apparatchiks] may well be forced, lured or cajoled into supporting reforms for a more productive economy," said Djilas, "they cannot be lured or cajoled into underwriting the dissolution of the party and the destruction of their own jobs and security."

Gorbachev and his advisers know this is correct. He knows as well that the Communist Party is the sole source of power in the Soviet Union and, as such, must bless the country's transition to democracy. *Perestroika* involves large ideas but it is not a fixed plan. Gorbachev is too much the improviser for that. His critics on the left chastise him for moving too slowly, but Gorbachev remains in power because he keeps his eye on the reality of the Communist Party. Like all superior politicians, he always strives for balance, but within the framework of his considerable moral integrity and courage.

Gorbachev has already moved a surprising distance toward democracy. The formation of the Congress of People's Deputies and its operating arm, the Supreme Soviet, have started in motion the insitution of parliamentary democracy. Its rules still give the party a dominant position, but most of the deputies were elected by secret ballot.

The upcoming elections for the local soviets will take democracy to the grass roots. *Glasnost* has permitted the revolution of communications technology to spread throughout Soviet society. Popular activism is rampant. Perhaps Gorbachev can avoid the looming hemorrhage of chaos, anarchy and civil war by forming a confederation of autonomous nations with a common econmic market.

Fortunately, President Bush has concluded that Gorbachev's survial is demonstrably in the national-security interests of the United States. The President realizes that it is important to consolidate the foreign-policy gains made during Gorbachev's five years in power—a conservative successor might reverse many of the advances. But the Bush Administration is moving at an almost unbelievably slow pace, with little sense of leadership.

The President wants *perestroika* to succeed but claims there is not much he can do about it. Bush is a victim of "old thinkers" who still dominate the White House staff, the Pentagon, the conservative think tanks, the military academies and many universities. These Sovietologists have been wrong almost every step of the way since Gorbachev came to power because they couldn't believe—or didn't comprehend—the dynamics of Soviet "new thinking." They were certain that a Soviet communist leader could not advocate policies that should be supported by the United States. They consider Gorbachev and his reforms a temporary aberration.

George F. Kennan, the dean of American Sovietologists and one of the few "new thinkers," and "it is doubtful that Gorbachev could have remained in office as long as he has were it not for his high international prestige." The Administration should take Kennan's cue.

U.S. actions can further strengthen Gorbachev's prestige. For example, the Soviet president needs secure American agreement for rapid disarmament. Proposed Pentagon spending for the next five years would cut military spending by only 2% and essentially continue President Ronald Reagan's buildup of new strategic and conventional weapons. Although North Atlantic Treaty Organization proposals for conventional-arms reductions have already been overtaken by events in Eastern Europe, there is no sense of urgency in the Administration to correct them.

In other areas as well, American actions reflect "old thinking" inconsistent with the Administration's professed desire to see *perestroika* succeed. The United States grants most-favored-nation tariff status to the totalitarian regime in Beijing, not to the Soviet Union. It permits export licenses for sophisticated technology to China, not to the Soviet Union.

By contrast, if the U.S. Administration makes clearer that the United States no longer regards the Soviet Union as the enemy, Gorbachev would be greatly helped. He would benefit politically if we discontinue the military pressure implied by such weapons programs as the Strategic Defense Initiative. He would benefit most from broad-scale disarmament that would permit him to transfer scientific brainpower to consumer production. In short, American help can help answer the question: "Will Gorbachev survive?"●

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar No. 592, Ronald J. Sorini, for the rank of Ambassador during his tenure of service as the U.S. Negotiator on Textile Matters; and

Calendar No. 593, George W. Haley, to be a Commissioner of the Postal Rate Commission.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, en bloc, that the motions to reconsider be laid upon the table, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

Ronald J. Sorini, of the District of Columbia, for the rank of Ambassador during his tenure of service as the U.S. Negotiator on Textile Matters.

POSTAL RATE COMMISSION

George W. Haley, of Maryland, to be a Commissioner of the Postal Rate Commission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will

return to the consideration of legislative business.

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that, during the recess period of the Senate, Senate committees may file reported Legislative and Executive Calendar business on Thursday, February 15, from 12 noon to 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

USE AND DISTRIBUTION OF CERTAIN INDIAN JUDGMENT FUNDS

Mr. MITCHELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1096.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1096) entitled "An Act to provide for the use and distribution of funds awarded the Seminole Indian in dockets 73, 151, and 73-A of the Indian Claims Commission", do pass with the following amendments:

Page 2, line 19, strike out "75.404" and insert "73".

Page 2, line 21, strike out "24.596" and insert "27".

Mr. MITCHELL. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House on disagreeing votes of the two Houses and the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Chair (Mr. ROBB) appointed Mr. INOUYE, Mr. DECONCINI, Mr. DASCHLE, Mr. CONRAD, Mr. REID, Mr. MCCAIN, Mr. MURKOWSKI, Mr. COCHRAN, and Mr. GORTON conferees on the part of the Senate.

INDIAN PREFERENCE ACT OF 1989

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 411, S. 321, a bill to revise provisions of law that provide for preference to Indians.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 321) to revise provisions of law that provide for preference to Indians.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Select Committee on Indian Affairs, with an amendment to strike all after the enacting clause, and insert the following:

SHORT TITLE

SECTION 1. This Act may be referred to as the "Indian Preference Act of 1989".

FINDINGS

SEC. 2. (a) The Congress, after careful review of the economic conditions on Indian reservations, and the historical and special legal relationship of the Federal Government with Indian people, finds that—

(1) economic self-sufficiency is an essential element in achieving self-determination by Indian tribes and Indian people;

(2) increased Indian employment and business opportunity is a critical element in the elimination of the poverty, alcoholism, high suicide rates, substandard housing, and other problems that are the focus of many of the Federal programs serving Indians;

(3) the funds spent by the United States on reservations or otherwise spent for the benefit of Indians need to be utilized, not only to purchase goods and services but, to the maximum extent feasible, to promote Indian employment and business opportunities;

(4) the awarding of a preference in training, employment, contracting, and subcontracting opportunities has proven to be an exceptionally effective means of ensuring that Indians receive the maximum benefit from Federal funds appropriated on their behalf;

(5) the existing Federal laws on Indian preference in contracting need to be updated, revised, and consolidated to include appropriate recognition of tribal laws that establish preference programs for tribal members; and

(6) companies and individuals that seek to take improper advantage of Indian preference opportunities do not contribute to Indian economic development and damage the credibility of Indian preference programs.

(b) The Congress declares that—

(1) a major national goal of the United States is to ensure that the procurement of goods and services on Indian reservations or otherwise for the benefit of Indians shall be carried out in a manner that achieves the maximum benefit for Indian employment and business development; and

(2) a secondary but essential goal is to prevent and prohibit companies from misusing Indian preference programs.

BUY INDIAN ACT AMENDMENTS

SEC. 3. (a) Section 23 of the Act of June 25, 1910 (36 Stat. 861; 25 U.S.C. 47) is amended to read as follows:

"SEC. 23. (a)(1) Each Federal agency administering funds appropriated for the benefit of Indians that are awarded or distributed under a contract or grant shall—

"(A) provide a preference to Indian preference enterprises in the award of the grant or contract, including (but not limited to) contracts for construction or printing,

"(B) require that the recipient of the contract or grant—

"(i) provide preferences to Indians for training and employment in connection with such contract or grant and require any recipient of a subcontract or subgrant under such contract or grant to provide such preferences, and

"(ii) provide a preference to Indian preference enterprises in the awarding of subcontracts and subgrants under the contract or grant.

"(2) The Secretary of the Interior may authorize preferences for Indian preference enterprises in the award by any Federal agency of contracts that do not involve funds appropriated for the benefit of Indians upon the request of that agency if the Secretary of the Interior believes the preferences will help to fulfill the special responsibilities of the Secretary of the Interior toward Indians.

"(3) The preferences provided by reason of this subsection shall have priority over all other Federal procurement preferences.

"(4)(A) For purposes of this section, funds awarded or distributed under a contract or grant are appropriated for the benefit of Indians if—

"(i) Indians are the primary beneficiaries of the contract or grant,

"(ii) the majority of the activity to be undertaken under the contract or grant takes place within the exterior boundaries of an Indian reservation, or

"(iii) the contract is entered into under, or the grant is provided under, the Act of April 16, 1934 (48 Stat. 596; 25 U.S.C. 452, et seqq.), or under title II of the United States Housing Act of 1937 (42 U.S.C. 1437aa, et seqq.).

"(B) The provisions of this section shall not apply to the awarding of contracts under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450, et seqq.), but shall apply to the awarding of subcontracts of such contracts, to employment and training opportunities under such contracts and subcontracts, and with respect to the awarding of, and opportunities under, grants and subgrants provided under such Act.

"(C) The provisions of this section shall not apply with respect to—

"(i) contracts for the procurement of expert advice and testimony in litigation conducted by the United States as trustee for Indians or Indian tribes; or

"(ii) contracts awarded under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

"(D) This section shall apply with respect to the Five Civilized Tribes and the members of the Osage Tribe.

"(5)(A) A Federal agency shall implement the preference provided under paragraph (1)(A) by limiting the competition for the awarding of a contract to Indian preference enterprises if—

"(i) there is a reasonable expectation that offers will be obtained from at least—

"(I) 3 responsible offerors in the case of a contract for architectural-engineering services, or

"(II) 2 responsible offerors in the case of a contract for the procurement of any other services or for the procurement of any product, and

"(ii) the contract can be awarded at a fair and reasonable price.

"(B) If only one offer is received under a competition restricted to Indian preference enterprises for a contract for a product or service other than architectural-engineering services, the procuring agency may negotiate an award of the contract at a fair and reasonable price.

"(6)(A) If it is not feasible for a Federal agency to limit the competition for the award of a contract under the authority of paragraph (5), the agency shall award the contract after full and open competition. In such case, the contract shall be awarded to any responsible Indian preference enterprise submitting the lowest bid that does not exceed the lowest bid submitted by any other responsible bidder by more than the percentage prescribed by the head of the Federal agency in regulations. If a factor

other than price is determinative in the award of the contract, the Federal agency shall utilize a comparable method to provide a preference to Indian preference enterprises in the selection process.

"(B) The percentage prescribed under subparagraph (A) that establishes a maximum limitation on the difference between the bids shall not be less than 5 percent nor more than 10 percent.

"(7) The preference requirements of this section may be waived only upon extraordinary circumstances. The determination to make such a waiver may only be made by—

"(A) if the procuring agency is within the Department of the Interior, the Assistant Secretary of the Interior for Indian Affairs,

"(B) if the procuring agency is within the Department of Health and Human Services, the Director of the Indian Health Service, and

"(C) in all other cases—

"(i) the senior procurement executive of the procuring agency, as designated under section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)), or

"(ii) the principal deputy of such executive who is—

"(I) a general officer (as defined in section 101(40) of title 10, United States Code) or a flag officer (as defined in section 101(41) of such title), or

"(II) a civilian employee in a position in grade GS-16 of the General Schedule under section 5331 of title 5, United States Code (or an equivalent position in the Senior Executive Service).

"(8)(A) Each Federal agency subject to the provisions of this subsection shall, at the beginning of each fiscal year, provide to the Office of Indian Preference a list of the contracts of such agency to which this section applies.

"(B) Each Federal agency shall advertise the contracts to which this section applies at a date sufficiently in advance of the date performance must begin under the contract to permit a subsequent open market advertisement of the contract if the contract cannot be awarded under the limited competition provision of this subsection.

"(9)(A) Except as otherwise provided in this paragraph, the preferences required to be provided to enterprises under this section may only be provided to Indian preference enterprises.

"(B)(i) An Indian preference enterprise may benefit from a preference provided under this section only if the enterprise submits to the agency or person that is to provide the preference an affidavit certifying that the enterprise continues to meet the requirements necessary for certification by the Director as an Indian preference enterprise. The affidavit shall be executed and submitted at the time the contract or subcontract bid, or grant or subgrant application, is submitted and again at the time the contract, subcontract, grant, or subgrant is awarded.

"(ii) Any agency or person that receives an affidavit submitted by an enterprise under clause (i) shall submit a copy of the affidavit to any Indian tribe that would be affected by the contract, subcontract, grant, or subgrant for which the enterprise seeks a preference under this section.

"(C)(i) Any Indian preference enterprise that—

"(I) is engaged in construction activities, and

"(II) has successfully completed, independently, at least one contract,

may enter into joint ventures with other enterprises that are not Indian preference enterprises.

"(ii) Any Indian preference enterprise that enters into a joint venture under clause (i) shall remain eligible, and the joint venture shall be eligible, for preferences under this section so long as the Indian preference enterprise—

"(I) owns and controls at least 51 percent of the joint venture and receives at least 51 percent of the profits of the joint venture, and

"(II) has successfully completed, independently, at least one contract for each contract awarded to the joint venture for which a preference is provided under this section.

"(b) For purposes of this section—

"(1) The term 'Indian preference enterprise' means an Indian enterprise that is certified by the Director of the Office of Indian Preference as eligible for the preferences provided under this section.

"(2) The term 'Indian enterprise' means—

"(A) an enterprise which—

"(i) is engaged in construction (within the meaning of the Indian Self-Determination and Education Assistance Act), and

"(ii) is entirely owned by one or more Indians, or Indian tribes, that receive 100 percent of the profits of the enterprise,

"(B) an enterprise—

"(i) which is engaged in any business other than construction, and

"(ii) at least 51 percent of which is owned by one or more Indian tribes that receive not less than 51 percent of the profits of the enterprise, or

"(C) an enterprise—

"(i) which is engaged in any business other than construction,

"(ii) at least 51 percent of which is owned by one or more Indians who receive not less than 51 percent of the profits of the enterprise, and

"(iii) which has an Indian owner who—

"(I) acts as the chief executive officer of the enterprise, and

"(II) has the experience and training to manage, and does in fact manage, the day-to-day activities of the enterprise.

"(3) The terms 'Indian' and 'Indian tribe' have the respective meaning given to each of such terms under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(4) The term 'Secretary' means the Secretary of the Interior.

"(5) The term 'Director' means the Director of the Office of Indian Preference of the Department of the Interior.

"(6) The term 'Office' means the Office of Indian Preference of the Department of the Interior.

"(7) Except for purposes of subsection (a)(4)(B)—

"(A) the term 'contract' includes subcontracts, and

"(B) the term 'grant' includes subgrants.

"(8) The term 'Indian reservation' has the same meaning given to the term 'Reservation' by section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d)).

"(c)(1) There is hereby established within the Department of the Interior an office to be known as the 'Office of Indian Preference', which shall be under the supervision of the Director of the Office of Indian Preference.

"(2) The Director of the Office of Indian Preference shall be appointed by the Assistant Secretary of the Interior for Indian Affairs.

"(3)(A) The Director shall—

"(i) develop and publish a set of criteria for certifying Indian enterprises as eligible for the preferences provided under this section,

"(ii) investigate the financial backgrounds of enterprises which apply for certification as Indian enterprises eligible for the preferences provided under this section, of enterprises that have acquired such certification, and of the owners and officers of such enterprises,

"(iii) review applications from Indian enterprises for such certification,

"(iv) certify as Indian enterprises eligible for the preferences provided under this section those Indian enterprises that satisfy the criteria established under clause (i),

"(v) prescribe such regulations, and establish such policies, monitoring systems, and enforcement systems, in conjunction with the Office of Federal Procurement Policy, as may be necessary to ensure that the provisions of this section are carried out,

"(vi) investigate complaints alleging one or more violations of this section or the regulations prescribed under this section, including (but not limited to) allegations that—

"(I) an enterprise not certified by the Director as an Indian enterprise eligible for the preferences provided under this section was awarded a contract or grant with the assistance of a preference provided under this section,

"(II) an enterprise was wrongly certified by the Director as an Indian enterprise eligible for the preferences provided under this section,

"(III) an enterprise misrepresented its status to the Office, or

"(IV) an enterprise is no longer an Indian enterprise or in compliance with the criteria established under clause (i),

"(vii) investigate complaints alleging that an Indian tribe is improperly administering preferences required under this section in a manner that exhibits a documented pattern of abuse and seriously jeopardizes the rights of Indians or Indian enterprises, and

"(viii) develop and assist Federal agencies in implementing a program to ensure that Federal funds expended for the benefit of Indians also assist, to the maximum extent feasible, in the promotion of Indian economic development.

"(B) The regulations that are to be prescribed under subparagraph (A)(v) shall include—

"(i) a standard application to be used by an enterprise applying for certification as an Indian enterprise eligible for the preferences provided under this section,

"(ii) the procedures under which completed applications for such certification will be acted upon by the Director within a reasonable period of time after receipt by the Office,

"(iii) procedures which guarantee that all decisions rendered by the Director regarding such certification will be communicated to such enterprise in writing,

"(iv) a description of the appeal procedures available to any enterprise which is denied such certification by the Director, and

"(v) a description of the record-keeping management system of the Office.

"(C) The regulations that are to be prescribed under subparagraph (A)(v), and the policies and systems that are to be established under subparagraph (A)(v), shall be prescribed and established in conjunction with the Office of Federal Procurement

Policy in a manner that considers the existing procurement practices of Federal agencies, promotes maximum consistency, uniformity, and coordination among Federal agencies, and promotes the maximum participation of Indian tribes.

"(D) Each Federal agency and Indian tribe shall implement, and comply with, the regulations prescribed under subparagraph (A)(v) and the policies and systems established under subparagraph (A)(v).

"(4)(A) The Director shall employ staff for the Office and may use such experts from within and without the Federal Government as may be necessary to assist the Director in carrying out the duties of the Director.

"(B) Neither the Director nor any individual employed by the Office shall participate in any decision which involves an enterprise in which the Director or employee, or a relative of the Director or employee, has a financial interest.

"(5)(A) For the purpose of conducting any investigation authorized under this subsection, the Director may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, or documents that are relevant to the inquiry. The attendance of such witnesses and the production of such records may be required from any place in the United States.

"(B) In any case of contumacy by, or refusal to obey a subpoena issued to, any person, the Director may invoke the aid of any court of the United States where such person resides or may be found in requiring the attendance and testimony of witnesses and the production of books, papers, and documents. The court may issue an order requiring such person to appear before the Director, to produce records, if so ordered, or to give testimony touching the matter under investigation.

"(C) A failure to obey an order of the court issued under this paragraph shall be punishable by the court as a contempt thereof. All process in any such case may be served in the judicial district where such person resides or may be found.

"(D) Witnesses subpoenaed by the Director shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

"(6) All statements submitted by an enterprise to the Office shall be made under oath or affirmation by an officer or owner of the enterprise who is authorized to make the statement on behalf of the enterprise.

"(7) If, as the result of an investigation, the Director determines that any of the conditions described in any subclause of paragraph (3)(A)(vi) exists with respect to any enterprise, the Director shall—

"(A) revoke the certification of such enterprise as an Indian enterprise eligible for the preferences provided under this section, if such certification has been made by the Director, and

"(B) shall transmit all information available to the Director regarding such conditions to the Inspector General of, or the head of, the agency that administers the contract or grant to which such conditions relate.

"(8)(A) Any determination by the Director to deny any enterprise certification as an Indian enterprise eligible for the preferences provided under this section, or to revoke such certification, may be appealed to the Office of Hearings and Appeals of the Department of the Interior.

"(B) The decision of the Office of Hearings and Appeals of the Department of the Interior on an appeal brought under subparagraph (A) shall—

"(i) be considered final agency action by the Department on the petition, and

"(ii) be subject to judicial review under chapter 7 of title 5, United States Code.

"(9) There are authorized to be appropriated for each fiscal year $500,000 to carry out the provisions of this subsection.

"(d)(1)(A) The head of each Federal agency shall deduct from each payment made under each contract awarded to an Indian preference enterprise that benefited from a preference provided under this section in the awarding of such contract an amount equal to 1.5 percent of the total amount of the payment otherwise payable to the Indian preference enterprise under such contract.

"(B) The funds deducted under subparagraph (A) shall be deposited into the Indian Enterprise Opportunity Fund.

"(C) No funds shall be deducted under subparagraph (A) during any fiscal year if the total amount of funds in the Indian Enterprise Opportunity Fund at the close of the fiscal year preceding such fiscal year exceeds $100,000,000.

"(2)(A) There is hereby established within the Treasury of the United States a trust fund to be known as the 'Indian Enterprise Opportunity Fund', consisting of such amounts as may be deposited into the Fund under paragraph (1)(B) or credited to the Fund under this paragraph.

"(B) The Secretary of the Interior shall be the trustee of the Indian Enterprise Opportunity Fund, and shall submit an annual report to the Select Committee on Indian Affairs of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives on the financial condition and the results of the operations of the Indian Enterprise Opportunity Fund during the fiscal year preceding the fiscal year in which such report is submitted and on the expected condition and operations of the Fund during the fiscal year in which such report is submitted and the 5 fiscal years succeeding such fiscal year. Such report shall be printed as a House document of the session of the Congress to which the report is made.

"(C)(i) The Secretary of the Treasury shall invest such portion of the Indian Enterprise Opportunity Fund as is not, in the judgment of the Secretary of the Interior, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States. For such purpose, such obligations may be acquired—

"(I) on original issue at the issue price, or

"(II) by purchase of outstanding obligations at the market price.

"(ii) Any obligation acquired by the Indian Enterprise Opportunity Fund may be sold by the Secretary of the Treasury at the market price.

"(iii) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Indian Enterprise Opportunity Fund shall be credited to, and form a part of, the Fund.

"(D) Funds in the Indian Enterprise Opportunity Fund shall only be available for reimbursements made under paragraph (4).

"(3)(A) The Secretary shall guarantee to reimburse the Administrator of the Small Business Administration for any amount paid by the Administrator to a surety on a bond described in section 411(c)(4) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(4)) that the Administrator guarantees under section 411 of such Act if sufficient funds are available in the Indian Enterprise Opportunity Fund at the time of the execution of such bond to cover the potential liability of the Secretary to make such reimbursement with respect to such bond.

"(B)(i) During the fiscal year in which the Indian Preference Act of 1989 is enacted and the first fiscal year succeeding such fiscal year, the Secretary shall make reimbursement guarantees under subparagraph (A) without regard to the availability of funds in the Indian Enterprise Opportunity Fund.

"(ii) The total amount that—

"(I) is guaranteed to be reimbursed by the Secretary under subparagraph (A), and

"(II) would not be eligible to be guaranteed under subparagraph (A) if clause (i) did not apply,

shall not exceed $15,000,000.

"(4) The Secretary is authorized and directed to pay out of the Indian Enterprise Opportunity Fund to the Administrator of the Small Business Administration amounts necessary to make any reimbursements the Secretary has guaranteed to make under paragraph (3).

"(5) The provisions of the Act of August 24, 1935 (49 Stat. 793; 40 U.S.C. 270a, et seq.) shall not apply with respect to a contract awarded to an Indian preference enterprise by a Federal agency if—

"(A) the award price of the contract is anticipated to be $3,000,000 or less;

"(B) the Indian preference enterprise has been determined to be a responsible contractor capable of performing the contract;

"(C) the Federal agency determines that the Indian preference enterprise has been unable to obtain the requisite bonds after making good faith application to at least 2 surety firms determined by the Secretary of the Treasury to issue acceptable bonds pursuant to chapter 93 of title 31, United States Code, even with a guarantee provided pursuant to title IV of the Small Business Investment Act of 1958 (15 U.S.C. 692, et seq.); and

"(D) the Indian preference enterprise has provided for the protection of persons furnishing materials and labor, in lieu of a payment bond, through a program of direct disbursement from the Federal Government of payments due to such persons by such Indian preference enterprise through—

"(i) an escrow account established and maintained by the Indian preference enterprise at any bank the deposits of which are insured by the Federal Deposit Insurance Corporation, or

"(ii) a Federal Government payment center servicing the procuring agency, if approved by the procuring agency.

"(e)(1) If—

"(A) a contract or grant to which the preferences provided under this section apply is to be performed on a reservation of an Indian tribe,

"(B) the governing body of the Indian tribe has—

"(i) established preferences generally comparable to those provided under this section,

"(ii) established a tribal office to enforce those preferences, and

"(iii) submitted to the Director a written request that this paragraph apply, and

"(C) such tribal office submits to the Director a statement certifying that the tribal office will administer the preferences established by the Indian tribe in accordance with this section,

the preference requirements established by the Indian tribe shall be applicable to the contract or grant in lieu of the preferences provided under this section and the tribal office shall have primary responsibility for enforcing the preferences with respect to the contract or grant.

"(2) Paragraph (1) shall not apply if the Director determines that the preferences established by the Indian tribe are not generally comparable to those provided by this section or that the tribal office—

"(A) is incapable of enforcing the preferences, or

"(B) is failing to meet its responsibilities to the extent that the rights of Indians or Indian preference enterprises provided for in this section are being seriously jeopardized.

"(f) In addition to any other penalties provided under Federal or tribal law, whoever misrepresents the status of an individual as an Indian, or of an enterprise as an Indian enterprise or an Indian preference enterprise, in order to obtain a preference under this section for such person or any other person—

"(1) may be punished in a criminal action brought in a tribal court of an Indian tribe affected by the misrepresentation by a fine of not more than $5,000, or by imprisonment for not more than one year, or both;

"(2) shall be liable to the United States for the amount of any grant, or the amount paid under any contract, that was obtained by reason of the preference;

"(3) shall be subject to suspension and debarment as specified in subpart 9.4 of part 9 of title 48 of the Code of Federal Regulations (or any successor regulation) on the basis that such misrepresentation indicates a lack of business integrity that seriously and directly affects the present responsibility to perform any contract awarded by the Federal Government; and

"(4) shall be ineligible for any preference provided under this section.

"(g)(1) The Secretary of the Interior or the Director may request the Inspector General of the Department of the Interior to conduct an investigation of any contract, grant, subcontract, or subgrant with respect to which preferences are required to be provided under this section.

"(2) By no later than the date that is 30 days after the date on which a request is submitted to the Inspector General of the Department of the Interior under paragraph (1), the Inspector General shall submit to whoever made the request a written response to the request detailing the actions, if any, the Inspector General will take with respect to the request.".

(b) Section 33 of the Act of June 25, 1910 (36 Stat. 863; 25 U.S.C. 353) is amended by striking out "section thirty-two" and inserting in lieu thereof "sections 23 and 32".

(c) The first paragraph under the subheading "Secretary" that is under the superior heading "I. General Provisions" of the Act of April 30, 1908 (35 Stat. 71; 25 U.S.C. 47) is amended by striking out the last proviso.

CRIMINAL PENALTIES

SEC. 4. (a) Chapter 53 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1169. Indian preferences

"(a) Any person who, for the purpose of obtaining any preference provided under section 23 of the Act of June 25, 1910 (36 Stat. 861; 25 U.S.C. 47) for that person or for any other person, makes, passes, uses, utters or publishes—

"(1) any statement, knowing that the statement is false, or

"(2) any instrument, paper, or document, knowing it to have been altered, forged or counterfeited,

shall be fined not more than $100,000 or imprisoned not more than 5 years, or both.

"(b) Any person who, in any document, knowingly makes any false statement or representation of fact, or knowingly conceals or fails to disclose any fact, the disclosure of which—

"(1) is required under section 23 of the Act of June 25, 1910 (36 Stat. 861; 25 U.S.C. 47), or any regulations prescribed under such Act, or

"(2) is necessary to verify or clarify whether an enterprise or individual is eligible for any preference provided under such section,

shall be fined not more than $100,000, or imprisoned not more than 5 years, or both.".

(b) The table of contents for chapter 53 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"1169. Indian preferences.".

SMALL BUSINESS ADMINISTRATION SURETY BOND GUARANTEE

SEC. 5. (a) Subsection (c) of section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5),

(2) by striking "or" at the end of paragraph (3), and

(3) by inserting after paragraph (3) the following new paragraph:

"(4) not to exceed 95 percent of the loss incurred and paid in the case of a surety requiring the Administration's specific approval for the issuance of a bond, if—

"(A) the bond was issued to an Indian preference enterprise (as defined by section 23(b) of the Act of June 25, 1910 (36 Stat. 861; 25 U.S.C. 47)),

"(B) the total amount of the contract for which the bond is issued at the time of the execution of the bond is $5,000,000 or less, and

"(C) the Secretary of the Interior guarantees to reimburse the Administrator for any amount the Administrator pays the surety on such loss; or".

(b)(1) Paragraph (1) of section 411(a) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended to read as follows:

"(1) The Administration may, upon such terms and conditions as the Administration may prescribe, guarantee and enter into commitments to guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by a principal on any contract up to—

"(A) $5,000,000 if the principal is an Indian preference enterprise, or

"(B) $1,250,000 for any other principal.".

(2) Paragraph (2) of section 411(e) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(e)(2)) is amended to read as follows:

"(2) the total contract amount at the time of execution of the bond exceeds—

"(A) $5,000,000 if the principal is an Indian enterprise, or

"(B) $1,250,000 for any other principal,".

(c) Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended by adding at the end thereof the following new paragraph:

"(9) The term 'Indian preference enterprise' has the same meaning given to such term by section 23(b) of the Act of June 25, 1910 (36 Stat. 861; 25 U.S.C. 47).".

(d)(1) Any guarantee made by the Administrator of the Small Business Administration under section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) of a bond described in section 411(c)(4) of such Act—

(A) shall not be subject to, and shall not be taken into account in applying, any limitation imposed under section 20 of the Small Business Act (15 U.S.C. 631), or under any other provision of law, on the total amount that may be guaranteed under section 411, or title IV, of the Small Business Investment Act of 1958, and

(B) shall not be subject to the availability of funds in—

(i) the Business Loan and Investment Fund established under section 4(c) of the Small Business Act (15 U.S.C. 633(c)), or

(ii) the revolving fund established under section 412(a) of the Small Business Investment Act of 1958 (15 U.S.C. 694c(a)).

(2) The provisions of paragraph (1) shall apply notwithstanding any provision of law enacted before or on the date of enactment of this Act and shall apply notwithstanding any provision of law enacted after the date of enactment of this Act unless such subsequently enacted provision of law specifically states that paragraph (1) shall not apply and specifically cites paragraph (1).

OSAGE TRIBE

SEC. 6. Until the Osage Tribe reorganizes and adopts its own criteria for membership, the membership of the Osage Tribe shall consist of all persons of Osage ancestry listed on the roll compiled pursuant to the Act of June 28, 1906, (34 Stat. 539; chapter 3572) and the descendants of such persons. Nothing in this section shall be interpreted as interfering, affecting, or changing, in any manner, the rights of the Osage Tribe in oil, gas, coal or other minerals as provided in the Act of June 28, 1906 (34 Stat. 539; chapter 3572) or in any manner be construed to interfere, affect, or change the vested rights of Osage Indians in the ownership of headright shares in the Osage mineral estate.

MANPOWER AND JOB TRAINING

SEC. 7. The Secretary of the Interior is authorized to negotiate and enter into cooperative agreements with Indian tribes to engage in cooperative manpower and job training and development programs including the performance of work on lands owned and controlled by the Department of the Interior. Such cooperative agreements may be entered into with any agency or office within the Department of the Interior. In such cooperative agreements, the Secretary of the Interior is authorized to advance or reimburse funds to tribes from any appropriations available for similar kinds of work or by furnishing or sharing materials, supplies, facilities, or equipment without regard to the provisions of section 3324 of title 31, United States Code. Employees hired under such cooperative agreements shall be deemed to be Federal employees.

Mr. McCAIN. Mr. President, I rise today to express my strong support for S. 321, the Buy Indian Act Amendments of 1989. This bill will go a long way to ensure that the procurement of goods and services for the benefit of Indians shall be carried out in a manner that achieves the maximum

benefit for Indian employment and economic development. As the vice chairman of the Select Committee on Indian Affairs and the cochairman of the Special Committee on Investigations, I heard the testimony of many Indian contractors who have been frustrated in their attempts to compete for the $200 million in Federal contracts let each year for the benefit of Indians. These legitimate Indian businessmen have been edged out of many contract opportunities by sham operations and front businesses which are organized as Indian-owned enterprises but are in fact nothing more than shells formed by otherwise ineligible non-Indian corporations and individuals. These front operations take advantage of Indian preference laws to defraud the Federal Government in the award of millions of dollars of Indian preference contracts. In the hearings of the Special Committee on Investigations, we found that 19 of the largest so-called Indian contractors were in fact controlled by non-Indians who drained the Indian businesses of their profits.

The Buy Indian Act Amendments of 1989 will provide for uniform standards for certification of Indian-owned enterprises which are qualified for Indian preferences. These standards will apply to all Federal and tribal contracting agencies. In this way the Buy Indian Act Amendments will clarify the area of Indian preference by consolidating existing Indian preference laws under one law which applies to all Federal and tribal agencies. The Buy Indian Act Amendments of 1989 provide for the establishment of an Office of Indian Preference within the Department of the Interior which is responsible for certifying eligible Indian-owned enterprises. This office is also responsible for the enforcement of Indian preference laws. The act provides for the creation of the Indian enterpise opportunity fund which will provide bond guarantees to eligible Indian-owned enterprises so that Indian contractors will be able to obtain bonds without having to resort to forming an Indian front operation. Finally, the act creates Federal criminal and civil penalties for violations of Indian preference laws. I feel that this legislation will provide a framework in which Indian contractors and Indian-owned enterprises will be able to compete for Federal contracts on an equal footing with non-Indian enterprises.

I want to commend Senator DECONCINI, Senator COCHRAN, Senator DASCHLE, and Senator CONRAD for their efforts on this bill. I particularly want to extend my thanks and appreciation to Senator INOUYE for his leadership and effort in bringing this measure to the full Senate. I look forward to continuing to work on S. 321 in an effort to secure final passage during this Congress.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. Without objection, the bill is deemed read the third time and passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. SPECTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. May I add after being asked by Senator DOLE to act as Republican leader I am glad to have finally a speaking part.

THE STATUS OF THE CLEAN AIR ACT

Mr. MITCHELL. Mr. President, for the information of Senators and others who have been following the progress of the Clean Air Act, I would like to provide a brief report on the status of the discussions that are now underway.

As I indicated previously, these discussions have their origin in a conversation I had last year with the administrator of the EPA, Mr. Reilly, who suggested that we get together—the administration and members of the committee, Democrats and Republicans—to discuss possibilities of reconciling the President's proposal with various proposals that have been made by Senators on the same subject.

Those discussions began last fall, and continued throughout the fall. The committee then reported out a bill which accepted about 80 percent of what the President had proposed.

When we returned in January, it was agreed to continue the discussions to attempt to reconcile the remaining differences between what was then the committee-reported bill and the President's bill. Those discussions have continued and have intensified in recent days.

In addition to the administration representatives and members of the committee, a large number of Senators have been invited to participate and have participated in discussions, particularly in areas of special concern to those Senators. These are Members of the Senate who are not members of the committee.

The discussions have made good progress, reaching tentative agreement on two important areas of the bill, those dealing with air toxics and with emissions from stationary sources in nonattainment areas.

Yesterday and today, there was lengthy discussion on the two remaining areas, the principal remaining areas of contention, those being emissions from mobile sources and acid rain. Significant progress was made in both of those areas, although also in both areas significant questions remain unresolved.

On acid rain, the question known colloquially as the class of 1985 problem has apparently been resolved, and that has been important to a large number of Senators concerned about what effect the requirements of the bill would have upon the utility industry in their State. That is a very hopeful and important sign, and I commend all of those who participated in working it out.

Areas of disagreement still remain with respect to both of those provisions, on mobile sources most notably, on the question of an alternative fuels program, and on whether or not there should be a required so-called second round of emissions reductions from automobiles.

Those discussions will continue tomorrow morning. It is my hope that we will be in a position to make a more detailed statement on this subject sometime during the day tomorrow following completion of tomorrow's discussion.

I commend all of those who participated. It has been a good faith effort. Substantial progress has been made in reconciling the differences between the two bills.

I think it is important to understand the context in which this is being discussed. The President proposed a bill that improved and expanded on current law. The committee accepted many of the President's recommendations. It then improved and expanded further on some of the provisions in the President's bill, that is to say, it made them even tighter and more expansive.

So the discussions that are now underway are between the President's bill and the committee bill, both of which are significant improvements in the overall, over and above current law.

I think it is important that everyone understand the context in which it is occurring. Almost every single provision being adopted improves or expands on the coverage of current law and the only question is to what extent that improvement or tightening, if you will, of current law will occur.

I am hopeful and heartened that we will be able to reach further agreements, and I hope to be in a position to proceed on the Senate floor to dispose finally of the bill when we return from recess.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, FEBRUARY 8, 1990

RECESS UNTIL 10 A.M. AND MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Thursday, February 8, and that following the time for the two leaders there be a period for morning business until 10:30 a.m. with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection it is so ordered.

ORDER FOR RECESS UNTIL 9:30 A.M.

Mr. MITCHELL. Mr. President, I modify my earlier unanimous-consent request to ask that the Senate, when it completes its business today, stand in recess until 9:30 a.m. tomorrow, Thursday, February 8, and that following the time for the two leaders there be a period for morning business until 10 a.m., with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. MITCHELL. Mr. President, if the distinguished Republican leader has no further business and if no other Senator is seeking recognition, I now ask unanimous consent that the Senate stand in recess under the previous order until 9:30 a.m. tomorrow, Thursday, February 8.

There being no objection, the Senate, at 7:04 p.m., recessed until Thursday, February 8, 1990, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 7, 1990:

EXECUTIVE OFFICE OF THE PRESIDENT

RONALD J. SORINI, OF THE DISTRICT OF COLUMBIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS THE U.S. NEGOTIATOR ON TEXTILE MATTERS.

POSTAL RATE COMMISSION

GEORGE W. HALEY, OF MARYLAND, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 14, 1992.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

TRIBUTE TO MS. ATIYA EASTERLING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. RANGEL. Mr. Speaker, today I would like to bring to your attention the extraordinary cause of a young girl from New York City and her unique crusade to battle drugs.

Using the slogan "Believe the Hype. Put Down the Pipe," Ms. Atiya Easterling, the young girl from New York City, has implemented a very successful antidrug campaign. With her parents' help she has sold hundreds of T-shirts emblazoned with the slogan and a drawing of a broken pipe of the type that is used in smoking crack and other addictive narcotics.

The inspiration for this campaign, which has received national and international attention, through appearances on TV talk shows, newspapers, and magazine articles, was the sad fact that one of her closest relatives had become a victim of crack. After hearing that here favorite uncle was a drug addict, Atiya asked her parents, Darrell and Barbara Easterling, what she could do to help him. They talked about it and then Atiya sketched out her own antidrug message, which was then transferred onto T-shirts. Moved by her efforts, her uncle kicked his drug habit and has been drug-free for over 80 days.

Using her own money, Atiya kicked off her campaign, distributing around 500 T-shirts free to her school friends and neighbors. Then to her pleasant surprise, the media in this country and abroad began to do reports about her and circulate her impressive story. Consequently, Atiya has attracted enough support to sell her T-shirts and has been contributing the profits to charities.

Undoubtedly, this young girl's concern, and her parents' willingness to help spawned encouragement from many people in New York and has touched the hearts from many more throughout the world. It is because of her inspiration and perseverance that I am proud to express my appreciation of Atiya's crusade.

I am sure that you will agree that Atiya Easterling deserves our support and thanks, since she represents the highest values that our young people possess; qualities that are often overlooked by many of us.

Ms. Atiya Easterling symbolizes a hope in our youth that they can make a difference in our country's war on drugs.

A TRIBUTE TO FORMER CONGRESSMAN HADWEN C. FULLER

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HORTON. Mr. Speaker, on Monday, January 29, one of Parish, New York's leading citizens and a former Member of this body, the Honorable Hadwen C. Fuller passed away at the age of 94. As the dean of the New York congressional delegation and the current representative of the town of Parish, I rise to pay tribute to this distinguished leader.

When I first became the Congressman for Oswego County after the 1982 redistricting, one of the first people I met with was Hadwen Fuller. He was quick to offer his excellent insights into the needs of the county and I was thankful for this. Since that time, we spoke often and became good friends. So today I speak as a personal friend, as a successor, and someone who learned a great deal from this man.

Hadwen Fuller was a self-made man. A high school dropout, he built from the ground up several businesses and more than one town during his lifetime. Over the course of his 94 years, he was a paperboy, a landscaper, a bank cashier and president, a World War I soldier, a Congressman, and an insurance company president. Mr. Fuller served in the 78th, 79th, and 80th Congresses. He also served for a brief period in the New York State Assembly. At the time of his death, Mr. Fuller was the director of Fuller Properties, Inc. Clearly, his life was enriched by a diversity of work experiences.

But Hadwen Fuller was not only interested in expanding his business opportunities, for he was also deeply involved in the building of his hometown of Parish. Former Parish Mayor Lewis DeGarmo described Fuller as "a great statesman. He was interested in civic affairs and the community. He did a lot of things for the village and the town. He gave a lot of employment for the people in the vicinity."

Former Congressman Fuller described his feelings toward the people of Parish in a 1983 interview with the Syracuse Herald-Journal, where he stated "I loved the town. It's part of me because I had some of the most unusual experiences with humanity in the banking business. Any man who resided in the township of Parish could walk in the bank and could borrow $50 from me without a flicker and I never lost a dime."

Hadwen Fuller was a member of several organizations including the Republican Masonic Lodge 325, the Media Shrine Temple in Watertown, NY, and the Lake Ontario Commandry 22 of Fulton. He was a life member of the Scottish Rite, a 32d Degree Mason, and member of the Royal Arch Masons. He was a charter member of the Russell Horning Post 601, American Legion, and was at one point the commander of the Oswego County American Legion.

On behalf of my colleagues from the New York congressional delegation, I would like to extend our condolences to his son Robert Fuller of Parish and his two sisters, Gertrude VanAuken and Frances Pearson, both of Syracuse. My wife Nancy joins me in sending them our thoughts and prayers.

TRIBUTE TO HADWEN C. FULLER

HON. DAVID O'B. MARTIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MARTIN of New York. Mr. Speaker, it is with considerable sadness that I note the death of former Congressman Hadwen C. Fuller of Parish, NY. Had Fuller died at the age of 94 on January 29.

Congressman Fuller began his service in Washington during the 78th Congress when he was appointed to replace the late Representative Francis D. Culkin. He was reelected twice. The dean of the New York State congressional delegation, Congressman FRANK HORTON, speaking for the New York delegation, has told our colleagues of Had Fuller's distinguished business and public career. When I was elected to Congress in 1980, I was privileged to represent Oswego County and Had Fuller's hometown of Parish. His wisdom and perspectives were always welcomed and appreciated.

Congressman Fuller served with distinction in this great institution long before the cold war or the Berlin Wall, and it was only in his private sector years that he witnessed the birth of the New Frontier and the Great Society and the birth of scores of programs that we debate in this Chamber today. He served in the era long before the proliferation of the committees and subcommittees, the need for congressional staffing or even mass mailings. The Congresses in which Had Fuller's served were unlike the Congresses of the 1980's and 1990's. Members of Congress in those days came to Washington by rail with their work packed in steamer trunks. They performed the business of government for a few months and then repacked the trunks for the trip back home. Surely those days seem less hectic than today. Had Fuller was a wealth of information about the issues faced by the Congress in that post-World War II era. He was known to say that the battles fought in those days over providing roads and water to the still-remote corners of America were every bit as cantankerous as the battles that we fight today.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Had Fuller's retirement from Congress was not a retirement from an active life. His real career was in the business world where he was eminently successful. He enjoyed an enviable reputation in New York State as an entrepreneur and gentleman.

With his family, I mourn his passing, and I am saddened at having lost a good friend.

THE RULE OF LAW: DEMOCRACY AND JUSTICE FOR THE PEOPLE OF CYPRUS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GEKAS. Mr. Speaker, the principles of law in which Americans place their faith are being adopted by governments around the world. From Panama to Poland free elections, majority rule, and the sanctity of individual rights have become the cornerstones of government. Unfortunately, these valued principles have been denied the people of Cyprus. Since the July 20, 1974, invasion of Northern Cyprus by Turkish forces, the people of this Mediterranean isle have lived without the rule of law fundamentally accepted by people around the world.

The United States has been both a model and a catalyst for the democratic reforms now sweeping the world. The time has come for this model of democracy to focus its resources on the island of Cyprus. The United States and the United Nations stand as the two forces best equipped to bring a peaceful end to the ethnic and political turmoil crippling Cyprus. We must begin utilizing our substantial leverage with the Turkish Government to bring about constructive negotiations on the issue of Cyprus. The ambivalence often shown by the United States and the international community toward the problem of a divided Cyprus must end.

I laud the efforts by President George Vassiliou of Cyprus and U.N. Secretary General Javier Perez de Cuellar to bring democracy and justice to the people of Cyprus. Their hard work and the support of the United States Government can assure that the "Green Line" meets the same fate as the Berlin Wall. Mr. Speaker, I ask you and all my colleagues in the United States Congress to support a unified, democratic Cyprus, one that follows the rule of law.

WE CANNOT ABANDON THE POOR TO AN ERRATIC MARKET

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. WALGREN. Mr. Speaker, Congressman CONTE, Congressman SHARP, and many others from the Northern and Midwestern States, have introduced legislation to provide an emergency supplemental appropriation for the Low-Income Home Energy Assistance Program [LIHEAP]. I am glad to be a cosponsor of this bill.

While the weather may be warmer now, many low- and middle-class citizens are suffering a chill as they try to pay their heating bills for the past month or two. The extraordinarily cold weather and the sudden increase in fuel oil and propane costs in many cases has led to a tripling and quadrupling of heating costs. The Federal Government has no program to control the weather and there is no agreement on controlling prices. But we do have both an agreement and a program to control the burden of energy costs on families and individuals on fixed incomes.

In recent testimony before Chairman SHARP's Subcommittee on Energy and Power, the Department of Energy agreed. Assistant Secretary Easton stated that, in view of the fact that the Department is committed to free-market pricing that allows for sudden increases in prices, the Department had to support increasing assistance to low-income people who can only allot a portion of their income to staying warm.

Pennsylvania receives $125 million under the present Low-Income Energy Assistance Program. At present prices, Pennsylvania will need to find $300 million more some place to provide the same amount of heat as last year.

We need additional Federal moneys to support this program.

THE 50TH ANNIVERSARY TRIBUTE

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KOLTER. Mr. Speaker. I rise to honor and pay tribute to the New Brighton Order of the Sons of Italy Lodge 1883 and Social Club on the proud occasion of the lodge's 50th anniversary.

The Order of the Sons of Italy is a distinguished fraternal organization dedicated to a belief in the fundamental concept that society is based on the principle of law and order, and adhering to the form of government founded upon the belief in God and based on the Constitution of the United States of America.

The Sons of Italy promotes education, religious, and political freedom, Americanism, social and civic duty, and a spiritual attachment to the traditions of the land of our ancestors.

New Brighton Sons of Italy Lodge 1883 and Social Club has especially strived to help local schools, senior citizens and the handicapped, for example, and has organized food banks and raised funds for volunteer firefighters, the March of Dimes, Little League and the disabled.

The New Brighton Lodge was initiated February 4, 1940 at a ceremony at St. Joseph Church hall, and later located at 903 Third Avenue, New Brighton, with 52 charter members.

The first administration of the New Brighton lodge, installed in 1940, was: Frank Morelli, venerable; William Leo, assistant venerable; Rocco Lucci, ex-venerable; Ernest Curcio, orator; Milo Capo, recording secretary; Dominic Pasquale, financial secretary; Louis J. Peluso, treasurer; and Dante Reveland, sergeant-at-arms. Trustees chosen were: Pasquale Pasquale, Louis Reveland, Dominic Muoio, Anthony Capo, and John Geronimo. Masters of ceremonies were John Totera and Dominic Gaudio.

Today, Lodge 1883 is located at 1435 Fifth Avenue, and the officers are: Anthony Sabella, president; Florence Gallagher, vice president; Helen Balser, financial secretary; Mary Ann Pasquale, recording secretary; Rita Farzo, treasurer; Nick Campagna, Orator; Aldo Montrucchio, master of ceremonies; Jack Balser, Sr., guard; and trustees—Joseph Battiste, Sam Farzo, Ron Pangan, Josie Ragula, and Barb Smith.

Mr. Speaker. I especially honor the New Brighton Sons of Italy Lodge 1883 here today before the full U.S. House of Representatives, because the lodge has opened its facilities to the community to help where and when it can. Lodge 1883 has exemplified the virtues of patriotism and humanitarianism and that is why I rise to pay tribute to the lodge on this 50th anniversary milestone.

THE INTRODUCTION OF THE BUDGET TRUST FUND REFORM ACT

HON. BENJAMIN J. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. CARDIN. Mr. Speaker, Gramm-Rudman has been a failure. Its focus on the current year deficit has made the design of accounting gimmicks a growth industry, with the Office of Management and Budget leading the way and Congress willingly going along. Most of the deficit reduction accomplished in recent years has come from the growth of the Social Security trust funds, not through congressional or Presidential action. I believe deficit reduction is a matter of will, not process, and what we need to do is to repeal Gramm-Rudman and get on with reducing the deficit. Until that option becomes viable, I have drafted the Budget Trust Fund Reform Act to inject some honesty and discipline into the Gramm-Rudman process.

Since 1986 the Social Security Trust Fund has been accumulating sizable surpluses. Instead of saving these funds to provide for the retirement of the baby boom generation, the surpluses have been used by the Treasury to fund the day-to-day functions of the Government. I applaud Senator MOYNIHAN for spotlighting the fraud that has been perpetrated over the past 4 years. Senator MOYNIHAN has proposed cutting the Social Security payroll taxes to stop this practice.

Although I share the Senator's abhorrence of the funding of Government operations with the regressive payroll tax, I am concerned that his plan would greatly aggravate the savings crisis in our country. We should continue to accumulate the Social Security surpluses and reserve them for their original purpose while also bringing our operating budget deficit under control.

First, my legislation would exclude the surpluses of the Social Security, hospitalization insurance [HI], highway, and airways trust funds from the calculation of maximum deficits. We should not be relying, as part of our deficit reduction strategy, on funds that are designated to meet long-term obligations.

Second, this bill would establish new annual deficit targets based on these corrected deficit calculations. It requires $23 billion in deficit reduction in each of the next 5 years to bring our fiscal year 1995 Federal funds deficit down to 1 percent of gross national product—$76 billion as estimated by the Congressional Budget Office. When the deficit reaches $76 billion the sequestration provisions of Gramm-Rudman would sunset. I believe this is a manageable deficit level. Our deficit is now about 4 percent of GNP.

Perhaps most important, this bill provides that any excess deficit incurred because of legislation passed after the OMB snapshot or inaccurate economic assumptions will trigger an equal reduction in the following year's target. This will greatly reduce both the ability and the incentive for Congress and the administration to pass spending into other fiscal years in order to meet current Gramm-Rudman targets.

If Congress insists on being driven by an automatic deficit reduction law, then we should employ an honest system that tolerates no post-sequestration spending, shifting of pay dates or other budget fun and games. We should also take necessary measures to permit the buildup of Social Security trust funds, as contemplated by the 1982 Social Security Act amendments, to take place. My bill will help to achieve both these worthwhile ends.

OBSERVING THE KIZOMBA FESTIVAL AS PART OF BLACK HISTORY MONTH IN GREATER MIAMI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to observe the celebration of Black History Month, and the rich history behind the Afro-American culture. The Wolfson Campus of Miami-Dade Community College is joining in this observation of black history through their program known as Kizomba. The Kizomba program coined its name from a Swahili word for "celebration;" the program is one of many extra curricular groups at the Wolfson campus which encourages and promotes a greater understanding and appreciation of the various cultures that make up the Greater Miami area. In observance of Black History Month, Kizomba, in conjunction with Paella, Miami Book Fair International, and Jewish Heritage Week, is sponsoring the program entitled "A Celebration of Black Heritage." The month-long program which involves art exhibits, lectures, ethnic foods, and music, only exhibits a fraction of the rich Afro-American heritage all Americans should be proud of. The beauty behind Kizomba can be seen in the gathering of a diverse, multiethnic population to share and experience the heritage of the Afro-American people. Throughout this month students, families, community leaders, and dignitaries will become immersed in a celebration that applauds the cultural variety that makes Miami unique.

Many people fail to remember that the history of the Afro-Americans goes far beyond the atrocities of slavery and the advocacy of civil rights. In Africa, empires advanced education, science, trade, government, and military strategy independent of and many times earlier than their European counterparts.

The history of the Afro-American in the United States has been stained by slavery, discrimination, and tremendous injustices. In the face of adversity, the Afro-American community developed a rich heritage through their struggle in early America. Many blacks overcame this resistance and limited opportunities to become scientists, teachers, performers, athletes, and politicians. Unfortunately, the struggle which Afro-Americans endured has overshadowed their many success stories, which have helped mold this country into a great nation.

I ask you, my colleagues, and all Americans to join in saluting the many men and women who have contributed throughout history to the quality of life and achievements of this country. We all must recognize that America has always existed as a melting pot for all races, cultures, and creeds. Out of this diversity, is born excellence and out of this excellence, America exists. As Americans, we all need to join in and observe the tremendous contributions the Afro-American culture has made in this fine nation.

NATIONAL RECYCLING MONTH

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, Feburary 7, 1990

Mr. HAWKINS. Mr. Speaker, today I am pleased to introduce, with Mr. DREIER, a resolution to designate April 1990 as "National Recycling Month." I urge my colleagues in the House and Senate to lend support to creating a nationwide effort to solve our solid waste crisis.

Most of you are probably familiar with the term "recycle" and many of you may already participate in community programs. However, the statistics on solid waste are still far from encouraging. The Office of Technology Assessment estimates that "Americans are generating more than half a ton of municipal solid waste per person each year." Rather than continuing to dispose of waste materials in economically inefficient ways, recycling can most efficiently conserve the resources we already have.

As I introduce "National Recycling Month I urge all Americans to incorporate conservation as part of daily life. I commend educational projects which prepare our children to recycle waste. With the forthcoming Earth Day on April 22, 1990, recycling can help us realize our ambitions of becoming a prudent, more environmentally efficient nation ready to face the 21st century.

TRIBUTE TO MARY BAKER AND DAN STACK

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. SCHNEIDER. Mr. Speaker, I would like to take this opportunity to join the Disabled American Veterans in honoring two of their dedicated servants, Marion ("Mary") T. Baker and Daniel P. Stack.

Mary, a DAV Auxiliary member for 14 years, and Dan, a life member of DAV for 17 years, certainly deserve recognition for their many years of strong leadership and altruistic service in their communities.

Mary was employed for 10 years by the Los Angeles Unified School Department in California. Presently, she is the senior vice commander of the Emily E. Baker Unit No. 9 in Warwick, RI, where she first became a member in 1974. She is also very active with the Auxiliary Department of Rhode Island where she holds the title of department auxiliary chaplain. Aside from her DAV work, Mary volunteers at the Cranston Senior Citizens Center and belongs to the Cranston Senior Tappers.

Dan served his country with the U.S. Air Force from August 1969 through April 1973. In 1974, he became a national service officer with the Disabled American Veterans and has been stationed in Boston, New York, and Cleveland. Through Dan's leadership in Cleveland, the "Forgotten Warrior" project gained national recognition and contributed to the establishment of a DAV program to address the problems of Vietnam veterans. In 1980, he was promoted to supervisor of the DAV National Service Office in Providence, RI. Currently, Dan also serves as adjutant for the Maurice H. Pion Chapter No. 17 in West Warwick, RI.

Today I am very proud to join the Disabled American Veterans in honoring two great Americans and fellow Rhode Islanders, Mary Baker and Daniel Stack.

TRIBUTE TO ROBERT DONALD SEMPLE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. McEWEN. Mr. Speaker, today I would like to take this opportunity to honor and offer my congratulations to one of the most outstanding community leaders in southern Ohio today, Mr. Robert Donald Semple. Bob Semple was recently elected as president of the Adams County Board of Commissioners where he has served for the past 9 years.

Bob Semple was born on the same farm on which he resides today, on August 14, 1949, the second son of Donald and Beulah Semple. He attended the local Winchester High School, and graduated in 1959. After graduation Bob assisted his father in the family-owned meat processing business for

several years. Later he was an employee of the State of Ohio and the Ohio Department of Transportation. Bob also spent a number of years in sales for the Kibler Milling Co.

Over the years Bob has provided outstanding, conscientious and faithful service to the community. As a commissioner he has tirelessly worked to represent the viewpoints of Adams County residents, as well as being responsive to their needs. During his tenure with the county government, Adams County has experienced a new vitality.

Through his leadership and efforts, water is now provided to many rural areas throughout Adams County that would have otherwise been neglected. We are all grateful for his persistence in ensuring that Adams County has an accessible and affordable water system. In addition, his efforts in encouraging and strengthening Four-H throughout the county have garnered praise and gratitude from many of his constitutents.

The 1990's is a decade that will bring both challenges and promise to rural communities, and Bob Semple is sure to provide the same dedication, hard work, and commitment he provided throughout the 1980's. I wish him the best, and I look forward to working with him for many years to come.

LEGISLATION TO GRANT FEDERAL CHARTER TO THE RETIRED ENLISTED ASSOCIATION

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HEFLEY. Mr. Speaker, today I am introducing legislation which would grant a Federal charter to the Retired Enlisted Association [TREA].

The members of TREA are brave men and women who answered the call of their country when they were most needed. These men and women served with honor, dedication, and great personal sacrifice. I strongly believe Congress should recognize this organization and acknowledge the service its members gave to our Nation.

TREA is a nonprofit corporation with members made up of retired enlisted personnel from the U.S. Armed Services. It promotes national security objectives, runs a scholarship program and various veterans' assistance programs. It has over 40 chapters nationwide with members from all 50 States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, and overseas.

A Federal charter is important for TREA for several reasons. In order for TREA to participate in the Secretary of Labor's Committee on Veterans' Employment, a Federal charter is needed. Also, a Federal charter is needed in order to serve on the President's National Veterans' Day Committee. It is an injustice that the largest group of American veterans are not allowed to be represented on these committees. As my colleagues can see, a Federal charter does much more than give recognition to TREA, it is truly needed.

I urge my colleagues to join with me today and support this legislation to grant a Federal charter for the Retired Enlisted Association.

MODEL GARMENT BILL

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PETRI. Mr. Speaker, yesterday I introduced H.R. 3966, which would enable retail fabric stores to offer model garment programs to their employees. Model garment programs have been very popular with employees of fabric stores. Under these volunteer programs, employees have received free patterns, notions and materials. After the garment had been displayed in the store for a brief period, the employee was allowed to keep it.

Unfortunately, these programs are not allowed at the present time because several years ago the Department of Labor decided that the voluntary sewing at home of model display garments violated the Department of Labor's industrial homework restrictions.

In 1988, the Department of Labor attempted to address through regulations the concerns of those who supported model garment programs. Unfortunately, an ageement could not be reached between the Department and fabric retailers.

As a result, today I am introducing legislation which would amend the Fair Labor Standards Act to allow employees to voluntarily construct model display garments at home. In addition to receiving the garment after a maximum 12-week display period, under the bill the employee must receive payment of the minimum wage for construction time. I believe this provision is a reasonable compromise that should meet the objections of those who are concerned about industrial homework.

Obviously, these programs are beneficial to many employees who enjoy home sewing. My bill simply would allow fabric stores to extend this benefit to their employees by allowing the stores to implement model garment programs without violating industrial homework restrictions. I urge my colleagues to join me in cosponsoring this bill, and insert the bill in the RECORD at this point:

H.R. 3966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSTRUCTION OF GARMENT OR CRAFT ITEM.

(a) AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938.—Section 11(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(d)) is amended—

(1) by striking "The" and inserting "(1) Subject to paragraph (2), the"; and

(2) by adding at the end thereof the following new paragraph:

"(2)(A) In carrying out paragraph (1), the Secretary shall not make any regulation or order to prohibit an individual from—

"(i) constructing, at any location, any garment or craft item to be used for display purposes at premises that are used for retail sales of fabrics, patterns, notions, or related craft materials; and

"(ii) compensating, in whole or in part, an employee for constructing an item described in clause (i) through an exchange of the value of labor and the value of materials relating to such item as follows:

"(I) The value of labor used in constructing such item shall be determined by multiplying the reasonable amount of time needed to construct such item by the minimum wage rate established in section 6.

"(II) The value of materials used in constructing such item shall be the retail price at which the materials used to construct such item would have been sold to the general public at the premises described in clause (i).".

"(B) Any employer who is subject to this Act, in order to employ any individual to construct any display garment or craft item, shall—

"(i) compensate such individual according to the minimum wage rate established in section 6;

"(ii) ensure that such construction work is performed on a voluntary basis;

"(iii) allow such individual to retain the right of control over all aspects of the construction;

"(iv) allow such individual to retain ownership of the garment or craft item;

"(v) display the garment or craft item for not longer than a 12-week period; and

"(vi) ensure that such individual will be given the garment or craft item in good condition, reasonable wear and tear expected, promptly after the expiration of the display period.".

(b) REGULATIONS OR ORDERS.—On the date of enactment of this Act, any regulation or order of the Secretary of Labor made under section 11 of the Fair Labor Standards Act of 1938 (29 U.S.C. 210) promulgated prior to such date, that is not authorized by such section as amended by this Act, shall be of no force or effect.

THE DEDICATION OF THE CHESTER F. CARLSON CENTER FOR IMAGING SCIENCE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HORTON. Mr. Speaker, shortly before Congress adjourned the first session of the 101st Congress last November, I had the distinct honor of attending the dedication ceremony of the Chester F. Carlson Center for Imaging Science at the Rochester Institute of Technology. The center represents a partnership between the Government, business, and academia in an effort which will undoubtedly expand our horizons in the realm of imaging science. I was pleased to have played a role in securing the Federal funding for the center and look forward to it's future accomplishments.

During the ceremony, Catherine Carlson, daughter of Chester F. Carlson, talked a little about her father. Mr. Carlson, of course, was world famous as the inventor of Xerography, but his talents and contributions reached far beyond this. The following is a copy of the speech given by Catherine Carlson and it offers us some unique insights into this truly great man:

DEDICATION OF CHESTER F. CARLSON CENTER FOR IMAGING SCIENCE, ROCHESTER INSTITUTE OF TECHNOLOGY, OCTOBER 28, 1989

(Speech by Catherine Carlson)

Good morning members and friends of the Rochester Institute of Technology community. Mother (Mrs. Chester F. Carlson) is

very disappointed that poor health prevents her from being here with us this morning. But she does want you to know how very proud she is that RIT has chosen to name its Center for Imaging Science for Chester Carlson.

He was a man practically unknown. This was his own choice.

One of Chester Carlson's strongest interests all his life was education. It seems appropriate for a talk in this place of learning to tell you of his extraordinary struggle to gain an education and his natural bent in science.

By the time he was two years of age his father had contracted tuberculosis and a painful arthritic condition and was unable to earn a living for his family.

They settled in southern California. By the time Chester was twelve he contributed a large part to the support of this small family. Rising at five in the morning, he worked at many kinds of jobs such as washing windows, sweeping floors and sidewalks, and doing various odd jobs until school time. Then after school he would do the same thing.

Chester's mother was a brave and wonderful woman and Chester adored her. He said she tried to make their hardships into adventures. His mother died during his last year of high school. He said this was one of the worst blows in his life. She had been such a sustaining support to his father and himself.

His Uncle Oscar was a principal of a high school in Minnesota and in a letter to Uncle Oscar's widow in 1964, Chester wrote:

"I had finished high school and at the time I think I had a temporary job on a farm and was not very clear about my future. We were living in rather primitive quarters, just one room with a cement floor. My father slept inside and I slept in a homemade sleeping bag which I laid out between the house and a nearby board fence.

"A visit and the talks with Uncle Oscar probably changed my life. I recall I told him that I wanted to go to college, but could not afford it, so intended to work for a few years until I could save some money. Uncle Oscar made the very important suggestion that I try by whatever means to continue my education as soon as possible. It was then I remembered that junior college in nearby Riverside had a "Co-op" program. I had not seriously considered it because I had my father to support. However, Oscar thought I should investigate anyway. If I hadn't it is quite possible I would never have completed a college education—nor have invented Xerography."

On the school co-op plan Chester worked in a research laboratory of a cement plant one month, and attended school alternate months. He still had to work evenings and weekends sometimes 16 hours or more a day to support himself and his father.

He believed that the best scientific education could come through Caltech which he entered in his junior year. After two years he received his B.S. degree in physics, just at the time when the Depression was getting well under way in 1930. He traveled east looking for work.

His extraordinary invention, of xerography, which did revolutionalize our way of life through the ability to communicate, came out of a very small home made laboratory in 1938, with inexpensive equipment, some of it made by Chester himself. The search that led to the invention of xerography began in earnest in 1935. He had worked for four years studying in the library nights and working in his laboratory weekends researching and experimenting over and over.

Chet's cousin, Dr. Roy Carlson, who was 5 years older than Chester, said it was quite apparent that Chet has an entirely unique way of viewing the world around him. This was demonstrated by a little story Roy told. He said one day to Chet, "Oh Chet, look there is a blackbird." Chet said, "How do you know it is a blackbird?" Roy said, "Because I see it is black." Chet said, "On this side it is black, but how do you know what color it is on the other side?"

Chester kept notebooks from an early age. It was surprising to find the great number of inventions in his early notebooks which have since been developed by others, such as the ball point pen, disposable facial tissue, filtered cigarettes, and many others. None of these were big enough to hold Chester's interest, but it showed his fertile, inventive mind at work. He had this strong interest in the graphic arts and particularly in printing and duplication. He said, "While in high school I worked for a printer in my spare time and he sold me an old printing press which he had discarded. I paid for it by working for him. Then I started out to set my own type and print this little chemistry paper. I don't think I printed more than two issues, and they weren't much. However, this experience impressed me with the difficulty of getting words into hard copy and in turn, started me thinking about duplicating processes."

One of the keys to the creative mind is motivation. Chester Carlson had ample reason to be motivated—the extreme poverty of his early life was one driving factor. But the need to make a great invention seemed to have been born in him. His cousin, Roy, remembered distinctly that when Chester was 12 years of age he heard him say, quite seriously, "Someday I will make a big invention." About the invention Chester wrote in a letter, "Because of my impoverished and lonely life as a child and a youth, I developed my own habits of thinking and working. This led me down some channels of thought which had been neglected by others." He became one of those bold thinkers who dared to explore outside the confines of traditional science.

Philo Farnsworth, one of the early pioneers in television research, once said, "We must not lose track of the fact that inventions as such, important inventions, are made by individuals and almost invariably by individuals with very limited means."

Dr. Clark, who was manager of physics at Haloid, pointed out how unique the invention of xerography was by saying, "Chet put together a rather odd lot of phenomena, each of which was obscure in itself and none of which had previously been related in anyone's thinking. The result was the biggest thing in imaging since photography itself. Further, he did it entirely without the help of a favorable scientific climate. As you know there are dozens of instances of simultaneous discoveries down through scientific history but no one came anywhere near being simultaneous with Chet."

Joseph C. Wilson, who was the president of Haloid, later the president and chairman of Xerox Corporation was the only man among twenty company executives who saw the possibility and shared Chester's vision in this unknown process.

Today fifty companies, giving employment to over a million people, use the basic Carlson patents and process. Many of those companies have contributed to this Center which honors Chester F. Carlson.

The struggles and difficulties of his life not only did not embitter him but they seem to have caused certain sparks of creativity in him and made him much more compassionate. He was naturally a compassionate person but this added to his great compassion for others. He understood people's inner feelings and sufferings and he wanted very, very much to do something about it.

In disposing of a rather large fortune, he said several times, I do not know whether I am doing right or wrong. I am simply doing the best I can.

I hope that I am able to convey in this talk that Chester Carlson was a gentle, caring man, caring for all humanity and using his wealth to help as many as possible. Although he earned several hundred million dollars from his invention he spent the last twelve or thirteen years of his life disposing of his fortune in humanitarian pursuits because he considered the money to be a trust. His largest gifts were in the areas of world peace (this was a consuming interest of his), the Civil Rights Movement, and higher educational institutions, and as the people at RIT know, he had a special affection for this Institution. These and all other gifts were given anonymously.

Chester Carlson was the 1966 recipient of the Horatio Alger Award, recipient of the Inventor of The Year Award in 1964 and was inducted into the National Inventors Hall of Fame in Washington, D.C. in 1981. Among his honors were the Longstreth Medal, the Holley Medal, the French Medal of Honor, and many more too numerous to mention.

At the accessioning of the Carlson papers by the N.Y. Public Library, the president of the library said, "It is abundantly clear that the invention of xerography ranks in a trio of the significant developments relating to the printed word. The first, of course, was Guttenberg's invention of the printing press, the second was Mergenthaler's invention of linotype and third Carlson's invention of xerography."

U Thant, Secretary-General of the United Nations at the time of Chester's death said: "To know Chester Carlson was to like him, to love him and to respect him. He was generally known as the inventor of xerography, and although it was an extraordinary achievement in the technological and scientific field, I respected him more as a man of exceptional moral stature and as a humanist. He belonged to that rare breed of leaders who generate in our hearts faith in man and hope for the future."

Although Chester Carlson prized his anonymity it seems right to honor a man who has contributed so much to the well being of so many people and to the technological advancement of the 20th century.

Chester F. Carlson would be proud of the leading comprehensive university RIT has become. RIT has indeed honored this great man by naming this Center for Imaging Science for him.

THE PROJECT STEPS PROGRAM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of our colleagues an outstanding

project conducted by Camp Jawonio in Rockland County, NY.

The project is entitled "Success Through Employment Programs"—Project STEPs for short—and it has altered the lives of many deserving men and women in Rockland County.

Mr. Speaker, this project was called to my attention by my constituent, Mr. Edward Branca, Jr., who has long been a regular correspondent with my congressional offices. I have found his enthusiasm for Project STEPs to be contageous, and I salute the men and women who have worked to bring Mr. Branca and many like him into the mainstream of employment.

Mr. Speaker, I request that an article regarding this project which appeared in the Rockland County Journal News on September 4, 1988, and which summarizes the fine accomplishments of "Project STEPs" be inserted at this point in the RECORD:

A DREAM OF BEING SIMPLY "ORDINARY"

(By Len Maniace)

For the past 10 months, Edward Branca, Jr. has been living a dream.

Five days a week, the 37-year-old Branca leaves his aunt's home in Nanuet and heads for his job at a Valley Cottage medical laboratory where he mails out bills.

That might seem routine, except for the fact that this is Branca's first job.

For much of his life, Branca has been lost in a shadowy world of mental illness. Finally after a long struggle, he emerged from that world last October when he went to work in a supervised work program.

"It's an entry level job, but I love my work. Going to work means I'm part of the mainstream. It makes me an average citizen. It's something I fantasized about," Branca said.

Achieving that dream was a victory over nightmares that haunted Branca for years: that he could never be independent and was doomed to be left homeless upon the death of his aunt.

"I would be a bum, living on the street. There was a time that I thought the only way I could keep this from coming true was suicide," Branca said.

Branca's nightmare began early. He was expelled from school at age 4 because teachers considered him disruptive.

When he was not quite 9, Branca's bewildered parents placed their only son in what was then the Rockland State Hospital in Orangeburg.

Branca was eventually diagnosed as manic-depressive, a condition marked by extreme mood swings.

He left the mental hospital in 1968, but his condition had not changed. Branca lived an isolated life with his father until the elder Branca's death in 1977, and then with an aunt. His mother had died in 1966.

Nevertheless Branca was a keen observer. He followed politics the way others followed sports. He sometimes accompanied his father to Rockland Democratic conventions.

"I wasn't very interested in sports. I guess because I never played them," Branca said.

Still, Branca sometimes dreamed about redeeming his family name in one dramatic baseball confrontation.

Branca is the nephew of Brooklyn Dodger Ralph Branca, who, despite a fine pitching career, is most remembered for giving up a home run to Bobby Thompson that allowed the New York Giants to win a National League playoff series in 1951.

"I fantasized that I was in a World Series pitching to the nephew of Bobby Thompson and that I struck him out on three pitches."

Branca speaks articulately about his ailment, sometimes summing up periods of life in a single phrase. "I led a pretty isolated life and was totally dependent. I was at home all week, except for going out to McDonald's."

"Nothing really happened during the 70s. I call them my sleepy years."

Despite the urging of his family, Branca refused to seek psychiatric help after his release from the state mental hospital. He feared that the doctor would force him to find a job—a prospect that filled him with terror.

"I was afraid of working. I just thought that I could not do it," Branca said.

Finally, the outside world intruded. As Branca recalls it, "On Sept. 24, 1980, something happened that changed my life."

An avid reader, Branca spotted a newspaper article about the chance reunion of three 19-year-olds who had been adopted and raised separately from birth.

The story moved Branca, starting him on an five-year crusade to change laws that sealed adoption records, laws he said that make it difficult for siblings to be reunited even after they had become adults.

Branca became a political activist, lobbying Rockland's state legislators, and trying to convince them to introduce a bill to permit sealed adoption records to be opened under limited circumstances.

He testified at public hearings in Albany, New York City and before Congress on a similar federal law. His phone bills ran $300 a month.

Branca say he is not sure what attracted him to the triplets' story, but speculates that his years of loneliness may have been a factor. "As an only child, I often wanted to have a sibling."

Although the bill was eventually defeated, Branca said his effort changed his life.

"On trips to New York City, I would watch people walking to work and I would begin to think of myself as going to work. I saw workers in their offices and I began to think that work could be pleasant."

However, Branca still was afraid to seek psychiatric help.

Despite medical advances that had revolutionized treatment for his disorder, Branca continued to take outdated medications obtained from a pharmacist who agreed to refill a 1968 prescription.

Then early last year, when his aunt became ill, Branca was confronted with the possibility that his nightmare might finally come true—that he might be left homeless.

Branca called for help. He spent two weeks in a hospital and then began outpatient treatment at the Rockland County Community Mental Health Center in Pomona. He received new medication and began therapy.

Last year, Branca entered a vocational rehabilitation program for the mentally ill. Operated by the Rockland Center for the Physically Disabled—often known as Jawanio—the program found Branca working at Rockland Medilabs.

Through the program, a coach visits Branca at his job to help him with any problems.

"I was frightened and needed a lot of reassurance," said Branca of his early days on the job.

Now working on a high school equivalency diploma, Branca hopes to go to college.

And Branca has other dreams.

"I have a fantasy that I've got a job in Washington as a lobbyist. I've met a girl and we've gotten married. It's a beautiful Sunday morning—we wake up and go for a walk."

"God willing, it will come true."

COACHES HELP ON JOB

A year-old program is helping Rockland's mentally ill young adults cope with work stresses and keep their jobs.

Sponsored by the Rockland Center for the Physically Disabled—Jawanio—the program provides "coaches" who regularly visit emotionally troubled workers on the job.

Some 25 people have been placed at jobs in Rockland and northern New Jersey through Project STEPs, Success Through Employment Programs.

"Mostly, we are there to offer support and to act as a liaison between the company and the worker," said Alice Grossman, a job coach with the program.

"We try to solve the little problems before they become bigger problems that might lead to the loss of the job."

The program is aimed at patients suffering from ailments such as manic-depression and schizophrenia, conditions that can often be controlled by drugs.

To date, companies participating in Project STEPs are pleased with the program, officials said.

"We feel that it has worked out really well," said Bette Drucker, manager of human resources at Rockland Medilabs in Valley Cottage, which employs two Project STEPs workers.

One of those workers is 37-year-old Nanuet resident Edward Branca, Jr., who sends out bills for diagnostic tests.

While Rockland Medilabs joined the program because it was a way of contributing to the community, officials are learning that Project STEPs is good for business, Drucker said.

"Ed is really conscientious about his work and we're really pleased with him," Drucker said.

Companies also receive a tax-credit to help support an employee's salary for his or her first year on the job, Jawanio officials said.

The program's first-year operation was funded by a $113,000 state grant and officials plan to expand the program this year.

ALAN CRANDALL, DIRECTOR OF THE BATTLE CREEK HOUSING COMMISSION

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. WOLPE. Mr. Speaker, I want to pay tribute to a very special constituent of mine, Mr. Alan L. Crandall, the executive director of the Battle Creek Housing Commission. On February 9, Alan will be honored by his friends and colleagues as he retires after 16 years of dedicated service with the commission.

Alan began his career serving as the accountant of the Battle Creek Housing Commission and was later appointed to the position of executive director. During his tenure as director, Alan was instrumental in developing several federally subsidized projects which increased the number of housing units available

to low-income families in Battle Creek. He has been credited with many important initiatives such as securing 79 section 8 certificates and 65 section 8 vouchers which rewrite rent subsidies to families in privately owned units; developing Kellogg Manor, a residential complex serving 70 elderly and disabled families; creating the Battle Creek Housing Development Corporation; and founding the Michigan Housing Directors Association.

In addition Alan has committed both time and energy to a vast array of community and professional organizations: the National Association of Housing and Redevelopment Officials [NAHRD], the Michigan State Chapter of NAHRD, the Battle Creek Exchange Club, and the Birchwood United Methodist Church.

Mr. Speaker, over the years Alan Crandall has distinguished himself as a dedicated public servant and exemplary citizen. The care and concern that have always been present in his approach to local housing problems have endeared him to his community. The integrity with which he has conducted his duties as the executive director for the Battle Creek Housing Commission have earned him the respect and admiration of all who have been privileged to work with him.

I am delighted to have Alan as a constituent. I want to congratulate him on his retirement and wish him and his family all possible happiness in the years ahead.

THE PRESIDENT'S BUDGET

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, February 7, 1990, into the CONGRESSIONAL RECORD:

THE PRESIDENT'S BUDGET

In his budget for 1991, the President carries out the promise of continuity he made during the 1988 presidential campaign, largely embracing the status quo in government and holding to the path of high defense spending and relatively low taxes. Even with his immense popularity he chooses not to submit a bold budget.

The President calls for spending of $1.23 trillion—a 3% increase. That is larger than the entire economies of every other country except the Soviet Union and Japan. He projects a 1.9% increase in Defense Department outlays and a 3.4% increase in the rest of the budget. Revenues are projected to climb 9% to $1.17 trillion, leaving a projected deficit of $63 billion. The budget is more straightforward and open than those of recent years, and the Congress should respond in kind and carry on an open and constructive dialogue with the President.

DEFENSE

The President offers no peace dividend. He increases defense spending to $303 billion—2% less than inflation but more dollars than this year. The Congress will almost certainly demand faster and deeper Pentagon cuts.

The President recommends cuts in troop levels, but seeks major increases for the Strategic Defense Initiative and several strategic weapons systems, including the B2 bomber and the Midgetman and MX missiles. I am disappointed that he did not cut deeper into defense spending in response to the political changes in Eastern Europe, which in my view have greatly reduced the military threat from the Soviet Union and the Warsaw Pact. Instead the President wants to increase spending for nuclear arms, without a fundamental review of where defense policies and programs should be headed.

DOMESTIC PROGRAMS

The President puts forward a modest domestic agenda. While his State of the Union address certainly hit the major concerns of Americans, like drug abuse, education, and the environment, his budget does not provide the resources for any large-scale attack on the problems.

The President calls for significant increases in the popular Head Start program and several other programs for the poor. He believes that more money should be channeled into space exploration and biotechnology and less into farm subsidies and health care for the elderly. He proposes cutting low-income heating and weatherization programs, grants to public libraries, and federal investment in railroads, bridges, and wastewater treatment. Some of his proposals, such as not adjusting federal pensions for inflation, have been rejected often by the Congress and stand little chance of passage. The President is to be commended for pointing out in his budget that the U.S faces trillions of dollars of potential liabilities from underfunded health and retirement programs, environmental cleanup, and losses in federal credit and insurance.

REVENUES

Although the President proposes no general tax increase, his budget calls for about $13.9 billion of new revenue, due mainly to increased IRS enforcement and several tax increases, including expanded user fees for government services and higher airline ticket taxes.

The President seeks to lower capital gains taxes, which he estimates would raise nearly $5 billion in the first year. While economists generally agree that revenues would increase initially as investors sold investments to take advantage of the lower rates, they also calculate that long-term losses to the Treasury could be substantial.

In lamenting the nation's dismal savings performance, the President in effect acknowledges that the tax cuts of the 1980s did not yield the promised burst of new savings. He offers several proposals to boost personal and business savings, including a family savings account which would allow families to invest up to $5000 a year in special accounts whose interest could accumulate tax free. However, increased private savings from such tax breaks might well be outweighted by decreased tax revenues. This would prevent any increase in national savings—the combined savings of households, businesses, and government. Reducing the budget deficit remains the most promising way of increasing national savings.

ECONOMIC ASSUMPTIONS

The President's budget is based on optimistic assessments that strong U.S. economic growth will continue later this year while inflation stays steady and interest rates decline. That will be a good performance if we can pull it off. Falling short could make a huge difference to the federal deficit. For example, economic growth next year at 1.9 percent rather than the 2.6 percent the President predicts, would increase the deficit by $15 billion.

DEFICIT

My biggest problem with the President's budget is that it again fails to come to grips with our most serious economic problem: the large federal deficit. Annual deficits still hover in the $150 billion range. We continue to go into debt at an alarming rate—reducing savings, forcing up interest rates, stunting economic growth, and increasing our dependence on foreign lenders.

The President reaches his projected deficit for 1991 with the help of optimistic assumptions about the size of the deficit-reduction task and budgeting gimmicks such as counting $900 million in revenue from speeded up collection of employer payrol taxes—a technique he criticized last year. I get the impression from this budget that the administration intends less to reduce the deficit than to hope that the economy will grow enough so that the current deficit does not matter.

Overall, my impression is that the President's budget is a call for tinkering with existing federal spending rather than reorientation. A wide gap separates his budget rhetoric from his proposals. Although the President raises a number of important issues about U.S. saving and investment rates, inadequate education, and huge hidden costs for the government in the future, he does not provide many answers. The budget does not make a major assault on the federal deficit despite its language suggesting that the nation's economic future depends on getting it under control.

This budget will face some difficulty in the Congress. The biggest clash will likely be over the President's defense requests. The budget debate may be long and divisive, but it is a good place to begin the discussion of national priorities.

IN RECOGNITION OF A LEARNING TRADITION

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GEKAS. Mr. Speaker, I rise to ask my colleagues to join me in recognition of a new Pennsylvanian who faces an exciting challenge and the opportunity to help mold young minds.

Dr. James E. Douthat has been appointed the 14th president of Lycoming College, a small, academically excellent liberal arts college located in Williamsport, PA. I am proud to represent this fine institution in Congress, and I know the community is proud that Dr. Douthat will now represent Lycoming College.

Dr. Douthat is committed to teaching students more than just career skills; instead, he emphasizes life-long intellectual curiosity and love of knowledge. This approach to academia is necessary in an age that stresses salary and power, an attitude which is expected to lead to a shortage of professors in the humanities.

Given that America can ill afford to lose the values and insight gained through a study of philosophy, art, and the social sciences, academic leaders like Dr. Douthat are rare and valuable.

Mr. Speaker, I congratulate Dr. Douthat on his appointment and wish him the best.

A TRIBUTE TO MRS. DOROTHY M. TYLER

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the House of Representatives to recognize and pay tribute to a dedicated, Christian lady in my Fourth Congressional District of Pennsylvania who has contributed countless hours of dedication and labor in the Aliquippa area establishing community services. Mrs. Dorothy M. Tyler of Aliquippa is a good decent woman who has accomplished a great deal in her endeavors to help people and communities in need.

After 30 years in the ministry, a labor of love in Christ, Mrs. Tyler founded the Tyler Youth Group, Inc., a nonprofit organizaion established in 1983 to develop and train young people in Aliquippa. The group involves itself in recreational, educational, and leisure time activities.

The TYG is the ultimate manifestation of Mrs. Tyler's vision of human service. The group is interested in recreation as a vital force which influences the life of our young people and the value recreation has in developing and maintaining wholesome personality traits and socialization skills, while enhancing one's physiological growth.

Mrs. Tyler heard from many quarters in the city of Aliquippa, "Our children have no place to go and nothing to do." After serious reflection this determined lady decided to develop a community based recreation youth center to offer opportunities for advancement and expand horizons for the dissatisfied, frustrated youngsters. The project is now underway and is being developed in three phases.

This splendid lady was born in Pittsburgh in 1922, the 13th of 14 children in her family. Later moving to Aliquippa she quickly established herself as a dedicated young woman who cared deeply about her community.

Married in 1947 to Elias Ialomon Tyler, she is the mother of a son, the late Elias Jr. and a daughter, Darselle.

A born-again Christain, Dorothy began her serious church work in 1952 and is now a member of the Church In The Round, Church of God in Aliquippa. She has also been associated with the Christian Lighthouse Church, Kadesh Church of Immanuel and was influential in organizing the Miracle Church of God In Christ II, Aliquippa. She is a Sunday school superintendent and a graduate of the Harty Bible School.

During her lifetime of service she also organized an Adult Night School Program, the first junior church of the Church In the Round and is the chairman of the committee for the Aliquippa Jr. High School PTA. She is also a member of the Allegheny County Children and Youth Services and Catholic Diocese.

In addition to being the founder and president of the Tyler Youth Group, Inc., she is also a dedicated missionary helper who, during World War II, served our Nation with distinction as a private in the U.S. Army Women's Corp.

I am proud, Mr. Speaker, to take this opportunity to recognize and compliment Mrs. Dorothy M. Tyler for her praiseworthy service and life of Christian commitment.

TRIBUTE TO BABE RUTH

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. CARDIN. Mr. Speaker, I would like to invite my colleagues to join me in recognizing the birthday of one of baseball's greatest stars: Baltimore's own Babe Ruth.

George Herman Ruth was born 95 years ago at 216 Emory Street in Baltimore's waterfront community. The boy's natural athletic talent emerged at an early age as he learned to play America's favorite sport at St. Mary's Industrial School. By 1914, Ruth was considered a child prodigy as he played for Baltimore's minor league Orioles. Because he was remarkable talented at such a young age, Ruth became known as Babe.

The Babe's reputation earned him a position on the Boston Red Sox, where he played for over five seasons and became one of the American League's premier pitchers. His World Series pitching record—29⅔ consecutive scoreless innings and his home-run fame took Babe to the New York Yankees. He continued to set records and wow fans with his unprecedented feats.

Although many of Babe Ruth's long-standing records were eventually broken, he retains the title of Home Run King and his image is associated with the great legends of baseball. Mr. Speaker, I hope that my colleagues will join me in celebrating the 95th birthday of Baltimore's Babe Ruth.

THE KID FROM CAMDEN STREET

Baltimore's newest tour attraction is the rowhouse at 216 Emory Street where Babe Ruth was born. In 1970, thanks to two mayors, selfless committeemen, a no-fee architect and thousands of medallion-buyers, the building was reconstructed and dedicated.

There, at the home of her father, an upholsterer named Pius Schamberger, Katie Ruth gave birth, February 6, 1895, to the oldest of her eight children. The babe was named for his father, George Herman Ruth.

The two families were West Baltimore Germans. For years the Ruths operated a grocery and saloon on Frederick avenue, and George Sr. was still a counterman, living at home, when he became a father. Soon after, he joined a brother in the manufacture of lighting rods; but by 1901 had opened a saloon of his own at 426 West Camden Street. His family lived upstairs. Until torn down to make way for Inner Harbor West, the boyhood home of baseball's most famous player was still a saloon.

It was indeed a setting to make kids tough. At 7, George Jr. swore, chewed tobacco and simply ignored school. He was not vicious; but alley mischief beckoned. His father was busy tending bar; his mother, with the younger children. One day, after a tavern uproar, neighbors called in the authorities. George's parents agreed for him to be sent to St. Mary's Industrial School, at Caton and Wilkens avenues. He was released a month later, then sent back; this happened five times, over the years. The school trained him as a shirtmaker—and ballplayer. Among its 800 boys there were 43 uniformed nines.

The day he entered, in June 1902, young George awkwardly threw his first baseball; he threw and batted almost daily in the dozen years he spent at St. Mary's. He started as a lefthanded catcher (with a right-handed mitt) but played every position before settling down as a pitcher. Coached and encouraged by Brothers Paul, Matthias, Gilbert, Herman and Alban, Ruth as a teenager was the school varsity's star.

Toward his nineteenth birthday (everybody thought he was 20) Jack Dunn, on a tip, came out for a look. He straightway hired a triple-threat pitcher—good fast ball, good curve, even good control. The Orioles never did find much to teach George Ruth about baseball.

Going south, and in training camp at Fayetteville, N.C., the newest Oriole was a joke-ster's joy. He overate, played reprisal jokes, ran the hotel elevator and nearly killed himself sticking his head out, and pitched amazing ball.

His first professional run was scored on an intersquad double by Rodger Pippen, sports writer for the old Baltimore *Star*, a fill-in in centerfield. His first home run followed soon—a huge wallop. In practice games, he faced, and beat, Brooklyn, the Phils and the world-champion A's. "Who's that?" a sports writer asked, in awe. "That?" spoke up coach Henry Steinman. "That's Jack's new baby." (As a formality, Dunn had replaced St. Mary's as parole custodian.) And Babe Ruth it was, forevermore.

The season began at home, against Buffalo. Dunn let Ruth start the second game; he turned in a 6-0 shutout. Joe McCarthy, later on Yankee manager, was Buffalo's second baseman. He went hitless, but Ruth got two singles.

Dunn, a former pitcher himself, was astounded by this rookie who wore rings on three fingers of his pitching hand, and who won ten games in a row. Ruth's pay rose from $100 a month to $250. He spent some of it on a motorcycle and buzzed the neighborhood—the Ruths by then were living above a bar at 522 West Conway Street—and gave rides to Mamie, the only one of his brothers and sisters who lived to maturity. (His mother had died in 1910). The Babe—6 feet 2 and weighing 180 pounds—was Little George to his family; his father, whom he much resembled, being Big George.

Ruth's good times, however, paralleled bad times for the club. Oriole turnstiles were idle, while the Federal League's, across 29th Street, spun merrily. American and National owners, raided, sought to buy minor leaguers; early in July, Dunn, forbidden to move the franchise in mid-season, gave in. Outfielder Birdie Cree, top hitter (.356) and top earner ($400), went first. Ruth (13-6 in won-lost) was in the third shipment, with fellow-rookie Ernie Shore and their battery mate, Captain Ben Egan. Verbally, Dunn had ticketed Ruth for John McGraw's Giants, but the sale was to the Red Sox, whose owner had lent heavily to the sore-pressed International League. McGraw got mad at Dunn. Ruth's price was about $8,500, low because three-league-war losses left the owers short of capital.

Though he was still in his teens, Ruth's value was no secret from the majors or from

Oriole fans. C. Starr Matthews wrote in *The Sun*, on a black Friday in July, 1914:

He is a wonder and his performances have been followed by fans all over the country. During the past four months, his shoots have made the whole baseball world sit up and pay attention.

Babe Ruth did not hit a home run while an Oriole. He did, however, first play the outfield in Baltimore, during that awful week when the team shrank to a mere dozen men. In September—a sad postscript—the Babe reappeared in enemy uniform having been sent down to Providence for seasoning. The Clamdiggers won the pennant, Babe Ruth pitched and won against the Orioles, Babe Ruth did hit a home run.

He went on to change the basic emphasis in baseball, to post hitting records that no one has approached, to pack stands and hoist salaries and spellbind whole generations of kids. Biographies, and a plaque in Memorial Stadium's lobby, describe it.

Baltimore does not claim these feats. The Babe came back, at first; he lent his father money toward one more tavern, at Eutaw and Lombard, and one winter he worked behind the Bar. The sudden death in 1918 of G. H. Ruth, Sr., occurred just off the premises. That bar is still there. And in October, 1914, in Ellicott City, the Babe was married to a 17-year-old Boston waitress. In 1916, they went to live in Boston.

On occasion, particularly for exhibition games against the Orioles, he came briefly back to Baltimore. Playing for the Red Sox, at Oriole Park, Friday, April 18, 1919, Ruth hit four homers in one game. His last visit was in July, 1948, for an Interfaith Game that was then rained out. A month later, wasted with cancer, he was dead—"the most colorful figure ever to appear on the American sports scene".

His sister, Mrs. Wilbur Moberly, lives in Williamsport, Maryland. Nieces are his only other kin. His wives have died, and his stepdaughters live elsewhere. Many of his trophies are in the National Baseball Hall of Fame and Museum, at Cooperstown, New York. But Baltimore made him what he was, and he was the greatest of them all.

CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR 1990

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I was recently given an appeal petition on behalf of Lev Milman, a Jewish refusnik who resides in Moscow. Although Mr. Milman has applied to leave the Soviet Union so that he may live with his daughter Maria, who lives in Massachusetts, he has been refused clearance status because of his alleged possession of state secrets. Donna Bloustein, an attorney in Miami, affirms that Mr. Milman was never employed in a confidential relationship and never possessed state secrets. Since his date of last employment was in 1975, any knowledge which he might have possessed would be long obsolete.

Lev Milman served as a major in the Soviet Army between the years 1941 and 1945, and was much decorated for his combat activities. After he left the army, he was employed in the ministry of ship building until his retirement in 1979. At present, Mr. Milman suffers from glaucoma and has lost his vision in his left eye and has only partial vision in his right eye. As well, he suffers from a hearing condition, and is generally in impoverished health.

Lev Milman's daughter, wife and son have been given clearance to leave the Soviet Union while Mr. Milman has been refused the right to emigrate. By this plea, I appeal to the Soviet Government to grant an immediate exit visa to Lev Milman and to allow his wife Lia and his son Alexander, out of the Soviet Union so that they can experience what life is all about.

A SUCCESSFUL DRUG BUST IN WOONSOCKET, RI

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. SCHNEIDER. Mr. Speaker, I would like to take this opportunity to commend the local and Federal law enforcement officers who took part in yesterday's drug raid in Woonsocket, RI. Drugs and drug related crime are pervasivie problems, which threaten to cripple our country. I am very glad to see that we are making a difference in Rhode Island.

The raid netted a pound of cocaine, approximately $30,000, at least nine firearms and five arrests. The operation also involved approximately 100 officers, including 10 officers from the Drug Enforcement Administration, 60 agents of the Bureau of Alcohol, Tobacco and Firearms, agents of the Immigration and Naturalization Service, and officers from the Attorney General's Statewide Narcotics Task Force.

I understand that Woonsocket Detective Omer Frappier was also very instrumental in setting up the successful raids, which was accomplished without injury. Detective Frappier posed as a rent collector in order to gain firsthand knowledge of the local drug trade.

This raid effectively terminated a drug ring that had earned approximately $120,000 a week in cocaine sales. I congratulate the officers who participated in yesterday's successful drug raid in Woonsocket. It is visible and effective operations like this one that will help us take back the streets from drug criminals.

IN PRAISE OF WHEELERSBURG, OHIO'S GARY CLINGER

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. McEWEN. Mr. Speaker, those people who make the effort to learn various lifesaving techniques—the Heimlich maneuver, CPR and similar measures—are truly special people. These individuals are decidedly unindividualistic and unselfish. They go to the trouble of mastering a skill which admittedly, and hopefully, they will never need to use.

Periodically, though, the awful occasion of emergency arrives, when a person in danger needs immediate assistance. That is when we can all be thankful for the people who have cared enough for their families, friends, and fellow citizens to learn critical lifesaving techniques.

Accidents rarely occur at opportune moments or in convenient places. Trouble knows no schedule or boundary, and medical and emergency professionals cannot be everywhere at once. In their absence, who can step in to help rescue or stabilize a victim in peril? The answer is: Anyone, thanks to CPR. This and other lifesaving methods empower ordinary nonmedical people to do some very extraordinary things when a life is on the line.

The following newsstory appeared on page 1 of the December 27, 1989 edition of the Portsmouth Community Common. It tells the story of Wheelersburg, Ohio's Gary Clinger, who recently stepped into an emergency situation and gave the most precious of all gifts—the gift of life. From Gary, we recognize that, through training, we can all meet a potential danger head on and overcome it.

Mr. Speaker, I respectfully ask you to join me in urging our colleagues to note the importance of lifesaving training, and pay special heed to thier recent use by Gary Clinger, who was ready when the prospect of disaster suddenly loomed.

Here is the story from the Community Common:

LOCAL MAIL CARRIER HELPS SAVE LIFE OF SMALL CHILD DURING MAIL DELIVERY

(By Karen L. Hill)

Gary Clinger, a mail carrier and five-year employee for the Portsmouth Post Office, was recently honored for his life-saving techniques that he used in reviving a small child while delivering news on his route Tuesday, Nov. 14.

Clinger was in the 1700 block of Robinson Avenue delivering mail at a residence when a teenage girl came running out of the door past him. The mother of the small child came running out behind her with the child in her arms, giving the child to Clinger, saying, "Do something—it's not breathing!"

At first, Clinger just stood there in disbelief. "I turned the child over and hit it on the back with no results, then I tried the Heimlich Maneuver with no luck. I laid the child down on the porch and checked to see if there was an obstruction in its mouth, not finding anything. I noticed that the baby was congested and running a fever. I blew air into its mouth, not covering its nose and the congestion came out. The child still wasn't breathing, so I covered its nose, and blew more air into its lungs. This time it worked," Clinger said.

He continued, "I took the child into the house and kept its mouth close to my ear to make sure that the child continued to breath, while we waited for the ambulance to arrive (the teenager had gone to call for help)."

Gary learned CPR techniques while he was in the Army in the late 60's. "I just thought about what I could do to make the child breath and did what I could," he said. "You remember the steps that you're taught during CPR training, and I just kept trying til one of them worked."

He is the father of two, a 16-year-old daughter, Traci, who resides with him in Wheelersburg, and a 10-yar-old son, Gary, who resides in Portsmouth.

"Everybody is making such a big deal out of this—I was just glad I could do something

for the child—if anything like that ever happened to my kids I'd want someone to be around to help them, too," he said.

NASA ASTRONAUT FROM COLORADO

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HEFLEY. Mr. Speaker, it is my great pleasure today to recognize an outstanding graduate from my home State of Colorado. Marsha S. Ivins received her bachelor of science degree in aerospace engineering from the University of Colorado in 1973.

Since 1974, Ivins has been employed at the Lyndon B. Johnson Space Center, logging over 4,500 hours in civilian and NASA aircraft. Until 1980, Marsha was assigned as an engineer in the crew station design branch, to work on orbiter displays, controls and man machine engineering. She participated in the development of the orbitor head-up display [HUD].

In 1980, she became a flight simulation engineer on the shuttle training aircraft and was selected by NASA in May 1984. She became an astronaut in June 1985, qualified for assignment as a mission specialist on future space shuttle flight crews.

Committed to excellence, Marsha holds several licenses, including a single engine airplane, land, sea, commercial licenses and multiengine and glider flight instructor ratings.

Former assignments include astraunaut support for orbitor test and checkout at the cape, crew support for orbitor launches, landings and capsule communicator [CapCOM] in mission control.

Ivins has just returned from an incredible mission on the crew of STS-32. Launched on January 9, they returned on January 20, 1990 after successfully deploying the SynCOM IV-5 satellite and retrieving the long duration exposure facility.

It is truly an honor for Colorado, as well as the entire United States to have such wonderful, intelligent astronauts as Marsha Ivins, to voyage into space and return, educating our universe.

AUTOMOBILE INFORMATION DISCLOSURE ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PETRI. Mr. Speaker, today I am reintroducing a bill which I first introduced last Congress to include light trucks in the labeling requirements of the Automobile Information Disclosure Act.

In March 1988, I received a letter from Mr. and Mrs. Toshner of Fond du Lac, WI. They wrote about their experiences buying a pickup truck the year previously. Only after they had purchased the truck did they discover that they had been misled about optional versus standard equipment, costing them a quite a bit of money. They found out that manufacturers, are not required to provide the same information as they do on cars. So they wrote to ask me to introduce a bill that would require the same window display stickers to be placed on light trucks as cars.

When Congress passed the Automobile Information Disclosure Act in the late 1950's, light trucks were not nearly as popular as they are today. By 1987, however, they accounted for one-third of all passenger vehicles sold. It's time we required the same disclosures for these vehicles as we do for cars.

My bill simply adds light trucks to the existing Automobile Information Disclosure Act. I urge my colleagues to support this measure.

A TRIBUTE TO HON. FRANK YOUNG, M.D.

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HORTON. Mr. Speaker, recently, members of the food and drug industry joined the Nation's health leaders to honor former Commissioner of the Food and Drug Administration, Dr. Frank E. Young. The tribute dinner was much deserved. I have served nearly 28 years in the Congress. I can state unequivocally that Dr. Young stands alone in his exemplary execution of our food and drug laws, and in the leadership he provided—in many ways pioneered—in important areas of food and drug related issues affecting public health and safety.

Of course, when Dr. Young first arrived in his new post in July of 1984, I had no doubts as to the great ability and determination he would bring with him to the Food and Drug Administration. You see, I know Dr. Young personally. I have known him for more than 25 years. He is from the Upstate New York congressional district that I represent. People in Rochester take particular pride in Dr. Young and his work, both as Commissioner of the FDA, as well as in his previous association with the University of Rochester where he worked so ably as the Dean of the University's medical school. Truly, Frank Young is a "favorite son" of Rochester, NY.

Putting my personal friendship with Dr. Young aside, it was a great privilege for me to work with him so closely on issue of public health and safety. As ranking minority member of the House Government Operations Committee, I and my colleagues on both sides of the aisle depended on him for counsel and input on issues ranging from drug tampering and food contamination to substantive policy discussions on how to deal with the deadly disease AIDS. In all instances Frank Young proved the consummate professional—knowledgeable, effective in his communication, willing to listen to others, and able to forge positive results from sometimes conflicting viewpoints.

Dr. Young was the right man at the right time for a very tough job. His appointment came at a crucial state in the FDA's history—a time marked by rising consumer demands, dramatic technological breakthroughs, an ever-widening AIDS epidemic, and determined legislators seeking to expand FDA's mandate at every turn—all in the face of dwindling resources. Many people would have shied away from such an awesome task. But Dr. Young's passion for personal challenge and belief in public service made the opportunity to lead one of the finest consumer protection organizations throughout the world irresistible.

In his over 5 years as Commissioner, Dr. Young's bold leadership and commitment to the long-term welfare of the FDA became his trademark. Almost from the beginning of his tenure, it was apparent that Dr. Young would not settle for the status quo. His energetic, aggressive style helped to reduce wasteful government practices and unleash the genius of the American enterprise system from the burdens of unnecessary regulation. Dr. Young also led the fight to conserve scarce Federal resources, enabling FDA to respond to the most serious health problems facing the country.

A prime example was FDA's effective response to two events which dominated the Nation's headlines and held American consumers captive: the 1986 tampering incidents involving Tylenol and the discovery in 1989 of cyanide-laced fruit. Thanks to Dr. Young and the professionals at FDA, the risk to American consumers was negligible in both instances and user confidence in the affected products was quickly restored.

As a progressive public health administrator, Dr. Young realized the value of sound forward planning to insure that the agency's specific risk assessment and management and enforcement capabilities keep pace with the weighty challenges of the next century. Accordingly, Dr. Young established a process of action planning aimed at revitalizing the agency, bringing its priorities into sharp focus and increasing the efficiency of internal produce review procedures to meet the needs of the high tech age in which we live.

As a clinician and scientist, Dr. Young realized the importance of expediting the development and availability of new drugs for the desperately ill. To this end, he revamped FDA regulations to get promising new drugs into the hands of clinicians to treat patients with life-threatening diseases and no alternative therapies. He also spearheaded the development of a plan to significantly reduce the time required for clinical testing of innovative drugs for diseases that placed people's lives in jeopardy or adversely affected their quality of life.

In the area of AIDS, Dr. Young demonstrated courage and compassion. He created a "fast track" mechanism for approving pioneer drugs in order to relieve the human suffering associated with this terrible disease. These included AZT, gancyclovir, and aerotherapies under certain use conditions. He approved four drugs and biological products for wide scale commercial use, and granted market clearance for 12 tests to detect the presence of the HIV virus in human blood.

Dr. Young's accomplishments span an additional number of important areas such as biotechnology, food safety, information labeling on food products, medical device safety, and a host of others. And although Dr. Young embraced the goal of more sensible and well-tar-

geted regulation, he demontrated equal resolve in carrying out his agency's health protection responsibilities.

For example, during Dr. Young's tenure, the FDA responded to a record high number of reports of contaminated food, while conducting an all-time high number of inspections of imported foods and drugs. He also strengthened FDA's inspection program for the Nation's blood banks to ensure the safety of the blood supply, and upgraded the quality control of certain blood barrier products to protect consumers and health professionals from contracting HIV.

All in all, it's a truly impressive record. So, as Dr. Young assumes his new role in the HHS office of the Assistant Secretary for Health, it is fitting that all Americans salute his record of excellence as FDA Commissioner. We can all rest assured that his mark on the agency will have a lasting and profoundly positive affect on the future work of this most valued institution. My hat goes off to you, Frank, for a job well done. I look forward to working with you in your new assignment and I offer you my very best wishes for the future.

HONORING DR. RUSSELL B. SCOBIE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GILMAN. Mr. Speaker, the month of February is the month that many Americans think of our rich cultural heritage. The birthdays of the two greatest Americans—George Washington and Abraham Lincoln—afford us with the opportunity to reflect on the services that many others perform for the good of their community and the good of the Nation.

Annually, the Historic Newburgh Organization in Orange County, NY, uses the occasion of Washington's Birthday to pay homage to individuals who had a genuine impact upon our mid-Hudson region.

This year, their honoree is a gentleman whose accomplishments are beyond question.

Dr. Russell B. Scobie was one of the pioneers of the efforts to flouridate our water supplies. In 1944, he was the instigator of the famous flouridation study in Orange County, NY, upon which our scientific knowledge of the benefits of flouridation became known. Since that pioneer effort nearly a half a century ago, Dr. Scobie has presented papers and lectures throughout the world to promote the idea of flouridation. These trips which were made throughout the past four decades were made by Dr. Scobie at his personal expense. He received no remuneration—not even for travel expenses.

Largely through his efforts, the tragedy of tooth decay has been reduced or virtually eliminated in many regions on our Earth, including the underdeveloped nations of the Third World. Many years ago, Dr. Vladamir Rudko, director of the World Health Organization [WHO] presented Dr. Scobie with that organization's report on flouridation in Geneva, Switzerland. Dr. Rudko had autographed the book-length report: "To Dr. Russell Scobie—you contributed the most to water flouridation—we are trying to continue it!"

Dr. Scobie is a graduate of Yale University and the Yale School of Medicine. He has practiced pediatrics in Orange County, NY, since 1936, and although he is now 86 years young, he still continues his active practice.

Dr. Scobie founded the Yale Alumni Club of the mid-Hudson Valley, and has remained active in many community endeavors, including Rotary International. He has received many honors throughout the years; however, his accomplishments in initiating the flouridation of water have greatly gone unheralded.

Accordingly, the selection of Dr. Russell B. Scobie as the 1990 honoree of the Historic Newburgh Organization is extremely appropriate, for here is a man who truly "made a difference." Historic societies from throughout Orange County and the mid-Hudson region will join with the many friends, loved ones, and admirers of Dr. Scobie on February 22 as they honor this truly great man.

Mr. Speaker, I invite all of our colleagues to join in congratulating Dr. Russell B. Scobie, his wife Katherine, and their twin children Robert and Barbara, for a job well done.

LINDA COMER, PRINCIPAL OF LINCOLN ELEMENTARY

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. WOLPE. Mr. Speaker, I rise to pay tribute to a constituent and very special friend, Linda Comer, the principal of Lincoln Elementary School in Kalamazoo, MI. The Kalamazoo Gazette recently extended well-deserved editorial recognition to Linda for the special contribution she has made to her community through her commitment to children and their eduction.

Linda, a teacher and reading specialist before becoming an administrator 13 years ago, brings great vitality to her job. A great many students as well as their parents and teachers, declare confidently that "Lincoln is the best school in the Kalamazoo public school system." They credit Linda's positive attitude with changing the perception of Lincoln as just another aging school into Lincoln as a very special and dynamic place.

Linda's creativity shines through her school's innovative programs. The school science fair, a performing arts department, a mentor program involving local college students, and a spell-a-thon fundraising for school projects—these are a few of the immensely successful projects that she has encouraged. She can also frequently be found participating in activities during school recess and bringing students to dinner or sporting events in recognition of their good behavior and performance.

Linda Comer's concern for students and teachers does not end with the end of the school day. She has a hand in a wide variety of community activities including the metropolitan Kalamazoo NAACP's annual freedom fund dinner, and a tutorial program at Mount Zion Missionary Baptist Church.

I feel privileged to have known Linda Comer these past several years. Her constant enthusiasm, her innovative ideas, her sense of fairness, and her dediction of public education have earned her the respect of students, parents, and teachers.

CELEBRATION OF LITHUANIAN INDEPENDENCE DAY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. VISCLOSKY. Mr. Speaker, every year at this time, I address my House colleagues to bring their attention to the plight of the Lithuanian people who have suffered under the operative regime of the Soviet Union.

On February 16, 1990, the world will observe the 72d anniversary of the establishment of the Lithuanian Republic. On this day, Lithuanians in all parts of the globe will commemorate their struggle for independence. Clearly, the recent events in the Soviet Union and Eastern Europe make all of us who sympathize with our Lithuanian brethren optimistic that perhaps this is the year that they will live in real freedom.

As we look to the future, we cannot forget the past.

On February 16, 1918, the Lithuanian National Council declared the independence of Lithuania. In so doing, the Republic of Lithuania was established. The restoration of Lithuania's sovereignty was recognized around the world—even by the Soviet Union just 2 years later. Lithuania joined the League of Nations in 1921, and for the next two decades Lithuanians enjoyed liberty and self-determination under a government that fostered political and religious freedom for all citizens.

Then, in June 1940, 1 year after the signing of the Molotov-Robbentrop Pact, the Soviet Union invaded and illegally occupied Lithuania as well as the other Baltic States. The United States unequivocally condemned this violation. We have never recognized the forcible incorporation of Lithuania into the Soviet Union, and we never will.

I am proud to note that the First District of Indiana, which I represent, has a large Lithuanian population. From this association, I know that they are a strong and justifiably proud group who have enriched our community. On February 18, the annual Lithuanian freedom dinner will be held at the St. Casimir Parish in Gary, IN. It is my fervent hope that next year's dinner will be held to honor the newly established independence of Lithuania.

THE INTERNATIONAL ENVIRONMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for January 1990 into the CONGRESSIONAL RECORD:

THE INTERNATIONAL ENVIRONMENT

Protection of the environment is emerging as a central international issue of the 1990s. It is a key concern in Eastern as well as Western Europe, and in foreign assistance programs for the developing world. Now on the agenda of most international meetings, environmental protection will require growing attention from policymakers in the coming years.

Pollution and development are damaging the world's resource base—the atmosphere, the oceans, the tropical rain forests, Antarctica, and the earth's rich diversity of plant and animal life. Population growth will create even more pressure on the planet's limited resources. In 1989 alone, world population increased 90 million to 5.2 billion. The United Nations projects 8.5 billion by 2025.

A review of some of the key environmental problems we face is sobering:

Global warming. Many scientists believe the earth's temperature is rising more rapidly than at any other time in history. Gases produced by the burning of fossil fuels trap the sun's returning rays like the glass of a greenhouse. Temperatures could rise by 3-4 degrees by the middle of the next century. This would change climate patterns and raise the level of the world's oceans. Many coastal cities, as well as countries such as the Netherlands and Bangladesh, could be inundated.

Acid precipitation: Caused primarily by polluting emissions from coal-fired power plants and factories, acid rain and snow destroy forests, poison lakes and rivers, and damage buildings. Effects are often felt beyond the borders of the countries where the emissions originate.

Ozone depletion: The release of man-made chlorofluorocarbons (CFCs), used as chemical solvents and cooling agents, is destroying ozone in the upper atmosphere. Ozone depletion permits larger amounts of ultraviolet radiation to reach the earth, threatening human health and damaging major food crops, and aquatic vegetation.

Tropical deforestation: 54 acres of tropical forest are lost per minute. This alarming rate of destruction poses three major problems. First, tropical forests are home to 50-80% of the world's plant and animal species. Deforestation threatens the existence of thousands of these precious species, many of which have untapped potential for agriculture, medicine, and industry. Second, deforestation may contribute up to 25% of the annual increase in carbon dioxide levels, contributing to possible global warming. Third, economic development at the cost of the rain forests depletes the vital local resource base.

To address these issues, a change in our definition of economic growth is in order. We need to embrace the concept of "sustainable development" in which economic growth does not deplete the resource base upon which future generations depend. This will require unprecedented cooperation between developing and developed countries. The U.S., which consumes a disporportionate share of the world's resources, should provide the leadership.

International negotiations have had some success, but are only opening skirmishes in the battle to save the planet. A 1987 agreement to protect the ozone layer by calling on industrialized countries to cut the use of CFCs in half by 1999 provides a useful model for international action. But such efforts will only be successful with the cooperation of all major nations.

Global warming negotiations have been more difficult. In November, the U.S. blocked an international agreement to freeze carbon dioxide emissions at curent levels by the year 2000. The Bush Administration claimed scientific data was not conclusive and that action should not be taken until a UN-sponsored panel publishes its report in June, 1990.

International organizations can play a key role in promoting environmental responsibility. The 1989 meeting of the UN General Assembly laid the groundwork for an accord between rich and poor countries on stabilizing the earth's climate. Pressure from Congress has encouraged the World Bank and other multilateral banks to pay increased attention to the environmental impact of their loan proposals.

Many less developed countries resent attempts by developed countries to restrict their economic growth. The U.S. should take the lead in setting up a technology transfer program to help poor countries achieve sustainable economic growth and avoid the mistakes of past industrialization. We should offer economic incentives in the form of debt-for-nature swaps, in which a country's debt burden is reduced in return for preservation of natural resources. We should support international family planning programs which seek to control the population explosion.

Many countries have already begun to tackle their environmental problems. Brazil recently reduced several subsidies that encouraged rain forest destruction. Nongovernmental organizations have arranged debt-for-nature swaps in Bolivia, Costa Rica, Ecuador, and the Philippines. West Germany has committed to cutting CFC production by 95% by 1995.

As well as acting on the international level, we need to put our own house in order. We need to reorder our foreign assistance program to integrate environmental concerns, balancing the needs of growth and sustainability of the resource base. Proposed Clean Air Act legislation seeks to further reduce major air pollutants, establish an acid rain program, and introduce innovative pollution control approaches. We need to improve our energy efficiency, speed transition to energy sources that use less carbon dioxide, and reduce subsidized logging on public lands. The U.S. cannot solve the problem of environmental degradation by itself. But its size and importance assure that it can have a major impact on the world environment.

The world's ecological systems are in trouble. We need to redefine our national security priorities to preserve the earth. The immediate costs are considerable and some scientific uncertainty remains, but my sense is that we have delayed long enough and the costs will be far greater in the future. The health of the planet in the next century, even its survival, could depend significantly upon what we do now.

AN ASSET TO THE COMMUNITY RETIRES

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GEKAS. Mr. Speaker, I ask my colleagues to join with me in recognizing a woman who has served her community in my district for three and a half decades.

Vivian Mader, of Grantville, PA, will retire after 35 years from the U.S. Postal Service at the end of February. For the last 17 of those years, she has served in the capacity of Postmaster at the Grantville Post Office. To have such a position of responsibility in what is the greatest postal service in the world is no small task. And Vivian Mader has made no small contribution to Pennsylvania.

Vivian has been awarded numerous commendations and held positions reflecting exemplary service: 1983 Postmaster of the Year, State legislative chairman of the National League of Postmasters, director of the Dauphin County Branch of National Association of Postmaster Association.

She has worked with scores of civic and community organizations, including the Cancer Society, Brownie and Girl Scouts, the Manada Hill United Methodist Church, Cub Scouts, the Volunteer Fire Company Auxiliary, and the PTA, to name just a few.

I express my gratitude and my congratulations to Vivian Mader and know that all my colleagues and constituents join me in thanking her for a job well done.

THE VA EMPLOYEE RETIREMENT EQUITY ACT

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. WALGREN. Mr. Speaker, today I am introducing a bill to place part-time employees of the Department of Veterans Affairs' [VA] Health Services and Research Administration [HSRA], formerly the Department of Medicine and Surgery, on an equal footing with all other part-time Federal employees. Part-time doctors and nurses of the VA hospital system—so-called title 38 employees—now receive less in retirement pension benefits than all other part-time Federal employees. That is simply unfair, and, if not corrected, will lead to poorer quality medical care for veterans who rely on our commitment to care for them through the VA system.

Discrimination against part-time doctors and nurses in the VA system is the result of a 9-year tug-of-war over efforts to reduce the pension benefits of the Reagan years. The appendix below lists the various laws passed and then changed by Congress affecting the retirement pensions of these title 38 employees over the last several years.

THE BILL

The bill I am introducing today would address the inequity in the treatment of part-time medical personnel of the VA by simply striking the section of law which treats part-time title 38 employees differently, for the purposes of pension computation, from all other Federal workers. The result of this change would be to apply the same retirement pension formula to part-time title 38 employees as is currently applied to other part-time Federal employees. Under my bill, title 38 employees would receive credit for their full-time equivalent salary

and have part-time service prorated just as they do today. However, my bill would apply the same formula to title 38 employees as currently applies to all other part-time Federal workers by grandfathering part-time service performed before April 7, 1986.

There is no good basis for treating part-time employees of the VA differently than part-time workers in other Federal agencies. The 27,000 part-time doctors and nurses of our veterans' health system deserve a retirement formula as generous as that offered to all other Federal employees. Swift passage of the VA Employee Retirement Equity Act would send a strong message to the part-time workers of the HSRA that their service to this country's veterans has been appreciated. I encourage my colleagues to join me in support of this important measure.

APPENDIX

P.L. 96-330 (Sec. 114, Veterans' Administration Health-Care Amendments of 1980): Amended Title 38, Sec. 4109, to use the full-time equivalent of high-3 pay, with the pension prorated for the portion of time actually worked during all years employed. Proration of service would be applied to service retrospectively and prospectively.

P.L. 96-385 (Sec. 508, Veterans' Disability Compensation and Housing Benefits Act of 1980): In response to criticism of applying the new formula to service before enactment of P.L. 96-330 (retrospectively), this law included a "technical amendment" to 96-330 that was intended to make it prospective only. However, this amendment "made the possibility of a part-time Department of Medicine and Surgery employee receiving a disproportionate annuity a certainty."

P.L. 97-72 (Sec. 402, Veterans' Health Care, Training, and Small Business Loan Act of 1981): Repealed the technical amendment included in P.L. 96-385 and restored section 4109 of Title 38 to the way it was as amended by P.L. 96-330.

P.L. 99-272 (Sec. 15204, Consolidated Omnibus Budget Reconciliation Act of 1985): Changed the retirement formula for all part-time Federal workers to include full-time equivalent high-3 pay, but prorated the pension for the portion of time actually worked. The law "grandfathered" part-time service before enactment (April 6, 1986), allowing such service to be credited as full time. Repealed section 4109(b) of Title 38, which provided separate treatment of Title 38 part-time employees. Resulted in some employees (those who would not have switched to full-time employment in the last 3 years before retirement) receiving a "windfall" for part-time work before April 6, 1986, since full-time work credit would be given for that service.

P.L. 99-509 (Sec. 7003, 1986 Omnibus Budget Reconciliation): Removed Title 38 employees from P.L. 99-272, thereby leaving them under P.L. 96-330; applies proration of service both retrospectively and prospectively for part-time work in the Department of Medicine and Surgery of the Veterans' Administration, thus treating retirement credit for these part-time Veterans' Administration employees differently from other part-time Federal employees.

A TRIBUTE TO TWO GOOD AND DECENT AMERICAN CITIZENS

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the full U.S. House of Representatives to bring to your attention and to honor, as I have done on occasion, two good and decent American citizens of my 4th Congressional District in Pennsylvania.

Many of the citizens of this Nation work hard all of their lives supporting their families and performing valuable functions in the community but are never publicly recognized because they do not have the resources to become active in public endeavors.

Today I honor two such individuals, Eugene and Ida DePaul of Ellwood City, who are celebrating their 60th wedding anniversary. Eugene, born in 1909, and Ida (Motta), born in 1911, were married January 9, 1930.

Eugene, a retired supervisor at Matthews Conveyor Co., Ellwood City, together with Ida, have also provided a caring home for Elsie Motta, Ida's 75-year-old sight-impaired sister.

Such exceptional citizens as the DePauls' are the rule rather than the exception in western Pennsylvania. Yet the DePauls' are to be commended for solid citizenship, solid work, patience, and spirit, and for contributing to the great moral fiber and strength of this Nation. Mr. Speaker, that is why I rise to honor this couple before the full House today.

THE IMPORTANCE OF BLACK HISTORY MONTH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, in the conclusion of Martin Luther King's "I Have a Dream" speech, he envisioned the United States as a place where all of God's children, black men and white men, Jews and gentiles, Protestants and Catholics, will be able to join hands in unity and celebrate their freedom. Clearly, Dr. King grasped the essence of our Constitution, professing that it is the source of unity and freedom for all men, no matter what their race, creed, or culture. As we stand at the dawn of this new decade, being witness to dramatic calls for freedom across the globe, we should recognize how fortunate we are in this fine country to possess our freedom. We are also responsible to nourish this freedom and avoid any selfishness that would prove detrimental to its cause. We should also reflect upon Dr. King's movement, and realize the importance to pursue this dream and tear down the walls of racism that still exist. In celebration of Black History Month, we are called to remember the rich history of black America, and the tremendous contributions such as those made by Dr. King. It is important for all Americans to make the effort and learn about this aspect of American history; for through this knowledge, we are able to understand the many struggles which had to occur to strengthen the fabric of this great Nation.

Black history in the United States, is full of struggle and triumph; figures such as George Washington Carver, Booker T. Washington, Frederick Douglass, and Jackie Robinson are just a few of the many leaders who have contributed to this tremendous history. However, the history goes beyond these relatively recent years; even before 1619 when the Africans first set foot on American soil, African history provided an equally as rich culture and tradition and it is this history which has enhanced the already rich history of black Americans.

Through our unity as Americans, we should all recognize that through the knowledge of black history, the struggles endured and the triumphs achieved, will inspire future generations to avoid obstacles that may be encountered on the road to freedom. And as we stand at the dawn of this decade, we must recognize all calls for freedom; having this awareness and through remembering all past struggles for freedom, we will all arrive in the promised land as Dr. King envisioned.

CIVIL RIGHTS ACT OF 1990

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HAWKINS. Mr. Speaker, today I am joining with over 150 of my colleagues from both parties and from both Houses of Congress in introducing the Civil Rights Act of 1990.

This legislation is necessary to prevent this Nation from beginning a retreat from the goal of equal justice and equal opportunity for all of our people, regardless of race, color, sex, religion, or national origin.

I have served in the Congress since 1963, and, for more than a quarter century, Congress, the courts, and a consensus of the American people have marched together toward that goal of fulfilling the American promise of liberty and justice for all.

But last year, the Nation's highest court broke ranks with that consensus and broke faith with that national commitment, and, in a series of decisions, denied millions of Americans the protection of civil rights laws dating back to the 1960's and even to the 1860's.

Let me briefly summarize the most untenable and unconscionable of these decisions.

First. One of the Nation's oldest civil rights laws, known as section 1981 of the Federal Code, constitutes the only legal recourse against discrimination available to millions of employees not protected by title VII.

Last summer, in its decision in Patterson versus McLean Credit Union, the court rewrote this historic civil rights law to deny workers protection against racial harassment, racial discrimination, and racially motivated firings. The court narrowed the protections of this law to defend workers against discrimination only during the hiring process itself but not after they are on the job.

Second. Title VII of the Civil Rights Act of 1964 is the other major bulwark against discrimination in employment. In Wards Cove Packing Co., Inc., versus Antonio, the court overturned a unanimous Supreme Court decision written by former Chief Justice Warren Burger by watering down the business necessity defense so that employers can successfully defend discriminatory practices even if they are not essential to its business. The court also weakened title VII and undid 18 years of precedent by placing the burden of proof on the victims to show that an employer has no business necessity for employment practices with discriminatory effects. The burden of proof belongs on those who practice discrimination, not on those who suffer from it.

Third. Voluntary settlements of cases involving employment discrimination have served the interests of employers, employees, and the general public by avoiding years of costly and time-consuming litigation. But, in its decision in Martin versus Wilks, the court may actually have discouraged the settlement process by allowing challenges to these settlements years later by individuals who had notice at the time the settlements were agreed to.

In the 6 months that have passed since these decisions, the impact is clear: millions of Americans no longer can count on the courts to protect them against some of the most blatant forms of discrimination.

As the NAACP Legal Defense and Educational Fund has reported, during the months since the decisions, the courts have dismissed 22 claims of racial harassment, 31 claims of racially motivated firings, and 16 claims of refusals to grant promotions or transfers because of race.

There are those who say these decisions are merely technical adjustments. There are those who say let us wait and see what the impact of these decisions will be. There are those who caution Congress not to act with unseemly haste.

But racial and sexual harassment are not technicalities; they are abominations. The dismissal of over one hundred cases involving discriminatory employment practices is not a technicality.

Americans who are denied a job can't afford to wait and see.

Americans who are denied the promotions they deserve or even fired maliciously and capriciously from their jobs can't afford to wait-and-see.

And the young people, from our inner cities to our rural communities, can't afford to wait-and-see whether America really will deliver on the promise of equal opportunity. Those who study hard and work hard, who live within the law and play by the rules, who say no to drugs and say yes to education, and who respect their parents and their teachers and their ministers, should have memories of a Supreme Court that opened the doors of opportunity, instead of slamming them shut.

These euphemisms for indifference and inaction were rejected by the great leaders of our times and by the great majority of Americans during successful struggles to pass the great civil rights legislation of the past three decades.

America is a better country because we as a people decided not to wait and see but to move forward toward the goal of eradicating discrimination in our factories and offices, in our schools, in our polling places, and in every sector of our national life.

It is important that we move forward, not backward; that we act decisively, not wait and see; and that we send the clear message to everyone, and especially to our young people, that hard work will be rewarded. Nowhere is this more important than in the workplace.

Over the past quarter century, we have begun to overcome centuries of systematic discrimination. Business and labor; local, State, and Federal Governments; the executive branch, Congress, and the courts—all have worked together. And the result has been that, of almost any sector of American life, the progress toward equality has been greatest in the workplace.

All this has been threatened by the recent Supreme Court decisions. And that is why the Civil Rights Act of 1990 restores the legal protections that made this progress possible:

First. We must—and, once again, we will—protect every American against discrimination and harassment on the job.

The Civil Rights Act of 1990 makes clear that an employee's rights to fair treatment on the job do not end once he or she has been hired. It amends section 1981 to reaffirm that the right "to make and enforce contracts" includes the making, performance, modification, and termination of contract, including the enjoyment of all benefits, terms, and conditions of the contractual relationship. Now is the time to protect every American against being harassed, fired, or otherwise discriminated against in their employment or other contracts because of their race.

Second. We must—and, once again, we will—require that discriminatory employment practices be necessary to the business, and we will place the burden of proof of business necessity on the shoulders of those who practice discrimination, not those who suffer from it.

The Civil Rights Act of 1990 provides that, once an individual proves that a practice has a discriminatory effect, the employer must then justify the practice by showing that it is necessary. Common sense dictates that employers, not employees, have ready access to information about their business practices; common decency dictates that the burden of providing business necessity belongs on the shoulders of the perpetrators, not the victims, of discrimination.

Third. We must—and, once again, we will make clear that job bias is always wrong and always illegal.

It is always immoral to make employment decisions for discriminatory reasons, such as racial stereotypes, and the Civil Rights Act of 1990 makes clear that such behavior is always illegal even if such decisions are based on nondiscriminatory reasons as well. And because the purpose of this legislation is to promote fairness, the Civil Rights Act of 1990 also makes clear that, in considering the appropriate relief for such discrimination, a court shall not order the promotion or hiring of a person not qualified for the position.

Fourth. We must—and, once again, we will—guarantee every American the right to challenge employment discrimination.

The Civil Rights Act of 1990 amends title VII of the Civil Rights Act of 1964 to provide everyone who has been a victim of intentional discrimination with the right to recover damages, including punitive damages against employers who act with malice or with reckless indifference to their employees' civil rights. By adding provisions for the recovery of damages, this section makes the remedies available under title VII for all forms of illegal discrimination—including discrimination based on race, color, religion, sex, or national origin—consistent with the remedies now available under other Federal laws covering only racial and ethnic discrimination.

More than a quarter century ago, I had the honor of serving as a freshman Member of Congress at the time when Congress was considering the Civil Rights Act of 1964. It was a time when the Congress—and the American people—searched their national soul, set aside the timid admonitions to wait and see, and set about the course of moving America forward to the fulfillment of its ideals.

Now, once again, it is time to search our national soul; it is time to set aside the timid admonitions to wait and see; it is time to set about the course of moving forward, not backward, to meet the challenges of a new era by upholding our oldest and most precious ideals.

Set forth below is a summary of the major provisions of the Civil Rights Act of 1990:

SUMMARY OF THE CIVIL RIGHTS ACT OF 1990

The following is a brief summary of the Civil Rights Act of 1990:

Protecting Americans Against Race Discrimination on the Job and in Private Contracts

Last year, in *Patterson* v. *McLean Credit Union*, the Supreme Court held that an 1866 statute barring intentional race discrimination in contracts (42 U.S.C. sec. 1981) does not prohibit racial harassment on the job and other forms of discrimination in the application of contracts. The Civil Rights Act of 1990 amends sec. 1981 to reaffirm that the right "to make and enforce contracts" includes the enjoyment of all benefits, privileges, terms and conditions of the contractual relationship. By reaffirming the broad scope of sec. 1981, Congress will ensure that Americans may not be harassed, fired or otherwise discriminated against in contracts because of their race. Because sec. 1981 is the only federal statute barring race discrimination that is applicable to the 3.7 million employers with fewer than fifteen employees, it is vitally important to restore its broad ban on racism in contractual dealings.

Restoring the Burden of Proof in Disparate Impact Cases

For eighteen years following Chief Justice Warren Burger's unanimous opinion for the Supreme Court in the landmark case of *Griggs* v. *Duke Power Co.*, Title VII had placed on employers the burden of showing that employment practices with a "disparate impact," (*i.e.*, that operate to exclude women and minorities disproportionately) are required by business necessity. Last year, in *Wards Cove Packing Co.* v. *Atonio*, the Court effectively overruled this *Griggs* rule and held that, no matter how strong

the proof of discriminatory effect, the employer need no longer prove that its practices are required by business necessity. Instead, victims of discrimination must bear the heavy burden of proving that the employer has no legal justification for its exclusionary practices. The Civil Rights Act of 1990 restores the *Griggs* rule by providing that, once a person proves that an employment practice has a disparate impact, the employer must justify the practice by showing that it is based on business necessity.

Facilitating Prompt and Orderly Challenges to Consent Decrees and Court Orders

In *Martin* v. *Wilks*, a case involving a court-approved plan by the City of Birmingham to remedy past racial discrimination in its fire department, the Supreme Court held last year that whites who sat on the sidelines while the plan was being approved by the district court could later challenge it in a new lawsuit. The Civil Rights Act of 1990 guarantees notice to persons who might be adversely affected by a proposed court order, and a reasonable opportunity to challenge the order. But subsequent lawsuits challenging the court order will be barred except under certain unusual circumstances.

Making Clear that Job Bias Is Always Illegal

In *Price Waterhouse* v. *Hopkins*, the Supreme Court suggested that employment decisions motivated at least in part by prejudice do not violate the law if the employer can show after the fact that the same decision would have been made if it had not engaged in intentional discrimination. The Civil Rights Act of 1990 provides that any reliance on prejudice in making employment decisions is illegal, while making clear that, in considering the appropriate relief for such discrimination, a court shall not order the hiring or promotion of a person not qualified for the position.

Granting Women and Religious and Ethnic Minorities the Right to Recover Damages for Intentional Employment Discrimination Now Available to Racial Minorities

Under present federal law, victims of sexual, religious, or ethnic harassment who remain on the job have no effective remedy. The Civil Rights Act of 1990 closes this loophole by amending Title VII to grant any victim of intentional discrimination the right to recover compensatory damages, and, in egregious cases, punitive damages as well. The Act makes the remedies available for sex, religion and ethnic discrimination claims under Title VII the same as the remedies now available under sec. 1981 for racial discrimination.

Correcting Statutes of Limitation

In *Lorance* v. *AT&T Technologies*, the Supreme Court held that the statute of limitations for challenging discriminatory seniority plans begins to run when the plan is adopted, rather than when the plan is applied to an individual. As a result, persons who were laid off pursuant to discriminatory seniority plans may be barred from bringing suit before they even knew they would be dismissed. The Act overrules *Lorance* and permits persons to challenge discriminatory seniority plans when those plans actually harm them, rather than only when they are adopted. At the same time, the Act confirms that proof of discrimination in the adoption of the seniority plan that actually required the lay-off is required.

Restoring Fair and Effective Civil Rights Enforcement

The Civil Rights Act of 1990 also includes additional, technical provisions to ensure fair and effective civil rights enforcement and to address other Supreme Court decisions hampering initiation of antidiscrimination cases and recovery of attorneys' fees. These provisions extend the statute of limitations under Title VII and ensure that job bias victims will be able to obtain adequate legal assistance.

Reaffirming Generous Rules of Construction in Civil Rights Cases

The Act adopts rules of construction reaffirming the intention of Congress that civil rights laws must be construed generously, in order to provide effective remedies to eliminate discrimination.

The Bill Does Not Address The Scope of Race-Conscious Remedies

The Act specifically makes clear that it does not affect or change the law governing affirmative action and other race-conscious remedies. The Act does not mandate quotas in any fashion.

TRIBUTE TO VINNY PAZIENZA

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. SCHNEIDER. Mr. Speaker, when Vinny Pazienza works with chronically ill children for "The Impossible Dream," he speaks to them about hope, courage, and determination. It is these same qualities that made Vinny a winner to his legion of Rhode Island fans last Saturday when he squared off against Hector Camacho.

In a sense, that's been the story of Vinny's career—Rhode Island's living example that with a little hard work, dreams can come true. When, after years of training, he won the world championship a few years back, it was as if all of Rhode Island had won, too. We could all identify with Vinny Paz—the local kid who had to scrap and scratch his way to the top, fighting the odds as well as opponents. And perhaps best of all, when he reached the top, he didn't forget his roots. He was always just Vinny Paz—the kid from Cranston we've come to call our own.

So, no matter that Vinny lost a tough decision to a three-time world champion. To those of us in Rhode Island who have followed Vinny in his wonderful career; to everyone who watched him pour his heart out in Atlantic City last week; and to his family and friends back home, he's still a champion. Our champion.

CHILD CARE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. McEWEN. Mr. Speaker, last week during his State of the Union Address, President Bush identified child care as a top priority for the 1990's. I would like to commend him for his leadership on this issue, and for his wisdom in leading Congress and the Nation in the right direction to properly address America's child care needs.

As President Bush indicated, our goal is not to institute a new Federal bureaucracy where Washington decides exactly what type of child care is best for a mother and child in Ohio. Our goal is not to discourage parents from sending their children to religious-based child care centers where they might be taught the traditional values that are important to many parents, such as myself. Our goal is not to encourage the breakup of the family by making it far more attractive for mothers to work rather than care for their children.

Rather, our goal is to treat equally the mother who works and the mother that stays at home. Our goal is to give the assistance directly to the family so that those who know best—the parents—can decide what kind of care their child should have. Our goal is to help children, mothers, and families, in that order.

I look forward to working with my colleagues to develop an acceptable package, and I hope those who share my views and the views of the President will be strong in pursuing our goals in helping America's families.

A SALUTE TO HERVE FILION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of our colleagues the outstanding achievements of Herve Filion, one of the great harness racing drivers in all history.

Herve finished 1989 with his 800th driving win—an all-time record in the history of this great racing sport. As if this outstanding record were not enough, Herve Filion finished the 1989 season with a cumulative 12,000 career wins. Even the great Bill Shoemaker retired with less than 9,000 career wins.

Herve Filion has achieved these incredible records by working double-headers. Herve habitually reports for work in the early afternoon at Freehold Raceway in New Jersey, and then travels up the turnpike to work nights at Yonkers Raceway in New York.

Although he will become 50 years young this year, Herve has kept up this grueling pace since 1974, and shows no signs of wanting a rest. "If my health stays good, I'll keep driving until I'm 65—or maybe 70," Herve recently told the New York Times.

The same New York Times article went on to attest that Herve Filion is to harness racing "what Wayne Gretzky is to hockey, Kareem Abdul-Jabbar to basketball, and Walter Payton to football."

Mr. Speaker, I urge our colleagues to join in saluting a super athlete who has set the standards which those who follow will have to emulate.

Mr. Speaker, I would like to submit at this point in the RECORD an article which appeared in the December 15, 1989 issue of Harness Racing magazine which outlines the amazing career of an amazing athlete:

HERVE FILION—WHAT WILL THE 1990'S BRING?

To say that harness driver Herve Filion is like fine wine would be a huge understatement. And trying to figure out when he'll reach his prime is an even bigger mystery.

At age 49, when most athletes can only reflect on their careers, Herve Filion continues to rewrite harness racing's chronicles; giving new meaning to the term "getting better with age."

The Angers, Quebec native crossed the border in 1961, landing at Vernon Downs with just over 800 wins behind him and a bright future ahead of him. What he's accomplished nearly three decades later, and what he continues to build upon each day, is nothing short of the most untouchable record in sports history.

Filion enjoyed moderate success during the early part of the sixties at Vernon Downs. Eventually, he migrated to the Delaware Valley circuit, where he rewrote the record books at Brandywine and Liberty Bell Park while establishing himself as a fixture atop the driver standings at Freehold Raceway.

The seventies were to be Herve's decade. He would give new meaning to the term fulltime driving, spending his afternoons at Freehold and evenings at either Yonkers or Roosevelt. A look back at the seventies immediately after their conclusion would cause one to think that Filion had peaked during that decade. He started out registering his most successful season to date in both the dash wins and money category, driving 486 winners and banking over $1.6 million in 1979. He raised the single season win standard to 543 in 1971, 605 in '72, and 637 in '74. He ranked as the country's leading dash winning driver during eight of the decade's 10 years and his accomplishments hardly went unnoticed. Filion became the only harness driver to be honored with the Hickok Professional Athlete of the Month Award (1971), received the Lou Marsh trophy as Canada's top athlete and the Canadian Medal of Honor, both presented by Canadian Prime Minister Trudeau, and in 1975 was the youngest inductee ever into Harness Racing's Hall of Fame.

Filion slowed down in 1979, finishing the decade ranking third in the nation with 374 dash wins. However, he began the 1989's just as he had started off the decade prior. He drove 474 winners, 12 shy of his mark in 1970, and reclaimed the North American Dash Wins title. Filion won the title again in 1981 (404) and '82 (495) and in 1988, embarked upon a mission that would result in a mind-boggling season. He incessantly, chased down the single season world record of 770 wins and finished the campaign with a staggering 798 wins. 1989 has provided the ultimate exclamation point to yet another decade in which Filion appeared to reach his peak. As early as tonight, Filion could reach the 800 win mark for the season and before the year's out, it's likely he'll eclipse the 12,000 win milestone. His nearest competitor is over 5,000 wins shy and the leading thoroughbred jockey, Bill Shoemaker, has over 3,000 wins fewer.

What could Herve Filion possibly do for an encore in the 1990's? Well, if he reaches his prime, the results could be endless.

IN REGOGNITION OF RONNIE ROBINSON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. VISCLOSKY. Mr. Speaker, I rise today to pay tribute to a constituent from the First District of Indiana who is a paragon of courage and who deserves this body's recognition and respect. His name is Ronnie Robinson.

Ronnie is 10 years old and a fourth-grade student at the Orchard Drive Elementary School in Hammond, IN. He is a honor student who enjoys reading, science, and history, as well as such recreational activities as camping, swimming, music, and Nintendo. Ronnie sounds like many other youngsters who strive to do their best. However, he is notable because he excels even though he suffers from duchenne muscular dystrophy. This life-threatening disease is one of physical pain and emotional fatigue. The simple things in life that we all take for granted are a daily challenge to Ronnie. He has not been alone in his efforts—he has the love of his family, the support of his many friends, and the admiration of his whole community.

For the past several years, Ronnie has been the local poster child for northeast Indiana chapter of the Muscular Dystrophy Association. In this role, he has been an effective spokesperson and an influential fundraiser. Remarkably, Ronnie also serves as a honorary recruiter for the U.S. Air Force Squadron No. 3551 Flight "C." His dedication and desire have brought him the highest distinguished award that the USAF Recruiting Service can give to a civilian.

In this time when America's youth are too often depicted as uneducated, unmotivated, and uninvolved, Ronnie serves as a reminder that those characterizations are untrue. His spirit and determination serves as an inspiration to us all. I am honored to bring him to the attention of my colleagues in the House of Representatives.

STOPPING THE TRADE OF FOOD STAMPS FOR DRUGS AND CONTRABAND

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. WYDEN. Mr. Speaker, it seems incredible, but the Food Stamp Program is now losing millions of dollars each year because food stamps are illegally traded for drugs, guns, stolen cars, and illegal contraband.

This growing underground economy promotes drug dealing and other illegal activity and cheats this program that is so essential to the needy.

To stop this wrongdoing I am today introducing with bipartisan support, the Food Stamp Trafficking Prevention and Penalty Act of 1990, to eliminate the loss of millions of dollars due to the trafficking of food stamps.

Currently, the penalties are so small, a maximum 5 years or $10,000 fine, that there is little to deter a corrupt individual from engaging in this illegal operation.

Food Stamps Act as a currency of the underground economy. Corrupt grocers are the ones contributing to this economy because they are the only ones who are able to redeem food stamps for cash. If they are stopped, the link to the underground economy will be broken and the purchases of drugs, guns, and stolen cars for food stamps will end.

The bill which I am proposing has three main objectives:

First, it would give food stamp traffickers the same penalties we give money launderers—A $500,000 fine and a 20-year prison sentence.

Second, it would set up a system to cross-check grocers to ensure that crooked ones do not get back into the program after they have been kicked out. Grocers would have to supply their employer identification number or Social Security number to USDA so this cross-checking can work.

Third, individuals convicted of this crime would be subject to Federal asset seizure and forfeiture so the Government could come in and seize the property attained from the illegal activity.

The proceeds from these fines and forfeited assets would reimburse the cost of the investigations and prosecutions to the State and Federal agencies. The remainder of the money would be directed back to the Food Stamp Program to feed more hungry people.

The problem of food stamp trafficking is a problem that is facing the entire country. In my own State of Oregon, police are busting drug houses and finding thousands of dollars in unredeemed food stamps, which are obviously being used as cash to buy drugs. Oregon gives out $12 million in food stamps per month. According to some USDA reports, up to 10 percent of these stamps are cashed fraudulently.

In Los Angeles, the Los Angeles Times reported that the owners of a grocery store were convicted of illegally trafficking in 1.6 million dollars' worth of food stamps. It was also reported that a grocery storeowner had been arrested for allegedly buying food stamps at cut rates and then turned the stamps over to the Federal Government for cash.

In Albuquerque, NM, police uncovered a black market food stamp operation when trying to catch car thieves. The investigators found that the customers of their sting operation wanted to purchase the stolen cars with food stamps.

In Kansas City, MO, a women pleaded guilty after an undercover police officer paid her $10,000 in food stamps for 32 ounces of PCP.

The U.S. Department of Agriculture reported that undercover agents in Charlotte, NC, exchanged over $125,000 in food stamps for large quantities of narcotics, stolen property, firearms, and about $23,000 in cash. Sixty-eight persons, including 16 owners or employees of retail stores authorized to be participants in the Food Stamp Program were charged with food stamp trafficking and drug-related charges.

Food stamp trafficking is on the rise. The office of the inspector general in Texas has reported that there has been an increase from 19 traffickers in the fiscal year 1987 to 86 traffickers in the fiscal year 1989.

I hope my colleagues will join me in cosponsoring the Food Stamp Trafficking and Penalty Act of 1990. This is our opportunity to put a stop to illegal food stamp trafficking before it reaches epidemic proportions.

A TRIBUTE TO MRS. JANET CAMPBELL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SKELTON. Mr. Speaker, I want to take this opportunity to recognize Mrs. Janet Campbell, a resident of Missouri's Fourth Congressional District who was recently elected to serve as president of the Southern Medical Administration Auxiliary.

Mrs. Campbell, the wife of physician Dr. A.J. Campbell, lives in the city of Sedalia, MO. In November she came to Washington, DC to be installed as president of the Southern Medical Association Auxiliary. Ceremonies took place in the Caucus Room of the Cannon House Office Building. She will serve a 1-year term.

The Southern Medical Association Auxiliary is the second-largest multispecialty medical auxiliary in the Nation, with a membership which exceeds 46,000. Representing 17 States and the District of Columbia, the auxiliary promotes continuing education for physicians and encourages fellowship within the profession. The auxiliary also sponsors service projects in honor of Doctor's Day and works to preserve the history of the medical profession.

As president, Mrs. Campbell brings years of experience to the Southern Medical Association Auxiliary. She has been actively involved as a member and as an officer of several medical auxiliaries. Mrs. Campbell is past president of both the Missouri State Medical Association Auxiliary and the Pettis County Medical Society Auxiliary. We congratulate Mrs. Campbell on this latest honor and we wish her the best of luck during her term as president of the Southern Medical Association Auxiliary.

TRIBUTE TO JAY MATRICCIANI

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. ANDERSON. Mr. Speaker, it is my distinct pleasure to honor the outgoing president of the National Utility Contractors Association, Jay Matricciani. As chairman of the Public Works and Transportation Committee, I can attest to Mr. Matricciani's active representation on behalf of the interests of the underground utility construction industry before Congress and the administration. He testified before us on water and sewer funding issues, and substantially helped our efforts to raise the level of appropriations. These programs provide important benefits for the economic, environmental and employment needs of the Nation.

The third generation utility contractor from Baltimore, MD, has devoted much of his time and talent to an organization that is celebrating its 25th anniversary. During his tenure, Mr. Matricciani was certainly an able custodian who continued to enhance NUCA's history of pride and tradition.

Jay and I had the opportunity to talk about our days as former motorcycle racers. They were exciting times, but no more than the opportunity to actively participate in the workings of our democratic government. It's a pleasure to recognize the voluntary spirit of such individuals.

THE CHICAGO TRIBUNE, A LEADER IN NEWSPRINT RECYCLING

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PORTER. Mr. Speaker, I want to praise the leadership of the Chicago Tribune for their efforts to promote recycling of newsprint. Already, over 40 percent of the Tribune's annual newsprint comes from recycled newspapers.

Sixteen billion pounds of newsprint are thrown away each year. Our Nation's landfills are filled with old newspapers that have not decomposed. They are still legible and virtually undisturbed. It is clear that with landfill space disappearing, old news is not good news.

Meanwhile, the Japanese are recycling 95 percent of their newspapers. Does the United States need anymore indicators? I think not.

Farsighted companies such as the Chicago Tribune have met this challenge with ingenuity and conviction. They have shown a sense of corporate responsibility which is increasingly pervading the business community, responsibility which represents an investment in the future.

THE 15TH ANNIVERSARY OF MINUTEMAN PRESS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. LENT. Mr. Speaker, on February 26, Minuteman Press International, Inc., will celebrate its 15th anniversary. I take pride in noting that the corporation opened its first shops in the towns of Farmingdale and Plainview, in my Fourth Congressional District on Long Island.

Minuteman Press is a shining success story, an outstanding example of the entrepreneurial spirit that has made America great. After extensive research into the printing industry, the company's founder, Roy W. Titus, found a void in the printing industry between the capabilities of the large industrial printers and the black-and-white copy shop. Mr. Titus, in consultation with his staff and personnel from 3M and AM International, developed the Minuteman Press franchise package.

Minuteman Press offers through the sale of the franchise, an opportunity for businessmen to own and operate their own printing business. To date, the corporation has over 900 independently owned franchises across the United States and in three Canadian Provinces.

Minuteman Press and other businesses like it are the pride of Long Island and our Nation. I'd like to take this opportunity to congratulate the company and its many employees on this important occasion and offer my sincere thanks for its significant contributions to the betterment of Long Island's economy and local communities. Finally, I offer my best wishes for many more years of continued prosperity and success.

SPARE THE INSTITUTION

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SANGMEISTER. Mr. Speaker, I rise today to commend to my colleagues the writing of a highly respected constituent, a retired judge in my district. In these times of Congress-bashing, Judge Henry X. Dietch published an article entitled "A Congressman or So May Deserve Jibes—But Spare the Institution." It appeared in the Park Forest Star on January 7, 1990.

I ask that it be inserted in the CONGRESSIONAL RECORD so that my colleagues may benefit from the judicious words of Judge Dietch.

REMARKES OF JUDGE HENRY X. DIETCH

In a democratic nation, the legislative body is a reflection of the will of the people—or at least it should be in theory—and in the long run it is.

In the very nature of any deliberative body, whether it be the P.T.A., a civic organization, a church board, or a union or trade association, it is often exasperating to reach a consensus. The pulling and hauling in every direction, the argumentative process itself and the presentation of diverse views is often a messy, frustrating, and exhausting process. Like a lasting, good and fruitful marriage, the eventual success is a product of compromise. Neither the husband nor the wife as individuals are victorious in their positions, but together they can reach viable solutions.

Thus when it becomes fashionable to mindlessly castigate Congress on its inaction on "our point of view" or our political agenda or our particular piece of legislation, we do a disservice to ourselves. I am not referring to constructive criticism, or the presentation of opposing views, but I do strenuously object to the vehemence as well as the ignorance of some of the destructive attacks on the Congress. Congressmen, like all human beings, have feet of clay with their foibles, their political necessities and their sectional allegiances.

The individual congressman, however, is not the institution as such, and when we confuse the two we are damaging both. The individual is dispensable but the institution

is a necessity in a democratic government. Intemperance against the institution can eventually breed contempt and possible extinction of representative government.

The long view is a necessity in examining the worth of any institution. Democracy is a messy, earthy and practical process that has provided the best answer to governmental requirements in the history of mankind. It has had its ebbs and flows, its victories and its defeats, its noble as well as ignoble moments. It has, however been the only answer to the yearnings and aspirations of people throughout the ages. It is especially pertinent to the present events happening in all parts of the globe. Other peoples are in various stages of securing their "inalienable rights" through legislative bodies elected by and responsible to them. For our times, our civilization, our needs, there is obviously no other solution.

Denigrating our institutions, unless we have reached the point where we seek another form of government, is a pointless and unfulfilling exercise in self-hatred. Congress is now the focal point of the venomous attacks that are popular at this moment in the history of the American Republic. At other times, the presidency or the Supreme Court have been the field of battle. Congressmen, presidents and judges come and go. We must not confuse the actions of the individual with that of the office or the institution. To do otherwise imperils our form of government and puts all of us at risk in respect to our lives, our fortunes, our very existence as a nation.

Let us, then, act as intelligent creatures, voice our opinions in a proper manner, vote our conscience, but not tear down the very structure which gives us the basic building blocks of our way of life.

DR. DAVID A SANCHEZ, AN IMPRESSIVE LEADER FOR THE NATIONAL SCIENCE FOUNDATION'S MATHEMATICS AND PHYSICAL SCIENCES DIRECTORATE

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. RITTER. Mr. Speaker, the National Science Foundation is a major player on America's basic science and engineering research team. Other nations may be competing with us in terms of turning basic research into marketable products, but we are still unrivaled in basic research. That leadership is in large part due to NSF's track record of success and commitment.

Each year, the NSF's Mathematics and Physical Sciences Directorate funds over $500 million in projects that form the cornerstone of America's basic research efforts in high-technology, "cutting edge" fields such as high temperature superconductivity. Thus, it is with great pleasure that I congratulate Dr. David A. Sanchez, the vice president and provost at Lehigh University, who has recently been named to head the directorate.

Dr. Sanchez has been the chief academic officer at Lehigh University since 1986. He says that working at Lehigh, with its strong programs in science and engineering and high interaction with industrial technology, has been "an excellent preparation for the key position in the National Science Foundation which I will assume on June 1, 1990." Lehigh is moving forward in science and engineering education, which fits well with the national initiatives of the 1990's. Some of Dr. Sanchez's accomplishments in his tenure at Lehigh are a major improvement in the tenure and promotion system, and a project aimed at increasing the awareness of the important role that Lehigh Univerisity has in the community with respect to science education in the local schools.

Dr. Sanchez is a popular and successful administrator, who has a good relationship with students, faculty, and staff alike. He is an accomplished professor of mathematics, who has written numerous articles and books. Dr. Sanchez is prepared to make an immediate contribution to the foundation, since he has served on the NSF's advisory committee for mathematics and science for the last 3 years, and understands the programs which he will administer. I am particularly proud of Dr. Sanchez's unselfish attitude toward public service. According to him, becoming the head of the directorate is a "service to the scientific community" the he is "honored to perform." I wish Dr. Sanchez all the best in that endeavor.

EARTH DAY AND RECYCLING

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. UDALL. Mr. Speaker, the first Earth Day was celebrated in 1970 and led to an environmental grassroots movement which spread across this country. Millions of people gathered together to discuss the environmental problems of their cities, towns and States. Their support led to the creation of the Environmental Protection Agency and passage of the Clean Air Act and Clean Water Act in the early 1970's, as well as other landmark environmental legislation.

On April 22, 1990, we celebrate the 20th anniversary of Earth Day. It is estimated that more than 100 million people around the world will make a personal affirmation of their environmental commitment. We can once again expect a grassroots movement to come forth from Earth Day. Only this time it will be an even larger movement with an even larger agenda.

One of the issues that is sure to be a priority is that of municipal solid waste [MSW]. MSW is simply the waste that the people in this country create in our every day lives. Last year alone, there was an estimated 160 million tons of MSW generated. By the year 2000, it is estimated that this figure will increase to 190 million tons.

Currently, about 70 percent of NSW is disposed of in landfill sites. The problem is that these sites are reaching their capacity and have to be closed. The Environmental Protection Agency [EPA] has estimated that 80 percent of existing landfills will close within 20 years. New landfill sites are difficult to find, if for no other reason than public opposition.

One of several suggested solutions to this problem is to increase recycling efforts. In fact, there are a multitude of recycling programs in the pilot stage right now. For instance, Phoenix, AZ has undertaken an ambitious program to recapture useable materials.

The city of Phoenix estimates that over 50 percent of their MSW is recycable. Last year, as officials confronted landfills rapidly reaching capacity, and the proposition of a new landfill that is some 50 miles away from the city, they decided to pursue recycling as an option to address their waste disposal problems.

In March 1989, one area in each of the eight city council districts in Phoenix was targeted for recycling; 4,000 homes are currently participating in this pilot program.

The program is extremely simple. The city has provided each home with an additional garbage can. To differentiate the two kinds of trash, one can is blue and one green. In the "blue bucket," the participants of this program discard five recyclable commodities: paper, cardboard, glass, metal, and plastic. The green can gets everything else. It's that simple.

The city has always picked up trash twice a week. The only diffrence for the participants now is that on one day they put out their nonrecyclable trash in one bucket, and on the second collection day they put out their "blue bucket" containing recyclables.

The city then drops off the recyclable MSW at one of the churches in the city that has agreed to sort and sell the recyclables. It is my understanding that the church employs several people to manage this project and, while no one is getting rich, they are breaking even.

The city surveyed the participants after 9 months to see how they liked the program. Virtually all the participants think the program is a smashing success. Not only are 94 percent of them satisfied with the program, but over 95 percent of them believe the program is easy. I think just as important is the fact that 97 percent actually feel good about participating.

The city is soon to expand their program to 11,000 households.

Mr. Speaker, Earth Day will once again be a catalyst for environmental change. One of those changes must be the way in which we deal with this country's trash. It is high time that we put an end to the "throw away society."

TRIBUTE TO MERLE H. HILDEBRAND

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the full U.S. House of Representatives to recognize and pay special tribute to Merle H. Hildebrand of New Castle, PA, who is also the recent recipient of a special proclamation by the New Castle Sanitation Authority for his many years of outstanding service to the community of Lawrence County.

As an active citizen of New Castle, Mr. Hildebrand promotes the best interest of all who

serve and have served in the authority. Ever since the sanitation authority was established in 1964, he has played a very active role. Mr. Hildebrand was secretary of the board as well as an original board member.

Mr. Hildebrand is an honorably discharged veteran of World War II. He has been an attorney in western Pennsylvania for 50 years and has provided great service as a distinguished and respected member of the Lawrence County Bar Association and Pennsylvania Bar Association. Following in a long line of political figures, Mr. Hildebrand was elected district magistrate of New Castle from 1970 to 1976.

I am proud, Mr. Speaker, to take this opportunity before the U.S. House to recognize and compliment Mr. Merle H. Hildebrand for his achievements as a distinguished and dedicated public servant.

SCHOOL-BUSINESS PARTNERSHIPS OF LONG ISLAND

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MRAZEK. Mr. Speaker, I rise today to acknowledge the tremendous success of the School-Business Partnerships of Long Island [SBPLI], a not-for-profit corporation which assists in linking major Long Island businesses with local school districts in mutually reciprocal programs.

Mr. Speaker, SBPLI was founded by Mr. Fred Breithut of Melville in 1984 and has already partnered over 40 schools with local businesses in Nassau and Suffolk Counties. Students, schools, businesses, and other community institutions are eligible to join regardless of race, religion, or political beliefs.

SBPLI assists high school students in establishing contacts with the business world before graduation. This partnership benefits the school district as the business interacts with the students and staff, while the school provides students who are eager to become involved in the business world.

Further, this program encourages graduates to remain on Long Island for practical training that will undoubtedly enhance the economic vitality of Long Island.

Mr. Speaker, I would like to illustrate just one example of the kinds of benefits that SBPLI provides to Long Island. This partnership involves a hospital and a school district. The hospital has started a program to encourage students to explore careers in the health field. Interns work in the hospital's dietary, physical therapy, radiology, and nursing units.

High school teachers of these students have noticed a definite increase in pupil attendance and an increased awareness of the relevance of school work to their future careers, as well as improved grades. Most importantly, the partnership has sparked an interest in the health profession that students might not otherwise have had.

Mr. Speaker, Long Island is fortunate to have an individual such as Mr. Breithut, a visionary committed to the ideal that schools and businesses must work together. Initiatives such as his are instrumental if the United States is to retain its position as the No. 1 economic power in the world.

On behalf of all Long Islanders, I want to thank Mr. Breithut for his selfless service to the community and wish him well in his future partnerships.

NEED FOR SENATE LEADERSHIP ON CLEAN AIR

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. SCHNEIDER. Mr. Speaker, I find it unconscionable that leaders of the U.S. Senate would consider gutting key provisions of the clean air legislation now pending in that Chamber, which provide major protection from global climate change.

I am referring to current discussions going on to ease the NO_x vehicle emissions standards to less than those now pending in the House version. I also refer to the elimination of a CO_x standard that would lead to the multiple benefits of also reducing imported oil, and additional reductions in urban smog and acid rain.

Such actions come at the very moment that hundreds of scientists and international policymakers are meeting here in the Nation's Capital as part of the Intergovernmental Panel on Climate Change, to find solutions to global warming.

As the scientific community has repeatedly testified before Congress, the United States is the world's major contributor of global greenhouse gases, and vehicles are a prime contributor.

The current provisions in the Senate bill are forward thinking and should be retained. These measures are strongly supported by the American voters as reflected in recent polls, they are cost effective for consumers in reducing the bills at the gas pump, and they are among the least-cost ways of reducing environmental pollutants.

Congress can and must exercise their leadership on this issue. I call on my colleagues in the other body to hang tough and do not weaken this important legislation.

H.R. 3971, THE NATIONAL GUARD ENLISTMENT OF CERTAIN ALIENS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GILMAN. Mr. Speaker, today I am introducing H.R. 3971, legislation granting lawful residence status to certain aliens who enlist in National Guard units which are severely under strength. This legislation is intended to alleviate the critical manpower shortage faced by several National Guard and Reserve units in our Northeast States.

Mr. Speaker, this legislation represents a major revision to a previous measure which I introduced last year. This earlier measure, H.R. 1306, was the subject of hearings before the House Judiciary Subcommittee on Immigration, Refugees, and International Law on September 21, 1989.

In response to comments from the Department of Defense, the Department of State, and the Immigration and Naturalization Service, we have revised the original legislation to narrow its focus and make it more responsive to the bill's original intent. The revised legislation will not provide for any new immigration into the United States. Rather, it will apply only to existing aliens currently residing here without legal status, provided they can show U.S. residency prior to the date of the bill's enactment. Many of these aliens live and work in conditions of servitude, as part of an underground economy that benefits no one.

It makes sense for us to help resolve the problems with undocumented aliens while at the same time alleviating the manpower shortage facing National Guard units in the Northeast. Historically, U.S. immigrants have earned a distinguished record of service in defense of our Nation; in fact, 143,000 such aliens were naturalized under similar provisions enacted during World War II.

This measure provides new authority to enlist a non-U.S. citizen in any army or Air National Guard unit where that unit's strength is below 90 percent of the authorized strength level. Under this proposal, the attorney general can provide temporary residence status to any alien accepted for enlistment in the National Guard provided that alien has no criminal record and was present in the United States prior to the enactment of this legislation.

Mr. Speaker, this is an innovative and responsible way to address the important problem with manpower shortages in the Northeast. Accordingly, I urge my colleagues to join me and the 13 original cosponsors of H.R. 3971 in supporting this vital legislation.

H.R. 3971

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO ACCEPT ENLISTMENTS IN THE NATIONAL GUARD FROM CERTAIN ALIENS.

Section 302 of title 32, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) Under regulations to be prescribed by the Secretary concerned, an original enlistment in the Army National Guard or Air National Guard of a State or Territory, or of Puerto Rico or the District of Columbia, may be accepted from a person who is not a citizen of the United States and who is otherwise described in paragraph (2) if the actual personnel strength of the Army National Guard or the Air National Guard, as the case may be, of that State or Territory, or Puerto Rico or the District of Columbia, at the time of such enlistment is less than 90 percent of the authorized strength of that National Guard prescribed by Federal law or regulation for the last day of the preceding fiscal year.

"(2) A person referred to in paragraph (1) is a person who is otherwise qualified for an original enlistment in the National Guard and who as of the date of the enactment of this subsection—

"(A) is not admitted to the United States for permanent residence; and

"(B) is present (whether or not lawfully) in the United States (including any commonwealth, territory, or possession of the United States).

"(3)(A) A person may not be enlisted under this subsection unless the person, in addition to taking the oath prescribed under section 304 of this title, declares an intention to become a citizen of the United States.

"(B) The enlistment of a person under this subsection shall be void if—

"(i) the person does not apply for adjustment of status under section 245B of the Immigration and Nationality Act within 90 days after the date of such enlistment, or

"(ii) the Attorney General determines that the person, having applied for such adjustment of status, is not eligible for such adjustment of status.

"(4) The number of persons enlisted under this subsection in the National Guard of any State or Territory, or of Puerto Rico or the District of Columbia, may not exceed 3,000 during any fiscal year. The Governor (or, in the case of the District of Columbia, the commanding general) shall determine the apportionment of enlistments under this subsection between the Army National Guard and the Air National Guard, except that at least two-thirds of such enlistments shall be in the Army National Guard.

"(5) The term of an enlistment under this subsection may not be less than six years.

"(6) If, within 60 days after the beginning of war or of a national emergency declared by Congress, the number specified in paragraph (4) is not increased by law, the President may increase such number as the President considers appropriate. Any such increase may remain in effect for the duration of the war or national emergency.

"(7) In the case of an alien enlisted under this subsection who is released or discharged from service under any condition other than honorable, the adjutant general for the National Guard from which the alien was released or discharged shall notify the Attorney General of such release or discharge within 90 days after the date of the release or discharge.".

SEC. 2. ADJUSTMENT OF STATUS OF ALIEN ENLISTED MEMBERS AND THEIR FAMILIES.

(a) PROVIDING FOR LEGALIZATION.—Chapter 5 of title II of the Immigration and Nationality Act is amended by inserting after section 245A (8 U.S.C. 1255a) the following new section:

ADJUSTMENT OF STATUS OF CERTAIN ALIENS ENLISTED IN THE NATIONAL GUARD

"SEC. 245B. (a) TEMPORARY RESIDENT STATUS.—

"(1) PRINCIPAL ALIEN.—The Attorney General, in consultation with the Secretary concerned (as defined in section 101(8) of title 10, United States Code) or the appropriate chief executive officer of the pertinent State, territory, or possession, shall adjust the status of an alien to an alien lawfully admitted for temporary residence if the alien applies to the Attorney General for such adjustment of status and, in the application, establishes the following:

"(A) The alien is accepted for enlistment and is enlisted in the Army National Guard or Air National Guard pursuant to section 302(d) of title 32, United States Code.

"(B) The alien is admissible to the United States as an immigrant, except as provided under subsection (c)(2).

"(C) The alien has not been convicted of any felony or 3 or more misdemeanors committed in the United States.

"(D) The alien has not assisted in the persecution of any person or persons on account of race, religion, nationality, or membership in a particular social group.

"(E) The alien was in the United States as of the date of the enactment of this section and has resided continuously in the United States since such date.

"(2) SPOUSE AND MINOR CHILDREN.—The Attorney General shall adjust the status of an alien to an alien lawfully admitted for temporary residence, if the alien applies to the Attorney General for such status and establishes, in the application, the following:

"(A) The alien is the spouse or child of an alien lawfully admitted for temporary residence under paragraph (1).

"(B) The alien is admissible to the United States as an immigrant, except as provided under subsection (c)(2).

"(C) The alien has not been convicted of any felony or 3 or more misdemeanors committed in the United States.

"(D) The alien has not assisted in the persecution of any person or persons on account of race, religion, nationality, or membership in a particular social group.

"(E) The alien was in the United States as of the date of the application of the principal alien under paragraph (1) and has resided in the United States continuously since such date.

"(3) TERMINATION OF STATUS.—The Attorney General shall provide for termination of temporary resident status granted to an alien under this subsection if—

"(A) it appears to the Attorney General that the alien was in fact not eligible for such status,

"(B) the alien commits an act that (i) makes the alien inadmissible to the United States as an immigrant, except as provided under subsection (c)(2), or (ii) is convicted of any felony or 3 or more misdemeanors committed in the United States, or

"(C) the alien described in paragraph (1)(A) was released or discharged from service described in such paragraph under any condition other than honorable.

"(4) AUTHORIZED TRAVEL AND EMPLOYMENT DURING TEMPORARY RESIDENCE.—The provisions of section 245A(b)(3) shall apply to an alien granted lawful temporary resident status under this subsection in the same manner as such provisions apply to an alien granted lawful temporary resident status under section 245A(a).

"(5) CONFIDENTIALITY.—The provisions of paragraphs (5), (6), and (7) of section 245A(b) shall apply to applications under this subsection in the same manner as they apply to applications under section 245A.

(b) ADJUSTMENT TO PERMANENT RESIDENCE.—

"(1) CERTIFICATION OF SERVICE.—An alien described in subsection (a)(1) may apply to the Secretary concerned or to the chief executive officer referred to subsection (a)(1)(A) for a certification that the alien (A) has at least 6 years of honorable service in the Army National Guard or Air National Guard and (B) was not released or discharged from such service under any condition other than honorable. if such an application is granted, the Secretary or officer shall issue such certification.

"(2) ADJUSTMENT OF STATUS OF PRINCIPAL ALIEN.—The Attorney General shall adjust the status of any alien provided lawful temporary status under subsection (a)(1) to that of an alien lawfully admitted for permanent residence if the alien applies to the Attorney General for such adjustment and establishes, in the application, the following:

"(A) Subject to paragraph (4), there has been a certification made with respect to the alien under paragraph (1).

"(B) The alien is admissible as an immigrant, except as provided under subsection (c)(2).

"(3) ADJUSTMENT OF STATUS OF SPOUSE AND CHILDREN.—The attorney General shall adjust the status of any alien provide lawful temporary status under subsection (a)(2) to that of an alien lawfully admitted for permanent residence if the alien applies to the Attorney General for such adjustment and establishes, in the application, the following:

"(A) Subject to paragraph (4), there has been a certification made with respect to the alien's spouse or parent under paragraph (1).

"(B) The alien is admissable as an immigrant, except as provided under subsection (c)(2).

"(4) WAIVER OF SERVICE REQUIREMENT.—Upon the petition of the Secretary concerned or the chief executive officer, the Attorney General shall waive the certification requirement of—

"(A) paragraphs (2)(A) and (3)(A) for any alien if the alien was wounded in action or held in captive status (as defined under section 559 of title 37, United States Code), or

"(B) paragraph (3)(A), if the alien's spouse or parent was killed in action or otherwise died while in the line of duty.

"(c) WAIVER OF NUMERICAL LIMITATIONS AND CERTAIN GROUNDS FOR EXCLUSION.—

"(1) WAIVER OF NUMERICAL LIMITATIONS.—The numerical limitations of sections 201 and 202 shall not apply wtih respect to aliens covered under this section.

"(2) ADMISSIBILITY DETERMINATIONS.—The provisions of section 245A(d)(2) shall apply to determinations of admissibility under this section in the same manner as they apply to determinations of admissibility under section 245A.

"(d) TEMPORARY DISQUALIFICATION FROM CERTAIN PUBLIC WELFARE ASSISTANCE.—The provisions of section 245A(h) shall apply to aliens granted lawful temporary resident status under this section in the same manner as such provisions apply to aliens granted lawful temporary resident status under section 245A(a), except that any reference to a 'five-year period' shall be considered to be a reference to a 'two-year period'.

"(e) EXPEDITED NATURALIZATION.—In the case of an alien who is granted lawful permanent residence under subsection (b) and who reenlists in the Army National Guard or the Air National Guard for an additional term of 6 years, there shall be counted toward the period of physical presence and residence required for naturalization under section 316(a), the period of physical presence and residence while the alien was in lawful temporary resident status under subsection (a).".

(b) CLERICAL AMENDMENT.—The table of contents of the Immigration and Nationality Act is amended by inserting after the item relating to section 245A the following new item:

"Sec. 245B. Adjustment of status of certain aliens enlisted in the National Guard.".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to fiscal years beginning after the date of the enactment of this Act.

NATIONAL ADOPTION WEEK—1990

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SMITH of New Jersey. Mr. Speaker, today I, along with over 75 of my colleagues, am introducing legislation which designates Thanksgiving week of 1990, as National Adoption Week. Last year, for the 12th consecutive year, Congress passed a resolution—House Joint Resolution 278—proclaiming Thanksgiving week 1989 as National Adoption Week.

Mr. Speaker, it is often said, and rightly so, that there is no resource more precious than our children. Unfortunately, not every child has the benefit of a loving and supportive family. As Members of Congress, we must do all that we can to make it easier for every child without a family to find a family.

Today, there are about 36,000 children in the foster care system with special needs who are waiting for a family. These special children—whether they are older, part of sibling groups, members of minority groups or have physical, mental and emotional handicaps—deserve our support. With about 2 million couples and individuals looking to adopt a child, there are homes available for many of these special children. By celebrating National Adoption Week each year, we can bring much needed publicity to their situations.

Mr. Speaker, last December I had the privilege of presenting the U.S. position supporting the U.N. convention on the Rights of the Child at the United Nations in New York. The convention recognizes the positive role adoption plays in providing children with families. It calls on people from all lands to consider the benefits of adoption, and likewise I think we must focus on the benefits of adoption here at home, as well.

Finally, Mr. Speaker, let me say that adoption is one option for unintended pregnancies that we can all support. It benefits pregnant women who are not able to take care of a child; it benefits couples and individuals who are unable to have their own children; and—most importantly—it benefits the child by providing a loving and supportive family.

I would urge all of my colleagues to demonstrate their support for adoption by cosponsoring the National Adoption Week resolution for 1990.

UKRAINIAN CATHOLICS STILL LONGING FOR TRUE LIBERALIZATION FROM GORBACHEV

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. LIPINSKI. Mr. Speaker, in recent hours the world has witnessed increasingly remarkable events in the Soviet Union. Each day it seems that revolutionary, democratic change may be the result of demonstrations in Red Square. As we focus on Moscow, I would again like to call the Nation's attention to the Ukraine, where Ukrainian Catholics have emotionally struggled and demonstrated for religious freedom since 1946 when Stalin banned the Ukrainian Catholic Church.

Over the past year, it has often seemed that Ukrainian Catholics have been on the threshold of success. In October and November, over 170 Members of Congress joined me in urging Mikhail Gorbachev to legalize the Ukrainian Catholic Church. Ukrainian Catholics in the United States and abroad eagerly anticipated Gorbachev's meeting with Pope John Paul II in December. I joined them in their hope that Ukrainian Catholics would finally be allowed to practice their faith in accordance with their conscience.

Despite the greatly appreciated efforts of the U.S. Congress, Ukrainian Catholics were largely disappointed with Gorbachev's meeting with Pope John Paul II. While Gorbachev has called for the legal registration of Ukrainian Catholics and the Catholic Church, the synod of 1946 has not been declared illegal, and property has not been returned to the Church. I rise today to remind Members that the United States can only be satisfied when the Soviet Union declares the dissolution of the Ukrainian Catholic Church illegal, legalizes the Church, and returns the Church's property. We must remember that Gorbachev's conciliatory words must be matched by real action.

I would like to submit for the record a recent article from the Wall Street Journal which provides an excellent update on the struggle of Ukrainian Catholics—whether things have really changed, and what remains to be done.

IN UKRAINE, FAITH IN GOD—NOT IN GORBACHEV

(By Edward McFadden)

When the Soviet Council for Religious Affairs announced on Dec. 1 that Ukrainian Catholics would be allowed to register and "enjoy all the rights established by law for religious communities in the Ukrainian SSR," members of the long-banned church were justifiably unenthusiastic. Last week leaders of the Ukrainian Catholic Church gathered in the Church of the Transfiguration in Lvov, declared the church's dissolution in 1946 null and void, and announced that the church would from that moment on function as a fully legal entity within the Soviet Union.

The Ukrainian Catholics' faith in God and lack of same in the Soviet system has led to a quiet revolution.

The Ukrainian Catholic Church's history began in 1596 through an agreement between the Ukrainian Church of the Byzantine Rite and the Church of Rome in which the Ukrainian Catholics, also known as Uniates, pledged allegiance to the papacy but kept their Byzantine liturgy, language and church hierarchy. Josef Stalin banned the church in 1946 through the socalled Synod of Lvov, which forcibly "self-dissolved" the church and merged it with the Communist-backed Russian Orthodox Church. Uniate clergy who refused to surrender their allegiance to Rome and become Russian Orthodox priests were sent to Siberia. All Uniate property was confiscated, most of it going to the Orthodox Church.

Since then, many Ukrainian Catholics have practiced their faith in fields, forests or late in the evening in private homes. Today there are an estimated 3.5 million practicing Ukrainian Catholics in the Soviet Union, the majority of whom reside in Western Ukraine and are counted in official Soviet documents as Russian Orthodox. The Ukrainian Church is overseen by Cardinal Myroslav Lubachivsky from Rome along with 10 bishops in Ukraine, seven of whom only recently came out of hiding (where the other three remain).

Because the Uniates make up the largest Catholic group in the Soviet Union, Pope John Paul II has long placed the relegalization of the Ukrainian Church high on his list of concerns in his limited dealings with the Soviet Union. During the historic two-day meeting between Mikhail Gorbachev and the Pontiff in Rome in late November, the Ukrainian Church was discussed often.

Vatican officials, whose policy it is to comment only under the condition of anonymity, say that the Pope was willing to make a major concession, promising that should Mr. Gorbachev allow the full legalization of the Uniate Church the Pontiff would not press for the return of all church property, the major stumbling block to the Russian Orthodox Church supporting legalization of the Ukrainian Catholic Church.

Despite the talks, however, the Ukrainian Church gained little from the Soviets that it already didn't have. Ivan Hel, head of the Lvov-based Committee for the Defense of the Ukrainian Catholic Church, told reporters that the new policy giving Ukrainian Catholics the right to register as Uniates "does not provide a real legal basis for the church. It does not recognize the 1946 [self-dissolution of the Church] as illegal and does not guarantee the return of property." In fact, there is no guarantee that congregations that apply for registration will even be accepted by the government.

According to officials of the Ukrainian Church in Rome, more than 700 congregations have applied for registration with Soviet officals but only 20 have been approved. More important, the church still does not have legal standing.

Over the past two years, Mr. Gorbachev has used his still-unenacted "Freedom of Conscience" bill, which purportedly would give all religions the same legal standing and property privileges as the official Russian Orthodox Church, to placate religious groups and their leaders—first with Lithuanian Catholics in mid-1988, and then in early 1989 when unrest among Moslems began to grow. When the Pope pressed for Ukraning Church legalization, Mr. Gorbachev once again promised a law early in 1990.

Vatican officials say they have not been consulted by Soviet officials about the law, and Ukrainian Church officials have not seen any of the three draft versions that are said to exist. The issue of church ownership of property might not even be considered in the law, since a Vatican source familiar with the continuing negotiations between Rome and Moscow says that Mr. Gorbachev feels that return of Ukrainian Church property is an issue to be resolved between the Russian Orthodox Church and Ukrainian Catholics.

Such inter-church negotiations began two weeks ago in Moscow, but the Russian Orthodox Church is hesitant to surrender any of the property it holds in Ukraine and the numbers bear out why: The Orthodox Church claims to have more than 10,000 parishes in the Soviet Union. More than 5,700 of the total are in Ukraine—3,000 of these in Western Ukraine. All told, about 60% of the Orthodox Church's holdings are in the republic. A mass re-conversion of members and property to the Ukrainian

Catholic Church could be crippling to the Russian Orthodox Church.

In October, before the registration rule was enacted, Ukrainian Catholics were already growing weary of the lipservice from Mr. Gorbachev and the Russian Orthodox hierarchy. Beginning with the annexation of Lvov's Church of the Transfiguration, believers have peaceably seized more than 600 churches formerly held by the Russian Orthodox Church. More than 350 Russian Orthodox priests have asked to be accepted as priests for the Ukrainian Church—all have been accepted. While the buildings technically belong to the Russian Orthodox Church, there is little the Orthodox Church can do when an entire parish led by the parish clergy—returns to the fold of the Ukrainian Chruch.

In some areas of Western Ukraine, such as the town of Ivano-Frankivsk, where 100,000 of the 250,000 residents have been known to hold Sunday prayer services in the town square, there are no longer any functioning Russian Orthodox churches. Reports from Ukraine confirm that the taking of these churches has been peaceful, yet the Russian Orthodox Church has attempted to distort the story.

In a confidential cable sent Dec. 23 to Russian Orthodox Church leaders outside the Soviet Union, Archbishop Kirill, chairman of external church relations of the Moscow Patriarchate, reported that the Resurrection Cathedral in Ivano-Frankivsk had been taken "by force . . . . [And] many Orthodox churches in Lvov, Ternopol and other cities and villages have been seized. . . . I ask you to exert influence on the Christian and social circles of the country in which you are residing in favor of a most swift and peaceful resolution of the problem." This is the same man who has called publicly for brotherly negotiations between the two churches.

The Russian Orthodox Church, in the hope of coming away with something for its 44-year domination of the region's religious life, is requesting inter-church dialogue based on the Christian love and understanding to resolve the current impasses without the aid of the Soviet Government. But the Uniates note that only the state can give back what the state has taken away: the rights of religious freedoms and the ownership of property.

FIFTH ANNIVERSARY OF THE MURDER OF ENRIQUE CAMARENA

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SMITH of Florida. Mr. Speaker, 5 years ago today drug enforcement agent Enrique (Kiki) Camarena was brutally tortured and murdered in Mexico. Kiki Camarena is one of the true heroes in our country's fight against illegal drugs, and I believe it is our duty to see that those responsible for his death are brought to justice.

Just last week, a Federal grand jury in Los Angeles indicted 18 Mexican nationals in connection with the murder, including two former top Mexican law enforcement authorities. Mr. Speaker, I call on the Mexican Government to respect these indictments and reopen its investigation of the Camarena murder, and in particular to investigate possible involvement by high level law enforcement officials.

In my recent discussions with President Salinas and others, I have become convinced that the Salinas government is dedicated to rooting out corruption and strengthening its antinarcotics operations. I believe President Salinas is sincere in that commitment. But a reopening and full investigation of the Camarena murder case is needed if we are to regain fully the trust previous Mexican administrations have shaken.

Finally, I would like to once again extend my condolences to the Camarena family and my thanks to the law enforcement officers, domestic and international, who risk their lives everyday in the fight against illegal drugs. I want to assure them that there are people in Congress who remember and appreciate their efforts and sacrifices.

A SPECIAL TRIBUTE FOR A DEDICATED PUBLIC SERVANT

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KOLTER. Mr. Speaker, I rise today before the full U.S. House of Representatives to pay special tribute to a man who has dedicated his adult life to promoting and protecting public safety in my Fourth Congressional District of Pennsylvania.

Okey T. Cline of Chippewa Township, Beaver County, who has faithfully served as township fire chief for 21 years, is retiring as chief this month, January 1990, after a lifetime of dedicated public service to the township fire department, to his full-time job, to his Nation, and to his family.

Born in Sherman, WV, on April 21, 1926, Okey Cline was married to Juanita (Hardman) Cline on July 20, 1944. The couple have two children: Ronald E. Cline, 43, and Kathy T. Helsing, 38; and six grandchildren: Erik Helsing, Dane Helsing, Heidi Helsing, Kristin Helsing, Amanda Lynne Cline, and Douglas T. Cline.

Okey Cline served honorably in the U.S. Navy from 1944 to 1946 and volunteered for the township fire department in 1953. Promoted to fire chief in 1968, Mr. Cline saw the fire department grow and prosper over the years, now overseeing 38 active volunteers.

While serving steadfastly as fireman and fire chief, Okey Cline was also employed for 40 years at Babcock & Wilcox Co. without ever missing a day's work due to absence. Not many employees can claim this great and rare achievement.

A member of the New Brighton American Legion and the Eagles, Okey Cline will remain with the volunteer force to assist the new chief, Richard Lamey.

Mr. Speaker, I rise today to honor and pay special tribute to Okey Cline before the House because Okey is one of the most dedicated firefighters and fire chiefs in this State and this Nation. Okey Cline will spend much more time with his grandchildren now, but his leadership, and dedicated and expert guidance will continue to aid his fire department and his community in the years to come.

INTRODUCING THE MISSISSIPPI RIVER WATER QUALITY STUDY

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GUNDERSON. Mr. Speaker, today I'm introducing legislation to require a comprehensive water quality study for the Mississippi River. This bill will authorize the U.S. Geological Survey to conduct a 2-year study, in conjunction with the U.S. Fish and Wildlife Service, the FPA, the Army Corps of Engineers, State agencies, and local support groups.

The great Mississippi is a national treasure. More than that, it is used by millions of Americans every year for recreation, swimming, boating, fishing, and hunting. The upper river alone has over 200 boat harbors, 445 recreation sites, and thousands of acres of protected wildlife refuge. The total recreation value of the upper river alone is over $700 million each year.

The river empties an average of more than 530,000 cubic feet of water into the Gulf of Mexico every second—that's one and a half times the discharge of the Saint Lawrence, eight times the discharge of the Rhine, and 30 times the discharge of the Thames. The flow emanates from water in 31 States. Seventy cities draw their water supplies from the Mississippi. Twenty-three percent of the public surface water supplies for the United States comes from the river. Unfortunately, we know too little about the quality of the water in the river.

We already have underway a comprehensive, cutting edge project to assess the environmental and recreational aspects of the Upper Mississippi River. That project, the Environmental Management Program, is the model for interagency cooperative efforts to study effects of river use on environmental and recreation balances. It is my hope that this legislation will use the EMP model to expand the excellent work conducted under the program to wider study efforts.

The bill will incorporate much of the work already underway on the upper river with new data to be found on water quality on the rest of the river. By measuring the level of contaminants which flow down the river, dissolve in the water, and attach to sediment particles, or incorporate in the tissue of plants and animals, we'll have the capacity to identify where our society is failing to meet the challenge of environmental management.

I'm pleased that Senator DURENBERGER has introduced companion legislation in the Senate and look forward to working with him on this effort. And I am especially pleased that he, along with my colleagues who have joined as cosponsors of this legislation, have looked to the Upper Mississippi River Environmental Management Plan as a model for this study. If we can spread the model to cover the river from its headwaters at Lake Itasca, MN, to the Gulf of Mexico, the river, and those who live in the region, will gain tremendously.

In the interim, the water quality study I have proposed will expand our knowledge of the

entire river. This knowledge will be critical to establishing sound practices for use of the river and its resources into the next century.

THE INVASION OF PANAMA

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MOODY. Mr. Speaker, today, I voted with deep reservations in support of House Concurrent Resolution 262, a resolution expressing the sense of Congress concerning recent developments in Panama.

My vote reflected my support for the portion of the resolution stating: "That the Congress—(1) expresses its sadness over the loss of 23 United States soldiers' lives in Panama, and conveys deep condolences to the families of those who died in Panama; (2) commends the President for his efforts to provide for the early return to the United States of the remaining United States troops engaged in Operation Just Cause; and (3) urges the President to continue his efforts to foster democratic ideals in Panama and the establishment of a democratic government so long sought by the people of Panama."

I deeply regret the loss of American and Panamanian lives that resulted from the American invasion. It is a tremendous tragedy that so many young and innocent lives have been irretrievably lost. I support the speedy withdrawal of American forces to ensure that the United States does not become an occupying force in that country. Finally, I will work with congressional leaders and the President to help the people of Panama realize their hopes for democracy.

That vote notwithstanding, I strongly object to the section of the resolution stating that President Bush "appropriately" ordered the invasion of Panama. I want the record to be very clear on this point.

I welcome the end of the corrupt and illegitimate Noriega government. However, the invasion of Panama was a unilateral United States action that constituted a clear violation of Panama's sovereignty and of international law.

There are many corrupt regimes in the world, several countries that have provided a haven for drug traffickers, several countries where American citizens have been mistreated or killed. But President Bush has not responded by launching a large-scale unilateral invasion. It appears to me that our country more easily turns its tremendous military might against countries that are small and countries that are close at hand.

Unfortunately, I believe that a byproduct of the U.S. intervention will be the rekindling of suspicion and resentment toward the United States by Latin American countries, caused by years of United States domination which frequently relied on military force, and usually affronted Latin American sovereignty and dignity. The time has long since come when we need to deal with our Latin neighbors on the basis of respect and cooperation. This is our interest. And theirs.

Ironically, Noriega himself was a creature of traditional U.S. policies and patterns. For years, he built up his wealth as an agent of the CIA. He used those funds and contacts to build up both a political machine and a drug dealing empire. The security wing of the United States Government knew this but turned a blind eye to his actions for one primary reason: He supported United States policies on the Nicaraguan Contras.

Thus, in a wider sense, the recent invasion of Panama was caused by the failure of policies that we have pursued for many years. Diplomatic and political steps short of invasion would have eliminated the need for military action—and for American and Panamanian deaths.

We North Americans need to remember that while the Panamanian people dislike Noriega, direct military action to dislodge him can create, over the long term, even stronger resentment on their part to interference in their internal affairs. This will be particularly true if we don't leave swiftly. At the same time, we have a moral obligation to help build destroyed homes and buildings—possibly assists the many businesses which lost millions of dollars in merchandise in the looting spree which the U.S. Army had failed to foresee when local police were routed by the invasion. For that reason, I supported the assistance package for Panama that was approved earlier today.

A TRIBUTE TO THE 100TH ANNIVERSARY OF THE FIRST COLLEGE FOOTBALL ALL-AMERICAN TEAM SELECTED BY WALTER CAMP, THE FATHER OF AMERICAN FOOTBALL

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MORRISON of Connecticut. Mr. Speaker, usually when I come to the floor of the House, it is to discuss the affairs of the country. But today I want to talk about football—Walter Camp Football. On February 17, I will have the distinct privilege of addressing the Walter Camp Football Foundation's National Awards Dinner, in New Haven, CT. I want to share with my colleagues today why it is that this opportunity means so much to me.

Many of you may wonder what Walter Camp Football is and what it is that the Walter Camp Football Foundation does. But if you know and love college football, then you already know that for more than a century Walter Camp and college football have been synonymous.

Walter Camp dedicated his life to preserving and promoting those qualities of college football that give it claim to the title of the great American sport. And for 23 years, the Walter Camp Football Foundation has been synonymous with all that is great about college football.

Walter Camp was the father of American football. More than anybody else, he is responsible for the sport's existence and popularity today. He transformed the nineteenth century English sport of rugby into the fast, modern game of football familiar to all of us. Many aspects of the game he is credited with introducing are now taken for granted: the 11-man team, the line of scrimmage, the T-formation, and, most importantly, the forward pass. These innovations have become so much a part of the game that sometimes we fail to appreciate that somebody had to think of them. It's tough to imagine what football would have been like without Walter Camp.

But Walter Camp gave football much more than its rules. He also provided it with a unique spirit that the brutish rugby matches lacked. His strategy, set plays, and sequences resulted in a blend of speed, power, and drama that drew in the crowds. As the sport's popular appeal extended across the Nation, it was only natural for long lasting collegiate rivalries to develop. As a lifelong member of the rules committee for the game, a body now known as the NCAA, Walter Camp worked to ensure that his new sport had the organization and official recognition it needed to grow.

Walter Camp's interest in the game began when he was an undergraduate student at Yale, where he was a member of every varsity team at the time—track, swimming, tennis and rowing—and was captain of the footall and baseball teams. Later, as Yale University's first football coach, he led the team to national prominence. In addition, he edited the official Handbook of Football for over 14 years. He also proved his capabilities outside of athletics, rising to the presidency of a very successful company.

The spirit and legacy Walter Camp left to college football is carried on today by the Walter Camp Football Foundation. This charitable, all-volunteer group, motivated soley out of their love of the game is dedicated to perpetuating the name and spirit of Walter Camp.

One hundred years ago, Walter Camp selected his first All-American team of college football players. This tradition has been carried on by the Foundation. No other college football All-American team has the mystique and legend of the Walter Camp team. Each year the Foundation brings these athletes to Camp's hometown of New Haven, CT, for presentation to the community and the world. That weekend, the eyes of football fans everywhere focus on this city as it plays host for the finest college football players in the country. To even the casual follower of college football there is no more important off-field event.

It is a special honor that I have been asked to speak at this year's awards dinner, because this is the 100th year an All-American college football team has been selected. Professional football may have more glamor and more money, but college football has the spirit. We owe much thanks to the Walter Camp Football Foundation for keeping that spirit, begun over 100 years ago by its namesake, alive.

I would ask my colleagues that the next time they go to a football game, they remember the father of American football, Walter Camp, and reflect on the values of hard work, ingenuity, selflessness, and excellence that he embodied. Let us also well remember the role of the Foundation that bears Camps name in keeping his ideals alive.

NATIONAL AEROSPACE PLANE

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. LEWIS of Florida. Mr. Speaker, on January 23, 1990, this Nation's aerospace industry made history. They did not make history in their usual way by some ingenious device to make travel or space exploration easier. This event is history making because it signals a new era in the way America thinks about our future competitiveness.

On this date, five entities, representing four aerospace companies, announced a consortium to build the national aerospace plane. This national aerospace plane [NASP] is a vehicle which will take off from a conventional runway, fly into orbit at hypersonic speed of as much as 17,000 miles an hour, and then land again.

The corporations are Pratt & Whitney, the North American and Rocketdyne divisions of Rockwell International, McDonnell Douglas, and General Dynamics. This consortium will be headed by Mr. Barry Waldman of Rockwell International.

Mr. Speaker, these companies have contributed nearly half of the $1.5 billion that has been spent on development of the national aerospace plane. This, along with the serious commitments foreign governments are giving this technology, proves that the world is recognizing the important breakthroughs that will result from this project.

As many who are familiar with the national aerospace plane will attest, this program is absolutely vital to retaining the United States' lead in aerospace technology. The aerospace industry has the largest trade surplus of any industry, due to the research and development that was undertaken in the past. Our current research will determine whether we will continue to lead in this area.

I congratulate these corporations for their foresight and commitment to the national aerospace plane, and I wish them well. I only hope that this Congress shows that same foresight.

SEPARATION PAY AN URGENT NEED FOR AMERICAN SERVICE MEMBERS

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SLATTERY. Mr. Speaker, over the next 5 years, reductions-in-force [RIF] imposed upon the Department of Defense and all branches of the U.S. Armed Forces are expected to result in the release of thousands of uniformed service members stationed in the United States and at bases around the world.

According to Defense Department figures, 91,000 service members will be released by the end of fiscal year 1991. Unfortunately, the future for these involuntarily discharged service men and women is not very bright. Unlike officers in the Armed Forces, who receive up to $30,000 in separation pay regular enlisted service members and noncommissioned officers are not entitled to any separation benefits when they are released from military service.

The legislation I am introducing today would provide separation pay to regular enlisted members of the Armed Forces who are the victims of budget cuts and RIF's. The legislation I am offering would provide some financial security to the service members who have honorably served their country for at least 5 years, but have been denied reenlistment or involuntarily discharged in an effort to meet budgetary constraints.

Congress has a responsibility to ensure that the current military spend-down does not result in a wholesale discharge of thousands of military service members and we have a duty to provide some assistance to these dedicated citizens as they reenter the civilian work force.

Many men and women join the service expecting to spend their entire career serving their country. I believe it is unfair and unjust for the U.S. Government to release them without some kind of compensation. I urge my colleagues in Congress to make separation pay a priority item in 1990 and I look forward to speedy enactment of this important legislation.

ECONOMIC STABILIZATION, ADJUSTMENT, AND INDUSTRY CONVERSION ACT OF 1990

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Ms. OAKAR. Mr. Speaker, the rapid democratization of eastern Europe and the new, dramatic restructuring of the Soviet Communist party requires a thorough reassessment of national security needs and the defense budget. The defense reductions are now politically feasible only because of these pro-democracy developments in eastern Europe and the Soviet Union. Without this opening, fear, and suspicion of the "evil empire" would legitimately dictate at best stable real military spending or at worst a vicious new spiral of competing defense budgets. Instead, a virtuous cycle is now possible. Mr. Speaker, swift, mutual, arms reduction would not only free up this Nation's savings for housing and capital spending needs, but would also give the Warsaw Pact nations the opportunity to redirect their skilled labor pool and natural resources toward consumer and, eventually export-oriented goods production.

Mr. Speaker, the opportunity to scale back defense expenditures further from the peak of the Reagan build-up years have never been more appetizing. In the past few weeks, all the arguments have been made on the rationale for the desired cutback. In addition, the so-called peace dividend which will accompany such cuts, have already been spent many times over on priority programs. While the actual budget reductions recently submitted to the Hill are small, I anticipate the Congress will address the composition of further desired cuts.

As many realize in Washington and abroad, the issue for Congress concerning defense reduction may be the consequences of such cuts for the microeconomy—for the industries, work force and communities where defense production takes place.

Today, Mr. Speaker, I will introduce legislation which attempts to address the pressures of defense reductions while assisting workers, businesses, and communities that must adjust to base closings, elimination or cutbacks of weapons production, stretchouts, layoffs, and other consequences of reduced defense budgets. This legislation was developed after 3 years of hearings and many meetings with the administration, affected communities, business leaders and labor organizations. I honestly believe that those communities which supplied and produced the goods and services in facilitating this defense buildup over the past decade, deserve an orderly mechanism of managing economic adjustment to prevent potential economic dislocation.

Mr. Speaker, if substantial resources are shifted from military to civilian uses over the next decade, the Congress must act now to implement the adequate planning necessary to adhere to this change. If we are smart and act now, we can make it easier to recycle the highly skilled workers who have helped us win the cold war, the desirable facilities, the management abilities and research of our advanced business. These assets, properly coordinated, can make the country more competitive, more prosperous, more secure, and more stable. If we continue to drift along, as we are now, America will lose jobs, lose income, lose prestige and greet the year with a visibly lower standard of living, and a sense of squandered opportunity.

A part of any adjustment strategy must be the American business sector itself. The free enterprise system has recently proved its worth, once again, as a better instrument of adapting to changing world economics than centrally controlled state model.

The American version of free enterprise has done a brilliant job since World War II in providing jobs for a rapidly expanding workforce and an improved standard of living for our expanding population. We must therefore utilize the many strengths of that system to meet the new challenges of responding to what may be substantial and rapid reductions in the U.S. defense budget and ever intensifying global competition. Here again, my bill would accomplish this by revitalizing proven programs that have helped business in the past by providing technical and financial assistance where it is most needed to adapt to greater emphasis on the civilian agenda.

In general, my proposed legislation would provide the following:

The vehicle for coordination would be the President's economic stabilization and adjustment council. This council, which presently exists under an executive order, but remains inactive, would identify defense related impact problems of States and communities that require assistance. In addition, the council shall notify areas that are eligible for community economic assistance planning and economic adjustment assistance. With this notification, the council shall encourage the preparation of

concrete plans for civilian related, private enterprise and public projects which addresses vital areas of national concern such as housing, education, and health care. The council will also act as a clearinghouse for all information regarding federally funded projects, agency programs and funding possibilities, loans, and loan guarantees pertaining to economic disruption and adjustment. After countless interviews with small business and community groups, a consensus was formed concerning the need for a national clearinghouse that provides coordination among existing agencies responding to sudden sectoral economic dislocation.

Second, the legislation calls for displaced workers, subsistence, retraining, education, and a job assistance package that is currently provided under the Trade Adjustment Act of 1988. This income assistance package would help in facilitating the transition of those dislocated wokers involved in the production of outdated defense hardware to the retraining of more civilian-oriented manufacturing.

Third, for communities, early notification of planned defense cutbacks, and assistance in planning and financing a response to these cutbacks through regional and State economic development programs of increased size and vitality will be enhanced. Planning assistance, so affected communities may adhere and adapt to potential economic downturns, will be emphasized. The day the President submits his budget to the Congress, the Council shall inform those communities of potential economic dislocation due to defense program reductions. All parties will agree that proper planning can only be accomplished through early, timely notification.

Fourth, the Economic Development Administration shall provide to those qualified communities suffering economic dislocation due to defense reductions, economic assistance through its title IX programs. These programs have a well-documented history of implementing efficient economic development programs. Also, the Loan Guarantee Program will be enhanced to provide needed capital to those businesses which must adapt to a changing marketplace. Mr. Speaker, the Economic Development Administration is an existing entity that is well-suited in dealing with regional economic dislocation. Programs such as title IX and business loan guarantees are in place to respond to economic events such as these.

Fifth, my bill would provide technical assistance to defense impacted industries for establishment of industrywide programs of new product or process development or export development, similar to provisions of the 1988 Omnibus Trade and Competitiveness Act for trade-impacted businesses.

In addition, this legislation would call upon the President to design and submit to Congress a program for doubling within 5 years the amount of long-term debt and equity financial assistance provided by the Small Business Investment Company Program that has existed since 1958.

Also, I would request the President to develop and submit to the Congress for assistance to inventors and innovators by doubling the Small Business Innovation Research Program that has been creating success stories since 1977. In addition, I would ask the President to formulate and submit to the Congress a plan for increasing financing for community-based businesses by 50 percent over the next 5 years, under the existing certified development company 10-year-old program.

In conclusion, Mr. Speaker, while defense spending has been falling since the mid-1980's, many of us expect the rate of decline to steepen into the 1990's. With this decline of anticipated cuts, the local impacts is manageable if communities are on notice and advance, adequate planning is enhanced and maintained.

Mr. Speaker, this legislation is not an anti-defense bill but a bill that responds to a record defense buildup of the previous administration! The local impact of defense cuts is likely to vary, depending on which systems are eliminated. While no one really knows the true ramifications of the declining defense dollar, now is the time to plan for and deal with the local impacts of such cuts as they occur into the 1990's. This bill is the first step within the planning process. While most Members are reluctant to support program cuts within their home districts, the capacity in dealing with such cuts is manageable through this legislation. I urge my colleagues to support this bill.

It is my intention to hold comprehensive hearings on this most important matter very shortly.

BLACK HISTORY MONTH AND CHANGES IN SOUTH AFRICA

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. COLEMAN of Texas. Mr. Speaker, February has been celebrated as Black History Month since 1976, but the origins of this event date back to 1926, when Dr. Carter G. Woodson set aside a special period of time in February to recognize the heritage, achievements, and contributions of black Americans. Although it is coincidence that major changes were announced in South Africa earlier in this same month in 1990, I believe there are some lessons that should be drawn from these two events.

All Americans owe a debt of gratitude to House majority whip WILLIAM GRAY and the rest of the Congressional Black Caucus for staying the course on sanctions and on keeping up the pressure on the racist government that rules South Africa like a police state. Sanctions do work. But courage can be a lonely companion, and without the resolve of the caucus, I doubt we would have seen any changes.

In addition to exerting economic pressure, United States sanctions also sent a message of hope to the oppressed people of South Africa that the world's most powerful democracy was on the side of their hopes and aspirations. Hope is a powerful ally, and amidst all the turmoil in that troubled nation, U.S. sanctions proclaimed loud and clear that the struggle for freedom would not be in vain.

Another lesson we have learned, and this one is from the civil rights movement here in this country, is that we should never settle for anything less than what justice and equality demand. While we are pleased with the legalization of opposition political parties in South Africa, and by the promise to release Nelson Mandela, a long, long road lies ahead for South Africa and its people. We must redouble our efforts until a true and full democracy is established in South Africa and until each and every person has the right to participate in that democracy. We must not be content with this month's developments when the obscenity known as apartheid remains in place. We must not sit still while human beings are still graded like cattle depending on the color of their skin. And we must not applaud the actions of the South African Government, because it has only demonstrated the barest glimmer of the true proportion of what it still owes its own people and what it still owes humanity for its racial policies of the last century.

Here at home, we must resist any attempt by the Bush administration to abolish or weaken U.S. sanctions. We must maintain the pressure on the South African Government, and we must not send them misleading signals that anything less than the total destruction of apartheid is acceptable to the United States of America.

Mr. Speaker, let us hope that when Black History Month is celebrated 100 years from now, the events of February 1990 were seen as the beginning of the end for apartheid. Let us also hope and pray that history showed that the United States had the courage to remain steadfast in its opposition to racist police states and to anything less than full and complete democracy in South Africa.

TRIBUTE TO THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to an organization that has made great contributions over the years to the Nation's Hispanic community. I am speaking of the League of United Latin American Citizens [LULAC]. LULAC is celebrating its 61st anniversary next week.

Through their many activities LULAC has become an important part of the lives of countless Americans. As a civil rights organization it has been instrumental in the formation of our Nation's civil rights laws and their enforcement. As an educational organization it has promoted Hispanic culture and history. As a service organization it has provided scholarships to deserving students. Over its 61 years of service LULAC has become a respected and influential group.

The effectiveness of LULAC and its genuine concern for people were clearly evident during the Loma Prieta earthquake that hit the central coast of California in October of last year. Immediately following the earthquake LULAC representatives brought to my attention some of the unique problems faced by the Hispanic community after the earthquake. Because of

their early intervention we were able to facilitate the availability of Federal disaster assistance information in Spanish and bring quickly much needed relief to the victims.

I have enjoyed working with LULAC over the years and look forward to many more productive years. I wish LULAC and all of its members well on the occasion of its 61st anniversary.

HONORING THE MISSOURI NATIONAL GUARD UNITS IN OPERATION JUST CAUSE

HON. MEL HANCOCK

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HANCOCK. Mr. Speaker, as we debate today the aid our Nation will provide the recovering people of Panama, I congratulate the young men and women of the Missouri National Guard units who served in Operation Just Cause. All Missourians are rightfully proud.

I commend the brave actions and exemplary service of the 1138th Military Police Company from West Plains and Doniphan; the 1137th Military Policy Company from Kennet and Caruthersville; and the 139th Tactical Airlift Group from St. Joseph. All of these units, exposed to actual combat situations, conducted themselves honorably and with distinction.

When Operation Just Cause began, it immediately became necessary to construct prisoner of war camps to detain the captured Dignity Battalions of the ousted Noriega. At the time the invasion began, these Missouri National Guard personnel were the only units on hand in the country with specific training in the handling of prisoners. At dawn, the day after the invasion began, our Missouri National Guard began construction of the first POW camp despite shelling by mortars and constant sniper fire.

The 16 members of the 139th Tactical Airlift Group were actually called upon to fly tactical transport missions in their C-130 in direct support of actual combat missions at still-contested airfields.

Our boys were under fire and an integral part of the action—and they performed brillantly.

When one considers that these troops had only 3 hours notice of the invasion before they were called upon to lend their assistance, their performance is all the more amazing.

Of course, this isn't the first time the Missouri National Guard has come to the aid of the Panamanian people. In 1985, approximately 2,500 Missouri National Guard personnel participated in a peacetime mission to build a road which opened up an isolated rural area in western Panama. These guardsmen came from all across the State of Missouri, including units from cities in the 7th Congressional District like Webb City, Neosho, Joplin, Carthage, and others.

Yes, Missouri has a proud tradition of serving their country and their fellow man. As we discuss plans for the United States to help our Panamanian friends cope with the disaster left behind by their ousted drug-dealing dictator Noriega, it is good to reflect upon the historical commitment we have had toward Panama, as evidenced, in part, by the heroic and dedicated service of those Missourians who have fought and served there.

EQUAL TREATMENT FOR COLA'S

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. BORSKI. Mr. Speaker, I rise to express concern that Federal retirees are again being unfairly singled out for cuts in the Federal budget.

In his budget proposal, President Bush recommended elimination of Federal retirees' 1991 cost-of-living adjustment [COLA]. He also wants to limit future COLA's to an amount less than the rise in the Consumer Price Index [CPI]. In contrast, no similar reduction was proposed for Social Security COLA's.

In 1986, Congress passed legislation to ensure Federal retirees' COLA's would be given the same protection from sequestration as COLA's for Social Security beneficiaries. The commitment to treat all retirees' COLA's in the same manner was renewed during the bipartisan budget summit in 1987. Now, the Bush administration proposes to abandon this pledge to retired Federal workers.

I believe these proposals place an unfair burden for deficit reduction on those who have committed their working lives to public service, particularly in light of the substantial cuts borne by these individuals in recent years. The Federal retirement benefits have been cut by almost $24.3 billion.

Federal retirees face the same cost increases that burden their private-sector counterparts. As such, they should be afforded the same inflation protection as Social Security recipients.

I am contacting President Bush to urge him to support full COLA's for Federal retirees in 1990. In addition, I have cosponsored legislation—H.R. 3914—which would guarantee that Federal retirees' COLA's be treated the same as Social Security COLA's.

I urge my colleagues to join this effort to provide equal treatment for all retirees.

THE 42D ANNIVERSARY OF SRI LANKA INDEPENDENCE

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. TORRICELLI. Mr. Speaker, I want to take this opportunity to congratulate the people of Sri Lanka on the 42d anniversary of their country's independence. Sri Lanka, though troubled in its recent history, remains a proud and sovereign state. There is every reason to believe that when the current conflict is settled, Sri Lankans will resume the progress toward a peaceful and prosperous country that is rightfully theirs.

It now appears that the last Indian troops will be withdrawn from Sri Lanka within 2 months. India sent its forces to Sri Lanka for the stated purpose of helping the Sri Lankan Government deal with rampant ethnic violence. Instead, those troops became actors in the very conflict they were supposed to quell. I think this is recognized both in India and Sri Lanka.

It is time for Sri Lankans themselves to settle their differences. The terrible toll of 1989—at least 8,000 deaths, many more injured, and widespread destruction of property—must not be repeated. President Premadasa has made serious proposals to bring peace to his country. This is not an easy task, given the pressures that the Sri Lankan Government faces from both extremist Singhalese and Tamil movements. However, signs of hope are not absent; extremist Singhalese violence has been curbed, and the most violent of the Tamil guerrilla groups, the LTTE, has at least stated a willingness to transform itself into a legitimate political party.

The people of Sri Lanka are old and good friends of the United States. We must not overlook them in their time of need. I urge the administration to extend whatever good offices it can to help bring the conflict in Sri Lanka to an end.

Sri Lanka is a lush and fertile island. Its population is skilled and educated, and their religious and cultural traditions are among the richest in the world. Under peaceful conditions, Sri Lanka could be a model for prosperity and quality of life in Asia. I hope that the next anniversary of Sri Lanka's independence will be a true celebration of the achievement of peace and security for all its inhabitants.

EQUAL JUSTICE AND OPPORTUNITY FOR ALL

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. GREEN. Mr. Speaker, I am proud to be an original cosponsor of the Civil Rights Act of 1990. This bipartisan legislation sends a signal that is loud and clear—Congress and the American people do not intend to move backward and reverse our Nation's commitment to equal justice and opportunity for all.

Recently, the rights of minorities and women in the workplace have come under assault. In a series of decisions by the Supreme Court we have witnessed a significant and alarming retreat in the judicial construction of Federal anti-discrimination laws. The retreat has left major gaps in our Federal job discrimination laws and made it increasingly more difficult for victims of unlawful discrimination to prevail on civil rights claims in the courts.

The battle for equal rights is not won and, therefore, the Congress must not retreat. Today, we offer a legislative response to remedy the court's decisions. This legislation seeks to restore and strengthen civil rights laws that ban discrimination in employment.

The Civil Rights Act of 1990 will work to protect Americans against race discrimination on the job and in private contracts. The legislation would facilitate prompt and orderly challenges to consent decrees and court orders,

as well as make it unequivocally clear that job bias is illegal. The act does not mandate any quotas.

According to the NAACP Legal Defense and Educational Fund, "as a result of the Supreme Court's rulings claims involving racial and ethnic harassment and discrimination have been dismissed at the rate of one-per-day". Victims of employment discrimination should not have to find it more difficult, time-consuming, and expensive to seek justice under the law. It simply is not tolerable.

For the past 25 years America has made steady progress toward eliminating discrimination. The Civil Rights Act of 1990 will tear down the remaining barriers to equal opportunity and move America forward in the battle to end discrimination.

REPORT ON AFFORDABLE HOUSING FIELD HEARING

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PRICE. Mr. Speaker, on January 26 in Raleigh, NC, the House Banking Committee's Subcommittee on Housing and Community Development held a hearing on affordable housing. I chaired the hearing, in the absence of our distinguished chairman, HENRY GONZALEZ, and it was my privilege to have our colleagues STEVE BARTLETT, PETER HOAGLAND, and LIZ PATTERSON participate in this hearing.

The hearing assessed the housing problems in North Carolina and the creative and innovative solutions devised by local governments, nonprofits and the private sector to combat these problems. Furthermore, it gave the subcommittee an opportunity to evaluate what the Federal Government's role might be in aiding and complementing such efforts as we craft a housing policy for the 1990's.

The first panel looked at the partnerships which have arisen between the public and private sector in North Carolina. On this panel, we heard from Mr. Frank Gailor, president of First Federal Savings and Loan and chairman of the Triangle Housing Partnership; the Honorable Jonathan Howes, Mayor of Chapel Hill; Mr. Dennis Rash, president of the NCNB Community Development Corporation; Ms. Linda Shaw, executive director of the North Carolina Low Income Housing Coalition; Mr. Mark Tipton, chairman of the Whistler Corporation and first vice-president of the National Association of Home Builders; Mr. Greg Warren, executive director of the Downtown Housing Improvement Corporation; and Mr. John W. Winters, Sr., president of the John H. Winters Company.

From this panel, we heard about a number of innovative housing programs which have brought home ownership within the reach of people earning as little as $17,000 a year. However, resources are limited for these programs and we need to make them more widely available if we are going to reverse the decline of home ownership in this country.

We also learned about the importance of counseling in these programs. Both lenders and nonprofit groups argued that low downpayment loans are feasible if you have a strong counseling system in place for potential homebuyers. Mr. Gailor reported that First Federal had made $7.6 million in no-downpayment loans without one default.

Unfortunately, we were also told that we have not yet developed an effective delivery system for providing housing opportunities for our very poorest citizens. HUD's latest estimate of the State's need for assisted rental housing is 115,562 units based on the current number of inadequately house income-eligible renter households. We must do a better job of helping lower income families find adequate housing at affordable prices.

The second panel focused on the problem facing North Carolina's rural areas. This panel was composed of Ms. Marjorie Ellison, director of the Community Empowerment Project of the Rural Advancement Fund; Ms. Patricia Garrett, chair of the North Carolina Housing Partnership; Mr. Billy Ray Hall, president of the North Carolina Rural Economic Development Center; and Ms. Patsy Morton, executive director of the North Carolina Manufactured Housing Institute.

Rural areas have many of the same affordability problems as urban areas but, in addition, families are much more likely to live in substandard housing in rural areas. One reflection of this is the fact that North Carolina has the unenviable honor of ranking No. 1 in the number of homes with outhouses.

Developing the partnerships to solve these problems is more complicated because of the limited technical and administrative capacities in many rural areas. The witnesses reported that in many of the Farmers Home Administration offices, it was very difficult to get these offices to aggressively pursue or use housing dollars for their area. This means that in some of the neediest rural areas, FmHA programs are being underutilized.

In addition, the witnesses noted that the fiscal and administrative capabilities of nonprofits and local governments in rural areas were limited. This contributes to the inability of rural areas to put together many of the same affordable housing deals as in urban areas. Unfortunately, both the FmHA and capacity problems appear to be most drastic in the poorest rural areas.

The last panel focused on Government-assisted housing and its role in affordable housing solutions. We heard from Mr. Floyd Carter, executive director of the Raleigh Housing Authority; Mr. Bob Kucab, executive director of the North Carolina Housing Finance Agency; and Ms. Elaine Ostrowski of the Greensboro Housing Authority.

This panel first discussed the problem of drugs in public housing. I was heartened by both Mr. Carter's and Ms. Ostrowski's commitment to resolving this problem. Both authorities have developed excellent programs to fight drug trafficking and abuse in their housing developments. They have combined the resources of the police departments, social service agencies, and local residents to implement programs addressing law enforcement issues as well as drug prevention and treatment and job training. In addition, a variety of sports and cultural activities have been developed to provide alternatives to the drug trade for the area's youth.

Related to these programs, both directors endorsed the scatter site approach to public housing which limits any development to one hundred units and places them in different places throughout a city or town. From their experiences, larger developments lower the quality of life in public housing units. And their impression was that drug problems were more likely to occur in larger developments than in smaller ones.

The panel also heard criticisms about the Federal preferences regulations that give priority in public housing waiting lists to those who pay more than 50 percent of their income in rent, who are involuntarily displaced, or who are living in substandard housing. At first glance, this rule seems to be fair, but the housing authorities argued persuasively that too stringent a preference for the poorest of the poor tends to push out those working families that may be good role models and may destabilize entire developments.

The public housing authorities also testified that there was a need for more public housing construction funds in the Federal budget. These funds would allow authorities to respond with an appropriate mix of aid to families seeking help. In some tight rental markets, vouchers cannot be used. Regardless of the form of the assistance, there is a large need in Greensboro and Raleigh, with waiting lists totaling at least 7,000.

These witnesses are a talented and committed group of housing advocates, and the hearing was a very stimulating and constructive one. We are fortunate to have such people in North Carolina because we need them with the grave housing challenges that lie ahead.

The hearing demonstrated that, if we are to solve these problems, we must take a multifaceted approach which strengthens the partnership and links between the public and private sector. We must in this session of Congress begin to lay the foundations for the Federal Government's role in this partnership. It is clear that we must be flexible, willing to experiment, not simply wedded to established approaches but free to shift dollars into areas where they will do the most good.

I urge my colleagues to study the transcript of these hearings. I believe it will provide guidance on many of the important housing issues that we face in this session of Congress.

SECTIONS OF ALASKA OIL PIPELINE FACING COSTLY REPAIRS FOR CORROSION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MILLER of California. Mr. Speaker, I would also like to take this opportunity to rise in strong support of the Presidential task force provisions of title VIII of H.R. 1465.

The Presidential task force is designed to substantially improve both Federal and State oversight of the Trans-Alaska Pipeline System [TAPS]. Significantly, title VIII provides for a comprehensive, independent engineering audit of TAPS.

In the wake of the *Exxon Valdez* spill, this enhanced scrutiny of TAPS is essential in order to assure the integrity of a delivery system which transports 25 percent of the oil produced in our Nation.

Mr. Speaker, a recent article from the Los Angeles Times provides ample evidence of the necessity of title VIII's provisions for an audit and improved oversight of TAPS. As the article by Bob Secter and William C. Rempel explains in detail, extensive corrosion problems on the pipeline could result in a $1.5-billion repair bill over the next several years.

I insert an article, "Sections of Alaska Oil Pipeline Facing Costly Repairs for Corrosion," into the RECORD:

[From the Los Angeles Times, Feb. 4, 1990]

SECTIONS OF ALASKA OIL PIPELINE FACING COSTLY REPAIRS FOR CORROSION

(By Bob Secter and William C. Rempel)

ANCHORAGE.—Though oil executives once swore that it wouldn't happen, corrosion is eating through critical sections of the 800-mile-long Trans-Alaska Pipeline, threatening its structural integrity and forcing an expensive and unprecedented crash program of repairs.

Pipeline officials were in Juneau last week to explain a rehabilitation plan that could cost the oil pipeline's operators $1.5 billion and perhaps more over the next five years. That in turn could cost the Alaska state government hundreds of millions of dollars in oil royalties and related revenues.

Federal officials also are concerned because the nation's foreign trade deficit could increase by more than $1 billion if the pipeline must be shut down for even a few days. Line operators have promised to complete repairs without disrupting oil flow for more than 2.5 days over the next 18 months, though federal regulators say they have heard that the interruption would be longer.

The Times has learned that the federal Office of Pipeline Safety is investigating possible violations of safety regulations. Inspection reports reviewed by The Times question the quality of installation, repair, maintenance and operations of the pipeline.

The reports of large-scale corrosion, coming on the heels of the environmentally devastating *Exxon Valdez* oilspill last March, have served here to heighten suspicion of Alyeska Pipeline Service Co., the oil industry consortium that runs the pipeline.

"They tell us they just got this state-of-the-art surveillance system, and that's why they found this," said Alaska Atty. Gen. Douglas B. Baily. "But we're not buying that story. This corrosion didn't just happen. They've had other technology to use."

Because every month of delay represented enormous losses to its owners, the pipeline was built under tremendous pressure to get the job done. Both federal records and regulators suggest now that the severity of corrosion problems might have been lessened and repair costs minimized had Alyeska heeded warnings from critics before completion, but rushed construction work in bad weather and been more aggressive in looking for problems once oil was flowing.

"In the oil business they always say 'pay me now or pay me later,' " said federal pipeline engineer Mark A. Reis, an inspector on the Alaskan line. "This is the 'pay me later.' This is the price of deferred maintenance."

Though company officials acknowledge difficulties, they insist that there is no crisis and that problems can be corrected without imperiling pipeline operations or the ecologically fragile tundra. "We aren't shutting down the line," said Bill Howitt, Alyeska's manager for engineering. "We're doing the repairs on the fly. We have sufficient early warning in this case . . . . We don't have pipeline integrity problems."

But Jack Overly, head of the Western regional division of the federal Office of Pipeline Safety, had a different view. "The extent of it we don't know," Overly said of the corrosion problem, "but it's big enough that it could affect the integrity of the pipeline."

Interviews with state, federal and company officials, as well as a check of federal records on the pipeline dating back to the early 1970s, indicate that:

Most of the corrosion was caused by the failure of protective coating and tape wraps, which many critics had warned were flawed long before the pipeline was finished.

Preparations for lab tests of corrosion protections were begun at the National Bureau of Standards before the pipeline started up. But the tests were never conducted.

Almost from the start, promises to conduct regular corrosion checks were not kept. During construction, the company said it would make regular runs with corrosion detecting "pigs," sensing devices designed that slide through the interior of the pipe and indicate thinning of the walls. Officials blamed technical problems, among them fears that a pig might get stuck and gum up the pipeline. Alyeska continued to develop more sophisticated pigs, but not until two years ago did equipment sensitive enough to detect significant amounts of corrosion come on-line.

Storage tank bottoms at the Valdez terminal are wearing through. Federal inspectors blame salty, untreated sea sand, which they say was used as landfill under the tanks in violation of normal construction principles. Since salt is highly corrosive, sea sand is usually washed with fresh water before it is used as a construction base. However, Alyeska officials insist that the tanks were built atop an asphalt base, not sand.

Corrosion is a slow process that weakens metal over years. And both federal and industry experts agree that, on the basis of information they now have, the corrosion problems on the Alaska pipeline pose no immediate threat to the environment or to pipeline operations.

Textbooks describe corrosion as an electrochemical phenomenon—nature's way of trying to return refined metals to their natural state. Electromagnetic currents flow naturally through the Earth and enter submerged pipelines. When buried metal comes in contact with water or soil, those substances conduct current off the metal, gradually degrading it by stripping away electrons.

For years, the oil and gas industry has tinkered with schemes to minimize or defeat the corrosion process. Though techniques vary, the primary weapons against corrosion are coatings and tapes to seal out moisture and so-called "cathodic protection" systems that divert the flow of natural current from the pipeline to sacrificial metals placed nearby, which bear the brunt of corrosive effects.

As an important backup, operators periodically run internal corrosion sensing pigs through the pipelines.

But it is the very adequacy of such safeguards—as Alyeska adapted them to the harsh, technologically challenging Arctic climate—that has been called into question by the latest findings.

The primary concern is that, if it is unchecked, corrosion could eventually weaken the half-inch-thick, 48-inch-diameter pipe wall and lead to a blowout, spewing thousands of barrels of crude oil onto pristine wilderness and forcing a shutdown of the line.

Until repairs can be completed, Alyeska has reduced pressure in the line by 20% in key locations. At the same time, the company has kept the oil flowing evenly at about 1.9 million barrels per day by injecting costly friction-reducing chemicals into the line.

Despite such precautions, investigations into corrosion, maintenance, operating procedures and repair programs have been launched by Alaskan officials as well as several federal agencies.

Alaska, where 85% to 90% of revenue in the state Treasury comes from oil-related income, has formally challenged Alyeska's plans to add corrosion repair costs to a complex formula used to determine the value of oil royalties and wellhead taxes. Baily estimated that such charges could cost Alaska $22 million in 1990 and "hundreds of millions of dollars" over the next five years. If negligence is to blame, then Alaska shouldn't lose a penny, Baily argued.

Meanwhile, The Times has learned, the Office of Pipeline Safety, part of the Transportation Department, may decide by spring, whether to cite Alyeska for violations of federal guidelines. OPS is the principle regulatory overseer for 155,000 miles of gas and oil lines across the country.

Though, the OPS probe is not complete, staff reports have suggested that Alyeska may have violated federal safety regulations by failing to adequately maintain portions of its cathodic protection system. Another possible violation, according to the same reports, could involve improper welding and repair procedures used to install containment sleeves—in effect, large metal bandages—welded over problem areas on the pipeline.

If the OPS does cite Alyeska for violating any guidelines, such an action could hurt the company's public image far more than its bottom line. Short of ordering a shutdown, something regulators say is unnecessary and unlikely, the maximum penalty that could be levied against Alyeska would be a $500,000 fine.

Federal investigators say the company, under revamped ownership and management, is now moving aggressively to deal with the problem and appears willing to spend whatever it takes to overhaul a structure which, before its completion, planners said would never need a major overhaul. Alyeska has increased the number of corrosion engineers on its staff over the last year from about six to 75, according to OPS sources.

The $7.7 billion line was built by a partnership of oil firms, among them industry giants Sohio, Arco, Exxon and Mobil. Three years ago, Sohio was absorbed by British Petroleum PLC. Through that takeover, the British conglomerate now owns slightly more than 50% of Alyeska and has become its dominant force.

Alyeska's Howitt said that in 1988 and 1989, runs with the new, more sensitive "super-pigs" identified 827 so-called "anomalies"—spots along the line that may indicate corrosion. But only closer scrutiny, generally digging up suspect spots of buried pipeline, can confirm whether anomalies in-

dicate real problems or are merely glitches recorded by the sensing device.

So far, Howitt said, 308 suspect sites have been excavated, including all the company deemed most critical. Inspections at 30 of those locations revealed corrosion "so extensive that there was a danger the line couldn't support maximum pressures," he said. Protective sleeves were welded to those spots.

Though half the pipeline is buried and half sits above ground, Howitt said all potential corrosion problems detected so far involve buried sections.

Howitt said the anomalies under investigation are not sprinkled throughout the pipeline but are bunched largely in four sections totaling about 13.5 miles.

Howitt blamed most of the corrosion problems on a failure of the protective coating system applied to pipes, including both the outer tape wraps and an epoxy sealer known as Scotchkote 202. In testimony Wednesday before the Alaska Senate Oil and Gas Committee, Howitt declared: "If the tape outer wrap had not failed, we would not be here today."

In an interview, Howitt cited several theories that could have contributed to coating problems: a bad batch of Scotchkote; bad pipes; shoddy application of sealer; installation during bouts of snow, rain and temperatures sometimes dipping to minus 30 degrees below zero damage from rocks as ditches were filled in while pipes were laid, and even exposure to corrosive salt air when the raw pipes were shipped across oceans from suppliers abroad.

Alyeska, he said, has scheduled a minimum of 2.5 days of service interruptions during the spring of 1991 to replace at least nine miles of the most suspect pipe, in the Atigun River flood plain zone about 150 miles south of Prudhoe Bay, with new material. OPS officals, however, said they had been told that the shutdown could last 10 days and said Alyeska had ordered 22 miles of new pipe as a backup.

Such a program represents a major turnaround for Alyeska, which long had resisted shutdowns of any kind. In June, 1979, for example, 5,500 barrels of oil squirted from the line when ground subsidence buckled two underground sections, one of them in the Atigun mountain pass, another area where corrosion problems are suspected. Instead of replacing the damaged portions, Alyeska plugged the leaks by welding sleeves over the bad pipe.

Defending the procedure in a later report on the incidents, the company pointed to what it said was the "infeasibility" of taking the line out of service to replace a cylinder of pipe. Such an operation, the company said, would have forced a shutdown of more than 10 days for each leak—far longer than Alyeska now says it should take in 1991 for a much bigger job—resulting in a loss of 25.6 million barrels of production.

"To replace that 25.6 million barrels on the world spot market would have increased the national imbalance of payments by about $1.25 billion," the company wrote in a follow-up report. "Hence, the decision to not take the pipeline out of service was in the national interest as well as the interest of the owners of the Trans Alaska Pipeline."

At present, the company is also planning major overhauls of several of the dozen pump stations that keep oil moving through the line. Corrosion has attacked internal piping at many of the facilities. Repairs are also targeted for the corroded Valdez terminal tanks.

Estimates of repair costs vary widely. Howitt guessed that the Atigun pipe-replacement program alone would cost $180 million. Reis, a federal inspector on the line, said Alyeska staff had told him that the price tag would run conservatively in the area of $250 million.

Baily, the Alaska attorney general, says he has been told that the entire repair and maintenance bill over the next 5 years could reach $1.8 billion. This is significant to the state because Alaska stands to lose money if repair costs are subtracted from the net value of crude oil shipped to the Lower 48 states. Alyeska puts the five-year figure at a slightly more modest $1.5 billion.

"I believe we have a middle-aged pipeline that's getting up to old age," Howitt said. "It can last indefinitely if it's carefully maintained, but like a house or a car, the older it gets the more expensive it's going to be to maintain."

Howitt said Alyeska never expected the pipeline to remain corrosion free, but some critics remember it differently. They say that when it was trying to win construction approval, Alyeska said the line's planning was so intricate and quality so good that there was little likelihood it would suffer serious problems until the North Slope oil fields began to play out. "It was the general understanding that the pipeline had a useful life of 30 years—and that meant 30 years without major renovation," Baily said.

Ever since its conception in 1969, the Alaskan pipeline project was nagged with doubts about safety, quality and ecological impacts. It was the largest and most technologically complex construction project of any kind ever attempted. Engineers had little experience building a pipeline in such a harsh and fragile climate.

Experts had honest differences of opinion over construction methods. One of those differences involved the Atigun Pass. Alyeska argued that it was safe to build the line above ground at that point. But federal regulators insisted that it be buried, a more expensive option, because of an avalanche threat that could topple the structure. Howitt now concedes that it would have been a mistake to put the pipeline above ground there.

Because of court challenges from enviromentalists and other opponents, groundbreaking didn't get under way until 1974. By then, an Arab oil embargo and soaring oil prices had exposed the nation's growing dependence on foreign fuel sources. That gave the Alaskan project a new sense of urgency.

"Back in '76 and '77, the attitude was that we will build this line at all costs," said George Tenely, the Washington-based director of the pipeline safety office. "The operator and the public got caught up in that passion to get that line going."

By 1975, serious doubts had already been raised about the Scotchkote protective epoxy. It began flaking and chipping off some stockpiled pipe cylinders. And, it was learned, other pipelines in the Lower 48 states had experienced similar problems with the product. Alyeska sued the manufacturer, but the case was settled out of court.

Rather than scrape off the suspect Scotchkote and start fresh, Alyeska won federal approval to add an extra layer of moisture-resistant tape. Critics at the time complained that the tape had not been adequately tested. Even worse, they charged, taping over a "disbonding" layer of epoxy might create an effect similar to wallpaper buckling and popping after being slapped over peeling paint. That could permit moisture and corrosion-enhacing bacteria to seep under the tape and migrate to bare metal.

Whatever controversy the corrosion saferguards were generating, there was some doubt that they were necessary at all. The company argued, and some experts agreed, that a pipeline buried in permafrost would not have problems because frozen ground is a very poor conductor of the electromagnetic currents that promote corrosion.

But because the pipeline carries oil heated to around 140 degrees, it altered the characteristics of the soil. Bill Wilson, who monitored the construction as a consultant for the U.S. Department of the Interior, said the hot oil flow gradually created a "thermal bulb" of thawed subsoil that does conduct electricity.

"We never agreed with the theory that corrosion wasn't possible in the Arctic," said Wilson, who today is an official with a North Carolina gas company.

Wilson said the anti-corrosion approaches employed by Alyeska may have been unproved, but were far from shoddy or unwise and seemed "perfectly logical" from a technological standpoint.

HARRY BELAFONTE

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. DYMALLY. Mr. Speaker, while we were away for the end of the year recess, the Washington Times, ran a feature story of Harry Belafonte, by Hap Erstein. I submit the article for review by Members of the House of Representatives. Attached is a copy of the article.

[From the Washington Times, Nov. 27, 1989]

HARRY BELAFONTE—MR. CALYPSO HAS GREAT DAY-O AHEAD

(By Hap Erstein)

"A critic once wrote that it was my lot that were I to do 'Othello,' and if I were in fact to be the world's greatest Othello, right after killing Desdemona my horror is that someone from the balcony would yell out, 'Sing "Banana Boat."' "

Day O.

The speaker, of course, is Harry Belafonte, the one-man calypso movement of the 1950s. He offers the self-effacing anecdote without a trace of anger. For while he has moved on from being the champion of Caribbean melodies to other causes, to the multiple hyphenate roles of actor-producer-writer-spokesman-philanthropist-activist, a part of him remains on that banana boat.

It is likely that the sounds of calypso will be heard this weekend, when Mr. Belafonte will be one of five artists receiving the Kennedy Center Honor. Presented for outstanding lifetime achievement for "their contributions to the cultural life of the nation," the many-colored ribbons and medallions will also go to dancer-choreographer Alexandra Danilova, film and stage actress Claudette Colbert, musical theater star Mary Martin and classical composer-educator William Schuman. (The Washington Times will profile them all this week.)

While his most recent concert appearances have featured the music of South Africa, the 62-year-old, gray-haired, youth-

fully smooth-skinned Mr. Belafonte makes a point of including a crowd-pleasing acknowledgement of his past—a bit of "The Banana Boat Song" and maybe "Jamaica Farewell."

"Day-O," he intones musically with his unmistakable, lightly gravelly voice. "That's a very pleasurable sound. But I think it's also cathartic. I think those two words—'Day-O'—and the sound that you make releases something in people and makes them smile."

He would be smiling himself now, in fact he would be out on the road performing, but Mr. Belafonte is in post-surgery pain. On crutches and impatient with them after an operation to realign his leg bones, he still winces as he moves about his vast Upper West Side apartment full of museum-quality African and Third World art.

The ailment stems from a childhood automobile accident. "Unbeknownst to us all," he says, "it had healed incorrectly, causing my body to wear out cartilage on one side. One day, I woke up and one part of my leg was just bone-to-bone. It was excruciating." Recuperation has meant the cancellation of a concert tour, but Mr. Belafonte is determined to stride down the Hall of States on his way to Sunday evening's Kennedy Center Gala without those metal walking supports.

Harry Belafonte has spent so much of his life mixing entertainment and social activism, show business and human rights fights, that distinctions between them have lost their meaning to him. "Everything in my art, everything in my life, everything in my circumstance, is social and political," he notes. "To do art that wasn't connected to it would leave me with a great sense of unfulfillment."

By that measure, here is a highly fulfilled individual. In the '60s, Mr. Belafonte organized the entertainment community in its part of the civil rights marches in Selma and Montgomery, Ala., as well as the Freedom March on Washington. He was the first entertainer appointed by President Kennedy to be a cultural adviser to the Peace Corps and, two years ago, was designated a goodwill ambassador to the United Nations Children's Fund (UNICEF), performing concerts around the world on its behalf.

Mr. Belafonte helped inspire the creation of USA For Africa, a charitable aid group. Through that organization he set in motion "We Are the World," a musical message that helped raise millions of dollars for hunger relief. Even the lilting, finger-snapping ditties of the Caribbean that he introduced to America were not without their political side.

"When I sing the folk songs of the Caribbean, I speak to the dignity of the workers," he explains. "It's music that excites me, and the fact that I want to sing words that touch the human heart and make the mind work a bit is almost an advantage. That's my mission."

He acknowledges there are those who have hummed his tunes, even sung along, without thinking about the lyrics—of the hardships of the boat workers toiling all night on a drink of rum.

"They're there, but people extract what they want," Mr. Belafonte says with a shrug. "If I go to a library and pass by Shakespeare, it's not because it isn't there. It's not the fault of the library, and it's not the fault of Shakespeare."

For those who listened to his calypso sagas, they told not only of social ills but also of great natural beauty. This island troubadour is credited with stirring American interest in the islands and with the Caribbean tourism boom in the '50s and '60s.

Young Harry Belafonte went to Jamaica with his mother as a child, living there for five years, working on the plantations and in the cane fields, soaking up the musical rhythms that would be his ticket to fame. As a teen, he returned to his native Harlem to attend high school. But he was dyslexic and reading was a great source of frustration for him, so Mr. Belafonte quit school before graduating and joined the navy.

"To them, I wasn't living up to my potential and I was lazy, or whatever they wanted to call it," he remembers. "Nobody understood dyslexia then or any other kind of disorder. I wanted to get away to a place where I could be someone, where I could start over."

Although he never got that high school diploma, Mr. Belafonte has received a handful of honorary degrees from such institutions as Morehouse College and the State University of New York. Earlier this month, he was honored by Washington's Lab School for his achievements in the face of dyslexia.

After World War II, he returned home to find opportunities for a partially educated black man were limited. While he worked as a janitor's assistant in an apartment building, a resident tipped him with two tickets to the theater. That resident was Clarice Taylor, a founding actress of the American Negro Theatre.

Attending her performance changed Mr. Belafonte's life, for while he was waiting politely to thank her, he got involved with the set crew's dismantling of the scenery, and he became hooked.

"I wound up staying in that theater until 3 in the morning. And I couldn't wait to get back the next day," he recalls. "I found the magic of this thing when the lights went down and the curtain opened and people began to speak. I became totally overwhelmed. It had such an emotional impact."

So he became an actor, appearing first in the Irish drama "Juno and the Paycock." "I, who couldn't read, had to go through reading Sean O'Casey—in Gaelic yet, or an Irish brogue," he laughs. "I sweat through that, and it developed in me a desire to want to learn to read, more vociferously and more in depth. And to acquire knowledge."

Soon after, while appearing in a workshop revue, he got his first chance to sing a song he had written. Later, when his G.I. Bill money ran out, an admiring club owner hired him to sing a few numbers at intermission at a local jazz spot, the Royal Roost.

Was he apprehensive about his night club debut? "I threw up every five minutes," Mr. Belafonte admits. "I was a nervous wreck."

Between sets of his jazz songs, he would duck into the other clubs in Greenwich Village, listening to such singers as Pete Seeger, Burl Ives and Leadbelly. "These guys were singing about John Henry and about Joe Hill, these songs that spoke such a dynamic," he says. "It was just incredible—socially significant material being sung in a club by folk singers."

Before long, he too became quite popular, was discovered by the uptown crowd and was wooed for the legitimate stage and the movies. He made his Broadway debut in the "John Murray Anderson's Almanac" revue in 1953 and won a Tony Award. Director Otto Preminger swooped down and gave him the leading male role in the movie version of "Carmen Jones," a melodramatic retelling of the Bizet opera.

RCA signed Mr. Belafonte to a pop recording contract, and after a few years, he had an idea to sell them. "When I told them that I wanted to do 'The Banana Boat' and songs of the Caribbean, they thought I was absolutely nuts. And they were probably right, except that it was the first record ever to sell a million copies."

The career of Harry Belafonte is a series of firsts and barrier-breaking milestones. He was, for instance, the first black person to win an Emmy Award and the first black producer in television.

He has risen to a plateau of celebrity where awards and honors are a frequent occurrence, but that doesn't mean he is slowing down. On the contrary. Last year, Mr. Belafonte released his first record album in the United States in 16 years. Called "Paradise in Gazankulu," it features the music of South Africa, the nation whose policies of apartheid he has denounced so loudly and adamantly.

For his stands and statements, he is deemed "persona non grata" in South Africa, and his visa requests are rejected consistently. His musical collaborators went there to record the accompaniment for the album and had to smuggle out the tapes when their connection to Mr. Belafonte was discovered.

On his agenda for the future are many more socially conscious projects. One is a television miniseries called "The Mandelas: A South African Saga," which he will coproduce with Oscar winner Sydney Pollack. Scheduled to star for him are Jane Fonda, Sidney Poitier and Marlon Brando.

Ahead for his production company is "Sister Thea," a movie about a rabble-rousing black nun from Mississippi, being developed for Whoopi Goldberg. Also close to his heart is "The Murder of Hound Dog Bates," a new film that could mark his directorial debut.

"As the executive producer," he says, "I'm making sure that I've asked everybody who would be really qualified to direct it. Hopefully, they'll say no."

Another long-standing dream he is pursuing is the creation of a new national black repertory theater. "If we don't develop something that will be responsible for tending the best that's in us and giving us some place to be able to display that, then we will lose it all," he says.

"The rep company would train tomorrow's actors as well as present black-oriented plays with some of today's ranking black stars. "It would be the home of the elite of our profession—Lou [Gossett] and Sidney [Poitier] and James [Earl Jones] and Cicely [Tyson] and Toni Morrison and August Wilson and what-not."

As Mr. Belafonte sees it, the productions would tour major cities, including Washington, under cosponsorship arrangements with non-profit theaters and financial backing from major corporations. "I think we might just pull it off."

It is a tall order, but one that could only happen with the persuasive push of a Harry Belafonte. Although he is humbled by the thought of the Kennedy Center Honor, he scoffs at the suggestion that his career is on the wane or that he is old enough to receive recognition for lifetime achievement.

"When I heard they had nominated me, and I got this letter, the first reaction was a kind of smile and a pleasantness about it," he says. "And right on the heels of that was panic. Because we have all these things by which we measure antiquity.

"When I looked and I saw Fred Astaire and all the others who have gotten it, I thought, 'Gee, when I get to be their age,

how wonderful it would be to have the nation honor you and for your country to say, "We love you." But I've got a while to go yet' That's what I thought.

"I thought, 'If it ever comes my way, by that time it will have gotten to all the important blacks. I'll be at the bottom of the line, so by default they'll have to give it to me.'"

In a more serious tone, Mr. Belafonte speaks with a certain pride—and a little amazement—about this quasi-governmental tribute to him, because in the early '50s he was one of many entertainers who were hounded and blacklisted for belonging to alleged Communist-leaning organizations.

"All those things which seemed so right and so innocent, in a country that said you have the right to do all that, and to then become victimized by the larger society and to be denied work," he says, describing those days. "Well, to have stayed the course and to wake up one day to find myself respected and like and that all things eventually righted themselves. It is overwhelming."

"I've never hidden who I am. I'm not a Jekyll and Hyde. I'm right up front," Mr. Belafonte adds softly, but with pride. "And now, this stuff, I'm being rewarded for it by my country. By my peers. They're saying. 'Hey, thanks. We like what you did.' I'm very encouraged by that."

Encouraged enough to get back into the fray of battle? "Hey, I never seem to be able to get out of the fray." He pauses and sighs. "I don't relish a lot of this. I really don't. But I do what I can do. I am an artist. I am a producer. I will do this because I believe in its humanity. I think people who are exposed to this humanity will find something enlightening and fulfilling and meaningful about it. Why shouldn't I be part of that process?"

And with his crutches thrown aside and his Kennedy Center Honor medallion in his pocket, Harry Belafonte undoubtedly will be on the run again, to sing and to speak out another day-O.

WILKES COLLEGE CELEBRATES BEGINNING NEW ERA AS WILKES UNIVERSITY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KANJORSKI. Mr. Speaker, Wilkes College was founded in 1933 as Bucknell Junior College, a branch of Bucknell University, to serve as a 2-year institution offering associate degrees. In 1947, Wilkes College expanded its curriculum and campus and became a 4-year independent college.

On February, 16, 1990, the Wilkes College community will celebrate the beginning of a new and exciting era as Wilkes University, a 4-year university offering both undergraduate and graduate degree programs. As a proud member of the Wilkes University Board of Trustees and a life long resident of the Wilkes-Barre area, I have seen the growth and development of Wilkes College. It has evolved into an institute of educational excellence.

The process began in September 1985 when the Wilkes College Board of Trustees met and realized that the college had grown beyond the definition of a small, liberal arts college but had become a comprehensive graduate and undergraduate institution offering a wide curriculum. The college prepared and submitted an application to the secretary of education for the Commonwealth of Pennsylvania late in 1988. As defined by the Pennsylvania Higher Education Act, a university is "a multiunit institution with a complex structure, promotion of scholarship, preservation and discovery of knowledge, (and) research * * *."

Wilkes University has lived up to the requirements of the board of education. The university offers both undergraduate and graduate degrees. In fact, the enrollment of the graduate program, which was introduced in the 1960's, is almost equal to that of the full-time undergraduate program. Wilkes is divided into three schools, further meeting requirements of the board. These divisions are the School of Liberal Arts and Human Services, the School of Science and Engineering, and the School of Business and Public Affairs. With this quality and comprehensive curriculum, Wilkes University is preparing its students to enter into the working world with the knowledge and ability to greatly contribute to our society.

Situated in the heart of northeastern Pennsylvania, Wilkes University has become an integral part of Wilkes-Barre and its surrounding communities. The university has worked to foster a cooperative relationship with area business leaders and community organizations. Wilkes University has had a magnetic effect on attracting business and industry to the Wilkes-Barre area. The faculty and administration of Wilkes are committed to providing men and women with a quality education and preparing them to work with our growing labor force to build a better tomorrow for Wyoming Valley.

It is with great pleasure and honor that I congratulate Wilkes University on its new status and on its commitment to excellence. I firmly believe that our educators may be our most valuable resource, and that Wilkes University is dedicated to enhancing the lives of its students. I know my colleagues in the House of Representatives will join me in wishing Wilkes University continued success as they enter into a new and exciting era.

CITIES NEED HELP IN THE WAR ON DRUGS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MAZZOLI. Mr. Speaker, today I am introducing the first of a series of bills I plan to sponsor to help the Nation's cities fight the war on drugs.

Two weeks ago I appeared on a panel at the special drug task force meeting of the Conference of Mayors. Louisville Mayor Jerry Abramson is a member of the drug task force and he has been keeping me posted on the mayors' concerns.

The war on drugs affects all areas of our Nation, but the major battlegrounds are in and around our cities. Most local governments—like Louisville and Jefferson County—have stepped up their antidrug and anticrime activities on their own.

Louisville and Jefferson County—even with their soon-to-be merged narcotic squads—are like most localities in that they cannot mount an effective war on drugs without adequate Federal funds. The State and Local Law Enforcement Assistance Grant Program, authorized by the Crime Subcommittee on which I serve, is an important weapon for local governments in this fight. It has already helped Louisville and Jefferson County fund an effective street sales program and a drug testing program for those on probation or parole.

Because I believe that local governments are already financing the lion's share of the frontline war on drugs in our urban areas—and should not be asked to increase their costshare match—I am introducing legislation today to authorize a continuation of the 75 percent to 25 percent Federal/local cost-sharing formula for this important law enforcement grant program. The formula is slated to change to 50 percent and 50 percent at the end of this fiscal year when the temporary extension in the fiscal year 1990 Commerce-Justice-State appropriations bill expires. Unless current law is extended, many local governments will be hard pressed to meet this increased match and may be precluded from the program.

I also plan to introduce legislation in coming weeks which will provide local governments greater flexibility in applying for and using this grant money. Local governments currently have to apply for this money through State capitols—a procedure which causes delays and inefficiencies and which often precludes local governments from setting their own priorities. In line with the position of Louisville Mayor Jerry Abramson and the Mayors' Conference, my legislation will assure this funding is sent directly to local governments.

I hope my colleagues in the House will join me in helping the cities battle the drug scourge.

CONGRESSMAN KILDEE CONGRATULATES RONALD T. POLSGROVE, OPTIMIST OF THE DECADE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. KILDEE. Mr. Speaker, it is with great pleasure that I bring to the attention of my colleagues in the U.S. House of Representatives the accomplishments of Mr. Ronald T. Polsgrove of my hometown, Flint, MI. For his endless commitment and dedication to the West Flint Optimist Club spanning over 20 years, he has earned himself the title "Optimist of the Decade." In recognition of this achievement, Mr. Polsgrove's fellow Optimists will hold a dinner in his honor on February 13, 1990.

Since first joining the West Flint Optimist Club in May 1969, Mr. Polsgrove has had a perfect attendance record for the club's meetings during the last 18 years. As an officer of

the West Flint Optimist Club, he has served as a member of the board of directors for 14 of the last 20 years, and has served twice as president of the club, from 1972–73 and again from 1982–83.

Over the last two decades, Mr. Polsgrove has involved himself in almost every activity the Optimists have undertaken to improve the social and educational opportunities for the young people of Flint—particularly the students at the Michigan School for the Deaf, located in Flint. Year after year, Mr. Polsgrove has not only organized but also participated in the Optimists' sporting events for the deaf students, as well as the club's annual Christmas party for the Michigan School for the Deaf. He has also worked on the Optimists' oratorial contests, bike safety programs and the triathlon event, which the club sponsors with the Flint Young Men's Christian Association. Mr. Polsgrove has also given generously of his time for the club's fundraising activities.

Because of his selfless service with the West Flint Optimist Club, Mr. Polsgrove has received numerous awards for his hard work and commitment to achieving the goals of the Optimists. In 1979 and 1980, he received the Golden Circle award from Optimist International. During his second presidency, the West Flint Optimist Club became an Honor Club and Mr. Polsgrove was awarded the International Club President's Award.

His dedication and commitment to the West Flint Optimist Club over the last 20 years has truly made Ronald T. Polsgrove a "Friend to the Youth" of Flint, MI. He has already twice been designated "Optimist of the Year." It is now entirely fitting and proper that his fellow Flint Optimists should honor Mr. Polsgrove with the Optimist of the Decade award.

EARMARK PEACE DIVIDEND FOR DEFICIT REDUCTION

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. BARNARD. Mr. Speaker, on November 16, 1989, Secretary of Defense Richard Cheney announced that, because the Warsaw Pact was becoming "a very different animal," the United States could reduce its defense spending. Soon thereafter, Members of Congress began clamoring over the extent of the reductions to be made in defense spending and the best use to be made of the budget cuts.

As one of the more conservative Members of the House in fiscal matters, I believe that this budget windfall, or peace dividend as it has come to be called, should be used exclusively for reducing the budget deficit. I would like to take this opportunity to commend Representative JOHN PORTER for introducing a resolution to do just that and to announce that I will cosponsor his bill.

I have supported the balanced budget amendment for many years and have voted for other budget-cutting measures such as the Gramm-Rudman deficit reduction bill and a comprehensive package sponsored by the Grace Commission caucus. My voting record over the past 13 years bears out that I have supported all efforts to bring fiscal responsibility to Congress.

By using the peace dividend to reduce the budget deficit, we will be helping to reduce interest rates and to encourage private investment. We must seize this opportunity to restore the vitality that the United States economy will need to compete with Japan and the emerging powers of Europe.

America's private saving rate is a dismal 6 percent of the gross national product; Japan's is an impressive 16 percent. At this rate, the United States cannot hope to provide capital for private sector investment, particularly if we in Congress continue to borrow half of the savings to finance the Federal deficit.

Devoting the future defense savings to eradicating the Federal deficit is the best investment we can make of our peace dividend. I urge my colleagues to join me in cosponsoring Representative PORTER's bill which would provide for the defense cuts to be used exclusively for deficit reduction. We owe it to our children and our grandchildren to ease the burden that an enormous national debt imposes.

COMMUNITY DRUG FIGHTING WORKS

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. FOGLIETTA. Mr. Speaker, I rise today to bring to the attention of my colleagues the following article. It was written by a lawyer in my district who articulates the frustrations and hopes of a community working to reclaim their streets from the drug dealers and users who have taken over their neighborhoods. The effort illustrated in the article is hardly unique. Groups across the country are taking back their neighborhoods, street by street, block by block.

I have sponsored a bill, H.R. 3336, to establish a grant program to support and sustain the valiant efforts these groups are making. These groups are on the front lines fighting the war on drugs. They need our help. I urge all Members to read the article and help these groups by becoming a cosponsor of H.R. 3336:

[From the Philadelphia Inquirer, Jan. 19, 1990]

ON THE ANTI-DRUG PATROL, THE VICTORIES ARE SMALL

(By John M. Myers)

Why would anyone waste his or her time, catch a certain cold and ruin a weekend by standing outside on some of the busiest drug corners in the city until the wee hours of the morning to try to take back one corner from the drug dealers for one night?

That's what I have been doing for the last few months, and I am not sure why.

Some of the folks with whom I stand there really believe we can make a difference. Some say we are making a difference. I believe that we don't, we won't and we can't—but I keep coming back to stand there, freeze and get inspired by the people I meet and what I see.

Whatever else it may or may not be, the experience of an anti-drug vigil is fascinating and, for me, deeply moving.

Ours is an ethnically, economically and sociologically mixed group. There must be at least one of every kind of person standing out on the corners through the night, blocking the street at our police barricade, stoking a barrel fire and making small talk. It is strange to think that this group composed of workers, doctors, teachers, lawyers, nuns, salespeople, students, the unemployed and retired would have enough in common to be able to make it through a night together, but we do, again and again.

Some nights I worry that my friends won't show and I'll have no one to talk to, but that has never happened. Whether it is the long-time Mantua resident who is just "tired" of the drug dealing, Kensington folks who are sick of being harassed by the dealers and junkies or my Spring Garden neighbors, there is a common bond. We are all sick and tired of nothing happening and simply aghast at what we see:

The unbelievable squalor of the crack houses we visit and serenade on our anti-crack house tour.

The arrogance of the teenage drug runners who love to show their machismo and wads of cash in what they believe is an effective taunt, but which simply underscores the problem.

The sad image of the stoned junkies, so far gone that they ask us for drugs (though we all wear white hard hats or coats emblazoned with "Philadelphia Anti-Drug Network"). When we tell them "the drug store is closed," they simply stumble away in bewilderment. These are the people you need to see if you think the answer is to legalize drugs.

The constant stream of New Jersey and suburban kids in their parents' cars, who are either "lost" or apartment shopping at 1 a.m.

But what is most striking about the vigils is not the squalor, the drug dealing or the ruthlessness of what we see. It is the dedication of the folks who participate.

I am a dilettante at this. I come out at 10 or 11 p.m., and I go home at 1 or 2 a.m. You see, I need my sleep. I have a family. I have a job. I have a social life.

And yet people, lots of them with the same or greater demands on their time and energy, are out there every week until 3 or 4 a.m., whenever and wherever there is an anti-drug vigil (under a citywide sharing arrangement, neighborhood groups travel to drug corners all over the city to lend support to one another).

Even the cops (who pay us special attention, thank goodness) seem a bit in awe. After all, we outlast the 4-12 shift, we have been coming back week after week, and we share our coffee.

Have we made a difference?

Not really.

I still can't take my children to the Roberto Clemente Playground, day or night; property crime continues to soar in the neighborhood; the dealers return as soon as we leave or move a few block away to peddle their wares.

On the other hand, on recent Friday and Saturday nights the Wallace-Mount Vernon "drug store" was closed. The only thing you could get at 18th and Wallace was a hot cup of coffee and a doughnut. At 17th and Mount Vernon you could have hope not dope, and the playground was empty (as it should be at 1 a.m.).

Even the drug-running cab drivers (18th and Wallace is the place to find a cab later Saturday night) seemed a bit more leery.

True, the rusting, vandalized cars where the dealers stash their drugs are still there, but the surburban drug buyers seemed genuinely startled and, I hope, frightened by our presence and the video and flash pictures we take of them. (If you live in Cherry Hill, Montgomery or Delaware Counties and you really think the problem is a "Philadelphia problem," come down here and see your kids on the weekends.)

But by Sunday, the dealers were back in business.

Perhaps it is completely ridiculous, utterly preposterous and delusional (at least) to think that people (with a small "p") can do anything about the drug problem; after all the police, FBI, DEA, CIA and everyone else have failed.

Still, I am encouraged by my fellow drug fighters who brave bad weather, lose sleep and suffer verbal abuse in an effort to make a difference, if only for a night.

And last week, I actually saw kids playing basketball at the playground.

INFANT MORTALITY LEGISLATION

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mrs. COLLINS. Mr. Speaker, last week I joined my colleagues, Hon. HENRY WAXMAN, in introducing a series of Medicaid initiatives of which my infant mortality amendments are a part.

Before the high school class of 2006 even enters kindergarten, achievement will be denied through no fault of their own but because they are the innocent victims of poor parental care, low birthweight and lack of routine health care. It is one of the great ironies of our political system that the neglect of a sizeable population of children passes unnoticed.

"Quite simply, our social and political negligence is creating a generation of medically homeless children, for whom we will all pay a very high price in the years to come," said William H. Considine, head of the Children's Hospital Medical Center in Akron, OH.

The United States is one of the wealthiest nations on earth and we are having trouble taking care of our own children. Undoubtedly, we need to reshuffle our priorities and redirect our attention to this shameful dilemma of infant mortality. In 1988, the United States ranked 19th worldwide on infant survival. The number of children in this country who die before their 1st birthday is pain, while the number who die before their 5th birthday is heartwrenching.

Of the 3.8 million infants born in the United States in 1987, 40,000 died by their first birthday. In Illinois alone, in 1987, 2,102 infants died before their first birthday. The infant mortality rate was 11.6 deaths per 1,000 live births, as compared to 10.1 for the Nation.

Black infants have an even greater chance of dying before their first birthday than their white counterparts. In 1986, Chicago ranked 14th out of 18 major cities for black infant mortality with a rate of 22.9 deaths out of 100 live infants. This was compared to the 10.7 dead out of 1,000 live of white infants.

Poor and minority children are more likely to suffer health-related problems. For instance, among 15- to 19-year olds, black teenagers have a birth rate nearly three times that of white teenagers, and the babies are twice as likely to be born with low birthweights.

Undoubtedly, the sources of this unfortunate dilemma are low birthweight, lack of prenatal care, and lack of routine health care (i.e., immunization). Low birthweight (birth at less than 5.5 pounds) is the single largest cause of infant death and a major cause of disability. Excess low birthweight cost the Nation millions of dollars each year. In 1987, 13,370 or 7.4 percent of the 180,680 babies born in Illinois had a low birthweight. "If Johnny or Susie can't see properly or suffers the long-term effects of low birthweight, it's little wonder that the child can't read," said Robert H. Sweeney, president of the National Association of Children's Hospitals and Related Institutions.

There is no question that prenatal care can save lives and money. By detecting problems during pregnancy, prenatal care can help prevent low birthweight. Every $1 spent on prenatal care saves $3 off new born costs. In 1987, only 78.5 percent of women in Illinois had the benefit of critical prenatal care.

Finally, immunization can prevent eight diseases that threaten our children. Childhood immunizations save $10 for every $1 we spend. Our failure to reach infants and toddlers with vaccines has led to disease outbreaks and preventable disability and death. Immunization rates for children under 2 are declining while cases of measles, mumps and whooping cough, are on the rise. Last year, there were 2,551 cases of measles in Illinois. There must be something done to improve the health of our Nation's children. Today, only 60 percent of children younger than 4 years old have received the basic series of immunizations to avoid many common childhood diseases. While the 60 percent of white children were immunized against 6 or 7 diseases, the majority of nonwhite children only received immunization for measles 52 percent and DPT 51 percent.

The single most urgent directive is to improve children's access to health care. In 1986, uninsured children received 40 percent less physician care than their insured counterparts, regardless of their need for regular periodic assessments and immunizations. Today, one out of every five children has no health insurance, public or private. The key to ensuring care for our children lies in providing the necessary resources, public and/or private.

We must remember that our nation's future competitiveness depends on the workforce we have in place. The time to act to ensure the quality of that workforce is NOW, not in the year 2000.

I urge my colleagues to join me on this initiative.

REUNIFICATION OF CYPRUS

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. PICKETT. Mr. Speaker, I rise today to draw renewed attention to the unresolved troubles which continue to plague the inhabitants of Cyprus.

As sweeping reform moves through Eastern Europe and old barriers are torn down, it is imperative we remember there is still a large Turkish military presence on the island of Cyprus which inhibits peaceful and effective governance for the Cypriot people. Since 1974, the 25,000 or more Turkish troops on the island have hindered the peace process and the path to creating a unified Cyprus. Greek Cypriots represent about two-thirds of the population, yet they are not permitted to freely move about in all parts of their island nation. They remain refugees in their own homeland. An infamous barrier 200 kilometers long, the "Green Line", restricts them from having access to fully one-third of their native soil, which is reported at this time to be suffering from neglect in the hands of the Turkish forces that are occupying it.

This island is divided, but only one part of it is internationally recognized as legitimate—the Republic of Cyprus and its elected President, Mr. George Vassiliou. The fact remains that only the government of Turkey recognizes the "Turkish Republic of Northern Cyprus" and its leader, Mr. Rauf Denktash.

Our Nation as well as the international community must be made to recognize the importance of promoting dialog which will lead to the reunification of Cyprus. It is essential that the United Nations, led by Secretary General de Cuellar, use its resources as a positive influence to bring together Mr. Denktash and Mr. Vassiliou for meaningful and productive dialogue.

There is great opportunity now for peaceful change in Cyprus. Mr. Vassiliou, who has shown himself to be a determined, pragmatic, and energetic leader, appears eager to work toward resolution of this impasse. He deserves our strong support for his initiatives. Hopefully, Mr. Denktash can be persuaded to engage himself in a spirit of full cooperation so that together they can bring to the Cypriot people the opportunity to fully and freely enjoy the wealth of their island and the peace of a demilitarized, democratic, and free Cyprus.

FEDERAL PRIORITIES: THE VIEW FROM MAIN STREET NORTH

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. OBERSTAR. Mr. Speaker, last week, President Bush sent his budget message to Capitol Hill. In Wednesday night's State of the Union Address, the President outlined his view

of America and his administration's goals for the coming year.

Mr. Speaker, what I heard the President say that night is quite different from what my constituents in Minnesota are telling me. I have been holding a series of public forums in Duluth, the largest city in my district, to determine public opinion on Federal spending priorities. Entitled "Main Street North," these forums provide the people with the opportunity to stand up and speak their minds on these issues.

Since January 8, I have held three such forums, focusing on defense, hunger and housing, and the environment. Two additional forums, on health and education, will be held between now and March 5. What I have heard so far, Mr. Speaker, is this: America needs to do more to address the social needs of our population, and reduce the slice of our budget devoted to military programs.

Today, I submit to you and my colleagues in the House a portion of the testimony gathered at the first Main Street North forum. In coming days and weeks I intend to include additional testimony in the RECORD until every voice has been heard.

These are not the words of soldiers, politicians or think-tank experts. These are the words of the common people, whose hard-earned tax dollars finance the programs we design and the priorities we set. As we undertake this year's budget process, I feel it is urgent that we read, know, and understand the views of the men and women who sent us here to serve.

I urge you to listen to the voices from Main Street North.

REMARKS OF TIMOTHY J. ALLISON BEFORE THE FORUM ON "NEW DIRECTIONS IN NATIONAL DEFENSE," JAN. 10, 1990

Good evening Congressman, ladies and gentlemen. I'd like to welcome you to the UMD campus. My name is Tim Allison and I am the Legislative Director for UMD Student Association. I am happy to be here tonight to share with you my views on the future of federal funding and the impact that the events in Eastern Europe will have on our national defense and overall government spending.

As peace and democracy "break out" in Eastern Europe, the United States must take a look at its spending priorities and revise as the changing world circumstances dictate. In my opinion, the present world circumstances call for a gradual decrease in the America's military spending. Apparently, I'm not alone. According to a Gallup poll released in this morning's edition of the Minneapolis Star Tribune, fifty percent of Americans think defense spending is too high.

Of course I have some suggestions as to where this money should be spent. As an economics major I find it hard to imagine running even a business, much less an entire government, the way the U.S. Government is being run. How can a government consistantly spend more than they take in? AND How long can they keep it up? I see a lot of merit in the idea that the government should maintain and possibly increase spending in tough times in order to stimulate the economy. However, for this strategy to work the government must make up for this excess spending by saving money during the prosperous times. The national debt is a concern that cannot and should not be put off any longer.

Having clearly stated my number one budget priority, I would like to also briefly touch on one other issue I consider to be crucial for the future of the nation: Education.

In the 1988 presidential campaign, education was a major issue. Both candidates sought to portray themselves as a leader that, if elected president, would make the education of the future leaders of this country one of their top priorities. President Bush has even gone as far as to say that he wants to be known as the "education president." These events are directly related to the growing importance that the public is placing on education and higher education. Our elected officials are responding positively to this concern because they too realize that education is absolutely crucial to the future of this nation. Through education we may one day find newer and better ways to care for our children and our elderly, to employ a nation, to provide for a better defense, to feed the starving, to house the homeless, to provide health care, and possibly even to find a cure for cancer and a host of other maladies that plague our country and the world.

I will concentrate my remarks here today on the part of education that I know best; higher education. I am very troubled by what I see occurring on the national level. Higher education has fallen in priorities. I have been disappointed and, to be frank, a little upset with our elected officials over the last few years. It appears that the ball has been dropped in terms of advancing the cause of higher education. One example of the severity of the situation can be seen in the move by the federal government to cutting grant aid to the bare bones while attempting to cover this with aid in the form of loans. Using myself for an example, I think you will see why I am worried about the future of my generation. By the time I receive my undergraduate degree, I will be over $13,000 in debt. I am considering law school, but I shudder to think of owing another $15-21,000 on top of the $13,000 I already owe. Whether I go into law or not. I will be looking for the job that best helps me get my head above water again.

In growing up and in my experiences at UMD, I have developed a strong sense of the responsibility that we all share in making our communities and our world a better place. However, when I have a debt burden that lies as a heavy weight on my shoulders, I am forced to be part of the "me" generation that considers themselves before even considering career options that may be more beneficial to society.

Higher education is the very heart of this nation. Without a strong heart, the nation does not have a strong future. I am worried about the direction the federal government has taken in the last few years. If steps aren't taken to move higher education in a forward direction again soon, the damage may be irreversable.

Senators and Representatives are generally supportive of increasing funding to higher education but often ask where the money should come from. My response is that I am not in as good of a position as you are to know the answer to that. As our congressional representatives, you have been elected to set the priorities of a nation. I say only that education should and must be a top priority for this nation. It is that important.

Let me close by leaving you with this thought—As students, we are constantly being told that we are the leaders of tomorrow; but in order for that to become a reality, we are going to need help from the leaders of our country.

REMARKS OF MARTHA B. ALWORTH

Congressman Oberstar: Thank you for arranging these Main Street North forums. Although you are always responsive to our letters, these personal contacts really are of enormous value to us, your constituents.

I have served as a member of the League of Women Voters, Duluth, Committee on International Relations for over twenty years. During that time, the League, nationally, has concerned itself with issues affecting our National Security. It has conducted two two-year studies on Arms Control objectives and Military Policy goals as reflected in the Military Budget. As a result of these national studies, the League's lobbying positions are, in brief: (1) to work to limit reliance on military force in areas where diplomacy and/or economic-social aid could be used, (2) to examine military spending in the context of total national needs.

The League believes that national security has many dimensions and cannot be limited to military policy alone. National Security can be defined as ensuring domestic tranquility, providing for the common defense, and promoting the general welfare. Key elements include the country's ability to implement social and environmental programs, and to maintain cooperative relationships with other nations. Other important components include effective political leadership and strong economy. Therefore, in decisions about the federal budget, the League urges Congressional leaders to assess the impact of U.S. military spending on the nation's economy and the ability of the budget to meet social and environmental needs.

The League believes that military force should be used as a tool of last resort. To this end we urge a cessation of underground nuclear testing. We urge the negotiation of a Comprehensive Test Ban Treaty as the logical conclusion to the Limited Test Ban Treaty signed in 1963 by the U.S., Great Britain, and the Soviet Union. In 1985, the U.S.S.R. unilaterally began a 19 month moratorium on nuclear testing. The U.S. refused to join the moratorium at that time, citing lack of verification capabilities.

In 1989, at the Second World Conference of Mayors, 50 mayors from 13 countries wrote to President Bush and to Chairman Gorbachev urging them to sign the Comprehensive Test Ban Treaty in a gesture toward world peace.

In May of 1989, President Mitterand of France indicated his willingness to sign the C.T.B. Treaty.

Our military budget could be reduced by the signing of the C.T.B. Treaty. Those funds allocated to the Department of Energy for nuclear testing, for the core test program, and for testing nuclear-directed-energy weapons, as well as for safeguards, security, and construction could be eliminated.

In the light of the changes in Eastern Europe and in the U.S.S.R., we feel that the foreign policy which dictated the massive military build-up (including funding for S.D.I.) since 1980, should be reexamined as to its relevance now.

We are told that Secretary of State Baker will go to Moscow early next month to clear away obstacles to a new U.S.-Soviet treaty, which would sharply reduce long-range nuclear missiles. Any military budget discussions should reflect the goal of the project-

ed summit meetings to slash U.S. and Soviet arsenals of long-range bombers, submarines, and missiles by 30 to 50 percent. If these objectives are seriously pursued by the Funding Authorization committees, the military budget will certainly be presented with a different target as far as our military purposes are concerned.

My remarks will be brief because as our name "Lutheran Coalition for Public Policy in Minnesota" implies our mandate is advocacy at the state legislative level. However, we felt compelled to give testimony on the issue of military spending, possible cuts in the military budget, etc., because we are concerned that domestic issues haven't been dealt with because of the high priority given to our military buildup.

LCPPM's major areas of advocacy this year: Children at risk, access to affordable health care, communities at risk (housing, jobs), agriculture and food, the environment, are all impacted by lack of federal funds, lack of federal priority and lack of federal leadership.

It is obvious that cuts in military spending could free up much needed monies. The 1 million dollars/day given in military aid to El Salvador or the money spent on just one missile could find many uses at the state level: full funding of the WIC program, child care, better VA services, affordable housing, providing funds for critical needs in our educational system—the list is long and the needs are immense.

A less obvious benefit than the millions saved by cutting the military budget would be the reprioritizing of national goals away from militarization. The headlines now grabbed by military weapons, military intervention, put news of basic human needs here and around the world on the back page of our papers.

On Monday in the Duluth paper, while the front page headlines were still concerned with Panama, on the inside of the front page was this 9 line item: A homeless man found frozen in a snowbank has been identified as Glenn Howard age 33, who had played Santa Claus on Christmas Day for a homeless shelter where he regularly volunteered. The last line states that Mr. Howard is the 4th homeless man to die in St. Paul in the last month. Would this have been front page news 10 years ago? I think so. Do we need to refocus some of our national priorities? I think so.

As critical as the need for money and priority is the need for leadership at the federal level to solve some very complex problems. Is there any doubt that the time, money, and brainpower going into the development of Star Wars directly correlates with the time, money, and brainpower not going into the development of a sound environmental program.

My father-in-law, a farmer in North Dakota, has a missile site in his pasture—a mile from his house. While we put missiles in farmers fields, small farmers in Carlton, Aitkin, and St. Louis county are being forced off their farms because we lack the leadership on the federal level to develop a just and ecologically sound farm program.

Yes, we need the money saved by military cuts but just as importantly we need our Federal leadership to refocus our national priorities away from militarization and onto the basic needs of our citizens, and to lead the struggle to solve some of our very difficult problems . . . or our national security will be threatened from within rather than from without.

"MAIN STREET NORTH" TESTIMONY—KENT PETERS, DIOCESE OF DULUTH, OFFICE FOR THE SOCIAL APOSTOLATE, JANUARY 10, 1990

I speak this evening as Director of the Office for the Social Apostolate in the Catholic Diocese of Duluth. We in the Diocese commend you for your promptness in attempting to redirect our national spending priorities in the wake of recent positive changes in the world political climate, and we thank you for the opportunity to assist you in developing a consensus on the needs of our communities and possible agenda that will help solve our common problems.

The Catholic Church of Duluth, along with other Christian and Non-Christian religious denominations, are strongly striving to be more sensitive to the unmet needs of individuals in our local community. We have a deep interest in helping our community develop economic and cultural structures that will give individuals the opportunity to live out their lives in equality and dignity. Our sincere hope is that the perspective we share, as one religious community, will help you to develop a national spending strategy that will aid our local efforts to include every individual in the mainstream of our society.

Over the past five years our nation has become comfortable with the fact that the poverty rate in the United States has not increased. In fact, the gap between the rich and poor is at an all time post-war high. Between 1979 and 1988 the poorest fifth and the second poorest fifth of Americans lost 6.1% and 2.1% of their average income respectively, whereas the richest fifth had an income gain of a full 12%.

Our sincere hope is that Congress and the White House will succeed in channeling the heavy flow of dollars and resources away from the pentagon and industries related to war readiness and toward agencies and activities that will have a real impact on the building up of our society. Today we are being given an opportunity we may never see again, a golden opportunity. Please make your attempt to redirect our national priorities a valiant one, one that at the dawn of the new millennium, we will look on with a great sense of pride.

I would like to share just a few comments on our local situation. Single people experience many difficulties when wages are low and taxes are high—over the past 20 years Minnesota has moved toward a more regressive tax structure. Low income people pay a disproportionate portion of their income for taxes when compared to the affluent. It is the family, however, i.e., married couples with children and single parents with children, that suffer the most. They carry the responsibility of bringing up the next generation, a very expensive proposition. The financial burdens facing families today are overwhelming, and the societal rewards for undertaking this important vocation are all but nonexistent.

The Catholic church has affirmed time and time again that the family is, "the primary and vital cell of society" (Vat. II, Decree on the Laity, sec. 11). The family must be considered the key to building a vibrant society. If the family fails at its task of preparing children for responsible adulthood, the society we live in will not survive the next decade. If families succeed in preparing the next generation, we can look forward to healthier times. The health of our society is directly related to how well families perform their duties. We ask, then, that if there is to be a redirecting of financial resources at the national level, every decision in that process keep in mind the difficulties moderate, low and no income families face in raising children. Let health, housing, education and the family's ability to be present to young children become the priorities of the 90s. The 90s should become the decade of the family.

Perhaps a concrete suggestion would help indicate the direction we would like Congress to take in addressing the needs of families. For low and moderate income working families, we propose a dramatic increase in the personal exemption for children, thus reducing a family's overall tax burden. The present amount for the personal exemption for children is $2,000. We would propose a sliding scale for the personal exemption for dependents; an increase to $6,000 for our nation's lowest income families, with the figure decreasing gradually to the level of $2,000 for those families able to adequately provide for their children's needs.

Families with no income should be provided with employment opportunities made possible through tax incentives given to stimulate economic activity in local communities or welfare programs that promote dignity and the will to enter the work force when employment is available.

Families with young children that choose to have one spouse at home should be able to make ends meet with one income. Perhaps a special withholding allowance could be given to families that have a full time presence of one spouse in the home.

Please consider ideas such as these, and others that will be proposed over the next few weeks, that attempt to give families and individuals the ability to provide for themselves within the economic and social structures we have created. We can build a workable economy and conditions that make providing for family and self a realizable goal.

Thank you for allowing me the opportunity to share my thoughts with you.

A PEACE DIVIDEND WITH NO DOLLAR OR RUBLE PRICE TAG

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. HALL of Ohio. Mr. Speaker, I would like to share with my colleagues an article I wrote which offers some additional views to the debate over the peace dividend. I believe it is important to recognize the noncash benefits that this peace dividend could offer us. I am submitting the recent oped piece which was published in the Los Angeles Times on January 31, 1990.

The article follows:

A "PEACE DIVIDEND" WITH NO DOLLAR OR RUBLE PRICE TAG

(By Tony Hall)

(Third World: An agreement between the superpowers to allow safe passage of food and medicine through battle lines would cost nothing but could save millions of lives.)

It would be a mistake to think of the "peace dividend" only in terms of ledger lines and cash flow. There is more to a peace dividend than cold currency. The very absence of an atmosphere of flammable tension is itself a dividend that could be put to use now, and in doing so we would save more than money. Without costing our

Treasury a dime, the superpowers could spend a dividend of cooperation on the Third World and save lives.

In the Horn of Africa, for example, the situation in Ethiopia has reached a near-crisis stage. Current estimates place almost 5 million people at immediate risk of famine. Like the crises of 1984 and 1987, the direct cause of the problem is drought and crop failures, exacerbated by seemingly endless war and civil strife. Unlike the 1984 episode, this time relief arrived before the famine, yet it hasn't been delivered to all the people in need.

The missing element is an agreement between government forces and Eritrean separatists to establish "corridors of safe passage" through which food and medical supplies could be safely delivered across the battle lines, directly to the population at risk.

The rebel armies in Eritrea and Tigre province have shown a willingness to agree to safe passage; the only holdout is the government of President Mengistu Haile Mariam. With aid unable to reach the people, they will soon begin to leave their homes in search of food and safety, leaving no one to plant next year's crops. These migrations are already beginning. Soon television will again bring us the horrifying spectacle of children dying, and the nation of Ethiopia will again become synonymous with famine.

The United States has pressed the Ethiopian government to agree to corridors of safe passage, the Soviet Union has not. We don't have as much influence over Mengistu as the Soviets, largely because they continue to deliver weapons to Ethiopia. The Soviets have agreed to halt the arms shipments by the end of next year, but there is much more they could do.

A non-cash peace dividend of cooperation could save hundreds of thousands of lives now. In the new spirit of cooperation, why not a joint public statement by Secretary of State James A. Baker III and his Soviet counterpart, Foreign Minister Eduard A. Shevardnadze, stressing the importance of relief corridors, and promising vigorous diplomatic efforts by both countries to secure them?

We could choose to continue foreign policy as usual, and hundreds of thousands of people would die unnecessarily over the next six months in a sad, distant list of places: Angola, Ethiopia, Sudan, Somalia, Afghanistan.

Or we could decide that this is where our peace dividend could be spent, at no cost to either government in dollars or rubles. President Bush and Soviet President Mikhail Gorbachev could endorse the Bellagio Declaration, a call made recently by a prestigious group of development experts to eliminate "deaths due to famine among the 15 million to 35 million people at risk" in the Third World. Both the United States and the Soviet Union could pledge to use diplomatic efforts to assist and expedite the work of private relief organizations fighting famine and disease in the Third World. As simple as that sounds, it would be a tremendous step forward and would literally save lives.

Until now, the superpowers have exacerbated the problems of developing countries by treating them primarily as surrogate battle fields for competing ideologies. Now, a new reality is within reach; many lives could be spared if Americans and Soviets quickly agreed to cooperate in multinational efforts to end famine deaths. It is ultimately in neither nation's interests to allow needless Third World suffering to continue.

Events in Eastern Europe and relations between the superpowers have been moving faster than our ability to shape them. In this, the warmest winter of the Cold War, we have the chance to get ahead of history with respect to nations below the Equator not to react to events as opposing forces, but to join together as a humanitarian force to prevent unnecessary suffering and death.

TRIBUTE TO JUDGE HARRY PERKINS

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. SMITH of Iowa. Mr. Speaker, as we consider the value of public service performed by various categories of officials in our Federal-State-local system, I think it is appropriate and perhaps overdue to focus on the contribution of State court judges to our self-governing society. Too often fair, competent, and conscientious judges are paid far less than they could have earned as a practicing lawyer and are underappreciated by the society they serve so well. Yet a good judge, although comparatively unsung in terms of public praise makes an enormous difference—not only to the quality of justice but to the quality of living—for all of us.

On February 15, a premier example of this kind of judge is retiring as State district court judge in Polk County, IA, after 25 years of distinguished service on the bench. I have known Judge Harry Perkins since law school days as a student, a young lawyer, as the chief prosecutor of Polk County—county attorney—and as a judge. In my opinion, he epitomizes that quality we associate with our best judges—the judicial temperament. He knows and is deeply committed to the law, is fair to a fault, reasonable, compassionate, and without bias or the least tendency toward self-aggrandizement.

Harry Perkins was born in Des Moines in 1923, is a graduate of East Des Moines High School, served in the Army in World War II, attended Drake University, and was awarded his degree from the Drake Law School in 1950. After 5 years in private practice followed by service as county attorney, he was appointed as State district county judge by Governor Hughes in 1965.

As prosecuting attorney and as judge, Harry Perkins has combined firmness and fairness. He is respected by his fellow members of the legal profession and by the public as well. He has never sought headlines but he has been a just and wise judge—one whose integrity and fidelity to the public good has made this a stronger and better nation.

THE FEDERAL EMPLOYEES PAY COMPARABILITY ACT OF 1990

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. ACKERMAN. Mr. Speaker, today I am introducing the Federal Employees Pay Comparability Act of 1990.

For the last 12 years, Federal employees have received pay adjustments which were less than those recommended by the President's pay agent. Last August, the President's pay agent reported an average pay gap of 28.62 percent. Because of this gap, Federal agencies are having increasingly serious problems recruiting and retaining qualified individuals. I'm sure that my colleagues have all heard from Federal agencies that cannot hire lawyers, accountants, scientists, engineers, law enforcement officers, and scores of other types of employees.

The General Accounting Office has reported to the Committee on Post Office and Civil Service that chemists working for the Federal Government are as much as 50 percent behind private sector chemists. Government accountants find themselves 46 percent behind. Engineers are in a similar position. Many senior scientists have left the National Institutes of Health for private sector salaries ranging from 50 to 300 percent higher than their Federal Government pay.

In an attempt to cope with these problems, Federal agencies have resorted to special pay rate authority. This authority was originally enacted to provide higher pay for those occupations where comparability increases proved insufficient to recruit and retain qualified employees. In fiscal year 1984, 28,000 Federal employees were covered by special pay rates. By the end of fiscal year 1988, 152,000 Federal employees were covered.

Expanded use of the special pay rate authority is further evidence that the Federal pay system is not working.

The Federal Employees Pay Comparability Act of 1990 is designed to make the Federal Government a competitive employer again. First, my bill would provide annual pay adjustments for all white-collar Federal employees equal to the Employment Cost Index [ECI]. The ECI is a quarterly measure of the cost of labor in the private sector and is computed by the Bureau of Labor Statistics [BLS].

In addition, my bill would authorize BLS to conduct locality pay surveys for six broad categories of jobs, including: clerical, technical, professional, administrative, law enforcement, firefighters, and health care. Those categories where Federal pay lags behind private sector pay by more than 1 percent will receive an adjustment.

The boundaries for the geographic areas that BLS will survey will be drawn by the Federal Salary Council established by the bill. The members of the Council would include: the Directors of the Office of Personnel Management and Office of Management and Budget, the Secretary of Labor, and three other members appointed by the President. There will be six representatives of employee organizations

on the Council. The Chairperson of the Council will be selected by the members.

The locality surveys performed by BLS will be done every 3 years so that one-third of the white-collar work force will be surveyed in any 1 year. In addition, the locality adjustments will be phased in over 3 years.

The bill also increases the circumstances under which an agency may request special pay rates. The broader circumstances would include: higher pay rates in the non-Federal sector for similar jobs; higher pay rates at other Federal agencies; undesirable working conditions including exposure to toxic substances or other occupational hazards, and any other circumstances which the President or his designee may identify. The bill also eliminates the requirement that employees be hired at step one of a grade for positions below GS–11.

The bill would also allow the Director of the Office of Management and Budget to designate up to 400 positions Government-wide as "critical." Those positions could be paid up to the rate for Executive Level I—Cabinet level.

The bill also creates a new pay system for administrative law judges and members of boards of contract appeals. These employees will have three pay levels set by Presidential Executive order within a range. The maximum rate will be Executive Level IV and the minimum rate would be GS–16, step 1.

Mr. Speaker, reforming the Federal pay system has a cost, but I ask my colleagues to bear in mind that it represents the cost of fixing 12 years of neglect.

Ultimately, the quality of the Federal work force determines the quality of service received by our constituents. I ask my colleagues to join with me in reforming the Federal pay system.

THE INTRODUCTION OF THE ANTARCTIC PROTECTION AND CONSERVATION ACT OF 1990

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. CONTE. Mr. Speaker, today I am introducing legislation that will clearly distinguish the United States as the primary environmental leader among the Antarctic Treaty nations. This legislation will provide further protection to the Antarctic environment; prevent the exploration and exploitation of Antarctic mineral resources by U.S. citizens; and urges other nations to join the United States in negotiating a new agreement to provide permanent environmental protection for Antarctica.

Despite Antarctica's service climate, the continent contains a unique and important variety of plants and animals. Primitive soils provide nutrients to 700 species of spares vegetation that serves as food for over 200 species of invertebrates and other simple terrestrial organisms. In contrast to the land, Antarctic marine life is much more abundant due to the nutrient-rich waters. Krill, a small shrimplike organism, congregate in large swarms facilitating the feeding of 50 species of birds, 6 seal species, and several species of whales and squid. While the Antarctic Ocean can also support large populations of seals and seabirds, many of the birds including five species of penguins, three species of petrels, and two seal species use the land for breeding purposes. Several species only occur in Antarctica.

Time magazine, in a recent cover story that I will submit for the RECORD, summarizes the abuses man is inflicting on the Antarctic continent. These include oilspills, dumping of untreated sewage off the coasts, buring garbage in open pits, and disturbing native wildlife during visits by tourists, just to name a few. The United States should not be contributing to this degradation in an area that we value so highly for its pristine environment. Many of our key scientific investigations depend on the uniqueness and quality of the Antarctic environment. Yet we, and other nations, are contributing to the lowering of environmental quality by many of our actions.

Existing treaties and agreements are not capable, in the final analysis, of providing complete protection for the Antarctic environment. Mineral exploration by all nations should be permanently banned. We ought to require all Federal Government-sponsored action to be subject to environmental regulation. We should regulate the environmental impacts from tourism and commercial fishing. These principles, incorporated in this bill, are necessary to preserve and conserve the fragile ecosystem of Antarctica. Our unilateral protection of this last frontier on Earth can provide the framework for international cooperation among all Antarctic Treaty parties to universally and permanently protect this irreplaceable resource.

Now is the time to say that this continent should be preserved for future generations to continue the cooperative research that has defined the purpose of Antarctica for the last 30 years. I believe this bill will establish the United States as the leader in the protection of the Antarctic environment.

Mr. Speaker, today we have a rare opportunity to leave a lasting legacy to future generations, to preserve a continent, pristine and intact. Let's not forgo this opportunity. Let's take the lead in the world to preserve this unique ecosystem.

I have included a section-by-section summary of the bill and I urge all Members to join me and Chairman JONES as cosponsors to this legislation.

SECTION-BY-SECTION SUMMARY

Section 1. Short title: Antarctic Protection and Conservation Act of 1990.

Section 2. Findings and statement of purpose.

Section 3. Definitions: The terms defined in this section include Antarctica; person; Under Secretary; mineral resources; Antarctic mineral resources activity; prospecting; exploration; and development.

Section 4. Prohibition on Antarctic mineral resource activity: Prohibits any person from engaging in or financing prospecting, exploration or development of minerals.

Section 5. Regulation of tourist expeditions: Establishes regulations on the activity of tourists, qualifications of tour guides, tour vessel safety standards, and training requirements for vessel officers and crew. The regulations would cover such items as foot traffic in fragile areas, dumping of plastics and garbage, and minimum observation distances for viewing wildlife. Interference in specially protected areas and unique scientific areas and the taking of souvenirs would be prohibited.

Section 6. Environmental impact assessment of United States activities in Antarctica: Requires United States agencies or others receiving funds from the Federal Government to comply with the National Environmental Policy Act.

Section 7. Commercial fishing: Requires development of fishery management plans to conserve marine resources before fishing can be undertaken by U.S. fishermen.

Section 8. International agreement: Directs the Secretary of State to enter into negotiations with other Antarctic Treaty parties to ban mineral resource activities and permanently conserve and protect the Antarctic environment.

Section 9. Civil penalties: Provides for the assessment of penalties, hearings, review, and relationship to penalties under other laws.

Section 10. Criminal penalties: Provides for fines under title 18 United States Code or imprisonment for up to one year or both.

Section 11. Authorization of appropriations: Authorizes such sums as may be necessary to carry out the purposes of the act.

ANNOUNCEMENT OF THE 1990 CONGRESS-BUNDESTAG STAFF EXCHANGE

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. REGULA. Mr. Speaker, since 1983 the United States Congress and the West German Parliament, the Bundestag, have conducted an annual exchange program in which staff members from both countries observe and learn about the workings of each other's political constitutions first hand and convey the views of Members from both sides on issues faced by both countries. The exchange also provides an opportunity for the development of professional relationships which will be beneficial to both countries over the long term.

This exchange program is one of several sponsored by both public and private institutions in the United States and West Germany to foster better understanding of the institutions and policies of both countries.

This year, eight congressional staff members will visit Germany April 21 to May 6. They will spend about 10 days in Bonn attending meetings conducted by members of the Bundestag, Bundestag staffers, and representatives of political business, labor, academic, and media institutions. They will spend a weekend in the district of a Bundestag member. The program will conclude with a visit to Berlin during which the delegates will meet with representatives of the West Berlin Government and United States Government representatives in both West and East Berlin.

A comparable delegation of Bundestag staffers will come to the United States in late June for a 3-week period. They will attend similar meetings here in Washington and will

visit the districts of Members of Congress over the Fourth of July recess.

The program is truly a two-way street; accordingly, participants should be experienced Hill staffers so that they can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag sends senior staffers to the United States and a number of high ranking members of the Bundestag take the time to meet with our staffers. The United States has tried to reciprocate.

Therefore, participants should have a demonstrable interest in, if now some direct responsibility for, political, security, trade, or environmental issues as they relate to Europe in general and Germany in particular. In addition, U.S. participants will be expected to help plan and execute the program for the Bundestag staffers when they visit the United States. Among the contributions participants should expect to make the planning, the conducting topical meetings for the Bundestag staffers, and hosting one or two of the staffers in their Member's district over the Fourth of July.

Applications for participation in the United States delegation will be reviewed initially by the Congressional Staff Group on German-American Affairs; final selection of the delegation will be made by the U.S. Information Agency.

Senators and Representatives who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state why they believe that they are qualified and giving some assurance of their ability to participate during the time stated to Connie Jones, Office of Congressman Ralph Regula, 2207 Rayburn, by Thursday, March 1.

RECIPROCAL CALL BILLING ARRANGEMENTS

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. ERDREICH. Mr. Speaker, today I am introducing legislation to simplify the billing procedure in situations where physicians offer the courtesy of cross-covering for one another's patients on a reciprocal basis. This legislation will allow doctors to continue the longstanding professional courtesy of covering for their colleagues when they cannot be on duty and will allow patients to continue to receive uninterrupted care.

My legislation would eliminate the Health Care Financing Administration's dictum requiring a covering physician to bill in his own name and Medicare provider number for any services performed. This reassignment prohibition even includes those services provided when a physician covers for a colleague who belongs to the same incorporated group practice. Likewise, under this directive a physician who sees a patient on a referral basis only once will be forced to process the paperwork to bill this individual as well as file the Medicare claim.

Enforcement of the current HCFA regulation would increase administrative expenses of both accounting staffs and Medicare carriers by requiring more employee time to deal with the new volume of paperwork. We all know that such an increase in expenses will ultimately be passed on to the taxpayers in the form of higher health care costs. I have long held that we must push for the highest quality care possible at the lowest feasible cost. I believe that this HCFA directive is both awkward and unnecessarily expensive.

In addition to streamlining office procedures for physicians, my legislation will have the added benefit of allowing patients to continue to receive one bill and file one claim. This proposal would eliminate the potential for confusion caused when patients are forced to decipher the different billing systems and fee structures of other physicians. Further, this legislation would remove HCFA's added obstacle to referral services which, in the case of seriously ill or elderly patients, could prove life threatening.

This legislation will preserve the courtesy service of cross-covering among physicians and will eliminate the imprudent and unnecessary HCFA directive which, if strictly enforced, will only serve to augment the bureaucratic nightmare which afflicts our Nation's healthcare system. I therefore urge my colleagues to support this legislation.

INTRODUCTION OF THE CLOSED-CAPTIONED TELEVISION IN PUBLIC FACILITIES ACT OF 1990

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mrs. LLOYD. Mr. Speaker, today it is a great pleasure for me to introduce the Close-Captioned Television in Public Facilities Act of 1990. My bill is designed to increase opportunities for access to the crucial information available via television for the very large deaf and hearing-impaired segment of our Nation's population.

First, I would like to mention that it was 2 years ago this month, in February 1988, that the Commission on the Education of the Deaf reported to the President and to Congress on the great promise of closed-captioned television. At that time we were advised that the most rapid progress for persons who are deaf and hearing-impaired could be made by exploiting a technology that has been with us for some time—closed captioning—the appearance on screen of what is being said. This important technology is available and I believe it is high time that Congress mandate its use.

Before I describe how my bill will improve access to closed-captioned television, I would like to explain why this legislation is important. For 37 million citizens in the United States that suffer hearing impairment, and the 14 million persons with sufficient enough hearing impairment to deny them access to television, the Commission's report held out hope. A hope that finally they would be able to benefit from a wide range of information that those of us who hear take for granted. Please understand that we are talking about more than entertainment. Television is a critical source of communication, providing world news, information of local events, and serving an important educational role.

Unless television broadcasts are encoded for closed captions and decoding devices are available, deaf and hearing-impaired individuals are unable to receive even the most urgent advisory messages about emergencies and catastrophes. For example, I am advised that during the recent major earthquake in the San Francisco Bay Area, it was several days before closed-captioned newscasts were broadcast. I can only imagine the panic that must have been felt by hearing impaired individuals in the devastated area who were unable to determine where they should go for food, shelter, medical, and other services. Information of fire warnings, gas leakages, transportation, and safe drinking water was unavailable to members of the deaf community during this emergency.

The loss of communication due to impaired hearing is a particularly important issue to older adults in our society. Nearly 38 percent of older Americans suffer from some loss of hearing and could potentially benefit from closed-captioning technology. Approximately 1 in 4 persons between the age of 65 and 74 has a hearing impairment. This is twice the rate of individuals age 45 to 64. Moreover, in the age bracket 75 and older, 4 out of 10 persons have hearing loss.

As a member of the Select Committee on Aging for the past 16 years, and now as chairman of the Subcommittee on Housing and Consumer Interests, I was interested to learn of the significant relationship between hearing loss and quality of life for aging persons. Professionals in the aging network tell us that for many older persons, hearing loss begins a cycle of frustration, exhaustion, and depression. In fact, researchers have recently linked hearing impairment to dementia in older adults. Technology to improve communication for these individuals—like closed-captioned television—becomes even more important in light of this information.

Until the development of closed-captioned TV, less than 20 years ago, deaf and severely hearing-impaired persons had no access to the information that is routinely available via television to those of us who hear. Even today, hearing-impaired Americans generally have access to the benefits of television only when they are at home using an electronic decoder they have purchased for their personal television sets.

I would like to describe this technology very briefly. The device necessary to decode television broadcast weighs less than 4 pounds, is smaller than a cable TV box, and costs between $160 and $200. Hospitals, hotels, and other places with an inhouse televison cable system can provide closed-captioning services for the hearing-impaired people by providing a decoder for each TV set or through head-end decoding. Head-end decoding is usually more economical. A commercial system that feeds up to 1,000 sets can be purchased for $1,800–$2,500.

Mr. Speaker, the Closed-Captioned Television in Public Facilities Act of 1990 targets badly needed assistance to the most vulnera-

ble of all deaf and hearing-impaired persons as well as those who can gain the most from this technology. First, my bill would require that closed-captioned television be available to deaf and hearing-impaired residents of federally funded nursing homes and hospitals. In addition, elementary, secondary, and college students in schools that receive Federal financial assistance would have access to closed-captioned television.

Second, a provision of my bill addresses the accessibility to closed-captioned television in places of public accommodation. Under this bill, the Federal Government will not finance any conferences that are held in a facility that does not make closed-captioning services available to their guests upon request. It is my hope that this measure will encourage hotels to make this a standard service to their hearing-impaired guests.

Third, my bill requires that federally funded or produced public service announcements be closed-captioned. Public service announcements provide vital information on issues of national scope; from AIDS to the IRS. The Federal Government has supported the National Captioning Institute in order to promote greater availability of closed-captioned programming. In light of this commitment, it seems to be inconsistent for the Federal Government to not closed-caption its own public service announcements and thereby deny hearing-impaired individuals the opportunity to obtain often crucial information.

I understand that the one time cost of closed captioning a public service ad is between $235 and $340 for a 60 second spot. Given the importance of these announcements and the large number of Americans that could benefit from closed captioning, I believe this modest investment would be well worth the money.

The Closed-Captioned Television in Public Facilities Act of 1990 will greatly improve access to information provided through televison for a significant portion of our population. In addition to improving access to the hearing-impaired, my bill would provide benefits to large segments of the nondeaf population as well. For example, closed-captioned television is helpful in learning the English language. This benefits children, adults with poor literacy skills, and those individuals learning English as a second language.

In addition, I believe this legislation will stimulate the development and marketing of a new television set with "built-in" decoder modules. Technology is currently under development that would enable closed-captioning circuitry to be built into new televisions, and may be available at a modest cost by the end ot 1991. Current estimates are that this remarkable new technology can be manufactured for as low as $5 for inclusion in all new sets. As these new sets become available, separate decoder units would no longer be required.

I have endorsed the concept of "built-in" decoder modules for all new TV's and will cosponsor legislation to be introduced by my colleague Representative MAJOR OWENS, the Television Decoder Circuitry Act of 1990, to provide equal access to the vital information available via TV. Mr. OWENS, and Senator HARKIN who introduced the companion bill, are to be commended for their innovative and forward thinking proposal that will go a long way toward making closed-captioned programming more readily available.

As confident as I am that the Owens/Harkin legislation will vastly improve access to close-captioned television in coming years, I do not believe hearing-impaired persons in nursing homes, hospitals, schools, and universities should have to wait to enjoy equal access to the television airwaves. Until then we must utilize today's state of the art technology.

This legislation will do one other thing. By increasing the number of persons watching closed-captioned television broadcasts, it will indirectly encourage producers and networks to produce more hours of closed-captioned programming. I am happy to say that all of the current prime time schedule is finally being broadcast with close-captioning signals, as are most major sporting events. However, to encourage future expansions of close-captioned broadcast we must broaden the use of closed-captioned television.

This legislation was introduced last session by Representative Florio, the former chairman of the House Select Committee on Aging's Subcommittee on Housing and Consumer Interests, which I now Chair. It is endorsed by key organizations representing the deaf and the hearing-impaired, and the disabled, including: the National Association for the Deaf, the Alexander Graham Bell Association for the Deaf, the American Society for Deaf Children, the Convention of American Instructors of the Deaf, the American Deafness and Rehabilitation Association, the American Academy of Otolaryngology, Head and Neck Surgery, the Deafness Research Foundation, the Conference of Educational Administrators Serving the Deaf, Telecommunication for the Deaf, Inc., the National Captioning Institute, the National Head Injury Foundation, the National Center for Law and the Deaf, and the American Speech-Language-Hearing Assocation.

Mr. Speaker, the "Closed-Captioned Television in Public Facilities Act of 1990" will provide for greater availability of closed-captioned television to those who would benefit most from this cost-effective technology. I urge my colleagues to join me in supporting this legislation which will help to bring deaf and hearing-impaired persons more completely into the mainstream of American life and improve literacy for both children and adults.

HOSPITAL "DUMPING"

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. STARK. Mr. Speaker, I am today introducing legislation to strengthen current Medicare law which protect all hospital patients from improper transfer for economic reasons, often referred to as "dumping." My bill includes important provisions not included in recently enacted amendments to the current antidumping statute.

My amendments, originally proposed in H.R. 821, the Medicare Hospital Patient Protection Amendments of 1989, impose a strict standard of liability on hospitals and physicians in antidumping cases. The amendments also make clear that hospitals are responsible for the actions of physicians on staff at the hospital.

Adoption of these amendments would assure that no hospital or physician responsible for callously dumping an indigent person could hide behind ignorance as a defense against imposition of a penalty.

Patient dumping is a disgracefully common practice. It is simply not acceptable to kick desperately ill people from one hospital to another because they cannot pay the bill.

I believe that a strict standard of liability is appropriate in cases of dumping. A tough standard is justified because hospitals and doctors have a place of special trust in our society. There is no excuse for ever dumping an unstable patient.

Dumping of indigent patients is not an abstract issue which we can safely ignore. Unfortunately, it happens far too often. One of the first cases under the new law involved the death of one of my constituents, William Trumball, age 27, of Castro Valley, CA, who died after being denied tests and treatment at an East Bay hospital due to lack of health insurance. Preventing cases like his is the reason for this legislation.

In 1986 the Congress adopted legislation which requires all Medicare-participating hospitals to provide necessary medical examinations and treatment to stabilize individuals with emergency conditions and women in active labor. After the patient is stabilized, the hospital may provide for appropriate transfer to another facility.

In 1989, this legislation was strengthened again in the recently enacted reconciliation legislation based upon amendments I authored.

Patient dumping is but a symptom of a much larger problem. Thirty-seven million Americans are without health insurance. Low-income sick people are finding it increasingly difficult to get needed health care and the burden of caring for them is falling on fewer and fewer hospitals. Hospitals are providing over $8 billion per year in uncompensated care.

I am sympathetic to the problems hospitals and physicians face in caring for the indigent. However, my sympathy for the problem does not, in my view, relieve hospitals and doctors of their responsibility to care for emergency patients.

A summary of my bill follows:

SUMMARY

I. Enforcement of anti-dumping provisions:

a. Hospital Liability: Clarifies hospital liability by deleting the requirement that hospitals "knowingly and willfully, or negligently" violate the law in order for the Secretary to remove a hospital from the Medicare program;

b. Deletes the requirement that hospitals "knowingly" violate the law in order for a civil monetary penalty to be imposed;

c. Clarifies that hospitals are liable for the actions of physicians as agents of the hospitals.

d. Physician Liability: Clarifies physician liability by deleting requirements that viola-

tions be "knowingly" or "knowingly, willfully, or negligently" committed.

II. Technical Corrections:

a. Makes technical corrections to the OBRA '89 anti-dumptng provisions.

III. Effective Date:

180 days after the date of enactment, except that the technical corrections shall be effective as if included within OBRA '89.

TRIBUTE TO DR. ROBERT L. BAY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1990

Ms. KAPTUR. Mr. Speaker, it is an honor to pay tribute to an incredible person from my district, considered by many to be a modern day saint. On February 17, Dr. Robert L. Bay will earn one of Delta, Ohio's highest honors when he is named "1990 Citizen of the Year" by the Delta Chamber of Commerce. Dr. Bay has given and continues to give everything he possibly can to others, asking for nothing in return. For 45 years, Dr. Bay has resided in Delta, nobly serving the people of his rural community and caring for its livestock. He has earned more respect from the people in his community in the last 45 years than most people could earn in two lifetimes.

Robert Ledman Bay earned a bachelor of science in agriculture and a doctorate in veterinary medicine from the Ohio State University, graduating in 1944. Soon after graduation, Dr. Bay and his wife, Rosemary, moved to Delta, OH. I doubt if the community knew at the time how lucky it was to have Dr. Bay as Delta's newest citizen.

For 26 years, Dr. Bay singularly served Eastern Fulton and Western Lucas Counties. "Doc", as the people in his community call him, stayed on call 24 hours a day to meet the needs of this agricultural Ohio community. During these years, his devotion to veterinary medicine helped him to: stop the spread of tuberculosis in cattle; immunize chickens against Newcastle disease; protect pigs against hog cholera; and through the use of pioneer technologies, help animals to produce offspring. Truly, his love of animals marks him as a special human being.

His devotion to the people in his community gives him the vision to assess his community's needs. His acts have made Delta a better place to live. He understood the financial needs of his community when he joined the trustee board of the People's Bank of Delta, where he has provided loans for the farmers and the citizens of the village. He became president of the People's Bank and was instrumental in merging the institution with Banc-Ohio, in order to provide more financial stability to Delta. During his 45 years in Delta, he unselfishly cared for the neglected by feeding the hungry, housing and clothing the homeless, purchasing gifts for children at Christmas time, who otherwise would have gone without, offering his assistance by insulating homes, and serving as a driver to those without transportation. His understanding of the needs of the sick and ailing members of Delta is underscored by his purchase of the Delta Clinic when its future was in doubt, thus jeopardizing necessary medical and dental care for his neighbors in Delta. By forming the Delta Performing Arts Association, Dr. Bay also brought culture to his rural community. It would be impossible to recount exactly how many people he has helped in his informal, generous, and caring ways. I'm sure he has in some way touched at least once, the lives of each and every person in Delta, OH. His service to the people of his community is truly commendable.

Dr. Bay also has a strong commitment to education. Educating the young people of our society is a task that should not be taken lightly. Dr. Robert L. Bay certainly hasn't. He served many children by teaching Sunday School, being a member of the Delta Public School Board, serving as its president in 1966. Doc helped to consolidate the school systems to provide a better system of education. He cares a great deal about the young people in his community. At home, Dr. and Mrs. Bay were bringing up three lovely children of their own. William, John, and Martha Ann have been engendered with the same respected values that their parents hold dear to their hearts.

Dr. Bay's passion for spiritually enlightening others has made him a central figure in Delta's United Methodist Church. Born the son of a Presbyterian minister, he has continued to help others through religion. He served as an elder for the Presbyterian Church of Delta. Doc also recruited ministers to serve his parish and was instrumental in planning and building the Delta Methodist Church and is currently the pastor parish chairman. His Christian ethics are obvious to anyone who interacts with him. He is a man who lives by the words of God, "Do unto others as you would have done unto you."

As a former member of the Delta Village Council, a member of the Elks, president of the Fulton County Senior Center, member of the Farmers & Merchants Bank Board, member of Four County Mental Health Board, member of Ohio Veterinary Medical Association, and of the Delta Chamber of Commerce, Dr. Bay has earned his community's recognition and respect.

I have only begun to touch on the accomplishments of Dr. Robert L. Bay. His dedication to his career, devotion to his community, commitment to education, and passion for religious spirituality has earned his respect through rural Ohio. Dr. Bay is a man for all seasons. If he had a nickle for every person he has helped, he would certainly be a wealthy man. His perseverance and selflessness in serving his neighbors has made him a legend in his own time. If there were more people like Doc in the world, there would certainly be less suffering, war, and unhappiness. It gives me great pleasure to share with my colleagues in the House of Representatives the life of a man Delta knows, loves, and respects so highly, Dr. Robert L. Bay, 1990 Citizen of the Year.

THE 1989 QUESTIONNAIRE RESULTS

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. YATRON. Mr. Speaker, I rise at this time to share with my colleagues the results of my annual questionnaire which represents the views of the voters of Pennsylvania's Sixth Congressional District. Through such a high level of response, they have shown their interest in expressing their opinions on many of the crucial matters that face this 101st Congress. I encourage my colleagues to take the views of my constituents into consideration as we deliberate and vote on those issues following. The tabulated results are:

1989 QUESTIONNAIRE RESULTS

(1) Do you support a constitutional amendment banning flag burning?

(a) yes—66.5 percent.

(b) no—33.5 percent.

(2) Would you support legislation to reduce acid rain and improve the environment even though it may result in increases in your utility rates?

(a) yes—79.4 percent.

(b) no—20.6 percent.

(3) Legislation making child care more accessible and affordable is currently being considered by Congress. Which of the following would you favor?

(a) Federal funding for child care services meeting federal standards—10.5 percent.

(b) Tax credits to assist families with child care costs—36.8 percent.

(c) No federal involvement—let states run their own programs—17.4 percent.

(d) Do not favor any legislation but would prefer to let families and church groups provide care—35.3 percent.

(4) Do you favor the use of our military in fighting the war on drugs provided mission readiness is not jeopardized?

(a) yes—71.8 percent.

(b) no—28.2 percent.

(a) Under current law, the military is somewhat restricted from engaging in civilan law enforcement, thus limiting their involvement in drug interdiction. Do you think the President and Congress should seek to amend current law to allow the military greater participation in civilian law enforcement, therefore gaining their help in the war on drugs?

(a) yes—63.6 percent.

(b) no—36.4 percent.

(5) Would you support a national policy to promote recycling and use of products compatible with nature even if it initially requires additional expenditures by business, consumers, and local government?

(a) yes—88.8 percent.

(b) no—11.2 percent.

(6) As a result of our past commitment to the space program, many advances in medicine, technology, and communications, to name but a few, were made. By maintaining a similiar visionary outlook as that which we had in the 1960's and 70's and engaging in the task of exploration beyond our planet, many feel we stand to make even greater strides in terms and societal advancement. However, budget constraints have more recently limited our space program. Do you favor increased spending for our national space program?

(a) yes—44.6 percent.
(b) no—55.4 percent.
(7) Which do you feel is the most critical problem today?
(a) Environment—17 percent.
(b) Drugs—28.5 percent.
(c) Budget Deficit—15.5 percent.
(d) Trade Deficit—3.6 percent.
(e) AIDS—4.8 percent.
(f) Homelessness—4.1 percent.
(g) Crime—9.7 percent.
(h) Quality of Education—9.1 percent.
(i) Declining U.S. Competiveness—6.2 percent.
(j) Other—1.5 percent.
(8) In light of the recent aggressions against pro-democracy demonstrators in China, should the United States impose stiffer economic sanctions on China?
(a) yes—51.6 percent.
(b) no—48.4 percent.
(9) Some people feel that military adversaries like the Soviet Union pose the greatest danger to the United States because they threaten our military security. Others argue that economic competitors like Japan represent a greater danger because they threaten American jobs and economic security. Who do you feel represents the greatest threat to our national security?
(a) Military adversaries—16 percent.
(b) Economic competitors—54.5 percent.
(c) About the same—20.2 percent.
(d) Undecided—9.4 percent.
(10) Do you feel that the death sentence should be mandatory for those found guilty of engaging in spy activities/espionage against the United States?
(a) yes—69.8 percent.
(b) no—30.2 percent.

LEGISLATION TO RELIEVE IMPORTERS AND WHOLESALERS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. MATSUI. Mr. Speaker, I rise today to introduce legislation which will relieve certain importers, wholesalers, and users of industrial fasteners of countervailing duties that were unfairly and erroneously assessed against them.

This matter arises out of mistakes made by the U.S. Customs Service in 1979, 1980, and 1981, around the time when responsibility for the administration of the countervailing duty laws was transferred from the Treasury Department to the Department of Commerce. The U.S. Customs Service assessed countervailing duties prematurely on entries that subsequently were determined not to be subject to such duties.

In June 1979, the Treasury Department published a final countervailing duty determination concerning certain fasteners from Japan (Treasury Decision 79-158). The Treasury determination provided for the suspension of liquidation of entries of the affected fasteners, and for the deposit of estimated countervailing duties at the rates of 4.0 and 4.2 ad valorem. Under the scheme of the countervailing duty law, contained in the Tariff Act of 1930, as amended, a final affirmative countervailing duty determination does not lead immediately to the assessment of duties. Instead, estimated duties are required to be deposited until the administering agency—Treasury prior to 1980, Commerce since that time—has conducted an administrative review to determine the actual degree of subsidization of the entries during specified periods of time. Thus, pending such an administrative review and ascertainment of the actual duty rate, Customs is required to suspend the liquidation of entries of the affected merchandise.

In this case, importers, wholesalers and users made entries of these fasteners covered under Treasury Decision 79-158 between June 4, 1979 and December 31, 1981. The injured parties deposited estimated countervailing duties of approximately $1,266,000. Instead of suspending liquidation and waiting for Commerce to conduct an administrative review to ascertain the amount of countervailing duties actually payable, the Customs Service immediately liquidated these entries—at the estimated duty rates of 4.0 and 4.2 percent ad valorem. The injured parties, meanwhile, did not realize that this had occurred as they did not expect that their entries would be liquidated until after Commerce had performed its administrative review.

When Commerce issued its final results of the 1979, 1980, and 1981 administrative reviews, it found, with one exception, that no countervailing duties were payable for entries in these years. The exception arose in the 1979 review, in which Commerce found that countervailing duties of 0.37 percent ad valorem were due with respect to entries in 2 of the 17 tariff items covered by the countervailing duty order. With respect to these entries, for which deposits of 4.2 percent ad valorem had been required, the injured parties are simply seeking a refund of the difference between the amount at which the entries were liquidated and the amount actually due—i.e. 4.2 percent minus 0.37 percent. Had Customs not already liquidated the petitioner's entries, the petitioners would have had the full amount of the deposits for estimated countervailing duties refunded to them.

The injured parties have now spent nearly 7 years seeking to have Customs' errors in 1979 though 1981 undone, and they have exhausted all avenues of administrative and judicial relief available to them. In August 1983, in response to requests made in 1982 to correct the clerical error it had made in assessing countervailing duties on certain 1980 entries, the Customs Service issued a ruling holding that liquidations of entries of industrial fasteners prior to the issuance of the administrative review results were valid. This same ruling, however, acknowledged "a mistake of fact or inadvertence" with respect to the liquidation of the suspended entries, and stated that reliquidation would be permitted if "timely-filed relief" was requested—i.e. within the period of time provided for protest or requests for reliquidation under 19 U.S.C. sections 1514 and 1520(c). Subsequently, Customs denied the parties' requests on the basis that they had been made out of time. The injured parties protested these denials, and these protests were again denied.

The injured parties challenged the Customs Service ruling in the Court of International Trade, and in the court of appeals for the Federal circuit, and finally petitioned the Supreme Court for certiori, all to no avail. The lower courts ruled against the injured parties on a technicality, finding that the injured parties had not raised their objections with Customs within the one year period provided for by statute for bringing to Customs' attention "a clerical error, mistake of fact, or other inadvertence." The injured parties took the position that this 1-year period for correcting errors should not have been tolled when Customs inadvertently liquidated the entries, because these liquidations were in-and-of-themselves unauthorized acts. This position was consistent with the void liquidation doctrine which had been enunciated by the Court of Customs and Patent Appeals in 1968.

The errors made by Customs require correction; foreclosing recovery by the injured parties would represent a great injustice. Throughout the administrative and judicial review process, it has been undisputed that the injured parties entries should not have been liquidated when they were, and that they should not have been assessed countervailing duties. In addition, the circumstances under which Customs liquidated these entries explain why the injured parties were not able to bring this matter to Customs' attention within the one year period provided for by statute. A number of the parties did not have actual notice that liquidations had occurred. However, all the injured parties were charged with "constructive notice" because such notices were posted in the customhouse. While such "constructive notice" may be adequate in other instances where an importer is expecting that Customs will liquidate its entries, that it not the case in this situation. Given the operation of the countervailing duty law, which states that duties are not actually assessed until there has been an administrative review, the injured parties quite reasonably did not expect that Customs would err and prematurely liquidate their entries.

Mr. Speaker, for all these reasons, it is only fair that this bill be enacted. This legislation provides for the reliquidation of the injured parties' entries, and for the refund of all countervailing duties paid on those entries with interest according to law. It is, quite simply, the only equitable manner of resolving this unfortunate matter.

TERRORISM AND PEACE

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. LEVINE of California. Mr. Speaker, I commend the following editorial from yesterday's Los Angeles Times to my colleagues—and especially its theses that: First, terrorists are attempting to scuttle the Mideast peace process; and second, the civilized world cannot allow them to succeed.

[From the Los Angeles Times, Feb. 6, 1990]

TERRORIST WAR ON DIPLOMACY

The terrorists who coldbloodedly attacked an Egyptian tour bus filled with Israeli vacationers appear to have achieved a measure of what they wanted, at least for now.

High Israeli, Egyptian and Palestinian officials all agree that the brutal assault,

which killed at least 10 and wounded 18, was intended to sabotage any movement toward international talks about the future of Palestinians living under Israeli control. At a minimum the outrage has forced postponement of further steps in this direction. The task facing responsible leaders now is to make sure that a profound human tragedy isn't allowed to become a permanent political setback.

In Israel, Prime Minister Yitzhak Shamir's Likud Party has delayed a crucial central committee meeting that had been called for Wednesday to consider his policy regarding talks with U.S. and Egyptian officials about West Bank elections. In terms of peace prospects, that's just as well. Shamir has never softened his assertion that Israel has a right to sovereignty over the West Bank. That hasn't spared him from attack by Trade and Industry Minister Ariel Sharon and other right-wingers who bitterly oppose any possible concessions on the West Bank's political future. Better for Shamir to make his case to his party after the mood of sorrow and anger has had a chance to subside.

The Egyptian government seems genuinely shocked by what occurred on a highway 30 miles east of Cairo. Israel on its part seems satisfied with Egypt's efforts to identify and arrest those responsible. This was the fifth attack on Israelis in Egypt since the two countries made peace in 1979, and it was the worst. Clearly, Egypt must provide greater security for visiting and resident Israelis. Just as plainly, all sides must recognize that there will always be fanatics who are dedicated to making war on the innocent to keep tensions and fears high. Wise and courageous leaders will refuse to cooperate in handing these terrorists the political victories they crave.

BLACK HISTORY MONTH SALUTES: CHARLES HAMILTON HOUSTON, WILLIAM HENRY HASTIE, CONSTANCE BAKER MOTLEY, AND PATRICIA ROBERTS HARRIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. TOWNS. Mr. Speaker, as we know, February is Black History Month. Africans first stepped on American soil in 1619. In those 371 years, the history of black Americans has been marred by slavery, injustice, and racism.

However, in the face of these overwhelming obstacles black Americans have survived and often prospered. These people of strength and courage excelled in fields as varied as law, medicine, science, journalism, business, the arts, and religion. It is in recognition of the struggle and achievements of these incredible people that I present to you portraits of men and women who used their legal talents not for personal enrichment or self-aggrandizement, but for the liberation of black Americans from the stranglehold of de jure segregation. These black American legal giants may not be well-known figures, but they contributed substantially to the history of our country.

I do this in the hope that the knowlege of their struggle and ultimate triumph will inspire yet another generation to work to overcome any obstacle which may be encountered on the long and arduous road to freedom. As Dr. Martin Luther King said in his last speech, "I know that we as a people will get to the promised land someday."

These portraits are taken from the Encyclopedia of Black America, edited by W. Augustus Low and Virgil A. Clift. I commend these gentlemen on their enlightening work.

CHARLES HAMILTON HOUSTON

Charles Hamilton Houston was born in Washington, D.C. in 1895. At the age of 19, Houston received his B.A. degree and a Phi Beta Kappa Key from Amherst College.

After two years of teaching at Howard University and two years in the military service, Houston entered Harvard Law School. He received an LL. B. degree in 1922 and a D.J.S. degree in 1923.

In 1924, he formed a lifelong law partnership with his father under the firm of Houston and Houston. At the same time, he began his career in legal education. After five years as a legal instructor, he was elevated to associate professor and to vice-dean of the School of Law, concurrent positions he held until 1935. In addition from 1933 to 1935, Houston served as a member of the Board of Education of the District of Columbia. In 1944, he was appointed by President Harry S. Truman to the President's Committee on Fair Employment Practices. From 1935 to 1940, he served as special counsel of the National Association for the Advancement of Colored People (NAACP) at its national headquarters in New York City. Although Houston served on innumerable national organizations, much of his greatest distinction came as counsel for the NAACP. He spearheaded the strategy that led to the successful attack on the "separate but equal" legal doctrine, which had been the underpinning for the American system of racial segregation.

Houston was posthumously awarded the Spingarn Medal by the NAACP in 1951.

WILLIAM HENRY HASTIE

William Henry Hastie was born in Knoxville, Tennessee in 1904. He received his B.A. degree from Amherst College (1925), an LL.B. degree from Harvard University (1930) and an S.J.D. degree from Harvard University (1933).

He joined the faculty at Howard University. While teaching, Hastie was admitted to the District of Columbia bar and joined the firm of Houston and Houston. During that period, he was also brought into President Franklin D. Roosevelt's New Deal administration and served as assistant solicitor in the U.S. Department of Interior from 1933 to 1937, despite southern objections to his connections with the NAACP. In 1937 Hastie was appointed by President Roosevelt as judge of the U.S. District Court for the Virgin Islands. With this appointment, he became the first African American to be appointed to the federal bench.

Hastie returned to Howard University in 1939 as a Professor of Law and Dean of the School of Law, taking a leave of absence from 1940 to 1943 to serve as a civilian aide to Secretary of War, Henry L. Stimson. In protest over the continued segregation practiced by the U.S. Army, he left his position and returned to Howard University. He remained at Howard until he was appointed Governor of the Virgin Islands by President Harry S. Truman. In 1949, President Truman appointed him judge of the U.S. Court of Appeals, Third Circuit. Hastie remained in this position until his retirement in 1971.

CONSTANCE BAKER MOTLEY

Constance Baker Motley was born in New Haven, Connecticut in 1921. She received a B.A. degree from New York University in 1943 and her LL.B. degree from Columbia University in 1946. Even before her graduation from law school, she joined the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, Inc., and remained with the Fund as a litigator until 1965. From 1961 to 1964, she argued ten major civil rights cases before the United States Supreme Court. She won nine of the cases.

In 1964, Motley was elected to the New York State Senate. With her election, she became the first Black American woman to sit in the senate. In 1965, the New York City Council elected her Manhattan Borough President. A year later, she was appointed to the federal judiciary by President Lyndon B. Johnson. Today, she serves as a Federal Judge in the Southern District of New York.

PATRICIA ROBERTS HARRIS

Patricia Roberts Harris was born in 1924 in Mantoon, Illinois. She completed her undergraduate studies in 1945, graduating summa cum laude from Howard University. She received her J.D. degree with honors from George Washington University in 1960.

After spending a year working for the U.S. Department of Justice, she served as Associate Dean of Howard University and lecturer in law from 1961 to 1963. In 1963, Harris became Professor of Law at Howard University. From 1965 to 1967 she served as United States Ambassador to Luxembourg. In 1969 she was made Dean of the Howard University School of Law.

Following her deanship, she joined a Washington, D.C. law firm as a partner. By this time her educational recognition had expanded to include several degrees from institutions throughout the country. During her career, Harris was active on numerous committees and commissions dedicated to the fight for civil rights.

A politically active person as well, she was a delegate to the Democratic National Convention in 1964, a presidential elector from the District of Columbia in 1964, Chair of the credentials committee in 1972, and a member-at-large of the Democratic National Committee in 1973. In 1977, President Jimmy Carter appointed her to his cabinet as Secretary of Housing and Urban Development, making her the first Black woman to serve as a cabinet Secretary.

HICKORY HILLS ELEMENTARY

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. DARDEN. Mr. Speaker, Hickory Hills Elementary School in Marietta, GA, will celebrate its 30th anniversary next week. This school is well-known in the seventh congressional district and the State of Georgia for its quality faculty and staff and its commitment to excellence in education. This year's "Marietta Teacher of the Year," Ms. Donna Milton,

teaches at Hickory Hills. Hickory Hills School is an important part of our community, and it holds particular significance for me. Both of my children attended Hickory Hills; my wife, Lillian, is a former teacher and P.T.A. president at Hickory Hills, and I briefly served as president of the Hickory Hills P.T.A. until my election to this body. So I am particularly appreciative of this great school and the impact it has had on our community throughout its 30-year existence. I am sure I speak for the teachers, faculty, parents, and students, when I express my wish for another 30 years of excellence at Hickory Hills.

I ask that the following article from the February 2, 1990, Marietta Daily Journal be included in the RECORD.

HICKORY HILLS ELEMENTARY PLANS 30TH ANNIVERSARY CELEBRATION

(By Martha Collins)

"Remember when" will be the key words at Hickory Hills Elementary School in Marietta, Feb. 12-16 as the students, PTA, teachers, alumni and former teachers celebrate the school's 30th anniversary.

The week will begin with the students' decorating the doors, many with old snapshots, newspaper articles and graffiti, to make the entire school a scene of nostalgia. The display case will hold even more memorabilia from the past.

All students will be given "birthday buttons" featuring a picture of a dragon (the school mascot) blowing out candles on a birthday cake. The buttons were made by the PTA for the children to wear all week as a part of the celebration.

Tuesday, Feb. 13, will be "Backwards Day," said Beth Drew, co-chairman of publicity for the event. "The children will walk backwards, wear sweaters backwards—even the meals will be reversed," she said. Sack lunches will be provided early and room mothers will provide breakfast at the end of the day.

Wednesday, Valentine's Day, is a day for parties in the classrooms, so special celebrations are not being planned, she said.

Former teachers, alumni, parents, and anyone interested in the school are invited to attend a formal reception in the cafetorium from 10 a.m. to noon, Thursday, Feb. 15, said Nancy Hunter, co-chairman of the event.

"We sent out 300 invitations, but many people were missed. This is our invitation to them," she said.

"We want as many people as can to attend since we have 30 years of teachers coming back to be honored at the reception."

In addition, the library will be dedicated to Jane Riley at 11 a.m. "We want to honor her for her 15 years as principal of Hickory Hills," said Ms. Drew. "She retired last year. She was the principal the longest length of time (longer than any other principal)."

To wind up the week, Friday, Feb. 16, will be Green and White Day, with everyone wearing the school colors. At 2 p.m. the students will go to the cafetorium for the birthday party. Room mothers will provide party hats.

The entertainment for this party will be teachers-parents follies, headed by second grade teacher Joyce Hopkins. This skit will reflect on the past 30 years. The afternoon of celebration will end with a birthday cake. The students will have cake provided by the room mothers in the classrooms.

The week of fun for the students will include the parents as well as the students Friday night at a Sock Hop, complete with a disc jockey, Doug "Big Daddy" Williams. From 7:30 to 10 p.m., the school will take on the motif of a soda shop with decorations by Nancy Cox, a graphic designer and mother of a Hickory Hills fifth grader, Julie.

"She is making a huge 3-D jukebox with the effect of a real jukebox, and a disc jockey box," said Ms. Hunter. At one end of the room will be a "soda fountain" with pizza and Coke for sale.

Special decorations and displays from the past will again be the order of the day. Everyone is encouraged to pull out their poodle skirts, saddle shoes, letter sweaters, and clothes reminiscent of the past 30 years for this occasion.

"Our principal, Laura Lester, conceived the whole idea for this week of celebration," said Ms. Drew. "Last fall, she approached me about doing this."

Ginger Autry is co-chairman of the event with Ms. Hunter. Committee chairmen include publicity, Ms. Drew and Martha Lee Brumby; buttons, Cindy Ryals and Cindy Buchanan; food, Meredith Dykes and Wardin Bassler; decorations, Nancy Cox; invitations, Cathy Colquitt and Anna Tucker; sock hop tickets, Cathy Case; and skit, Joyce Hopkins.

H.R. 3906—THE ENERGY AND ENVIRONMENTAL PROTECTION ACT OF 1990

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, last week I joined Congressman DURBIN and 14 of my colleagues in introducing H.R. 3906, the Energy and Environmental Protection Act of 1990, that would help to develop and expand the use of ethanol, given it's importance to our domestic economy and as a clean-burning fuel alternative for the future.

It is imperative that we continue the Federal ethanol support initiatives that were first approved by the Congress over a decade ago. The combination of air quality problems and our growing reliance on imported petroleum-based fuels forces us to look toward clean-burning fuel alternatives, such as ethanol, with renewed vigor as a strategy to address these problems. Congress cannot afford to ignore the health and economic risks associated with our country's detrimental reliance on imported oil.

In addition, the Congress is expected to pass new clean air legislation that will most likely include requirements to use alternative fuels in our Nation's cities that cannot meet the clean air standards. In light of this commitment by the Congress and the administration to expand the use of alternative fuels, the incentives that are currently in place that make ethanol a viable product are necessary to ensure it's continued availability to meet the anticipated new clean air requirements.

According to the EPA, over 100 cities in the United States are presently out of compliance with current air quality standards. This reflects an increase of 37 more areas over the previous year that fail to comply with the Clean Air Act.

I believe that the development of alternative fuels should be part of the solution to bring these cities into compliance. Alternative motor fuel consumption reduces the amount of toxic emissions polluting our environment. For example, ethanol fuel use emits up to 25 percent less carbon monoxide when substituted for other petroleum-based motor fuels.

Of equal significance, using alternative fuels such as ethanol has a second desired effect of providing an alternative use of farm commodities and strengthening farm prices. These motor fuel alternatives not only release fewer harmful particulates into our environment, but their utilization has a favorable impact on our farm economy and helps us to reduce our reliance on imported oil. Further, the current ethanol program is cost effective; the money saved through reduced farm program expenditures exceeds the costs in reduced tax revenues necessary for funding the ethanol enhancement programs. An administration task force report in 1987 estimated that for every $0.60 in tax credits expended for ethanol development and production, farm program costs would be reduced between $0.59 to $1.37.

That's why we've introduced H.R. 3906, the Energy and Environmental Protection Act of 1990. This legislation would extend and clarify those Federal tax incentives necessary to expand the use of clean-burning, ethanol-based fuels. These fuels will emit fewer dangerous chemicals into the atmosphere and therefore will help us to clean up our cities, reduce acid rain, and contribute to the check on global warming.

Ethanol's contribution to our important national energy and health policy goals will be maintained under this bill.

Let me briefly summarize the main provisions of the bill:

PROVISIONS OF THE ENERGY AND ENVIRONMENTAL PROTECTION ACT OF 1990 (H.R. 3906)

Extends the excise tax exemption and the blender's tax credit for alcohol fuels to the year 2002.

Further clarifies that the blender's tax credit includes Ethyl Tertiary Butyl Ether (ETBE).

Also extends the ethanol import tariff to the year 2002.

Requires a 3.1 oxygen content for all motor fuels sold in carbon monoxide non-attainment areas.

Directs the EPA to report to Congress on the environmental impact of certain aromatic compounds in conventional fuels and to address the benefits of replacing these compounds with ethanol or ETBE.

Congress established an ethanol program in 1979 that has worked well to date. Collectively, the Federal ethanol support efforts—including the current excise tax exemption and credits, and the tariff provisions and CBI initiative—have been critical in making ethanol-based fuels competitive in the motor fuel marketplace.

In light of very disturbing evidence that we've been increasing our consumption of imported conventional motor fuels that contribute to our air quality problem, I think it's time to send a clear signal to our ethanol producers and blenders—that we recognize ethanol-based motor fuel as an important clean-burning fuel alternative and will ensure its availability in the future. Moreover, it seems to me that we must mandate the use of clean-burning

fuels including ethanol, at least in those carbon monoxide and ozone non-attainment cities that continue to endanger the lives of their residents.

I urge my colleagues to cosponsor H.R. 3906, legislation that will help us to clean up our cities. An important step toward solving the problems associated with conventional fuel use are our efforts to extend the Federal incentives that enhance the development and use of ethanol as a motor fuel alternative. With your support, we can assure that clean-burning, ethanol-based fuels remain a viable weapon for combating our increasing environmental and economic problems.

INTRODUCTION OF THE ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1990

Mr. KASTENMEIER. Mr. Speaker, today I am introducing the Architectural Works Copyright Protection Act of 1990, a bill that amends the Copyright Act to protect works of architecture by creating a new category of copyright subject matter. I would expect my subcommittee—the Subcommittee on Courts, Intellectual Property, and the Administration of Justice—to hold hearings on this measure in the near future.

On March 1, 1989, the United States adhered to the Berne Convention for the Protection of Literary and Artistic Works, the world's oldest and most prestigious multilateral copyright treaty. Adherence has brought us immediate benefits by establishing new copyright relations with 26 countries, and by giving us greater participation in shaping future revisions to international intellectual property law.

The objective of the Berne Convention Implementation Act, which was the work product of my subcommittee, was simple: to permit adherence by making only those changes in U.S. law absolutely required to meet our treaty obligations. This approach, so-called minimalism, was not adopted out of a desire to sneak into the convention, but, rather, out of a conviction that when legislating in the area of copyright—an area that deeply affects Americans' enjoyment of books, films, television programming, music, and the visual arts, to say nothing of our reliance on copyrighted computer software—we must proceed with great caution in order to avoid upsetting the existing balance of interests among creators, distributors, and consumers.

One of the requirements of the Berne Convention is protection for works of architecture—the constructed design of three-dimensional structures. This protection is entirely separate from that granted to architectural plans, drawings, and models. My original Berne implementation bill therefore included express protection for works of architecture, limited by exemptions and restrictions on remedies necessary to protect the public interest, as well as the interests of the real estate and architectural communities.

During our initial deliberations on Berne adherence, the issue of protection for works of architecture failed to draw much response. Then, near the end of the hearing process, two respected copyright scholars—Prof. Paul Goldstein, Stanford Law School, and Barbara Ringer, Esq., former Register of Copyrights—testified that creation of a separate statutory provision for works of architecture may not be required under the minimalist approach. This conclusion was based on certain language in the Judiciary Committee's report accompanying the Copyright Revision Act of 1976.

Relying on this testimony, the provisions on works of architecture were deleted from the implementation bill. The experts recommended, however, and I agreed, that further study of the issue be undertaken. Consequently, on April 27, 1988, I sent a letter to the Register of Copyrights, Ralph Oman, requesting the Copyright Office to conduct a full review of the subject, and to report the results of that review to me, including any recommendations for amending the Copyright Act.

In order to gain information for the study, the Copyright Office published a notice of inquiry in the Federal Register, soliciting comments from all affected parties on a comprehensive list of questions. Eleven replies were received. Respondents included the Frank Lloyd Wright Foundation, the American Institute of Architects, individual architects and engineers, and law firms representing architects, contractors, and builders.

On June 19, 1989, Ralph Oman delivered his 226-page report to me. In reading the document, I was surprised to learn that the study had generated sharp conflict within the Copyright Office. In his preface to the report, Mr. Oman noted: "I know of no other issue to arise in the Copyright Office that has engendered such deep and bitterly fought professional disagreements." Ralph Oman added, though, that the dispute had "less to do with attitudes about the Chrysler Building than toward designs of Chrysler cars." The disagreement in the Copyright Office revolved around whether existing law provides protection for at least some works of architecture, a disagreement I also found surprising, in light of the Copyright Office's apparent agreement with the views of the two aforementioned copyright experts that the 1976 House Judiciary report formed a basis for Berne compliance. In any event, on two critical points, all Copyright Office experts agreed: the Berne Convention requires protection for works of architecture, and U.S. law should be amended to expressly so provide.

Treaty obligations are solemn undertakings, not be taken lightly. In light of the apparent uncertainty regarding the protection of works of architecture under existing U.S. law, I am introducing today the Architectural Works Copyright Protection Act of 1990, designed to place U.S. law unequivocally in compliance with our Berne obligations. Fully in keeping with the minimalist approach, this bill makes only those changes necessary for compliance, and it does so in straightforward language, free for entanglement in the controversy over design protection and useful articles. I am pleased to note that the Copyright Office enthusiastically supports the bill.

Mr. Speaker, this is important legislation because of the central role works of architecture play in our daily lives, not only as forms of shelter and as investments, but also as works of art. Architecture is an art form that performs a very public, social purpose. As Winston Churchill once remarked: "We shape our buildings and our buildings shape us." We rarely appreciate works of architecture alone, but instead typically view them in conjuction with other structures and the environment at large, where, at their best, they serve to express the goals and aspirations of the entire community. Frank Lloyd Wright, a proud son of my home State of Wisconsin, and indeed of my congressional district, aptly observed: "Buildings will always remain the most valuable aspect in a people's environment, the one most capable of cultural reaction."

The truth of this observation is borne out every day in this very building, which serves as a strong symbol of our country's dedication to democracy. The sheer number of visitors to the Capitol speaks eloquently to the success of that symbol. Indeed, the important relationship between democracy and architecture was well understood by our Founding Fathers. The design of the Capitol was strongly influenced by Thomas Jefferson, whose love of architecture is well known and visible today in his own works of architecture at Monticello and at the University of Virginia. It is less well known that Jefferson submitted an anonymous entry for the competition to build the White House. His design was highly regarded, and even though he lost to James Hoban, Jefferson as President made a number of changes to the building, assisted by Benjamin Henry Latrobe, an architect whose work we now gather in.

Other countries, of course, have rich architectural heritages. Paris is almost synonymous with Notre Dame, the Eiffel Tower, and for lovers of high-technology architecture, the Pompidou Centre. Sometimes cities come to be identified principally through their landmarks. who can think of Sydney, Australia, without envisaging Jorn Utzon's beautiful Sydney Opera House, a work whose soaring features were transplanted and adapted by Eero Saarinen in the TWA terminal at JFK Airport, and again, closer to home, at Dulles Airport.

The surrealistic architecture of the Antonio Gaudi in Spain clearly reveals architecture's poetic nature, a point made by renowned critic Ada Louise Huxtable, who wrote that architects can make "poetry out of visual devises, as a writer uses literary or aural devices. As words become symbols, so do objects; the architectural world is an endless source of symbols with unique ramifications in time and space."

Mr. Speaker, the point of this all too brief review of the creative nature of architecture is to give some indication of the subject matter of this legislation. My bill, in keeping with the Berne Convention, is intended to cover an architect's artistic expression. It does not encompass methods of construction, or purely functional elements comprised of standard features, such as plain doorways, arches, windows, or roofs, nor to the Levitttowns of the country.

How will we be able to distinguish between architectural expression and mere construction? This distinction may prove to be a difficult one, based on the proposition that archi-

tecture's artistic expression takes place in a functional context. Although this issue will be explored further during hearings, Mrs. Huxtable provides a useful starting point:

[T]echnology is not art, and form only follows function as a starting point, or life and art would be much simpler than they are. The key to the art of architecture is the conviction and sensitivity with which technology and function are interpreted aesthetically, in solutions of a practical social purpose.

In order to determine copyrightability or the scope of protection, the Copyright Office or the courts will assess the particular nature of creativity in works of architecture as presented in the particular structure at issue.

I will now, briefly, review the provisions of the bill.

Section 1: This section provides that the act may be cited as the "Architectural Works Copyright Protection Act of 1990."

Section 2: Section 2 adds a new definition "architectural work" to the Copyright Act and amends another one "Berne Convention Work".

Paragraph (a) amends section 101 of title 17 to provide a definition of the subject matter protected by the bill, architectural works. An "architectural work" is defined as "the design of a building or other three-dimensional structure, as embodied in that building or structure." This definition has two components.

First, it states that what is protected is the design of a building or other three-dimensional structure. The term "design" is intended to encompass both the overall shape of a structure as well as protectable individual elements. There is, however, only one "architectural work" per structure; separate registrations may not be sought for multiple protectable elements in any given structure. This provision recognizes both that creativity in architecture frequently takes the form of a selection, coordination, or arrangement of unprotectable individual elements into an original, protectable whole, and that an architect may incorporate new, protectable design elements into otherwise standard, unprotectable building features. In both cases, what is protected is only the architect's original contribution.

Second, by requiring that the design be embodied in a building or other three-dimensional structure, the definition makes clear that the protectable subject matter is the built design, and not the design of the building as depicted in architectural plans, drawings, models, or elevations. These latter types of works are presently protected as pictorial, graphic, or sculptural works, and that protection is untouched by this bill.

Paragraph (b) amends the definition of "Berne Convention Work" in section 101 of title 17, to provide a point of attachment for national eligibility purposes. The amendment provides that in the case of an architectural work, the work is a Berne Convention Work if the building or structure that the architectural work is embodied in "is erected in a country adhering to the Berne Convention." This amendment is necessitated by United States membership in the Berne Union.

Section 3: This section amends section 102 of title 17 to provide a new category of protected subject matter: "architectural works." By creating a new category of protectable subject matter, and, therefore, by not encompassing architectural works as pictorial, graphic, or sculptural works, under the bill the copyrightability of architectural works will not be evaluated under the separability test applicable to pictorial, graphic, and sculptural works embodied in useful articles. There is considerable scholarly and judicial disagreement over how to apply the separability test, and the principal reason for not treating architectural works as pictorial, graphic, or sculptural works is to avoid entangling architectural works in this disagreement. It is not to be suggested, though, that in evaluating the copyrightability or scope of protection for an architectural work, the courts and the Copyright Office should ignore functionality. A two-step process is envisioned. First, an architectural work should be examined to determine whether there are original, artistic elements present, including overall shape. If so, a second step is reached to examine whether the original, artistic elements are functionally required. If the elements are not absolutely functionally required, the work is protectable. The proper scope of protection is a different matter; functional considerations may, for example, determine only particular design elements. In such a case, protection would be denied for the functionally determined components, but would be available for nonfunctionally determined design elements. The court must be free to develop their own applications of these principles, free from the separability debate raging for pictorial, graphic, and sculptural works embodied in useful articles.

While this amendment is straightforward and minimalist, the area is complicated. At the outset, I want to note at least two possible alternatives. These alternatives, to be discussed during the hearing process, will be subjected to full and fair debate.

The first alternative would be to amend the definition of "useful article" in section 101 of title 17 so that one-of-a-kind buildings and other three-dimensional structures that possess a "unique artistic character" are not considered "useful articles." The purpose of this alternative would be to avoid, for a limited class of works of architecture, application of the difficult separability test presently required of pictorial, graphic, and sculptural works embodied in useful articles. The alternative accomplishes this, however, by injecting into copyright law two concepts that Congress and the courts have historically rejected; namely, a requirement of uniqueness and a subjective determination of artistic character.

The bill as now drafted accomplishes the same goal as this alternative, but without doing violence to well-established principles of copyright law. Nonetheless, in order to stimulate debate, I am introducing this proposal as a separate measure. Entitled the "Unique Architectural Structures Copyright Act of 1990," the bill defines "useful article" as one having an intrinsic utilitarian function that is not merely to portray the appearance of the article or to convey information, except that "unique" structures are not useful articles.

A second alternative, proposed by the American Institute of Architects, would not protect architectural works as defined in my bill, but would instead extend existing rights in architectural drawings or models to "prohibit the construction of a building or other three-dimensional structure resulting from the unauthorized reproduction of such drawing or model."

Arguably, there are two difficulties with this proposal. First, it does not take into account the purpose of the bill, which is to place United States law in compliance with the minimum requirements of the Berne Convention. Based on the Copyright Office report and the record before the Congress in our Berne deliberations, it is clear that article 2(1) of the Berne Convention mandates protection for the assembled original design of three-dimensional structures. The level of protection granted to two-dimensional plans and drawings is an entirely different issue, and must therefore be judged outside of the minimalist approach.

The second problem with this approach is that, judged outside of the minimalist approach and on its own merits, it creates rights heretofore rejected by the Congress and the courts. Copyright in two-dimensional works has never included the right to prohibit the construction of uncopyrightable three-dimensional works depicted therein. Such protection must come, if at all, under the patent law. Moreover, the AIA's proposal could prohibit the construction of objects that fail both the patent and copyright standards for protection, including bridge approaches, parking garages, and simple tract housing, if these structures were build using unauthorized copies of copyrighted plans or drawings. We must be extraordinarily careful before granting such rights. I firmly believe that advocates of such proposals—and indeed advocates of all proposals to extend copyright protection—should shoulder the burden of showing first, that the new interest for which protection is sought fits harmoniously within the existing legal framework without violating basic principles or basic concepts; second, that the rights can be clearly and satisfactorily defined; third, that the costs of the proposal do not adversely affect the public or legitimate interest groups, nor unfairly enrich the proponents of the legislation, and, finally, that the proposal will benefit the public.

I do not presently have sufficient information to weigh the proposal against this test and hope to explore this matter further during my subcommittee's hearings.

Section 4: This section creates a new section 120 of title 17, United States Code, limiting the exclusive rights in architectural works.

Subsection (a) permits the unauthorized "making, distributing, or public display of pictures, paintings, photographs, or other pictorial representations of the work, if the building or other three-dimensional structure in which the work is embodied is located in a public place." Similar exceptions are found in most Berne member countries. In order for United States law to be in compliance with article 9(2) of the Berne Convention as regards commercial reproductions, an argument may be raised that this exception should be limited to instances in which the architectural work does not constitute the primary subject of the two-dimensional reproduction.

Subsection (b) provides limitations on remedies available for infringement of architectural

works. Paragraph (1) states that injunctions will not lie against construction of an allegedly infringing structure if construction has substantially begun. Paragraph (2) provides that under no circumstances may an infringing building be seized or demolished under chapter 5 of title 17. These limitations are designed to protect the development community from potentially draconian consequences. Of course, monetary damages under chapter 5 are still available, and are unaffected by this provision.

Subsection (c) provides limitations necessary to protect owners of buildings or other three-dimensional structures. Paragraph (1) pemits owners of buildings or other three-dimensional structures embodying protected architectural works to make minor alternations to the building or structure for any purpose without the consent of the copyright owner of the architectural work. Paragraph (2) permits the owners of buildings or other three-dimensional structures embodying protected architectural works to make alternations necessary to repair the building or structure without the consent of the copyright owner of the architectural work.

Subsection (c) is narrowly drafted to avoid congressional involvement in the frequently bitter controversies over additions and alterations to buildings for purposes of "enhanced utility," an extremely vague concept nowhere found in the copyright law. Such matters might best be left to contract law. However, I would hope that more information on this issue would be developed during subcommittee hearings, especially regarding whether alterations or additions would be considered derivative works, under some circumstances, and if so, whether contract law nevertheless provides the appropriate forum for owners of structures and copyright owners of architectural works to bargain over rights.

As in so many areas of law, the Copyright Act frequently operates as a default mechanism, utilized principally when the parties fail to take into account particular issues. In the cases of alterations and additions, competing default interests are at stake. Good arguments can be made that owners of buildings should be able to alter them to suit their needs. Yet some alterations can destroy the integrity of an architect's work. Perhaps such alterations are encompassed with the copyright owner's right to make derivative works. Another way to protect against such alterations would be to provide moral rights. However, it is my understanding that those responding to the Copyright Office's notice of inquiry did not believe a provision on moral rights was necessary.

The final statutory change made by section 4 is a comforming amendment to the table of sections at the beginning of chapter 1 of title 17 and to section 106 of title 17 to reflect new section 120.

Section 5: Effective date. The bill is prospective only, governing works of architecture created on or after the date of enactment.

There are other issues raised by copyright protection for architectural works. These issues are presented by the bill's minimalist approach. One of these issues is originality. By simply providing for a new category of protected subject matter in section 102(a) of title 17, the bill intends that the same standard of originality applied by the courts to the other seven categories of subject matter in section 102(a) will be applied to architectural works. Earlier proposals to require a higher standard were criticized by the American Institute of Architects and others. My bill takes into account these criticisms. This does not mean, though, that copyright in architectural works extends to methods and processes of construction, architectural styles, or to the idea of creating a rod, window, arch, or doorway in a particular way. The limitations currently found in section 102(b) of title 17 will apply equally to architectural works.

Another question raised by protection for architectural works is determining infringement. As with originality, the Copyright Act currently leaves such determinations up to the courts. The act does not out of a desire by Congress to shirk a difficult task, but out of a studied conviction that such determination can only be addressed in a judicial proceeding, where all the relevant facts can be fully evaluated. My bill will continue to rely on the courts to determine infringement questions, consistent with existing copyright law.

A final issue concerns preemption of State laws. Section 301 of the Copyright Act contains a two-step preemption test. First, the subject matter must be one specified in section 102 or 103 of title 17. Second, the rights granted by the State must be equivalent to "any of the exclusive rights within the general scope of copyright as specified in section 106." Since architectural works will be specified in section 102 under the bill, the subject matter prong of the preemption test would be satisfied. The second prong, that of equivalent rights, is therefore the important one. The courts have done an admirable job in applying this prong in cases of claims of misappropriation, breach of contract, conversion, rights of privacy and publicity, deceptive trade practices, and unfair competition. The courts should have no difficulty applying these same principles to architectural works.

My concern is with State zoning and landmark laws. Zoning laws are not, in my opinion, preempted under the bill because they do not concern themselves with rights granted under the Copyright Act. Indeed, they come into play before the architectural work is even created. Landmark laws stand on a different footing, though, since they place limitations on architectural works that have been created. Since this bill is prospective only, the issue of preemption of State landmark laws will not arise until sometime well into the future, but I do believe it is one that should be addressed. As an initial matter, landmark laws could conceivably conflict with the copyright owner's right to make derivative works, since the laws could prohibit alterations. Theoretically, such restrictions would apply to the "copy"—the building or other three dimensional structure—and not to the intangible intellectual property—the architectural work. However, since many architectural works are only embodied in an original structure, State landmark laws could, at least potentially, conflict with a copyright owner's right to make a derivative alteration, especially in cases where the copyright was transferred to a building owner who needs extra space.

During the course of the deliberations on the two bills I may conclude that such alterations are not, in fact, encompassed by the copyright owner's right to make derivative works, or that State landmark laws are not preempted for other reasons. At this early stage, however, I am not prepared to rule out the possibility that section 301 of title 17 should be amended to prevent preemption of State landmark laws. Since section 301(d) of title 17 states that other Federal laws are not preempted by the Copyright Act, the issue of preemption of national landmark laws is not presented by the bill.

This summary, Mr. Speaker, highlights the areas raised by copyright protection for architectural works. I ask my colleagues to take a careful look at these two important bills, and I invite their support and recommendations. Any questions may be addressed to the Subcommittee on Courts, Intellectual Property, and the Administration of Justice, 2137 Rayburn Building Washington, DC 20515, telephone (202) 225-3926.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, February 8, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 9

10:00 a.m.

Appropriations

Labor, Health and Human Services, Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Health and Human Services, focusing on the Office of the Assistant Secretary for Health, the Office of Health Care Policy and Research, the Centers for Disease Control, the Alcohol Drug Abuse and Mental Health Administration, and the Health Resources and Services Administration.

SD-192

Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1991 budget.
SD-608

Finance
International Trade Subcommittee
To hold hearings on proposed legislation to make permanent the Caribbean Basin Initiative.
SD-215

Foreign Relations
To hold hearings to examine the future of NATO.
SD-419

Labor and Human Resources
To hold hearings on the nomination of Antonia Coello Novello, of the District of Columbia, to be Surgeon General of the Public Health Service, Department of Health and Human Services.
SD-430

FEBRUARY 13

10:00 a.m.
Labor and Human Resources
Labor Subcommittee
To hold oversight hearings to examine employer pension plans, focusing on liability as a result of an insurance company defaulting on insurance obligations.
SD-430

FEBRUARY 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold joint hearings with the Select Committee on Indian Affairs on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on Indian issues.
SR-332

Select on Indian Affairs
To hold joint hearings with the Committee on Agriculture, Nutrition, and Forestry on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on Indian issues.
SR-332

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for conservation programs of the Department of Energy, and the Smithsonian Institution.
SD-116

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Health and Human Services, focusing on the National Institutes of Health, the Office of Director, Buildings and Facilities, the National Cancer Institute, the Heart, Lung, and Blood Institute, the National Dental Institute, Diabetes, Digestive, and Kidney, Allergy and Infectious Diseases, Child Health and Human Development, and Environmental Health.
SD-138

1:30 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Health and Human Services, focusing on the National Institutes of Health, the Neurology Institute, the Deafness Institute, General Medical Sciences, the National Eye Institute, the National Institute on Aging, Arthritis, Musculoskeletal and Skin Division of Research Resources, Nursing Research, Human Genome, and the National Library of Medicine.
SD-138

2:30 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on agricultural credit.
SR-332

FEBRUARY 21

9:00 a.m.
Armed Services
To hold hearings on the military strategy and operational requirements for rapid reinforcement and associated transportation requirements.
SR-222

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on trade issues.
SR-332

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Education, focusing on the Office of the Secretary of Education and Special Institutions.
SD-192

Governmental Affairs
To hold hearings on S. 1742, to further the goals of the Paperwork Reduction Act (P.L. 96-511), and comprehensively strengthen agency responsibility and accountability of information resources management.
SD-342

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Customs Service, and the Federal Election Commission.
SD-116

Foreign Relations
To hold hearings on the report on arms control prospects following Moscow and Ottawa Ministerial meetings.
SD-419

1:15 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Education, focusing on the Offices of the Assistant Secretaries of Education and the Office of the Inspector General.
SD-192

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 844 and H.R. 1484, bills to establish a National Park Service Review Board, S. 1360 and H.R. 2844, bills to provide for the protection of certain National Park System resources, and S. 1859, a bill to restructure repayment terms and conditions for loans by the Secretary of the Interior to the Wolf Trap Foundation for the Performing Arts for the reconstruction of the Filene Center in Wolf Trap Farm Park in Fairfax County, VA.
SD-366

FEBRUARY 22

9:00 a.m.
Armed Services
To resume hearings on the implications of changes in the Soviet Union and Eastern Europe for Western security.
SR-222

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on grain quality enhancement.
SR-332

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 1400, to regulate interstate commerce by providing for a uniform product liability law.
SR-253

Energy and Natural Resources
To hold oversight hearings on the implementation of the Department of Energy's civilian nuclear waste program.
SD-366

Governmental Affairs
To continue hearings on S. 1742, to further the goals of the Paperwork Reduction Act (P.L. 96-511), and comprehensively strengthen agency responsibility and accountability of information resources management.
SD-342

Rules and Administration
To hold hearings on S. 1543, to authorize the Colonial Dames at Gunston Hall to establish a memorial to George Mason in the District of Columbia.
SR-301

10:00 a.m.
Finance
To hold hearings on proposed legislation authorizing funds for fiscal years 1991 and 1992 for the U.S. Customs Service, Department of the Treasury, and proposed legislation relating to the ad valorem customs merchandise processing fee.
SD-215

Rules and Administration
To hold hearings on the nomination of Robert William Houk, of Ohio, to be Public Printer for the Government Printing Office.
SR-301

11:00 a.m.
Rules and Administration
To hold hearings on proposed legislation on campaign finance reform.
SR-301

2:00 p.m.
Armed Services
To hold hearings on the nomination of Admiral David E. Jeremiah, USN, to be Vice Chairman, Joint Chiefs of Staff.
SR-222

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1578, to provide for the creation of an independent Historic Preservation Agency and a National Center for Preservation Technology, and S. 1579, to amend the Historic Preservation Act, the Historic Sites Act, the Archaeological Resources Protection Act, and the Abandoned Shipwreck Act, and certain related Acts to strengthen the preservation of our historic heritage and resources.
SD-366

FEBRUARY 23

8:00 a.m.
Veterans' Affairs
To hold hearings on budget recommendations for veterans programs and on proposed legislation to reorganize the Veterans Health Service and Research Administration.
SH-216

10:00 a.m.
Finance
International Trade Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1991 for the Office of the U.S. Trade Representative, and the International Trade Commission.
SD-215

FEBRUARY 26

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Strategic Petroleum Reserve, and the U.S. Geological Survey.
SD-116

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on provisions relating to fisheries protection and buffer zones (sec. 104 (e)), and the designation of additional wilderness areas on the Tongass National Forest (title III), of H.R. 987, the Tongass Timber Reform Act.
SD-366

FEBRUARY 27

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on hunger in America.
SD-G50

Rules and Administration
Business meeting, to consider S. 1543, to authorize the Colonial Dames at Gunston Hall to establish a memorial to George Mason in the District of Columbia, the nomination of Robert William Houk, of Ohio, to be Public Printer for the Government Printing Office, and other pending executive, legisiative, and administrative business.
SR-301

Small Business
To resume hearings on the nomination of Kyo R. Jhin, of Maryland, to be Chief Counsel for Advocacy, Small Business Administration.
SR-428A

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Disabled American Veterans.
SH-216

10:15 a.m.
Rules and Administration
To hold hearings on S. 1655, to revise certain provisions of the Federal Election Campaign Act of 1971 (P.L. 92-225) relating to enforcement and congressional election campaign financing.
SR-301

11:00 a.m.
Rules and Administration
To hold hearings on S. 1727, to revise the Federal Election Campaign Act (P.L. 92-225) to provide comprehensive campaign finance reform, to lessen the power of special economic interests, and to restore competition to American congressional elections.
SR-301

2:00 p.m.
Armed Services
To resume hearings on the amended authorization request for fiscal year 1991 for the Department of Defense and the five year defense plan.
SR-253

FEBRUARY 28

9:00 a.m.
Armed Services
To continue hearings on the amended authorization request for fiscal year 1991 for the Department of Defense and the five year defense plan.
SD-106

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 114, a bill to declare activities of manufacturers or distributors of soft drinks which induce retailers to purchase soft drink syrup solely from such entities to be unfair acts or practices for purposes of the Federal Trade Commission Act.
SR-253

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture.
SD-138

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for ACTION, the National Council on Disability, the Federal Mediation and Conciliation Service, the National Mediation Board, the Railroad Retirement Board, the Federal Mine Safety and Health Review Commission, the National Labor Relations Board, and the Occupational Safety and Health Review Commission.
SD-192

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Alcohol, Tobacco and Firearms, and the Federal Law Enforcement Training Center.
SD-116

Commerce, Science, and Transportation
To hold hearings on the nominations of Eugene Wong, of Missouri, and William D. Phillips, of California, both to be Associate Directors of the Office of Science and Technology Policy, Executive Office of the President.
SR-232A

Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 48, proposing an amendment to the U.S. Constitution relative to contributions and expenditures intended to affect Congressional and Presidential elections.
SD-628

1:30 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Physician Payment Review Commission, the Corporation for Public Broadcasting, the National Commission on Libraries, the U.S. Institute of Peace, the National Commission on AIDS, the Prospective Payment Assessment Commission, the National Commission to Prevent Infant Mortality, and the Soliders' and Airmens' Home.
SD-192

MARCH 1

9:00 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 1751 and S. 1904, bills to safeguard the integrity of food shipments.
SR-253

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the cotton industry.
SR-332

Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings to review the proposed budget for fiscal year 1991 for the Department of Transportation.
SD-138

2:00 p.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on forestry issues.
SR-332

MARCH 2

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agri-

cultural programs, focusing on the wool and honey industries.
SR-332

Appropriations
Agricultural and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Research Service, Cooperative State Research Service, and Extension Service.
SD-138

MARCH 5

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the rice industry.
SR-332

Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on agricultural credit.
SR-332

MARCH 6

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Veterans of Foreign Wars.
SH-216

9:30 a.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 366, a bill to enroll twenty individuals under the Alaska Native Claims Settlement Act, S. 1128, a bill for the relief of Richard Saunders, S. 1719, a bill to designate a segment of the Colorado River in the Westwater Canyon, Utah as a component of the National Wild and Scenic Rivers System, S. 1738, a bill to convey certain Oregon and California Railroad Grant Lands in Josephine County, Oregon to the Rouge Community College District, and S. 1837, a bill to direct the Secretary of the Interior to establish a Desert Research Center.
SD-366

Governmental Affairs
To hold hearings on the General Accounting Office's report on material weaknesses in the Department of Defense's supply system.
SD-342

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the sugar industry.
SR-332

Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Food and Nutrition Service and Human Nutrition Information Service.
SD-138

10:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Indian Affairs, and the Indian Gaming Commission.
SD-116

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agriculture Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on crop insurance.
SR-332

Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 1976, to provide for continued United States leadership in high-performance computing, focusing on the Department of Energy.
SD-366

MARCH 7

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the dairy industry.
SR-332

Environment and Public Works
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
SD-406

Governmental Affairs
To hold hearings on S. 1978, to promote U.S. trade and technology interests by reorganizing the Department of Commerce into a Department of Industry and Technology.
SD-342

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Secretary of the Treasury, and Departmental Offices.
SD-116

MARCH 8

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve agricultural programs, focusing on conservation issues.
SR-332

Energy and Natural Resources
To hold oversight hearings on the Department of Energy's Decision Plan relating to the opening of the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, and on proposed legislation to withdraw the public lands surrounding the WIPP site.
SD-366

Governmental Affairs
To hold hearings to examine fraud, waste and abuse, focusing on agencies on the high risk list.
SD-342

Rules and Administration
Business meeting, to consider pending legislation on campaign finance.
SR-301

Small Business
To hold hearings on implications of technology transfer on small business.
SR-428A

Veterans' Affairs
Business meeting, to consider budget recommendations for veterans programs and proposed legislation to reorganize the Veterans Health Service and Research Administration.
SR-418

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Transportation Safety Board and the Federal Highway Administration.
SD-138

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wheat industry.
SR-332

MARCH 9

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on noxious weeds.
SR-332

MARCH 15

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the American Ex-Prisoners of War, the Blinded Veterans Association, and the Military Order of the Purple Heart.
SH-216

MARCH 20

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Minerals Management Service, and the U.S. Fish and Wildlife Service, both of the Department of the Interior.
S-128, Capitol

2:30 p.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Panama Canal Commission.
SD-116

MARCH 21

9:30 a.m.
Governmental Affairs
To hold hearings on proposed legislation to establish a position of chief financial officer.
SD-342

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Food and Drug Administration, Commodity Futures Trading Commission, Farm Credit Administration, and Farm Credit System Assistance Board.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the United States Secret Service, and the Internal Revenue Service.
SD-116

Judiciary
Constitution Subcommittee
To hold hearings S.J. Res. 232 and S.J. Res. 233, measures proposing an amendment to the U.S. Constitution with respect to the impeachment of Article III judges.
SD-226

MARCH 22

9:30 a.m.
Governmental Affairs
To continue hearings on proposed legislation to establish a position of chief financial officer.
SD-342

Veterans' Affairs
To hold hearings on S. 1398 and S. 1332, to provide for the realignment or major mission change of certain medical facilities of the Department of Veterans Affairs.
SR-418

MARCH 23

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Agricultural Marketing Service.
SD-138

MARCH 27

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Indian Health Service of the Department of Health and Human Services.
SD-116

MARCH 28

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Public Debt, and the Office of Personnel Management.
SD-116

MARCH 29

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Urban Mass Transportation Administration and the Washington Metropolitan Area Transit Authority.
SD-138

MARCH 30

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Farmers Home Administration, Federal Crop Insurance Corporation, and the Rural Electrification Administration.
SD-138

APRIL 2

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Land Management, and the Office of Surface Mining, both of the Department of the Interior.
S-128, Capitol

APRIL 4

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Foreign Agricultural Service, General Sales Manager, and Soil Conservation Service.
SD-138

APRIL 5

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Highway Traffic Safety Administration.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Postal Service, and the National Archives.
SD-116

APRIL 18

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, the Vietnam Veterans of America, the Veterans of World War I, and the Non-Commissioned Officers Association.
SH-216

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Park Service, Department of the Interior.
S-128, Capitol

APRIL 19

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak).
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Management and Budget, and the Executive Office of the President.
SD-116

APRIL 23

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Forest Service of the Department of Agriculture.
SD-192

APRIL 25

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Services Administration.
SD-116

APRIL 26

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Accounting Office.
SD-138

APRIL 30

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for fossil energy and clean coal technology programs of the Department of Energy.
S-128, Capitol

MAY 3

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Endowment for the Arts, the National Endowment for the Humanities, the National Gallery of Art, and the Bureau of Mines, all of the Department of the Interior.
S-128, Capitol

Appropriations
Transportration Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Coast Guard.
SD-138

MAY 7

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for activities of the Secretary of the Interior, the Secretary of Energy, and the Secretary of Agriculture.
S-128, Capitol

MAY 10

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Aviation Administration.
SD-138

CANCELLATIONS

FEBRUARY 8

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider H.R. 1472, a bill to establish the Grand Island National Recreation Area in the State of Michigan, the nominations of John W. Bartlett, of Massachusetts, to be Director of the Office of Civilian Radioactive Waste Management, and Robert H. Gentile, of Ohio, to be an Assistant Secretary of Fossil Energy, both of the Department of Energy, and other pending calendar business.
SD-366

POSTPONEMENTS

FEBRUARY 8

10:00 a.m.
Foreign Relations
To hold hearings on S. 2040, a bill to expand the size and scope of the Support for East European Democracy (SEED) Program.
SD-419

11:00 a.m.
Foreign Relations
Business meetings, to consider S. 2040, a bill to expand the size and scope of the Support for East European Democracy (SEED) Program.
SD-419

SENATE—*Thursday, February 8, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable HERBERT KOHL, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

"The Senate is the living symbol of our Union of States." (Dirksen Building)

*Give therefore thy servant an understanding heart to judge thy people, that I may discern between good and bad: for who is able to judge this thy so great a people? And the speech pleased the Lord. * * *—1 Kings 3:9, 10.*

Eternal God, Lord of the universe, Ruler of the nations, as King Solomon, the wisest of men, prayed for his own rule so I pray for this great and powerful institution, the United States Senate, where all the diversity of Nation and world meet. With few exceptions, whatever the issue, the Senate must find a way midst all the controversy of Nation and world, the many conflicting views of 50 States, many great cities and counties, unnumbered organizations and special interests, plus the views of millions of constituents—not to mention partisan interests as well as conservative/liberal views which converge here. Out of such a complex milieu, the Senate must produce legislation responsive to all the issues and voices yet never totally satisfactory to any.

Grant to Thy servants and staffs the wisdom of God to find the golden way and the courage to follow it. In the name of Jesus who is the Way, the Truth, and the Life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HERBERT KOHL, a Senator from the State of Wisconsin, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. KOHL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time for the two leaders, there will be a period for morning business until 10 a.m. with Senators permitted to speak therein for up to 5 minutes each. At 10 a.m. I will seek consent to proceed to the consideration of Calendar Order No. 50, S. 419, the hate crime statistics bill.

This is important legislation which the President has indicated he supports and I hope very much, Mr. President, we will be able to proceed to consideration and disposition of that legislation today.

Mr. President, I reserve the remainder of my leader time. I am pleased to yield to the Republican leader.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. Under the standing order the Republican leader is recognized.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPOINTMENT OF RUSSELL REDENBAUGH TO THE CIVIL RIGHTS COMMISSION

Mr. DOLE. Mr. President, I would like to take this opportunity to announce that I have formally recommended Russell G. Redenbaugh of Philadelphia, PA, for an appointment to the U.S. Civil Rights Commission.

RUSSELL REDENBAUGH: A PROFILE IN COURAGE

From the start, Russell's life has been a profile in courage and achievement.

At age 17, Russell was blinded and lost most of his two hands—the result of a toy rocket explosion in the backyard of his family home.

While Russell's blindness—and the partial loss of his hands—may have made him stand out, they have never stood in the way of his own personal success.

Shortly after his accident, Russell attended the University of Utah, proceeded to graduate third in his class, then went on to the Wharton School at the University of Pennsylvania, where he apparently slipped up a bit and graduated only sixth in a class of 300 razor-sharp business students.

Russell is now a partner in an investment firm that manages more than 4 billion dollars' worth of stock and bond assets for pension funds and charitable endowments. He also somehow finds the time to serve as chairman and CEO of a computer software company, as a finance teacher to corporate executives and lawyers, and as a husband and father of four lovely children.

So, Russell's life has obviously been a life of leadership and accomplishment. But it has also been a life of many challenges—challenges made more difficult by his own extraordinary physical disabilities.

PROTECTION FOR THE DISABLED

Mr. President, last July, we celebrated the 25th anniversary of the Civil Rights Act of 1964. The passage of the Civil Rights Act was one of Congress—and America's—shining moments. And it was one of the great milestones in America's long journey toward civil rights justice.

But America needs to reach another milestone. We need to redefine the traditional meaning of the term "civil rights" by extending the protective shield of the civil rights laws to one group that remains unprotected—to a group with 43 million members—43 million Americans with disabilities.

That is why I join with Russell in supporting the Americans with Disabilities Act. And that's why I believe it is so important for America's disability community to have a forceful representative on the U.S. Civil Rights Commission.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

39-059 O-91-9 (Pt. 2)

When he is finally appointed, Russell Redenbaugh will be the first person—the very first person—with a disability ever to sit on this Commission. I must say, I am very proud of that fact. And frankly, it is about time.

THE CIVIL RIGHTS COMMISSION AT THE CROSSROADS

We have heard a lot about dissension among the ranks of the Commission's members. We have heard a lot about the Commission's inability to get anything done. We have heard that politics has taken over.

With its recent reauthorization, the Commission now stands at the crossroads. The Commission can continue down the path of dissension, of politics over performance, or it can take an alternative road—the high road—and become a remade, reinvigorated guardian of our cherished civil rights.

CONCLUSION

Finally, I want to thank Senators HATCH and SIMON for their leadership on the Commission reauthorization bill. Without this leadership, I would not be here today recommending such a fine person for a Commission appointment. And I would not have had this opportunity to help the Commission regain its proper standing in American political life.

Mr. President, I ask unanimous consent that a biographical sketch of Russell Redenbaugh be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RUSSELL G. REDENBAUGH

Summary of Qualifications: Author, executive, financial and economic strategist, builder of organizations and teacher.

EMPLOYMENT HISTORY

Partner and Director, Cooke & Bieler, Inc., Philadelphia, PA.; 1969—Present.

Security analyst, portfolio manager, chief investment officer and currently economic strategist for an investment management firm which manages about $4 billion of stock and bond assets for pension funds and charitable endowments.

Previously managed the largest number of clients, with responsibility for the largest pool of assets, $350 million. Directed and supervised securities research process. Developed innovative portfolio management and securities valuation techniques. Introduced a rigorous valuation methodology which resulted in systematic assessments of when to buy and when to sell, and which securities represented the most attractive values. Prepared the quarterly economic and investment outlook memoranda. All this occurred during a period of dramatic growth in the firm and superior results for client portfolios.

One of the seven partners responsible for the growth of the firm from $120 million to $4 billion in assets. This growth was accomplished with no change in the size of the professional staff or the total number of clients.

Chairman & Chief Executive Officer, Action Technologies, Inc., Emeryville, CA.; 1987—Present.

Concurrent with Cooke & Bieler responsibilities, is chairman and CEO of ATI, a maker of operating system and application software for distributed computing systems. ATI is an innovator in developing enabling technologies for coordination of work in the office. Responsible for the strategy that resulted in product commercialization and profitability for the firm.

Co-founder, Kairos, Inc., Philadelphia, PA.; 1984—Present.

Teaches finance to nonfinancial professionals, including corporate executives, lawyers and computer scientists. Also serves as head of this educational services firm.

PUBLICATIONS

July, 1989: Author of "Electronic Messaging Systems: Leveraging the Exchange Conversation," published by CompuCom Systems

1988—Present: Commentator on Federal Reserve policy, the U.S. economy, and technology to subscribers as author and publisher of an electronic newsletter

1975—Present: Author of numerous economic memoranda published for clients of Cooke & Bieler on the topics of the world economy, the U.S. economy, the stock market, Fed policy, interest rates, inflation, etc.

1985—Present: Author of "white papers" on the topics of money, financial instruments, production of income and language

EDUCATION

Wharton School, University of Pennsylvania, MBA, graduated with honors, sixth in class.

University of Utah, Salt Lake City, BS in Banking and Finance, graduated third in class, magna cum laude.

PROFESSIONAL AFFILIATIONS

Chartered Financial Analyst since 1972.

Chartered Investment Counselor since 1969.

Member of Financial Analysts of Philadelphia.

Member of Wharton Club of Philadelphia.

PERSONAL

Birthdate: July 14, 1945.

Married: Patty Redenbaugh.

Children: Micah, 10 (stepson), David, 9, Allie, 6, James, 1 month.

Blinded and lost most of hands at age 17 in an explosion while building a rocket.

Mr. DOLE. Mr. President, I reserve the remainder of my time.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

The Senator from Pennsylvania.

SENATOR DOLE'S COMMITMENT TO CIVIL RIGHTS

Mr. SPECTER. Mr. President, while the distinguished Republican leader is on the floor, I would like to compliment him on the designation of Mr. Russell Redenbaugh to the Civil Rights Commission. Mr. Redenbaugh is a distinguished Pennsylvanian who I have had the opportunity to meet.

I think Senator DOLE's appointment of the first individual who has a disability is a hallmark occasion and it shows Senator DOLE's commitment to civil rights and to improving the plight of the handicapped in this country.

I am pleased to be able to lend my support to his appointment and compliment my distinguished colleague on this matter.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota [Mr. DURENBERGER].

A GREAT FORTUNE TO SERVE WITH SENATOR DOLE

Mr. DURENBERGER. Mr. President, I am just fortunate enough to be the chief Republican cosponsor of the Americans With Disabilities Act. Even more so, let me say it is my great good fortune, and has been for the last 11 years, to serve in the U.S. Senate with BOB DOLE. There is not anybody here in my experience in this period of time that has made a greater commitment, perhaps because of the party that he represents and some of the views that people occasionally have toward our party today, to the cause of civil rights in this country. His latest contribution is probably not one he was born with but came along during the course of his life, and that is a commitment to discrimination in America against the 43 million people with disabilities.

BOB DOLE's leadership in getting the Americans With Disabilities Act through this body with a very, very substantial vote against substantial opposition, his leadership in getting it to this point in the negotiations with the administration and his leadership now in trying to influence the House of Representatives to come to an agreement on a bill that the President can sign I think is a signal. What he announced here today is just another indication of what a fine spirit this Republican leader has, not just for those with disabilities but in the area of discrimination, generally, in this country.

TRANSANTARCTIC EXPEDITION

Mr. DURENBERGER. Mr. President, I rise now once again to give my weekly update on the six-man international dogsled expedition that is currently crossing the Antarctic continent.

The team is right now 410 miles away from the Soviet science station at Mirnyy, which is their ultimate objective, on the coast of the Antarctic.

They have traveled 3,200 miles from their beginning point in the first part of August 1989 across this continent. They are, I remind you once again, the first people in history to cross Antarc-

tica on foot, and they are going to do it right on schedule.

They have had good traveling weather. As Frenchman and coleader Jean-Louis Etienne radioed this week, "blue sky, white sun, and flat surfaces." However, it has been cold. The temperature has been hovering somewhere between 40 and 50 degrees below zero.

The cold affects everything, but it is obviously worse in the morning. They wake up to a frozen world. Their tents are covered by ice and sleeping bags frozen stiff. In order to eat breakfast, the stoves must be lit, but the white gas is reluctant to burn and the gas itself must be warmed up by using matches. But even the matches freeze. At 50 degrees below, everything freezes—food, clothing, utensils.

As Geoff Somers describes, "You crawl out of the bags into the freezing temperatures, and you feel absolutely horrible. All you want to do is stay in the bag. But you do not have any choice. It's like going to work every day. Sometimes you wish for a storm so you can stay in bed. But it's this impulse thing. You've got to go!"

So each morning the men write in their diaries, but that is easier said than done at 50 degrees below zero. First, the paper has to be warmed over the Coleman stove, to drive away the moisture and heat the pages so the ink will dry. Then, the pen must be warmed, usually by holding the pen against their bodies.

Mr. President, many of my colleagues have asked me exactly how the team travels. They want to know about the dogsleds, and some people worry about the dogs pulling all these big men. As this picture shows, the men do not ride on the sleds, as we might normally conceptualize. Instead, as in the case here of Geoff Somers, they ski along beside the sleds. Riding on the sleds would obviously be very hard on the dogs, and it would waste their energy. The sleds themselves carry the supplies and the equipment, not the men, who are skiing alongside them.

There are three wooden sleds, each pulled by 12 dogs and tended, as in this case, by the two men. Each sled weighs about 100 pounds empty and 1,000 pounds when fully loaded. One man is tethered to the back of the sled while the other man leads the dogs.

Mr. President, as the six men from six different countries near the end of their trek, I know it is not easy to fully grasp the significance of their feat. When they reach Mirnyy in a couple weeks, they will have done something that no one has ever done before. Many have climbed Mount Everest, but no one has traveled 3,600 miles on dogsled across Antarctica. That is further then traveling from New York City to Los Angeles. This was done in unbearable weather, 60 below temperatures, through ice storms and at great risk.

I hope my colleagues will reflect on this, and consider both the feat historic and the men heroes.

EMIGRATION OF SOVIET JEWS

Mr. SPECTER. Mr. President, today Secretary of State James Baker is scheduled to meet with the Soviet Minister Shevardnadze on a wide range of topics affecting the relationship between the United States and the Soviet Union, and one of the items on the agenda is a discussion of a program to enable Soviet Jews to leave the Soviet Union to travel to the State of Israel. There is an arrangement worked out between El Al and Aeroflot to provide for accelerated transportation with perhaps as many as two or more flights, jumbo jets, from the Soviet Union, on El Al planes. That arrangement, however, has not proceeded because of certain political impediments.

Mr. President, a letter has been circulated among U.S. Senators, and I am pleased to announce this morning that late last night we obtained the 100th signature marking the full complement of United States Senators on a letter to President Gorbachev, urging that the implementation of the agreement be immediate to allow for the maximum emigration of Jews from the Soviet Union to the State of Israel.

In a recent trip last month to Israel, I was informed by our Ambassador there, Bill Brown, that there were Jews who had exit visas from the Soviet Union and entry visas to Israel, but their airplane tickets were not dated until November of this year.

I was asked by Deputy Foreign Minister Benjamin Netanyahu to do what I could to bring United States political sentiment to bear on this issue and later discussed this matter with Prime Minister Shamir, who is very anxious to expedite the transit of Jews from the Soviet Union to Israel, and upon return a letter was prepared. We quickly obtained the leadership support from the majority leader, Senator MITCHELL, and from the Republican leader, Senator DOLE, and then proceeded to circulate this letter in the Senate and, as I say, we now have signatures from 100 Senators supporting this very important matter.

In my efforts to find a precedent for having 100 signatures on a letter, no one has recollected that having been achieved, so I think it is perhaps even more significant that this unanimity is present from our body.

This matter, Mr. President, is especially important to me. My father came to the United States from Russia in 1911. He came before there was a Soviet Union. My mother came with her parents at the age of 5 from a portion of Russia and Poland which changed hands depending upon what year the identification of the boundaries were marked.

There is an increase, as we know from many reports, of anti-Semitism in the Soviet Union. There is a real pressing humanitarian interest in having Jews who wish to leave the Soviet Union to go to Israel be able to do so at the earliest moment.

We have limited, as you know, Mr. President, the number of Jews who can come to the United States. It is my wish that we have more; that we should relax our immigration policies in that direction, and it is a matter that many of us will continue to fight on the Senate floor. But until there is an opportunity for more Jews to come to this country, they ought to be able to travel and migrate freely. I doubt that we will ever have unlimited immigration, although I think that would be desirable both from a humanitarian point of view and from a point of view of strengthening the United States. Our country was built on a strong base of immigrants coming to this county. But it is not likely to happen there will be unlimited immigration. Until that can occur—and the State of Israel is ready, willing and able to accept all the Jews who wish to go there from the Soviet Union—it is very important for the growing strength of the state of Israel, but perhaps first and foremost on humanitarian grounds to allow Jews—and the principle would apply to anyone—to be able to travel and to migrate as they see fit, making their own decisions in a context of freedom.

Mr. President, I ask unanimous consent that the full text of the letter and the accompanying signature pages showing the 100 signatures be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, February 5, 1990.

His Excellency Mikhail Gorbachev,
President, Supreme Soviet, The Kremlin.

DEAR PRESIDENT GORBACHEV: Noting the historic concern of the American people regarding the compelling plight of Soviet Jews, we are writing at this time to request that prompt action be taken to implement the agreement between Aeroflot and El Al Airlines to transport Soviet Jews to Israel.

This laudable agreement was signed in Moscow on December 6, 1989, with the "intention to advance air transport and aerial services between the two parties, between Soviet and Israeli points directly." Implementation was scheduled to begin on January 1, 1990, but as of this day, no actions related to the agreement have been taken.

It is our understanding that all aspects of authorization for the Soviet Jewish emigres to leave for Israel already have been arranged. We understand that these emigres have their exit visas from the USSR and their entrance visas to Israel in hand as well as airplane tickets. It is, of course, extreme-

ly difficult for such individuals who are very anxious and concerned about their future.

We have been assured that these Soviet Jewish emigres have the money for transit from either private or public sources and that Israel is prepared to receive them. We are advised that two, or perhaps even more, 747 flights per day can be arranged once this signed agreement between Aeroflot and El Al is implemented.

To accomplish this humanitarian purpose, we urge you to take whatever action is appropriate to have the agreement implemented. We are advised that the El Al mission that conducted the negotiation was informed that approval for implementation must come from the "political level" of the Soviet Union. When Foreign Minister Shevardnadze met with Israeli Foreign Minister Moshe Arens preceding the signing of the agreement, however, Mr. Shevardnadze offered that this was strictly a commercial rather than a political issue. In either case, we ask that you assist in removing whatever obstacles currently exist so that the flight may begin.

Thank you for your personal attention to this important matter.

Sincerely,

George J. Mitchell, Bob Dole, Arlen Specter, Alan Cranston, Wendell H. Ford, Thad Cochran, Carl Levin, John McCain, Paul Simon, James M. Jeffords, Slade Gorton, John D. Rockefeller IV, Dennis DeConcini, James A. McClure, Mark O. Hatfield, John W. Warner, Richard H. Bryan, Phil Gramm, Kent Conrad, Steve Symms, Quentin N. Burdick, Herb Kohl, Alan J. Dixon, Harry Reid, Brock Adams, Frank R. Lautenberg.

J. James Exon, Daniel Patrick Moynihan, John Heinz, Larry Pressler, Charles E. Grassley, Rudy Boschwitz, Claiborne Pell, Don Nickles, Joseph I. Lieberman, Daniel K. Inouye, Bill Bradley, Alfonse M. D'Amato, Pete V. Domenici, Bob Packwood, Dave Durenberger, John Glenn, Pete Wilson, Orrin G. Hatch, John H. Chafee, Connie Mack, Dan Coates, William S. Cohen, Warren Rudman, Jim Sasser, Edward M. Kennedy, Christopher S. Bond, Spark Matsunaga, Charles S. Robb, Lloyd Bentsen, Ted Stevens, John B. Breaux, J. Robert Kerrey, Joseph R. Biden, Jr., Richard G. Lugar, Gordon J. Humphrey, Donald W. Riegle, Jr., David L. Boren, Albert Gore, Jr., Patrick J. Leahy, Max Baucus, Bob Graham, Sam Nunn, Mitch McConnell, J. Bennett Johnston, Tom Harkin, Dale Bumpers, Jeff Bingaman, William V. Roth, Jr., Frank H. Murkowski, Strom Thurmond, Jake Garn, Nancy Landon Kassebaum.

Trent Lott, Jesse Helms, William L. Armstrong, Christopher J. Dodd, John C. Danforth, John F. Kerry, Terry Sanford, Conrad Burns, Ernest F. Hollings, David Pryor, Alan K. Simpson, Malcolm Wallop, Paul S. Sarbanes, Howell Heflin, Timothy E. Wirth, Barbara A. Mikulski, Thomas A. Daschle, Wyche Fowler, Jr., Robert W. Kasten, Jr., Richard Shelby, Robert C. Byrd, Howard M. Metzenbaum.

Mr. SPECTER. I thank the Chair. I yield the floor. I suggest the absence of quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask that the period for morning business be extended until 10:20, and that Senator DOMENICI be recognized to address the Senate for not to exceed 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEXICO

Mr. DOMENICI. Mr. President, over the past few months I have had what I consider to be a rare opportunity to meet with the President of the Republic of Mexico and his foreign ministers, and others who advise him.

In addition, the Senate Budget Committee held field hearings on the potential economic impact of United States-Mexico relationships. That hearing was held recently.

I want to share what I learned because, while we have more at stake in Mexico than any other country, seldom does it get the attention that is commensurate with its importance.

There is a silent revolution going on in Mexico right in our own neighborhood. It is going on at a time when we are daily hearing about one country after another choosing democracy and moving toward pluralism, moving toward open economies, and moving toward free enterprise.

Yet while our newspapers and magazines are full of stories about these changes taking place in Eastern Europe, there is little written about the changes taking place in Mexico.

This Monday's Washington Post editorial page was a rare exception. The editorial, "Mexico and Its Banks," played down the emphasis on the recent deal with Mexico's bankers and described the reorganization of Mexico's internal economy as an "extraordinarily" impressive job.

The extraordinary global change taking place in the East-West relationship is historic and exciting. But at the same time, the same is true in north-south developments with Mexico. The free market experimentation that is going to take place in both hemispheres during this decade offers an unrepeatable opportunity for the United States and the free world.

During this year, the year of worldwide political earthquakes, our neighbor to the south is also making an irreversible shift toward becoming a free market economy. Mexico is taking radical economic steps to open its market to international competition. It is cutting subsidies, selling off inefficient enterprises, and pushing its budget toward balance.

We have an opportunity to team up with Mexico's President and move toward a stronger North American market.

President Salinas is a topflight economist who thinks and acts pragmatically. He is turning out to be a topflight political leader as well. He has chosen to lead his nation rather than to merely preside over it. He wants to add to the wealth of all Mexicans. He is moving away from a state dominated economy in Mexico toward a diversified free enterprise economy.

President Salinas has his work cut out for him:

He is wrestling with a huge Federal deficit. It is 11.5 percent of their GDP. To put this into perspective, if the United States had a Federal deficit of 11.5 percent of GDP, we would have a $575 billion deficit.

Mexico has a $138 billion foreign debt.

Inflation was 160 percent 2 years ago. It is now at or near 18 percent.

He inherited a country with an anti-foreign investment bias. As a result Mexico pursued a policy of unjustified restrictions on foreign investment.

On December 1, 1988, Salinas announced a new plan to open the country to foreign investment. Since then $2 billion foreign dollars have been invested in Mexico, much of it coming from Japan.

When Salinas took office his citizens had little confidence in the Mexican economy or the Mexican leaders. Many feared arbitrary expropriation of private property. Consequently, the country experienced significant capital flight.

Salinas has been able to replace this capital flight trend with capital reflows. More than $2 billion has flowed back into Mexican financial institutions and Mexican investments last year. It appears that President Salinas has already taken the first step in convincing Mexican citizens that it is prudent to invest in Mexico and its economy.

In the 1970's Mexico had 1,155 state-owned enterprises. Since Salinas became President—and started before he came into office—the number has continued to drop. This year the number of state-owned enterprises had declined to 400.

Still, as late as 1988, the state-owned enterprises controlled two-thirds of the economy and was spending 53 percent of the GNP with the predictable side effects of inflation, and inefficiency.

Under President's Salinas' leadership privatization is moving as fast as

the political system permits. The government has sold the Nacional Hotelera chain of five-star hotels and withdrawn from the automobile industry with the sale of Vehiculos Automotores Mexicanos and Renault de Mexico. In May 1989, Mexico announced it would sell its majority share in the country's leading airline, Mexicana, to Mexican and foreign investors. The sale of the state telephone company is next and CONASUPO, the state-run food distribution system is now being reorganized.

By 1999, Mexico City will be one of the two most populous cities in the world. It is one of the most polluted cities already.

Mexico's population is growing twice as fast as the United States population. Twenty-five years ago, the population was 45 million with 55 percent living their lives as urban dwellers. The World Bank projects the population to reach 105 million by the end of the century with 71 percent living in the already bulging cities.

While the United States had 1 DEA agent killed in the drug war, Mexico has had 63 of its drug enforcing agents killed.

During the thirteen months Salinas has been President, Mexican authorities have seized more cocaine than they had in the previous 10 years.

These are the kinds of problems facing President Salinas and some of the progress he has made so far. There is vast economic potential for Mexico as a result of this young population and their new attitudes. Japan seems convinced of this, and is investing heavily. The Japanese can spot an opportunity when they see one, and when they see one, they move in.

If the productive energies of the people of Mexico can be directed through imaginative economic policies that encourage entrepreneurs, Mexico could become the North American equivalent of South Korea.

Mexico's economic growth depends to a large extent on increased exports to the United States. The new United States-Mexico Framework under which trade barriers could be reduced through bilateral negotiations can greatly help this.

For the United States and Mexico, a mutually beneficial program is the "maquiladora," or "twin plant" program which has been growing impressively.

An example of this program's potential consider these facts about the border towns of El Paso and Ciudad Juarez:

In 1969, in Ciudad Juarez there were 11 twin plants employing 2,300 workers.

In 1987, there were 265 plants employing 118,000 workers.

In 1989, there are 300 plants employing 135,000 workers.

This one program involved 2,500 U.S. companies and provided 374,000 U.S. jobs in 49 States.

In 1988, there was 4 billion dollars worth of goods shipped to the U.S. from Maquiladora plants. The program has experienced a 30-percent-per-year increase in growth.

The country is posed to take off. It experienced a 3 percent GDP growth rate in 1989 when many of its Latin American neighbors experienced negative growth. The Mexican Government has a goal of 4 to 6 percent, noninflationary growth for the next 5 years.

Whatever its limitations elsewhere, the Brady Plan for debt rescheduling is helping Mexico. Secretary Brady just returned from Mexico City on Sunday where he attended the final signing of a new debt package that should reduce the Mexican public debt by $10 billion annually. It should reduce annual interest payments by $2 billion.

As a result, Mexico's external debt service payments are expected to decline by 4 percent of their GDP. That is a commendable accomplishment.

President Salinas is making permanent structural changes. He is working for continued social stability; he is trying to broaden the country's economic base and modernize its plant and equipment.

If a leader can be only as great as the problem he must overcome, Salinas could go down as one of the great leaders of the 20th century.

Economic forces of the world are surging across national borders, resulting in expectations of more democracy, more freedom, more trade, more opportunity, and greater prosperity.

While the United States cannot solve Mexico's problems, we can work together with Mexico's able leader to build upon an already important trade relationship—our third largest behind Canada and Japan. We can move toward an integrated North American market. We can help Mexico export its products instead of its people. We can develop a truly bilateral, open trading relationship between our two countries. Both Americans and Mexicans would benefit.

I hope we see that truly extraordinary things are occurring in Mexico, and we should take advantage of this longstanding desire on the people of Mexico to grow and prosper and to do everything we can to make this a true bipartisan, bicountry, bilateral arrangement that is good for both of us.

Mr. President, I ask unanimous consent that an article from the Wall Street Journal be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 23, 1990]

OLLIE MULFORD

When Ollie North wanted to slip some money to the Contras, he drew on his military expertise to arrange the Iranian arms sale. The U.S. government sold some arms at conventional prices to middlemen, who resold them at the inflated prices of the bootleg arms trade, and sent some of the profit to the Contras. Too bad he didn't check in with David Mulford at the Treasury; with a little financial expertise, it could have been done the easy way.

Mr. Mulford, undersecretary of the Treasury and architect of the Brady Plan for international debt relief, has arranged to sell Mexico zero-coupon bonds in a face amount of some $33 billion as the Treasury's contribution to the latest agreement between indebted Mexico and its creditor banks. Conventional bonds of course pay interest every year and the principal at maturity. Zeros, a relatively new innovation, pay no interest but offer their buyers their return in the form of a deep initial discount from the face value at which they will be redeemed at maturity. Mexico is buying the Treasury zeros to serve as collateral for bonds it will issue under the Brady Plan to substitute for debts already held by banks.

When the Mexican deal was struck, U.S. Treasury zeros were selling in the open market at a yield of about 7.75%. But the Treasury priced the zeros that it will sell to Mexico to yield 8.05%, reflecting the price not of zeros but of conventional 30-year bonds. The difference of 30 basis points on $33 billion of 30-year bonds works out to some $350 million less in up-front money Mexico has to pay the Treasury.

The Treasury says the pricing decision was based on the precedent of the 1987 sale of Mexican zeros. At that time, the market for zeros was undeveloped, and the price of conventional bonds was used as a benchmark. By now the zero market is much better developed, and was used as a benchmark for $4.5 billion in zeros the Treasury sold last October to Resolution Funding Corp. for use as collateral in Refcorp.'s borrowings to finance the S&L bailout. But the Treasury says that for pricing a huge $33 billion transaction the zero market is still underdeveloped, so it decided the 1987 precedent provided a better benchmark for the Mexican zeros.

To us (and others), though, the pricing looks like an effort to save face for the Brady Plan by pumping in an extra $350 million in taxpayer subsidy. Under the plan, banks holding Mexican debt had three options: They could write down existing debts to 65% of face value. They could keep current face values but accept below-market interest rates. Or they could keep current debts but issue further loans; this third "new money" option was intended to supply Mexico with enough balance-of-payments financing to implement its economic plans. Final agreement proved elusive because not enough banks picked the new money option. The deal was struck, it looks to us, by pricing the zeros in a way that substitutes for $350 million in new money.

Such a backdoor financing scheme raises dicey legal questions under an 1870 law called the Anti-Deficiency Act, possible violations of which prompted Attorney General Edwin Meese to order the original criminal investigation of Oliver North. The law details the constitutional provision that no money be spent without a Congressional ap-

propriation. Congress has not appropriated $350 million for Mexico, to bail out the banks' bad loans or to salvage the Brady Plan. Herbert Fenster, a defense contracting lawyer and Anti-Deficiency Act hawk, has sent a Freedom of Information Act request to the Treasury on the Mexican deal. While conceding that the issue of standing must be overcome, he says he hopes to sue to block the deal.

At this point, collapse of the deal would cause an earthquake in our relations with Mexico. Under President Carlos Salinas de Gortari, Mexico has been a debt-recovery model, slashing away at its government spending, attacking corruption, selling money-losing state businesses, reducing restrictions on foreign investment and even starting to open the electoral process. It has already been left at the altar twice, first when the Treasury failed to process a bridge loan promised under the Reagan administration, and then when the Brady Plan failed to come up with new money. Mexico has earned some help, the U.S. has enormous interest in its success and President Bush can ill afford a third broken promise to President Salinas.

The Treasury professes to see no Anti-Deficiency Act issues in the Mexican deal, saying that the Treasury Secretary has broad discretion in setting the terms of borrowing, and that the bonds were appropriately priced. Its officials deny that the motive for the pricing was to provide new money; they've been critical of our reporters for describing the deal as a subsidy, though Wall Street experts and former Treasury officals also see it as one. Congress, sensitive to its prerogative over the purse, is likely to wonder what else the Treasury can finance by jiggering its benchmarks. This legitimate question gives Congress new ammunition in its campaign against executive power. At the very least, the Secretary may find his broad discretion narrowed.

President Bush, in short, is in a spot, with both the Mexicans and Congressmen likely to suspect his Treasury of cutting financial corners. We note that when President Roosevelt transfered destroyers to Great Britain, he had his attorney general issue an opinion that the Anti-Deficiency Act somehow was not violated. And that Ollie North was never charged with violating it, probably because of the presidential finding authorizing the arms sale. To keep the Mexican zeros from compounding into a major problem, the President needs to take charge.

Our advice is this: President Bush should issue a specific finding that the zero sale is necessary to the national interest, and a promise that its pricing will not be lightly repeated. If someone is to tread along the edges of the spending power, we at least ought to be resassured that it is a President and not some overly clever underling.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,790th day that Terry Anderson has been held in captivity in Beirut.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ADAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORE). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. ADAMS. Mr. President, I ask unanimous consent that the period for morning business be extended until the hour of 11:30 under the same conditions as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ADAMS pertaining to the introduction of S. 2105 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ADAMS. Mr. President, I yield back the remainder of my time. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I also ask unanimous consent to address the Senate for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOME HEATING FUEL PRICES

Mr. GRASSLEY. Mr. President, I rise today to highlight the unresolved problem regarding the sharp increases in home heating fuel prices last December during this historically cold period, many consumers saw their monthly energy bill rise an unbelievable 100 to 300 percent within a matter of a few weeks.

I am certainly aware of the unique circumstances prevailing in late November and December. Exceptionally cold weather boosted demand to historic levels. Supply shortages were compounded by refinery outages and distribution problems. Spot and futures markets were also highly volatile.

All of these circumstances helped fuel the unprecedented price increases. However, the fact remains that some in the oil industry received huge profit increases during this period. The question of whether these profits were fair remains to be answered.

On December 28 of last year, I wrote to both Attorney General Thornburgh and Department of Energy Secretary, Admiral Watkins requesting that they work together in investigating this crisis. Admiral Watkins has reported to me that DOE will conduct a "* * * definitive analysis of what drove up prices and who benefited from these price increases."

However, this report will not be out until June of this year. In addition, while this study should be helpful, the Justice Department is the only agency with the necessary powers and personnel to conduct a thorough investigation. Unfortunately, the Justice Department appears to be unwilling to conduct anything more than a superficial inquiry into the situation. According to the Justice Department response to my initial letter, the Department appears to be sitting back and waiting for someone to hand over evidence to it, rather than going out and finding evidence on its own.

This seems to be a continuation of the less than vigorous attitude of the Department's Antitrust Division. For instance, back in 1984, the Department supposedly investigated the heating oil price increase that occurred the previous winter of 1983. The Department determined—without the benefit of a single subpoenaed individual or document—that "price increases were a result of normal, competitive market behavior, rather than anticompetitive agreements among competitors."

Mr. President, this kind of so-called investigation undermines the Department's credibility.

It seems to me we should have the Department either investigate and determine that the marketplace is working and tell the public that so we can reestablish confidence in the marketplace or if people were doing something illegal they need to be prosecuted.

The simple fact of the matter is that millions of Americans including the least fortunate in our society, are spending hundreds of millions of dollars more for their heating fuels than they had expected to spend just a few weeks ago.

In response to these developments, I, along with 16 of my Senate colleagues—and the number now is up to 21—wrote to Attorney General Thornburgh this week requesting that the Justice Department initiate a full-scale investigation of the circumstances surrounding these dramatic price increases.

Mr. President, this money is not just disappearing. Somebody is making a huge profit. And we owe it to the people we represent to try to find out whether these profits were made in a fair and legal manner.

I commend Senator LIEBERMAN for wasting no time in holding a hearing last month on this problem in the Senate Governmental Affairs Committee. It is my hope that the Attorney General will respond to this problem and our concerns by conducting a vig-

orous and thorough investigation in the immediate future.

It is extremely important that the administration and Congress do all we can, short of reregulation, to prevent a similar crisis from happening again. We must do what we can to ensure that adequate fuel supplies are available in the future to consumers in a free and fair market.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLEAN AIR RESTORATION STANDARDS ATTAINMENT ACT OF 1989

Mr. THURMOND. Mr. President, in June 1989, President Bush announced a broad outline of his plans to propose comprehensive legislation amending the Clean Air Act. Two months later, he forwarded to the Congress a comprehensive bill, S. 1490, which would make the first substantial changes in the Clean Air Act since 1977. I am pleased to be a cosponsor of that legislation and to be a supporter of clean air. Although S. 1490 is not a perfect bill, I believe it represents the most reasonable and realistic approach of all the clean air bills that have been introduced.

Two weeks ago, the Senate began consideration of S. 1630, the Clean Air Restoration Standards Attainment Act. This comprehensive legislation, while similar to S. 1490, is much more extreme than the bill the President has offered. The real question during this debate is not "Should we have cleaner air"—but rather, "What is the most reasonable means to achieve this end?"

Consisting of seven titles, this bill addresses ambient air quality standards, mobile source controls, air toxics, acid rain, permitting of businesses, protection of the stratospheric ozone layer, and enforcement authority. It has far-reaching implications for all Americans. Not only will it impact large, heavily capitalized businesses, but it will also significantly impact small family-run businesses, and ultimately individual consumers. Accordingly, we must be careful to craft a bill that is reasonable to most Americans.

Mr. President, in this regard, I do have concerns about this bill as currently drafted. Specifically, the residual risks standard contained in the air toxics provisions of title III will impose additional burdens on many businesses, including the textile industry, which has already been harmed by the growth of imports. For example, in 1978 the textile industry employed 899,000 persons. In 1988, this number dropped to 729,000, a decrease of 19 percent. In my home State alone, there has been nearly a 26.9-percent drop in textile employment from 143,400 jobs in 1978 to 106,300 in 1988. Already hampered by imports, it just does not make sense to impose such unreasonable controls upon private enterprise.

Other businesses such as mining will be impacted as well. For example, in 1988, in my home State an enterprising company took on the task of opening and operating a gold mine, which has provided employment to 140 people. The extreme changes proposed in some of the air toxics provisions could substantially impact this new company. In short, we must be careful not to shortchange free enterprise. Industries must be able to remain competitive. Change is needed in our clean air laws, but it must be reasonable.

To put this in perspective, a cost comparison prepared last month by the Environmental Protection Agency estimates the Senate bill to be nearly double the price of the administrative bill. The Senate bill, S. 1630, would cost $42 billion and the administration bill $19 billion. In addition, the residual risk standard which I mentioned earlier is estimated to cost approximately $4.5 billion more than the administration measure.

Mr. President, I also have concerns about the acid rain provisions contained in title IV, and the potential impact these provisions could have on consumers in my home State, and the Southeast-at-large. Specifically, I have received information indicating that families in South Carolina could be paying 10 to 15 percent more for their electricity as a result of this legislation. In addition to households, heavy industrial users of electricity such as aluminum processors and many, many others will be similarly affected by this legislation. While we must clean up the air we breathe, we must do it in a reasonable manner.

Mr. President, I am concerned about the national emissions' cap set at the year 2000 level, the limitation to the baseline years 1985-87 for calculation of emissions, and the general lack of credit given to companies which have already been operating clean plants. These provisions are particularly inequitable for the Southeast, which has been experiencing economic growth. In effect, these provisions represent a no growth policy, and make it much more difficult for new units to be constructed.

In my home State, utilities have a solid record of low emissions, due to the use of low-sulfur coal, clean technologies, and nuclear power—one of the cleanest sources of power available. It is only equitable that credit be given for these positive changes. Unfortunately, there is insufficient recognition in the bill for these positive changes.

Mr. President, these are just a few of the concerns I have. As I mentioned earlier, I am a supporter of clean air. However, we must be both realistic and reasonable in our approach on this matter. I look forward to the continuing debate on this important matter.

DEATH OF R. LYNN RYLANDER

Mr. WARNER. Mr. President, I would like to bring to the attention of the Senate some sad news. Mr. R. Lynn Rylander, who was serving as an Acting Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, died very unexpectedly this past Saturday.

Lynn had worked very closely with this committee over the years while serving in various posts in the Department of Defense. He was a dedicated public servant who labored tirelessly for his country. One could not ask for a more loyal ally than Lynn. He was also a very tough adversary for those who had the misfortune to find themselves on the opposite side on an issue from him.

There will be a memorial service for Lynn tomorrow morning at 11 o'clock at the St. Matthews Episcopal Church in Sterling, VA. He is survived by his wife, Rebecca, and their daughter, Kate, and son, T.J. Mr. President, I ask unanimous consent that an article concerning Lynn's death from the February 7 edition of the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 7, 1990]

R.L. RYLANDER, OFFICIAL AT DEFENSE, DIES

R. Lynn, Rylander, 43, an acting deputy assistant secretary of defense for special operations and low intensity conflict, died of cardiac arrest Feb. 3 at Reston Hospital Center. He had been stricken earlier that day while playing racquetball near his home in Sterling.

Mr. Rylander was a native of Oklahoma. He graduated from the University of Oklahoma and received a master's degree in economic development from American University and a master's degree in public administration from Harvard University.

He came to the Washington area in 1968 when he joined the Central Intelligence Agency as an economic analyst. He transferred to the Defense Department in the mid-1970s. He had worked in the department's Program Analysis and Evaluation Section and in the International Security Affairs Office before joining the Special Operations and Low Intensity Conflict Section.

He was a member of the D.C. National Guard.

Mr. Rylander had written articles for Military Review, Naval War College Review and Marine Corps Gazette. He has given lectures at the Army, Naval and Air war col-

leges. In 1985, he received a Meritorious Civilian Service award from the Defense Department.

He was a member of American Mensa, the American Defense Preparedness Association and the Center for Strategic and International Studies. He was a member of the Special Forces Association, the Air Commando Association and the Fraternal Order of UDT/SEAL.

His marriage to Linda Rylander ended in divorce.

Survivors include his wife, Rebecca F. Rylander, a daughter and a son from his second marriage, Kate Rylander and T.J. Rylander, all of Sterling; his father, Leroy F. Rylander of Owasso, Okla; and a sister, Norma Lockwood of Tulsa, Okla.

YEVGENY YEVTUSHENKO

Mr. GORE. Mr. President, this morning's edition of the New York Times carried a poem written by the renowned Soviet poet Yevgeny Yevtushenko and delivered by him at a dinner I attended some weeks ago in Moscow. With permission, I will include the poem and an introduction to it for the RECORD, in the belief that they both touch upon issues which are current and of deep importance and interest to the Congress: Namely, the struggle now underway within the Soviet Union to define that country's moral future.

Yevtushenko is a great voice in Soviet literature, and I enjoyed the opportunity to visit with him and to be present as he addressed a fundamental topic in the language of poetry. In this connection, I would like to make mention of one whose efforts helped to make this event possible. I had hoped to give him credit in the op-ed, but that reference and several hundred of my other words fell victim to the editor's need for space.

Mr. Victor Winston has had a successful career in business, but in recent years has returned to his first love which is the study of the Soviet Union, and is now a member of the staff of George Mason University. When he learned that I would be in Moscow, Mr. Winston took the initiative to propose a meeting with some personalities whose insights and experience would be valuable. It took considerable exertion on his part to organize the dinner memorialized in my article, and had he not also been present at the table, helping us to communicate across the language barrier, the discussion would surely have been less rich than it was. Moreover, the translation of Yevtushenko's text was undertaken by Mr. Winston as a separate effort, and I wish to express my appreciation to him not only for turning to this at once, but also for his success in producing a translation highly sensitive to the power and imagery of the Russian original.

I know that Mr. Winston will always share the warm memories I have at having been present at an occasion of this kind, but I think it is also important that his role in bringing it about be acknowledged, with an appropriate expression of thanks from this Senator, who benefited from a rare chance to see into the depths of the struggle now underway for the future of the peoples of the U.S.S.R.

Mr. President, I ask unanimous consent that the poem, along with my introduction, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 7, 1990]

HALF MEASURES

(By Yevgeny Yevtushenko)

Half measures can kill when on the brink of
precipices,
chafing in terror at the bit,
we strain and sweat and foam because we
cannot
jump just halfway across.

Blind is the one who but half sees the
chasm,
and half recoils because he lost his way,
half mutineer and half suppressor
of the rebellion he has given birth to!

Semi-effective, semi-actions push the half
people
back to the half rear,
the half satiated ones are but half hungry,
and those half free—are half enslaved.

Half fearful, halfway on the rampage . . .
a bit of this and yet a half of that,
a timid party-line espousing "Robin Hood"
half walking to a semi-guillotine.

Lost is the opposition's firmness.
Swashbuckling with a flimsy sword,
one cannot be a half guard with the cardinal,
and simultaneously half a king's musketeer.

There is no semi-fatherland,
nor can we fathom semi-conscience;
half freedom is the trek to jail,
and saving our fatherland halfway
would fail.

THE "HALF FREE" ARE "HALF ENSLAVED"

(By Albert Gore, Jr.)

WASHINGTON.—The poem was a simple, dramatic dessert to a long dinner around a table laden with delicacies rarely seen during a Soviet winter: plates full of beef and fish and a pyramid of fresh oranges.

We listened, Soviets and Americans, as Yevgeny Yevtushenko, the legendary poet of conscience, declaimed it, freezing into awed silence what had been a spirited debate about the course Soviet leaders must adopt. The poem, Mr. Yevtushenko said, was a new creation, but it was delivered with such command that it seemed to be recited from memory. He said that it would be called "Half Measures."

Our host, in an ornate room in an old Moscow restaurant, was Vitaly Korotich, editor in chief of the controversial magazine Ogonyok. He is also a member, in the Congress of People's Deputies, of the Inter-Regional Group—a loose alliance of delegates who believe perestroika will fail if Mikhail Gorbachev does not dramatically accelerate economic reform. Mr. Yevtushenko is also a delegate to the Congress, which meets at least once a year. He brings an unusual blend of poetic insight and knowledge of insider politics to his responsibilities.

When asked how virulent national rivalries and ethnic hatreds could boil over at a time of relatively unfettered political life, he spoke of a mastodon, perfectly frozen in time. Imagine, he said, that the scientific expedition that discovered the animal takes great pains to defrost it. Even if they proceed flawlessly, unseen to their eyes but thawing with the huge beast would be tiny microbes carrying ancient diseases with the ability to destroy it. Only the onset of decay would signal the microbes' presence. This is equally true of ethnic conflicts and anti-Semitism, which are now thawing along with political processes frozen for so long, Mr. Yevtushenko said.

It was while we talked of the possibility of a "third path" that Mr. Gorbachev might follow to lead the Soviet Union to safety that Mr. Yevtushenko's low, musical voice captivated us with "Half Measures."

For some, the "third path" involves an economic transition from the discredited "command" model to something approximating a free market, yet not quite capitalism. To others, it involves giving up the old imperial structure for something resembling a confederation, yet not quite entirely a union of sovereign equals. For still others, it means a society in which people need no longer lock their thoughts away in secret places, yet a society that is not quite based on the paramount value of individual rights.

The essential truth about the circumstances of the Soviet Union is conveyed in Mr. Yevtushenko's few lines. None of us in the West can presume to know how the Soviet Union can best make the excruciatingly difficult transition it is now attempting. After all, this is a society organized along lines so alien to our own that opening a McDonald's restaurant in Moscow has been accompanied by planning and economic life-support arrangements worthy of sending a mission to the moon.

It is worth appreciating, however, that many in the Soviet Union believe that the only real choice may be all or nothing: full economic and political freedom or the possibility of a return to conservatism: "Those half free—are half enslaved."

TRIBUTE TO MASSACHUSETTS FIREFIGHTERS

Mr. KENNEDY. Mr. President, each year thousands of people fall victim to the ravages of fire, including many brave men and women who risk their lives fighting fires. It is my privilege to give special tribute to three from Massachusetts: Paul R. Caron of West Barnstable; Anthony Conti, of Everett; and Frederick T. Donovan of Chelsea.

These men were committed to a profession that poses the greatest of risks and sometimes demands the greatest sacrifice. It is a profession that tests the limits of human emotion, endurance, dedication, and courage. The following prayer, offered at services to honor fallen firefighters, reflects the dedication of those engaged in this extraordinary form of service to their community.

A FIREFIGHTER'S PRAYER

Give me concern,
A willingness to seek out those in need.

Give me courage,
The boldness of spirit to face and conquer
fear,

To share and endure the ordeal of others in need.
Give me strength,
Strength of heart, to bear whatever burden
Might be placed on me, and strength of body to
Deliver safely all those placed in my care.
Give me wisdom to lead,
The compassion to comfort, and the love to
Serve unselfishly wherever you take me.
And please Lord, throughout it all, be at my side.

I extend my sympathy to the family and friends of Paul Caron, Anthony Conti, and Frederick Donovan. I ask unanimous consent that a series of articles may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chelsea Record, Oct. 6, 1988]

DONOVAN WAS 17-YEAR VETERAN

(By Ann Belser)

CHELSEA.—A TWO-ALARM UPPER BROADWAY BLAZE LAST NIGHT LEFT FIREFIGHTER FREDERICK DONOVAN, 47, OF SPRINGVALE AVENUE, CHELSEA, DEAD, AND HOSPITALIZED FIVE FIREFIGHTERS AND TWO MEMBERS OF THE MALDEN EMERGENCY LIGHTING CREW.

This morning, flags were at half staff in the city and members of the department were making the memorial arrangements for Donovan, who his colleagues considered to be "a likable guy."

"I learned a lot from him," said one firefighter who wished not to be identified, but began his tenure on the department working with Donovan, "He was just the kind of guy that would help you out as much as he could. He taught me a lot."

Firefighters were first called to the fire in the four-unit two story building at 827-829 Broadway at 8:37 p.m. and a second alarm was sounded at 8:49 by Deputy Chief Joseph Von Handorf. None of the residents of the building were injured. The five other firefighters were treated and released from Widden Memorial Hospital.

Members of the Fire Department were visibly shaken this morning when talking about Donovan. "When the bell hit, he was one of the people that you loved to have behind you," said Lieutenant Herbert Kelloway.

Donovan, the father of two sons, was the pension and welfare officer for the firefighters' union, one of the four men in the union to hold office.

He was a 17-year veteran of the department, and a member of the Chelsea Irish Club.

The exact cause of Donovan's death was still undetermined this morning. He had gone in and when he came out. He was having trouble breathing while at the scene during the fire. Donovan was rushed by ambulance to Whidden Memorial Hospital where he was later pronounced dead.

The last Chelsea firefighter to die in the line of duty was Captain James Trainor, who suffered a heart attack during a New Year, 1978 blaze.

The fire is still under investigation and no official details were available this morning at press time, but members of the department said the intensity of the fire was extreme.

Deputy Chief Edward Doherty said cylinders of compressed gas were found in the building, and Acting Deputy Chief Dennis Williams said he could not confirm or deny what was in the tanks, however, firefighters, who wished not to be identified said they thought the tanks were acetylene and oxygen, firefighters broke all the windows and climbed onto the roof and vented the roof by cutting holes in it.

Flames roared from the venting holes and billows of thick black smoke rose into the air as firefighters stood on the roof a few feet away.

All the firefighters entering the house wore oxygen tanks and masks, and at one point before the blaze was brought under control, dozens of bells were ringing . . . the bells being the fireman's warning that it's time to change the tanks . . . before going back into the building.

The arrival of the gargantuan Malden emergency truck was a sight to behold. With air horns blaring and a phalanx of lights blinking, the massive red truck wound its way to a position in front of the house.

With its special, highpowered lighting apparatus directed onto the burning house, night was turned into day, and for the spectators lining Broadway, most of whom had been watching television in their living rooms, it was an opportunity to watch state of the art fire fighting technology first hand.

The property that burned is located in a thickly congested block of Broadway. It was built in the 1880's and strongly resembles similar type "workers' residences" which still stand in Newburyport.

With its side by side central entrances, plenty of windows for natural light, and wide stairways leading to the apartments on the second floor, the properties apartments were spacious and charming.

Unique wooden handcarvings, akin to those which craftsmen used to place on the bow of ships, adorned the entranceway of the Broadway house which burned last night.

They were still there this morning, although the house lays in ruin and a firefighter is dead.

It took firefighters about an hour to bring the blaze under control. By that time, that stretch of Broadway was a glaring collage of reds and blues, of blinking lights and men dressed in black rushing over a street covered with hoses.

"How many times can something like this happen in one small city," a neighbor was heard to ask.

"How many more times?" she asked.

[From the Everett Leader Herald, June 9, 1988]

FIREFIGHTER ANTHONY CONTI DIES DURING RESCUE ATTEMPT

An Everett firefighter who plunged into a neighbor's burning home to save two children supposedly inside of it, collapsed and died of a heart attack while his horrified wife looked on.

Anthony Conti, 56, of 24 Myrtle Street, was pronounced dead of cardiac arrest at Whidden Memorial Hospital at 8:18 a.m., just over an hour after he entered the fiery housing duplex at 25 Myrtle Street, Everett.

Conti, a pump operator, was not required to go into the house, which caught fire just after 7 a.m. But witnesses said he didn't hesitate when he was told there may have been children's lives at stake.

Firefighter John J. McCarthy, Conti's best friend, said Everett Engine 2—with Conti at the wheel—pulled up to the duplex at 7:10 a.m. and was greeted by a "hysterical" woman on the sidewalk who said her two kids were inside.

"Everybody seemed to go right in after those kids," McCarthy recalled.

Capt. David Butler, commander of Conti's shift and one of the firefighters who entered the building, said once Conti was inside, he clutched his chest and staggered out to the street.

"He came out and then dropped," said Deputy Fire Chief Robert Rideout. "The whole crew was badly shook up."

Unknown to the firefighters, the two children thought to be inside had escaped and were in the backyard of the woodframed two-story house.

"There was no one in the building," Butler said.

Fire officials are probing the cause of the fire, but said they suspect a short in the duplex's electrical wiring may have sparked the blaze, which started in an enclosed front porch on the second floor and caused an estimated $50,000 damage.

No other injuries were reported, but both families living in the duplex were left homeless by the fire.

Rideout said Conti didn't have to respond to the call, but did so because he knew the people who lived there.

Awakened by the fire, Conti's wife, Virginia, watched from her porch directly opposite the home as her husband fought the blaze.

"He looked over at her, they had eye contact," said Conti's daughter, Linda, of Revere. She said her mother did not want to interfere when her husband was working, so she just watched.

At one point, Mrs. Conti left her porch to go inside for warmer clothes. When she returned, she found rescue workers trying to resuscitate her husband.

"She went for him and they held her back," her daughter said.

Conti's death came less than a month after his older sister died of a heart attack, family and friends said.

While Conti's family and friends grieved, the men in Conti's other "family" at the Hancock Street firehouse said he was "a damn good firefighter" who will be missed.

"When you're on the Fire Department, it's like family," Deputy Chief Rideout said. Conti was a firefighter for decades.

"It was a little family up here," said Tony O'Brien, driver of Engine 4. "They used to joke about Tony making coffee. He made the lousiest coffee in the world."

Above the firehouse, the flag was lowered to halfstaff.

"There wasn't a man on this job that didn't respect him," O'Brien said.

Conti, an Army veteran, had been an ironworker before becoming a firefighter in the early 1960s.

He was the husband of Virginia (Worcester) Conti, and the father of Anthony and Joseph Conti of Everett, Linda Conti of Revere, Jean Guardino of Everett, and the late Jerry Conti.

He was the son of Ida (Piniaro) Conti of Malden, and the brother of the late Freda Bell. Mr. Conti was also the grandfather of Richard Guardino and Christina Conti, both of Everett.

A Funeral Mass was said on Wednesday at 10 a.m. at St. Joseph's Church, Everett. Burial was in Woodlawn Cemetery.

The funeral was arranged by the John F. Ward & Son Funeral Home, 772 Broadway, Everett.

The cause of the fire is still under investigation.

No other injuries were reported; all of the occupants of the building escaped safely.

[From the Cape Cod Times, Oct. 10, 1988]

BARNSTABLE FIREFIGHTER DIES IN CRASH

(By Richard Miller)

WEST BARNSTABLE.—With the American flag outside flying at half-staff and black bunting draping the front of the building, firefighters at the West Barnstable Fire Station yesterday remembered a comrade who died Saturday night while responding to a call.

Paul R. Caron, 43, a call firefighter and emergency medical technician, died Saturday night while on his way to assist in another accident. His car ran off Route 6A and into a tree.

Responding to firefighting and rescue calls was not Caron's full-time job, but it was soon going to be. He had spent many years as a lieutenant colonel for the Massachusetts National Guard at the Otis Air National Guard Base and most recently worked at the Boston Water and Sewer Commission.

Despite working part-time, Caron had already devoted more than 2,000 hours training for his paramedic certification, West Barnstable Fire Chief John P. Jenkins said. He had already spent nine years as a firefighter, seven with the Sandwich Fire Department and the last two in West Barnstable.

"Totally dedicated," Jenkins said. "Paul was that type of individual. Everything he did, he did superbly." At 11:18 p.m., West Barnstable firefighters and a rescue unit responded to a single-car accident at the intersection of Routes 6 and 132. The car had rolled on its side, crashing into a fire hydrant.

Caron, a bachelor, was at his home on Old County Road in East Sandwich when he heard the call. According to Jenkins, Caron had told his mother in South Natick earlier Saturday that he needed to respond to just one more motor-vehicle accident to finish his paramedic training.

This accident was the one that would "put him over the top," Jenkins said.

It was cold and rainy as Caron drove his 1987 Saab 900 east on Route 6A, heading toward the station, where he would have boarded a rescue vehicle. "The roads were just treacherous," Jenkins said.

He believes it was the rain, the cold and a layer of leaves on the road that caused Caron to lose control on a curve just east of Maple Street. Jenkins can remember three other fatalities around that same curve.

"There were not a lot of skid marks," Jenkins said. "He just came around that corner and just lost it. He must have been hydroplaning."

It was not until 11:52 that Jenkins and the rest of his crew received word of Caron's accident. They used the Jaws of Life hydraulic tool to remove his body from the vehicle. He was pronounced dead at Cape Cod Hospital in Hyannis at 1:11 a.m.

"It's very traumatic," said Jenkins, chief for 16 years. Jenkins described his group as a "close brotherhood" brought together by the stressful nature of the job.

"The members of a department are as close as a family," he said. "It will take a long, long time to get over losing someone."

[From the Cape Cod Times, Oct. 13, 1988]

COLLEAGUES MOURN FALLEN FIREFIGHTER

(By Trisha Currier)

SOUTH NATICK.—Yesterday afternoon, West Barnstable fire-fighter Paul Caron went home to South Natick on West Barnstable fire engine 296.

Caron died early Sunday after his car skidded off Route 6A and hit a tree at West Barnstable as he was responding to a car accident. He was 43. He was eulogized, prayed for and buried by 125 firefighters and police officers from across Cape Cod and Massachusetts.

Uniformed firefighters and police officers, many wearing white gloves, stood at attention outside the church as the fire engine carrying his casket pulled up, flower arrangements in its jump seats and on its tank. On the engine's rear step-board, Caron's coat, his name printed across it, hung with his helmet above his boots.

Caron was a resident of East Sandwich, but he grew up in the leafy suburb of South Natick, and was, like his two brothers, an altar boy at Sacred Heart Church. The quaint white church on Route 16 yesterday was the site of his funeral Mass.

During the service, waiting incense and the mournful tones of "Amazing Grace" filled the church. The firefighters and police officers who packed the aisles represented almost every town on Cape Cod as well as the Boston suburbs of Natick, Wellesley, Freetown and Dover. Public Safety Under-Secretary Dennis Condon was at the funeral representing the governor. Also attending the Mass were the three members of the West Barnstable Fire District Certification Board.

Uniformed officers wore black ribbons across their badges. A single white candle adorned with a red cross burned throughout the hour-long service on a stand at one end of Caron's American flag-draped casket.

West Barnstable Fire Chief John P. Jenkins, who was Caron's friend for 18 years, delivered the eulogy.

"In the fire service, there can be nothing more devastating, nothing more hurtful or painful or more tragic to the organization, than the less of a brother in the line of duty," Jenkins said, adding: "It's going to take a long time for those of us who were close to Paul to recover from his loss."

Jenkins urged those who attended to refrain from mourning Caron's death, urging them instead to "celebrate his life."

"He wouldn't want us to have tears in our eyes," Jenkins said. "He would want us to be happy because that was his life."

A former fighter pilot, Caron was a lieutenant colonel for the Massachusetts National Guard at Otis Air National Guard Base. He also had served in the U.S. Air Force at Lackland Air Force Base in Texas.

Caron worked for the Sandwich Fire Department for seven years before joining the West Barnstable department two years ago.

For the last year and a half, Caron doggedly pursued certification as a paramedic, a goal he spent 2,000 hours trying to achieve. Ironically, when he died he had to log just one more motor vehicle accident to fulfill the training requirement.

"Saturday evening, as we all responded to that motor vehicle accident, Paul left his home to respond. He met his death on his way to something he dearly loved," Jenkins said.

Jenkins informed mourners that Frank Kesloff, the director of the state's Emergency Medical Services program, has told Caron's mother her son will be awarded paramedic certification posthumously. The letter of certification will be mailed to her.

Along with his dedication to emergency services, Caron had a whimsical side. His penchant for imitating pterodactyis, flying dinosaurs, at odd moments betrayed his infectious sense of humor, Jenkins said. After dropping an injured person off at an area hospital, Caron was fond of cheering up his fellow rescue squad members by flapping his arms and squawking.

"(The squad) would be in stitches by the time they left Hyannis and got back to West Barnstable," Jenkins recalled.

Jenkins also remembered Caron as a man who always was willing to share his knowledge and experience with others, and was particularly supportive of the department's younger members.

To West Barnstable firefighter Marc Davis, Caron was like an older brother. Davis, who was one of the first firefighters to arrive at the scene of Caron's fatal crash, yesterday served as a pallbearer for his friend.

Standing beside Engine-Tanker 296 in South Natick's sun-dappled Glenwood Cemetery, Davis recalled the rescue squad's response to the call that came in at 11:52 Saturday night: "We were discussing CPR procedures en route to the call. Then I saw . . . the car. The chief grabbed me and said: 'Marc, it's Paul.' I broke down right there."

Davis and the other West Barnstable firefighters tried to revive Caron with the help of a rescue crew from Hyannis.

"It was a rough scene, but in a way it almost felt good because for all Paul did for me, I at least could give him a fighting chance," Davis said.

Davis, who turned 23 yesterday, said he was holding up well until he rode past a Natick fire engine that had parked along the route between the church and the cemetery. As the West Barnstable engine passed, the Natick firefighters saluted.

"I hung on until there, but . . .," he said, his voice trailing off as he watched firefighters and police officers place flowers on the casket. "It's the honor of a fallen brother. We all bleed for that person—our hearts do."

TRIBUTE TO THE LATE AUDREY RUTH KAY

Mr. KOHL. Mr. President, I rise today to pay tribute to a constituent of mine, Audrey Ruth Kay. Audrey was a wonderful asset to the community in Milwaukee, and she will be sorely missed by her family, her friends, and the many people she had the opportunity to serve. Audrey passed away last December of lung cancer at the age of 62.

A native of Milwaukee, Audrey spent 40 of her years serving her community. From the years 1966–79, she served as a staff member and then later director of the Jewish Children's Home. For the next 10 years, until her retirement in May 1989, she was the Milwaukee area director of the Children's Service Society of Wisconsin.

Audrey received her bachelor's degree from Ohio State University and then went back to her home State to earn her master's degree from the University of Wisconsin. She also served as the national secretary for her sorority Delta Phi Epsilon.

Audrey was a very strong and courageous woman who battled her illness with conviction. When her cancer was discovered doctors told her that she

would only have 6 to 9 months to live, but Ms. Kay battled her illness and lived for another 27 months.

Mr. President, I am glad to have the opportunity to pay tribute in the Senate of the life of Audrey Ruth Kay. She did not live in the public eye, and did not seek any fame for herself. But because of the lives she touched through her commitment to the Jewish Children's Home and the Children's Service Society, Milwaukee is a better place. She will be remembered and she will be missed.

GEORGE HAINES—RECIPIENT OF THE GREATER SAN JOSE SPORTS ASSOCIATION BUD WINTER AWARD

Mr. CRANSTON. Mr. President, I am delighted to recognize the tremendous achievements of George Haines who today will receive the Bud Winter Award from the Greater San Jose Sports Association for his years of goodwill, hard work and dedication exemplified through his coaching of athletics.

Being an active athlete myself, I know the mental and physical values that athletics, both individual and team play, have to offer. I also know that the success or failure of a team is dependent upon a coach who has earned respect from his players and who is capable of unleashing the desire to perform and excel beyond ones potential. Coaching swimming, waterpolo, wrestling and football since 1950, George Haines has led his teams to 54 Olympic medals and more than 170 championships. His coaching career has carried him from Santa Clara High School, Santa Clara Swim Club, Stanford University, and to the Olympic games on seven different occasions.

I am honored to congratulate George for providing strong leadership and inspiration to the young athletes and students whom he has been a role-model to over the course of his outstanding coaching career.

GREEK INDEPENDENCE DAY—A CELEBRATION OF THE GREEK-UNITED STATES DEMOCRATIC HERITAGE

Mr. PELL. Mr. President, I am pleased to offer my cosponsorship of Senate Joint Resolution 243, legislation to commemorate Greek Independence Day. I have traditionally supported similar legislation as a fitting tribute to the democratic bond between Greece and the United States. This bill, introduced by my colleagues, Senators SPECTER and LAUTENBERG, would designate March 25, 1990, as a national day of celebration of Greek and American democracy.

More than 2,000 years ago, the Greek statesman Pericles laid the framework for democratic structures in Greece when he proclaimed that the Greek "Constitution is called a democracy because power is in the hands not of a minority, but of the whole people." This statement embodies the principles adhered to by our own Founding Fathers 200 years ago as they drafted and ratified the very heart of American Government, the U.S. Constitution. In reflecting on the Greek contribution to the American system of Government. I recall the words of Thomas Jefferson, who stated that "to the ancient Greeks we are all indebted for the light which led us out of Gothic darkness." The Greek democratic beacon still shines bright and clear, enhanced by more than 169 years of independence.

Beyond our shared democratic heritage, Greek-American ties are strengthened by the interaction of our people. Greek immigrants have made significant contributions to nearly every aspect of American culture, including literature, art, medicine, music, sports, and politics. The Greek Orthodox faith has become an important segment of the diverse elements of the American religious community; last year I had the pleasure of congratulating Archbishop Iakovos upon the 30th anniversary of his leadership of the Greek Orthodox Archdiocese of North and South America.

Mr. President, I will be proud to join with Greek-Americans on March 25 as they celebrate our common history and the strength of our alliance. It will be a day to commemorate our shared values of freedom, democracy and independence; I urge my colleagues to support fully Senate Joint Resolution 243.

HOW TO FIGHT GLOBAL WARMING

Mr. PELL. Mr. President, in the late 1980's, concern for the environment has emerged as a major force in international politics. Increasingly, national governments are realizing that many of the environmental problems they face can only be solved by cooperative international action.

One of the most pressing examples of this is the threat of global warming. The international community's response to the threat was the creation in 1988 of the Intergovernmental Panel on Climate Change. The IPCC was created to assess the state of knowledge about global climate change and its impacts and to consider possible response strategies.

Separate from the IPCC, last summer's Paris summit meeting and the November meeting of environmental ministers in The Netherlands also addressed the climate change issue.

Prior to the this meeting, I introduced Senate Resolution 200, calling on the President to use the meeting to move the dialog on climate change forward by taking four concrete steps.

First, announce U.S. support for the initiation of negotiations on a framework convention on climate change in early 1990.

Second, announce the U.S. intention to host an international meeting to begin negotiations on such a convention.

Third, set a target date for the completion of this convention as soon as possible, but not later than March 1, 1991.

And finally, announce a commitment by the United States to reduce emissions of greenhouse gasses in conjunction with other industrialized countries.

I applaud the President's decision to take up the second of these suggestions by agreeing to host an international meeting to begin negotiations on a framework climate change convention. At the same time, I believe we need a commitment now by the United States actually to reach agreement on and bring into force an effective international convention to limit significantly greenhouse gas emissions.

The Honorable Elliot L. Richardson made an excellent case for an international treaty to coordinate and enforce international action on the environment in the February 7, 1990, New York Times, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 7, 1990]

HOW TO FIGHT GLOBAL WARMING

(By Elliot L. Richardson)

WASHINGTON.—Environmentalists and politicians can argue the costs and benefits of international action on global warming from now until doomsday, and they probably will. But nothing will get done without an institutional mechanism to develop, institute and enforce regulations across national boundaries.

The need for a mechanism emerged clearly from this week's meeting of the Intergovernmental Panel on Climate Change, a group sponsored by the United Nations. President Bush's speech at the conference, in which he called for more research on the "uncertainty" of global warming, may have disappointed some. But that misses the larger point.

Little can be accomplished in the absence of multilateral institutions that will eventually carry out whatever remedial environmental actions the world community can agree upon. In short, we need an international treaty, modeled perhaps on the Law of the Sea Treaty, to coordinate and enforce international action on the environment.

Of course, many scientific questions need to be answered. We need to know the costs and benefits of various means of stopping the buildup of greenhouse gases. We need to discuss regulatory standards and cost-effective enforcement measures. Eventually, however, we will have to act.

The world cannot afford to rely on independent action by individual countries. The results are bound to be highly uneven: One

nation could cut back on its carbon dioxide emissions; one could stop the destruction of its own forests; still another could do nothing. The least responsible transnational corporations will seek out and encourage the most permissive regulatory environments.

For maximum impact as well as equitable burden-sharing, there will have to be universal standards universally accepted. Deliberation about the political palatability and enforcement of these standards should be concurrent with, not subsequent to, deliberation about science and regulation.

Take, for instance, the question of whether to strengthen organizations like the United Nations Environmental Program or the International Maritime Organization, combine them or build a new one—a global Environmental Protection Agency—from scratch. Or take the question of what powers should be granted to the chosen institutions. Should these institutions be limited to formulating recommendations or should they also have the power to promulgate and enforce regulations?

Political considerations must also be discussed. Will there be a single governing body with universal representation? What kind of voting arrangement will govern its decisions—a one-nation, one-vote system like the United Nations General Assembly, a weighted system like the World Bank or Intelsat or something in between? Dispute-resolution mechanisms must be put in place.

Whether the international institution is given power to enforce rather than merely recommend regulations obviously affects representational and decison-making issues. In fact, the more power the organization will be expected to exercise and the more money it will be authorized to spend, the fiercer will be the battles.

The arena in which these battles are fought will be an international conference of some 160 sovereign states to be held in Brazil in 1992. These states will vastly differ in their contributions to environmental degradation. Their delegates will represent every race, culture, ideology, geographical circumstances and state of economic development on earth.

Given the scope and complexity of this conference's task, a thorough preparatory process is indispensable. The U.N. took four years to lay the groundwork for the Law of the Sea Conference, and the conference spent nine more years, with twice a year meetings, to produce a treaty.

The U.S. has not yet taken a prominent role in laying the groundwork for an environmental treaty. Our leadership in such effort nevertheless can make a critical difference. It is in our own interest and in that of the entire world community to take the initiative.

Our responsibility, our economic stake and our breadth of regulatory experience are unequalled. It is not too late.

EDUCATION ACTION THIS WEEK

Mr. MITCHELL. Mr. President, 3 weeks ago I outlined the agenda for the Senate. I spoke about the challenges we face as a nation and as legislators. I spoke about the needs of American families and our goals to meet those needs.

Today, I want to give a progress report on education, one of the most critical issues of importance to American families.

After a decade of reports and rhetoric, Americans expect action. This week marks the beginning of a year in which we will put what we know is needed, together with what we know will work, and get our school system back on track.

This week we have passed two major education bills and introduced a third. A fourth bill is pending on the Senate calendar and will be considered in the near future.

On Tuesday, by a vote of 99-0, the Senate approved the National Literacy Act—legislation to eliminate illiteracy by the year 2000.

The bill is a comprehensive plan that identifies the problem and confronts it head-on so that the goal of eliminating illiteracy becomes reality.

There are between 23 million and 27 million adults who are functionally illiterate today. Some estimates are even higher.

While experts may disagree on the exact number, there is no disagreement that we must reduce the number of functionally illiterate individuals if we are to maintain our productivity and growth as a nation.

With each passing year, the gap between jobs for Americans who are functionally illiterate and jobs that require solid basic skills for employment grows.

The National Literacy Act is a giant step toward the preservation of Americans in the workplace—each American.

On Wednesday, by a vote of 92-8, the Senate passed the Educational Excellence Act. The legislation will assist States to improve the basic skills of students. It will encourage innovative teaching methods and reduce student loan defaults.

The bill creates a presidential merit schools program to provide cash awards to public and private elementary and secondary schools that have made substantial progress in raising student achievement, in creating a safe and drug-free environment, and in reducing the student drop-out rate.

The bill creates an alternative certification for teachers and principals program at the elementary and secondary school level.

We know that this Nation will need about 2 million new teachers before the year 2000. We know that about 20 percent of new teachers leave during their first year of teaching and over half leave before their sixth year.

For those that stay, in a number of fields, they are not qualified to teach the courses for which they were hired.

The alternative certification program contained in this legislation is a modest program, but it is a start.

The Labor and Human Resources Committee has held several hearings on teacher recruitment, retention, and quality, and will report comprehensive legislation to the Senate later this year. This is a critical issue in which the Federal Government must become more involved and one in which I believe we can develop a better partnership with the States.

I am hopeful that the House of Representatives will act quickly on these bills so that we can move forward with our education agenda.

Today, I joined Senator KENNEDY and Senator HATFIELD in introducing the Excellence in Math, Science, and Engineering Education Act.

It is time Congress seriously considers how as a nation we will be prepared to face the next century.

We face a critical shortage of mathematicians, scientists, engineers, and technologists by the year 2000. The problem is multifaceted and there is no simple or quick solution.

Elementary schools give children a foundateion in technological education. Yet, studies have found that two-thirds of elementary science teachers are not fully qualified to teach science. And, nearly 80 percent of elementary school math teachers are not fully qualified to teach mathematics.

We know that for 8th graders in 20 foreign countries, Americans ranked 10th in arithmetic, 12th in algebra, 16th in geometry, and 18th in measurements.

We know that for college-bound high school seniors in 13 foreign countries, American students ranked 9th in physics, 11th in chemistry, and last in biology.

The legislation we introduced today is a comprehensive bill that addresses all levels of technological education, from elementary school through post-graduate studies.

The measure addresses the need for more qualified teachers, the need for more innovative material with which to teach, as well as new programs to stimulate our youth, particularly minorities.

This legislation is the cornerstone of an education agenda to keep this country competitive.

A fourth bill, the Carl Perkins Vocational Education Reauthorization Act, is on the Senate calendar and I expect we will pass it in the near future.

Over half of this Nation's students do not go on to college. The reauthorization bill will give States more flexibility in improving programs and shift more funding to the secondary school level. The legislation will raise the basic skills of students by improving the integration between academic and vocational courses.

These bills are the first step toward truly improving our nation's education system.

A SINGULAR HONOR FOR THE AMERICAN WOMAN

Mr. BYRD. Mr. President, the winning of a Fulbright Award has long

been recognized as one of the highest tributes that can be paid to anyone.

Recently, Wheeling Jesuit College in Wheeling, WV, announced that Wheeling Jesuit's director of college relations, Ms. Gail K. Mendelson, was named the first American woman to receive an academic administrator's Fulbright Award. Ms. Mendelson is in England for a 3-month schedule of studying English university relations and teaching her English college hosts about the American approach to strong community and alumni ties.

As here in our country, the British are currently examining ways to adapt their educational system to the evolving world economic situation, and they have found that American colleges and universities are well ahead in building relations that can mean greater financial support and more competitive student recruitment.

Specifically, Ms. Mendelson is sharing her talents and experiences in those areas of administration with the London School of Economics and the University of Kent at Canterbury.

I commend Ms. Mendelson and Wheeling Jesuit College on the salient recognition that has come to them in Ms. Mendelson's winning this Fulbright Award. We in West Virginia are particularly proud of the growing reputation of Wheeling Jesuit College, and we are likewise proud that Ms. Mendelson is being asked to participate in this notable new program with prominent sister institutions in England.

A fuller account of Ms. Mendelson's role in this project appeared in a recent issue in the Wheeling News-Register.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRITISH UNIVERSITIES SEEK WJC STAFFER'S EXPERTISE

(By Angelo Quaranta)

Once staid English universities are mounting strong public relations campaigns, and a Wheeling Jesuit College professional on a Fulbright Award will spend the next several months helping two of them.

Gail K. Mendelson, Wheeling Jesuits's director of college relations, is the first American woman to receive an academic administrator's Fulbright Award. She will spend the next three months studying English university relations and teaching what the Americans have to offer.

Mendelson will split her time between The London School of Economics and Political Science and the University of Kent at Canterbury.

Only 10 to 12 percent of English students go on to study in a university. With all of its perceived academic ills, Americans can claim that roughly one-third of its young people go on to college.

English centers of higher learning, once dependent on a tuition grant program that is being phased out, now need to maintain strong ties with the community and with their alumni.

"They want to see the increase to keep their economy and country competitive, and rightfully so, they need to keep their young people going to college," Mendelson said.

Until recently, not many development offices existed at English universities. Established schools such as the London School of Economics, nearly 100 years old, and newer schools such as the University of Kent at Canterbury, 25 years old, both have sophisticated marketing programs in place, Mendelson said.

What better way to tell prospective students about what she calls the "cutting-edge research" being done at Kent?

With the dearth of university students, the English now find "more of a need to have people understand why their sons and daughters should go on to a university," Mendelson said.

"They really wanted me—and it made me quite honored," Mendelson said.

Fulbright applicants must submit a form, recommendations, letters to invitation and a proposal—Mendelson was asked to prepare one based on contemporary issues of higher education in the United Kingdom—to the Council for the International Exchange of Scholars.

The CIES then makes recommendations to the Fulbright Commission in London. Mendelson said the two universities that sought her, located about 60 miles apart, will serve as her base of operations.

Mendelson describes both colleges as having active public relations offices. The London School of Economics hopes to combine its PR, alumni and development offices into a single office under the auspices of "advancement."

Kent has learned enough in its dealings with the public to target its student prospectus to specific audiences. European students—who are generally historically minded—receive a publication with a cover that highlights the romance of Canterbury. The cover of the publication sent to the Far East highlights the more technical aspects of the university.

"They have some of the best brochures I've seen anywhere," Mendelson said.

But a university does not live by words alone. It takes a strong fundraising effort and media, community and alumni relations to bring fresh donations to its coffers.

During her stay in England, Mendelson will help Kent with media relations for its silver jubilee.

The London School of Economics is now trying to reach out to areas other than London and North America, its two strongest student bases, Mendelson said.

Whoever assembles the student brochures for the London school may want to mention the fact that four Nobel Prize winners studied here. So did Mick Jagger, though he went on to make his fortune in an area other than economics or political science.

Mendelson did her undergraduate work at Miami University in Oxford, Ohio. She has done graduate work at West Virginia University and Peabody College of Vanderbilt University.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The period for morning business has expired.

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME LIMITATION AGREEMENT—S. 419

Mr. MITCHELL. Mr. President, I ask unanimous consent that the majority leader, after consultation with the Republican leader, may proceed at any time to the consideration of Calendar No. 50, S. 419, a bill to provide for the collection of data about crimes motivated by race, religion, ethnicity, or sexual orientation, and it be considered under the following time limitation: 1½ hours on the bill, equally divided and controlled between Senators SIMON and HATCH or their designees, and 30 minutes under the control of Senator HELMS; 1 hour equally divided on a Hatch-Simon first-degree amendment to be considered first; then 1 hour equally divided on a Helms sense-of-the-Senate amendment relating to homosexuals; that no other amendment be in order; that no motions to recommit or to table be in order; that the agreement be in the usual form with respect to the control and division of time; and that following the third reading of the bill, the Senate Committee on the Judiciary be discharged from further consideration of the House companion measure, H.R. 1048; that all after the enacting clause be stricken and the text of S. 419, as amended, if amended, be substituted in lieu thereof; and without any intervening action or debate, the bill be read for the third time and a vote occur on final passage.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. There is no objection on this side.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Could we just confer without even putting in a quorum call?

Mr. President, I am obliged to suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quroum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the majority leader's request?

Mr. MITCHELL. Mr. President, I want to clarify one point. In the sentence that I read, which I read as: "that no motions to recommit or to

table be in order," I want to make clear that I am talking about the tabling of either amendment and that of course the right is reserved to table the motion to reconsider after enactment of the legislation, if enacted, at the very end. I merely wanted to make clear that clause referred to the amendments.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Hearing none, it is so ordered.

HATE CRIME STATISTICS ACT

Mr. MITCHELL. Mr. President, I have consulted with the Republican leader and I now ask the Chair to lay before the Senate Calendar order No. 50, S. 419.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 419) to provide for the collection of data about crimes motivated by race, religion, ethnicity, or sexual orientation.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Pursuant to the order, time for debate on S. 419 is limited to 1½ hours equally divided between Senator SIMON and Senator HATCH or their designees, with one-half hour on the bill controlled by Senator HELMS. In addition, there are only two amendments in order to be offered: a Hatch-Simon amendment, with 1 hour equally divided; and a Helms sense-of-the-Senate amendment, also 1 hour equally divided in the usual form. No other amendments, motions to recommit, or motions to table are in order.

Mr. SIMON. Mr. President, I yield myself such time as I may consume.

I am pleased to bring to this body a bill that Senator HATCH and I have worked on for some time that has 58 cosponsors in this body, including both the majority leader and the minority leader. It is a very simple bill. It is a bill that says let us keep track of hate crimes in our society.

We know anecdotally what happens. When something happens at Howard Beach or somewhere else, we read about it and we may draw conclusions that incidents are going up or they are going down, but there is very little solid statistical evidence. We have 11 States that now do collect this data. We are simply saying, let us let the Federal Government collect that data. We are not creating any new crimes. We are not changing the status of the law at all.

I am pleased to say also that the President and the administration are in support of this legislation.

I ask unanimous consent to have printed in the RECORD a letter from the Assistant Attorney General as well as several other letters in support of it from various groups. Assistant Attorney General Carol Crawford has this to say:

This letter expresses the Department of Justice's unqualified support for S. 419.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS.
Washington, DC, July 27, 1989.

Hon. ROBERT DOLE,
Republican Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: This letter expresses the Department of Justice's unqualified support for S. 419, the "Hate Crimes Statistics Act," as reported by the Committee on the Judiciary. While our earlier letter to the committee had endorsed the concept behind the bill, but expressed some reservations regarding the bill itself, those concerns have been addressed. Specifically, the Attorney General has been given sufficient discretion to establish guidelines for the collection of the required data, and the list of crimes in the bill is designed to conform to the updated Uniform Crime Reports.

The Department of Justice, therefore, urges speedy passage of this legislation.

The Office of Management and Budget has advised this Department that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CAROL T. CRAWFORD,
Assistant Attorney General.

STATE OF MAINE,
DEPARTMENT OF THE
ATTORNEY GENERAL,
Augusta, ME, July 13, 1989.

Senator PAUL SIMON,
Chairman Subcommittee on the Constitution, U.S. Senate, Washington, DC.

DEAR PAUL: I am writing to inform you that on July 12, 1989, the National Association of Attorneys General unanimously voted in favor of the enclosed resolution supporting your bill, S. 419. In doing so, we concluded that "the efforts of the Attorneys General would be assisted by a hate crimes statistics act which would provide for the collection and publication by the U.S. Department of Justice of information on the frequency and nature of hate-based and bias-related crimes."

As a result, we have urged the Congress to enact legislation such as S. 419 or HR. 1048 in order to collect and publish hate crimes statistics so that all of us might rid this dreaded curse from our land.

Please feel free to distribute this resolution to your colleagues as you continue to deliberate this important issue.

Sincerely,

JAMES E. TIERNEY,
Attorney General.

[Submitted by Attorney General Robert Spire]

(Summer Meeting, July 9-12, 1989, Lake of the Ozarks, MO)

PROPOSED RESOLUTION CONDEMNING HATE-RELATED VIOLENCE AND SUPPORTING A FEDERAL HATE CRIMES REPORTING ACT

Whereas, Attorneys General have witnessed the growth nationwide of hate-based crimes, or crimes that manifest prejudice based, for example, on an individual's race, or religion; and

Whereas, such activities and incidents threaten the mutual civility, shared values and individual respect and undermine the principles upon which this nation was founded; and

Whereas, Attorneys General have an obligation to confront this violence through the enforcement of civil rights and public safety laws which protect citizens' basic human rights; and

Whereas, the efforts of the Attorneys General would be assisted by a hate crimes statistics act which would provide for the collection and publication by the U.S Department of Justice of information on the frequency and nature of hate-based and bias-related crimes; and

Whereas, the enactment of a federal hate crimes statistics act would send a clear message to the victims of such crimes that these offenses are of concern to Attorneys General and other government officials; and

Whereas, the Congress is considering legislation (S. 419 and HR 1048) which would provide for the collection of hate crime statistics;

Now, therefore, be it resolved that the National Association of Attorneys General:

(1) condemns all forms of hate-related or bias-related crime or violence; and

(2) authorizes the Civil Rights Committee to develop model state legislation for investigating and criminally prosecuting cases of hate-related crime; and

(3) encourages Attorneys General to work with nationally recognized civil rights groups which are already addressing these issues; and

(4) supports the collection and publication of data on hate crimes which would assist federal, state, and local officials in determining national and local trends and in developing strategies to deal with hate crimes; and

(5) urges the Congress to enact legislation such as S 419 and HR 1048 or similar bills providing for collection and publication of the hate crimes statistics; and

(6) authorizes its Executive Director and General Counsel to make these views known to the Administration, the Congress and other interested parties.

BACKGROUND STATEMENT

The NAAG Civil Rights Committee has determined that the nationwide phenomenon of hate-based crimes and violence should be the focus of the Committee's first policy resolution. This phenomenon is growing and is of concern to Attorneys General not only because of their existing role in criminal law enforcement but also because of their increasing role in civil rights enforcement. To address this problem, some Attorneys General have developed or expanded state legislation for investigating and criminally prosecuting cases of hate-related crimes and have utilized the resources of many nationally recognized civil rights groups which are addressing these issues.

At the present time there are no records of crimes motivated by hate and prejudice kept at a national level. The legislation which is currently pending in Congress (S419 and HR 1048) would require the United States Attorney General to collect data about crimes which manifest evidence of prejudice based on race, religion, sexual orientation or ethnicity or data on other groups as he may deem appropriate. S 419 was reported out of the Senate Judiciary Committee on May 1 and is on the Senate's calendar. On May 18, the House Subcommittee on Criminal Justice approved HR

1048 as amended. Copies of both bills are attached. The chances for passage are good. Last year the House passed similar legislation; the Senate Judiciary Committee also approved it but the Senate took final action.

The enactment of a federal hate crimes statistics reporting act will be of great assistance to Attorneys General in fighting hate-based crimes. The systematic collection of hate crime statistics will provide Attorneys General with comprehensive information about the national incidence of hate crimes. This information will allow Attorneys General to combat hate crimes more effectively by identifying the frequency, location and other patterns over time of such crimes.

POLICE EXECUTIVE RESEARCH FORUM,
Washington, DC, July 14, 1989.

DEAR SENATOR: I am writing on behalf of the Police Executive Research Forum (PERF), an organization representing big-city police chiefs, whose members collectively deliver services to over 30% of the American public. PERF, along with eight other national law enforcement groups, and the U.S. Department of Justice, actively supports S. 419, better known as the Hate Crime Statistics Act.

The bill would provide for the collection of date by the Attorney General on crimes such as murder, assault and arson, that manifest evidence of bias or prejudice, based on race, religion, sexual orientation or ethnicity. Currently, no such data is kept at the federal level, and only a handful of states keep track of hate crimes, making estimates of the real scope of the problem quite difficult.

The nationwide, systematic collection of hate crime statistics, will provide information on trends, both locally and nationally, that can help law enforcement agencies better predict and prevent prejudicial violence. This kind of data can also help police target limited resources in successful anti-hate violence programs. Equally important, increases awareness of the problem by police officials will lead to an informed public—one of the keys to combatting hate violence. Additionally, the perception that police and the government care about victims of hate violence conveys a message of intolerance toward the perpetrators of hate activity.

Sen. Jesse Helms is expected to either attempt to delete the sexual orientation clause, or add such language to the bill as, "The homosexual movement threatens the strength and the survival of the American family as the basic unit of society." It is our understanding that Senators Hatch-Simon are prepared to offer a second degree amendment stating that "Nothing in this Act promotes or encourages homosexuality." PERF strongly supports the Hatch-Simon second degree amendment and opposes any attempt to delete the sexual orientation clause. A Helms amendment such as the one described above completely contradicts the essence of S. 419—that minority groups should not be singled out and subjected to hateful messages, whether in the form of physical assaults or Senate resolutions.

PERF would like to thank the Senate for its leadership in promoting legislation designed to protect the victims of hate violence. We hope you will vote in favor of S. 419 and the Hatch-Simon amendment, when the Senate considers this legislation.

Sincerely,

DARREL STEPHENS,
Executive Director.

POLICE EXECUTIVE RESEARCH FORUM,
Washington, DC.

LIKELY HELMS AMENDMENT TO S. 419 (HATE CRIME STATISTICS ACT)

It is the sense of the Senate that:

(1) The homosexual movement threatens the strength and the survival of the American family as the basic unit of society;

(2) State laws prohibiting sodomy should be enforced;

(3) The federal government should not provide discrimination protections on the basis of "sexual orientation";

(4) School curricula should not condone homosexuality as an acceptable lifestyle in American society.

HATCH-SIMON SECOND DEGREE AMENDMENT

Nothing in this Act promotes or encourages homosexuality.

The Police Executive Research Forum (PERF) strongly supports Hatch-Simon second degree amendment. The probable Helms amendment outlined above completely contradicts the essence of S. 419—that minority groups should not be singled out and subjected to hateful messages. Just as important, the Helms language is neither relevant nor appropriate for inclusion in data collection bill. For more information, contact Karin Schmerler or Dan Feldstein of PERF at (202) 466-7820.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ORGANIZATIONS IN SUPPORT OF THE HATE CRIME STATISTICS ACT OF 1989 (S. 419)

Fraternal Order of Police, contact: Don Cahill, 825-0443 (beeper)

Criminal Justice Statistics Association. Hildy Saizow, 624-8560

International Association of Chiefs of Police, Cheryl Epps, 243-6500

International Brotherhood of Police Officers, Ed Murphy, 371-6644

National Association of Blacks in Criminal Justice, James Eaglin, 633-6344

National Association of Police Organizations, Jules Bernstein, 223-6515

National Black Police Association, Ron Hampton, 457-0563

National Organization of Black Law Enforcement Executives, Arlene Williams, 546-8811

Police Executive Research Forum, Karin Schmerler, 466-7820

Police Foundation, Rae Hamilton, 833-1460

Police Management Association, Mary Sheridan, 833-1460.

AMERICAN JEWISH CONGRESS,
Washington, DC, July 14, 1989.

DEAR SENATOR: On behalf of the American Jewish Congress and its 50,000 members nationwide, I urge you to support the Hate Crimes Statistics Act (S. 419) without weakening amendments when this important legislation is brought to the Senate floor.

The Hate Crime Statistics Act would direct the Department of Justice to collect and publish, for five years, statistics on crimes which manifest prejudice based on race, religion, ethnicity or sexual orientation. The Department of Justice has expressed strong support for the bill. The House of Representatives overwhelmingly passed companion legislation, H.R. 1048, on June 27.

We urge you to oppose a Sense of the Senate Resolution that Senator Jesse Helms will likely propose as an amendment to S. 419. There are indications that Senator Helms will propose the same clearly inappropriate amendment that he was prepared to introduce last Congress if the Hate Crimes Statistics Act had been brought to the floor. The amendment is not relevant to a data collection bill. Its only possible effect could be to indicate to some that violence against homosexuals is somehow less egragious than violence against other groups.

As Senator Hatch stated in co-sponsoring S. 419, "[T]his act is only about Federal data collection." The bill makes clear that it does not create any substantive rights or causes of action. Senator Hatch and Senator Simon will introduce an amendment on the floor stating that "Nothing in this bill promotes or encourages homosexuality." We ask you to support this amendment.

Thank you for your time and consideration. Please do not hesitate to contact me if you have any questions.

Sincerely,

STEVE SILBIGER,
Washington Representative.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, July 14, 1989.

DEAR SENATOR: We write to ask you to support the Hate Crimes Statistics Act (S. 419) when it is considered by the Senate. S. 419 would require the Justice Department to collect statistics on crimes motivated by hatred based on race, religion, sexual orientation or ethnicity of the victim.

Reports by the Anti-Defamation League of the B'nai B'rith and the National Gay and Lesbian Task Force reveal an alarming increase in hate motivated crimes. To date, there is no comprehensive federal mechanism for determining the scope of hate motivated crimes. This legislation has the support of the President as well as a broad collection of religious, civil rights, civil liberties and law enforcement organizations as well as support from the Department of Justice.

We understand that Senator Helms will offer an amendment directed at the fact that the bill authorizes the collection of crimes committed against gays and lesbians. We believe the Helms amendment is unnecessary and controversial.

Senator Simon and Senator Hatch will be offering an amendment to S. 419 which provides that Congress does not promote or encourage a particular type of sexual conduct. The Simon/Hatch amendment makes it clear that S. 419 does no more than authorize the collection of statistics.

We urge you to support the Hate Crimes Statistics Act, to reject the amendment offered by Senator Helms and to support the amendment offered by Senator Simon and Senator Hatch.

Very truly yours,

MORTON HALPERIN,
Director.
DIANN Y. RUST-TIERNEY,
Legislative Counsel.

THE AMERICAN JEWISH COMMITTEE,
Washington, DC, July 14, 1989.

DEAR SENATOR: The American Jewish Committee urges you to support S. 419, the Hate Crime Statistics Act. The bill would require the collection and publication of data on crimes that manifest prejudice based on race, religion, sexual orientation, or ethnicity.

The Act is an important measure in the battle to eradicate bias-motivated violence. Such violence is on the increase, with crimes being committed by the Klan, Skinheads, and other neo-Nazi groups. It is imperative that each of the listed categories—race, religion, sexual orientation, and ethnicity—be included in the bill. Also, the act must be adequately funded so that the Attorney

General's office, and the law enforcement officials upon which that office will rely, will have available the resources necessary to make the Act meaningful.

The bill has bi-partisan support, and was recently endorsed by the Justice Department. We urge that the Senate pass S. 419, without weakening or irrelevant amendments, as an important step in the battle to end bias-motivated violence. There should be no exception to the principle that violence directed against an individual merely because of his or her identity must be condemned.

Sincerely,

SHOLOM D. COMAY,
President.

THE HATE CRIME STATISTICS ACT—SENATE BRIEFING PAPER

Bill Summary: The Hate Crimes Statistics Act directs the Department of Justice to compile and publish data on crimes that manifest prejudice based on race, religion, sexual orientation, or ethnicity for the calendar year 1990 and each of the succeeding four calendar years. The categories of crime for which the data will be collected include homicide, rape, assault, arson, vandalism, intimidation, and other such threats the Attorney General considers appropriate.

Significance: Bias motivated attacks against certain groups of Americans have become alarmingly frequent. In 1986, the Anti-Defamation League reported 906 anti-Semitic incidents. By 1988, that number grew to 1,281. In 1985, the Gay and Lesbian Task Force reported 2,042 incidents of sexually oriented bias crimes. Just one year later, the number had more than doubled to 4,946. In spite of the sharp increase in the number of crimes, no comprehensive, accurate, and up-to-date statistics are kept on the national incidence of these crimes.

Action in Congress: In the 100th Congress, H.R. 3194 overwhelmingly passed the House of Representatives in May 1988, by a vote of 383-29. S. 702 was approved by the Senate Judiciary Committee, unanimously, in August 1988, and was pending floor action when the Senate adjourned at the end of the 100th Congress. H.R. 1048 was introduced in the 101st Congress on February 22, 1989, and passed the House Judiciary Committee by a vote of 33-1. The full House passed the bill 368-47. S. 419 was approved by the Senate Judiciary Committee without dissent, on March 9, 1989. A floor vote is expected by the end of July.

Sponsor: Paul Simon (D-IL) Co-sponsors (48 as of 7-14-89); Adams (D-Wa), Bentsen (D-TX), Biden (D-DE), Bingaman (D-NM), Boschwitz (R-MN), Bradley (D-NJ), Breaux (D-LA), Burdick, (D-ND), Chafee (R-RI), Cohen (R-ME), Conrad (D-ND), Cranston (D-CA), D'Amato (R-NY), Daschle (D-SD), Dixon (D-IL), Dodd (D-CT), Durenberger (R-MN), Glenn, (D-OH), Gore (D-TN), Gorton (R-WA), Graham (D-FL), Gramm (R-TX), Harkin (D-IA), Hatch (R-UT), Hatfield (R-OR), Heinz (R-PA), Inouye (D-HI), Jeffords (R-VT), Kassebaum (R-KS), Kennedy (D-MA), Kerry (D-MA), Kohl (D-WI), Lautenberg (D-NJ), Levin (D-MI), Lieberman (D-CT), Matsunaga (D-HI), Metzenbaum (D-OH), Mikulski (D-MD), Mitchell (D-ME), Packwood (R-OR), Pell (D-RI), Riegle (D-MI), Sanford (D-NC), Sarbanes (D-MD), Simon (D-IL), Simpson (R-WY), Specter (R-PA), Wirth (D-CO)

The Hate Crimes Statistics Act has been strongly endorsed by the U.S. Justice Department, the National Association of Attorneys General, the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Black Police Association, the Police Foundation, Police Executive Research Forum, and over forty civil rights and professional organizations.

NATIONAL GAY & LESBIAN TASK FORCE,
Washington, DC, July 14, 1989.

DEAR SENATOR: I urge you to support S. 419, the Hate Crime Statistics Act and to oppose an attempt by Senator Jesse Helms to add an amendment that would cripple this vital legislation.

As you know, the Hate Crime Statistics Act is legislation designed to provide for the collection of data on crimes motivated by prejudice based on race, religion, sexual orientation or ethnicity. We expect Senator Helms to paint this simple act as a gay rights bill by offering a "Sense of the Senate" amendment which would state:

Homosexuals threaten the American family;

Sodomy laws should be enforced;

The federal government should not enact discrimination protections based on sexual orientation;

School curricula should not condone homosexuality as an acceptable lifestyle in American society.

Senator Helms' amendment would stir up the kind of anti-gay sentiment that leads to violence against lesbian and gay people. Support for this amendment sends a signal that homosexuals are a threat to society and should be treated as such. It is hypocritical, on the one hand, to support a bill to collect data based on anti-gay violence and then call the homosexual community a threat to society.

This legislation will not further the cause of civil rights for lesbian and gay people. In fact, the text of this bill specifically says: "Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation."

The Helms amendment will create more hostility toward gay people. Support a clean Hate Crime Statistics Act! Oppose the Helms amendment and send to the Department of Justice a bill that makes a clear statement about the problem of escalating hate violence in America.

Sincerely,

JEFFREY LEVI,
Executive Director.

RELIGIOUS ACTION CENTER
OF REFORM JUDAISM,
Washington, DC, July 14, 1989.

DEAR SENATOR: We are writing to express our concern about the growing number of hate-motivated crimes. The hate crime is any assault—intimidation or harrasment—that is due to the victim's race, religion, sexual orientation or ethnic background. Statistics compiled by the Anti-Defamation League of B'nai B'rith and the National Gay and Lesbian Task force show that such crimes are increasing at an alarming rate.

In light of this information, we urge you to support the Hate Crimes Statistics Act (S. 419). This legislation would require the Attorney General to collect data on these crimes for the first time. At the present time, the federal government has no comprehensive way in which to determine the number of crimes based on hate.

Although this bill has the support of many different groups including religious, civil rights, and civil liberties organizations, as well as the Department of Justice, there are those who oppose the legislation. We believe that Senator Helms is posed to offer an amendment which finds fault with the collection of statistics on crimes committed against gays and lesbians. This would hinder the effectiveness of the legislation, and is extremely unnecessary.

Senators Simon and Hatch will offer an amendment to the bill which makes clear that S. 419 only allows for the collection of statistics; in no way does it promote or encourage any type of sexual activity or orientation.

Please support the Hate Crimes Statistics Act and the Simon/Hatch amendment, while at the same time rejecting the Helms amendment.

We thank you for your support.

Sincerely,

RABBI LYNNE LANDSBERG,
Associate Director.

NATIONAL GAY RIGHTS ADVOCATES,
San Francisco, CA.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: I urge you to oppose attempts by Senator Jesse Helms to cripple S. 419, the Hate Crime Statistics Act.

The Hate Crime Statistics Act is a simple bill designed only for the purpose of collecting data on crimes motivated by prejudice based on race, religion, sexual orientation or ethnicity. The legislation does nothing to further the cause of civil rights for lesbian and gay people. It does, however, send a signal to the nation that Congress is serious about battling violence against all Americans—including lesbian and gay Americans.

Senator Helms is trying to add to the bill a "Sense of the Senate" amendment which states:

Homosexuals threaten the American family;

Sodomy laws should be enforced;

The Federal government should not enact discrimination protections based on sexual orientation;

School curricula should not condone homosexuality as an acceptable lifestyle in American society.

Senator Helms wants to turn the Hate Crime Statistics Act into an anti-gay diatribe. His "Sense of the Senate" amendment would stir up the kind of anti-gay sentiment that leads to violence against lesbian and gay people. Support for this amendment sends a signal to those who commit hate crimes that homosexuals are a threat to society and should be handled as such.

One cannot support the Hate Crime Statistics Act while at the same time categorizing an entire group of people as a "threat."

Support the Hate Crime Statistics Act and oppose the Helms amendment.

Sincerely,

CYNTHIA G. GOLDSTEIN, Esq.
Director,
Anti-Violence Litigation Project.

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, DC, July 18, 1989.

DEAR SENATOR: The Leadership Conference on Civil rights, a coalition of more than 180 national organizations, representing minorities, women, persons with disabilities, older Americans, labor, and the major religious groups strongly supports enactment of the Hate Crimes Statistics Act, S. 419. We urge you to support the Hate Crimes Statistics Act because we believe that its enactment will allow the nation to begin to address the apparent increase in

violent crimes motivated by racism, anti-semitism and other forms of bigotry.

American history is rife with crimes of hate against minorities. Lynchings, cross burnings and bombings have unfortunately been experienced by many Americans as they have struggled for freedom. Furthermore, incidents in Detroit, Michigan, Howard Beach, New York, and Forseyth County, Georgia, as well as the alarming instances of racial assaults on minority students on college campuses across the country speak loudly for enactment of this legislation.

All Americans are entitled to live free of the fear of intimidation and violence because of the color of their skin, their religious beliefs, their sexual orientation or their ethnicity. We urge you to support the Hate Crimes Statistics Act and oppose any amendments which frustrate the simple mission of this legislation: the collection of statistics on crimes motivated by prejudice and bigotry.

Sincerely,

BEN HOOKS,
Chairperson.
RALPH NEAS,
Executive Director.

LAMBDA LEGEL DEFENSE AND EDUCATION FUND, INC.,
New York, NY, July 13, 1989.

DEAR SENATE MEMBER: On behalf of Lambda Legal Defense and Education Fund and the millions of Americans for whom it speaks, I strongly urge you to oppose attempts by Senator Jesse Helms to cripple S. 419, the Hate Crime Statistics Act.

The Hate Crime Statistics Act directs the Department of Justice to collect data on crimes motivated by prejudice based on race, religion, sexual orientation or ethnicity. The bill does not advocate any particular way of life or point of view, or condone any specific pattern of conduct. The bill does, however, send a clear message to the nation that violence arising from irrational prejudice is wrong, including criminal acts against gay and lesbian Americans.

Senator Helms apparently intends to add to the bill a "Sense of the Senate" amendment that would assert, among other things, the following:

That sexual orientation diversity threatens the family community;

That sodomy laws should be enforced;

That the federal government should not enact discrimination protection based on sexual orientation; and

That school curricula should not condone sexual orientation diversity as acceptable social choices.

Such a declaration would transform the Hate Crime Statistics Act into an anti-gay diatribe. By doing so, it would actually foster and incite the kind of violence the bill is designed to deter, thus undermining the basic purpose of the legislation.

We respectfully request that you resist this and any similar efforts to dilute the Hate Crime bill.

Very truly yours,

THOMAS B. STODDARD,
Executive Director.

PEOPLE FOR THE AMERICAN WAY ACTION FUND,
Washington, DC, July 19, 1989.

DEAR SENATOR: In the next several days, the Senate is likely to consider the Hate Crime Statistics Act, S. 419, which directs the Department of Justice to collect and publish data on crimes which manifest prejudice based on race, religion, ethnicity or sexual orientation.

The Hate Crimes Statistics Act enjoys wide support: it has over 50 Senate cosponsors, the Judiciary Committee passed it unanimously in March, the House of Representatives voted 368-47 in favor of it on June 27th, the National Association of Attorneys General unanimously passed as resolution calling for its passage, and President Bush publicly announced the Administration's endorsement during the celebration of the Civil Rights Act's 25th anniversary.

According to several public interest groups which monitor hate crimes, the 1980's have witnessed an alarming growth in prejudice-motivated violence nationwide. It is important to document that cross burnings are more than "arson" and that swastikas painted on synagogues are more than "vandalism." This kind of violence intimidates and harasses the whole group with whom the victim is identified. By documenting the nature and scope of these crimes, the Hate Crimes Statistics Act will facilitate the efforts of law enforcement officials to combat the lawlessness and intolerance practiced by hate criminals.

According to the Wall Street Journal of July 14, 1989, "an aide to Mr. Helms says he hasn't yet decided whether to try to kill the legislation again." It is possible that Senator Helms may offer anti-gay amendments, including an amendment to delete from data collection crimes against homosexuals. Such an amendment would severely undermine the intent of the bill, which is to provide a full review of crimes motivated by prejudice and bigotry. Furthermore, a study sponsored by the National Institute of Justice in 1987 reported that, "the most frequent victims of hate violence today are blacks, Hispanics, Southeast Asians, Jews, and gays and lesbians. Homosexuals are probably the most frequent victims."

We urge your support for the Hate Crimes Statistics Act without weakening amendments.

Sincerely,

ARTHUR J. KROPP,
President.
JOHN H. BUCHANAN, Jr.,
Chairman.

ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH,
Washington, DC, July 18, 1989.

DEAR SENATOR: We are writing to urge you to support without amendment S. 419, the Hate Crimes Statistics Act, as approved by the Judiciary Committee when it comes to the Senate floor. This legislation would direct the United States Attorney General to acquire data about crimes "that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity."

We believe that law enforcement officials and government and community leaders will be in a position to confront bias-related crimes in the most effective fashion only when the scope of the problem is known. To date, both local and national responses to hate crimes have been severely impeded by the lack of comprehensive, comparative statistical data concerning the number, location, and types of hate-motivated criminal activity.

In January, the Anti-Defamation League released its annual Audit of Anti-Semitic Incidents for 1988. The report indicated that anti-Semitic incidents reached their highest level in the last five years. The audit revealed an increase of 18.5 percent in anti-Jewish vandalism, including arson, bombings and swastika daubings, and a 41 percent increase in harassment, threats and assaults against Jews, Jewish institutions, or property over the figures for 1987.

We believe the Hate Crimes Statistics Act is an important part of a long-range approach to combatting hate crimes and would urge your support for this measure.

Sincerely,

JESSE N. HORDES,
Washington Representative.
MICHAEL LIEBERMAN,
Associate Director/Counsel.

WASHINGTON BUREAU, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, July 18, 1989.

DEAR SENATOR: The NAACP enthusiastically endorses S. 419, a bill to require the Attorney General to collect data and report annually about hate crimes, on behalf of the Association's half-million members in fifty states and the District of Columbia. We applaud the leadership of Sen. Paul Simon and the fifty-two (52) cosponsors in the Senate and urge the Senate to pass S. 419 without any weakening amendments.

Crimes motivated by racial, ethnic, sexual preference or religious bias are pervasive. Yet, there exists no national comprehensive, current, accurate bank of statistics. At present, hate crime statistics are compiled by organizations such as the Southern Poverty Law Center and the Anti-Defamation League of B'nai B'rith, who have reported that more crimes have been committed by right-wing extremists groups from 1984 to 1988 than in the past twenty years.

S. 419 would enable the Attorney General to collect data about crimes that manifest prejudice based on race, religion, sexual orientation or ethnicity. Hate crime statistics compiled by the Attorney General would aid law enforcement authorities in tracking the extent and frequency of hate crimes.

S. 419 would remedy the problem of the lack of national comprehensive statistics on hate crimes in this county. We urge you to support this legislation.

Sincerely yours,

ALTHEA T. L. SIMMONS,
Director/Chief Lobbyist.

Mr. SIMON. The groups that are in favor of this encompass the whole civil rights community: the Antidefamation League of B'nai B'rith, the American Jewish Congress, a number of American Catholic and Protestant groups, American-Arab Anti-Discrimination Committee, People for the American Way, NAACP, the Police Executive Research Forum, and law enforcement groups generally, the ACLU, the Gay and Lesbian Task Force, Human Rights Campaign Fund, Organization of Chinese-Americans, National Association of State Attorneys General, and a great many others.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the organizations supporting this legislation.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS SUPPORTING THE HATE CRIMES STATISTICS ACT

American-Arab Anti-Discrimination Committee.

American Association of University Women.
American Bar Association.
American Baptist Church.
American Civil Liberties Union.
American Ethical Union.
American Jewish Committee.
American Jewish Congress.
American Medical Student Association.
American Nurses Association.
American Psychiatric Association.
American Psychological Association.
American Public Health Association.
American Sociological Association.
Americans for Democratic Action.
Anti-Defamation League of B'nai B'rith.
Asian Americans for Community Involvement.
Asian Americans for Equality.
Asian American Resource Workshop.
Asian Community Mental Health Services.
Asian Pacific American Coalition, U.S.A.
Center of Constitutional Rights.
Center for Democratic Renewal.
Center for Women's Policy Studies.
Chicago Catholic Women.
Chinese/Affirmative Action.
Church of the Brethren, Washington Office.
Church Women United, Washington Office.
Criminal Justice Statistics Association.
Episcopal Church, Washington Office.
Federation of Parents and Friends of Lesbians and Gays, Inc.
Human Rights Campaign Fund.
Indochina Resource Action Center.
Japanese Americans Citizens' League.
Jesuit Social Ministries, National Office.
Lambda Legal Defense and Education Fund.
Latino Institute.
Leadership Conference on Civil Rights.

EXECUTIVE COMMITTEE

International Union of United Auto Workers.
National Council of Churches.
National Council of Senior Citizens.
National Catholic Council for Interracial Justice.
National Education Association.
American Civil Liberties Union.
National Council of Negro Women.
National Urban League.
NAACP Legal Defense and Education Fund.
United Steelworkers of America.
National Women's Political Caucus.
League of Women Voters of the U.S.
People For the American Way Action Fund.
Union of American Hebrew Congregations.
National Organization for Women.
Disability Rights Education and Defense Fund.
AFL-CIO.
National Council of La Raza.
Lutheran Office for Governmental Affairs.
Mexican American Legal Defense and Education Fund.
National Association for the Advancement of Colored People, Washington Bureau.
National Association of Blacks in Criminal Justice.
National Association of Social Workers.
National Black Police Officers Association.
National Coalition of American Nuns.
National Committee Against Repressive Legislation.
National Conference of Black Lawyers.
National Conference of Christians and Jews, Nat'l Capital Area
National Council of Churches.
National Gay and Lesbian Task Force.
National Gay Rights Advocates.
National Institute Against Prejudice and Violence.
National Lawyers Guild.
National Organization for Women.
National Organizations for Black Law Enforcement Executives.
National Urban League.
NETWORK: A Catholic Social Justice Lobby.
New Jersey Lesbian & Gay Coalition.
North Carolinians Against Racist and Religious Violence.
Pacific/Asian American Mental Health Research Center.
People For the American Way Action Fund.
People's Institute For Survival and Beyond.
Police Exeucitve Research Forum.
Police Foundation.
Presbyterian Church USA, Washington Office.
Religious Action Center of Reform Judaism.
Society for the Psychological Study of Social Issues.
Southern Poverty Law Center.
Sunny von Bulow National Victim Advocacy Center.
Union of American Hebrew Congregations.
United Church of Christ, Office of Church in Society.
United Methodist Church, General Board of Church and Society.
Unitarian/Universalist Association of Congregations in North America.

Mr. SIMON. Mr. President, we have periodically a variety of things happen. In July of this past year, down in North Carolina, a young man was killed who happened to be Chinese by background. The people that killed him thought he was Vietnamese. They were out to get someone who was Vietnamese. We see this in terms of a variety of things.

The group that has kept the best statistics in this whole field is the Anti-Defamation League of the B'nai B'rith. They report a rising tide of antisemitic activity. It is the only solid statistical evidence we have in the Nation.

Let me just read one example. In May 1989 in La Verne, CA, four skinheads, three men and a woman, assaulted a young Iranian, his wife and newborn infant. The victims were not Jewish, but they were clearly thought to be so by their assailants. They were subjected to racial slurs and insults such as "Jewish niggers" and then, in spite of pleas to be left alone, they were beaten to the ground and kicked. A black man witnessing the attack came to their aid and was himself attacked by the four skinheads.

We just have too many of these things.

Now, the question is: Is this poison of racism against groups, is it rising or is it falling? There is some evidence that it is rising. But we ought to know. And if we know from solid evidence that it is rising, then we can deal with this sickness. The National Gay and Lesbian Task Force indicates that reported antigay incidents ranging from harassment to homicide were up in 1988 to a total of 7,248 incidents. We do not have the 1989 statistics yet.

It is interesting that there is a broad spectrum of support for this legislation.

Mr. President, you and I served in the House with my Illinois colleague, Congressman HENRY HYDE, who is a strong supporter of this. The area that is most controversial of this bill that frankly I do not think should be controversial is whether we include gay and lesbian groups here. HENRY HYDE, in the House Judiciary Committee said, "I don't think one is sanctifying or legitimizing or approving a lifestyle that is offensive to him, and I must say to me. I think there is gay bashing. I think it is violence. I think we ought to not treat it as a lesser offense than going out and beating up a black kid because he is black and a white kid because he is white. I think that is the reality."

We are not changing the status of the law, and in an amendment that Senator HATCH and I will be introducing shortly, we make that very clear.

The 12 States that now do have these statistics are Maryland, Pennsylvania, Connecticut, Illinois, Minnesota, Virginia, Oklahoma, New Jersey, Idaho, Florida, New York, and Oregon.

We had testimony from the police in terms of the problems in keeping track of these kind of statistics and there are no major problems.

Here is a July 14, 1989, Wall Street Journal article that I ask unanimous consent to have printed in the RECORD. The heading is "Hate Crimes Increase and Become More Violent."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HATE CRIMES INCREASE AND BECOME MORE VIOLENT; U.S. PROSECUTORS FOCUS ON "SKINHEAD" MOVEMENT

(By Paul M. Barrett)

Late in the evening of March 18, two young men put up a wooden cross in front of Aline Burkett's house in Portsmouth, Va., and set it aflame. One man wrote a note that said "Niger [sic] go home," attached it to a rock and threw it through Mrs. Burkett's window.

Those are the allegations in the indictment last month of Jason Edward Combs and Tony Ray Riddle for harassing Mrs. Burkett because she is black. More than 12 decades after the end of the Civil War, the number of prosecutions for such attacks is increasing, according to federal prosecutors.

Despite dwindling ranks in some traditional racist groups, such as the Ku Klux Klan, hate crimes—those intended to intimidate individuals and groups because of their race, religion or sexual preference—are increasing in number and in degree of violence, according to a recent report commissioned by the Justice Department.

Consider some examples from last year compiled by private advocacy groups:

In July, pipe-wielding "skinheads" screaming "Kill the faggot!" attacked a gay man in Laguna Beach, Calif., and beat him unconscious.

In November, three young skinheads confronted an Ethiopian immigrant in front of his apartment building in Portland, Ore. They clubbed him to death with a baseball bat.

In September, two teen-agers spray-painted 15 swastikas on the walls of the Congregation Rabbinical Institute Sharai Torah in Brooklyn, N.Y. The vandals ripped and burned six sacred Torah scrolls and then set fire to the building, which sustained heavy damage.

Overall, the Anti-Defamation League of B'nai B'rith reports that 1988 saw "the highest number of anti-Semitic incidents reported in more than five years": 823 episodes of vandalism and desecration and 458 threats and physical attacks against Jewish people.

The National Gay and Lesbian Task Force says reported anti-gay incidents, ranging from harassment to homicide, were up slightly in 1988, to a total of 7,248. Both the Anti-Defamation League and the task force emphasize that hundreds, possibly thousands, of hate crimes aren't classified as such by police, or go unreported altogether.

Prosecutors and advocacy groups say they aren't sure why hate crime is growing. Tentative explanations include the expansion of youthful "white power" groups and the belief among some working-class whites that blacks and other minorities have been given unfair advantages by government affirmative-action programs. Another theory is that the greater visibility of gay people has provoked more homphobic attacks.

The Justice Department report, written by Abt Associates Inc., a Cambridge, Mass., consulting firm, also suggests that hate crime may be growing in part because of a "perceived decrease in government efforts to prevent discrimination in education, housing and employment."

Some civil-rights advocates agree, blaming former President Reagan and former Attorney General Edwin Meese III for helping create an atmosphere in which hate crimes were likely to flourish. As a result of the Reagan-Meese offensive against municipal affirmative-action plans, "one would think the white male had become the primary victim of discrimination in this country," charges Ralph Neas, executive director of the Leadership Conference on Civil Rights.

In an effort to reduce this hostility among civil-rights advocates, Attorney General Dick Thornburgh has vowed loudly and often to make hate crime prosecutions a top priority. From Jan. 1 through May 31, federal prosecutors brought 17 prosecutions for racial violence by organized hate groups, more than the total brought in any previous full year.

But as the department itself concedes, a major obstacle to battling violent bigotry is that no one, including the department, collects comprehensive statistics on the number of victims and locations of criminal groups. One reason is that, in many cases, racial or religious "motivation [on the part of a criminal] is a very hard thing to determine for the cop on the beat," explains James Turner, acting chief of the Justice Department's Civil Rights Division.

"Without this information, many questions remain unanswered," including whether hate-related violence is more prevalent in certain areas and whether certain groups are more frequently attacked, says Sen. Paul Simon (D., Ill.). To fill the knowledge gap, he has co-sponsored legislation to direct the attorney general for the first time to compile information on hate crimes. The House has already passed a similar bill.

Almost identical legislation died last year when Sen. Jesse Helms (R., N.C.) successfully blocked the inclusion of anti-gay crimes in the bill. An aide to Mr. Helms says he hasn't yet decided whether to try to kill the legislation again.

The Bush administration backs the legislation, and Mr. Thornburgh has recently stressed his concern about the issue. In a speech last month before Operation PUSH, Jesse Jackson's Chicago civil-rights organization, Mr. Thornburgh decried "the shocking re-emergence of hate-group violence" and promised to track down members of such groups "no matter what."

Meanwhile federal prosecutors say they are training their sights on the growing skinhead movement, whose members typically sport shaved heads, black storm-trooper boots and other neo-Nazi regalia. Many skinheads, who are concentrated in the South and West, combine virulent racism with hatred of Jews and homosexuals.

An imitation of the style of British "white power" advocates, the skinhead look is popular with some U.S. teen-agers who aren't involved in criminal activity. But the Anti-Defamation League, which has closely tracked the movement, reports that some 3,000 skinheads belonging to explicitly racist organizations now operate in 31 states. That is up from 2,000 operating in 21 states a year ago, says Jess Hordes, director of the league's Washington office.

Traditional racist groups, including the Klan and the White Aryan Resistance, are recruiting teen-age skinheads to fill out their own thinning ranks, according to the Anti-Defamation League. "The skinheads are the new troops for the older-line groups," says Mr. Hordes. In Dallas, the Justice Department has launched its first grand-jury investigation of alleged civil rights violations by members of a white supremacist skinhead group, the Confederate Hammer Skins.

In some cases, increased acceptance of minorities may have the ironic effect of prompting a new wave of violence against them, according to Kevin Berrill, director of the Anti-Violence Project of the National Gay & Lesbian Task Force. "Gays are more visible, and therefore more vulnerable," he says. "In New York and San Francisco, there is the most acceptance," he notes, "and also the most violence" against gays and lesbians.

Mr. SIMON. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial from the Chicago Sun-Times, "More Data Needed on Hate Crimes."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, July 24, 1989]

MORE DATA NEEDED ON "HATE" CRIMES

A recent report commissioned by the U.S. Justice Department shows that "hate" crimes are increasing in number and in degree of violence.

Of special concern to us are the increase in the number of incidents and the recent tendency of "hate" organizations to join forces to intimidate individuals and groups because of their race, religion or sexual preference.

In response, Attorney General Dick Thornburgh has vowed to make prosecuting hate crimes a top priority. But because the FBI and other government agencies don't categorize crimes according to racial or ethnic motives, official figures are unavailable and official response is thereby hindered.

That's why we support legislation co-sponsored by Sen. Paul Simon (D-Ill.) that directs the attorney general to compile information on hate crimes, even though we recognize the difficulty in determining the motivation for a crime in many cases.

Without this information, many questions remain unanswered, such as whether hate-related violence is more prevalent in certain parts of the country, whether certain groups are more frequently attacked and whether the attacks we read about are isolated events or symptoms of a more pervasive problem.

The Justice Department admits that a major obstacle to battling violent bigotry is that no one, including the department, collects comprehensive statistics on the number of victims and locations of criminal groups.

That job has fallen to private advocacy groups, such as the Anti-Defamation League of B'nai B'rith, which reports that incidents of anti-Semitic behavior in 1988 rose to a five-year high, and Klanwatch of the Southern Poverty Law Center, which tracks the activities of white supremacist groups and which reported that white supermacist violence appeared to surge in 1988.

Collecting the date will not erase bigotry, as Sen. Simon acknowledges. But exposure is the first step in prevention and reform.

Mr. SIMON. Part of this bill is that the Attorney General will then report annually about what had happened. It is not a bill that is going to cost very much money. The CBO estimate is that it would cost somewhere between $1 million and $10 million to collect this information.

I think it is extremely important to the Nation that we do collect this information.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Utah.

Mr. HATCH. Mr. President, I urge my colleagues to enact S. 419, the Hate Crime Statistics Act. This act requires the Attorney General to acquire data for the next 5 calendar years about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, nonnegligent manslaughter, forcible rape, aggravated assault, simple assault, intimidation, arson and destruction, damage or vandalism of property.

Under the act, the attorney general must establish guidelines for the collection of these data to ensure that the incidents reported truly reflect prejudice based on the characteristics delineated in the bill.

This bill is virtually identical to one which was reported favorably by the Judiciary Committee on a voice vote, August 10, 1988. In this Congress, the Judiciary Committee reported the bill favorably by unanimous voice vote on March 9, 1989.

I stress that this act is only about Federal data collection. It creates no substantive rights or causes of action, as made clear by section (b)(3). Moreover, it does not direct any State or local government or police agency to take any particular enforcement action. I hope, however, that the data collected under the act will be useful to State and local law enforcement agencies in deploying their resources and addressing hate crimes in their jurisdictions.

Mr. President, this act will serve a vital purpose. While the Federal Bureau of Investigation, through its Uniform Crime Reporting [UCR] Program, keeps and collects national crime statistics, there is no Federal recordkeeping concerning the occurrence of hate crimes.

Hate crimes are among the most heinous of all crimes because they strike so deeply at their victims' individuality and self-esteem. Differences in the race, religion, and ethnicity of our citizens should be a source of national strength, cultural diversity, and celebration of our Nation's pluralism. Hate crimes represent a particular threat to the fabric of our free society because they use characteristics such as race, religion, and ethnicity to foster a sense of division and fear among citizens.

For persons who are members of minority groups with a history of mistreatment or persecution, these crimes understandably create anxiety, unease, and concern about the security of their place as Americans in their own land or as persons striving to become citizens. Emotional and psychological scars can result from these crimes. For Jewish people, who have suffered terribly from persecution, the desecration, vandalism, burning of synagogues and stores, defacing of cemeteries and property with Swastikas and Nazi slogans, and physical intimidation are horrible reminders of such persecution and the bigotry they still must sometimes face. For black Americans, who have endured slavery, lynchings, Jim Crow laws, and continuing discrimination, and for other racial and ethnic minorities with a history of ill treatment and discrimination by others, physical violence because of their race or ethnicity is a particularly brutal manifestation of hatred. For Catholics, who have faced religious prejudice, a cross-burning is an act meant to deny the legitimacy of their faith. All of these crimes are intended to deny persons a sense of their own worth and their place in their native or adopted land.

Such crimes must never be tolerated. The Federal Government can help by compiling reliable data on the incidence of hate crimes. Through the use of such data, law enforcement agencies can better address—and seek to prevent—these crimes in their communities. We currently have no uniform method of determining if these crimes are on the rise and where they are taking place. This bill is aimed at rectifying that information gap.

We do know that hate crimes occur across our country. Not long ago, a black teenager was killed in Howard Beach, NY, in a crime of racial hatred. Recently, a similar incident occurred in the Bensonhurst section of New York City. In July 1987, a black woman in San Jose, CA, was terrorized by white supremacists making racial threats. These hate mongers also denied her access to a public park. During the winter of 1982-83, the White Knights of Liberty conducted nighttime cross burnings in front of interracial couples in North Carolina. In February 1982, a member of the Social Nationalist Aryan People's party murdered two blacks and a white person he erroneously believed to be a Jewish professor and seriously wounded a fourth person at Cleveland State University in Cleveland, OH. In 1981, members of the United Klans of America murdered a black teenager in Mobile, AL. In 1980, a former member of the American Nazi Party murdered two black men jogging with two white women in Salt Lake City, UT, in a sniper attack. This same individual was later also convicted of the 1977 bombing of a synagogue in Chattanooga, TN.

Crimes of violence and vandalism have also been directed against Asian immigrants.

Several years ago, a Chinese-American was chased through the streets of Detroit by a white man and his stepson after a dispute at a nightclub. The two whites were upset about the impact of Japanese car imports on American jobs and beat the Chinese-American to death with a baseball bat.

On September 17, 1988, on the Jewish Sabbath, two teenage boys desecrated a Brooklyn, NY, synagogue. Swastikas were sprayed on the walls. Six precious Torah scrolls were ripped and burned, and the synagogue itself suffered heavy damage from fire.

Last year, the Yeshiva High School in Doraville, GA, was vandalized and spray-painted with anti-Semitic and racist slogans, such as: "Niggers and Jews, we're coming for you!"

This just cannot be allowed any more in our society. We need to know how widespread this is so the people in our country will get outraged by it. It is outrageous.

Just a short while ago, during the Jewish Festival of Lights, a holiday celebrating a miraculous victory by the Jews over their oppressors, hate-filled vandals ransacked a Jewish secondary school near Silver Spring, MD.

According to the Anti-Defamation League of B'nai B'rith in its 1989 audit of anti-Semitic incidents, during 1989, 845 episodes of vandalism and desecration, and 587 acts of harassment, threat, and assault against Jewish individuals, their property and their institutions were reported to the ADL from 44 States and the District of Columbia. The combined total of 1,432 was the highest number of anti-Semitic incidents ever reported in the 11-year history of the audit. The 1989 vandalism figure represents the third straight year of substantial increase in anti-Semitic vandalism after a general 4-year downward trend.

In the mid-1980's, Hispanic residents of Cedartown, GA, were subjected to violence because of their ethnicity and resentment about the jobs they were taking in the community. The cars owned by Hispanics were rammed by Klansmen in pickup trucks. The trailers and homes of Hispanic workers were shot at in the evening hours.

Some hate groups, loosely connected to each other, operate in all parts of the country. Neo-Nazi "skinheads" or "skins" are youthful gangs which spout neo-Nazi rhetoric and preach hatred and violence toward blacks, Hispanics, Jews, Asians, and homosexuals. These hate groups can be found all over the Nation, particularly in the Pacific Northwest, the Southwest, the Midwest, and the Southeast. Other white supremacists groups similarly operate in more than one region of the country. Just take a look at, "Hate Groups in America, Anti-Defamation League of B'nai B'rith (1988)."

The May 18, 1989, Washington Times had an article entitled "Skinheads Linked to Gay Bashing Sprees in Rochester." The article said:

A loose-knit gang of teenagers from affluent families may have been responsible for as many as two dozen gay bashing attacks in a city park since last summer, police say.

The youths, calling themselves the Buffalo Rochester Aryan Skinheads, or BRASH, live with their parents in expensive suburbs or wealthy sections of the city, authorities said.

They're also apparently proud of their group, Deputy Police Chief Terrence Rickard said.

"We didn't even know this group existed until we arrested them and they told us who they were," Chief Rickard said. * * * He said he knew that Skinhead groups had been causing trouble on the west coast, but was very surprised to find one in Rochester." Eight teenagers, ranging in age from 16 to 19, were arrested and charged with beating a 30-year-old man.

Police found out about the attacks only within the past few months, he said, because homosexuals traditionally have been reluctant to report such incidents.

In his statement to police, one of the group's leaders, a 16 year old, said "basical-

ly, what we believe is that we do not like blacks or homosexuals."

Another 16 year old in the group, told police, "gay bashing is when we lure a gay guy into our path and jump him. Sometimes his wallet gets stolen, but most of the time we just beat him up real bad."

Chief Rickard said undercover officers found members of the group kicking [their victim] in the face and ribs. He was treated at General Hopsital for a broken nose, some loose teeth and other injuries, and released.

The September 17, 1989, Washington Post reported on a similar gay-bashing incident in Rock Creek Park here in Washington, and the fear and disruption such incidents create in their victims, along with the physical scars.

I think these incidents are disgusting and outrageous. I know that every Member of the Senate believes such hate violence against homosexuals is disgusting and outrageous.

The police were unaware of the problem in Rochester. If a system of collecting these statistics will encourage persons, including homosexuals, to report these types of crimes, it will be helpful to law enforcement agencies, like the Rochester Police Department. That department, I am sure, has taken steps to address the hate crime problem they uncovered. So, I believe this bill can help law enforcement agencies identify the problems and respond to them.

The Justice Department has vigorously prosecuted these hate groups. The victims of racial violence in cases brought by the department include black homeowners and college students, Asian homeowners and restaurant patrons, Jewish workers and Hispanic travelers.

Thus, hate crimes are a national concern and affect citizens who belong to a variety of groups targeted by the hatemongers.

In consideration of this problem, I believe it should be clearly understood that our democratic institutions are strong. The overwhelming majority of our citizens are intolerant of hate crimes and those who perpetrate them. Local, State, and Federal law enforcement agencies have been on the job. For example, the Anti-Defamation League of B'nai B'rith cited the Justice Department's "superb job" in prosecuting the hate groups in its 1987 report, "The Hate Movement Today." Most, if not all, of the incidents I have mentioned earlier resulted in the apprehension and conviction of the criminals involved. Frequently, there is a public outcry about these crimes, and local citizens have often rallied to the support of their neighbors who are the victims of these crimes.

While I do not feel we face an epidemic of these crimes, we still face too many of them. This act will provide a useful tool for law enforcement agencies to identify those areas where resources can be deployed and this problem better attacked and resolved.

I want to address some further points. Some of my colleagues may be concerned that this act provides an imprimatur for homosexual rights legislation. It does not. As I mentioned earlier, it creates no substantive rights or cause of action, "including an action based on discrimination due to sexual orientation." That is in section (b)(3). Violence or other illegal criminal activity specified in the act directed at a person because of sexual orientation, however, is as much a local or State criminal offense as it is when directed to a person because of race, religion, or ethnicity. Obviously, no one favors the commission of the crimes listed in the act for any reason. If violence or other hate crime activity directed toward persons because of their sexual orientation is a problem that is identifiable through this kind of data collection, law enforcement agencies can benefit from the collection of such information. The Attorney General, of course, must take care that the data collection is reliable and truly reflects criminal activity based on prejudice. In short, this data collection measure regarding the commission of crimes is no precedent for asserting protected status under our substantive civil rights laws. I do not condone homosexual activity, and I do not support separate civil rights legislation for homosexuals. But I certainly do not believe anyone should be beaten up, vandalized, or otherwise criminally assaulted, regardless of what that person may be or what that person's lifestyle is—and whether or not they are homosexual.

Let me address the concern of all Americans that I believe has to be addressed at this time, and that is, we may disagree with that lifestyle, but they are human beings and they should not be brutalized in this fashion. It is happening all over our country today. Lest we focus only on that, one has to remember there are other kinds of hate crimes. My own religion has suffered from hate crimes in the past. My people's original church leader was killed in this country because of hate crimes.

Mr. SIMON. In Illinois.

Mr. HATCH. Right, in Illinois; that is right. We have young missionaries all over the country and the world today who give 2 years of their own time, at their own expense, to go out and teach what they believe to be good principles, and they have been intimidated, threatened, and brutalized from time to time.

I have seen swastikas on Jewish synagogues. Let me tell you, I do not countenance that. I do not think anybody would countenance that. I have seen intimidation against the people of the Jewish faith. It is abominable, in my eyes.

It is time we get the real statistics. We better know the extent of the problem and know it now.

I can go on about other areas, as well, where people have been intimidated, brutalized, even killed, because of hatefulness and what we call hate crimes.

Let me now address the concern about the cost of data collection under this bill. The Congressional Budget Office could not "provide a precise estimate of the cost of S. 419, because there are a number of different ways to collect the required data, each with a different cost. * * * Information provided by the Bureau of Justice Statistics, the FBI, and the Community Relations Service indicates that data collection costs could range from less than $1 million annually to around $10 million annually." That is a letter from Robert D. Reischauer, Director, CBO, to Chairman BIDEN, March 21, 1989. Of course, I hope that the cost can be kept to the low end of this range. But I believe the expense is worth it, to collect this data which, in turn, may help in local and State and Federal law enforcement efforts against this type of heinous behavior and activity.

There is also some concern that the data collected under this bill will not be reliable; that it is difficult to determine when a crime covered by the bill "manifests prejudice." Mr. President, in many, many cases, this determination will not be difficult. When a cross is burned, a swastika painted on a synagogue, or a member of a racial or ethnic group or a homosexual is beaten for no apparent reason following the perpetrators' uttering racial, ethnic, or antihomosexual epithets and slurs—these are readily identifiable examples that would be reported. Obviously, as with the collection of most statistics, some incidents that should be reported won't be, and others that are reported in error. I believe, however, that this will not be a serious problem. The bill directs the Attorney General to establish guidelines for the collection of such data, including the necessary evidence and criteria that must be present for a finding of manifest prejudice and procedures for carrying out the purposes of this section. The Justice Department and the FBI have a long track record in crime data collection. I am confident the Attorney General, whoever he or she may be, at the present or in the future, through the Attorney General's criteria which could include verification procedures and the opportunity to reclassify reported incidents later found not to reflect prejudice, can minimize the instances of misreporting.

In short, Mr. President, this bill could do a great deal of good in the greatest country of the world where

we have the greatest measure of freedom of any nation in the world.

I want to at this time particularly commend my colleague from Illinois [Mr. SIMON]. Some people were afraid to bring this bill up. They are afraid of amendments to the bill. They are afraid that people will misconstrue what they are doing. Some are afraid of a whole variety of shadows that really do not exist as far as I am concerned.

Senator SIMON has been willing, along with myself, to bring this up and to see it through to conclusion. We are going to do that, and we are going to do it because we believe it is in the best interests of our country, it is in the best interests of our people, it is in the best interests of freedom, and in the best interests of creating better feeling among different groups and different people.

I think he deserves a great deal of commendation for his leadership on the bill. I personally want to thank his staff because his staff has done a tremendous job on this bill, especially Susan Kaplan. I want to thank my staff as well, without which I would not be nearly as conversant on this matter as I am. We both have studied it. We have both looked at it. We have looked at the facts, at the problems, and we can tell you there is a serious set of problems in this country and this bill will put a handle on them and do what needs to be done.

I am grateful to my colleague from Illinois, and I am proud to stand with him on this floor and fight for this bill. I hope all of our colleagues will vote for it. I think we need to send a resounding message to the people of this country that we are not going to put up with these hate crimes any longer.

Again, I will say that some of our law enforcement officers are doing a terrific job with regard to hate crimes, and this is not considered in any way a knock at them. But we also know that there are millions of people out there who are worried about hate crimes, and there are many who never report them because they do not want to be brutalized again for having done so.

With the passage and implementation of this bill, we hope people will report hate crimes and that we can get a handle on just exactly what they are and how bad they are, and then do what is necessary with regard to resolving all of the problems surrounding the hate crimes problem.

Mr. President, I yield the floor.

Mr. HELMS. Mr. President, as I understand it there is 1½ hours on the bill with 30 minutes allotted to me, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. I thank the Chair.

Mr. President, I have listened with great interest to the catalog of offenses enumerated by the sponsors, including one in North Carolina in which a young Chinese citizen was beaten to death by two thugs. But if they want to finish the illustration, let them know the culprits are in jail awaiting trial, which is where every criminal should be. The abuse of the criminal justice system at the expense of people like this young Chinese student, makes me wonder why so many in this body will never get tough on crime by advocating the death penalty.

Mr. President, the Hate Crime Statistics Act admittedly has a catchy name, as is so often the case around this place. Catchy and deceptive names hide dangerous legislation to preclude many Senators from reading the fine print. I dare say there will not be over five or six Senators who will know what is in this bill when they vote on it, and that too is the way the Senate often operates. It is certainly the case with the Hate Crime Statistics Act.

Let me make clear right at the outset that rooting out and punishing criminals is an imperative goal. One hundred Senators believe in that, and no Senator believes in that more than this Senator. Unfortunately, when it comes to putting the bite on crime, this place so often seems to be long on speeches and rhetoric and short on action. In fact, judging by the calendar of the Senate—and I refer to both the Hate Crime Statistics Act and the so-called Racial Justice Act—swift and sure punishment of lawbreakers takes a back seat to the agenda of a few narrow special interests.

In this case let the Senate understand that this bill is the flagship of the homosexual, lesbian legislative agenda. They have said that over and over again.

If we are going to get into homosexuality and how sorry we ought to be for these people, let me tell you about a so-called hate crime that happened in North Carolina, at my Raleigh office.

There was a period last year when by careful design homosexual men would come two by two into my office and commit unspeakable acts in the presence of the ladies who work in that office. I will not describe the vile nature of what they did but I have yet to see incidents like that end up in anyone's catalogue of hate crimes.

By the way, I had to use the U.S. marshal to stop this invasion.

Now, I suppose that I am discriminating against homosexuality and homosexuals when I make the judgment that they will not offend and embarrass the fine ladies who work in my office, but if I am violating any law I will go to jail before I will let these people get by with that type of activity. Apparently there is a great deal of political clout in the homosexual community. They have made political threats time and time against me, and that is fine. This is a free country. They can oppose me all they want to. But we will let the people of North Carolina speak on that in November. If the people of North Carolina say come home because I stood on this Senate floor and opposed legislation like this, then I will gladly go home. They cannot take 18 years away from me.

With this legislation the radical elements of the homosexual element have hoodwinked a lot of people into believing that this legislation is not a homosexual rights bill but a much needed weapon—they always say—in the fight against crime.

Well, I listened carefully to my distinguished colleagues, whom I like very much and whom I respect, but I do not recall one crime identified by either of them that is not already a crime.

Let us knock down the crime fighting straw man first.

This bill has been around in one form or another for at least 5 years and everybody knows we have experienced an explosion of drug-related violent crime during those 5 years, yet this so-called vital piece of anticrime legislation has not moved.

Does that tell us something? I think it tells us that nobody believes that this hate crimes bill will do anything at all to fight crime—nothing. In fact, the bill attempts to shift our focus away from actual criminal behavior and toward motivation behind behavior.

Incidentally, nobody knows how much this bill will cost, but that is the way we do things in the Senate. We add programs on top of programs seeking political support from this group and that group and to hell with the taxpayer who has to foot the bill.

Mr. President, where do you think the idea of legislation to require the collection of statistics on so-called hate crimes originated? If this is such a wonderful crime fighting tool, it surely must have originated with a group known for its tough stance on crime, right? Wrong. This idea was dreamed up by the National Gay and Lesbian Task Force. That is a matter of record. It was first presented to the National Institute of Justice back in 1985, and the National Institute of Justice, a branch of the Department of Justice, commissioned a study to collect reports of bias-related crimes. But by some strange coincidence homosexuals reported more of these so-called crimes than any other group.

I studies the reports commissioned by the Department of Justice as well as the studies offered in the support of this legislation, and it is clear that the militant homosexuals have been building up the numbers of complaints—

not, let me emphasize, criminal offenses or charges. They have been building up numbers of complaints to bolster their case that this type of legislation is necessary.

I have an article published in the Washington Post back in 1988, which lists the hate crime figures provided to the Washington Post by the National Gay and Lesbian Task Force for hate crimes committee in the District of Columbia. The Post reported 243 incidents of antihomosexual crimes for the year 1987 but if you look a little bit closer than that, you find that 147 of these so-called crimes were verbal. Are we going to put people in jail for losing their temper and saying things they should not do? Forty-one additional so-called crimes committed in the Nation's Capital were arrests by police. In Virginia, the Washington Post article went on to say, there were 462 antihomosexual crimes but 423 of these were simply incidents of name calling.

With that kind of reporting, it is small wonder that homosexuals report more acts of violence directed against them than any other group. My own State has been singled out in many reports put out by supporters of this legislation as leading the Nation I hate crimes. Does anybody think that is an accident? I happen to have the report used by the radicals in painting North Carolina as the home of hate. These hate crimes include public rallies, intrafamily violence and even a performance by the mascot at Duke University at Durham. That was a crime according to the hate crimes people. I will get to that in just a minute.

I mentioned that these reports even include some public rallies as crimes. One such rally was by a Klan group. I do not have any truck with Klan rallies. The Klan is vile and offensive, and I reject their philosophy but where are we heading in this country when a thought or a rally or a comment by the Klan, or Black Panthers or the Jewish Defense League becomes a crime just because it happens to offend one special interest group or we happen to find it offensive. Some Members of this body have even argued that burning the American flag should not be a crime. Yet we are now considering legislation based on statistics that includes name calling at public rallies as crimes. What is going on here? Are we going on the school yards of this country and when two kids get angry with each other and call each other names—what are we going to do, cart them over to the reformatory or add them to the list of hate crime perpetrators. This is ridiculous.

Is it not ironic that all of the civil libertarians, the folks who run around this country crying about the Bill of Rights when somebody pulls the rug out from under pornographic art or says violent criminals should be punished, all of these groups are just absolutely willing to label unpopular speech—criminal when it does not fit their own political agenda.

All of us in public life have had some things said about us that we did not particularly like. The Democratic National Committee is fond of describing a Senator from North Carolina as the "Prince of Darkness." Translated that means that the Democratic National Committee does not agree with JESSE HELMS. But that makes it even. I do not agree with them either. But I do not think anybody ought to be hauled off to jail or listed as a statistic for having made a statement like that.

In North Carolina we punish real crimes. Everybody from the Governor on down is dedicated to that goal and I challenge anybody to say to the contrary. I resent the implications made earlier about my State. I am not going to attack another State by implication. In the first place, the rules of the Senate prohibit it. In the second place, I do not believe in doing that. The citizens of this country and the citizens of North Carolina do not need to be distracted from the mission of putting felons behind bars by legislation like this.

Let me now direct the Senate's attention to the most recent study put out by the National Gay and Lesbian Task Force which has declared this bill to be their make or break legislation. Their report for 1988 admits that almost 80 percent of so-called hate crimes against homosexuals were acts of name calling. In fact, they found precisely 885 cases of physical violence throughout the country. I am sorry about any act of violence, but if you take the homosexual community at its word that they represent 10 percent of the population at face value, and I do not, but I will use that figure for the sake of argument, 885 crimes comes out to be relatively a minute number compared to their percentage of the population.

Certainly it is not remarkable compared to the level of violence perpetrated in this country against the elderly, children, police, and other law enforcement officers. While we are talking about hate crimes, I happen to be the son of a man whom I considered to be a distinguished law enforcement officer.

Mr. President, over 300 policemen died in the line of duty last year in this country. Yet they received no special rights or special attention. That figure should bring back to reality anyone who believes counting numbers is a good way to stop crime. It simply will not do it.

As a purely statistical tool, this legislation is at best unworkable. It calls for the reporting to the FBI any incident of crime motivated by hate.

My good friend, CHUCK GRASSLEY, the distinguished Senator from Iowa, learned in the Judiciary Committee that not one of the bill sponsors could tell him what the term "motivated by hate" means. I am not a lawyer, and I brag about that a whole lot, but I do know that motivation is not an element of our criminal offense, and since very few crimes ever make it to the trial level, motivation is rarely addressed in the criminal context.

So by delegating to the Attorney General, authority to come up with guidelines to determine what motivation is, the bill sponsors, according to Senator GRASSLEY, have admitted that they do not know what a hate crime is. How about that? You can have all the flowery rhetoric and all the personal protestations that I do not want anybody to be offended and this and that and the other, but when you get right down to it, they do not know what they are talking about.

This bill says nothing about the quantum of evidence required to create a reportable offense. Since the bill is silent on that issue, I gather that any charge of prejudicial violence is automatically elevated to the level of a hate crime. I cannot find any other conclusion.

Another little defect in this bill, it fails to mention how hate crime figures will be gathered. That is one of those cute legislative tricks you pop into legislation and leave somebody else to try to figure it out. Unless I am mistaken, only 11 States have so-called bias crime laws, and therefore, nobody knows how the other 39 States will gather the statistics. I might add, they do not know how much it will cost, and how much energy and time and resources will be diverted from working on drug crimes, crimes of violence, assault on elderly, and all of the other maladies which afflict our society.

The hate crime bill supposedly addresses the need to catalog religious and racial crimes. Once again, the emphasis is on public relations and not on punishment. The Reagan administration had it right for 4 years; their legislation does nothing to fight crime.

As for religious crimes, this Congress addressed that issue back in 1988, by affirming that the free exercise of religion is a fundamental right, unlike the often-rejected claim of homosexuals that they have a fundamental right to commit sodomy.

The Congress passed Public Law 100-346, the Free Exercise of Religion Act. Instead of counting crimes, that law made it a criminal offense to interfere with anyone's religious liberties, and that means, if you paint a swastika on a synagogue, you go to jail. That is already on the books. If you vandalize a religious school, you will go to jail. That is already on the books. The key word here is "jail," and I suggest

we concentrate on that. And when you put them in the jail, turn the key, and throw the key away. That is the way to do something about crime. Forget about all of this statistical nonsense. Statistics will be stacked up over in the Justice Department, and some bureaucrat will break a leg falling over them. That is where statistics are going to end up.

Let me digress for just a moment. I want to allude to the double standard that seems to exist in this Congress and in the major media when it comes to homosexual rights. Fair is fair. Let us talk about it.

Senators will remember, perhaps, an incident that occurred late last year at St. Patrick's Cathedral in New York City. During the regular Sunday mass, thousands of militant homosexuals gathered outside St. Patrick's Cathedral displaying the most vulgar and graphic placards imaginable.

Now, of course, they were protesting, do you not see, 5,000 years of Judeo-Christian teaching against the sin of sodomy. These so-called activists saved their particular rancor for the Catholic Church. I happen to be a Baptist, but what they did at St. Patrick's Cathedral sickens all Americans of whatever creed.

The Catholic Church, as everybody knows, has held the line in condemning homosexual activity, as well as proclaiming to the world that AIDS cannot and will not be controlled until homosexuals change their promiscuous lifestyle, period.

Mr. President, dozens of homosexuals snuck into St. Patrick's that morning, and as the Archibishop of New York tried to begin his sermon, this crowd—and this is their bill—began screaming, and standing on pews, and tossing condoms in the air. Oh, that is good old free speech, is it not?

This is the crowd we want to follow, do we not, in deciding what legislation we are going to pass and what legislation we are not going to pass? I say to my friend from Illinois, if I sound like I am worked up, I am worked up.

When the archbishop attempted to deliver Holy Communion, the most sacred sacrament of the Catholic Church, homosexuals infiltrated the congregation and began throwing the Holy Eucharist to the ground. Some hoisted pictures of Jesus Christ engaged in a kind of activity which I will not describe on this Senate floor.

I refer to at least part of an article by Pat Buchanan, describing the deafening silence that this event received in most of the major news media. You see, this was not news to our liberal brethren in the press and television. Where was the outcry? Where was the prosecution of these criminals? Where? Patrick Buchanan was right. You could hear a pin drop because of the lack of attention paid to this event by the homosexual apologists in the media and in politics.

The New York Times relegated the story to the back pages, and the Governor of New York said that he was sort of sorry about the incident, and then he qualified his apology by saying that the homosexuals were the victims of adequate provocation by the stance of the church. Bullfeathers, I say to the Governor of New York.

The radical homosexuals themselves refused to apologize for their deliberate crime. They considered their invasion of St. Patrick's Cathedral as another battle in their revolution.

Again I say bullfeathers.

There is no doubt in my mind—other Senators may disagree—where the passage of this legislation will lead us. No matter what kind of disclaimer you put in this legislation, it will be the first time that sexual orientation—and that means homosexuality—will be marked out for protected status. The radical homosexuals know this, and this legislation is simply one step in their radical revolution.

They make no bones about what is to come if and apparently when they succeed in getting the Hate Crime Act enacted.

Listen to Mr. David Wertheimer of the Gay and Lesbian Anti-Violence Project commenting on the need for this legislation before us. He said:

> It is clear that there is a new awareness of anti-gay and lesbian violence at the federal level. The legislation is still a long shot but our final goal should be nothing less than the expansion of the Civil Rights Act to include lesbians and gay men.

I will conclude as I began. No one condones violence; no one; not one Senator in this Chamber. However, the fight against crime is never served when the object of legislation is to promote an agenda other than one designated solely for law enforcement.

I have seen quite a few buttons around proclaiming "Counter Hate, Count Crimes." I would like to see a button, and I may have one made, that reads, "Stop Crime, Lock Up Criminals."

Mr. President, I ask unanimous consent to have printed in the RECORD Patrick Buchanan's article "the desecration of St. Patrick's."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DESECRATION OF ST. PATRICK'S

(By Patrick Buchanan)

Outside St. Patrick's Cathedral in New York at the 10:15 Mass a week ago yesterday, thousands of homosexuals and pro-abortion feminists shouted their hatred, and shook their placards: Keep your rosaries off my ovaries. Eternal life to Cardinal John O'Connor NOW! Keep your church out of my crotch. Know your scumbags. Curb your dogma. Papal bull.

Dozens snuck inside. As Cardinal O'Connor's sermon began suddenly, "The radical homosexuals turned a celebration of the Holy Eucharist into a screaming babble of sacrilege by standing in the pews, shouting and waving their fists, tossing condoms into the air." One, taking Communion, broke the consecreated Host in half, and threw it to the floor.

So writes Ray Kerrison, New York Post columnist; Bill Reel of the Daily News described the scene outside:

"Several slender young men wearing gold-colored robes similar to clerical vestments hoisted a large portrait of a nude Jesus drawn in such a way as to appeal to the prurient interest of homosexual males."

America's paper of record, The New York Times, only blocks away, relegated the hate crime to local news, Page B3, then, gently chided the trousered apes who perpetrated the satanic sacrilege:

"There is plenty of room for controversy over church positions on homosexuality, AIDS and abortion. . . . But some of the demonstrators turned honorable dissent into dishonorable disruption."

Had a synagogue been so desecrated, would The Times have been so restrained?

New York Gov. Mario Cuomo, anxious to cover all bases, was a portrait in political balance. Denouncing the desecration as an "outrage," he yet conceded there had been "awful provocation."

But, what "awful provocation"?

Cardinal O'Connor has done nothing but assert Catholic doctrine on homosexuality and abortion: i.e. both are intrinsically wrong. That doctrine is found in the Old and New Testaments, revered as revelation by all Christians. The cardinal has no more authority to alter that teaching than does the governor of New York; indeed, as archbishop, he is under moral obligation to witness to the truth.

Considering that no U.S. bishop has power to stop the sale of condoms, or to interfere with acts of homosexuality, or to shut down even one of the human butcher shops where 1.5 million children are yearly done to death, what were the fanatics screaming about?

The answer is at hand.

Paganism is a jealous, devouring god that abides no other. Militant converts to this all-consuming heresy were witnessing to their new faith. Unable to shut their ears and eyes to what Cardinal O'Connor has to say, they want him to shut up; they want the Catholic Church to shut up; they want all men of God to cease bearing witness against the devils that possess them.

And their frustration is all the greater because they know the church cannot do what they desperately want it to do: Bless a lifestyle that is carrying them away in numbers reminiscent of the Black Death.

AIDS is indeed a horrible disease. But who has done more than the church and its nuns to relieve the suffering and to ease the dying of its tens of thousands of victims?

"Good morality is good medicine," the cardinal has said again and again. Is he wrong? The primary cause of the spread of AIDS is promiscuous homosexuality; the secondary cause is the sharing of dirty needles by the drug-addicted. Why, then, is AIDS the fault of a church that has not ceased to preach that both are morally wrong, that has, again and again, called home those who have strayed?

What happened at St. Patrick's was not unpredictable.

Three weeks ago, the "arts community" of New York rose to defend a crude AIDS exhibit, introduced by a $7,000 catalog that

preached open hatred of Cardinal O'Connor:

"This fat cannibal from that house of walking swastikas up on Fifth Avenue [St. Patrick's] should lose his church tax-exempt status and pay retroactive taxes from the last couple centuries. Shut down our [abortion] clinics and we will shut down your 'church.' I believe in the death penalty for people in positions of power who commit crimes against humanity, i.e. fascism. This creep in black skirts . . . ."

Men who fail to condemn the words of hatred must accept moral culpability for the hate crimes they produce.

Strange, is it not? For years, homosexuals have insisted that the larger community cease using terms of offense such as "queer." Now, as the larger community accedes, the militants employ even viler epithets against the cardinal, the pope and the Catholic Church.

What else do they want? They have limitless sexual license, access to abortion on demand, a government that spends more on AIDS research than on heart diseases that kill 40 times as many. Why, then, are they angry, so unhappy?

Perhaps St. Augustine had the answer: "Thou hast created us for Thyself; and our hearts are restless until they rest in Thee."

In the 16th century, historian Georgio Vasari wrote that when human affairs begin to deteriorate, no improvement is possible until we reach the nadir. Perhaps so. Yet, there are signs it may not be so.

One week before this display of decadence at St. Patrick's, the head of the Communist Party of the Soviet Union, the vicar on earth of the god that failed—like Henry IV in the snows at Canossa—came to the Vatican to say, "Holy Father, we are aware that we are dealing with the world's highest moral authority." In their own demonic way, the demonstrators at St. Patrick's were saying the same thing.

It is not a bad time to be a Christian. Our enemies are out of the closet; they are all in the open now.

Mr. HELMS. Mr. President, I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I yield myself 5 minutes.

Mr. President, my distinguished colleague from North Carolina makes very interesting speeches. It so happens this speech, three-fourths of it, has absolutely nothing to do with the legislation before us. We are not creating a single new crime in this legislation. All we are saying is let us keep track of the statistics; very, very simple.

He says it will not do anything to fight crime. It is not going to stop all crime. But can it help in stopping crime? You bet it can help.

Let us find out to what extent we have the poison of racism and other violence against groups in our society.

He talks about costs. Eleven States are doing it right now. One of them testified before our subcommittee and said there was virtually no cost. The Congressional Budget Office says $1 to $10 million at the outside.

The language that the Senator from North Carolina objects to on the phrase on motivation we accepted at the request of the Justice Department of this Government.

On this bill, I said earlier, we have 58 cosponsors. My staff has advised me that we now have 60 cosponsors. It is supported by the President of the United States and the Attorney General of the United States.

He made references to the police among the groups—and there are many groups supporting this—but the Police Executive Research Forum, the Fraternal Order of Police, the National Black Police Association, the Police Foundation, the National Organization of Black Law Enforcement Executives, the Police Management Association, the International Brotherhood of Police Officers, the National Association of Police Organizations, and the National Association of Blacks in Criminal Justice, all support this legislation.

We have a problem. We read in the Soviet Union about the unbelievable things that are happening against Armenians in Azerbaijan. And we are offended and repelled, as we should be. But these things can happen in the United States of America. My distinguished colleague from Utah, Senator HATCH, who has been extremely helpful in this whole thing, I want to pay tribute to him for his constructive work here. Senator HATCH pointed out what happened to the Mormons in my own State of Illinois in the late 1830's and the early 1840's. In World War I we had German-Americans who were abused. In World War II we had Japanese-Americans abused. When the hostages were taken in Iran we had Iranian-Americans who were abused. We have problems. Let us find out to the extent that we have poison in our society and then let us do something about it. That is what this is all about.

Before I close, let me add my appreciation to Susan Kaplan, Bryan Kennedy, and Vickie Keoton of my staff, and Mark Dissler of Senator HATCH's staff, all of whom have been very helpful in this legislation.

Mr. CRANSTON. Mr. President, I am pleased to join my friend from Illinois, Senator SIMON, in urging support for this legislation which would require the Attorney General to collect data on the incidences of crimes that manifest prejudice based on race, religion, sexual orientation, or ethnicity. While this is a modest bill which simply requires the collection of data, it represents a significant step forward in our efforts to address the serious problem of hate crimes in our country.

By all accounts, Mr. President, the problem of hate crimes is indeed critical. As Senator SIMON has already forcefully argued, crimes motivated by prejudice appear to be widespread and also on the increase. The Anti-Defamation League of B'nai B'rith reports that anti-semitic hate crimes rose to a 5-year high in 1988, with harassment up 41 percent and vandalism up 19 percent from 1987.

Antigay violence also appears to be on the increase. A front-page Washington Post article last year stated that law enforcement officials are seeing an increase in antigay violence. The National Gay and Lesbian Task Force reports that there were 7,248 antigay incidents in 1988 which consisted mainly of verbal harassment but which also included homicides, physical assaults, and threats of violence. The Task Force also noted that local gay groups recorded 70 homicides in 1988 that occurred in antigay attacks, representing an increase of 9 percent over the previous year. One of these attacks, as recounted in the Post article, involved the stalking, the hunting of two women—resulting in the death of one of the women—merely because of their sexual orientation.

There is also evidence of a growing antiimmigrant sentiment that is related to an increasing number of hate crimes against Asians and Hispanics. A 1988 report completed by the Asian and Pacific Islander Advisory Committee to the attorney general of the State of California notes that the 1980's witnessed an increase in acts of hate violence directed against Asian and Pacific Islander Americans. The committee noted that Asian and Latino immigrants were the least likely to report hate crimes either due to lack of English proficiency, suspicion of law enforcement, or failure to recognize the criminal nature of the act.

The hate crime problem in our country is further underscored by last year's announcement by the Department of Justice that it will launch a major criminal investigation of white supremacist organizations—known as skinhead gangs—which are active in the South, Southwest, and West. These gangs have reportedly been involved in numerous beatings, assaults, robberies, and dozens of acts of vandalism throughout the country, and have also been tied to at least three murders.

All of the available information, Mr. President, points to the fact that hate crimes are a national—not local—problem which demands a Federal response. While the information that has been gathered by private organizations and State and local governments certainly sheds light on the problem, we clearly need a systematic nationwide data collection effort to understand fully the scope of the problem.

This data will supply law enforcement agencies with information on the severity, pattern, and location of hate crimes and will help them better utilize their resources to quell the hate

activities perpetrated by particular groups in certain parts of the country.

More importantly, Mr. President, the information that will be gathered will help us develop prevention strategies. The data will promote public awareness of the problem and, thus, encourage the development of effective remedies. This national data collection effort would also demonstrate to victimized communities that the Federal Government is interested in this problem, and could lead to an increase in reporting by victims.

Mr. President, it is clear that if we are to get to the root of the problem of hate crimes we must learn everything we can about the perpetrators of these crimes, where these crimes are committed, how they are committed, and why they are committed.

The collection of data on the incidences of hate crimes on a national basis is the first step in finding a solution to the problem. I urge my colleagues to support this legislation.

The PRESIDING OFFICER (Mr. ROCKEFELLER). The Senator from Utah.

Mr. HATCH. Mr. President. It is my understanding that the distinguished Senator from Washington would like some time on the floor, so I would be happy to yield 5 minutes to the distinguished Senator from Washington.

Mr. GORTON. I thank the Senator from Utah.

Mr. HATCH. Will the Senator yield for one small statement?

Mr. GORTON. I do.

Mr. HATCH. I would like to notify our colleagues, unless there are others who desire to speak on this, as soon as the distinguished Senator from Washington has completed his statement, that I intend to call up an amendment and ask for a rollcall vote on it. We are hopeful it will not take a lot of time to debate. We have one other amendment and then hopefully we will go to final passage. We are trying to accommodate our colleagues here, so those who are worried about when the vote will come, I hope it will be shortly after the distinguished Senator from Washington concludes.

Mr. GORTON. I thank my friend from Utah and appreciate his yielding me time to support the bill which he and the distinguished Senator from Illinois are so eloquently leading the charge.

I wish to express my support of the Hate Crime Statistics Act, which I joined as an original cosponsor with a number of my colleagues. I understand that there are now 60 cosponsors of this bill.

I also intend to support the amendment offered by the two distinguished leaders from Utah and Illinois, to clarify that this legislation does not promote or encourage homosexuality. This important bipartisan effort will help focus on the source and nature of violence arising out of racism and bigotry reemerging across the country.

We, too, in the Pacific Northwest have experienced violent displays of prejudice and racism against certain citizens. Just recently on the quiet Puget Sound island of Whidbey, the "Skinheads," a youth neo-Nazi group, held a national rally with an old guard white supremacist to gain recruits to a doctrine of hate and prejudice. In eastern Washington a skinhead attacked and attempted to kill a Spokane man, just because he was black. And in the city of Seattle cross-burnings have occurred in Madison Park; gays have suffered attacks and beatings in the Capital Hill community; and swastika and the KKK insigna have disgraced the walls of the University of Washington.

Such acts of violence intimidate and harass not just the specific unfortunate victims, but all citizens who may be similarly identified by race, ethnicity, religion, or sexual orientation, and all citizens in general.

Hate crimes are a national problem which must be exposed and ended. These crimes have no place in America. I believe, as George Bush believes, that "Every one of us confront and condemn racism, anti-semitism, bigotry and hate. Not next week, not tomorrow, but right now." I hope all of my colleagues will unite to support the Hate Crime Statistics Act of 1989.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my dear colleague for his generous and effective remarks here on the floor. We appreciate his willingness to be part of this movement and to pass this hate crime bill.

Mr. BRADLEY. Mr. President, I rise today to cosponsor this legislation, the Hate Crime Statistics Act. There are few criminal offenses in America today more intolerable than those stemming from hate and discrimination. If our society intends to advance the cause of social justice, and to protect our Nation's rich cultural diversity, then we must do everything in our power to assist law enforcement agencies in combatting hate crimes.

Currently, there is no data collection process at the national level for compiling statistics on these crimes. The Hate Crime Statistics Act would require the Attorney General to amass data on crimes motivated by racial, religious, sexual, or ethnic prejudices. This system would provide Federal and State governments, police agencies, and the public with much needed information on hate crimes. Our law enforcement officials would be able to identify the frequency, extent, and location of these offenses.

The reprehensible nature of these incidents commands media coverage, and isolated cases receive our attention. Yet, it is difficult to gage how pervasive this problem has become. We have no information base from which to detect the extent of the problem in our country.

New Jersey is one of eight States which have already implemented a program gathering information on hate crimes. I've been contacted by police officials who find the State's system an effective law enforcement tool. They support the Hate Crime Statistics Act.

The bill will enable the Federal and State governments to respond to prejudicially motivated crime with informed and effective policy planning. More importantly, the legislation will send a message that violent actions of this type will not be condoned. Further, it will assure victimized parties that hate crimes will not be tolerated.

Crimes against any citizen which are prompted by their race, religion, sexual preference, or ethnicity violate principles which are central to our American beliefs. Our society cannot accept or ignore crimes of hate or prejudice. This bill will enhance vigorous enforcement of America's equal protection guarantees, and it has my strong support in doing so.

AMENDMENT NO. 1250

Mr. HATCH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Utah [Mr. HATCH], for himself and Mr. SIMON, proposes an amendment numbered 1250.

At the end of the bill, insert the following:

(A) Congress finds that:

1. The American family life is the foundation of American society;

2. Federal policy should encourage the well-being, financial security, and health of the American family; and

3. Schools should not deemphasize the critical value of American family life.

(B) Nothing in this act shall be construed, nor shall any funds appropriated to carry out the purpose of the act be used, to promote or encourage homosexuality.

Mr. HELMS. Will the Senator yield for one inquiry?

Mr. HATCH. I yield.

Mr. HELMS. I agree with everything he said. This is a nice statement, and I will ask that I be made a cosponsor of it. But that is all it is; it is just a nice statement.

Mr. HATCH. Mr. President, I am happy to have our distinguished colleague from North Carolina as a cosponsor because it is a good amendment.

On behalf of Senator SIMON and myself, I just want to point out that there has been some discussion concerning the impact of this bill on homosexual rights. This bill has no impact on homosexual rights. The bill creates no such rights, as I explained in my opening remarks. The bill has no impact at all. Nor does the bill en-

courage or promote homosexuality. In order to make it doubly clear, however, Senator SIMON and I are offering this amendment.

I stress, Mr. President, that the Hate Crime Statistics Act expresses no approval of homosexual behavior. Moreover, this act gives no substantive rights. Section (b)(3) explicitly states:

Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation.

At the same time, no action is limited by the act. It neither adds to or subtracts from existing law.

I have no problem personally with the inclusion of "sexual orientation" in this particular bill because obviously no one should have any violence or vandalism directed at him or her for any reason, including their sexual orientation.

So if the commission of hate crimes directed against persons because of their sexual orientation is a problem that can be identified through data collection, law enforcement agencies may be able to use that information in their enforcement policies. That is all that this bill is about here.

It may be that some will try to use this data to call for gay rights legislation. But I do not see what good this data will do for that particular issue. The fact that violence is being committed against homosexuals is hardly a basis to include homosexuals within the protections of title VII or any other civil rights legislation.

In order to ensure that this legislation is not misperceived as stamping congressional approval on homosexuality, Senator SIMON and I are offering this amendment.

But I will also add, in conclusion, because my remarks are going to be short, that I do not see any justification whatsoever for any citizen of this country to attack people just because they may be homosexuals. There is no reason to allow the beating of homosexuals or the brutalization of homosexuals or the threatening and intimidation of homosexuals—there is no reason for that—or the killing of homosexuals; that has happened, too.

I do not think this bill would be half as good if we did not include this in it, because we know it is going on. We know it is wrong. It is against everything we as Americans stand for. We are just making it clear that nobody can make a claim that homosexual rights are going to come from this particular bill.

So with that said, I understand the minority leader would like to speak to this, but I see my colleague would like to say a few words.

Mr. SIMON. Mr. President, I yield myself such time as I may consume. I do not think I have ever been up just to read an amendment and do nothing more in my 15 years in Congress, but this is so plain that I am going to do precisely that.

(A) Congress finds that:

1. The American family life is the foundation of American society;

2. Federal policy should encourage the well-being, financial security, and health of the American family; and

3. Schools should not deemphasize the critical value of American family life.

(B) Nothing in this act shall be construed, nor shall any funds appropriated to carry out the purpose of the act be used, to promote or encourage homosexuality.

It is as clear as it can be. I hope we can get this adopted very, very quickly.

Mr. HATCH. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, let me ask the managers of the bill if they are familiar with a newspaper called the New York Native.

Mr. SIMON. I am not.

Mr. HATCH. I am not.

Mr. HELMS. Well, it is a leading publication in the gay-lesbian community. The article I have was published on July 11, 1988, and the headline on its says, "Immigration Bill Passes Committee—Hope Seen for Gay Rights Bill." I am just going to read one paragraph of it and see how it squares with what the distinguished Senator from Illinois and the distinguished Senator from Utah are saying when they say that this bill is not related to homosexuality.

These are the homosexuals through their official papers speaking: "The bill"—meaning the immigration bill—"The bill is considered the second of three steps leading to the passage of a federal gay rights bill. The first was the hate crimes bill which recently passed the House, the first such bill to include sexual orientation as a protected class. The third step will be action on the gay rights bill itself."

Mr. President, I ask unanimous consent that this article, "Immigration Bill Passes Committee," from the New York Native, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IMMIGRATION BILL PASSES COMMITTEE—HOPE SEEN FOR GAY RIGHTS BILL

(By John Ward)

WILMINGTON, DE.—The Immigration Exclusion and Deportation Amendment Act, a bill which would allow gay men and lesbians to immigrate to our shores, has moved another step closer to becoming law, despite an attempt by Representative William Dannemeyer (R-Calif.) to retain the bar against gays. Sponsored by openly gay Representative Barney Frank (D-Mass.), the bill was voted out of the House Judiciary Committee June 22 by a vote of 21 to 14.

"I am very pleased to win by such a big vote," said Frank. "Every single Democrat voted with me, and two Republicans."

The bill now goes to the House floor, where Frank is predicting victory, although he said it is too soon to say when that may occur. No action is yet slated for the Senate.

Among the restrictions on immigration that would be lifted by the bill are the designations "psychopathic personality" and "sexual deviation," which courts have interpreted to include gay men and lesbians. Presidential directives have curbed enforcement of the ban on gays, but gay leaders say the restrictions must be removed altogether from the books.

The Dannemeyer amendment, which would have restored sexual deviation as a barred class, failed by a vote of 23 to 10. Joining Dannemeyer were Republicans Howard Cobble (N.C.), George Gekas (Penn.), Bill McCollum (Fla.), Carlos Moorhead (Calif.), F. James Sensenbrenner (Wisc.), Clay Shaw (Fla.), D. French Slaughter, Jr. (Va.), Lamar Smith (Texas), and Patrick Swindall (Ga.)

The bill is considered the second of three steps leading to the passage of a federal gay rights bill. The first was the Hate Crimes bill which recently passed the House, the first such bill to include sexual orientation as a protected class. The third step will be action on the gay rights bill itself. As he did on the Hate Crimes bill, Frank is expected to play the key role in the right for passage.

The immigration bill would repeal the McCarran-Walter Act passed in 1952 at the height of McCarthyism. Under this law, the Justice Department can bar or deport aliens for unpopular political beliefs, past history of mental illiness, polygamy, or membership in controversial political groups.

Mr. HELMS. I thank the Chair. I yield the floor. I am ready to vote.

Mr. HATCH. We are ready to vote. All I can say, in response to the distinguished Senator, is that I think gay groups may very well think that this may be a prelude to civil rights legislation for them.

But to make a long story short, that is their idea, not mine. But I know one thing that they do think, and they are right on it; that they should not be brutalized and beaten and murdered because of hatred or for any other reason, but certainly not because of their sexual orientation. They are human beings, too, and they ought to be treated like human beings. There is a right every American ought to have and that is the right to be free and unmolested from vicious hate criminal activity.

All this bill does is collect the statistics with regard to vicious hate crime activity.

I think that is a worthwile thing, and I think most people will agree. I hope this bill will pass overwhelmingly here today, as a witness and as a notice to everybody we are not going to put up with these hate crimes any more.

As I understand it, the Senator from North Carolina has an amendment and he would like the votes back to back.

Mr. HELMS. That is acceptable.

Mr. HATCH. I thought my colleague would want that. So, what I will do is

yield the floor so the Senator can have it. He will call up his amendment, and then we will vote back to back and save all our collegues some time.

Mr. HELMS. As the Senator knows, we will have to yield back the time. But, before we do that, he identified the beatings of homosexuals and said that ought not to happen. The Senator knows I agree with him. Does the Senator have any doubt I agree with him about that?

Mr. HATCH. Not at all. I know my colleague feels just as offended by that conduct as anybody.

Mr. HELMS. The point is the crimes enumerated by the Senator are already crimes punishable by law.

Mr. HATCH. that is correct.

Mr. SIMON. Will my colleague from North Carolina yield?

Mr. HATCH. Could I just add, before he does, most of those, already, are covered under our criminal acts. But we find that people are afraid to report such criminal activity because there is no particular methodology pursuant to which they can make those reports.

Mr. HELMS. If the Senator will excuse me, how are we going to count something that is not reported?

Mr. HATCH. Because this provides a mechanism. A mechanism that will be provided by the Attorney General of the United States, where hate crimes can be reported to the appropriate law enforcement officials.

Mr. HELMS. But where is the information if they are afraid to report being beaten?

Mr. HATCH. This bill and its implementation is going to encourage them.

Mr. HELMS. Please tell me how this is going to function. I do not understand how the Senator proposes or the Justice Department proposes this bill to work. The Reagan Justice Department's Bureau of Statistics said that the goals of the legislation could not be met.

Mr. HATCH. It will require the Justice Department to come up with a method whereby people can report these crimes.

Mr. HELMS. I see.

Mr. HATCH. Frankly, that is something we do not have today. Even more importantly, if we get them reported, there will be an outcry by the American people.

I have no doubts about the motives of my distinguished colleague from North Carolina. I have seen him fight for the rights of people since I have been here. He does differ, and I think honestly and legitimately, on this bill, and I respect him for that. I do not have any difficulty with that. I have tremendous admiration for him as a Senator.

If he were not here, this Senate would be a worse place. He handles some of the most difficult matters that the Senate has to handle, and he does it in a courageous fashion. I happen to be a fan. I happen to think he is one of the all-time great Senators in this body.

If he differs with me on this, I feel sorry about that, because I would rather have him on my side. But I think he allows me the same privilege of differing with him, and I think he is wrong in his interpretation of whether or not we should have this bill.

I think this bill will help us in this country through the years to identify the crimes that are hateful crimes in a way that we may be able to invoke those criminal laws to get rid of that kind of activity. And I do not think there is a person in America who has been aware of what is going on in this country today who would not acknowledge that this is a serious set of problems and that something ought to be done about them.

The best way to do anything about it is first get the data, get the knowledge, get the information. Once we have the information, then we can make determinations of what needs to be done.

Mr. HELMS. I thank the Senator for his kind words but I am still puzzled how we are going to get the information if the crime is not reported.

Mr. President, I still have the floor, is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. I have an editorial from the New York Post. It is headed "Bias Crime in New York." This editorial, I think, is very illuminating in that it illustrates the difficulties, if not the impossibilities, of demonstrating that bias or hate prompted a given crime. As I understand it, New York City is scaling back all of its bias crime units because once police broke through the rhetoric, there was not much to the charges.

I just put one article in and, Mr. President, I ask unanimous consent that the editorial to which I have just alluded from the New York Post, of September 21, 1988, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Post, Sept. 21, 1988]

BIAS CRIME IN NEW YORK

For almost two years now, ever since the Howard Beach episode, New Yorkers have been particularly sensitive to bias-related violence.

Police report sharp increases in the number of reported crimes linked, in one form or another, to bias.

Organizations dedicated to monitoring such crimes maintain that racially motivated violence and anti-homosexual violence are both on the rise.

Homosexual rights groups claim that the AIDS epidemic, in particular, has fueled wanton violence against overt homosexuals.

Gov. Cuomo and the state Assembly have responded with legislation increasing the penalties for crimes with bias-related overtones. The bill is pending in the Senate.

Even while condemning each and every crime of this sort, we've had our doubts about the practicality of the legislation in question. How easy is it to demonstrate that bias prompted a given crime?

Is it wise to encourage dispute over whether the perpetrator did or didn't shout an epithet during a criminal act?

In the last analysis, it's usually not important *why* a crime was committed—only that the guilty party be properly punished. Delving into motive can confuse issues rather than clarify.

Advocates of bias-crime legislation, moreover, sometimes seem to represent the city as a simmering cauldron of inter-group hatred. In this context, it's interesting to note that the NYPD, for more than half a year, has had three six-member decoy teams tasked with combating bias-related violence.

Not one arrest has been made, because there has been no cause to make one. No decoy has been attacked—not the black decoys, nor the decoys who appear to be orthodox Jews nor the decoys who appear to be homosexual.

That's good news, and there's no reason not to say so. New York, it seems, may not be such a cauldron of hatred after all.

Ms. MIKULSKI. Mr. President, the Hate Crime Statistics Act is legislation that should have the unanimous support of this body. It has passed the House-twice, overwhelmingly, and it has the support of the President. It is a bill that should pass without a rollcall except that we want our votes of support on record.

I am proud to be a cosponsor of this bill.

Mr. President, I detest hate crimes. The letter bombs sent to judges and civil rights lawyers. The vandals who attack synagogues and leave swastikas as a calling card; the club wielding gangs. I abhor racism, bigotry of all kinds, and anti-Semitism.

Hate crimes do not make victims just of individuals. Hate crimes are attacks against a whole group, a race, a religion, an ethnicity. In that sense hate crimes are an attack against all that our society stands for—freedom of speech, freedom of association and freedom of religion.

I only wish that by passing this bill we could end hate crimes. Unfortunately that will be much harder. This bill is just a beginning. Before we can hope to end hate crimes we need to know more about them. We need the statistical data necessary to understand the nature and magnitude of the problem before we can respond to it.

We keep count of just about everything in this country. The Department of Commerce counts the number of houses built, the number of highway deaths, the number of unemployed. We even know that there were 36 million fishing licenses sold in 1986. We count just about everything, but we do not have a record of crimes of prejudice.

Some would rather have us not look at this problem. They would like our statistical research to end with the vote count on the Senate floor. Some would rather not know the answers.

Why? They say that this bill is an attempt to legitimize homosexuality. They are wrong. This bill is an attempt to stop violence against people; people who are entitled by our laws to protection from violence. We cannot tolerate hate crimes. We cannot tolerate a gang of skinheads surrounding a man and beating him into unconsciousness with baseball bats because of his lifestyle? This bill says that it is not acceptable to assault people. Hate and prejudice are not acceptable. It is not acceptable to intimidate, to burn down homes, to vandalize places of worship, to kill. This is a bill that tries to safeguard the rights that all Americans have.

All people in this country have a right to be protected from violence. This is the most elemental duty of any government, to protect its citizens from bodily harm. Without this guarantee the social contract is null and void. Without this guarantee an individual can rely only upon herself, upon himself. That is not society. That is anarchy.

We must act to stop crimes of hatred because, most often, they are crimes against a minority group and if our laws cannot protect the minority we have lost the very foundation of our Nation.

Why do we hate? We hate because we fear. We fear what we do not understand. We are afraid of strangers. We are afraid of people who are different. We are afraid that they are going to take what is ours. We fear they want to change us and we drive them away because we are threatened. We hate rather than overcome fear.

This bill, in itself, will not stop hate crimes. It is a tool that we can use in the hope that in understanding the problem we can solve it.

I urge my colleagues to vote against efforts to weaken this bill.

I urge my colleagues to support this bill and the Simon-Hatch Specter amendment.

Mr. KENNEDY. Mr. President, I rise in support of S. 419, the Hate Crime Statistics Act, and urge its overwhelming passage by the Senate.

This important legislation will require the national collection of data on crimes that manifest prejudice based on race, religion, sexual orientation or ethnicity. Systematic collection of this information will assist Congress and law enforcement agencies in the critical effort to speed the day when such crimes are as uncommon as they are unspeakable.

Crimes of prejudice have always been a problem. But in the past decade, we have witnessed an upsurge in lawless acts of violence in communities throughout our country.

The well publicized incidents in Howard Beach and Forsyth County are just the tip of the iceberg.

In Brooklyn, 3 black youths were attacked and beaten by a mob of about 20 white youths.

In Georgia, the home of an interracial couple was set on fire, large rocks were thrown through the windows, and the couple was subjected to threatening telephone calls which included racial epithets.

In Los Angeles, a young man defaced a bank building with stickers containing swastikas and slogans such as "White Power".

In Fort Lauderdale, five men with baseball bats assaulted several gay men on the street.

These are only a few examples of the atrocities which have come to be labeled "hate crimes." Our law enforcement agencies, our schools, and our religious and social institutions and organizations must devote more attention and more resources to wiping out bigotry and hate crimes in our land.

Violence against any of our citizens threatens the fabric of our society, but violence motivated by prejudice against persons based on their sexual orientation, race, religion, or ethnicity, poses a special threat to the pluralism on which our Nation is founded. The Hate Crime Statistics Act will enable us to monitor the incidence of these offenses across the Nation much more accurately, so that governments at every level can formulate a more effective strategy to prevent these vicious crimes.

I urge my colleages to support this important legislation.

I also want to state my reasons for opposing the amendment offered by the Senator from North Carolina [Mr. HELMS].

The amendment attempts to place the Senate on record in opposition to extending antidiscrimination protections on the basis of sexual orientation. I strongly believe that it should be unlawful to discriminate on that basis. But I also believe that it is entirely inappropriate to attempt to tie down this important legislation with this extraneous and offensive matter.

I urge my colleagues to oppose this amendment.

Mr. HELMS. I am ready to vote if my colleagues are.

Mr. HATCH. I am prepared to yield back the remainder of my time.

Mr. SIMON. I yield back the remainder of my time on the amendment.

Mr. HATCH. Just on the amendment.

Mr. HELMS. Wait just a minute.

Mr. HATCH. We are yielding back the remainder of our time on this amendment. Will my colleague do that also?

Mr. HELMS. I thought that was not——

The PRESIDING OFFICER. All time has been yielded back on this amendment. The clerk will call the roll.

Mr. HELMS. Mr. President, I thought it would be back to back.

Mr. HATCH. They do not want them back to back.

Mr. HELMS. Suits me. Let us go.

The PRESIDING OFFICER. All time has been yielded back on this amendment.

There being no further debate, the question is on agreeing to the amendment of the Senator from Utah and the Senator from Illinois.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] is necessarily absent.

I further announce that the Senator from Connecticut [Mr. DODD] is absent on official business.

Mr. DOLE. I announce that the Senator from Wyoming [Mr. SIMPSON] and the Senator from Wyoming [Mr. WALLOP] are absent to attend the funeral of a former Governor.

I further announce that, if present and voting, the Senator from Wyoming [Mr. WALLOP] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 96, nays 0, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—96

Adams	Fowler	McCain
Armstrong	Garn	McClure
Baucus	Glenn	McConnell
Bentsen	Gore	Metzenbaum
Biden	Gorton	Mikulski
Bingaman	Graham	Mitchell
Bond	Gramm	Moynihan
Boren	Grassley	Murkowski
Boschwitz	Harkin	Nickles
Bradley	Hatch	Nunn
Breaux	Hatfield	Packwood
Bryan	Heflin	Pell
Bumpers	Heinz	Pressler
Burdick	Helms	Pryor
Burns	Hollings	Reid
Byrd	Humphrey	Riegle
Chafee	Inouye	Robb
Coats	Jeffords	Rockefeller
Cochran	Johnston	Roth
Cohen	Kassebaum	Rudman
Conrad	Kasten	Sanford
Cranston	Kennedy	Sarbanes
D'Amato	Kerrey	Sasser
Danforth	Kerry	Shelby
Daschle	Kohl	Simon
DeConcini	Lautenberg	Specter
Dixon	Leahy	Stevens
Dole	Levin	Symms
Domenici	Lieberman	Thurmond
Durenberger	Lott	Warner
Exon	Lugar	Wilson
Ford	Mack	Wirth

NAYS—0

NOT VOTING—4

Dodd	Simpson
Matsunaga	Wallop

So the amendment (No. 1250) was agreed to.

Mr. HELMS. I move to reconsider the vote by which the amendment was agreed to.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HELMS. Mr. President, I believe there is a 1-hour time limitation on this next amendment, is that correct, equally divided?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. Mr. President, momentarily I shall send an amendment to the desk pursuant to the unanimous-consent agreement reached earlier this morning, but let me tell Senators what has transpired thus far. The amendment just voted on, which I cosponsored, was offered in the hope that the amendment that I am now sending to the desk will be defeated.

I hope Senators will not mind my giving a word of advice if the attempt to defeat my amendment succeeds by virtue of Senator SIMON and Senator HATCH having offered the earlier amendment. The two amendments are not identical, and I think Senators may have some difficulty explaining a "no" vote, but that of course is up to the individual judgment of each Senator.

AMENDMENT NO. 1251

(Purpose: To provide that it is the sense of the Senate that homosexuality should not be promoted in any manner by the Federal or State government)

Mr. HELMS. Now, Mr. President, having said that, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 1251:

At the appropriate place, insert the following new section:

SEC. . It is the sense of the Senate that—

(1) the homosexual movement threatens the strength and survival of the American family as the basic unit of society;

(2) State sodomy laws should be enforced because they are in the best interest of public health;

(3) the Federal Government should not provide discrimination protections on the basis of sexual orientation; and

(4) school curriculums should not condone homosexuality as an acceptable lifestyle in American society.

Mr. HELMS. Mr. President, this amendment is just as clear as I can make it. It would clarify that passage of this legislation which we have already discussed. We would make certain that this legislation does not imply in any way that Senators favor repealing sodomy laws or providing discrimination protection for homosexuals or amending school curriculums to teach schoolchildren the legitimacy and normalcy of homosexuality.

It goes without saying that Americans abhor crime. We have discussed that earlier. That certainly includes violent crime. Americans realize that crime and violence threaten the social order which in turn threatens liberty and freedom. An act of violence victimizes not only an individual; it victimizes society at large.

Now, undoubtedly, bigotry and prejudice have motivated some members of our society to perpetrate criminal acts. This has always been the case, and no matter what kind of laws of this type we pass it will continue.

Those individuals should be prosecuted and sentenced just as other criminals are prosecuted and sentenced.

Proponents of this underlying bill have argued that the Federal Government needs to spend its resources to study crimes committed against individuals because of race, religion, ethnicity or sexual orientation so that criminal penalties can be increased to discourage this type of activity in the future.

Mr. President, let me be as clear as I can and as emphatic as I can when I say that if simply gathering statistics and increasing penalties for crimes were the real intent behind this legislation, I would not be standing here on the Senate floor this afternoon.

Yet, we all know that this bill means something quite different for its proponents and the homosexual lobby.

Let me illustrate the point. The New York Native, a paper catering to homosexuals in New York, had this to say about the bill's passage in the House last year. In an article entitled, "Hate Crime Bill Passes House by a Landslide," the writer for the newspaper reported the reaction of the executive director of the Human Rights Campaign Fund, a political action committee for homosexual and lesbian rights:

The victory fuels hopes that the House will vote this year to remove the ban on gay immigrants and pay more serious attention to the federal gay rights bill. It is a logical first step, since anti-gay violence is considered the least controversial gay issue.

This agenda has been repeated time and time again in hearings on hate crimes against homosexuals.

As far back as, for example, 1986, before the Subcommittee on Criminal Justice, Committee on the Judiciary, Kevin Berrill, director of the Violence Project, National Gay and Lesbian Task Force testified on homosexual violence. Here are his proposed remedies as he stated:

I would encourage advocacy on behalf of the national gay and lesbian rights bill that has been before the Congress for a number of years. In terms of antigay and antilesbian violence this is a very important piece of legislation.

In discussing homophobic violence, a Congressman asked how organizations have challenged the Georgia sodomy statute which the Supreme Court upheld as constitutional. Mr. Berrill responded:

Repealing sodomy laws, and enacting gay rights legislation is not the only objective of those who support studying hate crimes against homosexuals. They also propose amending the school curriculums to eliminate the so-called homophobia.

In a letter submitted to the Subcommittee on Criminal Justice which appeared in the subcommittee's hearing report entitled, "Anti-Gay Violence," Kevin Cathcart, executive director of the Gay and Lesbian Advocates and Defenders, states:

Curriculum that acknowledge the existence of gay people and our contributions to society are necessary, as are programs that focus on methods other than violence for dealing with conflict. And information about gay people should not be confined to health/sex education classes but should be mainstreamed throughout the cirriculum.

Proponents of this bill claim that we need to study hate crimes against homosexuals because these crimes are underreported. Yet I find that argument unpersuasive. Underreporting is a problem but not one unique to crimes against homosexuals. According to the Bureau of Justice Statistics nearly two-thirds of crimes surveyed and about half of all violent crimes are not reported. Underreporting of crimes against homosexuals does not justify a study of such crimes.

Proponents claim that homosexuals are the target of hate crimes more than any other group in society. Yet, after studying the statistics you will find that this argument does not hold water either.

According to the homosexual groups, 90 percent of homosexuals experienced some type of victimization because of their sexual orientation. Victimization, however, is not synonymous with criminal violence. Victimization includes not only criminal threats or assaults, but also some type of harassment.

Kevin Cathcart, executive director of the Gay and Lesbian Advocates and Defenders submitted a letter attesting to his victimization. He described an awful crime that occurred to him: He was walking down the street and a child yelled at him. He yelled at him.

Now, Mr. President, I do not know anywhere in the United States where shouts—unless they are threats of imminent battery—are subject to criminal or civil penalties.

However, these are the types of things that Mr. Cathcart and other advocates of this bill have used to trump up the crimes against homosexuals.

The evidence is clear, Mr. President. Studying hate crimes against homosexuals is a crucial first step toward

achieving homosexual rights and legitimacy in American society.

This Senator cannot, and will not, be a party to any legislation which fuels the fire of the homosexual movement.

If homosexuals want to be studied, that is fine. But I do not think this Congress should be sending the message that studying hate crimes against homosexuals is synonymous with condoning their behavior.

So the purpose of this amendment, I believe is quite clear, it will provide Senators with the opportunity to inform their constituency whether they support or oppose repealing sodomy laws; providing discrimination protections to homosexuals and lesbians; and whether they support amending school curriculums to legitimize the homosexual lifestyle.

Obviously, I urge adoption of this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CRANSTON addressed the Chair.

Mr. SIMON. Mr. President, I yield 2 minutes to the Senator from California, Senator CRANSTON.

The PRESIDING OFFICER. The Senator from California is recognized for 2 minutes.

Mr. CRANSTON. I thank my friend from Illinois very much.

Mr. President, I rise in opposition to the proposed amendment. The amendment of the Senator from North Carolina is not designed to improve or change the provisions of the bill relating to the collection of hate crimes data. It is not designed to help us deal with the problem of hate crimes. In fact, the amendment would do exactly the opposite.

Simply put, Mr. President, this amendment should be rejected because it sends the wrong message. This amendment suggests that hate crimes against gays and lesbians are not as reprehensible as crimes against racial, ethnic, or religious minorities. Clearly, this undermines the purposes of this legislation.

We have just adopted the Simon/Hatch amendment which makes it clear that this bill is not about promoting or encouraging sexual activity.

This legislation will simply provide us with the information we need to stop the growing incidences of hate crimes in this country. And there are more and more of those abominable hate crimes of one sort or another.

It is clear that the victims of hate include racial and ethnic minorities, religious minorities, as well as gays and lesbians. In fact, from the information that has been collected by private organizations, we know that crimes against gays and lesbians are a very substantial problem. Thus, it makes perfect sense that our data collection effort include hate crimes perpetrated against gays and lesbians.

Mr. President, this legislation merely requires the collection of data; nothing more. It does not encourage and it does not promote any kind of sexual activity. Indeed, the Federal Government has no business promoting sexual activity of any kind, homosexual or heterosexual. If this bill did promote sexual activity, I would not support it.

To imply that collecting data on hate-based crimes encourages such behavior is, of course, obviously and absolutely preposterous. We should be sending a clear signal by passing this bipartisan bill, reported by the Judiciary Committee, that all hate crimes, must be stopped. We should not confuse that message by adopting the Helms amendment. I oppose this amendment. I urge my colleagues to vote against it also.

I thank the Senator from Illinois for yielding me that time.

Mr. SIMON. Mr. President, I yield myself 2 minutes.

The Senator from North Carolina is preoccupied with one part of this bill. Hate crimes are against all kinds of groups. They are against Jewish Americans, African Americans, Italian Americans, Polish Americans, Catholic Americans, Mormon Americans—you name the groups. Let us find out to what extent we have a problem.

I think we have dealt with the problem that Senator HELMS addresses in his amendment in a constructive and a positive way in the amendment that Senator HATCH and I proposed, which was adopted overwhelmingly just a few minutes ago.

We should encourage American families. We said no funds can be used under this act to promote homosexual activity or any other kind of sexual activity. I think the constructive way of dealing with this is much to be preferred. I am going to join my colleague, Senator HATCH, as well as the minority leader, Senator DOLE, in voting against this particular amendment.

I yield to my colleague from Utah such time as he may wish to consume.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I am going to vote against this amendment. I think that we have basically covered the worries of the distinguished Senator from North Carolina in the amendment that I and Senator SIMON filed, which was passed, as I recall, unanimously. Frankly, we have addressed this general issue in the Hatch-Simon amendment, and we did it, in part, with this language:

Nothing in this act shall be construed, nor shall any funds appropriated to carry out the purpose of the act be used, to promote or encourage homosexuality.

I think we have addressed the interests of the distinguished Senator from North Carolina in putting that in there.

By the way, I might add, our amendment is not just a sense-of-the-Senate amendment, as is the amendment of the distinguished Senator from North Carolina. Ours is a real amendment with real substance which says that nothing in this bill promotes homosexuality. Legislation in the form of sense of the Senate, which the distinguished Senator from North Carolina has offered here, is not really needed in this bill.

I hope our colleagues will vote this amendment down.

I do not know about the distinguished Senator from North Carolina, but the people who have contacted me—I have not had one homosexual contact me, that I have known of, to push this bill. I remember the American Jewish Committee contacting me; the Lutheran Office for Governmental Affairs; and the Mexican-American Legal Defense and Education Fund, they contacted us; the National Black Police Officers Association; the National Association for the Advancement of Colored People; National Council of Churches; National Urban League, and I can give you dozens of others, unrelated to homosexuality, who think this is a wonderful thing, who believe we need to do what we are doing here, who want this bill because they know it may be the only way we are going to get to the bottom of the hate crimes which are hurting our society.

I think that we have solved the problems of the distinguished Senator from North Carolina and, therefore, I am going to vote against his amendment, and I hope our colleagues will consider doing the same.

Mr. ADAMS. Mr. President I rise to oppose the amendment of the Senator from North Carolina and to support the Hate Crime Statistics Act.

Mr. President, I do not understand what the Senator from North Carolina is trying to do and what his amendment has to do with the legislation in front of us.

This act does not say you have to like homosexuals. It does not promote or encourage homosexual behavior. It does not provide any new rights or privileges for any group.

It simply says we ought to collect statistics on crimes that manifest prejudice based on race, religion, sexual orientation, or ethnicity.

I do not understand what the Senator's amendment has to do with the substance of this bill. Bias motivated attacks have become all too frequent in this country. This bill sends a strong message that we do not tolerate

hate crimes and we want to do everything we can to stop them.

The Senator from North Carolina says this bill is the homosexual's bill. All the bill says is that the Justice Department ought to keep statistics when someone decides to kill, rape, beat up, or harass a gay man or lesbian, just as it says we ought to keep statistics when a Jew is beaten up or a swastika is painted on a temple or when a cross is burned on a black family's lawn.

These and other hate crimes share essentially the same character: All are motivated by hatred, ignorance, and bigotry. We all stood up and applauded last week when the President of the United States said we could not tolerate bigotry in this country. Today we have a chance to stand up and vote against hate and bigotry.

I hope we will stand with President Bush and 60 of our colleagues who cosponsor this bill, and vote against Senator HELMS' amendment.

The PRESIDING OFFICER. Who yields time?

Mr. SIMON. I yield to the distinguished minority leader such time as he uses.

Mr. DOLE. Mr. President, judging by what I have read in the newspapers lately, it appears that the need for the Hate Crime Statistics Act has never been greater.

THE TIMELINESS OF THE BILL

We have all heard the horrifying story of the letter bomb that killed Judge Robert Vance of the 11th circuit—a cowardly act committed by a cowardly person. Judge Vance's only crime was that he happened to agree with the NAACP in a case argued before his court.

We are all familiar with the tragedy of Michael Griffith and Howard Beach. We have all heard about the despicable acts of the so-called skinheads. And some of us have actually seen the swastika spray painted on the synagogues and churches of our local communities.

According to a recent report from the Anti-Defamation League of B'Nai B'rith, there were 1,432 incidents of antisemitic vandalism and harassment in 1989. This number represents a 12-percent increase over 1988. It also represents the highest number of antisemitic incidents ever recorded during the ADL report's 11-year history.

THE BILL'S PROVISIONS

The Hate Crime Statistics Act is an important first step in the effort to combat, and hopefully reduce, the number of hate-related crimes committed in this country. By requiring the Attorney General to actually collect and publish hard data on hate-related crimes, the bill will allow our State and local police forces to get a better handle of the hate-crime problem. As a result, the police will be able to rely on hard facts, not on anecdotes and newspaper accounts, when deciding how best to target their limited resources against the racists and other hate mongers.

SOME IMPORTANT SAFEGUARDS

I want to emphasize, however, the truly limited focus of the Hate Crime Statistics Act. The bill would not create any entitlements, nor would it create a cause of action for the victim of an act of discrimination. The bill simply directs the Attorney General to collect information. Period.

Furthermore, the bill contains an important privacy safeguard. It prohibits the Attorney General from collecting any data that would reveal the personal identity of an individual hate-crime victim. The privacy of all crime victims must be respected, and the bill recognizes the need for these privacy protections.

I know that a few of my colleagues are concerned that the bill will somehow promote homosexuality. I believe that the Hatch-Simon amendment properly addresses this concern by emphasizing that nothing in the bill should be construed to promote or encourage homosexuality. The amendment also provides that no funds appropriated to carry out the act shall be used for this purpose.

Mr. President, the Hate Crime Statistics Act is a prudent, rational, and targeted response to the apparent increase in hate-crime violence in this country. I am proud to be a cosponsor of this legislation, and I urge my colleagues to support the bill with their votes.

Last year, I received a letter from the Assistant Attorney General for Legislative Affairs announcing the Justice Department's formal endorsement of the Hate Crime Statistics Act. I ask unanimous consent that the full text of this letter be printed in the RECORD immediately following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC., July 27, 1989.

Hon. ROBERT DOLE,
Republican Leader,
U.S. Senate,
Washington, DC.

DEAR MR. LEADER: This letter expresses the Department of Justice's unqualified support of S. 419, the "Hate Crimes Statistics Act," as reported by the Committee on the Judiciary. While our earlier letter to the Committee had endorsed the concept behind the bill, but expressed some reservations regarding the bill itself, those concerns have been addressed. Specifically, the Attorney General has been given sufficient discretion to establish guidelines for the collection of the required data, and the list of crimes in the bill is designed to conform to the updated Uniform Crime Reports.

The Department of Justice, therefore, urges speedy passage of this legislation.

The Office of Management and Budget has advised this Department that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CAROL T. CRAWFORD,
Assistant Attorney General.

Mr. WILSON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SIMON. I yield 2 minutes to the Senator from California.

Mr. WILSON. Mr. President, I do not think I will need that much. I will just state simply that there should be no place in American life for prejudice. But at the very least, when that prejudice escalates to violence, it is absolutely unsupportable. There is no justification for crime against any American.

If this measure, in its collection of statistics, assists law enforcement to any degree in fighting to stamp out the kind of violence that is directed against particular groups, for whatever reason, then it deserves our support. It is that simple.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I yield back my time.

How much time does the Senator from Pennsylvania wish?

Mr. HEINZ. Two minutes.

Mr. SIMON. I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. HEINZ. Mr. President, I rise to speak in support of the Hate Crime Statistics Act, S. 419.

With frightening regularity, we hear reports of physical and psychological attacks on individuals who were targeted simply because of the color of their skin, religious beliefs, sexual preference, or ethnic background.

Hate crimes are intolerable because they injure not only their immediate victims but spread fear throughout an entire community. Few events are as repulsive, or as antithetical to the rights and liberties on which this Nation was founded, as are acts of violence and harassment fueled by bigotry.

The Hate Crime Statistics Act is a modest measure. Its sole purpose is to provide up to date information about this serious problem. The bill would require the Department of Justice to annually collect and publish data on crimes motivated by bigotry.

Collecting this data will provide previously undocumented information that should help policy makers, and law enforcement officers combat these offenses. It is important to stress that this legislation does not expand the rights of any group of citizens. Instead, it calls for the collection of data

in order that all people may be protected equally under the law.

The origins of organized hate violence in the United States can be traced to Reconstruction. In 1865, the Ku Klux Klan was formed and began its use of terrorism to intimidate and prevent blacks from exercising their constitutional right to vote and to hold public office.

Today, the Klan and other hate groups such as the White Aryan Resistance and the Skinheads are more sophisticated. These groups are highly organized, actively recruiting our youth, and attacking not only blacks but other minorities and religious groups as well. Recently, the Skinheads, a rapidly growing, white supremacist youth movement, have been charged with murder in Oregon, Nevada, and California.

Moreover, there is evidence that the public's fear and lack of information about AIDS are causing an increase in attacks against those persons perceived to be homosexuals. Recently, in Bucks County, PA, two men were convicted of first degree murder because they slit the throat of a man after they decided he was homosexual.

Furthermore, a report by B'nai B'rith found that rightwing extremists committed more hate crimes, involving anti-Semitism, between 1984-87, than in the previous 20 years combined. Two years ago, in Harrisburg, worshippers at Kesher Israel Synagogue arrived to celebrate the Jewish sabbath and found their temple desecrated with swastikas, and slogans saying "Death to the Jews."

We must know more about these abhorrent forms of intimidation and violence if we are to work effectively for their elimination. That is why the Hate Crime Statistics Act is a necessary first step. By directing the Justice Department to gather information about hate crimes, we will demonstrate that our nation will not tolerate or condone crimes fueled by racism and bigotry.

I urge my colleagues to support this important legislation.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask for the yeas and nays on the bill.

The PRESIDING OFFICER. They have already been asked for and granted.

Mr. HATCH. On the bill itself?

The PRESIDING OFFICER. Yes.

Mr. HATCH. I ask unanimous consent that it be in order to have the yeas and nays on the House bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HATCH. Mr. President, I yield back the time.

The PRESIDING OFFICER. Are there any further amendments? The Senator from North Carolina.

Mr. HELMS. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 20 minutes and 6 seconds.

Mr. HELMS. I say again that I do hope Senators will read the pending amendment upon which we are about to vote and figure out for themselves what they are going to say when their constituents raise questions about it. We are talking about repealing sodomy laws, which is a goal of the chief advocates of this legislation, the gay-lesbian community.

So Senators can vote as they wish. They can vote up or they can vote down. But I think the meaning of the amendment is very clear.

If the other side is willing to yield back its time, I will yield back my little bit.

The PRESIDING OFFICER (Mr. DASCHLE). The Senator from Illinois.

Mr. SIMON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I yield back whatever time I have remaining.

Mr. HELMS. I yield back my time.

Mr. SIMON. Mr. President, I yield back my time.

The PRESIDING OFFICER. Without objection, all time having been yielded back, the question is on agreeing to the amendment of the Senator from North Carolina.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Michigan [Mr. LEVIN] is necessarily absent.

I further announce that the Senator from Connecticut [Mr. DODD] is absent on official business.

Mr. DOLE. I announce that the Senator from Wyoming [Mr. SIMPSON] and the Senator from Wyoming [Mr. WALLOP] are absent to attend the funeral of their former Governor.

I furthern announce that, if present and voting, the Senator from Wyoming [Mr. WALLOP] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 19, nays 77, as follows:

[Rollcall Vote No. 12]

YEAS—19

Armstrong	Helms	Reid
Breaux	Humphrey	Rockefeller
Bryan	Johnston	Shelby
Byrd	Lott	Symms
Coats	Mack	Thurmond
Gramm	McClure	
Heflin	Nickles	

NAYS—77

Adams	Ford	McCain
Baucus	Fowler	McConnell
Bentsen	Garn	Metzenbaum
Biden	Glenn	Mikulski
Bingaman	Gore	Mitchell
Bond	Gorton	Moynihan
Boren	Graham	Murkowski
Boschwitz	Grassley	Nunn
Bradley	Harkin	Packwood
Bumpers	Hatch	Pell
Burdick	Hatfield	Pressler
Burns	Heinz	Pryor
Chafee	Hollings	Riegle
Cochran	Inouye	Robb
Cohen	Jeffords	Roth
Conrad	Kassebaum	Rudman
Cranston	Kasten	Sanford
D'Amato	Kennedy	Sarbanes
Danforth	Kerrey	Sasser
Daschle	Kerry	Simon
DeConcini	Kohl	Specter
Dixon	Lautenberg	Stevens
Dole	Leahy	Warner
Domenici	Lieberman	Wilson
Durenberger	Lugar	Wirth
Exon	Matsunaga	

NOT VOTING—4

Dodd	Simpson
Levin	Wallop

So the amendment (No. 1251) was rejected.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. METZENBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DANFORTH. Mr. President, over the last couple of months hate crimes seem to have been on the rise. A group of Satan worshipers broke into the Yeshiva Boys School of Greater Washington in Silver Spring, MD, on the fifth night of Hanukkah and did hundreds of thousands, if not millions, of dollars worth of damage. They scrawled the word "Satan" on the chalkboard. They demolished lockers, television sets, computers, doors, windows and bookshelves. Why? In their own words, they "did it for Satan." As they describe it, "basically we were going to destroy a school, or a church, or a temple. Whatever. Something religious. It didn't matter which."

Why did they do it? They did it because they hate those who are religious. Because they hate Jews. Can they explain their destructive acts? Not in any rational way. They just hate. They do it to vent a hatred that is irrational and wrong.

Some sick group of racists calling themselves "Americans for a Competent Federal Judicial System" has killed a Federal judge and a civil rights lawyer in the name of hate. In the most cowardly way, they sent letter bombs through the mail and

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killed Judge Robert S. Vance while he was at home with his wife. They killed Robert Robinson, an alderman and civil rights lawyer in Savannah, GA. This group tried to kill others, but thankfully, these bombs were disarmed.

I believe that it is very important to collect statistics on where, when and how often these crimes which are motivated and fueled by hate occur. The argument that we cannot define whether a crime was motivated by prejudice is belied by experience. Eight States collect the data now: Connecticut, Illinois, Maryland, Minnesota, New Jersey, Oklahoma, Pennsylvania, and Virginia. The American Psychological Association has suggested a series of criteria for determining them.

Under this bill, "the Attorney General shall establish guidelines for the collection of such data including the necessary evidence and criteria that must be present for a finding of manifest prejudice * * * " I trust Attorney General Thornburgh. I think he will be careful in devising his criteria. Mr. Thornburgh himself is certainly not opposed to this bill or unduly daunted by the task. On January 8, Martin Luther King Day, Mr. Thornburgh said the following: "We will seek passage of the Hate Crime Statistics Act now before the Congress so that we can gain a better grip on the full dimension of the rampant violence attending hate crimes."

This bill will encourage members of minority groups who are intimidated by violent acts of hatred to report these crimes when they occur. That is important. We cannot allow the intimidating tactics of criminals to force victims to keep quiet. The intimidation would then serve the purpose of its perpetrators. This bill is a symbol that we care about those who have been victimized by hate.

Many of the issues that we face here have two sides. They are complex. They are subtle. Often, they are difficult to come to grips with. But, this issue is not. Hate is wrong. Murdering someone because they are black or because they have helped a black is wrong. Destroying someone's school during their most joyous religious holiday is wrong. Defiling someone else's religious property with the word "Satan" is wrong.

President Bush gave us a mission in his State of the Union Address. "Every one of us must confront and condemn racism, anti-Semitism, bigotry, and hate. Not next week, not tomorrow but right now. Every single one of us." President Bush's words moved me. To me, they were one of the most important lines in his speech. This is the first step. We must understand the problem and its breadth before we can conquer it.

I will note for this bill, and I thank my distinguished colleague from Illinois [Mr. SIMON] for agreeing to allow me to become a cosponsor.

Mr. KOHL. Mr. President, in the last 100 years America has made great strides toward achieving real equality in our society. We can be proud that we have ended a shameful history of intolerance: no more Jim Crow, lynchings, or so-called literacy tests to vote. No more signs saying "Whites Only" and "No Irish Need Apply." But though we have traveled far, we still have far to go.

In Michigan, a Chinese-American was bludgeoned to death with a baseball bat. In Oregon, skinheads attacked and killed an Ethiopian man; again, the weapon was a baseball bat. In Howard Beach, NY, a young black man was struck by a car and died after being chased onto a busy parkway by a mob of white youths. In Georgia, someone spraypainted the words "Niggers and Jews, We're Coming For You" across the wall of a Yeshiva. In Texas, Vietnamese fishermen and their families have been harassed and beaten. Even today, the FBI is on the trail of a racist mail-bomb murderer.

In 1988 alone, the group Klanwatch received reports of such hate-motivated incidents in 35 States and the District of Columbia. According to Klanwatch, 27 percent were directed at Jews, 56 percent at blacks and 17 percent at others. And the Anti-Defamation League of B'nai B'rith reports that incidents of anti-Semitic harassment skyrocketed by 41 percent and that incidents of anti-Semitic vandalism rose by 19 percent from 1987 to 1988.

These groups do a commendable job in attempting to track hate crimes, but they have limited resources and often must rely on voluntary reports. Some State police departments also collect these statistics. But without truly national data on crimes motivated by race, religion, sexual orientation or ethnicity, it will remain easy for many to contend that we don't have a problem.

The Hate Crime Statistics Act is simple, effective and straightforward. The act would direct the Justice Department to set guidelines and then acquire data on hate crimes in America, just as it now tracks and collects data on murders, rapes and assaults. This additional information will help our law enforcement officers more effectively confront hate-mongering organizations and hate crimes in their jurisdications. And it will also help us monitor our progress toward becoming an America that's unified, dignified, unafraid and free.

Mr. President, I urge my colleagues to support this crucial legislation.

Mr. MATSUNAGA. Mr. President, as a cosponsor of S. 419, I rise in support of the bill, and urge its passage by the Senate.

A relatively modest measure, the Hate Crime Statistics Act would merely require the Attorney General of the United States to collect and disseminate statistical data related to crimes based on race, religion, ethnicity, or sexual orientation. While the number of such crimes appears to have increased in the last decade, the Federal Government has no formalized reporting system so that the Nation's law enforcement officers and others might begin to formulate remedies.

Asian Americans, a relatively small minority in our population, are disproportionately likely to be victims of racially motivated crime. While statistical data relating to Asian Americans is hard to come by, communities that do keep records report that Asian Americans in Los Angeles County were victims in 24 percent of all racially motivated crimes in 1986—a 10-percent increase over 1985. In Boston, where Asian Americans constitute only 3 percent of the population, they were victims 33 percent of the time in racially motivated crimes in 1986. The city of Chicago also reported a substantial increase in crimes against Asian Americans between 1985 and 1989.

I cite this information concerning Asian Americans only as an example, Mr. President, knowing full well that larger and more visible minority groups may have suffered even more as the result of the increase in hate crimes. I believe that S. 419, if finally enacted, would help us identify patterns that exist—a first step in our effort to get a grip on the problem. For this reason, I urge a favorable vote on S. 419.

Mr. CONRAD. Mr. President, I rise today to make a brief statement in support of the Hate Crime Statistics Act of 1990. I have joined five of my colleagues as a cosponsor of this important legislation.

This legislation enjoys broad-based bipartisan support. Senator SIMON has worked tirelessly to get this legislation to the floor; the administration has also signaled their support for the legislation.

The bill directs the Attorney General to collect data about crimes motivated by race, religion, ethnicity or sexual orientation for the next 5 years. The bill does not create any new substantive rights; it allows the collection of the data for statistical use only.

What we are talking about here, Mr. President, is violence and intimidation. Violence and intimidation that is directed at individuals purely because of their racial, religious, or sexual orientation.

Mr. President, our Nation appears to be experiencing an increase in this

type of horrible crime—from Howard Beach to the mail bombings in the South. Yet, Mr. President, we have no way of knowing national comprehensive statistics on these crimes.

Mr. President, I thank my colleague, Senator SIMON, for all his work on this issue. I urge my colleagues to heed the call of many in this country and quickly pass this legislation.

Mr. BIDEN. Mr. President, I am pleased to speak in support of S. 419, the Hate Crime Statistics Act. I am an original cosponsor of the bill and as chairman of the Judiciary Committee, which considered S. 419, I worked with my colleagues to ensure prompt review of this important bill.

The incidence of hate crimes is widespread and increasing. We need this bill to provide comprehensive, up-to-date national statistics on the incidence of hate crimes. The collection and publishing of data about hate crimes will allow us to begin to effectively combat this alarming problem. In addition, it will send a signal to victimized groups everywhere that the U.S. Government is concerned about these crimes.

The Senate Judiciary Committee reported out this bill unanimously. I am pleased that the full Senate is going to vote on S. 419. The Senate should promptly pass S. 419, so that we can begin to develop effective strategies and solutions to deal with the problem of hate crimes.

Mr. GRASSLEY. Mr. President, this is a well-intentioned bill, with straightforward and laudable goals. It is aimed at something we all deplore. It requires the Department of Justice to collect data on what are referred to as "hate crimes". For the reasons described below, I find the bill, at best, unworkable.

Identifying the motivation for any crime is often an elusive target. Perhaps the bill sponsors—like a former Supreme Court Justice used to say with regard to pornography—think they "know it when they see it." Indeed, a colloquy I had with the sponsors of S. 419 at our Judiciary Committee business meeting of March 9, made this deficiency quite evident.

Of course, we can all sport the obvious cases that are the target of this measure—the swastika on a synagogue; a cross-burning on the lawn of a black family's home. I am just as certain that these acts should be prosecuted to the fullest extent of the law.

Indeed, we sent a strong signal to the perpetrators of such acts just last Congress when we passed the religious violence bill, Public Law 100-346, which imposes criminal penalities for acts of violence intended to interfere with the free exercise of religion.

These prosecutions will go forward—with or without the enactment of S. 419—as they should, because Attorney General Thornburgh is committed to vigorous enforcement of this new statute.

But we should be extremely cautious about characterizing an offense, or implying a motive, simply based on the race, religion, sexual orientation, or ethnicity of the principals, without a careful assessment of the facts of each incident. While judges and juries sometimes make findings on the motivation for criminal acts, motive is not an element of the offense. Moreover, only a relatively handful of criminal prosecutions even make it to a jury, where some evidence of motive may be presented.

S. 419 broadly delegates to the Attorney General the mandate to establish guidelines on what is a hate crime. Thus, it implicitly concedes that determining motivation for certain acts is not readily apparent. Significantly, for a bill entitled, Hate Crime Statistics Act, it does not require that prejudice be the sole—or even primary—motivation for the crime.

Indeed, S. 419 is completely silent on the quantum of evidence needed to show manifest evidence of prejudice: Must the prejudice be the sole, primary, or at least 50 percent cause of the act of violence? If not, it appears that any evidence, or just some evidence, or prejudice—even if rebutted by other credible evidence—would be enough to presume the incident as a hate crime.

My suggestions to require prejudice to be the predominant cause of the incident, or to otherwise tighten up the causual relationship between demonstrated prejudiced and the criminal act, were rebuffed by the bill's sponors in the Senate Judiciary Committee.

Mr. President, the language of S. 419 is not susceptible to clear understanding. Nor does S. 419 specify the method for collecting data, or what branch of the Justice Department would conduct the study. I understand that the Justice Department has not objection to this latest formulation, though perhaps we should not be surprised that they would favor such a wide delegation of discretion. However, I confess to some discomfort with this type of legislating—of simply delegating to the executive what ought to be a legislative determination.

This is part of a larger, and most disturbing trend in the legislative branch. We pass many bills calculated to make us feel good, but without any standards or guidance to the executive about how to execute them, or the judiciary about how to interpret them. Of course, Congress is heard loud and clear when the executive or the courts can not read our minds to our satisfaction.

Perhaps S. 419 could not be drafted with more precision. Perhaps this is something totally within the purview of the Justice Department. But that only underscores the reason not to proceed by legislation—particularly in this case, where the executive has already agreed to collect the data.

Finally, although recognizing that S. 419 has been approved by the Judiciary Committee, I must reiterate that its lack of objective evidentiary standards and excessively broad delegation of authority remains very troublesome.

Mr. THURMOND. Mr. President, today, the Senate is debating S. 419, the Hate Crime Statistics Act, which directs the Attorney General to collect data about certain crimes "that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity."

Let me make it clear that I do not advocate or condone prejudice in any form. Prejudice is unacceptable, especially when it appears in the form of violence. Furthermore, I voted to report the bill when it was reported from the Judiciary Committee last March. However, I would like to express certain concerns that I have with regard to this legislation. Specifically, I am concerned about the standard for collecting the data and the cost of the data collection.

First, with regard to the standard, the bill requires that data be collected about certain crimes which manifest prejudice. I was concerned that such a vague standard without further definition could lead to the collection of unreliable data which could be misused. The Constitution Subcommittee, in amending this bill last Congress, required the Attorney General to establish guidelines detailing the criteria for a finding of manifest prejudice and procedures for collecting the statistics. Although this bill does not include an exact definition of manifest prejudice, I believe that the establishment of guidelines will ensure that data which is eventually corrected will be more reliable.

Notwithstanding these improvements to the bill, I am concerned about the reliability of data concerning crimes of intimidation. My concerns stem from the fact that the bill provides no definition for a crime of intimidation, and that it is difficult to determine when an individual has intended to intimidate another or when a person had actually been intimidated. In fact, there is no general crime of intimidation in Federal law. Therefore, when the Department of Justice formulates its guidelines for the crime of intimidation, they should be drawn narrowly so as to ensure legitimacy of the data.

Second, with regard to the cost of the legislation, it has been estimated that the cost of this study could range from $1 million to $10 million annually. The Congressional Budget Office stated in its cost estimate that it is impossible to find a precise estimate of

the costs until the procedures for collecting the data have been established. Some have argued that cost should not be a factor and that those who question cost are not committed to wiping out prejudice in this area. Nothing could be further from the truth. In this time of necessary fiscal restraint, such a question is entirely appropriate. It should be made clear at this point that there is no precise estimate as to how much this bill will cost.

As I stated earlier, I voted to approve the bill in committee and I intend to vote for final passage. However, I wanted to make my concerns with regard to this legislation clear for the record.

Mr. KERRY. Mr. President, I rise today in strong support of S. 419, the Hate Crime Statistics Act and am proud to be an original cosponsor. The bill represents an important first step in out attempt to effectively deal with crime, as well as ethnic and racial prejudice in our country. It directs the Department of Justice to collect and publish data on crimes which manifest prejudice based on race, religion, ethnicity, or sexual orientation.

Why is this legislation necessary? Unfortunately, Mr. President, because prejudice and violence often go hand in hand. Violence based on racial, ethnic, religious, and sexual stereotypes is still too often a disturbing reality here in America. The violent murders at Howard Beach, NY, the Ku Klux Klan rally in Forsyth County, GA, the Ethiopian immigrant who was beaten to death with a baseball bat in the State of Washington, and the synagogue that was desecrated with swastikas in Marblehead, in my own State of Massachusetts—provide an unpleasant reminder of this fact. More disturbing, these examples are only a sampling of the type of crimes directed toward minorities across the United States.

For example, in 1988, there were 1,281 documented incidents of anti-Semitic bias crime, an increase of 41 percent since 1986. In my home State of Massachusetts, anti-Semitic vandalism incidents increased 171 percent between 1988 and 1989 and in that same time period, overall anti-Semitic incidents including harassment, threats and assaults, increased 81 percent.

Mr. President, our country is one blessed with a rich ethnicity, spanning the decades and forming the foundation of the ideals we stand for. Unfortunately, however, ours is a country threatened with deep ethnic and racial animosities. It is these animosities that the legislation before us attempts to address.

Gay people in America have also frequently suffered from prejudice based on stereotypes. And that prejudice has often led to violence against gays in our cities. Along with the devastation that AIDS has produced on the gay community in the United States, has come an increasingly devastating upswing in prejudice and discrimination against gays. And with that prejudice has also come violence against gay men and women.

A report released on June 7, 1989, by the National Gay and Lesbian Task Force documented 7,248 antigay episodes in 1988—ranging from harassment to homicide—in 38 States and the District of Columbia.

According to the task force's report, in 1988, "two lesbians in Brockton, MA, were beaten unconscious by the ex-boyfriend of one of the women. As a result of the attack, one of the women sustained five skull fractures and required extensive reconstructive surgery. According to the victims, the assailant continually harassed them after he learned of their involvement, spraying antilesbian graffiti on their house and smashing a car windshield."

Mr. President, this type of hatred and bigotry cannot be tolerated. We must speak up today against prejudice and violence directed at ethnic minorities, religious minorities, and homosexuals. We must show those members of our communities that we will not tolerate the violation of our laws and the smearing of our Constitution out of hate and ignorance. We must stand in support for civil rights for all Americans. Countenancing this type of hatred leads to an erosion of the trust and good will in all of our communities. It leads to an erosion of the fundamental principles of our country. It cheapens what our flag stands for, and what American men and women have died for.

The Hate Crime Statistics Act will establish a basis by which we will be able to analyze and quantify more accurately the frequency and extent of crimes of hate in this country. It will establish a data base, to be used for research or statistical purposes. In order to begin to combat hate crime, we must know more about where it is happening, and about who the offenders are. We must zero in on the problem, and isolate where it is flourishing. Only then can we begin to effectively control and eradicate crimes of violence toward racial and religious minorities.

Mr. President, as we consider the impact of this legislation, we should also recall the words of Pastor Martin Niemoeller, and his comments on the Nazi Holocaust. Pastor Niemoeller said, "When Hitler attacked the Jews * * * I was not a Jew, therefore, I was not concerned. And when Hitler attacked the Catholics, I was not a Catholic and therefore I was not concerned. And when Hitler attacked the unions and the industrialists, I was not a member of the unions and I was not concerned. Then Hitler attacked me and the Protestant Church, and there was nobody left to be concerned."

I reiterate my support for the Hate Crime Statistics Act and urge its immediate passage.

Mr. D'AMATO. Mr. President, with passage today of the Hate Crime Statistics Act, we insert in the national quiver one more arrow with which to battle bigotry. As an original cosponsor, and as a Senator representing America's cornucopia of peoples—New York State—I am gratified to witness passage of this measure.

The Hate Crime Statistics Act directs the Attorney General to collect and publish statistics indicating the nature and extent of crimes motivated by bigotry and based on hate for certain racial, ethnic, and religious groups, among others. It may come as a surprise to many that at present no such collection effort is mandated. Data on hate crimes is collected, at best, in a haphazard and sporadic manner, exclusively on the State and local level. This legislation will assure, henceforth, the prosecution of a coordinated and centralized data collection effort.

If America is to preserve its cultural, ethnic, and religious diversity, we must continue our vigilance against those who blemish our cultural fabric. To effectively deal with these vestiges of bigotry, it is time we substitute our reliance on anecdotal evidence with hard data. This data will serve as an important tool in a campaign of public awareness, and will bolster the power of bully pulpits nationwide.

The wide margin by which this measure was adopted demonstrates the deep concern this body has for the integrity of diversity in America.

Mr. President, be it a swastika painted on a synagogue or a cross burned on a lawn, hate crimes must not be tolerated. Today we send a message across the land.

● Mr. DODD. Mr. President, I regret that my duties as a member of the Carter delegation to monitor the Nicaraguan elections preclude my presence during Senate consideration of the Hate Crime Statistics Act. If I were present, I would vote in favor of passage of this important legislation.

An individual's race, religion, sexual orientation, and ethnicity are key elements of his identity, and hate crimes not only cause bodily harm, but attack individuality and self-worth as well. A society which values diversity as ours does should be free of such threats, and we must take whatever steps are necessary to eliminate hate crimes.

It is my hope that the Hate Crime Statistics Act will prove to be a valuable first step in this effort. The act would result in the collection of data regarding the incidence of crimes of murder, nonnegligent manslaughter, forcible rape, assault, intimidation,

and vandalism motivated by prejudice against the victim's race, religion, sexual orientation, or ethnicity. By collecting such information, police should be better able to prevent future hate crimes from occurring.

I commend Senators SIMON and HATCH for their leadership in steering this valuable antiprejudice measure through the Senate.●

Mr. SPECTER. Mr. President, today the Senate considers the Hate Crime Statistics Act, which addresses one of the most heinous forms of criminal conduct—incidents against individuals or property motivated by hatred based on race, religion, ethnicity, or sexual orientation. I am pleased to be an original cosponsor of this important legislation.

In recent years, there has been an alarming resurgence nationwide of crimes based on bias or hatred of individuals or groups, which in my sense, threatens the peace and tranquility of all society. The pending bill is designed to address this disturbing trend on the Federal level by developing a data base from which to determine the extent, severity, and location of the activity. Surprisingly, there currently are no comprehensive, accurate, and up-to-date statistics on the national incidence of hate crimes. Although several States have passed legislation directed at bias crime, the types of statutes enacted vary in their provisions and potential effectiveness. Therefore, this bill directs the Attorney General to collect and publish annually data about crimes which manifest prejudice based on race, religion, sexual orientation, or ethnicity.

Mr. President, crimes based on hatred vary in form and target victims indiscriminately. An October 1987 report commissioned by the Justice Department's National Institute of Justice concluded that the incidence of bias crimes based on race, religion, national origin, or sexual preference are widespread and increasing. The study found that such crimes may be turning more violent, and that, as compared with the past, a larger proportion of incidents involve personal injury as opposed to vandalism. The report noted that the most frequent victims of hate violence today are Jews, blacks, Hispanics, Southeast Asians, gays, and lesbians.

As district attorney of Philadelphia between 1965 and 1974, I witnessed firsthand these atrocious crimes on a regular basis, and I am deeply concerned that in 1990 they are on the rise. In January 1990, the Anti-Defamation League of B'nai B'rith reported that anti-Semitic incidents for 1989, totaled 1,432, the highest number reported by the organization since it began collecting these figures 11 years ago and an increase of 12 percent over 1988. According to the report, harassment, threats, and assaults totaled 587, a 28-percent increase over 1988.

Ethnic and racial groups such as Asians and black Americans continue to be targets of activity by neo-Nazi and white supremacist groups such as the "skinheads." In June 1988, the Klanwatch project of the Southern Poverty Law Center reported a range of black racial incidents involving cross burnings and "move-in" violence, in which victims are targeted because they are a racial minority when moving into neighborhoods.

Mr. President, our criminal justice system captions criminal cases as "the Commonwealth versus Defendant," or "United States versus the Defendant" because the crime is not only directed at the individual, but ultimately is directed at society as a whole. When criminal conduct, however, is based on racial or religious hatred it is doubly reprehensible and destructive. I believe that this bill is an important step toward identifying the nature and form of this activity. Developing a workable system within the Department of Justice will enable the Attorney General, working with the States, to determine appropriate guidelines to target and combat these crimes.

Accordingly, I urge my colleagues to support this vital legislation.

Mr. MOYNIHAN. Mr. President, I am pleased to rise in support of the Hate Crime Statistics Act which Senator SIMON has valiantly championed and which I was proud to cosponsor.

The bill, which was favorably reported by the Senate Judiciary Committee, would require the Attorney General of the United States to gather data about crimes involving prejudice based on race, religion, sexual orientation, or ethnicity.

That these violent crimes occur, and with increasing frequency, is an alarming and disquieting fact. The collection of this data by the Federal Government will give us a better idea of the scope of the problem and will be a first step toward understanding why such crimes occur.

A study prepared by Abt Associates of Cambridge, MA, for the U.S. Department of Justice in 1988 reported:

> For New York City, the total number of reported bias crimes for the first six months of 1987 was double that for all of 1986. There is also some evidence that bias crimes may be turning more violent. The National Organization of Black Law Enforcement Executives (NOBLE) found that whereas vandalism was still the most common offense reported by victims of hate crimes nationwide, 44% reported assaults, 25% reported arson incidents, and nearly 15% reported at least one homicide.

Blacks and other people of color, Jews, gays, and lesbians are most often the victims of such violent crimes. For one simple reason. Hate. The Washington Post reported on the increase in bias-related crime on October 8, 1989, describing a "surge" in incidents around the country.

Just this past month, Mr. Zappalorti of Staten Island, NY, was brutally murdered steps from his home. Why? Because he was perceived, not even known to be, gay.

To end hate-motivated violence we must understand it; to understand it we must know where and how often it occurs. S. 419 will provide the Justice Department and the FBI with the kind of data necessary for Federal, State, and local governments to implement effective policies to combat and to educate people about vicious and shameful acts of hate-motivated crime.

We will not tolerate such attacks on individual liberty and I would urge my colleagues to join me in supporting this legislation.

Mr. GRAHAM. Mr. President, I rise today in support of the Hate Crime Statistics Act. I was a cosponsor of this legislation in the 100th Congress and am a cosponsor again in this Congress. I am pleased that we have brought it to the floor this session and look forward to its final passage and enactment into law.

Hate crime is the most abhorrent form of prejudice. Through violence, vandalism, and intimidation, the perpetrators of hatred threaten the security of all Americans.

Our Nation, which prides itself on its acceptance of widely varied heritages, beliefs, and ideals, cannot stand for these manifestations of hatred and misunderstanding to continue.

The few statistics we do have on hate crime show that it is on the rise in America. Numbers collected by the Anti-Defamation League of B'nai B'rith indicate an increase in anti-Semitic crimes in the United States. This pattern may well exist among other groups.

An important step in combating this type of crime is assessing the level and nature of hate crimes. The appalling lack of information in this area leaves our hands tied. Compiling statistical information about these crimes will provide a better appreciation for the magnitude of the problem and help direct our prevention efforts.

I hope the Senate will speak strongly and vote overwhelmingly to pass this important bill. The Hate Crime Statistics Act will not alleviate the problem of hate crime, but it is a vital and necessary step in the right direction.

Mr. SARBANES. Mr. President, I rise in strong support of S. 419, the Hate Crime Statistics Act that is presently under consideration by the Senate. This important legislation directs the Department of Justice to compile and publish data on crimes that manifest prejudice based on race, religion, sexual orientation, or ethnic-

ity. The categories of crime for which data would be collected would include homicide, rape, assault, arson, vandalism, and intimidation.

This legislation is needed to fill the gap in information we have about the deplorable, and apparently increasing, incidence of violent crimes based on bigotry and prejudice. All decent people are shocked by the reports of violent hate-related incidents and there is information from a variety of sources that these incidents may be increasing. However, we do not have systematic collection of information about these crimes on a national basis so it is difficult to develop a clear picture of the problem and to fashion appropriate governmental responses. Some States, including my home State of Maryland, officially monitor the incidence of hate violence and law enforcement officials in those States have testified to the usefulness of this information. In addition, a number of private groups have done an outstanding job collecting information and pointing out the serious problem of bigotry-related crimes. In particular, I want to recognize the work of the National Institute Against Prejudice and Violence, a nonprofit organization formed in 1984 through the efforts of former Governor of Maryland Harry Hughes and others. The chairman of the Institute is our former colleague Senator Birch Bayh. This fine organization has been a clearinghouse for information on hate crimes and has conducted original research and provided assistance to communities wishing to deal with the problems of hate crime violence.

As an original cosponsor of the Hate Crime Statistics Act, I want to congratulate Senator SIMON for his leadership on this important legislation and to urge my colleagues to enact this bill.

Mr. CHAFEE. Mr President, I am pleased to join with my colleagues today in urging Senate passage of S. 419, the Hate Crime Statistics Act. By requiring the gathering of hate crime data, this bill will provide better understanding—and thus an opportunity for prevention—of "hate crimes," crimes motivated by prejudice based on ethnicity, race, religion, or sexual orientation.

What does a "typical America" look like, or act like? That is an impossible question to answer. Quite simply, there is no such person. We come in all shapes, sizes, colors, and personalities. In fact, Americans pride themselves on their diversity. We do not need to share a common "look" to be Americans; we just need a common belief in the democratic principles on which our country was built. That is a typical American.

Unfortunately, there is a dark side to our diversity; it is often accompanied by prejudice, bias, and misunderstanding. And yet, since we live in a society where freedom of speech is held paramount, we cannot simply ban appalling views. But we can and must try to prevent the worst manifestations of prejudice by fighting back with education, better communication, and better understanding.

Mr. President, the shadow of prejudice has begun to loom larger over our society. The number of horrific crimes—murder, rape, beatings, arson—motivated by hate appears to have increased in recent years. Hate crimes are nothing new, unfortunately. But the viciousness and senselessness of recent crimes is numbing: an Ethiopian man was beaten to death with a baseball bat last June by a 23-year-old white skinhead member; two gay men were shot repeatedly with a revolver by a college freshman; both men died; in July, a synagogue was severely vandalized and then set on fire by a teenager; a Hispanic woman was killed by a gang of skinhead youths.

I might add that hate crimes are not limited to those that result in death, or the destruction of property. There are crimes that can be devastating in psychological terms: poison pen letters, graffiti, intimidation, verbal harassment.

It is frightening to read even the limited information now available on hate crime. The Anti-Defamation League estimates that since 1980, the number of anti-Semitic episodes has tripled. The estimated number of sexual orientation bias crimes has also skyrocketed. It is frightening that many of these documented acts are committed by teenagers and young people, most of whom are still in high school.

Currently, eight States monitor hate crime episodes, and their respective law enforcement agencies have found such data to be valuable in detecting trends, gauging the extent of the problem, and directing educational and enforcement efforts. Simply put, knowledge makes it possible to act. That is what we need.

We need to know more about hate crime. We need to know where and why it happens. Without information, there is no progress; and we are sadly lacking in information. Until we have some sense of the larger picture, we cannot begin to fight to prevent such crime.

I applaud Attorney General Richard Thornburgh for his promise to make hate crime prosecutions a priority. That pledge has resulted in more prosecutions of organized hate groups for racial violence. This bill will help law enforcement agencies nationwide to begin coming to grips with this terrible problem.

I urge my colleagues to support this important measure. No American should live in fear of being harassed—let alone beaten, attacked, or killed—as a result of his or her race, religion, sexual orientation, or ethnicity.

Mr. MITCHELL. Mr. President, as an original cosponsor of the Hate Crime Statistics Act, I urge my colleagues to give this measure their support.

It is a tragic fact of human nature that some among us are incited to attack their fellow citizens, or destroy property, not from greed for gain, but because their victim is a member of a group that is hated.

Such hatred and its physical expression have a long and ugly history in our century. But it is an unfortuante truth that attacks fueled by bigotry are not a matter of history. They continue to occur in our Nation today.

What we cannot know is whether they occur sporadically or whether their incidence is increasing.

Until we have a systematic collection of data about such criminal acts, we will not know if we face a resurgence of racism or other hate-filled ideologies, or whether we are, in reality, dealing with a very small, easily controlled fringe group of offenders.

The purpose of this legislation is to give us the data base on which to make that judgment. It will not alter the criminal laws of any State or the Federal Government. It will, instead, give each State's law enforcement authorities a data base from which to judge if crimes within their jurisdiction can be traced from nearby localities or whether they are indigenous in origin.

The bill has long had the strong support of the Association of State Attorneys General, who want the information that the legislation would provide.

The bill has the support of the Justice Department and President Bush. Indeed, in his State of the Union Address, President Bush called on all of us oppose hatred, racism, and bigotry, regardless of its source.

That is a call to which every American can respond.

The statistical information available today on crimes of hate is collected by private groups.

But it is evident that the data-collection abilities of private non-profit organizations cannot yield figures accurate enough on which to base law enforcement strategies. Therefore, this legislation is needed.

Our Nation's pluralism and diversity are celebrated. We pride ourselves on being one of the Earth's most differentiated people, joined together as a Nation by our respect for the rule of law and the right of individuals to live in peace under the law.

Crimes based on hate strike at that fundamental structure in two ways. First, because the commission of a crime is a direct disregard of the role of law. And second, because by attack-

ing persons for membership in a group, such acts undermine the unlegislated but essential tolerance that all Americans must nurture to preserve the unity of our diverse nation.

The enactment of the hate crimes data collection would not only provide a materially useful data base for law enforcement authorities. It will, in addition, put the moral authority of the Federal Government squarely against those who seek to purvey prejudice and stir up bigotry. It will send a signal to all our people that ours is a government to whom the rights of all Americans, no matter how small a minority group they may be, are of equal integrity.

We live in a world where prejudice and bigotry are still, in too many cases, the tools of government against some of their own people or against their perceived enemies beyond their borders.

As Americans, we have an obligation once again to set an example of opposition to bigotry, prejudice and unthinking hate. Enactment of this legislation will be a step in that direction. It deserves the support of every one of us.

The PRESIDING OFFICER. Pursuant to the order, the Senate shall now proceed to the consideration of H.R. 1048, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1048) to provide for the acquisition and publication of data about crimes that manifest prejudice based on certain group characteristics.

The PRESIDING OFFICER. Under the order, all after the enacting clause of H.R. 1048 is stricken and the text of S. 419 is substituted in lieu thereof.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER (Mr. LAUTENBERG). The bill having been read the third time, the question is, Shall it pass?

The clerk will call the roll.

The bill clerk called the role.

Mr. CRANSTON. I announce that the Senator from Michigan [Mr. LEVIN] is necessarily absent.

I further announce that the Senator from Connecticut [Mr. DODD] is absent on official business.

Mr. DOLE. I announce that the Senator from Wyoming [Mr. SIMPSON], the Senator from Wyoming [Mr. WALLOP] are absent to attend the funeral of their former Governor.

I further announce that, if present and voting, the Senator from Wyoming [Mr. WALLOP] would vote "no."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 92, nays 4, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—92

Adams	Fowler	McConnell
Baucus	Garn	Metzenbaum
Bentsen	Glenn	Mikulski
Biden	Gore	Mitchell
Bingaman	Gorton	Moynihan
Bond	Graham	Murkowski
Boren	Gramm	Nickles
Boschwitz	Grassley	Nunn
Bradley	Harkin	Packwood
Breaux	Hatch	Pell
Bryan	Hatfield	Pressler
Bumpers	Heflin	Pryor
Burdick	Heinz	Reid
Burns	Hollings	Riegle
Byrd	Inouye	Robb
Chafee	Jeffords	Rockefeller
Coats	Johnston	Roth
Cochran	Kassebaum	Rudman
Cohen	Kasten	Sanford
Conrad	Kennedy	Sarbanes
Cranston	Kerrey	Sasser
D'Amato	Kerry	Shelby
Danforth	Kohl	Simon
Daschle	Lautenberg	Specter
DeConcini	Leahy	Stevens
Dixon	Lieberman	Symms
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Durenberger	Matsunaga	Wilson
Exon	McCain	Wirth
Ford	McClure	

NAYS—4

Armstrong	Humphrey
Helms	Lott

NOT VOTING—4

Dodd	Simpson
Levin	Wallop

So the bill (H.R. 1048), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1048) entitled "An Act to provide for the acquisition and publication of data about crimes that manifest prejudice based on certain group characteristics," do pass with the following amendment:

Strike out all after the enacting clause and insert:

That (a) this Act may be cited as the "Hate Crime Statistics Act".

(b)(1) Under the authority of section 534 of title 28, United States Code, the Attorney General shall acquire data, for the calendar year 1990 and each of the succeeding 4 calendar years, about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson, and destruction, damage or vandalism of property.

(2) The Attorney General shall establish guidelines for the collection of such data including the necessary evidence and criteria that must be present for a finding of manifest prejudice and procedures for carrying out the purposes of this section.

(3) Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation. As used in this section, the term "sexual orientation" means consensual homosexuality or heterosexuality. This subsection does not limit any existing cause of action or right to bring an action, including any action under the Administrative Procedure Act or the All Writs Act.

SEC. 2. (A) Congress finds that:

(1) The American family life is the foundation of American society,

(2) Federal policy should encourage the well-being, financial security, and health of the American family,

(3) Schools should not de-emphasize the critical value of American family life.

(b) Nothing in this act shall be construed, nor shall any funds appropriated to carry out the purpose of the act be used, to promote or encourage homosexuality.

(4) Data acquired under ths section shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime.

(5) The Attorney General shall publish an annual summary of the data acquired under this section.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section through fiscal year 1994.

Mr. HATCH. I move to reconsider the vote by which the bill, as amended, was passed.

Mr. SIMON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. I ask unanimous consent that Senate bill S. 419 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I want to say a few words of praise about my colleague from Illinois for the dogged, intelligent, effective way he has worked to try to make this bill a reality in the Senate. I have great respect for him, and I appreciate what he has done because this is a landmark piece of legislation. As small as it is, as little cost as it will involve, this is one of the most important bills I think ever to pass the Senate of the United States and we think the Congress of the United States when that becomes a reality.

When it does, the Senator from Illinois will deserve an awful lot of the credit. I want to be the first to pay my respects to him and to tell him how much I personally appreciated working with him on this bill. I thank the very fine staff. They are good people, well-intentioned. They did a very good job on this and they deserve all the accolades we can give them. And to Mark Disler of the Judiciary Committee staff, I want the RECORD to show how important I feel he is to my staff and to me personally and what a good job he has done.

I wish to praise the distinguished Senator from Illinois and so many others who have helped to get the bill passed through the Senate and express my regard for all of them.

I thank the Chair.

Mr. SIMON. Mr. President, I extend my thanks to Senator HATCH, who has shown both competence and courage in the passage of this bill. I very much appreciate it.

I also want to express my thanks to both Senator MITCHELL and Senator DOLE. Both the majority and minority leaders were very, very helpful in the process of pulling all of this together. I am very grateful to them.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business until 4:15 p.m.; that Senator ADAMS be recognized to address the Senate for 10 minutes, that Senator LIEBERMAN be recognized to address the Senate for 5 minutes; and, that Senator HEINZ be recognized to address the Senate for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ADAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

CALIFORNIA OILSPILL

Mr. ADAMS. Mr. President, this morning we woke to bad news that is becoming all too familiar in the United States. An oil tanker, the *American Trader,* hit a submerged object off Huntington Beach, CA, and spilled as much as 250,000 gallons of oil.

This spill is a grim reminder of the enormous damage that oilspills can inflict on our most sensitive environments. It is one more bell of warning that we must not ignore.

Comprehensive oil spill legislation is currently before a House-Senate conference committee. We need to have that conference completed soon, and we need a bill that will emphasize prevention measures such as double hulls, because cleanup provisions alone are not good enough.

The bill in conference does some good things. It sets up an oilspill liability fund which makes it much easier to ensure that those who are responsible for a spill pay for the cleanup and for the damages.

This legislation will also require, for the first time, companies refining and shipping oil to have federally approved oilspill response contingency plans. This will be necessary as a condition of doing business.

These are good provisions.

But when reports of these spills appear on television I wonder if we are not maybe like generals who plan for a new war by using the old tactics of the last war. Before the wreck of the *Exxon Valdez,* many people felt that we could handle an oilspill, that the technology and skills were available to clean up spills quickly and completely, or so they said.

Now we know better. Once the oil hits the water, even the best oilspill response plan can only minimize the damage. If the best we can do is scrub rocks with toothbrushes, we must face the truth that our technical ability to clean up oilspills is at the stone age level. We need to improve that.

But even more important, this means that prevention is critical. This is the one place where the current legislation, in my opinion, is too weak. The strongest prevention provision under consideration is the House double hull provision. This provision would mandate that within 15 years all vessels carrying oil in U.S. waters be equipped with double bottoms and double sides. The Senate bill, despite my best efforts, the votes of 48 Senators, is weaker.

Mr. President, I do not know if a double hull would have prevented the Huntington Beach spill or not. That is not the point. What we do know is that double hulls have a strong record of preventing spills, of reducing the amount of oil that gets into the water. They are a proven prevention tool, one that should be mandated as a matter of law. I hope the conference report will include a strong double hull provision when it is reported to the floor.

Mr. President, I know that in the States of New York and New Jersey you have had a problem. We have had a spill in Puget Sound. We have had a catastrophe in Alaska. We now have a problem off the coast of California in one of our most sensitive maritime environments. Those of us that live on Puget Sound simply cannot afford to have more spills. Prevention is our best protection. I plead with my colleagues that we adopt a conference report with a double hull provision in it in order to prevent future spills.

I yield the remainder of my time.

Mr. LIEBERMAN. Mr. President, I rise to join my colleague from the State of Washington in expressing concern about this latest publicly acknowledged oilspill—this was off the coast of Huntington Beach, CA—in which nearly 300,000 gallons of crude oil gushed from an 810-foot tanker. That is about the size of three football fields. It now threatens miles of beautiful ecologically sensitive coastline, some of America's most splendid beaches.

From all reports, the good news in this disaster is that the response to this particular oil spill has been far better than it was in the wake of the *Exxon Valdez* spill off Alaska. The Government's emergency response team was activated right away, and the equipment arrived on the scene quickly. Fortunately, weather conditions also appear to be favorable.

Yet despite a quick response and the good luck of good weather, the spill will not be fully contained, and significant environmental damage will occur. And that proves an important point. Oil spills are unavoidable. Once they occur there is no way to stop the oil from damaging the environment. No amount of preparation, no amount of response, will prevent or completely contain oil spills.

So whenever we consider opening new sites for oil exploration, I think we need to understand that oil spills and environmental damage will be an inevitable consequence. Murphy's law, "whatever can go wrong will go wrong," seems never to be so true as when it is applied to the transportation of oil over water.

Mr. President, this may be one of the larger and certainly more publicly acknowledged oilspills since the *Exxon Valdez* last year. But it is certainly not one of the first since that time. In fact, oilspills have become practically routine in the waters of the United States and the world. U.S. oil companies reported spilling some 84 million gallons of oil and gas in the United States' waters during one recent 5-year period. That is an average of a little more than 15 million gallons a year.

The reality is that we only hear about those that are the largest or those that threaten the most environmentally sensitive areas, but they go on over and over again. During the 1980's there were more than 450 groundings of oil tankers, 370 collisions, 97 rammings, 55 fires, and, believe it or not, nearly 100 deaths.

Cleanup technology has hardly advanced at all over the past 20 years. In fact, it is estimated that for oilspills in the open sea, we are able to recover only between 2 and 10 percent of the total amount of the oil spilled, and that number has not significantly improved in the last 20 years.

All this points out, as my colleague from Washington said so well, the need for strong oilspill liability legislation. I was proud to have worked as a member of the Environment and Public Works Committee in drafting a bill that was approved by the Senate last year, developed under the guidance of our distinguished majority leader who fought for this legislation for years. That legislation is now in conference. I hope that the oilspill that has occurred off the coast of California will send a message loud and clear to the conferees and that they will report out a bill that does not limit the liability of oil companies, a bill that demands strong penalties for companies who violate oilspill laws, and a bill that will require dramatic improvements in the safety of oil transportation vessels.

I urge the President to speak out on this issue and to join all of us here in Congress in calling for the strongest possible oilspill legislation.

Mr. President, the spill in California also demonstrates, I think, that we should go very slow in allowing oil

companies to explore for oil in new environmentally precious locations.

One critical issue that remains in doubt is whether the legislation now in conference will require that old and new oil tankers and barges be constructed with double hulls. I understand that at present oil tanker hulls are only about an inch and a half thick.

That, of course, is not much thicker than a football helmet. As one expert noted, "Only about an inch and a half of steel separates the purple-black crude and the blue-green water of our oceans."

Mr. President, an inch and a half is not a margin of safety. It is a margin of disaster. So when it comes to the need for double-hull tankers, we have to acknowledge that the Senate's version of this legislation is weaker than that of the other body.

I hope our conferees will agree to the stronger provisions in the House bill. The incidents in Prince William Sound, and now off Huntington Beach, demonstrates the importance of requiring that tankers and barges be constructed with double hulls.

Probably the best response to this oilspill would be to pass a law that encourages the greatest measure of prevention. And I know of no better way to do that than to put teeth in the law that will say to any oil company or to anyone who is responsible for shipping oil, "If your negligence causes a spill, you are going to pay for it, and seriously."

Mr. President, thank you for the courtesy of addressing the Senate. I yield the floor.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER (Ms. MIKULSKI). The Senator from Pennsylvania is recognized.

Mr. HEINZ. I thank the Chair.

(The remarks of Mr. HEINZ pertaining to the introduction of S. 2113 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Ms. MIKULSKI). The Chair, on behalf of the President pro tempore and upon the recommendation of the Republican leader, pursuant to Public Law 98-183, as amended by Public Law 101-180, appoints Mr. Russell Redenbaugh, of Pennsylvania, to the U.S. Commission on Civil Rights.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida [Mr. GRAHAM] is recognized.

THE SAKHAROV EXCHANGE PROGRAM

Mr. GRAHAM. Madam President, in April 1988 I had one of those memorable life experiences when, while visiting the Soviet Union, I was able to share a meal with Dr. Andrei Sakharov and his wife, Yelena Bonner, at our Ambassador's residence in Moscow.

I had just toured a major Soviet research center. So during dinner I turned the conversation toward a discussion of science in the Soviet Union. I asked Dr. Sakharov what are some potential areas of scientific cooperation that might be initiated between our two countries.

Dr. Sakharov recommended a graduate student exchange program in disciplines in which there were no national security implications. He specifically suggested environmental and health sciences.

Those recommendations were typical of Sakharov's pragmatism, humanity, vision, and his conviction that the human condition can be—and should be—enhanced through cooperation and learning.

In recognition of his vision, I intend to introduce within the next several weeks legislation establishing an educational exchange program with the Soviet Union in the areas of environmental and health sciences.

I propose to name the program the Sakharov Exchange Program, in honor of that great humanitarian. It is entirely fitting that such a program dedicated to the improvement of life on this planet through the improvement of our understanding of ourselves and the sciences of this planet bear his name, for he realized that no country, no matter what its power, is exempt from the laws of science.

Indeed, he viewed the deterioration of our environment as one of the great challenges facing mankind. At the same time, he clearly saw the linkage between our environment and man's health. And he fully accepted that quality health care must be an essential priority. Neither area of study could be ignored without paying a steep price in human suffering.

Both countries have much to learn and much to offer each other in environment and health studies. The Soviets, for example, are particularly strong in several key health areas.

They have made impressive strides in the areas of orthopedics, cancer research, ophthalmology, laser surgery, and other surgical methods.

They also are conducting cutting edge research in the areas of hypotherapy, biofeedback, artificial organs, and the retardation of bone decalcification.

We in turn can offer the Soviets high-quality graduate work, in virtually all areas of health and environmental studies.

As part of our effort to exchange students and knowledge, we intend to establish linkages between universities in both countries. In the weeks ahead we will work to identify study priorities and target efforts to take advantage of the research strengths of each country.

A man of passion and a champion of many causes, Dr. Sakharov brought a sense of urgency to his work. Yet despite the severity of the problems with which he grappled, Dr. Sakharov was optimistic that man had the ability to find solutions and improve the world in which he lived.

We should share both Dr. Sakharov's sense of urgency and his optimism. Through cooperation and learning we can lighten our collective burden. We have much to share with the Soviets, and they with us. Guided by the vision of Dr. Sakharov, an education exchange program provides us an opportunity to do so.

Madam President, I ask unanimous consent to print in the RECORD an article from the Washington Post of January 28, 1990, on "Why Ivan Can't Breathe," an assessment of Soviet environmental issues.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY IVAN CAN'T BREATHE

(By Murray Feshbach and Ann Rubin)

In an interview last August with the West German newsweekly Der Speigel, Soviet environment minister Nikolai Vorontsov affirmed that the Soviet Union's ecological situation was proably the biggest problem in the country, ahead of the nationality conflicts and the economic crisis. Mikhail Gorbachev, Der Spiegel said, held that view himself.

Since then, of course, the nationality problems Gorbachev faces have beome acute. But the torrent of disturbing facts about the Soviet Union's ecological situation that have been revealed under *glasnost* make it apparent why the Soviet leadership regards the environment in such dramatic terms.

For example, last year the Soviets identified 102 cities, with a total of 50 million residents, where maximum permissible limits of pollutants had been exceded by 10 or more times. Even worse, 43 million Soviets lived in cities where such norms had been exceeded by 15 or more times. The newspaper Komsomolskaya Pravda reported in 1988 that thousands of families in the Khmel'bitskiy region of the Ukraine were issued military gas masks because emissions from the local meat combine had reached alarming levels.

The economic consequences of all this appear increasingly important—and perhaps crucial—to Gorbachev's future. Deficient funds, declining productivity and a shrinking labor pool compelled Gorbachev to turn from the Soviet's historic pattern of economic development which absorbed ever more sources, to a more efficient use of existing resources. But the prospects for such intensive growth are grim in the face of the effects of the Soviet ecological disaster: chronic disability, underproductivity of an

unhealthy workforce and premature invalidism and death.

Environmental degradation is aggravating an already absymal health situation in the Soviet Union. Profound shortages of medicine and equipment—from aspirin to heart medications to fetal monitoring devices—are enough to guarantee the U.S.S.R. its distinction as the only developed country with an extended period of declining male life expectancy and increasing infant mortality rates.

Now the prospect of an AIDS epidemic looms as the medical industry proves consistently unable to produce the necessary number of disposable syringes. About 7.8 million disposable syringes were produced in 1988, despite a planned output of 100 million and a total demand of over 3 billion.

Chernobyl has added yet another tragic dimension to the health problem. While there are as yet no measurable changes in overall morbidity in the affected regions, future trouble is indicated by infants now born with congenital cataracts, impaired vision, lowered immunity, higher levels of anemia and myocardial infarction, according to assertions made at the recent Supreme Soviet session.

Meanwhile in the metallurgical center of Novokuzmetsk, maximum pollution levels were exceeded by 50 or more times on 100 occasions in 1987. It is no coincidence that the lung cancer rate in that city is triple that in other Soviet cities.

The economic losses from diminished productivity, disability benefits and payment for treatment of the sick are alarming to Soviet authorities, reported at 190 billion rubles in 1987, or 11 percent of Soviet estimated GNP. The economic burden from environment-related damages has been estimated at an additional 30 to 50 billion rubles per year.

The Soviets' ecological catastrophe is also part of its political crisis. Some of the roots of the Armenian-Azerbaijani conflict are found in a polluting chemical plant in Armenia, tentatively scheduled for transfer to Azerbaijan. Construction of the Trans-Caucasian railroad is currently opposed by Georgians on grounds of ecology and Russification, while similar issues are prominent in the political programs of the Baltic popular fronts.

There are even rumblings in the Soviet press that environmental problems are evidence of the weakness of socialism itself, a subversive view advanced in nothing less than Pravda: Socialism, argued a Soviet environmentalist, "exists above all at the expense of nature, and at the expense of those resources and that land which provided for our gross and far from humane ancestors whom we now reproach for their predatory ways."

In response to the ecological disaster, the Soviets have established an All-Union State Committee for Nature Protection with the right to fine and/or close offending enterprises, and will quadruple capital investments assigned to the environment over the next 15 years. A law on nature protection is being prepared, as is the first ecological map of the Soviet Union. Last December, Gorbachev proposed the formation of a U.N. Center for Emergency Ecological Aid.

Yet in implementing environmental measures, the Soviets are confronting a host of dilemmas that may undermine their good intentions. The classic predicament of economy versus ecology has particular implications under *perestroika*. For while improvements in the environmental situation seem crucial to economic recovery, sufficient funds for ecology programs will hardly be forthcoming if the economic situation does not markedly improve.

A multitude of problems ensue from this basic dilemma. In his discussion of the 1990 economic plan, L.A. Voronin, first deputy chairman of the Council of Ministers, bemoaned the economic impact of the cleanup effort: "Many dozens of enterprises are being withdrawn from operation and we are losing the production of necessary output." Overall, some 70 plants had been closed by mid-October 1989, and 170 more closings were threatened by local authorities by the end of the year.

Nuclear power plant shutdowns, while good news for environmentalists, are creating major complications for Soviet energy planners already hampered by coal miners' strikes. In Soviet agriculture, excessive pesticide use is only reluctantly abandoned despite medical evidence that what helps food production is clearly detrimental to the Soviet population's health.

Environmental and health interests also sometimes run in direct opposition. The closing of pharmaceutical plants in the interest of clean air threatens the supply of desperately needed medicines. Which is the more detrimental to the future health status and productivity of Soviet citizens? Moscow expresses frustration that local authorities "bombard" it over the shortage of drugs on the one hand, and "make heroic efforts to oppose construction of chemical and pharmaceutical plants on their territories," on the other.

Details of the economy-versus-ecology battle, particularly in relation to the chemical industry, emerged in last September's issue of Planned Economy, the journal of the State Planning Committee (Gosplan). The deputy chairman of Gosplan for material and technical supply, K.V. Malakhov, expressed concern that plant shutdowns will result in major shortfalls in chemical production plans for 1990; 5.2 million tons of mineral fertilizers, 951,000 tons of soda products, 287,000 tons of methanol, 513,000 tons of polymers, 282,000 tons of synthetic rubber and 265,000 tons of chemical fibers and threads. Malakhov further complained that the only chloroprene rubber producing plant in the country is scheduled for shutdown. While he concedes "a significant lag in putting into operation production capacities equipped with devices ensuring ecological purity," he contends that some plants are victims of "sometimes unjustified removals."

The deputy chairman's proposed solution is to force fulfillment of the necessary measures for environmental protection, rather than close production sites. If his approach is not accepted, he warns, it will be "difficult to predict the development of a number of [industrial] branches." But given the small number—and inefficiency—of air pollutant scrubbers and waste water filters in the Soviet Union, Malakhov's suggestion seems unrealistic.

The success of the Soviet environmental program is further challenged by the economic interests of individual enterprises. If in the past, blind plan-fulfillment encouraged violation of rules for the protection of nature, under perestroika cost-efficiency and the profit motive present many of the same risk. In the Soviet Union, simply retrofitting scrubbers at thermal power plants to limit sulphur dioxide emissions is estimated to boost production costs by 25 to 50 percent. The current transition of Soviet industry to self-financing, intended to reinvigorate the moribund economy, is thus in conflict with the effective imposition of environmental measures also imperative to economic recovery.

Environment Minister Vorontsov plans to impose fines large enough to discourage pollution. But even if such fines are effectively imposed, equipment shortages and maintenance problems will likely persist, at least in the short term. To what extent such obstacles can ultimately be overcome depends on, among other things, the future of the Soviet economy.

But economic recovery, in turn, will largely be determined by the success with which the Soviets resolve their profound social problems, not least of all environmental degradation and the deteriorating health of the Soviet population.

Mr. GRAHAM. Thank you, Madam President.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

URGING PRESIDENT BUSH NOT TO WAIVE SANCTIONS IN CHINA DURING THE RECESS OF CONGRESS

Mr. KENNEDY. Madam President, earlier this week, the Government of China pulled the noose of repression even tighter around the necks of its students.

According to press reports, all Chinese students planning to study abroad must first work in China for 5 years after their graduation from a Chinese university. This reactionary step will bring students under even greater government control. And it is being imposed on top of the rigorous ideological screening of students going abroad, which was imposed after the Tiananmen Square massacre last June.

But on the day this latest harsh act was disclosed, Deputy Secretary of State Lawrence Eagleburger was appearing before the Senate Foreign Relations Committee, arguing that his secret trips to China were necessary because "the Chinese leadership needed to know how they could improve their relations with the United States."

Secretary Eagleburger urged that the administration's policy should be given more time to produce results.

Time has already run out. The Chinese Government is playing the White House like a fiddle, and all we hear is the music of oppression.

In the 8 months since the Tiananmen Square massacre shocked the conscience of the world, China has of-

fered only cosmetic gestures toward the White House, while continuing the harsh crackdown of recent months.

Give China more time? For what purpose? The murderous regime in Beijing has used the time since last June to hunt down thousands of dissidents, jailing them and terrorizing their families.

They have used the time to turn Fang Li Zhi—the Andrei Sakharov of China—into a refugee in his own country, protected only by the four walls of the American Embassy. They have used the time to tighten their grip on journalists and to shut off the few protests which the student movement has managed to muster.

Yesterday, we were informed that the State Department's own human rights report—soon to be issued—describes the extensive ongoing efforts of the Chinese regime to repress dissent and deny freedom.

What are the courageous Chinese poeple to think as they see 30,000 prodemocracy demonstrators detained and key dissidents executed, while the President of the United States carries on business as usual with the Beijing regime.

America cannot do very much to help the Chinese people in their winter of repression. But at least we can hold out the hope that America is with them, and that a springtime of democracy will come again.

The Chinese people should be able to look to America for hope. But when they look, they see high United States diplomats dining in Beijing, toasting the very Chinese leaders who ordered the massacre last June.

They see Chinese students harassed and intimidated on American campuses by Chinese Embassy officials.

They see the President of the United States side with the Chinese Government against the Chinese students by vetoing a bill passed by Congress to protect them.

Last week, Congress adopted new sanctions against the Chinese Government as a proper response to the gross violations of human rights that continue unabated in China. Once again, President Bush faces a choice. Will he waive the sanctions, as he did in 1989—or will he keep them in force, as he clearly should do?

I urge the President not to be satisfied with cosmetic gestures that do nothing to relieve the plight of the thousands of dissidents in Chinese prisons or the millions of other Chinese who seek only to live in freedom.

As Winston Lord, United States Ambassador to China in the Reagan administration, and a Senior adviser on China policy in the Nixon and Ford administrations, told the Senate Immigration Subcommittee last month:

> There is no question in my mind that the hardliners themselves don't respect an administration that can be fooled by cosmetic gestures.
>
> The moderates there are robbed of the argument that repression in China entails international costs.

As we have learned to our regret in recent months, the Bush administration tends to choose times when Congress is not in session to bow to the desires of the Chinese rulers.

The administration's first secret mission to China took place during the July 4 recess last year. The second Scowcroft mission, the veto of the Chinese student bill, and the previous waiver of economic sanctions occurred during the December adjournment.

Let us hope there will be no new concessions during the recess that begins tomorrow. The President should keep the current sanctions in place, not waive them again, as he did wrongly before.

America must stand up for freedom, not tyranny; for democracy, not repression. This is no time to relax our sanctions or bestow further accommodations on the Beijing regime.

President Bush says he knows China. But Congress and the American people know that his China policy is wrong.

In Poland, we stood with Lech Walesa and the Polish people, not the Polish Government. In Czechoslovakia, Romania, and South Africa, we stood with the people against their totalitarian rulers. But in China, we shamefully stand with the oppressor and against the oppressed.

I say to the administration—keep the sanctions on, and keep America true to its ideals.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. EXON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL EXPORT ENHANCEMENT ACT

Mr. GRASSLEY. Mr. President, we are all aware of the importance agriculture plays in our domestic economy. We know, too, that America's farmers must look globally to market their products.

The 1985 Food Security Act affirmed the principle that a part of U.S. agriculture's future lies in developing markets overseas.

The question we need to ask as we prepare for the 1990 farm bill, however, is will the benefits of international trade reach beyond the farm gate to help other sectors of our agriculture economy as well?

In other words, what can we do to help our rural businesses and rural economies grow?

The 1990's are bringing new challenges for agriculture. Between the General Agreement on Tariffs and Trade talks and the 1990 farm bill, agriculture's future is uncertain. Congress will shape that direction through the choices we make in formulating the new farm bill.

With regard to farm trade, as I see it, we have two choices: the first is to continue with our current tit-for-tat trade policy of retaliation and escalation.

This policy has relied on subsidies to move bulk commodities into targeted markets unfairly subsidized by foreign competitors.

The alternative I see for our country, however, is to begin developing markets for American agricultural products which can be sustained without the use of trade subsidies. Such a policy would help us find ways to replace our exports of raw products with exports that keep processing jobs here at home.

Agriculture has seen its highs and lows in recent years. In the 1970's, U.S. agriculture opened up to the world. Ten years later, however, we found ourselves losing market share to competitors such as the European Community. The loss of our international markets caused tough times back home on the farm.

There is little doubt the trade policies implemented by the Food Security Act of 1985 helped the U.S. retain our leadership in the export of bulk commodities.

Currently, one-third of our production is exported, contributing $16 billion to the U.S. trade balance. Future trade policities must maintain, and expand this strength.

There is a striking contrast, however, when we compare our bulk exports with our exports of value-added or processed products. The export of high and intermediate value products constitutes 80 percent of today's world agricultural trade.

And while the U.S. leads the world with 33 percent of world trade in bulk products, our share of the world market for value added products is only 7 percent. Compare this with the European Community which has captured 50 percent of the world market for processed agriculture products.

This statistic represents lost opportunity of our economy. It is a statistic we must change.

The benefits of high value product's trade accrue to more than our farmers. By exporting bulk commodities as inputs to foreign processors, we miss an opportunity to employ more U.S. workers.

According to a 1983 USDA study, expanding our share of world high value

product's trade by 5 percent could mean 1 million more jobs for U.S. labor.

Another source says that the U.S. world share of value-added product's trade could be increased from 7 to up to 15 percent without a disruption of bulk commodity exports. The benefits of such an increase would mean:

A $50 billion increase in the GNP;

A $10 billion increase in Federal tax receipts;

And 1 million additional jobs.

It is easy to imagine the benefits the EC is getting from their 50 percent share of world high value markets. I would like to see some of those jobs in the United States.

Value-added exports markets have another advantage over bulk commodites—market stability. During the export expansion years of the 1970's, U.S. agricultural exports expanded greatly. Trade in bulk products grew 22 percent and high value product's trade grew 19 percent.

But from 1982 to 1986, bulk exports of grains and feeds declined 17 percent per year. Exports of value-added products however, over this same time period, remained constant. Bulk oilseed exports declined 10 percent from 1982 to 1986. The export share of processed oilseeds also declined, but by only half as much.

These examples indicate that exports of value-added products can be sustained even if trade subsidies are eliminated under a future GATT agreement.

Processed products are not as easily substituted from country to country as are bulk commodities. If American processors can establish a reputation for high quality, the result will be loyal customers and a stable market.

The other question which must be addressed in this debate is what will happen if our current GATT negotiations are successful in phasing-out trade subsidies?

Any future GATT agreement is likely to eliminate direct trade subsidies first. The Export Enhancement Program has provided a direct subsidy to exporters which enabled them to counter unfair trade practices and offer competitive prices to buyers. On a level playing field, the United States will remain competitive. Freezing the status quo, however, could lock in the current inequities which exist in world trade.

A strong market development program could provide us with long-term opportunities that do not rely on subsidies and would survive the scrutiny of a GATT agreement.

The potential for growth in the area of value-added products is already great. World trade in high value products is growing at 3 percent per year compared to 1 percent growth for bulk commodities.

New markets for agricultural products are opening every day as the Communist nations of Eastern Europe evolve into Democratic societies. Combined, these factors demand that we rethink our current trade policy.

Following next week's recess, I intend to introduce legislation which will help our businesses capture a greater share of the new markets for value-added products. The legislation I am proposing does four things:

First, it aids the flow of market information. The risk of conducting market research is great—especially for small businesses. My legislation creates a market research loan program to minimize this risk and provide an incentive for investment.

Second, it supports market development and promotion. Our current trade programs have focused, almost exclusively, on countries utilizing unfair trade practices.

Without flexibility in our trade programs, we are likely to miss new opportunities. Our new emphasis should be on helping businesses tap into markets with the greatest potential for growth.

Third, the bill supports better market intelligence. To facilitate market research, promotion, and development, we need a force in place that can be a liasion between foreign governments and businesses and our own American processors.

The United States now has 60 agricultural attaches and 15 agricultural trade officers worldwide. We must strengthen this force if we hope to take advantage of new markets abroad.

Finally, the bill modifies existing export programs to put additional priority on the movement of value-added products.

I will ask that a further summary of my legislation be included in the RECORD following my remarks.

Last week, the General Accounting Office issued a report showing that the United States had fallen far behind the European Economic Community in the export of high-value and processed products.

The GAO claims that "countries emphasizing sales of high-value products have developed partnerships between the government and private enterprise reflecting a national commitment to export marketing."

Clearly, the emphasis of our trade programs has been on moving bulk commodities into limited markets. The recent changes in the world, however, combined with the prospects for a GATT agreement, should lead us to reexamine our current policies.

We need stable markets we can sustain through market fluctuations and can survive the scrutiny of any future GATT agreements.

Further, we need to fill the demand created by the changes in Eastern Europe and the developing nations of Asia. Value-added exports can help us reach these goals. The challenge lies in developing a new trade policy that helps us meet these objectives.

We need new agricultural markets for our farmers—both at home and abroad.

We need to develop incentives for small businesses in rural communities to move into the international market place.

We need new jobs for our workers who process agricultural products.

These will be the keys to rural development in the 1990's.

I think my legislation can serve as a starting point in this debate. I urge my colleagues to join me as we set this new course for agriculture.

Mr. President, I ask unanimous consent that a legislative summary and a background report be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEGISLATION SUMMARY

TITLE I: MARKET INFORMATION

1. New Market Research Loan Program

American processors can export to new markets if they know the demand, the cultural barriers, and the mechanics of dealing with a new country. This research is risky. The Market Research Loan Program is designed to minimize this risk so American processors can venture into new markets without fearing financial ruin.

The New Market Research Program, administered by the Foreign Agricultural Service, allows American processors to borrow 50% of the costs of a market research project (up to $50,000). Eligible activities permitted under the program include: economic studies, travel, label development, production of promotion materials, and test market expenses. Funding will be awarded by FAS based upon submission of a research plan by eligible applicants. Acceptable plans will be limited to markets not previously developed by the applicant. The plan may be amended with USDA approval.

Upon completion of the research, any sales which occur will constitute market development and trigger repayment of the loan. If research indicates sales will not be profitable in a specific market, the Administrator may forgive the loan.

Any market research which leads to market development will be kept proprietary for one year following research completion. All other market information collected under this program will become public information upon completion of the research.

2. New Market Task Force

In addition to private market research, a great deal of information is collected by the U.S. government which could aid export-minded processors. The FAS, the U.S. Trade Representative, and the Commerce Department all have information which could be useful to U.S. businesses. We need a coordinated effort to compile and disseminate this information to people who can use it.

The legislation requires the Secretary of Agriculture to appoint a New Market Task Force made up of representatives from USDA, Commerce, USTR, SBA, and the Re-

gional Trade Centers authorized by Congress under the Food Security Act of 1985.

The Task Force will develop a strategy for marketing processed products using market and government incentives. In addition, this body will be charged with collecting and disseminating available information on market opportunities, trade barriers, and marketing distribution systems.

TITLE II: MARKET PROMOTION AND DEVELOPMENT

1. Targeted Export Assistance Program

The TEA program currently has wording that restricts its use to those countries that employ unfair trade practices. The world situation has changed dramatically, however, since 1985. New opportunities have developed in Eastern Europe and other countries around the world. In addition, the possibility of a GATT Agreement which eliminates direct trade subsidies will impact our current trade programs. The TEA program is a good tool to use in developing new agricultural markets.

This legislation would amend the TEA legislation by deleting the unfair trade practice provision, would require matching funds from the private sector on all TEA initiatives, and would permit uninterrupted multi-year market development programs.

2. Going Global

The Extension Service "Going Global" program was created to educate small and intermediate-sized processors to the possibilities and mechanics of exporting. The aim of the program is to lead the agricultural industry into the role of international supplier of agricultural goods, rather than focusing exclusively on domestic markets.

This legislation asks for an analysis of the program and recommendations from USDA for expanding this service.

TITLE III: MARKET INTELLIGENCE

1. Market Intelligence Personnel

The FAS currently has approximately 106 professional foreign service personnel overseas. Of these 106, 91 are attaches who spend approximately one-third of their time on reporting. Thus, there are only 15 Agricultural Trade Officers whose main responsibility is to coordinate marketing efforts for US agricultural exports. The government's overseas agricultural marketing force is much much too small to compete in the current world agricultural environment. Future GATT decisions could increase our reliance on these personnel.

Public Law 95-501 authorizes 25 Agricultural Trade Offices in other nations. However, hiring ceilings have provided for only 15 ATOs. This bill seeks to increase the Foreign Agricultural Service's hiring ceiling to accommodate ten more Agricultural Trade Offices and the personnel to run them.

TITLE IV: PROCESSED PRODUCT EXPORT PROGRAMS

1. Value Added Export Enhancement Program

The Food Security Act of 1985 included directions to the Foreign Agricultural Service to place expanded emphasis on market development activities for value-added products. The bill also contained a mandate to use 15% of the Export Enhancement funds for the export of meat or meat products. The Department has missed on both counts.

The export of value-added commodities offers more than just additional jobs at home, it offers stability within our agricultural markets. Product loyalty, an intangible not associated with bulk commodity exports, will help US exporters retain their share of foreign markets as subsidy levels decrease. The result will be long-term market development.

The creation of the Value-Added Export Enhancement Program will ensure that processed and high-value products receive a share of our trade program funds proportionate to their importance in world markets. This legislation directs 25% of our currently authorized EEP funds toward the new program. Comparing current authorization with past spending levels, this mandate should not diminish the amount of funds currently available for the export of bulk commodities.

AGRICULTURAL EXPORT ENHANCEMENT ACT OF 1990 SUMMARY

BACKGROUND

A General Accounting Office study released February 2, 1990 indicated that the U.S. has fallen far behind our European competitors in the export of high-value products. According to the GAO, the E.C. now holds a 41 percent share of the high value/processed product market. The United States share is only 9 percent.

The benefits of High Value Product's trade accrue to more than just our farmers. By exporting bulk commodities as inputs to foreign processors, we have lost an opportunity to employ U.S. workers. According to a 1983 USDA study, expanding our share of world High Value Product's trade by 5 percent could mean 1 million more jobs for U.S. labor.

A report by the President's Agricultural and Trade Advisor states that the U.S. world share of Value-Added Product's trade could be increased from seven up to fifteen percent without a disruption of bulk commodity exports. The benefits of such an increase would mean: a $50 bil increase in the GNP, a $10 bil increase in federal tax receipts, and 1 million additional jobs.

The potential for growth in the area of Value-Added products is already great. World trade in High Value Products is growing at 3 percent per year compared to 1 percent growth for bulk commodities.

New markets for agricultural products are opening every day as the Communist nations of Eastern Europe evolve into Democratic societies. Combined, these factors demand that we rethink our current trade policy.

We need a 1990 farm bill that ensures the benefits of our international trade reach beyond the farm gate to help other sectors of our agricultural economy as well.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, may I inquire of the Chair, are we at this point in morning business.

The PRESIDING OFFICER. The Chair advises that we are indeed in morning business.

Mr. PRYOR. Mr. President, my remarks will be very short.

THE INSPECTOR GENERAL'S BOLD ACTION ON ASPJ

Mr. PRYOR. Mr. President, this week the Pentagon's inspector general boldly recommended putting the brakes on the Navy's troubled $4.8 billion radar jammer program. As reported in Defense Week, the inspector general has asked that work on the airborne self-protection jammer, or ASPJ, be halted while the program is reevaluated.

I applaud the inspector general, Susan Crawford, for her action. This is the type of courage that Congress wants from the inspector general's office and that Defense Secretary Cheney must have in order to control the defense budget.

The inspector general points out that over $400 million is at stake in the near term. I assume that is his request for 1991 spending. I call on the Secretary of the Navy to immediately heed the recommendation of the inspector general to reevaluate the program and delay further contract awards. If spending $400 million does not make sense, why do it?

This ASPJ jammer has been called the son of DIVAD. Just like the DIVAD antiaircraft gun, the multimillion dollar ASPJ went into production last summer even though tests have shown it simply does not work.

ASPJ units are supposed to be installed on fighter aircraft to allow our pilots to deceive enemy radar and missiles. If the radar jammer fails while the pilot believes it is working, his plane can become an electronic beacon that every missile in the sky will lock on to.

Mr. President, operational tests have found that the ASPJ, as configured at the moment could put our pilots in exactly this kind of danger. Even the former Under Secretary of Defense for Acquisition wrote that "many enemy threats cannot be satisfactorily handled" by the ASPJ.

The ASPJ is in such trouble that: First, the Air Force has now completely pulled out of the program; second, it was reported that Secretary Cheney temporarily terminated the entire program in December; and third, the inspector general is in the midst of a full blown investigation of the program.

The cost of this system is also a big problem. Last fall one cost estimate put the ASPJ program at $9 billion with cost overruns of $1 billion. Mr. President, $9 billion is not much less than the President wants to spend on the MX missile system.

The inspector general is concerned about costs, too, and we should be aware of it. While ASPJ unit costs were estimated at between $2 and $3.5 million each, the termination of Air Force participation, which accounts for 60 percent of the program, will likely make the price tag skyrocket.

The inspector general prudently wants to review the impact of the Air Force pull out from the ASPJ program and cites this as one of the reasons to halt work on this particular system.

Mr. President, as I have repeated in the past I now state again. I am not opposed to radar jammer systems, but I am opposed to wasting billions of

dollars to be spent to produce weapons that do not work and endanger our fighting personnel. To date, the ASPJ does not work. To date, the configuration does in fact endanger our pilots. Rather than being a flying defense shield for our pilots, the ASPJ is fast becoming a flying boondoggle for the Navy.

Mr. President, again I compliment the DOD inspector general and ask unanimous consent that a copy of the defense week article and an article on Secretary Cheney's December termination of the program, which was apparently reversed, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Defense Week, Feb. 5, 1990]

PENTAGON IG WANTS BRAKES ON NAVY JAMMER

(By Tony Capaccio and Timothy McCune)

The Pentagon Inspector General has recommended that the Navy temporarily halt production of a controversial electronic airborne jammer amid signs its cost is ballooning out of control, according to a Jan. 25 memo obtained by Defense Week.

A "partial stop work" order is necessary to calculate an expected cost increase in the aftermath of an Air Force decision to pull out of the program, Inspector General Susan Crawford wrote Navy Secretary Lawrence Garrett. The Navy is managing the program.

The program in question is the 14-year-old, $4.6 billion Airborne Self Protection Jammer (ASPJ). The Air Force pullout "eliminated 60 percent of the ASPJ program requirement," or about 1,450 jammers, Crawford wrote. The Navy plans to buy 750 jammers.

Defense Secretary Dick Cheney listed the Air Force ASPJ among the 20 weapons programs he recommends killing in next year's budget.

Navy Spokesman Denny Kline said Crawford's recommendation was being evaluated, but that no stop work orders have been issued to the contractors, ITT Avionics and Westinghouse Electric Corp.

Crawford's memo said she was concerned the Navy's 750 jammers might cost too much to justify. "Over $400 million is at stake . . . Considering the significance of the decision pending on the ASPJ program as a result of the Air Force withdrawal, we suggest the Navy determine whether it would be cost beneficial to use partial stop work orders to gain the time needed to gather information and to decide future strategy for the ASPJ program," she wrote.

Navy spokesman Lt. Jim Wood said the jammers would cost about $1.5 million. Pentagon analysts have pegged the cost closer to $3 million apiece.

The Air Force decision to withdraw was announced last week as part of the proposed fiscal 1991 budget. The Pentagon announced the move would save $1.1 billion through 1994.

The jammers would be the principal protection against enemy missiles for the Pentagon's top-line aircraft, the F/A-18, F-16, F-14, A-E and AV-B. The Navy has spent $681 million since 1976 to develop the jammer.

Adding to the program's woes is an assessment by the Pentagon's Office of Operational Test and Evaluation contained in its upcoming 1989 annual report. The report concludes the jammers produced to date in full-scale development are only "marginally effective and marginally suitable" for aerial combat.

Crawford's concern surfaced in the course of an audit her investigators are conducting. The review was started on the basis of an anonymous fraud hotline tip. The tipster alleged that the Pentagon's Defense Acquisition Board (DAB) ignored negative operational test results when it graduated the program from full-scale development last August.

Based on the DAB decision, the Navy last year awarded contracts to ITT and Westinghouse for 100 jammers. Crawford's request was intended to stop the program before the two contractors signed contracts with their respective subcontractors, a move that would be costly to reverse.

Crawfod asked Garrett to answer by Feb. 1 how much the cost of the remaining ASPJ units might be. As of Friday, however, Crawford's memo had not even been submitted to Adm. A.H. Carlisle Trost, the chief of naval operations, for a reply, according to Pentagon sources.

Crawford told Garrett that a 30-day partial stop work order at this state of the contracts "would appear to be an economical action" because both contractors are only spending between $125,000 and $150,000 per month on the program.

Crawford singled out ASPJ program manager Capt. Selden Small as a roadblock. Small "was not receptive to using stop work orders. He stated that stopping work would serve no purpose because the Navy would not terminate the two contracts," Crawford wrote.

"He said that if the contract were terminated it would take another 18 months to award another contract," Crawford wrote. "However we disagree with his using those concerns to dismiss the need for and value of determining whether it would be cost beneficial to partially stop work, assessing the cost effectiveness of a major change in the ASPJ program."

[From Inside the Pentagon, Dec. 15, 1989]

DOD OPINIONS ABOUT ASPJ DIFFER—CHENEY KILLS ASPJ, BUT DOD STAFF ASKS SERVICES TO TAKE A SECOND LOOK

DOD opinions about the controversial $3-billion Airborne Self-Protection Jammer (ASPJ) program are differing wildly—Defense Secretary Richard Cheney killed the ASPJ program this week even as another high-level DOD official tried to rally Service support for the program, according to DOD sources. Cheney signed a program budget decision (PBD) on Dec. 11—a death warrant for the embattled jammer that cancelled FY-91 through -94 funding.

Prior to the ASPJ PBD, Assistant Secretary of Defense for Command, Control, Communications, and Intelligence Duane Andrews penned an internal memo to the acquisition executive of the Air Force asking the Service not to give the program short shrift, said one source. Air Force Secretary Donald Rice had offered up the program to Cheney as one exchange for some $3.4-billion in FY-91 program cuts that Rice hoped to recoup. Andrews expressed concern about the limited alternatives to the jammer in the memo. A copy of the correspondence was also sent to the acquisition executive of the Navy.

The only possible hope for the program now that Cheney signed the PBD is to keep production verification (PV) testing alive, according to a Service official familiar with the program. USAF electronic comabt chief Brig. Gen. Noah "Ed" Loy will still fight to save the program through a concerted push for the testing. "One year of testing isn't much if the results aren't successful and will save the taxpayer millions if they are," said one USAF source recently.

The ASPJ has had a long history of problems but supporters question the program termination, stating that the majority of the problems are in the past. Continually evolving threats had stretched the jammer's development by years, and measures of effectiveness (MOEs) and the test evaluation master plan (TEMP) were also problematic. The MOEs and TEMP are almost finished, say ASPJ supporters. More recently, software difficulties are being attacked. After contractors had worked with personnel at the Air Force Electronic Warfare Evaluation Simulator, the system's identification of threats rocketed from 18 to 54 within a two-week period. A series of congressional obstacles were also overcome and program supporters began to feel hopeful after Congressional appropriations conferees told the Navy, the Service lead on the ASPJ, to plan for an early FY-91 Lot 2 low-rate initial production award by issuing a request for proposals in early 1990.

The program is now officially dead "but there's always a way" said an Air Force official who believes good PV testing results could still save the ASPJ.

Mr. PRYOR. Mr. President, I at this point yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. FORD assumed the chair.)

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN. Mr. President, may I inquire, is it in order to speak as in morning business at this time? If not, I ask unanimous consent to do so.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

CHEMICAL DIVERSION TO NARCOTICS PRODUCERS

Mr. BRYAN. Mr. President, today I am submitting a sense-of-the-Senate resolution urging President Bush to raise at the upcoming international drug summit in Bogota the critical issue of chemical diversion to narcotics producers.

That resolution, which enjoys bipartisan support, Mr. President, is working its way through the process and will be offered later this evening and I would fully expect unanimous consent to be obtained at that point.

Mr. President, the cocaine producers, principally located in Colombia, need enormous quantities of chemical

solvents to produce the cocaine that feeds America's $100 billion cocaine habit.

According to Drug Enforcement Agency officials, the cocaine processors need at least 12,000 tons of chemicals each year, and many consider this to be a low estimate. Let me repeat for emphasis, these are chemicals that are necessary to the production of cocaine in the processing in the clandestine laboratories, specifically those that are located in Colombia. To the extent that we choke off this supply of chemicals, we also choke off the supply of cocaine.

These chemicals, although they have legitimate uses, are standard industrial solvents which many chemical producers market on a regular basis to legitimate customers for legitimate manufacturing processes. Nevertheless, the evidence is inescapably clear, Mr. President, that tons of these critical chemicals to Latin America, far above and beyond what the legitimate needs are for proper and legitimate industrial needs.

Federal officials have shared with me as early as this week that approximately 40 to 70 percent of these essential chemicals that go to Colombia are ultimately diverted into the clandestine laboratories producing cocaine in that country.

Mr. President, Congress has responded to this critical link in the cocaine production chain. In 1988 the Congress passed the Chemical Diversion and Trafficking Act. This act went into effect on October 30, 1989, to regulate the shipment of some 20 chemicals that are critical to narcotics production.

Under the terms of this act, companies are required to notify the Drug Enforcement Administration of impending shipments 15 days in advance. Using the act, DEA has stopped 1 shipment from going forward and has denied 52 of 288 requests for regular customer status. That is one in every five applications.

With respect to requested shipments to Colombia, three out of four customer destinations that have been requested approval have been rejected by the DEA.

These initial statistics would seem to indicate that this legislation, although only recently having gone into effect, may be playing a significant role in reducing the number of American produced chemicals that are now being shipped to Latin America.

But, as America has attempted to put its own house in order, it turns out, around the world, there are others who are willing to move in and supply the drug cartel. According to Mr. Gene Haislip, Deputy Assistant Administrator, Office of Diversion Control of the Drug Enforcement Agency, chemical shipments from Europe are on the increase. European exports of one critical chemical, methyl ethyl ketone, MEK, to Latin America increased from 70 tons in 1982 to more than 5,000 tons in 1987. And, as Mr. Haislip observed, we have every reason to believe that this figure is just the tip of the iceberg.

Mr. President, we must do a better job of controlling American chemical shipments. We must give the DEA the resources to monitor and investigate these shipments and firms that are attempting to acquire these chemicals.

Mr. President, American chemical companies must do a better job. American chemical producers must not hide behind the letter of the law, yet at the same time ignore obviously suspicious customers in sending massive shipments to countries far beyond their legitimate needs.

But, even if we give DEA all the help it needs, even if American firms rediscover the meaning of good corporate citizenship, it would not be enough. This has been a critically neglected area in America's international drug efforts.

We must get international action, and that is why I urge President Bush to raise this issue at the upcoming summit in Colombia. The President has a real opportunity to assert leadership in this area of chemical diversion.

Mr. President, I urge him to seize this opportunity. The President should urge all countries to ratify the United Nations chemical convention which says that all nations must monitor these critical chemicals. Unfortunately, to date only four countries, including the United States, have done so.

The President must also request that all countries enact laws as strong as those of the U.S. Chemical Diversion and Trafficking Act.

And the President must work with Colombian, Bolivian, and Peruvian authorities, many of whom risk their lives daily to provide full cooperation to drug enforcement officials, to eliminate the diversion of chemicals in their countries.

Finally, the President should encourage the Colombian Government itself to institute an internal licensing requirement to better get a handle on the control of chemicals reaching that country that ultimately are diverted to the jungles for clandestine laboratory manufacture.

Mr. President, I respectfully indicate that the President's decision gives us a unique opportunity. We in the Senate suggest that he make the most of this important journey by raising our concerns about chemical diversion. It is a real problem. We need his help and his leadership. We need the help and support of our allies to join in this fight.

We, in the Senate, Mr. President, wish him and his party a safe and productive journey.

If there is no other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIEGLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIEGLE. May I inquire of the chair, is it in order now to speak briefly on the question of the Export Administration Act?

The PRESIDING OFFICER. Without objection, the Senator may proceed.

EXPORT ADMINISTRATION ACT

Mr. RIEGLE. Mr. President, one of the major responsibilities of the Banking Committee in this session of Congress will be to consider reauthorizing the Export Administration Act which expires on September 30, 1990. That act, among other things, gives the President authority "to restrict the export of goods and technology which would make a significant contribution to the military potential of any other country or combination of countries which would prove detrimental to the national security of the United States." It is upon this authority that our country has built our present export control regime which is used to deny the Soviet Union and its Eastern European allies access to high technology commercial goods with potential for military uses such as computers, machine tools, and telecommunications equipment.

The Banking Committee's Subcommittee on International Finance and Monetary Policy, under the leadership of my friend and colleague, the distinguished senior Senator from Maryland, Senator PAUL SARBANES, will be holding hearings next month on the reauthorization of the Export Administration Act. Those hearings will provide the Banking Committee an opportunity to hear from the administration, as well as from outside experts and industry representatives, what the changed circumstances in Eastern Europe and the Soviet Union mean for our present export control system, including the multilateral regime coordinated through Cocom. This Senator believes those hearings will be very important ones, and I urge the administration to make sure that its highest policymakers take time to develop coherent views and recommendations to the Congress on this matter. Let me explain why.

The United States, for most of its history, did not have controls on exports. This changed in 1940 when Congress passed legislation authorizing

the President to conduct full-scale economic warfare against the Axis powers by cutting off all U.S. exports to those countries and by blacklisting companies in neutral countries doing business with the enemy. Those controls were lifted after the war, except insofar as they were maintained to prevent the export of items in short supply in this country such as steel. In 1947, as United States relations with the Soviet Union deteriorated, President Truman used his authority under the 1940 law to place restrictions on American exports to the Soviet Union, and subsequently delegated Presidential power over exports to the Commerce Department.

Since the implementation of effective export controls depended on cooperation from our allies, the Coordinating Committee for Multilateral Export Controls, or Cocom, was created in 1949 to coordinate allied export control policies. Cocom membership consists of the NATO countries, except for Iceland and Japan and Australia. Congress, in 1949, also rewrote the then existing law and renamed it the Export Control Act. It also began the practice of granting export control authority to the President for specified periods of time. That act was renewed in 1951, 1953, 1956, 1958, 1962, and 1965. In 1969, Congress made major amendments to the Export Control Act and renamed it the Export Administration Act. That act has also been renewed and revised several times in the last 18 years, most recently in the Omnibus Trade and Competitiveness Act of 1988.

Since the 1940's a consensus has existed in our country that protecting our national security requires reasonable export controls to prevent the Soviet Union and its Warsaw Pact allies from acquiring militarily critical Western technologies. The evidence was clear that these countries wanted and had elaborate intelligence programs to acquire Western technologies in order to improve their own military capabilities in radar, lasers, aerospace, precision manufacturing, and other areas over the last 40 years. The U.S. business community has been supportive of controlling items whose acquisition by the Soviets would be detrimental to our national welfare. In the last decade in particular, however, American companies have expressed strong concerns about export controls that are too broad, or which forbid them to make sales which are then made by companies from Japan and Europe. Congress has never wanted to micromanage our export control and throughout the years has followed a practice of delegating to the executive branch the authority to administer it in a reasonable manner.

In early 1987, however, the Banking Committee responded to the strong concerns then being expressed by groups representing our most responsible companies that an overly burdensome licensing system was hurting the technological strength of important U.S. industries with no benefit to our national security. As part of putting together its five title contributions to the Omnibus Trade and Competitiveness Act, the committee held several oversight hearings on the Export Administration Act. Gen. Lew Allen, a former Chief of Staff of the U.S. Air Force, who chaired a National Academy of Sciences [NAS] study on export controls, told our committee that the problem with the system was not the law, but rather the way it was administered. He informed us that the Reagan administration's export control policy was in disarray with the Commerce, Defense, and State Departments unable to settle their differences on what technologies were truly militarily critical.

The NAS study itself pointed out that "although appropriate statutory authority exists, the U.S. policy process for national security export controls lacks proper direction and affirmative leadership at the highest levels of Government." In other words, the warring bureaucracies at Commerce, State, and Defense could not resolve their differences and there was no leadership from the White House to make difficult decisions. As a result, legitimate exports were lost and our national security, which was to have been enhanced by export controls, was instead being damaged. It became evident in those hearings that controls that overreached had a particularly deleterious impact on our highest technology companies. They not only lost sales for finished goods due to license delays and denials, but foreign manufacturers in Western Europe also turned to the other countries to supply key high technology parts in the finished products as U.S. companies were no longer seen as reliable parts suppliers. The consensus view from those hearings was that U.S. market share in cutting edge technologies was being eroded due to bureaucratic infighting that was never resolved.

The Banking Committee and then the Congress reacted by making major revisions to the Export Administration Act in the omnibus trade bill. Included among the revisions were:

First, reducing the number of controlled items by removing controls from low technology items and from items that the Soviets could obtain from other countries;

Second, eliminating reexport license requirements on U.S. goods shipped to Cocom countries, or countries which have bilateral export control agreements with the United States;

Third, putting procedures into place for forcing the resolution of interagency disputes in a timely manner so that export sales were not lost due to never getting a decision one way or the other; and

Fourth, improving the effectiveness of multilateral export control efforts in Cocom including passage of the so-called Toshiba provision denying the U.S. market for foreign companies that violated Cocom agreed control lists.

Recent developments in Eastern Europe and the Soviet Union have raised new questions about whether our present, or any export control regime continues to make sense in the new era of East-West relations that appears to be emerging. Such questions have particular legitimacy when viewed in the context of today's increasingly competitive global marketplace. Understandable apprehensions are being raised that our present export control system subordinates the country's economic competitiveness to military concerns at a time when economic concerns are growing in importance. Such misgivings are given even more legitimacy when we consider that making sales abroad help our companies finance civilian technological advances that are increasingly essential to maintaining a strong military.

I am fully aware that in the past the executive branch has had real difficulty developing a coherent policy on export controls because of interagency disputes that no one in the White House or National Security Council took the time or interest to settle. That is precisely why the Congress had to act in making major changes to the Export Administration Act both in 1985 and 1988. I hope the same thing will not happen in 1990, but I am not altogether convinced it will not. At the last senior level meeting of Cocom officials in October, the United States was isolated in a 16-to-1 vote when our allies wanted to liberalize trade in machine tools with Eastern Europe and the Soviets by rapidly cutting the list of controlled items, while the United States insisted on a go slow approach. If Cocom is to be preserved as an instrument of coordinating export controls with our allies, United States proposals in that organization must be credible and take account of the developing political realities in Eastern Europe and the Soviet Union. If Cocom disintegrates any hope for successful controls on even the most sophisticated technologies will evaporate as the United States no longer is the only maker and exporter of such militarily critical technologies.

Next week on February 14 and 15, U.S. negotiators will go off to Paris to once again participate in an extremely important Cocom meeting. The administration, I understand, needs no additional authority from Congress to streamline our control regime and has

complete discretion on how best to reconcile the need to hold Cocom together while still controlling exports of the most sophisticated types of strategic goods to the Soviet Union. The Congress will, however, hold the administration accountable for how such discretion is exercised.

As I noted above, the Banking Committee's International Finance Subcommittee will hold hearings on the Export Administration Act in March to prepare our committee to consider reauthorizing that law this year. Among the critical questions this Senator will want the administration to be prepared to answer at such hearings are:

First, is it possible to aid the swift development of the emerging non-Communist regimes in Eastern Europe while still maintaining controls on exports of key technologies to these countries?

Second, will it be possible to get a consensus within Cocom to continue controlling the export of the most sophisticated technologies to the Soviet Union and Eastern Europe?

Third, is it possible to differentiate between what level of technologies can be exported to Eastern Europe and what can be exported to the Soviet Union and, if so, why should such a differentiation be made?

Fourth, even if the Cocom countries agree that the most sophisticated technologies should not be exported to the Soviets, how can we deny those technologies to the Soviets if they are produced by non-Cocom countries?

The administration should be on notice that if interagency squabbling prevents it from coming up with credible export control proposals then the Congress will have to respond legislatively. There is no excuse for not having a better coordinated and more centralized interagency decision making process that can respond to changing circumstances quickly.

While I recognize there may still be a convincing rationale for an export control regime, I urge the administration to thoroughly examine present controls with a full appreciation that our national security is ultimately based on our economic strength. In today's developing global marketplace our economic strength will in turn depend increasingly not only on our ability to produce quality goods, but also on our ability to market such products all over the world. High level decisionmakers in the administration must pay greater attention to this issue.

I look forward to the Banking Committee's hearings on the Export Administration Act in March.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARKIN). Without objection, it is so ordered.

ORDER TO PROCEED TO CONSIDERATION OF ILO CONVENTION ON FEBRUARY 20, 1990, AT 2:15 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that on Tuesday, February 20, at 2:15 p.m., the Senate proceed to executive session to consider the ILO convention, No. 160, concerning labor statistics.

I ask unanimous consent that the treaty be advanced through the various parliamentary stages up to and including the presentation of the resolution of ratification.

I further ask unanimous consent that there be 1 hour of debate equally divided between the chairman and ranking member of the Committee on Foreign Relations; that no motions, resolutions, declarations, or understandings be in order; that at 3:15 p.m. the Senate proceed, without any intervening action, to vote on the treaty; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO RETURN TO LEGISLATIVE SESSION, FOLLOWING THE ILO CONVENTION, AND CONSIDERATION OF H.R. 2281, ON TUESDAY, FEBRUARY 20, 1990, AT 3:15 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that immediately upon the conclusion of the vote on the ILO convention on Tuesday, February 20, and the Senate's return to legislative session, the Senate then proceed to Calendar No. 124, H.R. 2281, the school dropout bill, and that the bill be considered under the following limitation:

One hour on the bill to be equally divided between Senators PELL and KASSEBAUM or their designees.

No amendments or motions will be in order, except for motions to reconsider and to table the vote on final passage; and when all time is used or yielded back, the Senate, without any intervening action, proceed to vote on final passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO CALL UP THE NATIONAL SERVICE BILL

Mr. MITCHELL. Mr. President, I ask unanimous consent that at any time beginning no earlier than Wednesday, February 21, the majority leader may call up Calendar No. 331, S. 1430, the national service bill, the time and date to be in agreement with the Republican leader.

Mr. DOLE. Mr. President, reserving the right to object, and I have no intention of objecting, I want to indicate to the majority leader that if he did come to me on Wednesday, February 21, it might be that we would have to skip it some but it is not our intent to delay consideration of this bill.

It is my understanding that there are negotiations going on between the principals and the White House and other Senators, and that they may reach some agreement. That is why we added this rather unusual request, in addition to consultation, that we have an agreement on the specific time and data.

Mr. MITCHELL. Mr. President, I thank the distinguished Republican leader for his clarifying comment. As he and I have discussed previously, this covers only the circumstance in which a unanimous-consent request is made and that any time thereafter on Wednesday, February 21, or thereafter, I could still make a motion to proceed which would, of course, not be covered by this agreement.

But I have discussed this with the distinguished Republican leader, and I am pleased that he has indicated he expects his willingness to take it up some time that week, and if we can get to it on that week, I believe it would be helpful. It is an important bill, and I believe that those interested parties who have been discussing it are, as the distinguished Republican leader has indicated, very close to an agreement, and I hope they will be at that time. I thank the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations reported today by the Committee on Commerce, Science, and Transportation:

Susan M. Coughlin, to be a member of the National Transportation Safety Board;

Edward J. Philbin, to be a member of the Interstate Commerce Commission;

John W. Lyons, to be Director of the National Institute of Standards and Technology;

William D. Hathaway, to be a Federal Maritime Commissioner;

Ervin S. Duggan, to be a member of the Federal Communications Commission; and

James L. Kolstad, to be Chairman of the National Transportation Safety Board.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:

Susan M. Coughlin, to be a member of the National Transportation Safety Board;

Edward J. Philbin, to be a member of the Interstate Commerce Commission;

John W. Lyons, to be Director of the National Institute of Standards and Technology;

William D. Hathaway, to be a Federal Maritime Commissioner;

Ervin S. Duggan, to be a member of the Federal Communications Commission; and

James L. Kolstad, to be Chairman of the National Transportation Safety Board.

STATEMENT ON THE NOMINATION OF FORMER SENATOR BILL HATHAWAY TO FEDERAL MARITIME COMMISSION

Mr. MITCHELL. Mr. President, I am pleased that the Senate is now considering the nomination of our former colleague, Senator Bill Hathaway, to the Federal Maritime Commission.

Bill Hathaway has a long and distinguished career in public office, both as an appointed and elected official. He has an outstanding record of public service in Maine, and has been the representative of the people of Maine in both the House of Representatives and the U.S. Senate.

Maine is a coastal State with a long and proud maritime tradition. Maritime commerce is of vital importance to the State, a tradition that is carried on today. I am pleased to see that President Bush has named a Maine man, an experienced, dedicated, and respected Maine man, to this important maritime position.

This is a happy confluence of man and position. Bill's familiarity with maritime issues provide him with an exceptionally strong foundation for his future responsibilities. His broad range of experience in government office provide him with the necessary hands-on skills to serve as a Federal Commissioner. Bill's qualifications include a familiarity with both the substantive issues and the legislative dynamics involved in maritime matters.

But Senator Hathaway is not just superbly qualified by experience. His integrity, his dedication to hard work and his temperament have earned him the confidence and respect of both his colleagues and constituents. These qualities have distinguished his career as a public official and also his career since he left the Senate. They are qualities he will bring to the Federal Maritime Commission.

I am not only proud to have served with him in a public sense for many years, but to be able to call him a friend for more than a quarter of a century. I enthusiastically and wholeheartedly support Senator Hathaway as Federal Maritime Commissioner, and I ask the Senate to act favorably on his nomination.

If I might add a brief extemporaneous comment.

Mr. President, former Senator Hathaway is a distinguished Maine citizen who served the people of his State and the Nation as Member of the House of Representatives and as a Member of the Senate. He is well known to the distinguished Republican leader and me, and one who I am pleased that we are able today to confirm to this important position. He brings experience, knowledge, good judgment to the position, and I am certain will merit the confidence which the President has placed in nominating him to this position and which the Senate has demonstrated and confirmed for the position.

STATEMENT ON THE NOMINATION OF FORMER SENATOR BILL HATHAWAY TO FEDERAL MARITIME COMMISSION

Mr. DOLE. Mr. President, let me join in the comments by the distinguished majority leader. Former Senator Hathaway is a friend of all of us, particularly a friend of mine. I wish him success and congratulate him upon his confirmation. I know he will do an outstanding job for the people of the United States.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order the Senate will return to the consideration of legislative business.

THE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 434, 435, and 436 en bloc; that the bills be deemed read a third time and passed and the motion to reconsider the passage of these bills be laid upon the table.

Mr. President, I further ask unanimous consent that the consideration of these items appear individually in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF MARIA LUISA ANDERSON

The bill (S. 1229) for the relief of Maria Luisa Anderson, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Maria Luisa Anderson shall be classified as a child within the meaning of section 101(b)(1)(E) of that Act (8 U.S.C. 1101(b)(1)(E)), upon filing of a petition filed on her behalf by her adoptive parents, citizens of the United States, pursuant to section 204 of that Act (8 U.S.C. 1154). No natural parent, brother, or sister, if any, of Maria Luisa Anderson shall, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

RELIEF OF GEETHA KANNAN

The bill (S. 1467) for the relief of Geetha Kannan, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1467

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Geetha Kannan may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Doctor Ramamurthi Kannan, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

RELIEF OF ROSWITHA STARINS

The bill (S. 1493) for the relief of Roswitha Starins, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Roswitha Starins shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by the proper number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are avail-

able to native's of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas which are made available to natives of the country of the alien's birth under section 202(e) of such Act.

INTERNATIONAL DRUG SUMMIT IN COLOMBIA

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 244, submitted earlier today by Senator BRYAN.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 244) commending President Bush for promoting and participating in the drug summit in Colombia on February 15, 1990, and urging the President to take steps at the drug summit to promote the enactment and enforcement of chemical diversion laws.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. HOLLINGS. Mr. President, today I rise in support of a sense-of-the-Senate resolution urging President Bush to raise at the upcoming International Drug Summit in Colombia the critical issue of chemical diversion to narcotics producers.

Mr. President, on Tuesday, February 1990, I chaired a hearing in the Senate Committee on Commerce, Science, and Transportation on this critical issue. At the hearing, we heard convincing testimony that millions of pounds of United States-made chemicals are ending up in drug labs in Colombia.

I do not question the intentions of the U.S. shippers of these chemicals. I know full well the many legitimate uses for these chemicals. However, I am concerned that some American-made chemicals are finding their way into the hands of drug lords in South America and then into the hands of our citizens in the deadly form of cocaine.

The United States currently has laws to deal with this problem, but many other nations have not adopted statutes similar to ours. It will not do any good to stop suspicious shipments from the United States if drug lords then obtain the chemicals from Europe or elsewhere. I urge President Bush to use the findings of our hearing to raise this issue with other countries that also ship these chemicals to South America at the February drug summit.

We are all aware of the brutal consequences illegal drugs have wrecked upon our society. We know it has permeated our culture from street corners to schoolyards. The afflicted are all around us—in corporate boardrooms, back alleys, and baby cribs.

Policymakers have always struggled between what we want to do and what we can do. There is no question, we all want to stop the deadly flow of drugs. Hopefully, the hearings held in the Commerce Committee earlier this week along with this resolution can give President Bush enough ammunition to fight this war in his meetings next week.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 244) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 244

Whereas, President Bush has announced his intentions to represent the United States at the drug summit in Bogota, Colombia, on February 15, 1990, thus lending the summit high-level credibility;

Whereas solving the drug abuse problem in the United States is universally acknowledged as our greatest domestic challenge;

Whereas the United States Government spent $9.4 billion in fiscal year 1990 for anti-drug programs;

Whereas it is estimated that 250,000 babies will be born suffering effects from their mothers' drug use during pregnancy;

Whereas from January to June 1989 more than 117,000 persons were treated in emergency rooms for narcotics;

Whereas a National Institute of Justice study detemined that 80 percent of males arrested for violent crimes in Washington, D.C., New York City, Philadelphia, and San Diego, tested positive for illegal drug use;

Whereas it is widely known that chemicals are critical in the processing of illegal narcotics, that chemicals produced worldwide are shipped to Colombia, and that more than 40 percent of these chemicals are being diverted to the drug cartels;

Whereas the United States took positive action in 1988 by passing the Chemical Diversion and Trafficking Act which gives the Drug Enforcement Administration the authority to stop shipments of chemicals not destined for legitimate industrial, commercial, or scientific use; and

Whereas although the United States and 76 other countries signed the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, only four countries, the United States, the Bahamas, Nigeria, and China, have ratified the Convention: Now, therefore, be it

Resolved, That the Senate commends President Bush for his courage and initiative in agreeing to represent the United States at the drug summit in Colombia on February 15, 1990 and include among the steps he takes at the drug summit efforts to promote the enactment and enforcement of chemical diversion laws, including—

(1) requesting all countries to ratify the United Nations Convention Against Illicit Traffic in Narcotic Drugs;

(2) requesting all countries to enact laws as strong as the United States chemical diversion laws;

(3) working with Colombian, Bolivian, and Peruvian authorities, many of whom risk their lives every day, to provide full cooperaton with their drug enforcement officials to eliminate the diversion of chemicals in their countries; and

(4) encouraging the Colombians to institute internal licensing requirements to control the flow of chemicals.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BILL INDEFINITELY POSTPONED—S. 2092

Mr. MITCHELL. Mr. President, I ask unanimous consent that Calendar No. 442, S. 2092 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN SOVIET YOUTH ORCHESTRA

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of House Concurrent Resolution 198, regarding the Soviet Youth Orchestra, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 198) authorizing a concert by the American Soviet Youth Orchestra on the Capitol grounds.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 198) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MEASURE PLACED ON CALENDAR—S. 2124

Mr. MITCHELL. Mr. President, I ask unanimous consent that S. 2124, the National Space Council Authorization Act of 1990, introduced earlier today by Senator HOLLINGS, be placed on the Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

MISSISSIPPI RIVER STUDY

Mr. JOHNSTON. Mr. President, the Mississippi River winds its way from northern Minnesota's Lake Itasca for more than 2,400 miles before reaching its final destination—the Gulf of Mexico. The Mississippi combines with five other major waterways—the Arkansas, Missouri, Ohio, Red, and Tennessee—to form the largest river in North America. More than 1.4 million square miles or 41 percent of the continental United States are drained by the Mississippi, carrying more than 685 million tons of sedimentary material to the Gulf annually.

The silt deposited over hundreds of years by this great river laid the foundation upon which Louisiana now flourishes. The 1.5 million people in Louisiana depend on this great river for drinking water, not to mention the millions more for whom the Mississippi provides recreation and irrigation.

The Mississippi River is, unfortunately, also a repository for much of the Nation's waste from industrial, agricultural, municipal, and domestic operations. We need to know the existing as well as potential sources of this pollution so that the appropriate steps can be taken to improve and protect the quality of the water in the Mississippi River. Although the effects of pesticides and trace elements on the water quality of the Mississippi are already being examined by the U.S. Geological Survey, that particular study concentrates on the portion of the river south of St. Louis.

That is why I am proud to cosponsor a bill introduced by my respected colleague from Minnesota. This measure will instruct the director of the geological survey to conduct a study of the water quality of the entire Mississippi River. The director does not, however, have to take on this task without any additional resources. He is authorized to consult with, and request assistance from the Fish and Wildlife Service, Environmental Protection Agency, and the Army Corps of Engineers, and $2 million will be appropriated to fund the study.

I pledge my full support as chairman of the Energy and Natural Resources Committee and the Appropriations Subcommittee on Energy and Water Development to facilitate the consideration, and ensure the enactment, of this bill. I commend my colleague from Minnesota for his hard work on this legislation and strongly urge your support for it.

THE SITUATION IN KASHMIR

Mr. MOYNIHAN. Mr. President, I rise to discuss a problem which has already been the cause of much bloodshed. Namely, ethnic and national strife in the Vale of Kashmir. In 1947 the British Government determined that there was no practical alternative to partitioning the subcontinent and advanced the scheduled data for independence from June 1, 1948 to August 15, 1947. Communal strike intensified, then erupted into violent civil war.

Some of the most bitter fighting took place in the rugged and beautiful area of Kashmir. At independence the question of whether Kashmir—which had a primarily Muslim population—would join Pakistan or India, or seek to become an independent state, led to fighting between regular units of the Pakistani and Indian armies. A ceasefire line, supervised by the United Nations, was agreed to on January 20, 1949, and left the majority of the state under Indian control.

In 1965 an incident in the Rann of Kutch near the Arabian Sea led to renewed hostilities, which spread to the mountains of Kashmir. By the time the parties accepted a United Nations Security Council resolution calling for a ceasefire and withdrawal to the 1949 ceasefire lines the combatants had suffered 20,000 casualties, 400 tanks destroyed and nearly 100 aircraft downed. Fighting in Kashmir erupted for a third time during the 1971 East Pakistan crisis.

Three wars in less than 25 years. But then in July 1972, Indian Prime Minister Indira Gandhi and Pakistani President Zulfikar Ali Bhutto met in the Indian city of Simla and turned away from violent solutions to the conflict. They signed the Simla Agreement, committing the parties to pursue a peaceful settlement to the Kashmir problem. For the last 19 years the two nations have been at peace.

Unfortunately, during the last 2 years we have witnessed renewed tension in Kashmir. Since 1988 militants in Kashmir have engaged in numerous violent acts, including what the New York Times has described as terror campaigns. The violence has intensified in the last several months. Last December Islamic militants in Kashmir kidnapped the daughter of the Indian Home Minister. On January 21, Indian troops opened fire on demonstrators defying a curfew, reportedly killing more than two dozen and wounding many more. Four days later, militant separatists shot and killed four Indian Air Force servicemen.

On Monday a group of Pakistanis protesting Indian actions in Kashmir broke through a cordon of Pakistani troops at the border. Indian border guards shot and killed some of the protesters and wounded perhaps a dozen others.

Along with the escalating violence has come an escalation of rhetoric.

I am gratified to note that, to date, all reports indicate that there have been no troop mobilizations on either side and that the border itself remains relatively calm. The leaders of both states have expressed a strong desire to improve relations between India and Pakistan. The Washington Post quoted Pakistan's Foreign Minister Yaqub Khan as saying "Let me state clearly that Pakistan does not want war and similarly we believe the Indians also want to avoid war." Mr. President, it is devoutly to be wished that these two nations will not only avoid further bloodshed, but also defuse tensions and improve their historically strained relations. Together, the two states have almost 1 billion citizens and they have fought three wars since 1947. Pakistan has recently returned to the ranks of democratic nations and India has just engaged in the largest democratic event in the history of the world, namely, its recent elections. We must do what we can to contribute to a peaceful resolution of the dispute between them.

Mr. President, we will be watching events in Kashmir closely and with the utmost concern. I urge both nations to continue to adhere to the principle of non-violence embodied in the Simla Agreement and I call upon all persons in Kashmir to reject terrorism in all its forms, including kidnaping. I strongly encourage the leaders of both countries to work together to ease tensions and to continue to improve bilateral relations.

AIR FORCE UNITS FROM NORTH CAROLINA PARTICIPATE IN OPERATION JUST CAUSE

Mr. SANFORD. Mr. President, a few weeks ago Air Force C-141 aircraft flew over Sicily Drop Zone on the Fort Bragg military reservation to drop troops returning from their deployment as part of Operation Just Cause. As the paratroopers descended, those airplanes and their crews continued on their way to their respective home bases, another mission completed safely and with the skill and precision that makes those crews the best.

United States Air Force units from across the country participated in the United States military actions in Panama last December. The Military Airlift Command, the Strategic Air Command, the Air Force Reserve, and the Air National Guard all have units based in North Carolina. All participated in Operation Just Cause. Their participation demonstrates how well our active duty, Reserve, and Guard units operate together in national security emergencies. It also highlights how vital our Guard and Reserve units are to our national defense structure.

From the very beginning of the first troop drops, to the evacuation of the wounded, to the returning of those who lost their lives, to the transporting of General Noriega to the United States, to returning the troops home victoriously, the men and women of the Air Force executed the duties of their mission in a superior manner.

I have stated earlier the great pride North Carolinians have in the military, especially military units that are based in the State. I, too, have exceptional pride in those forces and wish to express that on the floor of the Senate today. During Operation Just Cause, the U.S. Air Force units based in North Carolina served the Nation with great courage and professionalism, two traits that are the norm rather than the exception.

Mr. President, I ask unanimous consent that the names of the Air Force units from North Carolina that participated in Operation Just Cause be entered into the RECORD along with their home bases.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

Military Airlift Command, Pope Air Force Base, North Carolina:
317th Tactical Airlift Wing;
1st Aeromedical Evacuation Squadron;
3rd Mobile Aerial Port Squadron; and
Strategic Air Command, Seymour Johnson Air Force Base, North Carolina:
344th Air Refueling Squadron; and
911th Air Refueling Squadron.
Air Force Reserve, Seymour Johnson Air Force Base, North Carolina:
77th Air Refueling Squadron.
Air National Guard, Charlotte, North Carolina:
145th Tactical Airlift Group.

IT IS TIME TO SUPPORT DEMOCRACY IN YUGOSLAVIA

Mr. DOLE. Mr. President, as we have seen over the past several months, events in Yugoslavia are following the volatile pattern of events throughout Eastern Europe. Once considered a progressive regime—in comparison to the other Communist regimes in Eastern Europe—today's Yugoslav Government is a symbol of tyranny and repression.

One glaring example of this repression we have seen on the front pages of our newspapers—the crisis in Kosovo. Serbia has maintained martial law in the Province of Kosovo for almost a year now. Hundreds of Albanians have been injured and arrested during rallies calling for democracy. And, since January 24 of this year, more than two dozen Albanians have been killed in Kosovo by police and security forces.

Groups throughout Yugoslavia, including Croatians and Slovenians, have protested the treatment of the Albanians at the hands of Serbian authorities. Unfortunately, there seems to be no end in sight. According to press reports, earlier this week, the President of the Serbian Republic threatened to send hundreds of thousands of Serbs to take over the Province of Kosovo.

Despite this wave of brutal oppression in Yugoslavia, there is cause for hope. Democratic forces are emerging as seen in the formation of democratic parties in the Republics of Slovenia and Croatia, as well as in the Province of Kosovo. And, free elections will be held in the Republic of Croatia in mid-April.

I firmly believe that democracy and respect for human rights form the basis for effective and lasting solutions to the current crisis in Yugoslavia. Moreover, in my view the United States must publicly support these democratic developments in Yugoslavia, as in other East European countries. And, I am sure that my colleagues would agree.

Unfortunately, to date, in public appearances, at least United States policy toward Yugoslavia has not kept pace with events. This situation, however, can be corrected easily if the United States publicly and aggressively supports peaceful democratic change in Yugoslavia.

A policy that supports the development of democratic political parties in Yugoslavia will go a long way toward getting things on the right track. In Yugoslavia, as in other East European countries, communism is being slowly strangled by the forces of democracy. As Americans, so fortunate to live in the country that represents the light of freedom, we need to continue to support democracy throughout the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

THE NOMINATION OF CLARENCE THOMAS

Mr. HEFLIN. Mr. President, today, I rise to announce my support of the President's choice of Clarence Thomas to be a judge on the U.S. Circuit Court of Appeals for the District of Columbia. I have carefully reviewed his record and believe that Mr. Thomas is qualified for a seat on the Federal bench.

Clarence Thomas rose from humble beginnings to achieve a high measure of success. He was raised in coastal Georgia by his grandfather who could barely read or write but instilled in him a strong sense of the importance of values and education. Mr. Thomas graduated from Holy Cross College and received his law degree from Yale. He began his legal career in Missouri and came to Washington as an aide to Senator JOHN DANFORTH. After a brief stint at the Department of Education as Assistant Secretary for Civil Rights, he was confirmed as the Chairman of the Equal Employment Opportunity Commission, and has remained in that position since 1982. Clearly Mr. Thomas' life has been a strong example of an American success story.

I recognize that there has been a great deal of publicity surrounding this nomination and that some groups have expressed their opposition to Mr. Thomas' nomination. Although some criticisms of Mr. Thomas' record have come out, I believe he has successfully addressed each concern in his hearing. After a review of his record, I find that Mr. Thomas is clearly within the mainstream of judicial thought. Although individuals may differ as to a legal philosophy, Mr. Thomas will bring to the bench a thoughtful and scholarly record and approach. I believe that Mr. Thomas has demonstrated the necessary judicial philosophy and temperment which more than qualify him to sit on the Federal bench.

I commend Mr. Thomas for his personal accomplishments, and trust that he will have a long and successful career on the Federal bench. I intend to fully support his nomination and commend Mr. Thomas to my colleagues.

MESSAGES FROM THE HOUSE

At 2:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (S. 1465) to establish limitations on liability for damages resulting from oil pollution, to establish a fund for the payment of compensation for such damages, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Merchant Marine and Fisheries, for consideration of the House bill (except title VIII), and the Senate amendment (except sections 601 and 602), and modifications committed to conference: Mr. Jones of North Carolina, Mr. Studds, Mr. Tauzin, Mr. Carper, Mr. Hughes, Mr. Davis, Mr. Young of Alaska, and Mr. Lent: *Provided*, That Mr. Shumway is appointed in place of Mr. Young of Alaska for consideration of title I and section 2004 of the House bill, and title I and section 405 of the Senate amendment.

From the Committee on Public Works and Transportation, for consideration of the House bill (except title VIII), and the Senate amendment (except sections 601 and 602), and modifications committed to conference: Mr. Anderson, Mr. Roe, Mr. Mineta, Mr. Oberstar, Mr. Nowak, Mr. Hammerschmidt, Mr. Shuster, and Mr. Stangeland: *Provided*, That Mr. Kolter is appointed in place of Mr. Anderson for consideration of section 4114 of the House bill; Mr. Rahall is appointed in place of Mr. Roe for consideration of title VII of the House bill, and sections 205, 309, 354, and 356 of the

Senate amendment; Mr. Laughlin is appointed in place of Mr. Roe for consideration of sections 1002 and 1004 of the House bill, and corresponding portions of section 102 of the Senate amendment; Mr. Borski is appointed in place of Mr. Roe for consideration of sections 4101 through 4205 of the House bill, and corresponding portions of the Senate amendment; and Mr. Upton is appointed in place of Mr. Shuster for consideration of section 4203 of the House bill and section 203 of the Senate amendment.

From the Committee on Foreign Affairs, for consideration of title III of the House bill, and sections 603 and 604 of the Senate amendment, and modifications committed to conference: Mr. Fascell, Mr. Yatron, Mr. Owens of Utah, Mr. Lantos, Mr. Feighan, Mr. Broomfield, Mr. Bereuter, and Mr. Miller of Washington.

From the Committee on Science, Space, and Technology, for consideration of title VII of the House bill, and sections 205, 309, 354, and 506 of the Senate amendment, and modifications committed to conference: Mr. Roe, Mr. Scheuer, Mr. Brown of California, Mrs. Lloyd, Mr. Walgren, Mr. Walker, Ms. Schneider and Mr. Morrison of Washington.

From the Committee on Interior and Insular Affairs, for consideration of title I and section 2004 of the House bill, and title I and section 405 of the Senate amendment, and modifications committed to conference: Mr. Udall, Mr. Miller of California, Mr. Sharp, Mr. Young of Alaska, and Mr. Craig.

From the Committee of Interior and Insular Affairs, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committee to conference: Mr. Udall, Mr. Miller of California, Mr. Sharp, Mr. Vento, Mr. DeFazio, Mr. Young of Alaska, Mr. Marlenee, and Mr. Craig.

From the Committee on Energy and Commerce, for consideration of sections 8103, 8201, and 8202 of the House bill, and section 601 of the Senate amendment, and modifications committed to conference: Mr. Dingell, Mr. Hall of Texas, and Mr. Lent.

From the Committee on Merchant Marine and Fisheries, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committed to conference: Mr. Jones of North Carolina, Mr. Tauzin, Mr. Carper, Mr. Davis, and Mr. Fields.

From the Committee on Public Works and Transportation, for consideration of title VIII of the House bill, and sections 601 and 602 of the Senate amendment, and modifications committed to conference: Mr. Anderson, Mr. Mineta, Mr. Nowak, Mr. Hammerschmidt, and Mr. Stangeland.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2061. An act to authorize appropriations to carry out the Magnuson Fishery Conservation and Management Act through fiscal year 1993; and

H.R. 2190. An act to establish national voter registration procedures for elections for Federal office, and for other purposes.

ENROLLED BILL SIGNED

At 5:45 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3952. to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore [Mr. BYRD].

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 2061. An act to authorize appropriations to carry out the Magnuson Fishery Conservation and Management Act through fiscal year 1993, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2190. An act to establish national voter registration procedures for elections for Federal office, and for other purposes.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, February 8, 1990, he had presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 103. Joint resolution to designate the period commencing February 18, 1990, and ending February 24, 1990, as "National Visiting Nurse Associations Week"; and

S.J. Res. 217. Joint resolution to designate the period commencing February 4, 1990, and ending February 10, 1990, and the period commencing February 3, 1991, and ending February 9, 1991, as "National Burn Awareness Week."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation:

Susan M. Coughlin, of Pennsylvania, to be a member of the National Transportation Safety Board for the term expiring December 31, 1993;

James L. Kolstad, of Colorado, to be chairman of the National Transportation Safety Board for a term of two years;

Barry Lambert Harris, of Maine, to be Deputy Administrator of the Federal Aviation Administration;

Edward J. Philbin, of California, to be a member of the Interstate Commerce Commission for a term expiring December 31, 1993;

John W. Lyons, of Maryland, to be Director of the National Institute of Standards and Technology;

William D. Hathaway, of Maine, to be a Federal Maritime Commissioner for the term expiring June 30, 1993; and

Ervin S. Duggan, of South Carolina, to be a member of the Federal Communications Commission for a term of five years from July 1, 1989.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear before any duly constituted committee of the Senate.)

Mr. HOLLINGS. Mr. President, for the Committee on Commerce, Science, and Transportation, I also report favorably three nomination lists in the Coast Guard which were printed in full in the CONGRESSIONAL RECORDS of January 25 and February 5, 1990, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ADAMS (for himself, Mr. MITCHELL, and Mr. PACKWOOD):

S. 2105. A bill to amend the District of Columbia Appropriations Act, 1990; to the Committee on Appropriations.

By Mr. THURMOND:

S. 2106. A bill to provide that a justice or judge convicted of a felony shall be suspended from office without pay; to the Committee on the Judiciary.

By Mr. GRAHAM:

S. 2107. A bill to temporarily suspend the duty on copper acetate monohydrate; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. CRANSTON, Mr. HEFLIN, Mr. BENTSEN, Mr. WILSON, Mr. DASCHLE, Mr. CONRAD, Mr. PACKWOOD, Mr. HARKIN, Mr. PRYOR, Mr. KERREY, Mr. BOREN, Mr. SHELBY, Mr. BUMPERS, Mr. KOHL, Mr. LIEBERMAN, Mr. BAUCUS, Mr. KENNEDY, and Mr. KERRY):

S. 2108. A bill to promote the production of organically produced foods through the establishment of a national standard production for organically produced products and providing for the labeling of organically produced products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DIXON:

S. 2109. A bill to suspend temporarily the duty on parts of generators for use on aircraft; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2110. A bill to provide for the duty-free liquidation of certain entries; to the Committee on Finance.

By Mr. MATSUNAGA (for himself, Mr. INOUYE, Mr. SIMON, Mr. DOLE, Mr. ADAMS, Mr. BENTSEN, Mr. BRADLEY, Mr. BRYAN, Mr. BURDICK, Mr. CHAFEE, Mr. COCHRAN, Mr. CONRAD, Mr. D'AMATO, Mr. DECONCINI, Mr. DODD, Mr. GORTON, Mr. HEFLIN, Mr. HOLLINGS, Mr. LEVIN, Mr. LUGAR, Mr. MURKOWSKI, Mr. STEVENS, Mr. WILSON, and Mr. DASCHLE):

S. 2111. A bill designating the month of May as "Asian/Pacific American Heritage Month;" to the Committee on the Judiciary.

By Mr. METZENBAUM (for himself, Mr. KENNEDY, Mr. ADAMS, and Ms. MIKULSKI):

S. 2112. A bill to amend the National Labor Relations Act to prevent discrimination based on participation in labor disputes; to the Committee on Labor and Human Resources.

By Mr. HEINZ:

S. 2113. A bill to promote and assist in the development of the private sector, including small and medium-sized businesses, in Central and Eastern Europe through an export enhancement regime that will encourage direct private investment in such countries; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY (for himself, Mr. HATFIELD, Mr. MITCHELL, Mr. BYRD, Mr. PELL, Mr. GLENN, Mr. ROCKEFELLER, Mr. ADAMS, Mr. BINGAMAN, Mr. DODD, Mr. GORE, Mr. INOUYE, Mr. KERREY, Ms. MIKULSKI, Mr. SIMON, and Mr. STEVENS):

S. 2114. A bill to promote excellence in American mathematics, science, and engineering education; enhance the scientific and technical literacy of the American public; stimulate the professional development of scientists and engineers; provide for education, training, and retraining of the Nation's technologists; increase the participation of women and minorities in careers in mathematics, science, and engineering; and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ARMSTRONG:

S. 2115. A bill to temporarily suspend the duty on certain infant nursery monitors and intercoms; to the Committee on Finance.

S. 2116. A bill to temporarily suspend the duty on certain glass fibers; to the Committee on Finance.

By Mr. DECONCINI (for himself and Mr. MCCAIN):

S. 2117. A bill to designate certain lands as wilderness in the State of Arizona; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 2118. A bill to amend the Disaster Assistance Act of 1989 to require the Secretary of Agriculture to consider damaged crops and spring replacement crops as separate crops; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KASTEN (for himself and Mr. LEAHY):

S. 2119. A bill to amend the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, to increase the total amount of commitments which may be made to finance projects for housing and infrastructure in Israel for Soviet refugees, and for other purposes; to the Committee on Foreign Relations.

By Mr. DECONCINI:

S. 2120. A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate general election campaigns, to limit contributions by multicandidate political committees, and for other purposes; to the Committee on Rules and Administration.

By Mr. COATS:

S. 2121. A bill to promote excellence in American education by removing restrictions in Federal programs that limit the opportunities for open enrollment, by providing assistance to State educational agencies and local educational agencies that desire to adopt or expand open enrollment programs, by supporting research on open enrollment, and for other purposes; to the Committee on Labor and Human Resources.

S. 2122. A bill to establish a Bootstrap School Program; to the Committee on Labor and Human Resources.

S. 2123. A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of parental choice and open enrollment in public schools; to the Committee on Labor and Human Resources.

By Mr. HOLLINGS (for himself, Mr. DANFORTH, and Mr. GORE):

S. 2124. A bill to authorize appropriations for the National Space Council, and for other purposes; placed on the calendar.

By Mr. DODD (for himself, Mr. BIDEN, Mr. BUMPERS, Mr. SANFORD, and Mr. SASSER):

S. 2125. A bill to condition the availability of United States assistance for El Salvador; to the Committee on Foreign Relations.

By Mr. DANFORTH:

S. 2126. A bill to continue the temporary suspension of the duty on terfenadone; to the Committee on Finance.

S. 2127. A bill to continue the temporary suspension of the duty on nicotine resin complex; to the Committee on Finance.

By Mr. KERRY:

S. 2128. A bill to direct the Secretary of Veterans Affairs to establish and maintain a comprehensive services program for homeless veterans; to the Committee on Veterans Affairs.

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. BOREN, Mr. COCHRAN, Mr. DOLE, Mr. GARN, Mr. GRASSLEY, Mr. HEFLIN, Mr. LOTT, Mr. METZENBAUM, and Mr. RIEGLE):

S.J. Res. 255. Joint resolution designating the 1990 Filing Season, to be celebrated as the "20th Anniversary of the IRS-Sponsored Volunteer Programs Season"; to the Committee on the Judiciary.

By Mr. SIMON (for himself, Mr. WARNER, Mr. GORTON, Mr. DURENBERGER, Mr. COCHRAN, Mr. PELL, Mr. MITCHELL, Mr. MATSUNAGA, Mr. DOMENICI, Mr. BRADLEY, Mr. ADAMS, Mr. DIXON, Mr. SHELBY, Mr. PRESSLER, Mr. PRYOR, Mr. MOYNIHAN, Mr. ROCKEFELLER, Mr. THURMOND, Mr. DASCHLE, Mr. BURDICK, Mr. STEVENS, Mr. CONRAD, Mr. DOLE, Mr. JEFFORDS, Mr. CRANSTON, Mr. HEFLIN, and Mr. DODD):

S.J. Res. 256. Joint resolution to designate the week of October 7, 1990 through October 13, 1990, as "Mental Illness Awareness Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DECONCINI:

S. Res. 243. Resolution providing for the allocation of any peace dividend; to the Committee on Appropriations.

By Mr. BRYAN (for himself, Mr. HOLLINGS, Mr. DECONCINI, Mr. D'AMATO, Mr. ROCKEFELLER, Mr. REID, Mr. LIEBERMAN, Mr. GRAHAM, and Mr. PRYOR:

S. Res. 244. Resolution commending President Bush for promoting and participating in the drug summit in Colombia on February 15, 1990, and urging the President to take steps at the drug summit to promote the enactment and enforcement of chemical diversion laws; considered and agreed to.

By Mr. HATCH:

S. Con. Res. 92. Concurrent resolution to commemorate the Treaty of Amity and Commerce of 1833 between the United States and Thailand; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ADAMS (for himself, Mr. MITCHELL, and Mr. PACKWOOD):

S. 2105. A bill to amend the District of Columbia Appropriations Act; to the Committee on Appropriations.

AMENDMENT OF DISTRICT OF COLUMBIA APPROPRIATIONS ACT

Mr. ADAMS. Mr. President, today I am introducing legislation that will correct a grave injustice done to U.S. citizens living in the U.S. Capital. I am joined in this effort by the distinguished majority leader, Mr. MITCHELL, and the Senator from Oregon [Mr. PACKWOOD].

Mr. President, during our deliberations on the appropriations bill for the District of Columbia, the Congress agreed last year on language that had been the law on abortion throughout most of the decade of the 1980's, the law as to what would apply in the District of Columbia.

This language restricted the use of Federal funds for abortion, as was done in every other State and local jurisdiction in this country except for cases where the life of the mother is in danger or in cases of rape and incest.

However, President Bush wanted to impose his will on the people of the District of Columbia by threatening to veto the legislation unless the sole restriction was to instances where the life of the mother is in danger, and the District taxpayers' tax funds were also restricted.

I want to emphasize that the District taxpayers could not spend their own locally raised funds for the purpose they wished.

The President then rejected a compromise which would have given him the language he wanted, "only the life of the mother restriction," but would have preserved the rights of the District's citizens to have their elected officials decide how to use local tax revenue—I want to stress that, local tax revenues—for abortion.

This right of elected officials to determine how their money shall be spent is basic to all Americans. Government acts with the consent of the governed. In this instance, President Bush ignored the will of the citizens of the District of Columbia, who have no vote in Congress. He chose to use the full force of the Presidential power through use of the veto to bear on the powerless.

This act demonstrates the insensitivity of the President on this issue and his willingness to use any means possible to have his way on this issue, re-

gardless of what is right, the views of the Congress or the American people.

I am prepared to offer a similar provision to various legislation in order to give the President the opportunity to correct the wrong to some of our fellow citizens who happen to live in the Nation's Capital.

I am confident that when the time comes my colleagues will join with me, as they have in the past, to give the citizens of the District the same rights that other Americans enjoy, the right to spend their locally raised funds for the purposes they wish through the actions of their elected legislature on the right to choose with regard to abortion.

By Mr. THURMOND:

S. 2106. A bill to provide that a justice or judge convicted of a felony shall be suspended from office without pay; to the Committee on the Judiciary.

SUSPENSION OF JUDGES AND JUSTICES UPON A FELONY CONVICTION

Mr. THURMOND. Mr. President, I rise today to introduce legislation which provides that a justice or judge convicted of a felony shall be suspended from office without pay pending the disposition of impeachment proceedings.

Mr. President, I believe that the citizens of our country will agree that those who have been convicted of felonies should not occupy positions of trust and responsibility in our judicial branch of government. Under current constitutional law, however, it is possible for Federal judges who are appointed by the President, with the advice and consent of the Senate, to continue to serve and receive a salary after such a conviction. In order to remove these Federal judges, if they are unwilling to resign, it is necessary that they be impeached, a process which, due to the heavy workload of the House and Senate, may not take place for many, many months, even years, after the date of conviction.

The Congress now has the power to proceed against and impeach officers of the government, including judges, who have committed treason, bribery, or other high crimes and misdemeanors. However, when the courts of this Nation find a Federal judge guilty of a serious crime, he should not be allowed to remain on the bench hearing cases and receiving a salary pending impeachment proceedings by Congress. In recent cases in which Federal judges have been convicted of felonies, they continued to receive their salaries while serving time in prison. I find this totally unacceptable.

Mr. President, one way to address this intolerable situation would be by amending the Constitution. Therefore, on January 25, 1989, I introduced Senate Joint Resolution 11, a proposed amendment to the Constitution providing for forfeiture of office by government officials and judges convicted of felonies. The Judiciary Committee has been reluctant to act on this constitutional amendment. Rather than suffer further delays, I have prepared a statutory remedy which may accomplish the same purpose.

In summary, the legislation which I am introducing today will amend the U.S. Code so that a justice or judge convicted of a felony shall be suspended from office without pay pending the disposition of impeachment proceedings.

Mr. President, surely the framers of the Constitution did not intend for convicted felons to serve on the bench or to continue to receive compensation once found guilty of violating the trust we have bestowed upon them. I urge my colleagues to carefully consider this legislation and ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of title 28, United States Code, is amended by—

(1) inserting "(a)" before "Whenever the";

(2) adding at the end thereof the following:

"(b) Justices of the Supreme Court shall hold office during good behavior.

"(c) For purposes of the tenure or appointment of a justice, 'good behavior' shall not include any offense committed by a justice if the conviction of such offense is punishable by death or imprisonment for a term exceeding one year. Any justice so convicted shall be suspended from office without pay pending the disposition of impeachment proceedings.

SEC. 2. Sections 44(b), and 134(a) of title 28, United States Code, are each amended by adding at the end thereof the following: "For purposes of the tenure or appointment of a judge, 'good behavior' shall not include any offense committed by a judge if the conviction of such offense is punishable by death or imprisonment for a term exceeding one year. Any judge so convicted shall be suspended from office without pay pending the disposition of impeachment proceedings.

By Mr. LEAHY (for himself, Mr. CRANSTON, Mr. HEFLIN, Mr. BENTSEN, Mr. WILSON, Mr. DASCHLE, Mr. CONRAD, Mr. PACKWOOD, Mr. HARKIN, Mr. PRYOR, Mr. KERREY, Mr. BOREN, Mr. SHELBY, Mr. BUMPERS, Mr. KOHL, Mr. LIEBERMAN, Mr. BAUCUS, Mr. KENNEDY, and Mr. KERRY):

S. 2108. A bill to promote the production of organically produced foods through the establishments of a national standard production for organically produced products, and providing for the labeling of organically produced products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

ORGANIC FOODS PRODUCTION ACT

Mr. LEAHY. Mr. President, today, I am introducing the Organic Foods Production Act of 1990.

A majority of Agriculture Committee members, as well as a host of other Senators join me in sponsoring this legislation. They include: Senators BAUCUS, BENSTEN, BOREN, BUMPERS, CONRAD, CRANSTON, DASCHLE, HARKIN, HEFLIN, KENNEDY, KERREY of Nebraska, KERRY of Massachusetts, KOHL, LIEBERMAN, PACKWOOD, PRYOR, SHELBY, and WILSON.

Congressman PETER DEFAZIO will soon be introducing companion legislation in the House.

Consumers are worried about potential hazards of the foods they eat. Instead of finding safer alternatives on supermarket shelves, they are finding a myriad of confusing and unsubstantiated claims such as "organically grown" and "natural."

The Organic Foods Production Act of 1990 will help eliminate confusion, provide safer food alternatives, and give farmers incentives to use fewer chemicals. It has three goals:

1. CONSUMERS' RIGHT TO KNOW

A March 1989 Harris Poll showed that 84 percent of Americans want organic fruits and vegetables and nearly half are willing to pay more for it. Consumers who want organic food should get what they pay for.

Currently, 22 States have different regulations for organic foods, which confuses the issue for many consumers. This bill sets one tough national standard. Only foods meeting this standard will be stamped with the "organically produced" label.

Right now, unless there are legal restrictions on use of the word "organic," anyone can label anything as organic or natural regardless of how it was produced. Temptation for mislabeling is great because organic foods often sell at premium prices and some are even deliberately mislabeled.

Consumers are unable to distinguish phony claims from the real thing, born from innovative, nonchemical farming. This bill will ban misleading and fraudulent labeling, and self-proclaimed "natural" and "organic" products. Tough penalties will be imposed on cheaters.

Grocery stores are also confused and tend to avoid organic food. Conflicting standards, misleading labels, and problems with verification, discourage large grocery chains from buying organic products.

What will the "organically produced" label mean? It will mean food grown by farmers without using substances known to be harmful to health—such as synthetic pesticides,

hormones, or antibiotics—or to cause environmental pollution.

Farmers would refrain from using synthetic chemicals for at least a 3-year period before their products can be labeled "organic". The bill would also mandate periodic residue testing and periodic unannounced site inspections; and would allow States and/or independent agencies to run the certification program. States can also enact stronger standards.

2. A BETTER ENVIRONMENT

Excessive chemical use is fouling our food, soil, and water. EPA has found at least 77 pesticides in ground water of 39 States. Farmers are worried that prolonged exposure to pesticides places them and their families at risk.

A recent Iowa State University poll showed that 78 percent of Iowa farmers believe that modern farming relies too heavily on insecticides and herbicides.

Organic farming can be part of the solution by promoting ecological farming and improving food safety.

3. CHANGING THE WAY WE FARM

Current farm programs encourage chemical-intensive agriculture by discouraging crop rotations and limiting diversity. Current agricultural research favors high-input farming. This bill will help American farmers shed their dependency on synthetic pesticides and fertilizers.

Public concern about sodium and cholesterol have already fostered low-sodium and low-cholesterol products. As the public begins to trust and ask for food with the "organically produced" label, agriculture will respond, prompting a market-driven expansion of nonchemical farming.

Supermarkets, able to trust the "organically produced" label, will be more willing to carry organic food, generating increased consumer demand, thus contributing to more profitable farming.

A national organic promotion board will be established to foster and strengthen the organics industry. Board sponsored research and education will help foster sustainable agriculture.

This act requires the U.S. Department of Agriculture to establish an accreditation program for laboratories that test for pesticide residues in food. By meeting strict national standards, the reliability and accuracy of the tests preformed by such accredited facilities will be ensured.

This act also establishes a pilot program to explore the implications of a low input label for farmers who use low input sustainable agriculture methods of production.

In my home State of Vermont, the number of organic farmers has almost doubled in the last year. Vermont companies now produce organic dairy products, fresh produce, baby foods, and pasta.

The Vermont Chapter of NOFA—Natural Organic Farmers Association—is working with the State Department of Agriculture to run Vermont's strong and growing organic certification program.

This bill represents the efforts of many environmental, public citizen, and farm groups throughout the country. I would particularly like to thank the Organic Foods Act Working Group [OFAWG]; the Organic Farming Associations' Council [OFAC]; the Organic Foods Alliance [OFA]; and the United Fresh Fruit and Vegetable Association, which has led the way to develop a national organic certification program. All of these groups have spent enormous amounts of energy helping to develop this legislation.

Finally, I would like to thank a few fellow Vermonters who have also been a great help. They are Enid Wannacott and Grace Gershuny of NOFA, and Will Stevens, whose successful organic farm in Bridgeport, is a fine example of the way farms could be run across the country.

Mr. President, I ask unanimous consent that the full text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2108

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Organic Foods Production Act of 1990".

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings and purposes.
TITLE I—NATIONAL STANDARDS GOVERNING THE ORGANIC PRODUCTION OF AGRICULTURAL PRODUCTS
Sec. 101. Definitions.
Sec. 102. National organic production program.
Sec. 103. Establishment of label.
Sec. 104. General requirements.
Sec. 105. State organic certification program.
Sec. 106. Accreditation program.
Sec. 107. Requirements of certifying agents.
Sec. 108. Inspectors.
Sec. 109. Peer review of certifying agents.
Sec. 110. National standards for organic production.
Sec. 111. National list.
Sec. 112. Prohibited crop production practices and materials.
Sec. 113. Contents of organic farm plan.
Sec. 114. Animal production practices and materials.
Sec. 115. Post-harvest handling.
Sec. 116. Processing and marketing.
Sec. 117. Labeling of ingredients.
Sec. 118. Additional guidelines.
Sec. 119. Other production and handling practices.
Sec. 120. Violations of Act.
Sec. 121. Citizen suits.
Sec. 122. Administration.
Sec. 123. Authorization of appropriations.
TITLE II—NATIONAL BOARDS
Sec. 201. Definitions.
Sec. 202. National organic promotion program.
Sec. 203. Issuance of orders.
Sec. 204. Required terms of orders.
Sec. 205. Initial national organic delegate body.
Sec. 206. Duties of the delegate body.
Sec. 207. Initial national organic board.
Sec. 208. Initial organic standards board.
Sec. 209. Referendum.
Sec. 210. Establishment of national organic assembly.
Sec. 211. Duties of national organic assembly.
Sec. 212. National organic board.
Sec. 213. Assessments.
Sec. 214. Organic standards board.
Sec. 215. Proposed national list.
Sec. 216. Permissive terms of orders.
Sec. 217. Petition and review.
Sec. 218. Enforcement.
Sec. 219. Investigations and power to subpoena.
Sec. 220. Refund of assessments.
Sec. 221. Suspension and termination.
Sec. 222. Regulations.
Sec. 223. Authorization of appropriations.
TITLE III—LOW INPUT LABEL DEMONSTRATION PROGRAM
Sec. 301. Definitions.
Sec. 302. National label demonstration program.
Sec. 303. Administration.
Sec. 304. Establishment of labels.
Sec. 305. Reports.
Sec. 306. Authorization of appropriations.
TITLE IV—NATIONAL LABORATORY ACCREDITATION
Sec. 401. Purposes.
Sec. 402. Definitions.
Sec. 403. National laboratory accreditation program.
Sec. 404. Accreditation.
Sec. 405. Samples.
Sec. 406. Application.
Sec. 407. Reporting.
Sec. 408. Fees.
Sec. 409. Public disclosure.
Sec. 410. Regulations.
Sec. 411. Authorization of appropriations.
Sec. 412. Effective date.

SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) consumers are demanding fresh and processed foods produced using organic methods;

(2) organic farming methods promote more sustainable agricultural practices than traditional farming methods using high levels of chemicals;

(3) existing rules that govern the labeling of fresh and processed food do not provide national standards for food production;

(4) while some regional variation is necessary and desirable, current State and private organizations have such differing organic definitions, standards, and certification procedures that interstate commerce is hampered; and

(5) there is a need for a national program designed to standardize and promote the production of food through organic and sustainable farming methods.

(b) PURPOSES.—It is the purpose of this Act—

(1) to establish national standards governing the labeling of certain agricultural products as organically produced products;

(2) to provide consumers with reliable information concerning which products are organically produced;

(3) to assure consumers that products labeled as organically produced are not produced with, or handled with, compounds that cause adverse human health or environmental effects;

(4) to encourage environmental stewardship through the increased adoption of organic and sustainable farming methods;

(5) to assist emerging and important food industry sectors that produce, process, and market organically produced products;

(6) to provide market incentives to encourage the use of organic and sustainable farming practices;

(7) to preserve the integrity of organic food programs that have been implemented by States and encourage other States to adopt organic food programs;

(8) to facilitate interstate commerce in fresh and processed food that is organically produced; and

(9) to establish accreditation procedures for laboratories that provide certain chemical residue testing services.

TITLE I—NATIONAL STANDARDS GOVERNING THE ORGANIC PRODUCTION OF AGRICULTURAL PRODUCTS

SEC. 101. DEFINITIONS.

As used in this title:

(1) AGRICULTURAL PRODUCTS.—The term "agricultural products" means any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock, or fowl that is marketed in the United States for human and livestock consumption.

(2) CERTIFYING AGENT.—The term "certifying agent" means the chief executive officer of a State or, in a State that provides for the Statewide election of a Commissioner of Agriculture, the Commissioner of Agriculture, or an individual (including private entities) who is accredited by the Secretary as a certifying agent for the purpose of certifying a farm or handling operation as an organically certified farm or handling operation in accordance with this title.

(3) CERTIFIED ORGANIC FARM.—The term "certified organic farm" means a farm, or portion of a farm, that is certified by the certifying agent under this title as utilizing a system of organic farming as described by this title.

(4) CERTIFIED ORGANIC HANDLING OPERATION.—The term "certified organic handling operation" means any operation, or portion of any handling operation, that is certified by the certifying agent under this title as utilizing a system of organic handling as described under this title.

(5) CROP YEAR.—The term "crop year" means the normal growing season for a crop as determined by the Secretary.

(6) GOVERNING STATE OFFICIAL.—The term "governing State official" means the chief executive official of a State or, in a State that provides for the Statewide election of a Commissioner of Agriculture, the Commissioner of Agriculture, who administers the organic certification program established under section 102(a) and approved by the Secretary.

(7) GROWING MEDIUM.—The term "growing medium" means a substance that provides nutrients for plants or fungi but that is separate from the land surface.

(8) HANDLE.—The term "handle" means to sell, process, or package organically produced agricultural products.

(9) HANDLER.—The term "handler" means any individual engaged in the business of handling agricultural products.

(10) HANDLING OPERATION.—The term "handling operation" means any operation or portion of an operation that—

(A) receives or otherwise acquires agricultural products from the producer of such products; and

(B) processes, packages, or stores such products.

(11) INDIVIDUAL.—The term "individual" means a person, group of people, corporation, association, organization, cooperative, or other entity.

(12) MICRONUTRIENTS.—The term "micronutrients" means trace or minor elements in the soil that are essential for normal plant growth.

(13) NATIONAL LIST.—The term "National List" means a list of approved and prohibited substances as provided for in section 111.

(14) ORGANIC FARM PLAN.—The term "organic farm plan" means a plan of management of an organic farm that has been agreed to by the producer and the certifying agent and that includes written plans concerning all aspects of agricultural production described in this title including crop rotation and other practices as required under section 107.

(15) ORGANICALLY PRODUCED.—The term "organically produced" means an agriculture product that is produced using organic farming methods as described in this title, on an organically certified farm and handled by organically certified handling operations.

(16) ORGANICALLY PRODUCED LABEL.—The term "organically produced label" means a label that is established under section 103.

(17) PESTICIDE.—The term "pesticide" means any substance which alone, in chemical combination, or in any formulation with one or more substances, is defined as a pesticide in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(18) PROCESSING.—The term "processing" means cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, preserving, dehydrating, freezing, or otherwise manufacturing, and includes the packaging, canning, jarring, or otherwise enclosing food in a container.

(19) PRODUCER.—The term "producer" means an individual who engages in the business of growing or producing food for consumption by humans or livestock.

(20) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(21) STATE ORGANIC CERTIFICATION PROGRAM.—The term "State organic certification program" means a program that meets the requirements of section 104, is approved by the Secretary, and that is designed to ensure that a product that is labeled as "organically produced" under this title is produced and handled using organic methods.

(22) SYNTHETIC.—The term "synthetic" means a substance that is formulated or manufactured by a process which chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, excepting microbiological processes.

SEC. 102. NATIONAL ORGANIC PRODUCTION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish an organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this title.

(b) STATE PROGRAM.—In establishing the program under subsection (a), the Secretary shall permit each State to implement a State organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this title.

(c) CONSULTATION.—In developing the program under subsection (a), and the National List under section 111, the Secretary shall consult with any Organic Standards Board or Initial Organic Standards Board established under title II.

(d) LABELING.—Each certifying agent may label agricultural products that have been produced on organically certified farms and handled through certified handling operations as "organically produced".

(e) CERTIFICATION.—Each certifying agent may certify a farm or handling operation that meets the requirements of this title and the requirements of the organic certification program of the State (if applicable) as an organically certified farm or handling operation.

SEC. 103. ESTABLISHMENT OF LABEL.

(a) IN GENERAL.—The Secretary shall establish a label to be affixed to agricultural products that have been produced on organically certified farms and have been handled by organically certified handlers.

(b) CONTENT OF LABEL.—The label established under subsection (a) shall state that the agricultural product to which such label is affixed has been "organically produced" and shall bear the seal of the Department of Agriculture.

(c) AFFIXING LABEL.—

(1) REQUIREMENT.—The Secretary or certifying agent may affix such label only on an agricultural product that has been produced and handled in accordance with this title and the organic certification program of the State (if applicable) that is implemented in accordance with this title.

(2) AFFIXATION.—The Secretary or the certifying agent shall have the exclusive authority to affix such label to an agricultural product.

(d) TAMPERING WITH LABEL.—No individual may replicate, affix, or otherwise tamper with an organically produced label in any manner other than a normal consumer use, as determined by the Secretary.

(e) LIMITATION ON LABELING.—

(1) RESTRICTION.—On or after September 1, 1992, no individual may affix a label to an agricultural product that implies, directly or indirectly, that such product is organically, naturally, or ecologically produced, grown, processed, or marketed, except in accordance with this title and under an approved State organic certification program implemented under this title.

(2) EXEMPTION.—Paragraph (1) shall not apply to individuals who sell agricultural products at local farmers markets if compensation for the sale of such products does not exceed $1,000 annually.

(3) EXEMPTION FOR IMPORTED PRODUCTS.—Paragraph (1) shall not apply to imported agricultural products with labels that imply that such product is organically or naturally produced if the Secretary determines that such products have been produced and handled under an organic program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of this Act.

(f) STATE LABEL.—The certifying agent, on the approval of the Secretary, may affix an additional label to an agricultural product that indicates the State origin and certifying body of such product.

SEC. 104. GENERAL REQUIREMENTS.

(a) IN GENERAL.—A program established under this title shall—

(1) require that each agricultural product that bears an organically produced label must—

(A) be produced only on organically certified farms and handled only through organically certified handling operations in accordance with this title; and

(B) be produced and handled in accordance with such program;

(2) require that producers desiring to participate under such program establish an organic farm plan under section 113;

(3) establish procedures that permit producers and handlers to appeal an adverse administrative determination under this title;

(4) require that each organic farming operation or each organic handling operation covered under such program certify to the Secretary, the governing State official (if applicable), and the certifying agent on an annual basis, that such producer or handler has not produced or handled any agricultural product bearing an organically produced label except in accordance with this title and any applicable State program;

(5) require annual on-site inspections of each farm and handling operation that has been certified under this title;

(6) require periodic residue testing of agricultural products that have been produced on organically certified farms and handled through organically certified handling operations to determine whether such products contain any pesticide or other nonorganic residue or natural toxicants;

(7) establish appropriate and adequate enforcement procedures, as determined by the Secretary to be necessary and consistent with section 120;

(8) establish regulations to protect against conflict-of-interest as specified under section 107(i);

(9) require public access to certification documents and laboratory analyses that support certifications under this title; and

(10) require such other terms and conditions as may be determined by the Secretary to be necessary.

(b) DISCRETIONARY REQUIREMENTS.—An organic certification program established under this title may—

(1) provide for the collection of reasonable fees from producers and handlers who participate in such program; and

(2) provide for the certification of an entire farm or handling operation or specific fields of a farm or parts of a handling operation if—

(A) in the case of a farm, the fields to be certified have distinct, defined boundaries and buffer zones separating the land being operated through the use of organic methods from land that is not being operated through the use of such methods;

(B) in the case of a handling operation, the part of a handling operation to be certified under this title is adequately separated, as determined by the certifying agent, from other parts of the handling operation that are not organically managed;

(C) the operators of such farm or handling operation maintain separate records of all operations and make such records available at all times for inspection by the Secretary, the certifying agent, and the governing State official; and

(D) appropriate physical facilities, machinery, and management practices are established to prevent the possibility of a mixing of organic and nonorganic products or a penetration of prohibited chemicals or other substances on the certified land or area.

(c) STATE PROGRAM.—A State organic certification program approved under this title may contain additional guidelines governing the production or handling of products labeled as organically produced in such State as required in section 105.

SEC. 105. STATE ORGANIC CERTIFICATION PROGRAM.

(a) IN GENERAL.—A State may establish a State organic certification program that meets the requirements of this title.

(b) ADDITIONAL REQUIREMENTS.—

(1) AUTHORITY.—A State organic certification program established under subsection (a) may contain more restrictive requirements governing the organic certification of farms and handling operations and the production and handling of agricultural products that are to be labeled as organically produced under this title than are contained in the program established by the Secretary.

(2) CONTENT.—Additional requirements established under paragraph (1) shall—

(A) further the purposes of this title;

(B) not be inconsistent with this title;

(C) not be discriminatory towards agricultural commodities produced in other States that are certified under this title; and

(D) be approved by the Secretary.

(c) SUBMISSION TO THE SECRETARY.—

(1) INITIAL PLAN.—The governing State official shall prepare and submit, to the Secretary, a plan for the establishment of a State organic certification program, and the Secretary shall approve or disapproves of such plan.

(2) SUBSEQUENT REVIEW.—The Secretary shall review programs established under plans approved under paragraph (1) not less than once during each 5-year period following the date of the approval of such program under paragraph (1).

(3) CHANGES IN PROGRAM.—The governing State official, prior to implementing any substantive change to programs approved under paragraph (1), shall submit such change to the Secretary for approval.

(4) TIME FOR DETERMINATION.—The Secretary shall make a determination concerning any plan, proposed change to a plan, or a review of a plan not later than 6 months after receipt of such plan, such proposed change, or the initiation of such review.

SEC. 106. ACCREDITATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish and implement a program to provide a governing State official or a private individual that meets the requirements of this section, with an accreditation as a certifying agent for the purpose of certifying a farm or handling operation as an organically certified farm or handling operation.

(b) REQUIREMENTS.—To be accredited as a certifying agent under this section, a governing State official or private individual shall—

(1) prepare and submit, to the Secretary, an application for such accreditation;

(2) have sufficient expertise in organic farming and handling techniques; and

(3) comply with the requirements of this title.

(c) DURATION OF DESIGNATION.—An accreditation made under this section shall be for a period of not to exceed 4 years, or a shorter period, as determined appropriate by the Secretary.

SEC. 107. REQUIREMENTS OF CERTIFYING AGENTS.

(a) ABILITY TO IMPLEMENT REQUIREMENTS.—To be accredited as a certifying agent under section 106, a governing State official or an individual must be able to fully implement the organic labeling program established under this title.

(b) USE OF ORGANICALLY PRODUCED LABEL.—A certifying agent shall use the organically produced label only in accordance with this title and the State organic certification program (if applicable).

(c) INSPECTORS.—A certifying agent shall employ a sufficient number of inspectors as necessary to implement the program established under this title, as determined appropriate by the Secretary.

(d) RECORDKEEPING.—

(1) MAINTENANCE OF RECORDS.—A certifying agent shall maintain all records concerning the activities of such agent under this title for a period of not less than 10 years.

(2) ACCESS FOR SECRETARY.—A certifying agent shall permit representatives of the Secretary and the governing State official to have access to any and all records concerning the activities of such agent under this title.

(3) TRANSFERENCE OF RECORDS.—If a private individual that has been accredited as a certified agent under section 106 is dissolved or loses its accreditation, all records concerning activities of such individual under this title shall become the property of the Secretary and shall be transferred to the Secretary.

(e) AGREEMENT.—A certifying agent shall enter into an agreement with the Secretary under which, such agent shall—

(1) agree to carry out this title;

(2) agree to such other terms and conditions as the Secretary determines appropriate; and

(3) agree to arrange for and submit, annually to the Secretary, the results of an independent audit of the operations and activities of such agent under this title.

(f) PRIVATE CERTIFYING AGENT AGREEMENT.—A private individual that has been accredited as a certifying agent under section 106, in addition to the agreement required under subsection (e), shall—

(1) agree to hold the Secretary harmless for any failure on the part of the agent to carry out this title; and

(2) furnish reasonable security, in an amount determined by the Secretary, for the purpose of protecting the rights of participants in the program established under this title and to hold the Secretary harmless for any failure on the part of such agent to carry out this title.

(g) COMPLIANCE WITH STATE PROGRAM.—A certifying agent shall fully comply with the terms and conditions of the applicable State organic certification program implemented under this title.

(h) CONFIDENTIALITY.—Except as provided in section 104(a)(9), a certifying agent shall maintain strict confidentiality, with respect to the clients of such agent, and shall not disclose to third parties (with the exception of the Secretary or the applicable governing State official) any business related information concerning such client that was obtained while the agent was implementing this title.

(i) CONFLICT OF INTEREST.—A certifying agent shall not—

(1) carry out any inspections of any operation in which such agent, or employee of such agent has, or has had, a commercial interest in, including the provision of consultancy services by such agent;

(2) accept payment, gifts, or favors of any kind from the business inspected that is in excess of prescribed fees; or

(3) provide advice concerning organic practices or techniques for a fee, other than for fees established under such program.

(j) ADMINISTRATOR.—A certifying agent that is a private individual shall designate the person who controls the day to day operations of the agent and who shall be responsible for all matters in connection with the activities of the agent under this title.

(k) SALE OF NON-ORGANIC PRODUCTS.—A certifying agent shall not permit any individual certified by such agent under this title to deliver or sell any agricultural commodities labeled as organically produced under this title if such commodities do not meet the requirements of this title.

(l) LOSS OF ACCREDITATION.—

(1) NONCOMPLIANCE.—If the Secretary or the governing State official (if applicable) determines that a certifying agent is not in compliance with this title, the Secretary or such governing State official may suspend the accredidation of such agent.

(2) EFFECT ON CERTIFIED OPERATIONS.—If the accredidation of a certifying agent is suspended under paragraph (1), the Secretary or the governing State official (if applicable) shall promptly determine whether farming or handling operations certified by such agent may retain their organic certification.

SEC. 108. INSPECTORS.

(a) NUMBER.—A certifying agent shall employ a sufficient number of inspectors that have knowledge of organic farming or organic handling operations to carry out this title, as determined appropriate by the Secretary and the governing State official (if applicable).

(b) FARMING OPERATIONS.—Inspectors employed by the certifying agent under subsection (1) to inspect organic farming operations shall be qualified to perform such inspections based on the education and training of such inspectors, as determined appropriate by the Secretary and the governing State official (if applicable). Such inspectors should have a minimum of 5 years experience in organic farming or organic production.

(c) HANDLING OPERATIONS.—Inspectors employed by the certifying agent under subsection (1) to inspect organic handling operations shall be qualified to perform such inspection based on the education and training of such inspectors, as determined appropriate by the Secretary and the governing State official (if applicable). Such inspectors should have a minimum of 5 years experience in the organic production of food or in appropriate food industry experience.

(d) LIST OF INSPECTORS.—A certifying agent shall maintain a list of all inspectors employed by such agent and shall furnish such list to the Secretary and the governing State official (if applicable) annually.

SEC. 109. PEER REVIEW OF CERTIFYING AGENTS.

(a) PEER REVIEW.—In determining whether to approve an application for accreditation submitted under section 106, the Secretary shall consider a report concerning such applicant that shall be prepared by a peer review panel established under subsection (b).

(b) PEER REVIEW PANEL.—To assist the Secretary in evaluating applications under section 106, the Secretary shall establish a panel of not less than three persons who have expertise in organic farming and handling methods, to evaluate the State or private individual that is seeking accredidation as a certifying agent under such section. Not less than two members of such panel shall be individuals who are not employees of the Department of Agriculture or of the applicable State government.

SEC. 110. NATIONAL STANDARDS FOR ORGANIC PRODUCTION.

(a) ORGANICALLY PRODUCED PRODUCTS.—To be label as an organically produced agricultural commodity under this title, such commodity shall meet the minimum standards established under this section.

(b) PROHIBITED PRACTICES.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall not have been produced through the use of any production practices that are prohibited under this title during the greater of 3 crop years or 3 calendar years prior to the crop year during which such agricultural product is produced.

(c) HANDLING.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall be handled in accordance with this title and the applicable State organic certification program.

(d) SYNTHETIC CHEMICALS.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall have been produced—

(1) without the use of synthetic chemicals; and

(2) on land that has not had synthetic chemicals applied during the greater of 3 crop years or 3 calendar years prior to the crop year during which such product is produced.

(e) SOIL QUALITY.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall not have been produced on soil or in any growing medium that has been determined by the certifying agent (after appropriate soil testing) to contain levels of chemical residue that are likely to result in unsafe residue levels in any food produced on such soil.

(f) SOIL BUILDING.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall have been produced using practices that replenish and maintain soil fertility by providing optimal conditions for soil biological activity.

(g) COMPLIANCE WITH ORGANIC FARM PLAN.—To be labeled as an organically produced agricultural product under this title, an agricultural commodity shall be produced in compliance with an organic farm plan agreed to by the producer of such product and the governing State official (if applicable).

SEC. 111. NATIONAL LIST.

(a) IN GENERAL.—The Secretary shall establish a National List of approved and prohibited substances that shall be included in the standards for organic production established under this title in order for such products to be labeled as organically produced under this title.

(b) CONTENT OF LIST.—

(1) ITEMIZATION OF SUBSTANCES.—The List established under subsection (a) shall contain an itemization of—

(A) the specific synthetic substances that may be used in the production and handling of agricultural products labeled as organically produced under this title, even though the use of such substances is prohibited elsewhere in this title; or

(B) the specific natural substances that may not be used in the production and handling of agricultural products labeled as organically produced under this title, even though the use of such substances would be allowed under other provisions of this title.

(2) SPECIFIC USES.—An exemption granted under paragraph (1)(A) or the prohibition contained in paragraph (1)(B) with respect to a specific synthetic or natural substance shall be limited to a specific use of such substance in a farming or handling operation.

(c) GUIDELINES FOR PROHIBITIONS OR EXEMPTIONS.—

(1) EXEMPTION FOR PROHIBITED SUBSTANCES.—The National List may provide for the use of substances in an organic farming or handling operation that are otherwise prohibited under this title only if—

(A) the Secretary determines that the use of such substances—

(i) would not be harmful to human health or the environment;

(ii) is necessary to the production or handling of the crop because of the unavailability of wholly natural substitute products; and

(iii) is consistent with organic farming procedures; and

(B) the specific exemption is developed using the procedures described in subsection (d).

(2) PROHIBITION OF USE OF SPECIFIC NATURAL SUBSTANCES.—The National List may provide for the prohibition of the use of specific natural substances in an organic farming or handling operation that are otherwise permitted under this title only if—

(A) the Secretary determines that the use of such substances—

(i) would be harmful to human health or the environment; and

(ii) is inconsistent with organic farming procedures and the purposes of this title; and

(B) the specific prohibition is developed using the procedures described in subsection (d).

(d) PROCEDURE FOR ESTABLISHING NATIONAL LIST.—

(1) IN GENERAL.—The National List established by the Secretary shall be based on a proposed national list or proposed amendments to the National List that is developed by the Organic Standards Board (or the Initial Organic Standards Board, as applicable).

(2) NO ADDITIONS.—The Secretary shall not include exemptions for the use of specific synthetic substances in the National List other than those exemptions contained in the proposed national list or proposed amendments to the National List.

(3) NOTICE AND COMMENT.—Prior to establishing the National List or making amendments to such, the Secretary shall provide for the publishing of the proposed national list or any proposed amendments to the National List in the Federal Register and seek public comment on such proposals. The Secretary shall include in such publication any changes to such proposed list or amendments recommended by the Secretary.

(4) PUBLICATION OF NATIONAL LIST.—After evaluating all comments received concerning the proposed national list or proposed amendments to the National List, the Secretary shall publish the final National List in the Federal Register, together with a discussion of comments received.

(e) SUNSET PROVISION.—No exemption or prohibition contained in the National List shall be valid unless the National Organic Board has reviewed such exemption or prohibition as required under title II within 5 years of such exemption or prohibition being adopted.

SEC. 112. PROHIBITED CROP PRODUCTION PRACTICES AND MATERIALS.

(a) SEED, SEEDLINGS AND PLANTING PRACTICES.—

(1) PROHIBITED PRACTICES.—For a farm to be certified under this title, producers on such farm shall not—

(A) use synthetic pesticides or soil fumigants in any seedlings or plant materials produced on such farm for organic production;

(B) except as provided in paragraph (2), use synthetic-pesticide-treated-seeds; or

(C) apply materials to, or engage in practices on, seeds or seedlings that are determined by the Secretary or by the applicable governing State official to be contrary to, or inconsistent with, this title or the applicable State organic certification program.

(2) SYNTHETIC-PESTICIDE-TREATED-SEED.—A producer may use specific synthetic-pesticide-treated-seed on such farm under paragraph (1) prior to January 1, 1995, if such specific use is authorized under the applicable State organic certification program.

(b) IRRIGATION WATER.—For a farm to be certified under this title, producers on such farm shall not use irrigation water for the production of agricultural products unless such water has been analyzed for quality, salinity, and purity and such analysis has been submitted for the approval of the certifying agent.

(c) SOIL AMENDMENTS.—For a farm to be certified under this title, producers on such farm shall not—

(1) use any fertilizers containing synthetic ingredients or any commercially blended fertilizers containing materials prohibited under this title or under the applicable State organic certification program;

(2) use as a source of nitrogen—

(A) anhydrous ammonia;

(B) ammonium nitrate;

(C) contaminated organic materials; or

(D) mixed synthetic sources of soluble nitrates at high concentrations for the sole purpose of increasing production;

(3) use as a source of phosphorus—

(A) ordinary or triple superphosphate; or

(B) any excessively soluble material, acidifying material, or both, with a high salt index;

(4) use quicklime or slaked or hydrated lime applied to the soil as a source of calcium;

(5) use as a source of micronutrients—

(A) chemically fortified liquid; or

(B) excessive doses of any micronutrient, as determined by the certifying agent; and

(6) use any synthetic growth promoters or synthetic growth regulators.

(d) CROP MANAGEMENT.—

(1) PEST CONTROL.—For a farm to be certified under this title, producers on such farm shall not—

(A) use synthetic pesticides;

(B) use traps containing prohibited pesticides, unless authorized in writing by the applicable governing State official with the approval of the Secretary; and

(C) use natural poisons such as arsenic or lead salts that have long-term effects and persist in the environment, as determined by the applicable governing State official or the Secretary.

(2) WEED CONTROL.—For a farm to be certified under this title, producers on such farm shall not—

(A) use synthetic or petroleum-distillate pesticides;

(B) use synthetic growth regulators;

(C) use micronutrients at toxic levels to kill weeds in crops that tolerate excess micronutrients, such as boron in beet production, as determined by the applicable governing State official or the Secretary; or

(D) use plastic mulches, unless such mulches are removed at the end of each growing or harvest season.

(3) DISEASE CONTROL.—For a farm to be certified under this title, producers on such farm shall not use synthetic fungicides, fumigants, synthetic sterilizing agents, or synthetic bactericidal agents for the purpose of controlling diseases.

SEC. 113. CONTENTS OF ORGANIC FARM PLAN.

(a) IN GENERAL.—A producer seeking certification under this title shall submit an organic farm plan to the certifying agent that meets the requirements of this title and the State organic certification program (if applicable), and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of such programs.

(b) SOIL FERTILITY.—An organic farm plan shall contain provisions designed to foster soil fertility, primarily through the management of the organic content of the soil through proper tillage, crop rotation, and manuring.

(c) CROP ROTATION.—An organic farm plan shall require producers to rotate, according to an established crop rotation plan, each crop, except—

(1) perennial crops;

(2) crops included in a permaculture system;

(3) crops grown in a container or other growing medium; or

(4) crops grown on a non-rotating basis in accordance with regional organic practices, as determined by the applicable governing State official or the Secretary.

(d) CROP ROTATION PLAN.—An organic farm plan shall include a crop rotation plan that has been agreed to by the producer and the applicable governing State official.

(e) MANURING.—

(1) INCLUSION IN ORGANIC FARM PLAN.—An organic farm plan shall contain terms and conditions that regulate the application of manure to crops.

(2) APPLICATION OF MANURE.—Such organic farm plan shall provide that raw manure may be applied to—

(A) any green manure crop;

(B) any perennial crop;

(C) any crop not for human consumption; and

(D) any crop for human consumption, if such crop is harvested after a reasonable period of time after the most recent application of raw manure, determined by the certifying agent to ensure the safety of such crop, but in no event shall such period be less than 60 days after such application.

(3) CONTAMINATION BY MANURE.—Such organic farm plan shall prohibit raw manure from being applied to any crop in a way that significantly contributes to water contamination by nitrates.

(f) LIMITATION ON CONTENT OF PLAN.—An organic farm plan shall not include any production practices that are inconsistent with this title and the applicable State organic certification program.

SEC. 114. ANIMAL PRODUCTION PRACTICES AND MATERIALS.

(a) ORGANICALLY PRODUCED LIVESTOCK PRODUCTS.—

(1) SLAUGHTER LIVESTOCK.—

(A) RAISED IN ACCORDANCE WITH TITLE.—Except as provided in subparagraph (B), any meat, poultry, wild or domesticated game, or other nonplant life that is to be slaughtered and sold as organically produced shall be raised in accordance with this title.

(B) EXCEPTION.—With respect to any meat, poultry, wild or domesticated game, or other nonplant life that is to be slaughtered and sold as organically produced prior to January 1, 1995, such livestock shall be raised in accordance with this title for a minimum of the final 60 percent of the slaughter weight of such livestock.

(2) LAYING LIVESTOCK.—

(A) ORGANICALLY MANAGED.—Except as provided in subparagraph (B), any poultry from which eggs will be labeled as organically produced, shall be managed in accordance with this subsection prior to and during the period in which such eggs are sold.

(B) EXCEPTION.—Any poultry from which eggs will be labeled as organically produced prior to January 1, 1995, shall be managed in accordance with this subsection for not less than a 4-month period prior to the sale of such eggs and during the period in which such eggs are sold.

(3) DAIRY LIVESTOCK.—

(A) ORGANICALLY MANAGED.—Except as provided in paragraph (B), any dairy cow from which milk and milk products will be labeled as organically produced, shall be raised in accordance with this title prior to the sale of such milk and continuously thereafter.

(B) EXCEPTION.—Any dairy cow from which milk and milk products will be labeled "organically produced" prior to January 1, 1995, must be raised in accordance with this title for not less than a 12-month period prior to the sale of such milk and continuously thereafter.

(b) FEED.—

(1) ORGANICALLY PRODUCED FEED.—For a farm that produces livestock to be certified under this title, producers on such farm shall feed such livestock organically produced feed that meets the requirements of this title.

(2) PROHIBITED FEED.—For a farm that produces livestock to be organically certified under this title, producers on such farm shall not use the following feed—

(A) plastic pellets for roughage;

(B) manure refeeding;

(C) any synthetic compounds;

(D) feed formulas containing urea;

(E) milk from livestock receiving antibiotics; or

(F) any feed or milk replacement formula that contains synthetic chemicals.

(c) SUPPLEMENTS.—For a farm that produces livestock to be organically certified under this title, producers on such farm shall not use growth promoters and hormones, whether implanted, ingested, or injected, including antibiotics and trace elements used to stimulate growth or production of livestock covered by this title.

(d) HEALTH CARE.—

(1) PROHIBITED PRACTICES.—For a farm that produces livestock to be organically certified under this title, producers on such farm shall not—

(A) use synthetic pesticides;

(B) use subtherapeutic doses of antibiotics;

(C) use internal parasiticides on a routine basis;

(D) administer medication other than vaccinations in the absence of illness as diagnosed by a veterinarian; or

(E) administer any vaccinations other than forward of the shoulder area.

(2) TREATED ANIMALS.—No product from any livestock that has been administered antibiotics in accordance with paragraph (1)

shall be labeled as organically produced until at least 120 days has elapsed from the time such antibiotic was administered and such product is prepared for market.

(e) DRINKING WATER.—

(1) ANALYSIS OF DRINKING WATER.—A certifying agent may require, in order for a farm to be organically certified under this title, that producers on such farm submit for analysis any water to be made available for livestock covered by this title for the purpose of determining the quality, salinity, and purity of such water and the presence of pesticides and nitrates in such water.

(2) IMPURE WATER.—A farm shall not be certified under this title with respect to livestock if the certifying agent determines that drinking water to be made available to the livestock covered by this title is contaminated.

(f) LIVESTOCK IDENTIFICATION.—

(1) IN GENERAL.—For a farm that produces livestock to be certified under this title, producers on such farm shall ensure that each slaughter animal is identifiable from birth through processing.

(2) RECORDS.—To carry out paragraph (1), each producer shall keep accurate records on each slaughter animal including—

(A) dates;

(B) amounts and sources of all medications administered;

(C) all feeds bought and fed;

(D) all feed supplements used;

(E) the weight of each slaughter animal on entering organic production; and

(F) the weight of each animal at slaughter.

SEC. 115. POST-HARVEST HANDLING.

(a) IN GENERAL.—For a farm or handling operation to be organically certified under this title, producers on such farm or an individual on such handling operation shall not apply to any agricultural product covered by this title at any point during post-harvest handling, transportation, or storage—

(1) synthetic fumigants;

(2) sprouting inhibitors, ripeners, or growth regulators;

(3) preservatives;

(4) coloring agents; or

(5) waxes (except beeswax) or oils.

(b) MEAT.—For a farm or handling operation to be organically certified under this title, producers on such farm or individual on such handling operation shall ensure that organically produced meat does not come in contact with nonorganically produced meat.

SEC. 116. PROCESSING AND MARKETING.

For a handling operation to be certified under this title, each individual on such handling operation shall not, with respect to any agricultural product covered by this title—

(1) add any synthetic ingredient, including preservatives, coloring, flavoring, texturizers, or emulsifiers, during the processing or marketing of the product;

(2) add any ingredient known to contain excessive levels of nitrates, heavy metals, or toxic residues;

(3) add any sulfites, nitrates, or nitrites;

(4) add any ingredients that are not organically produced in accordance with this title and the applicable State organic certification program, unless such ingredients are approved by the Secretary or the applicable governing State official, and unless such ingredients are included in the National List;

(5) use any packaging materials that contain fungicides, preservatives, or other chemical additives; or

(6) use any bag or container that had previously been in contact with any substance that could compromise the organic quality of such product.

SEC. 117. LABELING OF INGREDIENTS.

A processed agricultural product labeled as organically produced under this title shall not be sold or distributed for sale unless such product contains a label describing each ingredient contained in such product and the approximate percentage component of each such ingredient.

SEC. 118. ADDITIONAL GUIDELINES.

(a) IN GENERAL.—The Secretary, the governing State official, and the certifying agent shall utilize a system of residue testing to test products labeled as organically produced under this title to assist in the enforcement of this title.

(b) RESIDUE TESTING.—If the Secretary, the applicable governing State official, or the certifying agent determines that an agricultural product labeled as organically produced under this title—

(1) contains any detectable pesticide or other nonorganic residue, the Secretary, the applicable governing State official, or the certifying agent shall conduct an investigation to determine if the organic certification program has been violated, and may require the producer or handler of such product to prove that such nonorganic residue or pesticide was not applied to such product; and

(2) contains any pesticide or other nonorganic residue in excess of 5 percent of the tolerance level established by the Administrator of the Environmental Protection Agency for that substance in food, or 5 percent of the action level for food as established by the Administrator of the Food and Drug Administration, such agricultural product shall not be labeled as organically produced under this title.

(c) RECORDKEEPING REQUIREMENTS.—Producers who operate certified farming or handling operations under this title shall maintain records covering the 5-year period immediately preceding certification concerning the production or handling of agricultural products labeled as organically produced under this title by such operation, including—

(1) a detailed history of substances applied to fields or agricultural products; and

(2) the names of persons who applied such substances, the dates, the rate and method of application of such substances.

SEC. 119. OTHER PRODUCTION AND HANDLING PRACTICES.

If a production or handling practice is not prohibited or otherwise restricted under this title, such practice shall be permitted unless the Secretary or the applicable governing State official determines that such practice would be inconsistent with the purposes of this title.

SEC. 120. VIOLATIONS OF TITLE.

(a) MISUSE OF LABEL.—Any individual who misuses, affixes, or otherwise tampers with an organically produced label, except in accordance with this title, shall be subject to a civil penalty of not more than $100,000 and imprisonment of not more than 5 years.

(b) FALSE CERTIFICATION.—Any individual who issues a false certification under this title to the Secretary, a governing State official, or a certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.

(c) INELIGIBILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), any producer who—

(A) issues a false certification;

(B) attempts to have an organically produced label affixed to an agricultural product that such producer knows to have been produced in a manner that is not in accordance with this title; or

(C) otherwise violates the purposes of the national organic certification program established under section 102(a);

as determined by the Secretary or the applicable governing State official, shall not be eligible, for a period of 5 years for the date of such occurance, to receive certification under this title with respect to any farm or handling operation in which such producer has an interest.

(2) WAIVER.—Notwithstanding paragraph (1), the Secretary may reduce or eliminate such period of ineligibility if the Secretary determines that such modification or waiver would be in the best interests of the national organic certification program established under this title.

(d) REPORTING OF VIOLATIONS.—A certifying agent shall immediately report any violations of this title to the Secretary or the governing State official (if applicable) and shall decertify any individual determined to be in violation of this title.

(e) VIOLATIONS BY CERTIFYING AGENT.—Any certifying agent that is a private individual that violates the provisions of this title or that falsely or negligently certifies any farming or handling operation and that does not meet the terms and conditions of the applicable organic certification program as an organic operation, as determined by the Secretary or the governing State official (if applicable) shall—

(1) lose its accreditation as a certifying agent under this title; and

(2) be ineligible to be accredited as a certifying agent under this title for a period of not less than 3 years subsequent to such determination.

(f) APPLICABILITY TO OTHER LAWS.—Any transactions involving agricultural products labeled under this title as organically produced shall be subject to the provision of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a et seq.).

(g) MISBRANDING.—The provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Inspection Act (21 U.S.C. 451 et seq.) concerning the misbranding of meat and poultry products shall be applicable to meat and poultry products labeled under this title.

SEC. 121. CITIZEN SUITS.

(a) IN GENERAL.—Except as provided in subsection (c), any citizen may commence a civil action on behalf of such citizen—

(1) against any person (including the United States or any other governmental instrumentality or agency to the extent permitted by the Eleventh amendment to the Constitution) who is alleged to be in violation of the provisions of this title or any State organic certification program established under this title; or

(2) against the Secretary or the governing State official where there is an alleged failure of the Secretary or the governing State official to perform any act or duty required under this title that is not discretionary with the Secretary or the governing State official.

(b) JURISDICTION.—The district courts of the United States shall have original jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce the provisions of this title or any State organic certification program established under this title, or to order the Secre-

tary or the governing State official to perform such act or duty, as the case may be, and to apply any appropriate civil penalties under section 119.

(c) NOTICE.—No action shall be commenced—

(1) under subsection (a)(1) of this section—

(A) prior to 60 days after the plaintiff has given notice of the alleged violation—

(i) to the Secretary;

(ii) to the State in which the alleged violation occurs; and

(iii) to any alleged violator of the title or State program; or

(B) if the Secretary or State has commenced and is diligently prosecuting a civil or criminal action in a court of the United States, or a State to require compliance with the title or State program, but in any action in a court of the United States any citizen may intervene as a matter of right; or

(2) under subsection (a)(2) prior to 60 days after the plaintiff has given notice of such action to the Secretary;

except that such action may be brought immediately after such notification in the case of an action under this section with respect to a violation of section 118(b)(2). Notice under this subsection shall be provided in such manner as the Secretary shall prescribe by regulation.

(d) PROCEDURAL PROVISIONS.—

(1) VENUE.—Any action under this title, or concerning a State program established under this title, or to require the Secretary or governing State official to take action under this title may be brought under this section only in the judicial district in which the individual is located.

(2) INTERVENTION.—In any action under this section, the Secretary, if not a party, may intervene as a matter of right.

(3) PROTECTION OF UNITED STATES INTERESTS.—When any action is brought under this section in a district court of the United States, the plaintiff shall serve a copy of the complaint on the Attorney General and the Secretary. No consent judgment shall be entered in any action in which the United States is not a party prior to 45 days following the receipt of a copy of the proposed consent judgment by the Attorney General and the Secretary.

(e) LITIGATION COSTS.—The court, in issuing any final order in any action brought pursuant to this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party, if the court determines such award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

(f) STATUTORY OR COMMON LAW RIGHTS NOT RESTRICTED.—Nothing in this section shall restrict any right that any person (or class of persons) may have under any statute or common law to seek enforcement of any provision of this title or to seek any other relief (including relief against the Secretary or the governing State official or the certifying agent).

(g) CITIZEN.—For purposes of this section, the term "citizen" means a person or persons having an interest that is or may be adversely affected by a violation of the provisions of this title or by the failure of the Secretary or the governing State official to take actions required by this title.

(h) CIVIL ACTION BY STATE GOVERNORS.—The chief executive officer of a State may commence a civil action under subsection (a), without regard to the limitations of subsection (b), against the Secretary if there is alleged a failure of the Secretary to enforce the provisions of this title and the violation of this title is occurring in another State and is causing an adverse effect on the public health or welfare in the State of such chief executive.

SEC. 122. ADMINISTRATION.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this title, the Secretary shall issue proposed regulations to carry out this title.

(b) ASSISTANCE TO STATE.—

(1) TECHNICAL AND OTHER ASSISTANCE.—The Secretary shall provide technical, administrative, and Extension Service assistance to each State that implements an organic certification program under this title.

(2) FINANCIAL ASSISTANCE.—The Secretary may provide financial assistance to any State that implements an organic certification program under this title.

SEC. 123. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this title.

TITLE II—NATIONAL BOARDS

SEC. 201. DEFINITIONS.

As used in this title:

(1) ASSEMBLY.—The term "Assembly" means the National Organic Assembly created under section 211.

(2) ASSESSMENT.—The term "assessment" means funds collected by the Board under section 213.

(3) BOARD.—The term "Board" means the National Organic Board established under section 207.

(4) CONSUMER INFORMATION.—The term "consumer information" means any action taken to provide information to, and broaden the understanding of, the general public regarding the use, environmental benefits, nutritional attributes, and care of organically produced agricultural products.

(5) CERTIFYING AGENT.—The term "certifying agent" means the chief executive officer of a State or, in a State that provides by law for the Statewide election of a Commissioner of Agriculture, the Commissioner of Agriculture, or an individual (including private entities) who is accredited by the Secretary as a certifying agent for the purpose of certifying a farm or handling operation as an organically certified farm or handling operation in accordance with this title.

(6) DELEGATE BODY.—The term "Delegate Body" means the Initial National Organic Delegate Body established under section 205.

(7) HANDLE.—The term "handle" means to sell, process, or package organically produced agricultural products.

(8) HANDLER.—The term "handler" means any individual in the business of handling organically produced agricultural products.

(9) INDIVIDUAL.—The term "individual" means any person, group of people, partnership, corporation, association, cooperative, or other entity.

(10) MARKETING.—The term "marketing" means the sale or other disposition of organically produced agricultural products in commerce.

(11) NOMINATING STATE OFFICIAL.—The term "nominating state official" means—

(A) in the case of a State with an established organic certification program under title I, the individual serving as the governing State official (as defined in title I) of such State; or

(B) in the case of a State without such a program—

(i) the chief executive officer of such State; or

(ii) if such State holds a Statewide election for the Commissioner of Agriculture, such Commissioner.

(12) NATIONAL LIST.—The term "National List" means the list established under section 111.

(13) ORDER.—The term "order" means an organic research, promotion, and consumer information order issued by the Secretary under section 203.

(14) ORGANICALLY PRODUCED.—The term "organically produced" means food that is produced using organic farming methods, as specified in title I, on an organically certified farm and handled by organically certified handling operations.

(15) ORGANIC STANDARDS BOARD.—The term "Organic Standards Board" means the board established under section 214.

(16) PRODUCER.—The term "producer" means an individual who produces an organically produced agricultural product in the United States for sale in commerce.

(17) PROMOTION.—The term "promotion" means any action taken under this title, including paid advertising, to present a favorable image for organically produced agricultural products to the general public with the express intent of improving the competitive position and stimulating the sale of such products.

(18) RESEARCH.—The term "research" means any type of research relating to organically produced agricultural products and designed to advance the image, desirability, marketability, or quality of organically produced agricultural products.

(19) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(20) STATE AND UNITED STATES.—The terms "State" and "United States" shall include each of the several States, the District of Columbia, and Puerto Rico.

SEC. 202. NATIONAL ORGANIC PROMOTION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a National Organic Promotion, Research, and Consumer Education Program to carry out the purposes described in subsection (b).

(b) PURPOSES.—The purposes of the National Organic Promotion, Research, and Consumer Education Program are—

(1) to authorize the establishment of an orderly procedure for the development and financing, through an adequate assessment, of an effective and coordinated program of research, promotion, and consumer information regarding organically produced agricultural products;

(2) to establish representative organic bodies to provide advice to the Secretary on all aspects of organic production under this Act, including the development of a National List;

(3) to strengthen the position of the organic industry in domestic and foreign markets;

(4) to maintain, develop, and expand domestic and foreign markets for organically grown agricultural products; and

(5) to allow for a democratic process by which individuals who are involved in the organic industry may determine whether a permanent National Organic Promotion, Research, and Consumer Education Program should be implemented after 1992.

SEC. 203. ISSUANCE OF ORDERS.

(a) IN GENERAL.—The Secretary shall issue, review, and make appropriate amendments to organic research, promotion, and consumer information orders applicable to handlers and producers of agricultural products that are organically produced and handled in a manner that meets the requirements of title I.

(b) NOTICE AND PUBLIC COMMENT.—The Secretary shall publish the order proposed to be issued under subsection (a) and provide reasonable notice and an opportunity for public comment concerning such order (including holding such public meetings as the Secretary determines to be necessary).

(c) SUBMISSION OF A PROPOSED ORDER OR AMENDMENT.—An individual who is affected by this title may submit a proposal for an order or amendment or request an opportunity for public comment on such order or amendment as described in subsection (a).

(d) INITIAL PROPOSAL.—Not later than 90 days after the Secretary receives a proposal for an order under subsection (c), the Secretary shall comply with subsection (b).

(e) FINDINGS AND ISSUANCE OF AN ORDER.—After notice of, and an opportunity for, public comment on a order or amendment is provided under subsection (b), the Secretary shall issue such order or amendment if the Secretary determines that, on the basis of the evidence introduced by such public comment, the issuance of such order or amendment will further the purposes of this title.

(f) EFFECTIVE DATE.—An order issued under subsection (a) shall become effective on the date on which the final order is published in the Federal Register.

SEC. 204. REQUIRED TERMS OF ORDERS.

Except as provided under section 216, an order issued by the Secretary under section 203 shall only contain the terms and conditions that are described in this title.

SEC. 205. INITIAL NATIONAL ORGANIC DELEGATE BODY.

(a) ESTABLISHMENT.—An order issued by the Secretary under section 203 prior to January 1, 1992, shall provide for the establishment, not later than 120 days after the effective date of such order, of the Initial National Organic Delegate Body.

(b) PURPOSE.—The Initial National Organic Delegate Body shall—

(1) elect the Initial National Organic Board and the Initial Organic Standards Board;

(2) make a recommendation as to whether an organic promotion program should be established and implemented; and

(3) shall provide recommendations to the Secretary concerning the implementation of titles I and II.

(c) COMPOSITION.—

(1) APPOINTMENT.—The Secretary shall appoint individuals to serve on the Delegate Body from among nominations received in accordance with this subsection.

(2) LIMIT ON PARTICIPANTS.—The membership of the Delegate Body shall not exceed 208 individuals and, to the extent practicable, shall have at least four members from each State.

(3) NOMINATIONS.—

(A) RECEIPT OF NOMINATIONS.—The Secretary shall only accept nominations for membership in the Delegate Body from a nominating State official, or through a written petition signed by 20 organic producers in a State.

(B) RESIDENCY REQUIREMENT.—A nominating State official or an organic producer in such State shall only nominate individuals who are residing in such State at the time of the nomination.

(C) INVOLVEMENT IN ORGANIC PRODUCTION.—Not less than 50 percent of the membership of the Delegate Body shall consist of individuals who—

(i) are involved in the production and handling of organically produced agricultural products; and

(ii) have derived at least 75 percent of the food-related business income and at least 50 percent of the total income of such individuals from food sold as organic or natural, for not less than a 3-year period preceding the appointment of such individuals to the Delegate Body.

(D) OTHER MEMBERS.—Not more than 50 percent of the membership of the Delegate Body shall consist of individuals who are—

(i) retailers of organic agricultural products and certifying agents; and

(ii) academic experts, consumers, environmental experts, and government officials who are experts in organic farming and processing methods.

(4) PROCEDURES FOR WRITTEN NOMINATION PETITION.—The Secretary shall establish and make public the procedures that shall govern the time and place for the filing of written petitions for nominations under paragraph (2).

(5) APPOINTMENT.—Not later than 60 days after the Secretary has received nominations for membership, or not later than 150 days after the effective date of this Act, whichever is later, the Secretary shall appoint members from the nominees, as provided under paragraph (2), to the Delegate Body.

(6) INSUFFICIENT NOMINATIONS.—

(A) IN GENERAL.—If the Secretary does not receive a sufficient number of eligible nominations from a State, the Secretary may nominate eligible individuals from such State for membership on the Delegate Body or, if the Secretary determines that there is not a sufficient number of eligible individuals in such State, the Secretary may waive the membership requirement for such State.

(B) REVIEW OF WAIVER.—The Secretary shall review the necessity for a waiver under subparagraph (A) on an annual basis.

(7) VACANCIES.—If a vacancy occurs on the Delegate Body, the Secretary, after receiving nominations from the nominating State official, shall appoint an individual to fill such vacancy for the remainder of the term of the Delegate Body.

(c) MEETINGS.—The Delegate Body shall meet at least once each year to conduct business, to nominate individuals for appointment to the Initial National Organic Board and the Initial Organic Standards Board if necessary, and to carry out the duties required under section 206.

(d) TERM.—

(1) TERM OF BODY.—The Delegate Body shall exist for a period not to exceed 3 years after the appointment of the members of such Body by the Secretary under subsection (b).

(2) LENGTH OF MEMBERSHIP.—Each member of the Delegate Body shall serve for the entire term of the Delegate Body.

(e) COMPENSATION.—A member of the Delegate Body shall serve without compensation.

(f) QUORUM.—A majority of the members of the Delegate Body who are entitled to cast a vote shall constitute a quorum for the purpose of conducting business.

(g) DECISIVE VOTES.—A majority of the votes cast at a meeting of the Delegate Body at which a quorum is present shall be decisive of a motion or election presented to such Delegate Body for a vote.

SEC. 206. DUTIES OF THE DELEGATE BODY.

(a) Selection of Members and Chairperson.—

(1) IN GENERAL.—At the initial annual meeting, the Delegate Body shall—

(A) elect a Chairperson;

(B) elect 15 members of the Delegate Body who shall each serve for a 3-year term on the Initial National Organic Board; and

(C) appoint, with the concurrence of the Secretary, 15 individuals who shall each serve for a 3-year term on the Initial Organic Standards Board.

(2) REQUIREMENT OF MAJORITY.—The election of the Chairperson and the membership of the Boards referred to in paragraph (1) shall be by a majority of the members of the Delegate Body who are present and voting in the initial annual meeting of such Body.

(3) CHAIRPERSON.—At each annual meeting after the initial annual meeting of the Delegate Body, the President of the Initial Board shall serve as the Chairperson of such Body.

(b) NATIONAL LIST.—The Delegate Body may make recommendations concerning the National List to the Initial Standards Board.

(c) ASSESSMENTS.—The Delegate Body shall recommend to the Initial Board and to the Secretary whether orders providing for assessments should be proposed in 1992.

(d) IMPLEMENTATION.—The Delegate Body shall provide recommendations to the Initial Board regarding the implementation of this Act.

SEC. 207. INITIAL NATIONAL ORGANIC BOARD.

(a) DUTIES.—There is established an Initial National Organic Board that shall—

(1) elect a President; and

(2) make recommendations to the Secretary regarding the implementation of titles I and II, including the enforcement provisions and shall make determinations relating to standards for the organic production of agricultural products and the composition of the National List.

(b) MEMBERSHIP.—The Initial Board shall—

(1) have 15 members, of which not less than eight such members shall be individuals who own or operate an organic farming operation; and

(2) be composed of a representative geographic distribution of members.

(c) TERM.—The Initial National Organic Board shall exist for a period of not greater than 3 years, or until the establishment of the National Organic Board under section 212.

SEC. 208. INITIAL ORGANIC STANDARDS BOARD.

(a) DUTIES.—There is established an Initial Organic Standards Board that shall establish the proposed National List or amendments to such National List as provided for in section 111, and shall submit such proposals to the Secretary.

(b) MEMBERSHIP.—The Initial Organic Standards Board shall have 15 members of which—

(1) not less than 3 shall be individuals who own or operate an organic farming operation;

(2) not less than 3 shall be individuals who own or operate an organic handling operation;

(3) not less than 2 shall be individuals with expertise in the areas of environmental protection and resource conservation;

(4) not less than 2 shall be individuals who represent public interest or consumer interest organizations;

(5) not less than 1 shall be an individual who has expertise in the field of agronomy; and

(6) not less than 2 shall be individuals who have expertise in the fields of toxicology, ecology, or biochemistry.

(c) TERM.—The Initial Organic Standards Board shall exist for a period of not to exceed 3 years, or until the establishment of the Organic Standards Board under section 214.

SEC. 209. REFERENDUM.

(a) IN GENERAL.—After January 1, 1992, the Secretary may conduct referenda among producers and handlers of organic agricultural products to determine whether a majority of such producers and handlers favor the issuance of proposed orders under this title, the amendment of existing orders issued under this title, or the termination of existing orders issued under this title.

(b) PARTICIPANTS IN REFERENDUM.—The Secretary shall conduct referendum under this section among producers and handlers who—

(1) are not exempt from an assessment issued under section 213;

(2) are certified organic producers and handlers under title I; and

(3) produced or handled organically produced agricultural products during a representative period as determined by the Secretary.

(c) REQUIRED REFERENDUM.—The Secretary shall conduct a referendum under this section prior to the issuance of any order or amendment to an order providing for an assessment under section 203 or for the establishment of the National Organic Assembly.

(d) PUBLICATION.—The Secretary shall publish the results of any referendum conducted under this section within a reasonable time after such referendum.

(e) TERMINATION OF ORDER.—If the referendum conducted under this section indicates that an order or proposed order under section 203 is not favored by a majority of the producers and handlers voting in such referendum, the Secretary shall terminate or refuse to issue such order.

(f) CONFIDENTIALITY.—The Secretary shall hold the ballots and other information or reports that reveal, or tend to reveal, the vote of any individual under this section in strict confidence.

(g) SUBSEQUENT REFERENDA.—Not later than 90 days after the receipt of a petition requesting a referendum under this section by a majority of the producers and handlers of at least two States who have been certified as organic producers and handlers, the Secretary shall conduct such referendum as provided for in this section.

(h) DISAPPROVAL OF ORDER.—If an order providing for the collection of an assessment is disapproved in a referendum conducted under this section, the National Organic Board shall cease collecting such assessments the first day of the first month after such referendum is conducted or within 20 days after such referendum is conducted, whichever is later.

SEC. 210. ESTABLISHMENT OF NATIONAL ORGANIC ASSEMBLY.

(a) IN GENERAL.—An order issued by the Secretary under section 203 after the end of the term of the Delegate Body shall provide for the election, in accordance with this section, and establishment not later than 120 days after the date of such order, of the National Organic Assembly.

(b) ELECTION.—

(1) CONDUCTED BY SECRETARY.—The Secretary shall conduct the election required under subsection (a).

(2) COORDINATION WITH STATES.—The Secretary may conduct an election under this subsection in coordination with nominating State officials and certifying agents.

(3) ELIGIBLE TO VOTE.—Individuals who own or operate certified organic farming or handling operations under title I shall be eligible to vote in any election conducted under this section.

(c) COMPOSITION OF ASSEMBLY.—

(1) MEMBERSHIP.—The election carried out under this section shall, to the extent practicable, provide for elected membership in the Assembly from among persons who are—

(A) producers who operate farms or handling operations that are certified by the applicable governing State official as organic under title I; and

(B) certifying agents or academic experts, consumers, or government officials specializing in organic farming and handling methods, as determined by the Secretary.

(2) NUMBER OF MEMBERS WHO ARE PRODUCERS AND HANDLERS.—To the extent practicable, the Assembly—

(A) shall be comprised of at least two representatives from each State who are producers and handlers; and

(B) may have additional representatives from each State who are appointed by the Secretary from nominations received from the nominating State official on the basis of shares assigned to each State under paragraph (3).

(3) CALCULATION OF SHARES.—

(A) INITIAL PERIOD.—For the 4-year period immediately following the date on which the Delegate Body is terminated, shares shall be assigned under paragraph (2)(B) on the basis of one share for each dollar value of farm market value of organically produced goods marketed from such State, as determined by the Secretary based on the preceding calendar year and rounded to the nearest dollar.

(B) SUBSEQUENT PERIOD.—For each 4-year period subsequent to the period referred to in subparagraph (A), such shares shall be assigned on the basis of one share for each $1,000 of the average aggregate amount of assessments collected (minus refunds) under section 213 in such State from individuals described in section 213, rounded to the nearest $1,000 during the immediately preceding 4-year period.

(C) ASSIGNMENT BASED ON SHARES.—If the number of shares of a State under this paragraph is—

(i) more than 1,000 but less than 50,000, the Secretary shall appoint no more than three producers to be members of the Assembly for such State; or

(ii) more than 50,000, the Secretary shall appoint no more than four producers to be members of the Assembly for such State.

(4) NONPRODUCER MEMBERS.—The Assembly shall, subject to paragraph (5), be comprised of no more than two individuals who are nonproducers from each State.

(5) MAKEUP OF ASSEMBLY.—

(A) CERTIFIED ORGANIC PRODUCERS.—Not less than 50 percent of the membership of the Assembly shall consist of individuals who own or operate farms or handling operations that are certified as organic under title I.

(B) OTHER MEMBERS.—Not more than 50 percent of the membership of the Delegate Body may be individuals who are academic experts, consumers, or government officials specializing in organic farming and processing methods.

(d) INSUFFICIENT MEMBERSHIP.—

(1) IN GENERAL.—If there is not a sufficient number of eligible individuals elected to the Assembly from a State under this section, the Secretary may nominate eligible individuals from such State for membership on the Assembly or, if the Secretary determines that there is not a sufficient number of individuals who are eligible for nominations in such State, the Secretary may waive the membership requirement for such State.

(2) STATES WITHOUT AN ORGANIC CERTIFICATION PROGRAM.—

(A) IN GENERAL.—If a State has not implemented an organic certification program as provided in title I, or if the Secretary has not approved any certifying agent to certify organic farming or handling operations, the Secretary may appoint not to exceed one individual from such State to the Assembly.

(B) QUALIFICATION OF APPOINTED INDIVIDUAL.—An individual appointed under subparagraph (A) shall be engaged in the production or handling of agricultural products produced using organic methods, or shall be considered to be an expert in organic farming methods.

(C) NOMINATING PROCEDURE.—If, during any term of the Assembly, such State establishes an organic certification program under title I, or the Secretary approves a certifying agent for such State, the Secretary shall establish an election procedure consistent with this section to provide for representation of such State in the Assembly.

(D) TERM OF MEMBERSHIP.—The term of members of the Assembly appointed under this subparagraph shall parallel the terms of members of the Assembly as referred to in subsection (a).

(3) REVIEW OF WAIVER.—The Secretary shall review a waiver granted under paragraph (2), on an annual basis.

(e) VACANCY.—If a vacancy occurs on the Assembly, the Secretary, after receiving nominations from the nominating State official, shall appoint an individual to fill such vacancy for the remainder of the term of the original member.

(f) MEETINGS.—The Assembly shall meet annually to conduct business, to nominate individuals for appointment to the National Organic Board and the Organic Standards Board (if necessary), and for other purposes as provided for in section 211.

(g) TERM.—A member of the Assembly shall serve for a term of 4 years, except that the term of such member shall continue until the successor of such member, if any, is appointed in accordance with this section.

(h) COMPENSATION.—A member of the Assembly shall serve without compensation.

(i) DISQUALIFICATION.—If a member or alternate of the Assembly ceases to meet the eligibility requirements provided for in this section, as determined by the Secretary, such member shall be disqualified from serving on the Assembly.

(j) QUORUM.—A majority of the members of the Assembly who are entitled to cast a vote on the Delegate Body shall constitute a quorum for the purpose of conducting business.

(k) DECISIVE VOTES.—A majority of the votes cast at a meeting of the Assembly at which a quorum is present shall be decisive of a motion or election presented to the Assembly for a vote.

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SEC. 211. DUTIES OF NATIONAL ORGANIC ASSEMBLY.

(a) INITIAL MEETING.—At the initial meeting of the Assembly, such Assembly shall—

(1) elect a Chairperson; and

(2) elect 15 members of the Assembly, who shall each serve for a 3 year term on the Initial National Organic Board; and

(3) appoint, with the concurrence of the Secretary, 15 individuals who shall each serve for a 3 year term on the Organic Standards Board.

(b) MAJORITY REQUIREMENT.—The election of the Chairperson of the Assembly and the members of the Boards shall be by a majority of the members who are present and voting in the meeting of the Assembly at which such election is made.

(c) CHAIRPERSON.—At each meeting after the initial meeting, the President of the Board shall serve as the Chairperson of the Assembly.

(d) RECOMMENDATIONS OF ASSEMBLY.—The Assembly shall—

(1) make recommendations concerning the rate of assessment prescribed by the order and any increase in such rate pursuant to section 213;

(2) determine the percentage of the aggregate amount of assessments collected in a State that such State shall receive under section 213;

(3) recommend to the Organic Standards Board and to the Secretary changes in the standards, including the composition of the National List, that serve as the basis for determining organically grown production methods and products;

(4) elect members to serve on the Board and appoint individuals to serve on the Organic Standards Board (with the concurrence of the Secretary) on the expiration of the terms of members of such Boards; and

(5) recommend to the National Organic Board research and promotion activities to be carried out under this title.

SEC. 212. NATIONAL ORGANIC BOARD.

(a) DUTIES.—The National Organic Board shall provide recommendations to the Secretary regarding the implementation of this Act.

(b) MEMBERSHIP.—The National Organic Board shall—

(1) be composed of 15 members, of which not less than eight shall be individuals who own or operate a certified organic farming operation; and

(2) have a representative geographic distribution of members.

(c) TERM.—The members of the National Organic Board shall serve for a period of 4 years. A member may be re-elected to serve on the National Organic Board.

(d) ACTIONS OF BOARD.—The National Organic Board shall—

(1) select a President;

(2) administer orders issued by the Secretary under section 203, and amendments to such orders, in accordance with such orders and consistent with this title;

(3) prescribe rules and regulations to effectuate such orders;

(4) receive, investigate, and report to the Secretary any accounts of violations of such orders;

(5) make recommendations to the Secretary with respect to amendments that should be made to such orders; and

(6) employ a manager and staff.

(e) BUDGET AND PLAN.—

(1) BUDGET.—

(A) DEVELOPMENT.—The National Organic Board shall prepare and submit to the Secretary a budget, on a fiscal period basis as determined appropriate by the Secretary, of the anticipated expenses and disbursements of the Board in the administration of the order, including probable costs of research, promotion, and consumer information.

(B) EFFECTUATION.—A budget under subparagraph (A) shall become effective on the approval of the Secretary.

(2) PLAN.—

(A) IN GENERAL.—Each budget, as referred to in paragraph (1), shall include a plan for research, promotion, and consumer information regarding organically produced agricultural products.

(B) EFFECTUATION.—Such plan shall take effect on the approval of the Secretary.

(f) CONTRACTS AND AGREEMENTS.—The Board may enter into contracts and agreements, with the approval of the Secretary, for—

(1) the development and implementation of plans under subsection (c); and

(2) the payment of the cost of such plan with funds collected under section 213(c).

(g) COMPENSATION.—A member of the Board shall serve without compensation, but may be reimbursed by the Board from assessments for transportation expenses incurred in performing duties as a member of the Board.

(h) VOTING RESTRICTION.—Members of the Board who are not owners or operators of certified organic farming or handling operations shall not vote on matters respecting the use of assessments collected under this title.

SEC. 213 ASSESSMENTS.

(a) IN GENERAL.—An order issued after the termination of the Delegate Body shall provide that an assessment shall be paid in the manner prescribed in the order.

(b) IMPOSITION.—The order, as referred to in subsection (a), shall provide for the imposition and collection of assessments with regard to the production and handling of organically produced agricultural products as follows:

(1) PRODUCERS.—Producers of agricultural products labeled as being organically produced under title I shall pay annual assessments—

(A) with respect to producers who sell over $50,000 worth of organically produced agricultural products during each calendar year, based on the average sales from the immediately preceding 3 years as determined by the Secretary, of $100; and

(B) with respect to producers who sell under $50,000 worth of organically produced agricultural products during each calendar year, based on the average sales from the immediately preceding 3 years as determined by the Secretary, of $50.

(2) HANDLERS.—Individuals who operate handling operations that are certified as organic handling operations under title I and who are the first handlers of the organically produced agricultural products shall pay an annual assessment—

(A) with respect to handlers who market or process over $50,000 worth of organically produced agricultural products during each calendar year based on the average sales from the immediately preceding 3 years as determined by the Secretary, of $100; and

(B) with respect to handlers who market or process under $50,000 worth of organically produced agricultural products during each calendar year, based on the average sales from the immediately preceding 3 years, as determined by the Secretary, of $50.

(c) COLLECTION OF ASSESSMENT.—Except as provided in paragraph (4), the first handler of organically produced agricultural products shall—

(1) be responsible for the collection and payment to the Board, of producer and handler assessments under this section; and

(2) maintain a separate record of the agricultural products of each producer handled by such handler, including the organically produced agricultural products grown by such handler.

(d) PRODUCER AND HANDLER.—For purposes of subsection (c), an individual who is both a producer and a handler shall be considered the first handler of agricultural products produced by such individual.

(e) SUPPLEMENTAL ASSESSMENT.—

(1) IN GENERAL.—Subject to the recommendations of the Board and approval in a referendum as provided for in section 216, the Secretary may issue an amendment to an order stating that, in each calendar year, the rate of an assessment under this section shall be supplemented by an additional amount to be collected or paid as provided in this section.

(2) AMOUNT OF ASSESSMENT.—An additional amount under paragraph (1) shall not exceed 0.25 percent of the value of organically produced agricultural products sold by individuals from organically certified farms.

(f) ESTABLISHMENT OF ESCROW ACCOUNT.—The Board shall hold a sufficient portion of the assessments in escrow to ensure that all requests for refunds under section 221 may be honored.

(g) EXEMPTION.—An individual is exempt from an assessment under this section if such individual is—

(1) a producer who produces less than $5,000 of organically produced agricultural products per year; or

(2) a handler who handles less than $5,000 of organically produced agricultural products per year.

(h) CLAIMING AN EXEMPTION.—To claim an exemption under subsection (f) for a particular year, an individual shall prepare and submit, to the Board, an application that contains a description of the basis for such exemption and a certification that such individual will not exceed the limitation required under subsection (e) in the calendar year in which such application is submitted.

(i) USE OF ASSESSMENTS.—

(1) IN GENERAL.—An order issued by the Secretary under section 203 shall provide that funds paid to the Board as assessments—

(A) may be used by the Board—

(i) to pay for research, promotion, and consumer information described in the budget of the Board and for other expenses incurred by the Board in the administration of an order;

(ii) to pay such other expenses for the administration, maintenance, and functioning of the Board and the Organic Standards Board as may be authorized by the Secretary; and

(iii) to fund a reserve established under section 212(5); and

(B) except as provided in subsection (i), shall be used to pay the expenses incurred by the Secretary, including expenses of government employees in implementing and administering the order.

(j) REIMBURSEMENT.—An order issued by the Secretary under section 203 after January 1, 1992, shall provide that the Board shall reimburse the Secretary, from assessments, for any expenses incurred by the Secretary in conducting referenda under this title, except for the salaries of govern-

ment employees who carry out such referenda.

(k) FALSE CLAIMS.—An order issued by the Secretary under section 203 shall provide that any promotion of organically produced agricultural product funded with assessments shall not make—

(1) any false or unwarranted claims on behalf of organically produced agricultural products; and

(2) any false or unwarranted statements with respect to the attributes or use of any product that competes with organically produced agricultural products for sale in commerce.

(l) PROHIBITION ON USE OF FUNDS.—An order issued under section 203 shall provide that funds collected by the Board through assessments shall not, in any manner, be used for the purpose of influencing legislation or governmental policy or action, except for making recommendations to the Secretary as provided for in this Act.

(m) BOARD RECORDS AND REPORTS.—

(1) BOARD.—An order issued under section 203 shall require the Board—

(A) to maintain books and records with respect to the receipt and disbursement of funds received by the Board through assessments collected under this section;

(B) to submit to the Secretary such reports as the Secretary may require for appropriate accounting; and

(C) to submit to the Secretary at the end of each fiscal year a complete audit report regarding the activities of the Board during such fiscal year.

(2) HANDLERS.—In order to provide information and data to the Board and the Secretary that is appropriate or necessary for the effectuation, administration, or enforcement of this title or any order or regulation issued under this title, such order shall require handlers who are responsible for the collection of assessments under this section—

(A) to maintain and make available for inspection by the Secretary such books and records as may be required by the order; and

(B) to file reports, at the times, in the manner, and having the content prescribed by the order, that concern the collection of such assessments.

(n) CONFIDENTIALITY.—

(1) IN GENERAL.—An order issued under section 203 shall require that all information obtained pursuant to subsection (h)(2) shall be kept confidential by all officers and employees of the Department of Agriculture and of the Board.

(2) DISCLOSURE.—The Secretary shall only disclose such information—

(A) the Secretary considers relevant in a lawsuit; or

(B) in the course of an administrative hearing brought at the request of the Secretary or to which the Secretary or any officer of the United States is a party, involving the order with respect to which such information was furnished or acquired.

(3) NONCONFIDENTIAL INFORMATION.—The Secretary may—

(A) issue general statements based on the reports of a number of producers and handlers if such statements do not identify any individual who provides such information; or

(B) publish the name of any individual violating an order issued by the Secretary under section 203 along with a statement of the particular provisions of the order violated by such individual.

SEC. 214. ORGANIC STANDARDS BOARD.

(a) DUTIES.—The Organic Standards Board shall establish the proposed National List or amendments to such National List as provided in section 111 and shall submit such proposals to the Secretary.

(b) MEMBERSHIP.—The Organic Standards Board shall be comprised of 15 members, of which—

(1) not less than 3 shall be individuals who own or operate a certified organic farming operation;

(2) not less than 3 shall be individuals who own or operate a certified organic handling operation;

(3) not less than 2 shall be individuals with expertise in the areas of environmental protection and resource conservation;

(4) not less than 2 shall be individuals who represent public interest or consumer interest organizations;

(5) not less than 1 shall be an individual who has expertise in the field of agronomy; and

(6) not less than 2 shall be individuals who have expertise in the fields of toxicology, ecology, or biochemistry.

(c) TERM.—The members of the Organic Standards Board shall serve for a period of not to exceed 4 years. Such members may be reappointed to serve on the Organic Standards Board.

(d) DISAPPROVAL OF ORDER.—

(1) APPOINTMENT BY SECRETARY.—If a majority of those voting in the referendum conducted under section 209(c) do not favor the establishment of the National Assembly, the Secretary shall appoint the members of the Organic Standards Board in accordance with the provisions of this section.

(2) RESPONSIBILITIES.—The Organic Standards Board established under this subsection shall have the duties and responsibilities as specified in this section and section 215.

(3) OTHER TERMS AND CONDITIONS.—The Secretary may authorize the Organic Standards Board established under this subsection to hire a manager and staff and may, in accordance with relevant Appropriations Acts, pay necessary expenses incurred by such Organic Standards Board in carrying out the provisions of this title, as determined by the Secretary.

SEC. 215. PROPOSED NATIONAL LIST.

(a) IN GENERAL.—The Organic Standards Board (or the Initial Organic Standards Board) shall develop the proposed national list or proposed amendments to the National List for submission to the Secretary in accordance with section 111.

(b) CONTENT OF PROPOSED LIST.—

(1) ITEMIZATION OF SUBSTANCES.—The proposed list referred to in subsection (a) shall contain an itemization of—

(A) specific synthetic substances that may be used in the production and handling of agricultural products labeled as organically produced under title I, even though the use of such substances is prohibited elsewhere in title I; or

(B) specific natural substances that shall not be used in the production and handling of agricultural products labeled as organically produced under title I, even though the use of such substances would be allowed under other provisions of title I.

(2) SPECIFIC USES.—An exemption under paragraph (1)(A) or prohibition under paragraph (1)(B) with respect to a specific synthetic or natural substance may be limited to a specific use of such substance in a farming or handling operation.

(c) GUIDELINES FOR PROHIBITIONS OR EXEMPTIONS.—

(1) EXEMPTION FOR PROHIBITED SUBSTANCES.—The proposed national list may provide for the use of substances in an organic farming or handling operation that are otherwise prohibited under title I only if—

(A) the Organic Standards Board determines that the use of such substances—

(i) would not be harmful to human health or the environment;

(ii) is necessary to the production or handling of the crop because of the unavailability of wholly natural substitute products; and

(iii) is consistent with organic farming; and

(B) the specific exemption is developed in accordance with this section.

(2) PROHIBITION OF USE OF SPECIFIC NATURAL SUBSTANCES—The proposed national list may provide for the prohibition on the use of specific natural substances in an organic farming or handling operation that are otherwise allowed under this title only if—

(A) the Organic Standards Board determines that the use of such substances—

(i) would be harmful to human health or the environment; and

(ii) is inconsistent with organic farming and the purposes of this title; and

(B) the specific prohibition is developed in accordance with this section.

(d) REQUIREMENTS.—In establishing the proposed national list or proposed amendments to the National List, the Organic Standards Board shall—

(1) review available information from the Environmental Protection Agency, the National Institute of Environmental Health Studies, and such other sources as appropriate, concerning the human and environmental toxicity of substances considered for inclusion in the proposed national list;

(2) work with manufacturers of substances considered for inclusion in the proposed national list to determine whether such substances contain inert materials that are synthetically produced; and

(3) submit to the Secretary, along with the proposed national list or any proposed amendments, the results of the Organic Standards Board evaluation of all substances considered for inclusion in the National List.

(e) EVALUATION.—In evaluating substances considered for inclusion in the proposed national list or proposed amendments to the National List, the Organic Standards Board shall determine—

(1) the potential of such substances for detrimental chemical interactions with other materials used in organic farming systems;

(2) the toxicity and mode of action of the substance and of its breakdown products or any contaminants, and their persistence and areas of concentration in the environment;

(3) the probability of environmental contamination during manufacture, use, or misuse of such substance;

(4) the effects of the substance on human health;

(5) the effects of the material on biological and chemical interactions in the agroecosystem, including the physiological effects of the substance on soil organisms (including consideration of salt index and solubility), crops, and livestock;

(6) the alternatives to using the substance in terms of practices or other available materials; and

(7) its compatibility with a system of sustainable agriculture.

(f) PETITIONS.—The Organic Standards Board shall establish procedures under which individuals may petition the Organic Standards Board for the purpose of evaluating substances for inclusion on the National List.

(g) REVIEW.—

(1) EVERY 4 YEARS.—The Organic Standards Board shall review each substance included as an exemption or prohibition on the National List at least once during each 4-year period beginning on the date such substance was initially included on the National List or on the date of the last review of such substance under this subsection.

(2) SUBMISSION TO SECRETARY.—The Organic Standards Board shall submit the results of a review under paragraph (1) to the Secretary with a recommendation as to whether such substance should continue to be included on the National List.

(h) CONFIDENTIALITY.—Any business sensitive material obtained by the Organic Standards Board (or the Initial Organic Standards Board) in carrying out this section shall be treated as confidential information by such Board and shall not be released to the public.

SEC. 216. PERMISSIVE TERMS OF ORDERS.

On the recommendation of the Board and with the approval of the Secretary, an order issued by the Secretary under section 203 may—

(1) require that, with respect to any Federal marketing order issued regarding organically produced agricultural products, that—

(A) is in effect prior to the date of the enactment of this title; and

(B) the Secretary determines is comparable to an order issued under this title;

there shall be paid to the Board, as provided for in section 213, that portion of the assessment under such section that is greater than the assessment, if any, paid on the organically produced agricultural products pursuant to such other marketing order;

(2) provide authority to the Board to designate different producer and handler payment and reporting schedules to recognize differences in production and handling practices and procedures among producers and handlers;

(3) permit the Board to convene working groups made up of producers, handlers, or the general public to assist in the development of research, marketing, and standards programs for organically produced agricultural products;

(4) permit the Board to accumulate reserve funds from assessments collected under section 213 to permit an effective and continuous coordinated program of research, promotion, and consumer information in years in which production and assessment income may be reduced, except that any reserve fund so established shall not exceed the amount budgeted for operation of this title for 1 year;

(5) permit the Board to use, with the approval of the Secretary, funds collected under section 213 for the development and expansion of organically produced agricultural product sales in foreign markets;

(6) permit the Organic Standards Board to employ a manager and a staff; and

(7) provide for terms and conditions—

(A) incidental to, and not inconsistent with, the terms and conditions described in this title; and

(B) necessary to effectuate such order.

SEC. 217. PETITION AND REVIEW.

(a) PETITION.—

(1) IN GENERAL.—An individual who is subject to an order under this title may prepare and submit to the Secretary, within a period prescribed by the Secretary, a written petition—

(A) stating that such order, a provision of such order, or an obligation imposed in connection with such order is not in accordance with the law; and

(B) requesting a modification of the order or an exemption from such order.

(2) HEARING.—The Secretary shall promulgate regulations to permit an individual, who submits a petition under paragraph (1), an opportunity for a hearing on such petition.

(3) REVIEW.—After the hearing described in paragraph (2), the Secretary shall make a ruling on the petition that shall be subject to review under subsection (b).

(b) REVIEW.—

(1) COMMENCEMENT OF ACTION.—Not later than 30 days after the date that a ruling is made under subsection (a)(3), an individual may obtain a review of such ruling by initiating a civil action in the district court of the United States for the district in which such individual—

(A) resides; or

(B) carries on business related to the subject matter of such action.

(2) PROCESS.—In civil action under this section, service of process may be made on the Secretary by delivering a copy of the complaint to the Secretary.

(3) REMANDS.—If the district court, as referred to in paragraph (1), determines that such ruling is not in accordance with law, such court shall remand the proceedings to the Secretary with directions—

(A) to make a ruling as such court shall determine to be in accordance with law; or

(B) to take such further proceedings as, in the opinion of such court, the law requires.

(4) ENFORCEMENT.—The pendency of proceedings instituted pursuant to this subsection shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 214.

SEC. 218. ENFORCEMENT.

(a) JURISDICTION.—Each district court of the United States shall be vested with jurisdiction to enforce, and to prevent and restrain any individual from violating, any order or regulation made or issued under this title.

(b) REFERRAL TO ATTORNEY GENERAL.—

(1) GENERAL RULE.—Except as provided for in paragraph (2), if the Secretary is involved in a civil action under section 213 the Secretary shall refer the facts relating to such action to the Attorney General for appropriate action.

(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary shall not refer a violation of this title to the Attorney General if the Secretary determines that the administration and enforcement of the order or regulation that is involved in such violation would be adequately served by administrative action under subsection (c) or by providing a suitable written notice or warning to an individual committing such violation.

(c) CIVIL PENALTIES AND ORDERS.—

(1) CIVIL PENALTIES.—The Secretary may assess a civil penalty fine of not less than $500 nor more than $5,000 for each instance in which an individual violates any order or regulation issued by the Secretary under this title or fails or refuses to pay, collect, or remit any assessment or fee required of the individual under such order or regulation. Each violation shall be considered as a separate offense.

(2) CEASE-AND-DESIST ORDERS.—In addition to, or in lieu of, a civil penalty under paragraph (1), the Secretary may issue an order requiring an individual to cease and desist from continuing a violation.

(3) NOTICE AND HEARING.—The Secretary shall not assess a civil penalty or issue a cease-and-desist order under this subsection applicable to any individual unless the Secretary provides such individual with notice and an opportunity for a hearing before the Secretary with respect to such violation.

(4) FINALITY.—The decree of the Secretary assessing a civil penalty or imposing a cease-and-desist order on any individual under this subsection shall be final and conclusive unless such individual files an appeal of such decree with the appropriate United States Court of Appeals.

(d) REVIEW BY COURT OF APPEALS.—

(1) COMMENCEMENT OF ACTION.—Any individual, against whom a violation as referred to in subsection (c)(1) is found and a civil penalty assessed or cease-and-desist order issued under subsection (c), may obtain review of such penalty or order by—

(A) filing, not later than 30 days from the date on which such penalty is assessed or order issued, a notice of appeal in—

(i) the United States Court of Appeals for the circuit in which such individual resides or carries on business; or

(ii) the United States Court of Appeals for the District of Columbia; and

(B) simultaneously sending a copy of such notice by certified mail to the Secretary.

(2) RECORD.—The Secretary shall promptly file the record on which such violation under paragraph (1) was found in the court selected under paragraph (1)(A).

(3) STANDARD OF REVIEW.—The court referred to under paragraph (1)(A) shall set aside the findings of the Secretary only if such court determines that such findings are unsupported by substantial evidence.

(e) FAILURE TO OBEY ORDER.—

(1) IN GENERAL.—The Secretary may assess a civil penalty fine, of not more than $500 for each violation described under subsection (c)(1), to an individual who fails to obey a cease-and-desist order issued under subsection (c) after—

(A) such order has become final and unappealable or after the appropriate Court of Appeals has entered a final judgment in favor of the Secretary; and

(B) after opportunity for a hearing and for judicial review under the procedures described in subsections (c) and (d).

(2) CONTINUING OFFENSE.—Each day during which an individual fails to obey a cease-and-desist order shall be considered as a separate offense.

(f) FAILURE TO PAY PENALTIES.—

(1) IN GENERAL.—If an individual fails to pay an assessment of a civil penalty under subsection (c)(1), after such assessment has become a final and unappealable order or after the appropriate United States Court of Appeals has entered final judgment in favor of the Secretary, the Secretary shall refer such failure to pay to the Attorney General for recovery of the amount of such penalty in an appropriate district court of the United States.

(2) REVIEW OF FINAL ORDER.—In a recovery action described under paragraph (1), the validity and appropriateness of the final order imposing such civil penalty shall not be subject to review.

SEC. 219. INVESTIGATIONS AND POWER TO SUBPOENA.

(a) IN GENERAL.—The Secretary may make such investigations as the Secretary considers necessary—

(1) to carry out the responsibilities of the Secretary under this title; and

(2) to determine whether an individual has engaged in any practices that constitute a violation of this title, or any plan, rule, or regulation issued by the Secretary under this title.

(b) ADMINISTRATION.—For the purpose of an investigation under subsection (a), the Secretary may administer oaths and affirmations, subpoena witnesses, compel the attendance of such witnesses, take evidence, and require the production of any books, papers, and documents that are relevant to such investigation.

(c) SUBPOENA.—

(1) IN GENERAL.—To carry out subsection (b), the Secretary may compel the attendance of witnesses and the production of any such records through subpoena.

(2) REFUSAL TO OBEY SUBPOENA.—

(A) REQUEST FOR AID.—If an individual refuses to obey a subpoena issued to such individual, the Secretary may invoke the aid of any court of the United States within the jurisdiction in which such investigation or proceeding is carried out, or in which such individual resides or carries on business, in requiring the attendance and testimony of such individual and the production of applicable books, papers, and documents.

(B) AUTHORITY OF COURT.—The court under subparagraph (A) may issue an order requiring such individual to appear before the Secretary, produce records if ordered to do so by the Secretary, or to give testimony concerning the matter under investigation.

(C) CONTEMPT.—The court under subparagraph (A) may punish an individual who fails to obey an order issued under subparagraph (B) for contempt of court.

(d) SERVICE OF PROCESS.—Service of process to an individual in any action to enforce this section may be served in the judicial district in which such individual resides or wherever such individual may be found.

(e) JURISDICTION.—A hearing held under this section shall be located within the judicial district where the individual who is to provide evidence resides or has a principal place of business.

SEC. 220. REFUND OF ASSESSMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of this title, a producer or handler of organically produced agricultural products against whom an assessment is made and collected under this title and who does not support the research and promotion program as described in this title, may receive from the National Organic Board a refund of any assessment paid under this title.

(b) TIME PERIOD FOR RECEIVING REFUNDS.—Refunds referred to in subsection (a), shall be made on a monthly basis by the Board. A request for such refund shall not include a request for a refund for any period in excess of the immediately preceding 3 months prior to such request.

(c) REQUEST TO RECEIVE REFUND.—An individual requesting a refund under this section shall—

(1) make a written request for such refund in a manner as shall be prescribed by the Secretary;

(2) make such request not later than 60 days after the end of any month during which such individual paid an assessment under this title and with respect to which the producer is requesting such refund; and

(3) submit satisfactory proof that such individual paid the assessment for which a refund is requested, as determined by the Board.

(d) PROVIDING REFUND.—Not later than 90 days after receiving a request under subsection (c), the Board shall make any refund requested available to the individual making such request.

(e) SURPLUSES.—The Secretary shall release any funds that are not refunded under this section in order to carry out this Act.

(f) REFUNDS UPON DISAPPROVAL OF ORDER.—If an order providing for the collection of assessments is terminated, the assessments collected from producers and handlers prior to such termination that have not been expended shall be refunded on a pro rata basis to eligible producers and handlers, after a deduction for a proportionate amount of the expenses incurred by the Secretary and the agency of government that assists in the administration of such order, when the order terminating the program established by this title is published by the Secretary.

SEC. 221. SUSPENSION AND TERMINATION.

(a) DETERMINATIONS OF SECRETARY—If the Secretary determines that an order issued under section 203 obstructs or does not effectuate the purposes of this title, the Secretary shall terminate or suspend the operation of such order or provision.

(b) PERIODIC REPORTS.—The Secretary may periodically conduct a referendum to determine if organic producers and handlers support the continuation, termination, or suspension of any order issued under section 203 and in effect at the time of such referendum.

SEC. 222. REGULATIONS.

The Secretary may promulgate such regulations as are necessary to carry out this title.

SEC. 224. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this title.

(b) ADMINISTRATIVE EXPENSES.—The funds appropriated under subsection (a) shall not be available for payment of the expenses or expenditures of the Board in administering an order issued under this title.

TITLE III—LOW INPUT LABEL DEMONSTRATION PROGRAM

SEC. 301. DEFINITIONS.

As used in this Act:

(1) PROGRAM.—The term "Program" means the National Low Input Demonstration Program established under section 302(a).

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE.—The term "State" means each of the several States, the District of Columbia, and Puerto Rico.

(4) TRANSITION FARM.—The term "transition farm" means a farm that meets all of the standards required under title I and the applicable State program but that has not yet met the 3 year requirement to be certified as an organic farm.

SEC. 302. NATIONAL LABEL DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a National Low Input Label Demonstration Program for the purposes described in subsection (b).

(b) PURPOSES.—The purpose of the Program is—

(1) to recognize that many farmers have substantially reduced the use of chemical inputs and have adopted sustainable methods of farming;

(2) to authorize the establishment of a grant program for States to explore the ramifications of establishing a low input label for agricultural products produced using low input sustainable agriculture methods of production;

(3) to provide a labeling option for farmers who are in transition from traditional to organic farming systems;

(4) to evaluate the impact that a low input label and a transition label would have on consumer purchasing decisions and organic markets; and

(5) to assess whether the availability of a low input label and a transition label would provide a significant incentive to motivate farmers to adapt more sustainable agricultural practices.

SEC. 303. ADMINISTRATION.

(a) GRANT PROGRAM.—The Secretary shall make a grant from amounts appropriated under section 306 to not less than 4 States that—

(1) have implemented a State organic certification program under title I;

(2) can designate a limited marketing area within the State in which the label established under this title could be used and controlled;

(3) submit a competitive proposal that meets the requirement established by the Secretary for conducting the Program; and

(4) will carry out a Program under this title.

(b) PREFERENCE.—In making grants under subsection (a), the Secretary shall give preference to any State that will assist in the development and implementation of the Program by making funds or other resources of such State available for use in the Program.

(c) RESPONSIBILITIES OF RECIPIENT.—Each State recipient of a grant under subsection (b) shall—

(1) design a demonstration project that meets the requirements of the Secretary;

(2) designate farming operations eligible to participate in the Program as low input sustainable farms, as determined and approved by the panel of experts established by section 1466(1) of the Food Security Act of 1985 (7 U.S.C. 4706(1));

(3) designate farming operations eligible to participate as transition farms;

(4) authorize the sale of the products of the sustainable farms designated under paragraphs (2) and (3) in retail establishments in such State; and

(5) prepare and submit a final report as required by section 305.

SEC. 304. ESTABLISHMENT OF LABELS.

(a) IN GENERAL.—The Secretary shall establish two experimental labels to be affixed to agricultural products that have been produced on low input sustainable farms and transition farms designated for participation in the Program.

(b) CONTENT OF LABELS.—The Secretary shall establish—

(1) a label that states that an agricultural product has been "produced on a LISA farm" and which that bear the seal of the Department of Agriculture; and

(2) a label that states that an agricultural product has been produced in "transition to organic" and that shall bear the seal of the Department of Agriculture.

(c) AFFIXATION OF LABEL.—The chief executive officer of a State shall affix the labels

referred to in subsection (a) to an agricultural product only if such product has been produced in accordance with the requirements established by the panel of experts established by section 1466(1) of the Food Security Act of 1985 (7 U.S.C. 4706(1)).

SEC. 305. REPORTS.

Not later than 2 years after the date of enactment of this title, the chief executive officer of a State shall prepare and submit a final report that contains the results of the Program to—

(1) the Secretary;

(2) the Committee on Agriculture of the House of Representatives; and

(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE IV—NATIONAL LABORATORY ACCREDITATION

SEC. 401. PURPOSES.

The purpose of the program established by this title is—

(1) to protect and assure individuals involved in the interstate commerce and consumption of food that the representations by laboratories as to chemical residues or the lack of residues in food is accurate;

(2) to authorize the Secretary of Agriculture, in consultation with other agencies, to establish minimum standards concerning the quality of the equipment and staff and testing protocols used by such laboratories;

(3) to provide for public disclosure of the results concerning the accreditation of laboratories; and

(4) to require disclosure to the Secretary of Agriculture of all residue levels that exceed tolerances set by the Administrator of the Environmental Protection Agency and the Administrator of the Food and Drug Administration and of all residue levels for substances prohibited or under special review by the Administrator of the Food and Drug Administration.

SEC. 402. DEFINITIONS.

As used in this title:

(1) AGRICULTURAL PRODUCTS.—The term "agricultural products" means any agricultural commodity or product whether raw or processed, including any commodity or product derived from livestock or fowl that is marketed in the United States for human and livestock consumption.

(2) CERTIFICATE.—The term "certificate" means a certificate of accreditation issued under this title.

(3) LABORATORY.—The term "laboratory" means any facility or vehicle that is owned by an individual or a public or private entity and is equipped and operated for the purpose of carrying out pesticide residue analysis on agricultural products.

(4) PESTICIDE.—The term "pesticide" means any substance that alone, in chemical combination, or in any formulation with one or more substances, is defined as a pesticide in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(u)).

(5) REFERENCE LABORATORY.—The term "reference laboratory" means a laboratory that is owned and operated by a governmental regulatory agency for the principal purpose of analyzing samples referred by other laboratories for confirmatory analysis.

(6) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 403. NATIONAL LABORATORY ACCREDITATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a National Laboratory Accreditation Program under which laboratories that conduct residue testing of agricultural products under this Act, or that make claims to the public or buyers of agricultural products concerning chemical residue levels on agricultural products, shall be determined to meet certain minimum quality and reliability standards.

(b) REQUIREMENTS.—In order to be accredited under this title, a laboratory shall—

(1) prepare and submit an application for accreditation to the Secretary;

(2) complete a series of tests required by the Secretary; and

(3) comply with any additional terms and conditions as are determined necessary by the Secretary.

(c) CONSULTATION.—The Secretary shall, in consultation with the Administrator of the Food and Drug Administration, establish minimum standards for laboratories concerning—

(1) quality assurance programs;

(2) laboratory facilities;

(3) equipment;

(4) normal scientific methodologies;

(5) qualifications of directors and other personnel; and

(6) any other area concerning the operation or maintenance of a laboratory that is determined by the Secretary to be necessary to ensure accurate and complete analysis.

(d) EXCEPTIONS.—This title shall not apply to—

(1) a laboratory operated by a government agency;

(2) a laboratory operated by a corporation that only performs analysis of residues on agricultural products for such corporation or any wholly owned subsidiary of such corporation and does not make claims to the public or buyers based on such analysis;

(3) a laboratory operated by a partnership that only performs analysis of residues on agricultural products for the partners of such partnership and does not make claims to the public or buyers based on such analysis; or

(4) a laboratory not operated for commercial purposes that performs pesticide chemical residue analysis on agricultural products for research or quality control for the internal use of an individual who is initiating the analysis.

SEC. 404. ACCREDITATION.

(a) IN GENERAL.—The Secretary shall issue certificates of accreditation to laboratories that meet the requirements of this title, as determined by the Secretary.

(b) REQUIREMENTS FOR ACCREDITATION.—To receive accreditation under this title, a laboratory shall prepare and submit an application for accreditation to the Secretary and shall complete all tests of samples required, and meet all minimum standards established, by the Secretary under section 403.

(c) INTERIM ACCREDITATION.—

(1) IN GENERAL.—On the filing by a laboratory of a complete application for accreditation under section 405, the Secretary may issue a certificate of interim accreditation to such laboratory pending the full approval of such application by the Secretary.

(2) CRITERIA.—The Secretary may issue certificates of interim accreditation to laboratories that the Secretary determines are likely to successfully meet all requirements for full accreditation. In making such determination, the Secretary shall consider the experience and current personnel of such laboratory.

(3) DURATION.

(A) COMPLETION OF EVALUATION.—An interim accreditation shall be effective until the Secretary either grants or denies such laboratory full accreditation.

(B) MAXIMUM PERIOD.—An interim accreditation shall not be effective for more than 180 days after the date of the issuance of such.

(C) NON-RENEWABLE.—An interim accreditation shall not be immediately renewable.

(d) FAILURE TO MEET ACCREDITATION STANDARDS.—The Secretary shall deny an application for accreditation or shall revoke any existing accreditation with respect to any laboratory that—

(1) does not complete successfully all tests of samples and other tests required by the Secretary;

(2) does not pass an onsite inspection conducted by the Secretary; or

(3) is not in compliance with the national laboratory accreditation program established under this title.

(e) LIMITED ACCREDITATION.—The Secretary may issue certificates of accreditation to laboratories that are limited to specific fields of testing.

(f) DURATION OF ACCREDITATION.—A certificate of accreditation shall be effective for not more than 3 years from the date of the issuance of such.

(g) RENEWAL OF ACCREDITATION.—A certificate of accreditation for a laboratory may be renewed on the completion of all tests of samples required by the Secretary and on a review of such laboratory by the Secretary to determine that such laboratory meets the requirements of this title.

SEC. 405. SAMPLES.

(a) PERFORMANCE EVALUATION SAMPLES.—

(1) PROVIDED BY SECRETARY.—The Secretary shall provide performance evaluation samples to any laboratory that has applied for accreditation or for a renewal of accreditation under this title.

(2) ANALYSIS BY LABORATORY.—A laboratory described in paragraph (1) shall analyze such performance evaluation samples and submit the results of such analysis to the Secretary.

(3) TESTING METHODS.—Samples shall be tested by the laboratory according to methods specifically approved for such purpose by alternate methods of demonstrated adequacy or equivalence, as determined by the Secretary.

(b) RESULTS OF TESTING.—

(1) SUBMISSION OF RESULTS.—The laboratory shall submit the results of the tests conducted under subsection (a) to the Secretary on forms provided by the Secretary, on or before the date determined by the Secretary.

(2) EVALUATION OF TESTS.—The Secretary shall evaluate the results of such tests achieved by the laboratory and shall determine whether such laboratory is capable of undertaking an accurate analysis of chemical residues in agricultural products.

(c) REVIEW OF ACCREDITATION.—The Secretary shall provide performance evaluation samples for analysis to laboratories accredited under this title not less than two times a year.

(d) IDENTIFICATION.—In any arrangement between laboratories that involves the transfer of performance evaluation samples or portions of such samples, the analyzing laboratory shall be identified in all reports regarding such samples and shall be the laboratory for purposes of accreditation.

SEC. 406. APPLICATION.

(a) CONTENTS OF APPLICATION.—An application for accreditation or for renewal of accreditation under this title shall be prepared and submitted to the Secretary and shall include—

(1) the name and address of the laboratory;

(2) the name and address of the owners and managers of such laboratory;

(3) a statement concerning the type of analysis the laboratory intends to conduct;

(4) a brief history of the laboratory and its previous operations; and

(5) such other information as may be required by the Secretary.

(b) RESTRICTIONS ON SUBMISSION OF APPLICATION.—A laboratory that has been denied, or has lost, accreditation under this title shall not reapply for accreditation until the expiration of at least 1 year after such denial or loss of accreditation.

SEC. 407. REPORTING.

(a) IN GENERAL.—Each laboratory or individual that performs, brokers, or otherwise arranges for the performance of pesticide chemical analysis of food shall prepare and report, to the Secretary and, by certified mail, to the owner of such food, that shall contain any finding of pesticide chemical residues in such food—

(1) for which no chemical residue tolerance has been established; or

(2) that is in excess of residue tolerances or tolerances for a pesticide suspended, banned, or otherwise not permitted by the Environmental Protection Agency.

(b) TIMING OF REPORT.—A laboratory shall submit the report required under subsection (a) to the Secretary as soon as practicable after the completion of the analysis of such food.

(c) GUIDELINES.—The Secretary shall adopt standardized reporting guidelines to be applied to laboratories under this section and shall provide such guidelines to laboratories accredited under this title, as well as other sources of information regarding applicable pesticide chemical tolerances.

SEC. 408. FEES.

(a) IN GENERAL.—At the time that an application for accreditation is received by the Secretary, and annually thereafter, a laboratory seeking such accreditation or a renewal of accreditation under this title shall pay a nonrefundable accreditation fee.

(b) AMOUNT OF FEE.—The fee required under subsection (a) shall be established by the Secretary in an amount that will assist in offsetting the cost of the program established by this title.

(c) REIMBURSEMENT OF EXPENSES.—Each laboratory that is accredited under this title or that has applied for accreditation under this title shall reimburse the Secretary for reasonable travel and other expenses necessary to perform onsite inspections of such laboratory.

(d) ADJUSTMENT OF FEES.—The Secretary may, on an annual basis, adjust the fees imposed under this section, as necessary to support the full costs of the program established by this title.

(e) GOVERNMENT-OWNED LABORATORY.—A State or local government-owned laboratory that performs work only in a reference capacity as a reference laboratory shall be exempt from the payment of any accreditation fee required under this section.

SEC. 409. PUBLIC DISCLOSURE.

The results of the evaluations of laboratories conducted by the Secretary under this title shall be made available to the public on request.

SEC. 410. REGULATIONS.

The Secretary shall promulgate regulations to carry out this title.

SEC. 411. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

SEC. 412. EFFECTIVE DATE.

This title shall become effective on January 1, 1991.

Mr. CONRAD. Mr. President, I am pleased to cosponsor Senator LEAHY's Organic Foods Production Act. This bill is the result of a little-known success story in American agriculture and its passage will pave the way for more success. This is an important bill and it comes before the Senate at a most opportune time.

Farm income dropped dramatically during the 1980's. Farmers in my State of North Dakota responded by seeking out new markets and supplying agricultural products for those markets. Their resourcefulness included adopting organic production methods. They have been successful: North Dakota is a leading State in the production of organic grain, with over $5 million worth produced every year.

Organic farming in North Dakota is not a backyard operation but an important sector of the agricultural economy. In 1988 over 50,000 acres of North Dakota cropland were certified organic. One operation alone, the Kirschenmann Family Farms of Windsor, ND, comprises 3,000 acres.

In the face of the worst agricultural crisis of this century, our farmers found new ways to succeed. Now is the time to consolidate the gains our farmers have made. While consumers want to buy organic foods, they are confused about which foods in the store are truly organic and which are not. By setting strict national standards and adopting a USDA organic label, we can help expand the market for organic products. Right now 19 States have 19 different definitions of organic. We need one national definition to give consumers confidence in their purchases. This bill, simply by reassuring consumers, will strengthen the market for our organic producers.

This bill will protect organic producers. Organic food is a niche market characterized by consumers who are willing to pay a premium for superior products. True organic producers must be protected for those who would market their products as organic without adhering to strict organic production methods. This bill does that by providing for farm certification and product testing.

This bill is good for the environment. We are all interested in seeing farmers adopt more environmentally sensitive production methods. It is fundamentally important, however, that we use a positive, incentive-based approach rather than rely upon a punitive approach. By protecting organic producers, this bill will give farmers the confidence to adopt and develop sustainable farming practices.

Farmers will reduce or eliminate their use of synthetic chemical inputs if they can do so profitably. Farmers like the Kirschenmanns of North Dakota have shown that it can be done. But their profitability depends upon consumers' confidence in the products that reach the supermarket shelves. The Organic Foods Production Act can give consumers that assurance and gently encourage farmers who want to move to environmentally sensitive farming practices. Mr. President, the Organic Foods Act should become part of our farm and food policy for the 1990's. Senator LEAHY and his staff, particularly Kathleen Merrigan, are to be commended for this fine bill. I urge its rapid passage.

By Mr. DIXON:

S. 2109. A bill to suspend temporarily the duty on parts of generators for use on aircraft; to the Committee on Finance.

TEMPORARY DUTY SUSPENSION ON CERTAIN GENERATOR PARTS

● Mr. DIXON. Mr. President, I am today introducing legislation to temporarily suspend the duty on aircraft generator components. This is a matter that was first brought up last year, when it was included in the fiscal year 1990 reconciliation bill as passed by the House of Representatives. It was not, however, included in the final version of the bill because the Senate insisted on keeping the reconciliation bill narrow, focused solely on the spending and revenue items that were necessary to comply with the instructions in the budget resolution.

I supported the narrow approach to the reconciliation bill. However, I continue to believe that the issue presented by this bill needs to be addressed. I understand that the Finance Committee is considering putting together an omnibus tariff bill; I strongly believe this provision should be included in that measure.

The bill is simple and noncontroversial. It merely provides time for the administrative process to correct an inequity created by the new harmonized system of tariffs. Until recently, aircraft generator components could be imported on a duty-free basis. Under the new harmonized tariff schedule, however, this duty-free treatment was eliminated. This change results in a significant handicap for American producers of aircraft generators. Complete aircraft generators can be imported duty-free, but if a U.S. firm wants to do the bulk of the work here in the Unites States, using some imported parts, import duties must be paid.

This legislation does not, however, attempt to resolve this issue permanently. It simply maintains what had

been the status quo to provide an opportunity to pursue administrative relief through the United States Trade Representative and the Department of Commerce.

Mr. President, this is a meritorious bill, and I look forward to working with my colleagues to ensure its prompt enactment.

Mr. President, I ask unanimous consent that a copy of the bill be included at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter II of chapter 99 of the Harmonized Tariff Schedules of the United States is amended by inserting in numerical sequence the following new subheading:

"9902.85.03	Parts of generators for use on aircraft (provided for in subheading 8503.00.60).	Free	No change	No change	On or before 12/31/92."

SEC. 2. (a) The amendment made by the first section of this Act applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of this Act.

(b) Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law to the contrary, upon a request filed with the appropriate customs officer before the 90th day after the date of enactment of this Act, any entry or withdrawal from warehouse for consumption of goods to which the amendment made by the first section of this Act applies and that was made—(1) after December 31, 1988; and (2) before the 15th day after the date of enactment of this Act;

and with respect to which there would have been no duty if the amendment made by the first section had applied to such entry or withdrawal, shall be liquidated or reliquidated as though such entry or withdrawal had occurred on such 15th day.●

By Mr. MATSUNAGA (for himself, Mr. INOUYE, Mr. SIMON, Mr. DOLE, Mr. ADAMS, Mr. BENTSEN, Mr. BRADLEY, Mr. BRYAN, Mr. BURDICK, Mr. CHAFEE, Mr. COCHRAN, Mr. CONRAD, Mr. D'AMATO, Mr. DECONCINI, Mr. DODD, Mr. GORTON, Mr. HEFLIN, Mr. HOLLINGS, Mr. LEVIN, Mr. LUGAR, Mr. MURKOWSKI, Mr. STEVENS, Mr. WILSON, and Mr. DASCHLE):

S. 2111. A bill designating the month of May as "Asian/Pacific American Heritage Month"; to the Committee on the Judiciary.

ASIAN/PACIFIC AMERICAN HERITAGE MONTH

● Mr. MATSUNAGA. Mr. President, in 1977, I had the pleasure of introducing legislation which provided for the observance of Asian/Pacific American Heritage Week in early May. That bill later became Public Law 95-419. Asian/Pacific American Heritage Week has been proclaimed annually since then, and, at no cost to the Federal Government, has contributed to a better understanding of the many contributions which Americans of Asian and Pacific Island ancestry have made to our national heritage.

Today, with 22 cosponsors, I am pleased to introduce legislation which would amend Public Law 95-419 to provide for the annual celebration of Asian/Pacific American Heritage Month. I am most grateful to Senators INOUYE, SIMON, ADAMS, BENTSEN, BRADLEY, BRYAN, BURDICK, CHAFEE, COCHRAN, CONRAD, D'AMATO, DECONCINI, DODD, DOLE, GORTON, HEFLIN, HOLLINGS, LEVIN, LUGAR, MURKOWSKI, STEVENS, and WILSON for joining me in this effort.

Extension of the annual observance to a month would provide more flexibility for the Government agencies and private organizations which plan events during the celebration. In the past 12 years, Asian American Heritage Week has been observed with food festivals, film festivals, art exhibits, exhibits in public libraries, special programs in public schools, and special programs in Government agencies at the local, State, and Federal level. The proposed extension is also consistent with the annual observance of Black History Month and Hispanic Heritage Month.

Asian/Pacific Americans are the second fastest growing minority group in the United States, after Hispanics. They are a very diverse group of people, including Chinese-Americans and Japanese-Americans whose forebears came to this country in the 19th century, as well as more recent immigrants from Korea, India, Pakistan, the Philippines, Samoa, Vietnam, Cambodia, and Laos. Over the years, they have achieved prominence in science, the arts and architecture, education, business, and politics at all levels. They have helped make our country the great nation that it is today, yet all too often even those who were born and raised here are treated as foreigners. The observance of Asian/Pacific American Heritage Month would help make their achievements more visible to their fellow Americans, and would also engender a greater appreciation of their ancestral roots among Asian and Pacific Americans.

Mr. President, I hope that my bill will receive early, favorable consideration in committee and on the Senate floor.

I request unanimous consent that a copy of the bill be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 95-419 be amended by—

(1) inserting "annually" in between "proclaim" and "the";

(2) striking "seven-day period beginning on May 4, 1979" and inserting "31-day period beginning May 1, 1990";

(3) striking "Week" and inserting "Month";

(4) inserting "annually" in between "to issue" and "a proclamation";

(5) striking "seven-day period beginning on May 4, 1979" and inserting "31-day period beginning May 1, 1990";

(6) striking "Week" and inserting "Month";

(7) striking "week" and inserting "month";

(8) inserting "programs," in between "appropriate" and "ceremonies".●

● Mr. SIMON. Mr. President, I am proud to join my good friends and colleagues from the State of Hawaii, Senators SPARK MATSUNAGA and DANIEL INOUYE, on the introduction of our bill to designate the month of May as Asian/Pacific American Heritage Month.

Since 1979, we have set-aside 1 week annually to recognize the contributions that Asian and Pacific Americans have made and do make to our Nation. Over the past decade, the Asian and Pacific American population has increased. Today, Asian and Pacific Americans are the fastest growing minority group in the country. It is appropriate, therefore, to correspondingly expand heritage week to 1 month.

Mr. President, there are many myths about Asian and Pacific Americans. Heritage Month provides an important opportunity for all Americans to learn about Asian and Pacific Americans. For example, some people believe that Asian Americans all live in California and Hawaii. Few know that my State of Illinois has the fourth largest population of Asian and Pacific Americans and that there are more Asian and Pacific Americans in Chicago than in any city in the United States but San Francisco, Los Angeles, Honolulu, and New York City.

Sometimes Asian and Pacific Americans are called the model minority. As I have stated on the Senate floor before, however, this term, no matter how well-meaning it may be, tends to ignore real needs and special concerns of new refugees from Southeast Asia; health needs of the Asian elderly; and language needs of Asian workers in many industries among others. Asian/Pacific American Heritage Month provides a much better way for all Americans to honor this growing population and for Asian and Pacific American youth to learn about those who came before them.●

By Mr. METZENBAUM (for himself, Mr. KENNEDY, Mr. ADAMS, and Ms. MIKULSKI):

S. 2112. A bill to amend the National Labor Relations Act to prevent discrimination based on participation in

labor disputes; to the Committee on Labor and Human Resources.

PREVENTION OF DISCRIMINATION BASED ON PARTICIPATION IN LABOR DISPUTES

● Mr. METZENBAUM. Mr. President, I rise to introduce legislation that affirms and restores long-held rights of American workers. I am very pleased to be joined in this effort by three of my colleagues on the Labor Committee, Senators KENNEDY, ADAMS, and MIKULSKI.

Under the National Labor Relations Act, Congress established that both employees and employers had the right to engage in economic self-help activities. For employees, the cornerstone of this federally protected concerted action is the right to withhold services from an employer in order to further objectives in the collective bargaining process—in other words, the right to strike. For more than 50 years, the right to strike has provided American workers with their basic economic weapon during a labor dispute.

Employers have a number of choices in responding to a worker strike. They may shut down operations during the pendency of the strike. They may continue operations by using their supervisory and management personnel and, sometimes, by using temporary replacement employees.

The Supreme Court opened up another option for employers in its 1938 Mackay Radio decision. In Mackay Radio, the Supreme Court gave employers the right to hire permanent replacements for strikers. Subsequent to Mackay Radio, employers rarely chose to exercise this option, in large part because permanently replacing strikers was viewed as unacceptable conduct by the general public.

This scenario changed dramatically during the 1980's. Former President Reagan set the stage in 1981 when he fired and permanently replaced 12,000 striking air traffic controllers. His action sent a clear message to the employer community that it was now acceptable to fire and permanently replace striking workers. Through his actions, President Reagan legitimized a much more aggressive, and even hostile, employer strategy during labor disputes.

The 1980's witnesses a tremendous growth in the hiring of permanent replacements. Since 1981, tens of thousands of strikers have been permanently replaced. Not surprisingly, the 1980's also witnessed a decline in the number of strikes. Workers, knowing that permanent replacement was a very real risk, were much less willing to exercise their right to strike. A preliminary comparison of labor relations activity by seven major unions indicates that the number of strikes fell by 50 percent between 1980 and 1987. Yet the number of strikes where permanent replacements were hired increased by more than 300 percent in this same 7-year period.

The Supreme Court's 1989 decision in Trans World Airlines versus International Federal of Flight Attendants further eroded the rights of strikers. In its decision, the Court departed from precedent and decided that employers could offer preferential benefits to strikers who crossed picket lines and returned to work. The Court condoned what it earlier had labeled a practice "inherently destructive" of the right to strike. The effect of the Trans World Airlines decision was to stack the deck further against workers seeking to exercise their legitimate right to strike.

The legislation I am introducing today overturns both the Mackay Radio and Trans World Airlines decisions. The bill restores the right to strike to its correct status as a legitimate economic weapon for workers. The legislation prohibits employer actions that undermine the right to strike. Employers may still continue to use legitimate economic weapons, but they may not engage permanent replacements, or apply discriminatory preferences in favor of workers who cross picket lines.

I believe this legislation addresses a fundamental labor relations issue that deserves consideration by the Congress. I expect that the Labor Committee will hold hearings on the bill in the near future. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PREVENTION OF DISCRIMINATION DURING AND AT THE CONCLUSION OF LABOR DISPUTES.

Section 8(a) of the National Labor Relations Act (29 U.S.C. 158(a)) is amended—

(1) by striking the period at the end of paragraph (5) and inserting "; or", and

(2) by adding at the end thereof the following new paragraph:

"(6)(i) to offer, or to grant, the status of a permanent replacement employee to an individual for performing bargaining unit work for the employer during a labor dispute, or

"(ii) to otherwise offer, or grant, an individual any employment preference based on the fact that such individual was employed, or indicated a willingness to be employed, during a labor dispute over an individual who—

"(A) was an employee of the employer at the commencement of the dispute;

"(B) has exercised the right to join, to assist, or to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection through the labor organization involved in the dispute; and

"(C) is working for, or has unconditionally offered to return to work for, the employer.".●

● Mr. KENNEDY. Mr. President, I am pleased to be a cosponsor of S. 2112, a bill offered by the chairman of the Labor Subcommittee to ban the permanent replacement of strikers during labor disputes. The practice of hiring permanent replacements undermines a basic tenet in labor-management relations: An employees right to strike.

The problem is long standing, and it began with the case of Labor Board versus Mackay, decided by the Supreme Court in 1938. In dicta, the Court declared that an employer may permanently replace an economic striker, and upon termination of the strike, the employer has no obligation to reinstate the striker if the position is still filled by the permanent replacement. In Mackay, the Court determined that the employer's right to maintain his business during a strike could only be protected if the employer was able to offer replacement workers permanent positions.

The Court correctly recognized the need to balance the right of employers to maintain their businesses against the right of employees to engage in collective activity. But the decision went too far. In Mackay, the Court ignored the clear intent of Congress, stated in the National Labor Relations Act that "nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike."

Unfortunately, the issue of permanent replacement of strikers was not adequately briefed or argued before the Court in Mackay. The practice of permanent replacements was approved in dicta by the Court, without significant discussion or debate. Subsequently, it has been the subject of a great deal of criticism. This bill will resolve this continuing problem in a clear and unambiguous fashion.

Mackay effectively curtails a right explicitly granted to employees—the right to strike. Common sense dictates that if employees know there is a significant chance they will be permanently replaced while on strike, the right to strike is undermined. In Mackay, this right was limited on the basis of an unproven assertion—that permanent employees are necessary for an employer to protect and continue business during a strike.

The Mackay rule also imposes practical problems as well, Currently, an employer may permanently replace an employee during an economic strike, but not during an unfair labor practice strike. Often, it is unclear whether a dispute is an unfair labor practice strike or an economic strike, and because an economic strike may become an unfair labor practice strike, the rights and obligations often become ambiguous to both sides.

The Mackay doctrine also has potentially harsh results for the replaced

employee, notwithstanding the current law that employers must reinstate permanently replaced employees when their replacements depart unless the striker has acquired regular and substantially equivalent employment or the employer has demonstrated legitimate and substantial reasons for not doing so. Permanently replaced employees may wait indefinitely for an opening, but if they abandon the wait and accept other employment, they may forfeit their pension and seniority. This is an unnecessarily harsh choice.

Subsequent Court decisions have placed limitations on the Mackay doctrine. Employers may not offer replacements higher wages, super seniority, or better vacation benefits. And in Belknap Inc. versus Hale, the Supreme Court also arguably limited the use of permanent replacements, by suggesting that an employer may avoid liability by offering the replacement permanent employment only on the condition that an agreement does not later require the reinstatement of the striking employees. But these subsequent rulings merely temper bad law. It is time to reverse the bad law itself.

The bill we are introducing today draws the issue clearly, and will allow the Senate to begin the long delayed effort to craft a law which truly balances the interests at stake in labor disputes without unfairly tilting the scales. I commend Senator METZENBAUM for his leadership and I look forward to working with him on this measure.●

By Mr. HEINZ:

S. 2113. A bill to promote and assist in the development of the private sector, including small- and medium-sized businesses, in central and eastern Europe through an export enhancement regime that will encourage direct private investment in such countries; to the Committee on Banking, Housing, and Urban Affairs.

CENTRAL AND EASTERN EUROPE INVESTMENT AND ENHANCEMENT ACT

Mr. HEINZ. Mr. President, I rise today to introduce the Central and Eastern Europe Investment and Export Enhancement Act of 1990. This bill promotes and assists in the development of the private sector, including small and medium-sized businesses, in Central and Eastern Europe. Western nations should assist in the economic transformation occurring in Central and Eastern Europe through economic and technical assistance that uses Western technology and private direct investment to promote market mechanisms. As I have stated before, I do not believe that simply throwing money at the economic ills of Central and Eastern Europe will accomplish U.S. foreign economic policies aimed at the region.

The bill establishes an export enhancement regime to facilitate private direct investment by proposing to extend full and immediate China green line treatment to countries in central and eastern Europe that meet, at a minimum, the following criteria: Replace their Communist governments with democratically elected ones, take concrete measures to lessen and ultimately eliminate the military threat to the West, develop free market mechanisms, and demonstrate the political willingness to negotiate technology security regimes based on conditions established by the United States and Cocom, the 17-nation multilateral export control system that coordinates Western export control policies. Poland, Hungary, East Germany, and Czechoslovakia, as I will explain shortly, are well on their way toward meeting these criterion today.

Mr. President, there are two revolutions occurring in Central and Eastern Europe today, one highly visible, one barely noticeable.

The first revolution, the political revolution, is occurring at breakneck speed throughout Central and Eastern Europe. A day does not go by that the media does not report still another major change in the political landscape of the region. The latest development is the all but certain unification of the two Germanies. Communist governments are rapidly toppling as one-party rule has given way to multiparties and free elections. Indeed, the political revolution may well have reached the Soviet Union itself, which had done its utmost to insulate itself from the very forces of change it encouraged elsewhere.

The second revolution is not as highly visible nor as well-defined. I am referring to the technological revolution building in Central and Eastern Europe. And I see very little evidence that the U.S. Government has a full appreciation of this dimension of the economic transformation. Has the administration, for example, given as much thought to the implications of German unification to the continued viability of Cocom as it has to NATO? It is common knowledge that the Social Democratic Party has called for the withdrawal of a united Germany from Cocom. I have it on good authority that several members of Cocom have said that Cocom cannot and must not be an impediment to the issue of unification.

I submit that a Cocom without Germany will potentially have as serious implications for the technology revolution in Europe as a NATO without a Germany could potentially have for the security of Europe.

Let me demonstrate by example what I mean. At the macrolevel, the Federal Republic has the largest political, economic, and security stake in Eastern Europe's transformation. It has the requisite economic resources, including technological resources, to become the leader in East-West trade. The West Germans are world leaders in such key technological sectors as telecommunications, to which I will come back shortly, and machine tools. West Germany has captured 45 percent of the machine tool market in Central and Eastern Europe compared to less than 2 percent for the United States.

Because it is a case in point, I will from time to time discuss the issues and problems affecting telecommunications. While this is an important and critical industry, it is illustrative of the problems involved with industry offer industry technology.

To focus on a specific area let's begin with West Germany, one of the world's leaders in the telecommunications sector. Currently, Cocom prohibits the export to East Germany of civilian-use telecommunications digital switching systems, including equipment that is obsolete in the United States and Western Europe; namely, digital, transmission systems for radio and fiber optic media up to 45 megabits. A megabit is the speed, measured in million, of how quickly and how much information travels over telephone lines. The more megabits, the more simultaneous call capacity the system can handle. In the United States, AT&T operates in the range of 1.7 gigabits, units measured in billions. The standard for Western Europe is 565 megabits, but by 1992, the standard is expected to increase to 2.5 gigabits. The reason for decontrolling systems up to 45 megabits is clear: who would want to buy obsolete systems in any event?

The administration proposes to relax export control restrictions in Cocom in two phases for telecommunications. The first phase would continue to maintain controls on the kind of equipment and technologies required to make compatible the telecommunications networks in Western and Eastern Europe. The proposal would also extend China green line treatment to eligible Central and Eastern European countries for microwave systems up to 140 megabits, but not for fiber, which has the capacity for more call handling. This proposal would still require anything above 45 megabits on fiber and 140 megabits on microwave radio to have a unanimous Cocom vote for approval, thereby slowing the process.

The problem with the administration's proposal is that it does not permit the export of the kinds of equipment required to upgrade the system at the same level as that of China's. Currently, China's green line treatment permits such sophisticated telecommunications equipment as common channel signaling and 140 megabit fiber optic transmission sys-

tems. Under the administration's current proposal, these systems would not be permitted for export to Eastern Europe.

Even with 140 megabit fiber optic transmission speeds, there is a likelihood of creating the neck of a funnel when connecting to 565 megabit European standards. In other words, the disparity in the call capacities is such that the system would choke. The restriction of information flow and civilian telecommunications equipment and technology to facilitate information exchange is not in the spirit of stimulating political and economic reforms in Central and Eastern Europe.

Does anyone seriously believe that West Germany is going to integrate its telecommunications system with an obsolete or incompatible one, be it in East Germany or other countries in the region?

The West German telecommunications market is a protected market. Siemens, for example, has exclusive rights to the development of West Germany's telecommunications infrastructure network. Under this circumstance, at best, Cocom will be irrelevant to West German development plans in East Germany. At worst, the political pressure to withdraw from Cocom can only intensify. At a time when the imperative is for including a united Germany in NATO and other international organizations, the consequences of withdrawing from Cocom would have major implications for the continued viability of the organization as a whole.

Do we honestly believe, then, that the United States Government, with the possible support of the United Kingdom, can stem the tide of the technological revolution that is sure to occur in Europe as the military threat to the region continues to decline at its current pace? Does the administration realize that, as EC92 approaches, 90 percent of U.S. products currently being sold there are already being manufactured in host EC countries by U.S. multinationals? What does this development mean for foreign availability of technologies readily available to the Soviet bloc when most controls on technology are rendered moot first by German reunification and then by the transformation of Communist governments to democratic ones?

The purpose of United States and Cocom export controls is to deny the Soviet bloc the acquisition of militarily critical technologies that would significantly improve their military potential. What happens to this purpose as the countries of Central and Eastern Europe began to transform defense factories into civilian-producing factories? It is not difficult to foresee the day soon when Europe will be awash with consumer goods and technologies in search of new markets. Where, one wonders, will U.S. firms be in the larger economic transformation occurring in Europe?

The administration's initial response to these questions has been an initiative designed to buy time. About 3 weeks ago, the Bush administration dispatched a high-level mission to Europe to propose to the allies the adoption of a skimpy and short sighted version of the China green line policy for exports of high technology to the East bloc. Secretaries Baker and Mosbacher and National Security Adviser Scowcroft are quoted as saying that the proposal has the blessing of the administration. New York Times, January 23, 1990. This from the same administration officials who labeled as a "bad idea" a similar proposal I introduced last summer for relaxing controls to the bloc. At the time, I proposed the adoption of a China green line differential for Poland and Hungary to distinguish how we treat exports to the two countries from those to the Soviet Union and other Communist countries to whom we did not wish to relax export controls.

The proposal also included a safeguard regime comprised of Customs agreements and Cocom-approved strategic trade agreements that allow United States officials to verify the end use, end uses, and location of Western technology sold to Poland and Hungary.

I have been briefed on the contents of the proposal, and I am concerned that the administration's proposal still falls short of what the bloc nations, particularly Poland and Hungary, will require to modernize their economies.

The reason for the administration's cautious approach to the coming technological revolution in Central and Eastern Europe may well be found in the rationale it has used to relax export controls toward selected members of the bloc.

The basis for the administration's decision, we are told, is the "political liberalization" that has taken place in the East bloc (Post, January 22, 1990). While I do not disagree with this rationale, the United States and the Coordinating Committee [Cocom], have traditionally based high-technology controls on national security determinations, not political liberalization or economic reforms. The nature of the military threat, not the nature of the political system, formed the rationale for U.S. export control policy.

During the debate on economic assistance to Poland and Hungary last fall, Congress, like the administration, expressed its deep concern with Poland and Hungary's close military cooperation with other Warsaw Pact countries, their membership in the Council for Mutual Economic Assistance [CMEA, or, Comecon] and the continued presence of the KGB in both countries. In the end, the Congress adopted and the President signed into law a requirement that the administration identify the confidence building measures Poland and Hungary could undertake to facilitate the negotiation of agreements, including bilateral customs and technology transfer agreements, that would encourage greater direct private sector investment in those countries. The amendment also required the administration to identify the confidence building measures Poland and Hungary could undertake for the purpose of relaxing export controls to those countries.

Since the bill was signed in November, the non-Soviet Warsaw Pact countries have taken several encouraging confidence building measures that deserve more reciprocity than is contained in the administration's current proposal. For example, the 10-member nations of Comecon, the Soviet-dominated economic union, agreed several weeks ago to move toward a market-based system of free trade despite Moscow's attempt to maintain the bankrupt system for a longer period of time. Hungary and Czechoslovakia proposed to gut the entire system now and get on with the business of integrating their economies to those of the West. Moscow's resistance at this time is pro forma.

Several weeks ago the top military leaders from NATO and the Warsaw Pact defense alliances met in Vienna to discuss military strategy, spending, and force deployments in the near future. U.S. military analysts concluded that there was a greater willingness by some pact countries to base their security interests on their, and not Moscow's, needs. In addition, Poland, Hungary, and Czechoslovakia have announced spending cuts up to 25 percent in the coming year, and some have pledged to scale back purchases of new, high-technology weapons, a move that would certainly improve the technology transfer environment towards the bloc. Poland, Hungary, and Czechoslovakia have also notified Moscow of their intention to demand the complete withdrawal of Soviet troops from their respective territories. Czechoslovakia, Hungary, and Romania have ordered that pledges of fealty to the party be stripped from military service oaths.

Finally, at least one bloc country has ordered a certain number of KGB members to leave, and plans to demand that all leave in due time. Other bloc countries have expressed the same intention.

The United States and its allies are reciprocating—up to a point. The United States, for example, has restored most-favored-nation trade status to imports from Poland and Hungary and plans to lift Jackson-Vanik trade restrictions against Czech imports. Romania has asked that its

MFN status be restored. Deposed President Nicolae Ceauscescu voluntarily withdrew Romania's MFN status in 1988 because of continued United States criticisms of its human rights violations.

East bloc countries cannot hope to develop a competitive, Westernized economy with third rate technology. A Hungarian official put it this way:

> We cannot have a first-rate economy with third-rate technology, and we cannot earn the currency required to transform our backward economies into modern ones if we cannot compete in the world marketplace.

According to the Congressional Research Service,

> Facilities are becoming available as defense plants to be absorb into civilian economy in East Europe are closed down.

This is one confidence building measure that should be factored into a decision to relax controls against those countries that have expressed the political willingness to enter into negotiations with the United States and Cocom to develop technology security regimes based on Western conditions. Hungary, for one, has tabled such a proposal with the United States Government.

I would, therefore, add one more reciprocal benefit I first proposed to Secretaries Baker and Mosbacher last summer: grant those bloc countries that have adopted democratic regimes and are taking concrete steps to reduce their military, intelligence, and economic ties to the Soviet Union, such as Poland, and soon Hungary and Czechoslovakia, full and immediate China green line treatment. In other words, treat these countries as we treated China before Tiananmen. The levels of technology available to those qualifying bloc countries would be considerably higher than that available to the Soviet Union and other Communist countries.

I have been briefed on the contents of the proposal, and I am concerned that the administration's thinking still falls short of what the bloc nations, particularly Poland and Hungary, will require to modernize their economies. First, the administration's proposal covers only three categories—computers, telecommunications, and machine tools. The Cocom list contains 39 categories. What happened to the other 36?

Second, within the three categories, important as they are, the administration is doing a slight bit of hand. It proposes to relax controls in two phases, and even at the conclusion of the second phase, it falls well short of granting full China treatment. Regarding the three categories in question, a closer look reveals their inherent shortcoming.

COMPUTERS

China is currently eligible to buy large mainframe computers such as the IBM 3090. The bloc countries are limited to AT but most PS/2-level personal computers or graphic work stations. The administration has taken a positive first step in allowing the export of the 386 microprocessor, and has proposed to increase the level of computers six times from the present level to a level of a lesser IBM-3090. The increase will still be insufficient for these countries to establish first-rate medical, airline, and other legitimate civilian end-use sectors. Full China green line treatment would.

TELECOMMUNICATIONS

As I have already noted, China is currently eligible to buy top-of-the-line telecommunications switching equipment to go with the fiber optic cable decontrolled several years ago. It may surprise some that China has developed the potential to establish a national and global telecommunications network second to none within the next 5 years.

MACHINE TOOLS

Finally, the U.S. position would decontrol machine tools with tolerances of plus or minus 5 microns. The China green line places the tolerance level at plus or minus 3 microns. The East bloc is offered machine tools at grades inferior to—and not even half as good as—those available to China. West Germany has proposed a level even lower than the China green line.

Finally, I am pleased that the administration has also adopted the idea of the technology transfer safeguard regime as a precondition to liberalizing export controls. This too, however, has received some attention on the administration's latest proposal, but the administration has dragged its feet on doing anything concrete to nail down any such agreements. Poland and Hungary have informed me of their willingness to initiate negotiations on bilateral Customs and technology safeguard agreements now based on Cocom terms. The administration has been lukewarm to Hungary's request to negotiate a Customs agreement; it has not even approached Poland.

The administration has been the reluctant partner in relaxing controls over the past 10 months. Events in Eastern Europe clearly are moving at breakneck speed with and without us. On this critical area, I would think it is to our advantage to lead the negotiations to relax controls rather than allowing the allies to do it for us. We have the experience, and we have the most sought after technology. The latter is more liable to change than the former. It does not take a prophet to foresee the collapse of Cocom as we know it if we do not act promptly and substantively.

Mr. President, I hope my colleagues who believe that the development of free markets and democratic institutions in Eastern and Central Europe, and those who share my conviction that private investment and technology are the minimum necessary tools to ensure the successful economic and lasting political integration of nations like Poland, Hungary, and Czechoslovakia into the West, will support and cosponsor this legislation.

I ask unanimous consent that the text of my legislation be printed at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2113

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This act may be cited as the "Central and Eastern Europe Investment and Export Enhancement Act of 1990".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The changes occurring in Central and Eastern Europe have widened the potential for trade, investment, and commercial relations between the United States and selected countries of the region.

(2) The economic transformation occurring in Central and Eastern Europe is a result of efforts to replace the stagnant command economies of the region with market economies in close cooperation with the West.

(3) Western nations should assist in this economic transformation through an economic and technical assistance program that uses Western technology and private direct investment to promote market mechanisms.

(4) Some countries in the region have adopted confidence building measures to encourage greater direct private sector investment, as evidenced by—

(A) lowering National budget deficits by proposed spending reductions of up to 25 percent in the coming year by Poland, Hungary, and Czechoslovakia;

(B) the notification to Moscow by Hungary and Czechoslovakia of their intention to demand the complete withdrawal of Soviet troops from their respective territories;

(C) the removal of pledges of fealty to the Communist Party from military service oaths by Hungary, Czechoslovakia, and Romania;

(D) proposals from Poland, Hungary, and Czechoslovakia to end the Council for Mutual Economic Assistance (COMECON), in order to integrate their economies into the West;

(E) promises by some Warsaw Pact members to remove all Soviet intelligence agents within their borders;

(F) the apparent reduction in the military threat from the Warsaw Pact through the end of the "Brezhnev Doctrine" of forceful intervention to maintain communist regimes hostile to the West; and

(G) the expressed willingness by some members of the Warsaw Pact to negotiate technology security agreements on Western terms, including the enactment of national legislation to harmonize obligations by the recipient country.

SEC. 3. DECLARATION OF POLICY.

(a) PROMOTION OF DEMOCRATIZATION.—It is the policy of the United States Government to promote democratization in Central and Eastern Europe through development of the

private sector and the introduction of free market mechanisms.

(b) REDUCTION OF SOVIET CAPABILITIES.—It is the policy of the United States Government to recognize the confidence building measures undertaken by those countries in Central and Eastern Europe to reduce significantly the Soviet military and intelligence capabilities within their borders and thereby eliminate the threat to the security interests of the West.

(c) NEGOTIATIONS.—It is the policy of the United States Government to initiate negotiations within the group known as the Coordinating Committee (hereinafter referred to as the "Committee") to enhance exports to those countries in Central and Eastern Europe—

(1) that have made the transition from a communist form of government to a democratic form of government based on Western values and institutions, and

(2) that demonstrate they are taking appropriate steps to protect against the diversion of Western technology, including the removal of Soviet intelligence agents from within their borders.

SEC. 4. MEASURES FOR EXPORT ENHANCEMENT.

Section 5 of the Export Administration Act of 1979 (50 U.S.C. App. 2404) is amended by adding at the end the following:

"(r) EXPORT ENHANCEMENT.—The President shall take the following steps to implement an investment and export enhancement regime for participating countries of Central and Eastern Europe that have made the transition from a Communist form of government to a democratic form of government based on Western values and institutions, and that demonstrate they are taking appropriate steps to protect against diversion of Western technology, including the removal of Soviet intelligence agents from within their borders:

"(1) ESTABLISHMENT OF AN EXPORT ENHANCEMENT DIFFERENTIAL.—

"(A) The President shall instruct the Secretary of State, in conjunction with the Secretaries of Commerce and Defense and other appropriate agencies, to seek the approval of the Committee for the removal of controls on shipments of goods or technologies to countries that meet the criteria specified in this subsection which are at a level that does not exceed the level to which exports to the People's Republic of China require only notification of the governments participating in the Committee.

"(B) Upon obtaining such approval, the President shall instruct the Secretaries of State, Commerce, and Defense to take such steps as are necessary to implement such level of control within the context of United States law and regulation.

"(C) Exports which exceed the levels of technology permitted to the People's Republic of China that require only notification to the Committee shall be processed on a case-by-case basis with the proper referral to the Committee. Favorable consideration of applications shall be presumed if they meet the following criteria:

"(i) the end-user is a legitimate civil or commercial entity;

"(ii) the proposed export is reasonable and appropriate in quantity and quality for the stated civil or commercial end use;

"(iii) the civil or commercial application is well established in the West and there is no clearly identified direct military application for the proposed export product in Soviet bloc or United States military systems;

"(iv) the risk of diversion is inherently limited by the function of the equipment, random on-site inspection, adequate computer use logs or software access controls, or Western participation in the management or operation of the application; and

"(v) the proposed export is subject to government-to-government assurances, where applicable and appropriate, under the technology transfer procedures agreed to by the Committee.

"(2) CUSTOMS-TO-CUSTOMS AGREEMENTS.—The President shall instruct the United States Customs Service, in coordination with the Department of State, to initiate the negotiation of government-to-government Customs Memoranda of Understanding (MOUs) with those countries meeting the criteria in this subsection, which, among other things, provide for a mutual assistance agreement to prevent and investigate breaches of United States Customs laws, and which provide the legal basis for officials of the United States Customs Service to request assistance from the participating governments.

"(3) EXPORT ENHANCEMENT SECURITY AGREEMENTS.—The President shall instruct the Secretary of State, in conjunction with the Secretaries of Commerce and Defense, to initiate negotiations with those countries meeting the criteria in section 3(c) to conclude bilateral technology transfer safeguard agreements containing the appropriate principles approved by the Committee including, but not limited to, requirements for import certificates and delivery verification documents, prelicense and postshipment checks, reexport provisions, and enforcement cooperation.".

SEC. 5. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report describing the initial steps taken by the United States Government to implement the provisions of the amendment made by section 4.

By Mr. KENNEDY (for himself, Mr. HATFIELD, Mr. MITCHELL, Mr. BYRD, Mr. PELL, Mr. GLENN, Mr. ROCKEFELLER, Mr. ADAMS, Mr. BINGAMAN, Mr. DODD, Mr. GORE, Mr. INOUYE, Mr. KERREY, Ms. MIKULSKI, Mr. SIMON, and Mr. STEVENS):

S. 2114. A bill to promote excellence in American mathematics, science, and engineering education; enhance the scientific and technical literacy of the American public; stimulate the professional development of scientists and engineers; provide for education, training, and retraining of the Nation's technologists; increase the participation of women and minorities in careers in mathematics, science, and engineering; and for other purposes; to the Committee on Labor and Human Resources.

EXCELLENCE IN MATHEMATICS, SCIENCE, AND ENGINEERING EDUCATION ACT

● Mr. KENNEDY. Mr. President, today Senator HATFIELD and I are introducing the Excellence in Math, Science, and Engineering Education Act of 1990. Joining us as cosponsors of this bill are Senator MITCHELL, Senator BYRD, Senator PELL, Senator GLENN, Senator ROCKEFELLER, Senator ADAMS, Senator BINGAMAN, Senator DODD, Senator GORE, Senator INOUYE, Senator KERREY, Senator MIKULSKI, Senator SIMON, and Senator STEVENS.

The goal of this legislation is to make American students first in the world in math, science, and engineering achievement by the year 2000. The national education crisis is especially severe in these subjects. The Excellence in Math, Science, and Engineering Education [EMSEE] Act will help us begin to meet that challenge and restore America's competitive position in the world economy.

Since the Second World War, the United States has been preeminent in basic scientific research and in the practical inventions that stem from that research, from semiconductors to computers and from color TV to video recorders. In most technical fields, American scientists and engineers have set the pace—at least until recent years.

Today, however, our foreign competitors are able to build higher quality products at lower cost. Japanese and German engineers translate American inventions into commercial products that increasingly dominate the global marketplace. Their businesses reap vast profits from innovations, and those profits are used to buy up American industry and real estate.

Our current problems stem in large part from our underinvestment in human resources, which are the ultimate source of the Nation's strength and creativity. As a consequence, American students regularly finish last in comparisons with their counterparts in other industrial countries.

Four-fifths of elementary school mathematics teachers are not fully qualified to teach math and two-thirds of elementary school science teachers are not fully qualified to teach science. A third of U.S. high schools offer no physics course, and many others offer no chemistry course. Even where the courses are offered, the results are not encouraging. In a recent survey of 13 countries, U.S. high school seniors ranked 9th in advanced physics; 11th in advanced chemistry; and dead last in advanced biology.

At the college level, the situation is equally bleak. Less than 1 percent of last year's freshman class planned to major in math, compared with 4 percent, 20 years ago. Currently only 5 percent of United States undergraduates earn bachelor of science degrees—compared to 20 percent in Japan and 37 percent in Germany. In U.S. graduate schools, 50 percent of the engineering doctorate degrees are earned by foreign students.

Unfortunate as the situation is today, demographic trends suggest greater problems in the future. The National Science Foundation estimates that the Nation will face a shortage of as many as 675,000 scien-

tists and engineers by the year 2006. And the Science Adviser to the President, Dr. Allan Bromley, has estimated that we face a shortfall of 2 million qualified technicians by the year 2000.

We must draw many more students into these fields, especially women and minorities. Encouraging their education in these areas is no longer just a matter of equity; it is essential to maintaining U.S. competitiveness in the global economy.

And in this post-cold-war era, international economic competition is the cornerstone of national influence. The fundamental changes taking place in the world require a basic shift in national priorities. The real currency of the global economy is computerized, high-technology information; and the key to economic success is the ability to use that information to innovate, manufacture, and market new products and services. To do so effectively requires a highly educated, technically trained workforce and citizens who are scientifically literate.

America's competitive challenge and educational shortcomings are not due to any intrinsic defects in our resources, capabilities, or character. We have what it takes to turn the situation around. It is entirely within our power to alter national priorities, make far-sighted decisions, and re-establish our educational excellence and economic pre-eminence.

Our proposed legislation can be a significant first step toward making America first again. The bill launches a number of demonstration programs to encourage State and local governments and the private sector to increase overall scientific and technical literacy; expand the supply of scientists and engineers; upgrade technologist education and training; and increase the participation of women and minorities in these fields.

To accomplish these purposes, the bill contains the following principal provisions:

First, a national institute for technology and learning to develop new ways to improve teaching through the application of advanced technology;

Second, 10 region consortiums to bring government, educators, business, and community groups together in improving elementary and secondary schools within the region;

Third, space exploration and other hands-on, interactive projects in museums and science centers to stimulate students' interest in these fields;

Fourth, bootstrap grants to upgrade science departments at geographically dispersed colleges;

Fifth, industrywise technology training consortiums to upgrade technicians' skills; and

Sixth, women and minority visiting role models to stimulate students' interest in pursuing these subjects.

The bill authorizes $125 million for these provisions in fiscal year 1991, and "such sums as may be necessary" for each of the following fiscal years through the year 2000.

We intend to circulate this measure widely among the scientific, technical, educational, and professional communities, to draw in business, labor, and community leaders, and through their assistance make this bill a strong start on the path to a new era of national preeminence.

At the dawn of the 20th century, Albert Einstein made one of the greatest leaps of human imagination, when he discovered that matter could be transformed into energy. His simple formula—e=mc squared—led to the recognition that a quart of water could unleash as much energy as 750 million gallons of gasoline.

We believe that this bill can become an educational e=mc squared for math, science, and engineering education. We believe that the energy it unleashes—among students and teachers, and scientists, engineers, and technicians—will spark a resurgence of excellence in these disciplines and revise American leadership.

The Senate Committee on Labor and Human Resources will begin hearings on this bill later this month, and we hope to bring it before the full Senate early this spring.

Mr. President, I ask unanimous consent to insert in the RECORD at this point: First, a summary of the bill; second, a summary of the bill's authorization of appropriations; third, a program description of the Apple Valley Science and Technology Center, which is an excellent example of the kind of grass roots innovation in informal math/science education which the bill is seeking to foster; and fourth, the full text of the bill.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2114

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Excellence in Mathematics, Science, and Engineering Education Act of 1990".

TITLE I—NATIONAL GOAL AND POLICY FOR MATHEMATICS, SCIENCE, ENGINEERING, AND TECHNOLOGY EDUCATION

SEC. 101. FINDINGS AND OBJECTIVES.

(a) FINDINGS.—The Congress finds that—

(1) America's competitive position in the global economy is eroding;

(2) restoring America's competitive position requires substantially increased productivity and innovation in American business enterprises;

(3) both productivity and innovation depend to a great extent on advances in science and technology and on the successful commercial application of such advances in science and technology;

(4) progress on a host of national problems, from national security and energy sources to health care and environmental quality, also depends on advances in science and technology and the effective incorporation of such advances in science and technology in the economy and society at large;

(5) advances in science and technology depend, in large part, on the quantity and quality of the Nation's mathematicians, scientists, engineers, and technologists;

(6) in addition, commercialization of scientific and technical advances requires a scientifically and technically literate workforce and a sufficiently large and well-trained supply of technologists;

(7) projections by the National Science Foundation estimate a shortage of up to 675,000 scientists and engineers by the year 2006;

(8) the Science Adviser to the President has estimated a shortage of 2,000,000 technicians by the year 2000;

(9) by the year 2000, the Nation must produce an additional 300,000 mathematics, science, and engineering teachers;

(10) currently 60,000 teachers in these fields are not fully qualified;

(11) virtually all comparisons of the United States and United States competitors show that American students lag significantly behind foreign counterparts in mathematics, science, and technology;

(12) women and minority groups are significantly under-represented in the fields of mathematics, science, and engineering in proportion to the numbers of women and most minority groups in the overall population; and

(13) America can meet its critical needs in the fields of mathematics, science, and engineering, only by significantly increasing the participation of women and minorities in mathematics, science, and engineering.

(b) NATIONAL OBJECTIVES.—The Congress, as a consequence of the findings described in subsection (a), declares that it shall be a national objective to—

(1) have American students rank first in the world in scientific and technical literacy;

(2) increase the number of graduates with degrees in mathematics, science and engineering;

(3) increase the number of well-trained technologists in the workforce;

(4) increase the number of women and minorities pursuing careers in mathematics, science, and engineering; and

(5) upgrade the Nation's educational and career training systems to achieve the foregoing four objectives.

SEC. 102. DECLARATION OF POLICY AND PRINCIPLES.

(a) POLICY.—The Congress declares that it shall be the policy of the United States to—

(1) consider the talents of all of its citizens as its most valuable national resource;

(2) consider Federal expenditures necessary to facilitate the education, training, and retraining of such talent as an essential investment in the Nation's future;

(3) set and achieve a minimum standard of scientific and technical literacy for the American public;

(4) recognize the special value to the Nation of, and meet the special requirements for, educating and training sufficient numbers of mathematicians, scientists, engineers, and technologists; and

(5) devote the necessary resources to stimulate and foster the substantially increased participation of women and minorities in mathematics, science, and engineering.

(b) PRINCIPLES.—The Congress further declares that the policies described in subsection (a) shall be implemented in accordance with the following principles:

(1) The strength of the American educational system stems from the system's grounding in local communities, the diversity of educational approaches employed in the various States, the voluntary participation of the private sector, and informal education through public television, museums, and other community programs.

(2) The implementation of the policies set forth in subsection (a) shall be accomplished, whenever appropriate, through the creation of consortiums consisting of relevant Federal, State, and local government agencies and laboratories, local school districts, universities, community colleges, museums and other nonprofit organizations, and private business firms.

(3) The appropriate role of the Federal Government is limited to—

(A) encouraging the development of, and adherence to, standards of educational excellence;

(B) sponsoring educational research, development, and demonstration, and the widespread dissemination of the results thereof; and

(C) stimulating State and local government, the educational community, museums and other nonprofit organizations, and private business firms, though leveraged matching funds, campaigns for corporate donations, and other such mechanisms, to contribute their full potential to the education process.

(4) In order for the Federal Government to carry out its role more effectively, the Federal Government shall ensure the improved exchange of information and coordination among the National Science Foundation, the Departments of Education, Energy, and Defense, the National Aeronautics and Space Administration, and any other Federal agencies that have mathematics, science, and technology education programs.

(5) It shall be a priority of the Congress to adequately fund existing programs in mathematics and science education in the Department of Education, the National Science Foundation, and other Federal Departments and agencies.

SEC. 103. NATIONAL GOALS FOR THE YEAR 2000.

(a) DECADE DESIGNATION.—The Congress declares that the period from January 1, 1990 through December 31, 1999, shall be designated as the "Decade of Excellence in American Mathematics, Science, and Engineering Education".

(b) PARAMOUNT NATIONAL GOAL.—The Congress declares that it shall be a paramount national goal of the United States to achieve the objectives set forth in section 101(b) by the beginning of the year 2000.

(c) ASSESSMENT AND ACHIEVEMENT.—(1) In order to assess progress toward, and achievement of, the goal set forth in subsection (b) of this section, the National Science Foundation, in consultation with the Department of Education, and with the approval of the Science Adviser to the President, shall—

(A) set forth the objectives described in section 101(b) in sufficient detail so that such objectives provide for—

(i) acceptable standards of public literacy in mathematics, science, and technology,

(ii) the professional development of sufficient numbers of mathematicians, scientists, engineers, and technologists,

(iii) the attraction and retention of sufficient numbers of fully qualified teachers in the fields of mathematics, science and engineering, and

(iv) greater participation of women and minorities in the fields of mathematics, science and engineering;

(B) develop, promulgate, and employ appropriate criteria, guidelines, indicators, and measurement tools to assess the extent of the Nation's achievement of said objectives;

(C) collect relevant statistics and other necessary data throughout the decade described in section 103(a), and analyze such information to assess progress toward the goal set forth in subsection (b);

(D) sponsor a major international survey in 1999, to indicate whether American students, from kindergarten through 12th grade, have significantly improved their academic performance by surpassing foreign counterparts in competitive nations in knowledge and understanding of mathematics, science, and technology;

(E) provide a final report to the President and the Congress on March 31, 2000, which summarizes the information assembled under subparagraphs (C) and (D) of this subsection and which provides a comprehensive assessment of the extent to which said national goal has been achieved by the year 2000.

(2) The objectives described in paragraph (1)(A) shall be set forth in a manner in which such objectives can be measured or reasonably estimated.

TITLE II—SCIENTIFIC AND TECHNICAL LITERACY OF THE GENERAL PUBLIC

SEC. 201. SHORT TITLE.

This title may be cited as the "Scientific and Technical Literacy Act of 1990".

PART A—NATIONAL RESEARCH AND DISSEMINATION IN MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION

SEC. 210. NATIONAL INSTITUTE OF TECHNOLOGY AND LEARNING.

(a) INSTITUTE ESTABLISHED.—There is established within the Smithsonian Institution the National Institute for Technology and Learning (hereafter in this part referred to as the "Institute"), which shall conduct interdisciplinary research on the processes by which individuals learn and the ways in which advanced technologies can be utilized to facilitate such processes.

(b) INTERDISCIPLINARY RESEARCH.—The interdisciplinary research conducted pursuant to subsection (a) shall utilize state-of-the-art developments in advanced technologies and research findings in all relevant fields, including the cognitive sciences, computer science, communications technology, information storage and retrieval, and audio-visual technologies.

(c) COMPOSITION.—The Institute shall consist of—

(1) a Director appointed by the Secretary of the Smithsonian;

(2) the Technology and Learning Advisory Panel established under subsection (d); and

(3) such professional and support staff as are appointed by the Director as necessary to conduct the research program described in subsection (b) of this section.

(d) ADVISORY PANEL.—(1) There is established within the Institute a Technology and Learning Advisory Panel (hereafter in this part referred to as the "Panel") which shall advise the Director on the planning, conduct, and evaluation of the Institute's research programs.

(2) The Panel shall consist of 11 members, including—

(A) three ex-officio members as follows:

(i) the Director of the Congressional Office of Technology Assessment,

(ii) the Assistant Director for Science and Engineering Education of the National Science Foundation, and

(iii) the Assistant Secretary of Educational Research and Improvement of the Department of Education, and

(B) 8 public members appointed by the Secretary of the Smithsonian Institution chosen, in consultation with the Director of the National Science Foundation and the Secretary of the Department of Education, so as to reflect a broad range of relevant disciplines and fields.

(3) The Panel shall elect a chairman from among its members.

(4) The Panel's 8 public members shall serve 3-year staggered terms.

(5) Members of the Panel who are not in regular full-time employ of the United States shall receive, while engaged in the business of the Panel, compensation for service at the rate for grade GS-15 set forth in section 5332 of title 5, United States Code, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed in Government service.

(e) PUBLICATION.—The Institute shall publish the results of the research conducted pursuant to subsection (a) and shall make such results promptly available to the Department of Education, the National Science Foundation, and the National Clearinghouse for Mathematics, Science, and Technology Education established under section 211.

SEC. 211. NATIONAL CLEARINGHOUSE FOR SCIENCE, MATHEMATICS, AND TECHNOLOGY EDUCATION.

(a) CLEARINGHOUSE AUTHORIZED.—(1) The Secretary, in consultation with the Director, is authorized to award a grant or contract to establish a National Clearinghouse for Science, Mathematics, and Technology Education (hereinafter referred to as the "Clearinghouse").

(2) The grant or contract awarded pursuant to paragraph (1) shall be made on a competitive, merit basis.

(b) USE OF FUNDS.—

(1) The grant or contract awarded under this section shall be used to—

(A) maintain a permanent repository of precollege science, mathematics, and technology education instruction materials and programs for use by the Regional Consortiums established under part B of this title and the public;

(B) maintain a permanent repository of all precollege science, mathematics, and technology education instruction materials and programs developed with Federal and non-Federal funds, including, but not limited to, such instructional materials developed by the National Science Foundation, the Department of Education and State and National Eisenhower mathematics and science programs;

(C) compile information on all mathematics, science, and technology education programs administered by each Federal agency or department;

(D) cooperate with identifiable and existing data bases containing mathematics and science curriculum and instructional materials, Federal and non-Federal, in carrying out the functions under this title; and

(E) disseminate information regarding such mathematics, science, and technology education materials and programs among identifiable and existing dissemination networks and to the Regional Consortiums established under part B of this title through a single on-line computer database that can be readily accessed and utilized, publications and other media.

(2) The Clearinghouse shall employ both traditional and current technological methods for storing, retrieving, and disseminating educational materials to the Regional Consortiums established under part B of this title and the public.

(3) The Clearinghouse shall expend one-third of the funds appropriated pursuant to this section on the dissemination of materials to the Regional Consortiums.

(c) PROGRAMS AND MATERIALS.—Each Federal agency or department which has supported or supports the development of a mathematics, science, or technology education instruction material or program, including the National Science Foundation and the Department of Education, shall submit to the Clearinghouse a sufficient number of copies of such material or program for the Clearinghouse and each Regional Consortium.

(d) SELECTION CRITERIA.—The Secretary shall establish a peer review process to select the recipient of the award under this Act.

(e) APPLICATION.—Each entity desiring to establish and operate the Clearinghouse authorized in subsection (a) shall submit an application to the Secretary at such time, in such manner and accompanied by such information as the Secretary may reasonably require.

(f) STEERING COMMITTEE.—The Secretary shall appoint a steering committee composed of representatives of the National Science Foundation and Department of Education to recommend policies and activities for the Clearinghouse.

PART B—REGIONAL SCIENCE, MATHEMATICS, AND TECHNOLOGY EDUCATIONAL PROGRAMS

SEC. 220. REGIONAL SCIENCE, MATHEMATICS, AND TECHNOLOGY EDUCATION CONSORTIUMS.

(a) SHORT TITLE.—This section may be cited as the "Regional Science, Mathematics, and Technology Consortium Act of 1990".

(b) PROGRAM ESTABLISHED.—(1) The Secretary of Education (hereinafter referred to as the "Secretary"), in consultation with the Director of the National Science Foundation (hereinafter referred to as the "Director"), is authorized to award grants to eligible entities to establish and operate regional science, mathematics, and technology education consortiums (hereafter referred to as the "Regional Consortiums") for the purpose of disseminating and implementing exemplary science, mathematics and technology education instruction materials, teaching methods and assessment tools for use by elementary and secondary school students.

(2) The Secretary shall, in accordance with the provisions of this section, award 1 grant to an eligible entity in each region.

(3) To the maximum extent possible, the Secretary and the Director shall jointly carry out the provisions of this section.

(4) Grants under this title shall be awarded for a period of not more than 5 years and shall be reviewed no later than 30 months from the date the grant is awarded. Grants shall be awarded no later than 12 months from date of enactment of this Act.

(5) In making grants under this section, the Secretary shall assure that there is a relatively equal distribution among the regions of the funds made available, but the Secretary may award additional funds to a regional consortium on the basis of population and geographical conditions of the region being served.

(b) DEFINITIONS.—For purposes of this section—

(1) the term "eligible entity" means—

(A) a private nonprofit organization;

(B) an institution of post-secondary education;

(C) a public agency;

(D) an interstate agency established by compact;

(E) a State or local educational agency;

(F) a regional educational laboratory and the research and development center established under section 405(d)(4)(A) of the General Education Provisions Act;

(G) a professional scientific or mathematics association;

(H) an educational association;

(I) a museum or science technology center;

(J) a library;

(K) an educational television station;

(L) historically black colleges; or

(M) a combination of the entities set forth in paragraphs (1) through (12);

(2) the term "region" means a region of the United States served by a regional education laboratory that is supported by the Secretary pursuant to section 405(d)(4)(A)(i) of the General Education Provisions Act; and

(3) the term "regional consortium" means a regional science, mathematics, and technology education consortium established pursuant to section 211(a).

(c) USE OF FUNDS.—Funds provided under this section shall be used by the Regional Consortiums, under the direction of a regional board, to—

(1) identify, adapt, disseminate, and implement mathematics, science, and technology education instruction materials, teaching methods and assessment tools for use by elementary and secondary school students;

(2) train classroom teachers and administrators in the use of mathematics, science, and technology education instruction materials, teaching methods and assessment tools;

(3) qualify classroom teachers to train other teachers in the use of such instruction materials, teaching methods and assessment tools in the classroom;

(4) work with classroom teachers in the identification and adaptation of such instruction materials, teaching methods and assessment tools for use in classrooms within the region;

(5) assist classroom teachers, where appropriate, in securing training to enhance such teacher's subject knowledge and teaching skills in the areas of science, mathematics, and technology education;

(6) offer fellowships, internships, or summer programs to enable teachers to participate in the activities of the Regional Consortiums;

(7) disseminate information regarding informal science, mathematics, and technology education activities and programs offered by Federal agencies and private or public agencies and institutions within the region;

(8) evaluate the effectiveness of instruction materials, teaching methods and assessment tools in elementary and secondary schools located throughout the region;

(9) collect data on activities assisted under this section in order to evaluate the effectiveness of the activities of the Regional Consortiums;

(10) maintain on-line computer networks with all Regional Consortiums and the National Clearinghouse established in section 212;

(11) assist local and State educators in identifying science and technology equipment needs; and

(12) establish programs and activities designed to meet the needs of groups that are under-represented in, and underserved by, mathematics, science, and technology education.

(d) APPLICATION AND REVIEW.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary, in consultation with the Director, may reasonably require. Each such application shall—

(A) demonstrate that the eligible entity shall implement and disseminate mathematics, science, and technology education instruction materials, teaching methods and assessment tools through a consortium of the region's mathematics, science, and technology education organizations and agencies;

(B) demonstrate that the eligible entity shall carry out the functions of the regional consortium at the direction of a regional board;

(C) describe the activities for which assistance is sought;

(D) demonstrate the capability to properly and effectively implement and disseminate science, mathematics, and technology education instruction materials, teaching methods, and assessment tools; and

(E) provide assurances that emphasis will be given to programs and activities designed to meet the needs of groups that are underrepresented in, and underserved by, mathematics, science, and technology education.

(e) APPROVAL OF APPLICATION.—(1) The Secretary, in consultation with the Director, shall approve applications submitted pursuant to subsection (a) in accordance with the criteria and procedures established under paragraph (2).

(2) The Secretary and the Director shall jointly develop procedures and criteria designed to ensure that grants are awarded on a competitive, merit basis as determined by the peer review process described in paragraph (3).

(3) The Secretary, in consultation with the Director, shall establish for each region a panel which shall conduct the technical review of the applications from such region for grants under this section and submit its recommendation to the Secretary and Director. The Secretary and Director shall each appoint one-half of the members of each panel, who, to the extent feasible, shall reside in the region for which applications are being considered. Each panel shall include representatives of mathematics, science and technology education and teaching; State and local education agencies; post-secondary education community; informal education community; practicing scientists, engineers, and mathematicians; the business community; and groups that are underrepresented in, and underserved by, mathematics, science, and technology education.

(4) The Secretary, in consultation with the Director, shall establish a national panel, or to the extent necessary, panels, to review the recommendation made by each regional technical review panel and submit

to the Secretary and Director final recommendations for awards of grants under this section. The Secretary and the Director shall each appoint one half of the members of such panel or panels.

(f) REGIONAL BOARDS.—Each eligible entity receiving a grant under this section shall establish a regional board to oversee the administration and establishment of program priorities for the Regional Consortium established by such eligible entity. Such regional board shall include at least one representative of each agency or organization participating in the regional consortium, and if not represented on the consortium, at least one representative of—

(1) State education agencies;

(2) local education agencies, including representatives of large, small, urban, and rural school districts;

(3) teachers;

(4) institutions of post-secondary education including science and mathematics educators;

(5) the business community;

(6) professional scientific, engineering, and mathematics associations;

(7) parents;

(8) informal education organizations;

(9) regional education laboratories; and

(10) groups that are underrepresented in, and underserved by, mathematics, science, and technology education.

(g) PAYMENTS: FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) The Secretary shall pay to each eligible entity having an application approved under subsection (d) of this section the Federal share of the cost of the activities described in the application.

(2) The Federal share—

(A) for the first, second, and third fiscal years in which an eligible entity receives assistance shall be 75 percent;

(B) for the fourth such year shall be 60 percent;

(C) for the fifth and each succeeding such year shall be 50 percent.

(3)(A) The non-Federal share of payments under this section may be in cash or in kind, fairly evaluated, including facilities, overhead, equipment, or services. Such non-Federal share may also include funds received by State and local education agencies from Federal mathematics, science, and technology education programs.

(B) Each eligible entity having an application approved under subsection (e) of this section shall pay the non-Federal share in accordance with the following requirements:

(i) At least 10 percent of the cost of activities described in the application shall be furnished by business concerns within the region.

(ii) At least 10 percent of the cost of activities described in the application shall be furnished by local education agencies in the region and a majority of the States in the region.

(iii) The balance of the cost of activities described in the application of the non-Federal share may be furnished by members of the regional consortium, institutions of higher education, professional scientific and mathematics associations, philanthropies, or other public and private agencies, institutions or organizations.

(h) EVALUATION.—Each eligible entity receiving a grant under this section shall collect sufficient data on, and evaluate the effectiveness of, the programs conducted at the Regional Consortiums. At the end of each grant period, the Secretary and the Director shall submit to Congress a report on the effectiveness of the programs conducted at each Regional Consortium.

(i) ADMINISTRATIVE COSTS.—The Secretary shall make available to the Director 1 percent of the funds appropriated under this section for administrative costs.

SEC. 221. ROVING MASTER TEACHERS IN MATHEMATICS AND SCIENCE.

(a) FINDINGS.—The Congress finds that—

(1) four-fifths of elementary school mathematics teachers are not fully qualified to teach mathematics;

(2) two-thirds of elementary school science teachers are not fully qualified to teach science; and

(3) the significant shortage in elementary school science and mathematics teachers will take many years to overcome because of the long-lead time involved in educating and recruiting sufficient numbers of fully qualified teachers in such fields, even when in-service training programs are utilized to the maximum extent feasible.

(b) STATEMENT OF PURPOSE.—It is the purpose of this section to establish a program of Roving Master Teachers in mathematics and science to provide students in schools which lack fully qualified mathematics and science teachers with exposure to high quality instruction in such subjects, in order to awaken student interest in such subjects and encourage the students to persist in their studies and seek additional exposure to such subjects through the types of informal educational programs set forth in part D of this title.

(c) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to States to enable States to conduct programs of Roving Master Teachers in mathematics and science.

(d) APPLICATION.—Each State desiring a grant pursuant to this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(e) PROGRAM REQUIREMENTS.—(1) Each State receiving funds under this section shall use such funds to—

(A) retain highly qualified mathematics and science teachers, as Roving Master Teachers in mathematics and science, who will allocate their time among a number of elementary and middle schools throughout the State;

(B) conduct special classes in mathematics and science at each school the Roving Master Teacher visits in which the Roving Master Teacher utilizes experiments, demonstrations, audiovisual displays, and other appropriate techniques in order to stimulate the students' interest in the excitement of mathematics and science and such subjects' relevance to various occupations and careers, and to acquaint the students with informal educational programs and available educational materials through which the students can pursue mathematics and science interests further; and

(C) conduct periodic workshops at each school the Roving Master Teacher visits with the school's mathematics and science teachers to—

(i) instruct teachers in ways such teachers can best followup on the instruction of the Roving Master Teacher; and

(ii) discuss any special teaching problems or opportunities the teachers may have encountered.

(2) Each State receiving funds under this section shall select its Roving Master Teachers in accordance with—

(A) the objective of providing women and minority teachers as role models to the extent feasible, and

(B) such criteria as the Secretary shall prescribe after consultation with the Director.

SEC. 222. REGIONAL MATHEMATICS, SCIENCE, AND TECHNOLOGY ACADEMIES.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to assist in exploring and planning the establishment of regional mathematics, science, and technology residential academies throughout the Nation. It is the purpose of such regional mathematics, science, and technology residential academies to create educational environments within the various regions of the Nation in which talented students in mathematics, science, and technology can have the opportunity to develop their talents to their full potential.

(b) DEFINITIONS.—For the purpose of this section, the term "regional mathematics, science, and technology academy" means a public school for grades 7 through 12 where students—

(1) receive advanced, high quality scientific and technical equipment and instruments;

(2) participate in a wide range of mathematics, science, and technology honors courses, as well as receive high quality instruction in languages, the social sciences, and the humanities; and

(3) undergo a competitive examination and personal interview for admittance to the academy.

(c) ELIGIBLE ENTITY.—For the purposes of this section the term "eligible entity" means—

(1) State and local educational agencies; and

(2) consortiums of State and local educational agencies with other organizations.

(d) PROGRAM AUTHORIZED.—(1) The Secretary is authorized to provide grants to assist eligible entities in planning, but not operating, regional mathematics, science, and technology academies.

(2) In the first year in which an eligible entity receives a grant under this section, such grant may not exceed $50,000.

(3) An eligible entity may receive a second initiation grant, not to exceed $50,000, if such eligible entity demonstrates to the Secretary—

(A) significant progress in planning the academy has been achieved; and

(B) the need for the additional planning funds before the academy can raise permanent financial support from regional sources.

(e) AWARD BASIS.—The Secretary shall award grants on the basis of—

(1) the degree of commitment to the success of the academy on the part of State and local governments, universities, private foundations, nonprofit organizations, community groups, private business firms, and citizens within the region;

(2) the overall excellence of the proposed academy program;

(3) the likelihood of attracting a highly talented student body to the school; and

(4) the degree to which the proposed program is likely to involve the significant participation of female and minority students in the academy.

(f) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary in such manner, and accompanied by such information as the Secretary may reasonably require.

PART C—INFORMAL MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION PROGRAMS

SEC. 230. ESTABLISHMENT OF DIVISION OF INFORMAL MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION.

Section 8 of the National Science Foundation Act of 1950 is amended—

(1) by striking "There" and inserting "(a) There";

(2) by inserting "Directorates and" before "Divisions"; and

(3) by inserting at the end thereof the following:

"(b)(1) There shall be within the Foundation, a Directorate of Science and Engineering Education.

"(2) There shall be within the Directorate of Science and Engineering Education a Division of Informal Mathematics, Science, and Technology Education.".

SEC. 231. FELLOWSHIPS AND GRANTS FOR PROFESSIONAL ENHANCEMENT, COMMUNITY EXTENSION, AND INNOVATION IN INFORMAL EDUCATION.

(a) PROGRAM AUTHORIZED.—(1) The Director, through the Division of Informal Mathematics, Science, and Technology Education, is authorized to—

(A) award fellowships pursuant to subsection (b), and

(B) make grants to conduct professional enhancement activities pursuant to subsection (c),

in order to increase the pool of experienced and talented informal science education professionals and consultants and foster the involvement of such individuals in local science and technology education programs and services.

(2) Fellowships and grants awarded pursuant to paragraph (1) shall be made on a competitive, merit basis.

(b) FELLOWSHIPS.—The Director shall award fellowships to—

(1) persons educated in one or more scientific, engineering, or educational disciplines to enable such persons to work with experienced informal science education professionals and to learn techniques of applying science concepts to hands-on interactive learning and educational programs;

(2) informal science education personnel, upon recommendation of the institution where such individuals work, for participation in exchange, intern, or professional development programs; and

(3) consulting scientists, exhibit designers, and program developers to work with informal science education institutions and programs on scientific project or program development activities.

(c) PROFESSIONAL ENHANCEMENT AWARDS.—The Director shall award grants to private, nonprofit, informal science education organizations to conduct field-wide professional enhancement seminars, workshops, mentor partnerships, programs, and exhibit development projects.

(d) APPLICATION.—Each individual or organization desiring a fellowship or grant under this section shall submit an application to the Director at such time in such manner and accompanied by such information as the Director may reasonably require.

SEC. 232. COMMUNITY EXTENSION PROGRAM.

(a) PROGRAM AUTHORIZED.—The Director, through the Division of Informal Mathematics, Science, and Technology Education, is authorized to carry out a merit-based program of awarding grants to private, nonprofit informal science education organizations in partnership with community organizations, such as public libraries, churches, youth organizations, and professional societies to make available interactive science exhibits and programs for rural and urban, economically disadvantaged population centers.

(b) APPLICATION.—Each partnership desiring a grant pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 233. INNOVATION GRANTS.

(a) IN GENERAL.—The Director, through the Division of Informal Mathematics, Science, and Technology Education, is authorized to carry out a program of awarding grants to private, nonprofit organizations for the development of innovative activities or programs to serve as models for replication. Such grants shall be awarded to—

(1) develop intergenerational projects to train senior citizen volunteers in the implementation of interactive science processes and activities for use by elementary and secondary students;

(2) develop an interactive activity or program for use by elementary and secondary students involving—

(A) global environmental education; and

(B) health science;

(3) establish a Science Start model program to adapt and disseminate early childhood science instruction materials for use in Head Start classrooms or by prekindergarten children;

(4) establish partnerships between elementary and secondary school teachers and college and university scientists and mathematicians for in-service training; and

(5) develop a program to use new and emerging technologies to enhance the teaching and learning or mathematics or science in elementary and secondary schools.

(b) MATCHING REQUIREMENTS.—Grants awarded under this section shall be awarded through a system requiring matching of the Federal grant. The minimum amount required as a match shall be equal to a percentage of the grant that is determined by the Director. Funds made available may include in-kind services or resources, fairly evaluated.

(c) APPLICATION.—Each organization desiring a grant pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 234. SCIENCE AND TECHNOLOGY CENTERS AND MUSEUMS.

(a) PROGRAM AUTHORIZED.—(1) The Director, through the Division of Informal Mathematics, Science, and Technology Education, shall make grants to science and technology museums and centers to enable such museums and centers to carry out programs and activities to—

(A) develop more effective hands-on, interactive science and technology programs;

(B) make the activities of such museums and centers more widely available throughout the surrounding communities; and

(C) disseminate the programs of such museums and centers to other museums and centers.

(2) Grants awarded pursuant to paragraph (1) shall be awarded on a competitive, merit basis.

(b) RECIPIENT SELECTION.—The Director shall establish a peer review process to select recipients of grants pursuant to this section on the basis of—

(1) the potential for the program of the museum or center to have a significant impact on both formal and informal science education inside and outside the region served by the museum or center;

(2) the capability of the museum or center to provide broad dissemination of the materials to other institutions;

(3) the capability of the museum or center to implement the program effectively;

(4) the extent to which the activities undertaken by the museum or center will address the needs of women and minorities which have been traditionally underrepresented in science and engineering;

(5) the involvement in, and commitment to, the museum or center program by members of the local community, including local schools, colleges, universities, community groups, and private industry;

(6) the capability and willingness of the science museum or center to work directly and cooperatively with local schools, colleges, and universities;

(7) the extent of funds acquired by the museum or center for the project from sources other than the Federal Government;

(8) the experience and qualifications of the staff; and

(9) the general excellence of the proposed program.

(c) APPLICATION.—Each museum or center desiring a grant pursuant to this section, shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may request.

(d) SPECIAL CONSIDERATION.—The Director shall take appropriate steps to ensure that the particular needs of newly created and developing science museums are accorded special consideration in the awarding of grants under this section.

SEC. 235. PUBLIC TELEVISION PROGRAMS IN SCIENCE AND TECHNOLOGY.

(a) PROGRAM AUTHORIZED.—(1) The Director, through the Division of Informal Mathematics, Science, and Technology Education, shall make grants to, or enter into contracts or cooperative agreements with, organizations involved in science, technology, education, or television production, including colleges and universities, State and local educational agencies, publishers, scientific, technical, and professional associations, science and technology museums and centers, research and development organizations, print or electronic media organizations, foundations, and private firms, for the development of public television programs designed to stimulate the interest and understanding of the public in science and technology.

(2) Grants made pursuant to paragraph (1) shall be awarded on a competitive merit basis.

(b) PREFERENCE.—In awarding grants under this section, the Director shall give preference to organizations whose programs provide for utilizing women and minority mathematicians, scientists, and engineers as role models.

(c) SPECIAL RULE.—Grants awarded in fiscal years 1991, 1992, and 1993 shall focus on the development of television programs oriented toward technology.

(d) GRANT AGREEMENT.—Each entity awarded a grant from, or entering into a contract or cooperative agreement with, the Director pursuant to this section shall enter into an agreement with the Director. Each such agreement shall require the individual

receiving a grant from, or entering into a contract with, the Director to take whatever steps are necessary to promote the widespread dissemination of the television programs produced pursuant to subsection (a).

PART D—SCIENCE AND SPACE EXPLORATION EDUCATION

SEC. 240. SCIENCE AND SPACE EXPLORATION EDUCATION PROGRAM.

(a) SHORT TITLE.—This part may be cited as the "Science and Space Exploration Education Act of 1990".

(b) STATEMENT OF PURPOSE.—It is the purpose of this section to establish a Program of Science and Space Exploration Education to utilize the excitement of space exploration as a stimulus to students in grades 1 through 12 to develop their interest in, and enthusiasm for, the study of mathematics, science, and technology.

(c) PROGRAM ESTABLISHED.—(1) The Director, through the Directorate of Science and Engineering Education, is authorized to establish a program of awarding grants to, and entering into contracts and cooperative agreements with, State and local educational agencies, nonprofit institutions, organizations, associations involved with science, technology, education, or space exploration, and with private business firms to—

(A) develop innovative formal educational materials relating to space exploration in order to stimulate and deepen the interest of elementary and secondary school students in mathematics, science, and technology; and

(B) develop innovative informal educational materials relating to space exploration for use in museums, science, and technology centers, and community programs in order to stimulate and deepen the interest of students in mathematics, science, and technology.

(2) The program described in paragraph (1) shall be developed in consultation and cooperation with the National Aeronautics and Space Administration.

(d) INFORMATION.—The Director shall provide information regarding the educational materials developed pursuant to subsection (b) to the National Clearinghouse established under section 211 (hereafter in this section referred to as the "Clearinghouse"). The Clearinghouse shall disseminate such information to the Regional Consortiums established under section 220 and to other interested public and private entities.

(e) EDUCATIONAL DONATIONS.—(1) From the information provided to the Clearinghouse pursuant to subsection (c), the Clearinghouse shall prepare a descriptive listing of the specific kinds of scientific and technical facilities, equipment, instrumentation, and tools which could be useful to elementary and secondary schools and to museums and science and technology centers for educational purposes.

(2) The Clearinghouse shall widely disseminate the descriptive listing described in paragraph (1) to relevant Federal, State, and local government organizations, nonprofit research and development organizations, and private business firms in order to solicit donations of facilities, equipment, instrumentation, or tools to schools, museums, and science and technology centers. Such descriptive listing shall be periodically updated.

(3) From responses received to the solicitations made pursuant to paragraph (2), the Clearinghouse shall prepare a descriptive listing of items available for donation and provide such listing to the Regional Consortiums established under section 220.

(4) The Regional Consortiums shall widely disseminate the listing described in paragraph (3) to schools, museums, and science and technology centers that have a need for such items, and shall assist in the coordination of the donations of specific items to schools, museums, and technology centers.

(f) APPLICATION.—Each entity desiring financial assistance pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 241. SCIENCE AND SPACE EXPLORATION EDUCATION PROJECT AWARDS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to conduct an annual national competition to provide recognition to teams of students for exceptional science and space exploration education projects.

(b) PROGRAM AUTHORIZED.—(1) The Director, through the Directorate of Science and Engineering Education, is authorized to establish and annually conduct a competition in which students or teams of students from grades 9 through 12 throughout the Nation may compete for awards which recognize exceptional science and space exploration projects.

(2) The competition described in paragraph (1) shall be conducted in consultation and cooperation with the National Aeronautics and Space Administration.

(3)(A) The Director shall each year award a first prize of $5,000 to the best project in the Nation, a second prize of $3,000 shall be awarded to the second best project, and a third prize of $2,000 shall be awarded for the third best project.

(B) The 3 student teams winning the prizes described in subparagraph (A), along with their faculty advisors, shall be given an all expense paid trip to the John F. Kennedy Space Center at Cape Canaveral where they will witness the launch of the Space Shuttle as special guests of the National Aeronautics and Space Administration.

(C) The Director shall award an Honorable Mention Certificate for any project in any State that is deserving of such recognition.

(c) COUNCIL OF SCIENCE AND SPACE EXPLORATION.—(1) The competition described in subsection (b) shall be judged by a Council on Science and Space Exploration Education consisting of 15 members of which—

(A) 5 shall be appointed by the Secretary of Education,

(B) 5 shall be appointed by the Director of the National Science Foundation, and

(C) 5 shall be appointed by the Administrator of the National Aeronautics and Space Administration.

(2) The Council shall elect a chairman and vice chairman elected from among its members.

(3) The Director shall provide administrative support to the Council.

(4) Members of the Council shall neither receive a salary nor reimbursement for expenses (including travel expenses) for service as a member of the Council.

(d) APPLICATION.—Each student or team desiring to compete for an award pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

TITLE III—EDUCATION OF SCIENTISTS AND ENGINEERS

SEC. 301. SHORT TITLE.

This title may be cited as the "Scientists and Engineers Education Act of 1990".

SEC. 302. ESTABLISHMENT OF A DIVISION OF UNDERGRADUATE MATHEMATICS, SCIENCE, AND ENGINEERING EDUCATION.

(a) AMENDMENT TO THE NATIONAL SCIENCE FOUNDATION ACT OF 1950.—Section 8 of the National Science Foundation Act of 1950 (as amended in section 230) is further amended by inserting at the end thereof the following new paragraph:

"(3) There shall be within the Directorate of Science and Engineering Education a Division of Undergraduate Mathematics, Science and Engineering Education.".

PART A—UNDERGRADUATE PROGRAMS

SEC. 310. COMMUNITY COLLEGE/UNIVERSITY 2/4 PARTNERSHIP.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to increase the number of community college students who continue their education at 4-year academic institutions in pursuit of bachelor degrees in mathematics, science, engineering, or technology.

(b) OUTREACH GRANTS.—(1) The Director shall make outreach grants to community colleges to enable community colleges to negotiate the establishment of partnerships with nearby 4-year academic institutions.

(2) Each grant awarded pursuant to paragraph (1) may not exceed $25,000.

(c) DEFINITIONS.—For the purpose of this section—

(1) the term "4-year academic institution" means colleges, universities, and institutes of technology, that award bachelor degrees in mathematics, science, or engineering, or a 4-year technology degree; and

(2) the term "eligible partnership" means a community college which has received an outreach grant pursuant to subsection (b) in partnership with at least one but not more than four 4-year academic institutions.

(d) 2/4 PARTNERSHIP GRANTS.—(1) The Director is authorized to make grants to eligible partnerships to assist community colleges and 4-year academic institutions in transitioning students from community colleges to 4-year academic institutions to enable such students to achieve bachelor degrees in mathematics, science, engineering or technology.

(2) Each eligible partnership receiving a grant under this section shall allocate such grant funds equally between the community college and the 4-year academic institution participating in the partnership.

(3) Grants made pursuant to paragraph (1) shall be awarded on a competitive, merit basis.

(4) Grants made pursuant to paragraph (1) shall be for a period of 1 year and are renewable for a period not to exceed 5 years.

(e) GRANT REQUIREMENTS.—Each eligible partnership receiving a grant under this section shall—

(1) examine the community college's curriculum to ensure that academic credit earned at the community college will be transferable to the 4-year academic institution;

(2) brief teachers from the community college on the specific requirements of courses at the 4-year academic institution when necessary to facilitate curriculum compatibility between the two institutions;

(3) facilitate the admittance and expedite academic credit transfers of students matriculating from the community college to the 4-year academic institution;

(4) provide special counseling for students to encourage and facilitate student transfers from community colleges to the 4-year aca-

demic institution, including counseling targeted at women and minority students;

(5) conduct workshops at the community college to acquaint students with the opportunities, requirements, available financial aid, and ambiance of the 4-year academic institution;

(6) provide special tours and orientation visits to the facilities of the 4-year academic institution for students from the community college, including the opportunity to observe laboratory demonstrations and experiments, and experience some hand-on interaction with the equipment and instrumentation;

(7) provide special summer programs for students from the community college to encourage such student's subsequent matriculation at the 4-year academic institution; and

(8) provide special ongoing counseling for any graduates of the community college who have matriculated at the 4-year academic institution.

(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Director shall ensure an equitable geographic distribution of such grants.

(g) APPLICATION.—Each community college or eligible partnership desiring a grant pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 311. DEPARTMENTAL BOOTSTRAP GRANTS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to strengthen teaching in the departments of mathematics, the sciences, and engineering at colleges and universities which are not currently advanced in such fields.

(b) PROGRAM AUTHORIZED.—(1) The Director, through the Division of Undergraduate Mathematics, Science and Engineering Education is authorized to award grants to colleges and universities to strengthen a particular department of mathematics, science, or engineering within such college or university.

(2) Grants awarded to each college or university pursuant to paragraph (1) may be awarded for a period not to exceed 5 years.

(3) Grants awarded pursuant to paragraph (1) may be renewed for a period not to exceed 5 years if the Director determines—

(A) the college or university has made excellent progress in strengthening the particular department of mathematics, science, or engineering; and

(B) the awarding of additional funds offers significant promise of further strengthening the department.

(4) Grants awarded pursuant to paragraph (1) shall not be used for the purchase of equipment or instruments, or to defray the overhead expenses of the college or university.

(5) In awarding grants pursuant to paragraph (1), the Director shall ensure an equitable geographic distribution of such grants.

(c) SELECTION CRITERIA.—The Director shall establish a peer review process to select recipients of grants pursuant to this section on the basis of—

(1) the extent to which the proposal has addressed critical training issues in a comprehensive fashion;

(2) the potential for the proposed program to have a significant impact on the recruitment and retention of undergraduate students into mathematics, science, and engineering degree programs;

(3) the evidence that the program will significantly improve the learning environment for undergraduate students;

(4) the evidence that the program will encourage and reward excellent teachers of undergraduate students;

(5) the compatibility of the program to develop improved teaching materials and curricula;

(6) evidence that senior faculty will devote a substantial portion of their time to teaching undergraduate students;

(7) the extent to which women and underrepresented minority students are likely to be involved in the program; and

(8) the general excellence of the proposed program.

(d) SPECIAL RULE.—The Director may award grants to not more than two different departments within the same institution if the strengthening of one of the departments cannot readily be accomplished without accompanying strengthening of the other.

(e) APPLICATION.—Each college or university desiring a grant pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 312. PRESIDENTIAL AWARDS FOR EXCELLENCE IN COLLEGE TEACHING.

(a) AWARDS AUTHORIZED.—(1) The President is authorized to make not more than 55 Presidential Awards for Excellence in Teaching Undergraduate Mathematics, Science, Engineering, or Technology to undergraduate college or university teachers who have demonstrated outstanding ability and dedication to teaching undergraduate students.

(2) The President shall not make more than one award pursuant to paragraph (1) in each State in any one year.

(b) AMOUNT OF AWARD.—Each recipient of an award pursuant to paragraph (1) shall be provided with a Teaching Excellence Award of $1,000.

SEC. 313. NATIONAL MATHEMATICS-SCIENCE TEACHER CORPS.

(a) SHORT TITLE.—This section may be cited as the "National Mathematics-Science Teacher Corps Act of 1990".

(b) ESTABLISHMENT OF PROGRAM.—The Director is authorized to make awards to students enrolled in a baccalaureate degree program in science, mathematics, or engineering who are willing to commit themselves to teach elementary or secondary science or mathematics as provided in this section.

(c) ELIGIBILITY.—Awards under this section shall only be made to students who are—

(1) majoring in science, mathematics, or engineering;

(2) in the last 2 years of a baccalaureate degree program; and

(3) enrolled in an institution of higher education which is accredited by a nationally recognized accrediting agency or association.

(d) CRITERIA FOR SELECTION.—Students shall be selected to receive awards under this section primarily on the basis of academic merit, with consideration given to financial need and to the goal of promoting the participation in elementary and secondary science and mathematics teaching of minorities, women, and individuals with disabilities.

(e) AMOUNT OF AWARD.—(1) Awards under this section shall be $7,500 per year. Except as provided in paragraph (2) of this subsection, a student may receive a maximum of 2 awards under this section.

(2) An individual may receive a maximum of 3 awards under this section if such individual has completed requirements for the baccalaureate degree but requires additional credits in education courses in order to obtain certification to teach.

(f) GRANT AGREEMENT.—(1) Each individual receiving an award under this section shall enter into an agreement with the Director. Each such agreement shall require the individual to complete, within 6 years after graduation from the baccalaureate degree program for which the award was made, at least 2 years of service as an elementary or secondary science or mathematics teacher for each award received. Service required under this section shall be performed at a school receiving assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) This section shall not apply with respect to more than 2 awards made to any individual under this section.

(g) FAILURE TO COMPLETE SERVICE OBLIGATION.—(1) If an individual who has received an award under this section—

(A) fails to maintain an acceptable level of academic standing in the educational institution in which he is enrolled, as determined by the Director;

(B) is dismissed from such educational institution for disciplinary reasons;

(C) withdraws from the baccalaureate degree program for which the award was made before the completion of such program;

(D) declares that he does not intend to fulfill his service obligation under this section; or

(E) fails to fulfill his service obligation under this section,

such individual shall be liable to the United States as provided in subsection (b).

(2)(A) If a circumstance described in paragraph (1), (A), (B), (C), or (D) occurs before the completion of one year of a service obligation under this section, the United States shall be entitled to recover from the individual, within one year after the date of the occurrence of such circumstance, an amount equal to—

(i) the total amount of awards received by such individual under this section; plus

(ii) the interest on such amounts which would be payable if at the time the amounts were received they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(B) If a circumstance described in paragraph (1) (A), (B), (C), or (D) occurs after the completion of one year of a service obligation under this section, but before the completion of the second year of such service obligation, the United States shall be entitled to recover from the individual, within one year after the date of the occurrence of such circumstance, an amount equal to—

(i) the total amount of awards received by such individual under this section minus $3,750; plus

(ii) the interest on such amounts which would be payable if at the time the amounts were received they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(C) If a circumstance described in paragraph (1) (A), (B), (C), or (D) of this subsection occurs after the completion of 2 years of a service obligation under this section, but before the completion of the third year

of such service obligation, the United States shall be entitled to recover from the individual, within one year after the date of the occurrence of such circumstance, an amount equal to—

(i) the total amount of awards received by such individual under this section minus $7,500; plus

(ii) the interest on such amounts which would be payable if at the time the amounts were received they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(D) If a circumstance described in paragraph (1) (A), (B), (C), or (D) of this subsection occurs after the completion of 3 years of a service obligation under this section, but before the completion of the fourth year of such service obligation, the United States shall be entitled to recover from the individual, within one year after the date of the occurrence of such circumstance, an amount equal to—

(i) the total amount of awards received by such individual under this section minus $11,250; plus

(ii) the interest on such amounts which would be payable if at the time the amounts were received they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(3)(A) The Director may provide for the partial or total waiver or suspension of any service obligation or payment by an individual under this section whenever compliance by the individual is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(B) Any obligation of an individual under this section for payment under paragraph (2) may be released by a discharge in bankruptcy under title 11, United States Code, only if such discharge is granted after the expiration of the 5-year period beginning on the first date that such payment is required.

PART B—GRADUATE FELLOWSHIPS

SEC. 320. INCREASE IN NATIONAL SCIENCE FOUNDATION GRADUATE FELLOWSHIPS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this part to help avert the projected, significant shortage in American scientists and engineers.

(b) GRADUATE FELLOWSHIPS.—Section 10 of the National Science Foundation Act of 1950 is amended—

(1) by striking "The Foundation" and inserting "(a) The Foundation";

(2) in the second sentence by striking "or nationals" and inserting ", nationals or lawfully admitted permanent resident aliens"; and

(3) by inserting the following at the end thereof: "(b) The Director of the National Science Foundation shall, to the maximum extent practicable, increase the number of graduate fellowships awarded by the Foundation in fiscal year 1991 to approximately double the number of such fellowships awarded in fiscal year 1987.

"(c) WOMEN AND MINORITY STUDENTS.—To the extent practicable, the Director shall ensure that an increasing number of fellowships awarded in each fiscal year pursuant to subsection (b) shall be awarded to women and minority students.".

TITLE IV—TECHNOLOGY EDUCATION AND TRAINING

SEC. 401. SHORT TITLE.

This title may be cited as the "Technology Education and Training Act of 1990".

SEC. 402. TECHNOLOGY AND EDUCATION.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to—

(1) introduce secondary school students to modern technology, thereby enabling such students to function more effectively in the technological society in which they will live; and

(2) motivate and prepare an increasing number of secondary school students to pursue higher education courses leading to careers as engineers or technologists.

(b) PROGRAMS AUTHORIZED.—The Director is authorized to establish a High School Technology Curriculum Development Program under which the Director shall—

(1) make grants to, or enter into contracts or cooperative agreements with, appropriate institutions or organizations for the purpose of developing a comprehensive curriculum for secondary school level technology courses aimed at introducing the students, including women and minority students, to modern technology;

(2) make grants to, or enter into contracts or cooperative agreements with, appropriate institutions and organizations to develop a comprehensive curriculum for secondary school level advanced technology courses, including appropriate hands-on interaction with representative processes, techniques, equipment, instruments, and tools involved in engineering and technology to introduce students, including women and minority students, to the possibility of careers as engineers or technologists;

(c) PROGRAM REQUIREMENTS.—The Director shall—

(1) provide the results of the curriculum development activities conducted under paragraphs (1) and (2) of subsection (b) to the National Clearinghouse established under section 312; and

(2) provide the necessary technical assistance and funds to the National Clearinghouse established under section 312 for the widespread dissemination of the results of such curriculum development activities throughout the Nation's school districts.

(d) APPLICATION.—Each institution or organization desiring financial assistance pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 403. COLLEGE AND COMPANY TECHNOLOGY PARTNERSHIPS.

(a) SHORT TITLE.—This section may be cited as the "College and Company Technology Partnership Act of 1990".

(b) PROGRAM AUTHORIZED.—The Director, through the Division of Undergraduate Mathematics, Science, and Engineering Education, is authorized to make grants to, and enter into contracts or cooperative agreements with, eligible partnerships to carry out the activities described in subsection (d) in accordance with the provisions of this section.

(c) ELIGIBLE PARTNERSHIP.—For the purpose of this section the term "eligible partnership" means 4-year colleges of engineering or technology and/or 2-year community colleges in partnership with a private company or companies.

(d) PARTNERSHIP ACTIVITIES.—Each eligible partnership receiving a grant or entering into a contract or cooperative agreement pursuant to the provisions of this section shall engage in one or more of the following activities:

(1) The company and its educational partner shall sponsor student work-study programs in which students spend part of their time in paid, supervised work in the partner company, for which the student shall receive appropriate academic credit.

(2) The company shall participate in a continuing, cooperative effort with their educational partner to develop realistic curriculums that are relevant to state-of-the-art conditions, techniques, processes, practices, and equipment in the particular industries and technologies in which the company is involved.

(3) The company shall make available qualified personnel to teach full-time for limited periods, or on a part-time basis, in the educational institution involved in the partnership.

(4) The company shall keep informed of the needs of its educational partner for equipment, instrumentation, and tools relating to the technologies involved in the partnership, and to the extent practicable, make donations or long-term loans of such equipment, instrumentation, and tools to the educational partner.

(e) APPLICATION.—Each college or institution desiring financial assistance pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 404. TECHNOLOGY TRAINING CONSORTIUMS.

(a) SHORT TITLE.—This section may be cited as the "Technology Training Consortium Act of 1990".

(b) STATEMENT OF PURPOSE.—It is the purpose of this section is to stimulate the private sector toward increasing American productivity, American competitiveness, and the American standard of living by strengthening the skills of the American workforce in utilizing advanced technologies and techniques, and stimulating the establishment of technology training consortiums of companies operating within the same industry or utilizing the same technologies.

(c) OFFICE ESTABLISHED.—The Department of Labor, within its Employment and Training Administration, shall establish or designate an Office of Technology Training Consortiums.

(d) PROGRAM AUTHORIZED.—(1) The Secretary of Labor, through the office established pursuant to subsection (c), is authorized to—

(A) make planning grants to companies to plan for the establishment of consortia; and

(B) pay the Federal share of startup grants to newly established consortia to pay the costs of the consortium's initial organization.

(2) For the purpose of paragraph (1)(B) the Federal share shall not exceed 50 percent.

(3) In awarding grants pursuant to paragraph (1), the Secretary shall give preference to consortia which—

(A) encourage the participation of women and minorities in their training programs; and

(B) provide an opportunity for membership in the consortium for small business firms and large firms that are not technologically advanced.

(e) PROGRAM REQUIREMENTS.—Each consortium receiving a grant pursuant to this section shall—

(1) consist of two or more companies operating within the same industry or utilizing the same technology or technologies; and

(2) develop, sponsor, or administer training and retraining programs to enable technologists and other workers, especially non-

supervisory workers and first line supervisors in both manufacturing and service industries, to function more effectively with new technologies, practices, and related changes in work organization in the relevant industries and technical fields.

(f) MEMBERSHIP FEE AND ACCOUNTING PROCEDURES.—Each consortium receiving a grant under this section shall—

(1) establish an account for each member of the consortium;

(2) assess the account of each member of the consortium an initial membership fee according to the size of the workforce of the individual member;

(3) annually assess the account of each member of the consortium a training cost contribution based on the company's estimate of how much training the consortium will provide to the employees of such company during such year; and

(4) credit and debit the account of each member of the consortium to the extent that the employees of such member participate in the consortium's training programs.

(g) SPECIAL RULE.—In the event that an employee who had participated in consortium training voluntarily leaves the employ of one company within the consortium for employment with another company within the same consortium, the consortium shall assess the account of the subsequent employer of such individual the cost of such training in accordance with the following schedule:

(1) 80 percent of the cost of such training if the employee voluntarily leaves within 1 year of completing such training;

(2) 50 percent of the cost of such training if the employee voluntarily leaves within 2 years of completing such training; and

(3) 25 percent of the cost of such training if the employee voluntarily leaves within 3 years of completing such training.

(h) APPLICATION TO ANTITRUST LAWS.—In any action under the antitrust laws, as set forth in section 1(a) of the Act of October 15, 1914 (38 Stat. 730, ch. 323; 15 U.S.C. 12) popularly known as the "Clayton Act" and in section 5 of the Act of September 26, 1914 (38 Stat. 719, ch. 311; 15 U.S.C. 45), popularly known as the "Federal Trade Commission Act", the conduct of any person in making or performing a contract to establish, organize, administer, or participate in the programs of a consortium established pursuant to this section shall not be deemed illegal per se, but such conduct shall be judged on the basis of its reasonableness, taking into account all relevant factors affecting competition.

TITLE V—WOMEN AND MINORITIES IN MATHEMATICS, SCIENCE, AND ENGINEERING

SEC. 501. SHORT TITLE.

This title may be cited as the "Women and Minorities in Mathematics, Science, and Engineering Education Act of 1990".

PART A—WOMEN AND MINORITY ROLE MODELS IN MATHEMATICS, SCIENCE, ENGINEERING, AND TECHNOLOGY

SEC. 510. EXEMPLARY VISITING PROFESSIONAL FELLOWSHIPS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to establish a visiting professional fellowship program for exemplary visiting women and minority professionals in mathematics, science, engineering, and technology to provide role models in mathematics, science, engineering, and technology for young female and minority students in grades 7 through 12 in accordance with provisions of this section.

(b) PROGRAM AUTHORIZED.—The Director is authorized to award fellowships to exemplary women and minority professionals in mathematics, science, engineering, or technology to enable such individuals to serve as role models for young female and minority students in grades 7 through 12.

(c) FELLOWSHIP PERIOD.—Each fellowship awarded pursuant to this section shall be used by exemplary women and minority professionals in mathematics, science, engineering, and technology during the period such individual serves as a role model in mathematics, science, engineering, or technology for young females and minority students in grades 7 through 12.

(d) STIPEND AND EXPENSES.—Each fellowship awarded pursuant to this section shall include—

(1) a stipend, and

(2) the expenses to the recipient of the fellowship for traveling among a circuit of middle and high schools and conducting workshops, giving lectures and demonstrations, and providing counseling to teachers and students in such schools for the purpose of stimulating the interest of young female and minority students in mathematics, science, engineering, and technology and in the possibility of pursuing careers in such fields.

(e) AWARD BASIS.—Each fellowship awarded pursuant to this section shall be awarded on a merit basis and through a peer review process.

(f) ROLE MODEL ACTIVITIES.—The recipients of the fellowships under this section shall arrange their role model activities in consultation with the appropriate State educational agencies and shall conduct their role model activities in accordance with such regulations as the Director shall prescribe.

(g) APPLICATION.—Each individual desiring a fellowship pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 511. DISTINGUISHED VISITING PROFESSORS.

(a) PROGRAM AUTHORIZED.—The Director is authorized to make grants to distinguished women and minority faculty members in mathematics, science, or engineering to enable such faculty members to serve as distinguished visiting professors at academic institutions which do not have sufficient resources to attract and retain faculty members of such professional stature on a permanent basis.

(b) PROGRAM REQUIREMENTS.—Each distinguished visiting faculty member receiving an award under subsection (a) shall serve for a period not to exceed one academic year as a visiting faculty member at—

(1) a women's college;

(2) a historically black college;

(3) a college with a predominantly Hispanic student body; or

(4) any college or university which does not have sufficient resources to attract and retain such distinguished faculty members on a permanent basis.

(c) STIPEND.—Each recipient of a grant awarded under subsection (b) of this section shall receive a stipend equal to such recipient's academic salary for the academic year preceding the academic year for which the grant is awarded plus any necessary relocation expenses.

(d) SELECTION.—Each grant awarded pursuant to this section shall be awarded on a merit basis and through a peer review process.

(e) GRANT AGREEMENT.—Each individual receiving a grant under this section shall enter into an agreement with the Director. Each such agreement shall contain assurances that the grant recipient will be able to obtain a leave of absence from such individual's employer to enable such individual to become a distinguished visiting professor.

PART B—UNDERGRADUATE FELLOWSHIPS AND MINORITY COLLEGE-UNIVERSITY PARTNERSHIPS

SEC. 520. UNDERGRADUATE FELLOWSHIPS IN MATHEMATICS, SCIENCE, AND ENGINEERING FOR WOMEN AND MINORITY STUDENTS.

(a) PROGRAM AUTHORIZED.—(1) The Director shall award undergraduate fellowships for the study of mathematics, science, and engineering to women and minority students in accordance with the provisions of this section.

(2) Each fellowship awarded the recipients pursuant to this section shall be awarded on a competitive, merit basis.

(b) USE OF FUNDS.—Fellowships awarded under subsection (a) may only be used during the period the recipient is pursuing undergraduate study at an accredited institution of higher education.

(c) APPLICATION.—Each individual desiring a fellowship pursuant to this section shall submit an application to the Director at such time, in such manner and accompanied by such information as the Director may reasonably request.

SEC. 521. MINORITY COLLEGE-UNIVERSITY PARTNERSHIPS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this program to expose the mathematics, science, engineering, and technology students from minority colleges to the facilities, programs, and instruction available at research universities, and, to the extent practicable, to enable such students to use such facilities, programs, and instruction.

(b) PARTNERSHIPS AUTHORIZED.—The Director, through the Division of Undergraduate Science, Engineering and Mathematics Education, is authorized to make grants to—

(1) minority colleges to enable such colleges to establish one eligible partnership; and

(2) eligible partnerships to enable such eligible partnerships to meet the purpose described in subsection (a).

(c) APPLICATION.—Each minority college or eligible partnership desiring a grant under this section shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require. Each such application shall contain assurances that—

(1) the research university will assist the minority college in reorienting its curriculum to enable minority college students to take maximum advantage of the university's programs;

(2) the research university will permit minority college students with the requisite academic preparation to take courses at the research university which utilize advanced facilities, equipment, or curriculum not available at the minority college;

(3) the research university will enable qualified minority college students to participate in research experiences at the research university not available at the minority college;

(4) the research university will conduct special summer programs oriented toward students from the minority college; and

(5) the research university and the minority college will jointly develop and conduct such transitional programs as may be desirable to enable students at the minority college to be adequately prepared to take maximum advantage of the activities at the research university.

(d) DEFINITIONS.—For the purposes of this section—

(1) the term "eligible partnership" means a partnership between a minority college and a research university;

(2) the term "minority college" means a college or university with a predominantly minority student body, including, but not limited to, historically black colleges; and

(3) the term "research university" means a research oriented university or institute of technology which awards doctor of philosophy or doctor of science degrees in mathematics, computer sciences, or a variety of science and engineering fields.

TITLE VI—GENERAL PROVISIONS AND AUTHORIZATION OF APPROPRIATIONS

PART A—EVALUATION PROGRAMS

SEC. 601. DEPARTMENT OF EDUCATION EVALUATION PROGRAM.

The Secretary shall conduct evaluations of all of the programs, activities, and responsibilities of the Secretary under this Act and shall report the findings from such evaluations to the Congress on September 30, 1995, and September 30, 2000.

SEC. 602. DEPARTMENT OF LABOR EVALUATION PROGRAM.

The Secretary of Labor shall conduct evaluations of all of the programs, activities, and responsibilities of the Secretary of Labor under this Act and shall report the findings from such evaluation to the Congress on September 30, 1995 and September 30, 2000.

SEC. 603. NATIONAL SCIENCE FOUNDATION EVALUATION PROGRAM.

The Director shall conduct evaluations of all of the programs, activities, and responsibilities of the Director under this Act and shall report the findings from such evaluations to the Congress on September 30, 1995 and September 30, 2000.

PART B—DEFINITIONS

SEC. 610. DEFINITIONS.

As used in this Act—

(1) the term "accredited academic institution" means [to be supplied];

(2) the term "bootstrap grant" refers to a federally funded effort to upgrade and coordinate a course of study at the departmental level of a college or university, which will have a major impact on the participating students and faculty;

(3) the term "community college" refers to two-year, junior, and technical colleges;

(4) the term "consortium", unless otherwise specified, refers to a combination of school districts, colleges, universities, other formal or informal educational entities, State and local governments, professional organizations, community groups, businesses and industries, or any combination thereof;

(5) the term "Director" shall refer to the Director of the National Science Foundation;

(6) the term "elementary school" has the same meaning given that term in section 1471(8) of the Elementary and Secondary Education Act of 1965;

(7) the term "Foundation" refers to the National Science Foundation;

(8) the term "informal education" refers to educational activities, materials, exhibits, and demonstrations which may be used to supplement or enhance specific curriculum in the classroom or which may be used outside the classroom in voluntary or recreational settings;

(9) the term "institution of higher education" has the same meaning given that term in section 1201(a) of the Higher Education Act of 1965;

(10) the term "local educational agency" has the same meaning given that term in section 1471(12) of the Elementary and Secondary Education Act of 1965;

(11) the term "minorities" refers to members of those racial and ethnic groups underrepresented in mathematics, science, and engineering including, American Indians, black Americans, Hispanic Americans, Native Alaskans, or Native Pacific Islanders.

(12) the term "residential science academies" refers to educational institutions where students reside for various periods of time, which concentrate on science, mathematics, and engineering education for students of grades 7 through 12;

(13) the term "roving master teacher" shall refer to teachers who specialize in science and mathematics and who travel from one school to another teaching specialized classes in science and mathematics to elementary and middle school children;

(14) the term "scholarship" refers to a financial award made to a student which enables a student to pursue a desired course of study at the college level;

(15) the term "secondary school" has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965;

(16) the term "Secretary", unless otherwise specified, shall refer to the Secretary of the Department of Education;

(17) the term "State educational agency" has the same meaning given that term in section 1471(23) of the Elementary and Secondary Education Act of 1965; and

(18) the term "undergraduate" refers to those courses or students in the first four years of college.

PART C—AUTHORIZATION OF APPROPRIATIONS

SEC. 620. AUTHORIZATION OF APPROPRIATIONS.

(a) SECTION 103.—There are authorized to be appropriated $5,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 103.

(b) SECTION 210.—There are authorized to be appropriated $3,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 210.

(c) SECTION 211.—There are authorized to be appropriated $3,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 211.

(d) SECTION 220.—There are authorized to be appropriated $15,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 220.

(e) SECTION 221.—There are authorized to be appropriated $7,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 221.

(f) SECTION 222.—There are authorized to be appropriated $2,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 222.

(g) SECTIONS 231, 232, and 233.—There are authorized to be appropriated $7,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of sections 231, 232, and 233.

(h) SECTIONS 234 AND 235.—There are authorized to be appropriated $7,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of sections 234 and 235, of which not more than $2,000,000 shall be available to carry out the provisions of section 235.

(i) SECTIONS 240 AND 241.—There are authorized to be appropriated $2,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of sections 240 and 241.

(j) SECTIONS 310, 311, and 312.—There are authorized to be appropriated $12,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of sections 310, 311, and 312.

(k) SECTION 313.—There are authorized to be appropriated $2,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 313.

(l) SECTION 320.—There are authorized to be appropriated $20,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 320.

(m) SECTION 402.—There are authorized to be appropriated $5,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 402.

(n) SECTION 403.—There are authorized to be appropriated $5,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 403.

(o) SECTION 404.—There are authorized to be appropriated $5,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 404.

(p) SECTIONS 510 AND 511.—There are authorized to be appropriated $10,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of sections 510 and 511.

(q) SECTION 520.—There are authorized to be appropriated $10,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 520.

(r) SECTION 521.—There are authorized to be appropriated $5,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, and 2000 to carry out the provisions of section 521.

SEC. 621. AVAILABILITY OF APPROPRIATIONS.

Appropriations made pursuant to section 620 shall remain available until expended.

SUMMARY OF EMSEE—EXCELLENCE IN MATH, SCIENCE, AND ENGINEERING EDUCATION ACT OF 1990

General: This bill designates the 1990s as the Decade of Excellence in Math, Science, and Engineering Education, with the goal of making American students first in the world by the Year 2000. Title I sets forth national objectives and policies for achieving them. Title II upgrades the scientific and technical literacy of the general public. Title III strengthens the professional development of scientists and engineers. Title IV stimulates the education, training, and retraining of technologists. Title V increases the participation of women and minorities in math, science, and engineering. Title IV provides for continuing evaluation of the specific programs in the Act, and authorizes a total of $125 million for FY1991, and such sums as may be necessary for an additional nine years through FY2000.

Title I: This title declares national objectives to: (a) improve public scientific and technical literacy; (b) increase the supply of scientists, engineers, and technologists; and (c) increase the participation of women and minorities in math, science, and engineering. This title limits the federal role to: (a) encouraging standards of educational excellence; (b) sponsoring educational R&D, demonstration, and dissemination; and (c) stimulating State and local agencies, nonprofit organizations and associations, and private business firms to contribute their full potential to the education process. This title authorizes $5 million for data gathering and analysis to assess progress toward the Year 2000 Goal.

Title II: This title authorizes $46 million for improving the scientific and technical literacy of the general public, including: $6 million for research and dissemination; $24 million for regional demonstration programs; and $16 million for informal educational demonstration programs. This title ($6 million) establishes a National Institute for Technology and Learning and a National Clearinghouse for Science, Math, and Technology Education. The $24 million for regional programs include: (a) the establishment of regional science, math, and technology consortiums for enhancing education in elementary and secondary schools. Planning grants are provided to States for establishing math, science, and technology academies (grades 7-12). And demonstration grants are provided to States to provide for Roving Master Teachers in these fields in grades K-9. The informal education programs ($16 million) include: (a) various measures to stimulate informal education in museums, science and technology centers, and other community activities; (b) the use of the space program to stimulate students' interest in math, science, and technology; and (c) public TV programs oriented toward technology.

Title III: This title authorizes $34 million to increase the Nation's production of scientists and engineers, including (a) a $20 million increase in NSF's graduate fellowships and (b) $14 million for undergraduate demonstration programs. These would provide seed grants to stimulate the formation of 2/4 Partnerships between community colleges and 4-year institutions, aimed at increasing the number of community college graduates who continue their education in 4-year institutions. Departmental Bootstrap Grants would be provided to strengthen specific departments in colleges and universities which do not currently have strong programs in math, science, and engineering. The Presidential Awards for Teaching Excellence would be expanded from the current recipients in grades K-12, to include provision for awards to college teachers in math, science, and engineering. And scholarships would be provided for college juniors and seniors who pledge to spend several years as school teachers.

Title IV: This title provides $15 million to stimulate the education, training, and retraining of the Nation's technologists. $5 million is authorized for the development of two, new innovative courses in general technology and advanced technology suitable for study in grades 9-12. $5 million is authorized for demonstration projects to stimulate the establishment of partnerships between companies and 4-year engineering/technology institutions and 2-year community colleges. Through these partnerships, the company will aid the academic institution in strengthening its teaching in these fields and in making its educational program more practical and relevant to the needs of industry and the surrounding community. And $5 million is authorized for demonstration projects to stimulate the establishment of Technology Training Consortiums. These provide planning and start-up grants to companies to establish technologists in the technologies relevant to particular industries.

Title V: This title authorizes $25 million to stimulate the increased participation of women and minorities in math, science, and engineering. $10 million is authorized for a program of Visiting Role Model Professionals to stimulate the interest in math, science, and technology of young women and minority students in grades 9-16. $10 million is authorized for undergraduate fellowships for women and minorities in these fields. And $5 million is authorized for the creation of partnerships between minority colleges and research universities.

Title VI: This title requires evaluation and reporting to Congress by the Department of Education, the National Science Foundation, and the Department of Labor with regard to the programs of this Act for which they are respectively responsible. This title also contains definitions and the actual authorization amounts for the various programs set forth in the Act. Specific amounts are authorized to be appropriated for each program for FY1991, and such sums as may be necessary for the next nine years through the Year 2000.

EMSEE AUTHORIZATION SUMMARY

[All items in millions of dollars for fiscal year 1991]

Title I National Goal and Policy	
Surveying Progress toward Year the 2000 Goal	$5
Title II Scientific & Technical Literacy of General Public	
Part A—National Educational Research and Dissemination	46
National Institute for Technology & Learning	
National Clearinghouse (S. 1950, Title II)	
Part B—Regional Education Programs	24
Regional Consortia (S. 1950, Title I)	15
Roving Master Teachers in Math & Science (K-9)	7
Regional M/S/T Academies (G 7-23)	2
Part C—Informal Educational Programs	16
Informal Education Enhancement (S. 1950, Title 3)	7
Science & Technology Museums & Centers (H.R. 3154)	7
Science & Space Exploration Education (S. 1442)	2
Title III Education of Scientists & Engineers	34
Part A—Undergraduate Programs	14
Community College University 2/4 Partnerships	12
Departmental Bootstrap Grants	
Presidential Awards for Excellent College Teaching	
Undergraduate Scholarships/ Teaching Pledge (S. 843)	2
Part B—Increase in NSF Graduate Fellowships	20
Title IV Technology Education and Training	$15
Technology Course Development (Grades 9-12)	5
College/Company Technology Partnerships	5
Technology Training Consortiums	5
Title V Women & Minorities in Math, Science & Engineering	25
Women and Minority Role Models	10
Distinguished Visiting Professionals (Grades 9-12)	
Distinguished Visiting Professors (college level)	
Undergraduate Fellowships	10
Minority College-Research University Partnerships	5
Total fiscal year 1991 authorization	$125

PROGRAM DESCRIPTION

America today is faced with an educational dilemma. The number of creative-thinking young people entering fields of science is diminishing rapidly, and the number planning to teach science has dwindled to an all-time low. Our economy, however, is based on the production of new technology and the implementation of creative solutions to modern problems. We need more students in science programs. Unfortunately, the solution problems. We need more students in science programs. Unfortunately, the solution is not that simple; we are working with human beings who are allowed to make choices and to travel the career road they choose. So how does America change the direction of education? Apple Valley Unified School District has created a well-defined, highly successful solution to motivate young people in science and math education.

THE APPLE VALLEY SCIENCE AND TECHNOLOGY CENTER A PARTNERSHIP IN ACADEMIC EXCELLENCE

The Apple Valley Science and Technology Center serves the nine school districts of the High Desert of California. Located in the city of Apple Valley on the elementary campus of Mojave Mesa School, this unique 3000 square foot facility will provide highly motivational, hands-on science and math education for over 60,000 student and 2,000 teachers. Planned for completion in the late 1990, the Center is the first facility of its kind in the nation. Built without the use of tax dollars, the facility features a computer center, telecommunications center, research quality observatory, research library, teacher resource center and a T-40 Jet Flight Simulator from the United States Air Force.

Over 200 volunteers are currently being trained to work in the Center in order to allow students, teachers and the general public access sixteen hours a day, six days a week. The Apple Valley School District has allocated funds to maintain the facility with a professional staff and to cover the normal operating cost, designating the funds generated to be used directly for the benefit of children.

The Center is built on an elementary campus allowing the educator to emphasize the need for higher level thinking skills to be taught through science at the lowest grade levels. It is our contention that children, especially minority and disenfranchised children, are discouraged and "turned off" to science in the earlier school years because of the way science is taught, not by the content. Most teachers teach to the auditory and visually adapted student, students who are able to learn by seeing or listening to the teacher, by reading and memorizing their work. In fact, these children do very well in school. However, it is the inquisitive child, the child who needs to take apart and put together who has perhaps the most natural abilities in science. These children often begin losing their self-esteem early in their school career, thus forfeiting potential scientific ability and success for themselves and America. If America is going to keep its leadership in the world economy we must teach teachers and motivate our children to understand, enjoy and succeed in the world of the twenty-first century. How does each aspect of the facility accomplish this goal?

The Teacher Resource Center

Teaching science in an elementary classroom can be a difficult task, not because the information is highly technical, or the concept too weighty, but because the materials, experience and time just don't seem to be available to most teachers. The Science and Technology Center addresses this issue in a very practical way. A partnership has been established with California State University, San Bernardino, the largest teacher preparation school in Southern California. Teacher materials from NSF, (National Science Foundation), NASA, JPL (Jet Propulsion Laboratory), and the Civil Air Patrol, among others will be available to all teachers free of charge. Cal State will also offer on-going teacher in-service in computer science, use of technology in the classroom, and hands-on science for teachers and students. Materials necessary to carry out classroom experiments will be made available to teachers and students for use in classroom, mentor teachers will also be available to assist teachers to become comfortable with hands-on science.

The Computer Center

Computers have come a long way in a very short time. No longer can we afford to use them to play "teaching" games, or as a way to occupy a student's time. Computers can be a partner to students allowing quick, easy and safe simulation of experiments, a sharing of information, and collection of data. Computers can help students deal with abstract problems in very concrete ways. The computer center is designed to hold 18 computers allowing teams of students to simulate complex problems, share information, communicate with other computers and print and save important data for later use. The computer can act as a library or work in concert with a laser disk and VCR to compile interactive visual materials to share with others. When students experience the practical application of technology in their daily lives, the study of science takes on a new and wonderful meaning.

The Research Library

With the on-going support of the Assistance League of Victor Valley, the Center contains growing library of research materials pertaining to flight, aero-space, astronomy, space science and general science. These materials are available to students, teachers and the general public in the Center. The Center also contains an extensive video library on both video tape and laser disk, much of which is public domain and may be duplicated.

The Telecomunications Center

The telecommunications center is designed to allow interactive teleconferencing, television down-link and in the future up-link capabilities, as well as viewing of images projected from the observatory to the large viewing television screen. Students will be able to participate actively in debates and lectures all over the United States. Contel of California is an active partner in this program and has provided a 100 paired phone line to the Center. Using the Center's satellite dish, a broadcast from NASA in Huntsville, Alabama, for example, and a direct phone line to the location of the broadcast, would allow students to talk directly with a speaker on timely issues. In the not so distant future Contel with be providing the Center with fiber-optic phone lines allowing two way visual as well as voice transmittions. Students and teachers miles away will be able to see and talk to one another, conduct lessons, and discuss current issues. Teaching will enter an entirely new dimension.

The Observatory

The Observatory, which occupies the second floor of the Center, would be a source of pride for any major university. Equipped with a 16-inch, video-enhanced, custom-built telescope and a 5-meter dome, the Observatory will serve the amateur and professional astronomer. Teachers and students will be able to use the computer-enhanced video camera not only to project the image on the large television screen, (allowing handicapped, disabled and visually-imparied individuals to participate) but also to make photographs of the objects they are studying. Cal Poly Pomona will be conducting full credit courses in video-enhanced astronomy, in the Observatory. Students of all ages will be working at their own level with volunteers from the High Desert Astronomical Society.

The T-40 Jet Flight Simulator

The United States Air Force has, on a long term loan, given the Science and Technology Center a T-40 Jet Flight simulator. This $150,000 piece of high tech equipment has been used for years to train military pilots. Before unifying in 1987, Apple Valley School District was the first elementary school system in the nation to receive a flight simulator. Today students K-12, will be introduced to the world of aviation and to the academic skills necessary to become successful pilots. In their classrooms, students and teachers aided by the resources in the Center, will study weather, geography, map reading, math, science and language arts. They will read stories of famous pilots and read about women and minority pioneers who have advanced the field of aviation. When students have mastered the academic challenges at their grade level, they will experience the joy of flying through the watchful and trained eye of volunteer pilots, many, retired Air Force pilots who have taught in T-40 simulators.

Phase II

The second phase of the Science and Technology Center project is to take the excitement of space science to the schools. It was realized from the start that travel to the Center itself might cause problems for many of those who wished to use the facility. One way in which we address this issue is through telecommunications and networking our computers to the schools we serve. The second way in which we address this need is with the Mobile Space Station. The Apple Valley Unified School District has given to the Center a 79 passenger Crown Coach bus. With the help of Aero-Space Companies we will be permanently transforming the bus into a half-scale replica of the Space Station Lab Module. The bus will travel to all the schools served and will include a cellular phone system connecting the on-board computers to the computers at the Center. A "pull out" module on the bus will allow teachers at the school to set up a "Mission Control Center" in a classroom. Some of the students will act as astronauts and will carry out experiments on the "Space Station". Other students will take over mission control, directing the work on the space station with closed circuit television and two-way communications as well as computer interface. Students will be given problems to solve using skills developed in their classroom during extensive pre-teaching. We feel that the hands-on excitement this project brings and the motivation it encourages is educationally beneficial.

Phase III

Phase III of the project will require the building of a second facility. This facility will include a planetarium, television studio, editing rooms, satellite up-link, and support facilities. Our Partnership in Academic Excellence program is reaching out to other schools in other countries using technology to promote understanding and peace. Students in the Southern California area will develop "sister school" programs with schools in Europe, Asia, Africa, Australia, etc. After establishing strong written communication ties, children from individual classes will spend one hour per week for a semester in the television studio. Live television transmission will allow these students to work with their "sister school" partners on joint projects. What better way to learn about and understand the culture of another people!! We believe strongly that the peaceful use of technology by young people can make a lasting mark on their lives and on the peoples of the world.●

● Mr. HATFIELD. Mr. President, "If you plan for a decade, plant trees. If you plan for a century, teach the children."

This has been a historic week for education in our Nation—the Senate has passed the National Literacy Act, which will devote Federal resources to conquering illiteracy, and the Educational Excellence Act, which will promote rising achievement in our schools and reward teachers and school districts who deliver. Clearly there can be no mistake about the message we have delivered this week—education must be a national, State, and local priority

across all disciplines and all socio-economic class levels. We must teach all the children and we must plant the seeds of educational opportunity in every corner of the United States.

It is with this mission in mind that I rise today to join my colleague from Massachusetts in introducing a major new initiative for reform in mathematics, science, and engineering education. Together we bring to the Senate a blueprint from which we can meet the President's goal of significant improvement in mathematics and science achievement by the year 2000—the Excellence in Mathematics, Science and Engineering, Education Act of 1990. We are joined in this effort by many of those who have long-recognized the importance of this issue to the future well-being of our great Nation—Senators MITCHELL, BYRD, PELL, GLENN, ROCKEFELLER, ADAMS, BINGAMAN, GORE, INOUYE, KERREY, MIKULSKI, SIMON, and STEVENS.

Last year, Mr. President, I introduced a simple resolution calling for Congress to recognize mathematics and science education as a national priority. Today, I rise to take the next step. The Excellence in Mathematics, Science, and Engineering Education Act of 1990 elevates our deficiencies in mathematics and science to a national priority by providing a comprehensive framework from which we can begin to address this emerging crisis. This legislation touches all levels of the problem—from early childhood to postdoctoral education.

I am confident that every Member of the Senate is aware of the dismal statistics which illustrate our tremendous need in this area. Simply stated, our demand for scientists and engineers is outstripping our supply. In the past 13 years alone, the demand for scientists and engineers has increased 85 percent in every sector of our economy. The technical literacy of young people in this country is so low, however, that the Office of Technology Assessment predicts a shortfall of 700,000 scientists and engineers by the year 2000 if current trends continue.

Although many people equate science with the frog in high school they were required to dissect, both science and engineering have a profound effect on virtually every aspect of our national life. So too does this supply and demand crisis: everything from the durability of this Nation's roads and bridges to our ability to clean up nuclear waste depends on a steady supply of qualified scientists and engineers.

Where is this demand coming from? It may make more sense to ask where it is not coming from.

Business and industry, for example, rely on scientists and engineers for everything from developing new products to delivering them to the market. Hewlett-Packard offers one of thousands of examples: 50 percent of its products on the market today were developed within the last 3 years through internal research and development.

With 150,000 scientists and engineers working on the Strategic Defense Initiative alone, our national defense establishment also draws heavily on this shrinking pool. Moreover, the development by scientists and engineers of arms control verification techniques today may make additional arms control agreements possible tomorrow.

Medical research also requires large numbers of scientists and engineers. As the AIDS research budget has quadrupled over the last 4 years, for example, so too has the demand for people qualified to do the necessary research.

And yet, as the demand from each of these areas and many more increases, the number of qualified scientists and engineers is declining sharply. The problem stretches from the earliest years of elementary school through post-doctoral education, but is most acutely obvious in our high schools.

Of the 24,000 high schools in the United States, 7,000 do not offer a course in physics, 4,000 do not offer a course in chemistry, and 2,000 do not offer a course in biology. Of the schools that do offer science courses, the percentage of schools offering hands-on laboratory work has dropped from 53 percent in 1977 to 39 percent today. And most distressing—of the teachers leading classes, fully 50 percent do not meet the National Teachers' Association's minimum certification requirements.

This supply and demand crisis has received neither the media nor the political attention given to other issues facing this Nation. But unless it is addressed today, the shrinking pool of qualified scientists and engineers will mean disaster in the future.

The Kennedy-Hatfield legislation designates the 1990's as the decade of excellence in math, science, and engineering education, with the goal of making students first in the world by the year 2000. Title I in the bill sets forth national objectives and policies for achieving a scientifically-literate population. Title II is targeted to upgrading the scientific and technical literacy of the general public, by concentrating on elementary and secondary education. Title III strengthens the professional development of scientists and engineers. Title IV stimulates the education, training, and retraining of technologists, and title V increases the participation of women and minorities in math, science and engineering.

Specifically, the bill proposes a national network of regional consortiums—consortiums in the true meaning of the word—a bringing together of existing resources in nine different regions throughout the United States. The mission of the consortiums will be to provide technical assistance and dissemination of resources to large and small, urban and rural, school districts throughout their boundaries. Each consortium will involve both formal and informal education structures, higher education, teachers, administrators and the private sector.

The bill also proposes a national clearinghouse of mathematics, science, and technology education materials. This important mechanism will provide linkages not only between the nine consortiums, but within communities by utilizing on-line computer capability to simplify access to state-of-the-art curriculum and teacher enhancement resources.

Further, our legislation will provide key support to the informal science education community for further development and enhancement of interactive hands-on science exhibits. We will reach out to museums, learning centers, libraries and churches. Whatever the structure is which intrigues and touches the child.

I am delighted that our legislation also includes demonstration funding for model programs in space science education, intergenerational volunteer programs with senior citizens, and early childhood science materials for use in Head Start classrooms.

Mr. President, the Kennedy-Hatfield initiative is critically important, as are a number of others currently being developed. Ultimately, however, the key to addressing this supply and demand crisis involves the development of a broad-based constituency that recognizes the potentially disastrous implications of the crisis and actively supports efforts to address it.

Our legislation offers the Federal blueprint needed to mold reform in math and science at all levels of our education system. We have identified the problem, and I would like to think that we have begun to develop the solution. What we need is the political will to act. Now. The President has issued the call to action and we answer today.

Science is much more than the frog in biology class. Indeed, it is the very foundation upon which this Nation is built.●

● Mr. GLENN. Mr. President, I join my good friends Senator KENNEDY and Senator HATFIELD as an original cosponsor of their comprehensive math and science education bill.

The Glenn-Hatfield proposals found in S. 1950 are an important part of the bill Senator KENNEDY will be introducing later today. I am gratified that Senator KENNEDY saw the wisdom in the programs that Senator HATFIELD and I developed.

The cornerstone of our initiative is a proposal to establish 10 regional cen-

ters to bring state-of-the-art science and math curriculums to the Nation's elementary and secondary schoolteachers. We also propose the establishment of a National Clearinghouse of Math and Science Education Materials to support these centers and other reform efforts in the country. Both of these important programs can be found in today's legislation.

Why is reform necessary?

The United States now operates in a global market that places a high premium on technological innovation. More than 70 percent of the goods manufactured in the United States now compete with merchandise made overseas. Consider also our staggering trade deficit. This is the very measure of U.S. competitiveness overseas.

In the future, our factories and laboratories will need a first-rate technical work force in order to compete in international markets. Yet, this country may not produce enough scientists, engineers, and technical personnel to meet the demands of a dynamic, high-technology economy.

The message is clear: We must overhaul science and math education in this country if the next generation is to prosper in an increasingly competitive world.

Every new report on American education produces another horror story that has to make you wonder: How did we ever let it get to this?

The same Nation that landed a man on the Moon and returned him safely to Earth educates fewer than one out of every five high school graduates in the laws of physics.

The same Nation that has produced more Nobel laureates in chemistry than any other nation lets half of its young people graduate from high school without taking a single course in chemistry.

And finally, American schoolchildren are routinely outperformed in international comparisons of science and math performance—by students from our chief trade rivals. In fact, this country graduates 700,000 functionally illiterate young people a year.

Moreover, the numbers are working against us. Fewer babies are being born and fewer young people have an interest in science or engineering. On top of that, increasing numbers of students from groups traditionally underrepresented in science and engineering, namely, minorities and women, also indicate a potential shortage of scientific personnel.

Mr. President, Senator HATFIELD and I believe that in order to reform science education in this country, we must look to the beginning of the educational pipeline for the source of the problem as well as the solution.

One of the greatest obstacles to getting more young people—especially female and minority students—interested in a technical career are the science and math courses themselves.

Luckily, private efforts are under way all over this country to rewrite, reform, and reinvigorate science and mathematics curriculums.

It is our goal to make these developments available to schools and teachers that want them.

These centers would bridge the gap that now exists between the ivory tower, laboratory-like settings where science and math curriculums are often developed and the real world of antiquated classrooms, ill-prepared students, and a number of underqualified teachers.

In our centers, teachers would play a critical role. Dissemination of the curriculums would take place in two ways: First, teachers would be exposed to the best science and math curriculums available and allowed to tailor it to the conditions in their own classrooms; second, they would learn how to teach the new science and math courses; and third, lead teachers would be trained to instruct their peers in the use of new materials.

The key to effective educational reform is collaboration. That is why our centers would really be more like regional consortia. In fact, that's exactly what we call them. The consortia would maintain strong linkages with all of the education stakeholders in the region, including State education departments, school districts, parents, teachers, administrators, academia, and the business community. Reinforcing their ties to the community would be a requirement that the centers secure up to a half or more of their funding from these stakeholders. As a result, the consortias' very sustenance would depend on their success in tackling real educational problems—as identified by those who work in the real world.

Finally, these regional consortia would be selected through an open competition run jointly by both the Department of Education and the National Science Foundation, the Nation's leading science education agency. Peer review would be an important component of this process. Our hope is that the very best organizations in the country would compete to operate the consortia; they should be required to demonstrate to both the education and the science community that they are the best qualified groups in their region to disseminate and implement curriculum. Too much is at stake to do it in any other way.

Curriculum reform is at the heart of education reform. Simply raising teachers' salaries, lengthening the school year, or toughening graduation requirements are not enough by themselves. The United States will not meet its goal of scientific literacy by the year 2000 unless we also reform what is being taught in the classrooms.

I urge my colleagues to support this important legislation.●

● Mr. ROCKEFELLER. Mr. President, today I am pleased to join my colleagues, Senators KENNEDY and HATFIELD, in support of the Excellence in Math, Science, and Engineering Act of 1990. This bill aims to find some solutions for the troubled state of our Nation in the areas of math, science, and engineering.

I remember with excitement how the launch of sputnik in 1958 sparked a national obsession to excel. Thirty-two years later, America must activate the same level of determination and wage a nationwide effort to achieve excellence in the fields of math and science.

The statistics portray the economic threat we face. In a recent science test taken by high school seniors in 14 countries, American students ranked dead last. College enrollments in science courses are at an all-time low. Of high school students who do enter college intent on pursuing science careers, as many as 40 percent drop out after the first course, 60 percent by graduation.

The Excellence in Math, Science, and Engineering Act addresses several major obstacles to our Nation's ability to remain a world technological leader. First, the bill seeks to increase the scientific and technical literacy of our entire American population. We not only need more scientists and mathematicians, our future depends on each and every member of the work force being fully prepared to cope in an increasingly technological world. Second, the bill seeks to expand the supply of scientists and engineers. A recent National Science Foundation study predicts a shortfall of about half a million scientists and engineers by the end of the century. Third, the bill aims to avert this severe shortage of scientists and engineers by encouraging wider participation of women and minorities in these fields.

I am extremely pleased and grateful that a bill I introduced last April—the National Math/Science Teacher Corps Act of 1989 (S. 843)—has been included in its entirety in this larger legislative package.

My Math/Science Teacher Corps bill offers Federal scholarships of $7,500 to top juniors and seniors in college who agree to teach at the precollege level for 2 years in exchange for each year of aid. The bill requires that these students major in math, science, or engineering so that they demonstrate a keen interest in the subject matter that they will be teaching. The National Science Foundation would run the program and select each year the 500 members of the Math/Science Teacher Corps.

The objective of the Teacher Corps is to encourage young mathematicians,

scientists, and engineers to spend a few years in the classroom teaching kids these crucial subjects. My hope is that some of the corps will find love teaching and decide to stay in the classroom. But even those who only teach for a few years will infuse new energy and excitement into the math classrooms and science labs of our schools.

Studies show that little children toddle off to grade school with positive attitudes toward science and math. However, by the third grade, a tremendous number say they don't like these subjects anymore. Something is not right. What seems to be happening is that in the early years, kids' curiosity is smothered under an avalanche of facts—but there are not enough teachers in the classroom teaching them to truly love math and science.

We need to expand the pool of confident, motivated teachers who can inspire all American students to achieve. I believe the Teacher Corps will help fulfill this goal, and I am pleased that it's part of this excellent package.

In conclusion, I would like to make the point that legislation alone will not solve the math/science crisis we face in this country. Frankly, nothing can substitute for a national will to make our country excel again in these subjects. Children need to be told to turn off their television sets and do their homework. Parents need to spend more time with their children and encourage them in these subjects. Parents also must demand more math and science education from their local school systems. We also need to extend to teachers in all fields the respect they deserve for educating our children.

Senators KENNEDY and HATFIELD are introducing an excellent initiative today. It gives us a centerpiece to rally around and makes it clear that this is indeed a national problem. The economic threat we face today is every bit as serious as sputnik was in 1958, and we need to face that threat—head-on as a nation, with the resources, creativity, and human resolve we know it will take.●

● Mr. BINGAMAN. Mr. President, I rise today in strong support of the Excellence in Math, Science, and Engineering Act of 1990, and I would like to commend my distinguished colleagues, Senator KENNEDY and Senator HATFIELD, for their leadership in sponsoring this important and comprehensive legislation.

Without question, the need to improve our Nation's science, math, and engineering education system is urgent. We simply must give a higher priority to remaining a world leader in science, engineering, and technology if we are going to be a leader in the internationally competitive marketplace of the 21st century. That means that we must give a high priority to the education of all of our children.

The importance of science and technology in our modern world is indisputable. When the history of the 20th century is written, I believe it will be recorded as the century in which science and technology dramatically and permanently altered the lives of all of humankind.

It is no exaggeration to say that the nations that lead in science and technology will inevitably lead economically and militarily as well. It follows that the nations that fall behind in science and technology also will fall behind economically and militarily. But it is important to remember: A country that leads in science does not simply produce Nobel laureates. That is only part of the measurement of success.

A country that leads in science must also lead in applying new scientific knowledge—in putting new technology to use. And if a country is going to lead in applying science, its entire population must have a reasonable level of general scientific competency.

Mr. President, given the importance of science and technology to our Nation's future economy and future security, I believe that we must begin to seriously address some obvious questions:

How are we doing?

Are we still preeminent in these fields?

Are we doing what we should to maintain a leadership position?

Unfortunately, the answers to these basic questions are not encouraging. We are no longer preeminent in many key fields of science. We are not taking the steps we need to take to maintain a leadership position.

In his book, "The Business of Science," Simon Ramo traces our country's performance in science and technology over the last three decades.

In the 1960's, Ramo writes, scientific preeminence was a major national goal. By the end of the decade, few doubted that the United States led the world in virtually all areas of scientific discovery and invention. The launching of sputnik by the Soviets and the national commitment to send a man to the Moon were major factors in our drive for preeminence.

Throughout the 1970's, we continued to lead. But by the early 1980's, our lack of priorities and our complacency with previous successes began to take their toll.

As we begin the 1990's, Simon Ramo's assessment of our position is sobering. He states, as so many others have also stated:

> In recent decades the United States has lost its position as global champion in technology and has become an average performer, winning some contests, but losing more.

What has happened? Part of what has happened is that the focus on science, engineering, and technology, which characterized public sentiment in the 1960's, has been lost.

We have an inherent belief, as Ronald Reagan said so often during his Presidency: "Given a level playing field, Americans can outperform and outcompete anyone in the world." Unfortunately, we have allowed this self-confidence to persuade us that, unlike other nations, we do not need to set national priorities or goals. We do not need to make plans to achieve our objectives.

We falsely believe that being the world leader is our birthright. We leave the planning and hard work to others. Well, it is time to forget about birthrights and to work for what we deserve. Just as our parents and grandparents worked to make this country great, so too must we work. We must once again commit ourselves to creating and improving the technological base needed to be a world-class economic power.

This legislation will go far in helping us carry out that commitment. It will, among other things:

First, create a national network of nine regional consortia to encourage better coordination among Federal agencies and facilitate the collaboration of resources.

Second, establish a national clearinghouse library for the distribution of science materials.

Third, provide additional support for informal educational efforts, including science, museums, zoos, and nature centers.

In short, this legislation will help us create a system where the Federal Government will work in partnership with States to help meet the technological challenges facing our Nation.

Fortunately, we can already point to some successful partnerships. In my home State of New Mexico, for example, a Science and Technology Alliance has been forged between educational institutions and our national laboratories. Through the alliance, New Mexico's Highlands University and Luna Vocational-Technical Institute have joined with Los Alamos and Sandia National Laboratories to pursue a program sponsored by the Department of Energy that will help increase crucially needed minority representation in the Department's scientific and engineering programs.

Another success in New Mexico is the establishment and invigorating continuation of the Centers of Technical Excellence at three of the State's universities. But clearly, we cannot stop there. We must strive for more. We must rise to the technological challenges that face us.

Mr. President, I believe our country can meet those challenges. I believe we can continue to be a leader in the ongoing scientific revolution. We can

continue to be a leader if we seriously commit ourselves to working persistently and creatively toward educational excellence. Through legislative initiative like the Excellence in Math, Science, and Engineering Education Act, I am confident that we can take significant strides toward achieving our goals.●

● Mr. PELL. Mr. President, I am delighted to join Senators KENNEDY, HATFIELD, MITCHELL, BYRD, and my other colleagues in cosponsoring the Excellence in Math, Science, and Engineering Education Act. The general level of our scientific and mathematical literacy is of vital national interest. The number of students entering careers in science and engineering is equally critical. Our industries will be competitive in the global marketplace only if they can call upon a talent pool of workers who are highly skilled and inventive. Building such a world-class work force requires a world-class education.

The students of today are the work force of tomorrow. And our competitive position in the world economy can be foretold by comparing achievement levels of our students with students in other industrial nations. We do not fare well. American students score lower on math and science tests. They rank last in biology, next to the bottom in chemistry, and very near the bottom in physics.

That is why our legislation is so essential. It lays the groundwork for achieving significant gains in scientific and mathematical literacy by the year 2000. It builds upon work begun in 1985 with the passage of my Education for Economic Security Act, our current math/science program. And it meets the challenges of the future with a series of targeted initiatives to increase the supply of scientists and engineers, particularly with respect to women and minorities.

We must expend our collective energies to ensure that American industries remain competitive. We must see to it that business in this country is on the cutting edge of technological innovation. And to carry this out we must be able to rely upon a scientifically literate work force—from those who invent, to those who produce.

Our legislation establishes a goal for the year 2000 in math and science education. Its purpose is to carry us forward into the next century with an educated citizenry that leads the world—as we did during this century—in innovation, design, and discovery. The nation that brought the world the microchip and the transistor and the superconductor should continue to be the nation by which our planet sets its clock. We can maintain such stature if we are just willing to invest in the education of our people.●

By Mr. ARMSTRONG:

S. 2115. A bill to temporarily suspend the duty on certain infant nursery monitors and intercoms; to the Committee on Finance.

SUSPENSION OF DUTY ON CERTAIN INFANT MONITORS AND INTERCOMS

● Mr. ARMSTRONG. Mr. President, I am introducing legislation to suspend until December 31, 1992, the import duty on infant nursery monitor systems. This duty is imposed on a product for which there is no similar or competitive product manufactured in the United States.

The products are small radio transmitters and receivers that allow a parent to monitor an infant's activity from another location in the home. The effect of the duty, therefore, other than to raise a small amount of revenue, is to reduce the affordability of this device that promotes child safety.●

By Mr. ARMSTRONG:

S. 2116. A bill to temporarily suspend the duty on certain glass fibers; to the Committee on Finance.

DUTY SUSPENSION OF CERTAIN GLASS FIBERS

● Mr. ARMSTRONG. Mr. President, I am introducing legislation to suspend until December 31, 1992, the import duty imposed on certain glass fibers or yarn. This duty is imposed on a product for which there is no similar or competitive type of product manufactured in the United States. The duty raises the cost of production, however, to certain manufacturers of automobile and industrial timing belts and tires. Since there is no domestic manufacturer of this yarn to protect, a reduction of the duty would be a clear benefit to U.S. manufacturers and consumers alike.●

By Mr. DECONCINI (for himself and Mr. MCCAIN):

S. 2117. A bill to designate certain lands as wilderness in the State of Arizona; to the Committee on Energy and Natural Resources.

ARIZONA WILDERNESS ACT

● Mr. DECONCINI. Mr. President, my colleague Senator MCCAIN and I are introducing our second Arizona wilderness bill this session. In May of last year, we introduced S. 1080, a bill designating 895,000 acres of wilderness in Arizona. Also, last year in the House, the senior member of the Arizona delegation, Chairman UDALL, introduced two wilderness bills that would have included over 2.7 million acres of Federal land in the wilderness preservation system. The bill we are introducing today is the product of yearlong discussions among the members of the Arizona congressional delegation and reconciles the differences between the two bills. It designates approximately 2.4 million acres of both Bureau of Land Management and Fish and Wildlife Service land as wilderness. It is identical to two measures reported out by the House Interior Committee yesterday by Chairman UDALL.

This bill reflects what, in my opinion, is widespread agreement throughout my State on what wilderness should be in Arizona. While it does not contain everything that everybody wanted, this legislation is a fair and balanced wilderness bill.

This consensus wilderness bill designates approximately 1.1 million acres out of the 2.1 million acres of BLM land currently in wilderness study status in Arizona. The land that is not designated as wilderness by this act will be released to multiple-use management. A particular emphasis of this bill is the protection of Arizona's rapidly disappearing desert riparian areas. Out of the seven riparian areas considered for wilderness suitability by the BLM, six are included in the wilderness preservation system and one, the Gila Box, will be made a National Riparian Conservation Area.

One of the riparian areas designated as wilderness by this bill is White Canyon. This area, in my opinion, typifies the cooperative spirit in which this bill was drafted. A major mining company expressed very significant concerns that the creation of this wilderness area would hamper its ability to develop a mine in this area. At the suggestion of the Arizona congressional delegation, this mining company, the proponents of wilderness designation for White Canyon and the BLM sat down and came to an agreement that will allow this area to become a wilderness area. Throughout this bill, there are many other instances where this kind of cooperation occurred.

The major difference between Senator MCCAIN's and my original bill and the one we are introducing today is the inclusion of two large wildlife refuges: the Kofa and Cabeza Prieta National Wildlife Refuges. When we introduced our first bill last year, I had concerns that the designation of these refuges as wilderness would impact the ability of the refuge managers to manage the very significant wildlife resources within them. However, in testimony before the House Interior Committee, John Turner, the Director of the Fish and Wildlife Service, allayed these concerns. He indicated that the purpose for which these refuges were created takes precedence over a subsequent wilderness designation. The purpose in establishing each of these refuges was to protect and manage the wildlife and their habitat. As a result, wildlife management activities will continue as they have in the past. This fact, combined with the road network for the KOFA National Wildlife Refuge that will be included in the bill, convinced me to change my position on these refuges and they are included in this consensus wilderness

bill. Combined, these refuges total 1.24 million acres.

A matter that is still unresolved at this time is the issue of Federal reserve water rights. The bill that we are introducing retains the language that is in our original bill. While there is basic agreement on this issue within the Arizona delegation, there is not agreement on the language that institutionalizes these principles. I look forward to working with my colleagues on this issue and I am confident that this matter will be resolved satisfactorily.

Other areas where the Arizona delegation is in agreement includes language concerning the military overflights over the Cabeza Prieta Wildlife Refuge, the wildlife management in BLM wilderness areas, and the prohibition against the creation of buffer zones around the wilderness areas designated by this act.

Mr. President, in coming to agreement on this wilderness bill, Arizona has once again demonstrated why its delegation is unique among those in Congress. We don't always see eye-to-eye on every issue, but we are able to put aside partisan differences for the good of the State we serve. This consensus wilderness bill is further example of this. Each and every member of the Arizona delegation has made his mark on this legislation.

I particularly want to thank my colleague, Senator MCCAIN for his tireless efforts in working with me on this bill. Without the hard work of Senator MCCAIN and his staff, particularly John Raidt, we would not be introducing this legislation.

I also want to say a few words about my friend, MO UDALL. Over the years, he has earned my respect and admiration for his leadership on natural resource issues. He kept the delegation moving forward toward a compromise bill. His commitment to seeing this work completed has been an inspiration to me.

Mr. President, I am hopeful that the Senate will pass this legislation in as timely a fashion as possible. The Arizona delegation has worked long and hard to get to this point, and this bill is much too important to delay action.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arizona Wilderness Act of 1990".

TITLE I—DESIGNATION OF WILDERNESS AREAS TO BE ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

SEC. 101. WILDERNESS DESIGNATION AND MANAGEMENT.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act, the following public lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in Mohave County, Arizona, which comprise approximately 23,600 acres, as generally depicted on a map entitled "Mount Wilson Wilderness" and dated February 1990, and which shall be known as the Mount Wilson Wilderness.

(2) Certain lands in Mohave County, Arizona, which comprise approximately 31,070 acres, as generally depicted on a map entitled "Mount Tipton Wilderness" and dated February 1990, and which shall be known as the Mount Tipton Wilderness.

(3) Certain lands in Mohave County, Arizona, which comprise approximately 27,530 acres, as generally depicted on a map entitled "Mount Nutt Wilderness" and dated February 1990, and which shall be known as the Mount Nutt Wilderness.

(4) Certain lands in Mohave County, Arizona, which comprise approximately 76,600 acres, as generally depicted on a map entitled "Warm Springs Wilderness" and dated February 1990, and which shall be known as the Warm Springs Wilderness.

(5) Certain lands in Mohave County, Arizona, which comprise approximately 15,900 acres, as generally depicted on a map entitled "Aubrey Peak Wilderness" and dated February 1990, and which shall be known as the Aubrey Peak Wilderness.

(6) Certain lands in La Paz County, Arizona, which comprise approximately 14,630 acres, as generally depicted on a map entitled "East Cactus Plain Wilderness" and dated February 1990, and which shall be known as the East Cactus Plain Wilderness.

(7) Certain lands in Mohave and Yavapai Counties, Arizona, which comprise approximately 41,600 acres, as generally depicted on a map entitled "Rawhide Mountains Wilderness" and dated February 1990, and which shall be known as the Rawhide Mountains Wilderness.

(8) Certain lands in Mohave, Yavapai, and La Paz Counties, Arizona, which comprise approximately 129,525 acres, as generally depicted on a map entitled "Arrastra Mountain Wilderness" and dated February 1990, and which shall be known as the Arrastra Mountain Wilderness.

(9) Certain lands in La Paz County, Arizona, which comprise approximately 25,287 acres, as generally depicted on a map entitled "Harcuvar Mountains Wilderness" and dated February 1990, and which shall be known as the Harcuvar Mountains Wilderness.

(10) Certain lands in La Paz and Maricopa Counties, Arizona, which comprise approximately 22,865 acres, as generally depicted on a map entitled "Harquahala Mountains Wilderness" and dated February 1990, and which shall be known as the Harquahala Mountains Wilderness.

(11) Certain lands in Maricopa County, Arizona, which comprise approximately 20,600 acres, as generally depicted on a map entitled "Big Horn Mountains Wilderness" and dated February 1990, and which shall be known as the Big Horn Mountains Wilderness.

(12) Certain lands in Maricopa County, Arizona, which comprise approximately 30,170 acres, as generally depicted on a map entitled "Hummingbird Springs Wilderness" and dated February 1990, and which shall be known as the Hummingbird Springs Wilderness.

(13) Certain lands in La Paz, Yuma, and Maricopa Counties, Arizona, which comprise approximately 94,100 acres, as generally depicted on a map entitled "Eagletail Mountains Wilderness" and dated February 1990, and which shall be known as the Eagletail Mountains Wilderness.

(14) Certain lands in Maricopa County, Arizona, which comprise approximately 15,250 acres, as generally depicted on a map entitled "Signal Mountain Wilderness" and dated February 1990, and which shall be known as the Signal Mountains Wilderness.

(15) Certain lands in Maricopa County, Arizona, which comprise approximately 61,000 acres, as generally depicted on a map entitled "Woolsey Peak Wilderness" and dated February 1990, and which shall be known as the Woolsey Peak Wilderness.

(16) Certain lands in Maricopa County, Arizona, which comprise approximately 14,500 acres, as generally depicted on a map entitled "Sierra Estrella Wilderness" and dated February 1990, and which shall be known as the Sierra Estrella Wilderness.

(17) Certain lands in Maricopa and Pinal Counties, Arizona, which comprise approximately 34,400 acres, as generally depicted on a map entitled "Table Top Wilderness" and dated February 1990, and which shall be known as the Table Top Wilderness.

(18) Certain lands in Pima County, Arizona, which comprise approximately 5,080 acres, as generally depicted on a map entitled "Coyote Mountains Wilderness" and dated February 1990, and which shall be known as the Coyote Mountains Wilderness.

(19) Certain lands in Pima County, Arizona, which comprise approximately 2,065 acres, as generally depicted on a map entitled "Baboquivari Peak Wilderness" and dated February 1990, and which shall be known as the Baboquivari Peak Wilderness.

(20) Certain lands in Gila County, Arizona, which comprise approximately 9,201 acres, as generally depicted on a map entitled "Needle's Eye Wilderness" and dated February 1990, and which shall be known as the Needle's Eye Wilderness. The right-of-way reserved by right-of-way reservation A-16043 dated October 20, 1986, together with the right of ingress and egress thereto, shall not be affected by this Act, and the existing powerline utilizing such right-of-way may be operated, maintained, and upgraded, subject to reasonable requirements to protect wilderness values.

(21) Certain lands in Graham County, Arizona, which comprise approximately 6,590 acres, as generally depicted on a map entitled "North Santa Teresa Wilderness" and dated February 1990, and which shall be known as the North Santa Teresa Wilderness.

(22) Certain lands in Graham County, Arizona, which comprise approximately 10,883 acres, as generally depicted on a map entitled "Fishhooks Wilderness" and dated February 1990, and which shall be known as the Fishhooks Wilderness.

(23) Certain lands in Cochise County, Arizona, which comprise approximately 11,998 acres, as generally depicted on a map entitled "Dos Cabezas Mountains Wilderness" and dated February 1990, and which shall be known as the Dos Cabezas Mountains Wilderness.

(24) Certain lands in Graham County, Arizona, which comprise approximately 6,600

acres, as generally depicted on a map entitled "Redfield Canyon Wilderness" and dated February 1990, and which shall be known as the Redfield Canyon Wilderness.

(25) Certain lands in La Paz County, Arizona, which comprise approximately 18,805 acres, as generally depicted on a map entitled "Gibraltar Mountain Wilderness" and dated February 1990, and which shall be known as the Gibraltar Mountain Wilderness.

(26) Certain lands in La Paz County, Arizona, which comprise approximately 15,755 acres, as generally depicted on a map entitled "Swansea Wilderness" and dated February 1990, and which shall be known as the Swansea Wilderness.

(27) Certain lands in La Paz County, Arizona, which comprise approximately 29,095 acres, as generally depicted on a map entitled "Trigo Mountain Wilderness" and dated February 1990, and which shall be known as the Trigo Mountain Wilderness.

(28) Certain lands in Yuma County, Arizona, which comprise approximately 8,855 acres, as generally depicted on a map entitled "Muggins Mountain Wilderness" and dated February 1990, and which shall be known as the Muggins Mountain Wilderness.

(29) Certain lands in Yavapai and Maricopa Counties, Arizona, which comprise approximately 9,200 acres, as generally depicted on a map entitled "Hells Canyon Wilderness" and dated February 1990, and which shall be known as the Hells Canyon Wilderness.

(30) Certain lands in Maricopa County, Arizona, which comprise approximately 63,600 acres, as generally depicted on a map entitled "North Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the North Maricopa Mountains Wilderness.

(31) Certain lands in Maricopa County, Arizona, which comprise approximately 72,004 acres, as generally depicted on a map entitled "South Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the South Maricopa Mountains Wilderness.

(32) Certain lands in Mohave County, Arizona, which comprise approximately 38,400 acres, as generally depicted on a map entitled "Wabayuma Peak Wilderness" and dated February 1990, and which shall be known as the Wabayuma Peak Wilderness.

(33) Certain lands in Mohave County, Arizona, which comprise approximately 27,390 acres, as generally depicted on a map entitled "Upper Burro Creek Wilderness" and dated February 1990, and which shall be known as the Upper Burro Creek Wilderness.

(34) Certain lands in Yavapai County, Arizona, which comprise approximately 11,840 acres, as generally depicted on a map entitled "Hassayampa River Canyon Wilderness" and dated February 1990, and which shall be known as the Hassayampa River Canyon Wilderness.

(35) Certain lands in Pinal County, Arizona, which comprise approximately 5,800 acres, as generally depicted on a map entitled "White Canyon Wilderness" and dated February 1990, and which shall be known as the White Canyon Wilderness.

(36) Certain lands in Mohave County, Arizona, which comprise approximately 8,700 acres, as generally depicted on a map entitled "Tres Alamos Wilderness" and dated February 1990, and which shall be known as the Tres Alamos Wilderness.

(37) Certain lands in Cochise County, Arizona, which comprise approximately 19,650 acres, as generally depicted on a map entitled "Peloncillo Mountains Wilderness" and dated February 1990, and which shall be known as the Peloncillo Mountains Wilderness.

(38) Certain lands in Yuma County, Arizona, which comprise approximately 21,860 acres, as generally depicted on a map entitled "New Water Mountains Wilderness" and dated February 1990, and which shall be known as the New Water Mountains Wilderness.

(39) Certain lands in Gila and Graham Counties, Arizona, which comprise approximately 12,711 acres generally depicted on a map entitled "Aravaipa Wilderness Additions" and dated February 1990, and which shall be added to and managed as part of Aravaipa Wilderness.

(b) MANAGEMENT.—Subject to valid existing rights, the wilderness areas designated by this Act shall be administered by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior.

(d) NO BUFFER ZONES.—The Congress does not intend for designation of wilderness areas in the State of Arizona to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e) FISH AND WILDLIFE.—As provided in paragraph (7) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to wildlife and fish on the public lands located in that State.

(f) LIVESTOCK.—(1) Grazing of livestock in wilderness areas designated by this Act, where established prior to the date of the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and the guidelines set forth in Appendix A of the Report of the Committee on Energy and Natural Resources to accompany S. of the 101st Congress (S. Rept. 101-).

(2) The Secretary is directed to review all policies, practices, and regulations of the Bureau of Land Management regarding livestock grazing in Bureau of Land Management Wilderness areas in Arizona in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this Act.

(g) WATER.—With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be the date of enactment of this Act. The Secretary of the Interior shall file a claim for the quantification of such rights in an appropriate stream adjudication, and shall take all steps necessary to protect such rights in such an adjudication. The Federal water rights reserved by this Act are in addition to any water rights which may have been previously reserved or obtained by the United States for other than wilderness purposes.

(h) WILDLIFE MANAGEMENT.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas, where consistent with relevant wilderness management plans, in accordance with appropriate policies and guidelines such as those set forth in appendix B of the Report of the Committee on Energy and Natural Resources to accompany S. of the 101st Congress (S. Rept. 101-).

SEC. 102. CONGRESSIONAL FINDING.

Excepting for the Baker Canyon areas (AZ-040-070), and the approximately 57,800 acres of public land as generally depicted on a map entitled "Cactus Plain Wilderness Study Acres" dated February 1990, the Congress hereby finds and directs that all public lands in Arizona, administered by the Bureau of Land Management pursuant to the Federal Land Policy and Management Act of 1976 not designated as wilderness by this Act, or previous Acts of Congress, have been adequately studied for wilderness designation pursuant to section 603 of such Act and are no longer subject to the requirement of section 603(c) of such Act pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

SEC. 103. GILA BOX RIPARIAN NATIONAL CONSERVATION AREA.

(a) PURPOSES.—In order to conserve, protect, and enhance the riparian and associated areas described in subsection (b) and the aquatic, wildlife, archeological, paleontological, scientific, cultural, recreational, educational, scenic, and other resources and values of such areas, there is hereby established the Gila Box Riparian National Conservation Area (hereafter in this section referred to as the "conservation area").

(b) AREAS INCLUDED.—The conservation area shall consist of the public lands generally depicted on a map entitled "Gila Box Riparian National Conservation Area" dated February 1990, and comprising approximately 20,900 acres.

(c) MAP.—As soon as practicable after the date of enactment of this Act, a map and legal description of the conservation area shall be filed by the Secretary with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Such map shall have the same force and effect as if included in this section. Copies of such map shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Inte-

rior, and in appropriate office of the Bureau of Land Management in Arizona.

(d) MANAGEMENT OF CONSERVATION AREA.—(1) The Secretary shall manage the conservation area in a manner that conserves, protects, and enhances its resources and values (including the resources and values specified in subsection (a)), pursuant to the Federal Land Policy and Management Act of 1976 and other applicable law, including this section.

(2) The Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established. Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles in the conservation area shall be permitted only on roads specifically designated for such use as part of the management plan prepared pursuant to this section.

(e) WITHDRAWAL AND WATER.—(1) Subject to valid existing rights, all Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

(2) Congress hereby reserves a quantity of water sufficient to fulfill the purposes (as specified in subsection (a)) for which the conservation area is established. The priority date of this reserved right shall be the date of enactment of this Act. The Secretary shall file a claim for the quantification of this right in an appropriate stream adjudication, and shall take all steps necessary to protect such right in such adjudication. The Federal water right reserved by this paragraph shall be in addition to any other water rights which may have been previously reserved or obtained by the United States.

(f) MANAGEMENT PLAN.—(1) No later than 2 years after the date of enactment of this Act, the Secretary shall develop a comprehensive plan for the long-term management of the conservation area in order to fulfill the purposes for which the conservation area is established. The management plan shall be developed with full public participation and shall include provisions designed to assure protection of the resources and values (including the resources and values specified in subsection (a)) of the conservation area. For the purposes of this section, the term "management plan" means the plan developed under this subsection.

(2) The management plan shall include a discussion of the desirability of the inclusion in the conservation area of additional lands, including the lands not in Federal ownership that are contiguous to the boundary of the conservation area (as depicted on the map referenced in subsection (b) or as hereafter adjusted pursuant to subsection (g)) and within the area extending two miles on either side of the centerline of Eagle Creek from the point where Eagle Creek crosses the southern boundary of the Apache National Forest to the confluence of Eagle Creek with the Gila River (this area is hereafter referred to in this section as the "Eagle Creek riparian area").

(3) In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate State and local agencies pursuant to section 307(b) of the Federal Land Policy and Management Act of 1976.

(4) In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, and other characteristics, resources, and values of the conservation area, pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976.

(g) ACQUISITION AND BOUNDARY ADJUSTMENTS.—(1) The Secretary is authorized to acquire non-Federal lands or interests therein within the boundaries of the conservation system unit or within the Eagle Creek riparian area.

(2) The Secretary is authorized to adjust the boundaries of the conservation area so as to incorporate within the conservation area any lands or interests within the Eagle Creek riparian area that may be acquired after the date of enactment of this Act as well as public lands within that portion of the Eagle Creek riparian area west of the centerline of Eagle Creek that the Secretary finds appropriate in order to properly manage such acquired lands as part of the conservation area. Any lands or interests so incorporated shall be managed as part of the conservation area.

(3) No lands or interests therein owned by the State of Arizona or any political subdivision of such State shall be acquired pursuant to this subsection except through donation or exchange, and no lands or interests within the conservation area or the Eagle Creek riparian area shall be acquired from any other party or entity except by donation, exchange, or purchase with the consent of the owner of such lands or interests.

(h) NO BUFFER ZONES.—The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area not permitted in the conservation area shall not preclude such activities or uses up to the boundary of the conservation area to the extent consistent with other applicable law.

(i) ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee to advise the Secretary with respect to the preparation and implementation of the management plan. Such advisory committee shall consist of seven members appointed by the Secretary. One member shall be appointed from nominations supplied by the Governor of Arizona and one member each shall be appointed from nominations supplied by the supervisors of Graham and Greenlee Counties, respectively. The remaining members shall be persons with recognized backgrounds in wildlife conservation, riparian ecology, archeology, paleontology, or other disciplines directly related to the purposes for which the conservation area is established.

(j) REPORT.—No later than 5 years after the date of enactment of this Act, and at least each 10 years thereafter, the Secretary shall report to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the implementation of this section, the condition of the resources and values of the conservation area, and the progress of the Secretary in achieving the purposes for which the conservation area is established.

(k) ENFORCEMENT.—Any person who violates any regulation promulgated by the Secretary to implement this section shall be subject to a fine in accordance with applicable provisions of the Sentencing Reform Act of 1984 (18 U.S.C. 3572) or to imprisonment for at least 6 months but no more than one year, or both such fine and imprisonment.

(l) AUTHORIZATION.—There are hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this section.

TITLE II—DESIGNATION OF WILDERNESS AREAS TO BE ADMINISTERED BY THE UNITED STATES FISH AND WILDLIFE SERVICE

SEC. 201. WILDERNESS DESIGNATION AND MANAGEMENT.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Havasu National Wildlife Refuge, Arizona, which comprise approximately 14,606 acres, as generally depicted on a map entitled "Havasu Wilderness" and dated September 1989, and which shall be known as the Havasu Wilderness.

(2) Certain lands in the Imperial National Wildlife Refuge, Arizona, which comprise approximately 9,220 acres, as generally depicted on a map entitled "Imperial Wilderness" and dated September 1989, and which shall be known as the Imperial Wilderness.

(3) Certain lands in the Kofa National Wildlife Refuge, Arizona, which comprise approximately 504,800 acres, as generally depicted on a map entitled "Kofa Wilderness" and dated September 1989, and which shall be known as the Kofa Wilderness.

(4) Certain lands in the Cabeza Prieta National Wildlife Refuge, Arizona, which comprise approximately 763,000 acres, as generally depicted on a map entitled "Cabeza Prieta Wilderness" and dated September 1989, and which shall be known as the Cabeza Prieta Wilderness.

(b) MANAGEMENT.—Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, United States Fish and Wildlife Service, United States Department of the Interior.

(d) WATER.—With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be the date of enactment of this Act. The Secretary shall file a claim for the quantification of such rights in an appropriate stream

adjudication, and shall take all steps necessary to protect such rights in such an adjudication. The Federal water rights reserved by this Act shall be in addition to any water rights which may have been previously reserved or obtained by the United States for other than wilderness purposes.

(e) MILITARY ACTIVITIES.—Nothing in this Act, including the designation as wilderness of lands within the Cabeza Prieta National Wildlife Refuge, shall be construed as—

(1) precluding or otherwise affecting continued low-level overflights by military aircraft over such refuge or the maintenance of existing associated ground instrumentation, in accordance with any applicable interagency agreements in effect on the date of enactment of this Act; or

(2) precluding the Secretary of Defense from entering into new or renewed agreements with the Secretary of the Interior concerning use by military aircraft of airspace over such refuge or the maintenance of existing associated ground instrumentation, consistent with management of the refuge for the purposes for which such refuge was established and in accordance with laws applicable to the National Wildlife Refuge System.●

● Mr. McCAIN. Mr. President, my home State of Arizona has been blessed with a rich and magnificent natural heritage.

From the kaleidoscopic vistas and plunging depths of the Grand Canyon, across mountain streams weaving through stands of ponderosa pine to the quiet majesty of the Sonoran Desert, we are the stewards of a very special land, indeed.

Preserving that heritage for future generations is our sacred duty and inviolable trust. As Arizona's population grows, and the edges of urbanization expand, fulfilling that trust grows more difficult, the need more profound.

Twenty-five years ago, to help protect lands of pristine quality, Congress passed the Wilderness Act creating the National Wilderness Preservation System. As stated in the act, Congress wanted "* * * to assure that increasing population, accompanied by expanding settlement and growing mechanization [would] not occupy and modify all areas leaving no land designated for preservation and protection in their natural condition * * * and to secure for the American people of present and future generations the benefits of an enduring resource of wilderness."—a noble and worthwhile purpose indeed.

To help fulfill the promise of the Wilderness Act in our home State of Arizona, my distinguished colleague, Senator DECONCINI and I introduced the Arizona Wilderness Act of 1989 last May. Since that time, we have held town hall meetings, received extensive public comment and participated in hearings held by the House on a wilderness bill introduced by our friend, the distinguished chairman of the Interior Committee, MORRIS UDALL.

Over the past year, we have worked closely with our House colleagues to reconcile the House and Senate measures and to achieve agreement on a wilderness bill. I am proud to say that we have achieved such an agreement. Today, in cooperation with my colleague Senator DECONCINI, I am proud to introduce legislation reflecting the product of our agreement that seeks to place nearly 2.3 million acres into the National Wilderness Preservation System. I believe the agreement is fair, responsible, and will serve the best interests of our State.

Today, as part of that agreement, the House Interior Committee favorably reported a bill identical to the legislation Senator DECONCINI and I are now introducing. It is my hope that the Senate will act swiftly to pass this legislation which will help us to preserve Arizona's magnificent natural heritage for the benefit and enjoyment of this and future generations.

The bill is certainly not perfect, and I anticipate some fine tuning as well as additional discussion on the issue of water rights. The areas we propose for wilderness are managed by the Bureau of Land Management and the U.S. Fish and Wildlife Service, and would be added to the nearly 2 million acres of Forest Service land given wilderness protection by Congress in 1984.

Arizona's most precious and endangered natural resource is our diminishing wetlands, which must compete for water with municipal, agricultural, and industrial users. Dwindling instream waters and manmade developments have taken their toll. Only 10 percent of our riparian habitat remains. The loss of these fragile ecosystems diminishes the diversity and viability of many species of wildlife and vegetation.

This bill would extend protection to a number of our most important riparian zones, including areas located on the Hassayampa and Bill Williams Rivers and on Burro Creek. In addition, we are designating a stretch of the Gila River as a National Riparian Conservation Area—only the second of its kind in the Nation. The other was designated last year by Congress on the San Pedro River east of Tucson.

Other areas proposed for wilderness are important lambing grounds for Big Horn sheep, and home to endangered and rare species of plants and animals, such as the Pronghorn sheep and the American Bald Eagle. One of the most significant contributions will be inclusion of the KOFA and Cabeza Prieta National Wildlife Refuges in the wilderness system. Those areas were eliminated from proposals we introduced last year because of concern whether wilderness would permit proper wildlife management activities. Those concerns have been addressed, permitting wilderness designation of Cabeza Prieta—the largest tract of undisturbed Sonoran Desert in existence, nearly 850,000 acres.

Certainly the wilderness debate is not without some controversy and conflict. Wilderness resource conservation in a growing world is no simple proposition. This is especially true in the West, where our economy was built on natural resource development. Mining, timbering, and cattle ranching—the historical breadwinners of the West—depend heavily on use of public lands. Consequently, restrictive land management proposals are fraught with controversy and pose many formidable challenges.

In Arizona, we have been able to meet those challenges through a spirit of cooperation, compromise, and a common commitment to the conservation ethic by the environmental community, industry, and the public.

We took great care to avoid land use conflicts when possible. Nevertheless some will still philosophically oppose "locking up" areas in wilderness citing its impact on mineral development. Others will object to cutting off vehicular access and mobility.

I do not disregard the importance of these concerns. Mineral development and cattle ranching are and always will be important to the economy of our State. Certainly, in most cases, resource developers strive to be conscientious stewards of the lands they use. And, for those with limited time, physical capacity or lack of desire to hike, vehicular access to outdoor recreation opportunities is, also, extremely important. I am a believer in the multiple-use concept of our public lands.

True wilderness, however, is a limited and endangered commodity and once opened it is never fully reclaimed. Most would agree, the relatively few pristine areas remaining in Arizona should be preserved. The BLM manages over 15 million acres in the State of Arizona. With 1 million acres in the wilderness system, we will still have plenty of public land available for multiple uses including mineral development, cattle grazing, and vehicular access.

While, undoubtedly, we will forego certain opportunities with wilderness, we will create them as well—such as the opportunity to find a measure of solitude in a frantic world; to know there is a place to refresh the soul, and where nature is allowed to take its course free from the imposing reach of man. In addition, wilderness can provide economic benefits. Arizona is a fast growing State, in an increasingly populated country. Western wilderness will be in ever greater demand, putting Arizona in an excellent position to benefit economically from our fastest growing and best loved industry, recreation.

Walt Whitman once wrote, "Without enough wilderness America will

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change. Democracy, with its myriad personalities and increasing sophistication, must be fibred and vitalized by regular contact with outdoor growths—animals, trees, sun warmth, and free skies—or it will dwindle and pale."

As we embark on the year 2,000 and beyond, our natural heritage will be our anchor, the common thread linking the past and future, and a bountiful source of joy and inspiration.

As the stewards of this magnificent land, we have an obligation to our children and those who follow.

Again, I thank my friend Senator DECONCINI, Chairman UDALL and all the members Arizona's congressional delegation for their hard work and commitment on this issue. I urge the Senate to rapidly approve this important legislation.●

By Mr. BAUCUS.

S. 2118. A bill to amend the Disaster Assistance Act of 1989 to require the Secretary of Agriculture to consider damaged crops and spring replacement crops as separate crops; to the Committee on Agriculture, Nutrition, and Forestry.

PLANTING SPRING CROPS ON DAMAGED ACREAGE

● Mr. BAUCUS. Mr. President, today I am offering a piece of legislation that will do much to restore equity in the administration of the Disaster Assistance Act of 1989. The Department of Agriculture, under the direction of Secretary Clayton Yeutter, has chosen to adminster this disaster act in a way that is patently unfair to wheat farmers.

In November, I sent a letter, along with nine other Senators, to the Secretary of Agriculture requesting an explanation of the ASCS action. Three months later the Secretary has still not responded.

Although the legislation which I propose today should not be necessary, I am forced to file it because of the incorrect interpretation of the ACSC. This legislation which I submit for this body to consider today is simple and straightforward. It will clear up any possible misunderstandings on the part of the ASCS and will provide Montana wheat farmers, as well as other wheat farmers, their fair share of the 1989 disaster assistance.

I ask unanimous consent that the text of the bill, as well as the letter which I sent to Secretary Yeutter, be printed in the RECORD immediately following my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. PLANTING SPRING CROPS ON DAMAGED ACREAGE.

Section 110(b) of the Disaster Assistance Act of 1989 (Public Law 101-82; 7 U.S.C. 1421 note) (as amended by section 1 of Public Law 101-134) is amended by adding at the end the following new subsection:

"(d) SPRING CROPS.—Notwithstanding any other provision of this title, in carrying out this subtitle, the Secretary shall consider as separate crops—

"(1) a crop for which disaster payments are received; and

"(2) a spring variety of such crop planted for harvest in 1989 to replace such crop.".

U.S. SENATE,
Washington, DC, November 17, 1989.

Hon. CLAYTON YEUTTER,
Secretary of Agriculture, U.S. Department of Agriculture, Washington, DC.

DEAR CLAYTON: We believe that the Department of Agriculture has chosen to administer the Disaster Assistance Act of 1989 in a way that is patently unfair to wheat farmers.

The ASCS has ruled that farmers who lost their winter wheat crop and planted spring wheat will not be eligible for disaster payments—unless the spring wheat crop also fails. However, if those farmers had replanted with barley or any other crop, they would be eligible with appropriate deductions made for the value of the second crop. That is simply unfair. It costs just as much to re-plant with spring wheat as it does to re-plant with barley.

Section 110 of the 1989 Act requires that disaster payments be reduced if a successful replacement crop was planted. The law does not delineate what that replacement crop should be, only that it be planted to replace the crop lost as a consequence of the disaster. The intent is to prevent double compensation, not to discriminate against spring wheat. In fact, in its report on the legislation, the Senate Agriculture Committee states that in cases where farmers have planted spring varieties of winter crops, loss shall be ". . . based on the yield of the originally-planted winter variety."

Certainly, if a successful second crop was planted it should be appropriately deducted from disaster payments. But it should not matter whether the replacement crop was barley, oats, spring wheat, or potatoes. All should be treated equally.

Particularly, at a time when USDA is trying to encourage wheat production, the Department's position makes absolutely no sense.

Unless USDA reverses its practice, we plan to offer a floor amendment to pending legislation that requires treating spring wheat farmers fairly. We will not stand by and let USDA make administrative rulings that deprive wheat farmers of millions of dollars to which they are entitled.

Sincerely,

Max Baucus, Quentin Burdick, David Boren, Slade Gorton, Brock Adams, Jim McClure, Kent Conrad, Conrad Burns, Pat Leahy.●

By Mr. KASTEN (for himself and Mr. LEAHY):

S. 2119. A bill to amend the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, to increase the total amount of commitments which may be made to finance projects for housing and infrastructure in Israel for Soviet refugees, and for other purposes; to the Committee on Foreign Relations.

ASSISTANCE FOR SOVIET REFUGEES RESETTLING IN ISRAEL

● Mr. KASTEN. Mr. President, I am very pleased to join my distinguished friend, Senator LEAHY, in introducing this legislation. This bill would provide a $400 million in guarantee authority under AID's Investment Guarantee Program for Housing in Israel.

The purpose of this legislation is to provide Israel with badly needed assistance as she continues to cope with the enormous influx of Soviet refugees into that country.

It is our intention to propose this as an amendment to the supplemental appropriations legislation. In the meantime, we think it appropriate to introduce this as separate legislation so that interested parties would know of this intention, and Members might join with us in this effort.●

● Mr. LEAHY. Mr. President, I am pleased to join with my good friend and colleague on the Foreign Operations Subcommittee, the Senator from Wisconsin, Mr. KASTEN, in offering this bill to amend the fiscal 1990 Foreign Operations appropriation to provide for a $400 million Housing Investment Guaranty [HIG] Program to assist Israel in absorbing a massive influx of Soviet Jews. As a result of President Mikhail Gorbachev's glasnost policy and relaxation of emigration laws, literally hundreds of thousands of Soviet Jews are seeking to leave the Soviet Union. Most are going to go to Israel. This year, Israel anticipates receiving in excess of 100,000 immigrants from the Soviet Union, in contrast to under 13,000 for all of 1989. Estimates of additional immigration of Soviet Jews to Israel vary, but in all likelihood the levels will reach at least 250,000 or more within 2 or 3 years.

The Government of Israel has prepared a large scale refugee absorption program. From domestic resources, the government plans to raise over $2 billion from loans and increased taxes. Jewish organizations around the world will raise at least $600 million—probably more. One of the most urgent needs in absorbing this mass of refugees is housing. The stock of housing in Israel is completely inadequate to meet this unprecedented demand, and without substantial assistance, Israel will not be able to provide housing. The Israeli Government has requested that the United States help it meet this overwhelming human crisis by providing a $400 million Housing Investment Guaranty Program. The $400 million would represent United States Government guarantees of commercial loans the Government of Israel would contract on the commercial market. The value of the HIG guarantees is that they will enable

Israel to secure 30-year loans, with a 10-year grace period, and at somewhat lower rates of interest.

Israel would use the HIG Program solely to build housing and necessary infrastructure for Soviet Jews. The $400 million in loan guarantees is expected to be sufficient to finance the construction of 30,000 housing units and associated infrastructure requirements. Israel would of course repay the loans, so that the United States Government would not actually have to disburse any of the loan guarantees. Israel has a 100 percent debt repayment record, and we need have no concern about full servicing of the commercial loans Israel would contract under this program.

Mr. President, our bill does not address the sensitive question of the settlement of Soviet Jewish refugees in the West Bank or Gaza. This is because I have been categorically assured by administration representatives that longstanding United States policy is to include in every assistance agreement with Israel a clause prohibiting the use of any United States assistance outside the pre-1967 borders of Israel. Continutation of this longstanding policy should obviate any necessity to include language in the bill prohibiting the use of United States assistance to provide housing for the Soviet Jewish immigrants in the West Bank or Gaza. However, should, in the course of hearings on this issue, any question arise about the intention of the administration to insist on this standard clause, I would have to reconsider the need to include a statutory prohibition. I would, as the administration has, oppose the use of any of the assistance for housing in the West Bank or Gaza.

As chairman of the Foreign Operations Subcommittee, it is my intention to include this bill or a variant of it as a provision in the refugee supplemental appropriation for fiscal 1990 that the President has just submitted to Congress. I want to emphasize for Senators the need for urgent action on that refugee supplemental. At the current rate of refugee admissions into the United States, the State Department's refugee budget will be virtually exhausted in about 3 or 4 months, perhaps even sooner. Now, with the addition of this HIG Program for Israel, the need for rapid action by the Congress is even more apparent. Israel should be initiating housing construction right now. Deputy Prime Minister Peres told me that if Israel can receive the loan guarantees by about April, it should be able to initiate a massive housing program that should be able to absorb this initial wave of immigrants.

I should also point out to Senators that this is only a loan guarantee program with no budget impact. No direct appropriation of budget authority is necessary. I see no reason we cannot move expeditiously on this program, as well as on the refugee supplemental itself.

Mr. President, once again I want to thank my good friend and ranking member on the Foreign Operations Subcommittee, Senator KASTEN, for working with me to develop this bipartisan response to a great human need.●

By Mr. DECONCINI:

S. 2120. A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate general election campaigns, to limit contributions by multicandidate political committees, and for other purposes; to the Committee on Rules and Administration.

SENATE ELECTION REFORM ACT

● Mr. DECONCINI. Mr. President, I have frequently spoken about the prohibitively high cost of running a Senate campaign. I have discussed all the statistics—how costs didn't double, didn't triple, but increased more than fivefold in the 10-year period from 1976 to 1986; how more and more candidate time is being spent raising money and less and less time is being spent discussing issues; how millions of dollars are being spent even in unsuccessful efforts.

We have discussed previously the source of a great percentage of this big money—PAC's and other special interest groups. We have heard how individual citizens have become disillusioned with our Government of the people, by the people, for the people, because they perceive that individual citizens are overshadowed by PAC's and special interests in the selection process.

We know the significant advantage incumbents have over challengers. Data show that official mass mailings increase during a Senator's election year; PAC's give significantly more money to incumbents than to challengers; incumbents garner more free press coverage in connection with their official duties; and incumbents enjoy the benefit of widespread recognition which helps raise funds. We must change the system to make Senate elections a fair race among all candidates so that voters feel they truly have a choice.

Last year I introduced a bill which I believe would help accomplish these long overdue changes. Today I am introducing a bill which takes that effort one step further. My bill today contains the same provisions as last year's bill, the Senate Election Reform Act of 1989, S. 1575, with some minor modifications. And it adds an important new element that I believe would significantly reduce the time candidates must spend on fundraising by further reducing spending limits and by adding partial public financing of Senate races. The mechanism is simple. To qualify for benefits, a candidate must raise a threshold of funds made up of small contributions primarily from in-State sources. upon reaching the threshold, a candidate, by agreeing to comply with voluntary spending limits for the general election, becomes eligible to receive a grant of one-third of the remaining general election spending limit amount. For the remaining two-thirds of the amount above the threshold, the candidate is eligible to receive matching grants of small contributions of $250 or less, and grants equal to $250 for contributions between $251 and $1,000. No grants would be made for PAC contributions in any amount.

I believe that this mechanism eases a candidate's fundraising burden and encourages a candidate to focus fundraising efforts at the grassroots level. It provides Federal financing of elections without putting the entire burden upon the Federal Government, and it retains participation of PAC's and interest groups at an appropriate, balanced level by targeting the funding mechanism to the general election only. There is certainly a place in our Federal election process for PAC's and interest groups, but they must not be allowed to overpower the role of individuals.

In addition, my bill S. 1575 proposed general election spending limits that were lower than those proposed in other legislation that has been introduced in the Senate this Congress. This bill further reduces those limits even more by altering the formula used to calculate the limits. Mr. President, I have prepared a table showing the general election spending limit for each State, the primary election limit, the combined campaign cycle limit, the threshold required to qualify for benefits, the automatic grant available to eligible candidates, and the PAC limits that would be set according to the provisions of this bill based on the 1988 voting age population [VAP] of each State. I ask unanimous consent that this table be included in the RECORD at the end of my statement.

Mr. President, I have commended my friend Senator BOREN for his leadership on this issue in the past, and I do so again today. Many of the provisions in this bill are similar or identical to those in his legislation. He is truly the founding father of Senate campaign finance reform. My first bill took his efforts one step further, and this bill takes an additional step by adding public financing.

A Rules Committee hearing has been scheduled on this bill for February 22, 1990. At that time, I will give a more comprehensive explanation of my approach to campaign finance reform, including a more detailed dis-

cussion of the provisions of this bill as well as additional ideas I am developing.

It is time to restore public confidence in our election processes and in our Government's representation of the people. This bill does just that. I ask unanimous consent that a copy of my bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Senate Election Reform Act of 1990".

SEC. 2. SPENDING LIMITS.

The Federal Election Campaign Act of 1971 (referred to as "the Act") is amended by adding at the end thereof the following new title:

"TITLE V—SPENDING LIMITS AND PUBLIC FINANCING FOR SENATE GENERAL ELECTION CAMPAIGNS

"DEFINITIONS

"SEC. 501. For the purposes of this title—

"(1) the term 'authorized committee' means, with respect to a candidate for election to a seat in the United States Senate, a political committee that is authorized in writing by the candidate to accept contributions or make expenditures on behalf of the candidate to further the election of the candidate;

"(2) the term 'candidate' means an individual who is seeking nomination for election, or election to a seat in the United States Senate, and such an individual shall be deemed to be seeking nomination for election, or election, if the individual meets the criteria stated in subparagraph (A) or (B) of section 301(2);

"(3) the term 'eligible candidate' means a candidate who has made the filings prescribed by section 502 (a) and (b);

"(4) the term 'election cycle' means, with respect to an election to any Senate seat—

"(A) in the case of a candidate or the authorized committee of a candidate, the period beginning on the day after the date of the most recent general election for the seat that the candidate seeks and ending on the date of the next general election; or

"(B) in the case of other persons, the period beginning on the first day following the date of the last general election and ending on the date of the next election;

"(5) the term 'general election' means an election that will directly result in the election of a person to the office of United States Senator, but does not include an open primary election;

"(6) the term 'general election period' means the period beginning on the day after the date of a primary or runoff election, whichever is later, and ending on the first of—

"(A) the date of such general election; or

"(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election;

"(7) the term 'immediate family' means—

"(A) a candidate's spouse;

"(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

"(C) the spouse of a person described in subparagraph (B);

"(8) the term 'major party' has the meaning stated in section 9002(6) of the Internal Revenue Code of 1986 (the Presidential Election Campaign Fund Act), provided that a candidate in a general election held by a State to elect a Senator subsequent to an open primary in which all the candidates for the office participated and which resulted in the selection of the candidate and at least one other candidate for the ballot in the general election, shall be treated as a candidate of a major party for purposes of this title;

"(9) the term 'primary election', with respect to an election for any Senate seat, means an election that may result in the selection of a candidate for the Senate on the ballot of in a general election;

"(10) the term 'primary election period', with respect to an election for any Senate seat, means the period beginning on the day following the date of the last Senate election for that seat and ending on the first of—

"(A) the date of the first primary election for that seat following the last Senate election for that seat; or

"(B) the date on which the candidate withdraws from the election or otherwise ceases actively to seek election;

"(11) the term 'runoff election', with respect to an election for any Senate seat, means an election held after a primary election for that seat, prescribed by State law as the means for determining the candidates that will be certified as nominees for the Senate;

"(12) the term 'runoff election period', with respect to an election for any Senate seat, means the period beginning on the day following the date of the most recent primary election for that seat and ending on the date of the runoff election for that seat; and

"(13) the term 'Senate Account' means the Senate Election Campaign Account maintained, pursuant to section 506, by the Secretary of the Treasury in the Presidential Campaign Fund established by section 9006(a) of the Internal Revenue Code of 1986; and

"(14) the term 'voting age population' means the resident population, 18 years of age or older, as certified for a State pursuant to section 315(e).

"ELIGIBILITY TO RECEIVE BENEFITS

"SEC. 502. (a) To be eligible to receive benefits under this title, a candidate shall make the filings required by subsections (b) and (c).

"(b) To become an eligible candidate, a candidate shall, on the day that the candidate files as a candidate for the primary election, file with the Commission a declaration whether—

"(1) the candidate and the candidate's authorized committees agree to make expenditures for the primary election in an amount greater than the lesser of—

"(A) 50 percent of the general election spending limit applicable to the candidate under section 503(b); or

"(B) $2,750,000;

"(2) the candidate and the candidate's authorized committees agree to make expenditures for a runoff election, in an amount equal to no more than 20 percent of the general election spending limit applicable to the candidate under section 503(b); and

"(3) the candidate and the candidate's authorized committees agree to make expenditures for the general election in an amount equal to no more than the general election spending limit applicable to the candidate under section 503(b).

"(c) To become an eligible candidate, a candidate shall, not later than 7 days after qualifying for the general election ballot under State law or, if the candidate's State is one that has a primary election to qualify for the general election ballot after September 1, not later than 7 days after the date such candidate wins in such primary, whichever occurs first, file a certification with the Commission under penalty of perjury stating that—

"(1) during the period beginning on January 1 of the calendar year preceding the year of the general election, or in the case of a special election for the seat of a United States Senator, during the period beginning on the day on which the seat was vacated, and ending on the day the certification is made, the candidate and the candidate's authorized committees have received contributions in an amount at least equal to the lesser of—

"(A) $650,000; or

"(B) the greater of—

"(i) $150,000; or

"(ii) 10 cents multiplied by the voting age population of the State;

"(2) all contributions received for purposes of paragraph (1) have come from individuals, and no contribution received from an individual, when added to all contributions to or for the benefit of the candidate from the individual, was taken into account to the extent that the contributions from that individual exceed $250;

"(3) the candidate and the candidate's authorized committees have not expended for the primary election more than the amount described in subsection (b)(1);

"(4) the candidate and the candidate's authorized committees have not expended for any runoff election more than the amount described in subsection (b)(2);

"(5) at least 80 percent of the amount of contributions received for purposes of paragraph (1) have come from individuals residing in the candidate's State;

"(6) at least one other candidate has qualified for the same general election ballot under State law;

"(7) the candidate and the candidate's authorized committees—

"(A) have not made and will not make expenditures for the general election that exceed the general election spending limit applicable to the candidate under section 503(b), unless permitted to do so under section 504(a)(2);

"(B) will not accept any contributions in violation of section 315;

"(C) will not accept any contribution for the general election except to the extent that the contribution is necessary to defray expenditures for the general election that in the aggregate do not exceed the general election spending limit applicable to the candidate under section 503(b), unless permitted to do so under section 504(a)(2);

"(D) will deposit all payments received under this section in an account insured by the Federal Deposit Insurance Corporation from which funds may be withdrawn by check or similar means of payment to third parties;

"(E) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission;

"(F) will cooperate in any audit and examination conducted by the Commission pursuant to section 507; and

"(G) will not make any expenditures until the date that is 6 months before the date of the primary election, or use payments received under this section for expenses incurred prior to such date for media advertising, direct mail, and telephone banks unless such expenses for mail or telephones are directly related to raising funds or recruiting volunteers for that election; and

"(8) the candidate and the candidate's authorized committees will not use a broadcast station, pursuant to section 315 of the Communications Act of 1934 (47 U.S.C. 315), for a political advertisement or broadcast communication on a television broadcast station until the date that is 6 months before the date of the primary election in which such candidate is involved; and

"(9) the candidate intends to make use of the benefits provided in section 504.

"(b) For the purposes of subsection (c)(1) and section 504(a)(2)(B), in determining the amount of contributions received by a candidate and the candidate's authorized committees—

"(1) no contribution other than a gift of money made by a written instrument that identifies the person making the contribution shall be taken into account;

"(2) no contribution made through an intermediary or conduit referred to in section 315(a)(8) shall be taken into account;

"(3) no contribution received from a person other than an individual shall be taken into account, and no contribution received from an individual shall be taken into account to the extent such contribution exceeds $250 when added to all other contributions made by that individual to or for the benefit of such candidate since the date specified in paragraph (4); and

"(4) no contribution received prior to January 1 of the calendar year preceding the year in which the general election is held or received after the date on which the general election is held shall be taken into account, and in the case of a special election, no contribution received prior to the date on which the seat was vacated or received after the date on which the general election is held shall be taken into account.

"LIMITATIONS ON EXPENDITURES

"SEC. 503. (a) No candidate shall—

"(1) make expenditures from the personal funds of the candidate or the funds of a member of the immediate family of the candidate; or

"(2) incur personal debt,

in excess of $100,000 in connection with the candidate's campaign for the Senate during an election cycle.

"(b) No candidate may make expenditures for a general election in excess of the lesser of—

"(A) $5,500,000; or

"(B) the greater of—

"(i) $900,000; or

"(ii) $400,000 plus 25 cents multiplied by the voting age population of 4,000,000 or less, plus 20 cents multiplied by the voting age population over 4,000,000,

plus any amount permitted under section 504 (b) and (c).

"(c) No candidate who is otherwise eligible to receive benefits under this title for use in a general election may receive such benefits if the candidate makes expenditures for the primary election in excess of the lesser of—

"(1) $2,750,000; or

"(2) the amount equal to 50 percent of the limitation on expenditures for the general election determined under subsection (b).

"(d) No candidate who is otherwise eligible to receive benefits under this title for use in a general election may receive such benefits if the candidate makes expenditures for a runoff election in excess of amount equal to 20 percent of the limitation on expenditures for the general election determined under subsection (b).

"(e)(1) The limitation stated in subsection (b) shall not apply to expenditures by a candidate or the candidate's authorized committees from a compliance fund established to defray the costs of legal and accounting services provided solely to insure compliance with this Act, if—

"(A) the compliance fund contains only contributions (including contributions received in excess of any amount necessary to defray qualified campaign expenditures pursuant to section 313) received in accordance with the limitations, prohibitions, and reporting requirements of this Act, and does not contain any funds received by the candidate pursuant to section 504(a);

"(B) the amount of contributions to and expenditures from the compliance fund do not exceed 10 percent of the limitation on expenditures for the general election determined under subsection (b); and

"(C) no transfers are made from the compliance fund to any other accounts of the candidate's authorized committees.

"(2) If, after a general election, a candidate determines that the costs of necessary and continuing legal and accounting services require contributions to and expenditures from a compliance fund in excess of the limitation stated in paragraph (1), the candidate may petition the Commission for a waiver of such limitation up to any additional amount that the Commission may authorize, the determination of which shall be subject to Federal review under section 508.

"(3) Any money remaining in a compliance fund when a candidate decides to terminate or dissolve the compliance fund shall be—

"(A) contributed to the United States Treasury to reduce the budget deficit; or

"(B) transferred to any fund of a subsequent campaign of that candidate.

"(f) If during a primary election period or runoff election period preceding a general election, independent expenditures aggregating more than $10,000 are made or obligated to be made in opposition to a candidate or for the opponent of a candidate, the limitations stated in subsections (c) and (d), as they apply to such candidate, shall be deemed to be increased for that primary or runoff election in an amount equal to the amount of such independent expenditures made during the primary election period or runoff election period.

"(g) No candidate who receives a benefit under this title for use in a general election campaign shall receive any such benefits if the candidate makes any expenditure before the date that is 6 months before the date of the primary election in which the candidate is a candidate.

"(h) No candidate who receives a benefit under this title shall make any expenditure, directly or indirectly, for any political advertisement or broadcast communication on a television broadcast until after the date that is 6 months before the date of the primary election in which such candidate is a candidate.

"ENTITLEMENT OF ELIGIBLE CANDIDATES TO BENEFITS

"SEC. 504. (a) An eligible candidate shall be entitled to—

"(1) the broadcast media rates provided under subsections (b) and (d)(3) of section 315 of the Communications Act of 1934 (47 U.S.C. 315);

"(2) mailing rates provided in section 3629 of title 39, United States Code; and

"(3) a payment equal to the greater of—

"(A) $250,000; or

"(B) one-third of the difference between—

"(i) the general election spending limit applicable to the candidate under section 503(b); and

"(ii) the threshold amount applicable to the candidate under section 502(b)(1),

to the extent that such payment will not result in the candidate's having received contributions and payments under this subparagraph and subparagraph (D) aggregating an amount in excess of the general election spending limit applicable to the candidate under section 503(b);

"(D) payments equal to the sum of—

"(i) all contributions that the candidate has received from contributors (excluding multicandidate political committees) who have made contributions for the general election aggregating no more than $250 each; and

"(ii) $250 times the number of contributors (excluding multicandidate political committees) from whom the candidate has received contributions for the general election aggregating more than $250,

to the extent that such payment will not result in the candidate's having received contributions and payments under this subparagraph and subparagraph (C) aggregating an amount in excess of the general election spending unit applicable to the candidate under section 503(b); and

"(E) payments under section 506 equal to the total amount of independent expenditures made or obligated to be made in the general election by any person in opposition to, or on behalf of an opponent of, the eligible candidate, as such expenditures are reported by such person or determined by the Commission under section 304(f);

"(2) if an eligible candidate's opponent who is not an eligible candidate either raises aggregate contributions or makes or becomes obligated to make aggregate expenditures for the general election that exceed the general election spending limit applicable to the eligible candidate under section 503(b)—

"(A) in the case of an eligible candidate who is a major party candidate a payment under section 506 (in addition to payments to which the candidate is entitled under paragraph (1)) in an amount equal to—

"(i) two-thirds of the amount of the general election spending limit applicable to the eligible candidate under section 503(b) in a case in which the opponent either raises aggregate contributions or makes or becomes obligated to make aggregate expenditures for the general election that exceed 100 percent of the applicable general election spending limit; and

"(ii) one-third of the amount of the general election spending limit applicable to the eligible candidate under section 503(b) in a case in which the opponent either raises aggregate contributions or makes or becomes obligated to make aggregate expenditures for the general election that exceed 133⅓ percent of the applicable general election spending limit; and

"(B) in the case of an eligible candidate who is not a major party candidate matching payments under section 506 (in addition to payments to which the candidate is entitled under paragraph (1)) equal to the amount of each contribution received by such eligible candidate and the candidate's

authorized committees, provided that in determining the amount of each such contribution—

"(i) section 502(b) shall apply; and

"(ii) threshold contributions required to be raised under section 502(b)(1) shall not be matched,

to the extent that aggregate payments to a candidate under this subparagraph do not exceed 50 percent of the amount of the general election spending limit applicable to the candidate under section 503(b).

"(b) An eligible candidate who receives payments under paragraph (1)(C) or (2) of subsection (a) may spend such funds to defray expenditures in the general election without regard to the general election spending limit applicable to the candidate under section 503(b).

"(c)(1) An eligible candidate who receives benefits under this section may make expenditures for the general election without regard to subparagraph (A) of section 502(a)(7) or subsection (a) or (b) of section 503 if any one of the eligible candidate's opponent who is not an eligible candidate either raises aggregate contributions or makes or becomes obligated to make aggregate expenditures for the general election that exceed 133⅓ percent of the general election spending limit applicable under section 503(b).

"(2) A candidate who receives benefits under this section may receive contributions for the general election without regard to subparagraph (C) of section 502(a)(7) if a major party candidate in the same general election is not an eligible candidate, or if any other candidate in the same general election who is not an eligible candidate raises aggregate contributions or makes or become obligated to make aggregate expenditures for the general election that exceed 75 percent of the general election spending limit applicable to the candidate under section 503(b).

"(d) Benefits received by a candidate under this section shall be used to defray expenditures incurred with respect to the general election period for the candidate. Such benefits shall not be used—

"(1) to make any payments, directly or indirectly, to such candidate or to any member of the immediate family of such candidate;

"(2) to make any expenditure other than expenditures to further the general election of such candidate,

"(3) to make any expenditures which constitute a violation of any law of the United States or of the State in which the expenditure is made; or

"(4) to repay any loan to any person except to the extent the proceeds of such loan were used to further the general election of such candidate.

"CERTIFICATION BY COMMISSION

"SEC. 505. (a) No later than 48 hours after an eligible candidate files a request with the Commission to receive benefits under section 506 the Commission shall certify such eligibility to the Secretary of the Treasury for payment in full of the amount to which such candidate is entitled, unless the provisions of section 506(c) apply. Such request shall contain—

"(1) such information and be made in accordance with such procedures, as the Commission may provide by regulation;

"(2) a certification that the candidate has raised contributions in the applicable threshold amount states in section 502(b)(1) and has met all other requirements to become an eligible candidate; and

"(3) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request, to the best of their knowledge, is correct and fully satisfies the requirements of this title.

"(b) Certifications by the Commission under subsection (a) and all determinations made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 507 and judicial review under section 508.

"ESTABLISHMENT OF FUND; PAYMENTS TO ELIGIBLE CANDIDATES

"SEC. 506. (a)(1) The Secretary shall maintain in the Presidential Election Campaign Fund (referred to as the 'Fund') established by section 9006(a) of the Internal Revenue Code of 1986, in addition to any other accounts maintained under such section, a separate account to be known as the 'Senate Account'. The Secretary shall deposit into the Senate Account, for use by eligible candidates, the amounts available after the Secretary determines that the amounts in the fund, plus the amounts of revenue the Secretary projects will accrue to the fund during the remainder of the period ending on December 31 of the year of the next Presidential election, equal 110 percent of the amount the Secretary projects will be necessary for payments under subtitle H of the Internal Revenue Code of 1986 during such remainder of such period. The monies designated for the Senate Fund shall remain available without fiscal year limitation.

"(2) On May 15 of each year following the year during which a regularly scheduled biennial Senate election has occurred, the Secretary shall determine the amount in the Senate Fund, and determine whether that amount, plus the amount of revenue the Secretary projects will accrue to the Senate Account (based on the computation made by the Secretary with respect to the fund, as provided in paragraph (1)) during the period beginning on such date and ending on December 31 of the year of the next regularly scheduled biennial election, exceeds 110 percent of the total estimated expenditures of the Senate Account during that period. If the Secretary determines that an excess amount exists, the Secretary shall transfer the excess to the general fund of the Treasury of the United States.

"(b) Upon receipt of a certification from the Commission under section 505, the Secretary shall promptly pay to the candidate named in the certification, out of the Senate Account, the amount certified by the Commission.

"EXAMINATION AND AUDITS; REPAYMENTS

"SEC. 507. (a)(1) After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 10 percent of the eligible candidates of each major party and 10 percent of all other eligible candidates, as designated by the Commission through the use of an appropriate statistical method of random selection to determine, among other things, whether such candidates have complied with the expenditure limits and other conditions of eligibility and requirements of this title.

"(2) After each special election, the Commission shall conduct an examination and audit of the campaign accounts of each eligible candidate in such election to determine whether such candidates have complied with the expenditure limits and other conditions of eligibility and requirements under this title.

"(3) The Commission may conduct an examination and audit of the campaign accounts of any eligible candidate in a general election if the Commission, by an affirmative vote of four members, determines that there exists reason to believe that the candidate has violated any provision of this title.

"(b) If the Commission determines that any portion of the payments made to a candidate under this title was in excess of the aggregate payments to which such candidate was entitled, the Commission shall so notify the candidate, and the candidate shall pay to the Secretary an amount equal to the excess.

"(c) If the Commission determines that any part of a payment benefit made to a candidate under this title was not used as required by this title, the Commission shall so notify the candidate and the candidate shall pay to the Secretary an amount equal to 200 percent of the amount of the benefit that was used otherwise than as permitted by this title.

"(d) If the Commission determines that a candidate who has received benefits under this title has made expenditures which in the aggregate exceed by 5 percent or less the general election spending limit applicable to the candidate under section 503(b), the Commission shall so notify the candidate, and the candidate shall pay to the Secretary an amount equal to the amount of the excess expenditure.

"(e) If the Commission determines that a candidate who has received benefits under this title has made expenditures which in the aggregate exceed by more than 5 percent general election spending limit applicable to the candidate under the limitation set forth in section 503(b), the Commission shall so notify the candidate, and the candidate shall pay the Secretary an amount equal to three times the amount of the excess expenditure.

"(f) Any amount received by an eligible candidate under this title may be retained for no more than 60 days after the date of the general election for the liquidation of all obligations to pay general election campaign expenses incurred during the general election period. At the end of 60 days any unexpended funds received under this title shall be promptly repaid to the Secretary.

"(g) No notification shall be made by the Commission under this section with respect to an election more than 3 years after the date of such election.

"(h) All payments received under this section shall be deposited in the Senate Account.

"CRIMINAL PENALTIES

"SEC. 507A. (a) No candidate shall knowingly or willfully accept benefits under this title in excess of the aggregate benefits to which the candidate is entitled or knowingly or willfully use such benefits for any purpose other than one permitted by this title or knowingly or willfully make expenditures from the candidate's personal funds, or the personal funds of the candidate's immediate family, in excess of the general election spending limit applicable to the candidate under section 503(b).

"(b) A person who violates subsection (a) shall be fined not more than $25,000, or imprisoned not more than 5 years, or both. Any officer or member of any political committee who knowingly consents to the making of an expenditure in violation of

subsection (a) shall be fined not more than $25,000, or imprisoned not more than 5 years, or both.

"(c)(1) It is unlawful for any person who receives any benefit under this title, or to whom any portion of any such benefit is transferred, knowingly and willfully to use, or authorize the use of, such benefit or such portion except as provided in section 504(d).

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(d)(1) It is unlawful for any person knowingly and willfully—

"(A) to furnish any false, fictitious, or fraudulent evidence, books, or information (including any certification, verification, notice, or report) to the Commission under this title, or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Commission or an examination and audit by the Commission under this title; or

"(B) to fail to furnish to the Commission any records, books, or information requested by it for purposes of this title.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(e)(1) It is unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any benefits received by a candidate, or an authorized committee of a candidate who receives benefits under this title.

"(2) Any person who violates paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(3) In addition to the penalty provided by paragraph (2), any person who accepts any kickback or illegal benefit in connection with any benefits received by a candidate or an authorized committee of a candidate pursuant to the provisions of this title shall pay to the Secretary for deposit in the fund, an amount equal to 125 percent of the kickback or benefit received.

"JUDICIAL REVIEW

"SEC. 508. (a) Any action by the Commission made under this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in that court not later than 30 days after the Commission action for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

"(b) Chapter 7 of title 5, United States Code, applies to judicial review of any agency action, as defined in section 551(13) of title 5, United States Code, by the Commission.

"PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS

"SEC. 509. (a) The Commission may appear in and defend against any action instituted under this section and under section 508 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

"(b) The Commission may, through attorneys and counsel described in subsection (a), institute actions in the district courts of the United States to seek recovery of any amounts determined under section 507 to be payable to the Secretary.

"(c) The Commission may, through attorneys and counsel described in subsection (a), petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

"(d) The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to this section.

"REPORTS TO CONGRESS; REGULATIONS

"SEC. 510. (a) The Commission shall, as soon as practicable after each election, submit a full report to the Senate setting forth—

"(1) the expenditures (shown in such detail as the Commission deems appropriate) made by each eligible candidate and the authorized committees of that candidate;

"(2) the amounts certified by the Commission under section 505 for payment to each eligible candidate;

"(3) the amount of repayments, if any, required under section 507, and the reasons for each such repayment; and

"(4) the balance in the fund, the Senate Account and any other account maintained in the fund.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) The Commission may prescribe such rules and regulations in accordance with subsection (c), conduct such examinations and investigations, and require the keeping and submission of such books, records, and information, as it deems necessary to carry out its functions and duties under this title.

"(c) Thirty days before prescribing any rules or regulation under subsection (b), the Commission shall transmit to the Senate a statement setting forth the proposed rule or regulation and containing a detailed explanation and justification of such rule or regulation.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 511. There are authorized to be appropriated to the Commission such sums as are necessary for the purpose of carrying out the Commission's functions and duties under this title.".

SENATE ACCOUNT

SEC. 3. Section 6096(a) of the Internal Revenue Code of 1986 is amended—

(1) by striking "$1" each place it appears in that subsection and inserting "$2"; and

(2) by striking "$2" each place it appears in that subsection and inserting "$4".

BROADCAST RATES

SEC. 4. Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (a) by striking "section" and inserting "subsection";

(2) by redesignating subsections (b), (c), and (d) as subsections (d), (e), and (f), respectively; and

(3) by inserting immediately after subsection (a) the following new subsection:

"(b)(1) If any licensee permits a person to utilize a broadcasting station to broadcast material which either endorses a legally qualified candidate for any Federal elective office or opposes a legally qualified candidate for that office, such licensee shall, within a reasonable period of time, provide to any eligible candidate opposing the candidate endorsed (or to an authorized committee of such eligible candidate), or to any eligible candidate who was so opposed (or to an authorized committee of such eligible candidate), the opportunity to utilize, without charge, the same amount of time on such broadcasting station, during the same period of the day, as was utilized by such person.

"(2) For purposes of this subsection, the term 'person' includes an individual, partnership, committee, association, corporation, or any other organization or group of persons, but such term does not include a legally qualified candidate for any Federal elective office or an authorized committee of any such candidate.

"(c) A licensee shall not preempt the use, during any period specified in subsection (d)(1), of a broadcasting station by a legally qualified candidate for Federal office who has purchased such use pursuant to such subsection (d)(1).";

(4) by amending subsection (d)(1), as redesignated by paragraph (2), to read as follows:

"(1) during the 6 months preceding the date of a primary, runoff, general, or special election in which such person is a candidate, the lowest unit charge of the station over the preceding 12-month period for the same class and amount of time for the same period, except that in the case of candidates for the United States Senate in a general election, as such term is defined in section 501(5) of the Federal Election Campaign Act of 1971, this provision shall apply only if such candidate has been certified by the Federal Election Commission as eligible to receive benefits under title V of that Act;"; and

(5) by amending subsection (e), as redesignated by paragraph (2) to read as follows:

"(e) For purposes of this section—

"(1) the term 'authorized committee' means, with respect to any candidate for nomination for election, or election, to any Federal elective office, any committee, club, association, or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000 and which is authorized by such candidate to accept contributions or make expenditures on behalf of such candidate to further the nomination or election of such candidate;

"(2) the term 'broadcasting station' includes a community antenna television system; and

"(3) the terms 'licensee' and 'station licensee', when used with respect to a community antenna system, mean the operator of such system.".

REPORTING REQUIREMENTS

SEC. 5. (a) Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end thereof the following new subsections:

"(d)(1) Not later than the day after the date on which a candidate for the United States Senate qualifies for the ballot for a general election, as that term is defined in section 501(5), or, if such candidate is a candidate in a State which has a primary election to qualify for such ballot after September 1, within 7 days after the date such candidate wins in such primary, whichever occurs first, each such candidate in such election shall file with the Commission a declaration whether the candidate intends to make expenditures in excess of the general election spending limit applicable to the candidate under section 503(b).

"(2) A declaration filed pursuant to paragraph (1) may be amended or changed at any time within 7 days after the filing of

the declaration, and may not be further amended or changed.

"(e)(1) A candidate for the United States Senate who qualifies for the ballot for a general election, as that term is defined in section 501(5)—

"(A) who is not eligible to receive benefits under section 502; and

"(B) who either raises aggregate contributions or makes or becomes obligated to make aggregate expenditures for the general election that exceed 75 percent of the general election spending limit applicable to the candidate under section 503(b) for such Senate election,

shall file a report with the Commission not later than 24 hours after such contributions have been raised or such expenditures have been made or obligated to be made, or not later than 24 hours after the date of qualification for the general election ballot, whichever is later, setting forth the candidate's total contributions and total expenditures for such election. Thereafter such candidate shall file additional reports with the Commission not later than 24 hours after each time additional contributions are raised or expenditures are made, or are obligated to be made, which aggregate an additional 5 percent of such limit. A candidate shall continue to file such reports until the candidate has raised aggregate contributions or made or has become obligated to make aggregate expenditures equal to 133⅓ percent of the general election spending limit applicable to the candidate under section 503(b).

"(2) The Commission, not later than 24 hours after such a report has been filed, shall notify each candidate in an election who is eligible to receive benefits pursuant to this title of the filing of such report, and after an opposing candidate has raised aggregate contributions or made or has become obligated to make aggregate expenditures in excess of the applicable general election spending limit, the Commission shall certify, pursuant to subsection (i), such eligibility to the Secretary of the Treasury for payment of any amount to which such eligible candidate is entitled.

"(3) Notwithstanding the reporting requirement established in this subsection, the Commission may make its own determination that a candidate in a general election, as such term is defined in section 501(5), who is not eligible to receive benefits under section 504, has raised aggregate contributions or has made or has become obligated to make aggregate expenditures for such election that exceed general election spending limit applicable to a candidate under section 503(b). The Commission, not later than 24 hours after making such determination, shall notify each candidate in the general election involved who is eligible to receive benefits under section 504 about the making of such determination, and shall certify, pursuant to subsection (i), such eligibility to the Secretary of the Treasury for payment of any amount to which any such candidate is entitled.

"(f)(1) All independent expenditures, if any (including those described in subsection (b)(6)(B)(iii)), made by any person after the date of the last Federal election with regard to a general election, as such term is defined in section 501(5), and all obligations to make such expenditures incurred by any person during such period, if any, shall be reported by such person to the Commission as provided in paragraph (2), if such expenditure or obligation is described in such paragraph.

"(2) Independent expenditures by any person referred to in paragraph (1) shall be reported not later than 24 hours after the aggregate amount of such expenditures incurred or obligated exceeds $10,000. Thereafter, independent expenditures referred to in paragraph (1), made by the same person in the same election, shall be reported not later than 24 hours after each time the aggregate amount of such expenditures incurred or obligated, not yet reported under this subparagraph, exceeds $5,000.

"(3) Each report under this subsection shall be filed with the Commission and the Secretary of State for the State of the election involved and shall contain—

"(A) the information required by subsection (b)(6)(B)(iii); and

"(B) a statement filed under penalty of perjury by the person making the independent expenditures, or by the person incurring the obligation to make such expenditures, as the case may be, that identifies the candidate whom the independent expenditures are actually intended to help elect or defeat. The Commission shall, not later than 24 hours after such report is made, notify each candidate in the election involved who is eligible to receive benefits pursuant to section 504(a)(1)(C), about the making of each such report, and shall certify such eligibility to the Secretary of the Treasury for payment in full of any amount to which any such candidate is entitled.

"(4)(A) Notwithstanding the reporting requirements established in this subsection, the Commission may make its own determination that a person has made independent expenditures, or has incurred an obligation to make such expenditures, as the case may be, with regard to a general election, as defined in section 501(5), that in the aggregate total more than the applicable amount specified in paragraph (2).

"(B) The Commission shall, not later than 24 hours after such determination is made, notify each candidate in the election involved who is eligible to receive benefits under section 504(a)(1)(C) about the making of each determination under subparagraph (A), and shall certify, pursuant to subsection (i), such eligibility to the Secretary of the Treasury for payment in full of any amount to which such candidate is entitled.

"(g)(1) When two or more persons make an expenditure or expenditures in coordination, consultation, or concert (as described in paragraph (2) or otherwise) for the purpose of promoting the election or defeat of a clearly identified candidate, each such person shall report to the Commission, under subsection (f), the amount of such expenditure or expenditures made by such person in coordination, consultation, or concert with such other person or persons when the total amount of all expenditures made by such persons in coordination, consultation, or concert with each other exceeds the applicable amount provided in such subsection.

"(2) An expenditure by a person shall constitute an expenditure in coordination, consultation, or concert with another person when—

"(A) there is any arrangement, coordination, or direction with respect to the expenditure between the persons making the expenditures, including any officer, director, employee or agent of such person;

"(B) in the same 2-year election cycle, 1 of the persons making the expenditures (including any officer, director, employee or agent of such person) is or has been, with respect to such expenditures—

"(i) authorized by such other person to raise or expend funds on behalf of such other person; or

"(ii) receiving any form of compensation or reimbursement from such other person or an agent of such other person;

"(C) one of the persons making expenditures (including any officer, director, employee or agent of such person) has communicated with, advised, or counseled such other person in connection with such expenditure; or

"(D) one of the persons making expenditures and such other person making expenditures each retain the professional services of the same individual or person in connection with such expenditures.

"(h)(1) Every political committee, as defined in section 301(4), active in non-Federal elections and maintaining separate accounts for this purpose shall file with the Commission reports of funds received into and disbursements made from such accounts for activities which may influence an election to any Federal office. For purposes of this section, activities that may influence an election to any Federal office include—

"(A) voter registration and get-out-the-vote drives directed to the general public in connection with any election in which Federal candidates appear on the ballot;

"(B) general public political advertising that includes references, however incidental, to clearly identified Federal and non-Federal candidates for public office, or that does not clearly identify Federal candidates but urges support for or opposition to all the candidates of a political party or other candidates in a classification or context which includes Federal candidates; and

"(C) any other activities that require an allocation of costs between a political committee's Federal and non-Federal accounts reflecting the impact on Federal elections in accordance with regulations prescribed or Advisory Opinions rendered by the Commission.

"(2) Reports required to be filed by this subsection shall be filed for the same time periods required for political committees under section 304(a), and shall include:

"(A) a separate statement, for each of the activities in connection with which a report is required under paragraph (1), of the aggregate total of disbursements from the non-Federal accounts; and

"(B) supporting schedules, providing an identification of each donor (except donors whose aggregate donations do not exceed $200 in a calendar year) together with the amount and date of each donation with regard to the receipts of the non-Federal account that comprise disbursements reported under subparagraph (A).

"(3) Reports required to be filed by this subsection need not include donations made to or on behalf of non-Federal candidates or political organizations in accordance with the financing and reporting requirements of State laws, or other disbursements from the non-Federal accounts in support of exclusively non-Federal election activities, if such donations or disbursements are governed solely by such State laws and not subject to paragraph (1).

"(i) The certifications required by this section shall be made by the Commission on the basis of reports filed with such Commission in accordance with the provisions of this Act, or on the basis of such Commission's own investigation or determination, notwithstanding section 505(a).

"(j) Not later than 15 days after a candidate for the Senate qualifies for the primary ballot under applicable State law, such candidate shall file with the Commission a declaration stating whether or not

such candidate agrees to expend from the candidate's personal funds, or the funds of the candidate's immediate family, or incur personal loans, in connection with the candidate's campaign for such office, in the aggregate of $100,000 or more, for the election cycle.

"(k)(1) A candidate for the United States Senate who expends from the candidate's personal funds or the funds of the candidate's immediate family, or incurs personal loans, in connection with the candidate's campaign for such office, in the aggregate in excess of $100,000, for the election cycle, shall file a report with the Commission not later than 24 hours after such expenditures have been made or loans incurred. Thereafter the expenditures referred to in this paragraph shall be reported not later than 24 hours after each time the aggregate of additional expenditures or loans exceeds $10,000.

"(2) Not later than 24 hours after a report has been filed under paragraph (1), the Commission shall notify each candidate in the election who is eligible to receive payments under section 504 of the filing of each such report.

"(3) Notwithstanding the reporting requirements in this subsection, the Commission may make its own determination that a candidate for the United States Senate has made expenditures from the personal funds of such candidate or the funds of any member of a candidate's immediate family or incurred personal loans in connection with the candidate's campaign aggregating in excess of $100,000, or thereafter in increments of $10,000 during the election cycle. Not later than 24 hours after making such determination, the Commission shall notify each candidate in the general election who is eligible to receive benefits under section 504 of the making of each such determination.".

(b) Section 301(4) of the Federal Election Campaign Act of 1971 is amended by adding at the end thereof the following:

"Whether a committee, club, association, or other group of persons has received contributions within the meaning of this paragraph shall be determined by the Commission on the basis of facts and circumstances, in any combination, demonstrating a purpose of influencing any election for Federal office, including, but not limited to, the representations made by any person soliciting funds about their intended uses; the identification by name of individuals who are candidates for Federal office, as defined in paragraph (2) of this section, or of any political party, in general public political advertising; and the proximity to any primary, run-off, or general election of general public political advertising designed or reasonably calculated to influence voter choice in that election.".

(c) Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end thereof the following new paragraph:

"(20) The term 'election cycle' means—

"(A) in the case of a candidate or an authorized committee of a candidate, the period beginning on the day after the date of the most recent election for the seat that the candidate seeks and ending on the date of the next general election; or

"(B) in the case of other persons, the period beginning on the first day following the date of the most recent general election and ending on the date of the next election.".

LIMITS ON CONTRIBUTIONS BY MULTICANDIDATE POLITICAL COMMITTEES AND SEPARATE SEGREGATED FUNDS

SEC. 6. (a) Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended by—

(1) striking "or" at the end of subparagraph (B);

(2) striking the period at the end of subparagraph (C) and inserting a semicolon; and

(3) adding at the end thereof the following new subparagraphs:

"(D) to any candidate for the office of Member of, or Delegate or Resident Commissioner to, the House of Representatives and the authorized political committees of such candidate with respect to—

"(i) a general or special election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress (including any primary election, convention, or caucus relating to such general or special election) which exceed $100,000 (or $125,000 if at least two candidates qualify for the ballot in the general or special election and at least two candidates qualify for the ballot in a primary election relating to such general or special election), when added to the total of contributions previously made by multicandidate political committees and separate segregated funds, other than multicandidate committees of a political party, to such candidate and the candidate's authorized political committees with respect to such general or special election (including any primary election, convention, or caucus relating to such general or special election); or

"(ii) a runoff election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress which exceed $25,000 when added to the total of contributions previously made by multicandidate political committees and separate segregated funds, other than multicandidate committees of a political party, to such candidate and the candidate's authorized political committees with respect to such runoff election;

"(E) to any candidate for the office of Senator and the authorized political committees of such candidate with respect to—

"(i) a general or special election for such office (including any primary election, convention, or caucus relating to such general or special election) which, when added to the total of contributions previously made by multicandidate political committees and separate segregated funds, other than multicandidate committees of a political party, to such candidate and the candidate's authorized political committees with respect to such general or special election (including any primary election, convention, or caucus relating to such general or special election) exceeds an amount equal to 10 percent of the amount provided in section 315(i); or

"(ii) a runoff election for the office of United States Senator which exceeds, when added to the total of contributions previously made by multicandidate political committees and separate segregated funds, other than multicandidate committees of a political party, to such candidate and his authorized political committees with respect to such runoff election, an amount equal to 10 percent of the limitation on expenditures provided in section 315(j) for runoff elections; or

"(F) to any State committee of a political party, including any subordinate committee of a State committee, which, when added to the total of contributions previously made by multicandidate political committees and separate segregated funds, other than multicandidate committees of a political party, to such State committee exceeds the greater of—

"(i) 2 cents multiplied by the voting age population of the State of such State committee; or

"(ii) $25,000.

The limitation of subparagraph (F) shall apply separately with respect to each two-year Federal election cycle, covering a period from the day following the date of the last Federal general election held in that State through the date of the next regularly scheduled Federal general election.".

(b)(1) Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end thereof the following new subsections:

"(i) For purposes of subsection (a)(2)(E)(i), such limitation for the election cycle shall be an amount equal to the lesser of—

"(A) $5,500,000; or

"(B) the greater of—

"(i) $900,000; or

"(ii) 50 percent of the sum of—

"(I) $400,000; and

"(II) 25 cents multiplied by the voting age population of 4,000,000 or less, plus 20 cents multiplied by the voting age population over 4,000,000.

"(j) For purposes of subsection (a)(2)(E)(ii), such limitation for the election cycle shall be an amount equal to the lesser of—

"(A) $5,500,000; or

"(B) the greater of—

"(i) $900,000; or

"(ii) 20 percent of the sum of—

"(I) $400,000; and

"(II) 25 cents multiplied by the voting age population of 4,000,000 or less, plus 20 cents multiplied by the voting age population over 4,000,000.

(2) Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(A) in paragraph (1) by striking "subsection (b) and subsection (d)" and inserting "subsections (b), (d), (i), and (j)"; and

(B) in paragraph (2)(B) by inserting before the period at the end thereof "as applied in subsections (b) and (d), and the term 'base period' means the calendar year of the first election after the date of enactment of the Senate Election Reform Act of 1990, as applied in subsections (i) and (j)".

(c) Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking "(2) and (3)" and inserting "(2), (3), (4), and (5)";

(2) by adding at the end thereof the following new paragraphs:

"(4) No congressional campaign committee may accept contributions from multicandidate political committees and separate segregated funds, during two-year election cycle, which, in the aggregate, exceed 30 percent of the total expenditures that may be made during such election cycle by that campaign committee on behalf of candidates for Senator, Representative, Delegate, or Resident Commissioner pursuant to paragraph (3).

"(5) No national committee of a political party may accept contributions from multicandidate political committees and separate segregated funds, during two-year election cycle, which, in the aggregate, are in excess of an amount equal to 2 cents multiplied by

the voting age population of the United States.

"(6) The limitations contained in paragraphs (2) and (3) shall apply to any expenditure through general public political advertising, whenever made, which—

"(A) clearly identifies by name an individual who is, or is seeking nomination to be, a candidate in the general election for the Federal office of President, Senator or Representative; and

"(B) does not constitute a direct mail communication designed primarily for fundraising purposes that makes only incidental reference to a Federal candidate.".

(d) Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended—

(1) in subparagraph (A), by striking "$5,000" and inserting "$2,500"; and

(2) in subparagraph (C), by striking "$5,000" and inserting "$2,500".

INTERMEDIARY OR CONDUIT

SEC. 7. (a) Section 315(a)(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8)(A) For purposes of this subsection—

"(i) contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate;

"(ii) contributions made by a person either directly or indirectly, to or on behalf of a particular candidate, through an intermediary or conduit, including all contributions delivered or arranged to be delivered by such intermediary or conduit, shall also be treated as contributions from the intermediary or conduit, if—

"(I)(aa) the contributions made through the intermediary or conduit are in the form of a check or other negotiable instrument made payable to the conduit or intermediary rather than the intended recipient; or

"(bb) the conduit or intermediary is a political committee, other than an authorized committee of a candidate, within the meaning of section 301(4), or an officer, employee or other agent of such a political committee, or an officer, employee or other agent of a connected organization, within the meaning of section 301(7), acting in its behalf; and

"(II) the conduit or intermediary is required to register as a lobbyist or lobby organization as defined under the Federal Regulation of Lobbying Act (2 U.S.C. 266), or an officer, employee or other agent of such an organization.

"(B) the limitations imposed by this subsection shall not apply to—

"(i) bona fide joint fundraising efforts conducted solely for the purpose of sponsorship of a fundraising reception, dinner, or other event in accordance with rules and regulations prescribed by the Commission by—

"(I) two or more candidates;

"(II) two or more national, State, or local committees of a political party within the meaning of section 301(4) acting on their own behalf; or

"(III) a special committee formed by either two or more candidates or one or more candidates and one or more national, State, or local committees of a political party acting on their own behalf; or

"(ii) fundraising efforts for the benefit of a candidate which are conducted by another candidate within the meaning of section 301(2).

In all cases where contributions are made by a person either directly or indirectly to or on behalf of a particular candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of such contribution to the Commission and to the intended recipient.".

INDEPENDENT EXPENDITURES

SEC. 8. (a) Section 301(17) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(17)) is amended by adding at the end thereof the following new sentence: "An expenditure shall constitute an expenditure in coordination, consultation, or concert with a candidate when—

"(A) there is any arrangement, coordination, or direction with respect to the expenditure between the candidate or the candidate's agent and the person (including any officer, director, employee or agent of such person) making the expenditure;

"(B) in the same election cycle, the person making the expenditure (including any officer, director, employee or agent of such person) is or has been—

"(i) authorized to raise or expend funds on behalf of the candidate or the candidate's authorized committees;

"(ii) serving as an officer of the candidate's authorized committees; or

"(iii) receiving any form of compensation or reimbursement from the candidate, the candidate's authorized committees, or the candidate's agent;

"(C) the person making the expenditure (including any officer, director, employee or agent of such person) has communicated with, advised, or counseled the candidate or the candidate's agents at any time on the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election to Federal office, in the same election cycle, including any advice relating to the candidate's decision to seek Federal office;

"(D) the person making the expenditure retains the professional services of any individual or other person also providing those services to the candidate in connection with the candidate's pursuit of nomination for election, or election to Federal office, in the same election cycle, including any services relating to the candidate's decision to seek Federal office;

"(E) the person making the expenditure (including any officer, director, employee or agent of such person) has communicated or consulted at any time during the same election cycle about the candidate's plans, projects, or needs relating to the candidate's pursuit of election to Federal office, with—

"(i) any officer, director, employee or agent of a party committee that has made or intends to make expenditures or contributions, pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign; or

"(ii) any person whose professional services have been retained by a political party committee that has made or intends to make expenditures or contributions pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign; or

"(F) the expenditure is based on information provided to the person making the expenditure directly or indirectly by the candidate or the candidate's agents about the candidate's plans, projects, or needs, if the candidate or the candidate's agent is aware that the other person has made or is planning to make expenditures expressly advocating the candidate's election.".

INDEPENDENT EXPENDITURE BROADCAST DISCLOSURE

SEC. 9. Section 318(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d(a)(3)) is amended by striking the period at the end thereof and inserting the following: ", except that when a person makes an independent expenditure through a broadcast communication on any television station, the broadcast communication shall include a statement clearly readable to the viewer that appears continuously during the entire length of such communication setting forth the name of such person and, in the case of a political committee, the name of any connected or affiliated organization, and when a person makes an independent expenditure through a newspaper, magazine, outdoor advertising facility, direct mailing or other type of general public political advertising, the communication shall include, in addition to the other information required by this subsection—

"(A) the following sentence: 'The cost of presenting this communication is not subject to any campaign contribution limits.'; and

"(B) a statement setting forth the name of the person who paid for the communication and, in the case of a political committee, the name of any connected or affiliated organization and the name of the president or treasurer of such organization.".

REFERRAL TO THE DEPARTMENT OF JUSTICE

SEC. 10. Section 309(a)(5)(C) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)(C)) is amended by striking "may refer" and inserting "shall refer".

EXTENSION OF CREDIT

SEC. 11. Section 301(8)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(A)) is amended—

(1) by striking "or" at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting "; or"; and

(3) by adding at the end thereof the following new clause:

"(iii) with respect to a candidate for the office of United States Senator and the candidate's authorized political committees, any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, by direct mail (including direct mail fund solicitations) or other similar types of general public political advertising, if such extension of credit is—

"(I) in an amount of more than $1,000; and

"(II) for a period of more than 60 days after the date on which such goods or services are furnished, which date in the case of advertising by direct mail (including a direct mail solicitation) shall be the date of the mailing.".

PREFERENTIAL RATES FOR MAIL

SEC. 12. (a) Subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 3629. Reduced rates for certain Senate candidates

"The rates of postage for matter mailed with respect to a campaign by an eligible candidate (as defined in section 501 of the Federal Election Campaign Act of 1971) shall be—

"(1) in the case of first-class mail matter, one-fourth of the rate currently in effect; and

"(2) in the case of third-class mail matter, 2 cents per piece less than mail matter mailed pursuant to paragraph (1),

subject to the condition that the total paid by such candidate for all mail matter at the rates provided by paragraphs (1) and (2) shall not exceed 5 percent of the general election spending limit applicable to such candidate under section 503(b) of the Federal Election Campaign Act of 1971.".

(b) The table of sections for chapter 36 of title 39, United States Code, is amended by inserting after the item relating to section 3628 the following new item:

"3629. Reduced rates for certain Senate candidates.".

DISCLOSURE

SEC. 13. Section 318(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended—

(1) by striking the period at the end of paragraph (3) and inserting "; and"; and

(2) by adding at the end thereof the following new paragraph:

"(4) if paid for or authorized by a general election candidate for the Senate, or the authorized committee of such candidate who has NOT agreed to abide by the expenditure limits in section 503, such advertisement or announcement shall contain the following sentence: 'This candidate has NOT agreed to abide by the spending limits for this Senate election campaign set forth in the Federal Election Campaign Act.'.".

EXCESS CAMPAIGN FUNDS

SEC. 14. Section 313 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a) is amended—

(1) by inserting "(a)" after the section designation;

(2) by striking "political party;" through the end of the paragraph and inserting "political party."; and

(3) by adding at the end thereof the following new subsection:

"(b) The authorized committee of a Senator or Representative in, Delegate or Resident Commissioner to, or candidate for, the Congress, may not make any contribution, either directly or indirectly, to any other Senator or Representative in, Delegate or Resident Commissioner to, the Congress, or, to any State or local elected official or any candidate (or any authorized committee for the candidate) for such office, including contributions that are in any way earmarked or otherwise directed through an intermediary or conduit (including any political committee) to the Senator, Representative, Delegate, Resident Commissioner, or candidate.".

POLITICAL COMMITTEE POSTAL RATES

SEC. 15. Subsection (e) of section 3626 of title 39, United States Code, is hereby repealed.

SOFT MONEY

SEC. 16. (a) Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by adding at the end thereof the following new paragraph:

"(4) A State committee of a political party, including any subordinate committee of a political party, may not make any expenditure in connection with the general election campaign of any candidate for President of the United States who is affiliated with such party which exceeds an amount equal to 4 cents multiplied by the voting age population of that State (as certified under subsection (g) of this section).".

(b) Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by repealing the following clauses: clause (x) and clause (xii) of section 301(8)(B) and clause (viii) and clause (ix) of section 301(9)(B).

(c) Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), is amended by adding at the end thereof the following new subsection:

"(k)(1) Any amount solicited, received or spent by a national, State or local committee of a political party, directly or indirectly, shall be subject to the provisions of this Act, if such amount is solicited, received or spent in connection with a Federal election. No part of such amount may be allocated to a non-Federal account or otherwise maintained in, or paid from, an account that is not subject to this Act. This section shall not apply to amounts described in section 301(b)(9)(B)(viii).

"(2) For purposes of this subsection, the term 'in connection with a Federal election' includes any activity that may affect a Federal election including but not limited to the following:

"(A) voter registration and get out the vote activities;

"(B) generic activities, including but not limited to any broadcasting, newspaper, magazine, billboard, mail, or similar type of communication or public advertising; and

"(C) campaign materials which identify a federal candidate, regardless of any other candidate who may also be identified.".

FEDERAL ELECTION COMMISSION REFORM

Sec. 17. (a) Section 306(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437e(a)(1)) is amended—

(1) by striking "6 members" and inserting "7 members"; and

(2) by amending the last sentence thereof to read as follows: "No more than 4 members of the Commission appointed under this paragraph may be affiliated with the same political party, and such appointments shall be made in a manner to assure that the same political party shall not have 4 or more members affiliated with such party on such Commission for two succeeding years.".

(b) Section 306(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(a)(2)) is amended to read as follows:

"(2)(A) Members of the Commission shall serve for terms of 7 years, except that of the members appointed after April 30, 1989—

"(i) one of the two members appointed for the term beginning May 1, 1991, shall be appointed for a term of 6 years;

"(ii) one of the two members appointed for the term beginning May 1, 1993, shall be appointed for a term of 6 years; and

"(iii) one of the two members appointed for the term beginning May 1, 1995, shall be appointed for a term of 6 years.

"(B) One additional member of the Commission shall be appointed for a term beginning May 1, 1989, and shall be appointed for a term of 5 years.".

FRANKED MAIL

SEC. 18. (a) Section 3210(a)(6) of title 39, United States Code is amended—

(1) in subparagraph (A), by striking "60 days" each place it appears and inserting "6 months";

(2) in subparagraph (C), by striking "60 days" and inserting "6 months"; and

(3) in subparagraph (E), by—

(A) inserting ", town meeting notices, opinion surveys," after "news-letters"; and

(B) striking "five hundred" and inserting "250".

(b) Paragraph 1 of Rule 40 of the Standing Rules of the Senate is amended by striking "sixty days" and inserting "6 months".

ONE CAMPAIGN COMMITTEE ALLOWED

SEC. 19. (a) Section 301(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(6)) is amended by inserting ", other than a candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress," after "a candidate".

(b) Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended—

(1) in subsection (e)(1) by inserting ", other than a candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress," after "A candidate"; and

(2) by adding at the end thereof the following new subsection:

"(j) Notwithstanding any other law, no candidate for the office of Senator or Representative in, or Delegate or Resident Commissioner to the Congress shall have any authorized committee or campaign committee other than one committee which shall be the principal campaign committee for such individual.".

SEVERABILITY

SEC. 20. If any provision of this Act or any amendment made by this Act, or the application of any such provision to any person or circumstance is held invalid, the validity of any other such provision and the application of such provision to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 22. (a) Except as provided in subsection (b), this Act and the amendments made by this Act shall become effective for any election held in 1992 or thereafter.

(b) The amendments made by section 3, section 7, section 8, and section 9 shall become effective on the date of enactment of this Act.

STATE-BY-STATE BREAKDOWN DeCONCINI CAMPAIGN REFORM BILL

State	VAP[1]	Cycle limit[2]	General limit[3]	Primary limit[4]	Threshold[5]	Automatic grant[6]	PAC limit[7]
Alabama	3.012 m	$1.729 m	$1.153 m	$576,500	$301,200	$283,933	$172,950
Alaska	346,000 m	1.350 m	900,000 m	450,000	150,000	250,000	135,000
Arizona	2.514 m	1.543 m	1.028 m	514,000	251,400	258,867	154,000
Arkanas	1.771 m	1.350 m	900,000	450,000	177,100	250,000	135,000
California	20.678 m	7.103 m	4.736 m	2.368 m	650,000	1.362 m	710,000
Colorado	2.421 m	1.508 m	1.005 m	503,000	242,000	254,000	151,000
Connecticut	2.482 m	1.531 m	1.020 m	510,000	248,000	257,000	153,000

STATE-BY-STATE BREAKDOWN DeCONCINI CAMPAIGN REFORM BILL—Continued

State	VAP[1]	Cycle limit[2]	General limit[3]	Primary limit[4]	Threshold[5]	Automatic grant[6]	PAC limit[7]
Delaware	494,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Florida	9.581 m	3.774 m	2.516 m	1.258 m	650,000	622,000	377,000
Georgia	4.624 m	2.287 m	1.525 m	762,000	462,000	354,000	229,000
Hawaii	806,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Idaho	695,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Illinois	8.542 m	3.463 m	2.308 m	1.154 m	650,000	553,000	346,000
Indiana	4.114 m	2.134 m	1.423 m	711,000	411,000	337,000	213,000
Iowa	2.120 m	1.395 m	930,000	465,000	212,000	250,000	139,000
Kansas	1.834 m	1.350 m	900,000	450,000	183,000	250,000	135,000
Kentucky	2.74 m	1.350 m	900,000	450,000	150,000	250,000	135,000
Louisiana	3.123 m	1.771 m	1.181 m	590,000	312,000	289,000	177,000
Maine	903,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Maryland	3.497 m	1.911 m	1.274 m	637,000	350,000	308,000	191,000
Michigan	6.845 m	7.221 m	4.814 m	2.407 m	650,000	1.388 m	722,000
Minnesota	3.186 m	1.795 m	1.196 m	598,000	319,000	293,000	179,000
Mississippi	1.846 m	1.350 m	900,000	450,000	185,000	250,000	135,000
Missouri	3.827 m	2.035 m	1.357 m	678,000	383,000	325,000	203,000
Montana	583,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Nebraska	1.178 m	1.350 m	900,000	450,000	150,000	250,000	135,000
Nevada	794,000	1.350 m	900,000	450,000	150,000	250,000	135,000
N. Hampshire	822,000	1.350 m	900,000	450,000	150,000	250,000	135,000
N. Jersey	5.888 m	2.666 m	1.778 m	889,000	589,000	396,000	267,000
N. Mexico	1.060 m	1.350 m	900,000	450,000	150,000	250,000	135,000
New York	13.543 m	4.963 m	3.309 m	1.654 m	650,000	886,000	496,000
N. Carolina	4.889 m	2.367 m	1.578 m	789,000	489,000	363,000	237,000
N. Dakota	480,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Ohio	8.048 m	3.314 m	2.210 m	1.105 m	650,000	520,000	331,000
Oklahoma	2.379 m	1.492 m	995,000	497,000	238,000	252,000	149,000
Oregon	2.056 m	1.371 m	914,000	457,000	206,000	250,000	137,000
Pennsylvania	9.179 m	3.654 m	2.436 m	1.218 m	650,000	595,000	365,000
Rhode Island	765,000	1.350 m	900,000	450,000	150,000	250,000	135,000
S. Carolina	2.544 m	1.554 m	1.036 m	518,000	254,000	260,000	155,000
S. Dakota	518,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Tennessee	3.665 m	1.974 m	1.316 m	658,000	150,000	389,000	197,000
Texas	11.796 m	4.439 m	2.959 m	1.480 m	650,000	769,733	444,000
Utah	1.061 m	1.350 m	900,000	450,000	150,000	250,000	135,000
Vermont	414,000	1.350 m	900,000	450,000	150,000	250,000	135,000
Virginia	4.527 m	2.258 m	1.505 m	753,000	453,000	351,000	226,000
Washington	3.43 m	1.350 m	950,000	450,000	150,000	250,000	135,000
W. Virginia	1.406 m	1.350 m	900,000	450,000	150,000	250,000	135,000
Wisconsin	3.585 m	3.241 m	1.297 m	648,000	358,000	312,000	324,000
Wyoming	330,000	1.350 m	900,000	450,000	150,000	250,000	135,000

[1] VAP—1988 Voting Age Population provided by FEC.
[2] Cycle Limit—General Limit + Primary Limit.
[3] General Limit—$400,000 + $.25 x (VAP up to 4 million) + $.20 x (VAP over 4 M). (minimum: $900,000; maximum: $5.5 million).
[4] Primary Limit—50 percent of General Limit.
[5] Threshold—$.10 + VAP; (minimum: $150,000; maximum: $650,000).
[6] Automatic Grant—33 percent x (General Limit—Threshold); minimum: $250,000.
[7] PAC Limit—10 percent of Cycle Limit.●

By Mr. COATS:

S. 2121. A bill to promote excellence in American education by removing restrictions in Federal programs that limit the opportunities for open enrollment, by providing assistance to State educational agencies and local educational agencies that desire to adopt or expand open enrollment programs, by supporting research on open enrollment, and for other purposes; to the Committee on Labor and Human Resources.

S. 2122. A bill to establish a Bootstrap School Program; to the Committee on Labor and Human Resources.

S. 2123. A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of parental choice and open enrollment in public schools; to the Committee on Labor and Human Resources.

EDUCATION LEGISLATION

● Mr. COATS. Mr. President, today I am introducing several bills to allow our schools more flexibility in educating our children. These bills complement each other in eliminating barriers to innovative teaching strategies and in expanding school choice and flexibility.

The first bill is titled the "Access to Education Act of 1990." It was first introduced by an innovative education leader on the House side, STEVE BARTLETT, and I am proud to be the sponsor here in the Senate. This bill removes restrictions in Federal programs that limit the opportunities for open enrollment.

The second and third bills I am introducing were developed in the American Family Act which I introduced last spring. The first of these, the Bootstrap Schools Act, rewards schools that make substantial progress in raising student achievement; creating a safe and drug-free environment; and reducing the dropout rate. The second bill aims to foster student achievement by allowing schools to exercise open enrollment and parental choice.

Both of these bills were included in the President's education bill, S. 695, which passed yesterday in the Senate. I am concerned that the House may not pass this important measure so I am introducing these crucial bills separately so they may be included in other legislation if necessary.

These bills are not hasty experiments. Many schools across our Nation have been implementing this type of bold reform on a local basis and the success they are experiencing is being reported to legislators everywhere.

In my home State of Indiana, these ideas are gaining ground as evidenced by the recent passage through the Indiana House of Representatives of a school based management pilot program which would increase the involvement of parents, teachers, administrators, and local business and civic leaders in the governance of the local school.

I am pleased that the Indiana Legislature is responding to the local initiatives that have proven to be successful. For example, in Hammond, IN, local control of schools has dramatically turned around the system. In the July 23, 1989, issue of Parade magazine the Hammond change is described this way, "* * * this city has slashed its dropout rate, brought former students back to school and turned uninterested parents into cheerleaders for education."

Anderson, IN has also embarked on a pilot project, building site management, to allow schools at the local level to develop programs to fit the needs of its students and restore a sense of belonging to community members and parents. This project was supported by the Anderson School Corp. and by the local teachers union in Anderson.

It is clear all over the country that when communities have a say in school decisions their sense of ownership increases and things begin to happen. Giving parents the chance to pick a school encourages them to

become directly involved with that school.

These are some of the exciting innovations in school reform. These bills reflect what I believe the government response should be. Our role must be similar to the loving parent of a young adult: Setting goals and bringing support but not controlling every decision.

We must allow schools to make decisions for themselves. It is tough to do it as a parent and it is tough to do as a government but this is the bold action that must happen if we love our kids. Mistakes will be made, but schools who know that money available for improvement is contingent upon positive change or that parents will not choose their school if it remains ineffective will make the necessary changes that will allow their school to flourish.●

By Mr. HOLLINGS (for himself, Mr. DANFORTH, and Mr. GORE).

S. 2124. A bill to authorize appropriations for the National Space Council, and for other purposes; by unanimous consent, placed on the calendar.

NATIONAL SPACE COUNCIL AUTHORIZATION

● Mr. HOLLINGS. Mr. President, today, on behalf of myself, Senators DANFORTH and GORE, I am pleased to introduce the fiscal year 1990 National Space Council authorization bill. As this is an authorization bill for fiscal year 1990, for which appropriations already have been provided, a little history on the Space Council is in order.

Mr. President, the National Space Council was established by President Bush in early 1989 pursuant to a provision in the fiscal year 1989 NASA authorization bill, Public Law 100-685, which I sponsored with the support of several of my colleagues. Now the National Space Council finds itself crippled because the Council realizes that it does not have the authority it needs to compensate its Executive Director and to hire the appropriate staff.

During the course of last fall's deliberations on fiscal year 1990 NASA authorization bill, both the Senate and the House, in an effort to address this problem, included the National Space Council authorization language in the NASA bill. Unfortunately, final enactment of the NASA bill did not occur in the waning days of the first session of this Congress. Thus, the problem of the National Space Council remains.

The serverity of these problems for the National Space Council were brought to the attention of the Senate Commerce Committee and the House Science Committee just before Christmas. At that time, I sent a letter to Vice President QUAYLE, indicating that I would work to remedy this situation with appropriate legislation at the earliest opportunity in the second session of the 101st Congress. Congressman ROE sent a similar letter.

I now stand ready to honor my commitment to take care of this matter by introducing a simple authorization bill, retroactive to October 1, 1989. This is the best, least complex, and most timely way to resolve this dilemma and to give the National Space Council the necessary operating authority.

In order to take care of this matter in an expeditious manner, it is my intention to ask for unanimous consent to have the bill, once introduced, placed on the calendar so that the bill can be acted upon by the Senate as soon as possible. As the Senate already approved this bill as part of the fiscal year 1990 NASA authorization bill last year, I would hope that my colleagues will support me in this important effort.●

● Mr. GORE. Mr. President, I would like to concur with the remarks of the chairman. I also would like to indicate that I strongly support enactment of this authorization and I am pleased to be an original cosponsor.

Mr. President, for years, many of us worked to get a National Space Council established as a focal point the formulation of space policy. For those of us familiar with the issue, it was not easy. As a matter of fact, in 1987, the NASA authorization bill was vetoed by President Reagan because such an initiative was included in the bill.

I think it only right that Congress which sired the National Space Council now provide it with the necessary operating authority. I also hope that the current administrative problems that confront the Council be remedied as quickly as possible.

I would hope that all of my colleagues share my sentiments and will support this bill.●

By Mr. DODD (for himself, Mr. BIDEN, Mr. BUMPERS, Mr. SANFORD, and Mr. SASSER):

S. 2125. A bill to condition the availability of United States assistance for El Salvador; to the Committee on Foreign Relations.

EL SALVADOR AID RESTRICTIONS ACT OF 1990

● Mr. DODD. Mr. President, I am introducing legislation today that addresses the issue of United States assistance to the Government of El Salvador.

It is specifically designed to bolster President Cristiani in his efforts to achieve a negotiated settlement to the Salvadoran conflict, with the active involvement of the Secretary General of the United Nations, and to further encourage the Salvadoran Government to improve the human rights situation in general.

Because President Cristiani is determined to achieve these goals, there are those who have sought to undermine his efforts.

We must do everything in our power to see to it that President Cristiani's efforts to end the war succeed. Therefore, I am of the view that the time has come to frame our assistance in a way that evidences our firm support for what President Cristiani is trying to achieve.

So in the first place, this legislation makes it clear that if President Cristiani is overthrown or unconstitutionally removed from power, all assistance will be terminated.

More specifically and as a condition for continued military aid, this legislation requires that the Salvadoran Government agree to negotiations and accept an active mediation role on the part of the Secretary General of the United Nations. And to evidence our commitment to the negotiating process, this legislation fences off 50 percent of the annual military assistance funding.

In return for fencing off this assistance, the FMLN guerrilla forces must also agree to negotiations, accept the Secretary General's involvement and refrain from any major military offensive, such as that launched last November.

I believe this formula tests the good will on both sides to pursue an equitable and just political settlement and offers the best chance for achieving that result.

On the human rights front, this legislation sets up a new certification requirement, with periodic Presidential reports to cover several specific human rights concerns. It also contains a modified expedited procedure arrangement to allow Congress to terminate both economic and military assistance if it disagrees with the President's findings.

I believe this legislation offers a sound framework for continuing United States assistance to the Salvadoran Government and for achieving a negotiated settlement to the war and improving human rights conditions, objectives which I know President Cristiani is dedicated to pursuing.

Mr. President, when the Senate, last October, approved continued military assistance funding for El Salvador, it did so on the basis of urging the parties to the conflict to proceed with negotiations for a cease-fire and an overall political settlement.

Last December, when the Central American Presidents met in San Jose, they renewed their call for an end to the violence in El Salvador and for a resumption of the negotiations between the parties. They also requested the Secretary General of the United Nations to use his good offices to facilitate the negotiations and to become involved in them.

Last week, Secretary of State James Baker appeared before the Foreign Relations Committee and stated:

In El Salvador, we believe this is the year to end the war through a negotiated settle-

ment that guarantees safe political space for all Salvadorans.

While the controversy and debate over the situation in El Salvador rages on, there is virtually no controversy or debate over the need to bring the conflict to an end by means of a negotiated settlement. The administration supports this objective. The Congress supports it. The five Central American Presidents support it. President Cristiani says he supports it, and so, too, does the leadership of the guerrilla forces.

Now is the time to make it happen. Now is the time to test the good will of those involved, both directly and indirectly. Now is the time to take some risks, to gamble a bit, to roll the dice. Now is the time to press—and press hard—for a lasting political solution to the tragedy of El Salvador. The dimensions of the tragedy are there for all to see: More than 70,000 lives lost during 10 years of civil conflict.

Now is the time to move this conflict from the battlefield to the negotiating table, and to do it as definitively and as decisively as we can.

The bill I am introducing today is purposefully designed to use our military assistance program for El Salvador as leverage for a serious negotiating process. The measure works as follows:

First, it conditions all United States military assistance to the Salvadoran Government on the willingness of that Government to stay at the negotiating table and to accept the U.N. Secretary General's direct involvement in the negotiating process. In addition, it withholds or fences off 50 percent of all military aid that could be obligated in any fiscal year, in an effort to convince the FMLN forces of our determination to support a political settlement.

Second, it requires the guerrilla forces to stay at the negotiating table, to accept the U.N. Secretary General as an active participant and to refrain from any major military operations that would threaten the survival of the Salvadoran Government. Should any one of these conditions not be met, the fenced military assistance would become available for obligation and delivery to the Government of El Salvador.

If we are serious about pursuing a negotiated settlement to the Salvadoran conflict, then we must be prepared to use our military aid program to help achieve this policy objective. The formula contained in this legislation is purposefully designed to do that. It seeks to shift the action from the battlefield to the conference room. This shift must take place if there is to be a political solution to the Salvadoran conflict.

Closely related to the urgent need for a political settlement is the equally urgent need for progress on the human rights front. Clearly there is a strong relationship between the two. A real political settlement will go a long way toward resolving the human rights problem. And, similarly, improvement in the human rights arena will go a long way toward facilitating a political settlement. Accordingly, we must seek to advance both. And if we are prepared to use military assistance to foster a negotiated solution, we can certainly use our total assistance effort to promote the cause of human rights.

To be sure, the human rights scene in El Salvador is not a pretty picture. Whether the crime is the murder of the Jesuits, their cook and her teenage daughter, the kidnaping and assassination of opposition political figures, the wanton murder of labor union officials, the detention and torture of perceived subversive elements, the exile of church and church-affiliated personnel, or the efforts to harass and intimidate political opponents, both real and imagined—any or all of it adds up to an intolerable human rights situation.

When it comes to El Salvador, no one expects political miracles. What we do expect—and what we have a right to expect—is progress. We have a right to expect that those who murder are apprehended, tried, and convicted; we have a right to expect that those who engage in death squad activities are brought before the bar of justice; we have a right to expect that those who wear the military uniform of the Salvadoran armed forces use their authority to protect and defend, not abuse and denigrate, the rights of Salvadoran citizens; and we have a right to expect that the blessings of democracy be extended, not to just a select few, but to all the people of El Salvador.

The legislation I am offering addresses these concerns and seeks genuine improvements in the Salvadoran human rights situation. It establishes a Presidential certification requirement, with periodic reports to the Congress, and sets up an expedited legislative procedure for overriding such certification if the committees of jurisdiction reject the President's findings.

The message must be very clear to the Salvadoran authorities that Congress is serious—very serious—about demanding real improvement in the human rights situation insofar as the various security forces have control over it. This is not to suggest that we are unmindful of the human rights abuses committed by the guerrilla forces. The record speaks for itself. They, too, are guilty of atrocities and they, too, must be made to answer for them to the people of El Salvador.

All too often, however, there is the tendency to justify the abuses on the Government's part by pointing to the abuses on the guerrillas' part. Such shallow reasoning is a formula for disaster. We support the Salvadoran Government—so far to the tune of over $4 billion. We do so because we harbor the belief that the Government stands for certain values and traditions, including democratic processes and protection of basic human rights.

The legislation I am putting forward underscores this point, and makes it clear that our continuing support for the Salvadoran Government is related directly to a shared sense of values and traditions, with concern for human rights at the top of the list.

Mr. President, up to this point I have been reluctant to impose conditionality on U.S. assistance to the Cristiani government. As my colleagues know, I believed that after taking office in June of last year he deserved some breathing space and a chance to chart his own course. Congress supported that view. In the meantime, President Cristiani used that time well. He signed onto the Central America peace accords and he initiated a dialog with the FMLN. And in the wake of the Jesuit murder case, he was the one who made the announcement regarding the complicity in, and subsequent arrest of, members of the Salvadoran military.

President Cristiani has demonstrated that he deserves our continuing support. He has demonstrated it by his commitment to the rule of law, by his commitment to resolve differences at the negotiating table and by his commitment to support a democratic process.

Because of these commitments, his enemies are now at the gate and they are determined to undermine his efforts. As they see it, President Cristiani has turned his back on the right-wing cause in El Salvador and he must be discredited for having sold out. As evidence of betrayal, they point to President Cristiani's support for disbanding the Contras, for agreeing to talk to the FMLN leadership, for releasing Jennifer Casolo, for arresting Colonel Benavides, and for accepting a U.N. role in future negotiations with the armed opposition. For a lot of people in El Salvador, many of whom supported the Cristiani candidacy, these are acts of treason.

We must do what we can to insure that efforts to weaken President Cristiani fail. We must do all that we can to evidence our support for him and to strengthen his hand in the pursuit of a negotiated settlement and an improved human rights situation. At this point, I believe, the best way to do this is to condition our assistance, and to mandate that any move against President Cristiani will automatically bring about a termination of all U.S. assistance.

Mr. President, I am convinced that our policy toward El Salvador has reached a critical juncture. There will either be a serious negotiating effort, with the involvement of the Secretary General of the United Nations, or there will be a new round of escalating military activity.

I want to see the negotiating process succeed. I want to see President Cristiani succeed. I want to see both succeed because they offer the best opportunity for the people of El Salvador to bring an end to the violence and bloodshed, to nurture democratic values and institutions, and to insure respect for human rights and individual liberties.

The legislation I am introducing today is designed to serve these purposes.

Mr. President, I ask permission that a summary of the bill and the full text of the bill be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2125

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "El Salvador Aid Restrictions Act of 1990".

SEC. 2. STATEMENT OF POLICY.

The provision of assistance by the United States to the Government of El Salvador shall serve two principal foreign policy objectives: (1) seeking to promote a negotiated settlement to the conflict in El Salvador, with the Secretary General of the United Nations serving as an active mediator between the opposing parties; and (2) seeking to foster greater respect for basic human rights, as broadly encompassed in the right to life, liberty, and the security of person.

SEC. 3. PROHIBITION ON MILITARY ASSISTANCE.

(a) PROHIBITION.—Subject to subsection (b), no United States military assistance may be furnished to the Government of El Salvador if that Government—

(1) declines to participate in a negotiations for a settlement to the armed conflict in El Salvador; or

(2) rejects or otherwise fails to support an active role for the Secretary General of the United Nations in mediating a negotiated settlement to the armed conflict in El Salvador.

(b) REQUIREMENT FOR RESUMPTION OF ASSISTANCE.—Assistance prohibited under subsection (a) may only be resumed pursuant to a specific authorization contained in a law subsequently enacted by the Congress.

SEC. 4. WITHHOLDING OF MILITARY ASSISTANCE.

(a) IN GENERAL.—Fifty percent of United States military assistance for El Salvador—

(1) which has been allocated for fiscal year 1990 in the report required by section 653(a) of the Foreign Assistance Act of 1961 and which is unexpended on the date of enactment of this Act, or

(2) which has been allocated for any fiscal year after fiscal year 1990 in such report,

shall be withheld from obligation or expenditure, except as provided in subsection (b).

(b) RELEASE OF ASSISTANCE.—The United States military assistance withheld pursuant to subsection (a) may be obligated and expended only if—

(1) the representatives of the Farabundo Marti National Liberation Front—

(A) decline to participate in negotiations for a settlement to the armed conflict in El Salvador, or

(B) refuse to accept an active role for the Secretary General of the United Nations in mediating that settlement, or

(2) the President certifies to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that any or all of the United States military assistance being withheld must be released immediately because offensive military actions or operations on the part of the paramilitary forces of the Farabundo Marti National Liberation Front jeopardize the survival of the constitutional Government of El Salvador.

SEC. 5. CONDITION FOR TERMINATION OF ALL UNITED STATES ASSISTANCE.

(a) PROHIBITION.—Subject to subsection (b), no United States assistance may be furnished to El Salvador if the duly-elected Government of El Salvador is overthrown or unconstitutionally removed from office.

(b) REQUIREMENT FOR RESUMPTION OF ASSISTANCE.—Assistance prohibited under subsection (a) may only be resumed pursuant to a specific authorization contained in a law subsequently enacted by the Congress.

SEC. 6. RESPECT FOR HUMAN RIGHTS.

(a) POLICY.—It is the policy of the United States to deny assistance under the Foreign Assistance Act of 1961 to the government of any country which engages in a consistent pattern of gross violations of internationally recognized human rights.

(b) EXPRESSION OF UNITED STATES CONCERNS.—The following events in El Salvador raise serious doubts about the commitment of the Government of El Salvador to the full observance of internationally recognized human rights.

(1) The brutal massacre of Fathers Ignacio Ellacuria, Segundo Montes, Ignacio Martin Baro, Juan Ramon Moreno, Amando Lopez, and Joaquin Lopez y Lopez as well as Julia Elba Ramos and Celina Marisela Ramos on November 16 at the Central American University.

(2) The death of ten trade unionists on November 11 following the bombing of National Trade Union Federation (FENASTRAS) headquarters.

(3) A pattern of systematic threats and arrests, and the ransacking of offices of opposition parties, labor unions, and popular organizations which has forced members of these organizations into hiding or exile.

(4) The harassment, mass arrests, and expulsions of foreign religious workers.

(5) The extension of the state of emergency by the Government of El Salvador on January 12, 1990, for an additional 30 days which continues the suspension of certain due process rights and civil liberties since November 12, 1989.

(c) PROHIBITION.—(1) No United States assistance may be made available to the Government of El Salvador beginning 60 days from the date of enactment of this Act and every 120 days thereafter, for periods of 120 days each, unless the President determines and reports in writing before the beginning of each such period to the Speaker of the House of Representatives and the Chairman of the Foreign Relations Committee of the Senate that the Government of El Salvador has demonstrated by its actions full observance of internationally recognized human rights and specifically that that Government has—

(A) made significant progress in bringing to trial and obtaining a conviction of all those individuals within the Salvadoran military and any other persons directly or indirectly responsible for the murders of the Jesuits and others at the Central American University on November 16, 1989;

(B) made significant progress in investigating, bringing to trial, and obtaining a conviction against all those persons directly or indirectly responsible for the deaths resulting from the bombing of the FENASTRAS headquarters;

(C) adopted appropriate measures to ensure that offices and homes of members of the political opposition, labor unions, and Salvadoran church and humanitarian organizations are not arbitrarily searched by Salvadoran military and security forces and that members of such organizations are permitted to carry out their activities free from government harassment and intimidation;

(D) permitted members of foreign religious organizations who seek to undertake religious and humanitarian activities in El Salvador to enter the country and carry out their work unimpeded by Salvadoran Government officials or members of the military; and

(E) made every effort to lift the state of emergency first instituted on November 11, 1989, at the earliest possible date, consistent with the national security imperatives of El Salvador;

(2) In making the determinations under paragraph (1), the President should consult with appropriate human rights organizations which monitor the human rights situation in El Salvador, such as the United Nations Commission on Human Rights, the Inter-American Commission on Human Rights, Amnesty International, and America's Watch.

(d) CONGRESSIONAL REVIEW.—(1) The prohibition on assistance contained in subsection (c) shall apply without regard to the submission of a presidential report under that subsection if, within 30 days of continuous session (within the meaning of section 601(b)(1) of the International Security Assistance and Arms Export Control Act of 1976) after receipt of such report, the Congress enacts a joint resolution described in paragraph (3) of this subsection.

(2)(A) Any joint resolution under paragraph (1) shall be considered in the Senate in accordance with section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, except that paragraph (3) of such section (relating to the discharge of committee consideration) shall not apply.

(B) For the purpose of expediting the consideration and enactment of a joint resolution under this subsection, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

(3) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced after the date on which the presidential report of subsection (c) is received by the Congress, the matter after the resolving clause of which is as follows: "That the Congress disapproves the determination of the President that the Government of El Salvador has fully respected internationally recognized human rights.".

SEC. 7. DEFINITIONS.

For purposes of this Act—

(1) the term "United States assistance" has the same meaning as is given to such term by section 481(i)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(i)(4)) and includes United States military assistance as defined in paragraph (2); and

(2) the term "United States military assistance" means—

(A) assistance to carry out chapter 2 (relating to grant military assistance) or chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961; and

(B) sales, credits, and guaranties under the Arms Export Control Act.

SUMMARY OF DODD PROPOSAL ON AID TO EL SALVADOR, FEBRUARY 8, 1990

Sets forth the following U.S. policy objectives with respect to El Salvador—

To promote a negotiated settlement of the conflict through mediation by the U.N. Secretary General; and to foster greater respect by the Government of El Salvador for human rights.

Conditions the provision of U.S. military assistance to the Government of El Salvador on that government's willingness to seek a negotiated settlement to the armed conflict and to accept the mediation role of the U.N. Secretary General;

Underscores U.S. commitment to the negotiating process by withholding 50% of U.S. military assistance which would otherwise be made available to the Government of El Salvador in each fiscal year beginning in FY 1990 unless—

The FMLN refuses to participate in negotiations or accept the mediation of U.N. Secretary General; or

The President certifies that military assistance being withheld is needed to counter offensive military operations which threaten the survival of the Cristiani Government.

Terminates all U.S. economic and military assistance to the Government of El Salvador in the event of the overthrow of the Cristiani Government;

Conditions the provision of U.S. economic and military assistance to El Salvador (except for certain types of humanitarian assistance) on periodic determinations by the President that the Government of El Salvador—

Has demonstrated full observance of internationally recognized human rights;

Has made significant progress in bringing to justice those responsible for the murders of the six Jesuits and others at the Central America University and trade unionists killed by the bombing of FENASTRAS headquarters;

Has ended political harassment of members of the political opposition, and intimidation of Salvadoran and foreign church groups and popular organizations undertaking humanitarian efforts;

Is committed to lifting the state of emergency at the earliest possible date.

Provides for Congressional disapproval of the Presidential determination by joint resolution, under expedited procedures.●

By Mr. DANFORTH:

S. 2126. A bill to continue the temporary suspension of duty on terfenadone; to the Committee on Finance.

S. 2127. A bill to continue the temporary suspension of the duty on nicotine resin complex; to the Committee on Finance.

CONTINUATION OF CERTAIN DUTY SUSPENSIONS

● Mr. DANFORTH. Mr. President. Today I am introducing two miscellaneous tariff bills. The first would extend temporarily the existing suspension of duty on terfenadone, which is the active ingredient used in the manufacture of an orally administered, nonsedating antihistamine. The second would extend temporarily the existing suspension of duty on nicotine resin complex, which, when made up into dosage form, is a prescription drug used as an antismoking aid. I ask unanimous consent that the text of both bills be printed in full in the RECORD following my remarks.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 2126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That heading 9902.29.74 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007) is amended by striking out "12/31/90" and inserting in lieu thereof "12/31/92".

S. 2127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That heading 9902.30.04 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007) is amended by striking out "12/31/90" and inserting in lieu thereof "12/31/92".●

By Mr. KERRY:

S. 2128. A bill to direct the Secretary of Veterans Affairs to establish and maintain a Comprehensive Services Program for Homeless Veterans; to the Committee on Veterans' Affairs.

COMPREHENSIVE SERVICES PROGRAM FOR HOMELESS VETERANS

● Mr. KERRY. Mr. President, the Comprehensive Services Program for Homeless Veterans Act of 1990, which I am introducing today, addresses the tragedy of homelessness among America's veterans, and establishes a number of programs that will help those who served their country courageously, and subsequently have not received adequate help in readjusting to civilian life.

Yesterday, my colleague, Representative JOE KENNEDY introduced this bill in the House. He has provided outstanding leadership on the disheartening problem of homelessness, and I look forward to working with him on moving this legislation through Congress.

Homelessness is often the last chapter in a story of chronic illness, decreased working ability and depleted savings. The fact that veterans, and Vietnam era veterans in particular, are prone to this kind of life is borne out in the sorry statistics that we have on the homeless. The National Coalition for the Homeless puts the number of homeless in the United States at 3 million. Of those, between 135,000 and 400,000 are veterans. In Boston, the total number of homeless is estimated at 3,400, with at least 1,000 being veterans.

In order to help homeless veterans, we need to know where they are and who they are. The Comprehensive Services for Homeless Veterans Act therefore requires the directors of the VA medical centers to determine the number of homeless veterans in their areas, and the amount and nature of care provided to homeless veterans at the VA medical centers.

This bill also establishes a number of programs that will complement already existing services, such as the Homeless Chronically Mentally Ill Program, and the Domiciliary Care Program.

The Comprehensive Services for Homeless Veterans Act will establish three types of housing programs. The first is the establishment of groups homes run by the Veterans' Administration, preferably on VA medical center grounds. The group homes would provide a structured living environment for homeless vets with chronic mental illness, or those recovering from alcohol or drug abuse. The residents would have to work, and pay rent according to their ability.

The second establishes a loan fund that will help nonprofit entities provide the first and last month's rent for housing for veterans recovering from substance abuse. This arrangement is ideal for homeless veterans that have come off of a detox program, and need peer pressure to stay off drugs. The groups homes would be drug free, and the veterans living there would have to pay their own rent, and remain drug free. They would also repay their loans on a monthly basis.

The third program is a monthly assistance payment for those vets who are working, but unable to find adequate housing within their means. The vets would pay 30 percent of their salary for rent, and the VA would make up the rest of the payment. This kind of assistance would aid those vets who are capable of taking care of themselves, are working, but still need some housing assistance to keep them off the streets.

The bill will also establish drop-in service centers, where homeless veterans can go for a warm meal, a shower, job counseling, and medical care. Dental, eye, and foot care, in particular will be expanded since these are the services most in demand by homeless vets. Because of the conditions in which they live, many homeless vets are unable to keep proper dental hygiene, and many would like to fill out the proper forms to get the help that they need, but they cannot see because they need eyeglasses. We hope to address this problem once and for all.

Finally, the bill will establish mobile support teams which will provide medical care and other services to hard-to-reach homeless veterans. The support team will reach homeless veterans who are in the soup kitchens, and on the park benches of this Nation, so that these veterans will cease to be alienated from the services they so badly need and deserve.

The tragedy of homelessness among veterans is a national disgrace and must end. For thousands of homeless veterans the fight is not over yet. Every day homeless vets face a struggle to survive the present, and they search for some hope in the future.

A quarter of a century after this Nation sent its first battalions of young men and women into war in Vietnam, it appears that we are finally willing to welcome them home again. But for some unfortunate thousands, a welcome mat is not enough. For the homeless men and women veterans of this Nation the legacy of war is sleepless nights, traumatic stress, nervous disorders, addictions and alienation.

The new welcome mat that is needed must include a real response to our homeless veterans.

No veteran should be denied basic rehabilitation and job training assistance.

No veteran should be denied society's best efforts to restore their physical and mental health, with use of the most up to date technology and treatment processes available.

No veteran should be turned away—no American should be turned away—from treatment when he or she is ready to battle addiction to drugs or alcohol.

Finally, no veteran should be denied shelter, or be callously told by society that there is "No room in the inn."

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2128

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Comprehensive Services Program for Homeless Veterans Act of 1990".

SEC. 2. COMPREHENSIVE SERVICES PROGRAM.

The Secretary shall establish and maintain a comprehensive services program to address fully the needs of homeless veterans through housing, medical care, vocational rehabilitation, transportation, and social services provided through—

(1) programs authorized by this Act;

(2) other programs administered by the Department of Veterans Affairs that provide services to homeless veterans; and

(3) coordinating, to the maximum extent practicable, the programs referred to in paragraphs (1) and (2) with other Federal, State, and local programs that provide services to homeless veterans.

SEC. 3. ASSESSMENT AND PLAN.

(a) ASSESSMENT.—As part of the comprehensive services program carried out under section 2, the Secretary shall require each director of a medical center of the Department of Veterans Affairs to carry out jointly with the benefits director of the region concerned an assessment, pursuant to uniform procedures and guidelines prescribed by the Secretary, of—

(1) the number of homeless people in the area served by each director and the percentage of such people who are veterans;

(2) the number of homeless people hospitalized in the medical center of such director during the two-year period ending on the date of the enactment of this Act, including the number hospitalized primarily because of housing-related problems;

(3) the nature and extent of services provided by the medical center of such director primarily for the benefit of the homeless (including outreach efforts);

(4) the number of staff assigned primarily to such services;

(5) the number of homeless veterans served during the months of highest demand for such services during the two-year period ending on the date of the enactment of this Act; and

(6) the extent and nature of cooperation carried out by the medical center and regional benefits office with other Federal agencies and State and local governments and other organizations in an effort to assist the homeless.

(b) PLAN.—(1) For each of the fiscal years 1991 through 1994, each such director shall—

(A) prepare jointly with the regional benefits director concerned and submit to the Secretary a plan, including a request for funding, for meeting the needs of homeless veterans in the area served by such director through the comprehensive services program referred to in section 2; or

(B) provide justification, with the concurrence of the regional benefits director, for not submitting such a plan and request.

(2) Each such plan shall—

(A) contain the services of such comprehensive services program that the medical director and the regional benefits director concerned have determined are most appropriate for the homeless veterans in the area to be served by the plan, along with a description of the manner in which funds available for carrying out such plan will be expended;

(B) provide for a multidisciplinary team of employees to implement the plan;

(C) be submitted to the Secretary by the date specified by the Secretary for each fiscal year;

(D) be approved by the Secretary as soon as practicable after it is submitted; and

(E) be amended as the director and the regional benefits director concerned, with the approval of the Secretary, determines necessary to meet most effectively and efficiently the needs of homeless veterans in the area concerned.

(c) FUNDING.—(1) The Secretary shall, from funds appropriated pursuant to the authorization in paragraph (2), provide funding to each director to carry out services provided pursuant to sections 4 through 9.

(2) There is authorized to be appropriated for carrying out sections 4 through 9 not to exceed $100,000,000 for each of the fiscal years 1991, 1992, 1993, and 1994.

(3) Not more than $1,000,000 may be made available to any director for obligation and expenditure during any fiscal year to carry out such sections.

SEC. 4. DROP-IN SERVICE CENTERS.

(a) ESTABLISHMENT.—The Secretary shall provide for the establishment of outreach service centers for homeless veterans in areas where (as determined based upon assessments under section 3(a)) there are a significant number of homeless veterans. Each such center shall be in an appropriate location convenient to places where such veterans congregate and shall provide the services specified in subsection (c) on an unscheduled basis.

(b) STAFFING.—The Secretary shall ensure that not less than five full-time equivalent employees are assigned to each such center. Such employees shall be in addition to existing Department employees. Employees assigned or detailed to each such center shall include (on a full- or part-time basis) physicians, social workers, psychologists nurses, representatives of the Veterans Benefits Administration, vocational rehabilitation specialists, dentists, optometrists, and such other employees as the Secretary provides.

(c) SERVICES.—Each center under subsection (a) shall provide the following services to homeless veterans:

(1) Fostering of treatment relationships.

(2) Development of treatment readiness.

(3) Evaluation of eligibility for benefits from the Department of Veterans Affairs and other agencies and assistance in applying for such benefits.

(4) Medical and psychiatric evaluation and treatment.

(5) Counseling and referral to other services provided by the Department and other agencies.

(6) Meals.

(7) Hygiene facilities (including showers and laundry facilities).

(8) Assistance in seeking review and upgrading of the characterization of discharge from the Armed Forces.

(9) Counseling and assistance in obtaining employment or employment skills.

SEC. 5. MOBILE SUPPORT TEAMS.

(a) IN GENERAL.—The Secretary shall provide mobile support teams to assist in the provision of benefits under this Act. Such teams shall provide services through medically equipped vans and shall provide such services both in areas with a high percentage of homeless veterans and in rural areas without adequate access to Department medical services.

(b) SERVICES.—Such teams shall provide clinical care, case management, and monitoring services to homeless veterans and to veterans receiving housing assistance under this Act. Such vans may also be used to provide needed transportation services for homeless veterans and other veterans in connection with the provision of benefits under this Act and under title 38, United States Code.

SEC. 6. EXPANDED HEALTH SERVICES.

(a) DENTAL SERVICES.—Section 612(b)(1) of title 38, United States Code, is amended—

(1) by striking out "or" at the end of subparagraph (F);

(2) by striking out the period at the end of subparagraph (G) and inserting in lieu thereof "; or"; and

(3) by adding at the end the following:

"(H) from which a veteran who is homeless (as determined by the Secretary) is suffering.".

(b) OPTOMETRIC AND PODIATRIC SERVICES.—In providing medical services to homeless veterans under section 612 of title 38,

United States Code, the Secretary shall provide optometric and podiatric services without regard to the limitation in section 601(6)(A)(i) of such title limiting eligibility for such services to persons otherwise receiving care or services from the Secretary. The Secretary shall furnish such veterans with appliances, including eyeglasses, which optometric and podiatric examinations indicate are needed.

SEC. 7. HOUSING ASSISTANCE PAYMENTS.

(a) IN GENERAL.—To the extent provided in the approved plan submitted by a director under section 3(b), such director shall use funds that are received from the Secretary under section 3(c) to make monthly assistance available for housing for homeless veterans, and their families, described in subsection (d)(1)(B).

(b) REGULATIONS.—The Secretary shall prescribe regulations for carrying out this section after consultation with Federal, State, and local officials and other individuals with significant expertise in housing.

(c) AMOUNT OF PAYMENT.—The monthly assistance payment for any homeless veteran under this section shall be the amount by which the fair market rental payment standard for the area, as determined by the Secretary, exceeds 30 percent of the monthly income of the household of the homeless veteran, as determined by the Secretary.

(d) CONDITIONS.—(1) Assistance under this section—

(A) may not be made available for more than a one-year period for any homeless veteran, except that the director of the medical center concerned shall extend such period for any veteran in good standing until the veteran is able to obtain alternative affordable, decent, safe, and sanitary housing;

(B) may be made available only to homeless veterans who—

(i)(I) are employed at least 18 hours a week; or

(II) are involved in the compensated work therapy program or other employment program conducted, administered, or approved by the Department of Veterans Affairs; and

(ii) maintain some other regular periodic contact with an employment, counseling, or training program administered by such Department; and

(C) may be made available only with respect to housing that meets State and local housing codes and regulations.

(2) Each director shall—

(A) provide for regular visits by a counselor to each housing unit with respect to which assistance is paid under this section; and

(B) take steps to ensure that the conditions described in subparagraphs (A) and (B) of section 9(a)(4) are maintained in each housing unit for which assistance is provided under this section.

SEC. 8. GROUP HOMES MAINTAINED BY DVA.

(a) IN GENERAL.—(1) To the extent provided in the approved plan submitted by a director under section 3(b), such director shall use funds that are received from the Secretary under section 3(c) and amounts in the fund described in paragraph (2)(F) to establish and maintain a program, to be carried out in accordance with guidelines described in subsection (b), for the provision of housing owned or leased by the Department of Veterans Affairs in which veterans with chronic mental illness or who are recovering from alcohol or drug abuse may reside.

(2) In carrying out such program, each director shall—

(A) provide that assistance be made available only to veterans, with a priority being given to homeless veterans, who—

(i) are employed at least 18 hours a week; or

(ii) are involved in the compensated work therapy program or other employment program conducted, administered, or approved by the Department of Veterans Affairs;

(B) to the maximum extent practicable, use residential housing located on the grounds of the medical center;

(C) provide that the manager of the housing is a veteran and resides therein;

(D) provide for substance abuse and other kinds of appropriate counseling in the housing;

(E) provide that—

(i) the use of alcohol or any illegal drug in the housing provided by the program will be prohibited; and

(ii) any resident of the housing who violates such prohibition will be expelled from the housing;

(F) provide that the veterans residing in the housing made available under this section pay rent to the extent of their ability to pay, such payments to be deposited in a fund in the Treasury of the United States that the Secretary shall use to carry out this section; and

(G) provide that such housing is in compliance with State and local housing codes and regulations.

(b) GUIDELINES.—The Secretary shall ensure that each program carried out under subsection (a) is administered, to the maximum extent practicable, in accordance with the guidelines issued under section 1916A(c) of the Public Health Service Act, with the Department of Veterans Affairs performing the functions that the nonprofit private entity performs under such guidelines.

SEC. 9. GROUP HOMES THROUGH NONPROFIT PRIVATE ENTITIES.

(a) IN GENERAL.—To the extent provided in the approved plan submitted by a director under section 3(b), such director shall use funds that are received from the Secretary under section 3(c) to—

(1) establish and maintain a revolving fund to make loans for the costs of establishing programs, to be carried out in accordance with guidelines described in subsection (b), for the provision of housing in which homeless veterans having chronic mental illness or who are recovering from alcohol or drug abuse may reside in groups of not less than four individuals;

(2) ensure that each loan made from the revolving fund does not exceed $4,000 and that each such loan is repaid to the revolving fund not later than two years after the date on which the loan is made;

(3) ensure that each such loan is repaid through monthly installments and that a reasonable penalty is assessed for each failure to pay such periodic installments by the date specified in the loan agreement involved; and

(4) ensure that such loans are made only to nonprofit private entities, approved by the Secretary, agreeing that, in the operation of the program established pursuant to the loan—

(A) the use of alcohol or any illegal drug in the housing provided by the program will be prohibited;

(B) any resident of the housing who violates such prohibition will be expelled from the housing;

(C) the costs of the housing, including fees for rent and utilities, will be paid by the residents of the housing; and

(D) the residents of the housing will, through a majority vote of the residents, establish other policies governing residence in the housing, including the manner in which applications for residence in the housing are approved.

(b) GUIDELINES.—The Secretary shall ensure that each program carried out under subsection (a) is administered, to the maximum extent practicable, in accordance with the guidelines issued under section 1916A(c) of the Public Health Service Act.

SEC. 10. EVALUATIONS AND REPORTS.

(a) EVALUATIONS.—(1) Taking into consideration the purposes of the comprehensive services program referred to in section 2, the Secretary shall, for each of the fiscal years 1991 through 1994, carry out an evaluation of such program as it was carried out during such fiscal year.

(2) Taking into consideration such purposes, the Secretary shall, at the end of fiscal year 1994, carry out an evaluation of the such comprehensive services program as it was carried out during fiscal years 1991 through 1994.

(b) REPORTS.—(1) Within 90 days after the end of each of the fiscal years 1991 through 1994, the Secretary shall transmit to the Congress a report containing the findings and conclusions made by the Secretary as a result of the evaluation carried out under subsection (a)(1) for the fiscal year concerned.

(2) Within 120 days after the end of fiscal year 1994, the Secretary shall transmit to the Congress a report containing the findings and conclusions made by the Secretary as a result of the evaluation carried out under subsection (a)(2).

SEC. 11. ACCEPTANCE OF DONATIONS.

The Secretary may accept services and equipment (including motor vehicles) donated for the purposes of sections 4, 5, and 6.

SEC. 12. DEFINITIONS.

In this Act:

(1) The term "director" means a director of a medical center of the Department of Veterans Affairs.

(2) The term "Secretary" means the Secretary of Veterans Affairs.

(3) The term "veteran" has the same meaning given such term by section 101(2) of title 38, United States Code.●

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. BOREN, Mr. COCHRAN, Mr. DOLE, Mr. GARN, Mr. GRASSLEY, Mr. HEFLIN, Mr. LOTT, Mr. METZENBAUM, AND Mr. RIEGLE):

S.J. Res. 255. Joint resolution designating the 1990 filing season, to be celebrated as the "20th Anniversary of the IRS-Sponsored Volunteer Programs Season"; to the Committee on the Judiciary.

THE 20TH ANNIVERSARY OF THE IRS-SPONSORED VOLUNTEER PROGRAMS SEASON

Mr. PRYOR. Mr. President, I am pleased to introduce today a Senate joint resolution designating the 1990 filing season as the "20th Anniversary of IRS-Sponsored Volunteer Programs Season." These programs and the volunteers who participate are directly responsible for helping millions of elderly, handicapped, low-income, and non-English speaking people fill out and file their income tax returns.

On behalf of these millions of taxpayers I want to personally thank all the fine individuals who volunteer to help them comply with our overly complex tax laws.

I want to encourage the Internal Revenue Service to not only continue with the volunteer programs but to expand on them where possible. We often hear of the need to increase the size of the IRS to enforce greater compliance. Just this year Congress is increasing the IRS's budget so they may increase the auditing and collection departments. The role of IRS-sponsored volunteer programs is certainly no less important, and they care.

I commend all volunteers for their service, and I urge the U.S. Congress to unanimously support this resolution.

By Mr. SIMON (for himself, Mr. WARNER, Mr. GORTON, Mr. DURENBERGER, Mr. COCHRAN, Mr. PELL, Mr. MITCHELL, Mr. MATSUNAGA, Mr. DOMENICI, Mr. BRADLEY, Mr. ADAMS, Mr. DIXON, Mr. SHELBY, Mr. PRESSLER, Mr. PRYOR, Mr. MOYNIHAN, Mr. ROCKEFELLER, Mr. STEVENS, Mr. CONRAD, Mr. DOLE, Mr. JEFFORDS, Mr. CRANSTON, Mr. HEFLIN, and Mr. DODD):

S.J. Res. 256. Joint resolution to designate the week of October 7, 1990, through October 13, 1990, as "Mental Illness Awareness Week"; to the Committee on the Judiciary.

MENTAL ILLNESS AWARENESS WEEK

● Mr. SIMON. Mr. President, I rise today, along with 20 of my distinguished colleagues, to introduce a joint resolution designating the week of October 7, 1990, through October 13, 1990, as "Mental Illness Awareness Week."

Congress has for the past 5 years designated this week as Mental Illness Awareness Week. The goal of this resolution is to educate the American public about the stigma surrounding mental illness. Two groups that have led in the effort to educate the American public have been the American Psychiatric Association, and the National Alliance for the Mentally Ill.

According to a recent report published in the "Archives of General Psychiatry" one in five Americans suffers from a psychiatric problem. A closer examination of various subgroups reveals that 15 to 25 per cent of the elderly suffer from significant symptoms of mental illness, approximately 12 million children under the age of 18 suffer from serious mental disorders, and 15 percent of all Americans will suffer a major depressive disorder during their lifetime.

Although the great majority of homeless individuals do not suffer from psychiatric problems, almost one third of homeless individuals, many of whom have been discharged from hospitals and receive inadequate followup services, suffer from psychiatric disorders.

The prevalence of psychiatric disorders has a massive effect upon our society. The direct treatment costs and indirect costs from lost productivity associated with mental illness are in the billions of dollars. Our total Federal expenditure on research into the causes and treatment of mental illness is less than $400 million. The treatment and prevention of mental disorders require greater research in this area.

On a per-patient basis, we spend fewer dollars on research into schizophrenia and depression than we do on muscular dystrophy and multiple sclerosis. That is not to say that we should spend less in these areas, but rather that we must allocate greater funds in all the health areas. I believe we can do better.

The human tragedies associated with mental illness are revealed each day in the newspaper, television, or films. Yet, we do not really grasp the severity of the problem until it affects someone close to us. It is at this point that the stigma attached to mental illness becomes a reality.

This resolution attempts to educate our citizens and to eliminate the myths associated with mental illness. People struggling with mental illness are not evil persons nor are they individuals who do not possess the fortitude to survive in society. Public apathy surrounding the seriousness of mental illness must be overcome if we are to solve this problem.

I ask my colleagues to join in this effort by cosponsoring this joint resolution.●

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. CRANSTON, the name of the Senator from Minnesota [Mr. BOSCHWITZ] was added as a cosponsor of S. 16, a bill to require the executive branch to gather and disseminate information regarding, and to promote techniques to eliminate, discriminatory wage-setting practices and discriminatory wage disparities which are based on sex, race, or national origin.

S. 419

At the request of Mr. SIMON, the names of the Senator from Wisconsin [Mr. KASTEN], the Senator from Arizona [Mr. DECONCINI], and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 419, a bill to provide for the collection of data about crimes motivated by race, religion, ethnicity, or sexual orientation.

S. 619

At the request of Mr. SARBANES, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of S. 619, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 656

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of S. 656, a bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest on educational loans.

S. 1384

At the request of Mr. DASCHLE, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1384, a bill to amend title XVIII of the Social Security Act to provide direct reimbursement under part B of Medicare for nurse practitioner or clinical nurse specialist services that are provided in rural areas.

S. 1405

At the request of Mrs. KASSEBAUM, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 1405, a bill to ensure the eligibility of displaced homemakers and single parents for Federal assistance for first-time homebuyers.

S. 1430

At the request of Mr. KENNEDY, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 1430, a bill to enhance national and community service, and for other purposes.

S. 1600

At the request of Mr. FORD, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1600, a bill to enhance the safety of air travel through a more effective Federal Aviation Administration, and for other purposes.

S. 1624

At the request of Mr. THURMOND, the names of the Senator from Alaska [Mr. STEVENS], the Senator from Illinois [Mr. DIXON], the Senator from Oklahoma [Mr. BOREN], the Senator from Illinois [Mr. SIMON], and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of S. 1624, a bill to grant a Federal charter to the National Association of Women Veterans, Inc.

S. 1791

At the request of Mr. ROCKEFELLER, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1791, a bill to amend the International Travel Act of 1961 to assist in the growth of international travel and tourism into the United States, and for other purposes.

S. 1971

At the request of Mr. THURMOND, the names of the Senator from Wyoming [Mr. SIMPSON] and the Senator from Wisconsin [Mr. KASTEN] were added as cosponsors of S. 1971, a bill to estab-

lish a constitutional death penalty and strengthen and improve Federal criminal penalties and procedures.

S. 1978

At the request of Mr. GLENN, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1978, a bill to establish as an executive department of the Government a Department of Industry and Technology, to establish within such Department the Advanced Civilian Technology Agency, to add the Secretaries of the Treasury and Industry and Technology and the U.S. Trade Representative to the National Security Council, and for other purposes.

S. 2003

At the request of Mr. HOLLINGS, the names of the Senator from New York [Mr. D'AMATO], the Senator from Alaska [Mr. STEVENS], the Senator from Wisconsin [Mr. KOHL], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 2003, a bill to establish a Commission to advise the President on proposals for national commemorative events.

S. 2006

At the request of Mr. GLENN, the names of the Senator from Arkansas [Mr. BUMPERS] and the Senator from North Carolina [Mr. SANFORD] were added as cosponsors of S. 2006, a bill to establish the Department of the Environment, provide for a global environmental policy of the United States, and for other purposes.

S. 2012

At the request of Mrs. KASSEBAUM, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 2012, a bill to amend the Employee Income Security Act of 1974 to require an independent audit of statements prepared by certain financial institutions with respect to assets of employee benefit plans.

S. 2019

At the request of Mr. SYMMS, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Washington [Mr. GORTON], the Senator from Iowa [Mr. HARKIN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Michigan [Mr. LEVIN], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 2019, a bill to amend title XVIII of the Social Security Act to eliminate the reimbursement differential between hospitals in different areas.

S. 2021

At the request of Mr. DOLE, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 2021, a bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed financial institutions.

S. 2025

At the request of Mr. HEINZ, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 2025, a bill to amend the Internal Revenue Code of 1986 to make permanent certain expiring tax provisions.

S. 2039

At the request of Mr. COCHRAN, the names of the Senator from Utah [Mr. HATCH] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 2039, a bill to improve the quality of student writing and learning, and the teaching of writing as a learning process in the Nation's classrooms.

S. 2041

At the request of Mr. SYMMS, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Michigan [Mr. RIEGLE], the Senator from Alabama [Mr. SHELBY], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 2041, a bill to amend title XVIII of the Social Security Act to provide uniform national conversion factors for services of certified registered nurse anesthetists.

S. 2053

At the request of Mr. DANFORTH, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 2053, a bill to amend certain provisions of title 5, United States Code, to provide for an increased maximum rate of pay for specially qualified scientific and professional personnel, and for other purposes.

S. 2056

At the request of Mr. HARKIN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 2056, a bill to amend title XIX of the Public Health Service Act to provide grants to States and implement State health objectives plans, and for other purposes.

S. 2069

At the request of Mrs. KASSEBAUM, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 2069, a bill to provide an 18-month moratorium on employer revisions upon termination of single-employer defined benefit pension plans.

S. 2093

At the request of Mr. BUMPERS, the names of the Senator from Oklahoma [Mr. BOREN], the Senator from Nevada [Mr. BRYAN], the Senator from California [Mr. CRANSTON], and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of S. 2093, a bill to amend the Federal Election Campaign Act to exclude from the definition of "independent expenditures" those expenditures that are not truly independent of the legislative process.

S. 2104

At the request of Mr. KENNEDY, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from Ohio [Mr. GLENN], and the Senator from North Carolina [Mr. SANFORD] were added as cosponsors of S. 2104, a bill to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and for other purposes.

SENATE JOINT RESOLUTION 106

At the request of Mr. DANFORTH, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of Senate Joint Resolution 106, a joint resolution to authorize a commemorative stamp to be issued on January 18, 1991, to honor Doctor Thomas Anthony Dooley III, and commemorate the 30th anniversary of his death.

SENATE JOINT RESOLUTION 228

At the request of Mr. FORD, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of Senate Joint Resolution 228, a joint resolution to designate May 1, 1990, through May 31, 1990, as "Worldwide Bluegrass Music Month."

SENATE JOINT RESOLUTION 229

At the request of Mr. CRANSTON, the names of the Senator from Maine [Mr. COHEN], the Senator from Vermont [Mr. JEFFORDS], the Senator from Oklahoma [Mr. BOREN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Florida [Mr. GRAHAM], the Senator from Ohio [Mr. METZENBAUM], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Utah [Mr. HATCH], the Senator from Utah [Mr. GARN], the Senator from Washington [Mr. GORTON], the Senator from Rhode Island [Mr. PELL], the Senator from Tennessee [Mr. GORE], the Senator from Louisiana [Mr. BREAUX], and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of Senate Joint Resolution 229, a joint resolution to designate April 1990 as "National Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 235

At the request of Mr. HUMPHREY, the names of the Senator from Kansas [Mrs. KASSEBAUM] and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of Senate Joint Resolution 235, a joint resolution proposing a constitutional amendment to limit congressional terms.

SENATE JOINT RESOLUTION 236

At the request of Mr. WILSON, the names of the Senator from Indiana [Mr. COATS], the Senator from Colorado [Mr. WIRTH], the Senator from Rhode Island [Mr. PELL], the Senator from Nevada [Mr. BRYAN], the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from New York [Mr. D'AMATO], the Senator from New Jersey [Mr. BRADLEY], the Senator from Texas [Mr. BENTSEN], the Senator from Washington [Mr.

ADAMS], the Senator from Alabama [Mr. SHELBY], the Senator from Massachusetts [Mr. KERRY], the Senator from West Virginia [Mr. BYRD], the Senator from Illinois [Mr. SIMON], the Senator from Idaho [Mr. SYMMS], and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of Senate Joint Resolution 236, a joint resolution designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week."

SENATE JOINT RESOLUTION 241

At the request of Mr. D'AMATO, the names of the Senator from Rhode Island [Mr. CHAFEE], the Senator from Mississippi [Mr. COCHRAN], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of Senate Joint Resolution 241, a joint resolution to designate the week of April 29, 1990, through May 5, 1990, as "Jewish Heritage Week."

SENATE JOINT RESOLUTION 242

At the request of Mr. THURMOND, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Washington [Mr. GORTON], the Senator from Nevada [Mr. REID], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Alabama [Mr. HEFLIN], the Senator from Mississippi [Mr. COCHRAN], the Senator from California [Mr. WILSON], the Senator from Delaware [Mr. BIDEN], the Senator from Florida [Mr. GRAHAM], the Senator from Wisconsin [Mr. KASTEN], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Texas [Mr. BENTSEN] were added as cosponsors of Senate Joint Resolution 242, a joint resolution designating the week of April 22 through April 28, 1990, as "National Crime Victims' Rights Week."

SENATE JOINT RESOLUTION 243

At the request of Mr. LAUTENBERG, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Ohio [Mr. METZENBAUM], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from North Carolina [Mr. SANFORD] were added as cosponsors of Senate Joint Resolution 243, a joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

SENATE JOINT RESOLUTION 246

At the request of Mr. BOSCHWITZ, the names of the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Pennsylvania [Mr. HEINZ] were added as cosponsors of Senate Joint Resolution 246, a joint resolution calling upon the United Nations to repeal General Assembly Resolution 3379.

SENATE JOINT RESOLUTION 250

At the request of Mr. CHAFEE, the names of the Senator from Georgia [Mr. NUNN], the Senator from Tennessee [Mr. SASSER], the Senator from North Dakota [Mr. BURDICK], the Senator from Arkansas [Mr. PRYOR], the Senator from Nevada [Mr. REID], the Senator from Connecticut [Mr. DODD], the Senator from Nevada [Mr. BRYAN], the Senator from North Carolina [Mr. SANFORD], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. BUMPERS], the Senator from Georgia [Mr. FOWLER], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. RIEGLE], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Hawaii [Mr. INOUYE], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Ohio [Mr. GLENN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Alabama [Mr. HEFLIN], the Senator from California [Mr. CRANSTON], the Senator from Massachusetts [Mr. KERRY], the Senator from Michigan [Mr. LEVIN], the Senator from Louisiana [Mr. BREAUX], the Senator from North Dakota [Mr. CONRAD], the Senator from Kentucky [Mr. FORD], the Senator from Illinois [Mr. DIXON], the Senator from New York [Mr. MOYNIHAN], the Senator from South Carolina [Mr. THURMOND], the Senator from Washington [Mr. GORTON], the Senator from Idaho [Mr. SYMMS], the Senator from Indiana [Mr. LUGAR], the Senator from Utah [Mr. GARN], the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Wisconsin [Mr. KASTEN], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Utah [Mr. HATCH], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Vermont [Mr. JEFFORDS], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from Minnesota [Mr. DURENBERGER] were added as cosponsors of Senate Joint Resolution 250, a joint resolution designating April 1990 as "National Recycling Month."

SENATE RESOLUTION 227

At the request of Mr. KASTEN, the names of the Senator from Rhode Island [Mr. CHAFEE], the Senator from Texas [Mr. BENTSEN], and the Senator from North Carolina [Mr. SANFORD] were added as cosponsors of Senate Resolution 227, a resolution appointing a committee to notify the President concerning the proposed adjournment of the session.

SENATE RESOLUTION 239

At the request of Mr. DECONCINI, the names of the Senator from Utah [Mr. HATCH], the Senator from Alabama [Mr. SHELBY], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Colorado [Mr. ARMSTRONG] were added as cosponsors of Senate Resolution 239, a resolution expressing the sense of the Senate denouncing the military offensive in Angola and urging an immediate ceasefire.

SENATE CONCURRENT RESOLUTION 92—COMMEMORATING THE TREATY OF AMITY AND COMMERCE OF 1833 BETWEEN THE UNITED STATES AND THAILAND

Mr. HATCH submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 92

Whereas the Treaty of Amity and Commerce signed on March 20, 1833, between Thailand and the United States was the first treaty between the United States and an Asian nation and was the genesis of a long and friendly relationship between Thailand and the United States;

Whereas Thailand has been a beacon of independence, a friend of freedom, and a support to the United States through the years of adversity and prosperity for both countries;

Whereas Thailand continues to be a friend to the United States and strives to lead Southeast Asia to a new measure of economic liberty and accomplishment; and

Whereas the United States reaffirms its commitment to conduct relations with Thailand in a manner consistent with the spirit and letter of the Treaty of Amity and Commerce, to promote the friendly relations and good will traditionally existing between the United States and Thailand, and to encourage mutually beneficial trade and closer economic and cultural cooperation between their peoples: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes and commemorates the one hundred fifty-seventh anniversary of the conduct of official relations between Thailand and the United States.

Mr. HATCH. Mr. President, I rise today to introduce a concurrent resolution commemorating the 157th anniversary of the Treaty of Amity and Commerce between the United States and the Kingdom of Thailand. This treaty was the first of its kind between the United States and an Asian nation.

The United States has had close relations with Thailand dating back before 1833 when this treaty was signed. Scores of teachers, Christian missionaries, and medical personnel were instrumental in the 19th century in building schools, churches, and leprosy clinics and hospitals throughout the Kingdom, often working in close consultation with the Chakri Dynasty of kings, including the current monarch, King Bhumibhol Adulyadej, who was born in Boston while his father attended Harvard Medical School. Americans helped bring Thailand its first X-ray machine and printing press.

While there have been successors to the 1833 Treaty of Amity and Commerce which have been accorded status as the ruling documents of diplomacy between our two countries, I would like to emphasize that this particular treaty was the foundation for 157 years of close personal and political friendships. The United States and Thailand have reaffirmed their com-

mitment to conduct bilateral relations in a manner consistent with the spirit of this treaty.

Thailand is a proud nation. Its culture and government go back thousands of years, and it is the only nation in southeast Asia that was never colonized. For this reason, our long friendship holds a special significance in the region. I believe that as we approach the 21st century it is important to recognize our old, close friends throughout the world.

I am sure that my colleagues are aware of the current differences of opinion we have with Thailand over a number of trade-related issues. I hope that this resolution will help to remind us that Thailand is a long-time friend to the United States and prompt us to work together to solve these problems in a manner befitting our long and cordial friendship. I urge my colleagues to support this resolution.

SENATE RESOLUTION 243—RELATING TO THE ALLOCATION OF ANY PEACE DIVIDEND

Mr. DECONCINI submitted the following resolution; which was referred to the Committee on Appropriations.

S. RES. 243

Whereas the national debt rose from $834,000,000,000 in 1980 to $2,300,000,000,000 at the end of the decade;

Whereas the Federal deficit rose from $74,000,000,000 in 1980 to $152,000,000,000 in 1989;

Whereas the deficit would be $202,000,000,000 in 1989 if the Social Security surplus were removed from the calculations of the budget deficit;

Whereas financing the budget deficit is consuming an increasing portion of the Federal budget—14 percent in fisal year 1991;

Whereas nondefense discretionary spending has declined 18 percent in real terms between 1980 and 1989;

Whereas every major national poll since 1986 has ranked drugs as the most important problem facing the country;

Whereas a National Institute of Justice study found that between 50 percent and 80 percent of males arrested for serious crimes in 12 of America's largest cities tested positive for illegal drugs during the past 2 years;

Whereas a nationwide survey conducted last year for the Office of Substance Abuse and Prevention found that problems resulting from drug use occurred, on average, in 11 percent of women delivering babies;

Whereas 70 percent of the babies born with AIDS have mothers who are IV drug abusers or have partners who are IV drug abusers;

Whereas less than 50 percent of our Nation's children are exposed to any kind of drug education curriculum; and

Whereas the political climate in the Soviet Union and Eastern Europe has changed radically in the past year obviating the need for continued high defense expenditures which now comprise 25 percent of the Federal budget: Now, therefore, be it

Resolved, That it is the sense of the Senate that any "Peace dividend" realized by reducing defense expenditures should be reallocated in the following manner in fiscal year 1991:

(1) 50 percent for deficit reduction;

(2) 20 percent for anti-drug programs split evenly between supply (interdiction and enforcement) and demand (education and treatment).

(3) 25 percent for high priority domestic spending programs such as education, the environment, child nutrition, health care, the homeless, and veterans; and

(4) 5 percent to support continued democratization in the nations of Eastern Europe.

● Mr. DECONCINI. Mr. President, the great treasure hunt of the 1990's appears to be the peace dividend. No one knows if there will, in fact, be a peace dividend, let alone the amount, yet everyone is joining in the quest. Today I am submitting a resolution outlining my views on how any peace dividend savings should be allocated.

My resolution is very simple. It proposes that any peace dividend realized from reductions in defense spending be allocated in the following manner:

First, 50 percent to deficit reduction. It is my view that the dificit is our number one problem. Interest payments to finance the deficit now consume 14 percent of total Government expenditures. That is simply an unacceptable waste of resources. Until we solve the deficit problem, we will not have the necessary resources to devote to other high priority problems which desperately need attention. For that reason, I believe that half of any peace dividend should be targeted on deficit reduction.

Second, 20 percent on antidrug efforts. Every poll since 1986 shows that the American public considers drugs our number one problem. In every poll—every one—Americans are all saying the same thing: The drug crisis is the most important problem facing the country. No other issue even comes close—not homelessness, not poverty, not nuclear war. Therefore, this resolution provides that 20 percent of any peace dividend be allocated to fight the war on drugs, with half targeted on drug interdiction and law enforcement and the remaining half targeted for drug education and treatment programs.

Third, 25 percent on high priority domestic discretionary programs. There is almost universal consensus that inadequate Government resources are available to meet the pressing needs confronting society today. Domestic discretionary spending has declined 18 percent in real terms during the period 1980–89. The United States ranks 14th among 16 industrialized nations of the world in relative spending on education in grades K through 12. Between 31 and 37 million Americans have no health care coverage at all, including 12 million children. The environment is deteriorating at an alarming rate; our infrastructure is in disrepair; the number of homeless is escalating at an alarming rate, and those who have served the nation honorably are being turned away from our veterans' hospitals. Therefore, I suggest that 25 percent of any peace dividend be allocated among high priority domestic spending programs such as those mentioned in this resolution. I do not intend that the reallocation of these funds be limited to only those programs mentioned in my resolution. I do intend that the funds be targeted on high priority domestic spending programs.

Fourth, 5 percent should be allocated to support continued democratization in the nations of Eastern Europe. We are living in a truly historic era. In less than a year, a democratic government has been installed in Poland; the Berlin Wall has come tumbling down; the Iron Curtain has been removed, and the forces of democratic reform are marching across Eastern Europe. Unfortunately, the United States has been slow to respond to the changes that have been sweeping across the nations of Eastern Europe. If the United States is to maintain its role as the leader of the free world, then it must have the resources available to support these fledgling democracies. Therefore, my resolution proposes that the remaining 5 percent of any peace dividend be reallocated to support the process of democratization in Eastern Europe.●

SENATE RESOLUTION 244—URGING THE PRESIDENT TO PROMOTE CHEMICAL DIVERSION LAWS AT THE DRUG SUMMIT

Mr. BRYAN (for himself, Mr. HOLLINGS, Mr. DECONCINI, Mr. D'AMATO, Mr. ROCKEFELLER, Mr. REID, Mr. LIEBERMAN, Mr. GRAHAM, and Mr. PRYOR); submitted the following resolution which was considered and agreed to:

S. RES. 244

Whereas, President Bush has announced his intentions to represent the United States at the drug summit in Bogota, Colombia on February 15, 1990, thus lending the summit high-level credibility;

Whereas solving the drug abuse problem in the United States is universally acknowledged as our greatest domestic challenge;

Whereas the United States Government spent $9.4 billion in fiscal year 1990 for anti-drug abuse programs;

Whereas it is estimated that 250,000 babies will be born suffering effects from their mothers' drug use during pregnancy;

Whereas from January to June 1989 more than 117,000 persons were treated in emergency rooms for narcotics;

Whereas a National Institute of Justice study determined that 80 percent of males arrested for violent crimes in Washington, DC., New York City, Philadelphia, and San Diego, tested positive for illegal drug use;

Whereas it is widely known that chemicals are critical in the processing of illegal narcotics, that chemicals produced worldwide are shipped to Colombia, and that more

than 40 percent of these chemicals are being diverted to the drug cartels;

Whereas the United States took positive action in 1988 by passing the Chemical Diversion and Trafficking Act which gives the Drug Enforcement Administration the authority to stop shipments of chemicals not destined for legitimate industrial, commercial, or scientific use; and

Whereas although the United States and 76 other countries signed the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, only four countries, the United States, the Bahamas, Nigeria, and China, have ratified the Convention: Now, therefore, be it

Resolved, That the Senate commends President Bush for his courage and initiative in agreeing to represent the United States at the drug summit in Colombia on February 15, 1990 and urges the President to include among the steps he takes at the drug summit, efforts to promote the enactment and enforcement of chemical diversion laws, including—

(1) requesting all countries to ratify the United Nations Convention Against Illicit Traffic in Narcotic Drugs;

(2) requesting all countries to enact laws as strong as the United States chemical diversion laws;

(3) working with Colombian, Bolivian, and Peruvian authorities, many of whom risk their lives everyday, to provide full cooperation with their drug enforcement officials to eliminate the diversion of chemicals in their countries; and

(4) encouraging the Colombians to institute internal licensing requirements to control the flow of chemicals.

AMENDMENTS SUBMITTED

HATE CRIME STATISTICS ACT

HATCH (AND OTHERS) AMENDMENT NO. 1250

Mr. HATCH (for himself, Mr. SIMON, and Mr. HELMS) proposed an amendment to the bill (S. 419) to provide for the collection of data about crimes motivated by race, religion, ethnicity, or sexual orientation, as follows:

At the end of the bill insert the following:

(a) Congress finds that:

1. The American family life is the foundation of American society,

2. Federal policy should encourage the well-being, financial security, and health of the American family,

3. Schools should not deemphasize the critical value of American family life.

(b) Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality.

HELMS AMENDMENT NO. 1251

Mr. HELMS proposed an amendment to the bill S. 419, supra, as follows:

At the appropriate place, insert the following new section:

SEC. . It is the sense of the Senate that—

(1) the homosexual movement threatens the strength and the survival of the American family as the basic unit of society;

(2) State sodomy laws should be enforced because they are in the best interest of public health;

(3) the Federal government should not provide discrimination protections on the basis of sexual orientation; and

(4) school curriculums should not condone homosexuality as an acceptable lifestyle in American society.

CLEAN AIR ACT AMENDMENTS

McCONNELL AMENDMENTS NOS. 1252 THROUGH 1254

(Ordered to lie on the table.)

Mr. McCONNELL submitted three amendments intended to be proposed by him to the bill (S. 1630) to amend the Clean Air Act to provide for attainment and maintenance of health protective national ambient air quality standards, and for other purposes, as follows:

AMENDMENT NO. 1252

The Administrator of the EPA, the Secretary of Energy, the Secretary of Labor, and other appropriate officials, shall meet periodically to review the progress towards achieving the emission reduction goals as defined under the acid rain title of this bill, the direct impacts of the acid rain title on employment, and the impact of the program on the ability of the country to cost effectively meet future electricity demand. The findings of this review shall be made available to Congress.

AMENDMENT NO. 1253

The President shall provide a report to the Energy and Natural Resources Committee of the Senate and the Energy and Commerce Committee of the House of Representatives within 90 days of enactment of this legislation which will identify, inventory and analyze clean coal technologies export programs within United States Government agencies including the Departments of State, Commerce, and Energy and at the Export-Import Bank and the Overseas Private Investment Corporation. The study shall address the effectiveness of interagency coordination of export promotion and determine the feasibility of establishing an interagency commission for the purpose of promoting the export and use of clean coal technologies.

AMENDMENT NO. 1254

The President shall create the "United States-Canada Acid Rain Compliance Commission." The Commission shall consist of the Secretary of State, the Secretary of Energy, the Administrator of the Environmental Protection Agency, and other persons the President deems appropriate.

The Commission shall annually assess and analyze developments related to the Canadian acid rain control program and assess the progress of the Canadian Provinces in meeting the goals of the program. The Commission will submit a written report of its findings to Congress.

The report to Congress shall include, for each year, the current emission levels of sulfur dioxide and oxides of nitrogen in each of the provinces participating in Canada's acid rain control program, the amount emission reductions of sulfur dioxide and oxides of nitrogen achieved by each province, the methods utilized by each province in making those reductions, the cost to each province of making and maintaining those reductions, and the increase or decrease of trans-boundary flows of sulfur dioxide and oxides of nitrogen from Canada to the United States and from the United States to Canada.

Beginning in 1994, the report shall also assess the compliance of each province in meeting its stated emissions cap.

DeCONCINI AMENDMENT NO. 1255

(Ordered to lie on the table.)

Mr. DeCONCINI submitted an amendment intended to be proposed by him to the bill S. 1630, supra, as follows:

At the end of the bill insert the following:

SEC. . ESTABLISHMENT OF PROGRAM TO MONITOR AND IMPROVE AIR QUALITY IN REGIONS ALONG THE BORDER BETWEEN THE UNITED STATES AND THE UNITED STATES OF MEXICO.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency (hereinafter referred to as the "Administrator") is authorized, after consultation with the Department of State and the affected States, to negotiate with representatives of the United States of Mexico to establish a program to monitor and improve air quality in regions along the border between the United States and the United States of Mexico. The program established under this section shall be conducted for a period of 60 months beginning on July 1, 1990.

(b) MONITORING AND REMEDIATION.—

(1) MONITORING.—The monitoring component of the program conducted under this section shall identify and determine sources of pollutants for which National ambient air quality standards (hereinafter referred to as "NAAQS") and other air quality goals have been established in regions along the border between the United States and the United States of Mexico. Such monitoring component of the program shall include, but not be limited to, the collection of meteorological data, the measurement of air quality, the compilation of an emissions inventory, and shall be sufficient to the extent necessary to successfully support the use of a state-of-the-art mathematical air modeling analysis. Such monitoring component of the program shall collect and produce data projecting the level of emission reductions necessary in both the United States of Mexico and the United States to bring about attainment of both primary and secondary NAAQS, and other air quality goals, in regions along the border in the United States. Such monitoring component of the program shall include to the extent possible, data from monitoring programs undertaken by other parties.

(2) REMEDIATION.—The Administrator is authorized to negotiate with appropriate representatives of the United States of Mexico to develop joint remediation measures to reduce the level of airborne pollutants to achieve and maintain primary and secondary NAAQS, and other air quality goals, in regions along the border between the United States and the United States of Mexico. Such joint remediation measures may include, but not be limited to measures included in the Environmental Protection Agency's Control Techniques and Control

Technology documents. Such remediation program shall also identify those control measures implementation of which in the United States of Mexico would be expedited by the use of material and financial assistance of the United States. With respect to those control measures identified as requiring funding of the United States for projects within the United States of Mexico, the Administrator shall attempt to the maximum extent practicable to utilize resources of the United States of Mexico that would offset costs of the United States in implementing joint remediation measures under this section. Such joint remediation measures shall be included as enforceable control strategies in the State Implementation Plan (S.I.P) for the respective non-attainment area.

(c) STUDY AND REPORTS.—

(1) GAO STUDY.—The Comptroller General of the General Accounting Office shall, conduct a study and issue a report to Congress not later than January 1, 1994, on the program conducted under this section. Such study shall—

(A) summarize the project to date,

(B) make recommendations on ways to improve the program; and

(C) make recommendations on the advisability of continuing the program or expanding the program to include Canada and other nations.

(2) REPORT OF ADMINISTRATOR.—The Administrator shall, not later than July 1, 1991, and each year thereafter during the operation of the program described in this section, report to Congress on the progress of the program in bringing nonattainment areas along the border of the United States into attainment with primary and secondary NAAQS. The report issued by the Administrator under this paragraph shall include recommendations on funding mechanisms to assist in implementation of monitoring and remediation efforts.

(d) FUNDING AND PERSONNEL.—The Administrator shall, where necessary, make available such funds, personnel, and equipment as may be necessary to implement the provisions of this section. In those cases where direct financial assistance of the United States is provided to implement monitoring and remediation programs in the United States of Mexico, the Administrator shall develop grant agreements with appropriate representatives of the United States of Mexico to assure the accuracy and completeness of monitoring data and the performance of remediation measures which are financed by the United States. Such funding agreements shall include authorization for the Administrator to—

(1) review and agree to plans for monitoring and remediation;

(2) inspect premises, equipment and records to insure compliance with the agreements established under and the purposes set forth in this Act; and

(3) where necessary, develop grant agreements with affected States to carry out the provisions of the Act.

(e) CONSIDERATION OF FACTORS IN NONATTAINMENT AREAS.—When approving State Implementation Plans (S.I.P.'s) for nonattainment areas (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2)), the Administrator shall take into account the impacts of the sources of pollutants coming from the United States of Mexico and the role of the United States in developing monitoring and remediation plans with the United States of Mexico to bring about attainment of both primary and secondary NAAQS and other air quality goals in regions along the border in the United States.

BREAUX AMENDMENT NO. 1256

(Ordered to lie on the table.)

Mr. BREAUX submitted an amendment intended to be proposed by him to the bill S. 1630, supra, as follows:

On page 288, beginning with line 15, strike out all through line 14 on page 290 and insert in lieu thereof the following:

FLEET VEHICLES

SEC. 207. The Clean Air Act is amended by inserting immediately after section 212 the following new section:

"CLEAN ALTERNATIVE FUELS AND FLEET VEHICLES

"SEC. 212A. (a) As used in this title—

"(1) The term 'clean alternative fuel' includes methanol (including a mixture containing 85 percent methanol by volume), ethanol, natural gas, liquified petroleum gas, reformulated gasoline, electricity or other motor vehicle fuel or power source if such other fuel or power source has comparably low emissions, as determined under regulations of the Administrator.

"(2) The term 'clean-fuel vehicle' means any light-duty vehicle, light-duty truck, or other vehicle that—

"(A) can operate on clean alternative fuel, and

"(B) when operated on clean alternative fuel complies with emissions standards (as prescribed by regulations of the Administrator) that require substantially lower—

"(i) ozone-producing volatile organic compound emissions, and

"(ii) total air toxic emissions,

than are emitted from conventional gasoline fueled or diesel fueled vehicles in compliance with applicable standards prescribed under this Act.

"(3) The term 'ozone-producing volatile organic compound emissions' includes tailpipe, evaporative, refueling, and running loss emissions.

"(4) The term 'air toxic emissions' includes emissions of substances listed as hazardous air pollutants under section 112(b).

"(5) The term 'light-duty truck' has the meaning provided under regulations of the Administrator promulgated under section 202(a).

"(6) The term 'fleet vehicle' means any light-duty vehicle or light-duty truck fueled and maintained at a central facility or facilities in the normal course of business.

"(7) The term 'covered fleet operator' means any person who, on or after December 31, 1989, controls the operation of 10 or more fleet vehicles registered in, or primarily operating in, any area designated as nonattainment for ozone under part D and having a 1988 design value for ozone at or above 0.18 parts per million; and who, on or after such date, provides a facility or facilities for the central refueling and maintenance of such vehicles in the normal course of business. For purposes of this paragraph, each motor vehicle operated by a person controlling, controlled by or under common control with any other person shall be treated, under regulations of the Administrator, as operated by a single person.

"(8) The term 'manufacturer' has the meaning provided in section 216(1).

"(b) The Administrator shall, after holding at least one public hearing, issue emission reduction factors for use in estimating emission reductions achieved through the use of clean alternative fuels and clean alternative fuel vehicles and engines. Such factors may be adjusted from time to time as the Administrator determines. At a minimum, the Administrator shall issue such factors for each vehicle and engine class when operating on methanol (including a mixture of 85 percent methanol by volume), ethanol, natural gas, liquified petroleum gas, reformulated gasoline and electricity. In establishing emission reduction factors, the Administrator shall consider the relative net total ozone producing volatile organic compound emission reduction benefits and air toxic emission benefits of each clean alternative fuel. The emission reduction factors shall be determined for each motor vehicle and engine class in reference to the standards for such vehicles and engines when operating on conventional gasoline or diesel fuel.

"(c)(1) Not later than 18 months after the date of enactment of the Clean Air Act Amendments of 1990 and after notice and opportunity for public comment, the Administrator shall promulgate regulations requiring new fleet vehicles to meet a performance standard with respect to ozone producing volatile organic compound emissions and air toxic emissions.

"(2)(A) The performance standard established by the Administrator pursuant to this subsection shall, in the vehicle model year 1997 and thereafter, require that such vehicles not exceed a standard of 0.25 grams per mile for ozone-producing volatile organic compound emissions when operating on clean alternative fuels, and a standard reflecting a 90 percent reduction in air toxic emissions from the comparable model year vehicle when operated on conventional fuel, if he finds that such reductions are technically feasible. Such performance standards shall apply in lieu of nonmethane hydrocarbon and total hydrocarbon standards otherwise applicable to such vehicles under section 202(g).

"(B) The Administrator may adjust the performance standard, or the baseline for the measure of the performance standard, if he determines that such an adjustment is necessary to reflect the emissions reduction achieved, in practice, through the use of clean alternative fuels and clean alternative fuel vehicles or to encourage the development of clean alternative fuels and clean alternative fuel vehicles.

"(3)(A) Each State in which there is located all or part of an area classified under this Act as nonattainment for ozone and having a 1988 design value for ozone at or above 0.18 parts per million shall prepare and submit, pursuant to section 110 and part D, a revision of its implementation plan for each such area providing for effective implementation (including mechanisms to facilitate the transfer of credits under paragraph (7)) and enforcement of the requirements of this section. The plan revision shall be submitted within 30 months after the date of enactment of this subsection.

"(B) The plan revision required under this subsection shall contain provisions requiring at least 30 percent of all new fleet vehicles purchased or leased for use in the area by each covered fleet operator beginning with vehicle model year 1997 and thereafter to be clean alternative fuel vehicles and to use clean alternative fuels when operating in the area. Each of the vehicles subject to the requirements of this subsection shall achieve emission reductions equal to or greater than the per centum reductions required under paragraph (2) of this subsection. The Administrator shall increase the

minimum percentage of the new vehicles purchased or leased subject to the requirement of this paragraph beginning in the year 1999 as necessary to ensure that the maximum feasible percentage of covered fleet vehicles shall operate on clean alternative fuels and achieve emission reductions equal to or greater than those required under paragraph (2) of this subsection. The Administrator may require a lesser percentage of such vehicles if he determines that the maximum feasible percentage would impose unreasonable costs on covered fleet operators including costs associated with vehicle acquisition, fueling facilities, operation, maintenance, safety, reliability, and resale value.

"(C) Each State shall develop its implementation plan in consultation with covered fleet operators, vehicle manufacturers, fuel producers and distributors, and other interested parties, taking into consideration vehicle operational range, specialty uses, vehicle and fuel availability, costs, safety, resale value of vehicles and equipment, and other relevant factors. If a State determines, based on the factors enumerated above, that the requirements of this section cannot be feasibly achieved or would create an undue economic hardship for the State or the fleets, it may include a lesser percentage of fleet vehicles than required by subparagraph (B) in its implementation plan, provided that the State provides for an alternative method for achieving comparable emission reductions.

"(D)(i) Any State which obligates the operator of a clean alternative fuel vehicle operated by a covered fleet operator in compliance with this subsection to comply with the transportation control measures specified in section 108(f)(1)(A)(iv) (relating to trip-reduction ordinances), or (vii) (relating to vehicle operational restrictions) may not credit toward the 12 per centum emission reduction requirement under section 183(b)(3)(B) any emission reduction pursuant to this subsection.

"(ii) Notwithstanding the provisions of clause (i), a State may credit under section 183(b)(3)(B) any emission reductions pursuant to this subsection if the State demonstrates to the satisfaction of the Administrator that any increase in emissions which would result from traffic congestion caused by the operation of such fleet vehicles exceeds the emission reductions attributable (directly or indirectly) to the use of clean alternative fuel vehicles under this subsection.

"(4) Pursuant to the plan revision under paragraph (3), the choice of available clean alternative fuel vehicle and clean alternative fuel shall be made by the covered fleet operator subject to the requirements of this subsection.

"(5)(A) The Administrator shall establish by rule not later than 24 months after the date of enactment of this subsection standards to be used to determine the availability of suitable clean alternative fuel vehicles, taking into consideration vehicle size and type, driving range, cargo area, unique requirements for vehicle use, and other factors which may create undue hardship for covered fleet operators.

"(B) The Administrator shall, upon a showing by a covered fleet operator that a suitable clean alternative fuel vehicle is not available from a vehicle manufacturer in accordance with the applicable standards established under subparagraph (A), exempt such operator from the requirements of this subsection for a period of one year. A covered fleet operator may certify annually thereafter that such suitable clean alternative fuel vehicle is not available, and the Administrator shall provide further annual exemption from the requirements of this subsection upon such certification, unless the Administrator finds that the standards established under sub-paragraph (A) have not been met.

"(6) This subsection shall not apply to retail rental fleets, automobile dealer fleets, buses, law enforcement vehicles, or emergency vehicles, as defined by the Administrator.

"(7) The Governor shall issue appropriate emission credits to each covered fleet operator for the use of covered fleet vehicles in excess of the percentage required under subsection (c)(3) or which, based on the emission reduction factors established under subsection (b) achieve on a per vehicle basis greater emission reductions than those required under this subsection. The Governor shall also issue appropriate reduction credits to owners and operators of vehicles within the nonattainment area but not subject to the requirements of this subsection. Any person granted such reduction credits may trade, sell, or otherwise transfer some or all of such credits to a covered fleet operator within such nonattainment area who may use such credits to demonstrate compliance with the requirements of this subsection.

"(d)(1) Not later than January 1, 1992, and after notice and opportunity for public comment, the Administrator, in consultation with the Administrator of the General Services Administration, shall promulgate regulations requiring new light-duty vehicles and new light-duty trucks acquired by each Federal Government agency, department, or instrumentality thereof to meet a performance standard with respect to ozone-producing volatile organic compound emissions and air toxic emissions. Such regulations shall at a minimum be applicable to such vehicles registered in or primarily operated in areas designated nonattainment for ozone under part D and having a 1988 ozone design value at or above 0.14 parts per million. Such regulations shall apply to such vehicles in lieu of any applicable requirement under subsection (c).

"(2) PERFORMANCE STANDARD.—(A) The performance standard established by the Administrator pursuant to this subsection shall, in the vehicle model year year 1994 and after, require that such vehicles not exceed a standard of 0.25 grams per mile for ozone-producing volatile organic compound emissions, and a standard reflecting a 90 per centum reduction in air toxic emissions from the comparable model year vehicle when operated on conventional fuel, if the Administrator finds that such reductions are technically feasible. Such performance standards shall apply in lieu of nonmethane hydrocarbon and total hydrocarbon standards otherwise applicable to such vehicles under section 202(g).

"(B) The Administrator may adjust the performance standard, or the baseline for the measure of the performance standard, if he determines that such an adjustment is necessary to reflect the emissions reduction achieved, in practice, through the use of clean alternative fuels and clean alternative fuel vehicles or to encourage the development of clean alternative fuels and clean alternative fuel vehicles. The total hydrocarbon standards under section 202(g) shall not apply to light-duty vehicles, light-duty trucks, or other vehicles that meet the performance standards established under this subsection.

"(3) MINIMUM PERCENTAGE.—The Administrator shall require by regulation that no less than—

"(A) 30 percent of such new covered fleet vehicles after September 30, 1993;

"(B) 60 percent of such new covered fleet vehicles after September 30, 1996; and

"(C) 90 percent of such new covered fleet vehicles after September 30, 1999; and

subject to this subsection shall be clean alternative fuel vehicles and shall operate exclusively on clean alternative fuel except as otherwise provided under paragraph (4). Each of the vehicles subject to the requirements of this subsection shall achieve emission reductions equal to or greater than the per centum reductions required under paragraph (2) of this subsection. With respect to vehicle model years 1994 and 1995 only, the Administrator may include a lesser percentage of such vehicles under this subsection if he determines that a required percentage cannot be feasibly achieved or would impose unreasonable costs.

"(4) REQUIRED OPERATION.—The Administrator of the General Services Administration and the Secretary of Defense, with the concurrence of the Administrator shall, before, October 1, 1992, issue regulations to ensure that a vehicle acquired pursuant to this subsection—

"(A) shall be supplied with appropriate clean alternative fuel in its primary area of operation, using commercially available fueling facilities to the maximum extent practicable; and

"(B) shall be operated exclusively on such fuel except when operated so as to make it impracticable to obtain such fuel.

"(5) CONSIDERATION.—(A) Funds appropriated for carrying out this subsection shall be applied on a priority basis, for expenditure first in areas of the United States which the Administrator determines have the most severe air pollution problems.

"(B) A Federal officer or agency responsible for deciding which types of clean alternative fuel vehicles to acquire in order to comply with this subsection shall consider as a factor in such decision which types of vehicles yield the greatest reduction in pollutants emitted per dollar spent.

"(C) No funds appropriated for carrying out this subsection shall be applied to costs for the acquisition of clean alternative fuel in excess of the costs, on an energy equivalent basis, of conventional fuel, as determined by the Administrator of the General Services Administration.

"(6) COST OF VEHICLES TO FEDERAL AGENCY.—(A) Funds appropriated under this subsection for the acquisition of vehicles under this subsection shall be applicable only—

"(i) to the portion of the cost of vehicles acquired under this subsection which exceeds the cost of comparable conventional fueled vehicles;

"(ii) to the portion of the costs of fuel storage and dispensing equipment attributable to such vehicles which exceeds the costs for such purposes required for conventional fuel vehicles; and

"(iii) to the portion of the costs of operating (excluding fuel costs) and maintaining such vehicles which exceeds the costs for such purposes required for comparable conventional fueled vehicles.

"(B) The Administrator of the General Services Administration shall ensure that the cost to any Federal agency receiving vehicles under this subsection shall not exceed

the cost to such agency of a comparable conventional fueled vehicle.

"(7) VEHICLE COSTS.—The incremental cost of vehicles acquired under this subsection over the cost of comparable conventional fueled vehicles shall not be applied to any calculation with respect to a limitation under law on the maximum cost of individual vehicles which may be acquired by the United States.

"(8) EXEMPTIONS.—The requirements of this subsection shall not apply to vehicles—

"(A) being operated as an experiment in the use of alternative fuels other than alcohol, natural gas or other gaseous hydrocarbons, or electricity;

"(B) with respect to which the Secretary of Defense has claimed an exemption based on national security considerations; or

"(C) used for an enforcement and emergency purposes.

"(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the provisions of this section for the fiscal year ending September 30, 1993, $78,000,000; for the fiscal year ending September 30, 1994, $1,000,000; and for the fiscal year ending September 30, 1995, $7,000,000.

"(e)(1) The requirements of subsection (c) may be met through the conversion of existing gasoline or diesel-powered vehicles to vehicles which are capable of operating on clean alternative fuel and which comply with the applicable standards under paragraph (2) of this subsection.

"(2) The Administrator shall promulgate regulations governing the conversion of existing gasoline or diesel-powered vehicles to vehicles which are capable of operating on clean alternative fuel. Such regulations shall establish criteria for conversions which will ensure that a converted vehicle will comply with the applicable standards established under section 202. A conversion conforming with such criteria shall be deemed to satisfy the requirements of section 203(a)(1).

"(3) The conversion from a vehicle capable of operating on gasoline or diesel fuel only to a vehicle capable of operating on a clean alternative fuel only, or to a vehicle capable of operating on a clean alternative fuel and gasoline or a clean alternative fuel and diesel fuel shall not be considered a violation of section 203(a) if such conversion complies with the regulations promulgated under this subsection.

"(4) Nothing in this subsection shall be construed to require conversion of a new or existing vehicle capable of operating on gasoline or diesel fuel only to a vehicle capable of operating on a clean alternative fuel in order to achieve compliance with the minimum percentage requirements of subsection (c) or (d).

"(f) The Secretary of Transportation shall, in accordance with the National Motor Vehicle Traffic Safety Act of 1966, promulgate regulations regarding the safety and use of fuel storage cylinders and fuel systems, including testing and retesting, in vehicles capable of operating on clean alternative fuels.

"(g) The operator of any fleet of 10 or more light-duty vehicles, light-duty trucks, or other vehicles may elect to request approval as covered a fleet operator required to comply with subsection (c). An election may be submitted to the Administrator for approval anytime after promulgation of regulations under subsection (c).".

On page 158, delete the item "Sec. 207. Low-polluting Vehicles.", and insert in lieu thereof:

"Sec. 207. Fleet vehicles.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Thursday, February 8, 1990, at 11 a.m. for a hearing on "Health Effects of Radiation Exposure."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. MITCHELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the nominations of Hart T. Mankin and Ronald M. Holdaway to be associate judges on the Court of Veterans Appeals on Thursday, February 8, 1990, at 9:30 a.m. in SR-418.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AGRICULTURAL CREDIT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Credit of the Senate Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Thursday, February 8, 1990, at 2 p.m. to hold a hearing in preparation for the 1990 farm bill. The hearing will address the credit title of the farm bill as it relates to the Farmers Home Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Thursday, February 8, 1990, at 9:30 a.m. to continue hearings on S. 647, the Securities Law Enforcement Remedies Act of 1989, focusing specifically on issues relating to small investors.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 8, 1990, at 10 a.m. to hold a hearing on a proposal to reduce Social Security taxes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Thursday, February 8, 1990, at 2 p.m. to receive testimony on the military strategy and operational requirements of the unified commands oriented to third world defense and unconventional warfare.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Thursday, February 8, 1990, at 9 a.m. to receive testimony on the military strategy and operational requirements of the commands oriented to Pacific defense.

The PRESIDING OFFICER. Without objection, it is so ordere i.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, February 8, at 9:30 a.m., for a hearing on S. 2006, the Department of the Environment Act of 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 8, 1990, at 1:45 p.m. to consider pending committee business.

Thursday, February 8, 1990; 1:45 p.m., S-146 Capitol

1. Nomination of Barry Lambert Harris, of Maine, to be Deputy Administrator of the Federal Aviation Administration (Steve Palmer, Becky Kojm).

2. Nomination of James L. Kolstad, of Colorado, to be Chairman of the National Transportation Safety Board (Carol Carmody, Becky Kojm).

3. Nomination of Susan M. Coughlin, of Pennsylvania, to be a Member of the National Transportation Safety Board (Carol Carmody, Becky Kojm).

4. Nomination of John W. Lyons, of Maryland, to be Director of the National Institute of Standards and Technology (Pat Windham, Becky Kojm).

5. Nomination of William D. Hathaway, of Maine, to be a Member of the Federal Maritime Commission (Hal Creel, Becky Kojm).

6. Nomination of Ervin S. Duggan, of South Carolina, to be a Member of the Federal Communications Commission (Toni Cook, Becky Kojm).

7. Nomination of Edward J. Philbin, of California, to be a Member of the Interstate Commerce Commission (Robert Holleyman, Becky Kojm).

8. Routine Coast Guard Nominations (PN-984, 985, 1066) (Becky Kojm).

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AGRICULTURAL RESEARCH AND GENERAL LEGISLATON

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Research and General Legislation of the Senate Committee on Agriculture, Nutrition, and Forestry, be authorized to meet

during the session of the Senate on Thursday, February 8, 1990, at 9:30 a.m., to hold a hearing in preparation for the 1990 farm bill. The hearing will address the issue of enhancing grain quality.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CHRIST CHURCH, EPISCOPAL, QUINCY, MA

● Mr. KERRY. Mr. President, I rise in recognition of Christ Church, Episcopal, in Quincy, MA, which is entering its fourth century this year. Christ Church, founded in 1689, is the oldest parish in the diocese of Massachusetts.

Until 1780, the Congregational Church was the official State church of the Commonwealth. It was supported by taxes, so the Episcopal parishiners petitioned for, and received, relief from this taxation. The Episcopalians were provided tax rebates to be applied to the support of their own church, thus accomplishing one of this country's first tax rebellions.

The first church building, erected in 1704, burned to the ground and was replaced in 1858 by a stone structure built with granite from the quarry of John Quincy Adams. His wife, Louisa, established the Sunday School here and provided transportation for her pupils with her own horse and carriage.

This historic old church conducts many outreach programs and is an active part of the community of Quincy, "The City of Presidents," hometown of John Adams, John Quincy Adams, and burial place of John Hancock, first signer of the Declaration of Independence. We wish them the best as they embark on their fourth century of service.●

BISHOP WILLIE BOLDEN

● Mr. LUGAR. Mr. President, I want to bring to the attention of my colleagues the extraordinary talents and commitment of a fellow Hoosier that is relocating to the State of Florida. The city of Tampa will undoubtedly be enhanced by the leadership and guidance of this truly devoted Christian man.

On July 16, 1976, Bishop Willie Bolden started Calvary Chapel Church in Fort Wayne, IN, with 18 followers. Under his ministry, the membership grew to over 1,400 members and succeeded in building a million dollar facility in 1987. The mayor of Fort Wayne, Paul Helmke, discussing the bishop's success with youth programs said, "His work with the youth of our city has made a difference." While many of our Nation's youth are being devastated by crime and drugs, Bishop Bolden instills high self-esteem and purpose in the lives of his followers. Many have left Fort Wayne but are carrying on the work of Calvary Chapel Church throughout the State.

Melvin Bolden, Willie Bolden's brother, will remain in Fort Wayne to minister the Calvary Chapel congregation. I am certain that the many successful contributions made to the community will continue under his guidance.

I would like to take this opportunity to wish Bishop Willie Bolden success in his new endeavors, especially his continued work in the vineyards. I ask my colleagues to join me in saluting this great community leader.●

THE ROCKY MOUNTAIN ELK FOUNDATION: WORKING FOR WILDLIFE

● Mr. BAUCUS. Mr. President, I want to take just a moment today to point with pride to the accomplishments of the Rocky Mountain Elk Foundation.

The foundation, based out of my home town of Missoula, MT, is a rapidly growing international, nonprofit wildlife conservation organization. The foundation's mission is to raise funds and act as a catalyst for projects which improve elk and other wildlife habitat.

Last year, I had the pleasure of working with this organization to secure an appropriation of $3.5 million to secure elk habitat north of Yellowstone National Park. As Americans saw on the nightly news, this herd was decimated by the fires, drought, and killing winter of 1988-89. With the support of Congress, the State of Montana, and other private conservation organizations, the Rocky Mountain Elk Foundation effectively spearheaded a drive to secure a better future for this great wildlife resource. I am pleased to say the Forest Service recently assured me that completion of this project is one of its top priorities for land and water conservation fund dollars.

Last December, the Missoulian newspaper ran an article outlining the numerous achievements of the Rocky Mountain Elk Foundation. I ask that this article be printed in the RECORD.

The article follows:

[From the Missoulian, Dec. 14. 1989]

GUARANTEEING THE FUTURE

(By Sherry Devlin)

At the Rocky Mountain Elk Foundation, "little guys with five-dollar bills" are buying millions of dollars worth of elk winter range.

In two years, they've plunked down $8.7 million for elk habitat in Montana's Madison, Ravalli and Park counties. They've wrangled millions more out of beer makers and federal and state agencies. They've made peace with ranchers, religious leaders, bureaucrats and biologists.

Here is what they bought. And how they bought it.

Bob Munson realized, almost since the day he created the elk foundation in May 1984, that prime big-game winter range was vanishing and, with it, big-game animals. It took Munson less than three years to endow the North American Habitat Fund.

Anheuser-Busch, the beer maker, provided the first $500,000 for the habitat fund. Munson bought 32,000 acres of grassland and timbered draws at Robb Creek, 30 miles southwest of Virginia City in the Ruby Valley.

The habitat fund was in business, said Munson, executive director of the elk foundation. Its goals: To perpetuate wild, free-ranging elk populations across the West; encourage sound management of elk and elk habitat; encourage cooperation among elk managers; and preserve wildlife habitat accessible to sportsmen.

"We don't want an elk behind every bush," Munson said. "We are not out to buy every piece of available elk range in North America."

But Munson does want elk grazing on prime winter range long wished for by land managers at federal and state agencies. To date, he's closed these deals:

Robb Creek, the 32,000 acres in Madison County once owned by the Robb Creek Grazing Association, now owned and managed by the state Department of Fish, Wildlife and Parks.

The Robb Creek country is gentler and more accessible to sportsmen than the Rocky Mountain Front. It also is a critical link in one of Montana's finest elk ranges and is adjacent to the state-owned Blacktail Game Range.

Several hundred elk winter in the lower elevations of Robb Creek, but could increase to 3,000 under the new, conservation-minded management, the foundation estimates. In 1806, Lewis and Clark reported abundant elk, deer, antelope and bear in the Ruby Valley.

Burnt Fork Ranch, 3,724 acres in Ravalli County owned by Lynn Wolfe. The elk foundation re-sold the land, with a conservation easement, to a private buyer.

The Wolfe property is about 30 miles south of Missoula and seven miles east of Stevensville on Burnt Fork Creek. It is home to elk, mule deer, white-tailed deer, coyotes, bears and bobcats.

Jane Nelson Hillard Ranch, 640 acres in Park County, north of Yellowstone National Park, owned by Edwin Nelson.

OTO Ranch, 3,265 acres in Park County owned by Church University Triumphant.

The three Park County purchases are part of the elk foundation's campaign to provide winter range for Yellowstone's northernmost elk, the world's largest migratory elk herd.

The Yellowstone elk have provided animals for transplant across the West, bringing back the species from fewer than 100,000 to more than a million animals. But the herd depends on land outside of Yellowstone Park for winter range.

Public ownership of the herd's historic winter migration route will help prevent what Munson calls "boom and bust population Fluctuations" and will ease conflicts between private livestock and wild game.

The state and federal governments both have contributed millions of dollars to the Park county land deals. Munson want to add three or four other ranches to the pool—to guarantee elk a safe migration

from the national park to Dailey Lake, 14 miles to the north.

The land will be owned and managed by the state wildlife department and the U.S. Forest Service.

Gary Wolfe, the elk foundation's director of field operations, said that "in the northern Rockies, the critical factor limiting elk populations is winter range. There simply is not too much food out there under the snow."

The elk foundation uses its habitat fund to buy winter range and then transfer the land to state, federal or private conservation buyers. The money eventually returns to the habitat fund to finance other deals, thus its status as a "revolving fund."

Conservationists, sportsmen and corporations provide the cash for the land deals. Largest of the donations have come from Anheuser-Busch and Keith Ward of Bob Ward & Sons in Missoula.

Fund-raising banquets sponsored by the foundation's 130 chapters coast to coast have—in the past year—started raising enough money to add to the land purchases, Wolfe said. One banquet in Missoula last fall netted more than $20,000.

The numbers are impressive: Seven banquets in fiscal year 1985-86 raised $30,223. The next year, 19 banquets turned in receipts of $142,053. Then, in fiscal year 1987-88, 48 banquets netted $575,415. Last year, there were 91 banquets and proceeds of $1.3 million

All of the elk foundation's projects have benefited, including the habitat purchases, research studies, conservation education and habitat improvement. There were but four foundation-financed elk projects in 1985-86, with a $14,450 price tag. In fiscal 1988-89, the foundation paid for 90 projects worth $1.9 million.

All of this and 2,000 new members a month. Said Munson, "Elk are symbolic of what's wild and free. They're the epitome of the ultimate big-game animal. People can relate to their habitat needs."

A lot of the elk foundation's appeal, Munson said, is the chance for "little guys" to join a "cando" organization. "As a nonproft organization, we shouldn't be in business unless we get the dollars on the ground for the animals," he said.

After its initial successes in Montana, the elk foundation is starting work on land purchases in Washington, Minnesota, Colorado and Utah. Munson already has his signature on a 2,000-acre purchase in Utah's Cherry Creek Wildlife Management Area and 200 acres at Lick Creek in eastern Washington.

"We are really thrilled when we can bring the private and public sectors together on a project," Munson said. "It's the spirit with which you approach something. We've found that it is possible to satisfy everybody's needs."

The response, public and private, has been just as enthusiastic.

Said Dale Burk, a Bitterroot Valley writer and elk foundation director, "People sense that the little guy with a five-dollar bill can make a difference. At last, we have a forum to speak our minds."

Said Lynn Wolfe, who sold her Burnt Fork Ranch to the foundation, "The elk foundation thinks like I do and I love it."

Said K.L. Cool, the state's fish and game director, "Further generations of sportsmen can look on this organization as a promise; a promise that elk will always be a part of the West; a promise that September mornings a century from now will not be silent, but will forever echo the bugle of the Rocky Mountain elk."

Said Gov. Stan Stephens, "there are elk out there experiencing good things in their world because the elk foundation is here."●

WELCOMING THE STUDENT COALITION FOR SOVIET JEWRY

● Mr. METZENBAUM. Mr. President, I am happy to rise this morning to welcome the Student Coalition for Soviet Jewry. This is the 14th year in which college students from across the Nation come to Washington on behalf of human rights and freedom in the Soviet Union.

I am proud to be an honorary cochairman of this year's lobbying effort, along with Senator BOSCHWITZ.

Mr. President, we have been startled by the past year's events in the Soviet Union. Mr. Gorbachev's vision and persistence have brought about a new, unexpected level of human rights and personal freedom. Nearly 50,000 Jews were allowed to leave the U.S.S.R. in 1989 under greatly liberalized emigration laws.

Mr. President, this Senator is grateful for Mr. Gorbachev's reforms. I congratulate him on his daring efforts, and I look forward to his further success. I think continued reforms will be good for the United States and for Soviet Jews.

In light of these great changes, one might ask why the Student Coalition for Soviet Jewry continues its lobbying efforts. One might ask if these students are oblivious to the great changes sweeping across the U.S.S.R.

Mr. President, the answers to these questions are clear. Amidst the revolution of reform in Russia, there are still areas which need our attention. These young people are not oblivious to change, they are smart enough to see where change has been uneven.

Mr. President, there are still some 2,000 refusniks waiting for permission to emigrate from the Soviet Union. This term "refusnik" should be an anachronism by now. There should not be any Soviet Jews denied exit visas because they worked in a sensitive industry years ago. There should not be any Soviet Jews struggling against an indifferent bureaucracy, and unpredictable travel regulations.

I am willing to believe that Mr. Gorbachev would free all of the remaining refusniks if he were aware of the details of their cases. I am willing to believe that OVIR, the Soviet Government's visa office, mirrors the rest of the Soviet Government bureaucracy—entrenched, and unwilling to accept reform or change.

Who do these students still come to Washington? Because it is too easy to lose the remaining refusniks among the new wave of Soviet Jewish emigrants. Because it is too easy to rest assured that reform will come evenly and speedily to all parts of Soviet society. And because the reform of Soviet society is actually making it more dangerous for the Jews who remain there. Let no one be misled about the latent antisemitism that has suddenly burst forth. Probably the single, solitary benefit of past Soviet repression is that it suppressed the intense antisemitism and ethnic hatreds that pervade the Soviet Union. These students have made a commitment to human rights, and they are following through on it. These students have the courage to follow through on a commitment that was made 14 years ago, at the first SCSJ lobbying effort.

Mr. President, the Student Coalition for Soviet Jewry is here today to remind us about the Soviet Jews who have yet to feel the effects of glasnost. While we strongly applaud Mr. Gorbachev's great achievements, we must not forget the people who are still waiting for freedom.

Mr. President, I know that all my colleagues join me in welcoming the Student Coalition for Soviet Jewry, and in congratulating them on their outstanding effort.●

MARK E. TALISMAN

● Mr. METZENBAUM. Mr. President, Mark Talisman is known to Members of the House and Senate as a tireless fighter for human rights and social justice. To me, he is also a longtime colleague, and a dear friend.

Since traveling to Czechoslovakia in 1968, Mark has made a particularly valuable contribution in recording the history of Eastern European Jewry. For example, Mark was instrumental in putting together the precious legacy exhibit. This selection of artifacts was culled from over 150,000 pieces of judaica, which Adolph Hitler had collected for his museum to the extinct Jewish race. The precious legacy turned out to be one of the most popular Smithsonian Institution projects, traveling to 10 cities and viewed by millions of people.

Mark recently returned to Czechoslovakia. Out of this visit has come a remarkable account of Prague's Jewish community during the struggle for democracy and the overthrow of the Communist Party.

I commend Mark Talisman's article, which appeared in the January 19, 1990 edition of the St. Louis Jewish Light, to my colleague's attention. I ask that this article appear at this point in the RECORD.

The article follows:

[From the St. Louis Jewish Light, Jan. 17, 1990]

CZECHOSLOVAKIA: THE LIBERATION OF A HISTORIC JEWISH COMMUNITY

(By Mark E. Talisman)

PRAGUE.—Nov. 17, 1989, will not only go down in history as the date the revolution came to Czechoslovakia, but also as the day of liberation of the Czech Jews. In the following days, the Jewish community began to devise a course to liberate themselves

from the tyranny which had suppressed them.

The drama, which unfolded in the ancient Jewish town of Prague, began when 40 Czech Jews, young and old, gathered in the 16th century Jewish Town Hall, built by Mordecai Maisel, a great Jewish leader of the times. They met to air grievances against the two leaders who had been installed with the blessings of the Communist ministry of religion.

Mordecai Maisel would have loved this meeting as it unfolded. Young people told of how they had been spied upon and how they were denounced to the secret police by the general secretary of the community. Older people mourned the loss of their once revered community, having seen it fall into a Kafkaesque 48 months of horror at the hands of their leaders.

They formulated a manifesto, which they all signed, and nailed it to the door leading to the kosher restaurant in the Town Hall for others to read and sign. This "radical" document demanded that these two leaders resign at once. Before the revolution, in the streets of Prague and elsewhere in the Czech lands, such a bold document would have been unthinkable.

When confronted with these demands, the elderly president, Heller, quit at once, but the general secretary, Frantisek Kraus, defiantly refused. At the next regular meeting of the Council of the Jewish Communities of the Czech Lands, Kraus was formally presented with the manifesto calling for his resignation.

Not only did he not resign, but he was presented with a formal letter of commendation by his colleagues, most of whom had been on the payroll of the community.

Kraus rushed for political sustenance to his protector, the ministry of religion. There he found the offices all but deserted. When he inquired, he was told that, under the circumstances of rapid change, he would do well to rush back to the community, find Dr. Desidir Galsky, the distinguished former leader of the community who had been ousted for being too honest, and beg his forgiveness.

Kraus did that, but the conversation between Dr. Galsky and Kraus, for the time being, will have to remain unprinted. The young people were elated. Following elections, Dr. Galsky was returned to the presidency he had so well served before being summarily removed in an infamous putsch.

His task now is to unite the Czech Jewish community. Working with the young rabbi, Daniel Myer, an energetic group of devoted Jewish young people who want to know the Hebrew language and literature and actively and openly celebrate Jewish life, and a core of older people who have survived enormous adversity, Dr. Galsky now will have a chance to help this proud community grow and prosper without interference.

RESTORING JEWISH LIFE

In circumstances like this, which are being repeated in locally unique ways throughout Central and Eastern Europe, the American Jewish Joint Distribution Committee will have a pivotal role to play, which will help determine the speed with which this Jewish community succeeds in their quest for identity and self-fulfillment. Under this new democratically controlled regime, the JDC will have easy access. Remember, it was Prague where the distinguished leader of the JDC, Charles Jordan, was assassinated in 1968.

It will be necessary to provide Jewish texts for all levels of teaching and learning. It was a samizdat operation, proudly but clandestinely lead by Dr. Galsky, which allowed these young Jews of Prague to sustain themselves with the first-time Czech translations of great Hebrew writings during the past regime. Rashi, hand-typed, bound by one of their number, each copy passed among dozens of people.

These volumes soon will join other samizdat publications in the museum of the City of Prague so its citizens can understand the bravery of people who would not be crushed under the apparatus of oppression, which had afflicted the country since 1968. At once, the Jewish community mirrored and reflected what was occurring in the general community, and many of the young Jews were straddling both worlds with great dignity and courage.

Now, Dr. Galsky is reformulating the structure of this small but vital Jewish community. There will be vice presidents appointed from among the array of talented people.

There will be outreach with Jewish education, music, lectures and outside speakers. The Texas State Chamber Orchestra played on the stage of the 16th century Town Hall in December to a packed audience. It was on this stage that Franz Kafka read his works before they were sent into the world to be printed and read by others.

Soon, five of the great cantors of the world will come to Prague, as they have to other liberated Jewish communities in Eastern Europe, to perform first for the Jewish community in the Jerusalem synagogue and then in the general community. This has been cosponsored by the deputy prime minister, Hromatka, a Christian, who offered to do so when Dr. Galsky met with him to discuss a range of issues of mutual concern. Hromatka indicated he wanted to visit Israel and asked Dr. Galsky to seek details when he journeys to Jerusalem on his first visit. Formerly travels were proscribed by the government. Now, everyone in Czechoslovakia has a passport and is free to travel without receiving government permission.

CHANGING POLITICAL ORDER

Newly elected president of Czechoslovakia, Vaclav Havel, appointed Jiri Dienstbier foreign minister upon his release from political prison. Dienstbier is a major supporter of the need to recognize the State of Israel.

Havel, Dienstbier and their colleagues had formed the Civic Forum, which aided the revolutionary movement. Among the strongest and most impressive leaders of the forum is Rita Klimova. A Jew born in Prague, she lived some of her teen years in Brooklyn, N.Y. Klimova has been nominated as the new Czechoslovakian ambassador to Washington.

A remarkable woman, Klimova lamented that because of the pressure of forming the new government and ensuring the president actually would be elected and inaugurated, she had for the first time in memory missed the first night of Hanukkah at the Altneuschul.

On being congratulated on their choice of Klimova, both Havel and Dienstbier expressed confidence in her abilities, but added her brilliance and force would be missed as they begin to put the new government into place.

A visit to the Lidove Noviny, the newspaper that was the organ for Havel and his colleagues for years, was of particular interest. The present editor-in-chief and managing editor were released from jail only weeks ago as the bureaucracy moved slowly to find them and process the necessary papers. After the revolution, the newly appointed reformist head of the government agency, which had previously banned this once-illegal newspaper, was able to approve their release instantly.

Lidove Noviny was published underground until the second week in December when the first real public edition appeared in two colors. It has no presses or offices of its own. But it has a talented and bright staff of journalists, a number of whom are Jewish. It is housed for the time being in the offices of the agricultural publishing house near the statue of Wenseslas where the revolution began.

This serious newspaper is without computers, recording equipment or printing apparatus. The telephones are dead. Yet, the first edition is out and everyone is seen reading it.

The editors talked with this writer for over three hours seeking information on diverse subjects. They were particularly interested in the Precious Legacy exhibition, an extensive exhibition of more than 350 Judaic objects from the Jewish Museum of Prague. For more than 15 years I was involved with the exhibition, which was cosponsored by the Smithsonian Institution and the Project Judaica Foundation. They had no knowledge of the exhibition, since Czech newspapers would never have carried stories about a Jewish exhibition. More than 15 other countries wanted the exhibition, but were refused by the Czech government. Negotiations currently are underway to revive aspects of the exhibit for display in Israel and other countries.

The editors of Lidove Noviny also sought detailed history of the Jackson-Vanik Amendment. At that moment, I was able to hand them a copy of a letter, which former Congressman Charles Vanik sent the previous day to President George Bush, requesting the President grant most favored nation status to the new Czechoslovak government. Sen. Carl Levin, a recent visitor to Prague, will seek to rally support for waiver of the Jackson-Vanik Amendment among his colleagues who will then press the administration to show our nation's support for this newly created democracy.

The case for waiver of the Jackson-Vanik Amendment is clear. The barbed wire borders between Czechoslovakia and East and West Germany, Austria and Hungary are down. Citizens have their passports and are free to travel. Religious freedom is restored and former political prisoners are running the country. By providing most favored nation status to this new government, the United States will lower tariffs on a number of dutiable goods, thus handing much needed hard currency to this country who economy is in need or urgent repair. Havel is not begging for handouts. He wants normalization of relations between the United States and his country.

FREEDOM TAKES ROOT

Are developments such as these good or bad for the Jewish community? Clearly, in Czechoslovakia, one concludes, so far, so good. There is much to be done inside the Jewish community to allow it to fully enjoy the new freedom.

As democracy begins to flourish, the Jews will share in its bounty. As religious freedom spreads above ground, so should tolerance for all religion. Vigilance to assure this is on the minds of the new ministers.

As the economy goes through the upheavals of conversion to a new, possibly hybrid, form of existence, one considers the impact

on the Jewish communities within the countries undergoing these convulsive changes. In Czechoslovakia, hopes are high in the Jewish community for full participation alongside their fellow non-Jews. There is no fear of a rise in anti-Semitism, and there is widespread optimism in this community with a thousand years of rich, Jewish history. For the first time since Hitler crushed this community in 1938, they have elected their own president. The future looks bright.

On Dec. 29, as the winter dusk settled in early and Shabbat arrived in Prague, Jews from everywhere gathered at the Altneuschul on Maiselova Street in the Jewish quarter. The Town Hall's bells chimed 4 p.m. as the hands of the Roman and Hebrew clocks reached that place from opposite directions.

It is a tiny place with high vaulted ceilings. A 13th century Christian architect had been engaged to design this Jewish house of prayer having done a credible job on St. Agnes' church and convent nearby. The building profile had to be lower than the nearby church, so as not to offend the Christian sensibilities, so he sunk the vestibule lower than street level.

This thoughtful architect knew it would be wrong for the Jew praying there to look up to the gothic vaulted ceiling and see the traditional four spines joined at the top of the vault thus forming a cross, so he added a fifth spine.

We entered the Altneuschul on this special night, the last Shabbat of the year, the eighth night of Hanukkah, walked down the five steps into the vestibule under the arch of the Gothic doorway into the beautiful serene chamber of prayer. The crimson satin banner of the Czech Jews stretched across the side of the intricate forged iron gratework. In the center of the banner was the Mogen David with its unique Swedish military cap, which was awarded to the Jews of Prague for defending the crown of Bohemia against the invading Swedish hordes in the 17th century.

All was ready for the mincha and ma'ariv services. Here, they are traditionally shortened in deference to the elderly in the community. Cantor Feurlicht's voice rose instantly to the highest point in the ceiling and descended upon us. Each candle was lighted on the 16th century menorah as young and old were called to light a candle until all eight were ablaze.

This was the first Hanukkah in freedom under a president elected and installed only hours before. This was the same president who had issued a personal invitation to the new president of the Council of Jewish Communities of the Czech Lands to witness his swearing in.

At a break in the service, a special prayer was chanted in Hebrew and Czech for the health and success of the new president of Czechoslovakia. Then Dr. Galsky read a letter he was sending, on behalf of the Jewish community, wishing the president success and pledging him and his government support in every way. A representative of the government was present to receive these greetings and to transmit them to the president.

As we left the Altneuschul, we hugged each other, cognizant of the power of the day and evening's events in both the country's history and that of this Jewish community. Glancing back, I saw a luminescent glow over the prayer bench of the great maharal, Rabbi Judah ben Bezalel, as once again he appeared to watch over his flock in their new freedom.

It is clear all eyes will continue to focus on developments along Maiselova Street in Prague to see how freedom takes root once again in this unique Jewish community.

(Editor's Note: Mark E. Talisman is director of the Council of Jewish Federations' Washington Office. He is a former chief aide to Congressman Charles A. Vanik.)●

PEACE INITIATIVES ON CYPRUS—SENATE CONCURRENT RESOLUTION 87

● Mr. LAUTENBERG. Mr. President, I rise today as a cosponsor of Senate Concurrent Resolution 87, a concurrent resolution to support the United Nations Secretary General's peace initiatives on Cyprus.

This concurrent resolution declares the Senate's support for the United Nations Secretary General Perez de Cuellar's current effort regarding Cyprus. It finds the continuation of meaningful talks on Cyprus indispensable to the peaceful resolution of the conflict and encourages both parties on Cyprus to resume negotiations.

This concurrent resolution sends an important signal to the Turkish and Greek Cypriots that the United States seeks a peaceful resolution to this ongoing problem. It is an indication of congressional dissatisfaction over the inability to reach a diplomatic solution on Cyprus.

On July 20, 1974, Turkish forces invaded the island of Cyprus, occupying 37 percent of the country and killing and displacing thousands of Greek Cypriots. Today, some 30,000 Turkish troops still occupy the island despite condemnation of their continued presence by the United Nations. In addition, thousands of Greek Cypriots remain refugees in their own land, unable to return to their homes in the northern part of the island.

Since the invasion, the United Nations has undertaken to mediate the conflict between the Greek and Turkish Cypriot communities and achieve a withdrawal of the Turkish troops. The negotiation process has focused on ways to reconcile the interests of the Greek Cypriots and the Turkish Cypriots, and to reestablish some form of central government on the island.

The United Nations, with U.S. support, has been promoting a negotiation process aimed at creating a new federal republic on the island. Over the years, while the United Nations, and the parties have continued to focus on creating one state, with freedom of movement between the two sides, it has become clear that many Turks would prefer two separate states with limits on freedom of property and settlement.

Unfortunately, the last round of the current U.N. negotiation process failed because Mr. Denktash, the Turkish Cypriot leader, refused to consider U.N. Secretary General de Cuellar's proposal which lays out basic principles governing an eventual agreement to resolve the conflict. The basic principles contained in the General Secretary's draft agreement include possible understandings on such issues as security, freedom of movement, property, and settlement and a provision for a constitution.

The fundamental purpose of the United Nations, as embodied by its charter, is to prevent aggressive action and to settle problems peacefully. Yet, Mr. Denktash claims that the draft document goes beyond the United Nations's role as mediator. President Vassiliou, the Greek-Cypriot leader has, on the other hand, indicated his willingness to consider de Cuellar's peace initiatives as a foundation for further discussion of peace talks.

Most recently, the Secretary has invited the two sides to meet at United Nations Headquarters this month to address and settle these differences. Mr. Denktash, once more, has declined this invitation.

The only way this longstanding tragic division of the island will be resolved is if there is continual intercommunal dialogue between the two leaders. The failure to continue the dialogue and to end the Turkish occupation has brought unimaginable suffering to the people of the island. It is long past time for this conflict to be resolved and for a concerted effort to be made to unite the island and return Greek Cypriots to their homeland.

I urge both sides to return to the table. I hope that Turkish leader Rauf Denktash and Cypriot President George Vassiliou will see the General Secretary's draft as a common foundation to resume talks and to bring about a stable and just settlement of the Cyprus problem.●

HONORING GENERAL CONAWAY

● Mr. KASTEN. Mr. President, I rise today to honor the achievement of a distinguished soldier and a good friend. Maj. Gen. John B. Conaway has been chosen by President Bush to serve as the chief of the National Guard Bureau.

I got to know General Conaway through his bright and talented daughter, Ellen Conaway, who served on my Washington staff. I often wondered where Ellen had learned her finely honed skills; meeting General Conaway left me with no doubt about the source of those talents. He is one of the brightest and most able men I know. He is a real leader, capable of sizing up men and situations with lightning speed and pinpoint accuracy.

Those are essential skills in a world of combat—whether it is political combat or the struggle on the battlefield.

I think President Bush has made a wise and farsighted decision in naming

General Conaway to this important post. I join all my colleagues in wishing Major General Conaway Godspeed as he undertakes his new commission.●

MISSOURI SCHOOL COMPLETES DRUG ABUSE RESISTANCE EDUCATION PROGRAM

● Mr. BOND. Mr. President, on January 12, 1990, 47 fifth grade students from East Buchanan Elementary School completed a 17-week seminar under the Drug Abuse Resistance Education DARE Program. East Buchanan Elementary School was one of nine Missouri schools chosen to participate in this pilot program and this fifth grade class is the first in its school's history to complete DARE.

The DARE Program was developed in Los Angeles, CA, with the aid and input of parents, teachers, school administrators and law enforcement officials. The program was designed to address the issues of peer pressure, self management skills, alternative lifestyles and alternatives to drug use. The 17-week seminars are conducted by specially trained troopers from the Missouri State Highway Patrol. The DARE Program has shown promise in California and I am certain that given the quality of the young people in Missouri it will be a resounding success.

Mr. President, I commend the fifth grade students of East Buchanan Elementary School and only regret that I could not be at their graduation. Through my recent tours of schools in Missouri, I have talked with hundreds of young people about the problems and pressures that they will or are already facing as drugs and alcohol enter their lives. My son Sam is nearing the age of these students and he will face the same challenges that they face. I hope that he has the strength, determination and courage that will be needed to prevail over the awful specter of drugs. The challenges to our youth are greater than ever before, but with the commitment of adults and students alike our youth will prevail. They must, for the decisions they make today may determine where our country will be tomorrow.●

PAKISTAN IS GROWING IMPATIENT

● Mr. SIMON. Mr. President, during the recess, an article appeared in the New York Times on December 15, 1989, written by John F. Burns with a dateline of Islamabad, Pakistan. The heading was a simple one: "Pakistan Is Growing Impatient With U.S. Over Afghanistan Policy."

It is a question—being asked by increasing numbers of people around the world, and particularly in the affected region—of the United States continuing to supply weapons and not trying to work out a negotiated settlement.

My guess is that our policy on Afghanistan can be modified to promote peace, instead of further senseless bloodshed.

When Soviet troops were there, I was a strong backer of sending weapons and providing assistance to those resisting the invasion. Now, with Soviet troops removed, we have a very different situation.

True, the Soviet Union continues to supply the Najibullah regime with enormous quantities of weapons. Some United States officials have estimated that Soviet weapons deliveries in 1989 amounted to $300 million per month. We had a chance to accept a Soviet offer of a mutual arms cutoff back in 1988, at the time the Geneva Accords on Afghanistan were signed, but we rejected the deal. I urge the Secretary of State to renew discussions with Soviet Foreign Minister Shevardnadze at their meeting in Moscow with the aim of stopping the flow of arms to both sides, coupled with destruction or removal of the huge, one-sided advantage that the Kabul regime now enjoys.

At the same time, the administration should be working overtime to convince the leaders of the Afghan resistance that the time has come to consider a negotiated settlement to this civil war. We stood squarely behind the Mujahidin during their 10-year struggle against the Soviet invasion. Now that the invaders have left, and the military situation is stalemated, we should use our influence to help broker an honorable transition to a provisional government, acceptable to the majority of the Afghan people, to ensure the future neutrality and stability of their proud nation. I would add that our efforts in this area should be directed toward the Soviet and Pakistani Governments as well.

Mr. President, it is estimated that some 3.8 million Afghan refugees are waiting in Pakistan for the chance to return to their homes and resume their lives after more than 10 years of a terrible, tragic warfare. To continue this needless bloodshed is in no one's best interest, and that clearly includes the United States.

I urge the Bush administration to modify its present policy.

I ask that the text of Mr. Burns' article be printed in the RECORD in full.

The article follows:

[From the New York Times, Dec. 15, 1989]

PAKISTAN WEARIES OF AFGHAN BURDEN

(By John F. Burns)

ISLAMABAD, Pakistan.—The Government of Prime Minister Benazir Bhutto is growing increasingly impatient with the burden of supporting the Muslim guerrillas who use Pakistan as a base for their operations against the Soviet-backed Afghan Government.

Among senior officials here, the impatience has begun to focus on the United States, with some of Ms. Bhutto's advisers saying Washington may be solidifying a stalemate by allowing the guerrilla leaders to exercise a veto over any negotiations with Kabul.

In interviews here, these officials said the American policy, if continued, could perpetuate the problems that the war has imposed on Pakistan, among them the 3.5 million Afghan refugees in camps in Pakistan, the trafficking in hundreds of tons of heroin reaching here each year from rebel-held areas of Afghanistan and the regional instability sown by the fighting.

CHINESE AND IRANIAN INTEREST

The growing misgivings about American policy come as two other countries that have been strong backers of the guerrillas, Iran and China, have shown interest in a negotiated settlement.

Since the death of Ayatollah Ruhollah Khomeini in June, Iran has signaled that it favors peace talks and has moved rapidly to improve its ties with Moscow, which committed troops to the Kabul Government's defense for a decade and remains its sole source of outside aid. China has cut off arms supplies to the Muslim fighters and has advocated formation of a "broad-based government" in Kabul, wording used by the Soviet Union in its diplomatic efforts on Afghanistan.

Among the rebels' major backers, only the United States and Saudi Arabia have shown no sign of weakening their support.

Despite what senior officials have said are private doubts, Ms. Bhutto has publicly endorsed the American approach to the conflict. Since Soviet troops withdrew on Feb. 15, this has combined a continued flow of weapons to the guerrillas through Pakistan with backing for the rebel leaders' demand that President Najibullah's Kabul Government step down as a condition for negotiations.

"THAT'S ALL RUBBISH!"

While rejecting proposals from Kabul for talks, the guerrillas have failed to fulfill their predictions that they would capture Kabul. Nor have they taken any provincial center that they did not already hold on Feb. 15, and they have expended much of their energy on feuding among themselves.

"Forget about Kabul falling," one Pakistani official said. "That's all rubbish! The present policy will never work, except to insure that Najibullah remains in power."

Although various alternative policies have been circulating among Pakistani officials, all of them have in common a move that the United States has so far been reluctant to make: telling the rebels, in effect, that they can no longer rely on the $600 million a year in arms and other assistance that has been provided by Washington if they cannot force Mr. Najibullah from power and if they refuse to consider any talks, however indirect, with Kabul.

Pakistaini officials said the possibilities for talks would include indirect negotiations with Mr. Najibullah through the United Nations or the summoning of a loya jirga, or grand assembly, a body Afghans have traditionally used for settling matters of national importance. One idea is that representatives of the Kabul Government, if not Mr. Najibullah and his top ministers, could attend the meeting.

STICKING WITH POLICY

The Pakistanis said senior American officials who have visited here recently, including Peter Tomsen, President Bush's special

envoy to the Afghan resistance, admitted that the hopes American officials have expressed in public—that the rebels will unite behind the provisional government established in Pakistan this year, and that they will achieve a military breakthrough that will force Mr. Najibullah out—seem increasingly unrealistic.

Still, the Pakistani officials said, the Americans argued for sticking with the policy, partly because they do not believe that anything else is likely to work and partly because they hope that Mikhail S. Gorbachev, the Soviet leader, will dump Mr. Najibullah.

Some believe that the Kabul leader, who has survived at least two coup attempts already this year, may be toppled by rivals within his Government. But this is seen as a long shot, and among Pakistani and American officials here express similar doubts about the Kremlin abandoning Mr. Najibullah. Western diplomats also cautioned against expecting any rebel military breakthrough before next spring, and probably not then.

"The Americans aren't fools," one of Pakistan's top Afghan experts said. "Whatever they say in public, they agree with us 100 per cent about what's been going on. And they know that if it doesn't get any better, they won't be able to sustain the policy for very long."

At one point, the officials said, Ms. Bhutto said she would consider opening the Afghan policy for national debate by making a speech in the National Assembly that would question where the current approach was leading. But the officials said the Prime Minister decided not to speak, partly because of her concerns about trouble from Pakistan's most powerful fundamentalist group, the Islamic Society, which has close ties to the strongest and most hard-line of the Afghan rebel factions.

Now, the officials said, if a policy change was to come, it would have to be initiated by the United States.●

THE RETIREMENT OF REAR ADM. PETER DEMAYO

● Mr. WARNER. Mr. President, I rise today to acknowledge the service of a great American on the occasion of his retirement. Rear Adm. Peter Demayo, the present deputy assistant commander for aviation depots within the Navy's Air System Command will retire tomorrow, February 9, thus bringing an end to his 32 years of service to our country in the U.S. Navy.

Rear Admiral Demayo joined the Navy in 1958 receiving a commission as a Supply Corps officer. During the early years of his career he served tours aboard the *Cacapon* (AOO-52) and the U.S.S. *Canopus* (AS-34). Additionally, he served at the Navy Supply Center, Oakland, CA, Fleet Activities, Sasebo, Japan, and the Electronic Supply Office, Great Lakes, IL. He was also assigned to Headquarters, Naval Material Command here in Washington, DC.

From 1972 to 1975, he served as assistant professor and director of the Systems Acquisition Management Program at the Naval Postgraduate School, Monterey, CA. He then served as supply officer for the U.S.S. *Holland* (AS-32), supporting fleet ballistic missile submarines in Holy Loch, Scotland.

Returning to Washington, he acted as special assistant to the Assistant Secretary of the Navy, Manpower, Reserve Affairs, and Logistics, where he worked on the settlement of major shipbuilding claims. Following that tour he became the executive director for contracts at the Naval Air Systems Command, Washington, DC. From June 1982 to July 1987 he was the assistant commander for contracts, Naval Air Systems Command. In July 1987 he assumed his current position as deputy assistant commander for aviation depots.

Mr. President, during his tenure as deputy assistant commander for aviation depots, Admiral Demayo has personally seen to the modernization of these important national assets. He has organized the depots into an effective and flourishing industrial corporation which performs depot level maintenance on aircraft, aircraft engines, and a quarter of a million various other components each year. He has made total quality management [TQM] a reality within his corporation and has ensured the American taxpayer is getting the most for dollar invested. His reorganization of the depot system and creation of a corporate board to oversee the activities of this $2 billion a year business has allowed the depots to compete successfully for open bid contracts. The depots at North Island and Norfolk teamed together to bid on the contract to rework the Navy's F-14 and won. Not only have these depots successfully executed this contract, but have reduced the cost of the F-14 standard level depot maintenance from $1.7 million per aircraft to $1.3 million per aircraft.

As Rear Admiral Demayo retires, I salute his accomplishments. In this day of austere budgets, he has brought about change which ultimately strengthens our readiness and ensures we can continue to enjoy today's peace while remaining ready to respond to tomorrow's threat.●

CUDAHY MEMORIAL

● Mr. KASTEN. Mr. President, I rise today to call to the attention of my colleagues an act of patriotic devotion that deserves the respect of all Americans.

On May 28 the Cudahy War Memorial Fund, in conjunction with the Allied Veterans Council of Cudahy, will be dedicating a memorial to veterans who have served in foreign wars. This memorial, which will be located in Sheridan Park in Cudahy, WI, is a living sign of the continued devotion of Cudahy's war veterans to the principles that built our Nation and made it a wonder of the world.

On May 28, Cudahy will hold what is expected to be the greatest parade in its history to honor these men and their accomplishment.

It is going to be a great day for Cudahy. And it would not be possible if not for the hard work and dedication of the Cudahy War Memorial Fund—of Bud Bessler; Joseph Farina; George Dawidziak; Lloyd Buttke; Robert Felle Jr.; Alexander Haidarian; Joseph Macek; Anthony Luljak; Donald Jankowski; Frank Chovanec; Daniel Furdek; and Donald Arthur Jensen.

These men based their lives on the idea that a sacrifice for America—for this land of liberty—is the greatest and most valuable gift anyone can give. Their work, and the cooperation of the whole Cudahy community, shows that this spirit is still alive in southeast Wisconsin.●

PANAMA ASSISTANCE

● Mr. ADAMS. Mr. President, in passing this authorizing legislation, the Congress expresses its support for the process of rebuilding the Panamanian economy, and in assisting the effort to establish and maintain lasting democratic institutions in that country. The United States has a unique historic relationship with Panama, as well as vital national security interests that can only be protected by a free and vital Panamanian Government. Events of the last several years, culminating with the use of U.S. military forces to dislodge the dictatorship of Manuel Noriega, have been deeply troubling. Our mutual interests will be best served by an early removal of our troops, and a quick and speedy recovery of the Panamanian economy.

I am particularly concerned that the Panamanian banking system, under Mr. Noriega, became notorious as a laundering point for the illegal profits from the drug smuggling industry. Changes in banking laws and regulations undertaken during the Noriega regime allowed the Colombian drug cartels to hide their profits in international banking institutions. Because the vast majority of initial drug transactions in the Western Hemisphere involved our currency, which is also the currency of the Government of Panama, it is clear that our national effort to stem the flow of narcotics is directly related to our ability to stem the flow of drug profits. This legislation is an important first step in helping to place the Panamanian economic system on sound, legal ground. I look forward with considerable interest to the report the President will submit by April 15 of this year describing the specific steps being taken by the Panamanian Government to eliminate those bank secrecy practices that allowed international narcotic traffick-

ers a safe heaven within Panama's banking system.●

CIVIL RIGHTS ACT OF 1990

● Mr. SARBANES. Mr. President, I am pleased to join as an original cosponsor of the Civil Rights Act of 1990. This important legislation has been introduced in the Congress to correct a number of unfortunate decisions by the Supreme Court during the last term that significantly eroded earlier landmark civil rights decisions of the Court. The impact of these 1989 decisions is to reverse the course the Congress and the Court have been following over the past quarter century since the enactment of the Civil Rights Act of 1964.

The Civil Rights Act of 1990 would prohibit reliance on prejudice in making employment decisions and would prohibit racial harassment on the job and other forms of discrimination in the application of contracts. These are protections that were drastically limited in Supreme Court decisions last year. In addition the legislation would restore the burden of proof standards for proving discriminatory employment practices that were established 18 years ago in a unanimous Supreme Court decision that was effectively overruled by the Court last year.

The bill will also encourage voluntary settlement agreements to resolve discrimination cases in communities across the Nation and will extend the protections against intentional job discrimination to victims of sexual, religious, or ethhnic harassment.

I am pleased to join Senator KENNEDY and the bipartisan group of 30 Senators who have joined as cosponsors of this important legislation. I am greatly concerned about the direction the Supreme Court has taken in the last year on protecting employees from discrimination and urge the Senate to make the Civil Rights Act of 1990 one of its major legislative priorities this year.●

NICARAGUA'S DENIAL OF VISAS TO MEMBERS OF PRESIDENT'S OBSERVER COMMISSION

● Mr. DURENBERGER. Mr. President, it is now abundantly clear that the Nicaraguan Government will not permit members of President Bush's Election Observer Commission, of which I am a member, to enter Nicaragua. Senator LUGAR and Congressman BEILENSON, along with the administration, have worked tirelessly to identify a means by which the Nicaraguan Government would issue visas to the entire Commission. Numerous options have been explored with the Nicaraguan Government, but the Sandinistas have remained totally inflexible, 100 percent unyielding in their refusal to grant entry visas.

As a result of this intransigence, Senator LUGAR announced yesterday that the President's Commission has been disbanded. This is certainly unfortunate, and will make it more difficult for the Congress to forge a consensus on future United States policy toward Nicaragua.

The Sandinista's stated objection to granting visas is that the President's Commission, comprised of Members of the same Congress that voted to provide funds to support the democratic process in Nicaragua, cannot possibly be impartial observers. It is obviously not important to the Sandinistas that the Commission, by design and explicit intention, comprises a broadly-based, bipartisan, and ideologically mixed membership from both Houses of Congress.

As Senator LUGAR stated yesterday, in his considerable experience as an election observer, he has never been denied access to a purportedly honest election process. Mr. President, I ask unanimous consent that the text of Senator LUGAR's statement be included in the RECORD at the conclusion of my remarks.

President Bush's objectives in constituting the Commission are to provide an opportunity for Members of Congress to monitor first-hand the election process in Nicaragua in order to determine the degree to which the Nicaraguan Government is keeping its commitment to hold a free and fair election. Furthermore, by observing the election process, members would be better able to lead an informed debate regarding United States policy vis-a-vis Nicaragua in the post-election period.

Mr. President, there are the objectives that the Sandinistas have chosen to frustrate by their adamant refusal to grant the visas.

If the election process is as free and fair as the Nicaraguan Government insist, it seems to this Senator at least that it would enhance the credibility of their assertions by having that process certified even by those who may have been critical of Nicaragua in the past. I agree with Senator LUGAR's characterization of the Sandinista decision to deny visas as a foreign policy blunder. They have far more to lose than to gain by their continued intransigence.

United States policy toward Nicaragua is at a watershed point. In the aftermath and pending the outcome of the elections, the United States will no doubt resume an active debate on the proper policy toward that country. This Senator would suggest that the actions taken by the Sandinistas are even more important than the elections themselves.

Mr. President, this Senator wants to state unequivocally, regardless of the visa question and regardless of the outcome of the elections, Nicaragua has only just begun the long process of democratization. It is clear that the elections are not the end objective. They represent an essential element in a much broader, longer-term process of creating a democratic, pluralist, and open society. Nor is it clear as of yet that the election process, in all its phases, will be judged free and fair.

Even if the Sandinistas win an election that international observers consider to have met acceptable standards, that it no way implies that we will automatically return to fully normalized bilateral relations between the United States and Nicaragua. The singular, if significant, act of conducting a fair election process does not immediately and automatically grant Nicaragua membership in the family of democratic nations.

The country still must live up to the commitments it has made to its own people, its neighbors, and the international community.

Regardless of the election's outcome, will the Sandinistas finally end their support for the Marxist FMLN guerrillas in El Salvador, as they have promised to do? Will the Sandinistas drastically cut the size of their enormous military and internal security forces, as their neighbors and the internal opposition have demanded? Will the Sandinistas end party control of the military and police forces?

Will they permit the political opposition to operate as a legitimate democratic opposition, with the rights and responsibilities normally accorded the opposition in a functioning democracy? Will the Sandinistas end their harassment of nonparty businesses, church and other groups in the Nicaraguan society? Will there be a legitimate system of justice?

I want to reiterate that the Nicaraguan elections are a watershed event for United States policy and relations vis a vis Nicaragua. Regardless of whether members of the President's Commission receive entry visas, our commitment to promoting democracy in Nicaragua is not diminished in any way.

Mr. President, the United States has a longstanding commitment to democracy for all the people of our hemisphere. We congratulate the people of Chile, Brazil, Costa Rica, Honduras, Panama, and others for their recent expressions of freedom and democracy. We continue to hold out that hope to the people of Cuba and especially Nicaragua. The cynical decision by the Nicaraguan Government to exclude a bipartisan group of observers from this Congress and appointed by our President, casts a dark shadow over both this election and the future of United States-Nicaraguan relations.●

● Mr. LUGAR. Mr. President, early last summer, I suggested to President Bush that given the importance of the

Nicaraguan election to the potential alleviation of one of our worst foreign policy dilemmas, an official election observer group should be appointed months in advance. All members could visit Nicaragua and come to a careful understanding of both historical and current circumstances.

In unprecedented fashion, President Bush appointed a bipartisan, two-House, diverse 20-member congressional observer group on November 14 to be cochaired by Representative ANTHONY BEILENSON and me. We were charged with visiting Nicaragua at all possible times and locations and given the widest latitude for our own deliberations and report. I was confident that we could serve an important purpose by witnessing for democracy through well-informed observation and leadership in the inevitable post-election debate on Nicaraguan-United States relationships which will follow the February 25 balloting.

It is now apparent that our entire delegation will not be invited to come to Nicaragua as a group. Individual members have been denied visas. I have written to President Daniel Ortega. Other Americans who have visited Nicaragua have requested that our observer group be invited to come. I have requested assistance from legal counsel representing Nicaragua in Washington.

The Nicaraguan Government has remained intransigent in arbitrarily choosing those it wished to observe the election and making a point of hostility to any official United States observers.

Representative BEILENSON and I have informed our group that we will not be traveling to Nicaragua as a group. Individual members may wish to seek visas or make statements about the situation, but Representative BEILENSON and I will not travel to Nicaragua for the election. The Bush administration concurs in our decision.

I applaud the observation efforts of the United Nations, the OAS, President Carter and his group, the Center for Democracy, and the National Endowment for Democracy among many others. The acceleration of an election timetable, the freeing of political prisoners, international pressure to end violent campaign incidents, bringing some equity into media availability, and taking seriously the various accords of the Central American democratically elected presidents have been stimulated and reinforced by international observers including some very able witnesses from the United States.

It has been my privilege to serve as a cochairman of several United States election observer groups. This is the first time that I have been denied access to a purportedly free and fair election process. I am disappointed by this turn by events.

Nevertheless, the results of the election in building democratic institutions in Nicaragua and in all of Central America should be evident in the days and weeks following the election.

Even from a distance, I will be able to note whether there is a new-found tolerance for pluralism and diversity of thought, a system of justice, an end to political prisons and neighborhood watch committees, a bill of rights guaranteeing religious, political, and press freedom, property rights, and the right to travel freely.

The end of subversion of other democracies in Central America should be evident and is essential for a new relationship to prosper.

I look forward to being an active participant in the post-election debate and in the formulation of new policy for Nicaragua and Central America.●

DEPARTMENT OF THE ENVIRONMENT ACT

● Mr. BINGAMAN. Mr. President, I rise today in support of the Department of the Environment Act. The legislation was introduced by Senator GLENN, chairman of the Governmental Affairs Committee, with the assistance of Senator ROTH, the ranking member of the Governmental Affairs Committee. I commend my distinguished colleagues for their efforts in drafting this important legislation.

S. 2006 would elevate the Environmental Protection Agency to a Cabinet-level department, the Department of the Environment. This newly established position would give environmental issues the status they deserve. The United States is the only industrialized nation that has not created a high-level Department for the Environment. The world community has indicated that they are prepared to elevate the importance of environmental issues on national and international agendas. At the European economic summit in Paris last July, the leaders of the seven largest industrial nations devoted a third of their communique to an appeal for decisive action to understand and protect the Earth's ecological balance. Last November, the Administrator of EPA attended an international meeting with environmental ministers from 67 other countries to discuss and adopt agreement in principle on the stabilization of carbon dioxide emissions. Dealing with environmental, resource, and development issues in the future will require a far greater degree of productive dialog between nations of the world. The United States is in a position to provide leadership in finding solutions to environmental problems. The Department of the Environment can be an effective mechanism for meeting that goal.

Environmental concerns are now addressed at the sub-Cabinet level. A sub-Cabinet EPA does not send the appropriate signal to the rest of the world as to the priority and leadership to be given by the United States to environmental protection policy. By enacting the Department of the Environment Act, we will send a clear signal both to the Nation and abroad that the United States is serious about the environment and is willing to take a leadership position in finding solutions to global environmental problems.

At home, the United States will continue to face environmental challenges whether it be acid rain, air pollution, solid waste, or the depletion of the ozone layer. It will take political action and greater public awareness to sufficiently address the environmental concerns of today. As Congress progresses with amendments to the Clean Air Act, we must demonstrate that we stand firmly behind effective environmental policies.

In New Mexico, we are confronted with many of the same environmental problems facing other States: solid waste disposal, air and water pollution, and hazardous waste storage. As States like New Mexico continue to grow, so will their need for additional assistance in meeting environmental health and safety. We must give EPA the proper status to ensure that such needs are met.

Specifically, the bill would redesignate the Environmental Protection Agency as the Department of Environment; would authorize an Interagency Task Force of Global Environmental Change to advise multilateral assistant organizations to promote energy conservation and environmental protection through program efforts, and calls for convening in the United States an International Summit on Energy Efficiency and Renewable Resources as well as the negotiation of a Multilateral Global Climate Protection Convention.

The bill also creates a Bureau of Environmental Statistics and an Advisory Council on Environmental Statistics. This is an important step in ensuring that environmental statistics receive the attention they deserve. As chairman of the Government Information and Regulation Subcommittee, I intend to work closely with Senators GLENN and ROTH to make the Bureau a full-fledged part of our national statistical and information system. I am also pleased that the bill designs in statute a chief information officer which acknowledges the need for a focal point for information resource management issues in this needed agency. I hope we can extend this concept to other Federal agencies as well.

It seems clear that environmental dialog is essential in building and enhancing awareness among world leaders and the citizens of all nations to responsibly address the environmental

and resource issues that will continue to challenge us. I urge all of my colleagues to give their full support to this measure.●

LAOS

● Mr. KOHL. Mr. President, I have heard disturbing reports about the military activity in Laos. I have also heard disturbing reports about the failure of our Government to fully investigate that activity. Let me share with my colleagues some of the reports I have received.

There have been serious accusations made about the role of Vietnam in the current conflict in Laos. The Vietnamese have been accused of being their air force to support a number of military attacks. There are conflicting reports about whether the Vietnamese presence is increasing or declining there. There have been reports of attacks or villages in which dozens of civilians have been killed or injured and much property damaged. Most seriously, it has been said that chemical weapons are being used in the fighting.

Mr. President, these are all unconfirmed reports. Most of them have reached my hands from the many Hmong immigrants who have been able to make a home for themselves in my State. These are serious matters, Mr. President. When there were unconfirmed reports of chemical weapons being used in Afghanistan, we did everything we could to find out the truth. But it seems that in Laos we are doing nothing.

I realize that the conditions in Laos make it very difficult to document these charges. The reported fighting is alleged to have taken place in remote villages and regions. We do not have a large contingent of foreign service people there, and finding the resources to make further investigations is not easy. But there are other ways, Mr. President, that could be persued. We could ask international organizations to investigate the situation. We could refocus some of the intense concentration currently being placed on Cambodia onto neighboring Laos. We could make a point of bringing this matter up in the United Nations.

Mr. President, I do not know the actual extent of the fighting in Laos. The State Department does not know either. I think its time we find out. If there is any truth to the reports that chemical weapons are being used, the international community must know about it.●

DRUG AND ALCOHOL TESTING

● Mr. DANFORTH. Mr. President, in the second session, Congress needs to act on a critically important piece of unfinished business. During the 101st Congress, the Senate has passed—seven times—legislation to require drug and alcohol testing of transportation professionals. As a result, the Senate went into conference with the House on three separate bills containing drug and alcohol testing provisions. We were unable to reach agreement on drug and alcohol testing because the two House committees with responsibility for rail, aviation, and motor carrier safety once again refused to deal with us on the subject.

We must enact legislation requiring random, postaccident, reasonable cause, periodic, and preemployment testing for both drugs and alcohol. In December, Department of Transportation rules which require that transportation workers be tested for drugs, but not alcohol, became effective. In addition, DOT's random and postaccident drug testing program for truck and bus drivers has been postponed indefinitely, pending outcome of related court cases.

The need for drug and alcohol testing for truck and bus drivers has never been greater. On February 5, the National Transportation Safety Board announced the results of a 1-year study of fatal truck accidents in eight sample States. The NTSB found that 33 percent of the truck drivers killed in those accidents were impaired by drugs or alcohol. We don't need more evidence. We need action. Enacting drug and alcohol testing legislation is important unfinished business for the 101st Congress.●

MISSISSIPPI RIVER STUDY ACT

● Mr. GORE. Mr. President, I rise today as a cosponsor of the Mississippi River Corridor Study Commission Act. I am pleased to join Senators BREAUX and DURENBERGER, the leaders of this legislation, my other colleagues from the Mississippi River States, and the leaders of similar legislation in the House of Representatives in recognizing the need to explore the resources and potential of this region and to study the feasibility of creating a Mississippi River National Heritage Corridor.

The Mississippi River is one of our Nation's most vast and powerful natural resources, which contributes to and often shapes the rich culture, commerce, and history of its 10 border States. These States and the Mississippi River form a scenic corridor that has an abundance of natural resources and tells much of the history of this region. The people of these States have identified the need to preserve the precious history and culture of the corridor and to enhance the standard of living of its people. This bill will launch a comprehensive effort to preserve and enhance the great resources of the Mississippi Corridor.

The region is filled with people who are representative of the values that America was founded on. These values can be seen through the residents' pride in their heritage and dedication to hard work. The rich soil has made the area a leader in agricultural production. And, for decades, the delta's authors and musicians have influenced our national character. The Mississippi and its people inspired and have been encouraged by the writings of Mark Twain and Eudora Welty and the moving sounds of W.C. Handy's blues music.

With all of these assets, however, the Mississippi valley area has experienced many hardships. According to the 1980 census 20.9 percent of the residents of the delta valley region are afflicted by extreme poverty. The unemployment rate for this region for 1988 was 8.8 percent compared to a national average of 5.5 percent.

The Mississippi Corridor Study Act has the support of organizations and people throughout the valley who are committed to changing this trend and helping the region realize its full potential by tapping into the corridor's abundance of natural and human resources. This bill would establish a 3-year Mississippi River Study Commission which would prepare a report that would include an inventory of the historic, recreational, scenic, cultural recreational, and scientific resources of the Mississippi Corridor and describe a 10-year plan that would promote and encourage historic preservation, tourism, environmental protection and economic development.

The Commission's final report to Congress would make recommendations for improving national awareness of the importance of the river and for the participation of State and local governments in the protection, preservation, and enhancement of the cited resources. The River Commission will also determine if designation as a national heritage corridor is the best approach to protecting, preserving, and enhancing the region.

Passage of this bill will serve two significant needs: it will help preserve the history and culture of this national treasure for future generations, and it will help ensure that a substantial portion of our Nation's citizenry can lay claim to the opportunity due all Americans.

Mr. President, I urge my colleagues in the Senate to give their full support to this important recognition to a region of extreme national significance.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2320. A communication from the Under Secretary of Agriculture (International Affairs and Commodity Programs), transmitting, pursuant to law, the second quarterly commodity and country allocation table showing current programming plans for commodity assistance under Public Law 480 for fiscal year 1990; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2321. A communication from the Acting Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Air Force's proposed letter of offer to Turkey for defense articles estimated to cost in excess of $50 million; to the Committee on Armed Services.

EC-2322. A communication from the Director, Administration, and Management, Office of the Secretary of Defense, transmitting, pursuant to law, the consolidation of the Military Department's Fiscal year 1989 Unit Exchange of Training and Related Support Between the United States and Foreign Countries; to the Committee on Armed Services.

EC-2323. A communication from the Deputy Assistant Secretary of the Air Force (Logistics), transmitting, pursuant to law, a study with respect to converting the base operating support function and Niagara Falls Air Force Reserve Base, New York, to performance by contract; to the Committee on Armed Services.

EC-2324. A communication from the President and Chief Executive Officer, Oversight Board, Resolution Trust Corporation, transmitting, pursuant to law, a report regarding Equal Opportunity and Outreach Programs; to the Committee on Banking, Housing, and Urban Affairs.

EC-2325. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report of the Fish and Wildlife Service on the administration of the Marine Mammal Protection Act for calendar year 1988; to the Committee on Commerce, Science, and Transportation.

EC-2326. A communication from the Acting Secretary of the Interstate Commerce Commission, transmitting, pursuant to law, notification of an extension of time for rendering a decision in Coal Trading Corporation Et Al, v The Baltimore and Ohio Railroad Company, Et Al; to the Committee on Commerce, Science, and Transportation.

EC-2327. A communication from the Secretary of Energy, transmitting, pursuant to law, a comprehensive report on a project negotiated under the Clean Coal Technology Demonstration Program; to the Committee on Energy and Natural Resources.

EC-2328. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, certain certifications from States and the District of Columbia under the Low-Level Radioactive Waste Policy Amendments Act; to the Committee on Energy and Natural Resources.

EC-2329. A communication from the Secretary of Energy, transmitting, pursuant to law, a comprehensive report on a project negotiated under the Clean Coal Technology Demonstration Program; to the Committee on Energy and Natural Resources.

EC-2330. A communication from the Secretary of Energy, transmitting, pursuant to law, a comprehensive report on a project negotiated under the Clean Coal Technology Demonstration Program; to the Committee on Energy and Natural Resources.

EC-2331. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2332. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the sixty day period prior to February 1, 1990; to the Committee on Foreign Relations.

EC-2333. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report on the operation of the Senior Executive Service; to the Committee on Governmental Affairs.

EC-2334. A communication from the Vice Chairman and Chief Financial Office of the Potomac Electric Power Company, transmitting, pursuant to law, a copy of the balance sheet of the Potomac Electric Power Company as of December 31, 1989; to the Committee on Governmental Affairs.

EC-2335. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the annual report of the Commission on competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2336. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the annual report of the Department of State on competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2337. A communication from the Assistant Secretary of the Interior (Indian Affairs) and the Assistant Secretary of the Interior (Policy, Budget and Administration), transmitting, pursuant to law, the annual plan for bringing educational facilities operated by the Bureau of Indian Affairs into compliance with all applicable Federal, Tribal, or State health and safety standards; to the Select Committee on Indian Affairs.

EC-2338. A communication from the Attorney General of the United States, transmitting, pursuant to law, a report on the amount deposited in the United States Trustee System Fund and a description of expenditures from the Fund for fiscal year 1989; to the Committee on the Judiciary.

EC-2339. A communication from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to modify the prior Congressional "report and wait" restrictions which are imposed upon certain Department of Veterans Affairs administrative reorganizations by section 210(b)(2) of that title; to the Committee on Veterans Affairs.

ORDERS FOR TUESDAY, FEBRUARY 20, 1990

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that following the recognition of the two leaders on Tuesday, February 20, there be a period for morning business until 12:30 p.m. with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM 12:30 P.M. UNTIL 2:15 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that on Tuesday, February 20, the Senate stand in recess from 12:30 p.m. until 2:15 p.m. in order to accommodate the party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11:30 A.M., TUESDAY, FEBRUARY 20, 1990

Mr. MITCHELL. Mr. President, if the distinguished Republican leader has no further business and if no other Senator is seeking recognition, I now ask unanimous consent that the Senate stand in recess under the provisions of House Concurrent Resolution 256 until 11:30 a.m. on Tuesday, February 20, 1990.

Their being no objection, the Senate, at 6:36 p.m., recessed until Tuesday, February 20, 1990, at 11:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8, 1990:

NATIONAL TRANSPORTATION SAFETY BOARD

SUSAN M. COUGHLIN, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE TERM EXPIRING DECEMBER 31, 1993.

JAMES L. KOLSTAD, OF COLORADO, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF 2 YEARS.

INTERSTATE COMMERCE COMMISSION

EDWARD J. PHILBIN, OF CALIFORNIA, TO BE A MEMBER OF THE INTERSTATE COMMERCE COMMISSION FOR A TERM EXPIRING DECEMBER 31, 1993.

DEPARTMENT OF COMMERCE

JOHN W. LYONS, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

FEDERAL MARITIME COMMISSION

WILLIAM D. HATHAWAY, OF MAINE, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 1993.

FEDERAL COMMUNICATIONS COMMISSION

ERVIN S. DUGGAN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF 5 YEARS FROM JULY 1, 1989.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—*Tuesday, February 20, 1990*

The House met at 12 noon.

The Reverend Dr. Donald F. Christian, assistant to the bishop, Washington, DC, Metropolitan Synod, Evangelical Lutheran Church of America, offered the following prayer:

Our Father and our God with our prayers, we acknowledge Your presence in our lives and in our times.

In our lives:

Allow us to give our actions as much volume as our words;

Make our deeds as heroic as our demonstrations; and

May our love for our neighbors be as serious as our passion for pleasure.

In our times:

May the shaking of Your world's political foundations be an opportunity for our self evaluation;

May we, the people, of this country shore up our own commitment to malice toward none and justice for all; and

May we do the right as You, O God, give us to see the right. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York [Mr. McNULTY] come forward and lead the House in the Pledge of Allegiance?

Mr. McNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 198. Concurrent resolution authorizing a concert performance on the Capitol grounds.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1048. An act to provide for the acquisition and publication of data about crimes that manifest prejudice based on certain group characteristics.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 169. An act to amend the National Science and Technology Policy, Organization, and Priorities Act of 1976 in order to provide for improved coordination of national scientific research efforts and to provide for a national plan to improve scientific understanding of the Earth system and the effect of changes in that system on climate and human well-being;

S. 321. An act to revise provisions of law that provide a preference to Indians;

S. 695. An act to promote excellence in American education by recognizing and rewarding schools, teachers, and students for their outstanding achievements, enhancing parental choice, encouraging the study of science, mathematics, and engineering, and for other purposes;

S. 1096. An act to provide for the use and distribution of funds awarded the Seminole Indian in dockets 73, 151, and 73-A of the Indian Claims Commission;

S. 1229. An act for the relief of Maria Luisa Anderson;

S. 1310. An act to eliminate illiteracy by the year 2000, to strengthen and coordinate literacy programs, and for other purposes;

S. 1467. An act for the relief of Geetha Kannan; and

S. 1493. An act for the relief of Roswitha Starins.

The message also announced that pursuant to Public Law 98-183, as amended by Public Law 101-180, the Chair, on behalf of the President pro tempore and upon the recommendation of the Republican leader, appoints Mr. Russell Redenbaugh, of Pennsylvania, to the U.S. Commission on Civil Rights.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 8, 1990.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 5 of rule III of the Rules of the U.S. House of Representatives, the Clerk received at 9:42 a.m. on Thursday, February 8, 1990, the following message from the Secretary of the Senate: That the Senate passed without amendment, H.R. 3952.

With great respect, I am,
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Thursday, February 8, 1990:

H.R. 3952. An act to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

APPOINTMENT AS MEMBER OF UNITED STATES CAPITOL PRESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 801(b) of Public Law 100-696, the Chair on Monday, February 12, 1990, did appoint to the U.S. Capitol Preservation Commission on the part of the House the gentleman from Florida [Mr. BENNETT].

APPOINTMENT AS MEMBER OF COMMISSION ON CIVIL RIGHTS

The SPEAKER. Pursuant to the provisions of section 2(b), Public Law 98-183, the Chair on Monday, February 12, 1990, did appoint as a member of the Commission on Civil Rights on the part of the House to fill the existing vacancy thereon, Mr. Carl A. Anderson of Arlington, VA.

APPOINTMENT OF MEMBERS TO REPRESENT THE HOUSE AT GEORGE WASHINGTON'S BIRTHDAY CEREMONIES ON FEBRUARY 22, 1990

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that it shall be in order for the Speaker to appoint three Members of the House, one upon the recommendation of the minority leader, to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's Birthday to be held on February 22, 1990.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. Pursuant to the order of the House of today, the Chair appoints the following Members to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's Birthday to be held on February 22, 1990:

Mr. VENTO of Minnesota; Mr. PAYNE of Virginia; and Mr. LAGOMARSINO of California.

KANSANS SPEAK DURING THE PRESIDENTS HOLIDAY

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, the people of central Kansas are crying out for leadership from the President and Congress to make sure our economy is vibrant as we enter the 21st century. I heard that message over and over again last week during my visit to Kansas—on two particular items.

All of us have been awestruck with the changes in Eastern Europe, clearly on this connection, the most remarkable series of events since the end of World War II. The first issue they raise is defense and jobs. As the United States makes the conversion from an economy based on a defense buildup, the Federal Government has to play an active role in assisting with the economic conversion. We must protect the future of millions of jobs in this country in that transition and keep our Nation's economy No. 1 in the world. Instead of seeing affirmative, roll-up-the-sleeves leadership from the White House, my constituents, who have relied on military and defense spending for jobs, see only a lackadaisical, rudderless attitude from the President.

The other uncertainty and danger my constituents see is an increasingly regressive tax burden on the middle class and the subterfuge of using the Social Security trust fund to mask the deficit, while other pressing domestic needs go unmet. Whatever the merits of the Social Security proposal advanced by Senator MOYNIHAN, it squarely frames the issue and cries out for leadership from the President. My constituents strongly believe at a minimum that the Social Security trust fund is sacrosanct, and ought to be taken off the general operating budget of this country.

Mr. Speaker, my constituents know what the Government needs to be doing and the problems we must resolve; I share their hope that the President and the Congress get the message.

PRESIDENT AQUINO SHOULD REMEMBER WHO HER FRIENDS ARE

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, a few months ago this Congress extended to President Corazon Aquino what it considered to be a very special honor—to address a joint session of the Congress.

In case you have not heard, Mr. Speaker, President Aquino refused to see Secretary of Defense Richard Cheney, our distinguished former colleague, on his recent visit to that country.

Everybody is entitled to a mistake. I would like to suggest to President Aquino that she thus made a very bad mistake.

I would recall for my colleagues that just a few months ago that, in unprecedented actions from a U.S. base in a host country, our forces from Clark Air Force Base were used to assist to put down a rebel insurrection which threatened the Presidency of President Corazon Aquino.

Perhaps she is playing to domestic politics, but I also think she must remember that the United States has been a very generous friend and ally over a period of years.

Yes, it may be that we are not able to appropriate all of the funds that were authorized in a very generous authorization bill because of limits on our own resources. But, as we all know, those are very severe limits.

Mr. Speaker, I think it is incumbent upon President Aquino to remember who her friends are.

I consider her act to be ungrateful, inhospitable, and inappropriate.

□ 1210

CONGRESSIONAL RECORD TASK FORCE FORMED

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, just before the House adjourned for the Washington's Birthday recess, we passed House Resolution 330, introduced by the gentleman from Pennsylvania [Mr. WALKER] directing the Committee on House Administration to look into further improvements in the way we print the CONGRESSIONAL RECORD.

Subsequently, I appointed a task force from the committee to consider these improvements. I am pleased to tell you that the gentleman from New York [Mr. MANTON] has generously agreed to be the task force chairman. I have urged the task force not to rest until it has completed its work.

Mr. Speaker, as soon as the task force completes its work and makes its recommendations, the House Administration Committee will move expeditiously to act on these recommendations and report back to the House.

CONSTITUENTS CONCERNED ABOUT ECONOMY

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, I was asked a number of questions when I was back in my district.

All were rooted in the question: Why is America's economic body so weak?

My constituents wanted to know:

Why must we rely on transfusions of foreign money to keep our economic heart beating?

Why, they ask, are our "highway arteries" clogged with foreign produced cars?

Why, when health care costs are rising, does President Bush sever health care for the needy?

Why are these questions being asked?

Because President Bush has refused to lead.

He is a President of parts, lacking any grand vision or strategy.

He has taken the easy route—placing short-term political gain over the long-term health of the economic body.

President Bush uses cosmetic estimates to cover up the hard truth with the pastel makeup of prosperity.

While make-up may improve our appearance it will not cure what ails us.

COLLAPSE IN FARM BELT

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, like other Members of this body, I traveled in my district during this past week and visited with constituents about what they see as priorities for this country. I must say their view is radically different from President Bush's announcement that this country is experiencing excellent economic health.

The fact is, throughout the Farm Belt, things are not excellent. We are in a deep, abiding collapse. Even while that is occurring, the President wants to spend $200 million to go to Mars and $1 billion more for star wars; to cite two examples.

He wants to invest billions in a host of esoteric programs that have nothing to do with the real priorities that are necessary to put America back on track.

We need to reward people who produce real new wealth in this country. We need an economic system that works. We need to get our trade deficit and our Federal budget deficit squared away. Most importantly for rural America, we should not retreat from wise investments in decent farm programs and quality education that build economic strength. It is not old-fashioned to begin investing here at home in America, and our President's budget says he wants to do everything but invest here at home.

We need to put the country back on track, and do it soon. The visits around my district tell me people

know that is where investment ought to begin.

MISCARRIAGE OF JUSTICE IN NICARAGUA

(Mr. McEWEN asked and was given permission to address the House for 1 minute.)

Mr. McEWEN. Mr. Speaker, as we know, the Sandinistas in Nicaragua stole a revolution. They then proceeded to steal an election in 1984; and they are, of course, prepared to do it again.

Many Members can see that they are prepared to deny access to impartial observers that wish to document their thievery. Recently Miquel D'escoto, the Foreign Minister to the Sandinistas, said he could not allow United States representatives to come here and masquerade as innocent and impartial observers, and denied the visas.

Mr. Speaker, D'escoto has done to Nicaragua what Marxism-Leninism has done to Eastern Europe and the Soviet Union. It used to take average Nicaraguans 4 days to provide food for the table for 30, and now it takes 52 days—obviously not enough to feed an entire month.

They have destroyed the presses of their opponents, and denied newsprint to those who opposed them, and denied access to radio and television, and placed their Sandinista thugs—not the army, the Sandinista army, which does not belong to the country, it belongs to their political party—and they have placed their thugs at any rallies of opposition, shut down the transportation system to those who wish to oppose them, and then proceeded to use the assets of the country to give away land and other benefits to those who would attend Sandinista rallies.

Mr. Speaker, we are about to see what we saw in 1984, a very terrible miscarriage of justice, once again, in Central America.

A PRAYER FOR FREEDOM AND PEACE

(Mr. McNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, we are living through very historic times. Over the past several months, we have witnessed the emergence of democracy throughout Eastern Europe, the collapse of the Berlin Wall, and the scheduling of democratic elections in several Eastern bloc countries.

Just when we thought that nothing more dramatic than that could possibly happen, it did.

The Soviet Communist Party Plenum voted this month in favor of President Gorbachev's proposal that the party relinquish its monopoly status.

This latest action by the Communist Party's Central Committee is a clear rebuke to the old hard liners, and a dramatic advance for Gorbachev's reforms.

But the biggest winners are the Soviet people, 300,000 of whom took to the streets prior to the start of the plenum to demonstrate their support for democratic reform.

I hope and pray that we may someday see the day when all the peoples of the world—including those in China—can live together in freedom and peace.

□ 1220

INTRODUCTION OF CONCURRENT RESOLUTION CONDEMNING ACTS TO DEFACE THE CAPITOL BUILDING AND THE WHITE HOUSE

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, on January 31, two people threw blood on the columns and steps of the Capitol Building. This past Saturday, another person threw blood on a pillar of the northeast gate of the White House.

I am certain you were as outraged as myself at these acts which disgraced two of the greatest symbols of democracy. None of us will deny their right to conduct peaceful demonstrations. However, these acts clearly crossed the line.

Mr. Speaker, these individuals have committed acts of violence against not only these great hallmarks of our democracy, but the American people as well.

The Architect of the Capitol tells me that the damage has cost taxpayers in excess of $2,500 and estimates that the total cost could be $4,800.

Today I am introducing a concurrent resolution condemning the acts to deface the Capitol Building and the White House and urging that the perpetrators be prosecuted to the fullest extent of the law.

Peaceful demonstrations are regularly permitted on the Grounds of the U.S. Capitol Building and in front of the White House. I don't believe any Member of this body will disagree with a citizen's right to protest. However, these blood throwing actions cross the bounds of decency. The destruction of public property should not be encouraged through lenient treatment in the court system.

In recent years, because of activists such as these people, we have had to safeguard the Capitol with more and more security, metal detectors and fewer hours during which its owners—the American public—can visit. Unfortunately, if these types of outrageous acts are allowed to continue with just a slap on the hand, the Capitol may one day become accessible only to lawmakers.

If these acts are not treated more seriously, it could jeopardize others' rights to protest peacefully. One of the great freedoms in this country is the right to protest and demonstrate. But if this right is abused, it threatens the rights of others.

Mr. Speaker, this is a question of respect and responsibility. I solicit cosponsorship of this concurrent resolution by my colleagues.

MORE FOREIGN AID MONEY WASTED ON THE PHILIPPINES

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, last June 27 this House voted to give an additional billion dollars to the Philippines. That measure carried by a vote of 222 to 185.

Never mind that the United States is already giving hundreds and hundreds of millions of dollars to the Philippines, never mind that the United States is the second largest employer in the Philippines, employing some 80,000 people, never mind that President Bush saved the Philippine Government from its own people by using American F-4 fighters.

I have a solution to the problem. Let them keep their bases. We do not want them, we do not need them. They are only an albatross around the neck of the American people. We like the people of the Philippines, but it is incumbent upon us to send a strong message, and that message is this: That America is a strong horse willing to pull a heavy load, but we are not a dairy cow to be milked. It is time that we in this House learn that our foreign aid only wastes taxpayers' money and incurs the contempt of foreign governments.

Mr. Speaker, let us take care of our own people. Let us take care of providing scare adequate medical care, roads, and help for veterans. Let us take care of our own people and not succumb to blackmail.

CATERPILLARS ARE FOR BUTTERFLIES

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, we have traveled over the years full cycle in the war on drugs, and yesterday it took the cake when President Bush said: "Ask not what your caterpillar can do for you, but ask what your caterpillar can do for America."

I do not mean to make light of it, but evidently the President wants to use the $1 billion BAT plane to bomb South American coca fields with fuzzy 1-inch long caterpillars. That is right, caterpillars.

Let me ask this question: What if this little, fuzzy "Pac-Man" decides to eat the coffee bean instead? Then cocaine will be plentiful all over the streets, and coffee will be a hundred dollars an ounce.

I think we are showing a complete frustration from the lack of a war on drugs, and I am saying today, "Why don't we put the kingpin drug smuggler to death for importing tons of heroin and cocaine in this country and wrecking America"?

Mr. Speaker, I say, "Let's let caterpillars grow up to be butterflies."

APPLICANTS FOR CITIZENSHIP FACE NEW DISTURBING REGULATIONS

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, let me point out to the Members of the House that there is a situation brewing in my district which may apply to theirs, so I ask the Members for their attention. This regards a decision made by the Immigration and Naturalization Service as to the process for applying for citizenship.

For generations now in my area, those waiting for that great moment in their lives when they will be sworn in as American citizens have been interviewed locally, and then they take their examinations locally and take the oath of citizenship locally in a Federal court or a county court, wherever it may be appropriate. A new decision initiated by the Philadelphia region in our Commonwealth of Pennsylvania would now direct those people who have to be interviewed initially that they would not be able to do that in their own locales, but they would have to travel to Philadelphia, 100 miles away, for that initial interview. That puts a great chill on the warm community aspects we have enjoyed for so long in that process for naturalization. Along with my colleagues, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Pennsylvania [Mr. GOODLING], I am going to implore other Members to check into this and see whether or not this is a national policy. If so, it must be changed. We must preserve the parochial warmth of the process of naturalization that now obtains.

EXTENDING CONGRATULATIONS ON RESOLUTION OF THE PITTSTON COAL STRIKE

(Mr. POSHARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POSHARD. Mr. Speaker, I congratulate everyone involved with resolving the Pittston coal strike, for coming to a workable solution, which the rank and file is accepting by an almost 2-to-1 margin.

The courage and determination of the UMWA members who stood their ground is an inspiration to working people around the country.

We should take some valuable lessons from this experience.

Workers are not property—they are people who deserve respect and compensation for their efforts.

And companies must accept and keep their commitment to the health and welfare of the people who help produce the profits.

Government can have a role in labor issues—the efforts of Labor Secretary Dole and Mediator Usery were keys to solving this dispute.

As the Pittston miners prepare to return to work let us move beyond the bitterness and anger that separates us and build on the common ground that unites us, to develop a new position era of labor-management relationships. Our economy and our people will be better off for that.

THE NEED FOR CHILD SAFETY RESTRAINTS ABOARD AIRCRAFT

(Mr. LIGHTFOOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIGHTFOOT. Mr. Speaker, on the recent Avianca Airline crash in New York, there were approximately 17 children age 2 and under. Among those injured, there were six children age 2 or under, and all of them were unrestrained, sitting in an adult's lap. One child, age 4 months, died. The significance of that is that children age 2 and under are seldom restrained. More and more we are hearing of airplane crashes in which unrestrained children are injured or killed. It's time to change this scenario.

All 50 States currently require the use of child safety restraints in automobiles. All commercial airlines require adults to wear seatbelts upon takeoff and landing. Why do we not afford the same protection to our infants and toddlers? Do we value their lives less than our own?

It has been estimated that 80 percent of today's airplane accidents are survivable. If this is the case, why are we not giving our small children the same odds for survival as we do older children and adults? Because I believe we must provide babies the same protection as adults, I am introducing legislation today to require the FAA to issue regulations mandating the use of child safety restraints aboard aircraft for those children who are too small to be adequately protected by an adult seatbelt. I have asked the House Public Works and Transportation Subcommittee to hold hearings on this issue.

I am also pleased to note that 55 Members of this body have already joined me in sending a letter to FAA Administrator James Busey requesting that the FAA implement regulations providing for child safety restraints aboard aircraft. While I had hoped the FAA would follow through, I understand the proposed regulations the FAA plans to issue would still leave the decision to use child safety restraints optional.

I urge my colleagues to join me in supporting this badly needed legislation. I have listened to flight attendants, parents, and others familiar with flight safety. As a flight instructor and volunteer FAA safety counselor myself, I know the dangers. Small children cannot make this decision for themselves. They deserve the best protection we can provide.

I urge my colleagues to join me in improving the safety of air travel for small children.

□ 1230

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2570, ARIZONA DESERT WILDERNESS ACT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 101-403) on the resolution (H. Res. 338) providing for the consideration of the bill (H.R. 2570) to provide for the designation of certain public lands as wilderness in the State of Arizona, which was referred to the House Calendar and ordered to be printed.

HELP STANDARD GRAVURE FAMILIES: BAN ASSAULT WEAPONS

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, it was heartening last Friday to be back home at the Louisville Gardens to witness our community coming together at a band concert and dance to extend love, as well as financial support, to the families of the Standard Gravure employees who were killed and wounded in the assault-weapon shooting spree which occurred at the plant last September.

The Louisville/Jefferson County community is devoted to helping these

people overcome their grief and deal with their injuries, but there is one thing, Mr. Speaker, that we cannot do for ourselves. We cannot get AK-47's and other assault weapons off the streets and kept out of the wrong hands. Only the Congress and the President can do that.

Therefore, Mr. Speaker, I urge the Congress to pass speedily legislation which I have sponsored which would prevent the manufacture and sale of assault weapons in our communities, and then I ask the President to sign that measure into law.

Mr. Speaker, Congress cannot breathe life back into those who were killed at Standard Gravure, nor can it restore health to those who were permanently disabled during the course of that shooting.

However, Mr. Speaker, Congress can and must prevent future such carnages by banning assault weapons from the streets of Louisville, Jefferson County and from the streets of this Nation.

THE DEPRESSING DEMOCRATS

(Mr. WALKER asked and was given permission to address the House for 1 minute).

Mr. WALKER. Mr. Speaker, we were pleased to hear today from a number of Democrats, that they went home during the recess. What they found, however, does not seem to track with reality. One Member found that his constituents think the President is not providing leadership.

Mr. Speaker, that is strange. Eighty percent of the country thinks the President is doing a pretty good job.

Another Member found that the farm economy is in ruins. That is strange. Recent reports show that farmers are experiencing an improving situation based upon free-market principles and economy.

Mr. Speaker, we heard Democrats report that the Government should not fund programs aimed at helping industries that have previously depended upon the military budget. That is strange. Are these not the same liberals who told us for years that we would be so much better off if we were not spending money in the Pentagon?

The Democrats go home and find out how bad things are in America. That is strange. Most of us think this is the best country in the world in which to live. The majority party in this House is again earning the title of "The Depressing Democrats."

CUTS IN ALLOCATIONS TO THE PHILIPPINES HAVE BEEN MADE BY THE ADMINISTRATION, NOT CONGRESS

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, I have seen three separate references now by the administration to the fact that Congress supposedly cut aid to the Philippines last year. I would like to set the record straight.

Mr. Speaker, Congress mandated no cuts in aid to the Philippines. In military assistance the administration asked for $200 million in FMS. Congress gave them full flexibility, provided no earmark. They chose to provide $140 million and cut the $60 million.

In the economic support fund the administration asked for $160 million. Congress provided no specific earmark. The administration chose to allocate $124 million, a cut of $36 million. Meanwhile they decided to fully fund countries such as Tunisia and El Salvador.

The fact is that whatever cuts were made in allocations to the Philippines, they were made through administration choices.

In the multilateral assistance initiative the administration asked for $200 million. Congress provided $160 million and gave them the authority to give another $40 million through development accounts and ESF accounts. They decided not to.

When my colleagues add it all up, the Philippines got over $460 million this year, a 60-percent increase over last year. If that describes a loser, I would certainly hate to see what a winner would cost the American taxpayer.

OUR MILITARY HOSPITALS ARE DOING AN OUTSTANDING JOB

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, what gets news many times is what goes wrong. I would like to report on something that I think is going very well, and that is our military hospitals.

Mr. Speaker, recently, I had an athletic injury, and I was treated by Dr. Narva and the House physician staff. They did an excellent job. I proceeded then to be treated at Andrews Air Force Base and at Walter Reed. Mr. Speaker, our military is getting good health care. These facilities are clean, they are efficient, they are punctual. The talk about tremendous redtape does not exist at these facilities.

Mr. Speaker, I think it is important that we recognize the fine job done by Gen. Robert Poel, Col. Alan Christensen, Col. Dan Connelly, Capt. Alisa Murray, at Andrews Air Force Base, and Dr. Narva here at the Capitol. It is not frequent that our military gets high marks for anything these days, but let me commend our military hospitals. They are doing an outstanding job.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken today after debate has been concluded on all motions to suspend the rules.

□ 1240

CONDEMNING HUMAN RIGHTS VIOLATIONS OF GOVERNMENT OF HAITI

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 250), condemning the deliberate and systematic human rights violations of the Government of Haiti, as amended.

The Clerk read as follows:

H. CON. RES. 250

Whereas the people of Haiti have repeatedly manifested their aspirations for a transition to democracy, a constitutional government, and equitable economic development as outlined in their constitution ratified on March 29, 1987;

Whereas the military Government of Haiti unilaterally suspended four articles of the Haitian Constitution, decreed a state of siege resulting in arrests, deportations, beatings, and violations of the Constitution by forcible exile of democratic and civic leaders;

Whereas the forced exile of top opposition leaders demonstrates the military Government of Haiti's unwillingness or inability to fulfill its commitment to free and fair elections as announced in the electoral calendar and has undermined the credibility of the military Government of Haiti as a steward for the establishment of democracy;

Whereas the military Government of Haiti seriously limited civil and political rights for the citizens of Haiti and imposed a rigorous censorship on privately owned radio and television stations, including the dissemination of foreign news reports concerning Haiti;

Whereas a number of important sectors of the Haitian society and economy have severely criticized the measures taken on January 20, 1990, by the Government of Haiti;

Whereas the military Government of Haiti suspended the constitutional provisions forbidding forced exile and renewed an entry visa requirement for Haitians returning from abroad;

Whereas the recent crisis has worsened the socioeconomic situation in Haiti resulting in even greater hardship to the citizens

of Haiti who currently live in the poorest nation in the Western Hemisphere; and

Whereas the subsequent rescinding of some of these measures remains in the view of many observers insufficient to restore the confidence of the Haitian people: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) That the Congress—

(1) condemns the military Government of Haiti for its arrests, beatings, and forced exile of opposition leaders, its abridgement of civil and political rights for Haitian citizens, and its blatant disregard for the Haitian Constitution and international law;

(2) strongly urges the military Government of Haiti to extend to all people in Haiti, the rights guaranteed by the Universal Declaration of Human Rights and other relevant human rights accords; and

(3) calls upon the Secretary of State—

(A) to make credible, free, and fair elections and a democratic transition in Haiti, as specified by the Haitian people in their Constitution, a key consideration in determining United States relations with Haitian authorities;

(B) to make respect and promotion of human rights a central issue in determining relations with Haitian authorities;

(C) to strongly urge that the military Government of Haiti guarantee the immediate safe return of exiled opposition leaders;

(D) to strongly urge the Haitian government to take such steps as are necessary to provide continuous personal security to all candidates participating in the electoral process, to permit a resumption of political activity by parties and candidates in all parts of the country, and to assure the safety of voters;

(E) to call attention to the recent state of siege in Haiti and ongoing violations of human rights by the military Government of Haiti and to encourage an appropriate response by the Organization of American States, the United Nations, the Inter-American Development Bank, the International Monetary Fund, the International Bank for Reconstruction and Development (World Bank) and other international fora; and

(F) to cooperate with other governments in multilateral appeals as well as concrete bilateral actions in order to focus world attention on the serious situation in Haiti, to promote the protection of the Haitian people and to underscore the consequences which attach to the evident failure by the Government of Haiti to meet its engagements for a credible electoral process; and

(G) to conduct a review of United States policy to consider such further bilateral, multilateral, economic, and political measures as may be necessary to promote and assure the success of free and fair elections in Haiti; and

(4) calls on the Government of Haiti to undertake immediate and comprehensive efforts to restore the confidence of voters and candidates in the credibility of the electoral process, without whose participation elections cannot be assessed as credible.

The SPEAKER pro tempore (Mr. MCNULTY). Is a second demanded?

Mr. LAGOMARSINO. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again the Committee on Foreign Affairs is bringing before this House a resolution on Haiti. This resolution was reported from the committee with complete bipartisan support. In developing the language of the resolution we had the full support and cooperation of the Department of State. So in a certain sense the language of this resolution will represent, if adopted, not only the views of this House but of the American Government as a whole.

The resolution before us condemns the Haitian military government for brutality against the Haitian people once again. The words of this resolution alone will not bring freedom to Haiti. That is the task of the Haitian people. The words of this resolution do convey to the Haitian people the message that they are not alone in their struggle against tyranny. They are words which call on the world community to seek ways to find ways to cooperate to end tyranny in Haiti.

Against the guns of the Haitian Army, words may seem an empty gesture. Yet words of friendship, understanding and truth are what sustained the embers of liberty through the long Stalinist night. We have seen in the last year what happens to the secret police and the mighty armies of tyrants when at long last the craving for liberty which burns quietly within the heart bursts forth. It is only a matter of time before the liberty the Haitian people have struggled for since the overthrow of the Duvalier dictatorship will be realized.

Since the current head of Government, General Avril, overthrew his predecessor, General Namphy, the United States based its policy toward Haiti on Avril's commitment to a transition to democracy in Haiti through free and fair elections. By his actions in January in which democratic leaders were beaten and forced into exile, Avril has shown his true colors. But it is not Avril alone who stands in the way of democracy. The Haitian Army has repeatedly betrayed the people it is designed to serve. There are obviously some in Haiti who prosper under the corruption fostered by or protected by the military government. The Haitian Government will remain in the hands of this corrupt gang until the Haitian people seize their own destiny and resolve to bring to account those who are stealing from Haitians the legacy of liberty for which their forebears fought two centuries ago.

In the face of a determined and armed system of corruption and exploitation the Haitian people need unity of purpose. Haitian democrats must speak with one voice if the friends of liberty at home and abroad are to hear and heed their call.

In 1986, the will and unity of the Haitian people made possible the overthrow of a cruel dictatorship. May 1990 find in the Haitian people the same unity, strength, and courage to overcome the last obstacles toward the free and fair elections for which they have struggled and for which many have already given their lives.

In coming back to this Chamber once again to express concern about the situation in Haiti we are doing more than expressing support for the people of Haiti. We are giving testimony to our own American heritage. Through our action today we are renewing our commitment to continue the struggle for freedom as long as it may take. Let both the friends of freedom in Haiti, and its enemies, take note.

Mr. Speaker, I yield the balance of my time to the distinguished chairman of the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs, the gentleman from Michigan [Mr. CROCKETT].

The SPEAKER pro tempore. Without objection, the gentleman from Michigan [Mr. CROCKETT] may control the time.

There was no objection.

Mr. CROCKETT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 250, condemning the deliberate and systematic human rights violations of the Government of Haiti.

This resolution was introduced by our colleague from California, Mr. DYMALLY. It was reported out of the Committee on Foreign Affairs on February 6 by voice vote.

This resolution speaks to the recent disturbing actions by the military government in Haiti including the declaration of a state of siege, the unilateral suspension of several articles of the Constitution, and the arbitrary arrest, beating, and the forced exile of several opposition leaders.

The Subcommittee on Western Hemisphere Affairs recently hosted a meeting with several of the Haitians who were exiled by interim President Lt. Gen. Prosper Avril. It was clear from their statements that though Avril subsequently rescinded the state of siege, there is a lack of confidence in his commitment to a democratic transition. There is also a strong suspicion that he would like to remove the prefix "interim" from his title.

This resolution makes it clear to interim President Avril that the current situation in Haiti is unacceptable. It condemns the military government for

its recent actions and emphasizes that credible, free and fair elections, and respect for human rights are our utmost priority.

I would like to commend Congressman DYMALLY for his initiative and congratulate him on his willingness to accommodate Members' suggestions for modifications. The resolution has the full support of the minority and the State Department, and I strongly urge its adoption.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the resolution on Haiti.

I am deeply saddened that the promise of the Avril government to provide for a transition to democracy this year has been brutally crushed by repressive measures imposed by General Avril.

The assurances that elections will still take place ring hollow in light of the actions taken by the Avril regime to limit dissent and curb the political rights of opposition leaders. Without the full function of human rights and civil liberties in Haiti, the prospect of elections alone cannot be considered as giving legitimacy to Avril's government.

Without a clear reversal of his policies and unequivocal commitment to protecting human rights and carrying out a transition that fulfills the promise of elections on all levels, the United States cannot help but condemn the actions of the Avril government

I support the strong statements of the administration and the Congress in expressing our opposition to the course of action taken by the military government in Haiti, and I particularly wish to praise our Ambassador Al Adams who has represented to the Avril government the sense of concern and dismay of both the Congress and the President.

I urge the Government of General Avril to reconsider the ill-advised policies he has adopted and to reverse his course to ensure that democratic government is finally achieved in Haiti.

I urge my colleagues to unanimously support this resolution.

Mr. CROCKETT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I thank the chairman of the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs for yielding me this time to address this very important issue.

Mr. Speaker, I also want to thank the gentleman from Ohio [Mr. DONALD E. "BUZ" LUKENS], a member of the Foreign Affairs Committee, for having brought this issue to my attention, and the chairman of the full committee for expediting this hearing in the committee.

Mr. Speaker, since the dictatorship of Jean Claude Duvalier was overthrown in September 1988, Haiti has been ruled by a military government. Despite promises of democratization, the Avril government is responsible for suspending portions of the Haitian Constitution, censoring privately owned radio and television stations, and forcing the exile of several opposition leaders.

This resolution condemns the Government of Haiti for its human rights abuses, and urges the administration to take such abuses into consideration in determining United States relations with Haiti and to call upon the Haitian Government to implement democratic reforms.

Mr. Speaker, I urge an "aye" vote on this measure.

Mr. GILMAN. Mr. Speaker, I rise to express my strong support for House Concurrent Resolution 250, condemning the military government of Haiti for the myriad human rights abuses and government abuses that have persisted since General Avril took power in a September 1988 military coup.

For how much longer must the Haitian people endure dictatorial rule? Haiti has had a long, tumultuous history of dictators. After having suffered for 30 years under the tyrannical rule of the Duvalier family, a popular uprising ousted the Duvalier regime and the hopes for democracy were high. But Avril has demonstrated that while hope springs eternal in the hearts of the Haitian people, he has dampened those hopes by contending that the Haitian people are not ready for elections at this time.

This legislation notes that the Haitian people have expressed a strong desire for democracy and a constitutional government as outlined in the Haitian Constitution ratified in March 1987. This resolution notes that Avril's military government has consistently thwarted these desires through numerous acts including: First, unilaterally suspending four articles of the Haitian Constitution; second, forcibly exiling Haiti's top opposition leaders; third, declaring a month's state of siege resulting in beatings, deportations and arrests; fourth, imposing censorship on privately owned television and radio stations; and fifth, severely limiting civil and political rights for the citizens of Haiti.

Mr. Speaker, this important legislation calls upon the Secretary of State to make the holding of free and fair elections and the promotion of human rights central in determining United States policy toward Haiti. I commend the gentleman from California (Mr. DYMALLY) for his work on this timely measure and I urge our colleagues to support this resolution.

Mr. BEREUTER. Mr. Speaker, in recent weeks, it has become clear that political and economic conditions in have deteriorated even further. Indeed, Haiti is a nation that has fallen into bloody chaos—with the suspension of the Constitution, arrests, beatings, and deportations. The regime of Gen. Prosper Avril, repeatedly has resorted to crude and heavy-handed force to control his adversaries.

This resolution condemns the abuses of the military government of Haiti, and urges basic human rights to be guaranteed. It also calls for a restoration of the electoral process, which currently is a disgrace. Political parties are harassed, opposition leaders often simply disappear, and no one has confidence that free and fair elections can take place. This resolution expresses the sense of Congress to General Avril that these abuses must end. Also, this resolution calls for the United States to conduct a review of our policy toward Haiti, and to consider what measures are appropriate to ensure free and fair elections.

Mr. Speaker, this resolution has been crafted to incorporate the views and concerns of the administration. There has been close cooperation with the State Department and United States diplomats on the scene in Haiti to send to General Avril and his cronies this strong message.

Additionally it should be recognized that Chairman FASCELL has worked closely with Mr. DYMALLY to craft a strong resolution.

Mr. Speaker, as an original cosponsor of this resolution, I would urge favorable consideration of this timely resolution.

Mr. BROOMFIELD. Mr. Speaker, I support the resolution before us which strongly condemns the military government of Haiti for its recent violent crackdown in which opposition leaders were arrested, beaten, and forced into exile, civil and political rights of Haitian citizens were curtailed, and significant portions of the Haitian Constitution were blatantly disregarded.

The situation in Haiti is tragic, almost beyond description. Their brave people are silenced and paralyzed by ruthless repression and a regime of terror.

I hope that passage of this resolution will provide to the Haitian people a small measure of hope and understanding, and recognition that the United States is committed to helping them escape the tyranny that currently grips that nation.

Mr. FAUNTROY. Mr. Speaker, in my capacity as chair of the Congressional Task Force on Haiti, and as a cosponsor, I rise in enthusiastic support of House Concurrent Resolution 250, condemning the deliberate and systematic human rights violations of the Government of Haiti.

The legislation offered by my colleague in the U.S. congressional task force, Congressman MERVYN M. DYMALLY, makes it very clear that the people of Haiti enjoy bipartisan support in their struggle to attain constitutional democracy, economic justice, and a government which respects and promotes their God given human rights.

House Concurrent Resolution 250 makes it clear also that we support our excellent Ambassador to Haiti, the Honorable Alvin Adams, who since his arrival the day after Thanksgiving has given voice and leverage to a United States policy in support of free, fair, and open elections as called for in the Haitian people's Constitution as ratified on March 29, 1987.

Mr. Speaker, a number of things are apparent as we address the situation in Haiti:

It is apparant that when Jean Claude Duvalier left Haiti, Duvalierism remained working against the aspirations of the overwhelming

majority of the Haitian people for democracy, constitutional government, justice, and equitable development; it is apparant that genuinely free and fair elections in Haiti, as called for by the Haitian people in their Constitution, is the absolutely necessary first step in a liberating process and is the only way out of the trap of poverty and despair in Haiti; it is apparant that the Avril regime is part and parcel of Duvalierism and has undermined its credibility through its actions in imposing a state of siege last month, arresting and beating and deporting Haitian leaders, and censoring the press; it is apparent that the Avril regime's suspension of the state of siege was a hollow gesture responding to the unified revulsion of the international community. Unless those responsible for the abuses and outrages are brought to justice, the suspension of the state of siege should be viewed as Duvalierist business as usual.

House Concurrent Resolution 250 reflects these apparent realities and puts the United States on record as supporting the Haitian people. In the interim, I would hope that Haitian democrats would unify on the objective of gaining the free and fair elections as called for by the 1987 Constitution. It is also imperative that we in the Congressional Task Force on Haiti continue to explore with the administration all viable options for assisting the Haitian people in their struggle for democracy.

I urge my colleagues to pass House Concurrent Resolution 250.

Mr. WEISS. Mr. Speaker, I rise in support of this resolution to condemn the deliberate and systematic violations of human rights by the Government of Haiti, and I would like to commend my colleague Mr. DYMALLY for his efforts to bring the issue of Haitian human rights abuses to the attention of the American public.

In February 1986—when massive popular demonstrations forced Haiti's brutal dictator, Jean-Claude Duvalier, to flee the country—many of us believed that Haiti had finally set itself on the path toward a free and democratic society. The Haitian Constitution, ratified on March 29, 1987, clearly delineated the Haitian peoples' desire for a speedy transition to democracy, economic development, and a constitutionally based government.

But recent events in Haiti have proven that the military government of Gen. Prosper Avril is not prepared to follow the path toward a peaceful, just, and democratic future for Haiti. In fact, General Avril's government has systematically dismantled the Haitian Constitution; dramatically curtailed the civil and political rights of Haitian citizens; carried out a wave of arrests, deportations, and beatings; and has forcibly exiled many opposition and civic leaders during the past month.

These gross violations of internationally recognized human rights, together with strict restrictions on public expression and assembly, have only served to worsen the already-intolerable living standards of the Western Hemisphere's most impoverished nation.

The resolution before the House today condemns the Government of Haiti for its abridgement of civil and political rights and its blatant disregard for the Haitian Constitution and international law. The resolution further calls on the Secretary of State to make the promotion of basic human rights a central issue in determining United States policy toward Haiti.

Finally, the resolution urges the Avril government to honor its commitment to hold free and fair elections as scheduled in October 1990, and to secure the safety of the voters and candidates participating in the electoral process.

Mr. Speaker, by adopting this resolution, Congress sends a strong signal to the people of Haiti that the United States has not forgotten their struggle for democracy and peace.

Mr. LAGOMARSINO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CROCKETT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 250) as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR CHILE'S TRANSITION TO DEMOCRACY

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 472) to express support for Chile's transition to democracy.

The Clerk read as follows:

H.J. RES. 472

Whereas the people of Chile have shown tremendous courage and determination in their efforts to return their nation to civilian democracy;

Whereas Chile's transition to civilian rule reached a critical turning point on October 5, 1988, when 97 percent of the registered voters of Chile cast ballots in a nationwide plebiscite and, by a significant majority, voted to reject the presidential candidate of the military dictatorship;

Whereas, in compliance with the results of the 1988 plebiscite, multiparty elections were scheduled for December 1989, and an open, competitive, and vigorous campaign for public office began;

Whereas Chile's major political parties and the Chilean Government reached an agreement on significant constitutional reforms to eliminate certain antidemocratic elements of the Chilean Constitution;

Whereas this package of constitutional reforms was put before the Chilean people in a second nationwide plebiscite on July 30, 1989, and was approved overwhelmingly;

Whereas three widely respected candidates, representing a broad spectrum of political opinion in Chile, were nominated for the office of President;

Whereas national elections were held on December 14, 1989, under conditions that were proclaimed free and fair by observers from around the world, in which Presidental candidate Patricio Aylwin received 55 percent of the vote;

Whereas President-elect Aylwin commended the Chilean Armed Forces for their role in the administration of the electoral process;

Whereas, in a gesture of dignity and national unity, the defeated Presidential candidates congratulated the new President-elect and pledged their commitment to Chile's new civilian government;

Whereas the new government adopted a platform designed to continue Chile's economic prosperity, promote professionalism in the Chilean Armed Forces, exert civilian control over the military, and respect and guarantee the human rights of all Chileans; and

Whereas on March 11, 1990, the people of Chile will take another significant step in their transition to democracy when Patricio Aylwin is inaugurated as the first civilian President in almost two decades, reclaiming Chile's proud, century-old tradition of democracy: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States—

(1) commends the people of Chile for their courageous commitment to democracy;

(2) congratulates President-elect Patricio Aylwin for his decisive victory; and

(3) pledges support for the new civilian government as it leads Chile into a new era of democracy.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes, and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Joint Resolution 472, expressing support for Chile's transition to democracy.

On December 14, 1989, Chile belatedly joined in the wave of democracy which has spread across Latin America. On that date, the Chilean people were finally permitted to participate in free and fair elections. Their choice, from three candidates representing a broad political spectrum, was Mr. Patricio Aylwin, who received 55 percent of the vote.

On March 11, Mr. Aylwin will be inaugurated as the first civilian President in almost two decades. While this is only the first step in returning Chile to its historical tradition of democracy, it is a crucial step and one which has long been awaited by the Chilean people. I commend my colleague from New York, Mr. WEISS, for introducing this resolution. The resolution commends the people of Chile for their courageous commitment to democracy, congratulates President-elect Aylwin for his decisive victory, and pledges support for the new civilian government. I urge my colleagues to support House Joint Resolution 472 as Chile begins its transition to democracy.

Mr. Speaker, I yield the balance of my time to the gentleman from Michigan [Mr. CROCKETT].

The SPEAKER pro tempore. Without objection, the gentleman from Michigan [Mr. CROCKETT] may control the balance of the time.

There was no objection.

Mr. CROCKETT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Joint Resolution 472, expresses the support of the Congress for Chile's transition to democracy. This transition was made possible on October 5, 1988, when 97 percent of the registered voters in Chile cast ballots in a nationwide plebiscite and, by a significant majority, voted to bring an end to the 16-year military dictatorship.

The victory of the "No" vote in that plebiscite led to multi-party elections on December 14, 1989, which were viewed by all international observers as totally free and fair. Candidates representing a broad spectrum of political opinion in Chile were nominated for President and for the Chilean Congress. Presidential candidate Patricio Aylwin, leader of the 14-party opposition coalition and former President of the Senate, was elected by 55 percent of the voters.

On March 11, Chile will take another significant step in its transition to democracy as it inaugurates President-elect Aylwin and its first Congress since the military coup in September 1973. My distinguished colleague, Congressman TED WEISS, the author of the resolution, will join me in leading a delegation from the House to attend this historic event in Chile.

Mr. Speaker, House Joint Resolution 472, which was unanimously adopted by the Foreign Affairs Committee, commends the people of Chile for their courageous commitment to democracy, expresses congratulations to President-elect Aylwin for his decisive victory, and pledges the full support for the new civilian government as it leads Chile into a new era of democracy.

I urge adoption of the resolution.

Mr. Speaker, I yield such time as he may consume to the author of the joint resolution, the distinguished gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I want to express my appreciation to my distinguished colleague, the chairman of the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs, for yielding this time to me.

Mr. Speaker, I am very pleased to join with the bipartisan group of Members who support this resolution to commend the people of Chile for the significant step they took last December toward a restoration of civilian democracy in their country.

In the closing days of 1989, a dizzying wave of unimagined changes swept across central and eastern Europe, where oppressive regimes—in country after country—collapsed under the pressure of democratic reform movements. But while the television cameras were justifiably focused on Berlin and Bucharest, the winds of change were blowing through our own hemisphere in 1989 as well.

On December 14—while the Berlin Wall was crumbling and Romania's ruthless dictatorship was about to collapse—7 million Chileans were making their own quiet mark on history, as they patiently waited in line to vote in their first democratic presidential and congressional elections in almost two decades. And without much notice from the rest of the world, the people of Chile turned out their own dictator, and peacefully ushered in what we all hope will be a new era of civilian democracy.

The next step in Chile's transition will occur in just a few weeks, when Patricio Aylwin—a widely respected politician who won the December election—is inaugurated as that nation's first civilian President in over 16 years. The fairness and efficiency of the electoral process was a tribute to the Chilean people's commitment to peaceful change and their determination to rejoin the family of democratic nations.

The resolution before the House today expresses the support of the United States for Chile's important and genuinely unique transition to democracy. The bill briefly outlines the transition process—beginning with the crucial 1988 plebiscite—and concludes with expressions of support for the new democractic government.

This legislation rightly gives the credit for these momentous changes to the Chilean people, who suffered so cruelly under the Pinochet dictatorship, and who worked so courageously to restore Chile's proud tradition of democracy. But the United States also played a small, but very important and constructive, role in Chile's transition to civilian rule.

Significant in this regard were the brilliant diplomatic efforts of Ambassador Harry Barnes, Jr., whose 3-year term as U.S. Ambassador in Santiago helped to reestablish the United States as a firm supporter of democracy and human rights in Chile.

The United States also made a direct contribution to the democratic process in Chile through the National Endowment for Democracy. NED developed a highly successful program of conferences and seminars to help Chilean political leaders devise their own strategies to restore democracy in their country.

And the U.S. Congress played an important part as well. In 1987, four Members of the House—Representatives JOHN MILLER, BRUCE MORRISON, DOUG BEREUTER, and I—joined in creating an informal congressional working group to study, encourage, and support the efforts of Chilean politicians who were working to restore democracy. That Working Group soon grew to over 60 members, and has provided an ongoing source of encouragement and support for the forces of democracy in Chile.

Through all of these channels—public diplomacy, direct support for the democratic process through NED, and congressional vigilance—the United States has proven that it can be a constructive and welcome partner in process of democratic reform. The impressive success of our policy in Chile could indeed be a model for similar United States efforts in other parts of the world.

Of course, elections in themselves do not make a democracy, and the new Chilean Government will face many political and economic challenges as it attempts to consolidate and secure the hard-won benefits of last December's election. The first, and most sensitive issue facing the new government will be civil/military relations. Although General Pinochet will relinquish his position as head of state on March 11, he remains the commander-in-chief of the Chilean Army, a situation that will complicate efforts to establish civilian control over Chile's powerful military.

And there will be economic challenges. Although Chile has enjoyed sustained economic growth over the last few years, that prosperity has not been shared by many working-class Chileans. The new Government must attempt to continue Chile's economic performance while insuring that its benefits are enjoyed by all the people of Chile.

And, of course, there is the Letelier-Moffitt case. United States assistance to Chile is conditioned on a satisfactory resolution of the Orlando Letelier and Ronni Karpin Moffitt assassination case. I am hopeful that the Chilean Government will move quickly to resolve this most important obstacle to normal relations.

These, and other, challenges facing the new civilian government will be great, but there are many reasons to be optimistic about the future for Chile. The Aylwin government will inherit a growing economy, vigourous political parties, and the courage and determination to make their experiment in democracy work.

Mr. Speaker, I urge my colleagues to join me in commending the courageous and proud people of Chile as they enter a new era of democracy.

I would also like to add a word of thanks to the distinguished Chairman of the Foreign Affairs Committee [Mr. FASCELL] the ranking Republican

Member [Mr. BROOMFIELD] as well as the distinguished bipartisan leadership of the Western Hemisphere Affairs and Human Rights Subcommittees, whose cooperation has made it possible to bring this legislation forward before the March 11 inauguration. I would also like to thank the cochairman of the Ad Hoc Working Group in Support of Democracy in Chile—Mr. BEREUTER, Mr. MILLER, and Mr. MORRISON—for their leadership in the area of United States policy toward Chile.

□ 1250

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution on Chile.

I led a delegation of conservative Republicans to Chile in August 1987 in an effort to persuade President Pinochet that we supported President Reagan's Policy on Chile, to accelerate the transition to democracy in Chile and defer to the will of the Chilean people.

I believe our mission helped convey to Pinochet the feeling of the majority of us in the Congress who believed that if he were to insist on remaining in power he would jeopardize the significant economic and political accomplishments he had fought so hard to achieve.

We believe that economic progress and political security are best served by strong, effectively functioning democratic governments for Chile, that meant the time had arrived for the military junta to recognize the will of the Chilean people as expressed in national elections.

Chile's economic model represents a success story that should be emulated by all the hemisphere's governments. It is a credit to the Presidential candidates that they all recognized that Chile's economy has made impressive gains in recent years and that they pledged to keep Chile on the same free market path.

The ultimate victory by Patricio Aylwin is a tribute to his ability in uniting a broad range of political thought behind his candidacy. The peaceful transition to democracy in Chile is also a tribute to the military forces who carried out their mandate to the Chilean people and recognized their will as expressed in the plebiscite in October 1988 and the national competitive elections in December 1989.

I am proud to be an original cosponsor of this resolution and I urge my colleagues to give it their unanimous approval.

Mr. CROCKETT. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I rise in strong support of House Joint Resolution 472.

When we look at the wave of democracy that has swept the world at the dawn of this new decade, surely the events in Chile are as deeply gratifying as the democracy movement in Eastern Europe.

I want to commend those valiant men and women who struggled, often at tremendous personal expense, to keep alive in Chile the flame of commitment to human rights and democracy during Chile's darkest hours of repression.

And among those who struggled and suffered mightily for their commitment to those eternal values was Orlando Letelier. As the former Foreign Minister in the cabinet of murdered Chilean President Salvador Allende, Letelier was held as a political prisoner for a year under the most barbaric conditions. When he was finally released in response to international outcry, he sought refuge in this country, where he was the leader of the Chilean exile community.

Orlando Letelier was unceasing in his efforts to remind us of the conditions suffered by his fellow countrymen. He was so effective that the Pinochet government decided he had to be silenced.

In a shocking act of terrorism committed in the United States in 1976 by agents of Chile, Orlando Letelier and Ronni Karpen Moffitt, an American citizen who was his assistant, were murdered in a car bombing 1 mile from the White House. Ronni Moffitt's husband, Michael, was seriously injured in the attack.

In 1978, Michael Moffitt and the families of Orlando Letelier and Ronni Moffitt filed a civil tort action under the Foreign Sovereign Immunities Act. In 1980, the Federal District Court for the District of Columbia found that state-sponsored terrorism had occurred, entered judgment against the Republic of Chile, and awarded damages to the families. In the decade since judgment was entered, the Republic of Chile has refused to pay compensation to the families.

While I applaud the recent events in Chile, I want to remind the incoming government that the Letelier-Moffitt tragedy remains unfinished business to which it must attend.

Full normalization of relations between our nations is contingent on paying compensation to the families and on bringing to justice the former Chilean officials who were responsible for this heinous crime. We know who they are, as does the government of Chile. Bringing them to justice is no less important than compensation for the families.

All those who are committed to the restoration of relations between Chile and the United States must see to it that these long overdue actions are taken.

Mr. LAGOMARSINO. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank my friend, the gentleman from California, for yielding me this time.

Mr. Speaker, this is a good resolution. We are all in favor of democracy.

But I think we also have to look at the facts and take us to where facts dictate. We have to point out that this resolution would not be possible had it not been that President Pinochet was also committed to the outcome of the plebescite and to the free elections.

□ 1300

Maybe some day we can have a resolution right here on this floor praising Cuba for its plebiscite. But up to now we have not had a plebiscite in Cuba.

It is useful to remember that when Pinochet took over it was precisely the same conditions in Cuba that we have in Eastern Europe today, including in the U.S.S.R.

Yes, it is true that communism does not work, whether it is Honecker or Brezhnev or Allende or any other country.

I think a historical perspective is necessary. Chile is a great country. The Chileans are a wonderful and gifted people. But we also have to remember that just 90 miles from here we have Cuba. We have not yet had a plebiscite in Cuba. What is good for Chile should also be good for Cuba.

When you look at the countries of South America you see Brazil, with an inflation rate of 1,000 percent a year. Argentina, over 1,000 percent a year; 3 percent a day in these countries. Yet in Chile you have an inflation rate of 7 to 8 percent.

We in the United States have a $50 billion trade deficit with Japan. Chile has a trade surplus with Japan. Chile today is a prosperous country. We wish them well. Chile is one of the oldest democracies in the Americas, and we do wish them well.

We want freedom to reign everywhere in the world, and Chile is an example for other countries, as some of the other speakers have said.

Amnesty International has said that Cuba is the worst human rights violator in the Americas. Let freedom reign. Let us applaud democracy in Chile. But let us not stop there. Let us have democracy everywhere in the Americas and around the world.

Mr. Speaker, I thank the gentleman from California [Mr. LAGOMARSINO] for yielding.

Mr. GILMAN. Mr. Speaker, I rise to express my strong support for House Joint Resolution 472, expressing support for Chile's transition to democracy, and I commend the gentleman from New York [Mr. WEISS] for his work on the measure.

October 5, 1988, was a banner day for democracy in Chile. On that day, 97 percent of the registered voters of that nation cast their ballots in a nationwide plebiscite and, by a significant majority voted to reject military dictatorship. Since that day, Chile's major political parties and the Chilean Government reached an agreement on significant constitutional reforms to eliminate certain antidemocratic elements of the Chilean Constitution. March 11, 1990, will be another banner day in Chilean history when Patricio Aylwin is inaugurated as the first civilian president in almost two decades, reclaiming Chile's proud democratic tradition.

Mr. Speaker, we commend the people of Chile for their courage, and we congratulate President-elect Aylwin on his decisive victory. Accordingly Mr. Speaker, I urge the adoption of this measure.

Mr. BEREUTER. Mr. Speaker, the December 14 election was the dramatic culmination of 16 years of military rule in Chile. Events elsewhere around the world—particularly in East Europe, Central America—have obscured the noteworthy achievement that occurred in this country. The fact is, the democratic transition in Chile is one of the true success stories of 1989.

Mr. Speaker, international observers agreed that the multiparty election was a model of what free and fair elections should be; 97 percent of the registered voters cast their ballots—without fear and without pressure. Indeed, we can only hope the upcoming elections in Nicaragua are as fair. Christian Democratic Candidate Aylwin received over 55 percent of the vote, becoming the new President of Chile.

This country, which has all the prerequisites to become a modern, industrialized nation, can now turn its attention toward improving the lot of its people, and improving its economy.

This Member would note that the gentleman from New York [Mr. WEISS] is to be commended for his energies on this issue. He has actively followed the election process. This Member should note that in his drafting of this resolution, Mr. WEISS worked diligently with the administration, and with the minority on this committee, to gain a truly bipartisan consensus.

Mr. Speaker, let me also note that the gentleman from Pennsylvania [Mr. YATRON], chairman of the Subcommittee on Human Rights and International Organizations, the chairman and ranking member of the Western Hemisphere Subcommittee, Mr. CROCKETT and Mr. LAGOMARSINO, also played constructive roles in the drafting of this legislation, and they are to be commended.

Mr. Speaker, this Member would urge adoption of this resolution.

Mr. BROOMFIELD. Mr. Speaker, I would like to offer my strong support for House Joint Resolution 472 which commends the people of Chile for their courageous and steadfast commitment to democracy.

The Chilean people have exhibited fierce tenacity and unparalleled determination in their prolonged efforts to return their nation to democracy. Their battle and ultimate success should be a inspiration for people across the hemisphere.

This resolution also congratulates President-elect Patricio Aylwin for his decisive victory in which he garnered 55 percent of the vote. The Congress wishes him well as he approaches his March 11 inauguration and in his task to complete Chile's transition to democracy.

Finally, I would point out that the resolution pledges the full support of the Congress for the Aylwin government as it helps usher Chile into a new era.

Mr. LAGOMARSINO. Mr. Speaker, I have no further request for time, and I yield back the balance of my time.

Mr. CROCKETT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. (Mr. MCNULTY). The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspend the rules and pass the joint resolution (H.J. Res. 472).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, was passed.

A motion to reconsider was laid on the table.

CONGRATULATING THE PRESIDENT OF HONDURAS, RAFAEL CALLEJAS, ON HIS ELECTION

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 258) congratulating the President of Honduras, Rafael Callejas, on his election and offering good wishes for the success of his administration.

The Clerk read as follows:

H. CON. RES. 258

Whereas Rafael Callejas was elected freely and fairly as President of Honduras by the Honduran people in the presidential election of November 26, 1989, gaining a clear majority and a strong mandate;

Whereas the Government and people of the United States have enjoyed close and warm relations with the Government and people of Honduras for many years;

Whereas Rafael Callejas has eloquently and convincingly stated his understanding of good government, reaching out to all his countrymen to cooperate for the political and economic health of Honduras and Hondurans; and

Whereas Rafael Callejas has made clear his intent to work seriously with the United States, other nations, and international institutions to address regional and national problems of the utmost importance: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress congratulates President Callejas of Honduras for his electoral victory and offers heartfelt good wishes for the success of his administration.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 258, congratulating the President of Honduras on his recent election.

Mr. Speaker, too often democracy is taken for granted. I would therefore like to congratulate the Honduran people for once again participating in free and fair elections to choose a civilian government. On November 26, 1989, Rafael Callejas was chosen by the Honduran people as their new President.

The resolution notes the close and warm relations which the Governments and peoples of the United States and Honduras have enjoyed for many years, the efforts of President Callejas to reach out to all his countrymen to coooperate for the political and economic health of their country, and President Callejas' willingness to work with the United States, other nations and international institutions to address pressing regional and national problems. Finally, it expresses our congratulations to President Callejas for his electoral victory, and offers heartfelt good wishes for the success of his administration.

I would like to commend my colleague from California [Mr. LAGOMARSINO] the ranking member of the Subcommittee on Western Hemisphere Affairs, for his bringing this resolution to the attention of the Members. I urge my colleagues to support House Concurrent Resolution 258.

Mr. Speaker, I yield the balance of my time to the gentleman from Michigan [Mr. CROCKETT].

The SPEAKER pro tempore. Without objection, the gentleman from Michigan [Mr. CROCKETT] may control the balance of the time.

There was no objection.

Mr. CROCKETT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of House Concurrent Resolution 258, congratulating the President of Honduras, Rafael Callejas, on his election.

This resolution was authored by the distinguished ranking minority member of the Subcommittee on Western Hemisphere Affairs, the gentleman from California [Mr. LAGOMARSINO]. It was reported out of the Committee on Foreign Affairs on February 6 by voice vote.

Rafael Callejas was elected President of Honduras last November. When he was inaugurated last month, Honduras accomplished something rare in Central America: the peaceful transfer of power from an elected President of one party to an elected President of the opposition party.

I know all my colleagues will want to join in congratulating President Callejas and Honduras on this accomplishment.

So I congratulate the gentleman for introducing this resolution, and I urge its adoption.

Mr. LAGOMARSINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the original sponsor of this resolution on Honduras, I urge my colleagues to offer their support to the new President Rafael Callejas.

President Callejas was just recently inaugurated after winning a decisive mandate from the Honduran people in national elections last November.

The challenges he faces in his own country and in Central America demand the abilities of a statesman on the level of a Winston Churchill. Of course only time will tell whether President Callejas can meet those challenges, but he deserves our strong support and our assurances that he can continue to count on the close ties that have traditionally been the rule between our two countries.

President Callejas has endorsed the Central American peace process and his country's commitment to the principles and agreements reached during the recent meetings of the Central American Presidents.

It is essential that the United States stand behind the Government of Honduras, where once again power has been transferred to the opposition in a peaceful transition.

The United States and Honduras have shared close relations for many years. Honduras, as exemplified by the five stars on its national flag—representing the five Central American nations which were at one time a unified state—is a critical ally in Central America. Wedged in between El Salvador and Nicaragua, Honduras has been a key player in the efforts to resolve the civil wars in both of its neighbors. Despite the fighting and tension on its borders, Honduras has become a welcome, stable democracy—a model for others to follow. The recent election and peaceful change of government, from one leading party to the other, is further reason for commendation.

I am also proud to note that the National Republican Institute for International Affairs, of which I am the chairman, and which is associated with the National Endowment for Democracy [NED] was on hand—in fact formally invited—to monitor the Honduran national elections last November. These elections were open, free and fair. They represent the will of the majority of the Honduran people.

There are many challenges—both domestic and regional—facing President Callejas, a well educated leader I have personally met. This resolution is an expression of our "heartfelt good wishes" for success with these regional and national challenges. I strongly support the resolution and urge my colleagues to join me in its passage.

Mr. CROCKETT. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the House Committee on Veterans' Affairs, the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

I rise in strong support of this resolution and commend the gentleman from California [Mr. LAGOMARSINO] for introducing this resolution so we may have a strong vote on this meritorious proposal.

Mr. Speaker, I attended the inauguration of President Callejas on January 23 in Honduras. I went down with Vice President DAN QUAYLE and Senator RICHARD LUGAR of Indiana.

President Callejas graduated from the same university I did, Mississippi State University. His son is currently attending MSU. President Callejas majored in agriculture economics.

I have known him for several years, having met him in Washington several times. I think the people of Honduras are very fortunate to have a man so capable to take over the reins of this democratic country. It was an open election. There was no violence and the opposition party has said it would cooperate.

Honduras is one of the few countries in Central America where no violence is occurring and where they can have free elections in peace.

The economy is President Callejas' biggest problem. Vice President QUAYLE and I talked to him in private during our visit to Honduras. The President knows the problems they face down there and he is willing to make changes to try and improve the living conditions of his people.

He has no objection to American National Guardsmen and reservists training in his country and he appreciates the humanitarian help our reservists give the Honduran people, such as medical and dental services and helping to build roads and bridges. And our reservists benefit by getting great training.

Besides the economy, he has the problem of the Nicaraguan Contras in his country. Not only is that a Honduran problem it is ours as well.

We are going to need this new Government, and I am convinced that with help from their friends and with the new leadership the country has in Raphael Callejas, Honduras will continue to grow.

Mr. BROOMFIELD. Mr. Speaker, I strongly support the resolution before us which offers the Congress' congratulations to the new President of Honduras, Rafael Callejas, on his election victory of November 26, 1989.

As I indicated in a recent letter to President Callejas, I find it particularly gratifying to see that Honduras is moving ahead to address the many challenges of the future within the framework of the democratic process. I salute the new President and Honduras on its peaceful transfer of power from one political party to another.

This resolution also extends heartfelt good wishes for the success of his administration. I hope and expect that the Congress will do all it can to maintain and build upon the United States' cooperative relationship with Honduras. I know that I will do all that I can to aid in that effort.

Mr. GILMAN. Mr. Speaker, I rise to express my strong support for House Concurrent Resolution 258, congratulating Honduran President, Rafael Callejas on his election.

President Callejas has a tall order before him. In addition to regional disputes, the new President must confront myriad domestic problems including a stalled economy burdened with unemployment nearing 30 percent, rising inflation and international loan obligations. President Callejas also must determine how to meet the problems of 500,000 war refugees.

Mr. Speaker, this important resolution expresses the close relationship the Hondurans and the United States have shared for many years. I commend the distinguished ranking minority member on the Subcommittee on Western Hemisphere Affairs, Mr. LAGOMARSINO, for his outstanding work on this resolution, and I urge its adoption.

Mr. CROCKETT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LAGOMARSINO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 258).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FLEXIBILITY IN 1990 FARM BILL

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material).

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, one of the main concerns of U.S. farmers especially my Ohio farms is the need for increased flexibility in the new farm bill.

I was pleased to see that the administration's new farm bill guidelines proposed the normal crop acreage or NCA concept. NCA would define substitutable crops, authorize crop-specific acreage reduction programs, and provide authority to plant on idled acres in exchange for giving up speci-

fied deficiency payments. This flexible approach will allow farmers to plant crops based on market signals without loss of farm program benefits. It should also lead to higher production of crops in scarce supply, lower production of those crops in surplus, and provide environmental benefits.

Mr. Speaker, the 1985 act is working. Farm income is up. Exports are up. Government agricultural expenditures are down. With some additional modifications to the 1985 act is our new farm bill, we can continue the upward trend that U.S. farmers has been experiencing the past few years.

Listen to the will of farmers all over this country and support this new flexibility in the 1990 farm bill.

I further insert the following questions and the answers thereto, most frequently asked of me by my farmers in the Eighth Congressional District.

PRICE AND INCOME SUPPORTS

Question. The USDA 1990 Farm Bill proposal contains recommendations on planting flexibility. Could you outline briefly USDA's flexibility proposal?

Answer. USDA's comprehensive proposal to enhance planting flexibility provides for a number of important modifications to current programs. The idea is to allow a farmer to plant a variety of crops on permitted base acreage without losing program payments or reducing the historical program bases associated with the farm. The proposal also addresses planting flexibility on what would otherwise be idled areas. Special provisions allow conserving crop plantings and production of experimental or industrial crops. A key concept in the proposal is the Normal Crop Acreage (NCA), defined in the proposal as the sum of acreage in all program crop bases plus historical plantings of specified oilseeds. In the proposal there is also the discretion for the Secretary to allow producers to plant up to 105 percent of the crop base if additional production is needed to provide adequate supplies.

Question. Besides allowing producers more freedom to plant, are there other benefits from USDA's planting flexibility proposal?

Answer. There are economic, trade, environmental, and other benefits associated with flexibility. Making income support payments based on historic plantings, rather than current plantings, would reduce the influence of income support programs on farmers' planting decisions. This flexible approach to planting will increase market-orientation and competitiveness while still providing farm income support. When market conditions indicate that farmers could profit by producing more of a particular commodity than they now produce, they could do so without fear of losing base acreage and income support payments. Farmer planting flexibility would result in a more efficient agriculture, thus increasing national income and promoting competitiveness.

There are also environmental benefits to production flexibility because there would be movements to more natural systems of fertilization through increased production of legumes, such as soybeans. For example, fewer chemicals, such as nitrogen fertilizer, would be applied if there is a shift from corn to soybean plantings.

Question. What effects will USDA's flexibility proposal have on U.S. farmers and crop acreage?

Answer. Initially, acreages of soybeans, wheat, and cotton are likely to increase under the USDA production flexibility proposal while feed grain acreages are likely to decrease. But ultimately the question can only be answered by farmers. What they actually decide to do will depend on their own situations and the market conditions that evolve.

Under current policy, specific crop acreage bases generally determine plantings of the different program crops and, indirectly, nonprogram crops. Under the USDA flexibility proposal, producers will plant according to market signals. This assures that farmers will be growing crops in response to market demand, rather than farm programs.

Question. The Normal Crop Acreage (NCA) program didn't work in the past, so why does USDA think it will work now?

Answer. The NCA programs, as used in 1978 and 1979, differ from our proposal. Under those programs, the planted acreage of a program crop was used to determine deficiency payments so long as the sum of the farmer's total plantings and set-aside did not exceed the NCA for the farm. The link between payments and planted acreage encouraged farmers to plant based upon the target prices for the commodities. This was a key flaw in the old NCA programs.

Under the USDA flexibility proposal, deficiency payments will be based on the historical plantings of crops, rather than future plantings. In addition, farmers who participate in commodity programs cannot increase their program crop base. Market prices will play a much greater role in crop planting decisions under the USDA flexibility proposal than under the earlier NCA programs.

Question. The 1990 wheat program is an example of flexibility. Is this USDA's flexibility proposal?

Answer. Planting flexibility on acreage reduction program (ARP) acres is only part of the USDA proposal. In 1990, wheat producers who are participating in the wheat program are being offered the opportunity to plant on land required to be idled under the 5 percent ARP announced for the 1990 wheat crop. For each ARP acre which is planted, the producer will forego deficiency payments on an acre for acre basis. This option allows additional acreage to be planted to wheat if producers conclude that market returns justify the additional plantings. The USDA flexibility proposal addresses both reduced acres and permitted acres by allowing farmers to make planting decisions on both types of acreage.

DECEMBER FREEZE CONTINUES SQUEEZE

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. CONTE. Mr. Speaker, last December's freeze wave hurt countless numbers of low-income families, causing severe hardships and misery. While the milder weather has given these people a breather for now, let me warn my colleagues—that was only the first wave.

Consumers will be hit with a second wave of higher fuel bills directly related to the December freeze. In Massachusetts, the electric and gas utilities will be passing along the emergency costs of providing energy during the past crisis.

Low-income families will be seeing their monthly energy bills jump as much as 10 percent through May. The utilities are now dishing out misery on the installment plan.

The third wave to hit needy households is the lifting of the moratorium on utility shutoffs coming in a few weeks. That means those who have run out of assistance and cannot pay their energy bills will be left without heating or lighting for months.

Mr. Speaker, as you can see, the December freeze continues to squeeze the ability of needy families to heat their homes. Let's not lull ourselves into complacency by the mild weather we're seeing here in Washington.

There continues to be a vital need for the LIHEAP supplemental bill I introduced and I urge my colleagues to join me in support of this extremely important legislation. Thank you.

I would like to submit for the RECORD, an article from the Springfield, MA, Union-News describing the rising utility charges being passed on to consumers.

[From the Springfield (MA) Union-News, Feb. 9, 1990]

UTILITY CHARGES ON RISE

(By Stan Freeman)

Consumers will soon see the second wave of higher fuel bills related to the December freeze.

By law, electric and gas utilities can pass along the added seasonal costs of providing energy in succeeding bills, and the region's utilities are preparing to do just that, including as much as a 10 percent increase in monthly bills for customers of the Bay State Gas Co. and the Berkshire Gas Co.

Bernice McIntyre, chairwoman of the state Department of Public Utilities, which sets basic customer rates for both electric and gas utilities, said this week that seasonal charges have already been approved for Western Massachusetts' two major gas utilities and officials of the two major electric utilities are expected to request increases shortly.

The charges, called the "cost of gas adjustment" (CGA) for natural gas utilities and the fuel charge for electric utilities, are added or subtracted from the basic rates periodically, based on such things as the varying cost of oil or coal to run electric power plants or fluctuating market prices of propane used to back up natural gas supplies.

Carol Churchill, a spokeswoman for Bay State Gas, said customers who heat and cook with gas can expect to receive a bill for February that is about $13 higher than January because of the new charges. Customers who do not heat with gas, she noted, will see an increase of about $3.

Donald Graves, a spokesman for Berkshire Gas, said the February bills for their customers are expected to increase by about the same amounts.

Churchill said there are two primary reasons for the increases.

"Because of the freezing of gas wells over the five-day Christmas weekend, the pipeline companies (that supply Bay State Gas) were forced to buy higher-priced gas," she said, "and those costs were passed along to us. In addition to that, the cost of propane on the spot market increased by more than 70 percent in December."

Officials of Western Massachusetts Electric Co. and Massachusetts Electric Co. have not yet filed for adjusted fuel charges.

Pam Grassetti, a spokeswoman for WMECO, said, "Because we are such a nuclear-intensive company, we anticipate our fuel charge will be somewhat lower than other utilities across the state. Sixty-eight percent of our power is nuclear, so we feel confident our customers won't be hit as hard."

The CGA charges for Bay State Gas and Berkshire Gas apply to natural gas used after Feb. 1 and are expected to remain in effect until May when the DPU again reviews them.

The fuel charges for the electric utilities are generally reviewed by the DPU quarterly.

CHILDREN HELPING CHILDREN PRESENT GIANT VALENTINE CARD TO U.S. HOUSE OF REPRESENTATIVES AS PLEA FOR AID TO HOMELESS

(Mr. TORRES asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TORRES. Mr. Speaker, I rise today to offer both congratulations and praise to the fine group of students, teachers, and parents from Children Helping Children, Inc., a West Covina, CA, nonprofit advocacy group dedicated to increasing children's awareness of our Nation's homeless. Last week, on behalf of our Nation's homeless children, I was honored with a giant 72-foot-long Valentine's card signed by thousands of caring residents in my district. I rise today and ask that my colleagues accept this card on behalf of the homeless children in America.

In America today the homeless population is estimated between 350,000 to 4 million men, women, and children. The fastest growing sector of this population are women and children. Some studies have calculated that one in every four homeless persons is a child. In a study conducted by the California Department of Education, it was estimated in 1988 that close to 35,000 school-aged children were homeless living in temporary shelters.

This statistic, unfortunately, is rather low. Why, because some of our Nation's homeless children are not allowed to register in school without a proper home address. Those that are enrolled in school sometimes suffer a disturbing stigma that is attached to a child without a home.

For many children growing up without a home, the long-term emotional and mental health of that child remains in jeopardy. There is no substitute for a stable and secure home in which to build a child's self-esteem.

Mr. Speaker, I am including with my remarks an essay written by 10-year-old Kenneth Joh, winner of Children Helping Children's essay contest on homeless awareness so that all my colleagues may read his eloquent symbolism on the plight of homelessness in America.

Mr. Speaker, for the sake of our children, housing must be resurrected as a national priority. Housing the poor, the handicapped, the single mother, and the homeless or "throw-away" child has never been a politically attractive issue. Yet, I submit, it will take courage to fight for the needed funds to decently house people who have very little political clout. As the number of homeless children, men, and women grows, we in Congress have to recommit ourselves to the plight of our fellow friends just as the students of my district have shown us today.

THE HOMELESS

About a year ago, a stray kitten wandered into our backyard. She looked cold, hungry and lonesome. She looked pitiful, so I asked my parents if I could keep the tiny kitten. In time she became healthy and playful. I love her very much.

Every time when I play with her, I think about the homeless in this country. A cat needs a home let alone a human being. The United States is supposed to be the wealthiest nation in the world, and still there are thousands of homeless people across the country. What a shame!

My father said that he was once homeless during the Korean War. I am very grateful to my father for giving me a home, a nice one at that.

Homeless people are the people who don't have any home to live in. I don't think some of them are homeless because they didn't work hard enough. Many of them do work very hard but they can't afford to buy or rent a home because home prices are simply too high. Therefore, I think the government as well as the people who build and sell homes must do something to pull down the prices of the homes. Giving a temporary shelter to the homeless is not enough. We must build more homes at affordable prices so that everybody should live in a decent house or an apartment. People say that owning a home is an American dream. We must do something to let each and every family in this wonderful country have their dreams come true.

(By Kenneth Joh, 5th Grader, Merced Elementary School, West Covina, California. Winner of Homeless Essay Contest, February 14, 1990.)

PRIDE RISES ABOVE FLOOD WATER IN CHATTOOGA COUNTY

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, this past week the County of Chattooga in northwest Georgia and the town of Trion were completely inundated by floods the likes of which have never been seen before in northwest Georgia. An earthen dam, which was originally thought to have been broken, was actually overrun by waters going some 11 feet over that particular dam, and, when the water subsided, we found out that the dam in fact had remained strong. The floods were such, Mr. Speaker, that the entire school of the town to Trion, as well as the only manufacturing plant located in that area, which is the largest employee in Chattooga County, were completely put out of service for at least the next 2 or 3 weeks.

However, Mr. Speaker, once the people of Trion had seen this disaster taking place, then they decided, "We're not going to wait on Federal assistance and government programs to clean up and resolve this. We are going about our business today of trying to clean up the school, to put it back into service as soon as possible, and to get the manufacturing plant back in condition so that it can begin employing its workers once again."

Mr. Speaker, this morning I want to commend the people of northwest Georgia, of Chattooga County and Trion for their efforts to help themselves. Of course it has been declared a disaster area, and Federal help will be forthcoming in the next 2 to 3 weeks. But in the meantime the people of Trion have found out that their pride is rising above the flood water, and I want to take this time to commend them and thank them for their many, many efforts on behalf of all the people of northwest Georgia.

Mr. Speaker, there is a popular song by Milli Vanilli called "Blame It on the Rain." Well, we certainly have a lot to blame on the rain in Georgia, but the people are responding, and today it is my pleasure to pay tribute to them for their many, many accomplishments.

[From the Chattanooga Times, Feb. 20, 1990]

TRION'S PRIDE RISES ABOVE FLOOD WATER

(By Randall Higgins)

TRION, GA.—Trion was taking care of its own Monday.

Children went to school to mop floors.

Neighbors helped carry out waterlogged sofas. They had to be careful because Friday's flood washed snakes inside the homes along with the mud.

The town's only doctor stopped cleaning debris from his office to help a heart attack patient.

The Chattanooga River was back in its banks. Midday sunshine was drying the mud that caked the streets and sidewalks.

Nearly 10 inches of rain fell on Trion Friday. Water was 10 feet above the top of a stone dam. Water surged out of flood-control dikes built nearly 20 years ago. Water

stood 4 to 7 feet deep in homes, apartments, offices and stores.

More than 750 people were evacuated.

Peggy Baldwin has been a teacher at Trion Elementary for 10 years. Her pupils and their parents joined her in cleaning up the debris Monday.

"We are going to get cleaned up," she said. "Then we'll see what books we can find. I'm going to offer a 100 (grade) to every kid that bring back a social studies book. We'll have to share, do the best we can.

"See the boy over there? His father lost 14,000 chickens, two trucks and a car. They had to swim out for their lives. See where he is today?

"We come from a long line of pride."

There are 750 students at the elementary school and 365 at Trion High School.

Fire trucks hosed down both schools Sunday. Parents, students and teachers showed up to sweep and mop.

"It is amazing what's been done in two days," said elementary school principal Larry Musick. "I got in for the first time Saturday at 8 o'clock. People were showing up by five after eight saying, 'Well, where do we start.' "

City officials believe the two schools sustained about $1 million in damage between them. But the fast recovery work may allow classes to open next week, Musick said.

Across the street, high school band members were carrying out music stands, chairs, desks. Others were wiping them clean.

A group of seventh-graders were scrubbing out their science room.

"It's my school and I just want it back the way it was," said B.J. Osby.

Matthew Smith took a practical point of view. "I came so we won't have to go to summer school, he said.

Christy King's voice broke just a little when she said, "This is my school and I appreciate it and it's the best school around. That's my opinion."

"That's just the way this community is," said parent Doug Wilson, a teacher in the county school system. "We might have our problems. You know, we're not saints by any means. But when the chips get down, we come on and help."

People from state and federal agencies are in town to assess the damage. The mayor thinks low-interest loans will be available.

"But we've got a lot of people forced out of their homes that don't need to take on a payback," he said. "We are going to try to get help for them, for everybody."

Heaters of about every kind were scattered around the office and examining rooms of Dr. Gary Smith, Trion's only physician. He practices in a building used as a hospital in 1934. Friday there was 4 feet of water inside.

Monday, his nurse, Peggy, was laying out records on the top floor so they can dry. Twenty-two years of medical practice will have to be re-typed and refiled in new folders, after it all dries out.

The doctor is waiting to see how much equipment can be salvaged.

Still, he saw two patients Monday. Then he helped an elderly man who had a cardiac arrest at the drug store.

"We feel like we are fortunate," Smith said. "We've got a dry home to go to, on a hill. Just like I told my wife, God's been good to us."

The women at Trion Church of God of Prophecy spent Monday cooking. For those who couldn't come in and eat, men from the church took food to them.

"Yesterday at church," said Etta Stiles, "somebody said something about doing this and it just grew."

Deacon Russell Baker asked for help Monday morning. Fast-food restaurants donated cups. Another restaurant prepared a ham platter. A store donated food.

"Sometimes people's pride gets in the way," said policeman Roger Avans. "They'll say 'I don't want anything free.' You have to convince them not to look at this that way.

Leonard Brock sat on the front porch of his bare house. Mushy furniture was stacked by the road. The brick foundation of his house was broken out by the force of the water, which rose almost to the ceiling. He and his disabled wife got out just in time.

He considered the future.

"Me and her both are so old we just have a little old Social Security check. I guess we will have to just do without. I'll be 76 in July. She's 72 or 73," he said. Like most everybody else in town, the Brocks had no flood insurance.

Friends were helping Beth Bethune stack useless belongings beside the road. She was laid off last week. Then she was flooded out.

"All in one week," she said. "I just don't know what I'm going to do."

Peggy Smith—not related to Dr. Gary and Peggy Smith—was nearly in tears as she looked at her house. Damaged furniture was stacked out front. The walls were battered.

"My parents bought this house when I was 2 years old," she said. "I bought it from them, from my mother. My father laid the hardwood floors. My daughter told me never to sell it. But now, you couldn't give it away."

On the flood-control dike behind her house, across an open, flat field, are a couple of wooden chairs. There's nothing else around them.

MESSAGE FROM MICK GUTTAU, PRESIDENT AND CHIEF EXECUTIVE OFFICER OF TREYNOR STATE BANK, TREYNOR, IA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. LIGHTFOOT] is recognized for 5 minutes.

Mr. LIGHTFOOT. Mr. Speaker, I come before the House this afternoon to share with you an item that I found of great interest. It is not often that you get a monthly newsletter from your local banker in which there is something that stirs you in a positive sort of way.

Mr. Speaker, Mick Guttau is president and chief executive officer of the Treynor State Bank out in my home State of Iowa. Mick was a Cobra pilot in the Vietnam conflict, served his country well as a captain and on the eve of the situation that we saw in Eastern Europe, which is still developing, he was moved to put together a piece for the President's message in his January/February little bank flyer that he puts out which I thought offered a great deal of insight into what we are facing today and a little bit into the man himself.

Mr. Speaker, with your indulgence, I would like to share it with you today:

PRESIDENT'S MESSAGE

(By Mick Guttau)

The events of this past year will go down in history as the top events of the decade of the 80s. They even more likely will have tremendous impact on the 90's and the 21st century.

We heard on the radio late one evening, something about the Berlin Wall coming down. Discarding routine the next morning I turned on the "Today" show and stood in amazement with the rest of the world as people danced on and hammered on the Berlin Wall. East German Guards, cautiously but with a smile, accepted flowers from revelers. I cried.

Visions of friends' faces who have never experienced my joys of family, stresses of middle age, the tempering of seeing a parent die before they did, passed through my mind. Those visions of my friends' faces who lost their lives in Vietnam are the same visions that are there every time we stand for the National Anthem at the football field or in the gym. Grebby, Bruce, John, Snuffy and on and on—all of them—I hope somehow, somewhere, experience the same joy and wonderment I experience as these events rapidly unfold.

Maybe not to a man—but most of them—believed, with me, that it was possible for a people to experience daily the same freedoms we take for granted daily.

Their belief in a "cure" for the cancer called communism was worth it all. We must keep chipping away at "the wall." For those eastern block people, it will no longer sap the joy of freedom all of us should be able to experience—daily.

It may be appropriate and even prophetic that the bullets, grenades and rockets we used in Vietnam couldn't do it. The unity brought about by the belief in a democratic process—freedom of speech, freedom of the press, and the tremendous power and self discipline of governing by ballot—can do it.

So what are thoughts like this doing in a small-town bank's newsletter?

First. I believe they are thoughts similar to what many of you have experienced.

Second. I believe you and I, middle America, have done more than we realize to make these events unfold. Through printed and electronic media, suppressed people had a chance to see how we practice our beliefs, stand up for our beliefs and participate in free enterprise. No wonder freedom of press is such a threat to those who wish to rule without ballot. (Look what a threat it is to our people who are elected by ballot!)

Third. These people had the guts to go after the freedoms they wanted to experience because they knew a militarily and economically strong beacon of freedom was willing to support and encourage them—us!

Fourth. As we go about what appears to be the more mundane in life—cashflows, cropping plans, teaching, preaching, assembly line, cattle feeding, managing and administrating, even commuting to a job we picked—let's remember to do them with enthusiasm. You and I doing daily what we do best—it's what they saw. It excited them. It's called freedom.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 505

Mr. OLIN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 505.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

CHICAGO JOURNALISM HALL OF FAME INDUCTS ART PETACQUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise to call the attention of my colleagues to the outstanding achievements of Arthur M. Petacque who was recently honored by induction into the Chicago Journalism Hall of Fame. The induction ceremony, followed by the Hall of Fame dinner, took place at the Midland Hotel in Chicago on February 16.

I extend my warmest congratulations to Art Petacque on meriting this recognition, for his truly excellent record of accomplishment in the field of journalism makes him eminently deserving of this high honor.

As a columnist and reporter for the Chicago Sun-Times, where he has worked for almost five decades, Art has given exemplary service to the people of Chicago in his capacity as a hard-hitting and resourceful crime reporter. He has maintained the highest standards of responsibility and integrity during his journalistic career, and in so doing, has gained the respect and admiration of both his colleagues and his readers for his professionalism.

Art is a native Chicagoan, and was graduated from Chicago's Austin High School and the University of Illinois. Within 6 months after joining the Chicago Sun, forerunner of the Chicago Sun-Times, he was assigned to the police beat, advancing from his initial position as a copyboy. Since then, Art's achievements in the field of journalism have been legendary.

Over the years he has merited a great number of awards for his fine newswriting and reporting. The Associated Press, the United Press International, and the Chicago Newspaper Guild have all honored him with awards. In 1974, Art Petacque received journalism's highest award, the Pulitzer Prize, along with coauthor Hugh Hough, for their efforts in finding new evidence in the tragic 1966 murder of Senator Percy's daughter. Most recently, he received the Award for Dedicated Newspaper Reporting on Crime and the Criminal Justice System presented by the Illinois Academy of Criminology.

In recognition of Art Petacque's distinguished contributions to the field of journalism, the Chicago City Council and Mayor Richard Daley adopted a resolution that praised Art Petacque for his superb investigative reporting and unique journalistic style.

Mr. Speaker, at this point in the RECORD, I would like to include the resolution passed by the city council. The text follows:

ART PETACQUE INDUCTED INTO THE CHICAGO JOURNALISM HALL OF FAME

RESOLUTION

Whereas, Art Petacque, a Pulitzer Prize winning columnist and investigative reporter with a third of a century of experience in the newspaper business, has been honored, along with seven other Chicago newsmen, by being inducted into the Chicago Journalism Hall of Fame, and

Whereas, the Chicago Headline Club is the Professional Chapter of the Society of Professional Journalists, and

Whereas, this recognition has been bestowed upon Mr. Petacque by the Chicago Headline Club for his insatiable appetite for a good news story and his hard-hitting columns on crime, politics and labor matters in the Chicago Sun-Times, and

Whereas, in 1983, he increased his audience when he began giving regular news reports on WLS-TV (Channel 7) in Chicago, and

Whereas, in 1974, Art Petacque and Hugh Hough received a Pulitzer Prize for turning up new evidence in the 1966 murder of Illinois Senator Charles Percy's daugther Valerie, and

Whereas, in ensuring years he wrote a variety of columns and, to this day, writes a news column called "Petacque's Beat", and

Whereas, a native Chicagoan, Art Petacque began his journalistic career in 1943 with the Chicago Sun, forerunner of the Sun-Times, when he was assigned to the police beat, he began to develop contacts which led to numerous exclusive stories and a total of 36 awards for journalistic excellence, and

Whereas, he has received honors for reporting and news writing, including the Jacob Scher Award for investigative reporting, named for the late illustrious Northwestern University journalism professor, and also honors from the Associated Press, United Press International, the Chicago Newspaper Guild, the University of Illinois, among others, and

Whereas, in 1985, the Illinois Academy of Criminology honored Art Petacque with its award for media service to the criminal justice system, and

Whereas, he is generally recognized by the entire journalistic profession as one of the best-informed reporters on government, the criminal justice system, organized crime, and many other areas, and

Whereas, in 1984, Art Petacque was awarded a Chicago Emmy for sport news coverage on WLS-TV, was featured on "CBS Morning News" in an interview with Bill Kurtis, and has been a frequent guest on ABC's "Nightline", hosted by Ted Koppel, and

Whereas, his work has twice been dramatized on the NBC network program "The Big Story", dealing with his expose of a lonely hearts murder racket, and his detective work in solving the Hyde Park "cat burglar" mystery, and

Whereas, Art Petacque has contributed much to the unique style and combative spirit of Chicago journalism, and

Whereas, he joins distinguished previous recipients of induction into the Chicago Journalism Hall of Fame, such as Ben Hecht, Carl Sandburg and Clifton Utley, and

Therefore, be it resolved that the Mayor and the City Council of Chicago hereby congratulate Art Petacque and his fellow inductees, John H. Johnson, John H. Thompson, Paul Harvey, Robert G. Schultz (deceased), Herb Graffis (deceased), Eugene Field (deceased), and Curtis D. MacDougall (also deceased), into the Chicago Journalism Hall of Fame, and

Further be it resolved that we all agree that this distinguished group of newmen bring pride to the entire journalism profession in Chicago. May their high standards be an inspiration to all journalists.

Mr. Speaker, once again I commend and congratulate Art Petacque on his induction into the Chicago Journalism Hall of Fame, and I extend to him my best wishes for continuing success in all of his future endeavors.

AMERICAN OPPORTUNITIES: WHERE IS AMERICA GOING AND WHERE IS AMERICA'S GOVERNMENT GOING?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I want to talk today about American opportunities and about the basic concept that we in the Congress must think more deeply and we must approach the problem of where America is going and where America's Government is going from a much more profound and thought-out standpoint than we have been.

Mr. Speaker, I was very struck when I had a chance to go home during the Presidential holidays work period by the fact that the American people understand that the world is changing. The American people are much more committed to a commonsense approach to Government and a commonsense approach to how we need to function as a country than is Washington, DC, and the Federal Government, as a system.

I want to emphasize what I am talking about is the structure with which we think about solving problems.

The fact is that whether it is the Pentagon or New York City government or any other large Government agency, that the current model of a bureaucratic welfare state simply does not work very well, that it guarantees a lot of red tape, a lot of regulation, a lot of procedural difficulties and that it is very, very hard to apply common sense in the Bureaucratic welfare state.

At the same time, in much of America the bureaucratic welfare state has been compounded by the values of the Left so that the difficulties you would have normally in running a large bureaucracy, or the difficulties you would have with the welfare state, are made even more destructive and even more difficult by the nature of the values of the Left.

Mr. Speaker, what I would like to do for a few minutes is to talk through what I think President Bush structured for us in his State of the Union Address. He said two things which are very profound and which I think will organize American politics for most of the 1990's. He said first of all that most of us think $1.2 trillion is a lot of money. I happen to agree with that. I think $1.2 trillion is a tremendous amount of money.

A trillion, after all, is a million-million dollars. So $1.23 trillion, which is the amount of the Federal budget rec-

ommendation, is, in effect, $1,230,000 million.

□ 1320

It is an enormous amount of money. I would agrue that Congress ought to be able to pass a budget resolution which says we are going to meet our Federal obligations, our National Government obligations for a trillion, two hundred billion dollars. That is a reasonable starting point. However, the President went on to say a second thing. He said that it was possible to get a balanced general budget by 1993 with no new taxes. At that point we had a very remarkable moment here on the floor of the House. On this side of the aisle, virtually every Member stood and applauded. They thought that offering to offer the budget with no new taxes was a good idea. But when we crossed the central aisle, virtually the entire Democratic Party sat and stared, unwilling to rise and applaud the idea of no new taxes, and the idea of reaching a balanced budget without raising taxes.

I think one of the central debates in America for the 1990's is the question, is a trillion, two hundred billion a lot of money, and big enough budget that we in Congress ought to focus on setting priorities, reforming the system, and rethinking what we are doing. Or, in fact, is a trillion, two hundred billion dollars not enough money, and in order to resolve our problems, do we need to dramatically increase the Federal budget.

Then, that leads almost automatically to the secondary question, can we find a way to achieve our national goals within the framework of a trillion, two hundred billion dollars, or do we need to raise taxes?

Now, in that framework, let me carry Members a step further. I believe that the basic model of the bureaucratic welfare state, a model developed by Bismarck in Germany around 1870, is now an obsolete model. Bismarck operated in a period when mail clerks used quill pens, a period long before the invention of the computer, or the electric typewriter. In fact, it was before the common usage of the typewriter. In that setting, I would suggest that modern bureaucracy is a system of organization and activity which is inherently slow, cumbersome, overly centralized, and inefficient. The cumulative effect of large bureaucracies is to be numb, that is, in order to have enough rules to cover all contingencies, and in order to have enough regulations to govern all actions, the bureaucracy becomes so slow, so cumbersome, so dominated by red tape that it is, in fact, in effect, destructive.

So we have today, I think, an objective reality, that many of our liberal friends do not want to deal with, and the objective reality is that modern bureaucracy simply does not work very well, and that its results are very destructive of human freedom.

I will say this was described recently in an essay by Juan Williams in the Washington Post, entitled "Our City's Real Scandal Is That It Doesn't Work." This was in the February 4 Washington Post. Let me quote a little bit from this, because I think it explains, as well as anything, what I am trying to get at when I talk about the bureaucratic welfare state, and why, if we are going to reestablish American opportunities, we need to be rethinking the basic model of our resolved problems. I am quoting from Juan Williams' article entitled, "Our City's Real Scandal Is That It Doesn't Work."

> While Mayor Marion Barry is at a rehabilitation center in Florida, the City of Washington needs to begin its own rehabilitation. Job number one is dismantling the bloated, ineffective, and corrupt system of government that Barry has led for twelve years. We have in the District the worst of both worlds: a patronage-heavy machine and a government that does not work. The facts speak for themselves. District residents now pay close to the highest taxes in the country to support a city bureaucracy that is triple the size of comparable jurisdictions.

Let me repeat this, because it is very important for those of our liberal friends who want to raise taxes, that they consider this fact that Juan Williams put into this record.

> District residents in D.C. pay close to the highest taxes in the country to support a city bureaucracy that is triple the size of that in cities the same size.

In other words, per 100,000 people there are three times as many city bureaucrats in Washington, DC, as there are in a normal city in the United States of that size.

Let me go on to quote:

> Yet by almost any measure, the District's government is a failure: City schools have a 44-percent dropout rate, and the students who stay in school have a 1.7-grade-point average; most recent data shows the city's crime rate up 17 percent last year, and last year the homicide rate set an all-time record; 20 percent of public housing units are unoccupied and boarded-up, while the waiting list is now about 8,000 families long.

This paragraph states about as well as anyone could the essence of our argument that the bureaucratic welfare state and the values of the left simply are not functioning. Imagine, with three times as many city bureaucrats as a normal city this size, Washington, DC, has 8,000 families waiting for public housing, at a time when 20 percent of the public housing units are unoccupied and boarded up. That is, we could increase, since it is 20 percent of the total number of units, that means we could increase the current number of occupied units by 25 percent. We would have one-fourth more available, overnight, if we could simply repair and use the currently boarded-up public housing units.

Now our argument is going to be that our job is, in fact, to focus on making the current model of the bureaucratic welfare state, replaced by a more powerful model, what I would call the triangle of American success. It is a triangle because it has three different sides. One side is entrepreneurial free enterprise, one side is basic American values, and one side is technological process. Inside that triangle of American success we can find better ways of doing things in the bureaucratic welfare state. I carry it a stage further. I think we can say it in one sentence: We must apply common sense, focused on success and opportunities. In others words, our argument is, and the American opportunities movement, that if we simply went to those 20 percent of public housing units, we enlisted entrepreneurial driving energy and ideas and creativity, and we said, "Let us go about and fix up the maximum number of those units for the least money possible," we could do a dramatic job in 6 to 9 months of having a lot more public housing in the existing stock of unoccupied and boarded-up housing. But the bureaucratic work rules, the bureaucratic regulations, the process of a bureaucratic welfare state, make it impossible to apply common sense focused on opportunities and success.

Let me go ahead and quote a little further from Juan Williams:

> Barry's arrest on a cocaine charge may mean the end of his political reign. But real significance of this moment lies in the opportunity to transform the prevailing attitude of local officials during the 1980s that local government exists to benefit the mayor and his friends, not to help make life better for city residents.
>
> Political patronage and corruption are of course, hardly unique to the District government—witness, for recent example, the tawdry history of self-dealing in the Reagan administration. And it is not surprising that black politicians, newly in control in the District sought to advance the interests of their fellow blacks—municipal control has been a major route for advancement of numerous ethnic and cultural minorities throughout our history. But the Barry Machine stands out for its failure to provide the tools and the discipline that its teachers, social workers and other front-line workers need to do their jobs successfully. As a result it served neither the people it hired nor the community. And in so doing it defamed black political leadership and legitimate programs to advance the interests of minority businesses and workers.

I suggest that while Juan Williams' general indictment of the D.C. government is correct, he should not focus purely on the District of Columbia's unique institution. Let me carry Members back to two examples in his own paragraph, indicting the District of Columbia's city government. He said, "City schools have a 44 percent dropout rate."

Well, the fact is that New York City is almost exactly the same dropout rate. The fact is, if we go to Detroit, to Chicago, to any major American city, particularly the larger industrial cities of the Northeast and Midwest, we will find a very similar pattern of massive number of dropouts in a school system that is failing. Furthermore, the fact is that almost every big city, public housing authority has a similar problem of unoccupied and boarded-up units, and almost every major city, public housing programs would have a long waiting list. So what Juan Williams is saying about Washington is also true of other cities.

□ 1330

Mr. Speaker, let me give you an example of how crazy, how destructive, and how ineffective the bureaucratic welfare state gets. This is from an editorial in the New York Post. Again it is quoted to show that what Juan Williams finds in the District of Columbia is endemic of the process in the bureaucratic welfare state. It is not just the only case. This is an article in the New York Post entitled "Abolish the Board of Examiners." It is an editorial of January 22, 1990. I want to quote from this because what it is saying is so unbelievable that if it were not true, you would not be able to use it, you would not be able to talk about it, and it would sound like fiction.

[From the New York Post, Jan. 27, 1990]

ABOLISH THE BOARD OF EXAMINERS

The Board of Examiners, the body that controls the licensing of teachers in New York City's schools, is once again under scrutiny.

The board's teacher-screening procedures, which are notorious for making it tough for individuals without formal teaching credentials to obtain posts in the city's school system, did not prevent Frank Carr—who has been charged with sexually molesting two girls at a junior high school in the Bronx—from being hired as a teacher.

At the time of his hiring, Carr had a record of eight arrests, including a charge of sexual assault on two 7-year-old girls in New Jersey in 1984; he had behind him at least two criminal convictions—one for assault.

But Board of Examiners officials who were investigating Carr's suitability did not find the assault conviction sufficient reason to explore Carr's record further.

James Gill, the tough and able chairman of the Joint Commission on Integrity in the Public Schools, commented recently that the board's procedures are so lax that Jack the Ripper could probably get through the system.

There is something deeply wrong with a teacher certification process that, on the one hand, places nearly insurmountable barriers before talented people who want to enter the teaching profession from other careers, and on the other hand sees fit to hire a man who has been charged with a number of sexual and criminal offenses.

That's but one reason Joseph Fernandez, the city's energetic new schools chancellor, wants to abolish the board.

Fernandez is not alone in this quest. A long list of educators and political leaders deem the methods by which New York licenses its teachers archaic and redundant—and a major impediment to improvement of the city's schools.

The board's infrequently scheduled examinations discourage many qualified would-be teachers from acquiring city certification, ensuring that the city loses good teachers to the suburbs—where the pay is better, the bureaucratic roadblocks less onerous and the schools, for the most part, safer.

The screening functions of the Board of Examiners could be carried out by the National Teachers Examination, which city teachers are required to take anyway.

And background investigations of candidates for teaching posts could be carried out by the chancellor's staff.

The board has a history of surviving abolition attempts; it is experienced at spreading patronage money around to educators who lobby for its interests in Albany.

And, as always, abolition would, in fact, require an act by the state Legislature.

But the advent of a new chancellor makes this a propitious moment to try—once again—to rid New York City of this redundant, ineffective and counterproductive institution.

The last thing that New York needs is a teacher-selection process which impedes efforts to recruit first-rate talent.

It's time for the Legislature to act—the eyes of the city will be trained on Albany until the Board of Examiners is abolished.

The point I would make from this particular editorial is simple: First, New York is at least as bad as Washington. What we are describing is not the failure of a personal politician such as Marion Barry, it is not the individual, it is in fact the system of the bureaucratic welfare state which guarantees that we have a major problem in all of our bigger cities, and, frankly, a major problem in the Department of Defense and in our biggest governments.

Second, why should we raise taxes on hard-working private citizens and on hard-working individuals who are trying to do well? Why should we raise taxes on small business or on the family farm in order to transfer money, in order to support and prop up the kind of bureaucracy that we have described here?

If in fact the Washington public health bureaucracy is so incompetent and so inept that 20 percent of the public housing units which the taxpayers have already paid to build are unoccupied and boarded up, is the answer not to first overhaul and reform the bureaucratic welfare state rather than to raise taxes to pay even more for a bloated bureaucracy?

If the District of Columbia has three times as many city bureaucrats as the average city its size, then could we not make this a safer city by decreeing that the next 3,000 positions, by attrition, as people retire, as they leave, would be transferred from the rest of the bureaucracy into the police force so that the police would have enough policemen to actually walk the beat and to reestablish physical order in Washington streets?

In New York City, if our goal is to help the students or the children of New York, if we could abolish the board of examiners and take the money that that saves and put that money into the classroom, would we not do better by forcing reform in New York rather than by simply passing higher tax increases as our Democratic liberal friends would do and go ahead and tax the average citizen to transfer the money into the bureaucratic welfare state?

But there is a secondary factor, and that is that not only is the bureaucratic welfare state inherently destructive, inherently obsolete, and inherently dominated by redtape, but it has been further undermined by the values of the left. Now, my friends who are on the left always get offended when I use that language, but I think it is legitimate. I would suggest to them that if they would go back and read Hayek's famous work, "The Road to Serfdom," if they would read Hernando DeSoto's "The Other Path," or Paul Johnson's "Modern Times," or Collier and Horowitz's work, "Destructive Generation," they would understand the intellectual framework I describe when I say, "the left," because it is a legitimate value set. It is a value system that favors welfare, it is a value system that told us in the 1960's that multipartner sex would not lead to fatal disease, it is a value system that told us in the 1960's and 1970's that recreational drugs were not dangerous, it is a value system which encourages people to stay on welfare and discourages them from getting right behavior with basic American values, and it is a value system which has always understood criminals and not understood protecting the innocent.

Let me give just two examples of the values of the left. The first one is from the Wall Street Journal. This is an article of February 20, 1990 entitled "For Welfare Parents, Scrimping Is Legal, But Saving Is Out." I hope that every person who listens to this or reads it will think about the utter destructive insanity of the bureaucratic welfare state and the values of the left as reported in this article:

[From the Wall Street Journal, Feb. 20, 1990]

FOR WELFARE PARENTS, SCRIMPING IS LEGAL, BUT SAVING IS OUT

(By Robert L. Rose)

MILWAUKEE.—A penny saved is a penny earned. Usually.

Take the case of Grace Capetillo, a 36-year-old single mother with a true talent for parsimony. To save on clothing, Ms. Capetillo dresses herself plainly in thrift-store finds. To cut her grocery bill, she stocks up on 67-cent boxes of saltines and 39-cent cans of chicken soup.

When Ms. Capetillo's five-year-old daughter, Michelle, asked for "Li'l Miss Makeup"

for Christmas, her mother bypassed Toys "R" Us, where the doll retails for $19.99. Instead, she found one at Goodwill—for $1.89. She cleaned it up and tied a pink ribbon in its hair before giving the doll to Michelle. Ms. Capetillo found the popular Mr. Potato head at Goodwill, too, assembling the plastic toy one piece at a time from the used toy bin. It cost her 79 cents, and saved $3.18.

WHOSE MONEY?

Ms. Capetillo's stingy strategies helped her build a savings account of more than $3,000 in the last four years. Her goal was to put away enough to buy a new washing machine and maybe one day help send Michelle to college. To some, this might make her an example of virtue in her gritty North Side neighborhood, known more for boarded-up houses than high aspirations. But there was just one catch: Ms. Capetillo is on welfare—$440 a month, plus $80 in food stamps—and saving that much money on public aid is against the law. When public officials found out about it, they were quick to act, Ms. Capetillo, they charged, was saving at the expense of taxpayers.

Last month, the Milwaukee County Department of Social Services took her to court, charged her with fraud and demanded she return the savings—and thousands more for a total of $15,545. Ms. Capetillo says she didn't know it, but under the federal program Aid to Families with Dependent Children, she was ineligible for assistance after the day in 1985 when her savings eclipsed $1,000.

Uncle Sam wanted the money back.

"Tax dollars are going to support a person's basic needs on the AFDC program," says Robert Davis, associate director of the Milwaukee social services department. Federal rules, and the spirit of the program, don't intend for "people to take the money and put it in a savings account."

WELFARE'S ROLE

Ms. Capetillo's troubles began in 1988, when the social services department discovered the savings account she had opened in 1984. The tipoff: The department had matched its records with those supplied by her bank to the Internal Revenue Service.

Next, the sheriff department's welfare fraud squad went into action. Investigators contacted the M&I Bank two blocks from Ms. Capetillo's apartment and found she had "maintained over $1,000 consistently" in her savings account from Aug. 1, 1985 through May 31, 1988.

In an interview that May with investigators, Ms. Capetillo admitted she hadn't reported the savings account to the department. After doing a little arithmetic, welfare officials figured she should repay $15,545—the amount of monthly aid she received after her bank balance passed $1,000. (The assistant district attorney later considered that harsh; he lowered the figure to $3,000.)

But the judge who got her case found it hard to believe Ms. Capetillo was not motivated by fraud. Indeed, for Ms. Capetillo, thriftiness had been a way of life. Her father instilled the lessons of economizing, supporting his nine children on his modest income from a local tannery.

After Michelle was born, Ms. Capetillo began drawing aid—and saving in earnest. She says she rents the second floor of her father's duplex for $300 a month (though the welfare department says it suspects she was able to save so much by skipping at least some rent payments). In the summer, she looks for second-hand winter clothes and in the winter shops for warm-weather outfits to snare out-of-season bargains. When Michelle's T-shirts grew tight, her mother snipped them below the underarm so they'd last longer.

"She cared for her daughter well, but simply," says Donna Paul, the court-appointed attorney who defended Ms. Capetillo. "With inflation, all Grace could expect was for government aid to become more inadequate."

Now that Michelle is getting ready to enter first grade, Ms. Capetillo says she will no longer have to stay home to care for the child. She says she plans to look for full-time work or go back to school to train to be a nurse's aide.

But her round face, framed by shoulder-length black hair, still brightens at the prospect of bargain-hunting. At her favorite supermarket, her eyes dart from item to item. She spots the display of generic saltine crackers. "See that? That's cheap," she pronounces, dropping a box in her grocery cart.

The total bill comes to $5.98, but Ms. Capetillo forgot the coupon that entitles her to free bacon for spending more than $5. She pockets the receipt, and vows to return for the bacon.

After the law caught up with her, Ms. Capetillo reduced her savings to avoid having her welfare checks cut off. She bought her new washing machine, a used stove to replace her hotplate, a $40 refrigerator and a new bedroom set for Michelle. But that didn't resolve the charge of fraud.

Finally, her day in court arrived. At first, Circuit Court Judge Charles B. Schudson had trouble figuring out Ms. Capetillo's crime. To him, welfare fraud meant double dipping: collecting full benefits and holding a job at the same time.

After the lawyers explained the rules about saving money, he made it clear he didn't think much of the rules. "I don't know how much more powerfully we could say it to the poor in our society: Don't try to save," he said. Judge Schudson said it was "ironic" that the case came as President Bush promotes his plan for Family Savings Accounts. "Apparently, that's an incentive that this country would only give to the rich."

Others differ. County welfare worker Sophia Partipilo says Ms. Capetillo's savings raise the question of whether she needed a welfare check at all. "We're not a savings and loan," says Ms. Partipilo, who handled the case. "We don't hand out toasters at the end of the month. We're here to get you over the rough times."

Ms. Capetillo could have fought the charge. Her lawyer and even the judge said later that there was a good chance a jury would have sided with the welfare mother. Even the prosecutor admits that had she simply spent the money, rather than saving it, she could have avoided a run-in with the law.

But for Ms. Capetillo, going to court once was enough. She was so frightened and her throat was so dry that the judge could barely hear her speak. She pleaded guilty to "failure to report change in circumstance." The judge sentenced her to one-year probation and ordered her to repay $1,000.

A few days later, Ms. Capetillo, who remains on welfare, returns from a shopping trip and is met by Michelle. Banana in hand, Michelle greets her mother with a smile and a gingerbread man she made at half-day kindergarten.

"Now you can see why I do what I do," says Ms. Capetillo.

□ 1340

Now, Mr. Speaker, this article, I think, illustrates three or four points. When I talk about basic American values, notice Mrs. Capetillo's lesson she learned from her father. She learned, first, that it is good for mothers to stay home if they can, and she stays home, and she worries about her daughter, and she tries to take care of her. As her attorney says, "She cared for her daughter well, but simply."

Second, Mrs. Capetillo believes deeply in savings. She looks for bargains. She is teaching her daughter the virtue of thrift. She understands Benjamin Franklin's injunction that a penny saved is a penny earned. She is doing what we think are the right things for America.

Third, she is clearly basically an honest person. She is willing to work hard, she is willing to try, and my colleagues know that I am arguing here that the bureaucratic welfare state has lost its mind when it has a neighborhood where we do not have enough police to stop the drug dealers, we do not have enough police to protect children in school from various physical crimes, we do not have enough police to do the things involving truly violent and dangerous crimes, but we can afford to pay for a bureaucrat to harass a woman whose major crime is that she lives with her father and that she is in a position to actually try to save money because she is very thrifty and works very hard.

Mr. Speaker, clearly the Congress ought to rewrite welfare fraud. The Congress has to rethink what do we mean. What lessons do we want to the poor to learn, and do we really want to teach people that they are dumb to try to save, that they are dumb to try to shop intelligently, that they are dumb to try to go out and teach their children the right ways of life?

Furthermore, notice. We are saying to her in effect, "If you'll move out from your parents, and if you go and live on your own, and if you'll rent an apartment or move into public housing, then you've got a legitimate way of having a record of your rent payments, and then we know for sure exactly what you're doing, and then the bureaucratic welfare state won't bother you. But if you're determined to live with your parents so that you have somebody to watch your child, if your parents understand your financial situation and try to help you, if you're in a situation where you're being too frugal and shopping too intelligently, and you're doing too much of the right things, then some bureaucrat is going to punish you, and you're going to become the kind of person who has to go to court and has to face the full majesty of the law."

Mr. Speaker, this is madness—that at a time when we do not have enough

courts to take care of all the drug trials, we do not have enough courts to take care of all the violent criminals, we do find time to bring this up on the docket, to spend the taxpayers' money punishing a person whose only major crime was that they saved for their daughter.

So, Mr. Speaker, I think this gives my colleagues an example of the bureaucratic welfare state and the values of the left because here we have bureaucrats who, seeing an opportunity to punish women who had saved, thought that made sense in terms of their values, but I must include in the RECORD today as a better example of values of the left something which I find a little hard to believe, and possibly in the next day or so I can get more information on this, but this was printed in the Washington Times on February 8 about Governor Celeste of Ohio.

Governor Celeste does not represent San Francisco, and he does not represent Greenwich Village in New York. He represents a great industrial State in the Midwest in a place where one would assume that people have the values that we think of as sort of middle American or basic American values. But according to the Washington Times Governor Celeste issued a proclamation, an official proclamation involving something called National Condom Week, which is going to be February 14 to 21, and it may be a sign of the values of the left that they would pick Valentine's Day as the start of National Condom Week.

Mr. Speaker, these are the four suggestions that the Washington Times reprinted from Governor Celeste's ideas, and he is a liberal Democratic Governor, but I think this is a pretty good example of what I mean by the values of the left.

Community singing groups can write and perform National Condom Week and safer sex songs.

Organize a comedy night with local comendians who include condom and safer sex humor and jokes.

Have a vegetable stand (if you can't have the real thing) where people can learn how to put condoms on cucumbers, and, of course, learn how how to take them off too.

Have men in your community dress up like they're pregnant and distribute information and talk to people on the streets.

Mr. Speaker, I think when one talks about the values of the left, the idea of a man in drag pretending to be pregnant and walking up to someone and suggesting that they talk about sex together is probably as loony an idea as I have ever heard. Margaret Thatcher in Britain talks about the loony left, and one does not often get such clear examples of what the loony left might be like as one does in terms of those four examples, but the idea that a Governor of one of our greatest industrial States would be involved in promoting those kinds of slightly weird ideas and would take, again, the taxpayers' money, would take the concept of approaching what is a very serious crisis, the crisis of AIDS, and would offer it as though it were a serious idea, that something like this would in fact be an effective way to deal with the AIDS epidemic, and to deal with what is, after all, a fatal crime, strikes me as a perfact example of what I would describe as the loony left and the values of the left.

□ 1350

Let me carry this conversation one stage further, though. Our essential argument is that the bureaucratic welfare state as a model of activity, as a way of doing business, is simply, first of all, technically obsolete, that it goes back to the pretypewriter era, and that it is a way of organization that may have made sense when male clerks used quill pens, but it does not make sense in the age of the computer.

Second, that when combined with the values of the left, is actively destructive, that it is destructive of values when you have as we had in the case of Mrs. Capetillo, a person who is being punished for saving, that it is destructive in New York City of young people, when the New York City Board of Examiners would hire a man who had been convicted of two criminal convictions, one for assault, had been arrested for assaulting two 7-year-old girls in New Jersey, and literally when you have people who have been convicted of child assault and child molestation being hired to be classroom teachers, that the bureaucratic welfare state has begun to truly cripple human beings, that when you have a city like Washington, DC, in which 20 percent of the public housing units are unoccupied, that we are hurting human beings because they cannot get into public housing that the taxpayers have paid for.

Finally, when you have 44- or 45-percent dropout rates, as we have in both New York and Washington, that the young people who are not getting the education they need are in fact being hurt.

We are developing the American Opportunities Movement in order to build upon the citizen movement that Barry Goldwater and Ronald Reagan and Bill Buckley created in that 1950's. We believe that only be having a citizens' movement that develops an answer to the bureaucratic welfare state and that develops an answer to the values of the left, and only through citizens at every level, from local school boards to city and county government that State government and the Federal Government, only by applying these new approaches can we develop the opportunities we ought to have.

As I said earlier, the basic principles of the American Opportunities Movement are simple. First of all, that we ought to apply common sense focused on opportunities and success. Now, common sense would have suggested that maybe Mrs. Capetillo should not have been prosecuted for having saving money, for having been frugal, for having done the right things for her daughter.

Common sense might suggest that maybe we should abusing the New York City Board of Examiners because it is a waste of money and it is actually destructive of good education in New York City.

Common sense would suggest that we ought to find some solution to having every fifth public housing unit unoccupied and boarded up in Washington, DC.

So our first goal in the American Opportunities Movement is to apply common sense, focused on opportunities and on success.

Our second goal is to develop and communicate the triangle of American success. As I said earlier, the three sides of the triangle and basic American values, technological progress, and entrepreneurial free enterprise. Our argument is very simple, that if we would rethink the Federal Government and our State governments and our local governments, apply basic American values, apply the possibilities inherent in technological progress, and apply the drive and the initiative and the energy of enterpreneurial enterprise, that we could in fact develop a country which I think in the 1990's could be 30 percent more prosperous, 30 percent healthier, and 30 percent more productive than the bureaucratic welfare state will allow America to be.

Finally, we are developing these ideas within the framework of the American Opportunities Movement. On May 19 we will have a workshop available to anybody in America who has a satellite down link for television, anybody who has a personal dish receiver, or who wants to go to a hotel or motel with a dish receiver or wants to go to their local college or school or to a church or to a business that has a down link or any cable access system that is willing to use the cable access channel to show it.

Our goal in the American Opportunities Movement is to have a nonpartisan presentation of a commonsense replacement for the bureaucratic welfare state and a basic American values replacement for the values of the left.

So I want to encourage my colleagues as we look at the budget this year, as we look at the issue of whether or not to raise taxes, I think President Bush was right when he said that $1.2 trillion is a lot of money.

I think that we can solve the problems that America faces by applying

common sense and by reforming and replacing the bureaucratic welfare state instead of raising taxes to simply continue to subsidize the current ineffective system.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LAGOMARSINO) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH, for 60 minutes, today and February 21.

Mr. MCEWEN, for 5 minutes, today.

Mr. LIGHTFOOT, for 5 minutes, today.

(The following Members (at the request of Mr. SARPALIUS) to revise and extend their remarks and include extraneous material:)

Mr. ENGEL, for 5 minutes, today.

Ms. LONG, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ANNUNZIO, for 60 minutes, on February 22.

Mr. FALEOMAVAEGA, for 60 minutes, on February 22.

Mr. LIPINSKI, for 5 minutes each day, on March 6, March 13, March 20, and March 27.

Mr. LIPINSKI, for 60 minutes each day, on March 7, March 14, March 21, and March 28.

(The following Member (at the request of Mr. GINGRICH) to revise and extend his remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, on February 21.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LAGOMARSINO) and to include extraneous matter:)

Mr. WALSH.

Mr. BOEHLERT.

Mr. PAXON.

Mr. MACHTLEY in four instances.

Mr. LEWIS of California.

Mr. SCHUETTE in four instances.

Mr. GILMAN in four instances.

(The following Members (at the request of Mr. SARPALIUS) and to include extraneous matter:)

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. KLECZKA.

Mr. CARDIN in three instances.

Mr. FRANK in two instances.

Mr. MCMILLEN of Maryland.

Mr. MILLER of California.

Mr. MAZZOLI.

Ms. PELOSI.

Mr. ORTIZ.

Mr. MFUME.

Mr. KANJORSKI.

Mr. KOSTMAYER.

Mr. DIXON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 321. An act to revise provisions of law that provide a preference to Indians; to the Committee on Interior and Insular Affairs.

S. 1229. An act for the relief of Maria Lusia Anderson; to the Committee on the Judiciary.

S. 1467. An act for the relief of Geetha Kannan; to the Committee on the Judiciary.

S. 1493. An act for the relief of Reswitha Starins; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3952. An act to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on the following present to the President, for his approval, bills and joint resolution of the House of the following titles:

On February 8, 1990:

H.J. Res. 82. Joint resolution to designate February 8, 1990, as "National Women and Girls in Sports Day", and

H.R. 3792. An act to authorize appropriations for fiscal years 1990 and 1991 for the Department of State, and for other purposes.

On February 9, 1990:

H.R. 3952. An act to authorize certain United States assistance and trade benefits for Panama, and for other purposes.

ADJOURNMENT

Mr. GINGRICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p.m., under its previous order, the House adjourned until tomorrow, Wednesday, February 21, 1990, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2482. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of February 28, 1947, to authorize the Secretary of Agriculture to cooperate with all Western Hemisphere countries in animal disease control; to the Committee on Agriculture.

2483. A letter from the Deputy Assistant Secretary (Logistics), Department of the Air Force, transmitting notification of the decision to convert to contractor performance the aircraft maintenance function at Mather Air Force Base, CA, pursuant to Public Law 100-463, section 8061 (102 Stat. 2270-27); to the Committee on Appropriations.

2484. A letter from the Assistant Secretary of Defense (Force Management and Personnel), transmitting the Department's defense manpower requirements report for fiscal year 1991, pursuant to U.S.C. 115(b)(3); to the Committee on Armed Services.

2485. A letter from the Deputy Assistant Secretary of Defense (Installations), transmitting a report on the performance of the Department's commercial activities describing the extent to which commercial and industrial-type functions were performed by defense contractors during fiscal year 1989, pursuant to 10 U.S.C. 2304 nt. Public Law 100-370 section 2(a) (102 Stat. 852); to the Committee on Armed Services.

2486. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

2487. A letter from the Adjutant General, the Veterans of Foreign Wars of the United States, transmitting proceedings of the 90th national convention, pursuant to 36 U.S.C. 118; 44 U.S.C. 1332 (H. Doc. No. 101-150); to the Committee on Armed Services and ordered to be printed.

2488. A letter from the Secretary of Housing and Urban Development, transmitting the Department's first report on the Supportive Housing Demonstration Program, pursuant to 42 U.S.C. 11387; to the Committee on Banking, Finance and Urban Affairs.

2489. A letter from the Senior Vice President Policy and Public Affairs), Fannie May, transmitting a report on Fannie May's equal employment opportunity policy pursuant to subsection (d) of section 1216 of the Financial Reform, Recovery, and Enforcement Act of 1989; to the Committee on Banking, Finance and Urban Affairs.

2490. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report on "pass-through" deposit insurance, pursuant to 12 U.S.C. 1827 nt.; to the Committee on Banking, Finance and Urban Affairs.

2491. A letter from the Joint Committee on Judicial Administration, District of Columbia Courts, transmitting a report on a study of District of Columbia Court Resources, pursuant to Public Law 101-223, section 3 (103 Stat. 1902); to the Committee on the District of Columbia.

2492. A letter from the Secretary of Energy, transmitting the ninth annual report on financing, supply and installation activities of public utilities under the Residential Conservation Service Program, pursuant to 42 U.S.C. 8217(g); to the Committee on Energy and Commerce

2493. A letter from the Assistant Vice President for Government and Public Affairs, National Railroad Passenger Corporation, transmitting the Corporation's annual report on each route on which the Corporation operated rail passenger service during fiscal year 1989, the 1990 legislative report, the fiscal year 1990 Amtrak compensation

report, and Amtrak's 1989 annual report, pursuant to 45 U.S.C. 548(b), 644(1)(b); 45 U.S.C. 564(c); to the Committee on Energy and Commerce.

2494. A letter from the Policy and Analysis Staff, Environmental Protection Agency, transmitting the Agency's final revisions to the national oil and hazardous substances pollution contingency plan, pursuant to 42 U.S.C. 9655(a); to the Committee on Energy and Commerce.

2495. A letter from the Secretary, Interstate Commerce Commission, transmitting notice that the Commission has extended the time period for issuing a decision in Finance Docket No. 31387 (Sub-No. 1), "Canadian National Railway Company—Lease From Grand Trunk Western Railroad Company, to April 6, 1990, pursuant to 49 U.S.C. 10327(k)(2); to the Committee on Energy and Commerce.

2496. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report containing the status of each loan and each contract of guaranty or insurance to which there remains outstanding any unpaid obligation or potential liability and the status of each extension of credit for the procurement of defense articles or services as of September 30, 1989, pursuant to 22 U.S.C. 2765 (a); to the Committee on Foreign Affairs.

2497. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on human rights in countries receiving development assistance, pursuant to 22 U.S.C. 2151N(d); to the Committee on Foreign Affairs.

2498. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on human rights in countries receiving development and security assistance, pursuant to 22 U.S.C. 2151N(d), FAA, section 116(d), 22 U.S.C. 2304(b), FAA, section 520B(b); to the Committee on Foreign Affairs.

2499. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112B(a); to the Committee on Foreign Affairs.

2500. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 12th annual report on Americans incarcerated abroad, pursuant to 42 U.S.C. 2151N-1; to the Committee on Foreign Affairs.

2501. A letter from the Chairman, Board for International Broadcasting, transmitting the initial semiannual report of the inspector general for the period April 1, 1989, through September 30, 1989, pursuant to Pubic Law 95-452, section 8E(h)(2) (102 Stat. 2525); to the Committee on Government Operations.

2502. A letter from the Comptroller General of the United States, transmitting a report on management of the Department of Health and Human Services (GAO/HRD-90-54, February 1990); to the Committee on Government Operations.

2503. A letter from the Assistant Secretary (Management), Department of the Treasury, transmitting a report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2504. A letter from the Acting Chairman, Federal Maritime Commission, transmitting a report on the Commission's activities under the Government in the Sunshine Act during calendar year 1989, pursuant to 5 U.S.C. 552B(j); to the Committee on Government Operations.

2505. A letter from the Vice President and General Counsel, Legal Services Corporation, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2506. A letter from the Chairman, National Endowment for the Humanities, transmitting a report on activities under the Freedom of Information Act for 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2507. A letter from the Assistant Director, National Science Foundation, transmitting notice of a proposed system of records being established by the Office of Inspector General, pursuant to 5 U.S.C. 552A(r); to the Committee on Government Operations.

2508. A letter from the Acting Chairman, National Transportation Safety Board, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2509. A letter from the Chairman, Federal Election Commission, transmitting a report to alert Congress that the Presidential Election Campaign Fund is running out of money, pursuant to 26 U.S.C. 9009(a)(5)(A); to the Committee on House Administration.

2510. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2511. A letter from the Assistant Secretary—Land and Minerals Management, Department of the Interior, transmitting the Department's notice on leasing systems for the central Gulf of Mexico, sale 123, scheduled to be held in March 1990, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Interior and Insular Affairs.

2512. A letter from the Secretary of the Interior, transmitting a report on nine compensatory royalty agreements relating to oil or gas which were entered into during fiscal year 1989 involving unleased Government lands, pursuant to 30 U.S.C. 226(g); to the Committee on Interior and Insular Affairs.

2513. A letter from the Clerk, U.S. Court of Appeals, transmitting the independent counsel's report, in re: Franklyn C. Nofziger, Division No. 87-1, dated January 18, 1990, pursuant to 28 U.S.C. 595(a); to the Committee on the Judicary.

2514. A letter from the President, Legal Services Corporation, transmitting copies of the Legal Services corporation's fact book for 1988-89, pursuant to 42 U.S.C. 2996G(c); to the Committee on the Judiciary.

2515. A letter from the Clerk, U.S. House of Representatives, transmitting the Boy Scouts of America 1989 report to the Nation, pursuant to 36 U.S.C. 28; to the Committee on the Judiciary.

2516. A letter from the Chairman, Merit System Protection Board, transmitting the Board's report for fiscal year 1989 listing the number of appeals submitted, the number processed to completion, and the number not completed by the originally announced date, pursuant to 5 U.S.C. 7701(i)(2); to the Committee on Post Office and Civil Service.

2517. A letter from the Personnel Appeals Board, GAO, transmitting a copy of the Board's 1988 annual report; to the Committee on Post Office and Civil Service.

2518. A letter from the Administrator of the Federal Aviation Administration, transmitting a report on the status of aircraft safety rulemaking procedures for the period September through December 1989, pursuant to 49 U.S.C. App. 1421 nt.; to the Committee on Public Works and Transportation.

2519. A letter from the Acting Administrator, General Services Administration, transmitting a copy of a lease prospectus for the U.S. Customs Service, John F. Kennedy Airport, Jamaica, NY, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

2520. A letter from the Chairman, U.S. Consumer Product Safety Commission, transmitting the fiscal year 1991 budget requests, pursuant to 15 U.S.C. 2076(k)(1); jointly, to the Committees on Appropriations and Energy and Commerce.

2521. A letter from the Director (Administration and Management), Department of Defense, transmitting the Department's determination and findings indicating the necessity to exclude the clause from a proposed contract with the Government of Somalia, pursuant to 10 U.S.C. 2313(c); jointly, to the Committees on Armed Services and Government Operations.

2522. A letter from the Comptroller General of the United States, transmitting the results of the audit of the Federal Housing Administration Fund's consolidated statements as of September 30, 1988 (GAO/AFMD-90-36, February 1990), pursuant to 31 U.S.C. 9106(a); jointly, to the Committees on Banking, Finance and Urban Affairs and Government Operations.

2523. A letter from the Acting Administrator, Agency for International Development and the President, and Chairman, Eximbank of the United States, transmitting the Agency's semiannual report on the amount and extension of credits under the Trade Credit Insurance Program to Costa Rica, Guatemala, Honduras, and El Salvador for fiscal year 1989, pursuant to 22 U.S.C. 2184(g); jointly, to the committees on Banking, Finance and Urban Affairs and Foreign Affairs.

2524. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the report of the nondisclosure of safeguards information for the quarter ending December 31, 1989, puruant to 42 U.S.C. 2167(d); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2525. A letter from the Chairman Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting a report of the Advisory Committee on Reactor Safeguards on the Nuclear Regulatory Commission Safety Research Program, pursuant to 42 U.S.C. 2039; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2526. A letter from the Chairman, Nuclear Regulatory, Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal year 1991 and for other purposes, pursuant to 31 U.S.C. 1110; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2527. A letter from the Secretary of Energy, Transmitting a comprehensive report describing the project entitled "Demonstration of Coal Reburning for Cyclone Boiler Nox Control", proposed by the Babcock & Wilcox Co., the seventh project to be negotiated under the second solicitation for the Clean Coal Technology Demonstration

Program, pursuant to Public Law 99-190 (99 Stat. 1251); Public Law 100-201 (101 Stat. 1329-24 0); jointly, to the Committees on Appropriations; Energy and Commerce; and Science, Space, and Technology.

2528. A letter from the Secretary of Defense, Transmitting a draft of proposed legislation to improve the management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes; jointly, to the Committees on Armed Services, Government Operations, and Merchant Marine and Fisheries.

2529. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to repeal or modify certain reporting requirements relating to activities of the Department of Defense; jointly, to the Committees on Armed Services; Banking, Finance and Urban Affairs; Foreign Affairs; and the Judiciary.

2530. A letter from the Acting Secretary of State, Transmitting a draft of proposed legislation entitled the "Eastern European Democracy and Free Market Act of 1990"; jointly, to the Committees on Foreign Affairs; Banking, Finance and Urban Affairs; Ways and Means; and Approriations.

2531. A letter from the Assistant Secretary for Legislative Affairs, Department of State, Transmitting the Department's report concerning assistance to Poland, "The Support for East European Democracy [SEED] Act of 1989, pursuant to Public Law 101-179, section 102(a); jointly, to the Committees on Foreign Affairs; Banking, Finance and Urban Affairs; Ways and Means; Agriculture; Education and Labor; Energy and Commerce; and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALL of Ohio. Committee on Rules. House Resolution 338. Resolution providing for the consideration of H.R. 2570, a bill to provide for the designation of certain public lands as wilderness in the State of Arizona (Rept. 101-403). Referred to the House Calendar.

Mr. HAWKINS. Committee on Education and Labor. H.R. 3910. A bill to require the Secretary of Education to conduct a comprehensive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965; with an amendment (Rept. 101-404). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JONES of North Carolina (for himself, Mr. LENT, Mr. HUBBARD, and Mr. DAVIS):

H.R. 4009. A bill to authorize appropriations for fiscal year 1991 for the Federal Maritime Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DE LA GARZA (for himself, Mr. MADIGAN, Mr. BROWN of California, Mr. STENHOLM, Mr. COLEMAN of Missouri, Mr. GLICKMAN, Mr. EMERSON, Mr. TALLON, Mr. MORRISON of Washington, Mr. JOHNSON of South Dakota, Mr. MARLENEE, Mr. LANCASTER, Mr. STANGELAND, Mr. JONTZ, Mr. GUNDERSON, Mr. ESPY, Mr. HERGER, Ms. LONG, Mr. ROBERT F. SMITH, Mr. JONES of North Carolina, Mr. GRANDY, Mr. WALSH, Mr. PENNY, and Mr. DORGAN of North Dakota):

H.R. 4010. A bill to provide the Secretary of Agriculture authority regarding the sale of sterile screwworms; to the Committee on Agriculture.

By Mrs. BOXER:

H.R. 4011. A bill to amend title 10, United States Code, to prohibit certain retaliatory actions against whistleblowers; to the Committee on Armed Services.

H.R. 4012. A bill to protect employees who report violations of Federal laws and regulations; to the Committee on Education and Labor.

By Mr. DYMALLY:

H.R. 4013. A bill to establish a bipartisan Presidential Commission to review, assess, and report on the programs, goals, and future direction of the Board for International Broadcasting and the U.S. Information Agency; to the Committee on Foreign Affairs.

By Mr. FORD of Michigan (for himself, Mr. CLAY, Mrs. SCHROEDER, Ms. OAKAR, Mr. SIKORSKI, Mr. MCCLOSKEY, Mr. ACKERMAN, Mr. DYMALLY, Mr. SAWYER, Mr. KANJORSKI, Mr. HAYES of Illinois, Mr. UDALL, Mr. DE LUGO, Mr. GILMAN, AND Mrs. MORELLA):

H.R. 4014. A bill to amend Public Law 101-86 for purposes of carrying out the 1990 decennial census of population, and for other purposes; jointly, to the Committees on Post Office and Civil Service and Ways and Means.

By Mr. CONYERS (for himself, Mr. JACOBS, Mr. BUSTAMANTE, and Mr. SHARP):

H.R. 4015. A bill to provide uniform standards, rights, and measures of accountability for the contract of commercial activities by Federal agencies, and for other purposes; to the Committee on Government Operations.

By Mr. FRANK:

H.R. 4016. A bill to amend the Energy Policy and Conservation Act to authorize the President to allocate crude oil and petroleum products, and to limit prices thereof, in the event of a severe petroleum supply shortage; to the Committee on Energy and Commerce.

By Mr. GRADISON:

H.R. 4017. A bill to suspend temporarily the duty on Sucralfate; to the Committee on Ways and Means.

H.R. 4018. A bill to extend until January 1, 1995, the existing temporary suspension of the duty on nicotine resin complex and on terfenadone; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. TRAXLER, Mr. BONIOR, Mr. LEVIN of Michigan, Mr. HERTEL, Mr. CROCKETT, Mr. CONYERS, Mr. WOLPE, Mr. HENRY, Mr. DINGELL, Mr. FORD of Michigan, and Mr. CARR):

H.R. 4019. A bill to designate certain rivers in the State of Michigan as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GRADISON:

H.R. 4020. A bill to suspend temporarily the duty on Mesalamine; to the Committee on Ways and Means.

H.R. 4021. A bill to suspend temporarily the duties on Diltiazem Hydrochloride and Sustained Release Diltiazem Hydrochloride; to the Committee on Ways and Means.

H.R. 4022. A bill to suspend temporarily the duties on TA3090; to the Committee on Ways and Means.

By Mr. HANSEN:

H.R. 4023. A bill to prohibit the construction of a proposed natural gas pipeline in the Wasatch Variation Corridor, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KASTENMEIER:

H.R. 4024. A bill to amend title 28, United States Code, with respect to the term of office of the Director of the Federal Judicial Center, and with respect to creditable service of certain officials of the judicial branch for purposes of retirement; to the Committee on the Judiciary.

By Mr. LIGHTFOOT (for himself, Mr. ROE, Mrs. BENTLEY, Mr. LANCASTER, Mr. DE LUGO, Mr. FAUNTROY, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. FUSTER, Mr. FOGLIETTA, Mr. TOWNS, and Mr. ENGLISH):

H.R. 4025. A bill to amend the Federal Aviation Act of 1958 to require the use of child safety restraint systems approved by the Secretary of Transportation on commercial aircraft; to the Committee on Public Works and Transportation.

By Mr. RAHALL:

H.R. 4026. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make available for humanitarian relief purposes any nonlethal surplus personal property, and for other purposes; jointly, to the Committees on Government Operations, Armed Services, and Foreign Affairs.

By Mr. SCHUMER:

H.R. 4027. A bill to appropriate funds to the Department of Veterans Affairs for medical care for veterans; to the Committee on Appropriations.

H.R. 4028. A bill to provide for eradication of drug production in certain foreign countries through debt-for-drugs exchanges; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. McMILLEN of Maryland:

H.J. Res. 477. Joint resolution designating April 6, 1990, as "National Student-Athlete Day"; to the Committee on Post Office and Civil Service.

By Mr. TORRICELLI:

H.J. Res. 478. Joint resolution designating August 14, 1990, as "America-Pakistan Day"; to the Committee on Post Office and Civil Service.

By Mr. BEREUTER:

H. Con. Res. 266. Concurrent resolution relating to congressional support for a Presidential waiver of the Jackson-Vanik amendment with respect to Czechoslovakia; jointly, to the Committees on Ways and Means and Foreign Affairs.

By Mr. DELAY (for himself, Mr. GALLO, Mr. STUMP, Mr. GRANT, Mr. ARMEY, Mr. LEWIS of California, Mr. BLILEY, Mr. PACKARD, Mr. SUNDQUIST, Mr. BARTON of Texas, Mr. HUNTER, Mr. HOLLOWAY, Mr.

McEWEN, Mr. GEKAS, Mr. ROTH, Mr. COBLE, and Mr. WALKER):

H. Con. Res. 267. Concurrent resolution expressing the sense of the Congress that the demonstrators who threw blood on the Capitol and the White House should be charged with a felony; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H. Con. Res. 268. Concurrent resolution urging the President to send a United States delegation to monitor the national elections in Romania; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

312. By the SPEAKER: Memorial of the Senate of the Commonwealth of Pennsylvania, relative to military facilities; to the Committee on Armed Services.

313. Also, memorial of the Legislature of the State of Maine, relative to funding for Federal mandates; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FASCELL introduced a bill (H.R. 4029) to permit issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel the *Solitaire*; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 70: Mr. FROST.

H.R. 118: Mr. CAMPBELL of California.

H.R. 290: Mr. MACHTLEY and Mr. CARDIN.

H.R. 388: Mr. GINGRICH.

H.R. 395: Mr. GINGRICH.

H.R. 563: Mr. DOWNEY, Mr. LEVINE of California, Mr. BONIOR, and Mr. VISCLOSKY.

H.R. 658: Mr. SMITH of Texas.

H.R. 965: Mr. SANGMEISTER.

H.R. 1180: Mr. ROE.

H.R. 1280: Mr. SCHEUER.

H.R. 1505: Mr. GUNDERSON.

H.R. 1515: Mr. DIXON.

H.R. 1676: Mrs. KENNELLY and Mr. FORD of Tennessee.

H.R. 2085: Mr. KYL.

H.R. 2189: Mr. LAFALCE.

H.R. 2200: Mr. CARPER.

H.R. 2245: Mr. GRANDY and Mr. BURTON of Indiana.

H.R. 2445: Mr. WAXMAN.

H.R. 2500: Mrs. COLLINS, Mr. CONYERS, Mr. CROCKETT, Mr. FAUNTROY, Mr. HAYES of Illinois, and Mr. OWENS of New York.

H.R. 2632: Mr. JOHNSON of South Dakota.

H.R. 2648: Mr. BONIOR, Mr. MACHTLEY, and Mr. MFUME.

H.R. 2927: Mr. PAXON.

H.R. 3080: Mr. PAYNE of Virginia and Mr. SISISKY.

H.R. 3158: Mr. COUGHLIN, Mr. MILLER of Washington, and Mr. WALGREN.

H.R. 3182: Mr. ANNUNZIO, Mr. WILLIAMS, Mr. RIDGE, Mr. WISE, Mr. FRANK, Ms. OAKAR, Mr. AKAKA, Mr. MOLLOHAN, Mr. WHEAT, Mr. SCHUMER, Mr. ACKERMAN, Mr. ANTHONY, Mr. CARR, Mr. COLEMAN of Texas, Mr. FLAKE, Mr. FORD of Michigan, Mr. GEJDENSON, Mr. HOYER, Mr. LEATH of Texas, Ms. LONG, Mr. MCCLOSKEY, Mr. MOODY, Mr. ORTIZ, Mr. PASHAYAN, Mr. PENNY, Mr. SABO, Mr. SOLARZ, Mr. STALLINGS, Mr. TORRICELLI, Mr. YOUNG of Alaska, Mr. DICKS, Mr. HUTTO, Mr. LEHMAN of Florida, Mr. HAYES of Louisiana, Mr. SPENCE, and Mr. ROBERT F. SMITH.

H.R. 3268: Mr. SISISKY, Mr. BURTON of Indiana, Ms. KAPTUR, and Ms. LONG.

H.R. 3349: Mr. NEILSON of Utah, Mr. ROYBAL, Mr. RICHARDSON, Mr. WALSH, and Mr. RANGEL.

H.R. 3484: Mr. MCMILLEN of Maryland, Mr. LEATH of Texas, Mr. STENHOLM, Mr. DWYER of New Jersey, Mr. YOUNG of Alaska, and Mr. GEJDENSON.

H.R. 3498: Mr. HANSEN, Mr. NIELSON of Utah, Mr. BLAZ, Mr. CRAIG, Mrs. VUCANOVICH, Mr. TAUKE, Mr. BOEHLERT, Mr. PALLONE, and Mr. STARK.

H.R. 3500: Mr. CHANDLER and Mr. STENHOLM.

H.R. 3512: Mr. VISCLOSKY, Mr. MCCLOSKEY, and Mr. GLICKMAN.

H.R. 3527: Mr. BATES and Mr. BEILENSON.

H.R. 3536: Mr. HEFLEY and Mr. KYL.

H.R. 3643: Mr. DELAY, Mr. MACHTLEY, Mr. KOLBE, Mr. JOHNSON of South Dakota, and Mr. LIGHTFOOT.

H.R. 3672: Mrs. COLLINS, Mr. JONTZ, and Mr. KILDEE.

H.R. 3681: Mr. DORNAN of California and Mr. SMITH of Vermont.

H.R. 3705: Mr. DYMALLY.

H.R. 3733: Mr. DURBIN, Mr. DWYER of New Jersey, Mr. FORD of Michigan, Mr. JONTZ, Mr. HAWKINS, and Mr. MORRISON of Connecticut.

H.R. 3757: Mr. FASCELL, Mrs. COLLINS, Mr. TORRICELLI, Mr. LEHMAN of Florida, Mrs. MEYERS of Kansas, and Ms. PELOSI.

H.R. 3766: Mr. ARMEY, Mr. COURTER, Mr. GREEN, Mr. HORTON, Mr. LEVIN of Michigan, Mr. OWENS of Utah, Mrs. SCHROEDER, Mr. SHUMWAY, Mr. SMITH of Texas, and Mr. WELDON.

H.R. 3859: Mr. KOLTER, Mr. GUARINI, Mr. ANTHONY, Mr. RANGEL, Mr. GRAY, Mr. LEVIN of Michigan, Mr. MATSUI, and Mr. MAVROULES.

H.R. 3918: Mr. LAGOMARSINO, Mr. GALLEGLY, Mr. GALLO, Mr. NIELSON of Utah, Mr. SHUMWAY, Mr. SCHIFF, Mr. BLILEY, Mr. DONALD E. LUKENS, and Mr. BILIRAKIS.

H.R. 3949: Mr. TOWNS and Mr. JAMES.

H.R. 3973: Mr. FRANK.

H.R. 4003: Mr. WEISS, Mr. TOWNS, Mr. GEJDENSON, and Mr. FRANK.

H.J. Res. 54: Mr. SKAGGS.

H.J. Res. 345: Mr. FEIGHAN, Mr. MCDERMOTT, Mr. BROWDER, Mr. KOSTMAYER, Mr. BORSKI, Mr. DERRICK, Mr. ESPY, Mr. KOLTER, Mr. LEVIN of Michigan, Mr. HASTERT, Mr. MADIGAN, Mr. CRANE, Mr. WASHINGTON, Mr. LANCASTER, Mr. LEACH of Iowa, Mr. ERDREICH, Mr. FOGLIETTA, Mr. WHEAT, Mrs. UNSOELD, Mr. DENNY SMITH, Mr. GUNDERSON, Mr. KLECZKA, Mr. THOMAS of California, Mr. HUNTER, Mr. RICHARDSON, Mr. KANJORSKI, Mr. ROHRABACHER, Ms. KAPTUR, Mr. HAYES of Illinois, Mr. YATES, Mr. DELAY, Mr. PARRIS, Mr. DURBIN, Mr. HOCHBRUECKNER, Mr. SAVAGE, Mr. BOEHLERT, Mr. PORTER, Mr. STAGGERS, Mr. SLATTERY, Mr. GIBBONS, Mr. ROSE, Mr. BILIRAKIS, Mr. CLARKE, Mr. JONES of North Carolina, Mr. OWENS of Utah, Mr. WOLF, Mr. LIGHTFOOT, Mr. GEKAS, Mr. SAWYER, Mr. FIELDS, Mr. COUGHLIN, and Mr. CARR.

H.J. Res. 398: Mr. ANNUNZIO, Mr. WILLIAMS, Mr. RIDGE, Mr. WISE, Mr. FRANK, Ms. OAKAR, Mr. AKAKA, Mr. MOLLOHAN, Mr. WHEAT, Mr. SCHUMER, Mr. ACKERMAN, Mr. ANTHONY, Mr. CARR, Mr. COLEMAN of Texas, Mr. FLAKE, Mr. FORD, of Michigan, Mr. GEJDENSON, Mr. HOYER, Mr. LEATH of Texas, Ms. LONG, Mr. MCCLOSKEY, Mr. MOODY, Mr. ORTIZ, Mr. PASHAYAN, Mr. PENNY, Mr. RUSSO, Mr. SABO, Mr. SOLARZ, Mr. STALLINGS, Mr. TORRICELLI, Mr. YOUNG of Alaska, Mr. HUTTO, Mr. MICHEL, Mr. HAYES of Louisiana, and Mr. ROBERT F. SMITH.

H.J. Res. 431: Mr. LEWIS of California, Ms. KAPTUR, Ms. ROS-LEHTINEN, Mr. RAVENEL, Mr. WILSON, Mr. BATES, Mr. GORDON, Mr. KASICH, Mr. MATSUI, Mr. PALLONE, Mr. DWYER of New Jersey, Mr. THOMAS of Wyoming, Mr. SMITH of Vermont, Mr. HUTTO, Mrs. BENTLEY, Mr. ENGEL, Mr. HALL of Ohio, and Mr. LEWIS of Georgia.

H.J. Res 441: Mr. GINGRICH, Mr. ROSE, Mr. PICKETT, Mr. SHAYS, Mr. RAY, Mr. BARNARD, Mr. HOCHBRUECKNER, Mr. MAZZOLI, Mr. SISISKY, Mr. SYNAR, Mr. BENNETT, Mr. MORRISON of Connecticut, Mr. MURTHA, Mr. WYLIE, Mr. EVANS, Mr. MONTGOMERY, Mrs. MARTIN of Illinois, Mr. QUILLEN, Mr. LIPINSKI, Mr. PICKLE, Mr. BRENNAN, Mr. ROWLAND of Georgia, Ms. SNOWE, Mr. HUBBARD, Mr. PORTER, Mr. MFUME, Mr. LANCASTER, Mr. MCMILLEN of Maryland, Mr. MOLLOHAN, Mr. RICHARDSON, Mr. GUARINI, Mr. CLINGER, Mr. HASTERT, Mr. STALLINGS, Mr. MCCRERY, Mr. MATSUI, and Mr. DEFAZIO.

H.J. Res. 459: Mr. WOLF, Mr. MCMILLEN of Maryland, Mr. THOMAS A. LUKEN, Mr. SABO, and Mr. GALLO.

H.J. Res. 462: Mr. HAMILTON, Ms. KAPTUR, Mr. MONTGOMERY, Mrs. MARTIN of Illinois, Mr. DORNAN of California, Mr. SAVAGE, Mr. BERMAN, Mr. KENNEDY, Mr. KANJORSKI, Mr. HARRIS, Mr. MACHTLEY, Mr. MCDERMOTT, Mr. PICKETT, Mr. STALLINGS, Mr. WILSON, Mr. FAZIO, Mr. SLATTERY, Mrs. MORELLA, Mr. DE LA GARZA, Mr. CROCKETT, Mr. SAWYER, Mr. BLILEY, Mr. EVANS, Ms. PELOSI, Mr. KILDEE, Mr. NEAL of Massachusetts, Mr. ATKINS, Mr. BROWN of California, Mr. DWYER of New Jersey, Mr. SCHIFF, Mr. NIELSON of Utah, Mr. LAGOMARSINO, Mr. CRANE, Mr. PURSELL, Mr. HUGHES, Mr. MORRISON of Connecticut, Mr. HEFNER, and Mr. CONYERS.

H.J. Res. 469: Mr. ACKERMAN, Mr. HASTERT, Mr. KOLTER, Mr. KOSTMAYER, Ms. LONG, Mr. DONALD E. LUKENS, Mr. MCDERMOTT, Mr. NELSON of Florida, Mr. ROTH, Mr. SPENCE, Mr. UPTON, and Mr. WISE.

H. Con. Res. 87: Mr. FORD of Tennessee.

H. Con. Res. 182: Ms. ROS-LEHTINEN.

H. Con. Res. 253: Mr. RICHARDSON and Mr. HORTON.

H. Con. Res. 257: Mr. BROOMFIELD, Mr. LIPINSKI, Mr. UPTON, Mr. GINGRICH, Mr. ROWLAND of Connecticut, Mr. DELAY, Mr. SHAW, Mr. WILSON, Mr. MCHUGH, Mr. GEREN, Mr. STENHOLM, Mr. LAUGHLIN, Mr. FROST, Mr. HALL of Texas, Mr. PICKLE, Mr. ORTIZ, Mr. BRYANT, Mr. BROOKS, Mr. YOUNG of Florida, Mr. JAMES, and Mr. PORTER.

H. Con. Res. 260: Mr. PENNY, Mr. FOGLIETTA, and Mr. ROE.

H. Con. Res. 264: Mr. ACKERMAN, Mr. BILIRAKIS, Mr. BRENNAN, Mr. BUECHNER, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. DEFAZIO, Mr. DORNAN of California, Mr. FAUNTROY, Mr. FEIGHAN, Mr. FOGLIETTA, Mr. GRANT, Mr. GRAY, Mr. HYDE, Mr. LEHMAN of Florida, Mr. LEVINE of California, Mr. LOWERY of California, Mr. MCGRATH, Mr. MCHUGH, Mr. MCNULTY, Mr. MAVROULES, Mr. MILLER of Washington, Mr. MRAZEK, Mr. OWENS of Utah, Mr. PAXON, Mr. RHODES, Mr. ROE, Ms. ROS-LEHTINEN, Mr. ROYBAL, Mr. SIKORSKI, Mr. SMITH of Florida, Mr. SPRATT, Mr. TORRICELLI, Mrs. UN-

SOELD, Mr. WEBER, Mr. WOLF, Mr. WYDEN, Mr. YATES, and Mr. YATRON.

H. Res. 297: Mr. BURTON of Indiana, Mr. BROWN of Colorado, Mr. COURTER, Mr. DELAY, Mr. EMERSON, Mr. JAMES, Mr. LENT, Mr. MILLER of Washington, Mr. NIELSON of Utah, Mr. PETRI, Mr. SCHIFF, Mr. STUMP, Mrs. VUCANOVICH, and Mr. WHITTAKER.

H. Res. 314: Mr. SHAYS, Mr. LANTOS, Mrs. SAIKI, Mr. CARR, and Mr. CAMPBELL of California.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 505: Mr. OLIN.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

140. The SPEAKER presented a petition of the city of Tamarac, FL, relative to grant funds; which was referred to the Committee on Government Operations.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS

The following registrations were submitted for the fourth calendar quarter 1989:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19 . . . . .

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Is this an Amendment? ☐ YES ☐ NO

IDENTIFICATION NUMBER

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) *"Employee".*—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) *"Employer".*—To file as an "employer", write "None" in answer to Item "B".

(*b*) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have ☐ terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) description, (*b*) quantity distributed, (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report."

STATEMENT OF VERIFICATION

[Omitted in printing]

Organization or Individual Filing	Employer/Client
Jessica R. Aberly, 1616 P Street, NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control
Adele L. Abrams, 1415 Elliot Place, NW Washington, DC 20007	National Stone Association
Allan Robert Adler, 1333 New Hampshire Ave., NW Washington, DC 20036	Cohn and Marks (For:Maclean Hunter Cable TV)
Akin Gump Strauss Hauer & Feld, 1333 New Hampshire Ave., NW, #400 Washington, DC 20036	Burger King
James J. Albertine, 5620 Ogden Road, NW Bethesda, MD 20816	American Diabetes Assn
Donald C. Alexander, 1333 New Hampshire Ave., NW, #700 Washington, DC 20036	Cadwalader Wickersham & Taft (For:Aon Corporation)
Do	Cadwalader Wickersham & Taft (For:Harsco Corporation)
American Forest Resource Alliance, 1250 Connecticut Ave., NW, #200 Washington, DC 20036	
American Tax Reduction Movement, 2113 National Press Building Washington, DC 20045	
Americans for Health, Inc/National Health Care Campaign, 1334 G Street, NW, LL Washington, DC 20005	
Fred E. Anderson, 2397 W. 29th Street Loveland, CO 80537	Shayne M. Madsen (For:Madison Public Affairs (for: Philip Morris))
Andrews' Associates, Inc, 2550 M St., NW, #450 Washington, DC 20037	City of Denver, Colorado
Do	Interstate Natural Gas Assn (INGA)
Do	Standard Federal Savings Bank of Maryland
Do	Wayne County, Michigan
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	Bank of Credit and Commerce International
Do	Puerto Rico Federal Affairs Administration
Armenian Assembly of America, 122 C Street, NW #350 Washington, DC 20001	
Susan Armsby, 2000 M Street, NW #400 Washington, DC 20036	People for the American Way Fund
William E. Armstrong, 2410 Brickell Ave., #306-C Miami, FL 33129	Armstrong Associates
Assn of Certified Trucking Schools, 1055 Thomas Jefferson St., NW Washington, DC 20007	
Association of Independent Television Stations, Inc, 1200 18th Street, NW Washington, DC 20036	
APCO Associates, 1155 21st Street, NW, #1000 Washington, DC 20036	E-Z America Limited
Do	London Futures and Options Exchange
Do	State Farm Mutual Automobile Insurance Co
Do	Unilever United States, Inc
Bronwyn Bachrach, 499 South Capitol Street, SW #507 Washington, DC 20003	Hecht Spencer & Associates (For:Bixby Ranch Co)
Do	Hecht Spencer & Associates (For:Boy Scouts of America)
Do	Hecht Spencer & Associates (For:Brown & Williamson Tobacco Corp)
Do	Hecht Spencer & Associates (For:BATUS)
Do	Hecht Spencer & Associates (For:Marwais Steel Co)
Brent Bahler, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Boston Capital Partners, Inc)
Do	Keene Shirley & Associates, Inc (For:McDonnell Douglas Astronautics Co)
Thomas Bailey, 1225 19th Street, NW, #200 Washington, DC 20036	Agriculture Ocean Transportation Coalition
Do	Committee to Recognize Korea/Vietnam Merchant Marine Service
David H. Baker, 888 17th Street, NW, #900 Washington, DC 20006	Holland & Knight (For:Border Trade Alliance)
Willie L. Baker, 1775 K Street, NW Washington, DC 20006	United Food and Commercial Workers International Union
Baker & Hostetler, 1050 Connecticut Ave., NW, #1100 Washington, DC 20036	Bell Canada
Do	Chemed Corporation
Do	Telecommunications Industry Assn
Donald Baldwin, 1140 Connecticut Ave., NW, #804 Washington, DC 20036	National Law Enforcement Council
Ball Janik & Novack, 1101 Pennsylvania Avenue, NW #1035 Washington, DC 20004	Fresno County
Do	Harsh Investment Corporation
Philip A. Bangert, 1752 N Street, NW #800 Washington, DC 20007	Century Public Affairs (For:New United Motor Manufacturing, Inc (NUMMI))
Do	Century Public Affairs (For:Port of Oakland)
Steven W. Banowit, 638 Anderson 4400 Mass. Ave., NW Washington, DC 20016-8101	I & J Associates
Jo-Anne R. Basile, 1990 M Street, NW, #610 Washington, DC 20036	Cellular Telecommunications Industry Assn
Richard F. Bechtel, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation
Hu A. Benton, 1500 K Street, NW, #200 Washington, DC 20005	Thacher Proffitt & Wood (For:General Electric Mortgage Insurance Co)
Todd P. Bentsen, 322 D. St., NE Washington, DC 20036	Rainbow Lobby, Inc
Bergner Boyette & Bockorny, Inc, 1016 16th Street, NW, #700 Washington, DC 20036	National Soft Drink Assn
Susan M. Bernard, 1350 New York Ave., NW Washington, DC 20005	Spiegle & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access)
Elizabeth Bernstein, 2030 M Street, NW Washington, DC 20036	Common Cause
Beveridge & Diamond, P.C., 1350 Eye Street, NW, #700 Washington, DC 20005	FMC Corporation
Do	Northern Indiana Public Service Company
David Billy, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters
Joseph W. Blackburn, P.O. Box 55727 2222 Arlington Ave., So. Birmingham, AL 35255	Sirote & Permutt, PC (For:McAbee Construction)
Do	Sirote & Permutt (For:Taxpayers for Capital Gains)
Lisa E. Blackwell, 777 14th St., NW Washington, DC 20005	National Assn of Realtors
Robert J. Blackwell Jr., 1025 Connecticut Avenue, NW, #1014 Washington, DC 20036	Ebasco Services, Inc
Edward Book, Two Layfayette Centre 1133 21st Street, NW Washington, DC 20036	Travel Industry Assn of America
Albert D. Bowers, 1025 Conn. Ave., #200 Washington, DC 20036	Shell Oil Company
Daniel Todd Bradfield, 13209 Twinbrook Parkway, #203 Rockville, MD 20851	Suburban Maryland Building Industry Assn
Brand & Lowell, 923 15th Street, NW, Fifth Fl. Washington, DC 20005	Marriott Corporation
Do	S.A.F.E.
Chris Julian Brantley, 1111 19th Street, NW, #608 Washington, DC 20036	Institute of Electrical and Electronics Engineers (IEEE)
F.H. Brewer III, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn.
Pamela J. Bridgen, 5103 Danbury Road Bethesda, MD 20814	Association of Biotechnology Companies
Robert D. Brocklin, 1730 M Street, NW, #900 Washington, DC 20036	Stoel Rives Boley Jones & Grey (For:PacifiCorp)
Maria Brousse, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group
T. G. Brown & Associates, Inc, #995 National Press Building 529 14th Street, NW Washington, DC 20045	Velsicol Chemical Corp
Brownstein Hyatt Farber & Madden, 410 17th Street, 22nd Floor Denver, CO 80202	Boettcher & Co
Brownstein Zeidman & Schomer, 1401 New York Ave., NW, #900 Washington, DC 20005	Forest City Residential Development, Inc
Broydrick Associates Inc, 600 East Mason Street Milwaukee, WI 53202	Meehan Seaway
Do	Oneida National
Burson-Marsteller, 1850 M Street, NW, #900 Washington, DC 20036	CEMEX
B. Kent Burton, 1730 Rhode Island Avenue, NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn
William Burton, 180 Maiden Lane New York, NY 10038	Continental Insurance Company
James J. Butera, 4901 Quebec Street, NW Washington, DC 20016	Bank of Baltimore
Do	Bank of Chester County
Campaign Consultants, Inc, 211 North Union Street, #200 Alexandria, VA 22314	NRA Institute for Legislative Action
Francis J. Cantrel Jr, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp
Linda E. Carlisle, 1333 New Hampshire Ave., NW Washington, DC 20036	Cadwalader Wickersham & Taft (For:Government of Puerto Rico)
Do	Cadwalader Wickersham & Taft (For:Princeton University Investment Company)
Robert E. Carlstrom Jr., 1341 G St., NW #1100, NW Washington, DC 20005	Jefferson Group (For:Alumax, Inc)
Juan Cartagena, 105 East 22nd Street New York, NY 10010	Community Service Society
Cassidy and Associates, Inc, 655 15th St., NW, #1100 Washington, DC 20005	LiTel Telecommunications Corp
Century Public Affairs, 7744 Yeomalt Pt Dr., NE Bainbridge Island, WA 98110	Transcontinetal Development Corp
Chambers Associates, Inc, 1625 K Street, NW, #200 Washington, DC 20006	Newhall Land and Farming Company
William Chasey Organization, 855 La Jolla Corona Court La Jolla, CA 92037	Falc Securities, Inc
Do	Financial Northeastern Corp
Do	Simple Green
Peggy M. Childress, 811 W. Marvin Avenue Waxahachie, TX 75165	Housing Roundtable
Darrel Choat, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Australian Barley Board)
Do	Keene Shirley & Associates, Inc (For:Limited, Inc, (The))
Richard Chriss, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America
Chubb Corporation, 15 Mountain View Road Warren, NJ 07061	
Linda Church Ciocci, 2301 M Street, NW Washington, DC 20037	American Public Power Assn
Marshall C. Clark, 5709 W. 21st Street P.O. Box 4267 Topeka, KS 66604	Kansas Electric Cooperatives, Inc (KEC)
Michelle C. Clay, 1506 November Circle, #301 Silver Spring, MD 20904	Clay & Associates (For:Benedict College)
Clohan & Dean, 1101 Vermont Ave., NW, #400 Washington, DC 20005	Coalition for Higher Education Assistance Organizations
Coalition for Acid Rain Equity (CARE), P.O. Box 33924 Washington, DC 20033-0924	
Coan & Lyons, 1625 Eye St., NW, #1015 Washington, DC 20006	National Advisory Council of HUD Management Agents
Thomas H. Cochran, 32 Stanford Place Montclair, NJ 07042	Shearson Lehman Hutton, Inc
Marvin S. Cohen, 3300 N. Central Ave., 20th Floor Phoenix, AZ 85012-2576	Sacks Tierney Kasen & Kerrick (For:City of Tucson)
Cohn and Marks, 1333 New Hampshire Ave., NW Washington, DC 20036	Maclean Hunter Cable TV
Collier Shannon & Scott, 1055 Thomas Jefferson St., NW, #306 Washington, DC 20007	Association of Certified Trucking Schools
John L. Conley, 2200 Mill Road Alexandria, VA 22314	National Tank Truck Carriers, Inc
Catherine Connor, 555 13th Street, NW #460 West Tower Washington, DC 20004-1109	Parsons Brinckerhoff, Inc
Council for Responsible Nutrition, 1300 19th Street, NW #310 Washington, DC 20036-1609	
Covington & Burling, 1201 Pennsylvania Ave., NW P.O. Box 7566 Washington, DC 20044	Public Broadcasting Service
Sharon Cowan, 1825 K Street, NW Washington, DC 20006	American Society of Mechanical Engineers
Daniel Craig, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn

Organization or Individual Filing	Employer/Client
Donald A. Crane, 919 18th Street, NW, #400 Washington, DC 20006	W. R. Grace & Co /World Headquarters
Charles H. Cromwell, Inc, 6709 Georgia Street Chevy Chase, MD 20815	MTS Systems Corp
David T. Crow, 1341 G St., NW #1100 Washington, DC 20005	Jefferson Group (For:Alumax, Inc)
Do	Jefferson Group (For:O. M. Scott & Sons)
Do	Jefferson Group (For:Zinc Corporation of America)
Philip Cummings, 1455 Pennsylvania Ave., NW Washington, DC 20004	McCutchen Doyle Brown & Enersen (For:General Electric Company)
Law Ofs of Jonathan W. Cuneo, 1401 New York Ave., NW, #740 Washington, DC 20005	Songwriters Guild of America
William Hodge Cunningham, 111 Bay Drive Stevensville, MD 21666	
William F. Current, 1615 H Street, NW Washington, DC 20062	Institute for a Drug-Free Workplace
Ralf W.K. Czepluch, 1130 Connecticut Ave., NW, #830 Washington, DC 20036	Gulf Power Company
CR Associates, 317 Massachusetts Ave., NE, #100 Washington, DC 20002	Delta Dental Plans Assn
Do	Seton Hall University
Leslie Dach, 1420 K Street, NW Washington, DC 20005	Daniel J. Edelman, Inc (For:Collagen Corporation)
Nancy Danielson, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers Educational and Co-Operative Union of America
Jo-Ellen Darcy, 1600 M Street, NW Washington, DC 20036	Investment Company Institute
Davidoff & Malito, 100 East 42nd Street New York, NY 10017	Iona College
Do	National Confectioners Assn
Rhett B. Dawson, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Company
Jennifer Ann Dayton, 1420 K Street, NW Washington, DC 20005	Daniel J. Edelman, Inc (For:Collagen Corp)
Edward N. Delaney & Associates, Chtd, 1629 K Street, NW, #1000 Washington, DC 20006	Association of Outplacement Consulting Firms, Inc
Donna Dempsey, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation
H. Benson Dendy, 411 East Franklin Street, #602 Richmond, VA 23219	Vectre Corp (For:Mobil Oil Corp)
Daniel B. Denning, 1331 Pennsylvania Ave., NW #930 Washington, DC 20004	General Electric Company
James L. Denson, 1250 Connecticut Ave., NW, #319 Washington, DC 20036	Republic of Bophuthatswana (For:Allpoints International, Inc)
Dewey Ballantine Bushby Palmer & Wood, 1775 Pennsylvania Ave., NW, #500 Washington, DC 20006	Chidren of Alcoholics Foundation, Inc
Do	First Brands
Do	Hospital Corporation of America
Do	National Forest Products Assn
Marydale DeBor, 1001 Pennsylvania Avenue #715 South Concourse Washington, DC 20004	MacAndrews & Forbes Holdings, Inc
James U. DeFrancis, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Ebasco Services, Inc
Debra DeLee, 1201 16th Street, NW Washington, DC 20036	National Education Assn
Roy DeLoach, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors
Mark A. Dombroff, 1275 Pennsylvania Ave., NW, #301 Washington, DC 20004	Katten Muchin Zavis & Dombroff (For:Associated Aviation Underwriters)
James R. Dorcy, 3821 Acosta Rd. Fairfax, VA 22031	Federation for American Immigration Reform
Dow Lohnes & Albertson, 1255 23rd St., NW Washington, DC 20037	CyberTel Corporation
M. Theresa Doyle, 1700 Pennsylvania Ave., NW #500 Washington, DC 20006	Mutual of Omaha Cos.
Drinker Biddle & Reath, 901 15th Street, NW, #900 Washington, DC 20005	(For:Colonial Penn Life Insurance Co.)
Duane Morris & Heckscher, 1201 Market Street, #1500 P.O. Box 195 Wilmington, DE 19899	Hercules, Inc
Duberstein Group, Inc, 2100 Pennsylvania Ave., NW, #350 Washington, DC 20037	Goldman Sachs & Co
Do	Mansanto Company
Do	McCaw Cellular Communications, Inc
Louise C. Dunlap, 418 Tenth Street, SE Washington, DC 20003	American Methanol Institute
Pauline Dunlap, 1201 McDuffie #222 Houston, TX 77019	Falcon Carriers
Dutko & Associates, 412 First St., SE, #100 Washington, DC 20003	Phoenix Mutual Life Insurance
Jeffrey P. Eagleson, 1001 Connecticut Ave., #1001 Washington, DC 20036	Lanxide Corporation
Norman R. Eder, 19600 NW Von Neumann Drive Beaverton, OR 97006-1999	Oregon Graduate Institute of Science & Technology
Jack Edwards, 3000 First Natonal Bank Bldg. P.O. Box 123 Mobile, AL 36601	Matra Aerospace, Inc
Do	Teledyne Industries, Inc
Robert Eisenbud, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn
Emily K. Elliott, 107 Whitehurst Stillwater, OK 74078	Oklahoma State University
Gary Elmestad, P.O. Box 3153 St Charles, MO 63302	City of St. Peters, Missouri
Alyson A. Emanuel, 2100 Pennsylvania Ave., NW #755 Washington, DC 20037	BASF Corporation
Ronald K. Ence, One Thomas Circle, NW, #950 Washington, DC 20005-5802	Independent Bankers Assn of America
Epstein Becker & Green, P.C., 1227 25th Street, NW, #700 Washington, DC 20037	American Academy of Dermatology
Do	Nonprescription Drug Manufacturers Assn
James L. Ervin, 1667 K Street, NW, #310 Washington, DC 20006	Kaman Diversified Technologies Corp
B.L. Evans and Associates, Inc, 1301 Connecticut Ave., NW, #700 Washington, DC 20036	Batus
Do	Boy Scouts of America
Do	Brown & Williamson Tobacco Corp
Do	Great Western Financial Corp
Evans Group, Ltd, 1010 Wisconsin Ave., #810 Washington, DC 20007	Cain Hoy Plantation
Do	National Multi Housing Council
Do	New York State Mortgage Loan Enforcement & Admin. Corp
Roger C. Fairchild, 14500 Avion Parkway, #300 Chantilly, VA 22021	TechLaw, Inc (For:Shutler and Low (for: Nissan R&D, Inc))
Arlene Fairfield, 1725 K St., NW #803 Washington, DC 20006	Smith Fiarfield, Inc
Marcus G. Faust, 332 Constitution Ave., NE Washington, DC 20002	Geneva Steel
Timothy Feldman, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation
Fiber Optic Competition US, Inc, 804 W. Diamond Ave., 3rd Floor Gaithersburg, MD 20878	
Fighting Apartheid Confrontation Transformation Systems, 209 Underwood St., NW Washington, DC 20012	
Jay Fikes, 245 Second St., NE Washington, DC 20002	Friends Committee on National Legislation
James K. Finley, 12300 Twinbrook Parkway Rockville, MD 20852	National Council of Community Mental Health Centers
Fleishman-Hillard, Inc, 1301 Connecticut Ave., NW, 7th Floor Washington, DC 20036	Certified Auctioneers Institute
Do	St. Louis NFL Partnership
Florida Business Associates, 1146 19th St., NW, #400 Washington, DC 20036-3703	Convex Computer Corporation
Do	University of Nevada-Las Vegas
Cynthia Folcarelli, 12300 Twinbrook Parkway, #320 Rockville, MD 20852	National Council of Community Mental Health Centers
R. D. Folsom, 1317 F Street, NW, #400 Washington, DC 20004	Glaxo Inc
Edward H. Forgotson, 1350 I Street, NW, #700 Washington, DC 20005	Ensearch Corporation
Franchetti & Swoap, One Market Plaza, Steuart Tower, #1210 San Francisco, CA 94105	Mobil Oil Corp
Robert S. Frank, 206 G Street, NE, #201 Washington, DC 20002	Evergreen Associates (For:Suffolk County, New York)
Stephen R. Frank, 607 Azure Hills Drive Simi Valley, CA 93065	Church of Scientology
Bruce M. Fried, 1334 G Street, NW, LL Washington, DC 20005	Americans for Health, Inc./National Health Care Campaign
Charles V. Gallagher, 639 Woodchuck Lane Lake St. Louis, MO 63367	British Consulate General
Sandra M. Garbrecht, 1350 New York Ave., NW Washington, DC 20005	Spiegel & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access)
Gardner Carton & Douglas, 1001 Pennsylvania Ave, NW, #750-N Washington, DC 20004	Pharmaceutical Aerosol CFC Coalition
Sara G. Garland, 137 13th St., NE Washington, DC 20002	National Assn of Public Television Stations
Do	Prairie Public Broadcasting, Inc
Garvey Schubert & Barer, 1000 Potomac St., NW Washington, DC 20007	Tacoma Public Utilities
Geo-Centers, Inc, 10903 Indian Head Highway, S-502 Ft. Washington, MD 20744	
Scott A. Gerke, 955 L'Enfant Plaza, SW #5300 Washington, DC 20024	Honda North America, Inc
Christopher J. Giaimo, 201 North Washington Street Alexandria, VA 22314	Retired Officers Assn
Brad Gilman, 1050 Thomas Jefferson Street, NW, 6th Fl Washington, DC 20007	Robertson Monagle & Eastaugh (For:Crowley Maritime Corp)
Do	Robertson Monagle & Eastaugh (For:Sea-Land Services, Inc)
Ginn Edington Moore & Wade, 803 Prince Street Alexandria, VA 22314	Outdoor Advertising Assn of America
KayLynn Goelzer, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators
Janlori Goldman, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union
Richard S. Goldstein, 2300 M Street, NW Washington, DC 20037	Kelley Drye & Warren (For:Coalition to Preserve the Low-Income Housing Tax Credit)
John Gomperts, 2000 M Street, NW #400 Washington, DC 20036	People for the American Way Fund
Deborah Gordon, 1616 P Street, NW #310 Washington, DC 20008	Union of Concerned Scientists
Barry Gottehrer, 1295 State Street Springfield, MA 01111-0001	Massachusetts Mutual Life Insurance Co.
Alphonso L. Grant, P.O.Box 2688 Lynchburg, VA 24501	Grant, Inc
Harold B. Green, 5011 Victor Dallas, TX 75214	American Consulting Associates, Inc (For:Chief Auto Parts, Inc)
Oliver W. Green, 5025 Wisconsin Ave, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO
William Green, 1001 Pennsylvania Ave, #715 S Concourse Washington, DC 20004	MacAndrews & Forbes Holdings Incorporated
Eldon V. C. Greenberg, Galloway & Greenberg 1835 K St., NW, #801 Washington, DC 20006	Midwater Trawlers Cooperative
Do	Pacific Coast Federation of Fishermen's Assn, Inc
Charles Greener, 900 Second Street, NE #201 Washington, DC 20002	Eddie Mahe Company (For:Tridec (Tri-City Industrial Development Council))
Anne Greenfield, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors
Griffin Johnson & Associates, 1211 Connecticut Ave., NW, #700 Washington, DC 20036	National Music Publichers' Assn
Mary Scott Guest, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	Center for Cancer Treatment and Research
Do	Bettis Rainsford
John E. Guinivan, 1100 Connecticut Ave., NW Washington, DC 20036	Chrysler Corp
Henry G. Gulick, 15 Mountain View Road Warren, NJ 07061	Chubb & Son, Inc

Organization or Individual Filing	Employer/Client
Deborah H. Gum, 9425 Cloverhill Rd Manassas, VA 22110	Capital Cities/ABC, Inc
Alma P. Hale, 1920 N Street, NW Washington, DC 20036	America Mining Congress
Morton H. Halperin, 122 Maryland Ave.,NE Washington, DC 20002	American Civil Liberties Union
Hannaford Co, Inc, 655 15th St., NW, #200 Washington, DC 20005	Peoples Republic of Congo
Yvonne W. Hardy, 1701 N. Caroline Street Baltimore, MD 21213	
Kathleen Harnett, 1301 Pennsylvania Ave., NW #300 Washington, DC 20004	National Cattlemen's Assn
William R. Hart, 201 North Washington Street Alexandria, VA 22314	Retired Officers Assn
Carolyn Hartmann, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group
Frederick J. Hartwigsen, 1500 Paxton Street P.O. Box 3565 Harrisburg, PA 17105	UGI Corporation
R. Dennis Hayward, P. O. Box 5554 Eugene, OR 97405	North West Timber Assn
Hazel Thomas Fiske Beckhorn & Hanes, 411 East Franklin Street, #600 Richmond, VA 23219	Mobil Oil Corporation
William H. Hecht, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Organization for Fair Treatment of Int'l Investments (OFTII))
Hecht Spencer & Associates, Inc, 499 South Capitol Street, SW, #507 Washington, DC 20003	Organization for Fair Treatment of Int'l Investments (OFTII)
Nancy Ginn Helme, Box 723 Washington Grove, MD 20880	Weil and Howe, Inc (for: Vermont Gas)
Cedric R. Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Pierson & Hendricks (For:Multinational Business Services)
George H. Henry, 1130 Connecticut Ave., NW #1100 Washington, DC 20036	American Insurance Association
James L. Henry, 5201 Auth Way Camp Springs, MD 20746	Transportation Institute
Heron Burchette Ruckert & Rothwell, 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Alaska Seafood Marketing Institute
Do	California Canning Peach Assn
Do	Central Valley Project Water Assn
Do	City of Oakland
Do	Concord Grape Assn
Do	Ministry of Commerce of the Gov't of the Kingdom of Thailand
Do	Port of Oakland
Do	Watsonville Food Processors Assn
Do	West African Millers Assn
John C. Hockenbury, 901 15th Street, NW, #900 Washington, DC 20005	Drinker Biddle & Reath (For:Colonial Penn Life Insurance)
F. Nordy Hoffmann and Assoc, Inc, 400 N. Capitol St., NW, #327 Washington, DC 20001	Comdial, Inc
Hogan & Hartson, 555 13th St., NW Washington, DC 20004-1109	American Frozen Food Institute
Do	Banco Nacional, N.A.
Do	Fiber Optic Competition US, Inc
Do	Millicom, Inc
Do	National Broiler Council
Holt Miller & Associates, 2111 Wilson Blvd., #531 Arlington, VA 22201-3008	Ada Software Alliance (ASA)
Hoog & Associates, 1877 Broadway, #405 Boulder, CO 80302	Interfacts
Do	Phillips Petroleum Co.
Lindsay Hooper, 453 New Jersey Ave., SE Washington, DC 20003	Winburn VanScoyoc & Hooper (For:Trane Company)
R. Kyle Horst, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America
J. Martin Huber, 6931 Arlington Road, #308 Bethesda, MD 20814	National Assn of Surety Bond Producers
Walter D. Huddleston, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Organization of Fair Treatment for Int'l Investments (OFTII))
Angela M. Hunter, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters
F. H. Hutchison & Co, 901 King St., #101 Alexandria, VA 22314	Inter-Industry Log Export Action Committee
I & J Associates, 4400 Massachusetts Ave., NW #648 Anderson Washington, DC 20016-8101	
Robert R. Isaacs, 711 South Fifth Ave. Nashville, TN 37203	Greyhound Lines, Inc
Ivins Phillips & Barker, Chtd, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006	Grand Metropolitan Inc
Jacquelyn L. Jackson, 1875 I Street #1110 Washington, DC 20006	Times Mirror Company
Dane B. Jaques, 1275 Pennsylvania Ave., NW #301 Washington, DC 20004	Katten Muchin Zavis & Dombroff (For:Associated Aviation Underwriters)
Jellinek Schwartz Connolly & Freshman, Inc, 1015 15th Street, NW, #500 Washington, DC 20005	National Independent Energy Producers
Ira F. Jersey Jr., 648 Anderson 4400 Massachusetts Ave Washington, DC 20016-8101	I & J Associates
Jewish Peace Lobby, 4431 Lehigh Road College Park, MD 20740	
Bruce Johnson, 655 15th Street, NW, #300 Washington, DC 20005	Far West Financial Corporation
Johnson & Gibbs, P.C., 1001 Pennsylvania Ave., NW #745 Washington, DC 20004	Centex Corp
Do	Compaq Computer Corp
Robert L. Jones, 4647 Forbes Blvd. Lanham, MD 20706	Amvets
Alexander H. Jordan, 816 Connecticut Avenue, NW, 8th Floor Washington, DC 20006	Southern Pacific Transportation Company
Vincent P. Judge, P.O.Box 1003 Hartselle, AL 35640	US Commerce Coalition
Gerald Kaplan, 51 Madison Avenue New York, NY 10010	New York Life Insurance Co
S. Steven Karalekas, 1250 Connecticut Avenue, NW, #318 Washington, DC 20036	Karalekas & McCahill (For:Allpoints International, Inc.)
Katten Muchin Zavis & Dombroff, 1275 Pennsylvania Ave., NW #301 Washington, DC 20001	Associated Aviation Underwriters
JoAnn Kauffman, 206 G St., NE #100 Washington, DC 20002	American Indian Health Care Assn
Do	Evergreen Associates, Ltd (For:Nez Perce Tribe of Idaho)
William R. Kaul, 14615 Lone Oak Road Eden Prairie, MN 55344-2287	Cooperative Power
Edward M. Kavjian, 1660 L. Street, NW Washington, DC 20036	General Motors Corp
David A. Keene, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates (For:Boston Capital Partners, Inc)
Do	Keene Shirley & Associates (For:Media Research Center)
Do	Keene Shirley & Associates (For:World Freedom Foundation)
Keene Shirley & Associates, Inc, 919 Prince Street Alexandria, VA 22314	Boston Capital Partners, Inc
Do	Media Research Center
Do	World Freedom Foundation
Joan F. Keiser, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn
Kelley Drye & Warren, 2300 M Street, NW Washington, DC 20037	Institute for Responsible Housing Preservation
Do	Pryopower
John A. Kelly, 1050 Thomas Jefferson Street, NW Sixth Floor Washington, DC 20007	Perdue Farms Inc
Alison A. Kerester, 1350 I Street, NW #700 Washington, DC 20005	Beveridge & Diamond (For:FMC Corporation)
Robert W. Kleinman, 150 North Michigan Avenue Chicago, IL 60601-7567	Ross & Hardies (For:Citicorp North America, Inc)
Joanne Marie Kling, c/o U.S. Chamber of Commerce 1615 H Street, NW Washington, DC 20062	Partnership on Health Care & Employment
George S. Kopp, 2121 K Street, NW, #650 Washington, DC 20037	Global USA, Inc (For:Miami-Dade Community College)
Barbara M. Kostuk, 1025 Thomas Jefferson Street, NW, #511 Washington, DC 20007	LTV Corp
Jermone J. Kozak, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation & Ice Cream Assn
Van Z. Krikorian, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America
Ruth M. Kurtz, 1455 Pennsylvania Avenue, NW #1260 Washington, DC 20004	French & Company (For:BATUS, Inc)
Do	French & Company (For:Montgomery Ward & Co., Inc)
Do	French & Company (For:Wheels, Inc)
Peter Kyros, Kurrus & Kirchnerway 1055 Thomas Jefferson St., NW, #418 Washington, DC 20007	Allsup & Associates, Inc
Jason C. Larhin, 19 E. Custiss Street Alexandria, VA 22301	
Delbert L. Latta, 516 Hillcrest Dr. Bowling Green, OH 43402	Harold & Ronald McMaster DBA McMaster Motors
Do	Standard Products Co
John M. Lawson, 1350 Connecticut Ave., NW #200 Washington, DC 20036	Assn for Public Broadcasting
Laxalt Washington Perito & Dubuc, 1120 Connecticut Ave., NW Washington, DC 20036	Bank of Credit and Commerce International
Do	Government of the People's Republic of Angola
Barbara Leach, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors
Edward R. Leahy, 1500 K Street, NW, #200 Washington, DC 20005	Thacher Proffitt & Wood (For:Citicorp)
Scott Leonard, 236 Massachusetts Ave, NE Washington, DC 20002	National Assn of Railroad Passengers
Jane Lesson, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society
Robert B. Levethal, 1300 19th Street, NW, #404 Washington, DC 20036	AFL-CIO Maritime Committee
Diane S. Liebman, 1331 Pennsylvania Ave., NW #560 South Washington, DC 20004	CSX Corporation
Richard K. Liggitt, National Press Building, #200 Washington, DC 20045	Bank Capital Markets Assn
Linda A. Long, 1156 15th Street, NW, #550 Washington, DC 20005	Montgomery McCracken Walker & Rhoads (For:Pilots Assn of the Bay and River Delaware)
Do	Montgomery McCracken Walker & Rhoads (For:Ports of Philadelphia Maritime Exchange)
Long Law Firm, 8550 United Plaza Blvd., #800 Baton Rouge, LA 70809	Metropolitan Life Insurance Co
Brian C. Lopina, 470 L'Enfant Plaza, SW East Bldg, #7112 Washington, DC 20024	Citizens for a Sound Economy
James Lovell, 20361 Middlebelt Livonia, MI 48152	National Hearing Aid Society
Eugene A. Ludwig, Covington & Burling 1201 Pennsylvania Avenue, NW P.O. Box 7566 Washington, DC 20044	International Swap Dealers Ass'n
Sylvester Lukis, 24 Quincy Street Chevy Chase, MD 20815	Florida Medical Center
Do	School Board of Dade County, Florida
Do	Stephens, Inc
Lund & O'Brien, 1625 Eye St., NW, #406 Washington, DC 20006	Pennsylvania Mines Corporation
Gail Mackauf, 1837 Vernon Street, NW Washington, DC 20009	Women's Equity Action League
James J. Magner, 2033 M Street, NW, #900 Washington, DC 20036	James J. Magner & Associates, Inc (For:Superconducting Core Technologies)
James J. Magner and Associates, Inc, 2033 M Street, NW, #900 Washington, DC 20036	Asarco, Inc
Do	Kaibab Forest Products Company

Organization or Individual Filing	Employer/Client
Do	Superconducting Core Technologies
David A. Makarechian, 470 L'Enfant Plaza East Bldg, #7112 Washington, DC 20024	Citizens for a Sound Economy
Manatt Phelps Rothenberg & Phillips, 1200 New Hampshire Ave., NW, #200 Washington, DC 20036	Akhiok-Kaguyak
Mary Jo Manning, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:AMR Corporation)
Richard J. Mannix, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	Crowell & Moring (For:Lehn & Fink Products)
Robert Y. Maples, 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris Management Corp
Richard F. Mark, 1000 16th St., NW #810 Washington, DC 20036	20/20 Vision
Walter A. Marston Jr., 411 East Franklin Street, #600 Richmond, VA 23219	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corp)
Cornel Martin, 1600 Wilson Blvd. #1000 Arlington, VA 22209	American Waterways Operators
Michael Marvin, 1156 15th Street, NW, #1100 Washington, DC 20005	White Fine & Verville (For:Armstrong World Industries)
Do	White Fine & Verville (For:Association of American Railroads)
Do	White Fine & Verville (For:Burlington Northern, Inc)
Do	White Fine & Verville (For:CSX Corp)
Do	White Fine & Verville (For:MetPath, Inc)
Marshall L. Matz, 888 17th Street, NW, #900 Washington, DC 20006	Holland & Knight (For:Electronic Data Systems)
Mayer Brown & Platt, 2000 Pennsylvania Avenue, NW Washington, DC 20006	National Faculty
McAuliffe Kelly Raffaelli & Siemens, 1341 G Street, NW, 2nd Floor Washington, DC 20005	American Nuclear Energy Council
Do	Clark County
Do	MASSPORT/Commonwealth of Massachusetts
Do	National Judicial College
Do	Union Labor Life Insurance
Do	University of Nevada
Do	University of Nevada
Do	Valley Children's Hospital
Charlie McBride Associates, Inc, 1101 Connecticut Ave., NW, #906 Washington, DC 20036	Louisiana Energy Services
John B. McCarthy, 1023 15th Street, NW #300 Washington, DC 20005	American Veterinary Medical Assn
McClure & Trotter, 1100 Connecticut Ave., NW, #600 Washington, DC 20036	Coca-Cola Enterprises, Inc
Do	TeknaMed Corp
Beth McConnell, 555 13th Street, NW #300W Washington, DC 20510	Interstate Natural Gas Assn of America
Cynthia Williams McConnell, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform
Judith A. McCormick, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn
McDermott Will & Emery, 1850 K St., NW, #500 Washington, DC 20006	Barnes/St. Peters
Do	Globe Corporation
Jack McDonald, 1001 Pennsylvania Avenue, NW, #625-S Washington, DC 20004	Jack McDonald Co (For:Outboard Marine Corporation)
Do	Jack McDonald Co. (For:Tuteur Associates, Inc)
Jack McDonald Co, 1001 Pennsylvania Avenue, NW, #625-S Washington, DC 20004	Ameritech
Do	Outboard Marine Corporation
Do	Tuteur Associates, Inc
Karen McGee, 805 15th Street, NW, #300 Washington, DC 20005	Credit Union National Assn, Inc
Kate McGee, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation
Patrick J. McHugh, c/o NYS Petroleum Council 150 State Street Albany, NY 12207	American Petroleum Institute
J. J. McHugh, Ltd., 531 Kenilworth Ave. Kenilworth, IL 60043	Chicago Board Options Exchange
Do	Corn Coalition
Do	Harza Engineering Company
Gerald J. McKiernan, 2200 Mill Road Alexandria, VA 22314	American Trucking Assn
McNair Law Firm, P.A., 1155 15th Street, NW, #400 Washington, DC 20005	Adwell Corporation
Do	BOC Group, Inc.
Do	Phillips Petroleum Company
John P. McNicholas, 2001 L Street, NW #1000 Washington, DC 20036	Unisys Corporation
Mary T. McSorley, 300 5th Street, NE Washington, DC 20002	America Osteopathic Assn
J. Reese Meisinger, 1575 Eye Street, NW Washington, DC 20005	American Society of Assn Executives
John Melcher, 240 Maryland Ave., NE Washington, DC 20002	Chicago Mercantile Exchange
J. Roger Mentz, 1333 New Hampshire Ave., NW Washington, DC 20036	Cadwalader Wickersham & Taft (For:Princeton University Investment Co & American Council .....)
Meyers & Associates, 412 First St., SE, #40 Washington, DC 20003	Anodyne, Inc
Do	Centergas, Inc
Daniel Mica, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance
Nelson L. Milder, 1825 K Street, NW, #218 Washington, DC 20006	American Society of Mechanical Engineers
Edward C. Miller, 1001 Pennsylvania Ave., NW Washington, DC 20004-2599	American Council of Life Insurance
Miller & Chevalier, Chtd, 655 15th St., NW, #900 Washington, DC 20005-5701	Pillsbury Madison & Sutro (for: Intermedia)
Do	Schultz & Chez (for: Chicago Research and Trading Group)
Denny Miller Associates, Inc, 400 N. Capitol St., NW, #325 Washington, DC 20001	Coeur d'Alene Mines Corp
Do	Sabey Corporation
Do	Sunshine Mining Company
Do	Troutlodge, Inc
Do	United States Trout Farmers Assn
William C. Mims, 116-G Edwards Ferry Road, NE P.O. Box 87 Leesburg, VA 22075	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corporation)
Lawrence H. Mirel, 1614 20th Street, NW Washington, DC 20009	Liberty Mutual Insurance Company
Robert E. Moffit, 660 Creek Rd. Severna Park, MD 21146	National Alliance of Physicians and Surgeons
Michael Monroney, 470 L'Enfant Plaza, SW East Building, #7112 Washington, DC 20024	Citizens for a Sound Economy
Karl R. Moor, P.O. Box 306 Birmingham, AL 35201	Balch & Bingham (For:Alabama Power Company)
Do	Balch & Bingham (For:Southern Company Services Inc)
Allen Moore, 1730 Rhode Island Ave., #1000 Washington, DC 20036	National Solid Wastes Management Assn
Tim E. More, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America
Cynthia Morris, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation
William Morris, 1737 H Street, NW Washington, DC 20006	Rogers & Wells (For:Shearson Lehman Hutton)
Beth Moten, 80 F Street, NW Washington, DC 20001	American Federation of Government Employees
Gregory R. Mueller, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates (For:Media Research Center)
Do	Keene Shirley & Associates (For:World Freedom Foundation)
Stephen P. Murphy, 715 South Fairfax Street Alexandria, VA 22314	Yellow Freight System, Inc of Delaware
Christopher Alton Myrick, 1600 Prince Street, #115 Alexandria, VA 22314	National AgriChemical Retailers Assn
National Fed of Business and Professional Women's Clubs, 2012 Massachusetts Ave., NW Washington, DC 20036	
National Grain Trade Council, 1030 15th Street, NW, #1020 Washington, DC 20005	
National Strategies, Inc, 888 17th Street, NW, 12th Floor Washington, DC 20006	Banner Industries
National SSC Coalition, 1725 DeSales St., NW #800 Washington, DC 20036	
Landis M. Neal, 7201 Wisconsin Ave., #705 Bethesda, MD 20814	American Tax Reduction Movement
Neill & Company, Inc, 815 Connecticut Ave., NW, #800 Washington, DC 20006	Republic of Cote d'Ivoire
Alan C. Nelson, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform
New England Rehabilitation Hospital, 2 Rehab Way Woburn, MA 01801	
Nicholas K. Niemann, One Central Park Plaza, #1100 Omaha, NE 68102	McGrath North Mullin & Kratz, PC (For:Nebraska Catholic Conference)
Do	McGrath North Mullin & Kratz, PC (For:Septemberfest Salute to Labor, Inc)
Do	McGrath North Mullin & Kratz, PC (For:UNO Maverick Boosters, Inc)
James A. Noone, 1250 Connecticut Avenue, NW, #318 Washington, DC 20036	Karalekas & McCahill (For:Allpoints International,Inc)
David F. Norcross, 1156 15th Street, NW, #550 Washington, DC 20005	Montgomery McCracken Walker & Rhoads (For:Pilots Assn of the Bay and River Delaware)
Do	Montgomery McCracken Walker & Rhoads (For:Ports of Philadelphia Maritime Exchange)
Northwest Strategies, 111 Queen Anne Avenue North, #500 Seattle, WA 98109	Pacific Lumber and Shipping
Do	Washington Citizens for World Trade
Jack O. Nutter II, 1341 G St., NW #1100 Washington, DC 20005	Jefferson Group (For:Childrens Health Systems)
Do	Jefferson Group (For:O. M. Scott & Sons)
O'Connor & Hannan, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	Bionox
Do	Coalition for Affordable Home Financing
Do	DKT Memorial Foundation
Do	Ecomarine, Inc
Do	Housing Study Group
Do	Mortgage Bankers Assn
Olsson Frank & Weeda, 1400 16th Street, NW, #400 Washington, DC 20036-2220	American Meat Institute
Do	National Food Processors Assn
Do	San Tomo Group
Do	Western States Meat Assn
Philip C. Onstad, 333 Plainfield Road Edison, NJ 08820	
Casey Scott Padgett, 1525 New Hampshire Ave., NW Washington, DC 20036	Environmental Action, Inc
John M. Palatiello, 12020 Sunrise Valley Drive, #100 Reston, VA 22090	Richard B. Davis Co, Inc
Do	Management Assn for Private Photogrammetric Surveyors

Organization or Individual Filing	Employer/Client
Do	Vernon F. Meyer & Associates, Inc
M. Leigh Pate, 206 G St., NE #100 Washington, DC 20002	Evergreen Associates, Ltd (For:Suffolk County New York)
Patton Boggs & Blow, 2550 M St., NW Washington, DC 20037	Electric Reliability Coalition
Do	International Fabricare Institute
Do	United States Tuna Foundation
Paul Hastings Janofsky & Walker, 1050 Connecticut Avenue, NW, #1200 Washington, DC 20036	Koito Manufacturing Co.
Mark J. Pelavin, 2037 Massachusetts Ave., NW Washington, DC 20036	American Jewish Congress
Perkins Coie, 1110 Vermont Ave., NW, #1200 Washington, DC 20005	General Electric Company
Paula Perrone, c/o Besozzi & Gavin 1901 L Street, NW Washington, DC 20036	Ehlinger & Associates
Roxanne Perugino, 888 16th St., NW Washington, DC 20006	Bannerman and Associates, Inc (For:Government of Bangladesh)
Laura M. Pettey, 1776 Eye Street, NW, #575 Washington, DC 20006	Dow Chemical Company
Peyser Associates, Inc, 1000 Vermont Ave., NW, #400 Washington, DC 20005	Greyhound Lines, Inc
Theodore M. Pierce, 1300 North 17th St., #300 Arlington, VA 22209-3899	National Assn of Surety Bond Producers
Pierson & Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Multinational Business Services
Mary C. Pigott, 1331 Pennsylvania Ave., NW, #1500-N Washington, DC 20004-1703	National Assn of Manufacturers
Piliero Tobin and Mazza, Farragut Square 888 17th Street, NW Washington, DC 20006	Villa Banfi, U.S.A
Jeffrey J. Pirruccello, One Central Park Plaza, #1100 Omaha, NB 68508	McGrath North Mullin & Kratz, PC (For:Nebraska Catholic Conference)
Do	McGrath North Mullin & Kratz, PC (For:Septemberfest Salute to Labor, Inc)
Do	McGrath North Mullin & Kratz, PC (For:UNO Maverick Boosters, Inc)
Podesta Associates, Inc, 424 C Street, NE Washington, DC 20002	Computer and Business Equiptment Manufactuteres Assn (CBEMA)
Jane Polansky, 1016 16th Street, NW Washington, DC 20036	National Federation of Federal Employees
Porter Wright Morris & Arthur, 1233 20th Street, NW, 4th Floor Washington, DC 20036-2395	Industrias Trele, S.A
Powell Goldstein Frazer & Murphy, 1001 Pennsylvania Ave., NW, 6th Floor Washington, DC 20004	Coalition for Equitable Compensation
Do	Hitachi, Ltd
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	Cadmium Council, Inc
Do	Lead Industries Assn, Inc
Preston Thorgrimson Ellis & Holman, 1735 New York Avenue, NW, #500 Washington, DC 20006	Computer Systems Policy Project
Do	Earthquake Project
Do	United States Cruises, Inc
Price Waterhouse, 1801 K St., NW, #700 Washington, DC 20006	Amerilcan Iron & Steel Institute
Do	General Electric Company
Do	Union Labor Life Insurance Co
Ragan & Mason, 1156 15th Street, NW, #800 Washington, DC 20005	Commonwealth of Pennsylvania
John W. Rauber Jr., 1250 Connecticut Ave., NW Washington, DC 20037	American Paper Institute, Inc
Reid & Priest, 1111 19th St., NW, #1100 Washington, DC 20036	Smith Barney Harris Upham & Co, Inc
Judy Rensberger, 2000 K Street, NW Washington, DC 20006	National Committee to Preserve Social Security & Medicare
Riley Repko, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation
Mark E. Rey, 1250 Connecticut Avenue, NW Washington, DC 20036	American Forest Resource Alliance
Ron Ricks, P.O. Box 36611 Dallas, TX 75235-1611	Southwest Airlines Co.
Thomas P. Rideout, National Press Building, #200 Washington, DC 20045	Bank Capital Markets Assn
Rivkin Radler Dunne & Bayh, 1575 I Street, NW, #1025 Washington, DC 20005	Indiana Coalition for Acid Rain Equity
Andrew W. Robart, 1111 19th Street, NW Washington, DC 20036-3691	Edison Electric Institute
Rayburn C. Robinson III, 07639-016 10-D bild P.O. Box 4000 Springfield, MO 65808	
Rogers & Wells, 1737 H Street, NW Washington, DC 20006	Shearson Lehman Hutton
Edward J. Rolle, 3042 Central Ave. Dubugue, IA 52001	Greater Dubugue Development Corp (For:City of Dubugue)
Mary F. Rooney, One North Dearborn #1100 Chicago, IL 60602	Chicago Regional Transportation Authority
Rhond Rudolph Roth, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council
Lauren J. Rothfarb, 1126 16th St., NW Washington, DC 20036	Int'l. Union of Electronic, Electrical, Salaried, Machine...
J. Patrick Rowland, 1023 15th Street, NW, 7th Fl Washington, DC 20005	Rowland Government Relations (For:National Check Cashers Assn, Inc.)
Melanie J. Rowland, 1400 Eye St., NW Washington, DC 20006	Wilderness Society
Rowland Government Relations, 1023 15th Street, NW, 7th Fl Washington, DC 20005	National Check Cashers Assn, Inc
Robert E. Rude, 4500 Vestal Parkway East Binghamton, NY 13903	New York State Electric & Gas Corp
Deborah K. Rudolph, 1225 Connecticut Ave., NW Washington, DC 20036	Institute of Electrical & Electronics Engineers (IEEE)
Robert Rusis, 15 Mountain View Road Warren, NJ 07061	Chubb & Son, Inc
Olive M. Ryan, 39 Harriett Ave. Burlington, MA 01803	New England Rehabilitation Hospital
RBC Associates, 324 Fourth Street, NE Washington, DC 20002	Investment Counsel Assn of America
Lawrence E. Sabbath, 1023 15th Street, NW, 7th Fl Washington, DC 20005	Rowland Government Relations (For:National Check Cashers Assn, Inc)
Sagamore Associates, Inc, 1701 K Street, NW #400 Washington, DC 20006	Indiana Electric Assn
Darreli J. Salomon, 700 S Flower St., 30th Fl. Los Angeles, CA 90017	Lawler Felix & Hall (For:Pacific Theaters, Inc)
Myron G. Sandifer III, 1001 Pennsylvania Ave., NW, #625-South Washington, DC 20004	Jack McDonald Co. (For:Outboard Marine Corporation)
Do	Jack McDonald Co. (For:Tuteur Associates, Inc)
Leslie Sarasin, 1764 Old Meadow Lane, #350 McLean, VA 22102	American Frozen Food Institute
Susan Sarason, 2111 Wilson Boulevard, #1000 Arlington, VA 22201	Ebasco Services, Inc
Jill L. Scheidrup, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce
Gerard F. Schiappa, 2300 M Street, NW #800 Washington, DC 20037	
Ella M. Schiralli, 2001 Eye Street, NW Washington, DC 20006	Electronic Industries Association
Robert V. Schneider, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Johnson Controls, Inc)
Zoe Schneider, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group
Don G. Scroggin, 1350 I Street, NW #700 Washington, DC 20005	Beveridge & Diamond (For:FMC Corporation)
Pamela C. Seamans, 1000 Potomac Street, NW #401 Washington, DC 20007	California State Department of Education
Kevin J. Shannon, 2001 Eye Street, NW Washington, DC 20006	Electronic Industries Assn
Shaw Pittman Potts & Trowbridge, 2300 N Street, NW Washington, DC 20037	American Hellenic Institute
Do	Colebrand Ltd
Do	Energy Efficient Insulation Mnftrs
Craigan P. Shirley, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates (For:Boston Capital Partners, Inc)
Do	Keene Shirley & Associates (For:Media Research Center)
Do	Keene Shirley & Associates (For:World Freedom Foundation)
Stephen A. Sibert, 1901 Pennsylvania Ave., NW, #200 Washington, DC 20006	International Mass Retail Association
Alexander W. Sierck, 1350 I Street, NW, #700 Washington, DC 20005	Northern Indiana Public Service Company
Lucinda Sikes, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group
Hiliary Sills, 901 31st Street, NW Washington, DC 20007-3838	Hill & Knowlton (For:Florida Municipal Electric Assn (FMEA))
Steve Silver, 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007	Robertson Monagle & Eastaugh (For:Crowley Maritime Corporation)
Do	Robertson Monagle & Eastaugh (For:Sea-Land Services, Inc)
Curtis Silvers, 888 16th St., NW, #606 Washington, DC 20006	Bannerman and Associates, Inc (For:Beirut University College)
Skadden Arps Slate Meagher & Flom, 1440 New York Avenue, NW Washington, DC 20005	Comdisco
Do	Partida Popular Democratico
Gerald Vincent Smith, 5023 Riverdale Rd., #501 Riverdale, MD 20737	A. A. Arms Co., Inc
Jennifer K. Smith, 1725 K St., #803 Washington, DC 20006	Smith Fairfield, Inc
Smith Dawson & Andrews, Inc, 1000 Connecticut Ave., NW, #304 Washington, DC 20036	Haarmann & Reimer Corp
Smith Fairfield, Inc, 1725 K Street, NW, #803 Washington, DC 20006	
Gerard C. Snow, 5201 Auth Waay Camp Springs, MD 20746	Transportation Institute
Lynn Soffer, 2000 P Street, NW, #700 Washington, DC 20036	Health Research Group
Sonnenschein Carlin Nath & Rosenthal, 1201 Pennshlvania Ave., #700 Washington, DC 20004	Geneva Steel
Southwest Airlines Co., P.O. Box 36611 Dallas, TX 75235-1611	
Theresa Stanion, 3150 Spring Street Fairfax, VA 22031-2399	International Communications Industries Assn
Rena Steinzor, 1350 New York Ave., NW, #1100 Washington, DC 20005-4798	Government Refuse Collection and Disposal Assn, Inc (GRCDA)
Jackson T. Stephens, 114 East Capitol Little Rock, AR 72201	Stephens Group
Terence P. Stewart, 808 17th Street, NW, #300 Washington, DC 20006-3910	Stewart & Stewart (For:Gates Corp)
Do	Stewart & Stewart (For:Hudson Industries Corp)
Do	Stewart & Stewart (For:Kimble Glass, Inc)
Do	Stewart & Stewart (For:Libbey Glass)
David R. Straus, 1350 New York Avenue, NW Washington, DC 20005	Spiegel & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access)
Jack B. Strong, P. O. Box 2987 Austin, TX 78768-2987	ATC Claydesta (For:Jenkens & Gilchrist)
Ed Stucky, 600 New Hampshire Ave., NW, #1010 Washington, DC 20037	Coca-Cola Foods
Sutherland Asbill & Brennan, 1275 Pennsylvania Avenue, NW, #1000 Washington, DC 20004	Bank of Baltimore
Swidler & Berlin, Chtd, 3000 K Street, NW, #300 Washington, DC 20007	External Tanks Corporation
Do	Product Liability Alliance
Do	Rivkin Radler Dunne & Bayh (for Merrill Lynch & Co, Inc)
Ronald L. Tammen, 1750 Pennsylvania Avenue, NW, #1201 Washington, DC 20006	Potomac Partners (For:Organic Food Alliance (OFA))
Joshua P. Tenuta, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn
Thacher Proffitt & Wood, 1500 K Street, NW, #200 Washington, DC 20005	Citicorp (Banking)
William Griffith Thomas, 510 King Street, #200 Alexandria, VA 22314	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corp)
Kenneth W. Thompson, 1919 Pennsylvania Ave., NW, 8th Floor Washington, DC 20006	American Family Corp

Organization or Individual Filing	Employer/Client
Do	American Health Care Assn
Do	BellSouth Corp
Do	National Funeral Directors Assn
Thompson & Company, 529 14th St., NW, #425 Washington, DC 20004	Corkin International
Do	InterMedia Capital Management
Thomson Consumer Electronics, Inc, 1200 19th Street, NW #601 Washington, DC 20036	
Michael L. Tiner and Associates, 1112 16th Street, NW, #750 Washington, DC 20036	Joseph E. Seagram & Sons, Inc
Do	United Food and Commercial Works International Union
Stanley F. Turesky, 1250 24th Street, NW, #600 Washington, DC 20037	Potomac Partners (For:Organic Food Alliance (OFA))
Larry Tuttle, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society
Clay Tyeryar, 7297-N Lee Highway Falls Church, VA 22042	American Textile Machinery Assn
U.S. Border Control, 8001 Forbes Place Springfield, VA 22151	
Ross P. Vartian, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America
R. Glenn Vawter, 2500 Clarendon Blvd, #1-2 Arlington, VA 22201	
Vectre Corporation, 411 East Franklin Street, #602 Richmond, VA 23219	Mobil Oil Corp
Verstandig & Associates, Inc, 1455 Pennsylvania Avenue, NW, #1180 Washington, DC 20004	Anheuser-Busch Companies, Inc
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Modar, Inc
Vorys Sater Seymour & Pease, 1828 L Street, NW, #1111 Washington, DC 20036	Ohio Soft Drink
Wagner Communications, Inc, 2550 M Street, NW, #405 Washington, DC 20037	Cummins Engine Company, Inc
Andrew F. Wahlquist, 1701 Pennsylvania Ave., NW Washington, DC 20006	McDonnell Douglas Corporation
Donna Waks, 1627 Lamont St., NW #41 Washington, DC 20010	Rainbow Lobby
Charls E. Walker Associates, Inc, 1730 Pennsylvania Ave., NW Washington, DC 20006	HealthTrust, Inc
Do	Ioptex Research, Inc
Do	Mid Continent Oil and Gas Assn
R. Duffy Wall & Associates, Inc, 1317 F Street, NW, #400 Washington, DC 20004	Cravath Swaine & Moore
Do	Eli Lilly & Company
J. Allen Wampler, 2301 S. Jefferson Davis Hwy., #332 Arlington, VA 22202	Basin Electric Power
Michael D. Ward, 1001 E. Broad Street, #330 Richmond, VA 23219	American Petroleum Institute
Barbara F. Warden, 815 16th Street, NW, #301 Washington, DC 20006	Industrial Union Department, AFL-CIO
Webster & Sheffield, 2000 Pennsylvania Ave., NW, #7400 Washington, DC 20006	PG&E Bechtel Generating Company
Weil & Howe, Inc, Two Central Plaza Augusta, ME 04330	Vermont Gas
Anna Weinroth, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform
Robert A. Weissman, 14500 Avion Parkway, #300 Chantilly, VA 22021	TechLaw, Inc (For:Shutler & Low (for: Nissan R&D, Inc))
Joseph J. Westwater, 2501 M Street, NW # 400 Washington, DC 20037	McLeod & Pires (For:American Peanut Product Manf'trs, Inc)
William Wewer, 6302 30th Street, NW Washington, DC 20015-2238	American Tax Reduction Movement
George E. White Jr., 706 Lowerline St New Orleans, LA 70118	Avondale Industries
Whitworth & Associates, 1455 Pennsylvania Ave., NW, #985 Washington, DC 20004	Churchill County Nevada
Wiggin & Dana, 195 Church Street P. O. Box 1832 New Haven, CT 06508	Villa Banfi, U.S.A.
Cynthia H. Wiles Consulting, 10898 Woodleaf Lane Great Falls, VA 22066	Industrial Technology Institute
Do	MERRA
Do	State of Michigan Department of Commerce
Wiley Rein & Fielding, 1776 K St, NW, 12th Fl. Washington, DC 20006	BMW of North America, Inc
Do	General Electric Information Services
Do	Marine Mammal Coalition
Do	National Assn of Public TV Stations
Do	Public Broadcasting Services (PBS)
Do	United Parcel Service
Do	UtiliCorp United
Wilkinson Barker Knauer & Quinn, 1735 New York Ave., NW Washington, DC 20006	BellSouth Corporation
Willkie Farr & Gallagher, Three Lafayette Center 1155 21st St., NW Washington, DC 20036	Cable & Wireless North America, Inc
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	Cook Inlet Communications, L.P.
Robert Dale Wilson, 1900 L Street, NW, #500 Washington, DC 20036	Wilson & Wilson (For:Hecla Mining Company)
S.R. Wojdak and Associates, Inc, 1401 Walnut St., #1000 Philadelphia, PA 19102	Albert Einstein Medical Center
Mildred Wood, 2000 K Street, NW #800 Washington, DC 20006	National Committee to Preserve Social Security & Medicare
W. Robert Woodall, 1130 Connecticut Avenue, NW, #830 Washington, DC 20036	Southern Company Services, Inc
Irvin M. Woods, 4601 N Fairfax Drive, #720 Arlington, VA 22203	OTL, Inc
Do	Woods Research Associates, Inc
Steve Workings, 2699 Arlington Drive #302 Alexandria, VA 22306	Federation for American Immigration Reform
World University Games (for 1993), 1701 K Street, NW #400 Washington, DC 20006	Greater Buffalo Athletic Corp
Wunder Ryan Cannon & Thelen, 1615 L St., NW, #650 Washington, DC 20036	Cosmetic Toiletry & Fragrance Assn
Milan P. Yager, 727 N. Washington Street Alexandria, VA 22314	National Assn of Home Builders of the United States
John R. Zagame, John R. Zagame Associates, Inc 1003 Pendleton St. Alexandria, VA 22314	National Music Publishers Assn
Fred Everett Zillinger II, 501 Second Street, NE Washington, DC 20002	Fertilizer Insititue

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the fourth calendar quarter 1989:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data, and Page 2 deals with financial data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19 . . . . .

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Is this an Amendment? ☐ YES ☐ NO

IDENTIFICATION NUMBER

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "*Employee*".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "*Employer*".—To file as an "employer", write "None" in answer to Item "B".

(*b*) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) description, (*b*) quantity distributed, (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report."

STATEMENT OF VERIFICATION

[Omitted in printing]

NOTE on ITEM "D."—*(a)* IN GENERAL. The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—§ 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In general.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in connection with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multi-purpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In general.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received—"The term 'contribution' includes a . . . *loan* . . ."—§ 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....“Expense Money" and Reimbursements received this Quarter.

Contributors of $500 or More (from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter, total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor* ("*Period*" from Jan. 1 through....., 19.....)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE on ITEM "E".—*(a)* IN GENERAL. "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—§ 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) IN CONNECTION WITH LEGISLATIVE INTERESTS:

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than Item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from Jan. 1 through this Quarter (Add "9" and "10")

Loans Made to Others—"The term 'expenditure' includes a . . . *loan* . . ."—§ 302 (b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayments received during this Quarter

15. *Recipients of Expenditures of $10 or More*_____

If there were no single expenditures of $10 or more, please so indicate by using the word "NONE".

In the case of expenditures made during this Quarter by, or on behalf of, the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
A-K Associates, Inc, 1024 10th Street, #300 Sacramento, CA 95814	Golden Gate Bridge Highway & Transportation District	6,300.00	4,892.90
Do	Reclamation District 1000		392.90
Do	Tobacco Institute	18,787.50	13,892.90
Robert J. Aagre, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	1,000.00	
Paul C. Abenante, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	1,437.51	10.00
Jessica R. Aberly, 1616 P Street, NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	3,885.54	10.50
Georgia Abraham, 2033 M Street, NW, #905 Washington, DC 20036	National Assn of Arab Americans	3,875.00	
Adele L. Abrams, 1415 Elliot Place, NW Washington, DC 20007	National Stone Association	4,000.00	500.00
Matthew J. Abrams, 1220 19th Street, NW, #202 Washington, DC 20036	CANAMCO (For:Aerospace Industries Assn of Canada)	1,500.00	
Do	CANAMCO (For:Canadian Shipowners Assn)	750.00	
Abukari, 322 D Street, NE Washington, DC 20002	Rainbow Lobby, Inc	4,756.00	1,065.51
Elaine Acevedo, 216 7th Street, SE Washington, DC 20003	Florist's Transworld Delivery Assn	2,000.00	
Charles A. Acquard, 2301 M Street, NW, Washington, DC 20037	American Public Power Assn	2,000.00	
Action for Children's Television, 20 University Road Cambridge, MA 02138		34,903.00	10.71
Ad Hoc Coalition to Reconsider FS-X, 1924 N Street, NW Washington, DC 20036			
John M. Adams, 225 N. Washington St. Alexandria, VA 22314	The Retired Enlisted Association	1,040.00	1,410.00
Kenneth R. Adams, 2211 Congress Street Portland, ME 04122	UNUM Life Insurance Co	500.00	91.00
Adams Quackenbush Herring & Stuart, P.O. Box 394 Columbia, SC 29202	Empire of America	1,506.25	29.10
Elmer E. Adkins, 89 East Avenue Rochester, NY 14649-0001	Rochester Gas & Electric Corp	576.00	
Allan Robert Adler, 1333 New Hampshire Ave., NW Washington, DC 20036	Cohn and Marks (For:Maclean Hunter Cable TV)		
Marsha Nye Adler, 2000 M Street, NW, #400 Washington, DC 20036	People for the American Way	4,687.00	27.20
Terrance M. Adlhock, 1001 Pennsylvania Ave, NW, #450-N Washington, DC 20004	Southern California Edison Co	4,950.00	1,500.00
Aerospace Industries Assn of America, Inc, 1250 Eye Street, NW, #1100 Washington, DC 20005		15,384.10	15,384.10
David A. Affeldt, 10404 Joiners Lane Potomac, MD 20854	American Assn of Retired Persons	4,916.10	
Do	Association for Gerontology in Higher Education	750.00	
Agendas International, 820 Second Avenue, #1302 New York, NY 10017	Ministerio del Exterior, Republic of Nicaragua		
Creigh H. Agnew, 2001 L St., NW, #304 Washington, DC 20036	Weyerhaeuser Company		
Agricultural Policy Working Group, 517 C Street, NE Washington, DC 20002		4,395.00	25,000.00
David J. Aho, 1667 K Street, NW, #710 Washington, DC 20006	Baxter	2,000.00	280.00
Robert S. Aiken, 1735 I Street, NW, #916 Washington, DC 20006	Pinnacle West Capital Corp	2,000.00	1,386.36
Herbert Allen Ailsworth, 1615 L Street, NW, #420 Washington, DC 20036	Sandoz Corp		62.00
Air Conditioning & Refrigeration Institute, 1501 Wilson Boulevard, #600 Arlington, VA 22209			
Air Products & Chemicals, Inc, 1730 Pennsylvania Ave., NW, #265 Washington, DC 20006			1,997.68
Air Traffic Control Assn, Inc, 2020 North 14th Street, #410 Arlington, VA 22201		951.00	951.00
Aircraft Owners & Pilots Assn, 421 Aviation Way Frederick, MD 21701		5,615,563.00	83,671.00
Randolf H. Aires, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	2,800.00	390.00
Michael A. Aisenberg, 1331 Pennsylvania Ave., NW, #600-2 Washington, DC 20004	Digital Equipment Corp	19,500.00	
Akin Gump Strauss Hauer & Feld, 1333 New Hampshire Ave., NW, #400 Washington, DC 20036	A.E. Staley Manufacturing	1,420.00	19.00
Do	Amerada Hess Corp		
Do	American Nuclear Energy Council		
Do	American Telephone & Telegraph Co		
Do	Bank of Nova Scotia	525.00	19.00
Do	Boone Co	2,150.00	38.00
Do	Buckeye Pipeline Co, L.P.		
Do	California Institute of Technology	125.00	
Do	Cambridge Information Group	2,360.00	133.00
Do	Citizens & Southern Corp	1,230.00	19.00
Do	Clark/Bardes Organization, Inc		
Do	CRS Sirrine, Inc	200.00	
Do	Drexel Burnham Lambert, Inc	8,450.00	152.00
Do	Eastern Air Lines, Inc		
Do	First City Bankcorporation of Texas, Inc	1,460.00	19.00
Do	Fujitsu America, Inc		
Do	W. R. Grace & Co	850.00	19.00
Do	Guardian Savings and Loan Assn		
Do	Houston Oilers	100.00	
Do	Hoylake Investments Limited		
Do	Peter Kiewit Son's, Inc	1,265.00	19.00
Do	Levi Strauss & Co	150.00	
Do	Lone Star Steel Co		
Do	Long Island Lighting Co	21,920.00	418.00
Do	Loral Corp	1,075.00	19.00
Do	MacAndrews & Forbes Holdings, Inc		
Do	Martin Marietta Corp	3,620.00	57.00
Do	McDonnell Douglas Corp	1,250.00	19.00
Do	Mesa Petroleum Co		
Do	Metropolitan Transit Authority of Harris County	1,500.00	19.00
Do	Minnesota Power	100.00	
Do	Morgan Stanley & Co, Inc	2,565.00	38.00
Do	Motion Picture Assn of America, Inc	2,270.00	38.00
Do	National Football League		
Do	National Health Laboratories		
Do	News America	275.00	
Do	Pepsico, Inc		
Do	Pillsbury Company	1,165.00	57.00
Do	R. Lacey, Inc		
Do	RJR Nabisco, Inc	935.00	19.00
Do	Sara Lee Corporation		
Do	Shell Oil Co	190.00	
Do	Southern California Edison Co	410.00	
Do	Texas Air Corp	4,575.00	76.00
Do	Texas Education Agency		
Do	Texas National Research Laboratory Commission		
Do	Textron, Inc	100.00	
Do	Trump Organization	4,100.00	76.00
Do	Union Carbide Corporation		
Do	United Gas Pipe Line		
Do	United Illuminating Co		
Do	Warner-Lambert Co	950.00	19.00
Do	Wertheim & Co		
Julia L. Akins, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Alagia Day Marshall Mintmire & Chauvin, 1000 Thomas Jefferson St., NW, #600 Washington, DC 20007	Dairymen, Inc	10,700.00	424.00
Albanian American Civic League, 1220 19th Street, NW, #400 Washington, DC 20036		3,594.45	11,454.44
William E. Albers, 1731 Connecticut Ave., NW, 2nd Fl. Washington, DC 20009-1146	Albers & Company (For:May Department Stores Co)		
David Alberswerth, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	862.61	
John M. Albertine, 1107 Princess Anne Street Fredericksburg, VA 22401	Farley Industries	300.00	
Alcalde O'Bannon Rousselot & Wahlquist, 1901 North Ft. Myer Drive, 12th Floor Rosslyn, VA 22209	Alliance for Clean Energy	7,000.00	
Do	Carnival Cruise Lines	3,000.00	
Do	City of Las Vegas	4,000.00	
Do	Consolidated Freightways	5,000.00	
Do	Jack Eckerd Corp	1,000.00	
Do	Home Shopping Network	2,000.00	
Do	Jim Walter Corp	15,000.00	
Do	Norwegian Caribbean Lines	3,000.00	
Do	Playtex, Inc	3,000.00	
Do	Port of Jacksonville	3,000.00	
Do	PIMA	3,000.00	
Do	Royal Caribbean Cruise Line	3,000.00	
Do	Tampa Port Authority	3,000.00	
Do	Washington Workshops	2,000.00	
C. Eddie Aldrete, 7007 Bright Avenue McLean, VA 22101	National Turkey Federation		
Donald C. Alexander, 1333 New Hampshire Ave., NW, #700 Washington, DC 20036	Cadwalader Wickersham & Taft (For:Air Products & Chemicals, Inc)		
Do	Cadwalader Wickersham & Taft (For:Air Transport Assn of America)	25.08	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Cadwalader Wickersham & Taft (For:American Financial Corp)		
Do	Cadwalader Wickersham & Taft (For:Aon Corporation)	50.15	
Do	Cadwalader Wickersham & Taft (For:Bechtel Group, Inc)	75.23	
Do	Cadwalader Wickersham & Taft (For:Bechtel Investments, Inc)		
Do	Cadwalader Wickersham & Taft (For:Family Life Insurance Co)	75.23	
Do	Cadwalader Wickersham & Taft (For:Harsco Corporation)	25.08	
Do	Cadwalader Wickersham & Taft (For:Mortgage Guaranty Insurance Corp)	50.15	
Do	Cadwalader Wickersham & Taft (For:Nationwide Mutual Insurance Co)		
Do	Cadwalader Wickersham & Taft (For:United Brands Co)	50.15	
Nancy C. Alexander, 245 Second Street, NE Washington, DC 20002	Friends Comm on National Legislation	4,904.19	
Alexander & Associates, Inc, 400 C Street, NE Washington, DC 20002	Investment Company Institute	30,000.00	
Alexandra Allen, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	1,798.02	
Barbara Allen, 2000 K Street, NW, #800 Washington, DC 20006	National Comm to Preserve Social Security & Medicare	10,030.00	
William E. Allen, 1111 14th Street, NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	
Alliance for Acid Rain Control, 444 N. Capitol Street, #526 Washington, DC 20001		15,000.00	5,210.00
Alliance for Capital Access, 1919 Pennsylvania Ave., NW, #704 Washington, DC 20006		5,000.00	57,845.55
Alliance of American Insurers, 1501 Woodfield Road, #400 West Schaumburg, IL 60173			35,832.47
Alliance of Nonprofit Mailers, 2001 S Street, NW, #540 Washington, DC 20009		2,875.35	2,323.24
Alliance to Save Energy, 1725 K Street, NW, #914 Washington, DC 20006			1,770.13
Alliance Against Handguns, P.O. Box 75700 Washington, DC 20013			
Robert F. Allnut, 1100 15th St., NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	1,000.00	
Alpha Lyracom d/b/a Pan American Satellite, One Pickwick Plaza Greenwich, CT 06830			2,171.50
Loren J. Alter, 800 North Plaza Drive Schaumburg, IL 60196	Zurich-American Insurance Companies	100.00	100.00
Michael J. Altier, 1000 Connecticut Avenue, NW Washington, DC 20036	National Retail Merchants Assn	5,000.00	43.85
Susan E. Alvarado, 1440 New York Ave., NW, #320 Washington, DC 20005	Capital Legislative Services (For:Glaxo, Inc)		
Do	E. Bruce Harrison Company (For:National Assn of Broadcasters)		
Do	Capital Legislative Services (For:National Environmental Development Assn)	7,500.00	15.00
Do	Capital Legislative Services (For:Uniroyal Chemical Company)		
Do	Capital Legislative Services (For:United States Tobacco)	9,000.00	182.77
Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue, NW Washington, DC 20016			5,000.00
John O. Ambler, 1050 17th Street, NW, #500 Washington, DC 20036	Texaco, Inc.	47.63	
American Academy of Family Physicians, 8800 Ward Parkway Kansas City, MO 64114		21,504.34	21,504.34
American Agriculture Movement, Inc, 100 Maryland Ave, NE, #500 Box 69 Washington, DC 20002		6,000.00	9,000.00
American Amusement Machine Assn, 205 The Strand Alexandria, VA 22314			7,224.00
American Arts Alliance, 1319 F Street, NW, #307 Washington, DC 20004-1182			5,304.58
American Assn for Respiratory Care, 11030 Ables Lane Dallas, TX 75229		20,100.00	18,985.14
American Assn of Equipment Lessors, 1300 North 17th St., #1010 Arlington, VA 22209			
American Assn of Meat Processors, P.O. Box 269 Elizabethtown, PA 17022		1,307.89	50.00
American Assn of University Women, 2401 Virginia Avenue, NW Washington, DC 20037			252.74
American Bankers Assn, 1120 Connecticut Avenue, NW Washington, DC 20036		85,307.18	85,307.18
American Cement Alliance, Inc, 1331 Pennsylvania Ave., NW, #910 Washington, DC 20004			32,082.95
American Cemetery Assn, 5201 Leesburg Pike, #1111 Falls Church, VA 22041			
American Council for Capital Formation, 1850 K Street, NW, #400 Washington, DC 20006		22,359.00	3,627.00
American Council of Life Insurance, Inc, 1001 Pennsylvania Avenue, NW Washington, DC 20004		56,248.99	56,248.99
American Dental Assn, 211 E. Chicago Ave. Chicago, IL 60611			6,310.25
American Family Assn Education and Legal Defense Foundation, P.O. Drawer 2440 Tupelo, MS 38803		12,000.00	12,000.00
American Farm Bureau Federation, 225 Touhy Ave Park Ridge, IL 60068		141,461.00	141,461.00
American Fed of Labor & Congress of Industrial Organizations, 815 16th St., NW Washington, DC 20006			162,435.42
American Feed Industry Assn, 1701 N. Ft. Myer Dr. Arlington, VA 22209		3,240.00	364.00
American Fiber Manufacturers Assn, Inc, 1150 17th St., NW, #310 Washington, DC 20036			30,585.38
American Financial Services Assn, 1101 14th St., NW Washington, DC 20005			750.00
American Frozen Food Institute, 1764 Old Meadow Rd., #350 Mclean, VA 22102		10,000.00	10,000.00
American Hellenic Institute Public Affairs Committee, Inc, 1730 K Street, NW, #1005 Washington, DC 20006			
American Hotel & Motel Assn, 1201 New York Ave., NW Washington, DC 20005		22,123.60	9,149.66
American Institute of Merchant Shipping, 1000 16th Street, NW, #511 Washington, DC 20036			4,287.95
American Insurance Assn, 1130 Connecticut Avenue, NW, #1000 Washington, DC 20036		5,346.00	5,346.00
American International Group, Inc, 70 Pine Street New York, NY 10270			54,993.76
American Israel Public Affairs Comm, 500 N. Capitol St., NW, #300 Washington, DC 20001		296,954.00	157,963.30
American Land Title Assn, 1828 L St., NW, #705 Washington, DC 20036			2,400.00
American League for Exports & Security Assistance, Inc, 122 C St., NW, #740 Washington, DC 20001		170,000.00	14,961.53
American Library Assn, 50 E. Huron St. Chicago, IL 60611		1,555.00	7,409.69
American Life Lobby, Inc, P.O. Box 490 Stafford, VA 22554		16,500.00	16,500.00
American Malting Barley Assn, Inc, 735 North Water Street, #908 Milwaukee, WI 53202		28,002.00	2,608.90
American Managed Care & Review Assn, 5410 Grosvenor Lane, #210 Bethesda, MD 20814			2,412.00
American Meat Institute, P.O. Box 3556 Washington, DC 20007			12,477.17
American Medical Assn, 535 North Dearborn St. Chicago, IL 60610			233,096.99
American Medical Peer Review Assn, 810 First Street, NE, #410 Washington, DC 20002			
American Movers Conference, 2200 Mill Road Alexandria, VA 22314			2,470.00
American Newspaper Publishers Assn, Box 17407 Dulles International Airport Washington, DC 20041		41,495.83	41,495.83
American Nuclear Energy Council, 410 1st St., SE Washington, DC 20003		86,342.83	180,171.62
American Nurses' Assn, 2420 Pershing Rd Kansas City, MO 64108		33,902.90	
American Optometric Assn, 1505 Prince Street, #300 Alexandria, VA 22314			
American Orthotic and Prosthetic Assn, 717 Pendleton St. Alexandria, VA 22314-1885		150.00	25,918.00
American Paper Institute, Inc, 260 Madison Ave. New York, NY 10016			3,750.00
American Petroleum Institute, 1220 L St., NW Washington, DC 20005		218,139.87	347,555.15
American Physical Therapy Assn, 1111 N. Fairfax St. Alexandria, VA 22314		6,147.25	6,147.25
American Pilots Association, 1055 Thomas Jefferson Street, NW, #404 Washington, DC 20007		18,805.00	17,858.69
American Podiatric Medical Assn, 9312 Old Georgetown Road Bethesda, MD 20814-1621			26,303.70
American Public Transit Assn, 1201 New York Avenue, NW Washington, DC 20005		37,740.00	37,740.00
American Pulpwood Assn, 1025 Vermont Avenue, NW Washington, DC 20005			
American Radio Relay League, Inc, 225 Main St. Newington, CT 06111			8,158.00
American Retreaders' Assn, P.O. Box 17203 Louisville, KY 40217		250.00	250.00
American Seed Trade Assn, 1030 15th Street, NW, #964 Washington, DC 20005			14,385.00
American Soc of Anesthesiologists, 1111 14th Street, NW, #501 Washington, DC 20005			17,765.16
American Soc of Hospital Pharmacists, 4630 Montgomery Avenue Bethesda, MD 20814			12,000.00
American Soybean Association, 1300 L Street, NW, Suite 950 Washington, DC 20005-4107		15,076.00	2,477.86
American Subcontractors Assn, 1004 Duke St. Alexandria, VA 22314			2,100.00
American Tax Reduction Movement, 2113 National Press Building Washington, DC 20045		8,200.00	8,200.00
American Textile Manufacturers Institute, Inc, 1801 K Street, NW, #900 Washington, DC 20006		35,224.71	51,651.92
American Veterans of World War II, Korea & Vietnam (AMVETS), 4647 Forbes Boulevard Lanham, MD 20706			20,400.00
American Veterinary Medical Assn, 1023 15th Street, NW, #300 Washington, DC 20005		1,000.00	25.00
American Waterways Operators, Inc, 1600 Wilson Boulevard, #1000 Arlington, VA 22209		412,608.50	575.93
American Wood Preservers Institute, 1945 Gallows Road, #550 Vienna, VA 22180			21,888.71
Americans for the National Voter Initiative Amendment, 3115 N St., NW Washington, DC 20007			
Americans for Health, Inc/National Health Care Campaign, 1334 G Street, NW, LL Washington, DC 20005		3,000.00	3,000.00
Americans for Immigration Control, Inc, P.O. Box 738 Monterey, VA 24465		8,215.16	8,215.16
Americans for Nonsmokers' Rights, 2054 University Ave., #500 Berkeley, CA 94704		13,580.00	10,246.00
Joanne Ames, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	1,500.00	
Morris J. Amitay, P.C., 444 N. Capitol Street, NW, #712 Washington, DC 20001	Coalition for American Energy Security	4,500.00	
Do	International Advisers, Inc	12,500.03	
Do	ITT/Gilfillan	8,000.00	233.60
Do	Northrop Corp	9,000.00	
Do	Thompson Medical Co	4,000.00	
Eiji Amito, 955 L'Enfant Plaza, SW, #5300 Washington, DC 20024	American Honda Motor Co, Inc	400.00	
John G. Ams, 1660 L St., NW, #601 Washington, DC 20036	Interstate Natural Gas Assn of America		
Jan S. Amundson, North Lobby, #1500 1331 Pennsylvania Ave., NW Washington, DC 20004-1703	National Assn of Manufacturers		
Anadarko Petroleum Corp, 16855 Northchase Drive Houston, TX 77251-1330			
Anthony A. Anderson, 1818 N St., NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Metropolitan Transportation Authority)		
Bette B. Anderson, 1030 15th St., NW, #700 Washington, DC 20036	KCI (For:SICPA Industries of America, Inc)		
Do	KCI (For:US Banknote Corp)		
David J. Anderson, 1000 Wilson Boulevard, #2700 Arlington, VA 22209	TRW, Inc	500.00	
Fred E. Anderson, 2397 W. 29th Street Loveland, CO 80537	Shayne M. Madsen (For:Madison Public Affairs (for: Philip Morris))	500.00	262.68
H. Kim Anderson, Virginia Petroleum Council 1001 E. Broad Street Richmond, VA 23219	American Petroleum Institute	50.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
J. Lem Anderson, 4111 Franconia Rd. Alexandria, VA 22310	Temple-Inland		
James A. Anderson Jr., 1725 K Street, NW, #710 Washington, DC 20006	National Assn of Wholesaler-Distributors		
Jon A. Anderson, 1100 Connecticut Ave., NW, #410 Washington, DC 20036	Eaton Corp		4,790.75
Kevin N. Anderson, 215 South State Street 12th Floor Salt Lake City, UT 84111	Fabian & Clendenin (For:Nevada Electric Investment Company, Inc)	57.50	17.45
Steven C. Anderson, 1764 Old Meadow Rd, #350 Mclean, VA 22102	American Frozen Food Institute	6,000.00	
Susan S. Anderson, 490 L'Enfant Plaza East, SW, #4200 Washington, DC 20024	Xerox Corp	300.00	184.00
Elaine Andrews, 1455 Pennsylvania Ave., NW, #1250 Washington, DC 20004-0401	National Assn of Life Companies	300.00	11.40
Lewis D. Andrews Jr., 1825 Eye Street, NW, #400 Washington, DC 20006	Glass Packaging Institute		
Michael Andrews, 1455 Pennsylvania Ave., NW, #325 Washington, DC 20004	Salomon Brothers, Inc		
Robert B. Andrews, 1100 Connecticut Avenue, NW, #620 Washington, DC 20036	Mobil Corp	500.00	
William Robert Andrews, 1745 Jefferson Davis Highway, #1200 Arlington, VA 22202	Rockwell International Corp	3,000.00	1,551.36
Andrews & Kurth, 1701 Pennsylvania Avenue, NW, #200 Washington, DC 20006	Secondary Lead Smelters Assn, Inc	6,039.50	6,039.50
Andrews' Associates, Inc, 2550 M St., NW, #450 Washington, DC 20037	Mars, Inc		
Do	Safeguard America's Family Enterprises		
Do	Westinghouse Electric Corp		110.00
Animal Health Institute, 119 Oronoco Street P. O. Box 1417-D50 Alexandria, VA 22313			
J. Donald Annett, 1050 17th St., NW, #500 Washington, DC 20036	Texaco, Inc		
Philip H. Anns, 1101 Vermont Avenue, NW, #405 Washington, DC 20005	A. H. Robins Co	3,000.00	533.78
Decker Anstrom, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	5,280.00	
Virginia Antos, 1717 Connecticut Avenue, NW, 7th Floor Washington, DC 20009	Association of American Publishers		
Apartment & Office Building Assn, 1413 K Street, NW, #600 Washington, DC 20005			
Apple Computer, Inc, 1550 M Street, NW, #1000 Washington, DC 20005			734.50
Paul W. Arcari, 201 N. Washington Street Alexandria, VA 22314	Retired Officers Assn	2,542.62	
R. M. Julie Archuleta, 1747 Pennsylvania Avenue, NW, 3rd Fl. Washington, DC 20006	Occidental Chemical Corp	80.00	14.00
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	American Assn of Bioanalysts	12,470.83	1,059.76
Do	American Medical Imaging Corp	8,677.50	181.02
Do	Ameritech		
Do			426.24
Do	Association of Professeional Flight Attendants	1,400.00	1,341.29
Do	Central States SE & SW Areas Health Welfare & Pension Funds	43,140.88	1,280.88
Do	City of San Diego	16,634.97	128.42
Do	Coalition for Auto Repair Choice		101.20
Do	Colorado River Indian Tribes	11,067.97	40,890.26
Do	Guardian Life Insurance Co of America	19,606.50	780.10
Do	HECO, Inc	27,917.00	1,435.53
Do	Independent Federation of Flight Attendants	18,000.00	1,511.00
Do	Mercy Hospital of Des Moines, Iowa	2,555.48	24.00
Do	Mobile Diagnostic Systems, Inc		
Do	Motor and Equipment Manufacturers Association	3,429.13	160.76
Do	National Assn of College Stores	7,524.00	498.05
Do	National Nutrition Coalition		8.00
Do	National Parking Association	92,461.78	5,108.74
Do	Popular Democratic Party		1,410.26
Do	Puerto Rico Federal Affairs Administration		125.10
Do	Stant, Inc		841.14
Do	SO-PAK-CO, Inc	1,910.12	116.12
Do	Toshiba America, Inc		8,973.33
Do	Toshiba International Corp		
Do	Toyota Motor Corporation		
Do	Video Software Dealers Assn	40,946.39	1,846.39
Armenian Assembly of America, 122 C Street, NW #350 Washington, DC 20001			11,852.00
Fred Armstrong Jr, 1620 Eye Street, NW, #520 Washington, DC 20006	Portland Cement Assn		
Tertia R. Armstrong, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	49.00	
Carl F. Arnold, 617 Rivercrest Drive McLean, VA 22101	American Iron & Steel Institute	600.00	
Do	Ashland Oil Co	562.50	
Do	Corporate Property Investors	666.66	
John E. Arnold, 2001 L Street NW, Suite 1000 Washington, DC 20036	Unisys Corporation	1,000.00	
Arnold & Porter, 1200 New Hampshire Ave., NW Washington, DC 20036	Jay P. Altmayer		
Do	American Institute of Certified Public Accountants	820.00	17.00
Do	Asea AB		
Do	Avis, Inc		
Do	AFL-CIO		
Do	Board of Estimate	2,604.00	224.57
Do	Building & Construction Trades Dept, AFL-CIO		
Do	Business Roundtable		
Do	Continental Corporation	1,721.25	11.16
Do	Donohue & Associates, Inc		
Do	Earthquake Project		
Do	Fluor Corporation		
Do	Geriatric Pharmaceutical Corp	576.25	
Do	Golodetz Trading Corp	92.50	6.00
Do	Grain & Feed Trade Assn		
Do	Honeywell, Inc		
Do	International Commodities Clearing House		
Do	London Commodity Exchange	2,257.50	21.00
Do	London International Financial Futures Exchange, Ltd		
Do	LyphoMed, Inc	1,442.50	29.75
Do	Metal Market & Exchange Co, Ltd		
Do	Mutual of America		
Do	National Coordinating Comm for Multiemployer Plans	15,313.00	344.00
Do	Occidental Petroleum Corp	3,240.00	
Do	Philip Morris, Inc	56.25	
Do	PNC Financial Corp		
Do	Recording Industry Assn of America, Inc	1,944.00	15.50
Do	Republic of Panama		
Do	Sacramento Municipal Utility District		
Do	State Farm Mutual Automobile Insurance Co	14,167.50	308.10
Do	Survival Technology, Inc		
Do	Unilever United States, Inc	11,385.00	7.00
Arnold Grobmyer & Haley, P.O. Box 70 Little Rock, AR 72203	Arkansas Assn of Securities Dealers		
Do	Mid-South International Trade Assn		
L. Wayne Arny III, 11 Canal Center Plaza, #250 Alexandria, VA 22314	Fritz Companies		
Nan Aron, 1601 Connecticut Avenue, NW Washington, DC 20009	Alliance for Justice	52.08	
Thomas M. Arrasmith, 1801 K Street, NW, #1200 Washington, DC 20006	IBM Corp	402.50	146.32
Asbill Junkin Myers & Buffone, 1607 New Hampshire Ave., NW Washington, DC 20009	Coalition on Smoking or Health	19,955.50	15,820.80
Thomas Ludlow Ashley, 730 15th St., NW Washington, DC 20005	Association of Bank Holding Companies	2,875.00	
Nicholas J. Ashooh, 1000 Elm Street P.O. Box 330 Manchester, NH 03105	Public Service Co of New Hampshire	800.00	1,148.11
Asphalt Roofing Manufacturers Association, 6288 Montrose Road Rockville, MD 20852			
Mark D. Aspinwall, 1627 K Street, NW, #1200 Washington, DC 20006	United Shipowners of America	2,375.00	30.55
Assn of Certified Trucking Schools, 1055 Thomas Jefferson St., NW Washington, DC 20007		1,040.00	1,040.00
Associated Credit Bureaus, Inc, 16211 Park 10 Place Houston, TX 77084		1,500.00	
Associated General Contractors of America, 1957 E St., NW Washington, DC 20006			
Association for Commuter Transportation, Inc, 1776 Massachusetts Ave., NW, #521 Washington, DC 20036			
Association of American Foreign Service Women, P.O. Box 70051 Washington, DC 20024-0051		113,192.09	
Association of American Law Schools, One Dupont Circle, NW, #370 Washington, DC 20036			
Association of American Publishers, 1718 Connecticut Avenue, NW Washington, DC 20009-1148			
Association of American Railroads, American Railroads Building 50 F Street, NW Washington, DC 20001		107,626.10	104,317.35
Association of American Veterinary Medical Colleges, 1023 15th Street, NW, 3rd Floor Washington, DC 20005			
Association of Junior Leagues, Inc, 660 First Avenue New York, NY 10016		15,000.00	10,832.00
Association of Maximum Service Telecasters, Inc, 1730 M St., NW, #713 Washington, DC 20036			574.25
Association of Trial Lawyers of America, 1050 31st St., NW Washington, DC 20007		8,446.25	8,446.25
George J. Aste, 1707 L St., NW, #300 Washington, DC 20036-4202	United Airlines, Inc	500.00	
Michael G. Atieh, 1615 L St., NW, #1320 Washington, DC 20036	Merck & Co, Inc	1,000.00	184.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Victor Atiych & Co, 519 SW Park St., #208 Portland, OR 97205	Fujitsu, Ltd.		
Do	Seiko Epson		2,425.71
Atlantic Richfield Co, 515 South Flower Street Los Angeles, CA 90071			1,127.58
Fritz E. Attaway, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	292.50	208.50
Leslie Aubin, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of independent Business	3,189.00	200.00
John J. Auciello, P.O. Box 269 Elizabethtown, PA 17022	American Assn of Meat Processors		
Robb Austin, 2500 Virginia Avenue, NW, #1150-S Washington, DC 20037	Robb Austin and Associates (For:Madison Public Affairs Group)	5,400.00	1,123.00
Ronald R. Austin, 1201 16th Street, NW, #210 Washington, DC 20036	Overseas Education Assn, Inc	743.66	86.93
John S. Autry, 2001 L Street, NW, #1000 Washington, DC 20036	Unisys Corp	2,000.00	818.20
Rebecca Avila, 2030 M St., NW Washington, DC 20036	Common Cause	7,338.78	
Avon Products, Inc, 9 West 57th St. New York, NY 10019			
Marguerite D. Ayers, 10 Light Street P. O. Box 987 Baltimore, MD 21203	MNC Financial, Inc		
Aylward & Finchem, 888 17th Street, NW, 12th Floor Washington, DC 20006	Omak Wood Products Co		2.09
Do	Unimar International, Inc		
Michael G. Ayre, P.O. Box 130 Levis P.Q. Canada G6V 6N7	Mil Davie Inc		
Merribel Symington Ayres, Metropolitan Square #205 655 15th Street, NW, Washington, DC 20005	National Independent Energy Producers		
Richard E. Ayres, 1350 New York Ave., NW, #300' Washington, DC 20005	Natural Resources Defense Council, Inc	5,070.55	65.25
ADAPSO - The Computer Software & Services Industry Assn, 1300 North 17th Street, #300 Arlington, VA 22209			464.55
ARCO Chemical Co, 3801 West Chester Pike Newtown Square, PA 19073			1,060.37
ATOCHEM North America, Three Parkway Philadelphia, PA 19102			5,546.00
Edward J. Babbitt, 400 Broadway Cincinnati, OH 45202	Western-Southern Life Insurance Co	4,210.00	741.50
Dale R. Babione, 1700 N. Moore St. Rosslyn, VA 22209	Boeing Company	676.00	
Kenneth L. Bader, 777 Craig Road St. Louis, MO 63141	American Soybean Assn	1,800.00	75.00
Richard Anthony Baenen, 1735 New York Avenue, NW, #600 Washington, DC 20006	NANA Regional Corp, Inc		
Do	People's Republic of Angola		
Do	Shee Atika, Inc		
Joan N. Baggett, 815 15th St., NW Washington, DC 20005	International Union of Bricklayers & Allied Craftsmen	17,000.00	895.36
George F. Bailey Jr., 400 South Union Street, #495 Montgomery, AL 36104	CSX Transportation		
William W. Bailey, 1700 Pennsylvania Ave., NW, #500 Washington, DC 20006	Mutual of Omaha Insurance Co	2,000.00	704.59
David Baime, 122 C Street, NW, #750 Washington, DC 20001	National Ass'n of Independent Colleges & Universities	6,000.00	35.00
Sheila Bair, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Judith L. Baird, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	300.00	
Edward R. Bajer, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	587.50	
David H. Baker, 888 17th Street, NW, #900 Washington, DC 20006	Holland & Knight (For:Border Trade Alliance)		
Emil F. Baker, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn		
Gerald E. Baker, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	6,000.00	730.99
James A. Baker IV, 555 13th Street, NW, #500 East Washington, DC 20004	Baker & Botts (For:Cabot Corp)	33,000.00	856.62
Do	Baker & Botts (For:Sonat, Inc)	7,615.00	1,621.43
James Jay Baker, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	1,670.70	103.22
R. Garrity Baker, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	225.00	128.00
Baker & Botts, 555 I3th Street, NW, #500 East Washington, DC 20004	Federation of German Industries		
Do	National Machine Tool Builders Assn		
Do	Rhone-Poulec		
Do	U.S. West		
Baker & Hostetler, 1050 Connecticut Ave., NW, #1100 Washington, DC 20036	American Protestant Health Assn	10,000.00	54.30
Do	Bell Canada	44,397.72	
Do	Biotechnology General, Inc	21,918.72	
Do	Camp Barsh Bates & Tate		397.08
Do	Cleveland Clinic Foundation		1,383.75
Do	Committee on Problems of Drug Dependence (CPDD)	2,402.98	174.16
Do	Elyria Memorial Hospital & Medical Center		29.96
Do	Employee Health Programs, Inc		60.14
Do	Greater New York Hospital Assn	10,096.02	372.35
Do	Hermann Hospital	5,663.14	76.80
Do	Homedco	5,000.00	2,492.18
Do	Hospital Insurance Forum	1,683.50	
Do	Hyatt Corp		
Do	Institute for Circadian Physiology		
Do	INVACARE Corporation	111,123.42	2,072.30
Do	Life Gift Organ Donor Center	221.75	756.59
Do	Lorain Community Hospital		189.57
Do	MMI Companies, Inc	1,151.11	
Do	National MRO, Inc		198.74
Do	Renal Physicians of Texas	2,425.85	
Do	Society of Cardiovascular & Interventional Radiology	14,588.68	1,153.70
Do	St Joseph Hospital & Health Center	1,112.00	131.20
Do	Substance Abuse Management, Inc		60.15
Do	Telecommunications Industry Assn	3,445.50	
Do	Uniden Corp of America	392.86	
Do	United Methodist Assn of Health & Welfare Ministries		
Baker Worthington Crossley Stansberry & Woolf, 1001 Pennsylvania Ave., NW #1201 Washington, DC 20004	American Airlines, Inc	13,847.50	30.00
Do	Contel Corporation	247.50	
Do	Day & Zimmerman, Inc	45.00	
Do	Dunigan Enterprises	585.00	20.95
Do	Federal Express Corp	8,775.00	47.55
Do	International Barrier Corp	2,362.50	
Do	Lawler/Wood, Inc	14,265.00	100.00
Do	Los Angeles County Transportation Commission	1,462.50	
Do	National Corporation for Housing Partnerships		
Do	National Label Co., Inc	315.00	
Do	Philip Morris Management Corp	5,125.00	
Do	Public Service Company of New Mexico	112.50	
Do	Warner-Lambert Company		
Donald Baldwin, 1140 Connecticut Ave., NW, #804 Washington, DC 20036	Diagnostic/Retrieval Systems, Inc		
Do	Federal Criminal Investigators Assn		
Do	Law Enforcement Assistance Foundation		
Do	Mack Trucks, Inc		
Do	National Commission Against Drunk Driving		
H. R. Balikov, 333 Thornall St. Edison, NJ 08818	J. M. Huber Corp		
Stanley W. Balis, 1101 14th Street, NW, #1400 Washington, DC 20005	Miller Balis & O'Neil, P.C. (For:American Public Gas Assn (APGA))	27.00	
Helen M. Ball, 1016 16th St., NW, #100 Washington, DC 20036	Brown Bridgman & Co, Inc	29,833.64	21.00
William L. Ball III, 1101 16th Street, NW Washington, DC 20036	National Soft Drink Assn	234.38	
William Lewis Ball, 1660 L Street, NW, #401 Washington, DC 20036	General Motors Corporation	3,000.00	3,041.38
Ball Janik & Novack, 1101 Pennsylvania Avenue, NW #1035 Washington, DC 20004	AeroLift, Inc		
Do	City of Portland, Oregon	15,000.00	2,053.18
Do	Clackamas County	13,080.50	1,618.46
Do	Fresno County	1,035.00	201.65
Do	Fujitsu Microelectronics	202.50	134.79
Do	Greenbrier Leasing, Inc	27,070.00	5,258.63
Do	Harsh Investment Corporation	8,490.00	891.51
Do	Lower Columbia Regional Navy Task Force	15,000.00	2,410.41
Do	Mt. Hood Meadows Oregon, Ltd	4,219.00	249.71
Do	Northwest Industrial Gas Users	245.50	33.09
Do	Northwest Marine Iron Works	11,381.50	1,655.60
Do	Northwest Woodland Owners Council	12,000.00	2,911.91
Do	Oregon Graduate Center	1,714.50	254.47
Do	Port of Tillamook Bay	4,731.50	358.49
Do	Riedel Environmental Services		
Do	Section 8 Housing Group		
Thomas M. Balmer, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Michael Baly III, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	7,000.00	580.22
Charles E. Bangert, P.C., 662 Mallard Court Arnold, MD 21012	Business Roundtable	1,500.00	
Bank of Boston Corporation, 100 Federal St. Boston, MA 02110			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Bank Capital Markets Assn, National Press Building, 2nd Fl. Washington, DC 20045			
James T. Banks, 1155 Connecticut Avenue, NW, #800 Washington, DC 20036	Waste Management, Inc.	3,550.00	1,500.00
Kathryn Bannan, 1050 Connecticut Ave., NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc.		
M. Graeme Bannerman, 888 16th St., NW Washington, DC 20006	Bannerman and Associates, Inc (For:Beirut University College)	1,000.00	
Do	Bannerman & Associates, Inc (For:Government of Bangladesh)	3,000.00	92.00
Do	Bannerman and Associates, Inc (For:Government of Tunisia)	3,000.00	158.74
Do	Bannerman & Associates, Inc (For:Sawyer-Miller Group (for Government of the Philippines)).	5,000.00	365.94
Martha G. Bannerman, One Greenwich Plaza P.O. Box 2568 Greenwich, CT 06836-2568	NAC Re Corp		150.00
Samuel J. Baptista, 1225 19th St., NW, #410 Washington, DC 20036	Financial Services Council	4,500.00	
Emory W. Baragar, 1700 N. Moore St., #2120 Rosslyn, VA 22209	Boeing Company	2,807.68	571.77
Haley R. Barbour, P.O.Box 960 Yazoo City, MS 39194	American Maritime Congress	30,000.00	332.68
Do	American Rice Incorporated	20,350.00	335.48
Do	A. L. Williams & Company	16,000.00	329.52
Rebecca T. Barbour, 1025 Connecticut Ave., NW Washington, DC 20036	Shell Oil Company	500.00	
Betsy F. Barclay, 1000 Vermont Avenue, NW, #800 Washington, DC 20005	Public Securities Assn	12,500.00	
Leslie A. Barhyte, Box 17407 Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn	4,000.00	47.87
Robert H. Barker, 1150 17th Street, NW Washington, DC 20036	American Fiber Manufacturers Assn, Inc	500.00	835.38
William J. Barnds, 1000 Connecticut Avenue, NW Washington, DC 20036	Japan Economic Institute of America	500.00	
Barnett D'Amours Sivon & Shay, P.C., 1400 L Street, NW, #600 Washington, DC 20005	American Council for State Savings Supervisors		
Do	Citibank, N.A.	2,040.00	48.00
Do	Credit Union National Assn, Inc.	1,440.00	15.00
Do	Investors in Industry		
Ray A. Barnhart, 2602 Dellana Lane Austin, TX 78746	Consumers for Competitive Fuels	9,000.00	10,612.13
Do	Marathon Oil Company	9,000.00	10,963.96
James C. Barr, 1840 Wilson Blvd Arlington, VA 22201	National Milk Producers Federation	3,300.00	
Terry N. Barr, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Thomas S. Barrett, 1815 H Street, NW, #600 Washington, DC 20006	Public Resource Associates	825.00	
Robert W. Barrie, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co.	2,500.00	
Robert E. Barrow, 1616 H Street, NW Washington, DC 20006	National Grange	5,000.00	
Dave Barrows & Associates, 1201 SW, 12th Avenue, #200 Portland, OR 97205	Madison Public Affairs Group, Inc (for Philip Morris USA)	1,200.00	16.50
Doyle C. Bartlett, 1015 18th Street, NW Washington, DC 20036	Conference of State Bank Supervisors	2,625.00	
Linda L. Bartlett, 1341 G Street, NW, 9th Floor Washington, DC 20005	Kraft General Foods, Inc	750.00	
Robert G. Bartlett, 1415 Elliot Place, NW Washington, DC 20007	National Stone Assn	4,000.00	500.00
James E. Bartley, 1090 Vermont Avenue, NW, #410 Washington, DC 20005	National Industrial Transportation League	8,500.00	57.00
Mark A. Bartner, 100 Maryland Avenue, NE Washington, DC 20002	Religious Coalition for Abortion Rights, Inc		
Jo-Anne R. Basile, 1990 M Street, NW, #610 Washington, DC 20036	Cellular Telecommunications Industry Assn	3,125.00	130.00
Bass and Howes, 1601 Connecticut Ave., NW, #801 Washington, DC 20009	Women's Legal Defense Fund	7,800.00	3,686.00
Stephen R. Bassett, 421 Aviation Way Frederick, MD 21701	Aircraft Owners & Pilots Assn	2,000.00	
Diane Bateman, 501 2nd Street, NE Washington, DC 20002	Fertilizer Institute	9,000.00	1,613.58
Christopher M. Bates, 1325 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Motor & Equipment Manufacturers Assn	1,500.00	1,503.85
Douglas P. Bates, 1001 Pennsylvania Ave., NW Washington, DC 20004-2599	American Council of Life Insurance	2,000.00	
Robert E. Bates Jr., 1100 Connecticut Ave, NW, #620 Washington, DC 20036	Mobil Corp	1,125.00	
Catharine R. Batky, 50 F Street, NW, #1080 Washington, DC 20001	Bulington Northern Railroad	1,750.00	132.26
Erica M. Battaglia, 519 C Street, NE Washington, DC 20002	National Assn for Home Care	3,609.02	484.65
Robin Battaglini, 1000 Wilson Blvd., #3000 Arlington, VA 22209	ITT Corporation	1,000.00	50.00
Anthony R. Battista, 1000 Wilson Blvd., #3000 Arlington, VA 22209	ITT Defense Technology Corp	350.00	40.00
Gary Lee Bauer, 601 Pennsylvania Ave., NW, #901 Washington, DC 20004	Focus on the Family	875.00	
Barbara Bauman, 1990 M Street, NW, #480 Washington, DC 20036	Detroit Edison Company	700.00	35.00
Lori Baux, 1000 Potomac Street, NW, #401 Washington, DC 20007	Americans Against Unfair Gas Taxes		
Ann F. Bavaria, 35 North Sixth Street Reading, PA 19601	Meridian Bancorp, Inc		7.03
Richard 'Sandy' Beach, 805 15th Street NW, #300 Washington, DC 20005-2207	Credit Union National Assn, Inc.	300.00	51.25
Bruce A. Beam, 1667 K St., NW, #450 Washington, DC 20006	American Electric Power Service Corp.	319.60	236.08
Hubert Beatty, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Richard F. Bechtel, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	945.54	
Edward A. Beck III, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	6,354.00	127.61
Robert E. Beck, P.O. Box 6808 Falls Church, VA 22046	National Assn of Plumbing-Heating-Cooling Contractors	112.00	
Robert G. Beckel, 1000 Potomac Street, NW, #401 Washington, DC 20007	Americans Against Unfair Taxes		
Lee Becker, 1111 14th St., NW Washington, DC 20005	American Bakers Assn	322.50	30.00
Steven M. Beckman, 1757 N Street, NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	7,292.89	8.00
Elizabeth W. Beckwith, 300 5th Street, NE Washington, DC 20002	American Osteopathic Assn	3,125.00	
William W. Beddow, 1730 Pennsylvania Ave., NW, #750 Washington, DC 20006	Caterpillar, Inc	2,500.00	164.35
Howard Bedlin, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	508.84	93.76
Beer Institute, 1225 'Eye' Street, NW, #825 Washington, DC 20005			159.75
Robert M. Beers, 2101 E Street, NW Washington, DC 20037	American Foreign Service Assn	5,248.00	
William A. Behan, 1700 N. Moore St., #820 Arlington, VA 22209	Magnavox Government & Industrial Electronics Co	6,389.00	2,486.01
Edwin L. Behrens, 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	15.00	
Kenneth J. Beirne, 777 14th Street, NW Washington, DC 20005	National Association of Realtors	2,500.00	
Mark Belanger, 805 Third Avenue New York, NY 10022	Major League Baseball Players Assn		
Peter M. Belanger, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	200.00	
Joe Belew, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn		169.30
Denise Bell, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	390.55
R. Steve Bell, 444 North Capitol Street, NW #845 Washington, DC 20001	National Air Traffic Controllers Assn.		
Stephen E. Bell, 1455 Pennsylvania Ave., NW, #350 Washington, DC 20004	Salomon Brothers, Inc		
Winston Everett Bell, P.O. Box 26543 Las Vegas, NV 89126			
Mary K. Bellamy, 1600 M St., NW, #600 Washington, DC 20036	Investment Company Institute	47.91	
Benito Advertising, Inc, 600 N. Westshore Blvd., #1100 Tampa, FL 33609	Madison Public Affairs Group, Inc (for Philip Morris, USA)		153.00
John C. Bennison, P.O. Box 23992 Washington, DC 20026-3992	American Soc of Travel Agents	8,500.00	
Benoit Smith & Laughlin, 2001 Jefferson Davis Highway, #501 Arlington, VA 22202	Econopure		
Do	Hughes Aircraft Company		
Frederick S. Benson III, 2001 L Street, NW, #304 Washington, DC 20036	Weyerhaeuser Company		165.00
A. Edgar Benton, 1700 Lincoln St., #4100 Denver, CO 80203	Holme Roberts & Owen (For:Shell Oil Co)	900.00	55.00
James E. Benton, N. J. Petroleum Council 150 W. State Street Trenton, NJ 08608	American Petroleum Institute	355.00	826.36
Todd P. Bentsen, 322 D. St., NE Washington, DC 20036	Rainbow Lobby, Inc.	4,380.00	80.00
Rebecca J. Berg, 1331 Pennsylvania Ave., NW, #560 Washington, DC 20004	Sea-Land Corporation	300.00	
Douglas L. Berger, 1333 F Street, NW, #710 Washington, DC 20004-1108	Third Class Mail Assn	2,775.00	
Bob Bergland, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	230.00	
Bergner Boyette & Bockorny, Inc, 1016 16th Street, NW, #700 Washington, DC 20036	Avianca, Inc	1,500.00	1,790.00
Do	Bell Atlantic Corp	2,000.00	892.00
Do	China External Trade Development Council	2,000.00	1,640.00
Do	Dead Pigeon River Council		
Do	Electronic Industries Assn	3,000.00	2,425.00
Do	Eli Lilly & Company	900.00	615.00
Do	First Boston Corp	3,500.00	3,809.00
Do	Flo-Sun Land Corp	2,000.00	2,949.00
Do	Friendship in Freedom Assn	1,500.00	774.00
Do	Landmark Hotel Corp.	1,500.00	1,390.00
Do	Mallinckrodt, Inc.	7,500.00	438.00
Do	McDonnell Douglas Corp	3,000.00	410.00
Do	Murry's, Inc.		
Do	National Assn of Business & Educational Radio	2,000.00	1,020.00
Do	Natural Gas Supply Assn	3,000.00	2,505.00
Do	Okeelanta Corp.	2,000.00	2,850.00
Do	Orange & Rockland	1,100.00	1,805.00
Gene S. Bergoffen, 1320 Braddock Place, #720 Alexandria, VA 22314	National Private Truck Council		
Edwin M. Bergsmark, 136 North Summit Street, #213 Toledo, OH 43604	Bergsmark & Associates (For:Rudolph/Libbe Companies, Inc & subsidiaries)		
Jane W. Bergwin, 1016 16th Street, NW, 5th Floor Washington, DC 20036	Consumers Power Co.	3,448.00	6,998.00
Dayle Berke, 519 C Street, NE Washington, DC 20002	National Assn for Home Care	3,692.27	622.24
Antoinette C. Berkely, P.O. Box 2972 Washington, DC 20013			
Nathan R. Berkley, 2200 Mill Road Alexandria, VA 22314	American Movers Conference	100.00	
Pamela M. Berkwitz, Norwest Center-Sixth & Marquette Minneapolis, MN 55479-1032	Norwest Corporation	12,000.00	2,009.50
Peter A. A. Berle, 950 Third Avenue New York, NY 10022	National Audubon Society	1,000.00	200.00
Berliner & Maloney, 1101 17th Street, NW, #1004 Washington, DC 20036-4798	Government of Barbados, Ministry of Finance & Planning	13,743.46	663.71

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ellen Berman, 2000 L St., NW, #802 Washington, DC 20036	Consumer Energy Council of America		
Jason S. Berman, 1020 19th St., NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc	2,000.00	
Richard B. Berman, 1025 Connecticut Ave. NW, #1010 Washington, DC 20036	Burger King Corp		
Do	Pillsbury Company		
Do	S&A Restaurants Corp		
Susan M. Bernard, 1350 New York Ave., NW Washington, DC 20005	Spiegle & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access)		
Mary E. Bernhard, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S	310.50	
Elizabeth Bernstein, 2030 M Street, NW Washington, DC 20036	Common Cause	901.52	
George K. Bernstein, 1730 K St., NW Washington, DC 20006	Jauch & Hubener, O.H.G	23,106.25	
Do	Nationwide Insurance Companies	3,488.55	
Bernstein & Lipsett, 1920 L Street, NW, #602 Washington, DC 20036	National Assn of Police Organizations	18,667.00	7,456.97
Craig A. Berrington, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	American Insurance Assn		
Max N. Berry, 3213 O St., NW Washington, DC 20007	American Importers Meat Products Group		
Do	Centre National Interprofessionnel de L'Economic Laitiere		
Do	Committee to Assure the Availability of Casein		
Do	Federation des Exportateurs de Vins & Spiritueux de France		
Robert E. Berry, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	975.00	204.58
Willard M. Berry, 1625 K Street, NW, #1090 Washington, DC 20006	National Foreign Trade Council, Inc	5,000.00	1,100.00
Michael J. Bertelsen, 453 New Jersey Ave., SE Washington, DC 20003	Perkinson & Associates, Inc (For:Alliance for America's Homeowner)		
Do	Perkinson & Associates, Inc (For:Beneficial Management Corp)		
Do	Perkinson & Associates, Inc (For:National Second Mortgage Assn)		
Margot Bester, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:California Energy Co, Inc)		
Do	Murphy & Demory, Ltd (For:Prodigy Services Corporation)		
Do	Murphy & Demory, Ltd (For:United States Telephone Association)		
John F. Betar, 730 15th Street, NW Washington, DC 20005	Association of Bank Holding Cos	1,259.00	
Ed Bethune, 1825 Eye Street, NW, 400 Washington, DC 20006	FBI Agents Assn (FBIAA)	27,500.00	1,956.69
Robert Betz, 1010 Vermont Avenue, NW, #1116 Washington, DC 20005	Robert Betz Associates, Inc (For:Alabama Hospital Association)	15,000.00	390.62
Do	American Assn of Eye & Ear Hospitals	15,000.00	224.36
Beveridge & Diamond, P.C., 1350 Eye Street, NW, #700 Washington, DC 20005	City of Bluefield, WV, et al	291.00	507.00
Do	FMC Corporation		9,295.00
Do	Pacific Dunlop-GNB		
Beverly Enterprises, Inc, 1901 N. Fort Myer Drive, #302 Rosslyn, VA 22209			25,369.04
Cheryl Beversdorf, 1640 Wisconsin Ave., NW, Washington, DC 20007	American College of Surgeons		
Sheldon D. Beychok, P.O. Box 2924 Baton Rouge, LA 70821	Camp Dresser & McKee, Inc		
Do	Community Health Network of Louisiana, Inc		
Do	First Boston Corp		
Do	Lamar Corporation		
Do	Ramsay Hospital Corporation of Louisiana, Inc		
Sander M. Bieber, 1500 K Street, NW Washington, DC 20005	Dechert Price & Rhoads (For:Ryland Acceptance Advisers, Inc)	18,856.25	
John C. Biechman, 655 15th St., NW, #1200 Washington, DC 20005	Safe Buildings Alliance		
Gregory J. Bien, 714 Capitol Federal Building Topeka, KS 66603	Slone Listrom Eisesnbarth Sloan & Glassman (For:Kansas Bankers Surety)		
Joan T. Bier, 1726 M Street, NW, #701 Washington, DC 20036	International Minerals & Chemical Corp		
Richard H. Bierly, 2001 L Street, NW, #1000 Washington, DC 20036	Unisys Corp		
Leon G. Billings, Inc, 901 15th St., NW, #570 Washington, DC 20005	Oxford Energy	9,428.75	
Do	South Coast Air Quality Management District	17,039.45	
David Billy, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	8,000.00	
Andrea Bilson, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	100.00	
Hugh L. Binford, 514-D Parkview Road Ft. Walton Beach, FL 32548			
Stuart Binstock, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Bipartisan Budget Appeal, P.O. Box 9 Bowling Green Station New York, NY 10004			
Birch Horton Bittner and Cherot, 1155 Connecticut Ave., NW, #1200 Washington, DC 20036	Alaska Pacific Refining, Inc		
Do	Alaska Teamsters-Employer Pension Trust		
Do	Chugach Alaska Corp		
Do	City of Cordova		
Do	City of St. George		
Do	Entergy Services Corp		
Do	Gerry Cooney Enterprises		
Do	Grand Targhee Ski Resort		
Do	Kodiak Island Borough		
Do	North Slope Borough		
Do	Old Harbor Corp		
Do	Sealaska Corp		
Do	St. George Tanaq Corp		
Do	Stebbins-Ambler Air Transport		
Do	Tanadgusix Corporation		
Do	U.S. Central, Inc		
Do	Westinghouse Electric Corp		
Do	Wildlife Legislative Fund of America		
Do	Yukon Pacific Corp		
McNair Bishop, 1725 k Street, NW, #601 Washington, DC 20006	Association of National Advertisers, Inc		
Bishop Cook Purcell & Reynolds, 1400 L Street, NW, #1000 Washington, DC 20005-3502	Aleut Corporation	4,000.00	
Do	Aleutian/Pribilof Islands Assn, Inc		
Do	City of St. Paul	3,000.00	
Do	Compaq Computer Corp	1,995.00	
Do	CompuServe Incorporated		1,170.00
Do	Government of the US Virgin Islands	4,500.00	
Do	Milk Industry Foundation/Internat'l Ice Cream Manufacturers	3,750.00	
Do	Mississippi Department of Economic Development	25,170.82	1,572.30
Do	Northern Christmas Tree Growers & Nursery		67.28
Do	Popular Democratic Party (PDP)		
J. Barry Bitzer, 1315 Duke Street Alexandria, VA 22314	Conservative Alliance		
Gerrie Bjornson, 1825 Eye Street, NW, #400 Washington, DC 20006	B.F. Goodrich Co	100.00	
Judy Black, 665 Fifth Ave. New York, NY 10022	International Council of Shopping Centers	50.00	
Wayne V. Black, Keller and Heckman 1150 17th Street, NW, #1000 Washington, DC 20036	INDA, Assn of the Nonwoven Fabrics Industry		
Black Crotty Sims Hubka Burnett & Samuels, 501 North Grandview Ave. P.O. Box 5488 Daytona Beach, FL 32018	Aetna Life Insurance Company	8,500.00	150.45
Do	Electronic Data Systems Corp		
Do	Security First Federal Savings & Loan Assn		
Black Manafort Stone & Kelly, P.C., 211 North Union Street, #300 Alexandria, VA 22314	Aetna Life & Casualty	7,000.00	314.68
Do	Allied-Signal Corp	22,500.00	612.86
Do	Bethlehem Steel Corp	22,500.00	
Do	Casino Association of New Jersey	9,000.00	
Do	Clark Construction Group	9,000.00	
Do	Cooper's Ferry Development Assn, Inc	5,000.00	
Do	Edison Electric Institute	45,000.00	
Do	Financial Security Assurance	22,500.00	
Do	Johnson & Johnson, Inc	30,000.00	762.15
Do	Kaman Aerospace Corp	25,000.00	
Do	Large Public Power Council		259.70
Do	MacAndrews & Forbes Holdings, Inc / Revlon Group, Inc	6,000.00	
Do	Massa Products Corp		
Do	Mortgage Insurance Co of America	31,250.00	128.87
Do	NOVA University	30,000.00	1,347.24
Do	Partnership for Improved Air Travel		
Do	Puerto Rico Federal Affairs Administration	9,000.00	291.06
Do	Regional Transit Authority	9,000.00	
Do	Republic of Kenya	31,250.00	2,878.39
Do	Somali Democratic Republic		
Do	South Carolina Economic Development Board	2,000.00	
Do	Tobacco Institute	22,500.00	37.95
Do	Trump Organization	18,000.00	135.63
Do	Union for National Action	10,000.00	
Do	Union Pacific Corp	22,500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	UNITA	75,000.00	1,191.94
Joseph W. Blackburn, P.O. Box 55727 2222 Arlington Ave., So. Birmingham, AL 35255	Sirote & Permutt, PC (For:McAbee Construction)		
Do	Sirote Permutt Friend Friedman Held & Apolinsky, P.C. (For:Norwood Clinic, Inc, et al.).	11,736.36	3,770.05
Robert J. Blackwell Jr., 1025 Connecticut Avenue, NW, #1014 Washington, DC 20036	Enserch Corporation	3,038.00	1,370.89
Bev D. Blackwood, 1899 L Street, NW, #1100 Washington, DC 20036	Exxon Corporation		
David A. Blair, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers Assn	3,000.00	186.13
Stephen Blair, 2251 Wisconsin Ave., NW Washington, DC 20007	National Assn of Trade & Technical Schools	750.00	
Roy Blake, 900 University Dr. Nacogdoches, TX 75961	Reese Communication Cos (for Philip MOrris, USA)	2,250.00	1,246.24
Julia M. Blankenship, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	1,059.24	451.69
Beatrice K. Bleicher, 1200 18th St. NW Washington, DC 20036	Owens-Illinois, Inc	5,000.00	150.00
Michael E. Bleier, Mellon Bank N.A. One Mellon Bank Center, #1905 Pittsburgh, PA 15258-0001	Mellon Bank N.A.	2,500.00	
Bryant C. Blewett, P.O. Box 24305 Oakland, CA 94623	Clorox Company		
Richard W. Bliss, 1079 Papermill Court, NW Washington, DC 20007	Amax, Inc		
Do	Brother International Corp		
Do	Fluor Corporation		
Do	National Paint & Coatings Assn, Inc	2,730.00	343.00
Do	Philip Morris Cos, Inc	4,150.00	331.44
Do	PB-KBB, Inc		
Do	Texstor	970.00	169.80
John R. Block, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Peter L. Blocklin, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,500.00	
Patricia Blood, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,000.00	2,496.38
Douglas M. Bloomfield, 13712 Wagon Way Silver Spring, MD 20906	VanKloberg & Associates, Ltd (For:Government of Zaire)		
Mark Bloomfield, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation	1,475.00	
Shirley A. Bloomfield, 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn	12,000.00	
John B. Blount Jr., 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	216.01
Robert S. Bludworth, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesaler's Assn	3,500.00	168.81
Charles H. Blum, 1238 Wisconsin Ave., NW, #204 Washington, DC 20007	International Advisory Services Group, Ltd (For:Steel Service Center Institute)		
Jared O. Blum, 1731 Connecticut Ave., NW, 2nd Fl. Washington, DC 20009-1146	Albers & Company (For:Direct Marketing Assn)		
Do	Albers & Company (For:May Department Stores Co)		
Robert A. Blum, 400 Sansome Street San Francisco, CA 94111	Orrick Herrington & Sutcliffe (For:Permanente Medical Group, Inc)	260.00	910.00
Charles R. Blumenfeld, Bogle & Gates 2100 Bank of California Center Seattle, WA 98164	Pacific Seafood Processors Assn		
Patti Blumer, 1667 K Street, NW, #430 Washington, DC 20006	American Dietetic Assn	3,000.00	446.30
Wayne F. Boan, Box 5369 Galveston, TX 77554-0369	Employers Council on Flexible Compensation	200.00	
John A. Boardman, 815 16th Street, NW, #408 Washington, DC 20006	Food & Allied Service Trades Dept, AFL-CIO	2,900.00	9.00
Boat Owners Assn of the U.S., 880 S. Pickett St. Alexandria, VA 22304		90,000.00	90,000.00
Judith Ann Boddie, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	3,203.30	916.47
Seth M. Bodner, 386 Park Avenue South New York, NY 10016	National Knitwear & Sportswear Assn	1,312.50	
Bogle and Gates, One Thomas Circle, NW, #900 Washington, DC 20005	Cruiseship Alliance	7,500.00	
Do	National Apparel & Textile Assn	5,000.00	
Do	United Sport Fishermen	1,500.00	
Robert Z. Bohan, 1101 16th St., NW Washington, DC 20036	National Soft Drink Assn		
Patricia Boinski, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	280.00	
Carol Bok, 1133 15th St., NW, #640 Washington, DC 20005	American Logistics Association		
Benjamin C. Bolusky, 1250 Eye Street, NW, #500 Washington, DC 20005	American Assn of Nurserymen		
Joseph C. Bonanno Jr., 4068 Keith Drive Campbell, CA 95008			
Brian C. Bonnet, 1199 N. Fairfax Street, #801 Alexandria, VA 22314	National Assn of Truck Stop Operators		
Edward Book, Two Layfayette Centre 1133 21st Street, NW Washington, DC 20036	Travel Industry Assn of America	3,750.00	
Gaylon B. Booker, 1918 N. Parkway Memphis, TN 38112	National Cotton Council of America		
Steven A. Booksheter, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	583.00	
John K. Booth, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc	100.00	
Diane Boratyn, 1230 31st St., NW, #5 Washington, DC 20007	DB, Ltd		
Henry Borelli, 14589-053 P.O. Box 1000 Leavenworth, KS 66048-1000			
Lydia A. Borland, 2300 M Street, NW, #600 Washington, DC 20037	International Advisers, Inc (For:Embassy of Turkey)	2,516.25	465.25
Laurence D. Bory, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	2,681.25	
William J. Bosies Jr., 680 4th Ave. Louisville, KY 40202	Capital Holding Corporation		
G. Stewart Boswell, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	2,157.00	9.35
Stephen Bosworth, 19 Silvermine Road New Canaan, CT 06840	Fidelity Pacific Group Inc	20,000.00	314.00
Charles G. Botsford, 1730 M St., NW, #911 Washington, DC 20036	McDonnell Douglas Helicopters, et al	1,500.00	135.00
John C. Bottenberg, 702 Jayhawk Tower 700 S.W. Jackson Topeka, KS 66603	Reese Communications Cos (for: Philip Morris, USA)	2,750.00	369.81
Claude P. Boudrias, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn	400.00	106.70
Mary M. Bourdette, 122 C St., NW, 4th Fl. Washington, DC 20001	Children's Defense Fund of the Washington Research Project	7,894.35	959.00
Albert D. Bourland, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce		
Laura L. Bourne, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	100.00	
Wayne A. Boutwell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	5,600.00	
John Bowers Jr., 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	12,473.10	1,741.96
M. Kenneth Bowler, 1455 Pennsylvania Ave., NW Washington, DC 20004	Pfizer, Inc	3,000.00	2,380.88
Richard P. Bowling, 1020 Princess Street Alexandria, VA 22314	Truck Trailer Manufacturers Assn	1,000.00	
Joan Costain Bowyer, 1015 15th St., NW, #909 Washington, DC 20005	Phelps Dodge Corp	150.00	
John G. Boyd, 1801 K St., NW Washington, DC 20006	International Business Machines Corp	400.00	53.05
Paul Boyle, Box 17407 Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn	6,475.00	195.72
Bracewell & Patterson, 2000 K St., NW, #500 Washington, DC 20006	Centex Corporation		
Do	Chemical Manufacturers Assn, Inc	1,290.00	514.71
Do	Enron Corp	475.00	189.52
Do	Genetech, Inc		
Do	Graham Resources, Inc		
Do	Louisiana Land & Exploration Co		
Do	Massachusetts Mutual Life Insurance	600.00	239.40
Do	MEPC American Properties		
Do	National Cable Television Assn, Inc	860.00	343.14
Do	Pennsylvania Natural Gas Assn		
Do	Quantum Chemical		
Do	Southdown/Pelto Oil Company	2,150.00	857.85
Do	Torch Energy Advisors, Incorporated		
Do	Valero Energy Corporation	860.00	341.14
Bracy Williams & Company, 1000 Connecticut Avenue, NW, #304 Washington, DC 20036	Rocky Company (For:Daishowa America Co Ltd.)	6,000.00	150.00
Do	Millicom, Inc	4,000.00	95.00
Bradbury Bliss & Riordan, 431 West 7th Ave., #201 Anchorage, AK 99501	Akhiok-Kaguyak, Inc	26,183.90	
Martha Braddock, 6808 Hathaway Street Springfield, VA 22152	Electronic Data Systems Corp	1,900.00	64.32
Daniel Todd Bradfield, 13209 Twinbrook Parkway, #203 Rockville, MD 20851	Suburban Maryland Building Industry Assn		
Stephen E. Bradley, 600 18th Street North Birmingham, AL 35291	Alabama Power Company	33,354.92	
Wayne W. Bradley, 535 North Dearborn Street Chicago, IL 60610	American Medical Assn	1,000.00	
Dennis M. Bradshaw, 8224 Old Courthouse Road Vienna, VA 22180	Sheet Metal & Air Conditioning Contractors' Nat'l Assn		
Sarah Brady, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	4,153.86	
Charles G. Bragg, P.O. Box 12285 Memphis, TN 38182	National Cotton Council of America		
Raymond F. Bragg Jr., 1133 21st Street, NW, #500 Washington, DC 20036	Federal Stategies, Inc (For:American Independent Refiners Assn)	50.00	
Do	Federal Strategies, Inc (For:Consolidated Natural Gas Company)	75.00	
Do	Federal Strategies, Inc (For:Enviromental Power Corp)	50.00	
Do	Federal Strategies, Inc (For:National Hydropower Assn)	75.00	
Do	Federal Strategies, Inc (For:Tosco)	75.00	
Stuart J. Brahs, 655 15th St., NW, #950 Washington, DC 20005	Principal Financial Group	540.25	
Sally M. Brain, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Barbara Bramble, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	599.96	
Brand & Lowell, 923 15th Street, NW, Fifth Fl. Washington, DC 20005	Arnall Golden... (for Amer Colleges for the Applied Arts)		
Do	Marriott Corporation	800.00	
Do	National Assn for Home Care		
Do	S.A.F.E.		
Do	Schnitzer Investment Inc		
Do	Seafarers International Union		
Do	West Group		
Robert M. Brandon, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen/Labor Energy Coalition		
Sarah J. Brandt-Erichsen, 1050 17th Street, NW, #700 Washington, DC 20036	National Ocean Industries Assn	750.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Chris Julian Brantley, 1111 19th Street, NW, #608 Washington, DC 20036	Institute of Electrical and Electronics Engineers (IEEE)		
William C. Brashares, Mintz Levin Cohn Ferris Glovsky & Popeo 1825 Eye St., NW, #1201 Washington, DC 20006	Smith Barney Harris Upham & Co, Inc		
Jean A. Brashears, 8001 Braddock Road Springfield, VA 22160	National Right to Work Committee	250.00	
Christian N. Braunlich, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	125.00	
Donald H. Brazier, P.O. Box 12266 Seattle, WA 98102	Dollar Savings Bank, et al		
Harold E. Brazil, 1900 Pennsylvania Avenue, NW Washington, DC 20068	Potomac Electric Power Co	99.44	
Noel Brazil, 1505 Prince Street, #300 Alexandria, VA 22314	American Optometric Assn		
Edward T. Breathitt, 1500 K Street, NW, #375 Washington, DC 20005	Norfolk Southern Corp	1,000.00	
Roy S. Bredder, 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	310.25
Bregman Abell & Kay, 1156 15th St., NW, #1212 Washington, DC 20005	Air Transport Assn of America		
Do	American Fed of Labor & Congress of Industrial Organizations		
Do	American Federal Savings Bank		
Do	Car Rental Coalition	10,000.00	
Do	Committee to Eliminate Equipment Giveaways	10,000.00	
Do	Federal Home Loan Bank of San Francisco		
Do	Temistocles Ramirez		
Do	Trans World Airlines, Inc		
Do	Truck Renting & Leasing Assn	2,500.00	
Carolyn L. Brehm, 1660 L Street, NW Washington, DC 20036	General Motors Corp	3,000.00	2,854.29
Michael J. Brennan, 1750 New York Ave., NW Washington, DC 20006	International Assn of Bridge Struct & Ornamental Iron Wkrs	10,800.00	195.00
Peter E. Brereton, 900 Euclid Avenue P.O. Box 5937 Cleveland, OH 44107	Ameritrust Co, Nat'l Assn	768.00	1,048.65
Richard Brescia, N.Y.S. Petroleum Council 150 State Street Albany, NY 12207	American Petroleum Institute	600.00	
Thomas M. Bresnahan III, 1700 K Street, NW, #1200 Washington, DC 20006	Chevron USA, Inc	1,500.00	
Paul J. Breuer, 807 Maine Ave., SW Washington, DC 20024	Disabled American Veterans	14,013.10	270.00
Bricker & Eckler, 1575 Eye Street, NW, #1020 Washington, DC 20005	Commonwealth of Puerto Rico		
Bobbe J. Bridge, 1011 Western Ave., 10th Floor Seattle, WA 98104	Garvey Schubert & Barer (For:Reese Communications Cos (for: Philip Morris, USA))	3,000.00	
Sue M. Briggum, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	3,550.00	1,500.00
Karen B. Brigham, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce	2,350.00	129.06
Stephen W. Broadie, 1629 K Street, NW, #1010 Washington, DC 20006	Alliance of American Insurers	1,500.00	14.00
Bradly A. Broadwell, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	2,750.00	
Robert D. Brocklin, 1730 M Street, NW, #900 Washington, DC 20036	Stoel Rives Boley Jones & Grey (For:PacifiCorp)	5,350.00	7,796.10
David M. Brockman, 725 15th St., NW, #500 Washington, DC 20005	National Grain & Feed Assn		
Mary Broderick, 1625 K St., NW, 8th Fl. Washington, DC 20006	National Legal Aid & Defender Assn	1,500.00	5.10
William M. Brodhead, 900 Marquette Building Detroit, MI 48226	Plunkett & Cooney (for Blue Cross & Blue Shield of Michigan)	6,000.00	
Do	Plunkett & Cooney (for City of Detroit, Michigan)	8,625.00	
Do	Plunkett & Cooney (for Detroit Educational TV Foundation)		
Do	Plunkett & Cooney (for Michigan Consolidated Gas Co)	10,500.00	2,542.89
Do	Plunkett & Cooney (for Michigan Humane Society)		
David A. Brody, 1050 Seventeenth Street, NW Washington, DC 20036	American Fiber Manufacturers Assn		
Do	Anti-Defamation League of B'nai B'rith		
Do	Corn Coalition	1,500.00	
Marcia D. Brody, 1023 15th Street, NW, #300 Washington, DC 20005	American Veterinary Medical Assn		
Nancy B. Broff, 618 D Street, SE Washington, DC 20003	National Abortion Rights Action League		
Michael J. Brokovich, 2001 L Street, NW, Suite 1000 Washington, DC 20036	Unisys Corp	1,000.00	
Michael D. Bromberg, 1111 19th St., NW, #402 Washington, DC 20036	Federation of American Health Systems	4,500.00	
David Bronheim, 1300 Crystal Drive Arlington, VA 22202	CASA, USA		
Brook Associates, Inc, 1620 Eye Street, NW, #716 Washington, DC 20006	Northern Textile Assn	8,268.00	8,268.00
Dale E. Brooks, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc	1,725.00	
E. R. Brooks, 2121 San Jacinto Street, #2500 Dallas, TX 75201	Central & South West Corp	1,611.10	280.75
Mary E. Brooks, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S.	6,877.09	129.15
Robert M. Brooks, 206 G St., NE Washington, DC 20002	Evergreen Associates, Ltd (For:Clover Park School District)		
Do	Evergreen Associates, Ltd (For:Democratic Party of Washington State)	350.00	
Do	Evergreen Associates, Ltd (For:DCL Industries)		
Do	Evergreen Associates, Ltd (For:Military Impacted Schools Assn)		
Do	Evergreen Associates, Ltd. (For:National Indian Impacted Schools)		
Do	Evergreen Associates, Ltd (For:Suffolk County, NY)	22,000.00	
Do	Evergreen Associates, Ltd (For:SuperComputers, Inc)		
Do	Evergreen Associates, Ltd. (For:Washington State Impact Aid Assn)	2,475.00	
Do	Evergreen Associates, Ltd (For:1990 Goodwill Games)	7,500.00	
Cynthia A. Brown, 1640 Wisconsin Ave., NW, Washington, DC 20007	American College of Surgeons		84.62
Cynthia L. Brown, 1110 Vermont Ave., NW, #1250 Washington, DC 20005	Shipbuilders Council of America	15,000.00	
Dale E. Brown, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	10,000.00	2,197.31
David C. Brown, 410 First St., SE Washington, DC 20003	American Nuclear Energy Council	800.00	592.77
David S. J. Brown, 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co	700.00	894.85
E. Cooper Brown, 6935 Laurel Ave., #204 Takoma Park, MD 20912			
George L. Brown, 1000 Wilson Boulevard, #2800 Arlington, VA 22209	Grumman Corporation	1,250.00	827.92
Ralph Brown, Suite 107 701 S. 22nd Street Omaha, NB 68102	M.O.A.A.I.O.A. & Subs, Inc		
S. M. Henry Brown Jr., P.O.Box 61000 New Orleans, LA 70161	Entergy Corp	2,865.10	601.06
Vincent D. Brown, Nebraska Petroleum Council P.O. Box 95063 Lincoln, NB 68509	American Petroleum Institute	4,000.00	2,993.84
Virginia Brown, 1500 K Street, NW, #200 Washington, DC 20005	Thacher Profitt & Wood (For:Federal Home Loan Mortgage Corp)	415.00	75.22
Do	Thacher Proffitt & Wood (For:General Electric Mortgage Insurance Cos)	10,520.00	395.00
Will Rolland Brown, 1731 Connecticut Ave., NW Washington, DC 20009	Albers & Company (For:May Department Stores Company)		
William E. Brown, 1667 K Street, NW #420 Washington, DC 20006	Mead Corporation	21.00	35.16
William R. Brown, 122 C Street, NW, #200 Washington, DC 20001	Council of State Chambers of Commerce	332.21	
William Y. Brown, 1155 Connecticut Ave., NW, #800 Washington, DC 20036	Waste Management, Inc	3,550.00	1,500.00
T. G. Brown & Associates, Inc, #995 National Press Building 529 14th Street, NW Washington, DC 20045	Velsicol Chemical Corp	115.00	
Clarence J. Brown and Co., Inc, 1101 Connecticut Avenue, NW, #1000 Washington, DC 20036	BHC, Inc	2,100.00	
Do	Chris-Craft Industries, Inc		
Do	Ohio Edison	12,400.00	
Do	United Television, Inc		
Brown Coates & McCarthy Inc, 1825 K Street, NW, #807 Washington, DC 20036	Avco Research Lab, Inc	1,000.00	
Do	Royal Teton Ranch	2,000.00	
Arthur W. Brownell, 1620 Eye St., NW, #700 Washington, DC 20006	International Paper Co	20,000.00	1,981.27
Brownstein Hyatt Farber & Madden, 410 17th Street, 22nd Floor Denver, CO 80202	Alliance for Capital Access	3,180.00	
Do	American West, et al	39,494.05	17,314.11
Do	Boettcher & Co		1,739.94
Do	Republic Health Corp	44,321.07	633.22
Do	Western Union Corp	1,790.62	
Broydrick Associates Inc, 600 East Mason Street Milwaukee, WI 53202	Aurora Health Care	3,256.25	843.49
Do	Children's Hospital of Wisconsin	350.00	121.77
Do	Meehan Seaway	157.50	57.50
Do	Oneida National	3,450.00	857.73
Do	Waste Management	35,250.00	3,486.40
Do	Watertown Memorial Hospital	2,006.25	385.39
Thomas P. Bruderle, 4630 Montgomery Ave. Bethesda, MD 20814	American Society of Hospital Pharmacists		9,000.00
Wolf Brueckmann, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce		
Kathryne M. Bruner, 1100 17th Street, NW, #1200 Washington, DC 20036	General Atomics	2,400.00	406.03
William K. Brunette, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	518.46	174.50
J. M. Brunkenhoefer, 400 First Street, NW, #704 Washington, DC 20001	United Transportation Union	6,250.00	602.12
Michael E. Brunner, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	2,000.00	
J. Charles Bruse, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Allstate Insurance Cos	1,870.00	588.53
Victor A. Bryant, 1801 K Street, NW #900 Washington, DC 20006	American Textile Manufacturers Institute	255.00	36.45
Dawn M. Brydon, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Don C. Buchanan, 1750 New York Ave., NW Washington, DC 20006	Sheet Metal Workers International Assn	17,631.00	
John Buchanan, 2000 M Street, NW, #400 Washington, DC 20036	People for the American Way Action Fund	2,500.00	
Virginia M. Buckhold, 1722 Eye Street, NW Washington, DC 20006	Sidley & Austin (For:Commerce Clearing House)		
Robert Buckler, 405 Sibley St., #120 St. Paul, MN 55101	National Board of Fur Farm Organizations	9,000.00	
Thomas L. Buckmaster, 1301 Connecticut Avenue, NW, #700 Washington, DC 20036	Citizens for Sensible Control of Acid Rain		
Roy C. Buckner, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron	600.00	150.00
J. Bruce Bugg Jr., 660 N. Main Ave., #350 San Antonio, TX 78205	J. Bruce Bugg, Jr., P.C. (For:Karnes Savings and Loan Assn)		
Douglas W. Bulcao, 1801 K Street, NW, #900 Washington, DC 20006	American Textile Manufacturers Institute, Inc	700.00	16.00
Kim H. Bullerdick, 7227 North 16th Street Phoenix, AZ 85020	Giant Industries, Inc		
Linda Knell Bumbalo, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	7,530.00	276.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Darrel D. Bunge, Minnesota Petroleum Council 350 St. Peter Street, #1025 St. Paul, MN 55102	American Petroleum Institute	2,854.00	3,189.61
David S. Bunton, 801 17th Street, NW, #200 Washington, DC 20006	Federal Asset Disposition Assn		
T. Scott Bunton, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	10,000.00	576.56
Norman D. Burch, 1101 Vermont Ave., NW, #604 Washington, DC 20005	College of American Pathologists	9,000.00	210.00
Barbara G. Burchett, 1615 L Street, NW, #1220 Washington, DC 20036	Hallmark Cards, Inc		
Paul F. Burdett, 1776 Eye Street, NW, #575 Washington, DC 20036	Merrell Dow Pharmaceuticals, Inc		84.50
David P. Burford, 1130 Connecticut Ave., NW, #830 Washington, DC 20036	Southern Company Services, Inc		5,157.01
Burger King Corp, P.O. Box 520783 Gen. Mail Facility Miami, FL 33152			1,413.81
Kevin M. Burke, 1111 14th St., NW Washington, DC 20005	American Bakers Assn	560.01	180.00
Burley & Dark Leaf Tobacco Export Assn, 1100 17th St., NW Washington, DC 20036		42,172.50	1,150.00
Phillip C. Burnett, P.O. Box 12285 Memphis, TN 38182	National Cotton Council of America	3,375.00	45.90
David G. Burney, 1101 17th St. N.W., #609 Washington, DC 20036	U.S. Tuna Foundation	12,000.00	3,000.00
Burnham & Heller, 4140 Miller Road Ann Arbor, MI 48103	Accident Fund of Michigan		
Charles S. Burns, 1015 15th St., NW, #909 Washington, DC 20005	Phelps Dodge Corp	1,200.00	
Kevin R. Burns, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Timothy F. Burns, 2501 M St., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	3,000.00	67.00
Burridge Associates, 1612 K St., NW, #204 Washington, DC 20006	Madison Public Affairs Group, Inc (for: Philip Morris)		
Burson-Marsteller, 1850 M Street, NW, #900 Washington, DC 20036	Alto Chem, N.A.		
Do	American Assn of Dental Schools	495.00	7.00
Do	Arthur Andersen & Co		
Do	Chicago & Northwestern Transportation Co		
Do	City of Philadelphia	825.00	49.00
Do	Independence Blue Cross	330.00	14.00
Do	Lever Brothers Company	500.00	
Do	Pan American World Airways		
Do	Philadelphia Industrial Development Corp		
Do	Philadelphia Port Corp	1,980.00	84.00
Do	Saudi Refining, Inc		
Do	Temple University	1,650.00	70.00
Do	Thomson-CSF, Inc	2,000.00	
Larry D. Burton, 1776 Eye Street, NW, #1000 Washington, DC 20006	BP America, Inc	4,400.00	
Barbara L. Bush, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	200.00	
Business Committee for Fair Civil RICO Legislation, 1400 16th Street, NW #400 Washington, DC 20036-2220		480.15	1,131.58
Donald G. Butcher, c/o N.Y.S. Petroleum Council 150 State Street Albany, NY 12207	American Petroleum Institute	4,400.00	2,693.17
James J. Butera, 4901 Quebec Street, NW Washington, DC 20016	Bank of Baltimore	3,000.00	150.00
Do	Bank of Chester County	1,500.00	50.00
Do	Dime Savings Bank of New York	4,500.00	120.00
Do	Federal Home Loan Bank of Boston	6,000.00	60.00
Do	Municipal Savings Bank	2,500.00	50.00
Do	New Jersey Council of Savings Institutions	3,000.00	25.00
Do	People's Bank		100.00
Do	River Bank America	4,500.00	150.00
Do	Rochester Community Savings Bank	2,500.00	100.00
Do	Savings Banks Assn of New York	6,000.00	150.00
Do	Wilmington Savings Fund Society		
Henry Butler, 3707 Woodview Trace Indianapolis, IN 46268	Crop Insurance Research Bureau	46.00	46.00
Mrs. H. E. Butt, 2700 Ocean Drive Corpus Christi, TX 78411			
Bruce Butterfield, 1745 Jefferson Davis Hwy, #511 Arlington, VA 22202	Manufacturing Housing Institute	52.50	
Mary Jane Butterfield, 1615 M Street, NW, #220 Washington, DC 20036	Harff Butterfield (For:Turkish Republic of Northern Cyprus)	8,437.50	90.53
John J. Byrne, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	3,000.00	
BP America, Inc, 1776 Eye Street, NW, Suite 1000 Washington, DC 20006			98,845.14
BZS/Capitol Strategies, LP, 1401 New York Ave., NW, #900 Washington, DC 20005	Commuter Transportation Services, Inc	7,000.00	
Do	National Multi Housing Council	6,000.00	
Do	NY City Housing Development Corp	5,000.00	
Do	NY State Mortgage Loan Enforcement and Administration Corp	5,000.00	
Do	Related Companies	21,000.00	
Do	Sentinel Holdings Inc		
Patrick J. Cacchione, 625 Slaters Lane, #200 Alexandria, VA 22314	National Assn of Medical Equipment Suppliers		
Elizabeth B. Cady, 1919 Pennsylvania Ave., NW Washington, DC 20006	Steel Service Center Institute		
John R. Cady, 1401 New York Avenue, NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	100.00
Morrison G. Cain, 1901 Pennsylvania Ave., NW, #200 Washington, DC 20006	International Mass Retail Assn	6,250.00	
Christopher G. Caine, 1801 K St., NW, #1200 Washington, DC 20006	IBM Corp	11,000.00	1,204.90
Tony Calandro, 2251 Wisconsin Ave., NW Washington, DC 20007	National Assn of Trade & Technical Schools	1,750.00	
James D. Calaway, 711 West Bay Area Blvd., #320 Webster, TX 77598-4001	Space Industries, Inc		
Alan Caldwell, 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	RJR Nabisco, Inc	2,155.25	
Bonnie Caldwell, 1000 Vermont Ave., NW, #800 Washington, DC 20005	Public Securities Assn	12,500.00	4,055.99
Thomas Caldwell, 4-30-1-202 Nishi-Shinjuku Tokyo 160			
Antonio J. Califa, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	2,800.00	
John C. Callihan, 299 Park Avenue New York, NY 10171	Westvaco Corporation		
Cambridge International, Inc, 1600 Wilson Boulevard, #713 Arlington, VA 22209	Eastern Technologies, Inc	500.00	
Do	FMC Corporation	500.00	
Do	General Dynamics Land Systems	1,000.00	
Do	General Dynamics Valley Systems Division	250.00	
Do	McDonnell Douglas Helicopter Company	600.00	
Do	Optic-Electronic Corp	500.00	
Do	Textron Lycoming	500.00	
Arthur E. Cameron, 1111 14th Street, NW, #1001 Washington, DC 20005	Amerace Corporation	1,500.00	
Do	Lukens General Industries, Inc	1,500.00	
Do	National Greyhound Assn	4,500.00	
Do	Potters Industries, Inc	2,250.00	
Do	Safetran Systems Corporation	3,825.00	
Do	Syro Steel Co, et al	2,100.00	
Do	3M Company	6,369.00	
Nancy Camm, 1800 K Street, NW, #900 Washington, DC 20006	Bank of America	77.31	49.21
Camp Barsh Bates & Tate, 2550 M St., NW, #275 Washington, DC 20037	Advance Petroleum Inc	312.50	
Do	Associated Financial Corp		
Do	ARA Services		
Do	Blue Cross & Blue Shield Assn		
Do	California Pipe Trades Council		
Do	Campbell Soup Co		
Do	Chemical Manufacturers Assn, Inc	925.00	
Do	Citgo Petroleum Crop		
Do	Cleveland Clinic Foundation	83.33	
Do	Columbia Gas Systems	400.00	
Do	Committee for Equitable Compensation	389.00	
Do	CIC Enterprises		
Do	EG&G, Inc		
Do	Fashion Accessories Shippers Assn (FASA)		
Do	Goldbelt, Inc	1,775.00	
Do	Home Intensive Care, Inc		
Do	Invacare Corporation		
Do	K-Mart Corp		
Do	Missouri Baptist Hospital of Sullivan		
Do	Mobil Oil Corp		
Do	Natural Gas Supply Assn	200.00	
Do	Olin Corporation		
Do	Pennzoil Co		
Do	Pierce Kennedy Hearth		
Do	Presidential Airways, Inc		
Do	PGA Tour		
Do	PPG Industries, Inc		
Do	Russ Berrie & Co, Inc		
Do	Sears Roebuck & Co	350.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Shell Oil Co	666.66	
Do	Southland Corporation	249.96	
Do	SMS, Inc		
Do	Texaco, Inc		
Do	Union Pacific Resources, Inc		
Do	VRAIN Company		
Do	Western Mobilehome Assn		
Do	World Airways		
Campaign for U.N. Reform-Political Education Committee, 418 7th St., S.E. Washington, DC 20003		5,767.19	12,851.58
Carl C. Campbell, 1110 Vermont Avenue, NW, #430 Washington, DC 20005	National Cotton Council of America	300.00	
Charles O. Campbell, 1420 King Street Alexandria, VA 22314-2715	National Society of Professional Engineers	2,000.00	
David Campbell, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation		
Jeanne Campbell, Campbell-Raupe, Inc 1010 Pennsylvania Avenue, SE Washington, DC 20003	Algonquin Gas Transmission		
Do	American Airlines, Inc		
Do	American Nuclear Energy Council		
Do	Invest to Compete Alliance		
Do	LTV Aerospace & Defense Co		
Do	The New England		
Do	Product Liability Alliance		
Do	Securities Industry Assn		
Do	Stone & Webster Engineering Corp		
Do	Texas Utilities Services, Inc		
Do	United Illuminating Co		
Do	Westinghouse Electric Corp		
Jerry L. Campbell, 1201 Chestnut St. Chattanooga, TN 37402	Tennessee Valley Public Power Assn		
John G. Campbell, 1111 Jefferson Davis Highway, # 508 Arlington, VA 22202	John G. Campbell, Inc (For:Akin Gump...(Loral Systems Manufacturing Co of NY))	5,000.00	
Do	John G. Campbell, Inc (For:ARCO Power Technologies, Inc)	12,000.00	
Do	John G. Campbell, Inc (For:BDM International, Inc)		
Do	John G. Campbell, Inc (For:Ebasco)	5,200.00	
Do	John G. Campbell, Inc (For:General Electric Co)	12,000.00	
Do	General Motors Corp	37,500.00	
Do	West Virginia University	12,600.00	
Do	John G. Campbell, Inc (For:3M Company)	12,000.00	
Thomas D. Campbell & Associates, Inc, 113 South Alfred Street Alexandria, VA 22314	Cyprus Minerals Co	5,000.00	5,863.45
Do	Madison Public Affairs Group, Inc (for: Philip Morris USA)	500.00	
Charles J. Campisi, 2000 K Street, NW, #800 Washington, DC 20006	National Comm to Preserve Social Security	1,121.00	
Canadian Coalition on Acid Rain, 112 St. Clair Avenue, #401 Toronto, Ontario Canada M4V 2Y3		1,737.00	9,213.77
Canady Law Legislative Group, 310 N. Grand Ave., #110 Lansing, MI 48933-1279			
Robert P. Canavan, 701 N Fairfax Street Alexandria, VA 22314-7807	United Way of America		100.00
Sharon M. Canavan, 1125 15th St., NW Washington, DC 20005	Mortgage Bankers Assn of America	12,694.00	685.00
Candlelighters, 123 C St., SE Washington, DC 20003			
William F. Canis, 1730 Pennsylvania Avenue, NW, #750 Washington, DC 20006	Caterpillar, Inc	2,000.00	287.18
Sharon F. Canner, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers	186.80	
W. Dean Cannon Jr., 9800 S. Sepulveda Blvd., #500 Los Angeles, CA 90045	California League of Savings Institutions		
Howard W. Cannon & Associates, 1919 Pennsylvania Avenue, NW, #800 Washington, DC 20006	Rockwell International Corp		
David L. Cantor, 1233 20th St., NW, #400 Washington, DC 20036	Porter Wright Morris & Arthur (For:Coalition for Environmental-Energy Balance)		
Francis J. Cantrel Jr, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	5,000.00	40.00
Charles Hollister Cantus, 555 13th Street, NW, #450 west Washington, DC 20004	Union Pacific Corporation	8,000.00	
Capital Consultants, 1122 Colorado, #307 Austin, TX 78701	Madison Public Affairs Group (for Philip Morris, USA)	6,750.00	
Capital Representation Group, Inc, 1127 11th Street, #1003 Sacramento, CA 95814	Reese Communications Cos (for: Philip Morris, USA)	595.00	
Capitol Associates, Inc, 426 C Street, NE Washington, DC 20002	American Assn for Cancer Research	300.00	
Do	American Assn of Nurse Anesthetists	325.40	
Do	American Assn of Retired Persons	2,080.00	
Do	American Foundation for Aids Research		
Do	American Society of Nephrology	4,750.00	
Do	American Society of Tropical Medicine and Hygiene	200.00	
Do	Arthritis Foundation	937.50	
Do	Cambridge BioScience	687.50	
Do	Carnation Co	2,000.00	
Do	Child Welfare League of America	156.25	
Do	Citizen's for the Treatment of High Blood Pressure	500.00	
Do	Citizens Comm for Medical Research & Health Education	300.00	
Do	Cystic Fibrosis Foundation	1,200.00	
Do	Endocrine Society	400.00	
Do	FDA Council	7,500.00	
Do	Hutchinson Cancer Center	1,800.00	
Do	Illinois Collaboration on Youth	88.00	
Do	Joint Council of Allergy & Immunology	433.13	
Do	Merck & Co, Inc	375.00	
Do	Museum of Science & Industry	450.00	
Do	National Assn of Pediatric Nurse Associates & Practitioners	1,188.00	
Do	National Center for Health Education	1,050.00	
Do	National Coalition for Cancer Research	375.00	
Do	National Coalition for Volunteer Protection	150.00	
Do	National Crime Protection Council	675.00	
Do	National Multiple Sclerosis Society	633.23	
Do	National Renal Administrators Assn	1,800.00	
Do	Ringling Brothers	4,375.00	
Do	Technicon Data Systems Corp	750.00	
Do	University of Alabama	1,200.00	
Do	Wistar Institute	3,250.00	
Caplin & Drysdale, Chtd, One Thomas Circle, NW, #1100 Washington, DC 20005	Children's Television Workshop		
Do	Council on Foundations, Inc		
Do	National Council of YMCA of the USA		
Do	National Wildlife Federation		
Do	Wisconsin Alumni Research Foundation (WARF)		
John M. Capriccioso, 1776 Eye St., NW, #575 Washington, DC 20006	Dow Chemical USA	500.00	5,496.00
Norval E. Carey, 1100 17th St., NW, #1200 Washington, DC 20036	General Atomics	28,379.00	1,155.51
Caribbean Trade and Apparel Coalition (C-TAC), 1215 17th Street, NW Washington, DC 20036			
Maurice E. Carino Jr., 1667 K St. N.W., #600 Washington, DC 20006	Bethleham Steel Corp	125.00	
Linda E. Carlisle, 1333 New Hampshire Ave., NW Washington, DC 20036	Cadwalader Wickersham & Taft (For:Clayton & Dubilier, Inc)		
Do	Cadwalader Wickersham & Taft (For:Government of Puerto Rico)		
Do	Cadwalader Wickersham & Taft (For:GAF Corporation)		
Do	Cadwalader Wickersham & Taft (For:Mercedes-Benz of North America, Inc)		
Do	Cadwalader Wickersham & Taft (For:Princeton University Investment Company)	337.50	
Rose-Marie T. Carlisle, 1001 Pennsylvania Ave., NW, #310 Washington, DC 20004	Holland & Hart		
Anne E. Carlson, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	5,375.00	
Eileen Shannon Carlson, 2000 M St., NW Washington, DC 20036	Graham & James (For:R. R. Donnelley & Sons Company)		
Do	Graham & James (For:Federal Administrative Law Judges Conference)		
Do	Graham & James (For:Federal Judges Assn)		
Do	Graham & James (For:Illinois Health Facilities Authority)		
Do	Graham & James (For:Stock Information Group)		
Do	Graham & James (For:Walt Disney Co)		
Robert E. Carlstrom Jr., 1341 G St., NW #1100, NW Washington, DC 20005	Jefferson Group (For:Alumax, Inc)	2,250.00	
Do	Jefferson Group, Inc (For:Doe Run Company)	4,725.00	107.15
Do	Jefferson Group (For:Zinc Corp of America)	1,687.50	165.51
Carmen & Muss, 1901 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Carmen Group (for CareerCom)	4,750.00	55.46
Do	Financial Institution Services Corp (for: Northeast Savings)		
Carmen Group, 1667 K Street, NW, #700 Washington, DC 20006	CareerCom	4,750.00	4,805.46
Phyllis D. Carnilla, 1700 17th Street, NW, #301 Washington, DC 20009	Arctic Sounder Enterprises, Inc	472.50	
Do	Birting Fisheries, Inc	67.50	
Do	JOMM Limited Partnership	67.50	
Julia Carol, 2054 University Avenue, #500 Berkeley, CA 94704	Americans for Nonsmokers' Rights	1,475.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Bertram W. Carp, 111 Massachusetts Ave., NW, 3rd Fl. Washington, DC 20001	Turner Broadcasting System, Inc	6,750.00	
George D. Carpenter, 6110 Center Hill Road Cincinnati, OH 45224	Procter & Gamble Co		
Susan Carr, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	1,350.00	
Mary Carroll, 555 West 57th Street New York, NY 10019	Greater New York Hospital Assn	635.00	42.00
John R. Carson, 9312 Old Georgetown Rd. Bethesda, MD 20814-1621	American Podiatric Medical Assn	18,000.00	
R. D. Carson Jr., P.O. Box 2021 40 Franklin Rd., SW Roanoke, VA 24022	Appalachian Power Company		17.63
David C. Carter, 1156 15th St., NW, #1019 Washington, DC 20005	U.S. Beet Sugar Assn		
Joseph L. Carter Jr., 50 F Street, NW, #1200 Washington, DC 20001-1564	Association of American Railroads	1,080.14	55.83
Tristan Carter, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	800.00	845.82
Melanie Carter-Maguire, 600 Maryland Ave., SW, #607 Washington, DC 20024	Northern Telecom, Inc		1,425.00
James P. Carty, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers	500.00	
Susan B. Carver, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	1,375.00	1,607.22
Cascade Natural Gas Corp, 222 Fairview Avenue N Seattle, WA 98109			
Cashdollar-Jones & Company, 1000 16th Street, NW, #702 Washington, DC 20036	United Foods, Inc	21,000.00	550.79
Paul S. Caskey, 1700 K Street NW, #1200 Washington, DC 20006	Chevron USA, Inc	650.00	10.00
Allen R. Caskie, 1001 Pennsylvania Ave, NW Washington, DC 20004	American Council of Life Insurance, Inc	5,500.00	
Eugene I. Casraiss Jr., 1757 N St., NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	14,506.48	91.70
William E. Casselman II, 1800 M Street, NW, #300-South Washington, DC 20036	Popham Haik Schnobrich & Kaufman, Ltd (For:Ova Noss Family Partnership)		
J. Warren Cassidy, 1600 Rhode Island Avenue, NW Washington, DC 20036	National Rifle Assn of America	2,437.50	
Cassidy and Associates, Inc, 655 15th St., NW, #1100 Washington, DC 20005	Acorn Data Systems, Inc		
Do	Alexander Graham Bell Assn for the Deaf	450.00	
Do	American Dredging Company	1,950.00	
Do	American Hospital in Shanghai Foundation	450.00	
Do	American Science and Engineering, Inc	300.00	22.00
Do	AmeriFlora '92		
Do	Anatolia College Board of Trustees		
Do	Arizona State University		
Do	Association for the Safe Handeling of Biomedical Waste		
Do	Atlantic Financial		
Do	Barry University		
Do	Biopure		
Do	Bolt Beranek & Newman, Inc	350.00	
Do	Boston Carmen's Union		
Do	Boston College	450.00	
Do	Boston University	75.00	15.50
Do	Cardinal Hill Hospital	700.00	
Do	Catholic University of America		
Do	Centex Communications, Inc		
Do	Challenger Center		
Do	Children's Hospital and Health Center of San Diego	900.00	
Do	Children's Hospital in Michigan		
Do	Children's Hospital National Medical Center	2,700.00	
Do	Clark-Atlanta University	300.00	
Do	Columbia University		
Do	Community Care Systems, Inc		
Do	Community College Assn for Technology Transfer		
Do	Critical Languages & Area Studies Consortium, Inc	900.00	
Do	DataCom Systems Corporation		
Do	Deleware State Dept of Transportation	2,700.00	
Do	Drexel University		
Do	Estudos Projestos Consultoria Internacional		
Do	Experiment in International Living	750.00	
Do	Friends of the American Tel Aviv Museum of Art		
Do	Fudan Foundation	450.00	
Do	Gonzaga University	300.00	
Do	Great Lakes Dredge and Dock Company	1,950.00	
Do	Hawaii Dept of Business & Economic Development	150.00	
Do	Infirmary Health Systems, Inc	450.00	
Do	International Data Group		
Do	ITT Gilfillan	450.00	
Do	T.L. James & Company	1,950.00	
Do	Kerr-McGee	2,400.00	
Do	Thomas H. Lee Co		
Do	Lehigh University	525.00	
Do	LiTel Telecommunications Corp		
Do	Loma Linda University Medical Center, Inc	300.00	
Do	Louisiana Public Facilities Authority	900.00	
Do	Loyola College (Baltimore)		
Do	Loyola Marymount University		
Do	Loyola University of Chicago	750.00	
Do	Massachusetts Corp for Education Telecommunication		
Do	Massachusetts League of Banks		
Do	Medical College of Wisconsin	225.00	39.00
Do	Medical University of South Carolina		
Do	Michigan Biotechnology Institute	2,400.00	
Do	Michigan Technological University	700.00	
Do	Monterey Institute of International Studies	900.00	
Do	Mt. Sinai Medical Center of Greater Miami		
Do	Mt. Sinai Medical Center of New York City		
Do	Mutual Interest Transactions		
Do	National Jewish Center for Immunology & Respiratory Medicine	900.00	
Do	NeoRx		
Do	O'Connell Management Co, Inc		
Do	Ocean Spray Cranberries, Inc	1,800.00	
Do	Pennsylvania Turnpike Commission	300.00	
Do	Pirelli Cable Co	600.00	
Do	Polytechnic University	3,375.00	
Do	PHH Corp	1,200.00	
Do	Rochester Institute of Technology	1,275.00	
Do	Saint Joseph's University	300.00	18.90
Do	Schutz American School	375.00	
Do	Societa Cavi Pirelli S.p.A	450.00	
Do	Spring Garden College		
Do	St. Norberts College	600.00	
Do	State of Indiana Dept of Commerce	550.00	
Do	State of Indiana, Office of the Governor	2,850.00	
Do	Thomas Jefferson University	100.00	
Do	Tougaloo College	150.00	
Do	Tread Corporation		
Do	Tufts University	400.00	
Do	Twentieth Century Fox		
Do	U.S. Healthcare, Inc		
Do	Universal Med Center/U of TX Health Science Center at Dallas	450.00	
Do	University of the Arts	150.00	
Do	University of Bridgeport		
Do	University of Hawaii	675.00	
Do	University of Kentucky Research Foundation	900.00	
Do	University of Nebraska		
Do	University of Pennsylvania	600.00	
Do	University of Pittsburgh-Presbyterian Univ. Hospital		
Do	University of Scranton	4,050.00	
Do	University of Southern Mississippi		
Do	University of Utah		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	University of Vermont	600.00	
Do	Valley Children's Hospital	1,124.80	
Do	Western Townships Utilities Authority		
Do	Wojdak & Assocs, Inc for: Children's Hospital of Pittsburgh		
Do	World Trade Center Boston		
Do	George D Zamias	300.00	
Mark A. Casso, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	912.50	
Casson Harkins & LaPallo, 1233 Twentieth Street, NW, #800 Washington, DC 20036	Foundation for Eye Research, Inc	16,105.50	27,161.66
Do	Healthcare Recoveries, Inc	2,552.00	2,880.72
John J. Castellani, 1000 Wilson Boulevard, #2700 Arlington, VA 22209	TRW, Inc	400.00	
G. Thomas Cator, 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).	1,050.00	600.00
Do	Neece Cator & Associates (For:National Assn of Development Companies)		
Do	Neece Cator & Associates, Inc (For:Southeastern Lumber Manufacturers Assn)	2,000.00	2,550.00
Harvey E. Cauthen Jr., 2 Dexter Ave. Montgomery, AL 36104	Alabama Power Company	11,600.00	7,254.42
Mary Cavanagh, 305 Third St., SE Washington, DC 20003	Mercury Stainless Corp		
Gordon Cavanaugh, 122 C Street, NW, #875 Washington, DC 20001-2109	Reno Cavanaugh & Hornig (For:Council of Large Public Housing Authorities)	18,000.00	186.72
Red Cavaney, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
Cederberg & Associates, 7100 Sussex Place Alexandria, VA 22307	Grumman Corporation	200.00	
Do	Martin Marietta Corp	200.00	
Cendrowski & Selecky, P.C., 2050 N. Woodward, #310 Bloomfield Hills, MI 48013	Taubman Company, Inc	6,985.00	
Center for Law and Education, Inc, Larsen Hall, 6th Floor 14 Appian Way Cambridge, MA 02138		72,229.30	2,014.04
Centerior Energy Corp, P.O. Box 94661 Cleveland, OH 44101-4661			2,883.93
Century Public Affairs, 7744 Yeomalt Pt Dr., NE Bainbridge Island, WA 98110	Dallas/Fort Worth Int'l Airport		45.28
Do	Intermec Corporation		
Do	New United Motor Manufacturing, Inc	12,000.00	1,400.00
Do	Port of Oakland	25,000.00	6,497.17
David Certner, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	526.53	383.15
Chadbourne & Parke, 1101 Vermont Ave., NW, #900 Washington, DC 20005	Amalgamated Metal Corp PLC	735.00	
Do	American Paper Institute, Inc		
Do	AES Corporation	16,590.00	
Do	Napp Chemicals, Inc		
Do	Ormat Energy Systems, Inc	3,815.00	
Do	Oxbow Geothermal Corp		
Do	Ruan Transportation Management Systems	2,170.00	
Chadwell & Kayser, Ltd, 35 West Wacker Drive—#3300 Chicago, IL 60601	Chicago Board Options Exchange		
Do	Corn Coalition	10,000.00	
Do	Harza Engineering Co		
Michael J. Chakarun, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Mark G. Chalpin, 1101 15th St., NW, #1000 Washington, DC 20005	National Constructors Association		
Terry M. Chamberlain, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Chambers Associates, Inc, 1625 K Street, NW, #200 Washington, DC 20006	American Assn of Retired Persons		
Do	American Express Co		
Do	American Postal Workers Union, AFL-CIO	5,780.00	
Do	Coalition of Publicly Traded Limited Partnerships		
Do	Manville Corporation		
Do	Metcalf & Eddy/KVB Group		
Do	Newhall Land and Farming Company	363.00	
Maxine Champion, 1025 Thomas Jefferson St., NW, #511 Washington, DC 20007	LTV Corporation	3,000.00	975.00
Robert T. Chancler, 1101 Connecticut Ave., NW Washington, DC 20036	American Wire Producers Assn		
Ed Chandler, 7901 Westpark Drive McLean, VA 22102	National Machine Tool Builders' Assn	12,375.00	500.00
Linda Z. Chapman, 1400 L Street, NW, #400 Washington, DC 20005	Biscuit & Cracker Manufacturers Assn		
Michael D. Chapman, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	1,581.65
Thomas B. Chapman, 500 E Street, SW, #920 Washington, DC 20024	Aircraft Owners and Pilots Assn	11,798.00	1,421.77
William C. Chapman, 2801 Fort Scott Drive Arlington, VA 22202	Multinational Business Services, et al	19,688.00	242.00
O. Donaldson Chapoton 555 13th Street, NW, #500 East Washington, DC 20004	Baker & Botts (For:Rhone-Poulenc)		
Peggy Charren, 975 Memorial Drive, #504 Cambridge, MA 02138	Action for Children's Television		
Richard A. Charter, 6947 Cliff Ave. Bodega Bay, CA 94923	County Administrative Office County of Santa Cruz	8,000.00	1,435.27
David F. Chavkin, 733 15th Street, NW, #912 Washington, DC 20005	National Center for Clinical Infant Programs	2,585.35	1,805.42
Leslie Cheek III, 1025 Connecticut Avenue, NW, #414 Washington, DC 20036	Crum & Forster Corp	32,500.00	301.05
Michael R. Chellis, 739 S 22nd Street Arlington, VA 22202	Penco International		
Chemical Manufacturers Assn, Inc, 2501 M Street, NW Washington, DC 20037			58,895.00
Chemical Specialties Manufacturers Assn, Inc, 1001 Connecticut Avenue, NW, #1120 Washington, DC 20036			350.10
Chernikoff & Company, 1826 Jefferson Place, NW, #101 Washington, DC 20036	American Museum of Natural History		412.00
Do	Arena Stage	1,162.00	1,268.75
Do	Bishop Museum		412.00
Do	Buffalo Museum of Science		13.00
Do	Capital Childrens Museum	1,076.00	1,182.75
Do	Cincinnati Museum of Natural History		412.00
Do	Corcoran Gallery of Art	1,205.25	1,312.00
Do	Denver Museum of Natural History		412.00
Do	Directors Guild of America	8,417.00	8,729.73
Do	Field Museum of Natural History		412.00
Do	Fine Arts Museums of San Francisco		13.00
Do	Ford's Theater	1,076.00	1,182.75
Do	Friends of the New Jersey State Museum		13.00
Do	Grimes Production, Inc	8,135.42	8,135.42
Do	Los Angeles County Museum of Art		412.00
Do	Meridian House International	1,032.75	1,139.50
Do	Milwaukee Public Museum		412.00
Do	Museum of Northern Arizona		412.00
Do	National Museum of Women in the Arts	1,076.00	1,182.75
Do	National Symphony	1,248.50	1,355.25
Do	Natural History Museum of Los Angeles County		412.00
Do	Phillips Collection	1,119.00	1,225.75
Do	Rochester Museum & Science Center		412.00
Do	George Seybolt (Family Trust)	9,380.00	9,039.83
Do	Shakespeare Theater at the Folger	1,076.00	1,182.75
Do	Textile Museum	1,032.50	1,139.25
Do	University of Nebraska State Museum		412.00
Do	University of Pennsylvania Museum		418.00
Do	Washington Ballet	1,032.75	1,139.50
Do	Washington Opera	1,119.00	1,225.75
Do	Washington Performing Arts Society	119.00	1,225.75
John H. Chettle, 1050 Connecticut Ave., NW, #825 Washington, DC 20036	Chamber of Mines of South Africa	1,000.00	400.00
Do	Universal Frutrade Co-operative, Ltd	2,000.00	300.00
Samuel D. Chilcote Jr., 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute, Inc	1,525.00	
Children's Television Workshop, One Lincoln Plaza New York, NY 10023			
Peggy M. Childress, 811 W. Marvin Avenue Waxahachie, TX 75165	Housing Roundtable		1,514.00
Nam-Hong Cho, 1030 15th Street, NW, #776 Washington, DC 20005	Korea Foreign Trade Assn	600.00	460.00
Joseph L. Choquette III, Vermont Petroleum Assn P.O. Box 566 Montpelier, VT 05602	American Petroleum Institute	2,025.00	1,260.91
Richard Chriss, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	3,000.00	500.00
Hal M. Christensen, 317 Massachusetts Ave., NE, #100 Washington, DC 20002	Delta Dental Plans Assn	1,500.00	
Samuel W. Christine III, 1129 20th St., NW, #200 Washington, DC 20036	Greater Washington Board of Trade		
James T. Christy, 1730 Pennsylvania Ave., NW, #265 Washington, DC 20006	Air Products & Chemicals, Inc	1,800.00	197.68
Chubb Corporation, 15 Mountain View Road Warren, NJ 07061			
Chugach Electric Assn, Inc, P.O. Box 196300 Anchorage, AK 99519-6300			8,635.91
Alan L. Chvotkin, 14829 Dufief Drive Gaithersburg, MD 20878	Sundstrand Corporation	3,697.50	923.76
Chwat/Weigend Associates, 400 First Street, NW, #100 Washington, DC 20001	American Home Sewing Assn, Inc	500.00	500.00
Do	American Pipe & Accessories League	1,000.00	1,000.00
Do	American Radio Relay League, Inc	3,000.00	3,000.00
Do	Associated Locksmiths of America	1,200.00	1,200.00
Do	National Licensed Beverage Assn	3,000.00	3,000.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	National Weather Service Employees Organization	300.00	300.00
Charisse Victoria Ciambrone, 1705 South 17th Street Las Vegas, NV 89104			
Linda Church Ciocci, 2301 M Street, NW Washington, DC 20037	American Public Power Assn	200.00	
Citizen/Labor Energy Coalition, 1300 Connecticut Ave., NW, # 401 Washington, DC 20036			
Citizens for Sensible Control of Acid Rain (CSCAR), c/o 1301 Connecticut Avenue, NW Washington, DC 20036			95,540.28
Citizens Political Action Committee, P.O. Box 645 228 South A Street, #2 Oxnard, CA 93032			
Donald D. Clancy, 6507 Leeds Lane Cincinnati, OH 45215	Grocery Manufacturers of America, Inc		
Do	Tele-Press Associates, Inc (For:Japan Fisheries Association)		
Fred D. Clark Jr., 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	25.00	
Lynn C. Clark, 1411 K Street, NW, #500 Washington, DC 20005	District of Columbia Chamber of Commerce	1,300.00	
Marshall C. Clark, 5709 W. 21st Street P.O. Box 4267 Topeka, KS 66604	Kansas Electric Cooperatives, Inc (KEC)	3,246.00	
Robert G. Clark, 400 Madison St., #1908 Alexandria, VA 22314	Ryder Systems, Inc		
Rudy I. Clark, 5342 Woodbury Woods Lane Fairfax, VA 22032	Air Force Sergeants Assn, Inc		
Vernon A. Clark, 1730 M Street, NW, #911 Washington, DC 20036	Vern Clark & Associates (For:Metromedia Company)		
Do	Vern Clark & Associates (For:RJR-Nabisco Washington, Inc)	30,000.00	6,730.08
Sara F. Clary, 1629 K Street, NW, #1010 Washington, DC 20006	Alliance of American Insurers	500.00	
Bill Clayton, 1122 Colorado, #307 Austin, TX 78701	Advanced Telecommunication Corp	4,500.00	
Cleary Gottlieb Steen & Hamilton, 1752 N Street, NW Washington, DC 20036	Columbia Savings & Loan Assn	106.25	
Do	Crompton & Knowles Corp		
Do	Day-Glo Color Corp	78.75	
Do	Harry Frank Guggenheim Foundation		
Do	Ministry of Finance & Public Credit of the United Mexican St		
Do	Security Pacific National Bank	1,173.75	
Do	Union Oil Co of California, et al		
Ronald D. Clements, 1111 19th St., NW, 9th Floor Washington, DC 20036	Edison Electric Institute	2,824.40	673.33
Cleveland Electric Illuminating Co, 55 Public Square P.O. Box 5000 Cleveland, OH 44113			
Cleveland-Cliffs, Inc, 1100 Superior Avenue Cleveland, OH 44114-2589			
W. M. Click, 2711 N. Haskell P.O. Box 511 Dallas, TX 75221	Southland Corporation		
Clifford & Warnke, 815 Connecticut Ave., NW Washington, DC 20006	Australian Meat & Live-Stock Corp	7,500.00	2,500.00
Do	J. C. Maxtone-Mailer	600.00	203.00
Do	Nonprescription Drug Manufacturers Assn		
Clohan & Dean, 1101 Vermont Ave., NW, #400 Washington, DC 20005	Coalition for Higher Education Assistance Organizations	437.50	
Do	Student Loan Funding Corp of Ohio		
Edward T. Cloonan, 70 Pine Street, 39th Floor New York, NY 10270	American International Group, Inc		
Pilar M. Cloud, 1201 Pennsylvania Ave., NW, #807 P.O. Box 7566 Washington, DC 20044	BSA Business Software Assn, Inc	63.00	
Stephen J. Cloud, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	400.00	
W. Dewey Clower, 1199 North Fairfax, #801 Alexandria, VA 22314	National Assn of Truck Stop Operators, Inc		
Coalition for Acid Rain Equity (CARE), P.O. Box 33924 Washington, DC 20033-0924		58,136.00	51,794.14
Coalition for American Energy Security, 1050 Thomas Jefferson St., NW, 6th Floor Washington, DC 20007			
Coalition of Americans to Protect Sports (CAPS), 200 Castlewood Drive North Palm Beach, FL 33408			
Coalition to Keep Alaska Oil, AFL-CIO Building 815 16th Street, NW, #309 Washington, DC 20006		4,300.00	151.89
Coalition to Oppose Energy Taxes, 1100 15th St., NW, #1200 Washington, DC 20005		30,000.00	
Coalition to Preserve Low Income Housing Tax Credit, 2300 M St., NW Washington, DC 20037		2,000.00	2,000.00
Coalition to Stop Gun Violence, 100 Maryland Ave., NE Washington, DC 20002		131,642.00	11,043.00
Coan & Lyons, 1625 Eye St., NW, #1015 Washington, DC 20006	FISN, Inc		
Do	National Advisory Council of HUD Management Agents	1,000.00	54.20
Alan J. Cobb, 1120 Vermont Avenue, NW, #1130 Washington, DC 20005	Petroleum Marketers Assn of America	8,500.00	654.90
Richard B. Cobb, Petroleum Council of Ga 50 Hurt Plz., SE, #720 Atlanta, GA 30303-2923	American Petroleum Institute	1,400.00	3,189.70
Don V. Cogman, 1100 Connecticut Avenue, NW, #535 Washington, DC 20036	RCF Group, Inc	5,000.00	49.70
Dan Cohen, 500 North Capitol Street, NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	12,349.98	1,112.47
Daniel L. Cohen, 1050 31st Street, NW Washington, DC 20007	Association of Trial Lawyers of America	2,000.00	100.00
David Cohen, 1616 P St., NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	7,353.06	56.00
Jacqueline Abelman Cohen, 1199 N. Fairfax St., #701 Alexandria, VA 22314	National Assn of Tobacco Distributors	2,500.00	
John Cohen, 1331 Penn Ave., NW, #1500-North Washington, DC 20004-1703	National Association of Manufacturers	130.00	
Cohen & White, 1055 Thomas Jefferson Street, NW, #504 Washington, DC 20007	Computer & Communications Industry Assn	2,022.50	36.04
Cohn and Marks, 1333 New Hampshire Ave., NW Washington, DC 20036	Maclean Hunter Cable TV	1,911.25	103.22
Joseph L. Colaneri, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California		628.29
Douglas Cole, 1101 17th Street, NW, #400 Washington, DC 20036	American President Companies, Ltd	1,500.00	
E. William Cole, 1050 Connecticut Avenue, NW, #760 Washington, DC 20036	Union Oil Co of California	500.00	88.00
Ken W. Cole, 1001 Pennsylvania Avenue, NW, #700 Washington, DC 20004	Allied-Signal, Inc		
Cole Corette & Abrutyn, P.C., 1110 Vermont Avenue, NW, #900 Washington, DC 20005	Government of the Netherlands Antilles		
Do	Louisiana Land & Exploration Co		
Do	Matsushita Elec Corp (for Int'l Electron Mfgrs & Consum...)	10,884.00	8,787.29
Colette R. Coleman, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	984.00
Jessie M. Colgate, 51 Madison Avenue New York, NY 10010	New York Life Insurance Company	153.00	121.96
Emilio G. Collado III, Collado Associates 1405 Montague Drive Vienna, VA 22180	American Watch Assn		
Collier Shannon & Scott, 1055 Thomas Jefferson St., NW, #306 Washington, DC 20007	Alliance for Capital Access	30,000.00	30,000.00
Do	American Car Rental Assn	4,785.00	4,785.00
Do	American Couplings Coalition		
Do	American Frozen Food Institute		
Do	American Institute of Steel & Iron		
Do	American Meat Institute		
Do	American Textile Machinery Assn		
Do	Association of Certified Trucking Schools	1,040.00	1,040.00
Do	Bicycle Mfgrs Assn of Amer, Inc	340.00	340.00
Do	Coalition for Safe Ceramicware		
Do	Committee of American Ammunition Manufacturers	380.00	380.00
Do	Crop Insurance Research Bureau	725.00	725.00
Do	Ferrous Scrap Consumers Coalition	500.00	500.00
Do	Food Marketing Institute		
Do	Footwear Industries of America	800.00	800.00
Do	Gerico	85.00	85.00
Do	Independent Lubricant Manufacturers Assn	3,450.00	3,450.00
Do	Inland Steel Corp	2,000.00	2,000.00
Do	Leather Industries of America		
Do	Lykes Brothers, Inc		
Do	Municipal Castings Fair Trade Council	500.00	500.00
Do	National Assn of Convenience Stores	8,885.00	8,885.00
Do	National Assn of Mutual Insurance Cos	1,300.00	1,300.00
Do	National Broiler Council		
Do	National Coalition of Fresh Potato Processors		
Do	National Cosmetology Assn, Inc		
Do	National Juice Products Assn		
Do	National Pasta Assn		
Do	Norris Industries	60.00	60.00
Do	Outdoor Power Equipment Institute		
Do	Petroleos de Venezuela, S.A	8,075.00	8,075.00
Do	PetroJam, Ltd	10,000.00	10,000.00
Do	Pittsburgh Corning Corporation		
Do	Shipbuilders Council of America	1,160.00	1,160.00
Do	Society of Independent Gasoline Marketers of America	8,480.00	8,480.00
Do	Specialty Steel Industry of the United States	1,050.00	1,050.00
Do	Zurich-American Insurance Companies	1,200.00	1,200.00
Michael A. Collins, 13106 Ivy Drive Beltsville, MD 20705	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	6,000.00	450.03
Paula J. Collins, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
R. J. Collins, 1667 K Street, NW, #300 Washington, DC 20006	Amdahl Corp	1,000.00	
Stephen J. Collins, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
William P. Collins, 5055 Seminary Road Alexandria, VA 22311	Southern Company Services, Inc	1,000.00	
Camilla L. Collova, 1025 Connecticut Ave., NW, #1007 Washington, DC 20036	Armstrong World Industries, Inc		
Kent W. Colton, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Mary Colville, 1155 15th St., NW Washington, DC 20005	National Broiler Council	1,250.00	
Jeffrey W. Combos, c/o Tennessee Petroleum Council 211 7th Ave. North Nashville, TN 37219	American Petroleum Institute	1,050.00	2,775.86
Lori A. Comeau, 805 15th Street, NW #610 Washington, DC 20005-2207	CF Industries, Inc	500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Comfort Lipe & Green, P.C., 2100 Mid-Continent Tower 401 South Boston Avenue Tulsa, OK 74103	Thrifty Rent-A-Car System, Inc	625.00	23.89
Comiskey & Hunt, One Courthouse Metro, #850 2200 Wilson Boulevard Arlington, VA 22201	Gold Fields Operating Co-Mesquite		
Committee for America's Copyright Community, 2000 K Street, NW, #600 Washington, DC 20006-1809		3,362.50	3,362.50
Committee for Do-It-Yourself Household Moving, 2011 Eye Street, NW, #500 Washington, DC 20006			
Committee for Fair Trade with China, Evergreen Point Rd., Box 288 Medina, WA 98039			
Committee for Humane Legislation, Inc, 1506 19th Street NW, #3 Washington, DC 20001		29,579.98	18,724.45
Committee on U.S. Business Canadian Life & Health Ins. Assn, c/o Dykema Gossett 1752 N St., NW Washington, DC 20036			
Committee to Assure the Availability of Casein, 3213 O St., NW Washington, DC 20007		3,000.00	
Committee to Protect the Family, 8001 Forbes Place, #102 Springfield, VA 22151		32,037.72	42,264.12
Committee to Support the Antitrust Laws, 1401 New York Avenue, NW, #740 Washington, DC 20005		9,500.00	11,250.00
Common Cause, 2030 M St., NW Washington, DC 20036		2,479,185.43	542,673.75
Community Service Council of Central IN, Inc, 1828 North Meridian Indianapolis, IN 46202			
Competitive Enterprise Institute, 233 Pennsylvania Avenue, SE,#200 Washington, DC 20003		84,275.57	
Compressed Gas Assn/Helium Advisory Council, Crystal Gateway #1, Suie 501 1235 Jefferson Davis Highway Arlington, VA 22202.		20,489.00	20,489.00
Veronica Compton, Reg. #276077 P.O Box 17 Gig Harbor, WA 98335-0017			
Harry J. Conaway, 1001 22nd Street, NW, #400 Washington, DC 20037	Mercer Meidinger Hansen, Inc		
Bert M. Concklin, 1500 Planning Research Drive Mclean, VA 22102	Planning Research Corporation		900.31
Conference of State Bank Supervisors, 1015 18th St., NW Washington, DC 20036			2,900.62
Gary L. Conkling, P.O. Box 500, 50-705 Beaverton, OR 97077	Tektronix, Inc	10,600.00	2,974.96
Jeanne K. Connelly, 1875 Eye St., NW, #540 Washington, DC 20006	Champion International Corp		
Robert J. Conner, 1100 Connecticut Ave., NW Washington, DC 20036	Chrysler Corporation	500.00	353.05
Brian L. Connor, 1235 Jefferson Davis Hgwy., #606 Arlington, VA 22202	National Utility Contractors Assn	10,000.00	
Richard J. Connor Jr., 1455 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Joseph E. Seagram & Sons, Inc	562.50	
Jerry C. Connors, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202	Manufactured Housing Institute	8,500.00	120.09
David Conover, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	1,011.05	45.25
David R. Conrad, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	6,351.67	
Conservative Action Lobby, P.O. Box 931602 Los Angeles, CA 90093			
Consolidated Rail Corporation, P.O. Box 23451 Washington, DC 20026			14,658.76
Consortium of Social Science Assns, 1522 K Street, NW, #836 Washington, DC 20005		13,500.00	1,900.00
Consumer Energy Council of America Research Foundation, 2000 L St., NW, #802 Washington, DC 20036			
John J. Contney, Suite B 1130 E. Hallandale Blvd. Hallandale, FL 33009	Textile Rental Services Assn of America		
Daniel J. Conway, 1819 L St., 7th Floor Washington, DC 20036	Reinsurance Assn of America		
John A. Conway, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
John J. Coogan, 1776 Eye Steet, NW, #1050 Washington, DC 20006	Eastman Kodak Co	250.00	171.00
Alexandra W. Cook, 1331 Pennsylvania Avenue, NW, #1300N Washington, DC 20004	Electronic Data Systems Corp	96.00	118.00
Cheryl L. Cook, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers' Educational & Co-operative Union of America	8,292.50	50.00
K. Richard Cook, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	175.00	
Thomas M. Cook, 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Cook Group, Inc, 300 Fountain Square P.O. Box 1608 Bloomington, IN 47402			21,712.76
Eileen D. Cooke, 110 Maryland Ave., NE, Suite 101 Washington, DC 20002	American Library Assn	1,845.00	
Robert M. Coon Jr., 65 Pondfield Road Bronxville, NY 10708	National Comm to Preserve Social Security		
Bente E. Cooney, 2000 K St., NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	2,692.00	
Brian D. Cooney, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	9,068.00	259.00
Edward Cooney, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	275.82	
Benjamin Y. Cooper Jr., 1730 North Lynn St. Arlington, VA 22209	Printing Industries of America, Inc	10,000.00	
Cherry E. Cooper, 2301 Market Street, S13-1 Philadelphia, PA 19101	Philadelphia Electric Co		
Mitchell J. Cooper, 1001 Connecticut Ave., NW Washington, DC 20036	Rubber & Plastic Footwear Manufacturers Assn	24,500.00	62.07
Darrell Coover, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	6,000.00	928.00
Jack L. Copeland, 3633 M Street, NW Washington, DC 20007	Fidelity Pacific Group Inc	34,000.00	1,790.15
Jim Copeland & Associates, 555 New Jersey Ave., NW, #880 Washington, DC 20001	Pacific Mutual Life Insurance Co	1,300.00	
Michael J. Copps, 1700 North Moore Street Arlington, VA 22209	American Meat Institute	5,938.00	3,477.17
Copyright Remedies Coalition, 2000 K Street, NW, #600 Washington, DC 20006-1809		4,850.00	3,450.00
John F. Corcoran, 1500 K Street, NW, #375 Washington, DC 20005	Norfolk Southern Corp	1,000.00	
Tom Corcoran, 360 E. Randolph, #2402 Chicago, IL 60601	Wallace Associates Corp		
Frank W. Corley, 8430 Blakiston Lane Alexandria, VA 22308	ITT Electro-Optical Products Div	9,000.00	981.10
Do	Pilkington Optronics, Inc	9,000.00	1,945.25
Corman Law Offices, 1420 16th Street, NW Washington, DC 20036	American Newspaper Publishers Assn	1,000.00	
Do	Kelso & Company	18,750.00	
Do	Majestic Realty Co		
Do	MCA, Inc	1,250.00	
Do	National Structured Settlements Trade Assn	6,250.00	
Do	Republic National Bank of New York	6,875.00	
Do	Tropicana International, Inc	28,750.00	
Do	U.S. League of Savings Institutions		
Corn Refiners Assn, Inc, 1100 Connecticut Ave., NW, #1120 Washington, DC 20036		5,702.00	2,974.00
David L. Cornwell, 2217 Casemont Drive Falls Church, VA 22046			
Ernest J. Corrado, 1000 16th St., NW, #511 Washington, DC 20036	American Institute of Merchant Shipping	4,158.00	129.95
Richard L. Corrigan, 655 15th Street, NW, Suite #444 Washington, DC 20005	CH2M Hill	2,000.00	
Marty Corry, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	663.46	1,326.70
Allan D. Cors, 1455 Pennsylvania Avenue, NW, #500 Washington, DC 20004	Corning Glass Works	450.00	
William R. Corson, 1725 K Street, NW, #903 Washington, DC 20006	General Media/P.O.F. Subsidiary Co		
Cosmetic Toiletry & Fragrance Assn, Inc, 1110 Vermont Ave., NW, #800 Washington, DC 20005			
Gregory Costa, 1000 Vermont Avenue, NW, #800 Washington, DC 20005	Public Securities Assn	7,500.00	
J. Daniel Costello, 1615 H St., NW Washington, DC 20062	U.S. Chamber of Commerce	1,630.00	150.00
Michael E. Costello, 1025 Connecticut Ave., NW, #404 Washington, DC 20036	Panhandle Eastern Corporation		394.01
Donna J. Costlow, 1331 Pennsylvania Ave., NW, #1500-N Washington, DC 20004	National Assn of Manufacturers	500.00	
Daniel T. Coughlin, 1155 15th Street, NW, #502 Washington, DC 20005	Bristol Myers Co	25.00	
Council for Rural Housing and Development, 2300 M St., NW Washington, DC 20036		2,000.00	2,000.00
Council of Industrial Boiler Owners, 6035 Burke Centre Parkway, #360 Burke, VA 22015			
Council of Institutional Investors, 1420 16th Street, NW, #405 Washington, DC 20036		15,000.00	
Council of State Chambers of Commerce, 122 C St., NW, #200 Washington, DC 20001		689.99	680.39
Council on Alternate Fuels, 1225 Eye St., NW, #320 Washington, DC 20005			
James Cousins, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	2,500.00	
Susan M. Cousins, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce	2,500.00	22.70
Mark J. Covall, 1319 F Street, NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	
John F. Cove, 918 16th St., NW, #702 Washington, DC 20006	Cove Associates, Inc (For:Association of U.S. Night Vision Manufacturers)		
Do	Grumman Corporation		
Michael W. Cover, 1020 19th Street, NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc	2,500.00	
Covington & Burling, 1201 Pennsylvania Ave., NW P.O. Box 7566 Washington, DC 20044	American Watch Assn		
Do	Amoco Corporation		
Do	Arkansas Department of Human Services		5.00
Do	Association of Maximum Service Telecasters, Inc		
Do	Brown Brothers Harriman & Co	4,142.50	10,067.64
Do	BSA Business Software Assn, Inc		
Do	Coalition to Preserve the Integrity of American Trademarks	17,730.00	4,246.43
Do	Commonwealth of Puerto Rico		
Do	ERISA Industry Committee	3,712.50	28.00
Do	International Swap Dealers Assn		5,066.10
Do	Investment Company Institute	4,320.00	27.55
Do	Lin Broadcasting Corp	2,135.00	
Do	Maui Land & Pineapple Co, Inc		
Do	Michigan Department of Social Services		5.00
Do	National Football League	3,500.00	
Do	New York State Office of Mental Retardation and Devel		5.00
Do	Post-Newsweek Stations, Inc		
Do	Public Broadcasting Service		
Do	Rhode Island Department of Human Services	5,000.00	5.00
Do	State of Idaho	5,000.00	5.00
Do	Sun Life Assurance Co of Canada (U.S.)		
Eugene S. Cowen, 2759 Unicorn Lane, NW Washington, DC 20015	Capitol Cities/ABC, Inc	213.00	
C. Deming Cowles, 6th Floor 1050 Thomas Jefferson Street, NW Washington, DC 20007	Bering Sea Fishermen's Assn	6,900.00	339.20
Do	Cordova District Fishermen United	5,000.00	813.17

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Fairbanks/North Star Borough	2,100.00	121.84
Do	Pacific Marine Fisheries Commission	1,850.00	288.70
Archibald Cox, 2030 M St., NW Washington, DC 20036	Common Cause	6,045.00	
C. Richard Cox, 2801 West Tyvola Road Charlotte, NC 28217-4500	Belk Stores Services, Inc		
Jerry W. Cox, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:American Mobile Satellite Corporation)		
Do	Murphy & Demory, Ltd (For:Anglo American Auto Auctions, Inc)		
Rebecca Craford, 1000 Vermont Ave., NW #800 Washington, DC 20005	Public Securities Assn	3,500.00	
Bruce Craig, P.O. Box 677 Harpers Ferry, WV 25425	National Parks & Conservation Association	1,820.00	115.00
James P. Cramer, 1735 New York Ave., NW Washington, DC 20006	American Institute of Architects		
Mary T. Cramer, 1830 Platte St. Denver, CO 80202	Reese Communications Cos (for: Philip Morris, USA)	6,000.00	18.05
Donald A. Crane, 919 18th Street, NW, #400 Washington, DC 20006	W. R. Grace & Co /World Headquarters	1,125.00	
Eric F. Craven, P.O. Box 2943 Fort Worth, TX 76113	Texas-New Mexico Power Co		
Donald J. Crawford, 1850 M Street, NW Washington, DC 20036	Securities Industry Assn	2,562.00	
Richard C. Crawford, 1825 Samuel Morse Drive Reston, VA 22090	National Grocers Assn	500.00	
Richard L. Crawford, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	990.00
Robin Crawford, Box M Allentown, PA 18105-5000	Mack Trucks, Inc		
Creative Dynamics, Inc, 1143 N. General Pershing Hammond, LA 70401	Reese Communications Cos (for: Philip Morris U.S.A.)	2,250.00	
John P. Cregan, 220 National Press Building Washington, DC 20045	U.S. Business & Industrial Council	6,000.00	
Richard C. Creighton, 1331 Pennsylvania Ave., NW, #910 Washington, DC 20004	American Cement Alliance	11,250.02	
Ken A. Crerar, 600 Pennsylvania Ave., SE, #211 Washington, DC 20003	National Assn of Casualty & Surety Agents	4,000.00	2,818.44
Douglas P. Crew, 100 N.E. Adams Street Peoria, IL 61629-1430	Caterpillar Tractor Co		
Anne Crichton Crews, 8787 Stemmons Freeway Dallas, TX 75247	Mary Kay Cosmetics, Inc		
Joseph M. Cribben, 6900 Valley Brook Dr. Falls Church, VA 22042	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	1,750.00	
Richard E. Cristol, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Judy Crockett, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	1,157.40	
Robert W. Crolius, 1620 Eye Street, NW, #520 Washington, DC 20006	Portland Cement Assn		
Robert W. Cromartie, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn		
Charles H. Cromwell, Inc, 6709 Georgia Street Chevy Chase, MD 20815	EDO Corp		
Do	McDonnell Douglas Helicopters		
Do	MTS Systems Corp		
Do	Northrop Corp		
Rae E. Cronmiller, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	130.00	
Crop Insurance Research Bureau, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268		771.00	771.00
Mark E Crosby, 1700 North Moore St., #910 Rosslyn, VA 22209	Special Industrial Radio Service Assn, Inc		
David T. Crow, 1341 G St., NW #1100 Washington, DC 20005	Jefferson Group (For:Alumax, Inc)	481.25	
Do	Jefferson Group (For:Apache Powder)	1,356.25	
Do	Jefferson Group (For:Conundrum Joint Venture)	1,618.75	
Do	Jefferson Group (For:Doe Run Company)	437.50	18.00
Do	Jefferson Group (For:Lockheed Corp)	962.50	47.40
Do	Jefferson Group (For:Zinc Corporation of America)	262.50	
Crowell & Moring, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	American Forest Resource Alliance	500.00	
Do	Asarco Inc		
Do	Associated Gas Distributors		
Do	Avon Products, Inc		
Do	Brooklyn Union Gas Co		
Do	Central Nebraska Public Power & Irrigation District		
Do	Chesapeake Utilities Corp		
Do	City of North Miami		
Do	Communications Satellite Corp		
Do	Cook Inlet Region, Inc		
Do	Eagle-Picher Industries, Inc	1,232.50	10.00
Do	Eli Lilly & Company	1,740.00	10.00
Do	Emery Worldwide		
Do	Meridian Minerals Co		
Do	Minnesota Mining & Manufacturing		
Do	National Assn of Wholesaler-Distributors	2,392.50	10.00
Do	National Risk Retention Assn	900.00	20.00
Do	Nebraska Public Power District		
Do	Pan American World Airways, Inc, et al		
Do	Regional Airline Association		
Do	Sterling Drug, Inc		
Do	Tiffany & Co		
Do	Trust for Public Lands		
Do	United Cities Gas Co		
Do	Western Governors' Assn		
Do	Wyatt Company		
Crowell & Moring International L.P., 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	Avon Products, Inc		
Do	Board of Foreign Trade, Gov't of the Republic of China		
Do	Singapore Trade Development Board		
Cuban American Foundation, Inc, 7300 N.W. 35th Terrace, #105 Miami, FL 33122		50,326.50	36,674.09
Culley-Foster & Co, P.O. Box 17370 Washington, DC 20041			
Philip Cummings, 1455 Pennsylvania Ave., NW Washington, DC 20004	McCutchen Doyle Brown & Enersen (For:American Iron & Steel Institute)		35,227.15
Do	McCutchen Doyle Brown & Enersen (For:Browning-Ferris Industries)		9,171.31
Do	McCutchen Doyle Brown & Enersen (For:Carlsmith Wichman Case (for Hilo Coast Proscessing), et a).		
Do	McCutchen Doyle Brown & Enersen (For:Castle & Cooke, Inc)		
Do	McCutchen Doyle Brown & Enersen (For:General Electric Company)		2,562.50
Do	McCutchen Doyle Brown & Enersen (For:Gulf Coast Waste Disposal Authority)		9,702.09
Do	McCutchen Doyle Brown & Enersen (For:New York Dept of Environmental Conservation).		569.75
Do	McCuthchen Doyle Brown & Enersen (For:Rohr Industries, Inc)		410.00
Do	McCutchen Doyle Brown & Enersen (For:Southern California Assn of Governments)		10,903.91
Do	McCutchen Doyle Brown & Enersen (For:Sterling Drug, Inc)		
Law Ofs of Jonathan W. Cuneo, 1401 New York Ave., NW, #740 Washington, DC 20005	Committee to Support the Antitrust Laws	11,250.00	146.11
Do	National Assn of Securities and Commercial Law Attorneys	8,000.00	69.00
Do	National Coalition of Petroleum Retailers, Inc		66.00
Do	Songwriters Guild of America	3,875.00	24.50
William J. Cunningham, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	17,325.98	911.50
John T. Curran, 905 16th St., NW, Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	19,100.04	383.00
Do	National Coordinating Comm for Multiemployer Plans		
Randall L Currier, 412 Morris Avenue, #37 Summit, NJ 07901	New Jersey State Bar Association	9,500.00	352.30
Anne M. Curry, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	500.00	
Kathleen L. Curry, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	1,290.00	
Wayne T. Curtin, 228 East Capitol Street, NE Washington, DC 20002	Motorcycle Riders Foundation, Inc	5,330.68	
Curtis Thaxter Lipez Stevens Broder & Micoleau, 1 Canal Plaza P.O. Box 7326 Portland, ME 04112	Madison Public Affairs Group, Inc (for Philip Morris USA)		
Cutler & Stanfield, 1850 M Street, NW Washington, DC 20036	General Atomics	390.00	7.00
Do	University of Colorado	25,104.25	58.00
Everett E. Cutter, 620 SW Fifth Avenue Bldg., Suite 300 Portland, OR 97204	Oregon Railroad Assn		
Ralf W.K. Czepluch, 1130 Connecticut Ave., NW, #830 Washington, DC 20036	Gulf Power Company	1,500.00	6,080.44
CF Industries, Inc, Salem Lake Dr. Long Grove, IL 60047			1,000.00
CR Associates, 317 Massachusetts Ave., NE, #100 Washington, DC 20002	Alzheimer's Assn	2,100.00	
Do	American Assn for Dental Research	958.50	
Do	Association of University Programs in Health Administration	489.00	
Do	Conjoint Comm on Diagnostic Radiology	1,200.00	
CRS, P.O. Box 118 Cold Spring Harbor, NY 11724-0118			
D'Amore & Doyle, Inc, 1156 15th St., NW, #1100 Washington, DC 20005	Gafney Bennett & Associates, Inc	12,000.00	1,144.43
Do	Institute for Human Resource Development		154.09
William K. Dabaghi, Arter & Hadden 1919 Pennsylvania Ave., NW, #400 Washington, DC 20006	Central Union of Agricultural Cooperatives (ZENCHU)		
Do	Houston Clearing House Assn		
Leslie Dach, 1420 K Street, NW Washington, DC 20005	Daniel J. Edelman, Inc (For:Collagen Corporation)	29,622.50	3,998.20
Susan Dahlquist, 2000 K St., NW, 8th Foor Washington, DC 20006	National Committee to Preserve Social Security	14,808.00	2,145.11
William Kay Daines, 1616 H St., NW Washington, DC 20006	American Retail Federation	350.00	67.00
Dairy Farmers for Responsible Dairy Policy, 514 C Street, NE Washington, DC 20002			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Donna M. Daley, 1200 17th St., NW, Suite 106 Washington, DC 20036	American Psychological Assn	2,412.67	60.00
Donald W. Dalrymple, 1575 I St., NW Washington, DC 20005	American Cynamid Company (For:Lederle Laboratories)	3,060.00	908.90
James G. Dalton, 1420 King St. Alexandria, VA 22314-2715	National Society of Professional Engineers	2,500.00	
John M. Damgard, 1825 Eye Street, NW, #1040 Washington, DC 20006	Futures Industry Assn, Inc		
Tracy Danese, P.O. Box 14000 Juno Beach, FL 33408	Florida Power & Light Co	6,787.00	17,178.68
John E. Daniel, 1233 20th St., NW, #701 Washington, DC 20036	International Technology Corporation		
David S. Danielson, 1505 Prince Street, #300 Alexandria, VA 22314	American Optometric Assn		
Nancy Danielson, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers Educational and Co-Operative Union of America	4,600.00	
David E. Danovitch, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	6,000.00	
Cynthia L. Darcy, 245 Second St., NE Washington, DC 20002	Friends Committee on National Legislation	3,923.34	
Jo-Ellen Darcy, 1600 M Street, NW Washington, DC 20036	Investment Company Institute	224.98	78.14
Richard C. Darling, 1156 15th St., NW Washington, DC 20005	J. C. Penney Co. Inc		
Diane Davenny Darneille, 1850 K Street, NW, Suite 1195 Washington, DC 20006	Schering-Plough Corp	7,000.00	638.72
Mark C. Darrell, 1101 14th Street, NW, #1400 Washington, DC 20005	Miller Balis & O'Neil, P.C. (For:American Public Gas Assn (APGA))		
John C. Datt, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	12,504.00	
Becky L. Davenport, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation & International Ice Cream Assn		
Theodore S. J. Davi, 624 South Quincy Street Green Bay, WI 54301			
Earl F. David, 1825 K St., NW, #1107 Washington, DC 20006	Phillips Petroleum Co	1,000.00	
John C. David, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	500.00	
Davidoff & Malito, 100 East 42nd Street New York, NY 10017	Iona College	10,000.00	90.00
Do	Long Island University	9,000.00	463.55
Do	Nassau-Suffolk Hospital Council, Inc	9,000.00	542.92
Do	National Confectioners Assn	7,500.00	444.40
Do	National Passenger Traffic Assn		
Do	Sequor Group	22,500.00	488.75
James H. Davidson, 1211 Connecticut Avenue, NW, #610 Washington, DC 20036	James H. Davidson & Associates, Inc (For:American Advertising Federation)	5,948.36	
Do	James H. Davidson & Associates Inc (For:American Assn of Advertising Agencies)	5,948.36	
Do	James H. Davidson & Associates, Inc (For:American Newspaper Publishers Assn)	5,948.36	
Do	James H. Davidson & Associates Inc (For:Association of National Advertisers)	5,948.36	
Do	James H. Davidson & Associates, Inc (For:Direct Marketing Assn)	5,948.36	
Do	James H. Davidson & Associates, Inc (For:Magazine Publishers of America, Inc)	17,447.88	
Do	James H. Davidson & Associates, Inc (For:Miller & Chevalier)	16,411.79	
Do	James H. Davidson & Associates, Inc (For:National Assn of Broadcasters)	19,773.83	
Do	James H. Davidson & Associates, Inc (For:National Assn of Industrial & Office Parks).	12,206.19	
Do	James H. Davidson & Associates, Inc (For:Rouse Co)	8,832.22	
Do	James H. Davidson & Associates, Inc (For:Yellow Pages Publishers Assn)	5,948.36	
Dionne M. Davies, 1120 Connecticut Ave., NW, #727 Washington, DC 20036	American Bankers Assn	1,000.00	
Drew M Davis, 1101 16th St., NW Washington, DC 20036	National Soft Drink Assn	432.72	143.63
Edward M. Davis, 410 First St., SE Washington, DC 20003	American Nuclear Energy Council	11,000.00	223.17
Edwin H. Davis, 2030 M St., NW Washington, DC 20036	Common Cause	9,828.00	
Fred G. Davis, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	3,210.55	623.33
Kenneth E. Davis, Suite 1210 1667 K St., NW Washington, DC 20006	Rohm & Haas Co	500.00	
Margaret N. Davis, 1020 16th Street, NW Washington, DC 20036-5754	Enron Corp	2,000.00	
Michael Davis, 735 North Water St., #908 Milwaukee, WI 53202-4105	American Malting Barley Assn, Inc	1,425.00	
Ovid R. Davis, P.O. Drawer 1734 Atlanta, GA 30301	Coca-Cola Company		
Richard S. Davis, 1350 I Street, NW, #700 Washington, DC 20005	Beveridge & Diamond, P.C. (For:City of Bluefield, WV, et al.)	145.00	69.00
Robert Davis, 1350 I Street, NW, #1000 Washington, DC 20005	Ford Motor Co	1,900.00	597.61
Davis & Harman, 1455 Pennsylvania Avenue, NW, #1200 Washington, DC 20004	Ad Hoc Comm of Life Insurance Companies		50.00
Do	Alcoma Packing Company, Inc	3,750.00	45.00
Do	American General Life Insurance Co	1,250.00	144.80
Do	American Horse Council	1,250.00	89.72
Do	American Insurance Association	7,500.00	15.00
Do	Armco Steel Co	3,900.00	93.89
Do	Bethlehem Steel Corp	3,900.00	93.89
Do	Chicago Board of Trade	7,500.00	119.24
Do	Committee of Annuity Insurers	7,500.00	112.00
Do	Committee of Life Insurers		
Do	Dresser Industries, Inc	4,846.25	40.00
Do	First Penn-Pacific Life Insurance Co		25.00
Do	Florida Power & Light	1,250.00	74.50
Do	Florida Sugar Cane League, Inc	1,250.00	70.39
Do	Hughes & Luce		56.00
Do	James Graham Brown Foundation	1,200.00	4.00
Do	Lincoln National Life Insurance Co		100.00
Do	National Assn of Life Companies	250.00	59.50
Do	National Cattlemen's Assn	1,250.00	139.72
Do	Stock Information Group	17,000.00	6,670.17
Do	Travelers Companies	1,625.08	65.00
Do	U.S. Sugar Corp	1,250.00	96.27
Do	Underwriters of Lloyd's, London	2,651.90	36.87
Davis Polk & Wardwell, 1300 Eye St., NW Washington, DC 20005	American Inst of Certified Public Accountants	675.00	32.00
Do	Kohlberg Kravis Roberts & Co		
Do	LTV Corp		
Do	Morgan Guaranty Trust Co	2,760.00	25.00
Do	Morgan Stanley & Co, Inc		
Do	Norwest Corporation	475.00	6.00
Do	Occidental International Corp	337.50	14.00
Davis Wright & Jones, 1752 N St., NW, #800 Washington, DC 20036	American Honda Motor Co., Inc	10,129.00	164.08
Do	McCaw Communications Cos	20,767.00	454.63
Donald S. Dawson, 1133 Connecticut Ave., NW, #1000 Washington, DC 20036	Michael Gaughan		
Do	Opticians Assn of America		
Do	Virgin Islands Gift & Fashion Shop Assn		
Do	Virgin Islands Merchants Assn		
Rhett B. Dawson, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Company		
Robert M. Dawson, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	31.59	
Brenda T. Day, 1100 Connecticut Ave., NW, #900 Washington, DC 20036	Chrysler Corporation	6,249.00	598.17
Harry F. Day, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Gaston De Bearn, 1050 Connecticut Avenue, NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc		
Mark A. De Bernardo, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S		21.50
Ralph De La Cruz, 1201 New York Avenue, NW Washington, DC 20005	American Public Transit Assn	3,380.00	
De La Salle Institute, P.O. Box 3720 Napa, CA 94558-0372			
Maryann M. Dean, 1875 Eye Street, NW, #400 Washington, DC 20006	Georgia-Pacific Corp	1,000.00	
John Russell Deane III, 888 17th Street, NW, #500 Washington, DC 20006	Auto Internacional Assn	577.66	275.02
Do	Coalition of Automotive Assns	1,986.62	912.11
Do	Specialty Equipment Market Assn	7,946.47	3,648.49
Debevoise & Plimpton, 555 13th Street, NW Suite 1100E Washington, DC 20004	Sony Corp of America		
William E. Deegans, 1400 16th Street, NW Washington, DC 20036	National Wildlife Federation		
Richard A. Deem, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	25.00	
William R. Deere, 500 E Street, SW, #920 Washington, DC 20024	Aircraft Owners & Pilots Assn	5,877.07	2,302.08
Brian Deery, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
George K. Degnon Associates, Inc, 6728 Old McLean Village Drive Mclean, VA 22101	Association of State & Territorial Health Officials		1,000.00
Do	Nurses Organization of the Veterans Administration		1,000.00
Gene A. Del Polito, 1333 F Street, NW, #710 Washington, DC 20004-1108	Third Class Mail Association	1,250.00	
Edward N. Delaney & Associates, Chtd, 1629 K Street, NW, #1000 Washington, DC 20006	Harcourt Brace Jovanovich, Inc		
Do	National Assn of Independent Insurers	18,000.00	872.50
Regis J. Delmontagne, 1899 Preston White Drive Reston, VA 22091	National Printing Equipment & Supply Association, Inc		
Deloitte & Touche, 1900 M Street, NW Washington, DC 20036-3564	Ahold USA	5,000.00	
Do	Beatrice Community Hospital and Health Center	4,000.00	
Do	Coastal Corporation		
Do	Daishowa America Co, Ltd	5,000.00	
Do	Dutch Property Investments, Ltd	5,000.00	
Do	Federation of American Immigration Reform	5,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Fujitec America		
Do	Memorial Hospital of Dodge County		
Do	Money Store Investment Co	2,500.00	
Do	Orange County Coalition	2,500.00	
Do	Rheem Manufacturing Co	5,000.00	
Tania Demchuk, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers		
Willard L. Demory, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd. (For:American Mobile Satellite Consortium)		
Do	Murphy & Demory, Ltd (For:California Energy Co, Inc)		
Do	Murphy & Demory, Ltd. (For:Prodigy Services Company)		
Do	Murphy & Demory Ltd (For:United States Telephone Association)		
Donna Dempsey, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation	2,187.50	
H. Benson Dendy, 411 East Franklin Street, #602 Richmond, VA 23219	Vectre Corp (For:Mobil Oil Corp)	535.00	
George H. Denison, 4801 Massachusetts Ave., NW, #400 Washington, DC 20016	American Nuclear Energy Council		
Do	Edison Electric Institute	675.00	
Do	N U S Corporation		
Do	National Office Products Assn		
Do	Westinghouse Electric Corp		
John H. Denman, Missouri Oil Council 428 E. Capital St., #203 Jefferson City, MO 65101	American Petroleum Institute	1,200.00	3,134.23
Robert A. Denman, 600 Maryland Avenue, SW, #202w Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	8,796.02	
Thomas J. Dennis Sr., 1001 Pennsylvania Ave, NW, #450-N Washington, DC 20004	Southern California Edison Co	7,013.00	1,500.00
Audrey J. Denson, 1764 Corcoran Street, NW, #3 Washington, DC 20009			
James L. Denson, 1250 Connecticut Ave., NW, #319 Washington, DC 20036	Republic of Bophuthatswana (For:Allpoints International, Inc)	20,000.00	260.40
Janet Ann Denton, 1275 Pennsylvania Ave., NW, #400 Washington, DC 20004	Pacific Telesis Group	15,450.00	
Wells Denyes, 1776 Eye Street, NW, #1050 Washington, DC 20006	Eastman Kodak Co	1,260.00	1,213.28
Department for Professional Employees, AFL-CIO, 815 16th St., NW Washington, DC 20006		13,045.35	13,045.35
Brian R. Detter, 1199 N. Fairfax Street, #204 Alexandria, VA 22314	International Council of Shopping Centers	300.00	
Jo Ellen Deutsch, 1625 Massachusetts Avenue, NW Washington, DC 20036	Association of Flight Attendants, AFL-CIO	7,000.00	
Samuel L. Devine, 170 Burning Tree Drive Naples, FL 33942	Grocery Manufacturers of America, Inc	1,343.75	543.75
Devine Millimet Stahl & Branch, 111 Amherst Street Manchester, NH 03105	State of New Hampshire, Attorney General	8,112.37	5,512.65
R. Daniel Devlin, 808 17th Street, NW, #520 Washington, DC 20006	Trans World Airlines, Inc	600.00	
Dewey Ballantine Bushby Palmer & Wood, 1775 Pennsylvania Ave., NW, #500 Washington, DC 20006	CNW Corporation	1,300.00	
Do	SEMATECH	1,605.00	
Doris J. Dewton, 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	
Nicholas DeBenedictis, 2301 Market Street, #13-1 Philadelphia, PA 19101	Greater Philadelphia Chamber of Commerce		
Alex J. DeBoissiere, 490 L'Enfant Plaza, SW, #2202 Washington, DC 20024	Tenneco Gas		
Marydale DeBor, 1001 Pennsylvania Avenue #715 South Concourse Washington, DC 20004	MacAndrews & Forbes Holdings, Inc	700.00	
James E. DeClusin, 14000 San Bernardino Ave. P.O. Box 5080 Fonatana, CA 92335	California Steel Industries, Inc		
Michael DeEmilio, 400 First St., NW, #801 Washington, DC 20001	Brotherhood of Maintenance of Way Employes	10,000.00	
James U. DeFrancis, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	3,187.00	1,206.29
Lisa M. DeFusco, Public Affairs Office 600 New Hampshire Ave., NW, #1111 Washington, DC 20037	Society of Real Estate Appraisers	612.00	
Mary Elise DeGonia, c/o Jane Gilmore Chateau Apartments, #636 Rt. 54 By-Pass Carrboro, NC 27510	Alternative Schools Network		20.00
Do	ACBE, et al		20.00
Do	National Council of La Raza		20.00
Do	National Puerto Rican Forum		20.00
Do	US Basics		20.00
Law Offices of Paul H. DeLaney, Jr., 1920 N Street, NW, #610 Washington, DC 20036	Embassy of Japan	5,000.00	
Martin L. DePoy, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	767.46
Gregory L. DePriest, 1400 16th Street, NW, #610 Washington, DC 20036	Association of Maximum Service Telecasters, Inc		
William R. DeReuter, 1828 L Street, NW, #906 Washington, DC 20036	Merrill Lynch & Co, Inc	1,500.00	
Christine DeVries, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses Assn	3,500.00	140.72
Bonnie S. DeWitt, 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute	500.00	111.53
Thomas R. DeYulia, 7361 Calhoun Place Rockville, MD 20850	CNA Insurance Cos		
Chester T. Dickerson Jr., c/o Bernadette Hammond 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co		3,454.00
Ann Sanders Dickey, 300 Maryland Avenue, NE Washington, DC 20002	Federal Express Corp	6,000.00	
Elaine Dickinson, 880 S. Pickett Street Alexandria, VA 22304	Boat Owners Assn of the U.S.	7,000.00	
Dickinson Wright Moon Van Dusen & Freeman, 1901 L St., NW, #801 Washington, DC 20036	United Technologies Corporation	7,000.00	
Dickstein Shapiro & Morin, 2101 L St., NW Washington, DC 20037	Advance Publications		
Do	American Greyhound Track Operators Assn	5,942.81	
Do	Apple Computer Corp		
Do	Avondale Industries, Inc		
Do	ABD Securities Corp	1,000.00	
Do	Bear Stearns & Co	1,000.00	
Do	Boundary Gas, Inc		
Do	BATMAN Corp		
Do	Car Audio Specialists Assn (CASA)		
Do	Coalition for Competitive Capital	4,768.75	
Do	Cordova District Fishermen United, Inc		
Do	Embassy of Malaysia	520.00	
Do	Federal National Mortgage Assn	389.38	
Do	Federated Cash Management Systems	14,000.00	
Do	First Annapolis Savings Bank F.S.B.		
Do	Guess, Inc		
Do	Harbour Group Ltd		
Do	Home Box Office, Inc		
Do	Illinois Dept of Children & Family Services	2,675.00	
Do	Iroquois Gas, Inc	16,132.50	
Do	IPP Working Group	2,947.50	
Do	Marine Engineers' Beneficial Assn		
Do	Medtronic, Inc	437.50	
Do	J. P. Morgan Securities, Inc	1,225.00	
Do	National Fed of Societies for Clinical Social Work	7,127.00	
Do	Newport Group	83.75	
Do	North Carolina Dept of Natural Resources and Community Devlp		
Do	Ocean State Power	412.50	
Do	Paulucci Enterprises	168.75	
Do	Sea Hawk Seafoods, Inc		
Do	Security Life Insurance Co		
Do	State of Connecticut	1,350.00	
Do	States of Arkansas, et al		
Rick Diegel, 1125 15th Street, NW Washington, DC 20005	International Brotherhood of Electrical Workers, AFL-CIO-CLC	2,281.25	150.00
Dorothea M. Diemer, 7373 Hunt Avenue Garden Grove, CA 92642	Hyundai Motor America		890.82
Walter E. Diercks, 1730 M St., NW, #412 Washington, DC 20036	Outdoor Advertising Assn of America, Inc		
Thomas A. Dine, 440 First Street, NW, #600 Washington, DC 20001	American Israel Public Affairs Comm	24,299.98	3,654.18
Michael F. Dineen, 600 Pennsylvania Ave., SE, #206 Washington, DC 20003	Lumbermens Mutual Casualty Co (For:Federal Kemper Life Assurance Co)	46.50	8.00
Do	Lumbermens Mutual Casualty Co (For:Kemper Financial Companies, Inc)		
Do	Lumbermens Mutual Casualty Co (For:Kemper Financial Services, Inc)	302.25	71.58
Do	Lumbermens Mutual Casualty Co (For:Kemper Investors Life Insurance Co)		
Do	Lumbermens Mutual Casualty Company (For:Kemper Reinsurance Company)	186.00	52.14
Do	Lumbermens Mutual Casualty Company	2,100.00	181.23
James C. Dinegar, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives		
Direct Selling Association, 1776 K Street, NW Washington, DC 20006			
Dale P. Dirks, 511 Capitol Court, NE, Suite 300 Washington, DC 20002	Health & Medicine Counsel of Washington		
Mary Ann Dirzis, 9 West 57th Street New York, NY 10019	Avon Products, Inc		
Disabled American Veterans, 3725 Alexandria Pike Cold Spring, KY 41076		101,003.78	101,003.78
Diversified Energies, Inc, C/O Mr. Carl W. Cummins 201 South 7th Street Minneapolis, MN 55402			
Patsy B. Dix, 1201 16th St., NW Washington, DC 20036	National Education Assn	3,348.10	30.00
Barbara A. Dixon, 1600 Eye Street, NW Washington, DC 20006	Motion Picture Assn of America, Inc	1,290.00	
Dixon Arnett Associates, 905 16th Street, NW, #310 Washington, DC 20006	Foundation Health Corp	3,750.00	1,918.07
Do	Fresno Surgery & Recovery Care Center	7,500.00	3,293.07
Charles J. DiBona, 1200 L St., NW Washington, DC 20005	American Petroleum Institute	5,000.00	
Gerard D. DiMarco, Two State Street, Crossroads Bldg. #400 Rochester, NY 14614	Mackey & DiMarco (For:Tom Gosnell)	11,660.00	8,895.00
Do	Mackey & DiMarco (For:Mario Rodriguez)		
Nicholas J. DiMichael, 1275 K Street, NW, #850 Washington, DC 20005-4006	National Industrial Transportation League	300.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Anthony F. DiPasquale, 902 Renfroe Road Talladega, AL 35160			
J. Chris Dobbs, 2711 North Haskell Avenue Dallas, TX 75204	Southland Corporation		5,205.50
J. Graham Dodson, P.O. Box 21106 Shreveport, LA 71156	Southwestern Electric Power Co	265.00	20.00
Julie Domenick Doerr, 1600 M St., NW Washington, DC 20036	Investment Company Institute	181.30	10.00
Daniel P. Doherty, 2001 S St., NW, #540 Washington, DC 20009	Alliance of Nonprofit Mailers	1,420.80	42.10
James F. Doherty, 1129 20th St., NW, #600 Washington, DC 20036	Group Health Assn of America, Inc		
John D. Doherty Jr., 901 31st Street, NW Washington, DC 20007	Federal Leg Assocs, Inc (for Assn of Bank Holding Cos)		
Robin C. Dole, 1101 Connecticut Avenue, NW, #500 Washington, DC 20036	Century 21 Real Estate Corp		
Dolphin Group, Inc, 1047 Gayley Avenue, 2nd Fl Los Angeles, CA 90024	Madison Public Affairs Group, Inc (for Philip Morris USA)		
Nancy A. Donaldson, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	10,000.00	90.54
Donelan Cleary Wood & Maser, P.C., 1275 K Street, NW, #850 Washington, DC 20005-4006	Cascade Natural Gas Corporation		
Andrew J. Donelson, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	2,500.00	
Mary Elizabeth Donnelly, 1233 20th St., NW, #200 Washington, DC 20036	Newmont Mining Corp		
Thomas F. Donnelly, 955 L'Enfant Plaza, SW, #1202-N Washington, DC 20024	National Water Resources Assn	7,500.00	
Sally S. Donner, 1341 G Street NW, 9th Floor Washington, DC 20005	Kraft General Foods, Inc	1,437.50	
Charles Donovan, 601 Pennsylvania Ave., NW, #901 Washington, DC 20004	Focus on the Family		
William Donovan, 3138 N. 10th Street Arlington, VA 22201	National Assn of Federal Credit Unions	2,500.00	146.95
James R. Dorcy, 3821 Acosta Rd. Fairfax, VA 22031	Federation for American Immigration Reform		30.00
Ira Dorfman, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	1,400.53	40.00
James A. Dorsch, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Dorsey & Whitney, 2200 First Bank Place, East Minneapolis, MN 55402	FilmTec Corporation	173.30	
Dean R. Dort II, 1667 K Street, NW, #1230 Washington, DC 20006	Deere & Company	986.00	
Terrie M. Dort, 1023 15th Street, NW, 7th Fl Washington, DC 20007	Rowland Government Relations (For:Job Opportunities Business Symposium)		
W. Carter Doswell, 1825 Eye Stree, NW, #450 Washington, DC 20006	Goldman Sachs & Co	1,000.00	
Robert J. Dotchin, 2550 M Street, NW, #300 Washington, DC 20037	Smokeless Tobacco Council, Inc		
R. J. Doubrava, 1629 K Street, NW, #501 Washington, DC 20006	Delta Air Lines, Inc	170.00	79.20
Dougherty Consulting, P.O. Box 819 Sioux Falls, SD 57101-0819	Madison Public Affairs Group, Inc (for Philip Morris, USA)	800.00	
Sally L. Douglas, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	4,875.00	100.00
Michael G. Dowd, 1233 20th Street, NW, #400 Washington, DC 20036	Coalition for Environmental-Energy Balance (CEEB)		
Charles P. Downer, 7901 Westpark Drive McLean, VA 22102	National Machine Tool Builders' Assn	1,375.00	250.00
John P. Doyle Jr., 8600 Boundbrook Lane Alexandria, VA 22309	J. P. Doyle Enterprises, Inc	1,000.00	
M. Theresa Doyle, 1700 Pennsylvania Ave., NW #500 Washington, DC 20006	Mutual of Omaha Cos	2,000.00	194.70
Ronald W. Drach, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	19,780.55	
David P. Drake, 1747 Pennsylvania Ave., NW, #700 Washington, DC 20006	Ciba-Geigy Corp	3,000.00	83.56
James E. Drake, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	5,272.00	
Andrea N. Dravo, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	17,062.52	229.59
Paul A. Drazek, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	8,950.00	
Anthony V. Dresden, 444 N. Capitol Street, NW, #801 Washington, DC 20001	National Air Traffic Controllers Assn		
Dressendorfer-Laird, Inc, 1730 Rhode Island Avenue, NW, #210 Washington, DC 20036	American Newspaper Publishers Assn	250.00	
Do	General Dynamics Corp	250.00	
Do	Metropolitan Life Insurance Cos		
Do	Science Applications Int'l Corp	250.00	
Joan Albert Dreux, 1700 Pennsylvania Ave., NW, #500 Washington, DC 20006	Mutual of Omaha Insurance Co	4,000.00	
Charles T. Drevna, 4711 Old Kingston Pike Knoxville, TN 37919	Sun Coal Company	1,000.00	5,000.00
Elizabeth J. Dribben, 2201 Leeland Drive Falls Church, VA 22043	Humane Society of the United States	3,555.77	5,536.71
Stephen D. Driesler, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		203.43
William B. Driggers Jr., 1745 Jefferson Davis Highway, #605 Arlington, VA 22202	Texas Instruments, Inc	116.00	12.34
Drinker Biddle & Reath, 901 15th Street, NW, #900 Washington, DC 20005	(For:Colonial Penn Life Insurance Co.)	621.25	
Alvin Drischler, 3420 Reedy Drive Annandale, VA 22003	PHLCORP	30,000.00	95.76
Kevin J. Driscoll, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Duane Morris & Heckscher, 1201 Market Street, #1500 P.O. Box 195 Wilmington, DE 19899	Hercules, Inc		316.50
Do	State of Delaware		652.25
Duberstein Group, Inc, 2100 Pennsylvania Ave., NW, #350 Washington, DC 20037	Fiber Optic Competition US, Inc	18,375.00	
Do	General Motors Corp	6,000.00	
Do	Goldman Sachs & Co	625.00	
Do	Mansanto Company	3,000.00	
Do	McCaw Cellular Communications, Inc	500.00	
Do	National Cable TV Assn	3,750.00	
Do	Warner Communications	3,000.00	
Morgan D. Dubrow, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	160.00	
Dana D. Duden, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Tim Dudgeon, 1250 Eye Street, NW, #900 Washington, DC 20005	Distilled Spirits Council of the U.S., Inc	2,000.00	
Michael J. Duff, 1101 16th Street, NW Washington, DC 20036	Scientific Apparatus Makers Assn	1,400.00	
Daniel A. Duffy, 1400 K St., NW, #900 Washington, DC 20005	Rubber Manufacturers Assn	2,500.00	
Stephen C. Duffy, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	3,750.00	967.45
C. Ray Duggan, 815 16th St., NW Washington, DC 20006	Transportation - Communications Union		
Robert H. Dugger, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,000.00	
Evelyn Dukovic, 3 East 85th Street New York, NY 10028	Morality in Media, Inc		
Deborah A. Dull, 2200 Mill Road Alexandria, VA 22314	American Movers Conference	1,000.00	
Mac S. Dunaway, Dunaway & Cross 1146 19th Street, NW Washington, DC 20036	Crown Control Corp		
Do	Industrial Truck Assn		
Do	Lord Corporation		
Do	Walbro Corp		
Amy K. Dunbar, P.O. Box 19230 Washington, DC 20036	National Assn of Bond Lawyers	16,250.01	192.73
William C. Duncan, 1050 17th Street, NW, #410 Washington, DC 20036	Japan Automobile Manufacturers Assn	2,100.00	657.49
Duncan Weinberg Miller & Pembroke, P.C., 1615 M Street, NW, #800 Washington, DC 20036	Kenai Natives Assn, Inc		
Do	Lake Andes-Wagner Water Systems, Inc		
Do	Mid-West Electric Consumers' Assn, Inc		
Do	National Assn of State Energy Officials		
Do	Western Fuels Association, Inc		
Diane R. Dungan, 2001 L Street, NW, #506 Washington, DC 20036	Chlorine Institute, Inc	641.03	170.77
Louise C. Dunlap, 418 Tenth Street, SE Washington, DC 20003	American Methanol Institute	16,000.00	380.07
Pauline Dunlap, 1201 McDuffie #222 Houston, TX 77019			
Do	Falcon Carriers	7,550.00	5,366.21
Mari Lee Dunn, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation		
Michael V. Dunn, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	15,623.61	708.16
John H. Dunne, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
William C. Dunning, P.O. Box 619500 Dallas, TX 75261	Caltex Petroleum Corp		
James A. Dupree, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	3,250.00	983.00
Katherine M. Dutih, 214 Massachusetts Ave., NE, #420 Washington, DC 20002	Milliken & Company	5,000.00	2,900.00
Dutko & Associates, 412 First St., SE, #100 Washington, DC 20003	Miguel H. Agosto	6,000.00	
Do	Anchor Industries, Inc	5,163.00	
Do	Association of Progressive Rental Organizations	20,000.00	
Do	Citgo Petroleum Corp	40,356.25	423.16
Do	Communications Satellite Corp	16,000.00	98.32
Do	Council for Solid Waste Solutions	110,000.00	351.36
Do	Creditors Alliance for Freight Undercharge Assets	26,500.00	24.94
Do	DSC Communications Corp	13,953.64	227.23
Do	International Telecharge, Inc	31,500.00	28.49
Do	Jewish National Fund	45,000.00	79.24
Do	Lusk Company	48,975.00	100.75
Do	McDonalds Corp	20,762.00	235.04
Do	National Cellular Resellers Assn	15,000.00	
Do	PacifiCare Health Systems	16,569.00	173.33
Do	Paramount Communication, Inc	18,750.00	
Do	Phoenix Mutual Life Insurance	23,000.00	149.07
Do	Rmax, Inc	23,788.00	337.00
Do	Waste Conversion Systems, Inc	5,000.00	
Do	Wespar Financial Services	5,400.00	
Lloyd L. Duxbury, 2000 K Street, NW, #800 Washington, DC 20006	National Comm to Preserve Social Security & Medicare	12,615.00	961.50
Ernest DuBester, 815 16th Street, NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	17,325.98	440.86
William P. DuBose IV, 1050 17th St., NW, #700 Washington, DC 20036	National Ocean Industries Assn	1,556.00	
Robert F. DuPree Jr., 1801 K Street, NW, #900 Washington, DC 20006	American Textile Manufacturers Institute	1,109.79	29.75

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Roderick T. Dwyer, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Dykema Gossett, 1752 N St., NW, 6th Fl. Washington, DC 20036	Committee on U.S. Business Canadian Life & Health Ins. Assn		
Do	Military Boot Manufacturing Assn		
Do	Total Petroleum, Inc		
Talis Dzenitis, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Sears Roebuck & Co	13,045.35	13,045.35
DC Statehood Party, 1742 Massachusetts Ave., SE Washington, DC 20003			
DGA International, Inc, 1133 Connecticut Avenue, NW Washington, DC 20036	Dir Intl Aff of the Gen Del for Armements	109.50	
Do	Societe Nationale D'Etude et de Const de Moteurs D'Aviation	1,635.00	4,552.22
Do	Sofreavia	188.00	
Do	Teledyne Brown Engineering		
Anthony S. Earl, One South Pinckney Street P.O. Box 2113 Madison, WI 53701-2113	Quarles & Brady (For:Allen-Bradley Company, Inc)		
Do	Quarles & Brady (For:Miller Brewing Company)		
Do	Quarles & Brady (For:Milwaukee Tanning Coalition)		
Do	Quarles & Brady (For:Wisconsin Electric Power Company)	6,450.00	724.54
Hope B. Eastman, 4800 Hampden Lane, 7th Floor Bethesda, MD 20814	Paley Rothman Goldstein Rosenberg & Cooper (For:National Assn of Women Business Owners).	3,075.09	
Charles H. Eaton, 1725 K St., NW, #1111 Washington, DC 20006	Eaton Associates, Inc		
Robert E. L. Eaton, 1725 K St., NW, #1111 Washington, DC 20006	Eaton Associates, Inc		
Eaton Associates, Inc, 1725 K St., NW, #1111 Washington, DC 20006			
Robert E. Ebel, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	1,450.00	757.00
Myron Ebell, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	National Inholders Assn and Multiple-Use Land Alliance	6,250.00	3,325.46
N. Boyd Ecker, 1100 Connecticut Ave., NW,#620 Washington, DC 20036	Mobil Oil Corp	1,500.00	14.00
Helen H. Edge, 700 N. Fairfax St. Alexandria, VA 22314	Railway Progress Institute	589.69	
Edison Electric Institute, 9th Floor 1111 19th St., NW Washington, DC 20036			52,648.54
Christopher Edley Jr., Harvard Law School Cambridge, MA 02138	Covington & Burling	7,040.00	410.50
V. Anne Edlund, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Christine A. Edwards, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Dean Witter Financial Services Group	832.00	10.00
J. Rodney Edwards, 260 Madison Ave. New York, NY 10016	American Paper Institute, Inc		
Jack Edwards, 3000 First Natonal Bank Bldg. P.O. Box 123 Mobile, AL 36601	Fiat USA		
Do	Matra Aerospace, Inc	18,167.00	1,483.19
Do	Societe Nationale d'Etude et de Const de Moteurs d'Aviation	785.40	
Do	Teledyne Industries, Inc	58,808.33	2,521.18
Michael D. Edwards, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,773.80	155.00
Edwards Associates, 507 Second St., NE Washington, DC 20002	Confederated Tribes of Warm Springs Reservation		
Paul S. Egan, 1325 15th Street, NW, #503 Washington, DC 20005	Vietnam Veterans of America, Inc	11,250.00	99.90
Stephen Ege, 734 15th Street, NW Washington, DC 20005	Elias Matz Tiernan & Herrick (For:Federal Savings Bank)		
Do	Elias Matz Tiernan & Herrick (For:FAIC Security, Inc)		
Charles E. Ehrhart, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Roy L. Eiguren, 350 North 9th Street, #400 Boise, ID 83702	Lindsay Hart Neil & Weigler (For:Idaho Cooperative Utilities Assn)		
Do	Lindsay Hart Neil & Weigler (For:Soap & Detergent Assn)		27.06
Albert A. Eisele, 1201 Pennsylvania Ave., NW, #370 Washington, DC 20004	Cornerstone Associates, Inc		
Phyllis Eisen, 1331 Pennsylvania Ave., #1500-N Washington, DC 20004-1703	National Assn of Manufacturers	500.00	
Albert C. Eisenberg, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	13,250.00	715.16
Robert Eisenbud, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Earl B. Eisenhart, 1320 Braddock Place, #720 Alexandria, VA 22314	National Private Truck Council		
Linda S. Eisnaugle, 225 W. 34th Street New York, NY 10122	National Commercial Finance Assn		
Stephen A. Elbert, 1615 M St., NW, #200 Washington, DC 20036	Amoco Corporation	1,500.00	24.00
Jane Elder, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	1,421.33	2,223.87
Timothy L. Elder, 100 N.E. Adams Street Peoria, IL 61629-1430	Caterpillar, Inc		
Law Offices of Peter L Eleey, 304 Victory Road Marina Bay, MA 02171	Dana Farber Cancer Institute		
Do	Fox Chase Cancer Center		
Do	Fred Hutchinson Cancer Research Center		
Do	Kenneth Norris Jr. Comprehensive Cancer Center		
Do	Roswell Park Memorial Institute		
George K. Eliades, 7297-P Lee Highway Falls Church, VA 22042	Society of American Wood Preservers, Inc	5,000.00	1,527.00
Elias Matz Tiernan & Herrick, 734 15th Street, NW Washington, DC 20005	Federal Savings Bank		
Do	First Atlanta Investment Corporation		
J. Burton Eller Jr., 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Charles W. Elliott, Wisconsin Petroleum Council 25 W. Main St., #703 Madison, WI 53703	American Petroleum Institute	2,006.94	2,714.11
Emily K. Elliott, 107 Whitehurst Stillwater, OK 74078	Oklahoma State University	1,185.94	239.17
Christine Elliott-Groves, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business		
John M. Ellis, P.O. Box 2022 North Highlands, CA 95660	Alliance of Government Managers		
Do	Nor-Cal Federal Coalition		
Mark G. Ellis, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Mark M. Ellison, 1455 Pennsylvania Ave., NW, #1260 Washington, DC 20004	Batus, Inc	225.00	
Do	French & Company (For:Int'l Electronics Mnfctrs & Consumers of America, Inc)	350.00	
Do	French & Company (For:Montgomery Ward & Co., Inc)	175.00	
Do	French & Company (For:Wheels, Inc)	95.00	
Gary Elmestad, P.O. Box 3153 St Charles, MO 63302	City of St. Peters, Missouri	3,000.00	569.95
Do	Industrial Development Auth of St. Charles Co	8,750.00	508.95
Nancy C. Elwood, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the United States		
Alyson A. Emanuel, 2100 Pennsylvania Ave., NW #755 Washington, DC 20037	BASF Corporation		
Emergency Committee for American Trade, 1211 Connecticut Ave., NW, #801 Washington, DC 20036		91,039.95	80,130.83
John M. Emery, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	25.00	
Michael J. Emig, 1125 15th St., NW Washington, DC 20005	International Brotherhood of Electrical Workers	18,325.00	16.00
Randy Eminger, 5205 West 37th Street Amarillo, TX 79109	Southwestern Public Service Co	1,251.12	2.41
Employee Relocation Council, 1720 N St., NW Washington, DC 20036			
Irene R. Emsellem, 1800 M Street, NW Washington, DC 20036	American Bar Assn	400.00	50.00
Energy Consumers & Producers Assn, Box 1726 Seminole, OK 74868		7,025.00	
Gary D. Engebretson, 1350 New York Ave., NW, #200 Washington, DC 20005	Contract Services Assn		103.07
Ralph Engel, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn, Inc	140.00	5.00
John T. Engelen, 1575 Eye Street, NW, #200 Washington, DC 20005	American Cyanamid Co	450.00	21.00
English First, 8001 Forbes Place, #102 Springfield, VA 22151		271,589.65	232,458.26
Jon Englund, 1225 Eye Street, NW, #950 Washington, DC 20005	American Electronics Association		
Christopher Engquist, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Richard Engram Jr., P.O. Box 506 Merchants & Miners Bank Bldg. Welch, WV 24801			
Cheryl Anthony Epps, 1110 North Glebe Road, #200 Arlington, VA 22201	International Assn of Chiefs of Police	10,452.08	425.06
Mark A. Epstein, 2300 M Street, NW, #600 Washington, DC 20037	International Advisers Inc (For:Embassy of Turkey)	4,537.51	218.34
Epstein Becker & Green, P.C., 1227 25th Street, NW, #700 Washington, DC 20037	American Medical Care & Review Assn	2,400.00	
Do	Voluntary Hospitals of America, Inc	11,250.00	
James C. Erickson, 2000 Piper Jaffray Tower 222 South 9th Street Minneapolis, MM 55402	Larkin Hoffman Daly & Lindgren, Ltd. (For:Reese Communications Co. (for: Philip Morris USA)).	1,250.00	155.34
John n. Erlenborn, 815 Connecticut Ave., NW Washington, DC 20006-4004	Seyfarth Shaw Fairweather & Geraldson (For:Dresser Industries, Inc)	137.50	
James L. Ervin, 1667 K Street, NW, #310 Washington, DC 20006	Baldt, Inc		397.73
Ingolf G. Esders, 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	9,871.20	510.44
European Travel Commission, 630 Fifth Avenue New York, NY 10111			
Billy Lee Evans, 1301 Connecticut Ave., NW, #700 Washington, DC 20036	B.L. Evans & Associates (For:Boy Scouts of America)		
Do	B.L. Evans & Associates (For:Brown & Williamson Tobacco Corp)	1,000.00	
Do	B.L. Evans & Associates (For:BATUS)	2,500.00	
Do	B.L. Evans & Associates (For:Great Western Financial Corp)	3,000.00	
C. Lawrence Evans Jr., 51 Louisiana Avenue, NW Washington, DC 20001	Acacia Mutual Life Insurance Company	25,000.00	
Cindy Evans, 1250 Connecticut Ave., NW, #210 Washington, DC 20036	National Forest Products Assn		
David C. Evans, 1150 Connecticut Ave., NW, #900 Washington, DC 20036	Building Owners & Managers Assn Int'l		
Donald C. Evans Jr., 655 15th St., NW, #310 Washington, DC 20005	American Family Corp		
Do	Hoechst Celanese Corp		
Do	IFRB Corp		
Do	Michigan Consolidated Gas Company		
Do	Stepan Company		
Rae Forker Evans, 1615 L Street, NW, #1220 Washington, DC 20036	Hallmark Cards, Inc		
Robert B. Evans, 1101 14th Street, NW Washington, DC 20005	American Financial Services Assn	250.00	
Robert D. Evans, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
William J. Evans Jr., 1200 17th Street, NW, #500 Washington, DC 20036	Pan American World Airways, Inc	1,250.00	312.70
B.L. Evans and Associates, Inc, 1301 Connecticut Ave., NW, #700 Washington, DC 20036	Batus	7,500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Boy Scouts of America		
Do	Brown & Williamson Tobacco Corp	3,000.00	
Do	Great Western Financial Corp	15,000.00	
Dave Evans Associates, 4076 Rosamora Court Arlington, VA 22207	MICA	1,000.00	
Do	SIA	1,000.00	
Evans Group, Ltd, 1010 Wisconsin Ave., #810 Washington, DC 20007	Cain Hoy Plantation	1,800.00	
Do	Cotraco, Inc		
Do	Federal Home Loan Bank of Pittsburgh		
Do	First Federal of Pittsburgh		
Do	Government of Cyprus	5,500.00	
Do	Home Owners Savings Bank		
Do	Matlack, Inc	5,000.00	
Do	Matteson Investment Corp	2,250.00	
Do	National Coalition for the Rehab of Fed Insured Institutions		
Do	Remodelers National Funding Corp	10,500.00	
Do	Towers Financial Corp	5,000.00	
Fawn K. Evenson, 1420 K Street NW, #600 Washington, DC 20005	Footwear Industries of America	2,000.00	248.41
Wayne S. Ewing, Associated Petroleum Industries of Pa P.O. Box 925 Harrisburg, PA 17108	American Petroleum Institute		
Paul K. Eyer, 300 5th Street, NE Washington, DC 20002	American Osteopathic Assn	2,000.00	
EDS Corporation, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004			
F/P Research Associates, 1700 K St., NW, #404 Washington, DC 20006	National Cable Television Assn, Inc	500.00	
Do	Shell Oil Co	1,000.00	
Dan L. Fager, 1700 K Street, NW, #1200 Washington, DC 20006	Chevron USA, Inc	1,600.00	
Robert R. Fahs, 1101 15th St., NW, #205 Washington, DC 20005	Cargill, Inc	2,500.00	
Leslie Fain, 1506 19th Street, NW, #3 Washington, DC 20036	Committee for Humane Legislation	7,490.50	
Dale W. Fallat, P.O. Box 119 Maumee, OH 43537	Andersons		
Joseph B. Fallon, 1825 Connecticut Ave., NW, #200 Washington, DC 20009	National Organization Against Invisible Disease Spread		10.00
Frank J. Farfone, 1776 Eye Street, NW, Suite 575 Washington, DC 20006	Dow Chemical USA		5,546.00
Thomas B. Farley II, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	3,100.00	87.00
David M. Farmer, 1629 K Street, NW, #1010 Washington, DC 20006	Alliance of American Insurers	7,000.00	
Greg Farmer, 600 Maryland Ave., SW, #607 Washington, DC 20024	Northern Telecom, Inc		1,425.00
Martin T. Farmer, P.O. Box 40789 Jacksonville, FL 32203-0789	Barnett Banks, Inc	26,125.00	8,078.23
Farmers' Educational & Co-Operative Union of America, 600 Maryland Ave., SW, #202w Washington, DC 20024		157,378.00	114,759.19
J. Dent Farr, 2000 M St., NW, #550 Washington, DC 20036	North American Telecommunications Assn	16,299.79	
Farragut Group, 1825 K Street, NW, #807 Washington, DC 20006	Southern Company Services	12,500.00	
Christopher G. Farrand, 122 C Street, NW, #240 Washington, DC 20001	Peabody Holding Co, Inc		298.13
Michael Farrar, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc	200.00	
Joseph A. Farrell, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators, Inc		
Richard T. Farrell, 1133 15th St., NW, #210 Washington, DC 20005	Syntex (USA) Inc	4,125.00	518.78
Marcus G. Faust, 332 Constitution Ave., NE Washington, DC 20002	Central Utah Water Conservancy District	16,968.75	1,912.66
Do	Clark County, Nevada	15,000.00	758.60
Do	Desert Research Institute	218.75	12.79
Do	Echo Bay Mining Co	592.11	29.61
Do	Edwards McCoy & Kennedy		
Do	Kirton McConkie & Bushnell	550.00	71.48
Do	Nevada Power Company	2,175.00	87.95
Do	Public Service Co of New Mexico	17,637.50	2,734.25
Do	Sierra Pacific Power Co	22,982.50	6,319.27
Do	Standard Oil Co (Ohio)	11,250.00	
Do	University of Nevada School of Medicine	1,250.00	25.18
Jane Fawcett-Hoover, 801 18th St., NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	47.92	
Robert C. Fay, 205 The Strand Alexandria, VA 22314	American Amusement Machine Assn		
Federal Judges Association, 2188 U.S. Courthouse 75 Spring Street Atlanta, GA 30303		34,443.10	11,804.18
Federation for American Immigration Reform, 1666 Connecticut Avenue, NW, #400 Washington, DC 20009			667.60
Federation of American Controlled Shipping, 50 Broadway New York, NY 10004		2,166.73	2,166.73
Federation of American Health Systems, 1111 19th St., NW, #402 Washington, DC 20036		9,000.00	9,000.00
Federation of American Scientists, 307 Massachusetts Ave., NE Washington, DC 20002			2,885.35
Federation of Behavioral Psychological & Cognitive Sciences, 1200 17th Street, NW Washington, DC 20036			
Robert Feenstra, 13545 Euclid Avenue Ontario, CA 91761	Milk Producers Council (For:Dairy Farmers for Responsible Dairy Policy)		
Donald M. Fehr, 805 Third Ave. New York, NY 10022	Major League Baseball Players Assn		
Scott Feierabend, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	1,595.40	
Douglas J. Feith, 2300 M Street, NW—#600 Washington, DC 20037	International Advisers Inc (For:Embassy of Turkey)	4,950.00	4.95
Chai Rachel Feldblum, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	1,650.00	
Mark B. Feldman, 2300 M Street, NW—#600 Washington, DC 20037	International Advisers Inc	4,950.00	4.62
Timothy Feldman, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation		6,175.00
Claudia Feller, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
Kenneth E. Feltman, 927 15th St., NW, #1000 Washington, DC 20005	Employers Council on Flexible Compensation	200.00	
Karen S. Fennell, 1522 K St., NW, #1000 Washington, DC 20005	American College of Nurse-Midwives		
Judith W. Fensterer, 242 E. 80th Street New York, NY 10021	Generic Pharmaceutical Industry Assn		
Fensterwald Alcorn & Vangellow, 2112C Gallows Road Vienna, VA 22180	Concerned Federal Railroad Administration Employees		
George F. Fenton Jr., 1920 N Street, NW Washington, DC 20036	American Mining Congress	210.00	
Edward T. Fergus, 100 Gold St. New York, NY 10292	Prudential-Bache Securities, Inc	750.00	
Denise G. Ferguson, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
James H. Ferguson, 2310 Trott Avenue Reston, VA 22181	Institute of Electrical & Electronics Engineers, Inc	7,500.00	728.46
Stephen L. Ferguson, CFC, Inc 405 N. Rogers St. Bloomington, IN 47401	Cook Group, Inc	2,879.88	179.24
John H. Ferman, 1050 20th Street Sacramento, CA 95816	California Assn of Hospitals & Health Systems	15,000.00	4,649.00
Gregory W. Ferraro, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	3,915.25	657.45
Robert J. Fersh, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	462.98	
John L. Festa, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Fiber Optic Competition US, Inc, 804 W. Diamond Ave., 3rd Floor Gaithersburg, MD 20878		370,000.00	18,375.00
Fidelity Pacific Group L.P., 10 South Broadway Irvington-on-Hudson, NY 10533		204,143.00	63,597.53
Donald L. Fierce, Fierce and Associates 600 New Hampshire Ave., NW #1010 Washington, DC 20037	A.L. Williams & Company	16,000.00	74.32
Do	AB Hagglund & Soner	12,900.00	798.68
Do	Bollinger Machine Shop & Shipyard, Inc	34,650.00	621.34
Do	SPAR Aerospace, Ltd	12,000.00	483.73
Alan D. Fiers, 919 18th Street, NW, #400 Washington, DC 20006	W. R. Grace & Co /World Headquarters		135.00
Richard G. Fifield, P.O. Box 11000 Montgomery, AL 36198	Alabama Farmers Federation	1,775.00	834.89
Marshall S. Filler, 1330 Connecticut Ave. NW Suite 250 Washington, DC 20036	Continental Airlines, Inc, et al	2,650.00	288.14
Do	Eastern Air Lines, Inc	1,070.00	
Do	Texas Air Corp		
Financial Services Council, 1225 19th St., NW, #410 Washington, DC 20036		15,750.00	7,874.00
William J. Finch, 403 East Sixth St. Bloomington, IN 47401	Cook Group, Inc	4,575.00	536.58
Joseph Findaro Jr., P.O. Box 61000 New Orleans, LA 70161	Entergy Services, Inc		
David Fine, 1667 K Street, NW, #1000 Washington, DC 20006	Southwestern Bell Corp		1,926.73
Fine Geddie & Associates, 405 S. Hull Street Montgomery, AL 36104	Douglas Oil Co		
Lawrence A. Fineran, 1331 Pennsylvania Ave., NW, #1500 N Washington, DC 20004	National Assn of Manufacturers	125.00	
Matthew P. Fink, 1600 M St., NW Washington, DC 20036	Investment Company Institute		
Nelson L. Fink, 378 Valley Oak Court Waldorf, MD 20601-3500	Air Force Sergeants Assn, Inc		
Ben Finkelstein, 1350 New York Ave., NW, #1100 Washington, DC 20005	Spiegel & McDiarmid (For:South Hadley Electric Light Department)	1,696.25	23.18
Thomas D. Finnigan, 1100 15th Street, NW, #1200 Washington, DC 20005	Union Carbide Corp		
M. J. Fiocco, 1090 Vermont Ave., NW, #410 Washington, DC 20005	National Industrial Transportation League	6,500.00	32.00
Fire Equipment Manufacturers & Services Assn, Inc, 1776 Massachusetts Avenue, NW, #521 Washington, DC 20036			
First National Bank of Boston, 100 Federal St. Boston, MA 02110			18,096.09
Richard L. Fischer, 1615 M St., NW, #200 Washington, DC 20036	Amoco Corporation		
Deborah A. Fischione, 2000 Pennsylvania Ave., NW, #6200 Washington, DC 20006	Chicago Mercantile Exchange		
Carleton W. Fish, P.O. Box 35106 Minneapolis, MN 55435	American Collectors Assn	1,000.00	
Madeline Fishel, 420 C Street, NE, 2nd Fl Washington, DC 20002	Trust for Public Land	2,310.00	941.02
Donald W. Fisher, 3814 Ivanhoe Lane Alexandria, VA 22310	American Group Practice Assn, Inc	1,527.00	
Gary K. Fisher, 1700 K Street, NW, #1200 Washington, DC 20006	Chevron USA, Inc	1,025.00	
J. Paris Fisher, 1801 K St., NW, #800 Washington, DC 20006	Westinghouse Electric Corp	1,500.00	
Janet S. Fisher, 1333 New Hampshire Avenue, NW Washington, DC 20036	Arco Chemical Company	38.00	
Do	Atlantic Richfield Company	152.00	
William P. Fisher, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Fisher Wayland Cooper & Leader, 1255 23rd Street, NW, #800 Washington, DC 20037-1125	International Communications Assn		
Mary Clare Fitzgerald, 1155 21st Street, NW, #850 Washington, DC 20036	Secura Group		9,781.63
Thomas H. Fitzpatrick, Connecticut Petroleum Council 60 Washington Street, #308 Hartford, CT 06106	American Petroleum Institute	1,400.00	1,151.03
Alan M. Fitzwater, 3800 Continental Plaza 777 Main Street Fort Worth, TX 76102	Burlington Northern Railroad	25,000.00	1,715.70
Hilliard J. Fjord, 602 Main St., #600 Cincinnati, OH 45202	Ohio River Co	3,000.00	970.63
Susan G. Flack, 1320 19th St., NW, #400 Washington, DC 20036	Dayton Hudson Corp	100.00	
Do	National Assn of Chain Drug Stores, Inc	100.00	
Do	Flack, Inc (For:Spiegel, Inc)	300.00	
Robert B. Flagg, 3214 White Flint Ct. Oakton, VA 22124	Chemical Manfacturing Assn	750.00	240.84
Daniel V. Flanagan Jr., 11 Canal Center Plaza, #250 Alexandria, VA 22314	Flanagan Group, Inc (For:Dominion Resources, Inc)		
Do	Flanagan Group, Inc (For:Port of San Francisco)		
Do	Virginia Power		
Maureen Flanagan, 2200 Clarendon Blvd., #1006 Arlington, VA 22201	Ball Aerospace Systems Group	1,187.00	255.64
Fleishman-Hillard, Inc, 1301 Connecticut Ave., NW, 7th Floor Washington, DC 20036	American Ambulance Assn	18,000.00	256.05
Do	Automotive Refrigeration Products Institute	37,000.00	342.22
Do	Centel Federal Systems	23,000.00	36.50
Do	Citizens for a Drug Free America	55,000.00	316.94
Do	Coalition for Responsible Juice Companies c/o Apple & Eve	22,500.00	
Do	Coastal Barrier Relief Fund	21,000.00	95.58
Do	Eveready	8,000.00	
Do	Murdock International		
Do	National Spiritual Assembly of the Baha'is of the U.S.	12,000.00	955.00
Do	Pathology Practice Assn	18,000.00	123.30
Do	Spectacor Management Group	18,000.00	
Do	St. Louis NFL Partnership	11,188.00	
Do	Syva Company	30,000.00	332.11
Michael Fleming, 1300 N. 17th St., # 1010 Arlington, VA 22209	American Assn of Equipment Lessors		
Terry P. Fleming, Ohio Petroleum Council 88 E. Broad St., #1960 Columbus, OH 43215	American Petroleum Institute	3,000.00	1,574.42
Felipe M. Floresca, 67 Wall Street, #2509 New York, NY 10005			
Florida Business Associates, 1146 19th St., NW, #400 Washington, DC 20036-3703	Control Data Corporation		
Do	MEDCO Containment	14,236.00	
Do	State University System	31,248.00	
Do	University of Alaska	25,284.05	
Do	Westinghouse Electric Corp	6,410.00	
Ruth Flower, 245 Second Street, NE Washington, DC 20002	Friends Committee on National Legislation	4,004.19	
Focus on the Family, 801 Corporate Center Drive Pomona, CA 91768		42,813.00	33,411.00
David H. Foerster, 1201 16th St., NW Washington, DC 20036	National Education Assn		
Foley & Lardner, 1775 Pennsylvania Avenue, NW, #1000 Washington, DC 20006-4680	American Red Cross		39.20
Do	Aurora Health Care, Inc & Sinai Samaritan Medical Center,Inc		1,097.69
Do	Coldwell Banker Real Estate Group		
Do	Council of Community Blood Centers		39.20
Do	Kohlberg Kravis Roberts & Co		
Do	United Savings of America		
R. D. Folsom, 1317 F Street, NW, #400 Washington, DC 20004	Glaxo Inc	1,000.00	
Food & Allied Service Trades Dept, AFL-CIO, 815 16th Street, NW, #408 Washington, DC 20006		15,806.00	15,806.00
Foodservice & Packaging Institute, Inc, 1025 Connecticut Ave., NW Washington, DC 20036			
Mari S. Forbes, 1731 Connecticut Ave., NW Washington, DC 20009	Albers & Company (For:May Department Stores Co)		
David Ford, 1250 Connecticut Ave., NW, #200 Washington, DC 20036	National Forest Products Assn	1,500.00	
James E. Ford, 1333 New Hampshire Avenue, NW Washington, DC 20036	Atlantic Richfield Co	100.00	
John P. Ford, One Kellogg Square Battle Creek, MI 49016	Kellogg Co	2,000.00	283.00
Foreman & Heidepriem, 1751 N Street, NW, #301 Washington, DC 20036	Coalition to Protect the Integrity of American Trademarks		
Do	Columbia Hospital for Women Medical Center		
Do	United Food & Commercial Workers Int'l Union	1,215.00	13.00
Forest Farmers Assn, P.O. Box 95385 Atlanta, GA 30347			6,704.21
Edward H. Forgotson, 1350 I Street, NW, #700 Washington, DC 20005	GNB, Inc		
Do	Superior National Insurance Group		
Mark A. Forman, 8th & Eaton Avenues Bethlehem, PA 18018	Union Pacific Corp	1,250.00	
Sallie H. Forman, 1331 Pennsylvania, NW, #700-South Washington, DC 20004	National Broadcasting Co, Inc		
James R. Forrester, P.O. Box 94661 Cleveland, OH 44101	Centerior Energy Corp, et al	1,915.38	2,883.93
Larry Forrester, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268	National Assn of Mutual Insurance Cos		
Fort and Schiefer, 1401 New York Ave., NW, #1200 Washington, DC 20005-2187	Bollinger Machine Shop & Shipyard, Inc		
Alison B. Fortier, 1745 Jefferson Davis Highway, #1200 Arlington, VA 22202	Rockwell International	19,900.00	372.37
Richard D. Fortin, 1275 K Street, NW, #850 Washington, DC 20005-4006	National Industrial Transportation League	220.00	
Richard C. Fortuna, 1440 New York Ave., NW, #310 Washington, DC 20005	Hazardous Waste Treatment Council	750.00	375.00
Maria Foscarinis, 1439 Rhode Island Avenue, NW Washington, DC 20005	National Law Center on Homelessness and Poverty	500.00	
Bruce Foster, 1001 Pennsylvania Ave, NW, #450-N Washington, DC 20004	Southern California Edison Co	4,881.00	1,500.00
Nancy E. Foster, 1300 L Street, NW, Suite 950 Washington, DC 20005-4107	American Soybean Association	1,050.00	204.81
Donald L. Fowler, P.O. Box 50627 Columbia, SC 29250	Ambase		6,933.42
Do	Chem-Nuclear Systems		2,599.45
Do	Giant Cement Company		712.36
Do	Providence Hospital		
Fox Group, USA Ltd, P.O. Box 1831 Charleston, SC 29402	Camp Barsh Bates & Tate (for Sears Roebuck & Co), et al		
John R. Frahm, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	3,000.00	
Leslie C. Francis, 1000 Potomac St., NW, #401 Washington, DC 20007	California Dept of Education	2,000.00	
Francis & McGinnis & Rees, Inc, 1000 Potomac St., NW, #401 Washington, DC 20007	California Dept of Education	34,389.90	22,687.30
Douglas L. Francisco, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		79.25
Anthony M. Franco, Inc, 400 Renaissance Center, #600 Detroit, MI 48243	Madison Public Affairs Group, Inc (for Philip Morris, USA)	1,500.00	
Peter M. Frank, 1667 K St., NW, #250 Washington, DC 20006	Kerr-McGee Corp	2,500.00	
Richard L. Frank, 1400 16th Street, NW, #400 Washington, DC 20036-2220	Olsson Frank & Weeda (For:Ad Hoc Pizza Standard Rulemaking Group)		
Robert S. Frank, 206 G Street, NE, #201 Washington, DC 20002	Foley and Company, Inc (For:Coalition Against Noneffective Lightning Protection Tech)		
Do	Foley & Company (For:Polyphaser)		
Stephen R. Frank, 607 Azure Hills Drive Simi Valley, CA 93065	Calcitek	6,000.00	
Do	Eagle Group (For:Tailored Baby, Inc)	1,500.00	
Faye B. Frankfort, 9312 Old Georgetown Road Bethesda, MD 20814-1621	American Podiatric Medical Assn	4,000.00	
Walter L. Frankland Jr., 1717 K St., NW Washington, DC 20006	Silver Users Assn, Inc	1,740.00	150.00
Ellis B. Franklin, 5025 Wisconsin Ave., NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
George Franklin, 1 Kellogg Square Battle Creek, MI 49016-3599	Kellogg Company	1,500.00	150.00
Kevin Frankovich, 1350 New York Ave., NW, #200 Washington, DC 20005	Contract Services Assn		6.80
Thomas C. Franks, 1220 L St., NW, #510 Washington, DC 20005	American Resort & Residential Development Assn	1,500.00	150.74
John B. Franz, P.O. Box 10568 Pompano Beach, FL 33061-6568			
Marian C. Franz, 2121 Decatur Place, NW Washington, DC 20008	National Campaign for a Peace Tax Fund	825.00	125.00
Charles L. Frazier, 475 L'Enfant Plaza, SW, #2250 Washington, DC 20024	National Farmers Organization	4,333.00	5,097.00
Fran Frazier, 1730 K Street, NW, #1200 Washington, DC 20006	American Business Conference	120.00	25.00
Robert M. Frederick, 1616 H St., NW Washington, DC 20006	National Grange	6,000.00	
John S. Fredericksen, 1101 Connecticut Ave., NW, #700 Washington, DC 20036	Regional Airline Association	1,000.00	
Free the Eagle, 25 E Street, NW, 8th Floor Washington, DC 20001		6,783.50	210,444.79
Joel Freedman, 1600 M St., NW, 5th Floor Washington, DC 20036	Hartford Fire Insurance Co	10,000.00	
James T. Freeman, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	1,095.00	56.00
Lewis R. Freeman Jr., 1275 K Street, NW, #400 Washington, DC 20005	Society of the Plastics Industry, Inc		
David W. Freer, 1150 Connecticut Ave., NW, #717 Washington, DC 20036	Southern California Gas Co	5,000.00	
Paula D. Freer, 818 Connecticut Avenue, NW, #900 Washington, DC 20006	USX Corp		
Verrick O. French, 1455 Pennsylvania Avenue, NW, #1260 Washington, DC 20004	French & Company (For:BATUS, Inc)	675.00	
French & Company, 1455 Pennsylvania Ave., NW, #1260 Washington, DC 20004	Batus, Inc	900.00	
Do	International Electronics Mfgrs & Consumers of America, Inc	1,350.00	
Do	Montgomery Ward & Co, Inc	950.00	
Do	Wheels, Inc	375.00	
Annette P. Fribourg, 3900 Wisconsin Ave., NW Washington, DC 20016	Federal National Mortgage Assn	28,423.00	959.00
G. William Frick, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute		
Bruce M. Fried, 1334 G Street, NW, LL Washington, DC 20005	Americans for Health, Inc./National Health Care Campaign		
Ronald A. Fried, 888 17th Street, NW, #900 Washington, DC 20006	Holland & Knight (For:St. Johns Home Health)	2,000.00	
Fried Frank Harris Shriver & Jacobson, 1001 Pennsylvania Ave., NW, #800 Washington, DC 20004	General Electric Co		
Do	Lonza, Inc	2,034.27	220.65

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Virgin Islands Rum Industries, Ltd		
Philip P. Friedlander Jr., 1250 Eye Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn		
James M. Friedman, 1100 Citizens Bldg. Cleveland, OH 44114	Centerior Energy	27,593.00	1,713.02
Do	Coalition for Environmental-Energy Balance	28,160.00	450.55
Do	Reese Communications Cos (for: Philip Morris, USA)	750.00	
Friends of the Columbia Gorge, 319 SW Washington, #420 Portland, OR 97204			
Friends Committee on National Legislation, 245 2nd St., NE Washington, DC 20002			37,581.49
R. Roger Fries, 1801 K Street, NW, #1105-L Washington, DC 20006	Glass Packaging Institute		
Edward O. Fritts, 1771 N Street Washington, DC 20036	National Assn of Broadcasters	2,500.00	
Charles H. Fritzel, 499 S. Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	400.00	920.00
Jeffrey Fritzlen, 555 13th Street, NW, #450-W Columbia Square Washington, DC 20004	Union Pacific Corp	12,500.00	1,029.13
Marcy Masters Frosh, 2030 M Street, NW Washington, DC 20036	Common Cause	6,117.48	
Fulbright & Jaworski, 1150 Connecticut Ave., NW, #400 Washington, DC 20036	Crysen Corp	1,500.00	34.00
Nancy R. Fulco, 1615 H St., NW Washington, DC 20062	U.S. Chamber of Commerce	8,223.00	92.35
Don Fuqua, 1250 Eye Street, NW Washington, DC 20005	Aerospace Industries Assn of America, Inc	2,950.00	
Futures Industry Assn, Inc, 1825 Eye Street, NW, #1040 Washington, DC 20006			
FMR Group, Inc, 1000 Potomac Street, NW, #401 Washington, DC 20007	Americans Against Unfair Gas Taxes		14,420.00
Do	Exhaust Systems Professional Assn	6,000.00	4,930.68
Do	National Assn of Personnel Consultants		
Do	National Coalition of Burn Center Hospitals	7,500.00	6,209.44
Do	Songwriters Guild of America	17,000.00	17,174.41
Eric Keith Gabrielle, P.O. Box 12532 Gainsville, FL 32604			
James E. Gaffigan, 1201 New York Ave., NW Washington, DC 20005	American Hotel & Motel Assn	2,650.00	
Joe H. Galis 059739, DCI 19000 SW 377th Street Florida City, FL 33034	Joe H. Galis		
Janne G. Gallagher, 3373 Rittenhouse Street, NW Washington, DC 20015	Human Services Forum on Government Relations		
Galland Kharasch Morse & Garfinkle, P.C., 1054 31st Street, NW Second Floor Washington, DC 20007	Air Jamaica, Ltd	104,783.70	9,306.54
Do	Soule Corp	9,573.25	222.60
Do	South Africa Sugar Association	7,628.50	336.22
Karl Gallant, 8001 Braddock Road Springfield, VA 22160	National Right to Work Committee	3,900.00	344.27
Mark Gallant, 40 Ivy Street, SE Washington, DC 20003	National Lumber & Building Material Dealers Assn	4,500.00	
John Paul Galles, 1155 15th St., NW, #710 Washington, DC 20005	National Small Business United	1,000.00	
Galvin Fox & Palmer, 425 Park Avenue New York, NY 10022	Herman's Sporting Goods, Inc		
Do	Voyager International, Inc		
Bruce Gamble, 122 C St., NW, #580 Washington, DC 20001	National Bankers Assn		585.56
Cheryl Gannon, 2000 K Street, NW Washington, DC 20006	National Committee to Preserve Social Security and Medicare	10,036.00	44.50
John B. Gantt, 2000 Pennsylvania Ave., NW, #900 Washington, DC 20006	Associated Aviation Underwriters	11,831.25	
Nicole Gara, 950 North Washington Street Alexandria, VA 22314	American Academy of Physician Assistants		
Sandra M. Garbrecht, 1350 New York Ave., NW Washington, DC 20005	Spiegel & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access).		
Isabella Garcia, 1201 16th St., NW, #624 Washington, DC 20036	National Education Assn	2,655.40	19.00
Raymond Garcia, 1745 Jefferson Davis Highway, #1200 Arlington, VA 22202	Rockwell International Corp	3,000.00	54.25
Sherwin Gardner, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Gardner Carton & Douglas, 1001 Pennsylvania Ave, NW, #750-N Washington, DC 20004	Alamo Rent-A-Car, Inc		
Do	Andrew Corp	3,600.00	28.60
Do	Ansell, Inc		
Do	Midcon Corp		
Do	Minnesota Mining and Manufacturing Company		
Do	Pharmaceutical Aerosol CFC Coalition	1,320.00	
Nancy Garland, 1505 Prince Street, #300 Alexandria, VA 22314	American Optometric Assn		
Sara G. Garland, 137 13th St., NE Washington, DC 20002	Pfizer, Inc		
Do	Rapoza Associates	2,000.00	
Do	University of North Dakota	7,041.58	1,101.49
Theodore J. Garrish, 11 Canal Center Plaza, #250 Alexandria, VA 22314	Flanagan Group, Inc (For:American Nuclear Energy Council)		
Do	Flanagan Group, Inc (For:California Desert Coalition)	775.00	
Do	National Outdoor Coalition	775.00	
Ann Lakin Garver, 600 Pennsylvania Ave., SE, #211 Washington, DC 20003	National Assn of Casualty and Surety Agents	1,500.00	189.62
Garvey Schubert & Barer, 1000 Potomac St., NW Washington, DC 20007	American Iron & Steel Institute	10,151.33	
Do	Canadian Embassy	8,258.00	
Do	City of Aberdeen	3,990.49	
Do	Early Winters Resorts, Inc	3,040.50	
Do	J & B Management Company	2,508.18	
Do	Ministry of the Environment	18,591.66	
Do	Province of Manitoba Department of Natural Resources	1,516.80	
Do	Space Industries, Inc	3,076.27	
Do	Totem Ocean Trailer Express, Inc	27,756.38	
Do	Washington Citizens for World Trade	115,326.83	
Gas Appliance Manufacturers Assn, Inc, 1901 North Moore Street Arlington, VA 22209			
Philip Gasteyer, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	2,000.00	
Bruce A. Gates, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Fred Gebler, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004	Electronic Data Systems Corp	48.00	29.40
Karen M. Geers, 370 L'Enfant Promenade, SW, #800 Washington, DC 20024	Concerned Women for America		
Ruthann Geib, 1156 15th Street, NW, #1020 Washington, DC 20005	American Sugarbeet Growers Assn		
Robert C. Gelardi, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342	Robert H. Kellen Co (For:Infant Formula Council)		
Morton A. Geller, Corporate Tax Department 100 Federal Street Boston, MA 02110	First National Bank of Boston		
General Aviation Manufacturers Association, 1400 K Street, NW, #801 Washington, DC 20005			11,273.00
General Instrument Corporation, 767 Fifth Avenue New York, NY 10153		2,000.00	310.46
Generic Pharmaceutical Industry Assn, 200 Madison Ave., #2404 New York, NY 10016		8,146.43	8,146.43
Diane J. Generous, 1331 Pennsylvania Ave., NW, #1500 North Washington, DC 20004-1703	American Soc for Personnel Administration		
John Gentille, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Jawad F. George, 2033 M Street, NW, #300 Washington, DC 20036	National Assn of Arab Americans	3,499.99	
Nancy Whorton George, 555 13th Street, NW, #1010 E Washington, DC 20004-1109	Natural Gas Alliance for the Generation of Electricity	5,000.00	
Do	Transco, Inc	2,000.00	
George W. Gephart, P.O. Box 1475 Baltimore, MD 21203	Baltimore Gas & Electric Co		
Joseph G. Gerard, 918 16th St., NW, #402 Washington, DC 20006	American Furniture Manufacturers Assn	1,500.00	1,644.78
Gerard Byler & Associates, 1155 Conn. Ave., NW, #300 Washington, DC 20036	Santa Clara Indian Pueblo	290.25	
Gerard Byler & Associates, Inc, 1155 Conn., Ave., NW, #300 Washington, DC 20036	Commissioned Officers Assn of the U.S. Public Health Service	150.00	
Do	Havasupai Tribal Council		
Do	Leech Lake Reservation Business Committee		
Do	San Carlos Apache Tribe	636.00	
Do	Saulte Ste Marie Tribe of Chippewa Indians		
Do	Siletz Tribal Council	384.75	
Do	Tohono O'odham Nation		
Do	Tulalip Tribes		
Do	White Earth Tribal Council		
Ted P. Gerarden, 1275 K Street, NW, #850 Washington, DC 20005	Donelan Cleary Wood & Maser (For:Cascade Natural Gas Corp)		
Louis Gerber, 1925 K St., NW Washington, DC 20006	Communications Workers of America	6,927.09	102.20
Gerico, Inc, 12520 Grant Drive Box 33755 Denver, CO 80233			
Scott A. Gerke, 955 L'Enfant Plaza, SW #5300 Washington, DC 20024	Honda North America, Inc	400.00	
Matthew Gerson, 1600 Eye Street, NW Washington, DC 20006	Motion Picture Assn of America, Inc	2,100.00	1,157.79
Kenneth Gersten, 1116-C West Street Annapolis, MD 21401	Sierra Club	557.55	
John J. Gersuk, 3100 Windwood Farms Drive Oakton, VA 22124	Bechtel Group, Inc		
Alvin J. Geske, 1016 16th St., NW, 6th Floor Washington, DC 20036	Benchmarks, Inc		
Do	Grupo Industrial Alfa, SA		
Do	Renewable Fuels Assn	170.00	
David Troy Saxton Getty, 1050 Barstow Avenue Clovis, CA 93612			
Dorothy F. Gevinson, 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	38.64	
Danny Ghorbani, 8014 Falstaff Road McLean, VA 22102	Association for Regulatory Reform	2,000.00	482.00
Clair Ghylin, 1700 K Street NW, #1200 Washington, DC 20006	Chevron USA, Inc	7,500.00	
William C. Gibb, 1050 Thomas Jefferson St., NW, 6th Fl Washington, DC 20007	Providential Home Inc. Plan	1,000.00	1,000.00
William T. Gibb, 1001 Pennsylvania Ave., NW9 Washington, DC 20004	American Council of Life Insurance, Inc	2,000.00	
Wayne Gibbens, 1919 Pennsylvania Ave., NW, #503 Washington, DC 20006	Mid-Continent Oil & Gas Assn	10,000.00	190.00
Anne Marie Gibbons, Third Floor 2301 M Street, NW Washington, DC 20037	American Public Power Assn	1,500.00	
Lucie Kriste Gikovich, 866 Second Avenue New York, NY 10017	Watts & Company Communications, Inc (For:Pacific Telesis)	15,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Robert C. Gilardi, 1235 Jefferson Davis Highway Crystal Gateway #1, Suite 501 Arlington, VA 22202	Compressed Gas Assn/Helium Advisory Council		
Pamela Gilbert, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	1,856.16	
Richard Gilbert, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	1,222.00	
James E. Gilchrist, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Michael Gildea, 815 16th St., NW #309 Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	17,903.34	
Mary Ann Gilleece, Lepon McCarthy Jutkowitz & Holzworth 1146 19th Street, NW, 3rd Floor Washington, DC 20036	Astra Holdings Corp	3,750.00	3,750.00
Do	IPAC, Inc (For:Duphar, Inc)	1,000.00	1,000.00
Do	DynCorp	1,500.00	1,500.00
Do	Bishop Cook Purcell & Reynolds (For:Electronic Systems Associates, Inc)		
Do	Esilux, Inc	5,697.50	25.00
Neal P. Gillen, 1725 K Street, NW, #1210 Washington, DC 20006	American Cotton Shippers Assn	37,500.00	962.58
Annelise Gillespie, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,200.00	
Michael B. Gillett, 1425 N. 46th Street Seattle, WA 98103	American Petroleum Institute	30,000.00	
Do	Pacific Lumber & Shipping Co	5,520.00	106.01
Daniel F. Gilligan, 1701 K Street, NW, #400 Washington, DC 20006	National Manufactured Housing Federation	1,000.00	
Brad Gilman, 1050 Thomas Jefferson Street, NW, 6th Fl Washington, DC 20007	Robertson Monagle & Eastaugh (For:Aleutians East Borough)	7,500.00	
Do	Robertson Monagle & Eastaugh (For:Anchorage School District)	1,500.00	
Do	Robertson Monagle & Eastaugh (For:Coastal Coalition)	6,000.00	
Do	Robertson Monagle & Eastaugh (For:Municipality of Anchorage)	5,800.00	
Do	Robertson Monagle & Eastaugh (For:Puget Sound Cruiseship Alliance)	3,700.00	
Do	Robertson Monagle & Eastaugh (For:Reeve Aleutian Airways)	2,500.00	
Maureen Gilman, 1730 K Street, NW, #1100 Washington, DC 20006	National Treasury Employees Union	14,500.00	758.14
Jim Gilmore, 1735 New York Avenue, NW, #500 Washington, DC 20006	Alaska Factory Trawler Assn	15,000.00	1,088.35
Ginn Edington Moore & Wade, 803 Prince Street Alexandria, VA 22314	Agusta Aviation Corp	3,000.00	13.65
Do	Allied Signal Aerospace Co	5,000.00	25.02
Do	AB BOFORS	10,000.00	50.05
Do	Chrysler Corporation	5,000.00	26.80
Do	Equifax		
Do	Lockheed Corporation	1,200.00	61.43
Do	Oglethorpe Power Corp		
Do	Outdoor Advertising Assn of America	3,000.00	14.20
Do	Rockwell International Corp	6,000.00	29.57
Do	Turner Broadcasting System, Inc		
Do	U.S. Cane Sugar Refiners' Assn		
Do	Watkins Associated Industries, Inc		
Ginsburg Feldman & Bress, Chartered, 1250 Connecticut Ave., NW, #800 Washington, DC 20036	Chugai-Upjohn, Inc		
Do	United States Telephone Association		
Gerard Giovaniello, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	822.35
Brenda M. Girton, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Sears Roebuck & Co	380.00	
Michael J. Giuffrida, 204 E Street, NE Washington, DC 20002	National Frozen Food Association	1,000.00	
Nicholas J. Glakas, 1600 M Street, NW Washington, DC 20036	ITT Corporation	500.00	73.00
Glass Packaging Institute, 1801 K Street, NW, #1105-L Washington, DC 20006			4,140.00
Donna Siss Gleason, 2001 L Street, NW, #1000 Washington, DC 20036	Unisys Corp		
Law Offices of Thos Gleason, 26 Broadway, 17th Floor New York, NY 10004	International Longshoremen's Assn, AFL-CIO		
Robert E. Gleason, 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	9,914.40	1,962.23
Donald R. Glenn, 1627 K Street, NW, #200 Washington, DC 20006	Energy Research Corp		
Martha Cole Glenn, 4637B S. 36th Street Arlington, VA 22206	Humane Society of the United States	4,290.00	895.40
Sara B. Glenn, 1100 Connecticut Ave., NW Washington, DC 20036	Mobil Corp	1,125.00	
Global USA, Inc, 2121 K St., NW, #650 Washington, DC 20037	All Nippon Airways Co, Ltd		
Do	Fanuc, Ltd		
Do	Hitachi, Ltd	42.00	
Do	Hyundai Motor America		
Do	Jackson Madison County General Hospital	54.00	
Do	Japan Fed of Construction Contractors, Inc	36.00	
Do	Komatsu Ltd		
Do	Kyocera Corporation		
Do	Mazak Corporation		
Do	Murata Machinery, Ltd	144.00	
Do	Sisters of Charity of the Incarnate Word		
Do	South Louisiana Port Commission		
Do	Teco Transport & Trade Corp		
Law Offices of Alan M. Gnessin, 1220 19th Street, NW, #400 Washington, DC 20036	CHP	75.00	
Do	Family Health Plan, Inc		
Stephanie R. Godley, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	1,000.00	50.00
James W. Godlove, 1825 K Street, NW, #1107 Washington, DC 20006	Phillips Petroleum Co	1,050.00	66.81
Kevin C. Goebel, 2054 University Avenue, #500 Berkeley, CA 94704	Americans for Nonsmokers' Rights	198.00	
KayLynn Goelzer, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators	1,000.00	
Judith M. Goff, 375 Jackson Street St. Paul, MN 55101	Farm Credit Services	630.00	668.85
Kerry J. Goforth, 725 15th Street, NW, #500 Washington, DC 20005	National Grain & Feed Assn		
Harvey S. Gold, 8100 Oak Street Dunn Loring, VA 22027	National Pest Control Assn		
Gold & Liebengood, Inc, 1455 Pennsylvania Ave., NW, #950 Washington, DC 20004	Alaska Loggers Assn	1,200.00	1,597.00
Do	American Academy of Ophthalmology	4,243.00	1,810.00
Do	American Medical Assn	19,500.00	1,865.00
Do	American Resort and Development Association	2,100.00	1,865.00
Do	Bausch and Lomb	10,612.00	1,865.00
Do	Beretta U.S.A. Corp	5,185.00	1,865.00
Do	BAA plc	2,400.00	1,865.00
Do	Camp Barsh Bates & Tate	175.00	1,577.00
Do	Chemical Manufacturers Assn, Inc	3,228.00	1,722.00
Do	College of American Pathologists	3,333.00	1,865.00
Do	Electronic Data Systems Corp	14,030.00	1,865.00
Do	Energy Research Corp	12,600.00	1,855.00
Do	Equitable Life Assurance Society of the U.S	25,000.00	1,865.00
Do	Eye Bank Assn of America	3,000.00	1,865.00
Do	Federal Express Corp		1,465.00
Do	Federated Investors, Inc	7,500.00	1,865.00
Do	Fiat, USA	73,690.00	1,865.00
Do	Ford Motor Co	2,487.00	1,625.00
Do	Fort Howard Corporation	2,840.00	1,539.00
Do	Georgia Power Company	5,400.00	1,521.00
Do	Hopi Tribe	45,000.00	1,465.00
Do	International Committee of Passenger Lines		1,465.00
Do	Investment Company Institute	2,556.00	1,823.00
Do	J & B Management Co	3,232.00	1,610.00
Do	Martin Marietta Corp	350.00	1,465.00
Do	MCI Communications Corp	13,000.00	1,865.00
Do	National Business Aircraft Assn, Inc	1,200.00	1,865.00
Do	National Cattlemen's Assn	825.00	1,816.00
Do	National Football League	5,165.00	1,865.00
Do	National Restaurant Assn	15,750.00	1,865.00
Do	National School Transportation Assn	6,000.00	1,670.00
Do	Pacific Enterprises	10,000.00	1,865.00
Do	Pennzoil Co	2,000.00	1,865.00
Do	Philip Morris Company	30,000.00	1,865.00
Do	Phillips Petroleum Co	10,000.00	1,865.00
Do	Public Securities Assn	4,500.00	1,865.00
Do	Salomon Brothers, Inc	7,925.00	1,865.00
Do	Thomson-CSF, Inc	30,560.00	1,865.00
Do	Times Mirror Co	4,200.00	1,865.00
Do	Washington Metropolitan Area Transit Authority	37,015.00	1,465.00
Goldberg & Spector, 1229 19th St., NW Washington, DC 20036	Alpha Lyracom d/b/a Pan American Satellite	220.00	
Janlori Goldman, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	1,100.00	
Max Goldman, 1050 17th Street, NW, #500 Washington, DC 20036	Texaco, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Goldman Sachs & Co, 1101 Pennsylvania Avenue, NW, #900 Washington, DC 20004			3,050.00
Janice Goldman-Carter, 1400 16th Street, NW Washington, DC 20036	National Wildlife Federation	1,959.75	
Robert H. Goldsborough, 5508 Lombardy Place Baltimore, MD 21210	Americans for Immigration Control, Inc	19,300.00	
Richard S. Goldstein, 2300 M Street, NW Washington, DC 20037	Kelley Drye & Warren (For:Coalition to Preserve the Low-Income Housing Tax Credit)		
Jack Golodner, 815 16th St., N.W. Washington, DC 20006	Department for Professional Employees, AFL-CIO	5,054.38	
William Gonnelly, 1750 New York Avenue, NW Washington, DC 20006	Sheet Metal Workers' International Association	15,000.00	
David R. Goode, 8 N. Jefferson Street Roanoke, VA 24042	Norfolk Southern Corp		
Alan Goodfader, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:California Energy Company, Inc)		
Do	Murphy & Demory, Ltd (For:Prodigy Services Corportion)		
Richard F. Goodstein, 1150 Connecticut Avenue, NW, #500 Washington, DC 20036	Browning-Ferris Industries, Inc	1,000.00	279.16
Robert F. Goodwin, 1850 K St., NW, Suite 275 Washington, DC 20006	Meredith Corp	23.00	15.00
Linda Goold, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,750.00	295.67
John Gordley, 1150 Connecticut Avenue, NW, #507 Washington, DC 20036	Iowa Pork Producers Assn	4,500.00	732.64
Do	National Sunflower Assn	24,000.00	2,838.99
Do	Nebraska Wheat Board	28,500.00	2,663.68
Do	Renewable Fuels Assn	7,000.00	785.39
Do	U.S. Canola Association	12,500.01	2,377.25
Deborah Gordon, 1616 P Street, NW #310 Washington, DC 20008	Union of Concerned Scientists		1,280.00
Mary S. Gordon, 600 Maryland Ave, SW, #607 Washington, DC 20024	Northern Telecom, Inc		1,425.00
Randall C. Gordon, 725 15th Street, NW Washington, DC 20005	National Grain & Feed Assn		
Brenda J. Gore, 1000 Wilson Blvd., 2600 Arlington, VA 22209	TRW, Inc	189.00	520.00
John C. Gore, 1776 Eye Street NW Suite 1000 Washington, DC 20006	BP America, Inc		
Millicent Gorham, 1505 Prince Street, #300 Alexandria, VA 22314	American Optometric Assn		
David W. Gorman, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	17,477.76	240.00
Mark S. Gorman, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	890.00
James D. Gormley, 1400 K Street, NW, #801 Washington, DC 20005	General Aviation Manufacturers Association	1,962.00	
Ann M. Gosier, 1920 N St., NW Washington, DC 20036	American Mining Congress	30.00	11.00
Barry Gottehrer, 1295 State Street Springfield, MA 01111-0001	Massachusetts Mutual Life Insurance Co		
Margaret A. Gottlieb, 1101 17th Street, NW, #900 Washington, DC 20036	Direct Marketing Assn		
Edmund Graber, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	3,000.00	500.00
James E. Graf II, 555 13th Street NW, #480 W. Washington, DC 20004-1109	Contel Corp	9,000.00	25.00
John R. Graff, 4230 King Street Alexandria, VA 22302	International Assn of Amusement Parks & Attractions	75.00	50.00
David W. Graham, 1776 Eye Street, NW, Ste. 575 Washington, DC 20006	Dow Chemical USA		5,540.00
Elaine Z. Graham, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	990.00
Lawrence T. Graham, 1401 New York Avenue, NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	100.00
Graham & James, 2000 M Street, NW, #700 Washington, DC 20036	Contact Lens Manufacturers Assn	193.88	
John K. Gram, 610 S.W. Broadway, #608 Portland, OR 97205	Public Timber Purchasers Group		
Frances Turk Granahan, 1025 Connecticut Avenue, NW, #404 Washington, DC 20036	Panhandle Eastern Corporation		259.51
Grange Mutual Casualty Co, 650 South Front Street Columbus, OH 43206			
James L. Granum, 1500 K Street, NW, #375 Washington, DC 20005	Norfolk Southern Corp	1,000.00	
Andrew N. Grass Jr., One World Trade Center, #4511 New York, NY 10048	National Security Traders Assn, Inc	2,000.00	
Carol J. Gray, 1001 Pennsylvania Ave., NW Washington, DC 20004-2599	American Council of Life Insurance	2,700.00	
James A. Gray, 7901 Westpark Dr. McLean, VA 22102	National Machine Tool Builders' Assn	2,250.00	25.00
Robert K. Gray, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:American Arlines)		
Do	Hill & Knowlton (For:AMR Corp)	10,800.00	
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill and Knowlton, Inc (For:Church of Scientology International)		
Do	Hill & Knowlton, Inc (For:First American Bank, N.A.)		
Do	Hill & Knowlton, Inc		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton, Inc (For:Tesoro Petroleum Corp)		
Do	Hill & Knowlton, Inc (For:Tobacco Institute)		
Mary R. Grealy, 1111 19th Street, NW, #402 Washington, DC 20036	Federation of American Health Systems	1,500.00	
Greater New York Hospital Assn, 555 West 57th Street 15th Floor New York, NY 10019			77,052.00
Greater Wash/MD Service Station & Automotive Repair Assn, 9420 Annapolis Rd., #307 Lanham, MD 20706		250.00	250.00
Greater Washington Board of Trade, c/o Ellie Weilenmann 1129 20th Street, NW, #200 Washington, DC 20036			
James R. Greco, P.O. Box 3151 Houston, TX 77253	Browning-Ferris Industries, Inc		
Ed Greelegs, 3900 Wisconsin Ave., NW Washington, DC 20016	Federal National Mortgage Assn (Fannie Mae)	21,250.00	1,692.36
Donald R. Greeley, 919 18th St., NW, #700 Washington, DC 20006	Hoechst Celanese Corp	4,000.00	245.70
Edward M. Green, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Gretchen Green, 1000 Connecticut Ave, NW Washington, DC 20036	Japan Economic Institute of America	500.00	
Harold B. Green, 5011 Victor Dallas, TX 75214	American Consulting Associates, Inc (For:Chief Auto Parts, Inc)	7,375.00	2,520.30
John K. Green, 800 American Charter Center 1623 Farnam St. Omaha, NE 68102-2130	Papillion-Lavista School District	60.00	0.21
Lynn S. Green, 1120 19th Street, NW, #310 Washington, DC 20036-3605	Institute of Makers of Explosives		
Micah S. Green, 1000 Vermont Ave., NW, #800 Washington, DC 20005	Public Securities Assn	12,500.00	1,220.45
Oliver W. Green, 5025 Wisconsin Ave, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Robert H. Green, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,750.00	1,764.27
Wayne Green, Forest Road Hancock, NH 03449	73, Inc		
William Green, 1001 Pennsylvania Ave, #715 S Concourse Washington, DC 20004	MacAndrews & Forbes Holdings Incorporated		
Douglas Greenaway, 1250 Eye Street, NW, #200 Washington, DC 20005	Building Owners & Managers Assn Int'l		
Eldon V. C. Greenberg, Galloway & Greenberg 1835 K St., NW, #801 Washington, DC 20006	Midwater Trawlers Cooperative		370.51
Do	Pacific Coast Federation of Fishermen's Assn, Inc	2,627.66	370.51
Do	Southeastern Fisheries Assn, Inc		370.51
Judith M. Greenberg, 1825 I Street, NW, #400 Washington, DC 20006	Miller & Steuart (For:Coastal Corporation)		
Do	Miller & Steuart (For:E.R. Squibb and Sons, Inc)		
Fred Greene, 3434 Pinetree Terrace Falls Church, VA 22041	Denny Miller Associates	2,500.00	
H. Thomas Greene, 412 1st St., SE Washington, DC 20003	National Automobile Dealers Assn	10,000.00	
Charles Greener, 900 Second Street, NE #201 Washington, DC 20002	Eddie Mahe Company (For:Tridec (Tri-City Industrial Development Council))	1,000.00	
Suzanne Greenfield, 2030 M Street, NW Washington, DC 20036	Common Cause	5,750.04	
Lynn Greenwalt, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation		
Arthur J. Gregg, 7736 Rockledge Court Springfield, VA 22152	Cable TV Assn of MD, DE & DC	11,875.00	
R.T. Gregg, 900 19th Street, NW, #800 Washington, DC 20006	United States Telephone Association	500.00	
Sarah Massengale Gregg, 1667 K Street, NW, #710 Washington, DC 20006	Baxter		
John D. Gregory, P.O. Box 12458 Columbia, SC 29211	Norfolk Southern Corp		
Gregory Company, 2300 N Street, NW, #600 Washington, DC 20037	T. Ramirez & Co, Inc	4,500.00	37.87
William G. Greif, 1155 15th St., NW Washington, DC 20005	Bristol-Myers Co	25,000.00	
Greyhound Lines, Inc, 1101 14th Street, NW, #1201 Washington, DC 20005			54,220.00
David J. Gribbin IV, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Federation of Independent Business (NFIB)	3,401.00	200.00
Jeffrey J. Grieco, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:California Energy, Inc)	10,000.00	
Do	Murphy & Demory, Ltd (For:Korea Tacoma Marine Industries, Ltd)	3,000.00	
Do	Murphy & Demory, Ltd (For:Tridec Westinghouse)		
Ellen Griffee, 1413 K Street, NW, 10th Fl. Washington, DC 20005	Association of Science-Technology Centers	9,775.00	6.80
Robert T. Griffin, 1100 Connecticut Ave., NW, #900 Washington, DC 20035	Chrysler Corporation	2,500.00	164.00
Griffin Johnson & Associates, 1211 Connecticut Ave., NW, #700 Washington, DC 20036	Air Transport Assn of America		
Do	American Assn of Airport Executives		
Do	American Insurance Assn		
Do	American Petroleum Institute	200.00	6.00
Do	American Psychological Assn	1,600.00	48.00
Do	Arthur Andersen & Co		
Do	Blue Cross & Blue Shield Association	400.00	12.00
Do	Camp Barsh Bates & Tate		
Do	CBS, Inc	1,000.00	30.00
Do	COMSAT Corp	200.00	6.00
Do	Grumman Corporation	1,600.00	48.00
Do	McCaw Communications Cos	3,100.00	96.00
Do	Merck & Co, Inc		
Do	Motorcycle Industry Council		
Do	National Music Publichers' Assn	400.00	12.00
Do	Outdoor Advertising Assn of America		
Do	Pharmaceutical Manufacturers Assn		
Do	Puyallup Tribe of Indians		
Do	Specialty Vehicle Institute of America		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Tobacco Institute		
Do	United Cable Television Corp	300.00	12.00
Edward D. Griffith, 3801 West Chester Pike Newtown Square, PA 19073	ARCO Chemical Co	600.00	
McGee Grigsby, 1001 Pennsylvania Ave., NW, #1300 Washington, DC 20004	Latham & Watkins (For:Farmers & Merchants Bank of Long Beach)		
A. Jack Grimes, 8100 Oak Street Dunn Loring, VA 22027	National Pest Control Assn		
Craig N. Grimm, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Norman E. Grimm Jr., 12600 Fair Lakes Circle Fairfax, VA 22033-4904	AAA Potomac		
Olga Grkavac, 1300 North 17th St., #300 Arlington, VA 22209	ADAPSO, the Computer Software & Services Industry Assn		
Mark W. Grobmyer, P.O. Box 70 Little Rock, AR 72203	Arnold Grobmyer & Haley (For:Arkansas Assn of Securities Dealers)		
Do	Arnold Grobmyer & Haley (For:Mid-South International Trade Assn)		
Grocery Manufacturers of America, Inc, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007			114.52
Grogan Graffam McGinley & Lucchino, P.C., 22nd Floor, Three Gateway Center Pittsburgh, PA 15104	Steel Valley Authority		
James N. Groninger, 1101 16th Street, NW Washington, DC 20036	Independent Petroleum Assn of America		923.09
Beverly Bennett Groom, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc	2,500.00	
Groom & Nordberg, Chtd, 1701 Pennsylvania Avenue, NW, #1200 Washington, DC 20006	Ad Hoc MGA Group		
Do	Ad Hoc PFIC Group		
Do	American Petroleum Institute		
Do	Chevron Corp	500.00	100.00
Do	Eli Lilly & Company		
Do	Goldman Sachs & Co		
Do	Murphy Oil USA, Inc	200.00	50.00
Do	Nebraska Public Power District	300.00	50.00
Do	New York City Teachers Retirement System		
Do	Phillips Petroleum Co		
Do	Physicians Mutual Insurance Co	200.00	25.00
Do	Principal Financial Group		
Do	Prudential Insurance Co of America	500.00	100.00
Do	Prudential-Bache Securities, Inc		
Do	Puerto Rico, USA Foundation	1,000.00	2,400.00
Do	Reading & Bates Corporation		
Do	Southern California Edison Co	200.00	50.00
Do	True Oil Company	200.00	50.00
Do	Union Texas Petroleum Corp		
Do	Westinghouse Electric Corp		
Steven A. Grossman, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:Gerber Products Corp)	575.00	
Do	Hill Knowlton (For:Nintendo of America, Inc)	460.00	
Page Groton, 400 First Street, NW, #814 Washington, DC 20001	International Brotherhood of Boilermakers	298.00	
Walter B. Grubbs, P.O. Box 841 Abilene, TX 79604	West Texas Utilities Co		
Gerald M. Guarilia, 70 North Main Street Wilkes-Barre, PA 18711	Blue Cross of Northeastern Pennsylvania		
Carlos A. Guerra, 7227 North 16th Street Phoenix, AZ 85020	Giant Industries, Inc		
Gene Guerrero, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	1,250.00	
Mary Scott Guest, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	American Marketing Service International, Inc		
Do	O'Connor & Hannan (For:Blanchfield & Moore)	3,400.00	
Do	Dillon Read & Co, Inc		
Do	LF Rothschild Unterberg Towbin, Inc		
Do	Michigan State Housing Development Authority		
Do	Morris Communications	11,400.00	
Do	Naegle Outdoor Advertising	500.00	
Do	O'Connor & Hannan	10,000.00	
Do	Paine Webber Group, Inc		
Do	Riverton Investment Corp	800.00	
Do	Simpson Thacher & Bartlett (for Sol Goldman Estate)	14,000.00	
Do	Western Electrochemical Company	10,000.00	
Clark J. Guild Jr., Guild & Hagen, Ltd 100 West Liberty St., #800 Reno, NV 89501	Motion Picture Assn of America, Inc		
Shannon P. Guiney, 555 13th Street, NW, #1010 East Washington, DC 20004-1109	Sun Company, Inc	1,003.00	408.68
James E. Guirard Jr., 1730 Rhode Island Avenue, NW, #419 Washington, DC 20036	BASF Corporation		50.00
Do	KMS Fusion, Inc	1,075.00	100.00
Do	Walk-Haydel & Associates, Inc		
Henry G. Gulick, 15 Mountain View Road Warren, NJ 07061	Chubb & Son, Inc	6,000.00	
Gun Owners of America, Inc, 8001 Forbes Place Springfield, VA 22151		211,442.00	199,765.87
Robert F. Guthrie, 815 16th St., NW, #608 Washington, DC 20006	Department for Professional Employees, AFL-CIO	6,807.08	
Richard E. Gutting Jr., 2000 M St., NW, #580 Washington, DC 20036	National Fisheries Institute	6,000.00	
Alvin M. Guttman, 1924 N Street, NW Washington, DC 20036	Towing & Recovery Assn of America, Inc	600.00	
Milton S. Gwirtzman, 1250 24th St., NW, #600 Washington, DC 20037	Lazare Kaplan International, Inc		
GA Assn of Petroleum Retailers, Inc, 900 N. Hairston Road, Suite D Stone Mountain, GA 30083			
GPIA Animal Drug Alliance, 200 Madison Ave., #2404 New York, NY 10016		1,945.00	1,945.00
Jane Scherer Haake, 1667 K Street, NW, #420 Washington, DC 20006	Mead Corporation	75.00	15.00
Dana W. Haas, 1800 K Street, NW, #1018 Washington, DC 20006	Kansas City Power & Light Co, et al	14,250.00	8,222.20
Charles W. Hackney Jr., 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S		
William G. Haddeland, 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	
Gene P. Haflich, Indiana Petroleum Council 714 Harrison Building Indianapolis, IN 46204	American Petroleum Institute	2,035.30	2,534.26
Thomas M. Hagan, 1005 Congress Ave., #795 Austin, TX 78701	Central & South West Services, Inc	2,375.00	11,957.85
Barry Hager, 444 North Capitol St., #711 Washington, DC 20001	Fund for Private Assistance in International Development	6,700.00	39.50
Nancy A. Hailpern, 316 Pennsylvania Ave., SE, #200 Washington, DC 20003	American Cancer Society	1,875.00	
Thomas F. Hairston, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California	7,000.00	634.35
Randolph M. Hale, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004	National Assn of Manufacturers		
Hale and Dorr, 1455 Pennsylvania Ave., NW, #1000 Washington, DC 20004	Dakota Wesleyan University	45.00	18.45
Do	Gay Head Taxpayers Assn		
Do	Metalor USA Refining Corp		
Do	Northeastern University	4,185.00	287.98
Do	Prime Computer, Inc		
Hale Foundation, 422 First Street, SE, #208 Washington, DC 20003			
Edwin K. Hall, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	5,000.00	379.44
Elliott S. Hall, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	1,440.00	828.00
John F. Hall, 1945 Old Gallows Road, #550 Vienna, VA 22180	American Wood Preservers Institute	5,000.00	
Richard F. Hall, 1700 K Street, NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
Marian Hall-Crawford, 316 Pennsylvania Avenue, SE, #301 Washington, DC 20003	San Diego Gas & Electric	1,500.00	2,515.26
Carol Boyd Hallett, 1667 K Street, NW, #700 Washington, DC 20035-5192	Free Iran Coalition		
Paul Hallisay, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	6,250.00	639.62
Maurice E. Halsey, P.O. Box 190 Aurora, IL 60507	Northern Illinois Gas Company		
Paul T. Haluza, 1325 Pennsylvania Ave., NW, #600 Washington, DC 20004	Motor and Equipment Manufacturers Association	6,000.00	6,112.51
Rhonda Lee Halverson, 1730 K St., NW, #1200 Washington, DC 20006	American Business Conference, Inc	165.00	25.00
Martha R. Hamby, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	American Insurance Assn	240.00	55.00
David S. Hamilton, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	4,730.76	
J. Lee Hamilton, 1331 Pennsylvania Avenue, NW, #1550N Washington, DC 20004-1703	National Assn of Manufacturers	281.00	
Joyce Hamilton, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Philip W. Hamilton, 1825 K St., NW, #218 Washington, DC 20006	American Soc of Mechanical Engineers		
Ronald P. Hamm, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	6,500.00	
Amy R. Hammer, 1899 L St., NW, #1100 Washington, DC 20036	Exxon Corporation	100.00	62.57
Thomas A. Hammer, 2100 Pennsylvania Ave, NW, #695 Washington, DC 20037	Sweetener Users Assn	19,700.00	37,000.00
Timothy A. Hanan, 1100 Connecticut Avenue, NW, #620 Washington, DC 20036	Mobil Corp	1,500.00	
Nolan W. Hancock, 1126 16th St., NW Washington, DC 20036	Oil Chemical & Atomic Workers International Union	6,244.63	
William G. Handfield, 50 F Street, NW Washington, DC 20001	Association of American Railroads	942.34	
Donald K. Hanes, 50 F St., NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Rose M. Hanes, 1325 G Street, NW, #1003 Washington, DC 20005	Population-Environment Balance	240.00	6.80
Elisabeth Hanlin, 2000 L St., NW, #1000 Washington, DC 20036	Johns-Manville Corporation		
Thomas H. Hanna, 7430 Second Ave, #300 Detroit, MI 48202	Motor Vehicle Manufacturers Assn of the U.S., Inc	100.00	
Hannaford Co, Inc, 655 15th St., NW, #200 Washington, DC 20005	Financial Assistance Inequity Relief Coalition		
Do	Peoples Republic of Congo		
Do	Royal Embassy of Saudi Arabia		
Do	3M Corporation		
P. S. Hannas, 919 18th Street, NW, #400 Washington, DC 20006	W. R. Grace & Co /World Headquarters	250.00	
Richard L. Hanneman, 700 North Fairfax Street, #600 Alexandria, VA 22314-2040	Salt Institute		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
M. Arnita Hannon, 1726 M Street, NW, #902 Washington, DC 20036-4502	American Lung Assn	18,286.40	1,148.50
Brian T. Hanson, 1667 K Street, NW, #1230 Washington, DC 20006	Deere & Company	50.00	
Robert N. Harbor, P.O. Box 1492 El Paso, TX 79978	El Paso Natural Gas Co		
Harvey E. Hardin, 2718 Manford Street Fort Wayne, IN 46806			
Stuart B. Hardy, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce		
James W. Harff, 1615 M Street, NW, #220 Washington, DC 20036	Harff Butterfield (For:Turkish Republic of Northern Cyprus)	2,812.50	
Harff Butterfield, 1615 M Street, NW, #220 Washington, DC 20036	Turkish Republic of Northern Cyprus	22,500.00	
Patricia L. Harmening, 316 Pennsylvania Ave., SE, #301 Washington, DC 20003	San Diego Gas & Electric	900.00	2,524.03
Diane Harper, 1000 Wilson Blvd. Arlington, VA 22209	Grumman Corporation	625.00	2,655.03
Wiley C. Harrell Jr., 1211 Connecticut Ave., NW, #502 Washington, DC 20036	Anheuser-Busch Companies, Inc.		
Toni Harrington, 950 L'Enfant Plaza North, SW, #5300 Washington, DC 20024	Honda North America, Inc	400.00	94.75
W. Brendan Harrington, 1101 15th St., NW, #205 Washington, DC 20005	Cargill, Inc	1,250.00	
A. J. Harris II, 1825 Eye Street, NW, #750 Washington, DC 20006	CIGNA Corp	4,673.00	847.00
Leslie Harris, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	4,600.00	15.00
Marilyn A. Harris, 818 Connecticut Avenue, NW Washington, DC 20006	USX Corporation	319.41	169.00
Richard M. Harris, 501 School St., SW 8th Floor Washington, DC 20024	American Road & Transportation Builders Assn	5,000.00	276.77
Robert L. Harris, 1341 G St., NW, #1100 Washington, DC 20005	Jefferson Group, Inc (For:Alumax, Inc)	1,618.75	80.00
Do	Jefferson Group, Inc (For:Doe Run)	1,886.50	69.00
Do	Jefferson Group, Inc (For:Zinc Corporation of America)		25.00
Harris & Ellsworth, 1101 30th Street, NW, #103 Washington, DC 20007	American Railway Car Institute		
Do	Association of Food Industries, Inc.		
Do	Cheese Importers Assn of America, Inc.		
Do	Committee of American Axle Producers	1,375.00	36.00
Do	Committee of Domestic Steel Wire Rope & Specialty Cable Mfrs	450.00	10.00
Jack E. Harrison, West Virginia Petroleum Council 1250 One Valley Square Charleston, WV 25301	American Petroleum Institute	551.00	939.91
Paul M. Harrison, P.O. Box 4079 Gulfport, MS 39502	Mississippi Power Co	4,245.00	2,172.08
Robert W. Harrison, 1213 Jefferson Davis Highway, #1400 Arlington, VA 22202	CAE-LINK Corporation		
Anne Harrison-Clark, 1725 K Street, NW, #814 Washington, DC 20006	March of Dimes Birth Defects Foundation	4,125.00	36.80
Jayne A. Hart, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	3,750.00	
Lynn S. Hart, 1111 19th St., NW, #402 Washington, DC 20036	Federation of American Health Systems	3,000.00	
Hartford Fire Insurance Co, Hartford Plaza Hartford, CT 06115			70,800.00
Vance Hartke, 7637 Leesburg Pike Falls Church, VA 22043	Alliance of Foreign Medical Graduates	6,250.00	
Gabriel A. Hartl, 2020 N. 14th Street, #410 Arlington, VA 22201	Air Traffic Control Assn, Inc		
Frederick J. Hartwigsen, 1500 Paxton Street P.O. Box 3565 Harrisburg, PA 17105	UGI Corporation	365.00	180.00
Christopher E. Harty, 1250 Connecticut Ave., #620 Washington, DC 20036	Winkelman & Associates, Inc (For:Fairfield Communities, Inc)		
Clifford J. Harvison, 2200 Mill Rd. Alexandria, VA 22314	National Tank Truck Carriers, Inc.		150.00
Fanny L. Haslebacher, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	400.00	
Holly Hassett, 1730 Rhode Island Avenue, NW, #206 Washington, DC 20036	Hershey Foods Corp		
James C. Hassett, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Edgar Hatcher, 1225 Eye Street, NW, #950 Washington, DC 20005	American Electronics Assn	2,000.00	116.56
Janet S. Hathaway, 1350 New York Ave., NW, #300 Washington, DC 20005	Natural Resources Defense Council	9,906.00	399.70
Hauck & Associates, 1255 23rd Street, NW Washington, DC 20037	National Oilseed Processors Assn	5,206.17	5,206.17
Howard M. Haug, 100 East 42nd St. New York, NY 10017	National Foreign Trade Council, Inc	4,500.00	
James N. Haug, 55 E. Erie Street Chicago, IL 60611	American College of Surgeons		
Barbara S. Haugen, 1401 New York Ave., NW, #720 Washington, DC 20005	National Assn of Insurance Brokers, Inc.		
Marilyn Beth Haugen, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc.		
Barbara J. Haugh, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California		2,649.34
Pamela Haughton-Denniston, 100 Maryland Ave., NE Washington, DC 20002	Religious Coalition for Abortion Rights	7,938.00	11.50
Charles W. Havens III, 1333 New Hampshire Avenue, NW, #1100 Washington, DC 20036	Leboeuf Lamb Leiby & MacRae		
James M. Hawes, 5527 Briar Drive Houston, TX 77506	Fidelity Pacific Group Inc		
Kathryn Joann Hawes, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Sidney G. Hawkes, 1667 K St., NW, #420 Washington, DC 20006	Mead Corporation		
Paul M. Hawkins, 1 Whispering Pines Court Hilton Head Island, SC 29926	Colonial Life & Accident Insurance Co		
Edmund S. Hawley, 555 13th St., NW, #450 West Columbia Square Washington, DC 20004	Union Pacific Corp	12,500.00	268.03
Deanne Watts Hay, 714 Capitol Federal Building Topeka, KS 66603	Sloan Listrom Eisenbarth Sloan & Glassman (For:Kansas Bankers Surety)		
David J. Hayes, 555 13th Street, NW Washington, DC 20004	Hogan & Hartson (For:American Electronics Assn)	2,500.00	16.38
Do	Hogan & Hartson (For:Mayhews Landing Associates)	835.00	2.37
Do	Hogan & Hartson (For:Semiconductor Industry Association)	1,668.75	17.77
Do	Hogan & Hartson (For:Tektronix, Inc)	1,125.00	13.05
Robert G. Hayes, Bogle and Gates One Thomas Circle, NW, #900 Washington, DC 20005	American Fishing Tackle Manufacturers Assn	2,000.00	
Do	Coastal Conservation Assn	2,000.00	
R. Michael Haynes, 1156 15th Street, NW, #1101 Washington, DC 20005	National Assn of Small Business Investment Cos	3,000.00	
Robert A. Haynos, 4711 Hunt Circle Harrisburg, PA 17112	Harsco Corporation	24,000.00	2,745.26
R. Dennis Hayward, P. O. Box 5554 Eugene, OR 97405	North West Timber Assn		2,132.68
Holly Elisabeth Hazard, 111 Massachusetts Ave., NW, #200 Washington, DC 20001	New England Anti-Vivisection Society	549.50	
Janis D. Hazel, 1250 Eye Street, NW, #200 Washington, DC 20005	Building Owners & Managers Assn Int'l		
Hazel Thomas Fiske Beckhorn & Hanes, 411 East Franklin Street, #600 Richmond, VA 23219	Mobil Oil Corporation	1,989.00	1,813.87
Paul Hazen, 1401 New York Ave., NW, #1100 Washington, DC 20005	National Cooperative Business Assn	10,000.00	121.58
Health Insurance Assn of America, Inc, 1025 Connecticut Ave., NW Washington, DC 20036		655.72	655.72
Robert (Rob) Healy Jr., 1201 New York Ave., NW Wasshington, DC 20005	American Public Transit Assn	4,280.00	55.00
Robert L. Healy, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	200.00	
Anne A. Heanue, 110 Maryland Avenue, NW, #101 Washington, DC 20002	American Library Assn	924.00	
David E. Hebert, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	2,000.00	265.00
William H. Hecht, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Airtrax)		
Do	Hecht Spencer & Associates, Inc (For:Bixby Ranch Co)		
Do	Hecht Spencer & Associates, Inc (For:Boy Scouts of America)		
Do	Hecht Spencer & Associates, Inc (For:Brown & Williamson Tobacco Corp)		
Do	Hecht Spencer & Associates, Inc (For:BATUS, Inc)		
Do	Hecht Spencer & Associates, Inc (For:Hong Kong Trade Development Council)		
Do	Hecht Spencer & Associates, Inc (For:Los Angeles Raiders)		
Do	Hecht Spencer & Associates (For:Marwais Steel Co)		
Do	Hecht Spencer & Associates, Inc (For:Organization for Fair Treatment of Int'l Investments (OFTII)).		
Do	Hecht Spencer & Associates (For:Traditional Industries, Inc)		
Hecht Spencer & Associates, Inc, 499 South Capitol Street, SW, #507 Washington, DC 20003	Airtrax	200.00	
Do	Bixby Ranch Co	1,000.00	
Do	Boy Scouts of America	1,000.00	
Do	Brown & Williamson Tobacco Corp	2,500.00	
Do	BATUS, Inc	3,000.00	
Do	Hong Kong Trade Development Council	1,500.00	
Do	Los Angeles Raiders		
Do	Marwais Steel Co	500.00	
Do	Organization for Fair Treatment of Int'l Investments (OFTII)		
Do	Texas Clinical Laboratories, Inc		
Do	Traditional Industries, Inc	1,000.00	
Jay Hedlund, 2030 M St., NW Washington, DC 20036	Common Cause	12,551.28	108.98
John Heffner, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
John F. Heilman, 807 Maine Ave., SW Washington, DC 20024	Disabled American Veterans	22,344.84	435.63
Robert M. Heine, 1701 Pennsylvania Ave., NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	105.00	
Scott E. Heisel, 735 N. Water Street, #908 Milwaukee, WI 53202-4105	American Malting Barley Assn, Inc.	675.00	
Richard L. Hellwege, 1225 Jefferson Davis Highway, #402 Arlington, VA 22202	Smiths Industries		
Robert W. Helm, 1000 Wilson Boulevard, #2300 Arlington, VA 22209	Northrop Corporation	3,000.00	61.43
Edward A. Helme, 444 N. Capitol Street, #526 Washington, DC 20001	Alliance for Acid Rain Control	3,732.00	169.00
Nancy Ginn Helme, Box 723 Washington Grove, MD 20880	Weil & Howe, Inc (for Champlain Pipeline Co)	700.00	
Do	Weil and Howe, Inc (for: Vermont Gas)	462.50	7.80
Thomas M. Helscher, 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co		911.60
Mike D. Helton, Kentucky Petroleum Council 305 Ann St., #403 Frankfort, KY 40601	American Petroleum Institute	1,500.00	2,136.89
Carol C. Henderson, 110 Maryland Ave., NE, #101, Box 54 Washington, DC 20002	American Library Assn	1,278.00	
Donald E. Henderson, 130 E. Washington Street Indianapolis, IN 46204	Indiana Farm Bureau, Inc.	6,000.00	3,493.35
Leonard N. Henderson, 1615 L St., NW, #1210 Washington, DC 20036	Metropolitan Life Insurance Co	1,000.00	
Wade J. Henderson, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	3,160.00	
Cedric R. Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Pierson & Hendricks (For:Multinational Business Services)	3,165.00	
Karen Hendricks, 1319 F Street, NW, #604 Washington, DC 20004	Association of Junior Leagues, Inc	4,375.00	615.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
C. Dayle Henington, 2000 Pennsylvania Ave., NW, #6200 Washington, DC 20006	Chicago Mercantile Exchange		
George F. Hennrikus Jr., 201 N. Washington St. Alexandria, VA 22314	Retired Officers Assn	7,143.00	
George H. Henry, 1130 Connecticut Ave., NW #1100 Washington, DC 20036	American Insurance Association	280.00	15.00
John Hugh Henry, 1735 Eye St., NW, #814 Washington, DC 20006	McDermott, Inc	8,900.00	1,274.26
LeAnn Hensche, 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	RJR Nabisco, Inc	1,190.00	64.84
M. Lyn Herdt, 1776 Eye Street, NW, #1000 Washington, DC 20006	BP America, Inc		
William Hermelin, 2215 Constitution Ave, NW Washington, DC 20037	American Pharmaceutical Assn		84.62
Catherine L. Heron, 1600 M St., NW Washington, DC 20036	Investment Company Institute	82.41	
Heron Burchette Ruckert & Rothwell, 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Ad Hoc Committee on Export Controls		2.56
Do	Aerojet-General Corp		1.69
Do	Agri-Business Corp of America		377.37
Do	Airship International Ltd	15,019.30	248.94
Do	Ambase	30,550.63	1,662.56
Do	American Meat Institute	16,764.76	716.24
Do	American Medical Technologists	13,026.25	17.25
Do	American Sod Producers Assn		22.98
Do	Claudia Ashton		1.69
Do	Asia Satellite Telecommunications, Ltd		529.18
Do	Association of Floral Importers of Florida		
Do	Association of Human Resource Consultants		
Do	ARCO	5,801.25	167.50
Do	Balanced Trade Group		8.48
Do	Bay Area Rapid Transit District		1.68
Do	Bechtel	8,018.75	1.69
Do	Bramelea Pacific		
Do	BKK Corp		
Do	C.B.I. Sugar Group, Inc	20,000.00	7,624.63
Do	California Almond Growers Exchange		
Do	California Central Valley Project Water Users Assn	13,992.58	1,045.73
Do	California CH2M Hill	216.05	7.37
Do	California Energy Commission	24,762.42	931.76
Do	California Kiwi Commission	10,392.00	
Do	California League of Food Processors	32,608.25	1,111.58
Do	California State Teachers' Retirement System	36,721.25	736.02
Do	Canada Cement LaFarge, Ltd		1.69
Do	Carteret Savings and Loan Assn	18,241.00	1,353.31
Do	Central Utah Water Conservancy District	19,800.75	1,111.61
Do	Chattanooga Neighborhood Enterprise	3,976.90	230.78
Do	City and County of Sacramento	17,230.00	2,266.13
Do	City of Birmingham, AL	15,000.00	1,252.79
Do	City of Newark	13,688.66	1,667.53
Do	City of Oakland		511.40
Do	Colorado-Ute Electric Assn, Inc	35.00	314.66
Do	Council of American Overseas Research Centers	2,586.07	1.69
Do	Desert Research Institute	5,080.00	8.00
Do	Downey Savings and Loan		
Do	East Kentucky Power Cooperative		36.25
Do	Electronic Data Systems Corp	20,997.25	68.03
Do	Farm Labor Alliance	49,168.64	564.06
Do	Friant Water Users	17,742.50	91.90
Do	General Atomics	14,399.24	777.19
Do	Girling Health Care, Inc	2,375.00	1.69
Do	Good Sam Club		13.69
Do	Government of the Virgin Islands		3.38
Do	Granite Rock Co	4,490.29	490.75
Do	Greenbrier Intermodal	14,487.50	1.69
Do	Halogenated Solvents Industry Alliance	11,920.00	56.95
Do	Independent Cement Corp		
Do	Inland Cement Limited		1.69
Do	International Apple Institute		
Do	Elizabeth (Becky) Johnson	8,374.26	301.50
Do	Kings River Conservation District	1,050.00	
Do	Lake Ontario Cement, Ltd		
Do	Las Vegas YMCA		
Do	Carl J. Maggio		161.06
Do	Management Recruiters International, Inc		218.88
Do	Metropolitan Dade County Office of County Manager		1.69
Do	Mid-Valley Water Authority	3,163.75	36.13
Do	Ministry of Commerce of the Gov't of the Kingdom of Thailand	24,737.74	820.18
Do	Mutual Benefit Life	34,017.50	1,503.41
Do	National Council on Teacher Retirement	19,657.50	981.69
Do	National Judicial College		53.33
Do	National Potato Council	28,000.00	167.85
Do	New York University	24,999.00	1,703.32
Do	Northern California Power Agency	440.00	83.56
Do	NTEC - Northeast Texas Electric Cooperative, Inc		456.66
Do	Ogden, Utah	4,100.00	72.38
Do	Organization of Professional Employees of USDA	2,264.50	260.91
Do	Orion Air	1,435.00	2.06
Do	Port of Oakland	21,645.00	1,452.53
Do	Renselear Development Corp		1,071.19
Do	Riverside Resorts	340.99	
Do	Ryder Systems, Inc	12,345.24	17.75
Do	Sabine River Authority	5,635.00	104.38
Do	Solano Water Authority	23,201.25	1,332.00
Do	South Dade Land Corp	42,870.00	787.72
Do	St. Lawrence Cement	3,692.86	14.69
Do	St. Mary's Cement		
Do	Stroh Brewing Company	26,762.83	727.00
Do	Sunkist Growers, Inc		43.88
Do	Tex-La		501.50
Do	Thai Steel Pipe Industry Assn		
Do	Trustees of Florida Lime & Avocado	41,742.33	1,039.38
Do	U.S. Mink Export Development Council	8,513.32	237.96
Do	United Van Lines, Inc	11,078.69	
Do	University of Medicine and Dentistry of New Jersey	16,035.75	1,892.16
Do	University of Miami	45,286.03	1,677.41
Do	University of Nevada/Reno	12,000.00	246.50
Do	Vermont Electric Cooperative	68.73	8.23
Do	W.E.S.T.		1.69
Do	Walnut Street Bridge Commission		
Do	Watsonville Food Processors Assn		172.11
Do	Watsonville Neighborhood Enterprise		453.28
Do	Welch Foods, Inc	1,764.00	1.69
Do	West African Millers Assn	9,955.51	771.63
Do	Westlands Water District	4,165.00	37.19
Do	Tesoro Petroleum Corp	1,500.00	
Jo-Ann T. Herrick, 1800 K Street, NW, #530 Washington, DC 20006	American Logistics Assn		80.35
Marsha Herzstein, 1133 15th Street, NW, #640 Washington, DC 20005	National Concrete Masonry Assn		245.38
John A. Heslip, P.O. Box 781 Herndon, VA 22070		17,250.00	13,515.31
Heublein, Inc, 16 Munson Road Farmington, CT 06034-0388	Computer & Business Equipment Manufacturers Assn	1,150.00	1,039.73
Ted Allen Heydinger, 311 First Street, NW, #500 Washington, DC 20001	American Electric Power Service Corp	333.88	1,066.84
Dale E. Heydlauff, 1667 K St., NW, #450 Washington, DC 20006	Eastman Kodak Company	450.00	210.00
David B. Hickerson, 1776 Eye Street, NW, #1050 Washington, DC 20006			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
George K. Hickox Jr., 246 Willcrest Houston, TX 77042	Fidelity Pacific Group Inc		
Paul T. Hicks, Rhode Island Petroleum Assn 395 Smith Street, #2 Providence, RI 02908	American Petroleum Institute	200.00	
Barbara L. Hiden, 1101 16th Street, NW Washington, DC 20036	National Soft Drink Assn	39.65	13.00
J. Thomas Higginbotham, 1455 Pennsylvania Ave., NW Washington, DC 20004	American Institute of Certified Public Accountants		2,306.49
John S. Hightower, 5700 Florida Blvd., #310 Baton Rouge, LA 70806	Louisiana-Pacific Corp	7,125.00	2,146.00
Vivian A. Hightower, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	200.00	
Clifton T. Hilderley Jr., 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	
John Hildreth, 1300 Guadalupe, #100 Austin, TX 78701	Consumers Union	1,000.00	20.00
Damian P. Hill, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Gerald 'Jerry' Hill, P.O. Box 5077 Atlanta, GA 30302	Amoco Corporation		
J. Eldred Hill Jr., 600 Maryland Ave., SW, #603 Washington, DC 20024	UBA, Inc	2,000.00	
Patricia Hill, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Robert B. Hill, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	600.00	586.07
Thomas M. Hill, 1726 M St., NW, #1100 Washington, DC 20036-4502	Pacific Gas & Electric Co	2,550.00	
Karen K. Hillenbrand, 1155 15th Street, #600 Washington, DC 20005	Pennzoil Company	519.23	
Edward Joseph Hillings, 1020 16th Street, NW Washington, DC 20036	Enron Corp	7,500.00	
John L. Hills, Rt. 1, Box 645 Purcellville, VA 22132	Sundstrand Corporation	741.00	457.61
John M. Himmelberg, 888 17th Street, NW, #900 Washington, DC 20006	Florida Fruit & Vegetable Assn	3,000.00	
Do	Florida Tomato Exchange	1,500.00	
Grace L. Hinchman, 1331 Pennsylvania Ave., NW, #600-2 Washington, DC 20004	Digital Equipment Corp	18,590.50	
Rick Hind, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	6,923.04	
Robert A. Hirsch, 1320 Braddock Place, #720 Alexandria, VA 22314	National Private Trucking Assn		
J. D. Hittle, 3137 S. 14th St. Arlington, VA 22204	KMS Industries, Inc	1,500.00	235.55
Kenneth Hoagland, 2000 K St., NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	3,702.00	
Lawrence S. Hobart, 2301 M St., NW, #300 Washington, DC 20037	American Public Power Assn	1,000.00	
Hobbs Straus Dean & Wilder, 1819 H St., NW, #800 Washington, DC 20006	Alaska Legal Services Corp		
Do	Menominee Indian Tribe	380.00	
Do	Spokane Legal Services Center		23.85
John C. Hockenbury, 901 15th Street, NW, #900 Washington, DC 20005	Drinker Biddle & Reath (For:Colonial Penn Life Insurance)	2,590.00	
Philip M. Hocker, 20 West Chapman Street Alexandria, VA 22301	Mineral Policy Center		56.00
Scott Hodes, 180 North La Salle St., #3800 Chicago, IL 60601	Investment Company Institute	15,000.00	
Deanna Hodge, 606 North Washington Street Alexandria, VA 22314	Society for Human Resource Management	15,000.00	
Ann C. Hodges, 500 E Street, SW, #920 Washington, DC 20024	Aircraft Owners and Pilots Assn	8,000.00	2,199.17
Sheridan T. Hodges, 23/333 Piedmont Ave. Atlanta, GA 30308	Georgia Power Company	8,070.00	3,376.36
Gail Hoffman, 1225 Eye St., NW #1100 Washington, DC 20005	Handgun Control, Inc	9,461.52	
William L. Hoffman, 516 First Street, SE Washington, DC 20003	American University of Beirut	11,856.00	3,778.89
Walter F. Hoffmann, 418 7th Street, SE Washington, DC 20003	Campaign for U.N. Reform-PEC	833.32	
F. Nordy Hoffmann and Assoc, Inc, 400 N. Capitol St., NW, #327 Washington, DC 20001	Archer Daniels Midland Company		
Do	Coca-Cola Company		
Do	Comdial, Inc	1,000.00	
Do	Marine Engineers' Beneficial Assn		
Do	Wilmorite, Inc		
Elizabeth Hogan, 1133 19th St., NW Washington, DC 20036	MCI Communications Corp	7,000.00	566.04
Joseph Michael Hogan Jr., 1701 Clarendon Boulevard Arlington, VA 22209	American Chiropractic Assn		
Hogan & Hartson, 555 13th St., NW Washington, DC 20004-1109	American Medical International, Inc	42,851.25	
Do	American Physical Therapy Assn		
Do	Amgen, Inc	405.00	
Do	C C Distributors, Inc, et al	50,845.00	
Do	Caremark Homecare, Inc		
Do	Dianon Systems, Inc		
Do	Fiber Optic Competition US, Inc		13.92
Do	Freightliner Corp		
Do	Manufacturers Hanover Trust Co		
Do	Mercedes-Benz of North America, Inc	16,627.50	
Do	Mutual Life Insurance Co of New York	18,750.00	
Do	National Hospice Organization	1,564.00	
Do	National Telecommunications Network		
Do	Ontario Ministry of Industry, Trade & Technology		
Do	Payload Systems, Inc		
Do	Software Co Task Force on Foreign Market Penetration	5,058.21	278.03
Do	Telecom USA, Inc	375.00	15.00
Do	Underwriters at Lloyd's London	1,518.75	576.99
Do	University of Pennsylvania		
Philip A. Hogue, 150 S. Washington St., #403 Falls Church, VA 22046	International Technical Expertise Ltd		
Richard F. Hohlt, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	3,510.00	10.00
Bruce E. Holbein, 111 Powdermill Rd. (b79) Maynard, MA 01754	Digital Equipment Corp	21,000.00	
Philip C. Holladay Jr., 1025 Connecticut Avenue, NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Holland & Knight, 888 17th St., NW, #900 Washington, DC 20006	Florida Celery Exchange		
Do	General Development Corp	1,710.00	
Do	Indian River Citrus League	500.00	
Do	Pan American Satellite Corp	1,710.00	
Wendell M. Holloway, 815 Connecticut Ave., NW, #900 Washington, DC 20006	Ford Motor Co	2,145.00	1,412.22
Holly Corporation, 2600 Diamond Shamrock Tower 717 North Harwood Street Dallas, TX 75201			
Holly Farms Corporation, 1755D Lynnfield Road, #149 Memphis, TN 38119			
Diane S. Holmes, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	525.00	233.50
Moses D. Holmes Jr., 1201 16th St., NW Washington, DC 20036	National Education Assn	3,155.25	55.50
Engin Inel Holmstrom, 2300 M Street, NW, #600 Washington, DC 20037	International Advisers, Inc (For:Embassy of Turkey)	2,144.99	
E. Y. Holt Jr., 3138 North 10th St., Arlington, VA 22201	National Assn of Federal Credit Unions		
Fred H. Holt, 119 Oronoco Street Box 1417-D50 Alexandria, VA 22313	Animal Health Institute	40.00	
John W. Holt, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	350.00	
John F. Holtz, NJ Petroleum Council 150 West State Street Trenton, NJ 08608	American Petroleum Institute		
Lois Holwerda-Hoyt, 600 Maryland Avenue, SW, #770 Washington, DC 20024	American Academy of Family Physicians	2,814.59	275.89
Home Recording Rights Coalition, P.O. Box 33576 1145 19th Street, NW Washington, DC 20033		90,000.00	69,901.34
Michael J. Hoogendyk, 706 E. Bell Road, #101 Phoenix, AZ 85022	National Assn of Mortgage Brokers	975.00	975.00
Billy E. Hooper, 1023 15th Street NW 3rd floor Washington, DC 20005	Association of American Veterinary Medical Colleges		
Candice Shy Hooper, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	5,570.00	2,405.02
Helen Hooper, 1785 Massachusetts Avenue, NW Washington, DC 20036	National Trust for Historic Preservation	1,250.38	
Lindsay Hooper, 453 New Jersey Ave., SE Washington, DC 20003	Winburn VanScoyoc & Hooper (For:Donaldson Lufkin & Genrette Securities, Corp)		
Do	Winburn VanScoyoc & Hooper (For:Hallmark Cards)	10,000.00	
Do	Winburn VanScoyoc & Hooper (For:Jackson National Life Insurance Co)	37,500.00	
Do	Winburn VanScoyoc & Hooper (For:Kansas City Southern Industries)	20,000.00	
Do	Winburn VanScoyoc & Hooper (For:KKR)	37,000.00	
Do	Winburn VanScoyoc & Hooper (For:MCorp)	50,000.00	
Do	Winburn VanScoyoc & Hooper (For:Odyssey Partners, LP)	30,000.00	
Do	Winburn VanScoyoc & Hooper (For:Oppenheimer & Co, Inc)		
Do	Winburn VanScoyoc & Hooper (For:Phlcorp)	18,750.00	
Do	Winburn VanScoyoc & Hooper (For:Trane Company)	10,000.00	
Do	Winburn VanScoyoc & Hooper (For:Utilicorp United, Inc)		
Mark Hopkins, 1725 K St., NW, #914 Washington, DC 20006	Alliance to Save Energy		
Virginia E. Hopkins, 1620 Eye St., NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Great American Broadcasting Co)		
Do	Taft Stettinius & Hollister (For:Kings Entertainment Co)		
Do	Taft Stettinius & Hollister (For:Telephone & Data Systems, Inc)		
Do	Taft Stettinius & Hollister (For:Wald Manufacturing Co, Inc)		
Hopkins & Sutter, Three First National Plaza, #4200 Chicago, IL 60602	Cash Station, Inc	2,760.00	14.00
Hopkins Sutter Hamel & Park, 888 16th Street, NW Washington, DC 20006	Comdisco		
Do	Estate of Helen Wodell Halbach		
Do	Grand Trunk Corp	3,254.25	43.06
Darnell K. Horio, 600 Maryland Ave., SW, #520 Washington, DC 20024	GPU Service Corporation	416.25	109.54
Bernard Horn, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	2,451.93	
Robert Jack Horn, 1990 M St., NW, #480 Washington, DC 20036	Detroit Edison Company	1,250.00	45.00
R. Kyle Horst, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America	726.00	
Sarah Hospodor, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	1,250.00	
Richard Leland Hosto, 1025 Connedcticut Ave., NW Washington, DC 20036	Panhandle Eastern Corp		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Thomas B. House, 1764 Old Meadow Lane #350 Mclean, VA 22102	American Frozen Food Institute		
Jack W. Houston, 900 N. Hairston Road, Suite D Stone Mountain, GA 30083	GA Assn of Petroleum Retailers, Inc.		
Hoving Group, 910 17th St., NW, #318 Washington, DC 20006	American Film Marketing Assn	1,833.37	347.78
Do	Saul Ewing Remick & Saul (For:Barnes & Tucker Co)	4,600.00	109.71
Do	Eagle-Picher Industries, Inc.	57,600.00	39,849.84
Do	Western-Southern Life Insurance Co	12,100.00	179.98
Gerald M. Howard, 15th & M Street, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
John Howard, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce		
Robert M. Howard, 1350 I Street, NW, #1000 Washington, DC 20005	Ford Motor Co	2,026.00	1,368.32
Roger W. Howard, 3253 E. Chestnut Expressway Springfield, MO 65802	Burlington Northern Railroad		
Allynn Howe, 101 Constitution Ave., NW Washington, DC 20001	United Brotherhood of Carpenters & Joiners of America	10,050.00	1,552.31
Christopher W. Howe, 1700 K Street, NW, #1200 Washington, DC 20006	Chevron USA, Inc	867.00	
Jonathan Howe, 1200 18th Street NW, #200 Washington, DC 20036	National Business Aircraft Assn	1,250.00	
Gary Howell, 1745 Jefferson Davis Highway, #605 Arlington, VA 22202	Texas Instruments, Inc	1,000.00	
J. William Howell, 1801 K St., NW, #1200 Washington, DC 20006	International Business Machines Corp	803.00	
James P. Howell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	1,417.50	
Mary Lynch Howell, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc.	1,500.00	280.00
John A. Howes, 1016 16th St., NW, 5th Floor Washington, DC 20036	Consumers Power Co.	6,000.00	6,998.00
Susan Howland, 20 Black Oak Mews Newtown, PA 18940	Philadelphia Maritime Exchange		
Clifford T. Howlett Jr., 1875 Eye St., NW, #775 Washington, DC 20006	Georgia-Pacific Corp	8,000.00	
Paul R. Huard, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	3,413.00	
David S. Hubbard, 1331 Pennsylvania Ave., NW, #910 Washington, DC 20004	American Cement Alliance	3,883.27	84.41
J. Martin Huber, 6931 Arlington Road, #308 Bethesda, MD 20814	National Assn of Surety Bond Producers		
Walter D. Huddleston, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Airtrax)		
Do	Hecht Spencer & Associates, Inc (For:Brown & Williamson Tobacco Corp)		
Do	Hecht Spencer & Associates, Inc (For:BATUS, Inc)		
Do	Hecht Spencer & Associates, Inc (For:Organization of Fair Treatment for Int'l Investments (OFTII)).		
Margaret Renken Hudson, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	3,401.75	300.00
Stewart Hudson, 1412 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	4,053.49	
Thomas H. Hudson, P.O. Box 2787 Baton Rouge, LA 70821	Coastal Corporation		
Do	Louisiana State University Foundation		
Do	Madison Public Affairs Group (for Philip Morris, USA, Inc)	1,225.00	
Do	United Gas Pipe Line Company		
Gary E. Hughes, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
James R. Hughes, 1020 19th St., NW, #700 Washington, DC 20036	U S West, Inc.	1,000.00	
Vester T. Hughes Jr., 1717 Main Street, Suite 2800 Dallas, TX 75201	Mrs. H. E. Butt		
Do	Holly Corp		
Do	Sammons Enterprises, Inc		
William Hughes, 1023 15th Street, NW, #300 Washington, DC 20005	National Assn of Federal Veterinarians	23.97	
F. Michael Hugo, 3414 N. Emerson Street Arlington, VA 22207	Michael Hugo & Associates (For:Geo Centers, Inc)	1,867.50	82.77
B. Jeanine Hull, 1001 30th Street, NW, #340 Washington, DC 20007	Hadson Power Systems		21,902.86
Brett Hulsey, Midwest Office 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	1,464.73	440.16
Margot Smiley Humphrey, 1150 Connecticut Avenue, NW Washington, DC 20036	Koteen & Naftalin (For:Alascom, Inc)		
Do	Koteen & Naftalin (For:Telephone & Data Systems, Inc)	3,300.00	80.50
Frances A. Hunt, 1400 16th Street, NW Washington, DC 20036	National Wildlife Federation	209.94	
Francis M. Hunt, 1776 Eye Street , N.W. Suite 575 Washington, DC 20006	Dow Chemical Co	500.00	5,546.00
Harriet Hunt-Burgess, 116 New Montgomery Street, 4th Floor San Francisco, CA 94105	Trust for Public Lands	2,935.60	728.79
James C. Hunter, 1747 Pennsylvania Avenue, NW, #300 Washington, DC 20006	OXY USA, Inc	388.50	110.00
Janet L. Hunter, Int'l Business-Gov't Counsellors, Inc 818 Connecticut Ave., NW, 12th Floor Washington, DC 20006	Xerox Corp	7,863.06	107.44
Michael M. Hunter, 1600 M St., NW Washington, DC 20036	International Telephone & Telegraph Corporation	3,800.00	88.00
William N. Hunter, 2104-A Gallows Road Vienna, VA 22180	W N Hunter & Associates	2,000.00	
W. N. Hunter & Associates, 2104-A Gallows Road Vienna, VA 22180			2,000.00
Charles G. Huntington, 600 Maryland Ave., SW, #770 Washington, DC 20024	American Academy of Family Physicians	2,625.00	71.99
Milton F. Huntington, Maine Petroleum Assn 283 Water St. Augusta, ME 04330	American Petroleum Institute	80.76	
Hunton & Williams, 2000 Pennsylvania Ave., NW, #9000 Washington, DC 20036	Copyright Justice Coalition		
Do	Long Island Lighting Co	1,000.00	
Adele M. Hurley, 112 St. Clair Ave., West, #401 Toronto, Ontario Canada M4V 2Y3	Canadian Coalition on Acid Rain	600.00	1,832.28
Gerard F. Hurley, 1625 I St., NW, #609 Washington, DC 20006	National Club Association		
Ronald A. Hurst, 1127 25th Street, NW, #610 Washington, DC 20037	American Managed Care & Review Assn		12.00
Cathy Hurwit, 1334 G Street, NW, LL Washington, DC 20005	Americans for Health, Inc./National Health Care Campaign	3,000.00	
Geoffrey B. Hurwitz, 1667 K St., NW, #1210 Washington, DC 20006	Rohm & Haas Co.	500.00	
Michael Hussey, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	950.34
Philip A. Hutchinson, 490 L'Enfant Plaza, #7204 Washington, DC 20024	Volkswagen of America, Inc.	150.00	15.00
James L. Hutchison, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc.		
Helena C. Hutton, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	2,500.00	
Randy Huwa, 2030 M St., NW Washington, DC 20036	Common Cause	11,203.11	11.50
Gary Hymel, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Asarco Inc)		
Do	Hill & Knowlton, Inc (For:AMR Corporation)	550.00	
Do	Hill and Knowlton (For:Brush/Wellman)		
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc (For:Church of Scientology International)	50.00	
Do	Hill & Knowlton, Inc (For:Colonial Williamsburg)		
Do	Hill & Knowlton, Inc (For:Panhandle Eastern Corp)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	2,150.00	
Do	Hill & Knowlton, Inc (For:Ryder Systems Inc)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton (For:Textron, Inc)		
Robert D. Hynes Jr., 1331 Pennsylvania Ave., NW Washington, DC 20004	National Broadcasting Co, Inc	1,000.00	107.76
Brian M. Hyps, 2215 Constitution Avenue, NW Washington, DC 20037	American Pharmaceutical Assn	500.00	60.00
J. William Ichord, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Unocal Corporation		1,248.27
Richard H. Ichord, 1001 Pennsylvania Ave., NW, #850 Washington, DC 20004	AAI Corporation	540.76	45.15
Kevin J. Igli, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc.	812.00	1,500.00
Kris H. Ikejiri, 2200 Mill Road, #600 Alexandria, VA 22314	Interstate Truckload Carriers Conference		
Catherine L. Imus, 1400 L Street, NW, #650 Washington, DC 20005	Braun & Company		
Independent Data Communications Manufacturers Assn, c/o Squire Sanders & Dempsey 1201 Pennsylvania Ave., NW Washington, DC 20004.		3,180.00	3,100.00
Industrial Biotechnology Assn, 1625 K Street, NW, #1100 Washington, DC 20006		1,924.01	1,924.01
Industrial Gas Cleaning Institute, Inc, 1707 L St., NW Washington, DC 20036			
Industrial Union Department, AFL-CIO, 815 16th St., NW, #301 Washington, DC 20006		19,628.86	19,628.86
Infant Formula Council, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342			
Charles E. Ing, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc	5,000.00	
Edwin T. C. Ing, 2000 Pennsylvania Ave., NW, #3310 Washington, DC 20006	Hawaiian Electric Industries, Inc		
Do	Kamehameha Schools/Estate of Bernice P. Bishop		
Do	U.S. Windpower, Inc.		
Margaret B. Ingraham, 1001 Prince Street Alexandria, VA 22314			
Charles W. Ingram, 305 C Street, NE, #309 Washington, DC 20002	S.K.C. & Associates	6,000.00	
Doug Inkley, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	210.47	
Larry R. Innis, 695 Americana Drive, #23 Annapolis, MD 21403	Marine Retailers Assn of America	15,000.00	1,265.00
Institute of International Bankers, East Building, 4th Floor 280 Park Ave. New York, NY 10017			
Institute of International Container Lessors, Bedford Consultants Building Box 605 Bedford, NY 10506		1,961.51	1,961.51
Int'l Union, United Auto Aerospace & Agric Implement Workers, Workers of America (uaw) 8000 E. Jefferson Avenue Detroit, MI 48214.		151,672.11	151,672.11
International Advisers, Inc, 2300 M Street, NW, #600 Washington, DC 20036	Embassy of Turkey	218,750.00	48,281.74
International Advisory Services Group, 1238 Wisconsin Ave., NW, #204 Washington, DC 20007	Steel Service Center Institute		
International Assn of Bridge Struct & Ornamental Iron Wkrs, 1750 New York Ave., NW Washington, DC 20006		13,240.94	24,040.94
International Brotherhood of Teamsters, 25 Louisiana Ave., NW Washington, DC 20001			47,833.02
International Business-Government Counsellors, Inc, 818 Connecticut Ave., NW 12th Floor Washington, DC 20006	Totes, Inc.		7.32
Do	Uniroyal Chemical Company, Inc	225.00	122.50
International Communications Industries Assn, 3150 Spring St. Fairfax, VA 22031		22,428.00	5,817.40
International Council of Shopping Centers, 665 Fifth Ave. New York, NY 10022		6,048.69	6,048.69
International Longshoremen's Assn, AFL-CIO, 17 Battery Place, #1500 New York, NY 10004			69,696.65
International Public Strategies, Inc, 1030 Fifteenth St., NW, #408 Washington, DC 20005	Government of Pakistan	71,250.00	16,576.63

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
International Taxicab Assn, 3849 Farragut Avenue Kensington, MD 20895			
International Union of Bricklayers & Allied Craftsmen, 815 15th St., NW Washington, DC 20005			20,895.36
Investment Company Institute, 1600 M St., NW Washington, DC 20036			61,203.90
Peter A. Iovino, 1350 I Street, NW, #1000 Washington, DC 20005	Ford Motor Co	2,275.00	1,012.32
Kathy D. Ireland, 1600 M Street, NW Washington, DC 20036	Investment Co Institute		
Charles C. Irions, 2200 Mill Rd. Alexandria, VA 22314	American Movers Conference	250.00	
Thomas L. Irmen, P.O. Box 119 Maumee, OH 43537	Andersons		
Iron Ore Lessors Assn, Inc, W-2081 First National Bank Bldg. Saint Paul, MN 55101		13,453.93	12,133.54
William Robert Irvin, 1400 16th Street, NW Washington, DC 20036	National Wildlife Federation	170.69	
Edrie Irvine, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	105.00	
Robert R. Isaacs, 711 South Fifth Ave. Nashville, TN 37203	Greyhound Lines, Inc	6,000.00	5,000.00
William A. Isokait, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Ivins Phillips & Barker, Chtd, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006	American Textile Manufacturers Institute, Inc		
Do	Bayer USA, Inc	32,325.00	
Do	Employee Relocation Council		
Do	Rochester Tax Council		
Kenneth M. Iwashita, 29400 Lakeland Boulevard Wickliffe, OH 44092	Lubrizol Corp		
Dennis J. Jackman, 1850 K Street, NW, #1195 Washington, DC 20006	Schering-Plough Corp	12,675.00	1,853.32
Bobby J. Jackson, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Charles R. Jackson, 225 North Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA	8,900.00	32,482.00
Glenn Jackson, 555 13th Street, NW, #300 West Washington, DC 20004	Interstate Natural Gas Assn of America	1,000.00	
Julia Jackson, 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn	5,000.00	489.99
Jeff P. Jacobs, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	1,200.00	
Stephen Jacobs, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,800.00	592.67
E. A. Jaenke & Associates, Inc, 777 14th St., NW, #666 Washington, DC 20005	National Cooperative Bank	900.00	
Do	University of Kansas	3,750.00	3,051.19
Jaffe Snider Raitt & Heuer, P.C., 1800 First National Building Detroit, MI 48226			
Edward L. Jaffee, 1730 Rhode Island Avenue, NW, #713 Washington, DC 20036	PPG Industries, Inc		
Khalil E. Jahshan, 2033 M Street, NW, #300 Washington, DC 20036	National Assn of Arab Americans	5,800.00	387.50
Claudia James, Box 17407 Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn	7,500.00	374.14
Jerry James, 816 Congress Ave., #501 Austin, TX 78701	ATC-ClayDesta Communications		
Jamin Ebell Bolger & Gentry, 323 Carolyn Street Kodiak, AK 99615	Old Harbor Native Corp	7,085.00	19,326.43
Japan Economic Institute of America, 1000 Connecticut Ave., NW Washington, DC 20036		1,461.00	1,461.00
Japanese American Citizens League, 1765 Sutter Street San Francisco, CA 94115		7,193.00	15,623.25
Joseph J. Jaquay, 5025 Wisconsin Ave., NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Marc R. Jartman, 175 Admiral Cochrane Drive Annapolis, MD 21401	UNC, Inc		
Jerry J. Jasinowski, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers	2,000.00	
Jeford-McManus International, Inc, 513 Capitol Court, NE, #300 Washington, DC 20002	Aerojet-General Corp	75.00	
Do	V. Garber Int'l Associates, Inc		
Do	ISC Defense & Space Group	100.00	
Do	John Deere Technologies, Inc	85.00	
Do	Litton Data Systems	50.00	
Do	McDonnell Douglas Corp	100.00	
Do	Piasecki Aircraft Corp	50.00	
Do	Raytheon Corp	100.00	
Joseph S. Jenckes, Suite 300 1710 Rhode Island Ave., NW Washington, DC 20036	Abbott Laboratories	5,000.00	
Linda Jenckes, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc	200.00	24.00
Jenner & Block, 21 Dupont Circle, NW Washington, DC 20036	MCI Communications Corp		
Carole P. Jennings, 7812 12th Street, NW Washington, DC 20012	American Academy of Nurse Practitioners	6,000.00	300.00
James C. Jennings, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc		
Rusty L. Jesser, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	3,800.00	
Nancy H. Jessick, 1331 Pennsylvania Ave., NW, #720 Washington, DC 20004	Hiram Walker & Sons, Inc		
Jet, Inc, 1100 Huntington Building Cleveland, OH 44115			
Jewish Peace Lobby, 4431 Lehigh Road College Park, MD 20740		33,135.00	16,967.00
Charles B. Jiggetts, 1331 Pennsylvania Ave., NW, #1300 North Washington, DC 20004	Electronic Data Systems Corp		
Ronald P. Johnsen, 1250 Eye St., NW, #703 Washington, DC 20005	Columbia Gas System Service Corp	175.00	465.28
Bruce Johnson, 655 15th Street, NW, #300 Washington, DC 20005	Far West Financial Corporation	1,000.00	53.00
Do	FAIC Securities, Inc	4,000.00	
Do	Kellner DiLeo & Co	6,000.00	228.00
Calvin P. Johnson, 815 16th Street, NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	18,563.55	208.00
Carl T. Johnson, 1235 Jefferson Davis Highway Crystal Gateway #1, Suite 501 Arlington, VA 22202	Compressed Gas Assn/Helium Advisory Council		
David H. Johnson, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
James W. Johnson Jr., 1156 15th Street, NW, #1019 Washington, DC 20005	United States Beet Sugar Assn		
Jane Leonard Johnson, P.O. Box 19109 Greensboro, NC 27419	Unifi, Inc		
Joel L. Johnson, 1250 Eye street, NW Washington, DC 20005	Aerospace Industries Association of America, Inc		
John W. Johnson, P.O. Box 35106 Minneapolis, MN 55435	American Collectors Assn	1,000.00	
Kay Johnson, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	764.00	
Mark R. Johnson, 1667 K Street, NW, #350 Washington, DC 20006	Maersk, Inc	2,500.00	
Nancie S. Johnson, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	300.00	
Nicholas Johnson, Box 1876 Iowa City, IA 52244			
Rady A. Johnson, 200 East Randolph Drive P.O. Box 87703 Chicago, IL 60680-9978	Amoco Corporation		
Richard W. Johnson Jr., 225 N. Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA	7,274.88	105.00
Stanley L. Johnson, 5344 29th St., NW Washington, DC 20015	Texaco, Inc		
Susan E. Johnson, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Coldwell Banker Real Estate Group	850.00	249.68
Tom L. Johnson, P.O.Box 2185 Austin, TX 78768	Associated General Contractors of Texas		
Johnson & Gibbs, P.C., 1001 Pennsylvania Ave., NW #745 Washington, DC 20004	Reese Communications Cos (for Philip Morris, USA, Inc)	1,875.00	332.81
Johnson Research Associates, 4429 Yuma Street, NW Washington, DC 20016	City of Virginia Beach	5,916.00	151.54
Barbara W. Johnston, 1700 K Street, NW, #502 Washington, DC 20006	BHP-UTAH International, Inc		98.19
David A. Johnston, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
George A. Johnston, 2000 K St., NW, 8th Foor Washington, DC 20006	National Comm to Preserve Social Security	6,208.00	
James D. Johnston, 1660 L St., NW, #401 Washington, DC 20036	General Motors Corp	3,600.00	44,417.24
Mary K. Jolly, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	1,117.02	54.24
Herbert A. Jolovitz, 7531 Sebago Road Bethesda, MD 20817	Owens-Corning Fiberglas	2,250.00	
Belva W. Jones, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Beverly E. Jones, 1819 L Street, NW, #900 Washington, DC 20036	Consolidated Natural Gas Co	1,500.00	1,342.26
Edwin M. Jones, 970 Summer Street Stamford, CT 06905-5518	Bentley Mosher & Babson, PC (For:United Engineering, Inc)	9,234.00	
Ernest W. Jones Jr., 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Franklin Jones, P.O. Box 1945 Albuquerque, NM 87103	Sutin Thayer & Browne, P.C. (For:R.J. Reynolds Tobacco USA)		
Randall T. Jones, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	2,925.00	
Robert L. Jones, 4647 Forbes Blvd. Lanham, MD 20706	Amvets	6,800.00	
T. Lawrence Jones, 2000 Pennsylvania Ave., NW, #9000 Washington, DC 20006	Marsh & McLennan Cos, Inc		
Wiley N. Jones, 816 Connecticut Ave., NW, 8th Floor Washington, DC 20006	Southern Pacific Transportation Co	1,000.00	500.00
William Patrick Jones, 1010 Duke Street Alexandria, VA 22314	American Assn of Port Authorities	10,625.00	2,000.00
Jones Day Reavis & Pogue, 1450 G Street, NW, #600 Washington, DC 20005-2088	AmeriTrust Co, Nat'l Assn		
Do	Castle-Harlan Inc		
Do	Centex Corp		
Do	Chevy Chase Savings Bank		
Do	Consumers for Competitive Fuels	9,843.75	126.00
Do	Day Kimball Hospital	675.00	
Do	Embassy of the People's Republic of China		
Do	Empire of America Federal Savings Bank		
Do	Fairfield Communities Inc	1,035.00	
Do	First Church of Christ-Scientists	3,968.75	6.00
Do	Greyhound Lines, Inc		
Do	Health Policy Coalition		
Do	Heron International, Ltd		
Do	Kentucky Utilities	17,156.25	79.00
Do	Laurel Industries, Inc		
Do	Los Angeles County	6,501.75	22.00
Do	Morgan Grenfell & Co, Ltd	5,474.00	9.00
Do	National Assn of State Auditors Comptrollers & Treasurers		
Do	National Beer Wholesalers Assn		
Do	Pfizer, Inc	430.00	11.35

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Preussag A.G.		
Do	Royal Trustco Ltd		
Do	RJR Nabisco, Inc		
Do	Southern California Edison Company	956.00	6.00
Do	Standard Federal Savings Bank		
Do	State Assn of County Retirement Systems		
Do	United Savings of America		
Do	USAA Federal Savings Bank		
Do	Westinghouse Electric Corp	1,650.00	
Do	Windham Community Memorial Hospital, Inc	675.00	8.00
G. Harris Jordan, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives	300.00	
David C. Jory, 1275 Pennsylvania Ave., NW, #503 Washington, DC 20004	Citicorp Washington, Inc	500.00	
Mary Lou Joseph, 2025 M Street, NW Washington, DC 20036	National Public Radio	17,254.75	753.32
Andrew P. Jovanovich, 2801 N. Somerset Street Arlington, VA 22213	Technology Services Group, Inc	3,060.00	
Ardon B. Judd Jr., 1100 Connecticut Ave., NW, #310 Washington, DC 20036	Dresser Industries, Inc		
Amy E. Judy, 2030 M St., NW Washington, DC 20036	Common Cause	6,000.00	
Robert E. Juliano Associates, 2555 M Street, NW, #303 Washington, DC 20037	American Express Co	15,000.00	
Do	ADAPSO, Inc		
Do	Hotel Employees & Restaurant Employees Int'l Union	29,750.00	1,857.22
Do	International Speedway Corp	9,000.00	
Do	National Academies of Practice		
Do	Stock Information Group	15,000.00	
Justice Fellowship, P.O. Box 17181 Washington, DC 20041			1,094.69
Geza Kadar Jr., 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc	100.00	8.00
Hans Kaehler, P.O. Box 118 Cold Spring Harbor, NY 11724			
Marilyn Kalusin, 7300 NW 35th Terrace, # 105 Miami, FL 33122	Cuban American Foundation	8,305.92	
Laurel B. Kamen, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
James L. Kane Jr., 1315 Vincent Place Mclean, VA 22101			
Donald J. Kaniewski, 905 16th St., NW Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	15,750.00	406.00
Dennis R. Kanin, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	Cambridge Redevelopment Authority	9,000.00	402.79
Do	Humane Society of the U.S., et al.	9,131.00	357.30
Do	Iroquois Gas Transmission Systems		721.74
Do	National Venture Capital Assn	9,246.00	1,302.00
Do	Thermedics, Inc		
Miles F. Kanne, P.O. Box 1608 Bloomington, IN 47402	Cook Group Incorporated	4,950.00	5,175.26
Martin B. Kanner, 2301 M St., NW Washington, DC 20037	American Public Power Assn	4,000.00	
James W. Kanouse, 1700 North Moore Street, 21st Floor Rosslyn, VA 22209	Boeing Company	7,200.00	1,216.08
Gerald Kaplan, 51 Madison Avenue New York, NY 10010	New York Life Insurance Co	390.00	198.00
S. Steven Karalekas, 1250 Connecticut Avenue, NW, #318 Washington, DC 20036	Karalekas & McCahill (For:Allpoints International, Inc.)	2,000.00	120.45
Do	Karalekas & McCahill (For:Firestone Tire & Rubber Co, et al.)	6,000.00	75.30
Do	Karalekas & McCahill (For:Gates Rubber Company)	4,000.00	56.50
Do	Karalekas & McCahill (For:National Agriculture Aviation Assn)	4,000.00	26.31
Gene Karpinski, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	7,730.76	
Barry Kasinitz, 1750 New York Avenue, NW Washington, DC 20006	International Assn of Fire Fighters	8,016.00	
Michael E. Kastner, 1350 New York Ave., NW, #800 Washington, DC 20005-4797	National Truck Equipment Assn	3,000.00	141.25
Steven L. Katz, 2000 M Street, NW, #400 Washington, DC 20036	People for the American Way	5,250.00	42.50
Robert C. Kaufmann, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc		
Everett E. Kavanaugh, 1110 Vermont Ave., NW, #800 Washington, DC 20005	Cosmetic Toiletry & Fragrance Assn, Inc		
Bronwen A. Kaye, 1575 Eye St., NW, #200 Washington, DC 20005	American Cyanamid Co	522.50	599.48
Kevin B. Kearney, 14 Webb Road Cabin John, MD 20818	American Sunbathing Assn, Inc		200.00
Richard F. Keating, 1211 Connecticut Ave., NW, #502 Washington, DC 20036	Anheuser-Busch Companies, Inc		
Keck Mahin & Cate, 1201 New York Ave., Penthouse Washington, DC 20005	American Assn for Marriage & Family Therapy	657.50	
Do	General Instrument Corporation		
Robert J. Keefe, 444 N. Capitol Street, #711 Washington, DC 20001	Keefe Company (For:Alarm Industry Communications Committee)		
Do	TKC International (For:International Public Relations Co, Ltd)		
Do	Keefe Co (For:Sanders Associates, Inc)		
Do	TKC International (For:UNIAO Nacional Para Independencia Total DeAngola)		
J. Michael Keeling, Zuckert Scoutt & Rasenberger 888 17th Street, NW, #600 Washington, DC 20006	American Truck Dealers	394.50	
Do	ESOP Association of America	3,750.00	
Do	National Assn of Royalty Owners, Inc	111.00	
Do	Small Business Council of America		
John R. Keeling, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	6,095.00	53.00
Vicki R. Keenan, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	5,250.00	
Joan F. Keiser, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	250.00	
Kendell W. Keith, 725 15th Street, NW Washington, DC 20005	National Grain & Feed Assn		
William D. Kelleher, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	2,500.00	
Keller & Heckman, 1150 17th Street, NW, #1000 Washington, DC 20036	Specialty Advertising Assn Int'l		
John T. Kelley, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	500.00	
Paul J. Kelley, 2727 North Central Ave. Phoenix, AZ 85004	U-Haul Intl, Inc	4,000.00	
Kelley Drye & Warren, 2300 M Street, NW Washington, DC 20037	City of Baltimore	12,958.00	12,958.00
Do	Coalition to Preserve the Low Income Housing Tax Credit	2,000.00	
Do	Council for Rural Housing & Development	1,000.00	
Do	Cushman & Wakefield		
Do	Fuji Electric Co, Ltd		
Do	Institute for Responsible Housing Preservation	2,000.00	
Do	J.P. Morgan & Co, Inc	775.50	
Do	National Glass Assn	3,129.00	3,129.00
Do	National Independent Automobile Dealers Assn	11,335.00	11,335.00
Do	National Leased Housing Assn	2,000.00	
Do	Pryopower	6,160.00	6,160.00
Do	Society for Human Resources Management		
Do	Tokyo Electric Co, Ltd		
Do	U.S. League of Savings Assns		
Joseph T. Kelliher, 410 First St., SE Washington, DC 20003	American Nuclear Energy Council	2,025.00	1,011.87
Stephen S. Kellner, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn, Inc	205.10	
Brian J Kelly, One Constitution Square New Brunswick, NJ 08901-1500	New Jersey State Bar Association	36,000.00	
Donald E. Kelly, Public Affairs Office 600 New Hampshire Ave., NW, #1111 Washington, DC 20037	Society of Real Estate Appraisers	1,750.00	
Edward L. Kelly, 1319 F Street, NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	
Ernest B. Kelly III, 950 L'Enfant Plaza, SW Washington, DC 20024	Communications Satellite Corp	1,500.00	32.60
Harold V. Kelly, 1025 Thomas Jefferson St., NW, #511 W. Washington, DC 20007	LTV Corporation		
John F. Kelly, 1828 L Street, NW # 906 Washington, DC 20036	Merrill Lynch & Co, Inc	1,500.00	
Paul A. Kelly, 1350 I Street, NW, #1000 Washington, DC 20005	Ford Motor Company	425.00	158.25
Paul T. Kelly, 1701 Clarendon Boulevard Arlington, VA 22209	American Chiropractic Assn		
Susan N. Kelly, 1101 14th Street, NW, #1400 Washington, DC 20005	Miller Balis & O'Neil, P.C. (For:American Public Gas Assn (APGA))		
William N. Kelly, Norwest Center- Sixth and Marquette Minneapolis, MN 55479-1032	Norwest Corporation	6,000.00	3,003.50
Mark L. Kemmer, 1660 L Street, NW, #401 Washington, DC 20036	General Motors Corp	2,500.00	2,929.83
Coletta Kemper, 1401 New York Avenue, NW, #720 Washington, DC 20005	National Assn of Insurance Brokers, Inc		
Jackson Kemper Jr., 1215 Jefferson Davis Hwy., #1004 Arlington, VA 22202	Diagnostic/Retrieval Systems, Inc	8,750.00	
Kemper Reinsurance Company, Long Grove, IL 60049			238.14
Jonathan Kempner, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council	3,275.00	3,275.00
Kendall & Associates, Inc, 50 E St., SE Washington, DC 20003	ALC Communications Corp	250.00	
Do	Manville Corporation	1,500.00	
Do	Perkinson and Associates		
Do	Rose Communications		
Do	Toyota Motor Sales, USA, Inc	2,500.00	
Do	Worldwide Information Resources, Inc		
John Kendrick, 1000 Wilson Blvd., #2800 Arlington, VA 22209	Grumman Corporation	625.00	2,768.85
Joseph W. Kennebeck, 490 L'enfant Plaza, SW, #3210 Washington, DC 20024	Volkswagen of America, Inc	350.00	40.00
Art Kennedy, Box 200576 Anchorage, AK 99520	Koniag, Inc	19,336.00	21,026.15
David Kennedy, 500 E Street, SW, #920 Washington, DC 20024	Aircraft Owners and Pilots Assn	5,000.00	884.99
James J. Kennedy Jr., 400 First St., NW, #804 Washington, DC 20001	Railway Labor Executives' Assn	11,250.00	
Maureen Kennedy, 122 C Street, NW, #875 Washington, DC 20001	Robert A. Rapoza Associates (For:Local Initiatives Support Corp)	3,420.00	
Michael E. Kennedy, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Patricia Kennedy, 1100 Connecticut Ave., NW, #900 Washington, DC 20036	Chrysler Corporation	2,100.00	400.00
Robert P. Kennel, 12500 Fair Lakes Circle, #260 Fairfax, VA 22033	National Wood Energy Assn, Inc		
Do	Ultrasystems, Inc		
Erica G. Kenney, 499 South Capitol St., SW, #520 Washington, DC 20003	Petroleum Marketers Assn of America	1,250.00	
Jeremiah J. Kenney Jr., 1100 15th Street, NW, #1200 Washington, DC 20005	Union Carbide Corp		
Brendan Kenny, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	5,050.00	730.99
Henry J. Kenny, 122 C Street, NW, #740 Washington, DC 20001	American League for Exports & Security Assistance	6,250.00	39.93
J. H. Kent, Kent & O'Connor, Inc 1825 K Street, NW, #305 Washington, DC 20006	American Soc of Plastic & Reconstructive Surgery	1,500.00	785.71
Do	American Supply Association	1,000.00	523.81
Do	International Assn of Airport Duty Free Stores	1,000.00	523.81
Do	National Customs Brokers & Forwarders Assn of America	4,100.00	2,095.28
Elizabeth Kepley, 601 Pennsylvania Ave., NW, #901 Washington, DC 20004	Focus on the Family	10,037.88	
Alison A. Kerester, 1350 I Street, NW #700 Washington, DC 20005	Beveridge & Diamond (For:FMC Corporation)		3,577.50
Michael L. Kerley, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	2,300.00	144.00
Susan Akers Kernus, 1330 Connecticut Ave., NW, #300 Washington, DC 20036	Synthetic Organic Chemical Manufacturers Assn, Inc	1,000.00	254.94
Michael J. Kerrigan, 2550 M Street, NW, #300 Washington, DC 20037	Smokeless Tobacco Council, Inc		
Evelyn Verna Keyes, 1455 Pennsylvania Avenue, NW, #1170 Washington, DC 20004	Farley Industries		
G. Chandler Keys III, 1301 Pennsylvania Avenue, NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Richard F. Kibben, 200 Park Ave., #2222 New York, NY 10166	Business Roundtable		
Ingolf N. Kiland Jr., 1660 L Street, NW, #401 Washington, DC 20036	General Motors Corp	3,000.00	3,196.80
Thomas J. Kilcline, 201 North Washington Street Alexandria, VA 22314	Retired Officers Assn	907.01	
John J. Killeen, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc	600.00	150.00
Kilpatrick & Cody, 2501 M St., NW, #500 Washington, DC 20037	Kootznoowoo, Inc	290.00	8.00
Phillips Kimball Jr., 8224 Old Courthouse Road Vienna, VA 22180	Sheet Metal & Air Conditioning Contractors' Nat'l Assn		
Richard H. Kimberly, 1201 Pennsylvania Avenue, NW, #730 Washington, DC 20004	Kimberly-Clark Corp	2,730.00	185.30
Kimberly-Clark Corp, Texas Commerce Bank Building 545 E. Carpenter Freeway Irving, TX 75062-3931			3,655.30
James L. Kimble, 1130 Connecticut Avenue, NW, #1000 Washington, DC 20036	American Insurance Assn		
Lewis O. King, P.O. Box 10045 Austin, TX 78766	National Guard Assn of Texas	7,000.00	96.76
W. Russell King, 50 F St., NW, #1050 Washington, DC 20001	Freeport McMoran D.C., Inc	5,000.00	107.17
King & Spalding, 1730 Pennsylvania Ave., NW, #1200 Washington, DC 20006	Alliance for Capital Access		
Do	Charter Medical Corp	3,563.28	17.67
Do	Generic Pharmaceutical Industry Assn		
Do	Georgia International Investment Coalition	1,648.46	44.65
Do	GPIA-Animal Drug Alliance		
Do			
Do	Lincoln Property Co, et al		
Do	National Assn of Bond Lawyers		27.00
Do	National Pharmaceutical Alliance		
Do	Trammell Crow Co		
King Shapiro Cohen & Young, 3100 Breckinridge Blvd., Bldg. 1200 Duluth, GA 30136	A. L. Williams Corp		
Ruby King-Williams, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Kathleen N. Kingscott, 1801 K Street, NW, #1200 Washington, DC 20006	IBM Corp		
Daniel T. Kingsley, 1655 N. Fort Myer Dr., #700 Arlington, VA 22209	National Venture Capital Association	26,400.00	2,600.39
Roger P. Kingsley, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
Janie A. Kinney, 1615 L Street, NW, #1320 Washington, DC 20036	Merck & Co, Inc	575.00	175.00
Marcia Y. Kinter, 10015 Main Street Fairfax, VA 22031-3489	Screen Printing Assn International		
Cecilia Anne Kirby, 1201 New York Ave., NW Washington, DC 20005	American Hotel & Motel Assn	380.89	
John R. Kirk, Bingham, Dana & Gould 150 Federal Street Boston, MA 02110	First National Bank of Boston		
Kirkland & Ellis, 655 15th Street, NW, #1200 Washington, DC 20005	Corning Glass		
Do	General Motors Corp	8,062.50	
Do	Service Master	2,475.00	
Do	Valhi, Inc		
Kirkpatrick & Lockhart, 1800 M St., NW, S. Lobby, #900 Washington, DC 20036	American Chipper Knife Coalition	550.00	
Do	Columbia Pictures Industries, Inc		
Do	Goldman Sachs & Co		
Do	Grocery Manufacturers of America, Inc		
Do	Tuscaloosa Steel Corp		
Kirlin Campbell & Keating, One Farragut Square South Second Floor Washington, DC 20006	Council of European & Japanese National Shipowners' Assn	16,380.00	646.40
Robert A. Kirshner, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	500.00	
Mary Brice Kirtley, 888 17th Street, NW, #300 Washington, DC 20006	ConAgra, Inc	1,000.00	
David M. Kiser, 1919 Pennsylvania Ave., NW, #705 Washington, DC 20006	Eastman Kodak Co	350.00	120.00
Carla Kish, D & R International 962 Wayne Avenue, #800 Silver Spring, MD 20910	Florida Solar Energy Center	3,000.00	
Do	University of Oregon	2,000.00	
Sam Kito Jr., P.O. Box 210575 Anchorage, AK 99521-0575	Kito, Inc (For:North Slope Borough)	3,000.00	4,991.85
Do	Kito, Inc (For:Sealaska Corporation)	26,612.50	7,108.96
Sandra D. Kjellberg, 1133 15th Street, NW, #600 Washington, DC 20005	Maritime Institute for Research & Industrial Development	3,281.00	568.00
Dean Kleckner, 225 Touhy Avenue Park Ridge, IL 60068	American Farm Bureau Federation	3,575.00	
William Klinefelter, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	3,864.21	
Jeffery L. Klinger, 122 C Street, NW, #240 Washington, DC 20001	Peabody Holding Company, Inc		82.89
Mary Jane Klocke, 1025 Connecticut Ave., NW Washington, DC 20036	Shell Oil Co	500.00	
David M. Klucsik, 1415 Wyckoff Road Wall, NJ 07719	New Jersey Natural Gas Co		
Glenn Knapp, 773 Dartmouth Ave. San Carlos, CA 94070			
Theodore Knappen, 1101 14th Street, NW, #1201 Washington, DC 20005	Greyhound Lines, Inc	18,000.00	
John A. Knebel, 1920 N Street, NW, #300 Washington, DC 20036	American Mining Congress		
Peter E. Knight, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	19,000.00	544.44
Knights of Columbus, 1275 Pennsylvania Ave., NW, #501 Washington, DC 20004-2404			657.00
Keith R. Knoblock, 1920 N St., NW Washington, DC 20036	American Mining Congress	40.00	5.85
Albert B. Knoll, 555 13th Street, NW, #1010 East Washington, DC 20004-1109	Sun Co, Inc	2,000.00	1,961.60
Mark S. Knouse, 555 Thirteenth Street, NW, #450 West Washington, DC 20004	Union Pacific Corporation	13,750.00	1,104.17
Bradley R. Koch, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	108.50	
George W. Koch, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc	90.00	
David G. Koenig, 1050 17th Street, NW, #500 Washington, DC 20036	Texaco, Inc	60.00	
Stanley E. Kolbe Jr., 305 4th Street, NE Washington, DC 20002	Sheet Metal & Air Conditioning Contractors National Assn		342.50
Michael S. Koleda, 1225 Eye St., NW, #320 Washington, DC 20005	Council on Alternate Fuels		
Ann Kolker, 1616 P Street, NW, #100 Washington, DC 20036	National Women's Law Center		84.50
Diane J. Koller, 1101 17th St., NW, #600 Washington, DC 20036	American Airlines, Inc	2,500.00	241.65
Timothy S. Kolly, 2805 Meadow Vista Drive Charlottesville, VA 22906	Worrell Enterprises, Inc		
Stephen Koplan, 1455 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Joseph E. Seagram & Sons, Inc	1,600.00	
George S. Kopp, 2121 K Street, NW, #650 Washington, DC 20037	Global USA, Inc (For:Earth Observation Satellite Company (EOSAT))		
Steven Kopperud, 1701 N. Ft. Myer Drive Arlington, VA 22209	American Feed Industry Assn	3,240.00	400.00
Kerrill K. Kornegay, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	2,093.00	2,477.62
Ronald W. Kosh, 12600 Fair Lakes Circle Fairfax, VA 22033-4900	AAA Potomac		
Stephen M. Koslow, 1150 17th Street, NW, #400 Washington, DC 20036	AFL-CIO Maritime Committee		
Marilyn S. Koss, 600 New Hampshire Ave., NW Washington, DC 20037	New York Life Insurance Company	368.00	32.00
Kostmayer Communications, Inc, 2300 M Street, NW #920 Washington, DC 20037	Coalition for Auto Repair Choice		
Do	Coalition of American Steel Using Manufacturers		
Barbara M. Kostuk, 1025 Thomas Jefferson Street, NW, #511 Washington, DC 20007	LTV Corp	1,000.00	200.00
Gerald J. Kovach, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	48,695.75
Kenneth S. Kovack, 815 16th St., NW, #706 Washington, DC 20006	United Steelworkers of America	12,624.99	
Joan M. Kovalic, 955 L'Enfant Plaza, SW, 6th Fl. Washington, DC 20024	BASF Corp	145.00	26.00
Mylio S. Kraja, 1608 K St., NW Washington, DC 20006	American Legion	4,056.00	297.05
Joseph H. Kramer III, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:HTB Corporation)		
Alan M. Kranowitz, 1725 K Street, NW, #710 Washington, DC 20006	National Assn of Wholesaler-Distributors		
Stephen W. Kraus, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	1,000.00	
Raymond R. Krause, 3771 Pillsbury Center Minneapolis, MN 55402	Pillsbury Company	1,500.00	548.00
Robert S. Krebs, 12600 Fair Lakes Circle Fairfax, VA 22033-4904	AAA Potomac		
Earl R. Kreher, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	253.35	
Van Z. Krikorian, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America		
Kroger Company, 1014 Vine St. Cincinnati, OH 45201			6,463.82
Robin L. Kropf, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	25.00	
Keith R. Krueger, 1527 Wisconsin Avenue, NW Washington, DC 20007	US West Communications	6,000.00	726.17
Paul R. Kruse, 1155 15th St., NW, #600 Washington, DC 20005-2770	Pennzoil Co	625.00	
James S. Krzyminski, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ronald W. Kuehn, 2 East Mifflin Street, #600 Madison, WI 53703	DeWitt Porter Huggett Schumacher & Morgan, SC (For:Becker CPA Review Courses)	318.00	93.79
M. J. Kuehne, P.O. Box 11346 Tacoma, WA 98411	Northwest Independent Forest Manufacturers	1,500.00	949.00
Philip Kugler, 555 New Jersey Ave., NW Washington, DC 20001	American Fed of Teachers		
Thomas R. Kuhn, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	2,417.58	158.43
Kurrus & Kirchner, P.C., 1055 Thomas Jefferson St., NW, #418 Washington, DC 20007	American Pilots' Assn	11,250.00	175.84
Do	St. Lawrence Seaway Pilots Assn	3,612.00	105.79
Ester Kurz, 440 First Street, NW, 6th Floor Washington, DC 20001	American Israel Public Affairs Comm	22,350.00	297.56
Kutak Rock & Campbell, 1101 Connecticut Ave., NW, #1000 Washington, DC 20036	America First	13,620.77	419.86
Do	Financial Security Assurance		406.10
Do	Municipal Bond Insurance Assn	6,546.25	516.13
John R. Kyte, 201 Massachusetts Avenue, NE, #5 Washington, DC 20002	BMc Strategies, Inc	2,250.00	2,459.51
James La Sala, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Labor Bureau, Inc, 1101 15th Street, NW, #1010 Washington, DC 20005			
Laborers' Intl Union of North America, AFL-CIO, 905 16th St., NW Washington, DC 20006			35,639.84
Joseph L. Lach, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corp	500.00	
Janice R. Lachance, 80 F Street, NW Washington, DC 20001	American Federation of Government Employees	14,017.08	
Marc E. Lackritz, 1000 Vermont Ave., NW, #800 Washington, DC 20005	Public Securities Assn	12,500.00	91.40
John D. Lacopo, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004	EDS Corporation		
Bruce C. Ladd Jr., 1350 I Street, NW Washington, DC 20005	Motorola, Inc	16,500.00	110.00
Katherine D. Ladd, 1500 K Street, NW, #650 Washington, DC 20005	Glaxo, Inc		
Robert A. Ladig, Scott Plaza Philadelphia, PA 19113	Scott Paper Co	2,100.00	936.40
Myron F. Laible, 1212 New York Ave., NW #1210 Washington, DC 20005	Outdoor Advertising Assn of America, Inc		
Ellen C. Lamb, 1015 18th St., NW Washington, DC 20036	Conference of State Bank Supervisors	275.62	
Gerard F. Lamb, 2341 Jefferson Davis Hwy, #1100 Arlington, VA 22202	Bath Iron Works Corp	5,000.00	
Robert Lamb, 1627 Eye St., NW Washington, DC 20006	McGuire Woods Battle & Boothe (For:Combined Sewer Overflow)	5,000.00	
Do	James River Corp	5,000.00	
Do	National Paint & Coatings Assn	5,000.00	
Do	Occidental Chemical Corp	5,000.00	
Do	Occidental Petroleum Corp	5,000.00	
Do	Sun Company, Inc	5,000.00	
David P. Lambert, 1800 K St., NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
David R. Lambert, 1030 15th St., NW, #964 Washington, DC 20005	American Seed Trade Assn	6,000.00	
Stephen K. Lambright, One Busch Place St. Louis, MO 63118	Anheuser-Busch Companies, Inc		
Martha D. Lamkin, P.O. Box 3005 Columbus, IN 47202	Cummins Engine Co, Inc	7,691.00	1,461.69
Ray H. Lancaster, 555 13th Street, NW, #430 West Washington, DC 20004	Texas Gas Transmission Corp	3,000.00	160.34
Henry Lancaster, Inc, 550 West Seventh Ave., #1395 P.O. Box 10-3461 Anchorage, AK 99510	BP Exploration (Alaska), Inc	15,000.00	14,081.68
L. Charles Landgraf, 1333 New Hampshire Avenue, NW Washington, DC 20036	Leboeuf Lamb Leiby & MacRae		
Thomas M. Landin, P.O.Box 7929 One Franklin Plaza Philadelphia, PA 19101	SmithKline Beckman Corp		
Landis Cohen Rauh & Zelenko, 1019 19th St., NW, #500 Washington, DC 20036	American Soc of Composers Authors & Publishers		
Do	National Council for Japanese American Redress	2,500.00	
Do	NFL Players Association	4,000.00	
Maria Landolfo, 1126 16th St., NW Washington, DC 20036	Int'l Union of Electronic Electrical Sal Mach & Furn Workers	13,163.91	
Phyllis Landrieu, 4600 Venus Street New Orleans, LA 70112	National Medical Enterprises, Inc		
David W. Landsidle, 1710 Rhode Island Avenue, NW, #300 Washington, DC 20036	Abbott Laboratories	4,000.00	
Bruce Alan Landy, 2601 Virginia Avenue, NW Washington, DC 20037	B.A.L. Co		
Do	Cryogenic Vacuum Technology Co		
Do	FAA-Congress Watch		
Do			
Scott H. Lane, 412 First Street, SE Washington, DC 20003	National Automobile Dealers Assn	3,300.00	
William C. Lane, 100 N.E. Adams Street Peoria, IL 61629-1460	Caterpillar, Inc	250.00	538.12
Lane Powell Moss & Miller, 1301 Fifth Ave. Seattle, WA 98101	Afognak Joint Venture		
Adrienne C. Lang, 1111 14th Street, NW, #501 Washington, DC 20005	American Soc of Anesthesiologists	5,000.00	
Robert K. Lange, 1700 N. Moore St., #2120 Arlington, VA 22209	Boeing Company	3,135.00	1,414.31
Roger W. Langsdorf, 1600 M Street, NW Washington, DC 20036	ITT Corporation	5,000.00	6.00
Robin W. Lanier, 1000 Connecticut Ave., NW Washington, DC 20036	National Retail Merchants Assn	4,000.00	46.25
George D. Lapointe, 444 North Capitol Washington, DC 20001	International Assn of Fish and Wildlife Agencies	10,475.04	268.26
J. Stephen Larkin, 9225 Katy Freeway, #310 Houston, TX 77024	Petroleum Equipment Suppliers Assn	2,250.00	
Peter J. Larkin, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	200.00	
Richard Eugene Larochelle, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	650.00	
Mary Ellen Larson, 1420 King Street Alexandria, VA 22314-2715	National Soc of Professional Engineers	1,250.00	
Reed E. Larson, 8001 Braddock Road, #600 Springfield, VA 22160	National Right to Work Committee		
Warren Lasko, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America		
Latham & Watkins, Sears Tower, #5800 Chicago, IL 60606	Ocenco, Inc	540.45	
Delbert L. Latta, 516 Hillcrest Dr. Bowling Green, OH 43402	Calderon Automation, Inc	14,748.00	1,992.37
Do	Freedom Fund of New Jersey, Inc	15,000.00	357.45
Do	Spangler Candy Company	5,000.00	192.00
Do	Standard Products Co	5,000.00	192.00
K.P. Lau, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	8,725.01	889.68
Daniel Lauwers, 1840 Wilson Blvd Arlington, VA 22201	National Milk Producers Federation	2,080.00	
Lorraine Lavet, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S	2,100.00	230.66
Charles B. Lavin Jr., 7101 Wisconsin Ave., #1390 Bethesda, MD 20814	National Burglar & Fire Alarm Assn, Inc		
Kathryn M. Lavriha, P.O. Box 1417-D49 Alexandria, VA 22313	National Association of Chain Drug Stores, Inc	500.00	
Jonathan Lawnniczak, 925 15th St., NW Washington, DC 20005	National Council of Senior Citizens	5,000.00	
George H. Lawrence, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	4,000.00	
Lloyd R. Lawrence Jr., Bob Lawrence & Associates 803 Prince Street Alexandria, VA 22314	Valmont Industries, Inc	3,000.00	400.00
Bob Lawrence & Associates, 803 Prince St. Alexandria, VA 22314	Mechanical Technology Incorporated	3,000.00	400.00
Elizabeth Lawson, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S	5,147.86	28.95
Keith Lawson, 1600 M Street, NW Washington, DC 20036	Investment Company Institute		
Laxalt Corporation, 1455 Pennsylvania Ave., NW, #985 Washington, DC 20004	Boone Company	3,300.00	
Do	Mesa Limited	2,000.00	
Do	Milliken & Co		
Do	Motion Picture Assn of America, Inc	1,500.00	
Laxalt Washington Perito & Dubuc, 1120 Connecticut Ave., NW Washington, DC 20036	American College of Neuropsychopharmacology		
Do	AVW Electronics		
Do	BTS Development Corp		
Do	City of Oakland		
Do	Cohen Flax Management		
Do	Government of the People's Republic of Angola	305.00	
Do	Government of Antigua		
Do	Greenebaum & Rose Associates		
Do	Healthdyne, Inc		
Do	Home Group		
Do	Martin Marietta Corporation		
Do	Nordisk-USA	550.00	
Do	Optur	508.00	
Do	Standard Federal Savings Bank	327.00	
Do	Yukon Pacific Corp		
Jennifer Layman-Heitman, 2030 M Street, NW Washington, DC 20036-0	Common Cause	5,200.03	
Sandra L. LaFevre, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Sally Ann LaHue, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	13,000.00	145.77
Wayne R. LaPierre Jr., 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	2,112.50	2,000.00
Clifford C. LaPlante, 1331 Pennsylvania Avenue, NW, #700-S Washington, DC 20004	General Electric Co	1,700.00	
Joan H. LaVor, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
League of American Investors, 32123 Lindero Canyon Rd., #300 Westlake Village, CA 91361			
League of Women Voters of the U.S., 1730 M St., NW Washington, DC 20036		43,226.16	43,226.16
League to Save Lake Tahoe, 2197 Lake Tahoe Blvd. P.O. Box 10110 South Lake Tahoe, CA 95731			
Alisa J. Learner, 1100 Connecticut Ave., NW Washington, DC 20036	Chrysler Corporation	4,725.00	616.00
Noel R. Leary, 1250 Eye Street, NW, #200 Washington, DC 20005	Building Owners & Managers Assn Int'l		
Thomas B. Leary, Hogan & Hartson 555 13th St., NW Washington, DC 20004-1109	Business Roundtable	1,820.00	
Richard J. Lease, 2145 Boise Drive Las Cruces, NM 88001			
Wendy Lechner, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Federation of Independent Business (NFIB)	3,401.75	100.00
Gerard Lavery Lederer, 900 19th Street, NW, #800 Washington, DC 20006	United States Telephone Association	2,300.00	
Cara Lee, 9 Vassar Street Poughkeepsie, NY 12601	Scenic Hudson, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
L. Courtland Lee, Inc, 3814 West Street Landover, MD 20785	Minerals Exploration Coalition, Inc	2,500.00	70.00
Peter A. Lefkin, 1730 Rhode Island Ave., NW, #1117 Washington, DC 20036	Firemans Fund Insurance Cos	4,500.00	736.00
Marsha P. Lefkovits, 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	RJR Nabisco, Inc	1,160.00	462.55
Mary James Legatski, 1330 Connecticut Ave., NW, #300 Washington, DC 20036	Synthetic Organic Chemical Manufacturers Assn	500.00	89.00
C. Hoke Leggett, 1875 I St., NW, #800 Washington, DC 20006	Tobacco Institute		
Leslie A. Lehmann, 111 SW Columbia, #800 Portland, OR 97201	Nerco, Inc	6,765.00	501.13
Mary Nell Lehnhard, 655 15th Street, NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	796.72	
Leibowitz & Spencer, 3050 Biscayne Blvd., #501 Miami, FL 33137	Curt Gowdy Broadcasting, et al		
Leighton & Regnery, 1667 K Street, NW Washington, DC 20006	American Cordage and Netting Manufacturers		
Do	American Dairy Products Institute	200.00	
Do	ALPO Petfoods, Inc		
Do	Clorox Company		
Do	Express Foods Co, Inc		
Do	General Instrument Corporation		
Do	GTE Products Corp		
Do	Leprino Foods, Inc		
Do	Merrick's, Inc		
Terry L. Leitzell, One Thomas Circle, NW, #900 Washington, DC 20005	Visiting Nurse Assn of America	1,375.00	
Do	Bogle & Gates (For:Northern Jaeger)	2,000.00	
Joseph L. Leitzinger, Bank of California Building 1201 Third Ave., #4900 Seattle, WA 98101-3009	Bogle & Gates (For:Wright Schuchart, Inc)	2,000.00	
Robert A. Lembo, 1050 31st Street, NW Washington, DC 20007	Simpson Investment Co	960.00	403.00
Lynette Lenard, 1350 I Street, NW, #1000 Washington, DC 20005	Association of Trial Lawyers of America	2,000.00	100.00
Burleigh C. W. Leonard, 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	Ford Motor Company	833.33	153.25
Earl T. Leonard Jr., P.O. Drawer 1734 Atlanta, GA 30301	RJR Nabisco, Inc	2,720.00	277.22
Lloyd Leonard, 1730 M St., NW Washington, DC 20036	Coca-Cola Company	1,144.00	942.36
Lepon McCarthy & Jutkowitz, 1146 19th Street, NW, Third Floor Washington, DC 20006	League of Women Voters of the U.S.	7,208.30	
Charles Leppert Jr., 801 18th Street, NW, #400 Washington, DC 20006	Chilean Exporters' Assn	40,000.00	42,767.24
Richard L. Lesher, 1615 H St., NW Washington, DC 20062	Procter & Gamble Co	23.35	
William Gene Lesher, 517 C Street, NE Washington, DC 20002	U.S. Chamber of Commerce		
Lesher Russell & Moos, Inc, 517 C Street, NE Washington, DC 20002	Lesher Russell & Moos, Inc	12,500.00	
Daniel Lesmez, 15th & M Streets, NW Washington, DC 20005		25,000.00	25,000.00
William J. Lessard Jr., 2000 K Street, NW, #800 Washington, DC 20006	National Assn of Home Builders of the U.S.		
Gilbert B. Lessenco, 1200 New Hampshire Ave., #300 Washington, DC 20036	National Comm to Preserve Social Security	4,161.00	
Craig S. Lesser, 23/333 Piedmont Ave Atlanta, GA 30308	Wilner & Scheiner (For:Graco, Inc)	1,160.00	3.53
Joseph S. Lester Jr., 1201 Pennsylvania Ave., NW, #370 Washington, DC 20004	Georgia Power Co	8,397.00	7,915.24
Dale Lestina, 1201 16th St., NW Washington, DC 20036	Control Data Corporation		
Leventhal Senter & Lerman, 2000 K Street, NW, #600 Washington, DC 20006-1809	National Education Assn	3,422.95	221.26
Do	Aeronautical Radio, Inc		
Do	Committee for America's Copyright Community	3,362.50	55.75
Robert B. Levethal, 1300 19th Street, NW, #404 Washington, DC 20036	Copyright Remedies Coalition	3,450.00	23.80
Betsy Levin, One Dupont Cirle, NW, #370 Washington, DC 20036	AFL-CIO Maritime Committee		
Morris J. Levin, 1050 17th St., NW Washington, DC 20036	Association of American Law Schools		
Barbara W. Levine, 1015 15th Street, NW Washington, DC 20005	Association of American Railroads	2,500.00	
Lawrence E. Levinson, 1875 Eye St., NW, #1225 Washington, DC 20006	American Public Health Assn	634.50	
Herbert J. Levy, 1614 King St. Alexandria, VA 22314	Paramount Communications, Inc	3,000.00	400.00
Roger N. Levy, 901 15th Street, NW, #520 Washington, DC 20005-2301	National Assn of Housing Cooperatives		
Howard Lewis, 1331 Pennsylvania Ave., NW, #1500-N Washington, DC 20004-1703	Travelers Companies	2,500.00	
Jack W. Lewis, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Association of Manufacturers	1,000.00	100.00
Michael R. Lewis, 1133 15th St., NW, #640 Washington, DC 20005	National Beer Wholesalers Assn	4,000.00	213.86
Richard Lewis, 1025 Vermont Ave., NW Washington, DC 20005	International Longshoremen's & Warehousemen's Union	11,700.00	711.86
Richard W. Lewis, 1700 K Street, NW, #1200 Washington, DC 20006	American Pulpwood Assn		
Robert J. Lewis, 1875 Eye Street, NW, #800 Washington, DC 20006	Chevron USA, Inc	850.00	
William H. Lewis, Morgan Lewis & Bockius 1800 M Street, NW Washington, DC 20036	Tobacco Institute	1,150.00	
John F. Leyden, 815 16th Street, NW, #308 Washington, DC 20006	U.S. Gypsum Co	1,000.00	50.00
LeBoeuf Lamb Leiby & MacRae, 1333 New Hampshire Ave., NW, #1100 Washington, DC 20036	Public Employee Department, AFL-CIO	4,992.26	
Do	Maritrans Operating Partners, L.P.	1,937.50	26.00
Do	Physicians Insurers Assn of America		
Harris W. LeFew, 300 Pratt Street Luke, MD 21540-1099	Underwriters at Lloyd's London		
Lawson LeGate, 177 East 900 South, #102 Salt Lake City, UT 84111	Westvaco Corporation		
Lynn H. LeMaster, 1111 19th Street, NW Washington, DC 20036	Sierra Club	2,453.10	3,112.86
William J. Lhota, 215 N. Front Street Columbus, OH 43215	Edison Electric Institute	2,419.34	523.83
Fern Z. Liang, 4630 Montgomery Ave. Bethesda, MD 20814	Columbus Southern Power Co		
Robert G. Liberatore, 1100 Connecticut Avenue, NW, #930 Washington, DC 20036	American Society of Hospital Pharmacists		3,000.00
Richard A. Lidinsky Jr., 1440 New York Ave., NW, #430 Washington, DC 20005	Chrysler Corporation	6,252.00	388.00
Janet Lieberman, 1012 14th St., NW, #207 Washington, DC 20005	Sea Containers America, Inc		
William C. Lienesch, 238 10th St., SE Washington, DC 20003	U.S. Student Association	2,500.00	26.00
Ross W. Lillard, 920 Main Street Kansas City, MO 64105	National Parks & Conservation Association	715.00	31.00
Lincoln National Corp, 1300 South Clinton Street Fort Wayne, IN 46801	Stinson Mag & Fizzell (For:Farmland Industries, Inc)		
Karl W. Lindberg, 2322 Easter Lane New Orleans, LA 70114			4,110.68
Roger Lindberg, 901 31st St., NW Washington, DC 20007	Southern Forest Products Assn	2,494.80	
Do	Hill & Knowlton (For:Church of Scientology International)	342.35	
Do	Hill & Knowlton, Inc (For:Colonial Williamsburg)		
Do	Hill & Knowlton (For:Nintendo of America, Inc)	51.25	
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton (For:Ryder)		
Do	Hill & Knowlton, Inc (For:Shaklee Corp)		
Victor E. Lindenheim, 1945 Old Gallows Rd., #550 Vienna, VA 22180	American Wood Preservers Institute	1,500.00	
Lindsay Hart Neil & Weigler, 1225 19th Street, NW, #200 Washington, DC 20036	Agriculture Ocean Transportation Coalition		881.61
Do	AVIA Footwear, Inc		
Do	Crowley Maritime Corp	2,065.09	5.00
Do	E.I. du Pont de Nemours & Co	3,870.00	142.69
Do	Oregon Economic Development Dept, Marine Div		
Do	Pacific Coast Coun of Custom Brokers & Freight Forwarders	8,243.50	1,176.47
Do	Port of Portland	7,500.00	452.45
Do	Reebok International Ltd	18,909.75	4,246.60
Donald Lindsey, 400 First Street, NW, #819 Washington, DC 20001	Brotherhood of Locomotive Engineers (OH)	415.17	53.68
Paul E. Linet, 176 Federal Street Boston, MA 02210	The Afa Corporation	41.08	
Debra J Lipson, 122 C Street, NW Washington, DC 20001	Children's Defense Fund		
Lisboa Associates, Inc, 1317 F St., NW, #202 Washington, DC 20004	University of the Virgin Islands	2,062.50	
Barbara A. Little, 1155 15th St., NW, #611 Washington, DC 20005	Ethyl Corporation	2,500.00	
Charles B. Little, 600 Maryland Ave., SW, #603 Washington, DC 20024	UBA, Inc	1,000.00	
William F. Little, 1350 I Street, NW, #1000 Washington, DC 20007	Ford Motor Co	520.00	459.75
Roy Littlefield, 1707 Pepper Tree Court Bowie, MD 20716	American Retreaders' Assn	250.00	
Do	Greater Washington/Maryland Service Station Assn	250.00	
E. Geoffrey Littlehale, 1500 K Street, NW, 650 Washington, DC 20005	Glaxo, Inc	3,750.00	
David A. Litvin, 1600 M Street, NW, #700 Washington, DC 20036	Kennecott Corporation		682.40
E. F. Livaudais Jr., 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co		
Robert W. Lively, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	115.00	
Livestock Marketing Association, 7509 Tiffany Springs Parkway Kansas City, MO 64190-1402		33,500.00	16,510.00
Lobel Novins Lamont & Flug, 1275 K St., NW, #770 Washington, DC 20005	Generic Pharmaceutical Industry Assn	17,400.00	178.77
Leslie Loble, 1925 K St., NW Washington, DC 20006	Communications Workers of America		
W. Timothy Locke, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Airtrax)		
Do	Hecht Spencer & Associates (For:Bixby Ranch Company)		
Do	Hecht Spencer & Associates (For:Boy Scouts of America)		
Do	Hecht Spencer & Associates (For:Brown & Williamson Tobacco)		
Do	Hecht Spencer & Associates (For:BATUS)		
Do	Hecht Spencer & Associates (For:Hong Kong Trade Development Council)		
Do	Hecht Spencer & Asso, Inc (For:Marwais Steel Company)		
Robert F. Lockhart Jr., 1667 K Street, NW #300 Washington, DC 20006	Amdahl Corporation	1,000.00	
Stephen G. Lodge, 1401 New York Ave., NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	100.00
Laura Loeb, 730 11th Street, NW, #300 Washington, DC 20001	Older Women's League		
Thomas G. Loeffler, 1200 Republic of Texas Plaza 175 E. Houston Street San Antonio, TX 78205	McCamish Martin Brown & Loeffler (For:Central & South West Corp)	300.00	
Do	McCamish Martin Brown & Loeffler (For:Citicorp)	288.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	McCamish Martin Brown & Loeffler (For:Sematech)		
Do	McCamish Martin Brown & Loeffler (For:United Services Automobile Assn)		
Linda A. Long, 1156 15th Street, NW, #550 Washington, DC 20005	Montgomery McCracken Walker & Rhoads (For:National Check Cashers Coalition)		
Do	Montgomery McCracken Walker & Rhoads (For:Pilots Assn of the Bay and River Delaware).	600.00	4.50
Do	Montgomery McCracken Walker & Rhoads (For:Ports of Philadelphia Maritime Exchange).	880.20	6.02
Patricia Davitt Long, 1455 Pennsylvania Avenue, NW, #1170 Washington, DC 20004	Farley Industries		
Robert S. Long, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	6,500.00	1,401.41
Long Law Firm, 8550 United Plaza Blvd., #800 Baton Rouge, LA 70809	Baker Manufacturing Company, Inc		
Do	Champion International Corporation	1,487.50	
Do	CIGNA Corp		
Do	Greater New York Hospital Assn	350.00	
Do	International Paper	1,487.50	
Do	ITT Corporation		
Do	Kelso & Co	2,275.00	
Do	Metropolitan Life Insurance Co	700.00	
Dennis Longoria, Central Power & Light Co P.O. Box 3400 Laredo, TX 78044	Central Power & Light Co		
Peter A. Loomis, One Commercial Place Norfolk, VA 23510-2103	Sovran Financial Corp	4,062.50	4,357.50
Susan J. Loomis, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	5,000.00	500.00
Loomis Owen Fellman & Howe, 2020 K St., NW, #800 Washington, DC 20006	Association of Bituminous Contractors		
Do	Classroom Publishers Assn		
Do	First Co		
Do	Industrial Diamond Assn		
Do	National Assn of Theatre Owners		
Do	Optical Manufacturers Assn		
Do	Textile Rental Services Assn of America		
Ann Looper, 1735 New York Ave. Washington, DC 20006	American Institute of Architects	250.00	
Gerald D. Lore, 1050 Connecticut Avenue, NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc		
Philip J. Loree, 50 Broadway New York, NY 10004	Federation of American Controlled Shipping	500.00	450.17
Robert E. Losch, P.C., 1716 New Hampshire Ave., NW Washington, DC 20009	American Dredging Co, et al	30,126.00	4,681.42
Timothy Lovain, 3713 Gunston Road Alexandria, VA 22302	Denny Miller Associates	5,000.00	
Celia C. Lovell, 1500 K Street, NW, #375 Washington, DC 20005	Norfolk Southern Corp	1,000.00	
Stephanie P. Loving, 1101 Vermont Ave., NW, #405 Washington, DC 20005	A. H. Robins Co	8,245.50	450.25
Rev. Thos E. Lowe, 5946 McPherson Ave. St. Louis, MO 63112			
Stephen R. Lozowick, 9 West 57th Street New York, NY 10019	Avon Products, Inc		
Arthur M. Luby, 1300 L Street, NW, #200 Washington, DC 20005-4178	O'Donnell Schwartz & Anderson (For:Transport Workers Union of America, AFL-CIO)	4,000.00	650.00
Paula D. Lucak, 815 16th Street, NW, #308 Washington, DC 20006	Public Employee Department, AFL-CIO	11,025.04	7.00
Mrs. Freddie H. Lucas, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	1,734.22
Mary Riddle Ludke, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc	100.00	30.00
Leslie G. Ludwick, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	3,750.00	
David R. Lukens, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Sylvester Lukis, 24 Quincy Street Chevy Chase, MD 20815	Carey Technical Institute		
Do	City of Miami	11,250.00	
Do	City of Miami Beach	4,167.00	
Do	Dade County, Florida	23,124.00	
J.C. Luman & Associates, 1030 15th Street, NW, #816 Washington, DC 20005	National Assn of Personnel Consultants	4,800.00	965.70
Lumbermens Mutual Casualty Company, Long Grove, IL 60049			3,245.23
Michael L. Lunceford, 8787 Stemmons Freeway Dallas, TX 75247	Mary Kay Cosmetics, Inc		52.63
Lund & O'Brien, 1625 Eye St., NW, #406 Washington, DC 20006	Pennsylvania Mines Corporation	558.00	12.45
Do	Pennsylvania Power & Light Co	1,820.00	195.35
Carla J. Lunetta, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	4,000.00	117.64
Francis M. Lunnie Jr., 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004	National Assn of Manufacturers		
Howard T. Lyman, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	8,527.70	288.10
Marshall L. Lynam, 1200 New Hampshire Ave., NW, #200 Washington, DC 20036	Dallas-Fort Worth International Airport	5,000.00	423.83
Do	Kelly Hart & Hallman (for: Perry R. Bass)	4,500.00	16.23
Do	Kelly Hart & Hallman (For:Tandy Corporation)	4,500.00	32.00
Timothy P. Lynch, 1901 N. Fort Myer Dr., #204 Arlington, VA 22209	Roadway Express, Inc	425.00	200.00
Margaret Lyons, 1747 Pennsylvania Ave., NW, #700 Washington, DC 20006	Ciba-Geigy Corp	3,625.00	
William T. Lyons, 1747 Pennsylvania Ave., NW, #700 Washington, DC 20006	Ciba-Geigy Corp	7,500.00	6,038.00
M.O.A./AIOA & Subs, Inc, 701 S. 22nd, #107 Omaha, NB 68102			
James E. Mack, 9005 Congressional Court Potomac, MD 20854	National Assn of Mirror Manufacturers		
Do	Peanut Butter & Nut Processors Assn		
James H. Mack, 7901 Westpark Dr. Mclean, VA 22102	National Machine Tool Builders' Assn	20,955.00	500.00
Thomas L. Mack, 13529 Haddonfield Lane Darnestown, MD 20878	Bechtel Group, Inc		
Olivia C. Mackin, 1776 Eye St., NW, #700 Washington, DC 20006	Phillips Petroleum Co	1,000.00	
Mackin Sorensen Peizer Richards & Edwards, PS, 2201 Sixth Avenue, #1301 Seattle, WA 98121	Shee Atika, Inc		
Do	Western Pioneer, Inc	10,000.00	10,000.00
Robert A. Macrory, C/O Alabama Petroleum Council P.O. Box 4220 Montgomery, AL 36195	American Petroleum Institute	2,696.00	3,186.65
Mark MacCarthy, 6305 32nd Street, NW Washington, DC 20015	Capital Cities/ABC, Inc	540.00	
Timothy MacCarthy, 1620 I Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	10,419.00	
Jack A. MacDonald, 1901 N. Fort Meyer Drive, #302 Rosslyn, VA 22209-1606	Beverly Enterprises, Inc	6,250.00	75.00
Alan MacLeod, 2000 K Street, NW 8th Floor Washington, DC 20006	National Committee to Preserve Social Security and Medicare	1,099.00	
Paul MacMurdy, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	856.25	265.09
Cliff Madison Government Relations, Inc, 1611 Landfall Drive Wilmington, NC 28403	Burbank-Glendale-Pasadena Airport Authority	7,500.00	
Do	City of Buenaventura	10,500.00	
Do	Federal Express Corp	10,500.00	
Do	Greater Cleveland Regional Transit Authority		
Do	Los Angeles County Transportation Commission	7,500.00	
Do	Mark Air, Inc	15,000.00	
Do	Quantas Airways, Ltd		
Do	Regency Outdoor Advertising		
Do	Ventura Port District	9,000.00	
Shayne M. Madsen, 3050 Broadway, #202 Boulder, CO 80304	Madison Public Affairs Group, Inc (For Philip Morris USA)	500.00	262.64
Bill Magavern, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	4,615.38	
James N. Magill, 200 Maryland Avenue, NE Washington, DC 20002	Veterans of Foreign Wars of the U.S.	4,500.00	
James J. Magner, 2033 M Street, NW, #900 Washington, DC 20036	James J. Magner & Associates, Inc. (For:ASARCO Inc, Government Affairs)	12,960.00	266.46
Do	James J. Magner & Associates (For:Kaibab Forest Products Company)	9,720.00	1,517.12
Do	Lachelli Waller & Magner		
Do	James J. Magner & Associates, Inc (For:Superconducting Core Technologies)		207.77
James W. Magner, Reg # 38670-019 Box 1010, Houston Unit Bastrop, TX 78602	Prisoners With AIDS-Rights Advocacy Group (PWA-RAG)		
James J. Magner and Associates, Inc, 2033 M Street, NW, #900 Washington, DC 20036	Asarco, Inc	21,060.00	13,948.99
Do	Kaibab Forest Products Company	16,153.90	10,538.99
Do	Superconducting Core Technologies		16,680.65
A. John Maguire, 1110 Vermont Ave. NW Suite 430 Washington, DC 20005	National Cotton Council of America	28,000.00	4,280.00
W. Terry Maguire, Box 17407 Dulles International Airport Washington, DC 20041	American Newspaper Publishers Assn	1,125.00	240.29
David L. Mahan, 1133 Connecticut Ave., NW Washington, DC 20036	DGA International, Inc (For:Societe Nationale D'Etude et de Const de Moteurs D'Aviation).		
Do	DGA International, Inc (For:Sofreavia)		
Do	DGA International, Inc (For:Teledyne Brown Engineering)		
Linda F. Maher, 9000 Montgomery Ave Chevy Chase, MD 20815	Turner Broadcasting System, Inc	550.00	
Walter B. Maher, 1100 Connecticut Ave., NW, #900 Washington, DC 20036	Chrysler Corp	1,998.00	500.00
Mary Mahon, 380 Second Avenue New York, NY 10010	Planned Parenthood of New York City, Inc		
James E. Mahoney, 2200 Concord Pike Wilmington, DE 19899	Rollins Jamaica Ltd	3,250.00	276.00
Kieran Mahoney, Capitol Strategists 1220 19th Street, NW, #400 Washington, DC 20036	Albanian American Civic League	6,000.00	
Terence P. Mahony, 1331 Pennsylvania Ave., NW, #700 South Washington, DC 20004	National Broadcasting Co, Inc	500.00	170.05
Major League Baseball Players Assn, 805 Third Avenue New York, NY 10022			
K. Wayne Malbon, 1250 I Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn	489.00	15.00
Andrew T. Malleck, 400 First Street, NW Washington, DC 20001	Brotherhood of Maintenance of Way Employes	14,922.46	
Conrad L. Mallett Jr., 1800 First National Bldg Detroit, MI 48226	Jaffe Snider Raitt & Heuer, P.C		
David Mallino, 915 16th Street, NW, #301 Washington, DC 20006	Industrial Union Department, AFL-CIO	8,676.50	692.36
Lawrence R. Malone, 1211 Avenue of The Americas New York, NY 10036	Hoechst Celanese Corp		
Robert H. Maloney, 3900 Wisconsin Ave., NW Washington, DC 20016	Fannie Mae	18,750.03	2,664.99

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Management & Government Resources, 1305 Mt. Holly Road Burlington, NJ 08016	Burlington Coat Factory	36,306.34	24,317.20
Manatos & Manatos, Inc, 1750 New York Ave., NW, #210 Washington, DC 20006	City of San Francisco		1,843.27
Do	Specialty Vehicle Institute of America		
Do	United Hellenic Amer Congress & Amer Hellenic Alliance, Inc		2,300.00
Manatt Phelps Rothenberg & Phillips, 1200 New Hampshire Ave., NW, #200 Washington, DC 20036	Akhiok-Kaguyak		
Do	American Assn of Nurse Anesthetists		
Do	American Institute of Real Estate Appraisers		
Do	Bowling Proprietors Assn of America	427.50	
Do	California Bankers Assn		
Do	Centre Pointe Associates		
Do	Connecticut National Bank		
Do	Edison Electric Institute		
Do	EDU-DYNE Systems, Inc	8,962.50	
Do	Fairfield Communities, Inc		
Do	Federal Express Corp		
Do	First Bank System, Inc		
Do	Home Group, Inc		
Do	Manufacturers Hanover		
Do	Matlack, Inc		
Do	Melrose Company		
Do	Missouri Assn of Private Career Schools		
Do	Money Store	2,272.50	
Do	National Cable Television Assn, Inc	1,310.00	
Do	North Beach Property Owners' Assn		
Do	Northrop Corp	375.00	
Do	NEC Corporation		
Do	Occidental Petroleum Corp		
Do	Phillip Morris Management Corp	187.50	
Do	Security First Group, Inc		
Do	Donald T. Sterling & Associates		
Do	Superior Training Services		
Do	United Airlines		
Do	Vero Beach Oceanfront Investors Limited Partnership		
Do	Watt-Albrecht		
Do	Western Bank		
Katherine T. Mance, 1616 H Street, NW Washington, DC 20006	American Retail Federation	200.00	69.50
Anne Mancer, P.O. Box 7497 Birmingham, AL 35253	Vulcan Materials Company	2,102.25	790.74
Manchester Associates, Ltd, 1707 L Street, NW, #725 Washington, DC 20036	Nissan Motor Company, Ltd		
Do	Nissan Motor Manufacturing Corp, USA	6,225.00	6,056.00
Manchester Group, Ltd, 2828 Pennsylvania Ave., NW, #205 Washington, DC 20007	America Committee for Vietnam Claims Justice	9,600.00	
Susan Rachel Weiss Manes, 2030 M Street, NW Washington, DC 20036	Common Cause	14,400.00	124.25
Frank Mankiewicz, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:AMR Corp)	5,100.00	
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	2,850.00	
Do	Hill & Knowlton (For:Textron, Inc)		
Donald W. Mann, 210 The Plaza Teaneck, NJ 07666	Negative Population Growth, Inc	500.00	
Mary Jo Manning, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:AMR Corporation)	825.00	
Do	Hill & Knowlton, Inc (For:Thomson Consumer Electronics)		
Richard J. Mannix, 1001 Pennslvania Ave., NW Washington, DC 20004-2505	Brooklyn Union Gas Co		
Cynthia Mansfield, 600 Maryland Ave., SW, #520 Washington, DC 20024	GPU Service Corporation	5,625.00	884.39
Manufactured Housing Institute, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202			17,644.17
Anthony Manzanares Jr., 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
John V. Maraney, 324 East Capitol St., NE Washington, DC 20003	National Star Route Mail Contractors Assn		
Marc Associates, Inc, I030 I5th Street, NW, #468 Washington, DC 20005	Affiliated Leadership League of & for the Blind		
Do	Am. College of Nuclear Physicians-Soc. of Nuclear Medicine	6,000.00	
Do	Am. Urological Ass'n/Am. Ass'n of Clinical Urologists	5,500.00	
Do	American Ass'n of Colleges of Oesteopathic Medicine	1,666.00	
Do	American Society for Bone and Mineral Research	1,000.00	
Do	American Society for Gastrointestinal Endoscopy	2,500.00	
Do	American Society of Anesthesiologists	10,375.00	
Do	American Society of Clinical Pathology	2,000.00	
Do	American Society of Hematology	1,000.00	
Do	Helen Keller National Center	250.00	
Do	Merck Sharp and Dohme	4,000.00	
Do	National Association of Epilipsy Centers		
Do	National Coalition on Immune System Disorders		
Do	National Hemophilia Foundation	4,000.00	
Do	NI Industries	6,000.00	
Do	Recording for the Blind, Inc	1,000.00	
Do	Research Society on Alcoholism	2,000.00	
Do	Village of Palentine		
March for Life, Inc, P.O. Box 90300 Washington, DC 20090		50,469.26	35,862.71
Michael Marchese Jr., 1300 South Clinton Street Fort Wayne, IN 46801	Lincoln National Corp	900.00	520.00
R. V. Mariani, 815 16th St., NW Washington, DC 20006	Transportation - Communications Union	3,000.00	4,000.00
Maritime Institute for Research & Industrial Development, 1133 15th St., NW, #600 Washington, DC 20005			18,923.00
Richard F. Mark, 1000 16th St., NW #810 Washington, DC 20036	20/20 Vision	3,334.00	1,275.00
Lawrence D. Markley, P.O. Box 196300 Anchorage, AK 99519	Chugach Electric Assn, Inc	8,570.84	84.37
Luther A. Markwart, 1156 15th St., NW, #1020 Washington, DC 20005	American Sugarbeet Growers Assn		
Ernest Robert Marlow, 1126 16th Street, NW, #200 Washington, DC 20036-1081	International Chemical Workers Union	2,500.00	
Marlowe & Company, 1667 K Street, NW, #660 Washington, DC 20006	City of Venice, Florida	525.00	14.00
Do	Coalition to Keep Alaska Oil	4,300.00	151.89
Do	End Notch Discrimination	600.00	8.00
Do	Lazare Kaplan International, Inc	2,800.00	53.50
Do	Memphis-Shelby County Airport Authority	1,462.50	87.15
William G. Margaritis, 1747 Pennsylvania Ave., NW, 3rd Flr Washington, DC 20006	Occidental Chemical Corp		
Chalmers H. Marquis, 1350 Connecticut Avenue, NW, #200 Washington, DC 20036	Association for Public Broadcasting	3,000.00	76.12
Do	Children's Television Workshop		
C. Travis Marshall, 1350 Eye Street, NW, #400 Washington, DC 20005	Motorola, Inc	1,500.00	
Walter A. Marston Jr., 411 East Franklin Street, #600 Richmond, VA 23219	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corp)	387.75	
Thomas A. Martens, P.O. Box 10110 SO. Lake Tahoe, CA 95731	League to Save Lake Tahoe		
Cornel Martin, 1600 Wilson Blvd. #1000 Arlington, VA 22209	American Waterways Operators	937.50	93.72
Cynthia L. Martin, 1215 Jefferson Davis Hwy., #1004 Arlington, VA 22202	Diagnostic Retrieval Systems, Inc	6,500.00	
Danea Kehoe Martin, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	6,000.00	137.00
David F. Martin, 3807 North Chesterbrook Rd. Arlington, VA 22207	CM Services, Inc	450.00	
Donald N. Martin, Donald N. Martin & Company, Inc 630 Fifth Ave. #565 New York, NY 10111			
Fred J. Martin Jr., 1800 K Street, NW Washington, DC 20006	Bank of America	173.07	43.75
J. Ross Martin, Kansas Petroleum Council 1005 Merchants Tower Topeka, KS 66612	American Petroleum Institute	1,896.00	2,171.28
John M. Martin Jr., 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	100.00	
Katherine E. Martin, 50 F Street, NW Washington, DC 20001	Association of American Railroads	591.84	127.56
Larry K. Martin, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	2,600.00	75.00
Maureen A. Martin, 60 Wall Street New York, NY 10260	Morgan Guaranty Trust Co		
Robert L. Martin, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	2,500.00	283.27
Stephen I. Martin, Hartford Plaza Hartford, CT 06115	Hartford Fire Insurance Co		
Judith Marty, 1 Crane Place Bellevue Hill, NSW 2023 Australia			
Joseph J. Martyak, 655 15th Street, NW, #225 Washington, DC 20005	Rhone-Poulenc, Inc		
Maryland People's Counsel, 231 E. Baltimore Street, 9th Fl. Baltimore, MD 21202			
Mike M. Masaoka, Suite 520, The Farragut Bldg. 900 17th St., NW Washington, DC 20006	American Japanese Trade Comm		
Do	Japan Telescope Manufacturers Assn	200.00	
Do	Nisei Lobby		
Do	Toyota Motor Sales, USA, Inc	750.00	
Do	West Mexico Vegetable Distributors Assn	500.00	
Mark A. Maslyn, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	6,775.00	100.00
Arthur K. Mason, 1220 19th Street, NW, #700 Washington, DC 20036	Leva Hawes Mason Martin & Bebchick (For:Association of the U.S. Army)		
Michael J. Mason, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	9,100.00	89.40

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ned W. Massee, 299 Park Avenue New York, NY 10171	Westvaco Corporation		1,143.11
Donald F. Massey, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Church of Scientology International)	300.00	
Do	Hill & Knowlton, Inc (For:Colonial Williamsburg)		
Do	Gerber Products Corporation	525.00	
Do	Hill & Knowlton, Inc (For:Monsanto Co)		
Do	Hill and Knowlton, Inc (For:Nintendo)	3,600.00	
Do	Hill & Knowlton, Inc (For:Panhandle Eastern Corp)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	7,125.00	
Do	Hill and Knowlton, Inc (For:Ryder, Inc)		
Do	Hill & Knowlton, Inc (For:Tesoro Petroleum Corp)		
Do	Hill & Knowlton, Inc (For:Wilfred American Education, Corp)		
Noel D. Matchett, 1001 Spring St., #123 Silver Spring, MD 20910	Information Security, Inc	10.00	
Mary Cheryl Matheis, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	546.92	45.65
Daniel N. Matheson, 100 Congress Ave., #1400 Austin, TX 78701	Reese Communications Companies		
Richard D. Mathias, 1200 17th Street, NW, #500 Washington, DC 20036	Pan American World Airways, Inc		
Dawson Mathis, 1900 L Street, NW, #300 Washington, DC 20036	Dawson Mathis & Associates (For:Crowley Maritime Corp)	3,000.00	
Do	United Parcel Service	3,000.00	
Dawson Mathis & Associates, 919 18th Street, NW Suite 800 Washington, DC 20006	Crowley Maritime Corp	3,000.00	
Do	Massachusetts Mutual Life Insurance Co	3,000.00	
Ann H. Mattheis, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc		
Charles D. Matthews, 1050 17th St., NW, #700 Washington, DC 20036	National Ocean Industries Assn	3,250.00	
Herbert S. Matthews, Route 6, Box 83 Mechanicsville, MD 20659	Martin Marietta Corp	8,450.00	
Robert A. Matthews, 700 North Fairfax St. Alexandria, VA 22314	Railway Progress Institute	1,260.63	
Suzette Matthews, 2020 North 14th Street, #410 Arlington, VA 22201	Air Traffic Control Assn, Inc	951.00	
Joseph M. Mattingly, 1901 North Moore Street, #1100 Arlington, VA 22209	Gas Appliance Manufacturers Assn, Inc		
Daniel J. Mattoon, 1133 21st St., NW, #900 Washington, DC 20036	BellSouth Corp		4,898.89
William C. Mattox, 1700 Pennsylvania Avenue, NW Washington, DC 20006	Equitable Financial Companies	500.00	30.00
Marshall L. Matz, 888 17th Street, NW, #900 Washington, DC 20006	Holland & Knight (For:Abbott/Ross Laboratories)		
Do	American School Food Service Assn	9,000.00	334.13
Do	Holland & Knight (For:Carnival Cruise Lines)	1,045.00	
Do	Holland & Knight (For:City of Orlando)	1,500.00	
Do	Hospice Care of Deleware, Inc	11,936.00	
Michael Mawby, 2030 M Street, NW Washington, DC 20036	Common Cause	12,298.74	221.00
William A. Maxwell, 311 First Street, NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	4,000.00	
James C. May, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	5,000.00	18.00
Peter G. Mayberry, 1150 17th Street, NW, #1000 Washington, DC 20036	Keller and Heckman (For:INDA (Association of the Nonwoven Fabrics Industry))		
Marion R. Mayer, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	542.30	511.37
Mayer Brown & Platt, 2000 Pennsylvania Avenue, NW Washington, DC 20006	Accountants' Liability Assurance Co, Ltd		
Do	Arkansas Electric Cooperative Corporation		388.55
Do	Attorneys' Liability Assurance Society Ltd		
Do	Brambles USA, Inc		
Do	Brunswick Corp	150.00	
Do	Business Roundtable		
Do	Cabot Cabot & Forbes		
Do	Comdisco, Inc		
Do	Continental Bank, N.A	150.00	
Do	Corn Products Co		
Do	Entergy Corporation		
Do	First Chicago Corp	150.00	
Do	FMC Corporation	300.00	
Do	Goldman Sachs & Co		
Do	Grocery Manufacturers Assn of America, Inc		
Do	GATX Corporation	300.00	
Do	Hewlett-Packard Co		
Do	Household Commercial Financial Services, Inc		
Do	Inland Steel Corp		
Do	JMB Realty Corp		
Do	Lasalle Partners, Inc		
Do	Lehndorff & Babson Real Estate Counsel		
Do	Merrill Lynch Capital Markets		
Do	Nalco Chemical Co	150.00	
Do	Nestle, SA		
Do	Quaker Oats Company	150.00	
Do	RJR Nabisco, Inc		
Do	Sara Lee Corp	150.00	
Do	Sears Roebuck & Co	150.00	
Do	Shearson Lehman Brothers, Inc		
Do	Smith Barney Harris Upham & Co, Inc		
Do	Solid Waste Agency of Northern Cook County		
Do	Tele-Communications, Inc	300.00	
Do	Vulcan Materials Company, Midwest Division		
Martin Mayfield, 8001 Braddock Road Springfield, VA 22160	National Right to Work Committee	850.00	109.17
Maurice W. Maynard, 44 Fifth Avenue Brooklyn, NY 11217			
Jeffrey G. Mays, 1505 Prince Street, Suite 300 Alexandria, VA 22314	American Optometric Assn		
Ellen Mazer, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the United States	3,038.84	
Harry E. McAdams, 555 13th Street, NW #300 East Washington, DC 20004	McCamish Martin Brown & Loeffler (For:Citicorp)		
Michael J. McAdams, 1776 Eye Street, NW, #1000 Washington, DC 20006	BP America, Inc	4,000.00	
H. Wesley McAden, 1155 15th St., NW, #504 Washington, DC 20005	J. G. Boswell Co	3,000.00	
Do	New York Cotton Exchange	2,000.00	
Do	Supima Association of America	2,000.00	
Timothy McAnarney, 312 South 4th Street, #3 Springfield, IL 62701	Reese Communications Cos (for: Philip Morris, USA)	1,875.00	
Jerry McAndrews, 120 Maryland Ave., NE Washington, DC 20012	Competitive Telecommunications Assn		
Mary E. McAuliffe, 555 Thirteenth Street, NW, #450 West Columbia Square Washington, DC 20004	Union Pacific Corporation	13,750.00	1,127.88
McAuliffe Kelly Raffaelli & Siemens, 1341 G Street, NW, 2nd Floor Washington, DC 20005	American Chiropractic Assn	1,500.00	
Do	American Tunaboat Assn	750.00	
Do	Arlington Cancer Center	2,880.00	
Do	Association of Human Resource Consultants		
Do	Bay Area Rapid Transit District	4,000.00	
Do	Browning Ferris, Inc	3,290.00	
Do	Cellular Telecommunications Industry Assn	450.00	
Do	Chicago Mercantile Exchange	150.00	
Do	Clark County	15,000.00	
Do	Coalition for Affordable Home Financing		
Do	COSTEP	2,600.00	
Do	D/FW Railtran System	2,160.00	
Do	Dean Witter Realty	2,000.00	
Do	Gulf Coast Waste Disposal Authority	2,650.00	
Do	International Franchise Assn	900.00	
Do	Lloyd's U.S	2,460.00	
Do	MASSPORT/Commonwealth of Massachusetts	15,000.00	
Do	National Judicial College		
Do	National Medical Care	20,000.00	
Do	National Telephone Services, Inc	1,500.00	
Do	Philip Morris Co	3,700.00	
Do	Sweetener Users Assn		
Do	Transamarica Corporation	1,200.00	
Do	Union Labor Life Insurance		
Do	University of Nevada	7,500.00	
Do	University of Nevada	12,000.00	
Do	Wine Institute	2,000.00	
Ann McBride, 2030 M St., NW Washington, DC 20036	Common Cause	16,540.02	193.00
Susan E. McCaffrey, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Susan P. McCaffrey, 1828 N. Meridian Indianapolis, IN 46202	Community Service Council of Central Indiana, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
John D. McCallum, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Co		
McCamish Martin Brown & Loeffler, P.C., 1200 First Republic Bank Tower 175 East Houston San Antonio, TX 78205	Central & South West Corp	750.00	300.00
Do	Citicorp	719.00	288.00
Do	Sematech		
Do	U.S. Automobile Assn		
Katherine S. McCarter, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	2,566.00	
Carolyn Kim McCarthy, 1455 Pennsylvania Ave., NW, #500 Washington, DC 20004	Corning, Inc	2,000.00	
David J. McCarthy, Baker & Daniels 1920 N Street, NW, #600 Washington, DC 20036	Indiana Electric Assn		
McClure & Trotter, 1100 Connecticut Ave., NW, #600 Washington, DC 20036	Coca-Cola Company	8,716.63	468.09
Do	Coca-Cola Enterprises, Inc	3,225.95	293.86
Do	Columbia Pictures Entertainment, Inc		97.77
Do	Mobil Oil Corp	1,213.63	70.94
Do	Motion Picture Association of America, Inc		35.48
Do	Paramount Communications Inc	738.82	43.38
Do	Rank Video Services America		14.99
Robert S. McConnaughey, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Cynthia Williams McConnell, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform		30.00
G. McConnell & Associates, Inc, 4716 Neptune Drive Alexandria, VA 22309	Grumman Corp		100.00
Margaret M. McCormick, 236 Hamburg Hall 5000 Forbes Ave. Pittsburgh, PA 15213	Carnegie-Mellon University	11,000.00	1,344.53
Molly McCormick, 2301 Market Street, box 8699 Philadelphia, PA 19101	Philadelphia Electric Company		
Meredith McCoy, 1800 Mass. Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	148.00	
Steven A. McCoy, 1030 15th Street, NW #1020 Washington, DC 20005	North American Export Grain Assn, Inc		9.00
Todd McCracken, 1155 15th Street, NW, #710 Washington, DC 20005	National Small Business United	5,700.00	
Edgar H. McCulloch III, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	8,185.78	162.65
John McDavitt, 2000 K St., NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	3,591.00	
Daniel J. McDermott, 1225 19th St., NW, #410 Washington, DC 20036	Financial Services Council	1,250.00	
Frank X. McDermott, Apruzzese McDermott Mastro & Murphy 500 Morris Ave. P.O. Box 329 Springfield, NJ 07081	Reese Communications Cos (for: Philip Morris, USA)	1,700.00	964.35
Marianne McDermott, 1350 New York Avenue, NW, #615 Washington, DC 20005	Resources for Group Management, Inc (For:Greeting Card Assn)		
Mark T. McDermott, Joseph Powell McDermott & Reiner, P.C. 1300 19th Street, NW, #400 Washington, DC 20036	Civil Pilots for Regulatory Reform		
Edward T. McDonald, 815 16th St., NW Washington, DC 20006	Transportation - Communications Union	2,000.00	2,000.00
Jack McDonald, 1001 Pennsylvania Avenue, NW, #625-S Washington, DC 20004	Jack McDonald Co (For:American Express Corp)		
Do	Jack McDonald Co (For:Ameritech)		
Do	Jack McDoanld Co (For:Belz Enterprises)		
Do	Jack McDonald Co (For:Dow Corning Corp)		
Do	Jack McDonald Co (For:Outboard Marine Corporation)		
Do	Jack McDonald Co (For:Royal Zenith Corp)		
Do	Jack McDonald Co (For:Societe Generale de Surveillance, S.A.)		
Do	Jack McDonald Co. (For:WMW Machinery, Inc)		
Michael D. McDonald, Maryland Petroleum Council 60 West St., #403 Annapolis, MD 21401	American Petroleum Institute	210.00	97.59
Patricia McDonald, 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Tom McDonald, Arter & Hadden 1100 Huntington Bldg. Cleveland, OH 44115	Jet, Inc		
Jack McDonald Co, 1001 Pennsylvania Avenue, NW, #625-S Washington, DC 20004	American Express Corp		
Do	Ameritech	1,500.00	
Do	Belz Enterprises		
Do	Chase Manhattan Bank, N.A.		
Do	Dow Corning Corp		
Do	Hitachi America, Ltd		
Do	Hitachi Sales Corp of America	861.25	
Do	Outboard Marine Corporation	1,500.00	
Do	Royal Zenith Corp		
Do	Societe Generale de Surveillance, S.A.		
Do	WMW Machinery, Inc		
Roger D. McDonough, 1250 Eye Street, NW, #200 Washington, DC 20005	Building Owners & Managers Assn Int'l		
Sandra McDonough, 1730 M St., NW, Suite 900 Washington, DC 20036	Pacific Power & Light Co	499.07	3,809.00
Marian E. McDowell, 1275 Pennsylvania Ave., NW, 4th Floor Washington, DC 20004	Pacific Telesis Group	15,450.00	
Dinah D. McElfresh, 1255 23rd Street, NW, #850 Washington, DC 20037	Hauck & Associates, Inc (For:Hearing Industries Assn)		
McElroy & Associates, 600 New Hampshire Ave., NW, #1010 Washington, DC 20037	OAAA	41,665.00	1,869.01
William S. McEwen, 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co		72.88
Robert H. McFadden, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	3,480.00	
Paul J. McGeady, 27 Hampton Place Nutley, NJ 07110	Morality in Media, Inc		
Becky McGee, P.O. Box 2880 Dallas, TX 75221-2880	Oryx Energy Company		
Dana McGee, 1000 Wilson Blvd. Arlington, VA 22209	Grumman Corp	1,250.00	1,267.13
Donna Lee McGee, 1001 Connecticut Ave., #701 Washington, DC 20036	Burlington Industries, Inc	5,000.00	1,551.00
Gale W. McGee, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:Republic of Turkey)		
Karen McGee, 805 15th Street, NW, #300 Washington, DC 20005	Credit Union National Assn, Inc	300.00	72.00
Kate McGee, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation		
Meredith McGehee, 2030 M St., NW Washington, DC 20036	Common Cause	10,101.24	116.20
Patricia G. McGinnis, Francis McGinnis & Rees 1000 Potomac St., NW, #401 Washington, DC 20007	California Dept of Education	16,000.00	343.00
Robert M. McGlotten, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	19,688.90	2,554.50
Phyllis M. McGovern, 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute		
Richard L. McGraw, 950 L'Enfant Plaza, SW Washington, DC 20024	Communications Satellite Corp	2,500.00	
McGuiness & Williams, 1015 15th Street, NW, #1200 Washington, DC 20005	Borg-Warner Corp		
Do	National Manufactured Housing Assn		
Do	Pony Express Courier Corp		
Do	Wells Fargo Armored Service Corp		
Joseph M. McGuire, 1501 Wilson Boulevard, #600 Arlington, VA 22209	Air Conditioning & Refrigeration Institute		
Monica M. McGuire, 1331 Pennsylvania Ave., NW, #1500 North Lobby Washington, DC 20004-1703	National Assn of Manufacturers	1,200.00	
McGuire Woods Battle & Boothe, P.O. Box 25047 Alexandria, VA 22313	Aaronson Properties, Inc		
Do	RF&P Railroad		
Do	Savage/Fogarty Companies, Inc		
Do	Vulcan Materials Co		
McHale Cook & Welch, P.C., 1100 Chamber of Commerce Building Indianapolis, IN 46204	Indiana Bell Telephone Co	1,000.00	600.00
McHenry & Staffier, P.C., 1300 19th St., NW, #408 Washington, DC 20036	Foothills Pipe Lines (Yukon) Ltd	420.00	
James E. McInerney Jr., 122 C Street, NW, #740 Washington, DC 20001	American League for Exports & Security Assistance, Inc	7,083.00	178.60
McIntyre Kahn & Kruse Co., L.P.A., The Galleria & Towers At Erieview 1301 East Ninth Street, #1200 Cleveland, OH 44114			
John J. McKechnie III, 805 15th St., NW, #300 Washington, DC 20005	Credit Union National Assn, Inc	300.00	1,057.39
Ira E. McKeever, 1224 17th Street, NW Washington, DC 20036	Western Coal Traffic League	36,750.00	
McKenna Conner & Cuneo, 303 East 17th Ave., #600 Denver, CO 80203	Cigar Assn of America		
Jan E. McKenzie, 1111 19th St., NW, #702 Washington, DC 20036	Edison Electric Institute	1,741.65	238.37
Robert T. McKernan, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc		
William Colm McKeveny, Chadbourne Park Law Firm 30 Rockefeller Plaza New York, NY 10112	American Pulpwood Assn		
C. A. 'Mack' McKinney, 225 North Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA	11,000.00	586.12
Monette McKinnon, 2000 K Street, NW, 8th Floor Washington, DC 20006	National Committee to Preserve Social Security and Medicare	2,707.00	
Patrick M. McLain, 1000 Vermont Avenue, NW, #1000 Washington, DC 20005	Rowan & Blewitt Inc (For:Cosmetic Toiletry and Fragrance Assn)	1,708.27	
Do	Rowan & Blewitt, Inc (For:Par Pharmaceutical, Inc)	50,079.67	
Francis X. McLaughlin Jr., 1730 K St., NW, #1100 Washington, DC 20006	National Treasury Employees Union	10,966.80	
James D. McLaughlin, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	425.00	
John R. McLaurin, 1101 17th Street, NW, #400 Washington, DC 20036	American President Companies, Ltd	5,370.00	
Bob McLean, 490 L'Enfant Plaza, SW, #3200 Washington, DC 20024-2120	National Assn of Postal Supervisors	9,069.00	38.38
Thomas J. McLeod, 50 West Publishing Company St Paul, MN 55164	West Publishing Company		
Joseph E. McMahon, 1331 Pennsylvania Avenue, NW, #909 Washington, DC 20004	Rodale Press	700.00	42.50
Tara McMahon, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Association of America, Inc		
Rosemary McManus, 3900 Wisconsin Ave., NW Washington, DC 20016	Fannie Mae	9,187.50	
C. W. McMillan, 2021 K Street, NW, #306 Washington, DC 20006	McMillan & Farrell Associates, Inc		
James D. McMillan, 1899 L St., NW, #1100 Washington, DC	Exxon Corporation	400.00	51.68
Sandra H. McMullan, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	4,368.00	73.00
McNair Group, Inc, 1155 15th St., NW, #400 Washington, DC 20005	Bombardier Corporation	2,558.48	24.50
Do	Clemson University	5,000.00	2,171.35
Do	GTE Corporation	5,000.00	592.85
Do	Harmon Industries, Inc	5,275.00	177.71
Do	Illinois Central Railroad	31,961.25	454.65
Do	McNair Law Firm, P.A., (for Gateway Freight Services, Inc)	1,275.00	
Do	McNair Law Firm, PA (for GTE)	825.00	2,204.40

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Norfolk Southern Corp		
Do	Railstar Control Technology, Inc	8,000.00	61.30
Do	Riedel Environmental Services, Inc	4,000.00	2,975.96
Do	Riedel Omni Products, Inc	5,000.00	
Do	South Carolina State College	1,500.00	949.74
Do	State of Hawaii/Dept of Transportation	8,236.00	77.00
Do	Texas Instruments, Inc	15,000.00	672.42
Do	University of Deleware	1,130.45	1,814.94
Do	Virginia Tech	10,000.00	1,666.66
Do	Westinghouse Environmental Services	8,000.00	963.56
McNair Law Firm, P.A., 1155 15th Street, NW, #400 Washington, DC 20005	Adwell Corporation		
Do	Allied-Signal, Inc		
Do	American Insurance Assn	450.00	33.47
Do	Association of Independent Television Stations, Inc		
Do	BOC Group, Inc		8.00
Do	Edison Electric Institute		
Do	Georgia-Pacific Corp		
Do	GSX Corporation	5,125.00	154.94
Do	GTE Government Systems Corporation		
Do	Insurance/Financial Affiliates of America		
Do	International Assn for Financial Planning	296.00	4.45
Do	Joesph E. Seagram & Son, Inc	961.30	38.76
Do	New York State Bankers Assn	3,133.00	112.03
Do	Norfolk Southern Corp	268.60	47.80
Do	Philips Petroleum Company		64.88
Do	South Carolina Research Authority		20.00
Do	State of Hawaii	87.50	
Do	Westinghouse Electric Corp		
Susan McNally, 1667 K Street, NW, #710 Washington, DC 20006	Baxter		
Ray McNally & Associates, Inc, 1817 Capitol Ave., #A Sacramento, CA 95814	Madison Public Affairs Group, Inc (for Philip Morris USA)	992.50	1,329.16
Kathryn M. McNamara, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Dean Witter Reynolds, Inc	625.00	393.00
Laramie Faith McNamara, 1000 Wilson Blvd., #2700 Arlington, VA 22209	TRW, Inc	1,000.00	
Michael J. McNamara, 2300 M Street, NW, #600 Washington, DC 20037	International Advisers, Inc	6,270.00	154.28
John P. McNerney, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
John P. McNicholas, 2001 L Street, NW #1000 Washington, DC 20036	Unisys Corporation		
Michael J. McShane, 1101 30th Street, NW, #500 Washington, DC 20007	National Computer Systems		
Martha McSteen, 2000 K Street, NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	13,885.00	
Kathleen P. McTighe, 485 Lexington Ave. New York, NY 10017	New York State Bankers Assn	992.00	1,266.15
Brose McVey, 1255 23rd Street, NW Washington, DC 20037	Hauck & Associates (For:National Oilseed Processors Assn)	5,000.00	706.17
George G. Mead, 1500 K St., NW, #375 Washington, DC 20005	Norfolk Southern Corp	1,000.00	
Leslie S. Mead, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Joseph F. Meadow, 7307 Baltimore Avenue, #112 College Park, MD 20740	United Action for Animals, Inc	1,850.00	
Francis X. Meaney, 1825 Eye Street, NW Washington, DC 20006	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Goldman Sachs & Co)	1,500.00	
Do	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Securities Industry Assn)	3,437.00	
William A. Meaux, 1600 M Street, NW, #702 Washington, DC 20036	ICI Americas, Inc	1,500.00	
Joseph J. Meder, 1730 M St., NW, #515 Washington, DC 20036	Acme Steel Company	3,000.00	
Do	Interlake Corp		
William H. Megonnell, 1111 19th St., NW, 9th Floor Washington, DC 20036	Edison Electric Institute		
Larry Mehlhaff, 23 N. Scott Sheridan, WY 82801	Sierra Club	2,714.19	2,714.19
Susan R. Meisinger, 606 North Washington Street Alexandria, VA 22314	Associated Builders & Contractors, Inc	15,000.00	
John Melcher, 240 Maryland Ave., NE Washington, DC 20002	Chicago Mercantile Exchange	15,000.00	6,970.00
Do	Fairchild Aircraft Corp	3,000.00	7,835.00
Do	Humane Society of the United States	2,000.00	1,710.00
Do	Marine Engineers Beneficial Assn	2,400.00	2,750.00
Do	National Committee to Preserve Social Security & Medicare	7,500.00	2,940.00
Do	Potomac Marine International, Inc	18,000.00	8,310.00
Do	Society for Aminal Protective Legislation	4,500.00	3,195.00
Kenneth F. Melley, 1201 16th Street, NW Washington, DC 20036	National Education Assn	4,211.35	10.00
Margaret Mellon, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	449.89	
Carol Melton, 1133 21st St., NW, #400 Washington, DC 20036	Warner Communications, Inc	9,250.00	70.54
Howard H. Menaker, 1199 North Fairfax Street, #801 Alexandria, VA 22313	National Assn of Truck Stop Operators, Inc		
John R. Mendenhall, Martin Tower 8th & Eaton Avenues Bethlehem, PA 18018	Union Pacific Corp	5,000.00	
Howard A. Menell, 1747 Pennsylvania Ave., NW, #900 Washington, DC 20006	Coffield Ungaretti Harris & Slavin (For:Comdisco, Inc)		
David Mengebier, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	12,230.76	
William P. Mengebier, 655 15th Street, NW, #225 Washington, DC 20005	Rhone-Poulenc, Inc	540.00	257.78
Edward L. Menning, 1023 15th Street, NW, #300 Washington, DC 20005	National Assn of Federal Veterinarians		
Merle D. Menssen, 3M Center-Bldg 220-6E-02 St. Paul, MN 55144-1000	3M		
J. Roger Mentz, 1333 New Hampshire Ave., NW Washington, DC 20036	Cadwalader Wickersham & Taft (For:Clayton & Dubilier, Inc)		
Do	Cadwalader Wickersham & Taft (For:Coalition for Capital Import Neutrality)		
Do	Cadwalader Wickersham & Taft (For:Government of Puerto Rico)		
Do	Cadwalader Wickersham & Taft (For:Mercedes-Benz of North America, Inc)	51.00	
Do	Cadwalader Wickersham & Taft (For:Princeton University Investment Co & American Council .....).	625.50	
Do	Cadwalader Wickersham & Taft (For:PFIC Group)		
Jane Mentzinger, 2030 M Street, NW Washington, DC 20036	Common Cause	4,095.00	
Sandra K. Meredith, 1133 Connecticut Avenue, NW Washington, DC 20036	DGA International, Inc. (For:Dir Intl Aff of the Gen Del for Armements)		
Do	DGA International, Inc. (For:Sofreavia)		
Do	DGA International, Inc. (For:SNECMA)		
Edward L. Merrigan, 6000 Connecticut Ave., NW Washington, DC 20815	Central Gulf Lines, Inc	3,262.50	156.80
Do	Rolls-Royce Motors Cars, Inc	2,306.25	90.40
Nancy Jo Merrill, 1725 K St., NW, #814 Washington, DC 20006	March of Dimes Birth Defects Foundation		
Merrill Lynch & Co, Inc, 1828 L St., NW, #906 Washington, DC 20036			37,125.00
Richard P. Merski, 1455 Pennsylvania Avenue, NW, #900 Washington, DC 20004	American International Group, Inc	5,000.00	657.21
Neil T. Messick, 1331 Pennsylvania Ave., NW Washington, DC 20004	General Electric Co	1,100.00	379.73
Howard M. Messner, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	625.00	
Jean L. Mestres, 1747 Pennsylvania Avenue, NW, #300 Washington, DC 20006	OXY USA, Inc	510.12	15.00
Matthew S. Metcalfe, P.O. Box 6422 Mobile, AL 36660	American Family Corp		
Jeremy Metz, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
Alden M. Meyer, 1616 P Street, NW Washington, DC 20036	Union of Concerned Scientists	5,562.50	
Ferd. C. Meyer Jr., 2121 San Jacinto Street, #2500 Dallas, TX 75266-0164	Central and South West Corp	1,200.00	1,170.88
M. Barry Meyer, 900 19th Street, NW Washington, DC 20006	Aluminum Assn	25.00	
John B. Meyers, P.O. Box 4067 Louisville, KY 40204			
Larry D. Meyers, 412 First Street, SE #40 Washington, DC 20003	American Beekeeping Federation	1,500.00	
Do	Concerned Shrimpers of America	4,500.00	
Do	CEPEX Pacific, Inc		
Do	International Assn of Refrigerated Warehouses	2,250.00	
Do	National Agricultural Chemicals Assn	18,000.00	
Do	National Peanut Growers Group	6,000.00	
Do	Rice Belt Warehouse, Inc	4,500.00	
Do	Texas A&M Research Foundation	17,140.00	
Do	Texas Cotton Marketing		
Meyers & Associates, 412 First St., SE, #40 Washington, DC 20003	Alnor Oil Company, Inc	2,500.00	
Do	American Sheep Industry	16,500.00	
Do	Golf Course Superintendents Assn of America		
Do	Texas International Education Consortium	15,000.00	
Daniel Mica, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance	5,000.00	
David R. Mica, Florida Petroleum Institute 215 South Monroe Street, #800 Tallahassee, FL 32301	American Petroleum Institute	958.33	981.29
Mark A. Micali, 1200 18th Street, NW, #200 Washington, DC 20036	National Business Aircraft Assn	3,750.00	1,105.00
Laurie J. Micciche, 1747 Pennsylvania Ave., NW Third Floor Washington, DC 20006	Occidental Chemical Corp	150.00	30.00
Eileen F. Michaels, 1317 F Street, NW, #202 Washington, DC 20004	Lisboa Associates, Inc (For:University of the Virgin Islands)	275.00	
Michaels & Wishner, P.C., 1726 M St., NW, #500 Washington, DC 20036	Medco Containment Services, Inc	32,622.72	4,332.90
Do	National Assn for Ambulatory Care		
Do	Watts Health Foundation, Inc	31,159.54	10,315.84

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
James G. Michaux, 6917 Granby Street Bethesda, MD 20817	Federated Dept Stores, Inc		
Frank G. Michelena, 17925 Sky Park Cir. Irvine, CA 92714	Landsdell Co		
Kathleen Michels, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	4,415.00	97.00
Mid-Continent Oil & Gas Assn, 1919 Pennsylvania Ave., NW, #503 Washington, DC 20006		285.81	22,655.96
Mid-West Electric Consumers Assn, 1441 York Street, #305 Denver, CO 80206			
Michael C. Middleton, Ten Light Street P.O. Box 987 Baltimore, MD 21203	MNC Financial, Inc		
Roger E. Middleton, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S	2,100.00	542.13
Edmund Mierzwinski, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S Public Interest Research Group	4,615.38	
Migrant Legal Action Program, Inc, 2001 S St., NW, #310 Washington, DC 20009			
Rene Milam, Box 17407 Washington Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn	5,000.00	64.00
Janice I. Milazzo, 1776 Eye Street, NW, #1000 Washington, DC 20006	BP America, Inc		
Miles & Stockbridge, 1701 Pennsylvania Ave., NW, #500 Washington, DC 20006	Black and Decker Corp		
Do	PepsiCo, Inc		
Do	Pizza Hut, Inc		100.00
Milgrim Thomajan & Lee, P.C., 1025 Connecticut Ave, NW, #1000 Washington, DC 20036	Lloyds U.S		
Do	New York Mercantile Exchange (NYMEX)	15,313.32	18,307.98
Military Boot Manufacturers Assn, Belleville Shoe Manufacturing Co P.O. Box 508 Belleville, IL 62222			
Bonnie K. Miller, Box 528 Gainesville, VA 22065-0528	Liberty Lobby	1,500.00	1,425.00
Do	National Health Federation	1,500.00	3,600.00
Brent V. B. Miller, 4207 South 7th Road Arlington, VA 22204	American Group Practice Assn	616.00	
Carolynn E. Miller, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	3,189.00	200.00
Chaz Miller, 1801 K Street, NW, #1105-L Washington, DC 20006	Glass Packaging Institute		
Clinton R. Miller, P.O. Box 528 Gainesville, VA 22065-0528	Liberty Lobby		
Do	National Health Federation		
Dale Miller, 4000 Reno Road, NW Washington, DC 20008	Texasgulf, Inc		
Deborah Imle Miller, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S		
Denny Miller, 409 South Barton St. Arlington, VA 22204	Denny Miller Associates	7,500.00	
Francine Miller, 1627 Lamont Street, NW, Apt #41 Washington, DC 20010	Rainbow Lobby, Inc	7,280.00	321.57
Grant Miller, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	125.00
Martha L. Miller, 1301 Connecticut Ave., NW, #700 Washington, DC 20036	Citizens for Sensible Control of Acid Rain	260.00	
Richard G. Miller, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	3,900.00	598.80
Sandra Miller, 409 South Barton St. Arlington, VA 22204	Denny Miller Associates	1,250.00	
Sarah Miller, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn		
William T. Miller, 1101 14th Street, NW, #1400 Washington, DC 20005	Miller Balis & O'Neil, P.C. (For:American Public Gas Assn (APGA))		
Miller & Chevalier, Chtd, 655 15th St., NW, #900 Washington, DC 20005-5701	Boeing Company		
Do	Electronic Industries Assn		
Do	Export Source Rule Coalition		
Do	Great Northern Insured Annuity Corp		
Do	Hewlett Packard	10,150.50	
Do	John Hopkins University		
Do	Martin Marietta Corp		
Do	McDonnell Douglas Corp		
Do	Organization for Fair Treatment of Int'l Investments	21,450.00	
Do	Pacific Medical Center		
Do	Pillsbury Madison & Sutro (for: Intermedia)	23,126.25	
Do	Professional Services Council		
Do	Schultz & Chez (for: Chicago Research and Trading Group)	5,662.50	
Do	United States Fidelity and Guaranty Company	346.25	
Do	Varian Associates, Inc		
Miller & Steuart, 1825 I Street, NW, #400 Washington, DC 20006	Coastal Corporation		
Do	E.R. Squibb and Sons, Inc		
Denny Miller Associates, Inc, 400 N. Capitol St., NW, #325 Washington, DC 20001	Boeing Company	3,000.00	2,460.00
Do	Coeur d'Alene Mines Corp	1,000.33	833.33
Do	Makah Tribal Council	300.00	245.00
Do	Marine Engineers' Beneficial Assn	4,000.00	3,265.00
Do	Momentum 88	1,875.00	1,530.00
Do	Olin Corporation	3,000.00	2,460.00
Do	Pacific Nuclear Systems, Inc	1,062.50	862.00
Do	Port of Tacoma	1,125.00	928.00
Do	Sabey Corporation	1,200.00	1,000.00
Do	State of Washington, Dept of Transportation	1,500.00	1,235.00
Do	Tri-City Industrial Development Council (TRIDEC)	4,000.00	3,265.00
Do	Troutlodge, Inc	1,000.33	833.33
Do	United States Trout Farmers Assn	3,000.00	2,500.00
Miller Hamilton Snider & Odom, P.O. Box 46 Mobile, AL 36601	Camp Barsh Bates & Tate (for Sears Roebuck & Co)		
Kenneth Y. Millian, 919 18th Street, NW Washington, DC 20006	W. R. Grace & Co		965.63
John W. Mills, Tenneco Automotive 100 Tri State Int'l, #300 Lincolnshire, IL 60015	Coalition for Auto Repair Choice	100,100.00	27,791.08
William C. Mims, 116-G Edwards Ferry Road, NE P.O. Box 87 Leesburg, VA 22075	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corporation)	51.00	
Richard V. Minck, 1001 Pennsylvania Ave., N.W. Washington, DC 20004	American Council of Life Insurance, Inc	1,750.00	
Dallas Miner, One Thomas Circle, #900 Washington, DC 20005	American Fishing Tackle Manufacturers Assn	19,000.00	
Thomas H. Miner & Associates, 150 North Michigan Avenue, #2120 Chicago, IL 60601	Madison Public Affairs Group, Inc (for Philip Morris, USA)	600.00	2,000.00
Joseph G. Minish, 66 Sheridan Avenue West Orange, NJ 07052	Caguas Central Federal Savings Bank	6,000.00	
Do	Prudential Insurance Co of America	6,668.00	128.00
J. Robert Minter, 1130 Connecticut Ave, NW, #830 Washington, DC 20036	Southern Company Services, Inc	99.23	4,352.01
Mintz Levin Cohn Ferris Glovsky & Popeo, P.C., 1825 I Street, NW, #1200 Washington, DC 20006	Cablevision		
Do	Coalition for High Definition TV	2,750.00	
Do	Communications Industry Assn of Japan	24,000.00	
Do	Home Recording Rights Coalition	3,280.00	
Do	Houghton Mifflin Company	1,402.50	
Do	Mortgage Insurance Companies of America		
Do	National Cable Television Assn, Inc	7,500.00	
Do	Siemens Capital Corp	23,480.00	
Do	Smith Barney Harris Upham & Co, Inc		
Do	Turner Broadcasting System, Inc	460.00	
Lawrence H. Mirel, 1614 20th Street, NW Washington, DC 20009	Liberty Mutual Insurance Company	6,000.00	500.00
Charles P. Mitchell, 1501 16th Street, NW Washington, DC 20036	Center for Science in the Public Interest	317.00	20.45
Edward F. Mitchell, 1900 Pennsylvania Avenue, NW Washington, DC 20068	Potomac Electric Power Co	58.61	
Henry A. Mitchell, St. Mary's Street P.O. Box 12807/1300 Raleigh, NC 27605	Investment Co Institute		
Lawrence W. Mitchell, 100 Maryland Ave., NE, #500 Box 69 Washington, DC 20002	American Agriculture Movement, Inc	3,000.00	
Mitchell Friedlander & Gittleman, 1201 Conn. Ave., NW Washington, DC 20036	National Bank Of Liberia	50,000.00	
Stacey J. Mobley, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co		
David T. Modi, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co		
John Moehring, 2200 Mill Road Alexandria, VA 22314	American Movers Conference	1,000.00	
Martha Mohler, 2000 K Street, NW, 8th Floor Washington, DC 20006	National Committee to Preserve Social Security and Medicare		
Brian R. Moir, 1255 23rd Street, NW, #800 Washington, DC 20037	Fisher Wayland Cooper & Leader (For:International Communications Assn)		
Peter A. Molinaro, 1100 15th Street, NW, #1200 Washington, DC 20005	Union Carbide Crop		
Robert M. Moliter, 1331 Pennsylvania Ave., NW, #865 Washington, DC 20004	General Electric Co		
John V. Moller, 1707 L Street NW, #725 Washington, DC 20036	Manchester Associates, Ltd (For:Nissan Motor Company, Ltd)		
Do	Manchester Associates, Ltd (For:Nissan Motor Manufacturing Corp, USA)	4,669.00	26.00
Robert H. Mollohan, 912 Sylvan Avenue Fairmount, WV 26554	Airspace Technology, Inc	600.00	
Robert A. Molofsky, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO	5,000.00	148.00
C. Manly Molpus, P.O. Box 3556 Washington, DC 20007	American Meat Institute	5,000.00	
Christopher Monek, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Montana Market Development Co, 305 West Mercury St., #307 Butte, MT 59701	Madison Public Affairs Group		
James P. Mooney, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	8,750.00	
Karl R. Moor, P.O. Box 306 Birmingham, AL 35201	Balch & Bingham (For:Alabama Power Company)		
Do	Balch & Bingham (For:Southern Company Services Inc)	190.00	87.49
Alan J. Moore, 1001 Pennsylvania Ave., NW, #675 Washington, DC 20004	Atchison Topeka & Santa Fe Railway Co	1,000.00	
Albert W. Moore, 7901 Westpark Drive McLean, VA 22102	NMTBA	1,000.00	25.00
Carlos Moore, 1801 K Street, NW, #900 Washington, DC 20006	American Textile Manufacturers Institute, Inc		
Frank B. Moore, 3003 Butterfield Road Oak Brook, IL 60521	Waste Management, Inc	5,000.00	4,643.23
Obie Moore, 1156 15th St., NW, #1015 Washington, DC 20005	JC Penney Co, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Powell A. Moore, 1133 Connecticut Ave., NW Washington, DC 20036	Ginn Edington Moore and Wade (For:American League for Exports and Security Assistance (ALESA)).	3,400.00	
Do	DGA International, Inc (For:Societe Nationale d'Dtude et de Const de Moteurs d'Aviation).		
Paul Moorehead, 606 Massachusetts Ave., NE Washington, DC 20002	Penco International		
Ann Moorhead, 2571 Vernon Drive, NE Palm Bay, FL 32905	Press Television		
Eugene Moos, 517 C Street, NE Washington, DC 20002	Lesher Russell & Moos, Inc		
Morality in Media, Inc, 475 Riverside Dr., #239 New York, NY 10115			
Lori M. Moran, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	3,375.00	
Tim E. More, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Judith Morehouse, 1700 N. Moore Street Rosslyn, VA 22209	Boeing Company	672.00	50.45
Sue Markland Moreland, 918 North Carolina Avenue, SE Washington, DC 20003	Applied Biotreatment Assn		
Dudley Digges Morgan III, 4900 Baronne Street New Orleans, LA 70115	Southern Forest Products Assn	14,418.92	
J. Railton Morgan, 1350 I Street, NW, #1000 Washington, DC 20005	Ford Motor Co	1,500.00	966.90
John Morgan, 1925 K St., NW Washington, DC 20006	Communications Workers of America		
Peter Denis Morgan, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,750.00	240.18
Stephen L. Morgan, 5201 Leesburg Pike, #1111 Falls Church, VA 22041	American Cemetery Assn		
Morgan Lewis & Bockius, 1800 M St., NW, #800 N. Washington, DC 20036	Business Roundtable		
Do	Coalition to Stop the Raid on America		
Do	Consolidated Natural Gas Co		
Do	Scotch Whisky Assn		
William G. Morin, 1331 Pennsylvania Avenue, NW, #1500-N Washington, DC 20004-1703	National Assn of Manufacturers	91.08	
James A. Morrill, 1726 M St., NW, #901 Washington, DC 20036	Scott Paper Co	6,000.00	125.03
Cynthia Morris, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation		
Tom C. Morris, 1776 Eye Street, NW, #700 Washington, DC 20006	Phillips Petroleum Co	1,800.00	
W. Patrick Morris, 1110 Vermont Avenue, NW Suite 1250 Washington, DC 20005	Shipbuilders Council of America		
William Morris, 1737 H Street, NW Washington, DC 20006	Rogers & Wells (For:Shearson Lehman Hutton)		
James W. Morrison Jr., 815 Connecticut Ave., NW, #800 Washington, DC 20006	ARA Services, Inc	6,249.99	
Do	Morrison Associates (For:Blue Cross & Blue Shield Assn)	27,621.00	1,157.84
John W. Morrison, 5535 Hempstead Way Springfield, VA 22151	National Assn for Uniformed Services	675.00	
William C. Morrison, 2001 North Adams St. Arlington, VA 22201	Meat Importers Council of America, Inc		
Morrison & Foerster, 2000 Pennsylvania Ave., NW Washington, DC 20006	City and County of San Francisco	390.00	
Do	National Electrical Manufacturers Assn		
Valerie T. Morse, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
Evelyn M. Morton, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	481.15	845.43
Russell N. Mosher, 950 N. Glebe Rd., #160 Arlington, VA 22203	American Boiler Manufacturers Assn, Inc		
Jack Moskowitz, 701 N. Fairfax Street Alexandria, VA 22314-7807	United Way of America		
Dorothy J. Moss, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	25.00	
Moss Associates, Inc, 2450 Virginia Ave., NW Washington, DC 20037	Association of Bank Holding Cos	900.00	
Gerald J. Mossinghoff, 1100 15th Street, NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	1,000.00	
Motion Picture Assn of America, Inc, 1600 Eye Street, NW Washington, DC 20006		18,711.50	20,313.24
John J. Motley, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	9,570.00	300.00
L. A. Motley and Company, 1800 K Street, NW, #1000 Washington, DC 20006	Adical		
Do	ANIC - National Assn of Citric Industries		
Motor and Equipment Manufacturers Association, 1325 Pennsylvania Ave., NW, #600 Washington, DC 20004		7,500.00	7,616.36
Motor Vehicle Manufacturers Assn of the U.S., Inc, 7430 Second Avenue, #300 Detroit, MI 48202		34,604.10	34,604.10
Motorcycle Industry Council, Inc, 1235 Jeff Davis Hwy. Arlington, VA 22202			
Motorcycle Riders Foundation, Inc, P.O. Box 1808 Washington, DC 20013-1808		21,829.46	10,761.33
Thomas O. Moulton Jr., 1275 Pennsylvania Ave., NW, #400 Washington, DC 20004	Pacific Telesis Group	26,500.00	
Barry F. Mountain, 3537 Woodburn Road Annandale, VA 22003			
Katharine R. Mountcastle, 2030 M St. NW Washington, DC 20036	Common Cause	5,897.62	
Susan Connolly Moya, 1615 H St., NW Washington, DC 20062	U.S. Chamber of Commerce	2,500.00	
Steve Moyer, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	3,402.95	
Mudge Rose Guthrie Alexander & Ferdon, 2121 K Street, NW, #700 Washington, DC 20037	Government of Hong Kong, Trade Dept		
Do	Japan Lumber Importers Assn		
Do	Toshiba Corp		
Do	U.S. Assn of Importers of Textile and Apparel (USITA)	459.32	131.20
Muldoon Murphy & Faucette, 5101 Wisconsin Ave., NW, #508 Washington, DC 20016	Anchor Savings Bank, FSB	956.25	
Do	Carteret Savings Bank, F.A	875.00	
Do	Empire of America, FSB	52,150.00	
Do	Financial Assistance Inequity Relief Coalition (FAIR)	7,500.00	
Do	Glendale Federal Savings & Loan Assn	13,081.25	
Do	Long Island Savings Bank	250.00	
Do	Northeast Savings, F.A	1,086.25	
Do	Pelican Homestead and Savings Assn	6,200.00	
Do	Star States Corp	776.25	
Do	Talman Home Federal Savings and Loan Assn	250.00	
Do	United Savings of Texas, FSB	4,900.00	
James S. Mulhern, 1840 Wilson Boulevard Arlington, VA 22201	National Milk Producers Federation	4,300.00	
John A. Mullett, 1627 K St., NW, #500 Washington, DC 20006	FMC Corporation	2,300.00	120.34
Robert J. Mulligan, 655 15th Street, NW, #350 Washington, DC 20005	Blue Cross and Blue Shield Assn	930.00	560.01
Albert E. Mullin Jr, 111 Powdermill Rd. Maynard, MA 01754	Digital Equipment Corp	15,000.00	
Tracy Mullin, 1000 Connecticut Ave., NW, #700 Washington, DC 20036	National Retail Merchants Assn	4,000.00	50.00
William F. Mullin, 1615 L St., NW, #1210 Washington, DC 20036	Metropolitan Life Insurance Co	1,000.00	
Betty J. Munis, 1301 Pennsylvania Ave., #300 Washington, DC 20004	Public Lands Council	1,000.00	
James Brian Munroe, 1050 Connecticut Avenue, NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc		
Barbara Munson, 1300 North 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn		
Daniel J. Murphy, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:California Energy Co, Inc)		
Do	Murphy & Demory, Ltd (For:Korea Tacoma Marine Industries, Ltd)		
Do	Murphy & Demory, Ltd (For:Tridec Westinghouse)		
Elizabeth A. Murphy, 1901 N. Fort Myer Drive, #204 Arlington, VA 22209	Roadway Express, Inc		
James F. Murphy, 6200 Oaktree Blvd. Independence, OH 44131	Centerior Energy Corp, et al		
James Jackson Murphy, 1720 I Street, NW 7th Floor Washington, DC 20006	American Academy of Actuaries		
Jeanne Marie Murphy, 805 15th St., NW, #300 Washington, DC 20005	Credit Union National Assn, Inc	300.00	272.18
Michael M. Murphy, 1101 17th St., NW, #400 Washington, DC 20036	American President Companies, Ltd, et al	9,300.00	
Paul T. Murphy, P.O. Box 619500 Dallas, TX 75261	Caltex Petroleum Corp		
D. Michael Murray, Murray and Scheer 2715 M Street, NW, #300 Washington, DC 20007	LTV Corporation	450.00	
Daniel H. Murray, 1133 21st St., NW, #900 Washington, DC 20036	BellSouth Corp		6,986.26
James E. Murray, 815 Connecticut Avenue, NW, #701 Washington, DC 20006	Brown & Wood (For:Citicorp Investment Bank, et al.)		
Do	Brown & Wood (For:National Assn of Small Business Investment Cos, et al.)		
Rosemary Griffin Murray, Crystal Park Four, 2345 Crystal Drive Arlington, VA 22207	USAir, Inc		
Murray & Scheer, 2715 M Street, NW, #300 Washington, DC 20007	Bear Stearns & Co	500.00	
Do	Cleveland Cliffs Iron Co	250.00	
Do	Connecticut Mutual Life Insurance Co	500.00	
Do	Home Life Insurance Co	500.00	
Do	Industry Council for Tangible Assets	400.00	
Do	Iron Ore Assn	250.00	
Do	National Council of Coal Lessors	300.00	
Do	New England Mutual Life Insurance Co	500.00	
Do	Pacific Mutual Life Insurance Co	500.00	
Do	Penn Mutual Life Insurance Co	500.00	
Do	Provident Mutual Life Insurance Co of Philadelphia	500.00	
Do	Shubert Organization, Inc	400.00	
Do	Swaziland Sugar Assn	400.00	
Do	Sweetner Users Assn	500.00	
Robert Musil, 1616 P Street, NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	7,930.08	14,017.42
Robert J. Muth, 180 Maiden Ln. New York, NY 10038	Asarco Inc	250.00	
Mutual Life Insurance Co Tax Committee, 720 East Wisconsin Avenue Milwaukee, WI 53202		14,000.00	2,596.50
Paul J. Myer, 600 Maryland Ave., SW, #605-607 Washington, DC 20024-2520	Northern Telecom Inc		1,425.00
Gary D. Myers, 501 2nd Street, NE Washington, DC 20002	Fertilizer Institute	4,500.00	368.01
Karen Magee Myers, 1331 Pennsylvania Ave., #1300-N Washington, DC 20004	Electronic Data Systems Corp	112.00	
Christopher Alton Myrick, 1600 Prince Street, #115 Alexandria, VA 22314	National AgriChemical Retailers Assn	125,000.00	13,764.90
MHD Industrial Forum, 1825 K Street, NW, #807 Washington, DC 20036		3,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Daniel Nadash, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Alan Y. Naftalin, 1150 Connecticut Avenue, NW Washington, DC 20036	Koteen & Naftalin (For:Alascom, Inc)		
Do	Koteen & Naftalin (For:Telephone & Data Systems, Inc)		
David Scott Nance, 808 17th Street, NW, #300 Wasshington, DC 20006-3910	Stewart and Stewart		
Karen J. Nardi, 1455 Pennsylvania Avenue, NW, #650 Washington, DC 20004	McCuthchen Doyle Brown & Enersen (For:Southern California Ass'n of Governments)		
Diane M. Nash, 600 Pennsylvania Avenue, SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc		
John Francis Nash Jr., 214 Massachusetts Ave., NE, #420 Washington, DC 20002	Milliken & Company	5,000.00	2,750.00
Gary M. Nateman, 1225 'Eye' Street, NW, #825 Washington, DC 20005	Beer Institute		
Hardy L. Nathan, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	500.00	
National Abortion Rights Action League, 1101 14th Street, NW, 5th Floor Washington, DC 20005			26,095.36
National Air Traffic Controllers Assn, 444 N. Capitol Street, NW, #845 Washington, DC 20001			
National Assn for Biomedical Research, 818 Connecticut Ave., NW, #303 Washington, DC 20006		143,050.00	14,994.55
National Assn for Neighborhood Schools, Inc, 335 Locust St. Pittsburgh, PA 15218		4,148.25	5,674.33
National Assn for Stock Car Auto Racing, Inc (NASCAR), 1801 Speedway Boulevard Daytona Beach, FL 32015			
National Assn for Uniformed Services, 5535 Hempstead Way Springfield, VA 22151		1,583.40	6,331.08
National Assn of Air Traffic Specialists, 4740 Corridor Pl., Suite C Beltsville, MD 20705			
National Assn of Broadcasters, 1771 N Stret, NW Washington, DC 20036		50,649.01	50,649.01
National Assn of Chain Drug Stores, Inc, P.O. Box 1417-049 Alexandria, VA 22313			
National Assn of Federal Employees, 3500 Maple Avenue, Suite 1650 Dallas, TX 75219			
National Assn of Federal Veterinarians, 1023 15th Street, NW, #300 Washington, DC 20005			23.97
National Assn of Independent Colleges & Universities, 122 C St., NW, #750 Washington, DC 20001		473,236.00	76,113.00
National Assn of Insurance Brokers, Inc, 1401 New York Ave., NW, #720 Washington, DC 20005			
National Assn of Life Companies, 1455 Pennsylvania Ave., #1250 Washington, DC 20004			1,899.40
National Assn of Manufacturers, 1331 Pennsylvania Ave., NW, #1500 Washington, DC 20004-1703		128,668.77	128,668.77
National Assn of Margarine Manufacturers, 1101 15th St., NW, #202 Washington, DC 20005			
National Assn of Mortgage Brokers (NAMB), 706 E. Bell Road, #101 Phoenix, AZ 85022		1,531.00	1,106.00
National Assn of Mutual Insurance Cos, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268		1,300.00	1,300.00
National Assn of Securities and Commercial Attorneys, 1401 New York Ave., #740 Washington, DC 20005		44,000.00	8,000.00
National Assn of Trade & Technical Schools, 2251 Wisconsin Ave., NW Washington, DC 20007		9,250.00	9,250.00
National Assn of Truck Stop Operators, Inc, 1199 N. Fairfax Street, #801 Alexandria, VA 22314			
National Beer Wholesalers' Assn, 5205 Leesburg Pike, #1600 Falls Church, VA 22041		401,295.00	17,597.00
National Broiler Council, 1155 15th St., NW Washington, DC 20005		2,750.00	2,750.00
National Business Aircraft Assn, 1200 18th St., NW, #200 Washington, DC 20036-2598			25,088.78
National Cable Television Assn, Inc, 1724 Massachusetts Ave., NW Washington, DC 20036		45,538.24	45,538.24
National Cattlemen's Assn, 5420 S. Quebec Street P.O. Box 3496 Englewood, CO 80155			
National Child Care Assn, P.O. Box 161206 Austin, TX 78716-1206		3,000.00	3,000.00
National Citizens Communications Lobby, P.O. Box 1876 Iowa City, IA 52244			
National Club Association, 1625 Eye St., NW, #609 Washington, DC 20006			
National Co-Op of Farmers & Laborers, 2718 E. Manford Street Fort Wayne, IN 46806			
National Coalition for Fair Trade, 7200 Wisconsin Avenue Bethesda, MD 20814			
National Coalition of Fresh Potato Processors, c/o Collier Shannon Rill & Scott 1055 Thomas Jefferson St., NW Washington, DC 20007.			
National Comm of Cities & States for Airline Service, Transportation Bldg., #417 St. Paul, MN 55156		5,012.18	2,105.00
National Comm to Preserve Social Security, Attention Robin Jacobson 2000 K Street, NW, 8th Floor Washington, DC 20006		1,754,806.00	1,754,806.00
National Comm Against Repressive Legislation, 236 Massachusetts Avenue, NE, #406 Washington, DC 20002		2,191.00	6,934.68
National Commercial Finance Assn, 225 W. 34th St. New York, NY 10122			
National Cooperative Business Assn, 1401 New York Ave., NW, #1100 Washington, DC 20005		27,500.00	14,263.48
National Cotton Council of America, P.O. Box 12285 Memphis, TN 38182		60,249.08	60,249.08
National Council for Languages & Int'l Studies, 300 Eye Street, Suite 211 Washington, DC 20002		22,722.99	18,324.47
National Council of Farmer Cooperatives, 50 F Street, NW, #900 Washington, DC 20001		10,813.22	13,640.24
National Council of Savings Institutions, 1101 15th St., NW, #400 Washington, DC 20005		2,415,447.10	
National Electrical Manufacturers Assn, 2101 L Street, NW, #300 Washington, DC 20037		1,129.86	1,129.86
National Fed of Independent Business, 150 W. 20th Ave. San Mateo, CA 94403		51,106.25	51,106.25
National Food Processors Assn, 1401 New York Avenue, NW, #400 Washington, DC 20005		2,400.00	2,400.00
National Grain & Feed Assn, 725 15th St., NW, #500 Washington, DC 20005			
National Grain Trade Council, 1030 15th Street, NW, #1020 Washington, DC 20005			
National Grange, 1616 H St., NW Washington, DC 20006		15,875.00	15,875.00
National Grocers Assn, 1825 Samuel Morse Drive Reston, VA 22090		3,000.00	1,500.00
National Guard Assn of the U.S., One Massachusetts Ave., NW Washington, DC 20001		13,576.40	11,096.54
National Hearing Aid Society, 20361 Middlebelt Livonia, MI 48152		350.00	350.00
National Independent Automobile Dealers Assn, 2521 Brown Blvd., Suite 100 Arlington, TX 76006-5203			13,647.57
National Industrial Transportation League, 1090 Vermont Ave., NW, #410 Washington, DC 20005		18,000.00	15,754.00
National Knitwear & Sportswear Assn, 386 Park Avenue South New York, NY 10016			1,267.69
National Leased Housing Assn, 2300 M St., NW, #260 Washington, DC 20037		2,000.00	2,000.00
National Milk Producers Federation, 1840 Wilson Blvd. Arlington, VA 22201		12,496.00	12,496.00
National Motorsports Comm of Accus, 1501 Skokie Boulevard, #101 Northbrook, IL 60062			
National Multi Housing Council, 1250 Connecticut Ave., NW, #620 Washington, DC 20036		8,633.06	8,633.06
National Organization Against Invisible Disease Spread, 1825 Connecticut Ave., NW, #200 Washington, DC 20009			100.00
National Parking Association, 1112 16th St., NW, #2000 Washington, DC 20036			110,490.78
National Pest Control Assn, 8100 Oak St. Dunn Loring, VA 22027			
National Public Affairs Corp, 6296 Dunaway Court McLean, VA 22101	Westinghouse Electric Corp		
National Realty Committee, 1250 Connecticut Ave., NW, #630 Washington, DC 20036		5,134.62	5,134.62
National Retail Merchants Assn, 1000 Connecticut Avenue, NW Washington, DC 20036			21,810.39
National Right to Work Committee, 8001 Braddock Rd., #600 Springfield, VA 22160		8,195.64	8,195.64
National Rural Electric Cooperative Assn, 1800 Massachusetts Ave., NW Washington, DC 20036			3,713.25
National Rural Letter Carriers Assn, 1448 Duke St., #100 Alexandria, VA 22314		24,110.00	27,164.00
National Security Traders Assn, Inc, One World Trade Center, #4511 New York, NY 10048			7,591.67
National Society of Professional Engineers, 1420 King Street Alexandria, VA 22314		10,100.00	10,100.00
National Soft Drink Assn, 1101 16th St., NW Washington, DC 20036			156.63
National Stone Assn, 1415 Elliot Place, NW Washington, DC 20007			
National Strategies, Inc, 888 17th Street, NW, 12th Floor Washington, DC 20006	Alliance for Capital Access	10,000.00	
Do	Banner Industries		198.38
Do	Brownstein Hyatt Farber & Madden (for American West), et al	14,803.13	62.69
Do	Columbia Savings & Loan Assn	312.50	166.45
Do	Manor Care	1,500.00	214.21
Do	Trian Group	1,046.88	132.74
National Telephone Cooperative Assn, 2626 Pennsylvania Ave., NW Washington, DC 20037		27,000.00	1,983.55
National Tire Dealers & Retreaders Assn, 1250 Eye Street, NW, #400 Washington, DC 20005		6,319.00	6,319.00
National Truck Equipment Assn, 38705 Seven Mile Road, #345 Livonia, MI 48152			5,091.29
National Venture Capital Association, 1655 N. Fort Meyer Dr., #700 Arlington, VA 22209			265,828.71
National Wildlife Federation, 1400 16th Street, NW Washington, DC 20036-0001			12,627.23
National-American Wholesale Grocers' Assn, 201 Park Washington Court Falls Church, VA 22046		12,000.00	12,000.00
Natural Gas Supply Assn, 1129 20th St. nw #300 Washington, DC 20036		124,000.00	26,533.03
Michael W. Naylor, 1001 Pennsylvania Ave, NW, #700 Washington, DC 20004-2502	Allied-Signal, Inc		
Landis M. Neal, 7201 Wisconsin Ave., #705 Bethesda, MD 20814	American Tax Reduction Movement	3,000.00	
Richard W. Neal, 1301 Pennsylvania Ave., #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Karen J. Neale, 2501 M Street N.w. Washington, DC 20037	Chemical Manufacturers Assn, Inc	750.00	132.35
Jeffrey Nedelman, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc	111.25	
Allen Neece Jr., 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).	1,050.00	600.00
Do	Neece Cator & Associates, Inc (For:National Venture Capital Association)	1,050.00	600.00
Neece Cator & Associates, Inc, 1050 17th Street, NW, #810 Washington, DC 20036	Association of Small Business Development Centers		
Do	National Assn of Development Companies		
Do	National Venture Capital Association	1,050.00	600.00
Frederick W. Neill, 600 5th Street Aurora, IL 60505			
Neill & Company, Inc, 815 Connecticut Ave., NW, #800 Washington, DC 20006	American Methanol Institute	25,000.00	549.44
Do	Arab Republic of Egypt		13,723.44
Do	General Electric Industrial and Power Systems	36,000.00	507.39
Do	Government of Jamaica		12,294.38
Do	Hashemite Kingdom of Jordan	110,000.00	10,713.82
Do	Islamic Republic of Pakistan		1,836.72
Do	Kingdom of Morocco		4,967.76
Do	Republic of Cote d'Ivoire	137,500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Republic of Guinea	25,000.00	3,188.63
Do	Republic of Kenya		2,717.21
Neill Mullenholz & Shaw, 815 Connecticut Ave. NW Washington, DC 20006	City of Fergus Falls	600.00	
Do	Florida East Coast Railway Co	1,000.00	
Do	National Assn of Chapter 13 Trustees	8,800.00	870.00
Do	National Council Social Security Management Assns, Inc	4,000.00	100.00
Do	North American Equipment Dealers Assn	1,500.00	
Do	PHH Group, Inc		
Do	Senior Executives Assn	5,000.00	305.00
Do	Soo Line Corporation	2,500.00	
Do	TACA International Airlines		
Alan C. Nelson, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform		30.00
E. Colette Nelson, 1004 Duke St. Alexandria, VA 22314	American Subcontractors Assn	2,100.00	
Mark D. Nelson, 1701 Pennsylvania Ave., NW, #900 Washington, DC 20036	E. I. du Pont de Nemours & Co	30.00	
Mark E. Nelson, 555 13th Street, NW Washington, DC 20004	McCamish Martin Brown & Loeffler (For:Sematech)		
Do	McCamish Martin Brown & Loeffler (For:United Services Automobile Assn)		
Lynda L. Nersesian, 1100 15th St., NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	14.00
Frederick H. Nesbitt, 1750 New York Avenue NW Washington, DC 20006	International Assn of Fire Fighters	13,000.00	
Mark Nestlen, 1300 L Street, NW, #950 Washington, DC 20005-4107	American Soybean Assn	1,125.00	305.83
Network, 806 Rhode Island Ave., NE Washington, DC 20018		46,141.24	54,550.47
E. John Neumann, 1130 Connecticut Avenue, NW, #830 Washington, DC 20036	Southern Company Services, Inc	3,566.72	6,503.76
New Jersey State Bar Assn, One Constitution Square New Brunswick, NJ 08901-1500		37,500.00	352.30
New York Comm of Intl Comm of Passenger Lines, 74 Trinity Place New York, NY 10006			
New York State Bankers Assn, 485 Lexington Avenue New York, NY 10017		65,000.00	17,103.00
Lilian Ann Newby, 2301 M Street, NW Washington, DC 20037	American Public Power Assn	1,500.00	8.00
George S. Newman, 7915 Jones Branch Dr. McLean, VA 22102	BDM International, Inc		
William B. Newman Jr., P.O. Box 23451 Washington, DC 20026	Consolidated Rail Corporation	5,500.00	
Newman & Holtzinger, P.C., 1615 L St., NW, #1000 Washington, DC 20036	Utility Nuclear Waste Management Group		
Sharon Newsome, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	2,233.12	
E. Bruce Nicholson, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Marlene Nicholson, 1722 Eye St., NW, Fifth Floor Washington, DC 20006	Barclays Bank PLC	3,500.00	892.26
Nicholas K. Niemann, One Central Park Plaza, #1100 Omaha, NE 68102	McGrath North Mullin & Kratz, PC (For:Nebraska Catholic Conference)	574.00	
Do	McGrath North Mullin & Kratz, PC (For:Septemberfest Salute to Labor, Inc)	429.50	24.50
Do	McGrath North Mullin & Kratz, PC (For:UNO Maverick Boosters, Inc)	240.00	
Nixon Hargrave Devans & Doyle, One Thomas Circle, NW, #800 Washington, DC 20005	American Free Trade Assn	2,420.00	
Do	CP Rehab Corp	330.00	
Barbara D. Nocera, 955 L'Enfant Plaza, SW, #5300 Washington, DC 20024	Honda North America, Inc	400.00	
A. Allan Noe, 655 15th Street, NW, #975 Washington, DC 20005	Unilever United States, Inc	1,500.00	1,211.74
Walker F. Nolan, 1111 19th St., NW, 9th Fl. Washington, DC 20036	Edison Electric Institute	6,942.31	650.25
Nonprescription Drug Manufacturers Assn, 1150 Connecticut Ave., NW, #1200 Washington, DC 20036	Proprietary Association		4,212.50
James A. Noone, 1250 Connecticut Avenue, NW, #318 Washington, DC 20036	Karalekas & McCahill (For:Allpoints International,Inc)	2,000.00	75.30
Do	Karalekas & McCahill (For:Firestone Tire & Rubber Co, et al.)	4,000.00	160.00
Do	Karalekas & McCahill (For:Gates Rubber Company)	4,000.00	212.16
Do	Karalekas & McCahill (For:National Agriculture Aviation Assn)	4,000.00	108.20
Robert I. Nooter, 600 Maryland Avenue, SW, #800 Washington, DC 20024	American Farm Bureau Federation	6,837.00	69.00
David F. Norcross, 1156 15th Street, NW, #550 Washington, DC 20005	National Check Cashers Coalition		
Do	Montgomery McCracken Walker & Rhoads (For:Pilots Assn of the Bay and River Delaware).	1,400.00	
Do	Montgomery McCracken Walker & Rhoads (For:Ports of Philadelphia Maritime Exchange).	2,053.80	169.53
Julia J. Norrell, 1001 Pennsylvania Avenue, NW Washington, DC 20004	American Council of Life Insurance, Inc	5,325.00	
North American Export Grain Assn, Inc, 1030 15th Street, NW, #1020 Washington, DC 20005			39.00
North American Telecommunications Assn, 2000 M St., NW, #550 Washington, DC 20036		16,299.79	16,299.79
Patrice North-Rudin, 1133 21st Street, NW Washington, DC 20036	Travel & Tourism Gov't Affairs Council	2,280.00	
Northeast Utilities Service Co, Selden St. Berlin, CT 06037			1,643.97
Northwest Strategies, 111 Queen Anne Avenue North, #500 Seattle, WA 98109	Pacific Lumber and Shipping	2,835.00	23.50
Do	Washington Citizens for World Trade	9,990.00	500.00
Russell C. Notar, 1401 New York Ave., NW, #1100 Washington, DC 20005	National Cooperative Business Assn	2,000.00	40.00
Steven R. Nousen, P.O. Box 3529 Portland, OR 97208	Port of Portland	13,716.75	145.50
Patrick J. Nugent, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	8,673.82
H. James Nunes, 1823 Jefferson Place, NW Washington, DC 20036	Jefferson Group		
Silas O. Nunn, 1110 Vermont Avenue, NW, #1250 Washington, DC 20005	Shipbuilders Council of America		
Ralph D. Nurnberger, 440 First Street, NW, #600 Washington, DC 20001	American Israel Public Affairs Comm	14,250.00	1,230.39
Jack O. Nutter II, 1341 G St., NW #1100 Washington, DC 20005	Jefferson Group (For:Lockheed Corp)	562.50	160.91
Do	Jefferson Group (For:3M Safety & Security Systems)	1,687.50	
C. D. Nyberg, 103 S.W. 24th Street Austin, MN 55912	Geo. A. Hormel & Co		
Hubert K. O'Bannon, 50 F Street, NW Washington, DC 20001	Association of American Railroads	891.98	349.98
George O'Bea Jr., 815 16th Street, NW, #701 Washington, DC 20006	United Paperworkers International Union		
Dinah K. O'Berry, 2000 K St., NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	12,465.00	295.00
Coleman C. O'Brien, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	8,750.00	20.00
David D. O'Brien, O'Brien & Associates 600 New Hampshire Avenue, NW, #1010 Washington, DC 20037	Harley-Davidson, Inc	12,000.00	1,604.70
Nancy O'Brien, 2251 Wisconsin Avenue, NW Washington, DC 20007	National Assn of Trade & Technical Schools	1,750.00	
Raymond V. O'Brien, 1600 M St., NW Washington, DC 20036	ITT Corporation	1,150.00	100.00
Rosemary L. O'Brien, 805 15th Street, NW, #610 Washington, DC 20005-2207	CF Industries, Inc	500.00	80.83
David O'Brien & Associates, 600 New Hampshire Ave., NW, #1010 Washington, DC 20037	A. L. Williams & Company	16,000.00	263.20
James J. O'Connell, 1201 Pennsylvania Avenue, NW, #370 Washington, DC 20004	Control Data Corporation		
Quinn O'Connell, 1001 Pennsylvania Ave., NW #310 Washington, DC 20004	Holland & Hart		
Richard T. O'Connell, Richard T. O'Connell & Associates, Inc 3208 Traveler Street Fairfax, VA 22030	National Confectioners Assn of the U.S		
James E. O'Connor, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	20,000.00	
Kelley E. O'Connor, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	8,645.00	
Patrick C. O'Connor, 1825 K Street, NW, #305 Washington, DC 20006	Kent & O'Connor, Inc (For:American Supply Association)	1,000.00	538.69
Do	American Warehousemen's Association		
Do	National Assn of Fleet Administrators	12,675.00	6,666.31
Do	Steel Tank Institute	1,650.00	875.36
Do	Transportation Lawyers Assn		
O'Connor & Hannan, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	American Bus Assn	5,625.00	
Do	American Clinical Laboratory Assn	10,000.00	
Do	American Family Life Assurance Co	2,100.00	
Do	American Health Care Assn	2,749.24	
Do	American Inst of Certified Public Accountants		
Do	American Insurance Assn	500.00	
Do	American Maritime Transport, Inc		
Do	American Orthotics & Prosthetics Association	9,709.23	
Do	American Soc of Assn Executives	4,027.68	
Do	American Soc of Cataract & Refractive Surgery		
Do	Arthur Andersen & Co	1,000.00	
Do	Carreecom Corp	125.00	
Do	Center for Marine Conservationion, Inc	3,698.00	
Do	ChemWaste Management, Inc		
Do	China External Trade Development Council	10,067.54	
Do	Citizens Savings and Loan	27,895.00	
Do	City of Minneapolis		
Do	Coca-Cola Company	24,776.34	
Do	Connaught Laboratories, Inc	4,008.84	
Do	Crescent Cities Jaycees Foundation, Inc	746.88	
Do	CNA Insurance Co	2,720.94	
Do	Distilled Spirits Council of the U.S., Inc	1,000.00	
Do	DKT Memorial Foundation	6,000.00	
Do	Eastern Michigan University	432.64	
Do	Electronic Data Processing Auditors Association	2,462.79	
Do	Electronic Data Systems Corp	2,000.00	
Do	Embassy of Bolivia		
Do	Federal Home Loan Bank of Seattle		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Federal Home Loan Bank of Topeka		
Do	Federal Home Loan Bank DesMoines		
Do	Forstmann Little & Co	6,000.00	
Do	Glass Packaging Institute		
Do	Government of El Salvador	42,000.00	
Do	Government of Netherlands Antilles	43,744.25	
Do	Health Care Financing Study Group		
Do	Hennepin County		
Do	Homeowners Federal Savings	7,500.00	
Do	Housing Study Group		
Do	Hutchinson Island Limited, Inc	381.00	
Do	Independent Advertising Council		
Do	Investment Company Institute	4,187.50	
Do	J.C. Penney Company, Inc		
Do	Kawasaki Kisen Kaisha, Ltd		
Do	Martin Marietta Corp	2,200.00	
Do	MasterCard International, Inc	7,000.00	
Do	Mercedes-Benz of North America, Inc	17,745.32	
Do	Minnesota Mutual Life Insurance Co	2,500.00	
Do	Mitchell Sweet & Associates	2,000.00	
Do	Morgan Grenfell Group, PLC	3,736.00	
Do	National Apartment Assn		
Do	National Assn of Optometrists and Opticians, Inc		95.00
Do	National Assn of Portable X-Ray Providers	6,000.00	
Do	National Assn of Private Enterprise of El Salvador	200.00	
Do	National Funeral Directors Assn	4,732.20	
Do	National Retail Hardware Association	3,864.14	
Do	New York State Assembly	1,000.00	
Do	Outdoor Advertising Assn of America, Inc		
Do	Pacific Telesis Group	2,730.00	
Do	Perpetual Savings Bank	5,000.00	
Do	Philadelphia Stock Exchange	7,500.00	
Do	Prudential Insurance Co of America	805.00	
Do	Joseph E. Seagram & Sons, Inc	505.41	
Do	Securities Industry Assn	6,400.00	
Do	SmithKline Beckman Corp	4,419.30	
Do	State of Alaska	14,262.86	
Do	Summer Island, Inc	2,140.00	
Do	SCS Business and Technical Institute, Inc	3,000.00	
Do	U.S. Tuna Foundation		
Do	Visa, USA, Inc	2,000.00	
Do	Westinghouse Electric Corp	6,297.33	
Emily O'Connor-Karolyi, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Paul T. O'Day, 1150 17th Street, NW Washington, DC 20036	American Fiber Producers Assn, Inc		
Thomas A. O'Day, 1629 K St., NW, #1010 Washington, DC 20006	Alliance of American Insurers	300.00	
John F. O'Donnell, 1111 14th St., NW, #1100 Washington, DC 20005	American Dental Assn	1,000.00	
Karen O'Donnell, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
J. Daniel O'Flaherty, 1625 K St., NW, #1090 Washington, DC 20006	National Foreign Trade Council	5,000.00	400.00
Bridget O'Grady, 955 L'Enfant Plaza, SW, #1202 N Washington, DC 20024	National Water Resources Assn	3,750.00	
Jane O'Grady, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	17,620.40	465.53
Terri O'Grady, 1600 Rhode Island Avenue, NW Washington, DC 20036	National Rifle Assn of America	1,150.05	370.43
Barbara E. O'Hara, P.O. Box 23992 Washington, DC 20026-3992	American Soc of Travel Agents	75.00	
Eileen M. O'Keefe, 1317 F Street, NW Washington, DC 20004	Lisboa Associates, Inc (For:University of the Virgin Islands)	250.00	
Janet O'Keeffe, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	3,000.00	138.90
Joseph O'Neil, 1000 Wilson Blvd., #3000 Arlington, VA 22209	ITT Defense Technology Corp	1,000.00	50.00
John Vincent O'Neill, 13411 Running Pump Ct. Herndon, VA 22071	Institute of Electrical & Electronics Engineers	2,425.00	515.06
Joseph P. O'Neill, 1616 H Street, NW Washington, DC 20006	American Retail Federation	500.00	61.00
O'Neill and Athy, P.C., 1310 19th Street, NW Washington, DC 20036	Allegheny County Commission		
Do	American Bankers Assn	1,350.00	
Do	Bank of New England		
Do	Beth Israel Hospital		
Do	Brigham and Women's Hospital		
Do	Coalition of Boston Teaching Hospitals		
Do	Compu Chem Corp		
Do	Connecticut Bank & Trust Corp		
Do	Cruise America Line, Inc		
Do	P.W. Gillibrand and Co		
Do	Glass Packaging Institute		
Do	Massachusetts General Hospital		
Do	Massachusetts Hospital Assn		
Do	Milk Industry Foundation		
Do	National Football League		
Do	National Gas Pipeline Coalition		
Do	New England Deaconess Hospital		
Do	New England Medical Center		
Do	Northwestern Mutual Life		
Do	Pyrotechnic Signal Manufacturers Assn		
Do	Source Data Network		
Do	Texas Utilities Co		
Do	University Hospital		
Do	USTA		
Do	USX Corporation		
Do	Viacom International	1,250.00	
John T. O'Rourke, 1850 M Street, NW Washington, DC 20036	Securities Industry Assn	976.00	
John O'Shaughnessy, 1825 K Street, NW, #807 Washington, DC 20006	Greater New York Hospital Assn	14,500.00	1,200.00
J. Denis O'Toole, 1120 Connecticut Avenue, NW Washington, DC 20036	U.S. League of Savings Institutions	11,666.00	
John E. O'Toole, 666 Third Avenue New York, NY 10017	American Assn of Advertising Agencies	2,500.00	
M. Diane O'Toole, 1000 Wilson Blvd., #2300 Arlington, VA 22209	Northrop Corp	1,400.00	227.14
Stephen E. O'Toole, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	3,322.85
Jana R. Oakley, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	425.00	
Paul C. Oakley, 50 F Street, NW Washington, DC 20001	Association of American Railroads		
Harry R. Obley, One Mellon Bank Center, #1905 Pittsburgh, PA 15258-0001	Mellon Bank N.A., et al	2,000.00	575.18
Kim M. Oboz, 1020 19th Street, NW, #700 Washington, DC 20036	U S West, Inc	650.00	1,905.04
Ocenco, Inc, 400 Academy Drive Northbrook, IL 60062			540.45
Thomas J. Oden, 1503 N. Filmore St. Arlington, VA 22201	National Milk Producers Federation	6,000.00	
Neil H. Offen, 1776 K Street, NW, #600 Washington, DC 20006	Direct Selling Association		
Donald G. Ogilvie, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,500.00	
Marion Browne Oglesby Jr., 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	RJR Nabisco, Inc	1,750.00	
Michael D. Oldak, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	149.00	
R. Teel Oliver, 1615 L Street, NW, #1320 Washington, DC 20036	Merck & Co, Inc	1,375.00	500.00
Lawrence Olsen, 400 W. 15th, #417 Austin, TX 78701	Texas Good Roads/Transportation Assn		981.25
Van R. Olsen, 1156 15th St., NW, #1019 Washington, DC 20006	U.S. Beet Sugar Assn		
Eric Olson, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	3,590.41	
Richard C. Olson, 2000 Edmund Valley Drive, #400 Reston, VA 22091	Citibank, N.A.	1,800.00	
Do	DynCorp	4,800.00	356.00
Do	Hydrocarbon Research, Inc		
Olsson Frank & Weeda, 1400 16th Street, NW, #400 Washington, DC 20036-2220	American Meat Institute	1,100.00	
Do	Duramed Pharmaceuticals, Inc		
Do	Pillsbury Company	1,000.00	
Do	Schwan's Sales Enterprises	4,000.00	
Do	U.S. Surgical Corporation	300.00	
Do	Vicam	900.00	
Do	Western States Meat Assn	525.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Omega International, Inc, 11 Carriage House Circle Alexandria, VA 22034	Los Angeles-Long Beach Harbor Repair Council	300.00	
Do	United Engineers & Constructors	300.00	
Clark Onstad, 901 15th St., NW, #500 Washington, DC 20005	Texas Air Corp, et al	12,500.00	6,542.00
Ronald S. Oppenheimer, 4 World Trade Center New York, NY 10048	New York Mercantile Exchange	9,900.00	1,550.00
Oppenheimer Rosenberg Kelleher & Wheatley, Inc, 711 Navarro, #600 San Antonio, TX 78205	First City-Texas	600.00	
Opperman Heins & Paquin, 1300 I Street. NW, #480E Washington, DC 20005	West Publishing Company	787.50	
Charles J. Orasin, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	10,384.62	
Michel Orban, American Express Company World Financial Center 200 Vesey Street New York, NY 10285-4890	American Express Co		
Elvira J. Orly, 1150 Connecticut Ave., NW, #500 Washington, DC 20036	Browning-Ferris Industries, Inc		
Edward R. Osann, 1400 16th St., NW Washington, DC 20036-0001	National Wildlife Federation	6,065.20	
J. F. Otero, 815 16th Street, NW Washington, DC 20006	Transportation Communications Union	1,000.00	
Karl Ottosen, 208 G Street, NE Washington, DC 20002	NL Industries, Inc	11,250.00	
Cliff Ouse, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	25.00	
Arthur R. Ouslander, P.O. Box 23451 Washington, DC 20026	Consolidated Rail Corporation	2,667.00	
Overseas Education Assn, 1201 16th Street, NW Washington, DC 20036		1,000.00	1,547.85
Thomas E. Owens, 1111 14th Street, NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	
Thomas J. Owens, P.O. Box 12266 Seattle, WA 98102	Continental Savings Bank		
Do	Dollar Savings Bank, et al	28,800.00	7,334.80
Do	Pacific First Financial Corp		
Do	University Federal Savings & Loan		
William J. Owens, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202	Manufactured Housing Institute	455.00	
R. Ray Paabo, P.O. Box 25019 Washington, DC 20007	Santa Fe Pacific Pipelines, Inc		
Do	Sierra Pacific Industries, Inc		
Joel Packer, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,348.10	71.75
Eileen E. Padberg, 2081 Business Center Drive, #205 Irvine, CA 92715	Reese Communications Cos (for: Philip Morris, USA)	2,400.00	447.77
Lee W. Paden, P.O. Box 201 Tulsa, OK 74102	Public Service Co of Oklahoma		
Pagonis & Donnelly Group, Inc, 1620 I Street, NW, #202 Washington, DC 20006	Air Products & Chemicals Inc		
Do	Americans for National Dividend Act, Inc	18,000.00	
Do	Association of High Medicare Hospitals	19,512.00	66.76
Do	ABB, Inc		
Do	Burroughs Wellcome Co	10,575.00	59.66
Do	Dow Chemical USA	16,237.50	433.45
Do	Harrah's, Inc		
Do	Holiday Corp	29,465.00	169.87
Do	Nord Resources Corp		
Benjamin L. Palumbo, 1629 K St., NW Washington, DC 20006	Atlantic Richfield Co	27,000.00	
Palumbo & Cerrell, Inc, 1629 K St., NW, # 1100 Washington, DC 20006	American Insurance Assn	12,500.00	
Do	American Soc of Composers Authors & Publishers	8,915.00	
Do	RJR Nabisco, Inc	6,250.00	
Do	Southern California Rapid Transit District	18,750.00	
Peter J. Pantuso, 7900 Westpark Drive, A-320 Mclean, VA 22102	National Confectioners Assn of the U.S.		1,650.00
Virginia N. Pape, 888 17th Street, NW, #308 Washington, DC 20006	American Stock Exchange		
Marcia M. Pape-Daniels, 655 15th Street NW, Suite #444 Washington, DC 20005	CH2M Hill	750.00	
G. Oliver Papps, N.J. Petroleum Council 150 W. State St. Trenton, NJ 08608	American Petroleum Institute		
Stephen J. Paradise, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Jonathan R. Paret, 1850 M Street, NW Washington, DC 20036	Securities Industry Assn	2,221.00	
Alan A. Parker, 1050 31st Street, NW Washington, DC 20007	Association of Trial Lawyers of America	5,000.00	100.00
John N. Parker, 1100 Connecticut Ave., NW, #620 Washington, DC 20036	Mobil Corp	375.00	
Sara Lynn Parker, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center		
Tom V. Parker, Arkansas Petroleum Council One Riverfront Place, #460 North Little Rock, AR 72114	American Petroleum Institute	936.00	1,285.37
Carl M. Parks, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Sears Roebuck & Co	5,000.00	45.65
Prudence H. Parks, 11301 Popes Head Road Fairfax, VA 22030	Washington Gas Light Co	500.00	
Ann M. Parman, 1701 K Street NW, Suite 400 Washington, DC 20005	National Manufactured Housing Federation	100.00	
Ronald L. Parrish, 1800 One Tandy Center Fort Worth TX 75102	Tandy Corp	5,545.29	273.60
Parry and Romani Associates, Inc, 233 Constitution Avenue, NE Washington, DC 20002	Stop Substance Abuse Via Education (SSAVE)		
Amber Parson, 7901 Westpark Drive McLean, VA 22102	National Machine Tool Builders' Assn	1,100.00	500.00
Richard N. Parsons, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	6,461.52	
Partnership on Health Benefits and Employment, P.O. Box 27414 Washington, DC 20038		10,030.00	24,025.49
Charles C. Partridge, 5535 Hempstead Way Springfield, VA 22151	National Assn for Uniformed Services	2,625.00	
Jack Partridge, 1014 Vine St. Cincinnati, OH 45201	Kroger Company	2,500.00	1,570.82
Robert D. Partridge, 511 Janneys Lane Alexandria, VA 22302	Burns & McDonnell	300.00	9.40
Richard E. Pasco, 501 School Street, SW, #400 Washington, DC 20024	National Pork Producers Council	2,000.00	9.00
Peter R. Pastre, 1420 King St. Alexandria, VA 22314-2715	National Society of Professional Engineers	1,250.00	
Melissa B. Patack, 440 First Street, NW, #600 Washington, DC 20001	American Israel Public Affairs Committee	13,999.98	267.90
M. Stephanie Patrick, 1101 15th Street, NW, #205 Washington, DC 20005	Cargill, Inc	1,250.00	
Gary B. Patterson, Delaware Petroleum Council P.O. Box 1429 Dover, DE 19903	American Petroleum Institute	59.00	4.98
Jerry M. Patterson, 3200 Park Center Dr., #650 Costa Mesa, CA 90630	City of Bell & Bell Community Redevelopment Agency	1,680.50	
Richard M. Patterson, 1776 EYE St., NW, #575 Washington, DC 20006	Dow Chemical Co	500.00	5,796.00
C. James Patti, 1133 15th Street, NW, #600 Washington, DC 20005	Maritime Institute for Research & Industrial Development	9,177.00	119.00
Kenton H. Pattie, 3150 Spring St. Fairfax, VA 22031	International Communications Industries Assn	5,000.00	282.40
David J. Pattison, 1025 Connecticut Ave., NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Patton Boggs & Blow, 2550 M St., NW Washington, DC 20037	Advanced Technology, Inc	1,350.00	3.12
Do	Air Products & Chemicals, Inc	330.00	5.00
Do	Aiwa America, Inc		
Do	Akai America, Ltd		
Do	Alain Wertheimer		
Do	Alaska Crab Coalition		
Do	Alexander & Baldwin, Inc		
Do	American Assn of Equipment Lessors	330.00	5.00
Do	American Congress on Surveying & Mapping		
Do	American Express Co		
Do	American International Automobile Dealers Assn		
Do	American Logistics Assn		
Do	American Maritime Assn	123.75	9.00
Do	American Stock Exchange		
Do	Armco, Inc	330.00	5.00
Do	Association of Professional Flight Attendants		
Do	Association of Trial Lawyers of America	96.25	10.00
Do	Avon Products, Inc		
Do	Bath Iron Works Corp		
Do	Bethlehem Steel Corp	330.00	5.00
Do	Bic Corporation		
Do	Biogen		
Do	BATUS, Inc		
Do	Casio		
Do	Castle & Cooke, Inc		
Do	Center City-Inner Harbor Management, Inc	1,500.00	
Do	Chemfix Technologies, Inc		
Do	Cherokee Nation of Oklahoma	180.00	45.00
Do	Cherokee Nation Industries, Inc	1,260.00	62.00
Do	Chicago Board Options Exchange	642.50	24.00
Do	Chrysler Corporation	330.00	5.00
Do	City & County of Denver	990.00	201.68
Do	College Savings Bank	52.50	
Do	Columbia Farm Credit District		
Do	Columbia, Inc		
Do	Corridor Broadcasting Corp	1,665.00	40.00
Do	Costa Rican Foreign Trade Committee		
Do	Council of Graduate Schools		
Do	Cryolife, Inc		
Do	CIGNA Corporation		
Do	Dealer Action Association		
Do	Dole Fresh Fruit Co		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Dredging Industry Size Standards Committee (DISSC)		
Do	Duty Free Shoppers Group, Ltd		
Do	DOYON, Ltd		
Do	Electric Reliability Coalition	1,085.00	10.00
Do	Federation of Postal Police Officers		
Do	Fiart Cantieri Italiani, S.P.A.		
Do	Fidelity Investors		
Do	Fishing Vessel Owner's Assn		
Do	Flexi-Van Leasing, Inc	64.28	3.99
Do	Freedom to Advertise Coalition	3,061.25	43.00
Do	Fuji Photo Film USA, Inc		
Do	Fundacion de Defensa del Comerio Exterior		
Do	Fundacion Pro Imagen de Columbia		
Do	Gana-A'Yoo, Limited		
Do	Genstar Container Corporation	64.28	4.00
Do	Goldbelt, Inc	937.50	71.00
Do	Government of the Marshall Islands		
Do	Government of Iceland		
Do	Charles Heilbronn, et al	915.00	
Do	Hitachi Sales Corp of America		
Do	Hobby Industries Assn		
Do	Immune Response Corp		
Do	Incorporated Research Institutions for Seismology		
Do	Institute of Scrap Recycling Industries	630.00	16.00
Do	International Fabricare Institute	96.25	12.50
Do	International Thomson, Inc		
Do	Itel Containers International Corp	64.28	4.00
Do	Kaiser Aluminum & Chemical Corp		
Do	Kenwood USA Corporation	0.63	
Do	Loop, Inc	1,645.00	
Do	Magnuson Act Coalition	2,915.00	34.00
Do	Marathon Oil Co	875.00	
Do	Mars, Inc		
Do	Mass Mutual		
Do	Matson Navigation Co		
Do	Matsushita Electric Corp of America		
Do	Maxell Corp of America		
Do	May Department Stores Co		
Do	Metropolitan Life		
Do	Minerals Marketing Corp of Zimbabwe		
Do	Mitsubishi Electric Sales American, Inc		
Do	Mocatta Metals Corp		
Do	Mutual Benefit Life		
Do	Mutual Legislative Committee	4,180.00	544.50
Do	MCI Telecommunications, Inc	175.00	
Do	Nakajima USA		
Do	Nakamichi USA	0.28	
Do	National Assn of Life Underwriters		
Do	National Assn of Retail Druggists		
Do	National Cable Television Assn, Inc	262.50	
Do	National Con-serv, Inc	412.50	
Do	National Intergroup, Inc		
Do	National Marine Manufacturers Assn	630.00	16.00
Do	National Soft Drink Assn		
Do	Navajo Nation		
Do	New York Life Insurance Co	381.25	20.00
Do	Newmont Mining Corp		
Do	Northwestern Mutual Life	285.00	36.00
Do	NCNB Texas National Bank		
Do	NEC Electronics (USA) Inc		
Do	NMTBA-National Machine Tool Builder's Assn	330.00	5.00
Do	Olympic Fibers		
Do	Onkyo USA Corp	0.42	0.05
Do	Options Clearing Corp		
Do	OSG Bulk Ships, Inc	453.75	30.00
Do	Paine Webber, Inc		
Do	Pioneer Electronics (USA), Inc		
Do	Prince George Center, Inc	5,062.50	
Do	Reinsurance Assn of America		
Do	Reliance Group Holdings, Inc	64.29	4.00
Do	Retail Industry Trade Action Coalition		
Do	Retail Tax Committee		
Do	Rice Millers' Assn		
Do	Royal Trustco, Ltd		
Do	Sansui Electronics Corp		
Do	Sanyo Electronics, Inc		
Do	Save Chanute Committee	900.00	52.30
Do	Seafood Wholesalers, Inc		
Do	Sharp Electronics Corp		
Do	Charles E. Smith Companies		
Do	Smokeless Tobacco Council, Inc	2,200.00	31.00
Do	Sony Corp of America		
Do	Specialty Seafoods		
Do	Squibb Corporation		
Do	Standard Federal Savings Bank	96.25	
Do	Sultantate of Oman	756.25	10.00
Do	Teac Corp of America		
Do	Teknika Electronics Corp		
Do	Thornycraft Giles & Co., Inc	325.00	
Do	Toshiba America, Inc		
Do	Trans Ocean Ltd	64.29	4.00
Do	Transamerica Leasing, Inc	64.29	4.00
Do	Triton Container	64.29	4.00
Do	TDK USA Corp		
Do	U.S. Air, Inc		
Do	U.S. Tobacco Co	262.50	
Do	U.S. Tuna Foundation	550.00	12.00
Do	Union Pacific Corp	330.00	5.00
Do	Universal Lottery Co		
Do	University of Arizona Foundation	6,961.77	
Do	US JVC Corporation		
Do	USX Corp	330.00	5.00
Do	Waste Management Inc		
Do	Wayne County Michigan		
Do	Westinghouse Electric Corp	3,796.25	115.00
Do	WWL-TV		
Do	XTRA Corp	64.29	4.01
Do	Yamaha Electronics Corp, USA		
Andrew R. Paul, 1875 Eye Street, NW, #1225 Washington, DC 20006	Paramount Communications, Inc	4,800.00	14.00
Paul Hastings Janofsky & Walker, 1050 Connecticut Avenue, NW, #1200 Washington, DC 20036	Allegheny Power System Inc, et al	2,200.00	
Do	Amdahl Corporation	1,946.25	
Do	CalMat Company		
Do	GAF Corporation		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Kawasaki Motors Corp, USA	2,062.50	
Do	Koito Manufacturing Co	11,255.00	310.15
Do	Paul D. Lieb	2,598.00	
Do	New Thrift Owners Group		
Do	Security Life of Denver	1,897.50	
Do	Tobacco Institute	381.25	
Larry E. Paulick, 2111 Eisenhower Avenue Alexandria, VA 22314	National Spa & Pool Institute		
Nell Payne, 111 Massachusetts Ave., NW, 3rd Floor Washington, DC 20001	Turner Broadcasting System, Inc	1,800.00	
Tommy J. Payne, 1455 Pennsylvania Ave., NW, #525 Washington, DC 20004	RJR Nabisco, Inc	2,100.00	245.25
Richard A. Paysor, 1415 Elbridge Payne Rd., #135 St. Louis, MO 63017	First Capitol Associates - Gateway, Inc		
Norman E. Pearson, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn	100.00	
Ronald Pearson, 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa		
Russell H. Pearson, 1156 15th Street, NW, #1015 Washington, DC 20005	J. C. Penney Co, Inc		
Pearson and Pipkin, Inc, 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa	15,000.00	
Joe P. Peck Jr., 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Shelley Peck, 122 C St., NW Washington, DC 20001	Children's Defense Fund	1,683.60	
Lee Peckarsky, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	37,500.00	291.61
Randall G. Pence, P.O. Box 781 Herndon, VA 22070	National Concrete Masonry Assn	5,100.00	245.38
Nicholas J. Penning, 1801 N. Moore Street Arlington, VA 22209	American Assn of School Administrators	7,800.00	
James C. Pennington, 5535 Hempstead Way Springfield, VA 22151	National Assn for Uniformed Services	2,625.00	
Pennsylvania Power & Light Co, 2 North 9th Street Allentown, PA 18101			2,015.35
Barbara K. Pequet, 609 Bonifant Street Silver Spring, MD 20910	American Soc for the Prevention of Cruelty to Animals	1,500.00	800.00
Victor J. Perini Jr., 1776 Massachusetts Ave., NW Washington, DC 20036	Highway Users Federation for Safety & Mobility		
James W. Perkins, 1 Beacon Street, Rm. 2200 Boston, MA 02108	Palmer & Dodge (For:National Assn of Bond Lawyers)		
Robert A. Perkins, 1100 Connecticut Avenue, NW Washington, DC 20036	Chrysler Corporation	15,000.00	450.00
Perkins Coie, 1110 Vermont Ave., NW, #1200 Washington, DC 20005	Arctic Alaska Fishing Corp		
Do	Boeing Company		
Do	Burlington Resources		
Do	Cook Inlet Region, Inc		
Do	Kootznoowoo, Inc		
Do	Wood Heating Alliance		
Gary J. Perkinson, 453 New Jersey Ave., SE Washington, DC 20003	Perkinson & Associates, Inc (For:Alliance for America's Homeowners)		
Do	Perkinson & Associates, Inc (For:Beneficial Management Corp of America)		
Do	Perkinson & Associates, Inc (For:National Second Mortgage Assn)		
Perkinson & Associates, Inc, 453 New Jersey Ave., SE Washington, DC 20003	Alliance for America's Homeowners		
Do	Beneficial Management Corp		
Do	National Second Mortgage Assn		
Ernest Michael Perley, 112 St. Clair Avenue, West, #401 Toronto, Ontario M4V 2Y3	Perley & Hurley Ltd (For:Canadian Coalition on Acid Rain)	2,000.00	3,815.01
Abigail Perlman, 801 17th Street, NW., #200 Washington, DC 20006	Federal Asset Disposition Assn		
Jeffry L. Perlman, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	3,000.00	289.67
Leonard Perlman, 5312 Trailway Drive Rockville, MD 20853	American Assn for Counseling & Development		
Susan Perry, 1015 15th Street, NW Washington, DC 20005	American Bus Assn	2,687.50	75.00
Mark Pertschuk, 2054 University Ave., #500 Berkeley, CA 94704	Americans for Nonsmokers' Rights	1,613.00	
Roxanne Perugino, 888 16th St., NW Washington, DC 20006	Bannerman and Associates, Inc (For:Beirut University College)	1,000.00	15.60
Do	Bannerman & Associates, Inc (For:Government of Tunisia)	990.00	62.09
Do	Bannerman and Associates, Inc (For:Sawyer-Miller Group (for Government of the Philippines)).	250.00	67.83
Phillips S. Peter, 1331 Pennsylvania Avenue, NW, #800-S Washington, DC 20004	General Electric Co	100.00	
Gordon A. Peters, 9191 West Tulip Drive Columbus, IN 47201	Juvenile Products Manufacturers Assn	7,760.00	
Robert Peters, 342 West 15th Street New York, NY 10011	Morality in Media, Inc		
Robert A. Peters, 1730 Rhode Island Ave., NW, Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Esther Peterson, 2001 S St., NW, #510 Washington, DC 20009	International Organization of Consumers Unions		
Geoffrey G. Peterson, 1250 Eye St., NW, #900 Washington, DC 20005	Distilled Spirits Council of the U.S., Inc	2,000.00	
Kenneth W. Peterson, Kansas Petroleum Council 1005 Merchants Bank Tower Topeka, KS 66612	American Petroleum Institute		
Lars E. Peterson, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	500.00	
Mary Jo Peterson, 1957 E Street, NW Washington, DC 20006	National Automobile Dealers Assn	3,300.00	
Sheryl L. Peterson, 1101 14th St. NW Washington, DC 20005	American Financial Services Assn	250.00	
Dayna Petete, 1325 G Street, NW, #1003 Washington, DC 20005	Population Environment Balance	307.00	6.80
Susan F. Petniunas, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corporation	500.00	
Michael J. Petrina Jr., 1110 Vermont Avenue, NW, #800 Washington, DC 20005	Cosmetic Toiletry & Fragrance Assn, Inc		
Petroleum Marketers Assn of America, 1120 Vermont Ave., NW, #1130 Washington, DC 20005		20,000.00	17,915.12
Stephan Petry, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	63.00	
Laura M. Pettey, 1776 Eye Street, NW, #575 Washington, DC 20006	National Assn of Manufacturers	375.00	
C. L. Pettit, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Mitchell S. Pettit, 1133 Connecticut Ave., NW, #1000 Washington, DC 20036	Madison Public Affairs Group (for: Philip Morris USA)	4,200.00	1,900.00
Brian T. Petty, 1901 L St., NW, #702 Washington, DC 20036	International Assn of Drilling Contractors		
Peyser Associates, Inc, 1000 Vermont Ave., NW, #400 Washington, DC 20005	City of Philadelphia		
Do	Greyhound Lines, Inc	8,750.00	
Do	MacAndrews & Forbes Holdings, Inc	10,762.50	
Do	Metro	4,600.00	
Do	Metropolitan Toledo Consortium		
Do	Mothers Against Drunk Driving (MADD)	18,000.00	
Do	National School Health Education Coalition	3,400.00	
Do	New York State Bridge Authority		
Do	Regional Transit Authority	23,750.00	
Do	Southeastern Pennsylvania Transit Authority	11,250.00	
Steven J. Pfister, 1000 Connecticut Avenue, NW Washington, DC 20036	National Retail Merchants Assn	3,000.00	170.29
James R. Phalen, 1200 19th Street, NW, #606 Washington, DC 20036	RCF Group	10,000.00	
Pharmaceutical Manufacturers Assn, 1100 15th Street, NW, #900 Washington, DC 20005		22,318.25	22,318.25
Marshall A. Pharr, 6103 Adirondack Amarillo, TX 79106	Southwestern Public Service Co	4,914.00	148.98
Dennis J. Phelan, 1101 17th St., N.W., #609 Washington, DC 20036	Pacific Seafood Processors Assn	28,000.00	374.00
Mary Frances Phelps, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California		
William C. Phelps, 2929 Allen Parkway Houston, TX 77019	American General Corporation	6,800.00	7,995.24
Deborah M. Phillips, 1899 L Street, NW, Fifth Floor Washington, DC 20036	General Instrument Corporation		
Deirdre B. Phillips, 100 Federal Street Boston, MA 02110	Bank of Boston Corporation		
Do	First National Bank of Boston		
Patricia Lynn Phillips, P.O. Box 10891 McLean, VA 22102	National Assn of State Agencies for Food Distribution	2,415.00	
William G. Phillips, 417 Sixth Street, SE Washington, DC 20003	Association of Univ Environmental Health Science Centers	6,000.00	553.98
Do	Association of Univ Programs in Occupational Health & Safety	11,050.00	2,276.27
Do	Metal Trades Department, AFL-CIO	2,625.00	285.31
Phillips Nizer Benjamin Krim & Ballon, 40 West 57th Street, 32nd Floor New York, NY 10019	Riverbay Corp		
Dan Phythyon, 1771 N St., NW Washington, DC 20036	National Assn of Broadcasters	2,000.00	970.65
Joan Piccolo, 1350 I Street, NW, #400 Washington, DC 20005	Motorola, Inc	4,500.00	
Paulette C. Pidcock, 1100 Connecticut Avenue, NW, #530 Washington, DC 20036	Baltimore Gas & Electric Co	432.89	47.62
Theodore M. Pierce, 1300 North 17th St., #300 Arlington, VA 22209-3899	National Assn of Surety Bond Producers		
Wayne Pierce, 101 Constitution Avenue, NW Washington, DC 20001	United Brotherhood of Carpenters & Joiners of America	28,350.00	127.24
Pierson & Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Multinational Business Services	9,000.00	5,810.84
Pierson Semmes & Finley, 1054 31st Street, NW Washington, DC 20007	American Land Title Assn		
Do	Mauritius Sugar Syndicate		203.18
Do	Oklahoma Natural Gas Company		
Do	Six Flags Corporation		
John H. Pilcher, 1331 Pennsylvania Ave.,NW, #1500 Washington, DC 20004-1703	National Assn of Manufacturers	125.00	
Piliero Tobin and Mazza, Farragut Square 888 17th Street, NW Washington, DC 20006	Ad Hoc Committee of Mutual Fund Managers	732.20	
Do	Fujitec America, Inc	250.00	
Do	National Fire Protection Assn		
Do	Villa Banfi, U.S.A.	250.00	
Pillsbury Madison & Sutro, 1667 K St., NW, #1100 Washington, DC 20006	Chevron Corporation		
Do	Federal Home Loan Bank of San Francisco		
Do	Geneva Steel		
Do	Intermedia Partners		
Do	Temis Ramires de Arellano		
Valerie F. Pinson, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,340.00	
Emily C. Piper, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Piper & Marbury, 1200 19th Street, NW, #700 Washington, DC 20036	Association for Governmental Leasing and Finance	2,982.89	
Do	Edison Electric Institute	660.00	2.20
Do	National Assn of Independent Colleges and Universities	4,793.15	
Robert Pipkin Jr., Pearson & Pipkin, Inc 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa		
Jeffrey J. Pirruccello, One Central Park Plaza, #1100 Omaha, NB 68508	McGrath North Mullin & Kratz, PC (For:Nebraska Catholic Conference)	1,879.65	519.65
Do	McGrath North Mullin & Kratz, PC (For:Septemberfest Salute to Labor, Inc)	688.00	
Do	McGrath North Mullin & Kratz, PC (For:UNO Maverick Boosters, Inc)	704.00	
William P. Pitts, 1667 K Street, NW, #300 Washington, DC 20006	Amdahl Corp	1,000.00	
Peggy Pizzo, 733 15th Street, NW, #912 Washington, DC 20005	National Center for Clinical Infant Programs	319.76	376.39
Plains Cotton Growers, Inc, 4510 Englewood Lubbock, TX 79414			
Plaintiff Employment Lawyers Assn, 911 Mercantile Library Bldg. 414 Walnut Street Cincinnati, OH 45202			
Reuben C. Plantico, 111 SW Columbia, #800 Portland, OR 97201	Nerco, Inc	5,250.00	2,399.46
Wyll W. Pleger, 1150 Connecticut Ave., NW, #205 Washington, DC 20036	Brown & Root, Inc	14,063.00	58.00
Martha Rachel Plotkin, 2300 M Street, NW, #910 Washington, DC 20037	Police Executive Research Forum	310.81	
E. R. Plourd, 400 First Street, NW, #704 Washington, DC 20001	United Transportation Union	2,500.00	
Rebecca S. Poe, P.O. Box 2450 Clarksburg, WV 26302-2450	CNG Transmission Corp	500.00	
John A. Poindexter, 3805 West Alabama Houston, TX 77027	Columbia Gulf Transmission Co	15,000.00	
Marc R. Poirier, Spiegel & Mcdiarmid 1350 New York Ave., NW Washington, DC 20005	South Hadley Electric Light Department	315.00	23.18
Gerald Poje, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	488.62	
Mindy Pollack, One Greenwich Plaza P.O. Box 2568 Greenwich, CT 06836	NAC Re Corp		
Michele Pollak, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	534.61	977.76
Alfred M. Pollard, 1701 K Street, NW, #503 Washington, DC 20006	Security Pacific Corp		
John Pomeranz, 1319 F Street, NW, #300 Washington, DC 20004	HALT		
Amy L. Pomplin, 1023 15th Street, NW, #300 Washington, DC 20005	American Veterinary Medical Assn		
John F. Pontius, 130 North Carolina Avenue, SE Washington, DC 20003	New Beginnings At Meadows		
Edward T. Porcaro, 1615 L Street, NW, #1210 Washington, DC 20036	Metropolitan Life Insurance Cos	1,000.00	
Port of Seattle, P.O. Box 1209 Seattle, WA 98111			766.59
Porter Wright Morris & Arthur, 1233 20th Street, NW, 4th Floor Washington, DC 20036-2395	Coalition for Environmental-Energy Balance	106,000.00	7,788.56
J. Craig Potter, 1233 20th Street, NW, #400 Washington, DC 20036			
John C. Pouland, 5757 Martel, B-9 Dallas, TX 75206	Reese Communications Cos (for Philip Morris, USA)	1,800.00	
Joseph L. Powell Jr., 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather		
Powell Goldstein Frazer & Murphy, 1001 Pennsylvania Ave., NW, 6th Floor Washington, DC 20004	Bayley Seton Hospital		
Do	Committee for Competitive Marketing	1,514.00	
Do	CORETECH	28,800.00	
Do	Federal National Mortgage Assn		
Do	Flood Control Advisory Committee		
Do	Flour Corporation	1,560.00	
Do	Hadson Electric, Inc	8,089.00	
Do	Hewlett-Packard & Co	1,473.65	
Do	Hitachi Sales Corp of America	1,568.00	
Do	Massachusetts Housing Finance Agency		
Do	National Multi Housing Council		
Do	Public Service Company of Indiana, Inc	10,989.00	
Do	Republic of Palau	12,992.00	
Do	Starrett Housing Corp		
Do	Sunbelt Corp	64.00	
Do	Westinghouse Electric Corp	10,176.00	
John J. Power, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	17,620.40	232.69
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	Cadmium Council, Inc	1,620.00	
Do	Lead Industries Assn, Inc	360.00	
Do	Salzgitter, A.G.	57,000.00	10,324.38
David J. Pratt, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	American Insurance Assn	700.00	130.00
Robert L. Pratt, 303 Wyman Street Waltham, MA 02154	Thermo Electron Corporation	7,125.00	1,717.00
Preston Thorgrimson Ellis & Holman, 1735 New York Avenue, NW, #500 Washington, DC 20006	Alaska Loggers Assn		
Do	American Forest Resource Alliance		
Do	American President Lines	1,410.00	
Do	Arctic Sounder Enterprises, Inc		
Do	Bay Tankers Inc		
Do	Bellingham Cold Storage		
Do	Burlington Northern Railroad	1,920.00	
Do	Calista Corp		
Do	Coastal Transportation, Inc	924.00	
Do	Computer Systems Policy Project		
Do	Council on Research & Technology	2,200.00	
Do	COMPACT		
Do	Data General Corp	400.00	
Do	Earthquake Project		
Do	Fusion Power Associates	125.00	
Do	Hewlett-Packard Co		
Do	Instituto Latinoamericano del Fierro y el Acero (ILAFA)		
Do	Intelsat		
Do	Jackson Laboratory	1,710.00	
Do	Lutheran Medical Center		
Do	Martin's Point Health Care Center		
Do	National Council on Compensation Insurance		
Do	National Private Truck Council		
Do	OMI Corp	855.00	
Do	Pacific Medical Center		
Do	Pitney Bowes		
Do	Port of Seattle		
Do	Seattle Organizing Comm		
Do	South Dakota Dept of Transportation	1,650.00	
Do	Sunmar Shipping, Inc		
Do	Tele-Communications, Inc	1,938.50	
Do	Transportation Institute		
Do	Tri-City Industrial Development Council	646.50	
Do	United States Cruises, Inc		
Do	University of Washington		
Do	Wheelabrator		
Preti Flaherity Beliveau & Pachios, 443 Congress Street Portland, ME 04101	Energy Efficient Insulation Manufacturers		51,786.55
James M. Price, 730 Polk Street San Francisco, CA 94109	Sierra Club	1,606.60	793.61
Woodruff M. Price, 1331 Pennsylvania Ave., NW, #560 Washington, DC 20004	CSX Corporation	6,000.00	1,146.07
Price Waterhouse, 1801 K St., NW, #700 Washington, DC 20006	American Iron & Steel Institute	365.00	
Do	General Electric Company	1,277.50	64.00
Do	Investment Company Institute	365.00	
Do	Southmark Corporation	547.50	80.00
Do	Union Labor Life Insurance Co	182.50	8.00
Patricia Pride, 1350 Connecticut Avenue, NW, #620 Washington, DC 20036	Financial Accounting Foundation	514.25	255.29
William Prindle, 1725 K St., NW, #914 Washington, DC 20006	Alliance to Save Energy		
George W. Pritts Jr., 1745 Jefferson Davis Hwy., #1200 Arlington, VA 22202	Rockwell International Corp	1,875.00	334.06
Sydney Probst, 1250 Eye Street, NW, #900 Washington, DC 20005	Distilled Spirits Council of the U.S., Inc	2,000.00	
Procompetitive Rail Steering Committee, c/o Vuono, Lavelle & Gray 2310 Grant Building Pittsburgh, PA 15219		12,000.00	
Stuart E. Proctor Jr., 11812 Hitchings Post Lane Rockville, MD 20852	National Turkey Federation		125.00
Profit Sharing Council of America, 20 N. Wacker Drive Chicago, IL 60606			
Gerald R. Prout, 1627 K St., NW, #500 Washington, DC 20006	FMC Corporation	1,300.00	
Peter D. Prowitt, 1101 17th Street, NW, #400 Washington, DC 20036	American President Companies, Ltd	11,874.00	
Prudential-Bache Securities, Inc, 100 Gold St. New York, NY 10292			750.00
James C. Pruitt, 1050 17th St., NW, #500 Washington, DC 20036	Texaco, Inc		
Public Citizen Health Research Group, 2000 P St., NW, #700 Washington, DC 20036			
Public Citizen, Inc, 2000 P Street, NW Washington, DC 20036			
Public Employee Department, AFL-CIO, 815 16th St., NW Washington, DC 20006		63,184.89	24,590.85
Public Land Users Society, 6824 19th West P.O. Box 282 Tacoma, WA 98466		3,783.28	
Public Resource Associates, 1815 H Street, NW, #600 Washington, DC 20006			1,300.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Public Strategies, 620 Congress, #310 Austin, TX 78701	Sammons Enterprises, Inc	18,750.00	549.14
Do	Southwest Airlines Co	3,000.00	1,150.10
Public Timber Purchasers Group, 610 SW. Broadway, #608 Portland, OR 97205			
Theresa Pugh, 1331 Pennsylvania Ave., NW, #1500-N Washington, DC 20004-1703	National Assn of Manufacturers	425.00	
Philip N. Pulizzi Jr., 1667 K Street, NW, #600 Washington, DC 20006	Bethlehem Steel Corp	255.00	
David E. Pullen, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corporation	1,000.00	
John R. Purcell, 204 E Street, NE Washington, DC 20002	National Frozen Food Association	500.00	
Thomas W. Purcell, 1730 North Lynn Street Arington, VA 22209	Printing Industries of America, Inc	2,500.00	
Sue P. Purvis, P.O. Box 14042 St. Petersburg, FL 33733	Florida Power Corp	2,475.00	620.57
Do	Florida Progress Corp	625.00	68.95
Earle W. Putnam, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Howard Pyle III, 1050 17th Street, NW, #550 Washington, DC 20036	Houston Lighting & Power Company	5,600.00	
Robert N. Pyle & Associates, 3222 N Street, NW, #32 Washington, DC 20007	Elkem Metals Company	4,250.00	
Do	International Investors, Inc	1,000.00	
Do	Stratcor	3,000.00	
Do	Welch Foods, Inc	3,750.00	
John R. Quarles Jr., Morgan Lewis & Bockius 1800 M St., NW Washington, DC 20036	National Environmental Development Assn	1,000.00	
William A. Quinlan, 3045 Riva Rd. Riva, MD 21140	National Candy Wholesalers Assn, Inc		
Do	Retail Bakers of America		
Earl C. Quist, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc		
George Gregory Raab, 2000 L Street, NW, #200 Washington, DC 20036	Medtronic, Inc		
Mark J. Raabe, 1615 L St., NW, #1320 Washington, DC 20036	Merck & Co, Inc	2,020.00	1,500.00
Theresa Rabel, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	4,300.00	935.82
Steve Rabin, 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather		
Alex Radin, 1200 New Hampshire Ave., NW, #507 Washington, DC 20036	Tennessee Valley Public Power Assn	1,406.25	
Do	Radin & Associates Inc (For:Washington Public Power Supply System)		
Do	Washington Public Utility Districts Assn	1,600.00	
Radio-Television News Directors Assn, 1717 K Street, NW, #615 Washington, DC 20006		2,500.00	
W. A. Radziewicz, 400 First Street, NW, #708 Washington, DC 20001	Brotherhood of Railroad Signalmen	350.00	
Tess A. Rae, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Ragan & Mason, 1156 15th Street, NW, #800 Washington, DC 20005	American Bureau of Shipping	5,000.00	62.90
Do	American Ship Building Co	5,000.00	74.08
Do	Bechtel Corp	2,767.00	
Do	Childrens Television Workshop	50,000.00	
Do	Commonwealth of Pennsylvania		
Do	Diagnostic/Retrieval Systems, Inc	24,000.00	
Do	Marco Shipyard-Seattle		
Do	National Bulk Carriers, Inc	4,500.00	
Do	R.J. Reynolds Nabisco, Inc		
Do	R.J. Reynolds Tobacco Co		
Do	Sea-Land Industries, Inc	20,000.00	187.63
Do	Security Pacific Leasing Corporation		
Do	Security Pacific National Bank		
Do	Stimson Lumber Co & Miller Redwood Co	3,000.00	
Do	Territorial Savings & Loan Assn		
Do	U.S. Telephone Assn	24,000.00	
Kelly Rahach, P.O. Box 67174 Cuyahoga Falls, OH 44222			490.17
Tanya A. Rahall, 2033 M Street, NW, #900 Washington, DC 20036	American Task Force for Lebanon	9,999.96	8.00
Richard W. Rahn, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	240.00	22.00
Thomas F. Railsback, 2000 M Street, NW Washington, DC 20036	Graham & James (For:American Hawaii Cruises)		
Do	Graham & James (For:Attorneys' Title Guaranty Fund, Inc)		
Do	Graham & James (For:R. R. Donnelley & Sons Company)		
Do	Graham & James (For:Federal Administrative Law Judges Conference)	4,825.00	
Do	Graham & James (For:Federal Judges Association)	3,500.00	
Do	Holland America Line Westours, Inc (For:Graham & James)		
Do	Graham & James (For:Illinois Health Facilities Authority)		
Do	Graham & James (For:Mutual of Omaha)		
Do	Graham & James (For:National Council of U.S. Magistrates)	3,400.00	
Do	Graham & James (For:Stock Information Group)	1,075.00	
Do	Graham & James (For:Walt Disney Company)		
Railway Labor Executives' Assn, 400 First St., NW, #804 Washington, DC 20001		437,184.00	210,860.62
Railway Progress Institute, 700 North Fairfax St. Alexandria, VA 22314			
Rainbow Lobby, 1660 L Street, NW, #204 Washington, DC 20036		456,248.97	428,986.53
Kathleen Marie Ramsey, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
James D. Range, 1155 Connecticut Ave., NW, #800 Washington, DC 20036	Waste Management, Inc	3,550.00	1,500.00
Rebecca G. Range, 901 15th Street, NW, #500 Washington, DC 20005	Texas Air Corp	18,750.00	5,235.00
D. Michael Rappoport, P.O. Box 52025 Phoenix, AZ 85072	Salt River Project	1,680.00	3,502.46
Kenneth E. Raske, 555 West 57th Street New York, NY 10019	Greater New York Hospital Assn	3,076.00	52.00
Larry Rasky, 253 Summer Street Boston, MA 02210	Rasky & Company (For:National Cable Television Assn)	12,000.00	
Magda A. Ratajski, Three Commercial Place Norfolk, VA 23510-2191	Norfolk Southern Corp		
Robert Ratliffe, 5808 Lake Washington Blvd., 3rd Fl. Kirkland, WA 98033-7397	McCaw Communications Cos	1,500.00	10,000.00
John W. Rauber Jr., 1250 Connecticut Ave., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc		
Carol L. Raulston, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc	3,000.00	
G. David Ravencraft, 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	
William R. Rawson, 950 N. Glebe Road, #160 Arlington, VA 22203-1824	American Boiler Manufacturers Assn		
Bruce A. Ray, Bruce Ray & Company 420 C Street, NE Washington, DC 20002	Bayley Seton Hospital	12,000.00	252.02
Do	United Gerer Institutions	6,000.00	300.00
John K. Rayburn, 1801 K Street, NW Washington, DC 20006	Westinghouse Electric Corp	235.00	30.00
Ralph Rayburn, 403 Vaughn Bldg. 807 Brazos Austin, TX 78701	Texas Shrimp Assn		
Helene Rayder, 1020 19th Street, NW, #600 Washington, DC 20036	American Express Company		
David A. Raymond, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	3,379.00	1,201.19
Linda S. Rearick, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,000.00	267.97
Recording Industry Assn of America, Inc, 1020 19th St., NW #200 Washington, DC 20036		23,002.00	23,002.00
John M. Rector, 205 Daingerfield Rd. Alexandria, VA 22314	National Assn of Retail Druggists	700.00	150.00
Fred J. Redeker, 811 Rusk, #200 Houston, TX 77002	Houston Bankers Association		
Donald L. Redfoot, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	471.92	378.10
Dwight C. Reed, 1101 16th St., NW Washington, DC 20036	National Soft Drink Assn		
Jo Reed, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	582.69	
Mary Reed, 600 Maryland Ave., Sw, #700 Washington, DC 20024	National Federation of Independent Business (NFIB)	3,189.00	200.00
Michael L. Reed, 1100 15th Street, NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	37.00
Joseph M. Rees, Francis Mcginnis & Rees, Inc 1000 Potomac Street, NW, #401 Washington, DC 20007	Exhaust Systems Professional Assn	4,800.00	
Do	National Coalition Burn Center Hospitals	6,000.00	
Do	Songwriters Guild of America	9,000.00	
J. Mitchell Reese, 1700 K Street, NW, #1204 Washington, DC 20006	Chevron USA, Inc	500.00	25.00
Reese Communications Companies,Inc., 2111 Wilson Boulevard, #900 Arlington, VA 22201	Citizens for Sensible Control of Acid Rain (CSCAR)	64,906.24	53,576.31
Do	Philip Morris USA	114,265.69	98,511.56
Benjamin F. Reeves, 1100 17th Street, NW Washington, DC 20036	Burley & Dark Leaf Tobacco Export Assn	1,150.00	
J. Ronald Reeves, 2345 Crystal Drive Arlington, VA 22227	U.S. Air, Inc	2,000.00	260.75
Martin A. Regalia, 1101 15th Street, NWn #400 Washington, DC 20005	National Council of Saving Institutions	11,000.00	
R. Brent Regan, 1667 K Street, NW, #1000 Washington, DC 20006	Southwestern Bell Corp		
Timothy J. Regan, 1455 Pennsylvania Ave., NW, #500 Washington, DC 20004	Corning Glass Works	2,000.00	1,025.87
John T. Reggitts Jr., 95 Boonton Avenue P.O. Box 470 Boonton, NJ 07005			
Regional Airline Association, 1101 Connecticut Ave., NW Washington, DC 20036		2,000.00	1,000.00
David K. Rehr, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	4,875.00	400.00
Reichler, Choate, Appelbaum & Wippman, 1701 K Street, NW, #700 Washington, DC 20006	Republic of Guatemala	52,500.00	695.87
Do	Republic of Nicaragua	16,000.00	
Do	United Coconut Assn of the Philippines	34,500.00	528.83
Do	Rodolfo Zelaya		46.49
Reid & Priest, 1111 19th St., NW, #1100 Washington, DC 20036	City of Philadelphia	35,800.00	1,705.88
Do	Committee of Corporate Telecommunications Users		
Do	CIAC Group		
Do	Edison Electric Institute	77.50	
Do	Pennsylvania Shipbuilding Co	4,280.00	50.30

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Philadelphia Industrial Development Corp		
Do	Pride Refining, Inc	2,000.00	
Do	Rhode Island, Inc		
Do	Smith Barney Harris Upham & Co, Inc		
Do	SPD Technologies		
Do	Transol USA, Inc		
Do	Utility Decommissioning Tax Group	1,071.00	11.00
Burke G. Reilly, 815 Connecticut Ave., NW, #900 Washington, DC 20006	Ford Motor Company	2,225.00	966.00
Joseph J. Reilly, Jr, 2419 Leighton Street Fort Lee, NJ 07024	Morality in Media, Inc		
Robert J. Reinshuttle, 1725 K Street, NW, #601 Washington, DC 20006	Association of National Advertisers, Inc		
Reinsurance Assn of America, 1819 L St., NW, 7th Floor Washington, DC 20036			
Diane Rennert, 1718 Connecticut Avenue, NW Washington, DC 20009	Association of American Publishers	5,000.00	867.62
Lee P. Reno, 122 C Street, NW, #875 Washington, DC 20001	Reno Cavanaugh & Hornig (For:Amerind Risk Management Corp)		
Do	Reno Cavanaugh & Hornig (For:Housing Authority Insurance, Inc)		
Judy Rensberger, 2000 K Street, NW Washington, DC 20006	National Committee to Preserve Social Security & Medicare	10,385.00	
Riley Repko, 1627 Eye Street, NW #880 Washington, DC 20006	Oracle Corporation		11,232.50
Barclay T. Resler, 1627 K St., NW, #800 Washington, DC 20006	Coca-Cola Co	348.00	393.67
Resource Technical Consultants (USA), Inc, d/b/a TECNA 330 Seventh Avenue, #1902 New York, NY 10001			
Retired Officers Assn, 201 N. Washington St. Alexandria, VA 22314		95,150.89	27,947.25
John H. Reurs, 74 Trinity Place New York, NY 10006	New York Comm of Intl Comm of Passenger Lines		
Vincent P. Reusing, 1615 L Street, MW, #1210 Washington, DC 20036	Metropolitan Life Insurance Cos	1,000.00	
Alan V. Reuther, 1757 N Street, NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	18,262.73	126.88
Allan R. Rexinger, 1150 Connecticut Ave., NW, #1200 Washington, DC 20036	Nonprescription Drug Manufacturers Assn	4,062.50	150.00
Renee Reymond, 1331 Pennsylvania Ave, NW, #1500 N Washington, DC 20004	National Assn of Manufacturers		
Mary Anne Reynolds, 12600 Fair Lakes Circle Fairfax, VA 22333-4904	AAA Potomac		
Frederick W. Rhodes, 1111 Jefferson Davis Highway, #811-E Arlington, VA 22202	Loral Corporation	4,250.00	
Grace Ellen Rice, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	8,142.00	161.00
James E. Rich Jr., 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Richard Richards, Law Office of Richard Richards 1050 Thomas Jefferson Street, NW, 6th Fl Washington, DC 20007	Hughes Aircraft Company		
Do	Universidad Autonoma de Guadalajara		
Alan H. Richardson, 2301 M St., NW Washington, DC 20037	American Public Power Assn	1,000.00	
Donna Richardson, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	3,500.00	3.60
John C. Richardson, 101 Park Avenue New York, NY 10178	Morgan Lewis & Bockius (For:Underwriters at Lloyd's, London)		
John G. Richardson, 1130 Connecticut Ave, NW, #830 Washington, DC 20036	Southern Company Services, Inc	1,437.50	4,547.05
K. O. Richardson, 815 16th Street, NW, #511 Washington, DC 20006	Transportation - Communications Union	3,000.00	320.50
Warren S. Richardson, 325 Pennsylvania Ave., SE Washington, DC 20003	Washington Lobby Group, Inc (For:Preston Corp)	3,000.00	
Wesley S. Richardson, P.O. Box #65 Washington Grove, MD 20880	Washington Lobby Group, Inc (For:Preston Corp)	1,500.00	
Lois Richerson, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,499.00	
Les Richter, 1801 Speedway Boulevard Daytona Beach, FL 32015	National Assn for Stock Car Auto Racing, Inc (NASCAR)		
Do	National Motorsports Comm of ACCUS, FIA, Inc		
Max Richtman, 2000 K Street, NW 8th Floor Washington, DC 20006	National Committee to Preserve Social Security and Medicare	22,212.00	342.02
James G. Rickards, 600 Steamboat Road Greenwich, CT 06830-7149	Greenwich Capital Markets, Inc	125.00	284.41
Larry D. Rickards, 600 Maryland Ave., SW, #208 Washington, DC 20024	National Assn of Area Agencies on Aging	2,500.00	25.00
Lowell J. Ridgeway, North Dakota Petroleum Council P.O. Box 1395 Bismarck, ND 58502	American Petroleum Institute	750.00	
E. George Riedel, 1000 Wilson Blvd., #3000 Arlington, VA 22209	International Telephone & Telegraph Corporation	1,000.00	50.00
Dr. Mark J. Riedy, 1101 15th Street, NW, #400 Washington, DC 20005	National Council for Savings Institutions	10,000.00	
Mark Joesph Riedy Esq, 1775 Pennsylvania Ave., NW, 7th Floor Washington, DC 20006	Shea & Gould (For:Haiti West Indies, S.A.)		
Garth B. Rieman, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	1,000.00	63.21
Siert F. Riepma, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
E. Philip Riggin, 1608 K St., NW Washington, DC 20006	American Legion	14,790.00	96.05
Wesley J. Riker, 4647 Forbes Blvd. Lanham, MD 20706	AMVETS	6,800.00	
Susan Riley, 1401 New York Ave., NW, #900 Washington, DC 20005-2102	Capital Strategies, Inc (For:Camera de la Industria de Transformacion de Nueve Leon).		
Do	BZS/Capitol Strategies (For:Forest City Residential Development, Inc)	781.00	
Do	BZS/Capitol Strategies (For:South Bay Foundry)		
Do	BZS/Capitol Strategies (For:Tri-Star Electronics)		
Do	BZS/Capitol Strategies (For:Vitrocrisa Cristaleria, S.A.)	7,000.00	
Russell C. Ring, 1700 Pensylvania Ave., SE, #500 Washington, DC 20006	Mutual of Omaha Insurance Co	2,000.00	254.84
John S. Rippey, 730 15th St., NW Washington, DC 20005	Association of Bank Holding Cos	1,259.00	
Riselli & Pressler, P.C., 1225 19th Street, NW, #850 Washington, DC 20036	Professional Managers' Assn		
Carol A. Risher, 1718 Connecticut Ave., NW 7th Floor Washington, DC 20009-1148	Association of American Publishers	2,000.00	
Edward W. Rissing, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute (EEI)	395.00	26.30
Jeanne M. Ritchie, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Leslie Sue Ritts, Morgan Lewis & Bockius 1800 M Street, NW Washington, DC 20036	National Environmental Development Assn	1,000.00	
Valentin J. Riva, 1415 Elliot Place, NW Washington, DC 20007	National Stone Assn	4,000.00	500.00
Ivette E. Rivera, 412 First Street, SE Washington, DC 20003	National Automobile Dealers Assn	3,000.00	
Rivers Trainor Doyle & Leicht, Inc, One Catamore Blvd East Providence, RI 02914	Madison Public Affairs Group, Inc	5,000.00	2,450.00
Rivkin Radler Dunne & Bayh, 1575 I Street, NW, #1025 Washington, DC 20005	American Bakers Assn	1,293.75	43.50
Do	ALC Communications Corp	1,200.00	75.00
Do	Business Coalition for RICO Reform	12,000.00	100.00
Do	Chemical Bank	27,500.00	5,400.00
Do	Cook Group	5,798.25	350.00
Do	Indiana Coalition for Acid Rain Equity	12,686.87	225.00
Do	Merrill Lynch & Co, Ins		
Do	National Basketball Assn		
Do	National Foreign Trade Council	7,126.25	3,613.00
Do	National Soft Drink Assn		
Do	New Energy Co of Indiana		
Do	Real Estate Capital Recovery Assn (Asset Managers Coalition)		
Andrew W. Robart, 1111 19th Street, NW Washington, DC 20036-3691	Renewable Fuels Assn		
Liz Robbins Associates, 420 7th St., SE Washington, DC 20003	Edison Electric Institute	1,423.08	118.02
Do	Access Corporation	1,050.00	4,564.93
Do	Authors Guild	12,750.00	4,564.93
Do	Babcock & Brown	3,000.00	4,564.93
Do	Baldwin Company	2,737.80	4,564.93
Do	Carlan Homes	1,404.00	4,564.93
Do	Farmland Dairies	7,200.00	4,564.93
Do	Gaymar Industries, Inc	1,620.00	4,564.93
Do	J.M. Peters Co, Inc	2,737.80	4,564.93
Do	J.P. Rhodes	912.60	4,564.93
Do	Lewis Homes	2,737.80	4,564.93
Do	Montifiore Medical Center	4,500.00	4,564.93
Do	Morgan Lewis & Bockius	3,000.00	4,564.93
Do	Mt. Sinai Hospital	4,500.00	4,564.93
Do	MDC-Hold	2,737.80	4,564.93
Do	New York Hospital	4,500.00	4,564.93
Do	New York Public Library	3,750.00	4,564.93
Do	New York State Housing Finance Agency	4,050.00	4,564.93
Do	NYU Medical	4,500.00	4,564.93
Do	Phoenix House	900.00	4,564.93
Do	Presbyterian Hospital	4,500.00	4,564.93
Do	Presley of Southern California	2,737.80	4,564.93
Do	Scholastic, Inc	1,800.00	4,564.93
Do	Southern Baptist Press Assn	125.00	4,564.93
Do	Spectrascan	4,500.00	4,564.93
Do	Standard Pacific, L.P	1,687.50	4,564.93
Do	Warburg Pincus Capital Corp	9,600.00	4,564.93
Do	Wespray Corporation		
Do	William Lyon Co	2,737.80	4,564.93
Do	WTVT-13		
Carole T. Roberts, 901 15th Street, NW, #520 Washington, DC 20005	Travelers Companies	1,985.00	
Richard R. Roberts, 402 8th Street, N.E. Washington, DC 20002	American Council of Highway Advertisers	1,500.00	2,432.42
William A. Roberts, 444 North Capitol St., #711 Washington, DC 20001	Keefe Company (For:Broward County Governmental Center)	1,800.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Keefe Co (For:City of Tampa)	1,500.00	
Do	Keefe Company (For:Dallas Area Rapid Transit)	1,250.00	
Do	Keefe Company (For:Hillsborough Area Regional Transit)	1,000.00	
Do	Keefe Co (For:Sanders Associates, Inc)	500.00	
Do	Keefe Company (For:Seminole Tribe of Florida)	1,500.00	
Do	Keefe Company (For:Tom Bulger & Co (for County of Fairfax))	500.00	
Do	Keefe Company (For:Tres Grande Vitesse (TGV-USA, Inc))	1,000.00	
Do	Keefe Company (For:University of Miami)	1,000.00	
Do	TKC International, Inc (For:UNIAO Nacional Para Independencia Total DeAngola)	12,500.00	
Steve A. Robertson, 1608 K Street, NW Washington, DC 20006	American Legion	7,704.00	77.25
Robins Kaplan Miller & Ciresi, 1627 Eye St., NW, #610 Washington, DC 20006	City of St. Paul		
Do	Dominium Group, Inc		
Do	Madison Public Affairs Group, Inc (for Philip Morris)		
Do	Polaris Industries	1,238.00	
Do			
Betty S. Robinson, 1757 N St., NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	14,992.79	43.00
Ernestine S. Robinson, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives	300.00	
Kenneth L. Robinson, 3138 North 10th Street Arlington, VA 22201	National Assn of Federal Credit Unions		
Nancy J. Robinson, 7509 Tiffany Spgs. Pkwy. Kansas City, MO 64190-1402	Livestock Marketing Association	14,442.00	993.00
Robinson Lake Lerer & Montgomery, 1667 K St., NW, #900 Washington, DC 20006	A.E. Staley	2,000.00	
Do	Atari Games Corp	1,000.00	
Do	Commission on Self-Determination	1,000.00	
Do	Futures Industry Association	5,000.00	
Do	Napa Flood Control and Water Conservation District	1,000.00	
Do	National Venture Capital Association	5,000.00	
Do	Sun-Diamond Growers of California	1,000.00	
Robison International, Inc, 2300 N St., NW, #600 Washington, DC 20037	FMC Corporation	4,500.00	5,078.00
Do	McDonnell Douglas Corp	7,500.00	5,483.00
Do	Royal Ordnance, Inc	12,000.00	8,772.00
Nancy Robleski, 1825 K Street, NW, #218 Washington, DC 20006	American Society of Mechanical Engineers		
James Anthony Rock, 1730 M Street, NW, #607 Washington, DC 20036	Montana Power Co, et al	2,000.00	1,478.67
Phillip Rodenberg, 1400 K Street, NW, #801 Washington, DC 20005	General Aviation Manufacturers Assn	7,385.00	
Quincy Rodgers, 1899 L Street, NW, Fifth Floor Washington, DC 20036	General Instrument Corporation	2,000.00	310.46
Raymund Rodriguez, P.O. Box 982 El Paso, TX 79960	El Paso Electric Co		
Charles L. Roff, 1100 15th Street, NW, #700 Washington, DC 20005	Sonat, Inc		
Mims Rogers, P.O.Box 1064 Florence, AL 35631	Madison Public Affairs Group, Inc (for Philip Morris, USA)	20,000.00	155.15
Terrence L. Rogers, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	13,608.84	32,137.26
Rogers & Wells, 1737 H Street, NW Washington, DC 20006	American Express Co		
Do	Liz Claiborne, Inc		
Do	Compagnie Financiere de Paribas		
Do	Futures Industry Association	38,210.00	932.00
Do	Internor Trade, Inc		
Do	Liga Agricola Industrial de la Cana de Azucar		
Do	Merrill Lynch & Co, Inc		
Do	Republic National Bank		
Do	Teachers Insurance & Annuity Assn/CREF		
Carole M. Rogin, 1255 23rd Street, NW, #850 Washington, DC 20037	Hauck & Associates, Inc (For:Hearing Industries Assn)		
Bruce Rohde, One Central Park Plaza, #1100 Omaha, NE 68102	McGrath North Mullin & Kratz, PC (For:Nebraska Catholic Conference)	1,975.01	151.01
Richard A. Rohrbach, 1615 M Street, NW, #570 Washington, DC 20036	Boise Cascade Corp	34,200.00	
Ian M. Rolland, 1300 South Clinton Street Fort Wayne, IN 46801	Lincoln National Corp	900.00	520.00
Jackie Rollins, 1201 16th Street, NW Washington, DC 20036	Overseas Education Assn, Inc		
Michael Rolnick, 818 Connecticut Ave., NW, 200 Washington, DC 20006	U.S. English	25.00	25.00
John F. Rolph III, 1275 Pennsylvania Ave, NW, #503 Washington, DC 20004	Citicorp Washington, Inc	1,500.00	
Kenneth S. Rolston Jr, 1025 Vermont Ave., NW, #1020 Washington, DC 20005	American Pulpwood Assn		
Emil A. Romagnoli, 180 Maiden Lane New York, NY 10038	Asarco, Inc	1,400.00	
Martha Romans, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Joseph D. Romer, 304 N. Virginia Avenue Falls Church, VA 22046	Brown Bridgman & Company		
Michael J. Romig, 1001 Pennsylvania Avenue, nw Washington, DC 20004-2599	American Council of Life Insurance, Inc	2,500.00	
Francis P. Rooney, 1400 L Street, NW, #400 Washington, DC 20005	Biscuit & Cracker Mfgrs Assn		
Fred B. Rooney, 1050 Connecticut Ave., NW, #1200 Washington, DC 20036	American Iron & Steel Institute	320.00	
Do	Association of American Railroads	462.00	
Do	Specialty Vehicle Institute of America	325.00	
Mary F. Rooney, One North Dearborn #1100 Chicago, IL 60602	Chicago Regional Transportation Authority	15,000.00	
James Roosevelt, 2000 K Street, NW, 8th Floor Washington, DC 20006	National Committee to Preserve Social Security		
Ropes & Gray, 1001 Pennsylvania Ave., NW, #1200 Washington, DC 20004	Butler Capital Corp		
Clifton Peter Rose, 1825 Eye Street, NW, #450 Washington, DC 20006	Goldman Sachs & Co	1,000.00	
Leslie Rose, 1129 20th St., NW, #600 Washington, DC 20036	Group Health Assn of America, Inc	3,173.00	
Rose Communications, Inc, 901 15th Street, NW, #570 Washington, DC 20005	Johnson Matthey, Inc	10,015.00	8,000.00
Rose Schmidt Hasley & DiSalle, 1701 Pennsylvania Ave., NW, #1040 Washington, DC 20006	Equimark Corporation		
Do	Joy Technologies, Inc		
Do	Social Security Protection Bureau		
Burt E. Rosen, 1155 15th St. NW., #502 Washington, DC 20005	Bristol-Myers Co	25,000.00	
Hilary Rosen, 1020 19th St., NW, #200 Washington, DC 20036	Recording Industry Assn of America	4,350.00	
Albert B. Rosenbaum III, 499 South Capitol Street, SW, #520 Washington, DC 20003	Allwaste, Inc	9,000.00	
Sara Rosenbaum, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	1,581.00	
Robert M. Rosenberg, 8100 Oak Street Dunn Loring, VA 22027	National Pest Control Assn		
Herb Rosenbleeth, 1811 R Street, NW Washington, DC 20009	Jewish War Veterans of the USA	10,038.42	
Roger C. Rosenthal, 2001 S St., NW, #310 Washington, DC 20009	Migrant Legal Action Program, Inc		
Joe Ross, 111 Main Street Little Rock, AR 72201			
Nancy Ross, 1830 17th Street NW Washington, DC 20009	Rainbow Lobby	5,850.00	2,430.50
William F. Ross, South Carolina Petroleum Council 1340 Bull Street, #250 Columbia, SC 29201	American Petroleum Institute	1,314.00	2,113.95
Richard Rosser, 122 C Street, NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	1,261.00	
Barry N. Roth, 1120 20th Street, NW, #700 Washington, DC 20036	Williams Companies	500.00	
Batya Roth, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the United States	2,500.00	169.00
Rhond Rudolph Roth, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council	1,354.17	1,354.17
John C. Rother, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	1,292.31	
Lauren J. Rothfarb, 1126 16th St., NW Washington, DC 20036	Int'l. Union of Electronic, Electrical, Salaried, Machine	8,550.02	39.80
Linda Rothleder, 315 Bonifant Road Silver Spring, MD 20904	Marconi Electronics, Inc	6,000.00	876.71
Emily B. Rothrock, 1455 Pennsylvania Ave., NW, #900 Washington, DC 20004	American International Group, Inc	2,000.00	
Edwin Rothschild, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen/Labor Energy Coalition		
Donald D. Rounds, South Dakota Petroleum Council 222 E. Capitol, #16 Pierre, SD 57501	American Petroleum Institute		
William C. Rountree, Suite 1000 1776 Eye Street, NW Washington, DC 20006	BP America, Inc		
Michael O. Roush, 600 Maryland Avenue, SW. #700 Washington, DC 20024	National Fed of Independent Business	4,875.00	300.00
Brigette M. Rouson, Box 17407 Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn	6,000.00	168.58
Eugene F. Rowan, 2550 M Street, NW Washington, DC 20037	National Assn of Chain Drug Stores, Inc		
George R. Rowan, 1750 New York Ave., NW, #340 Washington, DC 20006	Armed Forces Marketing Council		
J. Patrick Rowland, 1023 15th Street, NW, 7th Fl Washington, DC 20005	Rowland Government Relations Associates (For:Baker Industries)	1,500.00	
Do	Rowland Government Relations Associates (For:Borg-Warner Automotive, Inc)	2,000.00	
Do	Rowland Government Relations (For:Coalition for Uniform Product Liability Law)	2,000.00	
Do	Rowland Government Relations (For:GE Plastics)	1,000.00	
Do	Labor Policy Association		
Do	Rowland Government Relations (For:National Check Cashers Assn, Inc.)	1,500.00	
Rowland Government Relations, 1023 15th Street, NW, 7th Fl Washington, DC 20005	GE Plastics	2,000.00	
Do	Labor Policy Association		
Do	National Check Cashers Assn, Inc	3,000.00	
Do	Security Companies Organized for Legislative Action (SCOLA)	2,569.52	
Roxton, Inc, 2000 S. Eads Street, #1003 Arlington, VA 22202			
Tobi Z. Rozen, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Eldon Rudd, Shimmel Hill Bishop & Gruender, P.C. 3700 North 24th Street Phoenix, AZ 85016	Central Arizona Project Assn		
Robert E. Ruddy, 9106 Drumaldry Drive Bethesda, MD 20817	Mortgage Insurance Companies of America	3,750.00	340.05
Lois J. Rude, 50 F Street, NW, #1080 Washington, DC 20001	BR Services, Inc	500.00	320.95
Barbara A. Rudolph, 1901 N. Fort Myer Drive, #302 Rosslyn, VA 22209-1606	Beverly Enterprises, Inc	3,375.00	184.29
Henry C. Ruempler, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Nicholas L. Ruggiere, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson	1,000.00	225.00
Ronald R. Rumbaugh, 5205 Leesburgh Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers of America	500.00	
Kurt Rumsfeld, 606 North Washington Street Alexandria, VA 22314	American Society for Personnel Administration	15,000.00	
John Runyan, 1730 North Lynn St., #409 Arlington, VA 22209	Printing Industries of America, Inc.	1,000.00	
Tonda F. Rush, Box 17407 Dulles Airport Washington, DC 20041	American Newspaper Publishers Assn		
R.K. Rushin, 1776 Eye Street, NW, #1050 Washington, DC 20006	Eastman Kodak Co	1,200.00	164.00
Robert Rusis, 15 Mountain View Road Warren, NJ 07061	Chubb & Son, Inc	6,000.00	
Barry Russell, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		40.00
Christine Anne Russell, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	19,750.00	136.75
James A. Russell, 122 C St., NW, #740 Washington, DC 20001	American League for Exports & Security Assistance, Inc	500.00	
Randall M. Russell, 517 C Street, NE Washington, DC 20002-5809	Lesher Russell & Moos, Inc	12,500.00	
William Russell & Associates, Inc, 1701 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Golbal Broadcasting System	12,000.00	259.32
Do	Pacific Telecom, Inc		
Jonathan Russin, 1215 17th Street, NW Washington, DC 20036	Caribbean Trade and Apparel Coalition (C-TAC)		
Diann Rust-Tierney, 122 Maryland Ave. Washington, DC 20002	American Civil Liberties Union	2,781.25	
Wally Rustad, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	125.00	
Herman Max Ruth 71990-158, Mail Box 129 3150 Horton Road Fort Worth, TX 76119			
J. T. Rutherford & Associates, Inc, 1301 N. Courthouse Rd., #1802 Arlington, VA 22201	American College of Radiology		411.50
Do	American Optometric Assn		498.50
Do	Association of Federal Investigators		
Patricia Ryan, 1319 F Street, NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	
Thomas L. Ryan, 225 North Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA		
John Ryan Associates, 8447 Portland Place McLean, VA 22102	MPB Corp		
Ryan-McGinn, Inc, 1110 Vermont Avenue, NW, #820 Washington, DC 20005	Cabot Energy Corporation	11,160.00	138.07
Do	Massey Coal Services, Inc	2,446.25	55.60
Do	(For:Oregon Assn of Hospitals)	9,000.00	1,389.66
Do	West Virginia Bankers Assn	3,000.00	2,390.67
Do	West Virginia Hospital Assn	6,000.00	292.55
Do	West Virginia Independent Oil & Gas Assn	7,500.00	467.34
Kermit W. Ryman, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc	41.00	12.00
RBC Associates, 324 Fourth Street, NE Washington, DC 20002	Ann Arbor Railroad	3,820.00	3,856.64
Do	Bangor & Aroostook Railroad	9,750.00	3,856.64
Do	Chicago & North Western Railroad	24,000.00	3,856.66
Do	Delaware Otsego System	8,000.00	3,856.66
Do	Investment Counsel Assn of America	5,875.00	3,856.66
Do	Regional Railroads of America	30,000.00	3,856.66
Do	Turbomeca Engine Corp	10,421.25	3,856.66
RJR Nabisco, Inc, 300 Galleria Parkway, NW Atlanta, GA 30339-3149			23,479.39
S.A.F.E.S.T., 1120 G St., NW, #800 Washington, DC 20005			
Lawrence E. Sabbath, 1023 15th Street, NW, 7th Fl Washington, DC 20005	Rowland Government Relations (For:GE Plastics)	1,000.00	
Do	Labor Policy Association		
Do	Rowland Government Relations (For:National Check Cashers Assn, Inc)	1,500.00	
Do	Rowland Government Relations (For:Security Companies Organized for Legislative Action (SCOLA)).	2,569.52	
Susan L. Sadtler, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	5,000.00	808.90
Frank Max Salinger, 1101 14th St., NW, 4th Floor Washington, DC 20005	American Financial Services Assn	250.00	
James H. Sammons, 535 North Dearborn Street Chicago, IL 60610	American Medical Assn	6,000.00	
Sammons Enterprises, Inc, 403 South Akard Dallas, TX 75202			
Felix R. Sanchez, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	2,000.00	316.54
Brian Sanderoff, 7500 Jefferson St., NE #250 Albuquerque, NM 87109	Reese Communications Companies (for Philip Morris, USA)	2,250.00	224.10
James C. Sanders, 1225 'Eye' Street, NW, #825 Washington, DC 20005	Beer Institute		
Petronella C. Sanders, 1200 18th Street, NW, #200 Washington, DC 20036	National Business Aircraft Assn	500.00	
Rose Marie Sanders, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	400.00	30.25
Sanders Schnabel & Brandenburg, P.C., 1110 Vermont Avenue, NW, #600 Washington, DC 20005	American Soc of Assn Executives	5,900.85	42.85
Stuart A. Sanderson, 1920 N Street, NW, Washington, DC 20036	American Mining Congress		
Myron G. Sandifer III, 1001 Pennsylvania Ave., NW, #625-South Washington, DC 20004	Jack McDonald Co (For:Belz Enterprises)		
Do	Jack McDonald Co (For:Dow Corning Corp)		
Do	Jack McDonald Co (For:Hitachi America, Ltd)		
Do	Jack McDonald Co (For:Hitachi Sales Corp of America)		
Do	Jack McDonald Co. (For:Outboard Marine Corporation)		
Do	Jack McDonald Co (For:Royal Zenith Corp)		
Do	Jack McDonald Co (For:Societe Generale de Surveillance, S.A.)		
Do	Jack McDonald Co (For:WMW Machinery, Inc)		
Charles E. Sandler, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	6,000.00	
Peter G. Sandlund, 1725 Eye St., NW, #315 Washington, DC 20006	Council of European & Japanese National Shipowners' Assn	300.00	
Robin K. Santangelo, 1828 L Street, NW, #705 Washington, DC 20036	American Land Title Assn	2,300.00	
Eric Sapirstein, 1333 H St., NW, #400 Washington, DC 20005	California Assn of Sanitation Agencies	3,600.00	3,021.24
Do	Cure Corp		
Do	In-Situ, Inc		122.31
Do	Las Virgenes Municipal Water District		
Do	ENS Resources, Inc (For:Orange County Sanitation Districts)		
Do	Western Research Institute	1,855.00	267.00
Betty O. Sapp, 1601 Duke Street Alexandria, VA 22314	Society of American Florists		
Leslie Sarasin, 1764 Old Meadow Lane, #350 McLean, VA 22102	American Frozen Food Institute	4,000.00	
Ronald A. Sarasin, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	980.00
Susan Sarason, 2111 Wilson Boulevard, #1000 Arlington, VA 22201	Ebasco Services, Inc		
Steffan B. Sarkin, 74 River Road Cos Cob, CT 06807	Fidelity Pacific Group Inc		
Sartain Law Offices, 219 Boulevard, NE Gainesville, GA 30501	Madison Public Affairs Group, Inc (for Philip Morris USA)	1,500.00	
Klara B. Sauer, 9 Vassar Street Poughkeepsie, NY 12601	Scenic Hudson, Inc		
Albert C. Saunders, 1100 15th St., NW #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	8.25
Charles P. Saunders, 1130 Connecticut Ave., NW, #830 Washington, DC 20036	Southern Company Services, Inc	1,625.00	5,090.37
Richard N. Sawaya, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co		
Thomas J. Scanlon, 3248 Prospect Street, NW Washington, DC 20007	Benchmarks, Inc	9,000.00	940.71
Eric V. Schaeffer, Morgan Lewis & Bockius 1800 M St., NW Washington, DC 20036	Hazardous Waste Action Coalition		254.40
Do	National Lime Association		157.20
Do	Safety-Kleen Corp		950.17
Do	U.S. Gypsum Co		
Victoria V. Schaff, Missouri Electric Utitlies 1800 K Street, NW, #1018 Washington, DC 20006	Kansas City Power & Light, et al	3,150.00	2,571.34
Schagrin Associates, 1112 16th St., NW, #200 Washington, DC 20036	Committee on Pipe & Tube Imports	25,447.50	
Do	Sprinkler Pipe Producers Group	11,308.75	18.90
Do	Weirton Steel Corporation	7,116.25	97.30
Harold A. Schaitberger, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	15,077.85	
William T. Schapaugh, 1030 15th Street, NW Washington, DC 20005	American Seed Trade Assn	5,000.00	
Thomas A. Schatz, 1511 K Street, NW, #643 Washington, DC 20002	Council for Citizens Against Government Waste	2,212.50	28.50
C. M. Schauerte, 2925 Allen Parkway Houston, TX 77019	American General Corporation		
Ronald A. Schechter, Goldfarb, Singer & Austern 918 16th Street, NW, #503 Washington, DC 20006	Washington Independent Writers, Inc		
Jay T. Scheck Jr., Rt. 202-206 North Somerville, NJ 08876	Hoechst Celanese Corp		
Robert H. Scheerschmidt, 490 L'Enfant Plaza East, SW, #4200 Washington, DC 20024	Xerox Corp	750.00	
Jill L. Scheldrup, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce	2,500.00	
Sam Schertz, P.O. Box 2121 Corpus Christi, TX 78403	Central Power and Light Company		
Sandra A. Schlicker, McMahon and Associates 1331 Pennsylvania Avenue, NW Washington, DC 20004	Rodale Press	3,000.00	112.14
Kenneth D. Schloman, 499 South Capitol, SW, #401 Washington, DC 20003	National Assn of Independent Insurers	400.00	371.50
Richard M. Schmidt Jr., 1333 New Hampshire Ave., NW, #600 Washington, DC 20036	Association of American Publishers	500.00	
Do	National Assn of Trade & Technical Schools	1,250.00	
Robert Richard Schmitt, #12453-047 PO Box 1000 Leavenworth, KS 66048-1000			
John Noehl Schmitz, P.O. Box 47 Olney, MD 20832-0047			127.50
Schnader Harrison Segal & Lewis, Suite 1000 1111 19th St., NW Washington, DC 20036	Toyota Motor Corporate Services U.S.A., Inc	7,400.00	595.40
Thomas J. Schneider, 1300 19th Street, NW, #400 Washington, DC 20036	AFL-CIO Maritime Committee		
Zoe Schneider, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	4,538.46	
Frank Schneller, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Schnitzer Steel Products Co, 3200 N.W. Yeon Avenue Portland, OR 97210			
Paul Schoellhamer, 900 17th St., NW, #526 Washington, DC 20006	Northwest Airlines, Inc	1,000.00	100.00
Martha J. Schoonover, Fulbright & Jaworski 1150 Connecticut Ave., NW Washington, DC 20036	Merichem Company		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Charles G. Schreiber, 1 Massachusetts Ave., NW Washington, DC 20001	National Guard Assn of the U.S.	7,800.00	460.00
H. B. W. Schroeder, 1016 16th Street, NW, 5th Floor Washington, DC 20036	Consumers Power Co	8,000.00	6,998.00
N. Donald Schroeder, Maryland Petroleum Council 60 West St., #403 Annapolis, MD 21401	American Petroleum Institute	720.00	298.70
Judy Schub, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	610.38	620.30
Mark Schultz, 918 16th Street, NW, #406 Washington, DC 20006	Professional Services Council	1,500.00	
Richard F. Schultz, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	14,673.18	488.59
William B. Schultz, Suite 700 2000 P St., NW Washington, DC 20036	Public Citizen, Inc		
Robert L. Schulz, c/o Iowa Petroleum Council 1012 Fleming Bldg. Des Moines, IA 50309	American Petroleum Institute	2,143.36	3,147.95
Richard Schum, 1901 N. Moore Street, #1100 Arlington, VA 22209	Gas Appliance Manufacturers Assn, Inc		
Ralph D. Schumack, 1800 M Street, NW, #325 South Washington, DC 20036	Dow Corning Corp		
Aaron R. Schwartz, 10 South Shore Drive Galveston, TX 77551	American Insurance Assn	5,000.00	2,044.30
Adam D. Schwartz, 1101 15th St., NW, #400 Washington, DC 20005	National Council of Savings Institutions	2,000.00	
Arthur E. Schwartz, 1420 King St. Alexandria, VA 22314-2715	National Society of Professional Engineers	1,000.00	
Elinor Schwartz, 318 S. Abingdon Street Arlington, VA 22204	California State Lands Commission	10,000.00	1,099.86
Do	Washington State Department of Natural REsources	4,257.50	144.50
Elizabeth Nash Schwartz, 1700 N. Moore St., #2120 Rosslyn, VA 22209	Boeing Company	3,196.00	1,005.36
Richard Schwartz, 880 S. Pickett St. Alexandria, VA 22304	Boat Owners Assn of the U.S.	14,000.00	
Richard S. Schweiker, 1001 Pennsylvania Ave, NW Washington, DC 20004	American Council of Life Insurance, Inc	920.00	
Scientific Apparatus Makers Assn, 1101 16th St., NW Washington, DC 20036		6,989.57	1,400.00
Michael Sciulla, 880 S. Pickett St. Alexandria, VA 22304	Boat Owners Assn of the U.S.	14,000.00	
Melanie Scofield, 901 Main Street, #2555 Dallas, TX 75202	Greyhound Lines, Inc	8,000.00	
Harold B. Scoggins Jr., 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		22.65
David A. Scott, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	9,800.00	424.22
Ellen Scott, 1750 New York Avenue, NW Washington, DC 20006	Sheet Metal Workers International Assn	7,423.00	
James L. Scott, 1919 Pennsylvania Ave., NW, #703 Washington, DC 20006	American Healthcare Institute	11,125.00	196.10
John Havens Scott, 1101 Vermont Ave., NW 12th Floor Washington, DC 20005	American Medical Assn	3,750.00	
Michael Scott, 1400 Eye St., NW, 10th Fl. Washington, DC 20005	Wilderness Society	299.91	55.24
Scribner Hall & Thompson, 1850 K Street, NW, #1100 Washington, DC 20006	CNA Financial Corp		
Do	Provident Life & Accident Insurance Co		
Do	Security Life of Denver Insurance Co	10,810.00	
Do	Transamerica Corporation		50.00
Don G. Scroggin, 1350 I Street, NW #700 Washington, DC 20005	Beveridge & Diamond (For:FMC Corporation)		5,717.50
Anne Scully, 777 14th Street, NW Washington, DC 20005	National Association of Realtors	1,725.00	1,868.07
Timothy Scully, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters	12,704.04	
Walter J. Sczudlo, 1025 Connecticut Ave., NW Washington, DC 20036	Shell Oil Company	500.00	
James E. Secrist, 1745 Jefferson Davis Hwy., #1200 Arlington, VA 22202	Rockwell International Corp	2,000.00	118.28
Securities Industry Assn, 1850 M Street, NW Washington, DC 20036			319,440.00
Pamela Sederholm, 1919 Pennsylvania Avenue, NW #504 Washington, DC 20006	Foodservice and Lodging Institute		
Charles M. Seeger III, 2000 Pennsylvania Ave., NW, #6200 Washington, DC 20006	Chicago Mercantile Exchange	3,200.00	
Ruth L. Segal, 1212 New York Avenue, NW Washington, DC 20005	Outdoor Advertising Assn of America	23,500.00	333.66
Harold L. Segall, 1350 I Street, NW, #700 Washington, DC 20005	Beveridge & Diamond, P.C. (For:City of Bluefield, WV, et al.)	145.00	321.00
Frances Seghers, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	164.00	
Carl J. Seiberlich, 1101 17th Street, NW, #400 Washington, DC 20036	American President Companies, Ltd	10,767.00	
H. Richard Seibert Jr., 1331 Pennsylvania Ave., NW, #1500 N Washington, DC 20004-1703	National Assn of Manufacturers	1,240.00	
George H. Seidel Jr., Associated Petroleum Industries of PA P.O. Box 925 Harrisburg, PA 17108	American Petroleum Institute	2,610.00	1,801.44
Jane Seigler, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	3,550.00	1,500.00
Marlissa Senchak, 3900 Wisconsin Ave.,NW Washington, DC 20016	Federal National Mortgage Assn	16,000.00	2,070.70
David Senter, 100 Maryland Avenue, NE, #500 Washington, DC 20002	American Agriculture Movement, Inc	3,000.00	
Peter M. Seremet, 16 Munson Road Farmington, CT 06034-0338	Heublein, Inc	17,250.00	13,515.31
Terry L. Serie, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
J. Richard Sewell, 1800 K St., NW, #1110 Washington, DC 20006	Florida Power & Light Co	3,000.00	4,006.21
Seyfarth Shaw Fairweather & Geraldson, 815 Connecticut Ave., NW, #500 Washington, DC 20006	Agricultural Producers		
Do	American Soc of Pension Actuaries	13,800.00	190.08
Do	Employers Council on Flexible Compensation	15,000.00	
Do	Flxible Corp		
Do	Pitney Bowes		
Victoria McKenzie Shain, 1710 Rhode Island Avenue, NW, #300 Washington, DC 20036	Abbott Laboratories	2,000.00	
Thomas A. Shallow, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	300.00	
James M. Shamberger, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Deborah L. Shannon, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	1,500.00	
John Hunter Sharp, 1129 20th St., NW, #300 Washington, DC 20036	Natural Gas Supply Assn	17,250.00	2,165.05
Shea & Gardner, 1800 Massachusetts Avenue, NW Washington, DC 20036	Societe Generale de Surveillance, S.A.	66.75	
James V. Sheahan, 1666 Manhasset Drive Atlanta, GA 30338	Siemens Energy & Automation, Inc		
Arline M. Sheehan, 1800 M Street, NW Washington, DC 20036	Morgan Lewis & Bockius (For:Safety-Kleen Corp)		15.00
John J. Sheehan, 815 16th St., NW, #706 Washington, DC 20006	United Steelworkers of America	13,088.25	
John Thomas Sheehan, 733 15th Street, NW, #700 Washington, DC 20005	UST, Inc		
Peggy A. Sheehan, 1401 New York Avenue, NW, #1100 Washington, DC 20005	National Cooperative Business Assn	1,770.00	32.00
Shaun M. Sheehan, 1111 19th Street, NW, #1000 Washington, DC 20036	Tribune Broadcasting Co	3,000.00	1,111.60
Kathleen Sheekey, 3rd Floor 2030 M Street, NW Washington, DC 20036	Common Cause	14,400.00	350.55
C. Douglas Shelby, Florida Petroleum Council 215 South Monroe Street, #800 Tallahassee, FL 32301	American Petroleum Institute		
Judith C. Sherman, 1111 14th Street, NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	
Nancy Sherman, 1025 Connecticut Ave., NW Washington, DC 20036	Foodservice & Packaging Institute, Inc		
Nelson T. Shields, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	1,246.15	
R. Philip Shimer, 444 N. Capitol St., NW, #526 Washington, DC 20001	Western Governors Assn		
Harvey A. Shipman, 1800 Diagonal Road, #500 Alexandria, VA 22314	Penn Central Corporation		
Julie Shisler, P.O. Box 85608 San Diego, CA 92138	General Atomics	2,639.00	644.08
John B. Shlaes, 5629 Lambeth Road Bethesda, MD 20814	Edison Electric Institute		
T. V. Shockley III, P.O. Box 2121 Corpus Christi, TX 78403	Central Power & Light Co		
John G. Shortridge, 818 Connecticut Ave., NW Washington, DC 20006	USX Corporation	400.00	
Scott Shotwell, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	2,475.00	
Harold A. Shoup, 1899 L Street, NW Washington, DC 20036	American Association of Advertising Agencies	2,500.00	750.00
A. Z. Shows, 1801 Columbia Rd., NW, #203 Washington, DC 20009			
Eric Shulman, 925 15th Street, NW Washington, DC 20005	National Council of Senior Citizens	11,800.00	
Kathy Shulman, 1730 M St., NW Washington, DC 20036	League of Women Voters of the U.S.	4,819.16	29.45
Walter Shur, 51 Madison Ave. New York, NY 10010	New York Life Insurance Co	701.50	
William H. Shute, 1667 K Street, NW, #1000 Washington, DC 20006	Southwestern Bell Corp		686.46
Stephen A. Sibert, 1901 Pennsylvania Ave., NW, #200 Washington, DC 20006	International Mass Retail Association	1,875.00	
Sidley & Austin, 1722 Eye Street, NW Washington, DC 20006	Donrey, Inc	610.80	
Do	North West Timber Assn	4,200.00	1,292.15
Do	Tootsie Roll Industries, Inc	1,665.00	427.95
Richard D. Siegel, 1400 16th Street, NW, #400 Washington, DC 20036-2220	Business Committee for Fair Civil RICO Legislation	1,000.00	
Mark A. Siegel & Associates, 1030 15th Street, NW, #408 Washington, DC 20005	Commonwealth of Puerto Rico	33,000.00	76.21
Do	Power Authority of the State of New York	22,375.00	1,432.95
Susan Siemietkowski, 1730 North Lynn Street Arlington, VA 22209	Printing Industries of America	2,000.00	
Alexander W. Sierck, 1350 I Street, NW, #700 Washington, DC 20005	Beveridge & Diamond (For:Pacific Dunlop-GNB)	8,950.50	17,511.00
Christine Sigler, 2000 K St., NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security	3,675.00	
Lucinda Sikes, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	4,615.38	
Stephan Silberfarb, 500 North Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	10,500.00	717.66
Hiliary Sills, 901 31st Street, NW Washington, DC 20007-3838	Hill & Knowlton (For:Florida Municipal Electric Assn (FMEA))	740.00	
Mary Silveira, 317 Massachusetts Avenue, NE Washington, DC 20002	Ken Schlossberg Consultants (for:Woods Hole Marine Bio Lab)	3,477.00	16.00
David Silver, 1600 M St., NW Washington, DC 20036	Investment Company Institute		
Howard J. Silver, 1522 K Street, NW, #836 Washington, DC 20005	Consortium of Social Science Assns	1,325.00	
Steve Silver, 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007	Robertson Monagle & Eastaugh (For:Alaska Loggers Assn)	30,000.00	
Do	Robertson Monagle & Eastaugh (For:Anchorage School District)	7,500.00	
Do	Robertson Monagle & Eastaugh (For:Bristol Bay Native Corp)	2,600.00	
Do	Robertson Monagle & Eastaugh (For:BP America, Inc)	6,000.00	
Do	Robertson Monagle & Eastaugh (For:BP Minerals America)		
Do	Robertson Monagle & Eastaugh (For:City of Kotzebue)	10,000.00	
Silver Users Assn, Inc, 1717 K St., NW Washington, DC 20006		5,351.20	3,956.07
Marcia Silverman, 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather Public Affairs		
Curtis Silvers, 888 16th St., NW, #606 Washington, DC 20006	Bannerman & Associates, Inc (For:Government of Bangladesh)	750.00	123.00
Do	Bannerman & Associates, Inc (For:Government of Tunisia)	750.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Bannerman & Associates, Inc (For:Sawyer-Miller Group (for Government of the Philippines)).	750.00	
Silverstein & Mullens, 1776 K Street, NW, #800 Washington, DC 20006	Association for Advanced Life Underwriting	5,000.00	
Do	Bristol-Myers Co		
Do	Cushman & Wakefield		
Do	Music Corp of America, Inc		
Do	National Assn of Home Builders of the U.S.		
Do	Rolls-Royce Motor Cars, Inc		
Donald M. Simmons, 323 West Broadway, #404 Muskogee, OK 74401	Caltex Petroleum Corp	1,262.00	
Gary D. Simms, 1720 Eye Street, NW, 7th Floor Washington, DC 20006	American Academy of Actuaries		
Michael E. Simon, 1666 K St., NW Washington, DC 20006	Arthur Andersen & Co		
David C. Simons, 1100 Connecticut Ave, NW, #410 Washington, DC 20036	Eaton Corp		4,087.42
Thomas D. Simpson, 700 N. Fairfax Street Alexandria, VA 22314	Railway Progress Institute	574.06	
William G. Simpson, 1155 15th St., NW, #504 Washington, DC 20005	First Mississippi Corp	2,000.00	
Do	Mississippi Power & Light Company	2,000.00	
Do	State of Mississippi	4,000.00	
Albert M. Sims, 11006 Hampton Rd. Fairfax Station, VA 22039	Performance Engineering, Inc		
Ivan E. Sinclair, 1000 Wilson Boulevard, #2700 Arlington, VA 22209	TRW, Inc	1,000.00	
James W. Singer III, 1100 15th Street, NW Suite 900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	
Donna L. Singletary, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Federation of Independent Business (NFIB)	3,189.00	300.00
Richard L. Sinnott, 1917 Broadway E Seattle, WA 98102	Galena Resort Co		
Constantine Sirigos, 1730 K Street, #1005 Washington, DC 20006	American Hellenic Institute Public Affairs Committee, Inc		
Skadden Arps Slate Meagher & Flom, 1440 New York Avenue, NW Washington, DC 20005	Akzo America, Inc	4,000.00	
Do	American Medical International		
Do	Amoco Corp	500.00	
Do	Anadarko Petroleum Corp	500.00	
Do	Anheuser-Busch Companies, Inc	4,000.00	
Do	ATMOS Energy Corp	500.00	
Do	Bethlehem Steel Corp	2,000.00	
Do	Blackstone Financial Management		
Do	Boise Cascade Corporation		
Do	Canada Malting Co., Ltd		
Do	Drexel Burnham Lambert, Inc		
Do	General Development Corp	8,000.00	1,500.00
Do	General Mills	500.00	
Do	Hoylake Investments, Ltd	8,000.00	
Do	Maxwell Communications Co., PLC	2,000.00	
Do	McMillan, Inc		
Do	Merrill Lynch & Co, Inc	2,000.00	
Do	Mesa Limited Partnership	234.00	
Do	Oryx Energy Co		
Do	Partida Popular Democratico	20,145.00	
Do	Questar Corporation		
Do	Sann - Howe		
Do	Sara Lee		
Do	Sonat Exploration Co	270.00	
Do	Time/Warner, Inc		
Do	UAL Corp	3,000.00	
Do	Vista Chemical Co		
Edmund J. Skernolis, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	812.00	53.00
James H. Skidmore, 1156 15th St., NW, #1201 Washington, DC 20005	NCR Corporation		
William J. Skinner, 751 Rockville Pike, # 27B Rockville, MD 20852	U.S. Pharmacoepeial Convention, Inc	1,361.60	37.00
Barney J. Skladany Jr., 1100 Connecticut Ave., NW, #620 Washington, DC 20036	Mobil Corp	1,125.00	
Steven A. Skonberg, 3138 North 10th Street, Arlington, VA 22201	National Assn of Federal Credit Unions	1,250.00	316.66
Glen J. Skovholt, Honeywell Plaza Minneapolis, MN 55408	Honeywell Inc		
Kathleen M. Skrabut, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	8,752.24	80.51
Dale D. Skupa, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268	National Assn of Mutual Insurance Cos		
Jonathan Slade, 444 North Capitol St., NW, #711 Washington, DC 20001	Cuban American Foundation	9,000.00	147.00
Do	TKC International (For:Free Angola Information Service)	8,000.00	
Do	Keefe Company (For:Hadassah Medical Relief Organization)	8,250.00	386.00
Do	Keefe Company (For:Seminole Tribe of Florida)	6,000.00	
F. Slatinshek & Associates, Inc, 1102 Belle Vista Dr. Alexandria, VA 22307	Grumman Aero Corp, et al	100.00	
Robert G. Slaughter, 1615 M ST., NW, #200 Washington, DC 20036	Amoco Corporation		
Albert J. Slechter, 1100 Connecticut Ave., NW, #900 Washington, DC 20036	Chrysler Corp	4,998.00	629.52
R. Barry Sleight, 5840 Cameron Run Terrace, #1413 Alexandria, VA 22303	CFIDS Assn		1,104.00
William T. Slider, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Ronald J. Slinn, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
Catherine Reiss Sloan, 120 Maryland Ave., NE Washington, DC 20002	Competitive Telecommunications Assn		
John E. Sloan Jr., Capital Gallery East, #695 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	1,150.00	200.00
Sloan Listrom Eisenbarth Sloan & Glassman, 714 Capitol Federal Building Topeka, KS 66603	Kansas Bankers Surety	395.00	
Kelly Campbell Slone, 1667 K Street, NW, #710 Washington, DC 20006	Baxter		
Slover & Loftus, 1224 17th St., NW Washington, DC 20036	Western Coal Traffic League	29,312.36	23,832.17
Stephan K. Small, 1850 M Street, NW, Washington, DC 20036	Securities Industry Assn	1,971.00	
Small Business Council of America, Inc, P.O. Box 4299 Columbus, GA 31904		58,538.49	52,677.61
Smathers Hickey & Smathers, 1050 Connecticut Avenue, NW, #1230 Washington, DC 20036	Pennzoil Co	6,000.00	
Robert G. Smerko, 2001 L St., NW, #506 Washington, DC 20036	Chlorine Institute, Inc		36.22
Donald E. Smiley, 1899 L St., NW, #1100 Washington, DC 20036	Exxon Corporation		
C. Douglas Smith, 1850 M St., NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc		
Carlos C. Smith, 400 Krystal Building, One Union Square Chattanooga, TN 37402	Strang Fletcher Carriger Walker Hodge & Smith (For:Chattanooga Production Credit Assn, et al.).		
Debbi L. Smith, 374 Jamie Ct. Glen Burnie, MD 21061	Center for Electrochemical Systems & Hydrogen Research	6,562.50	1,583.16
Edward Del Smith, 905 16th Street, NW Washington, DC 20006	E. Del Smith and Company (For:American Assn of Petroleum Geologists)	2,800.00	398.32
Do	E. Del Smith and Company (For:Bright & Associates)	8,200.00	625.58
Do	E. Del Smith and Company (For:County of L.A. Community Development Commission).		
Do	E. Del Smith and Company (For:Northern California Power Agency)	13,000.00	292.21
Do	E. Del Smith and Company (For:Port of Hueneme, CA, Oxnard Harbor District)	8,750.00	2,182.80
Do	E. Del Smith and Company (For:Port of Long Beach, CA)	28,666.66	582.11
Elizabeth M. Smith, 815 16th St., NW, #507 Washington, DC 20006	Amalgamated Clothing & Textile Workers Union	6,669.00	334.82
Jeffrey A. Smith, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators, Inc		
Jennifer L. Smith, 900 17th Street, NW, #520 Washington, DC 20006	West Mexico Vegetable Distributors Assn	300.00	
Julian H. Smith Jr., 600 North 18th Street Birmingham, AL 35291	Alabama Power Co	20,165.82	2,802.10
Kern Smith, 400 First St., NW, #710 Washington, DC 20001	Alliance of Foreign Medical Graduates	6,250.00	
Kevin R. Smith, 1020 19th Street, NW, #700 Washington, DC 20036	U S West	350.00	
Kirkland Smith, Docs# 83-A-4548 Great Meadow Correctional Facility Box 51 Comstock, NY 12821			
Marc Smith, 200 Renaissance Place 714 Jackson Street Dallas, TX 75202			
Michael E. Smith, P.O. Box 5000 Cleveland, OH 44101	Cleveland Electric Illuminating Co		
Michael P. Smith, 485 Lexington Ave. New York, NY 10017	New York State Bankers Assn	350.00	
Owen T. Smith, 345 Mill River Road Oyster Bay, NY 11771	Reese Communications Cos (for: Philip Morris, USA)	3,000.00	
Patricia Smith, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons	591.92	589.00
Philip S. Smith, 10900 Wilshire Boulevard Los Angeles, CA 90024	Castle & Cooke, Inc		
Do	Castle & Cooke (For:Dole Fresh Fruit Company)		
Do	Flexi Van Leasing, Inc		
Richard F. Smith, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc	600.00	150.00
Robert E. Smith, 1730 K St., NW, #1300 Washington, DC 20006	Olin Corporation	6,000.00	250.00
Sara Hope Smith, 1275 Pennsylvania Ave, NW, #400 Washington, DC 20004	Pacific Telesis Group	15,450.00	
Susan Snyder Smith, 7900 Westpark Drive, #A320 Mclean, VA 22102	Chocolate Manufacturers Assn of the USA	300.00	437.12
Tim Smith, 410 1st St., SE Washington, DC 20003	American Nuclear Energy Council	3,954.81	300.43
Smith Dawson & Andrews, Inc, 1000 Connecticut Ave., NW, #304 Washington, DC 20036	Bank Street College		
Do	City of Eugene, Oregon	12,750.00	
Do	Illinois Diversatech Corp		
Do	N.Y. Metropolitan Transportation Agency	16,666.00	120.00
Do	National Assn of Foreign Trade Zones	11,026.00	435.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Power Packaging, Inc		
Do	S & F Warehouses, Inc	2,750.00	140.00
Do	San Francisco Public Utilities Commission	10,998.00	
Smokeless Tobacco Council, Inc, 2550 M Street, NW, #300 Washington, DC 20037		2,231.00	2,231.00
Darlene Snow, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
David F. Snyder, 1130 Connecticut Avenue, NW, #1000 Washington, DC 20036	American Insurance Assn	500.00	18.00
Edward F. Snyder, 245 2nd St., NE Washington, DC 20002	Friends Committee on National Legislation	6,869.16	
Gene Snyder, 205 North Third Street LaGrange, KY 40031	Arthur Cameron	9,000.00	
Do	Cincinnati Microwave, Inc	15,000.00	1,886.73
Do	Norfolk Southern Corp	15,000.00	1,900.23
Do	United Parcel Service	16,500.00	2,297.72
John M. Snyder, 600 Pennsylvania Ave., SE, #205 Washington, DC 20003	Citizens Comm for the Right to Keep & Bear Arms	12,000.00	
Snyder Ball Kriser & Assoc, Inc, 499 S. Capitol St., SW, #520 Washington, DC 20003	Alloy Surfaces		
Do	General Motors Corp	245.00	776.20
Do	Puget Sound Naval Bases Assn, Inc (PSNBA)		
Do	Service Engineering Company		
Alan C. Sobba, 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Society for Animal Protective Legislation, P.O. Box 3719 Georgetown Station Washington, DC 20007		13,935.94	55,866.47
Society for Human Resource Management, 606 North Washington Street Alexandria, VA 22314	American Soc for Personnel Administration		45,000.00
Society of Real Estate Appraisers, Public Affairs Office 600 New Hampshire Ave., NW, #1111 Washington, DC 20037		2,362.00	2,362.00
Lynn Soffer, 2000 P Street, NW, #700 Washington, DC 20036	Health Research Group		
Thomas J. Soles Jr., 8224 Old Courthouse Road Vienna, VA 22180	Sheet Metal & Air Conditioning Contractors' Nat'l Assn		
Sandra M. Solowiej, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Nancy C. Somerville, 1735 New York Ave., NW Washington, DC 20006	American Institute of Architects	2,500.00	
Ronald J. Somerville, 1000 Connecticut Ave., NW, #1002 Washington, DC 20036	Wildlife Legislative Fund of America	17,000.00	
Judah C. Sommer, 1825 Eye Street, NW, #450 Washington, DC 20006	Goldman Sachs & Co	1,000.00	
James E. Sommerhauser, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Sonnenschein Carlin Nath & Rosenthal, 1201 Pennshlvania Ave., #700 Washington, DC 20004	Geneva Steel	3,600.00	197.12
William A. Sonntag, 1101 Connecticut Ave., NW, #700 Washington, DC 20036	Smith Bucklin & Associates (For:National Assn of Metal Finishers)		
Terry Sopher, 1400 Eye St., NW, 10th Fl. Washington, DC 20005	Wilderness Society	4,725.00	303.68
Space Industries, Inc, 711 West Bay Area Blvd., #320 Webster, TX 77598-4001			2,708.78
Sparber and Associates, Inc, 1325 Pennsylvania Ave., NW, #500 Washington, DC 20006	National Volunteer Fire Council		
Do	Tobacco Institute	6,100.00	
John S. Sparkman, 1100 Connecticut Ave., NW, #530 Washington, DC 20036	Baltimore Gas & Electric Company	429.10	481.21
Ian D. Spatz, 1785 Massachusetts Avenue, NW Washington, DC 20036	National Trust for Historic Preservation	1,133.55	
Jonathan B. Spear, 1100-15th Street, NW, #900 Washington, DC 20005	Phamaceutical Maufacturers Assn	1,334.00	
Sandra Spence, 1776 Massachusetts Ave., NW, #521 Washington, DC 20036	Spence Group (For:Association for Commuter Transportation, Inc)		
Do	Spence Group (For:Fire Equipment Manufacturers & Services Assn, Inc)		
Ray L. Spickler, 444 North Capitol Street, NW, #845 Washington, DC 20001	National Air Traffic Controllers Assn		
Spiegel & McDiarmid, 1350 New York Ave., NW Washington, DC 20005-4798	City of Palo Alto		
Do	Connecticut Municipal Electric Energy Coop		
Do	Former Residents of Centralia Pennsylvania		
Do	Northern California Power Agency		
Do	Sacramento Municipal Utility District		
Do	Town of South Hadley Massachusetts	1,371.75	35.18
William M. Spodak, 1801 K St., NW Washington, DC 20006	Westinghouse Electric Corp	2,500.00	80.00
Lisa M. Sprague, 1615 H Street, NW Washington, DC 20062	United States Chamber of Commerce	2,500.00	136.91
Spriggs & Hollingsworth, 1350 I Street, NW, 9th Floor Washington, DC 20005	Eagle-Picher Industries, Inc	2,748.75	181.01
Martha Ann Spudis, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	1,700.00	
Earl C. Spurrier, The Madison Building, #900 1155 15th Street, NW Washington, DC 20005	National Agricultural Chemicals Assn		
Mark G. Spurrier, 400 Kenilworth Drive Towson, MD 21204	Baltimore County Police Department, et al		
Squire Sanders & Dempsey, 1201 Pennsylvania Ave., NW P.O. Box 407 Washington, DC 20044	American Chamber of Commerce in Germany		
Do	American Soc of Anesthesiologists		
Do	ADAPSO, the Computer Software & Services Industry Assn		
Do	California Steel Industries Inc	19,686.25	1,254.74
Do	Independent Data Communications Manufacturers Assn	3,150.00	31.00
Do	National Collegiate Athletic Assn	13,038.75	
Do	Public Securities Assn		
Do	Samaritan Health Services		
Cecile Srodes, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
John W. Sroka, 8224 Old Courthouse Road Vienna, VA 22180	Sheet Metal & Air Conditioning Contractors' Nat'l Assn		
Janet G. St. Amand, 60 Wall Street New York, NY 10260	Morgan Guaranty Trust Co	300.00	
St. Lawrence Seaway Pilots Assn, 54 Bayley Road Massena, NY 13662			3,711.61
Connell Stafford, P.O. Drawer 1734 Atlanta, GA 30301	Coca-Cola Company	450.00	1,580.74
Melvin R. Stahl, 1235 Jefferson Davis Hwy., #1410 Arlington, VA 22202	Specialty Vehicle Institute of America, Inc		34,340.00
Elvis J. Stahr Jr., 1815 H Street, NW, #600 Washington, DC 20006	Public Resource Associates	475.00	
Tyrone Stallworth, 220 North Devilliers Street Pensacola, FL 32501			
David P. Stang, P.C., 1629 K St., NW, #601 Washington, DC 20006	McDermott, Inc	4,468.34	
Joseph M. Stanton, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S		
Jane Sutter Starke, 1818 N St., NW, #700 Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Media General, Inc)	1,450.00	80.77
Do	Eckert Seamans Cherin & Mellott (For:Metropolitan Transportation Authority)		
Lois Starkey, Suite 511 1745 Jefferson Davis Hwy. Arlington, VA 22202	Manufactured Housing Institute	8,125.00	391.58
David Michael Staton, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S	5,900.00	
James D. Staton, 320 Timberbrook Drive Waldorf, MD 20601	Air Force Sergeants Assn, Inc		
Randolph J. Stayin, 1815 H Street, NW, Suite 800 Washington, DC 20006	Barnes & Thornburg (For:Empire Resources, Inc)	529.00	
Do	Barnes & Thornburg (For:Special Comm for Workplace Product Liability Reform)		
Barbara E. Steakley, 918 16th Street, NW, #402 Washington, DC 20006	American Furniture Manufacturers Assn	750.00	753.64
Kathryn A. Steckelberg, 1111 19th Street, NW Washington, DC 20036-3691	Edison Electric Institute	1,959.89	399.89
Jeffrey V. Steele, 2033 M Street, NW, #300 Washington, DC 20036	National Association of Arab Americans	5,000.00	
Carol Higgins Steenland, 1600 M Street, NW Washington, DC 20036	Investment Company Institute		
Allan Stein, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	American Insurance Assn		
Rena Steinzor, 1350 New York Ave., NW, #1100 Washington, DC 20005-4798	Spiegel & McDiarmid (For:Alliance of Resposible Electric Systems for Energy Access)		
Do	Government Refuse Collection and Disposal Assn, Inc (GRCDA)		
Kristin Stelck, 2401 Virginia Avenue, NW Washington, DC 20037	American Assn of University Women	5,000.00	252.37
Charles W. Stellar, 1227 25th Street, NW, #610 Washington, DC 20037	American Managed Care & Review Assn		
Jack L. Stempler, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	75.00
Jackson T. Stephens, 114 East Capitol Little Rock, AR 72201	Stephens Group		
Stephens Group, Inc, 114 East Capitol Little Rock, AR 72201			
Stephens Overseas Services, Inc, 114 East Capitol Avenue Little Rock, AR 72201			
Steptoe & Johnson, 1330 Connecticut Ave., NW Washington, DC 20036	Association of Private Pension & Welfare Plans, Inc	6,120.00	182.76
Do	Bear Stearns & Co		
Do	Canadian Sugar Institute		
Do	Christie's	600.00	
Do	Citizens Savings Financial Corp		
Do	Co-Operative Central Bank		
Do	Coast Savings and Loan Assn	1,373.69	
Do	Commercial Federal Savings and Loan Assn		
Do	CSO Company		
Do	Glendale Federal Savings and Loan Assn	1,373.69	
Do	Harley-Davidson Motor Co, Inc		
Do	MeraBank	1,373.69	
Do	Mutual Life Insurance Company Tax Committee	290.00	6.50
Do	National Antique & Art Dealers Assn of America		
Do	Sotheby's	600.00	
Do	Western Financial Savings Bank	72.20	
Paula Stern, 1133 Connecticut Ave., NW, #1000 Washington, DC 20036	Coalition of American Steel Using Manufacturers		
Richard W. Sternberg, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	102.00	
George C. Steuart, 1825 I Street, NW, #400 Washington, DC 20006	Miller & Steuart (For:Coastal Corporation)		
Do	Miller & Steuart (For:E.R. Squibb and Sons, Inc)		
Michael E. Steward, 1730 M Street, NW, #607 Washington,, DC 20036	Puget Sound Power & Light Co	10,810.00	244.87
Eugene L. Stewart, 808 17th Street, NW, #300 Washington, DC 20006-3910	Floral Trade Council		
Do	Monsanto Co		
Do	Roses, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Timken Co		
Robert B. Stewart, 1050 17th St., NW, #700 Washington, DC 20036	National Ocean Industries Assn	2,200.00	
Terence P. Stewart, 808 17th Street, NW, #300 Washington, DC 20006-3910	Cabot Corporation		
Do	Floral Trade Council		
Do	Stewart & Stewart (For:Gates Corp)		
Do	Stewart & Stewart (For:Hudson Industries Corp)		
Do	Stewart & Stewart (For:Kimble Glass, Inc)		
Do	Stewart & Stewart (For:Libbey Glass)		
Do	Monsanto Co		
Do	PPG Industries, Inc		
Do	Roses, Inc		
Do	Smith Corona Corp		
Do	(For:Stewart & Stewart)	4,375.00	2,841.15
Do	Timken Co	4,295.59	995.09
Do	Torrington Company	4,295.59	995.09
Warren E. Stickle, 1220 19th Street, NW, #202 Washington, DC 20036	Chemical Producers & Distributors Assn	112.50	6.00
Do	Cheminova		
Do	International Sanitary Supply Assn	450.00	20.00
Don Stillman, 1757 N Street, NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	1,837.18	7.00
Lee J. Stillwell, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	750.00	
Bonny S. Stilwell, 3803 Densmore Ct. Alexandria, VA 22309			
Edward W. Stimpson, Suite 801 1400 K St., NW Washington, DC 20005	General Aviation Manufacturers Association	1,788.00	
Neal Stine, 1667 K Street, NW, #710 Washington, DC 20006	Baxter		
David J. Stirpe, 1501 Wilson Blvd., #600 Arlington, VA 22209	Air Conditioning & Refrigeration Institute		
Heidi A. Stirrup, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	3,000.00	500.00
John J. Stocker, 1110 Vermont Avenue, NW Suite 1250 Washington, DC 20005	Shipbuilders Council of America	3,300.00	
Stockholders of America, Inc, 1625 Eye Street, NW, #724A Washington, DC 20006		5,385.00	452.45
Steven F. Stockmeyer, 499 South Capitol Street, SE #103 Washington, DC 20004	Stockmeyer & Company (For:Federal Home Loan Mortgage Corp)	630.00	
Do	Manville Corporation	1,400.00	
Do	National Assn of Business PACs	1,200.00	
Do	Springs Industries	1,062.50	
Stoel Rives Boley Jones & Grey, 1730 M Street, NW, #900 Washington, DC 20036	A-dec, Inc		
Dennis C. Stolte, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	6,775.00	170.00
Robin E. Stombler, 1640 Wisconsin Avenue, NW, Washington, DC 20007	American College of Surgeons		82.83
Ann E.W. Stone, 1315 Duke Street Alexandria, VA 22314	Conserative Alliance		
Floyd E. Stoner, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	3,800.00	
Harry L. Storey, 8400 E Prentice Ave. 15th Floor Englewood, CO 80111	Alliance for Clean Energy	20,000.00	7,450.00
Richard B. Storey, 304 East Brunswick Street Sterling Park, VA 22170	Multi Management Associates, Inc (For:American Assn of Fast Food Soft Serve Pizza Operators).		
Do	Multi-Management Associates, Inc (For:International Military Executives Assn)		
Do	Multi Management Associates, Inc (For:Pennsylvania Restaurant Assn)		
Todd A. Stottlemyer, 7915 Jones Branch Drive McLean, VA 22102	BDM International, Inc		
William M. Stover, 2501 M St., NW Washington, DC 20037	Chemical•Manufacturers Assn, Inc	1,000.00	
John L. Stowell, 1800 K St., NW, #1018 Washington, DC 20006	Public Service Co of Indiana	6,875.00	
Michael L. Strang, 218 2nd St., SE Washington, DC 20003	ATR Defense Group		435.45
Strang Fletcher Carriger Walker Hodge & Smith, 400 Krystal Building, One Union Square Chattanooga, TN 37402	Chattanooga Production Credit Assn, et al		
Luther J. Strange III, 1100 15th Street, NW, #700 Washington, DC 20005	Sonat, Inc		
Raymond L. Strassburger, 1020 19th Street, NW, #700 Washington, DC 20036	Northern Telecom Inc		1,425.00
Terrence D. Straub, 818 Connecticut Avenue, N.w. Washington, DC 20006	USX Corporation	250.00	543.02
David R. Straus, 1350 New York Avenue, NW Washington, DC 20005	Spiegel & McDiarmid (For:Alliance of Responsible Electric Systems for Energy Access).		
Stephen P. Strickland, 110 Maryland Ave., NE, #409 Washington, DC 20002	National Peace Institute Foundation	346.14	
George W. Strong, 2242 Bartlett Houston, TX 77098	Enron Corp		
Stroock & Stroock & Lavan, 1150 17th St., NW Washington, DC 20036	J. Aron & Co, Inc	500.00	15.00
Do	Dreyfus Corporation		
William M. Stroud, 800 North Plaza Drive Schaumburg, IL 60196	Zurich-American Insurance Company	300.00	300.00
George Strumpf, 1150 17th St., NW, #600 Washington, DC 20036	Health Insurance Plan of Greater New York	11,900.00	5,200.00
Cory N. Strupp, 60 Wall Street New York, NY 10260	Morgan Guaranty Trust Co	2,627.00	157.00
Stryker Weiner Associates, Inc, 737 Bishop Street, #2860 Honolulu, HI 96813	Madison Public Affairs Group, Inc (for Philip Morris, USA)		
Dorothy E. Stucke, 1111 14th Street, NW, #900 Washington, DC 20005	National Apartment Assn	7,615.38	400.00
Ed Stucky, 600 New Hampshire Ave., NW, #1010 Washington, DC 20037	Pinnacle Data Corporation	17,500.00	777.55
Donald B. Studley, 127 Brookmoor Road Avon, CT 06001	Yankee Gas Services Company	65.38	
Charlene A. Sturbitts, 901 15th Street, #570 Washington, DC 20005	Interstate Natural Gas Assn of America	12,000.00	
John N. Sturdivant, 80 F Street, NW Washington, DC 20001	American Fed of Government Employees	24,297.00	11,533.71
Eugene F. Sturgeon, 182 Crater Lane Kensington, CT 06037	Northeast Utilities Service Co	1,193.93	450.04
Lawrence J. Suffredin Jr., 55 West Wacker Drive, #702 Chicago, IL 60601	Harza Engineering Co	2,500.00	
Glenn Sugameli, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	39.90	
Arthur E. Sullivan Jr., 1215 Jefferson Davis Hwy., #1004 Arlington, VA 22202	Diagnostic/Retrieval Systems, Inc	3,250.00	
Austin P. Sullivan Jr., P.O. Box 1113 Minneapolis, MN 55440	General Mills, Inc		
Charles S. Sullivan, 11 15th Street, NE, #6 Washington, DC 20002	Citizens United for Rehabilitation of Errants	1,806.00	3,235.45
Gael M. Sullivan, 1025 Thomas Jefferson St., NW, #511 Washington, DC 20005	LTV Corporation	2,344.00	755.40
Jay R. Sullivan, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:California Energy Company, Inc)	3,000.00	
Do	Murphy & Demory, Ltd (For:Korea Tacoma Marine Industries)		
Do	Murphy & Demory (For:Parsons Brinckerhoff Quade & Douglas)	3,000.00	
Judy M. Sullivan, 1614 King Street Alexandria, VA 22314	National Assn of Housing Cooperatives		
Marcia Z. Sullivan, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn		
Margaret Cox Sullivan, 1625 Eye St., NW, #724A Washington, DC 20006	Stockholders of America, Inc		
Pauline Sullivan, #11 15th St., NE, #6 Washington, DC 20002	Citizens United for Rehabilitation of Errants	300.00	
Sullivan & Cromwell, 1701 Pennsylvania Ave., NW, #800 Washington, DC 20006	American International Group, Inc		
Do	BHP Holdings (USA) Inc		
Do	Grand Met USA, Inc		
Do	Securities Industry Assn		
Sullivan & Worcester, 1025 Connecticut Ave., NW Washington, DC 20036	Marion Laboratories, Inc	7,500.00	
Bruce W. Sumner, 2000 K Street, NW, 8th Floor Washington, DC 20006	National Comm to Preserve Social Security		
Charles Sunderlin, 21480 Pacific Boulevard Sterling, VA 22170	Heckler & Koch, Inc		225.00
David A. Super, 1319 F Street, NW, #500 Washington, DC 20004	Food Research & Action Center	163.30	
Thomas M. Susman, 1001 Pennsylvania Ave., NW, #1200-S Washington, DC 20004	Ropes & Gray (For:Digital Equiptment Corp)		
Do	Ropes & Gray (For:Dunkin' Donuts)		
Do	Ropes & Gray (For:Eastern Enterprises)		
Do	Resolve, Inc		
Sutherland Asbill & Brennan, 1275 Pennsylvania Avenue, NW, #1000 Washington, DC 20004	Ad Hoc Comm for a Competitive Electric Supply System	12,671.50	
Do	American Council on Education		
Do	American Industrial Clay & Georgia Kaolin	8,367.33	1,174.93
Do	Anglo-American Clays Corp	8,367.33	1,174.93
Do	Committee Against Revising Staggers		
Do	Council of Industrial Boiler Owners	34,560.00	
Do	Duke University		
Do	Engelhard Minerals & Chemicals Corp	8,367.33	1,174.93
Do	J. M. Huber Corp	8,367.33	1,174.93
Do	Industrial Oil Consumers Group		
Do	Minnesota Mutual Life Insurance Co	1,508.00	143.23
Do	Nord Resources Corp	8,367.33	1,174.93
Do	Process Gas Consumers Group	7,237.00	
Do	Thiele Kaolin Co	8,367.33	1,174.93
Do	Windom Brannon, et al		15.60
W. Thomas Suttle, 1521 Vermont Avenue, NW Washington, DC 20005	Institute of Electrical & Electronics Engineers	3,212.50	431.19
Stephen Sutton, 1000 Wilson Blvd., #2800 Arlington, VA 22209	Grumman Corporation	625.00	309.44
Douglass W. Svendson Jr., 1730 Rhode Island Avenue, NW, #417-19 Washington, DC 20036	Hollywood Marine Service, Inc	2,250.00	
Do	Shell Oil Co		
Sylvia E. Swanson, 1801 K Street, NW, #1105-L Washington, DC 20006	Glass Packaging Institute	560.00	
Deborah Swartz, 1225 19th Street, NW, #210 Washington, DC 20036	Luggage & Leather Goods Manufacturers of America, Inc	500.00	
Do	Neckwear Assn of America, Inc	500.00	
Do	Non-Ferrous Metals Producers Committee	500.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
David A. Sweeney, 25 Louisiana Ave., NW Washington, DC 20001	International Brotherhood of Teamsters	22,282.97	
Rosemarie Sweeney, Suite 770 600 Maryland Ave., SW Washington, DC 20024	American Academy of Family Physicians	3,750.00	1,998.63
William R. Sweeney Jr., 536 7th Street, SE Washington, DC 20003	China External Trade Development Council		
Do	Embassy of Japan		
Frederic H. Sweet, 720 East Wisconsin Avenue Milwaukee, WI 53202	Northwestern Mutual Life Insurance Co	900.00	
Leland H. Swenson, 10065 East Harvard Avenue Denver, CO 80251	Farmers' Educational & Co-Operative Union of America	9,375.00	341.16
Robert D. Swezey Jr., 1133 19th St., NW Washington, DC 20036	MCI Communications Corp	250.00	
Swidler & Berlin, Chtd, 3000 K Street, NW, #300 Washington, DC 20007	Akin Gump Strauss Hauer & Feld (for Drexel Burnham Lambert)		
Do	American Bakers Assn		32.00
Do	Assn of Data Processing Service Organizations (ADAPSO)	731.25	
Do	Business Coalition For RICO Reform		216.25
Do	Design Protection Coalition	2,925.00	
Do	External Tanks Corporation	573.75	
Do	International Environmental Policy Coalition	4,355.00	
Do	New Energy Company of Indiana		
Do	Product Liability Alliance	6,697.50	6,697.50
Do	Renewable Fuels Assn	3,103.13	233.75
Do	Republic of Haiti	1,960.00	
Do	Rivkin Radler Dunne & Bayh (for Merrill Lynch & Co, Inc)		116.00
Do	Software Publishers Assn	1,631.25	
Do	Software Rental Coalition	13,106.25	
Do	Typeface Design Coalition	1,575.00	
Do	Warner Communications		
Carol A. Swift, 311 First St., NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	1,300.00	127.00
Scott R. Swirling, 122 C St., NW, #380 Washington, DC 20001	National Family Planning & Reproductive Health Assn, Inc		
Ronald G. Sykes, 1660 L Street, NW Washington, DC 20036	General Motors Corp	2,500.00	6,772.30
David A. Sykuta, Illinois Petroleum Council P.O. Box 12047 Springfield, IL 62791	American Petroleum Institute	1,400.00	4,100.47
Christopher U. Sylvester, 1831 Briar Ridge Court Mclean, VA 22101	Garrison Diversion Conservancy District	3,750.00	225.51
Systematics, Inc, 4001 Rodney Parham Road Little Rock, AR 72212			
Ronald P. Szabat, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	400.00	
SKC & Associates, 1825 K Street, NW Washington, DC 20006	Southern Company Services	5,000.00	
Janis Tabor, 1825 K Street, NW, #218 Washington, DC 20006	American Society of Mechanical Engineers		
Robert Taft Jr., 1620 Eye St., NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Dosimeter Corp of North America)		
Do	Taft Stettinius & Hollister (For:Great American Broadcasting Co)		
Do	Taft Stettinius & Hollister (For:Kings Entertainment Co)		
Do	Taft Stettinius & Hollister (For:Special Comm for Workplace Product Liability Reform).		
Do	Taft Stettinius & Hollister (For:Telephone & Data Systems, Inc)		
Do	Taft Stettinius & Hollister (For:Wald Manufacturing Co, Inc)		
Do	Taft Stettinius & Hollister (For:Westland Oil Development Corp)		
George C. Tagg, 300 Maryland Ave., NE Washington, DC 20002	Federal Express Corp	6,000.00	
Taggart & Associates, Inc, 1155 15th Street, NW, #1108 Washington, DC 20005	Animal Health Institute		
Do	Association of American Railroads		
Do	M&M/Mars		
Do	Marion Laboratories, Inc		
Do	Telephone & Data Systems, Inc		
Do	Uniroyal Chemical, Inc		
Tanaka Ritger & Middleton, 1919 Pennsylvania Ave., NW, #303 Washington, DC 20006	Electronic Industries Assn of Japan		
Do	Japan Automobile Tire Manufacturers Assn (JATMA)		
Susan Tannenbaum, 2030 M St., NW Washington, DC 20036	Common Cause	6,642.48	121.05
William E. Tanner, 10803 Norman Ave. Fairfax, VA 22030	American Maritime Officers Service	1,000.00	
Do	Coalition for Environmental-Energy Balance	9,000.00	1,601.70
Thomas N. Tate, 1250 Eye Street, NW Washington, DC 20005	Aerospace Industries Assn of America, Inc	7,850.50	
Taubman Company, Inc, P.O. Box 200 Bloomfield Hills, MI 48303-0200			14,531.00
Graca Da Silva Tavares, 17 Perkins Street West Newton, MA 02165			450.00
Mary T. Tavenner, 1725 K Street, NW, #710 Washington, DC 20006	National Assn of Wholesaler-Distributors		
Charles A. Taylor III, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	1,500.00	
Gene Taylor, 453 New Jersey Ave., SE Washington, DC 20003	Gene Taylor Associates, Inc (For:Associated Electric Cooperative, Inc)	15,000.00	
Do	Gene Taylor Associates, Inc (For:Eagle-Picher Industries, Inc)	15,000.00	
Do	Gene Taylor Associates, Inc (For:Empire District Electric Company)	15,000.00	
Do	Empire Gas Corp	3,000.00	
Do	Gene Taylor Associates, Inc (For:FAG Bearings Corporation)	15,000.00	
Do	Gene Taylor Associates, Inc. (For:National Assn of Postmasters of the United States)	6,000.00	
Do	Gene Taylor Associates, Inc (For:Norfolk Southern Corporation)	15,000.00	
Jefferson D. Taylor, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	916.84
John A. Taylor, 11 Canal Center Plaza, #250 Alexandria, VA 22314	Virginia Power		
Patricia Taylor, 1501 16th St., NW Washington, DC 20036	Center for Science in the Public Interest	327.00	60.00
Peggy Taylor, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	18,180.26	350.74
R. William Taylor, 1575 Eye Street, NW Washington, DC 20006	American Soc of Assn Executives	300.00	
Randy Teach, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	500.00	
T. Daniel Tearno, 1341 G Street, NW, #900 Washington, DC 20005	Miller Brewing Company	190.62	
Technology Services Group, Inc, 1625 K Street, NW, #375 Washington, DC 20006			7,634.00
James M. Temenak, P.O. Box 16614 Arlington, VA 22215	National Steel & Shipbuilding Company	3,380.00	92.04
Norman J. Temple, 155 Dresden Avenue Gardiner, ME 04345	Central Maine Power Co, et al	375.00	
Paul M. Tendler, 1090 Vermont Ave., NW, #1200 Washington, DC 20005	Tendler & Biggins, Chtd (For:American Licensed Practical Nurses Assn)		
Do	Tendler & Biggins, Chtd (For:Bascom, Inc)		
Do	Tendler & Biggins, Chtd (For:Geodesco)		
Do	Tendler Goldberg & Biggins (For:Hugo Boss Fashions, Inc)		
Do	Tendler Goldberg & Biggins (For:Joseph and Feiss, Inc)		
Do	Tendler & Biggins, Chtd (For:Mears International Sales Co)		
Do	Tendler & Biggins, Chtd (For:Rasche Elektroniks)		
Do	Tendler & Biggins, Chtd (For:Solargistics Corp)		
Do	Associated General Contractors of America		
Cheryl Terio, 1957 E Steet, NW Washington, DC 20006	Scott Paper Co	4,000.00	547.31
Betty-Grace Terpstra, 1726 M St., NW, #901 Washington, DC 20036	Hiscock & Barclay (For:Niagara Mohawk Power Corp)	2,034.00	305.56
John H. Terry, P.O. Box 4878 Syracuse, NY 13221	Burroughs Wellcome Co	25,000.00	6,360.00
Richard Paul Teske, 1500 K Street, NW, #625 Washington, DC 20005	Pacific Gas & Electric Co	1,149.20	9.20
Robert D. Testa, 1726 M Street, NW, #1100 Washington, DC 20036-4502	J. C. Penney Co, Inc		
James G. Tetirick, 1156 15th Street, NW, #1015 Washington, DC 20005			
Textbook Authors Association, P.O. Box 535 Orange Springs, FL 32182		4,650.00	1,030.00
Textron, Inc, 40 Westminster St. Providence, RI 02903	American Savings Bank, FSB	12,055.00	723.22
Thacher Proffitt & Wood, 1500 K Street, NW, #200 Washington, DC 20005	Dollar Bank, FSB	13,504.50	723.22
Do	American Farm Bureau Federation	6,467.00	201.00
Mary Kay Thatcher, 600 Maryland Avenue, SW Washington, DC 20024	National Realty Committee	1,000.00	
E. Wayne Thevenot, c/o Concord Associates 1455 Pennsylvania Ave., NW, #560 Washington, DC 20004	Merrill Lynch & Co, Inc	1,000.00	
Janelle C. Morris Thibau, 1828 L Street, NW, #906 Washington, DC 20036	USX Corp		
Douglas E. Thierwechter, 818 Connecticut Avenue, NW, #900 Washington, DC 20006		6,174.00	6,174.00
Third Class Mail Association, 1333 F Street, NW, #710 Washington, DC 20004-1108	BASF Corp	208.00	32.00
Robert G. Thoma, 2100 Pennsylvania Ave., NW, #755 Washington, DC 20037	National Assn of Home Builders of the U.S.		
Doris I. Thomas, 15th & M St, NW Washington, DC 20005	Textron, Inc	600.00	150.00
Gordon M. Thomas, 1090 Vermont Avenue, NW, #1100 Washington, DC 20005	Visual Information Technologies, Inc		
John L. Thomas, P.O. Box 796322 Dallas, TX 75379-6322	Animal Health Institute	70.00	
John W. Thomas, 119 Oronoco Street Box 1417-D50 Alexandria, VA 22313	National Assn of Private Psychiatric Hospitals	500.00	
Robert L. Thomas, 1319 F St., NW, #1000 Washington, DC 20004	International Paper Co	5,500.00	5,965.35
W. Dennis Thomas, 1620 Eye St., NW, #700 Washington, DC 20006	Hazel Thomas Fiske Beckhorn & Hanes, PC (For:Mobil Oil Corp)	435.00	
William Griffith Thomas, 510 King Street, #200 Alexandria, VA 22314	Glaxo	3,000.00	
Sara L. Thommason, 1500 K Street, NW, #650 Washington, DC 20005	Merrill Lynch & Co, Inc	5,000.00	
Bruce E. Thompson Jr., 1828 L Street, NW, #906 Washington, DC 20036	Sheet Metal & Air Conditioning Contractors National Assn		
Dana S. Thompson, 305 4th Street, NE, Washington, DC 20002	American Health Care Assn	1,500.00	
Kenneth W. Thompson, 1919 Pennsylvania Ave., NW, 8th Floor Washington, DC 20006	BellSouth Corp	1,500.00	
Do	National Funeral Directors Assn	300.00	
Do	Central States SE & SW Areas Health Welfare & Pension Funds	3,100.00	
Law Offices of Fred Thompson, 1919 Pennsylvania Avenue, NW, #850 Washington, DC 20006	Illinois Power Co		122.35
Randell Thompson, 7307 Lynnhurst Street Chevy Chase, MD 20815			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Robert L. Thompson Jr., P.O. Box 70 Fort Mill, SC 29715	Springs Industries, Inc		
W. Reid Thompson, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Co		
Robert E. Thomson, 59 Maiden Lane New York, NY 10038	Ambase	2,042.31	1,009.43
Thomson Consumer Electronics, Inc, 1200 19th Street, NW #601 Washington, DC 20036			
Joseph Thorndike, 1522 K Street, NW, #836 Washington, DC 20005	Consortium of Social Science Assn's (COSSA)	575.00	
James L. Thorne, 490 L'Enfant Plaza, SW, #2202 Washington, DC 20024	Tenneco Gas		
Margo Thorning, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation	162.00	
John Thornton, 444 North Capitol Street, NW, #845 Washington, DC 20001	National Air Traffic Controllers Assn		
Gary Thorup, 2564 Wilmington Avenue Salt Lake City, UT 84109	Reese Communications Cos (for: Philip Morris, USA)	750.00	239.09
Julianne S. Thrift, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	3,375.00	158.00
Susan K. Till, 955 L'Enfant Plaza, SW, #1202 Washington, DC 20024	National Water Resources Assn	1,500.00	
Rebecca E. Tillet, 1275 K St., NW, #750 Washington, DC 20005	National Women's Political Caucus	7,000.00	
Wallace Tillman, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	150.00	
Patti A. Tilson, Suite 520 900 17th Street, NW Washington, DC 20006	Toyota Motor Sales USA, Inc	500.00	
Gary G. Timmons, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Timmons & Co, Inc, 1850 K St., NW Washington, DC 20006	American Petroleum Institute	2,325.00	
Do	American Trucking Assns, Inc	1,375.00	
Do	Amoco Corporation	1,168.75	
Do	Anheuser-Busch Companies, Inc	2,268.75	
Do	Association of Trial Lawyers of America	840.00	
Do	Brown Group, Inc	250.00	
Do	Capital Cities/ABC, Inc	825.00	
Do	Chrysler Corporation	2,887.50	
Do	Entergy Services, Inc	962.47	
Do	H. J. Heinz Co	1,581.25	
Do	Major League Baseball	2,131.25	460.84
Do	Morgan Stanley & Co, Inc	1,581.25	
Do	Mutual Fairness Taxation Association	2,131.25	
Do	National Rifle Assn of America	687.50	
Do	Northern Telecom, Inc	825.00	
Do	Northrop Corp	2,782.46	
Do	NutraSweet Co	962.50	
Do	G. D. Searle & Co	687.50	
Do	U.S. League of Savings Institutions	641.68	
Alan R. Timothy, 601 Pennsylvania Ave., NW, #500 Washington, DC 20004	Adolph Coors Co	11,178.00	18,674.79
Michael L. Tiner and Associates, 1112 16th Street, NW, #750 Washington, DC 20036	Joseph E. Seagram & Sons, Inc	1,800.00	
Do	United Food and Commercial Works International Union	900.00	
G. Wayne Tingle, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	125.00
William C. Tinklepaugh, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Julie Tippens, 254A Maryland Avenue, NE Washington, DC 20003	National Abortion Rights Action League	2,254.23	
Constance D. Tipton, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		534.25
E. Linwood Tipton, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation & Int'l Ice Cream Assn		
Eben S. Tisdale, 900 17th Street, NW, #1100 Washington, DC 20006	Hewlett-Packard Co	4,500.00	50.75
Francis M. Tivnan, Massachusetts Petroleum Council 11 Beacon Street Boston, MA 02108	American Petroleum Institute	3,000.00	798.41
Tobacco Associates, Inc, 1725 K Street, NW, #512 Washington, DC 20006			5,971.60
William J. Tobin, 3612 Bent Branch Ct. Falls Church, VA 22041	National Child Care Assn	3,000.00	18.00
Do	National Hearing Aid Society	250.00	9.00
James S. Todd, 535 North Dearborn Street Chicago, IL 60610	American Medical Assn	1,000.00	
M. Douglas Todd, 1000 Wilson Blvd., #2300 Arlington, VA 22209	Northrop Corp	1,400.00	50.00
David R. Toll, 1155 Connecticut Ave., NW, #400 Washington, DC 20036	Public Service Co of Colorado		
Do	Western Utilities Clean Air Group		
Edward Tonat, 6723 Brigadoon Drive Bethesda, MD 20817	Robert Goff & Associates, Inc		
Jean R. Toohey, 655 15th Street, NW, #225 Washington, DC 20005	Rhone-Poulenc Inc	245.00	329.13
Michael J. Toohey, 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	218.99
William D. Toohey, Two Lafayette Centre 1133 21st Street, NW Washington, DC 20036	Travel Industry Assn of America		
Peter W. Tooker, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
William T. Torgerson, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Company		
Total Petroleum, Inc, 999 18th Street, Suite 2201 Denver, CO 80202			
Gilbert D. Tough, 70 North Main St. Wilkes-Barre, PA 18711	Blue Cross of Northeastern Pennsylvania		
Wanda Townsend, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	1,457.00	
Joseph P. Trainor, 400 1st Street, NW, #804 Washington, DC 20001	National Assn of Retired Veteran Railroad Employees	1,200.00	300.00
Do	Railway Labor Executives' Assn	2,000.00	500.00
Jeffrey B. Trammell, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:Florida Municiapl Utilities)	225.00	
Do	Hill & Knowlton (For:Hertz Corp)	450.00	
Do	Hill & Knowlton (For:Nintendo of America, Inc)		
Do	Hill & Knowlton (For:Republic of Turkey)		
Do	Hill & Knowlton Inc (For:Ryder Systems Inc)		
Do	Hill & Knowlton (For:Textron, Inc)		
Transafrica, 545 8th Street, SE, #200 Washington, DC 20003		60,992.50	67,947.22
Transportation - Communications Union, 815 16th St., NW, #511 Washington, DC 20006		9,000.00	16,320.50
Travel & Tourism Government Affairs Policy Council, 1133 21st Street, NW Washington, DC 20036		2,000.00	
Travel Industry Assn of America, Two Lafayette Centre 1133 21st Street, NM Washington, DC 20036			8,050.00
Travis & Gooch, 1100 15th St., NW, #1200 Washington, DC 20005	Anadarko Petroleum Corp		
Do	Coalition to Oppose Energy Taxes		
Eric E. Tressler, 1401 New York Ave., NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	100.00
Tretter-Gorman, Inc, 711 N. Eleventh Street St. Louis, MO 63101	Madison Public Affairs Group (for: Philip Morris USA)		
Tripp Scott Conklin & Smith, 110 Tower, 28th Floor 110 Southeast 6th Street Fort Lauderdale, FL 33301	Alamo Rent-A-Car, Inc		
Michael G. Troop, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	12,500.00	
Robert C. Troup, Box 893 New Canaan, CT 06840			
George G. Troutman, Suite 1100 1090 Vermont Ave., NW Washington, DC 20005	Bell Helicopter Textron, Inc	150.00	
Gregory A. Troxell, 1800 K Street, NW, #1018 Washington, DC 20006	Public Service Co of Indiana	5,000.00	10,631.21
E.F. Trumble Public Relations Inc, 700 New Hampshire Ave., NW, #1017 Washington, DC 20037	National Investor Relations Institute		
Paul E. Tsongas, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	Cambridge Redevelopment Authority	3,348.00	498.70
Do	Humane Soc of the U.S., et al	2,520.00	232.50
Do	Iroquois Gas Transmission Systems		
Do	National Venture Capital Assn	11,988.00	1,401.14
Do	Northeast Solvents Recovery		
Tucker & Associates, 1701 Pennsylvania Ave., NW, #1000 Washington, DC 20006	New York Life Insurance Company	1,250.00	
Do	Regional Transportation District	2,500.00	
Shannon B. Tuel, 1200 17th Street, NW Washington, DC 20036	National Restaurant Assn	1,500.00	984.00
Audrey Schumacher Turner, 1001 22nd Street, NW, #400 Washington, DC 20037	Mercer Meidinger Hansen, Inc		
Brian Turner, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	8,960.00	
Garry R. Turner, 1666 Connecticut Ave., NW, #400 Washington, DC 20009	Federation for American Immigration Reform (FAIR)		30.00
J. Terry Turner, 2200 Mill Road Alexandria, VA 22314	Interstate Truckload Carriers Conference	500.00	200.00
Jane L. Turner, 1250 Connecticut Ave., NW, #200 Washington, DC 20036	National Forest Products Assn	1,200.00	
John H. Turner, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
John M. Turner, 1875 Eye St., NW, #400 Washington, DC 20006	Georgia-Pacific Corp	1,800.00	
Pamela Turner, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn	3,750.00	
William F. Turner, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	200.00	
Turner Broadcasting System, Inc, 111 Massachusetts Ave., N.W. Third Floor Washington, DC 20001		12,360.00	12,360.00
Richard F. Turney, 1725 K St., NW, #710 Washington, DC 20006	Courtney McCamant & Turney	300.00	
St. Clair J. Tweedie, 1575 Eye Street, NW, #200 Washington, DC 20005	American Cyanamid Co	15,000.00	
Jeannine Dowling Twomey, 5 Virginia Place Larchmont, NY 10538	Madison Public Affairs Group, Inc (for Philip Morris USA)	2,250.00	295.25
John R. Tydings, 1129 20th Street, NW Washington, DC 20036	Greater Washington Board of Trade		
Joseph D. Tydings, 2000 Pennsylvania Avenue, NW #7500 Washington, DC 20006	Anderson Kill Olick & Oshinsky (For:Population Crisis Committee)	5,550.00	
Clay Tyeryar, 7297-N Lee Highway Falls Church, VA 22042	American Textile Machinery Assn		
Craig Tyle, 1600 M Street, NW Washington, DC 20036	Investment Company Institute	45.49	
U.S. Committee for the Oceans, Route 2, Box 91 Ararat, VA 24053			
U.S. League of Savings Institutions, 111 E. Wacker Dr. Chicago, IL 60601			204,369.76
U.S. Public Interest Research Group, 215 Pennsylvania Avenue, SE Washington, DC 20003		84,384.17	84,437.34
Jerry G. Udell, 1616 H St., NW Washington, DC 20006	American Retail Federation	55.00	42.00
Craig Ulrich, 1300 N. 17th Street, #1200 Arlington, VA 22209	Consumer Bankers Assn		
Robert D. Umphrey Jr., 919 18th St., NW, #700 Washington, DC 20006	Hoechst Celanese Corp	3,000.00	406.80

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Charles K. Unger, 717 Pendleton Street Alexandria, VA 22314	America Orthotic & Prosthetic Assn	8,000.00	
Unifi, Inc, P.O. Box 19109 Greensboro, NC 27419			
Unilever United States, Inc, 390 Park Ave. New York, NY 10022			8,997.52
United Brotherhood of Carpenters & Joiners of America, 101 Constitution Ave., NW Washington, DC 20001			40,079.55
United Gas Pipe Line Co, P.O. Box 1478 Houston, TX 77251-1478			
United International Consultants, 1800 Diagonal Road Alexandria, VA 22314	Republic of South Africa	90,000.00	24,999.00
United Services Automobile Assn, P.O. Box 4525 Reston, VA 22090-1489			
United Shareholders Assn, 1667 K St., NW, #770 Washington, DC 20006		7,515.70	8,368.93
United States Telephone Association, 900 19th Street, NW, #800 Washington, DC 20036		37,681.24	37,681.24
Anne I. Urban, 311 First Street, NW Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	4,000.00	
Utility Nuclear Waste and Transportation Program, c/o Edison Electric Institute 1111 19th St., NW Washington, DC 20036	Utility Nuclear Waste Management Group		
Robert E. Vagley, 1130 Connecticut Avenue, NW, #1000 Washington, DC 20036	American Insurance Assn		
Anthony Valanzano, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	6,000.00	2,539.99
Jack J. Valenti, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	2,275.00	
Van der Voort Associates, Ltd, 1134 Westmoreland Road Alexandria, VA 22308	Orbital Sciences Corporation	250.00	
Do	Pharmaceutical Manufacturers Assn	250.00	
R. Thomas Van Arsdall, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
William R. Van Dresser, 1023 15th Street, NW, #300 Washington, DC 20005	American Veterinary Medical Assn	25.00	
Van Dyk Associates, Inc, 1250 24th St.,N.W. Suite 600 Washington, DC 20037	American Gas Assn		
Do	Boston Company		
Do	USF&G Corp		
Laura Van Etten, 1700 Pennsylvania Avenue, NW, #525 Washington, DC 20006	Equitable Financial Companies	150.00	6.00
Henry B. Van Gieson, 1700 North Moore St., 2120 Arlington, VA 22209	Boeing Company	1,505.00	185.50
Matthew Van Hook, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Van Ness Feldman Sutcliffe & Curtis, P.C., 1050 Thomas Jefferson St., NW, 7th Floor Washington, DC 20007	Alaska Eskimo Whaling Commission		
Do	America First Companies		
Do	American Inst of Certified Public Accountants		
Do	American President Lines		
Do	Arctic Slope Regional Corp		
Do	Bumble Bee Seafoods, Inc		
Do	BRAE Corporation		
Do	Clean Coal Technology Coalition	1,012.50	
Do	Collier Company		
Do	Committee of Hydroelectric Dam Owners		
Do	Consumers United for Rail Equity (C.U.R.E.)		
Do	Department of Water & Power		
Do	Energy Fuels Nuclear Inc		
Do	Fidelity Management & Research Co		
Do	Geothermal Resources Assn	1,350.00	
Do	Lower Colorado River Authority	1,170.00	20.50
Do	LUZ International Ltd	5,130.00	
Do	McKesson Corporation	4,432.50	
Do	National Nutrition Coalition		
Do	Postal Square Associates		
Do	Seneca Resources, Inc	112.50	
Do	Southern California Edison Co		
Do	Tranquillity Irrigation District		
Do	Uranium Producers of America		
Do	Wagner & Brown		
John A. Vance, 1726 M St., NW, #1100 Washington, DC 20036-4502	Pacific Gas & Electric Co	4,862.00	66.00
Marjorie Vanderbilt, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Association	3,500.00	3.60
Norman C. VanderNoot, New Hampshire Petroleum Council 15 N. Main Street Concord, NH 03301	American Petroleum Institute	254.00	
H. Stewart VanScoyoc, 453 New Jersey Ave., SE Washington, DC 20003	Winburn VanScoyoc & Hooper (For:Champion International Corp)	5,000.00	
Do	Winburn VanScoyoc & Hooper (For:Coalition of EPSCoR States)	21,000.00	
Do	Winburn VanScoyoc & Hooper (For:E. I. Du Pont de Nemours & Co)	5,000.00	
Do	Winburn VanScoyoc & Hooper (For:International Paper)	5,000.00	
Do	Winburn VanScoyoc & Hooper (For:Quanex)	15,000.00	
Do	Winburn VanScoyoc & Hooper (For:Scott Paper Co)	5,000.00	
Do	Winburn VanScoyoc & Hooper (For:University of Alabama System)	21,000.00	
Do	Winburn VanScoyoc & Hooper (For:USF&G Corp)	3,000.00	
Do	Winburn VanScoyoc & Hooper (For:Weyerhaeuser)	5,000.00	
Ross P. Vartian, 122 C Street, NW #350 Washington, DC 20001	Armenian Assembly of America		
Vectre Corporation, 411 East Franklin Street, #602 Richmond, VA 23219	Mobil Oil Corp	1,837.50	
Nicholas A. Veliotes, 1718 Connecticut Avenue, NW Washington, DC 20009	Association of American Publishers	4,000.00	
Carol Verby, 7361 Calhoun Place Rockville, MD 20850	CNA Insurance Co		
Robert J. Verdisco, 1901 Pennsylvania Avenue, NW, #200 Washington, DC 20006	International Mass Retail Assn	7,500.00	
William P. Verdon, 1627 K Street, NW, #1200 Washington, DC 20006	United Shipowners of America	13,125.00	5.95
Jerry T. Verkler, 555-13th Street, NW, Suite 300 West Washington, DC 20036	Interstate Natural Gas Assn of America	6,250.00	120.15
Vern Clark & Associates, 555 New Jersey Avenue, NW, #255 Washington, DC 20001	Metromedia Company	15,000.00	
Frank Verrastro, 1155 15th Street, NW, #600 Washington, DC 20005	Pennzoil Co	1,084.50	
Verstandig & Associates, Inc, 1455 Pennsylvania Avenue, NW, #1180 Washington, DC 20004	Anheuser-Busch Companies, Inc	525.00	162.98
Virginia C. Vertiz, 1801 North Moore Street Arlington, VA 22209	American Assn of School Administrators	6,786.75	
Melanne Verveer, 2000 M STreet, NW, #400 Washington, DC 20036	People for the American Way	4,062.49	119.50
Linda Vickers, 1706 23rd St., South Arlington, VA 22202	Communicating for Agriculture, Inc	9,000.00	
Do	National Assn of Crop Insurance Agents		
David Vienna & Associates, 401 Wythe Street, #2-A Alexandria, VA 22314	California Franchise Tax Board	10,667.50	
Do	California Public Employees' Retirement System	9,991.35	
Do	Pacific Stock Exchange, Inc	23,237.50	
Do	State Board of Equalization (Calif)	2,298.75	
Robert J. Vilhauer, 1700 N. Moore Street, #2120 Arlington, VA 22209	Boeing Company	1,714.00	229.40
Ralph Vinovich, 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute	1,000.00	368.54
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Allied Signal, Inc	1,000.00	4.80
Do	Bank Tax Group	6,150.00	210.00
Do	Citicorp Washington, Inc	5,836.50	4,604.00
Do	E. M. Warburg Pincus & Co, Inc	5,369.75	4,085.75
Do	E.I. Du Pont de Nemours & Co., Inc	1,000.00	4.80
Do	Federal Express Corp		
Do	Goldman Sachs & Co	4,831.75	1,361.75
Do	Merrill Lynch & Co, Inc		700.00
Do	Modar, Inc	1,600.00	
Do	National Corporation for Housing Partnerships		
Do	Pennzoil Co		
Do	United Savings Assn of Texas FSB		
Walter D. Vinyard Jr., Zuckert, Scoutt, Rasenberger & Johnson 888 17th St., NW, 7th Fl. Washington, DC 20006	Continental Insurance Companies	7.00	
Do	National Fraternal Congress of America	6.00	
Virginia Association of Railway Patrons, P.O. Box 867 Richmond, VA 23207			
M. Allan Vogelson, 35 Kings Highway East Haddonfield, NJ 08033	Reese Communications Cos (for: Philip Morris, USA)	1,800.00	
Nick J. Volcheff, 7325 Del Norte Drive Scottsdale, AZ 85258	AT&T		
Volkswagen of America, Inc, 490 L'Enfant Plaza, SW, #7204 Washington, DC 20024			500.00
Douglas K. Vollmer, 801 18th St., NW Washington, DC 20006	Paralyzed Veterans of America	12,270.70	
Ian D. Volner, 1333 New Hampshire Ave., NW, #600 Washington, DC 20036	Cohn & Marks (For:Maclean Hunter Cable TV)		
Do	National Assn of Trade & Technical Schools	1,250.00	
Volpe Boskey & Lyons, 918 16th Street, NW, #602 Washington, DC 20006	American Assn of Equipment Lessors		
Voluntary Hospitals of America, Inc, 1150 Connecticut Ave., NW, #800 Washington, DC 20036			11,250.00
Ann Hadley Vom Eigen, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	7,478.00	1,153.00
Ingrid A. Voorhees, 311 First Street, NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	125.00	100.00
Kurt Vorndran, 925 15th Street, NW Washington, DC 20005	National Council of Senior Citizens	7,828.00	
Vorys Sater Seymour & Pease, 1828 L Street, NW, #1111 Washington, DC 20036	Bell Communications Research	6,158.75	
Do	Committee of Publicly Owned Companies	1,474.79	75.18
Do	Dale Michael A/K/A Riviera Bowling Lanes		54.16
Do	Fraternal Order of Police - National Headquarters	6,000.00	
Do	Grocery Manufacturers of America, Inc		
Do	Ohio Advanced Technology Center, Inc	343.75	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Ohio Broadcasters Assn		
Do	Ohio Forestry Assn	531.25	
Do	Snow Aviation International, Inc	31.25	
Frank J. Voyack, 1750 New York Ave., NW Washington, DC 20006	International Assn of Bridge Struct & Ornamental Iron Wkrs	13,240.94	2,124.04
John A. Vuono, Vuono Lavelle & Gray 2310 Grant Building Pittsburg, PA 15219	Procompetitive Rail Steering Committee		
Thomas D. Wacker, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	5,000.00	684.46
Rex B. Wackerle, 1000 Wilson Blvd., #2300 Arlington, VA 22209	Northrop Corp	1,400.00	47.55
Sadami Wada, 9 West 57th Street New York, NY 10019	Sony Corp of America		
Robert J. Wade, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc		
Robert Waffle, 1735 New York Ave., NW Washington, DC 20006	American Institute of Architects	1,250.00	
Marvin Wagner, 21480 Pacific Boulevard Sterling, VA 22170	Heckler & Koch, Inc		562.50
Wagner Communications, Inc, 2550 M Street, NW, #405 Washington, DC 20037	Cummins Engine Company, Inc		
Wagner Hines & Avary, Inc, 1615 L Street, NW, #750 Washington, DC 20036	Association of Business Publishers		
Do	Charter Federal Savings & Loan Assn	3,825.00	691.51
Do	Kabumoto & Malany	668.75	189.73
Do	National Beer Wholesalers of America	2,737.50	920.97
Do	National Debt Repayment Foundation		
Do	Rainbow Navigation, Inc		
Robert A. Wait, 1341 G Street, NW, 9th Floor Washington, DC 20005	Kraft General Foods		
Frederick P. Waite, 1200 19th Street, NW, #500 Washington, DC 20036	Davis Graham & Stubbs (For:American Wire Producers Assn)		
Herbert R. Waite, 100 Federal Street Boston, MA 02110	Bank of Boston Corporation		
Do	First National Bank of Boston	8,100.00	9,996.09
Donna Waks, 1627 Lamont St., NW #41 Washington, DC 20010	Rainbow Lobby	3,795.32	18.70
Angela S. Waldorf, N.C. Petroleum Council P.O. Box 167 Raleigh, NC 27602	American Petroleum Institute		
Robert E. Waldron, Associated Petroleum Industries of Michi 930 Michigan Natl Tower, PO Box 10070 Lansing, MI 48901	American Petroleum Institute	990.00	2,588.01
Barbara J. Walker, P.O. Box 1417-D50 119 Oronoco Street Alexandria, VA 22313	Animal Health Institute	70.00	
Robert Joseph Walker, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons		
Charls E. Walker Associates, Inc, 1730 Pennsylvania Ave., NW Washington, DC 20006	Aluminum Company of America		
Do	American Telephone & Telegraph Co	5,167.00	
Do	Anheuser-Busch Companies, Inc	2,250.00	
Do	Broadcast Music, Inc		
Do	Burlington Northern, Inc		
Do	CBS Records Group	9,375.00	
Do	CSX Corporation	1,500.00	
Do	Enron Corp	750.00	
Do	Federal Home Loan Mortgage Corp	2,700.00	
Do	Goodyear Tire & Rubber Co	667.00	
Do	H. C. Enterprises	1,500.00	
Do	John Zink Company	937.50	
Do	Lone Star Technologies, Inc	12,499.93	
Do	National Assn of Small Business Investment Cos		
Do	National Stone Association	2,250.00	
Do	Northville Industries Corp		
Do	Northwestern Mutual Life Insurance Co	5,625.00	
Do	Southern Company Services, Inc	1,875.00	
Do	Texas Ozone Task Force	375.00	
Do	U.S. Fidelity & Guaranty Co	7,500.00	
Do	Weyerhaeuser Company	3,000.00	
R. Duffy Wall & Associates, Inc, 1317 F Street, NW, #400 Washington, DC 20004	Ad Hoc Comm on Coal Taxation	1,500.00	
Do	Bell Atlantic Corp	500.00	
Do	Brown-Forman Corporation	1,000.00	
Do	BHP Holdings, Inc	2,500.00	
Do	Cravath Swaine & Moore	500.00	
Do	Eli Lilly & Company	500.00	
Do	Footwear Retailers of America	1,500.00	
Do	Hong Kong Trade Development Council	1,500.00	
Do	National Assn of Temporary Services, Inc	1,000.00	
Do	Peabody Holding Company	1,000.00	
Do	Pharmaceutical Manufacturers Assn	1,500.00	
Do	Pittston Group	1,000.00	
Do	Securities Industry Assn	500.00	
Do	Torchmark Corporation	1,000.00	
Do	United Company	1,000.00	
Henry Scott Wallace, 1110 Vermont Ave., NW, #1150 Washington, DC 20005	National Assn of Criminal Defense Lawyers	14,000.00	15.00
Wallace & Edwards, 1150 Connecticut Ave., NW, #507 Washington, DC 20036	Alabama Farmers Federation	1,500.00	150.25
Do	Alaska Pulp Corp	3,000.00	
Do	American Society of Farm Managers and Rural Appraisers	1,625.00	299.35
Do	American Sugar Cane League	4,375.00	269.62
Do	Amstar Corp	3,750.00	22.75
Do	Cotton Warehouse Assn of America	4,550.00	
Do	Federal Compress & Warehouse Co		
Do	Fiber Fabric & Apparel Coalition for Trade	2,000.00	
Do	Flue-Cured Tobacco Cooperative Stabilization Corp	2,500.00	
Do	Merchants Grain & Transportation, Inc		43.60
Do	Service Corporation International	1,875.00	
Do	U.S. Canola Association	1,250.00	
Wallace Dover & Dixon, 1400 L Street, NW Washington, DC 20005-3502	Security Funding Capital Corp		
Lionel L. Wallenrod, 260 Madison Ave. New York, NY 10016	American Paper Institute, Inc		
Bethany Waller, 500 23rd Street, NW, B907 Washington, DC 20037	Entrepreneurs of America	3,750.00	
Anne Marie Walsh, 1025 Connecticut Ave, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
James P. Walsh, 1752 N Street, NW, #800 Washington, DC 20036	American Tunaboat Assn	14,065.00	
Do	Davis Wright & Tremaine (For:F/V American Empire)	2,685.00	100.00
Richard J. Walsh, 6770 Lake Ellanor Drive Orlando, FL 32859-3330	General Mills Restaurants, Inc	800.00	224.56
Samuel J. Walsh, 1608 K Street, NW Washington, DC 20006	American Legion	10,794.00	59.70
John C. Walton, 1401 North Oak Street, #302 Arlington, VA 22209	John E. Chance & Associates, Inc	24,000.00	
Do	General Dynamics Corp	12,499.98	
Do	General Electric Co	13,200.00	798.78
Do	ISC Defense & Space	10,500.00	
Do	Martin Marietta Corp	8,700.00	372.41
Do	Stone & Webster Engineering Corp	12,150.00	
Do	Textron, Inc	13,749.99	833.30
J. Allen Wampler, 2301 S. Jefferson Davis Hwy., #332 Arlington, VA 22202	Basin Electric Power	15,000.00	
Do	Louisiana Land and Exploration Co	42,000.00	
Bonnie B. Wan, 1201 Pennsylvania Ave., NW, #730 Washington, DC 20004	Kimberly-Clark Corp		
John F. Wanamaker, 201 N. Washington, St. Alexandria, VA 22314	Retired Officers Assn	2,521.73	
Alan S. Ward, 1050 Connecticut Ave., NW, #1100 Washington, DC 20036	Baker & Hostetler (For:Soap & Detergent Assn)		
Gregg Ward, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects		
Michael D. Ward, 1001 E. Broad Street, #330 Richmond, VA 23219	American Petroleum Institute	900.00	1,253.24
Stephen E. Ward, 1919 Pennsylvania Avenue, NW, #503 Washington, DC 20006	Mid-Continent Oil & Gas Assn		101.00
Michael O. Ware, 1701 Pennsylvania Ave., NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	2,500.00	
Michael A. Waring, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,000.00	171.70
Peter F. Warker, Suite 2700 1000 Wilson Boulevard Arlington, VA 22209	TRW, Inc	1,250.00	
Ernest R. Warner Jr., 1133 Connecticut Avenue, NW Washington, DC 20036	DGA International, Inc (For:Dir Intl Aff of the Gen Del for Armements)		
Do	DGA International, Inc (For:Sofreavia)		
Do	DGA International, Inc (For:SNECMA)		196.10
Do	DGA International, Inc (For:Teledyne Brown Engineering)		
B. Jack Warren, P.O. Box 95385 Atlanta, GA 30347	Forest Farmers Assn		
Barbara J. Washburn, 1660 L Street, NW Washington, DC 20036	General Motors Corp	3,000.00	2,318.60
Washington Gas Light Co, 1100 H St., NW Washington, DC 20080			1,149.00
Washington Independent Writers, Inc, 733 15th St., NW, #220 Washington, DC 20005			
Washington Lobby Group, Inc, 325 Pennsylvania Ave., SE Washington, DC 20003	Preston Corp	9,000.00	
Jerry B. Waters, 777 14th Street, NW, #680 Washington, DC 20005	Farmland Industries, Inc	5,000.00	
Lucy R. Watkins, 236 Massachusetts Ave., NE, #504 Washington, DC 20002	Center for Law and Education, Inc	615.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Jay Watson, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	991.25	
John L. Watson III, One World Trade Center, #4511 New York, NY 10048	National Security Traders Assn, Inc	5,591.67	
Julian K. Watson, 1226 Prince Street, #1 Alexandria, VA 22314	Citizens For A Drug Free America		
Leroy Watson, 1616 H Street, NW Washington, DC 20006	National Grange	4,875.00	
James B. Watt, 1015 18th Street, NW Washington, DC 20036	Conference of State Bank Supervisors		
Carolyn Herr Watts, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	45.00	
Douglas R. Watts, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	2,200.00	
George B. Watts, 1155 15th St., NW, #614 Washington, DC 20005	National Broiler Council	1,500.00	
Norman E. Watts Jr., RR 1, Box 854 Woodstock, VT 05091	Grocery Manufacturers of America, Inc	637.50	371.87
William H. Weatherspoon, North Carolina Petroleum Council PO Box 167 Raleigh, NC 27602	American Petroleum Institute	3,000.00	2,854.00
A. Vernon Weaver, 114 East Capitol Ave. Little Rock, AR 72201	Stephens Group, Inc		10.00
David Weaver, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	3,000.00	
Rebecca Weaver, 1616 P St., NW #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	5,223.06	
James D. Webb, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	132.50	40.28
Andrew H. Webber, 810 First Street, NE, #410 Washington, DC 20002	American Medical Peer Review Assn		
Frederick L. Webber, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	7,500.00	
Webster & Sheffield, 2000 Pennsylvania Ave., NW, #7400 Washington, DC 20006	Asarco Corporation	525.00	20.00
Do	Liggett Group, Inc		
Do	Magma Copper Corp		
Do	Mazda Motor Manufacturing (USA) Corp		
Do	Security Capital Corp		
Do	Tobacco Institute	550.00	20.00
Webster Chamberlain & Bean, 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	International Taxicab Assn		
Do	Miller Brewing Co	650.00	110.00
Paul Weckstein, 236 Massachusetts Ave., NE, #504 Washington, DC 20002	Center for Law and Education, Inc	735.00	
Lee J. Wedig, Suite 580 2000 M St., NW Washington, DC 20036	National Fisheries Institute	4,000.00	145.90
Weidenfeld & Rooney, 1899 L Street, NW, #500 Washington, DC 20036	Southern Company Services		
Fred B. Weil, One California Street San Fransisco, CA 94111-5482	Broad Schulz Larson & Wineberg (For:De La Salle Institute)		
Weil & Howe, Inc, Two Central Plaza Augusta, ME 04330	Champlain Pipeline Co	700.00	700.00
Do	Vermont Gas	680.00	470.30
Weil Gotshal & Manges, 1615 L Street, NW, #700 Washington, DC 20036	Marine Shale Processors, Inc	2,000.00	150.00
Do	Noranda, Inc		
Steven A. Wein, 1090 Vermont Avenue, NW, #1100 Washington, DC 20005	Textron, Inc	600.00	150.00
Nancy Weinberg, 1801 K St., NW, #900 Washington, DC 20006	American Textile Manufacturers Institue, Inc	800.00	46.85
Deborah Feldman Weiner, 19 Turnham Court Gaithersburg, MD 20878	American Society for the Prevention of Cruelty to Animals	1,400.00	800.00
Donald G. Weinert, 1420 King St. Alexandria, VA 22314-2715	National Society of Professional Engineers	1,500.00	
Douglas B. Weinfield, 1350 I Street NW, #700 Washington, DC 20005	Beveridge & Diamond, P.C. (For:Pacific Dunlop-GNB)		
Anna Weinroth, 1666 Connecticut Ave., NW #400 Washington, DC 20009	Federation for American Immigration Reform		30.00
Sandra G. Weis, 445 Hamilton Ave. White Plains, NY 10601	Prodigy Services Company		250.00
Arthur E. Weisberg, 2200 First Bank Place East Minneapolis, MN 55402	Dorsey & Whitney		
Arthur A. Weiss, 1800 First National Building Detroit, MI 48226	Jaffe Snider Raitt & Heuer, P.C		
Bryant L. Welch, 1200 17th St., NW, Suite 106 Washington, DC 20036	American Psychological Assn	3,750.00	40.00
Don Welch, P.O. Box 841 Abilene, TX 79604	West Texas Utilities Co		
John F. Welch, 655 15th Street, NW, #1200 Washington, DC 20005	Safe Buildings Alliance		
Jerry Welcome, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	
Kent M. Wells, 1667 K Street, NW, #1000 Washington, DC 20006	Southwestern Bell Corp		101.47
L. H. Wells, Suite 200 1025 Connecticut Avenue, NW Washington, DC 20036	Shell Oil Co	500.00	
Thomas F. Wenning, 1825 Samuel Morse Dr. Reston, VA 22090	National Grocers Assn	500.00	
Fred Wertheimer, 2030 M St., NW Washington, DC 20036	Common Cause	18,136.26	210.00
Charles M. West, 205 Daingerfield Road Alexandria, VA 22314	National Assn of Retail Druggists	1,500.00	300.00
Ford B. West, 501 Second Street, NE Washington, DC 20002	Fertilizer Institute	25,000.00	826.59
G. Franklin West, 1530 North Key Blvd., #122 Arlington, VA 22209	Church Alliance	15,000.00	
Do	Oklahoma Natural Gas	9,000.00	
W. P. West Jr., 1200 18th Street, NW, #200 Washington, DC 20036	National Business Aircraft Assn	2,500.00	433.78
West Mexico Vegetable Distributors Assn, P.O. Box 848 Nogales, AZ 85621			
J. C. West, P.C., 1511 K Street, NW, #1100 Washington, DC 20005	City of Detroit	49,476.62	9,936.77
Western Coal Traffic League, 1224 17th St., NW Washington, DC 20036		127,808.56	110,000.00
Paul L. Weston, 655 Fifteenth Street, NW Metropolitan Square, #310 Washington, DC 20005	Melchizedek Seminars		432.00
Michelle Westover, 1785 Massachusetts Ave., NW Washington, DC 20036	National Trust for Historic Preservation	1,292.55	
John F. Wetzel Jr., 50 F St., NW Washington, DC 20001	Association of American Railroads	454.63	960.91
William Wewer, 6302 30th Street, NW Washington, DC 20015-2238	American Tax Reduction Movement	4,000.00	
Nancy Katherine Weyl, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	2,595.27
Brian B. Whalen Jr., 401 N. Michigan Ave. Chicago, IL 60611	Navistar International Transportation Corp	1,250.00	217.73
Curtis E. Whalen, 555 13th Street, NW, Suite 430W Washington, DC 20004	Transco Energy Company	7,000.00	4,247.64
Ellan Wharton, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co		
Leonard P. Wheat, 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	
David W. Wheeler, 600 North 18th Street Birmingham, AL 35291	Alabama Power Company	28,526.63	9,546.88
Gordon B. Wheeler, 1025 Connecticut Ave, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
June M. Whelan, 400 Madison Street, NW Alexandria, VA 22314	Van Ness Feldman... (for Uranium Producers of America)		
Jeffrey T. Whipple, 20 S. Clark Street, #800 Chicago, IL 60603	Reese Communications Cos (for: Philip Morris, USA)	2,625.00	
John C. Whitaker, 2021 L Street, NW, #320 Washington, DC 20036-4909	Union Camp Corporation	1,848.00	27.00
Deborah A. White, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	95.58	
George E. White Jr., 706 Lowerline St New Orleans, LA 70118	Avondale Industries	14,664.00	4,046.15
John C. White, White Consulting Group, Suite 380 2000 M Street, NW Washington, DC 20036	AMGEN	4,000.00	
Do	Camp Barsh Bates & Tate	11,500.00	
Do	Chicago Mercantile Exchange	6,250.00	
Do	Coastal Corp	12,500.00	
Do	Tobacco Institute	4,800.00	
John Thomas White II, Suite 2202 490 L'Enfant Plaza East, SW Washington, DC 20024	Tenneco, Inc		
John Thomas White III, 490 L'Enfant Plaza East, SW, #2202 Washington, DC 20024	Tenneco Gas		
Larry White, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons	508.84	254.70
Leland J. White, 1235 Jefferson Davis Highway, #606 Arlington, VA 22202	National Utility Contractors Assn	7,400.00	
Margita E. White, 1400 16th Street, NW, #610 Washington, DC 20036	Association of Maximum Service Telecasters, Inc	528.00	
Raymon M. White Jr., 5501 Seminary Road, Apt. 2211-South Falls Church, VA 22041	Harris Corporation	3,500.00	5,248.81
Richard H. White, 1875 I Street, NW, #800 Washington, DC 20006	Tobacco Institute	600.00	92.65
Sam White, 412 First St., SE, #100 Washington, DC 20003	American Beekeeping Federation	1,500.00	
Do	Concerned Shrimpers of America	4,500.00	
Do	Independent Cattlemen's Assn		
Do	National Agricultural Chemicals Assn	18,000.00	
Do	National Peanut Growers Group	6,000.00	
Do	Sam Kane Packing		
Stephanie A. White, H.C. 04, Box 108xx Gloversville, NY 12078	Pitney Bowes, Inc	6,825.00	69.38
Steven C. White, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
Toni D. White, 1745 Jefferson Davis Highway, #605 Arlington, VA 22202	Texas Instruments	450.63	61.47
William R. White, Kaplan, Russin & Vecchi 1215 17th Street, NW Washington, DC 20036	Caribbean Trade and Apparel Coalition (C-TAC)		
Do	Edison Electric Institute		
White & Associates, 412 First St., SE, #40 Washington, DC 20003	Golf Course Superintendents Assn of America		
Richard M. Whiting, 730 15th Street, NW Washington, DC 20005	Association of Bank Holding Cos		
Elizabeth D. Whitley, 600 Maryland Ave., SW Washington, DC 20024	Americana Farm Bureau Federation	7,333.00	485.00
James A. Whitman, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	500.00	
William F. Whitsitt, 1212 New York Avenue, NW, Suite 1200 Washington, DC 20005-6419	Oryx Energy Company	1,000.00	178.86
Pamela J. Whitted, 1700 K St., NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
Whitworth & Associates, 1455 Pennsylvania Ave., NW, #985 Washington, DC 20004	Churchill County Nevada	500.00	
Do	Mesa Limited Partnership	3,000.00	
Kathleen M. Whyte, 1776 Eye Street, NW Washington, DC 20006	Sterling Drug, Inc	25,000.00	400.00
William E. Wickert Jr., 1667 K Street, NW, #600 Washington, DC 20006	Bethlehem Steel Corp	500.00	
Helen C. Wiederhorn, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Company	3,000.00	2,630.65
Phillip R. Wiedmeyer, 600 North 18th Street Birmingham, AL 35203	Alabama Power Co	21,069.71	15,019.39
Barbara Wierzynski, 1825 Eye Street, NW, #1040 Washington, DC 20006	Futures Industry Assn, Inc		
W. Scott Wilber, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	3,975.00	
Brian Wilcox, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	4,000.00	148.17
Wildlife Legislative Fund of America, 1000 Connecticut Ave., NW, #1002 Washington, DC 20036			17,000.00
Wiley Rein & Fielding, 1776 K St, NW, 12th Fl. Washington, DC 20006	American Newspaper Publishers Assn	148.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Association of Telemessaging Services, International	975.00	
Do	BMW of North America, Inc	391.00	85.57
Do	Certified Color Manufacturers' Assn	1,464.00	28.38
Do	Chaparral Steel Co	248.00	
Do	General Electric Information Services		
Do	Georgetown Industries		
Do	National Assn of Public TV Stations	349.00	
Do	Operator Service Providers of America	352.00	
Do	Pharmaquest	132.00	
Do	Prodigy Services Company	1,645.00	6.00
Do	Public Broadcasting Services (PBS)	104.00	
Do	Raritan River Steel Co	2,251.00	212.07
Do	United Parcel Service	5,382.00	65.00
Do	UtiliCorp United		
Guenther O. Wilhelm, 1899 L Street, NW, #1100 Washington, DC 20036	Exxon Corporation		
Carl B. Wilkerson, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Horace Wilkins Jr., 1667 K Street, NW, #1000 Washington, DC 20006	Southwestern Bell Corp		2,187.71
David A. Wilkinson, 1331 Pennsylvania Ave., NW, #890-North Washington, DC 20004	General Electric Co	1,050.00	
E. John Wilkinson, 1225 19th Street, NW, #300 Washington, DC 20036	Vulcan Materials Co	1,700.00	
Wilkinson Barker Knauer & Quinn, 1735 New York Ave., NW Washington, DC 20006	Bonneville International Corp	2,075.50	
Do	Empire Blue Cross & Blue Shield	15,000.00	810.85
Do	Fleet/Norstar Financial Group	22,000.00	3,187.55
Do	Hobbs Straus Dean & Wilder		
Do	Independence County, Arkansas	7,967.50	
Do	J. C. Penney Co, Inc	10,000.00	98.98
Do	Security Pacific National Bank	6,000.00	1,435.49
Do	Solano Water Authority	100.00	
Willard & Auge, Inc, 405 Capitol Street, Mezzanine Charleston, WV 25314	Madison Public Affairs Group, Inc (for: Philip Morris)		
Wythe Willey, 4040 First Ave., NE Cedar Rapids, IA 52402	Reese Communications Cos (for: Philip Morris, USA)	1,875.00	
Ralph E. Willham, 1750 New York Ave., NW Washington, DC 20006	Sheet Metal Workers International Assn	15,000.00	
Barrett Williams, 236 Massachusetts Avenue, NE, #603 Washington, DC 20002	National Assn of Railroad Passengers	7,644.42	
Faith Williams, 600 New Hampshire Ave., NW Washington, DC 20037	New York Life Insurance Company	150.00	29.21
Floyd L. Williams, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Jack L. Williams, 451 New Jersey Avenue, SE Washington, DC 20003	American Insurance Assn	1,500.00	225.00
Do	Ark-Best Co	1,500.00	225.00
Do	Arkansas Louisian Gas Co (ARKLA)	1,500.00	225.00
Do	Cooper Communities, Inc	1,500.00	225.00
Do	Electro Com Automation, Inc	1,500.00	225.00
Do	Riceland Foods, Inc	1,500.00	225.00
Do	Tyson Foods, Inc	1,500.00	225.00
Lee Williams, 1616 H St., NW Washington, DC 20006	American Retail Federation	900.00	95.00
Leonard B. Williams, 1667 K Street, NW, #600 Washington, DC 20006	Bethlehem Steel Corp	125.00	
Loretta Morris Williams, 1725 K Street, NW, #814 Washington, DC 20006	March of Dimes Birth Defects Foundation	1,131.25	4.10
Lucinda L. Williams, 1155 15th Street, NW, #1100 Washington, DC 20005	National Medical Enterprises, Inc	4,980.00	
Marcia E. Williams, 1150 Connecticut Avenue, NW, #500 Washington, DC 20036	Browning-Ferris Industries, Inc		
Patrick H. Williams, 1722 Eye St., NW, #4040 Washington, DC 20006	Telecommunications Industry Assn	3,000.00	601.00
Perry F. Williams, 225 Main St. Newington, CT 06111	American Radio Relay League, Inc	383.00	275.00
Peter Williams, 2030 M St., NW Washington, DC 20036	Common Cause	414.16	
Richard T. Williams, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn	2,000.00	
Robert E. Williams, 1707 L Street, NW, #300 Washington, DC 20036-4202	United Airlines, Inc	1,500.00	
Robin L. Williams, 1667 K St., NW, #1210 Washington, DC 20006	Rohm & Haas Co	500.00	16.74
Williams & Connolly, 839 17th St., NW Washington, DC 20006	National Comm to Preserve Social Security		
Williams & Jensen, P.C., 1101 Connecticut Ave., NW, #500 Washington, DC 20036	American Home Products	562.50	122.57
Do	American Real Estate Committee		
Do	Association of Family Farmers	125.00	25.36
Do	Robert M. Bass Group	1,625.00	317.01
Do	Century 21 Real Estate Corp		
Do	College Construction Loan Insurance Assn		
Do	CIGNA Corporation	375.00	63.41
Do	Estee Lauder, Inc	425.00	97.21
Do	Financial Security Assurance		97.21
Do	First Boston Corp	3,787.50	659.39
Do	FAIR		
Do	Goldome FSB		
Do	GAMMA Corp		
Do	Higher Education Assistance Foundation		
Do	Kelly Appleman Hart & Hallman	175.00	50.72
Do	Keystone Provident Life Insurance Co		
Do	Pittston Co	7,975.00	1,098.98
Do	Recording Industry Assn of America, Inc	5,150.00	194.44
Do	Turner Broadcasting System, Inc	2,800.00	490.32
Do	U.S. Telephone Assn	475.00	97.21
Do	Universal Foods, Inc		
Do	USAA Financial Service Co		
Alan R. Willis, Box 3529 Portland, OR 97208	Port of Portland	10,696.00	
Wayne D. Willis, 1100 17th Street, NW, #1200 Washington, DC 20036	General Atomics	819.29	71.77
Willkie Farr & Gallagher, Three Lafayette Center 1155 21st St., NW Washington, DC 20036	Automobile Importers of America	1,350.00	90.59
Do	Brazilian Iron and Steel Institute (IBS)	1,518.75	34.74
Do	Cable & Wireless North America, Inc	1,518.75	34.75
Do	Institute of Resource Recovery (IRR)	5,025.00	40.79
Do	National Assn of Independent Fee Appraisers	1,031.25	129.93
Do	Telecommunications Industry Assn	87.60	
Do	Westinghouse Electric Corp	7,762.50	230.35
Do	Yamaha Motor Co, Ltd, et al	3,650.00	73.36
Do	Yamaha Motor Manufacturing Corp of America		
Cindy J. Wilmer, 1455 Pennsylvania Ave., NW, #900 Washington, DC 20004	American International Group, Inc	2,000.00	
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	Aetna Life & Casualty Co		
Do	Amerada Hess Corporation	975.00	18.00
Do	American Honda Motor Co, Inc		
Do	Bank Capital Markets Assn		
Do	Bankers Trust Co		
Do	Capital Cities/ABC, Inc		
Do	Common Fund	933.75	
Do	Cook Inlet Communications, L.P		10.50
Do	CPC International, Inc	9,918.15	29.65
Do	Dow Chemical USA		
Do	Educational Testing Service		
Do	Federal Home Loan Bank of San Francisco		
Do	International Swap Dealers Assn	17,760.00	166.44
Do	Long Island Savings Bank		
Do	McDonald's Corporation	7,833.75	48.27
Do	National Assn of Broadcasters		
Do	National Corp for Housing Partnerships		
Do	Peoples Heritage Savings Bank		
Do	Pepsico, Inc	3,251.25	
Do	Shearson Lehman Hutton, Inc		
Do	Southeast Banking Corporation	640.00	15.00
Do	Trans-Alaska Pipeline Liability Fund	7,370.00	21.00
Do	Unisys Corp		24.60
Do	World Savings & Loan Assn		
Chapin E. Wilson Jr., 80 F Street, NW Washington, DC 20001	American Federation of Government Employees	11,608.40	30.00
Charles D. Wilson, 1919 South Broadway, Box 19130 Green Bay, WI 54307-9130	Fort Howard Corp	1,846.08	1,251.70
Dena L. Wilson, Suite 1000 1600 Wilson Blvd. Arlington, VA 22209	American Waterways Operators, Inc	4,500.00	463.11

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Denise Wilson, 1250 Eye Street, NW, #200 Washington, DC 20005	Building Owners & Managers Assn Int'l		
Don A. Wilson, 106 Dartmouth Waxahachie, TX 75165			
Don T. Wilson, 1250 I Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn	790.00	25.00
G. Peter Wilson, 249 Maitland Avenue Altamonte Springs, FL 32701-4201	Institute of Internal Auditors, Inc		
Michael J. Wilson, 815 16th St., NW, #507 Washington, DC 20006	Amalgamated Clothing & Textile Workers Union	4,375.00	70.70
Robert Dale Wilson, 1900 L Street, NW, #500 Washington, DC 20036	Wilson & Wilson (For:Hecla Mining Company)		
Robert Gary Wilson, 1730 Rhode Island Avenue, NW, #715 Washington, DC 20036	PPG Industries, Inc	25.00	6.00
Warren A. Wilson III, 624 US Highway 19 South Palm Harbor, FL 34684	Reese Communications Companies	2,250.00	1,592.01
William F. Wilson, 231 W. Michigan Street Milwaukee, WI 53201	Wisconsin Electric Power Co	227.50	107.12
John P. Winburn, 453 New Jersey Ave., SE Washington, DC 20003	Winburn VanScoyoc & Hooper (For:American Assn of Equipment Lessors)	22,500.00	
Do	American Automotive Leasing Assn	6,000.00	
Do	Winburn VanScoyoc & Hooper (For:Burlington Northern Railroad Company)	15,000.00	
Do	Winburn VanScoyoc & Hooper (For:Burlington Northern Services, Inc)	15,000.00	
Do	FAG Bearings Corporation	15,000.00	
Do	Winburn VanScoyoc & Hooper (For:Hartford)	45,000.00	
Do	Winburn VanScoyoc & Hooper (For:Independent Stave Co, Inc)	30,000.00	
Do	Winburn Associates, Inc (For:Leggett & Platt)	12,000.00	
Do	Winburn VanScoyoc & Hooper (For:Matteson Investment Corporation)		
Do	Winburn VanScoyoc & Hooper (For:National Assn of County Office Employees (NASCOE))	3,000.00	
Do	Winburn VanScoyoc & Hooper (For:Pennzoil)	9,000.00	
Do	Winburn VanScoyoc & Hooper (For:Philip Morris)	75,000.00	
Do	Winburn VanScoyoc & Hooper (For:University of Michigan)	15,000.00	
Stephen H. Wines, 1133 15th Street, NW, #600 Washington, DC 20005	Maritime Institute for Research & Industrial Development	5,778.00	
Eileen M. Winkelman, 2501 M St., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	600.00	36.50
Joseph B. Winkelmann, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	American Resort & Residential Development Assn		
Do	Winkelmann & Associates, Inc (For:Fairfield Communities, Inc)		
Do	National Assn of Industrial & Office Parks		
Kathleen J. Winn, 1155 15th St., NW, #600 Washington, DC 20005-2770	Pennzoil Co	690.00	
Lars Winoy, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	9,230.00	
David A. Winston, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	787.50	52.00
James L. Winston, 1730 M Street, NW, #412 Washington, DC 20036	National Assn of Black Owned Broadcasters		
Winston & Strawn, 2550 M St., NW, #500 Washington, DC 20037	Building Owners & Managers Assn Int'l		
Do	International Council of Shopping Centers	1,550.00	70.50
Winthrop Stimson Putnam & Roberts, 1133 Connecticut Ave., NW, 1200 Washington, DC 20036	Alaska Native Coalition		
Do	America West Airlines, Inc		121.61
Do	Amoco Performance Products, Inc		
Do	Association of Seat Lift Manufacturers		48.00
Do	Bowater, Inc		
Do	Brown & Bain		
Do	BASF Corp		
Do	BASF Structural Materials, Inc		
Do	Connecticut Liquidity Investment Fund, Inc		
Do	Fiberite Corp		
Do	Grocery Manufacturers of America	137.50	
Do	Hercules Aerospace Co		
Do	IBJ Schroder Bank & Trust Co		
Do	Macrovision, Inc	3,537.50	
Do	National Vehicle Leasing Assn		
Do	Navajo Nation		16.00
Do	Queen City Home Health Care	4,973.75	10.00
Do	Snappy Car Rental		
Do	Thrifty Rent-A-Car System, Inc	10,072.50	113.55
Do	Westinghouse Electric Corp	700.00	48.60
Jim Wise Associates, 1707 Duke St., #300 Alexandria, VA 22314	National Assn of Credit Management	10,500.00	835.00
Do	San Francisco Bar Pilots Assn	2,000.00	215.00
Marcia A. Wiss, 1215 17th Street, NW Washington, DC 20036	Canned and Cooked Meat Importers Association	3,840.00	59.18
Robert V. Witeck, The Power House 3255 Grace Street, NW Washington, DC 20007	Hill & Knowlton (For:Republic of Turkey)		
Walter J. Witek Jr., 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Lyn M. Withey, 1620 Eye Street, NW, #700 Washington, DC 20006	International Paper Co	2,475.00	36.00
Cynthia D. Witkin, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	3,000.00	500.00
Hope R. Wittenberg, 1101 Vermont Ave., NW, #604 Washington, DC 20005	College of American Pathologists	7,500.00	165.15
Judith A. Wittig, 1213 Jefferson Davis Hwy., #1414 Arlington, VA 22202	Defense Products Marketing, Inc		
Raymond S. Wittig, 4618 Holly Ridge Road Rockville, MD 20853	Geocenters, Inc	1,075.00	1,853.78
Richard J. Wittig, 1213 Jefferson Davis Highway, #1414 Arlington, VA 22202	Defense Products Marketing, Inc	1,000.00	93.00
Sandra W. Wobbe, 1250 Eye Street, NW Washington, DC 20005	Aerospace Industries Assn of America, Inc	3,304.00	
James Wolf, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	1,115.77	
James E. Wolf, 2020 14th St., North Arlington, VA 22201	American Standard, Inc	5,000.00	
Kenneth L. Wolf, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Hertz Corp)	617.50	
Sidney M. Wolfe, 2000 P St., NW, #708 Washington, DC 20036	Public Citizen Health Research Group		
Melissa A. Wolford, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	(For:American Insurance Assn)	350.00	
Ronald Wolsey, 1615 M Street, #200 Washington, DC 20036	Amoco Corporation	1,200.00	598.51
Don Womack, Suite 303 1825 K St., NW Washington, DC 20006	Texas Utilities Services, Inc	3,375.00	74.14
Linda Womack, 2100 E. Exchange Place Tucker, GA 30085-1349	Oglethorpe Power Corp	2,495.00	2,683.86
Mildred Wood, 2000 K Street, NW #800 Washington, DC 20006	National Committee to Preserve Social Security & Medicare	1,266.00	
S. Roy Woodall Jr., 1455 Pennsylvania Ave., NW, #1250 Washington, DC 20005	National Assn of Life Companies	1,500.00	10.00
G. Kent Woodman, 1818 N Street, NW, #700 Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Metropolitan Transportation Authority)		
Irvin M. Woods, 4601 N Fairfax Drive, #720 Arlington, VA 22203	Maule Air, Inc		1,035.00
Do	OTL, Inc		120.00
Do	Woods Research Associates, Inc	500.00	135.00
Cynthia Woodside, 701 N. Fairfax Street Alexandria, VA 22314-2045	(For:United Way of America)	4,282.68	26.75
Michele T. Woodward, 5584 Lee Highway Arlington, VA 22207	Communications Satellite Corp (COMSAT)	1,500.00	600.68
Robert W. Woody, 1333 New Hampshire Ave, NW Washington, DC 20036	LeBoeuf Lamb Leiby & MacRae		
Perry W. Woofter, Suite 530 1800 K St. NW Washington, DC 20006	Tesoro Petroleum Corp	3,000.00	
Edward A. Woolley, Bedford Consultants Building P.O. Box 605 Bedford, NY 10506	Institute of International Container Lessors	1,447.50	29.75
Howard E. Woolley, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	4,300.00	804.28
Linda Anzalone Woolley, 1600 M St., NW Washington, DC 20036	International Telephone & Telegraph Corporation	3,000.00	50.00
Noel C. Woosley, 4647 Forbes Boulevard Lanham, MD 20706	AMVETS	6,800.00	
Steve Workings, 2699 Arlington Drive #302 Alexandria, VA 22306	Federation for American Immigration Reform		30.00
Willard A. Workman, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce		
Worthington Associates, 2132 Southbay Lane Reston, VA 22091	HRM		
David L. Wray, 20 North Wacker Drive Chicago, IL 60606	Profit Sharing Council of America		
Alan D. Wright, P.O. Box 94661 Cleveland, OH 44101-4661	Centerior Energy Corp, et al	24,000.00	5,164.34
Andrew S. Wright, 1130 Connecticut Ave., NW, #1000 Washington, DC 20036	American Insurance Assn	362.50	100.00
David L. Wright, Anderson Hill Rd. Purchase, NY 10577	Pepsico, Inc		108.00
Wunder Ryan Cannon & Thelen, 1615 L St., NW, #650 Washington, DC 20036	Aermacchi Spa	31,250.00	7,923.50
Do	Airship Industries, Ltd	10,000.00	
Do	Alliance of American Insurers		
Do	American Iron & Steel Institute		
Do	Association of American Railroads	833.30	37.41
Do	BellSouth Corp		
Do	Bond International Gold	937.50	143.22
Do	Dominion Resources		
Do	Dresser Industries		
Do	Electronic Industries Assn		
Do	Finanziaria Mirabella SpA	9,712.55	377.26
Do	Ford Motor Co		
Do	General Aviation Manufacturers Association		
Do	Georgia-Pacific Corp		
Do	GTE Corporation		
Do	HDTV 1125/60 Group	3,431.25	281.25
Do	Interlocking Directorate Reform Coalition	1,414.12	24.03
Do	Intermarine SpA	487.50	37.57

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Investment Company Institute	1,500.00	52.42
Do	ITT Corporation		
Do	Kelly Assisted Living/Kelly Services	2,500.00	4.86
Do	Kraft		
Do	Manville Corporation		
Do	Metropolitan Insurance Co	2,000.00	124.08
Do	Mutual Life Insurance Co Tax Committee		
Do	Mylan Laboratories, Inc	4,965.00	385.01
Do	National Assn of Temporary Services	8,500.00	125.12
Do	National Cable Television Assn, Inc	937.50	28.81
Do	North American Phillips Corp	4,286.03	126.83
Do	Northwestern Mutual Life Insurance Co		
Do	NEC Home Electronics (USA) Inc		
Do	NYNEX Corp	10,000.00	232.26
Do	Polaris Industries	1,022.50	8.81
Do	Product Liability Coordinating Committee	2,250.00	39.25
Do	Rohm & Haas		
Do	Shared Medical Systems (SMS)		
Do	Sony Corp of America	10,101.50	550.46
Do	Squibb Corp		
Do	Thomson Consumer Electronics		
Do	Tobacco Industry Labor Management Committee	7,588.29	754.95
Do	U.S. Telephone Assn	26,399.99	2,195.82
Do	Wheelabrator Technologies	1,875.00	48.54
Thomas L. Wylie, 555 13th St., NW, #1010 East Washington, DC 20004-1109	Sun Co, Inc	1,519.00	284.49
Wyman Bautzer Kuchel & Silbert, 1919 Pennsylvania Avenue, NW, #800 Washington, DC 20006	American Boiler Manufacturers Assn, Inc		
Do	Eklutna, Inc		
David S. Wynett, 1629 K Street, NW, #501 Washington, DC 20006	Delta Air Lines, Inc	110.00	60.00
Marc D. Yacker, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc	550.00	
Milan P. Yager, 727 N. Washington Street Alexandria, VA 22314	National Assn of Home Builders of the United States		
Do	United Fresh Fruit & Vegetable Assn		
Deborah K. Yamada, 1020 19th Street, NW, #600 Washington, DC 20036	American Express Co		
T. Albert Yamada, Suite 520 900 17th St., NW Washington, DC 20006	Toyota Motor Sales USA, Inc	500.00	
Do	West Mexico Vegetable Distributors Assn	500.00	
Nancy Foster Yanish, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	400.00	
Yankee Gas Services Company, 999 West Street Rocky Hill, CT 06067-4002			65.38
Mary J. Yarrington, 2000 K St., NW, 8th Foor Washington, DC 20006	National Comm to Preserve Social Security	3,869.00	
Edward R. Yawn, 1111 19th St., NW Washington, DC 20036-3691	Edison Electric Institute	1,835.16	560.92
Kim Yelton, 8120 Fenton St. Silver Spring, MD 20910	Americans United for Separation of Church and State	10,481.61	41.40
Jack Yelverton, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn		
Edward L. Yingling, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	6,000.00	215.21
Larry E. Yoakam, 650 S. Front Street Columbus, OH 43206	Grange Mutual Casualty Co		
John S. Yodice, 500 E Street, SW, #930 Washington, DC 20024	Yodice Associates (For:Aircraft Owners & Pilots Assn)	51.90	
D. Scott Yohe, 1629 K St., NW, #501 Washington, DC 20006	Delta Air Lines, Inc	390.00	113.60
Andrew Yood, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	200.00	
Robert A. Young, 12248 Turkey Creek Ct. Maryland Heights, MO 63043	Brown & Associates	1,500.00	
Do	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	1,500.00	
Thomas F. Youngblood, 1201 New York Ave, NW, #600 Washington, DC 20005	American Hotel & Motel Assn	1,952.20	
Betsy Younkins, 1220 L Street, NW, #1200 Washington, DC 20005	American Petroleum Institute	8,000.00	238.65
Eugene A. Yourch, 50 Broadway New York, NY 10004	Federation of American Controlled Shipping	200.00	525.79
David E. Yudin, 1225 Eye Street NW, #300 Washington, DC 20005	Bus Transit Caucus		
Do	Regional Transportation District	1,830.00	
John R. Zagame, John R. Zagame Associates, Inc 1003 Pendleton St. Alexandria, VA 22314	National Music Publishers Assn	6,000.00	
Michael Zagorac Jr., 8333 Bryan Dairy Rd. P.O. Box 4689 Clearwater, FL 33518	Jack Eckerd Corp		
Paulette Zakrzeski, 1110 Vermont Ave., NW, #430 Washington, DC 20005	National Cotton Council of America	13,750.00	850.95
Albert C. Zapanta, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Company (ARCO)		
John S. Zapp, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	4,900.00	
Thomas K. Zaucha, 1825 Samuel Morse Drive Reston, VA 22090	National Grocers Assn	500.00	
Sharon G. Zedd, 1945 Old Gallows Road, #550 Vienna, VA 22182	American Wood Preservers Institute	10,000.00	
Leo C. Zeferetti, 9912 Fort Hamilton Parkway Brooklyn, NY 11209	Building & Construction Trades Dept, AFL-CIO		
Do	New York Telephone		
Do	Sikorsky Aircraft		
Denis R. Zegar, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Geoffrey Zeh, 12050 Woodward Avenue Detroit, MI 48203-3596	Brotherhood of Maintenance of Way Employes		
Philip F. Zeidman, 1401 New York Ave., NW, #900 Washington, DC 20005	American Business Conference, Inc		
Eugene J. Zeiszler, 7901 Westpark Drive McLean, VA 22102	NMTBA	1,200.00	250.00
Don J. Zeller, 1615 M Street, NW, #200 Washington, DC 20036	Amoco Corporation	1,850.00	535.34
Carl A. Zichella, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	2,523.73	866.43
Ronald L. Ziegler, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	1,000.00	
Arlene Zielke, 3724 West 107th Street Chicago, IL 60655	National Congress of Parents and Teachers		3,299.72
Elaine Ziemba, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	2,000.00	2,275.81
Judith Ziewacz, 1840 Wilson Boulevard Arlington, VA 22201	National Milk Producers Federation	2,816.00	
Fred Everett Zillinger II, 501 Second Street, NE Washington, DC 20002	Fertilizer Insititue	9,000.00	562.34
John H. Zimmerman, 3138 North 10th Street Arlington, VA 22201	National Assn of Federal Credit Unions	1,250.00	108.63
Kathleen Zimmerman, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation		
Ziontz Chestnut Varnell Berley & Slonim, 2121 Fourth Avenue, #1230 Seattle, WA 98121	Makah Indian Tribe		
Gary M. Zizka, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers Association	2,000.00	149.71
Zuckert Scoutt & Rasenberger, 888 17th St., NW, #600 Washington, DC 20006-3959	Advance Petroleum, Inc	23,067.50	24,036.52
Do	National Comm of Cities & States for Airline Service	2,000.00	818.04
Admiral Zumwalt & Consultants, Inc, 1500 Wilson Boulevard Arlington, VA 22209	Robert E. Derecktor of Rhode Island, Inc		
Zurich-American Insurance Co, 800 North Plaza Drive Schaumburg, IL 60196		1,600.00	1,600.00
Charles O. Zuver, 805 15th St., NW, #300 Washington, DC 20005	Credit Union National Assn, Inc	300.00	333.19
23rd Congressional District Action Comm, 575 Charles St. St. Marys, PA 15857			

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the third calendar quarter of 1989 were received too late to be included in the published reports for that quarter:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data, and Page 2 deals with financial data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19 . . . . .

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

IDENTIFICATION NUMBER

Is this an Amendment? ☐ YES ☐ NO

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) *"Employee".*—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) *"Employer".*—To file as an "employer", write "None" in answer to Item "B".

(*b*) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) description, (*b*) quantity distributed, (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report."

STATEMENT OF VERIFICATION

[Omitted in printing]

NOTE on ITEM "D."—*(a)* IN GENERAL. The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—§ 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In general.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in connection with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multi-purpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In general.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the space following the number.

Receipts (other than loans)

1. $.....Dues and assessments
2. $.....Gifts of money or anything of value
3. $.....Printed or duplicated matter received as a gift
4. $.....Receipts from sale of printed or duplicated matter
5. $.....Received for services (e.g., salary, fee, etc.)
6. $.....TOTAL for this Quarter (Add "1" through "5")
7. $.....Received during previous Quarters of calendar year
8. $.....TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received—"The term 'contribution' includes a . . . *loan* . . ."—§ 302(a).

9. $.....TOTAL now owed to others on account of loans
10. $.....Borrowed from others during this Quarter
11. $.....Repaid to others during this Quarter

12. $.....“Expense Money” and Reimbursements received this Quarter.

Contributors of $500 or More (from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": .....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter, total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor ("Period" from Jan. 1 through....., 19.....)*
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE on ITEM "E".—*(a)* IN GENERAL. "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—§ 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) IN CONNECTION WITH LEGISLATIVE INTERESTS:

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the spaces following the number.

Expenditures (other than loans)

1. $.....Public relations and advertising services
2. $.....Wages, salaries, fees, commissions (other than Item "1")
3. $.....Gifts or contributions made during Quarter
4. $.....Printed or duplicated matter, including distribution cost
5. $.....Office overhead (rent, supplies, utilities, etc.)
6. $.....Telephone and telegraph
7. $.....Travel, food, lodging, and entertainment
8. $.....All other expenditures
9. $.....TOTAL for this Quarter (Add "1" through "8")
10. $.....Expended during previous Quarters of calendar year
11. $.....TOTAL from Jan. 1 through this Quarter (Add "9" and "10")

Loans Made to Others—"The term 'expenditure' includes a . . . *loan* . . ."—§ 302 (b).

12. $.....TOTAL now owed to person filing
13. $.....Lent to others during this Quarter
14. $.....Repayments received during this Quarter

15. *Recipients of Expenditures of $10 or More*_____

If there were no single expenditures of $10 or more, please so indicate by using the word "NONE".

In the case of expenditures made during this Quarter by, or on behalf of, the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ablondi & Foster, P.C., 2100 Pennsylvania Ave. NW Washington, DC 20037	Rhone-Poulenc, Inc		
Do	Taiwan Textile Federation		
Ad Hoc Comm for Universal Comprehensive Health & Dental Care, Building 10, #310 12151 Bayport Street Garden Grove, CA 92640.			
John R. Adams, One Tabor Center 1200 17th Street, #2500 Denver, CO 80202	Energy Fuels Nuclear, Inc		
Wayne W. Adams, 611 East Druid Road, #405 Clearwater, FL 34616			
David A. Affeldt, 10404 Joiners Lane Potomac, MD 20854	Association for Gerontology in Higher Education	750.00	
John M. Albertine, 1107 Princess Anne Street Fredericksburg, VA 22401	Farley Industries	3,600.00	30.00
Alcalde O'Bannon Rousselot & Wahlquist, 1901 North Ft. Myer Drive, 12th Floor Rosslyn, VA 22209	Dade County Aviation Department		
Do	Dade County Seaport Authority		
Jonathan Alexander, 206 G Street, NE Washington, DC 20002	Evergreen Associates, Ltd (For:United Video)		
John D. Allan, c/o Dow Lohnes & Albertson 1255 23rd St., NW Washington, DC 20037	Stelco, Inc		
Marjorie D. Allen, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	8,937.18	362.50
Laura L. Allendorf, 1101 Vermont Avenue, NW Washington, DC 20005	American Society of Internal Medicine		290.50
Thomas H. Altmeyer, 1130 17th St., NW Washington, DC 20036	National Coal Assn	11,500.00	104.50
Susan E. Alvarado, 1440 New York Ave., NW, #320 Washington, DC 20005	Capital Legislative Services (For:Glaxo, Inc)	3,750.00	
Do	Capital Legislative Services (For:National Environmental Development Assn)	3,750.00	46,043.00
Do	Capital Legislative Services (For:Uniroyal Chemical Company)	3,750.00	
Do	Capital Legislative Services (For:United States Tobacco)	3,000.00	117.25
American Agriculture Movement, Inc, 100 Maryland Ave, NE, #500 Box 69 Washington, DC 20002		3,000.00	3,000.00
American Assn for Marriage & Family Therapy, 1717 K Street, NW, #407 Washington, DC 20006			25,074.00
American Assn of Airport Executives, 4212 King Street Alexandria, VA 22302			17,801.00
American Assn of Museums, 1225 Eye Street, NW, #200 Washington, DC 20005		34,572.00	9,142.64
American Business Conference, Inc, 1730 K Street, NW, #1200 Washington, DC 20006		3,680.00	5,123.03
American Fed of State County & Municipal Employees, 1625 L St., NW Washington, DC 20036			
American Frozen Food Institute, 1764 Old Meadow Rd., #350 Mclean, VA 22102		6,000.00	6,000.00
American Gas Assn, 1515 Wilson Boulevard Arlington, VA 22209		34,044.00	34,044.00
American Humane Association, 9725 East Hampden Denver, CO 80231		60,371.00	19,179.00
American Short Line Railroad Assn, 2000 Massachusetts Ave., NW Washington, DC 20036			
Americans for the High Frontier, 2800 Shirlington Road, #405A Arlington, VA 22206		83,465.13	79,260.54
Jan S. Amundson, North Lobby, #1500 1331 Pennsylvania Ave., NW Washington, DC 20004-1703	National Assn of Manufacturers		
Bette B. Anderson, 1030 15th St., NW, #700 Washington, DC 20036	KCI (For:DeLa Rue Giori of America, Inc)		
Do	KCI (For:SICPA Industries of America, Inc)		
Do	KCI (For:US Banknote Corp)		
Fred E. Anderson, 2397 W. 29th Street Loveland, CO 80537	Shayne M. Madsen (For:Madison Public Affairs (for: Philip Morris))	500.00	265.44
J. Lem Anderson, 4111 Franconia Rd. Alexandria, VA 22310	Temple-Inland		
Steven C. Anderson, 1764 Old Meadow Rd, #350 Mclean, VA 22102	American Frozen Food Institute	5,000.00	
Anderson Hibey Nauheim & Blair, 1708 New Hampshire Ave., NW Washington, DC 20009	Amerop Sugar Corporation		
Do	Bay Area Rapid Transit District		
Do	Communication Industries Assn of Japan	1,476.00	30.50
Do	Eco Corporation		
Do	Electronic Industry Assn of Japan	1,310.00	52.40
Do	Institute for Financial & Fiscal Studies		
Do	Japan Machine Tool Builders Assn		
Do	Navajo Nation	15,895.50	1,737.63
Do	Project Orbis, Inc	1,816.50	24.20
David R. Andrews, Three Embarcadero Center San Francisco, CA 94111	McCutchen Doyle Brown & Enersen (For:Castle & Cooke, Inc)		
Do	McCutchen Doyle Brown & Enersen (For:Rohr Industries, Inc)		
Do	McCutchen Doyle Brown & Enersen (For:Sterling Drug, Inc)		
Owen W. Anglum, 1667 K Street, NW, #650 Washington, DC 20006	Armco, Inc	1,000.00	653.05
Lori A. Antolock, 919 Prince St. Alexandria, VA 22314	Keene Shirley & Associates (For:Nicaraguan American National Federation)		
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	Colorado River Indian Tribes		26,574.16
John A. Armstrong, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Arnold & Porter, 1200 New Hampshire Ave., NW Washington, DC 20036	Hopi Indian Tribe		
Milton F. Ashford, P.O. Box 24305 Oakland, CA 94623	Clorox Company		
Association of American Foreign Service Women, P.O. Box 70051 Washington, DC 20024-0051			
Association of Biotechnology Companies, 1120 Vermont Avenue, NW, #601 Washington, DC 20005		12,170.00	
Association of Private Pension & Welfare Plans, Inc, 1212 New York Avenue, NW, #1250 Washington, DC 20005		8,696.25	8,727.20
Automotive Refrigeration Products Institute, 5100 Forbes Blvd. Lanham, MD 20706			
AFL-CIO Maritime Committee, 444 North Capitol Street, #820 Washington, DC 20001		5,825.00	4,312.48
APCO Associates, 1155 21st Street, NW, #1000 Washington, DC 20036	J.P. Altmayer	660.00	
Do	American Indian Trade Development Council		
Do	Asocolflores		
Do	Canadian Meat Council		
Do	City Utilities of Springfield	450.00	21.22
Do	Excess Deferred Tax Coalition	3,250.00	26.30
Do	Ferroalloy Association		
Do	Heart of America Northwest	3,000.00	6.76
Do	Honeywell, Inc	325.00	
Do	Japan Fair Trade Center		
Do	Philip Morris Management Corp		
Do	Profilo Holding A.S	390.00	
Do	Province of Manitoba		
Do	Recording Industry Assn of America		
Do	Sacramento Municipal Utility District		
Gregory R. Babyak, 1747 Pennsylvania Ave., NW Washington, DC 20006	Contact Lens Institute		
Do	Municipal Finance Industry Assn		
Do	John Nuveen & Co, Inc		
Do	Securities Industry Assn		
Victor Bach, 105 East 22nd Street New York, NY 10010	Community Service Society	143.76	
Brent Bahler, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Boston Capital Partners, Inc)	3,241.67	
Do	Keene Shirley & Associates, Inc (For:McDonnell Douglas Astronautics Co)	3,241.67	
Willie L. Baker, 1775 K Street, NW Washington, DC 20006	United Food and Commercial Workers International Union	19,615.38	262.09
Baker & Hostetler, 1050 Connecticut Ave., NW, #1100 Washington, DC 20036	American Resort & Residential Development Assn	5,000.00	5,000.00
Do	Chemed Corporation	500.00	500.00
Do	Chubb Group of Insurance Cos	500.00	500.00
Do	CIGNA Corp	500.00	500.00
Do	CNA Insurance Cos	500.00	500.00
Do	Edison Electric Institute	2,000.00	2,000.00
Do	Federal Deposit Insurance Corp	5,000.00	5,000.00
Do	Firemans Fund	500.00	500.00
Do	Hartford Insurance Group	500.00	500.00
Do	National Assn of Insurance Brokers	500.00	500.00
Do	National Assn of Professional Insurance Agents	500.00	500.00
Do	North American Co	500.00	500.00
Do	St. Paul Fire & Marine	500.00	500.00
Do	Travelers Insurance Co	2,000.00	2,000.00
Do	U.S. Fidelity & Guaranty Corp	500.00	500.00
Donald Baldwin, 1140 Connecticut Ave., NW, #804 Washington, DC 20036	Diagnostic/Retrieval Systems, Inc		
Do	Federal Criminal Investigators Assn		
Do	Law Enforcement Assistance Foundation		
Do	Mack Trucks, Inc		
Thomas M. Balmer, 888 16th Street, NW Washington, DC 20006	National Commission Against Drunk Driving		
Michael Baly III, 1515 Wilson Blvd. Arlington, VA 22209	Milk Industry Foundation/Int'l Ice Cream Assn		
Robert D. Bannister, 15th & M Streets, NW Washington, DC 20005	American Gas Assn	7,300.00	1,542.72
Linda W. Banton, 7900 Westpark Drive, #A524 McLean, VA 22102	National Assn of Home Builders of the U.S	20,076.93	26.54
Samuel J. Baptista, 1225 19th St., NW, #410 Washington, DC 20036	Honeywell Inc, Government Systems Marketing	150.00	50.00
Baraff Koerner Olender & Hochberg, P.C., 2033 M Street, NW, #203 Washington, DC 20036	Financial Services Council	4,500.00	
Do	National Assn of Collegiate Directors of Athletics		
Barnes Richardson & Colburn, 1819 H St., NW, #400 Washington, DC 20006	National Basketball Assn	300.00	
Do	Miles, Inc	997.25	88.31
Richard A. Barton, 1101 17th St., NW, #900 Washington, DC 20036	Sundstrand Corp	6,135.50	161.14
	Direct Marketing Assn	1,000.00	1,000.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
John L. Bauer Jr., 1667 K St., NW, #650 Washington, DC 20006	Armco, Inc	1,500.00	1,083.60
Michael Joseph Bayer, 1025 Connecticut Ave., NW, #404 Washington, DC 20036	Panhandle Eastern Corp		
Richard F. Bechtel, 1400 16th Street, NW Washington, DC 20036-0001	National Wildlife Federation	655.38	
Robert E. Beck, P.O. Box 6808 Falls Church, VA 22046	National Assn of Plumbing-Heating-Cooling Contractors	52.00	
Merritt Becker, 1844 Kalorama Rd. NW Washington, DC 20009	Bruce P. Cameron (for Embassy of Mozambique)	8,076.88	
Robert R. Belair, 1800 M Street, NW South Lobby, 9th Floor Washington, DC 20036	Kirkpatrick & Lockhart (For:National Institute for Citizen Education in the Law)	5,835.50	379.72
Donald K. Belch, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Stelco, Inc		
Howard H. Bell, 1400 K St., NW, #1000 Washington, DC 20036	American Advertising Federation		
Winston Everett Bell, P.O. Box 26543 Las Vegas, NV 89126			
Bruce Benefield, 1000 Wilson Blvd., #2600 Arlington, VA 22209	TRW, Inc		
Alan R. Bennett, 1714 Massachusetts Ave., NW Washington, DC 20036	Fox Weinberg & Bennett (For:Bristol-Myers Co)		
Do	Fox Weinberg & Bennett (For:Hoffmann La Roche, Inc)		
John C. Bennison, P.O. Box 23992 Washington, DC 20026-3992	American Soc of Travel Agents	8,500.00	
William Berger, 4 World Trade Center New York, NY 10048	New York Mercantile Exchange		16.80
Pamela M. Berkwitz, Norwest Center-Sixth & Marquette Minneapolis, MN 55479-1032	Norwest Corporation	12,000.00	3,688.86
Berliner & Maloney, 1101 17th Street, NW, #1004 Washington, DC 20036-4798	Government of Barbados, Ministry of Finance & Planning	31,928.85	1,068.48
Jason S. Berman, 1020 19th St., NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc	3,000.00	
Charles Bernhardt, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees	100.15	
Robert E. Berry, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	1,950.00	207.04
Willard M. Berry, 1625 K Street, NW, #1090 Washington, DC 20006	National Foreign Trade Council, Inc	5,000.00	11,000.00
Bill Bertera, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Eve Berton, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
Gregory J. Bien, 714 Capitol Federal Building Topeka, KS 66603	Slone Listrom Eisesnbarth Sloan & Glassman (For:Kansas Bankers Surety)		
David Billy, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	5,000.00	
Hugh L. Binford, 514-D Parkview Road Ft. Walton Beach, FL 32548			
Birch Horton Bittner and Cherot, 1155 Connecticut Ave., NW, #1200 Washington, DC 20036	Security Pacific Bank of Alaska		
J. Barry Bitzer, 1315 Duke Street Alexandria, VA 22314	Conservative Alliance		
Roger Blacklow, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	9,000.04	
David A. Blair, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers Assn	3,000.00	108.35
Richard R. Blake Jr., 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Bryant C. Blewett, P.O. Box 24305 Oakland, CA 94623	Clorox Company		
Robert S. Bludworth, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesaler's Assn	3,500.00	293.85
Alice Bodley, 1016 16th Street, NW Washington, DC 20036	National Federation of Federal Employees		
Seth M. Bodner, 386 Park Avenue South New York, NY 10016	National Knitwear & Sportswear Assn	1,312.50	
Bogle and Gates, One Thomas Circle, NW, #900 Washington, DC 20005	United Sport Fishermen	1,500.00	
Do	University of South Alabama	1,500.00	
Bond Donatelli, Inc, 211 North Union Street, #210 Alexandria, VA 22314	Akin Gump Strauss... (MacAndrews & Forbes Holdings, Inc)	800.00	
Do	American Financial Corporation		
Do	American Petroleum Institute	6,000.00	3,003.02
Do	FMC Corporation	9,900.00	251.00
Do	Grumman Corporation	5,950.00	
Do	Yin Choy Oen	25,000.00	255.00
Do	Republic of Panama (Govt of President Eric Arturo Devalle)	1,800.00	
Do	Tuscaloosa Steel Corp		
Do	US Sprint	1,800.00	
Michael V. Bonner, 1010 Vermont Ave., NW, #1120 Washington, DC 20005			
Diane Boratyn, 1230 31st St., NW, #5 Washington, DC 20007	DB, Ltd		
Richard H. Bornemann, 10 Fourth Street, SE Washington, DC 20003	United Illuminating Co	3,500.00	633.39
William J. Bosies Jr., 680 4th Ave. Louisville, KY 40202	Capital Holding Corporation		1,100.00
Josh Bowers, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Michael Bowers, 1717 K Street, NW, #407 Washington, DC 20006	American Assn for Marriage & Family Therapy	250.00	
Bracewell & Patterson, 2000 K St., NW, #500 Washington, DC 20006	Genetech, Inc		
Do	Quantum Chemical		
Do	Sterling Chemicals, Inc		
Robert M. Brandon, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen/Labor Energy Coalition		
Larry K. Brewer, 1235 Jefferson Davis Highway Arlington, VA 22202	Emerson Electric Co		2,327.20
Robert J. Brinkmann, 1627 K Street, NW, #400 Washington, DC 20006	National Newspaper Assn	5,000.00	84.91
Nancy B. Broff, 618 D Street, SE Washington, DC 20003	National Abortion Rights Action League	3,164.60	
Donald K. Brown, 1121 L St., #810 Sacramento, CA 95814	Crowley Maritime Corp		
Do	Summa Corporation		
Doreen L. Brown, 1001 Connecticut Ave., NW, #800 Washington, DC 20036	Consumers for World Trade		
John J. Brown, 1125 17th St., NW Washington, DC 20036	International Union of Operating Engineers	8,500.00	503.00
Brownstein Zeidman & Schomer, 1401 New York Ave., NW, #900 Washington, DC 20005	New York City Housing Development Corp	5,433.18	
Do	New York State Mortgage Loan Enforcement & Admin Corp	11,680.53	
Do	Schochet Associates		
Broydrick Associates Inc, 600 East Mason Street Milwaukee, WI 53202	Children's Hospital of Wisconsin	1,187.50	254.92
Do	Waste Management	3,125.00	682.08
Do	Watertown Memorial Hospital	625.00	133.47
Dawn M. Brydon, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Thomas J. Bulger, Government Relations, Inc 1620 Eye Street, NW, #300 Washington, DC 20006	County of Fairfax	41,000.00	15,930.26
Do	Oakland County	7,508.00	7,279.66
Diane B. Burke, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	12,031.92	402.00
J. J. Burke Jr., 40 E. Broadway Butte, MT 59701	Montana Power Co		66.11
Mahlon A. Burnette III, 631 Walker Road Great Falls, VA 22066	National Broiler Council	420.00	
David G. Burney, 1101 17th St. N.W., #609 Washington, DC 20036	U.S. Tuna Foundation	12,000.00	3,000.00
James J. Butera, 4901 Quebec Street, NW Washington, DC 20016	Albany Savings Bank	2,000.00	250.00
Do	Community Federal Savings & Loan Assn	10,000.00	400.00
Do	Federal Home Loan Bank of Boston	6,000.00	60.00
Do	Federal Home Loan Bank of New York	6,000.00	60.00
Do	Lake Sunapee Savings Bank	2,000.00	250.00
Do	Mid Maine Saving Bank	2,000.00	250.00
Do	Municipal Savings Bank	2,500.00	50.00
Do	New Jersey Council of Savings Institutions	3,000.00	30.00
Do	People's Bank		50.00
Do	Poughkeepsie Savings Bank	2,000.00	250.00
Do	River Bank America	4,500.00	200.00
Do	Rochester Community Savings Bank	2,500.00	150.00
Do	Savings Bank of the Finger Lakes	2,000.00	250.00
Do	Security Savings & Loan	1,500.00	75.00
Do	Wilmington Savings Fund Society		60.00
Mary Jane Butterfield, 1615 M Street, NW, #220 Washington, DC 20036	Harff Butterfield (For:Turkish Republic of Northern Cyprus)	8,487.50	
BP America, Inc, 1776 Eye Street, NW, Suite 1000 Washington, DC 20006			105,832.07
BZS/Capitol Strategies, LP, 1401 New York Ave., NW, #900 Washington, DC 20005	Commuter Transportation Services, Inc	10,500.00	
Do	National Multi Housing Council	9,000.00	
Do	NY City Housing Development Corp	5,000.00	
Do	NY State Mortgage Loan Enforcement and Administration Corp	20,000.00	
Do	Related Companies	9,000.00	
Do	Sentinel Holdings Inc		
Elizabeth B. Cady, 1919 Pennsylvania Ave., NW Washington, DC 20006	Steel Service Center Institute		
James D. Calaway, 711 West Bay Area Blvd., #320 Webster, TX 77598-4001	Space Industries, Inc		
Bruce P. Cameron, 1725 17th Street, NW, #109 Washington, DC 20006	Embassy of the Republic of Guatemala		171.50
Do	Embassy of Mozambique	40,000.00	8,837.27
Carl C. Campbell, 1110 Vermont Avenue, NW, #430 Washington, DC 20005	National Cotton Council of America	300.00	
Canady Law Legislative Group, 310 N. Grand Ave., #110 Lansing, MI 48933-1279			
Anne C. Canfield, 1331 Pennsylvania Ave., NW, #800-South Washington, DC 20004	General Electric Co	410.00	
William F. Canis, 1730 Pennsylvania Avenue, NW, #750 Washington, DC 20006	Caterpillar, Inc	5,000.00	661.90
Ross Capon, 236 Massachusetts Ave., NE, #603 Washington, DC 20002	National Assn of Railroad Passengers	13,261.04	
Edward J. Carlough, 1750 New York Avenue, NW Washington, DC 20006	Sheet Metal Workers International Assn	25,987.00	
Charles T. Carroll, 2011 Eye Street, NW, #601 Washington, DC 20006	National Association of Stevedores	650.00	
Mary Carroll, 555 West 57th Street New York, NY 10019	Greater New York Hospital Assn	536.00	38.00
Susan B. Carver, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	1,375.00	1,028.03
Marwin S. Cassel, 175 Northwest First Ave., #2000 Court House Center Miami, FL 33128-9965	Broad and Cassel (For:U.S. Strategies Corp (for: Cancer Treatment Holdings, Inc))		
John J. Castellani, 1000 Wilson Boulevard, #2700 Arlington, VA 22209	TRW, Inc	1,400.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Rita L. Castle, 100 NE Adams Street Peoria, IL 61629	Caterpillar, Inc	3,000.00	2,505.00
G. Thomas Cator, 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers)	1,050.00	600.00
Do	Neece Cator & Associates (For:National Assn of Development Companies)	4,000.00	2,800.00
Center for Law and Education, Inc, Larsen Hall, 6th Floor 14 Appian Way Cambridge, MA 02138		73,137.80	3,756.64
Deborah M. Chalfie, 1319 F St., NW, #300 Washington, DC 20004	Halt, Inc		
Mark G. Chalpin, 1101 15th St., NW, #1000 Washington, DC 20005	National Constructors Association		42.33
William Chasey Organization, 855 La Jolla Corona Court La Jolla, CA 92037	Indian American Forum for Political Education		
Do	Industrial Data Link		
Do	Professional Asset Management, Inc		
Do	Real Property Services Corp		
Do	Syncrotech Software Corp		
Chernikoff & Company, 1826 Jefferson Place, NW, #101 Washington, DC 20036	Los Angeles County Museum of Art	1,000.00	430.00
John H. Chettle, 1050 Connecticut Ave., NW, #825 Washington, DC 20036	Chamber of Mines of South Africa	1,000.00	400.00
Do	Universal Frutrade Co-operative, Ltd	3,000.00	300.00
Darrel Choat, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Australian Barley Board)	2,314.90	
Do	Keene Shirley & Associates, Inc (For:Limited, Inc, (The))	2,314.90	
Citizen/Labor Energy Coalition, 1300 Connecticut Ave., NW, # 401 Washington, DC 20036			
Citizens for Stabilizing Corporate Taxes & Foreign Policy, P.O. Box 1036 Guthrie, OK 73044-1036			
Lynn C. Clark, 1411 K Street, NW, #500 Washington, DC 20005	District of Columbia Chamber of Commerce	1,300.00	
Coal & Slurry Technology Assn, 1156 15th Street, NW, #505 Washington, DC 20005		5,000.00	5,200.00
Coalition for Affordable Home Financing, 1350 New York Ave, NW, #800 Washington, DC 20005		278,762.04	218,523.17
Coalition to Oppose Energy Taxes, 1100 15th St., NW, #1200 Washington, DC 20005		25,000.00	
Coan & Lyons, 1625 Eye St., NW, #1015 Washington, DC 20006	FISN, Inc	3,300.00	14.00
Cohen & White, 1055 Thomas Jefferson Street, NW, #504 Washington, DC 20007	Computer & Communications Industry Assn	680.00	
Terese Colling, 1818 N Street, NW, 7th Floor Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Media General, Inc)	1,162.50	28.40
Eileen M. Collins, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	3,267.09	314.13
Stephen J. Collins, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Collins & Associates, 6269 Franconia Road Alexandria, VA 22310	City of Pompano Beach, Florida		
Comiskey & Hunt, One Courthouse Metro, #850 2200 Wilson Boulevard Arlington, VA 22201	Gold Fields Operating Co-Mesquite		
Community Service Society, 105 East 22nd Street New York, NY 10010			626.41
Concerned Women for America, 370 L'Enfant Promenade, SW, #800 Washington, DC 20024		26,020.16	26,020.16
Michael Conlon, 1818 N Street, NW, #200 Washington, DC 20036	Automotive Refrigeration Products Institute		
Jeanne K. Connelly, 1875 Eye St., NW, #540 Washington, DC 20006	Champion International Corp		
Robert J. Conner, 1100 Connecticut Ave., NW Washington, DC 20036	Chrysler Corporation	500.00	317.05
Francis J. Conners, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	5,262.50	
John J. Connolly, 499 South Capitol St., SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Airtrax)		
Do	Hecht Spencer & Associates (For:Bixby Ranch Co)		
Do	Hecht Spencer & Associates (For:Boy Scouts of America)		
Do	Hecht Spencer & Association (For:Brown & Williamson Tobacco)		
Do	Hecht Spencer & Association (For:BATUS)		
Do	Hecht Spencer & Oglesby, Inc (For:Hong Kong Trade Development Council)		
Consumer Federation of America, 1424 16th St., NW, #604 Washington, DC 20036		100,314.00	68,135.00
Consumers for World Trade, 1001 Connecticut Ave., NW, #800 Washington, DC 20036		26,645.00	20,169.02
Harry N. Cook, 1130 17th St., NW Washington, DC 20036	National Waterways Conference, Inc		
Edward Cooney, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	2,917.51	
Mark N. Cooper, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	300.00	
Maria C. Cordone, 1300 Connecticut Ave, NW Washington, DC 20036	International Assn of Machinists and Aerospace Workers	12,364.98	171.05
William R. Corson, 1725 K Street, NW, #903 Washington, DC 20006	Penthouse International, Ltd		
Cosmetic Toiletry & Fragrance Assn, Inc, 1110 Vermont Ave., NW, #800 Washington, DC 20005			
Walter Couillard, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	8,927.38	
Council for a Livable World, 20 Park Plaza, #603 Boston, MA 02116			24,971.39
Council of Industrial Boiler Owners, 6035 Burke Centre Parkway, #360 Burke, VA 22015			
Michael W. Cover, 1020 19th Street, NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc	5,025.00	
Covington & Burling, 1201 Pennsylvania Ave., NW P.O. Box 7566 Washington, DC 20044	United Technologies Corporation		
C. Richard Cox, 2801 West Tyvola Road Charlotte, NC 28217-4500	Belk Stores Services, Inc		
Jerry W. Cox, 2300 N Street, NW, #725 Washington, DC 20037	Murphy & Demory, Ltd (For:Anglo American Auto Auctions, Inc)		
Rebecca Craford, 1000 Vermont Ave., NW #800 Washington, DC 20005	Public Securities Assn	3,500.00	
William C. Cramer, 2000 L Street, NW, #810 Washington, DC 20036	Cramer & Haber, P.C. (For:Canaveral Port Authority)		
Do	Cramer & Haber, P.C. (For:Dade County International Airport)		
Cramer & Haber, P.C., 2000 L Street, NW, #810 Washington, DC 20036	Canaveral Port Authority	6,750.00	
Do	Dade County International Airport		
Kelly Craven, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
John P. Cregan, 220 National Press Building Washington, DC 20045	U.S. Business & Industrial Council	6,000.00	
Richard E. Cristol, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Judy Crockett, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	2,314.80	
P. H. Croft, 2000 Massachusetts Ave., NW Washington, DC 20036	American Short Line Railroad Assn		
Mark E Crosby, 1700 North Moore St., #910 Rosslyn, VA 22209	Special Industrial Radio Service Assn, Inc		
John D. Cuaderes, 1235 Jefferson Davis Highway Arlington, VA 22202	Emerson Electric Co		215.92
John T. Curran, 905 16th St., NW, Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	18,190.50	391.96
Do	National Coordinating Comm for Multiemployer Plans		
CRS, P.O. Box 118 Cold Spring Harbor, NY 11724-0118			
Dairy Farmers for Responsible Dairy Policy, 514 C Street, NE Washington, DC 20002		100.00	2,180.00
Tracy Danese, P.O. Box 14000 Juno Beach, FL 33408	Florida Power & Light Co	7,404.00	16,775.93
Linda Daschle, 4224 King Street Alexandria, VA 22302	American Assn of Airport Executives		6,699.00
Becky L. Davenport, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation & International Ice Cream Assn		
Davis Wright & Jones, 1752 N St., NW, #800 Washington, DC 20036	McCaw Communications Cos	24,000.00	982.66
B. Rey De Castro, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Deloitte & Touche, 1900 M Street, NW Washington, DC 20036-3564	Orange County Coalition		
Elizabeth C. Demato, 5201 Auth Way Camp Springs, MD 20746	Seafarers International Union	3,000.00	404.72
Paul W. Dennett, 655 15th St., NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	2,500.00	153.47
Department for Professional Employees, AFL-CIO, 815 16th St., NW Washington, DC 20006		12,067.72	12,067.72
Dewey Ballantine Bushby Palmer & Wood, 1775 Pennsylvania Ave., NW, #500 Washington, DC 20006	NYNEX Corp		
Do	Semiconductor Industry Association		
Kendall P. Dexter, 9 Country Club Road Mobile, AL 36608	MacMillan Bloedel, Inc	1,200.00	1,296.00
Fred R. DeLuca, 1735 New York Ave., NW Washington, DC 20006	American Institute of Architects		
Gaelynn DeMartino, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Dickstein Shapiro & Morin, 2101 L St., NW Washington, DC 20037	Sea Hawk Seafoods, Inc	28.13	
Walter E. Diercks, 1730 M St., NW, #412 Washington, DC 20036	Outdoor Advertising Assn of America, Inc		
Diversified Energies, Inc, C/O Mr. Carl W. Cummins 201 South 7th Street Minneapolis, MN 55402			
Dixon Arnett Associates, 905 16th Street, NW, #310 Washington, DC 20006	Foundation Health Corp	900.00	216.00
Hollye Cappleman Doane, 1725 DeSales Street, NW, #800 Washington, DC 20036	National SSC Coalition	15,000.00	
John D. Doherty Jr., 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Federal Home Loan Bank of Seattle)		
Nancy A. Donaldson, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	10,000.00	226.94
Brad L. Doores, One Tabor Center, #2500 1200 17th Street Denver, CO 80202	Energy Fuels Nuclear, Inc	500.00	612.74
Dorsey & Whitney, 1330 Connecticut Avenue, NW, #200 Washington, DC 20036	Automobile Importers of America, Inc		
Do	FilmTec Corporation	149.20	
Do	Guam Commission on Self Determination	1,094.25	3,429.70
Do	International Electronics Mfgrs & Consumers of America, Inc		
Do	Texas Assn of Steel Importers		
Dow Lohnes & Albertson, 1255 23rd St., NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Do	American Integrity Insurance Co		
Do	Beeman and Associates		
Do	Board of Cooperative Educational Services		
Do	BMC Industries Inc	512.25	192.87
Do	California Wine Commission	2,246.25	35.72
Do	Canadian Institute of Steel Construction		
Do	Carlyle Group		
Do	Chamber of Commerce of the U.S		
Do	Chicago City Colleges	10,208.50	12.50
Do	Cox Enterprises, Inc, et al		
Do	Directors Guild of America		
Do	Dofasco, Inc, et al	2,036.50	273.59

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Harris Steel Group, Inc		
Do	Home Shopping Network, Inc		
Do	Johnson-Simmons Co		
Do	Lake Ontario Cement, Ltd		
Do	Laurel Steel Products, Ltd		
Do	Life Care Services Corp		
Do	Marriott Corp		
Do	Monarch Wine Co of Georgia, et al	6,550.75	
Do	Profit Sharing Council of America		
Do	Sporicidin Company		
Richard Morgan Downey, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
Evelyn Dubrow, 1710 Broadway New York, NY 10019	International Ladies' Garment Workers Union	14,045.85	372.30
John Dudinsky Jr., 201 Massachusetts Ave., NE, #C-9 Washington, DC 20002	Harris Government Systems		
Do	Hvide Shipping, Inc	2,500.00	593.00
Daniel A. Duffy, 1400 K St., NW, #900 Washington, DC 20005	Rubber Manufacturers Assn	2,500.00	
Pauline Dunlap, 1201 McDuffie #222 Houston, TX 77019			
Do	Falcon Carriers	3,250.00	3,843.06
Douglas A. Durante, 1129 20th St., NW, #500 Washington, DC 20036	Clean Fuels Development Coalition	6,000.00	429.00
Jean Durning, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	925.81	1,638.40
James W. Dyer, 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris Management Corp	2,500.00	954.76
Dyer Ellis Joseph & Mills, 600 New Hampshire Ave., NW, #1000 Washington, DC 20037	Medical Care International, Inc	5,000.00	74.62
Do	Renal Physician Assn	7,500.00	498.16
Do	Surgical Care Affiliates, Inc	5,000.00	74.62
Do	T/2 Medical, Inc	14,600.00	467.91
Mary A. Dyess, 2011 Eye Street, NW, #601 Washington, DC 20006	National Assn of Stevedores	650.00	
George H. Eatman, 1156 15th Street, NW, #500 Washington, DC 20005	Coal & Slurry Technology Assn	4,200.00	
Pam Eaton, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	281.33	
Charles E. Ehrhart, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
H. J. Elam III, 110 S. Park Dr. Greensboro, NC 27401	Cone Mills Corp		
Jane Elder, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	171.08	1,494.39
Electronic Industries Assn, 2001 Eye St., NW Washington, DC 20006		46,544.49	52,834.09
Elliott Zweben & Steelman, Chtd, 1140 19th St., NW, #600 Washington, DC 20036	Argus Health Systems, Inc	125.00	
Do	Missouri Blue Cross Blue Shield	500.00	375.00
Do	Pharmaceutical Manufacturers Assn	250.00	500.00
Dorothy A. Ellsworth, 1300 Connecticut Ave., NW Washington, DC 20036	International Assn of Machinists & Aerospace Workers	15,550.58	267.80
Gary Elmestad, P.O. Box 3153 St Charles, MO 63302	City of St. Peters, Missouri	3,000.00	19.47
Emerson Electric Co, 8000 W. Florissant St. Louis, MO 63136			3,010.98
H. John Endean, 1730 K St., NW, #1200 Washington, DC 20006	American Business Conference	153.00	25.00
Energy Fuels Nuclear, Inc, One Tabor Center, #2500 1200 Seventeenth Street Denver, CO 80202			33,631.34
Patricia Hanahan Engman, 1615 L St., NW, #1350 Washington, DC 20036	Business Roundtable		
J. Barry Epperson, 324 Main Mall, #900 Tulsa, OK 74103	Associated Wire Rope Fabricators		411.47
Epstein Becker & Green, P.C., 1227 25th Street, NW, #700 Washington, DC 20037	Doctors National Homecare Corp	100.00	375.00
Do	Pfizer, Inc	200.00	500.00
Pamela K. Ernest, 1100 Connecticut Ave., NW, #710 Washington, DC 20036	Honeywell Inc	100.00	
Andreas W. Evans, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
David C. Evans, 1150 Connecticut Ave., NW, #900 Washington, DC 20036	Building Owners & Managers Assn Int'l		
Rae Forker Evans, 1615 L Street, NW, #1220 Washington, DC 20036	Hallmark Cards, Inc		
William J. Evans Jr., 1200 17th Street, NW, #500 Washington, DC 20036	Pan American World Airways, Inc	1,025.00	322.59
Dave Evans Associates, 4076 Rosamora Court Arlington, VA 22207	Association for Regulatory Reform (ARR)	1,000.00	
Robbie G. Exley, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
Robert R. Fahs, 1101 15th St., NW, #205 Washington, DC 20005	Cargill, Inc	2,500.00	
F. S. Fallon Jr., 5118 56th St., N., #219 Tampa, FL 33610			
Family Holding Company Advocacy Group, Rodney Sqaure North Wilmington, DE 19890			
William D. Fay, 818 Connecticut Ave., N.W., #900 Washington, DC 20006	Clean Air Working Group	5,250.00	1,588.15
Do	National Coal Assn	8,750.00	1,871.66
Federal Kemper Life Assurance Co, Kemper Bldg D-3 Long Grove, IL 60049			3,309.91
Federation for American Immigration Reform, 1666 Connecticut Avenue, NW, #400 Washington, DC 20009			517.60
Federation of Behavioral Psychological & Cognitive Sciences, 1200 17th Street, NW Washington, DC 20036			
Robert Feenstra, 13545 Euclid Avenue Ontario, CA 91761	Milk Producers Council (For:Dairy Farmers for Responsible Dairy Policy)	150.00	150.00
Chai Rachel Feldblum, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	1,650.00	
Claudia Feller, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
Jack Ferguson Associates, Inc, 203 Maryland Ave., NE Washington, DC 20002	Alaska Loggers Association, Inc	3,750.00	632.10
Do	Conoco, Inc	6,250.00	810.50
Do	Crystal Cruises, Inc	5,062.50	750.83
Do	Dillingham Construction Group	1,343.75	663.01
Do	Foss Maritime Co	750.00	629.44
Do	Global Marine, Inc	3,750.00	675.48
Do	Haida Corporation	9,460.00	693.83
Do	Tacoma Boatbuilding Co	1,500.00	637.10
Do	U.S. Borax & Chemical Corp	7,093.25	789.15
Do	Western Forest Industries Assn	3,937.50	662.76
Do	Williams Companies	4,500.00	691.72
Robert J. Fersh, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	207.98	
Fred C. Fielding, 1725 Jefferson Davis Hwy, #900 Arlington, VA 22202	AM General Corporation		
Financial Services Council, 1225 19th St., NW, #410 Washington, DC 20036		15,744.00	4,207.00
Mary Ellen Fise, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	3,965.00	
John J. Flynn, 1125 17th Street, NW Washington, DC 20036	International Union of Operating Engineers	7,500.00	417.00
Focus on the Family, 801 Corporate Center Drive Pomona, CA 91768		35,610.00	30,627.00
Cynthia Folcarelli, 12300 Twinbrook Parkway, #320 Rockville, MD 20852	National Council of Community Mental Health Centers	57.68	
R. D. Folsom, 1317 F Street, NW, #400 Washington, DC 20004	National Environmental Development Assn	3,750.00	52.40
Do	Capital Legislative Services (For:Uniroyal Chemical Company)	3,750.00	38.00
John P. Ford, One Kellogg Square Battle Creek, MI 49016	Kellogg Co	2,000.00	283.00
Foreman & Heidepriem, 1751 N Street, NW, #301 Washington, DC 20036	Coalition to Protect the Integrity of American Trademarks	725.00	19.50
Do	Columbia Hospital for Women Medical Center		
Do	United Food & Commercial Workers Int'l Union	1,792.50	8.00
Alissa T. Fox, 655 15th Street, NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	2,500.00	252.86
Allan M. Fox, 750 17th Street NW, # 1100 Washington, DC 20006	Fox Weinberg & Bennett (For:Bristol-Myers Co)		
Do	Fox Weinberg & Bennett (For:National Coalition for Cancer Research)		
Fox Weinberg & Bennett, 750 17th Street NW, #1100 Washington, DC 20006	Battery Council International	205.00	128.25
Do	Bristol-Myers Co		
Do	Courtaulds North America, Inc		
Do	Hoffmann-La Roche, Inc		
Do	Johnson & Johnson		
Do	Lederle Laboratories		
Do	Memorial Sloan-Kettering Cancer Center		
Do	National Assn for Plastic Container Recovery (NAPCOR)		
Do	National Coalition for Cancer Research		
Do	New MediCo Associates, Inc		
Do	Pickens County Medical Center		
Do	Serono Laboratories, Inc		
Do	Wireless Cable Assn, Inc		
Phillip L. Fraas, 2501 M Street, NW, #400 Washington, DC 20037	McLeod & Pires (For:American Soybean Assn)	1,627.00	
Michael Francis, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	3,410.23	298.74
Francis & McGinnis & Rees, Inc, 1000 Potomac St., NW, #401 Washington, DC 20007	California Dept of Education	34,389.90	22,291.73
George Franklin, 1 Kellogg Square Battle Creek, MI 49016-3599	Kellogg Company	1,500.00	150.00
Mary Ann Freeman, 1331 Pennsylvania Ave, NW Washington, DC 20005	General Electric Co	255.00	
G. William Frick, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute		
John Paul Galles, 1155 15th St., NW, #710 Washington, DC 20005	National Small Business United	1,000.00	
Cheryl Gannon, 2000 K Street, NW Washington, DC 20006	International Assn of Fire Fighters	9,196.00	
Curtis B. Gans, 421 New Jersey Avenue, SE Washington, DC 20003	Committee for the Study of the American Electorate	46,535.00	1,500.00
Harry D. Garber, 787 7th Avenue New York, NY 10019	Equitable Financial Companies		
Sherwin Gardner, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Sara G. Garland, 137 13th St., NE Washington, DC 20002	Rapoza Associates	3,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	University of North Dakota	7,041.58	1,106.28
Frank T. Gasper, Jamison Road East Aurora, NY 14052	Moog, Inc		
Karl Gawell, 1400 16th St., NW, #320 Washington, DC 20036	Zero Population Growth	1,714.00	
Geo-Centers, Inc, 10903 Indian Head Highway, S-502 Ft. Washington, MD 20744			561.48
William A. Geoghegan, 1200 18th Street, NW Washington, DC 20036	Securities Industry Assn	3,250.00	
Robin Gerber, 101 Constitution Ave. NW Washington, DC 20001	United Brotherhood of Carpenters & Joiners of America		
David Troy Saxton Getty, 1050 Barstow Avenue Clovis, CA 93612			
David Wesley Gibbons, 1735 Jeff Davis Hwy., #403 Arlington, VA 22202	Morton Thiokol	22,271.00	29,978.00
Maureen Gilman, 1730 K Street, NW, #1100 Washington, DC 20006	National Treasury Employees Union	14,500.00	419.49
Mark R. Ginsberg, 1717 K Street, NW, #407 Washington, DC 20006	American Assn for Marriage & Family Therapy	5,000.00	
George E. Glasier, One Tabor Center, #2500 1200 Seventeenth Street Denver, CO 80202	Energy Fuels Nuclear, Inc		
Patricia R. Goldman, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	2,439.79	369.54
Jack Golodner, 815 16th St., NW Washington, DC 20006	Actors' Equity Assn	4,693.35	
Do	Department for Professional Employees, AFL-CIO	4,693.35	
Ruth Gonze, Third Floor 2301 M Street, NW Washington, DC 20037	American Public Power Assn		
Deborah Gordon, 1616 P Street, NW #310 Washington, DC 20008	Union of Concerned Scientists		1,850.00
Stephen Gordon, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
Brenda J. Gore, 1000 Wilson Blvd., 2600 Arlington, VA 22209	TRW, Inc	112.50	
George B. Gould III, 100 Indiana Ave., NW Washington, DC 20001	National Assn of Letter Carriers	13,624.52	3,546.55
Michael J. Govan, 1823 Jefferson Place, NW Washington, DC 20036	Jefferson Group		
Government Liaison Project, 6313 Tulsa Lane Bethesda, MD 20817			68.73
Governmental Affairs, Inc, 100 West 5th, #911 Tulsa, OK 74103	Plains Resources, Inc		
John K. Gram, 610 S.W. Broadway, #608 Portland, OR 97205	Public Timber Purchasers Group		
Gerald W. Grandey, One Tabor Center, #2500 1200 Seventeenth Street Denver, CO 80202	Energy Fuels Nuclear, Inc	15,000.00	500.13
Neil A. Gray, 1776 Massachusetts Ave., NW Washington, DC 20036-1993	Highway Users Federation for Safety & Mobility	2,300.00	58.55
Greater New York Hospital Assn, 555 West 57th Street 15th Floor New York, NY 10019			79,477.00
Kaylene H. Green, 2341 Jefferson Davis Highway, #1100 Arlington, VA 22202	Bath Iron Works Corp	600.00	139.10
David I. Greenberg, 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris Management Corp	2,500.00	2,000.00
Howard W. Greene, 205 E. 42nd Street New York, NY 10017	Risk & Insurance Management Society, Inc		
R.T. Gregg, 900 19th Street, NW, #800 Washington, DC 20006	United States Telephone Association	5,000.00	
Greve Clifford Diepenbrock & Paras, 1000 G Street, #400 Sacramento, CA 95812	California Nevada Comm for High Speed Ground Transportation		
Grogan Graffam McGinley & Lucchino, P.C., 22nd Floor, Three Gateway Center Pittsburgh, PA 15104	Steel Valley Authority		460.00
Jerome Grossman, 20 Park Plaza, #603 Boston, MA 02116	Council for a Livable World	8,816.94	
Ned H. Guthrie, 209 Hayes Avenue Charleston, WV 25314	American Fed of Musicians	4,475.00	2,909.05
Robert F. Guthrie, 815 16th St., NW, #608 Washington, DC 20006	Department for Professional Employees, AFL-CIO	6,132.87	
Anne Hall, 100 East Broad Street Columbus, OH 43271-0251	Banc One Corporation		
Julius L. Hall, 1016 16th Street, NW Washington, DC 20036	National Federation of Federal Employees	9,256.31	
William F. Hall, P.O. Box 803887 Chicago, IL 60680-3887	Midwest Public Affairs-Management Consulting Group		
Rhonda Lee Halverson, 1730 K St., NW, #1200 Washington, DC 20006	American Business Conference, Inc	164.00	25.00
William A. Hanbury, 4914 W. Genesee Street Camillus, NY 13031	Citizens Against Public Subsidy		786.59
Handgun Control, Inc, 1225 Eye Street, NW, #1100 Washington, DC 20005		1,634,430.83	297,230.32
Eric R. Hanson, 3060 Porter Street, NW Washington, DC 20008	U.S. Strategies Corp (For:Cancer Treatment Holdings, Inc)		
Do	U.S. Strategies Corp (For:Healthsouth Rehabilitation Corp)		
James W. Harff, 1615 M Street, NW, #220 Washington, DC 20036	Harff Butterfield (For:Turkish Republic of Northern Cyprus)	2,812.50	
Harff Butterfield, 1615 M Street, NW, #220 Washington, DC 20036	Turkish Republic of Northern Cyprus	22,500.00	
Donna Akers Harman, 1875 Eye Street, NW, #540 Washington, DC 20006	Dow Chemical USA		5,546.00
W. Brendan Harrington, 1101 15th St., NW, #205 Washington, DC 20005	Cargill, Inc	1,250.00	
Marra Harris, 729 15th St., NW Washington, DC 20005	Associated Builders & Contractors, Inc	2,500.00	
Richard M. Harris, 501 School St., SW 8th Floor Washington, DC 20024	American Road & Transportation Builders Assn	10,000.00	173.11
Teena Harris, 1627 K St., NW, #400 Washington, DC 20006	National Newspaper Assn		
Clifford J. Harvison, 2200 Mill Rd. Alexandria, VA 22314	National Tank Truck Carriers, Inc		
Arnold I. Havens, 1156 15th Street, NW, #1100 Washington, DC 20005	White Fine & Verville (For:Armstrong World Industries, Inc)	11,115.00	66.17
Do	White Fine & Verville (For:Association of American Railroads)	13,749.99	243.80
Do	White Fine & Verville (For:Burlington Northern Services, Inc)	25,602.50	77.49
Do	White Fine & Verville (For:CSX Corporation)	20,605.00	117.06
Do	White Fine & Verville (For:MetPath, Inc)	24,000.00	166.15
Deanne Watts Hay, 714 Capitol Federal Building Topeka, KS 66603	Sloan Listrom Eisenbarth Sloan & Glassman (For:Kansas Bankers Surety)		
Robert G. Hayes, Bogle and Gates One Thomas Circle, NW, #900 Washington, DC 20005	American Fishing Tackle Manufacturers Assn	2,000.00	
Do	Coastal Conservation Assn	2,000.00	
Holly Elisabeth Hazard, 111 Massachusetts Ave., NW, #200 Washington, DC 20001	New England Anti-Vivisection Society	1,162.00	
Health Insurance Assn of America, Inc, 1025 Connecticut Ave., NW Washington, DC 20036		467.50	476.50
William H. Hecht, 499 S. Capitol Street, SW, #507 Washington, DC 20003	Hecht Spencer & Associates, Inc (For:Boy Scouts of America)		
Do	Hecht Spencer & Associates (For:Traditional Industries, Inc)		
Hecht Spencer & Associates, Inc, 499 South Capitol Street, SW, #507 Washington, DC 20003	Airtrax	200.00	
Do	Church Alliance	500.00	
James B. Hedlund, 1200 18th St., NW Washington, DC 20036	Association of Independent Television Stations, Inc	10,000.00	
Don Hellmann, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	4,501.60	891.04
Donald E. Henderson, 130 E. Washington Street Indianapolis, IN 46204	Indiana Farm Bureau, Inc	6,000.00	1,678.00
Wade J. Henderson, 122 Maryland Ave., NE Washington, DC 20002	American Civil Liberties Union	3,160.00	200.00
Cedric R. Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Pierson & Hendricks (For:Multinational Business Services)	1,000.00	10.65
Heron Burchette Ruckert & Rothwell, 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Clark County	2,074.16	1,030.54
Do	Massport/Commonwealth of Massachusetts	3,750.00	1,186.69
Do	National Medical Care	8,523.40	2,257.07
Do	University of Nevada/Las Vegas Research Center	1,250.00	843.25
Barry Alexander Herring, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products, Ltd		
Scott Highleyman, 801 Pennsylvania Avenue, SE Washington, DC 20003	Southeast Alaska Conservation Council	175.00	
Pamela Hill, One Tabor Center, #2500 1200 Seventeenth Street Denver, CO 80202	Energy Fuels Nuclear, Inc	500.00	469.19
Cynthia Hilton, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Hobbs Straus Dean & Wilder, 1819 H St., NW, #800 Washington, DC 20006	Alaska Legal Services Corp	50.00	
Do	Aroostook Band of Micmacs	500.00	
Do	Association of Navajo Community-Controlled School Boards	90.00	13.95
Do	Bristol Bay Area Health Corp	190.00	6.00
Do	Maniilaq Assn	60.00	6.00
Do	Menominee Indian Tribe	330.00	
Do	Metlakatla Indian Community	300.00	53.70
Do	Miccosukee Tribe of Indians of Florida	60.00	6.00
Do	National Indian Education Assn	1,200.00	
Do	Norton Sound Health Corp	90.00	6.00
Do	Oglala Sioux Tribe	150.00	6.00
Do	Pueblo de Cochiti	500.00	34.25
Do	Seminole Tribe of Florida	2,000.00	23.85
Do	Spokane Legal Services Center	70.00	
Do	Tanana Chiefs Conference, Inc		
Do	Tohono O'odham Nation		
Walter F. Hoffmann, 418 7th Street, SE Washington, DC 20003	Campaign for U.N. Reform-PEC	416.66	
William J. Holayter, 1300 Connecticut Avenue, NW Washington, DC 20036	International Assn of Machinists & Aerospace Workers	8,552.77	
Michele O'Donnell Holbrook, 10 Lafayette Square, Rm. 900 Buffalo, NY 14203	National Fuel Gas Distribution Corp, et al	3,960.00	9,783.26
Holland & Hart, 1001 Pennsylvania Ave., NW, #310 Washington, DC 20004	Alyeska Pipeline Service Co	1,375.00	8.00
Holly Corporation, 2600 Diamond Shamrock Tower 717 North Harwood Street Dallas, TX 75201			
Holt Miller & Associates, 2111 Wilson Blvd., #531 Arlington, VA 22201-3008	Agricultural Producers		
Do	American Council of International Personnel	15,000.00	1,576.16
Do	AmBase Corp	15,626.50	904.30
Do	Contra Costa Water District		
Do	Fruit Growers League of Jackson County		
Do	Interstate Natural Gas Association of America (INGAA)	3,075.00	66.00
Do	Irish Immigration Reform Movement	8,388.75	805.32
Do	Mountain Plains Agricultural Service		
Do	National Agricultural Coalition	500.00	
Do	National Council of Agricultural Employers		
Do	Snake River Farmers Assn		
Do	Texas & Southwestern Cattle Raisers Assn		
Do	Texas Ranchers Labor Assn	315.00	
Do	TF Energy Ventures		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	U.S. English	375.00	6.90
Do	Western Range Assn		
Lois Holwerda-Hoyt, 600 Maryland Avenue, SW, #770 Washington, DC 20024	American Academy of Family Physicians	2,814.50	402.50
Hoog & Associates, 1877 Broadway, #405 Boulder, CO 80302	ASSE International	27,000.00	27,000.00
Do	Colorado State University	7,500.00	7,500.00
Do	McAndrews & Forbes Holdings, Inc	7,500.00	7,500.00
Do	Myrias Research Corp	6,000.00	6,000.00
Do	Tera Computer Company	4,500.00	4,500.00
Do	United Technologies Corporation	4,500.00	4,500.00
Karen A. Hoover, 2111 Jefferson Davis Highway Apt. 407 Arlington, VA 22202	American Maritime Officers Service		2,028.14
Marian Hopkins, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	3,900.00	524.35
Mark Hopkins, 1725 K St., NW, #914 Washington, DC 20006	Alliance to Save Energy	325.34	
Hopkins Sutter Hamel & Park, 888 16th Street, NW Washington, DC 20006	Allan Bruner (for Estate of Elsie Bruner)		
Do	Peter Buyck		
Thomas B. House, 1764 Old Meadow Lane #350 Mclean, VA 22102	American Frozen Food Institute	1,000.00	
John B. Howerton, 3727 North Edison St. Arlington, VA 22207-1831			
Dwight A. Howes, 1819 L Street, NW, #800 Washington, DC 20036	Consolidated Natural Gas Service Company, Inc	2,073.00	2,499.88
Betty Hudson, 1627 K Street, NW, #300 Washington, DC 20006	Fluor Corporation	15,000.00	104.93
J. Michael Hudson, 555 13th Street, NW Washington, DC 20004	McCamish Martin Brown & Loeffler (For:Citicorp)	123.00	
Brett Hulsey, Midwest Office 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	2,016.73	134.84
Gregory A. Humphrey, 555 New Jersey Ave., NW Washington, DC 20001	American Fed of Teachers	18,660.30	840.00
Harriet Hunt-Burgess, 116 New Montgomery Street, 4th Floor San Francisco, CA 94105	Trust for Public Lands	3,109.92	661.15
Charles G. Huntington, 600 Maryland Ave., SW, #770 Washington, DC 20024	American Academy of Family Physicians	2,343.75	131.33
Hunton & Williams, 2000 Pennsylvania Ave., NW, #9000 Washington, DC 20036	Copyright Justice Coalition		
Do	National Assn of Small Business Investment Cos		
HCA The Healthcare Co, One Park Plaza P.O. Box 550 Nashville, TN 37202-0550			
Industrial Truck Association, 1750 K Street, NW, #210 Washington, DC 20006			
Margaret B. Ingraham, 1001 Prince Street Alexandria, VA 22314			
Charles W. Ingram, 305 C Street, NE, #309 Washington, DC 20002	S.K.C. & Associates	6,000.00	
International Assn of Machinists & Aerospace Workers, 1300 Connecticut Ave., NW Washington, DC 20036			43,831.78
International Public Strategies, Inc, 1030 Fifteenth St., NW, #408 Washington, DC 20005	Government of Pakistan	71,250.00	16,533.31
International Union of Operating Engineers, 1125 17th St., NW Washington, DC 20036		22,500.00	1,150.00
Investment Counsel Assn of America, Inc, 20 Exchange Place New York, NY 10005			
John Isaacs, 100 Maryland Ave., NE Washington, DC 20002	Council for a Livable World	4,223.59	
Ivins Phillips & Barker, Chtd, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006	Bayer USA, Inc		
Al Jackson, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	10,500.10	
Benjamin R. Jackson, 14500 Avion Parkway,#300 Chantilly, VA 22021	Techlaw	26,775.00	
William P. Jackson Jr., Jackson & Jessup, P.C. 3426 N. Washington Boulevard Arlington, VA 22201	Osborne Truck Line, Inc, et al		
Timothy P. James, 1125 17th Street, NW Washington, DC 20036	International Union of Operating Engineers	6,500.00	230.00
Jeford-McManus International, Inc, 513 Capitol Court, NE, #300 Washington, DC 20002	Aerojet-General Corp	75.00	
Do	V. Garber Int'l Associates, Inc	75.00	
Do	Hazeltine Corp		
Do	ISC Defense & Space Group	100.00	
Do	John Deere Technologies, Inc	85.00	
Do	Litton Data Systems	50.00	
Do	McDonnell Douglas Corp	100.00	
Do	Piasecki Aircraft Corp	50.00	
Do	Raytheon Corp	100.00	
Kempton B. Jenkins, 1667 K St., NW, #650 Washington, DC 20006	Armco, Inc	300.00	788.56
Jenner & Block, 21 Dupont Circle, NW Washington, DC 20036	American Dental Assistants Assn		
Do	Auto Glass Industry Comm		
Do	Cable TV Admin & Marketing Society, Inc		
Richard H. Jenrette, 787 7th Avenue New York, NY 10019	Donaldson Lufkin & Jenrette (for Equitable Financial Cos)		
Ronald P. Johnsen, 1250 Eye St., NW, #703 Washington, DC 20005	Columbia Gas System Service Corp	175.00	323.23
Bruce Johnson, 655 15th Street, NW, #300 Washington, DC 20005	Benjamin Franklin Federal Savings and Loan Assn	11,848.00	866.00
Do	Federal Savings Bank	21,000.00	800.00
Do	Financial Northeastern Corp	4,000.00	458.00
Do	FAIC Securities, Inc	12,000.00	874.00
Do	Kellner DiLeo & Co		
David H. Johnson, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
Kay Johnson, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	665.00	
Johnson & Gibbs, P.C., 1001 Pennsylvania Ave., NW #745 Washington, DC 20004	Centex Corp	1,375.00	1,100.00
Do	Church Alliance	5,500.00	1,500.00
Do	El Paso Health Care Systems, Ltd		
Do	EPIC Healthcae Group, Inc	16,065.33	7,099.00
Do	HealthTrust, Inc	16,065.33	7,099.00
Do	Oryx Energy Corporation		
Do	Permanente Medical Group, Inc	68,300.00	17,422.50
Do	Redman Industries		
Do	Republic Health Corporation	16,065.33	7,099.00
Belva W. Jones, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
David R. Jones, 105 East 22nd Street New York, NY 10010	Community Service Society	170.84	311.81
William Patrick Jones, 1010 Duke Street Alexandria, VA 22314	American Assn of Port Authorities	10,625.00	2,000.00
Jones Day Reavis & Pogue, 1450 G Street, NW, #600 Washington, DC 20005-2088	Laurel Industries, Inc	55.00	
Do	Morgan Grenfell & Co, Ltd	3,875.25	28.50
Do	National Beer Wholesalers Assn	350.00	
John J. Joyce, 25 Louisiana Ave., NW Washington, DC 20001	International Brotherhood of Teamsters	3,000.00	
Hans Kaehler, P.O. Box 118 Cold Spring Harbor, NY 11724			
Sherry F. Kaiman, 122 C Street, NW, #875 Washington, DC 20001	Robert A. Rapoza Associates (For:National Rural Health Assn)	9,999.99	
Steve Kallick, Box 021692 Juneau, AK 99802	Southeast Alaska Conservation Council	284.00	
James L. Kane Jr., 1315 Vincent Place Mclean, VA 22101			
Donald J. Kaniewski, 905 16th St., NW Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	12,924.99	598.00
Dennis R. Kanin, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	Thermedics, Inc		
James W. Kanouse, 1700 North Moore Street, 21st Floor Rosslyn, VA 22209	Boeing Company	6,428.00	1,230.85
Barbara J. Katz, 1424 16th Street, NW, #604 Washington, DC 20036	Consumer Federation of America	6,231.00	70.00
Steven L. Katz, 2000 M Street, NW, #400 Washington, DC 20036	People for the American Way	5,250.00	52.40
Anthony P. Kavanagh, 410 First Street, SE Washington, DC 20003	Consolidated Edison Co of New York, Inc	2,115.00	1,013.12
Jim Keane, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Chicago City-Wide Colleges		
J. Michael Keeling, Zuckert Scoutt & Rasenberger 888 17th Street, NW, #600 Washington, DC 20006	National Assn of Exposition Managers, Inc		
Do	National Assn of Royalty Owners, Inc	117.63	
Do	Small Business Council of America		
David A. Keene, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Australian Barley Board)	803.57	
Do	Keene Shirley & Associates (For:Boston Capital Partners, Inc)	803.57	
Do	Keene Shirley & Associates, Inc (For:Limited, Inc)	803.57	
Do	Keene Shirley & Associates, Inc (For:Marine Engineers Beneficial Assn)		
Do	Marine Engineers Beneficial Assn (AFL-CIO)	15,000.00	
Do	Keene Shirley & Associates, Inc (For:McDonnell Douglas Astronautics Co)	803.57	
Keene Shirley & Associates, Inc, 919 Prince Street Alexandria, VA 22314	Australian Barley Board	19,800.00	4,990.00
Do	Boston Capital Partners, Inc	24,632.98	6,043.50
Do	Limited, Inc	22,114.12	9,595.78
Do	Marine Engineers Beneficial Assn	5,424.77	932.18
Do	McDonnell Douglas Astronautics Co		1,807.98
William N. Kelly, Norwest Center- Sixth and Marquette Minneapolis, MN 55479-1032	Norwest Corporation		
Maureen Kennedy, 122 C Street, NW, #875 Washington, DC 20001	Robert A. Rapoza Associates (For:Local Initiatives Support Corp)	3,420.00	
Robert P. Kennel, 12500 Fair Lakes Circle, #260 Fairfax, VA 22033	National Wood Energy Assn, Inc		
Do	Ultrasystems, Inc		
T. Michael Kerr, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	11,072.52	129.40
Richard S. Kessler, 126 Kentucky Avenue, SE Washington, DC 20003	Joseph E. Seagram & Sons, Inc	2,000.00	
Dale Rodney Ketcham, 1980 N. Atlantic Ave., #918 Cocoa Beach, FL 32931			
Evelyn Verna Keyes, 1455 Pennsylvania Avenue, NW, #1170 Washington, DC 20004	Farley Industries	228.00	
Maryann Kilduff, 2000 M St., NW, #230 Washington, DC 20036	Telocator Network of America	1,132.00	218.74
Kilpatrick & Cody, 2501 M St., NW, #500 Washington, DC 20037	Chicago Research & Trading Group, Ltd		
Do	Flying Tigers Line, Inc	312.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Forest Farmers Assn	2,846.00	
Do	Georgia Tech Research Corp	1,015.00	
Do	Granite Industrial Development		
Do	Kootznoowoo, Inc		
Do	PepsiCo, Inc	5,338.00	25.00
Do	U.S. Sprint Telecommunications Co	3,209.00	17.75
Do	United Airlines	2,218.00	22.50
Do	University of Georgia	3,675.00	61.00
Gene Kimmelman, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	8,709.00	423.00
Ronald Kipke, 1016 16th Street, NW Washington, DC 20036	National Federation of Federal Empolyees	1,308.16	
Sharon Kirk, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Kirkland & Ellis, 655 15th Street, NW, #1200 Washington, DC 20005	Corning Glass		
Do	General Motors Corp	6,625.00	
Do	Service Master	14,956.00	
Do	Vaihi, Inc		
Kirkpatrick & Lockhart, 1800 M St., NW, S. Lobby, #900 Washington, DC 20036	County of Suffolk, New York		
Do	First Federal Savings Bank of Puerto Rico		
Do	Search Group, Inc	2,134.00	163.66
Jon Kiser, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Carla Kish, D & R International 962 Wayne Avenue, #800 Silver Spring, MD 20910	Florida Solar Energy Center	3,000.00	
Do	University of Oregon	2,000.00	
William J. Kissick, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
James A. Klein, 1212 New York Ave, NW #1250 Washington, DC 20005	Association of Private Pension & Welfare Plans	385.00	30.95
Jerry D. Klepner, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	22,500.00	355.52
Kline & Knopf, Inc, 111 State Street Harrisburg, PA 17101	General Public Utilities Corp		
Kevin T. Knobloch, 1616 P Street, NW, #310 Washington, DC 20036	Union of Concerned Scientists	6,250.00	123.00
Bart Koehler, Box 021692 Juneau, AK 99802	Southeast Alaska Conservation Council	800.00	
Julie Koheler, Box 021692 Juneau, AK 99802	Southeast Alaska Conservation Council	831.00	
Timothy S. Kolly, 2805 Meadow Vista Drive Charlottesville, VA 22906	Worrell Enterprises, Inc		562.50
Hugh A. Krentz, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Canadian Institute of Steel Construction		
Steven Kroll, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Frederick L. Kumar, 8002 Sleepy View Lane Springfield, VA 22153			
Peter Kyros, Kurrus & Kirchnerway 1055 Thomas Jefferson St., NW, #418 Washington, DC 20007	Association of Administrative Law Judges, Inc		
Do	Cooperative of American Physicians, Mutual Protection Trust		
Do	Uniformed Services Disabled Retirees		
Laborers' Intl Union of North America, AFL-CIO, 905 16th St., NW Washington, DC 20006			32,105.45
Lachelli Waller & Magner, 600 Maryland Ave., SW, West Wing #302 Washington, DC 20024	ASARCO, Inc	6,525.96	4,695.75
Do	Kaibab Forest Products Co	2,307.70	2,308.29
Do	Public Timber Purchaser's Group		
Gerard F. Lamb, 2341 Jefferson Davis Hwy, #1100 Arlington, VA 22202	Bath Iron Works Corp	5,000.00	
Paul D. Lamberth, 6701 Democracy Blvd., #300 Bethesda, MD 20817		3,000.00	550.00
Robert D. Landis, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Maria Landolfo, 1126 16th St., NW Washington, DC 20036	Int'l Union of Electronic Electrical Sal Mach & Furn Workers	12,640.00	73.70
Lane Powell Moss & Miller, 1301 Fifth Ave. Seattle, WA 98101	Afognak Joint Venture	30,961.00	3,088.85
George D. Lapointe, 444 North Capitol Washington, DC 20001	International Assn of Fish and Wildlife Agencies	10,475.04	840.25
George H. Lawrence, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	4,000.00	
Clifford C. LaPlante, 1331 Pennsylvania Avenue, NW, #700-S Washington, DC 20004	General Electric Co	1,700.00	
John H. Leach II, P.O. Box 11125 Santa Ana, CA 92711	Let the People Be Heard Committee		
Leadership Conference on Civil Rights, 2027 Massachusetts Ave., NW Washington, DC 20036		46,979.59	49,332.81
League of American Investors, 32123 Lindero Canyon Rd., #300 Westlake Village, CA 91361			
Gerard Lavery Lederer, 900 19th Street, NW, #800 Washington, DC 20006	United States Telephone Association	10,000.00	
Jack Legler, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Meric L. Legnini, 10807 Gainsborough Rd Potomac, MD 20854	Scheduled Airlines Traffic Offices, Inc		
Mary Nell Lehnhard, 655 15th Street, NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	121.71	
Dale Leibach, 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather Public Affairs		
Lesher Russell & Moos, Inc, 517 C Street, NE Washington, DC 20002			
Robert John Levering, 1101 17th St., NW, #900 Washington, DC 20036	Direct Marketing Assn	1,000.00	1,000.00
Morris J. Levin, 1050 17th St., NW Washington, DC 20036	Association of American Railroads	2,500.00	
Herbert J. Levy, 1614 King St. Alexandria, VA 22314	National Assn of Housing Cooperatives		
David A. Lewis, 1000 16th St., NW., #810 Washington, DC 20036	Physicians for Social Responsibility	10,713.35	12,784.87
Jack W. Lewis, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers Assn	4,000.00	85.88
Robert G. Liberatore, 1100 Connecticut Avenue, NW, #930 Washington, DC 20036	Chrysler Corporation	6,252.00	302.00
Janet Lieberman, 1012 14th St., NW, #207 Washington, DC 20005	U.S. Student Association	3,000.00	20.00
Roger Lindberg, 901 31st St., NW Washington, DC 20007	Hill & Knowlton (For:Brush Wellman, Inc)	112.50	
Kathleen M. Linehan, 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris, Inc	2,166.00	295.00
Linton Mields Reisler & Cottone, 1225 Eye Street, NW, #300 Washington, DC 20005	Iowa Department of Transportation	6,392.50	
Do	Madison Gas & Electric Co	1,937.52	
Do	Metropolitan Sanitary District of Greater Chicago	9,092.75	
Do	Michigan Dept of Transportation	4,953.75	
Do	Northern States Power Co	3,492.18	
Do	Oregon Department of Transportation	3,750.00	
Do	State of Colorado, Dept of Highways	4,800.00	
Do	State of IL, Dept of Transportation	8,786.25	369.62
Do	State of IL, Dept of Transportation, Div of Water Resources	2,745.00	
Do	Superior Water Light & Power Co		
Do	Wisconsin Electric Power Co	8,495.28	575.83
Do	Wisconsin Power & Light Co	3,635.83	
Do	Wisconsin Public Service Corp	3,514.32	
Lipsen Whitten & Diamond, 1725 DeSales St., NW, #800 Washington, DC 20036	American Dehydrated Onion & Garlic Assn		
Do	Dallas County Utility & Reclamation District	8.75	
Do	Dinamo/OVIA	3,600.00	
Do	Enserch Corporation	258.81	
Do	McKesson Corp	6,999.99	
Do	Meridian Bancorp, Inc	600.00	
Do	National Rural Letter Carriers Assn		
Do	Olivetti USA, Inc	1,800.00	
Do	Perot Group	271.25	
Do	Perot Systems	1,359.53	
Do	Pharmaceutical Card System, Inc	26,291.25	
Do	Pioneer Seed Co, Inc	12,600.00	
Do	Rolls Royce, Inc	2,400.00	
Do	RJR Nabisco, Inc	51,941.67	
Do	Westinghouse Electric Corp	11,025.00	
Lisboa Associates, Inc, 1317 F St., NW, #202 Washington, DC 20004	University of the Virgin Islands	275.00	
Patricia Davitt Long, 1455 Pennsylvania Avenue, NW, #1170 Washington, DC 20004	Farley Industries	330.00	
Charles M. Loveless, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	13,978.74	770.64
Rev. Thos E. Lowe, 5946 McPherson Ave. St. Louis, MO 63112			
Lukens, Inc, 50 South First Avenue Coatesville, PA 19320		29,846.00	27,470.62
J.C. Luman & Associates, 1030 15th Street, NW, #816 Washington, DC 20005	National Assn of Personnel Consultants	4,800.00	296.25
Jack Lyman, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
David H. Lynch, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Thomas L. Mack, 13529 Haddonfield Lane Darnestown, MD 20878	Bechtel Group, Inc		
Gail Mackauf, 1837 Vernon Street, NW Washington, DC 20009	Women's Equity Action League		
John Macnamara, c/o Dow Lohnes & Albertson 1255 23rd Street, NW, #500 Washington, DC 20037	Algoma Steel Corp, Ltd		
Mimi Mager, 2027 Massachusetts Ave., NW Washington, DC 20036	Leadership Conference on Civil Rights	13,456.67	47.50
James J. Magner, 2033 M Street, NW, #900 Washington, DC 20036	James J. Magner & Associates, Inc. (For:ASARCO Inc, Government Affairs)	16,524.00	373.03
Do	Lachelli, Waller & Magner (For:Kaibab Forest Products Co)	1,384.62	43.10
Do	James J. Magner & Associates (For:Kaibab Forest Products Company)	6,923.10	987.19
Do	Lachelli, Waller & Magner (For:Public Timber Purchaser's Group)		
James J. Magner and Associates, Inc, 2033 M Street, NW, #900 Washington, DC 20036	Asarco, Inc	27,540.00	12,267.62
Walter B. Maher, 1100 Connecticut Ave., NW, #900 Washington, DC 20036	Chrysler Corp	1,998.00	525.00
R. Roger Majak, 1700 N. Moore Street, #1620 Arlington, VA 22209	Tektronix, Inc	10,317.50	9,500.00
Management & Government Resources, 1305 Mt. Holly Road Burlington, NJ 08016	Burlington Coat Factory	38,517.41	27,940.03

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Manatos & Manatos, Inc, 1750 New York Ave., NW, #210 Washington, DC 20006	R.S. Landauer, Jr. & Co		150.00
Do	United Hellenic Amer Congress & Amer Hellenic Alliance, Inc		3,360.00
Marc Associates, Inc, 1030 15th Street, NW, #468 Washington, DC 20005	Affiliated Leadership League of & for the Blind		
Do	Am. Urological Ass'n/Am. Ass'n of Clinical Urologists	5,500.00	
Do	American Society of Hematology	1,000.00	
Do	Helen Keller National Center	250.00	
Do	Merck Sharp and Dohme	4,000.00	
Do	National Coalition on Immune System Disorders		
Marlowe & Company, 1667 K Street, NW, #660 Washington, DC 20006	Graphic Communications International Union		
Dennis G. Martin, Dow Lohnes & Albertson 1255 23rd St., NW Washington, DC 20037	Dofasco, Inc		
Richard D. Mathias, 1200 17th Street, NW, #500 Washington, DC 20036	Pan American World Airways, Inc		
K. Michael Matthews, 629 Constitution Ave., NE, #201 Washington, DC 20002	U.S. Strategies Corp (for: Cancer Treatment Holdings, Inc)		
William C. Mattox, 1700 Pennsylvania Avenue, NW Washington, DC 20006	Equitable Financial Companies	600.00	30.00
Albert E. May, 1627 K Street, NW, 1200 Washington, DC 20006	United Shipowners of America	5,250.00	
Arnold Mayer, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	9,807.48	
John H. McAllister, Dow Lohnes & Albertson 1255 Twenty Third St., NW Washington, DC 20037	Dofasco, Inc		
McAuliffe Kelly Raffaelli & Siemens, 1341 G Street, NW, 2nd Floor Washington, DC 20005	Lincoln Property Co		
Do	Taylor & Mizell		
Charlie McBride Associates, Inc, 1101 Connecticut Ave., NW, #906 Washington, DC 20036	American Electric Power Co, Inc	4,500.00	
Do	American Nuclear Energy Council	4,500.00	251.94
Do	Carolina Power & Light Co	4,500.00	
Do	Commonwealth Edison Co	4,500.00	
Do	Consolidated Edison Co of New York, Inc	3,000.00	
Do	General Atomics	13,000.00	331.85
Do	Louisiana Energy Services	8,000.00	355.93
Do	Sealaska Corp	9,000.00	325.25
Do	Southern California Edison Co	4,500.00	
Do	Tri-City Industrial Development Council	6,000.00	
Do	United Illuminating Co	7,500.00	1,263.33
Do	Urenco, Inc	3,000.00	299.06
Do	Westinghouse Electric Corp	15,800.00	3,607.48
Susan E. McCaffrey, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Patrick H. McCarthy, 2700 Fidelity Building 123 S. Broad St Philadelphia, PA 19109	Dilworth Paxson Kalish & Kauffman (For:Automatic Data Processing, Inc)		
Meredith McCoy, 1800 Mass. Ave., NW Washington, DC 20036	Arkansas Assn of Securities Dealers		
Do	Mastercard International, Inc, et al		
Todd McCracken, 1155 15th Street, NW, #710 Washington, DC 20005	National Small Business United	5,000.00	
Edgar H. McCulloch III, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	7,633.78	168.30
Daniel J. McDermott, 1225 19th St., NW, #410 Washington, DC 20036	Financial Services Council	1,208.00	
McDermott Will & Emery, 1850 K St., NW, #500 Washington, DC 20006	American Dental Hygienists Assn	11,000.00	
Do	American Imaging Assn	6,148.00	
Do	American Soc of Outpatient Surgeons	2,100.00	
Do	Banks of Iowa		
Do	Barnes/St. Peters	250.00	8.00
Do	California Assn of Children's Hospitals	5,300.00	
Do	Caterpillar Tractor Co		
Do	Federal Kemper Life Assurance Co		
Do	Globe Corporation	500.00	12.00
Do	Hitachi America, Ltd		
Do	International Minerals & Chemical Corp		
Do	Juvenile Diabetes Foundation, International	6,300.00	
Do	Kemper Investors Life Insurance Co		
Do	Lumbermens Mutual Casualty Company		
Do	Outpatient Opthalmic Surgery Society	10,300.00	
Do	Peterson & Sullivan		
Do	Public Employees Retirement Assn of Colorado	330.00	8.00
Do	Technicon Instruments Corp		
Marian E. McDowell, 1275 Pennsylvania Ave., NW, 4th Floor Washington, DC 20004	Southwestern Bell Corporation		261.27
Patricia G. McGinnis, Francis McGinnis & Rees 1000 Potomac St., NW, #401 Washington, DC 20007	California Dept of Education	12,000.00	89.90
Phillip McGuire, 1225 Eye Street, NW, #1100 Washington, DC 20005	Handgun Control, Inc	6,000.00	
Robert McIntyre, 1313 L St., NW Washington, DC 20005	Citizens for Tax Justice	7,764.21	
Law Offs of James D. McKevitt, 1101 16th Street, NW, 500 Washington, DC 20036	Kelly Assisted Living		
Do	Kelly Services, Inc		
Do	National Assn of Wholesaler-Distributers		
Do	National Fed of Independent Business		
Francis X. McLaughlin Jr., 1730 K St., NW, #1100 Washington, DC 20006	National Treasury Employees Union	10,966.80	
Michael R. McLeod, 2501 M Street, NW, #400 Washington, DC 20037	American Assn of Crop Insurers	4,479.00	85.86
Do	McLeod & Pires (For:American Peanut Product Manufacturers, Inc)	6,308.50	25.72
Do	McLeod & Pires (For:American Soybean Association)	391.00	
Do	McLeod & Pires (For:Chicago Board of Trade)	9,375.00	46.72
Do	McLeod & Pires (For:Mushroom Council)	3,129.00	27.00
Do	McLeod & Pires (For:State of Florida Department of Citrus)	859.00	
Do	United Egg Producers	4,077.00	
Joseph E. McMahon, 1331 Pennsylvania Avenue, NW, #909 Washington, DC 20004	Rodale Press	2,000.00	116.63
James D. McMillan, 1899 L St., NW, #1100 Washington, DC	Exxon Corporation	800.00	142.24
McNair Law Firm, P.A., 1155 15th Street, NW, #400 Washington, DC 20005	Gasoline Alliance to Preserve Competition		
Larry McNickle, 1129 20th St., NW, #400 Washington, DC 20036	American Assn of Homes for the Aging	357.00	52.37
Francis X. Meaney, 1825 Eye Street, NW Washington, DC 20006	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Goldman Sachs & Co)		
Do	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Securities Industry Assn)	1,000.00	
Medical-Dental Diversified Services, Inc, 15600 San Pedro, #107 San Antonio, TX 78232-3738	U.A.G. Alumni Assn		
Medtronic, Inc, 7000 Central Ave., NE Minneapolis, MN 55432			460.74
Larry Mehlhaff, 23 N. Scott Sheridan, WY 82801	Sierra Club	2,065.76	2,065.76
James T. Melville, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Karl Leonard Meyer, 201 N. Heritage Circle Burnsville, MN 55337			
John L. Mica, 201 Massachusetts Ave., NE, #C-9 Washington, DC 20002	Harris Government Systems		
Do	Harris-RF Communications		
Do	Hvide Shipping, Inc	2,500.00	593.00
James G. Michaux, 6917 Granby Street Bethesda, MD 20817	Federated Dept Stores, Inc		
Lisa Mihaly, 122 C Street, NW, 4th Fl. Washington, DC 20001	Children's Defense Fund of the Washington Research Project	368.92	
Bonnie K. Miller, Box 528 Gainesville, VA 22065-0528	Liberty Lobby	1,500.00	1,172.00
Clinton R. Miller, P.O. Box 528 Gainesville, VA 22065-0528	Liberty Lobby		
Do	National Health Federation		
Edward C. Miller, 1001 Pennsylvania Ave., NW Washington, DC 20004-2599	City of Pompano Beach, Florida		
Paul J. Miller, 8000 Sears Tower Chicago, IL 60606	Investment Counsel Assn of America, Inc		
Peggy Miller, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	7,242.00	579.00
Miller & Chevalier, Chtd, 655 15th St., NW, #900 Washington, DC 20005-5701	Export Source Rule Coalition		
Do	Hewlett Packard	14,155.00	
Do	Organization for Fair Treatment of Int'l Investments	9,057.50	
Miller Hamilton Snider & Odom, P.O. Box 46 Mobile, AL 36601	American Pioneer Corporation		3,081.37
Do	Honolulu Federal Savings and Loan Assn	3,262.50	8,367.27
Amy J. Millman, 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris Management Corp	270.00	525.00
John W. Mills, Tenneco Automotive 100 Tri State Int'l, #300 Lincolnshire, IL 60015	Coalition for Auto Repair Choice		12,997.77
Joseph H. Miltenberger, 2939 Van Ness Street, NW, #839 Washington, DC 20008	U.S. Strategies Corp (for Cancer Treatment Holdings, Inc)	833.33	
Dallas Miner, One Thomas Circle, #900 Washington, DC 20005	American Fishing Tackle Manufacturers Assn	19,000.00	
Mitchell Friedlander & Gittleman, 1201 Conn. Ave., NW Washington, DC 20036	National Bank Of Liberia		
W.W. Collin Moller, 1825 Eye St., NW, #1100 Washington, DC 20006	Lockheed Corporation	2,300.00	558.59
William J. Montwieler, 1750 K Street, NW, #210 Washington, DC 20006	Industrial Truck Assn		
James P. Mooney, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	8,750.00	
Sue Markland Moreland, 918 North Carolina Avenue, SE Washington, DC 20003	Applied Biotreatment Assn	1,200.00	1,423.93
Anne L. Morgan, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
John Morgan, 1925 K St., NW Washington, DC 20006	Communications Workers of America		
Robert E. Morin, 600 New Hampshire Avenue, NW, #1111 Washington, DC 20037	Society of Real Estate Appraisers		
James W. Morrison Jr., 815 Connecticut Ave., NW, #800 Washington, DC 20006	Morrison Associates (For:Blue Cross & Blue Shield Assn)	27,621.00	549.21
Shelley R. Moskowitz, 236 Mass. Ave., NE, #608 Washington, DC 20002	Neighbor to Neighbor Action Fund	6,000.00	149.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Beth Moten, 80 F Street, NW Washington, DC 20001	National Fed of Federal Employees	10,576.42	
Thomas O. Moulton Jr., 1275 Pennsylvania Ave., NW, #400 Washington, DC 20004	Pacific Telesis Group	26,500.00	
Cheryl L. Moyer, RDI Box 628 Shermansdale, PA 17090	Pennsylvania Assn of Families	195.00	
Mudge Rose Guthrie Alexander & Ferdon, 2121 K Street, NW, #700 Washington, DC 20037	Government of Hong Kong, Trade Dept	88.00	120.61
Do	Toshiba Corp	490.00	
Do	U.S. Assn of Importers of Textile and Apparel (USITA)	660.00	9.18
Richard J. Muller, 1100 Connecticut Ave., NW, #930 Washington, DC 20036	Chrysler Corporation	2,000.00	105.00
Evelyn Fiemann Munley, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging		
Patricia Collins Murdock, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	9,102.85	
Margaret R. Murray, 2501 M Street,NW, #400 Washington, DC 20037	McLeod & Pires (For:American Assn of Crop Insurers)	1,683.00	
Do	McLeod & Pires (For:National Rural Telecom Assn)	1,526.00	
Do	McLeod & Pires (For:United Egg Producers)	4,077.00	
Peggy Roth Murray, 1730 K Street, NW, #1200 Washington, DC 20006	American Business Conference	167.00	25.00
MHD Industrial Forum, 1825 K Street, NW, #807 Washington, DC 20036			
MWW/ Strategic Communications, Inc, 70 Grand Ave River Edge, NJ 07661	Coalition for American Youth Opportunity	22,500.00	28,611.07
Do	Environmental Compliance Service	15,000.00	16,439.39
Do	Fidelity Environmental Insurance Co	15,000.00	16,104.81
Do	First Jersey Securities	1,175.00	1,390.23
Do	GAF Corporation	38,200.00	39,807.24
Do	Kaselaan & D'Angelo Associates, Inc	22,500.00	27,345.49
Do	Winters Original Chocolate Liquor Bottles, Inc	4,500.00	63.51
Daniel Nadash, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
National Assn of Air Traffic Specialists, 4740 Corridor Pl., Suite C Beltsville, MD 20705			1,244.20
National Assn of Home Builders of the U.S., 15th & M Sts., NW Washington, DC 20005		4,253.06	114,760.79
National Assn of Letter Carriers, 100 Indiana Ave., NW Washington, DC 20001		6,677,941.44	261,279.45
National Assn of Margarine Manufacturers, 1101 15th St., NW, #202 Washington, DC 20005			
National Assn of Realtors, 777 14th St., NW Washington, DC 20005			43,822.66
National Assn of Stevedores, 2011 I Street, NW, #601 Washington, DC 20006		3,300.00	4,800.00
National Assn of Wheat Growers, 415 2nd St., NE, #300 Washington, DC 20002		7,950.00	8,325.00
National Beer Wholesalers' Assn, 5205 Leesburg Pike, #1600 Falls Church, VA 22041			46,713.00
National Child Care Assn, P.O. Box 161206 Austin, TX 78716-1206		3,000.00	3,000.00
National Co-Op of Farmers & Laborers, 2718 E. Manford Street Fort Wayne, IN 46806			
National Coalition for Fair Trade, 7200 Wisconsin Avenue Bethesda, MD 20814			
National Education Assn, 1201 16th St., NW Washington, DC 20036		92,791.93	92,791.93
National Family Planning & Reproductive Health Assn, Inc, 122 C St., NW, #380 Washington, DC 20001		92,316.00	1,178.00
National Fed of Federal Employees, 1016 16th Street, NW Washington, DC 20036		23,593.23	23,593.23
National Foreign Trade Council, Inc, 100 East 42nd St. New York, NY 10017		149,740.00	149,740.00
National Hearing Aid Society, 20361 Middlebelt Livonia, MI 48152		350.00	350.00
National League of Postmasters of the U.S., 1023 North Royal Street Alexandria, VA 22314			29,912.00
National Newspaper Assn, 1627 K St., NW, #400 Washington, DC 20006		568,507.00	7,875.00
National Organization for Women, 1000 16th Street, NW Washington, DC 20036			
National Rifle Assn of America, 1600 Rhode Island Ave., NW Washington, DC 20036		226,693.07	415,680.89
National Rural Housing Coalition, 122 C Street, NW, #875 Washington, DC 20002		900.00	19,634.90
National Solid Wastes Management Assn, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036			
National Tour Assn, Inc, 546 E. Main Street Lexington, KY 40508		39,300.00	39,300.00
Ralph G. Neas, 2027 Massachusetts Ave., NW Washington, DC 20036	Leadership Conference on Civil Rights	18,461.76	272.94
Allen Neece Jr., 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).	1,050.00	600.00
Do	Neece Cator & Associates, Inc (For:National Venture Capital Association)	1,050.00	600.00
Neece Cator & Associates, Inc, 1050 17th Street, NW, #810 Washington, DC 20036	Association of Small Business Development Centers	1,050.00	600.00
Do	Colson Investments		
Do	National Venture Capital Association	1,050.00	600.00
Neill Mullenholz & Shaw, 815 Connecticut Ave. NW Washington, DC 20006	PHH Group, Inc		
Christine V. Nelson, 2501 M Street, NW, #400 Washington, DC 20037	McLeod & Pires (For:United Egg Assn)	7,294.50	
Do	McLeod & Pires (For:United Egg Producers)	4,077.00	
E. Colette Nelson, 1004 Duke St. Alexandria, VA 22314	American Subcontractors Assn	1,500.00	
Frederick H. Nesbitt, 1750 New York Avenue NW Washington, DC 20006	International Assn of Fire Fighters	11,250.00	
Neal Neuberger, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	2,607.81	655.45
New York Comm of Intl Comm of Passenger Lines, 74 Trinity Place New York, NY 10006			
Cynthia E. Newman, 400 North Washington Street Alexandria, VA 22314	Professional Insurance Agents		
Anne L. Nicoll, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn		346.40
Nissan Motor Corporation, U.S.A., 750 17th Street, NW, #901 Washington, DC 20006			
Peter Nixon, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
James Norton, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	2,473.61	1,763.15
Nossaman Gunter Knox & Elliott, 1227 25th St., NW, #800 Washington, DC 20037	Aetna Life & Casualty	1,875.00	1,550.00
Do	Northwestern National Life Insurance Co	1,625.00	550.00
Do	PKR Foundation		125.00
Do	Southern California Edison Co	125.00	50.00
P. Michael Nugent, Suite 1300, North Tower 1331 Pennsylvania Ave., NW Washington, DC 20004	EDS Corporation		
David S. O'Bryon, 7297 Lee Highway, Unit N Falls Church, VA 22042	American Textile Machinery Assn		
Richard T. O'Connell, Richard T. O'Connell & Associates, Inc 3208 Traveler Street Fairfax, VA 22030	Chocolate Manufacturers Assn of the USA		
Do	National Confectioners Assn of the U.S.		
O'Connor & Hannan, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	American Inst of Certified Public Accountants	2,170.00	
Do	American Soc of Cataract & Refractive Surgery	460.00	
Do	Citizens Savings and Loan	11,075.00	
Do	Forstmann Little & Co	10,000.00	
Do	Health Care Financing Study Group	1,500.00	
Do	Morgan Grenfell Group, PLC		
Do	Pacific Telesis Group	4,200.00	
Do	Perpetual Savings Bank	7,500.00	
Do	Prudential Insurance Co of America	915.00	
Do	Securities Industry Assn	9,600.00	
J. Daniel O'Flaherty, 1625 K St., NW, #1090 Washington, DC 20006	National Foreign Trade Council	5,000.00	400.00
Barbara E. O'Hara, P.O. Box 23992 Washington, DC 20026-3992	American Soc of Travel Agents	75.00	
Kathleen O'Leary, 1250 Eye St., NW, #703 Washington, DC 20005	Columbia Gas Transmission Corp	4,000.00	
John O'Shaughnessy, 1825 K Street, NW, #807 Washington, DC 20006	Greater New York Hospital Assn	14,500.00	1,200.00
Lisa M. Olson, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Asociates, Inc (For:The Limited, Inc)	3,402.77	
Do	McDonnell Douglas Astronautics Co		
Olsson Frank & Weeda, 1400 16th Street, NW, #400 Washington, DC 20036-2220	American Meat Institute	1,200.00	
Do	Western States Meat Assn	800.00	
Olwine Connelly Chase O'Donnell & Weyher, 1701 Pennsylvania Ave, NW, #1000 Washington, DC 20006	Ad Hoc Comm for Small Hydro Power		
Do	Alexander & Alexander Services, Inc		
Do	Energy Factors, Inc		
Do	Grants & Contracts Projects		
Do	Intercontinental Energy Corp		
Do	Long Lake Energy Corp	500.00	
Do	Manville Corp		
Do	National Corp for Housing Partnerships		
Do	National Independent Energy Producers	2,000.00	
Do	Sithe Energies USA, Inc		
Do	YMCA of the USA		
Oppenheimer Wolff & Donnelly, 1020 19th Street, #400 Washington, DC 20036	Korean Footwear Exporters Assn	9,046.20	
Do	Nishika Corp	2,006.68	90.84
Elvira J. Orly, 1150 Connecticut Ave., NW, #500 Washington, DC 20036	Browning-Ferris Industries, Inc		
David S. Osterhout, 1825 Eye Street, NW, #1100 Washington, DC 20006	Lockheed Corporation	4,200.00	1,231.37
Karl Ottosen, 208 G Street, NE Washington, DC 20002	NL Industries, Inc	11,250.00	
Do	U.S. Federation of Small Businesses, Inc	1,500.00	
Allen Scott Pack, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd, et al		
Preston R. Padden, 1200 18th St., NW Washington, DC 20036	Association of Independent Television Stations, Inc	1,500.00	
Pagonis & Donnelly Group, Inc, 1620 I Street, NW, #202 Washington, DC 20006	Government of the Republic of Transkei	6,600.00	67.46
Peter J. Pantuso, 7900 Westpark Drive, A-320 Mclean, VA 22102	National Confectioners Assn of the U.S		1,650.00
Virginia N. Pape, 888 17th Street, NW, #308 Washington, DC 20006	American Stock Exchange		
Nancy L. Parke, 210 Little Falls Street Falls Church, VA 22046	American Cong. on Survey. & Mapp./Amer Soc of Photogrammetry	2,692.25	11,745.71

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Bruce Parker, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Sara Lynn Parker, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center		
Prudence H. Parks, 11301 Popes Head Road Fairfax, VA 22030	Washington Gas Light Co	825.00	
Parry and Romani Associates, Inc, 233 Constitution Avenue, NE Washington, DC 20002	American Family Life Assurance Co	1,750.00	
Do	Bell Helicopter Textron, Inc	3,750.00	
Do	Blue Sea Corporation	2,000.00	
Do	Cardiac Pacemakers, Inc	2,100.00	
Do	Care Enterprises	3,375.00	
Do	Cessna Aircraft Compnay	1,000.00	
Do	Genentech	1,400.00	
Do	Generic Pharmaceutical Industry Assn	2,500.00	
Do	Herbalife International	250.00	
Do	Industrial Biotechnology Association, Inc		
Do	Lockheed Aeronautical Systems Co	1,500.00	
Do	Motion Picture Assn of America, Inc	3,600.00	
Do	National Assn of Independent Insurers	1,500.00	
Do	Pfizer, Inc	1,800.00	
Do	Research Corp Technology, Inc	2,400.00	
Do	Stop Substance Abuse Via Education (SSAVE)		
Do	Telephonics Command Systems Division	2,000.00	
Do	United Food & Commercial Workers International Union	3,000.00	
Do	Warner-Lambert Co	1,200.00	
Do	Won Door Corporation	1,125.00	
DeLane Pate, c/o Dow, Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd		
M. Stephanie Patrick, 1101 15th Street, NW, #205 Washington, DC 20005	Cargill, Inc	1,250.00	
Paul Weiss Rifkind Wharton & Garrison, 1615 L Street, NW, #1300 Washington, DC 20036	National Music Publisher's Assn, Inc	1,005.50	50.95
Peace Political Action Committee, 100 Maryland Avenue, NE Washington, DC 20002			6,849.75
James M. Peirce Jr., 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees	2,175.72	
Edward F. Pembleton, 801 Pennsylvania Ave., SE Washington, DC 20003	National Audubon Society	2,200.00	475.00
Joseph M. Penot Sr., 100 Indiana Ave, NW, #311 Washington, DC 20001	Radio Officers Union	13,750.00	
Monica S. Penwell, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		112.60
Robert A. Perkins, 1100 Connecticut Avenue, NW Washington, DC 20036	Chrysler Corporation	15,000.00	450.00
Robert A. Peters, 1730 Rhode Island Ave., NW, Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Susan M. Pettey, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging	108.00	51.17
C. L. Pettit, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
James R. Phalen, 1200 19th Street, NW, #606 Washington, DC 20036	MAPCO, Inc		
Laura Phelps, 2501 M Street, NW, #400 Washington, DC 20037	American Assn of Crop Insurers	2,367.00	20.00
Do	McLeod & Pires (For:Mushroom Council)	3,958.80	45.00
Do	McLeod & Pires (For:United Egg Producers)	4,077.00	
Paul J. Phoenix, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Physicians for Social Responsibility, 1000 16th Street, NW, #810 Washington, DC 20036		4,576.95	
Pierson & Hendricks, 601 Indiana Ave., NW #900 Washington, DC 20004	Multinational Business Services	3,000.00	2,420.65
Pierson Ball & Dowd, 1200 18th St., NW, #1000 Washington, DC 20036	American Academy of Pediatrics	15,000.00	
Do	American College of Osteopathic Surgeons	9,000.00	
Do	Amgen	9,000.00	
Do	Genentech	5,418.00	
Do	Infectious Diseases Society of America	12,000.00	
Do	National Assn for Biomedical Research		
Do	Society of Critical Care Medicine	5,750.00	
Suellen Pirages, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Waste Management Assn	200.00	
Martha Rachel Plotkin, 2300 M Street, NW, #910 Washington, DC 20037	Police Executive Research Forum	601.88	
Podesta Associates, Inc, 424 C Street, NE Washington, DC 20002	National Conference of Bankruptcy Judges		
Jean S. Polatsek, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	2,048.83	613.37
Richard J. Pollack, 50 F Street, NW #1100 Washington, DC 20001	American Hospital Assn	7,672.24	253.97
John Pomeranz, 1319 F Street, NW, #300 Washington, DC 20004	HALT		
John F. Pontius, 130 North Carolina Avenue, SE Washington, DC 20003	New Beginnings At Meadows		
Richard Popkin, 3000 K St., NW, #300 Washington, DC 20007	Swidler & Berlin (For:Ferroalloys Association)		
Port of Seattle, P.O. Box 1209 Seattle, WA 98111			2,518.94
Donna Potemken, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	539.85	
J. Craig Potter, 1233 20th Street, NW, #400 Washington, DC 20036			
Powell Goldstein Frazer & Murphy, 1001 Pennsylvania Ave., NW, 6th Floor Washington, DC 20004	Association of Bank Holding Cos		
Do	International Telecommunications Satellite Organization	360.00	
Do	Owens-Illinois, Inc	7,788.00	
Do	Republic of Palau	8,680.00	
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	Banker's Assn for Foreign Trade	20,755.00	1,805.01
Do	John Hancock Mutual Life Insurance Co	6,100.09	632.22
Preti Flaherity Beliveau & Pachios, 443 Congress Street Portland, ME 04101	Energy Efficient Insulation Manufacturers		29,790.76
Sheila M. Prindiville, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Waste Management Assn	200.00	
William Prindle, 1725 K St., NW, #914 Washington, DC 20006	Alliance to Save Energy		
Pro-Life Congressional District 11, P.O. Box 727 San Carlos, CA 94070		2,799.82	1,765.53
Project Cure, Inc, 2020 K St., NW, #350 Washington, DC 20006		192,803.37	886,091.56
Public Timber Purchasers Group, 610 SW. Broadway, #608 Portland, OR 97205			
Harold P. Quinn Jr., 1130 17th St., NW Washington, DC 20036	National Coal Assn	5,600.00	32.00
Robert A. Radcliff, 100 East Broad Steet Columbus, OH 43271-0251	Banc One Corporation		
Radio-Television News Directors Assn, 1717 K Street, NW, #615 Washington, DC 20006		2,500.00	
Kelly Rahach, P.O. Box 67174 Cuyahoga Falls, OH 44222			
Craig J. Rancourt, 1050 17th Street NW., #210 Washington, DC 20036	American Assn of Classified School Employees	16,899.99	1,291.11
Robert A. Rapoza Associates, Inc, 122 C Street, NW, # 875 Washington, DC 20001	Association for Health Services Research	6,000.00	
Do	Center for Community Self Help	625.00	
Do	Coastal Enterprises, Inc	1,250.00	
Do	Community Enterprise Development Corp of Alaska	1,250.00	
Do	Community Transportation Association of America	10,800.00	
Do	Local Initiatives Support Corp	12,000.00	3,420.00
Do	Mississippi Action for Community Education		
Do	Mountain Assn for Community Economic Development		
Do	National Rural Housing Coalition	12,000.00	
Do	Northern Community Investment Corp		
Do	Policy & Management Associates	7,361.00	3,000.00
Do	Rural Opportunities, Inc		
Do	Southern Development Bancorporation	2,500.00	
Kenneth E. Raske, 555 West 57th Street New York, NY 10019	Greater New York Hospital Assn	1,904.00	66.00
G. David Ravencraft, 1025 Connecticut Ave., NW, #507 Washington, DC 20036	Ashland Oil, Inc	2,000.00	
Clark E. Rector Jr., 1400 K Street, NW, #1000 Washington, DC 20005	American Advertising Federation		
Reed Smith Shaw & McClay, 1200 18th Street, NW Washington, DC 20036	National Assn of Minority Business	10,000.00	
Do	National Cellular Resellers Assn	6,381.00	8.00
Do	National Rifle Assn		
Do	Radio-Television News Directors Assn	1,600.00	
Robert S. Reese Jr., 1341 G Street, NW, #900 Washington, DC 20005	Philip Morris Management Corp	1,200.00	2,535.19
Alan D. Reffkin, 2000 L Street, NW, #200 Washington, DC 20036	HHL Financial Services, Inc		220.00
John T. Reggitts Jr., 95 Boonton Avenue P.O. Box 470 Boonton, NJ 07005			
Reid & Priest, 1111 19th St., NW, #1100 Washington, DC 20036	Edison Electric Institute	442.00	16.00
Lee P. Reno, 122 C Street, NW, #875 Washington, DC 20001	Reno Cavanaugh & Hornig (For:Amerind Risk Management Corp)	400.00	
Edward Repa, 1730 Rhode Island Ave., NW Washington, DC 20036	National Sloid Wastes Management Assn	200.00	
Reserve Officers Assn of the US, 1 Constitution Ave., NE Washington, DC 20002		2,643.23	19,680.04
Paul C. Rettig, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
John H. Reurs, 74 Trinity Place New York, NY 10006	New York Comm of Intl Comm of Passenger Lines		
Mark E. Rey, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,500.00	
Steve Ricchetti, 655 15th Street NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	1,998.00	486.07
Glenn Wadsworth Riddell, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd, et al		
Siert F. Riepma, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Susan Riley, 1401 New York Ave., NW, #900 Washington, DC 20005-2102	Capital Strategies, Inc (For:Camera de la Industria de Transformacion de Nueve Leon)		
Do	BZS/Capitol Strategies (For:Export Packers Co, Ltd)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	BZS/Capitol Strategies (For:Forest City Residential Development, Inc)		
Do	BZS/Capitol Strategies (For:Kidder Peabody & Co, Inc)		
Do	BZS/Capitol Strategies (For:South Bay Foundry)		
Do	BZS/Capitol Strategies (For:Tri-Star Electronics)	600.00	
Do	BZS/Capitol Strategies (For:Universal Furniture Industries, Inc)		
Do	BZS/Capitol Strategies (For:Vitrocrisa Cristaleria, S.A.)	3,500.00	
Leslie Sue Ritts, Morgan Lewis & Bockius 1800 M Street, NW Washington, DC 20036	National Environmental Development Assn	1,000.00	
Rivkin Radler Dunne & Bayh, 1575 I Street, NW, #1025 Washington, DC 20005	Akin Gump... (Drexel Burnham Lambert, Inc)	1,217.50	8.00
Do	Allstate Insurance Co		
Do	American Bakers Assn	981.25	11.00
Do	Business Coalition for RICO Reform	16,510.25	165.00
Do	City of South Bend		
Do	Merrill Lynch & Co, Ins		
Do	National Basketball Assn		
Do	National Foreign Trade Council	6,257.00	3,520.00
Do	New Energy Co of Indiana		
Do	Primerica		
Michelle Robbins, 1825 Eye St., NW, #1100 Washington, DC 20006	Renewable Fuels Assn	3,000.00	25.00
Robert Branand International, Four E Street, SE Washington, DC 20003	Lockheed Corporation	2,000.00	277.82
Perry A. Roberts, 8000 W. Florissant St. Louis, MO 63136	E.W. Bliss Company	51,900.00	53,747.00
William A. Roberts, 444 North Capitol St., #711 Washington, DC 20001	Emerson Electric Co		467.86
Michelle Robinson, 100 Maryland Avenue, NE Washington, DC 20002	Keefe Co (For:City of Tampa)	1,500.00	
Michael J. Rock, 50 F Street, NW, #1100 Washington, DC 20001	Peace Political Action Committee	4,590.54	
Michael F. Rodgers, 1129 20th St., NW, #400 Washington, DC 20036	American Hospital Assn	3,643.58	486.39
Joseph Rodio Esq, 200 Dyer Street Providence, RI 02903	American Assn of Homes for the Aging		
	St Germain Rodio & Ursillo, Ltd (For:International Assn of Firefighters, Providence Local 799).		
Do	St Germain Rodio & Ursillo, Ltd (For:Old Stone Federal Savings Bank)		
Do	St Germain Rodio & Ursillo, Ltd (For:Star-Tron)		
Rogers & Wells, 1737 H Street, NW Washington, DC 20006	American Express Co		
Do	Dreyfus Corporation	2,500.00	
Do	Grocery Manufacturers of America, Inc		
Do	Investment Partnership Assn	3,500.00	51.00
Do	Kamehameha Schools/Bishop Estate		
Do	National Assn of Beverage Importers	3,000.00	
Do	Rutgers, The State University of New Jersey		
Do	Walker Telecommunications Corp		
Do	Wine & Spirits Wholesalers of America, Inc		
Do	Wordperfect Corp		
Barry K. Rogstad, 1730 K Street, NW, #1200 Washington, DC 20006	American Business Conference Inc	3,365.00	25.00
Martha Romans, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Leslie Rose, 1129 20th St., NW, #600 Washington, DC 20036	Group Health Assn of America, Inc	3,807.69	
Richard Rosen, 5010 Wisconsin Ave., NW, #118 Washington, DC 20016			
Joe Ross, 111 Main Street Little Rock, AR 72201			
Ross Marsh Foster Myers and Quiggle, 888 16th St., NW Washington, DC 20006	Church Alliance		
Edwin Rothschild, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen/Labor Energy Coalition		
Eugene F. Rowan, 2550 M Street, NW Washington, DC 20037	Revco D.S., Inc		
George R. Rowan, 1750 New York Ave., NW, #340 Washington, DC 20006	Armed Forces Marketing Council		
J. Patrick Rowland, 1023 15th Street, NW, 7th Fl Washington, DC 20005	Rowland Government Relations (For:Committee of National Security Cos)		
Robert S. Royer, 1747 Pennsylvania Ave., NW, #1200 Washington, DC 20006	Chrysler Military Sales Corp		
Do	Citizens Savings Bank		
Do	Financial Security Assurance		
Do	International Futures Exchange		
Do	Intex Holdings (Bermuda) Ltd		
Do	Long Island Savings Bank		
Do	MacAndrews & Forbes Holdings, Inc		
Do	Michigan Trade Exchange		
Do	Morgan Stanley & Co, Inc		
Do	Municipal Finance Industry Assn		
Do	Overseas Military Sales Group		
Do	Phillips Petroleum Co		
Do	Securities Industry Assn		
Royer Shacknai & Mehle, 1747 Pennsylvania Avenue, NW, #900 Washington, DC 20006	Municipal Finance Industry Assn		
Do	John Nuveen & Co, Inc		
Do	Securities Industry Assn		
Tobi Z. Rozen, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Jonathan Russin, 1215 17th Street, NW Washington, DC 20036	Caribbean Trade and Apparel Coalition (C-TAC)		
Diann Rust-Tierney, 122 Maryland Ave. Washington, DC 20002	American Civil Liberties Union	2,781.25	
J. T. Rutherford & Associates, Inc, 1301 N. Courthouse Rd., #1802 Arlington, VA 22201	American College of Radiology		432.20
Do	American Optometric Assn		591.20
Do	Association of Federal Investigators		22.30
Felix R. Sanchez, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	2,000.00	286.68
James D. Santini, 1101 King Street, #350 Alexandria, VA 22314	Coeur D'Alene Mines	5,250.00	65.03
Do	Hecla Mining Company	3,500.00	42.15
Do	National Tour Assn, Inc	17,663.00	3,469.59
Do	Truckee-Carson Irrigation District	2,535.50	253.96
Donna Scampoli, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Thomas J. Scanlon, 3248 Prospect Street, NW Washington, DC 20007	Benchmarks, Inc	9,000.00	645.00
Harold A. Schaitberger, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	15,077.85	
Jeffrey M. Schell, 1730 Rhode Island Avenue, NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Sandra A. Schlicker, McMahon and Associates 1331 Pennsylvania Avenue, NW Washington, DC 20004	Rodale Press	6,100.00	153.44
Ken Schlossberg Consultants, 317 Massachusetts Avenue, NE, #200 Washington, DC 20002	Bowman Gray School of Medicine	10,000.00	9,561.00
Do	Brandeis University	12,500.00	8,395.00
Do	Marine Biological Laboratory	11,150.00	9,912.25
Schmeltzer Aptaker & Sheppard, 2600 Virginia Ave., NW, #1000 Washington, DC 20037	American Honda Motor Co, Inc	506.00	8.00
Herbert K. Schmitz, 1600 M St., NW, #702 Washington, DC 20036	ICI Americas, Inc	20,000.00	
Schnitzer Steel Products Co, 3200 N.W. Yeon Avenue Portland, OR 97210			
Carl F. Schwensen, 415 2nd St., NE, #300 Washington, DC 20002	National Assn of Wheat Growers	2,400.00	
Anne Scully, 777 14th Street, NW Washington, DC 20005	National Association of Realtors	1,725.00	2,351.29
Seattle 1990 Goodwill Games, 1701 K Street, NW, #400 Washington, DC 20006	Seattle Organizing Committee	30,600.00	2,142.07
M. Mark Seklecki, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	370.92	
Stuart D. Serkin, 1156 15th Street, NW, #505 Washington, DC 20009	Coal & Slurry Technology Assn	1,000.00	
Norman F. Sharp, 1100 17th Street, NW, #1201 Washington, DC 20036	Cigar Assn of America, Inc	854.16	532.00
Do	Pipe Tobacco Council	500.00	375.00
Susan Shaw, 2729 S. Veitch Street Arlingtonn, VA 22206	National Assn of Retired Federal Employees		
Do	National Treasury Employees Union	11,385.60	532.42
Shaw Pittman Potts & Trowbridge, 2300 N Street, NW Washington, DC 20037	Alabama Contruction Contractors	579.22	131.02
Do	American Insurance Assn	2,853.13	93.66
Do	American Savings and Loan of Florida	4,955.00	136.68
Do	Aronov Realty		
Do	Auburn University	3,000.00	295.76
Do	ADDSCO Industries, Inc		
Do	Bristol-Myers Co		
Do	Citmoco Services, Inc		
Do	Drummond Company, Inc	3,125.00	275.45
Do	Emerson Electric Co		
Do	Federation of Bankers Assn of Japan		
Do	Florida Citrus Mutual	1,187.50	69.50
Do	Institute of International Bankers		
Do	Intergraph Corporation	696.25	75.58
Do	Investment Counsel Assn of America, Inc		
Do	INCO-US, Inc	1,029.07	49.27
Do	Jim Walter Corp	1,875.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Michelin Tire Company	12,850.00	797.14
Do	Minimum Wage Coalition to Save Jobs	1,113.13	63.18
Do	Munitions Carrier Conference		
Do	National Industries	1,562.50	269.33
Do	Pfizer, Inc	4,500.00	
Do	Private Child Care Providers	4,772.73	634.05
Do	Product Liability Coordinating Committee	9,000.00	718.03
Do	Public Service of New Hampshire	21,708.85	1,350.59
Do	Rust Engineering	12,815.63	755.68
Do	Southern Company Services, Inc	1,875.00	424.89
Do	Vulcan Materials Co	12,115.32	767.49
Shea & Gould, 1775 Pennsylvania Ave, NW, #700 Washington, DC 20006	Group Health, Inc	5,800.00	453.00
Shearman & Sterling, 153 East 53rd Street New York, NY 10022	Prospect Group, Inc		55.00
Shaun M. Sheehan, 1111 19th Street, NW, #1000 Washington, DC 20036	Tribune Broadcasting Co	3,000.00	462.04
R. Parker Sherrill, One Park Plaza P.O. Box 550 Nashville, TN 37202-0550	Health Trust, Inc, et al		
Craigan P. Shirley, 919 Prince Street Alexandria, VA 22314	Keene Shirley & Associates, Inc (For:Apex Marine)		
Do	Keene Shirley & Associates, Inc (For:Australian Barley Board)	1,871.53	
Do	Keene Shirley & Associates (For:Boston Capital Partners, Inc)	1,871.53	
Do	Keene Shirley & Associates, Inc (For:Limited, Inc)	1,871.53	
Do	Keene Shirley & Associates, Inc (For:McDonnell Douglas Astronautics Co)	1,871.53	
Do	Keene Shirley & Associates, Inc (For:National Farmers' Federation of Australia)		
Lisa Shuger, Suite 380, 122 C Street, NW Washington, DC 20001-2109	National Family Planning & Reproductive Health Assn	355.00	
Andrew Siegel, 100 Maryland Ave., NE Washington, DC 20002	Council for a Livable World	3,222.48	
Mark A. Siegel & Associates, 1030 15th Street, NW, #408 Washington, DC 20005	Commonwealth of Puerto Rico	33,000.00	226.33
Do	Power Authority of the State of New York	10,750.00	10,721.10
Sierra Club, 408 C Street, NE Washington, DC 20002		455,823.48	455,823.48
Mary Silveira, 317 Massachusetts Avenue, NE Washington, DC 20002	Ken Schlossberg Consultants (for:Woods Hole Marine Bio Lab)	8,025.00	38.25
Silver Freedman & Taff, 1735 Eye Street, NW Washington, DC 20006	Hiawatha Savings & Loan Assn		
Deborah S. Simmons, 1717 K St., NW, #407 Washington, DC 20006	American Assn for Marriage & Family Therapy	7,420.00	
Donald M. Simmons, 323 West Broadway, #404 Muskogee, OK 74401	Caltex Petroleum Corp	1,160.00	
David C. Simonson, 1627 K St., NW, #400 Washington, DC 20006	National Newspaper Assn		
Talmage E. Simpkins, 444 North Capitol Street, NW, #820 Washington, DC 20001	AFL-CIO Maritime Committee	300.00	432.59
Paul Sinclair, 961 Clarkson, #304 Denver, CO 80218			
Skadden Arps Slate Meagher & Flom, 1440 New York Avenue, NW Washington, DC 20005	American Electronics Association		
Do	Computer & Business Equipment Manufacturers Association		
Do	Council on Research & Technology	3,000.00	25.00
William J. Skinner, 751 Rockville Pike, # 27B Rockville, MD 20852	U.S. Pharmaceopeial Convention, Inc	1,878.00	16.60
Scott Sklar, 1730 N. Lynn St., #610 Arlington, VA 22209	Solar Energy Industries Assn	5,421.75	10,839.04
Kathleen M. Skrabut, 1313 L Street, NW Washington, DC 20005	Service Employees International Union	7,633.78	133.35
Deborah Sliz, 2301 M Street, NW Washington, DC 20037	American Public Power Assn		
Sloan Listrom Eisenbarth Sloan & Glassman, 714 Capitol Federal Building Topeka, KS 66603	Kansas Bankers Surety	3,728.50	210.31
Debbi L. Smith, 374 Jamie Ct. Glen Burnie, MD 21061	Center for Electrochemical Systems & Hydrogen Research	6,562.50	2,707.59
Edward Del Smith, 905 16th Street, NW Washington, DC 20006	E. Del Smith and Company (For:American Assn of Petroleum Geologists)	2,640.00	208.51
Do	E. Del Smith and Company (For:Bright & Associates)	7,649.50	156.98
Do	E. Del Smith and Company (For:California Independent Oil Producers Assn)	4,500.00	657.71
Do	E. Del Smith and Company (For:Cement Free Trade Assn)	7,500.00	976.80
Do	E. Del Smith and Company (For:City of Anaheim Civic Center)	3,550.00	3,361.74
Do	E. Del Smith & Co (For:City of Anaheim Public Utilities)	4,275.00	2,588.98
Do	E. Del Smith and Company (For:City of Laguna Beach, CA)	2,400.00	
Do	E. Del Smith and Company (For:City of Long Beach, CA, Dept. of Oil Properties)	5,850.00	2,078.78
Do	E. Del Smith and Company (For:City of Long Beach, CA, Intergovernmental Relations).	15,480.00	2,216.25
Do	E. Del Smith and Company (For:City of Santa Monica)	2,400.00	
Do	E. Del Smith and Company (For:Clark County Regional Flood Control District)		
Do	E. Del Smith and Company (For:County of L.A. Community Development Commission).	1,080.00	
Do	E. Del Smith and Company (For:County of Los Angeles)	11,199.00	
Do	E. Del Smith and Company (For:Hidden Valley Resources Inc)	1,500.00	203.89
Do	E. Del Smith and Company (For:Long Beach Naval Shipyard Employees Assn)	2,100.00	
Do	E. Del Smith and Company (For:Northern California Power Agency)	12,900.00	601.00
Do	E. Del Smith and Company (For:Port of Hueneme, CA, Oxnard Harbor District)	8,750.01	461.67
Do	E. Del Smith and Company (For:Port of Long Beach, CA)	29,525.00	2,231.19
Do	E. Del Smith and Company (For:Port of Santa Cruz, CA)		
Do	E. Del Smith and Company (For:Prado Oil Company)		
Do	E. Del Smith and Company (For:Rancho Palos Verdes)	1,350.00	
Do	E. Del Smith and Company (For:Signal Landmark, Inc)	10,500.00	3,174.59
Do	E. Del Smith and Company (For:U.S. Escrow)	6,700.00	720.40
Grant Smith, 110 Southeast Sixth Street, 28th Floor Ft. Lauderdale, FL 33301	Tripp Scott Conklin & Smith (For:Alamo Rent-A-Car, Inc)	2,000.00	3,650.00
William C. Smith, 317 Massachusetts Ave., NE #200 Washington, DC 20002	Ken Schlossberg Consultants (For:Bowman Gray School of Medicine)	6,249.00	
Do	Ken Schlossberg Consultants (For:Brandeis University)	6,249.00	
Randall D. Snodgrass, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	3,152.29	292.35
Darlene Snow, 1730 Rhode Island Ave., NW Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Wallace S. Snyder, 1400 K Street, NW, #1000 Washington, DC 20005	American Advertising Federation	6,250.00	
Society for Human Resource Management, 606 North Washington Street Alexandria, VA 22314	American Soc for Personnel Administration	45,000.00	
Vincent R. Sombrotto, 100 Indiana Ave., NW Washington, DC 20001	National Assn of Letter Carriers	5,866.38	
Terry Sopher, 1400 Eye St., NW, 10th Fl. Washington, DC 20005	Wilderness Society	7,193.81	392.30
Southeast Alaska Conservation Council, Box 021692 Juneau, AK 99802		8,297.00	6,353.00
Space Industries, Inc, 711 West Bay Area Blvd., #320 Webster, TX 77598-4001			2,320.00
D. Dean Sparkman, 1925 N. Lynn Street, #308 Arlington, VA 22209	Sparkman & Cole, Inc (For:Delta Airlines, Inc)	1,125.00	
Alan P. Spielman, 655 15th Street, NW, #350 Washington, DC 20005	Blue Cross & Blue Shield Assn	1,200.00	210.58
Fernand J. St Germain, 2550 M Street, NW, #250 Washington, DC 20037	St Germain Rodio & Ursillo, Ltd (For:International Assn of Firefighters, Providence, Local 799).		
Do	St Germain Rodio & Ursillo, Ltd (For:Old Stone Federal Savings Bank)		
Do	St Germain Rodio & Ursillo, Ltd (For:Star-Tron Corp)		
Do	St Germain Rodio & Ursillo, Ltd (For:United Assn of Steamfitters, Providence, RI Local 476).		
St Germain Rodio & Ursillo, Ltd, 200 Dyer Street Providence, RI 02903	International Assn of Firefighters, Providence Local 799		
Do	Old Stone Federal Savings Bank		
Do	Star-Tron Corp		
Melvin R. Stahl, 1235 Jefferson Davis Hwy., #1410 Arlington, VA 22202	Motorcycle Industry Council, Inc		
Do	Specialty Vehicle Institute of America, Inc		
Henry J. Steenstra Jr., 1000 Wilson Boulevard, #2600 Arlington, VA 22209	TRW, Inc	2,505.00	595.00
Rena Steinzor, 1350 New York Ave., NW, #1100 Washington, DC 20005-4798	Spiegel & McDiarmid (For:Alliance of Responible Electric Systems for Energy Access)		
Steptoe & Johnson, 1330 Connecticut Ave., NW Washington, DC 20036	Cement Importers Assn		
H. Donald Stewart, 188 W. Main Street Penns Grove, NJ 08069			
Warren E. Stickle, 1220 19th Street, NW, #202 Washington, DC 20036	Chemical Producers & Distributors Assn	581.25	32.40
Do	Cheminova	50.00	6.00
Do	International Sanitary Supply Assn	412.50	77.13
Ann E.W. Stone, 1315 Duke Street Alexandria, VA 22314	Conserative Alliance		
Harry L. Storey, 8400 E Prentice Ave. 15th Floor Englewood, CO 80111	Alliance for Clean Energy	20,000.00	7,500.00
George W. Strong, 2242 Bartlett Houston, TX 77098	Enron Corp		
George Strumpf, 1150 17th St., NW, #600 Washington, DC 20036	Health Insurance Plan of Greater New York	11,900.00	3,870.00
Fred Sudak, 230 South Wacker Drive, #1000 Chicago, IL 60606	Dakko Integrated Resources		
Ann Sullivan, 555 13th St., N.W., 300 West Washington, DC 20004	Interstate Natural Gas Assn of America		
Judy M. Sullivan, 1614 King Street Alexandria, VA 22314	National Assn of Housing Cooperatives		
Jeffrey Sumberg, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
David A. Super, 1319 F Street, NW, #500 Washington, DC 20004	Food Research & Action Center	48.38	
Sutherland Asbill & Brennan, 1275 Pennsylvania Avenue, NW, #1000 Washington, DC 20004	American Industrial Clay & Georgia Kaolin	5,506.75	967.61
Do	Anglo-American Clays Corp	5,506.75	967.61
Do	Engelhard Minerals & Chemicals Corp	5,506.75	967.61
Do	J. M. Huber Corp	5,506.75	967.61
Do	Minnesota Mutual Life Insurance Co	386.50	16.05
Do	Nord Resources Corp	5,506.75	967.61

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Thiele Kaolin Co	5,506.75	967.61
Stephen L. Swann, 1005 North Glebe Road, #250 Arlington, VA 22201			
Rosemarie Sweeney, Suite 770 600 Maryland Ave., SW Washington, DC 20024	American Academy of Family Physicians	3,750.00	1,544.00
Swidler & Berlin, Chtd, 3000 K Street, NW, #300 Washington, DC 20007	Akin Gump Strauss Hauer & Feld (for Drexel Burnham Lambert)		
Do	American Bakers Assn		
Do	Business Coalition For RICO Reform		35.50
Do	External Tanks Corporation	3,711.25	45.00
Do	National Council of Community Hospitals	2,195.00	
Do	New Energy Company of Indiana		
Do	Renewable Fuels Assn		24.50
Do	Rivkin Radler Dunne & Bayh (for Merrill Lynch & Co, Inc)		
Ivan Swift, P.O. Box 607 Courthouse Station Arlington, VA 22216	New England Anti-Vivisection Society	3,000.00	
Scott R. Swirling, 122 C St., NW, #380 Washington, DC 20001	National Family Planning & Reproductive Health Assn, Inc	354.00	
Systematics, Inc, 4001 Rodney Parham Road Little Rock, AR 72212			
Margaret J. Taylor, 50 F Street, NW, #1080 Washington, DC 20001	BN Services, Inc	1,750.00	181.81
Sunny Taylor, 6269 Franconia Road Alexandria, VA 22310	Collins & Associates (For:City of Pompano Beach, Florida)		
Textbook Authors Association, P.O. Box 535 Orange Springs, FL 32182			
Diane Kay Thomas, 2327 Nebraska Ave., NW Washington, DC 20016	National Assn of Investment Companies	10,766.00	
Sara L. Thommason, 1500 K Street, NW, #650 Washington, DC 20005	Glaxo	3,000.00	
Frank Thompson Jr., 1020 Prince Street Alexandria, VA 22314	Boilermakers Iron Ship Bldrs Blacksmiths Forgers & Helpers		
Do	Sheet Metal Workers International Assn		
Kenneth W. Thompson, 1919 Pennsylvania Ave., NW, 8th Floor Washington, DC 20006	American Health Care Assn	1,500.00	
Do	National Funeral Directors Assn	300.00	
Law Offices of Fred Thompson, 1919 Pennsylvania Avenue, NW, #850 Washington, DC 20006	Central States SE & SW Areas Health Welfare & Pension Funds	5,560.00	
Do	Westinghouse Electric Corp		
Thompson & Company, 529 14th St., NW, #425 Washington, DC 20004	Chicago Research & Trading Group, Ltd	18,750.00	1,160.70
Do	Consolidated Bank	14,971.88	959.79
Do	Hinderliter Industries, Inc	240.00	
Do	Joesph J. Ritchie	116,306.46	2,418.12
Do	Suzuki of America Automotive Corp	22,500.00	1,283.02
Do	Trans World Airlines, Inc	3,000.00	339.21
Thompson & Mitchell, 1120 Vermont Avenue, NW, #1000 Washington, DC 20005	Cold Finished Steel Bar Institute	624.00	
Do	Midland Enterprises, Inc	3,000.00	237.81
Do	Mutual Fairness Taxation Assn	31,250.00	10,227.32
Thomson Consumer Electronics, Inc, 1200 19th Street, NW #601 Washington, DC 20036			4,850.00
James L. Thorne, 490 L'Enfant Plaza, SW, #2202 Washington, DC 20024	Tenneco Gas		
Timothy B. Tierney, 5100 Forbes Blvd Lamham, MD 20706	Automotive Refrigeration Products Institute		
Michael L. Tiner, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	14,261.52	603.15
William C. Tinklepaugh, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Julie Tippens, 254A Maryland Avenue, NE Washington, DC 20003	National Abortion Rights Action League	2,254.23	
Constance D. Tipton, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		550.75
E. Linwood Tipton, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation & Int'l Ice Cream Assn		
Ron Tipton, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	174.21	
William J. Tobin, 3612 Bent Branch Ct. Falls Church, VA 22041	National Child Care Assn	3,000.00	18.00
Do	National Hearing Aid Society	350.00	9.00
Jeffrey B. Trammell, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:Textron, Inc)	450.00	
Travis & Gooch, 1100 15th St., NW, #1200 Washington, DC 20005	Anadarko Petroleum Corp		
Do	Coalition to Oppose Energy Taxes		
Steven A. Trevino, 501 Capitol Court, #100 Washington, DC 20002	Twenty-First Century Group		
Eugene M. Trisko, P.O. Box 596 Berkeley Springs, WV 25411	Stern Bros, Inc		
Robert C. Troup, Box 893 New Canaan, CT 06840			
Genevieve W. Tuchow, 1250 Eye St., NW, #703 Washington, DC 20005	Columbia Gas Distribution Companies	4,000.00	
Tucker & Associates, 1701 Pennsylvania Ave., NW, #1000 Washington, DC 20006	New York Life Insurance Company	1,200.00	70.08
William J. Turenne, 1901 L Street, NW Washington, DC 20036	Eli Lilly & Company	3,000.00	18.00
Brian Turner, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	8,320.00	290.15
Garry R. Turner, 1666 Connecticut Ave., NW, #400 Washington, DC 20009	Federation for American Immigration Reform (FAIR)		
John H. Turner, 1730 Rhode Island Ave., NW, #1000 Washington, DC 20036	National Solid Wastes Management Assn	200.00	
Clay Tyeryar, 7297-N Lee Highway Falls Church, VA 22042	American Textile Machinery Assn		
U.S. Strategies Corp, 104 North Carolina Ave., SE Washington, DC 20003	Cancer Treatment Holdings, Inc	8,077.96	1,911.29
Do	Healthsouth Rehabilitation Corp		
United Food & Commercial Workers International Union, 1775 K St., NW Washington, DC 20006		71,831.52	71,831.52
United States Telephone Association, 900 19th Street, NW, #800 Washington, DC 20036		55,397.57	55,397.57
David R. Ursillo, 200 Dyer Street Providence, RI 02903	St Germain Rodio & Ursillo, Ltd (For:International Assn of Firefighters, Providence, Local 799).		
Do	St Germain Rodio & Ursillo, Ltd (For:Old Stone Federal Savings Bank)		
Do	St Germain Rodio & Ursillo, Ltd (For:Star-Tron Corp)		
Laura Van Etten, 1700 Pennsylvania Avenue, NW, #525 Washington, DC 20006	Equitable Financial Companies	1,650.00	24.00
Robert C. Varah, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
George F. Vary, 1667 K St., NW, #650 Washington, DC 20006	Armco, Inc	800.00	688.06
Verner Liipfert Bernhard McPherson & Hand, Chtd, 901 15th Street, NW #700 Washington, DC 20005-2301	Atlantic Richfield Co		
Do	Bell Atlantic Corp	330.00	
Do	Brown & Root, Inc		
Do	Central Gulf		
Do	Continental Airlines		
Do	General Aviation Manufacturers Association	3,330.00	
Do	General Dynamics Corp	1,248.75	
Do	GenCorp	3,150.00	
Do	Investment Company Institute	1,300.00	
Do	John F. Kennedy Center for the Performing Arts		
Do	Mars, Inc	1,000.00	
Do	McDonnell Douglas Corp	1,248.75	
Do	National Wildlife Federation		
Do	New Progressive Party	4,225.00	
Do	Wings Holdings Inc	525.00	
Verstandig & Associates, Inc, 1455 Pennsylvania Avenue, NW, #1180 Washington, DC 20004	PHH Asset Management	1,737.50	1,065.76
Virginia C. Vertiz, 1801 North Moore Street Arlington, VA 22209	American Assn of School Administrators	6,786.75	
Victoria E. Vidal, 1101 15th St., NW, #400 Washington, DC 20005	National Council of Savings Institutions		
Dennis C. Vierra, Vierra Associates, Inc 1825 I Street, NW, #400 Washington, DC 20006	Metropolitan Transportation Authority	5,250.00	
Vierra Associates, Inc, 1825 I Street, NW #400 Washington, DC 20006	Lipton Sports, Inc		
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Federal Express Corp		
Sadami Wada, 9 West 57th Street New York, NY 10019	Sony Corp of America		
Robert A. Wait, 1341 G Street, NW, 9th Floor Washington, DC 20005	Kraft General Foods		
Wallace Dover & Dixon, 1400 L Street, NW Washington, DC 20005-3502	Louisiana Holding Co	19,915.00	
Do	Security Funding Capital Corp	7,500.00	
Barbara F. Warden, 815 16th Street, NW, #301 Washington, DC 20006	International Ladies' Garment Workers Union	8,638.11	169.70
Susan Warner, 801 Pennsylvania Avenue, SE Washington, DC 20003	Southeast Alaska Conservation Council	580.00	
Christine M. Warnke, 1801 K Street, NW, #900 Washington, DC 20006	American Textile Manufacturers Institute, Inc		
Lucy R. Watkins, 236 Massachusetts Ave., NE, #504 Washington, DC 20002	Center for Law and Education, Inc	1,126.65	
Jay Watson, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	397.46	
Bruce H. Watzman, 1130 17th Street, N.w. Washington, DC 20036	National Coal Assn	8,100.00	279.53
James D. Webb, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society		
Susan Weber, 1400 16th Street, NW, #320 Washington, DC 20036	Zero Population Growth, Inc	69.00	
Webster Chamberlain & Bean, 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Commercial Law League of America		
Do	INTERARMS		
Paul Weckstein, 236 Massachusetts Ave., NE, #504 Washington, DC 20002	Center for Law and Education, Inc	1,347.50	
Weiner McCaffrey Brodsky & Kaplan, P.C., 1350 New York Ave., NW, #800 Washington, DC 20005	National Manufactured Housing Finance Assn	1,161.50	6.82
Suzanne Weiss, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging	96.00	14.20
Howard C. Weizmann, 1212 New York Avenue, NW, #1250 Washington, DC 20005	Association of Private Pension & Welfare Plans	1,100.00	
Nancy Katherine Weyl, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	1,375.55
Curtis E. Whalen, 555 13th Street, NW, Suite 430W Washington, DC 20004	Transco Energy Company	7,000.00	4,483.08
Sam White, 412 First St., SE, #100 Washington, DC 20003	Independent Cattlemen's Assn		
Ward H. White, 900 19th Street, NW, #800 Washington, DC 20006	United States Telephone Association	7,000.00	
Steven C. Whitney, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	1,818.16	46.35

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Thomas D. Wilcox, 2011 Eye Street, NW, #601 Washington, DC 20006	National Assn of Stevedores	2,250.00	
Lanny F. Wiles, 499 S. Capitol Street, SW, #507 Washington, DC 20003	City of Jacksonville, FL	200.00	
Wiley Rein & Fielding, 1776 K St, NW, 12th Fl. Washington, DC 20006	Georgetown Industries	338.00	64.50
Do	Raritan River Steel Co	4,148.50	280.08
Do	UtiliCorp United		
Margie R. Williams, 415 2nd St., NE, #300 Washington, DC 20002	National Assn of Wheat Growers	1,400.00	
Charlotte M. Wilmer, 1317 F Street , NW, #400 Washington, DC 20004	R. Duffy Wall & Associates, Inc (For:Hong Kong Trade Development)		
Do	R. Duffy Wall & Associates, Inc. (For:Pittston Group)		
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	Deutsche Lufthansa AG		
Do	Handgun Control, Inc.		
Chapin E. Wilson Jr., 80 F Street, NW Washington, DC 20001	American Federation of Government Employees	1,785.00	30.00
H. Graham Wilson, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
James L. Winston, 1730 M Street, NW, #412 Washington, DC 20036	National Assn of Black Owned Broadcasters		
Winston & Strawn, 2550 M St., NW, #500 Washington, DC 20037	American Assn of Museums		
Do	City of Tucson		
Do	CNA Financial Corp		
Do	Lease Management Corp		
Do	Syntex Laboratories, Inc.		
Walter J. Witek Jr., 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Glenn P. Witte, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Ice Cream Assn		
Raymond S. Wittig, 4618 Holly Ridge Road Rockville, MD 20853	Geocenters, Inc	350.00	211.48
S.R. Wojdak and Associates, Inc, 1401 Walnut St., #1000 Philadelphia, PA 19102	Albert Einstein Medical Center	9,000.00	467.39
Do	All Children's Hospital	3,000.00	126.26
Do	Cardinal Glennon Children's Hospital		
Do	Children's Hospital of Buffalo	3,000.00	126.26
Do	Children's Hospital of Los Angeles	3,000.00	126.26
Do	Children's Hospital of Michigan	3,000.00	126.26
Do	Children's Hospital of Pittsburgh	21,000.00	1,816.72
Do	Children's Hospital Medical Center of Akron	5,100.00	74.33
Do	Children's Hospital Research Foundation	3,000.00	126.26
Do	Children's Memorial Medical Center	3,000.00	183.26
Do	Hahnemann University	22,500.00	1,393.15
Do	Health Industry Manufacturers Assn	2,000.00	
Do	Henrietta Egleston Hospital for Children	3,000.00	126.26
Do	Magee-Womens Hospital	7,500.00	247.97
Do	Mercy Catholic Medical Center	6,000.00	574.80
Do	National Assn of Children's Hospitals & Related Institutions	12,000.00	675.93
Do	National League of Nursing	9,600.00	641.89
Do	Spring Garden College	15,000.00	272.64
Do	St. Christopher's Hospital for Children		
Do	St. Louis Children's Hospital		
Do	University of Pennsylvania	30,000.00	1,456.64
Do	Western Pennsylvania Hospital	1,000.00	27.32
Do	Wyler Children's Hospital		
James Wolf, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	266.00	
Alan D. Wright, P.O. Box 94661 Cleveland, OH 44101-4661	Centerior Energy Corp, et al	24,000.00	5,106.70
Wunder Ryan Cannon & Thelen, 1615 L St., NW, #650 Washington, DC 20036	Kelly Assisted Living/Kelly Services	2,000.00	
Do	National Assn of Temporary Services	4,300.00	9.52
Do	Tobacco Industry Labor Management Committee	6,322.50	311.00
Caryl Yontz, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	8,937.16	358.31
Sharon G. Zedd, 1945 Old Gallows Road, #550 Vienna, VA 22182	American Wood Preservers Institute	11,062.50	1,639.27
Philip F. Zeidman, 1401 New York Ave., NW, #900 Washington, DC 20005	American Business Conference, Inc		
Zero Population Growth, Inc, 1400 Sixteenth St.,N.W.,#320 Washington, DC 20036		5,363.00	5,545.00
Carl A. Zichella, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	2,275.86	299.68
Elaine Ziemba, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	2,000.00	2,976.16
Gary M. Zizka, 5205 Leesburg Pike, #1600 Falls Church, VA 22041	National Beer Wholesalers Association	2,000.00	409.08
31st Pro Life Congressional District Action Comm, 8654 Bonview Terrace Williamsville, NY 14221	31st Pro-Life Congressional District Action Committee		

SENATE—*Tuesday, February 20, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 11:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we reverence God, prayer will be led by the Senate Chaplain, Rev. Dr. Richard C. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

In God is my salvation and my glory: the rock of my strength, and my refuge, is in God. Trust in Him at all times; ye people, pour out your heart before Him: God is a refuge for us. Surely men of low degree are vanity, and men of high degree are a lie: to be laid in the balance, they are altogether lighter than vanity. Trust not in oppression, and become not vain in robbery: if riches increase, set not your heart upon them. God hath spoken once; twice have I heard this; that power belongeth to God.—Psalms 62:7-11.

In the wisdom and spirit of these strong and wonderful words from the Psalmist, may the Senate enter into its work this week, Father God. We pray in the name of Jesus Christ in whom is all power. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time for the two leaders, there will be a period for morning business until 12:30 p.m. with Senators permitted to speak therein for up to 5 minutes each. The Senate will recess from 12:30 to 2:15 p.m. for the party conference luncheons.

Upon reconvening at 2:15, under the provisions of a unanimous-consent agreement, the Senate will proceed to executive session to consider the ILO Convention under a time limitation of 1 hour. A vote on the convention will occur at 3:15 p.m. today.

Once that treaty has been disposed of and the Senate has returned to legislative session, the Senate will consider H.R. 2281, the school dropout bill. This bill will also be considered under a 1-hour time limitation with a vote occurring on H.R. 2281 at approximately 4:30 p.m. today.

THE REVISED WETLANDS PROTECTION AGREEMENT BETWEEN THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

Mr. MITCHELL. Mr. President, a revised version of the long-awaited wetlands protection agreement between the EPA and the Army Corps of Engineers was signed on February 6.

Plans to carry out this landmark agreement were suspended three times since the original agreement was signed on November 14, 1989.

The agreement between the EPA and the Department of the Army articulates the policy and procedures that are used in determining the type and level of mitigation necessary to comply with the environmental requirements for wetlands filling under section 404 of the Clean Water Act.

Recently, I indicated that the continued reluctance of the administration to put this limited wetlands protection agreement into effect raises serious doubts about the level of commitment to the President's oft-stated goal of no net wetlands loss.

The revised wetlands accord reflects the price paid by EPA and the Army for the administration's acquiescence to its implementation. It may prove to have been too high a price.

The changes made to the original agreement not only threaten to undo the agreement itself, they more importantly threaten to undermine EPA's environmental regulations for section 404 wetland filling permits.

Two key changes were made in the original agreement that thwart its intent to ensure that, to the extent practicable, adverse wetlands impacts are avoided; that unavoidable adverse impacts are minimized; and that remaining adverse impacts are offset.

First, the revised wetlands agreement allows deviation from the stepwise consideration of avoidance, minimization and compensation for what are termed "insignificant environmental losses."

The original accord allowed deviation from this sequence when "the EPA and the corps agree that the proposed discharge can reasonably be expected to result in environmental gain." The administration-imposed revision adds the phrase "or insignificant environmental losses" to the end of this sentence.

If insignificant environmental losses are not clearly limited to de minimus discharges or discharges that have only minimal individual and cumulative adverse environmental impacts, this change could allow much wetlands loss that otherwise could be avoided or offset.

Moreover, because the term "insignificant environmental losses" is not defined or clarified by the agreement and is not a term used in the Clean Water Act or the section 404 regulations, it is likely to generate many disputes about whether proposed discharges into wetlands will lead to significant environmental losses.

The second, more egregious modification on which the administration insisted could seriously weaken the present EPA 404(b)(1) environmental guidelines for filling in areas where there is a high proportion of wetlands.

The revised wetlands agreement adds a footnote which ostensibly seeks to clarify a statement that it may not always be practicable to mitigate to the extent needed to ensure no net loss of wetland values. The footnote states that "avoidance, minimization, and compensatory mitigation may not be practicable where there is a high proportion of land which is wetlands."

The scope of this possible exception to stepwise consideration of measures to avoid, minimize and offset adverse wetland impacts is potentially enormous. Most significant wetland areas of the United States may qualify as "areas where there is a high proportion of land which is wetlands" because the geographic frame of reference for the phrase is not clear.

For instance, does this phrase encompass all of the Nation's coastal areas? Does it refer to any county or city with a high proportion of wetlands?

Additionally, the agreement does not clarify what proportion of land has to be wetlands for it to qualify as high.

Does high mean 99 percent? 79 percent? 20 percent? Or 10 percent? The agreement does not say.

The current EPA environmental guidelines require all requests for wet-

land filling to meet the same requirements with respect to avoidance, minimization and compensation regardless of whether they occur in areas where there is a high proportion of wetlands or where there is a low proportion of wetlands.

These guidelines and the original agreement make clear that avoidance, minimization and compensation are required only to the extent practicable. Practicability has nothing to do with the proportion of land that is wetlands.

By concluding in advance that avoidance, minimization and compensation may not be practicable in areas where there is a high proportion of land that is wetlands, the revised agreement makes it far less likely that adverse wetlands impacts will be avoided and that unavoidable adverse impacts will be minimized in such areas.

With these changes in last November's agreement, there is now real reason to question whether it will encourage additional protection of wetlands in the natural state and help prevent the net loss of these valuable aquatic resources.

The wetlands agreement certainly does not match the President's rhetoric in support of a national goal of no net loss of wetlands.

It can only be hoped that the corps and the EPA will interpret their revised policy guidance in a manner that preserves the integrity of the Clean Water Act's environmental standards for wetlands filling.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time, and I reserve all the leader time of the distinguished Republican leader.

The PRESIDENT pro tempore. Without objection, the unused time of the two leaders will be reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. There will now be a period for morning business to last until the hour of 12:30 p.m. today, with Senators permitted to speak therein and not to exceed 5 minutes each.

The Senator from South Dakota [Mr. PRESSLER] is recognized for not to exceed 5 minutes.

DAKOTA CIGARETTES

Mr. PRESSLER. Mr. President, this morning an editorial appeared in the Sioux Falls Argus Leader, a newspaper of my State, entitled "Dakota Cigarettes? Yuck! Give Product New Name." This article refers to the issue of a major tobacco company naming a new cigarette "Dakota." The name of the cigarettes could be insulting to Sioux Indians who long have used the word "Dakota" to identify a tribe in the northern plains. Also, the product name is a blemish on the image of South Dakota and its sister State to the north which have shared the name Dakota for more than a century.

Mr. President, I would like to share with the Senate this editorial. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

It was bad enough when Miller Brewing Co. test marketed wheat-brewed "Dakota" beer in 1986.

The beer must not have fared well. It did not become a regular company product.

Now, a cigarette company is trying its luck with the name.

If South Dakota is lucky, Dakota brand cigarettes will not find a niche in the market, either, at least under its present name.

Dakota is the name that has been given cigarettes R.J. Reynolds Tobacco Co. plans to test in April in Houston. The target market, according to a Washington Post report, is 18- to 24-year-old women, the only group of Americans whose rate of smoking continues to increase. More specifically, the company is reportedly after young, poorly educated, white women—so-called "virile females."

An ad campaign is expected to be aimed at women who enjoy the TV show Roseanne, partying, cruising, attending hot-rod shows and tractor pulls with boyfriends and whose chief aspiration is to get married. Some of that information apparently comes from marketing data that may not figure into company plans.

Reynolds officials have acknowledged plans to market Dakota cigarettes, but have provided few details. They denied, however, that Dakota cigarettes would be intended only for women.

Regardless of the target audience or the insulting nature of the marketing data prepared for the company, plans for the Dakota cigarette are distasteful. The product name is a blemish on the image of South Dakota and its sister state to the north, which has shared the name Dakota for more than a century.

The product name also is potentially insulting to American Indians, who long have used the word Dakota to identify a group of tribes associated with the Northern Plains.

By one definition, the word Dakota means friend. Clearly, cigarettes are not friendly.

Experts estimate that smoking causes about 400,000 premature deaths a year in the United States. Tobacco addiction is blamed for ailments ranging from lung cancer to strokes.

As Dr. Louis W. Sullivan, head of the U.S. Department of Health and Human Services, has said, it is reprehensible for a company to lure young people into smoking.

Cigarettes do not fit the thoughts of rugged but clean and natural splendor that people often associate with the word Dakota. The image has helped Dakota become a trendy name in business in recent years. Companies have used the name for products ranging from pickup trucks to computer terminals.

The attention had been flattering, for the most part, until Reynolds joined the parade.

Reynolds, by the way, is the same company that recently was forced by public opposition to cancel plans to test market "Uptown," a brand of cigarettes aimed at blacks.

Reynolds ought to find a new name for its new cigarette. And the company ought to leave Dakota out of it.

Mr. President, I would like to compliment the Sioux Falls Argus Leader. I might also add that Dakota is often a name for women. It is a beautiful name. I had a senior citizen in my office recently who was named Dakota Hildebrandt. We from South Dakota hope we do not have a cigarette named Dakota.

Mr. President, I ask unanimous consent that another article on this subject from the Washington Post be printed in the RECORD, along with the target customer profile entitled "The Virile Female."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post]

MARKETERS TARGET "VIRILE FEMALE"; R.J. REYNOLDS PLANS TO INTRODUCE CIGARETTE

(By Michael Specter)

The R.J. Reynolds Tobacco Co. plans soon to introduce brand of cigarette that, according to the detailed marketing strategy prepared for the company, targets young, poorly educated, white women described as "virile females."

Reynolds plans to test the new brand, called "Dakota," this April in Houston. The marketing plan's chief goal is to capture the lucrative market among 18- to 20-year-old women, the only group of Americans whose rate of smoking continues to increase. The competition for that group has become intense.

The marketing campaign focuses on a certain group of women whose favorite pastimes, according to the marketing plan, include "cruising," "partying" and attending "Hot Rod shows" and "tractor pulls" with their boyfriends.

Reynolds officials said in a statement that Dakota is not aimed solely at women. "Different products are designed to different categories of consumers," the statement said, "Dakota is no different. It is not a male brand or a female brand." Reynolds officials would not elaborate, and it could not be determined whether the marketing report, prepared by Promotional Marketing Inc., had been accepted by the tobacco company.

The extensive proposals for "Project V.F.," for virile female, were provided yesterday to The Washington Post. They describe the preferred "Dakota" smoker as a woman with no education beyond high school, whose favorite television roles are "Roseanne" and "evening soap opera (bitches)" and whose chief aspiration is "to get married in her early twenties" and spend her free time "with her boyfriend doing whatever he is doing."

Disclosure of the marketing recommendations, dated Sept. 21, 1989, comes just three weeks after Reynolds was forced by strong opposition to cancel plans to test market "Uptown," a brand of cigarette aimed at blacks. The marketing study for Dakota shows how the cigarette was designed to "replace Marlboro as the brand of choice among female smokers 18-24."

"It is especially reprehensible to lure young people into smoking and potential

lifelong nicotine addiction," said Health and Human Services Secretary Louis W. Sullivan, when asked about the Dakota marketing plan. Sullivan led the fight against Uptown. "And the risk that smoking specifically poses for women adds another tawdry dimension to any cigarette marketing effort aimed at younger women."

Sullivan said that next week he will launch a new initiative against smoking. He plans to testify before the Senate Labor and Human Resources Committee on the practice of targeting tobacco advertising.

Reynolds acknowledged plans to market Dakota yesterday, but reacted angrily to questions about the study.

"Reynolds does not know what these documents contain," the company said yesterday in a statement. "Reynolds does not know if they are authentic or fabricated . . . . If they are authentic, they represent stolen, proprietary information belonging to R.J. Reynolds, and which would be of great value to our competitors."

"We do our work for Reynolds," said Steve Gilries, vice president of Promotional Marketing, when asked about the report. "We did that for Reynolds, and they will be glad to tell you all about it."

As millions of better-educated, prosperous Americans have quit smoking, tobacco companies have turned their marketing efforts increasingly on the poor, minorities and young women who have become their most solid customers. Targeting sales to specific niches is a common, accepted practice in virtually every aspect of American advertising, but it has become extremely controversial when applied to tobacco products aimed at groups at unusually high risk for the fatal diseases caused by smoking.

Cigarette companies argue that they are only trying to lure customers from one brand to another and that since their product is legal, it makes perfect sense for them to seek the most likely potential buyers.

But public health officials and opponents of smoking say it is unfair to compare selling cigarettes to selling cars, clothes or stereos because cigarettes are the only legal product that kills people when used as intended.

"All the cigarette companies are now facing the fact that tobacco is no longer a growth industry," said former surgeon general C. Everett Koop, a well known foe of smoking. "They are killing several hundred thousand of their customers each year and they need to be replaced. How can they do that? By exploiting foreign markets and young girls, the one group of Americans that have not begun to cut back. It's absolutely deplorable."

Tobacco use has become the largest preventable cause of death and disease among American women, killing more than 125,000 each year, according to federal health statistics. Recent studies have shown that women who smoke one to four cigarettes a day have two to three times the risk of heart attack as women who do not smoke.

But beginning in the late 1960s, when Philip Morris pioneered the women's market with its "Virginia Slims," tobacco companies have struggled to tap the emerging independence and buying power of women.

"What the companies have done is target the most vulnerable population," said Anne Marie O'Keefe, a board member of Women vs. Smoking Network, a group that attempts to unite women's organizations to fight tobacco use. "The women they describe in that document are old enough to want to assert their freedom and independence, old enough to take risks but young enough not to be able to appreciate such abstract concepts as addiction, chronic disease and mortality."

The marketing study goes into great detail about "positioning Dakota as the choice among YAFS [young adult female smokers] aged 18-24."

It estimates that the number of young women who smoke Marlboro is 1,695,006. That figure was derived by multiplying the total number of women aged 18 to 24—14,968,532—by smoking incidence—23.3 percent—and then by Marlboro's market share—48.6 percent.

The plan also outlines future advertising options based on interviews with small groups of potential consumers. "Cannot be too tough, i.e. bitchy/cold (motorcycle jacket)," the memo states. "Cannot be too cute, giggly. Women cannot be too submissive (i.e. fawning at man who looks disinterested.)"

The memo goes on to state that after the "brand's image is established, we can explore greater extremes," and says that, "Where smooth comes easy" is by far the best slogan.

In addition to describing a "demographic/psychographic review" of the "virile female" as one whose "work is a job; not a career, a way to make money," the report describes this person's dress ("jeans, knit tops, sweaters, shorts. . .",) (favorite music groups ("all male groups") and interests ("partying with friends," "dancing" and "cruising").

It also includes many possible promotions that could help stimulate consumer interest in the cigarette. They include creating a rock group called "Dakota" to play at special events around the country, the development of "on-pack" contests for consumers to select their favorite movies, songs, rock groups, television shows. Others include gambling premiums, "V.F. Soap Opera Trivia Videos" and subscriptions to Soap Opera Digest.

"These young people are the future of smoking," said Virginia Ernster, chair of the department of epidemiology and biostatistics at the School of Medicine at the University of California at San Francisco. "It's blue-collar people without enough education to understand what is happening to them. It's just pathetic that these companies would work so hard to get these women who may not feel much control over their lives."

THE "VIRILE FEMALE"

Excerpts from the "demographic/psychographic review" of the "virile female," prepared by a marketing research firm for R.J. Reynolds:

Caucasian Females, age 18-20 (secondarily 21-24).

No education beyond high school,

Entry level service or factory job.

Attitude toward work: Work is a job, not a career,

Dress: Jeans, knit tops, sweaters, shorts, warm-up suits, sweatshirts, pants.

Favorite TV program: Roseanne.

Favorite music: Classic rock-and-roll from the '60s and '70s.

Aspirations: To have an ongoing relationship with a man; to get married in her early twenties and have a family.

How she spends her free time: With her boyfriend doing whatever he is doing.

Interests, activities and places the target gathers: Partying with friends; dancing, going to dance clubs and bars (those over 21 or with a borrowed ID), cruising; watching television (entertainment they can afford); shopping at the mall.

Events they attend: Drag races; motorcross, motorcycle races; hot rod shows, cycle shows; tractor pulls, monster trucks; wrestling; "tough man" competitions.

CAMPAIGN FINANCE REFORM

Mr. PRESSLER. Mr. President, I wish to proceed on one other subject; that is the issue of campaign reform. I hope we have campaign reform. I am prepared to support limitations on PAC's, to eliminate the millionaire's loophole, to deal with the issue of soft money, to control third-party expenditures, and even eliminate them.

Also, we must look at the tax exempt status of organizations that spend money in campaigns. We also must count organizational efforts and limits on those efforts, be they by labor unions or businesses. Sometimes organizations like labor unions say they are merely spending the money to inform their own members and these amounts are not counted towards spending limits. But farmers, independent small businessmen, and independent workers are not members of these organizations and fall under different rules. This is not right.

I hope the Senate moves quickly on campaign reform. I think it is one of the leading topics of this session. In the past, we had partisan battles. I do not wish to try to score points on anybody. I think we all need to work together. Each side traditionally has had a campaign bill favorable to itself. Let's end this partisan bickering and get on with it. I think the American people want and deserve true campaign reform.

The PRESIDENT pro tempore. The Senator from Colorado [Mr. WIRTH] is recognized for not to exceed 5 minutes.

Mr. WIRTH. I thank the Chair.

(The remarks of Mr. WIRTH pertaining to the introduction of S. 2130 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WIRTH. Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Kentucky is recognized.

Mr. McCONNELL. I thank the Chair.

(The remarks of Mr. MCCONNELL pertaining to the introduction of S. 2148 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from North Carolina is recognized for not to exceed 5 minutes.

LEWIS R. HOLDING: A MAN WHO TELLS IT LIKE IT IS

Mr. HELMS. Mr. President, I suppose it is a tendency among all of us to collect reading material for later perusal, but sometimes weeks and even months pass before we get around to it. And with a high degree of frequency, we wish we would have done it earlier.

During the Christmas holidays, I ran across the text of an address that had been delivered last October 23 at a small business symposium in Raleigh. The speaker was Lewis R. Holding, chairman of the board of First Citizens Bank & Trust Co. of Raleigh. Mr. Holding, who is known as "Snow" by his many friends, a nickname he received as a child, rarely makes speeches, but when he makes one, he speaks from the heart. And he does not grope for the popular things to say. As the saying goes, he tells it like it is.

Mr. President, I was fascinated by Snow Holding's entire speech of last October, but I was most intrigued with his comment about such things as education and giving our young people the necessary incentives. He talked about pension plans, Federal handouts, and a number of other subjects.

Senators ought to read this speech. Some will disagree, perhaps, with parts of it, but all of us should at least consider what Snow Holding has said.

I seldom put speeches in the RECORD, Mr. President, but this one I shall.

Therefore, I ask unanimous consent that a text of Mr. Holding's speech be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY LEWIS R. HOLDING, SMALL BUSINESS SYMPOSIUM, RALEIGH NC, OCTOBER 23, 1989

It is a real honor to have the opportunity to speak to you this evening and to participate in this program.

Secondly, I can tell you without any reservation that North Carolina has been fortunate indeed to have the services of the Honorable Harlan Boyles, Treasurer of the State of North Carolina. He has national stature and an impeccable reputation in North Carolina for honesty and fair dealing. We need to keep him where he is.

In the few minutes that I have, I would like to share with you some thoughts, hopes and dreams of and for North Carolina. These dreams are not only for those living North Carolinians but for those yet to be born. I'd like to take a few minutes to do a little sketch about the past, and to take a look at the present. Then, most of all, I want to talk about the future.

North Carolina has been most fortunate in terms of the type of people who settled this state. We have people of all races, all faiths. We are a people who have been able to live and work together for more than two hundred years. This compatibility and harmony is our greatest asset and our primary heritage. It was true in the past, and it is true today. In my judgment, it will be true in the future.

Reviewing the past in terms of education, we need to look at the forward step taken by Governor Aycock in the development of North Carolina's public education system. Coming out of the War between the States, our state literally led the South in the development of public education.

There has been a lot of talk recently about how our system is ranked forty-ninth in the nation. I am as ashamed of that as you are. I would remind you, however, that of all the states in the Union, North Carolina has one of the very highest percentages of its population enrolled in public schools (approximately twenty percent).

We talk about how much money we have or haven't spent on education. I would assure you that North Carolina has not slighted education in terms of the gross state product. This is not to say that we shouldn't do more. But, we have certainly not neglected education in the past. It is also important to remember that our higher education system ranks 5th in the nation in terms of the percentage of the state gross product allocated to our institutions of higher learning.

Now, let's look back a moment at the history of our highways. We haven't been standing still. I wasn't there, but I know about former Governor Cam Morrison's road program that linked every county seat in this state. North Carolina was leading the country. We weren't following—we were leading.

Then Governor Kerr Scott came along and built more roads. Today we have more miles of paved road than any state in the Union. Now, there are those who will insist that it's too costly to keep up these smaller state roads and that their maintenance is at the expense of the bigger roads we need. Well, having been reared in Johnston County, I have a few observations about that.

We didn't have many paved roads. In fact, most of them were in Smithfield—a total of about four blocks. In those days you couldn't buy a new automobile. Folks used to get used cars from Washington, D.C. where they had been driven on paved roads. They'd bring those cars down to Johnston County and wear them out in one year on those washboard roads.

Well, I'll tell you one thing. I'd rather pay more taxes—more gasoline taxes, more income taxes, than to buy more cars from Detroit where they want $25 an hour so they can sell cars to North Carolinians who make $6 an hour. Kerr Scott understood that and he did something about it.

The same leadership applies to water and our other natural resources. A great deal has been done to preserve the water sheds—just look at Lake Norman, Lake Gaston, Kerr Lake and Jordan Lake.

We don't have much of a past history in waste disposal. This is because it wasn't a problem until we became a real industrial state and until the advent of atomic waste. We are working hard on this and are nearing a resolution of the problem.

Now, I would like to reflect a little about the social, economic and political environment that existed. We have had in the past, particularly in the last twenty-five years, rising expectations on the part of all of our people—those less fortunate and those more fortunate. These expectations have been fostered by certain persons for their own political aims and ambitions.

Now, let me say this to you—I don't think there's a darn thing wrong with people wanting to have more. There's nothing wrong with wanting to participate more and to advance to the maximum of one's potential. I think it's a great thing about America and our state in particular, that people want more. We can build on a bedrock of healthy aspirations.

A look at North Carolina's economic history shows that we have evolved from a agricultural economy and a low wage paying textile economy. Now we have moved into the world of high tech. With centers like the Research Triangle Park, the Tarheel State is attracting some of the finest and biggest companies in America. These industries are paying wages far beyond anything our people could have dreamed of fifteen or twenty years ago. If you don't believe me, just pay a visit to Philip Morris in Concord, Miller Brewing in Eden, Clark Equipment in Statesville, Johnson & Johnson in Johnston County, Dupont in Kinston and Timken in Lincolnton. The recognition of the need for economic development and the energy and thrust to make it a reality, came from former Governor Luther Hodges. He woke us up in terms of industrialization. What has happened is unbelieveable. It is the stuff that legends are made of.

Now let's touch on our past political environment. Beginning around 1880 we had a one party system in North Carolina. It was a stable system. Because we had a primarily agrarian economy and because the legislature only met every two years, we were able to attract the best minds to serve. Senators and Representatives could come to Raleigh and spend ninety days every two years without it being too much of a burden. There wasn't much turnover in the General Assembly so there was a lot of continuity. The situation is vastly different today.

To sum up those thoughts on our past, I would say that North Carolina was able to exist as if it were an island. We charted our own course and went our own way, socially, economically and politically. We were able to do our own number and, I would submit, we did it pretty good.

But, ladies and gentlemen, things have changed. With the advent of a global system as outlined by Mr. John Medlin and the introduction of television, jet air planes, cargo shipping . . . My Lord, this world is a different world.

And, where do we find ourselves in terms of the subjects we have been reviewing? I have some thoughts about all of this that I want to share. Please understand that what I have to say is in no way meant to be critical. I mean to be constructive and to suggest how we might approach the future.

We have the matter of rising expectations that I outlined and which I heartily endorse. We are confronted with the migration of the less fortunate from the farm to the cities. In the city they cannot have a milk cow, they cannot raise chickens, they cannot have hogs. We have always thought of this phenomenon as a national concern, associated with major urban cities. But in North Carolina we have not and should not think we have escaped this problem.

Where do we stand with education and how can it meet the challenges of a global economy and social migration? You've heard the ratings. I must tell you that former Governor Jim Hunt recognized one thing above all else. He recognized that if people cannot read in today's world they become unemployable. If they cannot read, they cannot write and they cannot compute. If they can't participate and be productive then you and I are going to have to support them. They are going to have a poor opinion of themselves and we won't be able to build enough prisons to lock them up.

Dropouts don't begin in the eighth, ninth and tenth grades. They begin in the first, second, third, fourth and fifth grades. If they can't read, can't write, and can't compute, we need to forget about taking them to the airport to see the jets take off.

The other day while riding from my home to the office, I saw all these boys and girls walking around the Capitol and state government. Little ones, walking around there—just having a big time. It's my personal opinion that this is a criminal waste of their time and your money. All we have to do is produce a videotape about state government which can be a hell of a lot better and more informative, and put it in every school in North Carolina. This could be done for less than a million dollars and stop all this needless transportation expense. But, really, it's not the expense I'm worried so much about. It's the needless waste of time. These young people need to spend their school hours learning to read and write and compute.

The day is fast approaching when you will not even qualify to be a maid in a hotel without the capacity to read, write and compute. Hotel employees now use little computers to track their work and their inventories. If we do not do something for the less fortunate to enable them to be gainfully employed, we are going to have to support them for the rest of their lives.

I don't care how many PhD's we graduate or attract to North Carolina because there are plenty more dropouts. These people are dropouts because they have not mastered the basic skills early in their school careers. The PhD's can take care of themselves. We have to take care of the dropouts.

I would suggest that we have an inordinate misconception in this state and throughout the United States about what constitutes an education. Everything is geared to college . . . go to college . . . go to college. Well, the world is full of highly successful people who have never darkened the door of a great university. We have a very fine community college system, headed by former Governor Bob Scott, that has a significant role to play in our education portfolio. I am particularly impressed with the products of our excellent technical schools. In these schools we've got a tool that deserves the support of every businessman, politician and citizen of this state. All of us are not college-bound. Have you ever tried to get anyone to repair a damn thing? Brother, you'd better buy a new one. Forget about having it fixed. That's where we are today and we need to do something about it. Higher education isn't the answer. A renewed emphasis on basic education and skills is what we need.

It seems to me that it is imperative that there be a closer working relationship between our public schools, headed by North Carolina Superintendent of Public Instruction Bob Etheridge, and our community colleges and technical schools. The curriculums offered should be coordinated and structured so that those who are truly college bound will be prepared for the experience and that those who are not college bound will have a learning program which not only assures them of acquiring basic educational skills but also other skills which will enable them to be productive and self supporting.

What about our political system today? We have a strong two party system in this state. It's not a dream, it's a fact.

You know though, that we're all North Carolinians. We've got differences of opinion but thank God we've got politics and politicians because that's the reason we don't have revolutions. We politic things out. We talk about the issues, and we seek new methods and new solutions. For things we can't work together on, we go our separate ways. But in the present, as well as the future, this two party system is going to continue to be a way of life. I hope that in the public's best interest, our politicians will be able to differ but always communicate. They need to talk things over. It's surprising what those rascals can come up with when they want to.

While I'm on the subject, I want to commend the General Assembly for passing the Bill that appropriated $8.6 billion for the highways. It's one of the great things that has happened in our state in recent years. The only trouble is that it's not enough. I'm for more. We've got a hundred bridges at least, that a school bus can't go over because it has been determined that they are unsafe. Yesterday I drove up to Littleton and around Roanoke Rapids. It was such a beautiful day. Not all the road development and traffic problems are in Raleigh. Our Bank goes from Murphy to Beaufort and from Wilmington to Elizabeth City, and I can tell you that the road problems are everywhere. If we are to provide the kind of economic opportunity to benefit the less advantaged and enhance the opportunities for the more advantaged we'd better get on with it. We don't need a twelve-year program or a thirteen year program, ladies and gentlemen, we need a seven year program.

And, I'll comment on something Mr. Medlin talked about. Government has no intention of curtailing spending. You can forget it. Spending is out of control and it's going to cost us so much more than just dollars. It's going to cost us if we delay our educational program and our highway program. You can't imagine the sheer replacement cost of a crumbling facility. But more importantly, there is the economic cost to our fellow citizens and to the state itself. People will produce if given an opportunity. But if they can't produce—we won't have the necessary tax base and tax revenues. We must put out the seed money to get things started and we must endeavor to lead not to follow. Let's emulate the example of Governors Aycock, Morrison, Scott and Hodges—and forge ahead.

Now, in Washington anyway, when you say a billion right quick, it sounds like a million. This brings me to the question of budget balancing. We pride ourselves on pay-as-you-go, balancing the budget. I'll defer to Treasurer Boyles to answer all questions on this subject but I'll submit that it's been many a year since North Carolina has balanced the budget. The last accounting I got showed that the unfunded portion of the state's retirement fund was greater than the bonded indebtedness. The last General Assembly failed to fund the state retirement fund by tens of millions of dollars. We're all full of promises to state employees but we're not putting up the money. We ain't paying the piper. I would ask you to consider what would happen to First Citizens Bank or Fieldcrest Mills or the Wachovia Bank if we ran our pension funds that way. I'll tell you what would happen to John Medlin. They'd put him behind bars in Atlanta. That's just a fact. If what I've said is not true, the Treasurer will have an opportunity to refute my remarks when I sit down.

Now, let's talk about the future. We can't be worried about China, Japan and Germany. We should try to learn from them. I don't necessarily subscribe to Mr. Medlin's theory that the United States is falling behind because we are only going to grow 1 percent in population and that our gross national product is only going to reflect a 2 percent growth. Our future is up to us. Forty years ago Japan and Germany were defeated nations in rubble. Yet today, they are the only countries who've got any significant surplus foreign exchange.

Success is a question of priorities, a question of leadership, a question of dedication. Over and over again in our history, the American people and North Carolinians in particular, have responded in a very positive way to real and dynamic leadership. Tar Heels know the truth when they hear it. I haven't always agreed with the results of every election but basically, North Carolinians are careful. They will embrace sound programs and they will turn thumbs down on irresponsible people, governments and institutions. We've got an unbelievably good government. If you don't think so, go to other states where they are indicting Governors, locking up Secretaries and Treasurers, prosecuting Legislators and so forth. They have for years, and keep on doing it. It's sort of like a mountain politician who asked me one time, "You know what you do with a rabbit when you catch him?" I said "No, Sir." He said, "You skin him." Well, we've not ever done that in North Carolina and we're not doing it now.

While we're talking about government and institutions, I'd like to mention the Savings and Loans. Mr. Medlin says that it's going to require some 160-200 billion dollars to bail them out. I'm here to tell you that the bail outs of HEW, HUD and the Farmers Home Administration are going to make the Savings and Loan figures look like chicken feed. Listen, I'll take the Savings and Loans—and take them all—compared to that. I can grasp the problems of the Savings and Loans, but I cannot grasp the morass at HEW, HUD and FHA.

But, come what may, our government is not going to allow gross disinflation. Even Washington is smarter than that. They will simply print the money to pay the debts. This means inflation.

Therefore, it is all the more important that we provide the essential elements that create opportunities for North Carolinians. We need to be about this business and I would encourage the Legislature and the Governor and all members of government to

assume leadership positions in this endeavor. The people will follow. They've proved it over and over again.

But, my friends, one thing that greatly concerns me about the people is their lack of true economic understanding. Man is capable of noble deeds and good works. However, inherent in every man is sin. There is also selfishness, acquisitiveness and entrepreneurship. When you defy or deny these truths, you are contradicting the very nature of man.

The Communists believe that they can make the new man. If you have not read "Das Kapital" you need to read it, although you probably won't because you don't have enough hours to wade through it. Karl Marx talks about making a new man to each according to his needs and from each according to his ability. Well, I'll tell you what I don't want to do. I don't want to let's all get poor together. And if you don't believe there aren't any poor in Russia, think about those recent pictures on television of destitute coal miners living in complete squalor.

In Russia, a very small group of about seven million people run the country. They are registered Communists and they are highly organized. The rest of the Russian population is worse off than you can possibly imagine. If you look at the scenes from the Armenian earthquake versus the California earthquake you'll see exactly what I'm talking about. Look at the people, their surroundings, their clothes, their shelters. Considering the same Richter Scale measurement, compare the loss of lives.

We have two kinds of people in America and two kinds of people in North Carolina. We've got the less fortunate and the more fortunate. But think of this. To be an American of any kind, you have a leg up. To be a North Carolinian to boot, you're even one step closer to heaven.

Let's talk about the future. We've got an opportunity here to take advantage of the nature of man and accept him for what he is, me included . . . and you, and capitalize on it. That's what we ought to do and that's what we started out to do in this country. Now, in our attempt to "do good" we are in fact defying man's true nature.

I heard on the news the other night that, in Washington, there was some question as to whether or not people ought to be permitted to rebuild on Palm Island, south of Charleston, in the wake of Hurricane Hugo's devastation. Well, when in the world did the government take it upon itself to decide that? Now, it's another matter if the government doesn't want them to have flood insurance. That's all right. But, if somebody wants to go down there and spend $200,000 on a beach house, I don't think the government ought to have a damn thing to say about it. I also don't think the fellow should come crying when his house gets washed away. The government should define the flood plain and the citizen should be allowed to build if he can get the financing. We don't need all these agencies and all these people directing everything and making choices for us from the cradle to the grave. It's denying the nature of man. It's killing initiative. It's stifling acquisitiveness. If you can get something without working, why work for it. If we are going to take care of people from birth to death, why should they work.

Fellow North Carolinians, all of us in this room are among the most fortunate. We've got to provide opportunities for every person in our state through education and through jobs. We have to create a climate which makes it possible for our young people to feel that they can become successful—not that success is guaranteed, but that they have a chance. The chance to get ahead will motivate a man or woman more than anything you can possibly do for them. You can't give them enough to get up in the morning, work all day and work overtime unless it's the opportunity for them to make more and have more. Take that incentive away and you're stifling initiative—denying the nature of man and killing the goose that laid the golden egg.

I plead with the members of government, both state and federal, to bear this in mind as they contemplate legislation and formulate the rules and regulations by which we all must live.

I would like to say this in closing. The responsibilities of those individuals serving in the governments of our state and nation are truly monumental. The magnitude of their challenges is tough to contemplate.

They need to actively seek and implement ways to unleash the nature of man. The resultant forces will do more to solve America's problems than anything else. Great opportunities lie ahead. Here in North Carolina we have the leadership in place to make all things possible. In addition, we have undiscovered leadership potential and we can look forward to the new and innovative approaches that these individuals will generate.

I would remind you, and everybody's got to blow his own horn a little bit, that we do not run the First-Citizens Bank according to national average or trends. We walk our own road—and this road benefits North Carolina. We protect our customers, protect our borrowers and serve our state. We are not in the business of buying and selling and taking the highest dollar, wherever it might be. We had the opportunity to participate in loans from Brazil to Zaire at 15 and 18 percent plus three points up front, plus one over the prime. We never bought the first damn loan, and we've been successful. We kept the money in North Carolina.

Thank you very much for the opportunity to be with you tonight.

WE CAN'T REMAIN NEUTRAL: JAMES H. MEREDITH

Mr. HELMS. Mr. President, as many Senators know, I am privileged to have as a staff a man who has made a contribution to our Nation's history, James H. Meredith, whose friends know him as "J.H."

One of Mr. Meredith's goals is to warn Americans of all races of the crisis we face as the traditional American family slowly disintegrates. He has devoted much of his time to researching the adverse and destructive effect the liberal welfare state has had on our Nation's families. I shall be sharing it from time to time, beginning today, and in the coming months.

Mr. President, "J.H." reminds us that 1,500 years ago the once-mighty Roman Empire collapsed. Common wisdom contends that Rome was overwhelmed by vicious barbarian hordes. The real story is very different.

Rome was not conquered by the armed mobs of Europe and Asia in one pitched battle. In "The History of the Decline and Fall of the Roman Empire," the great English historian Edward Gibbon tells us that it took 300 years for Rome to fall. In fact it took longer for Rome to fall than most nations survive. But despite all of its wealth and power, Rome collapsed of its own weight. It was destroyed from within.

Mr. President, Rome's death was agonizing. It suffered through 300 years of intellectual and spiritual decay. The Roman people witnessed centuries of government expansion, bureaucratic incompetence, debased currency, bloated budgets—and, more important, the wanton disregard for the institutions of law and family which had built the Roman state in the first place. The family unit in particular was wrecked by centuries of neglect and indifference.

Does that scenario sound familiar? I realize historical analogies are not perfect, but when I read Roman history I am fearful for America—particularly as I look around and see what is happening on our streets and in our homes. Like Rome, we are collapsing from within and the destruction of the American family is the root cause.

The great American family is fast disappearing. Fifteen million American children are growing up today without a father; one-fourth of all live births occur out of wedlock; the number of divorces now reaches 1.2 million per year. In fact, one of every two of today's marriages will end in divorce. These numbers represent the greatest social emergency in our history.

The disintegration of the family is a prime cause of crime and drug abuse and is the best explanation for the crisis we have reached in education and the continuance of poverty despite the largess of the welfare state. Combine this with our acceptance of violence and pornography in our everyday lives, and you see why we are fast becoming a new Rome.

Mr. President, our democracy is in grave danger, but it is not from any foreign foe. It is no accident that the totalitarian tyrants of this century have tried to destroy the family unit. From Moscow to Havana, the prophets of government planning have deliberately crushed the family and replaced the authority of the family unit with the power of the tightly controlled party bureaucracy.

The Communists understand that where strong families exist, individual freedom advances and the power of government retreats. Where the family withers away, government moves forward and finally dictates.

Marxism makes the removal of the family the cornerstone of its creed. Our Government has unwittingly followed the same pattern, perhaps with the best of intentions. In fact, one of the greatest threats to the family is

the enormous welfare state that has been created. Because Government proposes to be the solution to every problem, family resources are squandered in the search for new programs. In other words, Government steals from the family in order to save it—in the form of more taxes and less parental authority.

Mr. President, the family has been forced to give up its power to the courts and the regulation writers. It has been forced to give up its voice in education and social policy to the ever encroaching public official. It has been forced to give up its hard-earned wages to the insatiable welfare state.

It is time to declare that traditional families are the source of any nation's strength. Families who choose to have children are protecting our future. Families who choose adoption over abortion are to be praised. Parents who choose to raise their families themselves, instead of leaving it to somebody else, should be encouraged, not penalized by unfair taxes. Public policy must support these and other fundamental family decisions.

We can no longer afford to be neutral. We become a part of what we condone. If we do not reverse our course, America will find itself on the ash heap of history precisely as the Marxist despotisms and the Roman Empire did before them.

The PRESIDENT pro tempore. The time has expired.

Mr. HELMS. Mr. President, I thank the Chair.

The PRESIDENT pro tempore. Does the Senator wish additional time?

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FOWLER). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 1630, S.J. RES. 212, AND S. 1430

Mr. MITCHELL. Mr. President, I ask unanimous consent that S. 1630, the clean air bill, not be displaced should any motion to proceed to Senate Joint Resolution 212, the Armenian genocide resolution, be adopted and that S. 1630 remain the regular order at any time, notwithstanding the provisions of rule XXII, at the discretion of the majority leader, after consultation with the Republican leader.

I further ask unanimous consent that, if there is a cloture vote on the motion to proceed to Senate Joint Resolution 212 on Thursday, February 22, and if it is unsuccessful, the majority leader, after consultation with the Republican leader, may proceed at any time to the consideration of S. 1430, the national service bill.

I further ask unanimous consent that, if a second cloture motion is filed on the motion to proceed to Senate Joint Resolution 212, the vote on that cloture motion occur on Tuesday, February 27, at 2:15 p.m. and, if the motion to proceed to Senate Joint Resolution 212 is agreed to, S. 1430 not be displaced thereby.

If either cloture vote is successful, I ask unanimous consent that the majority leader, after consultation with the Republican leader, may at any time proceed to the consideration of S. 1430, the national service bill.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. Mr. President, reserving the right to object, and I shall not object, as I understand the Thursday vote, we hope to agree on some mutually satisfactory time with the leadership and the distinguished President pro tempore.

Mr. MITCHELL. Yes, that is correct.

Mr. President, for the information of Senators, if consent is granted to this request, it is my intention to ask unanimous consent today, after the second scheduled rollcall vote, which is now scheduled to occur at approximately 4:30 p.m., to proceed to Senate Journal Resolution 212, the Armenian resolution. I understand and anticipate that the distinguished President pro tempore intends to object to that consent request, at which time I would move to proceed to the resolution, which motion to proceed would be fully debatable.

It is then my understanding and expectation that the distinguished Republican leader, who is the author and principal sponsor of the resolution, would file a cloture motion which would set up a cloture vote on the motion to proceed to the resolution on Thursday. Under the rule, of course, that vote would occur 1 hour after the Senate convenes on Thursday. But, after discussing it with both the distinguished Republican leader and the distinguished President pro tempore, it is my understanding that there will be further consultations to determine whether a time other than 1 hour after convening on Thursday would be more convenient for them and for a larger number of Senators. If so, that decision will be made and announced tomorrow.

The PRESIDING OFFICER. Is there any objection to the unanimous-consent request of the majority leader?

Hearing none, the request is agreed to.

SCHEDULE

Mr. MITCHELL. Mr. President, I thank my colleagues, both the distinguished Republican leader and the distinguished President pro tempore, and, therefore, announce for the benefit and information of Senators that following the second scheduled rollcall vote today, I will ask unanimous consent to proceed to Senate Joint Resolution 212, the Armenian resolution. Senator BYRD indicated his intention to object to that request.

At that time I will make a motion to proceed to the resolution, which is, of course, a debatable motion. And Senator BYRD has indicated his intention to be prepared to address the Senate on that issue at that time.

We will then be in session, I would estimate, talking to the two principal participants, for a couple of hours today for debate on it. And tomorrow, following the appearance of President Havel at the joint meeting with the House, we will return to the Armenian resolution in the early afternoon, as soon as we complete proceedings with respect to President Havel, and will stay on that resolution for debate tomorrow until approximately 7 p.m., if that is agreeable to the Senators.

By then we will have determined and announced whether the vote will occur 1 hour after convening on Thursday morning or at some other time during the day on Thursday.

That is the schedule as now anticipated.

On Thursday I will announce, following discussions with my distinguished colleagues, what our plan will be with respect to the national service bill. That will depend to some extent on what happens on the cloture vote that will occur sometime on Thursday.

TRIBUTE TO PATRICK POUZAR

Mr. SASSER. Mr. President, I rise today to pay tribute to Mr. Patrick Pouzar, of Nashville, TN, who was killed while on an official visit to Chile in his capacity as a Food and Drug Administration investigator. I want to take this opportunity to acknowledge the tremendous sacrifice Mr. Pouzar made in the interest of protecting U.S. citizens and his many worthwhile contributions during his career with the FDA.

I hasten to add that the tragedy that struck down Mr. Pouzar also took the life of another FDA official, Mr. John Harty. Both men left the United States in January on their second trip together to the Republic of Chile to closely review the variety of security precautions initiated by Chilean fruit processors and export officials. These actions became necessary as a result of the public scare in this country stemming from the discovery of chemically

contaminated grapes imported from Chile nearly 1 year ago.

Following a tour of several fruit processing centers in northern Chile, both FDA officials, joined by a representative of the Chilean Agriculture Service and an executive of the Chilean Exporters Association, began their journey back to Santiago. En route, their small plane crashed and everyone on board perished.

The Food and Drug Administration depends heavily on the expertise and commitment of its people. Throughout its history, the FDA has distinguished itself as the national guardian of consumer safety. The dedicated people who shoulder the burdens imposed on the FDA have created and supported a system to ensure a safe food and drug supply that is second to none.

Mr. Pouzar was one of these people. Throughout his long career with the FDA, Patrick Pouzar made public service his highest priority. He and his colleague will be sorely missed, but their many contributions to the betterment of American society will endure.

I know that all Tennesseans join me in extending to Mr. Pouzar's mother, wife, and three daughters our condolences and prayers during this very difficult period. Our sympathies also go to the families of Mr. Harty, the Chilean officials, and the plane's pilot.

Finally I want to express deep appreciation to the Chilean Government and to Ambassador Errazuriz for their diligence and compassion in expediting the return of Mr. Pouzar and his colleague to their homeland.

TRIBUTE TO BETTY NIXON

Mr. SASSER. Mr. President, today I rise to pay tribute to a friend and fellow Tennessean, Betty Nixon. Betty has worked tirelessly for our State over the years, and I was privileged to have her on my staff here in Washington last year.

Now, I have known and admired Betty Nixon for many years. As a 12-year member of the Nashville City Council and an activist deeply committed to bettering our State, Betty has played a key role in Nashville's efforts to improve housing conditions, better transportation, and encourage economic development. Betty has earned respect and gratitude all across our State for her work, and I can only add to those sentiments.

Last year, as a member of the staff of the Governmental Affairs Subcommittee on General Services, Federalism, and the District of Columbia, which I chair, Betty Nixon used her experience with local government to help us here at the Federal level better serve our States and localities. For example, she looked at the massive problem of the decay of America's infrastructure and recognized the need to open up a dialog on the issue between infrastructure experts and State, Federal, and local legislators. Betty succeeded in facilitating such a dialog which provided valuable guidance to local officials around the country.

Mr. President, I could go on praising Betty Nixon for quite some time. But most importantly, let me say that Betty is a trusted and valued friend. From our days together at Hillsboro High School, to her work as my campaign manager, to today, Betty is someone who merits my admiration and gratitude. And I can add with pride that Betty Nixon is one of the most respected and popular elected officials in the history of Nashville.

As of the first of this year, Nashville is again fortunate to have Betty Nixon living and working within its borders. As much as we here in Washington will miss Betty, I know that she will do an outstanding job in her new role assisting Vanderbilt University in its local, State, and Federal relations. I know my alma mater will benefit greatly from her service, and I wish Betty Nixon the very best.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,802d day that Terry Anderson has been held in captivity in Beirut.

I would also like to note that Mr. Anderson's sister, Peggy Say—who has been tireless in her efforts to free her brother—recently began a "journey of peace, reconciliation, and hope" in an attempt to gain further international support for her most noble cause. Mrs. Say has met or will meet with the International Committee of the Red Cross, Pope John Paul II, the Archbishop of Canterbury Robert Runcie, UNESCO Director-General Frederico Mayor, Syrian Foreign Minister Farouk al-Sharaa, and Yasir Arafat.

I would like to wish Mrs. Say well in her travels and reiterate my respect and steadfast support for her efforts.

Mr. President, I ask unanimous consent that three articles detailing Peggy Say's tour be reprinted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Buffalo News, Feb. 9, 1990]

PEGGY SAY LAUNCHES TRIP IN BID TO FREE BROTHER

NEW YORK.—Peggy Say, sister of Terry Anderson, the longest-held Western hostage in Lebanon, is launching a "journey of peace, reconciliation and hope" to Europe and the Middle East in a bid to free her brother.

Mrs. Say will meet today with U.N. Secretary-General Javier Perez de Cuellar to begin her mission, which will include meetings with Pope John Paul II in Rome, the archbishop of Canterbury, Robert Runcie, in London and Palestine Liberation Organization Chief Yasser Arafat.

"In Terry's last videotape in October 1988, he asked that the United States use its influence in a positive, not a negative way," she said. "I intend to make that same appeal to all of those who may have influence in this hostage situation."

"I want to appeal for an end to the suffering of all people in the Middle East, including these innocent hostages," she added.

Anderson, chief Middle East correspondent for the Associated Press, was seized March 16, 1985, in Beirut. Seventeen other Western hostages—seven Americans, four Britons, two West Germans, two Swiss, an Italian and an Irishman—are being held in Lebanon.

During the tour, Mrs. Say and AP executives also will meet with the European Parliament's Committee on Human Rights in Strasbourg, France; the International Committee of the Red Cross in Geneva, Switzerland; UNESCO Director General Federico Mayor in Paris and Syrian Foreign Minister Farouk al-Sharaa in Damascus.

Mrs. Say said efforts to meet with Iranian officials received no response. Sheik Mohammed Hussein Fadlallah, spiritual head of Hezbollah, the pro-Iranian Shiite Moslem movement in Lebanon, declined to meet with the group outside Lebanon.

Anderson is being held by a group calling itself Islamic Jihad, or Islamic Holy War, generally believed to be one of several groups operating under the umbrella of Hezbollah.

The AP delegation includes photographer Donald Mell, who was with Anderson when he was kidnapped, and Larry Heinzerling, who has been serving as special assistant to AP President and General Manager Louis D. Boccardi on the Anderson case.

"The approach of the fifth anniversary of Terry's captivity carries with it the clear message that there is no point in continuing his cruel ordeal," Boccardi said of the tour.

"Our group will try to convey publicly what we have tried to convey privately—that is, that in the name of humanity, it is time for Terry Anderson to be allowed to come home."

Public and private efforts throughout the world, involving scores of governments, organizations and individuals, have failed to obtain Anderson's freedom.

Most visible in these efforts has been Anderson's sister, who has campaigned tirelessly on her brother's behalf. The Associated Press has supported Mrs. Say's efforts and pressed its own efforts to win Anderson's release.

Mrs. Say, formerly of Batavia, N.Y., and now of Cadiz, KY, said church groups in Buffalo and Batavia plan to organize a nationwide fast and prayer through March 16 "for an end to the suffering of the people of the Middle East." Anderson graduated from Batavia High School.

The Buffalo Area Metropolitan Ministers called on Americans to select a day or days of fasting and prayer in support of the hostages, culminating in a 24-hour fast beginning the evening of March 15.

The Rev. Dr. Charles R. White, executive director of BAMM, could not be reached for additional information on the group's plans.

[From the Buffalo News, Feb. 14, 1990]

POPE TELLS MRS. SAY HE PRAYS FOR CAPTIVES

VATICAN CITY.—Pope John Paul II met Wednesday with the sister of Terry Ander-

son, the longest-held Western hostage in Lebanon, and said he would pray for him and for an end to the bloody conflict in the Middle East country.

"Your brother is a journalist and he is a hostage. This is a terrible, terrible thing," John Paul told Peggy Say, speaking in English.

Anderson, chief Middle East correspondent for The Associated Press, was seized in Beirut on March 16, 1985.

Mrs. Say, formerly, like her brother, a resident of Batavia, N.Y., was received in private audience by the pope during a tour of Europe and the Middle East in efforts to free her brother.

She said the pope assured her that "he would be praying with me, as he does every day, for an end to the conflict in Lebanon and peace and reconciliation for the people there."

She added the Pope John Paul said he would pray "for not only Terry Anderson but all of the hostages."

Mrs. Say recalled to the pope how another American hostage, a Catholic priest, the Rev. Lawrence Martin Jenco, had celebrated Mass for Anderson using bits of dried bread and water instead of wine. Anderson had pulled fibers from his floor mat and made rosaries for the two of them, she told the pontiff.

Father Jenco was freed in 1986 after nearly 19 months as a hostage and was received by the pope before returning to the United States.

After the audience, Mrs. Say met with reporters before heading to the next stop on her tour, the European Parliament's Committee on Human Rights in Strasbourg, France.

Seventeen other Western hostages—seven Americans, four Britons, two West Germans, two Swiss, an Italian and an Irishman—are being held in Lebanon.

Mrs. Say showed Pope John Paul a photo of Anderson's daughter, Sulome, who was born several months after he was taken hostage, and an older daugher, Gabrielle, now 14.

Larry Heinzerling, who has been serving as a special assistant to AP President and General Manager Louis D. Boccardi on the Anderson case, also attended the audience.

Before coming to Rome, Mrs. Say and AP executives met with the International Committee of the Red Cross in Geneva, Switzerland.

They will also meet with the archbishop of Canterbury, Robert Runcie, in London, UNESCO Director General Federico Mayor in Paris and Syrian Foreign Minister Farouk al-Sharaa in Damascus.

The group also hopes to meet with Palestine Liberation Organization Chief Yasser Arafat.

Mrs. Say, who now lives in Cadiz, KY, has said efforts to meet with Iranian officials received no response. Sheik Mohammed Hussein Fadlallah, spiritual head of Hezbollah, the pro-Iranian Shiite Muslim movement in Lebanon, declined to meet with the group outside Lebanon.

Anderson is being held by a group calling itself Islamic Jihad or Islamic Holy War, generally believed to be one of several groups operating under the umbrella of Hezbollah.

[From the Washington Post, Feb. 18, 1990]

ARAFAT MEETS PEGGY SAY

TUNIS.—Palestine Liberation Organization leader Yasser Arafat promised the sister of American hostage Terry Anderson that he will do his "very best" to help free Anderson and the other 17 Westerners held in Lebanon.

The PLO chairman met for an hour with Anderson's sister, Peggy Say, in the dining room of his well-guarded mansion overlooking the Mediterranean in the Tunisian capital, where the PLO has its headquarters.

"I am doing my very best to get the hostages released," he told Say. "I shall continue to do this because I consider it my duty. With the fanantical groups holding them, it is not an easy task. But I promise you that I will do my utmost."

AIRLINE ISSUES

Mr. PRESSLER. Mr. President, I was recently honored to participate in a local radio production called Capital Commentary, which airs on WGMS-FM. This radio station runs "Capital Commentary" from Members of Congress as a public service to its listeners. I commend WGMS for offering this opportunity to address important subjects.

I would like to submit for the RECORD a transcript of my comments for the "Capital Commentary" Program.

CAPITAL COMMENTARY

This is South Dakota Senator Larry Pressler.

I serve as a member of the United States Senate Transportation Committee, and airlines are a major topic before us in 1990.

The issue of air safety affects everyone who flies. Also, the issue of ticket pricing and the growing monopolies in the American airline system are a great concern to us on the committee.

The issue of foreign ownership of some of our airlines must be faced. Also, the average traveler is very concerned about ticket prices. Now, it's true that you can get a very good deal on airline ticket prices if you can plan far in advance and buy a Super Saver. But if you suddenly have to go to an event, a funeral, or a business engagement, for example, that you can only plan a few days in advance, you can be stuck with paying very high airline tickets.

There's also a problem with the small airports in places such as South Dakota where we do not have a hub airport. I am a strong supporter of the Essential Air Service Program to help out those smaller town areas.

Then there's the issue of airport congestion at airports for airplanes and the gridlock of just getting to and from airports.

We have many challenges in our society and in the Senate Transportation Committee to address in 1990 regarding air service for our citizens.

This is Senator Larry Pressler for "Capital Commentary."

MARGARET CHASE SMITH

Mr. COHEN. Mr. President, a very wise man once noted that youth is not a time of life—it is a state of mind. There is no one who better personifies this adage than a great lady from the State of Maine. I am referring, of course, to our former colleague, Senator Margaret Chase Smith.

At the age of 92, there seems to be nothing that the youthful spirit of Senator Smith cannot undertake. Not long ago she climbed aboard a Ski-Doo 486 snowmobile for a ride with her niece in the frigid Maine winter. She travels frequently, tends to the Margaret Chase Smith Library in her beloved Skowhegan, keeps up with volumes of correspondence and lectures frequently.

An article detailing many of the activities of this remarkable woman appeared recently in the Capitol Hill newspaper Roll Call. I am sure it will be of interest to my Senate colleagues and I ask that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEISTY EX-SENATOR MARGARET CHASE SMITH, 92, IS STILL RIDING SNOWMOBILES, FOLLOWING POLITICS

(By Karen Foerstel)

In 1948, she became the first woman to be elected to both Houses of Congress. Sixteen years later, she was the first woman to have her name placed in nomination for president at the convention of a major party.

And today, at the age of 92, former Sen. Margaret Chase Smith (R-Maine) is again making headlines, this time not for her political moves but for her maneuvering on a snowmobile.

Just two weeks ago, Smith, who celebrated her 92nd birthday this past Dec. 14, braved 15-degree Maine temperatures, hopped onto the back of a Ski-Doo 486 with her niece, and was off to the hills for a day of snowmobiling.

"It hit the papers for some reason," Smith said in a telephone interview from her home in Skowhegan, Maine, on Monday. "I don't know what I did."

Smith, who lives on her own in the house she designed 40 years ago, first came to public attention in 1940 when she was elected to fill the vacancy left by her husband, Rep. Clyde Smith (R-Maine), who had died suddenly of a heart attack.

Urged by her husband's friends to run for the seat, the 42-year-old widow won easily.

"I never had any dream of such a thing," Smith said of her unexpected entrance into the political arena. "But I had his business to take care of."

After serving a quiet six years in the House, Smith was told by a friend that she had "reached her peak" in politics and had no place to go but "downhill."

It was this statement, Smith says, that made her determined to move in the opposite direction. Forty-one years ago, Smith was elected to the US Senate.

In 1950, as a freshman, she delivered her now-famous "Declaration of Conscience" speech on the Senate floor, denouncing the tactics of her colleague Sen. Joe McCarthy (R-Wis).

"I think if I go down in history, it would be for that," Smith said in her soft and shakey voice. "It called attention . . . as to how serious this was. He was attacking educators, politicians . . . everybody."

Smith's speech placed her on the McCarthy hit-list. His first act of retaliation, as ranking minority member of the Executive Expenditures (now Government Operations) Committee, was to kick Smith off the subcommittee on permanent investiga-

tions and replace her with newly elected Sen. Richard Milhous Nixon (R-Calif).

Six years later, Smith was chosen by her party to debate Eleanor Roosevelt, FDR's widow, on "Face the Nation" during the Eisenhower/Stevenson presidential race.

And in 1964, Smith announced her own candidacy for the Republican presidential nomination, saying, "Because of these very impelling reasons against my running, I have decided that I shall enter the New Hampshire Presidential preferential primary and the Illinois primary."

Today, Smith is still fighting the odds. In November she overcame a bout with food poisoning which hospitalized her for eight days.

She's now back at full speed, attending local political functions, lecturing to community groups, and "giving a good many interviews."

She still stays in touch with several current Members of Congress—although she declined to mention any names—and keeps up with the latest news from Washington.

Regarding the Congressional salary increase: "There are too many other things to do than worry about a pay raise," she says. The top salary she made while on the Hill, she recalls, was about $22,500.

Regarding ethics: "I think ethics cannot be legislated. People either have ethics or they don't."

While she no longer drives, she still owns her own car and hires a driver to take her to political and community gatherings.

Two weeks ago, she attended a "big party" for the Speaker of the Maine House and days later took part in a Chinese New Year celebration.

"I don't miss [Congress] because I'm keeping so busy here," she said.

Smith spends most of the day working in the Margaret Chase Smith Library—built adjacent to her house in 1982—sorting through her thousands of papers and files of her political career.

Another chunk of her time is spent personally answering the 40 pieces of mail she receives daily.

Many of the letters are from people who think that Smith—who was defeated for reelection in 1972 by Democrat William Hathaway—is still serving the Congress.

"So many people don't realize I'm no longer in the Senate, asking me to do things for them."

LANDMARK JUSTICE

Mr. KENNEDY. Mr. President, during his long and distinguished tenure on the U.S. Supreme Court, Justice William Brennan has made many significant contributions to America's understanding of the Constitution's promise of equal justice under law. Some of these—such as Justice Brennan's historic opinions on libel law, due process, voting rights, equal rights for women, and the separation of church and state—received widespread public attention when they were announced and are well known to many Americans. But his important judicial pronouncements on the subject of land use have not received the attention they deserve.

That situation has now been corrected by Landmark Justice, a new book by Charles M. Haar, Brandeis professor of law at Harvard Law School, and Jerold S. Kayden, a Guggenheim fellow and visiting faculty member at the Lincoln Institute of Land Policy in Cambridge, MA. Professors Haar and Kayden have produced a thorough and insightful analysis of Justice Brennan's opinions on many important land use questions, from his service on the New Jersey courts and on the U.S. Supreme Court. As the authors demonstrate, Justice Brennan's rulings on these issues reflect his deep-seated conviction that the Constitution embodies a fundamental vision of human dignity, protected from Government interference.

Professors Haar and Kayden have added a new dimension to our appreciation of Justice Brennan's profound impact on American life and law, and I commend their study to my colleagues in Congress.

MAINE ACADIAN CULTURE PRESERVATION COMMISSION

Mr. MITCHELL. Mr. President, for more than 200 years, Acadian settlers and their descendants have greatly contributed to the culture, history, and growth of Maine. Sadly, this culture, grounded in its strong commitment to family, religion, hard work, and sacrifice is in danger of being lost.

Last year, I introduced legislation along with my colleague, Senator COHEN, to preserve Maine's Acadian culture. The legislation, S. 1756, would establish a Maine Acadian Culture Preservation Commission to advise the National Park Service on how to conduct activities and programs to interpret the story of Maine's Acadian settlers and their descendents as well as preserving and perpetuating Acadian music, arts, crafts, and folklore.

An article in the November edition of Down East magazine demonstrates the clear need for this legislation.

The article describes the efforts of Ida Roy, who has made her life's work preserving Acadian folk songs. Along with performing these songs at festivals around Maine, Ida Roy has collected and taped hundreds of these songs with the assitance of Roger Paradis, a historian and folklorist at the University of Maine at Fort Kent.

Those tapes are now kept in a suitcase in Ida Roy's home. They deserve to be archived and made more readily available to an interested public. That is precisely the goal of my legislation.

Without the enactment of S. 1756, it is likely that the history and culture of the Acadian people, who have lived in this country and the State of Maine for more than 200 years, will be effectively lost to the ages.

That should not be allowed to happen. As Ida Roy knows, the culture and history of Maine's Acadian people deserves to be celebrated and preserved before it is lost to future generations, in the words of Down East, "to the clamor of American mass media."

I hope that will be accomplished through enactment of this legislation.

I ask unanimous consent that the November Down East article on Ida Roy be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Down East, November 1989]

VOICE OF THE VALLEY

(By Ernie Freeberg)

It's a long way from Van Buren to Portland, a good seven hours on the road. But every August a small, unassuming woman named Ida Roy makes the trip down to the Maine Festival to represent the St. John Valley on the festival's folk arts stage. "I am so proud to do it," she says. As she steps up to perform, the lifelong Aroostook resident is dwarfed by the stage and awkward behind a microphone, as unsure of electronics as she is of the English language. But she has a big voice with an edge of brass, strong enough to hold its own against the surrounding din of the festival, stirring enough to hold the audience spellbound. Some of the Acadian songs she sings have, in fact, been holding audiences spellbound for centuries.

Before each new song she offers a translation in halting English for the non-Acadians in the audience. One is a tragic love song about a dying bride who asks her lover to bury her in a white dress, diamonds, and roses. Another tells the tale of a solidier who went off to the Seven Years' War and returned to find his wife remarried. To lighten the mood, she sings a comic song about a man who sells his girlfriend's wig to buy drink. Then she offers one with a message: against her father's wishes, a girl marries a drunkard. Before long the girl runs away, and her family finds her frozen to death one morning on their doorstep. "That's something true," Ida explains. "My mother used to sing that a lot to us children and she would say 'listen carefully.' "

At sixty-eight, Ida is the only one in the Valley still singing many of the old songs; but she is doing her best to see that others will at least get a chance to hear them. Somewhere in Ida Roy's Van Buren apartment she's hiding what she calls "the big treasury of the St. John Valley"—a suitcase overflowing with cassette tapes, 240 at last count. Each tape is full of Ida's songs, recorded on her home cassette recorder, wrapped in tinfoil for safekeeping, then hidden away, protected for posterity. "As long as the house don't burn down they are safe for sure," she says in a melodic Acadian accent. "They're valuable now because I think I'm the only one that's got them."

Until her retirement a few years ago, Ida turned her kitchen job at the local rectory into a daily concert. And now, with more time to spare, she practices her songs each day and never misses a chance to share them. "I don't advertise, but if anybody asks, I don't turn them down."

Ida's suitcase notwithstanding, Ida's songs belong to the whole St. John Valley, where they've been passed down from one generation to the next ever since the first French settlers arrived in the late 1700s. Ironically, they have become Ida's "treasure" simply because most of her neighbors no longer want them. Not so long ago, just about ev-

eryone in the Valley knew at least a few of the old tunes, most could sing along at the informal kitchen parties known as *soirees,* and every village had its master singers who knew hundreds of songs by heart. "I've been questioning all the people I meet around here," says Ida, "and no one has some songs anymore."

That may be the exaggeration of a fanatic folksong collector. The fact is Ida's secret suitcase holds close to a thousand songs. The first few hundred she inherited from her parents, handed down like family heirlooms. The rest she coaxed out of her neighbors, or found by combing the local history shelves of Valley libraries. "I used to sing for the nursing homes and the old people, they sang along with me. And once in a while someone had a song or two I didn't have yet." With a mixture of sorrow and scorn she adds, "But the young people, they don't have anything like that. They don't have one."

Ida stands on the brink of a generation gap that will leave an enduring mark on the valley's cultural life. For most of their history, the Acadians were too busy trying to wrest a living from the soil to have much time for formal education, and so they used songs and stories, not the written word, to pass on their history, customs, and language. But now, in a single generation, centuries of oral traditions are about to be lost, the old Acadian voices drowned out by the clamor of the American mass media. "My children, they don't want to learn the songs. All they sing is what's on the radio," says Ida. "It really bothers me that nobody will take after my father and me."

Ida gives her father much of the credit for her own passion for French music. "He was singing all the time," she recalls, and of the hundreds of songs she learned from him she says "he knew all of them by heart; he didn't have one written down, not one."

Ida also inherited her father's strong voice, a talent that earned her the honor as a schoolgirl of leading the class in a round of "American songs" every morning. But it was the French songs Ida loved. "They didn't come from the radio, only from the people around. And every little song that I could find, I'd pick it up."

When Ida's father wasn't singing, he was working—traveling around Aroostook County as a lumber-mill mechanic, running a shingle mill and blacksmith shop, and supervising the family farm in St. Agatha, with lots of help from Ida and her sister. "We worked on the farm like men," she says, "feeding the animals, harvesting the buckwheat; whatever had to be done, we did."

That work, and the long winter walk to school in the days before girls wore pants, were the reasons Ida quit school in the sixth grade. But each night when the chores were done the family gathered in the parlor and Ida's musical education continued. "Of course there was no television. My dad had a radio, but he was saving his battery for the news. So instead I was crocheting and singing all the time. That's the way we learned."

Ida also learned at family soirees. Relatives from all over the Valley converged on a single farmhouse for a long evening of singing, card playing, story-telling, and dancing. "We were a crowd," she laughs, adding without a trace of irony that "it was just like the old times we see sometime on TV." She remembers her relatives piling into three or four horse-drawn sleighs at the end of an all-night song swap in Daigle, driving across frozen potato fields, not arriving back in St. Agatha till daybreak.

The songs Ida picked up at those soirees are like beautiful beach stones, ancient and worn smooth by the endless handling of time. Many in her repertoire have been passed down from parent to child for centuries. These are the love songs Ida's great-grandparents probably courted to, the tragic ballads with moral lessons every Acadian mother hoped to sing into her children's conscience, and the humorous ditties that helped pass long hours in potato fields and lumber camps.

These ballads have lasted so long because they relate the timeless tales of lost love, war, and tragedy every generation wants to hear. But embedded in them like fossils are historical references that date some all the way back to the Middle Ages. The songs were brought to the Valley by the first Acadian settlers. A long way from France and surrounded by inhospitable Englishmen, they became extreme cultural conservatives; while language and culture marched on in the rest of the world, the Acadians isolated in St. John Valley managed to stop the clock. That's why to this day they speak a dialect full of 300-year-old idioms; and that's why Ida still sings about Napoleon, the Seven Years' War, and Indian ambushes.

Not all of Ida's songs are antiques. Within her lifetime Acadian songwriters were still recording local history through long plaintive ballads called complaints, songs about what Ida calls "a tragedy that really happened." For example, she sings a complaint about the death of her brother-in-law, Wilfred Roy: as a young lumberjack he fell to his death in a woods accident. "He was supposed to come home the very next morning but late that night he fell from a big pile of logs and broke his neck on the bobsled," Ida remembers. "His cousin Alsime Madore saw everything that happened, and had to go tell my husband who was asleep in the camp, that his brother had died. Madore came out from the woods and while he was planting potatoes that spring he was thinking of what he saw there and decided to compose a song about it."

Madore wrote the song for the victim's family and friends, to help them remember the event and to express their grief. Like many complaints, it ends with an apology: Madore admits he wrote it, then asks the listener to forgive him if he failed to do justice to the subject. That kind of humility is common among the Valley's Acadians. Ida herself will sometimes apologize for the songs she loves. "Songs that educated people sing you see right away it's not Acadian, that they learned it in school somewhere. In the Acadian songs the words are not always grammatical and sometimes the words don't go with the air too well." But Ida is proud enough of the tradition never to correct what she collects. "I like a song the way it is because that's the way they wrote it."

In spite of the fact that her children complained about her constant singing, and her late husband had "no voice, no talent except to work real hard for a living," Ida stuck with the old songs. But it wasn't until 1972 that Roger Paradis, a historian and folklorist from the University of Maine in Fort Kent, launched her on the song-collecting spree that has since filled a suitcase. Paradis, who also grew up in the Valley, realized that the old songs and stories were an endangered species and that most people who knew them were "either in the grave or the nursing home." So with the help of his students, he began to collect the Valley's songs on tape, and his inquiries soon led him to Ida Roy. For several months Ida spent Friday evenings at the university, taping her entire musical memory for the archives.

When Paradis started the collection twenty years ago, there were lots of others in the Valley who knew as many or more of the old songs. But, as Paradis predicted, most are gone now, and he says, "At this point Ida is probably unique; you would be hard put nowadays to find anyone else still singing the old ballads this way."

Since her children and fellow Acadians seem uninterested in carrying on the tradition, Ida realizes she will probably be the Valley's last ballad singer. Far from shrinking under the burden, she has launched herself with missionary zeal into the effort to set these songs down for future generations. That means lots of investigative work in local nursing homes and libraries, and in the back rooms of her own memory. "Just the other day one came back to me in a flash and I ran to write it down," Ida says. "It was a song no one has heard except in the old days."

Ida Roy would like to see her personal song collection out of the suitcase and into print; and so, at the age of sixty-three, she's contemplating going back to school for some typing and French classes, so she can publish her own songbooks. "I'll need more education since I want to make a good job on that," she says. "I'm nearly too old to go back to school but I've got a good courage so I'll keep singing and writing and we'll see what happens."

THE FIGHT AGAINST WORLD HUNGER: A STRATEGY FOR THE 1990'S

Mr. PELL. Mr. President, as we launch the 1990's with well-founded hope and expectations about changes in Eastern Europe and the Soviet Union, I believe it is important to reflect that in other places, the outlook is not nearly as promising. Hunger and poverty continue to plague many parts of Africa, Latin America, and South Asia, and our attempts to overcome these problems have been grossly inadequate.

The last decade was not kind to the world's poorest, hungriest nations. Famine, war, and civil strife have strangled the food supply of entire regions. Yet the 1980's also saw encouraging developments in understanding the root of this problem, which has led to progress in providing emergency aid, combating childhood and nutritional diseases, and the emergence of grassroots development groups. Our challenge in the 1990's is to build upon these small successes.

With that goal in mind, in November 1989, hunger experts from 14 countries met in Bellagio, Italy, to analyze the problem of world hunger and to offer a remedy. The group concluded that half of the world's hungry people could have reliable access to sufficient food by the end of the next decade. Their conference document, the Bellagio Declaration, lays out four steps to that achievable goal.

At Brown University in Providence, RI, the Alan Shawn Feinstein World Hunger Program is actively engaged in the fight against hunger; it played a crucial role in coordinating and developing the Bellagio initiative. I believe that this document warrants our serious consideration as we move forward in charting our course in the decade ahead. I recommend the Bellagio Declaration to my colleagues and ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

THE BELLAGIO DECLARATION: OVERCOMING HUNGER IN THE 1990'S

(The Bellagio Declaration was produced and adopted by a group of 23 planners, practitioners, opinion leaders and scientists meeting at the Rockefeller Foundation Study and Conference Center in Bellagio, Italy, on November 13-16, 1989. Participants came from 14 countries, both north and south. They are affiliated with 9 national or international agencies, 8 advocacy and grassroots organizations and 5 universities and research institutes, but participated as individuals sharing their expertise and concern. The Declaration reflects the content of the original background document for the meeting and the views expressed in different rounds of discussion during the conference. It represents the consensus emerging at the meeting but not necessarily the individual views of each participant. A list of all participants is attached.)

It is possible to end half the world's hunger before the year 2000. We have only imprecise numbers to take measure of the hungry, but those numbers tell us that: (1) a billion people live in households too poor to obtain the food they need for work; (2) half of those are too poor even to obtain the food they need to maintain minimal activity; (3) one child in six is born underweight and one in three is underweight by age 5; and (4) hundreds of millions of people suffer anemia, goiter, and impaired sight from diets with too little iron, iodine or vitamin A. In a world of potential food plenty, we have collectively failed more than one billion of our people.

Hunger wears many faces. It may be acute or chronic, visible or hidden, food or disease related, but it is typically rooted in poverty and in the economic and social processes that perpetuate it. The elimination of hunger, therefore, is formidable and a long term undertaking. Recognizing this, we still believe that reducing hunger by half in the 1990's is a realistic objective for the world. We can act meaningfully to end hunger in the short run without losing sight of the continuing need in the long run to address its basic causes.

The decade now ending has been described as "the lost 80's," a time when efforts to overcome hunger have been grossly inadequate in the face of deteriorating economic conditions in Africa and Latin America, persistent hunger in South Asia, and increased incidences of hunger in wealthy countries. Overall, the 1980's has been a period of growing realization that most development efforts have failed the hungry and poor in the Third World and that current uses of natural resources are unsustainable. Less visible, but more encouraging trends in the 80's include a fresh understanding of the origins and causes of hunger, lessons learned from recent attempts to improve nutrition, the evolution of a worldwide logistical system to provide emergency food aid, rapid progress against childhood and nutritional diseases, and the maturation of grassroots movements and development groups.

As we turn into the 1990's the world is in great ferment. Fears of imminent worldwide economic collapse have abated. Peace and effects for peace are emerging in all regions of the world. In many countries, both industrialized and developing, a wave of democratization, participation, and pluralism is evident. On the other hand, unequal trade relations between the North and the South, growing and already heavy debt burdens, environmental degradation, and continued rapid population growth make life miserable and particularly difficult for poor people in Third World countries.

It is against this background of new opportunity and persistent problems that organizations—governmental, intergovernmental and nongovernmental—concerned with hunger have begun to identify needed directions for the 1990's and to propose new initiatives for public action. Specifically, the Bellagio Declaration proposes four achievable goals for the 1990's.

ACHIEVABLE GOALS

We believe that it is possible and imperative in the 1990's (1) to eliminate deaths from famine, (2) to end hunger in half of the poorest households, (3) to cut malnutrition in half for mothers and small children, and (4) to eradicate iodine and vitamin A deficiencies. Together, they comprise a comprehensive yet still practical program that can end half of world hunger in the 1990's.

These goals are achievable because they build on the best experiences with programs and policies for overcoming world hunger. The most promising ones are those that empower people to assess their own condition and to act in their own behalf, that provide short-term hunger relief while addressing deeply-rooted causes, and that can be sustained over the long term.

1. ELIMINATE FAMINE DEATHS

An attainable target by the year 2000 is the virtual elimination of deaths due to famine among the 15 to 35 million people at risk of famine in any year through improvement of early warning and response systems and international efforts to provide safe passage of food in zones of armed conflict.

Many of the tools needed to prevent deaths due to famine are already in place. Efforts to cope with drought, flood, war and famine in the 1980's have led to major improvements in the global system for providing emergency food aid. Some developing countries have created early-response mechanisms to take advantage of early warnings. Continued effort must be made to improve these programs by taking into account local indicators of increased vulnerability among groups at particular risk.

Another achievement growing out of experience with the famines of the 1980's is the widespread awareness of the need for relating short-term relief measures to longer term development objectives. Although emergency food aid often is the most critical intervention, agencies and organizations engaged in famine relief now know that they need to couple it with measures to reduce dependency on such aid and to promote self-reliance.

The major obstacle to eliminating famine remains the destruction or interdiction of civilian food supplies in zones of armed conflict. The rudiments for international protection of civilian rights to food exist in international law, most specifically in the 1977 protocols to the Geneva Conventions of 1949 that prohibit starvation of civilians as a means of combat. More recently, there is renewed interest in an international or regional covenant for the sanctity of civilian food supplies and the safe passage of emergency food relief. Such a covenant could bind nations to provide safe passege and might permit convoy by United Nations peacekeeping forces within their national territory.

2. END HUNGER IN ONE-HALF THE POOREST HOUSEHOLDS

Also attainable is the goal of augmenting purchasing power and food production levels so as to enable half the hungry people in the world to buy or grow enough to eat.

For many poor farmers in the Third World, a key need is maintaining access to the natural resource base and the inputs needed for cultivating, herding, or fishing in the face of growing population and increased competition for land. Increasingly, poor households have had to cope with the deterioration of their resources, the loss of crucial access to common resources, and restriction to all but the most ecologically marginal land. The task of rehabilitating degraded ecosystems and restoring to the most vulnerable groups their access and control of productive resources of land, forest, and water must be accelerated. A variety of sustainable agricultural and forestry techniques with demonstrated ability to sustain productivity, provide fuelwood, limit soil erosion, and increase food and income can also be applied.

Measures to increase small farm agricultural production and to create new income and work activities could end hunger for a third to a half of the roughly 450 million people who now live in rural households too poor to minimally feed themselves. Programs that provide wage and food income in return for labor to construct needed agricultural infrastructure and to restore degraded resources show particular promise. They reduce poverty in the short run through direct supplementation of incomes and in the long run through sustained increases in agricultural productivity and income. Programs that have provided self-sustaining sources of credit to start small businesses or produce local products and services, especially for women, have also proven quite effective in many countries.

Food-security programs, given targeting and effective application, could by the end of the decade end hunger for half or more of the 150 million people in urban households too poor to minimally feed themselves in present circumstances. There is widespread agreement that untargeted food assistance, carried out by means of price control, overvalued exchange rates, import controls, or cash subsidies is ineffective or cannot be sustained because of its high costs. Yet ample experience with food-security programs demonstrates that careful targeting can be accomplished by subsidizing foods that are consumed primarily by the poor and by distributing food and coupons in poor neighborhoods and to vulnerable groups such as mothers and children. The use of existing marketing networks to distribute food can often lower costs and improve participation. Community-organized mass feeding programs are also effective, low-cost ways to target and distribute food.

3. CUT MALNUTRITION AMONG WOMEN AND CHILDREN IN HALF

Women of reproductive age and children under five years of age are particularly vulnerable to malnutrition. Although many of the measures listed above will help improve their situation in the decade to come, special measures are still needed to reduce their special vulnerabilities. Sustained breastfeeding, expanded supplemental feeding, and growth monitoring, in combination with limiting the effects of childhood illness, could reduce by half the common forms of childhood wasting and stunting. The prevalence of breastfeeding is stable or even increasing in many developing countries, perhaps assisted by continuing efforts to encourage and maintain it. Innovative programs that combine monitoring of child growth through regular weighing to detect wasting with supplemental feeding hold promise to address the weight loss of children with recurrent bouts of illness and the difficult weaning transition from breast to the adult diet.

Many such initiatives for the benefit of children place an increased burden on already overworked mothers, even though they may be somewhat compensated by the reduced care required of healthy children. Community-based programs that include child-care and other supports can lessen this burden while enhancing mothers' efforts. Reducing by at least half through iron supplements the nutritional anemia endemic in women of reproductive age can further strengthen mothers. Continued promotion of improved birth spacing will benefit both children and mothers.

4. ERADICATE IODINE AND VITAMIN A DEFICIENCIES

Through the use of current techniques, most of the 190 million cases of goiter could be eradicated and the 280 million children at risk of vitamin A deficiency protected by the end of the century. Selected regions and countries have made major progress in eliminating iodine deficiency disorders—marked by goiter, mental impairment, and, in the extreme, cretinism—and the visual impairment of vitamin A deficiency diseases. For goiter, most countries can provide iodized salt to most areas endemic with the disease and injections of iodized oil for inhabitants of more remote mountain and desert regions. For vitamin A deficiency, a capsule taken two or three times a year can protect a child throughout the critical ages of one to four years. Evidence is also increasing for wide-ranging health benefits beyond eye protection from vitamin A therapy.

STRATEGIES AND RESOURCES

Any strategy to overcome hunger in the 1990's must be conceived and implemented in full awareness of the array of fundamental changes and trends that will characterize the coming decade and shape the context in which hunger persists. Indeed, if we fail to relate efforts to end hunger to these broader forces—which represent both obstacles and opportunities—short-term gains may well be swamped by long-term increases in hunger.

The outstanding situation that must be recognized as we move into the 1990's is the inequitable economic relationship between the North and the South, which withdraws net capital from the South, diverts agriculture in developing countries from producing food to meet local needs, creates contentious food trade barriers, underprices food commodities, and often encourages capital investment that undermines rather than advances sustainable uses of agriculture and resources.

No less challenging than the worldwide economic picture is the precarious state of the global environment. Deforestation, desertification, soil erosion, water shortage and salinization, chemical contamination, and global warming will adversely affect the sustainable food production capacity of the planet. But embedded in this threat is also an opportunity. Worldwide attention, from heads of state to the general public, is now strongly focused on the endangered planet. We who combat hunger must put a human face on the environmental issue: unless we restore and maintain viable ecosystems and ecological cycles, we will increasingly threaten our ability to feed humanity. Opponents of hunger must embrace their environmentalist allies in a common cause.

Exacerbating the environment/hunger problem is the continued growth of the world's population. During the 1990's, the world will need to feed another billion mouths, most living in the very countries where the ability to curb hunger is already severely strained. Family planning programs that have slowed the overall rate of population growth in the world must persist and expand with international support to reduce the vulnerability of the poor to hunger and famine.

A particularly welcome evolution has been the rapid chain of events in Eastern Europe and the Soviet Union. This has reduced tension between the East and the West and opens up new opportunities for trade and investments. These opportunities for cooperation on a global scale should be used to strengthen North-South cooperation as well. For instance, a social compact might be agreed upon whereby funds that become available through reduction of East-West arms expenditures would be used to assist both Eastern Europe and the South.

From the perspective of these anticipated global trends, what then are the strategies to overcome hunger that will be most effective?

Particularly important is the creation of new opportunities for the hungry themselves, together with their leaders, advocates, mass movements, and local organizations and resources. In this context, it is especially important to empower women who grow most of the Third World's food and feed its families. More needs to be known about the full development potential of the wide range of non-governmental organizations, especially for the multiplication and aggregation of grassroots initiatives and the advocacy of needs and interests of people who normally find no way of expressing their demands through formal government channels. But much more needs to be done even by well-intentioned governments and aid agencies to incorporate into their modes of operation greater sensitivity to modes of participation that enable people to act on their own behalf.

Although many governments in developing countries are under severe financial pressure and often lack capacity to implement extensive programs, they must play a growing role in a renewed effort to combat hunger. Decisions to decentralize responsibility to lower echelons of administration and to local government institutions or to use the distributional capacity of the market that gained momentum in the 1980's must continue. Such local level agencies can play a major role in developing and restoring necessary rural infrastructure and services. To make these investments worthwhile, however, governments must also take important steps toward the creation of an enabling environment in which citizens and their organizations can make more effective contributions to overcoming hunger.

Finally, an achievable reduction in hunger in the 1990's will require substantial new financial resources above and beyond the maintenance of current levels of donor and national support. The costs of the achievable goals range from a high of $25 per person to provide famine relief or to build rural infrastructure through food-for-work programs to 57¢ per person to provide the vitamin A and iodine supplementation needed to prevent blindness and goiter. Much of these costs are already partly met in current national and international expenditures. Thus, a realistic program to combat hunger in the 1990's might require U.S. $5 to 10 billion per year in new or reallocated funds.

The most common source proposed for additional resources is a substantial reduction in the annual military expenditures, currently nearly U.S. $1 trillion worldwide, as great power rivalry and conflict diminish and serious efforts are made to resolve regional disputes. A reduction of one percent in these annual expenditures could more than fund a comprehensive program to overcome hunger in the 1990's. Additional food aid, if properly used, can not only meet emergency needs in extreme deficit situations, but when carefully marketed, can provide new sources of funds for local initiatives. Other new sources of funds could include the "swapping" of actions against hunger in exchange for outstanding debts, the redirection of existing development expenditures by identifying poor people rather than poor countries as the relevant target of interventions, and the linking of efforts to overcome hunger with those to improve health care, enhance poor people's access to productive resources, and promote sustainable environmental development.

Although the objectives of the program to end half the world's hunger before the year 2000 are global, strategic emphasis will differ between regions and countries. In sub-Saharan Africa priority may be given to strengthening early-response systems to famine, including exploration of an accord, sanctioned by the Organization of Africa Unity, on safe passage for relief supplies; targeted support for increased production by the poor, including efforts to control pests that significantly reduce harvests and stored food; and efforts to break the disease-undernutrition nexus. In Asia, where the food problem is often less a matter of production than redistribution, priority may be given to restoring and increasing access and control by the poor of necessary resources and to encouraging development strategies that are socially just and environmentally sustainable. In Latin America priority may be given to alleviating the disproportionate share of the debt burden that is currently carried by wage earners and the self-employed in the informal sector; reforming food systems so that they better meet the needs of vulnerable groups of women, urban poor, indigenous populations, and small farm households; and improving the health and nutrition infrastructure to enable governments and other organizations to meet the targets for mothers and children and for the major nutritional deficiency diseases.

CALL FOR ACTION

An ambitious program to attack hunger in the 1990's requires most of all the mobilization of public support for this cause both in developed and developing countries. In most of these, the hungry and the poor do not have natural allies in their governments. Their needs are considered and their voices heard only to the extent that they are mobilized into their own organizations or that their cause is adopted by others. The last decade has witnessed a slow emergence of new public voices for the hungry and impoverished in rich countries based in churches, development organizations, and populist groups. Such groups have mobilized constituencies for the hungry, utilized the mass media, and developed long-term relationships with governments wherever appropriate. In developing countries, opportunities for influence have been different. Mass media and lobbying efforts have been less important than efforts by religious and political organizations. These emerging voices need to be strengthened, particularly in countries where the voices of the hungry are faint.

Faced with potentially competitive concerns, the call for ending hunger must be strengthened. But the clarity of the message needs to be strengthened as well, reminding constituencies of the enormity of the need, creating alternatives between the acceptance of hunger as always with us and the postponement of action until the world can be set fully right, and weighing in with promise on the fine balance between hope and despair. Pragmatic as well as altruistic arguments need to be used. The billion hungry people are effectively outside of markets for anything but the lowest-valued foodstuffs. It is in the long-term interests of economies that live by trade to help those households move beyond the threshold of hunger. By placing political leaders at all levels under constructive pressure to consider overcoming hunger as both an achievable goal and an inescapable concern of the 1990's, individuals and organizations can make a lasting contribution toward the emergence of a new political vision and a renewal of social energy to ensure places at the table for the hungry of the world.

For the first time in human history, the end of famine is achievable. The worst forms of hunger in both rural and urban areas can be halved. Most nations, even poor ones, could provide for the minimum nutritional needs of mothers and children. Goiter can be relegated to a glandular disorder of the few rather than the iodine-starvation of the many. Blindness can be prevented in the 42 million children with vitamin A deficiency. A focused attack on these four faces of hunger—drawing on new resources and combining the better and best of efforts that have worked well for the poor—can end half the world's hunger over the next decade.

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ILO CONVENTION (NO. 160) CONCERNING LABOR STATISTICS

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent to modify the agreement on the ILO convention as follows:

I ask unanimous consent that the committee-recommended declaration be in order.

The PRESIDING OFFICER. Hearing to objection, it is so ordered.

Mr. MITCHELL. Mr. President, I thank my colleagues and especially my two very distinguished colleagues, the Republican leader and the President pro tempore, for their cooperation in this matter.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m. today.

Thereupon, at 12:32 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. SANFORD].

EXECUTIVE SESSION

ILO CONVENTION (NO. 160) CONCERNING LABOR STATISTICS

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session to consider Executive Calendar No. 8, International Labor Conference Convention Concerning Labor Statistics.

The convention has been advanced through its various parliamentary stages to the presentation of the resolution of ratification, on which there shall be 1 hour of debate to be equally divided and controlled by the chairman and ranking minority member of the Foreign Relations Committee.

The clerk will report the resolution of ratification.

The assistant legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a Certified Copy of the Convention (No. 160) Concerning Labor Statistics, adopted by the International Labor Conference at Geneva on June 25, 1985.

Mr. PELL. Mr. President, today the Senate will take up the International Labor Organization's Convention No. 160 Concerning Labor Statistics.

The purpose of this convention is to call upon all ratifying governments to collect, compile, and publish basic labor statistics in any or all of nine specific subject areas. The U.S. Government already publishes basic labor statistics in all of the areas covered by the convention. Therefore, the convention will not impose any additional burdens on the U.S. Government nor will it alter in any way U.S. labor laws or practices.

The convention has the full support of the AFL-CIO and the U.S. Council for International Business. Therefore, I urge my colleagues to vote in favor of granting advice and consent to the ratification of this convention.

In conclusion, Mr. President, I would like to congratulate the senior Senator from New York [Mr. MOYNIHAN] for the excellent job he has done in chairing the hearings on this convention. Early in his distinguished career, Sen-

ator MOYNIHAN did an extensive and comprehensive Ph.D. thesis is on the International Labor Organization and is, in my view, the leading expert on international labor issues in this body. He deserves a great deal of credit for a job well done.

The PRESIDING OFFICER. The Senator from the State of New York.

DECLARATION NO. 1257

Mr. MOYNIHAN. Mr. President, I send to the desk a declaration and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. MOYNIHAN], proposes a declaration numbered 1257.

Strike the period at the end of the text of the resolution of ratification and add the following language: ", subject to the following declaration:

"There is agreement by the United States Government agencies concerned, the AFL-CIO, and the United States Council for International Business, that each ILO convention will be examined on its merits on a tripartite basis; that if there are any differences between the convention and Federal law and practice, these will be dealt with in the normal legislative process; and that there is no intention to change State law and practice by Federal action through ratification of ILO conventions, and the examination will include possible conflicts between Federal and State law that would be caused by such ratification."

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I thank the Presiding Officer for commencing this historic moment, if I may put it so, a moment in which we prepare to consider for only the 10th time in the history of our relations with the International Labor Organization an international labor convention.

I shall return in time, sir, to the declaration that the clerk has just read.

When I speak of this as historic, I mean that in several senses. There is the simple fact of our having moved now to the tenth ILO convention we have considered. But more important, by this action, that I am confident the Senate will take today, we move into a new period in our relations with the ILO; namely, a period in which we are an active participant, not just in the deliberations that lead to labor conventions, but by adopting them as well.

There are more conventions to come. I will note that in our long experience of the ILO, after membership in 1934, we adopted some seven ILO treaties, six of which involved maritime matters which the Congress has always felt a need to legislate on.

After the war, we adopted a purely technical convention which brought the ILO under the United Nations. And then, for a third of a century, nothing, nothing at all. Whereupon we finally resumed consideration of ILO conventions. This will be the third we have considered in 3 years, an event of some importance.

I mentioned, Mr. President, that this is a history that goes a long way back into our national life, and indeed it does.

The League of Nations, which was the subject of such fierce debate on this floor in the fall and winter of 1919-20, came to life somewhat furtively in the clock room of the Quai d'Orsay in Paris in January 1920. The United States itself had convened the meeting as provided by the Treaty of Versailles, but in point of fact the league system had already begun to work here in Washington in October and November of 1919 when the first international labor meeting was held at the Pan American Union Building on Constitution Avenue and the first human rights treaties in the history of the world were adopted.

Not many weeks ago, Mr. President, we had an opportunity to hear an extraordinary address to a joint meeting of the Congress by Lech Walesa, the head of the Solidarity trade movement in Poland, the survival of which very much turned on the fact of Poland's obligation to allow freedom of association under ILO conventions it had agreed to both before and after World War II.

This is an extraordinary organization. It is the part of the league system the United States was least likely to join. The league system consisted of the league itself, the Permanent Court of International Justice, and the ILO. The ILO is the one which we did join and we have been proud members for a great many years, with one interruption, to which I will return.

But at this point, Mr. President, I observe that the distinguished ranking member of the Committee on Foreign Relations is on the floor, and I wonder if he might want to take this opportunity to make an opening statement. I look forward to hearing his views.

Mr. HELMS. Mr. President, needless to say, the distinguished Senator from New York is always gracious. I have been listening with great interest to his comments.

Mr. President, the convention before us today is not controversial in any sense. That in itself is kind of unusual around this place when it comes to multilateral conventions. In the past there have been problems with the nonshipping conventions, which have constituted the great majority of the international labor organization treaties.

I recall that the distinguished Sam Ervin of North Carolina, who served in this body for so many years, always was careful—and it should always be a major concern in this body, I might add—to make sure that U.S. domestic labor law was not altered by treaty. Sometimes people do not understand why this question is so important. I know the Senator from New York understands what Senator Ervin meant and what I today mean. But that does not appear to be an issue this afternoon with the convention pending before us for the advice and consent of the Senate.

ILO Convention 160 on the publication of labor statistics should not be and is not, so far as this Senator is concerned, controversial. It simply would require the United States and other ratifying parties to collect and compile basic labor statistics in nine different areas, such as average wages and hours for important categories of economic activities, the average earnings for representative occupations, wage and salary structures for the entire national economy, average household income and expenditures, number of annual industrial disputes, and an annual survey of occupational injuries and illnesses.

The point is this, Mr. President. The U.S. Government already collects and compiles and publishes statistics in every one of these nine areas covered by this convention now pending. Since ratification will not require the United States to alter in any way its present laws for labor practices, I have no objection to this convention and in fact, of course, do support it.

What I am concerned about—and I may as well mention this in conclusion—is the failure of other participating governments at times to publish accurate statistics. Falsification of recordkeeping may lead to new labor conventions which create labor procedures based upon this erroneous information, so in the long run this would have a negative effect upon domestic law. I hope that we can do something about that as time goes by. If this convention is to be useful, there must be honesty in compliance by every one of the ratifying parties.

Mr. President, I thank the Chair, and I thank the distinguished Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise to agree vigorously with the distinguished and able Senator from North Carolina. The ratification of an ILO convention entails the obligation to comply, and it is fully within our capacity as members of the ILO—labor is represented at its annual conference, business is there, Government is there—to review compliance.

The Senator is entirely correct that these are categories of measurement, quantification, that we comply with in the main. These are in fact labor statistics which we invented. Some persons may not know this, but the first demands of the American labor movement as it began to form, first in the 1830's and then later in the 1870's was that Government keep score on things

such as the cost of living, what a family requires to get through the week, a minimum city worker's living standard, and to see if they could find what it cost to have a decent standard of living. They were thinking really of the cities of the North at the time, say, in New York; the trade unions would try to bargain for wages that would equal that amount of money.

Soon after the Civil War, industrialization began in this country, and we established a Bureau of Labor Statistics, before a Department of Labor—long before it. It was meant to measure these things. One of the results, as with the Bureau of the Census, was that American business had much more information about its economy long before any other industrial nation did. It is one of the reasons we grew so well. We could measure; we could count. As a rule you never do anything about a subject until you learn to measure it, and we have learned, and the world has learned from us.

But I think the Senator would agree that if we are going to speak with authority during international trade disputes, agreements, negotiations, it is very important for the United States to know what wage levels are in competing nations and what industrial disputes take place there and the levels of compensation and social insurance. Wages and hours, these are the basic numbers of productivity.

We will have this information, if those nations which ratify this convention comply. We will now have ratified. We can ask them to ratify. If they do not, there is bound to be a reason. If they do ratify, they have to keep accurate statistics.

It is important to know how far back our history with the ILO goes. One of the great demands of the working people in France, Britain and the United States during the First World War, was that after the war there be some attention paid to the fact that labor standards were often the victim of international trade. That is the basic theory of the labor convention—to prevent an employer from saying "I would like to pay you 50 cents an hour, but I have to compete with the Belgians, and they pay 40 cents an hour, so I am sorry."

The ILO never adopted a minimum wage convention, but here in Washington in 1919 they agreed to an 8-hour day. Thereafter, employers would not have to think about their competition and say "I would like to have an 8-hour day—also a 6-day week. But they do not do that in France, England and in Pittsburgh."

International trade questions were at the heart of the idea of an international labor organization. At the heart of it I think with this convention, once again, we return to a trade issue; we will be able to gather data and use it in our negotiations.

So, Mr. President, before I return to the specifics of the matter before us, may I first express my appreciation for the remarks of the Senator from North Carolina and for his support in this matter. I do think we are going to have a unanimous vote today.

The International Labor Organization was created by a commission which was headed by Samuel Gompers of the American Federation of Labor and it was much more a part of the campaign for the League of Nations than we remember.

Woodrow Wilson, on his great trip across the Nation campaigning for the United States to join the League, spoke continuously of the International Labor Organization. Indeed, almost the last words he spoke before his stroke, before he collapsed in Pueblo, CO, were about the ILO. Literally the last paragraphs. He told the people in Colorado about the League covenant and the ILO. But, he collapsed, and was prostrate when the international labor conference was organizing here in Washington.

His Secretary of Labor, William B. Wilson, did not know what to do. The Senate was caught up in a protracted debate about whether to have anything at all to do with the League. And a rather special event occurred. A very distinguished British civil servant, Harold Butler—later Sir Harold Butler—arrived in New York by ship and then came down here, intent on putting together the new international organization. He found the President prostrate and silent, and the Secretary of Labor unable to take any action without the President.

The first meeting of the new world organization was to be here. Well, over at the AFL, as it was then, they got a little committee together, and they got the use of the Pan American Union Building. It is still there, of course, near the White House on Constitution Avenue.

By sheer chance, he had dinner one night with the assistant Secretary of the Navy, a young, rising New York political figure, Franklin Delano Roosevelt, and his wife Eleanor, and explained his difficulties. "There is nothing to worry about," said Roosevelt; "I will take care of you." Roosevelt was devoted to Wilson. He just cleaned out the offices of the Navy, the temporary buildings the Navy had built on the Mall down there—which temporary buildings lasted until the 1970's. He just threw the admirals out of their offices and opened it up to the ILO.

Harold Butler did not believe it. He said that the life of an Assistant Secretary of the Navy who threw admirals out of their offices in Whitehall would be a short and not particularly happy one.

As a matter of fact, the ILO became an issue for Franklin Roosevelt, When he was elected in 1932, one of the first things he did, thinking to move toward the League itself, was to move toward the ILO. He sent delegates to the next meeting of the International Labor Organization in the Spring as observers. The following year he proposed membership, and it went very nicely through by joint resolution and was seen by the world as a move by the United States toward the League system.

Alas, with the invasion of Abyssinia—Ethiopia, as we say—and the reoccupation of the Rhineland, no further steps were taken.

Certainly in the thinking of Roosevelt, the ILO was central to the international system. When the United Nations was put together, it was very much with the thought that the ILO would be there—the one organization of the League that survived the League. It had established through international agreements that there are certain rights that individuals have, that they are entitled to an 8-hour day, for example, and that we can agree on this across borders.

Mr. President, this may sound hyperbolic, but it is not: these were the first human rights treaties. This was the beginning of the agreements known as the Helsinki accords; the genocide convention we have talked about so much on this floor; of the whole notion, which is part of the laws of the United States, that human rights are an international obligation under the Convenant of the League of Nations, and the Charter of the United Nations, which speaks of fundamental human rights.

It should be pointed out that as we adopt this convention, we are not simply indicating the sense of the Senate, some view of things we would like to see happen and hope to see progress. We enact the laws. Treaties are the supreme law of the land.

This is a treaty. And indeed a treaty is not just any law because its enactment requires a special majority, two-thirds of the Members present and voting, not a majority. A majority will not do for a treaty. This is a solemn act we undertake.

As I said earlier, sir, it is an act which has been rare. At the advent of the administration of President Eisenhower, the United States had ratified exactly seven ILO conventions, six maritime conventions of no great consequence, and the technical convention required by the demise of the League system, and then it took some 35 years until another ILO convention came before the Senate. That was 2 years ago when the Senate voted overwhelmingly to approve two ILO conventions, in one case by a vote of 81 to 2, and in the other by a vote of 84 to 0.

At this point, knowing that he is necessarily away from the city at this moment, I wish to acknowledge the exordinary role in this turnabout, after a third of a century with no action whatever, played by the distinguished learned Senator from Utah, Senator ORRIN HATCH.

As the then-chairman, of the Committee of Labor and Human Resources—this was 4 years ago—Senator HATCH recognized that the ILO had put into place a comprehensive set of conventions which protected the human rights of workers around the world. He suspected that the failure of the United States to ratify these very same conventions, even as we advocated them, weaken our influence within the organization and limited our ability to use those treaties to protect rights in other nations.

For instance, in the 1980's the conventions that Poland had signed on freedom of association were absolutely essential to the rights Solidarity claimed before the international community. We could invoke those rights only with the partial disability of our never having ratified those conventions ourselves.

It was with this thought in mind that Senator HATCH proposed that we again begin to ratify ILO treaties. He held a hearing which he described on the floor 2 years ago. I would take the liberty of quoting him at this point. He said:

> The hearing made it quite clear that our failure to ratify a single ILO convention during the last 3 decades has undermined the effectiveness of our representatives to this important international organization. . . . Unfortunately, when we have criticized Communist violations of ILO standards, our credibility has always been somewhat suspect given our own refusal to even consider ratifying ILO conventions. To be taken seriously in this organization, Congress must break away from the policy of abstention we have practiced for the last 30 years, the policy of not ratifying a convention regardless of its content.

Mr. President, at that time—we are talking here of February 1988—Mr. HATCH's effort was strongly supported by former Secretaries of Labor William Brock and Ann McLaughlin. That is one of the nice things about the ILO. From the beginning this has been an organization in which business was represented, labor was represented, and Government had half the delegates, but only half. The chamber of commerce in the 1920's kept saying, let us get involved there. It was the trade issue. So there is nothing in the least unusual about Republican Secretaries of Labor favoring these moves. It is part of a tradition that has now entered, sir, its eighth decade.

I am happy and proud to say that a person of very special importance to this Chamber, the present Secretary of Labor, Elizabeth Dole, is strongly of the view that we should ratify this Convention. I have known Secretary Dole for a good 20 years, since we first served together in an administration here in Washington, and understand exactly how she feels about this.

At a hearing last November she told the Committee on Foreign Relations, of which the Presiding Officer is a distinguished member:

> Our ratification record is very poor indeed. Today the United States has ratified only 9 of the 169 conventions adopted by the ILO. * * * Some enshrine fundamental human rights, such as freedom of association. * * * The International Labor Organization is the United Nations most effective advocate of human rights.

May I say that again? According to the Honorable Elizabeth Dole:

> The International Labor Organization is the United Nations' most effective advocate of human rights. We are all aware, for example, of the ILO's courageous support of Solidarity during the darkest days, and the critical role it has played in Poland's historic journey to democracy. But our ratification record works against our participation in the ILO's activities precisely in this critical area. * * * It is something I feel strongly about.

I would say, Mr. President, that anything Elizabeth Dole feels strongly about, we are well advised to pay close attention to.

I will say that again: Anything Elizabeth Dole feels strongly about, we are well advised to pay close attention to.

Mr. President, that being the case, I would now like to turn to the matter of the ground rules for the ratification of the ILO conventions. They were spelled out in the declaration I have offered. They are threefold, and they should be understood by all who hear us and who will read this RECORD. They are agreed to by this extraordinary combination of government, business, and labor organizations which goes by the acronym of TAPILS, the Tripartite Advisory Panel on International Labor Standards. That is experts from the U.S. Council for International Business, which includes the National Association of Manufacturers, the AFL-CIO, and the U.S. Government.

The ground rules are as follows, sir:

First, each ILO convention shall be considered on its own merits. It must withstand scrutiny apart from any other issue involving the ILO and will not be examined on a tripartite basis: the executive branch, labor, and business should all agree. We bring these conventions to the floor with the unanimous support of the organizations that are affected. We do not say we have a two-thirds vote or a majority vote. We have consensus. It will not mean of course that everybody involved gets everything they would want. That is not the nature of consensus procedures, but the support is even so extraordinary.

The second conviction is that, if there is any difference between the convention and the Federal law and practice, these will not be changed by virtue of adopting the convention, but rather will be dealt with in the normal legislative process.

It is understood that the Federal law and practice remains in effect until changed to comply with the convention. That may have to happen in a given case because, in adopting the convention we have adopted law. We may have some intervening period, during which the Congress enacts laws to execute the convention, resolving any conflicts of law.

Finally, Mr. President, the third condition is that there is no intention to change State law and practice by ratifying a convention, and in examining each convention the parties will consider any possible conflicts with State law which might arise as a result of ratification.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MOYNIHAN. I thank the Chair. My time has expired.

The distinguished ranking Member has asked me if I would allocate time in the course of the hour's debate. Seeing no Senator seeking recognition at this point, I will yield myself an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

This does come out of the total hour.

Mr. MOYNIHAN. That is correct.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. I thank the Chair.

Let me then, Mr. President, discuss for a moment the convention before us by first stating, as I said in the exchange with Senator HELMS, that the United States will not have changed its behavior one iota, one whit, to comply with this convention. The Bureau of Labor Statistics, now in its 106th year, is one of the most admirable institutions of our Government: Venerable, able.

I have the distinction to be able to say that I was in graduate school with the most able, distinguished present Commissioner of the Bureau of Labor Statistics, Dr. Janet Norwood. Years ago, in the Kennedy and Johnson administrations, I was Assistant Secretary of Labor, and had very nominal oversight over the BLS. They were very generous about that, and let me think many things that were not necessarily so, but were very agreeable to hear, namely, that I helped them with their decisions which, of course, I did not.

I would like to quote Dr. Norwood, who testified about this convention at our November 1, 1989, hearing:

> It has become increasingly clear that labor market information is critically important for economic decisions by policymakers and private companies, and that comparable data across countries is important to the

functioning of markets in an increasingly internationalized world.

Robert Davis, who is the Solicitor of Labor, confirmed before our committee that an exhaustive review by legal experts had established that Convention 160, the one before us today, requires no changes in U.S. law or practice. Mr. Anthony Freeman, special assistant to Secretary of State, testified in support of ratification as well.

In addition, the committee heard from such able and experienced persons in the private sector as Mr. Rudy Oswald of the AFL-CIO; Mr. Brian Glade of the U.S. Council for International Business; Edward Potter, counsel to the U.S. Council for International Business; and F.M. Lunnie, Jr., of the National Association of Manufacturers. Each of these witnesses is an expert on ILO matters and none raised the least objection. To the contrary, they put forward the strongest support for ratification.

Finally, Mr. President, I would like to note that the convention was adopted by the ILO in 1985, by a unanimous margin, 422 to zero. Also it should be noted that this is one of the last acts of President Reagan, who submitted the convention to the Senate on January 12, 1989. We are here 1 year and some weeks later and I think it could be said that we have dealt with it with some dispatch: and deliberation, but not delay.

I hope that President Reagan will take some satisfaction from the fact that he submitted to us virtually a third of the ILO treaties the United States has ratified. He submitted three conventions to us, each of which was ratified, one unanimously, one as near as makes no matter, and, I hope, we will have a unanimously vote again today.

Mr. President, before I yield the floor, there is a final matter that should be touched upon briefly. My colleagues will remember that in 1977 the United States withdrew from the ILO. This was a bipartisan decision. As Ambassador at the United Nations under a Republican administration in 1975 it fell to me to draft the letter stating that the United States would withdraw at the close of the mandatory 2-year notice period. When that moment came, in 1977, I stood on this floor as a Democratic Senator and moved that the United States do just that. It was the policy of both President Ford and President Carter. Our complaints with the ILO were several, but chiefly, that it had come to apply a double standard to the conduct of nations in the West and in the totalitarian block and that it was being abused as a forum to carryout political agendas unrelated to its legitimate purposes.

The bitter medicine of U.S. withdrawal had its effect. In 1980 the United States rejoined. Questioned on this matter at the committee hearing, Mr. Freeman of the State Department replied:

[W]e think that the ILO has been doing a good job * * * particularly since our return to the ILO." He cited, as did Secretary Dole, an ILO report which was "highly critical of Polish efforts to crush the Solidarity trade union." He cited ILO criticisms of Romania, Czechoslovakia, and the Soviet Union, including specific ILO attacks on Article Six of the Soviet Constitution which the Soviets are now discarding. Secretary Dole concluded that "we can be fairly certain that the United States will be measured by the same yardstick as other ILO members. * * *

Mr. President, today we will vote on the third ILO convention we have considered in 2 years. Others are being examined by TAPILS—the tripartite body of legal experts—and may very soon be forwarded to the Senate for consideration. Among these are important, substantive treaties, including a convention on the prevention of forced labor. So we will be hearing much more about the work of the ILO in the days to come.

Mr. President, I would like to congratulate the Washington branch office of the ILO for their excellent work in assisting the committee in this matter. In particular, Steve Schlossberg continues his absolutely outstanding service in the cause of labor rights. I also wish to acknowledge the great assistance of Mr. Schlossberg's colleague, Don Smythe.

I thank the Presiding Officer so very much for his thoughtful cooperation.

My time having expired, I yield the floor and will not resume the floor unless the occasion seems to require it later on.

Mr. President, as no Senator appears to be seeking recognition at this point, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KERREY). Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask that a statement by Senator HATCH be printed in the RECORD. That statement expresses Senator HATCH's strong support for this ILO Convention. Senator HATCH is representing the Senate at the United Nations General Assembly Special Session on Drug Control, which is also taking place today.

The statement follows:

INTERNATIONAL LABOR ORGANIZATION CONVENTION NO. 160

● Mr. HATCH. Mr. President, it is with great pleasure that I rise today in support of ratification of International Labor Organization Convention No. 160, which concerns labor statistics. It marks the third such convention we will have had the opportunity to ratify within the last 3 years. The United States is already in full compliance with this technical convention due to the existing work of the Bureau of Labor Statistics.

My distinguished colleague from New York, Senator MOYNIHAN, is an internationally renowned scholar on the International Labor Organization, and I want to thank him again for his dedication, interest, and support for the need to ratify these conventions. He understands the important role this international body plays in other countries and the way it can help improve the working conditions of people around the world. He also appreciates, I believe, the quiet but positive impact our participation in the organization has had on our Nation's foreign policy and credibility.

There was an unfortunate 35 year hiatus in the willingness of the United States to even consider ratification of an ILO convention. In September 1985, I held a hearing on the ratification process in the hope that by focusing attention on this area, we might regenerate some activity. Secretary Brock took the challenge and revitalized the necessary tripartite review procedures among representatives from business, labor, and the Federal Government. He reconvened the President's Committee on the ILO and the Tripartite Advisory Panel on International Labor Standards, and their collective efforts ultimately led to the ratification of two conventions in 1988 and submission of Convention No. 160.

The review procedure was rejuvenated after an agreement was reached on three ground rules and the creation of a two-track system. The ground rules were first that each ILO convention would be examined on its own merits on a tripartite basis; second, that if there are differences between the convention and existing Federal law or practice, these differences would be addressed in the normal legislative process; and third, that there was no intention to change State law or practice through the ratification process.

It was also agreed that there would be two separate tracks for reviewing ILO conventions. The first track would consider the numerous technical conventions, such as Convention No. 160, which can be ratified rather easily. The second track addresses the more fundamental ILO human rights treaties, which go to the heart of labor and employment law in the United States. Care must always be made that in ratifying these conventions, our constitutionally required, Federal bicameral legislative process is not usurped.

I was pleased to learn, Mr. President, that the Tripartite Advisory Panel has been working on other conventions. In September 1989, they concluded that ILO Convention No. 105 concerning

forced labor could be ratified without amending our domestic labor laws, subject to two understandings to clarify how the convention could be implemented in the United States. It is my understanding that a decision on whether to recommend this convention for ratification will be made by the executive branch next month. If ratified, it would be the first ILO human rights treaty adopted by the United States.

Moreover, I understand that the Tripartite Advisory Panel is currently reviewing for ratification Convention No. 138 on child labor, Convention No. 150 on labor administration, Convention No. 111 on equal treatment, and Convention No. 87 on freedom of association.

Mr. President, as we witness daily the euphoric quest for freedom in Eastern Europe and other countries throughout the world, it should be noted that in several, such as Poland, a vigorous free trade movement has been a catalyst for freedom. While we as a body search for ways to support these changes, we may never find one as effective as the International Labor Organization. By continuing to work within the organization, reviewing and where possible ratifying its conventions, we can help to foster throughout the world a true atmosphere of democratic freedom.

I hope my colleagues will join in support of this important convention.●

Mr. MOYNIHAN. Mr. President, in the remaining moments before we vote in the ILO Convention before us, I would take the opportunity to recall the role of the International Labor Organization in the survival of the Solidarity trade union movement.

First, Mr. President, I ask for the yeas and nays on the convention at the appointed time.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MOYNIHAN. Mr. President, it is simply a fact that, throughout the 1980's, as the struggle went back and forth between the Polish Communist Party and the Solidarity labor movement, Poland's having ratified the landmark conventions relating to freedom of association was vital. First, there was Convention No. 87, freedom of association and protection of the right to organize, and then Convention No. 98, the right to organize and bargain collectively. Ratification of these conventions was a fact which the Government of Poland could not deny. In 1978, the International Federation for Free Trade Unions charged Poland with violating Convention No. 87. The ILO agreed.

Mr. President, the point here is that as we grow familiar with our post-Leninist world, we see that there can be more than one trade union in a Communist country. But that was not so in Poland in the 1970's. The Communist Party had the same leading role that it has had in Moscow, and no competing organizations had the right to exist, but under the ILO conventions, they did.

In 1980, Poland's Minister of Labor wrote to the ILO Director General stating that Poland officially recognized Solidarity, the first independent trade union to gain national recognition in a Communist country—the first ever. And the 1980's began with that fact. Lech Walesa went to the 1981 International Labor Conference as Poland's labor delegate. Then in 1981, the Government tried to withdraw recognition, and it went back and forth and back and forth. But the basic fact is that Poland was obliged by treaty to recognize Solidarity, and domestic law, even martial law, could not undo those treaty obligations.

We owe a very great deal to the organization which Franklin D. Roosevelt helped in September 1919, the name of which formed almost the last words on the lips of Woodrow Wilson before he collapsed. The ILO was founded under a charter drafted by a commission headed by Samuel Gompers. It was one part of the league system that we joined when Franklin Roosevelt returned to Washington as President. It is still there today and more relevant than ever.

I close these remarks by stating that the first human rights treaties ever adopted in history were adopted at the Pan American Union in November 1919 at the first meeting of the International Labor Organization; it occurred in the United States and it is something the United States can be proud of today as we adopt our 10th International Labor Convention. It is the third in 2 years. This is a moment which I think we can also take pride in, and we certainly want to express our gratitude to the labor and business organizations that have cooperated in bringing this convention to the floor.

I again thank the Secretary of Labor for her diligence in advocating the matter. I, for my part, would like to thank Mr. Nirenberg and the ranking Republican member for his courtesy and support throughout.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the declaration to the resolution of ratification offered by the Senator from New York.

The declaration was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification with the declaration. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas [Mr. BENTSEN], the Senator from Delaware [Mr. BIDEN], and the Senator from Oklahoma [Mr. BOREN] are necessarily absent.

I further announce that the Senator from Massachusetts [Mr. KERRY] is absent on official business.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KERRY] would vote "yea."

Mr. SIMPSON. I announce that the Senator from Utah [Mr. HATCH] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. HATCH] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 0, as follows:

[Rollcall Vote No. 14 Ex.]

YEAS—94

Adams	Glenn	Metzenbaum
Armstrong	Gore	Mikulski
Baucus	Gorton	Mitchell
Bingaman	Graham	Moynihan
Bond	Gramm	Nickles
Boschwitz	Grassley	Nunn
Bradley	Harkin	Packwood
Breaux	Hatfield	Pell
Bryan	Heflin	Pressler
Bumpers	Heinz	Pryor
Burdick	Helms	Reid
Burns	Hollings	Riegle
Byrd	Humphrey	Robb
Chafee	Inouye	Rockefeller
Coats	Jeffords	Roth
Cochran	Johnston	Rudman
Cohen	Kassebaum	Sanford
Conrad	Kasten	Sarbanes
Cranston	Kennedy	Sasser
D'Amato	Kerrey	Shelby
Danforth	Kohl	Simon
Daschle	Lautenberg	Simpson
DeConcini	Leahy	Specter
Dixon	Levin	Stevens
Dodd	Lieberman	Symms
Dole	Lott	Thurmond
Domenici	Lugar	Wallop
Durenberger	Mack	Warner
Exon	Matsunaga	Wilson
Ford	McCain	Wirth
Fowler	McClure	
Garn	McConnell	

NAYS—0

NOT VOTING—6

Bentsen	Boren	Kerry
Biden	Hatch	Murkowski

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, with its declaration, is agreed to.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, may I note, sir, that this is the second occasion in 2 years that the U.S. Senate has unanimously agreed to the ratification of an International Labor Organization convention, a fact which I know the world will take note of, and which we can be proud of.

Mr. President, finally, this could not have come about without the singular abilities of the chief counsel to the Committee on Foreign Relations, who

has been with the committee for some 18 years, Mr. David Keaney. I would like to acknowledge as I have once before, Mr. Darryl Nirenberg's assistance, and the particular care and attention of Mr. Stephen Rickard, of my staff.

Mr. President, I yield the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order the Senate will return to legislative session.

EXTENSION OF AUTHORIZATION OF CERTAIN SCHOOL DROPOUT DEMONSTRATION PROGRAMS

The PRESIDING OFFICER. Under the previous order the Senate will proceed to the consideration of Calendar Order No. 124, H.R. 2281, on which there will be 1 hour of debate, to be equally divided and controlled by the Senator from Rhode Island [Mr. PELL] and the Senator from Kansas [Mrs. KASSEBAUM] or their designees.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2281) to amend the Elementary and Secondary Education Act of 1965 to extend the authorization for certain school dropout demonstration programs.

The Senate proceeded to consider the bill.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I am extremely pleased that we are considering H.R. 2281, which would provide a 2-year extension of the School Dropout Demonstration Assistance Act. This act is the result of legislation I originally introduced in 1985. Since its enactment in 1988, this important program has provided over $45 million in grants to school districts to address the very severe problem of students who drop out of high school without getting their diploma.

The Senate has already passed two other pieces of legislation to extend the School Dropout Act. Most recently, for example, we included continuation of this important program in the President's Educational Excellence Act. Last year, its continuation was made of part of the Taft Institute reauthorization, which was approved by the Senate in November.

Unfortunately, reauthorization of the Dropout Program has been jeopardized by the long delay that ensued after the President's education package was reported to the Senate floor. As my colleagues know, I was opposed to that delay and very much regret that it occurred. It has seriously damaged prospects for continued funding of the program during the current fiscal year. We are eager, therefore, to reauthorize the dropout program as a separate measure so that we can insure that it will not come to an end.

Today, the need for the School Dropout Assistance Act remains just as critical as it was when it became law 2 years ago. The annual dropout rate in this nation averages 25 percent. That figure can reach an alarming 50 percent, or even higher, in many urban areas. And for specific at-risk populations, the percentage of students leaving school before graduation can be an overwhelming 80 percent.

The economic waste that results from this situation is terrible. School dropouts swell our unemployment and welfare rolls. And, if dropouts do find jobs, those jobs all too frequently require only minimal skills and involve only minimal wages.

A major study conducted by UCLA also shows that school dropouts represent a significant loss in potential revenue and productivity. This loss adds up to $200 million per year for each graduating class, and over their lifetime can balloon upwards to $200 billion. It is this figure which I find most troublesome. For while dropping out of school holds severe repercussions for the individual student, and while it means an immediate cost to us in welfare and other social costs, it is the loss in productivity and output which poses the greatest danger.

We simply cannot afford to lose even one student. The decade of the nineties will place us squarely in the center of an economic battle for international markets that, by comparison with the past, will look relatively tame. The transition to a European Community in 1992 poses a particularly significant challenge for our Nation's industries, which will have to compete with the newly formed European Common Market. To fend off this threat we must have a vigorous work force—one that is highly skilled and inventive.

We have already seen considerable evidence of our weakening position in the world economy. But it is not too late to turn that situation around. America today is still a vitally functioning economic power. Our industries continue to hold the attention of the world. And it is America's citizens who can still claim that they invent the majority of new markets, materials and products.

Our Nation also has tremendous resources, the greatest of which is our people. But these resources requires a significant investment in education and training to keep them within the mainstream of international competition. Maintaining our cutting edge in the new global economy will require nothing less than the full contribution of the talents of each of our citizens.

Figures from the Department of Labor indicate that of the 20 fastest growing occupations, at least 18 will require 2 years or more of higher education preparation. And it is projected that up to 9 percent of these jobs could go unfilled because of insufficiently skilled workers. We must, therefore, make every effort to keep our students in the educational pipeline, so that once part of the work force, they are able to meet the constantly changing demands of the workplace. It is both wrong and unwise to let our Nation lose ground in the international market because high-skilled jobs go unfilled while unskilled workers remain unemployed.

That is why the measure before us this afternooon is so critical. For, in reauthorizing the School Dropout Demonstration Assistance Act, we set our sights on the future, a future that is one of economic strength and expansion for our country and for our citizens.

Projects funded under this act in the last 2 years have shown great promise in keeping students in schools and in ensuring that their time spent in school is meaningful and productive.

One of the most outstanding projects is the Providence Dropout Prevention Collaborative in my home State of Rhode Island. This project has brought together a broad crosssection of the Providence community to reduce their dropout rate. This program began under the initiative of Dr. Marcia Feld, Dan Challener and Peg Dyer of the Urban Field Center at the University of Rhode Island. They combined their talents and efforts with the superintendent, Dr. Joseph Almagno, the assistant superintendent, Neil Corkery, and Mary O'Brien of the Providence School Department, as well as Marcia Reback, president of the Providence Teachers Union. Henry Woodbridge, executive director of Workforce 2000, and other representatives of business and industry are also part of the collaborative. And many other members of the Providence community have given freely of their time for this critical endeavor.

The Federal program has also provided grants to 87 other projects in 31 other States, including Iowa, Oregon, Tennessee, and Pennsylvania.

We have only just begun to tackle this serious problem, and we simply cannot afford to have the program end at this critical juncture. In cities—like Providence—where work has begun, it must be continued. In areas where work has not begun, it must be encouraged and initiated.

This year the President has submitted a budget request of $45 million for the school dropout program, which is more than double the current appropriation. I am greatly heartened by the support that the executive branch has demonstrated for this program. The President's voice is a welcome addition to what we have been saying for many years. It is an indication that the White House has come to recog-

nize the stake that we have in insuring that these at-risk students are educated to the full limits of their potential.

No greater investment can be made than in the training and education of our young. The student we keep in school may well blossom into the person who one day may find the cure for cancer, solve the problem of cleaning up our environment, or bring to fruition our goal of providing a lasting peace on this planet. No one could ask for a greater yield on an investment than that.

Mr. President, within the hour it is my hope that we will approve this legislation, and send it to the President so that it might quickly be signed into law. Then we can continue the work begun in 1988 and move headlong to an even stronger future.

I yield the floor.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I am pleased that the Senate is considering H.R. 2281, legislation to extend the authorization of the School Dropout Demonstration Assistance Act through fiscal year 1991. This measure was approved by the House of Representatives last June.

The School Dropout Demonstration Assistance Act was established in 1988 as part of the Hawkins-Stafford school improvement amendments (Public Law 100-297). The purpose of the program is to support the establishment or expansion of model programs to reduce the number of school dropouts. These model programs can provide needed information about effective means for identifying and supporting students at risk of dropping out and for encouraging students who have already dropped out to reenter school.

There is a pressing need to find effective ways to stem the flow of students dropping out of our schools. Each year, we lose 650,000 to 700,000 students who leave school without graduating. Overall, our national high school completion rate is just over 71 percent.

In his recent State of the Union Address, President Bush put forth a series of national educational goals—among them one that the United States increase the high school graduation rate to 90 percent.

The need to keep young people in school cannot be emphasized too strongly. Failure to receive a high school diploma spells tragedy for the individual dropout, who operates at a permanent disadvantage in job prospects and lifetime earnings. It is a tragedy as well for our Nation, which loses the productive capacity we so badly need from all of our workers.

As dropout figures attest, we are doing a disappointing job in emphasizing the importance of education. Far too many young people fail to recognize the need to make this investment in their futures. The School Dropout Demonstration Assistance Act attempts to assure that our efforts to turn this situation around will be based on strategies that work.

The fiscal year 1989 funding level for this program was $21.7 million, and the Department of Education awarded 89 demonstration grants during the 1988-89 school year.

These grants have made possible a wide variety of demonstration programs. Grant size ranged from just $23,000 to nearly $500,000. The vast majority of grants were awarded in urban areas, but rural projects comprised nearly 25 percent of the total.

The majority of the programs are either comprehensive K-12 or middle school/high school projects. Seventy percent of these programs were not in operation prior to the receipt of a grant award, and most of these new programs were modeled on successful efforts in other school districts. Nearly all the programs received at least half of their support from the Federal grant, and 80 percent received supplemental funding from their local school budget.

The number of students served ranged from a low of 30 to a high of 11,500. Nearly all programs targeted educationally or economically disadvantaged students. Approximately one-third of the programs included pregnant teenagers as a target population. Poor attendance and/or truancy records were most frequently used in identifying program participants, although many of the programs also relied upon test scores, teacher recommendations, grade-level performance, and discipline problems.

Social and personal services, including individual counseling and parental involvement, were offered in well over 90 percent of the programs. Academic services were also routinely offered, and approximately three-fourths of the programs offered vocational services as well. A substantial number of programs provided services such as transportation and/or coordination with social services programs. In general, these programs operated at regular school sites during the school year. Most had a small number of full- or part-time staff.

Authorization for the program expired in fiscal year 1989. Consequently, no funding is currently available for the program. Enactment of H.R. 2281 would permit funding to resume in fiscal years 1990 and 1991 at an authorization level of $50 million in each of those years.

In addition, this legislation makes three modifications in the original program:

First, it expands the number of grants available to partnerships with local educational agencies. Currently, 25 percent of the grants are made available to partnerships. Under this legislation, grants to partnerships could fall in a range of 25 to 50 percent of the funding available for the program.

Second, it authorizes the Secretary of Education to use up to $1.5 million for program evaluation expenses.

Finally, it provides that evaluation reports will be submitted within 6 months after the end of the grant period.

It is important that we build upon the work which has already begun in this area. The potential demonstrated by these initial grant awards has been recognized by the administration. The President's budget proposal recommends a fiscal year 1991 funding level of $45 million for dropout demonstration programs. I urge all of my colleagues to join in support of continuing this important effort.

I yield the floor.

● Mr. HATCH. Mr. President, I want to express my support for this bill. Passage of this legislation will enable the Department of Education to continue the school dropout programs currently authorized in law.

Before the recess, this body passed the National Literacy Act of 1989. That legislation is aimed at solving the problems which happen after students leave school. The legislation we are addressing today will help to ensure that all of the citizens of this country are literate, by preventing them from dropping out of school in the first place. This legislation is actually a prevention program for illiteracy.

The workplace continues to require more education for workers. Ninety percent of the workers of the future will need at least 2 years of education beyond high school according to projections by the Department of Labor. This means that our society cannot afford to have students leaving high school if we are to have the work force we need for the 21st century.

We also need to reduce the dropout rate for the individual growth and progression of the citizens. Any person who leaves high school without graduating limits the job options and career opportunities which are open to him or her. Studies have shown that the average earnings of a high school graduate are 20 percent higher than those of someone who has not completed high school. People with lower wages have a lower standard of living during their working lives and at retirement. Consequently, the decision a student makes at 16 to leave school will affect that student for his or her entire life and will also have negative consequences for any children he or she may have. It is imperative that these students be guided at an early age so that they will not make the wrong choice.

My home State of Utah is running some demonstration programs for dropouts. One of the programs is centered in the San Juan School District wherein approximately 50 percent of the students are native Americans. The district currently has two demonstration programs with funds from the Federal Government. One involves just the San Juan School Distict and the other is a joint program with the College of Eastern Utah. One program works with children and parents in elementary school to increase communication between the school and parents through more counseling. In the 2 years since the program has been operating, the attendance rate has increased by 5 percent.

In a program at the high school level, 125 students were identified who were at least 2 years below grade level. In a 2-year period of time, 50 percent of these students were back at grade level. Another program is aimed at encouraging students who left school to return for some form of additional training, either through Job Corps, adult education programs, alternative high school, or the traditional program. Of the 100 students who were targeted for this program 2 years ago, 82 have returned, although not all 82 have yet completed their training.

I think you can see how successful these demonstrations can be. Programs such as those currently underway will serve to help those students at risk of leaving school. I urge my colleagues' support of the extension of the authorization of this legislation.

I yield the floor.●

The PRESIDING OFFICER. Who yields time?

Mr. PELL. Mr. President, I yield such time as the distinguished Senator from Massachusetts desires.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, over 750,000 American students will drop out of school this year. They will have many reasons for doing so, including poor teachers, broken homes, devastated communities, poverty, drug use, and the need to go to work. Whatever the cause, their decision is a tragedy for them and for the Nation.

These dropouts—along with the other 4.2 million young adults who have no high school diplomas—will have a higher rate of unemployment, greater dependency on social welfare programs, and lower income—22 percent lower than that of the average high school graduate. They represent a significant loss for the Nation in terms of the contribution to our national well-being that they will be unable to make.

A report recently issued by the Department of Education shows that 28 percent of our Nation's 18- and 19-year-olds have not graduated from high school. The figures are even higher for minorities: 42 percent of black and 52 percent of Hispanic 18- and 19-year-olds failed to graduate. If we consider 20- and 21-year-olds, the figures look slightly better, but are still too high: 15 percent of whites and 18 percent of black 20- and 21-year-olds have not graduated. The number for Hispanics remains intolerable: 45 percent have not graduated.

The report is encouraging in that it shows the gap between black and white dropout rates has narrowed significantly in the last decade. This improvement points to the effectiveness of Federal and local education programs targeted at this population.

Nonetheless, dropout rates—especially the high levels for Hispanics and even higher levels for native Americans—continue to be grossly unacceptable. In my own State of Massachusetts, black students continue to drop out at twice the rates of whites, while Hispanic students drop out at three times the rate of whites.

Today, the Senate is considering the extension of the only Federal program specifically designed to stem the tide of school dropouts. This legislation, H.R. 2281, is vitally important. We need to ensure that it is promptly approved and that the necessary funds are provided.

In 1987, Congress passed the School Dropout Prevention Demonstration Act, resulting in $45.6 million over 2 years in grants to local educational agencies, community-based organizations, and private/public partnerships for the development of innovative ways to keep students in school. These methods range from early intervention services for first and second graders to transition programs that help dropouts return to school.

Many of these programs have had notable success. In rural Illinois, Operation Rebound provides transportation, private tutors, and counseling for at-risk students and one-time dropouts who might not otherwise graduate or make the transition back to school. Half of the 300 students served each year go on to higher education.

In Massachusetts, the Cambridge public schools have used their grant to bring social workers and psychologists into 10 schools to work with at-risk students, their families, teachers, and school administrators. Federal funds have also allowed them to hire translators so that teachers can work more closely with parents of Hispanics, Portuguese, and Haitian students.

In Portland, OR, school district No. 1 helps at-risk students through a combination of six programs—drug and alcohol counseling, parent outreach, peer counseling, attendance monitoring, transition services for return students, and a student service center. After only 2 years, the freshman dropout rate has fallen 10 percent.

While these efforts are laudable, they are far from adequate. The Education Department received over 800 proposals for funding under the Dropout Prevention Act, and has been able to make only 89 awards serving 50,000 students. We need to do more. An article in this weekend's New York Times reported that Philadelphia is able to reach only 1,750 of the city's 101,000 high school students, Chicago serves less than half of its 200,000 students at risk of dropping out, and Los Angeles has programs for only 144 of its 600 schools.

Through these dropout programs, we can help our students and our Nation. At the same time we can acquire better information on how to prevent dropouts. With the data and information generated from this program, we will make major strides in understanding the problems that lead students to drop out and identifying concrete steps to address this crisis.

The action we are taking today would extend the current 2-year grant program for an additional 2 years. It would authorize $50 million each year to expand existing programs and establish new, innovative projects.

I was gratified to see that last week Secretary Cavazos named the Nation's first special advisor on dropout prevention and at-risk youth. In addition, the President's 1991 budget includes a request of $45 million for the program we are extending today. This modest investment will yield high returns: The Chicago public schools estimate that for each dollar we invest in dropout prevention, we will receive $12 in increased tax revenues and lowered social welfare costs and crime. This kind of investment speaks for itself.

I urge my colleagues to approve the extension of this important program.

Mr. President, I ask unanimous consent that the New York Times article on dropout prevention programs be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 17, 1990]

CUTTING THE DROPOUT RATE: HIGH GOAL BUT LOW HOPES

(By Michael deCourcy Hinds)

American educators are trying almost anything to keep children in school. They give pizza parties in Chicago, promise after-school and summer jobs in Philadelphia, hold drawings for used cars in Milwaukee and enroll American Indian youths in private schools in Minnesota, at state expense.

The challenge of reducing the dropout rate is something educators around the country have been struggling with for many years, with programs that are often experimental and, in any case, reach few of those at risk for leaving school. In his State of the Union speech, President Bush set a goal of graduating 90 percent of high school students by the year 2000.

Over and over, school officials say they do not have the money to spend on much more than the basics, and certainly not enough to solve the larger problems of society like poor housing and drug abuse that contribute to the dropout rate. The nation's high schools now graduate about 71 percent of students who enter as freshmen, a figure that has remained about the same for two decades.

INSPIRATION STRESSED

"Is it realistic to build a school system that graduates 90 percent of its students?" said Dr. Ernest L. Boyer, president of the Carnegie Foundation for the Advancement of Teaching. "Yes, if we really mean it. Yes, if we're willing to put resources into it. Simply declaring it as a vision and not defining a program will leave us in 10 years about where we are now."

But the Bush Administration says more inspiration than money is needed at this point.

"Per-pupil expenditures increased dramatically, by 29 percent over inflation, during the last decade, but reading scores and other results were essentially flat over that period," said Christopher T. Cross, the Assistant Secretary of Education for educational research and improvement. "What the critics are missing is that we have to have commitment to change values, to motivate students. Until we get that, throwing more money at the problem won't change it."

PHILADELPHIA SUCCESS STORY

Education experts could come up with no example of a school or school district that has succeeded in making what Dr. Boyer called "that great leap," raising its graduation rate nearly 20 percentage points, as Mr. Bush wants for the whole nation. More commonly, a school with a low dropout rate never had a major problem retaining students in the first place.

Schools are increasingly encouraging teamwork with local businesses, which do have money to devote to dropout prevention programs, as an investment in a more qualified work force.

One of the oldest and most successful pairings of business and education is in Philadelphia. A 20-year-old program, offered at 14 of the city's 21 high schools, integrates academic courses with vocational training in auto mechanics, business and other careers.

The program, Philadelphia High School Academies, recruits eighth graders considered likely to drop out with guarantees of after-school and summer jobs, at $5.75 an hour. More than 93 percent of the students who enter the program graduate, as against 70 percent for the school district over all.

But the program now reaches only 1,750 of the city's 101,000 high school students, said Natalie S. Allen, president of the program. "We hope to be able to serve 5,000 kids by 1995," she said, adding that a program that large would cost about $1.2 million a year.

Mrs. Allen said the money would have to come from businesses and foundations rather than the school district, which faces a $60 million deficit next year in its $1 billion budget. In the 1987-1988 school year local businesses contributed $400,000 to the program; last year they gave $830,000.

PIZZA AND USED CARS

In Milwaukee, where only 60 percent of the students graduate from high school, principals are enlisting local businesses to provide incentives for children who improve their attendance, grades and behavior, said David C. Begel, a spokesman for the district, which has 98,000 students.

Most companies give away small things like certificates for pizza, but two car dealerships give away used cars. Two schools let their most-improved students participate in a drawing for a car each year.

"Clearly, it's an incentive for some kids, but I don't know how you would quantify the impact," Mr. Begel said. The programs have been in effect for three years at one school and one year at another.

Chicago spends $3.8 billion a year on its public schools, including $1 million on programs to prevent pregnancy, a key reason for dropping out. Much of the money in that program is spent on pizza parties and party gifts to draw students to seminars.

"Counselors try to build their self-esteem and teach them about their bodies," said Dr. Grace G. Dawson, director of the district's Division of Dropout Prevention. "We think we're reducing the pregnancy rate by as much as 50 percent."

PROGRAMS SEEN AS LIMITED

But she said this program and several other dropout prevention programs reach fewer than half the 200,000 students considered at risk of dropping out. There are 410,000 students in the city's school system, Dr. Dawson said the dropout rate ranged from 20 percent in some schools to 70 percent in others.

In Los Angeles, a three-year effort to curb a 39 percent dropout rate has the money to serve only 144 of the district's 600 schools, said Peter Martinez, coordinator of the district's Dropout Prevention Office. The budget for his program is $5.6 million this year, out of a district budget of $3.2 billion.

One of the more novel ideas, which started in West Virginia two years ago and has already spread to Texas, Florida, Louisiana, Wisconsin and Ohio, is to revoke the driver's license of dropouts and truants.

"We're very pleased with the law," said Therese M. Wilson, acting director of the Office of Education Support Services in West Virginia's Department of Education. So far, the state has revoked the licenses of 1,003 teenagers, she said. As a result, 170 teenagers have returned to school and 163 others have enrolled in high school equivalency programs.

"West Virginia is pretty rural, so if you don't have a license you really can't get around," she said.

Minnesota is the only state that graduates more than 90 percent of its high school students. Six other states graduate slightly more than 85 percent of their students, according to a study of the high school class of 1987 conducted by the United States Department of Education. The states are Iowa, Montana, Nebraska, North Dakota, Wisconsin and Wyoming.

Florida ranked last, the department said, with 58 percent graduating, while Georgia, Louisiana, Michigan and New York had only slightly better rates. In the District of Columbia, the graduation rate is only 55.5 percent.

Schools in Minnesota have graduated 89 to 91 percent of their students since 1981, when data were first collected, said Robert J. Wedl, the state's Deputy Commissioner of Education. He conceded that the state had few minority students and less poverty than the national average, around the country, minority members and the poor are more likely to drop out. But he said it also helped that the state had long given education to top priority.

"We're graduating 91 percent of our kids, but that's not nearly enough," Mr. Wedl said. "It's not O.K. to throw away 10 percent of our kids."

A FLEXIBLE SCHOOL SYSTEM

With 720,000 students and a $3.8 billion budget, Minnesota ranks 17th in per-pubil spending. The state has developed a flexible school system, with a wide variety of specialty and year-round schools, and students can attend any school within commuting distance.

In 1988, when Minnesota could not keep one-third of its American Indian students from dropping out of high school, the Legislature passed a law permitting the State Department of Education to pay for private school for Indian children at risk of dropping out.

"You have the change the school to suit the child, rather than trying to change the child to suit the school," said Dr. David Beaulieu, the state director of Indian education.

He said school districts contracted with seven private schools, including three runs by tribal governments, that graduate 90 percent of their students. The schools provide students with a great deal of individual instruction in an amblence and cirriculum that reflect Indian society and culture, he said.

GRADUATION RATE BY STATE

[For the 1986-87 school year]

	Rate (percent)	Rank
Alabama	70.2	34
Alaska	66.7	41
Arizona	64.4	45
Arkansas	77.5	18
California	66.1	42
Colorado	73.7	26
Connecticut	80.5	11
District of Columbia	55.5	51
Delaware	70.1	35
Florida	58.6	50
Georgia	62.5	47
Hawaii	70.8	33
Idaho	78.8	14
Illinois	75.7	22
Indiana	73.7	27
Iowa	86.4	5
Kansas	82.1	9
Kentucky	67.4	39
Louisiana	60.1	49
Maine	79.3	13
Massachusetts	76.5	20
Maryland	74.5	23
Michigan	62.4	48
Minnesota	90.6	1
Mississippi	64.8	44
Missouri	74.4	24
Montana	86.2	6
North Carolina	67.8	37
North Dakota	88.4	3
New Hampshire	72.7	29
New Jersey	77.2	19
New Mexico	71.7	32
New York	62.9	46
Nebraska	86.7	4
Nevada	72.1	31
Ohio	82.8	8
Oklahoma	72.6	30
Oregon	72.8	28
Pennsylvania	78.7	15
Rhode Island	69.4	36
South Carolina	66.9	40
South Dakota	79.7	12
Tennessee	67.8	38
Texas	65.1	43
Utah	80.6	10
Virginia	74.0	25
Vermont	78.0	16
West Virginia	76.2	21
Washington	77.8	17
Wisconsin	85.4	7
Wyoming	89.3	2
Total	71.1	

Source: Department of Education.

Mr. KENNEDY. I also ask unanimous consent to have printed in the RECORD a table showing the dropout rates in my own State of Massachusetts.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

MASSACHUSETTS ANNUAL AND PROJECTED 4-YEAR DROPOUT RATES 1987-88

	Number of dropouts	Annual rate (percent)	4-year rate (percent)
Statewide (grades 9-12)	13,983	5.4	20
Grade:			
Grade 9	3,271	5.0	
Grade 10	4,230	6.5	
Grade 11	4,001	6.1	
Grade 12	2,481	3.8	
Gender:			
Male	8,093	6.2	21
Female	5,890	4.6	18
Racial/ethnic groupings:			
Asian	298	4.8	18
Black	1,808	10.6	36
Hispanic	1,727	14.4	45
Natice American	54	11.8	40
White	10,096	4.5	17
Kind of Community:			
Urban Centers	9,274	8.9	31
Econ. Developed Suburbs	1,883	2.6	10
Growth Communities	1,275	4.3	16
Residential Suburbs	358	1.4	5
Rural Economic Centers	988	4.4	17
Small Rural Communities	115	3.5	14
Resort/Retirement/Artistic	90	2.9	11

The Annual Dropout Rate is the percentage of students who dropped out between July 1, 1986 and June 30, 1987. The Projected Four-Year Rate is an estimate of the proportion of students who entered grade nine in 1986 who may not graduate.

Source: Massachusetts Dropout Report, 1987-88.

Mr. KENNEDY. Mr. President, I commend the chairman of the Education Subcommittee, Senator PELL, for his constancy in developing this legislation, and for bringing the legislation into the consolidated form that it is in today. It is stronger legislation than the ways in which we have approached it in the past.

I commend Senator KASSEBAUM for her work in this area. She has made the needs of education a top priority of hers and has had a very positive and impressive impact both in this legislation and the other education programs which have come out of our committee.

I also commend and congratulate the Senator from Illinois, PAUL SIMON, who worked tirelessly on the legislation. I hope it will be passed by overwhelming majority.

Mr. President, I yield back my time.

Mr. PELL. Mr. President, I thank the Senator from Massachusetts, the chairman of our full committee, without whose help and support none of our education bills will get through. I appreciate his kind words.

BASIC SKILLS FUNDING

Mr. KENNEDY. Mr. President, section 1 of H.R. 2281 adds a restriction to the authorization for the School Dropout Demonstration Assistance Act so that funds are not available in any year in which funds are appropriated for part C of chapter 1 of title I. Part C is the Secondary School Programs for Basic Skills Improvement and Dropout Prevention and Reentry which was created as part of Public Law 100-297, the 1988 omnibus reauthorization of the Elementary and Secondary Education Act. Could my colleague from Rhode Island provide a little legislative history as to why this particular provision is part of H.R. 2281?

Mr. PELL. Certainly, I would be glad to answer the question of the senior Senator of Massachusetts. When we reauthorized the Elementary and Secondary Education Act in 1988, we in effect created three programs: First, the School Dropout Demonstration Assistance Act; second, the Secondary Schools Basic Skills Demonstration Assistance Act; and third, the Secondary School Programs for Basic Skills Improvement and Dropout Prevention and Reentry. The first two demonstration grant programs are authorized through 1989. In fiscal year 1990, the authorization for the third program was to become effective. The third program is basically a combination of both demonstration programs, providing assistance to address both the school dropout problem and the need to expand basic skills instruction in secondary schools. This third program is different from the first two, however, in that it distributes money to the States on the basis of the chapter 1 formula rather than on the basis of discretionary grants awarded by the Secretary of Education.

It was our intent when we created the first two programs to authorize these programs as demonstration programs through fiscal year 1989, and then to roll them into one formula-driven program beginning in fiscal year 1990. The dropout demonstration program was authorized through fiscal year 1989 at a level of $50 million, and the secondary schools basic skills demonstration program was authorized through fiscal year 1989 at a level of $200 million. Beginning in fiscal year 1990, these programs were to be combined into one program at an authorization level of $400 million to provide money to each State on the basis of the chapter 1 formula for these two activities. The formula program, contained in pact C of chapter 1 of title I, directs the State to spend one-half on basic skills for secondary school students, and up to one-half on preventing students from dropping out of schoool.

We established this structure so that we could first fund demonstration projects to develop the most effective methods for addressing these needs. The information gained from the operation of these programs—especially that of identifying what works—would then enable us to provide much more comprehensive assistance, with the assurance that we had proven successful programs as models.

At the time, we had envisioned that by fiscal year 1990 sufficient appropriations would be available to distribute money to the States on basis of the chapter 1 formula, as is provided under part C of chapter 1 of title I. To date, however, appropriations for the part C program have not been forthcoming. We therefore have extended the authorization of the demonstration program to continue the progress already underway and to begin new projects in other school districts. Once sufficient funds are available to provide this kind of assistance in every State, we could then switch to a formula-driven program. In our view, distribution by formula would require an appropriation level which is close to $100 million. This level would insure that when the allocation is distributed to the States, each State has sufficient funds to operate at least one successful program.

The language referencing the part C program is designed to ease the transition from a demonstration grant program to a formula-driven program in the event that sufficient funds for the part C program were made available.

Mr. KENNEDY. As you know, $5 million in appropriations has been provided for the basic skills for secondary school students in the fiscal year 1990 appropriations. This money has been provided for the basis skills demonstration grant program authorized under section 6103—in part B of title VI—of Public Law 100-297. It was not appropriated for the basic skills/dropout prevention formula-driven program which is authorized under section 1108—in part C of chapter I of title I—of that same law. The language in H.R. 2281 refers only to the title I part C formula-driven program, and does not apply to the title VI part B demonstration grant program. Am I therefore correction in understanding that the $5 million fiscal year 1990 appropriation for the basic skills demonstration program would not affect the authorization for the School Dropout Demonstration Assistance Act under the language in H.R. 2281?

Mr. PELL. Yes, that is entirely correct. The fiscal year 1990 appropriation for the basic skills program will be distributed in the form of discretionary grants from the Secretary of Education, and not by formula as contained in part C of title I of ESEA. Thus, under the language in H.R. 2281, the school dropout demonstration program authorization would not be affected by the fiscal year 1990 appropriations.

Mr. KENNEDY. I thank my colleague for clarifying the fact that the language in H.R. 2281 does not apply to the $5 million appropriations for basic skills provided under fiscal year 1990 appropriations.

Mr. PELL. Mr. President, what is the time situation?

The PRESIDING OFFICER. The Senator from Rhode Island has 17 minutes and 38 seconds remaining and the Senator from Kansas has 27 minutes and 30 seconds remaining.

Mr. DOMENICI. Mr. President, I am pleased to support passage of H.R. 2281, the National School Dropout Demonstration Assistance Act. This bill will reauthorize a highly-important program that, currently, is the Federal Government's only active program aimed at preventing high school-aged students from dropping out of school.

In the 1988 School Improvement Act this program was given a 2-year authorization that must be renewed this year for it to continue. Also included in the 1988 act was a larger, more-comprehensive, State-administered anti-dropout program entitled the Secondary School Program for Basic Skills Improvement and Dropout Prevention. The money simply has not been there to begin funding this second program, so it is imperative that we keep the dropout demonstration program alive.

Recently, Congress has been paying great attention to the critical educational needs of this country. Within the past few weeks the Senate passed a large legislative package designed to engender reform and generate excellence in American education. We also passed an important measure to coordinate and enhance national literacy improvement efforts.

America's disturbingly high dropout rate is perhaps the most significant condition we face urging us to reform and improve our educational system. Students who drop out have given up on education—a decision that will often harm them well into the future, as their disinterest for learning continues throughout their lives.

With some 600,000 to 700,000 American students dropping out of school every year we are putting far too many at risk of failing throughout their lives. In my State of New Mexico it has been estimated that nearly 28 percent of our students will dropout of high school—giving us the 12th highest dropout rate in the country. This high rate is driven by frighteningly higher dropout rates among our Hispanic and native American students.

Where does this lead? It has been estimated that fewer than 40 percent of New Mexico's poor high school dropouts, aged 15-21, were employed in 1985. Only 20 percent of these managed to find full-time work.

It is important to find ways to help these children before they drop out. In 1988, when work on the larger dropout prevention legislation was being done, I introduced a bill entitled the Educational Block Grant for Children at Risk Act. The goal of that legislation was to enable local communities to pool the various resources and services they have available so as to meet the complex educational and social needs of children who are at risk of failing in education.

Mr. President, education is a difficult enterprise, requiring tremendous effort on behalf of both teacher and student. While often it seems we encounter students who seem unreachable, we still must find a way to reach them. Sometimes this can be accomplished with some creativity—using new or different educational techniques that meet the diverse needs of different students. Often, this may also require educators to collaborate with others in the community who can help meet some of the complex needs youngsters have—people who can also help reach our students.

Surely our efforts to engender educational reform and promote excellence should be our central path to improving the education available to students. But programs such as the one we are reauthorizing today are highly important as well. Through this program we can help facilitate some of the creativity and collaboration necessary to reach kids who are at risk of failing in our educational system.

I am pleased the Senate is moving to reauthorize this important program and I urge my colleagues to support it as well.

Mr. PELL. Mr. President, I yield such time as he may desire to the Senator from Wisconsin [Mr. KOHL].

Mr. KOHL. Mr. President, I rise today to extend my support for the reauthorization of the National School Dropout Demonstration Assistance Act, and to thank my distinguished colleague from Rhode Island [Mr. PELL] for bringing this bill before the Senate for consideration.

Many are focusing on our need for new programs and new funds to meet the education goals set by the President and the Governors. I agree that we have to explore new approaches, but that does not mean we have to ignore the programs we already have in place. The National School Dropout Demonstration Assistance Act is an existing program which is dealing with some of the most difficult and hard to solve problems facing our educational system. It deserves our continued support.

Today, I would like to share with you the success of one dropout prevention program in Wisconsin. That program is called Project Hold.

Project Hold is a program which has been funded since August 1988 under the Dropout Demonstration Assistance Program.

Project Hold is a nationally acclaimed program at the Milwaukee Area Technical College [MATC], working with young people, to help reduce the dropout rate in the Milwaukee area. Participants range in age from middle school students through young adults in their early twenties.

Over 1,500 students have been identified and contacted through Project Hold; 406 students have reenrolled in MATC/Community based organization programs; 172 students have reenrolled in the Milwaukee public schools. Without Project Hold, these individuals would not have had the opportunity to continue in with their education in pursuit of a high school diploma.

Project Hold is working. As of today, 60 students have received high school diplomas, and 16 have received their GED. Over 50 percent of these students have gone on for advanced training in a postsecondary institution.

This project is so successful that MATC now has more dropouts wanting to participate than the program can handle. Its classrooms are full.

I commend the Project Hold staff in Milwaukee for helping to lead the way in designing a program that works. I also commend the leadership shown by my colleague from Rhode Island [Mr. PELL] in bringing this bill before the Senate today.

I realize that the Senate passed the Educational Excellence Act last week with a reauthorization of this program included. However, it is critical that this legislation be passed in a timely manner in order that appropriations can be approved and the program continue without interruption.

I urge my colleagues to support passage of the School Dropout Demonstration Assistance Act.

Mr. President, according to a report from the Corporate Task Force on Education, "Undereducated, Uncompetitive USA," the dropout rate for the Nation at the high school level is 25 percent. Recognizing the unacceptability of this figure, the President, in his State of the Union Message to Congress, stated, "The United States must increase the high school graduation rate to no less than 90 percent." In order to help reduce the dropout rate, the President has requested $45 million for a program of dropout prevention demonstrations.

What approaches are needed to address the serious problem of young people dropping out of school, with some even dropping out while in elementary school? Project Hold is a program which is attempting to find the answers. This program is working to identify and retain potential dropouts in school through high school graduation. Recognizing that the skills necessary for a literature work force are steadily increasing, another objective of the program is to encourage participating students to further their education after receiving a high school diploma.

Project Hold has three component parts. First, the program is designed to instill in each student at the middle school level the value and importance of an education. The program seeks to achieve that goal by helping out career classes and arranging tours to postsecondary programs and businesses to help illustrate the importance of staying in school. Second, at the high school level, the program works to identify dropouts and put them back into a situation where they can learn and succeed. They may be placed in MATC's own high school program, or return to their own district high school, or be placed in a community-based organization for instruction and counseling. Third, for adults up to the age of 25, the program works to provide basic skills in order to move these individuals into an adult high school program. Students receiving the GED are encouraged to work for an associate degree.

We know that the approach taken by Project Hold is working. With the Department of Education in the middle of an evaluation process of these demonstration projects it would be imprudent to end a program that appears to be having success, especially when Congress is considering a number of initiatives designed to promote excellence in our education system.

Mr. PELL. Mr. President, I suggest the absence of a quorum with the time to be equally divided.

The PRESIDING OFFICER (Mr. DODD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

I thank the Chair and I yield the floor.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I rise today in support for the extension of funding for the National School Dropout Demonstration Program, H.R. 2281.

This bill will authorize $50 million for the next 2 years to continue effective dropout prevention programs in public schools.

Our most valuable resource in America today is our youth. Our world standing depends on how we train, develop, and support not just the brightest kids, but also the ones most in danger of losing ground due to poverty, drugs, or teen pregnancy.

We cannot afford to enter the next century with a generation of kids labeled "not fit for duty." This legislation will help focus our Federal dollars on making our at-risk youth part of the solution for academic excellence before they become part of the problem.

I encourage my colleagues in the Senate to follow the example of the House of Representatives and pass this reauthorization bill unanimously.

Mr. DIXON. Mr. President, I rise in support of H.R. 2281, a bill to reauthorize the National School Dropout Demonstration Assistance Act.

I believe that the school dropout problem is an issue which this Nation must address as a priority item. We are told that 25 percent of all students in this country drop out of school each year. This is a national disgrace.

Many of these students are later added to our welfare caseload. These are our potential teachers, doctors, lawyers, community leaders, and, of course, taxpayers. Nonetheless, the education and employment potentials of these students are not met.

As my colleagues know, H.R. 2281 would extend for 2 years the National Demonstration Program under the Elementary and Secondary Education Assistance Act. It would provide a $50 million authorization for each, fiscal year 1990 and 1991. The House also added a provision which was requested by the administration to allow the Secretary of Education to reserve funding in the program for the evaluation process.

Mr. President, H.R. 2281 was introduced in the House by my Illinois colleague, Congressman HAYES, who has proven to be an outstanding leader on this education issue. He recognized the urgent need for this legislation so that the Federal Government can continue its efforts to help public schools come to grip with their dropout problems.

For fiscal year 1989, six projects in Illinois received dropout demonstration grant awards, as follows: $337,974 to the Chicago public schools in Chicago; $267,993 to Northeastern Illinois University in Chicago; $93,775 to the Youth Services Project, Inc., in Chicago; $178,346 to Hamilton-Jefferson Counties school district; $214,678 to Triton College in River Grove; and $113,014 to Carbondale Community High School District No. 165 in Carbondale.

Mr. President, while I realize that $50 million is far from what is needed to adequately fund the School Dropout Demonstration Assistance Act, I believe that this body should support H.R. 2281 so that we are able to sustain the progress already made in this area.

My colleagues may remember that on February 7, 1990, the Senate overwhelmingly approved S. 695, the Excellence in Education Act. The legislation includes a specific provision to extend funding for the School Dropout Program, unless prior to its enactment, funds are appropriated for another more comprehensive State-administered antidropout program in the Basis Skills for Secondary Schools Program.

Mr. President, since the House has not yet acted on S. 695, I call upon my colleagues to approve H.R. 2281 today so that this worthy dropout program is funded on a timely basis.

Mr. SIMON. Mr. President, I stand in strong support of H.R. 2281, which would reauthorize the School Dropout Prevention Demonstration Program under part A of title VI of the Elementary and Secondary Education Assistance Act.

Illiteracy, a problem that the Senate recently addressed with my S. 1310, is in part linked to the school dropout problem. There are 23 to 27 million illiterate adults in America. As youngsters, many of them had trouble in school and simply gave up, becoming part of the dropout statistics before becoming part of the adult illiteracy statistics. Many of them also become part of the crime statistics: 80 percent of all prison inmates are high school dropouts.

Our Nation's schools are desperately in need of assistance to deal with this problem. The Chicago public schools have a dropout rate of 43 percent, almost three times the national average. The dropout rate is as high as 80 percent for Hispanic students in some urban areas.

In 1984, then-President Reagan set out a goal of raising the high school graduation rate to 90 percent by the year 2000. A few weeks ago, President Bush presented the same goal for the Nation. We cannot reach that goal without committing some resources to programs that specifically address the problem.

By funding innovative demonstration programs, the School Dropout Prevention Demonstration Program helps schools find answers to the dropout problem. And this is the only Federal program focused specifically on school dropouts. The demand for funding demonstrates the need for the program: In fiscal year 1989, there were 850 applicants, but only about 10 percent of those applications could be funded with the $21 million available.

Mr. President, reauthorization of the School Dropout Prevention Demonstration Program is long overdue. I commend Senator PELL, Senator KENNEDY, and Senator KASSEBAUM for their efforts today to keep this valuable program alive.

DROPOUT PREVENTION

Mr. KERRY. Mr. President, I strongly support this legislation to authorize $50 million in this fiscal year and fiscal year 1991 for the National School Dropout Demonstration Program. This authorization is a limited extension of this important program. For the children, the consequences of a child dropping out of school are tragic—the individual is likely to get stuck in low-wage jobs, with few opportunities for advancement. In too

many cases, dropping out leads to wasted lives, with terrible effects on families and communities.

As a nation, we suffer the economic consequences of every child's decision to quit school earlier—in lower productivity, lost tax revenues, more demands on social services. As a society, we suffer the social consequences—in increased crime, in substance abuse. It is imperative that we address this problem in a serious way. I welcome the President's goal of cutting the dropout rate in the 1990's. But we must match resources to this critical goal. In my home State, our economic security depends upon our continuing to have one of the most educated, flexible, and creative labor forces in the world. Those characteristics are what have produced one of the highest standards of living in the Nation. However, while the growth in our labor force has slowed to a trickle, less than one-half of 1 percent per year, we have not effectively reduced dropout rates and equipped these young people to help build our future and theirs.

John Stuart Mill once wrote, "Ask a man to do nothing for his country and he will have no love for it."

Mr. President, helping to prevent our youngsters from dropping out is a critical way of making them feel a part of what is happening that is good and productive in our country and it is a critical element in creating the citizens we need in this country.

Mr. President, I was personally unable to participate on the Senate floor in this debate and vote today because I had the honor of representing the Senate as a U.S. Delegate to the United Nations Special Session on Drug Control which began today in New York. Obviously I would have joined in supporting this measure. But clearly, dropouts and drugs are too often tragically related aspects of the same young lives. We simply must do a better job of solving both of these problems, each of which treatens our future.

Mr. PELL. Mr. President, I yield back the remainder of my time.

Mrs. KASSEBAUM. Mr. President, I yield back the time remaining, if any, on this side.

The PRESIDING OFFICER. All time has been yielded back.

Mr. PELL. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas [Mr. BENTSEN] and the Senator from Hawaii [Mr. MATSUNAGA] are necessarily absent.

I further announce that the Senator from Massachusetts [Mr. KERRY] is absent on official business.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. KERRY] would vote "yea."

Mr. SIMPSON. I announce that the Senator from Indiana [Mr. COATS], the Senator from New Mexico [Mr. DOMENICI], and the Senator from Utah [Mr. HATCH] are necessarily absent.

I further announce that if present and voting, the Senator from Indiana [Mr. COATS], and the Senator from New Mexico [Mr. DOMENICI] would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote.

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—94

Adams	Glenn	Mikulski
Armstrong	Gore	Mitchell
Baucus	Gorton	Moynihan
Biden	Graham	Murkowski
Bingaman	Gramm	Nickles
Bond	Grassley	Nunn
Boren	Harkin	Packwood
Boschwitz	Hatfield	Pell
Bradley	Heflin	Pressler
Breaux	Heinz	Pryor
Bryan	Helms	Reid
Bumpers	Hollings	Riegle
Burdick	Humphrey	Robb
Burns	Inouye	Rockefeller
Byrd	Jeffords	Roth
Chafee	Johnston	Rudman
Cochran	Kassebaum	Sanford
Cohen	Kasten	Sarbanes
Conrad	Kennedy	Sasser
Cranston	Kerrey	Shelby
D'Amato	Kohl	Simon
Danforth	Lautenberg	Simpson
Daschle	Leahy	Specter
DeConcini	Levin	Stevens
Dixon	Lieberman	Symms
Dodd	Lott	Thurmond
Dole	Lugar	Wallop
Durenberger	Mack	Warner
Exon	McCain	Wilson
Ford	McClure	Wirth
Fowler	McConnell	
Garn	Metzenbaum	

NAYS—0

NOT VOTING—6

Bentsen	Domenici	Kerry
Coats	Hatch	Matsunaga

So the bill (H.R. 2281) was passed.

Mr. PELL. Mr. President, I move to reconsider the vote.

Mrs. KASSEBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRESSLER. Mr. President, I will speak on the Armenian resolution before us, with the concurrence of the leader.

I am waiting for the leadership to decide on that.

The PRESIDING OFFICER. The Chair will say that the resolution is not before the Senate.

Mr. MITCHELL. Will the Senator yield to permit us to proceed in a manner that will have the matter before the Senate for debate?

Mr. PRESSLER. Yes.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

Mr. MITCHELL. Mr. President, as I announced this morning, I will momentarily ask unanimous consent to proceed to Senate Joint Resolution 212, at which time I understand and anticipate that the distinguished President pro tempore will object, following which I will move to proceed to the resolution, that motion to proceed being a debatable motion.

The matter will then be before the Senate in the form of debate on the motion to proceed to the joint resolution. As a result of prior discussion among the three of us, including the distinguished Republican leader, the principal author of the resolution, who will during the day today address the subject and file a cloture motion, which will ripen for a vote on cloture on the motion to proceed to the resolution some time during the day on Thursday.

Accordingly, Mr. President, I now ask unanimous consent that the Senate proceed to consideration of Senate Joint Resolution 212, a joint resolution designating April 24, 1990, as a national day of remembrance of the 75th anniversary of the Armenian genocide of 1915 to 1923.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. BYRD. Mr. President, reserving the right to object, I will object. I will not give my reasons until after the motion to proceed has been made, which the distinguished majority

leader indicated he will make shortly, and after the distinguished Republican leader has had an opportunity to speak on the matter. I do object.

The PRESIDING OFFICER. Objection is heard.

MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I now move to proceed to the consideration of Senate Joint Resolution 212.

The PRESIDING OFFICER. The question is on the motion. Who seeks recognition?

Mr. BYRD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who seeks recognition?

Mr. DOLE. Mr. President, if there is no objection, I yield first to the Senator from South Dakota [Mr. PRESSLER].

Mr. PRESSLER. Mr. President, I first became interested in the Armenian holocaust many years ago while a student at Oxford University. Frankly, I was looking for a topic to write a D. Phil. on, which I never did, but I had to find a topic that was new and had not been written on before. And in searching about for such a topic, I looked to the area of Turkey, Cyprus, and Greece, but found that the Ottoman Empire records were closed for the period of history I was most interested in. So I was interested in this subject of the Armenian holocaust long before I came to politics.

It has always appeared strange to me that the Turkish Government did not open the records prior to 1918, that the records of the Ottoman Empire are closed on this issue, even though certain items have been published in the New York Times, even though telegrams have been made public, and so forth.

So, first of all, I think it would be very appropriate for the Turkish Government to open, without censoring, the historical records of that period during which the Armenian holocaust occurred.

With that being said, I wanted to tell my colleagues how I first got interested in this subject. I think we should all be interested in holocausts wherever they have occurred, be they in World War II, in Cambodia, or any other place in the world or time in history. Certainly, we should have a resolution on the Armenian holocaust. Remembering the tragic events of the past is a form of honoring the victims of history. It is not a condemnation of those current nations that have descended from the original perpetrators of violence. If it were the latter case, we would not have a Memorial Day or Veterans Day. We observe these days as a way of remembering and honoring the dead.

It is for that reason we should reject the feeble notion that Senate Joint Resolution 212, the Armenian genocide resolution, is in any way an insult to Turkey, a valued ally.

Mr. President, I frequently have said that we should be friends with Turkey, but in this one area we should not feel that speaking our minds on this issue of Armenian genocide is necessarily inconsistent with being a friend of Turkey. The truth, of course, is that this resolution is intended to honor the victims of the Ottoman Turk massacres of Armenians during World War I. Those who attribute the other motivation to the resolution do a disservice to the entire human rights movement.

Turkey would be better off if it opened the records of the Ottoman Empire. I think Turkey would be better off if it acknowledged this genocide.

At a time when the world rejoices over the bursting into flower of the democratic movements in Eastern Europe, it is sad to see these aspersions cast upon those of us who wish to honor the Armenian dead in a fashion quite similar to the way we honor other victims of historic human rights abuses.

I am interested in the cause of human rights. Indeed I attended a meeting of the NATO parliamentarians in Antalya, Turkey, last year. There was a presentation of how human rights are being advanced in Turkey—I applaud that—how the prisons were becoming more in line with what Amnesty International would approve of. But I raised some questions about this Armenian question and was given a very cold shoulder. It is unnecessary for Turkey to hide this event in its history. I think it is unwise of Turkey not to just open the whole thing up and acknowledge it as the important human rights issue it is.

Still worse, Mr. President, is the effort by the opponents of this Armenian genocide resolution to deny the very occurrence of that genocide. Generations of respected historians and other scholars have investigated the allegations of genocide by Ottoman officials and have determined them to be factually accurate. The Armenian genocide did occur, resulting in the death of 1.5 million human beings and the forced deportation of another 500,000 souls from the Armenian provinces of Turkey. Only 100,000 Armenians remained in those areas when the hideous Ottoman project was complete.

But the violence really has not ended. It is still going on against Armenians in the Middle East, and herein lies another reason for the resolution. Unless we recognize this historic tragedy and remember its victims, we will, in effect, be accepting a lie as truth. And when we do that, Mr. President, we will give encouragement to those who would like to continue persecuting Armenians.

I cannot believe that this U.S. Senate would ignore the historical record of this tragedy. I cannot believe the Senate would paper over the Armenian genocide because of the flimsy excuse that it insults Turkey. The resolution has nothing to do with Turkey, and nothing to do with NATO security. If Turkey's misinterpretation of the purpose of the resolution inspires it to cause trouble with the United States or disrupt NATO activities, then surely we must question Turkey's value as an ally.

This is not a debate on the value of the Turkish Republic, although some may try to make it that. It is really a question of whether or how to appropriately recognize the victims of the genocidal policies of the Ottoman Empire.

Mr. President, I do not see Germany feeling insulted when memorial observances are held at Auschwitz, Dachau, or elsewhere to honor the victims of Hitler's monstrous genocide. Germans overwhelmingly accept and recognize what happened in World War II. They are a better people for not trying to live a lie. They are respected far more now than they otherwise would be, because they had the courage to face up to the bitter reality of the Holocaust.

Turkey does itself a serious disservice by not showing the same kind of courage with respect to the Ottoman Empire's genocide against Armenians more than 70 years ago. This is strange, indeed, in view of the fact that many Europeans recognize the genocide as fact. The longer Turkish leaders sweep the past under the carpet, the more damage is done to the credibility of their efforts to eliminate current human rights abuses in their country.

Mr. President, I commend Senator DOLE's leadership on Senate Joint Resolution 212. I am proud to be an original cosponsor of the Armenian genocide resolution and urge our colleagues to give it prompt and favorable consideration.

Mr. President, in conclusion I know this debate will be very heated and emotional on both sides of the issue. I know that Turkey is one of our valued allies, but I also know there are many people in the world human rights community who feel very strongly about this. I feel very strongly that the Senate should do what is right. That is why I support Senator DOLE's resolution and hope that we move to a vote on it quickly.

Mr. President, I yield the floor to my colleague, Senator DOLE.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes Senator DOLE.

Mr. DOLE. Mr. President, first, I thank my colleague from South Dakota for his continuing forthright support, and I appreciate the statement that has been made part of the record.

Mr. President, we are going to have a lot of debate in the next few days on a very important issue. Some will say: "Why are you taking up Senate time on something like this? There are a lot of other important issues that affect life in today's world."

That was said about the Genocide Convention around this place for 30 some years. Nobody wanted to bring it up. Nobody wanted to take it on except Senator Proxmire. I might add my former colleague, Senator William Proxmire from Wisconsin, made a speech on it every day for several years. And I am proud when I was majority leader of the Senate we acted on that resolution after 30 years, and we finally recognized what had happened in Hitler's Germany, how the Jews had been eradicated.

Genocide is a term coined in 1946. It was not a term used in 1915 and 1923, the period we are talking about today.

I would say to friends who supported my efforts at that time, just listen to the debate and listen to the facts. I think for too long we have ignored history, just as we waited too long before we took action on the Genocide Convention just a couple years ago. For too long we bowed to a powerful ally and powerful interest groups.

And for too long we have failed to speak about the truth about the tragedy of genocide. I think it is time for the U.S. Senate, the Congress, the Government—it is finally time to do what is right.

We pride ourselves in America in doing what is right, not what is expedient. But, Mr. President, getting to this point has not been easy. One of my Republican colleagues, an opponent of the resolution, has observed that the resolution generated one of the most intensive lobbying campaigns he has ever experienced. And I do not think there is a Senator around, either for or against the resolution, who would dispute that observation. I can tell you what impact it has had.

At one time or another 61 Senators agreed to cosponsor the resolution. On the day the Judiciary Committee reported out the resolution, there were 50 cosponsors. Today there are 46.

The history of 1915 to 1923 has not changed since last fall. The facts certainly have not changed since last fall. But what has changed is the launching of a massive lobbying effort against the resolution by the administration, by the Government of Turkey, by American businesses who operate in Turkey, and regrettably by some private organizations and individuals who ought to be supportive of the resolution. At least they were when we were talking about a genocide convention on this floor not too long ago.

I might say as an aside, one of the strawmen raised against the resolution is that it is the foot in the door for a broader Armenian agenda, including a claim for reparations. There are a lot of strawmen floating around. I want to take care of a few of them now. And as the author of the resolution I can categorically say that that is a phony charge, as far as I and my cosponsors are concerned.

I do not and will not support any claims for reparations, simply because I believe and have said repeatedly: the modern-day Turkish State and Government are in no way responsible for the events of 1915 and 1923.

So it is a strawman. I have tried to make that point with the Turkish Ambassador, a fine man, and with the President of Turkey, for whom I have great respect. But the fact is that if the Turkish Government offered "reparations"—and to stress the point I have made, I have that word in quotes—but if Ankara did offer in "reparations" what it spent on lobbying against this piece of legislation, the whole issue would have already been resolved. In fact, if we simply held back in aid what Ankara spent in lobbying, we would probably achieve de facto the 5-percent cut in earmarked and that I advocated on the foreign aid issue.

Mr. President, every big gun of our opponents has been pulled out, and they have been fired off, again and again and again. It kind of reminds me of David versus Goliath. I think it is a very important point.

Let us take a look at Armenia. I doubt that many Senators have been to Armenia—I happened to have been there in August. It is one of the most tragic spots on the face of the Earth. A republic of maybe 3½ million people, 25,000 to 50,000 of this number were killed in an earthquake less than 15 months ago. It devastated the region. One-sixth of the entire population is still homeless from the quake. Hundreds of thousands more are fleeting from the violence in A'jerbausan.

The place is flat on its back. Now that is Armenia. And I said before if you want to visit some place that will make you cry, go to Soviet Armenia and go to Spitak, go to Leninakan, and visit the little monument that is there to memorialize the destruction of a school where 400 young children were wiped out in 40 seconds in the earthquake. That is Armenia.

And on the other side is Turkey, big, powerful, a major alley, no doubt about it. And I am proud of that. Big money American companies operating there—none of these are operating in Armenia—pulling out millions of dollars of profits, these American companies; the recipient over the years of billions of dollars in United States aid, a half-billion this year alone. And maybe they deserve more. In fact, they would have had more under my plan, I might add, than they receive now.

So I will not quarrel with that. But I must say when I came back from Soviet Armenia I asked the State Department, I asked the administration, what can we do in a country where 500,000 people are homeless, where 30,000 to 50,000 have been killed, where 100-and-some villages have been demolished? Well, after a lot of effort and some help from my friends on the Appropriations Committee, including the distinguished President pro tempore, we were able to get $5 million for earthquate relief. And we cannot give direct aid to the Soviet Union, so we do it through private relief organizations.

So I want to sort of set the stage to understand that we are talking about: two countries in the same geographical area, different religious backgrounds, and in nearly every other case big, big differences.

So as I see it, it is sort of Turkey and its allies, versus Armenia and its friend. I have told many in Armenia, you are a small country. You do not do business with big American companies, which can call Senators and say you better watch that we are about to sell x dollars' worth of goods to Turkey. You cannot get calls from somebody in the State Department or somewhere else saying, you better watch this; this is not good for our relations with Turkey.

And the irony of ironies, the issue is not Turkey at all. That is something I fail to understand. Maybe somebody will explain it to me. This resolution says nothing about modern day Turkey. In fact, the language is explicit: The events in question occurred in "1915 to 1923, prior to the establishment of the Republic of Turkey." We are talking about the Ottoman Empire.

I will have all kinds of documents that cannot be refuted from countries around the world during that period of time. I ask my colleagues, if they have time, to peruse some of the documents and some of the facts we will have available, because this is important.

If this were a contest of clout, there would not be any contest. Maybe that is the way it will turn out, but I hope not. This is a simple question of what is right or wrong, not who has the most influence, who has the most lobbyists, who has the most money. And the bottom line is not which country is more important to American security, Turkey or Armenia—no contest there either—but do we excuse everything that happened in the past. Had we done that, I will recall again, we would have not acted favorably on the Geno-

cide Convention in the United States Senate.

So I guess we just have to, those of us who support the resolution, make our case the best we can. I have read the arguments of the Turkish lobby and the organized mailings and printed handouts, which cover page after page, but they boil down to four basic arguments.

No. 1: The resolution will offend our ally, Turkey. And I believe I can say that no one regrets more deeply than I that this resolution generated such a strong reaction from Ankara. I visited Turkey. In fact, I went to Turkey at the suggestion of my friend, the Senator from West Virginia [Mr. BYRD]. And he is right, more Senators ought to visit Turkey. They are an important ally. They are important to the United States. We are important to them. So I have no quarrel with that.

I met with the Turkish leaders. I know how important Turkey is to NATO and to the United States.

Several weeks ago, President Ozal was visiting Washington. He was kind enough to let me come to the Madison Hotel and spend about 45-55 minutes with him. We spoke for nearly an hour on the resolution. He made his case vigorously and with conviction. I remember one thing he said: "This is one thing which unites all Turks." He thanked me for that. I tried to make the point again and again about our friendship with Turkey, but also of history and that these deeds of the Ottoman Empire had no relationship to the modern day Turkey and tried to stress the point that this resolution is not anti-Turkey either in intent or content. That is the simple truth.

No one disputes that there was a genocide in Nazi Germany. But no one makes a claim that such a genocide means the present day German Government or people are responsible. If that were the case, we probably would not have passed, would not have acted on the Genocide Convention in the U.S. Senate. The West German Government and the East German Government both acknowledge that there was a genocide in the early history of their homeland. The world acknowledges it without demanding punishment from anyone except from those who actually perpetrated the deeds. Indeed, one reason this is simply not an issue for modern day Germany is that the people of that nation have faced up to their history, put it in perspective, and moved on to face their future. And that is all we suggest Turkey do in this instance.

I should also add that in 1987, when the European Community was considering a resolution much more strongly worded than mine on the Armenian genocide issue, Turkey threatened to retaliate strongly. That resolution was passed by the European parliament, and Turkey's actual response was muted. It did not give up on the Community, but continued its pursuit of full membership. It did not retaliate politically or economically against the members of the Parliament.

I am not suggesting Turkey is bluffing. I am suggesting that, as important as this issue is to Ankara, there are other important issues out there, too, in the real world.

We hear that we must stay on the good side of our ally, Turkey, because of the instability in that region. Well, that is true. But Turkey cannot be unmindful of the importance to its own security in that unstable area, of its alliance with us. So all of this cuts both ways, as it generally does.

I hope and I believe that responsible contemporary statesmen on both sides ought to be able to deal with long past history, even one with which they disagree, without it disrupting relations which are mutually important, mutually beneficial, and mutually based on concrete security interests of both countries. So that is argument No. 1.

No. 2: Some are saying, I think maybe the Ambassador may have mentioned this to me in my meeting, that this resolution is an invitation to terrorism, perpetrated by Armenian extremists. Frankly, that argument is offensive to me and I think to others who cosponsor and support this resolution. We abhor terrorism: every Member of this body does. I condemn terrorism. I acknowledge and history must acknowledge, just as it acknowledges the Armenian genocide, that a tiny, tiny minority of extremists in the Armenian community worldwide have undertaken individual acts of terrorism against Turkey and Turkish citizens.

I condemn those acts. Every responsible Armenian organization condemns those acts. As one example, the spokesman for the Armenian Assembly, one of the largest Armenian-American organizations, unequivocally acknowleged and condemned such actions in a speech before the B'nai B'rith last December, and I will be putting that speech in the RECORD. Every responsible American condemns that action. That is not the issue, but it is another strawman.

In fact, according to the State Department, which over the years has not been an advocate of the Armenian viewpoint on the issue, there have been no reported cases of Armenian terrorism against the Turks for several years. So this is not only a strawman, but a dead strawman at that.

Argument No. 3: This resolution is only a foot in the door for the real agenda, which includes reparations and territorial dismemberment of Turkey.

I have offered to introduce resolutions, and would include in the pending resolution, wording which would have put the Senate and America on record, unequivocally against any raising of the issues of reparations or territorial dismemberment of Turkey as being absolutely dangerous, unjustified, unfair, and unacceptable.

I would offer it as an amendment to the pending resolution. I would work with anybody on such legislation, and I believe we could accomplish quick passage of such legislation, and I renew that offer again today.

We recognize Turkey. We need a stable, secure Turkey. We have no designs on Turkey. We have no claims on Turkey, financial or otherwise, growing out of the events of 1915 to 1923.

To anyone in the Armenian community—and I know of no one who thinks otherwise—I would say there would be almost total disagreement in this body with any effort to the contrary. I think that is the view that every Member of the Senate and the Congress that I know would ascribe to. That is the view the U.S. Government ascribes to. And that is the view every member of the Armenian community ought to ascribe to, in my view.

So, on this point, at least, let us put it to bed once and for all.

Senate Joint Resolution 212 is what it is. And what it is has nothing in the world to do with claims for reparations or territorial dismemberment of Turkey, period. In fact, I think maybe it might be well to read the text of the resolution, the pending resolution. I will quote page 2, line 1:

> That April 24, 1990, is designated as "National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this date as a day of remembrance for the 1.5 million people of Armenian ancestry who were victims of the genocide perpetrated by the governments of the Ottoman Empire from 1915 to 1923, prior to the establishment of the Republic of Turkey, and in their memory this date is commemorated by all Americans and their friends throughout the world.

That is it. No talk about reparations. No talk about claims. No talk about territorial dismemberment. But if that would satisfy some who oppose the resolution a clear distancing from those points can certainly be added. We can make certain that nothing in this resolution shall deal with any claims or any reparations or any dismemberment or anything else that someone might think of that would be negative in any respect to present day Turkey. And that would have our support.

And then, finally, argument No. 4, the one that we hear most about—well, the genocide did not really happen. It never happened. This was a civil war. It did not really kill any Armenians. Or there was bloodshed on both sides.

I heard that from the President himself, President Ozal.

A lot of people say, well, let history judge those things. I hear it all the time, let history be the judge. Let history judge what happened. How long do we wait for history to make a judgment about what happened from 1915 to 1923? It has been almost 75 years, and it seems to me that it is about time that history did judge.

We decided there was a genocide in Germany even before its last potential victims were liberated. We decided there was a genocide in Cambodia even as the genocide was taking place. And it is high time we acknowledge a genocide which occurred in the Ottoman Empire, before the fact of its occurrence is lost to history.

The Holocaust Memorial Council, which some of us have been privileged to serve on as members of the board, which is as close to an authoritative source on this subject as you can find, has recognized and decided to include the Armenian genocide in the Holocaust Memorial Museum. the overwhelming weight of documentary evidence of this period supports the fact that there was a genocide, even though that term was not used in 1915-23. It was coined in 1946.

To give my colleagues who have not focused on this issue an opportunity to do so, I ask unanimous consent to have printed in the RECORD a statement that I referred to earlier today by an Armenian Assembly spokesman. It contains the best brief summary of the evidence on this issue that I have seen.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FIGHTING DENIAL OF THE ARMENIAN GENOCIDE

(By Van Z. Krikorian, Director, Government and Legal Affairs, The Armenian Assembly of America)

In the spring, you heard a speech from a Turkish Embassy official contending that the Armenians did not suffer a genocide between 1915 and 1923. That contention is patently false. But, Turkey's and its agents' insistence on vigorously pursuing it poses a frightening threat to all people who believe in democracy and human rights. Make no mistake, those who are denying the Armenian genocide today are paving the way for those who deny other genocides and for those who will undoubtedly plan future episodes of race extermination. I am sure you are aware that Hitler publicly laid the foundation for the Holocaust by referring to "the extermination of the Armenians" starting, at least, in 1931 and most forcefully in 1939 when he commanded his military to show no mercy by asking: "Who, after all, speaks today of the annihilation of the Armenians?"

Those who deny the Armenian Genocide are removing the underpinnings of all human progress by pretending that nothing exists which, for whatever reason, they do not want to exist. This approach is often viewed as politically expedient. But, in the end, it only aborts the cause of civilization.

This is why I am especially glad to address you this afternoon and to publicly challenge the arguments of the deniers. I am also glad to know that the Holocaust Memorial Council has publicly and unequivocally committed to include the Armenian genocide in the United States Holocaust Memorial Museum, a decision which rebukes the deniers and promotes historical integrity.

Today, I plan to discuss some of the reasons why the Armenian genocide is properly classified as a genocide and then refute some of the more popular arguments offered by the Turkish government and other deniers.

First of all, what does the term genocide mean? Literally, it means the killing of a race. An attorney and Holocaust survivor, Rafael Lemkin, coined the term in 1944 and then dedicated himself to creating and promoting the United Nations Genocide Convention. Before, during, and after coining the term, Lemkin used the Armenian case as a definitive example of genocide. In Lemkin's view, it would be impossible to question whether the Armenians suffered a genocide, because the term was created to be a synonym with the Armenian experience.

Similarly, the United Nations legislative history of the Genocide Convention is clear that the Armenian case is an example of genocide, a position from which the United Nations has not moved. In the United States, the legislative history of ratifying the Genocide Convention and the implementing legislation is equally clear that the Armenian case is synonymous with the term genocide. These legislative histories, of course, merely reflect the overwhelming evidence of the Armenian genocide. Yet, the deniers argue that the Armenian case somehow does not fit the definition of genocide.

The Genocide Convention provides:

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

No one realistically questions whether Ottoman Turkey engaged in the specific acts enumerated in this definition. That would be absurd because the Armenian population of over two million was unquestionably reduced to under 100,000, and those people did not simply disappear—they were killed, forcibly converted to Islam, and, in small numbers, escaped.

What the deniers question is whether the government committed the acts with the intent to destroy the Armenian presence in their homeland of three thousand years. This contention is shamefully absurd.

I cannot go over all the admissions and evidence establishing beyond any doubt that the government planned and implemented a campaign of race extermination, but the archives of the United States and almost every European country (including the Central Powers, Turkey's allies) are overflowing with this evidence. Today, I would like to call your attention to the following pieces of evidence: (1) a December 1914 authenticated blueprint for genocide issued by the ruling Committee of Union and Progress Party which can be found in the British archives; (2) the post World War I, Turkish trials and convictions (based on substantial, irrefutable testimonial and documentary evidence) of the government officials responsible for ordering and implementing the extermination of the Armenians; (3) a November 8, 1920 order for the military to exterminate the Armenians living in Russia; (4) and the acknowledgment of the Armenian genocide by the founder of modern Turkey, Kemal Ataturk.

The December 1914 order reads as follows:

(1) Profiting by Articles 3 and 4 of Committee Union and Progress, close all Armenian Societies, and arrest all who worked against Government at any time among them and send them into the provinces such as Bagdad or Mosul, and wipe them out either on the road or there.

(2) Collect arms.

(3) Excite Moslem opinion by suitable and special means, in places as Van, Erzeroum, Adana, where as a point of fact the Armenians have already won the hatred of the Moslems, provoke organized massacres as the Russians did at Baku.

(4) Leave all executive to the people in provinces such as Erzeroum, Van, Mamuret ul Aziz, and Bitlis, and use Military disciplinary forces (i.e. Gendarmerie) ostensibly to stop massacres, while on the contrary in places as Adana, Sivas, Broussa, Ismidt and Smyrna actively help the Moslems with military force.

(5) Apply measures to exterminate all males under 50, priests and teachers, leave girls and children to be Islamized.

(6) Carry away the families of all who succeed in escaping and apply measures to cut them off from all connection with their native place.

(7) On the ground that Armenian officials may be spies, expel and drive them out absolutely from every Government department or post.

(8) Kill off in an appropriate manner all Armenians in the Army—this to be left to the military to do.

(9) All action to begin everywhere simultaneously and thus leave no time for preparation of defensive measures.

(10) Pay attention to the strictly confidential nature of these instructions, which may not go beyond two or three persons.

In fact, these orders basically describe the actual pattern of the genocide. Of course, during implementation, the ruling party issued additional orders on massacring Armenians (I will share another with you shortly) as well as orders to punish those Turks who showed mercy to the Armenians.

The post-war trials are also dispositive not only for their indictments and verdicts, but also for the overwhelming evidence used to secure the verdicts. Specifically, both central and provincial government officials were tried and convicted for the "massacre and destruction of the Armenians." Besides a major trial in Istanbul, moreover, local trials for the same crimes, which have yet not been widely publicized, also took place. (Parenthetically, I would add here that these trials were cited as precedent for the Nuremberg trials following World War II.)

Next, I would like to share a November 8, 1920 central government order, quoted from a Turkish source. This order commanded General Kazim Karabekir to essentially continue the job of exterminating the Armenians after World War I by wiping out the Russian-Armenian population:

By virtue of the provisions of the Sevres Treaty Armenia will be enabled to cut off

Turkey from the East. Together with Greece she will impede Turkey's general growth. Further, being situated in the midst of a great Islamic periphery, she will never voluntarily relinquish her assigned role of a despotic gendarme, and will never try to integrate her destiny with the general conditions of Turkey and Islam.

Consequently, it is indispensable that Armenia be eliminated politically and physically [siyaseten ve maddenten ortadan kaldirmak].

Since the attainment of this objective is subject to [the limitations of] our power and the general political situation, it is necessary to be adaptive in the implementation of the decision mentioned above [tevfiki icraat]. Our withdrawal from Armenia as part of a peace settlement is out of the question. Rather, you will resort to a modus operandi intended to deceive the Armenians [Ermenileri igfal] and fool the Europeans by an appearance of peacelovingness. In reality, however, [fakat hakikatde] the purpose of all this is to achieve by stages the objective [stated above] . . . [I]t is required that vague and gentle-sounding words [mubhem ve mulayim] be employed both in the framing and in the application of the peace settlement, while constantly maintaining an appearance of peacelovingness towards the Armenians.

[t]hese instructions reflect the real intent [makasidi hakikiyesi] of the Cabinet. They are to be treated as secret, and are meant only for your eyes.

Again, documents like these as well as direct admissions of guilt by the government officials are literally everywhere.

Recognizing that indisputable fact, Kemal Ataturk, the founder of modern Turkey, did not hesitate to condemn the responsible Ottoman government for its actions. In an interview published August 1, 1926 in the Los Angeles Examiner, he said that all those responsible "should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse from their homes and massacred." Today, the Turkish government has called the authenticity of this quote into question. Yet this 1926 statement was not an isolated event. In 1918, Ataturk called for the execution of the genocide's perpetrators. In 1919, as recorded by a presumably unimpeachable source, future Turkish prime minister Rauf Orbay, Ataturk acknowledged the government's massacres "of 800,000 Armenians" and "decried the extermination of the Armenians." In a 1920 speech, Attaturk explicitly condemned the massacres as "scandalous." Again, this type of documentation is indisputable and overwhelming, but we still face those who act as if it does not exist. When such denials are funded from a country as important as Turkey, we face the prospects of the Nazi operating principle: "a lie told 1,000 times becomes the truth."

Accordingly, I would next like to refute the predominant arguments used by the deniers today. Let me start with one that the embassy official who spoke here in the spring touted as dispositive—"It was not a systematic effort to kill all Armenians [because] no harm was done to the Armenian communities living outside the war zone—in Istanbul, the Ottoman capital, for example." Initially, I would note that this argument is as fallacious as saying that Jews did not suffer a genocide because they were relatively safe in Rome and Bulgaria. But, more importantly, the factual assertion is not true.

Armenians certainly were exterminated in Istanbul and every other part of Turkey, and it was clearly systematic. For example, on December 7, 1915 German Ambassador Metternich informed Berlin that the government had wiped 30,000 Armenians out of Istanbul and that "gradually a clean sweep will be made of the remaining 80,000 Armenian inhabitants of the Ottoman capital." Indeed, the government massacred or tried to massacre all Armenians from European Turkey by first shipping them over the Bosporus and then killing them. One example is the eradication of the Armenians from the European town of Rodosto. In fact, Armenians and their friends commemorate the genocide on the anniversary of April 24, 1915 because on that date the government gave the clearest signal of systematic race extermination. It arrested and killed hundreds of unquestionably innocent Armenian community leaders (including legislators, clergy, educators, and attorneys) in Istanbul.

Another argument which the deniers forward is that Armenians died of natural causes (famine, cholera, diseases), not government ordered massacres. Putting aside all the direct evidence of the genocide, this argument is ridiculous. It would be the first time, that I know of, in which famine and disease moved from town to town across an entire country removing all but less than 100,000 Armenians from over 2,000,000, and leaving the Turkish Moslem population as the sole survivors. Frankly, such a "selective disease" argument has no historical or scientific credibility, and those who make the argument must not expect their audience to reflect on its merits very deeply.

But, then the deniers argue that there was also a great civil war in which Armenians took up arms against Turks. In that supposed war, great, mutual killings occurred. Never mind that the government had disarmed all the Armenians, the government drafted all the able-bodied Armenian men into labor battalions of the army where they were massacred, and contemporaneous reports do not reference any civil war. In fact, in a newly published book, "The Slaughterhouse Province," we can read American counsul Davis's official, eyewitness report from the interior of Turkey of the disarming of the Armenians and the lack of any real resistance. He reports that after the massacres of Armenians in the Province of Harput (ultimately over 100,000), the government could "find only four or five instances where any Turks had been killed or even injured by Armenians and less than a dozen instances of any resistance by Armenians." In other isolated areas, of course, Armenians fought back against Turks. But, these were either minor incidents; self-defense; or because Armenians were Russian citizens, drafted into the Russian army, and were a part of the Allied war effort fighting Ottoman Turkey. As Ambassador Morgenthau reported as early as July 1915, moreover, allegations of rebellion were only "a pretext" for "a campaign of race extermination."

Nevertheless, some people still claim that the massive Armenian deaths resulted from the legitimate quashing of a rebellion. This "pretext" or "legitimate basis" denial argument is probably the most dangerous. If it is accepted (regardless of its inaccuracy), it sanctions the murder of an entire nation based on the prodemocracy cries of only a few groups. Civilization will not progress if a justification claim can be made in defense of genocide. Otherwise, the Nazis and every subsequent perpetrator would build the defense in as the crime was committed. During the Armenian genocide, the government attempted exactly such a defense, and it was rejected as both inaccurate and immoral by the international community as well as the succeeding Turkish government. There is no reason why it should be accepted now.

A more slippery denial argument on the "mutual killings" theme involves the amount of Turks and Moslems who also died in the war. I call this argument slippery because its proponents slide between "Turkish" and "Moslem" deaths. For example, some point to "two million Turkish deaths during the war" as a reason not to sympathize with Armenians. Yet this two million figure includes the 1.5 million Turkish-Armenians killed, the over 300,000 Turkish army casualties, and the tens of thousands of Turkish-Greeks and Arabs put to death at the same time.

Another strand of this argument points to "hundreds of thousands of Moslem deaths"—again implying that the genocide was really an Armenian-Turkish war. Yet in calculating the "Moslem" figures, these people not only include the Turkish war casualties and the massacres of tens of thousands of Arabs in Turkey, but also the Moslems who died fighting with the Allies against the Turks in the Middle East—that is Moslems which the Turks themselves killed.

A third strand of this "numbers game" argument applies artificial formulas to the nineteenth century populations, plugs in some theoretical conditions, and concludes with ridiculous population and mortality figures which bear no relation to reality. This argument falls on its face because it completely ignores the direct, factual evidence of the genocide. Its proponents are as off base as those who recently claimed in the newspaper "Sieg" that only 150,000–200,000 Jews died under Nazi rule and those deaths came during the "German-Jewish war."

Another denial theme is that commemorating or recognizing the Armenian genocide promotes terrorism. Initially, let me say that we unequivocally condemn all terrorism, including Armenian terrorist attacks on innocent Turks. But, the threat of terrorism does not justify rewriting history to deny Ottoman Turkey's crimes against humanity. More importantly, and again the deniers conveniently fail to mention this fact, Armenian terrorism is a moot point. In a March 1989 report, even the State Department had to acknowledge that there has not been an Armenian terrorist attack in three or four years and Armenian terrorist groups have withered away. This cessation of terrorism is attributed to lack of mainstream Armenian community support and to the growing international rejection of Turkey's denial campaign. For example, in 1985 the United Nations Subcommittee on Human Rights, after years of study, overwhelmingly recognized the Armenian genocide as an indisputable historical fact, and in 1987 the European Parliament conditioned Turkey's acceptance to the European Community on recognizing the Armenian genocide.

The following denial argument is particular to deniers in the United States. They point out that in 1985 sixty-nine scholars signed an advertisement questioning the accuracy of a Congressional resolution commemorating the Armenian genocide and therefore "there was no Armenian genocide" or "the issue should be left to historians"—an argument from authorities so to

speak. Following the advertisement, we contacted these sixty-nine people. We found that some did not authorize the use of their names on the advertisement and some said they were misled about the text and apologized. Many explicitly recognize the Armenian genocide as a fact. But, most importantly, we found that only four of the sixty-nine actually focus their work on the time span of 1915-1923. All of these individuals are subsidized by the Republic of Turkey, and none has credibility on the Armenian genocide issue. Thus, when deniers make claims like a majority of United States experts question the Armenian genocide, they are simply not telling the truth. Among those sociologists, attorneys, historians, psychologists, anthropologists, political scientists, and others who seriously study genocide, there is no question that the Armenians suffered a genocide, by any definition. There is also no question among the credible genocide scholars that failure to memoralize and condemn past genocides facilitates future genocides.

Before leaving this "scholars" issue, however, I would like to make clear that some of those people who signed the 1985 advertisement and continue to question the Armenian genocide really have little choice. These people are Turkish or Ottoman historians. If they do not assume the current government's line, they will be cut off from resources necessary for their life's work. Even Turkish sources confirm that cooperation with the government pays dividends while criticism exacts a high price.

The next denial argument is one of the more interesting. This argument contends that a judgment on the Armenian genocide must be reserved until the Republic of Turkey opens its archives of the period. The argument is interesting because Armenians sought free access to the Ottoman archives for years. Then the irrelevance of these archives became obvious. For instance, Turkey does not even own all of the relevant archives from the period. After the War, the government sold hundreds of thousands of its records to the Bulgarians as scrap paper. Other parts of the archives exist in Jerusalem, the Soviet Union, the Middle East, and Europe. In addition, after World War I, Turkish officials readily acknowledged that the files on Armenian massacres were removed and destroyed. In fact, the documentation in archives around the world contains more direct evidence of the genocide than we can possibly digest. (The United States archives contain approximately 25,000 pages for the period 1915-1918 alone, including captured German records, which fully document the genocide.) So, while the Turkish held archives may be interesting, there are only a very minor contribution to the history of the genocide.

Moreover, Turks themselves acknowledge that military and foreign service officials have been reviewing the records for years to remove whatever incriminating evidence may still exist and that the government is using the archives strictly for public relations purposes. This year, the government, in various ways, has announced that the archives on Armenian issues are open. Yet, they fail to publicize that the wrong archives are open or the restrictions which prevent any incriminating documents from coming to light. For example, in January, they announced that the archives are open, but they did not open the relevant World War I years. Recently, they announced that the Council of Ministers files were open for the war years, but they did not open the records of the party apparatus or other agencies which actually controlled the genocidal operations. (Scholars have found that the genocide was implemented through a two track system of orders—one set ordering "deportations" and another set ordering the translation of "deport the Armenians" to "massacre the Armenians.") Read these continued announcements on the opening of the archives carefully; you will find that there is always a caveat such as "all previously catalogued archives are open" or that a researcher may see only fifteen pages at a time and a government official has the right to screen the documents first. The Turkish government continues to use the archives as a delaying tactic. As *Cumhuriyet* a Turkish newspaper reported in January 1989:

Endless and empty statements have been made over the years concerning the opening of the Ottoman archives, and it is creating a disturbance among those who follow this topic closely. For the last 8 years, every 6 months a statement is made regarding the opening of the Ottoman archives. That these don't come true indicates that Turkey is pursuing a policy of distraction.

At this point, the Ottoman archives held by Turkey are worthless. This explains why only Turcophiles and the uninitiated place any weight on them. It also explains why the archives' administrators publicly complain that serious scholars have not come to review what has been released.

The last denial argument I would like to touch on is a "character" argument—that is, "Turks are hospitable, good people" and good people would not do what the Armenians allege happened under Ottoman reign. Let me say that the character of the Turkish people is not at issue here. Turkish hospitality is well known, and many Turks proved their sense of humanity during the genocide by protecting individual Armenians. That does not change what the government did to the Armenians from 1915 to 1923, the fact that the racist ideology of Pan-Turkism (Turkey only for Turks) was and still is prevalent, or that the government continues to have a poor human rights record and severely discriminates against Armenians in Turkey today.

You should also know that the 1915-1923 Armenian genocide was not an isolated event. From 1894 to 1896, Sultan Abdul Hamid openly and proudly ordered the massacre of hundreds of thousands of Armenians, ostensibly to send the Armenians a message about their place in Turkish society. Lord Kinross gave the following example of the atrocities in this period:

[The Massacre's] objective, based on the convenient consideration that Armenians were now tentatively starting to question their inferior status, was the ruthless reduction, with a view to elimination of the Armenian Christians, and the expropriation of their lands for the Moslem Turks. Each operation, between the bugle calls, followed a similar pattern. First the Turkish troops came into a town for the purpose of massacre; then came the Kurdish irregulars and tribesmen for the purpose of plunder. Finally came the holocaust, by fire and destruction, which spread, with the pursuit of the fugitives and mopping-up operations, throughout the lands and villages of the surrounding province. This murderous winter of 1895 thus saw the decimation of much of the Armenian population and the devastation of their property in some twenty districts of eastern Turkey. Often the massacres were timed for a Friday, when the Moslems were in their mosques . . . Cruelest and most ruinous of all were the massacres at Urfa, where the Armenian Christians numbered a third of the population . . . When the bugle blast ended the day's operations, some three thousand refugees poured into the cathedral, hoping for sanctuary. But the next morning—a Sunday—a fanatic mob swarmed into the church in an orgy of slaughter, rifling its shrines with cries of 'Call upon Christ to prove Himself a greater prophet than Mohammed.' Then they amassed a large pile of straw matting, which they spread over the litter of corpses and set alight with thirty cans of petroleum. The woodwork of the gallery where a crowd of women and children crouched, wailing with terror, caught fire, and all perished in the flames. Punctiliously at three-thirty in the afternoon the bugle blew once more, and the Moslem officials proceeded around the Armenian quarter to proclaim that the massacres were over . . . the total casualties in the town, including those slaughtered in the cathedral, amounted to eight thousand dead.

Similar accounts of massive Armenian massacres during this 1894-1896 period abound. In 1909, for similar reasons, the government set another prelude to the 1915-1923 genocide. Then, it ordered and carried out massacres in Adana which killed 30,000 Armenians.

Today, as I have noted, the Turkish government is engaged in an all out effort to deny the Armenian genocide. In addition to its efforts in the United States, it is eradicating the physical evidence of any Armenian existence in Turkey. At the beginning of this century Armenians had two thousand churches in Turkey. Now, under two hundred are standing. As for the rest, the government has: destroyed them; converted them to mosques, warehouses, cinemas, and other uses; or allowed them to be plundered and destroyed. In Armenian schools, Armenians are forbidden to teach history and geography, those subjects can only be taught by Turkish officials. As a final example, Turkey strictly forbids open discussion of Armenian history or any other matters which do not comply with government policy. In March of this year, the Independent Magazine reported that:

In early December 1986 Hilda Hulya Potuoglu was arrested by the Turkish Security Police and charged with making propaganda with intent to destroy or weaken national feelings. The prosecutor of the Istanbul State Security deemed her offense as meriting severe punishment and asked for between a seven-and-a-half and a 15-year jail sentence.

Potuoglu's crime was to edit the Turkish edition of the Encyclopedia Britannica. In this was included a footnote which read as follows: During the Crusades the mountainous regions of Cilicia were under the hegemony of the Armenian Cilician kingdom. . . .

The Encyclopedia Britannica was not the first publication to offend. In 1981 the authorities seized Ankara 50, a guidebook to Ankara produced by the British Institute of Archaeology. The book, when published in 1973, had been passed by the military censor. By 1981, however, times had changed. It was noticed that the book featured a map naming the Roman provinces of Asia Minor including—with perfect historical accuracy—the province of Armenia. The guidebook quickly joined the index of forbidden books along with other such politically dubious publications, The Times Atlas of World History and the National Geographic Atlas of the World.

This is the type of action that the Turkish government and those in the United States who deny the Armenian genocide are promoting—the sacrifice of truth and integrity on the altar of perceived political expedience. This is why I am especially glad to have had this time with you today, to publicly expose exactly what we are all up against in fighting denial of the Armenian genocide. Thank you.

Mr. DOLE. Mr. President, the debate has now begun. On Thursday, at some time mutually agreeable to myself, Senator BYRD, and Senator MITCHELL, we will have a cloture vote. We will decide whether we are going to get to the resolution itself. Right now we are only on the motion to proceed to the resolution.

The Senate can vote with Goliath and all its lobbyists and all its muscle and all its influence. Or it can vote with David, and with the truth. I know we can expect intense, but high-level debate, because I know the participants on both sides of this issue. And, in my view, if we stick to the facts, if we go back and look at the records—we cannot look at some of the records because the Turks will not make them available. They keep saying, oh, everything is open. But let someone try to find them. They are not available.

But, it seems to me, this is something that ought to take a little time in the U.S. Senate. I have not read the story, but I heard about a story that appeared in the Washington Post just this weekend, how this place is becoming sort of immaterial—Congress. We do not debate any issues anymore. We shrink from all the hard issues. I am just speaking generally now.

When we have a hard question, we appoint a commission. Maybe it is Social Security. Maybe it is on the pay raise. Maybe it is on what do we do in Central America. So we have the Scowcroft Commission or we have the Social Security Commission of 1983 or we have the Quadrennial Commission to set our pay—because we do not want to make those difficult choices.

It would seem to me this is an appropriate time for the U.S. Senate to underscore the importance of this institution and to indicate that we are prepared to take a look back, 75 years. And, yes, let history be the judge.

I must say in all fairness, that is the best argument we have, because we cannot win the lobbying war. There is nobody in Armenia that has any money to send over here for lobbyists. There is nobody in that government who can call anybody in Missouri or some other State to say, oh, oh, you better get your Senators. If they vote for this, you may lose a contract. And, as far as I know, there are no big time lobbyists from Armenia out here in the cloakroom, waiting for somebody to come out.

I might add, a couple of those were all for the convention when we ratified the Genocide Convention. They were urging me to move ahead. Genocide is genocide, whether it happens, whoever it may happen to, whatever race.

Having said that, let me just add one other thing—I am advised by my good friend from West Virginia that there is not any compromise possible. But in an effort to reach some compromise, I have been working with the administration. It is not easy for the President of the United States to oppose the pending resolution, but he does.

They are opposed to the resolution in its present form. They have said so and, as I have indicated in my statement, they have said so not only in writing, but they have also said so by State Department calls to Senators and by Defense Department calls to Senators in an effort to kill this resolution before it ever got out of committee.

I have discussed this with Chief of Staff John Sununu and General Scowcroft. We have had a number of meetings. I was in California recently and met with Carl Samuelsan, who is a very close friend of Governor Deukmejian, and we had a conference call with Governor Deukmejian and Congressman PASHAYAN to try to find some language that would recognize the tragedy without being "offensive" to anyone. It is hard to do.

It is hard to do, but I am prepared to say now that if we have a chance to proceed to this resolution that I am prepared to offer language different than I have just read a few moments ago. Let me read for the record what that language would be—the operative language, so it will be clear:

That April 24, 1990, is designated as Armenian Martyrs Day, commemorating the 75th anniversary of the systematic destruction of the Armenian people in the period from 1915 to 1923.

Congress calls on the people of the United States to join the millions of Armenians and other people around the world who commemorate every April 24 as the anniversary of the Armenian genocide, a day of remembrance of the 1½ million Armenian people who were the victims of the government of the Ottoman empire of that period prior to the establishment of the Republic of Turkey.

That is essentially what it would be. What it says, and let me underscore so people understand, it calls upon the people of the United States to join the millions of Armenians and other people around the world who commemorate every April 24 as the anniversary of the Armenian genocide; as opposed to the language that I previously read—in other words, in resolution 1 there is an effect of finding of genocide, and the resolution I am proposing be offered as a substitute at the appropriate time, perhaps with a couple of minor changes, it would indicate we join those who commemorate April 24 as the anniversary of the Armenian genocide. This is a rather substantial difference.

I hope those who oppose the present resolution would have an opportunity to read this new language carefully. It has been drafted as a concurrent resolution. I am advised that I cannot amend a joint resolution with a concurrent resolution, but that I can amend the joint resolution, I can offer a substitute, I have been advised by the Parliamentarian.

So, Mr. President, I thank the distinguished majority leader for making it possible to debate this issue. April 24 is not far away. If we are to succeed, we need to do it as quickly as we can, to send the resolution on to the House. I believe we will succeed. I would hope that we will present the facts in a way that will not offend anyone; that we will be able to present facts. We will have a series of charts tomorrow that ought to spell it out fairly clearly.

Our purpose is not to offend anyone on either side, regardless of how strongly they may feel, but it seems to me that if we will argue, as the distinguished Senator from Illinois [Mr. SIMON] did in the committee, if we will make the case based on history and based on the facts—and he has a lot of evidence that he will be discussing—then we will make the right judgment.

I also want to thank my friend from Michigan, Senator LEVIN, who has been very helpful in this effort. I hope the three of us and others can persuade our colleagues that it is time we let history be judged. We have waited long enough.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes Senator BYRD.

Mr. BYRD. Mr. President, I have reluctantly opposed the request to proceed to the consideration of the resolution. I say that I have reluctantly opposed the request to proceed because I believe that Senator DOLE's resolution is motivated by good intentions.

I am sorry to be put in this position by my own conscience and my own faith in what I believe to be the facts. I am sorry to be put in the position of opposing the resolution. I am sorry to be put in the position of opposing my friend, Mr. DOLE, in this matter. As I have assured him, and I assure him again, there is nothing personal about my opposition to this resolution, about my opposition to his position. There is also nothing partisan.

I know that the distinguished Republican leader believes every word that he says. I know that he feels strongly about the resolution. The personal emotions that he has to have, I, too, would have if I had walked the same path as Senator DOLE walked during World War II.

I can understand his deeply held feelings. He has deep convictions

about the matter. So I do not come to the floor with that kind of attachment—which is a very personal one with Senator DOLE—to the cause that I support. I come with equal convictions, however, that this resolution should not be adopted.

The Republican leader has referred to lobbyists.

I have talked with the Turkish Ambassador, but I invited him to come to see me. I talked with President Ozal 2 or 3 weeks ago when he was in Washington, and I asked him if there was any way that we could change the language of this resolution that would make it acceptable to Turkey. I would have been willing to have changed the language. But he indicated very strongly that all political parties in Turkey are united and that they would be opposed to any change; they would be opposed to this resolution; they would be opposed to any effort to water it down, because it would still be offensive to them.

The distinguished Republican leader talked about the administration's making calls and lobbying. The administration has not called me. I called the administration. I called the President. I called Secretary Baker. I called Assistant Secretary Eagleburger. I called General Scowcroft. Some of these parties I have called more than once. I have called them. They have not called me. They have not lobbied me. I have lobbied them. My problem is, I have not been able to get the administration to come out in the open and say where it stands. That is what it ought to do. It should come out in the open and say where it stands.

As to lobbyists, I do not know any Turkish lobbyists. I do not ask any individual what his history is, national origin is, or anything like that. If there are a dozen Turkish constituents in West Virginia, I cannot name one of them. So I have no Turkish constituents. Perhaps that is where the Turks have made a mistake. If there were a larger Turkish constituency, the vote might be different on the outcome of this debate. We do not have many Turkish immigrants in this country, and perhaps we should have more.

I have explained my contacts with the Turkish Ambassador, my contacts with President Ozal, my contacts with the President, with the Secretary of State, with the Assistant Secretary of State, and the President's security adviser.

This resolution condemns tragic antidemocratic events occurring early in this century, a previous era, not part of the political heritage of the present Government of Turkey. There is a new generation in Turkey. There is a new Government in Turkey.

My good friend, the distinguished Republican leader, said that there were no companies in Soviet Armenia. Turkey is a democracy. Soviet Armenia is not. United States companies can do business with Turkey. It is a democracy.

And so what happened—and some terrible things did undoubtedly happen—was not a part of the heritage of the present Government of Turkey, not part of the personal experience of the present leaders of that Government, not part of the personal experience of the bulk of Turkey's population. I had hoped that the Senate would not come to this point of even debating whether to proceed to consider this resolution because this well-meaning commentary—this resolution, as far as Senator DOLE is concerned and those Senators who have cosponsored it, is well intentioned—this commentary on a piece of Turkish history that occurred seven decades ago has a good chance of producing some pernicious results.

My friend has said that history should make a judgment. Mr. President, historians should make the judgment, historians and scholars, and not politicians on the floor of the Senate, as to what happened or did not happen. Historians will not be lobbied by either side. There apparently is a pretty influential constituency on the Armenian side in this country. That may be why the administration does not come out in the open and say where it stands, Mr. President.

I do not believe that the floor of the the Senate is the appropriate place to make a determination about a matter that ought to be researched, evaluated, and decided by historians and by scholars. I hope that this issue could be left to historians to decide.

I do not want anyone to misunderstand my opposition to the motion to proceed to the consideration of the resolution. I have not read the records, but I have reason to believe, and so would acknowledge, that during the time period covered by the resolution some terrible things happened. Atrocities took place. Hundreds of thousands of Armenians were killed in Turkey. I suppose that Turkey lost some people as well. I am deeply sympathetic to the suffering endured by the Armenians during this time period. But I do not know whether what happened to the Armenians constitutes a genocide. That term is a serious label that has been strictly defined in the Genocide Convention for which the implementing legislation was passed while I was the majority leader. The Republican leader was the majority leader in 1986 when the Genocide Convention was approved. The implementing legislation, however, was passed in 1988 when I was majority leader. So we both take pride. I was a supporter of the effort by Mr. DOLE when he was majority leader and he was a supporter of the effort when I was majority leader.

To term a series of events that happened three-quarters of a century ago as genocide is something that should not be done without great care. Labeling a series of events a genocide is not something the Senate should undertake without serious study, deliberation, and careful examination of the evidence. I believe that until that kind of careful examination of all pertinent documents has been done by trained historians, the Senate should not address this issue.

I believe that the situation has been altered significantly in the last year. My friend, the Republican leader, said that he will have documents which he will make available, that other Senators will make available, but that the Turks will not make the records available.

But in the last year the Government of the Republic of Turkey has opened the Ottoman Archives spanning the World War I era. Prior to the new law, all archival materials dated after May 1914 were closed to scholars. Today, all cataloged materials dating through 1939 are open and available.

On June 23, 1989, the Council of Ministers of the Republic of Turkey signed into law new regulations affecting the Turkish State Archives. This law greatly simplifies the procedures by which foreign and Turkish scholars obtain permission to conduct research in the State Archives. Whereas it used to take an average of 6 to 10 months to gain permission to conduct research in the archives, I am advised now a scholar can apply for permission and quickly begin work.

Among the categories of cataloged documents now available are the records of the deliberations and decisions of the Ottoman Council of Ministers, which comprise 224 bound and cataloged volumes covering the years 1885 to 1922. Now, for the first time, all the deliberations and actions of the Council of Ministers for the period of the First World War are available to scholars. This obviously includes all decisions relating to the relocation of the Ottoman Armenians during the war.

In addition, a large number of registers specifically devoted to the non-Muslim peoples of the Ottoman Empire, the so-called church registers and registers concerning the non-Muslim peoples are also open and available to researchers. As well, dozens of other classifications in the Prime Minister's Archives, containing thousands of documents with relevance to the Armenian population during the First World War, were automatically openend to scholars in conjunction with the new law.

I think it is important to note here that since the new regulations went into effect, no scholar who has applied for permission to work on the newly

opened records has been denied. That is the advice that I have had.

So there is new information freely available which could help historians make a determination about this matter. But I understand that the issue at hand is not whether historians have or should make a determination about this matter, but whether the Senate should. I believe the scales upon which we shall weigh that determination are tipped by the strategic importance of one of the America's most valuable allies—Turkey.

There are those who say we ought to do what is right. I believe in doing what is right also, Mr. President, I do not think it is right to make a snap judgment, to make a political judgment of something of this kind. In the first place, not one of us, not one of 100 Senators, is really in a position to know the facts. I am not. And I think that this is too serious a question to be resolved by people who do not know the facts, including myself.

I am deeply concerned that if the Senate were to pass it will unwittingly slap the face of a very important NATO ally. Turky's role in NATO is the key to preventing the Soviet Union's Black Sea fleet from transiting the Bosphorus into the Mediterranean. Turkey also has the longest border of any NATO country with the Soviet Union, a 300-mile land border and a 900-mile sea border. This totals roughly 33 percent of the NATO frontier with the Warsaw Pact countries. Turkey's armed forces, which total roughly 650,000, are the largest European NATO force. The army is larger than the ground forces of West Germany, and greater than the British, Greek, Canadian, Dutch, Danish, and Portuguese forces combined.

I am concerned that if the Senate were to adopt this resolution, we could jeopardize the upcoming round of base rights negotiations.

My friend, Mr. DOLE, has indicated that the Turks have made threats in the past and nothing happened. He also, of course, indicated that something might really happen in this instance. I have not heard of any threats, but the passage of the resolution could result in further limitations on United States access to important Turkish military facilities, including key facilities used to monitor Soviet troop movements and arms control agreements. As my friend, Mr. DOLE, referred to NATO, we do not know how long NATO will be around. But the arms control agreements will be around. Whether NATO is around or not, there are arms control agreements that will be around and they are in our own security interests and in the security interests of NATO and other countries of the free world. They will need to be monitored.

On March 17, 1987, the United States and Turkey signed two Side Letters to a new Defense and Economic Cooperation Agreement, called the DECA Agreement. The previous DECA was renewed in 1980; the 1987 Side Letters extended the DECA until December 18, 1990. We must negotiate a new agreement this year.

Unlike in some other countries, the United States does not have its own bases in Turkey, except for the United States Logistics Group headquarters [TUSLOG] in Ankara. Instead, the United States has access to a variety of Turkish and NATO military installations.

The most important facilities are covered by the Defense and Economic Cooperation Agreement. These include a major air base in Incirlik in southern Turkey, three major monitoring facilities at Sinop on the Black Sea, at Pirinclik near Diyarbakir in eastern Turkey, and at Belbasi outside Ankara, and a naval fuel depot—providing fuel and ammunition storage for the 6th Fleet—at Izkenderun in southern Turkey near Adana. Also covered by the DECA is a Coast Guard long-range aid to navigation [LORAN C] radio navigation site at Kargaburun.

The United States also has other facilities in Turkey not covered by the DECA, including several Army and Air Force installations to store nuclear weapons. The United States also is establishing collocated operating bases to pre-position wartime materials. The Joint United States Military Mission for Aid to Turkey [JUSMMAT], which coordinates United States military assistance to Turkey, is located in Ankara, and is attached to the Turkish General Staff. In addition, the United States has access to a variety of NATO facilities, including the Eastern Mediterranean headquarters at Izmir for Land Forces, Southeast, and for the 6th Allied Tactical Air Force. Near Izmir, there is also a Turkish air base at Cigli, which provides support for United States personnel assigned to NATO.

The last time the Armenian resolution was an issue, in 1987, Turkey refused to ratify the DECA Side Letters and canceled a trip to the United States by then-President Evren. It took nearly a year to repair the damage caused by mere introduction of that resolution to get the relationship back on track and to gain ratification of the two Side Letters. Then last October, Turkey restricted United States access to military facilities in Turkey in response to the Judiciary Committee's reporting of the resolution. Concerns about what might happen if this resolution were to be approved by the Senate should not be dismissed as idle threats. Turkey has demonstrated that it cares deeply about this matter and that it has and will act in response to action taken on the resolution.

It is a very innocuous resolution on its face. As far as I am concerned, I suppose I would have no problem with the resolution, because I see it through different eyes than do the Turks. But to them it is indeed a serious matter. I am not offened by the language, but to them the language is offensive. That is what we have to pay attention to. How will they react?

This resolution is not intended as a slap at Turkey, but its passage may have serious repercussions in Turkey and serious ramifications for United States-Turkey relations and for NATO. Do we really want to jeopardize all this by adopting this resolution? Do we really want to risk losing our access to bases on NATO's southern flank? Do we really want to impair our ability to monitor Soviet troop movements? Do we really want to impede our ability to verify arms control agreements? I certainly do not—and I do not think any Member of this Chamber would want to do so either. I do not believe that those who are cosponsoring the resolution believe that will happen. Unfortunately, that is exactly what could happen if the Senate approved this resolution.

I know that one could say that Turkey has interests, as well, and they will not do this or that because they have their own interests at stake. Well, it is a chancy business.

This resolution may appear on the surface to be a simple commemorative resolution. But it is not. This resolution raises many thorny defense and foreign policy issues. It is not simple, it is not straightforward. It is intensely controversial, and I believe, not a matter on which this body ought to be taking a stance, certainly not without extensive examination, hearings, debate, and considered analysis of all available evidence. That has not yet taken place. There have been no committee hearings on this issue.

What is at stake here is a matter of labeling a country—modern Turkey—guilty of the crime of genocide. Genocide is not just a label, it is a determination of criminal action, a criminal action for which there is criminal liability. Why are we doing that? What useful purpose can this resolution serve at this late date? Any country against which the allegation of genocide has been lodged, ought in all fairness, to be accorded the right to a factual investigation into all allegations before such a determination is made. After all, how long did the Senate spend investigating the matter of the impeachment of Judge Claiborne, Judge Hastings, and Judge Nixon? Those investigations consumed months and months and months of the Senate's time in hearings, testimony, investigations, to say nothing of the time spent on the Senate floor in the trials themselves. Yet with no

more than a half hour of debate in the Judiciary Committee, with not a single hearing, with not one whit of investigation—factual investigation—the Senate is prepared to consider determining whether Turkey is guilty of the crime of genocide 60 to 75 years ago.

Do we really want to put ourselves in that position?

I am deeply concerned about the potential impact that an approval of this resolution could have on the troubling instability and ethnic conflict in the Caucasus and Balkan regions. The recent turmoil in Azerbaijan, which forced Mr. Gorbachev to send in troops to bring order back to the area, is deeply disturbing. It is clear that Mr. Gorbachev's laudable perestroika and glasnost policies have shaken the Soviet Union to its very foundations. As people have become more free to speak their minds, they have also become more free to vent their animosities against other ethnic groups.

They have not been satisfied merely to speak their minds, they have erupted into violence—ethnic group against ethnic group—rent asunder, and no longer held together by an inviolate Communist Party. Even their mutual dislike for their Russian and Communist overlords has been insufficient to prevent the outbreak of serious ethnic violence. Just last week, that same kind of violence broke out in a new area of the Soviet Union—Muslims against Christians in the Central Asian Republic of Tajikistan. Then late last week, rioting between Muslims and Armenians broke out in yet another Soviet Republic—this time Uzbekistan.

In the Balkans, a review of what has happened in Bulgaria is instructive about the depth of ethnic animosities. In Bulgaria, the Communist leadership for many years had pursued a policy of forced assimilation of its ethnic Turkish minority. The Bulgarian Government forced its Turkish citizens to change their Turkish names to Bulgarian ones. It killed, wounded, and arrested hundreds of ethnic Turks who protested this new policy. Using both force and coercion, the Bulgarian Government removed ethnic Turks from their own villages and resettled them into areas with small Turkish populations.

The Government also prohibited the study of the Turkish language in schools. It banned the use of the Turkish language in public. It made the receipt and reading of Turkish publications a punishable act. It jammed the reception of Trukish radio and television programs. It severely curtailed the right of its own Turkish citizens to practice their religion and closed mosques and barred the importation of copies of the Koran.

None of these acts was enough. Last year, the Bulgarian Government, which previously had prevented its Turkish citizens from emigrating, reversed course, and expelled them across the border into Turkey. Not just a few—hundreds of thousands of them.

My point here is not to relate the sad tale of what the ethnic Turkish Bulgarians have suffered, but to demonstrate that when the Bulgarian Communists were overthrown and the new Government repudiated all the abhorrent policies against the ethnic Turks, the Bulgarian people turned out in massive demonstrations against the new Government. The people, it seems, supported those abhorrent policies against the ethnic Turks. The people thought it was just fine to assimilate forcibly a despised ethnic minority and when that was not enough, thought it was great to expel them.

This indeed, is a sad commentary on the inability of different peoples to live together in harmony. And it is not just in Bulgaria where ethnic groups are having trouble living together—it is happening in Yugoslavia, where Serbs and Croatians cannot live together in peace, where Serbs and Albanians are fighting each other. In Rumania, ethnic Rumanians cannot seem to live in peace with their ethnic Hungarian minority. This resolution asks Senators to vote on controversial historical events over which the Turkish Government today and a new generation there have no control, just as we today have no control over what happened then.

This resolution asks the U.S. Senate to endorse a particular view of these events and to take sides in a historical debate. The effect of our judgment could well be to damage the stability of democracy in Turkey and to damage United States relations with Turkey. Our actions on the Senate floor could fan the flames of the politics of yesteryear in the tinderbox known as the Balkans and in the Caucasus at a singularly inappropriate time when old ethnic passions have ignited.

The Balkan region is fraught with ethnic tensions—just as the Caucasus is fraught with ethnic tension. Senate approval of this resolution would only fan the flames.

Why do we want to take a chance on doing that? Why do that? Why take that chance?

What possible good can this resolution do?

It can do harm.

It can fan the flames and provide further fuel for people who cannot live together in harmony, for people who resort to violence in their disputes with their neighbors.

Senate approval of this resolution would offend a trusted and loyal ally—an ally that fought with us in the Korean war, an ally that protects NATO's southern flank, an ally that provides access to a variety of important military facilities, an ally that alone can block the exit of Soviet ships from the Black Sea.

I do not believe, Mr. President, that a determination by the Senate of this matter is appropriate.

It should not be 100 Senators who without a hearing, without an investigation, without determining the facts, without looking at the records firsthand, without going to the archives, make a judgment of this kind.

I have a very fond feeling for the Republican leader. He knows of my affection for him as an individual. I admire him as a patriotic American who answered his country's call and paid a price. I recognize his sincerity in this matter. I want to do nothing that would impair our relationship, nothing.

He has a duty to speak what he believes; I have a duty to try to do what I can to prevent what I see as something which could impair the alliance between the United States and Turkey, could impair that fledgling democracy, and could spill over into the already boiling kettle in the Caucasus and in the Balkans.

I have already said that what happened to the Armenians was tragic and was terrible. I am in deep sympathy with what generations of Armenians have experienced as a result of tragic and brutal events. I do not have any close friends who are Turks. I cannot even say I have one friend who is a Turk. Undoubtedly, there must be a few Turkish Americans over the hill country of West Virginia. My favorite doctor is an Armenian. My wife's favorite doctor is an Armenian doctor. He is a patriotic, loyal, dedicated American. So, I do not like to be put in the position I am in, but I do not believe that this resolution is in the best interests of the United States.

And again I say that I do not speak in derogation of the authors of the resolution. They believe just as firmly that the resolution is appropriate and necessary as I do that it is not. I do not believe that the Senate can or should attempt to make a determination on whether what happened constitutes a genocide.

The U.S. Senate should not become the vehicle for reopening old wounds and igniting smoldering hatreds. No Member of the Senate body wants that.

Mr. President, I join with the distinguished Republican leader who has made reference to the terrible happenings that have recently fallen upon Soviet Armenia, the earthquake and the victims of that tragedy.

I will support as quickly as will any other Senator any effort to bring relief to suffering peoples anywhere. But this resolution does not do that. It has nothing to do with the Armenian

earthquake. It has nothing to do with the lives that were lost there. It is well intentioned, but I hope that the Senate will not proceed to the consideration of the resolution. This is not the time, this is not the place, and these are not the circumstances that make consideration of the resolution itself a necessity.

It is difficult, Mr. President, to argue against the resoluton. This is a country that is noted for its Constitution and the constitutional guarantees concerning human rights, but there is a greater document than the Constitution and that document is the Book that my mother read. And in that Holy Bible we are told—and I shall paraphrase—that "He that putteth his hand to the plow and looketh back is not fit for the Kingdom of God."

What I am saying is we should not put our hand to the plow here and look back into the dim past. We could be doing a people a wrong and we can as well be participating in something here that could bring more suffering on peoples in that old Middle Eastern region and in the southeastern part of the Soviet Union.

I can understand how today's generation of Turks do not want to see the label of genocide applied to their grandparents concerning events which occurred at a time when Ataturk was a commander in the Turkish military.

The Turks are to be greatly admired. They do not ask for much. We do not give them much. I have already indicated the strength of the Turkish forces that are the resources of NATO. They have been fighting the people of the North for centuries. Turkey is a valuable ally and its position is important to Israel and to other countries in the Middle East. Turkey borders on Iran and Iraq, Syria, and the Soviet Union. I hope we will consider all of these things carefully as we come to vote on cloture the day after tomorrow.

Again I say to my friend, the Republican leader, I respect him. He is fighting for what he believes in. He is conscientious. He is dedicated. I wish the administration were just as dedicated and conscientious and outgoing and right out on top of the table as is the distinguished Republican leader.

The Republican leader decries lobbyists. I join him in that, to a certain extent. I also decry political commitments that are made in the heat of campaigns that are not in the best interests of the United States. And what is to be more regretted is that when one begins to see the world as it really is after the campaign is over, and is bound to see that a campaign commitment was wrong, a mistake, he does not face facts as they are in the real world and simply say, "What I thought in the campaign was what I thought in the campaign, but now I no longer see through a glass darkly. It is a mistake to proceed in this way. I cannot continue to honor a wrong commitment.

Perhaps, may I say to the distinguished Republican leader, if there could ever be campaign financing reform legislation, meaningful legislation, some of us would not get into these situations in campaigns, where Senators go around the country and people in the administration go around the country and hold out their hats and tin cups and beg for contributions and make campaign promises that are not in the best interests of the country.

The Senator from Michigan has been very patient and I thank him for waiting. I will certainly apologize for speaking at length but I am going to listen to what he has to say.

I am sorry that he is on the other side of the matter. I hope that others will come to speak. I do not like to carry all the burden myself but I am capable of speaking at considerable length when I believe in something as I do this. I may speak slowly, but that allows me to speak longer. And sometimes it is important to speak slowly and think before one speaks.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Michigan.

Mr. LEVIN. Mr. President, I listened with great interest to my friend from West Virginia, as I did to the Republican leader. They spoke, both of them, with their usual eloquence and integrity. The President pro tempore and I are, indeed, on different sides on this issue. I, too, regret that. But that happens at times and his beliefs are held with great sincerity, as are those of the Senator from Kansas and myself and the Senator from Illinois. I think we all understand how those differences do arise from time to time in this body.

Mr. President, I will be brief, given the hour. I have cosponsored, and indeed support, the resolution to designate April 24 as a National Day of Remembrance of the 75th Anniversary of the Armenian Genocide.

There is an overwhelming body of historical documentation and eyewitness accounts that prove that the appalling events of the Armenian genocide occurred during the time of the Ottoman Empire, in which as many as 1.5 million Armenians died during the years 1915 to 1923. The resolution emphasizes, as we all must, that the events in question occurred prior to the establishment of the Republic of Turkey. This resolution does not reach any judgment on the Government of Turkey, on the current Republic of Turkey. The events at issue from 1915 to 1923 occurred during the Ottoman Empire.

Again, according to the words of the resolution, "prior to the establishment" of the modern Republic of Turkey.

The Republic of Turkey is, indeed, a valued and important friend of the United States. However, our important mutual security interests with our NATO ally and our close friendship with and respect for the Turkish poeple are not reasons to rewrite history or to ignore history. To deny this history is to deny the terrible loss of innocent lives and to ignore the assistance which was extended by the United States to Armenia at that time.

Mr. President, we must never forget. If we do forget I am afraid, as some have said, we are going to be doomed to repeat history. That is the reason why we acknowledge events, acknowledge tragedies. So that we can attempt in some small way to avoid the repetition of those tragedies.

There was a widespread, systematic massacre of Armenians between the years 1915 and 1923.

In Aprils past, survivors of Armenian genocide have traveled to Washington for commemoration and to pay tribute to the memory of the victims who perished. I have spoken with surviviors. I have seen their faces. And I have heard what I believe, and most historians believe, is the truth.

There are many, many painful, contemporaneous eyewitness accounts that document the horrors. Accounts of the systematic slaughter were reported by not just survivors but journalists, government officials, and missionaries and travelers from many nations. There was a systematic intentional effort to eliminate Armenians as a people.

The American Ambassador to the Ottoman Empire, Henry Morgenthau, telegraphed the following to the United States Secretary of State on July 16, 1915. The Ambassador telegraphed the following message:

> Deportation of an excesses against peaceful Armenians is increasing and from harrowing reports of eyewitnesses it appears that a campaign of race extermination is in progress under pretext of reprisal against rebellion.

Ambassador Morgenthau wrote a book which a number of us have read and many of us have. One of the paragraphs in that book is as follows:

> When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well and in their conversations with me, they made no particular attempt to conceal the fact.
>
> I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

That was in the book of the American Ambassador to the Ottoman Empire.

Mr. President, he wrote about events that occurred in the years 1915 to 1923. At that time he may have been accurate in his characterization that in the whole history of the human race, mankind had not seen such horror. But as we know, genocidal horror revisited mankind after Ambassador Morgenthau wrote. Mankind did not learn, did not comprehend, did not recoil in unified horror. And I believe that, at least in part, because mankind did not respond to the genocide of the Armenians in the years 1915 to 1923, genocide reoccurred.

Elie Wiesel, a commanding presence with the moral authority of history, stated in this building, in our rotunda, in April of 1981 the following:

Before the planning of the final solution, had Hitler asked who remembers the Armenians?

Elie Wiesel went on to say:

He was right. Nobody remembered them as no one remembered the Jews. Rejected by everyone, they felt expelled from history.

It has been said, and said accurately, that at the time of the First World War, many, many thousands of Turks and many, many thousands of others also died. They did. It is important to respect history and it is important to remember. We should remember and honor the innocent victims of all sides that fell to the cruelties of the great war, both those who died as the result of the violent turmoil of battle, and those who perished because of starvation, disease, and deprivation.

We should acknowledge the suffering of innocent Turks, and innocent people of whatever nationality or religion who died during this time. But, Mr. President, that is not the point.

It is our intention and the intention of this resolution to honor the memory of, so that mankind will not forget, the Armenians who were massacred by the Ottoman Empire. Massacred because, and only because, they were Armenian.

In an interview published in the Los Angeles Examiner on August 1, 1926, Ataturk himself acknowledged the crimes of the earlier government. He called the former government murderers, and vowed that they would not overthrow the Republic of Turkey, in the words of Ataturk, that earlier government "should have been made to account for the lives of millions of our subjects who were ruthlessly driven, en masse, from their homes and massacred. * * *"

There is much more from other authorities, from Ambassador Morgenthau and others, that could and will be made part of the RECORD, which document specific incidents and horrors.

We have Lord Bryce, in the House of Lords in London in October 1915, reporting to the House of Lords about the atrocities. That horrible policy, Lord Bryce said, has been carried out thoroughly by the present Turkish Government, the policy being a policy of the extermination of the Armenian people. Lord Bryce said that on behalf of these pathetic survivors of a fine race that other nations, including America, should come to their aid. According to the New York Times of October 7, Lord Bryce appealed to the conscience of neutrals. What he believed, he said, is there are some crimes even now in the convulsion of a great world war that the public opinion of the world will not tolerate. The House of Lords responded.

The Senate of the United States in May 1920 adopted a resolution referring to testimony at hearings of the Senate Committee on Foreign Relations "Clearly establishing the truth of the reported massacres and other atrocities from which the Armenian people have suffered." That was Senate Resolution 359, May 11, 1920.

Arnold Toynbee, the League of Nations High Commissioner for Refugees, and others have given us both eyewitness and historical reports of the Armenian genocide in 1915 to 1923. It is appropriate that we remember that genocide. If it had been remembered earlier in this country, I believe other genocides may have been avoided. That is the reason for remembering and that is the reason for not forgetting these events. If we ignore history, it is more likely that that history will be repeated.

Mr. President, I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I rise in support of this resolution. I want to particularly pay tribute to my colleague, Senator DOLE, for standing up on this. There are not very many Armenians in Kansas, and to the credit of the minority leader and his wife, they visited Soviet Armenia right after the earthquake there. I appreciate his persistence on this in the face of considerable opposition.

I regret I had to be away from the floor when the President pro tempore spoke. I have, as he knows, a very high regard for him. While I differ with him on this particular resolution, I wanted to hear what he had to say, and I will read it in the RECORD tomorrow. I know we say these things very easily, "we will read them in the RECORD," but I will read it in the RECORD.

There is one other general observation that goes beyond this resolution, Mr. President, and that is the need for communication between religious groups. What you have here with the Armenians and, in this case, the Turks—and in Azerbaijan you have the same problem—what you have with the Jewish community and Moslems, you have had groups because of their heritage finding themselves in conflict. We need greater communication between religious groups, whether it is Christian, Moslem, Moslem-Jewish, Northern Ireland, Catholic, Protestants, whatever. The last reason we ought to be killing each other is in the name of religion, and yet that, unfortunately, has taken place.

One of the things I have observed, Mr. President, is that there is no comprehensive study on this whole problem. I was able to get ahold of a book, "A Historical Survey of the Armenian Case," written by Kersam Aharonian. I am not sure I am pronouncing that name correctly. But we have sufficient evidence we know that a massacre took place. It is one of the tragedies of history. It is not simply the documented evidence—I talked just this past week with an old gentleman who relayed to me what had happened to his family when he was 10 years old—a brutal experience that will be part of his memory the rest of his life.

What we are talking about is not a criticism of the Government of Turkey today, and I would like to make that abundantly clear. What we are talking about is a recognition of a slaughter that took place some decades ago, but we should not pretend that it did not take place.

Frankly, my colleagues who say we do not want to offend Turkey, therefore, we should not do this—I understand that though I disagree with that particular argument. Those who say we are not sure whether genocide occurred, that I do not understand when the evidence is just so overwhelming that it has occurred. The question is not whether genocide has occurred, whether this massacre occurred; the question is, Do we remember it? Do we learn from it? And my hope, obviously, is that we will.

When people say it is not in the United States interest to do this because of the strategic location of Turkey, the fundamental interest of the United States is and always will be human rights. When we fail to stand up for human rights as we should, then we are not acting in the best interest of this country.

For those who say we do not want to revive all these things of the past, if we are on friendly terms with other countries, we ought to have candor, and if the Turkish Parliament wants to adopt a resolution saying that we have in this country over the years mistreated our native Americans, the American Indians, they have a perfect right to do that, and it is a valid criticism. If they want to criticize what we did to the Japanese Americans in 1942, it is a valid criticism of what happened.

I think we ought to follow the example of the European Parliament which adopted a resolution similar to the one that we are being asked to adopt here.

I have to say I thought this was originally going to be one of these things that passed without any problems at all, but all of a sudden after it was introduced, we ended up with—I have had leaders of major defense industries contact me, high officials in the administration. It has escalated beyond anything I anticipated. But the fundamental question is should we do anything?

I would like to quote from a Presidential candidate by the name of George Bush. He said:

The United States must acknowledge the attempted genocide of the Armenian people in the last years of the Ottoman Empire based on the testimony of survivors, scholars, and indeed our own representatives at the time, if we are to ensure that such horrors are not repeated. The American people, our Government, and certainly the Bush administration will never allow political pressures to prevent our denunciation of crimes against humanity. I would join Congress in commemorating the victims of that period.

I do not know what happened between that statement and where we are today, but clearly a different signal is coming from the White House today. I hope that there can be a gentle reminder to those in authority what was said during the campaign, and I think we would be wise to live up to that.

Let me just quote from a few American leaders. President Reagan, April 22, 1981:

Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it, and like too many other such persecutions of too many other peoples, the lessons of the Holocaust must never be forgot.

President Jimmy Carter, May 16, 1978:

It is generally not known in the world that in the years preceding 1916 there was a concerted effort made to eliminate all the Armenian people, probably one of the greatest tragedies that ever befell any group and there weren't any Nuremberg trials.

Herbert Hoover wrote in his memoirs:

The association of Mount Ararat and Noah, the staunch Christians who were massacred periodically by the Mohammedan Turks, and the Sunday School collections over 50 years for alleviating their miseries—all cumulate to impress the name Armenia on the front of the American mind.

Warren G. Harding, 1921:

If it is believed that a warship can be sent to an Armenian port on the Mediterranean I should have very little hesitancy in making such a suggestion on behalf of these stricken people. Surely there must be some way in which to utter the admonition of the five great powers to restrain the hands of assassins in that unfortunate land.

What President Harding said, "Surely there must be some way in which to utter the admonition," is what we are attempting to do. Let us not repeat history is what we are saying.

There are other quotes I could give you from the other Presidents over the years.

Let me repeat one quote that Senator LEVIN gave us from Elie Wiesel, who has been such a leader in behalf of remembering the Holocaust. On April 30, 1981, he said:

Before the planning of the final solution, Hitler asked, "Who remembers the Armenians?" He was right. No one remembered them, as no one remembered the Jews. Rejected by everyone, they felt expelled from history.

And then finally two other quotes, one from some Moslem leaders written to the Gov. Gen. Reshid Pasha in the Province of Kastemuni, or maybe it is a city. I confess I am not sure. Listen to what these Moslem leaders said. This comes from a trial in 1919:

We have learned that the Armenians, men, women and children, of our surrounding provinces, have been led as animals to the slaughter house and have been murdered. We do not want the same thing to take place in our district because we fear divine anger. A government of violence and illegality cannot long endure. We do not want such "crimes" to be committed in our province.

This is a group of Moslem leaders. To their credit, they issued that statement.

Listen to what the Commander of the Turkish 3d Army Gen. Mahmoud Kiamil Pasha said. In a decree he issued he said:

Kiamil decreed: "All Moslems are prohibited from saving a single Armenian. If a Moslem dares do so, he will be hanged in the shadow of his own house, which will be burned down."

That is grim language. That is part of history——

The reason we are doing this and the reason why the remembrance of the Holocaust is so important for the Jews, the reason it is so important that we remember what happened in this country as recently as 1942 when we took 130,000 Japanese Americans away from the west coast with no justification whatsoever. The reason we remember these things is so that we do not repeat them.

I think it is important that we adopt this resolution. I know the Turkish Government feels very strongly about that. I know there are a lot of people in this administration who feel very strongly that we should not do this. This is not a reflection on the current Government of Turkey. It is a recitation of what has happened in history long before modern Turkey. It is a signal from this country to people in Azerbaijan, to people everywhere, we are not going to forget the Armenians, and it is a signal to others of whatever background that we do not want to tolerate the abuse, the slaying, the torture of innocent people. I think, by all means, we should adopt this resolution.

Mr. WILSON. Mr. President, I rise in support of the resolution and hope that this body will do what it should do, which is not just consider it but pass it.

Before I go further, it is only fair to give commendation to those who have earned it, to the primary author of this resolution, Senator DOLE, the distinguished Republican leader, and to those with whom he has worked and whom he properly noted, Congressman CHARLES PASHAYAN of California, himself the proud son of Armenian Americans, the Governor of our State, George Deukmejian, also of Armenian heritage. To these gentlemen, there is not a question because in their personal lives for too many years they have had recounted, from relatives, from friends, the horrors of the time that we seek to commemorate with this resolution. There seems to be two points which cause some of my colleagues to hesitate. Indeed some have removed their names from this resolution earlier because of qualms which they had. One of the points has to do with whether or not this genocide ever occurred, whether or not it took place in the history of 1915; and the second point, of course, which has been addressed by those who support and oppose the resolution, is the propriety of a resolution that might cause a valued and distinguished ally to take umbrage.

Mr. President, let me address both of those points in order. To begin with, there can be no doubt, none whatever, that this tragedy occurred any more than there can be any doubt that the terrible, unforgettable act of inhumanity which marked the Second World War, the Holocaust against Jews perpetrated by Hitler and Nazi Germany, actually took place.

Mr. President, the documentation of this is so extensive it seems to me beyond comprehension that anyone could reasonably doubt it actually occurred.

This volume alone contains some of the records from United States Archives relating to this instance, documentation that this tragedy actually occurred in the dimensions in which it did occur—1½ million people, men, women and children, innocent of any crime slaughtered because by accident of birth they were Armenian in a regime that determined to exterminate them. This evidence, Mr. President, is so overwhelming that it begins even before the event itself took place.

In April 1915, the Ottoman regime issued a proclamation requiring that all Armenians be deported to distant "vilayets" or provinces, most of them within eastern Turkey. The deportation of these Armenian men, women and children began, but instead of simply being an act of deportation, what occurred was merciless slaughter

of these innocents, and subsequent memoranda that have been filed with the U.S. Department of State by missionaries, by businessmen, by diplomatic personnel, by educators, now available for review at the United States Archives, indicate that 600,000 Armenians alone died in the deportation carried out between April and December of the first year of that terrible several years of genocide that commenced in 1915. Six hundred thousand taken from their villages for deportation never reached their ultimate destinations.

One of those who documents this fact was the American consul posted to one of the major deportation provinces of eastern Turkey. Leslie A. Davis notes in a number of written reports sent to Washington that were never acknowledged in the public debate on the Armenian genocide until today that Americans living in the region labeled that area as the "slaughterhouse vilayet."

In a December 30, 1915, dispatch to the U.S. Ambassador to the Ottoman empire, the Honorable Henry Morgenthau, Leslie Davis wrote that:

> The term "slaughterhouse vilayet" * * * has been fully justified by what I have learned and actually seen since September. It appears * * * that men, women and children were massacred about 5 hours' distance from here. In fact, it is almost certain that with the exception of a very small number * * * all who have left here have been massacred before reaching the borders of the vilayet.

We have this information because Leslie Davis recorded it in a typewritten manuscript of 132 pages, one that he sent to his superiors upon his return to the United States after 3 years of consular duty during which he witnessed countless numbers of murders and forced deportations.

Susan Blair, a researcher and author, subsequently reproduced the Davis report in her 1989 book entitled "The Slaughterhouse Province."

These, Mr. President, are the consular dispatches that were sent by Leslie Davis in 1915, the 132 pages of typewritten manuscript. Susan Blair, in her book, points out that Leslie Davis offered a unique perspective on Armenian genocide because as a diplomat representing a neutral nation he was able to personally visit massacre sites and was able to see, to quote her, "the bodies of murdered Armenians whom he had previously seen alive."

So we have the personal verification, on his own personal knowledge of the victims, of an American diplomat.

Despite these dramatic occurrences, Mr. Davis is certainly not one who held any brief for the victims. Indeed by his own admission he held little respect for the Armenian people or their culture. So this eyewitness was not one who was sympathetic. He was certainly not a propagandist, certainly not employed to tell this story, at least not by the victims whose tragedy he recorded.

In order, Mr. President, that my colleages may have the opportunity to review the Davis account before we fully dispose of this resolution, I ask unanimous consent that a copy of it appear in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APPENDIX A—CONSULAR DISPATCHES

(By Leslie A. Davis 1915)

AMERICAN CONSULATE,
MAMOURET-UL-AZIZ (HARPUT),
June 30, 1915.

Hon. HENRY MORGENTHAU,
American Ambassador,
Constantinople.

SIR: I have the honor to report to the Embassy about one of the severest measures ever taken by any government and one of the greatest tragedies in all history. If the Embassy had not already learned about it from other sources, my telegrams of June 27th and 28th and my brief dispatch of June 29th will have brought the matter to the attention of the Embassy.

The attention of the Embassy has been called, in previous dispatches from this Consulate, to the very critical situation here. My dispatches of April 19th, May 5th and June 2nd (file No. 840.1) referred to the general conditions and the fears of the people that a massacre was being planned. I have reported in frequent dispatches the hostile attitude of the local authorities during the last few months toward the American missionaries and the complete interruption of all work in the American schools (File No. 360) In my dispatch of June 12th (File No. 300) I spoke of the actual danger in which the American missionaries in this part of Turkey are now placed and in my cipher dispatch of June 24th (File No. 300/840.1/703) I gave some further details of what has been happening here.

As stated in some of the above mentioned dispatches, a revolutionary movement on the part of some of the Armenians was discovered and severe measures were taken to check it. These were undertaken in a wholesale matter, little distinction being made between people who were entirely innocent and those who were suspected of being participants in the movement. Practically every male Armenian of any consequence at all here has been arrested and put in prison. A great many of them were subjected to the most cruel tortures under which some of them died. Several hundred of the leading Armenians were sent away at night and it seems to be clearly established that most, if not all, of them were killed. Last week there were well founded rumors of a threatened massacre. I think there is very little doubt that one was planned.

Another method was found, however, to destroy the Armenian race. This is no less than the deportation of the entire Armenian population, not only from this Vilayet, but, I understand, from all six Vilayets comprising Armenia. There are said to be about sixty thousand Armenians in this Vilayet and about a million in the six Vilayets. All of these are to be sent into exile; an undertaking greater probably, than anything of the kind in all history. For several days last week there were rumors of this but it seemed incredible.

On Saturday, June 28th, it was publicly announced that all Armenians and Syrians were to leave after five days. The town of Mamouret-ul-Aziz and the city of Harput were divided into districts and notice was given at each house of the day when the occupants must leave. Two days are given for Mamouret-ul-Aziz, July 1st and third. Three days are given for Harput, July 4th, 5th and 6th. In these two towns, supposed to contain a population of about 40,000, there are probably not less than 15,000 or 18,000 Armenians, or at least three thousand families. There are as many more in the neighbouring villages and these are to leave a few days later.

The full meaning of such an order can scarcely be imagined by those who are not familiar with the peculiar conditions of this isolated region. A massacre, however horrible the word may sound, would be humane in comparison with it. In a massacre many escape but a wholesale deportation of this kind in this country means a lingering and perhaps even more dreadful death for nearly every one. I do not believe it possible for one in hundred a survive, perhaps not one in thousand.

The alleged destination of those sent from here is Urfa, but I know very well this does not mean the city of Urfa. It may mean the Mesopotamia plain to the southeast of that city, a region almost uninhabitable for man or beast. Whatever the destination may be, the journey from here in that direction at this season of the year is very difficult for one who has made careful preparations and travels by wagon. It is for the most part over an extremely hot plain in which there is very little water or vegetation. There are places where there is no water at all during an entire day's journey by wagon. A crowd of women and children on foot will, of course, require several days to traverse the same distance. They cannot go from here to Urfa in less than fifteen or twenty days. There are only two towns and two or three small villages on this route. It would be impossible to find in these villages food for more than twenty or thirty people and there will be days and days when neither food nor water can be obtained. People on foot cannot carry enough food and water on their backs to last them between towns. Under the most favorable conditions the journey is a very fatiguing one (I am speaking from experience, as I traversed that route twice last summer on my attempted trip to America and my return to Harpout). For people traveling as these Armenians who are going into exile will be obliged to travel it is certain death for by far the greater part of them.

It must be borne in mind that wagons and horses are practically unavailable. There are probably not more than twenty-five wagons that can be found for the five or six thousand families who are leaving from this immediate locality. There are several hundred ox-carts and quite a good many small donkeys, while some people are planning to take a cow on which to carry a little food and a blanket or two. This represents every available means of transportation in this region at the present time. There are not nearly enough animals of any kind to enable each family to have one and it is obvious that nearly every one will have to travel on foot. A few of the more fortunate families will have an animal or two on which the women and children can take turns riding, but there will be many cases where a mother with a babe in arms and several small children, and no husband, will have no animal at all.

The fate of these people can readily be imagined. The method is perhaps a little more cultured than a massacre but it will be far more effective and thorough. It is quite probable that many of them will be robbed and murdered en route as the roads are now filled with bands of pillaging Kurds. I asked the Vali the other day what measures were being taken for the protection of these people. He replied that there would be plenty of gendarmes with them so as to avoid a repetition of the fate which had befallen the prisoners who had been sent away from here before, and added that they had met some Kurds who had treated them rather unpleasantly. There is little doubt that these Kurds had been engaged to dispose of them. Many think, and it is by no means improbable, that the same fate is being prepared for those who are now leaving. It is quite possible that the men may be killed, the more attractive women carried off as slaves, and the other women and children left to perish in the desert. In any case, it is quite certain that almost all will die in one way or another before they ever reach their destination.

One thing that increases the doubt about their safe arrival anywhere is that quite a good many people who have been deported from Erzurum and Erzincan have been expected here, but with the exception of one small party from the latter place, none have arrived as yet, while there have been many rumors that these parties have been attacked and killed by Kurds. Money has been sent here from different ones but no one of them has ever appeared to claim it.

Another bad omen is that Vali has refused permission for any of the Americans to accompany the parties leaving here. Some of the missionaries decided that they would like to go with them in order to be of assistance to those who might need help. On Sunday, the 27th, I called on the Vali about this and other matters. This request he refused absolutely saying it could not be granted but that after the people reached their destination the Americans might then join them if they wished. As probably very few, if any, of them will ever reach their destination this was a safe offer. If it were intended to give these people a safe-conduct to any place there would probably be no objection to the Americans accompanying them. On the other hand, as the roads are decidedly unsafe now, it may be that the Vali did not want to take the responsibility of allowing the Americans to risk their lives in this way. Or, perhaps, the Vali's suggestion that the Americans might join these people later was an intimation that the missionaries also may be invited to leave in the near future.

In my telegrams of June 27th and 28th and in a telegram from Mr. Riggs to Mr. Peet on the 28th we spoke of the need for relief at the destination and I suggested asking aid from America. To what extent it may be possible to aid these people and how it can be done is a problem. There is great danger that they may nearly all be killed or allowed to perish en route. If they arrive anywhere it is still doubtful if they will be within communication. My opinon is that the few who survive the journey will be taken to some remote part of the Mesopotamian plain many days' journey from Urfa or any other town. Should they be within reach of Urfa relief might be arranged through the American Mission in that town or through our Consulate at Aleppo. In any case, there is going to be terrible suffering and great need to help among those who survive the journey. Those who were formerly rich and the poor will alike be destitute. If any possible measures can be taken for their relief I feel that now is the time to begin.

It is impossible for me to give any adequate idea of the panic in this locality that has resulted from the announcement of this order of expulsion. The people have been given four or six days to dispose of everything they have and leave. For the merchants to wind up their affairs in that short time is difficult. It is also difficult for householders to dispose of their household and personal effects. The result has been a panic such as has never been known here or in few other places. Every one who is obliged to leave is trying to get together a little money to take on the journey. The Turks are, of course, taking advantage of the situation to get things at practically nothing. Robbery and looting were never undertaken in a more wholesale manner. Turkish men and Turkish women are entering the houses of all the Armenians and taking things at almost any price. As nearly half the population are leaving they have to take what they can get. This is rarely more than five or ten per cent, of the value. All the furniture in a house, costing originally one or two hundred pounds will be sold for ten or fifteen pounds. Rugs that cost five or ten pounds are sold for fifty or seventy-five piasters. The people are glad to get anything at all for their merchandise or effects. The streets are full of camels carrying off the loot and of rich Turks and Turkish women dressed in their finest gowns, who are making a holiday of the occasion. The scene reminds one of a lot of hungry vultures hovering over the remains of those who have fallen by the way. A more disgusting sight than that which is taking place here now can scarcely be imagined.

The difficulty for people to get ready to leave at such short notice was so great that on Tuesday six of us, comprising practically the entire foreign male population of the town, called on the Vali unofficially to enquire if it would be possible to have a greater length of time given the people before leaving. He received us very courteously but said that was impossible. We did succeed, however, in having a clear understanding that we could help the people in certain ways. The Vali said that there was no objection to our buying things from them or having them leave their money in our care. The Kaimakam has interfered in carrying out this purpose, but on the whole we have been able to do quite a good deal. The Missionaries have also tried to furnish the people with medicine and other useful articles for their journey and some of the poorer and needier ones have been given cash.

During the last three days crowds of people have visited the Consulate and the American Mission for help of some kind. Many have wanted financial assistance, while others have wanted to leave things in our care. They have brought money, documents, jewelry, furniture, and many other things. I have taken documents, and some money, while the missionaries have taken much more than I have. Some have left money to be paid in any case to relatives in America, but most have left it on condition that if nothing is heard from them in four or six months it is then to be sent to their relatives. I have never seen a more pathetic or tragic scene. All feel that they are going to certain death and they certainly have good reason to feel that way. Their confidence in the American missionaries and in the Consulate is touching. Some of them don't even want to count the money they are leaving. They hand over the savings of a lifetime with the simple request that if they are not heard from after a few months to send their money if possible to their relatives.

All real estate belonging to Armenians will be confiscated by the Government. Many people will be unable to dispose of their personal property and will probably walk out leaving their houses and stores with all their contents. Those who have made fortunes will lose everything. Some will, of course, take a moderate amount of money with them, but all fear being robbed and very few will dare take much money with them. For those who are feeble and have no money at all, it is a question what will become of them. The Government has offered to furnish donkeys for them, but charges an enormous price per day for every donkey. A man who starts out with only one or two liras will find after a few days that all his money is gone and will be absolutely stranded.

The effect industrially and commercially of the expulsion of the Armenians from this region is going to be to throw it back in the middle ages. It is officially stated that ninety per cent of the trade and of the business carried on through the banks is that of Armenians. Business of all kind will now be destroyed beyond the possibility of it being restored. In some trades there will be no mechanics or workmen at all. It is difficult to understand how those Turks who have had any taste of civilisation at all will be able to live unless exceptions are made and there does not seem to be any indication of that. There will be no banks, no Christian schools, no Christian churches. With one stroke the country is set back two, three [sic] hundred years. The same will be true of Diyarbakir and of all other parts of this consular district.

There is no doubt in my mind that all the American Missionaries will be obliged to leave. It will not surprise me at all if they are ordered to go but whether they are expelled or not there will be nothing for them to do here. The labors of the missionaries at Harput, which have continued during more than sixty years, have come to an end and I see no way in which they will be able to continue their work here.

With the destruction of all business and the departure of the Missionaries, there will be no object in maintaining a consultate either here or at Diyarbakir or in any other part of this region. There is great danger that I may lose at this time two indispensable employees, both of whom have been with the Consulate for more than ten years, but they are both Armenians, I have asked the Vali to allow them to remain, but the only promise he would give me was that they would not be obliged to go with the first lot. He said they could remain here for a few days and in the meantime he would ask for instructions from Constantinople about them. In my telegram of June 28th, I asked the Embassy to request exemption for them, but I do not believe my telegram ever reached the Embassy.

In my telegram of June 27th, I asked the Embassy to wire me also if it would be possible to secure exemption for the naturalized American citizens who are here. I spoke to the Valie about this at once but he has been very evasive. I hope to receive some reply from the Embassy in time, if it is going to be possible to do anything to save any of these

people and their children. There is one class of citizens who are certainly entitled to protection. There are women whose husbands are naturalized American citizens and are now in America, while they have returned here for a short time to visit relatives. There are several of these and nearly all of them have children with them who were born in America. I shall certainly do everything possible to save these.

Tomorrow the exodus of one-half of the population of this region commences. Were the people not so entirely subdued I should expect to see some stirring scenes. As it is, I can hardly think it possible that the authorities will succeed in sending everyone into exile, but as yet there does not seem to be any sign of their relenting or of their granting many exemptions.

I have the honor to be, Sir, Your obedient servant,

(Signed) LESLIE A. DAVIS,
Consul.

Source: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, June 30, 1915, enclosed in Hoffman Philip [Charge d'Affaires] at Constantinople to Secretary of State, February 17, 1916, N.A., D.S., R.G. 59, Dec. File No. 967.4016/269

AMERICAN CONSULATE,
MAMOURET-UL-AZIZ (HARPUT), TURKEY,
July 11, 1915.

Hon. HENRY H. MORGENTHAU,
American Ambassador,
Constantinople.

SIR: I have the honor to supplement my report of June 30th (File No. 840.1) in regard to the expulsion of the Armenians from this region, as follows:

On July 1st a great many people left and on July 3rd several thousands more started from here. Others left on subsequent days. There is no way of obtaining figures but many thousand have already left. The departure of those living at Harput was postponed, however, and many women and children were allowed to remain temporarily. People began to hope that the worst was over and that those who remain might be left alone. Now it has just been announced by the public crier that on Tuesday, July 13th, every Armenian without exception, must go.

If it were simply a matter of being obligated to leave here to go somewhere else it would not be so bad, but everyone knows it is a case of going to one's death. If there was any doubt about it, it has been removed by the arrival of a number of parties, aggregating several thousand people, from Erzurum and Erzinggan [sic]. The first ones arrived a day or two after my last report was written. I have visited their encampment a number of times and talked with some of the people. A more pitiable sight cannot be imagined. They were almost without exception ragged, filthy, hungry and sick. That is not surprising in view of the fact they have been on the road for nearly two months with no change of clothing, no chance to wash, no shelter and little to eat. The Government has been giving them some scanty rations here. I watched them one time when their food was brought. Wild animals could not be worse. They rushed upon the guards who carried the food and the guards beat them back with clubs hitting hard enough to kill them sometimes. To watch them one could hardly believe that these people were human beings.

As one walks through the camp mothers offer their children and beg one to take them. In fact, the Turks have been taking their choice of these children and girls for slaves, or worse. In fact, they have even had their doctors there to examine the more likely girls and thus secure the best ones.

There are very few men among them, as most of them have been killed on the road. All tell the same story of having been attacked and robbed by the Kurds. Most of them were attacked over and over again and a great many of them, especially the men, were killed. Women and children were also killed. Many died, of course, from sickness and exhaustion on the way and there have been deaths each day that they have been here. Several different parties have arrived and after remaining a day or two have been pushed on with no apparent destination. Those who have reached here are only a small portion, however, of those who started. By continuing to drive these people on in this way it will be possible to dispose of all of them in a comparatively short time. Among those with whom I have talked were three sisters. They had been educated at Constantinople and spoke excellent English. They said their family was the richest in Erzurum and numbered twenty-five when they left but there were now only fourteen survivors. The other eleven, including the husband of one of them and their old grandmother had been butchered before their eyes by the Kurds. The oldest male survivor of the family was eight years of age. When they left Erzurum they had money, horses and personal effects but they had been robbed of everything, including even their clothing. They said some of them had been left absolutely naked and others with only a single garment. When they reached a village their gendarmes obtained clothes for them from some of the native women. Another girl with whom I talked is the daughter of the Protestant pastor of Erzurum. She said evey member of her family with her had been killed and she was left entirely alone. These and some others are a few survivors of the better class of people who have been exiled. They are being detained in an abandoned schoolhouse just outside of the town and no one is allowed to enter it. They said they practically are in prison, although they were allowed to visit a spring just outside the building. It was there that I happened to see them. All the others are camped in a large open field with no protection at all from the sun.

The condition of these people indicates clearly the fate of those who have left and are about to leave from here. I believe nothing has been heard from any of them as yet and probably very little will be heard. The system that is being followed seems to be to have bands of Kurds awaiting them on the road to kill the men especially and incidentally some of the others. The entire movement seems to be the most thoroughly organized and effective massacre this country has ever seen.

Not many men have been spared, however, to accompany those who are being sent into exile, for a more prompt and sure method has been used to dispose of them. Several thousand Armenian men have been arrested during the past few weeks. These have been put in prison and each time that several hundred had been gathered up in that way they were sent away during the night. The first lot was sent away during the night of June 23rd. Among them were some of the professors in the American college and other prominent Armenians, including the Prelate of the Armenian Gregorian Church of Harput. There have been frequent rumors that all of these were killed and there is little doubt that they were. All Armenian soldiers have likewise been sent away in the same manner. They have been arrested and confined in a building at one end of the town.

No distinction has been made between those who had paid their military exemption tax and those who had not. Their money was accepted and then they were arrested and sent off with the others. It was said that they were to go somewhere to work on the roads but no one has heard from them and that is undoubtedly false.

The fate of all the others has been pretty well established by reliable reports of a similar occurrence on Wednesday, July 7th. On Monday many men were arrested both at Harput and Mezreh and put in prison. At daybreak Tuesday morning they were taken out and made to march towards an almost uninhabited mountain. There were about eight hundred in all and they were tied together in groups of fourteen each. That afternoon they arrived in a small Kurdish village where they were kept over night in the mosque and other buildings. During all this time they were without food or water. All their money and much of their clothing had been taken from them. On Wednesday morning they were taken to a valley a few hours' distant where they were all made to sit down. Then the gendarmes began shooting them until they had killed nearly all of them. Some who had not been killed by bullets were then disposed of with knives and bayonets. A few succeeded in breaking the rope with which they were tied to their companions and running away, but most of these were pursued and killed. A few succeeded in getting away, probably not more than two or three. Among those who were killed was the Treasurer of the American College. Many other estimable men were among the number. No charge of any kind had ever been made against any of these men. They were simply arrested and killed as part of the general plan to dispose of the Armenian race.

Last night several hundred more men, including both men arrested by the civil authorities and those enrolled as soldiers, were taken in a different direction and murdered in a similar manner. It is said this happened at a place not two hours' distance from here. I shall ride out that way some day when things become a little quieter and try to verify it for myself.

The same thing has been done systematically in the villages.

A few weeks ago about three hundred men were gathered together at Itchme and Haboosi, two villages four and five hours' distant from here, and then taken up into the mountains and massacred. This seems to be fully established. Many women from those villages have been here since and told about it. There have been rumors of similar occurrences in other places.

There seems to be a definite plan to dispose of all Armenian men, but after the departure of the families during the first few days of the enforcement of the order it was announced that women and children with no men in the family might remain here for the present and many hoped that the worst was over. The American missionaries began considering plans to aid the women and children who would be left here with no means of support. It was thought that perhaps an orphanage could be opened to care for some of the children especially those who had been born in America and then brought here by their parents and also

those who belonged to parents who had been connected in some way with the American Mission and schools. There would be plenty of opportunity, although there might not be sufficient means, to care for children who reached here with the exiles from other Vilayets and whose parents had died on the way. I went to see the Vali about this matter yesterday and was met with a flat refusal. He said we could aid these people if we wished to do so, but the Government was establishing orphanages for the children and we could not undertake any work of that nature. An hour after I left the Vali the announcemnt was made that all the Armenians remaining here, including women and children must leave on July 13th.

The evident plan of the Government is to give no opportunity for any educational or religious work to be done here by foreign missionaries. Some Armenian women will be taken as Moslem wives and some children will be brought up as Moslems, but none of them will be allowed to come under foreign influences. The country is to be purely Moslem and nothing else. Some of the missionaries think they would like to remain here and try to work among Moslems. I not only think it would be very dangerous for them to undertake it but do not believe they will be allowed to do anything among [sic] that line. I shall not be surprised, as I have said before, if all the American missionaries are ordered to leave here in the near future. If they are not, they will be so effectually prevented from doing any kind of work that it will be entirely useless for them to remain here. Furthermore, they will be annoyed in many ways by the local officials. I do not think for a moment that they will be allowed to open any of the schools again and it's quite probable that the hospital may be ordered closed. It is very probable as that both the school and the hospital buildings may be seized by the Government. It seems certain that there will not be any work for them to do here and that they will not be permitted to do any work.

Under the circumstances, I think the only wise and safe thing for them to do is to consider the matter of leaving here, temporarily at least, as soon as it may be possible. I realize that it is a serious matter for them to abandon their work, but the present situation is serious too and I fully believe there is nothing else for them to do. It would probably not be best for all of them to leave together, but I am going to advise that some of them leave as soon as it may be safe to go. In the meantime I earnestly recommend that the Embassy bring to the attention of Mr. Peet and the board the possible necessity of all of them leaving here.

I do not think that any of them should go now. In fact, some of them have been quite firmly of the opinion that some one should go at once for the purpose of trying to raise a relief fund for these unfortunate people. To go now would be almost certain death, with bands of Kurds awaiting travelers on every road. I asked the Vali, however, if it would be all right for one or two of the Americans to leave here now to go to Constantinople and then to America and he said very plainly that it would not be safe. He said that no matter how much a guard he gave them it would be dangerous for them to travel at the present moment and advised waiting a few weeks. This confirms the general fear as to the fate of those who are sent away from here. It also indicated that perhaps the authorities do not wish any real harm to befall the Americans. On the other hand, the Vali intimated that possibly the Americans might not be permitted to leave here. Some of them think that we know too much about what is happening in the interior of Turkey and the authorities do not intend [sic] to let any Americans leave here alive to tell about it. I do not think that, but I do think the life of every American here is in danger and that the danger is increasing. If all of the missionaries can get away safely I shall feel greatly relieved. It is not only that the present situation is very critical, but they are constantly doing things that are more or less imprudent. The entire colony may suffer for the imprudence of one person. It is quite natural that they should sympathize with the people among whom they have been working and want to aid and protect them, but there is great danger of carrying their zeal too far and getting into trouble themselves.

With reference to the need of funds for the relief of these exiles, which I mentioned in my telegrams of June 27th and 28th and my dispatch of June 30th I am inclined to believe that there will be no occasion for raising funds. It looks as though there were not going to be any people who can be helped. All who are sent away will probably be killed or die on the road within the next few months and the women and children who are left will probably have to become Moslems.

My attention has just been called to the fact that the post office at Mamouret-ul-Aziz has refused to pay out money to the Americans that has been sent them from Erzurum and Erzincan for the exiles who have come here. It is probable that the Government will confiscate this money. I do not know whether the Embassy would care to take any measures about this or not. The money is addressed to the Americans, but it is intended for the Armenian exiles.

Embassy's telegrams Nos. 19 and 20 have been received. I have seen the Vali about the naturalized American citizens and their children and about the consular staff. He said he had received no instructions about them, as I telegraphed this morning. I have now just received word that the consular staff and two or three women whose husbands are in America may stay here for the present. There seems to be nothing very definite about any of it. I shall be very glad to have these women leave as soon as it is reasonably safe for them to go. I hope it can be arranged for the employees of the Consulate, however, to remain here permanently, or at least as long as there may be a Consulate. It would be impossible to find any one to take their place.

I have the honor to be, Sir, your obedient servant,

(Signed) LESLIE A. DAVIS,
Consul.

Source: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, July 11, 1915, enclosed in Morgenthau to Secretary of State, August 10, 1915, N.A., D.S., R.G. 59, Dec. File No. 867.4016/122

AMERICAN CONSULATE,
HARPUT, *July 24, 1915.*

Hon. HENRY MORGENTHAU,
American Ambassador,
Constantinople.

Sir: I have the honor to further supplement my reports of June 30th and July 11th (File No. 840.1) in regard to the expulsion of the Armenians from this region, or to speak more correctly, the wholesale massacre of these Armenians, as follows:

Any doubt that may have been expressed in previous reports as to the Government's intention in sending away the Armenians have [sic] been removed and any hope that may have been expressed as to the possibility of some of them surviving has been destroyed. It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold-blooded and barbarous, if not more effective, than I had at first supposed. It was apparent that very few would ever survive the journey from here to Urfa or to any other place at this season of the year. As a matter of fact, it has been quite unnecessary to consider the difficulties of such a journey. It seems to be fully established now that practically all who have been sent away from here have been deliberately shot or otherwise killed within one or two days after their departure. This work has not all been done by bands of Kurds but has for the most part been that of the gendarmes who accompanied the people from here or of companies of armed "çetes" (convicts) who have been released from prison for the purpose of murdering the Armenian exiles.

It has been repeatedly reported, and I think there is no doubt about the truth of these reports, that not a single man who has been sent away has been spared. Many of the women and children have been deliberately killed at the same time. A few of the more attractive women have been carried off to adorn the harems of some of the Kurdish chieftains and of some of the gendarmes. Some of the older women and children have been allowed to wander along, accompanied by gendarmes, with the certainty that all of them will soon perish from hunger, sickness and exhaustion.

I do not believe there has ever been a massacre in the history of the world so general and thorough as that which is now being perpetrated in this region or that a more fiendish, diabolical scheme has ever been conceived by the mind of man. What [sic] the order is officially and nominally to exile the Armenians from these Vilayets may mislead the outside world for a time, but the measure is nothing but a massacre of the most atrocious nature. It would be that even if all the people had been allowed to perish on the road [sic]. As the greater part of them, however, have been actually murdered and as there is no doubt that this was done by order of the Government, there can be no pretense that the measure is anything else but a general massacre.

Fully 12,000 or 15,000 Armenians have now been sent away from the town of Mamouret-ul-Aziz and the city of Harput. Possibly 1,000 or 1,500 remain with permission or through bribery or in hiding. Many thousand have also gone from the neighboring villages. In all, probably a third of the population of this region is gone. The most remarkable feature of the situation is the helplessness of the Armenians and the total lack of resistance on their part. With two or three insignificant exceptions, there has not been a blow struck by any of them. I have been told that two or three gendarmes have been killed in the villages but probably not a half a dozen in all. It did not seem possible that such an order could be carried out without more or less violence. One would think that some would have chosen death here, knowing that it awaited them a few hours after their departure, and many talked that way, but when the time has come all have started without making any resistance. This has been due partially, of course, to the lack of spirit in the Armenian

race, but it is due very largely also to the clever way in which the scheme has been carried out.

Everything was apparently planned months ago. First a few who were said to have been involved in a revolutionary plot were arrested. Some bombs were found and further arrests were made. Those who were arrested were subjected to terrible tortures and were made to confess to much that was probably not true and to accuse many who were entirely innocent. Orders were given that all arms of every kind must be surrendered to the authorities. People were tortured until they confessed that they had a gun or revolver or something when they actually had none at all. Then they would pay some Turk a fabulous price for some kind of a weapon which they might surrender to the police. Liberal promises were made that if everybody would surrender their weapons there would be no further trouble. The towns and villages were surrounded by gendarmes and nearly every man caught. They were then systematically beaten and tortured, the greater of them without any accusation whatever having been against them. The result was that quite a number of weapons and some bombs were collected by the police. How many of the bombs may have been planted by the police themselves and how many weapons were obtaind by innocent people for the purpose of having something to surrender to the police we shall probably never know. It is certain, however, that many of the people who surrendered some kind of a weapon were never engaged in any revolutionary plot and that there was not even so much evidence against many who were tortured as [sic] the production of a weapon. At the same time this search was being made practically all the leading men among the Armenians were arrested. The authorities insisted most earnestly that all who were thus arrested were involved in the plot against the Government and that none were unjustly arrested. As all proceedings were in private it is impossible, of course, for others to know the truth of such statements, or at least to disprove them, but in the light of subsequent developments it would take a great amount of imagination to believe them. Many hundred of the prominent men were thus cast into prison. They were then sent away and there seems to be no doubt that they were all murdered a few hours' distance from here. Several thousand Armenian soldiers were also arrested and sent away ostensibly to work on the roads somewhere. As far as I know, nothing has ever been heard from any of them and it is known that some of them were shot. There is no doubt that all the others met the same fate.

Then, when practically all the Armenian men had been gotten out of the way and every weapon surrendered or found by the police, it was announced that all Armenians must be deported. Effective resistance to such an order was impossible. The whole scheme was planned so cleverly that the police and gendarmes are able to carry it out with no risk at all to themselves. A few thousand men have thus been able to dispose of 15,000 or 20,000 Armenians from this immediate locality. It appears that the same system has been followed in other parts of this Vilayet and in other Vilayets. It is impossible to say how many Armenians have been killed but it is estimated that the number is not far from a million.

An incident that has proved the fate of those who have left is the death of the bishop or Archbishop, I believe, Mgr. Israelian, of the local Armenian Catholic Church. His departure was postponed for one or two weeks on the grounds that the roads were not safe. Finally, about ten days ago he was given a safe-conduct by the Vali, who had always pretended to be very friendly to him. He left with about forty others, all of whom had been given safe conducts. There had never been any suspicion of any of them and it was thought the Government intended to give them a safe journey. They were given a special guard of gendarmes and all precautions were apparently taken for their safety. Wagons were furnished them. They left here towards evening on July 14th and arrived the next day at Kazim Khan, about eight or nine hours' distance from here. There they met a large number of gendarmes. They were told that they could not travel that road and would have to return and go in the opposite direction. Their wagons were turned around and they came back for about half an hour. Then their gendarmes tied their hands together and led them a short distance from the road. Some of them had prayerbooks and knelt in prayer. These were kicked out of their hands amid curses of the gendarmes and all but three of the party were shot and killed. Among them was Mlle. Marguerite Gamat, a French citizen whom I mentioned in my telegram of December 10th and despatch of December 31st to the Embassy. The three who were saved were attractive women and they were all taken to become Moslem wives. One succeeded in getting free. It was from her that I have obtained the above information. It was likewise one of the survivors who gave me from his own lips the details of the shooting of the eight hundred mentioned on page 5 of my report of July 11th. The exact number is now said to have been 979. Both of these incidents are so thoroughly established that I do not think there is a particle of doubt about them. There have been several survivors of the 979 who have told about that. Evidence of both has also been furnished by the gendarmes themselves.

Another incident that was reported to me the other day was that some of the people who were sent from here were actually burned alive in a cave between here and Diarbakir. This was told me by a gendarme who was with them and who expressed himself as being very strongly opposed to the barbarous treatment the Armenians were receiving.

The shooting and killing of people a few hours after their departure from here is barbarous and shows that the real intention of the Government is not to exile them but to kill them. Yet, on the whole, I am inclined to believe that the sooner they are disposed of the more merciful it is. A lingering but certain death after weeks or months of wandering is worse. After the departure of the parties that arrived here from Erzurum and Erzincan a few hundred of those who were too sick or feeble to continue with the others were left here to die. Their camp is a scene from the Inferno. Greater misery could not be imagined. It was bad enough before when there were several thousand all in a most wretched condition. Now, when only the worst of them are left behind, the scene beguiles all description. The dead and dying are everywhere. Two or three small children may be seen weeping over the dead body of their mother, tugging at her as she lies on the ground with matted hair and staring eyes; other small children almost or quite naked and covered with filth lying curled up on the ground dead or in convulsions; other women and children so emaciated that the profile of the face has the exact appearance of a skull; one small boy wearing part of a shirt and a ragged stocking on one foot was actually only a skeleton; other small children with bloated bodies lying in the sun; very rarely a man, but mostly women and children, all in the last stages of their misery waiting for death to come to their relief. I presume a little food is brought to these people, but most of them are too far gone to need food. Each day there are many deaths and these will continue until all are gone. Dead bodies are to be seen there at any time. These are often left lying in the sun too long, with the result that the air is made fetid with the stench from them and from the human filth that is all around. They are finally disposed of by the gendarmes digging one huge hole right in the midst of the encampment and throwing them all in together.

One sees dead bodies now in all direction and on every road, not only a distance but even on the outskirts of the town itself. People coming from neighboring villages report as many as ten or twelve bodies lying by the roadside in an hour's journey. One man who has succeeded in getting here alive from Sivas says he saw not less than five hundred bodies on that road. The whole country is one vast charnel house, or, more correctly speaking, slaughterhouse.

The fate of those who have been killed or died is sad, but perhaps that of those who have been spared is even worse. Some of the women have been brought right back here. Among these is one pretty girl of thirteen years whose father was one of the most prominent men and had one of the best homes in this region. He has been killed. She was separated from her mother and small brothers and does not know what has become of them. Now at her age she is to marry one of the most brutal petty officers around here and they are to live in her father's house!

I have written strongly about the situation and proceedings here because it is impossible to write about them at all and not do so. It is not that I am in any way a champion of the Armenian race. It is not a race one can admire or among whom I should choose to live. But, whatever the faults of the Armenian people may be and however conclusive may be the proof that some of them have been involved in a revolutionary plot, the punishment inflicted upon these people is so severe, the tragedy is so terrible, that one cannot contemplate it and certainly cannot live in the midst of it without being stirred to the depths of one's nature. When one sees men and women seventy or even eighty years old, lame, blind and sick, innocent women and children and helpless babies sent away to be killed or die and actually sees them dead or dying all around, it is impossible to conceive of any justification that can be urged for a measure so severe.

Yet the local authorities are now apparently trying to find some way of justifying what they have done. The Chief of Police called on me on July 16th and requested me to write the Embassy about the shooting of two or three gendarmes in a neighboring village by some Armenians. I had heard that something of that kind had happened but do not know any of the details of it and have no personal knowledge of the matter. I said I should be quite willing to call the attention of the Embassy to the matter if he wished and suggested that he write me a letter which I would transmit to the Embassy. He agreed to do so.

On July 23rd, after having made my official calls, three of us met together and considered the possibility of taking some step in the name of humanity to have these horrors stopped. We were Mr. Ehmann (a German missionary), Mr. Picciotto (an Austrian, the "Sous-Directeur" of the local branch of the Imperial Ottoman Bank) and myself. We decided to call on the Vali informally and ask him unofficially if the few Armenians who were left here could not be spared. He received us most cordially. We explained our errand and asked him if he would not be willing to send a telegram to Constantinople asking for orders permitting those Armenians who had been left here to that time to remain, suggesting that we should also like to send a mutual telegram to the American, German and Austrian Embassies asking them to take any measures that might be possible to have such orders issued. The Vali has all along expressed his regret at the necessity of taking such measures as he has recently been obliged to do and has pretended to be very much touched by the suffering of the people. He apparently consented at once to our plan and said he should be very glad if such orders could be obtained. Then he imposed a condition, viz., that each of us write a letter to the Vilayet asking to have those remaining here spared, so that he could use these letters as the basis for making a demand on the central authorities. He added that he should like to have as many details in the letters as possible, so that it would appear that all those who were guilty of anything had been sent away and all those who remained were innocent. It was quite evident that His Excellency wanted to have it appear by implication that all who had been sent away were guilty. He said he would have the Chief of Police call on me that evening to explain the matter more fully.

We all met at the Consulate and the Chief of Police called as arranged. He was not at all interested in having a letter from Mr. Ehmann or Mr. Picciotto but insisted strongly that I write a letter to the Vilayet, calling attention to the shooting of some gendarmes by Armenians and to the fact that those Armenians who were guilty of having been engaged in a revolutionary plot had been punished, together with their families and people connected with them, while those who now remained were only innocent women and children. I was to incorporate a similar clause in my telegram, to the effect that the guilty Armenians having been punished and only the innocent ones remaining, it was desired to have the latter spared. I replied that I was absolutely unable to make any statement in regard to who were guilty and who were innocent, that perhaps innocent ones had been punished and guilty ones remained unpunished, that I had no means of knowing which were which, and that it was impossible for me to make a statement of fact in a letter addressed to the Vilayet either in regard to the shooting of any gendarmes or in regard to the guilt or innocence of any particular people. I said further that it was quite irregular for me to address the Vilayet at all in such a matter or to send any telegram about it, that any such action on my part was purely unofficial and on the ground of humanity, and that in any case the most I could do was to make a simple request. He argued and argued and argued that I make some kind of a statement, even though it might be very little. I don't know that I ever saw a more persistent man in my life. He remained until half past one in the morning trying to make me give the Vilayet a statement of some kind. He said orders has already been issued for more severe measures than ever on the morrow, but he might delay their enforcement a little if I would make a statement for him. I told him I should be glad to say anything I could, but I couldn't make any statement about matters foreign to my duties in a letter addressed to the Vilayet and couldn't make statements of any kind unless I knew the facts. We finally left the matter until morning to think it over, as he wasn't willing to abandon his idea.

The next morning I sent word to the Chief of Police that as our request was intended to be made on the occasion of the anniversary of the Constitution and as that day had now passed it might be well to drop the matter. He would not take that for an answer, however, so in the afternoon I called to see him. I told him I couldn't very well write a letter to the Vilayet such as he wished, but, as I had promised before, I should be very glad to call the attention of the Embassy to any matters he might wish to write me about. He decided he would rather tell me than write me (I had been rather surprised that he had ever agreed to write his request), so I shall probably have a call from him soon with such requests as he is able to think of in this connection. I see no harm in writing the Embassy in that way, it being understood that I am simply communicating such matters as I have been requested to communicate and that I am not responsible for the truth of anything that I do not know about personally. The Chief of Police will undoubtedly insist that I report as facts within my personal knowledge such matters as he may tell me about. That, of course, I cannot do, although I fear he will be very persistent in urging something of that kind.

I am inclined to doubt the wisdom of having gone to the Vali at all in regard to the situation. It was not within the line of my duties and for a consul might be construed as an improper interference in local affairs. The situation is so extraodinary and terrible, however, and I have had so much pressure brought to bear upon me from the beginning by both Americans and Armenians to try to do something to help the people that it has been difficult to sit still without making some effort in a friendly way on their behalf. Yet, as the Embassy has made no reply to my telegrams Nos. 15 and 16, of June 27th and 28th respectively, in which I suggested that the Embassy do something, if possible, to have the enforcement of the order of deportation adjourned and spoke of the probable need of funds for the relief of those who were to be deported, I assume that the Embassy did not approve of my suggestions. I do not know that the original telegrams ever reached the Embassy but my confirmation copies mailed on June 29th must have arrived. My own conviction is that interference of any kind either here or elsewhere is both hopeless and unwise under present conditions, but it is a very trying position to be unable to do anything to relieve so much suffering.

In this connection, I shall be very glad to have any instructions or suggestions the Embassy may care to give in regard to the proper policy to pursue and I shall appreciate having the Embassy criticize me freely for any errors I may have made in the past. It is often exceedingly difficult to know what one ought to do and I feel the need of advice.

Referring to Embassy's telegram No. 21, of July 12th, in regard to naturalized American citizens and the consular staff, I think there is no doubt that instructions have been received by the local authorities. They may have come after I saw the Vali on July 10th. Beginning with the following day there seemed to be a decided change of attitude towards these citizens and they were given permission to stay. In view of the fact that very few had papers in good order and that some who had such papers had forfeited all claim to protection as Americans by having alleged on their return to Turkey that they were Ottoman subjects and concealed the fact of their American citizenship, it would probably be found on investigation that most if not all of these had no strict rights. As I understand also that the Turkish Government does not recognize expatriation, it would probably be quite difficult, especially under present conditions, to insist too strongly upon such rights. As it is, I have been able to save a few people and have been glad to be able to do even that little good. Even that has been far from easy, for notwithstanding the papers that had been given them by the authorities permitting them to remain some of them have been driven out of their homes by the gendarmes and their houses sealed up. The gendarmes refused to pay any attention to their papers. Several of these families have come to the Consulate and I am keeping them here temporarily. As soon as it is possible I shall try to find some houses near the Consulate where they can live until it is possible to leave here in safety.

At the present time it is not possible to travel, for it would mean almost certain death in spite of any assurances the Government might give. The killing of the Catholic bishop shows that a safe-conduct is of no value as this time. Even if the Government wanted to give any one a safe journey I don't think it could do so. The roads are filled with bands of Kurds and "cetes" who have been turned loose on travelers and it is a matter of little importance to them whom they rob and kill. I understand that many Turks have been killed while traveling. It seems as though there is a great danger of these people getting beyond all control and overrunning the country. It is now far from safe even in town and any trips outside of the town are attended with considerable risk.

With reference to Embassy's inquiry in telegram No. 21, of July 12th, as to why I telegraph in French, I have to say that about a month or so ago the director of the telegraph office sent me word that he had again received orders that telegrams in English could not be accepted. I subsequently called his attention to the fact that the Embassy telegraphed me in English and then I called his attention to Embassy's inquiry about the matter in the above mentioned telegram. He said he would accept telegrams in English, but as none of them understood English at the telegraph office there might be delay in sending them sometimes in case they had to look outside for someone to censor them. However, I shall try to send them in English and can probably explain their meaning sufficiently so that there will be no delay in their leaving here.

As the danger of being cut off from communication with the Embassy seems to be past for the present, I shall not continue sending telegrams, as I suggested in my dispatch of June 12th (File No. 300), unless there is occasion to do so. I have no doubt that the occasions when they will be necessary will be frequent enough.

I have the honor to be, Sir, Your obedient servant,

(Signed) LESLIE A. DAVIS.
Consul.

SOURCE: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, July 24, 1915, enclosed in Hoffman Philip [Charge d'Affaires] at Constantinople to Secretary of State, February 17, 1916, N.A., D.S., R.G. 59, Dec. File No. 867.4016/269.

DEPARTMENT OF STATE,
AMERICAN CONSULATE,
Mamouret-ul-Aziz (Harput), Turkey,
September 6, 1915.

Hon. HENRY MORGENTHAU,
American Ambassador,
Constantinople.

SIR: I have the honor to enclose herewith a receipt bearing the Embassy seal for communication from this Consulate sent to the Embassy double registered through the Mamouret-ul-Aziz post office on July 4th under the registry number 912. It was on July 4th that I mailed despatch of June 30th in an envelope addressed to the Embassy and the receipt given for it at this post office bore the number 912.

There is some mystery about this despatch. It was enclosed in a smaller envelope addressed to the Consulate-General to deliver to the Embassy. Both the Embassy and the Consulate-General have informed me that no such despatch has ever been received, yet it is clear that the envelope containing it must have been received by someone who had access to the Embassy seal.

The despatch contained a report of fifteen pages about the expulsion of the Armenians from this region and as there have been frequent rumors that my letters to the Embassy were intercepted I have never been quite sure that my letters would go all right. There was a most peculiar combination of circumstances in this case. In the first place, Embassy's inquiry in its Telegram No. 24, of July 27th, about the date of my last despatch naturally caused me to think that some thing was missing. I did not quite understand the inquiry, however, as the date of my last despatch, which happened to be July 24th, was to recent to explain anything and there was no way to tell what other date the Embasy might have had in mind. I answered Embassy's inquiry by giving the dates of all despatches that had not been acknowledged at that time. Embassy replied by saying that one of my dispatches subsequent to June 29th had been received.

I then recalled that on July 5th an employee of the Mamouret-ul-Aziz post office brought to the Consulate the envelope containing my despatch of June 30th which, as stated above, had been placed in the post office on July 4th and registry receipt No. 912 given for it, saying it had not been examined by the Vali and must be submitted to him before it could be mailed. I explained that, although he examined all the other letters which I sent sealed, it was permitted to send sealed letters to the Embassy without showing them to the Vali I then went to the post office myself and saw the director. I asked him why this letter had to be shown the Vali when there was permission to send them direct to the Embassy sealed and I had been doing so every few days for the last year. He said the employees had made a mistake and that the letter was all right.

A few days after the receipt of Embassy's telegram of July 27th a certain official said he had actually seen one of my letters to the Embassy which had been opened. On August 9th I sent my telegram No. 26 asking again if my despatch of June 30th had been received. On receiving Embassy's telegram No. 28, of August 11th, saying it had not, I sent my telegram No. 28 on August 14th, in which I said I had been informed that the local authorities had opened and read my recent despatches to the Embassy. I also telegraphed the Consulate—General asking if the despatch of June 30th had been received and the answer said it had not come. In answer to Embassy's telegram No. 29 asking me to wire numbers and dates of recent despatches I sent my telegram No. 30 on August 17th giving the dates of mailing and numbers of Mamouret-ul-Aziz post office receipts. The first one in the list was July 4th receipt No. 912, this being the one containing my despatch of June 30th. Then when Embassy replied by telegram No. 32 saying it could not check my mailing list I answered by my telegram No. 34 giving more fully the date of each despatch with the date of each despatch with the date of mailing and number of the receipt for it.

On the same day, August 23rd, I wrote the Vali asking him to have the letter traced. Then the enclosed and receipt came in an envelope from the Embassy containing a confirmation copy of a telegram. I have received no answer from the Vali as yet and have heard nothing further from the Embassy.

In view of all the circumstances—the refusal of the employee of the post office to send the letter before it had been examined by the Vali, the assertion of one of the local officials that he had seen one of my letters to the Embassy that had been opened (and he still insists that is so), the inquiry from the Embassy about the date of my last despatch, and the telegrams from both the Embassy and the Consulate—General saying it was natural to think this letter had been intercepted; and, notwithstanding the enclosed receipt bearing the Embassy seal, it is apparent that something had happened to the letter. Is it possible that letter never arrived and the Embassy seal was fraudulently impressed upon the receipt by some one?

I shall appreciate it if the Embassy will investigate the matter and inform me. In case the despatch has been lost I can make a copy of it and forward to the Embassy.

I have the honor to be, Sir, your obedient servant,

(Signed) LESLIE A. DAVIS,
Consul.

SOURCE: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, Sept. 6, 1915, N.A., D.S., R.G. 59, Dec. File No. 867.4016/210b.

COPY FOR DEPARTMENT OF STATE,
AMERICAN CONSULATE,
MAMOURET-UL-AZIZ (HARPUT), TURKEY.
September 7, 1915.

Hon. HENRY MORGENTHAU,
American Ambassador,
Constantinople.

SIR: I have the honor to continue my reports of June 30th, July 11th, July 24th and August 23rd (File No. 840.1) in regard to the expulsion and massacre of the Armenians, as follows:

The short report of August 23rd was written at the request of the Chief of Police and is based on data which he furnished me. The circumstances which led to my writing it were explained quite fully in my report of July 24th, on pages 9 to 13. The Chief of Police sent me a memorandum of the incidents mentioned therein and I then wrote the report. I showed it to the Vali before sending it and he expressed himself as being much pleased that I was sending a report of these matters. Some of them I know about personally and I have no doubt that all the statements are entirely correct, as I have been assured by the Chief of Police. I can see no harm whatever in reporting these matters to the Embassy and it seems to me that the Vali and the Chief of Police attach too great importance to my doing so. I certainly have no desire to pose as a champion of the Armenian race or to defend any Armenian revolutionists. Hence, in reporting about general conditions I desire to do so with impartiality and gladly mention any incidents that may tend to justify the Government in the measures it has been taking. At the same time, most of the incidents mentioned in my report of August 23rd seem so trivial and insignificant in comparison with the enormous tragedy that is being enacted in this region that it is difficult to see how they can be considered to be any justification for it.

With the exception of this short report submitted on August 23rd, I have not written the Embassy about the Armenian question since my report of July 24th. One reason why I have not written during this time was the apparent uncertainty of my letters reaching the Embassy, as I indicated in my despatch of yesterday regarding my despatch of June 30th. Whether these fears were well founded or not, there is a decided mystery about that letter.

Another reason is that during the last six or seven weeks it has been comparatively quiet here. After the expulsion of the greater part of the Armenian population during the first two or three weeks of July, subsequent deportations have naturally been on a small scale and have occurred at longer intervals. As stated in my report of July 24th, fully 12,000 or 15,000 Armenians have been sent away from the two cities of Harput and Mamouret-ul-Aziz at that time and many thousand more had been sent away from the neighboring villages. Only a small number remained, nearly all of whom were women and children. It was thought, in view of statements made by the Vali, that perhaps these few remaining women and children would be spared. Practically all the men had been sent away and there is little doubt that they were killed, almost without exception.

The deportation had not ended, however, and it is by no means certain that it has ended yet. During the last week of July and the first part of August large numbers of women and children were rounded up both here and in the villages. They were sent away under guard and there have been persistent reports that they were killed as the men had been. This is not at all improbable and I am inclined to believe that at least part of them were deliberately murdered. Recently a large number of Armenian children who had been kept in a Turkish orphanage have been sent away—for what reason except to be killed or to die on the road it is difficult to see. Thus the work of exiling and killing the Armenians has been continuing all summer and it is impossible to foresee the end.

I should estimate that at least three-fourths of the Armenians in this region have now gone. A great many of those who remain have been and still are in hiding. A few are now getting the benefit of the order exempting Catholics and Protestants from deportation, but most of these were sent away before the order was received, or, at least, before it was announced. Those who

were fortunate enough to keep in hiding until the order came are now coming out in the open. Only a few days before that, however, a large number of Protestants were sent away and are said to be in the vicinity of Malatia. I have given the Vali a list of eighty-four names and requested that, if possible, they be brought back here, but I have no idea whether he will do anything about it or not. In addition to Protestants and Catholics there are a few indispensable artisans and workmen, such as bakers and shoemakers, who have been left here. The American citizens constitute another very small number. The workers and inmates of the American schools and hospital have also left, although the authorities have continued to deny that any orders have been received from Constantinople about them. As long as they leave these people alone it does not seem best to press the inquiry too far, although they would all be more comfortable to have positive assurance from the local authorities that they are to remain. It seems probable that orders have been received in spite of these denials, just as they were finally received in regard to the naturalized American citizens, although the authorities never expressly admitted it.

By far the greater part of the Armenians who remain, however, are here because they have been successful in keeping in hiding. It is impossible to tell yet how many there may be but there are a great many in this class. Some are hiding in Harput and Mamouret-ul-Aziz, others in the villages and recently a number of men who have been concealed in various places have been going to the Dersim and taking refuge among the Kurds. Their number is naturally limited, but I understand that there has been quite a movement of this kind with fixed prices for protection. Many people, mostly women, have been kept in Turkish houses, especially in the villages that are partly Turkish and partly Armenian. The purely Armenian villages have been pretty thoroughly cleaned out, but hundreds of women have found shelter with their Turkish neighbors in the villages containing both races.

Bribery has, of course, been carried on to a very great extent among officials both high and low. Among the chief offenders in this respect has been the Kaimakam of Harput who is said to have taken many thousand pounds for protecting people. As an instance of how he protected them, one woman I know paid him fifty liras for permitting her and her children to remain. After taking the money he told her she had better not try to stay in Harput while they were sending people away but had better come down to Mamouret-ul-Aziz and hide for awhile. She came to the American hospital and remainded for a few days. Then the hospital was searched by the police and she came down to the Consulate with all her six children. I had previously asked the Chief of police as a favor that she and her children be allowed to remain and he had given his consent. So I kept her at the Consulate for awhile until it was possible to make other arrangements. She has not been able to return to Harput and received very little value for the fifty liras paid the Kaimakam. My efforts on her behalf were worth much more than all he did for money. The Kaimakam carried on the business of taking bribes so systematically and openly that it became known to everybody. Two or three weeks ago he was removed and was subsequently arrested and imprisoned where he has remained ever since. I understand that his house has also been kept under guard since his arrest. I do not know the circumstances that led to his arrest, whether he had not divided his profits with other officials, or what other reason there may have been, but it is a good thing that he is out of office. In addition to the bribery of officials the Turks who have kept Armenians in their houses have almost invariably demanded exorbitant sums for doing so. In very many instances they have kept them for awhile and after getting all their money have turned them out to seek some other shelter. As that has usually been impossible in such cases many of these poeple have finally been exiled after all.

Referring to the arrival at the Consulate of the woman mentioned on the preceding page, who came here from the American Hospital and for whom I had asked permission that she should be exempted from deportation, the way in which she and some others came here one night was most imprudent. The police had learned that there were many Armenians at the American Hospital who were not sick and they paid it a visit one afternoon. The result was not very serious, in view of the large number of people who had taken refuge there. Only about a dozen men were taken away, while all the women and children were left alone. Among those at the Hospital were this woman and her children and one of the professors of the American College. I had received permission for both of these people and their families to remain and had told Dr. Atkinson if there should be any trouble at the Hospital to tell the police that these people were under the protection of the Consulate. The police were told this and passed them by. That evening just after dark my protégés were piloted down to the Consulate together with several others. There were about twenty people who came piling in on me, with blankets and bundles and all their worldly goods. On their way down here they had been stopped by a policeman who asked where they were going, and they had all said they were coming to the American Consulate. They had also been obliged to pass an assembly of Moslems who were holding a meeting in the open air. I sent away at once those who had no permission to remain here, but the coming of so many people in a body naturally attracted a great deal of attention, with the result that it was quickly reported all over town that there were a "thousand" Armenians hiding in the American Consulate. This happened at one of the most tense and critical moments this summer, when it was important to be above suspicion. Fortunately, the incident didn't amount to anything but it was a most thoughtless and imprudent act on the part of the Americans at the Hospital to send people down here in that way.

I have, as a matter of fact, been keeping about thirty or forty people at the Consulate, but they are all people who had permission to remain and whom I could explain, if necessary, like the wives and children of naturalized American citizens and the families of the employees of the Consulate. The arresting and deporting was carried on so vigorously that even those who were supposed to be exempted from deportation were seized and sent off so quickly that no one was safe. Hence, it seemed more purdent for some of those whom I was trying to protect to remain at the Consulate. As the garden of the Consulate is very large it has not been so very difficult to keep people here in summer. I have recently found two or three houses in the neighborhood in which I have placed some of them.

It has been quite difficult, of course, to prevent outsiders from crowding in the American Hospital and it has not been easy to drive them away knowing that they would probably be killed. Considering the number of people who came there on one pretense or another, Dr. Atkinson has had very little trouble on that account. The American missionaries at Harput have had no outsiders but have had about fifty teachers and orphans in their Girls' School and about a dozen servants. As stated above, the authorities have denied continually that any order had been received to exempt them from deportation, but it seems probable they did receive orders of some kind, as no effort has been made to send away any of these persons.

On the whole, the Americans here have had comparatively little trouble during the past two months and have been able to do some good. I have been informed, however, that there was a plot, in which a prominent official was involved, to attack the Americans at Harput one night with a view to robbing them of the money that had been deposited with them by the Armenians who were being sent away. It was known that they had received considerable sums of money and it is not improbable that there were those who coveted it. Neither is it impossible that there may have been such a plot, but I do not know it as a fact. My informer said the official who was involved in it finally decided it would not be wise to undertake it and persuaded the others to abandon the idea.

Whether it is true that there was such a plot or not, the death of Mr. Knapp at Diarbekir (which I reported to the Embassy by telegraph on August 19th and in a despatch dated August 31st) occurred under very suspicious circumstances. Furthermore, there is little doubt that the life of Dr. Smith was in actual danger at Diarbekir and even his deportation from there is not reassuring. There is enough to convince most people that the lives of the Americans are not safe there and if they are obliged to remain it is highly probable there will be other lives lost.

I have just been handed Mr. Peet's circular letter of August 19th to the stations of the American Board in Turkey. It is quite evident that his views of the situation are different from mine. I have no desire to insist unduly upon my own views or to oppose his plans, but after all that has happened there during the last six months, I am unable to see how he can hope to see the American schools open here this fall or how he can say that the return of the instructors who have been sent away can probably be secured or how he can feel that ample protection is assured to all Americans. Mr. Riggs has reported conditions to him most carefully in frequent letters and I have written many lengthy despatches to the Embassy about the situation, but in view of the slight attention that has been paid to our communications, as far as we can see here, and the result as indicated in the above mentioned letter from Mr. Peet, it would seem that little importance has been attached to them.

The situation in regard to the American schools was well summarized in Mr. Riggs' letter of July 19th to Mr. Peet, copy of which was sent the Embassy. He calls attention to the fact that two-thirds of the girl pupils and six-sevenths of the boys have been taken away to death, exile or Moslem homes; that four of the seven professors have been murdered on the road in general

massacres; that two of the others are in hiding and that only one (the professor of music) is available; that seven of the twelve male instructors are thought to have been killed on the road, that two were then sick in the hospital, that one is in hiding, and that only two are available; that one had been taken to a Turkish harem, that three had not been heard from, that four had started out as exiles, and that ten only were available; that seven of the eight buildings belong to the American schools were in the hands of the Government, and that only one was left. Part of this remaining building has since been occupied for a hopsital. Thus, three/fourths of the pupils, one-half of the instructors, including all the prinicipal professors, and all except part of one building are now gone. Aside from all other considerations, it is difficult to see how educational work can be carried on under these circumstances and how it can be considered advisable to attempt to open the schools at the present time. The only work that it seems possible to consider at all is orphanage work and the American missionaries have been forebidden to engage in that. The policy that is being pursued openly here in regard to women and children is to compel them to become Moslems. Whatever assurances may be given at Constantinople about the work of American institutions in general, it seems clear that Christian educational work will either not be permitted at all in this region or will be so hampered that it will be useless to attempt to carry it on, unless there should be a radical change in the political situation.

With reference to the directions in Mr. Peet's letter that a request should be made for the return of those instructors in the American schools who have been sent away. I shall, of course, take no steps about that unless instructed to do so by the Embassy. In searching the records of this office for instructions upon such points, I find that this Consulate was instructed by the Legation at Constantinople in 1903, in the case of one of the professors of the American College who was then under arrest and who has now been arrested and murdered, to confine its efforts to the use of good offices and not to interfere officially. As I have received no instructions to the contrary and as the professors and instructors in the American schools were arrested and tortured and sent away and killed before word was received that they should remain in their places, all that I was able to do was to inform the Embassy about the matter, which I did promptly. To ask for their return would be useless, unless it is desired to require the local authorities to explain what has become of them. I don't think they can show that any of these people were guilty of any crime. They were among the first to be sent away because of their position.

With reference to the assurance that ample protection will be given to all Americans in Turkey, the facts do not seem to bear it out. The deportation of Dr. Smith and the probable danger to his life, the suspicious circumstances in connection with the death of Mr. Knapp, the rumors of plots against the Americans at Harput, the fact that Mrs. Barnum's death was undoubtedly hastened by the present situation, and, quite possibly, the deaths of others about which I have not yet been able to obtain the details,—all seem to show that life and health are not secure in the interior of Turkey at the present time. In view of the limited amount of work that can be done by the missionaries now and probably for a long time to come, and the possible dangers and contingencies that may arise at any time, it seems to me more prudent for those who can leave to do so.

Speaking in general of assurances, which are given so freely at Constantinople, and having in mind our experiences here during the past six months, the following passage in a despatch written by one of my predecessors seems of sufficient interest to quote:

"I promptly presented the matter to H.E., the Vali, who assured me that absolutely no orders in this connection had reached him. He telegraphed at once to Constantinople, requesting the transmission of the authorization announced to Your Excellency.

"In the course of our interview, he stated that it was a most deplorable and unfortunate habit of the Ministries at Constantinople to assure the Foreign Embassies that certain orders had been despatched to provincial authorities, altho neither had the instructions been sent, nor were pains taken to forward them promptly after making such statements.

"He had frequently suffered from this exasperating habit, and he advised insisting in all cases upon the date and number of the despatch forwarded with the authorization, as well as the statement whether it was sent as a telegram or letter."

It might be well if the dates and numbers of such despatches could be obtained now and furnished me by the Embassy in each case.

The general conditions in this region are frightful. Aside from the lack of security, it seems as though a pestilence was inevitable. The large number of dead bodies that are lying everywhere, even in the outskirts of the town, the filth from the bands of exiles that have passed through here at different times, and the almost total lack of sanitary measures, are all conducive to that. Men in the employ of the Government now go along the principal roads and bury the dead bodies they find, but the graves they dig are so shallow that the bodies are often partly exposed.

In my previous despatches I have mentioned the camp just outside of the town where the exiles from Erzeroum [sic] and Erzingan stopped for a while. A more suitable place was found for those who arrived later. It is a large cemetery almost in the town itself and enclosed by a high wall. Here bands of exiles who have been passing through have been kept at several different times, while after they left the sick and feeble were left to die and be buried. The scene described on pages 7 and 8 of my despatch of July 24th has been duplicated over and over again in this cemetery. The more recent arrivals of exiles have been kept in an Armenian village about five miles distant, from which everyone had been sent away.

One noticeable feature of the movement has been that lately men have arrived with the parties of exiles, whereas all the men who had started with the first parties had been killed after they had reached this Vilayet. This may be called the "Slaughterhouse Vilayet" of Turkey, for it appears that exiles from all directions have come this far safely only to be massacred in some part of this Vilayet. I have, of course, not seen the actual killing myself, but there can be no doubt about those who have been killed in this Vilayet before arriving here and there is practically no doubt about the killing of the men and of many of the women and children who have left here. It has been corroborated too many times by survivors who have escaped and returned here and by the gendarmes themselves who have done the work. Among the later parties arriving here are people from Zara, in the Sivas Vilayet, and from Trebizond, Ordou, Kherassoun, and another very large party numbering several thousands from Erzeroum [sic]. All with whom I have talked speak of having received much better treatment in the other Vilayets than here. I have been informed that on leaving here the men were in each case separated from the women and children, the significance of which is apparent.

Naturally, with this wholesale massacre being perpetrated almost in front of our eyes, the country is not considered very safe. I have been warned repeatedly by friendly officials and policemen not to take long walks or rides and to always have someone with me. They all speak of the Kurds who are on the roads and are very savage. There are plenty of Kurds, it is true, who are out for plunder. One interesting member of this race visited the Consulate awhile ago with what he thought was a $100.00 bill and asked me what I could give him for it. It proved to be only an advertisement resembling in appearance an American bill. When I asked him where he had obtained it he said at first that some one had given it to him for $100.00 in America and he thought it was good money, but on being questioned a little further he said he had found it in the pocket of a Giaour whom he had killed. Such are the people one is likely to meet here these days.

I have not given up my horseback rides entirely, however, although I have usually taken someone with me. The other day I rode out to two Armenian villages from which almost every inhabitant had been sent away. A short distance out of town two men were digging a few hundred feet off the road. I rode over to see what there might be there. They were digging a grave for a women who lay stretched out on the ground dead. Near her were two other women dying. Besides these there were two other women and one child. They said they wanted to be left there to die instead of being driven on any further. We had some bread with us which we had brought along for any starving person we might meet and we gave them some of it. The men, of course, were Government employees. Such scenes are to be met with almost anywhere probably in the interior of Turkey at the present time. Here a dead women, there a dead baby, occasionally a dead animal. Aside from the dead and the dying and from the gendarmes and Kurds one meets no one on the roads. The country is isolation complete.

The two villages that I visited are almost entirely deserted. Each had two or three thousand inhabitants. One was the home of my stable-boy. There were just two families that had been left there. He is at the Consulate with his family, having been spared because he is one of my servants. His house in the village is occupied by gendarmes. As there are no Turkish inhabitants of this village, these gendarmes and the two Armenian families above mentioned are the only people there now. Probably there are some who have hidden in other villages and may return if conditions become quiet, but there cannot be many such. The village is almost as dead and deserted as Pompeii. The other one to which we went is not much better. There are perhaps half a dozen families there. We found also three feeble, blind old men whose families had all gone and they

had been left behind. One was eighty-five years old. He had thirty children and grandchildren, two of whom are in America and every one of the other twenty-eight had been sent to exile and death. All of these old men and their families are Protestants and are well known to the American missionaries. The missionaries have now brought the men from the village and are taking care of them. This village like the other was nothing but ruin and desolation.

There are villages, however, where there are a great many Armenian women left, principally those in which there were both Turkish and Armenian inhabitants. Many women have been kept in Turkish houses in these villages and have thus escaped deportation. During the last few days a large number of women have come to this Consulate for me to write to relatives in America to send them money and almost every one of them has asked for sufficient money to enable them to come to America when it may be possible to travel. I am trying to help them by writing their relatives as requested but they are coming so fast now that it is quite a task. Very many are going to the missionaries for the same purpose. All this indicates the destitute condition in which these people now find themselves and how they all feel that it will be impossible for them to continue to live here.

Word has recently been received from a few individuals who have reached Aleppo. It is to be noted that they are all women. Apparently no men arrived there.

It is going to be a serious problem for the few women and children who remain here to obtain food and clothing this winter. That is something the missionaries will probably consider and they will doubtless be able to render much aid to the people.

I have the honor to be, Sir, your obedient servant,

(Signed) LESLIE A. DAVIS,
Consul.

SOURCE: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, Sept. 7, 1915, N.A., D.S., R.G. 59, Dec. File No. 867.4016/210b.

AMERICAN CONSULATE,
MAMOUTER-UL-AZIZ (HARPUT), TURKEY,
December 30, 1915.

Hon. HENRY MORGENTHAU,
American Ambassador,
Constantinople.

SIR: I have the honor to continue my reports of June 30th, July 11th, July 24th, August 23rd and September 7th (file No. 840.1) about the deportation and massacre of the Armenians in this region, as follows:

The last four months have been full of uncertainty and anxiety for every one. There has been no security for any of the few Armenians who were left here after the deportations of July and August, whether they had been allowed to remain because of their being Protestants, Catholics, American citizens, or for other reasons, and no assurance worth listening to that the Armenian question is ended. The town crier has announced once or twice by order of the Vali that no more Armenians would be sent away and that all could come out without fear, but the falsity of such announcements was shown a few weeks later by the wholesale arrest and deportation of those who had ventured out in reliance upon them. The ruse worked so well that it will probably be repeated and, no matter how many times this may occur, I have no doubt that others will be caught in the same way as long as any remain. There seems to be as much reason to apprehend a further arrest and deportation now of the few Armenians who remain here as there has been at any time during the last six months. No one knows what the next move may be or when it may be made. No one knows whether the few who have escaped thus far will be spared in the end or whether those who are perpetrating this crime, the most awful, probably, that has ever been committed against any race of people, will continue until the last Armenian in the country has been killed.

The predictions made and fears expressed in my early reports upon this subject have been for the most part all too fully realized. As two of them (Nos. 62 of June 30th and 71 of July 24th) were apparently lost in the mails or intercepted by the authorities, I am sending copies of these reports in accompanying despatch No. 172 of yesterday. It will be noticed that they are not reports that were intended to be read by Turkish officials, but I presume that is what has happened to them. The receipt of my reports of July 11th, August 23rd and September 7th has been acknowledged.

In the latter I spoke of the fact on page 4 [p. 169] that a large number of Protestants had been sent away a few days before the order had been received exempting Protestants from deportation. They were said to be near Malatia when the order came and I worked very hard to have them brought back here but without success. A few did succeed in coming back without having been given permission by the authorities. The way in which they did it was by paying Kurds large sums of money, often fifty or a hundred Turkish liras, to bring them here at night. These were mostly women, of course, as nearly all the men had been sent away earlier in the summer. The police hunted down and caught many of those who had returned in this way. They were again sent away and their fate can readily be imagined.

One of the most remarkable incidents in the terrible tragedy that is being enacted has been the sale by the Government at public auction of great quantities of second-hand clothing that had been taken from the backs of the deported Armenians who were killed. Many bundles of such clothing were brought in town and the sale continued in the market-place for many days. I am told that the same thing took place in the other towns of this Vilayet. I saw it going on here myself. One can hardly imagine anything so sordid or *grewsome [sic]. Another act of barbarism still more frightful, which has been related to me by survivors of the massacres, is that the gendarmes sold them in groups of fifty or a hundred to the Kurds who were to kill them and could have whatever they could find on them. As most of the persons deported were thoroughly searched and robbed by the gendarmes the Kurds seldom obtained more than a few old clothes from the persons whom they killed. Thus the so-called "deportation" of the Armenians has been carried on!

Another matter that should be mentioned in speaking of the present situation is the partial destruction of the Christian churches in the surrounding villages. All the churches in this region are, of course, in the possession of the Turks.

On Sunday, September 26th, the Vali had an announcement made that no more Armenians would be deported. For several weeks afterwards everything appeared to be quiet and many Armenians who had been in hiding up to that time ventured to come out. Some became Moslems thinking they would then be in no further danger. Suddenly in the middle of the afternoon on Thursday, November 4th, the day being a fair one when many people were in the streets and market-place, the police began to arrest all the Armenians and Syrians they could find. Many were caught in the streets; houses known to contain Armenians were visited and the occupants dragged out of them including the family of one of my cavasses; the American hospital was surrounded while some of the police entered it and arrested a number found there; a policeman was stationed in front of this Consulate to prevent any one from entering it to seek refuge here; among those arrested and taken to the prison were some of the American citizens whom I had been protecting and a number of other persons for whom I had obtained permission that they could remain. In two or three hours the police gathered together at the prison fully five hundred people from this town. I spent that afternoon and evening and all the next day in going around looking up the different ones whom I had been trying to protect, to see which ones were all right and which ones had been arrested and in visiting the Commander, who was then acting Vali, and the Chief of Police to obtain the liberation of those who had been arrested. The scene that evening, when I visited the Chief of Police a second time with the list of persons arrested whom I wanted released, was one never to be forgotten. Opposite his office was this crowd of prisoners, every one of whom was in danger of death and expecting it but hoping that some one would save them. They were called out of the crowd one by one and brought into the office where I sat with the Chief of Police and the Commander of the Gendarmes. All but one for whom I asked were released. The one exception was a young man who had been a teacher in the Turkish school and was a friend of my clerk. During the summer I had obtained permission for him to remain and had kept him at the Consulate for several months. He had decided, however, to accept Mohammedanism and had left the Consulate a few weeks prior to that time, against the advice of most of us. Then he tried to get back his position in the school and to collect the arrears of his salary. He and two other young men who had also accepted Mohammedanism and tried to collect some money from the Government were taken out of the prison a day or two later and killed a short distance out of town. I have been told on good authority that the principal reason why these young men were not released was because they had tried to collect money from the Government. Human life is cheap here and public officials have an effective method of saving the moneys of the State!

All the Syrians and a large number of the Armenians from this town who were arrested on November 4th were finally released in one way or another. The following day a wholesale arrest of Armenians occurred at Harput but most of them were released. The villages did not fare so well. From many of them the entire Armenian population had already been sent away and killed, as I have previously reported (see my despatch of September 7th, page 17, File No. 840.1, and my despatch of October 9th, page 2, file No. 310). In others, however, quite a number of women and children had been left. Many hundred of these were arrested and brought here on Friday and Saturday, November 5th and 6th. I saw one group of several hundred as they were being driven in here like cattle

by a few gendarmes. They had come from a village some distance away and were already exhausted: mothers were carrying their children; one woman was carrying another woman on her back; the old, the lame, the blind, were staggering along dazed and stupefied and if they dropped behind were prodded by the gendames and made to go on. I saw them taken in front of the office of the Chief of Police where orders were given about them and they were sent away. Probably one or two thousand persons were sent away at this time and I have learned their fate from a few survivors who succeeded in getting back here alive. It appears that soon after leaving the town they were separated into small groups and taken in different directions; that those in several of the groups, and undoubtedly those in others also, were led into secluded valleys and then bayoneted by the gendarmes; that after they were killed brush was heaped on their bodies and the gendarmes attempted to burn them. A few are said to have gotten as far as Diarbakir but no word has been received from any of them since that, as far as I have been able to learn, and there is little doubt that practically all were finally killed. It is to be noted that few, if any, of the village people who were deported either at this time or before ever arrived safely at their alleged destination. The few who are known to have arrived anywhere are mostly people from the towns who had some means and were probably able to purchase their lives from the gendarmes who accompanied them but apparently all those from the villages were massacred. In the case of many of the large villages no word has been received from a single person and who was deported from them.

The term of "Slaughterhouse Vilayet" which I applied to this Vilayet is my last report upon this subject (that of September 7th) has been fully justified by what I have learned and actually seen since that time. It appears that all those in the parties mentioned on page 15 of that report, men, women and children, were massacred about five hours distance from here. In fact, it is almost certain that, with the exception of a very small number of those who were deported during the first few days of July, all who have left here have been massacred before reaching the borders of the Vilayet. It is somewhat difficult to understand the plan by which people were brought all the way here from Trebizond, Urdu, Kherassou, Zara, Erzurum and Erzincan, only to be butchered in this Vilayet. During the second week of September several hundred Armenians who had taken grain to Mush for the Government returned here with their ox-carts. Nearly all of them were then put in prison and a few days later were sent out and killed. During the last two months quite a number of Armenian soldiers have been brought back in groups of two or three hundred from Erzurum. They have arrived in a most pitiable state due to their exposure on the way at this season of the year and the privations they had suffered. After all they had endured and after having been brought this far it appears that nearly all of them were killed a few hours after leaving here. A few have escaped and have related how the gendarmes tied them together a short distance out of town. The significance of that was apparent and some resisted. Their dead bodies may be seen alongside of the road. The rest of them are said to have been taken a little farther and killed in the mountains. One of the sad sights of this town now is to see companies of these soldiers being brought here every little while when we know that they are to be butchered like animals. We are all wondering why this Vilayet is chosen as the slaughterhouse.

A striking feature of the present situation in this vicinity is the large number of immigrants who have arrived from the direction of Van, Mush and Bitlis. Many of the Armenian villages that were entirely depopulated during the summer are now filled with these Moslem immigrants. It is thought by some that one reason for destroying the Armenians was to make room for them. At any rate, there seems to be enough of them to fill the vacant places. As they appear to be a very poor class of people, it remains to be seen what the effect will be industrially of this change in the population of this region.

Of nearly a hundred thousand Armenians who were in this Vilayet a year ago, there are probably not more than four thousand left. It has been reported recently that not more than five per cent of the Armenians were to be left. It is doubtful if that many remain now. There are probably more in proportion in the two towns of Mamouret-ul-Aziz and Harput than elsewhere because many have come from the villages in which no Armenians now remain or can live and have sought shelter here. It is estimated that between one-third and one and one-half of the entire existing Armenian population of this Vilayet is now in these two towns and in two or three of the neighboring villages, but the persons above mentioned who have recently come here form a considerable portion of this number. The children in the German orphanage, some four or five hundred in number, form another large element in the remaining population. There are said to be a great many Armenians hiding among the Kurds in the Dersim but it is impossible to estimate the number with any accuracy. There may be five hundred or there may be a thousand in all. In other parts of the Vilayet there are very few and in many of the towns and villages none at all except a few women who have accepted Mohammedanism and are living with Turks.

In my brief despatch No. 170 of yesterday I spoke of the pressure that is being brought on nearly all the Armenian women here, including wives of naturalized Ottomans, to embrace the Moslem faith. As directed in Embassy's Instruction of November 30th, I endeavor to dissuade them from taking this step. A very large number of women have come to me about this matter during the last few weeks. They say they are threatened with deportation, which means almost certain death, if they refuse. It is by no means improbable that this will actually be the result of such a refusal in many cases. I shall do everything possible, of course, to save from either fate all women who are in any way entitled to American protection.

One of the disappointments in the present terrible situation and one of the saddest commentaries on American missionary work among the Armenians is their lack of religious and moral principles and the general baseness of the race. During all that has happened during the past year I have not heard of a single act of heroism or of self-sacrifice and the noble acts, if any, have been very few. On the contrary mothers have given their daugthers to the lowest and vilest Turks to save their own lives; to change their religion is a matter of little importance to most of the people; lying and trickery and an inordinate love of money are besetting sins of almost all, even while they stand in the very shadow of death. On one occasion, when the students of the American theological seminary were arrested, nearly every one of them lied about one thing or another to save himself. Absolute truthfulness is almost unknown among the members of this race. Money is sought at any price, even at the risk of their lives, as in the case of the young man [already mentioned in] this despatch whom I had saved from death and tried to help for several months by keeping him in the Consulate. Every trick and device are resorted to by those who are not in need as well as by those who are to obtain money and often by depriving others of it who are in much greater need. From every point of view the race is one that cannot be admired, although it is one to be pitied.

The present is the time to consider its needs and not its merits. The thousand or two Armenians in this immediate vicinity are for the most part entirely destitute and dependent upon charity. Many are awaiting remittances from America while many others have no relatives there or elsewhere to help them. Practically all who remain here are women and children and a few of them have the means with which to buy bread or any way of earning it. Relief work is being carried on by both the German and the American missionaries but it is not enough to meet the needs at the present time. I shall be very glad to assist in such work as far as I can, as I have been doing with the funds already sent by the Embassy for that purpose and shall do with such additional funds as the Embassy may be able to send.

The important thing is to keep people alive for the present and then to assist them to leave the country as soon as it may be possible. There is no way of knowing however, what further measures may be taken against the few survivors who remain here and the difficulty under present conditions of saving any in case of emergency from the cut-throats of this region is perhaps greater than can be easily realized by those who are living in more civilized places. The only effective way I have found, as I have previously explained, has been to keep people in the Consulate itself and naturally the number who can be saved in that way is limited.

I have the honor to be, Sir, Your obedient servant,

(signed) LESLIE A. DAVIS,
Consul.

In cipher.

I intend to supplement these reports on the deportation and massacre of the Armenians with an account of two trips which now made to a lake about 5 hours distant from here where I saw the dead bodies of fully 10 thousand persons, many of whom had been recently killed, and to illustrate it with photographs which I took of them alive in camps. It would not be prudent to send such a report now.

SOURCE: Leslie A. Davis at Harput to Henry Morgenthau, American Embassy, Constantinople, Dec. 30, 1915, enclosed in Hoffman Philip [Chargé d'Affaires] at Constantinople to Secretary of State, February 17, 1916, N.A., D.S., R.G. 59, Dec. File No. 867.4016/269.

Mr. WILSON. Mr. President, higher American officials than Leslie Davis, with no political ax to grind, no personal motive to cite the Armenian genocide other than their own observation or their interpretation of the

facts that were available to them, have agreed with his account and with numerous others that a systematic extermination took place.

Indeed Davis' immediate superior, Ambassador Morgenthau, concluded in a July 1915 telegram sent to the Secretary of State that "A campaign of race extermination" against "peaceful Armenians" had begun "under a pretext of reprisal against rebellion." And President and Chief Justice William Howard Taft wrote in 1920 that the Serbians and the Armenians shouldered more wartime suffering than any other noncombatants.

President Wilson, deliberating on the growing body of accounts of genocide produced by Davis and by others, instructed his Secretary of State in 1919 to negotiate with Congress about the possibility of sending United States troops to Armenia.

In our own day, with the benefit of historical analysis, members of both parties have not hesitated to voice the truth about this tragedy.

Earlier reference was made to a comment of President Bush. In 1981, at a memorial service in observation of the Holocaust, President Reagan invoked "The genocide of the Armenians" in promising that America would never forget the lessons in human hardship learned from two world wars.

In 1978 President Carter stated that the Ottomans made a "concerted effort to eliminate all the Armenian people."

Yet we need not rely exclusively upon the word of our own countrymen, past or present. We need not do so because in the search for confirmation of the Armenian genocide the Ottoman Government itself, ravaged by war and plagued by some sense of remorse, put the main perpetrators of genocide on trial in 1919.

The empire's indictment against its own Ministers of War, of Interior, and of the Navy, states that through any number of oral or clandestine means these officials authorized what in the language of the indicted was termed "an unending chain of massacres, pillage, and abuse."

At it happens, much of the evidence for the trials also originated in formal telegrams that were in fact instructions from the central Government to the deportation provinces.

It is perhaps hypocritical and certainly a harsh judgment of their peers that resulted in the four authorities who actually received the sentences being sentenced to death. There were additionally four others consigned to 15 years of hard labor.

So it should come as no surprise that the founder of the modern Republic of Turkey, someone revered in Turkish history, Kemal Ataturk, explicitly renounced what he termed the "massacres of millions" by the Ottoman regime.

What has ensued since the time of Ataturk is that, like a free and democratic Germany today, a free and democratic Turkey began a new era in its history with a new government with the rejection of the horror previously visited upon its own minority population.

It is for that reason that a distinguished and valued ally, modern-day Turkey, need not feel anything but the same remorse that all observers anywhere would feel because of this tragedy. We do not visit the sins of the fathers upon the sons, but we do say that once again history teaches that man can be inhumane to other men and there is simply no doubt that that tragedy occurred, and that it must never occur again.

That is the lesson, the lesson so often repeated, from the terrible tragedy that began in 1939 and did not end until the end of the Second World War. "Never again," whether Jew or non-Jew, we have said so many times in attempting to keep faith with the specters of the 6 million Jews who perished during World War II.

Well, this is such an act, Mr. President. It is a resolution that takes pains by its language not to cast doubt in any way, nor to cast blame upon modern-day Turkey or upon the Turkish people. It places blame where, in fact, it is due, where historically, by ample documentation, it was earned; that is, by those officials of the Ottoman Empire who were responsible for this slaughter.

I have been one who on this floor, at every opportunity, has voted to support efforts which I conceive to be in the interest of the United States, as well as in the interests of our ally, Turkey, to enhance the strength of that ally as a valued part of the North Atlantic Treaty Organization Alliance.

It is in no way inconsistent at this moment to voice concern that we not forget, that we memorialize, as indeed we are required by common decency and enlightened self-interest to do, that there shall be at the very least a day to remembrance for those million and a half innocent souls whose sole crime was to be Armenian under the despotic rule of the Ottoman Empire.

There is no shame for modern-day Turkey, any more than we blame the children and the grandchildren of those in modern Germany who did not, by their hand, inflict this terrible wrong upon their Jewish countrymen. What we do know is that there cannot be the kind of indifference that permitted these things to occur in the first place.

And why, Mr. President, am I deluded in my belief that an expression by the Congress of the United States can make a difference? I do not think I am. I think that we have seen concerted world opinion have an impact upon other repressive regimes. I think that we have seen the attitudes changing in Eastern Europe, and indeed the attitudes of the Soviet Union, resulting in such practical results as increased emigration for dissidents, for Soviet Jews and Soviet Christians seeking to leave the Soviet Union.

I think we have learned that it does matter what Members of Congress feel and say and vote. It is a fact that if we are guilty of indifference, we virtually invite history to repeat itself in all of its worst excesses.

So, Mr. President, I will say that, one, there is no doubt that this tragedy occurred and that it was worthy of the terrible name of genocide. I will say, two, that those responsible are long-dead officials of the Ottoman Empire. I will say, three, that it is one more example in history, and all too recent history, still burned and fresh in the minds of those who themselves were survivors of those deportations and massacres.

It is that recent and that real to them, and it must be, if less to us, nonetheless a fact that we mark with at least a decent observation of a day of remembrance, because if we do not do that, Mr. President, we are guilty of indifference and injustice; and we mock the suffering of those who will have died in vain if in fact they are not at least remembered and honored by this day of remembrance, a single, quiet day devoted to these brave souls who fell under the sword of an oppressor.

And, Mr. President, I say to my colleagues who, understandably, are concerned least they give offense to a valued ally, they need, I think to put things in perspective.

It was not long ago that this body went upon record as endorsing a so-called Genocide Treaty. I remember very well that day just a few short years ago, because I was privileged to cast the crucial 67th vote enabling the Senate to adopt the International Convention Against All Forms of Racial and Cultural Genocide.

Those who cast votes that day felt they had done not just a good, but an important thing. They thought that it was a proud day for the Senate, a day when collectively we very properly condemned the evil motives of men in governments that lead them to the incredible inhumanity that permits the systematic extermination of entire populations for no reason other than that by the accident of birth they were born at the wrong time and the wrong place, and to their oppressor, into the wrong culture.

On that day, we declared that these martyred millions of recent history, those who died in the Armenian genocide of 1915 and the Holocaust of the years of the Second World War, would not have died in vain, that their memories would be etched forever in

history, that they would be kept alive as people whose suffering must serve at least as an indictment to those responsible for their tragic and inhumane treatment, and more important, as a warning to civilized men that we cannot be indifferent, that we cannot look the other way.

Mr. President, what could be more timely than that when in Azerbaijan, once again it is Armenians who are threatened with genocide?

History does repeat itself, Mr. President, if good and decent men do not do what they ought to in order to prevent the excesses of history. It was Edmund Burke, some centuries ago upon the floor of the House of Commons, who said that "all that is necessary for the triumph of evil is that enough good men do nothing."

We are asking in this resolution to do very little. We are asked to do the decent minimum that is required to pay our respect, and more important, to mark this day not just as a day of remembrance, but as a day of dedication that decent men who call themselves civilized will never again permit this to occur.

Mr. President, I thank the Chair and yield the floor.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the 101st Congress, second session, to be held in Kiawah Island, SC, February 22-26, 1990: the Senator from South Carolina [Mr. HOLLINGS], the Senator from Idaho [Mr. MCCLURE], the Senator from Iowa [Mr. GRASSLEY], and the Senator from Alaska [Mr. MURKOWSKI].

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, Senate Joint Resolution 212, which I cosponsored, designates April 24, 1990, as a national day of remembrance of the Armenian genocide.

Opponents of this resolution have argued that we should not make such a designation because Armenians were not the victims of "genocide."

I disagree. At the beginning of World War I, some 2.5 million Armenians lived in the Ottoman Empire. By 1923, 60 percent of this population—an estimated 1.5 million people—died as a result of the policies of the Ottoman rulers.

Regarding the Armenian culture as alien and the Armenian demand for tolerance and freedom as unacceptable, the empire embarked upon a deliberate campaign to eliminate the Armenian people through deportation and death.

The nature and extent of this campaign was well documented by U.S. officials at the time. For example, Henry Morgenthau, our Ambassador to the Ottoman Empire, reported that "a campaign of race extermination is in progress under a pretext of reprisal against rebellion."

The United States has reaffirmed on several occasions that the actions taken against the Armenian people constituted "genocide." In fact, as a Presidential candidate, President Bush stated that "The United States must acknowledge the attempted genocide of the Armenian people in the last years of the Ottoman Empire * * * if we are to insure that such horrors are not repeated."

I agree with the President, when he said that if we are to eliminate the evil of genocide from the heart of mankind, the death of more than a million Armenians must be more than a tragic footnote in history.

In commemorating the Armenian genocide, we are not criticizing the modern Turkish Government but rather reaffirming our commitment to human life and dignity by keeping the memory of the Armenian genocide alive.

Mr. President, I suggest the absence of a quorum.

Mr. DOLE. Will the Senator withhold?

Mr. PELL. Yes.

The PRESIDING OFFICER. The Chair recognizes the Republican leader, Senator DOLE.

Mr. DOLE. Mr. President, I think we have concluded the debate on the motion to proceed. I thank the distinguished Senator from West Virginia for his generous remarks—not for his opposition, but for his candor, as he always is a man of great integrity, and I hope that we can continue along these lines.

I think from our standpoint we need to convince our colleagues, some who were sponsors and became nonsponsors of the resolution, that history does support our position. There is no doubt about it. It would seem to me that based on the statements we have heard from the distinguished Senator from Rhode Island [Mr. PELL]; the distinguished Senator from Michigan [Mr. LEVIN]; the distinguished Senator from Illinois [Mr. SIMON]; the distinguished Senator from California [Mr. WILSON], and others who will follow tomorrow, it is our hope to lay the foundation so that we can let history be the judge, and we believe we can make that case and we will continue that tomorrow.

I urge my colleagues who may be trying to make a decision on which way to go, that all we want to do now is to proceed to the resolution—proceed to it. We have the right to have it before the Senate. Then if someone has amendments they can be offered. I have suggested I will offer a substitute which I hope will be less offensive to some. I do not believe the present text should be offensive to anyone, but there are some who are offended and I hope we might be able to resolve some of those problems. In any event, I mentioned earlier the action taken by the European Parliament where their resolution passed in 1987, much stronger than the resolution before us. In fact in one paragraph it says "whereas, the historically proven Armenian genocide has so far neither been the object of political condemnation or received due compensation." They made a finding. We do not do that in our resolution.

I will ask unanimous consent that the entire resolution be printed in the RECORD. I will also ask that the American Bar Association recognition of the Armenian genocide be printed in the RECORD.

The American Bar Association historically protested the Turkish atrocities against Armenians and more recently pointed out the fact of the Armenian genocide. Also the United Nations recognition of Armenian genocide. In 1985 and 1986, after years of study, a U.N. commission recognized the Armenian genocide as historical fact. On August 26, 1985, after 14 years of study and debate, the U.N. Commission on Human Rights voted 14 to 1 with 4 abstensions to reaffirm the Armenian genocide as historical fact. In a March 1979 meeting of the U.N. Commission on Human Rights, the United States publicly supported the United Nations recognition of Armenian genocide by advocating recognition of the Armenian genocide in a commission report.

I ask unanimous consent that these be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION ON A POLITICAL SOLUTION TO THE ARMENIAN QUESTION

The European Parliament, having regard to the motion for a resolution tabled by Mr Saby and others on behalf of the Socialist Group on a political solution to the Armenian question (Doc. 2-737/84).

Having regard to the motion for a resolution tabled by Mr. Kolokotronis on the Armenian question and the declaration of 24 April as Armenian Genocide Day (Doc. B 2-360/85),

Having regard to the report of the Political Affairs Committee (Doc. A 2-33/87),

A. Having regard to: The motion for a resolution by Mr. Jaquet and others on the situation of the Armenian people (Doc. 1-782/81),

The motion for a resolution by Mrs. Duport and Mr. Glinne on behalf of the Socialist Group on a political solution to the Armenian question (Doc. 1-735/83), and

The written question by Mrs. Duport on the Armenian question,[1]

The resolution of the Ministers with responsibility for Cultural Affairs, meeting within the Council of 13 November 1986 on the protection of Europe's architectural heritage,[2] including that outside the territory of the Community,

B. Convinced that recognition of the identity of the Armenian people in Turkey as an ethnic, cultural, linquistic and religious minority follows on from recognition of its own history,

C. Whereas the Armenian side regards these events as planned genocide within the meaning of the 1948 UN Charter,

D. Whereas the Turkish State rejects the charge of genocide as unfounded,

E. Whereas, to date, the Turkish Government, by refusing to recognize the genocide of 1915, continues to deprive the Armenian people of the right to their own history,

F. Whereas the historically proven Armenian genocide has so far neither been the object of political condemnation nor received due compensation,

G. Whereas the recognition of the Armenian genocide by Turkey must therefore be viewed as a profoundly humane act of moral rehabilitation towards the Armenians, which can only bring honour to the Turkish Government;

H. Profoundly regretting and condemning the mindless terrorism by groups of Armenians who were responsible between 1973 and 1986 for several attacks causing death or injury to innocent victims and deplored by an overwhelming majority of the Armenian people,

I. Whereas the obdurate stance of every Turkish Government towards the Armenian question has in no way helped to reduce the tension,

1. Believes that the Armenian question and the question of minorities in Turkey must be resituated within the framework of relations between Turkey and the Community; points out that democracy cannot be solidly implanted in a country unless the latter recognizes and enriches its history with its ethnic and cultural diversity;

2. Believes that the tragic events in 1915-1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide within the meaning of the convention on the prevention and the punishment of the crime of genocide adopted by the UN General Assembly on 9 December 1948; Recognizes, however, that the present Turkey cannot be held responsible for the tragedy experienced by the Armenians of the Ottoman Empire and stresses that neither political nor legal or material claims against present-day Turkey can be derived from the recognition of this historical event as an act of genocide;

3. Calls on the Council to obtain from the present Turkish Government an acknowledgement of the genocide perpetrated against the Armenians in 1915-1917 and promote the establishment of a political dialogue between Turkey and the representatives of the Armenians;

4. Believes that the refusal by the present Turkish Government to acknowledge the genocide against the Armenian people committed by the Young Turk government, its reluctance to apply the principles of international law to its differences of opinion with Greece, the maintenance of Turkish occupation forces in Cyprus and the denial of the existence of the Kurdish question, together with the lack of true parliamentary democracy and the failure to respect individual and collective freedoms, in particular freedom of religion, in that country are insurmountable obstacles to consideration of the possibility of Turkey's accession to the Community;

5. Conscious of those past misfortunes, supports its desire for the development of a specific identity, the securing of its minority rights and the unrestricted exercise of its people's human and civil rights as defined in the European Convention on Human Rights and its five protocols;

6. Calls for fair treatment of the Armenian minority in Turkey as regards their identity, language, religion, culture and school system, and makes an emphatic plea for improvements in the care of monuments and for the maintenance and conservation of the Armenian religious architectural heritage in Turkey and invites the Community to examine how it could make an appropriate contribution;

7. Calls on Turkey in this connection to abide faithfully by the provisions for the protection of the non-Muslim minorities as stipulated in Articles 37 to 45 of the 1923 Treaty of Lausanne which, moreover, was signed by most Member States of the Community;

8. Considers that the protection of monuments and the maintenance and conservation of the Armenian religious architectural heritage in Turkey must be regarded as part of a wider policy designed to preserve the cultural heritage of all civilizations which have developed over the centuries on present-day Turkish territory and, in particular, that of the Christian minorities that formed part of the Ottoman Empire;

9. Calls therefore on the Community to extend the Association Agreement with Turkey to the cultural field so that the remains of Christian or other civilizations such as the ancient classical, Hittite, Ottoman, etc., in that country are preserved and made generally accessible;

10. Expresses its concern at the difficulties currently being experienced by the Armenian community in Iran with respect to the Armenian Language and their own education in accordance with the rules of their own religion;

11. Condemns the violation of individual freedoms committed in the Soviet Union against the Armenian population;

12. Condemns strongly any violence and any form of terrorism carried out by isolated groupings unrepresentative of the Armenion people, and calls for reconciliation between Armenians and Turks;

13. Call on the Community Member States to dedicate a day to the memory of the genocide and crimes againsty humanity perpetrated in the 20th century, specifically against the Armenians and Jews;

14. Commits itself to making a substantial contribution to initiatives to encourage negotiations between the Armenian and Turkish peoples;

15. Instructs its President to forward this resolution to the Commission, the European Council, the Foreign Ministers meeting in political cooperation, the EEC/Turkey Association Council and the Turkish, Iranian and Soviet Governments and the UN Secretary General;

[1] OJ No. C 216, 16.8.1984, p. 10.
[2] OJ No. C 320, 13.12.1986, p. 1.

THE AMERICAN BAR ASSOCIATION'S RECOGNITION OF THE ARMENIAN GENOCIDE

Issue: The American Bar Association historically protected the Turkish atrocities against Armenians, and more recently has pointed out the fact of the Armenian genocide.

POINTS AND AUTHORITIES

1. On February 19, 1988 the ABA submitted the following to the Senate Judiciary Committee in support of the Genocide Convention implementing legislation: As familiar as are the historic examples of genocide against the Armenians and the Jews, genocide is a contemporary crime of shocking magnitude, and we must prepare ourselves to fight it—* * * What is left to do is, somewhat surprisingly, quite simple: The international crime of genocide must be made part of the criminal law of the United States. In a word, we must formally recognize that which even the few opponents of the treaty must surely concede—that in the United States, as in the world, genocide is a crime.—Statement of J. Griffin and J.F. Murphy, ABA, at pp. 4-5.

2. As attorneys applying the legal concept of genocide, the ABA's position carries far more weight than the authorities cited on the other side of the genocide resolution.

UNITED NATIONS RECOGNITION OF THE ARMENIAN GENOCIDE

Issue: In 1985 and 1986 after years of study, the relevant U.N. Commissions recognized the Armenian genocide as an historical fact.

POINTS AND AUTHORITIES

1. On August 26, 1985, fourteen years of study and debate, the U.N. Subcommission on Human Rights voted 14-1 with 4 abstentions to reaffirm the Armenian genocide as an historical fact. U.N. Doc. E/CN.4/Sub.2/1985 SR. 36 (1985). In 1986, the full U.N. Commission on Human Rights adopted that decision.

2. In a March 1979 meeting of the U.N. Commission on Human Rights, the United States publicly supported U.N. recognition of the Armenian genocide by advocating recognition of the Armenian Genocide in a Commission report.

CLOTURE MOTION

Mr. DOLE. Mr. President, in accordance with my previous indication of the distinguished majority leader and the distinguished President pro tempore, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of S.J. Res. 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the Seventy-Fifth Anniversary of the Armenian Genocide of 1915-1923."

Bob Dole, Pete Wilson, Dave Durenberger, Rudy Boschwitz, Dan Coats, James M. Jeffords, John Heinz, Larry Pressler, Nancy Landon Kassebaum, Pete Domenici, Jake Garn, Paul Simon, Donald W. Riegle, Carl Levin, Alan Cranston, Ted Kennedy, Alfonse D'Amato.

The PRESIDING OFFICER. The Chair recognizes the President pro tempore, Senator BYRD.

Mr. BYRD. Mr. President, I will not long detain the Senate and I will not impose on the time of the two leaders.

I simply want to say again that the Council of Ministers in Turkey has acted last year to open the State archives. And do you not think, may I ask my colleagues, we ought to take the time and let the scholars examine those archives? Documents might be put in the RECORD by Senators, but is that sufficient evidence for 100 Senators to base their judgment upon a matter of this sensitivity?

Some have already formed an opinion.

But I say we ought to stop, look, and listen, before we take a fateful step here to offend a friend, to offend an ally. When we wanted the Turks to fight by our side in Korea, the Senate did not offer a resolution. No Senator offered a resolution at that time decrying the massacre of Armenians in the period 1915-23. In World War II, when Turkey refused to get involved in the fighting on the side of Germany, there was no resolution offered here at that time that would offend Turkey.

Why do we offer such a resolution now? Why is it offered at this time? Why do we go out of our way to insult a friendly ally? What good is it going to do? We hear the plea that we should stand up for human rights. The Senate, time and time again, has stood for human rights. If there were a massacre of Armenians going on in Turkey today, I would join in decrying that. But we are raking over old ashes. Whatever happened 75 years ago should not have happened. It was wrong. But what good will this resolution do? The archives are open. They were just opened last year. Why not let people who have the credibility to do so, go and spend the time to search the records and let a judgment be made by trained historians?

Here we are about to make a judgment. None of us—not one—is in a position to point the finger at Turkey and say Turkey is guilty of genocide.

I think we can understand how the people of Turkey today regret what may have happened, but they cannot call it back. It was their grandparents. And why would we want to take an action which is sure to offend them?

Again, I say that the resolution is innocuous on its face to me. My feelings are not hurt. I am not a Turk. I do not live in Turkey. I was not born in Turkey. My parents did not come from there. My grandparents did not come from there. It is not offensive to me.

But I am interested in maintaining good relations with an ally, an ally that we have had before, an ally that we will want again. Why will we go out of our way deliberately and offend that ally? Why not let some time pass so that the records can be studied, and let someone else make a judgment. That judgment ought not be made on this floor. That judgment ought not be made by 100 Senators who know very little about what any of us are really talking about. That is my plea.

Again, I have only the utmost respect for those who support the resolution, especially the Republican leader. I have called him my friend too many times in this body not to mean it. But my respect for him does not mean that I should not stand up also for what I, too, think is right, and oppose what I think will be a mistake.

I hope we will not get the resolution up on the floor. There would be amendments offered. Who knows whether it would be improved or made worse. I think the best thing we can do is take down the resolution after a cloture vote or two and get on with something else and avoid making a mistake that we cannot undo.

It is easy today to talk. It will be less easy tomorrow to correct a mistake. We may heap coals upon the very people that we are feeling sorry for. We can exacerbate the tensions, the animosities, the hot feelings in the Balkans, and between the Turks and others.

Yes, pass this resolution, if you will. It would be greatly pleasing to the fundamentalists in Turkey. But the Turks, most of the Turks, want to be pro-West. They want to be aligned with the West. Let us not drive them into the hands of fundamentalists who want to turn them away from the West. We saw what happened in Iran. Let us not do something now that can create problems for Turkey, and in creating problems for Turkey also create problems for Greece, create problems for Israel, and create problems for those who are seeking to bring about reforms in the Soviet Union.

I thank the two leaders.

Mr. DOLE. Mr. President, I will just take 1 additional minute. I think the Senator from West Virginia has touched on an issue that I think some would say, well, that is a fair statement. Certainly, everything the Senator from West Virginia has said has been a fair statement. But let us just take a look at the Ottoman archives.

THE OTTOMAN ARCHIVES

The Ottoman archives from 1915 to 1923 should contain important documents on the Armenian genocide. Usually, archives are opened 50 years after the events, but the Turkish Government historically resisted opening the 1915-23 archives. Today, Turkey claims it has opened the relevant archives, and some of those opposed to the resolution will argue that the Senate should await analysis of these archives before approving the Armenian genocide resolution. This argument is specious because: First, the evidence of the genocide is already overwhelming; second, Turkey does not even own all the relevant Ottoman records—they are scattered in U.S.S.R., Vatican, Jerusalem, France, and England; third, according to Turkish sources, Government officials have—for 50 years—combed through and destroyed damaging records; fourth, Turkey, in fact, has not opened all the relevant archives; only the cataloged or the records of these agencies which were not involved in the genocide—War Ministry, Interior Ministry, and Committee of Union and Progress; fifth, the Turkish Government has been using the archives argument as a delaying tactic for years.

POINTS AND AUTHORITIES

Nothing in the Turkish-held archives will change whether a 2,100,000 Armenian population went down to less than 100,000 between 1915 and 1923.

Nothing in the archives can change the existing verified government orders, admissions, third-party observances, and other documents which conclusively establish a government ordered program to annihilate the Armenians.

Nothing in the Turkish-held archives will change the overwhelming evidence of the genocide in the United States, French, British, German, Soviet, Jerusalem, Austrian, and Vatican archives. Remember the United States archives contain approximately 25,000 pages of the details including captured German war records on the planning and implementation of the genocide between 1915 and 1918 alone.

The postwar trials and convictions of government leaders for the annihilation of the Armenians are dispositive evidence from the period, and their transcripts are already available. The exhibits submitted in those trials, however, have not been released by Turkey.

Prominent Turkish historian Dr. Mete Tuncay has claimed that "experts have been combing the Ottoman archives for the last 4 years, putting aside documents that do not support state ideology." Hurriyet Weekly, January 9, 1989.

Western historians have also pointed out that the Turkish Government has deleted the incriminating evidence. For example, Christopher Walker Insight, February 27, 1989; and David Rowan, William Hale, and Dr. James of University College Oxford London Times, January 4, 1989.

At the postwar trials, cabinet members admitted burning or ordering the burning of orders to massacre Armenians.

Because of the disarray in which the Ottoman records were compiled, ascertaining deletions will be almost impossible; therefore, credible historians have not visited and put little stock in the archives opened.

The June 23, 1989, Turkish law opening the archives does not open the relevant archives even though the Turkish government claims that all archives are open. Only archives to 1894 are purportedly open. The law—No. 89/14269 only makes previously "classified" documents from 1895 to 1939—available—that is those which government officials have gone over in recent years. More importantly, the "classified" or "cataloged" records do not include the relevant War Ministry, Interior Ministry, Committee of Union and Progress, or post-war trial proceedings records. Resolution opponents have claimed that the "Council of Ministers" files contain all the relevant decisions on Armenians, but the post-war trials found that was not true.

Even the Turkish press recognizes that the government has been using the archives as a public relations delaying tactic:

Endless and empty statements that have been made over the years concerning the opening of the Ottoman archives, during these days when the Armenian resolution is introduced to Congress, is creating a disturbance among those who follow this topic closely. For the last 8 years, every 6 months a statement is made regarding the opening of the Ottoman archives. That these don't come true indicates that Turkey is pursuing a policy of distraction. Thus there has been a new statement regarding the opening of the archives in Turkey. At any rate, only the sections up to 1895 will be opened. For example, the purported massacre of 300,000 Armenians during the Zeytun events (Sasoon), takes place during this timeframe. However, historians interested in this topic are concerned with history after 1913. Once again Turkey will find itself in the position of not keeping its word. Cumhuriyet, Ufuk Guldemir, January 6, 1989.

AUTHORITY TO APPOINT A COMMITTEE TO ESCORT HIS EXCELLENCY VACLAV HAVEL

The PRESIDING OFFICER. The Chair recognizes the majority leader, Mr. MITCHELL.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Vaclav Havel, the President of the Czechosolovak Socialist Republic, into the House Chamber for the joint meeting tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME TO RESOLVE THE STATUS OF THE WESTERN SAHARA

Mr. MOYNIHAN. Mr. President, I serve as chairman of the Subcommittee on Near Eastern and South Asian Affairs of the Foreign Relations Committee, a region that stretches from Morocco to Bangladesh. During the January recess I traveled in the region: stopping first in Morocco. In recent months our attention has been held by the dramatic developments in Eastern Europe and the Soviet Union; unfortunately there has been no comparable change in the persistent problems of North Africa and the Middle East.

One exceptionally persistent problem is that of the conflict in the Western Sahara. It is a war that has lasted 15 years, has cost the participants thousands of lives, and has consumed several billions of dollars of resources. Much of this toll, both human and material, has fallen on the Kingdom of Morocco, a nation with which we have had our longest continuous treaty relationship, dating back to the administration of President Washington, and which has been our closest and most consistent friend in the Arab world.

As part of my visit to Morocco, through the courtesy of the Moroccan Government which provided an aircraft for this purpose, I spent a day traveling to the Western Sahara, visiting the towns of Layoune and Smarra and seeing much of the territory's terrain from the air. The Western Sahara encompasses some 120,000 square miles on the Atlantic coast of Africa. To the north is Morocco; to the east and south are Algeria and Mauritania. The territory's 186,000 people occupy a land that is almost exclusively desert, even the coastal areas, which lack any natural habitation.

The Western Sahara has one significant natural resource, phosphates, of which it holds a sizable percentage of the Earth's total. Following the 1973 oil shocks, the prices of phosphates—which are a substitute for petroleum-based fertilizers—soared and the territory had a brief moment as a valued strategic asset. Since then, however, phosphate prices have collapsed and the Sahara territory has returned to an economically marginal condition.

From 1860 to 1974, the Western Sahara was governed by Spain which, even in the face of U.N. General Assembly resolutions and a newly created insurgent movement, seemed to be determined to make the territory one of the last colonies in Africa. However, on August 20 of that year, General Francisco Franco, until the end a politician canny enough to sense the political winds, announced a referendum on the territory's future. Because of Morocco's claims to the territory, the General Assembly requested an International Court of Justice ruling on the legal status of the territory. Specifically, the Court was asked whether, prior to colonization, the Spanish Sahara had been part of Morocco—to which it might then be returned—or "terra nullius," a no man's land which might then exercise a valid act of self-determination. In October 1975, the Court ruled that the territory had not been terra nullius and had enjoyed an historical connection with Morocco. However, the Court also stated that these connections were not sufficient to deny the Saharouwi—or Saharan—people the right to vote on their own future.

At this point, Morocco's Monarch King Hassan II announced Morocco would peaceably occupy the territory through a "Green March" of 350,000 unarmed citizens. Spain abandoned its referendum plans and instead, via the treaty of Madrid, turned administrative control of the territory over to Morocco and Mauritania. These two nations then partitioned the territory with Morocco holding two-thirds of the land and more than 80 percent of the scattered population.

The Treaty of Madrid was immediately contested by the Polisario, the indigenous liberation organization founded to oppose Spanish rule. More importantly, Morocco's regional rival Algeria moved to support the Polisario materially.

It happens that I was the U.S. Representative to the United Nations at the time of these events. On that occasion the United States sided with Morocco—and, I suppose, with Mauritania. I later set down in writing my view that we were insufficiently attentive to the advisory opinion of the International Court of Justice. The General Assembly's clear intent in requesting the opinion, so far as I could assess the matter, had been to press Spain into granting independence to the region in the same matter that almost all African colonies had been granted independence. As I recall, at this time only Djibouti, under French dominion, remained under European rule. Briefly, the Court found that "at the time of Spanish colonization * * * [there were] * * * legal ties of allegiance between the Sultan of Morocco and some of the tribes living in the territory of Western Sahara."

However, as I have stated, the Court did not consider these ties to be of sufficient weight to overcome "the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory. * * *" That is to say, the right of the peoples of Western Sahara to form an independent nation. It was in my personal view at the time that in the case of Western Sahara, and also in the case of East Timor, just then become free of Portuguese rule, the United States was rather too complacent in the face

of actions by neighboring states. However, in the case of Western Sahara—not in the case of East Timor—the neighboring state has shown itself more than generous to the peoples involved, fully capable of protecting them, and fully prepared to abide by the outcome of a United Nations referendum. Is that not a principled position, fully defensible in terms of law and equity? I submit to the Senate that it is such, and the position of Morocco ought to not only be supported by the United States, but pressed by the United States. I would recall that we were actively on Morocco's side in 1975 when the rights of the matter were far from clear. Can we be less supportive in the present moment, given the events of the past decade?

On the military front, the Polisario scored early successes against both occupiers and was, by 1979, able to force Mauritania to abandon its portion of the territory. While Morocco then took over the Mauritanian sector, it found itself very hard-pressed. While the absorption of the Western Sahara enjoyed very broad support in Morocco proper—where it was seen as the restoration of historic Moroccan lands—the costs of the war coupled with a series of military setbacks seemed to threaten Moroccan stability and even the monarchy.

Polisario military success was based on an ability to use fast moving transport—mostly landrovers—to stage hit and run attacks on isolated Moroccan outposts. In response to this latter day cavalry attack, Morocco resorted to an even more ancient military device—it built a wall. Or rather a series of walls.

The first earthen wall, or berm, protected the coastal city of Layoune, the administrative capital of the territory and its principal population center. Subsequent walls encompassed other population centers and even larger chunks of real estate. Today the berm runs near the other borders of the territory. While not impenetrable, the wall now effectively keeps the conflict far from any Shararan population centers or economic assets. During my visit to Layoune and the interior town of Smarra, I saw no evidence of the war or, indeed, any particular anxiety about the war.

Estimates of the cost of the war to Morocco range from the Government's claim of $100,000 a day to outside estimates of $1,000,000 a day. Further, these efforts have been accompanied by vast expenditures on economic and social development activities. During my day-long visit, I saw new schools, hospitals, employment training centers, housing, sports facilities, and so on. All such services were, I am told, provided free to the Saharouwi people in the town. The Saharouwis may well be the best provided for populace in all Africa.

Almost a decade ago in 1981, King Hassan II agreed to permit a U.N. supervised referendum on the future of the Sahara. For a number of years, disputes over the nature of the referendum—the wording of the question and the all-important issue of who gets to vote—delayed the holding of a ballot.

These questions have now been resolved. The voters will constitute those Saharouwis registered in the 1974 Spanish census, or about 70,000 people who are still living. Both the enumerated who live in the territory and in the Tindouf—Algeria—refugee camps will be eligible to vote. In total, we might assume an actual electorate of 30,000 to 40,000, with a decision made by 15,000 to 20,000.

While the verification of individuals as those listed in the Spanish census is critical, the overall conduct of this election should not be a costly or complex affair. It has not yet occurred because the U.N. Secretary General has not had the resources to conduct the vote.

One reason for the shortfall of U.N. resources is the extraordinary press of peacekeeping activities—Namibia, Iran-Iraq, Afghanistan. Another is the repeated failure of one country—the United States—to pay its assessed obligations.

For whatever reason, the Sahara War has dragged on too long. It is time to help an old and loyal friend by facilitating an internationally recognized act of self-determination in the Sahara territory.

I also think the international community would be well served by the incorporation of the Western Sahara into Morocco. The last thing we need—the last thing Africa needs—is another impoverished microstate of 180,000. However, this is a decision that is to be made by the Saharouwi people. Morocco has agreed to a vote; the Polisario have agreed to a vote; Algeria has agreed to a vote. Now is the time to hold the referendum on the future of the Sahara and put this issue behind us. Morocco needs to move on and the international community has more pressing challenges, and greater opportunities, with which it must deal.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

WAIVER OF CERTAIN TRADE PROVISIONS WITH RESPECT TO CZECHOSLOVAKIA—MESSAGE FROM THE PRESIDENT—PM-96

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Finance:

To the Congress of the United States:

Pursuant to subsection 402(c)(2) of the Trade Act of 1974 (the Act) (19 U.S.C. 2432(c)(2)), I have determined that a waiver of the application of subsections (a) and (b) of Section 402 with respect to Czechoslovakia will substantially promote the objectives of section 402. A copy of that determination is enclosed. I have also received the assurances with respect to the emigration practices of Czechoslovakia required by section 402(c)(2)(B) of the Act.

Pursuant to section 402(c)(2), I shall issue an Executive Order waiving the application of subsections (a) and (b) of section 402 of the Act with respect to Czechoslovakia.

GEORGE BUSH.

THE WHITE HOUSE, *February 20, 1990.*

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2340. A communication from the Inspector General of the Department of Defense, transmitting, pursuant to law, a military whistleblower protection report; to the Committee on Armed Services.

EC-2341. A communication from the Secretary of State, transmitting a draft of proposed legislation to authorize assistance for Eastern Europe and Yugoslavia; to the Committee on Foreign Relations.

EC-2342. A communication from the Director of the National Science Foundation, transmitting, pursuant to law, a report entitled "Women and Minorities in Science and Engineering"; to the Committee on Labor and Human Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-400. A resolution adopted by the Board of Trustees of the Municipal Police Employees' Retirement System, Baton Rouge, LA, urging Congress not to further

mandate Medicare, Social Security, and related programs for State and local employees; to the Committee on Finance.

POM-401. A resolution adopted by the Board of Trustees of the Municipal Police Employees' Retirement System, Baton Rouge, LA, urging Congress not to mandate an excise tax on gain from the sale of assets held by public retirement plans for State and local public employees; to the Committee on Finance.

POM-402. A resolution adopted by the Board of Trustees of the Municipal Police Employees' Retirement System, Baton Rouge, LA, urging Congress to amend the Internal Revenue Code of 1986 relating to exemptions from the early withdrawal tax on pension distributions; to the Committee on Finance.

POM-403. A resolution adopted by the Board of Trustees of the Louisiana School Employees' Retirement System, urging Congress not to further mandate Medicare, Social Security, and related programs for State and local public employees; to the Committee on Finance.

POM-404. A resolution adopted by the Board of Trustees of the Louisiana School Employees' Retirement System, urging Congress to amend the Internal Revenue Code of 1986 with respect to taxation of employees' annuities in cases where employee contributions are recoverable in 1 year; to the Committee on Finance.

POM-405. A resolution adopted by the Board of Trustees of the Louisiana School Employees' Retirement System, urging Congress not to mandate an excise tax on gain from the sale of assets held by public retirement plans for State and local public employees; to the Committee on Finance.

POM-406. A resolution adopted by the Board of Trustees of the Municipal Police Employees' Retirement System, Baton Rouge, LA, urging Congress not to further mandate public employees retirement income security protection or security and exchange rules that would affect public plans as institutional investors; to the Committee on Labor and Human Resources.

POM-407. A resolution adopted by the Board of Trustees of the Louisiana School Employees' Retirement System, urging Congress not to further mandate public employees retirement income security protection or security and exchange rules that would affect public plans as institutional investors; to the Committee on Labor and Human Resources.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MOYNIHAN:

S. 2129. A bill to suspend the duty on the personal effects and equipment of participants in the 1993 World University Games; to the Committee on Finance.

By Mr. WIRTH:

S. 2130. A bill to regulate the dumping of waste by the Rail Passenger Service Corp.; to the Committee on Commerce, Science, and Transportation.

By Mr. HEINZ:

S. 2131. A bill to temporarily suspend the duty on karate pants and belts; to the Committee on Finance.

By Mr. JOHNSTON:

S. 2132. A bill to suspend for a 3-year period the duty on diamino imid sp; to the Committee on Finance.

S. 2133. A bill to suspend for a 3-year period the duty on c-amines; to the Committee on Finance.

S. 2134. A bill to suspend for a 3-year period the duty on 2-(4-aminophenyl)-6-methylbenzothiazole-7-suflonic acid; to the Committee on Finance.

S. 2135. A bill to suspend for a 3-year period the duty on sethoxydim; to the Committee on Finance.

S. 2136. A bill to suspend for a 3-year period the duty on 3-ethylamino-p-cresol; to the Committee on Finance.

S. 2137. A bill to suspend for a 3-year period the duty on 6-amino-1-naphthol-3-sulflonic acid; to the Committee on Finance.

S. 2138. A bill to suspend for a 3-year period the duty on B-naphthol; to the Committee on Finance.

S. 2139. A bill to suspend for a 3-year period the duty on rosachloride lumps; to the Committee on Finance.

By Mr. MITCHELL:

S. 2140. A bill to amend provisions of law affecting the use of certain distilled spirits in foreign trade zones; to the Committee on Finance.

By Mr. DOLE:

S. 2141. A bill to temporarily increase the duty on ethyl tertiary butyl ether; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2142. A bill to suspend temporarily the duty on metallurgical fluorospar; to the Committee on Finance.

By Mr. DOMENICI:

S. 2143. A bill to establish the Organ Mountains National Conservation Area in the State of New Mexico and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself and Mr. CHAFEE):

S. 2144. A bill to provide for the issuance of super savings bonds to increase national savings and reduce Federal debt owed to foreign creditors; to the Committee on Finance.

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 2145. A bill to designate the Department of Veterans Affairs medical center in Saginaw, MI, as the "Aleda E. Lutz Department of Veterans Affairs Medical Center"; to the Committee on Veterans Affairs.

By Mr. DASCHLE (for himself, Mr. CONRAD, and Mr. BAUCUS):

S. 2146. A bill to clarify the authority of the Small Business Administration to make disaster assistance loans to small businesses in case of disasters determined by the Secretary of Agriculture; to the Committee on Small Business.

By Mr. BOREN (for himself and Mr. COCHRAN):

S. 2147. A bill to provide for certain agricultural trade programs and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. McCONNELL (for himself and Mr. BOND):

S. 2148. A bill to deny tax-exempt status to certain politically active organizations that are linked to candidates of Federal office, to require that contributions to separate political organizations that are linked to such candidates be treated as direct contributions to the candidate, to restrict "bundling" practices, and for other purposes; to the Committee on Finance.

By Mr. BIDEN (for himself, Mr. ROTH, Mr. BINGAMAN, Mr. DURENBERGER, Mr. COATS, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. SARBANES, and Mr. WILSON):

S.J. Res. 257. Joint resolution to designate March 10, 1990, as "Harriet Tubman Day"; to the Committee on the Judiciary.

By Mr. BRADLEY (for himself, Mr. BURDICK, Mr. LAUTENBERG, Mr. ADAMS, Mr. BUMPERS, Mr. INOUYE, Mr. CONRAD, Mr. DODD, Mr. DIXON, Mr. HOLLINGS, Mr. SASSER, Mr. KERRY, Mr. PELL, Mr. BINGAMAN, Mr. SARBANES, Mr. LEVIN, Mr. CRANSTON, Mr. METZENBAUM, Mr. MITCHELL, Mr. GLENN, Mr. RIEGLE, Mr. EXON, Mr. DECONCINI, Mr. MOYNIHAN, Mr. FOWLER, Mr. BENTSEN, Mr. GORE, Mr. WIRTH, Mr. KENNEDY, Mr. BRYAN, Mr. DURENBERGER, Mr. D'AMATO, Mr. CHAFEE, Mr. MCCLURE, Mr. GORTON, Mr. BURNS, Mr. SPECTER, Mr. HATFIELD, Mr. WILSON, Mr. LUGAR, Mr. SYMMS, Mr. MURKOWSKI, Mr. STEVENS, Mr. WARNER, Mr. COATS, Mr. HATCH, Mr. COCHRAN, Mr. JEFFORDS, Mr. HUMPHREY, and Mr. BOSCHWITZ):

S.J. Res. 258. Joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. BINGAMAN, Mr. BOND, Mr. CHAFEE, Mr. COATS, Mr. D'AMATO, Mr. DOLE, Mr. DURENBERGER, Mr. GORTON, Mr. MCCLURE, Mr. BOSCHWITZ, Mr. HEINZ, Mr. SPECTER, Mr. WILSON, Mr. DOMENICI, Mr. HUMPHREY, Mrs. KASSEBAUM, Mr. WARNER, Mr. GARN, Mr. HATCH, Mr. SYMMS, Mr. MURKOWSKI, Mr. THURMOND, Mr. NICKLES, Mr. ARMSTRONG, Mr. SIMPSON, Mr. BRADLEY, Mr. BURDICK, Mr. INOUYE, Mr. LAUTENBERG, Mr. MATSUNAGA, Mr. PELL, Mr. RIEGLE, Mr. HEFLIN, Mr. CRANSTON, Mr. BENTSEN, Mr. GLENN, Mr. DODD, Mr. MOYNIHAN, Mr. HOLLINGS, Mr. GORE, Mr. SIMON, Mr. ADAMS, Mr. DECONCINI, Mr. LEVIN, Mr. SARBANES, Mr. METZENBAUM, Mr. KERRY, Mr. NUNN, Mr. BIDEN, Mr. ROBB, and Mr. LIEBERMAN):

S. Res. 245. Resolution designating National Employee Health and Fitness Day; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOYNIHAN:

S. 2129. A bill to suspend the duty on the personal effects and equipment of participants in the 1993 World University Games; to the Committee on Finance.

SUSPENSION OF DUTY ON PERSONAL EFFECTS AND EQUIPMENT OF PARTICIPANTS IN THE 1993 WORLD UNIVERSITY GAMES

● Mr. MOYNIHAN. Mr. President, in the summer of 1993 some 7,000 athletes from most every nation in the

world will arrive in Buffalo for the World University Games. Buffalo was chosen over a dozen American cities to compete with cities in other nations for the honor of hosting the games. Last June Buffalo was awarded this honor. The games have not been held in the United States before, so not many of us know of their stature in the world of international athletics. It is considerable.

I rise to introduce a bill to suspend the duty on the personal effects and equipment of the participants in the 1993 games. This minor change in our tariff schedule would greatly facilitate the arrival of these athletes, and would help the financial situation of those who are making great sacrifices to attend. The same provision has been made for participants in the Los Angeles Olympics and the Goodwill Games.

Mr. President, such a suspension of the applicable duties for this special event would be an appropriate step for us to take. The games will be held in Buffalo, but they are in a very real sense a national event, and one the Federal Government should support. We in Congress passed a resolution affirming our support last year. Let us now take this opportunity to begin to make the games the success they should certainly be.●

By Mr. WIRTH:

S. 2130. A bill to regulate the dumping of waste by the Rail Passenger Service Corp.; to the Committee on Commerce, Science, and Transportation.

REGULATION OF DUMPING BY THE RAIL PASSENGER SERVICE CORPORATION

Mr. WIRTH. Mr. President, I have been a longtime supporter of Amtrak and many times have enjoyed riding its trains. But its current practice of disposing human waste directly onto the tracks just cannot be tolerated any longer. Amtrak's response to this problem has been insufficient and inconsistent. We in Colorado try very hard to keep our mountains, canyons, roads, and valleys clean. Amtrak needs to take this matter seriously and they have not. Clearly, congressional action is required.

In response to this problem, today I am introducing legislation to prohibit Amtrak's rather odious practice of dumping untreated human waste from its trains directly onto its rail tracks and stations.

Prior to 1971, all railroads disposed of untreated human waste directly on the railroad right-of-way. However, after a study by the Department of Health, Education and Welfare [HEW], the agency issued regulations under the Public Health Service Act requiring freight and passenger railroads to retrofit their trains to prevent the dumping of waste onto the track bed.

However, in 1976, Congress granted Amtrak an exemption from this requirement and directed that the issue be studied further. HEW reported back that the potential risk of disease was minimal and that given the low amount of passenger train traffic, at the time, and the high cost of retrofitting disposal equipment on cars, Amtrak should remain exempted from the Public Health Service Act. Since then, it has been Amtrak's policy to continue the dumping of untreated human waste directly from its cars, but only in the countryside and provided that trains were traveling faster than 25 miles per hour.

However, Amtrak's policy has not been its practice. In 1987, I contacted Amtrak on behalf of Glenwood Springs, a city in my State. Trains there have been discharging untreated human waste while in the city limits, and even in the local train station. In another instance, 6 months later, railroad workers were sprayed by waste from a passing train. Other complaints were common.

Amtrak assured me that they were taking steps to address this problem and that waste would not be dumped until trains were traveling faster than 35 miles per hour. In addition, onboard personnel were to be instructed not to dispose of waste while within a station, urban, or heavily populated area, or in any areas where crews are working on the right-of-way.

Unfortunately, Mr. President, Amtrak's words appear to be just that: words. Just this past December, a Denver television station filmed a passenger train dumping raw sewage onto the tracks while at a standstill in the Glenwood Springs train station. In addition, it is common to observe trains dumping waste while cruising at speeds less than 35 miles per hour with urban areas.

Mr. President, Amtrak travels through Glenwood Canyon, along the Colorado River. This area is among the most beautiful and scenic in the State. When it rains, the sewage is washed from the tracks and into the waterway. Mr. President, it is time to put a stop to this disgusting and dangerous practice.

The bill I am introducing today would repeal Amtrak's exemption from the Public Health Service Act, and permit the disposal of human waste only at specifically approved facilities. This provision would take effect in 3 years, so that Amtrak has the necessary time to retrofit its cars with appropriate disposal equipment. In addition, the agency would be permitted to levy a service charge, if it so chooses, on its passengers to help pay for compliance with this act.

In the interim, upon enactment of the bill, the Secretary of Transportation would be required to issue regulations prohibiting the dumping of human waste from Amtrak trains while traveling less than 35 miles per hour, within an urban area or within a passenger or freight facility. As an incentive, the Secretary would be authorized to assess civil penalties for noncompliance, up to $25,000 per infraction. This section would give immediate relief to the many municipalities and States which are the victims of Amtrak's current policy.

Mr. President, if airplanes and buses can have sewage tanks, why cannot trains? It is time to put a stop to the careless dumping of sewage along our train tracks and in train stations. Amtrak must have a policy of sensitivity for the environment and public health.

I wish to specially thank residents of Glenwood Springs, Bob Boyle, Mark Welsh, and Fred Clark, as well as the city attorney David Broadwell and the city council of Glenwood Springs for bringing this noxious problem to my attention.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF PUBLIC HEALTH SERVICE ACT EXEMPTION.

(a) REPEAL.—Section 306(i) of the Rail Passenger Service Act (45 U.S.C. 546(i)) is repealed.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 3 years after the date of enactment of this Act.

SEC. 2. DISCHARGE OF WASTES.

Title VIII of the Rail Passenger Service Act is amended by adding at the end the following new section:

"SEC. 810. DISCHARGE OF WASTES.

"(a) GENERAL RULE.—The corporation shall not discharge human wastes, garbage, waste water, or other polluting materials from trains, except at servicing areas approved by the Commissioner of Food and Drugs.

"(b) SERVICE CHARGE.—The corporation may add to all its fares for passenger transportation throughout its system a service charge in the amount necessary to enable aggregate revenues from such service charge to cover the continuing costs to the corporation of—

"(1) complying with subsection (a), including research and development, administrative, construction, and maintenance costs; and

"(2) with respect to the period before the effective date stated in subsection (d), conducting activities necessary to ensure the ability to comply with subsection (a) by the effective date stated in subsection (d).

Revenues from the service charge shall be used exclusively for the compliance costs and activities described in paragraphs (1) and (2).

"(d) EFFECTIVE DATE.—Subsection (a) shall take effect 3 years after the date of enactment of this section.".

SEC. 3. DISCHARGES PROHIBITED.

(a) REGULATIONS.—Prior to the expiration of the 90 day period following the date of the enactment of this Act, the Secretary of Transportation shall issue such regulations as may be necessary to prohibit the discharge of human waste, garbage, waste water, or other polluting materials from trains—

(1) While such trains are traveling in an urban area as defined by the Secretary of Transportation;

(2) While such trains are outside of an urban area and traveling at a speed under 35 miles per hour; and

(3) While such trains are within a passenger or freight facility.

(b) CIVIL PENALTY.—The Secretary of Transportation is authorized to assess a civil penalty, in an amount not to exceed $25,000, against the Rail Passenger Service Corporation for violating a provision of this section or section 810(a) of the Rail Passenger Service Act or of any amendment made by this Act.

(c) REIMBURSEMENTS.—Such regulations shall further require the Rail Passenger Service Corporation to reimburse employees and passengers of a railroad for costs incurred as a result of any such discharge in violation of this Act or any regulations pursuant thereto. Such regulations shall further require the Corporation to reimburse any individual for damages or other costs incurred for medical or other similar reasons resulting from contact with such discharged material.

(d) TERMINATION DATE.—On and after the date subsection (a) of section 1 and section 810(a) of the Rail Passenger Service Act take effect, the provisions of subsections (a) and (b) of this section shall be of no effect.

By Mr. MITCHELL:

S. 2140. A bill to amend provisions of law affecting the use of certain distilled spirits in foreign trade; to the Committee on Finance.

USE OF CERTAIN DISTILLED SPIRITS IN FOREIGN TRADE

Mr. MITCHELL. Mr. President, I am pleased to introduce a technical amendment to section 3 of the Foreign-Trade Zones Act to clarify the type of products which are permitted to be processed under the FTZ rules.

The fifth proviso of section 81(c) of the Foreign-Trade Zones Act has for a number of years been a problem for concerns that wish to use ethyl alcohol for the production of articles in an FTZ. This proviso: First, prevents operations in a zone which would be subject to certain provisions of the Internal Revenue Code if performed in the Customs territory; and second, prevents operations involving the manufacture of articles as defined in 26 U.S.C. 5002(14). That section defines articles "to mean any substance in the manufacture of which denatured distilled spirits are used."

In 1988 the fifth proviso was amended by the enactment of 19 U.S.C. 81(c) which states that an article—defined above—may be manufactured or produced from domestic denatured distilled spirits, and articles thereof, in a zone. The word domestic was inserted into this legislative change, and not objected to, because the party requesting the change believed it was using domestic denatured domestic spirits, since it purchased the material from firms in the United States. However, it has now come to light that most of the domestic suppliers import the alcohol and denature it and often also distill it in the United States. This has raised the issue of whether such merchandise is domestic or not within the meaning of the act. This question is compounded by the question of whether words such as domestic, article, et cetera should be interpreted using the Bureau of Alcohol, Tobacco and Firearms [ATF] or Customs [FTZ] meanings. Consequently there is need for a further technical amendment.

My amendment would eliminate the issue of whether alcohol used in a FTZ is domestic. The amendment substitutes for "domestic denatured distilled spirits" the expression "denatured distilled spirits which have been withdrawn free of tax from a distilled spirits plant." In addition a new section 81(c) has been added for the purpose of making clear that a person using denatured distilled spirits in a zone as provided for by a proposed subsection (c) will also be eligible for drawback of the tax under 26 U.S.C. 5131(a). The language used in this proposed section 81(e) follows the language in 26 U.S.C. 5131(a). Subsection (c) of the proposed amendment in 26 U.S.C. 5131(a). Subsection (c) of the proposed amendment make it possible to conduct the desired activity in the zone. It will allow the use in a FTX of denatured distilled spirits to manufacture or produce any article other than fuel or alcoholic beverages. In addition, subsection (e) of this amendment will allow drawback on items made from denatured distilled spirits which are produced in a zone and which are already eligible for drawbacks under the current law.

I understand the Bureau of Alcohol, Tobacco, and Firearms, the Treasury Department, and the Foreign Trade Zones Board are aware of the need to amend current law and have no objection to this amendment. It should be viewed as a revenue neutral, noncontroversial matter.

I ask unanimous consent that the bill be included in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2140

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 3 of the Act of June 18, 1934 (48 Stat. 999, chapter 590; 19 U.S.C. 81c(c)) is amended—

(1) by striking out "domestic" before "denatured distilled spirits,"

(2) by inserting "which have been withdrawn free of tax from a distilled spirits plant (within the meaning of section 5002(a)(1) of the Internal Revenue Code of 1986)" after "distilled spirits",

(3) by striking out "Notwithstanding" and inserting in lieu thereof "(1) Notwithstanding" and inserting in lieu thereof "(1) Notwithstanding",

(4) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of the fifth proviso of subsection (a), distilled spirits which have been removed from a distilled spirits which plant (as defined in section 5002(a)(1) of the Internal Revenue Code of 1986) upon payment or determination of tax may be used in the manufacture of production of medicines, medicinal preparation, food products, flavors, or flavoring extracts, which are unfit for beverage purposes, in a zone. Such products will be eligible for drawback under the internal revenue laws under the same conditions applicable to similar manufacturing or production operations occurring in customs territory.".

By Mr. DOLE:

S. 2141. A bill to temporarily increase the duty on ethyl tertiary butyl ether; to the Committee on Finance.

INCREASE IN DUTY ON ETHYL TERTIARY BUTYL ETHER

Mr. DOLE. Mr. President, today I am introducing legislation to impose a tariff on imported ETBE which will offset the benefit of the 60-cent-per-gallon blender's credit.

ETBE is not currently manufactured outside of the United States. However, now that ETBE has been designated for eligibility under the blender's credit, concern has been raised that cheap European wine ethanol will be converted to ETBE in order to enter the United States market duty free.

The legislation I am introducing today will impose a 60-cent-per-gallon tariff on imported ETBE which is equal to the existing tariff on imported ethanol. Importers of ETBE for fuel use will recover the full amount of this tariff in the form of a tax credit when the ETBE is mixed with gasoline. Thus, the tariff will not cost a potential foreign manufacturer anything; it will merely prevent these manufacturers from taking advantage of a new tax incentive designed to encourage domestic production.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2141

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ETHYL TERTIARY BUTYL ETHER.

(a) IN GENERAL.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007) is amended by inserting in numerical sequence the following new heading:

"9901.00.52	Ethyl tertiary butyl ether (provided for in subheading 2909.19.10) and any mixture containing ethyl tertiary butyl ether	15.85¢/ liter.	No change (A, E, IL) 12.6¢/ liter (CA).	15.85¢/ liter.	On or before 12/31/ 92".

(b) STAGED RATE REDUCTION.—Any staged rate reduction of a rate of duty set forth in heading 9901.00.50 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before the date of enactment of this Act and would otherwise take effect after the date of enactment of this Act shall also apply to the corresponding rates of duty set forth in subheading 9901.00.52 of such Schedule.

SEC. 2. EFFECTIVE DATE.

The amendment made by this Act shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

By Mr. ROCKEFELLER:

S. 2142. A bill to suspend temporarily the duty on metallurgical fluorspar; to the Committee on Finance.

SUSPENSION OF DUTY ON METALLURGICAL FLUORSPAR

● Mr. ROCKEFELLER. Mr. President, today I am introducing a bill to suspend temporarily the duty on metallurgical fluorspar. This is a product used almost exclusively by the steel industry.

The duty on metallurgical fluorspar was changed in 1980 from $7.50 per short ton to an ad valorem rate of 13.5 percent in order to help stimulate the domestic industry. This has not happened, and imports of metallurgical fluorspar far exceed domestic production. The Bureau of Mines has reported that reserves of fluorspar in the United States are insufficient to meet domestic demand over the next decade.

Because adequate supplies of domestic metallurgical fluorspar are not available, reliance on foreign fluorspar is necessary. Maintaining the duty on this project is now unnecessary and serves only to harm the domestic steel industry.●

By Mr. DOMENICI:

S. 2143. A bill to establish the Organ Mountains National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

ORGAN MOUNTAINS NATIONAL CONSERVATION AREA ESTABLISHMENT ACT

● Mr. DOMENICI. Mr. President, I rise today to introduce legislation that will allow the people of southern New Mexico to continue to enjoy the Organ Mountains through the creation of the Organ Mountains National Conservation Area [NCA].

The jagged Organ Mountains loom over the city of Las Cruces in southern New Mexico. Many of the estimated 800,000 residents of Las Cruces and nearby El Paso, TX, have enjoyed the natural and recreational resources of the Organ Mountains and the adjacent Franklin Mountains. Currently, approximately 150,000 people visit these areas each year to camp, hike, and picnic and to observe its rich diversity of wildlife, vegetation, and archaeological resources.

Las Cruces is the 10th fastest growing urban area in the United States, and as the population of the area has grown, the use of the Organ and Franklin Mountains has increased. The Organ Mountains NCA would permit the public to continue to use and enjoy Organ and Franklin Mountains by enhancing the protection and management of the area.

The Organ Mountains NCA, which would be managed by the Bureau of Land Management [BLM], would encompass 58,000 acres in the Organ and Franklin Mountains, 51,000 acres of these lands are already in Federal ownership. Some of these lands are White Sands Missile Range lands, and BLM would enter into a management agreement with the Department of Defense for these lands. The 3,400 acres of private lands within the NCA would be acquired on a willing seller basis only. Acquisition costs are estimated to run $3 to $3.5 million. Grazing, hunting, trapping, and mineral leasing would be permitted. No hardrock mining would be allowed.

The NCA idea developed as the New Mexico congressional delegation was deliberating on proposed BLM wilderness areas in New Mexico. BLM has proposed designating a portion of the Organ Mountains as wilderness. The delegation felt that, although a wilderness area should be created in the Organ Mountains, an NCA also should be created to enhance the protection and management of additional lands in the Organ and Franklin Mountains.

No wilderness would be designated under this bill. Such a designation would await the New Mexico BLM wilderness bill, which the delegation continues to work on.

This legislation follows the enactment in 1988 of legislation that I authored that exchanged BLM land at "A" Mountain in Las Cruces for land owned by New Mexico State University at Aguirre Springs in the Organ Mountains. One of the stated purposes of this legislation was to consolidate BLM lands in the Organ Mountains for the eventual creation of the Organ Mountains NCA.

The Organ Mountains NCA will be the second NCA in New Mexico. In 1987, I authored the legislation that created El Malpais National Conservation Area near Grants. The proposed Organ Mountains NCA is based on El Malpais NCA, and just as thousands have already enjoyed the natural and recreational resources of El Malpais, many people would benefit from the creation of the Organ Mountains NCA.

Mr. President, this legislation would protect a high-quality area for the people of southern New Mexico and southwestern Texas at a relatively low cost. I look forward to quick action by the Senate on this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Organ Mountains National Conservation Area Establishment Act".

SEC. 2. ORGAN MOUNTAINS NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT.—In order to improve, conserve, and protect for the benefit and enjoyment of future generations that area in southern New Mexico containing the Aguirre Springs Recreation Area, Dripping Springs, La Cueva, and other unique and nationally important ecological, cultural, scenic, scientific, and recreational resources of the public lands in the Organ and Franklin Mountains, there is hereby established the Organ Mountains National Conservation Area (hereafter in this Act referred to as the "conservation area"). The conservation area shall consist of approximately 58,560 acres, as generally depicted on a map entitled "Organ Mountains National Conservation Area" and dated February 1989.

(b) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereafter in this Act referred to as the "Secretary"(shall file a map and legal description of the conservation area with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such legal description. The map and legal description shall be on file and available for public inspection in the office of the New Mexico State Director of the Bureau of Land Management, Department of the Interior.

SEC. 3. MANAGEMENT.

(a) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the conservation area to improve, conserve, and protect the resources mentioned in section 2 in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable provisions of law, including those provisions relating to grazing on public lands.

(b) HUNTING AND TRAPPING.—The Secretary shall permit hunting and trapping within the conservation area in accordance with applicable laws and regulations of the

United States and the State of New Mexico except that the Secretary, after consulation with the New Mexico Department of Game and Fish, may issue regulations designating zones where, and establishing periods, when no hunting or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) GRAZING.—Within the conservation area, the grazing of livestock shall be permitted to continue pursuant to applicable Federal law, including this Act, and subject to such reasonable regulations, policies, and practices as the Secretary deems necessary.

(d) WITHDRAWAL.—Subject to valid existing rights, the lands within the conservation area are withdrawn from the operation of the general mining laws.

SEC. 4. ACQUISITIONS.

(a) IN GENERAL.—Within the conservation area, the Secretary is authorized to acquire from a willing landowner lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer and may acquire lands from any other Federal agency. Lands or interests therein owned by the State of New Mexico or a political subdivision thereof may be acquired under this section only by exchange. It is the sense of Congress that the Secretary should complete the acquisition of all surface and non-Federal subsurface interests underlying the conservation area no later than 4 years after the date of enactment of this Act.

(b) EXCHANGE.—All exchanges pursuant to this Act shall be made in a manner consistent with applicable provisions of law, including this Act and shall be on the basis of equal value, except that if the parties to an exchange and the Secretary determines it is in the public interest, such exchange may be made for other than equal value. Either party to an exchange under subsection (a) may pay or accept cash in order to equalize the value of the property exchanged.

SEC. 5. MANAGEMENT PLAN.

The Organ Mountains Coordinated Resource Management Plan, April 1989, Bureau of Land Management, shall be the management plan governing uses within the conservation area. Such plan may be revised or amended at the discretion of the Secretary. The plan shall be revealed with full public participation within 5 years after the date of enactment of this Act.

SEC. 6. COOPERATIVE MANAGEMENT.

(a) IN GENERAL.—The Department of the Army and the Department of the Interior shall enter into a cooperative agreement relating to the joint use, management, and protection of scenic, cultural, and natural values within the conservation area. The agreement shall provide for public recreation access to that portion of Fort Bliss lying west of the topographic crest of the Organ Mountains and for military use with no public access to those Bureau of Land Management-administered lands lying east of the topographic crest of the Organ Mountains and west of Fort Bliss.

(b) MANAGEMENT RESPONSIBILITY.—Management of those lands within the conservation area west of the topographic crest of the Organ Mountains shall be the responsibility of the Secretary of the Interior. Management of those lands within the conservation area lying east of the topographic crest of the Organ Mountains and west of Fort Bliss shall be the responsibility of the Secretary of the Army.

(c) REMOVAL OF UNEXPLODED ORDINANCE.—Prior to implementation of this agreement of the Army shall, through record search and on-site investigation, as necessary, identify and remove potentially dangerous unexploded ordinance from within the conservation area.

(d) COMPLETION DATE.—The cooperative agreement shall be completed within the 2-year period beginning on the date of enactment of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.●

By Mr. BAUCUS (for himself and Mr. CHAFEE):

S. 2144. A bill to provide for the issuance of super savings bonds to increase national savings and reduce Federal debt owned to foreign creditors; to the Committee on Finance.

SUPER SAVINGS BOND ACT

● Mr. BAUCUS. Mr. President, as a chairman of the Congressional Competitiveness Caucus, I rise today to introduce legislation that I hope will encourage Americans to increase their savings. This legislation, the Super Savings Bond Act, is also sponsored by Senator CHAFEE, another chairman of the caucus.

Our legislation requires Treasury to issue Super Savings Bonds [SSB's]. These bonds would be sold through payroll deduction plans in denominations of from $50 to $500. Each purchaser would be limited to $500 in face value per month. The bonds would have a maturity of 12 years and could be redeemed at any time after 5 years from the date issued.

SSB's would yield 97 percent of the 5-year Treasury bond rate. This is a substantial increase over the current savings bond rate.

The objective of this legislation is to encourage all workers to increase their savings rate. Hopefully, the payroll deduction plan will make the difficult task of saving easier.

America's position in the economic world has always been that of the innovator, the pioneer, the leader. Countries like Japan and West Germany built their economies on the blueprints of the powerful United States economic experiment. But as we begin the 1990's, America's economic superiority is slipping from its weakening grasp: imports are increasing and our share of the world market in high technology, manufactured products is falling. We have even reached the point where Japan's dominance of the world semiconductor market could lead to a situation in which the U.S. defense industry must purchase necessary computer chips from foreign countries.

In the battle to maintain our economic competitiveness, many fanciful explanations have surfaced; some dismiss the current lull as a simple lapse in American confidence, and others suggest that the Japanese are waging a secret trade war. Such extreme visions might have an indirect role in the decline of American competitiveness, but direct causes can be pinpointed.

The low savings rate is one of these causes. National savings is directly related to national investment and innovation. That means that a high savings rate is crucial to our international competitiveness.

Unfortunately we may be taking our historical economic success for granted. Backed by public policy and private attitude, the American people have been taking their money out of savings to support their consumer lifestyles. From 1960 to 1980 the United States enjoyed an average national savings rate of 7.4 percent. As the 1980's have passed, this rate has drastically declined and it hit a low of 1.7 percent in 1986.

Some contend that historical trends and economic indicators predict the 1980's to be a time of low private savings worldwide. But comparisons with other countries prove otherwise. Canada, a perennial indicator of the U.S. economy because of its nearly identical economic situation, has experiened an increase in its private savings rate from a steady 7 percent in the 1970's to about 12 percent in the 1980's, almost double that of the U.S. rate.

Canada is not the only country that has a higher savings rate than the United States. Our rate is less than half that of Great Britain, Italy, France, and most other European countries.

The low savings situation can be attributed partially to the Federal Government's inability to pay for its expenditures. Because this public component of national savings is negative, it directly lowers the entire national savings rate. But the deficit accounts for only about half of the total loss in savings. Declines in private savings rates are responsible for the rest.

Since 1960, the private savings rate has steadily dropped from an average of 7.2 percent for the 1960's to a 4.3-percent average in the 1980's. Dramatic declines in household savings account for the total falls in private savings rates. In fact, if adjustments are made for inflation and pension benefits, the personal savings rate has been negative for the last 10 years.

Though the rate has dropped, direct negative effects are hard to recognize. Plants continue to produce, and consumers continue to consume as foreign investors provide an artificial savings pool in place of the one once funded by our own savings. Americans are currently borrowing and investing from this pool, but we are not saving enough to pay for our consumption and investment. And our reliance on foreign investors to supply the missing funds marks the United States as a debtor nation.

Just like any household, this country cannot sustain a permanent debt. We cannot continue to live with high interest rates, increasing foreign investment, and the trade deficit necessary to cover a negative current accounts balance. We must ask ourselves, "how long can the United States borrow before the creditors decide that investment is too risky?" Perhaps never, but a strong economy cannot be built on the tenuous whims of another nation.

We must act. Now. We must increase our savings rate. Raising the savings rate is a necessary change that will give the country control of a strong and reliable economic foundation.

It is with this goal of lifting the United States back to its economic superiority that Senator CHAFEE and I, as chairmen of the Congressional Competitiveness Caucus, are introducing the Super Savings Bond Act. A companion bill has been introduced in the House by Representatives KAPTUR and SCHNEIDER, the House chairs of the caucus.

Our bill would create Super Savings Bonds that are purchased through payroll deductions. The bonds would only be available through payroll deductions so that they will lead to new savings, rather than to shuffling savings between different savings vehicles.

The bonds would be U.S. Government bonds and would be issued in denominations of $50 to $500. They would be issued at 50 percent of face value and would have a maturity of 12 years. An investor could purchase up to a face value of $500 in bonds each month.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the ordered to be printed in the RECORD, as follows:

S. 2144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be referred to as the "Super Savings Bond Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) United States net national saving rates have declined from over 7 percent of national income during the 1970s to barely 3 percent of national income in 1989;

(2) the decline in the national rate of saving has forced the United States to borrow massively from foreign creditors, with over $500,000,000,000 borrowed in the years 1985 through 1988 alone;

(3) the outstanding amount of Federal Government borrowing from foreign creditors exceeded $350,000,000,000 as of 1988;

(4) in the years 1985 through 1988, over 40 percent of net national investment in the United States was financed by borrowing from foreign creditors;

(5) the United States economy has been attracting the capital and investment it needs from abroad by selling its assets cheaply, including land, corporations, and securities, through the inducement of an undervalued dollar which makes these assets inexpensive in foreign currency;

(6) net savings rates in the United States are less than ¼ of the net savings rates in Japan, and less than ½ of the net savings rates in the United Kingdom and Canada and in Italy, France, and most other European countries;

(7) current United States savings are not producing enough investment to foster a sound domestic economy; and

(8) a continuation of America's low savings rate will contribute to a lowered standard of living for the average American.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase national savings;

(2) to provide an incentive to the American public to increase savings through regular payroll deductions;

(3) to reduce the amount of foreign credit which has been necessary in recent years to finance the Federal deficit;

(4) to provide sufficient capital for investment in America's future;

(5) to assist in restoring national saving rates from today's level of about 3 percent of national income to the 1970s' average of over 7 percent of national income; and

(6) to assist United States leaders in promoting the purchase of super saving bonds to help strengthen the United States economy.

SEC. 3. SUPER SAVINGS BONDS.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end thereof the following section:

"§ 3114. Super savings bonds.

"(a) IN GENERAL.—The Secretary of the Treasury shall—

"(1) issue super savings bonds of the United States Government, and

"(2) buy, redeem, and make refunds of such bonds under section 3111 of this title.

"(b) REQUIREMENTS RELATING TO ISSUANCE AND SALE.—

"(1) SPECIFICATIONS.—Super savings bonds shall be issued under this section—

"(A) on a discount basis at 50 percent of the face value of the bond.

"(B) in a variety of denominations from $50 to $500,

"(C) with a maturity of 12 years, and

"(D) only through payroll deduction plans or regular monthly purchase plans offered by financial institutions which meet the requirements of section 3105(d).

"(2) MAXIMUM MONTHLY INDIVIDUAL PURCHASE AMOUNT.—The total face value of super savings bonds that may be purchased by any person during any month shall not exceed $500.

"(c) REQUIREMENTS RELATING TO REDEMPTION.—

"(1) IN GENERAL.—Any super savings bond issued under this section may be redeemed—

"(A) after the end of the 5-year period beginning on the date on which the bond is issued; and

"(B) at a yield that is equal to the greater of—

"(i) 6 percent, or

"(ii) 97 percent of the average market yield on the last issue of 5-year notes made under section 3103 before the issuance of the bond.

"(2) REDEMPTION BEFORE MATURITY.—Any super savings bond issued under this section may redeemed—

"(A) during the 54-month period that begins after the end of the 6-month period beginning on the date on which the bond is issued; and

"(B) at a yield determined by the Secretary which—

"(i) is at least 3 percent at the beginning of the 54-month period referred to in subparagraph (A), and

"(ii) gradually increases over such 54-month period to the yield determined under paragraph (1)(B) at the close of such 54-month period.

"(3) CERTAIN PREMATURE REDEMPTIONS PROHIBITED.—No super savings bond issued under this section may be redeemed before the end of the 6-month period beginning on the date on which the bond is issued.

"(d) TERMS AND CONDITIONS TO BE ESTABLISHED BY SECRETARY.—Subject to the provisions of this section, the Secretary of the Treasury may prescribe, with respect to the super savings bonds issued under this section—

"(1) the form and amount of the bonds,

"(2) the manner in which the bonds will be issued,

"(3) the conditions (including restrictions on transfer) to which the bonds will be subject,

"(4) the conditions governing redemption of the bonds,

"(5) the denominations of the bonds, and

"(6) the manner in which records of the payments for or on account of the bonds may be maintained.

"(e) PROVISIONS RELATING TO AUTHORIZED FINANCIAL INSTITUTIONS.—

"(1) IN GENERAL.—The Secretary of the Treasury may authorize any financial institution which meets the requirements of section 3105(d) to—

"(A) sell super savings bonds issued under this section; and

"(B) make payments to redeem such bonds.

"(2) FEES FOR FISCAL AGENTS.—The Secretary of the Treasury shall pay a fee to any financial institution which acts as a fiscal agent of the United States under paragraph (1) in such amount which the Secretary of the Treasury determines to be reasonable for acting as such an agent.

"(3) DEPOSITS OF SALE RECEIPTS.—Notwithstanding any other provision of this title or of any other law, a financial institution shall not be required to deposit into the Treasury of the United States, or into a Federal Reserve bank, any receipts from the sale of any super savings bond issued under this section before the end of the 14-day period beginning on the date on which the bond is sold.".

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end the following new item:

"3114. Issuance of super savings bond.".

(2) Section 3108 of title 31, United States Code, is amended by striking out "and 3105-3107" and inserting in lieu thereof ", 3105, 3106, 3107, an 3114".●

● Mr. CHAFEE. Mr. President, the level of national savings in the United States has been steadily decreasing in recent years. Reversing this trend should be one of the top priorities of Congress.

During the 1970's, the United States saved, on average, almost 8 percent of its national income. By the mid-

1980's—1985-87—however, the average savings rate had declined to only 2.1 percent of national income. Such a low rate is unprecedented for periods of economic expansion, not only in the United States, but in all industrialized nations.

According to the National Income and Products Accounts compiled by the Commerce Department, Americans have actually spent more than they have received in spendable income in each of the last 4 years. In 1987, the truly personal component of the savings rate reached a low of negative 2.5 percent.

Senator BAUCUS and I, as the Senate Co-Chairs of the Congressional Competitiveness Caucus, have been studying the effect of our low savings rate on our ability to compete successfully in the global market. The budget deficit and overconsumption by all Americans during the 1980's have caused our reliance of foreign investment to provide most of the investment capital necessary for our businesses and economy to continue expanding.

America's low national savings rate is directly related to our large, unsustainable budget and trade deficits. The economic independence of America continues to be threatened as individuals, corporations, and the Federal Government live beyond their means. As long as this trend continues, the mortgaging of American real estate, factories, banks, and technology to foreign interests will continue.

Given the magnitude of this problem, Government policies should be carefully scrutinized to ensure they encourage saving over consumption by both the Federal Government and the private sector. Our attention should be focused on increasing the supply of domestic investment capital, thus improving the international competitiveness of American businesses and continuing the economic growth we have experienced over the past 7 years.

For these reasons, I believe it is vitally important to take steps to increase our savings rate. The most direct method of increasing national savings is to reduce the Federal budget deficit, which must continue to be our top priority.

In addition, Senator BAUCUS and I are introducing a new type of incentive that will help increase national savings and reduce Federal debt owed to foreign creditors. Under our proposal, the Federal Government would issue higher yield, zero-coupon super savings bonds [SSB's] to encourage saving among working men and women.

These super savings bonds would be non-negotiable with a maturity of 12 years and would be available only through payroll deductions. SSB's could be promoted and sold, at a discount, by banks and other financial institutions in small denominations ranging from $50 to $500, with a limit of $500 in face value per worker during any month. These bonds could be redeemed at any time after 5 years from the issuance date. When they are redeemed, the accrued interest income would be taxed as ordinary income.

This new type of bond has several features that should encourage increased saving. First, SSB's would yield 97 percent of the 5-year Treasury bond rate, a substantial increase over the rate currently offered on savings bonds. This should serve as a valuable incentive to all households, regardless of tax bracket, to increase their saving efforts. Second, the use of payroll deductions should promote a regular pattern of saving, rather than solely encouraging reshuffling current savings. Third, the introduction of these new bonds could become part of a widespread public campaign to encourage increased saving.

Currently, over 47,500 companies have made payroll deduction plans available to their employees for the purchase of U.S. savings bonds. In 1988, 6.6 million employees participated in such plans, purchasing savings bonds totaling over $3 billion. I believe our proposal will attract millions of new savers and billions of dollars in new savings through SSB's.

I hope we can move swiftly on this proposal and make Super Savings Bonds the first step in a national campaign to increase personal, corporate, and government savings. SSB's will provide working men and women with an opportunity to help the Nation regain its economic competitiveness and independence, while also improving their own financial security.●

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 2145. A bill to designate the Department of Veterans Affairs medical center in Saginaw, MI, as the "Aleda E. Lutz Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

ALEDA E. LUTZ DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

● Mr. RIEGLE. Mr. President, I would like to draw your attention to the heroic acts of Aleda E. Lutz, of Saginaw, MI, who died in the crash of an army transport plane during World War II. First Lieutenant Lutz was the first woman pilot to receive the Distinguished Flying Cross and warmly deserves our recognition. Today, along with Senator LEVIN, I am proud to introduce a bill which would rename the Department of Veterans Affairs medical center in Saginaw, MI, as the "Aleda E. Lutz Department of Veterans Affairs Medical Center."

Commended by the Army for "extraordinary achievement," Lieutenant Lutz, or "Lutzy," as she was affectionately known, distinguished herself through her superior professional skill and courage. As a member of the 802d Medical Air Evacuation Squadron, she flew a C-47 hospital plane on over 190 missions, totaling more than 800 flying hours. Lieutenant Lutz's bravery is evidenced by the fact that she was known to volunteer for missions that no other pilots would attempt. In doing so, she helped evacuate some 3,500 wounded soldiers from war zones during World War II. Tragically, Lieutenant Lutz died on November 1, 1944 when her aircraft was caught in a violent storm near Lyon in the south of France.

After serving in military campaigns in Tunisia, Sicily, southern and central Italy, and southern France, Lieutenant Lutz's true heroism earned her the Army's Distinguished Flying Cross. The official citation issued posthumously by the Department of the Army recognized that "her selfless devotion to duty and outstanding proficiency have reflected the highest credit upon herself and the Armed Forces of the United States."

Lieutenant Lutz's courage, however, has not gone unnoticed. On April 8, 1945, the U.S. Army hospital ship, the *Aleda E. Lutz*, was commissioned. This 16,000 ton ship was the largest hospital ship at sea at the time. It could care for 800 patients, while carrying a complement of 18 doctors, 44 nurses, and 188 enlisted attendants.

Moreover, the Department of Veterans Affairs hospital in Saginaw has been unofficially known as the "Aleda E. Lutz Hospital" for many years. In July 1949, the VA announced that the new hospital in Saginaw would be dedicated to Lieutenant Lutz. Unfortunately, there was never any official designation of the hospital in her name. In reality, however, Lieutenant Lutz has been associated with the hospital in print until 1975 and, on occasion, the hospital is still conversationally discussed in her name. The bill I introduce today, which passed the House of Representatives last year with the support of the entire Michigan delegation, would not only recognize the bravery and courage exhibited by Lieutenant Lutz during World War II, but would rectify the existing situation by officially naming the Saginaw Medical Center after the person in whose name it was dedicated. I urge my colleagues to extend to Lt. Aleda E. Lutz the honor and recognition she deserves by supporting this bill to redesignate the Saginaw VA Medical Center in her name.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2145

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the Department of Veterans Affairs medical center in Saginaw, Michigan, shall after the date of the enactment of this Act be known and designated as the "Aleda E. Lutz Department of Veterans Affairs Medical Center". Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall after such date be deemed to be a reference to the Aleda E. Lutz Department of Veterans Affairs Medical Center.●

By Mr. DASCHLE (for himself, Mr. CONRAD, and Mr. BAUCUS):

S. 2146. A bill to clarify the authority of the Small Business Administration to make disaster assistance loans to small businesses in case of disasters determined by the Secretary of Agriculture; to the Committee on Small Business.

SMALL BUSINESS ECONOMIC INJURY DISASTER LOANS AMENDMENTS ACT

● Mr. DASCHLE. Mr. President, I rise today to introduce legislation that would allow all American small businesses to have an equal opportunity to establish eligibility for the Small Business Administration's Economic Injury Disaster Loans [EIDL] Program. I am pleased that Senator CONRAD and Senator BAUCUS join me in seeking a legislative remedy to an SBA policy that is fundamentally unfair in its treatment of rural small businesses affected by drought.

The problem this legislation addresses is simple. Under current law, all small businesses suffering losses in a federally declared disaster are eligible to apply for SBA economic injury disaster loans. However, in the case of drought, SBA administrators have declared that a business must be able to demonstrate that its losses are directly related to the drought's impact on agriculture.

What does this mean in real life? In South Dakota, which is entering its third consecutive year of drought, a feed operator could apply for SBA assistance, but a marina operator on the Missouri River, whose boat ramps have been left on a mud flat 200 yards for the river's edge by drought, cannot.

Was it Congress' intent in establishing the SBA Economic Injury Disaster Loan Program that in the case of drought alone a small business's losses must be directly attributable to a secondary factor beyond the natural disaster itself? I think not.

The legislation I am introducing today does not create a new program. It does not expand the scope of an existing program. It does not authorize additional expenditures for an existing program. All it does is clarify that it is the intent of Congress that all small businesses be able to apply for SBA economic injury disaster loans if they are affected by a federally declared disaster, whether that disaster by fire, flood, tornado or drought.

Mr. President, many regions of the country have been devastated by extended drought conditions during recent years. South Dakota and many of her sister States in the Great Plains are entering a third consecutive year of drought—a condition that is beginning to tear at the very fabric of rural life in the region.

Most Americans see drought in terms of its impact on agriculture and consumer prices. Television brings us vivid snap shots of hard times on the farm and warnings of what we might expect in the way of price increases at the grocery store. What they often don't see is the devastating impact drought can have on another segment of rural society, mainstreet businesses.

Extended drought disrupts normal economic activity for all rural enterprises. In South Dakota, for example, 3 years of drought has severely affected all forms of commerce. Contractors, merchants, and river-based industries have all been hurt by the disaster. With water levels on the Missouri River 25 feet lower than normal, much business activity has ground to a virtual halt.

Rural businesses in South Dakota, seeing no end to this cycle of drought, wonder whether they can last another full year. They ask whether any government program exist that may be able to help them through this disaster. The answer is that there is a program on the books that could provide loans to businesses that suffer economic losses from federally declared disasters, but program administrators have decided, unilaterally, not to implement it.

Mr. President, I have the dubious distinction of representing a State that had two different of Federal disasters declared in 1 year. First, most of the counties in my State were declared drought disaster areas. Later, fires consumed vast forests in the beautiful Black Hills, prompting yet another Federal disaster declaration. While economic injury disaster loans were available to small businesses for both disasters, I experienced a great deal of difficulty explaining to my constituents why all small businesses would be eligible for assistance if they had losses related to the fire, but that only those enterprises that could establish that their losses were directly related to agriculture could receive loans for drought.

This double standard is nothing less than sheer discrimination. A Federal disaster is a Federal disaster. Economic losses from a disaster are counted in the same dollars. As long as we offer a program for economic assistance to small businesses in disaster areas, we should not tolerate overt discrimination by the administering Federal agency.

I am not asking that we increase the funds we expend yearly for economic injury disaster loans. I am just calling on my colleagues to join me in ensuring that all small businesses affected by federally declared disasters are treated equitably. The legislation I am introducing today will do just that.●

By Mr. BOREN (for himself and Mr. COCHRAN):

S. 2147. A bill to provide for certain agricultural trade programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURAL TRADE PROMOTION ACT

● Mr. BOREN. Mr. President, today I am joining with my distinguished colleague, Senator COCHRAN of Mississippi, in introducing the Agricultural Trade and Promotion Act of 1990.

The growth of the American agricultural sector depends on its ability to sell our products in overseas markets. To help in that effort, Congress has enacted several policy tools to help our agricultural producers develop new markets and to counter heavy export subsidies, especially those of the European community.

For example, Mr. President, I recently chaired a hearing of the Senate Agriculture Subcommittee on Domestic and Foreign Marketing which heard testimony that the European Community spends 10 times the amount of the United States on agricultural export subsidies. The Community will repay their exporters any amount necessary to win markets by selling at a loss.

The 1985 Food Security Act enacted the Export Enhancement Program [EEP] which awards Commodity Credit Corporation certificates for surplus stocks to United States exporters in order to help them counter the European subsidies. The program has been a success. A recent U.S. Department of Agriculture study attributed one-third of our increased grain exports to the EEP. This legislation reauthorizes the EEP and other important agricultural trade programs.

Specifically, the provisions of the bill:

Reauthorize the Export Enhancement Program [EEP] at an increased funding level of $1 billion and specifically provide for transportation costs to be included in the bonus level; increase the level of funding for the GSM Export Credit Guarantee Program under which USDA guarantees commercial loans for the sale of U.S. agricultural exports from $5 to $7 billion; set higher standards for foreign-owned banks to become eligible GSM lenders; require 90 percent or more of the content of GSM-financed shipments to be grown or raised in the United States; establish a revolving loan fund to offer blended credit to Eastern Europe and other developing democracies for the purchase of United States commodities; reauthor-

ize the Targeted Export Assistance [TEA] and Cooperator market development programs with tighter guidelines to ensure accountability and efficiency; continue the antiembargo and contract sanctity provisions of the 1985 Food Security Act; reauthorize the Cottonseed Oil Assistance Program [COAP] and the Sunflower Oil Assistance Program [SOAP]; expand existing programs to allow for two-way exchange of agribusinessmen, researchers, and producers to and from developing democracies in order to facilitate increased agricultural trade.

The trade title of the 1990 farm bill will be one of the first to be considered by the Senate Agriculture Committee, and I believe the provisions of this bill deserve strong consideration.

Failing to take a strong stand for export programs in the new farm bill would send exactly the wrong signal to our competitors while we are in the middle of the GATT negotiations. We must send our competitors a strong signal that U.S. agriculture is in the market to stay. Therefore, I urge my colleagues to cosponsor and support this legislation that is so important to the future of our agricultural sector.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the "Agricultural Trade Promotion Act of 1990".

SEC. 2. TABLE OF CONTENTS.

Sec. 101. Agricultural Trade Policy of the United States.
Sec. 102. Purpose of Act.
Sec. 103. Export Enhancement Program.
Sec. 104. Targeted Export Assistance Program.
Sec. 105. Cooperator Program.
Sec. 106. Export Credit Guarantee Programs.
Sec. 107. Cottonseed Oil and Sunflower Oil Exports.
Sec. 108. Discretionary Marketing Loan for Wheat and Feed Grains.
Sec. 109. Agricultural Export Credit Revolving Fund.
Sec. 110. Blended Credit Program for Emerging Democracies.
Sec. 111. Agricultural Fellowship Program for Middle Income Countries and Emerging Democracies.
Sec. 112. Amendments to Farmer-to-Farmer Program.
Sec. 113. Contract Sanctity and Producer Embargo Protection.

SEC. 101. AGRICULTURAL TRADE POLICY OF THE UNITED STATES.

It is the policy of the United States—

(1) to provide, through all possible means, agricultural commodities and products for export at competitive prices, with full assurance of quality and reliability of supply;

(2) to support the principle of free trade and the promotion of fair trade in agricultural commodities and products;

(3) to aggressively counter unfair foreign trade practices using all available means, including export promotion programs and, if necessary, restrictions on United States imports of foreign agricultural commodities and their products as a means to encourage fairer trade; and

(4) to remove foreign policy constraints to maximize United States economic interests through agricultural trade.

SEC. 102. PURPOSE OF ACT.

It is the purpose of this Act to increase the profitability of farming and to increase opportunities for United States farms and agricultural enterprises by—

(1) increasing the effectiveness of the Department of Agriculture in agricultural trade program implementation; and

(2) improving the competitiveness of United States agricultural commodities and products in the world market.

SEC. 103. EXPORT ENHANCEMENT PROGRAM.

(a) EVIDENCE OF SALES CONTRACTS; COST OF FREIGHT.—Subsection (b) of section 1127 of the Food Security Act of 1985 is amended—

(1) in paragraph (4), by striking the period at the end thereof and inserting in lieu thereof ";"';

(2) in paragraph (5), by striking the period at the end thereof and inserting in lieu thereof ";"; and

(3) by adding at the end thereof the following new sections—

"(6) shall require the United States exporter, user, or processor, or eligible foreign purchaser, as applicable, to submit evidence of the sales contract that is the basis of the provision of assistance under this section prior to submitting bids to the Secretary under the program established under this section;

"(7) shall take such action as may be necessary to verify the existence of sales contracts referred to in paragraph (6); and

"(8) shall take in consideration the cost of freight from the United States to designated points of entry in other nations.".

(b) REAUTHORIZATION—Section 1127(h) of the Food Security Act of 1985 is amended by striking out "1990" and inserting in lieu thereof "1995".

(c) FUNDING LEVELS—Section 1127(i) of the Food Security Act of 1985 is amended—

(1) by striking out "1985" and inserting in lieu thereof "1990";

(2) by striking out "1990"; and inserting in lieu thereof "1995"; and

(3) by striking out "$,500,000,000" and inserting in lieu thereof "5,000,000,000".

SEC. 104. TARGETED EXPORT ASSISTANCE PROGRAM.

(a) Paragraph (3) of section 1124(a) of the Food Security Act of 1985 (7 U.S.C. 1736s(a)(3)) is amended by striking out "and 1990" and inserting in lieu thereof "through 1995"

(b) Section 1124(c) of the Food Security Act of 1985 is revised to read as follows—

"(c) In providing export assistance under this section, the Secretary or the Commodity Credit Corporation (as applicable) shall—

"(1) provide export assistance on a priority basis in the case of—

"(A) agricultural commodities with respect to which there has been a favorable decision under section 301 of the Trade Act of 1974; or

"(B) agricultural commodities for which exports have been adversely affected, as defined by the Secretary, by rataliatory actions related to a favorable decision under section 301 of the Trade Act of 1974;

"(2) consider the participant organization's prior export promotion experience;

"(3) consider the participant organization's ability to adequately develop, supervise and execute program activities; and

"(4) consider whether, and to what extent, third parties in the foreign country will contribute to the program undertaken by the participant organization under this section.".

(c) Section 1124 of the Food Security Act of 1985 is amended by adding the following new subsection at the end thereof—

"(d) The Secretary of the Commodity Credit Corporation shall only provide export assistance under this section to organizations consisting of producers or processors of United States agricultural commodities that provide—

"(1) with respect to a specific program activity involving such organization that is funded under this section, contributions in cash equal to at least five (5) percent of all generic program activity costs incurred in such specific program carried out under this section; and

"(2) with respect to a specific program activity involving such organization and a branded product promotion that is funded under this section, reimbursement to the Commodity Credit Corporation in cash equal to at least fifty (50) percent of all branded program activity costs."

"(e) The Secretary of Agriculture shall conduct an evaluation with respect to the expenditure of funds received under this section by each recipient of such funds. Such evaluation shall be conducted no later than 15 months after the initial provision of such funds to the participant and shall include—

"(1) an evaluation of the effectiveness of the program established using funds under this section in developing or maintaining markets for United States agricultural products;

"(2) an evaluation of whether assistance under this section is necessary to maintain such market;

"(3) a thorough accounting of the expenditure by the participant of funds provided under this section.".

SEC. 105. COOPERATOR PROGRAM

It is the sense of Congress that—

(1) the cooperator market development program of the Foreing Agricultural Service should be continued to help develop new markets and expand and maintain existing markets for United States agricultural commodities, using nonprofit agricultural trade organizations to the maximum extent practicable;

(2) such cooperator program should be funded at a level of no less than $40,000,000 for each of the fiscal years ending September 30, 1991, through September 30, 1995; and

(3) in carrying out such cooperator program, the Foreign Agricultural Service should give a high priority to market development in Eastern European.

SEC. 106. EXPORT CREDIT GUARANTEE PROGRAMS.

(a) SHORT-TERM EXPORT CREDIT GURANTEES.

(1) CONSIDERATIONS—In making available any guarantees of the repayment of credit extended on terms of up to 3 years in connection with the export sale of United States agricultural commodities or the products thereof, the Commodity Credit Corporation shall take into account—

(A) the credit needs of countries that are potential purchasers of United States agricultural exports;

(B) the creditworthiness of such countries; and

(C) whether the availability of Commodity Credit Corporation guarantees will improve the competitive position of United States agricultural exports in world markets.

(2) MINIMUM AMOUNTS—The Commodity Credit Corporation shall make available for each of the fiscal years ending September 30, 1991, through September 30, 1995, not less than $7,000,000,000 in credit guarantees under its export credit guarantee program for short-term credit (up to 3 years) extended to finance the export sales of United States agricultural commodities and the products thereof.

(3) LIMITATION ON ORIGINATION FEE—Notwithstanding any other provision of law, the Secretary of Agriculture may not charge an origination fee with respect to any credit guarantee transaction under its export credit guarantee program for short-term credit (GSM-102) in excess of an amount equal to one percent of the credit extended under the transaction.

(b) INTERMEDIATE-TERM EXPORT CREDIT GUARANTEES—Paragraph (10) of section 4(b) of the Food for Peace Act of 1966 (7 U.S.C. 1707a(b)(10)) is amended—

(1) in subparagraph (A) by striking "; and" and inserting in lieu thereof";";

(2) in subparagraph (B), by striking the period at the end thereof and inserting "; and"; and

(3) by adding at the end thereof the following new subparagraph:

"(C) for each of the fiscal years ending September 30, 1991, through September 30, 1995, not less than $750,000.".

(c) ELIGIBILITY OF CERTAIN COMMODITIES.

(1) DOMESTIC CONTENT REQUIREMENT—Except as provided in paragraphs (2) and (3), exports of United States agricultural commodities shall be eligible for short- or intermediate-term export credit guarantees provided by the Commodity Credit Corporation if at least 90 percent of the cost of the agricultural commodities used to produce the commodity being exported is derived from agricultural commodities produced in the United States.

(2) INABILITY TO MONITOR—The Commodity Credit Corporation may require any export of United States agricultural commodities to be composed entirely of United States product in order to be eligible for short- or intermediate-term export credit guarantees if the Commodity Credit Corporation determines that it is not practicable to monitor the export of such commodity to determine the percentage of domestic content of such agricultural commodity because any of the following conditions exist:

(A) The commodity is a bulk commodity that is not commonly stored identity preserved and is often blended with commodities produced outside the United States.

(B) The commodity is a blend of commodities produced in both the United States and outside the United States that was produced under a procedure that does not make the percentage of domestic content of such product easily verifiable.

(C) The Commodity Credit Corporation determines that the domestic content of a particular export shipment or of a particular type of export of agricultural commodities is not practicable to verify.

(3) LIMITATION OF PERCENTAGE COVERED BY GUARANTEE—Any export credit guarantee made available with respect to the export of an agricultural commodity that is not composed of commodities produced entirely in the United States may not cover any portion of the exported commodity that was derived from agricultural commodities produced outside the United States.

(d) ELIGIBLE BANKS.

(1) GUIDELINES—The Commodity Credit Corporation shall establish by regulation a set of guidelines governing the eligibility of United States banks to negotiate letters of credit guaranteed by the Commodity Credit Corporation under the short- or intermediate-term export credit guarantee program and shall maintain a list of such eligible banks.

(2) CONSIDERATIONS—In establishing the guidelines under paragraph (1), the Commodity Credit Corporation shall ensure that participating banks—

(A) are in sound fiscal condition;

(B) have sufficient experience in transactions of the type being guaranteed by the Commodity Credit Corporation; and

(C) are not a branch, agency, subsidiary, or home office of the foreign bank issuing the letter of credit or a branch, agency or subsidiary of any other bank headquartered in the same country as the foreign bank issuing the letter of credit.

SEC. 107. COTTONSEED OIL AND SUNFLOWER OIL EXPORTS.

Section 301(b)(2)(A) of the Disaster Assistance Act of 1988 is amended by striking "and September 30, 1990," and inserting in lieu thereof "through September 30, 1995,".

SEC. 108. DISCRETIONARY MARKETING LOAN FOR WHEAT AND FEED GRAINS.

Notwithstanding any other provision of law, if the Secretary of Agriculture implements a program for the 1991 through 1995 crops of wheat or feed grains under the Agricultural Act of 1949 under which producers of such crops are allowed to repay price support loans for such crops at less than the original loan rate, the Secretary shall allow such producers to repay such price support loans at the lower of—

(1) the loan rate; or

(2) the prevailing world market price of such crops, as determined by the Secretary.

SEC. 109. AGRICULTURAL EXPORT CREDIT REVOLVING FUND.

Section 4(d)(6) of the Food for Peace Act of 1966 (7 U.S.C. 1707a(d)(6)) is amended by striking out "1990" both places it appears and inserting in lieu thereof "1995".

SEC. 110. BLENDED CREDIT PROGRAM FOR EMERGING DEMOCRACIES.

(a) SPECIAL PROGRAM FOR EMERGING DEMOCRACIES.—The Commodity Credit Corporation shall carry out a program under which commercial export credit guarantees are blended with direct credits from the Commodity Credit Corporation to reduce the effective rate of interest on export sales of United States agricultural commodities or the products hereof to countries that have begun the transformation of their system of government from a nonrepresentative type of government to a representative democracy, as determined by the Secretary.

(b) FUNDING.

(1) EXPORT CREDIT REVOLVING FUND.—The Commodity Credit Corporation shall carry out the program established under subsection (a) during the fiscal years ending September 30, 1991, through September 30, 1995, through funds made available under the agricultural export credit revolving fund (7 U.S.C. 1707a(d)).

(2) LIMITATION ON AMOUNT.—The Commodity Credit Corporation may not make more than $250,000,000 in blended credit under this section available in any of the fiscal years ending September 30, 1991, through September 30, 1995.

SEC. 111. AGRICULTURAL FELLOWSHIP PROGRAM FOR MIDDLE INCOME COUNTRIES AND EMERGING DEMOCRACIES.

(a) ESTABLISHMENT.—The Secretary of Agriculture shall establish a fellowship program for middle income countries and emerging democracies (the "Cochran Fellowship Program") to provide fellowships to persons from eligible countries who specialize in agriculture for study in the United States.

(b) ELIGIBLE COUNTRIES.—Countries that meet the following requirements shall be eligible to participate in the program established under this section.

(1) A country that has developed economically to the point where it no longer qualifies for bilateral foreign aid assistance from the United States because its per capita income level exceeds the eligibility requirements of such assistance programs (hereinafter referred to as "middle-income" country);

(2) A middle-income country that has never qualified for bilateral foreign aid assistance from the United States, but with respect to which an ongoing relationship with the United States, including technical assistance and training, would provide mutual benefits to such country and the United States; and

(3) A country that has recently begun the transformation of its system of government from a non-representative type of government to a representative democracy and that is encouraging democratic institution building, and the cultural values, institutions, and organizations of democratic pluralism.

(c) PURPOSE OF THE FELLOWSHIPS.—Fellowships under this section shall be provided in order to allow the recipients to gain knowledge and skills that will—

(1) assist eligible countries to develop agricultural systems necessary to meet the food needs of their domestic populations; and

(2) strengthen and enhance trade linkages between eligible countries and agricultural interests in the United States.

(d) INDIVIDUALS WHO MAY RECEIVE FELLOWSHIPS.—The Secretary shall utilize the expertise of United States agricultural counselors, trade officers, and commodity trade promotion groups working in participating countries to help identify program candidates from both the public and private sectors of those countries.

(e) PROGRAM IMPLEMENTATION.—The Secretary shall consult with other United States Government agencies, United States universities, and the private agribusiness sector, as appropriate, to design and administer training programs to accomplish the program objectives.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated without fiscal year limitation such sums as may be necessary to provide funding to carry out the program established under this section, except that the amount of such funds shall not exceed:

(1) for eligible countries that meet the requirements of subsection (b)(1), 3,000,000 dollars;

(2) for eligible countries that meet the requirements of subsection (b)(2), 2,000,000 dollars; and

(3) for eligible countries that meet the requirements of subsection (b)(3), 5,000,000 dollars.

(g) COMPLEMENTARY FUNDS.—When the Secretary of Agriculture determines that it

is advisable in furtherance of program purposes, the Secretary may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise, and may, in any manner, dispose of all such holdings and use the receipts generated from such disposition as general program funds under this section. All funds so designated for the program established under this section shall remain available until expended.

SEC. 112. AMENDMENTS TO FARMER-TO-FARMER PROGRAM.

Section 406 of the Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) in subsection (a), by striking "friendly developing countries" and inserting in lieu thereof "friendly developing countries, middle-income countries (as defined in section 111(b) of the Agricultural Trade Promotion Act of 1990) and newly emerging democracies (as defined in section 111(b) of such Act)";

(2) in subsection (a)(1)—

(A) by inserting "and agricultural systems" after "farmers,"; and

(B) by inserting "and marketing operations" after "farming";

(3) in subsection (a)(2), by striking "and other institutions of higher learning" and inserting in lieu thereof ", other institutions of higher learning and the private agribusiness community"; and

(4) in subsection (a)(3), by striking everything beginning with "private nonprofit" through "United States" and inserting in lieu thereof "private agribusiness and nonprofit farm organizations in the exchange of agribusiness leaders, farm youth, and farm leaders with developing and middle income countries, and emerging democracies and in the training of farmers and agricultural marketers of such countries within the".

SEC. 113. CONTRACT SANCTITY AND PRODUCER EMBARGO PROTECTION.

It is hereby declared to be the policy of the United States—

(1) to foster and encourage the export of agricultural commodities and the products of such commodities;

(2) not to restrict or limit the export of such commodities and products except under the most compelling circumstances;

(3) that any prohibition or limitation on the export of such commodities or products should be imposed only in time of a national emergency declared by the President under the Export Administration Act; and

(4) that contracts for the export of such commodities or products entered into before the imposition of any prohibition or limitation on the export of such commodities or products should not be abrogated.●

● Mr. COCHRAN. Mr. President, I join my distinguished colleague from Oklahoma, Senator BOREN, in introducing the Agricultural Trade Promotion Act of 1990, a bill to assist the Department of Agriculture in trade program implementation and to improve U.S. agricultural competitiveness in world markets.

Export and market development programs play a significant role in increasing farm exports and expanding the U.S. production base. This legislation will reauthorize the Export Enhancement Program, Export Credit [GSM programs], Targeted Export Assistance, and the Cooperator Program.

An aggressive agricultural trade policy is important to the success and prosperity of production agriculture in the United States. In 1988, American farmers sold 148 million metric tons of farm products valued at $35 billion. This was the highest volume in 5 years. Last years estimated export sales are valued at almost $40 billion.

Foreign markets are especially important to Mississippians, since nearly 20 percent of the cash value of products from Mississippi farms are marketed through export channels. Last year, Mississippi's share of farm market exports was $610 million. Cotton accounted for over 40 percent of these export sales, while soybeans, soybean products, rice, and poultry accounted for nearly 50 percent.

For the Nation as a whole, it is estimated that 61 percent of the 1989 cotton crop will be exported and that over 50 percent of the rice crop and 30 percent of the soybean crop will be marketed overseas.

This legislation provides commercial export credit guarantees to reduce the effective rate of interest on sales of U.S. agricultural products to emerging democratic nations in Eastern Europe. The bill also includes these fledgling democracies in the Middle Income Countries program, which is designed to assist middle-income countries to develop their agricultural economies. Both the export credit guarantees and the MIC program should expand our trade opportunities in Eastern Europe and complement our other efforts to build democracy and stability in that region.

I hope Senators will join in supporting this legislation to maintain a strong agricultural trade policy for the United States.●

By Mr. McCONNELL (for himself and Mr. BOND):

S. 2148. A bill to deny tax-exempt status to certain politically active organizations that are linked to candidates for Federal office, to require that contributions to separate political organizations that are linked to such candidates be treated as direct contributions to the candidate, to restrict "bundling" practices, and for other purposes; to the Committee on Finance.

STATUS OF CERTAIN POLITICALLY ACTIVE ORGANIZATIONS

Mr. McCONNELL. Mr. President, last year marked the bicentennial of the U.S. Congress. Our Nation, and the Congress, have perservered through difficult times, and triumphed over extraordinary challenges. Our predecessors have bequeathed to us a proud tradition of leadership and public service.

The American people, however, are losing faith in this institution, and that endangers this great legacy. Much of that is the result or loss of confidence in the system used to elect Congressmen and Senators.

Not only do the people believe a 98 percent reelection rate in the House of Representatives is unacceptable, they believe that the campaign system is controlled by special interests seeking special favors.

The activities and statements of Charles Keating, Jr., head of the failed Lincoln Savings and Loan, have been dramatic, recent examples of why the system is being questioned and why we should pursue campaign reform.

We should address these problems. However, if we are to effectively address the problems raised by the Keating controversy, we must avoid the partisan posturing that went on last year and agree to a bill specifically designed to prevent abuses of the letter and spirit of our campaign finance laws. The Keating problem should be clearly understood and not misrepresented in order to advance unrelated agendas.

Mr. President, several special interest groups are hoping to use this situation to advance their own legislative agenda, which has nothing to do with this particular problem. For example, Federal PAC contributions were not even involved in Mr. Keating's practices, so changing what PAC's can do should be debated, but not because of the Keating issue. Similarly, spending limits would have no impact on Keating. Most of Keating's activities involved donations of huge chunks of corporate cash to a candidate's affiliated voter registration organization or to a candidate's State-based political action committee. In fact, spending limits will only encourage Keating-type contributors—in the form of large and undisclosed contributions to various party accounts and special interest organizations.

In Presidential elections, expenditure limits have corrupted the system by putting a premium on evasive campaign finance tactics. Mr. Keating's methods, which shock the sensibilities of congressional watchdogs, are commonplace in the Presidential system, which is governed by spending limits. In fact, these evasive tactics are encouraged by spending limits. To repeat this mistake would not respond to the Keating problem and would be an act of bad faith by Congress in response to a serious campaign finance crisis.

This bill I am introducing today directly addresses the practices which have been criticized in the Keating controversy. What are those problems? There are three.

First, this legislation will deny tax-exempt status to any organization which devotes part or all of its budget to voter registration or other campaign activities and involves a Member of Congress or a Federal candidate in

soliciting contributions for such organization. Mr. Keating provided $850,000 in corporate money to a tax-exempt voter registration organization after being solicited by a Member of Congress. I don't think that Members of the House and Senate should be soliciting funds for tax exempt organizations which benefit them politically. It creates an appearance of special interest influence and it makes a mockery of our campaign finance system.

Second, the bill will impose Federal limits and disclosure on contributions to any State PAC or political organization which directly influences Federal elections. Mr. Keating gave $200,000 in corporate money to such an organization. Members of Congress should not be using State-level political organizations as an evasive tactic to avoid the Federal election laws.

Third, the bill restricts Keating-style "bundling" operations. While entirely legal, this practice is one which most observers agree warrants further restriction and I have used the bundling provision language contained in S. 1727, President Bush's campaign finance reform proposal—a package that I was happy to cosponsor earlier this year with Senators DOLE, SIMPSON, and MCCAIN.

Mr. President, these measures are targeted directly at the practices that have been criticized in the Keating controversy. My bill will not dip into the taxpayers' pockets to pay for our campaigns. It will not restrict the right of all citizens to support the candidate of their choice, or favor one political party over the other. This bill is a simple, direct, and balanced response to the problem and will help restore Congress' reputation.

Mr. President, I ask unanimous consent that the following section-by-section summary of my legislation be provided at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DENIAL OF TAX-EXEMPT STATUS FOR CERTAIN POLITICALLY ACTIVE ORGANIZATIONS.

(a) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 (relating to exemption from tax) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

"(n) DENIAL OF TAX-EXEMPT STATUS FOR CERTAIN POLITICALLY ACTIVE ORGANIZATIONS.—

"(1) IN GENERAL.—An organization shall not be treated as exempt from tax under subsection (a) if—

"(A) such organization devotes any of its operating budget to—

"(i) voter registration or get-out-the-vote campaigns; or

"(ii) participation or intervention in any political campaign on behalf of or in opposition to any candidate for public office; and

"(B) a candidate, or an authorized committee of a candidate, has—

"(i) solicited contributions to, or on behalf of, such organizations; and

"(ii) the solicitation is made in cooperation, consultation, or concert with, or at the request of, such organization.

"(2) CANDIDATE DEFINED.—For purposes of this subsection—

"(A) IN GENERAL.—the term 'candidate' has the meaning given such term by paragraph (2) of section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(2)).

"(B) MEMBERS OF CONGRESS.—The term 'candidate' shall include any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress unless—

"(i) the date for filing for nomination, or election to, such Office has passed and such individual has not so filed, and

"(ii) such individual is not otherwise a candidate described in subparagraph (A).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act, but only with respect to solicitations or suggestions by candidates made after the date of the enactment of this Act.

SEC. 2. CONTRIBUTIONS TO CERTAIN POLITICAL ORGANIZATIONS MAINTAINED BY A CANDIDATE.

(a) CONTRIBUTIONS BY PERSONS IN GENERAL AND BY MULTICANDIDATE POLITICAL COMMITTEES.—(1) Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking "candidate and his authorized political committees" and inserting "candidate, a candidate's authorized political committees, and any political organizations (other than authorized committees) maintained by a candidate,".

(2) Section 315(a)(2)(A) of the such Act (2 U.S.C. 441a(a)(2)(A)) is amended by striking "candidate and his authorized political committees" and inserting "candidate, a candidate's authorized political committees, and any political organizations (other than authorized committees) maintained by a candidate,".

(3) Section 315(a) of the such Act (2 U.S.C. 441a(a)) is amended by inserting at the end thereof the following new paragraphs:

"(9) For the purposes of paragraphs (1)(A) and (2)(A), the term 'political organization maintained by a candidate' means any non-Federal political action committee, non-Federal multicandidate political committee, or any other form of political organization regulated under State law which is not a political committee of a national, State, or local political party—

"(A) that is set up by or on behalf of a candidate and engages in political activity which directly influences Federal elections; and

"(B) for which that candidate has solicited a contribution.".

(b) CONTRIBUTIONS BY NATIONAL BANKS, CORPORATIONS, AND LABOR ORGANIZATIONS.—(1) Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by striking "candidate, campaign committee" and inserting "candidate, political organization (other than an authorized committee) maintained by a candidate, campaign committee,".

(2) Section 316(b) of the such Act (2 U.S.C. 441b(b)) is amended by inserting at the end thereof the following new paragraph:

"(8) For the purposes of paragraph (2), the term 'political organization maintained by a candidate' means any non-Federal political action committee, non-Federal multicandidate political committee, or any other form of political organization regulated under State law which is not a political committee of a national, State, or local political party;

"(A) that is set up by or on behalf of a candidate and engages in political activity which directly influences Federal elections; and

"(B) for which that candidate has solicited a contribution.".

(c) DATE OF APPLICATION.—The amendments made by subsections (a) and (b) shall apply to contributions described in section 315 and 316 the Federal Election Campaign Act of 1971 (2 U.S.C. 441a and 441b) made in response to solicitations made after January 24, 1990.

SEC. 3. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.

Section 315(a)(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8) For purposes of this subsection—

"(A) contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate;

"(B) in all cases where contributions are made by a person either directly or indirectly to or on behalf of a particular candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of such contribution to the Commission and to the intended recipient; and

"(C) no conduit or intermediary shall deliver or arrange to have delivered contributions from more than 2 persons who are employees of the same employer or members of the same labor organization.".

SECTION-BY-SECTION SUMMARY

Section 1: Denies the tax-exempt status of any organization which: (1) devotes part or all of its operating budget to voter registration, get-out-the-vote campaigns or other political campaign activities; and (2) has a candidate soliciting contributions to, or on behalf of, such organization. The solicitation must be made with organization's cooperation or knowledge.

Section 2: Imposes federal limits on contributions to state political organizations maintained by a member of Congress or federal candidate for office. A contribution to such an organization would be treated as a contribution to a candidate's federal campaign committee if: (1) it is a non-federal political organization regulated under state law and is not a political party committee; (2) the organization is set up by or on behalf of a candidate and it engages in political activity which directly influences federal elections; and (2) a federal candidate or Member of Congress has solicited a contribution for such political organization.

Section 3: Imposes further restrictions on "bundling" activities. This language is identical to the bundling language which has been proposed in S. 1727, President Bush's campaign finance reform initiative. The section prohibits any intermediary or conduit from delivering or arranging to have delivered contributions from more than two persons who are employees of the same employer or members of the same labor organization or trade association.

By Mr. BIDEN (for himself, Mr. ROTH, Mr. BINGAMAN, Mr. DURENBERGER, Mr. COATS, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. SARBANES, and Mr. WILSON):

S.J. Res. 257. Joint resolution to designate March 10, 1990, as "Harriet Tubman Day"; to the Committee on the Judiciary.

HARRIET TUBMAN DAY

● Mr. BIDEN. Mr. President, as the bells of freedom toll around the globe, it seems appropriate to honor one of America's noble freedom fighters. And so today, in recognition of the memory and continuing legacy of a true founder of American freedom, I am introducing a resolution to designate March 10, 1990, as "Harriet Tubman Day."

Harriet Tubman was born on the eastern shore of Maryland around 1820 and escaped from slavery in 1849. Her freedom, however, was not the beginning of her fight. Even as a child slave, she battled against slavery and injustice. One day, she was ordered by an overseer to help him tie up another slave who was to be beaten. She defied that order and allowed the fellow slave to escape. But in the process, Harriet Tubman paid a high price for her defiance and her convictions. She was inflicted with a wound so severe that it would cause health problems for the rest of her life. The beating was not the first, nor would it be the last. But despite that cruel scar and despite the deep scars of slavery, Harriet Tubman still pursued. With a vigor difficult to imagine, she pursued her seemingly distant dreams and the buried promise of freedom.

Her own freedom was not good enough, though—others were still enslaved. A year after her own escape, Harriet Tubman became a conductor on the underground railroad. She was so successful—she alone led about 300 slaves to freedom—that a bounty, with a horrifying sentence of torture until death, was offered for her capture. Yet, she continued to travel the route of the underground railroad, telling fellow conductor Thomas Garrett that she "ventured only where God sent" and bragging years later that she had "never run off the track or lost a passenger." Time and time again, whenever Harriet Tubman encountered unbeatable odds or insurmountable obstacles, she beat them and surmounted them, forging a path of service, spirit, and strength for all of us to follow.

Through her service—as a conductor on the underground railroad, as a soldier and a tender of soldiers, and as a speaker for those who could not speak for themselves—Harriet Tubman changed the lives of unnumbered Americans of her own time. Through her spirit—Harriet Tubman gave hope to countless slaves who referred to her as their "Moses" and who, because of her, realized that they would one day be led from oppression to the promised land of freedom. Through her strength—a strength that compelled her to risk her own freedom so that others could experience it—Harriet Tubman provides an inspiration of liberty, justice, and opportunity that serves us still. The service, spirit, and strength of Harriet Tubman represents in timeless eloquence much of what is best in us, as Americans and as human beings.

Mr. President, slavery was the darkest chapter in American history. But, out of the darkness always comes the light. Out of the darkness of oppression in Poland came the light of Lech Walesa. Out of the darkness of persecution in South Africa came the light of Nelson Mandela. And, out of the darkness of slavery in America came the light of Harriet Tubman.

Today, that light is kept alive by the Harriet Tubman Historical Society, located in my hometown of Wilmington, DE. Harriet Tubman Day is the brainchild of its executive director, Vivian Abdur-Rahim. The widespread support this commemorative has received around the country—19 States and several cities have already endorsed it—is a result of Vivian's tireless tenacity. She has made a tremendous investment toward establishing this day of recognition and tribute, and I am proud to ask the Senate to add its support to such a worthy and important effort.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 257

Whereas Harriet Ross Tubman was born into slavery in Bucktown, Maryland, in or around the year 1820;

Whereas she escaped slavery in 1849 and became a "conductor" on the Underground Railroad;

Whereas she undertook a reported 19 trips as a conductor, endeavoring despite great hardship and great danger to lead hundreds of slaves to freedom;

Whereas Harriet Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery;

Whereas she served in the Civil War as a soldier, spy, nurse, scout, and cook, and as a leader in working with newly freed slaves;

Whereas after the War, she continued to fight for human dignity, human rights, opportunity, and justice; and

Whereas Harriet Tubman—whose courageous and dedicated pursuit of the promise of American ideals and common principles of humanity continues to serve and inspire all people who cherish freedom—died at her home in Auburn, New York, on March 10, 1913: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 10, 1990 be designated as "Harriet Tubman Day," to be observed by the people of the United States with appropriate ceremonies and activities.●

By Mr. BRADLEY (for himself, Mr. BURDICK, Mr. LAUTENBERG, Mr. ADAMS, Mr. BUMPERS, Mr. INOUYE, Mr. CONRAD, Mr. DODD, Mr. DIXON, Mr. HOLLINGS, Mr. SASSER, Mr. KERRY, Mr. PELL, Mr. BINGAMAN, Mr. SARBANES, Mr. LEVIN, Mr. CRANSTON, Mr. METZENBAUM, Mr. MITCHELL, Mr. GLENN, Mr. RIEGLE, Mr. EXON, Mr. DECONCINI, Mr. MOYNIHAN, Mr. FOWLER, Mr. BENTSEN, Mr. GORE, Mr. WIRTH, Mr. KENNEDY, Mr. BRYAN, Mr. DURENBERGER, Mr. D'AMATO, Mr. CHAFEE, Mr. MCCLURE, Mr. GORTON, Mr. BURNS, Mr. SPECTER, Mr. HATFIELD, Mr. WILSON, Mr. LUGAR, Mr. SYMMS, Mr. MURKOWSKI, Mr. STEVENS, Mr. WARNER, Mr. COATS, Mr. HATCH, Mr. COCHRAN, Mr. JEFFORDS, Mr. HUMPHREY, and Mr. BOSCHWITZ):

S.J. Res. 258. A joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day"; to the Committee on the Judiciary.

NATIONAL ARBOR DAY

● Mr. BRADLEY. Mr President, in 1970 and 1972, Congress legislated and the President proclaimed the last Friday in April as National Arbor Day. Today, I am introducing a joint resolution which will once again recognize this important day. I am pleased that the 50 of my colleagues have joined me in sponsoring this legislation.

Trees are one of our Nation's most important natural resources. They provide the raw materials for our basic industries, stabilize our environment, and add natural grace to our surroundings. The establishment of a National Arbor Day reminds all our citizens to the vital presence of trees, whether in urban areas or in distant wilderness.

Man's impact on the environment and on the future of our planet is increasingly evident. The importance of trees as a natural resource should compel us to act promptly on the problem of forest decline. Scientists have observed declines, serious damage, and death of a number of species of trees in large areas of Europe and the United States. Damage to forests has ranged from decline in growth of several species of pine in southern New Jersey to widespread damage to the ponderosa pine in southern California.

Because we are concerned about damage to our forests and our trees and because we need to acknowledge the contribution that trees make to our health and well-being, I urge the Congress to designate April 27, 1990, as National Arbor Day. I encourage my colleagues to join us in this effort.

I ask unanimous consent to have the joint resolution printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 258

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the last Friday of April 1990 as "National Arbor Day" and calling upon the people of the United States to observe such a day with appropriate ceremonies and activities.●

ADDITIONAL COSPONSORS

S. 435

At the request of Mr. REID, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 435, a bill to amend section 118 of the Internal Revenue Code to provide for certain exceptions from certain rules determining contributions in aid of construction.

S. 458

At the request of Mr. DECONCINI, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 458, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans and Nicaraguans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans and Nicaraguans, and for other purposes.

S. 659

At the request of Mr. SYMMS, the name of the Senator from Idaho [Mr. MCCLURE] was added as a cosponsor of S. 659, a bill to repeal the estate tax inclusion related to valuation freezes.

S. 670

At the request of Mr. ARMSTRONG, the names of the Senator from New Mexico [Mr. DOMENICI], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of S. 670, a bill to recognize the organization known as The Retired Enlisted Association, Incorporated.

S. 1067

At the request of Mr. GORE, the names of the Senator from California [Mr. CRANSTON], and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of S. 1067, a bill to provide for a coordinated Federal research program to ensure continued U.S. leadership in high-performance computing.

S. 1216

At the request of Mr. SIMON, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1216, a bill to amend the National Labor Relations Act to give employers and performers in the live performing arts, rights given by section 8(e) of such act to employers and employees in similarily situated industries, to give to such employers and performers the same rights given by sections 8(f) of such act to employers and employees in the construction industry, and for other purposes.

S. 1245

At the request of Mr. MITCHELL, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of S. 1245, a bill to amend the Federal Meat Inspection Act to expand the meat inspection programs of the United States by establishing a comprehensive inspection program to ensure the quality and wholesomeness of all fish products intended for human consumption in the United States, and for other purposes.

S. 1254

At the request of Ms. MIKULSKI, the names of the Senator from Massachusetts [Mr. KERRY], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of S. 1254, a bill to authorize the Secretary of Labor to make grants to public housing agencies for the provision of literacy training, training in basic and employment skills, and support services, and to establish the Gateway Task Force.

S. 1430

At the request of Mr. KENNEDY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1430, a bill to enhance national and community service, and for other purposes.

S. 1511

At the request of Mr. PRYOR, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Michigan [Mr. RIEGLE], and the Senator from Rhode Island, [Mr. PELL] were added as cosponsors of S. 1511, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older individuals in regard to employee benefit plans, and for other purposes.

S. 1515

At the request of Mr. MITCHELL and names of the Senator from Illinois [Mr. SIMON], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1515, a bill to amend the Internal Revenue Code of 1986 to permit private foundations and community foundations to establish tax-exempt cooperative service organizations.

S. 1624

At the request of Mr. THURMOND, and name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 1624, a bill to grant a Federal charter to the National Association of Women Veterans, Inc.

S. 1629

At the request of Mr. SPECTER, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1629, a bill to establish clearly a Federal right of action by aliens and U.S. citizens against persons engaging in torture or extrajudicial killings, and for other purposes.

S. 1669

At the request of Mr. BENTSEN, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 1669, a bill to provide Hispanic-serving institutions of higher education with financial assistance to improve their capacity to expand Hispanic educational attainment.

S. 1696

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1696, a bill to amend title 28 of the United States Code to prohibit racially discriminatory capital sentencing.

S. 1703

At the request of Mr. BOSCHWITZ, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1703, a bill to amend title 38, United States Code, to permit Department of Veterans Affairs medical centers to retain a portion of the amounts collected from third parties as reimbursement for the cost of health care and services furnished by such medical centers.

S. 1853

At the request of Mr. CHAFEE, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Vermont [Mr. LEAHY], the Senator from Indiana [Mr. LUGAR], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Hawaii [Mr. INOUYE], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from California [Mr. WILSON] were added as cosponsors of S. 1853, a bill to award a Congressional Gold Medal to Laurence Spelman Rockefeller.

S. 1860

At the request of Mr. BOREN, the names of the Senator from Indiana [Mr. COATS], the Senator from Washington [Mr. GORTON], and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 1860, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war.

S. 1876

At the request of Mr. KOHL, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1876, a bill to amend the Internal Revenue Code of 1986 to provide a refundable tax credit for the costs of small businesses in providing accessibility for disabled individuals.

S. 1883

At the request of Mr. KENNEDY, the names of the Senator from Rhode Island [Mr. PELL], the Senator from

Minnesota [Mr. DURENBERGER], the Senator from Illinois [Mr. SIMON], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 1883, a bill to amend the Public Service Act to establish a center for tobacco products, to inform the public hazards of tobacco use, to disclose and restrict additives to such products, and to require labeling of such products to provide information concerning such products to the public, and for other purposes.

S. 1890

At the request of Mr. THURMOND, the names of the Senator from Alaska [Mr. STEVENS], the Senator from Wisconsin [Mr. KASTEN], the Senator from Utah [Mr. HATCH], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. NICKLES] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 1890, a bill to amend title 5, United States Code, to provide relief from certain inequities remaining in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes.

S. 1911

At the request of Mr. DODD, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 1911, a bill to provide assistance in the development of new or improved programs to help younger individuals through grants to the States for community planning, services, and training; to establish within the Department of Health and Human Services an operating agency to be designated as the Administration on Children, Youth, and Families; to provide for a White House Conference on Young Americans; and for other purposes.

S. 1971

At the request of Mr. THURMOND, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1971, a bill to establish a constitutional death penalty and strengthen and improve Federal criminal penalties and procedures.

S. 2016

At the request of Mr. MOYNIHAN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 2016, a bill to cut Social Security contribution rates and return Social Security to pay-as-you-go financing.

S. 2021

At the request of Mr. DOLE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 2021, a bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed financial institutions.

S. 2039

At the request of Mr. COCHRAN, the names of the Senator from Illinois [Mr. DIXON], the Senator from Connecticut [Mr. DODD], the Senator from West Virginia [Mr ROCKEFELLER], and the Senator from Washington [Mr. ADAMS] were added as cosponsors of S. 2039, a bill to improve the quality of student writing and learning, and the teaching of writing as a learning process in the Nation's classrooms.

S. 2048

At the request of Mr. SARBANES, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 2048, a bill to provide for cost-of-living adjustments in 1991 under certain Government retirement programs.

S. 2089

At the request of Mr. BOSCHWITZ, the names of the Senator from Iowa [Mr. GRASSLEY], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 2089, a bill to require the Director of the Geological Survey to conduct a study of the water quality of the Mississippi River.

S. 2093

At the request of Mr. BUMPERS, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 2093, a bill to amend the Federal Election Campaign Act to exclude from the definition of "independent expenditures" those expenditures that are not truly independent of the legislative process.

SENATE JOINT RESOLUTION 195

At the request of Mr. D'AMATO, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of Senate Joint Resolution 195, a joint resolution proclaiming Christopher Columbus to be an honorary citizen of the United States.

SENATE JOINT RESOLUTION 206

At the request of Mr. GORE, the names of the Senator from Rhode Island [Mr. PELL] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of Senate Joint Resolution 206, a joint resolution calling for the United States to encourage immediate negotiations toward a new agreement among Antarctic Treaty consultative parties, for the full protection of Antarctica as a global ecological commons.

SENATE JOINT RESOLUTION 212

At the request of Mr. BUMPERS, his name was withdrawn as a cosponsor of Senate Joint Resolution 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the 75th anniversary of the Armenian Genocide of 1915–23."

SENATE JOINT RESOLUTION 226

At the request of Mr. HEINZ, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Utah [Mr. HATCH], the Senator from Utah [Mr. GARN], the Senator from Idaho [Mr. MCCLURE], the Senator from Idaho [Mr. SYMMS], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from South Carolina [Mr. THURMOND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Washington [Mr. GORTON], the Senator from Washington [Mr. ADAMS], the Senator from New Mexico [Mr. DOMENICI], the Senator from Iowa [Mr. GRASSLEY], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Kansas [Mr. DOLE], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Maine [Mr. COHEN], the Senator from Florida [Mr. MACK], the Senator from Wisconsin [Mr. KASTEN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Vermont [Mr. JEFFORDS], the Senator from North Carolina [Mr. HELMS], the Senator from Missouri [Mr. DANFORTH], the Senator from Wyoming [Mr. SIMPSON], the Senator from Massachusetts [Mr. KERRY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nevada [Mr. BYRAN], the Senator from Nevada [Mr. REID], the Senator from New Jersey [Mr. BRADLEY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Ohio [Mr. GLENN], the Senator from Ohio [Mr. METZENBAUM], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from California [Mr. CRANSTON], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HEFLIN], the Senator from Delaware [Mr. BIDEN], the Senator from Arizona [Mr. DECONCINI], the Senator from New York [Mr. MOYNIHAN], the Senator from Maryland [Ms. MIKULSKI], the Senator from Maryland [Mr. SARBANES], the Senator from Texas [Mr. BENTSEN], the Senator from Illinois [Mr. SIMON], the Senator from Illinois [Mr. DIXON], the Senator from Michigan [Mr. LEVIN], the Senator from Georgia [Mr. NUNN], and the Senator from Oklahoma [Mr. BOREN] were added as cosponsors of Senate Joint Resolution 226, a joint resolution to designate the year 1990 as the "bicentennial anniversary of the legacy of Benjamin Franklin."

SENATE JOINT RESOLUTION 227

At the request of Mr. KASTEN, the names of the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Washington [Mr. GORTON], the Senator from New York [Mr. MOYNIHAN], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from North Dakota [Mr. BURDICK], the Senator from Minnesota [Mr. DURENBERGER], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Alabama [Mr. SHELBY], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Massachusetts [Mr. KERRY], the

Senator from Alaska [Mr. MURKOWSKI], the Senator from Tennessee [Mr. GORE], the Senator from North Dakota [Mr. CONRAD], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Maryland [Ms. MIKULSKI], the Senator from Indiana [Mr. COATS], the Senator from Georgia [Mr. NUNN], the Senator from Florida [Mr. GRAHAM], the Senator from Ohio [Mr. METZENBAUM], the Senator from New Mexico [Mr. DOMENICI], the Senator from Idaho [Mr. MCCLURE], the Senator from Maine [Mr. MITCHELL], the Senator from South Dakota [Mr. PRESSLER], the Senator from North Carolina [Mr. HELMS], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of Senate Joint Resolution 227, a joint resolution to designate March 11 through March 17, 1990, as "Deaf Awareness Week."

SENATE JOINT RESOLUTION 237

At the request of Mr. DOLE, the names of the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Arkansas [Mr. BUMPERS], the Senator from North Dakota [Mr. BURDICK], the Senator from Indiana [Mr. COATS], the Senator from Mississippi [Mr. COCHRAN], the Senator from Maine [Mr. COHEN], the Senator from Connecticut [Mr. DODD], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Ohio [Mr. GLENN], the Senator from Texas [Mr. GRAMM], the Senator from Iowa [Mr. GRASSLEY], the Senator from Utah [Mr. HATCH], the Senator from Vermont [Mr. JEFFORDS], the Senator from Nevada [Mr. BRYAN], the Senator from Idaho [Mr. MCCLURE], the Senator from Alaska [Mr. MURKOWSKI], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from South Carolina [Mr. THURMOND], and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors of Senate Joint Resolution 237, a joint resolution providing for the commemoration of the 100th anniversary of the birth of Dwight David Eisenhower.

SENATE JOINT RESOLUTION 241

At the request of Mr. D'AMATO, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from California [Mr. CRANSTON], the Senator from Florida [Mr. GRAHAM], the Senator from Delaware [Mr. BIDEN], the Senator from Wisconsin [Mr. KASTEN], and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Joint Resolution 241, a joint resolution to designate the week of April 29, 1990, through May 5, 1990, as "Jewish Heritage Week."

SENATE JOINT RESOLUTION 242

At the request of Mr. THURMOND, the names of the Senator from Utah [Mr. GARN] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Joint Resolution 242, a joint resolution designating the week of April 22 through April 28, 1990, as "National Crime Victims" Rights Week."

SENATE JOINT RESOLUTION 243

At the request of Mr. LAUTENBERG, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Maine [Mr. COHEN], the Senator from California [Mr. CRANSTON], the Senator from Kansas [Mr. DOLE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from New York [Mr. MOYNIHAN], the Senator from South Carolina [Mr. THURMOND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Virginia [Mr. ROBB], and the Senator from New Hampshire [Mr. RUDMAN] were added as cosponsors of Senate Joint Resolution 243, a joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

SENATE JOINT RESOLUTION 245

At the request of Mr. MCCLURE, the names of the Senator from Colorado [Mr. ARMSTRONG], the Senator from Missouri [Mr. BOND], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Montana [Mr. BURNS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Indiana [Mr. COATS], the Senator from Maine [Mr. COHEN], the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mr. DOLE], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Utah [Mr. GARN], the Senator from Washington [Mr. GORTON], the Senator from Utah [Mr. HATCH], the Senator from Oregon [Mr. HATFIELD], the Senator from Pennsylvania [Mr. HEINZ], the Senator from North Carolina [Mr. HELMS], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Vermont [Mr. JEFFORDS], the Senator from Mississippi [Mr. LOTT], the Senator from Indiana [Mr. LUGAR], the Senator from Florida [Mr. MACK], the Senator from Alaska [Mr. MURKOWSKI], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Wyoming [Mr. SIMPSON], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], the Senator from Wyoming [Mr. WALLOP], the Senator from Virginia [Mr. WARNER], the Senator from California [Mr. WILSON], the Senator from Washington [Mr. ADAMS], the Senator from Montana [Mr. BAUCUS], the Senator from Texas [Mr. BENTSEN], the Senator from Delaware [Mr. BIDEN], the Senator from New Mexico [Mr. BINGAMAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Louisiana [Mr. BREAUX], the Senator from Nevada [Mr. BRYAN], the Senator from Arkansas [Mr. BUMPERS], the Senator from North Dakota [Mr. BURDICK], the Senator from North Dakota [Mr. CONRAD], the Senator from South Dakota [Mr. DASCHLE], the Senator from Arizona [Mr. DECONCINI], the Senator from Illinois [Mr. DIXON], the Senator from Kentucky [Mr. FORD], the Senator from Ohio [Mr. GLENN], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HEFLIN], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of Senate Joint Resolution 245, a joint resolution designating July 3, 1990, as "Idaho Centennial Day."

SENATE JOINT RESOLUTION 250

At the request of Mr. CHAFEE, the names of the Senator from Maine [Mr. MITCHELL], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Ohio [Mr. METZENBAUM], the Senator from Arizona [Mr. DECONCINI], the Senator from Texas [Mr. BENTSEN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maine [Mr. COHEN], the Senator from Missouri [Mr. DANFORTH], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Iowa [Mr. GRASSLEY], and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of Senate Joint Resolution 250, a joint resolution designating April 1990 as "National Recycling Month."

SENATE JOINT RESOLUTION 252

At the request of Mr. BENTSEN, the names of the Senator from Washington [Mr. ADAMS], the Senator from Montana [Mr. BAUCUS], the Senator from Delaware [Mr. BIDEN], the Senator from New Mexico [Mr. BINGAMAN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Louisiana [Mr. BREAUX], the Senator from Nevada [Mr. BRYAN], the Senator from Arkansas [Mr. BUMPERS], the Senator from North Dakota [Mr. BURDICK], the Senator from North Dakota [Mr. CONRAD], the Senator from California [Mr. CRANSTON], the Senator from Arizona [Mr. DECONCINI], the Senator from Illinois [Mr. DIXON], the Senator from Ohio [Mr. GLENN], the Senator from Tennessee [Mr. GORE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Michigan [Mr. LEVIN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Ohio [Mr. METZENBAUM], the Senator from Maryland [Ms. MIKULSKI], the Sena-

tor from New York [Mr. MOYNIHAN], the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Michigan [Mr. RIEGLE], the Senator from North Carolina [Mr. SANFORD], the Senator from Maryland [Mr. SARBANES], the Senator from Alabama [Mr. SHELBY], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Montana [Mr. BURNS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Indiana [Mr. COATS], the Senator from New York [Mr. D'AMATO], the Senator from Missouri [Mr. DANFORTH], the Senator from Kansas [Mr. DOLE], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Utah [Mr. GARN], the Senator from Washington [Mr. GORTON], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Vermont [Mr. JEFFORDS], the Senator from Indiana [Mr. LUGAR], the Senator from Florida [Mr. MACK], the Senator from Idaho [Mr. MCCLURE], the Senator from Oregon [Mr. PACKWOOD], the Senator from Wyoming [Mr. SIMPSON], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Joint Resolution 252, a joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week."

SENATE CONCURRENT RESOLUTION 81

At the request of Mr. SYMMS, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of Senate Concurrent Resolution 81, a concurrent resolution expressing the sense of the Congress that it should be the policy of the United States to encourage an acceleration of growth in selected Third World nations in order to create new markets for advanced-country products and services.

SENATE CONCURRENT RESOLUTION 92

At the request of Mr. HATCH, the names of the Senator from New York [Mr. D'AMATO], the Senator from Utah [Mr. GARN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Indiana [Mr. LUGAR], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Concurrent Resolution 92, a concurrent resolution to commemorate the Treaty of Amity and Commerce of 1833 between the United States and Thailand.

SENATE RESOLUTION 239

At the request of Mr. DECONCINI, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of Senate Resolution 239, a resolution expressing the sense of the Senate denouncing the military offensive in Angola and urging an immediate ceasefire.

SENATE RESOLUTION 245—DESIGNATING NATIONAL EMPLOYEE HEALTH AND FITNESS DAY

Mr. LUGAR (for himself, Mr. BINGAMAN, Mr. BOND, Mr. CHAFEE, Mr. COATS, Mr. D'AMATO, Mr. DOLE, Mr. DURENBERGER, Mr. GORTON, Mr. MCCLURE, Mr. BOSCHWITZ, Mr. HEINZ, Mr. SPECTER, Mr. WILSON, Mr. DOMENICI, Mr. HUMPHREY, Mrs. KASSEBAUM, Mr. WARNER, Mr. GARN, Mr. HATCH, Mr. SYMMS, Mr. MURKOWSKI, Mr. THURMOND, Mr. NICKLES, Mr. ARMSTRONG, Mr. SIMPSON, Mr. BRADLEY, Mr. BURDICK, Mr. INOUYE, Mr. LAUTENBERG, Mr. MATSUNAGA, Mr. PELL, Mr. RIEGLE, Mr. HEFLIN, Mr. CRANSTON, Mr. BENTSEN, Mr. GLENN, Mr. DODD, Mr. MOYNIHAN, Mr. HOLLINGS, Mr. GORE, Mr. SIMON, Mr. ADAMS, Mr. DECONCINI, Mr. LEVIN, Mr. SARBANES, Mr. METZENBAUM, Mr. KERRY, Mr. NUNN, Mr. BIDEN, Mr. ROBB, and Mr. LIEBERMAN). submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 245

Whereas recent medical studies prove that regular exercise and good nutrition are basic requisites for good health; and

Whereas, a strong and healthy body influence not only an individual's outlook on life but also a person's mental attitude, daily experiences both on and off the job, and academic and social skills; and

Whereas the National Association of Governors' Councils on Physical Fitness and Sports and the Association for Fitness in Business are presenting the second National Employee Health and Fitness Day [NEHFD] on Wednesday, May 16, 1990; and

Whereas NEHFD is the largest event in the Nation's history to promote fitness at the worksite and the ultimate goal of NEHFD is to encourage employers to look seriously at initiating long term fitness and recreation programs; and

Whereas employers throughout the Nation are being asked to join in National Employee Health and Fitness Day by allowing employees to participate in noncompetitive walking, jogging, cycling, and other activities designed to be fun and dramatize the importance of physical fitness at the same time;

Resolved by the United States Senate and the House of Representatives of the United States of America in Congress assembled, That the members of the United States Congress hereby designate Wednesday, May 16, 1990, as "National Employee Health and Fitness Day;" and be it further

Resolved, That all American employers and employees are encouraged to take an active role in practicing better health and fitness from this day forward.

AMENDMENTS SUBMITTED

ILO CONVENTION NO. 160

MOYNIHAN DECLARATION NO. 1257

Mr. MOYNIHAN proposed a declaration to the resolution of ratification of a certified copy of the Convention (No. 160) Concerning Labor Statistics, adopted by the International Labor Conference at Geneva on June 25, 1985; as follows:

Strike the period at the end of the text of the resolution of ratification and add the following language: ", subject to the following declaration:

"There is agreement by the United States Government agencies concerned, the AFL-CIO, and the United States Council for International Business, that each ILO convention will be examined on its merits on a tripartite basis; that if there are any differences between the convention and Federal law and practice, these will be dealt with in the normal legislative process; and that there is no intention to change State law and practice by Federal action through ratification of ILO conventions, and the examination will include possible conflicts between Federal and State law that would be caused by such ratification."

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Thursday, March 8, at 2 p.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to hear testimony on Senate Joint Resolution 154, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920.

For further information, please contact Allen Stayman at (202) 224-7865.

Mr. JOHNSTON. Mr. President, I would like to announce for the Senate and the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony from the Department of Energy on its decision plan related to the opening of the Waste Isolation Pilot Plant in Carlsbad, NM. Testimony will also be received on any proposed legislation to withdraw the public lands surrounding the WIPP site.

The hearing, originally scheduled to take place on March 8, 1990, has been rescheduled. The hearing will now take place on Thursday, March 29, 1990, at 9:30 a.m. in room SD-366 of

the Senate Dirksen Office Building in Washington, DC.

Those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Attention: M.L. Wagner.

For further information, please contact Mary Louise Wagner at (202) 224-7569.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS, AND FORESTS

Mr. BUMPERS. Mr. President, I would like to announce that the hearing before the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources, which was previously scheduled for February 26 at 10 a.m., has been rescheduled for February 26 at 2 p.m. The purpose of the hearing is to receive testimony on two major provisions of H.R. 987, the House-passed Tongass reform legislation, which have not been directly addressed at previous subcommittee hearings. Specifically, the subcommittee will take testimony on those portions of H.R. 987, relating to fisheries protection and buffer zones (section 104(e)), and those provisions relating to the designation of additional wilderness areas on the Tongass National Forest, title III.

For further information regarding the hearing, please contact Beth Norcross of the subcommittee staff at (202) 224-7933.

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. BINGAMAN. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Mineral Resources Development and Production Subcommittee of the Committee on Energy and Natural Resources.

The hearing is scheduled to take place on Wednesday, March 7, 1990, at 2 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony concerning S. 1908 and H.R. 737, legislation to amend the Stock Raising Homestead Act.

Those wishing to submit written statements for the hearing record should write to the Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, Room 364, Washington, DC 20510. For further information, please contact Lisa Vehmas of the subcommittee staff at (202) 224-7555.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, last month I announced that the Committee on Rules and Administration would meet on Thursday, February 22, for hearings; and Tuesday, February 27, for a markup. Since the committee has scheduled additional hearings on both these dates, I would like to briefly review the committee activities on these dates; they are as follows:

Thursday, February 22, 1990, SR-301:

9:30 a.m.: Hearing on S. 1543, to authorize a memorial to George Mason in D.C.

10 a.m.: Hearing on nomination of Robert William Houk, of Ohio, to be Public Printer.

11 a.m.: Hearing on proposed legislation by Senator DECONCINI on campaign finance.

Tuesday, February 27, 1990, SR-301:

9:30 a.m.: Markup of pending executive, legislative, and administrative business, including the nomination of Robert William Houk to be Public Printer, S. 1543, and other items ready for consideration.

10:15 a.m.: Hearing on S. 1655, the "Federal Election Enforcement Act."

11 a.m.: Hearing on S. 1727, the "Comprehensive Campaign Finance Reform Act of 1989."

Senators, Representatives, and other interested individuals and organizations who wish to testify or submit a statement for the hearing record on any of the hearings listed above are requested to contact Jack Sousa, chief counsel of the Rules Committee, on 224-5648. For further information on the February 27 markup, please contact Mr. Sousa.

Mr. President, I wish to announce that the Committee on Rules and Administration has scheduled two dates in March to continue receiving testimony on campaign finance proposals. If necessary, the committee will meet on Thursday, March 1, and Monday, March 5, 1990, at 9:30 a.m., in SR-301, to complete hearings on this legislation.

Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Thursday, March 8, 1990, at 9:30 a.m., in SR-301, to mark up pending campaign finance legislation.

For further information regarding this markup, please contact Mr. Jack Sousa, chief counsel of the Rules Committee, on 224-5648.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that the Committee on Veterans' Affairs, which I am privileged to chair, is scheduled to hold a hearing Friday, February 23, 1990, in SH-216 at 8 a.m., to consider the fiscal year 1991 veterans programs budget and administration-proposed bills to waive the congressional notice-and-wait requirements for the administrative reorganizations of the Loan Guaranty Division at the Togus VA Regional Office (S. 2101) and of the Veterans Health Services and Research Administration (S. 2103).

Mr. President, I announce, for the information of Senators, that the Senate Committee on Veterans' Affairs and the House Committee on Veterans' Affairs, are scheduled to hold a joint hearing on February 27, 1990, in SH-216 at 9:30 a.m. to consider the legislative presentation by the Disabled American Veterans.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON AGRICULTURAL CREDIT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Agricultural Credit of the Senate Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, February 20, at 2:30 p.m. to hold a hearing in preparation for the 1990 farm bill. The hearing will address the credit title of the farm bill as it relates to the Farmers Home Administration's Guaranteed Lending Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the permanent Subcommittee on Investigations of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Tuesday, February 20, 1990, to hold hearings on the Abuses in Federal Student Aid programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COURTS AND ADMINISTRATIVE PRACTICE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Courts and Administrative Practice of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, February 20, 1990, at 2:30 p.m., to hold a hearing on S. 464, a bill to promote safety and health standards and clarifying the United States responsibility for harm caused by its negligence at any workplace owned by, operated by, or under contract with the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, February 20, 1990, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Tuesday, February 20, 1990, at 9:30 a.m. for a

hearing on "Tobacco: Education and Control."

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE OF RECOGNITION FOR THE HOSTAGES AND THEIR FAMILIES

● Mr. LEVIN. Mr. President, February is a time of transition, not yet the end of winter, not yet the start of spring, but still a time of great expectation. This sense of patient hope continues to sustain the families and friends of our fellow Americans held hostage in Lebanon.

On February 22 at Calvary Missionary Church in Pontiac, MI, a committee chaired by Mr. Ernest A. May will hold its third annual "Tribute of Recognition for the Hostages and Their Families." They will be joined on this occasion by Virginia Rose Steen, of Clark Lake, MI, wife of journalism Prof. Alann Steen, who was seized January 24, 1987.

Tributes such as this serve to remind all Americans that there can be no real peace until all the hostages are back with their families. And this tribute gives us a common way to express our hope. For the Steens and for all the hostages and families and friends, as certain as spring, there will be freedom.●

HARVEST OF PEACE RESOLUTION, SENATE CONCURRENT RESOLUTION 91

● Mr. LIEBERMAN. Mr. President, I rise today to express my support for the "Harvest of Peace Resolution" recently submitted by my colleagues Senator HATFIELD and Senator BUMPERS.

I am proud to be a cosponsor of this concurrent resolution because I believe it addresses three of our Nation's major goals for the 1990's—to reverse the arms race, to overcome world hunger and to promote global security through peaceful development.

Mr. President, the move toward more openness in the Soviet Union and Eastern Europe is presenting the United States with opportunities that were once unimaginable. Among these is the opportunity to think about nuclear and conventional arms reductions.

This reduction is tensions means we will be able to provide for our legitimate defense at less cost. We will, therefore, have the opportunity to allocate more resources toward overcoming hunger, poverty, and environmental degradation.

Since more than 20 million people in the United States feel the pain of hunger each month and more than 750 millon people worldwide suffer from famine, this reallocation of resources is of critical importance.

In addition, since we have learned that defensive measures alone will never be able to guarantee global security, it is appropriate for us to look to other means for promoting peace. Such measures include building sound economies, helping people meet their basic needs of food, shelter, and health care, and allowing citizens the freedom to participate in their political systems.

The concurrent resolution before us today recognizes that it is time to place these goals at the top of our agenda. It urges negotiations toward the goal of cutting worldwide military spending by the year 2000; renewed efforts for peace where conflicts exist; reallocations of U.S. aid, domestically and overseas, to provide for those who are hungry and without shelter, economic conversion efforts to ease the transition to productive nondefensive work; and reductions in the Federal deficit.

We are at a unique point in history, a point at which goals that once seemed idealistic and are now reasonable and attainable. Let us take advantage of this unique moment in history to pursue these goals and let us start by adopting this concurrent resolution.●

AGRICULTURE AND THE ENVIRONMENT

● Mr. BOREN. Mr. President, as we begin the initial proceedings of drafting the 1990 farm bill, many people are concerned about the environmental aspects of the bill.

I believe the conservation programs of the 1985 farm bill coupled with voluntary practices by agriculture producers have made U.S. agriculture more environmentally advanced than ever before. Since the 1985 farm bill, 34 million acres of highly-erodible land has been idled under the Conservation Reserve Program, farmers have developed conversation plans that will reduce erosion by more than 1.4 billion tons per year and the USDA has developed a wetlands conservation program and begun a 37-State groundwater quality initiative.

The use of pesticides in agriculture production has increased in the last 20 years. However, total pesticide use has leveled off in recent years. Some use of agriculture chemicals is necessary to save crops and keep food prices low. Even with extensive spraying, pests destroy large amounts of U.S. crops each year.

While all chemicals cannot be eliminated, I believe it is important to encourage methods of farming that rely on decreased usage. Land grant universities, such as Oklahoma State University, have been researching and promoting integrated pest management systems in which all production factors would be integrated for long-term productivity and environmental safety.

Mr. President, I believe the conservation programs of the 1985 farm bill were good, environmentally sound programs. As we begin the process of writing the 1990 farm bill, we must build and expand upon these programs. We must help our American farmers who are the most productive in the world and provide them with workable programs that will not hinder their ability to produce.

I have been working with a group of Senators and major commodity groups to produce a proposal for the 1990 farm bill that will help agriculture producers move toward conservation and environmental goals. The proposal will address water quality, wetlands conservation, integrated crop management and the Conservation Reserve Program. Our proposal is one that considers both agricultural and environmental goals.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

● Mr. HEFLIN. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that government or organization.

The select committee has received a request for a determination under rule 35 for Ms. Juliana Walsh, a member of the staff of Senator GRAHAM, to participate in a program in Taiwan, sponsored by the Soochow University, from February 11 to 16, 1990.

The committee has determined that participation by Ms. Walsh in the program in Taiwan, at the expense of the Soochow University, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Mr. David Gossack, a member of the staff of Senator MATSUNAGA, to participate in a program in Japan, sponsored by the Japan Center for International Exchange, from February 10 to 19, 1990.

The committee has determined that participation by Mr. Gossack in the program in Japan, at the expense of the Japan Center for International Exchange, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Mr. Dennis Shea, a member of the staff of Senator DOLE, to participate in a program in the People's Republic of China, sponsored by the Far East Studies Institute in conjunction with the Chinese People's Institute of Foreign Affairs, from February 11 to 17, 1990.

The committee has determined that participation by Mr. Shea in the program in the People's Republic of China, at the expense of the Chinese People's Institute of Foreign Affairs, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Ms. Majorie Chorlins, a member of the staff of Senator DANFORTH, to participate in a program in the People's Republic of China, sponsored by the Far East Studies Institute in conjunction with the Chinese People's Institute of Foreign Affairs, from February 11-17, 1990.

The committee has determined that participation by Ms. Chorlins in the program in the People's Republic of China, at the expense of the Chinese People's Institute of Foreign Affairs, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Mr. Jeffrey Sims, a member of the staff of Senator PELL, to participate in a program in the People's Republic of China, sponsored by the Far East Studies Institute in conjunction with the Chinese People's Institute of Foreign Affairs, from February 11-17, 1990.

The committee has determined that participation by Mr. Sims in the program in the People's Republic of China, at the expense of the Chinese People's Institute of Foreign Affairs, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Ms. Judith Freedman, a member of the staff of Senator NUNN, to participate in a program in the People's Republic of China, sponsored by the Far East Studies Institute in conjunction with the Chinese People's Institute of Foreign Affairs, from February 11-17, 1990.

The committee has determined that participation by Ms. Freedman in the program in the People's Republic of China, at the expense of the Chinese People's Institute of Foreign Affairs, is in the interest of the Senate and the United States.

The select committee has received a request for a determination under rule 35 for Mr. Mark Ulven, a member of the staff of Senator DASCHLE, to participate in a program in Taiwan, sponsored by Soochow University, from February 11-16, 1990.

The committee has determined that participation by Mr. Ulven in the program in Taiwan, at the expense of Soochow University, is in the interest of the Senate and the United States.

ELKHART COUNTY DRUG TASK FORCE

● Mr. COATS. Mr. President, I rise today to commend the efforts of some of our front line troops on the war on drugs. Although we must ultimately work to curb individual demand, I am greatly encouraged by the intensity of law enforcement officials in cutting drug supply lines and I am heartened by recent events which show that our drug interdiction and enforcement efforts are beginning to pay off. The signals are clear; we are making definite progress in our bid to curb the supply side of the drug problem.

You know you are beginning to make a difference when drug kingpins, fearful of extradition to the United States, announce plans to cooperate with their countries' enforcement efforts. Indeed, some of the Medellin cartel's top bosses have vowed recently to stop peddling their death as long as they are not sent to justice in the United States.

You know you are sending the right signal to drug dealers when law enforcement officials continue to apprehend and judges continue to convict major pushers in our towns and cities.

You know you are sending the right message when people from Nappanee, IN, to New York, NY, rise up and decide enough is enough; we will no longer tolerate drug abuse in our communities. Through the efforts of Federal, State, and local police, we are taking crucial steps toward purging our neighborhoods of the poison of drugs.

One such group has provided other communities with a stellar example of how to battle drugs in the trenches of the war. I want to take this opportunity to single out the inspiring work of the Elkhart County drug task force in my home State of Indiana. This cooperative Hoosier effort has made significant progress in attacking the supply of drugs in Elkhart County.

The drug problem is not restricted to big cities; drugs have taken hold in the fabric of middle America. In fact, per capita drug abuse is actually higher in communities of 10,000 to 25,000 people. As task force officers note: Elkhart County is home to a dozen major pushers operating a network of between 150 and 200 street dealers.

Mr. President, I would like to share the annual report of the Elkhart County task force with my colleagues. I ask that the content of this report be inserted in the RECORD.

The report follows:

ELKHART COUNTY DRUG TASK FORCE

1989 YEAR END REPORT, ELKHART COUNTY DRUG TASK FORCE

The Year End Report of the Elkhart County Drug Task Force reflects a mixed message. Law enforcement has made a great deal of progress in the local "war" on drugs. We have significantly increased our case production, our arrest statistics, and our identification of narcotics dealers and users in Elkhart County. Unfortunately, this has contributed significantly to the overcrowding in the jail and an increase in the case load in the criminal justice system. The paradox is that while all this is positive as it relates to the Task Force efforts, and the Task Force's stated mission, it also reflects on the fact that this community has a significant narcotics and substance abuse problem. The problem is bigger now than when we started our efforts.

If the efforts that have been put forth by the Task Force had been directed at any other type of criminal activity, that activity would, in all likelihood, been eradicated or greatly reduced. Why is this not the case with the "war on drugs"? The answer is, no other criminal activity so completely controls the perpetrator, as is the case in the trafficking and use of illicit drugs.

Burglars are not physically addicted to burglary, purse snatchers are not physically addicted to purse snatching, car thieves are not physically addicted to stealing cars. When all these criminals are free on bond or awaiting trial, they are not totally consumed by the physical and psychological desire to return to their criminal activity.

In addition to the physical addiction suffered by the majority of persons that traffic in narcotics, the higher level dealers are consumed by the high profit return of their criminal enterprise.

No other criminal activity produces the high profit margins. These upper level dealers have an almost endless supply of addicted persons that are willing to make them rich, while they take most of the risks merely for the "reward" of maintaining their habit. No other criminal activity would have this phenomenon occur.

We find ourselves in the midst of the cry for legalization for illegal drugs. More and more persons seem to be proposing this as a solution to the problem.

These proponents claim that we have lost the "war on drugs". I propose that we have yet to begin to fight the "war on drugs". When a law enforcement agency devotes 4 percent of its manpower to drug investigations, when most studies prove that between 65 percent to 80 percent of persons arrested are testing positive for illegal drugs, then a sufficient commitment has not been made. When substance abuse is the single most serious problem perceived by citizens of this community and this country, and we have not made a complete commitment toward dealing with this problem, then we are not fighting a "war". The Drug Task Force has less manpower then was committed to drug investigations in 1980, and only two more officers assigned than were assigned in 1972. War is when one makes sacrifices, when one makes a complete and total commitment to fighting with every resource available. This country is being threatened like it has never been threatened in its history. The substance abuse problem has the potential to literally destroy this country from within.

In addition, what makes the proponents of legalization believe that the major narcotics traffickers will stand idly by and

allow this to happen? We have been trying to interdict and arrest these persons for a number of years. Because of our failure to make a total commitment to this effort, it has been less than successful.

Is it reasonable to believe that the major traffickers are going to allow themselves to be legislated out of existence? Not hardly!

Attempts at legalization will almost surely bring about a series of events. Terrorism as we have not experienced, similar to what we are witnessing in Columbia, the development of new and different types of illegal drugs, the black marketing of other drugs presently being sold, a whole new market of younger persons who will not be able to purchase drugs legally.

If the government gets into the business of selling, what are now illegal drugs, the taxation that will be added will be very similar to what is seen in the taxation of distilled spirits and other alcoholic beverages. This increase in price will, most assuredly, create a market for kitchen type lab facilities that are making illegal substances. Add to that, the additional cost to society in the form of additional social programs, domestic violence programs, and added hospital space, certainly makes this approach less attractive.

Prison space to merely incarcerate persons is very expensive, but not nearly as expensive as hospital space.

The legalization of drugs will most likely be restricted to the legal distribution to adults, leaving a large market for teens and adolescents. In the case of the most commonly abused substance, alcohol, a person will most likely not become physically addicted after just one exposure. I have talked to a large number of addicts, however, that have told me that one "hit" on the pipe (crack or ice) and they are addicted. That is a lifetime of addiction.

Is legalization the message that we want our youth in the next generation to receive? If you have a problem, make it legal, then it is no problem?

Totally new and different types of controlled substances will be developed that will be on the market before the Federal government will have a chance to examine these substances for their harmful effects. How quickly does the FDA process act on new substances? These new creations, or designer type drugs, will be on the street and will be used, with the black market being the source. The creation of "Ice", a smokeable form of crystal methamphetamine, is a perfect example of the ingenuity of the drug traffickers. Ice will become the problem of the early 1990's. It will, in all likelihood, replace crack cocaine because of the physical effects, as well as the lower price. Especially because of its domestic production capabilities.

The Elkhart County Drug Task Force has been an entity since mid to late 1986. In the spring of 1986, Det. Neil Graves of the Indiana State Police and Det. Tom Dewitt of the Elkhart Police Department, were interviewed by the Elkhart Truth. They had the following observations:

51 of 139 arrests by the Elkhart City Police were for cocaine.

Undercover officers purchased or seized $18,340.00 worth of cocaine in that period.

Indiana State Police intelligence indicated that there were a dozen major dealers operating in Elkhart County.

Their distribution network involved around 150-200 street dealers.

Dewitt estimated that there were 1-3 major dealers operating in the city.

At the time, these numbers were astounding and received front page coverage. With these numbers in mind, the numbers for 1989 should scare the citizens of Elkhart County, to death:

136 cocaine delivery cases investigated by the Drug Task Force. (This does not include arrests for possession of cocaine by the law enforcement agencies in Elkhart County).

Undercover officers purchased and/or seized 1724.57 grams of cocaine, with an estimated potential street value (according to the DEA formula) $1,379,656.00.

The Drug Task Force arrested 11 Level I dealers (persons who deal in kilos of cocaine and have distinct organizations working as distributors).

Approximately 500 persons have been identified that distribute cocaine. (At one level or another).

These figures are representative of cocaine and do not include other drugs such as marijuana, crystal methamphetamine (crank), and other illegal drugs.

These numbers have been generated with less manpower. The officers of the Elkhart County Drug Task Force are on call 7 days a week, 365 days a year. The Task Force personnel have worked approximately 2000 hours of overtime in the calendar year 1989. There were numerous occasions during a shift when officers were not able to take a break or stop for a meal during a 14-16 hour shift.

The officers assigned to the Elkhart County Drug Task Force are extremely dedicated to the performance of their duties, and have operated extremely well again, in 1989. A major asset of the Elkart County Drug Task Force is a civilian administrative assistant, who handles all incoming intelligence calls, and also maintains our intelligence files, types the reports, and assists the officers in the performance of their duties.

Some of the highlights during the course of 1989 were the investigation, and ultimate arrests, of 11 Level I drug dealers. A level I defendant is one that can deliver as much as a kilogram (2.2 pounds) of cocaine or crystal methamphetamine, or 50 pounds of marijuana. This person would also have a minimum of 5 persons working in a distribution network. Of these eleven persons designated as Level I dealers, three of these were females. Females at this level are a departure from our past investigative experience.

Also during 1989 an individual that had been a target of the Drug Task Force for approximately two years, pled guilty to cocaine delivery charges and received a 20 year sentence. With time served in the county jail and time off for good behavior, he will be released in about 9 years.

Two other persons that were brought to justice during 1989, were two brothers that held a member of the Drug Task Force at gunpoint and threatened to murder him, merely because he was a police officer. A trial was held during 1989 and these subjects were ultimately found guilty and were sentenced, one for 18 years, the other for 30 years.

The Elkart County Drug Task Force has continued to maintain its good working relationship with the South Bend Federal Drug Task Force, and other law enforcement agencies not only in this area, but in areas throughout the country. The credibility of the Elkart County Drug Task Force is very high. We feel we have earned the respect of our peers. At the end of 1989, Assistant U.S. Attorney Rick Jancha transferred to the Orlando, FL U.S. Attorney's Office. Mr. Jancha had been assigned to the South Bend Federal Drug Task Force, and had been a great asset to the Elkhart County Drug Task Force. He assisted us on a number of investigations, and was a good resource for us.

In 1989, we have seen an additional commitment by the Bureau of Alcohol, Tobacco and Firearms to dealing with the narcotics problem throughout the nation. On a local level, we have established a good working relationship with agents of the Bureau of Alcohol, Tobacco, and Firearms.

We have also maintained throughout 1989, our extremely high conviction rate. It is felt this high conviction rate is due to our good working relationship with the Elkhart County Prosecutor's Office, as well as the thoroughness of our investigations.

As the Elkhart County Drug Task Force prepares to enter the next decade, we feel we are prepared to face the new challenges that are ahead. The personnel are dedicated to continue to deal with this problem with whatever resources are provided to us.

While we have had great success in developing cases on targeted individuals and organizations, we know that the effort must continue. We hope that the strong support from the citizens of Elkhart County will continue. This support is what enables the individuals of the Task Force to continue, in the face of such overwhelming odds.

Some things challenging us in the 1990's are the continued influx of out of town groups entering our jurisdiction for the purpose of uniting and setting up drug distribution networks. We have seen this occur twice in 1989, one group from southern Missouri (this organization was infiltrated and taken apart with the arrest of a large number of persons in October 1989). A second organization appears to be gaining influence, and this influence has been felt within our community. Only time will tell with this group as to how entrenched they will become, due to recent activities they have been involved in. This organization is still under investigation.

The influx of street gang type activity is a sign of many problems to follow. Such as; increased violence, crack cocaine, turf battles, and increased attacks on law enforcement personnel. A drug related homicide during the year 1989, and a second homicide that is presently under investigation, are indicators that these types of activities need to be dealt with firmly and forcefully.

The solutions involve education, awareness, and strict law enforcement. Only a combination of all three, along with a complete and total commitment by all political entities, all law enforcement agencies, the criminal justice system, as well as the citizens, will even begin to address the problem. This community has a great deal going for it. With all resources brought together, we have the opportunity to deal with this problem and deal with it in a positive way.

No year end report of the activities of the Elkhart County Drug Task Force would be complete without the recognition of the Elkhart County Fight Crime Fund. Approximately $55,000.00 of funds processed through the Fight Crime Fund, have been utilized by the Drug Task Force. This support has made possible all we have accomplished. This support and dedication are what make our efforts unique. We, the members of the Elkhart County Drug Task Force, greatly appreciate their efforts.

TASK FORCE SUPERVISOR

ANNUAL REPORT DECEMBER 31, 1989

CASE COMPARISONS

	1987	1988	1989	Percent increase
Cases	126	162	255	36
Defendants	72	117	[1] 183	36
Intelligence reports		1,135	1,730	34

[1] Eleven Level I defendants (three were females). A Level I defendant is a person that can deliver as much as one kilogram (2.2 pounds) of cocaine or crystal methamphetamine, or 50 pounds of marijuana. This person also would have a minimum of five persons working in a distribution network.

JURISDICTION OF CASES INVESTIGATED

	1988	1989	Percent of cases
City of Elkhart	98	179	70
Elkhart County	47	55	22
Other	17	21	8

Nappanee (12); Goshen (4); Middlebury (4); Bristol (1).

TYPES OF CASES

	City	County	Other
Delivery of a controlled substance	139	39	11
Surveillance arrests	28	13	5
Search warrants	12	3	5

In addition, the Drug Task Force conducted a murder for hire investigation along with the Elkhart County Sheriff's Department, which has been turned over to the County Prosecutor's Office.

Also a number of vice cases:

Gambling investigations:

Elkhart	10
Nappanee	3
Middlebury	1
Prostitution-Elkhart	1

These vice investigations came about while officers were conducting investigations into narcotics trafficking.

TYPES OF CASES BY SUBSTANCE

Cocaine: 136 (56%).
Marijuana: 85 (35%).
Crystal Methamphetamine (crack): 11 (5%).
LSD: 4 (2%).
Hashish: 3 (1%).
Miscellaneous Pills: 1 (1%).

COCAINE SEIZED OR PURCHASED

1988

1303.5 grams (Estimated potential street value based on DEA formula: $1,042,600.00). This figure represents a single seizure of 1000 grams (2.2 pounds) of pure cocaine at one time.

1989

1724.5 grams (Estimated potential street value based on DEA formula: $1,379,656.00). Included in this figure is a single seizure of ½ pound of high grade cocaine.

MARIJUANA SEIZED OR PURCHASED

1988

7446.5 grams/16.27 pounds (street value $29,942.00).

1989

9745 grams/21.2 pounds (street value $39,184.00).

OTHER CONTROLLED SUBSTANCES SEIZED OR PURCHASED

1988

LSD: 10 doses.
Crystal Methamphetamine: 17.85 grams.

1989

LSD: 22 doses.
Crystal Methamphetamine: 43.26 grams.
Crack Cocaine: 19 grams.
Hashish: 12 grams.
Xanax: 1 tablet.

And so, I commend the vigilance of the Elkhart County Drug Task Force and I want to assure them of my support in the fight to eradicate drugs from our society. In this regard, I supported an increase of 91 percent in 1990 funding for local justice assistance. I am pleased that the fiscal year 1991 budget submitted by President Bush includes almost $500 million for State and local law enforcement—an increase of over 228 percent over the last 2 years.

In their report, the task force has outlined several concerns, such as prisons packed to capacity, which echo those of other antidrug forces. I ask my colleagues to join me in seeking solutions to these problems, including alternative methods of incarceration, such as "boot camps," to alleviate prison overcrowding. It is my hope that Congress will be able to take the necessary steps to assure that there is ample room in our jails to accommodate each and every convicted drug felon.

The tireless efforts of the members of the Elkhart County Drug Task Force are deeply appreciated, and their work is indeed helping to reclaim our society from the scourge of drugs. I wish them much success over the next year in their fight to eradicate drugs from our streets, our schools, and our neighborhoods.●

IN HONOR OF DR. KENNETH JENNINGS

● Mr. BOSCHWITZ. Mr. President, I rise today to honor a Minnesotan whose talent has been enjoyed and cherished in Minnesota and throughout the world.

After 37 years of serving on the faculty of St. Olaf College, and 22 years serving as the college's choir director, Dr. Kenneth Jennings conducted his last performance last Sunday at the Kennedy Center in Washington.

Dr. Jennings is both an artist and a teacher. Under his leadership, the St. Olaf Choir has set the highest standards of artistry in choral singing. Jennings' innovative programming and use of concerted works have expanded the repertoire of the choir beyond the a cappella traditions of its early years.

His interest in pedagogical aspects of singing resulted in the publication of a book of vocal exercises for singers, "Sing Legato," which is used today by many schools, universities, and professional ensembles.

Dr. Jennings has enhanced the choir's reputation with six international tours. The choir has performed at the Strasbourg International Music Festival. By invitation, the choir returned to the Strasbourg Festival to perform with the Strasbourg Philharmonic Orchestra. They also performed in Vienna, Rome, Norway, Japan, Taiwan, Hong Kong, and the Peoples Republic of China. As a result of their superb performance they returned to the Orient to participate in the Seoul Olympic Arts Festival in Korea.

The choir's accomplishments do not stop here. They also had the honor of performing with the Minnesota Orchestra under the direction of Stanislaw Skrowaczewski and Neville Marriner.

Mr. President, I ask my colleagues to join me in congratulating Dr. Kenneth Jennings for his distinguished record of accomplishments, and wishing him the best in the years to come. He may be retiring as St. Olaf College's choir director, but he will be remembered through his music and spirit as a distinguished Minnesotan and U.S. citizen.●

UKRAINIAN INDEPENDENCE DAY

● Mr. D'AMATO. Mr. President, I rise today to ask that the following proclamation be printed in its entirety in the CONGRESSIONAL RECORD.

I believe that the Ukrainians should celebrate their day of independence. I urge my colleagues to recognize the efforts of all Ukrainians.

The proclamation follows:

COUNTY OF ERIE—PROCLAMATION

Whereas, the past year has brought shafts of light piercing the gloom in a rusting Iron Curtain, clearly revealing the total failure of Communism, one maxim ought to be remembered the tena-city in holding onto its monopoly of power; and

Whereas, the ominous conditions of the past seven decades have buckled under the weight of the bedrock of human drive for dignity of every nation and every individual; and

Whereas, the events in Eastern Central Europe have electrified mankind to the specter of the massive outrage against the accumulated atrocities instigated or enforced by the bankrupt Russian Communist occupations; and

Whereas, the principle of national independence and sovereign statehood is solemnly guaranteed as an inalienable right by numerous international agreements and covenants co-signed by the Soviet Union; and

Whereas, the Ukrainian Nations have declared in 1918 and reaffirmed in 1919 their firm resolve to lead an independent sovereign existence which was subsequently brutally crushed by the military might driven by Russian colonial expansionism; and

Whereas, Gorbachev's proclaimed "Glasnost and Perestroika" has not envisioned full national independence for Ukraine, the Baltic States and other subjugated nations notwithstanding that cessation is guaranteed by the Soviet constitution; and

Whereas, the world cannot indefinitely remain half free and half enslaved as history has proven repeatedly, it behooves free

people everywhere to support the legitimate process of regaining freedom and independence to all Captive Nations;

Now, therefore, I, Dennis T. Gorski, Erie County Executive, do hereby proclaim Monday, January 22, 1990, as "Ukrainian Independence Day" in this majestic County of Erie, of the State of New York—The Empire State. I urge all my fellow citizens to given renewed devotion to the just cause and aspirations of the people of Ukraine who seek to regain national independence and individual liberty.●

CHILD SURVIVAL

● Mr. INOUYE. Mr. President, I wish to bring to the attention of my colleagues an article on the importance of child survival which appeared on January 25, 1990, in the Honolulu Star-Bulletin. Children are our world's most important resource. This article brings their plight in many nations to our attention. I hereby request that this article be placed in the RECORD.

The article follows:

[From the Honolulu Star-Bulletin, Jan. 25, 1990]

LET'S RAISE OUR VOICES ABOUT POVERTY AND HUNGER

Total global military spending and payment on world debt exceeds the total income of the poorest half of humanity. While expenditures are made on weaponry and debt, one quarter of a million babies and young children die every week of malnutrition and preventable disease. After decades of progress, countries that were showing improvements are now plagued by increasing deaths caused by poverty.

As a whole, developing nations spend half of their expenditures on the military and debt repayment. For our neighbors in Asia and in Latin America and Africa, this equals nearly $1 billion a day. In other words, military and debt payments equal more than $400 a year per family, in countries in which the per capita GNP is often less than that.

The expenditure of less than half of 1 percent of the world's GNP would create a child survival revolution and eliminate the maiming of an equivalent number of children. Although these children survive, they are crippled, blinded and mentally and physically retarded.

Some would argue that these deaths are "natural" population control. I assert that in an age in which we have the means to prevent unwanted births, these deaths by starvation, thirst and agonizing, preventable disease are unnatural and intolerable.

Extensive studies conducted by UNICEF have shown that when people believe their children will live, they are willing to have fewer children.

Our global spending policies are creating what UNICEF has termed "passive atrocities." These victims of atrocity are not easy to see because most look "normal." The camera lens does not recognize the child going blind from the lack of 2-cents worth of vitamin A, a condition that untreated will eventually cause other problems leading to death. No photograph or casual viewer, will recognize the apparently normal 3 year old, who is actually 5.

I am driven by the image of a child who is genetically normal and not outwardly diseased. This 5 year old had just learned to walk because he was so retarded in his development by chronic malnutrition.

As an international airline purser for 13 years, no doubt I passed his brethren by on many foreign streets not realizing what I saw. It is easy to miss. Even the parents of these children do not realize their problems. In their communities, this is the norm.

If you fully take in the thought of what that norm implies, it is excruciating. Most people therefore, turn a blind eye. Some of us are incapable of living with ourselves if we do that.

Actress Audrey Hepburn was recently asked on "60 Minutes," why she was willing to travel to the feeding/death camps and serve as an honorary ambassador for UNICEF. Her reply, that she does so to keep her sanity, speaks for those who cannot blind themselves.

Her choice is that of determining that you can and will make a difference. The National Academy of Science states, ". . . if there is the political will . . . it should be possible to overcome the worst aspects of widespread hunger and malnutrition in one generation."

Political will is no more or no less than your own individual will collectively asserted. Consider Illinois Sen. Paul Simon's statement: "Someone who sits down and writes a letter about hunger . . . almost literally has to be saving a life."

Writing our politicians is a good entry point into creating change. Support groups, such as RESULTS and Bread for the World, can provide you with information to make your letters informed and effective.

Other actions you can take are: positioning your investments in social responsibility funds, getting a free UNICEF Visa Card, and supporting hunger organizations with volunteer help and funding.

Each of us, whether a Kaneohe homemaker like me, or a Gorbachev, or a Bush is only one person. What we do defines our life. What we do collectively defines our society and the meaning of humanity. We must include protecting the lives of children in that definition. UNICEF has summoned us to do so by calling for a World Summit for Children and by the U.N. General Assembly passing the Convention on the Rights of the Child.

The summit's purpose is to set global goals for the survival, protection and nurturing of children. It is recognized that saving children's lives to sentence them to live in conditions of hellish poverty, ignorance and illness is inappropriate.

The Convention on the Rights of the Child therefore begins with protecting children from abduction, sale, sexual exploitation and abuse. It includes their right to a name, nationality, and ethnic expression and seeks to prevent hazardous employment that interferes with their development and education. This includes their participation in the sale and manufacture of drugs.

Finally, it affirms their right to health, education and play.

What does it say about our definition of ourselves as human, when we have created conditions in which we must seek to legitimize a child's right to live and play?

As we enter the 1990s, "humanity" passively allows a holocaust without a flame to continue. We must choose to redefine what being human means.

(Karen Mituro, a Kaneohe resident, is the Hawaii state coordinator for RESULTS, a volunteer citizen's lobby to end hunger.)●

THE U.S. INVESTMENT IN EDUCATION IN INTERNATIONAL PERSPECTIVE

● Mr. SIMON. Mr. President, in opposing increases in the education budget, the administration often claims that the United States spends more on education than most other industrialized nations. However, a recent report by M. Edith Rasell and Lawrence Mishel of the Economic Policy Institute came to the opposite conclusion. When considering how much countries spend on elementary and secondary education alone, the United States ranks near the bottom. When higher education is included in the calculation, the United States is near the top. It is not unreasonable to conclude that we have the best universities in the world partly because of the investment we have made in them. Likewise, it is not unreasonable to conclude that some of our problems in elementary and secondary education are related to a lack of financial commitment.

But while these kinds of comparisons are interesting, the arguments about them are not very productive. We must move beyond the discussions of the appropriate methodologies for comparing our educational inputs or outputs with other nations. The question should not be "Who is better than whom?" but instead, "How can we be better than we are?"

If we find that elementary school teachers do not know enough about math and science, we must invest in training them. If we believe that poor children need educational enrichment activities before they start school, we must pay people to run those programs. If the best and the brightest students are not going into teaching because of low salaries, we need to increase salaries.

Yes, extra money haphazardly thrown at a bad school will be wasted. But money invested in effective programs, geared toward real needs, will reap huge dividends. The longer we delay, the more we risk completely missing this investment opportunity. The dividends—the economic and intellectual productivity of millions of Americans—will be lost to educational neglect.

Mr. President, I would ask that the Washington Post essay by M. Edith Rasell and Lawrence Mishel be inserted into the RECORD.

The essay follows:

[From the Washington Post, Feb. 14, 1990]

IS AMERICA STRANGLING ITS SCHOOLS?

(By M. Edith Rasell and Lawrence Mishel)

In the State of the Union address last week, President Bush—who wants to be known as "the education president"—committed America's high schools to a 90-percent graduation rate and our students to becoming "first in the world in math and science achievement" by the year 2000. He pledged that "this nation will not accept

anything less than excellence in education." That goal, he added, "is not simply a matter of spending more. It is a matter of asking more." And in fact Bush's budget would increase federal spending for elementary, secondary and vocational education by less than 2 percent—half the expected rate of inflation.

The administration's position on educational spending is well known. At the education summit last September, Bush declared that the United States "lavishes unsurpassed resources on [our children's] schooling," and that "our focus must no longer be on resources. It must be on results." At the same conference, Secretary of Education Lauro Cavazos said that "funding is truly not an issue."

The administration has justified this stance by asserting that our education system is already well-funded in comparison with other industrialized nations, by either of two measures. One is spending per pupil. According to Cavazos, "we are already spending more money per student than our major foreign competitors, Japan and Germany." The chairman of the Council of Economic Advisers, Michael J. Boskin, agrees: "[w]e spend more, per pupil, than most of the other major industrialized economies."

The second measure is the share of national income devoted to education—a "very large amount," according to Boskin. Roger Porter, the White House domestic policy adviser, says that compared with other countries, U.S. spending on education is "more per capita, more per student—it is more as a share of our gross national product. We spend one and a half percent of GNP more than the Japanese."

The claim that American education is well-funded, and that therefore poor student performance cannot be a matter of insufficient monies, is a key element in the national debate. Our recent research—which examines total U.S. education spending at the federal, state and local levels plus all private funding—shows that such assertions are misleading. In fact:

U.S. public and private spending on preprimary, primary and secondary education (the focus of national concern) is lower than in most other countries. The U.S. ties for 12th place among 16 industrialized nations, spending less than all but three.

When expenditures for grades K-12 are further adjusted to reflect differences in enrollment rates, the United States falls to 14th place, spending less than all the other countries but two.

When U.S. public spending alone is compared with public spending abroad, we rank 14th for all levels of schooling, 14th in spending on K-12, and 13th in K-12 spending adjusted for enrollment.

If we were to increase spending for primary and secondary school up to the average level found in the other 15 countries in 1985, we would need to raise spending by some $25 billion annually.

Because we spend comparatively more than other countries on higher education, when expenditures on all levels of education are calculated, we are in a three-way tie for second place among the countries studied.

Money, of course, does not guarantee excellence. It is likely that other changes—in curriculum, status of teachers and expectations about students, among various innovations—will also be required. But to begin a process of reform by denying the need to increase spending, especially when U.S. schools are underfunded compared with other industrialized countries, places a severely limiting constraint on any plans for improvement.

HOW MUCH OF OUR WEALTH?

Let us first compare education expenditures as a percentage of national income (the sum of all wages, salaries, profits, interest and rents). Commonly employed in international comparisons, this method avoids distortions caused by fluctuating currency-exchange rates and provides a measure of the national effort each country gives to education. This is the standard method used for international comparisons by the U.S. government, the Organization for Economic Cooperation and Development (OECD) and the World Bank.

A cursory look at these figures shows that U.S. spending on all levels of schooling—including pre-school, primary, secondary and higher education—amounted to 6.8 percent of national income in 1985, putting us in a three-way tie for second place among the 16 developed countries studied. By this measure it appears that only Sweden spends a larger share of national income on education; Canada and the Netherlands spend equivalent amounts.

This comparatively high expenditure is largely due to the substantial sums America spends on higher education. A relatively larger number of U.S. students are enrolled in some form of post-secondary education than in most other countries: 5.1 percent of the entire U.S. population in 1985—two to three times greater than the percentage enrollments of any other country except Canada. But our crisis is not in higher education; it is in the primary and secondary systems. And if spending on K-12 only is compared, in 1985 the United States tied for 12th place, spending less than 11 of the other countries.

But the picture is still incomplete. Calculations of funding adequacy must also be related to the size of the school-age population in each country. Among the countries studied, the U.S. enrolls more than 19 percent of the population in K-12, a relatively large percentage compared with West Germany (15 percent) or Switzerland (14). By this more accurate measure, among the 16 countries studied, the United States spends less than all but two other countries: Australia and Ireland.

We can also compare U.S. education spending as a share of national income with the average share of the other 15 countries. We spent 4.1 percent of our national income on K-12 education in 1985, while the average abroad was 4.6 percent. To reach this average in 1985, we would have needed to raise K-12 spending by over 12 percent or $20.6 billion annually ($25 billion in 1989 dollars).

Clearly, America spends a smaller share of its national resources on K-12 than most other industrialized countries. But what about public expenditures?

For most of the 16 countries studied, the United Nations Educational, Scientific and Cultural Organization (UNESCO) assembles data on public expenditures for education because public revenue provide virtually all of the money spent. The two exceptions are Japan and the United States, where 20-25 percent of all education funding comes from private sources. For these two countries, UNESCO provides data on public and private education expenditures.

Spending on public education reflects the conscious national commitment to educating the next generation. It is therefore useful to compare levels of public spending here and in Japan with public spending in the other 14 countries. Comparing public spending for all levels of education—including post-secondary—the United States is in 14th place. We rank 13th in spending for K-12 only, adjusted for enrollments.

HOW MUCH PER STUDENT?

Education investment can also be analyzed by comparing expenditures per pupil. This is the measure Cavazos and Boskin have sometimes used to claim that we are spending more on education than our economic competitors.

However, there are two potential sources of error in the use of per-pupil expenditures to compare nations' spending on education. The first is the instability of exchange rates. Before cross-national comparisons can be made, expenditures measured in each country's national currency must be expressed in some common unit of measurement, e.g. dollars, yen, marks, etc. But whatever measure one chooses, it requires converting data collected in all other currencies to one currency. However, exchange rates fluctuate, sometimes markedly, and this has been particularly true in the 1980s.

For instance, in 1985, if $100,000 would have purchased a German school bus, by 1988, due to a decline in the value of the dollar, the same bus would have cost $166,000. If exchange rates were used to convert German expenditures into dollars, the purchase of the bus by a German school district in 1985 would have been shown as an expenditure of $100,000, while the same purchase in 1988 would appear as an expenditure of $166,000. The size of the German expenditure measured in German marks would be unchanged, but fluctuations in the exchange rate used to convert marks to dollars would markedly change the dollar value of the expenditure. In 1985, the year which we have been examining, the dollar was particularly overvalued. The effect is to make the U.S. expenditures on education appear relatively greater than those in other countries.

The second problem is that per-pupil expenditures do not tell us what can actually be purchased. This depends on prices. One country may spend more per student; but because costs are higher, the outlay may simply buy less than a smaller expenditure in a country with lower prices. (Note that comparing expenditures as a percentage of national income *does* take costs into account because costs are generally proportional to national-income levels.)

This can be illustrated by looking at expenditures in two U.S. states. In 1986, Alaska spent more than $11,500 per student—202 percent of the U.S. average. But in Alaska, salaries of instructional staff were 166 percent of the national level. Adjusted for those higher costs, Alaska's spending was actually 122 percent of the national per-pupil average. At the other extreme is Arkansas, where per-student expenditures were just 76 percent of the national average in '86. But after adjusting for salaries that were only 74 percent of average, Arkansas' per-pupil spending was actually 103 percent of the nationwide norm. Thus a comparison based simply on raw dollar amounts would overstate Alakska's position and understate Arkansas'.

In sum, per-pupil expenditures can be used to make valid international comparisons if two conditions are met: exchange rates are avoided; and some measure of national income (or price level) is factored in. Expenditures per student can accurately be expressed as a percentage of per-capita

income measured in each nation's own currency—a method also used by the OECD. Calculated that way, U.S. spending on K-12 education is lower than all but two other countries of the 16 studied.

Another significant criterion for the strength of U.S. educational investment is how funding has changed over time—and how it has varied relative to spending by other countries.

When expressed as a percentage of national income, U.S. spending for pre-primary, primary and secondary education peaked in 1974, and has fallen steadily since. Thus our spending for education has not kept pace with overall economic growth.

On the other hand, over this same period enrollments fell. Primary and secondary school enrollment, as a percentage of the total population, was at its highest level in 1969, and has been gradually declining since then—at a rate that more than offsets the decreases in spending. In the 1980s, the declining fraction of the population enrolled in school has meant adjusted expenditures have risen, despite the slowdown in actual funding for education. Nonetheless, the 1980-86 rate was only one-third that of the '70s, during which per-pupil K-12 spending grew at an annual, inflation-adjusted rate of 3 percent.

Meanwhile, the past decade saw proportionally more of the funding burden shift from the federal government to states and localities. From 1980-85, federal spending for K-12 (adjusted for enrollments and expressed as a share of national income), declined by 24 percent. This reduction, however, has been more than offset by increases in state and local funding, leading to a net rise in K-12 expenditures during the '80s. But despite the greater outlays, our position relative to other countries declined.

Examining K-12 expenditures in 1980 and 1985 for the 16 countries, with both years' expenditures adjusted for the 1985 U.S. enrollment rate, shows that in 1980 the United States ranked 12th in adjusted spending on K-12. By 1985, we had fallen to 14th. (Between 1985 and '87, public expenditures on K-12—expressed as a percentage of national income and adjusted for 1985 enrollments—rose. Since then, the level has remained relatively constant at around 4.2 percent. Because comparable international data are not available, we cannot determine how this post-1985 U.S. trend affects our relative ranking with other countries.)

PAYING THE PRICE

Clearly, the claim that the U.S. spends more than other nations on education is misleading. By all comparisons, we devote a smaller share of our resources to pre-primary, primary and secondary education than do most industrialized countries.

Spending more money is not, of course, the only answer to the difficult problem of revitalizing American primary and secondary education. But in education, as in virtually every other service, we may "get what we pay for." Given the level of investment in our pre-primary, primary, and secondary schools, it is not surprising that America is slipping behind in comparative measures of performance as well.

WHY NOT THE REST?

The relatively weak U.S. educational investment in grades K-12, compared with other countries, is not a result of a more efficient administrative structure or more favorable demographics. In fact, we might be expected to spend proportionally more than other countries because of the particular characteristics of the U.S. school system and American society.

Our decentralized school system gives more local autonomy and local choice, but is also more expensive than a single, centrally administered system. Our population is also much more heterogeneous than that of most other countries. Some immigrants do not speak English. Students come from a variety of cultural backgrounds. The very high number of children living in poverty makes additional demands on the school system.

Available data do not permit cross-country comparisons to be made in much more detail, but other evidence suggests that the spending gap is particularly wide between the youngest American and foreign children. For example, it is generally accepted that the U.S. Head Start program of early childhood education for disadvantaged children ages 3 to 5 is valuable and cost-effective. Yet limited federal funding permits only 20 percent of eligible children to take part.

Many of our competitors seem to have a stronger commitment to early childhood education, and some of them have nearly universal pre-kindergarten enrollments. In France, 100 percent of 4- and 5-year-olds attend school/educational day care, as do 90 percent of 3-year-olds and 36 percent of 2-year-olds. In Belgium, 96 percent of ages 3-6 are in school; in the Netherlands, 98 percent of 4- and 5-year-olds.—M. Edith Rasell and Lawrence Mishel.●

ACID RAIN

● Mr. MOYNIHAN. Mr. President, this September, if all goes according to schedule, the National Acid Precipitation Assessment Program will submit to Congress its final report on the causes and effects of what we call "acid rain." Ten years and a half-a-billion dollars in the making, this report, when published, will conclude the most extensive—and—expensive—environmental research project ever performed.

In preparation for the final report, some 700 scientists gathered in Hilton Head, SC, last week to discuss the meaning of the extensive data gathered under NAPAP. By all accounts, the debate at Hilton Head was lively. Not least because NAPAP has found that acid deposition, while certainly an important concern, is not the crisis we suspected 10 years ago. It is an environmental problem, but it is neither our worst nor our most pressing one. This point is made quite well in an article by William K. Stevens that appears in today's New York Times.

Mr. President, that many issues were left unresolved at last week's conference is indicative of the great need to continue NAPAP beyond its original 10-year mandate. We have before us a clean air bill that would impose strong—and costly—acid rain controls. It is both fiscally and scientifically prudent to continue NAPAP's research into acid rain and the results of our control efforts. Doing so is the only way to enable us to know just what we are getting from our efforts. And that is why I have offered, and S. 1630, the Clean Air Act Amendments, contains a provision to do just that.

Mr. President, I ask that a copy of the New York Times article be inserted in the RECORD immediately following my remarks. I thank the Chair.

The article follows:

[From the New York Times, Feb. 20, 1990]

WORST FEARS ON ACID RAIN UNREALIZED

(By William K. Stevens)

HILTON HEAD, SC.—A 10-year, half-billion-dollar federally sponsored investigation is concluding that acid rain causes some significant environmental damage but far less than initially feared.

"The sky is not falling, but there is a problem that needs addressing," James R. Mahoney, the director of the National Acid Precipitation Program, said as about 700 scientists from more than 30 countries gathered here last week to digest, pick apart and argue about the results of hundreds of studies that will form the basis for the program's final report to Congress later this year.

"Acid rain does cause damage," Dr. Mahoney said, "but the amount of damage is less than we once thought, and it's much less than some of the characterizations we sometimes hear."

Some of the program's findings are riddled with uncertainty. Some scientists at the Hilton Head review, moreover, criticized the assessment as prematurely concluding that acid rain is causing little harm to American forests. And Canadian scientists charged that the assessment understated the problem in their country, a problem to which, it is generally agreed, the United States greatly contributes.

But Dr. Mahoney said that while there is "a great deal of room, still, for debate and interpretation," the extremes of the debate—the view that acid rain represented an imminent environmental disaster and the opposite view that it was not a problem—have now been eliminated.

The Federal research program, created by Congress in 1980 to provide the Government with a definitive study of acid rain, has engaged the efforts of hundreds of scientists. Last week's meeting was meant to be the last major critical scientific review of the findings, among them these major ones:

In the United States, fewer than 1,200 lakes have become fully acidified. Little can live in them, and acid rain is mostly responsible. This is about 4 percent of all lakes in areas where acidification might be expected. Earlier, it has been feared that thousands of lakes would be fully acidified by now. In the Northest, where most of the concern has focused, those lakes that are going to become acidified have already done so. An additional .5 percent of American lakes on which acid is thought to fall, while not necessarily fully acidified, are acidic enough to threaten some species of aquatic life.

Except for red spruce at high elevations in the Eastern mountains, there is no evidence that acid rain has caused a general decline of American forests. But a sizable minority of scientists at Hilton Head argued that because this part of the research effort is relatively young, and because new, provocative but unevaluated data are still coming in, the door was being closed too soon. Furthermore, they argued, the report on forests had given short shrift to the possibility that over the long term, acid rain causes nutri-

tional deficiencies in trees by altering soil chemistry.

There is no evidence that acid rain in the United States harms corps.

Acid rain and dry acid particles in the atmosphere could pose a health risk to asthmatics, people with heart or lung disease, children and the elderly, either alone or in concert with other pollutants such as ozone. Symptoms include wheezing, shortness of breath and coughing. But, citing uncertainty surrounding the issue, the study report said the health risk was speculative at this time. The study found also that acidic deposition might cause the chemical release in the environment of enough lead to affect health. The level of risk, if any, is not yet determined.

In the Eastern United States, sulfates of the kind borne by acid rain are the dominant cause of haze and reduced visibility, accounting for half the degradation of light. Sulfur emissions have been the major contributor to Eastern haze since the late 1940's.

Acid rain damages such construction materials as marble and limestone and causes a number of metals and alloys to corrode more rapidly. At particular risk are an estimated 35,000 historic buildings and 10,000 monuments in the Northeast.

DEBATE IN CONGRESS

Congress is debating proposed amendments to the Clean Air Act. Acid rain is one target of legislation, introduced by the Bush Administration, to amend the law. Industries, electric utilities in particular, would be required to reduce emissions of sulfur dioxide and oxides of nitrogen by 10 million tons and 2 million tons a year, respectively, by the year 2000, at a cost estimated by the Environmental Protection Agency as $22 billion over the next decade.

Sulfur dioxide and nitrogen oxides, produced by the burning of coal, oil and natural gas, are the precursors of acid rain. In the atmosphere, they react with water and other chemicals to form sulfate and nitrate compounds that can be carried hundreds of miles by air currents before they are deposited on the earth by rain, snow, sleet, mist, fog or clouds. Dry sulfur dioxide and nitrogen oxides also sometimes fall to earth nearer the point of origin.

In broad perspective, say Dr. Mahoney and some others associated with the Federal study, acid rain cannot be seen as ranking at, or even near, the top of a present-day priority list of environmental issues that also includes urban air pollution, destruction of tropical forests, depletion of the earth's protective ozone layer and the possibility of global climate change.

"I completely disagree with that," Deborah A. Sheiman of the Natural Resources Defense Council, an environmental advocacy group, said as the conference was ending. Not least, she and others said, this is because in one respect, there are more reasons, not fewer, to be concerned about acid rain today than there were 10 years ago. Then, the concern focused on damage to lakes and streams in the Northeast. Now it involves lakes and streams in other regions as well, along with forests, human health, atmospheric visibility and damage to materials.

Ten years ago, Dr. Mahoney recalled, some environmentalists predicted that within a decade, acid rain would increase by tenfold the acidity of thousands of lakes in the United States. In fact, the research shows, the acidity actually increases by up to fivefold over 20 to 50 years, and far fewer lakes are involved. (Tenfold is equal to one point on the 14-point pH scale, which is the standard measure of acidity and alakinity. A pH of zero is totally acid; of 14, totally alkaline. Seven is neutral.) Damage to aquatic life begins to take place below a pH of 6, according to findings presented at Hilton Head. The Federal study found that 9 percent of lakes in areas of the United States known to be targets for acid rain had acid levels below pH 6, and that 4 percent were totally acidified. These lakes, though a small fraction of the national total, were concentrated not only in the Northeast, as had long been suspected, but also in Appalachia, on the mid-Atlantic coastal plain, in northern Florida and in contiguous parts of northern Wisconsin and the Upper Peninsula of Michigan.

The survey also found that 2.7 percent of streams in areas where acid rain falls from the sky were acidic, and that many streams in the Appalachians were vulnerable to future acidification.

"I'm not saying there's no problem," said Dr. Mahoney. "But we don't have very rapid decay of large numbers of lakes." While many lakes will recover once no more acid falls into them, he said, the recovery will take some years.

QUESTIONS ABOUT CANADA

The Federal study incorporates data from Canada showing that 5 percent of a sample fo 8,500 Canadian lakes were acidified. If that is an accurate sample of the whole, it would mean that perhaps 14,000 Canadian lakes are fully acid. And about a quarter of the Canadian lakes sampled had a pH of 6 or less. Canadian scientists say that perhaps 150,000 lakes could fall in this category.

By treating these findings separately, burying them in the body of the study, leaving them out of the summary and generally underplaying them, the scientists "greatly diminished" the extent of the Canadian problem, contended Tom Brydges, a lakes expert from Environment Canada, his country's environmental agency.

Lawrence Baker of the University of Minnesota Water Resources Center, who was the chief author of the lakes report, said that ideally, the Canadian data should be integrated with the overall study. But he said it was unclear whether the Canadian sample was a true random sampling of Canadian lakes. Further, he said, the two studies did not examine the same variables.

"I'm not exactly sure if it can be resolved, scientifically speaking," he said.

The Canadian objection is being taken seriously, said Patricia Irving, the associate director of the Federal study and its science coordinator.

A major purpose of the Hilton Head meeting, she said, was to uncover and ventilate just such concerns before the final report.

At the levels at which acid is now being deposited in North America, the study found that with the exception of Eastern red spruce at high elevations, there is "no evidence of widespread forest damage." Moreover, it found that acid rain "is not associated with crop damage." The real villain, it found, is ozone, which "is capable of regional-scale crop growth and yield reduction" and is "the pollutant of greatest concern" with respect to forests.

Beyond that, the reports on forests and vegetation generated considerable contention.

There is wide agreement that to the extent acid rain does harm forests, it is just one of many stresses, including natural ones such as drought and cold. Scientists say it is extremely difficult to sort out cause and effect. Moreover, critics at Hilton Head said that data collection on forests was still going on and not that much information was in hand.

The study was also criticized for drawing a sweeping conclusion that hardwoods like the sugar maple are not harmed by acid rain. Some studies in Canada suggest the opposite, and critics said that the door should not be closed just yet.

And in one of the biggest reservations on the forest issue, a number of scientists said that there was much evidence that acid rain changes the balance of nutrients in forest soils. Some scientists, in fact, are convinced that there is no doubt that acid in some soils not only robs the soil of nutrients but also interferes with the ability of trees to absorb them. Some members of the forestry study group said that this would have to be reevaluated, and that new information might have to be sought, before a final report is issued.●

AMERICAN CHOCOLATE WEEK

● Mr. LAUTENBERG. Mr. President, the week of March 12, 1990, has been designated by the chocolate industry as "American Chocolate Week." Americans love chocolate. According to an October 1989 Gallup poll, chocolate is American's favorite flavor.

New Jersey is the proud home of famous chocolate makers, large and small, from Van Leer Chocolate Corp. and M&M/Mars, to the many independent small chocolate candymakers who have passed down their epicurean secrets for generations. This week is also a tribute to them and their hard work over the years.

Until the discovery of America in 1492, the Old World knew nothing about this delicious flavor that was to become the favorite of millions. When Columbus returned to the Court of King Ferdinand, he brought back many unique things. Among them were dark brown beans; cacao beans, the source of all chocolate and cocoa.

But it was not until the Spanish explorer Cortez' conquest of Mexico that the commercial possibilities of this strange bean became known.

Cortez found the Aztecs using cacao beans to prepare a royal drink called chocolatl which Emperor Montezuma served to his Spanish guests in golden goblets. But the chocolatl was too bitter for the Spanish taste. To make it more agreeable to Europeans, Cortez and his countrymen sweetened it with cane sugar. When they took the chocolate back to Spain, the drink underwent several more changes that helped to popularize it. Someone added cinnamon, another a dash of vanilla and another decided it would taste better served hot.

The new drink became especially popular among the Spanish aristocracy and Spain proceeded to plant cacao in its overseas possessions. It became a profitable business, but the Spaniards kept the art of the cacao industry a

secret from the rest of Europe for nearly 100 years.

After the secret was leaked out by Spanish monks, chocolate was acclaimed throughout Europe as a delicious, healthy food. Chocolate drinking became fashionable in the French Court and in Great Britain. Mass production was hastened by a steam machine which handled the cacao grinding process. By 1730, chocolate dropped in price from $3 or more a pound to within the reach of others besides the wealthy. The invention of the cacao press in 1828 cut prices further and improved the quality of the beverage.

In the 19th century, there were two significant developments in the history of chocolate. In Switzerland in 1876, Daniel Peter invented a way of making milk chocolate for eating. The second development was of a smooth variety called fondant chocolate which almost completely replaced the coarse grained chocolate which had dominated the world chocolate market.

Chocolate has a long history in America. The first U.S. chocolate factory was established in New England in 1765, and Americans have been enjoying this good-tasting food ever since. During World War II, chocolate played a vital role in the nourishment of the Allied Armed Forces. Valuable shipping space was allocated for the importation of cacao beans.

Today, the love of chocolate continues. In fact, in 1989, the average annual U.S. consumption of chocolate was 11 pounds per person. The chocolate industry in the United States is nearly a $6 billion industry wholesale which is about $9 billion retail.

During the first annual American Chocolate Week, chocolate lovers around the country plan to celebrate their favorite flavor. To kick off the celebration there will even be a chocolate lover's press conference brunch in the House of Representatives.

I pay tribute to all the chocolate makers in my State. I hope chocolate lovers across the United States will join in this festive celebration.●

GEOGRAPHY AWARENESS

● Mr. ROCKEFELLER. Mr. President, America has finally recognized the enormous task it faces in raising the level of geographic knowledge among American students and adults. Leaders in both government and the private sector have begun to take steps to reverse this downward trend in our Nation's geographic literacy.

Evidence of the need for geography education in the United States was illustrated in a 1988 National Geographic Society/Gallup study. Referencing a world map, only 33 percent of adult Americans could locate Vietnam, 19 percent Colombia, and 11 percent Romania. Just 15 percent knew Mexico City has the largest population in the world, and only 25 percent could name four countries that officially acknowledge having nuclear weapons.

A 1988 survey of State education agencies conducted by the Council of Chief State School Officers shows that although geography is taught in some form at various grade levels in the majority of the States surveyed, only 55 percent have a requirement in geography education.

Some of my distinguished colleagues have already recognized the need for geography education. Senator BRADLEY's and Senator STAFFORD's efforts have resulted in the establishment of Geography Awareness Week. A 1987 hearing before the Subcommittee on Education, Arts, and Humanities, chaired by Senator PELL, explored strategies aimed at increasing geographic literacy. More recently, the education summit in September 1989, sponsored by the White House, called on the Federal, State, and local governments to work together to solve the problems of our educational system.

Mr. President, in a world with shrinking cultural and trade barriers and increased interdependence, a working knowledge of geography and its cultural ramifications is imperative. American corporations have a vested interest in the skills taught in schools: the students of today are the work force of tomorrow. To complete in an increasingly global marketplace, the private sector must make a concerted effort to ensure its future employees are as educated as their foreign counterparts.

One example of private sector involvement in educational programs I would like to recognize today is the American Express Geography Competition, on whose advisory committee I serve. Developed in conjunction with the Association of American Geographers, the competition encourages students to develop projects which require an understanding of geography in its broadest sense—including the study of places on the Earth's surface and of the interrelationships between those places and the people who occupy them. A separate competition requires teachers to submit their most effective methods of teaching geography, and winning entries will be published and circulated to all participants. Awards in the form of travel certificates will encourage both students and teachers to learn more about geography first hand.

The American Express Geography Competition has more than 7,500 students and 550 teacher registrants in its first year. Every State has participated, and submitted entry themes ranging from "What Would Happen if Countries Never Communicated?" to "Rain Forests—What They Do For Us, What We Do To Them."

Although only one example, the competition illustrates how corporations can make unique contributions to education. Private sector involvement, teamed with Federal, State, and local efforts, will put today's students—tommorrow's business leaders—back on the map.●

ANTI-SEMITISM IN THE SOVIET UNION

● Mr. SIMON. Mr. President, I recently requested that my distinguished colleagues join me in sending a letter to President Gorbachev at the end of this week. The letter urges President Gorbachev to make a public statement against rising anti-Semitism in the Soviet Union. Daily we hear reports of attacks, both physical and verbal, being made against Soviet Jews with little or no response from officials in their defense.

To prevent a greater tragedy from occurring, a statement needs to be made by President Gorbachev to show that he has no tolerance for nor does he condone anti-Semitism. This is not, it appears, a novel idea. In Sunday's Washington Post, a supporter of President Gorbachev's who is also a member of the Communist Party in the Soviet Union, stated his concern about the increased incidents and compared the tactics of these anti-Semitic groups to those of the Nazi period. He too mentioned his concern about the silence from the highest Soviet authorities. I would like to submit a copy of that article for the RECORD, and ask that it be printed in full.

I am aware that President Gorbachev has serious domestic concerns, but I believe it is to his advantage to prevent a disaster before it occurs. I encourage my colleagues to join me in sending the letter to President Gorbachev. We need to show our concern and our support for such a statement to be made by President Gorbachev.

The article follows:

ANTI-SEMITISM: THE RETURN OF A RUSSIAN NIGHTMARE

(The following essay represents the sharpest public criticism to date by a senior Soviet official of the growing anti-semitism in the Soviet Union. It was written by Vitalii Goldanskii, a prominent Soviet scientist and director of the Semenov Institute of Chemical Physics of the Soviet Academy of Sciences. Goldanskii is a member of the Council of People's Deputies and the foreign relations committee of the Supreme Soviet. He wrote the following essay in English, with editing assistance from John P. Holdren, a professor of energy and resources at the University of California at Berkeley.)

(By Vitalii I. Goldanskii)

Supporters of President Gorbachev's perestroika are increasingly alarmed by the possibility that this program is restructuring and reforms may collapse. Should this occur—and it cannot be ruled out even in the near future—it would be a disaster not

only for the Soviet Union but for all humankind.

Many of the difficulties being encountered by perestroika are well known outside the Soviet Union, as are some of the potential consequences if perestroika fails. But too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-semitic groups that seek to subvert perestroika, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions. They are perhaps already the strongest, and certainly the fastest growing, of the divisive forces pushing the country toward bloodshed and civil war.

The extremist groups go by a variety of innocuous-sounding names, of which the best known outside the Soviet Union is the "National Patriotic Front Pamyal" (pamyat means "memory"). A number of them recently entered into a confederation under the title of "Bloc of Social-Patriotic Movements of Russia." I prefer to call them Russian monarcho-Nazis (or monarcho-fascists), to reflect their combination of deep reverence for the autocratic csarist Russian empire and ferocious hatred of Jews.

Incredibly, the Russian monarcho-Nazis openly and widely condemn the Jews as the main culprits in all of the troubles of Russia from the October Revolution of 1917 up until the present—including genocide against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges; destruction of tens of thousands of Russian churches and historical monuments; and spiritual poisoning of the people through the introduction of decadent and corrupt Western culture alien to Russian tradition. They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making references to the disgraceful hoax, "The Protocols of the Elders of Zion."

There is striking similarity, in fact, between the views, programs and intentions of the Russian monarcho-Nazis and the original Nazi platform as laid out in Hitler's "Mein Kampf" and other infamous documents of the German Nazi period. This similarity, and the resemblance of the general situation in the Soviet Union in 1988-90 to that in Germany in 1931-33, have been publicized by progressive Soviet mass media. The newspaper Soviet Circus, for example, has printed a point-by-point comparison of Pamyat's manifesto with the program of the Nazi Party of the 1930s.

The main organization serving as a coordinator of the monarcho-Nazi forces is the Union of Writers of the Russian Federation (RSFSR). As outlets for their propaganda they have at their disposal such newspapers and journals as "Literaturnaya Rossiya" (Literary Russia), "Nash Sovremennik" (Our Contemporary), "Molodaya Gvardija" (Young Guards) and "Moscow." The leaders of this movement include many notorious writers, some scientists, some artists and others.

The Nazi-type speeches and publications of these groups are becoming routine features of everyday life in the Soviet Union. Their form and content were analyzed by Prof. Herman Andreyev from Mainz University in West Germany in a recent issue of the weekly magazine Ogonyok. He concluded that in Western European countries such statements would be treated as unconstitutional, the persons propagating them would be called to account and the organizations supporting them would be dissolved.

Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolites (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1953), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.

Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

The explanation of such passivity on the part of the authorities seems quite simple. In addition to the evident sympathy of many authorities on different levels to the views of the monarcho-Nazis, others who do not sympathize nonetheless hesitate to act because of the way the growing aggressiveness of the monarcho-Nazis is linked to the bloody ethnic conflicts and intensifying separatist movements in nearly all of the outlying districts of the Soviet Union.

Specifically, this situation offers the monarcho-Nazis considerable opportunities for blackmail and intimidation of Gorbachev and his closest advisers, through the claim that, in conditions of the "decline of empire," the Russian heartland and her "genuine sons" constitute the only reliable basis for the preservation of Gorbachev's power. Such arguments are being used to push Gorbachev toward the right and to divide him from his true supporters on the left—the liberal intelligentsia. The result could be a repetition of the circumstances that produced the downfall of Khrushchev in 1964.

In parallel with their attempts to intimidate Gorbachev, the monarcho-Nazis have been openly attacking his foreign policy. They even have accused Gorbachev of being an agent in the service of the CIA and the Israeli intelligence service, the Mossad. With this two-pronged strategy of intimidation and direct attack, the Russian monarcho-Nazis hope to attain either a decisive influence over Gorbachev's policies or his removal and replacement at the seat of power by supporters of their movement.

What would that mean for Soviet Jews? The answer is all too clear from the similarity of the monarcho-Nazis' program to that of Hitler. The Russian monarcho-Nazis already possess their equivalent to Hitler's SA and SS, in the form of the Pamyat movement. This movement does not disguise its intentions to carry out pogroms against the Jews, to whom it refers using the insulting word "zhidy" (yids). In fact, members of Pamyat have been organizing well-attended meetings all over the country to call for pogroms—even in Moscow's Red Square on Nov. 12, 1989—and no one has stood in their way.

Hitler treated as Jews those who have more than one-quarter Jewish blood. Pamyat goes further. It has announced its intention to search for Jewish progenitors back to the 10th generation. New recruits to Pamyat are required to prove their "racial purity" and to provide to the organization the home addresses of five Jews—no doubt for the purposes of the pogroms to come. Opponents of the monarcho-Nazi movement who happen to be "racially pure" or "Aryan" are characterized, along with all liberal intelligentsia, as "masons" (or "zhido-masons," i.e., supporters of Jews); and these are also the targets of pogrom propaganda.

The brazenness of monarcho-Nazi threats against Soviet Jewry has been increasing. In addition to anti-semitic rallies and the desecration of Jewish cemeteries around the country, which have been going on for some time, it now seems that meetings of liberal intellectuals are no longer safe from disruption by Pamyat thugs.

On the evening of Jan. 18 of this year, for example, a meeting of the progressive "April" group of writers at the Central House of Writers in Moscow was invaded by some dozens of Pamyat monarcho-Nazis with megaphones. They roughed up some of the writers, forcibly ejected others from the hall, shouted anti-semitic slogans and announced that their next visit will be with automatic weapons. They also designated St. George's Day, at the beginning of May, for a pogrom. The police were called but took their time in arriving, and there were no arrests.

Further increases in anti-semitic activities (especially, of course, actual violence) surely will lead to a mass exodus of Jews, people of partly Jewish extraction and "racially pure" liberal intelligentsia. This new wave of emigrants—refugees from monarcho-Nazi power—could reach several millions and would represent a serious brain-drain from the U.S.S.R.

As for the possibility of another Holocaust, it certainly could not reach the scale of earlier Nazi crimes: The world has changed too drastically in the last half century for that. But a wave of pogroms more or less along the lines of the infamous "Kristallnacht" cannot be ruled out—weaker if a government like the present one tries to oppose them, stronger if a successor government of the monarcho-Nazi stripe sympathizes with the pogrom lust.

What should be done? As a start, the world public should be informed of the activities and intentions of the new followers of Hitler in the Soviet Union and should be told their names. The famous "Brown Book" published by anti-fascists in 1933, after all, was the first important step in the exposure of the Nazi crimes of that era. Clearly, the publishers of newspapers, journals and books, and producers of electronic media, have an important role to play.

The stakes are high. If the monarcho-Nazis prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.●

LITHUANIAN INDEPENDENCE DAY

● Mr. RIEGLE. Mr. President, February 16 marked the 72d anniversary of the day on which Lithuania became an independent nation. In commemorating this important date, we recall the remarkable accomplishments made by the Lithuanian people in the social, economic, and cultural life of their country, during its 22 years of independence.

During the past year, Lithuania has led the charge among Soviet Republics toward democracy and self-determination. The Lithuanian people have earned the attention and admiration of the world through their uniquely bold, yet peaceful and disciplined campaign to regain their usurped independence.

Soviet President Mikhail Gorbachev went to Vilnius last month to dissuade Lithuania from leaving the Soviet Union; but instead, bowing to overwhelming pressure from the Lithuanian people, he conceded in principle to Lithuanian demands of self-determination for their nation. As Gorbachev continues to accede to the agenda set by the Lithuanian opposition, the issue of Lithuanian independence becomes increasingly a question of, as a Washington Post headline put it, "not just if, but when." It is my sincere hope that, because of the unceasingly courageous and thoughtful actions of the Lithuanian people, 1990 may be the last year Lithuanians commemorate their Independence Day under Soviet control.

I urge my colleagues to join in expressing their solidarity with the Lithuanian people, and in reassuring them that Americans are committed to seeing that full rights of self-determination are restored to Lithuania.●

POSTHUMOUS CITIZENSHIP FOR ACTIVE DUTY SERVICE ACT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 438, H.R. 150, the Posthumous Citizenship for Active Duty Service Act.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 150) to amend the Immigration and Nationality Act to provide a procedure for an alien who dies while serving on active duty with the U.S. Armed Forces during certain periods of hostilities to be considered a citizen of the United States at the time of the alien's death.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL SPACE COUNCIL AUTHORIZATION ACT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 444, S. 2124, the National Space Council Authorization.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 2124) to authorize appropriations for the National Space Council, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on the engrossment and the third reading of the bill.

The bill (S. 2124) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 2124

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Space Council Authorization Act of 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. There are authorized to be appropriated to carry out the activities of the National Space Council established by section 501 of the National Aeronautics and Space Administration Authorization Act, fiscal year 1989 (42 U.S.C. 2471), $1,200,000 for fiscal year 1990. The National Space Council shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

STAFFING

SEC. 3. (a) Not more than six individuals may be employed by the National Space Council without regard to any provision of law regarding the employment or compensation of persons in the Government service, at rates not to exceed the rate of pay for level VI of the Senior Executive Schedule as provided pursuant to section 5382 of title 5, United States Code.

(b) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following:

"Executive Secretary, National Space Council.".

EXPERTS AND CONSULTANTS

SEC. 4. The National Space Council may, for purposes of carrying out its functions, employ experts and consultants in accordance with section 3109 of title 5, United States Code, and may compenate individuals so employed for each day they are involved in a business of the National Space Council (including traveltime) at rates not in excess of the daily equivalent of the maximum rate of pay for grade GS-18 as provided pursuant to section 5332 of title 5, United States Code.

REVIEW OF LAUNCH INDUSTRY

SEC. 5. (a) The National Space Council is requested to initiate a review of United States launch policy, including the Nation's expendable launch vehicle and satellite industries, their current and projected markets, the existing and projected level of foreign competition in these industries, the extent and level of support from foreign governments in these markets and industries, the consequences of the entry of nonmarket providers of launch services and satellites into the world market, restrictions on the use of foreign launch services and the export of United States satellites, and the importance of the United States launch vehicle and satellite industry to the national and economic security.

(b) The findings of this review and any policy recommendations are to be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives by August 1, 1990.

EFFECTIVE DATE

SEC. 6. The provisions of this Act are effective as of October 1, 1989.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MEASURES INDEFINITELY POSTPONED

Mr. MITCHELL. Mr. President, I ask unanimous consent that Calendar Nos. 162, S. 1367; 163, S. 1368; 164, S. 1369; 184, S. 1438; and 185, S. 1439 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY

RECESS UNTIL 10 A.M.; LEADER TIME UNTIL 10:40 A.M.; RECESS FROM 10:40 A.M. TO 12:15 P.M.; MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m., Wednesday, February 21, 1990, and that the time for the two leaders be until 10:40 a.m., that the Senate stand in recess from 10:40 a.m. to 12:15 p.m., so that Members of the Senate may join their House colleagues in the House Chamber to hear an address by President Havel of Czechoslovakia; that there be a period for morning business from 12:15 p.m. to 1:15 p.m., with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MITCHELL. Mr. President, at 1:15 p.m., the Senate will resume the debate on the motion to proceed to

the consideration of Senate Joint Resolution 212, the Armenian resolution.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MITCHELL. Mr. President, if the distinguished Republican leader has no further business and if no other Senator is seeking recognition, I ask unanimous consent that the Senate stand in recess under the previous order until 10 a.m. tomorrow, Wednesday, February 21, 1990.

There being no objection, the Senate, at 7:44 p.m., recessed until Wednesday, February 21, 1990, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 20, 1990:

DEPARTMENT OF STATE

DEANE ROESCH HINTON, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, WITH THE PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PANAMA, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM NOVEMBER 22, 1989, TO JANUARY 23, 1990.

JONATHAN MOORE, OF MASSACHUSETTS, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

SHIRIN RAZIUDDIN TAHIR-KHELI, OF PENNSYLVANIA, TO BE THE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

AFRICAN DEVELOPMENT FOUNDATION

HERMAN JAY COHEN, AN ASSISTANT SECRETARY OF STATE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 22, 1991, VICE CHESTER A. CROCKER.

INTER-AMERICAN FOUNDATION

THE FOLLOWING-NAMED PERSONS TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR TERMS OF SIX YEARS:

NORTON STEVENS, OF NEW YORK. (NEW POSITION)
FRANK D. YTURRIA, OF TEXAS. (NEW POSITION)

THE JUDICIARY

SAMUEL A. ALITO, JR., OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT VICE JOHN J. GIBBONS, RETIRED.

STEPHEN M. MCNAMEE, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA VICE CHARLES L. HARDY, RETIRED.

ROBERT H. CLELAND, OF MICHIGAN, TO BE UNITED STATES DISTIRCT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN VICE JAMES P. CHURCHILL, RETIRED.

GRAHAM C. MULLEN, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA VICE JAMES B. MCMILLAN, RETIRED.

ROBERT E. JONES, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON VICE JAMES M. BURNS, RETIRED.

RESOLUTION TRUST CORPORATION

JOHN J. ADAIR, OF VIRGINIA, TO BE INSPECTOR GENERAL, RESOLUTION TRUST CORPORATION. (NEW POSITION)

MISSISSIPPI RIVER COMMISSION

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE POSITIONS INDICATED, UNDER THE PROVISIONS OF SECTION 2, ACT OF CONGRESS, (21 STAT. 37) (33 UNITED STATES CODE 642):

To be a member and president of the Mississppi River Commission

BRIG. GEN. ARTHUR E. WILLIAMS, [redacted], UNITED STATES ARMY.

STATE JUSTICE INSTITUTE

THE FOLLOWING-NAMED PERSONS TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR THE TERMS INDICATED:

FOR A TERM EXPIRING SEPTEMBER 17, 1991:

TERRENCE B. ADAMSON, OF GEORGIA, VICE LAWRENCE H. COOK, RESIGNED.
VIVI L. DILWEG, OF WISCONSIN, VICE RODNEY A PEEPLES, TERM EXPIRED.

FOR A TERM EXPIRING SEPTEMBER 17, 1992:

CARL F. BIANCHI, OF IDAHO, VICE LARRY P. POLANSKY, TERM EXPIRED.
JAMES DUKE CAMERON, OF ARIZONA. (REAPPOINTMENT)
JANICE L. GRADWOHL, OF NEBRASKA. (REAPPOINTMENT)
MALCOLM M. LUCAS, OF CALIFORNIA, VICE RALPH J. ERICKSTAD, TERM EXPIRED.

NATIONAL CREDIT UNION ADMINISTRATION

ROBERT H. SWAN, OF UTAH, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR THE TERM OF SIX YEARS EXPIRING AUGUST 2, 1995, VICE DAVID L. CHATFIELD, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND AS CHIEF OF NAVAL OPERATIONS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 601 AND 5033:

To be Chief of Naval Operations
To be admiral

ADM. FRANK B. KELSO, II, U.S. NAVY, [redacted]/1220.

THE FOLLOWING-NAMED REAR ADMIRALS (LOWER HALF) IN THE LINE OF THE UNITED STATES NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

ENGINEERING DUTY OFFICER

To be rear admiral

REAR ADM. (LH) JOHN SYDNEY CLAMAN, [redacted], U.S. NAVY.
REAR ADM. (LH) ROBERT EDWIN TRAISTER, [redacted], U.S. NAVY.

THE FOLLOWING NAMED REAR ADMIRALS (LOWER HALF) OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF REAR ADMIRAL IN THE STAFF CORPS, AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

JUDGE ADVOCATE GENERAL'S CORPS OFFICER

To be rear admiral

REAR ADM. (LH) GERALD E. GILBERT, [redacted]/2505 U.S. NAVAL RESERVE.

SUPPLY CORPS OFFICER

REAR ADM. (LH) JAY R. DENNEY, [redacted]/3105 U.S. NAVAL RESERVE.

THE FOLLOWING NAMED REAR ADMIRAL (LOWER HALF) OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF REAR ADMIRAL IN THE LINE, AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

ENGINEERING DUTY OFFICER

To be rear admiral

REAR ADM. (LH) BRIAN T. SHEEHAN, [redacted]/1445 U.S. NAVAL RESERVE.

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A HIGHER GRADE THAN THAT INDICATED.

MEDICAL CORPS

To be colonel

NORMAN G. PARE, [redacted]
SUMAN SETH, [redacted]
NORMAN L. SIMS, [redacted]

To be lieutenant colonel

JAMES L DELUCAS, [redacted]
RANDALL B KING, [redacted]
HARRY E MARDEN, JR, [redacted]
THOMAS W MARSH, [redacted]
KENNETH D RASHID, [redacted]
WALTER A ROLL, JR, [redacted]
RAYMOND P TENEYCK, [redacted]
CHARLES H WILE, [redacted]
FRANK A WOJCIECHOWSKI, [redacted]

To be major

JAMES S ICE, [redacted]
PEDRO H LOPEZ-VALENTIN, [redacted]

DENTAL CORPS

To be colonel

MICHAEL G SAVAGE, [redacted]

To be lieutenant colonel

RICHARD P APPS, JR, [redacted]
STEVEN E DAZEY, [redacted]
JOE B DRANE, III, [redacted]
RAYMOND G KOEPPEN, [redacted]
DAVID S PALMER, [redacted]
ROMMIE G WHEELER, [redacted]

To be major

HOWARD F CONE, JR, [redacted]
CRAIG B FOWLER, [redacted]
DENNIS N GREEN, [redacted]
EDWARD F MITNITSKY, [redacted]
SCOTT A SCHWARTZ, [redacted]
RONALD K SCOVILLE, [redacted]
JOHNNY L SILER, [redacted]
ROBERT VAN HOUSE, [redacted]

To be captain

JAMES M GAMBILL, [redacted]
STEPHEN W MERRILL, [redacted]

MEDICAL SERVICES CORPS

To be first lieutenant

RANDALL A CARPENTER, [redacted]

BIOMEDICAL SCIENCE CORPS

To be captain

DANIEL M KAMIENIECKI, [redacted]

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT AS RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 593, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED.

MEDICAL CORPS

To be colonel

HARVEY L CASEBEER, [redacted]

To be lieutenant colonel

RUBEN T AGUAS, [redacted]
LARRY T. BOURKE, [redacted]
ROBERT J CRONIN, [redacted]
WILLIAM H DILLON, [redacted]
THOMAS LENZ, [redacted]
MARK L MESSINGHAM, [redacted]
GEORGE L SANDERS, [redacted]
BRUCE M SMITH, [redacted]

THE FOLLOWING AIR FORCE OFFICER FOR PERMANENT PROMOTIONS IN THE UNITED STATES AIR FORCE, IN ACCORDANCE WITH SECTIONS 624 AND 1552, TITLE 10, UNITED STATES CODE, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be lieutenant colonel

MARCK R COBB, [redacted]

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTIONS 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE. (EFFECTIVE DATE FOLLOWS SERIAL NUMBER)

LINE OF THE AIR FORCE

To be lieutenant colonel

MAJOR LYLE M. ANDVIK, [redacted] 11/3/89
MAJOR ROBERT A. BLANSHARD, [redacted] 11/13/89
MAJOR TIMOTHY J. COSSALTER, [redacted] 11/13/89
MAJOR WAYNE E. FERRELL JR., [redacted] 11/2/89
MAJOR RUFUS L. FORREST JR., [redacted] 11/5/89
MAJOR MICHAEL I. GREEN, [redacted] 10/14/89
MAJOR GERALD J. HUERTA, [redacted] 9/16/89
MAJOR GARY D. JOHNLOZ, [redacted] 11/1/89
MAJOR CLIFF R. KING, [redacted] 11/13/89
MAJOR GARY F. KLINE, [redacted] 11/5/89
MAJOR JAMES L. MALENKE, [redacted] 11/15/89
MAJOR JESSE R. MAXWELL, [redacted] 11/5/89
MAJOR STEPHEN L. MELTSNER, [redacted] 9/27/89
MAJOR EDWIN J. ORNDORFF, [redacted] 11/4/89
MAJOR JOHN D. RICE, [redacted] 10/22/89
MAJOR ROBERT E. RITTNER JR., [redacted] 11/13/89
MAJOR WILFRED G. SOUTIEA JR., [redacted] 11/4/89
MAJOR WARREN E. THOMAS, [redacted] 11/8/89
MAJOR SAMUEL A. VOLTZ III, [redacted] 10/26/89
MAJOR JAMES P. WHITE, [redacted] 10/21/89
MAJOR AARON K. WILSON, [redacted] 11/3/89

LEGAL CORPS

MAJOR JEFFREY R. ALLEN, xxx-xx-xxxx 11/5/89

CHAPLAIN CORPS

MAJOR JAMES R. PRICE, xxx-xx-xxxx 9/14/89

MEDICAL CORPS

MAJOR GEORGE L. CLARK, xxx-xx-xxxx 11/5/89
MAJOR WILLIAM C. FRIDINGER, xxx-xx-xxxx 9/19/89
MAJOR RICHARD W. SLOAN, xxx-xx-xxxx 10/15/89
MAJOR JOSEPH R. TORDELLA, xxx-xx-xxxx 10/16/89
MAJOR CARMELO I. VILLA, xxx-xx-xxxx 11/4/89

DENTAL CORPS

MAJOR JAMES A. NICHOLSON, xxx-xx-xxxx 11/19/89
MAJOR ROBERT M. ROHEN, xxx-xx-xxxx 10/14/89

BIOMEDICAL SCIENCE CORPS

MAJOR ALBERT L. SHERBURNE, xxx-xx-xxxx 10/22/89

IN THE AIR FORCE

THE FOLLOWING OFFICERS, UNITED STATES AIR FORCE OFFICER TRAINING SCHOOL, FOR APPOINTMENT AS SECOND LIEUTENANTS IN THE REGULAR AIR FORCE, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

DAVID W BARNES, xxx-xx-xxxx
DOUGLAS C BLAKE, xxx-xx-xxxx
ROBERT T BOQUIST, xxx-xx-xxxx
ROBERT J BRYANT, xxx-xx-xxxx
ROBERT T BURAN, xxx-xx-xxxx
RAY S BURKE, xxx-xx-xxxx
THOMAS S CHRISTJANS, xxx-xx-xxxx
MARK J CONNERS, xxx-xx-xxxx
KEVIN J CUNNINGHAM, xxx-xx-xxxx
KATHY G DICUS, xxx-xx-xxxx
RICHARD G ELKINS, xxx-xx-xxxx
DAVID J ENGLEHART, xxx-xx-xxxx
TIM E FALKOWSKI, xxx-xx-xxxx
LANCE R FLETCHER, xxx-xx-xxxx
MICHAEL E FROST, xxx-xx-xxxx
AARON C GEORGE, xxx-xx-xxxx
BRIAN K GEORGE, xxx-xx-xxxx
PAUL G GILLESPIE, xxx-xx-xxxx
FRANK B GILLIAM, xxx-xx-xxxx
JEFFREY W GRUSY, xxx-xx-xxxx
TIM V HENKE, xxx-xx-xxxx
PAUL J HIGGINS, xxx-xx-xxxx
DONALD W HOLMES, xxx-xx-xxxx
LORI A HOMAN, xxx-xx-xxxx
TIMOTHY B HUSSEY, xxx-xx-xxxx
RICHARD C JENKINS, xxx-xx-xxxx
RALPH C JORDAN, xxx-xx-xxxx
KARI M KEYES, xxx-xx-xxxx
JOEL K KING, xxx-xx-xxxx
ROBERT W KRAUS, xxx-xx-xxxx
TERRY J LARREW, xxx-xx-xxxx
LORI A LIVINGS, xxx-xx-xxxx
DAVID F LYNCH, xxx-xx-xxxx
MAX R MASSEY, JR., xxx-xx-xxxx
JAMES H MCGUIRE, xxx-xx-xxxx
THOMAS J MCNABB, JR., xxx-xx-xxxx
RUSSEL B MILLER, xxx-xx-xxxx
MITCHELL A MONROE, xxx-xx-xxxx
WILLIAM E MONSTELLAR, xxx-xx-xxxx
GERARD A MOSLEY, xxx-xx-xxxx
MARK C MOYNIHAN, xxx-xx-xxxx
CHARLES D NISWONGER, xxx-xx-xxxx
KELVIN B ODELL, xxx-xx-xxxx
KENNETH A PAXTON, xxx-xx-xxxx
MARK A PIERCE, xxx-xx-xxxx
THOMAS E PETERSON, xxx-xx-xxxx
RICHARD T POORE, JR., xxx-xx-xxxx
GEORGE R PULLIAM, xxx-xx-xxxx
SUZANNE M RIEHL, xxx-xx-xxxx
BARRY D ROEPER, xxx-xx-xxxx
WILLIAM Y RUPP, xxx-xx-xxxx
SANDRA R SALYERS, xxx-xx-xxxx
DWAYNE P SELLERS, xxx-xx-xxxx
EUGENE R SELLERS, xxx-xx-xxxx
MICHAEL D SHEPHERD, xxx-xx-xxxx
GARRET H SHROADS, II, xxx-xx-xxxx
PAUL J SIMONICH, xxx-xx-xxxx
RODNEY J STEISKAL, xxx-xx-xxxx
KAREN E STEVENS, xxx-xx-xxxx
JOHN S STEWARD, xxx-xx-xxxx
THOMAS R TOUSIGNANT, xxx-xx-xxxx
CHARLES M TURNER, xxx-xx-xxxx
TIMOTHY J VANDERWARKER, xxx-xx-xxxx
ALLAN P WAITE, JR., xxx-xx-xxxx
MATT T WELLS, xxx-xx-xxxx

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICERS IDENTIFIED WITH AN ASTERICK ARE ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

ARMY

To be lieutenant colonel

KENNETH R. CLOSE, xxx-xx-xxxx

MEDICAL CORPS

To be lieutenant colonel

* JOSEPH M. DAI, xxx-xx-xxxx
* NONA H. ONEAL, xxx-xx-xxxx

THE FOLLOWING NAMED OFFICER, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTION 1552, TITLE 10, UNITED STATES CODE. THIS OFFICER WAS RECOMMENDED FOR PROMOTION BY THE ARMY BOARD FOR CORRECTION OF MILITARY RECORDS.

JUDGE ADVOCATE GENERAL

To be lieutenant colonel

EDWIN D. SELBY, xxx-xx-xxxx

IN THE NAVY

THE FOLLOWING AIR FORCE CADET TO BE PERMANENT ENSIGN IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 541.

ALAN L. MATHIS

THE FOLLOWING NAMED LIEUTENANT, U.S. NAVY, RETIRED, TO BE REAPPOINTED PERMANENT LIEUTENANT, FROM THE TEMPORARY DISABILITY RETIRED LIST, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 1211.

JEFFREY S. CROY

THE FOLLOWING NAMED LIEUTENANT, U.S. NAVY, RETIRED, TO BE REAPPOINTED PERMANENT LIEUTENANT, FROM THE TEMPORARY DISABILITY RETIRED LIST, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 1211.

MARY J. KING

THE FOLLOWING NAMED DISTINGUISHED NAVAL GRADUATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

E. J. CHAN
W. P. COCHRAN
MICHAEL G. COOK
KARL G. ELIAS
DANIEL A. ERSOY
JOHN J. FINNEGAN
BRIAN P. FORT
LAWRENCE I. GALLER
EDDIE G. GALLION
ALEXIS T. GHORAI
WARREN D. HEISER
J. K. JARREAU
P. W. KIRK
F. T. LAMBERT
MICHAEL A. LANESE
T. W. LOWN
MARK D. MACLEAN
DENNIS T. MADURA
J. P. MCCALLEN
WILLIAM R. MCCAULEY
DONALD L. MCGEE
DANIEL J. MCLAIN
J. C. MOORE
ROBERT W. MURTO
ARMANDO N. PASTRANA
JODY L. PERRY
CHRISTOPHER P. PETERS
DAVID M. SCHAEFER
M. M. STEPHAN
P. C. THOMAS
TAMMY D. TOLAR
J. T. VANLOBENSELS
DAVID B. WESTON

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

FRANCIS A. BARBER
JEFFREY M. CRANE
DAVID J. HARRIS

THE FOLLOWING NAMED DISTINGUISHED NAVAL GRADUATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

F. F. ALVAREZ
MICHAEL J. ARNOLDS
J. R. BENJAMIN
D. J. BREEN
D. W. HODGES
D. K. KARGER
K. G. KARSTENS
CURTIS C. LENDERMAN
LARA E. MAULDIN
FRANK M. MAZONE
J. A. MCCLANAHAN
CHRISTOPHER P. MICHEL
S. F. PHILLIPS
C. A. SCHROEDER
R. L. SMITH
M. A. SOUSA
ERIC M. STEPHENS
W. M. THOMPSON
G. S. WILLOWER

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT LIEUTENANT IN THE JUDGE ADVOCATE GENERAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MARK D. BUDENSIEK
DARSE E. CRANDALL
MICHAEL G. GREEN
JAFFREY A. HENSON
WILLIAM C. HORRIGAN
SCOTT A. KENNEY
SCOTT M. LANG
DAVID P. MORGAN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS TO BE APPOINTED PERMANENT LIEUTENANT IN THE JUDGE ADVOCATE GENERAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

BRENDA A. ARMSTRONG
THOMAS W. JACOBS
RICHARD E. WOOTTON

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

ALAN W. CASHELL
THOMAS E. DANIEL

THE FOLLOWING NAMED MEDICAL COLLEGE GRADUATES TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

JOHN A. NEILY
GEORGE E. SKYE, II
FRANK E. THOMAS

IN THE AIR FORCE

THE FOLLOWING CADETS, UNITED STATES AIR FORCE ACADEMY, FOR APPOINTMENT AS SECOND LIEUTENANTS IN THE REGULAR AIR FORCE, UNDER THE PROVISIONS OF SECTIONS 9353(B) AND 531, TITLE 10, UNITED STATES CODE, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

JAY O. AANRUD, xxx-xx-xxxx
DEREK A. ABEYTA, xxx-xx-xxxx
DANIEL P. ABRAHAM, xxx-xx-xxxx
ERIC D. ADAMSON, xxx-xx-xxxx
JEFFREY E. ADDISON, xxx-xx-xxxx
ROBERT M. AGUE, JR., xxx-xx-xxxx
ERICK T. ALBERTO, xxx-xx-xxxx
STEVEN F. ALDRIAN, xxx-xx-xxxx
KRISTIN J. ALFORD, xxx-xx-xxxx
RICHARD L. ALLEN, xxx-xx-xxxx
BENJAMIN L. ALLEY, xxx-xx-xxxx
DAVID L. ALMAND, xxx-xx-xxxx
KELLY M. ALTON, xxx-xx-xxxx
LISA M. AMBRE, xxx-xx-xxxx
MATTHEW S. AMMETER, xxx-xx-xxxx
BRUCE K. ANDERSON, xxx-xx-xxxx
ERIK H. ANDERSON, xxx-xx-xxxx
GREGORY J. ANDERSON, xxx-xx-xxxx
HANS S. ANDERSON, xxx-xx-xxxx
HAROLD S. ANDERSON, xxx-xx-xxxx
ANTHONY P. ANGELLO, xxx-xx-xxxx
MARK A. AOWN, xxx-xx-xxxx
STEVEN M. ARBETMAN, xxx-xx-xxxx
SCOTT A. ARCURI, xxx-xx-xxxx
JEFFREY J. ARMENTROUT, xxx-xx-xxxx
RUSSELL L. ARMSTRONG, xxx-xx-xxxx
MICHAEL L. ARNOLD, xxx-xx-xxxx
TERRY J. ARNOLD, xxx-xx-xxxx
TIMOTHY J. ARNOLD, xxx-xx-xxxx
KEVIN R. ARTHUR, xxx-xx-xxxx
MICHAEL ATIGNA, xxx-xx-xxxx
MICHAEL D. BACKMAN, xxx-xx-xxxx
JOHN E. BADER, xxx-xx-xxxx
JOHN C. BAILEY, xxx-xx-xxxx
PETER G. BAILEY, xxx-xx-xxxx
PETER K. BAILEY, xxx-xx-xxxx
HAROLD M. BAKER, xxx-xx-xxxx
RONALD B. BALDINGER, xxx-xx-xxxx
MICHAEL J. BARDEN, xxx-xx-xxxx
DAVID W. BARNA, xxx-xx-xxxx
CHESCA A. BARNETT, xxx-xx-xxxx
BRADLEY D. BARNETTE, xxx-xx-xxxx
PAUL K. BARNEY, xxx-xx-xxxx
GUY D. BARNI, xxx-xx-xxxx
BRYAN E. BATT, xxx-xx-xxxx
MARK D. BAUDENDISTEL, xxx-xx-xxxx
GARY L. BEARD, II, xxx-xx-xxxx
VINCENT K. BECKLUND, xxx-xx-xxxx
CATHERINE E. BEDDOW, xxx-xx-xxxx
JAMES M. BEEKER, xxx-xx-xxxx
ZACKERY S. BELCHER, xxx-xx-xxxx
JOHN E. BELL, xxx-xx-xxxx
JOHN C. BELT, xxx-xx-xxxx
MIKE BENSON, xxx-xx-xxxx
TIMOTHY W. BENTLEY, xxx-xx-xxxx
JOHN A. BERNHART, II, xxx-xx-xxxx
PETER M. BERNSTEIN, xxx-xx-xxxx
MICHAEL R. BETANCE, xxx-xx-xxxx
JAMES G. BIRDSONG, xxx-xx-xxxx
DUANE A. BISHOP, II, xxx-xx-xxxx
SUSAN R. BIZZELLE, xxx-xx-xxxx
MICHAEL J. BLAIR, xxx-xx-xxxx
JESSICA A. BLANCHETTE, xxx-xx-xxxx
NICOLE I. BLATT, xxx-xx-xxxx
HARRY C. BLUE, xxx-xx-xxxx
JOHN R. BOBROSKI, xxx-xx-xxxx
TIMOTHY N. BOHMAN, xxx-xx-xxxx
BERNARD A. BOIT, xxx-xx-xxxx
SEAN D. BOLING, xxx-xx-xxxx
MATTHEW R. BONZANI, xxx-xx-xxxx
WILLIAM W. BORDEN, xxx-xx-xxxx
GREGORY S. BORN, xxx-xx-xxxx
CARTER N. BORST, xxx-xx-xxxx
DIRK J. BOUMA, xxx-xx-xxxx
JEFFREY M. BOWLING, xxx-xx-xxxx
THOMAS C. BOWMAN, xxx-xx-xxxx
CHARLES W. BOYD, xxx-xx-xxxx
JEFFREY C. BOZARD, xxx-xx-xxxx
TERRELL L. BRADLEY, xxx-xx-xxxx
JEFFERSON A. BRAND, xxx-xx-xxxx
WARREN F. BRANDOW, IV, xxx-xx-xxxx
STEVEN S. BRANDT, xxx-xx-xxxx
ROBERT E. BRANKLEY, JR., xxx-xx-xxxx
DANIEL W. BREDESON, xxx-xx-xxxx
EVAN A. BREEDLOVE, xxx-xx-xxxx
CARL N. BRENNER, xxx-xx-xxxx
DAVID E. BRIEN, xxx-xx-xxxx
ANDRE J. BRIERE, xxx-xx-xxxx
RAYMOND E. BRIGGS, JR., xxx-xx-xxxx
ALONZO L. BRISTOL, III, xxx-xx-xxxx
DAVID A. BROOKS, xxx-xx-xxxx
CAMERON A. BROWN, xxx-xx-xxxx
DAVID K. BROWN, xxx-xx-xxxx
KAREN L. BROWN, xxx-xx-xxxx
MARK A. BROWN, xxx-xx-xxxx
PHILLIP B. BROWN, xxx-xx-xxxx
TERRY M. BROWN, xxx-xx-xxxx

HANS M. BRUEGGEMAN, xxx-xx-xxxx
IAN B. WIN BRYAN, xxx-xx-xxxx
CHRISTOPHER J. BRYANT, xxx-xx-xxxx
PATRICK F. BUCKLEY, xxx-xx-xxxx
HAROLD D. BUGADO, xxx-xx-xxxx
ANTHONY D. BUKATA, xxx-xx-xxxx
JOHN G. BUNNELL, xxx-xx-xxxx
MATTHEW J. BURGER, xxx-xx-xxxx
ROBERT R. BURLING, xxx-xx-xxxx
MARK L. BURMAN, xxx-xx-xxxx
PAULL C. BURNETT, II, xxx-xx-xxxx
MATTHEW W. BUTLER, xxx-xx-xxxx
JAMES G. CABALQUINTO, xxx-xx-xxxx
JOHN T. CAIRNEY, xxx-xx-xxxx
HEATHER L. CALLUM, xxx-xx-xxxx
DOUGLAS N. CAMANN, xxx-xx-xxxx
KEVIN J. CAMPBELL, xxx-xx-xxxx
PAUL W. CAMPBELL, xxx-xx-xxxx
WILLIAM J. CARLE, xxx-xx-xxxx
TONI L. CARNAHAN, xxx-xx-xxxx
RICHARD W. CARNS, xxx-xx-xxxx
ROBERT B. CARPENTIER, xxx-xx-xxxx
TERENCE A. CARR, xxx-xx-xxxx
JOHN H. CARROLL, xxx-xx-xxxx
DONALD T. CARTER, xxx-xx-xxxx
MICHAEL E. CARTER, xxx-xx-xxxx
MICHAEL S. CASEY, xxx-xx-xxxx
GARY A. CASSANO, xxx-xx-xxxx
BURTON A. I. CASTEEL, xxx-xx-xxxx
ROBERTO M. CATALDO, xxx-xx-xxxx
NIV E. CAVIAR, xxx-xx-xxxx
RYAN C. CECIL, xxx-xx-xxxx
LAURA S. CHAMPION, xxx-xx-xxxx
MICHELLE L. CHAPMAN, xxx-xx-xxxx
ELIZABETH A. CHARLES, xxx-xx-xxxx
AMY M. CHOLISTER, xxx-xx-xxxx
GRANT C. CHRISTIANSON, xxx-xx-xxxx
DOUGLAS H. CHUNG, xxx-xx-xxxx
HOWARD T. CLARK, III, xxx-xx-xxxx
JAMES M. CLARK, xxx-xx-xxxx
RICHARD A. CLARK, xxx-xx-xxxx
ANDREW A. CLARKE, xxx-xx-xxxx
MICHAEL S. CLAY, xxx-xx-xxxx
PAUL J. COBB, xxx-xx-xxxx
DEREK K. COLE, xxx-xx-xxxx
DAVID M. COLEY, xxx-xx-xxxx
WAYNE J. COLTON, xxx-xx-xxxx
KATHARINE F. COMBS, xxx-xx-xxxx
PAUL M. COMEAU, xxx-xx-xxxx
JEFFREY G. COMPTON, xxx-xx-xxxx
ROBERTO M. CONCEPCION, xxx-xx-xxxx
THOMAS R. CONKLIN, xxx-xx-xxxx
WILLIAM K. CONNOLLY, xxx-xx-xxxx
DONALD C. CONROY, III, xxx-xx-xxxx
MICHAEL R. CONTRATTO, xxx-xx-xxxx
KYLE W. CONWAY, xxx-xx-xxxx
ANTHONY G. COOK, xxx-xx-xxxx
PAUL E. COOK, xxx-xx-xxxx
JON A. COOPER, xxx-xx-xxxx
FRANK J. J. COPRIVNICAR, xxx-xx-xxxx
JEFFREY M. CORCORAN, xxx-xx-xxxx
RODNEY R. CORNWELL, xxx-xx-xxxx
ALEXANDER COS, xxx-xx-xxxx
CHARLES H. COUGHLIN, xxx-xx-xxxx
ROBERT M. CRAFTON, xxx-xx-xxxx
THOMAS D. CRIMMINS, xxx-xx-xxxx
DAVID W. CROFT, xxx-xx-xxxx
MICHAEL D. CROGHAN, xxx-xx-xxxx
RANDALL G. CUMBERWORTH, xxx-xx-xxxx
SCOTT M. CURTIN, xxx-xx-xxxx
BEACHEL S. CURTIS, xxx-xx-xxxx
JOHN J. CZACHOR, xxx-xx-xxxx
DANIEL D. DAETZ, xxx-xx-xxxx
DARIN D. DAGGETT, xxx-xx-xxxx
GREGORY D. DALLAS, xxx-xx-xxxx
MARION D. DALLISON, xxx-xx-xxxx
ERIC M. DALTON, xxx-xx-xxxx
JOEL C. DALY, xxx-xx-xxxx
STEVEN P. DANTZLER, xxx-xx-xxxx
LESLIE J. DARBY, xxx-xx-xxxx
BENJIMAN W. DAVIS, xxx-xx-xxxx
JOHN S. DEANDRADE, xxx-xx-xxxx
JOSEPH D. DEANE, xxx-xx-xxxx
JOSEPH L. DECARO, xxx-xx-xxxx
KATHLEEN M. DECKER, xxx-xx-xxxx
LOUIS J. DEFELICE, JR, xxx-xx-xxxx
SOPHIE M. DEFREITAS, xxx-xx-xxxx
KENNETH G. DEGRAAF, xxx-xx-xxxx
MARK T. DEGRANGE, xxx-xx-xxxx
KIRK J. DEJESUS, xxx-xx-xxxx
LUCINDA A. DELACRUZ, xxx-xx-xxxx
DAVID A. DELMONACO, xxx-xx-xxxx
JAVIER A. DELUCCA, xxx-xx-xxxx
ANDREW D. DEMBOSKY, xxx-xx-xxxx
RICHARD A. DENNERY, xxx-xx-xxxx
ANDREW M. DENNIS, xxx-xx-xxxx
JEFFREY S. DENNIS, JR, xxx-xx-xxxx
ERNEST V. ALL DESHAYES, xxx-xx-xxxx
LAYLA DESTAFFANY, xxx-xx-xxxx
SCOTT V. DETHOMAS, xxx-xx-xxxx
TED A. DETWILER, xxx-xx-xxxx
NELSON W. DEUTSCH, xxx-xx-xxxx
MARK J. DEVINE, xxx-xx-xxxx
KRISTEN E. DEWEY, xxx-xx-xxxx
ROBERT W. DICKENS, xxx-xx-xxxx
JOHN K. DIMENTO, xxx-xx-xxxx
WARREN L. DINGES, xxx-xx-xxxx
DANIEL R. DIRNBERGER, xxx-xx-xxxx
THAI D. DO, xxx-xx-xxxx
TODD J. DOLBIER, xxx-xx-xxxx
DAVID R. DORNBURG, xxx-xx-xxxx
PAULA K. DOW, xxx-xx-xxxx
MICHAEL D. DOWIS, xxx-xx-xxxx
CONRAD A. DRAIN, xxx-xx-xxxx
JAMES H. DRAPE, xxx-xx-xxxx
RONALD K. DREWKE, xxx-xx-xxxx
MATTHEW R. DUBOIS, xxx-xx-xxxx
RAYMOND A. DUDLEY, xxx-xx-xxxx
ROBERT D. DUNCAN, xxx-xx-xxxx
BRENT A. DUNN, xxx-xx-xxxx
MAYNARD DUNNING, xxx-xx-xxxx
DONALD P. DURALIA, xxx-xx-xxxx
WILLIAM M. DUSKAS, xxx-xx-xxxx
CRAIG E. DYE, xxx-xx-xxxx
LARRY L. EARLS, JR, xxx-xx-xxxx
STEVEN J. EARLY, xxx-xx-xxxx
BARBARA A. EAST, xxx-xx-xxxx
MARY J. EDWARDS, xxx-xx-xxxx
HERBERT O. EHRESMAN, III, xxx-xx-xxxx
JEFFREY D. EICKMANN, xxx-xx-xxxx
STEVEN D. EIKEN, xxx-xx-xxxx
ANN M. EISSLER, xxx-xx-xxxx
WILLIAM G. ELDRIDGE, xxx-xx-xxxx
BRIAN I. ELLIOTT, xxx-xx-xxxx
RUSSELL C. ELLIS, xxx-xx-xxxx
THOMAS E. ENGLE, xxx-xx-xxxx
WESTON S. ERB, xxx-xx-xxxx
JAMES A. FAIN, III, xxx-xx-xxxx
SHAWN C. FAIRHURST, xxx-xx-xxxx
ERIC V. FAISON, xxx-xx-xxxx
JORGE E. FALCON, xxx-xx-xxxx
JAY R. FALTIN, xxx-xx-xxxx
JUDSON R. FANCHER, xxx-xx-xxxx
DANIEL E. FANDREI, xxx-xx-xxxx
KENT W. FATTORE, xxx-xx-xxxx
LAWRENCE G. FERGUSON, xxx-xx-xxxx
LINDA D. FERRE, xxx-xx-xxxx
KARL E. FETH, xxx-xx-xxxx
BRIAN M. FILO, xxx-xx-xxxx
CHARLES J. FINLEY, III, xxx-xx-xxxx
JAMES B. FINNEY, xxx-xx-xxxx
DANIEL B. FISCHER, xxx-xx-xxxx
DOUGLAS S. FISCHER, xxx-xx-xxxx
LUCILLE J. FISH, xxx-xx-xxxx
MICHAEL A. FISHER, xxx-xx-xxxx
ALBERT H. FITTS, xxx-xx-xxxx
PAUL T. FITZGERALD, xxx-xx-xxxx
GERALD W. FLAUGHER, xxx-xx-xxxx
EDWARD W. FLEUREN, JR, xxx-xx-xxxx
PATRICK M. FLOOD, xxx-xx-xxxx
ROBERT C. FLYNN, xxx-xx-xxxx
RICHARD P. FOJTIK, xxx-xx-xxxx
PETER S. FORD, xxx-xx-xxxx
GARY W. FOSTER, xxx-xx-xxxx
STEVEN P. FRASER, xxx-xx-xxxx
MATTHEW FRAUENFELDER, xxx-xx-xxxx
RICHARD J. FREDDO, xxx-xx-xxxx
DAVID R. FRESELLA, xxx-xx-xxxx
SCOTT G. FRICKENSTEIN, xxx-xx-xxxx
FREDERICK H. FROSTIC, xxx-xx-xxxx
DON C. FULLER, III, xxx-xx-xxxx
DWIGHT D. I. FULLINGIM, xxx-xx-xxxx
KATHLEEN E. A. FULTON, xxx-xx-xxxx
JEFFREY A. GALLINO, xxx-xx-xxxx
AKSHAI M. GANDHI, xxx-xx-xxxx
JAYE A. MAR GANDY, xxx-xx-xxxx
BRIAN W. GARCIA, xxx-xx-xxxx
ROBERT L. GARCIA, xxx-xx-xxxx
NICHOLAS A. J. GENTILE, xxx-xx-xxxx
LYNN M. GEORGE, xxx-xx-xxxx
DAVID A. GERDA, xxx-xx-xxxx
JOHN K. GERMANY, xxx-xx-xxxx
KENNETH M. GIBADLO, xxx-xx-xxxx
WILLIAM W. GIDEON, xxx-xx-xxxx
DANIEL M. GILLESPIE, xxx-xx-xxxx
LAURA M. GILLIG, xxx-xx-xxxx
VINCENT J. GILLIS, xxx-xx-xxxx
ANDREW B. GILLSON, xxx-xx-xxxx
GREGORY GIONDOMENICA, xxx-xx-xxxx
RANDLE A. GLADNEY, xxx-xx-xxxx
JAY D. GLASCOCK, xxx-xx-xxxx
HOWARD T. GLEASON, xxx-xx-xxxx
JAMES D. GLOSS, xxx-xx-xxxx
AMY K. GODESKY, xxx-xx-xxxx
PATRICIA A. GOODALL, xxx-xx-xxxx
ROBERT G. GORDY, xxx-xx-xxxx
THOMAS J. GOULTER, JR, xxx-xx-xxxx
TED W. GRADY, xxx-xx-xxxx
SCOTT B. GRANADO, xxx-xx-xxxx
ROBERT S. GRAY, xxx-xx-xxxx
WILLIAM J. GRAY, JR, xxx-xx-xxxx
LAINIE L. GREENFIELD, xxx-xx-xxxx
TIMOTHY L. GREENWELL, xxx-xx-xxxx
SHANNON L. GREGORY, xxx-xx-xxxx
WILLIAM J. GREGORY, xxx-xx-xxxx
KEVIN P. GRIFFIN, xxx-xx-xxxx
KEITH M. GRIMES, xxx-xx-xxxx
GEOFFREY L. GRIZZARD, xxx-xx-xxxx
JEFFREY H. GROBMAN, xxx-xx-xxxx
RICHARD S. GROGGEL, xxx-xx-xxxx
GARY A. GROSS, xxx-xx-xxxx
ELIZABETH A. GRUPE, xxx-xx-xxxx
KRYSTAL L. GUENTHER, xxx-xx-xxxx
JAMES S. GUERIN, xxx-xx-xxxx
DAVID R. GUIO, xxx-xx-xxxx
MICHAEL D. GUMINSKY, xxx-xx-xxxx
QUINN A. GUMMEL, xxx-xx-xxxx
STEPHEN C. GUNN, xxx-xx-xxxx
MARK F. GUTCHER, xxx-xx-xxxx
DAVID A. HAASE, xxx-xx-xxxx
OTTO D. HABEDANK, xxx-xx-xxxx
ROBERT E. HAGSTROM, xxx-xx-xxxx
GARY D. HAINES, xxx-xx-xxxx
ROBERT M. HAINES, xxx-xx-xxxx
EMMANUEL HALDOPOULOS, xxx-xx-xxxx
JOHN D. HALL, IV, xxx-xx-xxxx
JOHN R. HALL, xxx-xx-xxxx
KARL D. HALL, xxx-xx-xxxx
WESLEY P. HALLMAN, xxx-xx-xxxx
KENT C. HALVERSON, xxx-xx-xxxx
SCOTT A. HAMILTON, xxx-xx-xxxx
SCOTT R. HAMILTON, xxx-xx-xxxx
CHRISTOPHER J. HAMM, xxx-xx-xxxx
THOMAS E. HANCOCK, xxx-xx-xxxx
DONALD B. HANKS, JR, xxx-xx-xxxx
PATRICK M. HANLON, xxx-xx-xxxx
ROBERT M. HANLON, xxx-xx-xxxx
JOEL T. HANSON, xxx-xx-xxxx
KRAIG M. HANSON, xxx-xx-xxxx
JEFFREY A. HARDER, xxx-xx-xxxx
PHILLIP D. HARDIN, xxx-xx-xxxx
FORREST B. HARE, xxx-xx-xxxx
WILLIAM E. HARKINS, xxx-xx-xxxx
RODNEY W. HARRELL, xxx-xx-xxxx
EDDIE C. HARRIS, xxx-xx-xxxx
KARIO D. HARRIS, xxx-xx-xxxx
WILLIAM B. HARRIS, III, xxx-xx-xxxx
PATRICK E. HARRISON, xxx-xx-xxxx
RUSSELL J. HART, JR, xxx-xx-xxxx
RICHARD B. HARTSON, xxx-xx-xxxx
STACY K. HARUGUCHI, xxx-xx-xxxx
TIMOTHY C. HASSEL, xxx-xx-xxxx
BRIAN E. HASTINGS, xxx-xx-xxxx
DANIEL B. HAUCK, xxx-xx-xxxx
MARK J. HAYES, xxx-xx-xxxx
PATRICK W. HAYES, xxx-xx-xxxx
EMILE L. HAZEUR, JR, xxx-xx-xxxx
ANDREW D. HEALY, xxx-xx-xxxx
EDMUND J. HEBRON, xxx-xx-xxxx
KEVIN J. HEER, xxx-xx-xxxx
TODD D. HELLINGS, xxx-xx-xxxx
TWAIN M. HENRY, xxx-xx-xxxx
ROBERT E. HENSLEY, xxx-xx-xxxx
ELIZABETH M. HICKOK, xxx-xx-xxxx
JAMES R. HICKS, xxx-xx-xxxx
KEVIN W. HIGGINBOTHAM, xxx-xx-xxxx
HELEN E. HILL, xxx-xx-xxxx
JEFFREY F. HILL, xxx-xx-xxxx
JOHN W. HILL, xxx-xx-xxxx
BRADLEY T. HOAGLAND, xxx-xx-xxxx
SEAN D. HOEFLICKER, xxx-xx-xxxx
SCOTT A. HOLLISTER, xxx-xx-xxxx
MICHAEL A. HOLLMAN, xxx-xx-xxxx
JOHN T. HOLLOMAN, JR, xxx-xx-xxxx
MONICA A. HOLZHAUER, xxx-xx-xxxx
KEVIN A. HOPPIN, xxx-xx-xxxx
DAVID E. HOPSON, xxx-xx-xxxx
RODNEY A. HOUSER, xxx-xx-xxxx
CLARK L. HUNSTAD, xxx-xx-xxxx
BRIAN S. HUNT, xxx-xx-xxxx
DAVID A. HUNT, xxx-xx-xxxx
CHRISTOPHER W. HURLEY, xxx-xx-xxxx
MATTHEW M. HURLEY, xxx-xx-xxxx
DONALD F. HURRY, xxx-xx-xxxx
ROBIN M. HUTCHENS, xxx-xx-xxxx
KEVIN A. HUYCK, xxx-xx-xxxx
ALFRED A. IANNACCONE, xxx-xx-xxxx
RONALD L. JACKSON, JR, xxx-xx-xxxx
JAMES A. JACOBSON, xxx-xx-xxxx
WILLIAM R. JACOBUS, xxx-xx-xxxx
BRIAN L. JAMES, xxx-xx-xxxx
DARREN V. JAMES, xxx-xx-xxxx
RAYMOND T. JAMES, xxx-xx-xxxx
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CLEAVE M. DEN VAN, xxx-xx-xx...
HULZEN T. J. VAN, xxx-xx-xxxx
ORNUM A. SCO VAN, xxx-xx-xxxx
WERT M. CHR VAN, xxx-xx-xxxx
HARRY W. VANDERBACH, xxx-xx-xxxx
PAUL N. DEN VANDERWEIDE, xxx-xx-xxxx
BRIAN G. VANDIVIERE, xxx-xx-xxxx
MICHAEL J. VANRIET, xxx-xx-xxxx
DANIEL R. VASQUEZ, xxx-xx-xxxx
ERIC M. VAUGHN, xxx-xx-xxxx
BRYAN S. VEIT, xxx-xx-xxxx
MARLENA E. VENTRESCA, xxx-xx-xxxx
VICTOR A. VERBONCOEUR, xxx-xx-xxxx
SCOTT F. VERNETTI, xxx-xx-xxxx
THOMAS M. VERNI, xxx-xx-xxxx
KYLE D. VOIGT, xxx-xx-xxxx
CHRISTOPHER S. WAGNER, xxx-xx-xxxx
CURT D. WAGNER, xxx-xx-xxxx
LYNN E. WAGNER, xxx-xx-xxxx
MICHAEL L. WAHLER, xxx-xx-xx...
ROBERT A. WALDMAN, xxx-xx-xxxx
DON C. WALKER, II, xxx-xx-xxxx
GARY J. WALKER, JR., xxx-xx-xxxx
JAMES E. WALKER, xxx-xx-xxxx
GINGER L. WALLACE, xxx-xx-xx...
CARLA J. WALLER, xxx-xx-xx...
STEPHEN B. WALLER, xxx-xx-xxxx
DEVIN C. WALTERS, xxx-xx-xxxx
ROBERT J. WALTZ, xxx-xx-xxxx
MICHAEL J. WANG, xxx-xx-xxxx
NATHANIEL L. WARD, JR., xxx-xx-xxxx
OLIVER D. WASHINGTON, JR., xxx-xx-xxxx
DANIEL L. WATERS, xxx-xx-xxxx
JEFFREY J. WATERS, xxx-xx-xxxx
MATTHEW M. WATSON, xxx-xx-xxxx
JOHN S. WATT, xxx-xx-xxxx
GORDON K. WATTS, xxx-xx-xxxx
KAREN D. WATTS, xxx-xx-xxxx
ROBERT K. WATWOOD, xxx-xx-xxxx
DANIEL E. WEAK, xxx-xx-xxxx
MARK E. WEATHERINGTON, xxx-xx-xxxx
FRANK W. WEAVER, JR., xxx-xx-xxxx
JOEL J. WEAVER, xxx-xx-xxxx
LAURA A. WEBER, xxx-xx-xxxx
MARK D. WEBER, xxx-xx-xxxx
TRACEY A. WEISENBURGER, xxx-xx-xxxx
PAUL A. WELCH, xxx-xx-xx...
ALIX E. WENGERT, xxx-xx-xxxx
KEITH T. WESLEY, xxx-xx-xxxx
RICHARD G. WESTON, xxx-xx-xxxx
TIMOTHY D. WESTVEER, xxx-xx-xxxx
CHRISTOPHER J. WHEELER, xxx-xx-xxxx
JOHN D. WHISENANT, xxx-xx-xxxx
DANA N. WHITE, xxx-xx-xxxx
GREGORY T. WHITE, xxx-xx-xxxx
JOHN J. WHITE, xxx-xx-xxxx
JAMES C. WHITMIRE, xxx-xx-xxxx
ERIC R. WICK, xxx-xx-xxxx
ROBERT S. WIDMANN, xxx-xx-xxxx
PHILIP W. WIELHOUWER, xxx-xx-xxxx
TODD M. WILDE, xxx-xx-xxxx
GARY J. WILEY, xxx-xx-xxxx
JEFFREY W. WILKINSON, xxx-xx-xxxx
JAY A. WILLARD, xxx-xx-xxxx
BERNARD M. WILLI, xxx-xx-xxxx
CHRISTOPHER S. WILLIAMS, xxx-xx-xxxx
CRAIG E. WILLIAMS, xxx-xx-xx...
LISA A. WILLMAN, xxx-xx-xx...
TIMOTHY J. WILLWERTH, xxx-xx-xxxx
FREDERICK M. WILMER, II, xxx-xx-xxxx
DELBERT E. WILSON, xxx-xx-xxxx
SARA M. WILSON, xxx-xx-xxxx
SCOTT P. WILSON, xxx-xx-xxxx
STEVEN O. WILSON, xxx-xx-xxxx
THEODORE D. WILSON, xxx-xx-xxxx
ERIC D. WINGER, xxx-xx-xxxx
MARK B. WISER, xxx-xx-xxxx
ERIC P. WOHLRAB, JR., xxx-xx-xxxx
CRAIG A. WOLF, xxx-xx-xxxx
DONALD J. WOOD, xxx-xx-xxxx
JILL R. WOOD, xxx-xx-xxxx
HENRY A. WOODS, JR., xxx-xx-xxxx
KENNETH C. WRAY, xxx-xx-xxxx
CHRISTOPHER M. WRIGHT, xxx-xx-xxxx
CYNTHIA A. WRIGHT, xxx-xx-xxxx
DANIEL D. WRIGHT, III, xxx-xx-xxxx
STEVEN C. WRIGHT, xxx-xx-xxxx
KEVIN J. YANDURA, xxx-xx-xxxx
DANIEL S. YENCHESKY, xxx-xx-xxxx
JOSEPH F. YEZZI, xxx-xx-xxxx
TIM Y. YOSHINAGA, xxx-xx-xxxx
KYLE E. YOUNKERS, xxx-xx-xxxx
MICHAEL T. YOUNKIN, xxx-xx-xxxx
WOODROW W. YOUNTS, III, xxx-xx-xxxx
JEFFREY A. ZEMKE, xxx-xx-xxxx
PAUL S. ZIEMBA, xxx-xx-xxxx
WAYNE L. ZORN, xxx-xx-xxxx

IN THE ARMY

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3385:

ARMY PROMOTION LIST

To be colonel

TRAVIS H. ACKLIN, xxx-xx-xxxx
LARRY C. BEAM, xxx-xx-xxxx
VINCENT P. BENEVENTO, xxx-xx-xxxx
DAVID J. BYRON, xxx-xx-xxxx
ERIC E. DAWSON, xxx-xx-xxxx
JESSE D. DUMAS, xxx-xx-xxxx
WAYNE C. DUNLAP, xxx-xx-xxxx
JAMES T. ELLIS, III, xxx-xx-xxxx
RICHARD E. GILLESPIE, xxx-xx-xxxx
HOWARD L. GOODWIN, xxx-xx-xxxx
JACK E. HIHNALA, xxx-xx-xxxx
DWAIN A. JAMES, xxx-xx-xxxx
WILLIAM G. JAMES, xxx-xx-xx...
JIM H. KINNEY, xxx-xx-xxxx
HARLEY A. KRULL, xxx-xx-xxxx
EDDIE E. LANE, xxx-xx-xxxx
RODGER L. MCALISTER, xxx-xx-xxxx
JOHN P. OLJAR, xxx-xx-xxxx
GARY H. PENDLETON, xxx-xx-xxxx
LAWRENCE F. PHILLIPS, xxx-xx-xxxx
JAMES H. ROSCOE, xxx-xx-xxxx
JACK W. SCHLUKEBIER, xxx-xx-xxxx
RONALD H. SKILLICORN, xxx-xx-xxxx
HENRY F. WARD, xxx-xx-xxxx
KEITH E. WILLEY, xxx-xx-xxxx

CHAPLAIN

To be colonel

JOHN W. HEMANN, xxx-xx-xx...

MEDICAL CORPS

To be colonel

MAURICE M. ACREE, JR., xxx-xx-xxxx
ORIN H. BRUTON, xxx-xx-xxxx
JOHN J. CIRELLI, xxx-xx-xxxx

ARMY PROMOTION LIST

To be lieutenant colonel

GLENN M. APPE, xxx-xx-xxxx
PHILIP L. ARTHUR, xxx-xx-xxxx
GERALD D. ATTAWAY, xxx-xx-xxxx
DENNIS N. BEAN, xxx-xx-xxxx
ROBERT C. BLUMBERG, JR., xxx-xx-xxxx
MAX E. BREWER, xxx-xx-xxxx
WILLIE E. BUFFINGTON, xxx-xx-xxxx
EDDY L. CHARLES, xxx-xx-xxxx
THOMAS W. CONNER, xxx-xx-xxxx
CHARLES E. DAVIS, xxx-xx-xxxx
JAMES M. DEICHERT, xxx-xx-xxxx
KENT M. FREISE, xxx-xx-xxxx
DONNIE F. GARRETT, xxx-xx-xxxx
DAVID J. GRIFFITH, JR., xxx-xx-xxxx
LARRY W. HALTOM, xxx-xx-xx...
EDWIN T. HAMLIM, xxx-xx-xxxx
KEVIN A. HESS, xxx-xx-xxxx
BARON G. HIGNITE, xxx-xx-xxxx
HAROLD R. HOLLISTER, JR., xxx-xx-xxxx
LEON N. JAMISON, xxx-xx-xxxx
GARY L. JONES, xxx-xx-xxxx
JOHN A. JULIAN, xxx-xx-xxxx
RANDALL E. KRUG, xxx-xx-xxxx
ROBERT J. LABADIE, xxx-xx-xxxx
KENT A. LARIMER, xxx-xx-xxxx
HALDON E. LINDFELT, JR., xxx-xx-xxxx
DENNIS J. LORD, xxx-xx-xxxx
THOMAS P. LUCZYNSKI, xxx-xx-xxxx
JOHN M. MARKS, xxx-xx-xxxx
ROBERT G. MASKIELL, xxx-xx-xxxx
MAGNUS MEIER, xxx-xx-xxxx
ROBERT C. METZ, xxx-xx-xxxx
CURTIS L. NEWCOMB, xxx-xx-xxxx
JAMES P. ONEIL, xxx-xx-xxxx
KARSTEN E. OVERA, xxx-xx-xxxx
FREDERICK G. PINTO, xxx-xx-xxxx
STANLEY R. PUTNAM, xxx-xx-xxxx
DOUGLAS B. SHERROW, xxx-xx-xxxx
TERRY E. SMITH, xxx-xx-xxxx
THEODORE V. SPANGLER, JR., xxx-xx-xxxx
WILLIAM H. SQUIRES, JR., xxx-xx-xxxx
ROY E. STURGILL, xxx-xx-xxxx
TOM W. THOMAS, xxx-xx-xxxx
EVERETT R. WEAVER, xxx-xx-xxxx
JAMES M. WHEELER, JR., xxx-xx-xxxx
GARY C. WHITNEY, xxx-xx-xxxx
DEAN A. YOUNGMAN, xxx-xx-xxxx
JOHN C. ZIMMERMAN, xxx-xx-xxxx

CHAPLAIN

To be lieutenant colonel

DONALD W. HILL, xxx-xx-xx...

ARMY NURSE CORPS

To be lieutenant colonel

STEVEN A. ROSE, xxx-xx-xxxx

MEDICAL CORPS

To be lieutenant colonel

RUBEN T. AGRA, xxx-xx-xxxx
JASPER L. BOOKER, JR., xxx-xx-xxxx
BRIAN A. PALAFOX, xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be lieutenant colonel

BILLY A. GARNER, xxx-xx-xxxx
DANA H. GRAU, xxx-xx-xxxx
ROBERT P. THOMAS, xxx-xx-xxxx

IN THE NAVY

THE FOLLOWING-NAMED COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF CAPTAIN, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be captain

ROBERT JAMES ABBOTT
FRED EUGENE ADCOCK
DAVID JOHN ALEXANDER
RALPH MART ALFORD, JR
TERENCE LEE ANDERSON
EDWARD PATRICK ANGLIM
HUBERT EDWARD ARCHAMBO, JR
WILLIAM ERIC ARMSTRONG
STEPHEN ALAN ARNDT
JOHN CHARLES AURIEMMA
BERNIS HAYES BAILEY
TIMOTHY LOUIS BAKER
PHILLIP MONROE BALISLE
THOMAS DANIEL BARNES
RONNIE LEE BARROW
JOHN CRAIG BATHGATE
LARRY CLIFFORD BAUCOM
LOUIS WILLIAM BAUER
DENIS FRANCIS BEAUGUREAU
MALCOLM EDWIN BELLAMY, JR
ALBERT EUGENE BENNETT, JR
RODNEY LINGO BENSON
THOMAS JEROME BERNSEN, JR
NORMAN GLEN BERREE
KEITH PAUL BERSTICKER
WILLIAM F. HALSEY BERTHIAUME
JOHN WILLIAM BONNETT
DALE EARL BOSLEY
RAYMOND JOHN BOUCREE
JOHNNIE M. BOYNTON
STEVEN ERIC BRIGGS
DONALD COLLINS BROWN
ROBERT GEORGE BRUCE
TONEY MICHAEL BUCCHI
DAVID LEE BUNNELL
ROGER RONALD BURBRINK
WILLIAM BUSCHING
CHARLES THOMAS BUTLER, III
BRIAN VIVIAL BUZZELL
NEIL FRANCIS BYRNE
WILLIAM ANDERSON CAIN
DAVID ROBERT CARLSON
JOHN MICHAEL CARTER
KENNETH CHARLES CECH
MICHAEL BRYAN CHARLEY
WARREN CRAIG CHEWNING
RICHARD DEAN CHILDERS
ROY CALVIN CHRISTIAN
ALBERT THOMAS CHURCH, III
MICHAEL RAY CLAPSADL
RICHARD ELDON CLAYTON
THOMAS FREDERICK CLEVERDON
DAVID PAUL COCOLIN
RICHARD LEWIS COLEMAN
CLIFFORD CRAIG COVINGTON
BARRY JOHN COYLE
CHARLES KENNETH CRANDALL, JR
THOMAS PAUL CRUSER
KEVIN PETER CUMMINGS
WALTER JAMES CUMMINGS
KENDALL WILLIAM CURTIS
LARRY WAYNE DARLING
JACK MICHAEL DAVIS
JOHN JOSEPH DEMLEIN, JR
LAWRENCE F. DIDDLEMEYER
RICHARD PATRICK DODD
FREDERICK JAMES DODGE
EDDIE LEE DUCKWORTH
KATHLEEN MARY DUGAN
RUSSELL ALEXANDER DUKE, JR
CARL BOULTER DUNN
BRUCE PETER DYER
RICHARD ALEXANDER EASON
DENNIS JAMES EGAN
IRA J. EICK
THOMAS JOHN ELLIOTT, JR
WALTER MICHAEL ELLIOTT
TERRANCE THOMAS ETNYRE
THOMAS HAROLD ETTER
STEVEN LOCK FAHRENKROG
JAMES MICHAEL FARLEY
GERARD MICHAEL FARRELL
MARSHALL RAY FENN
ALLEN ASHBEY FERBER
JEFFREY ALLEN FINLEY
LYND LACROIX FITZGERALD
JAMES FLAHERTY, JR
MARK OSTROM FLAHERTY
EARL JAY FOUGHT
ROBERT TIMOTHY FRANCE
LARRY JON FRANCISCO
SCOTT ALLEN FRY
GEORGE VICTOR GALDORISI
JOHN JOSEPH GALLAGHER
HARVEY JOHN GANNON, JR
JOHN EDWARD GANTLEY
CAROLINE WHARTON GEORGE
ROBERT LEE GIBSON
FRANK TYLER GIESEMANN
EDWARD FRANKLIN GORDON
ALAN ROBERT GORTHY, JR
FREDRICK IRVING GRANT
JOSEPH MICHAEL GREENE, JR
DON VOGTS HAHNFELDT
JOHN HAIGIS
JAMES WARREN HAMBURG
BAKER ROBERT HAMILTON
GREGORY LEE HANSEN
JAMES LEROY HARRIS
STEVEN ADOLPH HAZELRIGG
JOHN LEWIS HENDERSON
JOSEPH GERARD HENRY
WILLIAM FREDRICK HICKMAN
WILLIAM HILTON HOBGOOD
PHILIP GRAHAM HOWARD
FRANK WILDER HUDSON, JR
EDWARD ECHERD HUNTER
JOHN RUDOLPH HUTCHISON
WARREN HARPER IDE, JR
CLYDE JAMES IHRIG
LLOYD SCOTT JACOBSEN
GARY BURTON JAMES
JAMES ROBERT JARRELL, IV
WADE COOK JOHNSON
CHARLES LORING JOSLIN, III
RICHARD WILLIAM KALB
HERBERT CHARLES KALER
JOHN JAMES KEARLEY
KRAIG MICHAEL KENNEDY
HOWARD KEITH KLINE
TIMOTHY WILLIAM LAFLEUR
PHILIP CHARLES LAME
RAYMOND JOHN LATURNO, III
WILLIAM JOSEPH LAZ, JR
RICHARD BRUCE LEAR
DAVID CORNELL LEESTMA
BILLY LAROY LEWIS
LINCOLN H. LIPPINCOTT, II
JACK LANE LONDOT
JANICE MORTON LUCIE
DONALD STEWART LUEBBECKE
PATRICK CHARLES MACKIN
TERRY EDWARD MAGEE
LEON FRANCIS MAHONEY
MICHAEL DENNIS MALONE
LORRAINE FLORENCE MANNING
ROBERT STANLEY MARTIN
GEORGE GARY MAXWELL
GREGORY L. MAXWELL
JOHN DAVID MCAFEE
MICHAEL JAMES MCCULLEY
DAVID GARTH MCCULLOUGH
JAMES FRANCIS MCFILLIN, JR
GEORGE STEVE MCINCHOK, JR
JAMES ROBERT MCKENZIE
JAMES JOHN MCTIGUE
JAMES WALLACE METZGER
GEORGE MCCULLAR MOORE
KEITH TENNANT MOORE
JAMES WESLEY MORELAND, III
ERNEST LEWIS MORRIS, JR
THOMAS GRIFFITH MOSER
DAVID KING MOUSSETTE
ROBERT DENNIS MULLINS
JAY MAURICE MUNNINGHOFF
HELMUTH CARL SCHLICHTING, JR
GARY WERNER SCHNURRPUSCH
ALBERT ZALIG SCHWARTZ
BARRY FREDERICK SCHWOERER
JAMES F. SCURRIA
DANIEL THOMAS SHERRANGE
WILLIAM ANDREW SIGLER
ROBERT G. SIMPSON
JERRY BRIAN SINGLETON
JAMES PATRICK SINZ
KENNETH DUNCAN SLAGHT
EARL RAMON SMITH
JOHN VINCENT SMITH, JR
MILTON WAYNE SMITH
JAMES WALTER SPEER
HAROLD GEORGE STANBRIDGE
BARBARA JO STANKOWSKI
THOMAS WILLIAM STEFFENS
JAMES MELL STEPHENSON
DONALD HENDRIX NASH
GARY STEVEN NELSON
LARRY DON NEWSOME
TERRY RANDALL NOLAN
BRIAN JOHN OCONNELL
JOHN THOMAS OCONNELL, JR
GERALD JAMES ODONNELL
ROBERT BERNARD ODONNELL
MARGARET MARY OMALLEY
JOHN ONEILL, JR
LAWRENCE EDWARD OSBORN
MARGARETHA ISABELLA OSKAM
THOMAS GORDON OTTERBEIN
RICHARD LEE OWENS
ROBERT HAROLD PALECK
DAVID VANCE PARK
DANIEL MATTHEW PARKER
CHARLES COOPER PETERSON
HOWARD ALDRIDGE PETREA, JR
JOHN ALLEN PETTITT
JAMES MICHAEL PIOTROWSKI
JAMES FREDERICK PONZO
RICHARD WAYNE POTTER
ROBERT JAMES PRESTRIDGE
TERRY JAMES PUDAS
LYNN DAMARIS PULLEN
ROBERT LEE RACHOR, JR
JAMES ANTHONY REAGHARD
JOHN WILLIAM REDDINGER, JR
CHARLES BUCHANAN REIGNER
RICKIE GENE REYNOLDS
GEORGE SAMUEL RHODES
THOMAS RUSSELL RICHARDS
ANDREW SPENCER RIDDILE
MICHAEL GLENN RIEGEL
FRANCIS ALBERT ROBERTS
PETER GARETY ROBERTS
JOHN ALLEN ROE
DAVID OWEN ROSE
RAYMOND PARKS ROSE
ARTHUR NORMAN ROWLEY, III
JOHN ALEXANDER RUSSACK
THOMAS GORDON RUSSELL
ARBOTH ANDREW RYLANT
EDWARD A. SACCIO
WILLIAM HENLEY SADLER, III
GRANT WILLIAM SASSEN
CHARLES ALFRED SCHAEFER
JOHN ZIGMAND STEPIEN
JAMES DOUGLAS STEVENS
DANIEL JOSEPH STONE
DAVID WILLIAM STROMQUIST
RALPH EDWARD SUGGS
PAUL FRANCIS SULLIVAN
PHILIP FRANK SWAIN
EDWARD LEE SWARTZ
ARTHUR GREGORY TEVES
THOMAS STEPHEN THERRELL
STEVEN GARLAND TINSLEY
JAMES ROCCO TOMANELLI
DENNIS JAMES VANBUSKIRK
WILLIAM DONALD VANCE
MARK TOMPKINS VANDERBERG
JOHN WILLIAM WADDELL
ROBIN YORK WEBER
MICHAEL CLARK WEIN
NEAL WILLIAM WEISBERG
STEPHEN THOMAS WESSELHOFF
JOHN STANTON WHITE
DANIEL LEE WHITFORD
HAROLD ALDRICH WILLIAMS
THOMAS CLOUD WILLIAMS, JR
CHARLES HOWARD WILSON
GEORGE MICHAEL WILSON
MICHAEL FREDERICK WINKLER
LEE THELL WOMACK, JR
ROSS ALAN WORD
MICHAEL JESSE WORLEY
CONSTANTINE LOUIS XEFTERIS
DOUGLAS ALAN YESENSKY
CHARLES BRUCE YOUNG
JOHN ROBERT YOUNG
WILLIAM DAVID YOUNG
STEPHEN WAYNE ZAVADIL
GREGORY MICHAEL ZORBACH

ENGINEERING DUTY OFFICERS

To be captain

EULOGIO CONCEPTION BERMUDES
ALAN F. BEUERLEIN
CHARLES PIERSON BINGAY
DAVID ROSS BURGESS
JAMES MANN CARNEY
PAUL REGINALD COCHRAN, III
NEIL JON COLLINS
JEFFREY DURNELL CONNERS
WILLIAM ALONZO DEWEY
RICHARD PAUL FISKE
LAYNE WALTER GOOD
RICHARD DANA HAMLY
JOSEPH GLADE HOLYOAK
ANTHONY JOSEPH MANCINI
JOHN ROBERT MCNAMEE, JR
DAVID COTTRELL MOSBY
GREGORY RICHARD PATCH
KEVIN PATRICK PERKINS
MICHAEL ROBERT REED
ROBERT PAUL SCHACK
LARRY RALPH SHARP
JOHN WALLACE SIMMONS, II
WILLIAM GOODWIN SPEED, JR
DEAN ORVILLE TRYTTEN
GLENN RICHARD WHALEY
BRUCE ARNOLD WILLIAMS

AERONAUTICAL ENGINEERING DUTY OFFICERS (AERONAUTICAL ENGINEERING)

To be captain

CHARLES LYNN BUTLER
MICHAEL ALFRED COSGROVE
DWIGHT ELLIS DENSON
JOSEPH WENDELL DYER, JR
JOSEPH WILLIAM HADDOCK, III
ROGER DALE HILL
GARY KAZUYOSHI IKUMA
EDWARD MIHALAK
ROBERT TROY SCHAUM
RAY MCKENNA UMBARGER

AERONAUTICAL ENGINEERING DUTY OFFICERS (AVIATION MAINTENANCE)

To be captain

JEROME SCOTT BRANUM
THOMAS RICHARD DARNELL
DEAN REESE MERRILL, JR
MARTIN WILLIAM REAGAN
PHILIP TITCOMB SMILEY
THOMAS FREDERICK SNYDER

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be captain

ROBERT GREGORY DIMUZIO
HUGH FRANCIS DOHERTY
PHILLIP LEE GLENN
LAWRENCE CARL SCHAFFER, JR
RONALD MAURICE TAYLOR

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be captain

JOHN RANDALL BENTZ
RICHARD VERNON GRAGG
JOHN VREELAND HORTON
JOHN UNDERWOOD LILES, JR
AMOS BERNARD MADREN
EDMOND DEAN POPE
ELDON CARL SWANSON, JR

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be captain

MICHAEL WEBB DOUBLEDAY
JOLENE KAY KEEFER
JAMES PATRICK MITCHELL
ROBERT STEPHEN PRUCHA
DAVID WILLIAM THOMAS
JEFFREY STEVEN ZAKEM

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be captain

RICHARD SCOTT HILLYER
RALPH JEFFREY LADOUCE
DONALD ALAN MAUTNER
JAMES MURRAY MCDONALD

LIMITED DUTY OFFICERS (LINE)

To be captain

OLEN CHARLES AKINS
JOSEPH KING DEUTSCH
ERNEST RICHARD OROURKE
WILLIAM JOSEPH PHILLIPS, JR
ALBERT JAMES ROSS, JR
STERRIE LEON WEAVER

EXTENSIONS OF REMARKS

IMAGE, ACTION AND EXPECTATIONS: MEDIA AT THE CROSSROADS

HON. LOUIS STOKES
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. STOKES. Mr. Speaker—

The American media must begin now to make a reality of integration—both in product and personnel.

That was the conclusion of a study issued 21 years ago by the Kerner Commission, which was appointed by President Lyndon Johnson to examine the causes of civil disturbances that shook our Nation. The Commission charged that the media had neglected the presence and rights of black Americans.

Just recently, Dwight M. Ellis, vice president of minority and special services for the National Association of Broadcasters, examined the media's record since the issuance of the Commission's findings. Mr. Ellis, a respected and articulate representative of the media industry, delivered a thought-provoking address on the challenges facing the media in the multicultural society we expect to become by the year 2000.

In his remarks before the Black Professionals Association in Cleveland OH, Mr. Ellis reminded the audience that "by the year 2000, Hispanics, Asian Pacifics, and African-Americans, in that order, will constitute more than half of all Americans." He spoke of the responsibility of the media in responding to this factor, both in terms of the people behind the news production and those who work in front of the camera.

Mr. Speaker, I am pleased to bring Mr. Ellis' remarks to the attention of my colleagues. It is certainly worthwhile reading:

IMAGE, ACTION AND EXPECTATIONS: MEDIA AT THE CROSSROADS

(Remarks by Dwight M. Ellis)

Twenty-one years ago, when President Lyndon Johnson appointed a Commission to examine the causes of civil disturbances that shook this Nation, the media and America as a whole were charged with neglecting the presence and rights of black Americans.

The Kerner Commission, named after the former Illinois Governor who chaired it, in part said: That "The press has too long basked in a white world, looking out of it, if at all, with white men's eyes and a white perspective." The report said that [this[is no longer good enough. The painful process of readjustment . . . . required of the American news media must begin now . . . [that] they must make a reality of integration—in both their product and personnel."

Recommendations from the Commission resulted in the institution of programs and actions responsible for most of the careers of minorities employed in media today: From Ed Bradley to Geraldo Rivera; from the black publisher of the Oakland Tribune in California, to thousands of minorities holding communication jobs from Cleveland to Seattle. In many ways, what happened two decades ago in this country caused shock waves of opportunities and expectations across this Nation that would move a powerful industry from "business as usual" to a dress rehearsal for survival in the 21st century.

It seems unfair and unjust to the survivors of those dynamic years, that too many of the hard-won gains of yesterday are endangered today with an uncertain future.

Ask the leadership of the National Association of Black Owned Broadcasters about the progress and future of African American owners of media properties. You'll find them angered and frustrated that for all their efforts to rise to the occasions of entrepreneurship the rules of the game are changing, and changing fast.

Recently, the U.S. Supreme Court decided to review the constitutionality of current FCC policies designed to increase minority ownership—a threat to the growth of minority-owned stations beyond an existing number of just over 200.

Ask the leadership of the National Association of Black Journalists about the increase of black journalists in media newsrooms, and you'll hear that less than 4 percent of the total of professional newsroom employees today are black; that nearly 60 percent of newspaper dailies in this country do not have minorities on their staffs; and that black male employees are leaving the ranks of newspapers and broadcasting, expressing limited opportunities for career advancement. You may even ask the leadership of Hispanic and Asian American journalism organizations about their progress and hear much of the same.

From all reports, you'll hear that the pendulum of progress is swinging backward at a time when the value of recruiting, training and promoting a productive multicultural workforce is in the best interests of the media, our communities and our Nation as a whole. If there were ever clear reasons for immediate action, what lies ahead demands all the wisdom and resources we can muster.

Because, the decade of the nineties will be like no other in our history. Those who seek to address the challenges ahead with attitudes and practices of the past are destined to fail. The handwriting's on the wall and the messages are becoming crystal clear with every passing day, that times are changing, and many will be pulled kicking and screaming into a world they never imagined.

It's time for all Americans to face the undeniable fact that the social equation of past decades is rapidly changing. Issues of race are no longer limited to blacks and whites with the growing populations of Hispanics and Asian Americans.

By 1999, Hispanics under 18 will outnumber blacks of the same age group; and 15 years into the year 2000, Hispanics will be the largest minority in this country. It's predicted that by the year 2000, Hispanics, Asian Pacifics, and African-Americans, in that order, will constitute more than half of all Americans—filling a void created by the declining birthrate of white Americans.

The impact of these shifting demographics will be felt by everyone, regardless of gender, race or economic status.

According to most Bureau of Labor statistics, the labor force will rise by 21 million workers between now and the year 2000. Women will outnumber men among new workers by 2-to-1 Minority men and women will capture about an equal number of jobs, while white women will fill about four times as many jobs as white men. Hispanic and Asian American workers are expected to increase by more than 70 percent, while the black labor force will grow by only 27 percent. That's what we can expect in the emerging workforce of the nineties and well into the year 2000.

As all this unfolds, what can we expect from the media? Will it be part of the problem as charged 21 years ago by the Kerner Commission, or will it be part of the solution to help ensure social tranquility and the productive growth of our Nation and all its citizens? I sincerely believe that broadcasters and gate keepers of the print media will do the right thing. But, not without the participation and responsible actions of the multicultural facets of our communities.

The stakes are too high and opportunities too promising for minorities in the 90's to forget the words of Frederick Douglas, who said that, "Power yields nothing without a demand." There's work to be done by all of us. To be passive and unprepared for the challenges ahead would be like wanting sunshine without heat, thunder without rain, and progress without pain.

As black Americans, we could spend precious time bemoaning the shortcomings of media and the problems of survival and advancement in broadcasting and print. We could also celebrate the countless gains evidenced by media stars and less known black and other minority managers and executives. But, time would be even better spent discussing strategies for moving forward toward greater involvement in this age of technology and information.

I've already mentioned media's present and future challenges. But you should be aware that many unsung supporters are stating the case and laying groundwork for the progress that we all deserve. Last week at the first of two annual meetings of the National Association of Broadcasters, Mauricio Mendez, a member of the board and a member of the NAB's Minority Executive Council Committee, called for serious focus and action on issues of equal employment opportunity. He urged his colleagues on the board to "review and debate the challenges and directions that [the] association must take to help ensure the survival of our industry over the next decade." Speaking from his experiences as one of few Hispanic television executives, Mr. Mendez warned that "strategies and attitudes that [were] applied in the past two decades will not work in the 90's. They won't work in managing our technologies," he added, "and they won't work in managing our workforce."

Nevertheless, a bit of history took place during the January NAB board meeting

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

that makes us all proud. For the first time, a minority broadcaster was inducted into the NAB Broadcasting Hall of Fame. Hal Jackson, group chairman of the Inner City Broadcasting Corporation (owner of 6 radio stations and the Apollo Theatre in New York), now has his place in broadcast history with other famous Americans, including: Bob Hope, George Burns, Paul Harvey, President Ronald Reagan, and Lucille Ball.

With 50 years of distinguished service to the broadcast industry and minority communities of the United States, demonstrated by achievements in radio ownership, and leadership in establishing national minority youth organizations, Hal Jackson has earned this distinction without question.

Another gain to celebrate occurred last year when Ronald Townsend, a black broadcast executive with years of demonstrated excellence and success, was promoted from president of Gannett's leading TV station in the Nation's Capital to president of the Gannett Corporation Television Group (incidently, Gannett also owns the USA Today newspaper and many other communication enterprises.)

And who can deny the successes of Bryant Gumbel, Bernard Shaw, Bill Cosby, Oprah Winfrey, Arsenio Hall, and thousands of hard working professionals in front of and behind the camera.

It's been a long struggle from "Beulah" in 1950 to "Cosby" in 1989. And praises are fitting for television breakthroughs like NBC's "generations", the first presentation of a black family in a daytime soap; and the depiction of an interracial romance in ABC's "The Robert Guillaume Show."

In its early years, television, the industry's only free mass medium, in need of endless talent, featured blacks in a wide variety of roles, causing ebony to report in 1950 that the appearance of numerous blacks on TV was a "sure sign that television is free of racial barriers." Isn't sobering to be reminded that for all that's been done there's so much more to be accomplished.

That's why the progressive-minded people of Cleveland owe a debt of gratitude to the dedication and fine job that Donna Bryant and the Black Professionals Association have done to make this city forum possible. Just as you don't have to be Jewish to love bagels; you don't have to be black to advance the causes of EEO. So, for their financial support of this program, I congratulate the participating broadcasters of Cleveland.

It's important to keep hope alive in Cleveland and every community throughout this Nation. What must be done to productively meet the challenges of the 90's will undoubtedly involve the communication industries, and black, Hispanic, and Asian Americans must be a part of necessary solutions, or be relegated to the ranks of burdens or problems.

I would suggest that we cannot afford the continuance of the narrow-mindedness and bigotry that have plagued so much of the American experience during the 20th century. We are facing the dawning of an age of "globalization."

Luis Valdez, former union organizer and film producer of the successful movie, "La Bamba", summed it up so well recently when he said that, "The 21st century will produce a blending of peoples that we have never known, because America is destined to be the place where the races meet."

I'm also reminded of certain remarks made a couple of months ago by the chairman and CEO of Canada's largest educational broadcasting network as he defended the global value of public broadcasting.

He said that, "When broadcasters see national values and cultures as 'barriers,' it is not unreasonable to foresee attempts to demolish them." Promoting the illumination and the fostering of different voices in media, he made a statement that may well become a universal principle in the 90's for all Western nations of the world: "without diversity there is no freedom of choice."

So, to students, parents, professionals, broadcasters, and everybody else, in the words of Arsenio Hall—"let's get busy." This may be the last opportunity in our lifetime to help shape a new era; and like no other time in the history of this Nation, you're needed.

TRIBUTE TO CPL. GEORGE WASHINGTON CLUTE

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. SCHUETTE. Mr. Speaker, it is with admiration and respect that I rise today to pay tribute to a Civil War veteran, Cpl. George Washington Clute.

I would like to bring to the attention of my colleagues in the House a historic event taking place in Mt. Morris, MI, on Memorial Day, May 28, 1990, at the Mt. Morris Cemetery. A full memorial service is planned to bestow upon Cpl. George Washington Clute the honor he deserves but which he has never received.

This brave and dedicated veteran fought with Company I of the 14th Michigan Infantry during the Civil War. The contributions made by George W. Clute include the capturing of the colors of a Confederate unit during a fierce battle on the morning of March 19, 1865 in Bentonville, NC. For this courageous action he received the Congressional Medal of Honor in 1898.

Corporal Clute was buried at the Mt. Morris Cemetery in February 1919. This unheralded Civil War veteran will finally be honored with a full memorial service planned by the Congressional Medal of Honor Society of the United States and of the Disabled American Veterans Chapter 3 of Flint. A special ceremony will dedicate a Veteran's Administration grave marker designed for Medal of Honor recipients.

Mr. Speaker and my colleagues in the House, I hope you will join me in recognizing Cpl. George Washington Clute for an honor he has earned and which is indeed long overdue.

THE STAR SPANGLED BANNER

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. CARDIN. Mr. Speaker, I invite my colleagues to join me in commending the City Council of Baltimore on its unanimously adopted resolution to support "The Star Spangled Banner" as the national anthem of the United States of America.

Maryland is the birthplace of "The Star Spangled Banner." Francis Scott Key composed the anthem after a 25-hour bombardment of Fort McHenry, the only officially dedicated national historic shrine in America. The four-verse poem remains a lasting tribute to our country's courageous dedication to freedom.

Every day of the year, around the world, people sing "The Star Spangled Banner"—in public and private schools, at sporting events, at inaugural ceremonies, in foreign embassies, on military bases. Marylanders feel a special attachment to the confidence and pride which our anthem inspires.

Along with the Baltimore City Council, Gov. William Donald Schaefer, and my colleagues from Maryland, I am committed to preserving the "The Star Spangled Banner" as our national anthem:

SUPPORTING THE STAR SPANGLED BANNER

For the purpose of expressing support for "The Star Spangled Banner" as the national anthem of the United States of America and urging Maryland's Congressional Delegation to vote against H.R. 225.

Whereas, H.R. 225, a bill that is pending before the United States House of Representatives, seeks to change the national anthem from "The Star Spangled Banner" to "America, the Beautiful"; and

Whereas, Although "America, the Beautiful" is a moving song, "The Star Spangled Banner" has significance in our nation's history, as it was written by Francis Scott Key, who witnessed firsthand the bombardment of Fort McHenry, by the British during the War of 1812, an attack that was successfully repelled; and

Whereas, Within the first year of its publication, "The Star Spangled Banner" was the favorite patriotic song of our new nation; and

Whereas, The popular acceptance of "The Star Spangled Banner" continued through the end of the nineteenth century, its performance as the national anthem being required by both Army and Navy regulations in 1890; and

Whereas, "The Star Spangled Banner" was designated the national anthem by Act of Congress, March 3, 1931, thus inspiring continuing generations of Americans; and

Whereas, Unlike "America the Beautiful," "The Star Spangled Banner" has a hometown, Baltimore City, which has long taken pride in serving as national guardian and center for honoring the Flag, through annual "Salute the Flag" activities and with special observances at Fort McHenry which reflect the citywide sense of responsibility for keeping the Flag's inspiration alive for all Americans; and

Whereas, The entire neighborhood of Locust Point has long been dedicated to serving as the patriotic pathway to the Fort and its history, thus helping to perserve our nation's heritage of which "The Star Spangled Banner" is an important part; now, therefore, be it

Resolved by the City Council of Baltimore, That the Council supports "The Star Spangled Banner" as our country's national anthem and urges Maryland's Congressional Delegation to vote against H.R. 225 and for Baltimore as seat of this national heritage; and be it further

Resolved, That copies of this Resolution be sent to all members of Maryland's Congressional Delegation, to Governor William Donald Schaefer, Mayor Kurt L. Schmoke, Mr. John Tyler, Superintendent of Fort McHenry, Mr. Greg Barnes, president of the Locust Point Civic Association, Mr. Alan Walden, president of Patriots of Fort McHenry and Mr. Lou Kerber of the annual Salute the Flag Organization.

THE PRESENT STATE OF AFFAIRS IN ROMANIA

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today because I am concerned about the present state of affairs in Romania. After the December revolution, the National Salvation Front [NSF] took control of Romania as the interim government. The front pledged that it would stay out of politics after it had guided the Romanian people toward free and fair elections. Yet, on January 23, the front announced its intention to run candidates in the upcoming national elections. Other actions taken by the NSF include canceling a January 28 national referendum to outlaw the Communist Party and banning all spontaneous demonstrations.

Despite the front's avowal to allow 29 other political parties to participate in a coalition government until the national elections, it has practically guaranteed its domination of the coalition through its gerrymandering of seats. Half of the seats in the new 180-member coalition will go to the 30 political parties—each having 3 representatives, 42 will go to a representative from each county, and 48 will go to chosen individual members. If many of the regional and individual seats are filled by members of the front's regional and national committees, it will retain considerable control of the coalition. One theory, to which we must give serious consideration, expresses the belief that the NSF has loaded up some of the other 29 political parties with its Communist clones. They are masquerading under a separate banner so that the Communists will gain a majority of the seats in the coalition. Such tactics by Communist parties across the world are not without precedent.

The front has announced that national elections will be held on May 20 which will give it an insurmountable advantage if it participates as a political party because it controls the security forces, administrative organs, and media in Romania. Political parties that have just emerged from obscurity will have no time to organize an effective platform or strategy since the elections are being held at such an early date.

Mr. Speaker, this week I will introduce a bill that will express the sense of Congress that the President send a United States delegation to Romania to monitor the national elections to ensure that they are fair and free. I urge my colleagues to support me in this endeavor. I submit the testimony of Andrei Calciu, son of the famous Romanian freedom fighter, Father Gheorghe Calciu, who recently spent 2 weeks in Romania, studying the situation there. His testimony reveals that the NSF is more concerned with hanging onto power than with the wishes of the Romanian people. It demonstrates why the United States must do everything in its power to ensure that all political parties get a fair shake at winning the national elections.

THE ROMANIAN SITUATION AFTER THE DECEMBER 1989 REVOLUTION

(Testimony of Andrei Calciu)

In December the long oppressed Romanian people found the strength and the courage to fight back against the dictatorship of Nicolae Ceausescu. The toll in human lives and physical destruction was enormous. I went to Romania for a two-week trip and below you will find my analysis of the situation from the political, economical and social points of view.

1.—POLITICAL SITUATION

(a) The revolution seems to have been actually a poorly planned and executed coup, precipitated by the anger of the masses and coupled with a clever manipulation of the latter by the current members of the National Salvation Front (the english acronym is NSF). When put together, people, times and places where they showed up during the "spontaneous" revolution triggered on December 21st the clear, or almost clear, picture of a coup d'etat emerges. i.e. General Militaru, a retired officer with no visible ties to anybody in the NSF, only 50 minutes after the beginning of the revolution was already in position, in charge of the defense of the Radio Television Station in Bucharest and the scarcity of information in Romania can draw only one conclusion from his quick appearance there: he knew of what was to happen and he was in the neighborhood awaiting the signal to enter the building and take over as commander of the defense forces. At the time of his arrival there was no fighting yet at the Television Station.

(b) The NSF is, in the eyes of the politically aware Romanian citizens, the Communist Party. The truth is that indeed NSF *is* the same thing with the former Communist Party whose cadre have been shuffled and from which only the eyesores have been removed. The structure and the tactics have remained intact. i.e. NSF called a press conference during which they announced that through tens of thousands of letters and phone calls the mine and oil workers together with the students have begged them to participate in the upcoming election scheduled for May 20, 1990. Typical Stalinist method of manufacturing ad hoc public support for their movement.

(c) Mr. Iliescu, the interim President of Romania has already begun creating his own cult of personality in the media, since before January 1st, 1990 keeping close to his side Petre Roman—the Vice-President, building a platform for the two of them for the upcoming elections. This, plus the revival of some Stalinist methods, plus some internal NSF power struggles, were some of the reasons for which Dumitru Mazilu resigned from his position of Prime-Vice-President of the Free Romanian Republic on January 25, 1990 (D. Mazilu tried to resign once before on January 12). The NSF has established local chapters in many locations using the basic structure of the communist party cell.

(d) In a discussion held with some Soviet visitors, Mr. Iliescu declared that he does not agree with the idea of political pluralism and that the May elections are not only unnecessary, but also useless.

(e) Since before Christmas 1989 the NSF has been the only organized political body who had any kind of presence in the media and especially on TV (Romania has only one TV station and two radio stations that cover the entire country, or almost). Only around January 15, 1990 were the other parties in forming allowed to appear on TV and were given radio air time in limited amounts (10 minute blocks on TV and 20 minute blocks on the radio, once a week).

(f) Except for one of the parties that has had high level, secret contacts with the NSF none of the others had received access to the printing facilities to typeset posters and campaign pamphlets. The situation was unchanged, although promises to better it have been made, when I left Romania on January 23, 1990.

(g) The NSF has already enacted legislation that limits the right of the people to dissent in public. Downtown Bucharest has been declared off limits for protest demonstrations and those who desire to demonstrate must hold the marches outside the city and must have their demonstrations approved, giving two days notice; announcing them is not enough. Also threats by the NSF have been made public that the army will be used to disperse any "unlawful" demonstrations.

(h) All assistance to the political parties has been restricted by law to voluntary donations from private individuals residing in Romania and who are Romanian citizens. At the same time the NSF has promised that the money and the goods owned by the Communist party will be distributed to those political parties after taking a complete inventory and that those parties will be allowed to use that distribution for furthering their political goals. The only problem is the inventory is estimated to take 18 months and the elections will be held in only 4 months from now, therefore this is only a means to deprive the opposition of financial resources so badly needed in the campaign. Fortunately we have identified some loopholes and we intend to take full advantage of them.

(h) The cover-up has already begun, in Timisoara the newly appointed prefect has made public statements saying that only less than one hundred people died during the fights (since December 17, 1989). In Bucharest the NSF denies the fact that North Korea, Chinese and Libyan mercenaries fought side by side with the dictator's loyal forces. There is somebody in Bucharest who is in the possession of a videotape shot in the morgue of a hospital clearly showing oriental and arab looking corpses lying on top of each other before being thrown in the hospital's incinerator.

2.—ECONOMICAL SITUATION

(a) The economy of Romania with a volume of 2,000 billion lei (the local currency) per year is in a pitiful shape. There is a highly skilled labor force available, but the country lacks decent machinery and raw materials for producing competitive products; design services are very primitive and among many other factors the centralization of the economy is responsible in large for the country's industrial failures.

(b) The inflation has already begun, pushing the on-the-street exchange of the dollar to the 80-175 lei-per-dollar rate (officially the exchange rate is 1 US dollar for 11.27 lei). In the future 18-36 months the inflation and the unemployment are expected to read levels comparable to those from the days of the economy depression.

(c) As of January 24, 1990 no new legislation has been passed easing foreign investment in the country although the Minister of Foreign Trade and the other dignitaries I met with promised they would act upon my suggestions.

(d) There is great interest from the part of individual enterprises in Romania to enter into joint ventures with foreign companies.

(e) A great deal of assistance is still being expected by various ministries and departments.

(f) There is very little food in the stores of Romania because, apparently, the new government resumed its food products exportation to the Soviet Union.

(g) The Romanian agriculture had been neglected for the past 17 years because of the dreams of industralization of Nicolae Ceausescu and today there is a great need for revitalizing it. Assistance is expected both from private companies and from our Department of Agriculture. Mr. Calciu can provide complete details on what is needed and how it can be sent to Romania.

3.—SOCIAL SITUATION

(a) The population is divided in three categories:

1. Those who will not give up the fight;

2. Those who are disoriented and are waiting for a clearer situation; and

3. Those who are in a state political apathy.

(b) At this point in time the average person is still very pro-American, but a slight disappointment has started surfacing in regards to the lack of economical and medical assistance from our government. Whatever the International Red Cross reported, the situation is much, much worse. i.e. the ICRC has said on network TV in the United States that there are plenty of drugs and medical supplies in the country due to their efforts. On January 20, 1990 the Fundeni Hospital in Bucharest had not even received one single Tylenol pill, much less the many drugs the ICRC was alleging having provided; also the ICRC said there was no need for clothing, blankets and mattresses in the country and I myself saw people sleeping on the springs of the beds in the nursing homes wearing their top coats to bed.

(c) The anti-soviet attitude of the average person has increased in the past month, but the leaders of the country are very pro-soviet (Ion Iliescu and Petre Roman especially) and they are actively working at reversing this trend. Unless our presence there increases, we risk to lose a great deal of popular support.

(d) There is large scale looting going on in the areas where the relief supplies are arriving, but the government finally started providing protection for the stored supplies, but no security exists yet for the convoys in transit.

Many of the supplies shipped already have disappeared like they never were. Some hoarding must occur somewhere, undoubtedly at the suggestion of the NSF. In the beginning the distribution of the supplies was done inefficiently, but now bottlenecking can not explain the lack anymore. The same thing happened during the 1970 floods and the 1977 earthquake when many of the supplies sent over as assistance were hoarded by the Ceausescu government and later sold to communist forces that were trying to conquer the power in third world countries.

More detailed information can be obtained by scheduling a personal interview with Mr. A. Calciu anytime.

DEPOSITOR PROTECTION AND FRAUD ACT OF 1990

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MCMILLEN of Maryland. Today, my colleague CHARLES SCHUMER and myself are introducing the Depositor Protection and Fraud Act of 1990. We hope that you will join us as a cosponsor of this important legislation.

I was deeply disturbed by the testimony before the House Banking Committee last fall of four small investors who had lost their savings as a result of the Lincoln Savings & Loan Association debacle. These investors, like many others, lost their hard-earned savings by purchasing bonds offered by Lincoln's holding company, American Continental Corp. of Phoenix. These investors purchased these bonds because they incorrectly thought they were federally insured since they were sold in Lincoln branches.

This legislation would prevent a repetition of this tragedy by prohibiting the sale in a retail branch of a federally insured bank or S&L of certain specified types of debt or stock in any affiliate of the bank or thrift. It would also give the regulators the explicit authority and mandate to protect depositors if they determine that any uninsured product being offered by the bank or S&L could be confused by a retail customer for an insured deposit.

Both the Securities and Exchange Commission [SEC] and the Office of Thrift Supervision [OTS] support regulations prohibiting federally insured institutions from selling their own debt securities or the stock of an affiliate in areas of their branches that are commonly accessible to depositors. The outlawing of this practice is also supported by the president of the Association of Thrift Holding Companies, Patrick Forte, who has stated that the prohibition of the sale of "lobby debt" would "be supported vigorously by everyone in the [S&L] business."

This bill is the marriage of two pieces of legislation which dealt with this issue previously introduced by each of us, H.R. 3721 and H.R. 3777. The combination is an improved piece of legislation, which will come before the House Subcommittee on Financial Institutions for hearings in March and hopefully will be passed expeditiously by the Banking Committee and this body of Congress.

TRIBUTE TO RHODE ISLAND'S VETERANS' HOME

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to offer my congratulations and praises for the Rhode Island Veterans' Home which is celebrating its century of service for Rhode Island's veterans.

The original Rhode Island Soldiers' Home was created in 1890 as a home for veterans of the Civil War. The original home, located in Bristol, RI, housed 140 veterans and operated its own dairy and produce farms for over 60 years. Beginning in the 1930's, several attempts were made to change the home's location until finally in 1949 the Rhode Island Legislature proclaimed the Rhode Island Soldiers' Home the Rhode Island Veterans' Home.

Beginning in the early 1950's, the home has continually sought to improve and expand its services and facilities to its residents. After 100 years of dedicated and expert service, the Rhode Island Veterans' Home has developed into one of the finest convalescent and nursing homes in the Nation. The home provides long-term health care and rehabilitation programs for its residents with the goal being to return the veterans back to their homes and communities.

The home's history is marked by outstanding individuals who have given their time and effort to preserve and develop the home as one of the finest in the land. The centennial celebration is dedicated to those people who fought to maintain the home and the objectives it set out to accomplish 100 years ago. It is with great pleasure that I join with the rest of Rhode Island in celebrating the Rhode Island Veterans' Home century of service.

THE PRESIDENT'S PROPOSAL TO INCREASE FUNDING FOR MAGNET SCHOOLS

HON. JOHN MILLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MILLER of Washington. Mr. Speaker, I rise today in support of increased funding for magnet schools. Expanding the use of magnet schools increases choice, expands opportunities for children, and ultimately improves the quality of education in all schools.

The President has requested an additional $1 million for magnet schools of excellence, expanding the Magnet Program to schools which are not under a desegregation plan or court order. The budget request for magnet schools for desegregation is basically the same as last year. It is my wish that this funding would not only be maintained but could eventually be increased.

Americans cherish their right to choose. The theory behind open enrollment is to allow parents a wider choice of schools for their children. Schools will then compete with one another for students, and will be forced to improve performance or lose their enrollment. National studies show parental choice and participation within their child's school selection is one of the most important factors in determining the success of their child's education.

Choice and magnet schools alone are not a panacea for all the problems associated with education. It will take an integrated approach to address the multiple issues facing our educational system. I know we have the same goal; we want what is the best for our children. I hope we can pull together and work to make our educational system as successful as possible.

BRENDA WARD ADMINISTERS BICENTENNIAL PROGRAM FOR CONSTITUTION AND BILL OF RIGHTS

HON. BILL PAXON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. PAXON. Mr. Speaker, we have witnessed the closing of a decade in which millions of people throughout the world have toppled repressive regimes in their quest for freedom and democracy.

Here in the United States, we have enjoyed life under the oldest constitutional democracy in history, and our country serves as a beacon of hope and a model of freedom to the rest of the world.

At the same time, we must not neglect to pass on to our own children the respect and understanding of the underlying principles of our democratic institutions.

I am most pleased to commend the efforts of Ms. Brenda Ward, whose dedication to the improvement of the education of children in western New York and the Finger Lakes Region has been exemplary.

Brenda Ward coordinates the "We the People * * *" bicentennial programs on the Constitution and the Bill of Rights, which includes the National Bicentennial Competition, its noncompetitive companion program, Congress and the Constitution, and the National Historical Pictorial Map Contest in New York's 31st Congressional District.

Through Brenda Ward's dedicated efforts, thousands of elementary, middle, and high school students are being introduced to the philosophical ideas of the Founding Fathers that shaped our Constitution.

They learn about how our Government is organized and how the rights and liberties of individual citizens remain protected, and they learn the responsibilities that accompany the rights of citizenship in a democracy.

While people throughout the world are struggling for political freedom, we are plagued with political apathy here at home. Through the continued efforts of Brenda Ward and her colleagues in the "We the People * * *" programs, we can instill in our youth a renewed appreciation of the Constitution.

Mr. Speaker, I would like to thank Brenda Ward for her impressive contributions to the development of competent and responsible citizenship.

RETROFITTING THE BOMB MACHINE

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. RICHARDSON. Mr. Speaker, as we all look for the peace dividend from the dramatic events unfolding in Eastern Europe and the Soviet Union let us closely examine where the cuts are to be made.

For the past 40 years the Los Alamos National Laboratory has been at the heart of our nuclear weapons program and more recently the star wars program. The scientists at Los Alamos have gathered a wealth of scientific knowledge that we must jealously guard as a national asset—valuable in times of peace as well as conflict.

I would like to call my colleagues attention to an article recently published in U.S. News and World Report entitled, "Retrofitting the Bomb Machine." The magazine points out that "Los Alamos invented the supercomputer; it is home to the largest concentration of computational power in the world. Its three dimensional graphics and applications programs are about 5 years ahead of the general market. It is the kind of place where scientists can, for fun, whip up a color 3-D simulation of a shock wave ripping apart a submarine."

The scientists at Los Alamos are excited about the political changes which lessen the need for weapons research and want the opportunity to provide their expertise in more peaceful areas, whether to improve the environment, in basic science, or industrial competitiveness. The same technology the lab has been working for the stars wars program may be applicable for making the next generation of computer chips. Just last week Business Week ran a major piece on the use of synthetic diamond surfaces for advanced microchips—something that Los Alamos scientists briefed me on a year ago.

As we beat our swords into plowshares let us not discard the basic steelmaking technology which makes both possible.

[From the U.S. News & World Report, Feb. 5, 1990]

RETROFITTING THE BOMB MACHINE

When I'd meet people on airplanes," says nuclear-weapons designer Thomas Seitz, "I used to say I worked at Los Alamos. Now, I say I work for the University of California. I am very genuinely concerned about the future. I see my field going down."

It's not easy being a cold warrior these days. Despite all the carefuly worded explanations a visitor to Los Alamos receives about the need to maintain America's nuclear deterrent even as the cold war melts away, there is no escaping one central fact about this artificial city that shares an isolated New Mexico mountain range with ancient Indian cliff dwellings, a Zen center and the Servants of the Paraclete, a monastic retreat for alcholic and pedophilic Roman Catholic priests. The business of Los Alamos is making bombs. And business isn't good.

Los Alamos is a child—and now perhaps an orphan—of the cold war. Forty-five years after the Manhattan project researched its successful conclusion with 13 pounds of plutonium vaporizing into a mushroom cloud over the New Mexico desert, the Los Alamos National Laboratory has transformed itself from a temporary wartime outpost of unpaved roads and Quonset huts on a site chosen for sheer remoteness into a $1-billion-a-year institution, that, as laboratory officials are quick to point out, is the state's largest employer. Despite a brief interval immediately after the war, when the laboratory's newfound purpose was to explore peaceful uses of atomic energy, and despite a blip in the 1970s, when Jimmy Carter decreed that the national weapons laboratories would go to work solving the energy crisis, the lab's real character has always been faithful to its birthright. The first Soviet nuclear test in August, 1949, quickly plunged Los Alamos back into the weapons business, turning out an average of five new nuclear-warhead designs each year during the '50s. Ronald Reagan's defense buildup provided a second shot in the arm in the '80s. At the peak of the Manahattan Project, the laboratory staff numbered 1,000; now, four times that many, or about half of the total staff, are employed on nuclear-weapons research.

BIKINI STREET BLUES

"We have a very proud heritage," says Deputy Director James Jackson. "Two-thirds of the nuclear weapons in the current stockpile were designed here." His sincerity is what is so disconcerting. Los Alamos is probably the only place in the country—with the single possible exception of its rival weapons lab, Lawrence Livermore National Laboratory outside San Francisco—where the local science museum's educational exhibits include a computer game that challenges visitors to design their own warhead re-entry vehicle. It is definitely the only place in the country where the city streets are named after nuclear-weapons tests: Trinity, Eniwetok, Bikini.

Government-paid scientists are much too experienced politicians to start proclaiming nostalgia for the cold war, however much their prosperity hinges upon it. The phrase "Peace is breaking out" has joined the other engineers' cliches as a staple of the viewgraph presentations that describe the laboratory's programs. The scientists are also much too discreet to come right out and say that designing bombs is fun. But it's not hard to draw that conclusion when they keep talking about the scientific and terminal challenges of their work and the excellent facilities that "derive from this mission." Providing the ultimate security guarantee of the nation is a good justification for buying a lot of nice scientific equipment. Los Alamos invented the supercomputer; it is home to the largest concentration of computational power in the world. Its three-dimensional graphics and applications programs are about five years ahead of the general market. It is the kind of place where scientists can, for fun, whip up a color, 3-D simulation of a shock wave ripping apart a submarine.

So, even if the Russians aren't coming, there are other reasons to keep on with the job. "We all want to reduce the number of weapons," insists lab director Siegfried Hecker. "But we're still going to have to design different nuclear weapons to keep deterence credible." The new rallying cry of the weapons designers is "safety." Get past the eerie irony of "safe" nuclear weapons, and there is a serious point: No matter how small the superpowers' nuclear stockpiles become, improvements in design will be

needed to make the weapons less likely to go off when they're not supposed to. But the arguments always seem to come back to the work itself: The only way to keep together a core of scientists who understand the mysteries of bombs is to let them build bombs and to set them off once in a while. "Some of the best nuclear-weapons people actually left the lab during the late '50s and early '60s when we had a testing moratorium," points out Buck Thompson, assistant to the director. Or, as Seitz puts it: "Have you ever asked an experimentalist to design something and never turn it on?"

ON TO INDUSTRY

Still, the bomb makers are starting to hedge their bets. Hecker speaks enthusiastically about the contributions Los Alamos can make to energy, environment, basic science, industrial competitiveness; he sees nondefense research growing to one third of the lab's work in the next few years. "We know how to run big, goal-oriented projects," he says. Others point out that the lab is especially well suited to work with industry, since it has experience in delivering a "product."

Economic rationales creep in everywhere, even into the Strategic Defense Initiative projects, which account for about $100 million of the lab's annual budget. Sidney Singer, who directs one of the lab's showcase Star Wars technologies, the free-electron laser, acknowledges that tight budgets have hurt some crucial, planned tests of the laser's military utility. But all is not lost: The same technology might be the key to making the next generation of computer chips. "World War III is an economic war," Singer declares. "We have to figure out how to mobilize and defend ourselves."

It's not all rhetoric, though. The lab's supercomputing capabilities put it in a good position to get a piece of the action in the booming industrial-competitiveness business. Los Almos researchers who developed elaborate computer models to study exactly what happens in a nuclear explosion have used the same basic techniques to develop a widely used computer simulation of the combustion of fuel in an automobile engine. The Energy Department's own problems in cleaning up the environmental mess at the plants where plutonium is made and the bombs assembled, such as Hanford, Fernald and Rocky Flats, are providing a slightly ironic windfall, too; the annual budget of Los Alamos's small environmental-research program jumped from $3 million to $25 million in a single year.

Finally, there is the possibility of some genuine peace dividends. New arms-control agreements being negotiated this year will be very hard to police, and that means spending lots of money inventing new verification systems—gadgets to detect and count nuclear warheads, sensors to monitor nuclear tests. For 25 years, verification has been a Los Alamos speciality. The problem of how to destroy missiles banned by arms-control treaties may fall to the lab, too. Stricter air-pollution rules may soon prohibit getting rid of outlawed missiles by firing them, as is being done now with the Pershing 2s eliminated by the INF treaty. Los Alamos researchers have been developing technologies that chemically neutralize the high-explosive residues built up over the years in some of the lab's test sites, and the same processes may be able to extract rocket fuel from missiles.

However scientifically and technically well-equipped Los Alamos may be to become a patron saint of U.S. industry and a mecca for basic research, it still has to overcome a legacy of secrecy for secrecy's sake that won't quite go away. During the war, workers were not allowed to use the words "Los Alamos"; birth certificates listed the parents' address as "P.O. Box 1663, Sandoval County, Rural." It took until 1957 for the fences and gates that surround the entire community to come down; it took until 1969 to declassify a letter, now in the lab's archives, ordering Manhattan Project Director J. Robert Oppenheimer not to drive long distances without an armed escort. In 1965, the U.S. government finally began to sell houses and businesses to private individuals, but old reminders of the town's past remain. Most towns do not have all their churches on one side street, or apartment houses that look suspiciously like World War II Army barracks.

Hecker acknowledges that the tradition of secrecy has been an obstacle to cooperating with industry; it also gets in the way of doing basic science. Especially international basic science, and especially with Soviets. Nonetheless, in one of the weirder signs of the times, a team from Los Alamos and a team from the Kurchatov Institute—the Soviets' bomb-design lab—are putting together a joint proposal to build one of the huge instruments needed to carry out research on the new U.S. atom smasher, the Super-conducting Super Collider. Los Alamos physicist Gary Sanders is heading for Moscow this month to finish writing up the bid. Why is the Kurchatov Institute getting involved in this? "They obviously have some of the same concerns about the future we do," says Sanders.

A LIFESAVER—THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

HON. JOSEPH E. BRENNAN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. BRENNAN. Mr. Speaker, I want to call attention to an article in today's Washington Post titled "In Cold Spell, U.S. Heating Assistance Plan Becomes a Lifesaver." The lifesaving "heating assistance plan" being identified is the Low Income Home Energy Assistance Program, or LIHEAP. As the article states, LIHEAP assists low-income families and individuals—primarily senior citizens and households with young children—with heating costs. LIHEAP currently serves 5.9 million households, only 30 percent of eligible families.

I believe the following article highlights the personal and human need for home energy assistance. The beneficiaries of LIHEAP are real people who are making real choices between heating their homes and feeding themselves or their children. I encourage all of my colleagues to read the article below while placing themselves and their loves ones in the shoes and homes of LIHEAP beneficiaries. The choices these individuals face are unacceptable and while they continue to be faced with choices between food and heat, the President has proposed to further cut declining LIHEAP funds from $1.4 billion this year to $1.05 billion next year.

The article below illustrates the impact of the simultaneous cold front and increased heating oil prices experienced throughout several parts of the Nation in late December and early January. I have introduced legislation, H.R. 3851, to provide an additional $200 million for LIHEAP and to target the additional funds to those States hit hardest by the recent heating crisis. I would like to urge those colleagues interested in assisting families with home energy needs to join my efforts by cosponsoring H.R. 3851.

The Washington Post article follows:

[From the Washington Post, Feb. 20, 1990]

IN COLD SPELL, U.S. HEATING ASSISTANCE PLAN BECOMES A LIFESAVER

(By Thomas W. Lippman)

STEVENS POINT, WIS.—For people who don't have money, a blast of winter like the recordbreaking cold wave in December stretches the lifeline very tight. Skyrocketing fuel bills break skimpy budgets. Old furnaces expire. Children sleep in their clothes. Just ask Margaret Raikowski.

Five days before Christmas, when the wind chill equivalent was 60 below zero and icy blasts swept through the bales of hay piled around the base of her ramshackle farmhouse to insulate the pipes, the Raikowski family ran out of heating oil. They had no money to buy more.

Raikowski's husband was working at a construction job. But the cold weather forced schools to close so her five children—ages 10, 8, 5, 4 and 2—were at home with her, huddled around a balky wood stove.

"If you stood six feet away from that stove, you were cold," said Raikowski, 28. "We get oil only when we pay on delivery and I just didn't have the money." Even if she did, she said, "we were having lots of problems with that furnace. It would click on and then shut right down again."

The children slept in their coats and went to a relative's house to bathe, Raikowski said. But unexpected help arrived suddenly in the person of Julie Hovden, coordinator of low-income home energy assistance for the Community Action program of Portage County. Alerted to the Raikowskis' plight by a utility worker, Hovden dipped into the heating program's emergency funds to get the Raikowskis a new propane-burning furnace and a tank of fuel.

"They came on Friday and by Saturday everything was done," Raikowski said. "It was a very nice Christmas present." The Raikowskis had joined the 5.9 million U.S. households—including about 205,000 in Maryland, Virginia and the District—receiving aid from the federally funded Low Income Home Energy Assistance Program (LIHEAP).

The December cold wave and the parallel run-up in fuel prices that month focused new attention on LIHEAP, which is financed through the U.S. Department of Health and Human Services and administered by the states through county governments or community action offices—part of what used to be called the antipoverty program.

Federal LIHEAP funding has been declining steadily, from $1.83 billion in fiscal 1987 to the current $1.393 billion. President Bush's budget for fiscal 1991 proposes spending $1.05 billion. Supporters of the program—including many members of Congress, a score of governors and the American Gas Association, whose members sell the fuel that heats about three-quarters of all U.S. households—want a $300 million supplemental appropriation for this year, to

cover the extraordinary demands of December, and $2.5 billion in fiscal 1991, which begins Oct. 1.

Two weeks after helping the Raikowskis, Hovden was in Washington to represent the heating assistance program at a congressional hearing into the causes and consequences of the sudden sharp rise in home heating bills caused by the December cold snap, and to ask for more money.

"If we have normal January weather in Wisconsin," she said, "our agency's crisis funds will be exhausted by mid-February. We desperately need to get help from somewhere. * * * Naturally, we will not be paying people in March and April, and we won't have any money to help people next fall. * * * Clients who have no heat in their homes are desperate. They come to our office filled with despair, fear, frustration and anxiety." Similar pleas came from New Hampshire, Nebraska, Massachusetts and Connecticut.

The relatively mild weather of January and February has staved off the crisis that seemed imminent at Christmastime, but supporters of the heating program say the need for aid is not diminished, only postponed. The average annual benefit per household is about $215, usually in the form of a one-time payment that covers the cost of a tank of propane or perhaps two months' natural gas bills. According to Meg Power, Washington legislative representative for the National Community Action Foundation, an advocate for the community organizations, the average income of a LIHEAP household is under $7,000 a year.

Even with the federal aid, she said, "low income households can spend a large chunk of the year with no power. It's a real possibility to millions."

The present funding level, according to Power and other advocates of LIHEAP, covers about 30 percent of eligible households. The eligibility level for assistance in most states is 125 percent of poverty, as defined by the federal government.

"Among the elderly and working poor, a large number of people don't want government assistance," said Hovden's boss, Portage County CAP director Karl Pnazek. "But when the price of a tank of propane went from $180 to $320, they couldn't pay it."

Pnazek, who has a Bobby Kennedy for President poster on his office wall, said he and his staff "tell people not to be embarrassed. We tell them, these are your tax dollars." Not only are the clients not "welfare cheats," he said, but "some of them even try to pay the money back when the crisis passes. We tell them there's no provision for payback."

At Hovden's request, several recipients of heating aid in this area agreed to be interviewed, to illustrate the scope of the program. Among them:

Ray Wilhelm, 60, once a prosperous businessman who has fallen on hard times. In two years, his wife died, his appliance business went bankrupt and he entered a Veterans Administration hospital for back surgery that left him unable to work. His income is $531 a month from an Army disability fund.

"They paid for my fuel last winter and it was a godsend," he said. "I had nothing. It's hard to swallow when you've been your own man for many years." Wilhelm pays $20 a month to his fuel oil supplier and $30 a month on his electric bill. Hovden's office pays the rest and, from separate weatherization funds, is insulating his house and installing a more efficient furnace.

Carrol Harris, 62, a widow living on $566 a month in Social Security payments, plus a supplement she gets for taking in an 87-year-old "foster adult" whom she cares for.

She uses propane for heat, cooking and hot water. The price went from 63 cents a gallon in November to $1.27 in January. As she used more fuel in the intense cold, her bill rose from $173 in November to $351, just as her property tax fell due. "I don't like to ask for help," she said. "There's others worse off than I am. But I was devastated."

Kenneth Waterson, 35, an unemployed truck driver with a chronic back ailment, and his wife, Jeanne, 29, whose dermatitis forced her to give up a job at a food processing plant. Their monthly income is $465 in public assistance. With their infant daughter, they live in a mobile home, on which the monthly payment is $215. They have a color television, a telephone answering machine, a microwave oven and comfortable furniture, but Waterson said almost all of it is hand-me-down from family members.

"You can only go so far on $465 a month," he said. "Where would we be without the heating aid? Out on the street, probably. We sure wouldn't have any electricity." Even with the assistance, he said, they keep their thermostat at 60 degrees, and are able to keep the house at that temperature because Hovden's office paid for furnace repairs and the installation of an insulated roof that cut their fuel consumption in half.

There were others: Walter Meshak, 65, who worked 42 years for a soda distribution company with no pension plan, and his disabled wife, living on Social Security; Agnes Klish, 80, trying to keep her farmhouse now that her 85-year-old husband is in a nursing home; Mary Plummer, 35, living in a mobile home with two children and her husband, a self-employed carpet layer making about $600 a month. All said they were unhappy about needing help, but not too proud to accept it.

All of them, Hovden said in her Washington testimony, "have terrible choices to make. If they are without heat, they must move in with family or friends or stop buying food and medicine, or stop paying their rent, mortgage payments and electricity bills." If they move out and leave their dwellings unheated, she said, their pipes freeze and burst. "If they can't afford heat," she said, "they certainly can't afford a plumber."

As for Margaret Raikowski, she has since taken a night-shift job at a potato processing plant. Even with the additional income, Hovden said, the family income is still low enough to keep them on the heating aid list.

FREE SPIRIT

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. KOSTMAYER. Mr. Speaker, in these days of great change around the world, we see the triumph of the human spirit in many forms and in many contexts. Mr. Joseph Piro, a constituent of mine from Morrisville, PA, uses the metaphor of the Berlin Wall to express this victory in a very moving poem that he has entitled "Free Spirit." I ask that this poem be included in the RECORD at this point, and recommend it to my colleagues.

FREE SPIRIT

As people we build a wall of separation with our ideology, thoughts and ways. Perhaps, we stand astride the wall we have built and observe what is taking place on the other side. Others build with brick and mortar. Can a wall made with brick and mortar keep out the spirit of freedom? No amount of force of men and guns can subdue or destroy a free spirit. Because when that person or people are done away from the face of the earth, there are those who have breathe in the selfsame spirit to continue.

We are prisoners to ourselves when we allow the spirit of might to so shackle us, to snuff out the spirit of freedom.

And when that spirit of freedom is taken away from us—we die.—June 1989, Joseph Piro.

DANGER TO WORKERS IN THE NATION'S CAPITAL

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. QUILLEN. Mr. Speaker, I would like to bring to the attention of the House some information I have received concerning the safety of workers in the District of Columbia.

The material was provided to me by a leading lawyer in this city, George Webster, of the law firm of Webster, Chamberlain and Bean. George Webster, who is from my district, has provided me with a copy of a memo sent to the tenants of his office building which is one block from the White House. The memo recommends what would seem to most of us to be somewhat extreme security measures. The fact that the management of a building one block from the White House feels the need to make such recommendations is another indication that we have a real problem assuring the safety of persons and property in the District of Columbia. For the information of Members, the full text of the memo follows:

MEMORANDUM

To: Mills Building tenants, 1730 Pennsylvania Avenue tenants, 1747 Pennsylvania Avenue tenants.

Date: February 9, 1990.

Subject: Office thefts/building security.

Many office thefts and crimes against persons occur during regular business hours. Such crimes are usually perpetrated by persons under the pretext of conducting legitimate business; such as visitors, vendors, messengers, repairmen, etc. Security, to a great extent, depends on the cooperation and interest of each individual. Please take a moment to review the following security procedures/suggestions.

The following measures can improve the security of your individual space as well as the common areas of the building:

1. Never leave your reception area unattended. Do not allow visitors to pass beyond the reception area unless they are known to the receptionist or other office personnel who are aware of their business.

2. Report all suspicious persons to the General Manager, Chief Engineer, Lobby Attendant and/or Police Department. For your reference the numbers to the D.C. Police Department are as follows: 911—

Emergency, 727-4326—Non-Emergency, 282-0043—Theft Unit.

3. Always lock your door when arriving early or working late.

4. Never leave purses, wallets or other valuable items on or under your desks. Keep these items out of sight.

5. Cash, stamps and similar items should not be kept in an unlocked drawer. Valuables should be kept in a safe or other secured areas; out of sight to a passerby.

6. Avoid carrying large sums of money on your person.

7. Avoid leaving your wallet in a jacket hung over your chair or behind your door.

8. Beware of the repair man who enters your suite to make an inspection and states he/she is to pick up equipment, etc. Question the person, obtain identification and check with his/her firm for verification.

9. Do not be fooled by a uniform. Uniforms are often used as disguises. Always ask for identification.

10. Never leave a combination type safe on a day lock position. Thieves are aware that most people dislike manipulating the dial each morning to open the safe and will always turn the dial back to zero if it is in the day lock setting. Always spin the dial when locking your safe.

11. Immediately report all peddlers or other solicitors to the General Manager, Chief Engineer or Lobby Personnel. Do not attempt to apprehend or detain an unauthorized person, call building management.

12. Do not permit persons making deliveries to wander through your suite without an escort. Be alert to persons who enter an office under the pretext of seeking employment.

13. Change locks if keys are missing or unaccounted for.

14. Exercise care and caution when traveling alone to your vehicle after normal business hours. Garage facilities are usually unattended at night and on weekends. Always secure your automobile by locking all windows and doors. Do not leave anything of value on the seats in the glove compartment or hanging within view.

15. Do not enter an elevator if it is occupied by a suspicious looking person. Simply walk away.

16. Always carry your Kastle key to assure rapid access to the building and to prevent a passerby from hearing and later using your name to gain entry.

17. Immediately report all lost or stolen Kastle keys to Kastle Systems, Inc. at 524-7911. Call Kastle Systems, Inc. Customer Service if you have any questions about the Kastle System.

We encourage you to review these measures and solicit your cooperation and support. A joint effort can greatly reduce the number of unavoidable office thefts and provide everyone with a greater sense of security.

CHET CHAMBERS' NOTES ON CENTRAL AMERICA

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Ms. KAPTUR. Mr. Speaker, recently, a respected minister and diligent citizen from my district traveled to Honduras, Guatemala, and Nicaragua. He has journeyed there many times. His latest "Journal Notes" from this trip contain instructive insights for all Americans, especially those of us who must vote on U.S. policy toward these nations. His conclusions reveal a deep and growing uncertainty about America's role in building a lasting peace in Central America. He questions if it is time for America to withdraw completely—or, if we stay, what positive role can America play in building social and economic progress in these nations. He pointed out to me in a private conversation that in Honduras, which historically had no oligarchy and thus could have moved toward democratic reform more quickly, United States aid in the past 10 years has actually resulted in the development of a new oligarchy not necessarily dedicated to land reform and social betterment. He told me he has a real concern that there is a move to discredit the upcoming Nicaraguan elections, in the event the U.N.O. does not win, he hopes the United States will accept the findings of the official observer teams from the United Nations and the Organization of American States. In Guatemala, earlier efforts toward land reform have been squashed and even using the words can result in death.

I present these notes of Chester V. Chambers, Toledo, OH:

CHET CHAMBERS' NOTES ON CENTRAL AMERICA

"In taking notes on what these people are saying," requested our guide in Guatemala, "please don't put down their names or other data by which they might be identified. Their lives might well be endangered if your notes were read and confiscated by a customs official." She said these words as we talked with a Catholic priest in an isolated small town on New Year's Day, and the next day with the wife of an Evangelical pastor in a larger rural community.

I was traveling as one of eleven people in a PAX-World Central America Study Seminar arranged by the Rev. Fred Morris, former United Methodist missionary in Latin America. We spent four days in Guatemala, seven days in Nicaragua, and three days in Honduras. For me it was an opportunity to return to Nicaragua and to revisit the city of Esteli where I spent five weeks two years ago. It also provided an interesting opportunity for some comparisons of the three countries.

The parish of the Guatemalan priest was surrounded by coffee plantations. He told us that 2% of the farmers own 62% of the arable land, including that which is most productive. Most farmers are subsistence farmers, growing corn on the poorest land. The fields of these subsistence farmers were very visible to us as we drove through mountainous country seeing patch after patch of corn growing on slopes at an angle of 30 to 45 degrees.

Another day, we visited an Evangelical parish in a rural province where a group of pastors, all with other jobs, are serving churches in eleven communities. We talked with the wife of one of the pastors who said. "We work with the poor because that is what the Bible tells us to do." She told us that men working on farms in that area make about $1.50 per day, and have carried out unsuccessful protests to try to get this doubled. Women earn about $.60 for a day's work washing clothing, and the women with whom she is involved have agreed not to do it at that wage. In a factory there, one can earn $1.50 for a 12-hour day shift, and $1.80 for a 12-hour night shift. However, a family may consume $2 worth of corn in one day. These Evangelical churches have been organizing the women. She said that the Catholic priests and some other Evangelicals call them subversive.

Their major economic effort has been the organizing of a widows' weaving cooperative. In their eleven communities, they have involved about 160 women. they are selling their products for prices higher than we paid in the markets, because they are placing a higher monetary value on their labor. Some of their marketing is through church organizations outside their country. She told us that in these eleven communities there are about 1,700 children who have lost their fathers because the army killed them. Violence by the army was especially strong in their area in 1982.

A Canadian volunteer with GAM, the Mutual Support Group, told me that about 70,000 people had disappeared in Guatemala in the first half of the 80's. GAM was formed in 1984 when several relatives of disappeared people started talking at the city mortuary while looking for bodies of family members. They have become the most openly critical group of the repressive policies of the army. The opening of one of the windows of their office is now covered with sheet metal because a bomb was thrown through it last August. Spray-painted GAM graffiti was visible all through Guatemala City: "They were taken alive; we want them back alive."

We also visited a squatters community on the edge of Guatemala City where about 45,000 persons have thrown up shacks on vacant land. The government made early attempts at eviction but the squatters only returned, and now the government has accepted their presence and some electricity has been run into the area. We saw tank trucks selling water which was pumped into open 55 gallon drums. Their sewers are open ditches. One of the residents told us that the government has now told them that each of them will have to purchase the land on which they built their shacks at a price of about $6,000 for a lot 10 meters by 12 meters. The government wants payments of about $19 a month, but residents are trying to negotiate this down.

In Nicaragua, nearly everything was focused on the upcoming election which will be held next Sunday, February 25. When I was there two years ago there were 16 political parties. With the influx of money from the U.S. and western Europe, the number had grown to 22 parties through further fragmentation by last fall. At that time fourteen parties, strongly influenced by the United States, formed the National Opposition Union [UNO] to run one slate of candidates in opposition to the Sandinistas in the February election. UNO chose as its candidate for president Violeta Chamorro, publisher of the newspaper La Prensa, and for vice president Virgilio Godoy, head of the Independent Liberal Party.

Our group spent about an hour with vice-presidential candidate Godoy. He said that the two points of UNO's platform were national reconciliation and national reconstruction. When pushed by us for specifics he said that these remain to be developed, which is quite understandable when one realizes that this coalition includes the Communist and Socialist Parties along with centrist and right-wing parties. Since the formation of UNO, two of the parties and part of a third have pulled out of the coalition.

The first evening we were in Nicaragua we had dinner with Camilo Dufren, a member of the Christian Brothers order of the Catholic Church. He told us that all of the

polls, except one published in La Prensa, have shown a substantial lead for Daniel Ortega and the Sandinistas over Violeta Chamorro and UNO. The most credible of these, he said, was conducted in late November by Hemispheric Initiatives from the United States using a pollster who had predicted the results of Cristiani's victory in El Salvador with only a 1% error, and the results of the presidential election in Paraguay with a 1.5% error. This poll showed 44% of the voters preferring the Sandinistas compared to 27% for UNO. While we were in Nicaragua El Nuevo Diario published results of a poll by a different organization showing 47% of the voters favoring Ortega and only 12% favoring Chamorro, a gain of 5% for Ortega and loss of 5% for Chamorro from their poll a month earlier.

We noted many billboards around Nicaragua publicizing the Sandinista candidates, and none for UNO, and asked Virgilio Godoy about this. He said that they had no money. When asked about the $9 million voted by the U.S. Congress for the Nicaraguan elections, at least half of which we understood was to go to UNO, he said that they have not allowed to spend any of this on propaganda. After talking with many Nicaraguans about this, several of us concluded that it will probably be the strategy of UNO and the United States government to try to discredit the elections since it seems clear that UNO has no chance of winning. This already appears to be happening in the United States.

I left our seminar group for two days and went by bus to Esteli, the city in northern Nicaragua where I spent five weeks two years ago. I visited the Pentecostal pastor and his family with whom I lived for those five weeks. Though they are not happy with the military draft, since their oldest son, Fulvio, is now in service and on patrol in areas where there are skirmishes with the Contras, they are supporting the Sandinistas in the election. They told me that Violeta does not understand the problems of the people, and that she does not have the experience to govern.

I believe that by the latest count there will be ten parties on the ballot, eight smaller parties in addition to the Sandinistas and UNO. Three of these parties are to the left of the Sandinistas. This will probably be the most observed election in the history of the world. My hope is that the United States government will accept the findings of the official observer teams from the United Nations and the Organization of American States as the definitive verdict on the fairness of the elections, and comply with the requests of the Central American presidents to disband the Contras.

As we moved to Honduras it soon became evident that this country is now the cornerstone of U.S. policy in Central America. We spent about two hours with six members of the U.S. Embassy staff there, which one staff member told us was one of the eleven largest U.S. embassies in the world. They gave us copies of a briefing book produced by the Embassy entitled "Handbook on Honduras: Democracy, Defense, Development, Diplomacy and Drug Control," at least half of which is devoted to attacking Nicaragua.

A national election was just held in Honduras in which the incumbent Liberal Party was defeated by the National Party. We talked with Leonides Rosa Bautiste, a lawyer and National Party member who had served in an earlier National Party government. He told us that Honduras faces a grave economic situation, that the Contras need to leave their country, and that the Hondurans see no need for a U.S. military presence with the elections in El Salvador and Nicaragua. He would like to see the money being spent on the military in Honduras by the U.S., used for social and economic programs in their country. That point of view was supported by considerable graffiti on walls in Tegucigalpa: "Go, Contras and gringos."

Manuel Torres, a Honduran journalist, pointed out to us that Honduras has been the poorest country in Central America. Despite all of the U.S. funds spent in Honduras over the past decade the economic conditions there have grown worse, a fact admitted by U.S. embassy personnel. Torres told us that only one out of four Hondurans is permanently employed, that there are over 200,000 peasant families without land, and that 75% of the children are undernourished with some degree of malnutrition.

Our Honduran guides, who were active Catholics, took us to a squatters settlement on the side of a mountain on the edge of Tegucigalpa in which they do ministry. Several hundred poor peasants move from the country to Tegucigalpa every month and settle in situations like this. Some shacks on the sides of these hills had been destroyed by mud slides during past rainy seasons.

I want to try to draw some comparisons between the three countries I visited. The vast majority of people in all three are poor. It is clear in Guatemala and Honduras that this is a long-standing phenomenon and that little is being done to change this situation. In Nicaragua it seems clear that the Sandinistas, who are dedicated to a more egalitarian society, have made attempts to change their situation, though the economy is now in a state of devastation. Opposition groups say that the Sandinistas have mismanaged the economy. The Sandinistas point out that half of the national budget in recent years has gone into the military because of the Contra war and fear of a U.S. invasion, and that the U.S. imposed trade embargo cut off Nicaragua's greatest market for export sales as well as making it very difficult for them to get needed supplies from the U.S.

Illiteracy has been a problem in all of these countries, and I am not aware of any efforts to change conditions in Guatemala and Honduras. On the other hand, the Sandinista government launched a massive literacy campaign in 1980 which lowered the rate of illiteracy in Nicaragua from 50% to 12%. Sadly, it has been difficult to continue this in war zones, and the illiteracy rate has now crept back up to 25%.

All of these countries face the problem of large migrations of peasants from rural areas to the cities. In Guatemala City and Tegucigalpa the results are squatters communities, while in Nicaragua I saw a number of housing developments for low income people initiated by the government, many with financial support from other countries.

There are strong contrasts regarding land ownership. A land reform program begun in Guatemala in the early 1960's by President Arbenz was reversed after a CIA-supported revolution overthrew him and instituted a military government. Now it is dangerous for anyone even to speak about land reform. In Honduras some peasant groups have occupied idle land in rural areas, but there have been no government programs to help increase the numbers of farmers owning land. In Nicaragua the Sandinistas instituted a huge land reform program in the early part of the last decade which had resulted by 1986 in over 4.4 million acres of land being placed in the hands of former peasants.

There are also strong contrasts regarding freedom of speech. In Guatemala, to advocate for any kind of social change is to become a candidate for disappearance. The situation is clearly better in Honduras, but even there there is fear that chills criticism. We met with the head of the independent Committee for the Defense of Human Rights in Honduras who has had at least one attempt on his life. In Nicaragua people are quite free to criticize the government, and certainly do, and there is very open advocacy for all political and economic points of view.

There are not a lot of success models in third world countries. When I look at Nicaragua in contrast with Guatemala and Honduras, it appears to me that the Sandinista government was making some real progress toward positive changes before they got bogged down by the Contra war and suffered further destabilization of their economy by the U.S. embargo. If we really believe in self-determination, we ought to be willing to accept the results of their upcoming election and realize that it is in the long-term self-interest of the U.S. to support social change in Latin America.

FIRST CONGREGATIONAL CHURCH

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. SCHUETTE. Mr. Speaker, I rise today to recognize the First Congregational Church of Owosso, MI, which celebrates its 150th anniversary in 1990.

The church was founded in 1840 by 11 pioneers. By 1855 this small band of worshippers had grown to 52 members and a permanent affiliation with an established church body was sought. The First Congregational Church was received into the Genesee Association of the Congregation Church in 1853.

For the past century and a half, the church has been more then just a building and a series of ministers. It has developed into a congregation made up of people from many different backgrounds that has served as an example of social action in the community.

The First Congregational Church has stood for a century and a half and will continue to serve the community of Owosso for a long time to come.

Mr. Speaker, and my colleagues in the House, please join me in honoring the First Congregational Church on its 150th anniversary, and may the church continue to prosper.

COMMEMORATING THE 29TH ANNIVERSARY OF THE MARYLAND STATE ASSOCIATION OF B'NAI B'RITH

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. CARDIN. Mr. Speaker, Saturday, February 24, 1990, marks the 29th anniversary of the Maryland State Association of B'nai B'rith.

B'nai B'rith is the world's oldest and largest service organization, setting an example of community service for 147 years.

As we all know, organizations such as B'nai B'rith are able to do so much good because of dedicated and exceptional members. One such individual, Harold Kuperberg, will be inducted as the new president of the Maryland State Association of B'nai B'rith on Saturday. Mr. Kuperberg is a past president of the Menorah Lodge of B'nai B'rith, a lodge with a history of 74 years of community service.

Mr. Kuperberg will succeed Stuart Goldman who is completing a distinguished 1-year term as President.

Mr. Speaker, it is a pleasure to call the 29th anniversary of the Maryland State Association of B'nai B'rith to the attention of the House. With service organizations such as B'nai B'rith and individuals like those being honored, our work as public servants in Congress is made that much easier and that much more pleasurable.

TRIBUTE TO THE HALL OF FAME INDUCTEE OF THE TRUMBULL AFRO-AMERICAN ACHIEVERS ASSOCIATION

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. TRAFICANT. Mr. Speaker, I rise to pay tribute today to the Hall of Fame inductees of the Trumbull Afro-American Achievers Association of my 17th Congressional District of Ohio.

The Trumbull Afro-American Achievers Association was established last year and this is the first year the association inducts people into its Hall of Fame. The association serves a dual purpose. First, it honors Afro-Americans from Trumbull County who have excelled in a variety of fields. Second, it serves as an example to the youth of Trumbull County, to prove that they can achieve their goals no matter what the odds are.

I would like to recognize the following persons, and their outstanding accomplishments, for being inducted into the Trumbull Afro-American Association:

Rev. Julie Brogdon, Ph.D. and clergy; Willie Davenport, gold medalist, track; Ross Browner, player in the NFL; Dave Rodgers, played for the Philadelphia Eagles and businessman; Jeanne Kate, professor of zoology; Rev. Ronald Fowlis, clergy; Dennis Dowdell, community service and urban league; John Winfrey, labor; Paul Warfield, member of the NFL Hall of Fame and businessman; Ernie Shavers, boxing; Julia Browner, mother of professional NFL player; Joe Reed, community service; Bogan Reed, state official; Robert Dean, community service; Louie Tabor, Educator; William Blakely, Who's Who in business; Steven Minter, Who's Who; Dr. Roger Bryant, dentist; Paul Gore, military; Bill White, baseball; Lionel Reed, coach and educator; Clifford Johnson, first black high school principal; Carol Hooks, first black junior high principal; L. Steven Robinson, attorney; Melvin Wanzo, member of Count Bassie's band; Daniel Smith, educator; Rozen Patterson-Lymore, first black female high school principal; Dr. Robert Pegues, Jr., city of Warren superintendent; Willie Hall, staff representative for Steel Workers of America.

Mr. Speaker, I am honored to pay tribute to these outstanding individuals. They are all extraordinary people who are models not only for the youth of Trumbull County but also for the rest of us.

TRIBUTE TO JAMES R. HOWARD

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to pay tribute to an exceptional member of my district who has proven the power of human will over adversity. On February 4 of this year, James R. Howard became an Eagle Scout. Given that only 1 percent of the young men who join scouting reach the Eagle level, that is an accomplishment in itself. But Jimmy Howard achieved this despite suffering from Down's syndrome. He is the first "special Scout" in Maryland to reach Eagle.

His drive for the rank has not been a sheltered one either. He is self-sufficient, contributes to society, and upholds the tenets of Scouting. Every Scout completes many projects—one of Jimmy's was to oversee the planting of 300 pine trees, a testimony to his strong will, care, and respect for nature. This is just one of his many feats.

James Howard has been working toward this goal for the 11 years as a founding member of Troop 216. Now, after 21 badges and a great deal of work for the community, he has joined the elite ranks of Eagle Scout. I hope many will benefit from the marvelous example he provides us all. This is a man who gives to all; and so I ask my colleagues to join me in recognizing this fellow citizen for his strength and dedication.

A TRIBUTE TO LORRAINE ASSELIN MOYNIHAN

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize and congratulate one of Rhode Island's outstanding young citizens, Lorraine Asselin Moynihan.

Ms. Moynihan, a resident of Woonsocket, RI, has been chosen as one of 1990's Outstanding Young Persons by the Rhode Island Jaycees. Ms. Moynihan is being honored for her dedicated and outstanding community service for the people of Rhode Island for almost 20 years. She has also been recently selected as Greater Woonsocket's Young Person of the Year for her contributions to the community.

Beginning in 1973 as a volunteer on crisis hotline, Ms. Moynihan has demonstrated her genuine caring and concern for others in her community through her active involvement in several public and private organizations devoted to helping those in need. She is a member of Mothers Against Drunk Driving and the Rhode Island Women's Caucus. She also participates in the Rhode Island Coalition for Children's Rights, the Rape Crisis Center and the ROAD Crisis Intervention Hotline. Her outstanding record in her community endeavours also helped place her on Woonsocket Task Forces for Battered Women and Their Children and for the education department's study on kindergarten children. Currently, Ms. Moynihan is serving her second term as a member of Woonsocket's School Committee and has been chosen as chairman of the committee.

It is with great pleasure that I congratulate Ms. Moynihan for her years of dedicated community service and for her selection as one of Rhode Island's Outstanding Young Persons. Through her tireless effots she has sought to improve her city's image and schools. Her devotion to her community is a tribute to her concern for others and serves as a model I hope others follow.

THE PRESIDENT'S PROPOSAL TO EXPAND HEAD START

HON. JOHN MILLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MILLER of Washington. Mr. Speaker, today I rise in support of the President's budget proposal to expand Head Start. The President's goal is for every child to start school ready to learn by the year 2000. Expansion of this program is a solid start in this direction. Head Start works. It not only prepares children for learning by meeting their health and nutritional needs, it socializes them and helps them develop their values, while involving parents in their children's education. Head Start builds self-esteem and school success, reduces the likelihood that poor youngsters will grow up to become jobless and hopeless.

Head Start currently only serves a fraction of those who are eligible. This budget request would expand the program so that we can reach 70 percent of the Nation's disadvantaged 4-year-olds. There is a dynamic Head Start Program in Kitsap County, in my district. These children have hope. Parents are becoming more and more involved. But it hurts to realize that 77 percent of the eligible children are not served. Head Start is designed to help the disadvantaged child get a better start

in life, and it makes a profound difference in the life of that child. I am proud that our President has so clearly demonstrated their support of this worthwhile program. It's one of the wisest investments we can make.

LOYAL ORDER OF THE MOOSE LODGE NO. 992 DISPOSES OF OLD GLORY

HON. BILL PAXON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. PAXON. Mr. Speaker, during the first session, the Supreme Court decision permitting the desecration of the American flag was a hotly debated issue.

Regardless of any Member's position on the proposals for a constitutional amendment to prohibit desecration of the flag, I am certain that we all share the same respect for Old Glory.

When Old Glory becomes too old—faded and torn after years of proudly representing this country—it is traditional and accepted practice to dispose of the flag by burning it in a respectful manner.

The Loyal Order of the Moose Lodge No. 992, located in Hamburg, NY, will accept American flags from any and all sources around the country that are in such condition that it is no longer appropriate to display them, and will dispose of them in a fitting ceremony each year on Memorial Day.

American flags can be sent to the Hamburg Moose Lodge No. 992, 55 Church Street, Hamburg, NY 14075.

Any assistance that my colleagues can provide in disseminating this information to individuals and groups in your district would be most appreciated.

I request, Mr. Speaker, that the resolution of the Hamburg Lodge No. 992 of the Loyal Order of the Moose be inserted into the RECORD at this point:

RESOLUTION

Be it resolved that we the members and officers of the Hamburg Moose Lodge No. 992 Hamburg, N.Y., in the spirit of our organization, which is dedicated to protect, nurture and guarantee the freedom of our brothers and their families from childhood through their Golden years hereby approve the following proclamation,

WHEREAS; The Loyal Order of Moose is an organization whose community spirit and patriotism are deeply rooted in our organizational structure and which is dedicated to the belief that all men deserve the blessings and privileges of freedom and the opportunity to worship, each in his own way, AND;

WHEREAS; We the members of the Loyal Order of Moose feel that our Flag, as the National symbol of this freedom must be Protected, Revered and Honored in a manner befitting those lofty ideals which are held so dearly by our brothers do this date issue the following proclamation:

We the members and officers of the Hamburg Lodge No. 992, Loyal Order of Moose, do here-by invite any and all citizens, persons, and organizations whether it-be religious, patriotic, political, social, fraternal, public or private who presently have or will have in their possession, a Flag of the United States of America in which condition it is no longer proper to display, to send that Flag to the Hamburg Moose Lodge No. 992, 55 Church St., Hamburg, N.Y. 14075 in order to assure that the proper respect be given to this symbol of Liberty upon its disposition, at a fitting ceremony held on or about each Memorial Day.

This ceremony to lay at rest, those Flags which have proudly proclaimed our dedication to Liberty and Freedom as our National symbol, shall be a part of the Memorial Day Parade ceremonies held each year in the Village of Hamburg, N.Y.

Approved by the Board of Officers of Hamburg Lodge No. 992, Loyal Order of Moose on July 25, 1989.

Duly adopted by the membership of Hamburg Lodge No. 992, Loyal Order of Moose at a regularly scheduled meeting on July 25, 1989.

ROGER A. BECKER,
Governor.
FRANK BABSTER,
Secretary.

GLOBAL WARMING

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. RICHARDSON. Mr. Speaker, Beth Miller, a constituent of mine from Santa Fe, NM, has been extremely active in addressing the problems of global warming. Following an appeal by the Sol y Sombra Foundation and Beth Miller, to Presidents Bush and Gorbachev before the Malta summit that they jointly address this significant issue, the two Presidents did discuss this important matter at Malta and are committed to joint action to focus international attention on this key problem.

Mr. Speaker, sometimes individual citizens can make a difference.

SOL Y SOMBRA FOUNDATION,
Santa Fe, New Mexico, January, 1990.

Last August I had the privilege of attending a conference in Sundance, Utah, sponsored by Robert Redford's organization, Institute for Resource Management, on the critical topic "Global Warming." It was a joint U.S.-U.S.S.R. conference which brought together scientists, environmentalists, politicians and business leaders to discuss, in depth, the significance of global climate change for all people of the world.

One of the conclusive events of the conference was a letter from participants to Presidents Bush and Gorbachev, calling for joint action to address this significant issue.

During the recent Malta Summit, it was my great pleasure to support, through the Sol y Sombra Foundation and the Windstar Foundation, an ad in the New York Times which reissued the letter to Presidents Bush and Gorbachev. A copy of the ad is enclosed for you to see.

In a surprising reversal of recent policy, President Bush announced at Malta that the United States would sponsor a meeting in 1990 to study global climate change. Also, the U.S. Congress has announced plans to host an international conference of legislators in 1990 on environmental issues and, particularly, global warming. While it is not clear what impact the meeting at Sundance, and its resultant letter, had in the debate on this subject, I feel blessed with the opportunity to contribute in any small way.

For that reason, I call your personal attention to this and ask you to commit some effort in 1990 toward seeing the debate expanded and extended. A small effort by many will bring a powerful force to work for the good of our planet.

Respectively,

BETH MILLER,
President.

[From the New York Times, Sunday, Dec. 3, 1989]

AN OPEN LETTER TO OUR PRESIDENTS

Our world is changing at a staggering rate. As old walls crumble, new alliances emerge and with them, new hope for our future.

As leaders of the two nations who, in their rivalry, have kept the world on edge, you have both the opportunity and the responsibility to help the world craft a new way of looking at the planet that will guide us safely into the next century.

We need a new concept of international security that recognizes the need for environmental stability.

The Malta meeting is an historic opportunity. As you focus in your informal discussions on recent political events in Eastern Europe and elsewhere, don't forget that our future will ultimately be determined, not only by how we treat one another, but also how we treat the life support systems of the planet.

In August, the Institute for Resource Management and the Soviet Academy of Sciences convened a diverse group of U.S. and Soviet leaders in Sundance, Utah to discuss Global Climate Change. The following is a public reprint of a letter to both of you from many of the individuals who gathered in Sundance. We urge both our nations to demonstrate leadership on this important issue.

AUGUST 26, 1989.

GEORGE BUSH,
President
MIKHAIL GORBACHEV,
Chairman, Supreme Soviet.

Recognizing the commitment you have pledged toward the environment, we wish to send you the conclusions from a symposium held at Sundance, Utah, convened by the Institute for Resource Management and the Soviet Academy of Sciences.

A symposium of American and Soviet scientists, policy-makers, environmentalists, industry leaders and artists met to discuss bilateral action on perhaps our planet's gravest environmental problem: global climate change.

The improved relations between the two powers have created new opportunities for joint efforts to reduce the possibility of catastrophic global climate change. The USA and the USSR are the two largest producers of greenhouse gases. The USSR and the USA are also the two principal sources of the world's scientific knowledge which can be deployed to restrain global greenhouse emissions. Therefore, we should provide the leadership in the search for common solutions to the global warming problem, as well as for the environmental security of the world.

The Sundance Symposium arrived at four specific recommendations which we hope you will consider and support. We believe the struggle for the prevention of greenhouse gases should be raised to the level of international security. We propose the formation of an environmental security alli-

ance between our two countries. We further propose our two nations work together on these four top priorities:

To promote energy technologies which are both cost-effective and non-polluting by enlisting the appropriate existing agencies in the two countries.

To phase-out the production and use of all CFCs as rapidly as possible, and no later than the year 2000, and to substantially reduce CO_2 and the remaining greenhouse gases.

To reduce the rate of deforestation worldwide, and initiate reforestation efforts by enlisting the appropriate existing agencies in the two countries.

To create citizen participation in the above efforts through a series of joint educational programs and by a direct appeal for action by each head of state.

We realize the success of these initiatives lies in engaging the efforts of all citizens. We stand ready to assist you in educating the public, as we were educated by the Native Americans who opened our conference.

"We do not inherit the land from our ancestors, we borrow it from our children."

Respectfully yours,

John Adams, Executive Director, Natural Resources Defense Council.

Bill G. Aldridge, Executive Director, National Science Teachers Association.

Howard P. Allen, Chairman of the Board, Southern California Edison Company.

Governor Cecil Andrus, State of Idaho.

Dr. Daniel B. Botkin, Professor of Biology and Environmental Studies, University of California Santa Barbara.

Senator Bill Bradley, State of New Jersey.

Dr. Noel Brown, Special Representative of the Executive Director, United Nations Environment Programme.

Robert Bunting, Director of Corporate Affiliates Program, University Corporation for Atmospheric Research.

F. Scott Bush, Visiting Fellow in Enviornmental Affairs, Center for Strategic and International Studies.

Joseph A. Cannon, President and Chief Executive Officer, Geneva Steel Company.

Dr. Edward A. Dalton, President and Chief Executive Officer, The National Energy Foundation.

Dr. Devra Lee Davis, Scholar in Residence, National Academy of Sciences.

Mark Dayton, President, Vermilion Investment Company.

Michael Deland, Chairman, President's Counsil on Environmental Quality.

Ann Druyan, Secretary, Federation of American Scientists.

Dr. Paul R. Ehrlich, Bing Professor of Population Studies, President, Center for Conservation Biology, Stanford University.

Susan Eisenhower, President, Eisenhower Group, Inc.

Daniel J. Evans, Former U.S. Senator and Governor, State of Washington.

Michael Fosberg, Forest Fire and Atmospheric Sciences Research, U.S. Forest Service.

Dr. Peter Gleick, Pacific Institute for Studies in Development, Environment and Security.

Peter C. Goldmark, President, the Rockefeller Foundation.

Gilbert Gorsvenor, President and Chairman, National Geographic Society.

Dr. Jay D. Hair, President, National Wildlife Federation.

Dr. James E. Hansen, Atmospheric Physicist.

Dr. Alan D. Hecht, Climatologist.

Dr. Richard A. Herrett, Government Relations, Scientific Liaison, ICI Americas.

Phil Hogue, President, Daniels and Associates.

Dr. William W. Kellogg, Senior Scientist, Retired, National Center for Atmospheric Research.

Charles Kittrell, Executive Vice President, Retired, Phillips Petroleum Company.

Frederic Krupp, Executive Director, Environmental Defense Fund.

Justin Lancaster, Executive Director Environmental Science and Policy Institute.

Dr. Daniel A. Lashof, Senior Scientist, Natural Resources Defense Council.

Dr. Stephen Leatherman, Director, Center for Global Change.

Dr. James M. Lents, Executive Officer, South Coast Air Quality Management District.

Dr. Thomas E. Lovejoy, Assistant Secretary for External Affairs, Smithsonian Institution.

Amory Lovins, Director of Research, Rocky Mountain Institute.

Oren Lyons, Faithkeeper, Onondaga Nation.

Tom Matthews, Partner, Craver, Matthews, Smith and Co., Inc.

Terrell J. Minger, President, Institute for Resource Management.

Dr. Irving Mintzer, Director, Center for Global Change.

George Montgomery, President, Montgomery Properties, Inc.

Richard D. Morgenstern, Director, Office of Policy Analysis, Environmental Protection Agency.

Dr. Michael Oppenheimer, Senior Scientist, Environmental Defense Fund.

Dr. Robert Ornstein, President, Institute for the Study of Human Knowledge.

Dr. Larry Papay, Senior Vice President, Southern California Edison Company.

Stephen Pezda, Principal Research Engineer Associate, Ford Motor Company.

Barbara Pyle, Environmental Editor, Turner Broadcasting System, Inc./CNN.

Robert Redford, Founder, Institute for Resource Management.

Dr. Walter Orr Roberts, President Emeritus, University Corporation for Atmospheric Research.

Brian A. Rosborough, President, EARTHWATCH.

Dr. Carl Sagan, Astronomer, Cornell University.

Academician Roald Sagdeev, Member Academy of Sciences of the U.S.S.R., Congress of the People's Deputies of the U.S.S.R.

Congresswoman Claudine Schneider, State of Rhode Island.

Dr. Stephen Schneider, Head of the Interdisciplinary Climate Systems Section, National Center for Atmospheric Research.

Russell L. Schweickart, President, Association of Space Explorers.

Jeff Sirmon, Deputy Chief for Programs and Legislation, U.S. Forest Service.

Payson R. Stevens, President, Inter-Network, Inc.

Maurice Strong, President, World Federation of United Nations Associations.

Sir Crispin Tickell, Ambassador, Extraordinary and Plenipoteniary Permanent Representative of the United Kingdom to the United Nations.

John Topping, President, Climate Institute.

Eugene Tracy, Chairman of the Board, The National Energy Foundation.

Garry Trudeau, Author.

Stewart Udall, Author/Attorney.

Randolph H. Ware, President, External Tanks Corporation.

Alan N. Weeden, President, The Frank Weeden Foundation.

Paul Winter, Composer/Musician, Living Music.

Senator Tim Wirth, State of Colorado.

George M. Woodwell, President, Woods Hole Research Center.

Peterson Zah, Director, Western Regional Office, Save the Children Federation.

(This statement reflects the opinion of the individuals listed, but not necessarily that of the institutions with which they are affiliated.)

(This message sponsored by the Windstar Foundation and the Soly Sombra Foundation.)

PRESIDENT BUSH LUKEWARM ON WARMING

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. FRANK. Mr. Speaker, one of the most disappointing aspects of the Bush administration has been the gap between the President's campaign rhetoric on the subject of environment and his administration's weak performance in this area. Especially in the extremely important area of the problem of global warming, the President has been backing away from what environmentalists hoped he would be doing. The recent speech which he gave on this subject was far less than we had a right to expect, and bespeaks a timidity on this critical issue that could well have negative consequences for the ability of the world to combat one of the threats that faces it. Along with a hesitant posture on clear air, the President showed retreat on the matter of global warming calls undue serious question the President's pledges in the environmental area. The questions of clean air and global warming are not peripheral: They're obviously essential to the health of the planet and the people who live on it. President Bush has been disappointing in this regard so far. Mr. Speaker, to underline the failure of the President to deliver as his campaign had many to expect that he would, I ask that an article from the February 7 Boston Globe by Randolph Ryan be printed here. In it, Mr. Ryan ultimately makes clear the shortcomings of the President's approach in the critical area of global warming:

[From the Boston Globe, Feb. 7, 1990]

LUKEWARM ON WARMING

(By Randolph Ryan)

If there were a single sphere of statesmanship in which President Bush could put an original, urgently needed stamp on history, it would be in mobilizing a world-wide effort to stop the fouling of the planet. The president's limp speech on Monday to a UN conference on that subject shows distressing limits as a leader for these times.

The most serious manifestation of environmental deterioration is man-made global warming. The world looks to America for environmental leadership. We are a rich nation with the technological capacity to seek cures. Also, because our economy is a huge consumer of energy, especially of oil

and coal, we are the greatest generator of "greenhouse" gases such as carbon dioxide.

Although our factory stacks may have scrubbers, we are still The Great Polluter. None of the other contributors to the greenhouse effect—including the sulfurous, inefficient industries of the Eastern bloc and the slashers-and-burners of tropical rain forests—have as great a responsibility to face this issue as do Americans.

As a philosophical conservative, as a doting grandfather, and as an intelligent and moderate man, Bush cannot be oblivious to the need for his generation to protect the interests of those to come. Yet this environmental president who professes appealing boyish devotion to natural wonders like "the wily bonefish"—and who at every opportunity uses his grandchildren as props—seems either to have choked because the challenge is too daunting or to have taken a dive because his noblesse oblige is only skin deep.

Environmental degradation, scarcely noticed a decade ago, now looms over everyone's grandchildren. Sen. Al Gore said the three causes of global warming are manmade and can be affected by public policy: rampant population growth (which some of Bush's supporters ignore on religious principle), the collision of industrial civilization with the ecology, and "an old way of thinking about Earth, as old as Aristotle, which defines man as separate from nature and entitled to exploit it."

There is uncertainty over the rate of change and about some complexities of global chemistry not easily modeled in labs. But scientists agree that the process is sharply accelerating, that it could become irreversible in as little as 50 years, and that, if unchecked, it is likely to have catastrophic effects.

After picking good people for environmental posts, Bush has ignored what they are telling him. Last May, on the eve of an important international conference, he allowed the testimony of a top government scientist to be altered to make the threat seem less serious.

That was comparable in spirit to falsifying intelligence estimates to find light-at-the-end-of-the-tunnel in a deepening war.

Last fall Bush blocked a timetable to begin carbon dioxide curbs, thereby sabotaging another international conference in Holland. On Monday, he eliminated from his text a considered call to action that had been agreed upon by the State Department, the Department of Energy and the Environmental Protection Agency. He managed to avoid even saying "greenhouse effect" and "global warming."

Neither greenhouse effect nor the other "spaceship Earth" issues—ozone hole, nuclear waste, chemicals, garbage—are going away, and they are each daunting in their own right. What must make them particularly painful for Bush is that solutions are inconceivable without two things that are anathema to many of his supporters: an increasing degree of social planning on a world-wide scale, and the necessity for the haves (both the well-off within individual societies and the well-off nations in the wider world) to provide a good example.

Perhaps President Bush did not realize the requirements needed to fill his job: the courage of conviction, the determination to take on an uncertain battle, and the willingness to demonstrate self-sacrifice.

If so, that is sad. Age-old habits have to be broken. A truer kind of conservatism is required that stands not merely for securing of privilege but for preservation of what is of value from the past.

A TRIBUTE TO ERNESTO ALONSO—MR. AMIGO 1989

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. ORTIZ. Mr. Speaker, I rise today to commend and pay tribute to Mr. Ernesto Alonso, the newly selected Mr. Amigo.

Every year, members of the Mr. Amigo Association, who represent the city of Brownsville, TX, travel to Mexico City to select a new Mr. Amigo to serve as honored guest of Charro Days festivities in Brownsville, TX. Charro Days is a 4-day international event in which the United States and Mexico are joined in celebration of the cultures of these neighboring countries. During Charro Days, which originated as a pre-Lenten festival, Brownsville citizens participate in a series of parades, dances and parties to demonstrate the goodwill of both countries. It is a well planned, major function which is enjoyed and eagerly anticipated by many south Texans as well as our winter visitors.

Mr. Ernesto Alonso is the 26th Mexican citizen to be honored by the Mr. Amigo Association. He was born in Aguascalientes, Mexico. At a very young age, he demonstrated his artistic abilities in an experimental theater group in which he acted and directed. He later went on to make his theater debut in 1939 at the famous National Theater of Fine Arts in Mexico City, Mexico. This prominence triggered the next major step in his career when he went on to appear in his first national movie debut where he costarred with the famous actress, Sara Garcia in 1941, in the movie "La Gallina Culeca."

From early on in his career, he has been fortunate to star in and direct many movies and theater plays. He filmed over 60 movies, among them, Luis Bunuel's "Ensayo de un Crimen," which featured the legendary Miroslava. This film is considered one of Bunuel's most widely acclaimed.

In the theater, he has obtained outstanding triumphs with over 1,500 starring roles. As a producer, he contributed a historical perspective to Mexican and Latin American classical television soap operas. Mr. Alonso has received awards from all over the world of this exceptional, landmark, and artistic work.

The prestigious Mr. Amigo designate is selected on the basis of his or her contribution to international friendship and development of mutual understanding and cooperation between Mexico and the United States. Mr. Alonso should not only be recognized for his fine acting, producing, and directing abilities, but more importantly for his contributions to international friendship and the evolution of the film industry in his native country of Mexico. These contributions have merited the respect and admiration of citizens in both the United States and Mexico. It is for these reasons that Mr. Ernesto Alonso is an excellent choice for this year's award.

As Mr. Amigo, Ernesto Alonso will receive the red-carpet treatment when he visits Brownsville as the city's honored guest during the upcoming Charro Days celebration. During his 3-day stay on the border, he will make personal appearances in the Charro Days parades and at other fiesta events. Official welcome receptions will be staged by organizations in Cameron County, TX, and the cities of Brownsville, TX and Matamoros, Mexico. Mr. Alonso will also be the special guest at the Mr. Amigo Association luncheon and the President's party.

I ask my colleagues to join me in extending congratulations to Ernesto Alonso for being honored with this special award.

TRIBUTE TO FLORENCE SMITH

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. OWENS of New York. Mr. Speaker, I rise to pay tribute to Florence Smith, a volunteer coordinator and a member of my Central Brooklyn Martin Luther King Commission, who for the last 2 years has worked with high schools in my congressional district in an effort to encourage the students' involvement with the National Bicentennial Competition on the Constitution and the Bill of Rights.

The 3-year-old competition is sponsored by the Commission on the Bicentennial of the U.S. Constitution and funded by an act of Congress. It is the most extensive educational program of its kind in the United States, featuring an extensive 6-week curriculum that provides students with a fundamental knowledge of the Constitution, the Bill of Rights, and the principles and values they embody. Winners of the congressional districts' competitions in each State go to the statewide contests. The champions of the States' contests compete in a national event.

Ms. Smith has worked diligently with the high school students from my district to prepare them for the rigorous sessions in which contestants must instantly answer one of three questions in six issue areas: political philosophy; historical background on the Constitution; the process involved in writing the Constitution; the establishment of the U.S. Government; fundamental rights of Americans under the Bill of Rights; and the responsibilities of citizens. This process is part of the local, State, and national competition, although the questions vary at each level, and the students are only allotted a short amount of time in which to answer these questions and follow-up questions by the judges.

Thanks in large measure to the work of Ms. Smith, a retired high school English teacher and college admissions counselor from Brooklyn who has also taught English at Tuskegee University and South Carolina State College, students competing from Clara Barton High School in my district became the New York City area champions in the National Bicentennial Competition last year and this year. New York City winners go on to the New York State competition in Albany, NY, which this year will be held on February 24.

The National Bicentennial Competition on the Constitution and the Bill of Rights affords

an excellent opportunity for students to come to know the Constitution and the Bill of Rights as living documents and to develop skills necessary for their future as adult participants in civil and democratic action. Ms. Smith's role in preparing the high school students in my district for this competition ensures that these young people will have a far greater understanding of their rights and responsibilities as U.S. citizens, and of these two highly important documents which protect those rights. Ms. Smith is a sterling example of a dedicated, committed educator and I appreciate her outstanding service as the coordinator of the competition in my district, and the trainer of academic champions from among the high schools in central Brooklyn.

HOUSE CONCURRENT RESOLUTION 259, THE HARVEST OF PEACE RESOLUTION

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, I rise in support of House Concurrent Resolution 259, the harvest of peace resolution, of which I am an enthusiastic cosponsor.

This resolution is no apple pie in the sky dream. It sets a commonsense goal—reordering of our national priorities to put the needs of people once again at the center of our Government's concern. It contains prudent steps for achieving that goal.

It calls for negotiating verifiable and substantial arms reduction agreements with the Soviet Union: Not for unilateral disarmament. It calls for helping defense industries and their employees to convert to productive nondefense work recognizing that the conversion to a true peacetime economy will cause disruptions which will hurt some of our communities in the short run. And it does not call for meeting the basic human needs by spending money we do not have; it recognizes the requirement that the budget deficit be reduced.

Last year, I opposed the Defense authorization bill because it ducked the tough choices. By including billions for the strategic defense intitiative [SDI], and both the MX and Midgetman program, it kept us on the road of acquiring weapons systems we do not need at ever-escalating costs we can not afford.

The remarkable political developments in Europe since then have made it even clearer that we must reorder our budgetary priorities.

Over 40 years ago we faced and met one of the major challenges of our 200 years of experience. That challenge was feeding the hungry in war-ravaged regions, rebuilding a devastated Europe, promoting and nurturing democracy in Germany, Japan, and Italy, and protecting the West from the threat of Soviet aggression. The successes we are now enjoying are the fruits of sacrifices we made.

It would be pleasant, if in the afterglow of the good news from Europe and in view of the dramatic improvement in United States-Soviet relations, we could relax, take it easy, and forget our domestic and global responsibilities.

However, the decline in our schools, the decay of our highways and bridges, and the increase in poverty and homelessness in our communities will not be reversed unless we reorder our priorities. If we fail to invest in programs to reverse this decline, our productivity and our economic competitiveness will be eroded as well.

Our Nation's strength depends not only on a sturdy defense, but in meeting the needs of our people so that they can contribute to the growth of a healthy society and a robust economy.

Moreover, our justifiable pride in the growth of democracy throughout the world should not be an occasion for mere self-congratulation, but a reminder that our engagement and our assistance can make a difference.

Last year, as chairman of the Hunger Committee's Working Group on Central America, I and several of my colleagues, developed legislation to target assistance to the urgent health needs of war victims in that region—legislation which I am pleased to note was enacted. But much remains to be done in Central America and throughout the developing world.

This resolution calls, on a global basis, for increased assistance to developing nations to overcome hunger and poverty, to ensure sustainable development, and to promote human rights and the people's participation in the political decisions affecting them. It reflects some of the concerns of the Hunger Committee's International Task Force which has begun to scrutinize the AID budget and its priorities to determine the extent to which they adequately address the problems of food production, hunger and malnutrition, and primary health care and child survival.

Mr. Speaker, my own view is that the harvest of peace resolution is not only worthy of our support today, but should be kept before us tomorrow and in the months ahead as a guide for reordering our national priorities. Eliminating hunger must always head our agenda.

FRANCES ROSSMAN

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. SCHUETTE. Mr. Speaker, I rise today to recognize Frances Rossman, who has served as the executive secretary of the Home Life Department of the Veterans of Foreign Wars National Home in Eaton Rapids, MI, for 40 years.

The Veterans of Foreign Wars National Home which is a complex of 36 cottages that provide living quarters to the children and single parent families of deceased and disabled U.S. veterans. It is the only one of its kind in the country. Frances Rossman has been an intricate factor in the success of this unique and valuable service to the veterans of our country.

Frances, who started working for the VFW in 1949 as a typist, has made many contributions to the VFW. In her 40 years of service, during which she has seen 8 executive directors, 1,462 children, and a host of other people, she has remained the one constant at the national home.

Mrs. Rossman makes sure that she meets every child who comes through the home, even though she has three children, four grandchildren, and two great-grandchildren of her own scattered throughout the country. Mrs. Rossman, who considers those at the home to be her extended family, still manages to keep in touch with many of the children that attended the home through the years.

Mr. Speaker, and my colleagues in the House, please join me in honoring Frances Rossman for her hard work and dedication to the VFW.

LITHUANIAN INDEPENDENCE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. CARDIN. Mr. Speaker, I rise today to express my support for the celebration of Lithuanian Independence Day. I hope my colleagues will join me in paying tribute to a proud people and their heroic struggle for independence.

This day is a symbol of hope for all Lithuanian Americans and for those who continue the independence crusade in Lithuania. Their efforts and hopes have earned the admiration and recognition of the American people.

After hundreds of years of unstable governments and domination by Poland, Russia, and Germany, the Lithuanian Council declared the country an independence state in 1918.

Despite a peace treaty between Lithuania and Russia signed on July 12, 1920, proclaiming the nation independent, the Lithuanian people once again found themselves under Russian rule in 1940 when the Soviet Union annexed Lithuanian as a constituent Republic of the U.S.S.R.

Continuing its noble fight for human freedom, the Lithuanian Communist Party voted December 20 to become independent from Moscow in defiance by warnings by Mikhail Gorbachev and the Soviet Politburo.

Prodemocracy changes sweeping the Baltic region are especially visible in Lithuanian as historic elections are scheduled to take place February 24.

I am honored to represent the many Lithuanians in the Third Congressional District of Maryland. I know they will continue their independence fight, and I am proud to join them by marking this very important day.

TRIBUTE TO D.W. "BUD" RICHARDS AND ALLAN EWING

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to D.W. "Bud" Richards and Allan Ewing of my 17th Congressional District of Ohio, both of whom are retiring from their respective positions in the Canfield School District.

Mr. Richards is retiring after 40 years as the director of transportation from the school district and is a life-long resident of Canfield, OH. After graduating from Canfield High School, Bud entered the Army and was stationed in West Germany. In 1956, he received an honorable discharge. He and his wife Barbara have two sons, Dan and Mike, as well as two grandsons.

Mr. Ewing is retiring after 25 years as the bus mechanic for the Canfield School District. Like Mr. Richards, Allan grew up in Canfield and attended Canfield schools. Mr. Ewing is an army veteran who received an honorable discharge in 1956. He and his wife, Esther, have two sons, Bill and Tom, and a daughter, Amy. The Ewings have five grandchildren.

Mr. Richards and Mr. Ewing have a combined 65 years of service to the Canfield School District. They are dedicated and dependable employees who have given much to the Canfield school system. Both men will be greatly missed by the students, faculty, and administration of the Canfield School District.

Both of these dedicated men have given much to their community, especially to the young people of the Canfield schools. I am truly honored to represent two such outstanding individuals.

COMMEMORATING THE 40TH ANNIVERSARY OF ANNAPOLIS' LOCAL RADIO STATION WNAV-AM

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to recognize the 40th anniversary of a special institution in the city of Annapolis. This month local radio station WNAV-AM celebrated its 40th anniversary, signifiying four decades of service and companiionship to Annapolis and Anne Arundel County.

For most of its operation, WNAV-AM has been associated with the U.S. Naval Academy in Annapolis. For 30 years, it has been the flagship radio station for Navy sports, supplying service to many other stations around the Nation. It has also been a constant companion and servant to the community, concentrating on public affairs programming. The station has annually covered on live radio the opening of Maryland's General Assembly. It also runs regular programs devoted to government activities and has faithfully covered State and city election results.

In addition, the personnel of WNAV-AM have worked with local charities and utilized the resources of the station to promote many worthy causes in our community. On its 40th anniversary, I congratulate WNAV-AM and its owner, Jacob Kinstein, on their many years of achievement and commitment to excellence in broadcasting.

A TRIBUTE TO SRI CHINMOY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to pay tribute to a man truly dedicated to world peace, Sri Chinmoy.

Sri Chinmoy is referred to as the "Twentieth Century's First Global Man" for his tireless efforts for world peace and global harmony among all the people of the world. Through his endeavors in fields such as literature, the arts, music, and athletics, Sri Chinmoy has been recognized for his powerful and inspirational message of personal reconciliation.

In addition, Sri Chinmoy has over 750 written works and is an internationally recognized musician and athlete. Sri Chinmoy has founded the worldwide Sri Chinmoy Centers, which promote world peace through inner peace and meditation.

I would like to express my support to Sri Chinmoy for his ceaseless efforts on behalf of world peace. His dedication to world peace is remarkable and Sri Chinmoy deserves recognition as he strives to inspire others to live in harmony.

INTRODUCTION OF LEGISLATION TO ALLOW STATES TO ACQUIRE USED FEDERAL PROPERTY BEFORE FOREIGN GOVERNMENTS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. RAHALL. Mr. Speaker, today I am introducing legislation to allow States to acquire used Federal property, before foreign governments. Unfortunately, under current law, the Secretary of Defense has the authority to provide choice Federal property, no longer needed by DOD, to foreign governments before other Federal departments and agencies or States have the opportunity to utilize it.

Under the Federal Property and Administrative Services Act of 1949 as amended, when property is determined to be excess, or no longer required by the Federal agency which owns the property, it is screened by other Federal agencies for possible use. Once it is no longer required by the Federal Government, it becomes surplus, and may be donated to State agencies for distribution to local governments, nonprofit educational or public health institutions, medical institutions, hospitals, clinics, health centers, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, child care centers, and other such institutions.

The purpose of this distribution is to extend the use of property paid for by the U.S. taxpayer to promote conservation, economic development, education, the development of parks and recreation, public health and public safety. Unfortunately, before much of this property is made available to other Federal departments and agencies as excess, much less to States as surplus, it is diverted for use by foreign governments.

An amendment to the Fiscal Year 1986 Defense Authorization Act authorized the Secretary of Defense to make available for humanitarian relief purposes any nonlethal excess property of the Department of Defense. Such property is then transferred to the Department of State for foreign distribution.

To date, I have been unsuccessful in obtaining annual reports on the disposition of all excess property transferred under this authority by DOD. According to a December 15, 1989, factsheet, the General Services Administration has also had significant difficulty determining the amounts of excess property transferred to the Humanitarian Assistance Program. According to the factsheet, "the only summary data which we have been able to obtain are * * * figures that were informally furnished by the Defense Logistics Agency." These figures show that between fiscal year 1986 and fiscal year 1989, 56,936 line items were transferred at an acquisition cost of $50,553,108, and that the amount transferred has steadily increased each year.

The factsheet also reveals that not only has the amount of property transferred under this authority increased, but the number of countries receiving the property has increased. According to GSA, when DOD initially received the authority, property was transferred mainly in Afghanistan and Cambodia. More recently, however, excess DOD property has been transferred to Bangladesh, Paraguay, Argentina, Gambia, Chad, Soviet Armenia, El Salvador, Panama, Equatorial Guinea, Liberia, Uruguay, North Yemen, Sao Tome, Sierra Leone, and the Philippines. Such property has included jackets, blankets, medical supplies, trucks, front loaders, graders, and construction equipment.

As a result, State agencies charged with distributing Federal surplus property have complained that much of the choice property is removed from the process before they have the ability to acquire it. I beleive that this property should be fully utilized at home, to address our needs, before it is made available to others. My bill simply repeals the authority provided the Secretary of Defense to make available excess property for foreign distribution, and makes surplus property available for foreign humanitarian assistance only after all eligible domestic entities have had the ability to acquire and utilize the property.

I urge my colleagues, who believe as I do that U.S. taxpayers should have the ability to fully benefit from the property they purchase before any foreign government may benefit, to cosponsor my bill.

IF CONGRESS CAN'T CUT THIS . . .

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. FRANK. Mr. Speaker, one of the more dubious proposed expenditures of scarce Federal resources is the pending expansion of the ground wave emergency network—series of

towers that are intended to help us fight a nuclear war after the initial attacks. I believe that the United States continues to have a need for a reasonable nuclear deterrent, but the case for this expansion of the GWEN system, which was always shaky, has become even more so in light of the changed events in the world. One need not believe the Mikhail Gorbachev is a secret member of the American Friends Service Committee to understand that fundamental changes are taking place in the Soviet Union as a matter of economic necessity which allow us not to disarm unilaterally, but to reduce the level of expenditures on our deterrent.

These proposed new towers are not only expensive; in many cases they will be environmentally damaging. Air Force proposals to extend this system in some location in Southeastern Massachusetts or Rhode Island have caused legitimate concern by residents of that area who fear for the environmental disruption that these towers will inevitably produce. And, unfortunately, the Federal Environmental Protection Administration has proven unwilling to act in defense of the citizens against this threat to their environment.

Mr. Speaker, the accompanying article from the New York Times by Ronald Fraser makes a very cogent case against the continuation of this expenditure, which is both wasteful and environmentally unsound. I hope that the President will heed this suggestion and put these plans on hold, and I hope that, no matter what he does, we will act in the budget that will be before us this spring to prevent the extension of this unnecessary and disruptive system.

[From the New York Times]

IF CONGRESS CAN'T CUT THIS . . .

(By Ronald Fraser)

WASHINGTON.—As Congress takes up debate on the Pentagon budget, the members should think a moment about the confused people in Chelsea, Wis., Lovingston, Va., and dozens of other communities. These people are having trouble squaring the apparent end of the cold war with the Air Force's continuing preparations for a retaliatory nuclear strike.

They can't quite reconcile 300-foot-high military towers sprouting in their backyards with President Bush's expressions of sympathy for Mikhail Gorbachev's political plight. Nor can they reconcile the towers with a recent proposal by Secretary of Defense Dick Cheney; the recommendation—quickly rejected by Mr. Bush—was to ground the President's airborne command center because the likelihood of a Soviet sneak attack is so remote.

Known as the ground wave emergency network, the Air Force program consists of a two-part network of relay towers stretching from Maine to California. The towers are designed to survive electromagnetic-pulse disruptions during the first 15 minutes of a Soviet nuclear sneak attack. If the primary military channels to Air Force land-based missiles and nuclear-armed bombers were cut, it would serve as a backup means to transmit Pentagon retaliation attack orders.

The network symbolizes the fate of many yet-to-be-built 80's-era weapons that, in Pentagonese, have been overtaken by events." When these weapons were conceived, the Evil Empire was expected to last well into the next century.

If Congress is truly looking to carve out a "peace dividend" from the military budget, it might start here, with these small, often-overlooked programs. After that, it might be easier to extend the same logic to the larger weapons systems, such as the B-2 bomber and the Strategic Defense Initiative, which account for a much greater share of military spending.

The ground wave emergency network is rooted in President Ronald Reagan's 1981 National Security Decision Directive 12, which calls for a communications system that could survive a nuclear attack. A crude stop-gap measure, the network is to be replaced by a sophisticated satellite communications system in the late 1990's.

The Air Force is only now completing the first phase, a self-contained 56-tower network linking the Pentagon to bomber and missile command centers. The second phase, consisting of 40 more relay towers, is still on the drawing board.

People living in the shadow of the proposed second-phase towers wonder why, with peace breaking out across Europe, the Air Force needs 40 more towers. The Air Force's response: for insurance, in case an enemy destroys some of the first 56.

Actually, how many towers are enough was never resovled. In hearings before Congress in 1983, Donald Latham, then the Assistant Secretary of Defense of Command, Control and Communications, put the issue this way, in typical bureaucratese:

"How much survivability do you want to buy? . . . We can cover and get connectivity across the continental United States with about 45 nodes [towers]. But that is not enough if I really look at cutting up this network with a few weapons or a few terrorist attacks. . . . How many nodes do you want in order to give you absolute assurance? I don't know the right answer to that. It is some number more than 45 and less than 500."

If Mr. Latham couldn't decide how many towers are enough while the cold war was still hot, how can the Air Force know the right number in this new postwar era? Uncertainty abounds. No one really knows whether an electromagnetic impulse would be a big problem or not in a nuclear war. So the value of the towers will always be speculative.

Besides, even if the impulse did temporarily disrupt communications with U.S. bombers and land-based missiles, that would hardly leave us defenseless. The President could retaliate with the 3,000 nuclear warheads aboard the 20 or so submarines we keep at sea at all times. These subs are invulnerable to Soviet attacks, and most experts agree that a few thousand surviving warheads would deter a first strike by the Soviet Union.

Yet, the Air Force persists in upseting one community after another in its search for sites for the next 40 towers. And the illogic is stunning. Officials insist the towers are essential to U.S. security, even as current events descredit this rationale. Then they turn around and tell local folks not to worry, the chances are slim that this critical communications system would become a target for Soviet missiles in an all-out war. The people living near the towers are not so sure.

At $1.1 million a tower, the program is small potatoes compared with other too-late-for-the-war weapons, like the B-2 bombers, at $530 million apiece. But far more than money is at stake here. In any bureaucracy, momentum tends to keep programs going long after they have lost their reason for being.

Now that our need for a big insurance policy to retaliate against a Soviet sneak attack is on a downward slide, what should become of the half-finished communications system?

Why not put the last 40 towers on hold, leaving the 56-tower system in place and ready to use, if needed? Why not wait and see if the $60 million insurance policy is really needed?

The real challenge posed by this program is plain. Congress needs to display the common sense to cancel a small, interim cold war insurance policy that has been overcome by events. If it can't do that, what are the chances that it will create a real peace dividend by halting the more costly cold war weapons that we no longer need?

WELCOME TO OUR NEWLY NATURALIZED CITIZENS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. GILMAN. Mr. Speaker, it is with sincere pleasure that I congratulate the residents of New York's 22d Congressional District who have chosen to become citizens of the United States with all the privileges, freedoms, and responsibilities that American citizenship entails.

Our beautiful Hudson Valley region in New York State is proud of its newest citizens, and I invite my colleagues to join me in welcoming the following newly naturalized Americans and extending to them our best wishes for a happy and prosperous life in their new homeland:

Mr. Suat Abaci, Ms. Cecilia Abreau, Ms. Marianne Acuzar, Ms. Carole Adolphe, Ms. Lourdes Aguiar, Ms. Dorothy Aiken, Anu Ailawadhi, Ms. Edna Alcantara, Mr. Jose Alcasid.

Ms. Evelyn Alcruz, Mr. Winston Alcruz, Ms. Susan Alexander, Mr. George Aliermo, Ms. Helena Allalouf, Mr. Jorge Alvaran, Mr. Carlo Alzapiedi, Ms. Gerta Ambrozek, Mr. Santo Amodeo.

Mr. Paulo Ampil, Mrs. Zenaida Ampil, Mr. Arkady Aptekarev, Ms. Lyudmila Aptekarev, Ms. Zeba Asif, France Assad, Ms. Nadie Atsime, Ms. Shirley Avila, Mr. Richard Bach.

Mr. Sederro Balthazar, Mr. Ramon Bare-Rodriquez, Ms. Helen Bark, Mr. Nigel Bark, Mr. Mordechai Barouk, Ms. Mania Baruch, Mrs. Cana Basat-Colon, Mr. Desmond Baxter, Ms. Esther Beckman.

Mr. Shlamo Bello, Ms. Marie Belotte, Ms. Maria Berrios, Ms. Eveline Bigard, Mr. Josef Boeni, Mr. Errol Bandoo, Ms. Matilda Bansu, Ms. Teresa Bonvino, Mr. Jean Bright.

Ms. Susan Buencamino, Ms. Ana Luisa Bueno, Mr. Jose Bueno, Mr. Loc Bui, Ms. Vinita Buivan, Mr. Farozan Butt, Ms. Yvrose Cabraie, Ms. Judith Caducio, Ms. Benita Cafaro.

Mr. Javier Cafaro, Mr. Cezar Calingo, Ms. Rolande Carenard, Ms. Viviana Castillo, Ms. Violet Chambers, Mr. Eric Kin Chan, Mr. Phal Kun Chan, Lan Ying Chang, Mr. Satya Charka.

Ms. Lenota Charles, Mr. Sheng-Chang Cheng, Ms. Auguste Cherimond, Ms. Robin Chi, Mr. Esar Chickrie, Ms. Jennifer Chihl-

ing, Ms. Daniele Chiti, Ms. Ching-Fang Chu, Jey-Chin Chu.

Ms. Helen Chu Ho, Ms. Evelyne Cilius, Jean Colas, Ms. Evelyn B. Concepcion, Mr. James Connolly, Ms. Ramona Cordero, Mrs. Vilma Coton, Ms. Marie Cotter, Ms. Rita Cruz.

Mr. Luis Cueto, Mr. Jacinto Curato, Mr. Jose Da Silva, Ms. Sharon Darling, Mr. Francisco De La Cruz, Ms. Christine De La Toye, Mr. Maximo De Las Santos, Ms. Ester De Lean, Mr. Peter DeSimone.

Mrs. Chaya Deutsch, Mr. Salamon Deutsch, Mr. Sircos Dilbehbahani, Mr. Paul Dolne, Ms. Ana Dominguez, Mr. Reinaldo Dominguez, Ms. Margaret Donaghy, Mr. Pierre Dorante, Mr. Kirk Douglas.

Mr. Jean Duroseau, Ms. Yosi Efat, Mrs. Sullyte Elie, Ms. Veronica Fabella, Ms. Carline Fabre, Ms. Ester Fabre, Mr. Catalino Fernandez, Ms. Theresa Fernandez, Mr. Jose Figueiredo.

Mrs. Rachel Fischer, Mrs. Soheir Flanagan, Ms. Marie Francois, Mr. Itzhak Friedlander, Ms. Marie Gabriel, Mr. Harry Gani, Ms. Olive Gant, Ner Garcia, Mr. Proceso Garcia.

Ms. Sonia Garcia, Mr. Shmuel Gefner, Ms. Saramma George, Mr. Joseph Germain, Ms. Maude Germain, Mr. Yonathan Gev, Ms. Despina Giannopoulos, Mr. Marino Giraldo-Lopez, Ms. Maria Gjelaj.

Mrs. Carmen Glasgow, Mr. Pinchas Glauber, Mrs. Eun Goes, Awilda Gamez, Ms. Brenda Gamez, Ms. Nanci Gomez, Mr. Richard Gomez, Mr. Angel Gonzalez, Mr. Antonio Gonzalez.

Ms. Edna Greenwald, Mr. Jerzy Gruca, Ms. Krystyna Gruca, Ms. Anastacia Gumabon, Mr. Moshe Guttman, Mr. Khalil Hammid, Ms. Leyla Hashtroudian, Mrs. Ethel Held, Eulen Hernandez.

Mrs. Vilma Herskovits, Malka Herskowitz, Mrs. Cecilia Hilaire, Mr. Claudio Hilario, Ms. Gloria Holzer, Ms. Suparana Hora, Mr. Danny Hosty, Mr. Chao-Ching Hsiung, Thong Huynh.

Mrs. Linda Inthirath, Mr. Sam Inthirath, Mr. Ouseph Jacob, Mr. Serge Jean-Baptiste, Ms. Sonia Jean-Marc, Ms. Willia Jean-Marc, Ms. Mariamma John, Mr. Thomas John, Devaise Joseph.

Ms. Jeanne Joseph, Jolly Joseph, Ms. Martine Joseph, Mr. Valbecentz Joseph, Mr. Jean Fritz Julien, Mr. Zaven Kacherian, Mr. Ahmed Kamel, Mr. Alexander Keorasmey, Ms. Stephanie Keorasmey.

Ms. Miriam Kessler, Ms. Rosemary M. Khoury, Mr. Peter Kim, Sung Tai Kim, Mr. Israel Kin-Soibelman, Mr. Meir Klein, Ms. Helga Klepin, Mr. Rudi Klepin, Ms. Lily Knobler.

Mr. Richard Knobler, Ms. Zenia Konson, Ms. Irene Kovacs, Ms. Sharley Ku, Ms. Nechama Kugielski, Young Cheon Kwon, Ms. Kerline Labert, Mr. Alberto Laboriel-Sambula, Ms. Evelyn Lacson.

Mrs. Chau-Kwan Lai, Ms. Madeline Lalezari, Mr. Gerardo Lalinde, Mr. Nikolaos Lambridis, Mr. Yun Hung Lau, Ms. Fraide Lebowitz, Mr. Janos Lecei, Ms. Nadezda Lecei, Mr. Benjamin Lee.

Mr. David Lee, Mr. James Lee, Mr. Paulo Leite, Ms. Esther Levy, Ms. Sara Lima, Ms. Susan Lin, Benissoit Lindor, Ms. Hyacinth Lochan, Mr. Germaine Loiseau.

Mr. Alfredo Loo, Mr. Volfang Lopez, Mr. Milagros Lorico, Mr. Renald Louis, Ms. Rosaleen Lynch, Mr. Walter Maguina, Sandhya Malhotra, Mr. Johanan Mansour, Maxane Marcel.

Ms. Winklett Marcellus, Ms. Mariana Marin, Mr. Edgar Marquez, Ms. Opal Marriott, Mr. Carlos Martinez, Mr. Braulio Martinez-Lopez, Ms. Omana Mathew, Ms. Gloria McCannon, Mr. Victor Mercado.

Mrs. Melody Mikulewicz, Mr. Joseph Milien, Ms. Maria Millas, Mr. Walter Miller, Mr. Joseph Moise, Mr. Theodore Monchok, Mr. Robert Mondestin, Ms. Carmen Monsanto, Ms. Isaura Montano.

Ms. Ann-Marie Montilus, Mr. Peter Morin, Mr. Pierre Morin, Mr. Alireza Naghizadeh, Mr. Edward Nakkache, Mr. Maurice Nasrallah, Mr. Tawab Nassary, Mr. Ricardo Navarro, Mr. Michael Nembhard.

Mr. Tien Nghe, Khuong Nguyen, Ms. Kim Nguyen, Son Van Nguyen, Ms. Alberta Nicolas, Ms. Natalia Oancea, Mr. Arthur Oleszczuk, Ms. Regina Orberta, Ms. Isabelita Ortiz.

Ms. Cecilia Palacios-Castillo, Mr. Angelo Palmiotto, Mr. Yunsil Park, Mr. Hiteshkumar Patel, Mr. Jayshree Patel, Satish Patel, Mr. Cantave Paul, Jean Cetal Paul, Ms. Sophal Pen-Var.

Mr. Edward Penso, Ms. Ana Pequero, Ms. Josefina Peralta, Mr. Raju Peringattuparampil, Ms. Nechama Perl, Mr. Jorge Pertie, Trinh Pham, Mr. Herve Philippe, Ms. Myriam Pierre.

Mr. Raymond Pierre-Michel, Mr. Artur Pietruck, Mr. Joaquim Pires, Arkady Plotkin, Ms. Luba Plotkin, Ms. Romualda Pluta, Mr. Gus Politis, Mr. Dominador Suriba Ponsades, Teofila Ponsades.

Edvika Popilskis, Ms. Sulli Popilskis, Ms. Helene Prestigiacomo, Mr. Shaul Prizant, Hoang Quan, Mr. Lourdes Quezada, Mr. Stanley Ramos, Mr. Christian Rauch, Mr. Vera Renner.

Ms. Ileana Reyes, Mr. Juan Reyes, Ms. Elena Rifkin, Ms. Gloria Rinciari, Mrs. Amalia Rivera, Ms. Icilda Robinson, Ms. Frida Roc, Ms. Marie Roche, Mr. Victor Rodriguez.

Mr. Marco Rosado, Ms. Norma Ross, Mr. Yitzchak Roth, Ms. Suzanne Rousseau, Mr. Fernando Rubiano, Ms. Patricia Ruffini, Ms. Wendy Ruoff, Ms. Leila Rusin, Mr. Afsar Sachi-Kocher.

Mr. Mohamed Sadik, Mr. Rajesh Saggi, Mr. Michel Saint-Cloud, Mr. Jean Salvant, Ms. Clarita Samala, Mr. Romeo Samala, Mrs. Yite Samet, Ms. Nancy Sanchez, Mr. Jimmy Santos.

Mr. Jacob Schechter, Mr. Herman Schmid, Mr. Isaac Schwartz, Ms. Mavis Schwartz, Vartouhy Semerjian, Jean Senatus, Mr. Vinod Shah, Ms. Avinash Sharma, Shalhevet Shaulov.

Ms. Larisa Sheynin, Mr. Joseph Shoer, Ms. Gloria Shugar, Mr. Daniel Sigal, Ms. Mira Sigal, Mr. Chaim Sofer, Nadereh Sotudeh, Mr. Israel Spielman, Ms. Latha Sridharan.

Ms. Jane St. Ana, Mr. Antonios Stavridis, Mr. Josef Stemplinger, Ms. Maria Stemplinger, Mr. Abraham Stern, Ms. Jarmila Stransky, Mr. Rudolf Sulgan, Ms. Maria Sumallo, Mr. Neil Sutton.

Mr. William Sweeney, Mr. Jero Szvetecz, Ms. Della Tabaco, Ms. Maria Tapia, Mr. Paulino Tapia, Ms. Caroline Tapley, Mr. Nikola Telesmanic, Inger Terzakis, Mr. Jose Thomas.

Ms. Minete Thomas, Ms. Edith Thompson, Ms. Nyheidy Thompson, Mr. Augustin Torchon, Ms. Diane Torres-Gaviria, Mrs. Jayne Traina, Mr. Goddy Ugorji, Ms. Yvonne Ung, Mr. Csaba Vadasz.

Ms. Ilona Vadasz, Mr. Aresky Valdes, Mr. Sam Var, Ms. Joseph Vargas, Ms. Rosamma Varughese, Renate Vehse, Mr. Marcelo Vergara, Mrs. Anne Vitello, Vasile Voiculescu.

Mr. David Anthony White, Mrs. Inge Wingen, Mr. Walter Witczak, Mr. Kwok-Chuen Wong, Mrs. Wen-Chen Wong, Mrs. Yuk-Yin Wong, Mr. Yosef Wosner, Ms. Aldith Wright, Mr. Harry Xiao.

Mr. Meir Yafat, Huei-Fen Yang, Tawju Youn, Ms. Khaleda Zaman, Mr. Leon Zee, Mr. John Zervakis, Ms. Golda Zieg, Ms. Beverly Ziegler, Mr. John Ziemis, Mr. Behrooz Zivari, Ms. Schayla Zivari, Ms. Rachell de Platz.

JIM McGUIRE

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. SCHUETTE. Mr. Speaker, I rise today in recognition of Jim McGuire, of Cadillac, MI.

Mr. McGuire, who has been the general manager of McGuire's Resort in Cadillac since 1977, was named Michigan Hotelier of the Year in 1989. He received this award for his service, leadership, and exemplary professionalism in the Michigan lodging industry, as well as for his outstanding and numerous contributions to the community.

Mr. McGuire is a member of the Kiwanis Club, the West Michigan Tourist Association, the Cadillac Area Chamber of Commerce, and the Ferris State University Hospitality Advisory Board.

This past summer Mr. McGuire was also selected by the Office of Service to the Aging to receive it's "Distinguished Employer of the Year" award for his commitment and dedication to employing older workers. Jim McGuire is truly an asset to the State of Michigan and he makes living in, and visiting, Michigan more enjoyable.

THE PRESENT STATE OF AFFAIRS IN ROMANIA

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today because I am concerned about the present state of affairs in Romania. After the December revolution, the National Salvation Front [NSF] took control of Romania as the interim government. The Front pledged that it would stay out of politics after it had guided the Romanian people toward free and fair elections. Yet, on January 23, the Front announced its intention to run candidates in the upcoming national elections.

Other actions taken by the NSF include cancelling a January 28 national referendum to outlaw the communist party and banning all spontaneous demonstrations and threatening protesters with jail sentence of 15 to 30 days and stiff fines.

Despite the Front's avowal to allow 29 other political parties to participate in a coalition government until the national elections, it has practically guaranteed its domination of the coalition through its gerrymandering of seats. Half of the seats in the new 180-member coalition will go to the 30 political parties—each having 3 representatives, 42 will go to a representative from each county, and 48 will go to

chosen individual members. If many of the regional and individual seats are filled by members of the Front's regional and national committees, it will retain considerable control of the coalition. One theory, to which we must give serious consideration, expresses the belief that the NSF has loaded up some of the other 29 political parties with its communist clones. They are masquerading under a separate banner, so that the Communists will gain a majority of the seats in the coalition. Such tactics by Communist parties across the world are not without precedent.

The Front has announced that national elections will be held on May 20, which will give it an insurmountable advantage if it participates as a political party because it controls the security forces, administrative organs, and media in Romania. Political parties that have just emerged from obscurity will have no time to organize an effective platform or strategy since the elections are being held at such an early date.

Mr. Speaker, this week I will introduce a bill that will express the sense of Congress that the President send a United States delegation to Romania to monitor the national elections to ensure that they are fair and free. I urge my colleagues to support me in this endeavor. I submit the testimony of Andrei Calciu, son of the famous Romanian freedom fighter, Father Gheorghe Calciu, who recently spent 2 weeks in Romania, studying the situation there. His testimony reveals that the NSF is more concerned with hanging onto power than with the wishes of the Romanian people. It demonstrates why the United States must do everything in its power to ensure that all political parties get a fair shake at winning the national elections.

NATIONAL STUDENT-ATHLETE DAY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I have introduced legislation to designate April 6, 1990, as "National Student-Athlete Day." I believe the time has come to draw attention to student athletes and attempt to bring into balance academics and sports.

Unfortunately, we have let the imbalance between sports and academics go on for too long. It's time to gain a proper perspective on our priorities. When we sacrifice our educational principles on the altar of competitive sports, we do more than ruin the life of a young man or woman. We send a signal to all young people that thinking skills are less important than athletic skills. And in today's competitive world marketplace, that is not the message the United States should be sending. The commemoration of this day will demonstrate the House's support of a proper balance between athletics and education.

A broad observance of National Student-Athlete Day will help educators promote the role of sports within education and emphasize the need for a balance between school and sports. Special programs are being planned in some States for the day that include professional athletes, who have returned to college to complete their degree, speaking about the importance of an education.

I ask that my colleagues support this measure and promote the spirit of this bill to their young constituents.

NEWPORT COUNTY COMMUNITY MENTAL HEALTH CENTER HONORED

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to honor the Newport County Community Mental Health Center and its executive director, Mr. Bud Cicilline.

The Newport County Community Mental Health Center is a community-based agency that offers a wide range of mental health services to the citizens of Rhode Island. Founded in 1964, the center has continually expanded its services and programs for the community. Among the center's accomplishments are Rhode Island's first federally funded comprehensive community mental health center. In 1985, the center created the McKinney Shelter for the Homeless, the Nation's first program for the homeless and mentally ill. In the shelter's early days, only a dozen people were able to receive help but through the hard work of the staff the facilities have been expanded to accommodate more homeless people. The center has also more recently created an outstanding program for children who suffer from emotional illness.

On behalf of the people of Rhode Island, I would like to thank the staff of the Newport County Community Mental Health Center and Mr. Cicilline for their years of service to the people of our State. Their commitment to helping their fellow man is an inspiration to us all.

MILITARY AID TO EL SALVADOR

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. ANDERSON. Mr. Speaker, I believe today that it is time to reevaluate our policy in El Salvador. A decade has gone by and billions of dollars have been spent in the effort to establish a democracy in that war torn country. Once more, we are confronted with funding a government whose military is admittedly involved in the murder of civilians. Once more, we must ask ourselves the tough question of whether it is right to provide U.S. tax dollars to a death squad supporting military fighting an equally violent leftist guerrilla group. We long for a democracy in El Salvador. So, while our cause is noble, the means to that end appear questionable.

We have tried to turn the Salvadoran military into a force capable enough to defeat the FMLN guerrilla movement. I will have to say that effort has not succeeded. While the recent FMLN offensive was a failure, it still demonstrated that the FMLN continues to grow in strength. But worse than our failure to achieve our military goals is the fact that we have created a monster in the process. The military, supplanting the oligarchy, has become the dominant political player. Corruption runs rampant, with nonexistent soldiers receiving pay and officers running extortion rackets.

We have given the military guns and helicopters, but not taught the responsibility those weapons imply. We have given bullets without an accompanying sense of democratic duty and values. The United States created Salvadoran military is a monster because its ends are only to see itself stronger and more powerful. We hope for a democracy, with armed services who will be that democracies protector. What we get is a military seeking only to protect itself.

While our intentions in El Salvador are good, the means defeat the purpose. Support for the FMLN will disappear when civilians can look to the military for support, not repression. I hope that in the upcoming session we will listen to our past promises of restricting aid if the military does not reform. Or else, I fear that the killing of nuns and Jesuits, opposition candidates and labor organizers, of peasants and merchants will continue. Our constituents support democracy, but not the way we are trying to achieve it. The Salvadoran military must know that the American people and their elected government will not stand for the killing of civilians and political opponents.

FOURTH ANNUAL BLACK ENGINEER OF THE YEAR AWARDS

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MFUME. Mr. Speaker, today I again pay tribute to the annual Black Engineer of the Year awards. On February 24, 1990, the fourth Annual Black Engineer of the Year awards conference will take place in Baltimore, MD, to recognize the significant contributions that black engineers have made, and continue to make, to this ever-challenging profesession.

It is most fitting that during Black History Month, the annual awards will take place and recognize, as well as document, the contributions of blacks in education, science, engineering, and technology. Such recognition can also inspire and direct more students toward a career in the exciting field of engineering.

Career Communications Group, Inc.—publishers of U.S. Black Engineer magazine—along with Mobil Corp., the Council of Engineering Deans of historically black colleges and university, and the 1990 selection committee have proudly announced the winners for this year, and I am pleased to pay tribute to the following Black Engineer of the Year Award winners for 1990:

Black Engineer of the Year: Arlington Carter, Jr.

Affirmative Action: Brig. Gen. Ernest J. Harrell

Most Promising Engineer: Dr. Victor R. McCrary, Craig Wormack

Promotion of Higher Education: Dr. Alan Letton, Dr. Carolyn W. Meyers

Community Service: Stanley Y. Coleman, Linda D. Blanchard

Professional Achievement: Brig. Gen. Raymond McMillan, Napoleon Hornbuckle

Student Leadership: Midshipmen Duane Jubert, Vanessa Ong

Outstanding Technical Contribution: Dr. Joseph G. Gordon II, Cmdr. Osie V. Combs, Jr.

Entrepreneur: Clemon H. Wesley

President's Award: Col. Frederick Gregory

Outstanding Corporate Support: Keith O'Neal, DiAnne Thompson

TRIBUTE TO AMANDA BLANFORD

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MAZZOLI. Mr. Speaker, it is with great pride and appreciation that I rise to commend a special young woman, Amanda Blanford—better known as Amy—of Louisville, KY, who recently completed her tenure as my page here in the House.

I am especially proud to announce that Amy received two Page School awards at the graduation ceremonies held on January 26. Amy received an Attendance Award and an Academic Certificate for maintaining a 93 percent or better grade average in all her subjects. Actually, this does not come as any surprise to me since Amanda is a straight-A student at Sacred Heart Academy, her high school in Louisville.

Back home in Louisville, Amy has exhibited all the necessary qualities to be a leader among her peers. She has maintained a high grade point average at Sacred Heart, a very demanding educational institution—despite participating in numerous extracurricular activities which include: Students Against Drunk Driving; Amnesty International; and the Young Leaders Institute. Amy also volunteers her time at a local hospital.

I am confident that the experience Amy gained as my Page here in Washington will prove invaluable for her, no matter what career path she may choose years from now. I hope Amy gives a career in public service some attention during her collegiate and post-collegiate years. She strikes me as one who possesses all the requisite talents, energies, and attributes to be an outstanding public official.

Mr. Speaker, I want to congratulate Amy on job well done. I also commend her mother and father, Monica and Paul Blanford, for a great job of rearing. I salute Sacred Heart Academy for its role in forming Amy intellectually, spiritually, and socially.

It has been a pleasure to work with Amy, and I wish her every success in the future.

SERIOUS QUESTIONS REMAIN OVER PANAMA INVASION

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. KLECZKA. Mr. Speaker, the House considered House Concurrent Resolution 262, a concurrent resolution which addressed several aspects of the United States invasion of Panama.

First, the measure expressed Congress' sadness over the death of 23 American troops in the invasion and conveyed our condolences to their families. I fully support this sentiment as the loss of every American life in combat is tragic. I grieve for the spouses, children, parents, and siblings who will never see their loved ones again.

Second, the resolution commends the President for his efforts to provide for an early return of the remaining American troops who participated in the invasion. Such a prompt return is surely in the best interests of these troops, of Panama, and of our broader foreign policy toward Latin America.

Third, House Concurrent Resolution 262 urges the President to continue his efforts to promote democracy in Panama. While I also agree with this provision, the onus for creating and promoting democracy in Panama should lie with the Panamanians, most notably President Guillermo Endara, First Vice President Ricardo Arias Calderon, and Second Vice President Gillermo Ford.

Though I agree with all these provisions, the opening finding of this resolution deeply troubles me. It states that:

> Whereas the President, with the support of Congress and the American people, acted decisively and appropriately in ordering United States forces to intervene in Panama * * *

Part of this statement is just not accurate. President Bush may now have the support of Congress for the Panama invasion, but he could not possibly have had it before the action because Congress was never consulted. The House speaker, the Senate majority leader, and other congressional leaders were informed of the intervention only after it had been ordered.

Furthermore, I seriously question whether this action was appropriate. While our soldiers fought bravely and fully deserve to be commended, I believe the United States did violate the United Nations and OAS Charters by invading and overthrowing the government of a sovereign nation. Safeguarding American lives is justified under self-defense articles of both charters, but overthrowing a foreign government is prohibited as armed interference in other nations' internal affairs. This is an unfortunate precedent in a world which is increasingly turning to negotiations and peace over hostility and war.

The very real threat to American lives in Panama could have been met by the roughly 13,000 United States troops already stationed there; 11,000 more troops were not needed for this purpose. While creating democracy in Panama is laudable, again it is the responsibility of Panamanians, not Americans. Throughout Eastern Europe, citizens are overthrowing their oppressive governments without United States military intervention. Was this not possible in Panama?

In the end, enough serious questions remained in my mind over the President's decisionmaking process and the legality of the invasion for me to vote against House Concurrent Resolution 262.

TRIBUTE TO WILLIAM SUTTLE

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. DARDEN. Mr. Speaker, the Nation's oldest and largest military park, the Chickamauga and Chattanooga National Military Park in northwest Georgia, has lost an outstanding employee with the retirement of William Suttle. Mr. Suttle put in more than 35 years of service at the park, and as the park's maintenance division foreman, he has diligently and honorably carried out his responsibilities within the board mission of the National Park Service. Mr. Suttle has also contributed much to the community in which he lives through his work with young people and his involvement in his church. The National Park Service can take pride in the example William Suttle has provided, and I join with the many others in northwest Georgia who will miss seeing Mr. Suttle at the park but who wish him well in his retirement.

I ask that the following article from the January 10, 1990, Walker County Messenger be included in the RECORD.

[From the Walker County Messenger, Jan. 10, 1990]

SUTTLE RETIRES AFTER 35 YEARS OF SERVICE

LaFayette resident William P. Suttle was honored Jan. 6 by friends and co-workers with a retirement dinner.

He retired Jan. 1 after more than 35 years of service with Chickamauga and Chattanooga National Military Park.

Suttle began his career with the National Park Service in 1952 as a seasonal maintenance employee.

During this time, he also held jobs with the Muller Company and Combustion Engineering in Chattanooga.

Prior to his employement with the National Park Service, he worked for LaFayette Cotton Mill, the Dupont Company in Chattanooga, and served in the U.S. Army for approximately two years.

In 1958, he was offered a permanent appointment with the National Military Park, progressing in a career which culminated this year with retirement from his position as the park's maintenance division foreman.

According to Suttle, one of the highlights of his career has been the chance to work with young people in several of the park's summer youth programs, and he takes great pride and pleasure in meeting them again today as adults.

His work offered him the opportunity to help them become successful, respected members of their communities.

Suttle can also take pride in a 39-year marriage to his wife, Earnestine White Suttle.

They have five children: a daughter in Summerville, another with the U.S. Army in Bonholder, Germany, two daughters and a son of LaFayette, and eight grandchildren.

Mrs. Suttle is active in her church and community, serves on the Minority Advisory Board at Dalton College, and is president of the Walker County Parent and Teachers' Association.

She has already made plans for her husband's newly realized "leisure" time" which includes continuing their church and community service, traveling and "just plain relaxing."

HONORING THE HUDSON UNITED BANK ON ITS 100TH ANNIVERSARY

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. GUARINI. Mr. Speaker, on January 12, 1990, the Hudson United Bank celebrated its 100th anniversary. Based in Union City, NJ, Hudson United Bank has been an integral part of the Hudson County community since its formation in 1890. It has helped the people of New Jersey grow and prosper, providing loans, high yield savings accounts, and financial advice to small businesses, investors, and families. Its continued growth is a tribute to its honest leadership, intelligent planning, and commitment to the community it serves.

It was on July 28, 1890, that the original predecessor of the Hudson United Bank was created with stock subscriptions exceeding $100,000. The Hudson Trust & Savings Institution was located on 614 Spring Street in West Hoboken—known today as Union City. The first nine members of the board of directors were Samuel Bayard Dod, Hamilton V. Meeks, Myles Tierney, E.A. Stevens, Theophilus Butts, John C. Besson, Adam Reisenberger, Frederick W. Hille, and B.E. Galbraith. The officers were Samuel Bayard Dod, president; Hamilton V. Meeks, vice president; James R. Ferens, secretary and treasurer.

The land for the bank's main office, now 3100 Bergenline Avenue, was purchased for $3,000. The building was erected on a lot 50 by 100 for a total cost of $20,000. It was designed by architect Oscar Golde.

As of January 6, 1891, the bank's assets had increased to $167,765.02. By December 31, 1892, the Hudson Trust & Savings Institution's assets had grown to $1,265,638.24.

Here is a summary of some important events in the history of the Hudson United Bank: 1890, incorporated as the Hudson Trust & Savings Institution; 1900, name changed to the Hudson Trust Co.; 1932, acquired the Hoboken Trust Co.; 1939, merged with the Columbia Trust Co.; 1946, acquired First National Bank of Union City; 1972, acquired United National Bank of Bergen County and changed name to Hudson United Bank; 1975, acquired Peoples Bank of Dunellen; and 1983, acquired Pan American Bank.

Present and former presidents of Hudson United Bank: 1989–present, Kenneth Neilson; 1977–89, John T. Clark; 1975–77, William J. Robertson; 1971–75, Frank T. Stella; 1962–71, Arthur Dickson; 1954–62, Otis W. Beaton; 1940–54, Clarence G. Meeks; 1929–40, James H.P. Reilly; 1921–29, John S. Mabon; 1899–21, Myles Tierney; and 1890–99, Samuel Bayard Dod.

Hudson United Bank has been and will continue to play an essential role in the growth and stability of Hudson County and northern New Jersey. I know my colleagues in the House of Representatives will join me in honoring the Hudson United Bank on the occasion of its 100th anniversary.

DR. RUSSELL B. SCOBIE, M.D., NEWBURGH'S CITIZEN OF THE YEAR

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. FISH. Mr. Speaker, each year the Newburgh Historical Association, of Newburgh, NY, recognizes a member of the community whose loyalty and commitment to the town of Newburgh is unquestionable. It is with great pleasure that I bring this year's recipient of this illustrious honor, Dr. Russell B. Scobie, M.D. to the attention of the American public.

Dr. Scobie has devoted 47 years of his life to ensuring that the tap water used in the Newburgh area, the Nation, and the world, is fluoridated. In 1943 he began the lobbying effort which was primarily responsible for Newburgh being selected for the now famous Newburgh-Kingston water fluoridation study which began on May 2, 1945. Since that time, he has traveled around the United States and the world, presenting papers and lectures on the advantages and benefits of fluoridated water.

Through Dr. Scobie's dedicated efforts there has been a noticeable decrease in the incidence of tooth decay throughout the world, including many Third World nations. The magnitude of Dr. Scobie's effect on global fluoridation may be best manifested by the world's appreciation. Some years ago D. Vladamir Rudko, Director of the World Health Organization [WHO], presented Dr. Scobie with an autographed copy of a WHO report on fluoridation which read "To Dr. Russell Scobie—you contributed the most to water fluoridation—we are trying to continue it."

Although Dr. Scobie's work with water fluoridation has been an important facet of his professional life, it has not been his sole community or medical endeavor. A graduate of Yale University, and the Yale School of Medicine, he has always been loyal to his alma mater. He has served as president of the Association of the Yale Alumni in Medicine, 1953–55; chairman of the Medical School Alumni Fund, 1959–63; and founder and first president of the Yale Club of the Mid-Hudson Valley. Additionally, Dr. Scobie has maintained a private practice in pediatric medicine since 1936. His other commitments include membership on the Newburgh Board of Education, the Newburgh Rotary Club, and serving as an elder at the Calvary Presbyterian Church in Newburgh.

In my opinion, the Newburgh Historical Association's decision to honor Dr. Scobie is a wonderful and appropriate choice. He is indeed a man who has devoted himself to improving the quality of life in the town of Newburgh and the world.

I encourage all of my colleagues to join me in paying tribute to Dr. Russell B. Scobie, his wife Katherine, and their twin children Robert and Barbara.

PROJECT 2000/LOVE: THE TENNIS CELEBRATION TO END WORLD HUNGER BY THE YEAR 2000

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. HALL of Ohio. Mr. Speaker, I would like to bring to your attention a campaign sponsored by the Hunger Project called 2000/LOVE. The event is being produced by the Tennis Professionals Foundation in support of the Hunger Project, whose goal is ending chronic, persistent hunger by the year 2000. The tennis celebration will take place on April 2 and 3 of this year at the Capital Centre in Washington, DC, and will include top-ranked tennis players such as Andre Agassi and Ivan Lendl, competing against Members of Congress.

The effort of eliminate chronic hunger and malnutrition worldwide is the work or organizations such as the Hunger Project, who labor endlessly to make hunger a global priority. I am pleased at the efforts of the staff and volunteers who are producing project 2000/LOVE. This campaign is urgent, and requires the joint efforts or our Government and our people toward finding solutions to improve the current situation. It is documented by experts that technical and financial resources exist to end hunger. Yet 750 million people continue to face hunger on a daily basis. Hunger contributes to environmental degradation, economic instability, and needless death. Project 2000/LOVE will raise funds to be used in the campaign to end hunger, a needed priority on the political and economic agenda of our Nation. Additionally, the tennis tournament will raise awareness of the persistence of chronic hunger.

Mr. Speaker, I believe that hunger and hunger-related disease are solvable problems. The success of programs such as Project 2000/LOVE rely on the assistance of people nationwide, and I would like to encourage my colleagues to join me in support of this worthy cause. I commend the Hunger Project for their continued efforts and I salute their contribution to the fight against hunger.

A TRIBUTE TO THE BARSTOW ELK'S DRUG AWARENESS PROGRAM

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. LEWIS of California. Mr. Speaker, the Government cannot go it alone in the war on

drugs. To be successful, we need the help of citizens who will volunteer their time and skills to help our young people. I want to share with you today the outstanding work being done by the Elks, specifically the Elks of Barstow, CA, with their highly successful Drug Awareness Program.

The Elks realize that our kids today need to go beyond saying no to drugs. So they are sponsoring Scout Troops and sports teams and teen centers and dozens of other activities to supplement their Drug Awareness Program which educates young people about the dangers of drugs.

The Barstow Elks recently donated $1,000 to the local parks and recreation department to cover the costs of a youth basketball camp. The donation paid for T-shirts given to all the participants, a pizza party, refreshments, and gift certificates. More than 100 boys and girls benefited from this program which provided an alternative to the use of drugs and alcohol.

But the work of the Barstow Elks doesn't stop here, Mr. Speaker. Alfredo Gonzales, the president of the Barstow Elks Lodge gave out 200 drug education coloring books during a drug awareness presentation to young children at the Child Development Center at the Barstow Marine Corps Logistics Base. The lodge has also donated more than 2,000 of these coloring books to various organizations throughout the community.

The Barstow lodge has also donated $1,000 to assist the police department in the implementation of the DARE [Drug Abuse Resistance Education] program in the Barstow schools. This program will be taught to 400 sixth-grade students.

Mr. Speaker, I ask you to join me today in thanking the Elks and other volunteer groups for offering so generously their time and money in such worthwhile endeavors. Their commitment is making a critical difference to many young people and to our country.

REV. DR. JAMES M. LAWSON, CIVIL AND HUMAN RIGHTS ACTIVIST

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. DIXON. Mr. Speaker, it is with great pleasure that I rise today to congratulate Rev. Dr. James M. Lawson, Jr. who is receiving the Corita Kent Peace Award from the Immaculate Heart College Center. Reverend Lawson has contributed to the human family as a spiritual leader, civil rights activist, community achiever, and peacemaker.

The Corita Kent Peace Award, established by the Immaculate Heart College Center for peace, justice, and global cooperation, honors the memory of Corita Kent—an internationally known artist whose work is noted for the lively use of color, words, and text which proclaim that the most ordinary and mundane objects in our everyday world are symbols of the spiritual, the beauty, and the hope that permeate all life. The award is given to those who do not make a distinction between their personal and public lives as peacemakers and who, through their lives, words and actions express the dream of life without war. There is no one more deserving of the Corita Kent Award than Jim.

Born in Pennsylvania, Jim was a champion debater in high school, and in college where he received a bachelor's degree in sociology and psychology. He went on to graduate school at Boston, Oberlin, and Vanderbilt Universities to study theology. Throughout his life, Reverend Lawson has been committed and dedicated to human causes. While serving as national president of the United Methodist Youth Fellowship, he spent over a year in Federal prison as a conscientious objector. He went on to India where he worked as a campus minister and coach. As a friend and associate of Dr. Martin Luther King, Reverend Lawson trained freedom riders and became one of the preeminent voices for nonviolent direct action.

Today, Jim is channeling his energies on urban problems, especially poverty in Los Angeles. He serves as president of the Southern Christian Leadership Conference [SCLC]/Greater Los Angeles, and is vice president of the SCLC national board. Jim is pastor of Holman United Methodist Church in my congressional district, and is the president of the Peace with Justice Leadership Conference, a coalition of 60 denominational and religious groups. He contributes to a variety of organizations including the Conference Council of Ministries, the Religious Leaders Network of the Interfaith Council to Reverse the Arms Race, the Advisory Council of Clergy and Laity Concerned, the National Advisory Council of the Fellowship of Reconciliation, and the Los Angeles County Mental Health Association.

I join his wife Dorothy, their sons—John, Morris, and Seth—his colleagues, and host of friends in congratulating Jim as he receives the Corita Kent Peace Award. I look forward to his continued contributions to the world community.

COMMERCIAL ACTIVITIES CONTRACTING PROCEDURES ACT OF 1990

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. CONYERS. Mr. Speaker, it is with great pleasure that I am introducing today a bill that is the first fully comprehensive effort to place into law the Government's program for designating those commercial activities that will be contracted out and those that will be performed by Government employees.

It is important that we try to place some parameters around the immensity of the effort we are addressing with this piece of proposed legislation. According to OMB, the Federal Government spends approximately $20 billion annually for civil service employees to provide commercial services. In June 1987, the Congressional Budget Office estimated that there are about 1.4 million Federal workers engaged in providing these types of services to the Government. Not only would this bill impact these employees, but it also covers the approximately 800,000 employees of the U.S. Postal Service and the yet uncalculated billions involved with those postal jobs.

OMB has recently testified that presently completed inventories of activities scheduled to be reviewed for possible contracting out involve over 300,000 Federal jobs.

As first stated in 1955, it was the policy of the Federal Government to rely on the private sector for the provision of all commercial services. That policy was restated in 1966 in OMB circular A–76 but was since modified in 1979 and 1983. These newer policies do not contain the strict prohibitions first announced in the 1950's but, rather, make contracting out dependent upon competitions between Federal employees and private sector firms.

OMB reports that since 1981, 87,000 Federal jobs have been reviewed for possible conversion to contract performance. The in-house estimates, or "bids," of performance by Government employees have "beat" the contract bids in head-to-head competitions in about 50 percent of the cases. From these competitions, we are told, the Government has saved a total of $843 million for an average cost savings of 27 percent over original operating costs. These savings are alleged to result both from contract conversions and from reorganizations of Federal employees resulting from cost comparison analyses.

My bill would not change the underlying philosophy of Government; namely, that most commercial activities should be contracted for with commercial sources when they can be performed by those activities more economically. However, my bill would set out the ground rules for that competition so that Government employees would be competing on an equal basis with the private sector. My bill would also infuse a much needed dose of due process into the system. Provisions are contained in the bill that would give appeal rights to all interested parties to protest, before independent boards and administrative law judges, performance work statements and cost comparison analyses. The bill also sets into place a method to calculate the savings of the program and to verify those savings in subsequent years.

Perhaps the most unique provision of this bill calls for the continued competition between Government employees and private sector contractors for the performance of commercial activities. The present A–76 circular is totally one sided—only activities being performed by Government employees are included on a list or inventory of commercial activities to determine if they should be converted to contract. That decision is made after a price competition and, if the private sector low bidder beats the in-house cost estimate or bid by more than 10 percent, the activity is converted to contract. My bill would not alter that basic concept—but it would also require the maintenance of another inventory list of commercial activities being performed by private sector firms. These activities would have to be periodically competed with the Government's in-house cost estimates. Only if private sector firms could continue to provide activities more economically, would those activities remain available for performance under contract. If Government employees could do the same

work at lower costs, the activity would be moved back for in-house performance. It is through this system of checks and balances that we can assure that the taxpayer gets the most for his or her dollar.

The major provisions of my bill follow:

First. The act would present a comprehensive and efficient method for determining what commercial activities should be performed by Government employees and which activities should be contracted out with commercial business concerns. Detailed provisions are also included dealing with the reporting of commercial activities and how savings are to be measured.

Second. The act would cover all executive branch agencies and departments, as well as the U.S. Postal Service.

Third. The act would require that all governmental functions be performed by Government employees and that other commercial activities be performed by private sector firms unless:

No commercial source is capable of performing the work;

Use of a contractor would cause unacceptable delay;

The commercial activity involves patient care at a Government-operated hospital and it is in the best interest of the patients to keep performance by Government employees; or

Based on a cost comparison study Government employee can, with respect to commercial activities presently being performed by contract, perform the work at a lower cost; and, with respect to activities presently being performed by Government employees, perform the work at no more than 10 percent higher than the anticipated cost of contracting out.

Fourth. As a general rule, work that could be more economically performed by Government employees would be converted to in-house performance.

Fifth. The act contains detailed provisions on how to formulate performance work statements and conduct cost analyses.

Sixth. Appeal rights are given to interested parties to protest, before independent boards and administrative law judges, performance work statements, and cost comparison analyses.

Seventh. All agencies must prepare and make publicly available inventories of commercial activities containing detailed information on the nature and performance of those activities.

Eighth. Displaced Government employees are provided rights dealing with reemployment by the Government and employment with the successful contractor when a commercial activity is converted to contract.

Ninth. Detailed reporting requirements are imposed so that the true cost benefits of converting to contract and converting to in-house performance can be accurately measured.

Tenth. The act would take effect 180 days after the date of enactment.

I would like to take this opportunity to thank the American Federation of Government Employees and its national president, John N. Sturdivant, for their invaluable assistance in formulating this important piece of legislation.

I look forward to working with the administration, organized labor, and the business community in a bipartisan fashion to bring this legislation before the President for his signature. I urge my colleagues to cosponsor and actively support this most important measure.

SECTION-BY-SECTION ANALYSIS OF THE COMMERCIAL ACTIVITIES CONTRACTING PROCEDURES ACT OF 1990 (H.R. 4015)

Section 1. Short Title. Provides that this Act may be cited as the "Commercial Activities Procedures Act of 1990."

Section 2. Purposes. This section specifies four purposes for the Act: (1) to establish uniform standards for determining the most economical and efficient method to acquire commercial services; (2) to provide for accountability and equitable standards; (3) to ensure fair competitions and an opportunity for interested parties to participate fairly in the process; and (4) to provide for annual reports regarding commercial activities and to substantiate estimated and actual savings.

Section 3. Definitions. This section contains a series of definitions as follows: (1) "Administrator" means the Administrator of the Office of Federal Procurement Policy (OFPP); (2) "adversely affected employee" means any civilian employee of an agency who, as a result of a decision to convert to contract, will either be released from service or reduced in competitive grade or employment; (3) "agency" means a Federal agency or department as defined under 41 U.S.C. 403 and includes the United States Postal Service; (4) "commercial activity" means a product or service which may be procured from a commercial source and which is identical or substantially similar to the form in which that product or service is sold to the general public; (5) "commercial source" is a business or other non-government entity located within the United States and which is capable of performing a commercial activity; (6) "conversion to contract" means the changeover of performance by government employees to performance by a commercial source; (7) "conversion to in-house performance" means the changeover of performance by a commercial source to performance by government employees; (8) "full time equivalent work year" means 2,087 paid labor hours in a fiscal year or such other period of time as may be established by law; (9) "Government" means the Federal Government; (10) "Government employee" means an employee of an agency; and (11) "governmental function" means any activity intimately related to the public interest and that requires either the exercise of discretion or the making of policy decisions for the Government.

Section 4. Application. This Act would not apply to three types of situations: (1) in any case when its application would be contrary to an international agreement; (2) to DoD in times of declared war, military mobilization, or other emergency declared by the President; and (3) to research and develop activities.

This Act is also subject to a series of limitations. It does not (1) provide authority to enter into contracts; (2) establish any rights for employees of commercial sources; (3) authorize conversion to contract of any commercial activity in order to avoid personnel or salary ceilings; or (4) authorize the conversion to contract of any governmental function.

Section 5. Inventories of Commercial Activities. Subject to the provision of section 4 (dealing with the application and limitations of the program) and paragraph 3 of this subsection (a) (dealing with commercial activities utilizing less than 10 full-time equivalent work years and governmental functions), not later than March 31 of each year every agency must prepare and make public an inventory of all commercial activities it anticipates will be performed by government employees during the following year. Each activity included on the inventory must reference: (1) the number of work years involved; (2) the commercial activity and the place of performance; (3) the date the commercial activity was last reviewed for conversion to contract; (4) the date of the next planned review (including the anticipated completion date); and (5) the reason for performance of the commercial activity by government employees. Commercial activities requiring less than ten (10) full-time equivalent work years and governmental functions may be excluded from the inventory.

Not later than March 31 of each year, every agency must prepare and make publicly available an inventory of commercial activities that are or will be performed by a commercial source during that year under a contract with the agency. For each item included on the inventory there must be a discription of (1) the activity and the place of performance; (2) the name of the person who most recently performed the activity; (3) the date the activity was last subject to a cost comparison analysis; (4) the date of the next planned review of the activity for possible conversion to in-house performance; (5) the contract number for that commercial activity; (6) the contract price; (7) for each activity converted to contract during the preceding 5-year period, the last annual payment for that activity; (8) the total cost incurred by the government for conducting that procurement; and (9) the reason for performance of the commercial activity by a commercial source.

An agency shall not include a commercial activity in its inventory of contracted out activities if that activity: (1) was converted to contract within the last two year period; (2) performance of the commercial activity by commercial sources requires less than 10 full-time equivalent work years annually; (3) the commercial activity will be performed pursuant to section 8(a) of the Small Business Act, section 1207 of P.L. 99-661 (both dealing with small disadvantaged businesses); or by a sheltered workshop for the blind or severely handicapped; or is a governmental function.

Not later than 60 days after an inventory is made publicly available by an agency, a labor organization representing employees of that agency may petition the head of the agency to include or exclude a commercial activity from an inventory.

Section 6. Performance of Activities Under Contract. Performance of commercial activities contained on an inventory shall be performed by one or more commercial sources unless the head of the agency determines that: (1) no commercial source is capable of performing the contract; (2) use of a commercial source would cause unacceptable delay or disruption to a program or activity of the agency; (3) the commercial activity involves patient care at a hospital operated by the government and performance of the activity by government employees would be in the best interest of patient care; (4) the commercial activity is a governmental function; or (5) based upon a cost comparison study conducted under section 7, government employees are performing, or can reasonably be expected to perform the commercial activity at an estimated cost

that is (a) in the case of a commercial activity being performed by a commercial source, less than the total costs incurred by the government under contract; or (b) in the case of a commercial activity that is presently being performed by government employees, not more than 10 percent higher than the estimated total costs of contracting for the provision of that commercial activity.

Section 7. Cost Comparison Analysis. Before converting to contract or converting to in-house performance, an agency must conduct a cost comparison analysis under this section. For the purposes of such analyses, all costs will be computed on the basis of a final performance work statement prepared pursuant to section 8. Notwithstanding this general rule, a commercial activity may be converted to contract without conducting a cost comparison analysis if the contract is to be awarded pursuant to: (1) section 8(a) of the Small Business Act; (2) section 1207 of P.L. 99-661; or (3) the Javits-Wagner-O'Day Act.

Within 180 days after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to establish requirements for conducting cost comparison analyses. The regulation must provide that (a) the cost of performance by government employees shall be determined based on the most efficient and cost effective organization practicable; (b) the cost of performance by a commercial source shall be based on full and open competition; (c) the pricing method for evaluating all offers from commercial sources shall be firm fixed price unless the head of the agency, on a nondelegable basis, determines that a cost reimbursable contract is appropriate; and (d) the term of a contract for commercial activities shall not exceed 3 years, including all options.

Regulations promulgated under this section must also include provisions dealing with the calculation of all relevant costs of performance of a commercial activity. These costs are to include: personnel costs (including pay, retirement, and fringe benefits); material, equipment, and supply costs; utility costs (including those utilities provided by the government); maintenance cost of government owned machinery, tools, equipment, and other items; depreciation; rent; maintenance, repair and upkeep; insurance; travel; overhead; and such other additional costs as may be appropriate.

Costs that would be the same for performance by a commercial activity and for performance by government employees may be excluded from the analysis, if documented and made part of the record.

In addition to the costs determined above, the fair market value of all government property to be used by either a commercial source or government employees must be taken into account when performing a cost analysis.

Once a cost comparison is completed by an agency, it is to be submitted to that agency's review board established under section 9.

The review board shall review the adequacy of each cost comparison analysis submitted to it (including the performance work statement on which the analysis is based) with respect to currency, reasonableness, accuracy, and completeness.

The review board must announce no less frequently than monthly its final determination of all cost comparison analyses submitted to the board within the preceding month.

An interested party may appeal a decision of a review board to the head of the agency not later than 30 days after the review board announces its fnal decision. That party is entitled to a hearing on the record in accordance with chapter 5 of title 5, United States Code. The head of the agency shall sustain the decision of the board unless it is found not to be substantially justified by the facts, or contrary to law or regulation.

For purposes of this provision the term "interested party" means any: (1) adversely affected employee; (2) labor organization accorded exclusive recognition to represent adversely affected employees; (3) former Federal employee who has a reasonable prospect for re-employment by the government if a commercial activity were to be converted to in-house performance; and (4) prospective offeror whose direct economic interest would be adversely affected by a decision not to convert to contract or to convert a contract to in-house performance.

An agency cannot take any action to convert to contract or to convert to in-house performance a commercial activity during the 30-day period following a decision of the review board or during any period in which an appeal to a review board decision is pending.

The head of an agency must provide to all agency employees performing a commercial activity timely notification of each cost comparison analysis that is initiated with respect to that activity and shall keep those employees duly informed of the progress of each such analysis.

No person may disclose a cost comparison analysis before the agency issues a public notice that the commerical activity will either be converted to contract, converted to in-house performance, or will be performed by government employees. Nothing contained in this provision authorizes the disclosure of proprietary information that would adversely affect the financial or competitive position of a commercial source if released to the public. In addition, this provision does not limit the authority of Congress or any law enforcement authority to obtain information otherwise available under law.

Section 8.

Performance Work Statements. The head of an agency must prepare a performance work statement for each commercial activity for which a cost comparison analysis is conducted under section 7. Each performance work statement must define the scope of work of a commercial activity by: (1) delineating standards of performance, critical elements and time restraints; (2) using a description of work that does not exceed the minimum requirements of that agency; (3) describing the technical qualifications and skills of needed personnel; and (4) designating the types of machinery, equipment, tools, and other items needed for acceptably performing the commercial activity.

Commercial activities may be combined for the purpose of preparing performance work statements only if such commercial activities are logically related to each other so that the successful performance of one activity is dependent on the successful performance of the other and are combined in a manner that promotes full and open competition at the prime contract level among the greatest practicable number of commercial sources.

Before a performance work statement is submitted to a review board, the head of an agency shall provide to all potential adversely affected employees (and their collective bargaining representatives) a period of at least 60 days in which to submit comments and recommendations.

Such comments or recommendations must be in writing and shall be responded to individually and in writing indicating whether the recommendation will be incorporated within the performance work statement.

An employee whose recommendation is denied has 30 days to appeal the negative determination to the appropriate review board. If the decision of the agency is not substantially justified or is contrary to law or regulation, the board must sustain the appeal and require the agency to make appropriate changes in the performance work statement. A performance work statement shall not be final until all employee appeals with respect to that performance work statement are resolved.

Not later than 15 days after completing a performance work statement, the agency must: (1) publish in the Commerce Business Daily the fact that the Performance Work Statement is available; (2) provide a copy of the performance work statement to each labor organization representing government employees who perform any commercial activity that is the subject of the performance work statement; and (3) provide written notice to all government employees providing a commercial activity that is the subject of a performance work statement advising them of the availability of a copy of the performance work statement upon request. Performance work statements provided to collective bargaining representatives shall be provided not later than 30 days after final approval of the statement. All other parties are to receive the performance work statement within 30 days after the agency receives a request for the statement. With the exception of performance work statements provided to labor organizations, an agency may charge a nominal fee for reproducing and mailing performance work statements to requesting parties.

Section 9. Review Boards. Each agency is to establish a review board for the acquisition of commercial activities. Each board is to be chaired by the official of the agency assigned by statute with the responsibility for acquisition strategy, or if no such individual in that agency is assigned by statute, by the official designated pursuant to section 16(3) of the Office of Federal Procurement Policy Act.

An agency review board is to consist of the Chairperson and such other government employees as the Chairperson believes appropriate. However, a person may not serve on a review board during its consideration of a matter pertaining to an organizational unit of the agency that employs that person.

Review boards shall review cost comparison analysis prepared by agencies under section 7 and consider employee appeals under section 8(c) dealing with performance work statements.

Section 10. Re-employment of Displaced Employees. Agencies must, with respect to adversely affected employees, (1) exert maximum effort to fill available positions with such employees; (2) establish a re-employment priority list and a positive placement program; and (3) pay reasonable costs for training and relocating the employee if that leads to placement of the employee within the agency.

The Office of Personnel Management must, with respect to adversely affected employees: (1) insure that such employees

have access to government-wide placement programs on a priority of Labor regarding job opportunities in the private sector.

A commercial source who wins a contract pursuant to a cost comparison analysis must, prior to entering into the contract: (1) advise adversely affected employees that they have a right of first refusal for available positions for which they are qualified; and (2) actively assist and facilitate the hiring of such employees. These duties of the commercial source are to be incorporated into the contract by the government.

Section 11. Reporting. The OFPP Administrator is to issue regulations which require the head of each agency to report annually to OFPP on the number and dollar value of commercial activities that are converted to contract or converted to in-house performance. In addition, each agency is to report the dollar savings anticipated from such actions. By January 31 of each year the OFPP Administrator is to prepare and submit a report to the Congress describing: (1) the savings from conversions to contract and conversions to in-house performance; (2) the number of Federal employees performing commercial activities; (3) the estimated number of private sector employees performing commercial activities for the government; and (4) the contract number and value for each commercial activity procured by an agency under contract in the preceding year, specifying the name of the contractor and its location. The Comptroller General may provide the OFPP Administrator such assistance as the Administrator considers necessary to establish criteria or measures pertaining to cost savings. The head of each agency must provide the OFPP Administrator upon request with such resources and assistance as the Administrator considers necessary for preparing reports required by this section.

Section 12. Procurement Protests. This section would amend 31 U.S.C. section 3551(2) by providing that GAO bid protest procedures are not applicable to conversions to contract or conversions to in-house performance.

Section 13. Effective Date. This Act would take effect 180 days after the date of enactment.

BLACK HISTORY MONTH—A TIME FOR REFLECTION

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. YATRON. Mr. Speaker, as you know, Black History Month was established to set-aside a special period of time so that our Nation could recognize and celebrate the heritage, achievements and contributions of black Americans to our country. Each year, during the month of February, schools, colleges, universities, religious and social organizations, and communities throughout the United States plan and participate in various activities designed to provide Americans with an opportunity to recognize and appreciate the important role blacks have played in the development of our great Nation.

Black History Month has also served to remind us of the work that still must be done to ensure that all Americans can fully enjoy the blessings of liberty enshrined in and guaranteed by the Constitution. Mr. Speaker, I can recite the names of people like Dr. Martin Luther King, Jr., Rosa Parks, Thurgood Marshall, Harriet Beecher Stowe and thousands of other famous and not so famous Americans who fought against the shameful injustice of racism, bigotry, and discrimination. Their names, however, are meaningless unless we work to understand the goal they were working towards and join them in championing the cause of equality.

When our democratic principles are not applied equally, the Nation's moral health is in jeopardy. As Dr. King declared, "Injustice anywhere is a threat to justice everywhere." Black Americans have made great strides in securing the rights of freedom, justice and equality in the United States, but unfortunately the Nation's work is far from complete.

An integral part of our endeavors to further equality rests partially in the development of a school system that provides the black community with opportunities for advancement through education. Horace Mann Bond, the first black president of Pennsylvania's Lincoln University, correctly noted that education is "the most important factor in elevating the life of a people." He believed that education was an essential and formidable weapon in the fight against racism and that education would "accelerate social change."

At present, our educational programs are failing to reach all segments of our society. High school dropout rates among black youths have risen and the undereducation of black youths continues. These youth, and consequentially the Nation, are at risk, and this crisis in education only serves to undermine the democratic processes in our country. I do not claim to hold the answers to these problems. However, acknowledging that a problem exists is, as we know, the first step toward finding solutions.

Black History Month presents an opportunity for us, as a nation, to reflect on the contributions of black Americans, to recognize that there is still much work to be done, and to rededicate ourselves to promoting the American creed that all men are created equal. Mr. Speaker, this challenge confronts all Americans. So, let us use this time as an opportunity to celebrate black history and to reassert the cause of freedom, justice, and equality for all.

REUNIFICATION OF CYPRUS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. PALLONE. Mr. Speaker, today I join with so many of my colleagues to remind the world of the tragedy of the divided island nation of Cyprus. We are fortunate to be living in a time of great change throughout the world, a time when so many walls and barriers to freedom are tumbling down. During this time, let us not forget the people of Cyprus who have been suffering since the Turkish invasion of 1974.

We were all encouraged by the leadership shown by U.N. Secretary General Javier Perez de Cuellar in initiating talks between President Vassiliou and Rauf Danktash, the Turkish Cypriot leader. However, our hopes that Cyprus would soon be reunified have been diminished by the intransigence of Danktash and the subsequent breakdown of the sponsored talks.

The Cyprus issue is not simply a parochial dispute between Greece and Turkey; it involves the rule of law and the fundamental principles of democratic government. There are presently 35,000 Turkish troops and 60,000 Turkish colonists in Northern Cyprus; 200,000 Greek Cypriots remain refugees in their own land.

Mr. Speaker, a barbed wire barricade commonly referred to as the "Green Line" presently physically divides the island nation of Cyprus. Let us hope that we shall soon see the dismantling of the "Green Line" and the reunification of Cyprus.

COMMEMORATING BOB AND SANDY MILLER, BISHOP GORMAN HIGH SCHOOL'S "KNIGHT OF THE GAEL" HONOREES

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. BILBRAY. Mr. Speaker, it is with great pleasure that I rise today to honor two of Nevada's most respected and admired leaders, Gov. Bob Miller and First Lady Sandy Miller. On Wednesday, March 7, 1990, Bishop Gorman High School will dedicate its eighth annual "Knight of the Gael" to the Governor and first lady. The Millers will be recognized for their contributions not only to Bishop Gorman High School, but also to the Las Vegas community and the State of Nevada. They are both truly deserving of this honor.

Governor Miller has been a preeminent State leader, dedicated to serving the citizens of Nevada for many years. The Chicago born Governor began calling Nevada home at an early age. He attended Bishop Gorman High School and upon graduation in 1963, commenced studies at the University of Santa Clara. Graduating with a B.A. in political science in 1967, he went on to receive his juris doctor degree from Loyola Law School in Los Angeles in 1971, all the while acting as part-time deputy sheriff in Las Vegas and Los Angeles.

Bob returned to Nevada to practice law and was employed as a deputy District Attorney for Clark County. In 1973, he became the first legal adviser to the Las Vegas Metropolitan Police Department. During 1975–78, Bob was the Las Vegas Township Justice of the Peace, and in 1979 he was elected Clark County District Attorney. Reelected in 1982, he became the first Clark County District Attorney in modern history to win reelection. Also that year, Bob was chosen by President Reagan to serve on the nine-member President's Task Force on Victims of Crime. In 1987, he went on to become the Lieutenant Governor of the State of Nevada, and in 1989, following Governor Bryan's election to the U.S. Senate, Bob Miller became Nevada's Acting Governor.

Sandy, born in Denver, CO, has been a resident of Nevada since 1951 and an active community and civic leader. Attending both the University of Nevada, Reno and Las Vegas, she received a B.S. in education from UNLV in 1971. Later that year she attended the Lexington School for the Deaf in New York, and returned to teach the aurally handicapped at the Ruby Thomas Elementary School in Las Vegas for 4 years. A committed advocate for children with learning disabilities and representative for teachers in politics, she prepared and lobbied legislative proposals and worked on the design committee for the deaf education wing at Ruby Thomas.

Her energy and commitment to helping and educating people is shown in her dedication to civic work. She is on the advisory board of the University of Nevada, Young Volunteers of Nevada, the Children's Museum of Carson City, the Nevada Museum of Art and New Horizons, a learning disability group. Her support has reached numerous charities including work with a literacy and "Say No To Drugs" Program, the Children's Inn of Greater Las Vegas, Nevada Women's Fund, Junior League, PTA,, the American Cancer Society's special projects, and March of Dimes.

Mr. Speaker, by any standard—be it professional contributions, civic leadership or community service—Bob and Sandy Miller represent the finest in Nevada's commitment to excellence. They have established themselves as outstanding leaders, giving much of their time and energy to the people of our State. I urge my colleagues to join me today in commending the Governor and first lady in their well-deserved recognition for their contributions and loyalty to Bishop Gorman and to Nevada.

NATIONAL VISITING NURSES ASSOCIATION WEEK

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. CONTE. Mr. Speaker, I rise today to honor the Visiting Nurses Association of western Massachusetts. During the week of February 18–24, our country will be celebrating National Visiting Nurses Association Week in recognition of the VNA's outstanding and necessary service to our communities.

One of our oldest and most enduring health institutions in America, the VNA's have been providing quality home care for our elderly, our infants and new mothers, and medical-surgical patients of all ages who have needed their special services. In my district, the Visiting Nurse Associations of Holyoke, Pittsfield, Greenfield, Pioneer Valley, Easthampton, Northampton and others have all been instrumental in bringing compassionate, quality home care to the people of western Massachusetts. They have all brought dignity to the medical and social needs of the terminally ill.

The complexity of new medical technology is a major challenge facing home care nurses today. These dedicated and committed professionals deserve our special recognition and support as they keep pace with the rapidly changing demands of the population.

I especially want to commend the oldest VNA in my district, the Holyoke Visiting Nurse Association, which has been serving my district for 85 years. The Holyoke VNA has been a leader in establishing a new hospice life care program for the terminally ill. By working with a committed team of health care professionals and volunteers, the Holyoke VNA Hospice Program is pioneering new approaches to caring for the sick and dying. Community support for the hospice has been heartening: both the St. Peter's Lutheran Church and the Second Congregational Church of Holyoke have been generous in their support of the hospice program.

MEDICARE PART A BUDGET CUTS

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. WALSH. Mr. Speaker, I rise today to express my extreme disappointment with the recently proposed budget cuts for Medicare part A. A $3.5 billion cut will have a devastating impact on the hospitals in the State of New York.

In New York, our average hospital bed occupancy rate is 90 to 95 percent compared to a national average of 60 percent. With a Medicare population at 50 to 60 percent of total occupancy, much of the hospital's funds come from the Medicare Program. The advent of the diagnostic related groups [DRG's] means patients are entering hospitals sicker than before. Our aging population is an additional stress on an already lean reimbursement program.

Our hospitals can only take so much in cutbacks before the quality of care is severely compromised. As it stands now, emergency ambulance patients are being refused entrance by nearby emergency rooms because of a lack of beds and staff. We all know that cardiac cases cannot afford the time taken in transporting to a distant facility.

The 60 rural hospitals in New York State are in even further dire straits as their level of reimbursement from Medicare lags far behind that of their urban counterparts. Legislation has been passed to remedy this problem by 1995, but I fear that many of these facilities will not survive that long.

I remind my colleagues that the urgency of this situation may someday affect us. Should one of us be unfortunate enough to require immediate ambulance service to the closest hospital and it is full, we may be the ones sent 50 miles out of town because of inadequate funding.

New York is nearly at the crisis level. Please join me in working to restore some of these life threatening budget cuts.

TRIBUTE TO HIS BEATITUDE MAR RAPHAEL I. BIDAWID, CHALDEAN PATRIARCH OF BABYLON

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. LEVIN of Michigan. Mr. Speaker, I rise today to extend a heartfelt welcome to His Beatitude Mar Raphael I. Bidawid, Chaldean Patriarch of Babylon, on the occasion of his first formal pastoral visit to the United States this week.

The Chaldeans, who today form the largest Christian community in Iraq, are one of the six major Eastern rites of the Catholic Church. In the 17th District of Michigan, they are a thriving people I am proud to have the opportunity to represent.

The contributions of the Detroit-area Chaldeans, numbering roughly 60,000, are significant; they are civic activists laboring for the good of their own and the larger community, they are entrepreneurs who display a relentless work ethic, and they are dedicated professionals.

Clearly, they have woven themselves into the fabric of American life and, indeed, they are proud Americans. But they hold equally proudly and firmly to their traditions. They are unwavering in their devotion to their church, which is the center of their social and cultural as well as their religious life. Perhaps most distinct of all is their deep commitment to family life and family values.

The visit by His Beatitude Mar Raphael I. Bidawid is of major importance. This learned, esteemed and imposing man, elected to this post only last May, is the spiritual head of this proud and devout people. His visit tells the Chaldeans living here that despite the geographical distance between them and their land of origin, they are still inextricably linked to their roots, to their traditions, to their beloved heritage.

I am honored to welcome him.

RECOGNIZING MR. RAYMOND EARL WILLIAMS

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. COURTER. Mr. Speaker, it is my pleasure to recognize Mr. Raymond Earl Williams, former corporate vice president, labor relations, on his retirement from AT&T. Mr. Williams worked for AT&T for 38 years.

Mr. Williams, 63 years of age, was very innovative as a labor relations executive. He was a proponent of the constructive union/management relationship as well as an advocate of the national bargaining concept. One of Mr. Williams' higher achievements was his instrumental negotiating of the first ever family care plan on a national scope. With this and the help from AT&T, he was able to create a

$5 million family care fund, which is now known as the Williams Fund.

Most recently, Mr. Raymond Williams won the 1989 National Womens Political Caucus Award and had the distinction of being appointed by Ronald Reagan and serving on the President's Advisory Committee on Mediation and Conciliation.

Mr. Williams presently resides in Madison, NJ, with his wife, Mary, of 35 years. He has three children and four grandchildren.

On this occasion of his retirement, I extend my congratulations to Raymond and wish him continued success and best wishes for the future.

SALUTE TO DOROTHY P. (DOTTIE) MARKS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. MILLER of California. Mr. Speaker, I want to share with you the outstanding career of Dorothy P. "Dottie" Marks, who retired on December 29, 1989, after 25 years of dedication and hard work for the city of Antioch, CA.

Dottie began her career with the city of Antioch as deputy city clerk in 1964. In 1972, she put these skills to use in her elected position as city clerk. In appreciation of the quality of her work, the residents of Antioch reelected her city clerk five times; each time she received the greatest number of votes in the city's history. Dottie is also a certified municipal clerk and an active member of the International Institute of Municipal Clerks and City Clerks Association of California.

In addition to her responsibilities to Antioch and its residents, Dottie balances her time with various community organizations. She has belonged to groups such as the Young Ladies Institute, the Soroptimists International of Antioch, Delta Christian Foundation, Bocce Ball Federation, California State Elected Officials, Delta Learning Center Board of Directors, Antioch Historical Society, Antioch/Chichibu Sister City, and the Delta Memorial Hospital Auxiliary.

Although her career required much of her valuable time, Dottie was still able to find enjoyment in her many hobbies and with her two children, Cheryl and Gregory, and her husband Joe.

Mr. Speaker, I ask that my colleagues in the House of Representatives join with me in congratulating Dottie Marks for her outstanding career with the city of Antioch and to wish her the very best in her retirement.

TRIBUTE TO THE CHAN YIN CHONG FONG ASSOCIATION

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Ms. PELOSI. Mr. Speaker, I rise today to share with my colleagues the 50th anniversary of the Chan Yin Chong Fong Association in San Francisco on February 18, 1990.

The association was founded by the forefathers of the Chan Yin Chong Fong family on April 25, 1940. During the 18th century, new immigrants to the San Francisco Bay area utilized the association as a place to renew old friendships and to meet acquaintances. Such informal gatherings continue to prompt exchanges of information and serve as a vital communication link for family members.

The membership of the Chan Yin Chong Fong Association includes new immigrants, and first, second, third, and fourth generation Chinese. Their professions include public school principals, union labors, farmers, trade merchants, homemakers, and students. The 400 registered members do not pay dues and all contributions are voluntary.

The main activities of the association are the annual banquet reunion during the Chinese New Year celebration in February and other social activities within the Chinese community.

The Chan Yin Chong Fong Association continues to stress the importance of familial ties and the maintenance of a strong Chinese culture in the Land of the Gold Mountain. I commend their loyalty to their homeland and to their new home in the San Francisco Bay area.

ENCOURAGING NEGOTIATION BETWEEN THE CANADIAN PACIFIC AND CONRAIL

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 20, 1990

Mr. BOEHLERT. Mr. Speaker, like many of my colleagues in the Northeast, I have been following the developments surrounding the sale of the Delaware & Hudson Railroad with great interest. The trustee in bankruptcy has accepted a bid from the Canadian Pacific Railroad, which is currently funding operations on the Delaware & Hudson. Canadian Pacific's bid, however, is contingent upon obtaining trackage rights from Conrail to Hagerstown, MD.

While it would be inappropriate for me to become involved in the selection of the ultimate purchaser of the Delaware & Hudson, it is quite appropriate that I point out the stake which New York State has in seeing that the Delaware & Hudson is acquired and operated by a responsible purchaser. Continued operation of the Delaware & Hudson means a continuation of the services and jobs and revenues that the Delaware & Hudson provides and are so important to our communities.

Canadian Pacific is obviously a viable candidate and one which I would like to see remain in the bidding process. That's why I would like to encourage Conrail to enter into meaningful discussions with Canadian Pacific in order to avoid the loss of this healthy contender for the Delaware & Hudson.

I am not asking that Conrail make concessions which would harm the railroad. On the other hand, I would like to think that discussions with Canadian Pacific might lead to a solution which would benefit all, perhaps most importantly to me, the people of New York, who have always counted on the Delaware & Hudson Railroad to be there when they need it.

HOUSE OF REPRESENTATIVES—*Wednesday, February 21, 1990*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. GEPHARDT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 20, 1990.

I hereby designate the Honorable RICHARD A. GEPHARDT to act as Speaker pro tempore on Wednesday, February 21, 1990.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Reverend James Lyons, pastor, St. Peter's Roman Catholic Church, Volo, IL, offered the following prayer:

Happy are the undefiled in the way who walk in the law of the Lord.—Psalm 119:1.

O Loving Lord, remove from our hearts every selfish temptation to avarice and greed that may darken our minds and dull our sense of justice.

We pray that the laws passed in the U.S. House of Representatives will always mirror and reflect Your eternal justice, Your eternal love, and Your eternal peace. We ask that You give our Representatives the grace, the wisdom, and the fortitude to act in accordance with the light and warmth of Your divine law as expressed in their consciences.

May Your holy will always be done on Earth as it is done in Heaven.

May God bless all of you. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. JAMES] for the purpose of leading the Members in the Pledge of Allegiance.

Mr. JAMES led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 150. An act to amend the Immigration and Nationality Act to provide a procedure for an alien who dies while serving on active-duty with the United States Armed Forces during certain periods of hostilities to be considered a citizen of the United States at the time of the alien's death; and

H.R. 2281. An act to amend the Elementary and Secondary Education Act of 1965 to extend the authorization for certain school dropout demonstration programs.

REV. JAMES LYONS, PASTOR, ST. PETER'S ROMAN CATHOLIC CHURCH, VOLO, IL

(Mr. CRANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRANE. Mr. Speaker, Father James Lyons is the pastor of St. Peter's Roman Catholic Church in Volo—in the 12th Congressional District of Illinois. He has been pastor at St. Peter's for the past 6 years.

In addition to his duties there, he teaches theology at St. Mary's of the Lake Seminary in Mundelein, IL. He was ordained in 1951 at Mundelein.

His theology courses center around the works of St. Thomas Aquinas and Cardinal John H. Newman.

A native Chicagoan, Father Lyons served as chaplain of St. George's and Palos Community Hospitals. He was an associate pastor at the parishes of Sacred Heart in Hubbard Woods, St. Gertrude's on Chicago's north side, and the Nativity of Our Lord on the city's south side.

Father Lyons is very active in the prolife movement.

He has been a participant and leader in the Great Books Program, dealing with adult education.

He is very concerned about the need for strong international laws and an international community to prevent wars.

It has certainly been a privilege to have Father Lyons give the opening prayer at today's session of the House of Representatives. And I know that Congressman HENRY HYDE, a good friend of Father Lyons, too, wishes him the very best in his religious endeavors.

I might add one other point, Mr. Speaker, Volo, IL, is a very small community, but it has one of the biggest hearts in my district and it focuses around the work of Father Lyons of St. Peter's.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that during the joint meeting to receive His Excellency Vaclav Havel, only the doors immediately opposite the Speaker and those on his left and right will be open.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 20, 1990.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 2:47 p.m. on Tuesday, February 20, 1990 said to contain a message from the President waiving the application of certain subsections of the Trade Act of 1974 with regard to Czechoslovakia.

With great respect, I am,
Sincerely yours,

DONNALD K. ANDERSON,
Clerk, House of Representatives.

WAIVER OF CERTAIN TRADE PROVISIONS WITH RESPECT TO CZECHOSLOVAKIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-151)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

(For message, see proceedings of the Senate of Tuesday, February 20, 1990, at page S1252.)

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, February 7, 1990, the House will stand in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 8 minutes a.m.), the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HIS EXCELLENCY VACLAV HAVEL, PRESIDENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC

The SPEAKER of the House presided.

The Doorkeeper, the Honorable James T. Molloy, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort His Excellency Vaclav Havel into the Chamber:

The gentleman from Missouri [Mr. GEPHARDT];

The gentleman from Florida [Mr. FASCELL];

The gentleman from Michigan [Mr. BONIOR];

The gentleman from Maryland [Mr. HOYER];

The gentleman from New York [Mr. SOLARZ];

The gentleman from New York [Mr. MRAZEK];

The gentleman from Illinois [Mr. MICHEL];

The gentleman from Georgia [Mr. GINGRICH];

The gentleman from Michigan [Mr. BROOMFIELD];

The gentleman from California [Mr. LEWIS];

The gentleman from Oklahoma [Mr. EDWARDS]; and

The gentlewoman from Rhode Island [Ms. SCHNEIDER].

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Vaclav Havel into the Chamber:

The Senator from Maine [Mr. MITCHELL];

The Senator from California [Mr. CRANSTON];

The Senator from Rhode Island [Mr. PELL];

The Senator from South Carolina [Mr. HOLLINGS];

The Senator from Delaware [Mr. BIDEN];

The Senator from Arkansas [Mr. BUMPERS];

The Senator from Michigan [Mr. LEVIN];

The Senator from Illinois [Mr. SIMON];

The Senator from Kansas [Mr. DOLE];

The Senator from Wyoming [Mr. SIMPSON];

The Senator from Mississippi [Mr. COCHRAN];

The Senator from South Carolina [Mr. THURMOND];

The Senator from Indiana [Mr. LUGAR];

The Senator from Minnesota [Mr. BOSCHWITZ]; and

The Senator from South Dakota [Mr. PRESSLER].

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 8 minutes a.m., the Doorkeeper announced the President of the Czechoslovak Socialist Republic.

The President of the Czechoslovak Socialist Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and personal pleasure to present to you His Excellency Vaclav Havel, President of the Czechoslovak Socialist Republic.

[Applause, the Members rising.]

ADDRESS BY HIS EXCELLENCY VACLAV HAVEL, PRESIDENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC

(The following address was delivered in Czech, with a simultaneous translation in English.)

President HAVEL. Dear Mr. Speaker, dear Mr. President, dear Senators, and Members of the House, ladies and gentlemen:

My advisers advised me to speak on this important occasion in Czech. I don't know why. Perhaps they wanted you to enjoy the sweet sounds of my mother tongue.

The last time they arrested me, on October 27, of last year, I didn't know whether it was for 2 days or 2 years.

Exactly 1 month later, when the rock musician Michael Kocab told me that I would probably be proposed as a Presidential candidate, I thought it was one of his usual jokes.

On the 10th of December 1989, when my actor friend Jiri Bartoska, in the name of the Civic Forum, nominated me as a candidate for the office of President of the Republic, I thought it was out of the question that the Parliament we had inherited from the previous regime would elect me.

Nineteen days later, when I was unanimously elected President of my country, I had no idea that in 2 months later I would be speaking in front of this famous and powerful assembly, and that what I say would be heard by millions of people who have never heard of me and that hundreds of politicians and political scientists would study every word I say.

When they arrested me on October 27, I was living in a country ruled by the most conservative Communist government in Europe, and our society slumbered beneath the pall of a totalitarian system. Today, less than 4 months later, I am speaking to you as the representative of a country that has set out on the road to democracy, a country where there is complete freedom of speech, which is getting ready for free elections, and which wants to create a prosperous market economy and its own foreign policy.

It is all very extraordinary.

But I have not come here to speak for myself or my feelings, or merely to talk about my own country. I have used this small example of something I know well, to illustrate something general and important.

We are living in very extraordinary times. The human face of the world is changing so rapidly that none of the familiar political speedometers are adequate.

We playwrights, who have to cram a whole human life or an entire historical era in a 2-hour play, can scarcely understand this rapidity ourselves. And if it gives us trouble, think of the trouble it must give to political scientists, who spend their whole lives studying the realm of the probable. And have even less experience with the realm of the improbable than us, the playwrights.

Let me try to explain why I think the velocity of the changes in my country, in Central and Eastern Europe, and of course in the Soviet Union itself, has made such a significant impression on the face of the world today, and why it concerns the fate of us all, including you Americans. I would like to look at this, first from the political point of view, and then from a point of view that we might call philosophical.

Twice in this century, the world has been threatened by a catastrophe; twice this catastrophe was born in Europe, and twice you Americans, along with others, were called upon to save Europe, the whole world and yourselves. The first rescue mission—among other things—provided significant help to us Czechs and Slovaks.

Thanks to the great support of your President Wilson, our first President, Tomas Garrigue Masaryk, could found our modern independent state. He

founded it, as you know, on the same principles on which the United States of America had been founded, as Masaryk's manuscripts held by the Library of Congress testify.

In the meantime, the United States made enormous strides. It became the most powerful nation on Earth, and it understood the responsibility that flowed from this. Proof of this are the hundreds of thousands of your young citizens who gave their lives for the liberation of Europe, and the graves of American airmen and soldiers on Czechoslovak soil.

But something else was happening as well: the Soviet Union appeared, grew, and transformed the enormous sacrifices of its people suffering under totalitarian rule, into a strength that, after World War II, made it the second most powerful nation in the world. It was a country that rightly gave people nightmares, because no one knew what would occur to its rulers next and what country they would decide to conquer and drag into their sphere of influence, as it is called in political language.

All of this taught us to see the world in bipolar terms, as two enormous forces, one a defender of freedom, the other a source of nightmares. Europe became the point of friction between these two powers and thus it turned into a single enormous arsenal divided into two parts. In this process, one half of the arsenal became part of that nightmarish power, while the other—the free part—bordering on the ocean and having no wish to be driven into it, was compelled, together with you, to build a complicated security system, to which we probably owe the fact that we still exist.

So you may have contributed to the salvation of us Europeans, of the world and thus of yourselves for a third time: you have helped us to survive until today—without a hot war this time—but merely a cold one.

And now what is happening is happening: the totalitarian system in the Soviet Union and in most of its satellites is breaking down and our nations are looking for a way to democracy and independence. The first act in this remarkable drama began when Mr. Gorbachev and those around him, faced with the sad reality of their country, initiated their policy of "perestroika." Obviously they had no idea either what they were setting in motion or how rapidly events would unfold. We knew a lot about the enormous number of growing problems that slumbered beneath the honeyed, unchanging mask of socialism. But I don't think any of us knew how little it would take for these problems to manifest themselves in all their enormity, and for the longings of these nations to emerge in all their strength. The mask fell away so rapidly that, in the flood of work, we have literally no time even to be astonished.

What does all this mean for the world in the long run? Obviously a number of things. This is, I am firmly convinced, a historically irreversible process, and as a result Europe will begin again to seek its own identity without being compelled to be a divided armory any longer. Perhaps this will create the hope that sooner or later your boys will no longer have to stand on guard for freedom in Europe, or come to our rescue, because Europe will at last be able to stand guard over itself. But that is still not the most important thing: the main thing is, it seems to me, that these revolutionary changes will enable us to escape from the rather antiquated straitjacket of this bipolar view of the world, and to enter at last into an era of multipolarity. That is, into an era in which all of us—large and small—former slaves and former masters—will be able to create what your great President Lincoln called the family of man. Can you imagine what a relief this would be to that part of the world which for some reason is called the Third World, even though it is the largest?

I don't think it's appropriate simply to generalize, so let me be specific:

First, as you certainly know, most of the big wars and other conflagrations over the centuries have traditionally begun and ended on the territory of modern Czechoslovakia, or else they were somehow related to that area. Let the Second World War stand as the most recent example. This is understandable: whether we like it or not, we are located in the very heart of Europe, and thanks to this, we have no view of the sea, and no real navy. I mention this because political stability in our country has traditionally been important for the whole of Europe. This is still true today. Our government of national understanding, our present Federal Assembly, the other bodies of the state and I myself will personally guarantee this stability until we hold free elections, planned for June. We understand the terribly complex reasons, domestic political reasons above all, why the Soviet Union cannot withdraw its troops from our territory as quickly as they arrived in 1968. We understand that the arsenals built there over the past 20 years cannot be dismantled and removed overnight. Nevertheless, in our bilateral negotiations with the Soviet Union, we would like to have as many Soviet units as possible moved out of our country before the elections, in the interests of political stability. The more successful our negotiations, the more those who are elected in our places will be able to guarantee political stability in our country even after the elections.

Second, I often hear the question: How can the United States of America help us today? My reply is as paradoxical as the whole of my life has been: You can help us most of all if you help the Soviet Union on its irreversible, but immensely complicated road to democracy. It is far more complicated than the road open to its former European satellites. You yourselves know best how to support, as rapidly as possible, the nonviolent evolution of this enormous, multinational body politic toward democracy and autonomy for all of its peoples. Therefore, it is not fitting for me to offer you any advice. I can only say that the sooner, the more quickly, and the more peacefully the Soviet Union begins to move along the road toward genuine political pluralism, respect for the rights of nations to their own integrity and to a working—that is a market—economy, the better it will be, not just for Czechs and Slovaks, but for the whole world. And the sooner you yourselves will be able to reduce the burden of the military budget borne by the American people. To put it metaphorically: The millions you give to the East today will soon return to you in the form of billions in savings.

Third, it is not true that the Czech writer Vaclav Havel wishes to dissolve the Warsaw Pact tomorrow and then NATO the day after that, as some eager journalists have written. Vaclav Havel merely thinks what he has already said here, that for another hundred years, American soldiers shouldn't have to be separated from their mothers just because Europe is incapable of being a guarantor of world peace, which it ought to be, in order to make some amends, at least, for having given the world two world wars. Sooner or later Europe must recover and come into its own, and decide for itself how many of whose soldiers it needs so that its own security, and all the wider implications of that security, may radiate peace into the whole world. Vaclav Havel cannot make decisions about things that are not proper for him to decide. He is merely putting in a good word for genuine peace, and for achieving it quickly.

Fourth, Czechoslovakia thinks that the planned summit conference of countries participating in the Helsinki process should take place soon, and that in addition to what it wants to accomplish, it should aim to hold the so-called Helsinki II conference earlier than 1992, as originally planned. Above all, we feel it could be something far more significant than has so far seemed possible. We think that Helsinki II should become something equivalent to the European peace conference, which has not yet been held; one that would finally put a formal end to the Second World War and all its unhappy consequences. Such a conference would officially bring a future

democratic Germany, in the process of unifying itself, into a new pan-European structure which could decide about its own security system. This system would naturally require some connection with that part of the globe we might label the "Helsinki" part, stretching westward from Vladiovostok all the way to Alaska. The borders of the European states, which by the way should become gradually less important, should finally be legally guaranteed by a common, regular treaty. It should be more than obvious that the basis for such a treaty would have to be general respect for human rights, genuine political pluralism and genuinely free elections.

Fifth, naturally we welcome the initiative of President Bush, which was essentially accepted by Mr. Gorbachev as well, according to which the number of American and Soviet troops in Europe should be radically reduced. It is a magnificent shot in the arm for the Vienna disarmament talks and creates favorable conditions not only for our own efforts to achieve the quickest possible departure of Soviet troops from Czechoslovakia, but indirectly as well for our own intention to make considerable cuts in the Czechoslovak Army, which is disproportionately large in relation to our population. If Czechoslovakia were forced to defend itself against anyone, which we hope will not happen, then it will be capable of doing so with a considerably smaller army, because this time its defense would be—not only after decades but after even centuries—supported by the common and indivisible will of both its nations and its leadership. Our freedom, independence, and our newborn democracy have been purchased at great cost, and we shall not surrender them. For the sake of order, I should add that whatever steps we take are not intended to complicate the Vienna disarmament talks, but on the contrary, to facilitate them.

Sixth, Czechoslovakia is returning to Europe. In the general interest and in its own interest as well, it wants to coordinate this return—both politically and economically—with the other returnees, which means, above all, with its neighbors the Poles and the Hungarians. We are doing what we can to coordinate these returns. And at the same time, we are doing what we can so that Europe will be capable of really accepting us, its wayward children. Which means that it may open itself to us, and may begin to transform its structures—which are formally European but de facto Western European—in that direction, but in such a way that it will not be to its detriment, but rather to its advantage.

Seventh, I have already said this in our parliament, and I would like to repeat it here, in this Congress, which is architecturally far more attractive: for many years, Czechoslovakia—as someone's meaningless satellite—has refused to face up honestly to its coresponsibility for the world. It has a lot to make up for. If I dwell on this and so many important things, it is only because I feel—along with my fellow citizens—a sense of culpability for our former reprehensible passivity, and a rather ordinary sense of indebtedness.

Eighth, we are of course delighted that your country is so readily lending its support to our fresh efforts to renew democracy. Both our peoples were deeply moved by the generous offers made a few days ago in Prague at the Charles University, one of the oldest in Europe, by your Secretary of State, Mr. James Baker. We are ready to sit down and talk about them.

Ladies and gentlemen, I've only been president for 2 months and I haven't attended any schools for presidents. My only school was life itself. Therefore I don't want to burden you any longer with my political thoughts, but instead I will move on to an area that is more familiar to me, to what I would call the philosophical aspect of those changes that still concern everyone, although they are taking place in our corner of the world.

As long as people are people, democracy in the full sense of the word will always be no more than an ideal; one may approach it as one would a horizon, in ways that may be better or worse, but it can never be fully attained. In this sense you too are merely approaching democracy. You have thousands of problems of all kinds, as other countries do. But you have one great advantage: You have been approaching democracy uninterruptedly for more than 200 years, and your journey toward the horizon has never been disrupted by a totalitarian system. Czechs and Slovaks, despite their humanistic traditions that go back to the first millennium, have approached democracy for a mere 20 years, between the two world wars, and now for the 3½ months since the 17th of November of last year.

The advantage that you have over us is obvious at once.

The Communist type of totalitarian system has left both our nations, Czechs and Slovaks—as it has all the nations of the Soviet Union and the other countries the Soviet Union subjugated in its time—a legacy of countless dead, an infinite spectrum of human suffering, profound economic decline, and above all enormous human humiliation. It has brought us horrors that fortunately you have not known.

At the same time, however—unintentionally, of course—it has given us something positive: a special capacity to look, from time to time, somewhat further than someone who has not undergone this bitter experience. A person who cannot move and live a somewhat normal life because he is pinned under a boulder has more time to think about his hopes than someone who is not trapped that way.

What I am trying to say is this: we must all learn many things from you, from how to educate our offspring, how to elect our representatives, all the way to how to organize our economic life so that it will lead to prosperity and not to poverty. But it doesn't have to be merely assistance from the well-educated, the powerful and the wealthy to someone who has nothing and therefore has nothing to offer in return.

We too can offer something to you: our experience and the knowledge that has come from it.

This is a subject for books, many of which have already been written and many of which have yet to be written. I shall therefore limit myself to a single idea.

The specific experience I'm talking about has given me one great certainty: Consciousness precedes Being, and not the other way around, as the Marxists claim.

For this reason, the salvation of this human world lies nowhere else than in the human heart, in the human power to reflect, in human meekness and in human responsibility.

Without a global revolution in the sphere of human consciousness, nothing will change for the better in the sphere of our Being as humans, and the catastrophe toward which this world is headed, be it ecological, social, demographic or a general breakdown of civilization, will be unavoidable. If we are no longer threatened by world war, or by the danger that the absurd mountains of accumulated nuclear weapons might blow up the world, this does not mean that we have definitively won. We are in fact far from the final victory.

We are still a long way from that "family of man"; in fact, we seem to be receding from the ideal rather than drawing closer to it. Interests of all kinds: personal, selfish, state, national, group and, if you like, company interests still considerably outweigh genuinely common and global interests. We are still under the sway of the destructive and vain belief that man is the pinnacle of creation, and not just a part of it, and that therefore everything is permitted. There are still many who say they are concerned not for themselves, but for the cause, while they are demonstrably out for themselves and not for the cause at all. We are still destroying the planet that was entrusted to us, and its environment. We still close our eyes to the growing social, ethnic and cultural conflicts in the world. From time to time we say that the anonymous megamachinery we have created for ourselves no longer serves us, but rather

has enslaved us, yet we still fail to do anything about it.

In other words, we still don't know how to put morality ahead of politics, science and economics. We are still incapable of understanding that the only genuine backbone of all our actions—if they are to be moral—is responsibility. Responsibility to something higher than my family, my country, my company, my success. Responsibility to the order of Being, where all our actions are indelibly recorded and where, and only where, they will be properly judged.

The interpreter or mediator between us and this higher authority is what is traditionally referred to as human conscience.

If I subordinate my political behavior to this imperative mediated to me by my conscience, I can't go far wrong. If on the contrary I were not guided by this voice, not even 10 presidential schools with 2,000 of the best political scientists in the world could help me.

This is why I ultimately decided—after resisting for a long time—to accept the burden of political responsibility.

I am not the first, nor will I be the last, intellectual to do this. On the contrary, my feeling is that there will be more and more of them all the time. If the hope of the world lies in human consciousness, then it is obvious that intellectuals cannot go on forever avoiding their share of responsibility for the world and hiding their distaste for politics under an alleged need to be independent.

It is easy to have independence in your program and then leave others to carry that program out. If everyone thought that way, pretty soon no one would be independent.

I think that you Americans should understand this way of thinking. Wasn't it the best minds of your country, people you could call intellectuals, who wrote your famous Declaration of Independence, your Bill of Human Rights and your Constitution and who—above all—took upon themselves the practical responsibility for putting them into practice? The worker from Branik in Prague that your President referred to in his State of the Union message this year is far from being the only person in Czechoslovakia, let alone in the world, to be inspired by those great documents. They inspire us all. They inspire us despite the fact that they are over 200 years old. They inspire us to be citizens.

When Thomas Jefferson wrote that, "Governments are instituted among Men deriving their just Powers from the Consent of the Governed," it was a simple and important act of the human spirit.

What gave meaning to that act, however, was the fact that the author backed it up with his life. It was not just his words, it was his deeds as well.

I will end where I began: history has accelerated. I believe that once again, it will be the human mind that will notice this acceleration, give it a name, and transform those words into deeds.

Thank you.

[Applause, the Members rising.]

At 12 o'clock and 14 minutes p.m. the President of the Czechoslovak Socialist Republic, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order.

The members of the President's Cabinet.

The Ambassadors, Ministers, and chargés d'affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 12 o'clock and 18 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until the hour of 1 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. MAZZOLI] at 1 o'clock and 3 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. NAGLE. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NEW WAVE OF FREEDOM PATTERNED AFTER FOUNDING FATHERS

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, freedom's bell rang today on the floor of this House. If we might refer to Vaclav Havel as the Thomas Jefferson of Czechoslovakia, we would be correct. This poet-playright-philosopher President of Czechoslovakia spoke of the values of free peoples.

He spoke of the values that our American forefathers spread before the world and before our own country. President Havel thanked us all for the young men, the young women, and the mothers and fathers who made sacrifices to preserve and protect freedom.

He talked about Woodrow Wilson, that President who during the first World War led America to make the world safe for democracy. Perhaps he failed in the effort to make it safe for democracy, but President Wilson did in fact spread the idea of democracy that Jefferson had so eloquently articulated.

And it was President Truman who, after the Second World War, said that we will stand and defend freedom, that we will not allow the Iron Curtain to be spread across Europe.

It was that courage and that leadership from Jefferson, Wilson, and Truman that has stood democracy and freedom in good stead and led to President Havel's speech today.

John Kennedy went to Berlin and he said, "Ich bin ein Berliner" and identified every American with freedom and democracy and the human values of which President Havel spoke today.

THE INSPIRATION OF PRESIDENT HAVEL'S WORDS

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, today, we were privileged in this exalted hall to listen to one of the great moral leaders of our time, Vaclav Havel, the quiet playwright, the citizen leader, the President of Czechoslovakia.

His message was inspired as he described for us these "extraordinary times * * * which leave us no time even to be astonished."

The sweet sounds of his mother tongue were sweet sounds indeed. Not only did he lift our collective spirits on what public service should be all about, he reached an even higher plane, in my opinion.

In all of those sweet sounds, there was not one request for money for his own nation. It is like a revolution within the revolution.

Mr. Speaker, in my 32 years in the House of Representatives, I have heard many addresses before joint sessions. But I have never heard a more inspiring and powerful one than we heard today. I almost felt as if I was in the presence of our own Founding Fathers. There was a reverence in this room, I don't know how else to describe it.

With leadership like Vaclav Havel, we can look ahead with hope and confidence in a better, more moral world in our future.

FREEDOM PREVAILS, A GREAT MOMENT FOR DEMOCRACY

(Mr. NAGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NAGLE. Mr. Speaker. President Vaclav Havel's visit to the Congress this morning, was a great moment for democracy. For the first time in decades, Czechoslovakia is no longer a victim of tyranny, but one of Europe's newest democracies; its leader, no longer a despot, but the elected choice of the people.

As we celebrate what the people of Czechoslovakia have accomplished, it is also appropriate to recognize and honor those Americans whose leadership helped keep the dream of democracy alive during the dark years of oppression throughout Eastern Europe:

President Harry Truman, who moved quickly to plant democracy's flag in the rubble of Europe after World War II, with the Marshall plan;

President John F. Kennedy, who inspired a new generation of lovers of freedom with his historic speech at the Berlin Wall;

President Jimmy Carter, who made respect for fundamental human rights a major concern and value in U.S. foreign policy.

While the names I have mentioned here are Democrats, I certainly do not mean to imply that our efforts were partisan. Far from it.

Presidents from both parties supported and worked to strengthen NATO, to secure the Helsinki accords and Helsinki process, and made countless other important contributions over the years.

But in the final analysis, as in Czechoslovakia, the most important contribution was made by the people. It was the American people who supported and paid for Harry Truman's Marshall plan; it was the American spirit President Kennedy expressed at the Berlin Wall; and it was the deeply held values of the American people President Carter championed in his foreign policy.

This is a great day for democracy.

And it is a great day for the American people. We stood with freedom in the face of a long, cold, and bitter wind. And freedom has prevailed.

A TRIBUTE TO HERMINE BECKETT HANNA ON ESTABLISHMENT OF NATIONAL GRANDPARENTS DAY

(Mr. WALSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALSH. Mr. Speaker, I rise today to recognize an outstanding individual, a woman who has dedicated her life to community service. Hermine Beckett Hanna has spent 30 years of her life enriching the lives of senior citizens and gaining recognition for grandparents.

As a result of her continued efforts over those years, grandparents have had a day to call their own. As you know, National Grandparents Day has been celebrated every year since 1979. Hermine's efforts have touched thousands of seniors, including two distinguished former Members of this House, the Honorable William F. Walsh and the late Honorable Claude Pepper, who were with Hermine as she began her endeavor in 1961.

Building on a theme that is gaining momentum in the United States, Hermine has directed her attention to educating the young in our community to the important contributions senior citizens have made, and to the important contributions they are willing to make if asked. Hermine urges the young to adopt a grandparent, not for 1 day a year, not for material giving, but for a lifetime of experience and caring just waiting to be shared with others.

And so, my fellow colleagues, I am pleased to bring Hermine to your attention for her important role in the establishment of Grandparents Day. Her commitment is an example to the Nation, and I wish her well in bringing her message to the children of today, and the grandparents of tomorrow.

□ 1310

LAKE CHAMPLAIN ENVIRONMENTAL CONTROL LEGISLATION

(Mr. MARTIN of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARTIN of New York. Mr. Speaker, today I am joining with my colleague from Vermont, Representative PETER SMITH, in introducing legislation to address current, as well as future, environmental problems in Lake Champlain.

As the sixth largest fresh water lake in the United States, as well as an international body of water, the ecological well-being of Lake Champlain is important to the United States and Canada, alike. Maintaining its recreational, social, and economic assets is important to the surrounding residents, industrial interests and governmental entities. The 600-square-mile lake is suffering environmental damage from point as well nonpoint source pollution. Coordinated management of these resources is imperative and long overdue.

The legislation we are introducing authorizes $25 million to create and implement a 5-year pollution control and restoration program for Lake Champlain. The program includes a management conference to coordinate Federal, State, and local action in the effort. Identical legislation has been introduced in the other body by New York Senators D'AMATO and MOYNIHAN and Vermont Senators JEFFORDS and LEAHY. In 1988, the States of New York and Vermont, and the Canadian province of Quebec entered into a memorandum of understanding to conduct cooperative planning and research for management, protection, and enhancement of Lake Champlain and its environment. Clearly, this is a bipartisan effort to address environmental problems which will not resolve themselves.

The citizens of New York and Vermont have demonstrated their commitment to restoring the environmental integrity of Lake Champlain. The Federal Government must now lend its assistance in this important endeavor, as it has for other water resources vital to our Nation. We must protect all of our waterways from environmental damage, and Lake Champlain is no exception. It deserves our ongoing attention and protection.

We cannot delay any further. Action must be taken now to enact into law the Lake Champlain Special Designation Act. We owe it to current, as well as future, generations of Americans to take responsible action before it really is too late.

TRIBUTE TO MEN AND WOMEN WHO RISKED THEIR LIVES TO SAVE OTHERS IN LOMA PRIETA EARTHQUAKE

(Mr. MINETA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MINETA. Mr. Speaker, on October 17, 1989, the Loma Prieta earthquake struck northern California.

On February 24, 1990, community leaders from throughout my home of Santa Clara County will gather together in a special tribute to the men and women who risked their lives to save others.

We will salute the brave members of the U.S. Navy, U.S. Air Force, and the California Air National Guard who rescued the injured and helped hold our communities together during the crisis.

We will salute their selflessness and the selflessness of their colleagues at Moffett Field Naval Air Station, Onizuka Air Force Base, and throughout the South Bay.

Mr. Speaker, I witnessed the devastation of the earthquake zone. There were many acts of bravery in the aftermath of the disaster. But I can say without fear of contradiction that the contributions of the Navy, Air Force, and Air National Guard will never be forgotten by the people of Santa Clara County.

LAKE CHAMPLAIN PROTECTION BILL

(Mr. SMITH of Vermont asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Vermont. Mr. Speaker, I would like to bring to the attention of this Chamber legislation that my honorable colleague from New York, DAVE O'B. MARTIN, and I have introduced—the Lake Champlain Special Designation Act. It is landmark legislation that is badly needed to protect a great body of water joining our two States from the deadly effects of pollution.

For years we have worried about the increasing pressures of development of this beautiful and plentiful resource, in terms of fisheries and water quality. Now, with passage of this bill, we have the chance to prevent those damages before they occur while cleaning up the effects of old disasters.

I believe this is a model piece of legislation. It seeks to establish an ecologically sound management scheme, early enough in the game to ensure a healthy lake well into the next century.

In introducing this legislation, I would like to commend the members of the two delegations for working together in protecting Lake Champlain. Using this bill as a springboard, future generations of Vermonters and New Yorkers will be able to put their strong environmental convictions into practice, and save this lake as an invaluable natural resource for all Americans.

A THOUSAND MORE IRS AGENTS—FOR WHAT?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute.)

Mr. TRAFICANT. Mr. Speaker, the IRS has become a very expensive maid service for the rich of this country, and they are not a very good one at that. They have testified before committees that they need 1,000 new collection agents because there are 3,385 Americans that owe at least $1 million apiece in back taxes.

Think about that. How could anybody who lives in a basement apartment owe the Government that much money? These are rich people. Now what is going on here?

Congress wants tax cuts for the rich. For what? I say, "The rich ain't paying any taxes anyway."

In addition, Mr. Speaker, what are we going to do with the 1,000 new agents? Are we going to go after truck drivers? Taxicab drivers? Teachers? Housewives? Preachers? Farmers? Even Members of Congress like me?

Mr. Speaker, I am sick and tired of it. Congress should start straightening out our tax problems by straightening out the IRS of this country.

Think about it.

THE 25TH ANNIVERSARY OF THE DEATH OF MALCOLM X

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, today I come on the floor on this the 25th anniversary of the death of Malcolm X, perhaps one of the most misunderstood figures in human history and certainly one of the most misunderstood as it relates to the civil rights movement. He was not a passivist, and he was controversial and challenging. Therefore may people did not understand the total depth of his message.

Mr. Speaker, Malcolm X's real message was one of self-help, education, economic independence, and self-reliance. If he were living today, I suspect because he talked about the pride and dignity that should be exemplified by those who are African-Americans, he would be appalled to discover that there were more African-American men in jails than in colleges. He would certainly be appalled to discover the scourge of drugs that has swept the communities. Here was a man of pride, dignity, and self-respect, and, after his trip to Mecca, he came back and talked about an inclusion of all people and understanding of the necessity for all people to exemplify pride, dignity, and self-respect.

So, on this, the 25th anniversary of the death of Malcolm X, we salute his widow, Betty Shabazz, and we say to the memory of Malcolm, "Thank you for your legacy."

THE EMERGENCY FEDERAL JUDGESHIP ACT OF 1990

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, today our Nation faces a critical shortage of Federal judges. Despite the growing workload of the Federal courts, Congress has not created any new judgeships since 1984.

Today I am introducing the Emergency Federal Judgeship Act, a bill to provide for the creation of 20 new judicial positions. The assignment of these positions will be based on the needs of those Federal district courts that have been most severely impacted by the increase in drug crime related cases.

Federal courts have witnessed an explosion in the number of criminal cases filed, particularly those related to drug felonies.

As we commit more resources and manpower to our drug enforcement and interdiction efforts, the strain on the Federal courts will increase.

Top priority must go to the areas where the drug war has put the greatest demand on our criminal justice system.

I strongly urge my colleagues to join me in cosponsoring this much-needed legislation.

□ 1320

THE TIRE RECYCLING INCENTIVES ACT

(Mr. TORRES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRES. Mr. Speaker, are you aware that for the past week millions of tires have burned out of control at an Ontario, Canada tire dump? This is an environmental catastrophe.

Nearby creeks have been contaminated by the chemical waste-water running from the mountains of burning tires; 1,600 residents have been evacuated.

Farmers have been told not to let their livestock drink the contaminated water because high levels of benzene and phenols were found in the water. This water is contaminated at levels thousands of times higher than levels considered safe. Phenols and benzene cause cancer as well as skin, eye, liver, kidney, and nervous system damage.

Almost 50,000 gallons of oil have been skimmed from the area. Now, the heavily contaminated oil is threatening the ground water.

Tire piles are a universal problem. EPA has estimated that America has 2½ to 3 billion tires stockpiled all across the country. And, at least 10 of these tire piles catch on fire each year. One tire fire alone, in Winchester, VA, burned out of control for 8 months and cost almost $5 million to control.

Tire piles pose a serious problem. Letting these tires sit around, waiting to catch on fire is dangerous and moreover is a waste of a valuable resource.

Tires can, and should be recycled into useful products, like: Rubber-modified asphalt for road construction, or tire derived fuel, as well as a host of other useful products. However, recycling is not occurring because the laws of supply and demand are working against us.

It is cheaper to throw the tire on to the side of the road than to recycle the tire into the road. We have the power to change the market for recycled tire products.

Next week, along with 32 of my colleagues, I will introduce the Tire Recycling Incentives Act, in order to give scrap tires a positive value in the marketplace.

The Tire Recycling Incentives Act would require the tire manufacturer

to guarantee that a certain percentage of the tires manufactured are recycled.

The tire manufacturer could achieve the goal by using reclaimed rubber in the manufacture of new tires or by purchasing recycling credits from a licensed tire recycler.

By instituting this system we will accomplish the twin goals of reducing the danger from the tire piles and increasing the market for recycled used tires.

This market incentive legislation will also be introduced in the Senate by Senator WIRTH and Senator HEINZ, and I would like to urge the rest of my colleagues to join us as well.

INTRODUCTION OF NATIONAL DISASTER PREPAREDNESS INVENTORY ACT

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, I rise today to introduce legislation critical to our Nation's ability to respond to major natural disasters. Last fall, Hurricane Hugo ripped through the Eastern part of the United States and Loma Prieta earthquake devastated northern California leaving behind overwhelmed State and local emergency responders looking to the Federal Government for help.

The Federal Emergency Management Agency [FEMA], whose charter directs it to provide disaster assistance, was in many cases unable to provide adequate information and resources to these distressed areas.

When I toured northern California with three of my House colleagues and the head of the U.S. Fire Administration, I was amazed to learn that FEMA could not provide local emergency responders with a comprehensive computerized list of the skilled personnel and critical equipment which could be used for time-sensitive urban search and rescue operations.

For this reason, I am offering legislation which will specifically direct FEMA to create an active involvement of the people and resources that can be made available to local emergency responders. Giving these on-site experts the ability to analyze their needs for outside assistance will permit FEMA to provide faster and more beneficial aid.

Mr. Speaker, this bill already has 29 bipartisan cosponsors. For most emergencies, the State and local personnel have the training and equipment necessary. For more serious disasters, such as the ones we saw last fall, FEMA ought to be prepared to step in and provide timely and thorough assistance.

PRESIDENT HAVEL AND HUMAN RIGHTS

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, as a number of our previous speakers have mentioned today, we had the great experience of having the President of Czechoslovakia, President Havel, address the body. His speech brought the Members of Congress to their feet as he stirred us with his remarks about democracy and human rights.

Today also, Mr. Speaker, the administration's human rights report on China is being presented to the House Foreign Affairs Committee. It reads as an indictment of Deng Xiaoping. It reads as a description of a massacre that took place in June and the repression that continues and has intensified since then. These two events, President Havel's address about democracy and the human rights report, are related not only by their timing before the House, but also by their relationship to principle.

In his remarks, President Havel said:

If I subordinate my political behavior to this imperative mediated to me by my conscience, I can't go far wrong. If on the contrary I were not guided by this voice, not even ten presidential schools with two thousand of the best political scientists in the world could help me.

When the House voted to support the Chinese students, it brought honor upon this House. In light of President Havel's remarks, I wonder how Members of the Senate who voted against the students can explain in conscience their vote to their children, to their own children.

More will follow on the human rights report when Congress comes into session next week.

HOME RULE IN THE DISTRICT OF COLUMBIA IS A DISASTER

(Mr. McEWEN asked and was given permission to address the House for 1 minute.)

Mr. McEWEN. This morning, Mr. Speaker, hundreds of thousands of man-hours were lost because a car sitting on Interstate 395 was there for well over an hour blocking traffic for over 20 miles to get into the District.

Mr. Speaker, we do not expect a great deal out of the D.C. government. We do not expect them to maintain decent roads. We do not expect them to maintain decent order; but the least we could ask of them is the capacity to direct traffic.

The total incompetence of the D.C. government in Washington, DC, has become an embarrassment to our entire Nation. This experiment in home rule is a disaster. All of us who serve in this Chamber, well over 95 percent of us, have held other positions in government. We have been mayors. We have been township trustees, State legislators, and the rest. I am convinced, Mr. Speaker, that there are well over 2,000 township trustees in my congressional district who with one arm tied behind their backs, could blindfolded do a better job of directing this city than the city council of D.C.

Mr. Speaker, it is high time that this experiment in home rule that has proven to be a disaster for our Nation be terminated, that we return to some sort of logical government whereby the rest of us can function in this city.

CZECH DESCENDANTS IN NEBRASKA HONORED BY PRESIDENT HAVEL'S ADDRESS

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I am sure that I am among all of us who were very pleased and honored to have the address to the joint session of Congress by President Havel, the President of Czechoslovakia. As a Congressman who represents probably more people of Czech-American ancestry than any Member of the Congress, people who have typically been in our State for four and five generations, it was a particular pleasure to hear those remarks and to recall how through the months of November and December people in my district in small communities and large, gathered in front of television sets to watch the velvet revolution unveiled in Prague and other cities of Czechoslovakia.

I have noted with some interest that the leaders of the new Czech Government have not asked for financial assistance. They have asked for an opportunity to learn from us, an opportunity for trade relations to improve between our two countries.

I call the attention of my colleagues to three bills that I have introduced over the last 3 weeks, legislation which would provide for the OPIC Insurance Program to American businesses doing business in Czechoslovakia, eligibility for the Eximbank, and just yesterday a resolution urging Congress to grant, with the assistance of President Bush who has now called for it, most-favored-nation status to Czechoslovakia.

□ 1330

PROVIDING FOR CONSIDERATION OF H.R. 2570, ARIZONA DESERT WILDERNESS ACT OF 1989

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 338 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 338

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2570) to provide for the designation of certain public lands as wilderness in the State of Arizona, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule and each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MAZZOLI). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from California [Mr. PASHAYAN], for purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 338 is an open rule providing for the consideration of H.R. 2570, the Arizona Desert Wilderness Act of 1990. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs.

The rule also makes in order the Interior Committee amendment in the nature of a substitute now printed in the bill as an original text for the purpose of amendment under the 5-minute rule. Each section shall be considered as having been read.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2570 would designate approximately 1.1 million acres of wilderness on Bureau of Land Management [BLM] Lands in Arizona. It would designate 39 wilderness areas, and thereby protect magnificent desert environments in our country. In addition, the bill would release almost 950,000 acres to multiple use management.

The bill, Mr. Speaker, is the result of hearings and careful consultations, I would urge my colleagues to adopt this rule.

Mr. PASHAYAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 338 is an open rule under which the House shall consider legislation designating over 1 million acres of wilderness in Arizona.

The bill made in order by this rule, H.R. 2570, is not scheduled to come before the House until next week. The rule provides that the Committee on Interior and Insular Affairs amendment, which is printed in the bill, shall be original text for the purpose of amendment. The bill shall be considered by sections, with each section considered as read.

Finally, Mr. Speaker, the rule provides for one motion to recommit with or without instructions.

The bill made in order by this rule would designate 39 areas as wilderness, would leave two areas in wilderness-study status, and would organize a third area as a national conservation area.

The bill also would release almost 950,000 acres from interim-wilderness management status to multiple use status.

Mr. Speaker, the gentleman from Arizona [Mr. RHODES] appeared before the Committee on Rules on Tuesday and said that enactment of this bill would be premature because a companion bill, H.R. 2571, is not ready for consideration.

In addition, the administration opposes enactment of H.R. 2570, because many of the areas designated in the bill are still being studied by the Department of the Interior, and the review called for in current law should be completed before final wilderness designations should be made.

Mr. Speaker, the rule is not a matter of controversy and I urge its adoption.

Mr. Speaker, I yield such time as he may require to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I want to rise today to support the open rule for consideration of H.R. 2570, which is known as the Arizona Wilderness Act. I hope next week when this bill is considered we will not see any exciting theater. I do not believe we will, because I think most of the difficult issues have been resolved in a lot of very careful meetings that have taken place between delegation members, staff, and all interested parties in Arizona have been working so long, literally for the last 3 years, on this piece of legislation, a process leading all the way last week through committee markup.

I want to pay special tribute to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Arizona [Mr. UDALL], for the way he has handled this bill and for his willingness to listen to the concerns that others among the delegation and people in Arizona have expressed about various aspects of the legislation.

I would express my concern about the need to resolve the water rights language as it is in this bill. That is one of the reasons we have an open rule, so as we work out this disagreement or this language we will be able to offer that on the floor next week.

I would say that a failure to reach an agreement between the committee and members of the Arizona delegation could cause problems on the floor, and more importantly I think it would cause very serious problems for the legislation in the Senate. This legislation has come too far for us to let that kind of failure occur.

Members and staff have been very successful in reaching agreement to preempt the problems. It would be a shame if this one important generic issue causes unfortunate problems for what I think all Members would agree otherwise is a very meritorious bill.

All in all, the bill is a successful effort to preserve the unique character of Arizona's wild heritage for future visitors and residents alike.

In addition to the water issue I would mention just one unresolved issue that affects an area in my part of the State, a difficult question of jurisdiction relating to the Black Rock Wash Road that leads to the North Santa Theresa Wilderness Area included in H.R. 2570.

This road runs through the San Carlos Apache Indian Reservation. It provides the only access to the wilderness area, as well as privately owned ranch lands for approximately three families. I will offer an amendment on the floor which will clarify the rights of private property owners, land managers, visitors and the tribe relative to problems and conflicts arising from access on this road to the area under consideration. I am continuing to work with all the relevant parties to come to an agreement about how access along this road should be managed.

Mr. Speaker, let me say in a more general way that H.R. 2570 sets aside 1.1 million acres of BLM lands as wilderness. These lands consist of dramatic canyons, winding streams, rugged mountains, and unique desert plains. Just as importantly, however, in this legislation we are going to release 900,000 acres of land from the nether-nether land of wilderness study status and return that land to multiple-use management so that better economic use of that land can be made in the future.

The wilderness decisions we have reached are intended to reflect our respect for the local land managers and for the difficulties they face in manag-

ing hundreds of thousands of acres of lands.

These individuals, the ones who actually walk and work the land that we are discussing, are the best qualified to make the difficult management decisions, in consultation with the citizens who have a stake in how that land is to be used.

We should be grateful those lands in and out of wilderness are both being supervised by experts with a deep and abiding interest in promoting the utilization and protection of our public lands.

Mr. Speaker, I support the content of the wilderness bill, the bill that will be considered next week on the floor of the House, and I support this open rule which allows for consideration of as yet unresolved matters.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Arizona [Mr. UDALL].

□ 1340

Mr. UDALL. Mr. Speaker, I rise in strong support of the rule on H.R. 2570, the Arizona Desert Wilderness Act of 1990. This legislation is of great importance to me personally, the State of Arizona and to the Nation. H.R. 2570 is one-half of a package of wilderness bills that, when enacted, will make Arizona the first State other than Alaska to have substantially completed all its major wilderness reviews.

The other component, H.R. 2571, deals with wilderness on four wildlife refuges in Arizona. Jointly referred to the Merchant Marine and Fisheries Committee, it will be ready for House consideration in the near future.

I introduced H.R. 2570 last June, after the Arizona State office of the Bureau of Land Management had completed its job under section 603 of the Federal Land Policy and Management Act by reviewing and making recommendations on all its roadless lands for possible designation as wilderness.

BLM had studied more than 2 million acres and recommended about half the total. As introduced, my bill would have designated about 1.4 million acres. The entire Arizona congressional delegation, however, has worked together and worked hard on this most difficult subject to produce a compromise that is fair and balanced. After field hearings in Arizona, an additional hearing in Washington and countless hours of consultations and discussions, we reached agreement on a package that designates about 1.1 million acres of wilderness on BLM lands in Arizona.

The Interior Committee endorsed this package on February 7 by voice vote. The bill protects some of the most magnificent desert environments anywhere in the world, Mr. Speaker. For a long time, these were considered the leftovers, the trash lands nobody thought were good enough for the national forests, parks, and wildlife refuges. Those of us who love the desert always cringed at this notion. Now, more and more people understand how special these lands are. The witnesses at our hearings and the mail from our constituents is overwhelming testimony that Arizonans value these lands and want them protected. Nowhere is the pageant of life more intriguing, the solitude more inspiring and the beauty of nature more impressive.

Contrary to what many believe, however, wilderness does not exclude man. So we have provided in this legislation language that protects grazing rights and provides for the modern management of wildlife. We have made many, many boundary adjustments and deletions to accommodate mining and other commercial interests. We also have extended, with the help of Representative JIM KOLBE, the very successful model of the San Pedro Riparian National Conservation Area to the controversial Gila Box and associated streams. This classification provides, I think, an excellent blueprint for strong conservation management under the particular circumstances of the Gila River.

We have one very important matter, Mr. Speaker, that we have not been able to resolve and that is the question of Federal reserved water rights for the wilderness set-aside by H.R. 2570. The delegation is not debating whether there should be such rights—we all agree that there should be—but rather how to insure that they be properly adjudicated and quantified. We are continuing to discuss this very important issue and I hope that we will be able to work this out. But in the event that we cannot, an open rule would fully protect everyone's rights.

So we are happy to support this bill and happy to support an open rule on H.R. 2570.

Mr. PASHAYAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES. Mr. Speaker, I want to speak mostly to the rule and to the situation that faces us next week when we bring the bill to the floor. I want to thank the gentleman from Arizona [Mr. UDALL], chairman of the full committee for requesting this open rule, and the Rules Committee itself for agreeing that an open rule is appropriate for consideration of this bill.

As has been noted, the sole reason for needing an open rule is because we do have an issue outstanding. I along with my colleague from Arizona [Mr. KYL] have been working with the chairman and other members of the committee on resolving this issue.

I think at the suggestion of the chairman we may have worked too hard on this, and we may have worked so hard in trying to cover every conceivable eventuality that we have gotten ourselves all messed up in minutia and perhaps it is time for us to go back to the drawing board and come up with some language that we know will address the issues, and yet does not leave itself open to wondering what would happen in the next scenario.

So I am looking forward to continuing to work with the gentleman from Arizona [Mr. UDALL], in coming up with a proposal that we can bring to the floor next Wednesday, and have the full support of most of the delegation and certainly of the committee and of the House.

Again, I thank the gentleman.

Mr. PASHAYAN. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 386, nays 0, not voting 45, as follows:

[Roll No. 15]

YEAS—386

Ackerman	Burton	Dorgan (ND)
Akaka	Bustamante	Dornan (CA)
Alexander	Byron	Douglas
Anderson	Callahan	Downey
Andrews	Campbell (CA)	Dreier
Annunzio	Campbell (CO)	Duncan
Anthony	Cardin	Dwyer
Applegate	Carper	Dymally
Archer	Carr	Dyson
Armey	Chapman	Early
Aspin	Clarke	Eckart
Atkins	Clay	Edwards (CA)
AuCoin	Clement	Edwards (OK)
Ballenger	Clinger	Emerson
Barnard	Coble	Engel
Bartlett	Coleman (MO)	English
Barton	Coleman (TX)	Erdreich
Bateman	Collins	Evans
Bates	Combest	Fascell
Beilenson	Condit	Fawell
Bennett	Conte	Fazio
Bentley	Conyers	Feighan
Bereuter	Cooper	Fields
Berman	Costello	Fish
Bevill	Coughlin	Flake
Bilbray	Courter	Flippo
Bliley	Coyne	Foglietta
Boehlert	Craig	Ford (MI)
Boggs	Crane	Frank
Bonior	Crockett	Frost
Borski	Dannemeyer	Gallo
Bosco	Darden	Gaydos
Boucher	Davis	Gejdenson
Brennan	de la Garza	Gekas
Broomfield	DeFazio	Gephardt
Browder	DeLay	Geren
Brown (CO)	DeWine	Gillmor
Bruce	Dickinson	Gilman
Bryant	Dicks	Gingrich
Buechner	Dingell	Glickman
Bunning	Dixon	Goodling

Gordon	McCandless	Sawyer
Grandy	McCloskey	Saxton
Grant	McCollum	Schaefer
Green	McCrery	Scheuer
Guarini	McCurdy	Schneider
Gunderson	McDade	Schroeder
Hall (OH)	McDermott	Schuette
Hall (TX)	McEwen	Schumer
Hamilton	McGrath	Sensenbrenner
Hammerschmidt	McHugh	Sharp
Hancock	McMillan (NC)	Shays
Hansen	McMillen (MD)	Shumway
Harris	McNulty	Shuster
Hastert	Meyers	Sikorski
Hatcher	Mfume	Sisisky
Hawkins	Michel	Skaggs
Hayes (IL)	Miller (CA)	Skeen
Hayes (LA)	Miller (OH)	Slattery
Hefley	Mineta	Slaughter (NY)
Hefner	Mollohan	Slaughter (VA)
Henry	Montgomery	Smith (FL)
Herger	Moody	Smith (IA)
Hertel	Moorhead	Smith (NE)
Hiler	Morella	Smith (NJ)
Hoagland	Morrison (CT)	Smith (TX)
Hochbrueckner	Morrison (WA)	Smith (VT)
Holloway	Mrazek	Smith, Denny (OR)
Hopkins	Murphy	
Horton	Murtha	Smith, Robert (NH)
Houghton	Myers	
Hoyer	Nagle	Smith, Robert (OR)
Hubbard	Natcher	
Huckaby	Neal (MA)	Snowe
Hughes	Neal (NC)	Solarz
Hunter	Nelson	Solomon
Hutto	Nielson	Spence
Hyde	Nowak	Spratt
Ireland	Oakar	Staggers
Jacobs	Oberstar	Stallings
James	Obey	Stangeland
Jenkins	Olin	Stark
Johnson (CT)	Owens (NY)	Stearns
Johnson (SD)	Owens (UT)	Stenholm
Jones (GA)	Oxley	Stokes
Jones (NC)	Packard	Studds
Kanjorski	Pallone	Stump
Kaptur	Panetta	Sundquist
Kasich	Parker	Swift
Kastenmeier	Parris	Synar
Kennedy	Pashayan	Tallon
Kennelly	Patterson	Tanner
Kildee	Paxon	Tauke
Kleczka	Payne (NJ)	Taylor
Kolbe	Payne (VA)	Thomas (CA)
Kolter	Pease	Thomas (GA)
Kostmayer	Pelosi	Torres
Kyl	Penny	Torricelli
LaFalce	Perkins	Towns
Lagomarsino	Petri	Traficant
Lancaster	Pickett	Udall
Lantos	Pickle	Unsoeld
Laughlin	Porter	Upton
Leach (IA)	Poshard	Valentine
Leath (TX)	Price	Vander Jagt
Lehman (CA)	Rahall	Visclosky
Lehman (FL)	Rangel	Volkmer
Levin (MI)	Ravenel	Vucanovich
Levine (CA)	Ray	Walgren
Lewis (CA)	Regula	Walker
Lewis (FL)	Rhodes	Walsh
Lewis (GA)	Richardson	Washington
Lightfoot	Ridge	Watkins
Lipinski	Rinaldo	Waxman
Livingston	Roberts	Weber
Long	Robinson	Weiss
Lowery (CA)	Roe	Weldon
Luken, Thomas	Rogers	Wheat
Lukens, Donald	Rohrabacher	Whittaker
Machtley	Ros-Lehtinen	Whitten
Madigan	Rose	Williams
Manton	Roth	Wise
Markey	Roukema	Wolf
Marlenee	Rowland (CT)	Wolpe
Martin (IL)	Rowland (GA)	Wyden
Martin (NY)	Roybal	Yates
Martinez	Russo	Yatron
Matsui	Sabo	Young (AK)
Mavroules	Saiki	Young (FL)
Mazzoli	Sangmeister	

NAYS—0

NOT VOTING—45

Baker	Brooks	Cox
Bilirakis	Brown (CA)	Dellums
Boxer	Chandler	Derrick
Donnelly	Johnston	Sarpalius
Durbin	Jontz	Savage
Espy	Lent	Schiff
Ford (TN)	Lloyd	Schulze
Frenzel	Lowey (NY)	Shaw
Gallegly	Miller (WA)	Skelton
Gibbons	Moakley	Tauzin
Gonzalez	Ortiz	Thomas (WY)
Goss	Pursell	Traxler
Gradison	Quillen	Vento
Gray	Ritter	Wilson
Inhofe	Rostenkowski	Wylie

□ 1404

Mr. ROSE and Mr. COMBEST changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. GINGRICH asked and was given permission to address the House for 1 minute.)

Mr. GINGRICH. Mr. Speaker, I asked for this 1 minute to proceed for the purpose of receiving the schedule.

Mr. Speaker, I yield to the distinguished Democratic caucus chairman, the gentleman from Maryland [Mr. HOYER] for the purpose of receiving the schedule.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Georgia [Mr. GINGRICH], the distinguished minority whip for yielding.

Monday, February 26, the House will meet at 12 noon. There will be no legislative business scheduled.

On Tuesday, February 27, the House will meet at 12 noon. There will be 8 suspensions scheduled:

H.R. 3910, requires the U.S. Department of Education to conduct a comprehensive assessment of programs aided by chapter 1;

H.R. 3315, authorizes funds in fiscal years 1991 and 1992 for the Taft Institute;

H.R. 2544, Public Service Education Assistance Act;

H. Con. Res. 87, concerning Iranian persecution of the Baha'is;

H.R. 4010, provides the Secretary of Agriculture authority regarding the sale of sterile screwworms;

S. 1016, regarding Marion Lake in Marion, KS;

H. Con. Res. 226, acceptance of a statute of Philo T. Farnsworth; and

H. Con. Res. 251, authorizing the use of the rotunda for a dedication ceremony concerning Lajos Kossuth.

On Wednesday, February 28, the House will also meet at 12 noon for the consideration of H.R. 2570, the Arizona Desert Wilderness Act, which will be under an open rule, 1 hour of debate. The rule, of course, has already been adopted.

On Thursday, March 1, the House will meet at 11 a.m. The legislative schedule has not been set for Thursday, but we do have expectations of legislative business on the floor that day. If that is not the case, sufficient notice will be given to apprise Members so that they can plan for Thursday.

On Friday, March 2, the House will not be in session. Conference reports may be brought up at any time, and any further program will be announced later.

Mr. GINGRICH. Let me ask my friend, the gentleman from Maryland, first of all, on February 27, do we expect votes late in the day, and by what time should our colleagues expect to be back here?

I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, we do expect votes late in the day, following all of the consideration of those bills. I would say that probably 3 o'clock would be a safe bet. We will make sure that there are no votes before 3 o'clock on the bills themselves. We obviously cannot protect Members against such procedural votes that may be asked.

Mr. GINGRICH. For the purpose of our colleagues, as long as they plan to be back on Tuesday by 3 o'clock, from work in their district.

Let me also ask the gentleman, as I understand, there is a Price-Fixing Prevention Act, H.R. 1236. There is some curiosity on our side as to when it might be brought up, and whether it will be under suspension.

Mr. HOYER. If the gentleman will continue to yield, with respect to the Price-Fixing Act to which the gentleman referred, that has not yet been scheduled, and I cannot answer the mode in which it will be considered when it is, because I do not believe that has been decided.

Mr. GINGRICH. Also I might ask, as the gentleman knows, March will start next Thursday, and we were curious on our side when the Democratic leadership might be releasing a schedule of dates for March, or when planning might be completed for the month which begins a week from tomorrow.

Mr. HOYER. If the gentleman will continue to yield, the leadership expects to have, as soon as we arrive in March, a March schedule for Members' consideration. We think that is reasonable, and we will have it available.

Mr. GINGRICH. Sometime before the end of next week?

Mr. HOYER. Yes, that is correct.

□ 1310

Mr. GINGRICH. Mr. Speaker, let me raise one other issue. I want to do so in part not to put my friend, the gentleman from Maryland, on the spot, but to say to the Democratic leadership that I believe this will be

coming up routinely from now on. When we begin in March, it will have been 9 months since the President of the United States sent up his drug and violent crime bill.

I have just introduced a bill today which Senator GRAMM is introducing in the Senate tomorrow, and that is the National Drug and Crime Emergency Act. I recognize as a Member that my bill will go to committee and go through a long process of hearings and being marked up. But it does seem on our side of the aisle that when President Bush sends up a bill on drugs and violent crime and sends it up in June in 1 year, the least we could expect is that at some point, say, within 9 or 10 months, we could have hearings on the bill in the committee and we could have some notification of when the President's proposal might come to the floor, recognizing that the Democratic majority might want to rewrite it or offer its own substitute or do something.

But I think the White House legitimately has a complaint when we have nationally had no sign of any activity after 9 months. I wonder if my colleague might want to comment on this.

I am not trying to put the gentleman on the spot, but this is just sort of serving notice on the Democratic leadership that we are going to be fairly consistent from now on in talking about this particular bill.

Mr. Speaker, I am glad to yield to the gentleman from Maryland for a response.

Mr. HOYER. Mr. Speaker, I appreciate the remarks of the gentleman from Georgia.

I would point out, as the gentleman well knows, that the Democratic leadership and the Republican leadership in both 1986 and 1988 promulgated and passed and sent to the President to be signed major pieces of legislation dealing with the drug crisis in America. That is not to say that we have gone far enough.

As the gentleman knows, the President's package, along with other legislation that has been introduced by Members on both sides of the aisle, is under consideration by the committees, and we would expect a timely report by those committees to supplement the major pieces of legislation that we passed in 1986 and 1988.

Mr. GINGRICH. Mr. Speaker, let me just say in what I hope is sort of a very fair and friendly manner that I am appreciative of the new tone of the leadership over the last 8 or 9 months, but at the same time I think we do have an obligation on our side to help President Bush pass his violent crime and drug legislation.

So let me just suggest that next week we will probably reraise the question. In the interim the gentleman's leadership might want to talk with Chairman BROOKS and others to see if we might begin to look at some dates. We would like to do it in a bipartisan way. We think that would be the better way to do it. The gentleman is right, in past years we have succeeded that way. I would just hope that maybe next week the gentleman could tell us when we could bring that kind of a bill up.

Mr. HOYER. Mr. Speaker, let me say to the gentleman that we will certainly try to be in that position.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from Maryland, and I yield back the balance of my time.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Maryland?

There was no objection.

ADJOURNMENT FROM THURSDAY, FEBRUARY 22, 1990, TO MONDAY, FEBRUARY 26, 1990

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, February 22, 1990, it adjourn to meet at noon on Monday, February 26, 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, FEBRUARY 28, 1990

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, February 27, 1990, it adjourn to meet at noon on Wednesday, February 28, 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

NATIONAL QUARTER HORSE WEEK

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 186) designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Mr. Speaker, reserving the right to object, I take this time simply to identify the chief sponsor of this joint resolution, our colleague, the gentleman from Texas [Mr. SARPALIUS].

Mr. Speaker, having made that identification and thanking the gentleman for getting the requisite number of cosponsors, I withdraw my reservation of objection.

Mr. SARPALIUS. Mr. Speaker, Senate Joint Resolution 186 and House Joint Resolution 345 designating the week of March 1 through March 7, 1990 as "National Quarter Horse Week" passed the House last week, and I want to personally thank the Members who cosigned this joint resolution.

The American Quarter Horse Association was founded on March 15, 1940 to record and preserve the pedigrees of the American quarter horses and continued to serve such purposes. This association has developed into the largest equine registry in the world, with 200,000 individuals and 2,800,000 American quarter horses registered in the United States and 62 foreign countries.

In the late 1940's the national headquarters office was moved from Fort Worth, TX, to Amarillo, TX. Having outgrown its facilities, in 1983 the headquarters was moved to its present beautiful, modern building on I–40. We are very proud that this association has chosen to call Amarillo home and invite you to stop by to visit its headquarters whenever you may be in our area. Next year the association will open the American Quarter Horse Heritage Center and Museum in Amarillo to showcase the horse's historical role and house the group's hall of fame.

The support of the American Quarter Horse Association board of directors from across the Nation was invaluable in passing this resolution. I know many of you received personal calls or letters from those members in your States. Our special thanks to each of them for their assistance. Again, I want to thank you for your interest and support of this valuble industry.

As members of this association meet in Fort Worth, TX, this week for their annual meeting and to celebrate 50 successful years, I send my heartiest congratulations and best wishes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. Res. 186

Whereas the American Quarter Horse Association was founded on March 15, 1940, to record and preserve the pedigrees of American quarter horses, and continues to serve such purposes;

Whereas the American quarter horse has played a significant role in the development of the United States and contributed to the western heritage of the Nation;

Whereas the American Quarter Horse Association has developed into the largest equine registry in the world, with more than

two million eight hundred thousand American quarter horses and two hundred thousand individuals located in the United States and sixty-two foreign countries;

Whereas the American quarter horse industry has become invaluable to the agriculture industry of the Nation, and American quarter horses are enjoyed by more individuals than any other breed of horse in the world; and

Whereas the American Quarter Horse Association celebrates its fiftieth anniversary in March 1990; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of March 1 through March 7, 1990, is designated as "National Quarter Horse Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ISRAEL ACCUSES PLO OF CONTINUING TERRORISM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, it is a critical time in the ongoing search for a lasting peace in the Middle East. An article in today's Washington Post, "Israel Accuses PLO of Continuing Terrorism," states that the United States has agreed that there is evidence that Arafat's group itself is responsible for the latest terrorist raid which is a clear violation of U.S. conditions to sustain the dialog.

It was over a year ago that the United States is said to have begun substantive dialog with the PLO because Arafat articulated certain formulations demanded by the United States for 13 years. Despite the dialog, terrorists acts undertaken by the PLO and its member groups continue to pose obstacles to the peace process.

The clock is ticking. We anxiously await the report of State Department's report of the PLO Commitments Compliance Act of 1989. The threats to Israel's sovereignty are not deferred by our bureaucratic deadlines.

[From the Washington Post, Feb. 21, 1990]

ISRAEL ACCUSES PLO OF CONTINUING TERRORISM

ACTS SEEN VIOLATING 1988 PLEDGE BY ARAFAT

(By Jackson Diehl)

Jerusalem, Feb. 20—As efforts to arrange Israeli-Palestinian negotiations reach a crucial phase, the United States and Israel are at odds over what the government here says have been clear violations by the Palestine Liberation Organization of its 1988 pledge to give up terrorism.

Despite repeated protests by Israel, the United States has conducted a dialogue with the PLO over the last 14 months and tacitly conceded the organization an indirect role in the current Middle East peace process. In theory, Washington has strictly conditioned the connection on adherence by the PLO to Chairman Yasser Arafat's November 1988 declaration recognizing Israel and renouncing acts of terror against civilian targets.

Israeli officials, however, have been arguing to the Bush administration with increasing vehemence that PLO attacks against Israel have not ceased. Since the beginning of 1989, security officials here say, there have been at least six attempts to penetrate Israel's northern border by guerrillas associated with the Democratic Front for the Liberation of Palestine, a leftist faction within the PLO. The most recent was late last month by a group apparently aiming to attack a kibbutz in northern Israel.

Moreover, senior Israeli officials say they have presented the United States with evidence that Arafat's own Fatah movement launched a raid from Egypt into Israel's Negev desert on Dec. 5. A heavily armed group of five guerrillas crossed the border that night, but were killed by Israeli army troops before they could carry out any attacks.

Defense Minister Yitzhak Rabin told a closed session of Israel's parliament recently that "there is no argument between our military and [U.S.] military about the facts" of the alleged Fatah raid. The United States, he said, agreed that the evidence showed Arafat's group was responsible.

Sources here said that the Bush administration had raised the Negev raid with the PLO leadership in Tunis, and that U.S. officials believed the attack had occurred without Arafat's knowledge or authorization. U.S. officials, the sources added, maintain that Israel has not offered Washington any conclusive evidence connecting Fatah to the attack.

Nevertheless, Israeli officials argue that the United States is ignoring its own policy by keeping the incident quiet and by failing to insist that the PLO denounce the attacks and expel members responsible for them.

According to the "talking points" conveyed by the United States to the PLO at their first official meeting in Tunis in December 1988, no American administration would continue the dialogue if terrorism continued "by the PLO or any of its factions." Moreover, Washington stipulated that in the event of a Palestinian act of terrorism, Tunis would be expected to "not only condemn this action publicly but also discipline those responsible for it."

"Not only has the PLO failed to fulfill these requirements, but Arafat's own Fatah organization, in particular, has itself engaged in terrorist acts," said a report recently prepared by the office of Prime Minister Yitzhak Shamir and delivered to U.S. Ambassador William Brown. "It has encouraged and lauded these attacks even in the midst of the dialogue."

The issue has become particularly sensitive in the wake of a terrorist attack this month on a tour bus outside Cairo in which nine Israelis died. Although the PLO is not suspected of involvement in the incident, it failed to condemn it.

Israel is also pressing the United States about the various commando attacks because the PLO's present role as a silent partner in the peace process is a major irritant to Shamir and the leadership of his right-wing Likud Party.

In the latest incident, an Israel army patrol came under attack Jan. 26 near Taibeh in southern Lebanon from at least three fighters from the Democratic Front for the Liberation of Palestine, a pro-Syrian faction of the PLO.

The PLO has frequently said that its abandonment of "terrorism" does not include ending attacks on Israeli military targets such as the patrols in Lebanon, and the United States has tacitly accepted this statement."

Israeli security sources say the group at Taibeh was carrying a map of approaches to the Misgav Am kibbutz in Israel, and wire cutters to penetrate the kibbutz's security fence. Moreover, Israeli reports said, a spokesman of the Democratic Front announced publicly after the attack that the group was headed for Misgav Am.

H.R. 917, SOCIAL SECURITY TRANSITIONAL BENEFIT COMPUTATION ACT OF 1989, REMAINS STIFLED IN COMMITTEE

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous material.)

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, the social security notch inequity has gone on long enough. It is time for us in Congress to send a message to these seniors, who number approximately 7 million, that we do care and this injustice will no longer be ignored. Seniors in my district express strong concern that we here in Washington are neglecting their situation in the hopes that it will soon go away. These seniors are frightened because this is a matter of survival for them. Colleagues, we can not let this legislation die.

Currently, H.R. 917, or the Social Security Transitional Benefit Computation Act of 1989, has 144 cosponsors but remains stifled in committee.

In September of last year, notch advocates initiated a petition to release this bill; 218 signatures are required. I call on my colleagues to join me in bringing this important piece of legislation to the floor for debate.

At this point I submit for the RECORD letters from two of my constituents expressing their concern.

NEIL W. MCCARTHY & ASSOCIATES,
Cleveland, OH, January 24, 1990.

Congressman DONALD LUKENS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LUKENS: Both my wife and I are what is referred to as "Notch Babies": I was born in 1917 and my wife in 1918. We are not asking for anything that we do not deserve, but we would like to have our share the same as all other senior citizens that are drawing Social Security.

I would love to have the existing House of Representatives and the Senate undo the law that was passed when Mr. Carter was President that discriminated against people that were born between 1917 and 1923. Martha McSteen has informed us that Bills S121/H.R. 2707 would correct this error. Would you please vote to correct this ruling?

Sincerely,

NEIL W. MCCARTHY, Sr.

HAMILTON, OH,
February 6, 1990.

Representative DONALD E. LUKENS,

HONORABLE SIR: As a member of the 8th district, I am writing you in regard to a grave injustice created by Congress. It is in regard to the Social Security System. Whose idea was it to penalize those people who were born during the years of 1917-1920? Why were they singled out to be the ones to be the scapegoats?

I keep reading about the tremendous surplus being built up in the account. Even in this morning's Enquirer, it was stated that they were taking in a billion dollars a week, more than they were paying out. I feel this is something that should be rectified. The sooner, the better.

Maybe they are waiting for all in this age group to die off, then, they won't have to settle.

Sincerely,

WILLIAM C. ROSE.

HAMILTON, OH,
February 1, 1990.

Re Sanford/Hefner bill (S. 1212/H.R. 2707).

To Senator John Glenn, Senator Howard M. Metzenbaum, Congressman Donald E. Lukens:

GENTLEMEN: We ask that you support the referenced legislation so that the travesty of unfair social security payments to those citizens of the United States who were born between 1917 and 1926 (known as the "Notch Years), be changed to fair payments the same as those received by all other social security recipients.

The citizens of this country should all receive payments for social security based on the same rates. The persons who were born during the years 1917 through 1926 should be paid monthly checks in the same amounts as those received by citizens born in all other years. The uneven amounts have caused the "Notch Year Citizens" to be paid less under social security and this inequity should be changed. We request your support of the Sanford/Hefner solution to this inequity.

Sincerely,

Mr. and Mrs. JAMES BATDORF.

VIEWS ON PROPOSED STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. MCEWEN] is recognized for 5 minutes.

Mr. McEWEN. Mr. Speaker, I would like just to take a moment to discuss something that has become increasingly popular of late, and that is this idea that somehow or other the District of Columbia should be made a state.

This morning, as I mentioned in my 1-minute, I endured what many of us here endured when our committee meetings had to be postponed because of the traffic situation. I remember some months ago, I was shaving at about 6 in the morning and the television announced that the traffic was backed up for over 20 miles. They had the little red lights flashing on the interstate because the traffic was absolutely stopped because of supposedly an abandoned car on the 14th Street Bridge.

That was at 6 in the morning. I left 45 minutes early. I tried to make accommodations for it. All of us were late, getting in here at 10 or 11 in the morning. Come to find out over 3½ hours passed before the District of Columbia had the capacity to move a car out of the highway.

Again this morning the same sort of thing happened. Traffic was backed up over 20 miles, only because the District of Columbia does not have the capacity to seem to run traffic directions.

I know all the rest of the things the District cannot do; everyone does. I remember how beautiful this city was before we started on this home rule idea. And so now in order for any part of the city to be safe or secure, we have the Department of the Interior and Parks run the mall, and we have the Capitol police direct traffic around the Capitol here, and we have security forces for the White House, but the part that is not under the control of the Federal Government has deteriorated tremendously, much to the embarrassment of all of us who are Americans.

Then we see what happens, with the highest death rate of any place in the world. Something like 3 times as many as on the West Bank of Israel were killed right here in the city of Washington, DC.

This continual embarrassment needs to be answered, not by more government in the District of Columbia but by perhaps returning to the kind of control that made this the beautiful capital of the world that it was prior to the 1970's.

Mr. Speaker, this idea that somehow or other the District of Columbia should have a house of representatives and a state senate and a governor and a lieutenant governor and a state auditor and a secretary of state and an attorney general and all the other state government, with a state capitol—and I am sure they have no intention of doing away with their city council—is just something that someone should begin to speak out about immediately before it is given a certain amount of credibility. Everyone kind of snickers at the idea, but no one thus far in recent weeks has begun to point out the destruction in this city that has taken place since it established home rule.

If the District of Columbia wants to have two senators, then let it go back to Maryland where it came from. As the northern part of Virginia went back to Virginia, let that part of the District of Columbia go back to Maryland, if that is their desire.

□ 1420

Do something that makes it so that when people come to visit here, they do not have to go through the embarrassment to our Nation that somehow or another this is representative of our country.

Mr. Speaker, I remember a hometown friend that came to Washington for the first time. They were coming up here for a dinner at about 6:30 in the evening. He and his wife checked into the Washington Hilton at about 4 o'clock. They have a couple of hours. They hired a cab and drove around. During the 2 hours that they were riding in the cab they saw two dead bodies that were surrounded by police and cordoned off, people that had been murdered on the streets of Washington, DC.

Enough already. I mean those of us who love America, those of us that are involved in government, those of us who deal with township trustees, and city councils, and police chiefs in our districts on a daily basis, who know what competent local government is like, who know what the ability to lead cities is all about know that this city is not being run properly or fairly, and the last thing we ought to do is to add a whole layer of State government on top of it.

Mr. Speaker, I just think that it is high time that somebody begins to speak out about an idea that would go in the right direction, and the best thing that we could do would be to return to the kind of leadership that we had prior to this home rule disaster.

MOST-FAVORED-NATION STATUS FOR ROMANIA, BULGARIA, EAST GERMANY, AND CZECHOSLOVAKIA

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, yesterday President Bush greeted President Havel of Czechoslovakia. And

today the joint Houses of Congress warmly received him.

There can be no doubt that President Havel is a courageous man. And there can be no doubt that the United States ought to help Czechoslovakia in every way possible.

In fact, President Bush yesterday, after meeting with Mr. Havel, announced that he will grant most-favored-nation status to Czechoslovakia. And I commend him for this.

But, Mr. Speaker we can and should also do this for the other Eastern European nations who have shown the same courage and advancements.

Early this year, I introduced legislation to grant most-favored-nation status to Romania, Bulgaria, East Germany, and Czechoslovakia. Each and every one of these four nations has earned this.

I'm delighted that President Bush has granted this status to Czechoslovakia, but I urge him not to turn his back on her neighboring nations.

GUN SAFETY LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, as many Members are aware, because I have spoken of it proudly many times, I have seven grandchildren, and I am happy to say for the first time that an eighth is on the way, God willing, this coming August.

Mr. Speaker, I take the safety of my grandchildren to heart. It is one of the reasons I work so hard on the Select Committee on Narcotics Abuse and Control and worry about all of the modern problems affecting this beautiful, wonderful land of ours.

Mr. Speaker, I am lucky enough, being a bicoastal Congressman, to have three of my grandchildren living in Springfield, VA, just a short ways from here, and the other four are out in California.

The oldest of my grandchildren, Ricky, is in the third grade, and the other day a young classmate of his brought a loaded .44 Magnum pistol to school.

Now I am a conservative Republican. Over the years I have supported many National Rifle Association positions. I have considered them a responsible organization. I have not always agreed with them on every approach to every issue, but there is one thing I think we stand together on, and that is gun safety.

With all the talk of gun control, gun banning, gun confiscation, the one thing that we should all get together on is the teaching of gun safety. There are bills that have bipartisan support in many of our great States, and there are bills now before the legislatures of the great Commonwealths of Massachusetts and Virginia at this very moment. I believe the NRA is supportive of this approach to gun safety training for children.

My daughter was properly upset and frightened at the thought of a sixth grader coming to school with a loaded .44 Magnum. She was well aware of a recent event in my district in the shopping mall across from my Federal office a few days before Christmas. A sixth grader brought a loaded gun with hardly the firepower of a .44 Magnum, a plain old .38 special, but in that mall a few days before Christmas when some classmates teased him that it was not real or that it would not work, he pulled the trigger. This little boy killed a little girl standing near him there on the spot, ran away for 3 days and finally turned up. His father, courageously, went on television and said that it was not his son's fault, that his son was a good boy, that it was his fault, as the father, for not exercising good gun safety.

Mr. Speaker, my daughter and three of her friends, all third grade mothers, Cathy Continetti, Jennie Marc Antonio, Holly Luken, and my daughter, Theresa Cobban, and I'd like to think a chip off the old block, got together, asked the school if they could have some gun safety education and, maybe, join the statewide Virginia PTA and endorse one of these gun safety training bills down in Richmond. The school authorities, I am sorry to say, were more interested in covering up what could have been a potential disaster, wanting to turn the other way and have business as usual. And the local PTA, I am sorry to say, was not all that supportive.

Mr. Speaker, an estimated 135,000 boys carried handguns to school daily in 1987, and another 270,000 carried handguns to school at least once. I hate to think how many carried guns in 1989 and continue to carry them in 1990. The National School Safety Center estimates that nearly 8.7 million youngsters have access to handguns. It is imperative that children learn that firearms are not toys. Gun safety is important.

So, these four young third grade mothers, homemakers, they took the bull by the horns, so to speak, and called a meeting of their fellow parents. After much resistance and much pushing on the part of Terry, Cathy, Jennie, and particularly Holly, who chaired the meeting, these young activists managed to get unanimous votes less than 48 hours ago. These concerned parents voted to endorse the legislation that the State PTA thinks is fitting on gun safety, but also to push for approval of any further legislation that is bipartisan in nature.

These young women educated themselves fast on all the aspects of gun safety, tried very hard to approach it in a bipartisan respect for the second amendment way, and with their articulation and their steadfastness of spirit they have accomplished much in this one little elementary school, Sangster School, just outside our infamous Washington Beltway. I think they have shown the excellent approach of self-government. This type of involvement is everything that this poetic and wonderful President of Czechoslovakia, Mr. Vaclav Havel, spoke to us about this morning, people getting control of their own lives. His quote of our great Thomas Jefferson, whose bust is above us over your shoulder, Mr. Speaker, is in the end what government is all about, people taking control of their own lives.

So, Mr. Speaker, I salute my daughter Terri and her three friends who have joined us in this Chamber today and tell them Godspeed, and good luck, and I hope this important legislation passes in Richmond.

□ 1430

THE CRISIS IN HAITI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

Mr. OWENS of New York. Mr. Speaker, I first rise to applaud my colleague, the gentleman from California [Mr. DYMALLY] for offering a resolution yesterday which called for a condemnation of the continuing escalation of the violations of human rights in Haiti. Haiti has had a blood bath for 2 years since the time when a scheduled election which was set by a duly constituted constitutional committee was thrown into chaos by the ruling junta at that time. Since that time it has experienced several governments and now it is under the rule of Gen. Prosper Avril, who was once an intimate advisor for Duvalier, Papa Duvalier, and the Duvalier that came after him; so the long continuity of Haitian dictatorship and Haitian tyranny is continued now by the man who was once the advisor to the two great dictators before.

I applaud the resolution of the gentleman from California [Mr. DYMALLY] because it means that the Congress has at least taken some initiative, since the administration will not. This administration has been soft on dictatorship and tyranny in Haiti since Duvalier was thrown out. This administration is partially the cause for the tyranny and continuation of the violation of human rights in Haiti. This administration has not spoken with any indignation about the conditions in Haiti in the past few months or in the past 2 years.

The fact that the administration takes such a soft approach is one reason that the tyranny and the blood baths continue.

We not only demand free elections in Nicaragua, but we are financing the opposition in Nicaragua, which you know, I have no objection to, the use of American taxpayer dollars for that purpose. Let the opposition have some kind of support; however, in Haiti we cannot even raise our voices very loudly against the tyranny there and demand free elections. Not only should we have free elections in Haiti, but we should also finance an opposition.

We should at this point say to the dictatorial tyrannical government of Prosper Avril that we have had enough and that we are actually going to help set up a government in exile and actually offer to finance the four or five clear opposition parties that have refused to have anything to do with the elections that are now scheduled by Mr. Avril. Mr. Avril says that he will have elections. He has written a new set of rules. He did all this after he threw out his major opposition. He threw them out of the country. He arrested them. He beat them up, and he gave them an alternative, leave or risk further harm. They felt the country. He wrote a new set of guidelines for the election. Now he is inviting them to come back, or he has invited other people to participate in the election under a new set of rules written by Mr. Avril himself. This is all quite ridiculous. It has gone on for much too long. Not only is Haiti violating human rights and should be condemned by our Government, since our Government stands for human rights all over the world, but we had an address today by the President of Czechoslovakia and we applauded the fact that not only Czechoslovakia, but many of the other governments of Eastern Europe are moving toward democracy. We applaud that. I applaud that.

I believe in democracy, and I do not know why our administration should be so hyprocritical that it cannot insist that we have democracy in Haiti. Haiti is just 90 miles from the shores of Florida. The people of Haiti have suffered for a long time. The people of Haiti know that the Government of Haiti, the few people in charge, will obey the will of the United States. They have no other support except the money that if funneled into Haiti from the United States.

Our State Department, the present administration, has a great deal of influence. They merely have to exercise it. The timid statements of condemnation that we have heard is not an exercise of the influence of the United States in an appropriate manner. If we demand that the Government of Haiti hold free elections and hold them in accordance with the Constitution that was duly established by the people of Haiti, if we demand that, they will do it. We have never demanded that. We have never been satisfied that the opposition parties were to our liking. Our State Department has played a game with each successive dictator since Duvalier.

Mr. Speaker, it is time the hypocrisy stopped. We are also still turning back ships or boats which bring Haitian people out of Haiti as a result of the tremendous persecution in Haiti. We say that they are not persecuted politically, they are only coming to this country in order to enjoy the economic benefits of this country. That is ridiculous. When you look at the record of intimidation, a record of blood letting in Haiti, it is clear that Haitian citizens coming to this country are coming because they are politically persecuted.

Let us end the hypocrisy. Let us demand democracy in Haiti now.

TRIBUTE TO POLICE OFFICER TERRY KUNKE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise to share with my colleagues in the House of Representatives an inspirational example of great courage demonstrated by Chicago police officer Therese Kunke, who has been fighting a battle against cancer for the past 7 months.

Officer Kunke joined the police force on July 19, 1982, and has served with distinction for the past 8 years as an officer working out of the 16th district of the Chicago Police Department, located in the 11th Congressional District of Illinois which I am honored to represent.

The 16th district of the Chicago Police Department will be holding a benefit party honoring Officer Kunke on Sunday, March 5, 1990 at the Copernicus Foundation, 5216 West Lawrence Avenue in Chicago.

I would like to take this opportunity to congratulate Comdr. Nestor W. Chakonas of the 16th District, and all of the officers in the Police Department of the City of Chicago who have worked tirelessly on Officer Kunke's behalf. The names of the dedicated committee members follow:

HONORARY COMMITTEE

LeRoy Martin, Supt. of Police, Fred O'Reilly, Dep. Ch. A/5; Nestor Chakonas, Cmdr. 016; and Fr. Thomas Nangle, Police Chap.

TICKET COMMITTEE

Capt. Joe Schwartz, Traffic; Lt. Bob Murray, A/4 Youth; Fr. Thomas Nangle, Chap. Unit; Sgt. Joe Joria, 009; Sgt. Evelyn Summers, 016; Sgt. Terry Hoffman, 017; Y.O. Soter Libaris, Youth; P.O. Charlie Strum, Intell.; P.O. Marty Conroy, O.P.S.; P.O. Larry Zaprzal, M.A.I.S.; P.O. Debbie Mrozek, Pat. Div.;

P.O. Bruce Pankiewicz, Pat. Div.; P.O. George Salturo, O'Hare; P.O. Joe Pipolo, 010; P.O. Vito Orseno, 014; P.O. Michael Lappe, 016; P.O. Patrick Deely, 017; P.O. Tom Schmidt, 019; P.O. Pat Collins, 020; P.O. Karen Town, 023; P.O. Gloria Corcoran, 024; and P.O. Walter Siudut, 025.

For additional tickets and information contact: Sgt. Evelyn Summers or P.O. Michael Lappe, 016th.

Officer Therese Kunke is a second generation officer in the Chicago Police Department, following in the tradition of her father, who served on the police force for 30 years. When her father retired from the force, Officer Kunke received his star. Commander Chakonas paid her the ultimate tribute when he said recently that Terry has been " * * * an excellent police officer and a credit to the Department."

Officer Kunke was born Therese Du Bray on December 4, 1949 in Chicago, IL. She attended St. Catherine of Siena grammar school in Oak Park, IL and Siena High School in Chicago. Terry graduated from De Paul University in 1972 after majoring in physical education. She was a substitute teacher in Chicago and taught third grade for 1 year at St. Thomas Aquinas School.

Terry has two daughters, Jennifer and Lisa, and has also been an active volunteer in our community, working with St. Mary of Providence School for Handicapped Children, and with St. Priscilla's Church.

I share the pride of Terry's friends and neighbors in all of her accomplishments, and in her honor, I have arranged with the Architect of the Capitol of the United States to have a flag flown over the Capitol Building. This flag will be presented to her on March 4 at the benefit party being organized for her by her fellow police officers.

Mr. Speaker, I join with Officer Kunke's friends, neighbors, and fellow officers in recognizing her great service to our community and the inspiration she has provided to all whose lives she has touched. Our hopes and prayers are always with her.

THE MEDICARE BUY-IN EXTENSION ACT OF 1990

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Buy-in Extension Act of 1990. This bill would expand Medicaid buy-in protection to elderly beneficiaries with incomes up to 133 percent of the Federal poverty level.

According to a report issued by the Commonwealth Fund Commission on Elderly People Living Alone, "Medicare's Poor," one-third of near-poor elderly people are reduced to poverty by their out-of-pocket payments for medical care.

These people need our help. It is outrageous that we spend nearly $5 billion on star wars while forcing near-poor seniors to choose between essential medical services and heat. This choice forces too many seniors into financial disaster.

Today, out-of-pocket medical costs remain a serious concern for millions of older Americans. Approximately 3 million near-poor elderly persons have incomes that barely exceed the Federal poverty level, yet only 8 percent have Medicaid supplementary assistance. Consequently, near-poor seniors, with annual

incomes of less than $7,200 per year—less than $140 per week—incur substantial out-of-pocket costs for their medical expenses.

When compared to senior citizens in higher income groups, these near-poor seniors are particularly vulnerable. They tend to be the oldest of the old, in poorer health, have more chronic conditions and functional impairments, use more prescription drugs and are more likely to incur substantial medical expenses. According to the 1987 National Medical Expenditures Survey [NMES], seniors who are near poor spend 15 percent more than the average Medicare beneficiary for prescription drugs.

In 1988, Congress enacted legislation requiring States to phase in buy-in coverage for low-income Medicare beneficiaries with incomes at or below 100 percent of the Federal poverty level. Under this provision, States are required to pay Medicare premiums, deductibles, and coinsurance for eligible elderly and disabled enrollees. This provision was designed to eliminate financial barriers to access.

Under current law, States are required to extend coverage to individuals living in families with incomes up to 85 percent of poverty in 1989, 90 percent of poverty in 1990, 95 percent of poverty in 1991, and up to 100 percent of poverty in 1992. The proposed bill would extend coverage to seniors living in families with incomes up to 133 percent of the Federal poverty level.

Mr. Speaker, this bill is similar to a provision included in the Omnibus Budget Reconciliation Act of 1990 [OBRA 89] that required all States to cover pregnant women and infants with family incomes of up to 133 percent of the Federal poverty level by April 1, 1990. Similarly, the Medicare Buy-in Extension Act of 1990 would require States to cover senior citizens with incomes of up to 133 percent of the Federal poverty level.

With the 1990 Medicare deductible at $592, Medicare premiums at $28.60 per month, copayments for physician bills rising with the 12-percent growth in physician expenditures, the average near-poor Medicare beneficiary can expect to spend a significant share of annual income for medical care.

In 1988, the most recent year from which data are available, the average near poor beneficiary spent more than $800 per year for Medicare copayments. Expenses for Medicare copayments represent 11 percent of income for individuals living at 133 percent of the Federal poverty level.

What's worse, more than one-half of low-income seniors struggle to buy Medicare supplemental policies—shown as Medigap—to protect themselves against medical bills. Moreover, according to the Congressional Budget Office, low-income seniors are less likely than higher income seniors to have employer provided Medicare supplemental policies.

Between 1989 and 1990, Medigap premiums increased an average by 25 percent. In 1989, a basic policy was priced at about $720 per year. Policies that cover additional benefits, such as prescription drugs, can cost more than $1,100 per year. For low-income beneficiaries, these costs present prohibitive financial barriers to basic medical protection.

The Medicare Buy-in Extension Act of 1990 would offer enormous assistance to the 3 million near-poor Medicare beneficiaries who struggle to pay their medical bills. I urge my colleagues to join me in an effort to assist these low-income senior citizens.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SKELTON (at the request of Mr. GEPHARDT), for today, on account of a death in the family.

Mr. TAUZIN (at the request of Mr. GEPHARDT), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCEWEN) to revise and extend their remarks and include extraneous material:)

Mrs. MARTIN of Illinois, for 60 minutes, on April 4.

Mr. MCEWEN, for 5 minutes, today.

Mr. DORNAN of California, for 5 minutes, today and on February 27 and February 28.

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. POSHARD, for 5 minutes, today.

Mr. OWENS, of New York for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, on February 22.

Mr. OWENS, of New York, for 5 minutes, on February 22.

Mr. DORGAN, of North Dakota for 60 minutes, on February 22.

Mr. SKELTON, for 30 minutes, on February 26.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCEWEN) and to include extraneous matter:)

Mrs. MEYERS of Kansas.

Ms. ROS-LEHTINEN.

Mr. CONTE.

Mr. GOODLING in two instances.

Mr. LENT.

Mr. ROHRABACHER.

Mr. MACHTLEY in two instances.

Mr. PORTER.

Mr. GILMAN.

Mr. ROWLAND of Connecticut.

Mr. HYDE.

Ms. SCHNEIDER.

(The following Members (at the request of Mr. MCNULTY) and to include extraneous matter:)

Mr. SCHUMER.

Mr. GORDON.

Mr. SMITH of Florida.

Mr. KENNEDY.

Mr. STARK in two instances.

Ms. SLAUGHTER of New York.

Mr. SHARP.

Mr. BERMAN.

Mr. BONIOR.

Mr. MRAZEK.

Mr. GRAY.

Mr. MATSUI.

Mr. KANJORSKI.

Mr. RAHALL in two instances.

Mr. UDALL.

Mr. JACOBS.

Ms. OAKAR.

Mr. HAMILTON.

Mr. SOLARZ.

Mr. LANTOS.

Mr. COLEMAN of Texas.

Mr. ANNUNZIO.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker.

H.R. 150. An act to amend the Immigration and Nationality Act to provide a procedure for an alien who dies while serving on active-duty with the United States armed forces during certain periods of hostilities to be considered a citizen of the United States at the time of the alien's death, and

H.R. 2281. An act to amend the Elementary and Secondary Education Act of 1965 to extend the authorization for certain school dropout demonstration programs.

ADJOURNMENT

Mr. PAYNE of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, February 22, 1990, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2532. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of February 1, 1990, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 101-152); to the Committee on Appropriations and ordered to be printed.

2533. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed letter(s) of offer and acceptance [LOA] to Germany for defense articles estimated to cost $50 mil-

lion or more (Transmittal No. 90-21), pursuant to 10 U.S.C. 118; to the Committee on Armed Services.

2534. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the Board's monetary policy report for 1990, pursuant to 12 U.S.C. 225a; to the Committee on Banking, Finance and Urban Affairs.

2535. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed letter(s) of offer and acceptance [LOA] to Germany for defense articles and services estimated to cost $65 million (Transmittal No. 90-21), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

2536. A letter from the Comptroller General, transmitting a list of all reports issued by the General Accounting Office in January 1990, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

2537. A letter from the Comptroller, General Services Administration, transmitting the annual report on the President's Retirement System for the fiscal year ending September 30, 1988, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

2538. A letter from the Director, United States Information Agency, transmitting the Agency's 1989 annual report on its activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2539. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2540. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2541. A letter from the Secretary of Commerce, transmitting a report on the implementation of the Fish and Seafood Promotion Act of 1986, pursuant to 16 U.S.C. 4001; to the Committee on Merchant Marine and Fisheries.

2542. A letter from the Administrator, Environmental Protection Agency, transmitting the long-range research agenda 1990-94, describing the Agency's 5-year plan for environmental research, development, and demonstration, together with comments of the Science Advisory Board, pursuant to 42 U.S.C. 4361; to the Committee on Science, Space, and Technology.

2543. A letter from the Administrator, National Aeronautics and Space Administration, transmitting notification of the proposed use of fiscal year 1989 research and development funds for the modernization of the Space Environment Simulator at the Goddard Space Flight Center, Greenbelt, MD, pursuant to Pub. L. 100-685, Section 203 (102 Stat. 4089); to the Committee on Science, Space, and Technology.

2544. A letter from the Acting Secretary of Defense, transmitting the report on Department of Defense procurement from small and other business firms for fiscal year 1989, pursuant to 15 U.S.C. 639(d); to the Committee on Small Business.

2545. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report on abnormal occurrences at licensed nuclear facilities for the third calendar quarter of 1989, pursuant to 42 U.S.C. 5848; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2546. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report regarding the economic policy and trade practices of each country with which the United States has an economic or trade relationship, pursuant to 15 U.S.C. 4711; jointly, to the Committees on Ways and Means and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2570. A bill to provide for the designation of certain public lands as wilderness in the State of Arizona; with an amendment (Rept. 101-405). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JONES of North Carolina (for himself, Mr. HERTEL, Mr. STUDDS, Mr. DAVIS, Mr. HUGHES, Mr. PALLONE, Mr. HOCHBRUECKNER, Mr. RAVENEL, Ms. SCHNEIDER, Mr. TALLON, Mr. MANTON, Mr. BENNETT, Mr. SOLARZ, Mr. SAXTON, Mrs. LOWEY of New York, Mr. CARPER, Mrs. SAIKI, and Mr. BOSCO):

H.R. 4030. A bill to improve management of the coastal zone and enhance environmental protection of coastal zone resources, by reauthorizing and amending the Coastal Zone Management Act of 1972, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OBEY (for himself, Mr. PETRI, Mr. ROTH, Mr. KASTENMEIER, Mr. MOODY, and Mr. SENSENBRENNER):

H.R. 4031. A bill to provide for reimbursement to the State of Wisconsin for extraordinary law enforcement costs incurred during operations associated with the exercise of court-determined tribal treaty rights; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. PETRI, Mr. KLECZKA, Mr. KASTENMEIER, and Mr. MOODY):

H.R. 4032. A bill to establish within the Office of Justice Programs of the Department of Justice an Indian Treaty Law Enforcement Assistance Program; to the Committee on the Judiciary.

H.R. 4033. A bill to establish an Office of Indian Treaty Conflict Resolution; jointly, to the Committees on Interior and Insular Affairs and the Judiciary.

By Mr. STARK:

H.R. 4034. A bill to amend title XIX of the Social Security Act to extend the income ceiling for qualified Medicare beneficiaries from 100 percent to 133 percent of the poverty level beginning in 1993; to the Committee on Energy and Commerce.

By Mr. BOSCO:

H.R. 4035. A bill to designate the Federal building located at 777 Sonoma Avenue in Santa Rosa, CA, as the "John F. Shea Federal Building"; to the Committee on Public Works and Transportation.

By Mr. CAMPBELL of California:

H.R. 4036. A bill to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder, and to provide for additional financing of the OASDI trust funds based on income taxes payable under existing law by individuals who would therefore continue to earn income after attaining age 62; to the Committee on Ways and Means.

H.R. 4037. A bill to amend the Internal Revenue Code of 1986 to encourage the construction and improvement of child care facilities by providing a credit for investments in such facilities, and for other purposes; to the Committee on Ways and Means.

By Mr. CAMPBELL of California (for himself, Mr. CRANE, Mr. DREIER of California, Mr. FAUNTROY, Mr. LANTOS, Mr. RANGEL, Mr. SHAW, Mr. SHAYS, and Mr. STARK):

H.R. 4038. A bill to encourage the reduction of illicit coca production in Bolivia, Colombia, and Peru; jointly, to the Committees on Ways and Means and Foreign Affairs.

By Mr. CONTE (for himself, Mr. WAXMAN, Mr. MADIGAN, and Mr. TAUKE):

H.R. 4039. A bill to amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAIG:

H.R. 4040. A bill to set aside a fair proportion of the highway trust fund moneys for use in constructing and maintaining off-highway recreational trails; jointly, to the Committees on Ways and Means, Public Works and Transportation, and Interior and Insular Affairs.

By Mr. DORGAN of North Dakota (for himself and Mr. RICHARDSON):

H.R. 4041. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare program of nurse practitioner and clinical nurse specialist services provided in rural areas; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. DOWNEY (for himself and Mr. GRADISON):

H.R. 4042. A bill to amend the Agricultural Act of 1949 to establish an equitable sugar price support program, and to require the use of a tariff rate quota to make this program effective; jointly, to the Committees on Agriculture and Ways and Means.

By Mr. GALLO:

H.R. 4043. A bill to amend the Internal Revenue Code of 1986 to provide that employer subsidies for mass transit and vanpooling be treated as working-condition fringe benefits which are not included in gross income; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 4044. A bill to amend the Federal Deposit Insurance Act and title 31, United States Code, to enhance the capability of law enforcement agencies to detect money laundering offenses, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GOODLING:

H.R. 4045. A bill to establish the Dwight D. Eisenhower memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. GUNDERSON (for himself, Mr. GOODLING, Mr. SMITH of Vermont, and Mr. HENRY):

H.R. 4046. A bill to amend the Job Training Partnership Act to qualify certain youth services programs for funds under title II of that act, and for other purposes; to the Committee on Education and Labor.

By Mr. HASTERT:

H.R. 4047. A bill to correct the Harmonized Tariff Schedule of the United States as it applied to certain parts of ionization smoke detectors; to the Committee on Ways and Means.

By Mr. HERTEL (for himself, Mr. FOGLIETTA, Mr. TRAFICANT, Mr. KILDEE, Mr. WILLIAMS, and Mr. SMITH of Florida):

H.R. 4048. A bill to terminate the MX Rail Garrison Program; to the Committee on Armed Services.

By Mr. KANJORSKI:

H.R. 4049. A bill to establish procedures necessary in order to protect Federal employees from certain adverse personnel actions which may result by the contracting out of agency functions or activities; to amend provisions of title 5, United States Code, relating to early retirement, and for other purposes; jointly, to the Committees on Post Office and Civil Service and Government Operations.

By Mr. LANTOS:

H.R. 4050. A bill to amend the provisions of the Occupational Safety and Health Act of 1970 relating to criminal penalties, and for other purposes; to the Committee on Education and Labor.

By Mr. LEVIN of Michigan (for himself, Mr. JACOBS, Mr. MOODY, and Mr. HUGHES):

H.R. 4051. A bill to provide for improved access by telephone to the Social Security Administration; to the Committee on Ways and Means.

By Mr. MOODY (for himself and Mr. BROWN of Colorado):

H.R. 4052. A bill to amend the Internal Revenue Code of 1986 to exempt services performed by full-time students for seasonal children's camps from Social Security taxes; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. BOUCHER, Mr. CLINGER, and Mr. MURPHY):

H.R. 4053. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for the remining of certain abandoned coal mine lands; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS (for himself, Mrs. BYRON, Mr. GLICKMAN, Mrs. MEYERS of Kansas, Mr. PRICE, Mr. SLATTERY, and Mr. WHITTAKER):

H.R. 4054. A bill to provide a permanent endowment for the Eisenhower Exchange Fellowship Program; to the Committee on Foreign Affairs.

By Mrs. ROUKEMA:

H.R. 4055. A bill to amend the Harmonized Tariff Schedule of the United States to eliminate the duty on 2, 2 azo-bis-isobutyronitrile; to the Committee on Ways and Means.

H.R. 4056. A bill to extend the temporary suspension of duty on jacquard cards and to include in the suspension plastic jacquard cards and other cards to be used as jacquard cards; to the Committee on Ways and Means.

By Mr. SAWYER:

H.R. 4057. A bill to establish regional science, mathematics, and technology education consortiums, and for other purposes; jointly, to the Committees on Science, Space, and Technology and Education and Labor.

H.R. 4058. A bill to promote interagency cooperation in the area of science, mathematics, and technology education; jointly, to the Committees on Science, Space, and Technology and Education and Labor.

By Mr. SCHUMER (for himself and Mr. MCMILLEN of Maryland):

H.R. 4059. A bill to amend the Federal Deposit Insurance Act to regulate certain marketing activities engaged in on the premises of deposit-taking facilities of insured depository institutions; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SHARP (for himself, Mr. HAMILTON, Mr. JACOBS, Mr. THOMAS A. LUKEN, and Mrs. JOHNSON of Connecticut):

H.R. 4060. A bill to amend title 13, United States Code, and the International Investment and Trade in Services Survey Act to improve the quality of data on foreign investment in the United States; jointly, to the Committees on Post Office and Civil Service, Foreign Affairs, and Energy and Commerce.

By Mr. SKEEN:

H.R. 4061. A bill to establish the Organ Mountains National Conservation Area in the State of New Mexico, and for other purposes; to the Committees on Interior and Insular Affairs.

By Mr. SMITH of Texas (for himself, Mr. LEATH of Texas, Mr. ORTIZ, Mr. FUSTER, Mr. ROBERT F. SMITH, Mr. DELAY, and Mr. GEREN):

H.R. 4062. A bill to provide for the appointment of 20 additional district court judges, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Vermont (for himself and Mr. MARTIN of New York):

H.R. 4063. A bill to establish in the Environmental Protection Agency a Lake Champlain Program Office, and for other purposes; jointly, to the Committees on Public Works and Transportation; Agriculture; Interior and Insular Affairs; Merchant Marine and Fisheries; and Science, Space, and Technology.

By Mr. TORRES:

H.R. 4064. A bill to amend the financial recordkeeping provisions of title 31, United States Code, to modify and codify recordkeeping requirements relating to international wire transfers; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WELDON (for himself, Mr. AUCOIN, Mr. BALLENGER, Mr. BROWN of California, Mr. BRYANT, Mr. COBLE, Mrs. COLLINS, Mr. DYSON, Mr. ECKART, Mr. EMERSON, Mr. FALEOMAVAEGA, Mr. FAZIO, Mr. FROST, Mr. GALLEGLY, Mr. GEKAS, Mr. GRANT, Mr. HUGHES, Mr. JONTZ, Mr. KASICH, Mr. PACKARD, Mr. PALLONE, Mr. POSHARD, Mr. PAYNE of Virginia, Mr. RIDGE, Mr. ROE, Mr. SIKORSKI, Mr. SMITH of Florida, Mr. STARK, Mr. TOWNS, Mr. WILSON, and Mr. MCEWEN):

H.R. 4065. A bill to require that the Director of the Federal Emergency Management Agency conduct an inventory of resources available to the Federal Government for use in response to a natural disaster; to the Committee on Public Works and Transportation.

By Mr. CARPER (for himself, Mr. WHEAT, Mr. DIXON, Mr. LEWIS of Georgia, Mr. OWENS of New York, Mr. FLAKE, Mr. MFUME, Mr. HAYES of Illinois, and Mr. PAYNE of New Jersey):

H.J. Res. 479. Joint resolution to designate March 10, 1990, as "Harriet Tubman Day"; to the Committee on Post Office and Civil Service.

By Mr. HAYES of Illinois:

H.J. Res. 480. Joint resolution designating the week in 1990 when Nelson Mandela first visits the United States after his release from prison in South Africa, as "Nelson Mandela Week"; to the Committee on Post Office and Civil Service.

By Mr. KENNEDY (for himself, Mr. MACHTLEY, Mr. LEHMAN of Florida, Mr. GORDON, Mr. PALLONE, Mr. THOMAS A. LUKEN, Mr. WOLF, Ms. SNOWE, Mr. RANGEL, Mr. DEFAZIO, Mr. CROCKETT, Mr. DWYER of New Jersey, Mr. BOUCHER, Mr. DURBIN, Ms. PELOSI, Mr. TOWNS, Mr. MATSUI, Mr. ACKERMAN, Mr. FOGLIETTA, Mrs. PATTERSON, Mr. LEVIN of Michigan, Mr. WELDON, Mr. FROST, Mr. FAZIO, Mr. HUGHES, Mr. JONTZ, Ms. KAPTUR, Mr. JENKINS, Mr. SISISKY, Mr. SMITH of Iowa, Mr. FORD of Tennessee, Mr. THOMAS of Wyoming, Mr. FALEOMAVAEGA, Mr. HAWKINS, Mr. BILIRAKIS, Mr. EVANS, Mrs. BYRON, Mr. HEFNER, Mr. CHAPMAN, and Mr. WYDEN):

H.J. Res. 481. Joint resolution to designate the second Sunday in October of 1990 as "National Children's Day"; to the Committee on Post Office and Civil Service.

By Mr. MANTON (for himself, Mr. DONNELLY, Mr. BORSKI, Mr. DORNAN of California, Mr. ENGEL, Ms. OAKAR, Mr. GILMAN, Mr. MRAZEK, Mr. FISH, Mr. HOCHBRUECKNER, Mr. MORRISON of Connecticut, Mr. CONTE, Mr. IRELAND, and Mr. SKELTON):

H.J. Res. 482. Joint resolution designating March 1990 as "Irish-American Heritage Month"; to the Committee on Post Office and Civil Service.

By Mr. ROBERTS (for himself, Mrs. BYRON, Mr. GLICKMAN, Mr. GOODLING, Mrs. MEYERS of Kansas, Mr. PRICE, Mr. SLATTERY, and Mr. WHITTAKER):

H.J. Res. 483. Joint resolution providing for the commemoration of the 100th anniversary of the birth of Dwight David Eisenhower; jointly, to the Committees on Post Office and Civil Service, Rules, and House Administration.

By Mr. DINGELL:

H. Res. 339. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Energy and Commerce in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. FASCELL (for himself and Mr. BROOMFIELD):

H. Res. 340. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Foreign Affairs in the 2d session of the 101st Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BONIOR:

H.R. 4066. A bill for the relief of Mary F. Derocher; to the Committee on the Judiciary.

By Mr. HANSEN:

H.R. 4067. A bill for the relief of John Gabriel Robledo-Gomez Dunn; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 214: Mr. MCCLOSKEY.

H.R. 283: Mr. BROWDER.

H.R. 286: Mr. HYDE.

H.R. 505: Mr. RINALDO.

H.R. 539: Mr. BROWN of Colorado, Mr. WOLPE, Mr. BALLENGER, Mr. SYNAR, and Mr. PALLONE.

H.R. 614: Mr. BONIOR, Mr. DANNEMEYER, and Mr. CAMPBELL of California.

H.R. 725: Mr. COX and Mr. CONYERS.

H.R. 855: Mr. SMITH of Vermont, Mr. LEACH of Iowa, Mr. SCHIFF, Mr. QUILLEN, Mr. ENGEL, Mr. CAMPBELL of Colorado, and Mr. WALGREN.

H.R. 857: Mr. CONYERS, Mr. SOLARZ, Mr. FAUNTROY, Mr. LEVINE of California, Mr. SMITH of Vermont, Mr. GEJDENSON, and Mrs. SCHROEDER.

H.R. 933: Mr. KENNEDY and Mr. SANGMEISTER.

H.R. 995: Mr. SMITH of New Hampshire.

H.R. 1068: Mr. MAVROULES, Mr. SAWYER, Mr. SLATTERY, and Mr. LEWIS of Georgia.

H.R. 1181: Mr. MCMILLEN of Maryland, Mr. COBLE, Mr. WALSH, Mr. SCHUETTE, Mr. RINALDO, Mr. DEFAZIO, Mr. FROST, and Mrs. MEYERS of Kansas.

H.R. 1437: Mr. HANCOCK, Mr. INHOFE, Mr. FISH, Mr. NIELSON of Utah, and Mr. FIELDS.

H.R. 1693: Mr. SOLARZ.

H.R. 1730: Mr. BURTON of Indiana, Ms. PELOSI, Mr. AUCOIN.

H.R. 1839: Mr. MAVROULES.

H.R. 2008: Mr. ROBINSON.

H.R. 2015: Mr. ROGERS.

H.R. 2129: Mr. GUARINI.

H.R. 2418: Mr. ANTHONY, Mr. MILLER of California, Mr. TAUZIN, Mr. GORDON, Mr. STUMP, Mr. VOLKMER, Mr. BLILEY, and Mrs. UNSOELD.

H.R. 2437: Mr. DELAY, Mr. MARLENEE, Mr. ARMEY, Mr. PAXON, and Mr. STENHOLM.

H.R. 2460: Mr. ANNUNZIO.

H.R. 2580: Mr. GEJDENSON and Mr. MAZZOLI.

H.R. 2641: Mr. ENGEL.

H.R. 2819: Mrs. UNSOELD.

H.R. 2826: Mrs. UNSOELD.

H.R. 2832: Mrs. UNSOELD.

H.R. 2870: Mr. SCHIFF and Mr. SCHUETTE.

H.R. 2996: Mr. SMITH of Vermont.

H.R. 3064: Mr. CLINGER.

H.R. 3087: Mr. ACKERMAN.

H.R. 3089: Mr. ACKERMAN.

H.R. 3123: Mr. GEJDENSON, Mr. DICKS, Mr. BEREUTER, Mr. MADIGAN, Mr. BOEHLERT, Mr. MACHTLEY, Mr. HOCHBRUECKNER, Mr. SAVAGE, Mr. MAZZOLI, Mr. HAMILTON, and Mr. HUGHES.

H.R. 3182: Mr. ANDREWS, Mr. CRAIG, Mr. KOLTER, Mr. SAVAGE, Mr. TAUZIN, Mr. DREIER of California, Mr. SIKORSKI, Mr. VISCLOSKY, Mr. DONNELLY, Mr. CLAY, Mr. WYDEN, Mr. DARDEN, Mr. KENNEDY, Mr. ECKART, Mr. GRAY, Mr. MORRISON of Connecticut, Mr. DE LUGO, Mr. ROBINSON, Mr. DOWNEY, Mr. BRUCE, Mr. PERKINS, Mr. PACKARD, Mr. COOPER, Mr. STAGGERS, Mr. GRANDY, Mrs. PATTERSON, Mr. SOLOMON, Mr. THOMAS of California, and Mr. WELDON.

H.R. 3243: Mr. BAKER, Mr. FAZIO, Mr. TORRES, Mr. COURTER, and Mr. RAY.

H.R. 3251: Mrs. COLLINS, Mr. LEWIS of Georgia, Mr. DYSON, Mr. ESPY, Mr. BRYANT, Mr. HERTEL, Mr. COSTELLO, Mr. FEIGHAN, Mr. WILLIAMS, and Mr. FALEOMAVAEGA.

H.R. 3272: Mr. DORNAN of California, Mrs. BENTLEY, Mrs. COLLINS, Mr. LEWIS of Florida, Mr. KANJORSKI, Mr. LAGOMARSINO, Mr. CAMPBELL of Colorado, and Mr. QUILLEN.

H.R. 3321: Mr. SHARP, Mr. MCCLOSKEY, Mr. RITTER, and Mrs. VUCANOVICH.

H.R. 3349: Mr. FALEOMAVAEGA, Mr. LEWIS of Georgia, and Mr. BARNARD.

H.R. 3401: Mr. HOCHBRUECKNER, Mr. JAMES, Mr. ACKERMAN, Mr. WISE, Mr. FRANK, Mr. OBEY, Mr. LEWIS of Georgia, Mr. HYDE, and Mr. DONALD E. LUKENS.

H.R. 3423: Mr. MCNULTY and Mr. HAWKINS.

H.R. 3430: Mr. HERGER.

H.R. 3475: Mrs. PATTERSON.

H.R. 3489: Mr. GREEN, Mr. INHOFE, Mr. JAMES, Mr. JOHNSON of South Dakota, Mrs. MEYERS of Kansas, Mr. PENNY, Mr. RAHALL, Mr. ROE, Mr. RICHARDSON, Mr. WALSH, and Mr. WOLPE.

H.R. 3520: Mr. WOLF, Mrs. SAIKI, Mr. DIXON, and Mr. LEWIS of Georgia.

H.R. 3537: Mr. RANGEL, Mr. HAYES of Illinois, Mr. FUSTER, Mr. FAUNTROY, Mr. TOWNS, Mr. FROST, Mrs. COLLINS, Mr. LEWIS of Georgia, Mr. FALEOMAVAEGA, Mr. FOGLIETTA, Mr. SAVAGE, Ms. PELOSI, and Mr. CROCKETT.

H.R. 3552: Mr. SABO.

H.R. 3560: Mr. PANETTA.

H.R. 3643: Mr. JAMES and Mr. GILLMOR.

H.R. 3652: Mr. UPTON, Mr. CAMPBELL of Colorado, Mr. NEAL of North Carolina, Mr. BALLENGER, Mr. NCNULTY, Mr. BUSTAMANTE, Mr. BOEHLERT, Mr. BURTON of Indiana, Mr. MCCLOSKEY, Mrs. BOXER, Mr. HAYES of Louisiana, Mr. GRANT, Mr. ATKINS, Mr. OWENS of Utah, Mr. WEISS, Mr. WISE, Mr. STENHOLM, Mr. MATSUI, and Mr. BILBRAY.

H.R. 3700: Mr. ANTHONY, Mr. BRENNAN, Mr. CAMPBELL of California, Mr. FEIGHAN, Mr. JOHNSTON of Florida, Mrs. KENNELLY, Mr. LEWIS of Georgia, Mr. PALLONE, Mr. PANETTA, Mr. PRICE, Mrs. SAIKI, Mr. SHAYS, Mr. SMITH of Vermont, and Mr. SWIFT.

H.R. 3732: Mr. ROBERTS, Mr. MILLER of Washington, and Mr. BUSTAMANTE.

H.R. 3735: Mr. SWIFT, Mr. DEFAZIO, Mr. HEFNER, Mr. WISE, and Mr. DELLUMS.

H.R. 3736: Mr. SCHEUER.

H.R. 3758: Mr. LAGOMARSINO, Mr. ROE, and Mr. KLECZKA.

H.R. 3773: Mr. ALEXANDER.

H.R. 3785: Mr. SHUMWAY, Mr. DANNEMEYER, Mr. WELDON, Mr. BAKER, Mr. HYDE, Mr. DORNAN of California, Mr. BLAZ, Mr. TRAFICANT, Mr. NIELSON of Utah, Mr. GRANDY, and Mr. BLILEY.

H.R. 3802: Mr. HUGHES, Mr. EVANS, Mr. ENGEL, Mr. FROST, Mr. LEVIN of Michigan, Mr. LAGOMARSINO, Mrs. BOXER, Mr. TOWNS, Ms. PELOSI, Mr. AUCOIN, and Mr. FAUNTROY.

H.R. 3816: Mr. SCHEUER and Ms. SCHNEIDER.

H.R. 3817: Mr. GREEN and Mr. KOSTMAYER.

H.R. 3857: Mr. LIPINSKI, Mr. BARNARD, and Mr. BATES.

H.R. 3864: Mr. WALSH, Mr. OWENS of New York, Mr. HORTON, Mr. PEASE, Mr. HAWKINS, Mr. ACKERMAN, Mr. MCMILLEN of Maryland, Mrs. BOXER, Mr. SKELTON, Mr. BEILENSON, Mr. FUSTER, Mr. DONNELLY, Mrs. MORELLA, Ms. SLAUGHTER of New York, Mr. NEAL of Massachusetts, Mr. MOAKLEY, Ms. ROS-LEHTINEN, Mr. JONTZ, Mr. TOWNS, Mr. MCNULTY, Mr. HOYER, Mr. WILLIAMS, Mr. LEHMAN of Florida, Mr. NEAL of North Carolina, Mr. FOGLIETTA, Mr. MINETA, Mr. FAZIO, Mr. FAUNTROY, Mr. HAYES of Illinois, Mr. BERMAN, Mr. BILBRAY, Ms. PELOSI, Mr. BOUCHER, Mr. SAVAGE, Mr. RAHALL, Mr. MACHTLEY, and Mr. BOEHLERT.

H.R. 3868: Mr. MCMILLEN of Maryland, Mr. DELLUMS, Mr. SHAYS, Mr. STARK, Mr. AKAKA, Ms. PELOSI, Mr. FAUNTROY, Mr. FRANK, Mr. EVANS, Mr. EDWARDS of California, Mr. DEFAZIO, Mrs. MORELLA, Mr. ENGEL, Mr. GREEN, Mrs. UNSOELD, and Mr. LEWIS of Georgia.

H.R. 3869: Mr. LEVINE of California.

H.R. 3880: Mrs. UNSOELD, Mr. AKAKA, Mr. KASTENMEIER, Mr. WYLIE, Mr. SMITH of New Jersey, Mr. SAVAGE, Mr. MOAKLEY, Mr. DE LUGO, Mr. RICHARDSON, Mr. HOPKINS, Mr. ROSE, Mr. JONES of North Carolina, Mr. MILLER of California, Mr. TORRICELLI, and Mr. ROE.

H.R. 3899: Mr. SMITH of New Jersey, Mr. KASTENMEIER, Mr. SHAYS, Mr. OBERSTAR, Mr. JOHNSON of South Dakota, Mr. GLICKMAN, Mr. HEFNER, and Mr. NIELSON of Utah.

H.R. 3907: Mr. SENSENBRENNER, Mr. UPTON, Mr. FAWELL, and Mr. FRANK.

H.R. 3914: Mr. BORSKI, Mrs. SAIKI, Mr. DWYER of New Jersey, Mr. HENRY, Mr. HUTTO, Mr. OWENS of Utah, Mr. WALSH, Mr. ROSE, Mr. BOEHLERT, Mr. LEWIS of Georgia, Mr. DYSON, Mr. RAHALL, Mr. DARDEN, Mr. BONIOR, Mr. HAYES of Illinois, Mr. MOAKLEY, Mr. QUILLEN, Mrs. BOXER, Mr. JONES of North Carolina, Mr. STALLINGS, Mr. FAZIO, Mr. DEFAZIO, Mr. TORRES, Mr. BUSTAMANTE, Ms. SCHNEIDER, Mr. KANJORSKI, Mr. NELSON of Florida, Mr. CLEMENT, Mr. CRAIG, Mr. HALL of Texas, Mr. TANNER, Mr. BILBRAY, Mr. BOUCHER, Mr. FROST, Mr. DOUGLAS, and Mr. LEWIS of California.

H.R. 3921: Mrs. BENTLEY.

H.R. 3929: Mr. LAFALCE, Mr. STARK, Ms. PELOSI, and Mr. FROST.

H.R. 3934: Mr. FROST.

H.R. 3957: Mr. GALLEGLY, Mr. MCCLOSKEY, and Mr. CAMPBELL of California.

H.R. 3964: Mr. SWIFT.

H.R. 3985: Mr. PENNY.

H.R. 3994: Mr. ROE, Mrs. COLLINS, Mr. JAMES, and Mr. FAWELL.

H.J. Res. 240: Mrs. BOXER, Mr. HEFNER, Mr. INHOFE, Mr. PALLONE, Mr. SCHEUER, Mr. SMITH of Florida, and Mr. VOLKMER.

H.J. Res. 345: Ms. PELOSI, Mr. IRELAND, and Mr. LIPINSKI.

H.J. Res. 372: Mrs. BENTLEY and Mr. CARDIN.

H.J. Res. 398: Mr. ANDREWS, Mr. CRAIG, Mr. KOLTER, Mr. SAVAGE, Mr. TAUZIN, Mr. DREIER of California, Mr. SIKORSKI, Mr. VISCLOSKY, Mr. DONNELLY, Mr. CLAY, Mr. WYDEN, Mr. DARDEN, Mr. KENNEDY, Mr. ECKART, Mr. GRAY, Mr. MORRISON of Connecticut, Mr. DE LUGO, Mr. ROBINSON, Mr. DOWNEY, Mr. BRUCE, Mr. PERKINS, Mr. PACKARD, Mr. COOPER, Mr. STAGGERS, Mr. GRANDY, Mrs. PATTERSON, Mr. SOLOMON, Mr. THOMAS of California, and Mr. WELDON.

H.J. Res. 413: Mr. GREEN, Mr. IRELAND, Mr. GINGRICH, Mr. DURBIN, Mrs. BYRON, Mr. BAKER, Mr. DWYER of New Jersey, Mr. ENGEL, Mr. MCEWEN, Mr. COUGHLIN, Mr. GUNDERSON, Mr. BORSKI, Mr. DERRICK, Mr. DARDEN, Mr. HENRY, Mr. ASPIN, Mr. GRANDY, Mr. SLATTERY, Mr. YATRON, Mr. COSTELLO, Mr. WOLF, Mr. PAYNE of Virginia, Mr. KOSTMAYER, Mr. BATEMAN, Mr. COYNE,

Mr. FASCELL, Mr. PARRIS, Mr. CARDIN, Mr. HANSEN, Mr. MAVROULES, Mr. MCMILLEN of Maryland, Mr. SCHUETTE, Mr. JONES of Georgia, Mr. GEKAS, Mr. VANDER JAGT, and Mr. LEWIS of California.

H.J. Res. 452: Mr. TAUKE, Mr. PRICE, Mr. WALSH, Mr. JOHNSON of South Dakota, Mr. ROWLAND of Georgia, Mr. MCCLOSKEY, Mr. PETRI, Ms. LONG, Mr. CARDIN, Mr. SLATTERY, Mr. HAMILTON, Mr. SMITH of New Hampshire, Mr. TRAXLER, Mr. BEREUTER, Mr. KASTENMEIER, and Ms. OAKAR.

H.J. Res. 457: Mr. MCGRATH, Mr. DEWINE, Ms. ROS-LEHTINEN, Mr. HUGHES, Mr. LIPINSKI, Mr. UPTON, Mr. DEFAZIO, Mr. BORSKI, Mr. OWENS of New York, Mr. KOSTMAYER, Mr. GEJDENSON, Mr. RANGEL, Mr. GALLO, Mr. COURTER, Mr. PALLONE, Mr. LEVIN of Michigan, and Mr. SOLOMON.

H.J. Res. 464: Mr. GREEN, Mr. HAMILTON, Mr. MCNULTY, Mr. MADIGAN, and Mr. RAY.

H.J. Res. 476: Mr. BONIOR, Mrs. COLLINS, Mr. ENGEL, Mr. GEJDENSON, Mr. LAFALCE, Mr. LEWIS of Georgia, Ms. LONG, Mr. MACHTLEY, Mr. PASHAYAN, Mr. ROBERT F. SMITH, Mr. WEBER, Mr. WYDEN, and Mr. YATRON.

H. Con. Res. 59: Mr. SMITH of Texas, Mrs. JOHNSON of Connecticut, Mr. NIELSON of Utah, and Mr. FUSTER.

H. Con. Res. 151: Mr. SCHAEFER, Mr. SCHUETTE, and Mr. ANDREWS.

H. Con. Res. 196: Mr. ENGEL, Mr. PAYNE of Virginia, Mrs. VUCANOVICH, Mr. WAXMAN, Mr. INHOFE, Mr. SMITH of New Hampshire, Mr. FISH, and Mr. EDWARDS of Oklahoma.

H. Con. Res. 252: Mr. BORSKI, Mrs. SAIKI, Mr. DWYER of New Jersey, Mr. HENRY, Mr. HUTTO, Mr. OWENS of Utah, Mr. WALSH, Mr. ROSE, Mr. BOEHLERT, Mr. LEWIS of Georgia, Mr. DYSON, Mr. RAHALL, Mr. DARDEN, Mr. BONIOR, Mr. HAYES of Illinois, Mr. MOAKLEY, Mr. QUILLEN, Mrs. BOXER, Mr. JONES of North Carolina, Mr. STALLINGS, Mr. FAZIO, Mr. DEFAZIO, Mr. TORRES, Mr. BUSTAMANTE, Ms. SCHNEIDER, Mr. KANJORSKI, Mr. NELSON of Florida, Mr. CLEMENT, Mr. CRAIG, Mr. FROST, Mr. TANNER, Mr. BILBRAY, and Mr. BOUCHER.

H. Con. Res. 257: Mr. MICHEL.

H. Con. Res. 267: Mr. HERGER, Mr. BEREUTER, Mr. CRAIG, Mr. PASHAYAN, Mr. HEFLEY, Mr. CAMPBELL of Colorado, Mr. HILER, Mr. SPENCE, Mr. FAWELL, Mr. BURTON of Indiana, Mr. SKEEN, Mr. BILIRAKIS, Mr. LENT, Mr. EMERSON, Mr. HUBBARD, Mr. JAMES, Mr. TRAFICANT, and Mr. STEARNS.

H. Res. 206: Mr. BILBRAY, Mr. DELLUMS, Mr. DYSON, Mr. GRANT, Mr. HALL of Ohio, Mr. TANNER, Mr. PERKINS, Ms. SLAUGHTER of New York, and Mr. SMITH of Texas.

H. Res. 306: Mr. ENGLISH, Mr. FAUNTROY, Mr. TOWNS, Mr. BONIOR, Mr. BRYANT, Mr. RAHALL, and Mr. FROST.

SENATE—*Wednesday, February 21, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable RICHARD H. BRYAN, a Senator from the State of Nevada.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

From whence come wars and fightings among you? come they not hence, even of your lusts that war in your members? Ye lust, and have not: ye kill, and desire to have, and cannot obtain: ye fight and war, yet ye have not, because ye ask not.—James 4:1, 2.

Eternal God, this penetrating diagnosis by St. James makes us want to defend ourselves and say, "Not Guilty," But the hardest accusation is the simplest: "* * * ye have not, because ye ask not." In spite of all the Biblical encouragement to pray, examples of great men and women of the Bible, our own inclination to pray when life tumbles in, we fail to take prayer seriously, we do anything rather than pray.

In the words of Charles Dickens, "These are the best of times and the worst of times." Never has America had a greater opportunity. No more cold war. Demand for freedom exploding all over the world. Collapse of oppressive governments. Yet we face an overwhelming problem of drugs, debt, disintegrating moral environment, our own Capital City in trouble. We remember the greatness of America following World War II, retooling to rebuild a world destroyed by war.

Help us, Lord, not to fail at this propitious time in history. Save us from majoring in minors. In Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 21, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD H. BRYAN, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BRYAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, the time between now and 10:40 will be divided between the two leaders. At 10:40, the Senate will recess until 12:15 today so Members of the Senate may attend a joint meeting with the House to hear an address by President Havel of Czechoslovakia.

When the Senate reconvenes at 12:15, there will be a period for morning business until 1:15, with Senators permitted to speak therein.

When morning business closes at 1:15, the Senate will resume debate on the motion to proceed to Senate Joint Resolution 212, the Armenia resolution. It is expected that debate on the motion will continue throughout today's session.

Mr. President, I have a statement to make regarding the State Department human rights report on China.

I ask unanimous consent that if my remarks extend beyond one-half of the allotted time, that the leader time of the distinguished Republican leader, which I will reserve following my remarks, be extended to an equal time.

The ACTING PRESIDENT pro tempore. Without objection, that will be the order.

STATE DEPARTMENT HUMAN RIGHTS REPORT ON CHINA

Mr. MITCHELL. Mr. President, I begin my remarks today with a quotation. It reads as follows:

The human rights climate in China deteriorated dramatically in 1989. On March 5-7, People's Armed Police (PAP) used indiscriminate and excessive force in suppressing demonstrations in Lhasa, Tibet, killing scores of persons. These killings and other serious human rights abuses, however, were dwarfed when the leadership ordered the People's Liberation Army (PLA) and other security forces to suppress forcefully a peaceful, student-led movement seeking greater freedom for China's people. At least several hundred, and possibly thousands, of people were killed in Beijing on June 3-4. The Beijing massacre was followed by a drastic, country-wide crackdown on participants, supporters, and sympathizers. Thousands were arrested and about a score are known to have been executed, following trials which fell far short of international standards, for alleged crimes committed during the unrest. There have also been persistent but unconfirmed reports of numerous unannounced executions. At year's end, the crackdown was still continuing.

Those powerful words are not mine. They are not the words of a critic of President Bush or of his administration. They are the words of the United States Department of State in its report on human rights in China.

That report is a devastating indictment of the human rights position of the Chinese Government. It is an equally devastating indictment of the policies of the Bush administration toward China.

The State Department report makes it clear that the Government of China is pursuing a policy that violates the rights of its citizens broadly, indiscriminately, and in a way that should shock the conscience of the world.

It does shock the conscience of Americans. Unfortunately, it has not shocked the conscience of the executive Branch of the American Government. As we know, last December, ironically on International Human Rights Day, two high ranking officials of our Government met in Beijing with the very Chinese leaders who ordered the Tiananmen Square massacre.

Now it is clear that those same leaders have subsequently implemented a crackdown on political dissent which has subjected Chinese citizens to imprisonment, to physical beatings and torture, to personal humiliation and degradation, and some to execution.

Last year, I said it was wrong for the administration to support human rights in its words but not in its deeds. I called on the President not to conduct business as usual with China and thereby make a mockery of our profession of concern for human rights and our own ideals. I urged instead that the President affirmatively and public-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

ly press the Government of China to grant its citizens the democratic self-determination that is the right of all men and women.

Now the Department of State's own report on human rights in China prompts me to reiterate that call. Surely, at the beginning of a decade that is seeing the collapse of another totalitarian system in Eastern Europe and within the Soviet Union, there is no longer any credibility to the claim of a government that it has any moral right to attack its own people.

The State Department report says that, "Virtually all internationally recognized human rights discussed in this report are restricted, many of them severely."

Those "internationally recognized human rights" include the fundamental human right to be free from:

Political and other extrajudicial killing;

Torture and other cruel, inhuman or degrading treatment or punishment;

Arbitrary arrest, detention or exile;

Denial of fair public trial;

Arbitrary interference with privacy, family, home or correspondence; and

Excessive force and violations of humanitarian law in internal conflicts.

These are basic human rights so self-evident to Americans that their mere listing alone is chilling.

Most Americans already assume that no government has the right to torture its citizens; that no government has the right to fire on unarmed, peacefully assembled civilians; that no government has the right to execute people just because they want political change.

Yet, as the State Department report makes clear, these are today the routine actions of the Chinese Government. The State Department reports that: "The Government maintains control through a nationwide security network * * * In 1989, the security network was responsible for widespread human rights abuses, especially in Beijing and Xizang (Tibet)."

There is and can be no doubt that the abuses of its people are the intentional work of the Chinese Government.

The State Department points out, as well, that "The government, as a matter of course, does not publicly announce the names of those detained or arrested."

In connection with the persistent reports of executions, the State Department reports that "Chinese officials have refused to respond to diplomatic requests for information."

The "persistent and consistent" reports of torture, as the State Department characterizes them, cannot be confirmed or, of course, conclusively disproven, because the Chinese Government refuses to acknowledge that it is accountable to anyone for its treatment of its own people.

Yet the two secret visits to that same government by high-ranking American officials last year were excused by the administration on the grounds that we should not isolate China, and that such contacts will help improve the climate for human rights.

The State Department report offers no evidence of any improvement in the human rights climate at all.

Throughout the 20th century, the world has heard the repeated claims of dictators that their treatment of their own people is not the business of others.

The world has also heard the repeated claims that "quiet diplomacy" is the only way to proceed in such cases.

History has now shown the bankruptcy of both of these claims.

Neither the collapse of Eastern European communism nor the freeing of Nelson Mandela came about because of quiet diplomacy or silence by the outside world. Both events were hastened and in some respects precipitated by precisely the opposite—outside scrutiny and vocal, sustained, insistent public calls for improvement, especially public calls by America.

When Nelson Mandela walks into the White House, both he and President Bush should reflect on the fact that Mr. Mandela is out of prison in part because the United States Congress imposed sanctions on South Africa over the objections of then President Reagan and Vice President Bush.

If the Reagan-Bush administration had had its way, there would have been no sanctions imposed on South Africa and Nelson Mandela might still be in prison.

Have we learned from that experience? If so, what policy should we now follow with respect to China?

I say we must recognize that the Chinese people, one quarter of the human race, are subject to repression that requires—indeed that demands—vocal, sustained, insistent public calls for improvement.

But to the contrary, our Government's policy toward China has demonstrated a lack of concern about the shocking events depicted so graphically in the State Department's report.

The Chinese Government has ordered the murder of its own citizens; it has practiced indiscriminate detention and arrest; it permits torture and degradation in government custody; it carries out judicial murders in the form of executions.

To this day, the Chinese Government's policy is one of repression against every vestige of free expression inside the country, coupled with censorship and the Big Lie technique of denial to the outside world.

In response, the Bush administration authorized not just one, but two secret, high-level missions to the Chinese Government, the first barely a month after the blood ran on Tiananmen Square, the second in December.

Instead of signing the bill to protect Chinese students here against forced repatriation, the President vetoed it and fought hard and successfully to have his veto sustained.

Instead of maintaining economic sanctions against China, the President lifted the two most visible—giving export licenses for three satellites, and letting our Export-Import Bank extend loans and guarantees for United States exports to China. Those gestures followed the lifting of sanctions to let the sales of several airliners to China go through.

And although licenses for four arms sales have not yet been issued, the contractors have been allowed to keep working on those projects—a strong indication that these exports, too, will soon be permitted.

The human rights record of the Chinese Government is not limited to brutality and crude repression. It goes also to the civil rights of its people, as the State Department makes clear. Freedom of speech and press have been severely restricted both for Chinese citizens and foreign journalists.

Excerpts from the report tell the story: "In the aftermath, authorities severely restricted the movements of foreign journalists * * *"; "Restrictions on the publication of books * * * became much more stringent since June."; "* * * tighter control on distribution has enabled authorities to censor foreign language material more effectively."

The Chinese Government is willing to sacrifice the future of its youth, the hope of any nation, to the overriding desire to retain power. Thus, the State Department reports:

> The Government has worked to reimpose more rigid ideological control over the school system. The State Education Commission ordered that 30,000 fewer first-year students be admitted to universities for the fall 1989 semester. * * * The entire first-year class at Beijing University * * * was sent to an isolated camp for a year of military training and ideological indoctrination. (The Government said this program might be expanded to include additional universities in the future.)

What possible justification can there be for a government to limit the future of its own country by restricting the education of its own most promising people? There can be none other than the lust for power.

In virtually every element of civil rights, the Chinese government has taken action to secure its own survival against the rights of the Chinese People. Individual identity cards are being issued and checked to control travel within the country, the human rights monitoring group has been disbanded, the right of Chinese to associate is limited to groups that the gov-

ernment agrees to register, independent trade unions of Chinese working people are outlawed.

Indeed, it is the ultimate tragic irony that in a self-styled People's Republic, allegedly devoted to the interests of workers, "* * * workers became a primary target of government reprisals. * * * All of those known to have been executed for offenses linked to the demonstrations were manual workers."

The State Department report speaks in broad terms, as it must. Other, individual voices say the same things. Prof. Yang Ye, of Bates College, in Maine, recently spoke to me and sent me a letter. Professor Ye wrote:

There has been no improvement whatsoever in terms of the human rights situation in the People's Republic of China. With three hundred thousand troops around and enforced security forces within the city, the lifting of martial law in Beijing is a big joke aimed only at fooling foreign media and luring foreign investment.

Professor Ye reminds us that the "most recent response to the olive branch offered to the Beijing regime by President Bush was that 9 Chinese Catholic ministers and 30 priests in Hebei province were arrested in late December, among whom 8 are at this moment still in prison."

Chillingly, Professor Ye says that despite the claims of the administration that its veto of the visa extension bill will have no effect on Chinese students now is this country,

[a]t least two Chinese students * * * that I know * * * were recently denied extension of their passport by the Chinese consulates in the United States, presumably because of their activities in support of the democracy movement in China.

These students and others in their position must wonder at the depth of American commitment to human rights, so long as our Government speaks in one way but acts in another.

It is not enough for the President's press secretary to say, as he recently did, that "human rights are universal and our duty to comment on them is great." We have an obligation to do more than comment. We have an obligation to behave in accordance with our words as well as merely to say the words.

But the administration's deeds are contrary to its words. As with so many other issues, on human rights in China the administration's words are right, its deeds wrong.

Professor Ye put it clearly and eloquently in his letter to me. I ask my colleagues to listen to these words:

I have long since come to the conclusion that it is our affinities, our points of contacts with all other human beings, not our differences, that should be emphasized to make our world a better and more peaceful place.

We Chinese are not extraterrestrial beings. We live on the same Earth. We have the kind of joy, anger, sorrow, fear, love, hatred and desire, and we should be treated as equals in terms of human rights. * * *

It is simply not right to claim, as some China card players in this country do, that the Chinese have a special "Oriental mind," and that democracy and freedom are something not in Chinese culture. To me, such remarks are insulting and racist, morally unforgivable.

The fundamental concepts of democracy and freedom are not incongruent with the Confucian values of benevolence, humaneness, and individual dignity.

What is alien to Chinese civilization, in my opinion, is the Marxist-Leninist theory of class struggle and violence, a theory that is preoccupied with differences and based on hatred.

I know little about Professor Ye. I have only spoken with him once. But I am moved by his words. I believe he is right. What lies at the heart of human rights concerns is the knowledge that we are all people of the Earth, that our similarities are more important than our differences, and that we are all alike in wanting human freedom and personal liberty—the fundamental acknowledgment of our individual worth.

That is the fundamental claim that every human being has a right to make. It is the claim no government can or should deny, least of all the Government of the United States of America.

Again, I urge the President to be the spokesman for American ideals, for what America stands for and believes in, to speak out in expressing support for the moral issue of human rights for the Chinese people as strongly as he has expressed that support for the people of Eastern Europe and the Soviet Union. The Chinese people deserve no less than other human beings.

Mr. President, I ask unanimous consent that the comments from Prof. Yang Ye be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BATES COLLEGE,
Lewiston, ME, February 15, 1990.

Hon. GEORGE J. MITCHELL,
U.S. Senator, Senate Russell Office Building, Washington, DC.

DEAR SENATOR: Thank you again for seeing me on Monday. I enjoyed every minute of our talk. Let me assure you that my gratefulness to you for what you have done for China and the Chinese people is shared by thousands of Chinese students and scholars in the U.S., many of whom I have encountered and talked to during my tours around the country since last June.

I am, as you can well understand, disappointed at the senate vote last month which failed to override the President's veto of the Pelosi bill. The White House used the tactics of politicizing an issue which, I believe, is beyond and larger than politics. One negative result of the vote is that many of my fellow countrymen in this country are now afraid to speak out for democracy and freedom in China. It is not surprising: having come from a nation where what the dictators say or promise is the law (and we know how much it counts), we had hoped that we could have legislative guarantee of safety in this country to voice what was silenced in China. Of course we now have some promises from the President of the United States, but we find it hard to forget that he also promised, after the Tiananmen massacre, that there would be no high-level contact with the Chinese government, and it was only two weeks after he made that promise that he sent General Scowcroft and Deputy Secretary Eagleburger on their secret mission to Beijing.

Despite the setback I, as well as many of my Chinese friends in the U.S., shall keep fighting for freedom and democracy in China. We owe it to the hundreds of young men and women who were gunned down by machine-guns, whose bodies were rolled over and crushed by tanks in the center of Beijing. We owe it to the thousands of our fellow students and intellectuals at home who were thrown into prison, who were beaten up and tortured there, and those who were already summarily tried and executed in secret. We owe it to the brave young man, the nineteen-year-old Wang Weilin, whose image standing in front of the tanks has become one of the most lasting symbols of 1989, and most probably, of this century. And last but not least, we owe it to the great American people, whose warm and consistent support of our cause has been a constant source of encouragement and inspiration to us.

I must point out that since the President of the United States and his staff worked so hard to defeat the override effort, there has been little, if any, response in return from Deng Xiaoping and the other aging dictators in Beijing. There has been no improvement whatsoever in terms of the human rights situation in the People's Republic of China. With three hundred thousand troops around and enforced security forces within the city, the lifting of martial law in Beijing is a big joke aimed only at fooling foreign media and luring foreign investment. Mr. Fang Lizhi, the astrophysicist and human rights activist, is still taking refuge in the American embassy. Student leaders Wang Dan, Liu Gang, Guo Haifeng, and others who advocated non-violent and peaceful demonstrations, are still languishing in prison with no trial. Not a single list of the arrested and executed has been given by the Chinese regime. A most recent response to the olive branch offered to the Beijing regime by President Bush was that 9 Chinese Catholic ministers and 30 priests in Hebei province were arrested in late December, among whom eight are at this moment still in prison. The Chinese Ministry of Education has recently issued a secret document with further restrictions on study abroad (especially on study in the U.S.) for Chinese college students. At least two Chinese students currently in the U.S. that I know, Mr. Liu Yonghuan and Mr. Xu (pronounced as Hsu) Bangtai (a graduate student at U.C. Berkeley), were recently denied extension of their passport by the Chinese consulates in the U.S., presumably because of their activities in support of the democracy movement in China.

I was born and brought up in a highly tradition-oriented family, and my field is in comparative literature, a discipline that focuses on comparisons and contrasts among different cultures. I have long since come to the conclusion that it is our affinities, our points of contacts with all other human beings, not our differences, that should be emphasized in order to make our world a better and more peaceful place. We Chinese

are not extraterrestrial beings (E.T.). We live on the same earth. We have the same kind of joy, anger, sorrow, fear, love, hatred, and desire, and we should be treated as equals in terms of human rights. China is perhaps a land in the "Far East" (a term long since discarded in the academia, and even in the media, because of its Eurocentric flavor, but twice used in the President's State of Union speech), but what is going on in China is not China's "domestic affair" as the Beijing regime claims it to be. One fourth of the world's population is suffering under the repression of a toppling totalitarian regime. It is simply not right to claim, as some China card players in this country do, that the Chinese have a special "Oriental mind," and that democracy and freedom are something not in Chinese culture. To me such remarks are insulting and racist, morally unforgivable. The fundamental concepts of democracy and freedom are not incongruent with the Confucian values of benevolence, humaneness, and individual dignity. What is alien to Chinese civilization, in my opinion, is the Marxist-Leninist theory of class struggle and violence, a theory that is preoccupied with differences and based on hatred.

I appeal to you, dear Senator, and through you, as Senate Majority Leader, to your colleagues, to do whatever within your power to help our country and our countrymen in the struggle for freedom and democracy. If no improvement in the human rights condition is seen in the People's Republic of China in the near future, further sanctions, including the reconsideration of China's status as a Most Favored Nation (MFN), should be placed on the agenda of the legislative branch. If the White House is unwilling to stand for the fundamental values of this great country, it is up to the U.S. Senate and Congress to keep lighting up the beacon for freedom and democracy in the world. If there is anything I can do for this cause please do not hesitate to let me know.

Very sincerely yours,

YANG YE, PH.D.,
Assistant Professor of Chinese,
Bates College.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the leader time of the distinguished Republican leader.

I yield the floor.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, since the distinguished Republican leader is not present, I ask unanimous consent that there be a period for morning business for 10 minutes to permit the Senators from Minnesota and Connecticut to address the Senate and introduce their legislation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOSCHWITZ addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. BOSCHWITZ. I thank the Chair.

(The remarks of Mr. BOSCHWITZ pertaining to the introduction of S. 2149 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LIEBERMAN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut [Mr. LIEBERMAN].

Mr. LIEBERMAN. I thank the Chair.

(The remarks of Mr. LIEBERMAN pertaining to the introduction of S. 2149 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LIEBERMAN. Mr. President, I see no one else seeking recognition. Therefore, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO ELSA SANDSTROM

Mr. WILSON. Mr. President, it is my great privilege to honor the memory of a dear friend and a great American, Elsa Sandstrom, a woman who will long be remembered for her intelligence, wit and steadfast devotion to noble causes.

Elsa Sandstrom was a consummate Californian, a personal friend of Ronald Reagan, who through her leadership and foresight became indispensable to the State and national Republican Party. Her courage and conviction were rewarded with the admiration, respect and sheer affection by all those who were fortunate enough to know this truly remarkable woman.

Throughout her long and accomplished life she held many prestigious positions. Whether as State cochairwoman for Ronald Reagan's campaigns for both Governor and President, or as a delegate to the Republican Conventions in which Barry Goldwater, Richard Nixon, Ronald Reagan, and George Bush were nominated, Elsa Sandstrom enjoyed a most successful career and served to enrich each of life's endeavors with an unmitigated dedication to the principles she boldly championed.

I take great pride in honoring the memory of Elsa Sandstrom in this Chamber of the U.S. Senate on behalf of all Californians.

RECESS UNTIL 12:15 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 10:40 a.m. having arrived, the Senate stands in recess until the hour of 12:15 p.m., for the purpose of attending a joint meeting with the House of Representatives to hear the very distinguished President of Czechoslovakia, Vaclav Havel.

(The remarks of Vaclav Havel, President of Czechoslovakia before the joint meeting of the Congress are contained in the House portion of today's RECORD.)

The Senate, at 10:40 a.m., recessed until 12:15 p.m.; whereupon, the Senate reassembled when called to order by the President pro tempore.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDENT pro tempore. Without objection, the Senate will stand in recess awaiting the call of the Chair, and without objection the time spent in recess will come out of the hour for morning business. The Senate stands in recess.

There being no objection, at 12:15 p.m., the Senate recessed, subject to the call of the Chair.

The Senate reassembled at 12:19 p.m., when called to order by the Presiding Officer [Mr. SHELBY].

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business not to extend beyond the hour of 1:15 p.m.

Mr. KERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FOWLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT HAVEL'S ADDRESS TO THE JOINT MEETING OF CONGRESS

Mr. FOWLER. Mr. President, before we begin the business of the Senate today, in these few moments of calmness, I would like to take the opportunity to reflect for just a few moments on one of the extraordinary pleasures and opportunities of service in the U.S. Senate. Sometimes in our representative capacity we are also here to try to learn and, from that learning, participate in the education process of our country and our countrymen.

This morning I and my colleagues in both the Senate and the House just came from one such learning experi-

ence that I would be remiss if I did not commend to other members of the American citizenry who may hear the sound of my voice through our television and radio. As we all know, the proceedings of the Senate now are being televised live throughout the United States.

The President of Czechoslovakia, Mr. Havel, a poet and a playwright, addressed a joint session of the United States Congress this morning as the Pesident of the Republic of Czechoslovakia, as a democrat with a small "d," as a man who, as he said, had been to no school for Presidents, had never sought political authority, had never had any ambition to lead in a political sense of the word, but who, as he said, came up through the school of life, and felt in that moment of transcendence when his country and his countrymen rose up and said, "We shall be free of all totalitarian influence, we shall make our own decisions, we shall adopt political pluralism, and we shall make our own decisions."

As the new President of Czechoslovakia told us this morning, it is time to shoulder some of the burdens and obligations of free men, and help lead his country into a new dawn where free decisions and free people will live freely and make those decisions in Czechoslovakia.

I cannot even begin to paraphrase President Havel's address and will not try to. The purpose of this reflection this morning is only one; that is, to commend to every school teacher in the United States of America, every student, whether they be students in school or whether they be aging students such as all us in the United States Congress, to write their Senator requesting a copy of the address of the new President of Czechoslovakia and to read for themselves and to their students what it means to be democratic with a small "d," and upon such truths this republic was founded and the emerging nations of Europe will attempt to emulate.

It is a matter, as President Havel said, of putting the human conscience and our ingrained sense of moral authority over any political authority, and in the end that will assure that the right decision is made. Even though, as he said to his American audience, we have 200 years of practicing this thing called "democracy" with no interruption of totalitarianism, he said, "As long as people are people, democracy in the full sense of the word will always be no more than an ideal; one may approach it as one would a horizon, in ways that may be better or worse, but it can never be fully attained. In this sense you, too—we Americans—are merely approaching democracy. You have thousands of problems of all kinds, as other countries do. But you have one great advantage: You have been approaching democracy uninterruptedly for more than 200 years and your journey toward that horizon has never been disrupted by a totalitarian system."

Oh, if we could learn that lesson and take it to heart, that in a free country our basic freedoms have to be earned over and over and over again, and there is no hope, there is no hope, of continuing to ensure these freedoms unless our children and students of all ages reread their Jefferson, reread their Franklin, reread not only the history of our country, but now the extraordinary changes that are taking place in Eastern Europe and the Soviet Union where no totalitarian system has been able to conquer the mind and the heart of man.

Mr. President, Havel ended by saying,

> I will end where I began. History has accelerated. I believe that once again it will be the human mind that will notice this acceleration. Give it a name and transform those words into deeds.

I say to our friend, the poet-playwright, the President of Czechoslovakia, I think we already know what that name is—the name is truth. In older words than these, "Ye shall know the truth, and the truth shall set you free."

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada is recognized.

CAMPAIGN REFORM

Mr. REID. Mr. President, we just returned from another week-long vacation, during which hundreds of hours were spent by Members of this body raising campaign money. It seems that with the experiences we had in 1988 and 1986 we would do something about reforming the campaign laws of this country.

I thought the experiences that I had in 1986 would never happen again. I hoped that before the elections held in 1988 there would be campaign reform, so that that campaign would be more directed toward issues than how much money a candidate has. In fact, that was not the case. Shortly it is going to be 4 years since the 1986 elections, and not a single thing has changed. I think it is time that this body and the other body recognize that it is going to take some action to change the law, to change the law so that the people that are voting for us have more than a 30-second spot on which to base a decision as to whether or not a person should serve in the U.S. Senate.

Mr. President, I am here to alert the Members of the Senate and the American public that now the 30-second spot may be something of the past, that the campaigns of the future are now looking at a 10-second spot. So instead of being buried in 30-second spots, the American public will be buried in 10-second spots. And, in that 10 seconds, a candidate will have the opportunity to discuss in detail all the many issues that face this country.

I think it is important to note that, recently, a Federal judge ordered the Federal Election Commission to act on complaints stemming from my 1986 campaign and other campaigns going on at that time. And the judge said, and I say today, that it is not the fault of the Federal Election Commission. They have been established as a toothless tiger, to have no power to do anything. In fact, it is now set up so that there are three of one party and three of the other, and so the tough decisions are simply not approached. They leave them, and they leave them, and leave them, until action by a Federal judge is necessitated.

So I think we should look at campaign ceilings, bundling, at independent expenditures and all those things. But also, Mr. President, let us look at streamlining the Federal Election Commission.

There are a lot of things on a wish list campaign reform proposal out there, and I think we should look at all of them. Let us do what is doable.

Senator MCCONNELL and I have introduced a campaign reform bill that is bipartisan and realistic, and includes measures that will make the 1990 elections and the 1992 elections much more fair. In effect, what this bill that Senator MCCONNELL and I introduced contains a look at bundling, at independent expenditures, broadcast discount rates and those things that are all bywords of the campaign proposal. But also it looks at streamlining the regulations of the Federal Elections Commission. Our bipartisan bill would reduce the amount of time in which the FEC is required to act and it would give the FEC the power to levy fines and penalties that hurt.

So Mr. President, I think it is important that we work as hard here in Washington for campaign reform as we do raising money during our vacation breaks when we go home.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I have a statement that is a little longer. I inquire of the Senator from Idaho how long he wants to speak.

Mr. SYMMS. About 3 minutes.

Mr. KERRY. Mr. President, I think my colleague from Kentucky also has

a short statement. I will proceed after them.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. SYMMS. Thank you very much.

I thank my friend from Massachusetts for his courtesies.

(The remarks of Mr. SYMMS pertaining to the introduction of S. 2150 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. I thank the Chair.

(The remarks of Mr. McCONNELL pertaining to the introduction of S. 2152 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. McCONNELL. I thank my friend from Massachusetts for yielding the time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Chair.

Mr. President, are we operating under any time constraints at this point?

The PRESIDING OFFICER. There is no time limit. We are operating in morning business until 1:15 p.m.

Mr. KERRY. Mr. President, I thank the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I thank the Chair.

(The remarks of Mr. KERRY pertaining to the introduction of S. 2152 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

THE ELIMINATION OF GROUND-BASED SHORT-RANGE NUCLEAR WEAPONS IN EUROPE

Mr. KERRY. Mr. President, we have just come from listening to an extraordinary speech from the President of Czechoslovakia. It is rare that leaders of the world today are willing, as Vaclav Havel was this morning, to place concepts of morality and personal ethics as the foundation of policy and politics. It is extraordinary that we hear from the President of a country those notions and those thoughts. They are really too absent from the political dialog of this country.

Part of what he said this morning is focused on what I rise to talk about before the Senate today. He spoke of the time that he hopes will come when Europe will be able to stand guard over itself. And he spoke of how history has accelerated and of the importance of us transferring words into deeds.

I rise today to respectfully suggest the means by which we can keep up with the acceleration of history, catch up with it, perhaps, and take a step to transform our own words into deeds.

Mr. President, the time has come for the United States and NATO to begin negotiations with the Soviet Union aimed at the elimination of ground-based nuclear weapons in Central Europe.

This will add a third zero to the double-zero we negotiated with the Soviets in the INF Treaty.

Today, East and West Germany are obviously moving rapidly toward unification under the aegis of the "Big Four," under the formula agreed to last week in Ottawa. Poland, Czechoslovakia,—as we heard retiterated to us this morning—and Hungary are not only no longer Communist countries, but they are actively seeking the removal of Soviet military forces from their national territories as well as they should. In this new world, the deployment of some 4,000 ground-based nuclear weapons by NATO, mostly in West Germany, and an even larger number of similar weapons by the Soviet Union located in East Germany, Poland, Czechoslovkia, and Hungary, simply makes no sense whatever.

These weapons are fast becoming anachronisms—held over from the time when they were deployed by NATO to balance the Soviet's greater number of conventional forces.

With the clear termination of that period, an opportunity is open to us through negotiation and political change to seek something else. Failure to remove these ground-based nuclear weapons may threaten the future of NATO itself by dividing German and United States interests at a critical moment in history.

By changing our policy now and seeking a ban on ground-based nuclear weapons, the United States can simultaneously exert political leadership in NATO, preserve the concepts of deterrence, and prevent the threat to NATO that could well take place if we simply sit there and do not change our policy or do nothing.

German unification under the "two-plus-four" formula agreed to in Ottawa on February 13 will require the United States, Soviet Union, United Kingdom, and France to rethink fundamental positions no matter what. Eliminating ground-based forces in Central and Eastern Europe is, I believe, an essential part of the military restructuring that has to flow if the words that Vaclav Havel espoused are indeed to be turned into deeds.

Last spring, the West German Government made it very clear to our Government how it felt about the United States proposal to deploy a new generation of Lance follow-on nuclear missiles in Germany—weapons that would increase the Lance's range from 70 miles to just under the 300-mile limit imposed by the INF Treaty.

West German Chancellor Helmut Kohl and Foreign Minister Hans-Dietrich Genscher told the United States last spring that West Germans would not accept new nuclear weapons in Germany that could be aimed at Lech Welesa's Poland or at the emerging non-Communist government in Hungary.

On May 30, 1989, NATO resolved this dispute, at least temporarily, by agreeing to postpone a decision on the deployment of Lance until 1992, and to begin negotiations with the Soviets on reductions in short-range nuclear forces in Europe to parity at low-levels following the conclusion of a treaty to reduce conventional forces.

This eased the growing tension that had developed between the United States and the FRG. But even then, the NATO agreement was largely cosmetic, rather than substantive. It deferred the debate over ground-based short-range nuclear forces, rather than disposed of it. And to state the obvious, perhaps, the understatement of the year, an enormous amount has changed in Europe since that time.

Moreover, the changes to date are but precursors to the next stage of change. In the next year, we will certainly see the Soviet Union roll back its military occupation in East Germany, Czechoslovakia, Hungary, and Poland, as well as witness, rapid progress in Germany unification—probably along the lines proposed by German Foreign Minister Genscher, with East Germany becoming essentially a demilitarized zone of a united Germany.

Within the past month, we have already see the leaders of Hungary and Czechoslovakia formally advise the Soviets that they want Soviet forces out of their country, as has Lech Walesa in Poland. The Czech's timetable is to have two-thirds of the Soviet soldiers—some 50,000 to 60,000 occupying troops—out by mid-May, and total withdrawal by the end of 1990. Lech Walesa has requested the Soviets to be out of Poland by the end of 1990 as well. The Hungarian timetable would have the Soviets out by the end of 1991.

In the past month, the Soviets have formally agreed to begin negotiations with these nations on these issues. Last week, the four World War II powers and the two Germanys agreed on a structure for negotiations on German unification, which inherently will require a comprehensive plan for the removal of Soviet forces from East Germany for unification to take place.

In the past, the Soviet Union has resisted a troop pull out from Eastern and Central Europe, regardless of the number of troops we amassed in the West as evidence of our own strength

of purpose. Our ground-based nuclear weapons in West Germany were always a counter to not only Soviet nuclear weapons, but their superior quality of conventional forces.

Now, by contrast, the continued presence of NATO's ground-based short range nuclear weapons in West Germany poses a potential obstacle to eliminating Soviet forces from Central and Eastern Europe. While it is probable the Soviets will unilaterally reduce some short-range nuclear weapons in Central and Eastern Europe as a result of negotiations with Czechoslovakia and Hungary, others will likely remain so long as NATO's remain. Thus the NATO policy has, at least on its face, the inherent consequence of permitting the Soviets to insist on retaining some Soviet bases and forces in East Germany at least, and possibly elsewhere in Eastern and Central Europe, to support the continued deployment of their ground-based nuclear weapons.

It is widely agreed that the 195,000 superpower troop limit on the continent proposed by President Bush and now accepted by Secretary Gorbachev is a first step toward broader cuts. Certainly, both West and East would be far better off with the removal of all Soviet forces from Eastern and Central Europe.

To reach this goal, we should press for the removal of Soviet ground-based short-range nuclear forces.

Yet the policy of the United States is instead to oppose any kind of ban on ground-based short range nuclear forces, and to postpone negotiations on any reductions of those forces for now. Indeed, in this year's defense budget, Secretary Cheney has requested $112 million for the procurement of a new generation of short-range nuclear weapons to be based in Germany. Not withstanding the stated opposition of the German Government to that fact.

It makes no sense for the United States to target nuclear weapons at a Germany that is being unified within the West, at a Poland governed by Solidarity and Lech Welesa, at a Czechoslovakia governed by Vaclav Havel, a humanist playwright and, as we learned this morning, a moralist and anti-Communist we consider our friend. And it makes even less sense in a unified Germany for Germany to find itself the host to nuclear weapons based in its west and its east pointed at each other.

An unchanged United States policy on nuclear modernization will alienate our European allies and may do more to endanger the NATO alliance than any further action the Soviet Union is likely to take.

The current policy of flexible response is based on an increasingly antiquated NATO strategy. It was devised to offset a massive conventional force imbalance in Europe in which the Soviets out-deployed NATO in almost every category of weapons and manpower.

But with the changes in Europe the balance has changed and will certainly change further.

The Warsaw Pact has essentially crumbled. The Soviets are dismantling their forces and pulling them out of Eastern and Central Europe. In a few months, we will have a treaty that limits the Soviets to conventional parity, at lower levels. Under this treaty, Soviet tanks facing Western Europe will be cut to one-third of what they were in 1988.

A U.S. policy based on common sense and on the new realities in Europe—and one better calculated to preserve NATO—would have the United States press for a Central and Eastern Europe completely free of ground-based nuclear weapons.

Ground-based nuclear weapons—nuclear artillery and short-range missiles—have short fuses at the early stages of a conflict. They are "use 'em or lose'em" weapons with the additional trait of having short delivery times. They are overwhelmingly aimed by both sides at countries now friendly to the United States.

Moreover, if one looks at ground-based short-range nuclear weapons strictly in terms of military balance issues, it is clear that eliminating these weapons would improve the balances of forces in Europe overall.

In recent years, the Soviet Union has retained approximately 1,600 short-range missile launchers in Eastern Europe, deployed in Poland, Hungary, Czechoslovakia, and East Germany. All are aimed principally at West Germany. All are under the direct control of the Soviet military. All require significant numbers of Soviet soldiers to support them.

By contrast, NATO possesses only about 96 short-range nuclear missile launchers—36 under the sole control of the United States and around 60 under dual-key arrangements with Belgium, the Netherlands, the Federal Republic of Germany, Italy, and the United Kingdom. That is a ratio of about 16 to 1 in the favor of the Soviets.

The Soviets have maintained an estimated 3,100 missiles associated with their 1,600 launchers, while the United States has maintained about 700 missiles associated with our 96 launchers, for a ratio in favor of the Soviets of better than 4 to 1 when it comes to the nuclear missiles themselves.

Similarly, the Soviet Union maintains a force of artillery that has been estimated to be as large as 10,000, a substantial portion of which are nuclear-capable. The United States has an estimated 2,000 nuclear artillery shells.

For each category of these weapons, the Soviet Union has personnel stationed in East Germany, Poland, Czechoslovakia, and Hungary, amounting to at least 40,000 soldiers in all. At least 20 percent of all Soviet forces outside of the Soviet Union in Europe following a conventional force treaty under the new United States formula might remain in place solely to maintain and operate Soviet ground-based nuclear forces.

Thus, for both categories of short-range nuclear forces—missiles and dual capable artillery—it is in the national security interest of the United States, of NATO, of the Germanies, and of central and eastern Europe, to reduce that ratio to parity at zero.

Why zero? Put another way, why is the current NATO position that both sides should retain some short-range nuclear weapons at lower levels in central Europe wrong?

First, neither the United States nor its allies nor the newly emerging democracies in central and eastern Europe should want any Soviet nuclear missiles, supported by Soviet troops, in Eastern Europe, aimed at the West. Instead, we should insist that the Soviets remove every single last SS-21, Frog, and Scud missile from their former satellites: in other words, negotiate the last "zero" to complete the work the INF Treaty began.

Second, zero is much easier to verify than some. That was why the United States ultimately decided to negotiate double-zero, rather than low levels of INF weapons. In the words of U.S. Ambassador and space arms negotiator Max Kampleman when he testified in favor of the INF Treaty:

> It is simpler to verify a zero than a fixed number.

Third, zero is also the right number in terms of NATO's military strategy.

In tactical terms, it is already clear that the historic mission for NATO's ground-based nuclear forces is being obviated through unilateral Soviet reductions in conventional forces and through further negotiated conventional arms reductions. According to our own military experts, the risk of a short-warning offensive Soviet conventional attack on Western Europe today is practically nil. That threat, small as it is, should decrease further when we institutionalize conventional reductions through the Conventional Force Treaty.

In this new environment, eliminating ground-based nuclear weapons will reassure both sides that there need be no rush to mobilization should tensions rise, because neither side will have high-value weapons on the borders that could be overrun in a sudden clash of troops.

Zero is the right number for NATO strategically. After eliminating ground-based nuclear forces, both

sides would still retain air-launched nuclear weapons to bolster deterrence. This will avoid "decoupling" the United States from Europe. No aggressor in Europe could cross a border without risking a nuclear response as the ultimate guarantor of those borders.

And finally, as the rapidly changing European order is demonstrating daily, zero is the right number in political terms. Central and eastern Europe cannot be free of the occupying Soviets forces without the elimination of ground-based nuclear weapons from Eastern Europe, thereby permitting the Soviet troops that support those weapons to go home.

There is no reason to wait on negotiating the removal of these weapons. Negotiations should begin now.

What should be NATO's goal in such negotiations?

Our goal should be nothing short of the total elimination of Soviet ground-based nuclear weapons from East Germany, Poland, Czechoslovakia, and Hungary. To bring this about, we should be prepared to eliminate the United States ground-based nuclear weapons stationed in central Europe which could be used against Poland, Hungary, Czechoslovakia, and East Germany.

To reach this goal without increasing the risk to Western security at any time, the negotiation should link the removal of ground-based nuclear weapons to conventional force reductions, so that the West's short range nuclear forces will be withdrawn only after Soviet forces have been reduced to parity with the West, as specified in the conventional forces treaty to be signed later this year.

To ensure verifiability, the two sides should agree to withdraw all dual capable artillery based in the Germanies, Poland, Hungary, and Czechoslovakia, as well as all ground-based missiles capable of delivering nuclear warheads. This is consistent with the more defensive restructuring of forces that is a goal of the Vienna conventional force negotiations. To make verification of triple zero easier, and to make certain that the Soviets do not simply redeploy these weapons on Soviet territory, all the delivery systems covered by the treaty should be destroyed.

In addition, the two sides should agree to conduct onsite inspections of former nuclear storage sites and any suspect locales, to assure compliance by the Soviets down to zero. Obviously, such compliance will be far easier to demonstrate if all Soviet forces are withdrawn from central and eastern Europe.

This new and more stable regime would be reinforced by the rapid conclusion of a chemical weapons treaty with the Soviets, whereby chemical weapons would also be removed from central Europe to zero in sequence, with NATO reductions beginning only once the Soviets were down to parity in chemical stockpiles. Earlier this month, Secretary Baker and Soviet leader Gorbachev announced that both nations were accelerating efforts to conclude a treaty on chemicals soon.

It would be preferable ultimately to abolish all ground-based nuclear weapons in Europe, but political complications may make it more feasible to initially limit the elimination of these weapons to central and eastern Europe: Belgium, West Germany, Luxembourg, Denmark, and the Netherlands for NATO, and Czechoslovakia, East Germany, Poland, and Hungary for the Warsaw Pact.

This central zone limit would accommodate the intention expressed by British Prime Minister Margaret Thatcher to retain short-range nuclear weapons in the United Kingdom. It would also permit a treaty to be negotiated without the approval of the Government of France, which may wish to maintain its short-range pluton ballistic missiles.

While a broader Atlantic-to-the Urals ban is preferable as a long-range goal, a central zone ban on ground-based nuclear weapons would transform central and eastern Europe by placing all the ground-based nuclear weapons retained by either alliance far from any potential future conflict. The range of the ground-based nuclear weapons that remained deployed outside central and eastern Europe would fall far short of the areas that have long been the critical fault-lines between East and West.

The location of any remaining Soviet weapons would have shifted more than 800 miles east, from the intra-German border along the Elbe to the Soviet border with Poland, Czechoslovakia, and Hungary. In the West, French short-range systems could not reach beyond West German territory. This rear-development of remaining ground-based nuclear weapons would create an important new measure of stability for all of Europe.

A triple zero treaty would not cover nuclear-capable aircraft. It is impossible to eliminate all such aircraft, since virtually any combat aircraft can deliver a nuclear weapon. There are also important differences between ground-based and air-based nuclear weapons that make the latter less threatening to stability. Because aircraft have long ranges, their nuclear munitions can be and are stored far away from a military front, making them less vulnerable, less likely to be overrun at the start of a conflict.

Moreover, nuclear-capable aircraft, with their longer ranges and greater mobility, have missions that go beyond threatening those populations that happen to live near the historic East-West border in Europe.

As Alfred Dregger, of the Christian Democratic Union, and Volker Ruhe, the general secretary of the Christian Democratic Party, the governing party in West Germany, have been quoted saying, "the shorter the range of the weapons, the deader the Germans." The current Lance missiles in place in Germany have a range of about 68 miles or less. The nuclear artillery's range is even shorter—about 18 miles.

When it comes to nuclear weapons in East Germany massed on the West German border, and in West Germany on the East German border, German opinion is already unified. Germans of every major political party on both sides of the border have opposed the introduction of new short-range nuclear weapons and have remained distinctly uncomfortable with the old ones.

It is hard to imagine even a partially reunified Germany tolerating a situation in which it retained thousands of short-range nuclear weapons with no enemy in range, and targeted against no one other than itself.

The crisis in United States-West German relations which took place last spring was but a prelude to the storm brewing if the United States does not recognize the reality of the new German situation. Even last spring, 89 percent of the public in West Germany opposed new American short-range weapons, and West Germany was joined by the governments of Denmark, Norway, Belgium, Spain, and Greece in calling for early talks on removing short-range nuclear weapons.

Last year, the West Germans merely asked us to delay insisting on modernization. Within the past few weeks, they have declared modernization dead. And now, they are beginning to suggest that it is time for the old nuclear systems to be eliminated as well.

"The question of nuclear modernization makes us laugh," one West German official told the New York Times on November 21. "What do we need those missiles for?" the official asked, "to bomb Lech Walesa?"

By January 12 this year, Foreign Minister Genscher told reporters that he did "not expect a positive decision by NATO on modernization." He said he anticipated that 1990 would be a year not of rearmament, but of disarmament.

Later in the month, Genscher went still further. On January 28, 1990, the German newspaper Bild AM Sonntag published an interview in which Genscher stated that short-range nuclear weapons and nuclear artillery "have no more place in our time."

And on February 2, in a Nuremburg newspaper interview, Genscher repeated that the German Government was

opposed to modernizing short-range nuclear weapons of the kind that would be aimed at Vaclav Havel and Lech Walesa, and reiterated that "short-range nuclear weapons no longer have any place in the current political landscape."

In this environment, the statement made last May by President Bush that "there will be no third zero," is outdated. The policy, made before the events in Eastern Europe were anticipated by the policymakers, has been overtaken by events.

Yet even last May, the President recognized that Europe had already begun to change. He said then that to survive, the NATO alliance must "move beyond the era of containment."

Ground-based nuclear weapons in central and eastern Europe are in remnants of a time when the Soviet Union was determined to maintain military control over satellite countries to be controlled forever by Communist parties, and a time when the West could only respond with the policy of containment.

I suggest respectfully, Mr. President, that as Vaclav Havel said to us today, "History has accelerated." That time has passed.

Today, the United States can help build upon the momentum to free Germany, East and West, Poland, Czechoslovakia, and Hungary from the position of being held hostage by thousands of ground-based short-range nuclear weapons.

If we use our influence and our presence to help create a new European order, an order such as Vaclav Havel referred to this morning, where Europe can stand guard for itself; if we can help to do that, free of ground-based nuclear weapons, we will vindicate our traditional position in NATO, and strengthen the alliance even in a time of accelerating change.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LIEBERMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

CONGRESS-BUNDESTAG STAFF EXCHANGE

Mr. DECONCINI. Mr. President, I ask unanimous consent that the following announcement of the 1990 Congress-Bundestag staff exchange be printed in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

ANNOUNCEMENT OF THE 1990 CONGRESS-BUNDESTAG STAFF EXCHANGE

Since 1983 the United States Congress and the West German Parliament, the Bundestag, have conducted an annual exchange program in which staff members from both countries observe and learn about the workings of each other's political constitutions first hand and convey the views of members from both sides on issues faced by both countries. The exchange also provides an opportunity for the development of professional relationships which will be beneficial to both countries over the long term.

This exchange program is one of several sponsored by both public and private institutions in the United States and West Germany to foster better understanding of the institutions and policies of both countries.

This year, eight congressional staff members will visit Germany April 21 to May 6. They will spend about 10 days in Bonn attending meetings conducted by members of the Bundestag, Bundestag staffers, and representatives of political, business, labor, academic, and media institutions. They will spend a weekend in the district of a Bundestag member. The program will conclude with a visit to Berlin during which the delegates will meet with representatives of the West Berlin Government and U.S. Government representatives in both West and East Berlin.

A comparable delegation of Bundestag staffers will come to the United States in late June for a 3-week period. They will attend similar meetings here in Washington and will visit the districts of Members of Congress over the Fourth of July recess.

The program is truly a two-way street; accordingly, participants should be experienced Hill staffers so that they can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag sends senior staffers to the United States and a number of high ranking members of the Bundestag take the time to meet with our staffers. The United States has tried to reciprocate.

Therefore, participants should have a demonstrable interest in, if not some direct responsibility for, political, security, trade, or environmental issues as they relate to Europe in general and Germany in particular. In addition, U.S. participants will be expected to help plan and execute the program for the Bundestag staffers when they visit the United States. Among the contributions participants should expect to make are the planning and the conducting of topical meetings for the Bundestag staffers and hosting one or two of the staffers in their Member's district over the Fourth of July.

Applications for participation in the United States delegation will be reviewed initially by the congressional staff Group on German-American Affairs; final selection of the delegation will be made by the United States Information Agency.

Senators and Representatives who would like a member of their staff to apply for participation in this year's program should direct them to submit a resume and cover letter in which they state why they believe that they are qualified and giving some assurance of their ability to participate during the time stated to [Bob Maynes, Office of Senator DeConcini, 328 Senate Hart Office Building] by Thursday, March 1.

TRIBUTE TO DR. WILLIAM O. DAVIES, TECHNICAL DIRECTOR, U.S. ARMY STRATEGIC DEFENSE COMMAND, HUNTSVILLE, AL

Mr. HEFLIN. Mr. President, one of this Nation's most valuable national assets is located in Huntsville, AL, a widely recognized center of excellence in both military and civil aerospace technology. Both the U.S. Army and NASA's Marshall Space Flight Center provide an unequaled source of technological expertise for the Nation and will play an important part in this Nation's future.

Particularly notable is the U.S. Army Strategic Defense Command located in Huntsville's Research Park which has been researching technology to defend this country against nuclear ballistic missiles for more than 30 years. During this time, the Army has become a leader in the fields of optics, lasers, neutral particle beams, kinetic-kill interceptors, nuclear hardening, and distributed data processing. This work has provided the foundation for much of today's strategic defense initiative and promises to continue to foster the needed technological advances for the future security of this Nation.

The Strategic Defense Command's advanced research center in Huntsville was the first operational mode of SDIO's national test bed, a unique computer simulation facility used as systems analysis/battle management tool to aid in strategic defense planning. This is just one example among many.

Today, I want to honor an individual who has contributed greatly to this distinguished record that the U.S. Army Strategic Defense Command has achieved: Dr. William O. Davies.

Dr. Davies is technical director, U.S. Army Strategic Defense Command. He has held key executive positions in the U.S. Army ballistic missile defense organization for more than 20 years. In that time he has been instrumental in establishing system concepts and technology that have enhanced the Nation's strategic defense posture.

He has served as the top civilian manager of the U.S. Army Strategic Defense Command's billion-dollar-plus annual Strategic Technology Program since 1986. In this capacity, he has provided the command's leadership for preparation for the Defense Acquisition Board reviews that resulted in decisions to pursue many key Army technologies.

He directed studies that led to the Army being assigned the lead in the development of a land-based, kinetic energy antisatellite [Asat] system for the Nation. As a result, an Asat joint program office, headed by an Army brigadier general, is colocated with the U.S. Army Strategic Defense Command in Huntsville to take advantage of kinetic energy technology being pursued for SDIO.

He also oversaw the command's transition to Ada software and established a commandwide total quality management program.

As director of the systems development directorate—and its successor, the systems analysis and battle management directorate—from 1985 through 1989, Dr. Davies was responsible for formulation and assessment of BMD system concepts. In this role he led development of the first computerized SDI battle management simulation as well as directed global sensor network experiments for early identification of system integration issues.

From 1969 through 1984, Dr. Davies was director of the Army BMD Advanced Technology Center's optics directorate. Dr. Davies directed the Optics Program that established a military capability for cold-background sensors that operate in a space and hostile environment, and is the technology basis for the current SDIO optical sensor surveillance concepts. He also directed the Army's pre-SDI free electron laser efforts, which are the basis for the country's next generation high power laser.

Prior to entering Government service, Dr. Davies was employed as a physicist by IIT Research Institute and Firestone Tire & Rubber Co. in a series of increasingly responsible positions.

Dr. Davies is a native of Akron, OH. He holds a bachelors degree in physics from Oberlin College, masters degree in physics from the University of Akron, and doctor's degree in technology management from Southeastern Institute of Technology. He is the author of more than 50 publications in the fields of chemical physics, reentry physics, space flight, and strategic technology.

With these kinds of accomplishments to his credits, it is no surprise that Dr. Davies was recently named Engineer of the Year by Region II of the American Institute of Aeronautics and Astronautics [AIAA].

In December 1989, Dr. Davies was 1 of only 11 senior Army executives to receive a Presidential Rank Award of Meritorious Executive which includes a $10,000 cash award. At that time, Davies' award nomination cited him for "innovative leadership and dedication to the public interest that have been instrumental in establishing systems and technology to support the President's strategic defense vision. His personal initiative has been the driving force for technology advances that offer revolutionary improvements in surveillance and strategic defense. He has served as a catalyst for industry-university-government cooperative efforts critical to the success of this complex program."

He has also been named BMD Senior Executive of the Year and has received repeated awards for outstanding performance.

Dr. Davies' accomplishments reflect credits not only on himself and the U.S. Army Strategic Defense Command, but on Alabama and the United States of America. It is people like this—skilled, trained professionals—that make our country strong.

Thank you, Mr. President.

REGARDING EDUCATION FOR DEMOCRACY, USA

Mr. HEFLIN. Mr. President, I rise today to inform my colleagues of an organization which was recently formed in the United States to further democracy and progress for the citizens of Czechoslovakia. I am proud to report that the head office for this organization—Education for Democracy, USA—is located in my home State of Alabama, in the city of Mobile.

The past year has brought enormous change to the political landscape of Eastern Europe including that of Czechoslovakia. President Havel has been leading the charge of democracy across Czechoslovakia and I am confident that this program will help his efforts. He has recently asked American teachers and businessmen to travel to Czechoslovakia to help with the transition to democracy. He has also asked the Peace Corps to send about 60 people to teach English. These requests together with the willingness of the Czech people to learn English and promote democracy show the importance of Education for Democracy, USA.

In light of the address given today by President Havel before a joint session of Congress, I believe this is an appropriate time to acquaint Members with this program.

On the premise that democracy in Czechoslovakia would be furthered by developing an understanding of the English language and cultivating interaction with Western ideas and people, this organization was formed a few months ago in Toronto, Canada, by a gentleman named John Hasek. He obtained agreement from the Czechoslovak Government to support the presence of English as a second language instructors in every Czechoslovak college and university. Already, many Canadians have arrived in Czechoslovakia to begin teaching English to some of the estimated 70 percent of the student population who are eager to participate in this program.

A few weeks ago, Mr. Hasek visited Mobile, AL, to meet with Ann Gardner, who was interested in starting a U.S. chapter of this organization. That initial meeting and local press have resulted in an overwhelming expression of interest from people in Mobile. College students, professors, attorneys, retirees, and others are currently making plans to travel to Czechoslovakia.

I am encouraged by the support which this program has found in the Mobile area. In the few weeks since Mrs. Gardner began the U.S. chapter of the program—Education for Democracy, USA—there have been close to 100 Mobilians who have expressed interest in the program. In fact, two individuals are scheduled to leave for Czechoslovakia in just 2 weeks.

Volunteers must have an excellent command of the English language, a valid passport, transportation to and from Czechoslovakia and be in good health. Upon their arrival in Czechoslovakia, they will participate in an orientation program and be taken to their designated facilities where they will be provided with lodging and board at a student residence or in the home of individual students and families. By housing these instructors with the Czechoslovakian families and students, both sides will get exposure to the other language and culture.

Instructors will teach English for approximately 4 hours per day, 5 days per week for 2 to 6 months. The Czechoslovakian Government will pay the instructors a base stipend of 1,200 crowns per month, which may be supplemented by the individual institutions depending upon the academic credentials of the instructors.

Mr. President, the opportunities which this program provides for increasing the understanding and good will between our two countries are phenomenal. I hope that people from all across our Nation will follow the fine example which I am proud to say has been set in Mobile, AL, and support this program in every which way they can.

I will continue to support this program and am hopeful my colleagues will strive to promote it in their home States. I also hope that we will be able to locate funds which will assist the Education for Democracy Program in fulfilling its mission.

Thank you, Mr. President.

FIGHTING IN LEBANON

Mr. MITCHELL. Mr. President, yet another round of fighting has erupted in Beirut. Once again, we read of hundreds killed and thousands wounded. Once again, we read of great human suffering and massive property damage.

But this time, the fighting is not between East and West Beirut, between Lebanese Muslim and Lebanese Christian. It is between Lebanese Christians alone. For more than a week now, the Lebanese Christian Militia of Samir Ja'Ja' and the Christian Army troops loyal to General Aoun have been battling one another, principally in East Beirut, but also elsewhere in Lebanon's Christian enclave.

Regrettably, such internecine warfare is well known in Lebanon, within both the Christian and Moslem communities. Indeed, just before this out-

break of intra-Christian fighting, battles between Lebanese Shiites raged in West Beirut and South Lebanon.

All internecine fighting in Lebanon, whether it pits Christian against Christian, or Moslem against Moslem, makes a mockery of any hope for Lebanese unity. What chance is there for a unified Lebanon when the constituent communities of that tragic country are themselves driven by violent struggle? How will Lebanese Christian and Moslem live in peaceful union when their own religious communities are so internally divided?

I join Maronite Patriarch Sfeir in urging an immediate cease-fire. I urge all parties to the fighting to negotiate their differences. The Lebanese people have suffered far too long, and Lebanon's communal and national suicide must stop.

Mr. President, I know that other Senators on both sides of the aisle share my concern about the continuing carnage in Lebanon. I wish, therefore, to call their attention to an excellent speech on Lebanon by the distinguished minority leader in Los Angeles, CA.

In addition to calling for the immediate withdrawal of all foreign forces from Lebanon, Senator DOLE strongly supported the appointment of a special United States Envoy for Lebanon.

I wish to associate myself with Senator DOLE's call for a special envoy. Appointing a special United States Envoy is a must, certainly as long as our Embassy in Lebanon remains closed. It is, in fact, the only way to ensure that the issue of Lebanon commands attention at the highest levels of the Bush administration.

Mr. President, I know my colleagues will be interested in the full text of Senator DOLE's remarks, and I ask that the his speech be printed in full in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR DOLE BEFORE THE AMERICAN TASK FORCE FOR LEBANON AWARDS DINNER, LOS ANGELES, CA

I am truly honored to receive the Philip C. Habib Award.

I'm also honored to be following in the footsteps of last year's recipient, Senate Majority Leader George Mitchell. He's a great Democrat—I happen to be a Republican. Each of us is proud of our party—and I admit it: I want his job—majority leader.

But any partisanship we have is tempered by a real friendship, and by mutual respect.

And when it comes to the issue of Lebanon, George Mitchell and Bob Dole have always been, and will continue to be, of one mind.

I CARE ABOUT LEBANON

Like many of you, I've come a long way to attend tonight's dinner. I've made the journey for one reason above all others—I care deeply about Lebanon.

We live in a remarkable time. Every day, our headlines tell anew of people long oppressed, seizing their own freedom; taking control of their own future.

For most of us, it is the most hopeful time in this century. A time when tyranny, foreign domination and deprivation seem to be melting away in places from Panama to Poland.

Yet Lebanon's long night of death and destruction continues.

Foreign forces occupy the country, with a choke hold on national sovereignty.

Radical forces terrorize the population, Lebanese and foreign.

Innocent commerce has been nearly snuffed out—while illicit markets in human lives, lethal arms, and deadly drugs flourish.

As it has for months, Lebanon teeters on a critical edge—and any new missteps can bring the final destruction of that great nation.

SPEAK OUT!

By contrast, only the most extraordinary efforts—by Lebanese, by the leaders of the nations of the world, by us—only the most extraordinary efforts can save Lebanon. Your presence here demonstrates that you are not prepared to stand by and watch that nation—the nation of your families and friends—disappear from history.

But what can you—what can we—do?

The first order of business is to speak out. Clearly, persistently.

I spoke a moment ago about headlines. Like it or not, ours is a political system too often driven by headlines.

Today's crisis is tomorrow a vague memory. Today's top priority is tomorrow lost in the shuffle of more pressing business.

We have to face the facts: for too many in Washington, Lebanon has fallen off the screen. The only "issues list" that it tops—is the list of those issues to avoid like the plague.

To many politicians, it is too complex, too sensitive. To national security planners, it is too dangerous.

Saddest of all, for many people—it is simply seen as too late; Lebanon, many say, is already lost.

Those are the facts of life in Washington in 1990. If we allow those attitudes to persist and prevail; if we become too preoccupied with our own problems—then we will share the blame for Lebanon's demise.

We cannot let that happen.

You in the task force are pledged to see that it won't happen. tonight, I renew to you my pledge—I won't let it happen, either.

SPECIAL U.S. ENVOY

And let me be specific: one way to insure that the issue of Lebanon enjoys the priority it must have—is to implement the proposal of the task force, that we have a special American envoy for Lebanon; someone who will devote full time and attention to Lebanon; someone who will make it clear that the United States is serious about Lebanon.

But it is not enough to just speak out. We must talk sense.

Talking sense about Lebanon starts with putting first things first.

The first priority must be an end foreign intervention. Until that is accomplished, no other permanent progress is possible.

ALL FOREIGN FORCES OUT

There is no need to equivocate.

All foreign forces must leave Lebanon—starting right now.

Some reports say Syria has agreed to a "secret timetable" for the withdrawal of its forces, at least to the Bekka Valley. I hope those reports are true, and that the "secret timetable" will lead to a rapid, total withdrawal of Syria's forces.

When I visited Morocco last August, I spoke to King Hassan about the issue of Lebanon. I strongly urged him to persist in his efforts, as part of the Tripartite Committee, with Saudi Arabia and Algeria. The leaders of those nations have worked hard. They deserve our admiration and thanks.

But they must do more.

Their agenda is not complete, and won't be, until they have secured binding commitments for the withdrawal of all Syrian Forces.

Tonight, I call on the Arab League to renew its efforts to pin down that timetable with Assad; and to let the world—and, more imporant, the people of Lebanon—know that it is real and binding on Damascus.

KEEP THE HEAT ON SYRIA

Now let me say candidly: I'm not holding my breath.

I believe there is no practical alternative to giving the Arab League the lead, and I hope it will keep pushing. But it cannot do the job without the strong, supporting pressure of an active American diplomacy.

We can't continue to "sit this one out." We must step up our direct diplomacy—yes, our pressure—on Syria.

We cannot pull our punches in Damascus, in the hope that it will somehow make Assad more willing to join in a broader peace process in the Middle East. Lebanon cannot be that kind of "sideshow" to a "center stage" effort to bring others to the bargaining table.

The fact is, we're not going to have that broader Middle East peace as long as Lebanon lies bleeding to death. With Assad, Lebanon should be our first thought—not an afterthought.

BAKER/SHEVARDNADZE

And I want to make a related point. Next week, Secretary Baker will sit down with Foreign Minister Shevardnadze—to discuss, among other key topics, so-called "regional conflicts."

I have a candidate item for the very top of the agenda: Soviet policy toward Syria.

Yesterday, My Senate colleague from California, Pete Wilson, and I sent a letter to Secretary Baker. We urged that Baker deliver this clear message to Shevardnadze: as long as Moscow gives Assad the "green Light" for aggression in Lebanon, the United States will keep out the "yellow caution light" on the path of U.S.-Soviet relations.

The recent rumors of Gorbachev's political demise now appear to have been premature. But one thing is clear to me: with his party in shambles, his country falling apart, and his economy flat on its back—Gorbachev doesn't have many cards to play. He needs us—desperately.

It is in our interest to see Gorbachev succeed. But we can, and should, extract a price for any "helping hand" we extend. And a part of that price ought to be more responsible Soviet policies toward Syria.

LEBANON BELONGS TO THE LEBANESE

Let me be clear about this, too: when I say "all foreign forces"—I mean *all* foreign forces.

Lebanon belongs to the Lebanese: not to the Syrians, not to the Iranians—and not to the Israelis, either.

The only lasting solution to the problem of Lebanon is a unified Lebanese Govern-

ment, in control of all of the territory of a democratic Lebanon.

I have spoken, to this point, about what we should do, and what others—the Soviets, the Syrians, the Iranians and the Israelis—what they should do.

But, finally, what will be really decisive is what the Lebanese, themselves, do. Lebanon belongs to the Lebanese—and it is both the right, and the responsibility, of the Lebanese to carve out their own future.

BOTH SIDES: END THE BLOODSHED

Let me speak frankly: the Syrians, the Soviets, and the neglect of some in Washington—all these are barriers to a solution to Lebanon's problems.

But the fact is—the biggest barrier to the creation of a peaceful, united, democratic Lebanon—is the unwillingness of some Lebanese to put the needs of the Nation of Lebanon above narrower interest.

There is plenty of blame to go around. It is neither my place, nor my intention, to point the finger at anyone, or any faction, or any religion.

I do believe it is my responsibility, as someone who cares deeply about Lebanon, to plead with every faction and every Lebanese leader—end the senseless killing; join together with a unified demand for the withdrawal of all foreign forces; and go on, in a spirit of patriotism and not factionalism, to a serious dialogue about the political future of Lebanon.

Specifically, now—I call on both sides in Christian East Beirut to halt their bloody test of might and will. Many of the causes that the Christians of Lebanon espouse are just and urgent causes—but none of those causes are served when Christian kills Christian.

STAND UP FOR LEBANON

Ladies and gentlemen: we are here tonight because we care about Lebanon; and because the crisis in Lebanon demands our persistent, personal involvement.

If we don't stand up for Lebanon now—who will?

It is our job. We can't duck it. Let us join together, and get the job done.

USA TODAY'S ALL-USA COLLEGE ACADEMIC FIRST TEAM

Mr. SIMON. Mr. President, while it is common for public attention to be focused on outstanding college and university athletes, college students who excel in the classroom rather than on the playing field receive far too little recognition. I am pleased to note that the newspaper USA Today has taken a significant step toward remedying that situation when it recently honored 20 college undergraduates for outstanding scholarship, intellectual achievement and leadership by naming them to the All-USA College Academic First Team.

This diverse group of men and women, ranging in age from 18 to 39, was chosen from among 749 scholars nominated by their colleges and universities. Forty other students were named to the All-USA College Academic Second and Third Teams.

Candidates were judged on academic performance, honors, awards, rigor of academic pursuits and the ability to express themselves in writing. The two criteria given the most weight by judges were outstanding individual scholarship or intellectual achievement and leadership in activities on or off campus.

USA Today and the other cosponsors of the All-USA College Academic Teams—the National Association of Independent Colleges and Universities, the National Association of State Universities and Land-Grant Colleges, the American Association of Colleges for Teacher Education, and the Council for the Advancement and Support of Education—are to be commended for honoring these outstanding college students and telling their inspirational stories to millions of people across the Nation.

ALL-USA COLLEGE ACADEMIC FIRST TEAM

The 20 All-USA College Academic First Team members, who were honored on January 19, 1990 at a ceremony in Arlington, VA, are:

William Bien, senior, Ohio State University, Columbus;

Joseph Bliss, senior, Ithaca (NY) College;

Gerrie Bork, senior, Carroll College, Waukesha, WI;

Peter Boyer, junior, Rhode Island College, Providence;

Lori Brandt, senior, University of Iowa, Iowa City;

Jacqueline Chun, junior, University of Hawaii, Honolulu;

Shannon French, senior, Trinity University, San Antonio, TX;

Anita Fusco, senior, St. Francis College, Loretto, PA;

Hugh Herr, senior, Millersville (Pa.) University;

Karen Loeb, senior, New York University;

Paul Marushka, senior, University of Chicago in my home State of Illinois;

Shannon Mattiace, senior, Central College, Pella, IA;

Anna Miler, senior, Missouri Southern State College, Joplin;

Clark Miller, another student from my home State, a senior at the University of Illinois, Champaign;

Talia McCray, senior, Bennett College, Greensboro, NC;

William O'Dowd, senior, Creighton University, Omaha, NE;

Richard Ross, senior, University of Missouri at Columbia;

Donna Slaughter, senior, Hannibal-LaGrange College, Missouri;

Leonard Stark, junior, University of Delaware, Newark; and

Muneesh Tewari, senior, Case Western Reserve University, Cleveland.

My only regret is that my fine alma mater, Dana College in Nebraska, does not have anyone placed on this list.

The All-USA College Academic First Team was addressed by Dr. J. Dennis Huston, professor of English at Rice University and the College Professor of the Year, and Dr. John Brademas, our distinguished former colleague in Congress from Indiana and former House Majority Whip, now president of New York University.

Mr. President, I ask that Dr. Brademas' remarks on the occasion of the selection of the All-USA College Academic First Team be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF JOHN BRADEMAS, PRESIDENT, NEW YORK UNIVERSITY

I am honored to have been asked to take part in this tribute to the members of the first-ever All-USA College Academic First Team.

At the outset I want to applaud the sponsors of this program. USA TODAY and its parent company, Gannett, are accustomed to making history in the media world; now they've made history in the world of education by for the first time extending national recognition to college and university students of outstanding academic achievement.

USA TODAY has been ably assisted in this venture by four of the nation's most respected organizations devoted to higher learning: the National Association of Independent Colleges and Universities, the National Association of State Universities and Land-Grant Colleges, the American Association of Colleges of Teacher Education, and the Council for the Advancement and Support of Education.

We gather today for what I believe a most significant and imaginative gesture on the part of a society that aspires to be civilized. We want to honor those among our young who, by their accomplishments, have demonstrated a deep commitment to learning.

FAITH IN THE POWER OF EDUCATION

By acknowledging in this public way the achievements of these young men and women, we proclaim our faith in the power of education.

Certainly this is a faith I have held throughout my own life and so I find it easy to speak with conviction on the subject.

As the son of a Greek immigrant and an Indiana schoolteacher, I grew up in a family for whom education was paramount. So intense was my father's feeling that he used to say, "John, I'll never leave much money to my children but I will leave you all a first-class education." And he did.

That education for me included Harvard and a Rhodes scholarship to Oxford. That I should have been able to study at two of the finest universities in the world impressed deeply on me the importance of an opportunity for education. Scholarships and the G.I. Bill helped open the doors of higher learning to me.

Education remained a central focus of my professional life. In 1958—and on my third try—I was elected to the United States House of Representatives and throughout my time in Congress—22 years—I served on the committee, Education and Labor, with principal responsibility for legislation to assist schools, colleges and universities, and other institutions of learning and culture.

Here I note, too, that the district I represented in Congress was home to no fewer than six colleges and universities, including the University of Notre Dame.

Today, I have the privilege of serving as president of New York University, the largest private university in the world, with 47,000 students in 14 schools, colleges and

divisions and an annual budget exceeding $1 billion.

And if I may for a moment put on my hat as university president, I want warmly to congratulate two students from New York University who have been selected for the All-USA College Academic Teams.

Named to the second team is an NYU undergraduate history major, Gianmarco M. Masoni.

KAREN LOEB OF NEW YORK UNIVERSITY

And chosen for the first team, and with us today, is a senior majoring in psychobiology and planning a career in pediatrics. Her father is also an active alumnus of NYU. A straight-A student, a leader on campus and a founder of the university's tutoring program for homeless children, this young woman richly deserves the honor you bestow on her today—and she also brings, in turn, great honor to her university. May I here salute: Karen Loeb.

Now from what I have told you, you can see that education has been a leitmotif of my own life.

My experiences have led me to believe in the indispensability of education in the development of a person's mind and the shaping of his or her character. And I am convinced, too, that essential to our capacity to build a nation strong both in economic and material terms and in the quality of our intellectual and cultural life is education.

So I should like today to say a few words about both these dimensions of the value of education—the contribution it makes to the individual and to the wider society.

Although the students we honor today come from different backgrounds and have followed different academic paths, common to them all is a set of standards by which they have guided themselves.

A SET OF STANDARDS

What are these standards?

First, they believe that increasing the power of the mind calls for the same dedication and discipline as developing physical strength and skills.

This awards ceremony, in turn, signals our belief that intellectual achievement is as deserving of recognition as accomplishment in athletic competition . . . indeed, in my view, much more so!

Clearly, one of the themes of this event, the establishment of a college academic team, is that while it is appropriate that we salute those who do well on the playing field, the time has long since come when we should be paying tribute to those who demonstrate first-class brainpower.

Here let me note an initiative at New York University that I think relates to what I am saying.

NYU, with the leadership of our Chancellor and Executive Vice President for Academic Affairs, L. Jay Oliva, helped create the University Athletic Association—a group of private urban research universities committed to the highest standards of academic achievement as well as to providing an exciting student athletic program.

Members of the UAA—NYU, the University of Chicago, Johns Hopkins, Brandeis, Case Western Reserve, Carnegie-Mellon, Emory, University of Rochester and Washington University at St. Louis—give no athletic scholarships. Although we believe in both, we give primacy to academics over athletics.

And as I speak of scholarship and learning, let me here acknowledge the dedicated men and women who comprise the American professoriate, represented here today by one of their most respected members, the "College Professor of the Year" and professor of English at Rice University, Dr. J. Dennis Huston. I salute Professor Huston as well.

EXCELLENCE, NOT MEDIOCRITY

A second precept that has motivated the young persons on the All-USA College Academic First Team is that excellence, not mediocrity, is the only goal worth having.

On this point, I can do no better than repeat the wisdom of my Hellenic ancestors. For this, according to the Greeks, is the true definition of happiness: "The exercise of vital powers along lines of excellence in a life according them scope."

Nor do I here equate excellence with success. The eloquent sportswriter Thomas Boswell of the *Washington Post* warns of the obsession with winning that results from confusing the two.

Success, says Boswell, is measured externally . . . by comparison with others; success is often beyond our personal control and moreover, it is perishable.

Excellence, on the other hand, is an internal quality, a consequence in large measure of the capacity and of the commitment of an individual. Excellence, therefore, endures.

And here, I respectfully suggest, are two other rules these students have followed:

That active engagement in human affairs brings greater satisfaction than cool indifference; and, closely related, that a concern for others, not simply self-seeking, is the mark of a humane and accomplished man or woman.

Now if these several standards, these rules for living, sound old-fashioned, it is because they are—but no less true for that.

Indeed, I would assert that the values embodied in these rules are today more relevant than ever.

Why do I say this?

THE TASKS FACING THE NATION

Consider the tasks that face us as a Nation as we enter the final decade of the 20th century.

The world is being recast before our eyes by the dramatic political and economic changes in Eastern Europe and the Soviet Union. The grip of Communism is everywhere loosening and we are entering a period of tremendous hope—and tremendous challenge.

Can the Soviet Union and the nations of Eastern Europe break away from totalitarian systems of government and controlled economies without breaking up in the process?

How should we in the United States react to the prospect of the new European Community scheduled to come into being in 1992?

Beyond Europe, how should we respond to the rising economic powers of the Pacific? To the declining economic prospects of the Third World?

Here at home we face a daunting array of problems: budget deficits and trade deficits, AIDS and drugs, pollution, poverty, homelessness, inadequate health care and deteriorating schools.

It must be obvious that to cope effectively with such challenges, domestic and foreign, we require intelligence of the first order—the kind represented by the students here today.

Yet there is a larger point that I want to make. It is that in order to undertake the tasks before us, we must have, in addition to qualities of intellect and insight, certain qualities of character: integrity and accountability, concern and commitment courage and compassion.

For as you may have noticed, these characteristics, especially in the public arena, have lately been in short supply.

The last few years have revealed a disturbing story about the ethical perspectives of people in positions of leadership in many sectors of American life: insider trading on Wall Street; conflicts of interest on Capitol Hill; waste, fraud and abuse in Federal agencies; convictions in City Hall; illicit activities of athletic heroes; preachers who pray for money more than souls.

Given these examples of life in the so-called "real world," what should American college students today think? How should they respond?

Should they retreat from the world? Enter a monastery? Join an ashram?

Should they conform to the world? Go for a quick buck? Look for moral shortcuts?

CAREERS IN PUBLIC SERVICE

No. I would suggest another route altogether—and it is one clearly chosen by the students we honor today; active engagement in a society that needs their talents, idealism and energy as never before.

In fact, I take advantage of this occasion to voice the hope that more well-educated, highly motivated young Americans—like those who sit before me today—will, as they complete their studies, consider careers in public service.

Such careers could include working in the nonprofit world of foundations and social service agencies, or could mean positions in state and local government.

They could mean working for the Federal government as a career civil servant or diplomat, or even deciding as I first did thirty-six years ago, to take the plunge into the rough and tumble of electoral politics.

At a moment when we as a Nation are in desperate need of men and women fired with what the great American historian Henry Steele Commager has described as "the passion for public service that animated the foundation fathers," I express the hope that more talented young people will choose that avenue along which to "exercise their vital powers."

Let me add a final note about the enterprise that helped nurture the outstanding students before us. It seems to me that essential to meeting the challenges of the new decade and the next century is a healthy system of colleges and universities.

By any measure, American higher education is the envy of the world. As Stephen Graubard, editor of Daedalus, said recently, the colleges and universities of this country have shown "a remarkable capacity for growth, innovation, invention and renovation." But, he warns, "No one would have made that claim in 1939 . . . and one cannot be certain that such a claim will still be made in 2039."

For we cannot today take for granted that the quality of higher education we have now will last forever. Far from it.

American colleges and universities are facing formidable obstacles: inadequate Federal student aid, a looming shortage of facility, decline of the physical infrastructure that supports scholarship and research, a continued drop in graduate school enrollments, and too little emphasis on the study of foreign languages and cultures and generally, on the liberal arts.

INVEST IN EDUCATED MEN AND WOMEN

My message is simple and straightforward: If the American republic is to survive, indeed, to flourish in the new world of the 21st century, we must be prepared to invest—and invest more, and more wisely—in educated men and women—and in the school, colleges and universities that produce them.

So to the members of the All-USA College Academic Teams I extend my warmest congratulations and best wishes for the future.

And I leave you with a message delivered over 30 years ago to another group of college students by a young United States Senator from Massachusetts.

The Senator was John F. Kennedy, and he exhorted his audience to, in his words, "offer . . . to the critical problems of society . . . the benefit of the talents which society has helped to develop in you."

"I ask you to decide," continued Kennedy, "as Goethe put it, whether you will be an anvil—or a hammer. The question is . . . whether you are to give to the world in which you were reared and educated the broadest possible benefits of that education."

My wish for you today is that each of you will continue to be a hammer and give to the world in which you were educated the broad benefits of your education.

AIRLINE DEREGULATION: PORTRAIT OF A TROUBLED INDUSTRY

Mr. HOLLINGS. Mr. President, I rise today to share with my colleagues a superb five-part series of articles on airline deregulation which appeared recently in the Charleston News and Courier. The reporter, Larry Eichel, presents a sobering portrait of our air transportation system. Fares are on the rise, in fact rising faster than the overall cost of living during the last 2 years. Service has become erratic, with canceled and overbooked flights all too common. And, of course, safety is a major concern. I have chaired numerous hearings in recent years examining allegations that competitive pressures have caused airlines to cut corners. The most recent example of this is the continued operation of a number of aging aircraft far in excess of their intended lifespan. These are all issues that must be addressed by Congress during the year that lies ahead.

Mr. Eichel argues that there are a number of drawbacks to reregulation of the airline industry. Certainly, there is not a consensus in this body to return to the pre-1978 days of the Civil Aeronautics Board and comprehensive regulation of every fare and route.

By the same token, there is no question in this Senator's mind that the Federal Government must play a more constructive and assertive role in ensuring the safety, reliability, and affordability of airline travel in this country. We have a responsibility not just to passengers flying between New York and Los Angeles, but to the many millions of air travelers in small and medium-sized communities throughout the country.

Let me note that, last year, Secretary of Transportation Sam Skinner initiated a review of the competitive situation in today's airline industry, and his conclusions are due out any day now. We look forward to his recommendations for action. Certainly, I believe that strong action is required. Indeed, the time may be fast approaching when Congress must reexamine the wisdom of wholesale deregulation in this critical industry.

Mr. President, I ask unanimous consent that the five articles from The News and Courier be printed in the RECORD at this point. Thank you, Mr. President.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

DEREGULATION FAILING TO DELIVER ON PROMISES

(By Larry Eichel)

(EDITOR'S NOTE.—Eleven years ago, Congress deregulated the airlines, with the promise of lower fares and better service through enhanced competition.

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(A five-part series beginning today and continuing in The News and Courier will examine deregulation and how it went awry.)

One recent Friday evening, David Brown boarded United Airlines flight 103, non-stop service from Philadelphia to San Francisco. So did Andy Skibo, Don Siegrist, Brad Weaver and Judith Benson.

David Brown sat in coach. So did the others.

He dined on California lasagana and beef roulade. The others did, too.

But there was one major difference between David Brown and his fellow passengers.

David Brown paid $586 for his seat.

Andy Skibo paid $483.

Don Siegrist paid $358.

Brad Weaver paid $229.

And Judith Benson, one row in front of Brown and just across the aisle, paid $124.

"It's an amazing thing," said Brown, a sales representative for a California wine company, shaking his head. "The mysteries of airline pricing are unbelievable."

This array of prices, one of the most wide-ranging in all of American life, is the direct result of an experiment launched by Congress 11 years ago.

The experiment was called airline deregulation.

And like so much that has happened in the airline industry since, this was not what the framers had in mind.

The idea was that there would be more airlines. In fact, today there are fewer.

The theory was that there would be more, competition. In a lot of places, there is less.

The expectation was that the airlines would compete primarily through ticket prices. For the most part, they don't.

The promise was that there would be better service. To many passengers, air travel has never been such a hassle.

"Disturbing trends have developed," said Sen. John McCain, R-Ariz., who has introduced a bill designed to encourage more intense competition.

When it deregulated the airlines in October 1978, Congress decided that it would stop treating the industry as a public utility. No longer would the government tell the airines what routes they could fly and what they could charge, as it had for 40 years. The carriers, and the marketplace, would make those decisions.

For a time, deregulation worked just the way its champions had predicted it would. New airlines popped up all over the countryside, and consumers reaped the benefits of spirited competition. Airfares declined, service increased and the number of passengers mushroomed.

But those days are gone. Today nearly all the upstart, low-fare carriers have disappeared, along with some long-established ones—more than 200 casualties in all. Their assets have been redistributed by bankruptcy courts or gobbled up on a wave of merger mania that reached its zenith during the second term of President Ronald Reagan.

In their place are eight "megacarriers"—American, Delta, Northwest, Pan American, Texas Air (the parent company of Continental and Eastern), TWA, United and USAir.

And rising fares.

Average domestic airfares increased by 12 percent in the first half of 1989 compared with the first half of 1988, according to the Air Transport Association, the industry's trade group.

Fares have been rising faster than the cost of living for the last two years. While budget fares remain available to vacationers willing to lock in itineraries far in advance, business travelers have seen fares on their discounted tickets rise 47 percent since last fall, according to Runzheimer International, a travel management firm.

Those unregulated fares—along with the ongoing array of airline mergers, consolidations, takeovers and bankrupticies—have spurred debate about whether the time has come for the government to reassert some control.

"The issue is not deregulation or re-regulation," said Sen. John C. Danforth, R-Mo., who favors government intervention. "The issue is lack of competition. . . . This is a hot-button issue."

The trend in the airline industry is toward a marketplace controlled by the large and the few—a situation economists call an oligopoly.

In 1978, on the eve of deregulation, the eight largest airlines accounted for about 80 percent of the business on all U.S.-flag carriers. Now they control more than 93 percent.

Some of the advocates of deregulation originally believed that the old, established airlines would prove to be "dinosaurs," huge, slow-witted creatures that would fail to adapt to the new environment and rapidly become extinct.

A few of those dinosaurs did fade away. It took the others a while to adjust. But eventually they figured out how to turn their bigness into an asset by creating a new game in which only they could afford to play.

"The field was open, and they could make the rules," said Chris Witkowski, who heads the Washington-based Aviation Consumer Action Project. "There was no understanding (by government) of the marketing de-

vices that would be developed and no will to keep them in check."

The major airlines poked gaping holes in the two theories on which airline deregulation was based.

One was that there was no inherent advantage in bigness, no "economies of scale," as the economists like to say. The other was that the mere threat of competition on a route was enough to keep fares in line.

The carriers destroyed those theories by creating an intricate web of marketing devices to attract and hold customers—regardless of ticket price. They were so radically different from anything that had come before that a whole new language had to be invented to describe them.

Frequent-flier programs. Computer reservations systems. Yield management. Code sharing. Commission overrides for travel agents. Hub-and-spoke route systems.

These marketing devices served two fundamental purposes: They deterred price competition among existing airlines, and they discouraged the formation of new ones.

Working in concert, they created a market in which there is little incentive for a traveler to patronize a new airline, little incentive for a travel agent to book the traveler on it and little incentive for an investor to finance the venture in the first place.

The airlines set up hub-and-spoke route systems to capture traffic, dominate regional markets and increase efficiency.

They locked up airport departure and arrival gates with 40-year leases, so that, in some cases, there literally was no room for competitors to come in.

They took nearly all the landing slots at the four airports where the government limits air traffic—Chicago's O'Hare, Washington National and New York's Kennedy and LaGuardia—thereby limiting the ability of any new entrant to set up a national route system.

And they bought up other airlines to eliminate competition and to achieve "critical mass"—the size and reach they needed to survive in the world they had created.

Northwest consumed Republic, its prime competitor in Minneapolis-St. Paul. TWA merged with Ozark, its rival in St. Louis.

Delta gobbled up Western. American absorbed Air Cal. USAir consumed Piedmont, Empire and Pacific Southwest. And Texas Air bought Eastern, Continental, People Express, New York Air and Frontier.

The big airlines used control over information, rooted in their computer systems, to help kill off the low-fare carriers that seemed to be the wave of the future in the early years of deregulations.

The demise of People Express, the best-known of the low-fare operators, was "a classic, textbook case of information technology as a competitive weapon," said Donald Burr, that airline's founder.

Information technology—the ability to assemble and manipulate complex combinations of fares and schedules—gave airlines the ability to target different ticket prices to different kinds of passengers with remarkable sophistication and precision.

Only the established airlines had enough money to put that technology to use. It allowed them to match the low fares of the upstart carriers on a selective basis, thereby taking away those carriers' reason for being.

"The computer is such a refined tool for pricing," said Louis A. Marckesano, who monitors the industry for Janney Montgomery Scott, the Philadelphia-based investment firm. "It allows a rifle-shot approach that can be deadly."

That approach continues to this day, allowing the major airlines to limit price competition among themselves—even on routes where they do go head-to-head.

Right now, four major carriers—American, Continental, Delta and United—operate 22 daily non-stop flights between Denver and Dallas-Fort Worth, a distance of 654 air miles. All four charge the identical coach fare, $300, one way.

Why doesn't one of the airlines drop its price and grab the business?

"If I know that if I cut my fare $20 today, you're going to cut yours $20 tomorrow, then it's stupid for me to do it," said Randall Malin, executive vice president for marketing at USAir. "Why would I do that?"

"We went through a period of bashing each other's heads in over fares," said James Lundy, a spokesman for Delta Airlines, looking back at the early years of deregulation. "It took us a while to learn how to compete."

Some airline executives—and some economists—argue that the airlines had no choice but to insulate themselves from unfettered price competition. They say that the product being sold, the airplane seat, has one distinctive trait that makes such competition inherently destructive.

That trait is its perishability. An unsold seat becomes worthless the moment the plane departs. At the same time, the actual cost of putting someone in that seat at the last minute is almost nothing—just the printing of a ticket and the providing of a meal.

So free market forces encourage carriers to engage in constant and brutal fare wars, matching each other fare cut for fare cut. And the carriers, in the interest of survival, had to make sure that didn't happen too often.

That is precisely what they have done.

In effect, the airlines have taken what used to be their basic product—single-plane, unrestricted coach service between two major cities—and made it their premium product, at a premium price.

Barbara R. Amster, vice president for pricing and yield management at American Airlines, says the full-coach seat is worth every penny.

"I charge you nothing if you don't use it," she said. "You are totally unpenalized. Can you get a car that way? Can you get a TV that way? Can you get a theater ticket that way? The answer is no."

Deregulation advocates point out that uniform pricing, which was enforced until 1978 by the Civil Aeronautics Board, is not the rule for other goods. A chocolate bar may sell for 25 cents at a supermarket, 50 cents at a convenience store and $1 at a movie theater.

"We've always been used to shopping for the chocolate bar," said James C. DeLong, Philadelphia's director of aviation. "Some of us are still not used to shopping for the best buys in transportation."

Airline deregulation has created some real benefits. Indeed, airline executives, government officials and many economists contend that, for all the grumbling, it has worked out extremely well.

Statistics indicate that deregulation has accomplished two of its prime missions—reducing average fares and getting more people into airplanes.

Consider fares. The average airline fare, when adjusted for inflation, is slightly lower today than in 1978. Before the big increases of the last two years, it was substantially lower.

That average fare is the combination of two pricing trends: sharp declines for travelers who can book their trips far in advance—declines that have made flying more accessible to people with modest incomes—and sharp increases for people who make their plans at the last minute.

Economists and lawmakers worry that, in the long run, diminishing competition will cause fares to rise more quickly.

Consider passengers. The number of people traveling on airlines has increased about 65 percent since 1978, fulfilling the promise that deregulation would make flying accessible to the masses. The number of flights up about 35 percent.

Polls indicate that about 73 percent of the adult population has flown at least once; before deregulation, the corresponding figure was 63 percent.

But critics of deregulation argue that much of the increase in air traffic would have happened anyway—that it is more a result of economic prosperity than of deregulation.

And there is another factor to consider—public dissatisfaction.

Survey after survey has found widespread public unhappiness with the experience of flying. Those surveys indicate that the people who travel the most are the ones who are most upset—about poor service, delayed flights, aging airplanes and higher fares.

Early last year, a Roper Poll found that public opinion, which was narrowly in favor of deregulation in the early 1980s, was now narrowly against it. And that was before the big fare increases.

[From the Charleston (SC) News and Courier, Dec. 25, 1989]

PHILADELPHIA CHANGING FACE OF DEREGULATION

(By Larry Eichel)

PHILADELPHIA.—Airline deregulation has started to change course. And Philadelphia is the place.

Philadelphia International is the only airport in the country where the federal government, in effect, has mandated that there be competition among airlines.

It did so by paving the way for Chicago-based Midway Airlines to come here to compete with USAir, the dominant local carrier.

The process began in March when strike-bound Eastern Airlines announced that it had agreed to sell all its operations at Philadelphia International Airport—eight gates and two Canadian routes—to USAir. The deal would have assured a dominant position for USAir, which already operated more than 50 percent of the flights here.

Under the hands-off philosophy that prevailed in government for the last decade, the plan probably would have been approved. But this time, there were objections.

The first came from Pennsylvania Attorney General Ernest D. Preate Jr., who argued that the transaction would give USAir, which also had 86 percent of the market in Pittsburgh, a "near-monopoly" on air service, in the state.

The second and more significant one came from U.S. Secretary of Transportation Samuel K. Skinner, who said he worried that the sale of the gates would "significantly reduce the potential for new competition."

Ultimately, the Justice Department agreed with both of them and threatened to file an anti-trust suit to block the sale.

Eastern responded by backing out of the deal. Instead, Eastern sold its Philadelphia routes and gates—along with 16 DC-9 jets—to Midway, which had not been a major player here.

The benefits to consumers are apparent already.

Midway Airlines started new service to seven cities in Florida on Nov. 15 and is to begin operating a north-south hub with 36 daily flights this month.

The result, at least for now, is that the city is enjoying more frequent service on many Florida routes, particularly Philadelphia-Miami.

Six months ago, only USAir offered nonstop service to Miami, twice a day, with one-way fares in the $300 range. Now, five carriers offer 14 daily flights and fares have sunk as low as $79. And fares are dramatically lower wherever else USAir and Midway go head-to-head.

The question is whether the federal intervention that brought Midway here—a marked shift from the laissez-faire policy of the Reagan years—will be duplicated elsewhere and will benefit local consumers over the long haul.

Many industry analysts are openly skeptical about whether a small airline like Midway, the nation's 13th largest, can survive for long in a market already occupied by a mega-carrier like USAir.

"I think Midway is going to have a hard time," said Edward Starkman, airline analyst at the investment firm of Paine Webber. "They have no presence in the travel agencies. They have a poor frequent-flier program. If they go in relatively quietly and content themselves at first with carrying USAir's spillover, they could do fine. But if they get into a price war with USAir, they'll lose."

Until now, the frequency and variety of flights at Philadelphia International have not been what one would expect for the nation's fourth-largest metropolitan area, experts say.

According to data compiled by the Air Transport Association, Philadelphia ranks 28th among major metropolitan areas in terms of number of flights relative to the number of local passengers.

And Philadelphia ranks only 18th in terms of local passengers generated, behind such smaller cities as Denver; Houston; and Seattle, according to statistics compiled by TWA.

Industry analysts have two theories why this is so.

One has to do with location: Many of the prime destinations for Philadelphia travelers—New York; Washington; Baltimore; Harrisburg, Pa.; Atlantic City, N.J.—are nearby and readily accessible by train or by car.

The other is the availability of lower fares and more frequent service at two airports in the New York area—Newark in New Jersey for domestic flights, John F. Kennedy in Queens, N.Y., for international flights. Both are readily accessible to Philadelphia-area travelers.

Beyond that, the situation may be self-perpetuating.

FLYING HAS BECOME "NIGHTMARE" FOR TRAVELERS

(By Larry Eichel)

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(But today, nearly all of the upstart, low-fare carriers are gone, along with some more long established ones—more than 200 casualties. Their assets have been redistributed by bankruptcy courts or gobbled up in a wave of merger mania.

(This the second installment of a five part series in The News and Courier examining deregulation and how it went awry.)

Anne McClusky flew from Cleveland to Manchester, N.H., in November 1988 to pick up her 87-year-old mother and take her back to Ohio for the Christmas season. Their return tickets called for them to take a USAir flight from Manchester to Pittsburgh, then connect with a flight to Cleveland after a four-hour layover.

But on the morning of their return, the women got a call from McClusky's husband, Donald, who said he would drive to Pittsburgh to pick them up, thus sparing them the four-hour wait and getting them home before dinner.

Delighted, the women went to the USAir counter at the Manchester airport. They told the ticket agent of their new plans and asked that their luggage be checked only as far as Pittsburgh.

Not so fast, said the agent. That'll be another $570.

The McClusky family had just run up against one of the facts of life under airline deregulation: a complex system with so many rules and stipulations that consumers find it all but incomprehensible.

That system has turned air travel into an experience that many travelers say has become less and less tolerable—with high fares, erratic service, cramped seats, overbooked flights and unreliable performance, in addition to all those unfathomable rules.

Many airline passengers have come to feel like pieces of baggage—that get tossed around and, sometimes, lost in the shuffle.

"It's a nightmare, an absolute nightmare," said Ken Flanders, an executive from Simi Valley, Calif., before boarding a flight recently at Philadelphia International Airport.

What happened to the McCluskys is a case in point, albeit an exceptional one. It is not every day that two people end up paying an extra $570 for seats they never sat in.

Anne McClusky thought the request she made at the ticket counter in Manchester was a simple and reasonable one. She and her mother, Marion Pearson, just wanted to discard a portion of the tickets for which they had already paid.

Can't do that, said the agent. These are tickets to Cleveland, good only for travel to Cleveland. And these are super-saver tickets—no changes allowed.

If the women wanted to go only as far as Pittsburg, the tickets would have to be reissued and upgraded to full coach. That would cost $570 more.

Unsure what to do next, McClusky went to a telephone to call her husband. Too late. He was already in his car, on his way to pick up the women.

Then she went back to the ticket counter with a question: What would happen if she and her mother used their super-saver tickets, got off in Pittsburg, let their baggage go on to Cleveland and picked up there?

According to Donald McClusky, this was the reply:

"(The ticket agent said they) would be 'blacklisted on the computer,' perhaps for life, from USAir economy fares and managed to imply that they'd be blacklisted from other airlines as well. At that, my mother-in-law burst into tears.

Reluctantly, the women paid the money. And got on the plane in Manchester. And got off in Pittsburgh. And didn't fly to Cleveland.

"This whole thing doesn't make any sense to me," Donald McClusky said in an interview. "We said to the airline, 'We want to use less of your service, use less of your fuel, cause less wear and tear on your plane,' and they said, 'Thanks, we'll charge you a lot more money and be unpleasant about it, too."

He recounted the incident in an angy, sarcastic letter to USAir President Edwin I. Colodny, suggesting the ticket agents in Manchester must have thought they were dealing with a "pair of rouges disguised as a middle-aged woman and her elderly mother."

"Do you have a reward system for making old ladies miserable?" McClusky asked Colodny. "are there extra points if it's Christmas?

At the end of December, McClusky got his answers. They came in a letter from Harry M. Roth, USAir's director of consumer affairs at the time.

No $570 check was enclosed. No apology was offered. Instead, there was an explanation of the fare structure and of the airline's need to protect it.

Wrote Roth: "Although I understand, and appreciate, the reasons you found it easier to pick up your wife and her mother at their connecting point in Pittsburgh, it was not the air transportation that they had reserved or paid for."

McClusky was not content to leave it at that. He complained to his congressman, who complained to the Department of Transportation, which complained to USAir. Last month, nearly a year after the episode, he received an apology—plus a voucher good for a round-trip ticket to New Hampshire.

Judging the quality of air travel is a subjective business. Roughly 450 million people flew on U.S. airlines last year, and only 21,000 were frustrated enough to file complaints with the transportation department. The level of complaints this year is even lower, the government says.

But talk to frequent travelers and a different picture emerges. They don't complain to the government, they say, because they don't see any point in it. They expect so little that it takes a true disaster to stir them to action.

Airline executives respond that some decline in the quality of service in the cabin and at the counter was an inevitable by-product of deregulation, which converted the airliner into a true vehicle of mass transportation.

They say that much passenger discontent is the result of congestion-related delays, for which government's failure to build more airports and runways is largely to blame.

They contend that passengers tend to overstate both how bad things are now and how good they were in the old days. And they say conditions are getting better.

But they concede there is room for improvement in several areas.

Service. Flying was once an experience to be savored. On long flights in the days before deregulation, a traveler could expect

a gourmet meal, works of art on cabin walls and maybe even a piano bar.

Now, in many cases, flying is an ordeal to be endured.

Frederic V. Malek, the new president of Northwest Airlines, recently described Northwest as "a good airline but a second-rate service company.

One big reason for the deterioration in service is that planes are more crowded. Before deregulation, a typical flight was little more than half full; now the average "load factor" is 64 percent.

Several airlines, including Northwest, are studying the possibility of reconfiguring the coach section to allow passengers an expanded range of activities and service. Other carriers are setting aside more seats for "business class," delivering enhanced service to business people paying full fare.

Routes. There are more ways than ever to get there from here. But a lot of them require you to go someplace else first.

Virtually all the carriers have adopted the hub-and-spoke route structure. They funnel most of their traffic through one or two hub airports, thereby enabling passengers to make one-stop connections between numerous cities.

But the result has been a cutback in direct service between many pairs of smaller communities—a source of constant complaint in the rural United States—more congestion at the hubs and more complicated travel arrangements across the board.

According to a study commissioned by the Air Transport Association, the percentage of people taking connecting flights rather than direct flights to reach their destinations has grown from 32 percent in 1982 to 39 percent in 1988.

Delays. They have become a fact of life.

More than 20 percent of all flights arrive late, which the government defines as more than 15 minutes behind schedule, according to federal statistics.

That happens even though delays stemming from mechanical problems are not counted—and even though airline schedules have been adjusted in recent years to build in extra time for congestion-related delays. Most of the adjustments have been made since 1987, when the Department of Transportation began to make public its on-time performance reports on the various carriers.

On current airline schedules, for instance, the flight time from Houston to Philadelphia is listed at 3 hours and 5 minutes. In 1978, before deregulation, the schedules listed a flight time of 2 hours and 36 minutes.

This is not entirely the fault of the airlines. Nor is it entirely the fault of deregulation.

There has not been a single new airport built from the ground up since Dallas-Fort Worth opened in 1974. And both the staffing and technology in the air traffic control system are widely considered to be inadequate.

The airlines are not responsible for building airports or for running control towers.

"There are real problems here, but deregulation by itself is not to blame." said economist Clifford Winston of Washington's Brookings Institution, a private think tank. "It's the interaction of deregulation with mismanaged public policy. . . ."

For the consumer, the most dramatic change brought by deregulation involves a basic act—buying a ticket.

The purchase of an airplane ticket used to be one of the simplest transactions in all of American life. Now it is one of the most complicated.

There are subtle forces at work behind the scenes that influence the traveler's final decision, often without the consumer even being aware of them.

Before October 1978, you called an airline—any airline—and asked if the carrier flew where you wanted to go. You knew, without even asking, that you were getting the best price because it was the only price. Uniform pricing was the rule, a rule enforced by the Civil Aeronautics Board.

Since fares were tied to mileage, it always cost about as much to fly from Philadelphia to Pittsburgh (267 miles) as from Cincinnati to Chicago (265 miles).

If the airline did not fly to the destination you wanted, or if it flew at the wrong time of the day, you could ask what other airline provided service. And you'd get an answer. The sales representatives would even tell you when the other airline's flights left—and often issue the ticket for you.

Nothing like that happens today.

Sensing the complexity that confronts them, most ticket buyers begein the transaction by calling a travel agent; 80 percent of all tickets are issued by agencies.

The outcome of that conversation between agent and customer is influenced by several sets of incentives—some working on the agent, some on the customer—that can often give an advantage to the dominant airline in a particular market.

It begins the moment the travel agent turns on the computer to find out which flights might meet a client's needs.

In virtually every travel agency in the country, the computer is part of a reservation system owned by an airline. Few passengers know that, and few travel agents tell them.

Yet the reservations system in the travel agency helps determine which airline the customer travels on. Study after study has shown that the airline owning the system gets a significantly enhanced share of that agency's ticketing business.

By fostering fierce brand loyalty, frequent-flier programs help shield airlines from competition. They ensure that, all other factors being equal—and sometimes even if they're not—the traveler will use the airline on which he has accumulated the most credits.

"This isn't a system that's good for the American public," said Ted Harris an airline consultant who is one of deregulation's most outspoken critics: "It's a system that's good for the airlines."

[From the News and Courier, Dec. 26, 1989]

RESERVATIONS SYSTEMS CAN CUT COMPETITION

(By Larry Eichel)

At a gathering of financial analysts last year, Robert L. Crandall, the chief executive officer of American Airlines, was asked a hypothetical question:

If the government forced him to give up either his airline, the nation's largest, or his computer reservation system, which would he choose?

He said he would have to think about it.

That answer, or non-answer, underlines just how vital computers have become.

They are, in a sense, the key to the way the major carriers have managed to limit competition—both in determining how many seats to offer at what fares and in selling those seats to the public.

Consider this fact: Nearly all the nation's travel agencies use an airline-owned computer system—there are five of them—to make reservations and issue tickets.

And the two largest airlines, American and United, are far more dominant in the computer reservations business than in the air.

American's SABRE system, which is number one, and United's Apollo, which is number two, account for roughly two-thirds of the market.

Computer reservations systems (CRS) make money for their owners by collecting a booking fee, usually $1.85 per flight, from the airline on which the flight is booked.

What that means is that American and United are siphoning tens of millions of dollars from their rivals each year.

Analysts from the congressional General Accounting Office estimated last fall that profit margins for SABRE and Apollo were in the 50 to 100 percent range. American Airlines officials say profits have run about 25 percent.

"The major CRS systems are at the root of the unreasonable industry concentration, excessive market domination and monopoly power that we face today," said Edward R. Beauvais, chairman of America West Airlines, which does not have one. "And they will lead to conditions that will allow these large carriers to increase prices, reduce services and diminish competition. They are massive, massive weapons."

A CRS is a technological marvel. In fact, American Airlines claims that SABRE—which stands for Semi-Automatic Business Research Environment—is "the world's largest privately owned, real-time computer network."

It has to be. On any given day, there can be as many as 45 million different fares and as many as 600,000 fare changes for a CRS to track.

The system gives travel agents across the country access to a full range of schedules and fares. It also provides the owner-airline with up-to-the-minute reports of what is happening in the marketplace—no small consideration in a world where information is money.

Generating the information that winds up in the system—how many seats are available in what fare classifications—is the work of another set of computers, those devoted to what airline executives call "yield management."

The purpose of yield management, a term that did not exist before deregulation, is to get the most money out of each flight. The method is to strike the right balance between low-fare passengers and high-fare passengers, between those who buy tickets three months ahead and those who buy at the last minute.

Each major carrier has roughly 100 people who practice yield management full time. Their task is to adjust supply to meet demand, hour by hour, flight by flight. By pressing a few keys on their computer terminals, they can make a fare appear one day, disappear the next and reappear the day after, depending on the pace of sales.

"Every flight is unique by time of day, day of week, time of year and type of market—leisure, business or mixed," said Barbara R. Amster, vice president of pricing and yield management at American. "We are talking massive, massive data bases that have to be updated constantly."

The cost of being even a little bit wrong—in either direction—can be very high.

If the computer "protects" 25 seats for late sale at full fare and only 20 get sold, that means five seats go empty—five seats that might have produced some revenue if

they had been made available for sale at discount.

But if 30 full-fare customers show up, the airline winds up with an overbooked plane, some very angry customers and the knowledge that it may have to turn away five passengers willing to pay top dollar—and carry five discount passengers in their places.

"The worst thing a yield manager can imagine is a flight that sells out too early," said Tulinda Deegan Larsen, vice president of Airline Economics, an airline consulting firm. "That means that revenue was not maximized."

All this helps explain why an ordinary passenger never knows how much he or she will have to pay.

Only the computer knows.

HUB SYSTEM GIVES AIRLINES POWER OVER MARKET

(By Larry Eichel)

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ST. LOUIS.—At 9 o'clock each morning, it looks like all the commercial jets in the world belong to Trans World Airlines and all of them have converged on the St. Louis airport.

Thirty-some jets of varying size and type—each painted white with red stripes, each bearing the TWA logo—stand motionless at their gates, noses in, tails out, engines off.

All else is movement and noise.

On the tarmac, workers unload baggage holds and toss suitcases onto conveyor belts and into baggage trucks. Jet engines are checked, tanks fueled and galleys loaded with food and drink. Dozens of vans and small trucks scurry from plane to plane, their drivers delivering packages, parts, tools and guidance.

In a glass booth atop the main concourse, TWA operations manager Vic Caputo and seven lieutenants—armed with telephones, walkie-talkies, computers and their own eyes—monitor this intricate dance of people and machines.

Meanwhile, inside the terminal, 4,000 travelers are playing commercial aviation's version of musical chairs.

They have flown in from 30 points east of St. Louis—Philadelphia and Pittsburgh; Newark, N.J., and New York; Tampa Fla., and Toledo, Ohio. And most of them are headed for destinations west of St. Louis—Los Angeles and Little Rock, Ark.; San Francisco and San Antonio, Calif.; Denver and Des Moines, Iowa.

In determined silence, they stride from their planes into the tumult of the airport concourse. They stare up at television monitors, looking for the gate assignment of their next flight. Then they stroll, trek or sprint through the halls, depending on how much time they have and how far they have to go.

By 10 o'clock, all the TWA jets and all the TWA passengers are in the air, headed west.

The airport is empty—no planes, no people. And it stays that way for a few minutes, until the next group of planes begins to drop out of the sky.

This is a hub airport in operation.

When it works as planned, it is a logistical marvel to behold. But this system is at the heart of the debate over airline deregulation.

The issue: Hub dominance.

Since 1978, when Congress deregulated the industry, nearly every major carrier has adopted a route structure called hub-and-spoke. It is a system in which an airline offers one-stop service between hundreds of pairs of cities—the spokes—by funneling passengers through a central airport—the hub.

The problem is that once a carrier establishes a hub and becomes dominant at that airport, the airline can use its economic power to keep others out and to create a virtual lock on the local business. And there is considerable evidence to indicate that airlines convert such dominance into higher fares for local passengers.

Which explains why some travelers who live in the St. Louis area feel they have become the hostages of TWA. At Lambert-St. Louis International Airport, TWA has 82 percent of the business.

"I resent it bitterly, and it's more than an issue of money with me," said Hal Kroeger, who runs a paper products distribution business from offices in suburban Florissant, Mo., and is so frustrated that he is considering having his company lease a private jet.

"In the last three years, we've seen less courtesy, less reliability and much higher fares. And the service is as bad as the fares. The impact of having a monopoly is so deep."

It is not a situation limited to St. Louis and TWA.

USAir has 92 percent of the business in Charlotte, N.C., and 86 percent in Pittsburgh. Northwest Airlines has 84 percent at Memphis, Tenn., and 79 percent in Minneapolis-St. Paul.

American Airlines has 70 percent in Nashville, Tenn., and Raleigh-Durham, N.C. And Delta has roughly three-fourths of the market in Cincinnati, Salt Lake City and, most significantly, Atlanta, the largest hub in the South.

Three other hub airports—Dallas-Fort Worth, Denver and Chicago O'Hare—are controlled by two carriers apiece. American and Delta share 89 percent in Dallas-Fort Worth; United and Continental have 85 percent in Denver; American and United have 80 percent at O'Hare.

At several others—including Detroit Metro; Houston Intercontinental; Chicago Midway; Newark; Syracuse, N.Y.; Dayton, Ohio; and Baltimore-Washington—one airline controls more than half the traffic.

"For a significant and increasing minority of passengers who depend on hub airports, the benefits of deregulation are eroding," said Kenneth Mead of the General Accounting Office, the congressional watchdog. "This is cause for alarm."

No one is more alarmed than a St. Louis resident named John C. Danforth, a member of the U.S. Senate who is the ranking Republican on the Commerce, Science, and Transportation Committee, which oversees the airline industry.

"The problem is concentration at individual airports causing lack of competition," Danforth said. "When you're up to 82 percent, as we are (with TWA) in St. Louis, how much worse can it get? I'd say that's intolerable."

Despite such sentiments, hub airports do offer some real advantages. One is convenience. Since each hub is a focal point for a carrier's entire route system, travelers living in the area have access to more non-stop flights to more places than they would have otherwise.

Another is the boost to the local economy, both from having thousands of airline employees in town and from being so accessible to the rest of the country. No city that has a hub airport has ever asked an airline to take its hub someplace else.

"Call up Louisville, call up Columbus (Ohio), call up any city that doesn't have a hub," said Randall Malin, executive vice president of USAir. "They'd give anything to have one. Communities want better service, because service means access and access means business."

But there is a price to be paid. And it comes right out of the pockets of the local travelers, particularly the local business travelers, who have no choice but to use the airport.

Study after study has shown that passengers beginning or ending their trips at most of the nation's 35 hub airports pay higher fares.

In the spring, the General Accounting Office studied 15 airports dominated by one carrier and reported to Congress that those airports had 27 percent higher fares than airports of similar size that did not have a dominant airline.

The carriers' trade group, the Air Transport Association (ATA), responded with a study of its own, based on 1988 data, concluding that hub fares were indeed higher—but only by an average of 4 percent. In that survey, fares at the Philadelphia hub came out 15 percent higher than at comparable non-hub airports.

Airline executives argue that the difference is attributable largely to the abundance of short-haul, non-stop flights available at hub airports. Under the current fare structure, non-stop flights almost always cost more than one-stops, regardless of whether hub airports are involved.

"(People served by hubs are) getting something exceptional," said ATA President Robert J. Aaronson, "and we're acknowledging they're paying a little more for it. . . . Anecdotal evidence aside, the hub-and-spoke system has evolved into a highly competitive national transportation system which provides enormous benefits to the American public."

But in St. Louis, some frequent travelers tell a different story.

"I used to be able to fly to New York for $180 round-trip," said Alice Burgess, whose St. Louis company makes medical videos. "Now it's $592, and that's with a seven-day advance purchase and a 25 percent penalty for changes.

TWA officials contend, though, that St. Louis is not oppressed. If it were, they say, the airline would have a full-fledged consumer revolt on its hands. And it doesn't.

"The general reaction from the business community is 'Thank God that we've got a hub!'" said TWA spokesman Don Morrison. "The area gets more non-stop flights than it would otherwise. We're one of the top five employers in the city of St. Louis, the number two employer in the state of Missouri. That wouldn't be the case if we were hubbing out of Toledo."

Barbara R. Amster, vice president for pricing and yield management at American Airlines, argues that fares at most hub airports are not out of line and that they are held in check by competition.

"It's hard to abuse the customer," she said. "He's got too many other options. If St. Louis passengers don't want to fly nonstop on TWA to Los Angeles, they can fly (one-stop) to Los Angeles over our (American) hub in Dallas-Fort Worth or United's hub in Denver or Braniff's in Kansas City."

Indeed, the almost universal adoption of the hub-and-spoke system has resulted in more choices on long-distance routes—although most of them require a stop and a change of plane.

But if you live in a hub city, your reasonable options often begin and end with the dominant airline. In St. Louis, that is TWA.

TWA has a monopoly on non-stop service between St. Louis and 54 destinations, among them all three airports serving metropolitan New York; all three airports serving the Washington, D.C., area; Los Angeles; San Francisco; Philadelphia; Boston; Hartford-Springfield, Conn.; Orlando, Fla.; Miami; Tampa-St. Petersburg, Fla.; New Orleans; Phoenix, Ariz.; Las Vegas, Nev.; San Diego and Seattle. Before deregulation, TWA had non-stop monopolies on only six of those routes.

It is not just that TWA now accounts for 82 percent of the total St. Louis market and 62 percent of the passengers for whom St. Louis is origin or destination. Flights that pass through or begin or end in St. Louis account for nearly 80 percent of the airline's entire domestic system.

The other major airlines offer St. Louis residents what amounts to token service; they operate a few flights a day between Lambert International and their own hubs. In fact, the number two carrier in St. Louis is Southwest Airlines—a lowfare carrier that offers no food other than peanuts, no assigned seats, no connections with other, bigger carriers and no service east of Detroit.

The hub-and-spoke concept existed before deregulation. Delta and Eastern have operated southern hubs in Atlanta for years, and USAir has long had a significant connecting operation in Pittsburgh.

But the coming of deregulation in 1978 gave airlines the freedom to enter and leave routes as they pleased. Airlines moved to reinforce their positions in markets where they were strong and to abandon markets where they were weak. And hub-and-spoke became the rule.

For TWA or any other airline, the hub-and-spoke system offers several obvious economic advantages.

Each carrier gains efficiency by concentrating the bulk of its personnel and its operations in a handful of cities. By bringing each flight through the hub, the airline is able to offer more service to more destinations than under the old point-to-point system.

And the more spokes the airline adds, the more options it can provide to passengers. And the more traffic it captures. Flights that otherwise were as much as 70 percent empty (and thus soon to be eliminated) suddenly were 70 percent full. The reason: Nearly every flight leaving any spoke city can take a passenger virtually anywhere, through the hub.

The system also helps make sure that a passenger, once on the airline, stays on that airline for the duration of the trip, said Robert Joedicke, airline analyst for Shearson Lehman Hutton.

Before deregulation, 16 percent of all passengers who changed planes on a trip had to change airlines as well. Now, the corresponding figure is 2 percent.

Very rarely do airlines invade hubs already dominated by other carriers. They prefer, instead, to expand their own hubs or create new ones at airports they can dominate.

"The risk of trying to come in and compete at another carrier's hub is enormous," said Shane, the assistant transportation secretary.

That explains why American Airlines set up medium-sized hubs two years ago in Nashville and Raleigh-Durham, rather than in Atlanta—Delta's stronghold.

DEREGULATION COMPOUNDS SAFETY PROBLEMS

(By Larry Eichel)

(EDITOR'S NOTE.—Eleven years ago, Congress deregulated the airlines with the promise of lower fares and better service through enhanced competition.

(For a time, deregulation worked just the way its champions had predicted it would. New airlines popped up all over the country, airfares declined and air travel mushroomed.

(But, today, nearly all of the upstart, lowfare carriers are gone, along with some more long-established ones—more than 200 casualties. Their assets have been redistributed by bankruptcy courts or gobbled up in a wave of merger mania.

(This the the fourth installment of a five-part series in The News and Courier examining deregulation and how it went awry.)

Your flight is delayed at the gate for no apparent reason; the weather is clear, all the passengers have their seat belts fastened and everything seems to be working fine.

Then the plane is held up again on the tarmac; the pilot offers some vague explanation about waiting for clearance from air traffic control, even though lots of other planes seem to be coming and going.

You are paying the price now charged for safety in the deregulated skies.

The growth in air travel and the failure of government to respond adequately have put severe strains on the nation's air travel system. And the system's way of easing those strains is to make airplanes sit on the ground and wait.

Ever since Congress enacted airline deregulation in 1978, lawmakers have repeated these words as if they were a mantra: "Congress didn't deregulate safety." Indeed, the Airline Deregulation Act eliminated the Civil Aeronautics Board, the agency that passed judgment on routes and fares, not the Federal Aviation Administration, which concerns itself with operations and maintenance.

But deregulation has had an impact on safety:

Aging aircraft have become a major concern.

Experience levels of pilots and mechanics have dropped, and a future shortage of pilots is likely.

Pressure on the air traffic control system has increased.

Even the FAA has come under criticism as too ponderous and inflexible a bureaucracy to adequately monitor a dynamic and growing industry.

By itself deregulation did not create any of these problems. But it contributed to the magnitude of all of them.

Yet, while the system has been strained, it has not broken.

The safety record of the major airlines has been better in the decade since deregulation than in the prior decade. Fewer people have died in airplane crashes in the 1980s than in the 1970s, even though the number of people flying has increased by two-thirds.

"The system is bulging at the seams, but the record shows that it is the safest in the world and has never been safer," said Secretary of Transportation Samuel K. Skinner. "I can't see where deregulation has had any impact on safety."

But Arnold Barnett and Mary K. Higgins of the Massachusetts Institute of Technology studied all the safety numbers and reached a slightly different conclusion, one that meshes with the opinions of several independent experts.

"One can plausibly contend that safety has improved despite deregulation," they concluded, "and would have improved more in the absence of the policy."

In other words, they said, deregulation may have worked against safety but not enough to outweigh a lot of other factors.

Among those factors are advances in technology, improved knowledge of what causes accidents, increased caution by controllers, the expertise of aviation professionals, the vigilance of the FAA and the relatively new concept of "flow control"—the practice of making planes stay on the ground until controllers can assure them a reasonably clear path to their destinations.

Like other aspects of the airline industry under deregulation, safety often comes down to a matter of dollars and cents. "I think we've reached a point where airlines that make higher profits are safer airlines," said John Galipault, director of the nonprofit Aviation Safety Institute.

So the higher fares and increased profits of the last two years should mean that more money is now available for new planes and quality maintenance—at least for American, Delta, Northwest, United and USAir, the five most profitable major carriers.

But other airlines—Pan American, Eastern, TWA and Continental——are not doing well. And one of the healthier carriers, Northwest, has just taken on several billion dollars in added debt as the result of a leveraged buyout. United, the object of an unsuccessful takeover attempt earlier this year, may yet be headed down a similar path.

Air safety relies on four major components—the airplanes, the people who fly and maintain them, the air traffic system and the people who regulate and operate it. All four components have been substantially affected by deregulation.

THE AIRPLANES

Deregulation, with its emphasis on the bottom line, gave the airlines every economic reason to keep old airplanes in the sky as long as possible. And unlike the situation in previous decades, there were no major technological advances that made the planes obsolete.

Those two forces combined to produce the problem of aging aircraft. It is unprecedented. Never before in the history of commercial aviation have airline executives had to worry about a generation of planes wearing out.

The average age of the nation's fleet of nearly 4,000 jetliners is about 12 years. According to industry data, more than 31 percent of those jets are more than 20 years old.

According to the Air Transport Association, U.S. carriers have firm orders for at

least 975 planes valued at $40 billion and options for 1,207 others, all to be delivered over the next five years.

Concern about the bottom line contributed to carriers' decisions to delay placing large orders for new aircraft until last year. Two factors have caused them to overcome their reluctance.

One was the realization that the days of low profits and cutthroat competition were gone. The other was the ripping open of an Aloha Airlines Boeing 737 in mid-flight on April 28, 1988, which made the aging aircraft issued impossible to ignore.

Since the Aloha accident, the FAA, the carriers and aircraft manufacturers have been trying to figure out what to do—amid congressional proposals that jetliners be subjected to a mandatory retirement age.

This year, the FAA, working in consultation with the industry, has established new policy directives for maintaining older jetliners built by Boeing and McDonnell Douglas.

According to the FAA, maintenance accounted for 12.5 percent of expenses in 1978 for all airlines, the last year before deregulation, but fell to 9.2 percent in 1982. That percentage was back up to 11.5 percent in 1988.

THE PERSONNEL

No element is more important in guaranteeing safety than the skill of the men and women in the cockpit and the hangars.

Deregulation has increased the demand for commercial airline pilots at a time when the armed forces, the traditional source of such pilots, are producing fewer and fewer.

The result has been that the average experience level of pilots at major airlines has fallen in recent years from 4,500 flying hours to 3,600, according to the Future Aviation Professionals of America, an Atlanta-based group that tries to encourage young people to select careers in aviation.

The situation figures to get worse. About 25 percent of the current crop of commercial pilots will reach the mandatory retirement age of 60 by 1997, even as the airlines continue to expand. FAA chief James B. Busey, a retired admiral, has said that his inclination is to keep the retirement age in place.

In August, the Air Transportation Association reported that the carriers already were working with 4,000 fewer mechanics than they would like.

John H. Enders, president of the nonprofit Flight Safety Foundation, based in suburban Washington, also points with concern to the erosion and, in some cases, the outright disappearance of airline engineering departments, which used to watch for recurring technical problems within each carrier's fleet. Now that function has shifted largely to the manufacturers.

THE AIR TRAFFIC SYSTEM

In the view of the carriers, there is only one truly major problem threatening the future of commercial aviation. That is the lack of sufficient capacity to meet growing demand.

The capacity problem has several aspects.

One is the lack of new airports; none has been built from scratch in the United States since Dallas-Fort Worth opened in 1974, four years before deregulation.

Another is the inadequacy of the computer equipment now being used by air traffic controllers in airport towers and regional centers. Much of that equipment is based on the technology of the 1960's.

In September, FAA chief Busey called on Congress to double the agency's spending on the purchase and installation of computers and other new equipment—as called for in the National Airspace System plan. The plan is years behind schedule.

New computers would enhance safety by making it easier for controllers to track planes. And they would increase capacity by making it possible for planes to fly closer together.

The urgency of such improvements was underlined by a study completed in July by the General Accounting Office, the investigating arm of Congress. According to the GAO, equipment failures have caused information critical to preventing midair collisions to vanish from controllers' screens for a few moments at 27 of the 57 Terminal Radar Approach Control Centers that handle traffic at the nation's largest airports.

The number of controllers also remains a problem, as it has since President Ronald Reagan fired thousands of members of the Professional Air Traffic Controllers Organization after the union went on strike eight years ago.

THE REGULATORS

Nearly everyone in the aviation community respects the professionalism and commitment of the people who work for the FAA. But almost no one thinks the agency as a whole is as effective as it could be.

The basic complaints about the FAA are that its rule-making processes are too combersome, its bureaucracy too decentralized, its regulations needlessly complex, its inspection programs misdirected and its leadership lacking in continuity. Since 1958, the average stay in office for an FAA administrator has been less than three years.

Some members of Congress contend that the only way to give the FAA the flexibility and the clout it needs is to make it less political, by taking it out from under the Department of Transportation and giving it an administrator with a long, fixed term.

Legislation calling for an autonomous FAA is opposed by Transportation Secretary Skinner and by FAA chief Busey. It is being pushed by Sen. Wendell H. Ford, D-Ky., chairman of the Commerce aviation subcommittee, who was angered by the fact that the FAA did not have a permanent administrator for the first six months of the Bush administration.

The airlines know there is a link between safety and economic success. Given a choice, people will not fly on an airline they consider unsafe.

Beyond that, airline executives worry that if safety deteriorates, congressional opponents of deregulation will use that as justification for putting the regulatory clamps back on the industry.

"I don't think there'd be a successful move (in Congress) toward reregulation of the industry unless you could show a remarkable deterioration in safety attributable directly to deregulation," said James E. Landry, senior vice president of the Air Transport Association, the industry's trade association.

"And we would never allow it to get to that point."

[From the News and Courier, Dec. 29, 1989]

CONGRESS PONDERS ROLE WITH AIRLINES

(By Larry Eichel)

(EDITOR'S NOTE.—Eleven years ago, Congress deregulated the airlines with the promise of lower fares and better service through enhanced competition.

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(But today, nearly all of the upstart, low-fare carriers are gone, along with some more long-established ones—more than 200 casualties. Their assets have been redistributed by bankruptcy courts or gobbled up in a wave of merger mania.

(This is the final installment of a five-part series in The News and Courier examining deregulation and how it went awry.)

WASHINGTON.—Members of Congress, who are among the nation's most frequent and most frustrated fliers, take great relish in angrily recounting their personal tales of high fares, discourteous service, lost luggage and missed connections.

Many of them mutter in agreement when they hear from such outspoken critics of deregulations as Donald L. Pevsner.

"(The airlines—can screw the public every day, every flight and get away with it in the absence of meaningful competition," said Pevsner, former general counsel of Air Florida. "But meaningful competition can never again exist, absent some sort of profound reregulation."

Such sentiments have prompted Congress to seriously consider a more active role for government in monitoring the business of the airlines. The question is how active.

"I am a born-again regulator," said Sen. Ernest F. Hollings, D-S.C., chairman of the Senate Commerce Committee.

During the congressional session that ended Nov. 27, the House passed legislation that would prohibit any change in the ownership of an airline without the prior approval of the Transportation Department. But the bill never came to a vote in the Senate, after the Bush administration threatened a presidential veto.

Beyond that, two senior Republican members of the Senate Commerce aviation subcommittee, John C. Danforth of Missouri and John McCain of Arizona, introduced legislation aimed at enhancing competition.

Their bill would outlaw several industry practices widely considered anti-competitive and, most significantly, force the airlines out of the lucrative computer reservations business.

And two Democratic senators, Howard Metzenbaum of Ohio and Robert C. Byrd of West Virginia, have introduced the Airline Reregulation Act, calling on the government to get back into the business of regulating fares and routes.

"I don't know if complete re-regulation is the answer," Metzenbaum said. "But I do know it's time we owned up to the fact that airline deregulation was a mistake. Unless Congress steps in, airlines will continue to pilot the industry toward disaster."

Only a few voices are advocating a return to anything like the old days, when the Civil Aeronautics Board was the sole arbiter of where the airlines flew and how much they charged.

In that sense, re-regulation is not a live option.

"I do not want to get back into the fare-setting business," said Secretary of Transportation Samuel K. Skinner, who has set up a task force to recommend how to encourage competition and has demonstrated a far more activist approach to airline issues than his predecessors.

"I see no reason to do it, and I see a lot of good reasons not to do it," Skinner said in an interview. "On the other hand, I do not

have a total hands-off policy. I do not think the secretary of transportation can sit idly by and watch concentration and monopolies grow."

For legislators and policy-makers, the very complexity of the deregulated airline marketplace makes any federal intervention a truly daunting prospect. If there is one guarantee, it is that whatever action they take will demonstrate the power of the law of unintended consequences—as enactment of deregulation itself did in 1978.

Many industry analysts and airline executives argue that the current situation, in which eight national mega-carriers account for 93 percent of the business, is no great cause for alarm.

As the airline industry becomes ever more global in nature, the nation will be better served by a handful of large airlines than by dozens of smaller ones, they say.

But members of Congress are concerned about the way hub airports have become fiefdoms of individual carriers.

They are concerned about the growing power of the mega-carriers and by predictions that even a modest recession in the next few years could cause the nation's eight major airlines to dwindle to six—American, Delta, Northwest, Texas Air, United and USAir.

Both TWA Chairman Carl C. Icahn and Pan American chief Thomas G. Plaskett have said that their airlines must get bigger, merge, be taken over or die.

"The strong carriers are very strong, and weak ones are still weak, and the gap between the strong and the weak is widening," said Edmund S. Greenslet, an industry analyst based in Jacksonville, Fla.

Members of Congress are worried, too, about the possible threats to safety and competition when a mega-carrier is bought and sold in a highly leveraged transaction, as Northwest was earlier this year and as United and American almost were.

Those fears are based on the billions of dollars in new debt imposed on an airline in a leveraged buyout. In a recession, a debt-laden airline is more likely to go bankrupt or be forced into a merger, financial experts say.

"Can we afford to risk even one bankruptcy among the eight major carriers?" Rep. Peter A. DeFazio, D-Ore., asked his colleagues on the House aviation subcommittee. "Should an airline be allowed to postpone modernization in order to finance its debt? Make no mistake, many of the people and groups now interested in acquiring airlines are not industry experts. They are the quick-buck artists of Wall Street."

For their part, the airlines say deregulation has been a success; that a heightened government presence, however well-intentioned, would do more harm than good; and that the free market should be allowed to continue to do its work.

They point out that airline profits remain modest by the standards of American industry—and that profits have been slipping in the second half of this year.

"The present situation is healthy and competitive," said Robert J. Aaronson, president of the Air Transport Association, the industry trade group. "Our view is that if something is not broken, you don't fix it."

But that is not the view on Capitol Hill.

"I don't think there's debate any more on whether there is a problem," said Kenneth Mead, who monitors the airlines for the General Accounting Office, the congressional watchdog agency. "The debate is what do we do about it. And if nothing is done, I would see further concentration and, in turn, higher fares."

Here are the options Congress and the Transportation Department are considering:

Making it easier for airlines to gain access to gates and other basic facilities at airports.

The big issue, in the minds of many, is the degree to which hub airports are dominated by single airlines. And it is hard for an airline even to contemplate competing at a dominated hub if it can't get enough gates.

Many gates are tied up for years on long-term, exclusive-use leases. And so-called "majority-in-interest" clauses often give the dominant airline at a lub veto power over any airport expansion that might make room for new service.

In testimony, on Capitol Hill in September, the GAO's Mead pointed out that Congress could nullify such arrangements, most of which were signed before the coming of deregulation, or ban them in the future.

Figuring out a better way to allocate slots at the nation's four most congested airports.

At Washington National, Chicago O'Hare, New York LaGuardia and New York Kennedy airports, a commercial airliner cannot land or take off without government permission—a slot. There are only so many slots. And all of them are in the semi-permanent custody of the airlines now serving those airports.

Current federal policy, called the "buy-sell" rule, allows those airlines to buy and sell slots as if they owned them, which they don't.

So if a new airline wants to enter one of those airports, it must buy a slot from the airlines that have them. Often that price is in the millions—even though the government originally issued the slots for free. More often, though, slots are not for sale.

This situation, even though it exists at only four airports, has an anti-competitive impact throughout the country: An entrepreneur cannot expect to build a significant airline without the ability to take passengers to New York, Washington and Chicago.

The airport operators, as well as executives of the smaller airlines, want a better way for slots to be distributed. Under the Danforth-McCain bill, the Department of Transportation would take back all the slots and auction them off—making certain that some be reserved for new entrants.

Changing the ownership of computerized reservation systems (CRS).

There are five such systems, all of them owned by individual airlines or small groups of airlines. Travel agents rely on computerized reservation systems almost exclusively. And American and United, the nation's two biggest carriers, own the two biggest systems.

The Danforth-McCain proposal to force the airlines out of the computer reservations business entirely is backed by some economists and by some of the airlines that either do not have their own systems or have small ones.

Outlawing frequent-flyer programs.

The programs, in which passengers accumulate credits toward free trips by using a single airline, have succeeded beyond the carriers' wildest dreams.

They have generated brand loyalty and given customers a reason, other than price and service, to choose a particular airline. They have created legions of mileage junkies. They have dampened price competition, economists say, and worked to reinforce the power of dominant airlines in hub cities.

Congress could move to outlaw the popular programs, although no lawmaker has been daring enough to put such a proposal in the form of legislation. Some lawmakers wish the Internal Revenue Service would take them off the hook by deciding to tax as income any frequent-flier benefits earned by travelers not paying for their own tickets.

Limiting airline takeovers.

When Congress reconvenes in January, it will take up various bills limiting airline takeovers.

Behind the proposals is the fear that such buyouts leave major airlines burdened with so much debt that airline managers become more concerned with generating cash to make interest payments than with serving the public.

The congressional viewpoint is that the Transportation Department needs explicit authority to review transaction before they happen—the department reviewed the Northwest takeover after the fact. And it needs additional enforcement measures so that officials need not use the only one they have now—the authority to ground the airline altogether.

Grounding an airline to force it to restructure its financing is like "using a howitzer to go deer hunting," said Rep. James L. Oberstar, D-Minn, chairman of the House Public Works subcommittee on aviation.

But the Bush administration has threatened to veto any such bill and Skinner has said that the Northwest episode demonstrated that this current authority is appropriate.

In any event, the climate for future mergers between two major airlines now appears relatively hostile; analysts doubt that the government would approve any major deal.

That is because the authority over airline mergers has passed to the Justice Department from the Transportation Department which approved nearly every merger the airlines proposed during the first 10 years of deregulation.

Assistant Attorney General James F. Rill, who heads the Antitrust Division of the Justice Department, has pledged to take a hard look at airline mergers and to "seek to prevent mergers between airlines with overlapping hubs."

In a speech last month, Rill noted that the Justice Department could effectively block a deal just by announcing its opposition. It has done so twice this year—stopping the proposed merger between the computer reservations systems owned by American Airlines and Delta Airlines and the proposed sale of Eastern's gates at Philadelphia to USAir.

Encouraging competition between foreign and domestic airlines.

Current federal policy bans foreign carriers from picking up passengers in one American city and depositing them in another, even if the carrier flies that route. For example, British Airways flies a Pittsburgh-Washington-London route but is not allowed to carry passengers just between Pittsburgh and Washington.

Giving foreign carriers the right to do that—known as cabotage—is popular among free-market economists but not among politicians and airline executives.

With Europe moving toward its own version of airline deregulation in 1992, there is the chance that international carriers might be granted limited rights to carry passengers on domestic routes in exchange for U.S.-flag carriers being given similar rights in Europe.

Setting ceilings on certain types of fares.

In all but its final version, the Airline Deregulation Act of 1978 had a provision allowing the Civil Aeronautics Board to set fare ceilings on any route on which one carrier controlled more than 90 percent of the traffic. Giving such power now to the Department of Transportation is one possibility being discussed.

Economist Alfred E. Kahn, former chairman of the Civil Aeronautics Board and the father of deregulation, says that he cannot "in principle" rule out such ceilings. Pevsner proposes a ceiling on all full coach fares, based on a mileage formula.

In his bill, Metzenbaum proposes a five-member, independent Aviation Policy Board to set fares and routes.

Paul Stephen Dempsey, a transportation law expert at the University of Denver, would establish a National Transportation Commission with power to impose fare ceilings and floors—to set up a "zone of reasonableness."

"In time," Dempsey said, "a consensus will develop that deregulation has been a failure. . . . Sooner or later, we will re-regulate the airline."

But many industry analysts believe that Congress will do so such thing.

"Maybe the best the Federal government can do is to promote competition at every opportunity," said Patrick V. Murphy, a deputy assistant secretary of transportation. "Secretary Skinner has already done more in promote competition since he took office than was done in the last few years."

The thrust toward even the most modest sort of airline re-regulation is dampered by the fear that any attempt to fix one problem might create another problem.

The lower fares paid by vacationers might not exist without the higher fares paid by business travelers. The hub airports, with their bounty of non-stop flights, could not exist without the spoke airports, which get service mainly through the hubs.

"I think a few regulations here and there would be good, "said Michael E. Levine, a former executive with New York Air who now runs the management school at Yale University. "But I worry about saying something like that to a Congress that . . . is likely to go for a quick fix that would do more harm than good."

Kahn has a similar outlook.

"If there were any simple solutions," said Kahn, "we would long ago have found them."

SOUTHERN BELL: A CORPORATE HERO IN HUGO'S WAKE

Mr. HOLLINGS. Mr. President, 5 months ago, Hurricane Hugo smashed into South Carolina, leaving a path of destruction like nothing seen in my State since the Civil War. In previous floor statements, I have saluted the many heroes to emerge in the wake of Hugo: Courageous individuals, public servants who rose magnificently to the occasion, corporations that pitched in with donations and private relief initiatives. Today I rise to pay special tribute to Southern Bell for its remarkable performance during and after that fateful evening of September 21-22. Simply put, for the men and women of Southern Bell, this was their finest hour.

Perhaps the most eloquent tribute to Southern Bell is the fact that approximately 90 percent of its customers in the impacted areas never lost service. Only two of the telephone network's central offices—at Edisto Beach and Seabrook Island, both on the barrier islands east of Charleston—were disabled by the hurricane.

This incredible resiliency within the network was the result of years of foresight and modernization by Southern Bell, specifically the company's aggressive efforts to bury more than three quarters of its cable, as well as its efforts to switch from copper wiring to fiber optics. In the days after Hugo hit, more than one instance was noted of a public phone booth, submerged in sand and debris, but with its receiver still giving a dial tone, loud and clear. Now that truly is a system that takes a lick'n and keeps on tick'n.

Even so, there was tremendous destruction to BellSouth's above-ground equipment—with thousands of downed cables and telephone poles. To repair this damage and restore full service, the company mobilized a small army of engineers and technicians, bringing to South Carolina some 600 specialists from Florida, Georgia, and elsewhere to supplement the local personnel. It was an impressive, round-the-clock effort that restored virtually 100 percent service in relatively short order.

Mr. President, I extend my congratulations and gratitude to all the men and women of Southern Bell for the outstanding job they did throughout this crisis period. They worked long hours, and performed with exceptional skill and professionalism. They served the people of South Carolina superbly at our time of greatest need.

FEDERAL TAX AMNESTY ACT

Mr. DIXON. Mr. President, yesterday IRS Commissioner Fred Goldberg testified before the House Ways and Means oversight subcommittee on a serious and continuing problem confronting his agency—and more importantly, confronting our Nation. During a decade in which the Federal deficit has grown to appalling levels, compliance with our Federal tax laws has actually declined.

The IRS estimates the tax gap—that is, the difference between what is owed to the Federal Government and what is actually collected—to be $87 billion. $87 billion of uncollected taxes is nothing less than scandalous. It exacerbates our mounting budget deficit, as well as increases the burdens upon all honest taxpaying citizens.

It is an alarming fact that almost 9 percent of the taxes legally owed and due the Government are not being collected. In 1983, the tax gap was estimated to be $24 billion. By 1992, lost revenue to the Government could reach as much as $114 billion.

Mr. President, every year billions and billions of dollars are lost to our tax collection system. Part of the problem lies within the Internal Revenue Service itself. Its procedures are outdated and inefficient. At the same time, its enforcement staff has dwindled to a point where increased staff is urgently needed. Contained in the President's budget for fiscal year 1991 is an increase in funding for IRS enforcement. This is an important first step. Such a step, however, speaks only to future compliance. Merely increasing IRS collection efforts alone will not recover the vast majority of these outstanding delinquent balances.

Since I first came to the Senate, I have repeatedly argued for, and introduced legislation to institute, a Federal tax amnesty program. It is my belief that such a program is an essential step to recover the lost revenues from prior years.

A number of States—including my State of Illinois, Massachusetts, New York, Connecticut, Kansas, Alabama, Texas, Missouri, Minnesota, North Dakota, New Mexico, Arizona, California, Idaho, and Maryland—have enacted tax amnesty programs. In my State alone, approximately $150 million was collected—far more than the Illinois Department of Revenue originally estimated. These were revenues that Illinois would otherwise not have been able to collect. The success of these State tax amnesty programs has demonstrated the potential of this idea at the national level.

It is true that Federal tax collection efforts are more sophisticated than those of the States. The Federal Government, however, is losing billions of tax dollars—$87 billion this year. Of this $87 billion, underreported income—that is, overstated deductions and credits, as well as unreported income—represents roughly $40 billion. The largest portion of this unreported income is from sole proprietorships, informal supplier income, and capital gains.

Mr. President, the results of State amnesty programs have been impressive. These programs have demonstrated that many individuals and companies will come forward if they can pay their back taxes, and not be prosecuted. The State programs have also revealed that amnesty programs have enabled the States to collect significant amounts of currently uncollectable revenue with a minimal amount of resources. Over 130,000 delinquent taxpayers came forward in California—Illinois collected approximately $150 million—and over $72 million was collected in Massachusetts.

The State programs were not giveaways: they did not reward tax cheaters. Rather, the State programs were balanced. Following the amnesty period, compliance efforts and penalties for noncompliance were increased. However, the State programs have re-

sulted in placing additional taxpayers back on the rolls. These are additional revenues that otherwise would not have been collected.

At the Federal level, revenues from a tax amnesty/enforcement package can be utilized to help reduce our budget deficit. At the same time, these revenues can help preserve high-priority Federal programs that are currently facing drastic cuts or elimination.

The bill that I reintroduced during the first session of this Congress, S. 387, would establish a tax amnesty-tough enforcement package. This legislation would institute a 6-month amnesty period, to begin on July 1 after the bill is enacted. The amnesty period would cover all tax years through 1987 still subject to collection by the IRS. The bill would include amnesty from criminal and civil penalties, and from 50 percent of any interest penalty owed. All Federal taxes would be covered by the amnesty, not just the Federal income tax. The tough enforcement side of the package would increase all tax-related civil and criminal penalties by 50 percent. In addition, the bill would authorize such funds as are necessary to add 3,000 additional revenue agents to the IRS.

As we battle headlong to reduce our uncontrollable budget deficit, debating over whether to cut essential programs or impose unwanted taxes on our citizens, we should take advantage of the benefits that a tax amnesty program yields. I urge my colleagues to carefully examine the amnesty concept.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,803d day that Terry Anderson has been held in captivity in Beirut.

POSTHUMOUS CITIZENSHIP FOR ACTIVE DUTY SERVICE ACT

Mr. PELL. Mr. President, I am delighted that the Senate has passed and sent to the President the Posthumous Citizenship for Active Duty Service Act.

Although this legislation provides for the granting of posthumous citizenship to any alien killed in hostilities while serving in the Armed Forces of the United States, the bill in my view is a special tribute to Cpl. Ivan Perez of Central Falls, RI.

Corporal Perez served with the United States Army during the recent hostilities in Panama. Just after midnight, on December 20, 1989, Cpl. Ivan Perez was shot and killed during the U.S. takeover of Gen. Manuel Noriega's headquarters.

Corporal Perez was a U.S. soldier but he was not a U.S. citizen at the time of his death. The road that any immigrant follows toward U.S. citizenship is full of twists and turns. Tragically, this road came to an abrupt end for Corporal Perez. There is currently no law that recognizes the unique contribution made to our Nation by individuals such as Corporal Perez. There is no law that enables a noncitizen resident of the United States, who is killed under fire as a member of the U.S. Armed Forces, to be recognized as a U.S. citizen.

The Posthumous Citizenship for Active Duty Service Act provides such a system. Under this act, a simple procedure will be created to grant citizenship to any alien or noncitizen national who dies while serving honorably while on active duty in the U.S. Armed Forces.

The Posthumous Citizenship for Active Duty Service Act was introduced in the House of Representatives by Congressman BRIAN DONNELLY on January 3, 1989. The House of Representatives subsequently passed the Posthumous Citizenship for Active Duty Service Act on November 13, 1989. Congressman DONNELLY introduced the bill because one of his constituents, Cpl. Wladyslaw Staniszewski of Brockton, MA, was killed in the Vietnam war. Corporal Staniszewski was not a U.S. citizen, but deserved citizenship. A private bill was introduced to make him a citizen, but it took 3 years before this very simple bill was passed. Clearly, there had to be a better way to honor the contribution of individuals like Corporal Staniszewski and Corporal Perez. That way is provided by the Posthumous Citizenship for Active Duty Service Act.

Under this act, the Attorney General will now be allowed to grant posthumous citizenship to a noncitizen resident of the United States who is killed while on active duty service with this Nation's Armed Forces. The request for citizenship can be made by the next of kin. This new process for citizenship will negate any need for the cumbersome and time consuming process of introducing a private bill. The Posthumous Citizenship for Active Duty Service Act will apply to any individual killed in service to this country since World War I.

This bill was introduced before the hostilities in Panama took place, but it was the death of Corporal Perez that proved to be the catalyst behind rapid Senate passage of this bill. After learning that this legislation was pending in the Senate Judiciary Committee, I spoke to Judiciary Committee chairman, Senator JOSEPH BIDEN and Immigration and Refugee Affairs Subcommittee chairman, Senator EDWARD KENNEDY, and told them about Corporal Perez and the need to move quickly to create a mechanism allowing our Nation to bestow citizenship promptly on Corporal Perez and others like him. I also informed the respective senior minority members of the full committee and the subcommittee, Senator STROM THURMOND and Senator ALAN SIMPSON, about Corporal Perez. I wish to thank all of these Senators, especially Senators BIDEN and KENNEDY, for moving this bill through the Judiciary Committee and to the floor of the Senate in such rapid fashion.

All that remains for this legislation to become the law of the land is the signature of the President and I am confident that will be forthcoming. We are all saddened by the deaths of young men and women in the service of our country. I hope this legislation, recognizing the debt of gratitude we owe to those who gave their lives even though not citizens—men like the two young corporals, one from Massachusetts, the other from Rhode Island, one in Vietnam, the other in Panama—is of some comfort to their families.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. KERREY. I thank the Chair.

(The remarks of Mr. KERREY pertaining to the introduction of S. 2155 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

AMERICA'S OUTBACK

Mr. DASCHLE. Mr. President, on October 9, 1989, Newsweek published an article entitled, "America's Outback." Under the subheading, "Amid scarcity and broken dreams, six Western States mark 100 hard years at the end of the cracked whip," this article takes a look at North Dakota, Wyoming, Montana, Idaho, Washington, and my home State of South Dakota as they reach their centennials.

Many South Dakotans were disturbed by national misunderstanding of the portrait this article painted of their State and region—and understandably so. Our region faces problems and challenges as it always has, but the view that we will fail to meet those challenges ignores our 100-year history and underestimates our peoples' strength of character and will.

"America's Outback" concludes that, "As this moment of celebration, the promise of 1989 is far bleaker than the promise of 1889. The breathtaking Centennial West may return to what it was: Vast silent spaces where wild game stare at the passing horseman." Those of us who were born and raised in the Centennial West, those who live there now, and those who live in other parts of the country but visit the Black Hills or Yellowstone during their vacations have confidence in the region's future. However, regrettably, many Americans simply do not realize what a beautiful and unique place the

Centennial West is, and how much it has to offer.

Perhaps no one knows South Dakota better than the youth of our State who represent its future. Shortly after "America's Outback" appeared, Cari Skogberg, a high school sophomore from Belle Fourche, a rural community of 4,500 people in western South Dakota, drafted a response to Newsweek. In a letter to me, Cari wrote, "I take great pride in the State and area of the country that I live in. I feel very sorry for [those] who don't see the real things that make life beautiful."

I share Cari Skogberg's feelings for our home, and I would like to share her eloquent statement with my colleagues.

Mr. President, I ask unanimous consent that Cari Skogberg's response to Newsweek be printed in the CONGRESSIONAL RECORD.

There being no objection, the response was ordered to be printed in the RECORD, as follows:

BELLE FOURCHE, SD,
November 19, 1989.

DEAR NEWSWEEK MAGAZINE: I was shocked and appalled to read your article entitled "America's Outback" (Oct. 9, 1989 issue.) I could hardly believe that you would print such an erroneous article? Perhaps all that "city smog" has clouded your brain, but I'd like to give you some facts—the true ones!!

First of all, the midwest is one of the most beautiful areas of our country. We have clean, fresh air, wide open spaces, an natural beauty that surpasses that of any other area. How many New Yorkers have ever watched a golden South Dakota sunrise or have awakened to the sound of meadowlarks singing outside their window? How many have watched the birth of a newborn calf or experienced the serenity of listening to a field of wheat hum in the wind? These are the priceless things that no amount of money could ever replace. I feel sorry for those who have never experienced these things, and for those who think that life is made up of offices and paperwork.

Another point to think about is that less than 2% of our country's population produces food for the other 98%. Where does that 2% come from? "America's Outback!" We are the backbone of this country. It is our hard-working farmers and farmwives that dedicate their lives to feeding you! I think that deserves a lot of credit!!

Last of all, take a good look at the people of the midwest. Are they really the sad, sorry people that you made them out to be? Not at all! The people of our region are hard-working, good natured men and women who know the meaning of the word work! They aren't afraid to lift a finger to get something done. They care about their neighbor, be it a friend or stranger, and are always willing to lend a hand. People like this aren't always easy to find. I'm proud to say that it is in the midwest that they make their homes.

Perhaps our part of the country doesn't have lots of factories and smokestacks, but what we've got here is far more important. We have lives filled with beauty and love. We know that those around us care about us, and help to make us the warm and caring people that we are!! And most of all, we have the pride that we contribute something to our country which helps to make it the superpower it is today!! Things aren't always easy for us, but that hasn't knocked us down. We just keep on going, trying to make this a better world for everyone!!

No, we aren't America's outback!! We are a region that puts America in the forefront. I hope that your readers see through the misconceptions and realize how wonderful the midwest really is!!!

I sincerely hope that your other articles don't distort the real picture the way this one did. America deserves to know how rich it is with the wealth of regions like ours.

Sincerely,

CARI L. SKOGBERG,
High School Sophomore.

JOE CLARK: POLITICAL GIANT

Mr. HATFIELD. Mr. President, I rise today to remember one of our boldest, most tenacious, and most dedicated colleagues—Joseph S. Clark, who died last month in Philadelphia after a distinguished career in public service.

I served just 2 years in the Senate with Joe Clark—from 1967 to 1969—but in those 2 short years I got a crash course in courage and independence. He was a Senator who feared nobody and who acted on conviction rather than a party label or political favor. He was the kind of Senator we like to remember—and the kind we like to emulate.

In his tenure as mayor of Philadelphia and a two-term Senator from Pennsylvania, Joe Clark had a brilliant political career as a government reformer, as a civil rights leader, and as a "New Frontier" legislator. But it was as a leader for peace and an opponent of the war in Vietnam that I best remember him.

Joe Clark was a leader, a reformer, a visionary. Whether it was voting against funds to implement the war in Vietnam or fighting to control the sale and distribution of guns, he was willing to take unpopular positions even if it meant high political risk. In these early days of 1990 as we watch the cold war breathe its last and we seek to take advantage of a rare opportunity to end the arms race, we are reminded of leaders like Joe Clark who dared—years ago—to challenge the world to new thinking.

Joe came to Congress in large part, I believe, to work for peace and for a vision of the world in which the rule of law would dominate petty rivalries of nations and in which the United States would lead the world in taking steps toward general and complete disarmament under enforceable world law. Unfortunately, when he got here, he found, much to his dismay, that he was expected to rubberstamp the cold war view of the world. Denied committee assignments which kept him from these issues, and not amenable to accepting a fate imposed by others, he founded his own organization of Members of the Senate and House committed to a different vision of the world. So began Members of Congress for Peace through law, now known as the Arms Control and Foreign Policy Caucus.

I am proud to have chaired the group which Joe founded—and watched it expand from a group of a few Senators and House Members meeting over lunch to discuss efforts at disarmament and world law, to its present configuration of over 140 Members of Congress with a professional staff, which provides a wealth of legislative research, issue discussions and policy initiatives on topics relating from the nuclear arms race to our relations with the developing world. Most important, as chairman of the caucus in both the 92d Congress and the 100th Congress, I can attest to its ongoing commitment to the goals that Joe Clark envisioned, and can pledge that we will continue to work for those goals in the future.

On behalf of my colleagues who served with him, and on behalf of the Members who continue to promote the ideals he stood for, I send condolences to Joe's wife, Iris, and to his family.

Mr. President, I also ask unanimous consent to have printed in the RECORD the obituaries from the Philadelphia Inquirer and the New York Times. They capture the spirit of a fine man and a truly distinguished Senator.

There being no objection, the obituaries were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Jan. 15, 1990]

POLITICAL GIANT JOSEPH CLARK DEAD AT 88

(By Steve Neal, Burr Van Atta, and Julia Cass)

Joseph Sill Clark, 88, one of the most effective champions of political reform in Philadelphia's history, died Friday at his home in Chestnut Hill.

His wife, Iris Clark, said the former mayor and U.S. senator died peacefully in bed. She was with him, she said, along with his stepdaughter and a nurse.

An urbane Chestnut Hill patrician, Mr. Clark in 1951 became Philadelphia's first Democratic mayor since 1884. His election, coupled with a reformed City Charter, ended the corruption-ridden Republican organization's 67-year control of City Hall.

Five years later, in 1956, Mr. Clark was elected to the first of two Senate terms. There, he gained distinction as an intelligent and forceful civil rights advocate, one of the earliest critics of the Vietnam War and a proponent of congressional reform.

"Joe Clark, Richardson Dilworth and Walter Phillips were the three musketeers of the reform movement. They were responsible for the halycon days of 1952 to 1960, when the quality of municipal government in Philadelphia was so high," said Thacher Longstreth, the Republican city councilman and a longtime friend.

Mayor Goode called Mr. Clark "an outstanding mayor of the city at a very crucial time. He was an outstanding U.S. senator and public servant. No public servant has done more for the city than Joe Clark."

Mr. Clark was a Social Register liberal whose political philosophy was a compound

of *noblesse oblige* and New Deal idealism, a combination that inclined him to view his principal duty as that of righting wrongs.

Mr. Clark was at first dismissed as a lightweight by old-line politicians, partly because of his private-school background and partly because of his slight build. But he demonstrated an inner toughness that won their respect, if not their approval.

Mr. Clark's tenacity was never more evident than at his May 7, 1951 confrontation with the barons of Philadelphia's Democratic party—Albert M. Greenfield, John B. Kelly, Matthew McCloskey, Frank J. Myers and James Finnegan—at the old Ritz-Carlton Hotel.

Their message was blunt Mr. Clark, though he had earlier been promised support for the mayoral election, should step aside in favor of Richardson Dilworth, his longtime ally in reform politics. Dilworth, they pointed out, was older, more experienced and better known.

Dilworth, they told him, was the man they wanted to run for mayor. Warned earlier of their strategy, Mr. Clark cut them short.

"Before we proceed any further," he began, "I think I ought to tell you that less than an hour ago, I released to the press a statement of my irrevocable decision to run for mayor. I intend to run whether or not I have your backing—even if my only supporters are me and my wife. I think our discussion ought to proceed on that basis."

Clearly outfinessed, the aging party leaders finally gave Mr. Clark their support.

Mr. Clark's wealth and formidable vote-pulling powers enabled him to remain free of all political organizations throughout his career. To the distress of some of his admirers, he was not only independent, but he was intolerant of party leaders and their machinery, treating them with an imperious disdain.

In The Challenge of Urban Reform, a comprehensive history of the Clark mayoral years, professor Kirk F. Petshek wrote, "Clark's most important shortcoming was his failure to appreciate politicians and his tendency to act as if they were beneath him. Too often he made it clear that he thought ward leaders unimportant."

Mr. Clark's dislike of backroom political bosses was effective in his anti-organization campaigning in the city, but it rebounded against him in his unsuccessful 1968 re-election campaign for the U.S. Senate. In Western Pennsylvania, many party leaders withheld their support. Montgomery County Republican Richard S. Schweiker, who ran as a liberal, defeated him with ease.

Mr. Clark, the son of Joseph Sill Clark Sr. and Kate Richardson Avery Clark, was born to "the good life." The elder Clark was a wealthy lawyer and a celebrated tennis champion.

"My father had a wonderful life," Mr. Clark once recalled. "He loved to shoot birds and drink port wine, and he was utterly untroubled by social conscience."

Mr. Clark attended the proper schools, Chestnut Hill Academy and the Middlesex School in Massachusetts, where he played football and baseball, and was graduated in 1919 as class valedictorian.

He went on to study at Harvard, specializing in government, history and economics. He was a member of the baseball and track teams, made Phi Beta Kappa and was graduated magna cum laude in 1923.

Three years later, Mr. Clark was graduated from the University of Pennsylvania's Law School, where he was editor of the Law Review. After passing the bar exams, in December 1926 Mr. Clark joined his father's law firm.

And in 1926, Mr. Clark made his first political race—as a progressive candidate for Republican committeeman. He lost.

He broke the Clark family's Republican tradition in 1928 by voting for Democratic presidential candidate Alfred E. Smith, and shortly afterward changed his registration to Democratic. He joined Dilworth, another fledging lawyer and Democratic convert, in organizing the Warriors, a reform Democratic club.

"We couldn't get anything done as Republicans," Mr. Clark explained.

"Dick [Dilworth] and I were anomalies in city politics," Mr. Clark said. "We both came from well-to-do families and we knew each other as kids. I like to say that we learned the American way of life together on the beaches of Southampton, Long Island, before World War I."

Dilworth managed Mr. Clark's campaign for City Council in 1934. And in 1936, Mr. Clark managed Dilworth's bid for the state Senate. Both races were unsuccessful and both men turned to their legal practices.

At the age of 39, Mr. Clark entered the Army Air Corps as a captain in August 1941. Mr. Clark first served in the Army Air Corps Planning Headquarters in Washington. When America entered the war, he was transferred to the China-Burma-India theater of operations as Gen. George E. Stratemeyer's senior administrator officer.

Of his war service, Mr. Clark often joked. "I fought most of the war on the grass tennis courts of Delhi." But he was awarded the Bronze Star, the Legion of Merit and the Military Order of the British Empire.

Upon his return to Philadelphia, Mr. Clark planned another venture in politics with Dilworth. The two men were convicted that they had to do something about city government, where the description given by Lincoln Steffens in 1904 still held: "Other American cities, no matter how bad their condition may be, point with scorn to Philadelphia as worse—the "worst governed city in the country.' "

In 1947, Mr. Clark managed Dilworth's campaign for mayor. The Democratic organization, surprisingly, endorsed Dilworth. Though Republican incumbent Bernard Samuel defeated Dilworth by 93,000 votes, the campaign marked the beginning of the end for the GOP.

Dilworth waged a vigorous street-corner campaign, arguing that corruption governed City Hall and loudly naming names. Enough people listened that a grand jury was convened and scandals were investigated. A group of civil-minded businessmen organized the Greater Philadelphia Movement.

Then, in 1949, Mr. Clark ran for city controller and Dilworth for treasurer. Both were elected by 100,000-vote pluralities.

As controller, Mr. Clark had two years to probe Republican scandals and report his findings to the public. With relish, he exposed bribes, assorted forms of graft, and inefficiencies in the Samuel administration. Many were impeached and indicted. Nine committed suicide.

When he became a mayoral candidate in 1951, Mr. Clark began his campaign on what his investigation had revealed. Using a broom as his symbol, Mr. Clark pledged to sweep out corruption.

His Republican opponent was the Rev. Daniel A. Poling, a well-known Protestant clergyman, whom party leaders hoped would dilute the corruption issue.

But Mr. Clark was elected by 124,700 votes as the Democrats also swept 15 to 17 seats on the new City Council. The new charter eliminated the legislature's control over city government and gave the mayor significant administrative, legislative and investigative powers.

Mr. Clark's election gave Philadelphians a sense of belief in their government that they had not held in years. He replaced the city's spoils system with a Civil Service system. He hired lawyers, business executives and academicians for the top positions.

Mr. Clark said that a mayor can attract such talent "only if he holds a high conception of the purpose of political leadership. . . . A good political leader must have the ability to look ahead for the best way to the ideal future of his city and try to lead his community a short distance in the right direction."

Mr. Clark said, years later, that his major achievements as mayor were "the reform of the police—taking them out of politics" and "the opening of a career service in city government to blacks."

Mr. Clark's strict enforcement of Civil Service regulations, which made it possible for thousands of black people to find jobs for the first time in city government, won him strong support in the black community.

So did his willingness to challenge racist traditions. He took several black friends to lunch at the Philadelphia Cricket Club near his home in Chestnut Hill—the first time in the club's 100-year history that blacks had been guests there.

"If I hadn't been a life member by my father the day I was born, they probably would have asked for my resignation," Mr. Clark observed.

Mr. Clark pushed through a $20 million tax increase and put the city on a pay-as-you-go fiscal system. This enabled him to increase and improve many city services neglected by previous administrations.

City planners from New York, Chicago, Detroit, New Haven and Newark studied the Clark administration to see if its succeessful programs could be transplanted in other cities.

Although Mr. Clark was a masterful administrator, one who knew how to use all the proper channels, some of his top staff members found him difficult to work for.

"He was a hard taskmaster," a former aide said. "He was abrupt and aggressive, if opposed. Those reporting to him or suggesting new ideas had better know the answers if they wanted to keep his respect."

His impatience sometimes caused him problems even among his admirers.

Dilworth, an ex-Marine with an explosive temper, sometimes found Mr. Clark "difficult," and the men came close to a public break in 1955, over who would run for mayor.

While Mr. Clark, in his first news conference was mayor, had said he would run for the Senate in 1956 rather than seek re-election, he later changed his mind. And he didn't tell Dilworth.

Dilworth learned of Mr. Clark's intention to run again with the mayor announced he would run for a second term because, he said, Democratic Chairman William J. Green was trying to "gut the City Charter."

Dilworth felt betrayed by the announcement. He reminded the mayor that Mr. Clark had promised to support him for mayor.

Using much the same tactic as Clark in 1951, Dilworth resolved the problem head on. Tired of waiting for a decision, Dilworth

said he simply "announced my candidacy and he supported me." Dilworth was elected mayor in a landslide.

As Mr. Clark's term ended, he began maneuvering for the Senate race. He won the Democratic nomination over the opposition of Philadelphia's Democratic organization.

Mr. Clark was taking on Sen. James H. Duff, a former Republican governor and one of the state's most succcessful politicians. Duff was a close friend of President Eisenhower and expected to benefit heavily from his coattails.

Mr. Clark defeated Duff by a razor-thin margin—17,000 votes—but he ran 600,000 votes ahead of the national ticket, and some columnists began to promote Mr. Clark as a potential Democratic presidential candidate in 1960.

A Clark-for-President drive never really got under way, and Mr. Clark later said that he understood himself. "I could not stand up under the pressures of the presidency. The Senate was my true ambition."

Shortly after his election to the Senate, Mr. Clark asked Sen. Hubert Humphrey of Minnesota how to succeed in Washington. "Don't let your ideology embitter your personal relationships," Humphrey counseled. "It won't, if you behave with maturity."

But Mr. Clark soon clashed with Senate Majority Leader Lyndon B. Johnson. He was offended by Johnson's habit of pawing at the man he was talking to, by his salty language and by his hard-sell tactics.

And, more importantly he believed Johnson was not pushing for much of the social legislation written into the national Democratic platform—housing, federal aid to education and civil rights.

Mr. Clark prepared a detailed policy statement, based on the 1956 Democratic platform, and asked Johnson to consider its adoption as Senate Democratic policy. Johnson ignored him.

Mr. Clark antagonized John F. Kennedy during the 1960 campaign when he charged that Kennedy was neglecting his Senate responsibilities.

"I think the Senate will pass a minimum wage increase if we can just get Sonny Boy [Kennedy] back from the cricks and hollers long enough to report it out of his committee," Mr. Clark said on the eve of the West Virginia primary. The remarks was widely quoted in Republican campaign literature.

He further alienated Kennedy by threatening to support Stevenson during the hotly contested national convention that year.

But once Kennedy was nominated, Mr. Clark campaigned hard for him. His work for Kennedy did not go unnoticed. He was sounded out for cabinet position, but indicated a preference to remain in the Senate. Kennedy later asked Mr. Clark to draw up a civil rights program for his "New Frontier."

Mr. Clark enjoyed new status in the Senate with a liberal Democratic president and a new majority leader. He wrote and sponsored such major pieces of legislation as the Manpower Development and Training Act and the Area Redevelopment Act.

Kennedy repaid Mr. Clark by making several campaign appearances for him in 1962. Mr. Clark was reelected by 104,000 voters over Republican James Van Zandt.

Once re-elected, Mr. Clark was appointed to the Democratic steering committee, which determined all committee assignments. But Southern conservatives continued to dominate Mr. Clark's proposals to involve more liberals in the committee were repeatedly voted down.

Frustrated by his inability to change the Senate and impatient with committee procedures, Mr. Clark took his fight to the Senate floor. In February 1963, he gave a series of speeches, later published in book form as *The Senate Establishment.*

He asserted, "The Senate Establishment is almost the antithesis of democracy. . . . It is what might be called a self-perpetuating oligarchy, with only mild overtones of a plutocracy."

James MacGregor Burns, the Pulitizer Prize winning historian from Williams College, called Mr. Clark's speech" . . . of historical significance because it aims squarely at this century-old coalition as it operates quietly in the Senate. He has moved the power process out of dim and musty committee and caucus rooms into the spotlight of the Senate floor."

Mr. Clark continued his one-man assault on congressional leadership in spite of the obvious penalties.

Mr. Clark's influence at the White House declined after the Kennedy assassination. His relations with Johnson, his old adversary, fluctuated from cool to hostile.

In 1964, Mr. Clark voted for Johnson's Gulf of Tonkin resolution—along with such future Vietnam War critics as J. William Fulbright, Eugene McCarthy and George McGovern. But within a year, Mr. Clark broke with the Johnson Administration's war policy.

In the meantime, Mr. Clark faced political problems back home, largely of his own making.

During the 1963 primary elections, Mr. Clark had vigorously supported challenges to the Democratic Party organizations in far reaches of the state, asserting, "It's time to knock sleazy government out of the box in Western Pennsylvania."

It was not a winning campaign. Most of the Clark-supported candidates were beaten, and party stalwarts vowed to help defeat him in 1968.

They were helped by the National Rifle Association, which had singled Mr. Clark out as a major target since he endorsed strong gun registration laws. In rural Pennsylvania, literature was distributed to hunters and farmers solemnly warning that, "Clark Wants to Take Away Your Guns."

For the first time, he found himself opposed by a younger man, one who seemed equally progressive. In a series of televised debates, Richard S. Schweiker held his own against the aging reformer.

Unable to overcome the opposition of Western Pennsylvania Democratic leaders and the gun enthusiasts, Mr. Clark lost to Schweiker by 280,000 votes.

Mr. Clark took the loss gracefully, although he admitted later that he was "quite flabbergasted with the results."

Longstreth said he believes Mr. Clark was "very hurt" by the defeat.

Following his defeat, he spent two years as president of World Federalists U.S.A., a Washington-based group seeking to foster interest in development of world government. He also was chairman of the Coalition on National Priorities and Military Policy. And he continued to attend Capitol Hill luncheon meetings of Members of Congress for Peace Through Law, a group he organized.

He lectured at the University of Minnesota, Michigan State University, Temple University, Haverford College, Chestnut Hill College and the University of Pennsylvania.

Even in retirement, Mr. Clark continued to support quixotic causes. He returned to Philadelphia politics during the 1971 mayoral campaign, determined to prevent the election of Frank L. Rizzo. Mr. Clark actively supported Bill Green's losing effort in the Democratic primary, and, in the fall, supported Republican Longstreth.

In 1975, when Rizzo won the Democratic nomination, Mr. Clark became chairman of Charles Bowser's independent campaign. "I, for one, am not prepared to live in a fascist city," he said.

Mr. Clark's financial as well as political fortunes declined in recent years. His 1967 divorce from Noel Hall Clark, his wife of 31 years, drained much of his wealth. Before the divorce, Mr. Clark had listed his net worth at more than $1.1 million.

His wife, wealthy in her own right, received a large settlement. In 1968, Mr. Clark placed his net worth at $523,454. Five years later, his assets had dwindled to "around $250,000."

Mr. Clark married public relations executive Iris Cole Richey, 20 years his junior, shortly after the divorce. She shared his interests in politics and the outdoors. The Clarks often played mixed-doubles tennis and occasionally went horseback riding together.

And in odd moments, Mr. Clark tried his hand at writing again, but without marked success. He expressed disappointment at publishers' rejection slips for an autobiography, which he planned to call The Six Lives of Joseph Sill Clark.

No one familiar with Mr. Clark's political life could doubt that he had an ego. Associates suggested that his civility was maintained out of an inbred sense of noblesse oblige and the social expectation that anyone with his background would quite naturally be a "gentleman."

Those who dealt with him on a daily basis often found him cold, severe, somewhat imperious. Critics called him a snob. But free of pressures of the day, secure in his home, he became a different man.

Reporters who covered his administration and knew him during his years in Washington, often expressed shock to find that at night he exuded a friendly warmth, offered a boyish charm and exhibited a degree of understanding that countered his persona of the day.

In recent years, Mr. Clark has not been well. "He had many physical problems as a result of age, and he had his good days and his bad days," said Gregory Harvey, a lawyer involved in politics and a longtime friend.

Mr. Clark is survived by his wife, Iris; his son, Joseph S. Clark Jr.; his daughter, Mrs. Edward T. (Noel) Miller; a stepdaughter, seven grandchildren and three great grandchildren.

A private funeral was held for family members yesterday afternoon. A memorial service will be held at 11:30 a.m. Saturday at the Unitarian Church of Germantown, 6511 Lincoln Drive.

[From the New York Times, Jan. 16, 1990]

JOSEPH CLARK, FORMER SENATOR AND PHILADELPHIA MAYOR, DIES

Former U.S. Sen. Joseph S. Clark, 88, a Pennsylvania Democrat who swept the old guard out of Philadelphia's City Hall and tried to do the same in the halls of Congress, died Jan. 12 at his home in Philadelphia. The cause of death was not reported.

Mr. Clark is remembered for changes in the civil-service system during the 1950s as Philadelphia's first Democratic mayor in 67 years and for his advocacy of civil-rights

issues and changes in Congress in Washington.

A series of speeches he gave in 1963, later published in book form as "The Senate Establishment," he attacked the upper chamber of Congress as "a self-perpetuating oligarchy." He also wrote another book, "Congress: The Sapless Branch."

In 1956, Mr. Clark was elected to the first of two Senate terms.

He sponsored the Manpower Development and Training Act and the Area Redevelopment Act, but was often frustrated by the chamber's ruling powers.

"The Senate establishment is almost the antithesis of democracy," Mr. Clark told his Senate colleagues in 1963. "It is what might be called a self-perpetuating oligarchy, with only mild overtones of a plutocracy."

James MacGregor Burns, the Pulitzer Prize-winning historian, called Mr. Clark's speech "of historical significance, because it aims squarely at this century-old coalition as its operates quietly in the Senate. He has moved the power process out of dim and musty committee and caucus rooms into the spotlight of the Senate floor.

Mr. Clark didn't initially support John F. Kennedy's 1960 presidential campaign, but he campaigned hard after the Massachusetts senator was nominated. Kennedy asked him to draw up a civil-rights program for his New Frontier program.

Mr. Clark eventually rose in the Senate, gaining seats on the Foreign Relations, Labor and Public Welfare and Rules and Administration committees.

His relationship with President Johnson was cool at best.

Although he supported Johnson's Vietnam War policy in the 1964 Gulf of Tonkin resolution in the Senate, he broke with the administration within a year.

A native Philadelphian, Mr. Clark graduated from Harvard and received a law degree from the University of Pennsylvania. During World War II, he was chief of staff, for the Eastern Air Command in the China-Burma-India theater.

In 1951, he was elected mayor, ending a corruption-ridden Republican administration. He replaced the city's spoils system with civil service regulations.

Mr. Clark said later his major accomplishments as mayor were "the reform of the police—taking them out of politics" and "the opening of a career service in city government to blacks."

Mr. Clark earned many political enemies in his own party when he declared during the 1963 primaries: "It's time to knock sleazy government out of the box in Western Pennsylvania."

When he sought reelection to the Senate in 1968, local Democratic leaders failed to work enthusiastically for him and he lost to Republican Richard Schweiker.

Mr. Clark later spent two years as chairman of World Federalists U.S.A., a Washington-based group that promotes an effective world government.

Survivors include his wife, Iris, a son, a daughter and a stepdaughter.

STATE DEPARTMENT HUMAN RIGHTS REPORT

Mr. PELL. Mr. President, today I joined with Congressman DANTE FASCELL, chairman of the House Foreign Affairs Committee, in releasing the Country Reports on Human Rights Practices for 1989 prepared by the Department of State pursuant to sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961, as amended. These reports, which have been issued for more than 10 years, have become an indispensable tool for evaluating the progress—or lack of progress—in human rights performance throughout the world. They provide detailed information not only on the general human rights situation but also on specific categories of civil, political, economic, and social rights.

At times, past administrations have allowed foreign policy considerations to overcome objectivity in the preparation of these reports. In general, that does not appear to be the case this year. The section on China describes a systematic and continued abuse of human rights in that country despite efforts by the administration to improve our bilateral relations. The June 1989 massacre in Beijing and its aftermath are presented in detail, as is the Government's "indiscriminate and excessive use of force" in suppressing demonstrations in Lhasa, Tibet, last March. The section on Cambodia cites credible reports of human rights violations by the two factions of the non-Communist resistance to which the United States provides an assistance. It also describes the continued grievous abuses of human rights by the Khmer Rouge that is in political coalition with the non-Communist resistance, and serious human rights violations by the present Cambodian Government in Phnom Penh. The South African section is comprehensive, blunt in its discussion of Government abuses of power against antiapartheid groups, and balanced in its presentation of the Government's reform efforts.

The utility and effectiveness of these annual human rights reports correlate directly with the degree of objectivity. The more objective the reports, the brighter the spotlight on the offending countries and the stronger the message of U.S. concern about human rights violations throughout the world.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, has morning business been closed?

The PRESIDING OFFICER. Morning business has not been closed.

The time for morning business has expired. Therefore, morning business is now closed.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

The PRESIDING OFFICER. The pending question is on agreeing to the motion to proceed to Senate Joint Resolution 212 designating April 24, 1990, as a National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915 to 1923.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from West Virginia suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, the evidence of ethnic tensions in the Balkans and in a number of Republics of the Soviet Union over the last few weeks is disturbing. The number of reported incidents is mounting, and we should be concerned about the trend toward violence and more violence, communal hatred, and lack of personal responsibility for mature tolerance and actions by those communities and their leaders. We should be taking whatever steps we can to mitigate these events, to emphasize the positive, to turn the restlessness and newly flexing muscles of political freedom into productive directions.

Cooperation among nations and among diverse peoples is essential if we are to turn away from the historic pattern of Western European wars. The essence of the difference between the Europe of the 1990's and that of the 1920's is the existence of a growing and vibrant transnational community, the Common Market, as well as other transnational institutions spawned by the Helsinki Final Act. The Europe of today is at a crossroads—will it prosper through enlightened integration and increased cooperation among many fronts, particularly economic, financial, and cultural, or will rivalries and ambitions feed competition and conflict?

The new Czechoslovak leader, Mr. Vaclav Havel, who delivered an inspired and inspiring address to a joint meeting of the Congress just a few hours ago, reminded us of our responsibilities in an era when as he stated, "history has accelerated." In an era when events are seeming to leap ahead of our control and even our understanding, he, a new leader and an old playwright, reminded us that the only reliable foundation for our actions is for us to accept responsibility for the consequences of our actions, and to accept responsibility for what we perceive as the probable outcomes of our decisions and, that may be applied to those of us who are Senators as we speak and act on this floor.

He reminds us that we are still a long way from being truly a "family of man." Earlier, this past Monday, he was quoted by the New York Times,

saying that Czechoslovakian society "has awakened, from the human and civic point of view. But it has slept for so long and so deeply that on waking it still feels a little groggy, not yet in full command of its capacities. It is necessary somehow to watch over this awakening, to arouse the people to take charge of their spirit, to lead them back to a state of calm, mature, daytime vigilance." Mr. Havel said that he was coming to the United States to learn. "We are going there to learn," he said. "We are going there to learn from a democratic system like the one we enjoyed for only so brief a period, only 20 years, and lost." While this Czechoslovakian leader has come here to learn, we can also learn from him about taking the high road of responsibility for our actions, and for caring for the results of our actions as they might pertain to minorities which make up all these newly emerging states and societies.

That is a great lesson. Just before the recess I signed a letter authored by the distinguished minority leader, Mr. DOLE, regarding the problem of minority rights in Yugoslavia. Mr. DOLE indicated in his letter, which I joined, that ethnic Albanians have suffered from "extreme oppression at the hands of Serbian authorities." He indicated that the current Yugoslav political authorities are repressive and tyrannical, and despite that, that "democratic forces are emerging in various Yugoslav republics." The letter went on to say that "we are heartened by the development of democratic political parties in Yugoslavia and hope that these parties are given a chance to prosper." The letter encouraged the administration to be "more aggressive and public in its support for peaceful democratic change in Yugoslavia." I agree with the assessment of the minority leader, and I joined him in that letter.

I would point out, Mr. President, that no such repression exists today in Turkey. Democracy is working well. The rights of minorities are being respected. Yet, Mr. President, evidence of tensions and conflicts abounds on Turkey's borders. Ethnic tensions in Greece and Bulgaria have recently been heightened. According to the New York Times of February 7, 1990, Western diplomats in Athens said that there was growing concern in Athens and Sofia over unrest among Muslim minorities. Bulgaria, as is well known, has tried to force their departure. Far worse in the situation in the Soviet Union. Rioting was reported last Saturday, February 17, 1990, in the Soviet Republic of Uzbekistan as Muslims clashed with ethnic Armenians in Samarkand. It was reported that "the outbreak of violence in Uzbekistan follows 7 days of unrest in a neighboring Republic of Tadzhikistan, a mostly Muslim region bordering China and Afghanistan, where 20 people were killed and 568 wounded by Interior Ministry count." So there are three separate regions now which have recently experienced this type of ethnic violence in the Soviet Union.

Mr. President, a pattern of instability has clearly developed, having as its basis the treatment of minorities, and having a religious basis which needs to be cooled off, needs to be mediated, and efforts to nip it in the bud must now be made. I would strongly suggest we turn our attention to diplomacy and peacemaking, knowing that religious wars are the most brutal of wars, as we have witnessed throughout the ages, and knowing that the Middle East and South Asia are regions where we will have to exercise long-term patient diplomacy to protect our interests during the 1990's.

Mr. President, has the statement of the Czechoslovakian leader been placed in the RECORD?

The PRESIDING OFFICER. Apparently, the Chair addresses the distinguished President pro tempore; the statement has not been printed in the Senate RECORD.

Mr. BYRD. I thank the Chair.

Mr. President, I ask unanimous consent that the address of the President of the Czechoslovak Republic to a joint meeting of the United States Congress of today, February 21, 1990, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC TO A JOINT MEETING OF THE UNITED STATES CONGRESS, WASHINGTON, DC, FEBRUARY 21, 1990

Dear Mr. Speaker, Dear Mr. President, Dear Senators, and Members of the House, Ladies and Gentlemen:

My advisors have advised me, on this important occasion, to speak in Czech. I don't know why. Perhaps they wanted you to enjoy the sweet sounds of my mother tongue.

The last time they arrested me, on October 27 of last year, I didn't know whether it was for two days or two years.

Exactly one month later, when the rock musician Michael Kocab told me that I would probably be proposed as a presidential candidate, I thought it was one of his usual jokes.

On the 10th of December 1989, when my actor friend Jiri Bartoska, in the name of the Civic Forum, nominated me as a candidate for the office of President of the Republic, I thought it was out of the question that the parliament we had inherited from the previous regime would elect me.

Twelve years later, when I was unanimously elected President of my country, I had no idea that in two months I would be speaking in front of this famous and powerful assembly, and that what I say would be heard by millions of people who have never heard of me and that hundreds of politicians and political scientists would study every word I say.

When they arrested me on October 27, I was living in a country ruled by the most conservative Communist government in Europe, and our society slumbered beneath the pall of a totalitarian system. Today, less than four months later, I am speaking to you as the representative of a country that has set out on the road to democracy, a country where there is complete freedom of speech, which is getting ready for free elections, and which wants to create a prosperous market economy and its own foreign policy.

It is all very strange indeed.

But I have not come here to speak of myself or my feelings, or merely to talk about my own country. I have used this small example of something I know well, to illustrate something general and important.

We are living in very odd times. The human face of the world is changing so rapidly that none of the familiar political speedometers are adequate.

We playwrights, who have to cram a whole human life or an entire historical era into a two-hour play, can scarcely understand this rapidity ourselves. And if it gives us trouble, think of the trouble it must give to political scientists, who spend their whole lives studying the realm of the probable.

Let me try to explain why I think the velocity of the changes in my country, in Central and Eastern Europe, and of course in the Soviet Union itself, has made such a significant impression on the face of the world today, and why it concerns the fate of us all, including you Americans. I would like to look at this, first from the political point of view, and then from a point of view that we might call philosophical.

Twice in this century, the world has been threatened by a catastrophe; twice this catastrophe was born in Europe, and twice you Americans, along with others, were called upon to save Europe, the whole world and yourselves. The first rescue mission—among other things—provided significant help to us Czechs and Slovaks.

Thanks to the great support of your President Wilson, our first President, Tomas Garrigue Masaryk, could found our modern independent state. He founded it, as you know, on the same principles on which the United States had been founded, as Masaryk's manuscripts held by the Library of Congress testify.

At the same time, the United States was making enormous strides. It became the most powerful nation on earth, and it understood the responsibility that flowed from this. Proof of this are the hundreds of thousands of your young citizens who gave their lives for the liberation of Europe, and the graves of American airmen and soldiers on Czechoslovak soil.

But something else was happening as well: the Soviet Union appeared, grew, and transformed the enormous sacrifices of its people suffering under totalitarian rule, into a strength that, after World War Two, made it the second most powerful nation in the world. It was a country that rightly gave people nightmares, because no one knew what would occur to its rulers next and what country they would decide to conquer and drag into their sphere of influence, as it is called in political language.

All of this taught us to see the world in bipolar terms, as two enormous forces, one a defender of freedom, the other a source of nightmares. Europe became the point of friction between these two powers and thus it turned into a single enormous arsenal divided into two parts. In this process, one half of the arsenal became part of that nightmarish power, while the other—the free part—bordering on the ocean and

having no wish to be driven into it, was compelled, together with you, to build a complicated security system, to which we probably owe the fact that we still exist.

So you may have contributed to the salvation of us Europeans, of the world and thus of yourselves for a third time: you have helped us to survive until today—without a hot war this time—but merely a cold one.

And now what is happening: the totalitarian system in the Soviet Union and in most of its satellites is breaking down and our nations are looking for a way to democracy and independence. The first act in this remarkable drama began when Mr. Gorbachev and those around him, faced with the sad reality of their country, initiated their policy of "perestroika". Obviously they had no idea either what they were setting in motion or how rapidly events would unfold. We knew a lot about the enormous number of growing problems that slumbered beneath the honeyed, unchanging mask of socialism. But I don't think any of us knew how little it would take for these problems to manifest themselves in all their enormity, and for the longings of these nations to emerge in all their strength. The mask fell away so rapidly that, in the flood of work, we have literally no time even to be astonished.

What does all this mean for the world in the long run? Obviously a number of things. This is, I am firmly convinced, an historically irreversible process, and as a result Europe will begin again to seek its own identity without being compelled to be a divided armory any longer. Perhaps this will create the hope that sooner or later your boys will no longer have to stand on guard for freedom in Europe, or come to our rescue, because Europe will at last be able to stand guard over itself. But that is still not the most important thing: the main thing is, it seems to me, that these revolutionary changes will enable us to escape from the rather antiquated straitjacket of this bipolar view of the world, and to enter at last into an era of multipolarity. That is, into an era in which all of us—large and small—former slaves and former masters—will be able to create what your great President Lincoln called "the family of man". Can you imagine what a relief this would be to that part of the world which for some reason is called the Third World, even though it is the largest?

I don't think it's appropriate simply to generalize, so let me be specific:

(1) As you certainly know, most of the big wars and other conflagrations over the centuries have traditionally begun and ended on the territory of modern Czechoslovakia, or else they were somehow related to that area. Let the Second World War stand as the most recent example. This is understandable: whether we like it or not, we are located in the very heart of Europe, and thanks to this, we have no view of the sea, and no real navy. I mention this because political stability in our country has traditionally been important for the whole of Europe. This is still true today. Our government of national understanding, our present Federal Assembly, the other bodies of the state and I myself will personally guarantee this stability until we hold free elections, planned for June. We understand the terribly complex reasons, domestic political reasons above all, why the Soviet Union cannot withdraw its troops from our territory as quickly as they arrived in 1968. We understand that the arsenals built there over the past twenty years cannot be dismantled and removed overnight. Nevertheless, in our bilateral negotiations with the Soviet Union, we should like to have as many Soviet units as possible moved out of our country before the elections, in the interests of political stability. The more successful our negotiations, the more those who are elected in our places will be able to guarantee political stability in our country even after the elections.

(2) I often hear the question: How can the United States of America help us today? My reply is as paradoxical as the whole of my life has been: you can help us most of all if you help the Soviet Union on its irreversible, but immensely complicated road to democracy. It is far more complicated than the road possible to its former European satellities. You yourselves know best how to support, as rapidly as possible, the non-violent evolution of this enormous, multi-national body politic towards democracy and autonomy for all of its peoples. Therefore, it is not fitting for me to offer you any advice. I can only say that the sooner, the more quickly, and the more peacefully the Soviet Union begins to move along the road towards genuine political pluralism, respect for the rights of nations to their own integrity and to a working—that is a market—economy, the better it will be, not just for Czechs and Slovaks, but for the whole world. And the sooner you yourselves will be able to reduce the burden of the military budget borne by the American people. To put it metaphorically: the millions you give to the East today will soon return to you in the form of billions in savings.

(3) It is not true that the Czech writer Vaclav Havel wishes to dissolve the Warsaw Pact tomorrow and then NATO the day after that, as some eager journalists have written. Vaclav Havel merely thinks what he has already said here, that for another hundred years, American soldiers shouldn't have to be separated from their mothers just because Europe is incapable of being a guarantor of world peace, which it ought to be, in order to make some amends, at least, for having given the world two world wars. Sooner or later Europe must recover and come into its own, and decide for itself how many of whose soldiers it needs so that its own security, and all the wider implications of that security, may radiate peace into the whole world. Vaclav Havel cannot make decisions about things it is not proper for him to decide. He is merely putting in a good word for genuine peace, and for achieving it quickly.

(4) Czechoslovakia thinks that the planned summit conference of countries participating in the Helsinki process should take place soon, and that in addition to what it wants to accomplish, it should aim to hold the so-called Helsinki Two conference earlier than 1992, as originally planned. Above all, we feel it could be something far more significant than has so far seemed possible. We think that Helsinki Two should become something equivalent to the European peace conference, which has not yet been held; one that would finally put a formal end to the Second World War and all its unhappy consequences. Such a conference would officially bring a future democratic Germany, in the process of unifying itself, into a new pan-European structure which could decide about its own security system. This system would naturally require some connection with that part of the globe we might label the "Helsinki" part, stretching westward from Vladivostok all the way to Alaska. The borders of the European states, which by the way should become gradually less important, should finally be legally guaranteed by a common, regular treaty. It should be more than obvious that the basis for such a treaty would have to be general respect for human rights, genuine political pluralism and genuinely free elections.

(5) Naturally we welcome the initiative of President Bush, which was essentially accepted by Mr. Gorbachev as well, according to which the number of American and Soviet troops in Europe should be radically reduced. It is a magnificent shot in the arm for the Vienna disarmament talks and creates favorable conditions not only for our own efforts to achieve the quickest possible departure of Soviet troops from Czechoslovakia, but indirectly as well for our own intention to make considerable cuts in the Czechoslovak army, which is disproportionately large in relation to our population. If Czechoslovakia were forced to defend itself against anyone, which we hope will not happen, then it will be capable of doing so with a considerably smaller army, because this time its defense would be—not only after decades but even centuries—supported by the common and indivisible will of both its nations and its leadership. Our freedom, independence and our new-born democracy have been purchased at great cost, and we will not surrender them. For the sake of order, I should add that whatever steps we take are not intended to complicate the Vienna disarmament talks, but on the contrary to facilitate them.

(6) Czechoslovakia is returning to Europe. In the general interest and in its own interest as well, it wants to coordinate this return—both politically and economically—with the other returnees, which means, above all, with its neighbors the Poles and the Hungarians. We are doing what we can to coordinate these returns. And at the same time, we are doing what we can so that Europe will be capable of really accepting us, its wayward children. Which means that it may open itself to us, and may begin to transform its structures—which are formally European but de facto Western European—in that direction, but in such a way that it will not be its detriment, but rather to its advantage.

(7) I have already said this in our parliament, and I would like to repeat it here, in this Congress, which is architecturally far more attractive: for many years, Czechoslovakia—as someone's meaningless satellite—has refused to face up honestly to its co-responsibility for the world. It has a lot to make up for. If I dwell on this and so many important things here, it is only because I feel—along with my fellow citizens—a sense of culpability for our former reprehensible passivity, and a rather ordinary sense of indebtedness.

(8) Last but not least, we are of course delighted that your country is so readily lending its support to our fresh efforts to renew democracy. Both our peoples were deeply moved by the generous offers made a few days ago in Prague at the Charles University, one of the oldest in Europe, by your Secretary of State, Mr. James Baker. We are ready to sit down and talk about them.

Ladies and gentlemen, I've only been president for two months and I haven't attended any schools for presidents. My only school was life itself. Therefore I don't want to burden you any longer with my political thoughts, but instead I will move on to an area that is more familiar to me, to what I would call the philosophical aspect of those

changes that still concern everyone, although they are taking place in our corner of the world.

As long as people are people, democracy in the full sense of the word will always be no more than an ideal; one may approach it as one would a horizon, in ways that may be better or worse, but it can never be fully attained. In this sense you too are merely approaching democracy. You have thousands of problems of all kinds, as other countries do. But you have one great advantage: you have been approaching democracy uninterruptedly for more than two hundred years, and your journey toward that horizon has never been disrupted by a totalitarian system. Czechs and Slovaks, despite their humanistic traditions that go back to the first millennium, have approached democracy for a mere twenty years, between the two world wars, and now for the three and a half months since the 17th of November of last year.

The advantage that you have over us is obvious at once.

The communist type of totalitarian system has left both our nations. Czechs and Slovaks—as it has all the nations of the Soviet Union and the other countries the Soviet Union subjugated in its time—a legacy of countless dead, an infinite spectrum of human suffering, profound economic decline, and above all enormous human humiliation. It has brought us horrors that fortunately you have not known.

At the same time, however—unintentionally, of course—it has given us something positive: a special capacity to look, from time to time, somewhat further than someone who has not undergone this bitter experience. A person who cannot move and live a somewhat normal life because he is pinned under a boulder has more time to think about his hopes than someone who is not trapped in this way.

What I am trying to say is this: we must all learn many things from you, from how to educate our offspring, how to elect our representatives, all the way to how to organize our economic life so that it will lead to prosperity and not to poverty. But it doesn't have to be merely assistance from the well-educated, the powerful and the wealthy to someone who has nothing and therefore has nothing to offer in return.

We too can offer something to you: our experience and the knowledge that has come from it.

This is a subject for books, many of which have already been written and many of which have yet to be written. I shall therefore limit myself to a single idea.

The specific experience I'm talking about has given me one great certainty: Consciousness precedes Being, and not the other way around, as the Marxists claim.

For this reason, the salvation of this human world lies nowhere else than in the human heart, in the human power to reflect, in human meekness and in human responsibility.

Without a global revolution in the sphere of human consciousness, nothing will change for the better in the sphere of our Being as humans, and the catastrophe towards which this world is headed, whether it be ecological, social, demographic or a general breakdown of civilization, will be unavoidable. If we are no longer threatened by world war, or by the danger that the absurd mountains of accumulated nuclear weapons might blow up the world, this does not mean that we have definitively won. We are in fact far from definitive victory.

We are still a long way from that "family of man"; in fact, we seem to be receding from the ideal rather than drawing closer to it. Interests of all kinds: personal, selfish, state, national, group and, if you like, company interests still considerably outweigh genuinely common and global interests. We are still under the sway of the destructive and vain belief that man is the pinnacle of creation, and not just a part of it, and that therefore everything is permitted. There are still many who say they are concerned not for themselves but for the cause, while they are demonstrably out for themselves and not for the cause at all. We are still destroying the planet that was entrusted to us, and its environment. We still close our eyes to the growing social, ethnic and cultural conflicts in the world. From time to time we say that the anonymous megamachinery we have created for ourselves no longer serves us, but rather has enslaved us, yet we still fail to do anything about it.

In other words, we still don't know how to put morality ahead of politics, science and economics. We are still incapable of understanding that the only genuine backbone of all our actions—if they are to be moral—is responsibility. Responsibility to something higher than my family, my country, my firm, my success. Responsibility to the order of Being, where all our actions are indelibly recorded and where, and only where, they will be properly judged.

The interpreter or mediator between us and this higher authority is what is traditionally referred to as human conscience.

If I subordinate my political behavior to this imperative mediated to me by my conscience, I can't go far wrong. If on the contrary I were not guided by this voice, not even ten presidential schools with two thousand of the best political scientist in the world could help me.

This is why I ultimately decided—after resisting for a long time—to accept the burden of political responsibility.

I'm not the first, nor will I be the last, intellectual to do this. On the contrary, my feeling is that there will be more and more of them all the time. If the hope of the world lies in human consciousness, then it is obvious that intellectuals cannot go on forever avoiding their share of responsibility for the world and hiding their distaste for politics under an alleged need to be independent.

It is easy to have independence in your program and then leave others to carry that program out. If everyone thought that way, pretty soon no one would be independent.

I think that you Americans should understand this way of thinking. Wasn't it the best minds of your country, people you could call intellectuals, who wrote your famous Declaration of Independence, your Bill of Human Rights and your Constitution and who—above all—took upon themselves the practical responsibility for putting them into practice? The worker from Branik in Prague that your President referred to in his State of the Union message this year is far from being the only person in Czechoslovakia, let alone in the world, to be inspired by those great documents. They inspire us all. They inspire us despite the fact that they are over two hundred years old. They inspire us to be citizens.

When Thomas Jefferson wrote that, "Governments are instituted among Men deriving their just Powers from the Consent of the Governed", it was a simple and important act of the human spirit.

What gave meaning to that act, however, was the fact that the author backed it up with his life. It was not just his words, it was his deeds as well.

I will end where I began: history has accelerated. I believe that once again, it will be the human mind that will notice this acceleration, give it a name, and transform those words into deeds.

Thank you.

Mr. BYRD. Mr. President, the matter before the Senate is of great significance and deserving of fuller and more careful treatment than it has been accorded. Under the guise of a commemorative resolution we are considering a measure which may have grave policy consequences for the United States and the West.

Furthermore, Mr. President, we are dealing with a country that has been among our closest of allies for many years, but which few of us understand a great deal about. It is true that many of us realize that Turkey has played an important role in the defense of the West, but we probably have—at least some of us—little idea as to how this all came to be. In addition, Turkey's history, predominant religion, and culture are very different from our own and, hence, the matter of information or a lack thereof has a tendency to lead to misunderstanding, and some prejudice.

Let me add, as well, that this is before us at a time of welcomed change, rapid change in the world, and none of us can reliably predict the consequences of that change. Even President Bush, with all of the facilities of the executive branch of the Government at his disposal, said just recently, on Monday, February 9, in a press conference, that it is impossible to predict the outcome of some of these changes.

I would say, therefore, that supporting one faction or another faction in a troubled place at a critical time—and this is a critical time—is also an unwelcome consequence of this resolution.

This point was made recently in a Wall Street Journal editorial on October 19, 1989, after the Senate Judiciary Committee voted out this resolution. And I shall read the editorial into the RECORD. It is titled, "Turkey Today":

One of the most remarkable features of the forced marches of the ethnic Turks out of Bulgaria over the past 5 months has been the lack of international attention. The deportation of more than 315,000 men, women, and children by the Bulgarian regime adds up to one of the largest migrations seen in the postwar years. Yet, some people are advancing a chilling casuistry: that what we are seeing is somehow the understandable result of the historical sins committed by the Turks in the 16th century. Today's Turks in Bulgaria, in other words, deserve what is coming to them 4 centuries later.

As if this weren't enough, the Senate Judiciary Committee is getting into the act. On Tuesday it approved Senator BOB DOLE's proposed commemorative resolution designating April 24, 1990, as the National Day of

Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923, suffered at the hands of the warring Ottoman Empire.

There can be no quibbling that the Armenians endured terrible suffering, but one has to wonder what possible good such a resolution will achieve. It puts great strain on a longstanding U.S. friendship with Turkey, a country that has been one of America's strongest allies in NATO. The resolution also comes at a time when Turkey has been seeking help from the United States in resolving its Bulgarian emigration controversy and pursuing democratic reforms that may lead to membership in the European Community.

Turkey has been fighting its past for years and, this far, has been only partially successful. Must it now accept that one of its strongest allies—

Meaning the United States, of course—

blames it for the genocide of another people? Such sentiment only encourages the adverse feelings toward Turkey that surfaced when Turkey asked for assistance in dealing with its Bulgarian emigration crisis.

Still reading from the Wall Street Journal editorial of October 10, 1989:

Mr. Dole's odd effort notwithstanding, most of Turkey's political problems lie with the Europeans. Part of the problem some Europeans have with Turkey seems to stem from its location—Turkey is not really a part of Europe.

That is what the editorial says:

Why, they wonder, should it belong to the EC? Another anti-Turkish hook is the Islamic faith of the majority of the Turkish people: Turkey, we are told, is not a Christian nation; its people simply won't fit in with the Western European Judeo-Christian tradition. It is when these rationalizations fall on deaf ears that the old standby of retribution for treatment at the hands of the Ottoman Empire, comes to the fore.

No one has to accept the sins of the Ottoman Empire to reject that argument. Turkey, in any event, is long past it. The country has in recent years accepted more than 500,000 refugees from at least four bordering nations.

Kurds, suffering what many people consider to be a current extermination campaign at the hands of Syria, Iran, and Iraq have inundated eastern Turkey. Now it is their fellow Turks arriving as refugees from Bulgaria.

The Turkish refugee tragedy and the ongoing crisis cannot be ignored and shuttled off to that notorious dustbin of history that has become so convenient recently. Surely, the past suffering of any people at any time cannot be simply filed away and forgotten. But what the Senate Judiciary Committee had done in supporting the strongly worded Armenian resoltuion achieves no useful end; it merely produces more controversy and embittered memories.

Congress has enough difficulty dealing with the realities of the world as it currently exists. Bulgaria's government has been behaving beyond the pale for months, and the U.S. does its values no credit by ignoring that while casting its votes into the past.

Therefore, Mr. President, in keeping with an old proverb: "He who does not express his problems will not find a solution," I feel compelled to speak. However, I hope that in the course of my remarks about this unfortunate commemorative resolution to head the admonition of another proverb which says "Open your mouth only for good news," an admonition against nay saying.

So in that spirit, Mr. President, I wish to speak today about Turkey and its people, about the founding of the republic, which is our valued ally, and about some of the remarkable achievements of that republic.

I also intend to speak about what is going on in the Soviet Union and in Eastern Europe, about what this means to Turkey, and what it means to us.

Mr. President, I believe that few Americans genuinely understand that Turkey is a virbrant, modern nation that has incorporated Western Values and melded them into her own fascinating culture, rooted in Central Asia and in the Islamic world. Because of this, Turkey is not only in a position to encourage and to promote those Western values which she has adopted and which are symbolized by her way of life and her commitment to such institutions as the European Common Market and NATO, but she also stands as a unique model for the Middle East and other part of the Muslim world.

With firm national purpose and a growing economy now operating according to the principles of the free market, there is great hope that the recent economic expansion will continue. I believe that Turkey will be one of the greatest of success stories of the early 21st century, just as she has come so far since the founding of the republic early in this century.

There is another point that I will attempt to emphasize as well, Mr. President. Especially since we in the Senate and many other Americans tend to think about Turkey as a military ally and know little perhaps beyond that, we should ponder for a moment how different Turkey's experience is from that of East Europe or Latin America.

On three occasions since World War II, most recently in 1980, the Turkish army at the highest levels of command found itself constrained to take the reins of the government and then to return authority to civilians.

It should remind us of Lucius Quinctius Cincinnatus who was a great Roman general and statesman in 458 B.C.

Cincinnatus was sent for by the Roman Senate. He was a patriotic man of wealth, and he is a part of the great legend of the Roman Republic. Rome was beset by the forces of the Aequians when the Senate sent messages to Cincinnatus and asked him to take over the country and be its dictator and rid it of the forces that were attacking it. So he left his plow, organized the military forces, surrounded the Aequians and defeated them, and he then went back to Rome laden with the spoils of victory.

After 16 days he gave up the dictatorship and went back to the plow in his fields.

Nineteen years later, in 439 B.C., he was asked again to come to Rome and be the dictator. He was 80 years old or thereabouts, but he went and he defeated the forces of Spurius Melius, and then again gave up the dictatorship and went back to his farm.

So it was, we may say, that in the spirit of Cincinnatus, the Turkish military three times took over the operation of the government and the country of Turkey, and after restoring stability and order, gave the government back over to civilian control, a kind of rare thing these days, perhaps as rare as was the example set by Cincinnatus in 458 B.C. and again in 439 B.C.

The Turkish military did so consistently, and this is, indeed, a measure of their dedication to democracy and proof of their high regard for the tenents of Ataturk which he himself described as republicanism, populism, etatism, secularism and nationalism.

(Mr. ADAMS assumed the chair.)

Mr. BYRD. I believe this remarkable phenomenon shows that Turkish society really does wish to be the western-oriented friend of the United States and Europe which Ataturk envisioned and which his country has indeed become.

Perhaps some of us remember reading about the famous battle at Gallipoli in World War I, where Turkish soldiers fought the Allied Forces to a standstill. They do not lack for bravery, Mr. President, they have got it. They are not lacking in courage. It is inherent. Some of us may have seen a cinema film made a few years ago about that campaign, as horrible as any in the First World War for its loss of life on all sides. Few of us know, however, that Ataturk was the Ottoman general who commanded that campaign, one of the few successes of the Ottoman armies in World War I.

That very same man, who emerged from a military staff college education, led the forces which overthrew the old Empire and paved the way for a modern, secular, pro-western democracy in Turkey. The present day Turkish Army, which seems to be the institution in Turkey which seems most familiar to many Americans, remains firmly in that democratic tradition.

The struggle to establish democracy in Turkey provides a remarkable example of national will and useful lesson for all of us in a time when we are trying to decide how the world will look after the upheavals we are currently witnessing in so many places.

Perhaps there is even more of us to learn from Turkey than simply studying her example. The Turks have had a long involvement with those countries which are now in upheaval. For more than seven centuries the Turks have fought some of them, ruled many of them, and been defeated by yet others of them.

Today's Turkey sits in the middle of upheaval—she borders Eastern Europe, the U.S.S.R., Iran, and Iraq—and all around her is turmoil. That alone should tell us how ill-timed this resolution is, but I think there is a much more important lesson to be learned. Since we are trying to figure out what comes next in Europe and in the Soviet Union as part of Europe and part of Asia, including Turkish-speaking Russians, perhaps we can also learn the Turkish experience more than just what it means to build democracy in that kind of environment under such circumstances, surrounded by countries in such great turmoil, to plant the seed in the soil where it has never survived before.

Mr. President, rather than casting opprobrium on a friend and all in an ill-considered way, we should be looking to that friend and ally for help and advice. We should talk with that friend whose people have been dealing with Europe, yes, and with Russia since before the Europeans even discovered the continent on which we live. Perhaps the Turks will have some sage advice, based on their 700 years of foreign policy experience, about what might be coming in Europe and in central Asia, an area where they may again be a principal actor.

Therefore, Mr. President, I will speak about what the Turks have learned from us—democracy and the way to a free-market economy—and about what we can learn from them—history, at a time when the world is struggling to open a new chapter of peace and prosperity.

I believe it will also be evident, Mr. President, how little most of us know of this place called Turkey. Few Senators go to Turkey often. Perhaps none of us do. I first visited Turkey in 1955, 35 years ago, as a member of the House Foreign Affairs Committee. I was on the Subcommittee of the Far East, chaired by Mr. Zablocki. And on that occasion we went around the world in an old Constellation, a four-engine propeller craft.

We were gone, I do not recall whether it was 68 days or 72 days, but it was thereabouts. We left in early to mid-October and came back in December.

And on that trip was Mrs. Marguerite Stitt Church and Ross Adair, John Jarman, Mr. Wigglesworth, Dr. Judd, and myself, a delegation of seven. And we visited France, Italy, Turkey, Lebanon, Syria, Jordan, Israel, Egypt, Iraq, Iran, Thailand, Burma, Ceylon, India, Sumatra, Indonesia, Malaysia, Vietnam, Cambodia, Korea, Hong Kong, and Japan; we came back by Hawaii. That was before Hawaii became a State of the United States. And back to Washington.

It was my first trip abroad. We were in Afghanistan; also, Pakistan and India. But I remember on that trip, as I have been on subsequent trips to Turkey—yes, we were in Greece. I may not have missed any country when I traveled, that was in our itinerary.

But I marveled at the Turks. We went out and watched some of their soldiers: tough, with great esprit de corps.

I forget what they were paid, but it seems to me it was something like 18 cents a day. I would have to review my notes to be sure.

But it was a mere pittance of a pittance. And, yet, they were dependable, courageous fighting people.

So we do not know a great deal about that place called Turkey, one of our best allies. It should also be clear how little we, in what we proudly call the world's greatest deliberative body, how little we have deliberated about this resolution. And it is the world's greatest deliberative body. I hope to publish before this year of our Lord 1990 is gone, the second volume of "The Senate 1789-1989."

This will be a topical history, the first volume having been a chronological history. It will be a topical history. There, we will study about the rules of the Senate and about the vestigal roots of those rules being deep in the soil of the English Parliament, even the Congress under the Confederation and the rules of the First Congress.

We will talk about the committee system. There will be three chapters on the committee system. There will be four chapters on the filibuster. Filibuster, the bane of majority leaders, but without which this Senate would not be the Senate, a remarkable institution.

Gladstone, who was Prime Minister of England four times, the greatest statesman during the reign of Queen Victoria, who reigned from the year 1837 to the year 1901, 64 years. Someday, I will talk a little about English history. It has been a matter of great interest to me, the history of England. I want to talk about the English monarchs, going back to the time of the heptarchy, when there were provinces, Anglo-Saxon provinces, the heptarchies of Sussex and Essex and Kent and Wessex and Mercia and East Anglia and Northumbria; go back to the kingship of Cerdic, 519-534, almost 1,500 years ago, almost 80 monarchs ago. But that can wait for another time.

But Gladstone referred to the Senate as "that remarkable body," the most remarkable of all the inventions of modern politics; "that remarkable body."

And so it is a great deliberative body. As I say, there will be four chapters on the filibuster, and this is a very mild kind of filibuster that I may be carrying on here.

And there will be two chapters on impeachment. I had to await the wrapping up of my work on impeachment until the Senate completed its two trials of last October and November when, within a period of 15 days, it convicted and ordered removed from office, and they were removed from office, two Federal judges.

So I had to await final chapter, the final action and removal of those two judges before completing my work on the two chapters on impeachment.

And then there will be three chapters on the meeting places of the Senate; a chapter on the press galleries; a chapter on the Capitol Police, and a chapter on Richard Russell, who was a Member of this Senate when I came to the Senate 31 years ago; a chapter on Aaron Burr, who was a Member of the Senate before I came here but who on March the 3d or 4th, I have to recall, 1805, made his last speech to this body. He presided over this body for 4 years, and although he had been indicted in the States of New York and New Jersey for the murder of Alexander Hamilton, he had come back to the Senate to preside over this body when it met in other precincts of this Capitol.

He had presided as though nothing had ever happened. He had shot Alexander Hamilton, delivering a fatal wound at Weehawken, NJ. And then after visiting his daughter, Burr's daughter, Theodosia, he had come back to Washington to preside over the impeachment trial of Samuel Chase. He presided with such skill and dignity and fairness that even his enemies commended him. As he made that last speech, he said, "This House is a sanctuary, a citadel of law, of order, and of liberty. And it's here, here in this exalted refuge, here, if anywhere, will resistance be made to the storms of political frenzy and the silent march of corruption. And if the Constitution be destined ever to perish at the sacrilegious hands of the demagog or the usurper which God averts, its expiring agonies will be witnessed on this floor."

Many times have I thought of what Burr said. "If the Constitution be destined ever to perish, its expiring agonies will be witnessed on this floor." For this is truly a deliberative body, Mr. President. I have learned a great deal since the first day that I walked into this Chamber. I am still learning.

It was not too many years ago that I recommended that there be a nondebatable motion to proceed to the consideration of bills and resolutions; that it be perhaps a debate of motion subject to 1 hour or 2 hours' debate. I was

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majority leader then. I said that those who wish to debate a matter can have ample time after the matter is before the Senate to debate it.

There is no need to have debate, certainly unlimited debate, on a motion to proceed because those who are opposed to a bill or resolution have many opportunities: there are many opportunities for Senators who oppose a bill or resolution to debate, or, yes, even filibuster a bill or resolution. They can filibuster it when it is before the Senate. They can filibuster it three times: When the motion is made to insist upon the Senate's amendments, to ask for a conference, and that the Chair appoint the conferees on behalf of the Senate. Three opportunities as a divisible motion, three opportunities to filibuster right there, and then when the message comes back from the House in whatever form, or, if it is a conference report, the opportunity is there again to filibuster. So why filibuster a motion to proceed?

As I say, I was looking through the eyes of the majority leader. But I have been minority leader as well, and I have been a Senator without the portfolio of leadership. So I see the Senate through many different eyes. I stand here today and confess my erring ways, confess to the sin of having been indistinct, confess to the faulty judgment of which all men are at times capable.

I would not support a change in the rules that provide for a nondebatable motion to proceed. One can already be had in today's rules if one can make the motion after morning business is completed or after the first hour has run its course in a new legislative day and before the second hour. But except for that and in those instances in which we have perhaps again failed in our judgment and provided for expedited action in certain areas and circumstance, I would not want to give my support to a nondebatable motion to proceed because I can see the wisdom of having debate itself, lengthy debate, on the motion to proceed. That is where we are today.

I do not know whether the opposing forces will be able to invoke cloture. They may be able to do it. They may not. But there is no doubt in my mind that there probably will be a majority in the Senate that will support cloture.

And then, if that is the case and we get the resolution before us, this is not the kind of legislative matter that makes the blood boil, that excites the flow of adrenalin, not the kind of measure that would invite numerous amendments from all quarters of these four walls. It is the kind of measure which, if cloture is finally invoked, probably will not be subjected to many amendments certainly.

And so our only hope to defeat this resolution is to prevent its ever coming up, prevent its ever being called up. And to do that under the Senate rules will require that the supporters of cloture muster 60 stalwart Senators. But therein lies a tale.

The fact that this resolution is not the kind of measure which would be considered an earthshaking measure in this body belies its true significance and makes it all the more important that cloture not be invoked on it. So it bears the guise of an innocent commemorative.

Mr. President, Turkey is a large and diverse country whose population is 98 percent Moslem. However, the great majority of that Turkish population has a secular political orientation—that is remarkable, a secular political orientation—and a population that is 98 percent Moslem resolutely committed to a secular democracy and resolutely committed to being part of our Western world on the basis of equality and mutual respect.

And there are radical, fundamentalist forces in Turkey that would like to see it turned the other way, that would like to see it turn its back upon the West, and would like to see this resolution adopted by the Senate. It would become an arrow in their arsenal, their goal of turning Turkey away from a pro-Western orientation.

But the great majority of that Turkish population does not want to turn the other way, and it is to be hoped that they will not be provoked to turn the other way. The fact that they are resolutely committed to a secular democracy and oriented toward the West is no accident. It did not come about simply by coincidence. When Ataturk founded the Turkish Republic in 1923, there was no single example in the world to suggest that the adventure on which she was launched might succeed, but succeed it did.

When the Turkish Republic emerged from the ashes of the Ottoman Empire after World War I, everyplace its borders were drawn had been crossed recently by warring armies. Even the basic institutions of government had collapsed and much had to begin anew.

The early years were spent on building the institutions that would make for a new country and a new viewpoint. Western dress was adopted; men gave up the fez and women gave up the veil. The Latin alphabet was modified slightly and it replaced Arabic script.

In the villages and in the towns, traditional dress was replaced by Western suits, to go along with those Western hats and Western caps. And the alphabet reform marked the beginning of a village literacy program and a push for universal education.

In the place of the religious establishment, which had been headed by the Ottoman sultan and which had had a major role in governing society, came the separation of religion and state. That achievement, Mr. President, is worth a careful look. When we think about a similar attempt in Iran, which began about the same time but finally ended with the overthrow of the Shah; or when we think about other countries in the troubled Middle East, based on those principles of separation of state and religion, Turkey has created a society which does, indeed, reconcile many values which would seem to appear to be contradictory and which have proved to be contradictory in many societies. Turkey has achieved a success which so far has eluded some other countries.

There has been a widespread belief that a Moslem country could not preserve its religious and cultural identity while at the same time striving for democracy and a free market economy. The case of Turkey suggests otherwise. That does not mean the path in Turkey has been easy or that it has been clear, free of stones and steep places.

But we must not lose sight of the magnitude of the task their people confronted; nor should we neglect to remember the failures of the other countries in the Islamic world, where religious reaction and fanaticism have regained control. Turkey has shown what can be achieved. Turkey is an encouraging example for other countries in the region to seek their own democratic framework.

Perhaps part of the explanation is in the early history of the Turks. It may have to do with the human material and cultural traditions which Ataturk had to work with when he set about rebuilding a state for the Turks on the ashes of the defeated and dismembered Ottoman Empire. It may not be very obvious to us, immediately, but Ataturk's was a piercing analysis of what had come before and where the world was going.

Ataturk obviously saw clearly the implications of the collapse of the world order of old ancient Empires. The Ottoman Empire, the Austro-Hungarian Empire, the German Empire, and the Russian Empire, had each fallen to war or revolution. Ataturk also must have understood very well the goals of the British and the French victors in the Middle East.

Ataturk rejected a League of Nations mandate unless the United States agreed to be the mandatory power, and led a successful war of independence to assure that Turkey would not be colonized by Britatin or France, as happened in the rest of the region.

It is not so much an irony of history, Mr. President, as a lesson to be borne in mind, that the countries in great upheaval today, the countries of Eastern and Central Europe and the U.S.S.R., are exactly those countries

that were parts of the great Empires which met their end in World War I.

Compare the history of Turkey since 1923 with that of Germany or Poland, or Russia, or Hungary. How remarkable, indeed, was that vision of Ataturk's, Mr. President.

As I said, part of that success must have depended on the Turks themselves. Although they were Muslims, and ruled most of the Arab World until the end of World War I, they had an identity which was tied to the West as well. They wanted to be tied to the West.

Their origins were as nomads in the Central Asian steppes, speaking the languages of those areas. They came into the Islamic world as soldiers, and, in time, established their own dynasties, and by the late 1300's had not only conquered much of the East, but also a great deal of southeastern Europe.

In 1453, Constantinople, which the Turks now call Istanbul, was conquered by them as well, and they became the successors to the Roman Empire.

Constantinople was the old crossroads of the world, where Asia met Europe and where the travelers from Afghanistan, Samarkand, and other faraway places brought their laces, their jewels, their fragrant ointments to the West. There it sat astride the Bosporus and the Dardanelles. The Bosporus is that strait that separates Europe from Asia and connects the Sea of Marmara with the Black Sea. The Dardanelles constitute that strait that separate India and Asia from Europe and connects the Sea of Marmara with the Aegean Sea. Constantinople—today Istanbul.

The Turks continued to expand into Europe, ruling Romania, Hungary, reaching as far as Vienna, which they came within a hair's breadth of conquering in 1683.

This brief historical discourse in which I have encapsulated the wars of centuries into just a few words is simply meant to point out that the Turks have been tied to the West in many ways, many ways, for centuries. But in Europe they were seen for very long as the dreaded infidel, the enemy, the threatening.

This observation is worth bearing in mind as we consider today how we ourselves view them. We too have our prejudices and our cultural predilections which are often hard to break. We, in this Senate are, many of us, fully aware of how hard it can be to break through old beliefs and create a changed order in society, let alone a new one.

Mr. President, I ask unanimous consent that I may yield to the Senator from Georgia [Mr. NUNN] or other Senators, for remarks; that I retain my right to the floor following the conclusion of their remarks; that my speech not show an interruption in the RECORD nor be considered a second speech on this subject when I resume.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

Mr. NUNN. Mr. President, I rise to support the Senator from West Virginia in what I think is a very important stand that he is taking. I believe that he is absolutely correct in his analysis of the resolution, which is now called Senate Joint Resolution 212, because I believe that if this resolution is passed in its present form we will harm the United States-Turkish relations. I believe we will weaken the southern flank of NATO in a period of time when we certainly do not need to be causing problems in that area of the world and in that area of our alliance, and I also believe that we will undermine our military capabilities in an area of the globe that is very important, vital indeed, to our national interest.

I understand the desire of the Armenian community to commemorate the Armenian victims of the period from 1915 to 1923. I am very sensitive to that. I am also sensitive to the tragic, bloodstained pages in the lengthy and proud history of the Armenian people. There is no question that innocent Armenian men, women, and children lost their lives in Europe some 70 years ago. There is no question that the recent earthquake in Soviet Armenia brought death and terrible suffering to the Armenian and other peoples in the area, and there is no question that in the past few weeks and months, as we witnessed with great sadness on television, innocent Armenian men, women, and children lost their lives in the southern Republics of the Soviet Union.

It is certainly true that the Armenian people have known injustice and suffering. It is also true that injustice and suffering have not been unique to the Armenian people. All continents of our planet witnessed injustices inflicted by one group of people upon another. That is the tragedy of history, whether the injustices have been caused by tribal or ethnic or religious or economic or ideological or some other set of reasons. Many of these injustices involve terrible tragedies, bitter memories, and deep aches that do not fade.

I believe we must speak out when fundamental human rights are being violated, and I believe that this Senate does that frequently with effect. But I also think we should be restrained in looking back through the pages of history to specify injustices of past generations that revive bitter memories and deep passions in a way that can cause new problems for this generation. We have to be very careful here that we do not create more problems than we solve.

I do not see any problems that this resolution is going to solve, but I see a lot of problems it could cause. If I thought this resolution could wipe out the tears and the suffering and tragedy of the Armenian people then my perspective on it would be different, but I am afraid we are going to inflame a situation now that does not need inflaming and I think we are going to cause additional problems if this resolution passes.

Mr. President, the Turkish Government has made it clear that passage of the resolution before us will cause serious damage to the partnership between the United States and Turkey that we worked so hard to build.

The question of characterizing events that took place some 70 years ago as genocide may at first glance seem rather remote and academic to us, and it did to me when I first saw the resolution. Yet no one can doubt this issue has immediate emotional relevance to both the Armenian and the Turkish people. The current bloodshed in the southern Soviet Republics provides tragic evidence of the current relevance of this sort of historical enmity.

I believe that emotionally charged questions about complex historical events are better left to qualified scholars than addressed by us in well-intentioned but counterproductive legislative action.

I believe that Senate Joint Resolution 212 falls short because in using the term "genocide" it appears to endorse a highly controversial view, unacceptable to Turkey, of what happened in the confusion surrounding the fall of the Ottoman Empire more than a half century ago.

How many scholars do we have here on that period of history? How many of the people cosponsoring this resolution could get up and without notes give us an historical recitation of this period? How many could go back and say with any kind of certainty what really happened then and who was to blame?

I am afraid we are now debating a resolution and pretending we are historians when our real role is to try to protect the future by learning from the past. I think we ought to learn from the past and I think we ought to have great sympathy for those who suffered in the past, but I want to make it abundantly clear I do not think we should create present-day problems and perhaps cause a great deal more suffering in order to comment on something, as tragic as it was, that happened 70 years ago, of which we are not historical scholars.

The Republic of Turkey today makes an important contribution to the success of the NATO Alliance and is a key country for support of United States strategic interests in Europe,

Southwest Asia, and the Middle East. For example, the United States has access to military facilities in Turkey that play a major role in common defense, and not simply against the Soviet threat which is now altering before our very eyes, but also in the key position that relates to the Middle East where we are going to continue to have very important interests for years to come. These facilities in Turkey include air bases for deployment of United States forces, logistic depots, and vital intelligence collection facilities.

If anyone thinks that we can monitor arms control agreements in this modern period of time on conventional or strategic forces without having friends in that part of the world, they simply have not been involved in intelligence and have not been involved in national security matters in very much detail.

I believe we must avoid unnecessary harm to our relationship with Turkey, particularly at a time when the threat to our strategic interests in that region of the world is in flux and probably will remain so for some time to come.

I, therefore, again commend the Senator from West Virginia for taking this position. It is not one that is going to be popular with many people in the United States who are focusing on this issue because not many people are focusing on this issue, and perhaps they should be. It is not one that is going to gain the Senator from West Virginia many votes in his home State, probably none. But it is an important matter for the security of our country.

Too often there are no Senators who take enough time and who are willing to put in the effort to study a matter like this to understand the sensitivity, to understand the impact that a resolution like this can have on very important American relationships that indeed could involve our own security in the years to come.

I have watched the Senator from West Virginia because I have been with him on the floor of this Senate, I have been with him on the Armed Services Committee, I have been with him when he was majority leader, and I have been with him on trips to NATO. He has studied this situation and I will venture that he knows more about this matter right now than anyone else in this Congress, because he has that kind of diligence when he goes into a problem.

I know he has been to Greece and he has been to Turkey and he has paid a great deal of attention to the southern flank of NATO, and I know he also recognizes the intelligence aspect in our relationship. I know that he is very well aware of the importance of being able to monitor a geographic location and also of the relationship between being able to successfully monitor activities in that part of the world and whether we can afford to enter into arms control agreements and cut back our own forces pursuant to those agreements.

So I commend the Senator from West Virginia for his leadership role here.

I have no idea where the votes are. I do not know whether there will be a successful cloture vote on Thursday or on the second vote, but I do know that the Senator from West Virginia is doing the Nation's business, that he is taking care of the Nation's security. I commend him for that, and he will have my support as long as this debate lasts because he is right in our national security perspective and right from the point of view of what is in the best interests of America.

Frankly, although some may not recognize it, I think he is right in not bringing this historical matter, as tragic as it was, to the current situation in a way that could be tragic in itself.

So I think from all of those points of view the Senator from West Virginia is serving this body well. He knows the Senate rules. He knows the security interests of our country. He places our security interests before any other consideration. And I commend him for it.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Georgia [Mr. NUNN] for his eloquent statement in opposition to the resolution.

The Duke of Wellington said that he considered the presence of Napoleon on the field to be equal to 40,000 men. I consider the presence of Senator SAM NUNN on the floor on this question to be very important and weighty indeed.

I have said many times, and I certainly do not mind saying again and again, that when it comes to national security matters, defense matters, military matters, there is none in this Chamber who is a peer, the equal to Senator SAM NUNN of Georgia. And there are some very highly qualified experts indeed on this floor when the Chamber is full qualified to speak on military matters.

Senator SAM NUNN is superior, in my judgment, to any other Senator in the field of military security. And that is because he has applied himself to his job. One of Benjamin Franklin's favorite passages from the Scripture was: "Seeth thou a man diligent in his business? He shall stand before kings."

Senator SAM NUNN is diligent in his business and that is why we all respect him and have faith in what he says. I have had, perhaps, in some ways the unequaled opportunity to sit on this floor and see two great Senators from Georgia, one right after the other, almost, as it were, who were great leaders in this Senate, who were great leaders in the area of armed services.

When I came here 31 years ago, Senator Richard Russell was the man who sat right at this desk and who, when he spoke, attracted the ears, the minds, and the faith of other Senators about him. He spoke on military matters as the calm, coolheaded, levelheaded sage of the Senate, and people listened.

He was the chairman, as I say, of the Armed Services Committee, later the chairman of the Appropriations Committee, and later the President pro tempore of the Senate. He died on January 21, 1971. I admired Senator Russell, and it was I who offered the resolution to name the old Senate office building the Richard Brevard Russell Building.

I predict that here is a man who is certainly equal, and equals today, in the minds of many of us, the great mind of Richard B. Russell when it comes to military matters.

I am grateful for the support of Senator NUNN. This resolution before the Senate does not matter one whit to me insofar as votes are concerned. I have no sizable Turkish constituency. And as I said on yesterday, if there are a dozen Turkish Americans in West Virginia, I do not know the name of one of them.

So, as far as politics are concerned, I will probably lose on this one. But that is not the point: We are Senators. We are supposed to give our best judgment and exercise our best judgment, and certainly in matters that affect our national interest.

I talked to a good many Senators about this resolution. Some have said, "Well, I have an Armenian constituency in my State. They are small but they are active politically, and I promised them I would be for the resolution and be for cloture." I can understand that.

I am in a difficult position. If any Armenians who may have listened to what I have said may be constrained to feel that I am anti-Armenian, that is not the case at all. I do not know whether I have any Armenians in West Virginia or not, but that is not the point.

I admire the man who keeps his word, but I admire even more greatly the man who commits his word and then who finds out that he is wrong, if he finds out he is wrong, and in the face of additional facts that constrain him to believe other than he believed when he made the commitment, I admire the man who has the courage and the intellectual honesty to say: "I was wrong, and I cannot keep a mistaken commitment. I am sorry, but I just cannot keep it. I only saw through a glass darkly, as did the apostle Paul, when I made that commitment. I see things otherwise today." Like the worm that crawled upon the clod of dirt, he saw the world; and the squirrel who climbed the tree saw the world; the eagle from the highest mountain

saw the world; each saw a different world.

So there are commitments we make at times that we will keep even though we felt like we were wrong at the time. But when they are momentous and can be of considerable magnitude in the scales of the interests of these United States, then I say it is time to take a new look and to come down on the side of our country.

Politics is one thing; patriotism is another. So I thank my friend, Senator NUNN, for what he has said. He said as much in 10 minutes as I said in an hour and a half. Because he is who he is, chairman of the Armed Services Committee and one who speaks carefully, thoughtfully and who, when he speaks, other people listen.

So, I have been rather desultory and wandering in my remarks, but my heart is there.

Mr. WIRTH. Mr. President, I rise to join the distinguished President pro tempore of the Senate, Senator BYRD, in opposition to the resolution offered by the distinguished Republican leader and others. While the issue being debated here is certainly not a burning issue for most Americans, the events of 1915-23 raised by Senate Joint Resolution 212 are of deep emotional importance to many people, Armenians and Turks alike.

Despite the emotions that are involved in this, Mr. President, I think what we have to do is step back and take a dispassionate approach. In doing so, any kind of a careful dispassionate approach would lead one to believe, I feel, that this resolution would be ill-advised for a variety of reasons.

First, as has been clearly outlined by the distinguished chairman of the Armed Services Committee, we cannot ignore the extraordinarily important role that Turkey plays in Western defense. The chairman of the committee asked me to spend a good deal of time last year looking at the southern flank of NATO, coming to understand many of the issues there. You cannot come away with anything but the very deep impression of the commitment the Turks have made.

Turkey has been a bulwark, and a very important one for us, against Soviet expansion for a long, long time and has certainly been an extraordinarily staunch friend of the United States. I think this relationship between the United States and Turkey may well be the most undervalued relationship that we have anywhere in the world today. I think passing the resolution in front of us would only do very severe harm to that special, important and, unhappily, undervalued relationship.

If you look at a map, Mr. President, Turkey lives in a very, very unfriendly neighborhood. If you look at what goes on around Turkey, surrounded by Syria, Iraq, Iran, the Soviet Union, Bulgaria, in addition to their NATO ally Greece going to the West. If you look at that neighborhood Mr. President, it is not exactly Mr. Rogers' neighborhood. It is a very tough place to survive.

Turkey has done so with a force for stability that has been very important to much of the world. Turkey shares the Islamic faith with her Arab and Persian neighbors but has stood at the same time against the kind of fundamentalist pressures coming out of that part of the world that have consumed the passions of so many people there. It is remarkable to me, looking at that region, what a stable force this has been.

I might add also that one only has to go a little south from Turkey down the Mediterranean coast to understand that Turkey is not only important to our security, but important to the security of Israel as well.

The distinguished chairman of the Armed Services Committee, Senator NUNN, described very well our defense establishment and our relationship with the Turkish military, which is, of course, among one of the most important that we have. They have the longest border of any NATO country with the U.S.S.R. They defend 37 percent of the land territory of NATO in Europe and maintain the largest army in NATO outside the United States and, perhaps most important, they control that extraordinarily important strait, which is the choke point for Soviet naval operations in the Mediterranean.

Of course, our relationship with the Soviet Union is changing. But, goodness knows what is going to happen down the line and I think we ought to continue to maintain our concern for our national security interests and overall stability in that region.

Given the importance of Turkey to our national security and the ongoing relationship that we have under the defense and economic agreement with that nation, it seems to me that it is increasingly clear that we should not needlessly antagonize Turkey.

Second, beyond the military relationship, I do not think that it is appropriate at all for this body to get into an intense historic dispute. The genocide charge is a hotly contested one and I think immediately the assumption is: "Something happened; the Turks were guilty; the Armenians were the ones wronged in this situation." That I think, has been the conventional wisdom.

In preparing for this, Mr. President, however, I discovered, to my surprise, that there is a very significant division and a great deal of scholarship about the charges of genocide. The issues, given this division, are certainly better left to historians and not to politicians and governing bodies like the U.S. Senate.

The relevant documents in the Ottoman archives are being made accessible to researchers. That commitment that has been made by the Turkish Government. The Turkish Government has responded to calls for these documents and has invested significant resources into cataloging 4 centuries of archives relating to the Armenians. All documents are available for review by scholars, although only documents through 1895 have so far been catalogued. This process is ongoing. I think the Turkish Government has certainly been forthcoming on this front.

Let me read you a quote from Mr. Heath W. Lowry, who is the editor and cofounder of the Journal of Ottoman Studies, executive director of the Institute of Turkish Studies, an educational foundation originally endowed by the Turkish Government but managed by an independent board, including prominent American scholars. Mr. Lowry wrote the following:

> What did happen in 1915? Four years ago, the majority of American academic experts on late Ottoman history declared their opposition to another Armenian genocide resolution. Specifically, those 69 scholars wrote: "The weight of evidence so far uncovered points in the direction of serious inter-communal warfare (perpetrated by Moslem and Christian irregular forces), complicated by disease, famine, suffering and massacres." They appealed to the Turkish political authorities to open the relevant Ottoman archives, which have been classified since 1914, so that they could "identify the causes for the events which resulted in the death or removal of large numbers of the Eastern Anatolian population, Christian and Moslem."

Mr. President, here are 69 distinguished American scholars saying let us sit back and look at what truly happened in this situation. I am not about to suggest that I can substitute my judgment for that of a number of very well trained historians.

Third, while the terrorism which has been endemic to this issue for the last 15 years is supported by only a tiny fraction of the Armenian community, we cannot ignore it. It is one reason why the resolution is so very sensitive a matter in Turkey. Seventy-three people, many of them Turkish diplomats, have been killed since 1973 in the name of avenging Armenian dead; 467 have been wounded and 4 of the killings, Mr. President, were right here in the United States.

I think that is further evidence that this resolution will just inflame passions more in an area where we should be seeking calm. Armenians and Azaris of Turkish dissent have fought pitched battles in the Transcaucasus. Soviet troops have been mobilized to intevene as these age-old ethnic passions boil over again.

Let us not throw more fuel onto that fire. This area of the world has too much hatred now. There is every

reason for the United States to avoid further inflaming these passions. Consideration and adoption of this resolution, Mr. President, would run exactly counter to this goal. The U.S. Senate should not become a vehicle for reopening old wounds and igniting smoldering hatreds.

This whole approach was very well outlined by the distinguished senior Senator from West Virginia yesterday. While this resolution cannot change the past, it may well bring grave damage to our relations in a critical region of the world. All of us clearly have the deepest sympathy for the Armenians who suffered in the years 1915 to 1923 but this resolution is not the answer, and I oppose its consideration.

I thank the distinguished Senator from West Virginia for his leadership on this issue. I hope the Senate does, in all of its wisdom, discuss this issue. But, let us leave it at that and not further exacerbate problems that already exist in a difficult region of the globe, and certainly one, as the distinguished Senator from West Virginia knows, is not going to become easier in the future. It is going to become more difficult, more explosive and more unstable. Let us not contribute to that with what we do on the Senate floor. I thank the distinguished Senator for yielding.

Mr. BYRD. I thank the distinguished Senator from Colorado [Mr. WIRTH], for his very cogent, lucid, well-thought-out remarks in opposition to the resolution. He is a member of the Senate Armed Services Committee, a former Member of the House of Representatives and his opinion carries great weight in the area of which he has spoken, the area of national security and military affairs. I thank him for his timely observations.

Mr. President, may I ask if the distinguished Republican leader wishes to have the floor. If he does, I will be happy to yield it for ever so long as he wishes.

Mr. DOLE. Fine. I would like to speak.

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield now to the distinguished Republican leader for whatever time he may wish to consume, and that I be permitted to resume the floor when the distinguished minority leader yields it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader is recognized.

Mr. DOLE. Mr. President, I thank the Senator from West Virginia. I thank my colleagues. I thank those who participated in the debate yesterday. I will be responding to the 69 scholars' argument here a little later, blow that out of the water. There were not 69 scholars on the genocide period, only about 4. But in any event, we will come to that later.

I want to thank my colleagues who joined in debate to support my resolution, Senators PRESSLER, LEVIN, WILSON, SIMON, and PELL, yesterday. I expect that others will join today's debate in support of the resolution. I also want to commend the distinguished President pro tempore, Senator BYRD. As usual, he spoke his mind with clarity, conviction, and effect. As he has indicated, we do disagree on this issue, but I have the greatest respect for his sincerity and for his effectiveness as an opponent.

I would make one observation. So far at least, it seems the distinguished Senator from West Virginia has been doing most of the heavy lifting on that side. I hope there will be other Members who will be coming over to speak soon. Senator BYRD is an army by himself, so even if we get a lot of people on this side, he may not be outnumbered. I am not certain.

We have just had the distinguished Senator from Colorado express his views. I hope we have a good debate from people on each side of the issue. I think if we have the time—and I think we will have the time—once we get on the resolution itself, we can change some minds around this place.

Yesterday, I make some comment about Turkish lobbyists. I did not mean lobbyists from Turkey. I meant American lobbyists who are working for Turkey. The Senator from West Virginia said he had never seen a Turkish lobbyist. I do not know if we have met a Turkish lobbyist, but I have met a lot of Americans who are lobbying for Turkey.

I think sooner or later we are going to vote—I hope sometime tomorrow—on the motion to proceed. I cannot say that I have 60 votes. I should have 100 votes on this issue. I think there is going to be a sizable number for this Senator, a sizable number of votes for Senator BYRD. So it seems to me for those who will be voting yes or no, It would be very helpful if they would come to the floor.

First I would make a small but important point. In response to remarks that I made saying threats had been made by opponents of the resolution, the Senator from West Virginia said he had not heard of any threats. But I remind the Senate that this Senator also included in his statement what we all know, that Turkey has already retaliated against us for just our consideration of this resolution.

I would also inform the Senate that President Ozal indicated to me—and I do not know whether to characterize it as a threat or not. I am not casting any aspersions on him—he was quite clear—he indicated to me that further positive action on the resolution would lead Turkey to take additional actions in terms of our bilateral relations.

I know of one Senator at least, maybe there are others, who has been threatened with loss of important business to companies in his State. So at least there have been strong representations made.

As I said yesterday, this is sort of David and Goliath. You have this small country of Armenia which has been wracked by earthquakes, 50,000 dead, 500,000 homeless, a country of 3.5 million. They do not have any strength at all. But we have, I think, a sense of fairness in this body. We have upheld time after time human rights actions, and that is what this really is all about. People may say: "Oh, well we certainly do not want to harm our relations with the Turks. "But we are talking about the Ottomans, not the modern Turkish Republic. And keep in mind, they were on the side of the Germans. They were not helping us in World War I.

As I said yesterday, there was no effort or attempt to in any way implicate the Republic of Turkey. So I would hope that we understand—as it would be a sign of maturity in this democracy of Turkey if they would accept, as Germany accepted—the fact of the Holocaust.

I might also add that, as I tried to say yesterday, some were saying this is an inducement for terrorism by so-called Armenian extremists. I reject that argument. A respected scholar named Susan Blair, who was a principal researcher and editor of the book titled The Slaugherhouse Province, which makes a compelling case that there was, indeed, an Armenian genocide, received a death threat upon the recent publication of her book. I have no idea, and neither do the police, who made the threat, but it reminds us again that there are extremists in every community and we must join together to condemn their acts, whatever, their motive, whether they be Armenians, Turks, Americans, whatever.

Let me speak to some other arguments that have been raised. At one point the distinguished Senator from West Virginia said: "The Senate should not be the vehicle for reopening old wounds."

Mr. President, as I said, I deeply respect my friend, the Senator from West Virginia, but I think in this case he has it backwards. Action on this resolution will not open old wounds. For the millions of Armenians around the globe, including nearly 1 million in this country, the wounds have been open for almost 75 years, and they remain open. They have not been closed. The hurt has not been able to heal because the world has not faced up to the truth of the suffering of the Armenian people in this period from 1915 to 1923.

As the distinguished Senator from Michigan [Mr. LEVIN] pointed out yesterday, it may have been because the

world stood by and did nothing so far as the Armenians were concerned that led to the Holocaust and the genocide that started against the Jews in Germany in 1939.

Constructing a Holocaust memorial museum does not keep open old wounds of the Nazi genocide against European Jews. It helps the world close those wounds, and is a part of a renewed determination we can never let another genocide occur.

Writing about, and speaking about, and remembering the Cambodian genocide does not keep open old wounds, but causes us to remember the hundreds of thousands of innocent victims of the Khmer Rouge, and again reinforces our determination to stamp out the threat of genocide wherever it threatens to recur.

Mr. President, ignoring the fact of Armenian genocide does not reopen old wounds. Dealing with it straightforwardly with this resolution can start the process of closing those old wounds. We are never going to heal them if we keep our heads in the sand, and fail to open up the doors and let in a little ventilation.

It is said that if we act on this resolution, it is going to spur ethnic tensions, especially those which are so manifest today in Armenia and Azerbaijan. So we ought to lay off the resolution. The Senate should not act. The present situation is just too tense and too sensitive. And somebody pointed out, to buttress the argument the ongoing tensions. There are ongoing tensions, between the Turks and Bulgarians, Serbs and Croatians, and the Armenians and the Azerbaijanis. The distinguished Senator from West Virginia made the same points in his opening remarks today.

I would again say that wherever we have had a very sensitive situation—and some have argued we should not act on these things because it might stir up tensions—we have usually taken action in the Senate of the United States.

In fact amendment No. 279 to the fiscal 1990 Foreign Relations Authorization Act was an amendment to condemn Bulgaria for its vicious attacks on the expulsion of ethnic Turks. One of the very instances cited by the Senator from West Virginia as evidence that the situation in that region is too sensitive for us to act.

I think the vote was 99 to zero. I voted for it. It was a worthwhile amendment. I supported the Turks. The amendment was offered by a most respected Member of this body, the Senator from West Virginia. The amendment was not dealing with a matter that was too sensitive. Someone could have said: "Do not deal with that, it is too sensitive there are ethnic problem the Bulgarnians and the Turks." As I said, the vote was 99 to zip. Everybody present voted for the resolution.

The record on other issues is the same. They are very sensitive—no doubt about it. They are sensitive. But they are important because they deal with human life, and human rights, and human conflicts between people of vastly different cultural and political values. That is why they are sensitive. And that is exactly why the Senate has chosen to deal with them.

So in my view, this is an appropriate debate. Some said: "Why do you not deal with today's problems? Why are you worrying about something that happened 75 years ago?" As I said yesterday, I heard that same argument when we finally acted on the Genocide Convention which had been languishing in the Senate for 38 years.

As the Senator from West Virginia pointed out, this Senator was majority leader when we passed that convention, ratified it, and he was majority leader when they did the enabling legislation. We both believed that we had waited too long, 30-some years before we acted in the U.S. Senate.

So it was important we reach back, as we did in 1986 and 1988, and it is important that we discuss now this resolution. We cannot duck the tough, sensitive issues. I think we ought to deal straightforwardly with the Armenian genocide.

The Senator from Georgia, I think, referred earlier to the strategic importance of Turkey. There is doubt about it. I made the same statement myself, have been to Turkey, and I have visited with the then president and prime minister, now the president. I am certainly aware of the strategic role Turkey plays in the southern flank of NATO. I know about its border. I know its importance with reference to Iran and the Soviet Union, the fact that we have bases there and will have base negotiations soon. The fact is to quote one speaker, that it is also "important to Israel," and other similar observations. Turkey is important to the United States. No one doubts the importance of it.

But I want to remind the Senate of what I said yesterday. The importance of Turkey cuts two different ways. Sure, Turkey is important it to the United States, but I think we are equally important to Turkey. Sometimes there is a feeling around this place that you cannot disagree with your friends because they might not like it. We can disagree with each other, and we are friends. But we cannot disagree with some country even though they ought to be disagreed with—because, oh, that is too sensitive.

The United States has never made the facts of the 1915-1923 period an issue in its U.S. Turkish relations and the reason is simple. Those events, in our view, have nothing to do with the modern Turkish Republic, with the current Turkish Government, or the contemporary Turkish people. It is the Turkish Government which insists on making this a live, all too bitter bilateral issue. We do not see our action as anti-Turkey. We say that. We mean it. Why does Turkey insist on taking it that way? Why does Turkey insist on making a crisis out of a commemorative resolution? It is not necessary.

I have said time and time again that I am willing to work with the administration, with the Turkish Embassy, anybody, to try to find language that does not offend but still states some facts. Oh, you can write something that does not offend. Just leave out Turkey. That will not offend anybody in Turkey. Leave out the word "genocide" or any reference to the word "genocide."

I understand some believe there is no compromise. I would also indicate that if the argument we are hearing from some today is accurate, I guess they just did not hear the argument we made when we were talking about the Chinese student issue, because that was sort of the argument then used by some of us about the strategic importance of the People's Republic of China.

We all heard all sorts of outrage expressed about China, about the gross human rights abuses of the Chinese Government, the government killed thousands of people. We heard the outrages. They were pouring forth for hours.

Time and time again during the debate I heard my colleagues on the other side of that issue say what happened in Tiananmen Square is a matter of right and wrong, not strategic importance. The fact that there are 1.1 billion people in China did not make any difference. The fact China might be an offset to the Soviet Union did not make any difference. "We are talking about right and wrong." They said it again and again.

The majority leader this morning indicated that China's people comprised nearly a quarter of the world's population. But what was the argument? We cannot let the importance of China stand in the way of Senate action on an issue of right and wrong. That is the issue here today, right or wrong. That was the veiw they held about China. It was a human rights disaster. We do not know how many were killed, how many were jailed, how many are still in jail. But compared to what happened in Armenia, in a period of 1915 to 1923, there is no comparison. Almost an entire nation of people were wiped out. It was not a tragedy. It was genocide.

So I would guess there is a question of right and wromg here. That is really what we are debating here,

what happened in the Ottoman Empire between 1915 and 1923.

Listen to what the majority leader decried in his statement on China this morning. And let me say he is right to decry. These are his words:

Political and other extrajudicial killing, torture, or other inhuman, degrading treatment or punishment, arbitrary arrests, detention, exile, excessive force in violation of humanitarian law in internal conflicts.

Again he was right to decry those gross violations of human rights. But every one of those charges can be made and proved a thousandfold against the authorities of the Ottoman Empire.

Let us make it clear. If we are going to have one set of rules for the People's Republic of China, and another set of rules for Turkey, maybe another set of rules for some country somewhere in the Mideast, and another set of rules for some other country, then I am not certain by what kind of a standard we are going to judge human rights abuses.

So if we should speak out against the current Chinese Government—and we should—how can you make a case that we cannot raise our voice about the Ottoman Empire and the crimes committed by the leaders of the Ottoman Empire, committed against an entire nation of people, and to boot by a government long since relegated to the trash can of history? Is China strategically important or not? Most people would say yes. Turkey is strategically important. Okay. Everybody will stipulate that. But it does not make sense to apply one standard to one country, and a different standard to another country.

Mr. President, I want to respond to the argument just made about the 69 scholars. That has a nice sound to it. All you have to do is tell people, well, we have 69 scholars to back up the case of the Turks. We want to make a record. So whatever the vote may be, the record will be here. This issue will not go away.

The inference is that 69 or a majority of U.S. or leading scholars challenge the genocide. In 1985 the American Turkish Association ran a newspaper ad, questioning whether the Armenians actually suffered a genocide and calling for the opening of the Ottoman Archives. We have a copy of the Ottoman what are now sent to be the Ottoman archives. I am showing you what the Ottoman archives is. It does not take long to leaf through it. The last entry is in 1894. The self-described Ottoman archives are right here. It has a letter which accompanies it. It is from the Center of Cultural Publication and Distribution from Turkey:

I am pleased to present to you and your staff a new release of our foundation entitled "Ottoman Archives, Collection, the Armenian Question."

As you are well aware, the repeated allegations of some Armenian interests in the U.S. is that a genocide occurring during the period of 1915 to 1923 has caused this mundane issue to be considered in the Congress numerous times during the last few years. S.J. Res. 212 is a most recent attempt on this issue. Historians repeatedly indicated that in the absence of clear, specific evidence which substantiates such an allegation, it would be an attempt to rewrite history on distorted facts on which the U.S. Congress should not be expected to play a role.

Our foundation took this professionalism as a mandate and started an expensive multiyear project to publish the original Ottoman Archives of the Middle East Institute, the first volume which is presented to you today, and 14 additional volumes are coming.

When? Thi· goes to 1894.

I placed in the RECORD yesterday—no one has refuted it, as far as I know—a report about the archives, and about what may be remaining to see, and about all the other archives in Germany and the United States and the Vatican; I read excerpts from Turkish papers that the Turks have been spending years taking out any part of the archives that might have an adverse impact. So this is volume 1, up to 1894. Fourteen more volumes are coming—but long after the debate on this particular issue will have ended. It's planned that way.

Let me get back to the 69 scholars, leading scholars. Of the 69, only 4 actually focus their studies on the historical period of the genocide: Stanford Shaw and his Turkish wife, Ezal Kural Shaw, their former student, Justin McCarthy, and Philip Stoddard, director of the Middle East Institute; all are financially subsidized by Turkey. Their work is routinely and roundly criticized by other scholars, who say none has credibility on the issue.

The other 64 signatories specialize in the areas of general history, Turkish language, Islamic carpets, architecture, political science, anthropology, and Turkish folklore. That does not exactly mean they are experts on genocide.

Since 1985 this ad has never reappeared, and the signatories have not responded to calls from Armenian historians to discuss the issue. After the ad ran, the Armenian Assembly contacted many of the signatories. In private some claimed they had not authorized use of their names and some readily acknowledged the Armenians suffered genocide. We have excerpts from some of the letters.

Bernard Lewis from Princeton signed the ad, and because he is well known, took on a special role in the Senate debate on the resolution. However, Lewis' prior work establishes his lack of credibility as a "69 scholars" signatory.

In his seminal book "The Emergence of Modern Turkey," Lewis actually wrote that the Armenians suffered "the terrible holocaust of 1915, where a million and a half Armenians perished." That is his language, not mine.

None of the 69 has ever acknowledged the overwhelming primary evidence of the genocide—that is, hundreds of unimpeachable international eyewitnesses; boastful admissions by Ottoman Government officials; the obvious fact that an entire race was removed from its homeland; incriminating Ottoman documents; United States, British, German, Austrian, Italian, French, Soviet, and other dispositive archival records; and the postwar trial and convictions for "exterminating the Armenian nation." It has been suggested that maybe some of those who did sign did so as the price of continued access to resources in Turkey.

I ask unanimous consent to have material printed in the RECORD which contains statements and the retractions, in some cases, and information on many of those who supposedly signed an ad in 1985 as "69 scholars." Let me remind you that 10 U.S. Presidents, Ronald Reagan, Jimmy Carter, Herbert Hoover, Warren G. Harding, Woodrow Wilson, William Howard Taft, Theodore Roosevelt, William McKinley, Grover Cleveland, and Benjamin Harrison, all spoke of the tragedy of the Armenians.

I have a list of the scholars and their affiliation and their specialization and their area of expertise, which I ask unanimous consent to have printed in the RECORD at the appropriate point. I have copies of resolutions previously addressed in the Congress of the United States, and to include in the RECORD at this point a paper about how, over the years, a number of my colleagues in the Senate, Republicans and Democrats, have generally in the month of April, sometime around the 24th of April, which is the anniversary date, made statements in support of the so-called Armenian position.

I ask unanimous consent also to have printed at this point a listing of those Senators who have made statements over the years. Also the statement by the late Senator Scoop Jackson, which I will discuss at some length later, which addresses the strategic importance of Turkey, which he recognized, but also the question of right or wrong, which he recognized.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

69 OR A "MAJORITY" OF U.S. OR LEADING SCHOLARS CHALLENGE THE GENOCIDE

Issue: In 1985, the American Turkish Association ran a newspaper ad questioning whether the Armenians actually suffered a genocide and called for the opening of the Ottoman Archives. This ad has become one of the most often used weapons against the genocide resolution—opponents argue that if 69 scholars dispute the genocide, Congress should not legislate it into history. In fact,

this ad has little substance and no value as a statement of credible scholars.

POINTS AND AUTHORITIES

1. Of the sixty-nine, none are recognized in genocide studies and only four actually focus their studies on the historical period of the genocide: Stanford Shaw, his Turkish wife Ezal Kural Shaw, their former student Justin McCarthy, and Phillip Stoddard, Director of the Middle East Institute. All four are financially subsidized by Turkey, their work is routinely and roundly criticized by other scholars, and none has credibility on this issue.

2. The other 64 signatories specialize in the areas of history, Turkish language, Islamic carpets, architecture; political science, anthropology, and Turkish folklore.

3. Since 1985, this ad has never reappeared and the signatories have not responded to calls from Armenian historians to discuss the issue.

4. After the ad ran, the Armenian Assembly contacted the signatories. In private some claimed that they had not authorized use of their names and some readily acknowledged the Armenians suffered a genocide. In writing, we received letters, excerpted in the attachment.

5. Bernard Lewis, from Princeton, signed the ad and, because he is well-known, has taken on a special role in the Senate debate on the resolution. However, Lewis' prior work establishes his lack of credibility as a "69 scholars" signatore. In his seminal book, "The Emergence of Modern Turkey," Lewis actually wrote that the Armenians suffered "the terrible holocaust of 1915, where a million and a half Armenians perished." (Note, the term "holocaust" is usually reserved for the unique Jewish experience during World War II.)

6. None of the sixty nine has ever distinguished or even acknowledged the overwhelming primary evidence of the genocide—i.e., hundreds of unimpeachable international eyewitnesses; boastful admissions by Ottoman government officials; the obvious fact that an entire race was removed from its homeland; incriminating Ottoman documents; U.S., British, German, Austrian, Italian, French, Soviet, and other dispositive archival records; and the post-war trials and convictions for "exterminating the Armenina nation."

7. Finally, it is clear that many of those who did sign their names did so as the price of continued access to resources in Turkey. Turkish sources confirm that cooperation with the government pays high dividends and criticism exacts a high price. Recently, an Armenian-American obtained a rare copy of the Turkish Official Gazette recording the post war trials; he offered it to Cornell Fleischer at Washington University in St. Louis for the school's Ottoman materials. Initially, Fleischer agreed to accept the copies if there were no publicity, but then refused to accept them in fear of the Turkish government's reaction if it heard. As another example, in a more recent edition of Lewis's book, he has edited out his previous statement on the Armenian holocaust.

SUPPORTING MATERIALS ATTACHED

1. 1985 Ad
2. Chart of 69 Scholars
3. Passages from Lewis's "Emergence of Modern Turkey" (2d ed.)

AMERICAN ACADEMICIANS AND LOBBYING ON THE ARMENIAN GENOCIDE RESOLUTION

INTRODUCTION

"The political control of knowledge goes deeper than censorship and is more subtle than outright propaganda. It includes the conditions under which research will be funded and given a forum, and also the designation of legitimacy to be conferred or withheld in specific fields of inquiry. Jobs, tenure, professional advancement, all can come to depend on taking the approved line.

"Adjacent to these disturbing developments in the academy, the high-pressure phenomenon of the 'institute' and 'think tank' proliferates, with, in most cases, government backing of one sort or another. What all this scrambling means, finally, is that the struggle of memory against forgetting must compete with official versions and special interests, with public and private demands for serviceable knowledge, with the kinds of on-line information geared to expedient needs. Amid this din the scholar's independent voice is hard to hear, unless, of course, it too is 'backed.'"—Terrence Des Pres, Professor of English, Colgate University, Member of the United States Holocaust Council.

In 1985, 69 American academicians became part of a lobbying effort organized by the Assembly of Turkish American Associations to defeat congressional approval of a resolution to commemorate the Armenian Genocide.

The scholars, who hailed from such prestigious institutions as Columbia University and the University of Chicago, signed their names to an advertisement that ran in The New York Times, The Washington Post, and The Washington Times. The advertisement, which was directed at members of the U.S. House of Representatives, characterized language in the House Resolution, H.J. Res. 192, as "misleading and/or inaccurate."

Since 1985, some of the scholars have privately expressed regret that they ever signed the ad. Others have seemingly contradicted the conclusions of the ad in correspondence on the topic with the Armenian Assembly of America.

Dr. Bernard Lewis, a professor at Princeton University, was even found to have acknowledged the massacre of the Armenians in one of his books, "The Emergence of Modern Turkey." Lewis wrote that at the beginning of the 19th century a desperate struggle began between the Turks and the Armenians, "a struggle between two nations for the possession of a single homeland, that ended with the terrible holocaust of 1915, where a million and half Armenians perished."

The 1985 ad illustrates how academicians can become players, wittingly or unwittingly, in a shrewd political manuever. To date, Turkish government officials and Turkish organizations in the United States continue to use this ad as a tool in a far-reaching campaign to convince American political leaders and the American people that an Armenian Genocide in Turkey between 1915 and 1923 never occurred.

Terrence Des Pres wrote pointedly that scholarship today has become besieged by political pressures. One can only hope that the scholarly community will recognize the damaging effects of this type of pressure and move to reject similar tactics in the future.

AFFILIATIONS

Although 69 names appear under the ad, eleven have no current academic affiliation. Of the eleven, five are retired, one is with the Middle East Institute, one is with the Institute for Turkish Studies, and four are not affiliated with any institution.

Two specific examples of non-academics are Philip Stoddard and Elaine Smith, both former U.S. Foreign Service Officers. Mr. Stoddard was a Ford Foundation research fellow in Turkey from 1955 to 1957. He joined the U.S. State Department in 1963, working in intelligence research as Chief of the Greece-Turkey-Iran Division and went on to head the Near East Division. He is currently the Executive Director of the Middle East Institute in Washington, D.C.

Ms. Smith studies Turkish at the Foreign Service Institute in 1958 and 1959. In 1960, she was assigned as political officer to the U.S. Embassy in Ankara, Turkey, where she remained for nine years. After that, she was transferred to Istanbul, where she served another three years. She was later assigned in Washington, D.C. to the Department of Commerce.

AREAS OF EXPERTISE

All of the signatories of the ad have at some time studied, taught or written about some aspect of Turkey—history, anthropology, linguistics, literature, political science, or folklore.

But an analysis of their areas of expertise reveals a striking fact: of the 69 signatories, only 8 are concerned solely with the 20th century, the period encompassing the Armenian Genocide. Another 10 are scholars of the 19th and 20th centuries. Put together, only 26 percent of the signatories are scholars on the broad subject of pre-Republic Turkish history during the 19th and 20th centuries.

Closer analysis reveals that only 4 of the 18 scholars of the 19th and 20th century history have dealt with the specific topic and period of history in question, i.e. Turkish Ottoman policy towards the Armenians during and before World War I. These four are Philip Stoddard, Justin McCarthy, Ezel Kural Shaw and her husband, Stanford Shaw.

Of the remaining 14 scholars of 19th and 20th century Turkish history, 9 have dealt with issues peripheral to the Armenian theme, and five with topics irrelevant to Armenian issues. One example is Heath Lowry, the current director of the Institute of Turkish Studies in Washington, D.C. His area of expertise is the 16th century Ottoman Empire.

The remaining 74 percent of the signatories have dealt with various aspects of Turkish history, language and anthropology ranging from the 13th to the 18th centuries. Some of the scholars have been involved in such aspects of the Ottoman Empire as Arab affairs, Islamic carpets, and patronage of architecture.

TURKISH SUPPORT FOR RESEARCH

A significant number of the signatories of the ad have received fellowships and/or grants from pro-Turkish organizations to conduct their research. The two most active organizations were the Institute of Turkish Studies, headquartered in Washington, D.C., and the American Research Institute in Turkey, based in Ankara, Turkey.

In total, 40 of the scholars who signed the ad received a total of 65 grants from these two organizations. In addition, departments or universities with which those 40 scholars are affiliated have received more than 170 grants from pro-Turkish institutes. (See the attached chart for specific grants.)

THE SCHOLARS RESPOND

After publication of the ad, the Armenian Assembly wrote to the signatories to determine their personal views on the Armenian Genocide. Twelve of them responded and made the following points:

All 12 signatories agreed that archives everywhere, especially in Turkey, should be opened to all scholars.

Some objected to the U.S. Congress singling out the Armenians as an example of man's inhumanity to man, while ignoring the plight of Blacks and Indians.

One raised the concern of a damaged NATO alliance and possible disruption in U.S.-Turkish relations.

One expressed displeasure that the ad had been reprinted without his permission, and agreed with the resolution.

One decried blaming today's Turks for "what happened 70 years ago," but another noted that the Turkish public has not addressed the "victimization of the Armenians."

Following are excerpts from some of the letters. The names of the scholars have been withheld at their request.

"I am well familiar with the events of 1915-16 and with the events up to 1923 and I am aware of the death, suffering and massacres of the Armenian people during this period . . . I shall never become part of any attempt to deny the victimization, massacres, or genocide of the Armenian people perpetrated between 1915 and 1923."—June 11, 1985.

"Let me first say that I do not question that massive numbers of Armenians perished during World War I as a result of criminal and even genocidal intents. Whenever I teach courses on this period, I always devote these events specific attention. It is also my personal opinion that high Ottoman officials pursued policies that were aimed at the effective elimination of the Armenian population in Anatolia."

"It is also my opinion that the Turkish public—unlike the German public with regard to the Holocaust—has not yet forthrightly addressed the victimization of the Armenians during World War I. I believe that Turkish democracy will be much stronger when this has been accomplished."—June 14, 1985.

"You ask me what my understanding is of the treatment of Armenians during the period between 1915 and 1923 . . . I cannot authoritatively answer that question. First, that period is not the subject of my own scholarly expertise. Second . . . official Turkish archives of the period in question have not so far been opened for scholarly analysis."—June 14, 1985.

"I sincerely believe that hundreds of thousands of Armenians lost their lives in the 1915-1923 period. I have no doubt that the three upstarts who led the Empire up to 1918 had the capacity to give orders to murder Armenians *qua* Armenians."—July 3, 1985.

"As scholars, we acknowledge that there were terrible sufferings undergone by the Armenians at this time. To deny this would be unjust. Even the word 'genocide' is not wholly inappropriate here."—June 10, 1985.

THE U.S. HISTORICAL RECORD

Some 70 years after the terrible sufferings endured by the Armenians in Turkey, 69 scholars have urged Congress to oppose a resolution that would set aside a day to remember and reflect on those tragic events.

Nearly three-fourths of the signatories are not academicians of the historical period and topic in question, and many of them have received direct or indirect support for their academic research from the Republic of Turkey.

The signatories say that the archives of the Soviet Union, Syria, Bulgaria and Turkey must be opened to historians so that the events of 1915-23 can be "adequately known." But thousands of historical documents on the Armenian Genocide already exist in the archives of the United States. The tragic events of that period have been affirmed by several sources (See Fact Sheet #2 for specific citings):

Ten U.S. Presidents—Ronald Reagan, Jimmy Carter, Herbert Hoover, Warren G. Harding, Woodrow Wilson, William Howard Taft, Theodore Roosevelt, William McKinley, Grover Cleveland, and Benjamin Harrison.

Congressional resolutions adopted by the 54th and 66th Congresses.

Official files of U.S. consular reports from Ottoman Turkey, including the correspondence of U.S. Ambassador to the Ottoman Empire, Henry Morgenthau.

In light of this material, and much more documentation that can be found in the British, French and German archives, contemporary scholars have a wealth of information already at their disposal on the events of 1915-1923.

Richard Hovannisian, a renowned scholar of modern Armenian history, talks pointedly about the problems surrounding scholarly research into the Genocide in a new book titled "The Armenian Genocide In Perspective":

"Perhaps the main reason for the general disregard for scientific study was the feeling that there was neither need for, nor purpose in, dwelling upon that which the entire world accepted as common knowledge, that is, the systematic dislocation and annihilation of the Armenian population by a dictatorial regime bent on creating a radically different political order with a radically different ethnoreligious composition.

"With the humiliating but accurate phrase 'starving Armenian' broadcast the world over, the survivors would have found it unimaginable that within a generation there might be those who would either deny or else try to minimize the scope of their victimization by casting it into the context of the general horror and havoc of war. Ironically, however, that is exactly what happened. And with the great new international crises gripping the world in the 1930s and 1940s, the Armenian experience in World War I became the 'forgotten genocide.'"

While the evidence of the Armenian Genocide is incontrovertible, the Armenian community looks forward to increasing study of this subject to assist in the prevention and punishment of the crime of genocide.

[From the Washington Times, Dec. 2, 1985]

ATTENTION MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES

Our reservations focus on the use of the words "Turkey" and "genocide" and may be summarized as follows:

From the fourteenth century until 1922, the area currently known as Turkey, or more correctly, the Republic of Turkey, was part of the territory encompassing the multi-national, multi-religious state known as the Ottoman Empire. It is wrong to equate the Ottoman Empire with the Republic of Turkey in the same way that it it wrong to equate the Hapsburg Empire with the Republic of Austria. The Ottoman Empire, which was brought to an end in 1922, by the successful conclusion of the Turkish Revolution which established the present day Republic of Turkey in 1923, incorporated lands and peoples which today account for more than twenty-five distinct countries in South-eastern Europe. North Africa, and the Middle East, only one of which is the Republic of Turkey. The Republic of Turkey bears no responsibility for any events which occurred in Ottoman times, yet by naming "Turkey" in the Resolution, its authors have implicitly labeled it as guilty of the "genocide" it charges transpired between 1915 and 1923.

As for the charge of "genocide:" No signatory of this statement wishes to minimize the scope of Armenian suffering. We are likewise cognizant that it cannot be viewed as separate from the suffering experienced by the Muslim inhabitants of the region. The weight of evidence so far uncovered points in the direction of serious intercommunal warfare (perpetrated by Muslim and Christian irregular forces), complicated by disease, famine, suffering and massacres in Anatolia and adjoining areas during the First World War. Indeed, throughout the years in question, the region was the scene of more or less continuous warfare, not unlike the tragedy which has gone on in Lebanon for the past decade. The resulting death toll among both Muslim and Christian communities of the region was immense. But much more remains to be discovered before historians will be able to sort out precisely responsibility between warring and innocent, and to identify the causes for the events which resulted in the death or removal of large numbers of the eastern Anatolian population, Christian and Muslim alike.

Statesmen and politicians make history, and scholars write it. For this process to work scholars must be given access to the written records of the statesmen and politicians of the past. To date, the relevant archives in the Soviet Union, Syria, Bulgaria and Turkey all remain, for the most part, closed to dispassionate historians. Until they become available the history of the Ottoman Empire in the period encompassed by H.J. Res. 192 (1915-1923) cannot be adequately known.

We believe that the proper position for the United States Congress to take on this and related issues, is to encourage full and open access to all historical archives, and not to make charges on historical events before they are fully understood. Such charges as those contained in H.J. Res. 192 would inevitably reflect unjustly upon the people of Turkey, and perhaps set back irreparably progress historians are just now beginning to achieve in understanding these tragic events.

As the above comments illustrate, the history of the Ottoman-Armenians is much debated among scholars, many of whom do not agree with the historical assumptions embodied in the wording of H.J. Res. 192. By passing the resolution Congress will be attempting to determine by legislation which side of a historical question is correct. Such a resolution based on historically questionable assumptions, can only damage the cause of honest historical enquiry, and damage the credibility of the American legislative process.

ARMENIAN ASSEMBLY OF AMERICA, FACT SHEET #2, U.S. RECOGNITION OF THE ARMENIAN GENOCIDE

During the second half of the nineteenth century, the Armenian population of the Ottoman Turkish Empire became the target of heightened persecution by the Ottoman government. These persecutions culminated in a three-decade period during which the Armenians were systematically uprooted

from their homeland of 3,000 years and eliminated through massacres or exile.

Few events have evoked American sympathy and concern as did the Armenian Genocide in Ottoman Turkey. Eight U.S. Presidents spoke out against the treatment of the Armenians, and the 54th and 66th Congresses adopted resolutions deploring the massacres. In recent years, President Reagan, President Carter, the House of Representatives, and other officials reaffirmed American recognition of this tragedy.

U.S. REAFFIRMATION

President Ronald Reagan

Days of Remembrance of Victims of the Holocaust, Proclamation 4838, April 22, 1981.—"Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten."

President Jimmy Carter

White House Ceremony, May 16, 1978.—"* * * it is generally not known in the world that in the years preceding 1916, there was a concerted effort made to eliminate all the Armenian people, probably one of the greatest tragedies that ever befell any group. And there weren't any Nuremberg trials."

President Herbert Hoover

The Memoirs of Herbert Hoover, 1952.—"The association of Mount Ararat and Noah, the staunch Christians who were massacred periodically by the Mohammedan Turks, and the Sunday School collections over fifty years for alleviating their miseries—all cumulate to impress the name Armenia on the front of the American mind."

President Warren G. Harding

Letter to Secretary of State Charles Evans Hughes, November 22, 1921.—"If it is believed that a warship can be sent to an Armenian port on the Mediterranean I should have very little hesitancy in making such a suggestion on behalf of these stricken people. Surely there must be some way in which to utter the admonition of the five great powers to restrain the hands of assassins in that unfortunate land."

President Woodrow Wilson

Letter to Acting Secretary of State William Phillips, September 18, 1919.—"* * * get into communication with * * * the appropriate committees of Congress with regard to our being authorized to send troops to Armenia. I am heartily in favor of such a course if the Congress will authorize it * * *"

President William Howard Taft

Taft Papers on the League of Nations, 1920.—"On the whole, it is not to much to say that the people of the Jewish race have suffered more in this war, as noncombatants, than any other people, unless it be the Serbians and the Armenians."

President Theodore Roosevelt

Letter to Cleveland Moadley Dodge, May 11, 1918.—"* * * the Armenian massacre was the greatest crime of the war, and failure to act against Turkey is to condone it * * * the failure to deal radically with the Turkish horror means that all talk of guaranteeing the future peace of the world is mischevious nonsense * * *"

Annual Message of the President, December 6, 1904.—"* * * it is inevitable that (the United States) should desire eagerly to give expression to its horror on an occasion like * * * such systematic and long-extended cruelty and oppression as the cruelty and oppression of which the Armenians have been the victims, and which have won for them the indignant pity of the civilized world."

President William McKinley

Annual Message of the President, December 5, 1898.—"* * * press for a just settlement of our claims * * * during the Armenian troubles of 1895 * * *"

President Grover Cleveland

Annual Message of the President, December 7, 1896.—"* * * it would afford me satisfaction if I could assure the Congress that the disturbed condition in Asiatic Turkey had durng the past year assumed a less hideous and bloody aspect and that * * * as a consequence of the awakening of the Turkish Government to the demands of humane civilization * * * the shocking features of the situation had been mitigated. Instead, however * * * we have been inflicted by continued and not unfrequent reports of the wanton destruction of homes and the bloody butchery of men, women, and children, made martyrs to their profession of Christian faith."

Annual Message of the President, December 2, 1895.—"Occurrences in Turkey have continued to excite concern. The reported massacres of Christians in Armenia and the development there and in other districts of a spirit of fanatic hostility to Christian influences naturally excited apprehension * * *"

President Benjamin Harrison

Letter to Robert J. Thompson, Esq., December 14, 1894.—"My indignation and sympathy have been greatly roused by the press reports of the fearful outrages practised on the Armenians."

House Joint Resolution 247

September 10, 1984.—"* * * April 24, 1985 is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man' * * * for all victims of genocide, especially the one and one-half million people of Armenian ancestry who were victms of the genocide perpetrated in Turkey between 1915 and 1923 * * *"

House Resolution 148

April 8, 1974.—"* * * April 24, 1975 is hereby designated as 'National Day of Rememberance of Man's Inhumanity to Man' * * * for all victims of genocide, especially the one and one-half million people of Armenian ancestry who succumbed to the genocide perpetrated in 1915 * * *"

Senate Resolution 359

May 13, 1920.—"* * * the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered."

Concurrent Resolution of Congress: "Armenian Outrages"

January 27, 1896.—"Whereas the American people, in common with all Christian people everywhere, have beheld with horror the recent appalling outrages and massacres of which the Christian population of Turkey have been made the victims * * *"

U.S. Holocaust Memorial Council Chairman Elie Wiesel

Days of Remembrance Commemoration, Capitol Rotunda, April 30, 1981.—"Before the planning of the final solution, Hitler asked, 'Who remembers the Armenians?' He was right. No one remembered them, as no one remembered the Jews. Rejected by everyone, they felt expelled from history."

U.S. Ambassador to the Ottoman Empire Henry Morgenthau

Telegram to the Secretary of State, July 16, 1915.—"Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion."

AMERICAN TURKISH SCHOLARS: A CLOSER LOOK

Scholar	Affiliation	Specialization	Area/period of expertise	Grants (Number)	Grants to departments/universities
Abu El Haj, Rifaat	California State University, Long Beach	History	Arab-Ottoman, 17–18th centuries	ITS (1)	
Atis, Sara	University of Wisconsin at Madison	Language/Literature	Turkish literature	ITS (1)	ITS (8)
Barbir, Karl K.	Siena College (New York)	History	Arab-Ottoman, 18th century		
Basgoz, Ilhan	Indiana University	Folklore	Turkish folklore	ITS (3); ARIT (2)	ITS (8)
Bates, Daniel	Hunter College, University of New York	Anthropology	Cultural anthropology of Turkey		ITS (1)
Bates, Ulku	Hunter College, University of New York	Art History	Seljuq & Ottoman period art/architecture	ARIT (1)	ITS (1)
Bayerle, Gustav	Indiana University	History/Philology	Ottoman history, 16th century	ARIT (1)	ITS (8)
Bodrogligetti, Andras	University of California, Los Angeles	Philology/Literature	Turkic & Iranian	ITS (1)	ITS (4)
Burrill, Kathleen	Columbia University	Philology/Linguistics	Turkic/Persian, 14th century	ITS (8); ARIT (1)	ITS (9)
Childs, Timothy	SAIS, Johns Hopkins University	History	Otoman, 19–20th centuries		
Daulet, Shafiga	University of Connecticut	Political Science	Politics, government of Mideast		ITS (4)
Davison, Roderic	George Washington University, Washington, DC	History	Ottoman, 19th century	ARIT (1)	
Denny, Walter	University of Massachusetts	Art History	Ottoman art	ARIT (1)	
Duben, Alan		Anthropology			
Ervin, Ellen	New York University	Language/Literature	Turkish language	ITS (1)	ITS (6)
Farah, Caesar	University of Minnesota	History	Arab-Ottoman, 18–19th centuries	ITS (1)	
Findley, Carter	Ohio State University	History	Ottoman, 19th century	ITS (2); ARIT (1)	ITS (3)
Finefrock, Michael	College of Charleston	History	Turkish, 20th century		
Fisher, Alan	Michigan State University	History	Ottoman-Russian, 16–17th centuries	ARIT (1)	ITS (1)
Fleischer, Cornell	Washington University, Missouri	History	Ottoman, 16–17th centuries		
Golden, Peter	Rutgers University	History	Ottoman-Slavic relations		

AMERICAN TURKISH SCHOLARS: A CLOSER LOOK—Continued

Scholar	Affiliation	Specialization	Area/period of expertise	Grants (Number)	Grants to departments/ universities
Goodrich, Tom	Indiana University of Pennsylvania	History	Ottoman, 16th century		
Gould, Andres		History			
Griswold, William	Colorado State University	History	Ottoman, 17th century	ARIT (1)	
Halasi-Kun, Tibor	Columbia University	Philology/Linguistics	Turkic/Hungarian	ITS (3)	ITS (10)
Hickman, William	University of California, Berkeley	Philology	Turkish	ARIT (1)	ITS (3)
Hurewitz, J. C.	Columbia University, retired	Political Science	Arab-Turkish, 20th century		ITS (10)
Hymes, John	Glenville State College, W.Va	History	Ottoman, 19–20th centuries		
Inalcik, Halil	University of Chicago	History	Ottoman, 15–17th centuries	ITS (1)	ARIT (9)
Jaeckel, Ralph	University of California, Los Angeles	Languages	Turkish		ITS (4)
Jennings, Ronald	University of Illinois	History	Ottoman-Cyprus, 16–17th centuries	ARIT (1)	ITS (3)
Kelly, James	University of Utah	Linguistics	Turkic, Central Asian	ITS (2); ARIT (1)	ITS (5)
Key, Kerim	Southeastern University	History	Ottoman, 19–20th centuries		
Kunt, Metin		History	Ottoman		
Latimer, Frederick	University of Utah, retired	History	Ottoman		
Levy, Avigdor	Brandeis University	History	Ottoman, 19th century	ARIT (1)	ITS (7)
Lewis, Bernard	Princeton University	History	Ottoman; modern Turkey; Arab		ITS (3)
Lowry, Heath	Institute of Turkish Studies	History	Ottoman, 16th century	ARIT (2)	
McCarthy, Justin	University of Louisville	History/Demography	Turkey/Arab world, 19–20th centuries	ITS (1); ARIT (1)	
Mandaville, Jon	Portland State University	History	Arab/Ottoman, 16–17th centuries	ARIT (1)	ITS (2)
Meeker, Michael	University of California, San Diego	Anthropology	Turkey		
Murphy, Thoads	Columbia University	History/Language	Ottoman, 17th century	ITS (1); ARIT (1)	ITS (10)
Naff, Thomas	University of Pennsylvania	History	Ottoman, 18th century		ITS (9)
Oberling, Pierre	Hunter College of the City University of New York	History	Europe-M.E., 19–20th centuries	ITS (1)	ITS (1)
Ochsenwald, William	Virginia Polytechnic Institute	History	Modern Middle East, mainly Arab	ARIT (1)	
Olson, Robert	University of Kentucky	History	Turkish, 18–20th centuries		
Peachy, William	Ohio State University	Language/Literature	Judaic, Near Eastern	ARIT (2)	
Quataert, Donald	University of Houston	History	Ottoman, 19–20th centuries	ITS (2); ARIT (1)	ITS (2)
Reed, Howard	University of Connecticut	History	Ottoman, 19–20th centuries	ITS (1)	ITS (5)
Rustow, Dankwart	City University Graduate School, New York	Political Science	Europe	ITS (1)	
Shaw, Ezel Kural	California State University, Northridge	History	Ottoman, 19th century		
Shaw, Stanford	University of California, Los Angeles	History	Ottoman, 19–20th centuries	ITS (1); ARIT (2)	ITS (4)
Smith, Elaine	Retired Foreign Service Officer	History	Modern Turkey		
Smith, Grace	University of California, Berkeley	History/Folklore Language	Turkey, 14th century	ITS (1); ARIT (1)	ITS (3)
Smith, John Masson	University of California, Berkeley	History	Ottoman, 13–14th centuries	ARIT (1)	ITS (3)
Soucek, Svat		Turcology	Arab/Ottoman	ARIT (1)	
Staab, Robert	University of Utah	History	Ottoman/Balkans, 16th century		ITS (5)
Starr, June	SUNY Stoneybrook	Anthropology	Turkey		
Stewart-Robinson, James	University of Michigan	Literature	Turkish		ITS (3)
Stoddard, Phillip	Middle East Institute, Director	History	Ottoman, 19–20th centuries		ITS (3)
Tachau, Frank	University of Illinois	Political Science	Internat'l Rel., modern Turkey	ITS (1); ARIT (2)	ITS (3)
Tamkoc, Metin	Texas Tech	International Law and Relations	Turkey		ITS (1)
Thomas, David	Rhode Island College	History/Philology	Turkey/Turkish	ARIT (2)	
Yenzke, M. L.	Dickinson College	History	Ottoman, 16th century	ARIT (1)	
Walker, Warren	Texas Tech	English	Turkish/American/Nigerian Lit		ITS (1)
Webster, Walter	Rutgers University	Political Science	Turkey, 1930s		
Woods, John	University of Chicago	History	Islamic/Middle East/Iranian History		ITS (9)
———, Madeline	University of Maryland	History	Ottoman, 18th century	ARIT (2)	

Key: ARIT—American Research Institute in Turkey. ITS—Institute of Turkish Studies.

Sources for chart: Middle East Studies Association Bulletins, Directory of American Scholars, and Ottoman Studies Directory.

1983–87 Senator's Floor Statement on the Armenian Genocide

Issue: In recent years, before the Armenian Genocide Resolution was seriously pressed in the Senate, several Senators made floor statements commemorating April 24. A list of names and dates is attached.

POINTS AND AUTHORITIES

1. The statements of Senators Metzenbaum and Specter are interesting because they both switched sides in the October Judiciary Committee meeting.

2. Senator Scoop Jackson's statement is important because as a staunch supporter of national defense and NATO, he saw nothing wrong with commemorating the Armenian genocide.

SUPPORTING MATERIAL ATTACHED

1. Metzenbaum, Specter, and Jackson statements.

SENATORS WHO HAVE MADE STATEMENTS ON THE ARMENIAN GENOCIDE

April 1983: Levin, Riegle, Jackson, Metzenbaum, Pell, Lautenberg, Biden, Specter, Sarbanes, Dole, Kennedy, Hollings, Bradley, Lugar, Glenn, Helms, and Dodd.

April 1985: Levin, Cranston, Glenn, DeConcini, Metzenbaum, Riegle, Wilson, Heinz, Mitchell, Kasten, Sarbanes, Lautenberg, Chafee, Bingaman, Pell, and Dodd.

April 1986: Levin, Wilson, Bradley, Simon, DeConcini, Lautenberg, Dodd, Boschwitz, D'Amato, Glenn, Metzenbaum, Sarbanes, Hollings, and Moynihan.

April 1987: Levin and Lautenberg.

[From the Congressional Record]

Armenian Genocide, 1915–23

Mr. Biden. Mr. President, the 19th and 20th centuries have been an era of nationalistic upheavals. In the name of nationhood or of a supposed greatness attached to a particular people, millions of human beings have suffered because their own ethnic background or religious beliefs did not conform to those of the ruling authority of the time.

A particularly cataclysmic instance of this occurred from 1915 through 1923, when the Ottoman Empire massacred an estimated 1.5 million Armenians living for the most part in Asia Minor. Whole villages were wiped out, thousands of individuals were deported, and countless others fled into the desert, where many perished from exposure or disease. The property was sequestered, and centuries of culture destroyed.

It has come to my attention that the August 1982 issue of the Department of State Bulletin carried a statement describing the record of the massacres as "ambiguous," and further declaring that "the Department of State does not endorse allegations that the Turkish Government committed a genocide against the Armenian people."

Mr. President, there is nothing "ambiguous" about the murder of 1.5 million human beings. The massacres were brutal, concerted, and blatantly systematic. There were numerous eyewitness accounts. Our own archives contain reports from Henry Morgenthau, our Ambassador in Constantinople from 1913 to 1916, who recounted direct conversations with Turkish Government officials who admitted the atrocities.

And I emphasize that this is not the same government that exists now. This was the aftermath of the Ottoman Empire.

Spokesmen for the State Department have promised for months to review and clarify the statement printed in the Bulletin. My hope is that Department officials will retract the statement and issue an explicit acknowledgement of the historical record of the genocide.

Throughout history, there have been too many examples of denials that events of such horrible dimensions have occurred, perhaps because their immensity is so incomprehensible or because rationalizations or intentional ignorance are the easier path to follow. In our own country, there have been those who have contended that slavery was beneficial to the blacks who lived under it. More recently, in the memory of many of those in this Chamber today, there have been denials that the Holocaust effected by Nazi Germany ever occurred. The revisionists are at work.

Today, there are elderly survivors of the genocide which took place in Armenia nearly 70 years ago. They still bear the emotional scars of those events, as do their descendants. Many Armenians throughout the world maintain the cultural traditions of their ancestors and venerate the memory of those who died at the hands of others not so very long ago.

No individual who values human life should ever forget this example of the ultimate danger of persecution. Though the

events which I have spoken of today were regional, in a place far away, the conscience on the matter the conscience of the world must be global. I hope that my colleagues will join with me today in the annual commemoration of Armenian Martyrs Day, which is today.

ANNIVERSARY OF THE ARMENIAN MASSACRES

Mr. SPECTER. Mr. President, this past Sunday, April 24, marked the 68th anniversary of the massacre of nearly 1.5 million Armenians by the Turks between the years of 1915 and 1923. Today I offer my tribute to these early victims of 20th century genocide. The ill-fated Christian Armenians were repeatedly brutalized, having suffered attempts at wholesale annihilation during the Ottoman Empire and the rise of Kemal Ataturk. It is only fitting that this body pause to honor their memory on April 27, Armenian Martyrs Day.

Mr. President, the deportation, starvation, and horrible extermination sustained by innocent Armenians during these years are not the sole instances of man's incredible inhumanity to man in this blood-soaked region of the world. Yet, how ironic it is that these crimes were often committed by people who shared, or would soon share, the same persecution at the hands of a venomous majority.

How ironic that many of the participants in these compaigns of slaughter were Kurds, who were themselves an oppressed people yearning for self-determination. How equally ironic that many of the same Turks who perpetrated the genocidal acts against the Armenians would see their own descendants suffer similar massacres in Cyprus, while others would be objects of discrimination and scorn in several Western European cities, where Turks are an immigrant work force.

While a pitiful few learn from the vindictive turns of the wheel of history, let the U.S. Senate never be afraid to loudly decry acts of atrocity, wherever and whenever they are committed. Let not the Armenian holocaust be a mere occasion for commemoration, but rather let this day serve as a reaffirmation of America's intent to oppose tyranny with its every ounce of strength, and its equal intent to preserve freedom and the spirit of humanity.

Mr. PERCY. Mr. President, today the Senate commemorates the 68th anniversary of Armenian martyrs. Beginning in 1915, an estimated 1.5 million Armenians were killed, or died of disease and hunger, in an enforced dispersal and elimination of the Armenian population of the former Ottoman empire. Perhaps half a million survived by fleeing abroad.

This century has been great progress for the self determination of peoples, but the century has also seen unprecedented slaughter of whole ethnic identities. The Armenians we remember today were the first, tragically followed by the Nazi Holocaust that sought to exterminate the Jews, and in our day by the mass slaughter of Cambodians.

Today we must rededicate ourselves to work to insure that there is never another genocide, and that all nationalities have an opportunity to live in peace and security.

We pay special tribute to the Armenian national heritage, which continues to flourish, and to the Armenian Americans who have found a new home here, and so enriched our lives and communities in the United States.

Mr. QUAYLE. Mr. President, today I want to join a number of my fellow colleagues in paying homage to and recognizing the 68th anniversary of Armenian Martyrs Day.

Recently here in Washington there was a gathering of the survivors of the Jewish Holocaust. Their tragedy is something we as a nation and as a world cannot and must not forget. Yet all to often we do forget other such similar atrocities, the Armenian genocide especially.

As President Reagan stated so clearly in his proclamation issued on April 22, 1981, to proclaim April 26 to May 3 as "Days of Remembrance of Victims of Holocaust."

"Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten."

This is a solemn occasion for all of us who believe in human rights and in the goodness of man. It still is incomprehensible to me that 1.5 million Armenian men, women, and children were massacred in their own homeland. Yet it happened.

What is as mind boggling is that less than a quarter of a century later another holocaust took place. Now, some 60 years after the Armenian tragedy the world is still learning of the horrors of the Cambodian people endured under Pol Pot.

Mr. TSONGAS. Mr. President, April 24, 1983, marked the 67th anniversary of one of the most dreadful episodes in history: the massacre of more than 1 million Armenians in Turkey between 1915 and 1923. Because I believe there is value in reminding Americans of this period of atrocities, last week I introduced a resolution calling on the President to designate April 24, 1984, a day of remembrance for all victims of genocide, especially those of Armenian ancestry. However, today I rise to protest the August 1982 Department of State bulletin, which takes an official position that—

"The Department of State does not endorse allegations that the Turkish government committed a genocide against the Armenian people."

The Armenian genocide is a well-established historical fact. The genocide perpetrated against the the Armenian people must never be forgotten. It is imperative that we who value human life and dignity acknowledge such tragedies and strive to prevent them from happening again.

Regardless of short-term political consideration, the State Department should acknowledge the facts of the Armenian genocide. To do otherwise would set a precedent for other nations that tamper with their history for political advantage.

I am appalled by State Department's attempt to overlook the arrests, deportations, torture, and murder that occurred with the complicity of the Turkish Government in the early part of this century.

The State Department's position is unsatisfactory and inconsistent with President Reagan's Proclamation 4838, which states, in part:

"Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten."

Further, the State Department's statement does a disservice to people of Armenian descent living in the United States and other countries. By compiling an accurate record of the facts of the past, these people can maintain a sense of ethic identity and alert future generations about evil in the past so as to avoid it in the future. The State Department is wrong to mislead these people regarding the atrocities committed against their ancestors. For these reasons, I strongly object to the action of the Department of State denying the part played by the Turkish Government in the Armenian genocide.

Mr. President, an article appeared in the New York Times Monday, April 15, 1983, expressing the sentiments of the Greek Government urging Turkish acknowledgement of the 1915 massacre. I ask that this article be printed in the Record.

The article follows:

"[From the New York Times, Monday, Apr. 25, 1983]

"POLITICIANS IN GREECE DEMAND TURKS ADMIT ARMENIAN DEATHS

"ATHENS, April 24 (Reuters).—Greek political parties from both the right and left called on Turkey today to acknowledge that as many as 1.5 million Armenians met death at the hands of Turks in 1915.

"Turkey has denied the charge in the face of extensive documentation.

"The party representatives were speaking at a meeting of more than 1,000 of Greece's 10,000 Armenians to mark the 68th anniversary of what historians say was a massacre by the Ottoman authorities during World War I."

Mr. HEINZ. Mr. President, I rise today to join with my distinguished colleagues from Michigan, Senators Levin and Riegle, in commemorating the 68th anniversary of Armenian Martyrs Day. This day marks the events that took place between 1915 and 1923 in which more than 1.5 million Armenians were systematically deported and murdered by a declining Ottoman Empire.

The rich heritage of the Armenian people dates back over 3,000 years and it is only through sheer courage and determination that their culture survives today. Located at what is commonly referred to as "the crossroads of the world", between the Caspian, Black, and Mediterranean Seas. Armenia has fought off foreign aggressors and domination throughout its history.

It was on the night of April 24, 1915, that 200 intellectuals, community leaders, and prominent citizens of Armenian ancestry were executed, signifing the beginning of the plan to exterminate the entire Armenian Christian population located within the Ottoman borders.

The heinous acts committed against the Armenians were clearly the result of a brutally calculated plan which has come to be known as the first genocide of the 20th century.

It is our responsibility to recall this tragic event in the same fashion that we recall later acts of genocide such as that committed against the Jews by a repressive and uncontrolled Nazi regime. It is our responsibility to make this Nation and the world aware of the atrocities of the past, of the injustice and human suffering of entire races of people, so that we can be on the watch. So that we can guarantee as best we can that it shall never happen again.

Mr. METZENBAUM. Mr. President, I want to express to Senators Levin and Riegle my appreciation for providing us with this opportunity to remember and to mourn the systematic, barbaric and unspeakably cruel massacre by Turkey of the 1.5 million martyrs of Armenia, and I wish also to express my outrage at the fact that it took 8 months for the Department of State to formally retract an insulting and demeaning note that

appeared at the conclusion of an article in the August 1982 Department of State Bulletin.

"Because the historical record of the 1915 events in Asia Minor is Ambiguous," the note reads, "the Department of State does not endorse allegations that the Turkish Government committed a genocide against the Armenian people."

Mr. President, I cannot imagine how anyone could find the slightest bit of ambiguity about this unspeakably cruel brutal slaughter of a gentle cultured people.

I cannot imagine how anyone who has read the dispatches sent to Washington at the time by then-U.S. Ambassador Henry Morgenthau could describe as "allegations" what Ambassador Morgenthau called "A Campaign of Race Extermination."

I cannot imagine how our State Department could have permitted this contemptible sentence to appear in official print.

And above all, Mr. President, I am truly appalled by the fact that the State Department has only now seen fit to retract this language. I believe that the Department should also apologize—humbly—to the Armenian-American community and to the public at large.

Not long ago, President Reagan expressed his dismay at the fact that there exist today groups and individuals who deny the reality of the Nazi genocide against the Jews.

The President was right to speak as he did. But consider the feelings of the Armenian-American community—of people whose parents and grandparents are in many cases the survivors of the terrible events of 1915 and the years thereafter.

Armenian history is not being distorted by the kinds of hate groups who soil the memory of the Jews of Europe. Instead, Armenian-Americans have confronted a denial of their history by the Government of the United States.

There is nothing ambiguous Mr. President about the headlines in the New York Times at the time the genocide was in progress.

March 20, 1915: Whole Plain Strewn With Armenian Bodies.

April 28, 1915: Appeal to Turkey to Stop Massacres.

June 6, 1915: More Armenian Massacres.

June 29, 1915: Wholesale Massacres of Armenians by Turks.

August 4, 1915: Report Turks Shot Women and Children.

August 6, 1915: Armenian Horrors Show.

August 18, 1915: Armenians Are Sentenced to Perish in Desert.

August 20, 1915, Burn 1,000 Armenians.

August 27, 1915: Turks Depopulate Towns of Armenia.

September 3, 1915: Turks Massacre Armenians of Isnid.

September 5, 1915: 1,500,000 Armenians Starve.

September 16, 1915: Answer Morgenthau by Hanging Armenians.

September 21, 1915: Bryce Asks U.S. To Aid Armenia; says that all the Christians in Trebizond, numbering 10,000 were drowned.

These are just a few of the headlines, the chronicle of horror goes on and on.

September 29, 1915: Armenian Women Put Up at Auction.

October 11, 1915: Spare Armenians, Pope Asks Sultan.

October 13, 1915: Massacres Renewed, Morgenthau Reports.

October 22, 1915: German Says She Cannot Stop Turks.

October 26, 1915: Slay All Armenians in City of Kerasunt.

November 1, 1915: Aid for Armenians Blocked by Turks.

The record could not be more clear.

The Armenians were slaughtered.

They were slaughtered by order of the Turkish authorities.

And they were the first victims in a century that may someday be described by historians as the age of genocide.

The agony of Armenia must not be forgotten.

It must not be trivialized, minimized, or distorted for political purposes.

And, Mr. President, the descendants of the Armenian martyrs must not be made to suffer the grief and pain that have been inflicted upon them by a cynical note in a State Department publication.

As a Senator, I apologize to Armenians everywhere for this outrage, and I call upon the Secretary of State to act immediately to make full amends for a gratuitous and patently false insult to everyone who believes in facing the truth.

THE ARMENIAN GENOCIDE

Mr. PELL. Mr. President, earlier this month, over 10,000 Jewish survivors of the Holocaust gathered in Washington to honor those who were murdered by the Nazis and to remember the pain, the suffering and the lessons of that heinous experience. The Holocaust is a sad reminder that those who forget history are condemned to repeat it. The tragedy of the Holocaust might well have been prevented in the world had recalled an earlier, equally dark episode in the 20th century history of mankind: The willful massacre of 1.5 million Armenians at the hands of the Turks during World War I.

Before World War I, Armenians, a gentle, highly cultured people, lived alongside the Turks and demanded only tolerance and freedom from their Turkish rulers. In response, the Turkish Government launched a coordinated drive to round up and eliminate every Armenian man, woman, and child. Today, on the 68th anniversary of the Armenina genocide, we honor those courageous individuals who were exterminated for no other reason than that their national heritage was considered alien by the Turkish leadership.

The Armenian genocide and the Holocaust remind us that man possesses the pernicious quality of bigotry and the capacity to be cruel. We must never forget the despicable, inhuman treatment suffered by the Armenians and the Jews at the hands of their fellow men. We must keep the memories of these solemn and painful events alive in order that history will not repeat itself yet again.

If we are truly concerned about eliminating the evil of genocide from the heart of mankind; if justice and compassion are values which we sincerely cherish; if the death of 1.5 million Armenians is to be more than a tragic footnote to our times; then we must not forget the brutal assault on human dignity which was the Armenian genocide.

Mr. LAUTENBERG. Mr. President, man's inhumanity to man has been an all too prevelent occurrence throughout the centuries. Persecution, banishment, and enslavement of peoples are well-known and well-documented in almost every civilization and every period of history.

But these violations and abuses of basic human rights take on particular importance for us when we consider the most terrible occurrences of our own 20th century. In recent weeks, Americans here in Washington and throughout the United States, again took note of the Holocaust in which 6 million Jews and tens of thousands of other Europeans were simply murdered as a matter of policy of the Nazi government of Germany. As the survivors of that Holocaust and their children gathered in Washington earlier this month, the cry most often heard was, "We must not forget."

We must not and will not forget, Mr. President, for there is to be a Holocaust Museum in Washington, D.C., just a short distance from the Mall and the center of our political life. An important part of the museum will be devoted to another tragedy in an earlier part of this century, the massive massacre and systematic persecution of the Armenian people by the Ottoman Empire and the Turkish Government almost 70 years ago.

The killing of over 1.5 million Armenians in Turkey and the scattering of tens of thousands more, particularly in 1915 and the months that followed, was the world's first genocidal experience of this century. How horrible it is to contemplate that a second genocidal policy would follow on even a greater scale only 25 years later. But to the Armenians and those who filed endless numbers of eyewitness accounts of the massacres and mass death following forced deportation of Armenians across Asia Minor in 1915, there could be no set of circumstances imaginable more completely depraved or corrupt or inhumane.

The American Committee on Armenian Atrocities called the genocide, "the greatest, most pathetic, and most arbitrary tragedy in history."

The American Ambassador to Turkey, Henry Morgenthau, Sr., called it a "plan of extermination" in telegrams back to the State Department.

News reports of 1915 quoted eyewitness accounts of the systematic and deliberate nature of the killings of thousands of men, women and children simply because they were Armenian or Christian or both.

On the floor of the House of Lords in London, Lord Crewe brought the attention of the Crown to "wholesale massacre and wholesale deportations" of Armenians carried on under the noise and distraction of another tragedy, the European war we now know as World War I.

As Cicero once noted, "Laws are silent amid the clash of arms." So this was true for the Armenian nation.

The United States was not involved in World War I in 1915, Mr. President, and as the leading neutral nation received numerous appeals to intercede with the Turkish Government on behalf of the Armenians and to provide assistance to the Armenians if possible.

Secretary of State William Jennings Bryan explained our representations and protests as "a matter of humanity." But Ambassador Morgenthau reported no satisfaction from our official protests and appealed for private funds and relief for the Armenians from the injustice, grief, poverty, and starvation; that continued.

The United States and many other countries opened their hearts then, Mr. President, and we must not now close our minds.

We heard excuses then about the needs of the Ottoman Empire, of the requirements of nationalism and of the necessities of development. We have heard these same excuses since then in other contexts—from other states at other times.

But there has never been, nor can there ever be, any acceptable excuse for the systematic murdering of civilian populations.

To know that this has occurred and has been condemned is vital to our determination not to see it happen again or to tolerate any indifference to it.

I salute those of Armenian descent who have worked hard to ensure that the genocide of their people does not fade into historical irrelevance but remains a shocking lesson and horrendous example of the inhumanity of man to man. And I make common cause with them in remembering today the victims of the Armenian genocide and in pledging our every effort to ensure that such a tragedy is never again visited upon any people anywhere on this Earth.

Mr. DECONCINI. Mr. President, today I join my colleagues on Armenian Martyrs' Day in commemorating the 70th anniversary of the beginning of the genocide in the Ottoman Empire. It is a day of remembrance for victims of all genocides, but especially for the nearly 1.5 million Armenians who were mercilessly persecuted for 8 long years between 1915 and 1923.

The senseless persecution and slaughter of Armenians during the outbreak of World War I, resulted in the banishment of thousands more Armenians, scattered into a diaspora, forming a worldwide community who, today, urge all people of good faith and conscience never to forget this tragedy. We must never lend credibility to the all too frequently lamented remark that the Armenian genocide is the "forgotten genocide." Because of the war and the isolationist attitude of the United States, at that time, our Government did not, unfortunately, more forcefully protest the actions of the Ottoman Empire. Sadly, the Armenian genocide was not the last but the first of many—too many—acts of genocide which have been perpetrated in this century. Six million Jews under Hitler, untold numbers of Soviet citizens in the Gulag under Stalin, and countless Cambodians under Pol Pot were also victims of the atrocity of genocide. To remember these victims is to make a statement. It is to say, I will not shut my eyes to the pleas of my brethren, for to stand by is to be an accomplice to a crime as serious as the act of genocide itself. To remember these victims is, most importantly, to move toward a better future, a safer future, for our children and the generations to come.

While I look forward to the future, I am concerned. I am concerned that President Reagan's upcoming trip to Germany, which includes a visit to the Bitburg Cemetery where so many Nazi-SS men are buried, overlooks the fact that when the lesson of history's mistakes is not learned well, history becomes reality once again. President Reagan's visit to Bitburg negates a statement which he himself made in a proclamation for the Days of Remembrance for Victims of the Holocaust on April 22, 1981. He said: "Like the genocide of the Armenians before it, and the geneocide of the Cambodians which followed it—and like too many other people—the lessons of the Holocaust must never be forgotten." Let us not forget and let us not lay a wreath on the graves of those who committed the heinous crime of genocide against innocent people.

It is also a great disappointment to me that the Reagan administration cannot support a resolution, indeed in active lobby against a resolution, which recognizes and condemns man's inhumanity to man. To say that this would harm relations with an ally does not recognize the extent of the atrocity that we gather here today to remember.

The purpose of Armenians Martyrs' Day is just that—to never allow the atrocity of genocide to be forgotten. And so, on this day, I honor those innocent dead. I extend my sincerest sympathy to those Armenians who were victims of ruthless murder, and to their descendants and the descendants of all people who have fallen to genocide. And I pledge that we never will forget.

Mr. METZENBAUM. Mr. President, April 1985 may someday be recorded as the month in which the current administration established an all-time record for callous insensitivity.

April 1985 is the cruel month in which the President of the United States equated the murdered innocents of the Holocaust with the brutal executioners of the Waffen SS.

And it is also the month in which the President opposed a congressional resolution commemorating the terrible massacre in the early years of this century of 1.5 million Armenian men, women, and children at the hands of the Ottoman Turks.

Why is the President opposed to this resolution?

Because, he says, passage of the resolution "might inadvertently encourage or reward terrorist attacks on Turks and Turklish Americans."

And also, says the President, the resolution "could harm relations with an important ally."

That is an outrageous statement.

Yes, there have been terrorist attacks by Armenian extremists against Turkish individuals and installations.

These attacks are insane—they are criminal—and they ill-serve the Armenian cause.

I condemn without equivocation the perpetrators of those atrocities—and so do the leading Armenian-American civic and religious organizations.

But to say that because of these terrorists, we should ignore the historical reality of the Armenian genocide—that is totally unacceptable.

We have in Northern Ireland today groups that are addicted to the politics of the gun and the bomb.

Does that mean that we should ignore or deny the tragic history of Ireland?

Of course it does not.

And it is a disservice to the American people and, in fact, to our Turkish friends to go along for political reasons with the sadly misguided efforts of the Turkish Government to deny a monumental atrocity—but one for which the Turks of today cannot be held accountable.

The President describes Turkey as "an important ally."

But, Mr. President, the Federal Republic of Germany is also an important ally.

And just as we cannot for political reasons deny that today's democratic Federal Republic was built on the ashes of the Third Reich, we cannot diminish, deny or demean the agony, suffering, and death inflicted by Ottoman Turkey upon the Armenian people.

I am very much ashamed, Mr. President, that the leaders of our Government have once again paid more attention to politics and to lobbyists than to the cause of justice and truth. And I hope that the Senate will demonstrate by passing this commemorative resolution that we, at least, respect the memory of the martyrs of Armenia.

COMMEMORATING THE ARMENIAN GENOCIDE

Mr. RIEGLE. Mr. President, today we pay tribute to all the victims of genocide, particularly the 1.5 million Armenians who suffered at the hands of the Turkish authorities. As part of that tribute, today has been designated as a "National Day of Man's Inhumanity to Man." The leadership of my colleague from Michigan, Senator LEVIN and his staff member, Steve Serkaian, in focusing the Senate's attention on this important issue year after year is commendable. For only through commemoration of these victims can we educate the American people about the Armenian experience and prevent history from repeating itself.

This year is particularly significant because it marks the 70th anniversary of the beginning of the genocide perpetrated in the Turkish Ottoman empire between 1915 and 1923. As many of the survivors of the genocide travel to Washington on this day, we join with them in honoring the memory of those who perished.

The genocide began on April 24, 1915, when hundreds of Armenian religious, political and intellectual leaders were rounded up, exiled and eventually murdered in remote places in Anatolia. Within several months, the approximately 250,000 Armenians serving in the Ottoman Army during World War I were disarmed and placed in forced labor battalions where they were either starved or executed. The Armenian people, deprived of their leadership and young able-bodied men, were disarmed under threat of severe punishment, and then deported from every city, town, and village of Asia minor and Turkish minor. The majority of the deportees died on the marches from starvation, disease, and massacre. Approximately 500,000 refugees escaped to the north across the Russian border, south into Arab countries, or to Europe and the United States.

Mr. PELL. Mr. President, this week marks the 71st anniversary of the genocide perpetrated against the Armenian people by the Ottoman Empire during World War I. Today, I am pleased to join Armenians throughout the world in paying tribute to the victims and survivors of this evil crime.

Before World War I, Armenians, a gentle and highly cultured people, demanded only tolerance and freedom from the rulers of the Ottoman Empire. In response, Ottoman rulers launched a coordinated drive to round up and eliminate every Armenian man, woman, and child. In 1915, the empire began deporting Armenians and from that time until the empire collapsed, an estimated 1.5 million Armenians—some 60 percent of the Armenian population—were killed or died of disease or exposure. Today, we honor those courageous individuals who were exterminated for no other reason than that their national heritage was considered alien by those who ruled the Ottoman Empire.

The modern state of Turkey bears no responsibility for the tragic acts committed by the Ottoman Empire against the Armenian people. It should, however, acknowledge that these events took place. Kemal Atataurk did so many years ago when he condemned the massacres of millions by his Ottoman predecessors. The present government should do no less.

The Armenian genocide reminds us that man possesses the pernicious quality of bigotry and the capacity to be cruel. We must never forget the despicable, inhuman treatment suffered by the Armenians at the hands of their fellow men. To do so, as the tragedy of the Holocaust shows, is to invite a repetition of what may be man's most reprehensible crime, genocide.

The way to commemorate the suffering of the Armenian people is to keep the memory of the Armenian genocide alive and to reaffirm our commitment to human life and dig-

nity. The Senate recently took an important and in my view much delayed step toward reaffirming this commitment by approving Genocide Convention. Now we must eliminate the evil of genocide from the heart of mankind so that the victims of the Armenian genocide did not die in vain.

Mr. METZENBAUM. Mr. President, I rise today to recall the systematic execution of more than 1½ million Armenians at the hands of the Ottoman Turks. This first act of genocide in the twentieth century has too often been relegated to the footnotes of history and conveniently forgotten. It is our duty to recognize this horrific act of man's inhumanity to man and once again pledge our Nation's commitment to prevent future crimes of genocide.

On February 19 of this year, the Senate finally voted to ratify the Genocide Convention. In the humane spirit of this action, I believe it is fitting to remember the suffering of the Armenian people.

Between 1915 and 1923, the Ottoman Government sanctioned the murder of over 1.5 million Armenian Christians and drove hundreds of thousands more permanently away from their ancestral homeland under the guise of Pan-Turkism. Entire villages of Armenians were forcibly deported, thousands more peasants were kidnaped and exiled. Many or most of the deportees died of starvation, disease, or exposure. Large portions of the Armenian intelligensia and professional classes were abducted and simply slaughtered.

After the First World War, the Armenians sent a delegation seeking justice to the peace conference at Versailles. However, the great powers gathered there failed to act against those responsible for the Armenian genocide. One hundred and fifty Turks who were among those allegedly involved in the genocide were released unpunished from British jails. No war crimes trials followed World War I. There were no opportunities for the victims of the Armenian genocide to gain some semblance of legal retribution. There was no Nuremburg.

Fortunately, one man, Prof. Raphael Lemkin, championed the cause of the Armenian people. At the International Conference on the Unification of Criminal Law, held in Madrid in 1933, Lemkin proposed "to declare the destruction of racial, religious, or social collectivities" a crime under international law. Raphael Lemkin coined the word "genocide" in 1944 to describe the Nazi Holocaust of World War II. He ceaselessly fought to instill in the human conscience an abhorrence of genocide calling for international participation in the Genocide Convention.

Turkey today, unlike Germany, refuses to admit responsibility for its act of genocide. The Turkish denial needlessly perpetuates bitter animosity on the part of Armenians in the United States and elsewhere. It is time for the Government of Turkey to officially acknowledge its responsibility for its crimes of 1915 to 1923 and publicly apologize to the Armenian people.

We cannot purge history of its ugly chapters. Lessons of terror are just as important as lessons of compassion and valor. An enlightened knowledge of our barbaric past is the only weapon we may bear to prevent future acts of genocide. Should another mad man ask the question, as Hitler did—"who remembers the Armenians?"—we must all be able to answer—"I do."

Mr. SARBANES. Mr. President, 2 months ago the Senate of the United States gave its advice and consent to the International Convention on the Prevention and Punishment of the Crime of Genocide, a document signed by the United States in 1948 and submitted to the Senate the following year. Ratification of the convention after nearly 37 years is a symbol of our commitment to the future; it is also a remembrance of the past, our commemoration of genocide's tragic victims.

Our century, so notable for progress in other ways, has been profoundly scarred by genocide, a crime of such magnitude that it is difficult to grasp its dimensions or determine precisely the number of its victims. Indeed, the word genocide is itself a mid-twentieth-century word, coined in an effort to come to terms with the tragedy of deliberate mass extermination.

We do not live in the past, but we cannot live without it. To ignore or forget the past is to remain its captive; remembrance and understanding are the means of coming to grips with its legacy.

That is why we take time today to mark the appalling, systematic assault committed 71 years ago against the Armenian people. The Armenian massacres, as they were called, uprooted an entire nation, deliberately eliminated its leaders and intellectuals and left the survivors homeless, scattering them around the world. One and one-half million persons are estimated to have perished in a train of events of which the then-U.S. Ambassador, Henry Morgenthau, wrote:

"I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915."

This day has special meaning for Armenians everywhere. Having lived with tragedy—few families were unaffected by it—they are committed to the proposition that their experience has meaning for all of us. And indeed, in the face of such tragedy remembrance and understanding are universal imperatives, essential to decent people and decept societies; they cannot be the special province only of the survivors.

Americans of Armenian descent, who have distinguished themselves in every aspect of our national life, have at the same time kept alive the rich traditions of their unique heritage. Consider the story of Dr. Vartan Gregorian, President of the New York Public Library, who came to this country in 1956 in search of an education because, in the words of a recent profile by Philip Hamburger.

"Some instinct told him that America was the place for him."

In my own State of Maryland, Armenian Americans play a vital role in our pluralistic and democratic society, and their contributions to our cultural, social, political and economic life are varied and unique.

We join our Armenian American friends, neighbors and colleagues in marking this day. The Armenian tragedy has meaning for all of us. As citizens of a free nation, founded on the ideals of human dignity and freedom, we commemorate the Armenian genocide to pay tribute to the memory of its victims, and above all to reaffirm our own determination to see that so terrible a crime shall never be repeated.

We still do not have justice. We still have a situation in which an accounting has not been made, and we must maintain the pressure until it is made. I intend to be part of the effort to continue that struggle until, finally, justice is done.

THE ARMENIAN TRAGEDY

Mr. JACKSON. Mr. President, I want to join my colleagues today in honoring the concern of the Armenian people who suffered the tragedy of mass destruction between 1915–1923.

The terrible events of those years testified to the fact that modern societies and governments can be a mask for ancient brutalities. This truth helps explain the strong interest of the American people in human rights on a worldwide basis. It underpinned the spirited campaign of Eleanor Roosevelt and the American Government for the adoption by the U.N. General Assembly of the 1948 Universal Declaration of Human Rights. It was influential in the decision by the U.S. Holocaust Memorial Council, of which I am a member, to give the Armenian catastrophe a place of prominence in the projected Holocaust Museum to be built here in Washington on the Mall.

The story of the Armenian tragedy should not be buried and forgotten. It should be told. It should be told, like others that have followed it, not to stir up division, but to encourage reconciliation; not just to recall the suffering of the past, but to strengthen the commitment to standards for today and tomorrow which exclude racism and genocide.

Mr. BOSCHWITZ. Mr. President, I rise today to join a number of my Senate colleagues in paying tribute and recognition to the 68th anniversary of Armenian Martyrs Day. At about this time every year we take time to honor the memory of the 1.5 million Armenians who perished during the years 1915–1923 at the hands of the Ottoman Turkish Empire.

Near the close of the 19th century, the Armenian population of the Ottoman Empire became the target of increased persecution by the government. This persecution reached truly gruesome proportions during the 1915–1923 period and serves as yet another tragic reminder of how cruel human beings can sometimes be to one another.

Mr. President, I am very pleased that the U.S. Holocaust Memorial Council, of which I am a member, has unanimously resolved to include the Armenian genocide in its museum and educational programs. The reason why was stated eloquently by council chairman Elie Wiesel in 1981:

"Before the planning of the final solution, Hitler asked, 'Who remembers the Armenians?' He was right. No one remembered them, as no one remembers the Jews. Rejected by everyone, they felt expelled from history."

We were wise in establishing the Holocaust Memorial Council to commemorate the suffering of the Jewish people under the Nazi regime, and we are also wise to remember the persecution of the Armenians. After all, the same evil instinct in the human spirit which was responsible for the Jewish Holocaust was also at work in the case of the Armenians and more recently in Cambodia.

Mr. President, if we continually remind ourselves of these events perhaps we can prevent future holocausts. In this sense, Armenian Martyrs Day is both a commemoration and a warning. I therefore offer my thanks to my colleagues, Senator RIEGLE and Senator LEVIN, for organizing this special order in the Senate.

Mr. WILSON. Mr. President, I am pleased to join my distinguished colleague from Michigan in sponsoring a resolution which recognizes the terrible fate of over 1.5 million Armenians. Though this tragedy oc-

curred over 65 years ago, it is important to recognize that history cannot be rewritten or forgotten. To this end, I join Senator LEVIN in offering this resolution.

Mr. President, I would also ask unanimous consent that a statement on this issue by the Honorable Governor of California, George Deukmejian, be printed in the RECORD. Governor Deukmejian is the Nation's first Governor of Armenian descent. His remarks, which appeared in the Sunday, April 24, edition of the Los Angeles Times, reflect the concern which members of the Armenian community share about the recognition of this horrible demonstration of inhumanity.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"OUR DEBT TO THE PAST WILL SECURE OUR FUTURE

"(By George Deukmejian)

"The observance of Armenian Martyrs Day has always been a deeply moving experience for me. This year it has new meaning. I know that I would not be here at today's observance as governor of the nation's most populous state if it were not for this great country—the land of hope, freedom and opportunity for so many, regardless of their background. President Theodore Roosevelt expressed it very well when he said: 'America is not a matter of birthplace or creed or line of descent. America is a matter of principle, of idealism, of character.'

"We can be thankful that, for us, America is the free and beautiful homeland that our parents, grandparents, brothers and sisters only dreamed of. It was a dream for which many of our loved ones died. They suffered so that we could have the opportunity to provide a future of hope and prosperity for ourselves and our children.

"And so I urge all Americans of Armenian descent: As we share the painful memories that bring us together today, let us remember how fortunate we are to live in this land and to have a place we can call home.

"Much of the world's population is not so fortunate, including millions of Armenians who still live under oppression and discrimination. It is for them, as much as for the victims of unspeakable atrocities, that we gather and pray today.

"As Armenian-Americans, we share many strong bonds of pride. But we also share bonds of pain. Few of our families escaped murder, violence and terror that marked one of history's darkest chapters. We hurt together, we cry together and yes, we are angry that, year after year, decade after decade, the wrongs inflicted upon our people have gone unanswered and largely ignored.

"But tears and anger alone accomplish nothing. Instead, it is our duty to share the lessons of our painful past with a world that seems to have learned little about common human decency.

"Let's remember that we are hardly alone in our suffering. Violence in many forms has become a part of the daily diet of most of mankind. How many Americans have been victimized by criminals? How many millions of people around the world live under the constant threat of death or imprisonment simply because they seek freedom, self-determination and a homeland they can call their own?

"To be free from violence and the fear of violence is a basic human right, and I consider it the first responsibility of government. That is why restoring public safety here in California has been the central concern of my public life and is my top priority as governor.

"Yet throughout this century, beginning with the planned murder of 1.5 million Armenians, it has been government that has committed the worst crimes of violence and the worst violations of basic human rights.

"That is why we must never lower our voices—as individuals or as a nation—in support of people around the world who are struggling to break the yoke of totalitarianism and violence. We must never lower our guard against potential enemies, both foreign and domestic, who would infringe on our own precious gifts of freedom and democracy.

"We are often asked why we are so insistent on calling attention to atrocities that occurred many years ago. Why do we bring upon ourselves the pain of recalling the loss of families and friends and homes?

"The answer is very simple. If the decent, humane people of this world don't remember, you can be sure that the tyrants will—and history will go on repeating itself, just as it has in recent years in Cambodia, Iran, Poland and Afghanistan.

"Who can ignore the chilling words of Adolf Hitler, who felt he could get away with the elimination of Polish Jews during World War II because, as he put it, 'Who still talks nowadays of the extermination of Armenians?'

"It is with both profound sorrow and a sense of pride that I, as governor of California, have issued a proclamation designating today as a state Day of Remembrance. Let us mark this observance not only by memorializing the loved ones we have lost, but also by rededicating ourselves to the ideal for which they persevered: the right of all people to live and work and raise their children in peace and freedom."

(Mr. REID assumed the Chair.)

Mr. DOLE. Mr. President, I would also at this time like to give you some headlines from stories that appeared in the New York Times, a fairly credible newspaper. I do not always agree with it philosophically, but these were news reports, news reports from around the world, news reports from Turkey at the time of the genocide. And let me refer to some of those.

These are not anything this Senator compiled. They are public records.

The New York Times, September 17, 1915: "Mission Board Told of Turkish Horrors."

September 17: "The Death of Armenia."

September 18: "Several American Missionaries Dead."

September 21: "Bryce Asks United States To Aid Armenia."

September 24: "500,000 Armenians Said To Have Perished."

November 25: "Extermination Menaces Armenia."

September 29: "Armenian Women Put Up at Auction." "800,000 Armenians Counted Destroyed." "Already Has 75 Fundraisers for Armenians." "Spare Armenians, Pope Asks Sultan." "Turkish Official Denies Attrocities." "Thousands Protest Armenian Murders." "Only 200,000 Armenians Now Left in Turkey." "Aid for Armenians Blocked by Turkey." "American's Death Laid to Turks."

"Turks Wipe Out Entire Population in Town on the Black Sea." "Armenians Heroic Stand in Mountains." "A Million Armenians Killed or in Exile. Some Armenians Drowned in Groups."

This is how they killed them.

"Armenian Tells of Death Pilgrimage." "Armenian Girls Tell of Massacres." "Still Murder Armenians." "Saw Turkish Atrocities."

They are all news stories in the New York Times.

I have not seen anybody refute any of these.

"Whole Plain Strewn with Armenian Bodies." "Allies to Punish Turks Who Murder." "Wholesale Massacre of Armenians by Turks." "Turks Depopulate Towns of Armenia." "Reports Turks Shot Women and Children." "Armenians Are Sent To Perish in the Desert."

You get out your map; you can see where they were taken.

"Burned 1,000 Armenians." "One and a Half Million Armenians Starved."

Again, take it or leave it.

You know, there was a triumvirate in Turkey of Talaat, Djemal and Enver, and this was a ciphered telegram sent by Enver, who was High Command Minister of War, from the War Office, sent to all the commanding officers of the army, February 27, 1918.

In view of present circumstances, the Imperial Government has issued an order for the extermination of the whole Armenian race. The following operation ought to be made with regard to them. All the Armenians in the country or Ottoman subjects from 5 years of age upwards will be taken out of the towns and slaughtered.

All the Armenians serving in the Imperial armies are to be separated from the divisions without making any disturbance, taken into the solitary places away from the public eye, and shot.

Armenian officers in the army are to be imprisoned in the barracks belonging to their regiment until further orders. Forty-eight hours after these three orders are communicated to the commanders of each regiment, a special order will be issued for their execution.

You are not to take any other operation except those indispensable for the execution of these orders.

Representatives of the High Command, Minister of War, Mr. Enver, who was leader of the Young Turk movement which came to power in 1909. As Minister of War and codictator of Turkey with Talot and Jermal, he was the principal author of the plan to exterminate Armenians.

We have had reference to statements by our Ambassador in Turkey, an honorable man, Mr. Morgenthau. In 1915, July 16, he sent the following telegram.

Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in

progress under a pretext of reprisal against rebellion.

Protests as well as threats are unveiling and probably incite the Ottoman Government, not the Republic of Turkey, to do more tragic measures. They are determined to display responsibility for absolute disregard for capitulations. And I believe nothing short of actual force, which obviously the United States is not in position to exert, would adequately meet the situation.

Suggest you inform the belligerent nations and missions boards of this.

Signed by the U.S. Mission Ambassador Morgenthau. He was Ambassador from 1914 to 1916.

We have already seen what Hitler had to say. I think it was quoted yesterday by the distinguished Senator from Illinois. He talked about his strength. He said it did not matter to him what anybody else said about him in the West. He said:

I issued the command and anyone who utters one word of criticism is going to be executed by the firing squad.

He said in conclusion:

Who after all speaks today of the annihilation of Armenians? I have not seen that refuted. I have not seen any evidence.

This is Adolf Hitler speaking, not really a guy you want living next door.

What did the Ottoman Minister of the Interior have to say? He was sort of in charge. He was sort of head of this triumvirate. January 15, the Government of Allepo—that happens to be Syria. That is where they were driving all these people. January 15, 1916:

We hear that certain orphanages which have been opened receive also the children of Armenians. Whether this is done through ignorance of real purpose or through contempt of it, the government will regard the feeding of such children or any attempt to prolong their lives as acts entirely opposed to its purpose, since it considers the survival of these children as detrimental.

Starve the children. Starve the children.

I recommend that such children shall not be received into the orphanages and no attempts are to be made to establish special orphanages for them.

Minister of the Interior Talant

Another order, earlier, September 16, 1915.

It was first communicated to you that the government, by order of Djemal, I think it had committed, had decided to destroy completely all Armenians living in Turkey. Those who oppose this order and decision cannot remain on the official staff of the Empire. An end must be put to their existence, however criminal these measures taken may be, and no regard must be paid to either age or sex or to conscientious scruples.

Again, that was an instruction of the Government of Allepo from the Minister of the Interior, who in effect was in charge of this destruction of the Armenian race, the Armenian people.

Now again it seems to me that somebody from the Turkish Embassy or someone who may be representing Turkey could tell us that all these stories are false, all these stories that appeared in the New York Times—and there are similar articles in the Los Angeles papers and Washington papers. These are from only one paper at the time, the New York Times. Let me make certain nobody misunderstands. I am not saying everything that is printed is accurate. I read a lot of inaccurate stories. Some even have my name in them. So I know there are a lot of inaccurate stories.

But is anybody going to stand up and refute the content of these stories: "Wholesale Massacres"; "Turks Depopulate Towns in Armenia"; "Turks Starve Children"; "Women Are Sold at Auction"? When are we going to get down to the business of refuting what appears to be overwhelming evidence that there was a deliberate attempt to wipe out a race, the Armenian Christians?

Let me confess that I never paid much attention to this tragedy until I met an Armenian doctor in Chicago after World War II.

He did not dwell on the genocide. He dwelled on healing me. But he did indicate he was born in Turkey and members of his family were victims of the genocide. I never paid much attention to it at the time. I was trying to get out of the Army and get well, and he was operating on me a number of times, but I sort of kept that in the back of my mind.

I must confess, even after I came to Congress, I never focused much on what was called the Armenian genocide. But I guess the longer I was around, the more I saw other Senators stand up and speak about it, I must confess I guess my personal relationship with Dr. Kelikian may have had an impact, but it was not anything that sort of drove me to this position. But I heard other Senators, Republicans and Democrats, stand up on this floor condemning this atrocity. So one day I made a speech and I pointed out what little I knew about it then.

It just seems to me that here we have a commemorative resolution where the principals and the people in the Ottoman Empire are right or wrong. Now, if somebody can refute all of this evidence, go ahead. But I think we pretty much proved our case beyond a reasonable doubt.

I have some other material that I want to put in the RECORD briefly because I think this is an important debate, an important resolution. It is important for Senators and members of their staffs, who may not be able to come to the floor now, to know precisely what evidence we are producing. If we cannot make our case, no one should vote for the resolution. Let them open up the archives. As I said yesterday, you open up most archives in 50 years. These have not been opened yet, and it is going to be 75 years come April 24. How long do you wait? People say let history be the judge. Well, we have waited, and history has been the judge. We put in the RECORD yesterday the resolution passed by the European Parliament. They made a finding that it was genocide. We do not do that in the language that I will offer as a substitute.

Let me refer again to what the late Senator Scoop Jackson had to say on February 27, 1983.

I want to join my colleagues today in honoring the concern of the Armenian people who suffered the tragedy of mass destruction between 1915-1923.

He said in his conclusion:

The story of the Armenian tragedy should not be buried and forgotten. It should be told. It should be told, like others that have followed it, not to stir up division, but to encourage reconciliation; not just to recall the suffering of the past, but to strengthen the commitment to standards for today and tomorrow which, exclude racism and genocide.

And I think Senator Jackson, in fact I know Senator Jackson spoke for a number of Senators in that statement.

I have included in the RECORD or have asked permission to include in the RECORD statements by Senators who have spoken on the issue in April 1983, April 1985, April 1986, and April 1987. I think, as I made a rough count, it was 26 or 27 different Senators who made statements on the Armenian genocide, eloquent statements by Senator SPECTER and Senator LAUTENBERG, Senator GLENN, Senator METZENBAUM, Senator BRADLEY, and many, many others.

Mr. DOLE. I have already made reference to the Hitler quote. Some say, well, it never happened. Well, it can be found in the British archives, documents on British foreign policy, third series, volume vii, 1939, page 257 and the New York Times, November 24, 1945, edition.

We had yesterday, and I will include additional material in the RECORD, statements by Ataturk and his acknowledgment of the genocide. The other side said, "Oh, it is nothing but a Swiss journalist's fabrication." But there is another news source, the memoirs of a future Turkish Prime Minister, Rauf Orbay.

I ask unanimous consent that the quote be printed in the RECORD at the appropriate point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MUSTAFA KEMAL'S (ATATURK'S) ACKNOWLEDGMENTS OF THE GENOCIDE

Issue: The founder of the modern Republic of Turkey acknowledged the prior government's massacres several times. Resolution opponents may claim that the best known quote is a fabrication of a Swiss journalist, Hildebrand, but another (new) source is the memoirs of a future Turkish Prime Minister, Rauf Orbay.

POINTS AND AUTHORITIES

1. In a June 1926 interview with Swiss journalist Emile Hildebrand, Ataturk said that the responsible Young Turk government "should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse from their homes and massacred." Los Angeles Examiner 8/1/26. Opponents now claim the quote is a fabrication because Turkish records and Ataturk's diary do not record the interview, but the Turkish government and Ataturk did not dispute the quote when published. On the other hand, when a small U.S. paper published an account alleging that Ataturk was a sexual deviate, the Turkish government vigorously pursued the State Department to punish the writer and newspaper.

a. The memoirs of Rauf Orbay, future Turkish Prime Minister and Ataturk's close colleague, report that in 1919 Ataturk acknowledged to U.S. General Harbard "the massacre by the Turks of 800,000 Armenians". In March 1919 the Ministry of Interior had compiled the figure of 800,000 deaths.

b. In May 1988, a Turkish newspaper reported the following Ataturk quote from his April 24, 1920 address to the Grand National Assembly: "the massacres of the Armenians are a scandal that belongs to the past." 2000 e dogru No. 23 May 9—June 4, 1988, edition; other sources are Sacak January 1987; and "Ataturk's Speeches and Statements" vol. I (Institute for the Study of the History of the Turkish Revolution).

c. Finally, in a November 1918 interview with Maurice Prax, published in Petit Parisien Ataturk complained that the Allies were delaying in hanging the leaders of the Young Turk party (the Committee of Union and Progress;) including, Enver, Talaat, and Jemal Pasha. These men were the architects of the Genocide.

Mr. DOLE. I have touched on the scholars.

I did not mention Leslie Davis, but I will mention Leslie Davis now. Leslie Davis was United States counsel to the Interior of Turkey when the United States was neutral in World War I, between 1915 and 1917. He said he witnessed the extermination of over 100,000 Armenians in his province. His firsthand account is yet another irrefutable source on the genocide and has been published with the title he coined, "The Slaughterhouse Province."

The Slaughterhouse Province is remarkable for several reasons. The body of the book consists of a previously confidential report by the U.S. Consul, Leslie Davis, to the interior of Turkey during the Genocide. Davis actually witnessed the Armenians being taken from their homes to be killed. He also rode horseback to the sites where people were slaughtered to see the bodies. His testimony explicitly refutes claims that the government did not order the massacres as well as claims that only Armenians fomenting rebellion were killed. Government officials asked him to sign a statement on Armenian insurrection, but when Davis asked for substantiation, the officials had only twelve cases (out of over 100,000 deaths in his province) of Armenians resisting the massacres and "only four or five instances where any Turks had been killed or even injured by Armenians." (72-75).

I ask unanimous consent to have printed in the RECORD a brief statement from the book review on mass killing of Armenians which appeared in the New York Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 15, 1989]

KILLING OF ARMENIANS

A small publisher in New Rochelle, N.Y. is shipping copies of a book that could play a role in the debate over American foreign and domestic policy. The book is entitled "The Slaughterhouse Province: An American Diplomat's Report on the Armenian Genocide, 1915-1917" (Aristide D. Caratzas Publisher). It is said to be the first published eyewitness report by a diplomat about the killing of hundreds of thousands of Armenians who lived in the Ottoman Turkish Empire.

Last month, the Senate Judiciary Committee approved a resolution designating April 24, 1990, as a day of remembrance "of the Armenian Genocide of 1915-1923" at the hands of the Ottoman Turks. The resolution, now before the full Senate, is opposed by the Bush Administration and others on the ground that it could jeopardize relations with Turkey.

The eyewitness report—by Leslie A. Davis, the United States consul in eastern Asia Minor—was uncovered in the National Archives by Susan K. Blair, a historian and editor. Ms. Blair has written a 35-page introduction to the book, and in her acknowledgements she says that she was guided and encouraged by Barbara Tuchman, the Pulitzer Prize-winning historian, whose grandfather, Henry Morgenthau, Sr., was the United States Ambassador to the Ottoman Empire at this time.

Mr. Davis submitted his report to the State Department for internal use, and it was classified as confidential. The full text of that report is in the book, as well as copies of Mr. Davis's consular dispatches to the United States Embassy in Constantinople, his photographs of victims and his letters to Mr. Morgenthau. In one of those letters, Mr. Davis—who retired from the foreign service in 1941, at age 65, after having also served in Russia, Portugal and Scotland—says the punishment inflicted upon the Armenians "is so severe, the tragedy is so terrible, that one cannot contemplate it and certainly cannot live in the midst of it without beign stirred to the depths of one's nature."

Daryal Batibay, deputy chief of mission at the Turkish Embassy, said he had not seen the book. But he added that during World War I, "there was an armed insurrection by Armenian groups within the Ottoman Empire against their state, supported by Czarist Russia," the country with which the Ottoman Empire was at war. "There was large-scale suffering on both sides, Turks and Armenians alike," he said, "but there was no genocide."

Mr. DOLE. Mr. President, I understand the distinguished Senator from Arizona wishes to speak. Maybe the Senator from Illinois, also. I am speaking under the consent agreement of the distinguished President pro tempore. Would there be any objection to my yielding to the Senator from Arizona?

Mr. BYRD. Mr. President, I have promised the Senator from Nebraska that I would yield to him after the distinguished Republican leader completes his statement, and I have seen another Senator on the floor that I intend to yield to. I will be happy to yield to Mr. DECONCINI at some point whenever the distinguished Republican leader finishes his statement. Certainly, I am not pressing him to hurry to complete it by any means. But I have promised Mr. EXON some time.

Mr. DOLE. Mr. President, if the Senator from West Virginia will yield, I do not want to keep others here. They have other things to do. I will yield at this point and maybe at a later time, after everybody else has spoken and there are no other speakers, then maybe I can regain the floor and not have my remarks interrupted. I will try to join them together later on, if that is satisfactory.

Mr. BYRD. Yes, Absolutely. Mr. President, may I say to the Republican leader, he may speak as long as he wishes, right now. But, certainly he has the right to get the floor later and continue his speech and have it all put together in the CONGRESSIONAL RECORD and not show any interruptions.

Mr. DOLE. I do want to defer to my colleagues who have been waiting, but I would not want to be called for making a second speech, if I do that.

Mr. BYRD. Mr. President, there will be no intention on my part to attempt to charge the distinguished Republican leader with a second speech.

Mr. DOLE. Mr. President, I yield the floor.

Mr. BYRD. I have guarded against that myself earlier today, asking consent that my own speech of the day not constitute a second speech, because I spoke on the calendar of the day on yesterday.

But when the distinguished Republican leader completes his speech I do want to return to my statement and I will yield at this time to Mr. EXON.

The PRESIDING OFFICER. The Senator has yielded the floor. The Senator from West Virginia under the previous order is now recognized.

Mr. BYRD. Very well, Mr. President. Before I yield to Mr. EXON and while the distinguished Republican leader is on the floor, I have listened with great interest to his comments. And what I say in regard to the New York Times' stories, as the distinguished Republican leader pointed out, is not meant to denigrate either the stories or what the distinguished Republican leader is saying.

But, I shall say, and I will say it in what I hope is the right spirit: The distinguished Republican leader, in demonstrating what happened in those years as—Mr. President, may there be order in the Senate? There is plenty of room on the couches for our

aides to sit, so they will not be conversing while some of us are trying to make a coherent statement. The distinguished Republican leader points out these stories. We do not argue with those. I do not argue with those.

So, I have to say that his stories miss the point. I, and others, have accepted as a fact that there were thousands and thousands and thousands of Armenians who were murdered, many, many years ago, some of which years were before I was born.

I was born during the First World War in the administration of President Wilson, 1917. So, some of these atrocities occurred before I was born. And they occurred before a great many others who are Members of this body were born.

So, we accept that. I have not argued, and I do not think anyone who has spoken on my side of the question has argued, that there were not atrocities. We have accepted that. We have conceded that.

But that is not the point. The point is that the determination is of the commission of a crime called genocide, which is a serious crime, and the Senate is not in a position to make that determination.

That determination is not to be made in this body. We have not conducted hearings. We have not conducted investigations. We do not have the records before us. We are politicians. We are not historians. And we should not put ourselves in the position of making the Senate an instrument of determination of what is genocide and what is not genocide and what race or what nation now or in the far distant past committed the inexplicably horrific crime of genocide. That is the point and I hope that Senators will keep their eyes on that ball.

So, with all due respect to my friend—and he makes a very impressive case here, it touches all of us—but, having said that: It is beside the point. The point, as I say, being that we approved the ratification of the Genocide Convention. And we passed implementing legislation. We created the instrument and the road map whereby guidance should be given in the determination of what constitutes genocide and what nation or race is guilty of it.

The Senate is in no position to do that. We are politicians. We are not historians. Some of us try to be scholars of history. I think we all try to be scholars of history. There are no historians in this body that I know of. And, if there are, they have not studied the records which need to be opened and studied and evaluated before any such criminal determination can be made.

Mr. President, I restate: The Senate cannot and should not conduct a genocide trial against the country of Turkey. That is what we are trying to do here today. We do not have the equipment. We are not equipped ourselves to do it. We are not qualified to do it, and it is a political decision that should not be made. That is what it would be, it would be a political decision.

Mr. President, I yield to the distinguished Senator from Nebraska, Mr. EXON, for such time as he may consume.

I ask I be permitted to resume the floor once he has yielded it and that my resumption of the floor not constitute a second speech and that my speech in the RECORD not show an interruption by virtue of my yielding to him.

Mr. DECONCINI. Will the leader yield before the request is granted? I am sorry to impose on the leader but I wonder if it is possible, assuming the Senator from Nebraska is finished before the hour of 5 o'clock, if I might have 5 minutes on this matter?

Mr. BYRD. Absolutely. I ask unanimous consent that following the statement of the distinguished Senator from Nebraska [Mr. EXON] I may yield, then under the same terms and circumstances, to the distinguished Senator from Arizona.

Mr. DECONCINI. I thank the President pro tempore.

I think, really, the Senator from Illinois was here even before I was. I would be glad to wait, if the President pro tempore would give him 5 minutes ahead of me?

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I will be happy to yield under the same terms and circumstances to the distinguished Senator from Illinois.

Mr. SIMON. I think, in fairness to my colleague from Arizona who does want to get out of here by 5 for sure, I would yield to him and then, if I could have 7 or 8 minutes after that I would appreciate it.

Mr. BYRD. Mr. President, I will do the yielding, with all due respects, because I have the floor. I will be happy to yield to either one of the two, Senator DECONCINI or the Senator from Illinois, following the Senator from Nebraska.

May I say I do not intend to hold the floor all day long but I have a speech here that is 59 pages in length and I have only delivered 10 pages of it.

Mr. LEVIN. While the President pro tempore is interrupting that speech for others, I wonder if he might add me to that?

Mr. BYRD. Yes. Mr. President, under the same terms and circumstances, I add the Senator from Michigan [Mr. LEVIN].

Mr. DECONCINI. I will thank the President pro tempore.

The PRESIDING OFFICER. The Seantor from West Virginia has propounded a unanimous-consent request. Is there objection? Hearing none, that will be the order.

The Senator from Nebraska is recognized.

Mr. EXON. I thank the Chair, and I thank my friend and colleague from West Virginia, the former distinguished majority leader, now President pro tempore of the U.S. Senate.

Mr. President, I rise to oppose Senate Joint Resolution 212, and I will be as brief as I can to make the remarks that I would like to make.

I listened with great interest to the very interesting presentation made by the Senate minority leader. I listened very intently because he was giving us some information that happened 70 or 80 years ago, sometime in that timeframe. As I listened to him, I felt in that tragedy that things like this happen, but I must agree with my colleague from West Virginia that as bad as that is, and it was a terrible tragedy, it is beside the point with what we are attempting to do if Senate Joint Resolution 212 becomes law.

I suspect this terrible tale of tragedy has been repeated throughout history on many occasions. While I feel badly about that, I hope that no one will accuse the Senator from Nebraska of being a supporter of genocide if I vote against this resolution.

I am reading from a note that was on my desk explaining some of the major issues pro and con on this particular resolution. Under the pro issues is listed this phrase: "Passing the resolution would not endanger U.S. national security interests nor should it endanger U.S. relations with Turkey. The resolution concerns the Ottoman Empire, not the Republic of Turkey."

I hope none of the Members will see fit to vote for this resolution if they believe that statement, because I think that statement is grossly erroneous and is the heart and soul of the reason that I will oppose Senate Joint Resolution 212.

Mr. President, I do not know whether genocide occurred 70 or 80 years ago or not. That is one of the issues that has been talked about a great deal here, but it is an issue I believe the U.S. Senate, with the current information that we have, is not in a position to make a determination as to whether or not this was genocide. But even all that aside, Mr. President, somewhere along the line the U.S. Senate must recognize what its current responsibilities are. I repeat, Mr. President, what its current responsibilities are.

The phrase that I just read from the proposition on this resolution I think is totally false. If this resolution passes, from what I have been able to ascertain, and I talked to many people about this in whom I have a great deal of confidence, including my colleague

and friend from West Virginia, if this resolution passes, it is going to be to the detriment of the national security interests of the United States now. I do not know whether it would have been detrimental to the national security interests of the United States 80 years ago or not, but let us talk about now, and let us talk about the future.

There is not any question that the Republic of Turkey is strongly opposed, without equivocation, to any type of a resolution such as this, even if it were further "watered down."

I do not know all of the reasons that the Republic of Turkey is opposed to this, but I think it is safe to say that they would consider this an affront to a very important military ally of the United States, the Republic of Turkey.

The Republic of Turkey, I hope all know and understand, is a member of NATO. I suspect that with the recent development in Europe, with the decline and the tearing down of the Berlin Wall, with what appears to be a significant victory that we have obtained over at least the satellite nations of the Soviet Union, I think most people would agree while we hope it is not true, that very likely the next hot spot, as far as international tensions are concerned, will be in Southwest Asia. And there is Turkey, in a particularly strategic position, a key military ally of the United States, a member of NATO. Is it in the security interests of the United States to chance the displeasure of an important military ally as we look down the road to what we might be confronting in the future?

Mr. President, I simply say that at best this is the wrong time and the wrong place for the U.S. Senate to be spending its time on this particular matter.

Let me just sum up, if I might, Mr. President, by saying I think that while this amendment is not intended as such, this is a mischievous resolution, mischievous in about every way that you could imagine, if you look at what is in the national security interests of the United States. It is mischievous because I think few of us fully understand what is the motivation behind this resolution. I suspect you could dismiss that and say the motivation is that if genocide happened last year, or 80 years ago, why should not the U.S. Senate jump in and say that was a bad thing to do?

As the Senator from West Virginia has clearly indicated, we do not know for sure what happened. If for no other reason, that should give us pause to having a chance of this passing the U.S. Senate. So I simply say, Mr. President, I cannot think of a better word than "mischievous," and I think that is putting it mildly, which is a key point that I make. It is mischievous from a whole series of areas. Most important, it is probably an understatement, but I think it is extremely mischievous from the standpoint of the national security interests of the free world.

I hope that my colleagues will consider this very carefully before they vote to support Senate Joint Resolution 212. I thank the Chair. I thank my friend from West Virginia, and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona is recognized for 5 minutes.

Mr. DECONCINI. I thank the Chair and I thank my friend from West Virginia. I am pleased to have the opportunity to speak for a few minutes today on Senator DOLE's resolution commemorating the 75th anniversary of the tragic genocide of the Armenians by the Government of the Ottoman Empire between 1915 and 1923.

During these years hundreds of thousands of Armenians were systematically killed by a government which opposed their political views and their religion. It is an event which has been heatedly debated over the years and subjected to many unfortunate and confusing claims and counterclaims.

Historians may argue, yet they cannot deny the facts. In a time of chaos, social strife, and political upheaval, the Government of the Ottoman Empire—the "sick man of Europe"—was crumbling. It had overestimated its ability to control the territories it had conquered. The Empire was breaking up, but still it tried desperately to cling to its holdings in Eastern Europe. This was the historical context in which the Ottoman Government allowed the killing of thousands—perhaps even 1.5 million—Armenian men, women, and children in and around their villages between the Black and Caspian Seas. They were herded together and forced to march into exile in Syria. These poor Christians were left without food, water, or shelter. They were left defenseless during their long march before lawless gangs. Also, during this difficult time of global war, thousands of Turks and others under the umbrella of the Ottoman Empire also lost their lives.

The Ottoman Government had a long history of religious and ethnic hatred of the Armenians. As we have recently witnessed in Soviet Armenia and Azerbaijan, as well as other places too numerous to mention, these instances of religious and ethnic animosity continue to this day.

One of the most quoted documents from that time of turmoil is the telegram sent by the U.S. Ambassador to the Ottoman Government, Henry Morgenthau, to the Secretary of State on July 16, 1915. It states:

> Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against a rebellion. Protests as well as threats are unavailing and probably incite the Ottoman government to more drastic measures as they are determined to disclaim responsibility for their absolute disregard of capitulations and I believe nothing short of actual force which obviously United States are not in a position to exert would adequately meet the situation. Suggest you inform belligerent nations and mission boards of this.

Beginning in 1915 and continuing for the next 8 years, a campaign of violence and fear was carried out in Armenia and other parts of the Ottoman Empire. The violence was so intense that on May 11, 1920, our predecessors in this body, after hearings by the Senate Subcommittee on Foreign Relations, passed Senate Resolution 359, a resolution condemning the massacre of the Armenian people.

At that time, the term "genocide" did not exist. It was not until 1946 that Raphael Lemkin coined the term "genocide" in reaction to both the Holocaust in Germany as well as the events in Armenia. Eli Weisel, the U.S. Holocaust Memorial Council Chairman, has spoken out about the massacre of the Armenians and the Board of the Holocaust Memorial here in Washington has determined that the genocide of the Armenians should also be commemorated as part of that special museum.

In the past, the House and Senate have considered and passed resolutions commemorating the tragic events in Armenia and elsewhere. On April 8, 1975, a resolution on the Armenian genocide introduced by Congressman Helstoski and Congressman Tip O'Neill was passed under suspension of the House rules by a vote of 332 to 55. Then, on September 10, 1984, a nearly identical resolution was passed by the House under suspension by a voice vote.

In the 98th Congress, I was a cosponsor of another Armenian resolution. Senate Resolution 241, introduced by Senator LEVIN on October 7, 1983, expressed the sense of the Senate that the foreign policy of the United States should take into account the genocide of the Armenian people. That resolution was reported by the Senate Foreign Relations Committee and was placed on the Senate Calendar, but was never considered by the full Senate.

In addition to the Senate resolution passed 70 years ago, the Congress each year has passed a resolution calling for a day of remembrance for the victims of the Holocaust. At that ceremony in the Capitol Rotunda, we pledge "never to forget" the Holocaust of the Jews. It was also at that ceremony in 1981 that Eli Wiesel pledged to remember the Armenians because he knows that "no one remembered the Jews." As he stated on that day, "Rejected by ev-

eryone, they felt expelled from history."

Congress has not been the only branch of government which has spoken with a strong voice on this issue. Presidents from Benjamin Harrison to Ronald Reagan, including William Howard Taft, Woodrow Wilson, Warren G. Harding, Herbert Hoover, and Jimmy Carter have issued statements and proclamations deploring the loss of life under the Ottoman Government. As former President Reagan said so eloquently,

> Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten.

I have spoken on at least two occasions with the Turkish Ambassador and I have assured him that my strong support for Turkey will continue. My intention in supporting this resolution is not to embarrass the Turkish people, or harm our relationship. I sincerely hope that this will not occur.

But we have to look history square in the face if we do not want to repeat the tragic mistakes of the past. The German Government of Conrad Adenauer had to face the facts of the Holocaust under the Nazi government and say "never again." The United States had to face that racial injustices it had perpetuated for most of its history before it could enact civil rights legislation.

Should we make an exception for past human rights abuses that occurred under the Ottoman Empire? I say we should not.

In conclusion, I would like to note that this resolution is supported by the American Hebrew Congregation and the Churches for Middle East Peace, a coalition of churches including the American Baptist Churches, U.S.A., the Episcopal Church, the Presbyterian Church (U.S.A.), and the National Council of Churches.

I want to congratulate Senator DOLE and my colleagues who are supporting him in this effort. I urge the Senate to once again stand firmly on the side of respect for human rights and vote for this resolution when the time comes.

In summary, Mr. President, I have been and will continue to be a strong supporter of the Republic of Turkey. Last year in the Appropriations Committee, I offered two amendments to attempt to add additional funds to the Republic of Turkey for their humanitarian actions toward refugees. One amendment that was adopted with the assistance of the President pro tempore was for $10 million to deal with the Bulgarian Turks that were being expelled from Bulgaria. This is a tremendous human rights violation in itself. The other amendment was for $5 million which we added in the Senate to assist the Turks because of their humanitarian approach in accepting the Kurds fleeing from chemical warfare by Iraq. President Ozal stuck his neck out for an unpopular ethnic group to help the Kurds that fled Iraq during the war. I also supported Turkish military funding last year and intend to support the military again this year. I am, however, going to vote for cloture so that we might get this resolution before us.

I think, Mr. President, we are getting a little bit off the track here. We are letting—the Turkish lobby, and they have a right to lobby, and Turkish Government officials, who have lobbied me, which they have every right to do—we are letting them say that if we pass this we are waiving a red flag; that we are insulting them; that we are slapping a friend in the face. I submit that that is not what we are doing. We are talking to friends. If we cannot talk to friends about history, if we cannot be realistic about the history of our own country, about the tragedies our Government perpetrated toward the native Americans, about the tragedy toward blacks, about admitting those things and being willing to say, yes, we made mistakes, then what kind of a democracy are we? If another government wants to pass a resolution saying we made mistakes, are we going to say, "What are you doing, slapping us in the face?"

No. It is a reality, and that is what this resolution recognizes. It goes back to the inhumanity that occurred not under this Turkish Government, not by these Turkish people, but by an Ottoman Empire that was carried away with itself, that was willing to starve 1½ million men, women, and children and march them 1,000 miles, and allow them to die. They died because nobody gave a darn, nobody gave them any food. The Ottoman Government wanted them to die.

Now, the President pro tempore is right; we are not here to judge or to determine genocide. I do not think we are determining genocide by this resolution. Let me read the resolution. It is very clear. It says that "April 24, 1990, is designated as a National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915 to 1923."

We make reference to what I think is a genocide. Now, we are not a court of law chosen to prosecute somebody. This is not a statement that we are bringing charges against anybody, not even the old Ottoman Empire. That Empire no longer exists.

The resolution further states that "the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this day as a day of remembrance of the 1½ million people of Armenian ancestry who were victims of the genocide perpetrated by the Ottoman Empire from 1915 to 1923." Again, this has nothing to do with the present Turkish Republic.

The resolution continues, "Prior to the establishment of the Republic of Turkey, and in their memory, this date is commemorated by all Armenians and their friends throughout the world."

I am one of those friends of the Armenians as is everybody else in this Chamber. For it to be said that by voting to bring this resolution up or to cut off debate, we are somehow dismantling NATO, that we are destroying a relationship, is nonsense.

Turkey is a big country. It is a democracy. It has problems just like we do. It can take any criticism of its history. The democracy of today had nothing to do with this history and there is no reason we should not go on record by recognizing this history.

If you think of this tragedy—and nobody denies the tragedy occurred—why do we not want to stand up and say that we know it was a tragedy? Indeed, we should go on record expressing the view of the Senate that this was a tragedy, that it was in our opinion, a genocide. We are not determining guilt. We are saying that in our opinion, these events should be memoralized.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DECONCINI. I ask unanimous consent that I have 2 more minutes.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I have no objection under the same terms and circumstances which were earlier outlined.

The PRESIDING OFFICER. The Senator will be recognized for 2 minutes.

Mr. DECONCINI. I thank the Chair.

Let me say in conclusion, Mr. President, I hope that this great body can continue its long history of facing humanitarian and human rights issues because the head of one government says that this is insulting to us, that this is not going to improve our relationship. What are we to do if tomorrow the Government of Korea or the Government of the Philippines or some other friendly government takes some atrocious action toward its people in violation of human rights? Are we going to say, "My gosh, we cannot do anything; we cannot pass a resolution."

No; we have passed resolutions in the past, many resolutions. We have gone forward expressing our view on the Holocaust time and time again, and there is no reason that we cannot now express our views. Human rights is what makes this great democracy. I believe it has had an important and significant effect on the changes we are seeing in Eastern Europe and the Soviet Union. The United States has

never altered its human rights position in that part of the world. We have done it toward China. Goodness knows, we have seen that. Now we are afraid, I think, to say what history says and to resurrect something that is difficult for us to think about. Not to point the finger at the present Turkish Government or the people there, but to say up front that this was a tragedy, that it was a genocide in our opinion, that we want to memorialize that day, so that, God forbid, this will not happen again. Is that not what we are here for? Is that not really what human rights is about?

I hope that the Senate will express itself on this issue. I reiterate that this resolution has no bearing on our good relationship with the Turkish Government and the Turkish people.

I thank the Chair and I thank the President pro tempore for letting me speak at this time. I also thank the Senator from Illinois.

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized for 8 minutes.

Mr. SIMON. Mr. President and my colleagues, no matter what happens on this vote, I think something good has happened in that we have had a real discussion for the first time that I can remember on this whole question of the slaughter of innocent Armenians. If the Turkish Government, candidly, had had the good judgment just to let this pass quietly, no one would have paid any attention to this particular resolution. I think they made a mistake. I think they made a mistake tactfully also because, frankly, all nations, virtually all nations, make mistakes. We have done it. We have had slavery in this country. We have abused American Indians, our native Americans. We perpetrated a horrible deed against Japanese-Americans back in 1942. We are not accusing the present Government of Turkey or the people of Turkey today of having done this deed, but let us not ignore history.

I have great respect for my distinguished colleague from West Virginia when he says we are politicans, not historians. The Senator from West Virginia is both a politician and a historian. The Senator from Kansas is both. I have even written a little bit in the field of history myself. But let us just assume that none of us is a historian. While it is true we are politicians rather than historians, I think it is also true, as Harry Truman told us, that politicians dare not ignore history. That is really the question that we confront.

Let us not ignore history, not on the question of the Armenians. There is a book which I would recommend to my colleagues, written by a Presbyterian by the name of David S. Wyman. It is called "Abandonment of the Jews."

It tells what happened in this country in the late 1930's and early 1940's—how we did not stand up as people, Jews and Christians, as we should have, in behalf of the Jews in Germany and Poland and that area. Let us not repeat history. That is what this resolution is asking very simply.

I hear a lot of talk about the national interest. All of us are interested in the national interest. But the national interest is best served when we stand up for the ideals of this Nation. And you can go through history and see that time and time again.

Let me tell you a story that Clark Clifford, the distinguished attorney here in Washington, formerly counsel to Harry Truman, tells. Harry Truman was President of the United States, and the Secretary of State, General Marshall, came in and said,"We should not recognize Israel." And he went through the numbers in the Middle East. President Truman thanked him, and then the Secretary of War—we now call it the Secretary of Defense—James Forrestal, came in. He said the security interests of this country are very, very clear. He went through the numbers and said we should not recognize Israel. After both of them had left, Harry Truman turned to Clark Clifford and said, "You do not decide issues like this on the basis of numbers. You decide issues like this on the basis of right and wrong."

My friends, I believe that. I believe that strongly.

I think clearly you had a people, and there was a genocide. We can argue about it. But genocide is an attempt to eliminate a people. That happened. Fortunately, in the case of the Armenians, it was not successful. But there was a massive slaughter. We do not know the precise number, but there was a massive slaughter of people. We are saying let us not forget that.

I have heard the argument: Well, Turkey has problems with refugees from Bulgaria and other things. It is really not an issue here. I heard my colleague, Senator DECONCINI, say he would support aid to Turkey for the refugees. So will I. I would like to see Turkey move a little more constructively working with Greece and working with the Government of Cyprus to get the Cyprus situation solved. But I am willing to vote tomorrow.

The distinguished chairman of the Appropriations Committee comes in here, and says we need more dollars for refugees for Bulgaria and Turkey. I am going to be there voting for it. That is not the question. Nor is the question the numbers involved. There are not very many Armenians in the United States. There are not very many Armenians in West Virginia, Michigan, Illinois, Nevada, or any of the States. There are not very many Turks. The question is not numbers. The question is, what is right and wrong.

I think clearly it is right for us to stand up and say let us remember these innocent people who were slaughtered; not just to remember them but to remind ourselves how inhuman humanity can be once in awhile.

I hope we will adopt the motion for cloture and, if we can, adopt the resolution.

I yield the remainder of my time.

The PRESIDING OFFICER (Mr. ROBB). The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I thank the Chair, and I thank my good friend from West Virginia for also yielding and interrupting his own speech to make it possible for us to interject a few thoughts and words.

Mr. BYRD. Mr. President, will my friend yield to the Senator who has the floor for just a couple of minutes to respond to my good friend from Illinois?

Mr. LEVIN. Of course.

Mr. BYRD. The distinguished Senator from Illinois is a good man. He is a good Senator. He was a good Member of the House of Representatives. And he puts forth an argument that it is difficult to assail when he says the question is what is right and what is wrong.

Again, Mr. President, may I say to my dear friend that that is not the point. If that were the point, Mr. President, we would be discussing the business of the courts of this land as to who shot whom, who stole what from whom, who was right and who was wrong.

But unlike the English parliamentary system in which the great council, originally the Anglo-Saxon wit en ag emote, later the magnum Presidium, the great council of thanes and earls and barons, constituted parliament in its early and fluid beginnings. There was a smaller council that was a permanent council that was also called the curia regis but to whom a great council met.

It later became what is called the parliament.

In the years 1341, 1339–1341, parliament became a bicameral body when the knights and the burgesses split off from the ecclesiastical lay lords and began holding their separate meetings to decide decisions separately in Westminster Abbey. And the ecclesiastical lay lords continued to meet in the parliament and in the halls of parliament.

So that great council was the judicial body, and the House of Lords in England continues to be the highest court in the land. They decide on great problems.

But in the United States the upper body of the legislature is not a court. We do not decide what is right and what is wrong. Our constitutional forbears provided for that instrument

when they created the Supreme Court consisting at that time of six members, and provided for a court system. The Senators in the first Congress created that Supreme Court. As they fulfilled their role under the Constitution, they created the Supreme Court of six members, and they created certain courts and district courts to determine what is right and what is wrong.

So under our system of parliamentary law and under our parliamentary system, the only time the Senate deems what is right and what is wrong is when it acts as the court in a trial of impeachment, and also when it acts under the Constitution to expel another Member by a two-thirds vote. Then to agree, it determines what is right and what is wrong.

We are not here today, Mr. President, to determine what is right and what is wrong, unlike the British House of Lords. That is the point I keep trying to make.

I agree with my friend from Illinois, who has a big heart and who is a compassionate man, that based on what I have been able to read and hear, there were some atrocious things that happened in the period which this resolution covers. So there is no argument there. Those things are wrong. Thou shalt not kill.

But, Mr. President, we are not here to determine what is right and what is wrong. That is for the court to do. We have created an instrument under the Genocide Convention to determine what is right and what is wrong; what will be designated as genocide and what will not; what country, what group will be charged with the crime of genocide.

I am simply saying to my friend from Illinois that I agree that what was done was wrong, but that is not the point here. The point is, is this Senate going to set itself up as the instrument whereby genocide is to be determined and where the crime of genocide is to be determined, whether the nation or group that commits the crime is to be labeled and is to be accused of a crime called genocide?

Mr. SIMON. Will my colleague yield for a brief response to his statement?

Mr. BYRD. May I yield to the Senator from Michigan, and I hope that he will in turn yield on my time to the distinguished Senator from Illinois.

Mr. SIMON. If I may have 2 minutes from my friend from Michigan.

Mr. LEVIN. I am happy to yield.

Mr. SIMON. The distinguished President pro tempore has just to some extent negated his earlier statement saying we are politicians, not historians, when he goes through history. And earlier today, I happened to be on the floor when I heard him refer to Aaron Burr, and he said: I did not serve in the Senate with Aaron Burr. But he speaks about that time period almost as if he served with Aaron Burr.

I agree with much of what my distinguished leader says when he talks about our being a court. But, in fact, we decide issues of right and wrong day after day after day. We sit as a court not only when we impeach, but when, for example, we voted reparations for Japanese-Americans, we in fact made a decision of what was right and wrong, and we do that every day in this body. We make these judgments.

I think here again on this issue, we have to assume some historical judgments, and I think the historical evidence is overwhelming, and that is that in this period genocide occurred. We ought to adopt this resolution on that basis.

I thank the distinguished President pro tempore, and I thank my colleague from Michigan.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First, it should be clear, Mr. President, from the wording of the resolution itself, that this resolution is reaching a conclusion to commemorate events which occurred before the existence of the Republic of Turkey. This makes no judgment relative to the Republic of Turkey whatsoever. It reaches a judgment by its own terms on events from 1915 to 1923—I am quoting from the resolution—"prior to the establishment of the Republic of Turkey."

Why the current Turkish Government opposes this resolution is not clear. Whatever their reasons or motives, they are surely not binding on us or the rest of the world. They are a good ally. Germany is a good ally. The current German Government did not oppose the commemoration of the Holocaust.

Would we be bound in any way or feel somehow or other we could not commemorate the Holocaust if the current German Government opposed that commemoration in the United States? The current German Government does not oppose recognition or commemoration of the Holocaust. They have acknowledged it. The world is better off with that acknowledgment. NATO is better off with that acknowledgment.

The world would be better off if the current Government of Turkey either acknowledged this genocide or took no position in opposition to other people commemorating this genocide. Surely, we are not bound by its decision to oppose our joining in the commemoration of a historical event, something which occurred.

The evidence is overwhelming that there was a genocide against the Armenian people during the years 1915 to 1923. There is evidence in the CONGRESSIONAL RECORD, the in Presidential archives, in the ambassadorial archives in the State Department. There is evidence in the German archives. There is evidence in the European Community. There is evidence everywhere.

Senator King, in 1920, before the Senate adopted a resolution on this matter, quoted from a telegram that he had received in which the writer, a witness, said that the Turkish Government is "executing their purpose to destroy the Armenian people," and that "it is a pitiful thing to see an entire people destroyed."

Shortly following that, the Congress adopted a resolution, Senate Resolution 359, on May 11, 1920, which stated that the hearings conducted by the Senate Committee on Foreign Relations have clearly established the truth of the reported massacre and other atrocities from which the Armenian people have suffered.

The person who headed the German Embassy's Armenian desk at the time in Istanbul wrote his Government that Turkey was "intent on taking advantage of the war in order to thoroughly liquidate its internal foes without thereby being disturbed by foreign intervention."

Another German Vice Consul in Turkey said that: "Measures undertaken by the Turkish Government are tantamount to the total destruction of the Armenians." These are contemporaneous statements by officials of other governments.

We have thousands of eyewitnesses who survived the million or more who died. The million or more did not survive to describe it. But others did, and we have that testimony, and it has been acknowledged over and over again by this Government and by Presidents of this Government that there was a genocide against the Armenian people.

This Senate has acknowledged that there was a genocide against the Jewish people. We reached a judgment on that. It was called the Holocaust. We created a Holocaust Memorial Council. We have reached a judgment even though some deny the existence of the Holocaust that in fact the Holocaust existed.

Our Government repeatedly, our Presidents, repeatedly have acknowledged the existence of a genocide against the Armenian people. And this resolution simply commemorates that genocide.

Winston Churchill wrote in 1929 the following:

> In 1915 the Turkish Government began and carried out the infamous general massacre and deportation of Armenians in Asia Minor and the clearance of the race from Asia Minor was about as complete of such an act, on a scale so great, could be.

Then he wrote the following:

There is no reasonable doubt that this crime was planned and executed for political reasons.

That is Winston Churchill in 1929.

Our consul, a man named Jackson, wrote contemporaneously that there was an effort to "extinguish the Armenian race."

These are contemporaneous comments by officials who are either our officials, or Winston Churchill, or even officials that were connected to the Government of Germany.

President Reagan, in commemorating the Days of Remembrance of Victims of the Holocaust made reference to the genocide of the Armenians when he said:

Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it, and like too many other such persecutions of too many other peoples, the lessons of the Holocaust must never be forgotten.

A Presidential reference to the genocide of the Armenians.

The U.S. Holocaust Council, created by the Congress, has approved the inclusion of the "Armenian genocide" in the museum that is being built right next to the Mall here in our Nation's Capital.

The American Bar Association has recognized it. In February 1988 they submitted to our Judiciary Committee a statement in support of the implementation legislation for the Genocide Convention which has now been approved, in which the American Bar Association said that:

As familiar as we are with the historic examples of genocide against the Armenians and the Jews, genocide is a contemptible crime of shocking magnitude, and we must prepare ourselves to fight it.

The European Parliament has adopted the following statement:

It believes that the tragic events of 1915 to 1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide within the meaning of convention on the prevention and the punishment of the crime of genocide adopted by the U.N. General Assembly.

That is the statement of our other European allies, part of NATO, which is the European Parliament, and they have indicated that the failure of Turkey to acknowledge this genocide is an "insurmountable obstacle" to Turkey's admission to the European Community at that time. These are allies of ours. Indeed, these are allies of Turkey as Turkey is an ally of ours and will remain so.

So there are people who have been in these key positions who have rendered judgments based on personal firsthand knowledge, based on documents. I have done a tremendous amount of reading in this area, and I think many of us have in this body. Each of us are going to reach his or her own conclusion as to whether or not it is appropriate that we commemorate the Armenian genocide.

Our Ambassador to Turkey, Ambassador Morgenthau, back in 1915, telegrammed the Secretary of State:

Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.

In his book, our Ambassador to Turkey said:

When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well and in their conversations with me, they made no particular attempt to conceal the fact.

Our Congress, our Presidents, Ambassadors, the European Parliament, President Reagan, the Holocaust Council, on and on. The evidence is there.

Mr. President, there are those who would rather not be reminded of this tragedy. Sadly, Orwell's vision of history being rewritten for the convenience of current geopolitical strategy has become a modern day reality and I wonder what future historians will say of this practice. George Santayana gave dire warning that those who do not learn from history are doomed to repeat it, has proven all too true over this century.

We have not learned from our mistakes and history has been repeated. The Armenians were the first people to suffer genocide in this century but not the last. The Ukrainians, under Stalin, the Jews under Hitler, the Cambodians under Pol Pot offer mute testimonials to the price of ignoring history.

I just pray that never will more names be added to this ignoble list. That is why it is so important to join in this commemoration to remember this historic event.

We must not forget the lessons of the past no matter how uncomfortable they make us. We must confront the horrors of the past and vow not to repeat mistakes and never let these tragedies such as the Armenians suffered ever happen again.

Mr. President, Hitler asked, when he was planning the final solution to the Jews, "Who remembers the Armenians?" Let us prove Hitler wrong again and by adoption of this resolution remember the Armenian genocide.

Again, I want to thank my friend from West Virginia for yielding to me for a few minutes. I appreciate his willingness to interrupt his own remarks to allow some of us to speak.

Mr. BYRD. Mr. President, I understand my good friend and distinguished Senator from Massachusetts [Mr. KENNEDY] wishes me to yield to him. I yield to him for such time he may desire, 10 minutes or more if he needs it under the same terms and conditions that have prevailed today in the course of my yielding.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, today, we are asking the Senate to take the long overdue step of providing a simple measure of justice and remembrance for the Armenian people who died in their homeland in one of the worst atrocities of the 20th century.

I support the Armenian genocide resolution, and I am proud to be among the sponsors of this proposal to designate April 24, 1990, as the national day of remembrance for the 1.5 million people of Armenian ancestry who died between 1915 and 1923.

It is fitting on this 75th anniversary of the beginning of this monumental massacre that the U.S. Senate should at long last commemorate the suffering of the Armenians.

In so doing, we are following the wise example already set by others in the world community. In August 1985, the United Nations Subcommittee on Human Rights recognized the tragedy which befell the Armenian people earlier in this century. In June 1987, the European Parliament did so as well.

It is regrettable that the United States—a country which prides itself on its traditions of liberty and justice—should take so long to recognize the suffering of a people who have contributed so much to our own Nation.

America is blessed with an extraordinary Armenian heritage. The Armenian commitment to hard work and dedication to family reflect essential American values. Armenian-Americans are eminent in many fields and have enriched every State in our American Union. The resolution before us is an appropriate demonstration of our appreciation of the outstanding accomplishments of the Armenian people and a clear statement that we remember their suffering.

I urge the Senate not to ignore the savage cruelty that Armenians have suffered in the past. Few peoples in the history of the Earth have endured so much murderous persecution for their faith, or borne their enormous tragedy with such great courage.

We must not forget the cruel truth of Armenian suffering.

We must not forget the 1½ million men, women, and children who perished in their homeland at the beginning of this century under an empire that has long ceased to exist, but that was responsible for one of the worst crimes against humanity in recorded history.

As the writer H.G. Wells observed, "Human history becomes more and more a race between education and catastrophe." That is why the Armenian genocide resolution in Congress is so important. Unless America speaks the truth, unless the world comes to terms

in the present with the horrors of the past, we may well stand condemned to repeat those horrors in the future. we must not let that happen.

Reminding our own day and generation of man's past inhumanity to man is our best hope to prevent similar atrocities in the future, and to avoid what could be the ultimate atrocity for all humanity—a nuclear catastrophe.

This commemoration in no way reflects adversely on the Republic of Turkey or our friends, the Turkish people. To the contrary, it is a recognition of events in the final brutal years of the Ottoman Empire, over which no person or country existing today had any control.

America at its best has always stood for the great goals of liberty and justice. Tolerance and compassion, human rights and human dignity—for our own citizens and for all peoples everywhere. We must never be silent or avert our eyes in the face of the cruelty and suffering, the bigotry and repression that still infect too much of our planet, and that cast such a deep shadow over the dream we share of peace on Earth.

In recognizing the tragic suffering of the Armenian people, we can do our part to insure against atrocities in the future. At a time when deplorable new examples of murderous discrimination against the long-suffering Armenian people are all too familiar in the world, it is especially appropriate for the Senate to go on record in support of the Armenian genocide resolution and I urge the Senate to approve it.

I thank the Senator from West Virginia and I yield back what time I did not use.

Mr. BYRD. Mr. President, I understand the distinguished Senator from Maryland [Mr. SARBANES] wishes to speak at this time. How much time would the Senator like?

Mr. SARBANES. I think 6 minutes would probably be sufficient.

Mr. BYRD. Mr. President, may I say that I am not acting as a traffic cop on the floor today. I came to the floor quite some time ago with a speech that is 65 pages in length or so and I have used 11 pages. I say that only to explain that I do not intend to be here all day. But I am very happy to yield to the distinguished Senator from Maryland [Mr. SARBANES]. I yield to him for 10 minutes, more than that if he wishes, under the same terms and conditions by which I have yielded previously today.

The PRESIDING OFFICER. The Senator from West Virginia yields to the Senator from Maryland for such time as he may require.

Mr. SARBANES. Mr. President, I appreciate the courtesy of the very distinguished Senator from West Virginia.

Mr. President, I rise in support of the resolution that is before us. I very much hope that the Senate will in the next day decide to move to consider the substance of this resolution. At the moment, we are simply engaged in the debate over whether to proceed. I think we should proceed to the resolution. I think we should consider it and I think we should pass it.

Mr. President, 75 years ago this coming April began one of the great martyrdoms of modern history. In an age which is tragically inured to acts of barbarism, we consider here the systematic and methodical campaign in 1915 to exterminate an innocent people, the Armenians living within the borders of the Ottoman Empire. That terrible campaign meant the death of 1½ million men, women, and children, and suffering almost beyond description for those who survived it. Anyone who has talked with the survivors of that genocide knows from their descriptions of the unspeakable horrors, virtually impossible to describe that were experienced by 1½ million people.

On the night of April 23-24, 1915, 75 years ago—75 years ago—the intellectual, religious and political leaders of the Armenian people were summarily arrested in Istanbul, to be sent to exile and death. Those arrests were quickly followed in every Armenian community by the arrests of local leader, the segregation of Armenian soldiers into separate battalions which were then condemned to death, and the deportation of entire Armenian communities, defenseless women and children, into the remote deserts in the eastern region of Anatolia.

This campaign against the Armenian people occurred in the face of a world opinion that unfortunately was largely indifferent. It did not pass unnoticed however, and the historical record cannot be rewritten. It should be a matter of deep concern to all of us that in recent years an effort has developed, not in this Chamber so much, but elsewhere, in effect to revise or rewrite the history of this tragic period and to blur our understanding of the full tragedy of the massacres we must remind ourselves after all, that once we acquiesce to the revision of the historical version and one period, we open the doors to revisions of the record of others.

But the documentary essence of the Armenian tragedy exists, we have numerous exhibits of contemporaneous newspaper articles from the New York Times, and other major newspapers as well. The British press, the French press, and so forth.

Let me read just a sampling of the headlines from mid-1915: "More Armenian Massacres;" "Armenian Horrors Grow"; "Tales of Armenian Horrors Confirmed"; "800,000 Armenians Counted Destroyed"; "Spare Armenians, Pope Asks Sultan"; "Massacres Renew, Morgenthau Reports"; "Thousands Protest Armenian Murders." These headlines alone speak volumes.

Our Ambassador to the Ottoman Empire at the time was Henry Morgenthau, later a very distinguished Secretary of the Treasury under President Franklin Roosevelt. Morgenthau has written at length about the genocide visited on the Armenians. In his book, he discussed the tragic events which we are talking about here today, and for which we are seeking this national day of remembrance. He said, and I quote him:

> Whenever crimes the most perverted instincts of the human mind can define and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915. The killing of the Armenian people was accompanied by the systematic destruction of churches, schools, libraries, treasures of art and of history, in an attempt to eliminate all traces of a noble civilization some 3,000 years old.

What Ambassador Morgenthau wrote in the years following the great tragedy was consonant with his reporting at the time the events took place. For on July 16 of the first year of the massacres, 1915, he sent the following message by telegraph to the Secretary of State:

> Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eyewitnesses it appears that a campaign of race extermination is in progress under pretext of reprisal against rebellion.

Reports to Ambassador Morgenthau by consul generals in the field, consular dispatches, substantiated the Ambassador's experience of what was taking place with respect to the massacre of the Armenians.

We know, and it has been alluded to here, that the European parliament has passed a resolution on this matter; that the United Nations Commission on Human Rights has passed a resolution reaffirming the Armenian genocide as a historical fact; and that the United Nations Commission on Human Rights has recognized the Armenian genocide in its report.

Perhaps Elie Wiesel expressed most eloquently for us the critical importance of recognizing the Armenian genocide when in April 1981 he spoke at a Holocaust memorial service, the Days of Remembrance, here in this Capitol Building.

At that solemn ceremony of remembrance—remembrance of past horror, he said:

> Before the planning of the final solution, Hitler asked, "Who remembers the Armenians?" He was right. No one remembered

them. As no one remembered the Jews. Rejected by everyone, they felt expelled from history.

As our very distinguished colleague from Michigan stated only a few minutes ago, the purpose of remembrance, of refusing to forget, is to make certain that we are not doomed to repeat the past. Those who do not learn from history are doomed to repeat it.

That is why, as part of coming to terms with ourselves, we seek to acknowledge what has occurred in the past. We cannot turn our backs on history. Coming to terms with the past is part of building for the future.

We have sought to do that in our own country. Much of our own history is an effort to come to terms with the past; who would now urge us to otherwise? We have struggled to come to terms with slavery. In recent years we have sought to come to terms with the treatment of Japanese-Americans at the beginning of World War II. With respect to native Americans we have begun to acknowledge a brutal history that was ignored too long. Facing history is indeed a matter of facing ourselves.

Would the West Germans be better off today had they not come to terms with the Holocaust? And does that challenge not lie ahead for the East Germans, whose postwar history has largely overlooked it as they seek to become part of a modern democratic society?

The resolution before us promotes sober reflection, not only on the Armenian tragedy, but on broader questions of aggression and inhumanity. I cannot understand why our acknowledgement of a day of remembrance, our recognition of an historical event, does not give us a foundation for moving ahead. In my view, one of the most important aspects of this resolution is that it would establish that foundation.

There have been other occasions on which this Senate has affirmed the proposition that the actions taken against the Armenian people constituted genocide.

In fact, in April 1981, on the day of remembrance of victims of the Holocaust, President Reagan issued a proclamation in which he stated,

> Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it, and like too many other such persecutions of too many other people, the lessons of the Holocaust must never be forgotten.

We should not now be deterred by the emergence of a handful of revisionist historians who seek to deny a well-documented historical event. There are a handful of revisionist historians who are trying today to deny the authenticity of the Holocaust. Ten years from now, 20 years from now, will we be asked to accept their arguments that contemporary accounts are to be denied, that the record is not as clear as it seems?

This resolution makes clear, by establishing a National Day of Remembrance on the 75th anniversary of the Armenian genocide, that the human tragedy which occurred beginning in 1915, terrible almost beyond description, will not be forgotten.

I strongly urge my colleagues to vote to consider the substance of the resolution when the motion to proceed is before us tomorrow, and then to move forward from there to pass this resolution.

The PRESIDING OFFICER. The Senator from West Virginia retains the floor.

Mr. BYRD. Mr. President, I have promised to yield to the distinguished Senator from Arkansas. I yield to the Senator from Arkansas with the understanding that I not lose my right to the floor, the understanding that the statement of the Senator from Arkansas not to show as an interruption in the RECORD, and that I not be charged with a second speech upon resuming my speech once the Senator yields.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia yields to the Senator from Arkansas.

Mr. BUMPERS. Mr. President, I will be rather brief because I see other Senators on the floor wishing to speak on one side or the other on this issue.

Mr. President, first of all let me say when I was first presented this resolution for cosponsoring, I almost immediately signed on. I considered it a commemorative resolution which most of us around here sign without really giving much thought to it.

At the time, I thought the resolution was designed simply to commemorate the suffering of the Armenians. And they have indeed, suffered greatly. And if that were what the resolution said, then I would continue to cosponsor it, and strongly support it. Sadly, that is not the case.

I did not come from a family where my parents told me to eat everything on my plate and think about the starving Armenians. My parents did not know where Armenia was, and they knew little or nothing about their suffering in that period, between 1915 and 1923.

I would not for an instant try to revise history by suggesting that the Armenians did not suffer a terrible, terrible injustice. They did, and there were great atrocities. There was a revolution going on, and I would leave it to the scholars to come to a definitive, scholarly conclusion about that unhappy period in the history of Armenia and Armenians. Turkey was a part of the Ottoman Empire, described in the resolution. There is no question but many of us are opposing this resolution because we feel it is, an unjust attack on or insult to one of our strongest NATO allies, namely Turkey.

But it goes deeper than that. As I say, I think we are trying to make a scholarly determination here today, which this body is ill-equipped to make. But we are also being asked to indict present-day Turkey for what happened in that 8-year timeframe over 70 years ago.

As a matter of fact, I do not know whether it was 1915 to 1921 or 1915 to 1923. This resolution, I think, maybe adds a couple of years to it.

But, in any event, I have risen today to take my stand in opposition to the resolution because it has been 70 years since that happened.

There was a fight by the Armenians for independence and over a million Armenians lost their lives. As we all know now, of course, Kemal Ataturk became the first President of Turkey when the Ottoman Empire was broken up and Turkey and the U.S.S.R., as was not too uncommon in those days, just split Armenia up.

But the point I want to make is, there is another factor that disturbs me, and it is that we are asking this body to blame present-day Turkey and the Turkish people for what happened to Armenians many years ago.

I am a son of the South. But I never owned a slave. My father never owned a slave. The South paid a big price for its rebellion for an unjust cause. I always say about democracy, Mr. President: Just because we live by majority rule does not mean the majority is always right. Ninety-five percent of the people in the South thought slavery was a fine institution. But, bear in mind, the 95 percent I am talking about were white, were free men and women.

I think there is something basically unfair about a resolution that indicts modern Turkey and children and grandchildren of whoever might have committed those injustices. My sons, not necessarily my daughter, but my sons think it is a pretty big burden to be children of a Senator—at least until they need football tickets or something that they know I can usually provide them. But I do not want my children to suffer for my sins.

Mr. DOLE. Will the Senator yield? Would he feel the same way about Germany when we ratified the Genocide Convention in this Chamber about 2 years ago? I think the Senator voted for it. Or was that a different case?

Mr. BUMPERS. Absolutely.

Mr. DOLE. There were a million and a half Armenians slaughtered. I do not see any other difference. How can you say today, you do not want Turkish children to suffer for the sins of their fathers, and you say that is different from what we did about the German

children of the perpetrators of the Holocaust?

I might add there are statements in the Genocide Convention debate which bring in Armenia—I want to refer to those statements and make them a part of the RECORD later—by a number of Senators on each side who said when we ratified that convention that we were not only talking about the Jews but the Armenians. I do not know how the Senator from Arkansas can make a distinction—maybe because Armenia is a small, powerless country. Maybe that is the distinction.

Mr. BUMPERS. I want to say to my colleague that if my vote for the Genocide Treaty said I was implicating the grandchildren of the people who committed atrocities in the past, then I will try to rescind my vote. I apologize for having voted for it if that is what that treaty said. But I'm sure the treaty didn't say that.

I took part in that debate. The Senator is perfectly welcome to look at my participation, though I am not sure I spoke on the floor. I know the Senator from Wisconsin, Mr. Proxmire, spent his entire life in the Senate getting that treaty approved for ratification. But I also want to say that I did not interpret the Genocide Treaty as meaning anything except that we are opposed to genocide under any guise, and that we were not giving up any constitutional rights when we voted for the Genocide Treaty. Those were the issues on that as I recall.

Mr. DOLE. If the Senator will yield further, I think that is all we say on this commemorative resolution. In fact, we added a clause to make certain nobody can say it is the Turkish Republic. We are talking about the Ottoman Empire. That was added bcause we knew nobody in the Turkish Republic, the democracy, our friend, our ally was responsible. Keep in mind that the Ottomans were on the side of the Germans in World War I, not on our side. They were on the side of the Germans.

Mr. BUMPERS. We are now too, Senator.

Mr. DOLE. Pardon?

Mr. BUMPERS. We consider Germany probably the strongest ally, militarily, we have and yet we all recognize the Holocaust was perpetrated by the Nazi regime in Germany.

Mr. DOLE. That is because the Germans were willing to accept history. I do not know if the Turkish Republic is not responsible, why do they not say it is true? We are talking about right or wrong. That is all there is to it. Is it right?

I invite the Senator on his way out to read some of the stories from the New York Times—not stories from me—but read the headlines in the New York Times in 1915, 1916, 1917 when they drowned the people, when they starved the children. They say 800,000 exterminated. That is not my language, it is a news story.

Mr. BUMPERS. This a friendly debate and I am happy for you to discuss this. If I may just inject myself into this, this is what American scholars say about Armenian allegations. I guess it appears as an ad in the New York Times. I am sure the Senator has seen it. But here are a great number of the best scholars in the country.

Mr. DOLE. We already answered the scholar argument. It turns out there were not 69 real scholars on this issue.

Mr. BUMPERS. However many there are, there are obviously a lot of scholars in this country who feel they have not been given access to all the records they need in order to come to a definitive conclusion that you can consider this genocide. Genocide is probably as harsh a word as there is in the English language.

Mr. DOLE. It was not coined until 1946, after the Holocaust, after the Turkish slaughter of the Armenians, and we define genocide in the Genocide Convention. But we have addressed the question of these so-called 69 scholars. It turns out some are scholars of folklore and of carpets. Only about four or five knew anything about the Armenian genocide.

You also make reference to the archives that are open. The archives are not open. We addressed that issue yesterday.

I just say to the Senator from Arkansas who was a cosponsor of the resolution, we are prepared to even go further in an effort to satisfy some of the concerns, to not offend the Turkish Republic, by additional language that I will offer if I have the opportunity, if we have a right to proceed, and I hope the Senator will keep an open mind on that. I am only here to make a case.

It just happened that when I was majority leader, after 38 years, we brought up the Genocide Convention. It was brought up while I was majority leader; it was implemented by the distinguished Senator from West Virginia, who was majority leader 2 years later. For 38 years, it languished around the Senate. Nobody wanted to touch it. They did not want to offend anybody. But we finally decided to do the right thing. That is all we are asking here. We are not picking a fight with the Turkish Republic.

Again, I submit, do not take my word for it. Read the stories, read the references the distinguished Senator from Illinois referred to. They are in the German archives, the Vatican archieves, United States archives. We have 25,000 pages on this period in our archives.

The Senator from West Virginia has as much as conceded these atrocities happened, and all we are saying is they happened, let us urge the American people to join those who believe they happened in commemorating April 24th as the Armenian martyrs day. I hope I can show the Senator the modified language.

Mr. BUMPERS. Let me say to the Senator, the Genocide Treaty was something I began to get mail on when I first came to the Senate from—you cannot call it anything else—right wingers who said this is a terrible violation of the U.S. Constitution. "We are giving up our rights under the Constitution to world courts" they wrote.

I read the Genocide Treaty and I could not find one thing in there that I objected to. One thing I also found was that hearings had been held on that treaty for 38 long years before we advised and consented to it. So far as I know, not one single hearing has ever been held on this resolution. I am not suggesting that if we had hearings that we could render a definitive conclusion. But I could tell you that if we had held hearings on it, in my opinion, the language of this resolution would not be the way it is right now.

Go ahead.

Mr. DOLE. I do not want to quarrel with the Senator. We are friends. I am not here to argue with anyone. I want to get back to the term "genocide." It was coined by Raphael Lemkin, a Holocaust survivor and attorney. He created the term genocide and applied the term to the Armenian atrocities. He developed a Genocide Convention on the basis of the Armenian and Jewish experience and he said it was important to outlaw genocide on an international basis.

I quote from an autobiography called "Totally Unofficial" of Raphael Lemkin:

> In 1915, the Germans occupied the city of W. and the entire area. I used this time to read more history, to study and to watch whether national, religious or racial groups are being destroyed. The truth came out only after the war. In Turkey, more than 1,200,000 Armenians were put to death for no other reason than they were Christians.

He want on to say:

> I identified myself more and more with the sufferings of the victims, whose numbers grew, as I continued my study of history. I understood that the function of memory is not only to register past events, but to stimulate human conscience. Soon contemporary examples of Genocide followed, such as the slaughter of the Armenians in 1915.

And again:

> • • • A bold plan was formulated in my mind. This consisted (of) obtaining the ratification by Turkey among the first twenty founding nations.
>
> This would be an atonement for the genocide of Armenians but how could this be achieved.

And so forth.

The only thing I want the RECORD to show is that the person who coined the term "genocide" said it applied to

the Turkish atrocities, not just the Holocaust.

I ask unanimous consent to include in the RECORD a paper on this subject.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

RAPHEAL LEMKIN AND THE WORD GENOCIDE

Issue: Raphael Lemkin, a Holocaust survivor and attorney, created the term "genocide," and applied the term to the Armenian atrocities.

Points and Authorities

1. Raphael Lemkin coined the word genocide and applied it to the Armenian atrocities.

2. Lemkin developed the Genocide Convention on the basis of the Armenian and Jewish experience.

3. Lemkin showed that it was important to outlaw genocide on an international basis and to expose past horrors in order to prevent the recurrence of genocide.

Supporting Material Attached

1. Statements by Lemkin.

ARMENIAN ASSEMBLY OF AMERICA FACT SHEET #8 RAPHAEL LEMKIN, THE ARMENIAN GENOCIDE, AND THE GENOCIDE CONVENTION

Professor Raphael Lemkin, a lawyer who escaped Poland during the Nazi invasion of 1939, was the key figure in the history of making genocide a crime under international law. Having lost 49 members of his own family in the Holocaust, he coined the term "genocide" in 1944 and worked tirelessly until his death in 1959 toward the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide.

Having been profoundly affected by the extermination of the Armenians in Ottoman Turkey from 1915 to 1923, Lemkin first proposed "to declare the destruction of racial, religious, or social collectivities" an international crime at the International Conference on the Unification of Criminal Law held in Madrid under the auspices of the League of Nations in 1933. Although at first rejected, his proposal gained new significance after the destruction of European Jewry in World War II and lead to the drafting of the Genocide Convention by a United Nations committee in 1947-48.

After coining the term "genocide" to describe the deliberate destruction of a people, Lemkin became the first person to characterize the atrocities of 1915-23 as the "Armenian Genocide." In his decade-long effort to obtain ratification of the Genocide Convention, Lemkin repeatedly noted the Armenian Genocide, together with the Holocaust, as a prototype of the crime of genocide.

Quotations by Raphael Lemkin:

(1) From letter to Mrs. Thelma Stevens, Methodist Women's Council, July 26, 1950:

"This Convention is a matter of conscience and is a test of our personal relationship to evil. I know it is very hot in July and August for work and planning, but without becoming sentimental or trying to use colorful speech, let us not forget that the heat of this month is less unbearable to us than the heat in the ovens of Auschwitz and Dachau and more lenient than the murderous heat in the desert of Aleppo which burned to death the bodies of hundreds of thousands of Christian Armenian victims of genocide in 1915."

(2) From Totally Unofficial, the autobiography (unpublished) of Raphael Lemkin:

(a) "In 1915, the Germans occupied the city of W. and the entire area. I used this time to read more history, to study and to watch whether national, religious or racial groups are being destroyed. The truth came out only after the war. In Turkey, more than 1,200,000 Armenians were put to death for no other reason than they were Christians. . . After the end of the war, some 150 Turkish war criminals were arrested and interned by the British Government on the island of Malta. The Armenians sent a delegation to the peace conference at Versailles. They were demanding justice. Then one day, the delegation read in the newspapers that all Turkish war criminals were released. I was shocked. A nation was killed and the guilty persons were set free. Why is a man punished when he kills another man? Why is the killing of a million a lesser crime than the killing of a single individual? (p. 12)

(b) "I identified myself more and more with the suffering of the victims, whose numbers grew, as I continued my study of history. I understood that the function of memory is not only to register past events, but to stimulate human conscience. Soon contemporary examples of Genocide followed, such as the slaughter of the Armenians in 1915. It became clear to me that the diversity of nations, religious groups and races is essential to civilization because every one of these groups has a mission to fulfill and a contribution to make in terms of culture. . . I decided to become a lawyer and work for the outlawing of Genocide and for its prevention through the cooperation of nations." (p. 2)

(c) ". . . A bold plan was formulated in my mind. This consisted [of] obtaining the ratification by Turkey among the first twenty founding nations. This would be an atonement for [the] genocide of the Armenians. But how could this be achieved? . . . The Turks are proud of their republican form of government and of progressive concepts, which helped them in replacing the rule of the Ottoman Empire. The genocide convention must be put within the framework of social and international progress. I knew however that in this conversation both sides will have to avoid speaking about one thing, although it would be constantly in their minds: the Armenians." (p. 32)

(Sources: Congressional Research Service: The Raphael Lemkin Papers, N.Y. Public Library.)

Mr. BUMPERS. Mr. President, I can only reiterate what I have already said, and that is, No. 1, there have been no hearings. No. 2, there has been no scholarly, definitive conclusions that this would qualify as genocide. No. 3, there is not any question but that we are imposing a gross insult on the Turks, and if the proof were absolutely conclusive perhaps that would be acceptable.

No. 4, I will always have difficulty any time we accuse a nation of present day people who had nothing to do whatever with atrocities that were perpetrated by their forebears. Few of the people who live in Turkey today could possibly have been involved. They are the children and the grandchildren and the great-grandchildren of those who committed whatever atrocities they did on the Armenians.

Now, if you want to commemorate the suffering of the Armenians, count me in. They have suffered. There are many Armenians in the United States and they make great contributions. In my statements here, I know you probably can't tell what kind of a bent somebody is going to put on what a Senator says here. The press dictates that. But my intent is to say that the Armenians make great contributions to our security. When the Armenians earthquake hit in the Soviet Union, Protestant, Catholic, and, Jewish people pulled together, but the Armenian churches in this country were the first to take up money and clothing offerings for the relief of Armenia.

So this is in no way intended to denigrate the suffering that they went through or, for that matter, the contributions that they make to our country. There are big Armenian enclaves in a lot of our cities. It is just that I think the working is much to harsh, it is insulting, and it is based on a word that has never been conclusively determined to be applicable in this particular case.

Mr. President, it is one of those things in which I would not have been involved, frankly, if the chairman of the Appropriations Committee, our former majority leader, the distinguished Senator from West Virginia, had not called me and asked me to take a second look at the resolution and to study it and see if I would consider changing positions. I came to the conclusion that he is right in resisting it. If you want to change the language of this resolution—in my opinion you probably could not please Turkey by making much, if any, change in this resolution, but if you want to say the Armenians suffered untold misery, that is fine.

Bear in mind that the Armenians in this country whose parents and grandparents suffered still feel some of the pain, just as blacks in this country still feel the results of slavery; some of the hangover from those days is not gone. I have voted every time I had a chance to try to balance the scales and provide all the kind of help I could to redress the injustices that black people have suffered in the past, and I will continue to do so. But as I say, I think this resolution goes too far and therefore, Mr. President, I will vote against cloture.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from West Virginia has the floor.

Mr. BYRD. Mr. President, I understand that the distinguished Senator from California [Mr. WILSON] wishes to address the Senate for 10 minutes. Did I so understand?

Mr. WILSON. Yes.

Mr. BYRD. Mr. President, I shall yield to the distinguished Senator under the same terms and conditions as before. But before I yield and while the distinguished Senator from Arkansas is on the floor, I want to thank

him for his statement, for the decision which he came to after carefully considering the resolution, and in the context of what he believes to be our country's security interests and in the context of what he believes to be the point that I have been trying to make, namely that this Senate is not the place to make this determination.

With respect to the Genocide Convention—there has been much said today about the Genocide Convention—I wonder how many Senators have read it lately. That is one thing I often wonder when I hear people talk about the Constitution, how recently have they read it.

The implementation of the Genocide Convention is something that I think should be injected right here because much has been said about Genocide Convention. It is true that Mr. DOLE was the leader of the Senate when the Senate approved the ratification of the Genocide Convention, and I was the leader of the Senate when the Senate passed the implementing legislation. It became public law November 4, Public Law 100-606.

Mr. President, the purpose of the international convention was to codify international law respecting the crime of genocide. The convention also in article 8 identified a mechanism for the contracting parties to bring the question of genocidal behavior as identified in the convention before various organs of the United Nations including directly to the Security Council, the General Assembly or other parts of the United Nations. Article 9 of the convention also provides that disputes between the contracting parties relating to the interpretation of the convention, including the question of responsibility of the state for gencoide "shall be submitted to the International Court of Justice at the request of any of the parties to the dispute."

I am not advocating action on the convention on this matter, but I am pointing out that resolutions of the type pending on the Senate floor could be used for political reasons or any reason to charge the state or a group with the crime of genocide.

Is genocide being perpetrated today in the Caucasus against the Armenians? Is genocide being perpetrated against Turks in Bulgaria today? It is a serious charge. That is why an international convention was negotiated. That is why the instrument has been created by the legislation that we passed and by the convention that was ratified.

That was the instrument. The Senate is not the instrument for determining what is genocide and what is not genocide and what nation shall be labeled with the crime of genocide. Resolutions of the type now on the floor circumvent the convention.

It is easy to hurl charges. And a good lawyer can hurl charges and any good lawyer can make a case of some kind that justice is being done. Any good lawyer can take any side on a question and argue it. Any good lawyer can draft up a resolution and find a Senator to introduce it. That is the easy part.

And I am not impugning anybody's motives for pointing out that injustices have been done to any group. I have agreed. Everyone who has spoken is in agreement that injustices were perpetrated on Armenians. But there have been injustices perpetrated on Turks. There have been injustices perpetrated, and as someone has already said here, practically every group has had an injustice done to it.

Someone has said that every man, if he goes far back enough, will find that he has in his ancestry a king. He will also find an ancestry with slaves. So if we go back far enough, we can find where many wrongs have been committed.

There is no question that injustices were done. There is no question but that the stories, the news stories from the New York Times which have been brought before the Senate today, reveal great injustices. That is beside the point.

The point being the Senate, after having voted to approve the ratification of the convention, after having passed the implementing language, is now going to set itself up as the instrument whereby these decisions will be made as to what constitutes genocide; what country or what group has committed the crime.

It is easy to see what kind of road we could travel down on the matter of finding a party guilty of genocide. Having finally made the Genocide Convention the law of the land after 40 years, it is ironic that we are now faced with a resolution which approaches the general issue in a way that ignores or circumvents the convention.

So, Mr. President, it is dangerous and inappropriate for the Senate to act as a tribunal except in the trial of impeachments—or to act as some rump juridical body on the matter of the crime of genocide.

There are other subtle ways in which the international community as a whole has decided to address the question.

Mr. President, I yield, and I am not yielding time. I am yielding the floor for a period of time. I just fell into this situation of getting the floor today, and being prepared to make a somewhat lengthy speech but seeing other Senators coming to the floor, I have not hesitated to yield to anyone who wanted to speak.

But I do want to complete my own speech. But at the same time, as I say, I am conscious of the desires of others.

I yield to the distinguished Senator from California [Mr. WILSON] for not to exceed 10 minutes, with the understanding that I retain my right to the floor, that upon my resumption of the floor it not be counted as a second speech against me, and that the speech by the distinguished Senator from California not constitute an interruption in my speech as it appears in the RECORD.

The PRESIDING OFFICER. Without objection it is so ordered. The Senator from California is recognized.

The Senator from West Virginia retains the floor.

Mr. WILSON. Mr. President, I thank the Chair. I thank my friend, the distinguished Senator from West Virginia, for his courtesy in relinquishing the floor for the purposes of allowing me to interject these remarks.

Mr. President, I listened with interest and respect to the remarks just made by my friend from Arkansas. I am not certain what document he has been looking at that has inspired in him the concern that we are going to give offense, that the language of the resolution is too harsh. The resolution that is before me is one that simply calls upon the President and the people of the United States to mark a day as a day of remembrance, commemorating what is the 75th anniversary of a tragedy that everyone seems to agree did in fact occur.

It was genocide, and there can be no lesser word for what occurred, slaughter of a million and a half people, innocent men, women, and children. It is language that simply calls upon us to observe with a day of remembrance that tragedy.

And the only offense it gives would be to those actually responsible for that genocide, those long dead, I might say, who were in fact part of a regime that existed prior to the establishment of the Republic of Turkey, and the language of this resolution makes that very clear.

It in no way reflects either upon the people of Turkey nor upon the Government, either the present or the prior Government of the Republic of Turkey, that which took effect under Kemal Ataturk, after 1923.

Rather, Mr. President, the focus of this resolution is upon the terrible deeds that were inflected upon a million and a half Armenians who by the accident of their birth were guilty of no crime other than being Armenian. It was inflicted by officials of the Ottoman Empire.

And indeed we need not consult even the dozens of reports that appeared with datelines from Petrograd, the Transcaucasian, from Athens, from Constantinople, from London, from Washington. We do not even have to go to the extensive documentations to be found in the U.S. archives.

If anyone is in any doubt, I ask them to consult the Ottoman regime itself,

which admitted in documentation available to us the responsibility of Ottoman officials for planning and implementing that genocide.

In 1919, before the founding of the Republic of Turkey, the Ottoman Government that was in fact the successor to the regime, which was in power during the years of the Second World War which was generally identified as the Committee of Union and Progress—that successor Ottoman Empire actually placed the CUP Prime Minister, the War Minister, and the Marine Minister on trial and found each of them guilty of directing the deportation and massacre of the Armenian people. The indictment of those officials reads in part as follows:

> The truth is that Tallat (Prime Minister), Enver (War Minister), and Jemal (Marine Minister), ordered the massacres fully. * * * They led criminal bands who murdered people, pillaged properties, money and valuables, burned homes, incinerated the dead, violated the honor of women and perpetrated all kinds of crimes and abominations. Many of these persons were subjected to these cruelties without regard to race or religion, including all the children of the country. Armenians comprised an important part of those victimized. They were unlucky.

It seems to me that is something of an understatement.

I continue to quote the language of that indictment:

> The principal subject matter of this investigation has been the event of the disaster befalling the deported Armenians—an event which occurred at various times and places. Legal steps are now being taken against individuals responsible for that occurrence.

And:

> The disaster visiting the Armenians was not a local or isolated event. It was the result of a premeditated decision taken by a central body composed of the above-mentioned persons; and the immolations and excesses which took place were based on oral and written orders issued by that central body.

Mr. President, that, it seems to me, should put to rest any concern as to whether or not the event occurred or as to who was responsible for it. In the judgment of that successor Ottoman regime, it was the named officials. I suspect that the named officials were indeed guilty, but that they were not alone.

But the point is, very clearly, neither the language nor the history of this tragic incident in any way indicts present-day Turks or the Government of the Republic of Turkey.

The second point that has troubled many on this floor is that the passage of this resolution would endanger our security relationship, one that we deeply and rightly value, with the Republic of Turkey.

Let me point out that Members of both the House and the Senate have introduced this measure annually since 1984 and as precisely, since that year, the Congress and the administration have approved repeatedly extensive military aid packages for Turkey, as indeed we should. Foreign military sales and military assistance program appropriations totaling $715 million were granted in fiscal year 1984; $700 million in 1985; $615 million in 1986; $490 million in fiscal year 1987 and 1988, that is, in each of those years; $500 million each in fiscal 1989 and 1990. The request for fiscal year 1991 is for $545 million. Among the other initiatives, these appropriations have enabled Turkey to undertake critical M-48 tank and naval frigate modernization programs.

On November 14, 1986, the southern region amendment to the Department of Defense authorization bill for fiscal year 1987 became the law. This legislation allows the President to transfer excess defense articles at no cost to NATO, southern flank nations. In the 4 short years that have ensued, this amendment has permitted Turkey to obtain from the United States Government 40 F-4E fighter aircraft, 370 recoil rifles, 74 M-114 howitzers, and 16 leased ships. In December 1983, the Reagan administration concluded a letter of offer and assistance to Turkey for coproduction of 160 F-16 jet fighters.

Mr. President, over its entire life this arrangement will consume U.S. foreign military sale credits worth $3.2 billion. These commitments in total have made Turkey the third largest recipient of United States military assistance in the world.

Mr. President, that is a very good thing. It benefits the United States and all the rest of our NATO allies, as well as the people of the Republic of Turkey. No one by this resolution, or by any other work or deed, is suggesting that we should depart from our prior course of conduct in providing this kind of military assistance to a valued, trusted military ally—very much to the contrary—any more than that we are visiting the sins of the fathers upon the sons in the case of West or, for that matter now, East Germany, as it relates to another terrible tragedy, another act of genocide that propelled the world, though too late, because of the years of indifference that permitted it to occur, and that, of course, was the Holocaust which we have commemorated many times upon this floor and in fact have certified a national commission for the purpose of commemorating genocide—specifically, the Holocaust Commission.

It is for that purpose, Mr. President, that my friend, the Republican leader, and the extensive coauthors who have joined as cosponsors of this resolution are asking nothing more than the simple justice that we spend a brief amount of time and set aside a day marking this terrible tragedy, as indeed we should, with the view not only to observing the past suffering, but preventing any possible recurrence with any people ever again in the future.

The PRESIDING OFFICER. The Senator's time has expired under the agreement with the Senator who holds the floor.

Mr. WILSON. I wonder if I might ask to have a single minute more.

Mr. BYRD. Mr. President, I yield the floor for an additional 3 minutes under the same terms and conditions by which I have yielded heretofore.

The PRESIDING OFFICER. The Senator from California is granted an additional 3 minutes.

Mr. WILSON. I thank the Chair and I thank my friend from West Virginia for the generosity of his yielding the additional time. I will not require it all.

I simply want to make clear that the language of this resolution, which has been the subject of concern expressed by my friend from Arkansas, is language which is very careful, simply to ask that a day of remembrance be set aside to mark this tragedy, and the only identification as to responsibility is to state that the Ottoman regimes in power at the time of the First World War were, in fact, the ones responsible for bringing about the deportation and massacre, to quote the language of the Ottoman indictment of Ottoman officials. It is nothing more than that. It does not reflect upon the people of modern day Turkey, as has been claimed on this floor. That is simply inaccurate. I do not think that anyone wishes to do that, because to do that would be unfair and unjust, as much as it would be unjust to turn a blind eye and pretend that this never occurred or that no one was responsible for it.

Let us do, very simply, what the language enjoins us to do. It is little enough. If we do not do that, I submit that once again, it will be an instance of the kind that Edmund Burke warned us against when in the House of Commons he said, "All that is necessary for the triumph of evil is for enough good men to do nothing."

Mr. President, I thank the Chair, and I thank my friend from West Virginia and yield the floor back to him.

Mr. BYRD. Mr. President, the distinguished Senator from Arkansas [Mr. PRYOR], wishes to address the Senate on the subject for a period of 5 minutes. I ask unanimous consent that I may yield to Mr. PRYOR for 5 minutes without losing my right to the floor, without being charged with a second speech, or without his speech interrupting my speech in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, the Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I thank the Senator for yielding to me. In fact,

I may be able to do this with fewer than the 5 minutes allocated.

Mr. President, I think that one thing should be very clear in this debate, that there are not two views today in the U.S. Senate on genocide. I supported, in 1988 the Senate finally approved, the genocide convention. Yes, Mr. President, there is one view on genocide, which condemns it and holds it in contempt. There are, however, two heartfelt views held by the Members of this body on the practical effects of Senate Joint Resolution 212, the Armenian resolution, which is now before the U.S. Senate.

There are two divergent views on whether the Senate should take a legislative action that some believe will interpret an historical topic which is today the subject of scholarly debate.

First, I wish to address the practical implications of passing this resolution. This document appears to be short. It appears to be simple. It seems to simply commemorate the Armenian lives lost under the rule of the Ottoman government after 1915. Practically speaking, however, this simple act could well become, and probably will be, a bombshell on the Turkish political scene. We cannot begin to know what potential and emotional and political impact this resolution would have halfway around the world.

Mr. President, the proponents of this measure, whose good intentions no one can question, have conceded that their resolution will generate a very strong reaction in Turkey. Government officials and political leaders in Turkey have made it very clear that passage of Senate Joint Resolution 212 will be offensive and adversely affect the current good relations between the United States of America and Turkey. Turkey has been a trusted and a loyal NATO ally.

The political fallout will not stop at official levels in Turkey. News of the passage of this resolution will be run on the front page of every Turkish newspaper, played on every Turkish news program. Our well-intentioned resolution is likely to have serious unintentional political repercussions which will resound from the President of Turkey down to the average person in the street.

Mr. President, this leads me to a second point on the practical implications of this resolution—its emotional impact. The resolution today seems so innocuous but it opens up a Pandora's box of volatile ethnic iussues that go back centuries. Very real manifestations of those ethnic issues are found today in the instability and ethnic conflict of the southern republics of the Soviet Union.

I fear, and many experts actually predict, that passage of this resolution will fan the flames of ethnic unrest and violence throughout the region. In our effort to take a stand on human rights we may be engendering ethnic strife and human suffering.

Mr. President, I fully sympathize with the Armenians whose ancestors' lives were lost in conflicts under the Ottomon government, but I wonder if this resolution is the appropriate way at this time to recognize the dead.

Certainly the events in Turkey after World War I are a matter of great historical significance and a matter of understandable concern of the descendants of the Armenians of that era. However, the details of those events are a matter of continuing debate among distinguished historians and scholars.

Mr. President, this may seem a little academic but it is quite important to this resolution which puts the U.S. Senate, a political body, on record as supporting the definition of an Armenian tragedy as a genocide, which is a historical judgment at best.

I wonder whether we want to put the U.S. Senate in the position of making such a determination in light of the disagreement among so many respected scholars today.

Mr. President, I commend the supporters of this resolution. They seek to honor a proud people. They want to remember a tragic point in history and, Mr. President, I truly believe each of the supporter's values and wants to maintain our close ties with our ally Turkey.

These are commendable goals. They are commendable beliefs. Unfortunately the unintended and negative effects of this resolution outweigh the intended result. Accordingly, Mr. President, I am unable to support this resolution.

Mr. President, I yield back the remainder of my time and once again I thank the very distinguished Senator from West Virginia for yielding this amount of time to me.

Mr. BYRD. Mr. President, I thank the Senator from Arkansas for his excellent statement. It was brief. He said it would be brief, it was to the point. It was incisive, and I compliment him.

I also wish to thank Senator EXON from Nebraska, who earlier made a statement in opposition to the resolution and likewise his was an excellent statement.

Senator EXON is a member of the Armed Services Committee and I think that his insight into the resolution, the kind of mischief that it could cause unintentionally, on the part of any cosponsors or authors of the resolution or Senators who vote for it, would be regrettable.

Mr. President, to return to the main thread of my comments—and I will have more to say about Turkish history and Europe as we go along—the Turkish willingness and ability to absorb the influences of Europe and to life, East meets West, was a great asset for Ataturk. Among the many great tasks that faced the new Republic of Turkey was a matter of developing an economic system.

With the great hinterlands of Eastern Europe having become independent states and the Arab provinces having become French League of Nations mandates or colonies, it was necessary to build a new economy in Turkey.

Mr. President, I see that my good friend, Senator BOREN, is on the floor. He is the chairman of the Senate Intelligence Committee. He has had great experience and lengthy service on that committee and as chairman of the committee.

I recall the visit to the NATO capitals back when I was the majority leader when we were considering a proposal of the ratification of the INF Treaty. During that visit, Senator BOREN, Senator NUNN, Senator PELL, and I talked with high government officials about the proposed treaty, about its impact on NATO and among those NATO capitals was that of Ankara. And we visited with then-President Evren and the then-Prime Minister, Mr. Ozal. And, as always, we came away with great impressions of our Turkish friends and assurances that they were our friends, assurances that they were supporters of the treaty, if they could indeed be sure that the treaty in all of its provisions were in the best interest of NATO, and the United States. And the Prime Minister then is the President of Turkey today, Mr. Ozal.

So, I want to yield to my friend, Mr. BOREN, because he sees through eyes that are somewhat different, from his vantage point on the Intelligence Committee, and I am eager to hear what he has to say. I know the Senate will profit by what he has to say about the resolution, about Turkey, about the possible impact of the resolution.

And may I say that it was only after the Senator from Oklahoma [Mr. BOREN] and the Senator from Georgia [Mr. NUNN] were fully satisfied as to that INF treaty, were fully assured that the bugs were worked out—and there were some bugs in it, that was evident by the fact that our Secretary of State went back to Moscow and with Mr. Shevardnadze worked out some of the problems to the complete satisfaction of the Senator from Georgia [Mr. NUNN] and the Armed Services Committee—and after the distinguished Senator from Oklahoma [Mr. BOREN] was fully satisfied that the White House had given him the kind of assurances that he felt were needed before the Senate gave its approval to the ratification of that treaty, it was after those two Senators were assured through their lengthy hearings, that I finally, as majority leader, said we will call up the treaty.

So that indicated the kind of faith I had in the Senator from Oklahoma and the Senator from Georgia as the chairmen of those two important committees, when I indicated that until they are satisfied and their committees are satisfied, I am not going to bring up that treaty.

There was a lot of pressure on me from the White House and the other side of the aisle and on my own side of the aisle at that time, but not until I was satisfied that those two chairmen and their ranking members were able to assure the Senate that the "i's" had been dotted and the "t's" crossed, was the treaty brought up.

So it is with that kind of faith that I had then, that I have today, that I am happy to express on the floor, and I will listen to what he has to say. I yield to the distinguished Senator from Oklahoma [Mr. BOREN] for such time as he may consume, with the understanding that I not give up my rights to the floor, that my resumption of my speech afterward will not constitute a second speech, and that no interruption will be shown in my speech as it appears in the RECORD.

The PRESIDING OFFICER. Without objection, the Senator from Oklahoma is recognized under the terms and conditions outlined by the Senator from West Virginia who retains the right to the floor.

Mr. BOREN. Mr. President, I thank the Chair and I thank my distinguished colleague from West Virginia, for whom I have so much respect, for the kind and generous remarks that he has just made. He has been a great leader of the Senate. He serves as our President pro tempore today and has a tremendous perspective about the proper role of this institution in our form of government.

One of the most educational experiences of my life was this mission that we had that the Senator from West Virginia just referred to, to NATO capitals, when we were discussing the INF Treaty.

We had the opportunity to meet with the leaders of all of those countries involved. We met with both the then Prime Minister, President now, Ozal of Turkey, and President Evren. We met with leaders, including President Mitterrand of France, the leader of Italy, Mr. Kohl and others of his associates of West Germany, and also with Mrs. Thatcher and the leaders of British Government. We had an opportunity to gain a real perspective about what was going on in the world about superpower relationships, about regional security interests.

One of the things that I learned from that trip, and I learned it with renewed understanding and deeper understanding than I had even before I made that trip, was the close relationship between the United States and the Government of Turkey, especially close relationship between the current leadership of the Government of Turkey and the great friendship which they were demonstrating for the United States.

I had not known a good bit about our relationships before I went. I had known about important business in which the Turkish Government was acting in partnership with the United States, with our regional security interests, our economic interests, and indeed to try to maintain peace and stability in an area of the world which has been so troubled, an area that has been swept by religious and ethnic disturbances for many, many years and is certainly, of all of the areas of the world today, perhaps the area which runs the gravest risk of some sort of cataclysm because of the long-festering traditional animosities that have existed between groups and religious groups in that particular part of the world.

The current Government of Turkey and the present leadership of the Government of Turkey are an important force for good in that area of the world for trying to create understanding, for building bridges of understanding between the United States and those nations of the Middle East and the Balkan areas who have oftentimes been in an adversarial role with each other.

The Turkish Government has been able to move in a way that has reached out to all sides of conflicts and controversies of the Middle East. They have been very helpful to us and a friend in interpreting our interests, our motives, our desire to promote peace and stability in the region to others because they have credibility with neighboring countries and they were able to speak for us in our behalf in a way of great assistance to the United States.

There are few countries located any place on the globe that provide such an important level of cooperation and friendship and mutual help in terms of national security matters as do the leaders of the Turkish Government and the Turkish people today provide for the people and leaders of the United States.

So it is in that context that I think we have to think very carefully about what we are doing here. It would be real easy for Members of the Senate to simply say I have great sympathy for the fact that people have suffered, that wrong has been done to people in the past, and to express concern for that suffering. Because I do not think there is a single Member of the U.S. Senate in either party, certainly not the Senator from West Virginia, not other Senators that have spoken expressing concerns about proceeding with this resolution, not a single Senator that does not have a very deep feeling of sorrow and pain for what has happened to the Armenian people over many, many years, for the terrible loss of life that occurred in the later part of the second decade of this century and the first part of the third decade of this century; terrible things that happened and things that remain in our consciousness, the consciousness of all of us.

Every Member of this Senate feels sympathy for those who suffered and for their families, and of course, those who died. In recent years Armenians especially in the Soviet Union have suffered a great deal from the tragic earthquake that decimated a large area of the Soviet Republic of Armenia and from recent ethnic clashes in Azerbaijan. All of us are sympathetic to the plight of Armenians in the Soviet Union in their drive for political freedom.

In our own country, the Armenian community has deep roots. Those of Armenian descent have made a great contribution to the political, social, and religious life of this country. They are good citizens. They are an important part of this rich fabric of tapestry of different races and religions that have come together and formed the real strength and quality of this country. We honor the contributions that they have made.

We understand fully the deep feelings that they have about their ancestors and family members in earlier years and earlier decades who suffered, who died, who suffered so much in the kinds of armed conflicts that occur at a time not unlike the time in which we are living now when the old order of world affairs was passing away and a new order was being created. There was a great deal of chaos in the world in the years 1915, 1916, 1917, and the years leading up to the First World War and the aftermath of the First World War, continued chaos, continued lack of definition of relationships, a lot of ethnic discord, discord between those of different races and different religions. Not unlike the times that we are going through right now.

In fact, Mr. President, I ask unanimous consent to have printed in the RECORD at this point two articles, one recently appearing in the Washington Post by Charles Krauthammer and another appearing in the New York Times by Alan Cowell which really catalog the kind of chaos that is going on in that particular region of the world at this time that we are living through right now, the time of political unrest, upheaval and rapid change, the kind of ethnic violence that is going on at this moment.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

39-059 O-91-23 (Pt. 2)

[From the Washington Post, Feb. 16, 1990]

THE NEW CRESCENT OF CRISIS: GLOBAL INTIFADA

(By Charles Krauthammer)

Pick up the newspaper, and look at the map. Where are the great explosions of ethnic and religious violence? Follow an arc from east to west then south: Kashmir, Azerbaijan, Kosovo (Yugoslavia), Lebanon, the West Bank. Along this new "arc of crisis" some of the most violent, volatile conflicts in the world are being played out. The explosions appear random. But a deep historical current runs through them all.

All of these conflicts are rooted in the same grievance: a Moslem population is demanding sovereign control over a piece of territory in which it constitutes a local majority. The Moslems are fighting for (1) dominion over their province and (2) domination over the local non-Moslem minorities. In all but Lebanon (which long ago achieved sovereignty), they demand (3) separation from the non-Moslem country to which they are now joined and (4) independence or unification with the Moslem heartland.

The obvious world-historical event of the day is the collapse of Soviet power. But there is another great movement going on as well, unnoticed but just as portentous: a global intifada. Consider:

Kashmir is the northern province of predominantly Hindu India, the only one with a Moslem majority. Its Moslems are in rebellion—"People of all ages," reports the local New York Times correspondent, "talk of jihads and intifadas, holy wars and uprisings"—demanding independence or unification with Moslem Pakistan. Indian forces sent to restore order have killed 133 Kashmiris since the newest flare up of this intifada began last month.

In Azerbaijan, the Soviet army was sent to crush a popular movement for secession and independence by Moslem Azerbaijanis.

In Kosovo province, Yugoslavia, the Albanian Moslem majority is demanding freedom from control by non-Albanian, non-Moslem Serbia.

In Lebanon, the Moslem majority backed powerfully by Syria surrounds and would subdue the now fratricidal Christian minority.

On the West Bank and Gaza, the local Palestinian majority and a strong Islamic movement are demanding their own separate Arab state (some say detached from, some say in place of Israel).

These are all long-standing conflicts. They are, of course, not centrally directed. They have their own origins and each its claim to justice. But they share not just a common political thread—the Muslim demand for hegemony—but a geographical unity. Look at the map. The Islamic heartland stretches contiguously from Morocco to Pakistan. These conflicts are all taking place at the edges of that heartland, precisely where the Moslem world meets the surrounding non-Moslems.

Kashmir is where the Moslem heartland meets Hindu India. Azerbaijan marks the border of Islam with the southern flank of the Soviet Union at the Caucasus, Kosovo (together with Bosnia, for now quiet) marks the farthest reach of Moslem populations into Christian Europe. In Lebanon and Israel, Islam confronts non-Moslem communities, one Christian, one Jewish, clinging to the edge of the Islamic world at the Mediterranean.

The Islamic heartland has gone through its period of decolonization. From Morocco to Pakistan these countries threw off European imperialism in a process that began earlier in the century and may be said to have culminated with the revolution in Iran. What we are seeing now is the further evolution of the Islamic awakening: the demand for local hegemony by Moslem populations at the borders of the Islamic heartland.

This demand is not without irony. In insisting upon self-determination, the activists demand what the Islamic world refuses to grant any of its ethnic and religious subgroups; neither its Kurds nor its Armenians nor its blacks (in southern Sudan, for example) are permitted sovereignty and territorial control over those lands in which they constitute a local majority.

Self-determination for whom? The Kashmiris are a minority within India. Kosovo Albanians are a minority within Yugoslavia. They demand political control of the subunit, Kashmir and Kosovo, where they constitute the local majority. But why does self-determination stop there? Will they grant similar autonomy, let alone independence, to the smaller groups within these territories? The Hindus of Kashmir and the Serbs and Montenegrins of Kosovo are hardly likely to enjoy very many civil rights, let alone national rights, under the rule of the separatists. (A reality that in the last decade has induced one-fifth of the non-Albanian population of Kosovo to flee.)

There is something arbitrary and nonreciprocal about these demands for independence. Nagorno-Karabakh is an overwhelmingly (Christian) Armenian province *within* Azerbaijan. It is demanding from Azerbaijan what Azerbaijan is demanding from the Soviet Union: freedom. Azerbaijan not only rejects that demand. It is prepared to go to war with Armenia to back that rejection.

What is being pursued, therefore, is not Wilsonian self-determination (though many of these intifadas have adopted its language), because in the Islamic world self-determination is permitted only to Moslems. What instead is being pursued is a pan-Islamic demand for sovereignty over any territory where Moslems form a local majority.

What does this mean? It is obvious that the turmoil in Eastern Europe, the Balkans and the Caucasus results form the collapse of communism. But history is being driven by another force as well: the political reawakening of the Islamic world. That reawakening is usually identified solely with fundamentalist, Koran-waving, Khomeiniism. Not so. Khomeini's success may be in inspiration, but these movements (with the possible exceptions of Kashmir and Gaza) are driven not so much by religious fervor as by a sense of ethnic and national separateness that may derive from Islamic identity but is not entirely defined by it.

Our focusing on Iran as the engine of Islamic revolution is a mistake. There is a much wider and deeper movement for Moslem political independence and political dominion. Compared to Iran, it is more secular and more Western but still far from democratic, and consequently, as the Armenians of Azerbaijan will testify, still far from tolerant. Its power now shaking the borders of the Islamic world, is just beginning to be felt.

On Sunday, Soviet Tadzhikistan exploded. Anti-Armenian, anti-Russian, anti-government rioting by the Moslem Tadzhiks signals that the last major region of the Islamic periphery, Soviet Central Asia, is next. The arc of crisis grows.

[From the New York Times, Jan. 24, 1990]

TURKEY: CRACKDOWN IS CAUSING TURKS TO BE TORN BY ANGER AND DESIRE TO KEEP TIES

(By Alan Cowell)

ANKARA, TURKEY, January 23.—As Turkish officials contemplate the Soviet crackdown in Azerbaijan, they are torn between anger at what they call repression of ethnic kinfolk and a desire to avoid greater bloodshed or strains with the Soviet Union.

Diplomats and officials say the authorities here have been upset by United States and other Western support of the Soviet intervention in Azerbaijan, saying the responses show double standards—or no standards at all—and reflect what one official called "political and religious bias" against Muslims. The Soviet action has thus driven a wedge between Washington and a close ally.

Turkey, the easternmost member of the Western alliance, shares a 390-mile frontier with the Soviet Union, only eight miles of it bordering directly on areas populated by Azerbaijanis in the enclave of Nakhicbevan.

But many Turks have a deep affinity with the Azeris, with whom they share a common language and a common heritage as descendants of the Turkic tribes that originated in Central Asia.

A CAUTIOUS DIPLOMACY

While most Azeris belong to the minority Shiite sect of Islam and most Turks are Sunnis, the distinctions seem to have been reduced in the shock of the Soviet intervention to crush Azerbaijani separatists and stem conflict between Azerbaijanis and the mostly Christian Armenians in the southern Soviet Union.

"You feel a bit broken when you see people on the television lying on the street, shot dead," said one official, speaking in return for anonymity. "This shouldn't be the way to handle the situation."

Turkish diplomacy is by tradition cautious, and the authorities here have maintained that style by characterizing the violence in Azerbaijan as an internal Soviet affair. But, officials said Ankara has intimated privately to the Soviet Union that is unhappy with the ferocity of the Soviet action.

"We have said we consider this problem as an internal problem of the Soviet Union," a high official said. "We have taken the utmost care not to give any incentive for unreasonable approaches to the problem," the official said, referring to Ankara's refusal to take public positions that might embolden Azerbaijanis to greater resistance at the risk of greater bloodshed. Turkey has withheld any public commitment to the Soviet Azerbaijanis' cause.

"PREFERRED IT MORE SUAVE"

But, the official said, "we have let the Soviets know our feelings" that "the Soviet way of handling the situation does not have our full support."

"We would have preferred that it be more suave," he said.

Turkey has long occupied an ambivalent position in this region, bridging Europe and Asia and the Arab world, yet fully at ease in none of lands once dominated for centuries by Ottoman forebears.

The crisis between Armenians and Azerbaijanis in the southern Soviet republics has an added twist here because Turkey has long faced accusations that Ottoman forces committed genocide against Armenians during the First World War in one of the many historical bouts of war between Turks and Russians. Turkish support for Azerbai-

janis, thus, is cast by some Western commentators as a renewal of hostility toward Armenians.

HISTORICAL COMPLEXITIES

And, as the crisis in Azerbaijan has shown, an emotional pull toward kinfolk in the East reflects one of the most profound strains in modern Turkey, pitting the long-standing urge for acceptance in the West as a secular nation against roots that some Westerners argue lie in the Islamic East

The historical complexities have left Ankara facing equally complex quandaries.

"They don't want to be regarded in the West as the prototype of the Asiatic Turk, and they think that the way fighting in Azerbaijan is being reported reinforces the barbaric stereotype," a Western diplomat said. "That does not help their efforts to join the European Community."

As the crisis has unfolded, Turkish officials have been increasingly angered by what they consider biased assessments in the West of how the conflict began.

DOUBLE STANDARDS SEEN

"The feeling here is that any time the West can find a way to poke a Muslim in the eye, they'll do it," a Western diplomat said. "There's a sense that, as NATO is less important, and Eastern Europe gets more attention and Turkey becomes more marginal to Western security interests the West will try to push the Turks away. That was a widespread fear before what happened in Azerbaijan. And it's become much sharper since then."

The reason, a senior Turkish diplomat said, is that "there are double standards in the West."

"In this particular instance there were no standards at all," he said, because Washington and others endorsed the Soviet push on Azerbaijan, calculating that the action would not bring a public outcry in the West.

"There is a political and religious bias that makes it easier to support an invasion of Azerbaijan" than of other Soviet republics closer to the West where Christianity dominates, one official said.

Throughout the crisis, Turkish and Soviet officials have maintained close contact and, according to some officials, Ankara was appraised of Soviet intentions long before the military drive in Azerbaijan took place.

The dialogue reflects a mutual interest, diplomats said Azerbaijanis have appealed to both Turkey and Iran for support. But the Soviet Union is seeking to contain the crisis and has major economic ties with both. Neither wants the conflict to spill onto the their own territory. Additionally, a historical legacy of Turk-Russian war has left Ankara reluctant to risk Soviet hostility.

Mr. BOREN. Mr. President, we do then understand and sympathize with and have very deep feeling about those that have suffered in the past, about the lives that have been lost during this particular time. But we have to realize also that the Armenian resolution is something very different than a mere expression of our sorrow for what happened, a mere expression of sorrow for loss of life.

The Senate, which ratified the Genocide Convention during the 99th Congress and the implementing legislation only last session, has a very special responsibility when debating about any legislative expression that implicates any group with what would be called the practice of genocide. We have a very special responsibility to weigh all of the evidence with complete understanding of what has been done. Research and understanding of history is for historians and for scholars not for elected officials and politicians who are amateurs in this thick area of scholarly research.

The demise of the Ottoman Empire at the close of World War I led to a great deal of civil strife, as I have mentioned, in clashes throughout the region. And there is no question, no question in anyone's mind that many, many Armenians died during the period in question. It is also without question that members of other ethnic groups including Turks and others were also injured and killed during this particular period.

The crucial question posed by this resolution is its use of the term "genocide" which implies systematic and intentional mass extermination; a decision made by policymakers to carry out mass extermination as a matter of a very carefully contrived plan to wipe out a group of people. As lawmakers, all of us in the Senate, of course, understand the importance of having a full legal understanding of what is meant by the term "genocide" and what is meant by the intent and the level of the intent and deliberate organization and planning required before someone should be charged or some group of people should be charged with committing the practice of genocide.

I would simply say, Mr. President, that this is a matter that is just now really being opened for research in the kind of thorough way that should be done before any judgment is made on the question of using the term "genocide." Recently the Republic of Turkey, with urging from around the world, and also a strong feeling of wanting to have history accurately reported, opened the Ottoman archives of this particular period of time.

They are now being studied. Scholars from around the world are conducting the kind of careful research that is necessary to make a final judgment about whether or not the term "genocide" should accurately be applied to this tragic period of human suffering and loss of life in that region of the world.

For the first time, the deliberations of the Council of Ministers in that period are open for study, as are the records of non-Moslem people living in the region, through the so-called church registers.

American scholars, as I mentioned and those from other areas of the world, now have an opportunity to study and develop a full account of this period.

I think it is appropriate for those of us in Congress to encourage that scholarly research. Let us learn all we can about that period. Let us learn all we can about the human tragedy so we can learn from it, so we can dedicate ourselves to promoting understandings between people and sensitivity between people and tolerance between different groups and respect for all groups, without regard to ethnic background, to race, to religion, and to other factors. Because, after all, that is the kind of world that we are all committed to build.

So, Mr. President, while all of us have deep sympathy for those who suffered during this terrible period of the history of our world in a region that has been so troubled and where so many were so suffering during this period of time, I think we have to act with great care before we use the term "genocide" in any kind of legislative expression. And, above all, we should give the scholars who now for the first time have the opportunity to research the issue in question with all available documentation that will help them make some final decisions about it, give the scholars an opportunity to conduct this research before we, in the political process, rush to a judgment about a consensus that has not yet developed in the scholarly community.

We have to ask ourselves when we undertake any kind of expression of opinion in this Chamber, is this an expression of opinion that will help bring stability to the world? Is this an expression of opinion that will further the national interests of the United States? Is this an expression of opinion that will cause people to understand each other, to work together in the world, Is this an expression of opinion, as we are focusing on the issue of genocide, that will help bring a level of human understanding to all people that will help us prevent these kinds of actions from ever occurring again?

By taking these actions we should ask ourselves, will we create a worse situation in the world, and particularly in this region where only in the last few months we have had ethnic unrest and violence and tragic occurrences?

Or will our taking this action today have a constructive effect? Will it help save lives in the future? Will it help preserve the cultural and religious integrity of groups of people in the future? Mr. President, I sincerely doubt it.

I think, by taking this action, especially while scholars are still researching the issue, and by making this kind of condemnation of a country and friend that is playing a very constructive role in the world, not only in terms of friendship with the United States but also in trying to reach out to bring peace and stability to the whole region, we will be doing just the opposite.

It is sometimes easy to take a political action, especially when a position we might take may be misunderstood. I suppose it is easier for all of us, because of the interests of the Armenian community, especially in the United States, and the fact that so many are active in a laudatory way, commendable way in community affairs, and because some of them might not understand if we did not pass this resolution or if we said this resolution really should not be appropriately considered at this time, the easier course might be simply to say let us move ahead and pass it. We do not have to explain ourselves, then, to the Armenian community in the United States.

I know there are many of our colleagues who feel very sincerely that we should do just that. I do not question the sincerity or the motivation of the Senator from Kansas for introducing this joint resolution. I know deep in his heart he has very strong feelings about what happened. I know he has a very strong desire to work for a world in which this kind of tragedy will never occur again.

But, Mr. President, there are times when we are called to go beyond just taking positions that people will readily understand. There are times in this institution in which we have to go beyond what the public opinion polls might say. There are times in which we are called to lead.

One of the reasons why I am such an admirer of the Senator from West Virginia is that time and time again, from the days that I first came here as a junior Member of this body, I have seen the Senator from West Virginia not just try to follow the polls, not just take the easy road because it would be simpler to explain; I have seen him willing to take the other road, the road perhaps less traveled: The road of real statesmanship, the road of doing what is right, even if it is not immediately understood by everyone who might be watching his actions, the road which says, I am going to keep an eye on the history book. I am going to think about what is best in the long run, not what temporarily might be the best thing to do politically.

I admire him greatly for taking that stance now because, while, as I say, it might be easier to explain if we voted for this resolution and pushed it to passage because we can explain it very easily and say we were expressing our lament about a tragedy in history, a loss of life, action against a group of people and their cultural integrity—that would be easy to explain, but, Mr. President, it would not be right. Because it would not be fair to rush to judgment before the record has been completely examined. At the same time, we have to think about the result of our actions. That is the test.

Mr. President, I again assert that it will simply cause damage to peace and stability in this troubled region of the world. It will not help bring peace and stability. I had the opportunity to visit recently with the Ambassador of the United States to Turkey, Mr. Abramowitz, about this situation, last year.

He indicated to me that, even with all that was occurring around the world over the last year in Europe, that the people of Turkey, in terms of their focus and their understanding of this issue and how it would be received by them if we passed this resolution, have made it their number one foreign policy concern. Because they take it as an indictment of themselves, the current leadership of the country, as well as a comment about their ancestors, about those who have come before them.

Ambassador Abramowitz I hope will have a chance to meet with all Senators about this issue. He indicated to me he would not be able to accomplish anything as our Ambassador if this resolution is passed. His ability to deal with this important ally and to gain their cooperation on important matters, matters that will be helpful to all of the people of this region of the world, whether they are Turkish, whether they are Armenian, whether they are Christian or Moslem or Jewish or members of other religious faiths, it will do nothing to help. It will undermine his ability to gain cooperation and to build a partnership for the kinds of actions that are so important in that region of the world, for the economic development that is necessary to raise the living standards and improve the quality of life for all of the people in this area.

Turkey has been an important economic partner as well as an important political and military partner, an important Member of NATO. The current leader of the Turkish Republic is a brilliant man, an economist, formerly with the World Bank, a man who understands what is necessary for the economic development, not only of his whole country but the economic development for all the people in the region, not just people of Turkish descent.

So, Mr. President, I think we have to weigh very carefully the warning from Ambassador Abramowitz that this resolution, if we pass it, will not promote our interests. It will not promote a close friendship and cooperation with the people of Turkey. It will not help anyone in the region in terms of building toward peace and stability and economic development.

The White House, the State Department, and the Defense Department all have voiced their strong opposition to this resolution. I again emphasize, from my own perspective as chairman of the Senate Intelligence Committee, we have an important partnership with Turkey on a whole range of matters—political, diplomatic, military and economic—that are of great importance and great strategic interest to the United States of America.

So, Mr. President, while I certainly feel deeply about what happened in the past, while I am concerned about the loss of life, while I deplore it, while I feel great sorrow for those, on all sides and from all groups who lost their lives in this period of time, and have particular feeling for the Armenian people because of the sufferings that they have gone through for many decades, and while I know the vast majority of the American peole feel that same sympathy, and that while I am convinced every single Senator, whether they vote for or against this resolution feels the same, I am constrained to say that our higher obligation is to stop and say: Let us act not on the basis of what will be instantly and immediately understood by our constituents, but let us have the courage to lead, to inform and to act in what is really the best interests of all the people, not only of our country but all people in the region.

If, indeed, this resolution, is passed, would be a source of bitterness in the future, if it would bring ill will, if it would inflict pain, if it would cause itself misunderstanding, if it would rupture an important friendship between this country and a close ally, if it would make it more difficult for us to form a partnership to help all the people of this region, then, Mr. President, it is wrong for us to pass it.

It is not the right time to consider it. When in doubt, the U.S. Senate should not act on a matter of this importance, particularly of this importance, to a friend of the United States.

I have heard from a number of Americans who conduct business in Turkey. I have heard from the Turkish-United States Business Council about this resolution and the Aerospace Industries Association expressing their opinion about this joint resolution, urging us to postpone consideration of it, not to pass it in its current form.

Mr. President, I ask unanimous consent that there be printed in the Record a letter from Howard Wahl, chairman of the Turkish-United States Business Council, and also a letter from Mr. Don Fuqua, United States Aerospace Industries Association at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TURKISH-U.S. BUSINESS COUNCIL,
Washington, DC, February 14, 1990.

Hon. DAVID L. BOREN,
U.S. Senate, Washington, DC.

DEAR SENATOR BOREN: I write to you on behalf of the more than forty U.S. corporations which support this Council to urge

that you carefully weigh the following factors in considering your vote on SJR 212 (the Armenian Genocide Resolution):

There is the widespread perception in Turkey from the President to the man on the street that this is not a simple commemorative resolution, but a punitive measure designed to slander a people with callous disregard for 45 years of their unconditional support for American global objectives.

The Government of Turkey would view U.S. Senate approval of SJR 212 as a clear-cut violation of the Defense and Economic Cooperation Agreement which the U.S. recently negotiated with Turkey, and could be expected to review its obligations under that pact accordingly.

There is a strong consensus among the American corporate community that passage of this resolution would do untold, long-term harm to our commercial relationships with Turkey, a country with whom we have a positive trade balance and one which offers great promise as a trading and joint venture partner with U.S. firms.

Turkey's critical role in Western security will increase in the years ahead. As the U.S. reduces its foreign military presence, Turkey will be called upon to assume a larger proportion of continuing common regional defense burdens.

The historical premise of SJR 212 is questionable; its consequences are not. It would clearly undermine both U.S. commercial and geo-political interests.

We urge you to weigh these considerations in your deliberations on SJR 212, which is to be voted in the Senate in the very near future, and to oppose this resolution or any variations of it.

Sincerely,

HOWARD W. WAHL,
Chairman.

AEROSPACE INDUSTRIES ASSOCIATION,
Washington, DC, February 16, 1990.

Hon. DAVID L. BOREN,
U.S. Senate, 453 Russell Senate Office Building, Washington, DC.

DEAR SENATOR BOREN: I understand there is some likelihood that the Senate will take up S.J. Res. 212, the "Armenian Genocide Resolution", in the next few weeks. I hope that it will not do so.

The Aerospace Industry Association represents most of the major companies that produce aircraft, engines, missiles, and space craft (see attached membership list). Last year our industry exported $31 billion in U.S. products, and had a positive trade balance of $21 billion, a better record than any other U.S. economic sector. We are obviously concerned about an action which could undercut the ability of our members to continue that record.

AIA does not purport to be an expert on history. But we do note that each of the past Administrations has opposed this type of resolution. This Administration is no exception. The White House has stated that, as currently drafted, it would "vigorously oppose" S.J. Res. 212.

Turkey has long been a major customer for U.S. commercial and defense aerospace products. Its concern with the resolution has led to the suspension of several contract negotiations with U.S. firms involving hundreds of millions of dollars. As the products we sell tend to remain in inventory for two decades, a decision to turn to another supplier today will affect U.S. business and jobs for years to come.

By word and by deed, no country has in recent years taken a stronger stance than the United States when it comes to expressing condemnation for any violations of human rights in today's world, let alone for such a grievous crime as genocide. We need hardly turn to a tragic but disputed episode of seventy years ago to clarify U.S. attitudes on such matters.

I would therefore hope that the Senate would defeat the resolution if it is considered. It is more important that we address the critical problems currently confronting that troubled region of the world, than it is to inflame today's problems with yesterday's remembrances.

Sincerely,

DON FUQUA,
President.

MEMBERSHIP OF AEROSPACE INDUSTRIES ASSOCIATION

Aerojet.
Aeronca, Inc., A Fleet Aerospace Company.
Allied-Signal Aerospace Company.
Aluminum Company of America.
Argo-Tech Corporation.
B.H. Aircraft Company, Inc.
The Boeing Company.
Celion Carbon Fibers: A Division of BASF Structural Materials, Inc.
Chrysler Technologies Corporation.
Colt Industries Inc.: Chandler Evans, Menasco Aerosystems, Walbar.
E-Systems, Inc.
Fairchild Industries, Inc.
Fairchild Space and Defense Corporation.
Ferranti Defense & Space Inc.: Marquardt, Ferranti Defense Systems, Cardion Electronics, Ferranti Electro-Magnetic Processes, Ferranti Datacom/Microwave.
FMC Corporation.
General Dynamics Corporation.
General Electric Company.
General Motors Corporation—General Motors Hughes Electronics: Delco Electronics, Hughes Aircraft Company, Allison Gas Turbine Division.
The BF Goodrich Company.
Grumman Corporation.
Harris Corporation.
Health Tecna Aerospace Company.
Hercules Incorporated.
Hexcel Corporation.
Honeywell Inc.
IBM Corporation: System Integration Division.
The Interlake Corporation.
ITT Defense, Inc.
Kaman Aerospace Corporation.
Lear Astronics Corporation.
Lockheed Corporation.
Lord Corporation.
The LTV Corporation.
Lucas Aerospace, Inc.
Martin Marietta Corporation.
McDonnell Douglas Corporation.
Northrop Corporation.
Ontario Corporation.
Parker Hannifin Corporation.
Precision Castparts Corp.
Raytheon Company.
Rockwell International Corporation.
Rohr Industries, Inc.
Smighs Industries Aerospace & Defense Systems, Inc.
Sundstrand Corporation.
Teledyne CAE.
Texas Instruments Incorporated: Defense Systems & Electronics Group.
Textron Inc.
Thiokol Corporation.
TRW Inc.
Unisys Corporation.
United Technologies Corporation—Aerospace/Defense: Pratt & Whitney, Sikorsky, Hamilton Standard, Missiles and Space Systems, Norden.
Westinghouse Electric Corporation: Electronic Systems Group.
Williams International.

Mr. BOREN. Mr. President, I think I pretty well covered the ground I want to cover with my colleagues. I simply appeal to them again. Do what is right in this situation. Ask yourself this question: Will our acting at this point in time, before the historical research is completed, undo one bit of wrong that has been done in the past? Will it bring back to life one person who gave his life or her life needlessly, without purpose, tragically? Will it do anything to help bring back the cultural identity of those who were attacked during this period of time? Mr. President, I do not believe we can answer yes to any of those questions.

On the other hand, if we ask the question will the passage of this resolution lead to less tolerance, will it lead to more understanding, will it lead to more bitterness, will it lead to more conflicts of an ethnic nature in this region of the country, will it make it harder to lift the quality of life of the people, including Armenians, in the region, if we can answer yes to any of these questions, and I am fearful, Mr. President, the answer to all of them is yes, that it would be a serious mistake indeed for us to proceed.

So I hope my colleagues will think long and hard before they vote on this motion to proceed. I think if they do, they will join us in voting not to proceed on this matter at this time. They will join us in trying to take a constructive action to create a climate of understanding, a climate in which this kind of loss of life will never occur again, a climate of opinion in which the people of the world will come to respect each other and will guard against the practice of genocide, not only in this generation but for generations to come.

I urge my colleagues: Look at the facts, consider the implications. Ask yourself: Will the passage of this joint resolution do one thing to make this world more peaceful, more secure? Will it do one thing to promote understanding between people? I think when my colleagues reflect upon those questions they will make the decision to join the Senator from West Virginia and others in voting to delay consideration of this particular resolution.

Again, I want to salute my colleague from West Virginia for the position that he has taken in this matter. I know it has been difficult. I know him to be a man of great sympathy for those who have suffered. He is a person who constantly, time and time again, stands with the underdog in the U.S. Senate. I know it is not easy for

him to take the position that some people might misunderstand, because he is a man of sympathy, a man of deep feelings, and a man of great personal integrity who has respect for and tolerance for people of all races and religions and ethnic backgrounds.

I believe in opposing this resolution's consideration at this time, he is standing for those principles and he is trying to create a climate in the world that will bring back that kind of understanding that is the ultimate protection against genocide and against human suffering. I thank the Chair.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the able Senator from Oklahoma, the chairman of the Senate Intelligence Committee, for his very positive comments.

As I sat and listened, it was evident to me that he was speaking with compassion. He was speaking with concern for those who have been treated with injustice. His was a reasonable speech. I think that when the chairman of the Committee on Intelligence speaks to the Senate and asks rhetorically before we vote as to whether or not this indeed is the way to go to promote peace, understanding, and to promote good will among peoples and among nations, we ought to listen. We ought to think about those questions he asks.

So it was obvious to me that the Senator from Oklahoma was speaking as a matter of conscience and out of his concerns based on his intimate knowledge of our relations with Turkey and the importance of those good relations, the continuation of those good relations. I thank him for his statement. I commend him for his patriotism and for his ability to articulate points that we ought to ponder before we vote.

Mr. President, I understand that the Senator who is now presiding over the Senate, Mr. GRAHAM of Florida, wishes to speak. I will be happy to take the Chair while he speaks and then resume my speaking on the floor. However, may I say that if there are no other Senators who wish to speak following the Senator from Florida, I am quite willing to forgo the further making of my own speech. I have indicated prior to this moment a number of times that I came to the floor at 1:15 today and began speaking at 1:30 with a speech. I have another one down on my desk. This is 68 pages in length. I delivered 11 pages in an hour and a half. So at that rate, it would only take us six times that to deliver the 68 pages. That will be 9 hours. I have spoken an hour and a half. That would leave 7½, by the old math. But I will be happy to forgo finishing that speech and go home and see my wife, Erma, and my little dog Billy Byrd who are waiting to see the old boy come home.

When I was a Member of the House of Representatives, I used to go home to the southern part of West Virginia. Sometimes I would get there at 1 or 2 o'clock in the morning. I would knock on the door. My mom would let me in. She always asked me if I wanted something to eat. She wanted to fix me something to eat at 1 o'clock, 2 o'clock in the morning. Then when I lie down to sleep, I heard her prayers in the other room. Always when I left, she would say to me, "Robert, you be a good boy." I came on back to Washington and was ready to vote in the House the next day. "Robert, you be a good boy."

Well, I am wanting to go home, to see my wife Erma and my little dog Billy, Billy Byrd. It is always a great reunion when I go in at night and see Billy Byrd. He is a Maltese. He figures that he should eat what we eat. He sleeps on our bed. We feel the same way about him. He should eat what we eat, and we love him and he loves us.

So I am willing to forgo the remaining 7½ hours of this portion of my speech and spare everyone present the time it would take for them to listen to this speech, although it would be eloquent. And if something should happen that I not make the rest of it, I am sure they will be sorry that I did not complete it tonight. But I cannot always please everybody around here.

So I will be happy to forgo the making of the rest of the speech, if other Senators do not want to listen or cannot come to the floor, or do not wish to speak.

Now, if there are other Senators who wish to speak, I may want to finish my speech. But I believe at this time, if the distinguished leader will permit me, I will take the chair and relieve the Senator from Florida so he can make a few remarks.

Mr. President, I yield to the distinguished majority leader.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRAHAM addressed the Chair.

The PRESIDENT pro tempore. The Senator from Florida is recognized, and, without objection, the rights of the Senator from West Virginia to retain the floor following the speech of the Senator from Florida will be protected under the same terms and conditions which heretofore have been provided in such instances.

The Senator from Florida.

Mr. GRAHAM. Thank you, Mr. President. I wish to congratulate the President pro tempore, Senator BYRD, for the leadership that he has shown on this very sensitive issue that we are dealing with as we debate Senate Joint Resolution 212.

During the past almost 2 days, and particularly the last several hours this afternoon, Senator BYRD has shown a grasp of the issues which is truly impressive and a great asset to all of his colleagues in the Senate. Senator BYRD understands the ramifications which Senate action on this issue may have, and he has given this body very sound advice over these past 2 days. I hope that we will be wise enough to follow it.

Mr. President, the resolution which we are considering asks the President to declare April 24 to be a day of remembrance commemorating the 1915–23 genocide of the Armenian people. Many have cosponsored this joint resolution, Mr. President. I want to state that I was a cosponsor of this joint resolution. When I did so I thought that we were operating within our tradition of concern for human rights, that we were commemorating a tragic event of 75 years ago. I believed that this legislation, if enacted, would have no repercussions beyond the expression of congressional and executive concern.

Mr. President, the essence of this joint resolution is one with which we Americans can all identify. We are a nation which dates its very beginning from the Declaration of Independence. When Abraham Lincoln stood on that field in Gettysburg in 1863, and started his most famous of American addresses with the statement that, "Four score and 7 years ago," he was speaking of the history of this Nation with the Declaration of Independence, a great statement of our national commitment to universal human rights.

We are all aware of the stability of the Armenian people, a people who, for reasons that defy understanding, have suffered a series of tragedies throughout their existence, a people who have, once given the opportunity for freedom and liberty, made such enormous contributions in every nation in which they have settled, most particularly in the United States of America. So when a resolution such as this was presented, it had an immediate appeal to our traditions and to our sense of justice.

Mr. President, I have now reluctantly withdrawn my name as a cosponsor, and I believe it is appropriate to convey to my colleagues and to my constituents in Florida why I have done so.

I have done so because I have come to a recognition that there are real consequences of what we do in the U.S. Senate, that resolutions like this

can have a profound effect. They are not cost-free opportunities to go on the record. I was particularly made aware of this last August.

Last year the Senate approved a resolution criticizing Yugoslavia for its treatment of the ethnic Albanians living in the Kosovo Province. This was a joint resolution which was passed late one evening without even the kind of discussion that we are having now on Senate Joint Resolution 212. What were the implications of that resolution?

The resolution contributed to Yugoslavia recalling its Ambassador from the United States. Last August, when I visited in Yugoslavia for purposes of attending a conference on United States-European Soviet relations, we were accosted by Yugoslavs who felt that the United States had taken the Albanian side in what was obviously a highly emotional issue.

The Foreign Minister of Yugoslavia spoke to this gathering and focused a considerable amount of his attention on the strain that this resolution had created between Yugoslavia and the United States of America. Here we have a country that, long before the events of 1989, had been a country that had been proud to stand for some values of independence, sovereignty, and resist Soviet domination in a very contentious corner of the world, and which we, by a joint resolution passed without much appreciation of its consequences, had just condemned.

Of course, we want to speak out for human rights violations. The Senate has and will continue to do so, but in so doing we must speak knowledgeably, fairly, and with a full appreciation of the impact which our actions must have.

That action last year relative to the Yugoslavs, the Albanians, and Kosovo failed to meet those tests. I suggest that, if we were to take an affirmative action on Senate Joint Resolution 212, we would again fail to meet the test of acting knowledgeably, fairly, and with a full appreciation of the consequences of our actions.

There is no doubt that passage of this joint resolution would greatly harm relations with an important ally of the United States of America.

There are few issues around on which the Turkish people can achieve a consensus of opinion. Vigorously resisting the charge of genocide is one of those issues. This is true, despite however much the resolution sponsors deny its applicability to present-day Turkey. The Turkish Government is bound by history and public opinion to take action, should the United States enact this joint resolution.

The seriousness with which the Turkish Government views passage of this joint resolution is demonstrated by its reaction to approval last October of this resolution by the Senate Judiciary Committee. What was that action? That action was to restrict United States military travel in Turkey. If they would take that action, Mr. President, just by the force of the committee vote to recommend this resolution to the full Senate, what action could we anticipate, should the full Senate then approve this resolution?

Turkey continues to be a key NATO ally. Joint United States-Turkish military installations are central to our ability to protect NATO's southern flank. A strong relationship between the United States and Turkey is an important component of the United States' ability to influence events throughout the Middle East. The United States-Turkish relationship remains paramount, even during a time of easing East-West tensions.

Congressional consideration of the resolution has moved far beyond commemorating a historical event. Congress is now conducting full-fledged foreign policy debates. To date, no one has seriously suggested weakening the United States-Turkish relationship. Yet, passage of this legislation would force the Turks to act contrary to United States world interests.

Mr. President, passage of this joint resolution threatens to increase ethnic violence. Recent events in the Soviet Union underscore the deep seated hostilities which exist in the Transcaucasus.

The civil war being waged by the Azeris and Armenians demonstrates that national sentiments lie just below the surface. All nations should refrain from taking action that would widen that violence, that would lacerate old wounds.

Despite this considerable surface appeal, this resolution does far more than mark a tragedy. It unwittingly puts Congress in the position of becoming a court in a historical dispute. Its enactment will force Turkey to take actions weakening a key United States political and military alliance. I, therefore, urge my colleagues to accept the wisdom of conscious nonaction, to recognize the potential adverse impact of the adoption of this resolution, however well intended.

Mr. President, I congratulate the Presiding Officer on his leadership in this important issue. I trust we will follow.

I yield the floor.

Mr. HOLLINGS addressed the Chair.

The PRESIDENT pro tempore. The Senator from South Carolina [Mr. HOLLINGS] is recognized without objection under the same terms and conditions that prevail as with the Senator from Florida [Mr. GRAHAM].

Mr. HOLLINGS. Mr. President, I thank the distinguished Presiding Officer, not just for his customary courtesy but more particularly for taking on the lead in this Armenian resolution on behalf of Turkey, and on behalf, I think, of the right of the particular situation.

I remember one time back in South Carolina, I had the occasion at a lunch to introduce Capt. Eddie Rickenbacker, and he erected a statue in his talk to Joe McCarthy. Later that evening, I had to introduce Col. Bob Stevens, former Secretary of the Army, who promptly tore the statue down.

We had, earlier today, one of the world's great heroes, Vaclav Havel, the President of Czechoslovakia. He erected a statue to NATO, using the words contributing to the salvation of us Europeans and saving the world.

Now this evening, there are those who would take this great NATO ally and tear the statue down. I am back in the same situation. I resist that, and I want to join with the distinguished former majority leader in the sense that Turkey has been a very, very stalwart friend, loyal ally, a Moslem democracy. I visited there on several occasions.

Were it not for this particular strength on that underbelly, in this bipolarity referred to by our hero, Vaclav Havel, earlier today, I do not think that would have occurred, that we would have been hearing President Havel as the President today.

That is one of the contributions. I do not single that out as the only one. Let me say this with respect to this hero, which is the real purpose of my taking a minute here as we close this evening.

In November 1970, I had occasion, with Senator Javits of New York, Senator Jackson of Washington, and Senator CLAIBORNE PELL of Rhode Island, and other Senators, to visit Prague, Czechoslovakia. We were anxious to see this leader of the group of 77, which was leading the resistance. And we were told that we were not the only ones who were looking for him. The Czech authorities were, too. Seemingly, they always had some exceptions to him every meeting with visiting free-world citizens on the one hand or, on the other hand, something else that he may be charged with. So it would not be easy. We made three passes.

On the final pass on the way to the airport, they said there is still one chance. And we wound up the mountain out of the regular route to the airport into a little home, and we gathered around in a bedroom, and we were seated there for sometime waiting. And Havel came out of the closet and sat down on the bed and we started a conversation.

Senator Jackson, our senior member, immediately started explaining what we were doing, the United States of America, for freedom and specifically for arms control. He went into how we had gotten a SALT II agreement and

hoped to ratify that; that we will finally get an agreement with the Soviets.

Mr. Havel said we are not interested in that. He said—I am cutting the answer short due to the late hour—in substance that, look, the Soviets will negotiate, negotiate and negotiate. Generally, they will get an agreement favorable to themselves. But irrespective of its favorable or unfavorable nature, they would violate it at will. And he started listing the broken agreements.

In a recovery effort, Senator Jackson said, well, as you know, we are very, very strong and proud of you dissidents here in resisting, and we are trying to support you with all the economic pressure that we can possibly bring.

Mr. Havel looked him in the eye and said, Mr. Senator, we are not interested in that.

Senator Jackson said, to get out of the country, to help with those who wish to leave, and we have Jackson-Vanik—I never will forget that.

Havel said, I am totally familiar with that, but that is not our wish, to leave this country. He said, Czechoslovakia was raped in 1938, 1948, and 1968. He said, if my generation, our group, does not stick it out and see it through to freedom, the world will never know Czechoslovakia as we have known it.

That set not just Senator Jackson back, but all the Senators. We talked about it on the way to the airport. I reviewed it when Havel came to my attention again last fall. I noted this fellow was a real courageous individual, but somehow or other he was a little goofy, thinking there was a chance in his lifetime or mine to see the freedom of Czechoslovakia.

I noted today, because we refreshed our memories at the joint meeting, and then later at the luncheon, to say that this man is a true patriot. He is absolutely not just courageous, but committed. You can tell it from his speech, as delivered. Incidentally, he is very literate, and he wrote every word of this himself. I was told that many tried to change the wording, to leave out this or that, do not emphasize another thing; but this is his own selection.

I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC TO A JOINT MEETING OF THE UNITED STATES CONGRESS, WASHINGTON, DC, FEBRUARY 21, 1990

Dear Mr. Speaker, dear Mr. President, dear Senators, and Members of the House, ladies and gentlemen: My advisors have advised me, on this important occasion, to speak in Czech. I don't know why. Perhaps they wanted you to enjoy the sweet sounds of my mother tongue.

The last time they arrested me, on October 27 of last year, I didn't know whether it was for two days or two years.

Exactly one month later, when the rock musician Michael Kocab told me that I would probably be proposed as a presidential candidate, I thought it was one of his usual jokes.

On the 10th of December 1989, when my actor friend Jiri Bartoska, in the name of the Civic Forum, nominated me as a candidate for the office of President of the Republic, I thought it was out of the question that the parliament we had inherited from the previous regime would elect me.

Twelve days later, when I was unanimously elected President of my country, I had no idea that in two months I would be speaking in front of this famous and powerful assembly, and that what I say would be heard by millions of people who have never heard of me and that hundreds of politicians and political scientists would study every word I say.

When they arrested me on October 27, I was living in a country ruled by the most conservative Communist government in Europe, and our society slumbered beneath the pall of a totalitarian system. Today, less than four months later, I am speaking to you as the representative of a country that has set out on the road to democracy, a country where there is complete freedom of speech, which is getting ready for free elections, and which wants to create a prosperous market economy and its own foreign policy.

It is all very strange indeed.

But I have not come here to speak of myself or my feelings, or merely to talk about my own country. I have used this small example of something I know well, to illustrate something general and important.

We are living in very odd times. The human face of the world is changing so rapidly that none of the familiar political speedometers are adequate.

We playwrights, who have to cram a whole human life or an entire historical era into a two-hour play, can scarcely understand this rapidity ourselves. And if it gives us trouble, think of the trouble it must give to political scientists, who spend their whole lives studying the realm of the probable. And have less experience in the improbable than us playwrights.

Let me try to explain why I think the velocity of the changes in my country, in Central and Eastern Europe, and of course in the Soviet Union itself, has made such a significant impression on the face of the world today, and why it concerns the fate of us all, including you Americans. I would like to look at this, first from the political point of view, and then from a point of view that we might call philosophical.

Twice in this century, the world has been threatened by a catastrophe; twice this catastrophe was born in Europe, and twice you Americans, along with others, were called upon to save Europe, the whole world and yourselves. The first rescue mission—among other things—provided significant help to us Czechs and Slovaks.

Thanks to the great support of your President Wilson, our first president, Tomas Garrigue Masaryk, could found our modern independent state. He founded it, as you know, on the same principles on which the United States of America had been founded, as Masaryk's manuscripts held by the Library of Congress testify.

At the same time, the United States was making enormous strides. It became the most powerful nation on earth, and it understood the responsibility that flowed from this. Proof of this are the hundreds of thousands of your young citizens who gave their lives for the liberation of Europe, and the graves of American airmen and soldiers on Czechoslovak soil.

But something else was happening as well: the Soviet Union appeared, grew, and transformed the enormous sacrifices of its people suffering under totalitarian rule, into a strength that, after World War Two, made it the second most powerful nation in the world. It was a country that rightly gave people nightmares, because no one knew what would occur to its rulers next and what country they would decide to conquer and drag into their sphere of influence, as it is called in political language.

All of this taught us to see the world in bipolar terms, as two enormous forces, one a defender of freedom, the other a source of nightmares. Europe became the point of friction between these two powers and thus it turned into a single enormous arsenal divided into two parts. In this process, one half of the arsenal became part of that nightmarish power, while the other—the free part—bordering on the ocean and having no wish to be driven into it, was compelled, together with you, to build a complicated security systems, to which we probably owe the fact that we still exist.

So you may have contributed to the salvation of us Europeans, of the world and thus of yourselves for a third time: you have helped us to survive until today—without a hot war this time—but merely a cold one.

And now what is happening is happening: the totalitarian system in the Soviet Union and in most of its satellites is breaking down and our nations are looking for a way to democracy and independence. The first act in this remarkable drama began when Mr. Gorbachev and those around him, faced with the sad reality of their country, initiated their policy of "perestroika". Obviously they had no idea either what they were setting in motion or how rapidly events would unfold. We knew a lot about the enormous number of growing problems that slumbered beneath the honeyed, unchanging mask of socialism. But I don't think any of us knew how little it would take for these problems to manifest themselves in all their enormity, and for the longings of these nations to emerge in all their strength. The mask fell away so rapidly that, in the flood of work, we have literally no time even to be astonished.

What does all this mean for the world in the long run? Obviously a number of things. This is, I am firmly convinced, an historically irreversible process, and as a result Europe will begin again to seek its own identity without being compelled to be a divided armory any longer. Perhaps this will create the hope that sooner or later your boys will no longer have to stand on guard for freedom in Europe, or come to our rescue, because Europe will at last be able to stand guard over itself. But that is still not the most important thing: the main thing is, it seems to me, that these revolutionary changes will enable us to escape from the rather antiquated straitjacket of this bipolar view of the world, and to enter at last into an era of multipolarity. That is, into an era in which all of us—large and small—former slaves and former masters—will be able to create what your great President Lincoln called "the family of man". Can you imagine what a relief this would be to that part of the world for some reason is called

the Third World, even though it is the largest?

I don't think it's appropriate simply to generalize, so let me be specific:

(1) As you certainly know, most of the big wars and other conflagrations over the centuries have traditionally begun and ended on the territory of modern Czechoslovakia, or else they were somehow related to that area. Let the Second War stand as the most recent example. This is understandable: whether we like it or not, we are located in the very heart of Europe, and thanks to this, we have no view of the sea, and no real navy. I mention this because political stability in our country has traditionally been important for the whole of Europe. This is still true today. Our government of national understanding, our present Federal Assembly, the other bodies of the state and I myself will personally guarantee this stability until we hold free elctions, planned for June. We understand the terribly complex reasons, domestic political reasons above all, why the Soviet Union cannot withdraw its troops from our territory as quickly as they arrived in 1968. We understand that the arsenals built there over the past twenty years cannot be dismantled and removed overnight. Nevertheless, in our bilateral negotiations with the Soviet Union, we would like to have as many Soviet units as possible moved out of our country before the elections, in the interests of political stability. The more successful our negotiations, the more those who are elected in our places will be able to guarantee political stability in our country even after the elections.

(2) I often hear the question: how can the United States of America help us today? My reply is as paradoxical as the whole of my life has been: you can help us most of all if you help the Soviet Union on its irreversible, but immensely complicated road to democracy. It is far more complicated than the road possible to its former European satellites. You yourselves know best how to support, as rapidly as possible, the non-violent evolution of this enormous, multi-national body politic towards democracy and autonomy for all of its peoples. Therefore, it is not fitting for me to offer you any advice. I can only say that the sooner, the more quickly, and the more peacefully the Soviet Union begins to move along the road towards genuine political pluralism, respect for the rights of nations to their own integrity and to a working—that is a market—economy, the better it will be, not just for Czechs and Slovaks, but for the whole world. And the sooner you yourselves will be able to reduce the burden of the military budget born by the American people. To put it metaphorically: the millions you give to the East today will soon return to you in the form of billions in savings.

(3) It is not true that the Czech writer Vaclav Havel wishes to dissolve the Warsaw Pact tomorrow and then NATO the day after that, as some eager journalists have written. Vaclav Havel merely thinks what he has already said here, that for another hundred years, American soldiers shouldn't have to be separated from their mothers just because Europe is incapable of being a guarantor of world peace, which it ought to be, in order to make some amends, at least, for having given the world two world wars. Sooner or later Europe must recover and come into its own, and decide for itself how many of whose soldiers it needs so that its own security, and all the wider implications of that security, may radiate peace into the whole world. Vaclav Havel cannot make decisions about things it is not proper for him to decide. He is merely putting in a good word for genuine peace, and for achieving it quickly.

(4) Czechoslovakia thinks that the planned summit conference of countries participating in the Helsinki process should take place soon, and that in addition to what it wants to accomplish, it should aim to hold the so-called Helsinki Two conference earlier than 1992, as originally planned. Above all, we feel it could be something far more significant than has so far seemed possible. We think that Helsinki Two should become something equivalent to the European peace conference, which has not yet been held; one that would finally put a formal end to the Second World War and all its unhappy consequences. Such a conference would officially bring a future democratic Germany, in the process of unifying itself, into a new pan-European structure which could decide about its own security system. This system would naturally require some connection with that part of the globe we might label the "Helsinki" part, stretching westward from Vladivostok all the way to Alaska. The borders of the European states, which by the way should become gradually less important, should finally be legally guaranteed by a common, regular treaty. It should be more than obvious that the basis for such a treaty would have to be general respect for human rights, genuine political pluralism and genuinely free elections.

(5) Naturally we welcome the initiative of President Bush, which was essentially accepted by Mr. Gorbachev as well, according to which the number of American and Soviet troops in Europe should be radically reduced. It is a magnificent shot in the arm for the Vienna disarmament talks and creates favorable conditions not only for our own efforts to achieve the quickest possible departure of Soviet troops from Czechoslovakia, but indirectly as well for our own intention to make considerable cuts in the Czechoslovak army, which is disproportionately large in relation to our population. If Czechoslovakia were forced to defend itself against anyone, which we hope will not happen, then it will be capable of doing so with a considerably smaller army, because this time its defense would be—not only after decades but even centuries—supported by the common and indivisible will of both its nations and its leadership. Our freedom, independence and our new-born democracy have been purchased at great cost, and we will not surrender them. For the sake of order, I should add that whatever steps we take are not intended to complicate the Vienna disarmament talks, but on the contrary to facilitate them.

(6) Czechoslovakia is returning to Europe. In the general interest and in its own interest as well, it wants to coordinate this return—both politically and economically—with the other returnees, which means, above all, with its neighbors, the Poles and the Hungarians. We are doing what we can to coordinate these returns. And at the same time, we are doing what we can so that Europe will be capable of really accepting us, its wayward children. Which means that it may open itself to us, and may begin to transform its structures—which are formally European but de facto Western European—in that direction, but in such as way that it will not be to its detriment, but rather to its advantage.

(7) I have already said this in our parliament, and I would like to repeat it here, in this Congress, which is architecturally far more attractive: for many years, Czechoslovakia—as someone's meaningless satellite—has refused to face up honestly to its co-responsibility for the world. It has a lot to make up for. If I dwell on this and so many important things here, it is only because I feel—along with my fellow citizens—a sense of culpability for our former reprehensible passivity, and a rather ordinary sense of indebtedness.

(8) Last but not least, we are of course delighted that your country is so readily lending its support to our fresh efforts to renew democracy. Both our peoples were deeply moved by the generous offers made a few days ago in Prague at the Charles University, one of the oldest in Europe, by your Secretary of State, Mr. James Baker. We are ready to sit down and talk about them.

Ladies and gentlemen, I've only been president for two months and I haven't attended any schools for presidents. My only school was life itself. Therefore I don't want to burden you any longer with my political thoughts, but instead I will move on to an area that is more familiar to me, to what I would call the philosophical aspect of those changes that still concern everyone, although they are taking place in our corner of the world.

As long as people are people, democracy in the full sense of the word will always be no more than an ideal; one may approach it as one would a horizon, in ways that may be better or worse, but it can never be fully attained. In this sense you too are merely approaching democracy. You have thousands of problems of all kinds, as other countries do. But you have one great advantage: you have been approaching democracy uninterruptedly for more than two hundred years, and your journey toward that horizon has never been disrupted by a totalitarian system. Czechs and Slovaks, despite their humanistic traditions that go back to the first millennium, have approached democracy for a mere twenty years, between the two world wars, and now for the three and a half months since the 17th of November of last year.

The advantage that you have over us is obvious at once.

The communist type of totalitarian system has left both our nations, Czechs and Slovaks—as it has all the nations of the Soviet Union and the other countries the Soviet Union subjugated in its time—a legacy of countless dead, and infinite spectrum of human suffering, profound economic decline, and above all enormous human humiliation. It has brought us horrors that fortunately you have not known.

At the same time, however—unintentionally, of course—it has given us something positive: a special capacity to look, from time to time, somewhat further than someone who has not undergone this bitter experience. A person who cannot move and live a somewhat normal life because he is pinned under a boulder has more time to think about his hopes than someone who is not trapped in this way.

What I am trying to say is this: we must all learn many things from you, from how to educate our offspring, how to elect our representatives, all the way to how to organize our economic life so that it will lead to prosperity and not to poverty, But it doesn't have to be merely assistance from the well-educated, the powerful and the wealthy to someone who has nothing and therefore has nothing to offer in return.

We too can offer something to you: our experience and the knowledge that has come from it.

This is a subject for books, many of which have already been written and many of which have yet to be written. I shall therefore limit myself to a single idea.

The specific experience I'm talking about has given me one great certainty: Consciousness precedes Being, and not the other way around, as the Marxists claim.

For this reason, the salvation of this human world lies nowhere else than in the human heart, in the human power to reflect, in human meekness and in human responsibility.

Without a global revolution in the sphere of human consciousness, nothing will change for the better in the sphere of our Being as humans, and the catastrophe towards which this world is headed, whether it be ecological, social, demographic or a general breakdown of civilization, will be unavoidable. If we are no longer threatened by world war, or by the danger that the absurd mountains of accumulated nuclear weapons might blow up the world, this does not mean that we have definitively won. We are in fact far from definitive victory.

We are still a long way from that "family of man"; in fact, we seem to be receding from the ideal rather than drawing closer to it. Interests of all kinds: personal, selfish, state, national, group and, if you like, company interests still considerably outweigh genuinely common and global interests. We are still under the sway of the destructive and vain belief that man is the pinnacle of creation, and not just a part of it, and that therefore everything is permitted. There are still many who say they are concerned not for themselves, but for the cause, while they are demonstrably out for themselves and not for the cause at all. We are still destroying the planet that was entrusted to us, and its environment. We still close our eyes to the growing social, ethnic and cultural conflicts in the world. From time to time we say that the anonymous megamachinery we have created for ourselves no longer serves us, but rather has enslaved us, yet we still fail to do anything about it.

In other words, we still don't know how to put morality ahead of politics, science and economics. We are still incapable of understanding that the only genuine backbone of all our actions—if they are to be moral—is responsibility. Responsiblity to something higher than my family, my country, my firm, my success. Responsibility to the order of Being, where all our actions are indelibly recorded and where, and only where, they will be properly judged.

The interpreter or mediator between us and this higher authority is what is traditionally referred to as human conscience.

If I subordinate my political behavior to this imperative mediated to me by my conscience, I can't go far wrong. If on the contrary I were not guided by this voice, not even ten presidential schools with two thousand of the best political scientists in the world could help me.

This is why I ultimately decided—after resisting for a long time—to accept the burden of political responsibility.

I'm not the first, nor will I be the last, intellectual to do this. On the contrary, my feeling is that there will be more and more of them all the time. If the hope of the world lies in human consciousness, then it is obvious that intellectuals cannot go on forever avoiding their share of responsibility for the world and hiding their distaste for politics under an alleged need to be independent.

It is easy to have independence in your program and then leave others to carry that program out. If everyone thought that way, pretty soon no one would be independent.

I think that you Americans should understand this way of thinking. Wasn't it the best minds of your country, people you could call intellectuals, who wrote your famous Declaration of Independence, your Bill of Human Rights and your Constitution and who—above all—took upon themselves the practical responsibility for putting them into practice? The worker from Branik in Prague that your President referred to in his State of the Union message this year is far from being the only person in Czechoslovakia, let alone in the world, to be inspired by those great documents. They inspire us all. They inspire us despite the fact that they are over two hundred years old. They inspire us to be citizens.

When Thomas Jefferson wrote that, "Governments are instituted among Men deriving their just Powers from the Consent of the Governed", it was a simple and important act of the human spirit.

What gave meaning to that act, however, was the fact that the author backed it up with his life. It was not just his words, it was his deeds as well.

I will end where I began: history has accelerated. I believe that once again, it will be the human mind that will notice this acceleration, give it a name, and transform those words into deeds.

Thank you.

Mr. McCAIN. Mr. President, my appreciation for the good intentions of Senator DOLE and the supporters of Senate Joint Resolution 212 makes my opposition to this joint resolution not an easy matter. I understand their profound concern, and the profound concern of Armenians, that the tragedy which this resolution seeks to commemorate should not be forgotten or dismissed. And I fully agree with the general proposition that those who forget history are condemned to repeat it.

Also, I believe I can rightly be considered a friend of Armenians. My legislative record certainly testifies to my friendship. To cite a just a few examples of my support of Armenian concerns:

In this Congress, I cosponsored Senate Joint Resolution 178 expressing U.S. support for a peaceful settlement of the Nagorn-Karabagh dispute.

In the 100th Congress, I supported Senate Resolution 29 addressing the difficulties encountered by Armenian-Americans who seek to maintain regular contact with their relatives in the Soviet Union.

In the 99th Congress, as a Member of the House, I supported House Resolution 332 condemning the Soviet Government's persecution of Helsinki monitoring group members which included an Armenian organization.

Mr. President, I hope my support of these positions and many other positions of importance to Armenian-Americans is compelling evidence that I share their concerns and aspirations. I hope my record of friendship for Armenians and my appreciation of their past and present suffering will afford me the understanding of Armenians and all the supporters of Senate Joint Resolution 212.

I have heard from literally hundreds of people on both sides of this issue. There is intense emotion invested in the opposition to the resolution and there is intense emotion invested in support of the resolution. After careful consideration, I have come to the conclusion that I cannot support Senate Joint Resolution 212.

Mr. President, there are compelling national security reasons for my opposition, but they are not my only reasons. Turkey is a treasured ally in NATO. Turkey's contribution to NATO's success has been enormous. For over 40 years we have led NATO, and it has been a bulwark against the advance of the Soviet empire. With that empire now in decline, we should be careful to maintain the stability of our own alliances.

Our relations with our loyal NATO partner have steadily improved and are now, generally, excellent. I do not want—and I am sure that no Senator wants—to impede the progress of Turkish-American friendship or undermine the stability of the Atlantic Alliance.

Yet, given Turkey's intense and total opposition to this resolution, I fear that such an unfortunate state of events may be the consequence of its passage. The common defense of our countries and the many benefits that accrue to the United States from expanding friendship with Turkey are too valuable to risk in this manner. I assure you, Mr. President, that I appreciate the suffering of Armenians in eastern Anatolia in the last days of the Ottoman Empire. That tragedy, like the tragedies that have afflicted so many people throughout the violent history of this world, should never be forgotten.

Nor do I oppose this resolution solely for reasons of Realpolitik. I acknowledge and mourn the sad history of Armenians in the years 1915 to 1923. But I concur with the Secretary of State, Mr. Baker, that history should be the judge of the Armenian tragedy. And the history, Mr. President, is not yet entirely settled on this question. With the recent opening of the historical archives of the period for scholarly research, it would be well to heed Secretary Baker's advice and await the consequent findings of historians.

Let me stress again, Mr. President, that I am sympathetic to the concerns of Armenian-Americans and the supporters of this resolution. Let me assure Senator DOLE that I appreciate the sincerity and convictions which attend his judgment on this issue. But

I must respectfully disagree and vote against this resolution out of respect for present-day Turkey—the Turkey that is our strong and valued ally—and I must vote against it in anticipation of some fuller future examination of the tragic events of 70 years ago.

Thank you.

Mr. HOLLINGS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, will the distinguished majority leader yield?

Mr. MITCHELL. I yield.

Mr. BYRD. Under the previous order I was to retain the floor. I yield to the majority leader.

Mr. MITCHELL. I thank the distinguished President pro tempore.

ORDERS FOR THURSDAY

RECESS UNTIL 10 A.M.; APPROVAL OF THE JOURNAL; RECOGNITION OF SENATOR ROBB

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 10 a.m., on Thursday, February 22, and that following the prayer the Journal be deemed approved, that immediately thereafter Senator ROBB be recognized under the previous order to deliver President Washington's Farewell Address.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO PROCEED TO MOTION TO PROCEED—SENATE JOINT RESOLUTION 212

Mr. MITCHELL. Mr. President, I further ask unanimous consent that at the conclusion of the Farewell Address or at 11 o'clock, whichever is later, the Senate return to debate on the motion to proceed to Senate Joint Resolution 212 for a period of 2 hours, to be equally divided and controlled by Senators BYRD or DOLE or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR VOTE ON CLOTURE

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 1 p.m. the Senate vote on the motion to invoke cloture on the motion to proceed to Senate Joint Resolution 212 and that the mandatory live quorum as required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:11 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 472. Joint resolution to express support for Chile's transition to democracy.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 258. Concurrent resolution congratulating the President of Honduras, Rafael Callejas, on his election and offering good wishes for the success of his administration.

The message further announced that pursuant to the provisions of section 801(b) of Public Law 100-696, the Speaker on Monday, February 12, 1990, did appoint Mr. BENNETT as a member on the part of the House of the United States Capitol Preservation Commission.

The message also announced that pursuant to the provisions of section 2(b) of Public Law 98-183, the Speaker on Monday, February 12, 1990, did appoint Mr. Carl A. Anderson of Arlington, Virginia, as a member on the part of the House from private life of the Commission on Civil Rights.

ENROLLED BILLS SIGNED

At 2:41 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 150. An act to amend the Immigration and Nationality Act to provide a procedure for an alien who dies while serving on active-duty with the United States armed forces during certain periods of hostilities to be considered a citizen of the United States at the time of the alien's death; and

H.R. 2281. An act to amend the Elementary and Secondary Education Act of 1965 to extend the authorization for certain school dropout demonstration programs.

The enrolled bills were subsequently signed by the President pro tempore [Mr. BYRD].

MEASURES REFERRED

The following joint resolution was read the first and second times by unanimous consent, and referred as indicated:

H.J. Res. 472. Joint resolution to express support for Chile's transition to democracy; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 258. Concurrent resolution congratulating the President of Honduras, Rafael Callejas, on his election and offering good wishes for the success of his administration; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2343. A communication from the Director for Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, notice that the Defense Logistics Agency intends to exercise a provision of law providing for the exclusion of the examination of certain records by the Comptroller General; to the Committee on Armed Services.

EC-2344. A communication from the Director for Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, the annual report on each country to country or multinational agreement entered into by each Military Department during fiscal year 1989 and the total dollar value of purchases and sales for each agreement and brief descriptions of each agreement expected to be in effect by the Departments of the Army and the Air Force for fiscal year 1990; to the Committee on Armed Services.

EC-2345. A communication from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to repeal or modify certain reporting requirements relating to activities of the Department of Defense; to the Committee on Armed Services.

EC-2346. A communication from the Assistant Secretary of Defense (Force Management and Personnel), transmitting, pursuant to law, the Defense Manpower Requirements Report for Fiscal Year 1991; to the Committee on Armed Services.

EC-2347. A communication from the Secretary of Defense, transmitting a draft of proposed legislation to improve management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes; to the Committee on Armed Services.

EC-2348. A communication from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain

construction at military installations for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

EC-2349. A communication from the Chief, Program Liaison Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, the report of the Air Force on experimental, developmental, and research contracts of $50,000 or more, by company; to the Committee on Armed Services.

EC-2350. A communication from the Deputy Assistant Secretary of the Air Force (Logistics), transmitting, pursuant to law, a report on a study with respect to converting the aircraft maintenance function at Mather Air Force Base, CA, to performance by contract; to the Committee on Armed Services.

EC-2351. A communications from the Acting Administrator of General Services, transmitting, pursuant to law, the 10th quarterly report on Federal actions to assist the homeless; to the Committee on Banking, Housing, and Urban Affairs.

EC-2352. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Financial Audit—Federal Housing Administration Fund's 1988 Financial Statements"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2353. A communication from the Administrator of the Federal Aviation Administration, transmitting, pursuant to law, the progress report on rulemaking proceedings for the period September through December 1989; to the Committee on Commerce, Science, and Transportation.

EC-2354. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report on financing, supply and installation activities of public utilities; to the Committee on Energy and Natural Resources.

EC-2355. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a notice on leasing systems for the Central Gulf of Mexico, Sale 123, scheduled to be held on March 1990; to the Committee on Energy and Natural Resources.

EC-2356. A communication from the Assistant Secretary of the Interior (Water and Science), transmitting, pursuant to law, notice of the deferment in time for certain construction charge installments; to the Committee on Energy and Natural Resources.

EC-2357. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of overpayments of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2358. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on compensatory royalty agreements for oil and gas entered into during the previous fiscal year which involved unleased government lands; to the Committee on Energy and Natural Resources.

EC-2359. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2360. A communication from the Secretary of the Interior, transmitting, pursuant to law, the 18th annual report on the operation of the Colorado River; to the Committee on Energy and Natural Resources.

EC-2361. A communication from the Chairman of the Inland Waterway Users Board, transmitting, pursuant to law, the third annual report of the Board covering calendar year 1989; to the Committee on Environment and Public Works.

EC-2362. A communication from the Policy and Analysis Staff, Environmental Protection Agency, transmitting, pursuant to law, the Environmental Protection Agency's final revisions to the National Oil and Hazardous Substances Pollution Contingency Plan; to the Committee on Environment and Public Works.

EC-2363. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Long-Ranch Research Agenda 1990-94; to the Committee on Environment and Public Works.

EC-2364. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the nondisclosure of safeguards information for the quarter ended December 31, 1989; to the Committee on Environment and Public Works.

EC-2365. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal year 1991, and for other purposes; to the Committee on Environment and Public Works.

EC-2366. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, an initial report on assistance to Poland; to the Committee on Foreign Relations.

EC-2367. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the country reports on economic policy and trade practices required under the Omnibus Trade and Competitiveness Act of 1988; to the Committee on Foreign Relations.

EC-2368. A communication from the Acting Director of the Defense Security Assistance Agency, Department of Defense, transmitting, pursuant to law, a report on the status of each loan and each contract of guaranty or insurance to which there remains outstanding any unpaid obligation or potential liability; to the Committee on Foreign Relations.

EC-2369. A communication from the Assistant Secretary (Legislative Affairs), U.S. Department of State, transmitting, pursuant to law, the Department's fourth report on Application of Travel Restrictions to Personnel of Certain Countries and Organizations; to the Committee on Governmental Affairs.

EC-2370. A communication from the Assistant Director of the National Science Foundation, transmitting, pursuant to law, notice of a new Privacy Act system of records; to the Committee on Governmental Affairs

EC-2371. A communication from the Assistant Secretary (Management), Department of the Treasury, transmitting, pursuant to law, the Department's fifth annual Competition Advocacy Report; to the Committee on Governmental Affairs.

EC-2372. A communication from the Chairman of the U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report on appeals submitted to the Board for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2373. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Bi-Annual Audit of Ward 5 ANCs" for the period October 1, 1986 to September 30, 1988; to the Committee on Governmental Affairs.

EC-2374. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Bi-Annual Audit of Ward 4 ANCs" for the period October 1, 1986 to September 30, 1988; to the Committee on Governmental Affairs.

EC-2375. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission on Competition in Contracting; to the Committee on Governmental Affairs.

EC-2376. A communication from the Director of the National Science Foundation, transmitting, pursuant to law, the annual report on the Foundation on Competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2377. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the annual report of the Department of Housing and Urban Development on competition advocacy for fiscal year 1989; to the Committee on Government Affairs.

EC-2378. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Department of Commerce on competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2379. A communication from the Chairman of the Administrative Conference of the United States, transmitting, pursuant to law, the annual report on agency activities under the Equal Access to Justice Act for fiscal year 1988; to the Committee on the Judiciary.

EC-2380 A communication from the Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, a request for an additional judgeship to be added to a previously submitted request for an additional 75 Federal judgeships; to the Committee on the Judiciary.

EC-2381. A communication from the Joint Committee on Judicial Administration, District of Columbia Courts, transmitting, pursuant to law, a report summarizing the testimony presented to Congress by the Chief Judges on judicial resources available to the District of Columbia courts; to the Committee on the Judicary.

EC-2382. A communication from the Chairperson of the Advisory Panel on Alzheimer's Disease, transmitting, pursuant to law, the first report of the Advisory Panel on Alzheimer's Disease; to the Committee on Labor and Human Resources.

EC-2383. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled 'Management of HHS—Using the Office of the Secretary to Enhance Departmental Effectiveness"; to the Committee on the Labor and Human Resources.

EC-2384. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report on an expected shortfall on the Presidential Election Campaign Fund during the 1992 Presidential election; to the Committee on the Rules and Administration.

EC-2385. A communication from the Acting Public Printer, transmitting, pursuant to law, the annual report of the Government Printing Office for fiscal year 1989; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-408. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Appropriations:

"JOINT RESOLUTION

"Whereas the State of Maine is currently experiencing a drastic decline in sales and other tax revenues; and

"Whereas this Legislature and the people of Maine are curtailing state spending to conform to available revenues; and

"Whereas the imposition of new demands upon those who struggle for preservation of financial stability would be a hardship for our citizenry; now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request the Congress of the United States not to pass any law or issue any federal mandate that has a fiscal impact on Maine without providing adequate funding; and be it further

"Resolved, That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George H.W. Bush, President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional delegation."

POM-409. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Veterans' Affairs:

"JOINT RESOLUTION

"Whereas the United States Department of Veterans Affairs has a plan to consolidate the regional office facility located at Togus, Maine with a similar facility in Manchester, New Hampshire; and

"Whereas this transfer will impose hardships on the veterans of our large and diverse state and will result in a loss of benefits to many as services routinely provided at Togus will no longer be provided there, requiring some veterans to travel great distances to New Hampshire to apply for certain services and to receive others; and

"Whereas these new hurdles will discourage eligible veterans from obtaining benefits to which they are rightfully entitled and will predictably result in a reduction in benefits received by Maine veterans and place new burdens on state veterans services and benefit programs; and

"Whereas such a consolidation may result in fewer inpatient and outpatient visits to the Togus medical facility, thus resulting in a further reduction of operating funds and services; and

"Whereas many positions and services may be eliminated by this consolidation resulting in a reduction in the number of caring and experienced employees, a loss which will directly and indirectly affect Maine veterans, veterans' families and the other citizens of this State; now, therefore, be it

"*Resolved*, That We, your Memorialists, respectfully urge and request the President and the Congress of the United States to intervene and take all appropriate actions to abandon any such consolidation plan; and be it further

"*Resolved*, That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George H.W. Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources:

John Wesley Bartlett, of Massachusetts, to be Director of the Office of Civilian Radioactive Waste Management; and

Robert H. Gentile, of Ohio, to be an Assistant Secretary of Energy (Fossil Energy).

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BOSCHWITZ (for himself and Mr. LIEBERMAN):

S. 2149. A bill to amend the Internal Revenue Code of 1986 to stimulate employment in, and to promote revitalization of, economically distressed areas designated as enterprise zones, by providing Federal tax relief for employment and investments, and for other purposes; to the Committee on Finance.

By Mr. SYMMS (for himself, Mr. MCCLURE, and Mr. BAUCUS):

S. 2150. A bill to set aside a fair proportion of the Highway Trust Fund monies for use in constructing and maintaining off-highway recreational trails; to the Committee on Environment and Public Works.

By Mr. HEINZ:

S. 2151. A bill to permit the transfer of the obsolete submarine U.S.S. Requin to the Carnegie Institute in Pittsburgh, Pennsylvania, before the expiration of the 60-day waiting period that would otherwise be applicable to the transfer; to the Committee on Armed Services.

By Mr. MCCONNELL (for himself, Mr. KERRY, and Mr. BRYAN):

S. 2152. A bill to provide for international negotiations to achieve agreement on regulation of certain precursor and essential chemicals critical to the manufacture and trafficking of illicit narcotics; to the Committee on Foreign Relations.

By Mr. HARKIN (for himself, Mr. DURENBERGER, Mr. KENNEDY, and Mr. HATCH):

S. 2153. A bill to amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. METZENBAUM (for himself, Ms. MIKULSKI, Mr. SIMON, Mr. ADAMS, and Mr. KENNEDY):

S. 2154. A bill to amend the provisions of the Occupational Safety and Health Act of 1970 relating to criminal penalties, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. KERRY:

S. 2155. A bill to amend the Federal Home Loan Bank Act to restructure the Resolution Trust Corporation Oversight Board and Board of Directors into a single governing entity; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DASCHLE (for himself, Mr. KERREY, and Mr. EXON):

S. 2156. A bill to promote the planting and renovation of windbreaks, shelterbelts, wildlife corridors and trees, and for other purposes.

By Mr. GARN (for himself and Mr. HATCH):

S. 2157. A bill to prohibit the construction of a proposed natural gas pipeline in the Wasatch Variation Corridor, and to encourage the re-location of such pipeline in remote, less populated areas (National Forest Lands or otherwise) of Utah; to the Committee on Energy and Natural Resources.

By Mr. PRYOR (for himself, Mr. RIEGLE, Mr. SASSER, Mr. BURDICK, Mr. COHEN, Mr. CONRAD, Mr. SHELBY, Mr. JOHNSTON, Mr. WARNER, Mr. KOHL, and Mr. LEAHY):

S. 2158. A bill to direct the Secretary of Health and Human Services to promulgate regulations to require that an individual telephoning the Social Security Administration has the option of accessing a Social Security Administration representative in a field office in the geographical area of such individual, and for other purposes; to the Committee on Finance.

By Mr. REID:

S.J. Res. 259. Joint resolution to designate the period commencing March 19, 1990, and ending March 25, 1990, as "National Angel Plan Week"; to the Committee on the Judiciary.

By Mr. WARNER:

S.J. Res. 260. Joint resolution to designate April 12, 1990, as a "National Day of Remembrance of the One Hundred Twenty-Fifth Anniversary of the Battle of Sayler's Creek, and the Stacking of Arms at Appomattox Court House"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PRYOR (for himself and Mr. HEINZ):

S. Res. 246. Resolution authorizing printing additional copies of Senate report titled "Developments in Aging: 1989"; to the Committee on Rules and Administration.

By Mr. GARN (for himself and Mr. HATCH):

S. Con. Res. 93. Concurrent resolution providing for acceptance of a statue of Philo T. Farnsworth presented by the State of Utah, for placement in National Statuary Hall, and for other purposes; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOSCHWITZ (for himself and Mr. LIEBERMAN):

S. 2149. A bill to amend the Internal Revenue Code of 1986 to stimulate employment in, and to promote revitalization of, economically distressed areas designated as enterprise zones, by providing Federal tax relief for employment and investments, and for other purposes; to the Committee on Finance.

ENTERPRISE ZONE IMPROVEMENTS ACT

Mr. BOSCHWITZ. Mr. President, I join today with my distinguished colleague from Connecticut, Senator LIEBERMAN, in introducing the Enterprise Zone Improvements Act of 1990. For the past several years I, along with several colleagues in both the House and Senate, have worked to pass enterprise zone legislation. While we have met with modest success here in the Senate, we have been unable to obtain passage in the House.

I was pleased that President Bush included enterprise zone legislation among the list of initiatives he currently supports. As my colleagues know, an enterprise zone proposal is included in the President's 1991 budget. Consequently, I am convinced that this is the year when we have a good chance to get the legislation passed.

For those of my colleagues who are unfamiliar with the enterprise zone concept—though I think most are familiar with it—let me briefly describe it. An enterprise zone is a specific geographic area selected to receive special tax treatment by the Government with the goal of attracting business investment and development that might otherwise not occur. The zone designations are usually based on considerations such as unemployment, the poverty rate, and the quality of local and State government plans to reduce regulatory, tax, and other burdens in order to attract zone business and keep it. In other words, jobs will be taken to the neediest people through enterprise zone businesses located right in their neighborhoods. Some individuals, particularly in the inner city, simply do not have the capacity to travel to the suburbs and go to work where most of the jobs are created.

By offering Federal tax incentives and opening up the bidding process whereby State and local governments have to hominate potential enterprise zones and offer their own incentives in the process, a good package will be put together that will act as a magnet to bring jobs and revitalization into the areas where they are most needed. Past methods used to try to assist people, particularly in the inner cities, have not been terribly successful. The people who live there remain depressed, both economically and in spirit. Far from achieving a measure of economic independence, many of our poor have instead been trapped in a self-perpetuating cycle of poverty. The enterprise zone concept takes on the challenges of the job creation and economic redevelopment through private enterprise and local community involvement. Again, it takes the jobs right to the people who need them, which is truly a worthwhile goal, and will be a worthwhile achievement when we can make it work.

It is appropriate that Housing and Urban Development Secretary, Jack Kemp, has assumed a position of leadership on this issue because it was Congressman Jack Kemp who introduced the House companion bill to my Urban Jobs and Enterprise Zone Act of 1980. He really deserves credit for the concept. That legislation was the seed from which the enterprise zone idea grew in this country. The full Senate passed my enterprise zone legislation in 1983 and 1984, but unfortunately, the matter was dropped in conference both times.

However, in 1987, the Housing and Community Development Act was signed into law. It provides for the establishment of 100 enterprise zones, with one-third allocated to rural areas. While the 1987 act was a step in the right direction, it did not provide any Federal incentives to complement State and local initiatives. But again, it was an encouraging movement in the legislative process.

The Enterprise Zone Improvements Act of 1990 will strengthen the 1987 law by adding the powerful tool of tax incentives. For example, there is a tax credit for enterprise zone employers. This credit can range from 10 to 50 percent of employees' pay. That is a very large credit, but it declines over a period of years and is an excellent incentive to encourage hiring unemployed or economically disadvantaged people.

There is also a tax credit that applies to the zone employees. It is a refundable tax credit of up to 5 percent of the first $10,500 of wages.

Then, there is a third incentive; zero tax on capital gains that is realized on enterprise zone assets held for at least 2 years.

Finally, a fourth very important and appealing tax incentive is included in our bill. It is a deduction for the purchase of enterprise zone stock. In other words, if you buy stock in an enterprise zone company, you can deduct for tax purposes the cost of the investment up to $250,000; $50,000 annually, $250,000 over a lifetime.

There are some costs to all of this. However, we believe the costs will be offset by the jobs that are brought to the enterprise zones, the people who are taken off welfare and other government programs, not to speak of the pride and achievement people can experience when engaged in truly productive work.

In addition to the tax incentives, Mr. President, there are provisions designed to facilitate business operation in enterprise zones. For example, executive branch agencies are given the authority to waive or modify rules pertaining to activities within zones when doing so will further the job creation, community development, or economic revitalization objectives of zone inhabitants. Also, enterprise zones are granted priority in application processing for foreign trade zone status.

Mr. President, if we are truly interested in enabling individuals to provide for themselves and allowing communities to grow and prosper, the time has come for us to give the enterprise zone concept, complete with appropriate tax incentives, the chance it deserves. I urge my colleagues to join Senator LIEBERMAN and me in supporting our legislation.

Mr. President, I ask unanimous consent that the full text of our legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Enterprise Zone Improvements Act of 1990".

SEC. 2. PURPOSES.

It is the purpose of this Act to provide for the establishment of enterprise zones in order to promote revitalization of economically distressed areas, to stimulate entrepreneurship, particularly by zone residents, and to create new jobs, particularly for disadvantaged workers and long-term unemployed individuals primarily by providing or encouraging within such areas—

(1) tax relief at the Federal, State, and local levels;

(2) regulatory relief at the Federal, State, and local levels; and

(3) improved local services and an increase in the economic stake of enterprise zone residents in their own community and its development, particularly through the increased involvement of private, local, and neighborhood organizations.

SEC. 3. AMENDMENT OF THE 1986 CODE.

Except as otherwise expressly provided, whenever an amendment or repeal is expressed in this Act in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

TITLE I—DESIGNATION OF ENTERPRISE ZONES

SEC. 101. DESIGNATION OF ZONES.

(a) GENERAL RULE.—Chapter 80 of subtitle F (relating to general rules) is amended by adding at the end thereof the following new subchapter:

"Subchapter D—Designation of Enterprise Zones

"Sec. 7891. Designation.

"SEC. 7891. DESIGNATION.

"(a) DESIGNATION OF ZONES.—

"(1) DEFINITION.—For purposes of this title, the term 'enterprise zone' means any area—

"(A) which is nominated by one or more local governments and the State or States in which it is located for designation as an enterprise zone (hereinafter in this section referred to as a 'nominated area'), and

"(B) which the Secretary of Housing and Urban Development, after consultation with—

"(i) the Secretaries of Agriculture, Commerce, Labor, and the Treasury; the Director of the Office of Management and Budget; and the Administrator of the Small Business Administration, and

"(ii) in the case of an area on an Indian reservation, the Secretary of the Interior,

designates as an enterprise zone.

"(2) AUTHORITY TO DESIGNATE.—The Secretary of Housing and Urban Development is authorized to designate enterprise zones in accordance with the provisions of this section.

"(3) LIMITATIONS ON DESIGNATIONS.—

"(A) PUBLICATION OF REGULATIONS.—Before designating any area as an enterprise zone and not later than 4 months following the date of the enactment of this section, the Secretary of Housing and Urban Development shall prescribe by regulation, after consultation with the officials described in paragraph (1)(B)—

"(i) the procedures for nominating an area, and

"(ii) the procedures for designation as an enterprise zone, including a method for comparing courses of action under subsection (d) proposed for nominated areas, and the other factors specified in subsection (e).

"(B) TIME LIMITATIONS.—The Secretary of Housing and Urban Development shall designate nominated areas as enterprise zones only during the 48-month period beginning on the later of—

"(i) the first day of the first month following the month in which the effective date of the regulations described in subparagraph (A) occurs, or

"(ii) July 1, 1991.

"(C) NUMBER OF DESIGNATIONS.—

"(i) IN GENERAL.—The Secretary of Housing and Urban Development may designate—

"(I) not more than 50 nominated areas as enterprise zones under this section; and

"(II) not more than 15 nominated areas as enterprise zones during the first 12-month period beginning on the date determined under subparagraph (B), not more than 30 by the end of the second 12-month period, and not more than 45 by the end of the third 12-month period.

"(ii) MINIMUM DESIGNATION IN RURAL AREAS.—Of the areas designated as enterprise zones, at least one-third must be—

"(I) within a local government jurisdiction or jurisdictions with a population of less than 50,000 (as determined using the most recent census data available),

"(II) outside of a metropolitan statistical area (within the meaning of section 143(k)(2)(B)), or

"(III) in areas determined by the Secretary of Housing and Urban Development, after consultation with the Secretary of Commerce, to be rural areas.

"(D) PROCEDURAL RULES.—The Secretary of Housing and Urban Development shall not make any designations under this section unless—

"(i) the local government and the State in which the nominated area is located have the authority to—

"(I) nominate such area for designation as an enterprise zone,

"(II) make the State and local commitments under subsection (d), and

"(III) provide assurances satisfactory to the Secretary of Housing and Urban Development that such commitments will be fulfilled; and

"(ii) a nomination therefor is submitted by such State and local government in such a manner and in such form, and containing such information, as the Secretary of Housing and Urban Development shall prescribe by regulation.

"(4) NOMINATION PROCESS FOR INDIAN RESERVATIONS.—In the case of a nominated area on an Indian reservation, the reservation governing body (as determined by the Secretary of the Interior) shall be deemed to be both the State and local government with respect to such area.

"(b) TIME PERIOD FOR WHICH DESIGNATION IS IN EFFECT.—

"(1) IN GENERAL.—Any designation of an area as an enterprise zone shall remain in effect during the period beginning on the date of the designation and ending on the earliest of—

"(A) December 31 of the 24th calendar year following the calendar year in which such date occurs,

"(B) the termination date specified by the State and local governments as provided in the nomination submitted in accordance with subsection (a)(3)(D)(ii),

"(C) such other date as the Secretary of Housing and Urban Development shall specify as a condition of designation, or

"(D) the date upon which the Secretary of Housing and Urban Development revokes such designation.

"(2) REVOCATION OF DESIGNATION.—The Secretary of Housing and Urban Development, after consultation with the officials described in subsection (a)(1)(B), may revoke the designation of an area if the Secretary of Housing and Urban Development determines that the State or a local government in which the area is located is not complying substantially with the agreed course of action for the area.

"(c) AREA AND ELIGIBILITY REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary of Housing and Urban Development may designate a nominated area as an enterprise zone only if it meets the requirements of paragraphs (2) and (3).

"(2) AREA REQUIREMENTS.—A nominated area meets the requirements of this paragraph if—

"(A) the area is within the jurisdiction of the local government;

"(B) the boundary of the area is continuous, or complies with criteria that the Secretary of Housing and Urban Development may prescribe by regulation which take into account topographic problems and the desirability of including abandoned industrial or manufacturing sites which are contiguous to the area and which are necessary for the development of the area; and

"(C) the area meets such other criteria as the Secretary of Housing and Urban Development may prescribe by regulation to ensure that the area is appropriate for enterprise zone treatment including, if the Secretary determines appropriate, regulations which prescribe that there are no minimum or maximum population or size limitations.

"(3) ELIGIBILITY REQUIREMENTS.—For purposes of paragraph (1)—

"(A) IN GENERAL.—A nominated area meets the requirements of this paragraph if with respect to such area—

"(i) the unemployment rate, as determined by the most recent available data, was at least 1½ times the national unemployment rate, and

"(ii) the average poverty rate (as determined by the most recent census data available) for the smallest census geographic area for which data is available within the nominated area was at least twice the national rate for the period to which such data relates.

"(B) CERTIFICATION.—A nominated area shall be treated as meeting the requirements of subparagraph (A) if—

"(i) the State or local government in which the nominated area is located certifies that such requirements are met, and

"(ii) the Secretary of Housing and Urban Development, after such review of supporting data as the Secretary determines appropriate, accepts such certification.

"(4) ELIGIBILITY REQUIREMENT FOR RURAL AREAS.—A rural area described in subsection (a)(3)(C)(ii) meets the requirements of paragraph (3) if it meets the requirements of either clause (i) or (ii) of paragraph (3)(A).

"(d) REQUIRED STATE AND LOCAL COMMITMENTS.—

"(1) IN GENERAL.—No nominated area shall be designated as an enterprise zone unless the State and the local government or governments of the jurisdictions in which the nominated area is located agree in writing that, during any period during which the nominated area is an enterprise zone, such governments will follow a specified course of action designed to reduce the various burdens borne by employers or employees in such area.

"(2) COURSE OF ACTION.—The course of action under paragraph (1) may include, but is not limited to—

"(A) the reduction or elimination of tax rates or fees applying within the enterprise zone,

"(B) actions to reduce, remove, simplify, or streamline governmental requirements applying within the enterprise zone,

"(C) an increase in the level or efficiency of local services within the enterprise zone, including crime prevention, and drug enforcement prevention and treatment,

"(D) involvement in the program by private entities, organizations, neighborhood associations, and community groups, particularly those within the enterprise zone, including a commitment from such private entities to provide jobs and job training for, and technical, financial or other assistance to, employers, employees, and residents of the enterprise zone,

"(E) mechanisms to increase equity ownership by residents and employees within the enterprise zone,

"(F) donation (or sale below market value) of land and buildings to benefit low- and moderate-income people,

"(G) linkages to—

"(i) job training,

"(ii) transportation,

"(iii) education,

"(iv) day care,

"(v) health care, and

"(vi) other social service support,

"(H) provision of supporting public facilities, and infrastructure improvements,

"(I) encouragement of local entrepreneurship; and

"(J) other factors determined essential to support enterprise zone activities and encourage livability or quality of life.

"(3) LATER MODIFICATION OF A COURSE OF ACTION.—The Secretary of Housing and Urban Development may by regulation prescribe procedures to permit or require a course of action to be updated or modified during the time that a designation is in effect.

"(e) PRIORITY OF DESIGNATION.—In choosing nominated areas for designation, the Secretary of Housing and Urban Development shall give preference to the nominated area—

"(1) with respect to which the strongest and highest quality contributions have been promised as part of the course of action, taking into consideration the fiscal ability of the nominating State and local governments to provide tax relief,

"(2) with respect to which the nominating State and local governments have provided the most effective and enforceable guarantees that the proposed course of action will actually be carried out during the period of the enterprise zone designation,

"(3) with respect to which private entities have made the most substantial commitments in additional resources and contributions, including the creation of new or expanded business activities, and

"(4) which best exhibits such other factors determined by the Secretary of Housing and Urban Development, including relative distress, as are consistent with the intent of the enterprise zone program and have the greatest likelihood of success.

"(f) GEOGRAPHIC DISTRIBUTION.—In making designations, the Secretary of Housing and Urban Development shall take into consideration a reasonable geographic distribution of enterprise zones.

"(g) DEFINITIONS.—For the purposes of this subchapter—

"(1) GOVERNMENTS.—If more than one government seeks to nominate an area as an enterprise zone, any reference to, or requirement of, this section shall apply to all such governments.

"(2) STATE.—The term 'State' includes Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other possession of the United States.

"(3) LOCAL GOVERNMENT.—The term 'local government' means—

"(A) any county, city, town, township, parish, village, or other general purpose political subdivision of a State,

"(B) any combination of political subdivisions described in subparagraph (A) recognized by the Secretary of Housing and Urban Development, and

"(C) the District of Columbia.".

(b) CONFORMING AMENDMENT.—The table of subchapters for chapter 80 of subtitle F is amended by adding at the end thereof the following new item:

"SUBCHAPTER D. Designation of enterprise zones."

SEC. 102. REPORTING REQUIREMENTS.

Not later than the close of the second calendar year after the calendar year in which the Secretary of Housing and Urban Development first designates areas as enterprise zones, and at the close of each second calendar year thereafter, the Secretary of Housing and Urban Development shall submit to the Congress a report on the effects of such designations in accomplishing the purposes of this Act.

SEC. 103. INTERACTION WITH OTHER FEDERAL PROGRAMS.

(a) TAX REDUCTIONS.—Any reduction of taxes under any course of action described in section 7891(d) of the Internal Revenue Code of 1986 shall be disregarded in determining the eligibility of a State or local government for, or the amount or extent of, any assistance or benefits under any law of the United States.

(b) COORDINATION WITH RELOCATION ASSISTANCE.—The designation of an enterprise zone under section 7891 of the Internal Revenue Code of 1986 shall not—

(1) constitute approval of a Federal or federally assisted program or project (within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601)), or

(2) entitle any person displaced from real property located in such zone to any rights or any benefits under such Act.

(c) COORDINATION WITH ENVIRONMENTAL POLICY.—Designation of an enterprise zone under section 7891 of the Internal Revenue Code of 1986 shall not constitute a Federal action for purposes of applying the procedural requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4341) or other provisions of Federal law relating to the protection of the environment.

(d) ENTERPRISE ZONES TREATED AS LABOR SURPLUS AREAS.—Any area designated as an enterprise zone under section 7891 of the Internal Revenue Code of 1986 shall be treated for all purposes under Federal law as a labor surplus area.

TITLE II—FEDERAL INCOME TAX INCENTIVES

SEC. 201. TAX INCENTIVES FOR ENTERPRISE ZONES.

(a) GENERAL RULE.—Chapter 1 of subtitle A (relating to normal tax and surtax rules) is amended by adding inserting after subchapter T the following new subchapter:

"Subchapter U—Enterprise Zones

"Sec. 1391. Definitions.

"Sec. 1392. Credit for enterprise zone employers.

"Sec. 1393. Credit for enterprise zone employees.

"Sec. 1394. Enterprise zone capital gain.

"Sec. 1395. Enterprise zone stock."

"SEC. 1391. DEFINITIONS.

"(a) ENTERPRISE ZONE.—

"(1) IN GENERAL.—For purposes of this subchapter, the term 'enterprise zone' has the meaning given such term by section 7891(a)(1).

"(2) TERMINATION OF ENTERPRISE ZONE.—An area shall cease to constitute an enterprise zone once its designation as such terminates or is revoked under subsection 7891(b).

"(b) ENTERPRISE ZONE BUSINESS.—

"(1) IN GENERAL.—For purposes of this subchapter, the term 'enterprise zone business' means an activity constituting the active conduct of a trade or business within an enterprise zone, and with respect to which—

"(A) at least 80 percent of the gross income in each calendar year is attributable to the active conduct of a trade or business within an enterprise zone,

"(B) less than 10 percent of the property owned or leased by the business (determined on the basis of unadjusted basis) constitutes stocks, securities, or property held for use by customers,

"(C) no more than an insubstantial portion of the property owned or leased by the business constitutes collectibles (as defined in paragraph 408(m)(2)), unless such collectibles constitute property held primarily for sale to customers in the ordinary course of the active trade or business,

"(D) substantially all of the property owned or leased by the business is located within an enterprise zone, and

"(E) substantially all its employees work within an enterprise zone.

"(2) RELATED ACTIVITIES TAKEN INTO ACCOUNT.—Except as otherwise provided in regulations, all activities conducted by a taxpayer and persons related to the taxpayer shall be treated as one activity for purposes of paragraph (1).

"(3) SPECIAL RULES.—

"(A) RENTAL REAL PROPERTY.—For purposes of paragraph (1), real property located within an enterprise zone and held for use by customers other than related persons shall be treated as the active conduct of a trade or business for purposes of subparagraph (A) and as not subject to subparagraph (B).

"(B) TERMINATION OF ENTERPRISE ZONE BUSINESS.—An activity shall cease to be an enterprise zone business if—

"(i) the designation of the enterprise zone in which the activity is conducted terminates or is revoked pursuant to subsection 7981(b),

"(ii) more than 50 percent (by value) of the activity's property or services are obtained from related persons other than enterprise zone businesses, or

"(iii) more than than 50 percent of the activity's gross income is attributable to property or services provided to related persons other than enterprise zone businesses.

"(c) ENTERPRISE ZONE PROPERTY.—

"(1) IN GENERAL.—For purposes of this subchapter, the term 'enterprise zone property' means—

"(A) any tangible personal property located in an enterprise zone and used by the taxpayer in an enterprise zone business, and

"(B) any real property located in an enterprise zone and used by the taxpayer in an enterprise zone business.

In no event shall any financial property or intangible interest in property be treated as constituting enterprise zone property, whether or not such property is used in the active conduct of an enterprise zone business.

"(2) TERMINATION OF ENTERPRISE ZONE.—The treatment of property as enterprise zone property under paragraph (1) shall not terminate upon the termination or revocation of the designation of the enterprise zone in which the property is located, but instead shall terminate immediately after the first sale or exchange of such property occurring after the expiration or revocation.

"(d) RELATED PERSONS.—For purposes of this subchapter, a person shall be treated as related to another person if—

"(1) the relationship of such persons is described in section 267(b) or 707(b)(1), or

"(2) such persons are engaged in trades or businesses under common control (within the meaning of subsections (a) and (b) of section 52).

For purposes of paragraph (1), in applying section 267(b) or 707(b)(1), '10 percent' shall be substituted for '50 percent' each place it appears.

"SEC. 1392. CREDIT FOR ENTERPRISE ZONE EMPLOYERS.

"(a) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the sum of—

"(1) 10 percent of the qualified increased employment expenditures of the taxpayer for the taxable year, and

"(2) the economically disadvantaged credit amount of the taxpayer for such taxable year.

"(b) CREDIT TREATED AS GENERAL BUSINESS CREDIT.—For purposes of subpart D of part IV of subchapter A, the credit allowed by subsection (a) for a taxable year shall be taken into account in computing the current year business credit and the business credit carryforwards and carrybacks.

"(c) QUALIFIED INCREASED EMPLOYMENT EXPENDITURES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified increased employment expenditures' means the excess of—

"(A) the qualified wages paid or incurred by the employer during the taxable year to qualified employees with respect to all enterprise zones, over

"(B) the base period wages of the employer with respect to all such zones.

"(2) LIMITATIONS AS TO QUALIFIED WAGES TAKEN INTO ACCOUNT.—

"(A) DOLLAR AMOUNT.—The amount of any qualified wages taken into account under paragraph (1) for any taxable year with respect to any qualified employee may not exceed 2.5 times the dollar limitation in effect under section 3306 (b)(1) for the calendar year with or within which such taxable year ends.

"(B) APPLICATION WITH ECONOMICALLY DISADVANTAGED CREDIT AMOUNT.—Qualified wages shall not be taken into account under paragraph (1) if such wages are taken into account in determining the economically disadvantaged credit amount under subsection (d).

"(3) BASE PERIOD WAGES.—

"(A) IN GENERAL.—The term 'base period wages' means, with respect to any enterprise zone, the amount of wages paid to employees during the 12-month period preceding the earlier of—

"(i) the date on which the enterprise zone was designated as such under section 7891, or

"(ii) the date on which the area was designated as an enterprise zone under State law, enacted after January 1, 1981, except that this clause shall only apply if wages paid during the period would have been qualified wages paid to qualified employees if the designation under section 7891 had been in effect for such period.

"(B) RULES OF SPECIAL APPLICATION.—For purposes of subparagraph (A)—

"(i) subsection (f)(1) shall be applied by substituting '12-month period' for 'taxable year' each place it appears, and

"(ii) the dollar limitation taken into account under paragraph (2) in computing qualified wages shall be the amount in effect for taxable year for which the amount of the credit under subsection (a) is being computed.

"(d) ECONOMICALLY DISADVANTAGED CREDIT AMOUNT.—For purposes of this section—

"(1) IN GENERAL.—The term 'economically disadvantaged credit amount' means the sum of the applicable percentage of qualified wages paid to each qualified economically disadvantaged individual.

"(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the term 'applicable percentage' means, with respect to any qualified economically disadvantaged individual, the percentage determined in accordance with the following table:

"If the qualified wages are paid for services performed during:	The applicable percentage is:
The first 3 years after starting date	50
The 4th year after the starting date	40
The 5th year after the starting date	30
The 6th year after the starting date	20
The 7th through 20th year after the starting date	10
The 21st year after the starting date or later	0.

"(3) STARTING DATE; BREAKS IN SERVICE.—For purposes of this subsection—

"(A) STARTING DATE.—The term 'starting date' means the day which the qualified economically disadvantaged individual begins work for the employer within an enterprise zone.

"(B) BREAKS IN SERVICE.—The periods described in the table under paragraph (2) (other than the first such period) shall be extended by any period of time during which the individual is unemployed, and by any period of time during which the individual is employed by a taxpayer in an enterprise zone designated under State law enacted after January 1, 1981, if such designation occurs prior to the designation of the enterprise zone under section 7891.

"(e) QUALIFIED WAGES DEFINED.—For purposes of this section—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, the term 'qualified wages' has the meaning given to the term 'wages' by subsection (b) of section 3306 (determined without regard to any dollar limitation contained in such section).

"(2) REDUCTION FOR CERTAIN FEDERALLY FUNDED PAYMENTS.—For purposes of this section, the wages paid or incurred by an employer for any period shall not include the amount of any Federally funded payments the employer receives or is entitled to receive for on-the-job training of such individual for such period.

"(3) SPECIAL RULES FOR AGRICULTURAL AND RAILWAY LABOR.—Under regulations prescribed by the Secretary, rules similar to the rules of section 51(h) shall apply with respect to services described in subparagraphs (A) and (B) of section 51(h)(1).

"(f) QUALIFIED EMPLOYEE DEFINED.—

"(1) IN GENERAL.—For purposes of this section, the term 'qualified employee' means an individual—

"(A) at least 90 percent of whose services for the employer during the taxable year are directly related to the conduct of the employer's trade or business located in an enterprise zone, and

"(B) who performs at least 50 percent of his services for the employer during the taxable year in an enterprise zone.

"(2) EXCEPTION FOR INDIVIDUALS WITH RESPECT TO WHOM CREDIT IS DETERMINED UNDER SECTION 51(a).—The term 'qualified employee' shall not include an individual with respect to whom any credit for the employer is determined under section 51(a) for the taxable year (relating to targeted jobs credit).

"(g) QUALIFIED ECONOMICALLY DISADVANTAGED INDIVIDUAL.—

"(1) For purposes of this section, the term 'qualified economically disadvantaged individual' means an individual—

"(A) who is a qualified employee,

"(B) who is hired by the employer during the period a designation under section 7891 is in effect for the area in which the services which qualify such individual as a qualified employee are performed, and

"(C) who is certified as—

"(i) an economically disadvantaged individual,

"(ii) an eligible work incentive employee (within the meaning of section 51(d)(9)), or

"(iii) a general assistance recipient (within the meaning of section 51(d)(6)).

"(2) ECONOMICALLY DISADVANTAGED INDIVIDUAL.—For purposes of paragraph (1)—

"(A) IN GENERAL.—The term 'economically disadvantaged individual' means any individual who is certified by the designated local agency as being a member of a family that had a combined family income (including the cash value of food stamps) during the 6 months preceding the month in which such determination occurs that on an annual basis, was equal to or less than the greater of—

"(i) the sum of—

"(I) the highest amount which would ordinarily be paid to a family of the same size without any income or resources in the form of payments for aid to families with dependent children under the State plan approved under part A of title IV of the Social Security Act for the State in which such individual resides, plus,

"(II) the highest cash value of the food stamps to which a family of the same size without any income or resources would be paid as aid to families with dependent children under such State plan in the amount determined under subclause (I), or

"(ii) the total amount which would have been received during such 6-month period by an individual who was a full-time employee earning compensation at a rate equal to the Federal minimum wage in effect under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)). Any such determination shall be valid for the 45-day period beginning on the date such determination is made.

"(B) SPECIAL RULE FOR FAMILIES WITH ONLY 1 INDIVIDUAL.—For purposes of subclause (I) of clause (i) of subparagraph (A), in the case of a family consisting of only one individual, the 'highest amount which would ordinarily be paid' to such family under the State's plan approved under part A of title IV of the Social Security Act shall be an amount determined by the designated local agency on the basis of a reasonable relationship to the amounts payable under such plan to families consisting of two or more persons.

"(3) CERTIFICATION.—Certification of an individual as an individual described in paragraph (1)(C) shall be made in the same manner as certification under section 51.

"(h) SPECIAL RULES.—For purposes of this section—

"(1) APPLICATION TO CERTAIN ENTITIES, ETC.—Under regulations prescribed by the Secretary, rules similar to the rules of section 52 (other than subsection (b) thereof) and section 41(f)(3) shall apply.

"(2) PERIODS OF LESS THAN A YEAR.—If designation of an area as an enterprise zone under section 7891 occurs, expires, or is revoked on a date other than the first or last day of the taxable year of the taxpayer, or in the case of a short taxable year—

"(A) the limitation specified in subsection (c)(2)(A), and the base period wages determined under subsection (c)(3), shall be adjusted on a pro rata basis (based upon the number of days), and

"(B) the reduction specified in subsection (e)(2) and the 90 percent and 50 percent tests set forth in subsection (f)(1) shall be determined by reference to the portion of the taxable year during which the designation of the area as an enterprise zone is in effect.

"(i) PHASEOUT OF CREDIT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), in determining the amount of the credit for a taxable year under subsection (a) with respect to qualified wages paid or incurred for services performed in an enterprise zone—

"(A) the following percentages shall be substituted for '10 percent' in subsection (a)(1):

"(i) 7.5 percent in the earlier of—

"(I) the taxable year which includes the date which is 21 years after the date on which such enterprise zone was designated under section 7891, or

"(II) the taxable year which includes the date which is 4 years before the date (if any) on which such enterprise zone ceases to be a zone under section 7891(b),

"(ii) 5 percent in the next succeeding taxable year,

"(iii) 2.5 percent in the second next succeeding taxable year, and

"(iv) zero thereafter, and

"(B) the amount determined under subsection (a)(2) shall be reduced by—

"(i) 25 percent in the case of the taxable year described in paragraph (1)(A),

"(ii) 50 percent in the next succeeding taxable year,

"(iii) 75 percent in the second next succeeding taxable year, and

"(iv) 100 percent thereafter.

"(2) REVOCATION OF DESIGNATION.—If the designation of an area as an enterprise zone is revoked under section 7891(b), such area shall continue to be treated as an enterprise zone for the period of 3 taxable years beginning after the date of such revocation except that only the allowable percentage of the amount of the credit which would (but for this paragraph) be allowable under this section for such a year shall be allowed. For purposes of the preceding sentence, the term 'allowable percentage' means the amount determined in accordance with the following table:

"If the taxable year beginning after the revocation allowable is:	The allowable percentage is:
The first such year....	75
The second such year.....	50
The third such year..	25.

"(j) EARLY TERMINATION OF EMPLOYMENT BY EMPLOYER IN CASE OF QUALIFIED ECONOMICALLY DISADVANTAGED INDIVIDUALS, ETC.—

"(1) GENERAL RULE.—Under regulations prescribed by the Secretary, if the employment of any qualified economically disadvantaged individual with respect to whom qualified wages are taken into account under subsection (a) is terminated by the taxpayer at any time during the 270-day period beginning on the date such individual begins work for the employer, the tax under this chapter for the taxable year in which such employment is terminated shall be increased by an amount (determined under such regulations) equal to the credit allowed under subsection (a) for such taxable year and all prior taxable years attributable to qualified wages paid or incurred with respect to such employee.

"(2) SUBSECTION NOT TO APPLY IN CERTAIN CASES.—

"(A) IN GENERAL.—Paragraph (1) shall not apply to—

"(i) a termination of employment of an employee who voluntarily leaves the employment of the employer,

"(ii) a termination of employment of an individual who, before the close of the period referred to in paragraph (1), becomes disabled to perform the services of such employment, unless such disability is removed before the close of such period and the employer fails to offer reemployment to such individual,

"(iii) a termination of employment of an individual, if it is determined under the applicable State unemployment compensation law that the termination was due to the misconduct of such individual, or

"(iv) a termination of employment of an individual due to a substantial reduction in the trade or business operations of the employer.

"(B) CHANGE IN FORM OF BUSINESS, ETC.—For purposes of paragraph (1), the employment relationship between the employer and an employee shall not be treated as terminated—

"(i) by a transaction to which section 381(a) applies, if the employee continues to be employed by the acquiring corporation, or

"(ii) by reason of a mere change in the form of conducting the trade or business of the taxpayer, if the employee continues to be employed in such trade or business and the employer retains a substantial interest in such trade or business.

"(3) SPECIAL RULE.—Any increase in tax under paragraph (1) shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit allowable under subpart A.

"(k) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations to prevent the abuse of such purposes by denying the credit allowable under this section to employers which relocate their businesses in an enterprise zone while displacing former employees or which otherwise conduct their businesses so as to take advantage of the credit allowable by this section without furthering such purposes.

"SEC. 1393. CREDIT FOR ENTERPRISE ZONE EMPLOYEES.

"(a) GENERAL RULE.—In the case of a taxpayer who is an enterprise zone employee, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to 5 percent of so much of the qualified wages of the taxpayer for the taxable year as does not exceed $10,500.

"(b) DEFINITIONS.—For purposes of this section—

"(1) ENTERPRISE ZONE EMPLOYEE.—The term 'enterprise zone employee' means an individual—

"(A) performing services during the taxable year that are directly related to the conduct of an enterprise zone business,

"(B) substantially all of services described in subparagraph (A) are performed within an enterprise zone, and

"(C) the employer for whom the services described in subparagraph (A), are performed is not the Federal Government, any State government or subdivision thereof, or any local government.

"(2) WAGES.—The term 'wages' has the meaning given such term by subsection 3306(b) (determined without regard to any dollar limitation contained in such subsection).

"(3) QUALIFIED WAGES.—The term 'qualified wages' means all wages of the taxpayer to the extent attributable to services described in paragraph (1)(A).

"(c) LIMITATIONS.—

"(1) PHASE-OUT OF CREDIT.—The amount of the credit allowable to a taxpayer under subsection (a) for any taxable year shall not exceed the excess (if any) of—

"(A) $525, over

"(B) 10.5 percent of so much of the taxpayer's total wages (whether or not constituting qualified wages) as exceeds $20,000.

"(2) PARTIAL TAXABLE YEAR.—If designation of an area as an enterprise zone occurs, expires, or is revoked pursuant to section 7891(b) on a date other than the first or last day of the taxable year of the taxpayer, or in the case of a short taxable year, the limitations specified in paragraph (1) shall be adjusted on a pro rata basis (based upon the number of days).

"(d) APPLICATION WITH OTHER CREDITS.—The credit allowed under this section for the taxable year shall be reduced by the amount (if any) of tax imposed by section 55 (relating to the alternative minimum tax) with respect to such taxpayer for such year.

"(e) CREDIT TREATED AS SUBPART C CREDIT.—For purposes of this title, the credit allowed under subsection (a) shall be treated as a credit allowed under subpart C of part IV of subchapter A.

"SEC. 1394. ENTERPRISE ZONE CAPITAL GAIN.

"(a) GENERAL RULE.—Gross income does not include the amount of any gain constituting enterprise zone capital gain.

"(b) DEFINITION.—For purposes of this section—

"(1) IN GENERAL.—The term 'enterprise zone capital gain' means gain—

"(A) treated as long-term capital gain,

"(B) allocable in accordance with the rules under subsection (b)(5) of section 338 to the sale or exchange of enterprise zone property, and

"(C) properly attributable to any period of use in an enterprise zone business.

"(2) LIMITATIONS.—Enterprise zone capital gain does not include any gain attributable to—

"(A) the sale or exchange of property not constituting enterprise zone property with respect to the taxpayer throughout the period of 24 full calendar months immediately preceding the sale or exchange,

"(B) any collectibles (as defined in subsection 408(m)), or

"(C) sales or exchanges to persons controlled by the same interests.

"(c) BASIS.—Amounts excluded from gross income pursuant to subsection (a) shall not be applied in reduction to the basis of any property held by the taxpayer.

"SEC. 1395. ENTERPRISE ZONE STOCK.

"(a) GENERAL RULE.—At the election of any individual, the aggregate amount paid by such taxpayer during the taxable year for the purchase of enterprise zone stock on the original issue of such stock by a qualified issuer shall be allowed as a deduction.

"(b) LIMITATIONS.—

"(1) CEILING.—

"(A) IN GENERAL.—The maximum amount allowed as a deduction for any taxable year under subsection (a) to a taxpayer shall not exceed the lesser of—

"(i) $50,000, or

"(ii) the excess of $250,000 over the aggregate amount allowed as a deduction under this section for all preceding taxable years.

"(B) EXCESS AMOUNTS.—If the amount otherwise deductible by any taxpayer under subsection (a) exceeds the limitation under subparagraph (A)—

"(i) the amount of such excess shall be treated as an amount paid in the next taxable year, and

"(ii) the deduction allowed for any taxable year shall be allocated among the enterprise zone stock purchased by such person in accordance with the purchase price per share.

"(2) RELATED PERSONS.—

"(A) IN GENERAL.—The taxpayer and all individuals related to the taxpayer shall be treated as one person for purposes of the limitations described in paragraph (1).

"(B) EXCESS AMOUNTS.—The limitations described in paragraph (1) shall be allocated among the taxpayer and related persons in accordance with their respective purchases of enterprise zone stock.

"(c) DISPOSITIONS OF STOCK.—

"(1) GAIN TREATED AS ORDINARY INCOME.—Except as otherwise provided in regulations, if a taxpayer disposes of any enterprise zone stock with respect to which a deduction was allowed under subsection (a), the amount realized upon such disposition shall be treated as ordinary income and recognized notwithstanding any other provision of this subtitle.

"(2) INTEREST CHARGED IF DISPOSITION WITHIN 5 YEARS OF PURCHASE.—

"(A) IN GENERAL.—If a taxpayer disposes of any enterprise zone stock before the end of the 5-year period beginning on the date such stock was purchased by the taxpayer, the tax imposed by this chapter for the taxable year in which such disposition occurs shall be increased by the amount determined in subparagraph (B).

"(B) ADDITIONAL AMOUNT.—For purposes of subparagraph (A), the additional amount shall be equal to the amount of interest (determined at the rate applicable under paragraph 6621(a)(2)) which would accrue—

"(i) during the period beginning on the date the stock was purchased by the taxpayer and ending on the date such stock was disposed of by the taxpayer, and

"(ii) on an amount equal to the aggregate decrease in tax of the taxpayer resulting from the deduction allowed under this subsection (a) with respect to the stock so disposed of.

"(d) DISQUALIFICATION.—

"(1) ISSUER OR STOCK CEASES TO QUALIFY.—If a taxpayer elects the deduction under subsection (a) with respect to enterprise zone stock, and either—

"(A) the issuer with respect to which the election was made ceases to be a qualified issuer, or

"(B) the proceeds from the issuance of the taxpayer's enterprise zone stock fail or otherwise cease to be invested by the issuer in enterprise zone property,

then, notwithstanding any provision of this subtitle other than paragraph (2), the taxpayer shall recognize as ordinary income the amount of the deduction allowed under subsection (a) with respect to the issuer's enterprise zone stock.

"(2) SPECIAL RULES.—

"(A) LIQUIDATION.—Where enterprise zone property acquired with proceeds from the issuance of enterprise zone stock is sold or exchanged pursuant to a plan of complete liquidation, the treatment described in paragraph (1) shall be inapplicable.

"(B) PARTIAL DISQUALIFICATION.—Where some, but not all, of the property acquired by the issuer with the proceeds of enterprise zone stock ceases to constitute enterprise zone property, the treatment described in paragraph (1) shall be modified as follows—

"(i) the total amount recognized as ordinary income by all shareholders of the issuer shall be limited to an amount of deduction allowed up to the unadjusted basis of property ceasing to constitute enterprise zone property,

"(ii) the amount recognized shall be allocated among enterprise zone stock with respect to which the election in subsection (a) was made in the reverse order in which such stock was issued, and

"(iii) the amount recognized shall be apportioned among taxpayers having made the election in subsection (a) in the ratios in which the stock described in clause (ii) was purchased.

"(3) ADDITIONAL AMOUNT.—If income is recognized pursuant to paragraph (1) at any time before the close of the 5th calendar year ending after the date the enterprise zone stock was purchased, the tax imposed by this chapter with respect to such income shall be increased by an amount equal to the amount of interest (determined at the rate applicable under section 6621(a)(2)) which would accrue—

"(i) during the period beginning on the date the stock was purchased by the taxpayer and ending on the date of the disqualification event described in paragraph (1), and

"(ii) on an amount equal to the aggregate decrease in tax of the taxpayer resulting from the deduction allowed under this subsection (a) with respect to the stock so disqualified.

"(e) DEFINITIONS.—For purposes of this section—

"(1) ENTERPRISE ZONE STOCK.—The term 'enterprise zone stock' means common stock issued by a qualified issuer, but only to the extent that the amount of proceeds of such issuance are used by such issuer no later than 12 months following issuance to acquire and maintain an equal amount of newly acquired enterprise zone property.

"(2) QUALIFIED ISSUER.—

"(A) IN GENERAL.—The term 'qualified issuer' means any C corporation which—

"(i) does not have more than one class of stock,

"(ii) is engaged solely in the conduct of one or more enterprise zone businesses,

"(iii) does not own or lease more than $5 million of total property (including money), as determined by the unadjusted basis of the property, and

"(iv) more than 20 percent of the total voting power and 20 percent total value of the stock of such corporation is owned by individuals, partnerships, estates or trusts.

"(B) LIMITATION ON TOTAL ISSUANCES.—A qualified issuer may issue no more than an aggregate of $5 million of enterprise zone stock.

"(C) AGGREGATION.—For purposes of applying the limitations under this paragraph, the issuer and all related persons shall be treated as one person.

"(3) AMOUNT PAID.—For purposes of subsection (a), the amount paid by a taxpayer for any taxable year shall not include the issuance of evidences of indebtedness of the taxpayer (whether or not such indebtedness is guaranteed by another person), nor amounts paid by the taxpayer after the close of the taxable year.

"(f) ISSUANCE IN EXCHANGE FOR PROPERTY.—If enterprise zone stock is issued in exchange for property, then notwithstanding any provision of subchapter C—

"(1) the issuance shall be treated for purposes of this subtitle as the sale of the property at its then fair market value to the corporation, and a contribution to the corporation of the proceeds immediately thereafter in exchange for the enterprise zone stock, and

"(2) the issuer's basis for the property shall be equal to the fair market value of such property at the time of issuance.

"(g) BASIS ADJUSTMENT.—For purposes of this subtitle, if a taxpayer elects the deduction under subsection (a), the taxpayer's basis (without regard to this subsection) for the enterprise zone stock with respect to such election shall be reduced by the deduction allowed or allowable.

"(h) LIMITATIONS ON ASSESSMENT AND COLLECTION.—If a taxpayer elects the deduction under subsection (a) for any taxable year, then—

"(1) the period for assessment and collection of any deficiency attributable to any part of the deduction shall not expire before one year following expiration of such period of the qualified issuer that includes the circumstances giving rise to the deficiency, and

"(2) such deficiency may be assessed before expiration of the period described in paragraph (1) notwithstanding any provisions of this subtitle to the contrary.

"(i) CROSS REFERENCE.—For treatment of the deduction under subsection (a) for purposes of the alternative minimum tax, see section 56."

(b) TECHNICAL AMENDMENT.—Subsection (a) of section 1016 (relating to adjustments to basis), is amended by striking "and" at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(25) to the extent provided in section 1395(g), in the case of stock with respect to which a deduction was allowed or allowable under section 1395(a)."

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 1 is amended by adding the following new subchapter after subchapter T and before subchapter V:

"SUBCHAPTER U. Enterprise zones."

SEC. 202. ALTERNATIVE MINIMUM TAX.

(a) CORPORATIONS.—Subparagraph 56(g)(4)(B) (relating to adjustments based on adjusted current earnings of corporations) is amended by adding the following new clause at the end thereof:

"(iv) EXCLUSION OF ENTERPRISE ZONE CAPITAL GAIN.—Clause (i) shall not apply in the case of any enterprise zone capital gain (as defined in subsection 1394(b)), and such gain shall not be included in income for purposes of computing alternative minimum taxable income."

(b) INDIVIDUALS.—Subsection 56(b) (relating to adjustments to the alternative minimum taxable income of individuals) is amended by adding the following new paragraph at the end thereof:

"(4) ENTERPRISE ZONE STOCK.—No deduction shall be allowed for the purchase of enterprise zone stock (as defined in subsection 1395(e))."

TITLE III—REGULATORY FLEXIBILITY

SEC. 301. DEFINITION OF SMALL ENTITIES IN ENTERPRISE ZONE FOR PURPOSES OF ANALYSIS OF REGULATORY FUNCTIONS.

Section 601 of title 5, United States Code, is amended by—

(1) striking out "and" at the end of paragraph (5); and

(2) striking out paragraph (6) and inserting in lieu thereof the following:

"(6) the term 'small entity' means—

"(A) a small business, small organization, or small governmental jurisdiction defined in paragraphs (3), (4), and (5) of this section, respectively; and

"(B) any qualified enterprise zone business; any unit of government that nominated an area which the Secretary of Housing and Urban Development designates as an enterprise zone (within the meaning of section 7891 of the Internal Revenue Code of 1986) that has a rule pertaining to the carrying out of any project, activity, or undertaking within such zone; and any not-for-profit enterprise carrying out a significant portion of its activities within such a zone; and

"(7) the term 'qualified enterprise zone business' means any person, corporation, or other entity—

"(A) which is engaged in the active conduct of a trade or business within an enterprise zone (within the meaning of section 7891 of the Internal Revenue Code of 1986); and

"(B) for whom at least 50 percent of its employees are qualified employees (within the meaning of section 1329(b)(1) of such Code)."

SEC. 302. WAIVER OR MODIFICATION OF AGENCY RULES IN ENTERPRISE ZONES.

(a) Chapter 6 of title 5, United States Code, is amended by redesignating sections 611 and 612 as section 612 and 613, respectively, and inserting the following new section immediately after section 610:

"§ 611. Waiver or modification of agency rules in enterprise zones

"(a) Upon the written request of any government which nominated an area that the Secretary of Housing and Urban Development has designated as an enterprise zone under section 7891 of the Internal Revenue Code of 1986, an agency is authorized, in order to further the job creation, community development, or economic revitalization objectives with respect to such zone, to waive or modify all or part of any rule which it has authority to promulgate, as such rule pertains to the carrying out of projects, activities or undertakings within such zone.

"(b) Nothing in this section shall authorize an agency to waive or modify any rule adopted to carry out a statute or Executive order which prohibits, or the purpose of which is to protect persons against, discrimination on the basis of race, color, religion, sex, familial status, national origin, age, or handicap.

"(c) A request under subsection (a) shall specify the rule or rules to be waived or modified and the change proposed, and shall briefly describe why the change would promote the achievement of the job creation, community development, or economic revitalization objectives of the enterprise zone. If such a request is made to any agency other than the Department of Housing and Urban Development, the requesting government shall send a copy of the request to the Secretary of Housing and Urban Development at the time the request is made.

"(d) In considering a request, the agency shall weigh the extent to which the proposed change is likely to further job creation, community development, or economic revitalization within the enterprise zone against the effect the change is likely to have on the underlying purposes of applicable statutes in the geographic area which would be affected by the change. The agency shall approve the request whenever it finds, in its discretion, that the public interest which the proposed change would serve in furthering such job creation, community development, or economic revitalization outweighs the public interest which continuation of the rule unchanged would serve. The agency shall not approve any request to waive or modify a rule if that waiver or modification would—

"(1) violate a statutory requirement (including any requirements of the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U.S.C. 201 et seq.)), or

"(2) be likely to present a significant risk to the public health, including environmental or occupational health or safety, or of environmental pollution.

"(e) If a request is disapproved, the agency shall inform in writing all the requesting governments, and the Department of Housing and Urban Development, of the reasons therefor and shall, to the maximum extent possible, work with such governments to develop an alternative, consistent with the standards contained in subsection (d).

"(f) Agencies shall discharge their responsibilities under this section in an expeditious manner, and shall make a determination on requests not later than 90 days after their receipt.

"(g) A waiver or modification of a rule under subsection (a) shall not be considered to be a rule, rulemaking, or regulation under chapter 5 of this title. To facilitate reaching its decision on any requested waiver or modification, the agency may seek the views of interested parties and, if the views are to be sought, determine how they should be obtained and to what extent, if any, they should be taken into account in considering the request. The agency shall publish a notice in the Federal Register stating any waiver or modification of a rule under this section, the time such waiver or modification takes effect and its duration, and the scope of applicability of such waiver or modification.

"(h) In the event that an agency proposes to amend a rule for which a waiver or modification under this section is in effect, the agency shall not change the waiver or modification to impose additional requirements unless it determines, consistent with standards contained in subsection (d), that such action is necessary. Such determinations shall be published with the proposal to amend such rule.

"(i) No waiver or modification of a rule under this section shall remain in effect with respect to an enterprise zone after the enterprise zone designation has expired or has been revoked.

"(j) For purposes of this section, the term 'rule' means (1) any rule as defined in section 551(4) of this title, or (2) any rulemaking conducted on the record after opportunity for an agency hearing pursuant to sections 556 and 557 of this title."

(b) The table of sections for such chapter is amended by redesignating sections 611 and 612 as sections 612 and 613, respectively, and inserting the following immediately before section 612, as redesignated by subsection (a):

"Sec. 611. Waiver or modification agency rules in enterprise zones."

(c) Section 601(2) of such title is amended by inserting "(except for purposes of section 611)" immediately before "means".

(d) Section 613 of such title, as redesignated by subsection (a), is amended—

(1) in subsection (a) by inserting "(except section 611)" immediately after "chapter"; and

(2) in subsection (b) by inserting "as defined in section 601(2)" immediately before the period at the end of the first sentence.

SEC. 303. FEDERAL AGENCY SUPPORT OF ENTERPRISE ZONES.

In order to maximize all agencies' support of enterprise zones, the Secretary of Housing and Urban Development is authorized to convene regional and local coordinating councils of any appropriate agencies to assist State and local governments achieve the objectives agreed to in the course of action under section 7891 of the Internal Revenue Code of 1986.

TITLE IV—ESTABLISHMENT OF FOREIGN-TRADE ZONES IN ENTERPRISE ZONES

SEC. 401. FOREIGN-TRADE ZONE PREFERENCES.

(a) PREFERENCE IN ESTABLISHMENT OF FOREIGN-TRADE ZONES IN REVITALIZATION AREAS.—In processing applications for the establishment foreign-trade zones pursuant to an Act "To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", approved June 18, 1934 (48 Stat. 998), the Foreign-Trade Zone Board shall consider on a priority basis and expedite, to the maximum extent possible, the processing of any application involving the establishment of a foreign-trade zone within an enterprise zone designated pursuant to section 7891 of the Internal Revenue Code of 1986.

(b) APPLICATION PROCEDURE.—In processing applications for the establishment of ports of entry pursuant to "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposes", approved August 1, 1914 (38 Stat. 609), the Secretary of the Treasury shall consider on a priority basis and expedite, to the maximum extent possible, the processing of any application involving the establishment of a port of entry which is necessary to permit the establishment of a foreign-trade zone within an enterprise zone so designated.

(c) APPLICATION EVALUATION.—In evaluating applications for the establishment of foreign-trade zones and ports of entry in connection with enterprise zones so designated, the Foreign-Trade Zone Board and the Secretary of the Treasury shall approve the applications to the maximum extent practicable, consistent with their respective statutory responsibilities.

TITLE V—HOUSING PROVISIONS

SEC. 501. WAIVER OR MODIFICATION OF HOUSING AND COMMUNITY DEVELOPMENT RULES IN ENTERPRISE ZONES.

(a) IN GENERAL.—Upon the written request of the governments that designated and approved an area that has been designated as an enterprise zone under section 7891 of the Internal Revenue Code of 1986, the Secretary of Housing and Urban Development (or, with respect to any rule issued under title V of the Housing Act of 1949, the Secretary of Agriculture) may, in order to further the job creation, community develop-

ment, or economic revitalization objectives of the zone, waive or modify all or part of any rule that the Secretary has authority to promulgate, as such rule pertains to the carrying out of projects, activities, or undertakings within the zone.

(b) LIMITATION.—No provision of this section may be construed to authorize the Secretary to waive or modify any rule adopted to carry out a statute or Executive order that prohibits, or the purpose of which is to protect persons against, discrimination on the basis of race, color, religion, sex, marital status, national origin, age, or handicap.

(c) SUBMISSION OF REQUESTS.—A request under subsection (a) shall specify the rule or rules to be waived or modified and the change proposed, and shall briefly describe why the change would promote the achievement of the job creation, community development, or economic revitalization objectives of the enterprise zone. If a request is made to the Secretary of Agriculture, the requesting governments shall send a copy of the request to the Secretary of Housing and Urban Development at the time the request is made.

(d) CONSIDERATION OF REQUESTS.—In considering a request, the Secretary shall weigh the extent to which the proposed change is likely to further job creation, community development, or economic revitalization within the enterprise zone against the effect the change is likely to have on the underlying purposes of applicable statutes in the geographic area that would be affected by the change. The Secretary shall approve the request whenever the Secretary finds, in the discretion of the Secretary, that the public interest that the proposed change would serve in furthering such job creation, community development or economic revitalization outweighs the public interest that continuation of the rule unchanged would serve in furthering such underlying purposes. The Secretary shall not approve any request to waive or modify a rule if that waiver or modification would—

(1) directly violate a statutory requirement; or

(2) be likely to present a significant risk to the public health, including environmental health or safety.

(e) NOTICE OF DISAPPROVAL.—If a request is disapproved, the Secretary shall inform the requesting governments in writing of the reasons therefor and shall, to the maximum extent possible, work with such governments to develop an alternative, consistent with the standards contained in subsection (d).

(f) PERIOD FOR DETERMINATION.—The Secretary shall discharge the responsibilities of the Secretary under this section in an expeditious manner, and shall make a determination on requests not later than 90 days after their receipt.

(g) APPLICABLE PROCEDURES.—A waiver or modification of a rule under subsection (a) shall not be considered to be a rule, rulemaking, or regulation under chapter 5 of title 5, United States Code. To facilitate reaching a decision on any requested waiver or modification, the Secretary may seek the views of interested parties and, if the views are to be sought, determine how they should be obtained and to what extent, if any, they should be taken into account in considering the request. The Secretary shall publish a notice in the Federal Register stating any waiver or modification of a rule under this section.

(h) EFFECT OF SUBSEQUENT AMENDMENT OF RULES.—In the event that the Secretary proposes to amend a rule for which a waiver or modification under this section is in effect, the Secretary shall not change the waiver or modification to impose additional requirements unless the Secretary determines, consistent with standards contained in subsection (d), that such action is necessary.

(i) EXPIRATION OF WAIVERS AND MODIFICATIONS.—No waiver or modification of a rule under this section shall remain in effect for a longer period than the period for which the enterprise zone designation remains in effect for the area in which the waiver or modification applies.

(j) DEFINITIONS.—For purposes of this section:

(1) RULE.—The term "rule" means—

(A) any rule as defined in section 551(4) of title 5, United States Code; or

(B) any rulemaking conducted on the record after opportunity for an agency hearing pursuant to sections 556 and 557 of such title 5.

(2) SECRETARY.—The term "Secretary" means the Secretary of Housing and Urban Development or, with respect to any rule issued under title V of the Housing Act of 1949, the Secretary of Agriculture.

SEC. 502. COORDINATION OF HOUSING AND URBAN DEVELOPMENT PROGRAMS IN ENTERPRISE ZONES.

Section 3 of the Department of Housing and Urban Development Act is amended by adding at the end the following new subsection:

"(d) The Secretary shall—

"(1) promote the coordination of all programs under the jurisdiction of the Secretary that are carried on within an enterprise zone designated pursuant to section 7891 of the Internal Revenue Code of 1986;

"(2) expedite, to the greatest extent possible, the consideration of applications for programs referred to in paragraph (1) through the consolidation of forms or otherwise; and

"(3) provide, whenever possible, for the consolidation of periodic reports required under programs referred to in paragraph (1) into one summary report submitted at such intervals as may be designated by the Secretary.".

TITLE VI—REPEAL OF TITLE VII OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1987

SEC. 601. REPEAL.

Title VII of the Housing and Community Development Act of 1987 is hereby repealed.

Mr. LIEBERMAN. Mr. President, the history of Federal urban policy and declining urban economies is a relatively brief one dating only from the early 1960's. In 1961, John F. Kennedy said that "Economic growth has come to resemble the Washington weather—everyone talks about it, no one says precisely what to do about it, and our only satisfaction is that it cannot get any worse." Whether it was the Model Cities Program in the sixties or revenue sharing in the seventies, urban development has been a formidable challenge facing the administration and the Congress for the last 30 years.

Today I am pleased to rise, along with my friend and colleague from Minnesota, Senator RUDY BOSCHWITZ, to introduce the Enterprise Zone Improvements Act of 1990. This legislation puts forth a program for economic and urban growth which, I believe, begins to facilitate the redevelopment of some of America's most distressed urban and rural communities.

Our bill will help convince businesses to build and grow in poor neighborhoods. It will give people incentives to invest in such businesses and to hire and train both unemployed and economically disadvantaged people.

An enterprise zone is a specific geographic area which is designated to receive special treatment by the local, State, and Federal Government in order to attract business investment, via a series of incentives, that might otherwise not occur. These incentives include a combination of tax relief, regulatory relief, and targeted financing to depressed regions.

The idea for using enterprise zones as a means for urban development actually predates much of the history of U.S. Federal urban policy. Two Englishmen of diverse political philosophies, Peter Hall and Sir Geoffrey Howe first began working on this idea in the 1970's. It came to fruition in 1980, when an enterprise zone program was enacted by Prime Minister Thatcher.

The first national enterprise zone legislation in this country was introduced by two former Members of Congress also of diverse background, Representative Jack Kemp, a Republican from Buffalo, NY, and Representative Bob Garcia, a Democrat from the South Bronx. What brought these two men together was a desire to find a long-term solution to poverty while stimulating economic development across our Nation.

Ultimately, in 1987, enterprise zone legislation was passed into law as part of an omnibus housing bill. In essence, this bill directed the Secretary of Housing and Urban Development to designate 100 enterprise zones across the country, but it did not provide for any corresponding Federal tax benefits. That is precisely what the bill which Senator BOSCHWITZ and I are introducing would do—put into place the tax and regulatory incentives which are pivotal to the success of enterprise zones and the redevelopment of urban and rural America.

I am convinced that, if adopted, this program will bring hope to areas with little hope; offer jobs to those stricken by incessant unemployment; and promote economic growth in areas that have for too long experienced only economic decline.

Our bill attempts to bring benefits to impoverished areas without incurring an overall loss of revenue. But, it is important to look beyond statistics and consider the positive social impact that the Enterprise Zone Program can have on a community by giving its residents jobs and a new sense of hope about their future.

The Enterprise Zone Program, in its very essence, assumes that it is better for society to direct investment and employment to areas that have had a history of low levels of economic activity rather than to direct investment and employment to areas that have experienced healthy economic growth.

Furthermore, this legislation recognizes that the economic problems affecting many of our cities and rural regions cannot be solved by massive Federal handouts. It is clear that we must form a partnership between government and business to develop a strategy that will attack chronic poverty over the long term. Enterprise zones are not just a safety net for the poor and disadvantaged. They are the ladders upon which people and communities can rise above poverty and welfare.

Currently, 37 States have begun to do precisely this by establishing their local versions of enterprise zones. I am pleased to say that Connecticut led the Nation in establishing zones in 1982, offering a wide range of State and local incentives, as well as administrative support, to help develop distressed urban areas.

According to statistics from the Connecticut Department of Economic Development, Connecticut's 11 zones have created nearly $400 million in new investment have created or retained more than 13,000 jobs, without the benefit of accompanying Federal incentives.

Specifically, our bill calls for the designation of 50 Federal Enterprise Zones by the Secretary of the Department of Housing and Urban Development. This legislation allows:

Zone businesses to take advantage of a zero capital gains rate for any enterprise zone property that has been held for at least 2 years;

It allows those who invest in zone businesses to deduct up to $50,000 for any taxable year, a $250,000 maximum, on the purchase of a new offering of enterprise zone stock;

It provides a 10-percent tax credit to enterprise zone employers for the increased wages paid to their work force;

A 50-percent tax credit to employers on the wages of any economically disadvantaged employees they hire; and

In addition, a 5-percent tax credit will be given to all enterprise zone employees.

Winston Churchill said that "Some see private enterprise as a predatory target to be shot, others as a cow to be milked, but few are those who see it as a sturdy horse pulling the wagon." The most appealing feature of enterprise zones is their attempt to involve and utilize private enterprise in doing something to pull one of our society's heaviest wagons, and that is chronic poverty. Poverty that not only encompasses whole sections of every one of our inner cities but also, in too many cases, spans generations. It is a cloud over our Nation's future. The unemployed and the poverty stricken, whether they are in the Bronx, Bridgeport, East St. Louis, Watts, Minneapolis, or Liberty City, are in need of our help. I believe enterprise zones are one important way to give them help in a long-term, meaningful way.

By Mr. SYMMS (for himself, Mr. McCLURE, and Mr. BAUCUS):

S. 2150. A bill to set aside a fair proportion of the highway trust fund moneys for use in constructing and maintaining off-highway recreational trails; to the Committee on Environment and Public Works.

NATIONAL RECREATIONAL TRAILS FUNDS ACT OF 1990

Mr. SYMMS. Mr. President, today several of my colleagues, Senators McCLURE and BAUCUS, and I are introducing the National Recreational Trails Fund Act of 1990. This is a bill to construct, to maintain, to improve the safety and environment and soundness of the recreation trails in this country.

Recreational trails provide millions of Americans an opportunity to get out and enjoy nature. These trails do more than just provide access from point A to point B. There is an old saying that half the fun is getting there. For many of the scenic areas of our country that saying is in fact the case. It does not matter whether you take a stroll or whisking by in a snowmobile, the trails we use are a critical part of almost all of our outdoor recreation enjoyment.

Unfortunately trail construction maintenance is costly and far too often is neglected at the expense of safety and environmental soundness of the recreational experience.

In Idaho in particular where the vast majority of trails are on U.S. Government land, Federal land management agencies have underfunded the upkeep of these trails and maintenance of these same recreational trails.

When a trail is either poorly maintained, or perhaps never constructed properly in the first place, everyone suffers. Access to certain areas becomes more difficult, and often for the handicapped it becomes impossible. The scenic beauty of the area is harder to enjoy, the likelihood of an accident on the trail increases, as does the incidence of erosion, trampling of vegetation and general environmental degradation.

That is why we introduced the National Recreation Trails Act Fund Act of 1990. The bill employs the same principles that guides building and maintenance of our roads and highways. Motorists in America pay 9 cents a gallon for every gallon of gas they use on the highway. That money is then dedicated to construction, upkeep, and maintenance, and safety of those highways. It is my belief that the Federal Government owes it to the people of this country to fully employ those funds to this dedicated purpose. The keeping of those funds to hide the portion of the Federal deficit is an irresponsible policy and Congress should not allow it—but that is another debate.

The portion of the revenue that is collected into the highway trust fund comes from gasoline purchased for off-highway use. This revenue does not actually belong in the highway trust fund, and is currently refundable. For farmers and contractors who actually have significant fuel costs off-highway, this refund is essential and used. For the off-high recreationalist, however, the refund mechanism is impractical, since it amounts to little more than $10 to $15 per person year, if that much. Consequently, most recreationalists do not collect their refund, and their taxes are among those currently used to mask the deficit.

The bill we are introducing today eliminates the refundability of fuel use taxes paid by off-highway recreationalists and dedicates it instead to a more honest use than the hiding of our Federal largess: the construction, maintenance and upgrade of recreational trails.

The money will be deposited in a national recreational trails fund. Grants from the fund are then made on annual basis to the States. The bill also establishes a National Recreational Trails Advisory Board to help define appropriate grant projects and to advise the Federal Government on ways to better coordinate trail usage and Federal land management policies.

My colleague in the other body, Mr. CRAIG, from Idaho, is today introducing an identical bill in the House. I would hope that this initiative can and will win rapid support here in this body and in the other body and be on its way to the President yet this year. In that effort, I invite any and all my colleagues to join on with the Senator from Montana and my colleague from Idaho, as cosponsors of this much needed bill.

Mr. President, I thank my colleague from Massachusetts for yielding the floor to me, and I will ask to be printed in the RECORD the National Recreational Trails Fund Act, and a section-by-section summary for the benefit of my colleagues. I send the bill to the desk to be sent to the appropriate committee and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2150

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Recreation Trails Fund Act of 1990".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Highway Trust Fund was established to assure availability of the financial means to construct and maintain a viable highway system in the United States;

(2) in order to equitably finance the Highway Trust Fund, a fuel use tax was imposed on each gallon of motor fuel sold, excluding sales of fuel for use in certain types of vehicles, thus establishing a directly proportional relationship between the use of Federal highways (as measured by fuel consumption) and payments into the Fund;

(3) not excluded from the fuel use tax are sales for use of fuel in motors of off-highway vehicles, highway vehicles when used off-highway, and other motors not used on highways, such as snowmobiles, all-terrain vehicles, motorcycles, chain saws, and outdoor electrical generators;

(4) like highways, the recreational trails and back country terrain used by off-highway vehicles must be constructed and maintained, but construction and maintenance of such recreational trails and terrain receives little priority in the budgetary processes of the land management agencies of the United States Government; and

(5) it is both equitable and prudent, for safety, environmental protection, and recreational reasons, to assure availability of financial means to maintain and improve recreational trails and off-highway terrain by reserving for those purposes a portion of fuel use taxes imposed on motor fuel used in off-highway recreational trail motors.

SEC. 3. CREATION OF NATIONAL RECREATIONAL TRAILS TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end thereof the following new section:

"SEC. 9521. NATIONAL RECREATIONAL TRAILS TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'National Recreational Trails Trust Fund', consisting of such amounts as may be appropriated, credited, or paid to it as provided in this section, section 9503(c)(5), or section 9602(b).

"(b) EXPENDITURES FROM TRUST FUND.—Amounts in the National Recreational Trails Trust Fund shall be available for making expenditures to carry out the purposes of the National Recreational Trails Fund Act of 1989.".

(b) DEPOSIT OF UNREFUNDED HIGHWAY TRUST FUND MONIES.—Subsection (c) of section 9503 of the Internal Revenue Code of 1986 (relating to Highway Trust Fund) is amended—

(1) by adding at the end thereof the following new paragraph;

"(5) TRANSFERS FROM THE TRUST FUND FOR OFF-HIGHWAY RECREATIONAL TRAIL FUEL TAXES.—

"(A) TRANSFER TO NATIONAL RECREATIONAL TRAILS TRUST FUND.—The Secretary shall annually pay from the Highway Trust Fund into the National Recreational Trails Trust Fund amounts (as determined by the Secretary) equivalent to the off-highway recreational trail fuel taxes received on or after January 1, 1990.

"(B) DEFINITIONS.—For purposes of this paragraph—

"(i) OFF-HIGHWAY RECREATIONAL TRAIL FUEL TAXES.—The term 'off-highway recreational trail fuel taxes' means the taxes under sections 4041, 4081, and 4091 (to the extent attributable to the Highway Trust Fund financing rate) with respect to fuel used in off-highway recreational trail motors.

"(ii) OFF-HIGHWAY RECREATIONAL TRAIL MOTORS.—The term 'off-highway recreational trail motors' means motors in vehicles and equipment used on recreational trails or off-highway terrain, including vehicles registered for highway use when used on recreational trails or off-highway terrain."; and

(2) by striking subparagraph (C) of paragraph (2) and inserting the following new subparagraph:

"(C) EXCEPTION FOR USE IN AIRCRAFT AND MOTORBOATS, AND ON RECREATIONAL TRAILS, ETC.—The paragraph shall not apply to amounts estimated by the Secretary as attributable to—

"(i) use of gasoline and special fuels in motorboats or in aircraft, and

"(ii) use of gasoline in off-highway recreational trail motors as defined in paragraph (5)(B)(ii).".

(c) CONFORMING AMENDMENTS.—Section 6421(e)(2) of the Internal Revenue Code of 1986 (defining off-highway business use) is amended by adding at the end thereof the following new subparagraph:

"(C) EXCEPTION FOR USE ON RECREATIONAL TRAILS, ETC.—The term 'off-highway business use' does not include any use in off-highway recreational trail motors as defined in section 9503(c)(5)(B)(ii).".

(d) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end thereof the following new item:

"Sec. 9511. National Recreational Trails Trust Fund.".

SEC. 4. NATIONAL RECREATIONAL TRAILS PROGRAM.

(a) IN GENERAL.—The Secretary, using amounts available in the Fund, shall administer a program of grants to the States for the purposes of constructing and maintaining recreational trails.

(b) STATE ELIGIBILITY.—

(1) TRANSITIONAL PROVISION.—Until the date that is 3 years after the date of enactment of this Act, a State shall be eligible to receive a grant under this Act if such State's grant application proposes to use grant monies for the purposes stated in subsection (d).

(2) PERMANENT PROVISION.—On and after the date that is 3 years after the date of enactment of this Act, a State shall be eligible to receive a grant under this Act if—

(A) the State has established a State Recreational Trails Advisory Board;

(B) the State imposes a tax on fuel used in off-highway recreational trial motors, and the revenues from such tax are reserved by law for use in constructing and maintaining recreational trails; and

(C) the State's grant application proposes to use grant monies for the purposes stated in subsection (d).

(c) ALLOCATION OF MONIES IN THE FUND.—

(1) ADMINISTRATVE COSTS.—No more than 5 percent of the expenditures made annually from the Fund may be used to pay the cost to the Secretary for—

(A) approving applications of States for grants under this Act;

(B) providing technical assistance to the States on recreational trail construction and maintenance activities funded by such grants; and

(C) paying expenses of the National Recreational Trails Advisory Committee.

(2) GRANTS.—Amounts in the Fund remaining after payment of the administrative costs described in paragraph (1), shall be allocated and paid to the States annually in the following proportions:

(A) EQUAL AMOUNTS.—50 percent of such amounts shall be allocated equally among eligible States.

(B) AMOUNTS PROPORTIONATE OF OFF-HIGHWAY RECREATIONAL TRAIL MOTOR FUEL USE.—50 percent of such amounts shall be allocated among eligible States in proportion to the amount of off-highway recreational trail motor fuel use during the preceding year in each such State, respectively.

(d) USE OF GRANT MONIES.—

(1) PERMISSIBLE USES.—A State may use grant monies received under this Act for—

(A) construction and maintenance of recreational trails;

(B) acquisition of easements;

(C) acquisition of fee simple title to property from a willing seller, when the objective of the acquisition cannot be accomplished by acquisition of an easement or by other means;

(D) development of trail-side facilities that meet goals identified by the National Recreational Trails Advisory Committee;

(E) with respect to an amount not exceeding 5 percent of the amount of grant monies received by the State, operation of environmental protection and safety education program relating to the use of recreational trails; and

(F) with respect to an amount not exceeding 5 percent of the amount of grant monies received by the State, administration expenses of such State.

(2) USE NOT PERMITTED.—A State may not use grant monies received under this Act for condemnation of any kind of interest in property.

(3) RETURN OF MONIES NOT EXPENDED.—Grant monies paid to a State that are not expended within 2 years after receipt for the purposes stated in this subsection shall be returned to the Fund and shall thereafter be reallocated under the formula stated in subsection (c).

(4) GUIDELINES FOR USE.—To the extent possible, the Secretary shall ensure that grant monies received under this Act are employed for the use and benefit of safer, more enjoyable, and more environmentally sound motorized and non-motorized recreational trail use.

(e) COORDINATION OF ACTIVITIES.—

(1) COOPERATION BY FEDERAL AGENCIES.—Each agency of the United States Government that manages land on which a State proposes to construct or maintain a recreational trail pursuant to this Act shall cooperate with the State and the Secretary in planning and carrying out the activities described in subsection (d) on such land.

(2) COOPERATION BY PRIVATE PERSONS.—As a condition to making available grant monies for work on recreational trails that would affect privately owned land, the State shall obtain written assurances that the owner of the property will cooperate with the State and participate as necessary in the activities to be conducted.

(f) For purposes of this section—

(1) ELIGIBLE STATE.—The term "eligible state" means a State that meets the requirements stated in subsection (b).

(2) FUND.—The term "Fund" means the National Recreational Trails Fund established by section 9511 of the Internal Revenue Code of 1986.

(3) OFF-HIGHWAY RECREATIONAL TRAIL MOTORS.—The term "off-highway recreational trail motors" has the same meaning given such term by section 9503(c)(5)(B)(ii) of the Internal Revenue Code of 1986.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 5. NATIONAL RECREATIONAL TRAILS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the National Recreational Trails Act Advisory Committee.

(b) MEMBERS.—There shall be 8 members of the advisory committee, appointed by the Secretary from nominations submitted by recreational trail user organizations, one each representing the following recreational trail use:

(1) Hiking.
(2) Cross country skiing.
(3) Trail biking.
(4) Snowmobiling.
(5) Horseback riding.
(6) All terrain vehicle riding.
(7) Mountain bicycling.
(8) Four-wheel driving.

(c) TERMS.—Members of the advisory committee shall be appointed for terms of 2 years.

(d) DUTIES.—The advisory committee shall meet at least twice annually to—

(1) review utilization of grant monies by States;

(2) establish and review criteria for trailside facilities that qualify for funding under this Act; and

(3) make recommendations to the Secretary for changes in Federal policy to advance the purposes of this Act.

(e) ANNUAL REPORT.—The advisory committee shall present to the Secretary an annual report on its activities.

(f) REIMBURSEMENT FOR EXPENSES.—Members of the advisory committee shall serve without pay, but, to the extent funds are available pursuant to section 4(c)(1)(C), shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

THE NATIONAL RECREATION TRIALS FUND ACT OF 1990

SECTION-BY-SECTION SUMMARY

Section 1. Short Title

Section 2. Findings: It is a principle of the Highway Trust Fund that, because it is the highway user who pays, the highway user should benefit. Currently, however, off-highway recreational users of fuel do not receive the benefits of the taxes they pay. While the tax is currently refundable, the refund mechanism is impractical. It is consistent with the principles of the Highway Trust Fund, therefore, to allocate unrefunded recreational off-highway fuel taxes to a program benefitting the off-highway user.

Section 3. (a) Establishes the National Recreational Trails Trust Fund.

(b) Requires the Secretary of the Treasury to calculate and deposit unrefunded off-highway recreational trail fuel taxes into the National Recreation Trails Trust Fund.

(c) Eliminates the current refundability of off-highway recreational trail fuel taxes.

Section 4. (a) Creates a national recreatioinal trails program.

(b) A State is eligible to participate in the program if:

(1) (in the first three years after enactment) it applies for grants for recreational trail projects authorized by this Act, and

(2) (after the first three years) it establishes a State Recreational Trails Advisory Board, allocates taxes it imposes on off-highway recreational fuel to a recreational trail fund, and applies for grants for projects authorized by this Act.

(c) Of the monies in the National Recreational Trails Fund:

(1) No more than 5% may be used to cover Administrative costs,

(2) The remainder must be allocated as grants to the States under the formula—50% equally divided among eligible states, 50% divided proportionate to off-highway recreational trail use.

(d) Authorization for use of grant monies:

(1) Permitted uses: Construction and maintenance; acquisition of easements (or fee simple title if unavoidable); development of trail-side facilities; administration (no more than 5%).

(2) Nonpermitted uses: condemnation of any type.

(3) Unused grant monies must be returned after 2 years.

(4) Grant should be used to provide safer, more enjoyable, and more environmentally sound motorized and non-motorized recreational trail use.

(e) Projects using grant monies on federal lands should be done in cooperation with the federal land management agency. Projects on private lands require the prior consent and cooperation of land owner.

Section 5. (a) National Recreational Trails Advisory Committee established.

(b) 8 members, selected by Sec. of Interior, representing each of these recreational groups: hikers, X-country skiers, trail bikers, snowmobilers, horse riders, ATVers, mountain bicyclers, 4x4ers.

(c) 2 year term.

(d) Duties: (1) review utilization of grants, (2) establish criteria for appropriate trail-side facilities, (3) make recommendations to Secretary on pertinent federal policies.

(e) Annual report filed with the Secretary of the Interior

(f) Members reimbursed only for expenses contingent on administrative funding available.

Mr. BAUCUS. Mr. President, I am pleased to join today with my distinguished colleague from Idaho, Senator SYMMS, as an original cosponsor of the National Recreational Trails Fund Act.

For some time, I've been troubled by the fact that America's motorized recreationists are forced to pay a Federal gasoline tax, but receive no direct benefit from their dollars. While the tax is currently refundable, the refund mechanism is impractical. Rather than dedicating these funds for improving off-road recreation opportunities, they are placed in the highway trust fund.

In my view, this is simply unfair. The legislation I am joining Senator SYMMS in introducing today would eliminate the existing system. Instead, Federal gasoline taxes collected from off-road recreation vehicle users would be dedicated to the improvement, construction, and maintenance of recreational trails throughout the Nation. In my home State of Montana, this legislation would help boost our important recreation and tourism industries.

I believe this legislation should pass because it is fair. Every American who pays a user fee, like the Federal gas tax, should receive a direct benefit for his or her dollar.

Again, I am pleased to support this legislation. I look forward to working with Senator SYMMS to see it enacted into law.

By Mr. HEINZ:

S. 2151. A bill to permit the transfer of the obsolete submarine U.S.S. *Requin* to the Carnegie Institute in Philadelphia, PA, before the expiration of the 60-day waiting period that would otherwise be applicable to the transfer; to the Committee on Armed Services.

TRANSFER OF OBSOLETE SUBMARINE "U.S.S. REQUIN"

● Mr. HEINZ. Mr. President, I rise today to introduce legislation that will waive the 60-day congressional waiting period for the transfer of the submarine *Requin* to the Carnegie Institute in Pittsburgh, PA.

With the Secretary of Navy's recent approval of transferring this submarine, waiving the standard 60-day waiting period will permit the *Requin* to begin its journey from Tampa, FL, to Pittsburgh during the early spring. Speeding up this process is vital to the museum's receiving the submarine because its river trip must be made when the waters of the Mississippi and Ohio are at their highest level. The next few months provide the only time of the year when the 312-foot submarine will be able to negotiate the rivers and maneuver through the locks from the Gulf of Mexico to the mouth of the Ohio.

The *Requin* has been moored in the Hillsborough River in Tampa since 1972 and the city is no longer interested in keeping the 1945 *Tench*-class submarine. Its availability could not be more timely for the Carnegie Institute. When it arrives in Pittsburgh, it will float in the Ohio River as part of the new Carnegie Science Center providing visitors the unique opportunity to see the workings of a World War II era submarine.

The *Requin* was launched from Portsmouth, NH, on January 1, 1945, and later commissioned on April 28, 1945. While enroute to Guam, she was ordered back to the Atlantic when World War II ended. Following several months with Submarine Squadron 4 near Key West, she returned to Portsmouth and was converted to a radar picket submarine. For the next 25 years she served with distinction as part of our submarine fleet.

The *Requin's* extensive operations with the Second and Sixth Fleets took her north of the Artic Circle and on a cruise around the South American continent, from the Caribbean to the Mediterranean, and throughout the

Atlantic Ocean. On December 3, 1968, at the conclusion of her active service, the *Requin* was decommissioned and was sent to St. Petersburg, FL, where she served as a Naval Reserve Training ship until struck from the Navy list in December 1971.

The *Requin* now has the opportunity to continue serving the Nation in new role as part of the Carnegie Science Center. I look forward to her arrival along the banks of the Ohio River and urge my colleagues to support this legislation permitting the *Requin* to soon become part of the Carnegie Science Center.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WAIVER OF WAITING PERIOD

Clauses (2) and (3) of section 7308(c) of title 10, United States Code, shall not apply with respect to the transfer by the Secretary of the Navy under section 7308(a) of such title of the obsolete submarine *U.S.S. Requin* to the Carnegie Institute in Pittsburgh, Pennsylvania, for use by the Carnegie Institute in connection with the Carnegie Institute Science Center in Pittsburgh.●

By Mr. McCONNELL (for himself, Mr. KERRY, and Mr. BRYAN):

S. 2152. A bill to provide for international negotiations to achieve agreement on regulation of certain precursor and essential chemicals critical to the manufacture and trafficking of illicit narcotics; to the Committee on Foreign Relations.

INTERNATIONAL CHEMICAL CONTROL ACT

Mr. McCONNELL. Mr. President, the 1988 Chemical Diversion and Control Act gives U.S. law enforcement agencies the ability to monitor, track and suspend suspect shipments of legal chemicals based on evidence they may be diverted to manufacture illegal narcotics.

Dozens of shipments to Latin America have been suspended based on information the recipient or consignee was fronting for the drug cartel or might use the chemicals for illegal purposes.

In the short period of time the legislation has been in effect, we are beginning to see real results. Just after passage a number of suspect chemical handlers went out of business, there has been a significant slow down in the growth of clandestine labs across the United States and the price of illegal amphetamines has gone up because the ingredients are less readily available.

The problem is cocaine continues to flood in from South America and legal chemicals are the prime ingredients for cocaine processing.

We are not going to cut the chemical supply line feeding cocaine processing without cooperation from European law enforcement agencies. American law enforcement effort is simply not being matched by an equal effort in Europe.

In fact, there is strong evidence that as American chemical sales are restricted, European chemical transactions with Latin companies are on the rise. Just one example is the jump in European exports of methyl ethyl ketone [MEK] a key element in cocaine production. In 1982 Europe exported 70 metric tons to Latin America—by 1987 exports had soared to over 5,000 tons.

European secrecy laws and pressure from European chemical companies have compromised efforts to track and control chemical transactions. Curbing the cartel's access to chemicals key to cocaine processing could slow production, drive up the street price and cut down on consumption and addiction.

We will not curb the cartel's access without international cooperation. The bill Senator BRYAN and Senator KERRY are joining me in introducing will generate that cooperation.

The International Chemical Control Act of 1990 directs the Attorney General to carry out international negotiations to reach agreements on the regulation of certain chemicals crucial to illegal drug production. Bilateral talks should produce a common list of chemicals which must be tracked, reported and, the records provided to U.S. law enforcement agencies.

European companies can choose to disregard our concerns about diversion but at the peril of access to the United States market for any or all of their products. I realize the penalty is tough, but our drug crisis is tougher.

The cartel must be denied access to the chemicals key to cocaine production. We have cracked down on American companies, but to shut down the deadly chemical—cocaine supply line, we must have international cooperation. My bill is the first step in building that cooperation.

Mr. McCONNELL. Mr. President, several years ago an alarming trend developed: legally produced chemicals were being diverted to manufacture of illegal narcotics. Congress moved quickly and passed the Chemcial Diversion and Trafficking Act of 1988 [CDTA]. The law now requires detailed record keeping and notification by American companies engaging in transactions of chemicals which can be used in illegal narcotics production. U.S. companies must also give the Drug Enforcement Administration [DEA] 15 days notice prior to importing or exporting certain chemicals to new customers. With this window of opportunity DEA has suspended dozens of shipments of chemicals after establishing a recipient company simply did not exist or was fronting for the cocaine cartel.

In most cases, American companies have exercised corporate responsibility and worked with the law enforcement community to control the problem of illegal diversion of chemicals. On the domestic front there are encouraging results. In testimony before the Senate Commerce Committee in early February, DEA's Deputy Assistant Administrator for Diversion Control noted that with passage of the CDTA, a number of suspect chemical handlers went out of business, there has been a significant slow down in the growth of clandestine labs, and the price of methamphetamines has gone up because ingredients are less readily available.

As encouraging as these trends are, cocaine continues to flood into the United States from South America—and legal chemicals are the prime ingredients in cocaine production. Although DEA and Customs have tracked and stopped United States chemical sales to some Latin American companies, the Andean nations are still importing chemicals well beyond their industrial requirements.

So, where are the chemicals coming from? As we bring pressure to bear on American companies and more closely restrict sales, large European companies are expanding their Latin American operations—without reporting the amount or type of chemical sold or identifying the buyer.

Of the little we do know of European sales, the statistics are a telling and frightening story. Methyl ethyl ketone known as MEK is critical to processing cocaine. European MEK exports to Latin America jumped from 70 metric tons in 1982 to more than 5,000 metric tons by 1987.

Substantiating this case, DEA Deputy Administrator Haislip testified:

> We have received information from a number of reliable sources indicating cocaine trafficking organizations are turning to chemical companies in Europe where there are few, if any controls on chemicals. This is particularly disturbing since Europe's role as a source of supply for cocaine essential chemicals was increasing dramatically before the implementation of the Chemical Diversion and Trafficking Act * * * Tremendous quantities of chemicals are * * * shipped through Rotterdam where there are no controls or monitoring mechanisms in place. Because of Dutch secrecy laws, Dutch authorities are forbidden to disclose the origin and destination of shipments that transit the Netherlands. Nevertheless, we do know that, in 1987 alone, some 44,000 metric tons of M.E.K. were shipped though Rotterdam to destinations in Latin America.

The European role also was described by a cartel money launderer in testimony before the House Banking

Committee. He stated that precursor chemicals necessary for cocaine processing came primarily from a small number of German suppliers. The witness urged the United States to put pressure on these European companies in order to slow down the cocaine production line.

Mr. President, I think the time has come to put an end to illegal diversion of chemicals both at home and abroad. Cutting off the source of chemicals used to make cocaine may yield the same results we've seen with illegal amphetamines: the price will go up, the supply will drop and the number of users dwindle.

How can we accomplish this goal? Well, the first step was taken with negotiation of the U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances which curtails the diversion of 12 chemicals. Unfortunately, only two of these chemicals are used to make cocaine and, so far, only four countries have ratified the convention.

The most effective way to stop diversion is through tough, comprehensive national chemical control legislation. As described by the U.S. Chemical Manufacturers Association.

The CDTA represents an excellent model for multilateral control efforts aimed at preventing diversions regardless of the source * * * Imposing additional controls on US chemicals will not improve the diversion problem unless the CDTA * * * is adopted by other countries producing or exporting precursor and essential chemicals.

Mr. President, I agree. The legislation I am introducing today uses the CDTA as the foundation for a series of bilateral negotiations with governments having jurisdiction over companies manufacturing chemicals key to illegal narcotics production. The Attorney General is authorized to negotiate agreements to establish procedures for monitoring, tracking, and controlling a specified list of chemicals needed to produce illegal drugs. My bill is based on extensive discussions with DEA diversion control specialists who believe if we internationalize our program we will have a significant impact on cocaine production.

The bill is simple and straightforward. Agreements must be reached on recordkeeping of transactions in certain critical chemicals and arrangements must be made to share that information with law enforcement agencies. Any nation has the option not to oblige our concerns about illegal diversion but they do so at the peril of sales of their chemical industry's products in the United States. We are only holding European companies to the same standard of accounting that we already apply to American companies.

Mr. President, the bill and its penalties are tough because the problem is serious. The commercial and trade interests of foreign chemical companies have compromised government willingness to impose tough chemical control legislation. I'm banking on the fact that current access to the United States market is more important to these companies than potential future, possibly illegal sales to Latin America. I'm counting on the fact that that continued access to the U.S. market will be the necessary incentive for concluding control agreements.

It is clear that the widespread problem of cocaine and crack abuse in the United States and the imminent threat to Europe has not motivated meaningful control over illegal chemical diversion—we must do what we can with the leverage available to curb the cartel's access to the chemicals they need to produce the cocaine killing our kids.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Chemical Control Act of 1990".

(a) NEGOTIATIONS.—(1) The Attorney General shall enter into negotiations with the appropriate law enforcement and judicial agencies and any other officials of any foreign country with jurisdiction over companies who manufacture, market, sell or purchase certain precursor and/or essential chemicals used in the production of illicit narcotics. The priority of negotiations should be determined based on an assessment by the Attorney General which countries have jurisdiction over companies that may be knowingly or unknowingly supplying chemicals for the illicit manufacture of controlled substances.

(2) The purposes of the negotiations shall be to (a) establish a list of precursor and essential chemicals contributing to the illicit manufacture of controlled substances, as defined in the Section 102 Controlled Substances Act (21 USC 802); (b) reach one or more international agreements on a method for maintaining records of transactions of these listed chemicals; (c) establish a procedure by which such records may be made available to United States law enforcement authorities for the exclusive purpose of conducting an investigation relative to precursor chemicals, essential chemicals and/or controlled substances contributing to the manufacture of illicit narcotics; (d) encourage chemical source countries to enact national chemical control legislation which would (i) impose specific record keeping and reporting requirements for domestic transactions involving listed chemicals; (ii) establish a system of permits or declarations for imports and exports of listed chemicals; and (iii) authorize government officials to seize or suspend shipments of listed chemicals based on evidence that they may be destined for the illicit manufacture of controlled substances.

(b) REPORTS.—Not later than one year after the date of enactment of this Act, the Attorney General shall submit an interim report to the Judiciary Committee and the Foreign Relations Committee of the Senate on progress in the negotiations. Not later than eighteen months from date of enactment, the Attorney General shall submit a final report to the aforementioned Senate Committees on the result of negotiations identifying countries with which agreements have not been reached and which have jurisdiction over companies believed to be engaged in the manufacture, marketing, sale or purchase of precursor and/or essential chemicals used in illicit manufacture of controlled substances.

(c) PENALTIES.—After consulting with the Attorney General and the Director of National Drug Control Policy, the President shall impose penalties or sanctions including temporarily or permanently prohibiting any company or entity (i) refusing to maintain records for the purpose of monitoring and regulating transactions of listed precursor chemicals, or (ii) refusing to make such records available to U.S. law enforcement authorities for investigative purposes from engaging in any or all transactions within the commerce of the United States.

(d) DEFINITIONS.—A record under Subsection (a) shall be retrievable and include the date of the transaction, the identity of each party to the transaction, including the ultimate consignee, an accounting of the quantity and form of listed chemical(s) and a description of the method of transfer.

Mr. KERRY. Mr. President, I join with my colleague the Senator from Kentucky in the bill that he has just described, and thank him for the work that we have been able to do together on that bill. I think it is an important step forward with respect to the entire effort of tracking chemicals.

By Mr. HARKIN (for himself, Mr. DURENBERGER, Mr. KENNEDY, and Mr. HATCH):

S. 2153. A bill to amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes; to the Committee on Labor and Human Resources.

DISABILITIES PREVENTION ACT OF 1990

● Mr. HARKIN. Mr. President, I rise today on behalf of myself, Senator DURENBERGER, Senator KENNEDY, and Senator HATCH to introduce the Disabilities Prevention Act of 1990, a bill to authorize a program of disability prevention based at the Centers for Disease Control.

This Nation has a proud history of providing programs and services for individuals with disabilities. It is estimated that some 43 million Americans have some type of disability. Yet, there still is very little knowledge available regarding the true incidence and prevalence of disabling conditions. In addition, many persons with disabilities are at great risk for developing additional, or secondary, disabilities. These secondary disabilities may further reduce an individual's capacity to work and make it more difficult for a person with a disability to live independently in the community.

In its 1986 report, "Toward Independence," one of the major recommendations of the National Council on Disability was for the development of a national strategy for the prevention of primary and secondary disabilities, with the goal that each of the 50 States would participate in such a program. The Continuing Appropriations Act for Fiscal Year 1988 provided funds to get this program off the ground, and funds have continued to be appropriated for succeeding fiscal years. Based at the Centers for Disease Control in Atlanta, the National Disability Prevention Program was developed with input from the Office of Disease Prevention and Health Promotion in the Public Health Service, the National Council on Disability, representatives of States, voluntary agencies, academia, private and public health, and persons with disabilities, and family members of persons with disabilities.

The goal of the Disability Prevention Program is to reduce the incidence or severity of primary and secondary disabilities and to promote independence, productivity, and integration into the community for persons with disabilities. The program provides a national focus for the prevention of disabilities, builds capacity at the State and community levels, and increases the knowledge base for effective interventions.

To date, State-based projects have been developed in nine States, with several community-based projects supported in each State. This new national program for the prevention of disabilities has generated considerable interest throughout the Nation. The Centers for Disease Control reports that at least 40 States have expressed interest in participating in developing a statewide effort to coordinate disability prevention activities and to provide technical assistance to communities which wish to institute programs for the prevention of disabilities.

Providing specific authorization for this important prevention program will ensure its viability. Approximately $62 billion in Federal funds are spent each year for services for persons with disabilities, yet, although many disabilities are preventable, very little is spent on prevention. Suppose children play near a dangerous cliff and are in great risk of falling over, becoming seriously injured. We can either erect a fence at the top, or we can put an ambulance at the bottom. In large measure, as a society, we have opted for ambulances, not fences. Primary and secondary disabilities exert a profound effect on the lives of persons with disabilities, their families, and our society. With the Disabilities Prevention Act of 1990 we will begin to redirect attention and resources to the important job of prevention.●

● Mr. DURENBERGER. Mr. President, I rise today to join with my distinguished colleague from Iowa in introducing the Disabilities Prevention Act of 1990.

We are all aware of the many successful Federal programs including Head Start, WIC, and the Maternal and Child Health Block Grant Program. Year after year these programs receive high acclaim and support within Congress for saving future dollars and providing a higher quality of life for recipients. However, in the area of disability our focus has been primarily in the area of services rather than prevention—spending approximately $62 billion in Federal funds for services for persons with disabilities.

Because it is difficult to measure in monetary terms the value of prevention programs in a way that the Congressional Budget Office can calculate costs and savings, Federal support for prevention is often overlooked. In real terms, however, these programs save not only money, but more importantly, the anguish and hardship caused when a person finds themselves disabled.

The knowledge and technology to prevent many instances and factors that lead to disabling conditions is available today and research indicates that preventive measures would reduce the number of new additions to the disability population. Yet we have failed to provide the necessary resources needed to turn this knowledge into action.

The bill we are introducing today is a first step at instituting a program to prevent disabilities and to prevent complications in persons with existing disabilities. The Centers for Disease Control [CDC] currently has the authority to administer a variety of disability programs, and has used this authority to establish a program that funds nine State community prevention projects. These programs establish cooperative agreements to support State-based prevention and evaluation activities. A state-based office provides guidance and technical assistance for disability prevention within the State. According to the CDC, at least 40 States have expressed interest in participating in this program. Examples of existing programs including "Harms Away" education program for adolescents to prevent head and spinal cord injuries in several school systems in Arkansas, a child vehicle safety restraint use program in Louisiana, and a pilot study to determine the prevalence of cocaine use among pregnant women in North Carolina.

This bill would establish a separate line item for this program and would begin the process toward the goal of having a Disability Prevention Program in every State. Another important part of this legislation is the focus on the prevention of secondary disabilities. Little is done today to prevent secondary disabilities. We do know, however, that a person confined to a wheelchair is more likely to develop heart or lung deficiencies. Enhanced research in this area could prevent secondary disabilities that often are the difference between independence and dependency.

This bill comes out of recommendations by the National Council on the Handicapped in its report "On the Threshold of Independence." As part of its recommendations to bring people with disabilities into the mainstream, the National Council called for Congress to provide a national focus for the prevention of disabilities by providing funding for special programs related to disability prevention. The bill we are introducing today will answer their call.

Mr. President, if we can save the many innocent victims of needless disabilities—the crack babies, the person left paralyzed by a car crash who was not wearing a seat belt—or make life easier for a person with disability by preventing secondary disabilities, I am convinced that we will get back—many times over—the $10 million we will spend on this program in fiscal year 1991. But more importantly we will make life a little better for those thousands of people who were saved the anguish and hardship of living with a disability.

Mr. President, I want to thank my distinguished colleague from Iowa for recognizing the importance of this program and to urge my colleagues to support this legislation.●

By Mr. METZENBAUM (for himself, Ms. MIKULSKI, Mr. SIMON, Mr. ADAMS, and Mr. KENNEDY):

S. 2154. A bill to amend the provisions of the Occupational Safety and Health Act of 1970 relating to criminal penalties, and for other purposes; to the Committee on Labor and Human Resources.

OSHA CRIMINAL PENALTY REFORM ACT

● Mr. METZENBAUM. Mr. President, I rise to introduce the OSHA Criminal Penalty Reform Act. Representative Tom Lantos has introduced identical legislation in the House. I am pleased that Senators MIKULSKI, SIMON, and ADAMS are original cosponsors of this bill.

Current criminal penalties under the Occupational Safety and Health [OSH] Act are a cruel joke. Employers, who have willfully violated federal job safety laws, literally are allowed to get away with murder.

The facts paint a frightening picture. A recent study by the National Safe Workplace Institute estimates that an American worker is five times more likely to die in an on-the-job accident than a Swedish worker and

three times more likely to die than a Japanese worker. I ask unanimous consent that an article from the New York Times, entitled "Jail Terms for Negligent Bosses," be included in the RECORD at the conclusion of my statement.

In the 20 years since the enactment of the OSH Act, some 200,000 workers have died in workplace accidents. During that same period, we have been able to uncover only one employer who was sent to prison for willful violation of the law—a South Dakota contractor served 45 days in jail in the fall of 1989 for safety violations that led to the 1988 trench cave-in that killed two workers. The Department of Labor's own Inspector General has decried the "appalling lack of criminal enforcement" by OSHA.

This record is even more astonishing when one compares it to state prosecutions for job safety violations or to criminal enforcement of Federal environmental laws. During the first 18 years of OSH Act enforcement (1971-88), OSHA had referred a mere 42 cases to the Justice Department for possible criminal action. Of those 42 cases, only 14 were prosecuted, resulting in 10 convictions. Prior to 1989, not one employer had spent a single day in jail for violating the OSH Act.

In contrast, in the 1980's, California, alone, successfully prosecuted over 100 cases involving workplace deaths, injuries and illnesses. At the Federal level, in the last 3 years, the Environment Protection Agency and the Justice Department have joined forces to prosecute over 400 cases involving environmental crimes, with cumulative jail sentences totaling nearly 300 years.

There are a number of reasons for this incredibly weak OSHA criminal enforcement record. A 1988 House report concluded that there has been an "institutional reluctance" by Federal agencies to pursue criminal safety charges against employers. I would expect that reluctance to ease now that Secretary Dole has made health and safety one of her top priorities. The prosecution of the South Dakota executive is an encouraging sign that OSHA may be taking a more aggressive role in criminal enforcement. But institutional will and enforcement resources are only half the problem.

The OSH Act, itself, is flawed because the criminal penalty provisions are so weak. If an employer willfully violates a Federal job safety law and that violation results in the death of a worker, the maximum penalty is no more than 6 months in prison—a simple misdemeanor. Let me repeat that—the current maximum penalty for a willful violation that kills a worker is 6 months in prison. Moreover, there is no penalty whatsoever for a willful violation that seriously injures, maims, or cripples a worker or for a willful violation that recklessly endangers a worker's life or health.

The OSHA Criminal Penalty Reform Act puts real teeth in OSHA's criminal enforcement scheme. In response to the 1988 House report on the lack of OSHA criminal enforcement, the Justice Department indicated that it welcomes increased criminal penalties. The Department added that it "would be happy to see an increase in the period of imprisonment authorized for a criminal violation of OSHA safety standards." I ask unanimous consent that the Justice Department letter be included in the RECORD at the conclusion of my statement.

This bill increases the penalty for a willful violation resulting in death from 6 months to 10 years. It also creates two new crimes: A willful violation that results in serious bodily injury to a worker and a willful violation that recklessly endangers the life or health of a worker.

The bill also makes clear that individuals responsible for occupational crimes may no longer hide behind corporate veils. An individual convicted for an occupational crime will not be allowed to rely on corporate assets to pay any fines imposed for the violation. Finally, the bill expressly preserves the right of State and local authorities to prosecute violators under State or local law.

The OSHA Criminal Penalty Reform Act will help bring criminals to justice. The increased penalties will provide the necessary incentives to encourage the prosecution of violators. The bill sends an emphatic message to corporate criminals: If you willfully kill or maim a worker you will pay stiff fines and do hard time in Federal prison. This message should provide a strong deterrent to potential violators. The bill is a small step that can have a large impact on protecting America's working men and women.

I urge all my colleagues to support this important legislation. I ask unanimous consent that the bill and a letter from the National Safe Workplace Institute analyzing the need for increased OSHA criminal penalties be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2154

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "OSHA Criminal Penalty Reform Act".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

SEC. 2. CRIMINAL PENALTIES.

Section 17 (29 U.S.C. 666) is amended—

(1) in subsection (e)—

(A) by striking out "fine of not more than $10,000" and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code,",

(B) by striking out "six months" and inserting in lieu thereof "10 years",

(C) by striking out "fine of not more than $20,000" and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code,", and

(D) by striking out "one year" and inserting in lieu thereof "20 years",

(2) in subsection (f), by striking out "fine of not more than $1,000 or by imprisonment for not more than six months," and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 2 years,",

(3) in subsection (g), by striking out "fine of not more than $10,000, or by imprisonment for not more than six months," and inserting in lieu thereof "fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 1 year,",

(4) by inserting after subsection (g) the following (and by redesignating subsections (h) through (l) as subsections (j) through (n), respectively):

"(h) Any employer who willfully violates any standard, rule, or order promulgated pursuant to section 6, or any regulation prescribed pursuant to this Act, and that violation causes serious bodily injury to any employee but does not cause death to any employee, shall, upon conviction, be punished by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 7 years, or by both, except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 14 years, or by both.

"(i) Any employer who willfully violates any standard, rule, or order promulgated pursuant to section 6, or any regulation prescribed pursuant to this Act, and that violation recklessly endangers human life but does not cause serious bodily injury or death to any employee, shall, upon conviction, be punished by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 5 years, or by both, except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 10 years, or by both.", and

(5) by adding at the end the following:

"(o)(1) Any director, officer, or agent of an employer who willfully authorizes, orders, acquiesces, or carries out a violation, failure, or refusal to comply with safety or health standards under this Act shall be subject to the same criminal fines and imprisonment that may be imposed on a person under the applicable provisions of this section.

"(2) If a penalty or fine is imposed on a director, officer, or agent of an employer under paragraph (1), such penalty or fine shall not be paid (directly or indirectly) out of the assets of the employer on behalf of that individual.".

SEC. 3. DEFINITION.

Section 3 (29 U.S.C. 652) is amended by adding at the end the following:

"(15) The term 'serious bodily injury' means bodily injury which involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious physical disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.".

SEC. 4. JURISDICTION FOR PROSECUTION UNDER STATE AND LOCAL CRIMINAL LAWS.

Section 17 (29 U.S.C. 666), as amended by section 2 of this Act, is amended by adding at the end the following:

"(p) Nothing in this Act shall preclude State and local law enforcement agencies from conducting criminal prosecutions in accordance with the laws of such State or locality.".

[From the New York Times, Nov. 20, 1989]

JAIL TERMS FOR NEGLIGENT BOSSES

(By Joseph A. Kinney)

CHICAGO.—When the history of the 1980's is written, Howard Elliott may get an asterisk—but not for reasons he would like. He is the first person the Government jailed for violating job safety laws.

Mr. Elliott, president of a South Dakota plumbing and heating company, was sentenced to jail on Sept. 14 for violations that led to a 1988 trench cave-in that killed two men.

Mr. Elliott's imprisonment "will send a clear message throughout industry," declared Secretary of Labor Elizabeth Dole. "The Labor Department will not allow safety regulations to be violated with impunity."

The action comes 18 years after enactment of the Occupational Safety and Health Act, a law that made Mr. Elliott's incarceration possible. Since the law's enactment, 200,000 workers have died from on-the-job accidents.

It's possible, even likely, that Mr. Elliott's imprisonment will be the first of many. Safety advocates and their allies in Congress are beginning to learn the lessons of Federal prosecutions from environmental crimes.

In 1987, the Justice Department sent Willard Kaiser, a margarine-plant manager in Washington State, to jail for violating clean water laws. Found guilty of discharging yeast into a waterway, he was sentenced to a year and a day in jail. Since then, the Environmental Protection Agency and Justice Departments have worked together to prosecute 425 cases that resulted in collective sentences of 271 years in jail.

On the other hand, Mr. Elliott, the Labor Department's sole incarceration, is spending 45 days in jail.

The E.P.A.'s impressive criminal prosecution record is based on stiff laws and substantial resources. The E.P.A. and Justice Department have 78 investigators and lawyers working to prosecute polluters.

For the fiscal year that began Oct. 1, the E.P.A. will have 21 times the resources to prosecute lawbreakers than does the Labor Department's job safety agency, the Occupational Safety and Health Administration.

The E.P.A.'s efforts are fostered by tough laws. A first-time violator can go to jail for up to 15 years under the Federal Water Pollution Control Act—but only six months under job safety laws. The E.P.A. can impose fines of $250,000 per violation; the maximum that the Labor Department can impose is $10,000.

Under pollution laws, the Government can prosecute without regard to a defendant's intent or without knowing if a single person was harmed. But under job safety laws, the Government can bring criminal charges only in fatalities and only when there is evidence of willfulness.

The Executive branch cannot be blamed for these disparities. OSHA faces significant legal and budget limitations: It must use laws written by Congress and spend funds appropriated by it. Congress has been a partner in this neglect. The Senate, which has more than 100 staff members worrying about the environment, lacks a single professional working on job safety.

A recent study by my organization shows that the U.S. trails many industrialized nations in protecting workers. We estimate that a U.S. worker is five times more likely to die from an on-the-job accident than a worker in Sweden and three times more likely than a worker in Japan.

In coming months, Congress will have an opportunity to shore up job safety laws. Congress need not think it is being bold by placing job safety violations on a par with environmental crimes: It can take an important step toward injury prevention and justice by adopting penalties already in law for environmental crimes.

Until Congress acts, Mr. Elliott, the South Dakota contractor, will be a mere asterisk in history. And as long as Congress fails to act, needless and excessive carnage will continue. The time for placing job safety crimes on a level with water pollution is at hand.

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS,
Washington, DC, December 9, 1988.

Hon. TOM LANTOS,
Committee on Government Operations,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter is in response to your letter dated October 14, 1988, received in the Criminal Division on October 19, 1988, formally transmitting to the Department of Justice a copy of a report of the Committee on Government Operations, based on a study by the Employment and Housing Subcommittee. This report is entitled "Getting Away with Murder in the Workplace: OSHA's Nonuse of Criminal Penalties for Safety Violations." You have requested the response and comments of the Department of Justice on the issues raised in this report.

The report you have sent us concludes that inadequate use has been made of criminal penalty provisions of the Occupational Safety and Health Act. The report notes that since the establishment of OSHA in 1970, 42 cases have been referred for criminal prosecution, of which approximately one-third were ultimately prosecuted. The committee notes that some states have prosecuted many more workplace safety cases. The report expresses the committee's conclusions that the present criminal penalty provisions of the statute provide an inadequate deterrent to violations. The committee has expressed concern about the length of time some OSHA cases are pending at the Department of Justice before a prosecutorial decision is made and the number of cases in which prosecution is ultimately declined. The committee also expresses concern about factual and legal problems which are interfering with cooperation between the States and the Federal Government in the enforcement of workplace safety laws. In particular, the committee has found that in some cases in which state and local law enforcement officials have used the historical police powers of the State to prosecute employers for acts which are crimes under State laws, the convictions have been overturned on the ground the Federal workplace safety laws preempt a State from pursuing criminal actions.

The committee has concluded its report with recommendations. On the issue of Federal enforcement, the committee has recommended that Congress increase the penalties for criminal violations of the Act and expand the application of criminal sanctions to include violations which result in serious injuries. The committee has also recommended the establishment of special criminal investigative units in the OSHA regional offices. On the issue of the relationship between Federal and State enforcement, the committee has recommended cooperation and coordination similar to that which exists in prosecuting drug cases. The committee has also recommended that OSHA take an official position that the Federal OSH Act does not preempt the use of the historic police powers by the States to prosecute employers for acts against their employees that constitute crimes under State law.

The Department shares the committee's concern about the adequacy of the penalties provided by statute for criminal violations of OSHA safety standards. Prior to the passage of the Comprehensive Crime Control Act in 1984, the maximum penalty for a defendant's first OSHA conviction, no matter how egregious the conduct, was a $10,000 fine and six months imprisonment. *See* 29 U.S.C. § 666(e). For offenses committed after December 31, 1984, however, the maximum fine for a misdemeanor resulting in loss of human life has now been raised to $250,000 for an individual defendant, and $500,000 for an organization which is a defendant. *See* 18 U.S.C. §§ 3623 (now repealed) and 3571. The Department of Justice welcomes these increased penalties and would be happy to see an increase in the period of imprisonment authorized for a criminal violation of OSHA safety standards. We would also be inclined to give serious consideration to proposals to expand the application of criminal sanctions to include violations which lead to serious injuries, in addition to those which lead to the death of an employee.

The Department also shares the committee's view that cooperation with State law enforcement efforts is desirable. As for the legal issue of preemption, we express no views as to the relationship between Federal and State laws regulating the workplace in the context of civil enforcement, or of the circumstances under which a State may assume responsibility for the development and enforcement of occupational safety and health standards of the OSH Act. As for the narrower issue as to whether the criminal penalty provisions of the OSH Act were intended to preempt criminal law enforcement in the workplace and preclude the States from enforcing against employers the criminal laws of general application, such as murder, manslaughter, and assault, it is our view that no such general preemption was intended by Congress. As a general matter, we see nothing in the OSH Act or its legislative history which indicates that Congress intended for the relatively limited criminal penalties provided by the Act to deprive employees of the protection provided by State criminal laws of general applicability.

The committee has concluded that the Department of Justice and the United

States Attorney's offices have an "institutional reluctance" to pursue criminal prosecutions in workplace safety cases. In fact, the Department of Justice considers each OSHA referral individually, on its own merits, in light of the same prosecutorial considerations applicable to other violations of federal criminal law. Since federal judicial resources are not sufficient to permit prosecution of every potential federal offense, an exercise of prosecutorial discretion is required in each case.

Among the factors considered in evaluating a case for potential prosecution are the threshold issues of whether there is probable cause to believe the potential defendant's conduct constitutes a federal offense and whether the admissible evidence is likely to be sufficient to obtain and sustain a conviction. Other potentially pertinent factors include federal law enforcement priorities, the nature and seriousness of the offense, the deterrent effect of prosecution, the potential defendant's culpability in connection with the offense, the potential defendant's history of criminal activity, the person's willingness to cooperate in the investigation or prosecution of others, and the probable sentence or other consequences if the person is convicted. Also potentially pertinent are whether the person is subject to effective prosecution in another jurisdiction and whether there is an adequate non-criminal alternative to prosecution. The United States Attorneys must also consider the immediate practical problems of allocating prosecutorial resources within their districts, as well as local federal law enforcement priorities.

The way in which these factors interact in consideration of an OSHA case may vary considerably from case to case. As a general matter, the deterrent value of prosecution is often a strong factor in favor of prosecution. Countervailing factors often include whether the evidence is sufficient to meet the government's burden of proof beyond a reasonable doubt, particularly on the issue of the necessary criminal intent. Another frequent countervailing factor is whether a sentence sufficient to the seriousness of the offense and to the necessary investment of prosecutorial resources could be obtained in the event of a conviction. In this regard, we think it likely that the increased fines available will increase the prosecutive appeal of OSHA cases.

We understand the committee's concern about the amount of time during which some OSHA cases are under consideration by the Department of Justice or the U.S. Attorneys' offices without a response. It should be noted that OSHA referrals, like the results of other investigations of federal offenses, vary considerably in their complexity. In some cases, additional investigation is required, sometimes by a grand jury. During this period, and until a prosecutorial decision is made, a public response concerning the status of the investigation would not be appropriate. Nevertheless, while we see no sound reason to afford OSHA referrals less thorough consideration than other alleged violations of federal criminal law, we agree with the committee that more expeditious treatment is desirable whenever possible.

We share the committee's concern that criminal enforcement of OSHA be effective, and that Federal and State law enforcement in the area of workplace safety be cooperative and complementary. We appreciate your providing us with a copy of the committee's report and look forward to future cooperation in the enforcement of the occupational safety and health laws.

Sincerely,

THOMAS M. BOYD,
Assistant Attorney General.

THE NATIONAL
SAFE WORKPLACE INSTITUTE,
Chicago, IL, February 5, 1990.

Hon. HOWARD METZENBAUM,
U.S. Senate, Washington, DC.

DEAR SENATOR METZENBAUM: It has come to our attention that you will soon introduce legislation that will significantly increase the penalties of the criminal provisions of the Occupational Safety and Health Act of 1970. The National Safe Workplace Institute's record on the need for meaningful criminal penalties coupled with an effective enforcement program is well established. For example, we have issued two reports that have played a significant role in shaping the debate on this issue. Our 1987 report, "Safety at Bay—The Failure of the Department of Justice to Prosecute OSHA Criminal Cases," reported the federal government's neglect of this area of the law. Our 1988 report, "Ending Legalized Workplace Homicide . . . Barriers to Job Safety Prosecution in the U.S.," elaborated on obstacles that discourage prosecutors from bringing criminal cases. These reports clearly raised the important issue that relate directly to the legislation you are about to propose.

Below are some thoughts that are intended to help guide debate on this important legislation.

(1) Excessive death, injury and illness in U.S. workplaces.—Last year, the Institute estimated that a U.S. worker is 5.8 times more likely to be killed on the job than is a Swedish worker, and 3.5 times more likely than is a Japanese. Unless we, as a nation, are willing to tolerate workplaces that are clearly unsafe (compared with other nations, then we must pursue strategies that will promote greater safety and health.

(2) Injury and illness prospects are growing worse, not better for U.S. workers.—One of the most pervasive and insidious myths of our time is that U.S workplaces are growing safer and healthier. The federal government's claims of reductions in fatality levels—debatable at best—are more than offset by the transfer of workers from high risk jobs (construction, heavy manufacturing, etc.) to the service economy. Even so, we know that 1989 was a terrible year for workers, with more major fatal accidents (involving five of more worker deaths) than any year in recent memory.

With respect to injury, the trends are alarming, even with the transfer of high risk workers to service industry jobs. For example, permanent disabilities have climbed from 60,000 to 70,000 in recent years. The lost workday rate, an indicator of serious injury, was up 10% from 1987 to 1988 alone.

(3) *Civil penalties will not work for many employers.* Small employers know three things about the Occupational Safety and Health Administration's enforcement program. These are:

The chance of being inspected in any given year is small, about one in 24 each year;

The chance for a high civil penalty, even for very serious violations, is very small; and

The chance of a criminal prosecution, even in the case of willful fatalities, almost does not exist.

Because of these realities, many employers are willing to cut corners with employee safety and health. For all employers, large or small, we must confront the likelihood that an employer will find it far more desirable to absorb a fine, a civil penalty, than to endure the prospect of imprisonment. As one prosecutor told us, the idea of one day in jail for a white collar person is a much more significant deterrent than capital punishment is for a street criminal. When realistic penalties are in place in the law, then we will begin to enjoy the benefits of deterrence.

(4) *Prosecutors will not pursue criminal cases when they must use weak laws or weak penalties.* The issue of weak laws must be separated from the issue of weak penalties. As we learned from efforts to bring a prosecution in the 1987 L'Ambiance Building collapse that killed 28 workers in Bridgeport, CT, it is critical the standard of willfulness be changed so that criminal prosecutions can be brought. The idea of requiring both a fatality and willful disregard for safety is, as the United States Attorney in Connecticut put it, outrageous.

Finally, prosecutors do not like to put an individual in jail for six months. Based on dozens of interviews, we know that prosecutors are much more likely to bring criminal charges and to pursue criminal cases when there is a prospect for realistic prison terms. This notion—prosecutors giving priority attention to cases with larger penalties—has been well established in countless studies on how prosecutors use their discretion in establishing their case priorities.

(5) Need for comparability between OSH Act criminal penalties and other criminal penalties in other areas of law. Under federal law, the penalties for polluting water under the Federal Water Pollution Control Act are much more significant than OSH Act penalties. How do we explain to the spouse of a dead worker killed as a result of egregious safety violations that the penalty for water pollution is 30 times more significant in the eyes of the law? The answer to this question, we think, is obvious.

It is vital that legislation to enhance OSH Act criminal penalties be enacted at the earliest possible time. It is vital from the standpoint of reducing deaths, injuries and illnesses in our workplaces and, most importantly, from the standpoint of giving the American worker confidence that justice is an important consideration for the Congress and the federal government. In conclusion, this legislation, if enacted into law and fully implemented by the United States Department of Justice, will encourage safer and healthier workplaces and will provide a measure of justice long overdue to U.S. workers.

Sincerely yours,

JOSEPH A. KINNEY,
Executive Director.●

By Mr. KERREY:

S. 2155. A bill to amend the Federal Home Loan Bank Act to restructure the Resolution Trust Corporation Oversight Board and Board of Directors into a single governing entity; to the Committee on Banking, Housing, and Urban Affairs.

RESOLUTION TRUST CORPORATION REORGANIZATION ACT

Mr. KERREY. Mr. President, I rise today to express my genuine anger at President Bush's unwillingness to address what I perceive to be a growing American problem. I do not rise, as I

have on a number of other occasions, to express my concern that we are not addressing the needs of public education. We have been told by the President that there is insufficient money to address that problem. I am not rising today to talk about the problems facing American children. Again, we have been told that the deficit makes it impossible for us to appropriate additional money there.

I am not rising today to say that we have an obligation as a generation to pass on this Nation's infrastructure in as good a shape as our parents gave it to us. I am not rising to address any of these problems, Mr. President. I am rising to address problems identified by the President as his top domestic issue measured by the amount of money that he is willing to spend, and that is the bailout legislation passed last August for the Nation's savings and loans.

Mr. President, I am on the floor today to talk about the President's performance. A year ago he asked us for $167 billion to save the Nation's thrifts. He asked us to hurry, because we were losing $10 billion a day. He insisted that we pass the legislation in 45 days.

I personally would have been much more enthusiastic had the President asked us for the authority to put 167 thrift gamblers in jail for 45 days, rather than asking for the legislation that quick. Even that does not appear to be happening. In fact, the Department of Justice has not even touched the $50 million appropriation that was intended to be used to track down S&L swindlers. If this was the Department of Defense being caught buying $400 toilet seats, we would all be looking for guilty parties. If this was a shoplifter who had taken a couple packs of gum from a grocery store, America's law enforcement mechanism would have responded more forcefully.

However, in this case, the President just wanted to spend some money and hope that perhaps the problem would go away. He trusted the industry-regulator alliance, which devised what I believe is a much-too-clever plan which buries most of the critical decisions deep within the bowels of Government.

Quite simply, the President's solution is not working. Decisions are not being made. Taxpayer accountability is so cumbersome that it is fair to describe it as nonexistent. No one executive responsible for this banditry has been successfully prosecuted. The best that can be said for the President's plan is that he swept it under the bureaucratic rug so that blame will now be directed at people who run new alphabet agencies.

I believe there is a major weakness in the plan, and out of that weakness has flowed a whole series of problems that plague implementation of the legislation.

The weakness I speak of is the structure of the Resolution Trust Corporation, the entity set up to oversee the management and disposition of hundreds of billions of dollars of seized savings and loans. That weakness was illustrated dramatically last week with the resignation of Dan Kearney, president and chief executive officer of the RTC Oversight Board.

While he was circumspect about the reasons for his resignation, insiders pointed to the problems that plagued his tenure at RTC: Treasury interference, political infighting, insufficient authority to fulfill his job and very confused lines of authority.

The problem is that the RTC has two heads. One is the RTC Oversight Board, which includes the Treasury and HUD Secretaries, the Chairman of the Federal Reserve, and two private individuals—the President has yet to submit them to the Senate for confirmation. The other head is the RTC Board itself which, incidentally, is the same as the FDIC Board, headed by Bill Seidman. This structure has produced confusion and disarray and produced a situation where we are unable to respond quickly to address problems of this magnitude.

This structural weakness has contributed to the whole range of problems we have seen over the past 6 months. For example, there is question of the cost of the bailout itself.

We gave the President $167 billion to spend on his priority concern. Six months after the money became available, it seems to have disappeared. Now we are told that the RTC Oversight Board has come up with a plan to borrow an additional $40 billion from the Treasury Department this year.

We might be able to stomach spending this kind of money if we felt confident that the bailout was on schedule. Yet, the record does not inspire such confidence. In the 6 months since the RTC was charged with the task of disposing of seized assets, it has only sold 40 of the 296 institutions in the Management Consignment Program. This is in the face of an additional 600 institutions that are awaiting attention. In addition, only about 4 percent of all the assets under its charge have been sold.

Mr. President, today I offer a piece of legislation that I believe builds on an amendment that I originally offered during Senate consideration of the savings and loan bailout. I believe my bill would address the structural problems in the RTC, that it would streamline the RTC and make it far more capable of addressing these growing problems.

My bill would eliminate the RTC's two heads and create an expanded Board of Governors composed of five nongovernment members named by the President and confirmed by the Senate, and four Government members: Treasury and HUD Secretaries, the Chairman of the Federal Reserve, and an important addition not currently on the Oversight Board, the Chairman of the FDIC. The President shall designate one of the nongovernment members to serve as chair.

This legislation gets to the heart of the current structural problem. Unlike the old arrangement under which the RTC staff could not act until the RTC Board and the Oversight Board had worked out an understanding, the new Board of Governors will have the authority to respond quickly and work with the RTC staff to execute the law. Speed, efficiency and accountability should all improve.

In recent weeks, a number of individuals have suggested merely eliminating one of the RTC's two heads. The victim is usually the Oversight Board, in part, because it is run by the three busiest individuals in Washington.

I believe strongly that it would be a tremendous mistake to make only this change, because the fact of the matter is that with this head gone, the RTC would be lacking a politically accountable body overseeing its work. This action would lead to de facto FDIC control over the TRC and lessen the role of individuals who serve at the pleasure of the President. The size of the bailout demands that the voters have the ability to punish or reward those overseeing its implementation.

The American people are suspicious enough of the savings and loan bailout and the billions of dollars that are being spent. Given that the current structure is not working well, the idea is not to lessen the political oversight, but rather to increase it.

Our proposal will increase accountability by simplifying the RTC's oversight structure and expanding the Board to include nongovernment members who are not anchored in any political agency. It is important that the public has a stronger voice that would be provided by the nongovernment members on the Board. In my view, the key is to increase the Board's profile and clearly define who has the final say in decisions governing the TRC's work.

Additionally, I share the concern that if the Oversight Board is merely eliminated, the RTC's management would be entirely handed over to the FDIC because the membership of the RTC and FDIC boards are one and the same.

There are two problems with this particular plan. First, the FDIC would not be up to the task because its resources are already strained by the recently added regulatory powers and second, this arrangement would violate one of the governing beliefs of the

thrift bailout and that is that regulation and deposit insurance should not reside in a single entity.

It was this confusion of purpose in the recent place that contributed to the FSLIC failure since it could not act as a vigorous insurer.

Although the legislation separated deposit insurance from thrift regulation, it already granted the FDIC a great deal of regulatory authority over both banks and thrifts.

The insurer remains the regulator, now even more so. We need a better structure, Mr. President, one that makes better sense, and I believe my proposal offers such a workable solution. With each passing day, the cost of thrift bailout grows by an additional $10 million to the taxpayer; as the RTC structure problem has become even more obvious, we must respond. The costs of our failure to act are high, not only in dollars and cents, but we risk losing the American people's trust in our ability to address a whole array of additional problems.

By Mr. DASCHLE (for himself, Mr. KERREY, and Mr. EXON):

S. 2156. A bill to promote the planting and renovation of windbreaks, shelterbelts, wildlife corridors and trees, and for other purposes; to the Committee on Agriculture, Nutrition, and Foresty.

FORESTRY CONSERVATION AND PROMOTION ACT

● Mr. DASCHLE. Mr. President, today I am introducing legislation to improve windbreak and tree-planting efforts in our Nation. Planting trees and improving our existing forests and windbreaks are critical to the environment. Trees can help not only to beautify our landscape, but also to improve cropping systems and reduce erosion, combat global climate change, and benefit wildlife. The environmental defense fund estimates that 10 million acres of new forest could absorb virtually all the carbon dioxide emitted by powerplants to be built in the United States over the next decade. Research studies have also shown that windbreaks reduce the costs of home heating from 10 to 15 percent in the north-central United States to as much as 40 percent in the Great Plains.

The concepts and programs called for in this legislation will turn into reality many of the ideas in the President's tree-planting initiative, "America the Beautiful." The President's proposal is a step in the right direction; however, it lacks the specifics. The legislation that I am introducing establishes realistic national goals for tree planting, and modifies present tree planting and conservation programs so that these goals can be achieved. The bill calls for establishing 50,000 miles of new windbreaks, and shelterbelts and placing 12 million acres of highly erodible land in agroforestry systems by the year 2000.

Federal assistance is needed to establish and renovate windbreaks and shelterbelts in much of the north-central United States and the Great Plains. Many of the field windbreaks and shelterbelts that were planted in the Dust Bowl era of the 1930's are no longer effective due to disease and aging. New eligibility rules and improved cost-share assistance under the Conservation Reserve Program, together with improvements in the Agricultural Conservation Program and the Great Plains Conservation Program, will foster increased tree, and windbreak planting, renovation of windbreaks, and adoption of agroforestry systems.

Recognizing the role that the Federal Government and the private sector must play in all tree planting efforts, the legislation establishes an Office of Forestry Conservation and Promotion, which would coordinate programs with Federal, State, and private organizations. Increased research efforts are also needed to develop and improve tree varieties so that trees can be grown in areas where it has been difficult to sustain growth in the past. One of the major problems hindering the establishment of new windbreaks is the lack of information on the economic benefits of windbreaks, and lack of tree varieties which can survive in the harsh environment in the Western United States.

There are four titles to the bill:

Title I directs the Secretary of Agriculture to establish a goal of 50,000 new miles of windbreaks and shelterbelts by the year 2000. It also calls for putting 12 million acres of highly erodible land into agroforestry systems by the year 2000. Agroforestry systems are those that integrate crop planting and tillage practices with windbreaks and shelterbelts. The success of tree planting programs is much more certain when planted as part of windbreaks and agroforestry systems.

Title II establishes an Office of Forestry Conservation and Promotion, which will coordinate, plan, and promote tree-planting efforts and adoption of agroforestry systems. One of the major stumbling blocks to increased windbreak establishment and tree planting has been lack of information on the subject and no clear direction from the Federal Government. The office could likely coordinate many of the activities which are suggested in the President's "America the Beautiful" proposal.

Title III addresses the research and demonstration needs for agroforestry. The title calls for the establishment of a Center for Semiarid Agroforestry Research and Applications in Lincoln, NE. The Center will perform research as well as establish demonstration programs throughout the Great Plains. A list of technical research needs are also defined.

Title IV amends the Agricultural Conservation Program, Great Plains Conservation Program, and Conservation Reserve Program to modify cost shares for establishment, maintenance, and renovation of windbreaks and shelterbelts. Tree planting on conservation reserve is encouraged by establishing a program for cost sharing the establishment and maintenance expenses of trees and windbreaks, and expanding the eligibility criteria for land planted to trees and windbreaks entering the program.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2156

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Forestry Conservation and Promotion Act of 1990".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
TITLE I—NATIONAL GOALS FOR WINDBREAKS, SHELTERBELTS, WILDLIFE CORRIDORS, AND SUSTAINABLE AGROFORESTRY SYSTEMS
Sec. 101. National goals for windbreaks, shelterbelts, wildlife corridors, and sustainable agroforestry systems.
TITLE II—COORDINATION AND PROMOTION OF FORESTRY CONSERVATION PROGRAMS
Sec. 201. Office of Forestry Conservation and Promotion.
Sec. 202. Intergovernmental coordination.
Sec. 203. Technical assistance for the promotion of forestry conservation to States and municipalities.
Sec. 204. State windbreak and shelterbelt planning committees.
Sec. 205. National Clearinghouse on Forestry Conservation and Promotion.
Sec. 206. Advisory Council on Forestry Conservation and Promotion.
Sec. 207. Authorization of appropriations.
TITLE III—AGROFORESTRY RESEARCH
Sec. 301. Center for Semiarid Agroforestry Research, Development, and Demonstration.
Sec. 302. Research topics.
Sec. 303. Report.
Sec. 304. Authorization of appropriations.
TITLE IV—PROGRAMS TO PROMOTE TREE PLANTING AND WINDBREAK AND SHELTERBELT ESTABLISHMENT AND MAINTENANCE
SUBTITLE A—CONSERVATION RESERVE PROGRAM
Sec. 401. Extension of conservation reserve program.
Sec. 402. Planting of trees on conservation reserve acreage.

SUBTITLE B—AGRICULTURAL CONSERVATION PROGRAM

Sec. 411. Establishment of shelterbelts or windbreaks under agricultural conservation program.

SUBTITLE C—GREAT PLAINS CONSERVATION PROGRAM

Sec. 421. Establishment of shelterbelts or windbreaks under Great Plains conservation program.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) windbreaks, shelterbelts, and agroforestry systems can provide protection of soil, water, and crops;

(2) sustainable agroforestry systems that integrate the soil and crop protection of tree windbreaks with the soil and water protection of conservation farming practices can improve environmental quality, maintain farm yields, and income;

(3) there continues to be a net loss of trees and windbreaks in much of the United States;

(4) greater coordination of establishment, renovation, promotion, and research and development tree planting, windbreak, shelterbelt, and forestry conservation programs and agroforestry systems are needed;

(5) additional research and development is needed in agroforestry;

(6) the Great Plains of the United States covers 420,000,000 acres of agricultural land and is representative of semiarid lands westwide and worldwide where tree planting for soil and water conservation, crop livestock and road protection, surface and groundwater quality, biological diversity, recreation, fisheries, and wildlife benefits, environmental impact, and socio-economic benefits are more important and more valuable than timber production;

(7) almost three-quarters of United States cropland where wind erosion exceeds the Soil Conservation Service's soil loss tolerance of 5 tons per acre per year is located in the Great Plains; and

(8) the estimated economic value of the benefits from the existing 1,000,000 acres of field and farmstead windbreaks in the Great Plains is $700 million per year.

(b) PURPOSES.—It is the purpose of this Act to—

(1) establish a national goal for windbreak, shelterbelt, and agroforestry system establishment;

(2) establish an Office of Forestry Conservation and Promotion to coordinate and promote windbreak, shelterbelt, agroforestry, tree planting, and conservation efforts;

(3) establish a program of agroforestry research and development; and

(4) modify the conservation reserve program, agricultural conservation program, and Great Plains conservation program to encourage windbreak, shelterbelt, and tree establishment and maintenance.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) AGROFORESTRY.—The term "agroforestry" means management systems for agriculture lands that integrate forestry conservation practices with conservation farming practices to stabilize and maintain crop yields and fully protect soil and water resources under highly variable climatic conditions.

(2) COUNCIL.—The term "Council" means the Advisory Council on Forestry Conservation and Promotion established under section 206.

(3) CENTER.—The term "Center" means the Center for Semiarid Agroforestry Research, Development, and Demonstration established under section 301.

(4) CONSERVATION DISTRICT.—The term "conservation district" shall have the same meaning given such term under section 1201(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(2)).

(5) CONSERVATION FARMING PRACTICE.—The term "conservation farming practice" means the application of farming principles and practices (such as crop rotation, conservation tillage, strip cropping, cover crops, grassed waterways, and intercropping) to protect soil and water resources and sustain agricultural productivity.

(6) DEPARTMENT.—The term "Department" means the United States Department of Agriculture.

(7) DIRECTOR.—The term "Director" means the Director of the Office of Forestry Conservation and Promotion established under section 201(a).

(8) FORESTRY CONSERVATION.—The term "forestry conservation" means the establishment, renovation, or maintenance of a windbreak, shelterbelt, woodlot, living snowfence treebelt, or tree.

(9) HIGHLY ERODIBLE LAND.—The term "highly erodible land" shall have the same meaning given such term under section 1201(a)(7) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(7)).

(10) OFFICE.—The term "Office" means the Office of Forestry Conservation and Promotion established under section 201(a).

(11) PROMOTION.—The term "promotion" means—

(A) any action to enhance forestry conservation; and

(B) any activity designed to communicate to consumers, importers, processors, wholesalers, retailers, government officials, or others information relating to forestry conservation.

(12) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

TITLE I—NATIONAL GOALS FOR WINDBREAKS, SHELTERBELTS, WILDLIFE CORRIDORS, AND SUSTAINABLE AGROFORESTRY SYSTEMS

SEC. 101. NATIONAL GOALS FOR WINDBREAKS, SHELTERBELTS, WILDLIFE CORRIDORS, AND SUSTAINABLE AGROFORESTRY SYSTEMS.

(a) WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.—The Secretary shall establish a national goal of 50,000 miles of windbreaks, shelterbelts, and wildlife corridors (in addition to those in existence on the date of enactment of this Act) by January 1, 2000.

(b) AGROFORESTRY SYSTEMS.—The Secretary shall establish sustainable agroforestry systems that will convert, to the extent practicable, at least 12,000,000 acres of highly erodible lands to sustainable agroforestry systems by January 1, 2000.

TITLE II—COORDINATION AND PROMOTION OF FORESTRY CONSERVATION PROGRAMS

SEC. 201. OFFICE OF FORESTRY CONSERVATION AND PROMOTION.

(a) ESTABLISHMENT.—The Secretary shall establish an Office of Forestry Conservation and Promotion within the Forest Service.

(b) DUTIES.—The Office shall—

(1) develop programs and efforts to promote the beneficial use of trees, shelterbelts, and windbreaks for use in conservation practices, agroforestry systems, wildlife enhancement, and urban and rural community environmental enhancement;

(2) support development and dissemination of forestry conservation and promotion programs, educational materials, and training programs for States, municipalities, institutions, businesses, and industry;

(3) actively promote and support forestry conservation and agroforestry practices;

(4) coordinate and evaluate research relating to agroforestry, windbreak, and shelterbelt renovation, and improved tree survival; and

(5) carry out, direct, coordinate, and eliminate duplication and inconsistencies in all forestry conservation programs administered by the Forestry Service, the Agricultural Stabilization and Conservation Service, the Soil Conservation Service, the Cooperative Extension Service, the Fish and Wildlife Service, the Environmental Protection Agency, and other Federal agencies involved in forestry conservation, agroforestry, and tree planting.

(c) DIRECTOR.—The Office shall be headed by a Director, to be appointed by the Chief of the Forest Service.

SEC. 202. INTERGOVERNMENTAL COORDINATION.

(a) PROGRAMS.—The Director shall be the primary coordinator of all Federal Government polices related to State, municipal, and private tree planting, agroforestry systems, and forestry conservation and promotion programs.

(b) FEDERAL AGENCIES.—The Director shall cooperate with other Federal agencies that participate in forestry conservation and tree planting and promotion, including—

(1) the Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, and the United States Geological Survey of the Department of Interior;

(2) the United States Army Corps of Engineers of the Department of the Army;

(3) the Forest Service, the Soil Conservation Service, the Cooperative Extension Service, and the Agricultural Conservation and Stabilization Service of the Department of Agriculture; and

(4) the Environmental Protection Agency.

(c) OTHER ORGANIZATIONS.—To carry out this Act, the Director shall work with State, local governments, conservation districts, educational institutions, trade associations, scientific organizations, business, private wildlife organizations, and other organizations to promote forestry conservation and tree planting.

SEC. 203. TECHNICAL ASSISTANCE FOR PROMOTION OF FORESTRY CONSERVATION TO STATES AND MUNICIPALITIES.

(a) ASSISTANCE.—The Director, acting alone or through a contracting party, shall provide technical assistance to State forestry programs, conservation districts, public and private wildlife and forestry organizations, farm organizations, and other appropriate public and private agencies and authorities in their efforts to—

(1) conduct promotional and educational campaigns to encourage tree planting, windbreak establishment, shelterbelt establishment, and renovation and use of agroforestry systems; and

(2) promote agricultural economic benefits from agroforestry, windbreak, and shelterbelt establishment, renovation, and maintenance.

(b) PROGRAMS.—The Director, acting alone or through a contracting party, shall develop, update, maintain, disseminate, and promote forestry conservation and agroforestry programs for use by State, local, and private organizations involved in tree planting and forest conservation.

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SEC. 204. STATE WINDBREAK AND SHELTERBELT PLANNING COMMITTEES.

(a) ESTABLISHMENT OF COMMITTEES.—The Director shall establish a windbreak and shelterbelt planning committee in each State that has a significant wind erosion problem, as determined by the Director.

(b) MEMBERS.—Members of a State committee shall include, to the extent practicable, representatives of the Soil Conservation Service, the Extension Service, the Agricultural Stabilization and Conservation Service, State foresters, State fish and game commissions, the Association of Conservation Districts, conservation districts, farm organizations, and private wildlife organizations.

(c) ESTABLISHMENT OF PLANS.—A State committee, in consultation with the Director, shall establish a plan for windbreak, shelterbelt, and wildlife corridor establishment and maintenance to meet the goals prescribed in section 101.

(d) USE OF PLANS.—The Director shall encourage conservation districts to use plans developed under subsection (c) to initiate or continue programs in a county or multicounty area to establish, maintain, and renovate existing windbreaks, shelterbelts, wildlife corridors, and agroforestry systems.

(e) MEETINGS.—A State committee shall hold at least two meetings a year.

(f) SUBMISSION OF PLANS TO DIRECTOR.—A State committee shall submit the conservation plan of the committee to the Director no later than 12 months after the date of enactment of this Act.

SEC. 205. NATIONAL CLEARINGHOUSE ON FORESTRY CONSERVATION AND PROMOTION.

(a) ESTABLISHMENT.—The Director shall establish and oversee a National Clearinghouse on Forestry Conservation and Promotion to—

(1) collect, analyze, and disseminate information on forestry conservation technologies and practices; and

(2) promote the use of such information by landowners and those organizations associated with forestry and tree promotion.

(b) LOCATION.—The Clearinghouse shall be located at the Center for Semiarid Agroforestry Research, Development, and Demonstration established under section 301.

(c) TYPES OF INFORMATION.—Information collected, analyzed, and disseminated by the Clearinghouse shall include information on—

(1) landowner education on the benefits of trees, windbreaks, shelterbelts, and agroforestry system establishment;

(2) windbreak establishment, maintenance, and renovation;

(3) shelterbelt establishment, maintenance, and renovation;

(4) wildlife benefits from agroforestry systems;

(5) agroecological information on the influence of forestry conservation programs; and

(6) a listing of programs, associations, and organizations (private and public) that are involved in tree planting, and windbreak and shelterbelt establishment and renovation.

(d) PARTICIPATING ENTITIES.—The Clearinghouse shall collect reliable information on forestry conservation information from, and provide such information free of charge to, Federal agencies, the States, Indian tribes, local governments and other appropriate public agencies and authorities, nonprofit institutions and organizations, business and industry researchers, private individuals, and other persons in a position to derive or increase the public benefits offered by forestry conservation, tree planting, and agroforestry system methods and practices.

SEC. 206. ADVISORY COUNCIL ON FORESTRY CONSERVATION AND PROMOTION.

(a) ESTABLISHMENT.—There is established an Advisory Council on Forestry Conservation and Promotion.

(b) COMPOSITION.—The Council shall consist of 13 members, of which—

(1) four members shall be appointed by the President, to represent Federal agencies listed in section 202(b); and

(2) nine members shall be appointed by the Director, with broad representation of the various regions of the United States and professions related to forestry conservation and agroforestry systems, of which—

(A) two members shall represent industrial forestry organizations;

(B) two members shall represent nonprofit organizations involved in forestry and wildlife promotion and management;

(C) two members shall represent farm organizations; and

(D) three members shall represent State government organizations involved in forestry conservation practices.

(c) CHAIRPERSON.—

(1) SELECTION.—The Council shall annually select one member, who does not represent a Federal agency, to serve as Chairperson.

(2) DUTIES.—The Chairperson shall call regular meetings and otherwise coordinate the activities of the Council under the direction of the Council.

(d) DUTIES.—The Council shall—

(1) advise, consult with, and make recommendations to the Secretary and Chief of the Forest Service on matters relating to activities, functions, and policies established under this Act; and

(2) not later than 12 months after the date of the enactment of this Act and biennially thereafter, submit to Congress (after providing for public review and comment) a report that shall—

(A) identify major obstacles to promoting wiser use of the shelterbelts, windbreaks, tree planting programs, and agroforestry systems and make recommendations for actions to address the obstacles; and

(B) describe the activities undertaken pursuant to this Act and related laws enacted since the most recent report, noting significant successes and failures.

(e) STAFF SUPPORT.—The Director shall provide staff support to the Council.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such funds as are necessary to carry out this title for each fiscal year.

TITLE III—AGROFORESTRY RESEARCH

SEC. 301. CENTER FOR SEMIARID AGROFORESTRY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

(a) ESTABLISHMENT.—The Secretary shall establish a Center for Semiarid Agroforestry Research, Development, and Demonstration.

(b) LOCATION.—The Center shall be located at the Forest Service facilities at Lincoln, Nebraska.

(c) COOPERATION.—Under the direction of the Forest Service, the Center shall work in cooperation with State and private foresters, international foresters, the Soil Conservation Service, the Agricultural Research Service, Great Plains universities agricultural experiment stations, and the Agricultural Extension Service.

SEC. 302. RESEARCH TOPICS.

The Secretary, through the Administrators of the Agricultural Research Service, the Cooperative State Research Service and collaborating State agricultural experiment stations, the Forest Service, the Soil Conservation Service, other appropriate Department agencies, and the Director, shall conduct or assist research, investigations, studies, and surveys to—

(1) develop sustainable agroforestry systems on semiarid lands that will minimize topsoil loss and water contamination while stabilizing and maintaining crop productivity and farm programs;

(2) adapt, demonstrate, document, and model the effectiveness of agroforestry systems under different farming systems and soil or climate conditions;

(3) develop genetically stress and pest-resistant trees for conservation forestry and agroforestry applications, including the introduction and breeding of trees suited for the Great Plains and semiarid regions and development of methods to match tree strains with specific environments;

(4) develop technology transfer programs that increase farmer and public acceptance of sustainable agroforestry systems;

(5) increase biodiversity, wildlife habitat, recreation opportunities, and environmental quality through the development of agroforestry systems;

(6) develop improved windbreak technologies for drought preparedness, soil and water conservation, environmental quality, and biological diversity on semiarid lands;

(7) develop technical and economic concepts for sustainable agroforestry on drylands, including the conduct of economic analyses of the costs and benefits of agroforestry systems and the development of models to predict the economic benefits under soil or climate conditions;

(8) assess and mitigate global climate change impacts on species tolerance and biodiversity;

(9) provide international leadership in the development and exchange of agroforestry practices on drylands worldwide;

(10) support research on the effects of agroforestry systems on mitigating nonsource water pollution;

(11) support research on the design, establishment, and maintenance of tree and shrub plantings to regulate the deposition of snow along roadways; and

(12) conduct sociological, demographic, and economic studies needed to develop strategies for increasing the use of forestry conservation and agroforestry practices.

SEC. 303. REPORT.

The Secretary shall report to Congress annually on actions taken to carry out this title as part of the annual report prepared pursuant to section 8(c) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1606(c)).

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $5,000,000 for each fiscal year.

TITLE IV—PROGRAMS TO PROMOTE TREE PLANTING AND WINDBREAK AND SHELTERBELT ESTABLISHMENT AND MAINTENANCE

Subtitle A—Conservation Reserve Program

SEC. 401. EXTENSION OF CONSERVATION RESERVE PROGRAM.

Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended—

(1) in subsection (a), by striking "1990" and inserting "1995";

(2) in subsection (b)—

(A) by striking "and" at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(6) during the 1986 through 1995 crop years, a total of not less than 40, nor more than 45 million acres."; and

(3) in subsection (c)(1), by striking "1990" and inserting "1995".

SEC. 402. PLANTING OF TREES ON CONSERVATION RESERVE ACREAGE.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) is amended—

(1) in section 1232 (16 U.S.C. 3832), by striking subsection (c); and

(2) by inserting after section 1232 the following new section:

"SEC. 1232A. PLANTING OF TREES ON CONSERVATION RESERVE ACREAGE.

"(a) TREE ACREAGE MINIMUM RESERVE.—To the extent practicable, not less than one-eighth of the number of acres of land that is placed in the conservation reserve under this subtitle in each of the 1986 through 1995 crop years shall be devoted to trees.

"(b) SHELTERBELTS, WINDBREAKS, AND WILDLIFE CORRIDORS.—

"(1) ELIGIBILITY.—In order to prevent soil erosion and improve wildlife habitat, the Secretary shall make cropland devoted to a shelterbelt, windbreak, or wildlife corridor eligible to be placed in the program established under this subtitle, regardless of the soil erosion classification of such cropland.

"(2) PAYMENTS.—In making payments to an owner or operator for cropland devoted to a shelterbelt, windbreak, or wildlife corridor under a contract entered into under this subtitle, the Secretary shall pay—

"(A) 50 percent of the cost of establishing shelterbelts, windbreaks, and wildlife corridors (as set forth in such contract), unless the cropland qualifies for higher cost-sharing payments under subsection (f); and

"(B) during the first 4 years of such contract, 50 percent of the cost of cultivating and watering trees placed in shelterbelts, windbreaks, and wildlife corridors (as set forth in such contract), subject to paragraph (3)(B).

"(3) AGREEMENTS WITH FORESTRY AND SOIL CONSERVATION AGENCIES AND SOIL CONSERVATION DISTRICTS.—

"(A) IN GENERAL.—The Secretary shall encourage owners and operators of cropland to enter into agreements with Federal and State forestry and soil conservation agencies, and soil conservation districts, to provide for the planting, cultivating, and watering of trees in shelterbelts, windbreaks, and wildlife corridors.

"(B) COST-SHARE PAYMENTS.—The amount of any cost-sharing payments received by an owner or operator during a year under paragraph (2)(B) shall not be reduced as the result of any additional financial assistance received by such owner or operator during such year from a Federal or State forestry or soil conservation agency, or from any other participating organization, for the planting, cultivation, and watering of trees in shelterbelts, windbreaks, and wildlife corridors.

"(c) UNCROPPED WETLANDS.—

"(1) ELIGIBILITY.—In order to protect water resources, improve wildlife habitat, and offset the environmental effects of burning fossil fuels, the Secretary shall make wetlands with no cropping history eligible to be placed in the program established under this subtitle if the Secretary determines that planting trees on such wetland acres is both feasible and desirable, and the owner or operator of such wetland agrees to plant trees on such wetland.

"(2) PAYMENTS.—In making payments to an owner or operator for planting trees on uncropped wetlands under a contract entered into under this subtitle, the Secretary shall pay—

"(A) 50 percent of the cost of planting trees on uncropped wetlands (as set forth in such contract); and

"(B) annual rental payments in amounts sufficient to encourage tree planting and maintenance, subject to the limitation that such rental payments shall not exceed the lowest payment level established under this subtitle for any cropland in the State.

"(3) TREE PLANTING AND MAINTENANCE PLANS.—

"(A) DEVELOPMENT.—The Secretary shall authorize Federal and State forestry and wildlife officials to—

"(i) make on-site determinations of whether tree planting on uncropped wetlands is feasible and environmentally beneficial; and

"(ii) develop tree planting and maintenance plans for acres determined to be eligible to be placed in the program established under this subtitle.

"(B) ELIGIBILITY FOR PAYMENTS.—To be eligible to receive payments under this subsection, an owner or operator of uncropped wetland who places such land in such program shall comply with a planting and maintenance plan, if any, developed for such wetland under subparagraph (A).

"(d) MARGINAL PASTURELAND.—

"(1) ELIGIBILITY.—In order to prevent soil erosion, enhance water quality, and offset the environmental effects of burning fossil fuels, the Secretary shall make highly erodible marginal pasture- land eligible to be placed in the program established under this subtitle if the owner or operator of such pastureland agrees to plant trees on such pastureland.

"(2) PAYMENTS.—In making payments to an owner or operator for placing highly erodible marginal pastureland under a contract entered into under this subtitle, the Secretary shall—

"(A) pay 50 percent of the cost of planting trees on highly erodible marginal pastureland (as set forth in such contract); and

"(B) base acceptable bids on such pastureland on the market value of pastureland in a State or county area.

"(3) MIX OF HARDWOOD AND SOFTWOOD TREES.—

"(A) DETERMINATION.—The Secretary shall authorize Federal and State forestry officials to make determinations of the proper mix of hardwood and softwood trees to be planted on highly erodible marginal pasture-land placed in the program established under this subtitle in order to maximize conservation objectives.

"(B) ELIGIBILITY FOR PAYMENTS.—To be eligible to receive payments under this subsection, an owner or operator of highly erodible pastureland who places such pastureland in such program shall comply with the planting instruction of forestry officials, if any, determined for such pastureland under subparagraph (A).

"(e) GRASSLAND CONVERSION.—

"(1) ELIGIBILITY.—In order to offset the environmental effects of burning fossil fuels and improve wildlife habitat, the Secretary shall offer owners or operators who have entered into contracts under the program established by this subtitle the option of converting acres entered into the program from grass to trees.

"(2) PAYMENTS.—In making payments to an owner or operator for converting acres entered into the program from grass to trees, the Secretary shall pay 50 percent of the cost of planting trees on grassland.

"(3) MIX OF HARDWOOD AND SOFTWOOD TREES.—

"(A) DETERMINATION.—The Secretary shall authorize Federal and State forestry officials to make determinations of the proper mix of hardwood and softwood trees to be planted on grassland placed in the program established under this subtitle that is undergoing conversion to trees.

"(B) ELIGIBILITY FOR PAYMENTS.—To be eligible to receive payments under this subsection, an owner or operator of grassland that is placed in the program established under this subtitle shall comply with the planting instruction of forestry officials, if any, determined for such grassland under subparagraph (A).

"(f) COST-SHARE ADJUSTMENTS.—

"(1) TREE PLANTING.—

"(A) IN GENERAL.—In making cost-sharing payments to owners and operators under contracts entered into under this subtitle in areas in which the annual average precipitation (as determined by the Secretary) is less than 25 inches, the Secretary shall—

"(i) pay 75 percent of the cost of planting trees; and

"(ii) pay 50 percent of the cost of cultivating and supplementally watering such trees.

"(B) APPLICATION OF REQUIREMENT.—The cost-sharing required—

"(i) under subparagraph (A) shall only be applicable to land devoted to tree planting that is not wider than 20 rows of trees; and

"(ii) under clause (ii) of subparagraph (A) shall only be applicable for the first 4 years of the contract.

"(2) SEEDING.—The cost-sharing required under section 1234(b) shall apply to the costs associated with seeding land enrolled under this subtitle to grass, if such costs are less than, or equal to, the amount of rental payments for 1 year. If such costs associated with seeding land are in excess of such rental payments, the Secretary shall, in addition to the cost-share payments made in accordance with section 1234(b), pay 75 percent of the excess costs.

"(g) LIMITATIONS.—Notwithstanding any other provision of this section, subsections (b) through (f) shall apply until—

"(1) 40,000,000 acres have been enrolled in the program established under this subtitle; or

"(2) at the discretion of the Secretary, 45,000,000 acres have been enrolled in such program.

"(h) FEDERAL FARM COMMODITY PROGRAM ACREAGE BASE PROTECTION.—Notwithstanding title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.), the historical acreage base of a farm shall not be reduced as the result of planting acreage to shelterbelts or windbreaks for the purpose of protecting crops or the reduction of soil and water erosion.".

Subtitle B—Agricultural Conservation Program

SEC. 411. ESTABLISHMENT OF SHELTERBELTS OR WINDBREAKS UNDER AGRICULTURAL CONSERVATION PROGRAM.

The third paragraph of section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) is amended by adding at the end the following new sen-

tence: "Notwithstanding the preceding provisions of this paragraph, if an agricultural producer establishes or restores a shelterbelt or windbreak, the amount of financial assistance provided under this subsection shall be—

"(i) during the 1-year period beginning on the date of the establishment or restoration of the shelterbelt or windbreak—

"(I) 80 percent of the cost of establishing or restoring the shelterbelt or windbreak; and

"(II) if the shelterbelt or windbreak is part of an approved wind erosion control system that is included in the conservation compliance plan of the producer, an additional 10 percent of the cost of establishing or restoring the shelterbelt or windbreak; and

"(ii) during the subsequent 3-year period, at least 50 percent of the cost of maintaining the shelterbelt or windbreak, including the cost of weed control, supplemental watering, livestock fencing, and rodent control.".

Subtitle C—Great Plains Conservation Program

SEC. 421. ESTABLISHMENT OF SHELTERBELTS OR WINDBREAKS UNDER GREAT PLAINS CONSERVATION PROGRAM.

The last paragraph of section 16(b)(1) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590p(b)(1)) is amended by adding at the end the following new sentence: "Notwithstanding the preceding provisions of this paragraph, if an agricultural producer establishes or restores a shelterbelt or windbreak, during the 3-year period following the contract year during which the shelterbelt or windbreak is established or renovated, the amount of financial assistance provided under this subsection shall be at least 50 percent of the cost of maintaining the shelterbelt or windbreak, including the cost of weed control, supplemental watering, livestock fencing, and rodent control.".●

By Mr. PRYOR (for himself, Mr. RIEGLE, Mr. SASSER, Mr. BURDICK, Mr. COHEN, Mr. CONRAD, Mr. SHELBY, Mr. JOHNSTON, Mr. WARNER, Mr. KOHL, and Mr. LEAHY):

S. 2158. A bill to direct the Secretary of Health and Human Services to promulgate regulations to require that an individual telephoning the Social Security Administration has the option of assessing a Social Security Administration representative in a field office in the geographical area of such individual, and for other purposes; to the Committee on Finance.

SOCIAL SECURITY OFFICE ACCESS RESTORATION ACT

● Mr. PRYOR. Mr. President, as chairman of the Senate Special Committee on Aging, I rise to introduce the proposed Social Security Office Access Restoration Act of 1990. Unfortunately, telephone access between Social Security beneficiaries and their local Social Security office has been severed under the Social Security Administration's new 800 number system. This bill would restore that access, making the Agency's 800 line an option.

This bill is necessary to ensure that the millions of elderly and disabled Americans who depend on the Social Security Administration are provided personalized services. I am joined in this effort by Senators RIEGLE, SASSER, BURDICK, COHEN, CONRAD, SHELBY, JOHNSTON, WARNER, KOHL, and LEAHY.

LARGER ISSUE

Mr. President, I am deeply concerned by the Federal Government's growing misuse of 800 numbers as a substitute for providing high-quality services to the public whose taxes support these agencies. Although a 800 number is fine to order an airplane ticket or an item out of a catalog, its value quickly breaks down when applied to matters as potentially complex and important as an individual's tax liability, health coverage, or retirement security.

Thus, when an individual seeks help from the Internal Revenue Service's 800 line on how to fill out a tax form, he or she typically gets a busy signal or, if they happen to get through, wrong answers about a third of the time. When elderly individuals call the 800 number provided by the Department of Health and Human Services for information about their Medicare coverage, chances are they'll get a busy signal too, or—according to a recent telephone survey conducted by my Aging Committee Staff—Continental Airlines.

SSA'S 800 LINE

Well over a year ago, the Social Security Administration joined the 800 number club. Similarly, its line has been, and continues to be, flawed by excessive busy signals and wrong or incomplete answers. These problems were revealed at a hearing of the Senate Aging Committee last April, entitled "SSA's New Toll-Free Telephone System: Service or Disservice?" From the many complaints my and other congressional offices are receiving and the eloquent testimony that I heard this morning at a hearing of the House Social Security Subcommittee, there is little doubt how many elderly and disabled individuals would answer that question.

Perhaps more than any other Federal program, Social Security matters to Americans. During the length of their working years, virtually all men and women contribute to Social Security to help finance their retirement. At the same time, workers who, through accident or illness, are no longer able to remain in the work force, rely on disability benefits under the program to guard them and their families against poverty. Of course, there are also millions of older Americans who draw retirement benefits. In short, Social Security plays a key role in the lives of men and women, young and old alike.

As the appointed steward of this vital program, the Social Security Administration is charged with ensuring that a sacred trust between the Government and its citizens is kept. When the Agency is inaccessible or unresponsible to those it is mandated to serve, I believe that pact is violated. As this happens, the Social Security Administration also is failing to meet its responsibilities to the many elderly and severely disabled individuals living in poverty who depend on benefits under the Supplemental Security Income program.

Unfortunately, the Social Security Administration's 800 line has seriously jeopardized the Agency's ability to do its job. At last year's Aging Committee hearing, it was revealed that more than one in five callers asking questions about the Social Security earnings limitation for those 70 years of age were given the wrong answer, as were nearly one in four with questions about SSI. At the same time, throughout the entire month of January 1989 busy signal rates ran as high as 60 to 70 percent in a number of major metropolitan areas.

Where are we now? With respect to the quality of the answers provided over the line, the jury is still out. According to the General Accounting Office, which is undertaking an independent study of this matter on my behalf, the Social Security Administration lacks the technical capability to randomly monitor calls. As for busy signals, in recent months they have soared despite a number of emergency measures—including, reassigning field office staff, whether or not they were qualified, to the 800 line and overrelying on recorded messages.

But worse, it dehumanizes the relationship between citizens and their Government. In towns throughout my home State of Arkansas, for example, there has always been a link between people and those who work in the local Social Security office. They know one another. They raised their children together. They probably even sing in the church choir together. Now, however, when someone in Arkansas tries to contact their local Social Security office the call is picked up by one of a bank of 800 line operators in Birmingham, Detroit, or Albuquerque.

Assuming they can get through, is it any surprise that many older Americans feel very uncomfortable placing their retirement security in the hands of a 800 number operator? Would anyone here want someone who-knows-where, with relatively little training and dozens of calls backed up, and who there is virtually no chance of ever reaching again, making decisions that determine your ability to keep food on the table and to pay medical bills—particularly when you previously had been able to deal with an experienced Government representative in your community?

At its debut in October 1988, the Social Security Administration's 800 line was heavily promoted as a convenient new option for the public. Nothing was said about the fact that phone lines into local Social Security offices were intercepted and calls rerouted, numbers of local offices were removed from telephone books, and staff resources redirected to the agency's 800 number phone banks.

THE BILL

I believe in truth in advertising. I am therefore introducing this legislation to restore access between local Social Security representatives and the public, making the 800 line a true option. Legislation to achieve this same goal is being introduced in the other body by Representative SANDER LEVIN.

Commissioner Gwendolyn King, as part of her ongoing efforts to make the Social Security Administration more responsive, has already taken a number of important steps in this direction. In some communities, for example, she has recently taken off the phone intercepts that prevent calls from going into local Social Security offices. More importantly, the Commissioner has ordered that 800 line operators provide telephone numbers to those offices if callers request it.

As I said, this is a good start. However, elderly and disabled Americans should not have to spend several hours or even days trying to get an 800 operator to get the number of their local Social Security office. In Arkansas, in desperation many have turned to my field office in Little Rock to get the number. It also is important to note that many individuals who call the Agency's 800 line may not know to ask for the local office number. All they know is that they are not getting the kind of help they need. To ensure full access, this bill would require that the numbers of local Social Security offices be returned to telephone books and that callers to the 800 line be informed of their option to call their local field office.

CONCLUSION

Mr. President, I believe the Federal Government's overreliance and misapplication of 800 number systems is profoundly misguided. Over the last several years, there has been a headlong and haphazard rush by a number of Federal agencies—most recently the Social Security Administration—to automate services in the name of service enhancement. In the process, the inherent limitations of 800 number systems have been overlooked, and services to the public have been seriously eroded as a result.

For simple questions with a yes or no answer, 800 numbers can provide a convenient and cost-effective service. However, when our Nation's Government starts throwing machines where experienced people belong, service becomes disservice, and public confidence in, becomes public contempt for, the very agencies established to serve them. As part of my effort to fight this, I hope to work with the Commissioner to restore access between elderly Americans, and their local Social Security representatives. I urge all of my colleagues to support this legislation.

Mr. President, I request unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Office Access Restoration Act of 1990".

SEC. 2. TELEPHONE ACCESS TO FIELD OFFICES OF THE SOCIAL SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services (hereinafter referred to as the "Secretary"), in consultation with the Commissioner of the Social Security Administration (hereinafter referred to as the "Commissioner"), shall require that—

(1) each field office of the Social Security Administration shall receive telephone calls from the general public in the geographic area in which the field office operates; or

(2) shall restore and maintain the level of regional telephone access by the general public to the level that was available on September 30, 1988.

(b) TOLL-FREE TELEPHONE SYSTEMS.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Commissioner, shall require that when a caller from the general public makes a call through a toll-free telephone system provided by the Social Security Administration, such caller shall be informed that such caller has the option of contacting—

(A) the field office in the geographic area in which the caller resides (if any); or

(B) the regional teleservice center that is closest to such geographic area (if such regional teleservice center received local calls prior to October 1, 1988).

(2) Whether or not a caller requests an option described in subparagraphs (A) or (B) of paragraph (1), the regulations promulgated under subsection (b) shall require that a caller be provided the telephone number of the local field office or regional teleservice center described in such paragraph upon the request of such caller.

(c) PUBLICATION OF TELEPHONE NUMBER AND ADDRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Commissioner, shall require the publication for each local geographic area of—

(1) the telephone number and address of the field office described in subsection (a) serving such local geographic area; or

(2) the telephone number of the regional teleservice center in the geographic area that is closest to such geographic area.●

● Mr. BURDICK. Mr. President, I am pleased to join with my colleague, the distinguished chairman of the Special Committee on Aging, in cosponsoring this bill which I believe will leave in place a very important option for elderly Americans. That option is the local Social Security office and the personal service that is very important to a recipient with questions relating to his or her benefits.

The 800 number service proposed by former Commissioner Hardy has not and, I believe, will not work and cannot replace contact with a local office.

During an Aging Committee hearing last April, I made the point that a Social Security recipient trying to do important business over the phone has no guarantee that one person will be assigned to his or her case. Now, that may not appear to be a problem at first. But, think about it. Social Security benefits may be that individual's only income. If that beneficiary cannot have his or her questions answered in one phone call, he or she has to compete with callers from the rest of the country for further consideration.

However well intentioned the former Commissioner was, I believe that the 800 number approach was the wrong vehicle for the job. If an 800 number service is to remain in place, it is imperative that use of the service be an option, not a requirement.

I do want to point out that the telecommunications system certainly can play a role in assisting the elderly. Specifically, I would propose a general information and referral service or possibly a hotline service to assist deeply troubled and isolated elderly people.

Mr. President, my colleague Senator PRYOR is once again acting in the best interest of elderly Americans, and I commend him on his efforts to retain Social Security service options.●

● Mr. COHEN. Mr. President, I am pleased to join my colleagues in supporting legislation which would make a caller's use of the Social Security 800 number optional. When a modern convenience becomes a major inconvenience, it is time to step back and rethink our approach. The 800 number is exactly such a case. Introduced as a means of handling phone calls from Social Security recipients effectively and efficiently—and to save recipients the cost of a toll call—it frequently produces only frustration and added delay.

The line is too often busy and, when contact is made, the answers are too frequently incorrect. Callers cannot be assured that they will be connected with the same operator twice. For an elderly person, concerned about a late Social Security check or worried about the loss of benefits, this system has the additional drawback of seeming cold and impersonal at a time when the caller is seeking not only informa-

tion, but understanding and sympathy. When the Social Security employee who answers is several States away, the caller can feel even more insecure and uncertain.

I recently received a letter from a constituent who had spent the entire day trying to reach this 800 number. Each time she called, the phone was answered by a recording, followed by, in her words "horrible music." At that point, she was cut off. After eight phone calls and mounting aggravation, she finally reached a Social Security employee at 10 minutes to 5.

Although her question was answered, she asked how we could tolerate this degree of callousness in responding to the needs of Social Security beneficiaries. How, she asked, could we let our elderly be intimidated and rejected by this kind of service? I might add to her question—can we, in good conscience, call this service?

This legislation would offer the Social Security beneficiary the option of calling the 800 number or calling the local office. It would give the elderly the option of calling someone in their home State, someone familiar with the particular challenges of life in that region, instead of requiring them to make repeated calls to an unknown destination. When the 800 number works, it can be a wonderful and modern convenience. When it does not work, the caller should not be required to waste an afternoon waiting for a clear line or correct information.

I hope my colleagues will join in supporting this legislation and that Social Security beneficiaries will soon be able to choose between an 800 number call and direct call to a local office.●

By Mr. REID:

S.J. Res. 259. Joint resolution to designate the period commencing March 19, 1990, and ending March 25, 1990, as "National Angel Plane Week"; to the Committee on the Judiciary.

NATIONAL ANGEL PLANE WEEK

● Mr. REID. Mr. President, I rise today to introduce a joint resolution to proclaim March 19, 1990, through March 25, 1990, as "National Angel Plane Week."

Angel Planes is a national group of individual airline pilots who give free transportation to people living in rural America who are in need of urgent medical attention. Often, vital emergency medical care is miles away. Angel Planes provide the critical service of timely transportation to a well-equipped hospital. Angel Plane pilots also carry blood supplies and donor organs to hospitals for patients in need.

I am proud that Nevada is the home of the founding chapter of Angel Planes; moreover, the national headquarters of Angel Planes is located in our State.

Mr. President, it is most fitting that Congress acknowledge the tremendous contribution of these outstanding men and women.

Mr. President, I ask unamimous consent that a copy of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 259

Whereas the Angel Planes are a group of airplane pilots who provide transportation to those in need of medical treatment who reside in communities where such treatment cannot be provided, and who cannot afford the cost of such transportation;

Whereas the Angel Planes also transport blood and organs for various organizations and hospitals; and

Whereas the Angel Planes provide these services free of charge: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing March 19, 1990, and ending March 25, 1990, is designated as "National Angel Plane Week," and the President is authorized and required to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.●

By Mr. WARNER:

S.J. Res. 260. Joint resolution to designate April 12, 1990, as a "National Day of Remembrance of the 125th Anniversary of the Battle of Sayler's Creek and the stacking of Arms at the Appomattox Court House"; to the Committee on the Judiciary.

NATIONAL DAY OF REMEMBRANCE OF THE 125TH ANNIVERSARY OF THE BATTLE OF SAYLER'S CREEK AND THE STACKING OF ARMS AT APPOMATTOX COURT HOUSE

Mr. WARNER. Mr. President, I rise today to introduce a resolution to commemorate the 125th anniversary of the Battle of Sayler's Creek and the stacking of arms at the Appomattox Court House, and thereby, commemorating the end of the American Civil War.

A large scale reenactment of these historic events will take place on the original sites, April 6-8, 1990. The Sayler's Creek Reenactment and Preservation Committee, a volunteer group made up of local historians and Civil War reenactors is planning the event. We have been advised, for example, that several participants, who can trace their great- and great- great grandfathers to the original event, plan to lead the event and, like their forefathers, simply leave their arms and equipment there at Appomattox.

After 4 years of some of the most brutal fighting in American history, the debates left unresolved by our Founding Fathers in the Constitution were, finally, resolved. Among these was the question of State sovereignty, the authority of the Federal Government, and the question over slavery. Certainly, we today are still very much molded and affected by these historic events. It is, therefore, fitting that the Congress of the United States offer a special commemoration honoring the men and women of that important period, as a reminder of their sacrifice, their dedication to the ideals of liberty and personal freedom, and to the manner in which they undertook to heal the wounds of such an intense conflict.

During the spring of 1990, let us remember on this anniversary of this important time in our history which occurred 125 years ago when the final conclusion for the bitterness and suffering of war began and the attention of our country was tuned inward to heal and rebuild. But we must also remember the lessons of this internal conflict. We must remain sensitive to the needs of all Americans and their desires for personal liberty and dignity.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was orderd to be printed in the RECORD, as follows:

S.J. RES. 260

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 12, 1990, is designated as a "National Day of Rememberance of the One Hundred Twenty-Fifth Anniversary of the Battle of Sayler's Creek, and the Stacking of Arms at the Appomattox Court House", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of rememberance for the soldiers, the families of such soldiers and other Americans who suffered, endured and sacrificed during the 4-year war known as the American Civil War.

ADDITIONAL COSPONSORS

S. 479

At the request of Mr. HATCH, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code to allow for deduction of qualified adoption expenses and for other purposes.

S. 590

At the request of Mr. HEFLIN, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 590, a bill to prohibit injunctive relief, or an award of damages against a judicial officer for action taken in a judicial capacity.

S. 1109

At the request of Mr. PELL, the names of the Senator from Oregon [Mr. HATFIELD] and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 1109, a bill to amend the Carl D. Perkins Vocational Education Act to extend the authorities contained in such act through the fiscal year 1995.

S. 1299

At the request of Mr. SPECTER, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1299, a bill to establish a police corps program.

S. 1393

At the request of Mr. REID, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 1393, a bill to direct the Secretary of Defense to give priority to the Federal Bureau of Prisons in transferring any surplus real property or facility that is being closed or realigned.

S. 1400

At the request of Mr. KASTEN, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of S. 1400, a bill to regulate interstate commerce by providing for a uniform product liability law, and for other purposes.

S. 1511

At the request of Mr. PRYOR, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1511, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older individuals in regard to employee benefit plans, and for other purposes.

S. 1629

At the request of Mr. SPECTER, the name of the Senator from Hawaii [Mr. MATSUNAGA] was added as a cosponsor of S. 1629, a bill to establish clearly a Federal right of action by aliens and U.S. citizens against persons engaging in torture or extrajudicial killings, and for other purposes.

S. 1653

At the request of Mr. BAUCUS, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 1653, a bill to preserve the solvency of the railroad retirement system.

S. 1655

At the request of Mr. REID, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1655, a bill to amend the enforcement provisions, to provide for the disclosure of independent expenditures, to make provisions regarding intermediaries and broadcast time, and for other purposes.

S. 1664

At the request of Mr. HEINZ, the name of the Senator from Missouri [Mr. DANFORTH] was added as a cosponsor of S. 1664, a bill to establish a congressional commemorative medal for members of the Armed Forces who were present during the attack on Pearl Harbor on December 7, 1941.

S. 1690

At the request of Mr. DODD, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Nebraska [Mr. KERREY], and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors of S. 1690, a bill to establish programs to improve foreign language instruction, and for other purposes.

S. 1958

At the request of Mr. METZENBAUM, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1958, a bill to amend the Occupational Safety and Health Act of 1970 to improve and enforce standards for employee health and safety at Department of Energy nuclear facilities, and for other purposes.

S. 2006

At the request of Mr. GLENN, the names of the Senator from New York [Mr. D'AMATO], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Mississippi [Mr. COCHRAN], the Senator from Arizona [Mr. MCCAIN], the Senator from Washington [Mr. GORTON], and the Senator from Alaska [Mr. STEVENS], were added as cosponsors of S. 2006, a bill to establish the Department of the Environment, provide for a global environmental policy of the United States, and for other purposes.

S. 2011

At the request of Mr. DECONCINI, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 2011, a bill to authorize the expansion of the Tumacacori National Monument.

S. 2040

At the request of Mr. PELL, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 2040, a bill to expand the size and scope of the Support for East European Democracy [SEED] Program.

S. 2125

At the request of Mr. DODD, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 2125, a bill to condition the availability of United States assistance for El Salvador.

S. 2141

At the request of Mr. DOLE, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 2141, a bill to temporarily increase the duty on ethyl tertiary butyl ether.

SENATE JOINT RESOLUTION 153

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Joint Resolution 153, a joint resolution designating the third week in May 1990 as "National Tourism Week."

SENATE JOINT RESOLUTION 223

At the request of Mr. GARN, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Missouri [Mr. BOND], the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from Rhode Island [Mr. CHAFEE], the Senator from California [Mr. CRANSTON], the Senator from New York [Mr. D'AMATO], the Senator from Missouri [Mr. DANFORTH], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Ohio [Mr. GLENN], the Senator from Tennessee [Mr. GORE], the Senator from Washington [Mr. GORTON], the Senator from Florida [Mr. GRAHAM], the Senator from Iowa [Mr. GRASSLEY], the Senator from Utah [Mr. HATCH], the Senator from Alabama [Mr. HEFLIN], the Senator from Pennsylvania [Mr. HEINZ], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Hawaii [Mr. INOUYE], the Senator from Wisconsin [Mr. KASTEN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Indiana [Mr. LUGAR], the Senator from Florida [Mr. MACK], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Idaho [Mr. MCCLURE], the Senator from Ohio [Mr. METZENBAUM], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Rhode Island [Mr. PELL], the Senator from South Dakota [Mr. PRESSLER], the Senator from Arkansas [Mr. PRYOR], the Senator from Maryland [Mr. SARBANES], the Senator from Tennessee [Mr. SASSER], the Senator from Alabama [Mr. SHELBY], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Idaho [Mr. SYMMS], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], and the Senator from California [Mr. WILSON], were added as cosponsors of Senate Joint Resolution 223, a joint resolution to authorize and request the President to issue a proclamation designating May 1990 as "Neurofibromatosis Awareness Month."

SENATE JOINT RESOLUTION 227

At the request of Mr. KASTEN, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Rhode Island [Mr. CHAFEE], the Senator from New York [Mr. D'AMATO], the Senator from Utah [Mr. HATCH], the Senator from Illinois [Mr. SIMON], the Senator from Texas [Mr. BENTSEN], the Senator from North Carolina [Mr. SANFORD], and the Senator from Washington [Mr. ADAMS] were added as cosponsors of Senate Joint Resolution 227, a joint resolution to designate March 11 through March 17, 1990, as "Deaf Awareness Week."

SENATE JOINT RESOLUTION 230

At the request of Mr. DECONCINI, the names of the Senator from Washington [Mr. ADAMS], the Senator from Texas [Mr. BENTSEN], the Senator from New Jersey [Mr. BRADLEY], the Senator from Louisiana [Mr. BREAUX], the Senator from Nevada [Mr. BRYAN], the Senator from North Dakota [Mr. BURDICK], the Senator from North Dakota [Mr. CONRAD], the

Senator from South Dakota [Mr. DASCHLE], the Senator from Illinois [Mr. DIXON], the Senator from Connecticut [Mr. DODD], the Senator from Georgia [Mr. FOWLER], the Senator from Alabama [Mr. HEFLIN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Michigan [Mr. LEVIN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Maine [Mr. MITCHELL], the Senator from New York [Mr. MOYNIHAN], the Senator from Georgia [Mr. NUNN], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Nevada [Mr. REID], the Senator from Michigan [Mr. RIEGLE], the Senator from Virginia [Mr. ROBB], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from North Carolina [Mr. SANFORD], the Senator from Tennessee [Mr. SASSER], the Senator from Alabama [Mr. SHELBY], the Senator from Colorado [Mr. WIRTH], the Senator from Missouri [Mr. BOND], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Montana [Mr. BURNS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Indiana [Mr. COATS], the Senator from Mississippi [Mr. COCHRAN], the Senator from Maine [Mr. COHEN], the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mr. DOLE], the Senator from New Mexico [Mr. DOMENICI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Washington [Mr. GORTON], the Senator from Utah [Mr. HATCH], the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Vermont [Mr. JEFFORDS], the Senator from Florida [Mr. MACK], the Senator from Oregon [Mr. PACKWOOD], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], the Senator from Virginia [Mr. WARNER], and the Senator from California [Mr. WILSON] were added as cosponsors of Senate Joint Resolution 230, a joint resolution to designate the period commencing on May 6, 1990 and ending on May 12, 1990 as "National Drinking Water Week."

SENATE JOINT RESOLUTION 243

At the request of Mr. LAUTENBERG, the names of the Senator from North Carolina [Mr. HELMS], and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Joint Resolution 243, a joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

SENATE JOINT RESOLUTION 245

At the request of Mr. MCCLURE, the name of the Senator from Maine [Mr. MITCHELL] was added as a cosponsor of Senate Joint Resolution 245, a joint resolution designating July 3, 1990, as "Idaho Centennial Day."

SENATE JOINT RESOLUTION 246

At the request of Mr. BOSCHWITZ, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Rhode Island [Mr. CHAFFE], the Senator from California [Mr. CRANSTON], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Vermont [Mr. LEAHY], the Senator from Maryland [Mr. SARBANES], the Senator from Alaska [Mr. STEVENS], the Senator from Illinois [Mr. SIMON], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of Senate Joint Resolution 246, a joint resolution calling upon the United Nations to repeal General Assembly Resolution 3379.

SENATE CONCURRENT RESOLUTION 73

At the request of Mr. MOYNIHAN, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of Senate Concurrent Resolution 73, a concurrent resolution to express the support of the Congress for the courageous people of Colombia.

SENATE RESOLUTION 239

At the request of Mr. DECONCINI, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of Senate Resolution 239, a resolution expressing the sense of the Senate denouncing the military offensive in Angola and urging an immediate cease-fire.

SENATE CONCURRENT RESOLUTION 93—PROVIDING FOR ACCEPTANCE OF A STATUE PRESENTED BY THE STATE OF UTAH FOR PLACEMENT IN NATIONAL STATUARY HALL

Mr. GARN (for himself and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 93

Resolved by the Senate (the House of Representatives concurring), That (a) the statue of Philo T. Farnsworth (the father of television), furnished by the State of Utah for placement in National Statuary Hall in accordance with section 1814 of the Revised Statutes of the United States (40 U.S.C. 187), is accepted in the name of the United States, and the thanks of the Congress are tendered to the State of Utah for providing this commemoration of one of its most eminent personages.

(b) The State of Utah is authorized to use the rotunda of the Capitol on May 2, 1990, at 11:00 o'clock, ante meridiem, for a presentation ceremony for the statue. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) The statue shall be displayed in the rotunda of the Capitol for a period of not more than six months, after which period the statue shall be moved to its permanent location in National Statuary Hall.

SEC. 2. The transcript of proceedings of the ceremony shall be printed, under the direction of the Joint Committee on the Library, as a House document, with illustrations and suitable binding. In addition to the usual number, there shall be printed 6,555 copies of the document, of which 450 copies shall be for the use of the House of Representatives, 105 copies shall be for the use of the Senate, 3,500 copies shall be for the use of the Representatives from Utah, and 2,500 copies shall be for the use of the Senators from Utah.

SEC. 3. The Clerk of the House of Representatives shall transmit a copy of this concurrent resolution to the Governor of Utah.

Mr. GARN. Mr. President, today Senator HATCH and I are submitting a concurrent resolution to facilitate the presentation of a second statue from Utah to National Statuary Hall. The people of Utah have chosen to honor an outstanding representative of Utah's ingenuity and creativity in their selection of Philo T. Farnsworth. This legislation will allow a statue of Dr. Farnsworth to reside in National Statuary Hall, along with the figure of Brigham Young, Utah's other honored son, and the other distinguished figures from throughout the United States.

Dr. Farnsworth is best known as the father of television. His "image dissector" led to the development of TV as we know it today. There certainly isn't one of us who hasn't felt the impact of that incredible invention. However, we also have benefited from many other of Dr. Farnsworth's contributions.

Philo was a man dedicated to the idea that technology can be used to improve the human condition. He played varied key roles in the development and realization of such devices as: radar, used for air traffic control; infrared night lights, used especially during World War II for surveillance; electron microscopes, used to study the forming of photosensitive surfaces; baby incubators or isolettes, used to provide a warm sterile environment for premature infants and others at risk; gastroscopes, designed to examine the human digestive tract; and cold cathode ray tubes, used in television and computers. Indeed, probably his most important work—pioneer research in the peaceful uses of nuclear fusion—has yet to be recognized.

James Avati was selected from among 35 Utah artists to create the sculpture of Philo Farnsworth. Mr. Avati comes from a family of artists—illustrators, art directors, and watercolorists. Along with other training, he holds a master of fine arts degree in sculpture from the University of Utah. He has previously been commissioned for a number of notable works.

The concurrent resolution we are submitting provides for the acceptance of the statue of Philo T. Farnsworth for placement in National Statuary Hall. It also authorizes use of the rotunda of the Capitol on May 2, 1990 at

11 a.m. for a presentation ceremony and allows for display of the statue in the rotunda for a period of time before its permanent placement. In addition, it allows for the traditional printing of the proceedings of that day.

Mr. President, the achievements and innovations of Philo T. Farnsworth have impacted each of our lives and influenced the way we experience our world. We wish to honor this truly remarkable inventor and bestow his statue as a permanent example of the enterprising Utah spirit. Accordingly, we ask for the early consideration and adoption of this legislation.●

SENATE RESOLUTION 246—AUTHORIZING PRINTING ADDITIONAL COPIES OF SENATE REPORT TITLED "DEVELOPMENTS IN AGING: 1989"

Mr. PRYOR (for himself and Mr. HEINZ) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 246

Resolved, That there shall be printed for the use of the Special Committee on Aging the maximum number of copies of volumes 1 and 2 of its annual report to the Senate, entitled "Developments in Aging: 1989," which may be printed at a cost not to exceed $1,200.

AMENDMENTS SUBMITTED

CLEAN AIR RESTORATION AND STANDARDS ATTAINMENT ACT OF 1989

INOUYE/STEVENS AMENDMENT NO. 1258

(Ordered to lie on the table.)

Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment to the bill, S. 1630, to amend the Clean Air Act to provide for attainment and maintenance of health protective national ambient air quality standards, and for other purposes, as follows:

At the end of section 214, or the appropriate section of the bill relating to Fuel Volatility, strike the closing quotation marks and period and insert:

"(5) The provisions of this subsection shall apply only to the 48 contiguous States and the District of Columbia."

At the end of section 215, or the appropriate section of the bill relating to the Desulfurization of Diesel Fuels, strike the closing quotation marks and period and insert:

"(4) The provisions of this subsection shall apply only to the 48 contiguous States and the District of Columbia."

Mr. INOUYE. Mr. President, the amendment that I am introducing, together with Senator STEVENS, limits applicability of fuel volatility standards—section 214—and desulfurization of diesel fuels—section 215—to the 48 contiguous States and the District of Columbia. This exclusion for Alaska, Hawaii, and the U.S. Territories and Commonwealths is entirely appropriate and we support its inclusion in the bill.

With respect to the fuel volatility standards of section 214, I would like to point out that the EPA has exempted Alaska, Hawaii, and the U.S. Territories and Commonwealths from standards that were established in its final rule on gasoline volatility (54 FR 11868, March 22, 1989). Due to geography and other unique considerations, the EPA recognized the inappropriateness of applying such controls to these areas.

A chief purpose for setting a national standard for volatility is to prevent motorists from traveling across State lines to get a more desirable gasoline mix and price. This objective is not relevant for Alaska, Hawaii, and the U.S. Territories and Commonwealths.

Furthermore, Mr. President, these areas have not experienced any problems as a consequence of volatility. In the case of Hawaii and the U.S. Territories, isolation from the mainland and steady trade winds which prevent the accumulation of volatile organic compounds render the standards unnecessary. With respect to Alaska, summertime volatility standards are not needed due to the state's much cooler and shorter summers, and the absence of any problems with nonattainment.

The March 22, 1989 regulations will serve as the foundation for implementing the summertime standards embodied in section 214. Despite the EPA's recent regulations addressing this subject, section 214 fails to adopt the geographic standards embodied in these regulations and used elsewhere in the bill.

For these same reasons I have identified above, the geographic scope of section 215—desulfurization of diesel fuels—is likewise unnecessary. While I recognize the need to establish a broad standard when adopting diesel fuel sulfur content limits this argument has no application to Alaska, Hawaii, the U.S. Territories and Commonwealths due to their isolated and noncontiguous locations.

Mr. President, I urge my colleagues to adopt the language contained in this amendment.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the Senate and the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the Department of Energy's implementation of the civilian nuclear waste program.

The hearing, originally scheduled to take place on February 22, 1990, has been rescheduled. The hearing will now take place on Friday, March 2, 1990, at 9:30 a.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

Those wishing to submit written testimony for this hearing should send it to the Committee on Energy and Natural Resources, U.S. Senate, SD-364, Washington, DC 20510. For further information, please contact Mary Louise Wagner at (202) 224-7569.

Mr. President, I would like to announce for the public that a hearing has been scheduled before the Committee on Energy and Natural Resources on the Strategic Petroleum Reserve.

The hearing will take place on Tuesday, March 20, 1990, at 2 p.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the proposed legislation, S. 2088, the Energy Policy and Conservation Act Amendments of 1990, which would: Extend basic authority of titles I and II for 3 years; expand the SPR to 1 billion barrels; and provide for predrawdown diversion authority of SPR oil.

In addition, the hearing will consider proposals for alternative financing of the SPR.

For further information, please contact Karl Hausker, chief economist, at (202) 224-3329.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on Wednesday, February 28, 1990, to consider the nomination of Mr. La Verne G. Ausman for the position of Administrator of the Farmers Home Administration. The hearing will be held at 3:30 p.m. in room 332 of the Senate Russell Office Building. For further information, please call Suzy Dittrich of the committee staff at 224-5207.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Wednesday, February 21, 1990, at 9 a.m. to receive testimony on the military strategy and operational requirements for rapid reinforcement and associated transportation requirements.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, February

21, 1990, at 2 p.m. in open session to consider the nominations of Douglas A. Brook to be Assistant Secretary of the Army (Financial Management); Steven K. Conver to be Assistant Secretary of the Army (Research, Development, and Acquisition); William J. Haynes II to be general counsel of the Army; Enrique Mendez, Jr. to be Assistant Secretary of Defense (Health Affairs); and Colin R. McMillan to be Assistant Secretary of Defense (Production and Logistics).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, February 21, 1990, at 2 p.m., to hold a hearing on the nomination of Donald J. Lee, to be U.S. district judge for the Western District of Pennsylvania; Gerald E. Rosen, to be U.S. district judge for the Eastern District of Michigan; Jacques L. Wiener, Jr., to be U.S. circuit judge for the Fifth Circuit; Ronald L. Buckwalter, to be U.S. district judge for the Eastern District of Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, February 21, 1990, at 9:30 a.m., to hold a hearing on habeas corpus.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., February 21, 1990, to receive testimony on S. 844 and H.R. 1484, to establish a National Park System Review Board; S. 1360 and H.R. 2844, to improve the ability of the Interior to properly manage certain resources of the National Park System; and S. 1859, to restructure the repayment terms and conditions for loans made by the Secretary of the Interior to the Wolf Trap Foundation for the Performing Arts for the reconstruction of the Filene Center in Wolf Trap Farm Park in Fairfax County, VA.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, February 21, at 9:30 a.m., on S. 1742, the Federal Information Resources Management Act of 1989.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

PURCHASE OF THE GREY RANCH

● Mr. BINGAMAN. Mr. President, I rise today to bring to the attention of my colleagues a landmark in conservation history. On January 29, the Nature Conservancy, an international, private, nonprofit organization dedicated to the protection of rare and endangered species and natural diversity, announced the purchase of the 500 square-mile Gray Ranch in southwestern New Mexico. This is the largest private land acquisition in conservation history and I wish to commend the Nature Conservancy for their bold and generous act.

The Gray Ranch, comprised of the Animas mountains and the adjacent Animas and Playas valleys, is renowned as one of the most biologically diverse areas in the United States. The Gray Ranch is home to at least 75 species of mammals, provides breeding habitat for over 130 species of birds, maintains more than 50 species of reptiles and amphibians, and supports about 720 species of plants. About 25 of these species are on the Federal or State threatened and endangered species list.

The Nature Conservancy purchased 226,664 acres of the ranch outright and took over leases for the remaining 93,000 acres. I am very pleased that after years of planning and hard work that the Nature Conservancy has purchased this unique property.

For years, the Nature Conservancy has been a highly valued partner in the acquisition of lands that ultimately become part of the Federal public domain. As a private, nonprofit organization, the Nature Conservancy often has the ability to purchase property in a more timely fashion than the Federal Government. Traditionally, they have held such lands on an interim basis until the Government can acquire them.

I anticipate that the Nature Conservancy will hold the Gray Ranch and provide interim management protection until arrangements for the lasting protection of the Gray Ranch can be determined. While I am reviewing a variety of options for the permanent protection of this land, I believe that it should be placed in the public domain and it appears that the Gray Ranch may be best suited as a National Wildlife Refuge.

Last year, the Congress indicated strong interest in appropriating money to acquire the Gray Ranch as a wildlife refuge. As a strong proponent for that appropriation, I now look forward to working with the Nature Conservancy for permanent public protection of this natural treasure.●

NH HOUSE CONDONES THE HOLOCAUST

● Mr. HUMPHREY. Mr. President, those in public life who value office above principle often take refuge behind misleading labels. Nowhere is this practice more evident nowadays than in the debate over abortion. An article entitled, "NH House Condones the Holocaust," written by Jack Kenny and published in the February 17, 1990, issue of the Manchester union leader in my home State of New Hampshire, exposes the hypocrisy of the pro-choice label.

It is a self-evident biological fact that the offspring of human beings are human beings, yet the so-called pro-choicers claim there is a privacy right to choose death for an entire class of human beings, those in prenatal infancy. The legacy of the pro-choice label is 4,320 abortions every day; 30,240 every week; 129,600 every month; and over 23 million since 1973.

Mr. Kenny masterfully reveals the intellectual bankruptcy of those politicians who hide behind the pro-choice label. I commend his piece to my colleagues.

The article follows:

[From the Manchester Union Leader, Feb. 17, 1990]

NH HOUSE CONDONES THE HOLOCAUST

(By Jack Kenny)

Funny, isn't it? In politics as in marketing, the label is sometimes changed to make the product or program more palatable. Back when the federal budget was a mere $100 billion a year (considered an astronomical sum at the time) and about half of it went for defense, the liberals were the folks who argued for more non-defense spending, for things like housing, health, education and welfare. A quarter of a century later, the federal budget is $1.23 trillion per annum, with less than one-third of it for national defense. Yet hardly a "liberal" can be found anywhere in the halls of Congress. Where have all the liberals gone? Gone to "moderates," every one.

Look closely and you'll see that the same thing has happened in the debate over abortion. About 20 years ago, nearly every state in the union had laws on the books banning abortion, except when necessary to save the life of the mother. Advocates of abortion on demand were frankly called "pro-abortion." Then the U.S. Supreme Court overturned those laws in the ill-considered assault on law and reason known as the Roe v. Wade decision of 1973. Now about two million preborn babies are legally killed in the United States each year by abortionists, and guess what. Nobody is really "pro-abortion" any more.

This week the New Hampshire House of Representatives passed a bill to allow abortion on demand under New Hampshire law through the 24th week of pregnancy. The bill "restricts" the availability of abortion from the 25th week on with qualifications filled with loopholes wide enough to push a bus through sideways. It was passed by a

substantial majority of House members present and voting, though the margin was less than the two-thirds needed to override the anticipated veto by Gov. Gregg if the bill should also pass the Senate.

So how many of the 212 representatives who voted for that bill are frankly pro-abortion? Well, it would be hard to find even one, for "The Times, They Are A-Changin' " and common folks who say just what they mean can hardly keep up with it all. Those who vote for abortion on demand aren't pro-abortion any more. They've gone to "pro-choice," every one.

When will we ever learn?

My, what a difference a word makes, especially the right word in the hands and on the lips of those who use words to conceal rather than communicate their real intentions.

"Pro-choice" is a marvelous camoflauge for everyone from the most ardent champion of abortion for any reason to the politician wishing only to straddle the fence. "Look," says the abortion lobby, "you can vote with us and you don't even have to be pro-abortion. You can even be 'personally opposed' to it. Have your morality and scrap it, too. Just vote 'pro-choice.' "

"Pro-choice" means you're not necessarily in favor of abortion, but you're not going to take a stand against it either. "Pro-choice" means you don't have to take sides. Thanks to the resources of feminist newspeak, being for "choice" means you never have to choose.

I choose to call it Humbug, though that is much too kind a word. It is a cowardly deception, and a not-too-clever one at that. "Pro-choice" is the weasel-worded, mealy-mouthed cop-out for those who have neither the courage nor the candor to honestly state their lack of conviction.

Behold our "pro-choice" Legislature! They've got to be kidding. Most of them couldn't "choose" to come in out of the rain until they had first conducted a poll among the ducks. They can't even choose life over death, between which there is no middle ground. Many of our bright representatives think they have found it, though. They call it "Choice."

Years ago a veteran New Hampshire politician told me that those who straddle the fence are impaled thereon. Actually, he didn't put it quite that way. What he said was that the only thing you get by straddling the fence is a picket implanted in a portion of the anatomy not usually discussed in a family newspaper. You might think that would be excruciatingly painful, but perhaps not for our legislators. It may be that they are as numb at one end as they are at the other.

They are an amazing group, these "pro-choice" lawmakers who are "personally opposed" to abortion but can't help voting impersonally the other way. Many of them can discuss the issue at great length without ever once acknowledging that what is destroyed in an abortion is an innocent human life. "My mind is made up, don't confuse me with the facts" aren't exactly words to live by, but it's as close as the "pro-choice" crowd can come.

It was almost laughable to hear, in the midst of the debate, the charge that opponents of abortion are threatening the "separation of church and state." Rarely in its history has the Church been more challenged at the core of its faith by a state more pagan in its outlook and attitudes. The only religion our Legislature is in danger of establishing is the hypocritical, hand-washing religion of Pontius Pilate, who ceremoniously declared himself innocent of the bloodshed he authorized under pressure from the mob.

After the fall of the Roman Empire, it was said of the "Pax Romana" that "They made a desert and they called it peace." Something similar may now be said of the New Hampshire House of Representatives.

They condoned a holocaust and they called it "Choice."

(Jack Kenny is a Manchester resident who has both written of and been involved in state and local politics. His column is published weekly.)●

THE EXCELLENCE IN MATH, SCIENCE, AND ENGINEERING EDUCATION ACT

● Mr. KERREY. Mr. President, I am pleased to be a cosponsor of S. 2114, the Excellence in Math, Science, and Engineering Education Act, which Senator KENNEDY introduced on February 8.

I joined in cosponsoring this legislation because I believe efforts to expand and improve opportunities in math, science, and engineering education must be in the forefront of our educational efforts.

The statistics on the problems in this field indicate that the crisis here is pervasive—

The U.S. population as a whole lacks the math and scientific literacy which the populations in our competitor countries have. More than 60 percent of 17-year-old students in the United States lack the ability to find, understand, and explain relatively complicated information.

Teacher shortages continue in several areas and are projected to grow in others. Science teachers tend to leave their jobs at higher rates than other teachers. Elementary and secondary schools in urban core areas and rural areas have particularly difficult times recruiting and retaining good science and math teachers. An estimated 25 percent of engineering faculty will reach retirement age within the next 5 years. The college-age population, the source of most new teachers, has been declining since 1982 and will continue to do so through 1996.

Elementary and secondary students lack skills in math and science areas. About half of 17-year-olds in the United States are not proficient with junior high school level mathematics problems and only 7 percent are ready for college science courses. Even if a student takes a high school science course, less than half of those courses will offer a lab experience.

Interest in science and math is lagging. Of every 10,000 high school sophomores, only 1,800 indicate an interest in natural sciences and engineering as a career path. Only 850 will earn degrees in these areas. By the end of third grade nearly half of all students are not interested in taking additional science courses.

Mr. President, the figures I cited above come from our own National Science Foundation. They paint a bleak, bleak picture for our Nation's future productivity, competitiveness, and standard of living.

These figures are a clarion call to action. We know we must act. And, in large measure we know where we must go. As the pool of potential mathematicians, scientists, and engineers shrinks, we must look more and more to women and minorities to fill positions in these fields. We must reach out to our urban cores, to our rural areas, to groups in our population which have not traditionally pursued careers in these fields and ask them to join with those who are currently at work.

As John A. White, an assistant director for engineering at the NSF, on leave from Georgia Tech, wrote a few months ago:

> When not a single black American received a doctorate in electrical engineering in 1987, nor in mechanical engineering in 1988, you know you are not appealing to bright American blacks. When engineering has a lower percentage of women graduates than any of the sciences, you know you are not appealing to bright American women. And, when less than half of engineering graduate students are U.S. born, you know you are not appealing to bright Americans.

Mr. President, recently I spoke briefly about education in general and the education bills which we had just considered in particular. I said at that time that I was one of the Americans the President referenced in Charlottesville when he said "Americans are ready for a radical change in their schools." I also said that the legislative moves we were considering would at best probably only improve things at the margin.

If there is an area where we must be ready for radical change—and be ready with some immediacy, it is in math, science, and engineering education. If there is an area where we must do more than improve things at the margin it is here. There is simply no time left for business as usual—or for more business as usual. The crisis is here. And, the expansion of existing programs or a patch here and there is not a sufficient response.

This legislation provides the basis for a beginning with proposals to expand informal education programs; to use the space program to encourage youth to pursue studies and careers in math and science; to assist colleges and universities whose programs could be strengthened to improve their math, science, and engineering departments; and to expand opportunities for women and minorities. I also appreciate the inclusion of the sections providing scholarships for those who commit to teach. This is based on S. 843, which I cosponsored with Senator ROCKEFELLER.

I commend Senator KENNEDY and his staff for presenting this legislation and look forward to working with them to see that we move—boldly and aggressively—to pass a bill which truly seeks to move us into the future.●

CONGRATULATIONS TO SUPER BOWL CHAMPS WITH UTAH TIES

● Mr. HATCH. Mr. President, as we all know, the San Francisco 49ers won the Super Bowl. As a Senator from Utah, I would like to express our State's appreciation to those 49er football players and coaches who played or coached for Utah colleges. They gave us many fine memories while they were part of our football programs in Utah.

Forty-niner Coach George Seifert almost went into dissecting frogs rather than pigskins. He was more interested in biology at the University of Utah than football. He obtained his B.S. in biology in 1963 before getting his master's in physical education. While at the University of Utah, George played offensive guard and linebacker. After graduation he began his coaching career as a graduate assistant. He then went on to become head coach at Westminster College, Salt Lake City.

Since 1963 George has been the 49ers' assistant coach and defensive coordinator and is credited as a pioneer of situational substitution, a now common defensive tactic. Under his leadership, the 49ers claimed the top ranking among all NFL defensive units in 1987, the first time in history that San Francisco led the league in fewest total yards allowed. In 1989, Seifert was handpicked by Bill Walsh as the new 49er coach.

Coach Seifert's roommate and teammate at the University of Utah, Lynn Stiles was an assistant coach at Utah before becoming the 49er's special teams coordinator and tight end coach. Before that, Stiles distinguished himself as an all-WAC [Western Athletic Conference] guard on the University of Utah Redskin team.

Mike Holmgren, another assistant coach for the 49ers, returned to his hometown of San Francisco after serving as quarterback coach at Brigham Young University. Mike tutored two all-American quarterbacks, Robbie Bosco and Steve Young, as the BYU Cougars retained their national respect as one of the most potent passing offenses in collegiate ranks. Under Holmgren's coaching, Bosco led the Cougars to the national title in 1984.

Jerry Attaway begins his seventh season as 49er's coordinator for physical development. Before supervising weight and exercise training with dietary and nutritional needs of the 49ers, Jerry made his mark out west as assistant coach of the College of Idaho for 3 years and then spent two seasons as assistant coach at Logan's Utah State University.

The 49ers cornerback, Darryl Pollard, comes from Ogden, UT's Weber State College where he was a 3-year starter for that Big Sky Conference team. At Weber State he led the team with four interceptions, returned another for a touchdown, and blocked two punts.

Quarterback Steve Young is the Heisman Trophy runnerup in 1983, who completed 306 of 429 passes for 3,902 yards and 33 TD's while a senior at BYU. That same year this Salt Lake City native guided the Cougers to 11 wins in 12 games, including the Holiday Bowl over Missouri. As a first round draft choice by the Los Angeles Express, Steve became the first player in pro football history to rush for 100 yards and pass for 300 in the same game. In 1985 he was signed with Tampa Bay and acquired by San Francisco in 1987.

The 49ers defensive back is Tom Holmoe, selected in the fourth round of the 1983 NFL draft. He was all-WAC as a senior for BYU in 1982 after recording 54 tackles and three interceptions that season. Tom was also selected as the team's most valuable defensive back in his junior year after registering three interceptions and 61 total tackles. Tom goes back to Utah during the 49ers off-season and coaches spring football at BYU.

Dave Cullity is offensive tackle for the 49ers. Dave earned first-team all-WAC honors for the University of Utah during his senior year. Dave graduated from Utah as a business major. But, Dave is not alone. All those 49ers who first played for Utah schools came to San Francisco with diplomas. And that's something I point to with pride.

Mr. President, it is not only pride, but with appreciation that I say these things on the floor of the Senate today. These players and coaches are an example of what the colleges and universities of Utah represent and teach all student athletes. I know these coaches and players will not forget where they came from. Their roots in Utah have blossomed in the city by the Golden Gate.●

THE BALTIC STATES STRIVE FOR DEMOCRACY

● Mr. DIXON. Mr. President, I rise today in support of the heroic efforts of the citizens of the Baltic nations of Latvia, Estonia, and Lithuania as they strive for independence, democracy, freedom, and a better life. The Baltic States have a long, rich history, full of cultural and social achievements. After centuries of repression at the hands of neighboring countries, the Baltic countries finally obtained independence after World War I, and enjoyed a short-lived renaissance. Unfortunately, this period of autonomy was ended abruptly with World War II in which the Soviets, acting on the Molotov-Ribbentrop Pact in collusion with the Nazis, began their occupation of the then sovereign Baltic States, which continues to this day.

In the 50 years since, the valorous citizens of the Baltic States, and their relatives worldwide, many of whom reside in Illinois, have fiercely and peacefully worked to regain their independence. Their resistance has taken place against incredible Soviet military might, the attempted Russification of Baltic culture and the de facto deportation of many Baltic citizens. Economically, the Moscow government has exploited and manipulated the Baltic nations, leaving them financially shortchanged. As an example, 80 percent of the net profits from all branches of the Latvian economy are funneled to Moscow, with little in return.

The United States has steadfastly refused to recognize the Soviet annexation of the Baltic States. I fully support this policy, and I am pleased to be able to say that the efforts of Lithuanians, Estonians, and Latvians, together with the efforts of their friends and relatives here in the United States now seem to be paying off to some degree.

Truly revolutionary change is sweeping the Soviet Union and Eastern Europe. This change carries with it the promise of a brighter tomorrow for the Baltics. Mr. Gorbachev has allowed the first embryonic steps toward democracy and autonomous government in the areas to be taken.

How far Mr. Gorbachev will go toward granting Latvia, Lithuania, and Estonia their much-deserved independence remains to be seen. One thing is certain, however. The yearning for freedom and democracy, as exemplified in movements such as the Latvian popular front, remains strong in the Baltics.

Mr. President, in this time of great change and progress in the Baltics, it is imperative that all of the Members of this body take a closer look at the rapidly changing political landscape. The American Government should continue to respond to the changes taking place and continue to encourage further liberalization and reform.

One of the best opportunities that the United States has to assist in the Baltic situation is in the trade area of economic assistance. When the Baltic States obtain their much-deserved independence, the United States should move to provide the again independent countries with access to American products and capital on a friendly country basic just as soon as they can be qualified. They should receive fast consideration for most-favored-nation access to the American market. We

should also give prompt consideration to requests for Peace Corps assistance, technical assistance, and other tools that would promote economic development in the Baltics.

This is a time of great change and hope for the Baltic countries. Let us make sure that when these great possibilities for Latvia, Lithuania, and Estonia become realities that they can depend on the United States as a friend.

Mr. President, there are thousands of descendents of the Baltic nations that live in Illinois. I want to assure them that their years of hope, prayers, and work for freedom and democracy have not been in vain. I would like to be able to tell them that their hopes have the full support of the U.S. Government.

I am completely committed to freedom, independence, and self-determination for Lithuania, Estonia, and Latvia. The United States was born in a violent revolution. We should do all we can to encourage and support the peaceful revolution now beginning in the Baltics. And when we continue our support of the Baltic States, we know that one day freedom will come.●

THE NATIONAL HEALTH OBJECTIVES ACT FOR THE YEAR 2000

● Mr. CHAFEE. Mr. President, I am pleased to join in sponsoring the National Health Objectives Act for the Year 2000, legislation designed to bring us closer to building a healthier America.

Far too many Americans suffer from diseases and injuries that could have been prevented. I am not only referring to the obvious—such as preventing lung cancer by not smoking or reducing the risk of a traumatic brain injury by wearing a motorcycle helmet. I am also referring to health risks that the average American knows nothing about. Most smokers know they are likely candidates for cancer, but do most homeowners know that lead in the paint on their walls could be poisoning their children? Americans should be far more educated about the health risks associated with everyday life so they can make healthy choices.

As a nation, we spent about $550 billion in 1988 on health care services. The vast majority of those services were provided in physicians offices and hospitals for treatment of diseases and injuries; however, only a small fraction was spent on educational services to prevent diseases and injuries that would later be treated. By investing in prevention programs we can reduce the pain, suffering and staggering medical bills of many Americans.

Some public programs such as the maternal and child health block grant and the Centers for Disease Control Immunization Program, have proven effective in helping to prevent health problems. Yet, much more could be done. A decade ago Congress established national health objectives for 1990; however, States received no funding for programs designed to achieve those objectives.

The National Health Objectives Act for the Year 2000, provides the necessary resources to enable States to better meet these goals. This legislation contains more than 200 objectives which address health promotion, protection, and prevention services. Under our bill, States will have the flexibility to set their own priorities based on the health care needs of their citizens, as well as the funding to implement the most appropriate health promotion programs.

Dr. Denman Scott, the director of the Rhode Island Department of Health and the current president of the Association of State and Territorial Health Officials [ASTHO], played a significant role in the development of the National Health Objectives Act for the Year 2000. His leadership and professional and personal commitment to the implementation of this legislation is a credit to both ASTHO and the State of Rhode Island.

The National Health Objectives 2000 Act will not mean that all Americans will be in perfect health by the year 2000. It will mean, however, that Americans will be more informed, and therefore be able to prevent diseases and injuries. I urge my colleagues to support this legislation and give Americans the ability to make healthy choices in their lives.●

THE JEWISH WAR VETERANS OF THE USA

● Mr. LAUTENBERG. Mr. President, I rise to pay tribute to the Asbury Park-Ocean Post 125 of the Jewish War Veterans. The Post will commemorate its 55th anniversary on February 22, 1990. I extend my best wishes and congratulations to Commander Murry Opotosky and to all members of Post 125 as they celebrate this happy occasion.

In recognizing Post 125, I want to call my colleagues' attention to the rich history of the Jewish War Veterans of the USA. Originally called the Hebrew Union Veterans, it was founded on March 5, 1896, by a group of Jewish Civil War Veterans to dispel insinuations and slander that Jews had not participated in the military during the War Between the States. In fact, there were at least six Jewish Medal of Honor recipients during this conflict.

On March 5, 1896, 78 Jewish men gathered for their first meeting. They pledged to maintain their true allegiance to the United States, to combat bigotry wherever it originates and whatever its target, to assist comrades and their families in need of help or protection, to preserve the records of patriotic service performed by men of Jewish faith and to honor the memories and shield from neglect the graves of the Jewish heroic dead.

In 1933 the JWV was one of the first Jewish organizations to adopt a boycott of German goods. It campaigned for the GI bill in 1944. During the Korean war in 1951, the JWV achieved a 100-percent record of post cooperation across the country in assuring an adequate blood supply for servicemen and the civilian population. In 1963, it was the only national veterans' organization to join in Martin Luther King's March on Washington. It spearheaded a program for volunteers during the 1970's in Vietnam Veteran Outreach Centers.

Today, the Jewish War Veterans of the USA continues its proud work, and also focuses on upholding America's democratic traditions by fighting bigotry, and discrimination of all kinds. As a veterans' organization it has programs related to American foreign policy, civil rights, defense spending, national security and veterans' benefits.

For many years the Jewish War Veterans has been an activist in the fight for human rights. Concerned with the condition of oppressed Jews throughout the world, it is committed to assisting them.

The JWV has hospital, rehabilitation and veterans' service programs and assists veterans and their dependents. It supports and raises funds for the Israeli Military Rest and Rehabilitation Home in Israel and supports the Boy Scouts. It is also involved with providing scholarships for high school students, and summer camp scholarships for underprivileged children. It is involved in building low-cost federally subsidized housing for senior citizens.

Thousands of Jews have died in combat defending our country, and thousands have been awarded combat medals for their performance during war time. I am happy to honor this proud veterans' organization with its rich American history.●

TRIBUTE TO VLADLEN K. PAVLENKOV

● Mr. DECONCINI. Mr. President, on January 31 of this year, the cause of human rights in the Soviet Union suffered a tragic loss with the death of Vladlen Pavlenkov, a former Soviet political prisoner, United States citizen, and specialist in postal communications between the United States and the Soviet Union.

Mr. Pavlenkov was a native of Gorky, the city perhaps known best in the West as the site of the late Dr. Andrei Sakharov's exile.

Mr. Pavlenkov's career as a high school teacher was cut short on October 3, 1969, with his arrest and subsequent conviction on charges of "anti-Soviet propaganda and agitation." The charges included authorship of a book entitled "2x2+4", which attempted to provide some commonsense answers to Soviet economic problems. As has frequently proven to be the case, Mr. Pavlenkov's criticism of his country's economic problems back then were mild compared to what we can now read in the Soviet press. But his thoughts and opinions were 20 years ahead of their time. In addition, he had also engendered the KGB displeasure by protesting of the "Prague spring" crackdown in 1968.

Despite KGB pressure, Pavlenkov refused to confess or recant, and consequently was given the maximum sentence for a first time offender, 7 years in labor camp.

Upon his release from labor camp, the only available job for a history teacher with a labor camp record was that of street sweeper. Despite this, he never wanted to leave his homeland until the life of his son Victor was threatened. Thus, at age 50, he emigrated to the United States.

Vladlen Pavlenkov believed deeply in open and unhindered communications between the peoples of our world. He once related how his family treasured a copy of Life magazine that his father had obtained from an American sailor during World War II. It troubled him deeply that Soviet citizens could not freely communicate with their friends and relatives abroad without having their letters and packages opened, blocked, returned, and/or stolen, by Soviet authorities in defiance of international regulations and human decency. In 1982 he founded the nonprofit organization, Freedom of Communications, the goal of which was to promote the free and private communication between people in the U.S. and U.S.S.R. Mr. Pavlenkov became and expert on Soviet, United States and international postal regulations.

He collected and documented examples of Soviet postal interference, and frequently testified in Congress on this issue. Freedom of Communications published newsletters and brochures with advice for potential mailers to the Soviet Union. His efforts also strengthened the United States Post Office's awareness of, and efforts to combat Soviet postal interference. At the Vienna CSCE Meeting of 1986-1989, Freedom of Communications provided invaluable information to the U.S. delegate at the Vienna CSCE Meeting, when the first CSCE proposal designed to improve mail communications. between CSCE signatory States was being considered. That proposal in now part of the Vienna Concluding Document.

Vladlen Pavlenkov and Freedom of Communications was a voice for hundreds of former and present Soviet citizens, who wanted only to write to their loved ones, to exchange cards and photos and gifts, yet had been cruelly thwarted by KGB paranoia even in this most innocent and human pursuit.

And although the mail situation improved under "glasnost" and "perestroika", the Gorky KGB still remembered one of its city's most distinguished citizens. While he was permitted to return to Moscow, it took extensive help from Members of the U.S. House of Representatives and sympathetic members of the U.S.S.R. Supreme Soviet before he was given a 3-day pass to visit his native Gorky. Fittingly, he was welcomed back a hero.

Mr. President, as Chairman of the U.S. Commission on Security and Cooperation in Europe, I would like to extend the Commission's deepest sympathies to Mr. Pavlenkov's family in the United States and in the Soviet Union. His nickname in Russian was "Volya." It means "freedom."●

U.S. TALL SHIP FOUNDATION

● Mr. D'AMATO. Mr. President, I rise today to call the attention of my colleagues to the efforts of the U.S. Tall Ship Foundation to build a new training tall ship for the United States.

The U.S. Tall Ship Foundation, headed by Capt. Jay D. Bolton, is embarking on an initiative that will result in the construction of a state-of-the-art training vessel, funded solely through private sector contributions.

There is a need for a technologically advanced training ship for students of the Merchant Marine, Naval, and Coast Guard Acadamies. At present, the academies are forced to train on obsolete World War II vintage ships. Modern tall ships are technologically advanced motor ships with all the elements of a merchant ship. The sailing component provides the high level of labor intensity required to develop a sense of ability to accept and dispatch responsibility in potential officers.

The United States is one of the few nations that has not produced a tall ship for training. Currently, 24 nations operate 39 sail ships for merchant marine training, including Japan, the U.S.S.R., and the United Kingdom. In the last decade alone, 24 of these ships have been built. The tall ship that the U.S. Coast Guard uses for training was built by the Germans in 1936.

The Foundation will construct the T.S. *Liberty*, a 3,000-gross ton, 4,000-HP diesel/sail-powered vessel. This ship will serve as a training vessel for Merchant, Naval, and Coast Guard cadets.

T.S. *Liberty* will serve as an international symbol of U.S. goodwill. The foundation envisions this modern tall ship as playing a prominent role in the 1992 Christopher Columbus Quincentenary celebration, as well as promoting vigorous international cultural exchange.

The creation of a new national asset and symbol for America presents a unique and high profile opportunity for our Nation, not least of which is the opportunity to create a dramatic model of a public/private sector partnership to solve national problems.

I urge my colleagues to lend their support to the efforts currently being undertaken by Captain Bolton and the Foundation to build this great ship. It will be a new national symbol and resource that embodies patriotism and pride. It is an opportunity we must not squander.

I ask to have reprinted in the RECORD an article "Does America Need a Tall Ship?" from the January 1990 issue of the Port News. This article further explains the merits of a tall ship for America.

The article follows:

DOES AMERICA NEED A TALL SHIP?

(By Debra Nelson)

Yes, says Capt. Jay D. Bolton, United States Merchant Marine and president of the United States Tall Ship Foundation. Bolton's mission is for the U.S. to have a new tall ship by 1992 to commemorate the 500th anniversary of Christopher Columbus' discovery of the new world.

Bolton, a master mariner and former master of a supertanker and of the tall ship *Gazela* of Philadelphia and *Elissa* of Galveston, created the U.S. Tall Ship Foundation last July. This private sector nonprofit organization aims to raise the $60 million needed to build a 3,000-gross-ton, technologically advanced, diesel/sail-powered ship by 1992.

The foundation also promotes a greater national awareness and appreciation of the role that the U.S. Merchant Marine plays in our military sea lift requirements and as a participant in world trade.

"We want to provide our nation with the first in a series of critically needed training ships for students of our various merchant marine academies. At the moment, we are training on 50-year-old, World War II vintage ships. They are obsolete in design, and unsuitable.

So why build a tall ship for training? Bolton said, "Tall ships are also modern motor ships. They are technologically advanced ships with all the components of a modern merchant ship. The sailing component provides the high level of labor intensity required to develop sense of maturity and ability to accept and dispatch responsibility in potential officers. The most important element of sail training is that students or cadets need to learn to accept and discharge consequential responsibility.

"When they learn to sail aboard a small ship that is much more susceptible to sea damage than a large ship, they become seawise and develop a crew interdependence."

The U.S. Coast Guard has operated the *Eagle*, a German-built tall ship, since 1946. It has been a training vessel for more than 5,000 Coast Guard trainees. Bolton's ship, a 355-foot, 3,000 gross-ton vessel, would be one

of the largest tall ships in the world. It would carry between 160-170 cadets at a time.

PUBLIC AWARENESS

A tall ship also creates greater positive awareness of the maritime industry.

"We are approaching 1992—the Quincentennary of America—and the largest global celebration that we will see in our lifetime. It is the ideal vessel to promote a U.S. constituency," Bolton said.

There are economic benefits as well. "A commission on Merchant Marine defense did a study on the impact of shipbuilding on the economy. This project could employ 2,500 workers over a two-year period. This will not save the shipbuilding industry in the U.S., nor solve our maritime crisis. It will, however, focus on shipyards and serve as a positive public relations opportunity," he said.

And, in the wake of the Exxon *Valdez* incident, the Merchant Marine could definitely use some positive public relations. Bolton said, "The U.S. Merchant Marine is probably the best kept secret in this country. In other maritime nations, merchant marines have a higher degree of respect. In this country they are unknown. One of our objectives is to create a positive national awareness."

Since World War II, the industry has declined, and the average age of merchant mariner has increased to 58 years. Moreover, Bolton said, "In an effort to compete on an international level without assistance from the U.S. government, wages have been reduced to the point where people can make more money at McDonald's than at sea."

The problem really becomes severe when one considers the effect on the military sealift. Bolton said, "Do we need merchant seamen and officers to man those ships? The answer is yes. In every major conflict, 95 percent of all war material has gone by ship.

The problem our country faces is that we have traditionally relied on the merchant fleet to supply those ships. Now our merchant fleet is shrinking. People in Washington are concerned because our lack of sea lift capability is the Achilles heel in our national defense."

"With Perestroika and what's happening in Western Europe today we are hoping for a wonderful age of peace. But eliminating all nuclear subs and aircraft carriers would be laughable. And yet the fleet that supplies these ships is being allowed to erode.

TALL SHIPS AS A SYMBOL

Another part of all of this is that the ship itself is really a symbol of maritime unity. Bolton said, "It can be something which the shipyards, labor unions, merchant marine, freight forwarders, and ports can all support."

Although intended primarily for training cadets, the tall ships would also be ideal for promoting the U.S. export trades and serving as an ambassador of goodwill, peace, and friendship to other nations.

The international tall-ship fleet is growing. Some 24 nations currently operate 39 sail ships for training merchant and naval cadets. More than a dozen tall ships have been built in the last decade alone. If enough money is raised, construction on the newest, U.S.-built tall ship could begin in January and be completed in time to join the international fleet of tall ships for Operation Sail, July 4, 1992 in New York Harbor.

She will then sail to several U.S. ports, arriving in San Francisco by Oct. 12, 1992 to be the focus of celebrations in that city. From there, the ship would embark on a promotional and goodwill tour of South America to discover America, just like Columbus.●

THE BICENTENNIAL OF THE FEDERAL COURT SYSTEM

● Mr. CHAFEE. Mr. President, in the spring of 1789, the Senate began work on Senate bill 1: the Federal Judiciary Act. A few months later, in September, President George Washington signed this historic legislation into law. Although it has been modified over the past two centuries, the principles of this act are the foundation on which our modern system of Federal courts is built.

Let me assure my colleagues that achieving passage of this bill was no easy task. In fact, a few States—including my own State of Rhode Island—had not even ratified the Constitution, let alone agreed to establishing a Federal court system. The act was a masterful compromise. Federalists persuaded their colleagues of the need for 3 circuit and 13 district courts, while anti-Federalists made sure that the bulk of the country's judicial work remained under the jurisdiction of State courts.

This process of debate, persuasion, and compromise may sound very familiar to my colleagues.

On February 1, 1790, the six-member Supreme Court met for its first formal session in New York City. Unfortunately, Chief Justice John Jay had to postpone this historic meeting for 24 hours, as 3 of the Justices were unable to find adequate transportation to the city.

As an aside, I might mention that although our early system had roots in the English judicial tradition, the new court showed signs of independence in the American tradition. After being teased by New York City children on the way to the courthouse each day, the justices gave up the traditional white wigs in favor of their own natural locks, a decision that brought applause from long-time anti-Wig activist Thomas Jefferson.

Mr. President, since that first day in 1790, our Federal court system has blossomed from 16 Federal judges and 6 Justices to 710 Federal judges and 9 Justices. It has become one of the most important and vital elements of the American system of justice, and I am pleased to salute the Federal court system on the occasion of its 200th anniversary.●

THE SAMARITAN HOUSE IN DENVER, CO

● Mr. WIRTH. Mr. President, I rise today to commend an organization which is making an invaluable contribution to one of our Nation's most troubling problems—the homeless. The Samaritan House in Denver, CO, has worked to help the homeless with food and housing since 1982, and medical care since 1985. During the course of its existence, the Samaritan House has given shelter to more than 21,000 people, served more than 1,168,000 meals, and helped meet the medical needs of more than 7,000 homeless men, women, and children.

While the Samaritan House is one of many shelters throughout Colorado and the United States, it has a number of important programs that are particularly noteworthy. As families are increasingly in need of shelter and support, the Threefold Cord Program serves a great need in the Denver area. This program, based on the triple involvement of family, community, and shelter, enables communities to aid families in the transition from homelessness to setting up a household. Emotional support and help in the logistics of moving are vital for families recovering from the plight of homelessness. The Samaritan House also provides training for local communities so that this program can serve families in need throughout the State. The Samaritan House Single Service provides moral support and personal attention to homeless individuals by matching volunteers with residents. The jobs program offers a variety of resources and counseling for residents to help them get back on their feet.

These programs represent the innovative approach to carrying for the homeless that incorporate the dual roles of providing services to those in need and support for the transition out of homelessness. While government support for low-income housing is still needed, the selfless contributions of the people at the Samaritan House are laudable. It is with great pride that I represent the State of Colorado whose people share a common concern for their community as is evidenced by the Samaritan House.●

STATEMENT ON AL SOUCEK AND HIS FAMILY

● Mr. LEAHY. Mr. President, I love to read stories about Vermonters in the small weekly publications in my State. It is a welcome diversion from the wars, terrorism, and crime stories that dominate the daily fare in the national press.

Our hometown weeklies introduce us to people and events that make Vermont a unique and special place. And through the pages of the Mountain Villager of Jericho, VT, I would like to introduce Al Soucek of that village to you today.

In 1955, Al fled his native Czechoslovakia with his wife and daughter and came to the United States. Fortunately for us, he located in Vermont and continued the family tradition as a

hotel manager and restaurateur par excellence in our State.

The newspaper tells the story better than I—and with great respect for Al Soucek and his family, their grandson Joshua Peter Benes and in memory of their lovely granddaughter, Christina, I ask that this story of a wonderful family be printed in its entirety in the RECORD.

The article follows:

[From the Mountain Villager, Aug. 11, 1989]

ALL IN A LIFE'S WORK

(By Lyn MacDonough)

Commendations hang all over the walls of the Soucek's Jericho home. Shortly after fleeing Czechoslovakia, Al and Vera Soucek came to Vermont 23 years ago. A special award on the wall, given to Al for his bravery in helping sailors, soldiers, and airman, escape from prison camps, is framed by the actual fence wire that held those men captive.

Their passports boast such places as China, Hong Kong, England, France, Egypt, Germany, Italy, Australia, and South Africa. Al has many interesting stories to tell, but due to a stroke a few years ago that affected his speech, he has difficulty relating them.

Al knows several languages. He is frustrated that he now has difficulty speaking only one. "Everyday I pray to gain my speech," said Al. He carries a small green book with picture communications so that people will understand him.

In 1955, Al and Vera fled their native country in the middle of the night with their six month old daughter, Vera. According to Al, they chose to leave their home, their family, and business to live in freedom away from the communists. "I don't trust communists," said Al.

Al's family ran a large hotel in Czechoslovakia. As a young boy Al started in the business by helping his father serve banquets. Throughout his life Al continued in the hotel, catering and restaurant business.

Upon arriving in the United States Al and Vera managed the University Club in New York for three years. "This was my first job in the United States," said Al, "I took a train from our home outside the city to the Club everyday. When I missed the last train home I would stay in our apartment in the city. I spent many hours with Governor Rockefeller. We used to drink Chivas Regal Scotch, no ice seltzer, which made the drinks weak."

The Souceks also managed The Shoreham and the Sayville Motor Lodge in Long Island, NY. In 1961, Vera graduated from the Lewis Hotel Training School. They went on to manage a number of country clubs in New York and Pennsylvania.

The Souceks arrived in Vermont in 1966. They ran the "Haus und Heim", a ski lodge in Jeffersonville, for five years. "It was a wonderful home away from home," explained Al. The Souceks then managed the "Mountain" at Madonna Mt., and for two years, Al managed the Burlington Country Club.

In 1977, the Souceks opened the Alpine Restaurant in Jericho. "'Hospitality is Spoken Here' was one of our claims, said Al, "We wanted to please everyone." In addition to the Alpine restaurant, Al and Vera simultaneously ran a catering business with their daughter and son-in-law, Vera and Peter Benes. The Benes' owned the Benes Inn on Shelburne Road. "Working to serve people of our community has run in the family."

"The star of the Alpine Restaurant was Christina, our granddaughter. Christina was a star in the community. She was everyone's favorite hostess," said Al.

Christina died of complications from leukemia in March of 1988. "My greatest joy has always been my granddaughter," said Al, "We liked to ski together at Spruce Peak in Stowe. Christina would yell, 'Come on down, I'm waiting for you.' "

The Souceks are proud grandparents of a beautiful grandson, Joshua Peter Benes, born June 17, 1989. "Our memories are with Christina daily," said Al. "We know how much she would love Joshua."

Al recently celebrated his 80th birthday. Friends and relatives honored him at a surprise birthday party given by his daughter and son-in-law, Vera and Peter Benes.

People Al has had the pleasure of serving: Thomas Masaryk, first president of Czechoslovakia, Queen Elizabeth, King Faruk of Cairo, Governor Nelson Rockefeller, Governor Philip Hoff and Governor Davis of Vermont, Richard Snelling's family, Bishop Kerr of Burlington.●

FOOD OF THE GODS—CHOCOLATE

● Mr. WILSON. Mr. President, the State of California is a large producer of what the ancient Aztec Indians called the "Food of the Gods"—chocolate.

Our State is second only to Pennsylvania in the manufacture of chocolate products. Many of our chocolate manufacturers, including Guittard Chocolate Co., in Burlingame, and Ghirardelli Chocolate Co. in San Leandro, are over two centuries old. Other California chocolate producers are Boldemann Chocolate Co.; Hershey Foods Corp.; the Nestle Foods Corp.; Annabelle Candy Co.; Helen Grace Chocolates; Harmony Foods; Marich Confectionery; See's Candy Shops, Inc., and Shoemaker's Candies, Inc.

Chocolate and confectionery makers use more than 1.8 billion pounds of sugar and 1.2 billion pounds of corn syrup annually. They use hundreds of millions of dollars of milk and milk products each year. In addition, they purchase 20 percent of all peanuts produced, and 40 percent of all domestic almonds—all agricultural products grown in California.

March 12 is the first Annual American Chocolate Week. I join with California chocolate manufacturers in celebrating what a recent Gallup Poll confirmed is America's favorite flavor—chocolate, the "Food of the Gods."●

DEPARTMENT OF THE ENVIRONMENT ACT, S. 2006

● Mr. D'AMATO. Mr. President, I rise today as a cosponsor of S. 2006, the Department of the Environment Act of 1990. S. 2006 will elevate the Environmental Protection Agency to a Cabinet-level position and create a new Department of the Environment.

Our global environment is threatened by a growing pollution problem that is threatening the health of people around the world. Medical waste washing ashore on our beaches, sludge being dumped in our oceans, landfills reaching capacity, smog choking our cities, and acid rain destroying our lakes and forests are among the many environmental problems that plague us. The EPA has performed an admirable job of protecting the environment since its creation in 1970, but increasing hazards to our well-being demand creation of a Department of the Environment.

Such phenomena as the degradation of the Earth's ozone layer and global warming have focused international attention on these serious problems. Most developed nations already accord their environmental executive ministerial status. A Cabinet-level environmental official will have better standing among his colleagues from other nations when negotiating various environmental treaties.

It is imperative for the environment to remain atop the national agenda. Giving the EPA equal clout with other Cabinet-level posts will demonstrate the Bush administration's commitment to cleaning up our environment. I urge my colleagues to act on this legislation.●

RETURN OF FREEDOM AND DEMOCRACY IN CZECHOSLOVAKIA

● Mr. GRASSLEY. Mr. President, today's events demonstrate once again, the tremendous changes taking place in Eastern Europe. As I listened to the President of Czechoslovakia, Mr. Vaclav Havel, in his address to the joint meeting of Congress, I could sense the pride of this great man as he leads his people back to the path of freedom and democracy.

As you know, Mr. President, Czechoslovakia is a land rich with cultural traditions and a tumultuous history. It has produced such outstanding authors as Franz Kafka and Karel Capek. Some of its most eloquent paintings and sculptures date from the Middle Ages. Similarly, many of Czechoslovakia's castles, churches, and other buildings were constructed in the elegant baroque-style architecture that dates back hundreds of years.

Czechoslovakia, however, has been described by one author as "The Lands Between" major powers of Eastern Europe. For much of its history, the country has been either occupied or dominated by such powers as Germany on one side or by Soviet power on the other. I am reminded of a May 21, 1939, newspaper editorial sent to me recently by my friend, Joe Kimmel, Jr., of Davenport, IA, in

which his father wrote of former Czech President Eduoard Benes.

President Benes fled Czechoslovakia in 1938, amidst the occupation of Adolf Hitler's troops. As Mr. Kimmel depicts in his editorial, Benes articulated the thousand year struggle of his people for liberty in his 1939 speech at the State Rotary convention in Des Moines, IA. History subsequently showed that the Nazis were pushed out of Czech territory in 1945 and thus enabled Mr. Benes the opportunity to form a coalition government. However, the nightmare continued as Benes was forced to retire in 1948, when the Communists forcibly established a government comprised entirely of their supporters. This nightmare was compounded in 1968, when troops and tanks from the Soviet Union, Bulgaria, East Germany, Hungary, and Poland invaded Czechoslovakia to end Alexander Dubcek's program of reforms.

As with all nightmares, this one had to come to an end. Unfortunately, this one did not end until 1990; the year of perestroika in Eastern Europe and a year of achievement for Vaclav Havel, who went from the jails of his country to the position of President in a mere 4 months. Furthermore, Mr. President, 1990 is proving to be the year in which the efforts of all others who have fought for freedom and democracy in Czechoslovakia are culminating in success. While much work remains to be accomplished, Czechoslovakia has started down an irreversible road to democracy.

I will end my remarks, Mr. President, reiterating the words of Joseph Kimmel in the final paragraph of his editorial regarding Eduoard Benes. Although his remarks were made 50 years ago, they are entirely appropriate in today's changing world.

He (Benes) has fought the common fight—your fight and my fight. He has lost the fight. Maybe just round one—perhaps the fight as far as his life is concerned * * * but unembittered he faces forward still standing for his principles and for the right of his country to exist free of foreign domination.

Mr. President, I ask that the text of the article written by Joseph S. Kimmel in the "the Davenport Democrat and Leader" on May 21, 1939, be included in the RECORD at this time.

The article follows:

[From the Davenport Democrat and Leader, May 21, 1939]

PORTRAIT OF A PATRIOT

(By Joseph S. Kimmel)

(The following article was written by Joseph S. Kimmel, president of the Republic Electric Co., Davenport, after hearing Eduoard Benes, former president of the "liquidated" republic of Czechoslovakia, in an address at the state Rotary convention in Des Moines. It interprets the impressions of Mr. Kimmel of the great European patriot.)

Today I heard a great man in a modest, unassuming way tell the saga of a people whose head he is today, albeit a man without a country.

Without raising his voice, without heat or rancor he told of the thousand year struggle of his people for liberty. An exile from Czechoslovakia, from whence he fled to escape imprisonment or worse, he beholds his country under the heel of a foreign conqueror.

The late president of a democracy, which gave up its sovereignity at the behest of the two great powers which reconstituted it in 1919, he saw his land given as a pawn to a neighboring dictator, to buy a peace which was a fraud before the ink was dry on the papers guaranteeing its security after the first grab had been assured.

He and his people knew their doom was sealed unless England and France protected them against the rapacity of their neighbor to the north, and this protection was lacking. There could be no permanent appeasement when so many other lands lay waiting to be grabbed. Nothing settled of a general nature in Europe, save this independence and liberty disposed of in the market place.

As a doctor of philosophy and student of history he retold the story that liberty and dictatorships cannot abide side by side, that the struggle is constant when dictatorships exist, and that democracies cannot be safe in a turbulent period and can be made safe only by self-analysis to overcome their weaknesses, and determined efforts to protect themselves.

Dictatorships do not last. The structure on which they rest is too insecure, and by internal tyranny and external aggression they indicate the desperateness of their situation. Man's struggle for freedom and liberty represents more than a system of government, it is a vital expression of his desire and needs, of his determination to free himself and his personality and find in life a living philosophy of his inner being.

STRUGGLE AND TRAGEDY!

The struggle to re-establish the Czech nation; its part in the World War; the effort to rectify the oppression by Austria; it's fruition and 20 years of freedom—all these he saw swept away and made but a part of history's page, and the name of a new oppressor writ across the temples and courts of his country.

All this, and still remains his faith in God and the ultimate triumph of right. It is men like that that make nations and keep upright the standards of civilization. He is doing today what he can. No more. No less. Perchance he may again rule the Czech nation—perchance he will die in exile. The mill's of the gods grind slow, but exceedingly fine.

Here is a walking, talking, living, breathing ambassador to America, humble and unbowed from a race of hardy men, who have learned how to live and how to die. Men who have lived a complete life, more years in subjection than in freedom, and in whom the fires of freedom still feed most fiercely. Thank God that our shores are still open to political refugees, and that no dictator here clanks shut the prison door, nor cowes the advocate of freedom.

HIS FACE TELLS STORY

I have been thinking how to express the impression Benes made, words to clarify the deepness of the sense of tragedy. This man reflects the tragic experience thru which he has passed. He has been an actor in a catastrophe. His face bears the marks of his experience, and his expression tells a story.

Suddenly my mind finds that idiom for which I have been seeking. I am setting in the great audience at Oberammagau. The Bavarian hills, not far from Benes' home, form the background for the great stage. On it I see again the struggle between right and wrong, between hatred and love, between God inspired people and the forces of evil.

Evil removed from us we perceive but dimly. Brought close and portrayed to us its ugly head is menacing and repulsive.

LIBERTY WILL NOT DIE!

Men being what they are, liberty will not be extinguished or tyranny forever last, but freedom and democracy will again be established in Europe and in his native land. That when this comes it will be in a general settlement that will include Germany as well as its present unhappy neighbors.

Benes is a simple, unaffected patriot, statesman and philosopher. Not crushed by defeat, but sustained by his abiding faith in the power of truth to rise, and the inability of force and hatred to stamp out the spirit of freedom in men.

This man's value to the world is greater than many Hitlers. While Hitler is expanding Germany he is destroying it—spiritually and morally. The new Germany that will come after him will again have these qualities, without which no country can be great.

Your heart goes out to this man. He has fought the common fight—your fight and my fight. He has lost the fight. Maybe just round one—perhaps the fight as far as his life is concerned, but unembittered he faces forward still standing for his principles and for the right of his country to exist free of foreign domination.●

LEXINGTON-BLUE GRASS ARMY DEPOT

● Mr. McCONNELL. Mr. President, Manuel Noreiga sits today in an American jail, perhaps dressed in his general's uniform, thinking fondly of his days as the corrupt leader of Panama. "Operation Just Cause" put an end to Panama's suffering at the hands of this dope peddler; like an addict shooting heroin into his veins, Noreiga's corrupt leadership—his drug trafficking and goon squad tactics—was slowly killing that nation. As the saying goes, Mr. President, "the party's over."

All the soldiers who participated in the operation are to be applauded for a job well done. While many Kentuckians deserve our thanks and praise, the soldiers and employees of the Lexington-Blue Grass Depot deserve special recognition. In any military operation, support is a key factor of success, and Mr. President, as Pat Currans wrote in the Thoroughbred Review on January 12: "When American soldiers take to the battlefield, Lexington-Blue Grass Army Depot takes to the warehouse * * *."

Mr. President, two articles appear in the Review that detail the depot's support of the operation. I would ask that these articles appear in the RECORD so that America can give these Kentuckians the recognition they deserve.

The articles, by Pat Currans and Col. Ross I. Sanders, depot commander, follow:

[By Col. Ross I. Sanders, depot commander]

Many of our depot employees spent the holidays doing what we do daily, but on a grander and more important scale.

When it was announced early Dec. 20 that our Commander-in-Chief, President George Bush, had sent American troops to Panama, we realized immediately that the Lexington-Blue Grass Army Depot would be called on to support that effort. After all, supporting the troops in the field, particularly those who are in combat, is why we are here. Our job was and is to make sure that the support we provided our fighting men and women on the isthmus was the best we were capable of providing.

We immediately established our "Just Cause" Operations Center (JCOC) in Warehouse 4 at the Lexington facility. Under the operational control of the Directorate of Personnel and Community Activities (DPCA), the JCOC became the focal point for all requests for support for the operation. It was manned 24 hours a day, during duty hours by DPCA's Charles Sither and Randy Alcorn and one of our noncommissioned officers, and after 4 p.m. by one representative from DEL, DPCA or DRM.

DOIM support was critical and outstanding. The limited TCC staff operated our Communications Center around the clock, so that messages concerning Panama were immediately provided to the JCOC.

Our directorates for Ammunition Operations, Ammunition Surveillance, Maintenance, Product Assurance and Supply prepared rosters of personnel who were available at a moment's notice to respond to requests for ammunition, communications-security equipment and general supplies. Team leaders and key people were provided beepers.

We provided soldiers in Panama ammunition items and general supplies such as installation kits and batteries, and COMSEC equipment.

On Dec. 29, we terminated the 24-hour a day manning of the JCOC.

The response by our employees to this operation, at a time normally spent with family and friends, was nothing short of outstanding. Many volunteered their days and nights to make sure that our mission, support to the soldier, continued throughout the operation.

The success of Operation Just Cause, with American soldiers leading the way in Panama, is in no small part due to the efforts that were put forth here in Kentucky and throughout the DESCOM community. Each of you should be justly proud of what you did.

Again, Lexington-Blue Grass Army Depot reacted quickly and efficiently to the needs of the Army. Congratulations to all who took part in the operation, up front and behind the scenes. I'm proud of all of you.

[Story by Pat Currans]

When American soldiers take to the battle field, Lexington-Blue Grass Army Depot takes to the warehouse . . . the igloo . . . the assembly line. Such was the case in the early morning hours of Dec. 20, 1989.

Our commander in chief appeared on national television. "It's a 'Just Cause,'" he said. An American Marine officer had been killed a few days earlier by over-zealous members of the Panama Defense Forces (PDF). Another American serviceman, who witnessed the event, was beaten, his wife sexually threatened, by the same PDF. Two months earlier, duly elected officials were beaten in the streets by members of the so-called "dignity" battalions. The self-proclaimed dictator, already under indictment in the United States for narcotics trafficking was behind the atrocities. "Enough is enough," said the president—and he sent in the troops.

While our soldiers and Marines were neutralizing the PDF, capturing the airport, protecting the canal, and making the streets of the isthmus safe for Americans and innocent Panamanians, Lexington-Blue Grass was gearing up for an accelerated operation of its normal day-to-day mission, supporting the soldier (and Marines, sailors and airmen) in the field.

An Emergency Operations Center was set up in Warehouse 4F, near the Message Center. There, representatives from DPCA, DEL and DRM would serve 'round the clock, insuring that any message reflecting the needs of our service members in Panama received immediate attention.

In Ammunition, Maintenance, Product Assurance and Supply, rosters were established denoting who would be on call should that directorate's services be needed. And needed they were.

Our directorate people came in and began pulling items off the shelves and packaged for shipment. Things like ammunition items, batteries, camouflage netting, secure communication equipment and explosive charges were shipped to the combat zone throughout the next several days, most of them within 24 hours after the depot received the request. According to folks in the Just Cause Operation Center, over 160 separate orders were filled.

Our employees, knowing that at home waited gaily wrapped Christmas presents, a family in most cases, and a warm fire in 40 below temperatures, still put the mission, and the combatants in Panama, first. It was a Just Cause for relinquishing time during the holidays. Really. Just 'cause our troops needed our help.●

TRIBUTE TO COACH JIM POHL

● Mr. BOSCHWITZ. Mr. President, I rise today to salute a Minnesotan who has reached a milestone in his profession that very few of his colleagues have accomplished.

As many people know, hockey is a major sport in Minnesota, and the game occupies a very special place in the hearts of Minnesotans. We take great pride in the hockey players we produce and we revel in their achievements. Minnesota hockey players were at the heart of the successful Olympic teams that won gold medals in 1960 and 1980, they dominate American college hockey, and they have a major presence in the National Hockey League.

But these players would not become what they are without good coaches, and it is one of those coaches that I salute today.

Jim Pohl of Red Wing, MN, recently recorded the 200th victory of his high school coaching career, a milestone that he reached in his 16th season of coaching at Red Wing, which I might add is one of Minnesota's loveliest cities, nestled among the bluffs along the Mississippi River.

It's a remarkable milestone, 200 wins, and it takes an individual with persistence, tenacity, and a strong will to reach such a goal.

The numbers alone, however, do not tell the entire story of Jim Pohl. While he has achieved much success as a coach, he considers coaching only a part of his real job—that of educating Minnesota's children.

Like many coaches, Jim Pohl recognizes that athletics are a valuable part of the education process. He uses his classroom, and his hockey team, as ways to teach youngsters the values of discipline and hard work. While the people of Red Wing can take pride in his record as a coach, they can take equal pride in the dozens of his players who were not only winners on the ice, but have gone on to be winners in other areas of their lives as well.

It is too seldom, Mr. President, that we take the time to properly thank those who toil in educating our children, and I wanted to take this chance to congratulate Jim Pohl not only on his 200th win as a coach, but on his triumphs as an educator as well.●

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I ask unanimous consent that debate for the remainder of this day be limited to 30 minutes to be equally divided between Senator DOLE and Senator BYRD or their designees and that upon the completion of that debate or the yielding back of time that the Senate stand in recess under the previous order until 10 a.m. tomorrow, Thursday, February 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I understand we have 15 minutes on each side, and I hope I do not take all of that. I know the hour is late, but there are some things I want to put in the RECORD for my colleagues to look at between now and the vote tomorrow at 1 o'clock.

There is no doubt about it, the overwhelming evidence is in favor of the proponents of the resolution. Again, if you need to be convinced, just take a look. In fact, I have a book with headlines from all over the country which I will display in a minute. Just little stories from the New York Times about the slaughter of Armenians, the drowning of women, the selling of children, and a few other things that happened.

Nobody has come forth to refute a single word. They give us this story, well, Turkey is a strategic ally. Well, that is not the argument they used 2 weeks ago when China was a strategic ally. Nobody minded that when we were talking about the Chinese students and the outrage of those killed in China, and it was an outrage.

Maybe it was 2,000, maybe it was 3,000. In this case it was a million and a half. Where is the outrage now?

I put in the RECORD a variety of documents in an effort to clear the record. Some have been saying, "Why are we in the Senate judging history?"

My friend from Oklahoma, Senator BOREN, said we ought to wait and let the scholars work it out. We have waited 75 years. How long do we wait? Normally they open the archives after 50 years. Here it has been 75 years.

If anybody cares to read today's RECORD, there is a statement in it on the archives and how material has been withheld from the archives and how the archives have been scrubbed. And this is from the Turkish press, not some Armenian or somebody else who happens to be on the other side.

We do not leave the economy for economists around here. We vote. We make decisions. We are not economists, but we can grasp and analyze economic information and we make decisions. We are not Ph.D's in international strategic affairs, but we can and must and do make strategic decisions on issues. We declare war. We decide issues of life and death. We debate abortion and the death penalty. We are not God, but we have to deal with these issues that, in some ways, are in God's domain.

Why? Because we are on this Earth as human beings to do the best and do what is right, and that is what this is all about, a question of right or wrong.

The Holocaust was wrong. The slaughter of Armenians was wrong. There is not a single soul who has said it was not wrong, in either case. As I put in the RECORD earlier today, the person who coined the phrase "genocide," in discussing why he reached that, how he coined that phrase, he talked about the Holocaust and the Armenian genocide. He said he read a lot of history.

These are just news accounts on the Armenian genocide from 1915 to 1922; stories, news stories. I have not heard anybody get up and refute them. They are there from papers, the New York Times, the Outlook, the Missionary Review in the World—papers all across the country, all around the world—Literary Digest, Current History, the Independent, the Atlantic Monthly. I ask my colleagues, before 1 tomorrow, at least to leaf through this. Just pick out one story and read it and ask yourself if anybody on this floor has refuted that story.

If my colleagues concede there was a genocide and say oh, we do not want to vote for that because it might offend our friends, then that is another matter. If we reach that point where we cannot talk to our friends and cannot disagree with our friends, then we are in tough shape. We will not be able to do anything in this Congress.

As I said, the creator of the word "genocide," the person who coined the term and did the research on which the Genocide Convention is based, he wrote that there was, "an Armenian genocide." Earlier I put in the RECORD a review of his determination.

Elie Wiesel, who many believe to be the most prominent and authoritative voice of the victims of the Nazi Holocaust, has publicly acknowledged the Armenian genocide. The U.N. Human Rights Commission has acknowledged the genocide. The EEC has acknowledged the genocide. The American Bar Association acknowledged there was a Armenian genocide. The Senate, in 1920, before there was a word "genocide" but after hearings, decided there was what amounted to a genocide and stated that. That conclusion, or resolution, passed unanimously.

I ask unanimous consent to have printed in the RECORD a short paper on that issue along with the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOLE. I will read from the resolution.

"Whereas the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres"—this was in 1920, when the facts were fresh. It was before the Senate Foreign Relations Committee—"and other atrocities from which the Armenian people have suffered."

That is what we said in 1920. But here, in 1990, oh, we do not have the facts. We need to have more research. We need to open up the archives.

Lots of luck.

I hope history will show that this Senate is not less courageous than the one that was 70 years ago. Many Senators who stated over the years there was a Armenian genocide are now saying, oh, I have now had a chance to reflect on it. Maybe there was a genocide, but we do not want to upset anybody, so let us not ruffle anybody's feathers.

Who has officially decided there was a genocide in Cambodia's killing fields? Who decided that? We voted on it in this Chamber. According to my friend, the Senator from West Virginia, we should not do that.

I offered the amendment on the Cambodian genocide. It was back in 1978. It dealt with Cambodia and Uganda, and human rights abuse. There was a motion to table.

My friend from West Virginia supported me and voted not to table. And we decided we could address that issue in the U.S. Senate. And we said the IMF could not make any loans to Idi Amin and others who slaughtered a couple of million people. We made that judgment right here on the Senate floor in 1978. The vote was 67 to 30, as I recall.

This is not a court of law. I think we have to ask ourselves, if we say I have not made up my mind on genocide, I want to leave it to the historians for 75 more years before I decide—what about the Holocaust? What about the genocide against the Jews in World War II? Who decided that?

Well, some might say the Nuremburg war crimes trial made that call. But there were war crime trials in Turkey. Ottoman officials were tried and found guilty of "exterminating the Armenian Nation." It was in Turkish courts, in the period before the word genocide was even coined. And that is synonymous with the word itself.

I did not make that judgment. It was a series of courts martial which the Ottoman Government itself convened. I want to have printed in the RECORD a paper reviewing those tribunals and I ask unanimous consent to have that printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOLE. Let me add an important point. The Turkish Government refused to release the exhibition and testimony from those trials. Why? The archives, all the archives are supposedly open. If they are, why are those records not available and where are they? Perhaps those who want to leave this question for another 75 or 100 or 200 or 300 years of historical consideration know it is already history.

How long does it take before it becomes history? One day? One year? Ten years? Fifty years? Seventy-five years? We have placed page after page of documents in the RECORD, documents that have not been contradicted, documents that indicate clearly and convincingly that thousands and thousands and thousands of people were wiped out.

I add another piece of evidence now, a document comparing and analyzing Armenian population figures in the years 1912 and 1923, the years immediately before and after the genocide.

The best estimate of the population in 1912 was 2.1 million. By 1923 there were under 100,000 Armenians left.

What happended to those 2 million Armenians? Did they just leave town? Or leave the country?

Some call it genocide.

I said earlier, 10 American Presidents, Republicans and Democrats, have all referred to the slaughter, the tragedy. Some used the word "genocide." Maybe our Presidents were not informed. Maybe they should not have made that statement, but they did. And many historians and many scholars, many official American representatives, many international organiza-

tions, many, many people have looked at evidence and decided there was genocide.

So, I think it is time for the Senate at least to join with the children and the grandchildren of the 1.5 million Armenians. We have heard about the grandchildren of the Turks. What about the grandchildren of the Armenians? What about the children of the Armenians? What about the victims and their children? Nobody said a word about them. Oh, why, they are only Armenians, they are powerless, they are a little country. They cannot do anything. They do not have an ambassador to go around to each Senator and say, "I cannot operate in this country if you support this resolution." That is precisely what the Turkish Ambassador has been saying.

There is no Armenian Ambassador. He cannot go around to Senate offices. They do not have any military contracts. They cannot call up the lobbyists. They cannot hire lobbyists. They do not have any money.

They had an earthquake that wiped out 50,000 people and left half a million people homeless in Armenia, a small country of 3.5 million. What are they supposed to do?

They have in effect placed themselves at the mercy of the Senate. I think they feel their case is just. They are not asking us to blaze any new trail around here. We made these kinds of decisions time and time again.

As I said earlier, we made one late last year with reference to Bulgaria and Turkey; it passed 99 to 0. I voted for it. There were some who could have said: Oh, you cannot get into that argument. This is not a court; this is the U.S. Senate. But 98 of us joined the distinguished President pro tempore in supporting his resolution.

In 1986, when we were debating whether or not to ratify the Genocide Convention, six of my colleagues mentioned the Armenian genocide in that debate. So it is not that this is something that just happened or we never thought about genocide and the Armenians.

So I want to print in the RECORD a statement by Mr. RIEGLE of Michigan, a statement by Senator KERRY of Massachusetts, a statement by Senator KENNEDY of Massachusetts, a statement by Senator BOSCHWITZ of Minnesota, a statement by Senator PELL of Rhode Island, and then from a year earlier, a statement by Senator DODD of Connecticut, who was urging me as majority leader to bring up the Genocide Convention.

I ask those statements be printed in the RECORD to demonstrate that we knew precisely when we debated the ratification of the Genocide Convention that it included the Armenian genocide.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Mr. KERRY. Mr. President, 40 years ago, the United States won its war against the terrorism of the Nazis, and became the principal force behind the drafting of the Genocide Treaty.

Today, as our Government continues to fight terrorism around the world, it is appropriate that we at last join 96 other nations in ratifying the treaty that we originally drafted.

Mr. President, in its current form, the Genocide Convention has been weakened, for reasons having to do with ideology and politics, and not for any reasons of good policy.

But even in its weakened form, it is time the United States ended the embarrassment of its failure to ratify the treaty drafted over a 2-year period by a United Nations committee chaired by a United States delegate, adopted unanimously by the U.N. General Assembly in Paris on December 9, 1948, signed 2 days later by the United States, and transmitted to the Senate for ratification the following June by President Truman.

Mr. President, along with seven other members of the Foreign Relations Committee, I opposed the additional provisions that were added to the treaty as part of the Lugar-Helms package, because I believed these provisions were unnecessary, and might cause some of our allies to refuse to recognize the U.S. ratification as valid. The Netherlands, for instance, has stated that it does not recognize as valid ratification by any nation which seeks to deny the World Court with jurisdiction over the treaty.

I think it is worth looking at which other nations have adopted the kind of provisions contained in the Lugar-Helms package:

Albania, Algeria, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, People's Republic of China, Czechoslovakia, German Democratic Republic, Hungary, India, Mongolia, Morocco, Philippines, Poland, Romania, Ruwanda, Spain, Ukranian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, and Viet Nam.

Most of these nations, are Communist. Others are or were headed by authoritarian regimes at the time they ratified the convention. It is understandable why these nations might not want the World Court to exercise jurisdiction over their actions. But the United States does not commit genocide. We should not be fearful of giving jurisdiction to the World Court of any such offense.

We should not be on the same side as these Communist nations in refusing to acknowledge the jurisdiction of the Court. We have nothing to hide.

Instead, we should be taking the position taken by our allies, including Australia, Belgium, Brazil, Ecuador, Greece, the Netherlands, Norway, and the United Kingdom, who do not accept reservations in respect to article IX of the convention.

In order to avoid a lengthy debate on the Genocide Convention that might impede its swift ratification, I will not be offering an amendment to the treaty to eliminate the additional provisions to the convention reported out by a bare majority of the Foreign Relations Committee.

For the record, I wish to state that the amendment I would have offered would have replaced these provisions with the declaration by the United States it did not recognize the article IX reservations to the treaty adopted by the Communist nations, and the others I have mentioned, which is the position taken by the United Kingdom and our other allies.

Even with the additional provisions, ratification of the treaty by the United States is long overdue. As President Reagan has said of the Genocide Convention.

"If free men and women remain silent in the face of oppression we risk the destruction of entire peoples. * * * We intend to use the convention in our efforts to expand human freedom and fight human rights abuses around the world. Like you, I say in a forthright voice, 'Never again!' "

We must reject the claims of some that the treaty is worthless because it does not protect political groups. It protects national, ethnic, racial, and religious groups. I find it hard to imagine a nation defending itself against charges of genocide by saying, "We are not committing mass murder against an ethnic or racial group—we are only committing mass murder against a political group."

The idea that a nation would use the defense that it is only committing mass murder against a political group is ludicrous.

We must reject the claims of some that the slaugher of the Cambodians by Pol Pot was not a genocidal action prohibited by the treaty. There is no forum in the world that ever made that determination. Yet the United States has been in no position to raise the issue, because we haven't ratified the Genocide Convention.

We must reject the claim that the Genocide Convention exempts the Soviet actions in Afghanistan from being considered genocidal. That is another issue that has not been resolved, because no one has taken the Soviet Union to the World Court to make that charge. If the United States ratifies the treaty, it has the right to do so. If the Soviet Union refuses jurisdiction, the World Court than has the right to decide both whether it can hear the case, and whether the genocide has occurred.

Because of our World Court reservation, we have weakened our position at the World Court, and the Soviet Union could under the standing principles of international law claim that the United States has lost its right to bring its claim because of its own reservation.

Still, we can bring the claim, even if the Soviets decline jurisdiction, and thus use the convention to publicize acts of genocide when we believe they have occurred.

We must also reject the claims that ratification of the Genocide Convention would violate or affect the United States Constitution. The Constitution is the supreme law of the land, and it cannot be overridden by any external agreement.

As the distinguished majority leader has stated in the past:

"The rights of all remain in major focus of our foreign policy, especially when we are today beset by issues of how to stem the advance of the enemies of human rights. Let us set an example for the world to follow. Let us ratify the Genocide Convention now.

Mr. President, I believe the opposition to the Genocide Convention in its current form demonstrates extraordinary insensitivity to the many American citizens who came here following the Armenian genocide, to those who once were refugees from or had relatives killed in Hitler's death camps, to those immigrants from Southeast Asia who fled from the Khmer Rouge.

Those who object to the treaty should recognize that their concerns are not accepted

by the State Department, by the President of the United States, or by such close U.S. allies as Canada, France, Israel, Italy, and the United Kingdom.

Both West and East Germany have ratified the Convention. Our own ratification of this treaty is long overdue.

Mr. KENNEDY. Mr. President, I support ratification of the Genocide Convention, and I urge the Members of the Senate to join me in that support. U.S. ratification of this treaty is long overdue.

On December 11, 1946, the U.N. General Assembly voted unanimously to declare genocide a crime under international law. Since that time, 96 nations have agreed to that convention. The United States has been conspicuous in its absence.

In 1963, President John F. Kennedy urged the Senate to ratify this treaty. He believed that, "there is no society so advanced that it no longer needs periodic recommitment to human rights. The United States cannot afford to renounce the responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny." This sentiment applies today with equal force; we must be clear in our abhorrence of genocide and we must be emphatic in our willingness to make genocide a crime.

The arguments against ratification are unpresuasive. Nothing in the convention will override any of the basic protections of the Constitution; a treaty does not override or supersede constitutional provisions. And the convention itself makes clear that it is up to the ratifying States to adopt their own implementing legislation.

The reason why the United States should ratify the Genocide Convention is to add our name to the effort to deter genocide in the future. We have had too many examples in the recent history of humanity—the Armenian massacre, the Holocaust, and the Cambodian nightmare—not to recognize that genocide can occur and it can recur.

By ratifying this convention, genocide will become fully established in international law as a crime against humanity. This treaty is a statement of repugnance by all civilized peoples at that crime, and the name of the United States should be on that statement.

We must ratify the Genocide Convention today. We—and the peoples of the world—have waited for 35 years. We cannot wait any longer.

Mr. BOSCHWITZ. Madam President, I rise in opposition to the amendment of my friend from Idaho.

I would like to point out to my colleagues that this amendment is a good deal different than the reservations that we have entered into on this treaty. We have entered into some reservations and understandings indeed at the suggestion of the Senator from Idaho and others that affect this country's relationship to the treaty but which do not affect the relationship of other countries to the treaty.

It is an important distinction to make, Madam President, the fact that an amendment to the treaty itself would indeed effectively void it, that all other 96 nations that have already signed onto it would have to accept this amendment. But reservations that have been entered into that define the relationship of the United States to the treaty are of a different nature and of a different sort.

Those who have read the report on the Genocide Convention issued by the Foreign Relations Committee note on page 16 this distinction is made:

"A reservation is usually defined as a unilateral statement made by a contracting party which purports to exclude or modify the terms of a treaty or the legal effect of certain provisions. Ordinarily, it affects only the party entering it. All that is required of the other parties to the treaty is that they acquiesce in it. Their own treaty obligations among themselves remain unaffected."

So there, Madam President, is the difference between a reservation and an amendment such as the Senator from Idaho now suggests.

The report continues:

"The practice of entering reservations to multilateral treaties is widespread. The Netherlands, for example, entered nine separate reservations to the International Covenant on Civil and Political Rights at the time of ratification. Portugal included eight reservations in the instrument of ratification of the European Convention on Human Rights. A number of signatories have entered reservations to the Genocide Convention.

"The procedures followed by other parties to a treaty in giving effect to reservations are also well established. A state that wishes to enter a reservation must see that it is circulated to all other parties. These states than have a year in which to act. Each has the option of accepting or objecting to the reservation. In the event a party accepts the reservation, either expressly or by allowing a year to pass without objecting, the reservation becomes binding upon the accepting state and the reserving state in all disputes between the two."

So I would carefully make the distinction between what my friend from the State of Idaho is now offering, an amendment to the treaty itself, and the reservations that have been agreed to by a large number of Senators here in order to make the Genocide Convention acceptable to what I believe will be the vast majority of Senators when the matter comes to a vote.

So Madam President, this amendment is, as the chairman of the Foreign Relations Committee said, a killer amendment. We cannot allow it to be adopted. It must be rejected. The Genocide Convention that has been before this body for 38 years is now close to passage. It will be a memorable day in the history of the U.S. Senate when, indeed, this treaty is ratified.

Madam President, I rise to speak in favor of the Genocide Convention and also in opposition to the amendment that is being proffered by the Senator from Idaho.

Madam President, before I begin, I wish to say that the fact that the treaty is before us today and has a good chance of passage, after 38 years of waiting in the wings, I think is a tribute to the very forceful leadership by the majority leader, and the cooperation of Senator BYRD, the minority leader. It is also an indication that the Foreign Relations Committee is being restored to the authority and luster that it once held in this body, and in this Nation, under the leadership of Senator DICK LUGAR of Indiana and also under the leadership of the ranking minority member, Senator CLAIBORNE PELL of Rhode Island, whose father was one of the outstanding heroes of a tale that I will tell and about whom I will speak at some length.

I might say that my friend from Rhode Island has the moral antenna and decency of few I have met in my life, and I am a great admirer of his.

I also wish to commend Senator PROXMIRE for his unflagging devotion to this issue in speaking to the Senate daily and for keeping the issue alive over a long period of years. Without him, the treaty would not have reached the floor today.

The Genocide Convention, Madam President, has particular significance and particular applicability to me. Though I am not sure that the treaty will do away with genocide—indeed, genocide continues to occur to this day and is perhaps proceeding at this moment in Ethiopia. It happened a few years ago in Kampuchea. It happened many years ago to the Armenians; it happened in the 1930's at the hand of Stalin to the Ukrainians. Then in the midst of 50 million other deaths, it fell upon the Jewish people to lose two out of five of their world population during the terrible period of the Second World War in the 1940's. This treaty, Madam President, has been a long time in coming to the U.S. Senate. And again, I am not sure that it will end genocide—people's inhumanities to other people, regretfully, continues—but an important step will have been taken.

Because, Madam President, who among us can say that had the Genocide Convention been passed in the 1930's as a response to the slaughter of the Armenians and then to the Ukrainians, that had the Genocide Convention been passed and ratified by the nations of the world, including the United States of America, who among us could say that the events of the 1930's and 1940's would not have been different? Perhaps thousands, hundreds of thousands, or even millions would have been saved. And I submit that none among us could say that had the Genocide Convention been passed, and had the press been aware of the desire of nations to oppose it, that the events of the 1940's would indeed not have been different.

Madam President, I said that the Genocide Convention has particular significance and applicability to me. In late January 1983, I made an appointment with President Reagan. I went to see him a few days later with my son to tell him that January 30, 1983 was the 50th anniversary of Hitler's becoming Reich Chancellor in Germany and that the Weimar Republic at that point died. Hindenburg, who was old and infirm, stepped down. And also on that day, on January 30, 1933, my father came home—and we lived in Berlin, Germany at that time—and told my mother that we would leave Germany.

That was 53 years ago now. My father was at that time 55, the same age that I am today. He was at the height of his success. He was Handelsgerichfrat, a judge a referee—an unusual position for a Jew in Germany to have at that time. He was also a businessman, for being a referee in the commercial courts was not a full-time position. And he was indeed quite successful. And, as we would expect from any man of that age, to leave such heights and to leave a place of his home was difficult.

He was a highly successful man in the midst of a worldwide depression, and he knew that to move his family was a matter of great risk. Our travels from that day onward when we left Germany in July 1933, very early in the Hitler period, our travels were nevertheless difficult.

My father was born in a small town on the German-Polish border. Indeed, the border of Germany and Poland ran right through the middle of the town. My father was born on the Polish side and so we always found ourselves under the Polish quota. And the Polish quota, because of the actions of the

Congress in the 1920's, was always full. The German quota, on the other hand, was often empty.

We went from American consulate to American consulate, seeking entry into this country, even in 1933 and 1934, and were turned down time and again—as my wife's father was in later years. My wife and her family eventually found their way to Brazil.

We went first to Czechoslovakia, and we spoke to the American consul there and we were refused. Then we went to Switzerland, and my father spoke with the American consul there and was refused. They said, "You are Polish. The quota is full for years and you cannot enter the United States." So we went on.

We went to several other countries—Holland and Luxembourg and finally we went to England. My father felt that he was still not far enough away from Hitler's wrath that he foresaw with considerable clarity. Finally in England we found a consul who allowed us to immigrate to the United States under the German quota. We arrived December 23, 1935. So, this treaty indeed has some very special meaning to me.

For, while it is not an insurance against future genocide, if the countries of the world had ratified such a convention in the 1930's, if there had been a heightened public awareness of genocide in the world, as this convention attests that there is, who among us would not say that the genocide of the 1930's, conducted by Stalin against the Ukrainians and the genocide of Hitler against the Jews and against many other good people as well, might not have occurred. Who among us would say that history might not have taken a different course? Perhaps genocide would not have been averted, but certainly its course, its extent, its intensity would have been much different. The borders of other countries might not have been slammed shut to the victims, as it was, even at the height of the horror in the 1940's. The Jews of that period simply had no place to go.

What if my father had not made that decision to leave Germany? We would have been among the statistics, our ashes would have risen to the heights of Auschwitz. The figure would have been 6 million and 6 instead of 6 million, though it would not even have been adjusted.

But had this treaty been in effect, had the awareness of the world been enlightened, had the press known that 100 countries had signed such a treaty, would they have directed their activitis differently? Would hundreds or thousands or more have survived? I submit that that would have been the result.

Recently, a book was written entitled "The Abandonment of the Jews," by David Weinman, who is a non-Jew, who spoke of how leaders of the world—many of them revered in our memory, I might say—did nothing despite clear and overwhelming evidence that the atrocities that were taking place were actually happening—newspapers would not publish stories, statesmen would simply not act and millions were herded into the gas chambers, many of them from my family, none of whom I knew because I was 2 years old, Madam President, when we left Germany, but many of whom my father often spoke to me about. One of the few people, indeed, one of the very few people, during that time to speak up was Herbert Pell, the father of Senator CLAIBORNE PELL. Senator PELL's father was then a high ranking member of the State Department. For his efforts he was effectively expelled from the State Department, the budget for his activities removed.

I might say another member of the Pell family, Robert T. Pell, was instrumental in convincing the Dominican Republic to develop a haven to which somewhat less than a thousand Jews went from Europe at a time when they really could go nowhere else.

In that regard, it is interesting to note that when I made a speech not so long ago to a group of Canadians, I spoke about the book "The Abandonment of the Jews." They responded by saying, "Let us send you the one about Canada." In Canada the companion book is entitled "None is Too Many," because there too the gates were closed to the Jews.

It is also interesting and sad to note that a look at immigration patterns over the history of this country shows that in the 1930's, when the need was so great, we reached the lowest levels of immigration. There was no previous period of our existence as a country when immigration was as low. Ninety percent of the quota, Madam President, went unfilled. It simply was not filled. It is emotional for me to speak about this fact when I think about the millions of people whose ashes were just swept through the chimneys of those concentration camps.

But let me read about Herbert C. Pell, who was appointed to the War Crimes Commission by President Roosevelt, an old friend. This organization first met in December 1943. The book, "The Abandonment of the Jews" that I have mentioned, goes on at some length about the attitude of the American Government during those times. It states: "From the outset Pell wanted the Commission to be as 'tough as possible.'" He strongly proposed the view that atrocities committed by the axis on civilian populations were not outside the realm of war crimes. He won some members of that Commission over to his broader interpretation but they could not act without orders from their government. The matter bogged down because neither Pell nor Sir Cecil Hearst, the British representative, and Commission Chairman, could get his government to take the position on it.

"In January 1945, after 8 months without an answer, Hearst quit in disgust. The State Department treated Pell even more shabbily. Despite his frequent requests for instructions on policy issues, it never gave him definite directions. Thus, while he could lobby other Commissioners, he had no authority to take official positions themselves. His lack of power was not acknowledged."

Further on, the book states that the State Department officials assigned to the War Crimes Commission questions intended to make Pell's mission fail. Continuing to quote:

"In December 1944, Pell returned to the United States to try to clarify the problem. He made no progress with the State Department, but conferred with Roosevelt on January 9th. By then, Hearst had resigned the War Crimes Commission, and it appeared that Pell would become the chairman. The President reassured him, and as he left said, 'Good-bye, Birdie. Good luck to you. Go back to London as quick as you can and get yourself elected chairman.' When Pell went to the State Department to bid his formal farewell, he was astonished to hear Statinious say that the Department had been unable to obtain the appropriation for continuing his work. The only choice was to close his office and have some regular American official represent the United States on the commission."

Later, the book also states:

"What Pell definitely achieved then was to force the administration to make its war crimes policy public, a step that the War Refugee Board greatly desired. Whether his year of effort in the War Refugee Board added pressure and influenced policy itself cannot be determined."

But this man, the father of Senator PELL, was among the few who spoke out and tried to have an impact on American policy—and was totally unsuccessful.

The United States did little—close to nothing. I pointed out that immigration during that period fell to its lowest point in our history. A mere 10 percent of the quotas were filled. My people were allowed to languish, suffer, and die uncharted deaths. Other countries, as I have mentioned, did little more or did nothing at all.

My family and others who were able to get out are sprinkled all over the world: Brazil, Cuba, Kenya, Shanghai, China, the Union of South Africa, Australia, and a number of other countries as well. But many, many more were lost and are no more. Who among us, Mr. President, can say that a Genocide Treaty would not have been effective if it had been in existence back in those days? Who among us can say that the results would not have been different, whether with respect to a single human being, hundreds, thousands, perhaps millions? If the consciousness of nations had been awakened as it is now by this treaty; if the press were freer as it is today, and more aggressive as it is today, who among us can say that the presence of this treaty would not indeed have affected those terrible days?

So, Madam President, I hope we vote 100 to zero to ratify this treaty. No authority or sovereignty of the United States is threatened but countless millions may someday be saved.

Mr. LAUTENBERG. Mr. President, I rise in strong support of ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. The time has come for the United States of America to take its rightful place among the family of nations that have already ratified this document. We must delay no longer.

I would like to commend Senator Proxmire for his efforts on behalf of ratification. Senator Proxmire has been a lone voice, crying in the wilderness, urging ratification of this treaty. He has made literally thousands of speeches on this matter here in the Senate, and I congratulate him for his diligent attention to this important issue. I hope that the action we take today in ratifying the U.S. Convention on the Prevention and Punishment of the Crime of Genocide will vitiate the need for Senator Proxmire's efforts.

I have had many opportunities to study first hand the heartrending evidence of the most far-reaching campaign of genocide in history, the despicable work of the Nazis before and during World War II. That one group of human beings can turn against another in an attempt to wipe them off the Earth is beyond comprehension, and yet it has happened, again and again.

Early in this century, the Turkish slaughter of the Armenian people was an early and unfortunate example of genocide. What was originally called the Ukrainian famine of 1932-33 is now known as a broad and ochestrated campaign of starvation, physical abuse, and internment, and called genocide by many. Today Cambodia is reported to be the site of genocide killings.

The litany goes on. The victims are many, the voices of outrage too few. The ratification of an international treaty outlawing the practice of genocide seems a small enough protest against the enormity of the crime. Still, this is a government of laws, and we write the moral bases of our society into law.

It is therefore imperative that after a 35-year delay, the Senate should give its advice and consent to the signing of the Genocide Treaty.

President Truman transmitted the Genocide Convention to the Senate for its advice and consent on June 16, 1949. Hard on the heels of the end of World War II and the revelation to the world of the Nazi extermination camps, the United States declared genocide a crime under international law. This was followed by the drafting of the Convention of Prevention and Punishment of the Crime of Genocide.

Let us not lose sight of the background. The world was shocked by the evidence of lengths to which man can go when driven by irrational forces. One reaction was the swift passage of measures to outlaw and punish such genocidal actions against a whole people.

The convention would have made it possible to punish those responsible for the atrocities committed against the Armenian people in Turkey during the time of the First World War. Some 1.5 million people of Armenian ancestry were killed throughout the Ottoman Empire, and more were driven from their homes during that time.

The convention would have made it possible to punish those responsible for the actions of the Soviet Government during the early 1930's which resulted in wholesale deaths and displacement of the Ukrainian people.

The convention would have made it possible to punish those responsible for the deportation of Jews from all over Europe to slave labor and death camps in Germany and Eastern Europe for the express purpose of wiping out the Jewish people.

The convention would make it possible to punish those responsible for the intentional uprooting and killing of the Khmer Rouge forces.

Mr. President, no reasonable objection can be made to a treaty that labels genocide an international crime which must be prevented and punished.

I urge my colleagues to vote to ratify this convention. The United States must join over 90 of her sister nations in denouncing genocide.

Mr. RIEGLE. The Senate's ratification of the Genocide Treaty today is one of the most important actions ever taken by this body. As one of the first nations to endorse the convention at the United Nations 36 years ago, it is appropriate that the United States, as a key defender of human rights around the world, join the 96 other signatory nations in condemning the act of genocide.

In 1949, President Truman first submitted the Genocide Treaty to the U.S. Congress for ratification. Since then, the convention, which declares the systematic killing of racial, ethnic, or religious groups a crime under international law, has had the support of Presidents Kennedy, Johnson, Nixon, Ford, and Carter. On September 6, 1984, President Reagan became the seventh President to urge the Senate to give its consent to ratification.

Disagreement over the legal meaning and effect of this treaty has prevented the Senate from approving this convention for the past 36 years. To alleviate concerns that certain obligations under the convention are not clearly defined and may conflict with the U.S. Constitution, the Senate Foreign Relations Committee has drafted a set of eight provisos which delineate and qualify the legal obligations that the United States will incur in ratifying the convention. In so doing, the committee has quieted many of the treaty's critics, and has facilitated its approval by the Senate.

Today's ratification of the Genocide Treaty pays tribute to the million of victims of genocide, including the 1.5 million Armenians whose massacre between 1915 and 1923 set the stage for the annihilation of 6 million Jews just a few decades later. In addition, we remember the millions of Ukrainians who perished in the only man-induced famine in history, and the killing of millions of Cambodians at the hands of the Pol Pot regime. These events are part of the darkest chapters in the world's history.

Even now, the threat of genocide is not safely in our past. Many ethnic and religious minorities around the globe—including the Baha'is of Iran—continue to be at risk.

Unfortunately, mere Senate ratification of the Genocide Treaty will not end the injustices of the world. What ratification will do, I believe, is demonstrate the commitment of this country to the protection of human rights and thereby legitimize our Nation's standing as the greatest protector of human rights in the world. No longer can our adversaries challenge U.S. dedication to human rights by focusing on our failure to ratify the Genocide Treaty.

In the three and a half decades that the world has waited for the United States to lend its support to the Genocide Treaty, distinguished proponents of Senate action have kept the debate alive. Since 1967, the regular speeches on the Senate floor by our distinguished colleague from Wisconsin, Senator PROXMIRE, urging prompt ratification of the convention, have provided daily reminders of the importance of endorsing the convention, and of the damage rendered by our continued failure to do so.

One of our greatest teachers on the moral imperative of protecting the world from the horrors of genocide is the distinguished humanitarian and survivor of the Holocaust, Elie Wiesel.

Through his words and deeds, Elie Wiesel has etched in the world's memory the horrors of his own experience, in the hope of preventing the occurrence of future holocausts. He eloquently reminds us that respect and dignity for each individual is essential to the achievement of world peace.

I am pleased that, after long years of waiting, the Senate has today taken an important step toward achieving that goal by voting overwhelmingly in favor of ratifying the Genocide Convention.

Mr. HELMS. Mr. President, the vote which the Senate is about to conduct upon the so-called Genocide Convention is, at most, symbolic. Thanks to the eight provisos—on reservations—that some of us insisted should be a part of the instrument, the sovereignty of our Nation and the freedom of our people have been protected against assault by the World Court.

In other words, the treaty has been defanged in terms of the dangerous defects in its original version.

Mr. President, I will not delay the Senate with a reiteration of what I said on this floor yesterday. For those who may have an interest in my concerns, I would refer them to pages S 1261 through S 1273. Of particular interest will be the testimony of the late, great Senator Sam Ervin when he appeared before the Committee on Foreign Relations on May 22, 1970.

So, Mr. President, this Genocide Convention upon which we are about to vote is purely symbolic. We might as well be voting on a simple resolution to condemn genocide—which every civilized person does.

My vote against the treaty is likewise symbolic. Even in its present form, harmless as it now is, this treaty has the remote potential of an entangling alliance. So I shall vote against it for that reason—and also as a postscript of gratitude to a great American, Sam Ervin, who long ago took the time to make me aware of the great constitutional implications of this treaty in its original form.

Mr. PELL. Mr. President, today the Senate has a historic opporunity to give its advice and consent to the Genocide Convention. After 36 years of effort, we stand at the threshold of ratification of this landmark human rights document. I very much hope that the Senate will proceed to a final vote on the resolution of ratification.

Just 14 months ago, we briefly considered the Genocide Convention in the final days of the 98th Congress. The prospects for ratification has been greatly enhanced by President Reagan's strong endorsement of the convention in the final month of the 98th Congress. Shortly thereafter the convention was ordered reported favorably by the Foreign Relations Committee by an impressive 17-to-0 vote. We knew we were racing against the clock, but with the support of the administration, the American Bar Association, and virtually every major human rights and religious organizations in the country, we were ready to begin the final push for ratification.

Faced with the reality of a filibuster at the end of the 98th Congress, the Senate suspended consideration of the convention and in its stead adopted a resolution expressing support for the principles contained in the Genocide Convention, and pledging expeditious action in the first session of this Congress. That resolution passed the Senate by a vote of 87 to 2, signaling our detemination to, at long last, get this treaty to the Senate early enough in this session to give it a favorable chance of passage.

I hope that we will not be faced this session with virtually the same situation that existed a year ago. The convention was reported favorably by the Foreign Relations Committee, for the sixth time, in May and has been on the Senate calendar for many months. I remain hopeful that we will still be able to complete final action on the convention before this session is over.

I think it is important to reflect for a moment on why it is so essential for us to ratify the Genocide Convention. The convention arose from the ashes of the Holocaust, a response to the attempted extermination of European Jews by the Nazis and, therefore, regarded as much for symbolic as well as for its practical effect. In this century we have also witnessed the massacre of the Armenians in the Ottoman Empire and the barbarism of the Khmer Rouge in Cambodia during the 1970's millions upon millions of lives have been lost.

Mr. DODD. Mr. President, I join my colleagues in today's special order to commemorate the 70th anniversary of the Armenian genocide. By honoring the victims

of the first genocide of the 20th century we can preserve the memory of this bleak chapter in human history. We must vividly remember such events of the past, if we are to learn from them and prevent their reoccurrence.

On this day 70 years ago, Turkish leaders set in motion a plan to systmatically eliminate their Armenian subjects from existence, thereby setting the so-called Armenian Question once and for all. By 1923, approximately three quarters of the Armenian population living in Armenia and Turkey, over 1.5 million people, perished either through outright killing or through a brutally executed deportation program. To this day, successive Turkish governments have denied that these horrible events took place. The number of Armenians killed, they claim, was less than 30,000 and their death was due to their disloyalty in siding with Russia at a time when Turkey was fighting a war on several fronts.

The truth of this tragedy, however, cannot be covered up. Substantial documentation exists in U.S. Archives, and the U.S. Ambassador to Turkey, Henry Morganthau, Jr., at the time, made several declarations on what he learned about these atrocities. There exist many survivors who witnessed the genocide and gave testimony about its occurrence. Our own Government, however, has shown considerable lack of sensitivity on this issue, ostensibly to prevent a loss of favor with our strategic NATO ally Turkey. An August 1982 State Department bulletin stated that—

"Because the historical record of the 1915 events in Asia Minor is ambiguous, the Department of State does not endorse allegations that the Turkish government committed a genocide against the Armenian people. Armenian terrorists use this allegation to justify in part their continuing attacks on Turkish diplomats and installations."

Defense Secretary Weinberger has made similar public statements and President Reagan, himself, has refused to issue a statement honoring "Armenian Martyr's Day." I find this posture inexcusable and disrespectful to Armenian-Americans who have made such great contributions to our country.

To deny the existence of the Armenian genocide is an affront to the proud descendants of an heroic people and is unbecoming for this Nation, the very foundation of which rests upon the values of individual liberty and freedom. Senate Joint Resolution 101, of which I am a cosponsor, would designate April 24, 1985, as "National Day of Remembrance of Man's Inhumanity to Man." Enacting this legislation would demonstrate this country's dedication to the values of the sanctity of human life and the historical truth. Some claim that Senate Joint Resolution 101, if enacted, would encourage terrorism. I condemn all acts of terrorism committed by Armenians against Turkish diplomats in the strongest possible terms, as do the overwhelming majority of Armenian-Americans. It is only a small group of extremists who have resorted to violence and sullied the reputation of a decent and respected people, further victimizing all Armenians. Senate Joint Resolution 101 will stand as testimony from this Nation that we shall not forget these events and that they shall be remembered precisely to avoid their future reoccurrence.

Two decades later, Adolf Hitler could borrow Talaat Pasha's methods for handling his minorities because the world remained indifferent to the events of 1915. Citing the unnoticed case of the Armenians, he declared that, "Masses of men are mere biological plasticine." One result of the Nazi Holocaust has been the creation of the International Convention on the Prevention and Punishment of the Crime of Genocide. This treaty has been ratified by most nations on Earth, and I feel that ratification by the United States is long overdue. I urge my colleagues to join me in support of both Senate Joint Resolution 101 and the Genocide Convention to reaffirm our Nation's commitment to international law and justice and to protect potential victims of the unspeakable crime of genocide.

At this time, I ask to have printed in the RECORD an editorial which appeared in the Hartford Courant on April 21, entitled, "On the Evil of Genocide."

The article follows:

ON THE EVIL OF GENOCIDE

April is the month when two ancient peoples commemorate the two saddest periods in their modern history.

Jews around the world gather to honor the memory of the 6 million murdered on orders of a madman during World War II. Armenians around the world also gather to honor the memory of the nearly 1.5 million murdered on orders from three maniacal Turkish rulers during World War I.

This year is the 70th anniversary of the terrible event in Asia Minor and the 40th anniversary of the end of the Nazi nightmare. It is also the 37th year of the international treaty on genocide. Nearly 100 nations have approved it, but not the United States.

Yet another attempt is being made in the U.S. Senate to ratify the treaty, which historically has been opposed by isolationist elements in America. Meanwhile, more than 100 members of Congress have co-sponsored a resolution that would create a "National Day of Remembrance of Man's Inhumanity to Man" on April 24, the day the Armenians commemorate the attempt to eradicate them as a people. Among the co-sponsors are Reps. Nancy L. Johnson of New Britain, Sam Gejdenson of Bozrah, Barbara B. Kennelly of Hartford and Bruce A. Morrison of Hamden.

The Reagan administration initially opposed both items. It has now expressed support for the genocide treaty, but with reservation. It continues to object to the resolution on the grounds that it would "complicate" relations with the government of Turkey and would "encourage" those relations few Armenians who have resorted to terrorism against Turkish diplomats.

On the contrary, the resolution would strengthen the case of mainstream Armenians against those terrorists who claim that the only way to achieve recognition is through the madness of revenge.

As for complicating relations with Turkey's government, it seems inconceivable that the contemporary rulers in Ankara will sacrifice massive U.S. aid because Congress, in a resolution, formally recognized the genocide that took place 70 years ago.

The resolution is directed at the Ottoman rulers of another era, not the rulers of modern Turkey.

Opposition to the genocide treaty is similarly indefensible. Genocide, the systematic killing of, or a program of action intended to destroy, a whole national, religious or ethnic group, is not just a crime of the past. In this century, it began in Turkey in 1915. Adolf Hitler, when warned about international consequences of his Final Solution, advised his cohorts not to worry because after all, nobody remembered what happened to the Armenians.

In recent times, some African governments attempted to exterminate tribes. The Khmer Rouge succeeded in wiping out about one-fifth of Cambodia's population. Some dictators in Latin America have directed their violence against Indian people in their countries.

And yet, some U.S. senators are still arguing over whether to ratify the treaty that could bring perpetrators before an international tribunal. The latest qualifier proposed by congressional isolationists, and supported by the administration, would require that before a case is accepted by the world court, both the accused and the accuser would have to agree to take it to the court.

Could anyone imagine that Hitler or Idi Amin would have agreed to go to the world court to respond to their accusers?

Some opponents claim that if the United States ratified the treaty, it could be taken to court for alleged crimes in Vietnam or Nicaragua. They say that under terms of the treaty, the death of a single person could constitute genocide. They say that U.S. support for birth control programs would be deemed genocidal.

These arguments are absurd, as is the argument that the treaty may conflict with freedoms guaranteed by the U.S. Constitution.

Seventy years after the Armenian Genocide and 40 years after the Holocaust, let the United States take the symbolic steps of ratifying the treaty and approving the congressional resolution. For the real effects would be symbolic, but still important for a nation that champions humanitarian ideals.

Mr. DOLE. Mr. President, we are not even debating yet the resolution. We are debating whether or not we should proceed to the resolution.

Normally around this place at least we get to the resolution. This is a commemorative resolution. I have heard at least two of my colleagues say, "Oh, I cosponsored that, but then I changed my mind upon reflection." But nothing has changed. There are still a million and a half Armenians slaughtered. We still waited 75 years. And I will print in the RECORD tomorrow where a group of Nobel laureates said to the Armenians and Turks, "Let us sit down and see if we cannot work out some agreement." The Turks would not show up. When are we going to have the justification for the Turkish attitude?

So I urge my colleagues when it comes 1 o'clock tomorrow to vote to invoke cloture on the motion to proceed. We need 60 votes. It will be hard to do. There are a lot of powerful influences at work. It is a David and Goliath story, and David does not have much to work with. He cannot do anything for anyone in this instance except state the case and make the record and pile up the evidence, which is clear and convincing, in the view of the Senator, that we ought to act. We ought to have as much courage as they had in 1920 in the Senate when it was unanimous.

We ought to recognize the fact and the Turks ought to recognize the fact that we are talking about the Ottoman Empire, not the Turkish Republic.

Germany accepted the fact. Ataturk accepted the fact. Other Turkish officials accepted the fact. I think it would be very helpful to the Turkish Republic to accept the fact that this did happen. I do not think it would impair our relationship one bit.

We will have a couple of hours of debate tomorrow. I hope my colleagues and members of their staff who are still with us will review the evidence. I have nothing but the highest regard for my colleague from West Virginia. We have differences of opinion on this matter. It is not very often we do have. He feels strongly; I feel strongly.

I have the tougher case. I have to get 60 votes. We will see what happens tomorrow at 1 o'clock.

EXHIBIT 1

PRE- AND POST-GENOCIDE ARMENIAN POPULATION FIGURES

Issue: In 1912 there were 2,100,000 Armenians living in Turkey, in 1923 less than 1,000,000—the best estimate is that 1.5 million were killed and the rest were refugees or forced to convert to Islam. Opponents claim the number of deaths were much smaller (200,000-600,000 deaths), but even the Turkish Interior ministry recorded 1,100,000 "deportations" by 1919.

POINTS AND AUTHORITIES

1. The Armenian Patriarch of Turkey kept statistics of the Armenian population because: (1) under the Ottoman Moslem government religious authorities had jurisdiction over (private legal) aspects of their community's life; (2) when Armenians were baptized, married, and died, the church recorded it; and (3) as a democratic institution, the Armenian church had to determine proportional representation and dues for the local parish at annual meetings. In 1882, the Patiarch published statistics showing 2,660,000 Armenians in Turkey; in 1912 those statistics showed only 2,100,000; and by 1923 less than 100,000 remained. (The decrease from 1882 to 1912 is attributable to the massacres of 300,000 Armenians from 1894-1896, additional massacres in 1905 and 1909, and refugees fleeing to Russian Armenia.) Based on refugee immigration around the world and contemporaneous accounts, the best estimate is that 1.5 million Armenians were killed. D.M. Lang and C. Walker, "The Armenians" at p. 8 (1987). Obviously no death certificates were issued.

2. Today, Turcophiles (most notably Justin McCarthy) claim that only 200,000 to 600,000 Armenians died. McCarthy arrived at his figures by applying complicated theoretical formulas to erroneous mid nineteenth century population numbers, plugging in ridiculous population and mortality rates and arriving at a magic number which he admits may be off by 50%. Critics have devasted his book "Muslims and Minorities: The Population of Ottman Anatolia at the End of the Empire" (1983). McCarthy and those like him are as off base as those who recently claimed in the newspaper "Sieg" that only 200,000 Jews died during World War II, and that was part of the German-Jewish war.

3. Ottoman government officials drastically underestimated Armenian population figures before the genocide to preclude claims of self-determination in areas where Armenians formed the majority, but during the genocide those records go much farther than Turcophiles today. In 1920 U.S. Major General James Harbord wrote that "[t]he official reports of the Turkish government show 1,100,000 as having been deported." Harbord Report to the U.S. Senate, 66 Cong. Doc. No. 266 (1920). In March 1919, the Ministry of Interior issued the figure of 500,000 dead Armenians.

4. In 1920, Ataturk even acknowledged (as recorded by his Turkish colleague Rauf Orbay) 800,000 Armenians massacred.

5. By October 6, 1915, in the House of Lords Viscount Bryce had already reported 800,000 Armenians massacred, and contemporaneous news reports from all over the world showed at least 1,000,000 killed by December 1915.

SUPPORTING MATERIALS ATTACHED

1. Patriarch's figures from R. Hovannisian "Armenia on the Road to Independence."

For the three principal nationalities inhabiting Turkish Armenia, the Patriarchate gave the following statistics:

	Turks	Kurds	Armenians
Erzerum	240,000	75,000	215,000
Van	47,000	72,000	185,000
Bitlis	40,000	77,000	180,000
Kharput	102,000	95,000	168,000
Diarbekir	45,000	55,000	105,000
Sivas	192,000	50,000	165,000
Percentage of total population	25.4	16.3	38.9

1920 S. RES. 359

Issue: Prior, contemporaneous Senate legislative acknowledgment of the genocide.

POINTS AND AUTHORITIES

On May 11, 1920, the Senate passed S. Res. 359 which included: "Whereas the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered."

SUPPORTING MATERIAL ATTACHED

S. Res. 359, 66th Cong. 1920.

S. RES. 359

Whereas the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered; and

Whereas the people of the United States are deeply impressed by the deplorable conditions of insecurity, starvation, and misery now prevalent in Armenia; and

Whereas the independence of the Republic of Armenia has been duly recognized by the Supreme Council of the Peace Conference and by the Government of the United States of America: Therefore be it

Resolved, That the sincere congratulations of the Senate of the United States are hereby extended to the people of Armenia on the recognition of the independence of the Republic of Armenia, without prejudice respecting the territorial boundaries involved; and be it further

Resolved, That the Senate of the United States hereby expresses the hope that stable government, proper protection of individual liberties and rights, and the full realization of nationalistic aspirations may soon be attained by the Armenian people; and be it further

Resolved, That in order to afford necessary protection for the lives and property of citizens of the United States at the port of Batum and along the line of the railroad lading to Baku, the President is hereby requested, if not incompatible with the public interest, to cause a United States warship and a force of Marines to be dispatched to such port with instructions to such Marines to disembark and to protest American lives and property.

EXHIBIT 2

THE POST-WORLD WAR I TURKISH TRIALS OF GOVERNMENT OFFICIALS FOR THE PREMEDITATED ANNIHILATION OF THE ARMENIANS

Issue: After World War I, the Turkish government tried and convicted national and provincial officials for ordering and implementing race-extermination plans. These trials and the evidence introduced in the proceedings are dispositive factors in the debate over the Armenian genocide. Some opponents say the trials were only for show, but the evidence (telegrams, orders, etc.) placed in the records are overwhelming.

POINTS AND AUTHORITIES

1. The predecessor to the current Republic of Turkey actually tried and convicted former government leaders for the "premeditated decision and execution of plans to annihilate the Armenian nation." Those who deny the Armenian genocide conveniently fail to acknowledge this dispositive fact in the debate when they urge you to oppose this resolution.

Besides the trials of major government leaders held in Istanbul, moreover, local officials were tried and convicted in provincial courts for the same crimes. "The common element in all the verdicts was the finding that the [Armenian] deportations were a cloak for the central plan of destruction of the deportees." (Dadrian, "Genocide As a Problem of National and International Law," 14 Yale Journal of International Law, 221, 308 (1989), citing official Turkish court reports of trials held in Trebizon, Yozgat, Harput, Istanbul, and Erzincan).

2. The indictment details the premeditated race-extermination charges against the responsible officials. In addition, the indictment cites and summarizes some of the incriminating telegrams and orders. These documents conclusively establish the government's systematic plan to exterminate the Armenians through massacre, deportation, and forced starvation. These documents, are among the archival items which the Turkish government will not release. Instead, the government opens only the officially "catalogued" or "classified" archives while claiming that everything is open. Thus, credible scholars question the value of the government's purported opening of the archives as far as the Armenian genocide is concerned.

3. The attached documents show that, after the war, the Turks officially recognized that the government intentionally annihilated an entire nation. The cold facts are that from an Armenian population of 2,100,000 in 1912 (calculated from church records such as baptisms, wedding, and funerals) less than 100,000 were left in the Armenian provinces of Turkey. As objective analyses and the contemporaneous accounts from Turkey's friends and foes alike confirm, massacres account for approximately

1,500,000 of the difference. Refugees and forced conversions to Islam account for the rest.

SUPPORTING MATERIAL ATTACHED

1. Letter from UCLA Professor Emeritus Leo Kuper attaching summaries of the indictment and verdict with an introduction and brief background to the trials.

2. Translated copy of the indictment.

INTERNATIONAL ALERT,
Los Angeles, CA, November 9, 1989.

To MEMBERS OF CONGRESS:

I am writing in connection with the proposed day of remembrance of the massacres of Armenians during World War I.

As a sociologist concerned with major issues of human rights, I have carried out research, and written extensively over a period of some twenty years on the crime of genocide and the means for its prevention.

The massacre of Armenians is one of the cases I studied intensively. Based on a wide range of sources, including not only eyewitness accounts and the testimony of survivors, but also governmental records, there is conclusive evidence that the massacres constituted the crime of genocide.

Among the less publicly known documents is the record of the Turkish court martial proceedings against leading members of the former government, including the Ministers of War, the Interior, and the Navy, and the Committee of Union and Progress, who organized the killings.

Attached to this letter is a summary of the indictment and of the sentences, as well as a brief statement on the background to the Armenian tragedy.

LEO KUPER,
Professor Emeritus UCLA and Vice President, International Alert Against Genocide and Mass Killing.

TURKISH COURT MARTIAL PROCEEDINGS

INTRODUCTION

Following World War I, the new Turkish government instituted courts martial against the Young Turk dictators, including the ministers of War, Interior, and Navy and other members of the dominant Committee of Union and Progress [CUP], who had perpetrated the genocide of the Armenians.

These proceedings established, beyond any doubt, that the deportations and massacres against the Armenian people during the War were planned and premeditated. The aim of the policy was clearly the extermination of all Armenians in Ottoman Turkish territories.

The evidence gathered and introduced at these trials included official telegrams sent by the central government to the provinces and accounts by eyewitnesses from various nationalities. The transcripts recording this evidence are widely available, since they were reported in the official gazette of the Ottomon Empire, the Takvim-i-Vekayi. Yet the Turkish government has never released the actual evidence. In fact, in some of the verified testimony, former officials acknowledge that they were ordered to destroy critical evidence.

Rejecting defenses based on the "orders from higher authorities" argument, the courts overwhelmingly found those indicted guilty as charged.

After World War II the Allies used these proceedings as precedent for the Nurnberg trials.

BRIEF BACKGROUND

Starting in 1915, the Ottoman government embarked on a course to exterminate the Armenian people. To its credit, the post WWI Turkish government instituted courts martial to prosecute those responsible for the worst crimes. The trial of the Young Turk leaders, initiated by the new government of the Ottoman Empire, is the first official war crimes trial. The Extraordinary Courts Martial dealt with the major question of the subversion of the constitutional order and the wholesale deportations and massacres of the Armenian population of the Empire during World War I, what came to be known since as the Genocide of the Armenians.

The government plan to try those responsible for crimes during the War divided defendants into three categories:

1. Major criminals, who would be tried before the Supreme Court;

2. Functionaries cooperating with major criminals, who would be tried in civil courts;

3. Common citizens, who would be tried in lower courts.

Extraordinary courts would be formed according to articles 89 and 91 of the Ottoman constitution. The Empire was divided into ten zones to try all the criminals. By January 1919, prosecutors and judges of instruction were selected for four of the regions.

The Commission of Inquiry established by the new Turkish government was authorized to collect all evidence from the governors throughout the Ottoman Empire. The Commission, through the Ministry of Interior and Post and Telegraph (PTT), requested that PTT offices in the provinces submit to the capital all communications which were sent out by the defendants pertaining to Armenians from May 1915 through April 1917. Many governors complied, others did not. In addition, the Commission of Inquiry interrogated the statesmen and military commanders who served under the Young Turk government during the War.

Enough evidence was gathered in 1918 to implicate a number of members of Parliament, making it a liability for a government trying to distance itself from the extermination policy of the Young Turks. The Sultans dissolved Parliament. Calls for the imprisonment of those who had taken an activie part in the implementation of Young Turk policy increased. In an attempt to bring some legitimacy to his government, Ottoman Foreign Minister Mustafa Reshad Pasha stated in Paris, in 1919: "A pallid light is extended upon the atrocities committed against the Armenians, atrocities which aroused the indignation of humanity; our land has been given back to us transformed into a gigantic slaughter house."

By the end of 1918, almost 200 CUP leaders had fled, but the Ottoman government demanded the extradition of major criminals.

Ultimately the Ottoman government arrested about 100 who fled. On December 9, 1918, a Court Martial consituted to try Enver, Jemal and Talat the major perpetrators. The verdict, given on July 5, 1919, condemned all three and Nazim, and sentenced in absentia to death. The courts martial in Istanbul also announced that others involved in deportations and massacres at Ankara, Gerasoon, Sivas, Adabazar, Bilejik, Bitlis, Izmit, Mamuret ul-Aziz, Amasia, Der ez-Zor, Kirshehir, Diyarbekir, Kayseri, Konia, Changeri, Adrianople, Karahisar, Adana, Chatalja, Dardanelles, Bafra, Marash, Akhisar, Istanbul, and Kutahia must be brought to justice. By April 1920, the Commission of Inquiry had 110 files yet to be examined and the Courts Martial office had more than 100 dossiers of people to be brought to trial. The rise of the nationalist movement in Turkey and changes in Western policy toward it made it impossible to continue trials of Turkish leaders for crimes committed against non-Turks.

LIST OF MAJOR DEFENDANTS MENTIONED IN THIS FILE

Aziz Arif—Head of the special Organization in Istanbul.

Enver Pasha—Minister of War, Commander-in-chief of the Ottoman Army. Member of the CUP Central Committee.

Hasim—Minister of Post and Telegraph.

Ahmed Izzet Pasha—Former Prime Minister.

Jemal Pasha—Minister of Marine. A fugitive abroad. Member of the CUP Central Committee.

Mahmud Kamil—Former Commander of the Third Army.

Musa Kazim—Former religious head.

Nazim Effendi—Minister of Education, Special Organization and CUP leader in Istanbul.

Rifat Bey—Speaker of Upper House of the Ottoman Parliament.

Riza Bey—CUP plenipotentiary in Trebzon.

Behaeddin Shakir—Head of the Special Organization.

Javid Sheref—Minister of Finance.

Mustafa Sheref Bey—Minister of Commerce and Agriculture.

Talat Pasha—Minister of the Interior, former Prime Minister. President of the Central committee of the CUP.

Vehip Pasha—Commander of the Third Army.

SUMMARY OF THE INDICTMENT AGAINST THE LEADERS OF THE YOUNG TURK GOVERNMENT OF THE OTTOMAN EMPIRE—APRIL 12, 1919

[Full text of indictment reading during the first session of the court martial, April 27, 1919 and reported in Takvim-i-Vekayi (official gazette of the Ottoman Empire,) Number 3040.]

The post-War Turkish Government indicted the leader of the Young Turk Government of the Ottoman Empire, all members of the Committee of Union and Progress (CUP), for the following [numbers are for convenience]:

1. The Committee of Union and Progress had operated in two ways in an effort to deveive the people:

(a) as a public organization, a party abiding and acting by its by-laws;

(b) as a secret agency, acting through oral and secret instructions aimed at the destruction of the Armenians and subverting the constitution.

2. CUP activities were marked by violence, murder, pillage and abuse. Talat, Enver, Jemal and their party resorted to terror and violence in ruling the country, causing enormous disaster.

3. The CUP had decided to enter the War on the side of Germany long before the Ottoman Empire declared war formally.

4. To realize its secret program of eliminating Armenians, the CUP set up the Special Organization, composed mainly of criminals released from prisons.

(a) Ostensibly, the Special Organization was created to help the war effort. In fact, it was involved in criminal activities. Behaeddin Shakir was stationed in Erzerum and supervised the brigades in the Eastern Provinces. Riza was in Trebizond. Aziz Atif and Nazim led the effort in Istanbul.

(b) The Special Organization was given abundant money, secret cipher codes, vehicles and weapons.

(c) Members of the Special Organization, the CUP Representatives and local employees were engaged in manslaughter, pillaging, burning of buildings and bodies, and violating the honor of women. All Ottoman subjects suffered from these acts and a significant number of those who suffered were Armenians.

(d) An important portion of the files of the Special Organization and the files of the CUP Central Committee regarding Armenians were stolen.

The specific object of this investigation being the tragedy that befell the Armenians during their deportation, the Court notes.

5. These tragic acts were not local or isolated incidents but were brought about by a central body, consisting of the indicted defendants, who directed them through oral and secret instructions.

(a) The Ministry of Interior headed by Talat and the CUP were both engaged in organizing the Special Organization which was employed in massacring and annihilating the convoys of deported Armenians.

(b) Telegrams demonstrated that Talat, Enver and Jemal ordered the massacres. The CUP government leaders gave strict orders to bury the dead and burn their effects, as corpses lay around for too long or were thrown into rivers, particularly the Euphrates, embarrassing the authorities and contaminating the environment.

(c) Talat approved the drowning of Armenians in the Black Sea.

(d) Vehip Pasha [who replaced Mahmud Kamil as Commander of the Third Army] testified that the destruction and annihilation of the Armenians and the plunder of their belongings were the result of the decisions of the Central Committee of the CUP.

(e) Naxim believed that the measures taken against the Armenians would permanently solve the question of Turkey's treatment of minorities.

(f) Talat was aware of and consistently refused to act seriously on reports concerning the Armenian massacres.

6. The CUP intended to annihilate the Armenians through deportation and massacres.

(a) The CUP and Government carried out deportations and massacres even in distant places where there was neither military nor disciplinary necessity.

(b) The governor of Mamuret-ul-Aziz reported that all the roads were covered with so many corpses of women and children, that they didn't have enough manpower and time to bury them quickly.

(c) From Diyarbekir alone, 120,000 Armenians were deported.

7. Some Muslims opposed the measures. For example, the Muslims of Kastamonu told the governor: "Like [animals led to a] slaughterhouse, the Armenians of neighboring districts and their wives and children are being taken to the mountains and killed. We do not want this to happen here."

8. The CUP and Government authorities strictly forbids Muslims to protect the Armenians. For instance, Mahmud Kamil, Commander of the Third Army, decreed in a telegram that any Muslim protecting an Armenian will be executed before his own house and his house will be burnt. Muslim employees and military personnel [protecting Armenians] will be court martialled.

(a) The CUP and Government classified those who refused to take part in the massacres and deportations as traitors. Those who went along were protected and supported.

(b) The CUP and Government dismissed officials for not carrying the orders to annihilate the Armenians from the central authorities; some of them were executed.

All the points raised in the Indictment are supported by documents and testimonies.

SUMMARY OF THE SENTENCE—JULY 5, 1919

[Full text of the sentences reproduced in the Takvim-i-Vekayi (official gazette of the Ottoman Empire,) Number 3604.]

Based on verified and credible testimony, on documents, and on the irrefutable facts of the massacres and deportations which left practically no Armenians in the Ottoman Empire, the court found the defendants guilty as charged, except for Rifat [Speaker of Upper House of the Ottoman Parliament] and Hasim [Minister of Post and Telegraph].

In this session the court referred to five points to justify its guilty verdicts:

1. The massacres in Trebizond, Yozgat and Boghazliyan were organized and perpetrated by the leaders of the CUP. Claims that they became aware of the crime rather late were found invalid since the accused made no effort either to prevent their recurrence or [to punish] the perpetrators.

2. The decision to enter the war was made not by the cabinet but by the CUP.

3. Former Prime Minister Ahmed Izzet Pasha had to resign from his post as Minister of War because of the intervention of the CUP [in government affairs].

4. Supplies, financial transactions, and assets were monopolized by the CUP, especially by its Representative in Istanbul so that public wealth was in the hands of a handful of individuals. This impoverished the population, caused hardship, and consequently considerably weakened the war effort. It was also an instance of interference in government affairs.

5. The CUP ran the affairs of the state as it wished.

As a result, the CUP commanded the machinery of the government and imposed its will on the country.

THE VERDICT

As principal organizers of the slaughter of innocent Armenians in an attempt to exterminate them, Talat, Enver, Jemal and Nazim were found guilty.

Javid and Mustafa Sheref were also found guilty.

Musa Kazim, religious head and head of clergy, was found guilty as an accomplice.

Rifat and Hasim were found not guilty.

Talat, Enver, Jemal and Nazim were sentenced to death.

Javid, Mustaf Sheref and Musa Kazim were sentenced to 15 years of hard labor.

The court's decision was unanimous.

[Transcript of the military court trial from: "The Official Gazette" (Takvim-i-Vekayi); Section: "Judicial Journal Of Trials, No. 3040, 3604", Printed: Constantinople, April 27, July 5, 1919]

PART II—TEXT OF INDICTMENT OF THE MILITARY COURT OF APRIL 27, 1919 (1335)

We have read and examined the papers of the investigating Judge relating to the Ittihad and Terakki Party which has dissolved itself, and also those pertinent to the permanent members of said party: *Said Halim Pasha, Talaat, Enver, Jemal, Ahmed Nessimy, Midhat Shukri* (the General Secretary), *Central Committee member and delegate of Istanbul, Kemal, Zia Geuk Alp, Dr. Rousloukhi, Kuchuk Talaat,* as well as members of the Party"s Central Committee and the organizers of the "Teshkilati Makhsousseh' (the 'Special Organization')—*Dr. Nazim, Atif, Rica,* and administrative functionaries of that organization, the former Commissioner of Public Security, *Aziz,* and the Military Governor of Istanbul, Jevad Bey.

"The text of this indictment has been prepared by the Court Martial's District Attorney.

"The above mentioned investigation has disclosed that the Ittihad Party had two faces.

"One of these was its well-known external face, that is, a Party acting in accordance with its by-laws; the second was the secretive, conspiratorial, traitorous Ittihad acting with criminal intent on oral and secret instructions.

"Documents and other evidence at hand give proof that the history of the Party has been marked by an unending chain of massacres, pillage and abuse.

"That Party is responsible for the crimes committed. The criminal guilt of all those parties is clear and evident under the Laws of Associations; equally guilty are all members of those groups mentioned, all of whom were their most influential and highest leaders.

"In July, 1914 (1330), general mobilization was declared (in Turkey) on the advice and consultations of the Party leaders.

"(Because of this criminal indictment), the most influential members of the (guilty) Party have fled; in other words, they have been discharged from their official positions. In brief (this court martial finds that) *Enver, Jermal* and *Talaat Beys,* who have now deserted Turkey, with the opening of the World War book advantage of their positions to commit grave crimes which have consequently influenced the destiny of Turkey and brought upon the State unending troubles.

"Instead of settling all questions facing the nation in a spirit of reason, efficiency, wisdom and piety, they induced dangerous conflicts, hazarding the solution of these problems through the application of terror and violence.

"Under the pretext that they were thus best serving the will of the nation, these persons wrought a colossal disaster. They acted in accordance with their personal predelictions and strangled the voice of the nation; at the same time they exploited the circumstances and sought by their violence to enrich themselves.

"In using these fraudulent means (of executing their duties), these persons simply threw away the country during the turmoil of the World War. Having imposed on the people accomplished facts, the criminals went about executing their intentions.

"To accomplish its secret program, the Ittihad conceived well-masked plots. The Party released from jails groups of criminals and organized them in the 'Teshkilati Makhsousseh', called 'Secret Organizations'. The organizing cadre of this movement consisted of former Police Commissioner Aziz, Central Committee members Atif and Dr. Nazim. The immediately above-mention comprised a sort of General Staff directing the 'Teshkilat'.

"The decisions of this General Staff were approved and confirmed by Jevad Bey, the Commander; and to attain the goals set, a considerable amount of money was distributed among the criminals, who were shipped to various parts of the country. Cipher telegrams were used as communications, cipher code keys were given to such

leaders as Dr. Behaeddin Shakir; [1] and military vehicles, money and the infernal instruments to be used in the execution of their treasonable designs were placed at their disposition. Ittihad agents were sent into all corners of the country bearing secret instructions which they passed on to local Ittihadist and governmental officials who were their docile and obedient servants. Either through naivete or out of ignorance, the latter followed the directives given them. They led criminal bands who murdered people, pillaged properties, money and valuables, burned homes, incinerated the dead, violated the honor of women and perpetrated all kinds of crimes and abominations.

"Many persons were subjected to these cruelties without regard to race or religion, including all the children of the country. Armenians comprehended an important part of those victimized. They were unlucky. Other elements, especially Turks, also suffered in the various regions.

"The principal subject matter of this investigation has been the event of the disaster befalling the deported Armenians—an event which occurred at various times and places. Legal steps are now being taken against individuals responsible for that occurrence.

"The disaster visiting the Armenians was not a local or isolated event. It was the result of a premeditated decision taken by a central body composed of the above-mentioned persons; and the immolations and express which took place were based on oral and written orders issued by that central body.

"We now offer the witness of written documents, evidence and other established facts confirmed by inquiries and investigations of the matter under study.

"The Ittihadist leaders created a 'Special Organization' (the 'Teshkilati Makhsousseh') to set the traps for the general carnage—a vast network of murder. At the same time, they let loose reports that all this was to be done in support of the war effort, that these criminal bands were to be used in war zones. This was false, as was to be proved. As stated in the text of this Indictment, these 'Special' forces were used only in the execution of murder.

"The Administrative body of these secret murder battalions consisted of members of the Central Committee on the Ittihad, i.e., Dr. Nazim, Dr. Behaeddin Shakir, Atif, Riza and former Police Commissioner Aziz Bey.

"Of these, Behaeddin Shakir was sent to the Eastern (Armenian) Provinces. He established his heardquarters in the City of Erzerum there to direct the murder groups. Riza Bey was dispatched to Trebizond, for the same purpose, Aziz, Atif and Nazim Bey remained in Istanbul as leaders of the effort. The Military Governor of Istanbul, Jevad Bey, was charged with the duty of confirming and executing the decisions taken. These circumstances are certified by the Document (File No, Document No. 1), bearing Serial Number 150 (Resolutions), found in cipher, which says the following:

" 'By order of the Committee, punish Khalil of Galata (code-name). Inform this office when the entrusted materials have been received from the post office, adding also that if necessary they will be distributed to the people.'

"The above mentioned document was signed by Aziz, Atif and Nazim, under the signatures of whom is found the lenged 'I am in accord', signed by Jevad. The phase, 'Get money from the traitors' is also found added.

"Another document was attached to the above Resolution; 'This matter will be administered in Artvin by Behaeddin Shakir personally' and the cipher telegram was dispatched by Jevad over his own signature.

"Khalil Pasha, Enver Bey's uncle, was the Military Governor of Istanbul (before Jevad). At that time, he too participated in the activities of the 'Teshkilati Makhsousseh.' This is confirmed by another document (No 10, Serial No., 59) signed by Khalil, Nazim, Atif, Aziz, and addressed to the General Secretary, Midhat Shukri.

"The above-mentioned Khalil Pasha sent another telegram (in cipher) (No 67) to the Governor of Izmit (Nicomedia) in which he states that to take care of the 'matter' (i.e., the genocide), he had named leaders and had organized its officer corps; he had released Turkish criminals from prisons. Khalil also wrote (Nov. 16, 1914 (1330)—Serial No. 68) a message to the War Office, which gives evidence that materials of destruction had been issued to the 'Special' organization. Similar documents have also been located in other files of the 'Teshkilati Makhsousseh'. We state at this time that an important part of these documents and well as the documents and records of the Central staff have been stolen.

"Official records and communications disclose that Azia Bey, former Police Commissioner, before the resignation of Talaat Bey, took these away with him as well as other records of Governmental departments, After his separation from office, he never retured these files. (See File No. 31.)

"The Ittihad had decided to participate in the World War long before the Declaration of War. This is confirmed by a Document, dated August 17, 1914 (1330), which carries the signature of the Central Secretary, Midhat Shukri Bey, addressed to Behaeddin Shakir, care of the Governor-General of Erzerum".

"The massacres in the Province of Diarbekir followed on Talaat Bey's instructions and provocations.

"The following document, a secret telegram, proves that Talaat addressed that message to the Governor of Deir Zor, ordering the executions of the Vali and his aide-de-camp. Commissioner Memdouh. (*Keep secret.* File No. 8, Document No. 1.)

"Ihsan Bey, former General Secretary of the Ministry of the Interior, was appointed Lieutenant Governor of Kilis County. Abdul-Ahad-Nouri tried to convince him that the purpose of the (Armenian) deportations was the annihilation of the whole (Armenian) nation as step toward the salvation of the country. (See Investigation Papers, pp. 1-15.)

"The responsible Secretary of Brussa, Midhat Bey, who formerly served in a like capacity for the City of Bolou sent a telegram from Chankiri to the Lieutenant Governor of Bolou stating that 61,000 Armenians had been deported from Ankara and giving assurances that the Turkish people had nothing but praise for the actions of the Ittihad and the Ittihadist government. He said that the actions taken against the (Armenians) would contribute to the perpetual happiness of the people of Bolou city and district.

"There is other proof that Governor Mufid Bey, on Sept. 11, 1915 (1331) sent a telegram in reference to the deportations (File No. 8, Document No. 2).

"As, is known, the Bolou district was far distant from the war zone. There were no grounds at all for the deportation of the Armenians, there was not threat to the public order.

"It is thus very clear that the annihilation of the Armenian nation was the desire of Ittihad, that the Responsible Secretary, Midhat Bey, was inspired by the same considerations. This same Midhat bided in Chankiri for a very brief period of time; and it is thus quite evident that he could hardly know the feelings of the people of Ankara province since he was residing in Kastemuni province.

"To the contrary, when the people of Kastemuni heard of the terrible events taking place in the provinces outside of Kastemuni, they evidenced disgust. The city's Mufti (Moslem priest), along with the sheiks and other notables of kastemuni, even went so far as to apply collectively to Reshid Pasha, the Governor General, praying:

"We have learned that the Armenians, men, women, and children, of our surrounding provinces, have been led as animals to the slaughter house and have been murdered. We do not want the same thing to take place in our district because we fear divine anger. A government of violence and illegality cannot long endure. We do not want such 'crimes' to be committed in our province.' Reshid Bey told them positively that 'nothing' would betake Armenians of Kastemuni. On this, the Moslem group dispersed, happy at what they had been told. All this has been substantiated by a document annexed to the second Supplementary File (page 13).

"Tahsin Bey, Governor General of Erzerum, testified of the brutalities committed in the various districts of that province. He sent the following telegram:

" 'Lt. Fayik has ravished four daughters of the Arabian family. Lt. Kiamil Effendi has stolen 1,863 Livres Turcs and 35 wagon loads of furniture and a considerable amount of jewelry.

" 'Such atrocities are extremely shameful-are crimes against humanity-crimes of murder, robbery and rape of women. It is imperative that they be prevented, and a stop must be put to the misdeeds of the 'Special' organization.'

"The Governor General of Harpoot wrote: 'All the highways are covered with the corpses of women and children. We have no time to bury them. It will be better if we keep high our amour-propre (dignity) and save our national history.' (See, File 8, Document No. 4).

"A document found among the papers of the deserter Talaat Bey in the Files of the Fifth Committee of Parliament proves the authenticity of cipher telegrams sent to Ali Souad Bey, the Governor of Deir Zor. All reveal the annihilation of the Armenians.

"We have other specimens of cipher telegrams over the signature of Behaeddin Shakir addressed to Nazim Bey, through the agency of Sabit Bey, Governor General of Harpoot. (Photos of these messages are annexed to No. 9.)

"The following is the text of one of these telegrams:

" 'Are expatriated Armenians being extirpated or are they just being taken out of your province? We ask you, dear brother, to

[1] Dr. Behaeddin Shakir was condemned to death January 13, 1920, following Military Court hearings on the genocide effort in Harpoot. A fugitive abroad at the of the trials, he was tracked down and killed in Berlin, April 1, 1922, by an Armenian, as we have already seen. There exists copious evidence that Shakir ranks well with the principal triad of murderers—with Talaat, Enver, and Jemel Pashas.

report clearly to us-have they been anihilated or not? We inform you that Nazim Bey is not the Dr. Nazim. The latter was from Resne and was an inspector of the Ittihad.[2] He too has fled. He too cooperated with the murder battalions and with the Ittihad in the extermination of the Armenians.

"Another telegram was sent by Rushdi Bey, Responsible Secretary of Samsoun, to the Central Executive offices, care of Mithad Shukri Bey, the General Secretary, on December 16, 1914 (1330), and was delivered to Dr. Nazim Bey. It said:

" 'The Fifth Tchété Group (Tashkilati-Special Organization), under command of Toufan Agha, consisting of 55 men, has been shipped by motor vessel. This of course is proof that the Ittihad organized the Special organization for the purpose of wholesale massacre at the very beginning of the (Turkish) mobilization.

"This point has been again substantiated by a letter dated Nov. 20, 1914 (1330), signed by Ittihadist inspector Moussa, addressed to Midhat Shurki, and delivered to Dr. Nazim. The contents of this missive show that the Ministry of the Interior and the Ittihad were busy organizing criminal prisoners as Tchété.

"A document of the Ittihadist delegate of Brussa, dated Dec. 19, 1914 (1330), addressed to the Central Committee, contains details relating to the organization of the Teshkilati Makhsousseh. It records the names of the brigands and criminals enrolled in that body.

"At the outset, it was rumored that these Tchétés would be used as regular soldiers to participate in combat operations. But it was soon discovered that this was a fraudulent lie, meant to mislead the people. The real purpose, as it developed, for the Organization of the 'Special' force was to use it to annihilate the caravans of the (Armenian) deportees. This is proved by the documentary evidence on hand.

"The truth is that Talaat, Enver and Jemal ordered the massacres willfully. In a a cipher message dated July 11, 1915 (1331), signed by Talaat Bey, and addressed to the Governors of Diarbekir province and of the Urfa district (File No. 11), Talat ordered the burial of all corpse left along the roads, that they not be thrown into ditches, caves, lakes or rivers; that it was necessary to burn all the effects of the dead.

"This operation (to erase all evidence of the massacres-H.K.) has been confirmed by another secret telegram sent by Jemal Pasha, Commander-in-Chief of the 4th Army in Syria, dated July 1, 1915 (1331), addressed to the Governor General or Diarbekir. The telegram was marked "Personal and Urgent". In it, Jemal advised the Governor General to circulate false rumors that 'dead bodies found in rivers were possibly those of Armenians who had revolted. It is imperative that corpses be buried on the spot; bodies must not be allowed to remain in the open.' (File No. 11, Dec. 3).

"In answer to Jemal, Reshid dispatched a cipher telegram marked 'Personal' to him:

" 'The Euphrates river touches unimportantly on our province of Diarbekir. The dead bodies in the river possibly are those of people thrown into the stream in the provinces of Erzerum and Harpoot. We do not here allow the bodies of these revolutionaries to remain in the open. We destroy them, leaving no trace. They have been thrown into deep caverns or else incinerated. We seldom bury them.'

"Ali Souad Bey, the former Governor of Dier Zor, has testified of the massacres which occurred in his district.

"An editor of the Turkish daily 'Tasviri-Efkiar', Agiah Bey, during his interview with the massacrist Governor of Dier Zor, Zeki Bey, who succeeded Ali Souad, asked Zeki, 'Is it true that you ordered the murder of 10,000 Armenians?' Zeki answered, 'What are you talking about? Why are you challenging my dignity? Multiply that figure many times—go up and up"! (File No. 6, Doc. 14; also, File No. 11, Doc. 1.)

"The Governor General of Harpoot, in a cipher telegram to the Governor of Malatia, had the following to say: 'Despite strict orders, a lot of dead bodies still remain along the roads. It need not be said why this condition is damaging. The negligent officials must be punished severely for this dereliction. That is the order of the Ministry of the Interior. Bury very carefully all bodies found within your province and for this operation use the number of soldiers and gendarmes needed to execute the burials. Employ well-known and trustworthy officials to supervise the progress of this work.'

"To show the enormity and the extent of this business it is sufficient to read the cipher telegram of Dr. Reshid, Governor General of Diarbekir, addressed to the Ministry of Interior, reporting that 'From Diarbekir Province, 120,000 Armenians have been deported.' (File No. 12, Doc. 1.)

"In order to render an equitable justice, it is not right to criticize subaltern and underling officials for these occurrences.

"Let us now make record of a telegram dispatched by the Commander in Chief of the 3rd Army, General Mahmoud Kiamil Pasha, over his own signature (File No. 13, Doc. 1).

"Kiamil decreed: 'All Moslems are prohibited from saving a single Armenian. If a Moslem dares do so, he will be hanged in the shadow of his own house, which will be burned down. If that Moslem is a civil official, he will be discharged and tried by court martial. If he is a member of the military, he will be dismissed the service and will be tried by court martial.' Such an order is against Moslem law which says one is prohibited from doing anything under threat or duress.

"Hafiz Mehmed, a member of the Turkish Parliament, sent a report from Trebizond to Talaat, the Minister of the Interior, stating that, 'Armenians have been arrested, bound and brought to the boats and then thrown overboard into the waters of the Black Sea.' These are not isolated facts. The M.P. asked the Governor, Jemal Azmi, to put an end to such crimes. (File No. 15.)

"Talaat's criminal guilt is very evident. He never paid attention to these kinds of reports.

"Munir Bey, the Governor General of Erzerum, authored a cipher telegram dated Dec. 14, 1918 (1334) stating that a caravan of wealthy Armenians had been deported from Erzerum toward the Kghi district but, that despite the strict orders of Tahsin Bey, the Governor General, all had been robbed and killed on the orders of Behaeddin Shakir by the Tchétés with the assistance of bands of wild Dersim Kurds. Behaeddin was a member of the Ittihad Central Committee.

"Much evidence of these crimes exists.

"There is the testimony of Jemal Asaf Bey (File No. 18), which proves that the former Responsible Secretary of Chankiri district, Jemal Oguz Bey, organized bands of murdering Tchétés, which he placed under the command of Kurd Alo, with orders to murder off the Armenian deportees from his district. This again proves that the Ittihad Party systematically organized the killer battalions.

"There is an exhaustive report of attestation rendered by Colonel Khalil Rejayi Bey (File No. 8, page 1) explaining in detail all the deportations and massacres that took place in the province of Ankara. Members of the Ittihad Club had proposed that the Military Commander of the locality discharge all Armenian members of the Sanitary Office and arrest them. Memdouh Shevket Bey and his brother, Riffat Bey, well-known members of the Ittihadist Congress, robbed the wealthy Armenians of their belongings, and Khalil gives other details of the deportations, of the misdeeds of Nejati Bey, the Responsible Secretary of Ankara. He refers further to the enormous thefts of Polic Commissioner Behaeddin Bey (a native of Monastir, the Balkans). His testimony touched on all aspects of events in Ankara.

"The above mentioned Behaeddin was summoned to Istanbul to stand before the court martial for his crimes, but on the intervention of Talaat, Minister of the Interior, the War Office protected him from prosecution. The investigation in fact showed that those who did not participate in the crimes against the Armenians were considered to be traitors to Turkey. Thus, criminals such as Behaeddin were protected and rewarded. Talaat recommended Behaeddin to Vehib Pasha, and for some time Behaeddin held a position in the Military Court of Samsun. According to the report of Vehib Pasha, Behaeddin later escaped the country, unpunished for his crimes.

"Reshid Pasha, the Governor General of Kastemuni, testified that he 'Reported to the Ministry of the Interior on the forced deportation of the Armenians of his locality.' He stated that Hassan Fehmi, a Member of Parliament from Kastemuni and an Ittihadist Party leader, committed all sorts of crimes, that his protests fell on deaf ears. On the contrary, Reshid received a cipher telegram from Dr. Behaeddin Shakir ordering him to deport forcibly all the Armenians of Kastemuni. (File No. 2, p. 13; Copies of the cipher telegrams are attached to the file.)

"Onnig Ihsan, deposed Member of Parliament from Smyrna Province, said that he presented a report to Talaat Bey, chairman of the Ittihad Party (see File No. 30), which detailed all the crimes and atrocities committed on the Armenians, and he demanded an investigation of these events, that they be brought to a halt, and that steps be taken against the Responsible Secretaries as well as against Dr. Reshid, Governor General of Diarbekir, Jemal Azmi, Governor General of Trebizond, Sabit Bey, Governor General of Harpoot, Muammer, Governor General of Sivas, Atif Bey, Governor General of Ankara and Ibrahim Bey, Director General of Prisons. But Talaat Bey scratched a 'Put Aside' on this extensive report, and it was never taken into consideration. On the con-

[2] The transcript takes special plans to distinguish between Nazim Resne, responsible Secretary of the Ittihad in Harpoot, and Dr. Nazim, who was an organizer of the Special Organizations and who was condemned to death (see "Sentence" section of this article) July 5, 1919. The confusion over these two was reflected in the press internationally. On January 23, 1920, the New York Times represented in error Nazim Resne as Dr. Nazim. Nazim Resne was condemned to 15 years at hard labor on January 13, 1920, as a result of Military Court hearings on the atrocities at Harpoot.

trary, Talaat Bey told a meeting of the Sporting Club that 'Smyrna's Armenians also must be deported. They will meet the same fate met by other Armenians.'

"M.P. Onnig Ihsan said that Dr. Nazim and his acolytes were major criminals.

"Vehib Pasha also testified (see File No. 9, page 2) that the massacres of the Armenians and the pillage of their properties were the result of the Resolutions of the Ittihad's General Center, that Dr. Behaeddin Shakir recruited from the 3rd Army Zone (Eastern Provinces) all convicted murderers, organized and directed them. All (Turkish) statesmen were sympathetic to the directives of Behaeddin Shakir. The disastrous atrocities committed in the 3rd Army Zone were the results of the activities of Behaeddin Shakir. It was he who organized 'criminal gendarmes, all with bloodstained eyes and faces . . .'

"Vehib Pasha's report constitutes an instrument of accusation against the Ittihad and Terakki Party-Center, as well as against all Ministers of Government who were permanent members of the General Meeting (Convention).

"Suleyman Nazif Bey, Governor General of Bagdad, testified (see Investigation Papers, page 6) that 'when he left Bagdad and was traveling in the direction of Diarbekir, he was forced to hold his nose against the terrible stench of rotting bodies.'

"Jelal Bey, former Governor General of Aleppo and Konia, offered similar testimony (Investigation Papers, page 7). He said he asked Talaat to issue orders against the deportation of Armenians from Konia. Talaat answered that there was obviously a divergence in views between Jelal Bey and the Central Government.

"Jelal said he had done his best to protect the Armenians of Konia but was told in a friendly manner by Member of Parliament, Riza, on the instructions of Dr. Nazim, to drop his opposition since 'this matter was resolved long ago at Ittihad Central body deliberations'. Whereupon, Jelal Bey presented his resignation and left Konia for Istanbul in order to argue the dangerous consequences of the atrocities before Talaat and Nazim, who however insisted that 'these steps' were necessary and useful. Dr. Nazim even dared suggest that 'these measures' might solve the Eastern (Armenian) Question.

"The Sheik-ul-Islam, Khairi Effendi, also tried in vain to prevent the atrocities.

"Mazhar Bey, former Governor General of Ankara, was discharged for his opposition to the deportations and for refusing to exterminate the Armenians. (See Investigation Papers, p. 17.)

"Hamid Bey, General Director of the Civil Inspection Board, testified that the Governor General of Diarbekir ordered the murder of two sub-Governors who refused to carry out order to deport and murder the Arabs.

"Lutfi Bey, Director of Internal Revenue, also testified (see Investigation Papers, pp. 34, 38, 43) that the principal criminal responsible for the atrocities committed in the province of Trebizond was the Ittihad's Responsible Secretary, Nail Bey.

"Former Governor of Antalya, Sabour-Sami Bey, testified that he had received a cipher telegram from Dr. Behaeddin Shakir Bey, from Erzerum, which informed him that the entire Armenian population of the provinces of Erzerum, Van, Bitlis, Diarbekir, Sivas an Trebizond were being deported toward the Deir Zor desert and Musul district, and asked 'what are you doing in Antalya?' Sabour Bey said that he had forwarded the wire to Talaat Bey, but had received no answer. (See Investigation Papers, p. 44.)

"Radi Bey gave information that Ittihad Responsible Secretary Nejati Bey was the principal responsible for the deportations and atrocities in Ankara province.

"All this testimony constitutes sufficient evidence to indict Behaeddin Shakir. His cipher reports sent to the Central, through Talaat, have been decoded. These were found in the files of the Teshkilati Makhsousseh. One response (from Central) (No. 69) to him said: 'Since you have finished your work there (at Artvin), depart immediately for Trebizond where you will await more important orders than those which you executed in Artvin. A special messenger (another Tchété leader), Yacoub Jemil, is about to leave Istanbul bearing instructions as to further steps that must be taken by you. (Yacoub Jemil was later hanged in Istanbul.—H.K.)

"The Ministers, all of whom were accused, denied all charges made against them; they raised the question of the competency of this court to judge them. They argued that, in accordance with the Articles of Constitution, such a trial as theirs would have to take place before the Supreme Court, not a court martial. They referred to Article 92 of the Constitution which bears with trials of Ministers or of all Cabinet members.

"But Article 33 of the Constitution specifies that there will be no privileges accorded Ministers accused of the crimes under discussion, that they therefore are subject to trials before Ordinary Tribunal, that in cities where military conditions still prevail, Military Courts are competent to hear evidence and make judgements, that under such military conditions civilian courts are silent. These cases of massacre and excesses then are therefore competent only to Military Courts.

"It is the Military Court's decision to reject the objections raised by the defendants against the competency of this Military Court.

"Dr. Behaeddin Shakir, Dr. Nazim, Atif, Riaz, Jevad, Aziz Beys, who cooperatively participated with the murderers, are punishable for their acts according to the first paragraph of Article 45 of the Penal Code and they must be tried by the Military Tribunal. This is also true in the cases of members of the Cabinet, and Midhat Shukri, Dr. Rusukhi, Kutchuk Talaat, Zia Geuk Alp, Kemal Bey and Said Halim Pasha; and Ahmed Nesimy, Shuksri Ibrahim, Khalil Bey, all of whom did not participate directly but were accessories, having aided the murderers knowingly and thus having indirectly participated in the criminal acts. All of them, therefore, shall be tried in accordance with this act of Indictment which will be referred to the District Attorney, along with all Papers, Investigative Materials and Evidence.

The PRESIDING OFFICER (Mr. SANFORD). The Senator from West Virginia.

Mr. BYRD. Mr. President, I shall not take 15 minutes. I shall not take 10 minutes. I have listened carefully to what the distinguished Republican leader had to say.

I have said on the floor of the Senate before this moment there is no doubt there were terrible wrongs committed back during World War I and in that timeframe. But I have also said that misses the point.

Again, the distinguished Republican leader reminds me that his argument, eloquent though it is, compassionate though it is, coming from the heart though it does come from the heart, still misses the point. He has referred to the time last year when I brought an amendment to the floor to appropriate $10 million to Turkey to help Turkey in the moment when thousands of refugees were spilling across the border, being driven out by the Bulgarians.

Yet, that was a unanimous vote, but that was not a vote that by implication accused any country of genocide at that time or attempted to decide a crime. That was a measure to appropriate moneys to deal with the emergency needs of that moment. The Senator is correct; we voted unanimously. That has nothing to do with what we are talking about today.

Similarly, the distinguished Republican leader mentions, he talks about 1920 when the facts were fresh, as he said. That was before the time, as I listened to the debate, as I have come to understand, that is before the time the word genocide was coined. And certainly there was no Genocide Convention at that time.

So what the Senate may have said or done in that moment in 1920, or thereabout, has very little to do, if anything, with what is at issue today. The distinguished Senator said that when the resolution or bill, or whatever it was, came up in 1978 dealing with, I believe, Cambodia, that I voted with the distinguished Republican leader—he was not the leader at that time in 1978; I was the leader at that time—but Mr. DOLE, my friend, said that the Senator from West Virginia voted not to table with him at that time.

Well, so what? What does that prove with respect to the matter that is at issue here today? There was no Genocide Convention in effect at that time in 1978. We are talking about 1990. It was 1988, 10 years after the vote in 1978, to which my friend, Mr. DOLE, alluded; 10 years in 1988 this Senate passed the legislation implementing the Genocide Convention.

We should talk in terms of what the situation is now and when the Genocide Convention was ratified and when the implementing legislation went into effect. 1978 is one thing, 1990 is another. We now have acted to implement the Genocide Convention, and there has been an instrument created whereby genocide may be determined by whom, by what organ, and on what basis, by what criteria. And that instrument that was created was not the U.S. Senate. That is what we are talking about. Are we going now to push aside this convention with which both the Republican leader and I had a

great deal to do? Each of us was leader at one point or another in those two stages, the approval of the convention and the implementing legislation.

We both have spoken with pride concerning those accomplishments, and they were years and years in coming, as the Republican leader said. But now are we going to nonchalantly push aside what we ourselves helped to create, an instrument, a way, a road map, a bible by which these decisions would be made? Are we now just going to summarily push aside that which we created to deal with this matter and say, no we will make the decision here?

Mr. President, that is what this is all about. Are we going to leave be our work that was done when the Republican minority leader was the majority leader and the work which was done when I was the majority leader, or are we going to take matters into our own hands now and viciously label, by implication or otherwise, a friend and ally as a criminal? Let us in the Senate take care that in an effort to right an old wrong we do not unleash forces that lead to new wrongs. The Senate of the United States is not the body in which to try the country of Turkey.

Mr. President, I have no further need for my time except to thank the Senators. How much time do I have remaining?

The PRESIDING OFFICER. Six minutes.

Mr. BYRD. I thank the Chair. I want to thank the Senators who have spoken on my side of the issue today. I have thanked most of them already. I did not have the opportunity to thank Mr. GRAHAM and Mr. HOLLINGS because I was in the chair at the time one of them spoke. I do want to thank both Mr. GRAHAM and Mr. HOLLINGS for their fine statements, well thought out, and statements that were based on experience, long experience, by able men, men who have served in legislative bodies. Both of them have served as Governors of their respective States. I attach great weight to what they had to say.

I shall also say in closing that I thank the distinguished majority leader for his patience and his cooperation in approaching this matter as he has approached it. He has been eminently fair and thoughtful and considerate. I also thank Mr. DOLE, who is a worthy protagonist, able, articulate, courageous, and a man whom I greatly admire. He has demonstrated his deep feelings, his convictions, his conscientiously held views, and I certainly do not fault him for anything along that line. As he has said, we disagree, but we have done it, as we have done it on many occasions, agreeably. I salute him.

I will be back on the field of battle tomorrow, where we will touch our sword points and proceed again with our worthy steeds which over the night will have been fed and had their thirst removed.

I hope our colleagues will not vote for cloture tomorrow. There are some Senators who want to speak perhaps yet, but cloture should not be invoked on this resolution because, if cloture is invoked, it opens the way for amendments which can be even more mischievous than their results and the resolution that is now written could possibly be.

And in any event, I think we ought not take the chance. So I hope Senators will vote against cloture and leave this matter in the hands of the international organizations to whom the Senate and to whom the signatories of the Convention have given the responsibilities concerning acts of genocide.

I yield the floor.

PROGRAM

Mr. MITCHELL. Mr. President, for the information of Senators, the schedule tomorrow morning will be that the Senate will come into session at 10 o'clock. Senator ROBB will deliver the traditional Washington's Farewell Address which usually takes about a little less than an hour.

At the conclusion of that address, or at 11 o'clock, whichever is later, the Senate will return to the debate on the pending resolution. That debate will last for 2 hours—it will be the final debate at this phase of consideration of this matter—1 hour on each side. Then at 1 o'clock, the cloture vote on the motion to proceed to the resolution will occur.

There will be no live quorum. Senators should be aware that a vote on the question of whether or not cloture should be invoked on the motion to proceed to the pending resolution will occur at 1 o'clock tomorrow afternoon.

At that time, I will, after consultation with the distinguished Republican leader and the distinguished President pro tempore, announce to the Members of the Senate the schedule for the remainder of the day tomorrow and on Friday.

Mr. President, I thank my colleagues.

I now yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 10 a.m., Thursday, February 22, 1990.

Thereupon, at 8:27 p.m., the Senate recessed until Thursday, February 22, 1990, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 21, 1990:

DEPARTMENT OF STATE

E.U. CURTIS BOHLEN, OF MAINE, TO BE ASSISTANT SECRETARY OF STATE FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, VICE FREDERICK M. BERNTHAL, RESIGNED.

NELSON C. LEDSKY, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL CYPRUS COORDINATOR.

NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH

WILLIAM HUGHES GRAVES III, OF MISSISSIPPI, TO BE DIRECTOR OF THE NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH, VICE DAVID B. GRAY, RESIGNED.

U.S. POSTAL SERVICE

LEGREE SYLVIA DANIELS, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE TERM EXPIRING DECEMBER 8, 1998, VICE JOHN LATHROP RYAN, TERM EXPIRED.

EXTENSIONS OF REMARKS

AFL-CIO EXECUTIVE COUNCIL STATEMENT ON HEALTH CARE

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GEPHARDT. Mr. Speaker, the availability of quality health care at affordable costs is an issue of increasing concern to all Americans. The national debate on how to achieve this important goal continues. Yesterday the AFL-CIO executive council added its voice to that debate, issuing a statement of principles for National Health Care Reform. The statement is reproduced here so that all of us concerned with health care policy can read and consider it as we continue our work in this important area.

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON HEALTH CARE

Our nation is now at a crossroads on health care. Because of cutbacks in public programs, jobs that offer no benefits and efforts by employers to shift health care costs to workers, 50 million Americans have health care coverage that is inadequate to meet their needs and another 37 million have no protection at all.

The United States spends $2 billion a day, or 11 percent of its gross national product, on health care. As insurance premiums increase 18 to 30 percent a year, basic health care has moved well beyond the reach of a growing number of working families. This increase also places heavy pressure on employer labor costs. There is no end in sight to this trend.

The AFL-CIO through a grassroots health reform campaign is assisting affiliates in defending health benefits against employer attacks and is sending a strong message to Congress that bold and innovative action is urged to address this grave problem.

The AFL-CIO stands ready to explore a variety of alternatives, so long as the overall objective is the enactment of health care legislation that deals with the issues of cost, access and quality based on the following ten principles:

Universality—Through Federal legislation, make health care a right for all Americans regardless of age, sex, race, health status, employment or income.

Public Accountability—Assure that the program is administered by an independent entity. Provide opportunity for the participation of labor, management, consumers and the health care community in the development and implementation of the national health care program.

Affordability and Accessibility—Require that health care be provided in a manner which assures that services are affordable and out-of-pocket charges do not limit access.

Comprehensiveness—Assure all Americans a federally mandated set of comprehensive health care benefits. Develop a national program to provide access to services for long-term and chronic health conditions.

Equitable and Progressive Financing—Require all employers to contribute to the cost of health care benefits for employees, including part-time workers and their dependents. Rechannel federal and state revenue sources and, to the extent necessary, explore other sources of revenue, including tax-based financing. Link employee contributions with ability to pay.

Fairness—Assure that the unemployed, the poor and their dependents have affordable access to health care services.

Portability—Guarantee all Americans, regardless of where they live, access to the same mandated package of benefits.

Cost Containment—Require the development of mechanisms to contain rising health care costs for all payors. Establish guidelines that prohibit physicians and other providers from charging patients more than they are paid under the program. Substantially reduce paper work and red tape in the system and develop health care information systems that will provide consumers, purchasers and providers adequate data on the cost and quality of health care services. Develop a process to manage the expansion or updating of existing health care facilities, as well as the acquisition and proliferation of new health care technology.

Quality Assurance—Develop appropriate mechanisms to encourage the delivery of high quality services and an equitable and cost-effective system for handling medical malpractice. Better coordinate existing medical research and commit the resources necessary to achieve the nation's health care objectives.

Public/Private Administration—Establish national standards for the program at the federal level. Pooled funds should be available at the federal, state or regional level for the purchase of affordable, community-rated coverage administered through insurers or other third parties.

AFL-CIO PRINCIPLES FOR NATIONAL HEALTH CARE REFORM

Improving Quality and Administration:

An entity should be established to administer the national health care program. It should involve the participation of workers, employers, consumers and the health care community.

The national health care program should encourage the development of alternative delivery systems. The national administrative entity should develop standards for such systems.

This body should coordinate the development and dissemination of guidelines for medical practice. Having practice pattern guidelines available could begin the process of resolving the malpractice crisis.

The national administrative entity should take steps to reduce paperwork and red tape in the system.

This body should develop standard claim forms to be used in the national health care program. This would help reduce excessive administrative costs currently in the system.

This body should develop guidelines for the development of health information systems so that consumers, purchasers and providers can have the information necessary to assess the quality and cost of services provided under the program.

The national administrative entity should make an assessment of the adequacy of the level of existing medical research, as well as the relative distribution of these funds for specific diseases and conditions.

Improving Access to Care:

Health care services should be a right for all Americans, regardless of age, sex, race, income, health status, employment or geographic location.

All Americans should have access to a comprehensive federally-mandated benefit package.

This should include hospital care, physicians' services, diagnostic tests and preventive care.

These benefits would be the minimum package of services that could be provided by state Medicaid programs. States should be allowed to supplement the federal package for the low-income, Medicaid population. These individuals have special health care needs that they cannot afford to address without the support of public programs.

For the non-Medicaid population, states should not be allowed to mandate that any benefits, in addition to the federally-mandated package, be provided.

Through collective bargaining, unions could negotiate with employers to obtain additional benefits or reduce any out-of-pocket costs.

All Americans should continue to have access to basic benefits when traveling out of their home state or region.

A national program must be developed to provide all citizens protection against the high cost of long-term and chronic health conditions.

Access to services should not be impeded by out-of-pocket charges required at point of service.

Employers should be required to contribute to the cost of health care coverage for all of their workers and their dependents.

Individuals could be required to participate in the financing of coverage based on their ability to pay.

The federal government, states or regions should establish pools through which affordable community-rated coverage would be made widely available.

The pools could be administered by insurance companies or other third parties that would function as intermediaries in the system.

Private and public employers and multi-employer plans should be given the option of buying into the pools.

States could buy into the pools for the Medicaid population.

Retirees not yet eligible for Medicare and other individuals could buy into the pools, with or without an employer contribution, based on their ability to pay.

Containing Costs:

The national health care program should include a system for containing costs for all payors.

A national health care expenditure target should be developed to assure that health

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

care spending remains within pre-determined limits. Targets also should be developed for states or regions.

Various cost containment mechanisms should be incorporated into the program, such as physicians' fee schedules and limits on hospital charges.

States or regions should be given the options of using cost containment techniques developed at the federal level or adopting other alternatives under predetermined federal standards.

Balance billing, or the practice by providers of charging patients more than the rate paid to providers, should be prohibited.

A system for controlling capital expenditures in hospitals, physicians' offices and outpatient centers should be developed and implemented on a state or regional basis.

Technology assessment should be better coordinated at the federal level. There should be wide dissemination of information about the efficiency and efficacy of new technology.

Health care information systems that provide adequate information to consumers and providers must be developed.

CHAIRMAN HALL SEEKS COST-FREE PEACE DIVIDEND

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, Hunger Committee Chairman TONY HALL recently sketched a vision of United States-Soviet cooperation for averting famine in Ethiopia. He pointed out that a mutual effort could help save millions of lives without costing either country a dollar—or a ruble.

As the prospect of catastrophic famine looms large again in Ethiopia, I wanted my colleagues to be aware of the chairman's sound suggestions. His article from the Los Angeles Times follows:

[From the Los Angeles Times, Jan. 31, 1990]

A "PEACE DIVIDEND" WITH NO DOLLAR OR RUBLE PRICE TAG

(By Tony Hall)

It would be a mistake to think of the "peace dividend" only in terms of ledger lines and cash flow. There is more to any peace dividend than cold currency. The very absence of an atmosphere of flammable tension is itself a dividend that could be put to use now, and in doing so we would save more than money. Without costing our Treasury a dime, the superpowers could spend a dividend of cooperation on the Third World and save lives.

In the Horn of Africa, for example, the situation in Ethiopia has reached a near-crisis stage. Current estimates place almost 5 million people at immediate risk of famine. Like the crisis of 1984 and 1987, the direct-cause of the problem is drought and crop failures, exacerbated by seemingly endless war and civil strife. Unlike the 1984 episode, this time relief arrived before the famine, yet it hasn't been delivered to all the people in need.

The missing element is an agreement between government forces and Eritrean separatists to establish "corridors of safe passage" through which food and medical supplies could be safely delivered across the battle lines, directly to the population at risk.

The rebel armies in Eritrea and Tigre province have shown a willingness to agree to safe passage; the only holdout is the government of President Mengistu Haile Mariam. With aid unable to reach the people, they will soon begin to leave their homes in search of food and safety, leaving no one to plant next year's crops. These migrations are already beginning. Soon television will again bring us the horrifying spectacle of children dying, and the nation of Ethiopia will again become synonymous with famine.

The United States has pressed the Ethiopian government to agree to corridors of safe passage, the Soviet Union has not. We don't have as much influence over Mengistu as the Soviets, largely because they continue to deliver weapons to Ethiopia. The Soviets have agreed to halt the arms shipments by the end of next year, but there is much more they could do.

A non-cash peace dividend of cooperation could save hundreds of thousands of lives now. In the new spirit of cooperation, why not a joint public statement by Secretary of State James A. Baker III and his Soviet counterpart, Foreign Minister Eduard A. Shevardnadze, stressing the importance of relief corridors, and promising vigorous diplomatic efforts by both countries to secure them?

We could choose to continue foreign policy as usual, and hundreds of thousands of people would die unnecessarily over the next six months in a sad, distant list of places: Angola, Ethiopia, Sudan, Somalia, Afghanistan.

Or we could decide that this is where our peace dividend could be spent, at no cost to either government in dollars or rubles. President Bush and Soviet President Mikhail Gorbachev could endorse the Bellagio Declaration, a call made recently by a prestigious group of development experts to eliminate "deaths due to famine among the 15 million to 35 million people at risk" in the Third World. Both the United States and the Soviet Union could pledge to use diplomatic efforts to assist and expedite the work of private relief organizations fighting famine and disease in the Third World. As simple as that sounds, it would be a tremendous step forward and would literally save lives.

Until now, the superpowers have exacerbated the problems of developing countries by treating them primarily as surrogate battlefields for competing ideologies. Now, a new reality is within reach; many lives could be spared if Americans and Soviets quickly agreed to cooperate in multinational efforts to end famine deaths. It is ultimately in neither nation's interest to allow needless Third World suffering to continue.

Events in Eastern Europe and relations between the superpowers have been moving faster than our ability to shape them. In this, the warmest winter of the Cold War, we have the chance to get ahead of history with respect to nations below the Equator not to react to events as opposing forces, but to join together as a humanitarian force to prevent unnecessary suffering and death.

BLACK HISTORY MONTH—HONORING MAE JEMISON

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, Marcus Garvey, a civil rights leader at the turn of the century once said "A people without knowledge of its history is like a tree without roots." Through Mr. Garvey's statement, one understands that through maintaining a knowledge of our tremendous history, we are provided with a type of nourishment about ourselves and our ancestors. Unfortunately, many people fail to study all aspects of our rich history that our great Nation is founded upon, one aspect of this vital knowledge is contained in this month of February which is observed as Black History Month. As part of this knowledge, we must also remember that history is not only something that has happened in the past, but events that occur every day. We see these historical changes occurring daily in Eastern Europe and the Soviet Union, which allow an oppressed people to finally taste the sweetness of freedom. Our history in this great Nation of ours is full of joyous as well as sad times. One shining example of our history in the making involves an inspirational woman named Mae Jemison.

Ms. Jemison was born in Decatur, AL, in 1957 and moved to Chicago when she was 3. Since her childhood visits to the Marshall Space Flight Center in Huntsville, AL, she has maintained an interest in space exploration. Ms. Jemison's success story began after she graduated from high school and went on to Stanford University to study chemical engineering, after graduating she received a medical degree from Cornell University. She then went on to practice medicine in the Los Angeles area, eventually applying for the position of astronaut trainee after the *Challenger* disaster. Despite the *Challenger* disaster, she maintained her application, having no fear in becoming an astronaut. In June 1987, she was 1 of 15 astronaut trainees chosen out of 1,962 applications. Out of NASA's 93 astronauts on active duty, Dr. Jemison is NASA's only female black astronaut and she will be the first black woman in space when she flies aboard a space shuttle mission in June 1991.

When she crosses this new frontier as a mission specialist, she will join the ranks of people such as Jackie Robinson who broke the color barrier in baseball in 1947. Through contributions such as these, we as Americans must realize that we are one as a people, and that we should strive together for the common goals of our Nation. Dr. Jemison is truly an individual who should be emulated for her achievements.

The significance of her achievement is important to all Americans as we observe Black History Month. She is an example of how people can begin in humble surroundings, and through perseverance and dedication, dreams can be realized. In remembering the volatile society we had in the sixties, Ms. Jemison's life exemplifies how far we have come on this long journey.

GEORGE HATSOPOLOUS AND AMERICAN COMPETITIVENESS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LEVINE of California. Mr. Speaker, I would like to draw my colleagues' attention to an article which recently appeared in New Technology Week about George Hatsopolous and his firm, the Thermo Electron Corp. I have had the pleasure of working with George on a variety of high technology issues. During our work together, I have been deeply impressed by his visionary commitment to the future competitiveness of the United States in the world economy.

In addition to his public policy work, George Hatsopolous is an extremely sucessful businessman. Under his leadership, Thermo Electron has become a model of the type of quickly adjusting, cutting-edge corporation that we need to compete in the world economy. Continuous innovation in both its products and its management have enabled Thermo Electron to take advantage of new opportunities, and to become a leader among high technology industries.

The following article explains the Hatsopolous formula in greater detail, I commend it to my colleagues' attention.

[From the New Technology Week, Jan. 29, 1990]

THERMO ELECTRON FINDS SALVATION IN HIGH TECHNOLOGY

(By Paul Kemezis)

Thermo Electron Corp, has become legendary in New England for turning new ideas into money. The company was able to make a shift in 1983 from being a slumping capital goods supplier into supplying high-technology goods and services.

Starting with a strong central research lab as it incubator, Waltham, Mass.-based Thermo ELectron has brought it innovations to market through a series of subsidiary corporations. The firms sell their own stock to the public, but remain 70 percent to 80 percent owned by the parent company.

This strategy give managers autonomy and a major financial stake in the success of new products. It also keeps Thermo Electron growing with exponential regularity, and leaves the company open for new moves into almost any high-tech field.

For George Hatsopolous, company founder and a respected economic theorist, the idea is to keep the company's product base diverse and innovative through energetic entrepreneurship.

In 1988, Thermo Electron posted $501 million in sales of environmental analysis instruments, small cogeneration plans and battery-powered heart-assist systems. Sales growth in 1988 was 30 percent and 1989 sales are expected to rise another 20 percent. The group hasn't missed a positive profit margin since 1962, and ended in 1988 with a profit of $20 million.

Last year, however, Thermo Electron began to fiddle a bit with a formula. When salesman from two separate subsidiaries, one selling radiation measuring devices and the other lab analysis services, started bumping into each other in waiting room at Department of Energy installations. Thermo Electron realized it was a little too spread out. The result was a reconsolidation, completed Jan. 16, of two groups—Thermo Instrument Systems Inc., and Thermo Environmental Corp.—into a single $180 million environmental company which will retain the name Thermo Instrument System.

Arvin Smith, president of the merged group, told New Technology Week that the merger will allow a coordinated strategy for attacking the DOE clean-up market, augmenting the group's $10 million in annual sales to the DOE, which includes radiation detectors for the Savannah River Plant in South Carolina and mixed waste analysis of closed weapons manufacturing sites for the FUSTRAP program.

The services group, according to Smith, has been held back by lack of management resources, a common problem with any fast-growing, high-tech start up. Joining with the larger instruments group will provide more assistance and synergies in the operation of its test labs.

The merger does not, however, mean a rollback of the Hatsopolous spin-off strategy. In fact, Thermo Electron moved in late 1989 to set up another subsidiary which will develop large-scale, co-generation plants based on burning wood chips and other biomass products. The new group already has built six plants in New England and California and is considered ready to go public.

The group has formed profitable spinoffs already with the creation in 1987 of Tecogen Inc., which manufactures small gas-fired co-generation units for stores and restaurants. Tecogen now is looking at ways to apply its gas combustion technology to power low-pollution, compressed-gas city buses.

The Thermo Electron record of technology development to solve specific problems is impressive. In 1971, when the Environmental Protection Agency imposed NO_x standards, the auto industry found it had no reliable way to measure tailpipe emissions. Thermo Electron, with links to the auto industry through its heat treatment technology, developed the first practical measuring system and immediately was swamped with orders.

Today, it is the world's leading maker of pollution and radiation measuring instruments and is looking into a "second generation" NO_x system to replace the 1970s equipment.

The company already has a major position in mass spectrometers to measure the presence of toxic elements, but it is looking for ways to automate equipment and make it more rugged for field use.

Also, because of its work analyzing DOE waste sites, the company became familiar with radon detection long before it was a public health issue. It parlayed this knowledge into home radon measuring units and more complex devices for engineering groups.

Another recent new product discovery occurred when the group was asked to analyze the remains of the U.S. Marine barracks in Beirut for bomb residues. The research led to a system to detect vapors emanating from plastic explosives. The portable bomb sniffers, which Thermo Electron says are more sensitive to small amounts of explosives than traditional thermo neutron scanners, are currently being tested at airports and U.S. embassies.

In the medical field, Thermo Electron pioneered artificial heart technology with implantable heart-assist systems to help patients waiting for live transplants. Its most recent variation uses an external battery pack which transmits energy to the implanted assist mechanism, avoiding frequent operations to replace batteries.

Thermo Electron also is not adverse to buying into technologies to round out its marketing strategy. Last March, it bought the LDC Division of Milton Roy Co. of Riviera Beach, FL, which makes liquid chromatography instruments. This will give it entry into the biotech analysis market to complement its chemical and mineral analysis products.

It also acquired San Diego-based Western Research Corp., in 1988, beefing up its laser and optic capability. This is expected to open the door to Star Wars-related work. The group already has developed a laser-based camera which can preserve optical images despite high background light. This filtering method has immediate uses in microchip manufacturing and daylight optical signaling.

The Western acquisition also allowed Thermal to add some basic research facilities on the West Coast to its central research lab in Waltham. While Thermo Electron's corporate culture encourages research and development in the subsidiaries, the central lab provides a place for long-term projects and basic research. Overall research and development spending in the company was $42 million in 1988, up 37 percent from 1987.

Thermo Electron officials claim that since its researchers have wide autonomy and the opportunity to bring innovations to market, they have tended to stay put and not strike out on their own. This more than anything keeps the Thermo Electron idea machine working.

Hatsopolous says his main aim is to build a framework to attract and keep good research talent, thereby institutionalizing the company's Darwinian process of natural product selection. He predicts that the company could spinoff as many as 20 start ups by 2000.

TRIBUTE TO SENIOR CHIEF PETTY OFFICER ANTONIO A. CERCENA

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to pay tribute to an exceptional member of my district who is retiring from the U.S. Navy after 30 years of dedicated and loyal service.

Senior CPO Antonio A. Cercena is retiring from the U.S. Navy a well-traveled and well-honored officer. He has served at naval stations from coast to coast and overseas. He has faithfully served this country both in times of war and of peace, earning several medals and awards for outstanding performance. Among these citations and decorations are the Navy Commendation Medal, the Navy Achievement Medal with a gold star, the National Defense Service Medal, and the Vietnam Service Medal with two bronze stars. Senior Chief Petty Officer Cercena has truly earned the respect of his fellow officers through his outstanding record.

Senior Chief Petty Officer Cercena has also been active in his community outside of his

naval career. He is a member of the Kiwanis Club, American Legion, Veterans of Foreign Wars, and the Navy League of Rhode Island. He has shared his career with his wife, Josephina, of 27 years.

On this occasion of his retirement, I extend my congratulations to Antonio and his wife and wish them both continued success and best wishes for the future.

THE COCAINE DESTRUCTION ACT OF 1990

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. CAMPBELL of California. Mr. Speaker, Americans are convinced that drug abuse is our most pressing problem. The U.S. Chamber of Commerce estimates that annual drug sales account for more than $110 billion. The National Institute of Drug Abuse's recent survey found that frequent use of crack and other forms of cocaine has increased by 33 percent since 1985. The murder rates in nearly all of our large cities and in our suburbs have skyrocketed as organized crime has taken control of the drug trade. But these statistics can only convey in a limited fashion the true impact that drugs have had on our country. Only in seeing the effect of cocaine on the children of addicts can we truly comprehend the significance of this problem.

A dual strategy is necessary to win the war against drugs: demand and supply. We must decrease the demand for drugs through law enforcement, education, and economic development. And we must also decrease the supply of drugs by busting drug dealers, coordinating our efforts with our allies to destroy coca plants, and helping Bolivia, Colombia, and Peru develop their economies. For many Andean workers, involvement in the drug trade is derived from economic necessity. There are simply too many individuals chasing too few legitimate forms of employment to guarantee a living wage to all. In Bolivia, for instance, the official unemployment rate stands at 20 percent. It is little wonder that roughly 20 percent of the Bolivian population turns to the cultivation of coca.

Given our budget constraints, we must explore innovative and cost-effective ways of augmenting the economic development plans of the Andean countries. Hence, I am today introducing the Cocaine Destruction Act of 1990. This measure would give the President additional authority to grant trade preferences, on a country-by-country basis, if he determines that they have reduced the cultivation, processing, or sale of coca. Examples of such programs include crop substitution, coca eradication, education, and law enforcement activities. In addition, our measure would allow the President to provide economic assistance to these nations to promote the cultivation, processing, or marketing of nondrug export crops.

Here's a simple example: Peru takes 500 acres out of production of coca, and adds 500 acres of sugar cane. The new amount of sugar would come into the United States duty free—and above the current sugar quota.

The following Members of Congress played an important role in helping me draft and introduce this legislation: Congressman CHARLIE RANGEL, chairman of the Select Committee on Narcotics Abuse and Control and member of the Committee on Ways and Means; Congressman PHILIP CRANE, the ranking member of the Trade Subcommittee on the Committee on Ways and Means; Congressman PETE STARK, member of both the Committee on Ways and Means and the Select Committee on Narcotics Abuse and Control; Congressman CLAY SHAW, member of the Committee on Ways and Means and chairman of the Republican Task Force on Crime; WALTER FAUNTROY, chairman of the Subcommittee on International Development, Finance, Trade, and Monetary Policy of the Committee on Banking, Housing and Urban Affairs; Congressman DUNCAN HUNTER, the fourth-ranking member in the Republican leadership; Congressman TOM LANTOS, member of the Committee on Foreign Affairs. These Members serve on the committees to which this bill will be referred, and their commitment to support this bill will go a long way toward helping it pass the House.

There is broad support in our executive agencies for liberalizing trade laws to help our Latin American friends. President Bush, only a few months ago, promised President Barco of Colombia that he would examine what the United States could do to expand economic cooperation between the Andean region and our country. As a result of that effort, President Bush recently announced a package of trade initiatives designed to create opportunities for expanded trade and investment between the countries of the Andean region and the United States. Thus, our bill will give the President additional authority to carry out his objective of using trade to enable Bolivia, Colombia, and Peru to win the war against drugs.

I have spent a great deal of time discussing our proposal with members of both the Andean private and public sectors. Our proposal has been endorsed by the Bolivian, Colombian, and Peruvian Embassies. The Peruvian Trade Minister also supports our plan. The Peruvian industry delegation on the Andean Trade Initiative has, in addition to other groups, also endorsed our plan.

I would like to address critics who worry about the impact that this bill could have on our domestic industries. To these well-meaning individuals I can only say that the amount of goods that we currently import from the Andean countries is truly insignificant—less than 1 percent of our total imports come from Bolivia, Colombia, and Peru. Even if we doubled the amount of imports from these countries, our firms would suffer little if any harm. Indeed, Governor Martinez of Florida recently endorsed the idea of expanding the production of citrus crops in the Andean countries to help promote economic development. If the Governor of Florida is not worried about competition from Andean oranges, I am sure that our other domestic interests also have little to worry about.

I hope that my colleagues will consider our plan and see the wisdom of passing it into law. Crop substitution works; coca eradication works; targeted foreign aid works. But their impact will remain limited unless we help provide a larger market for the kinds of products, such as sugar, coffee, and citrus fruit, that will enable Andean workers to earn a living other than by participating in the coca trade. While the profits from these products will never be as high as those that can be earned from coca, I believe that Latin American workers are honest citizens who eagerly await the opportunity to participate in legitimate forms of commerce. Let's give them this opportunity by passing the Coca Destruction Act of 1990.

WHITE HOUSE EFFECT

HON. ARTHUR RAVENEL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. RAVENEL. Mr. Speaker, the attached editorial from the Charleston daily newspaper pretty well describes my district's reaction to Mr. Sununu's antienvironment offensive.

[From the Charleston (SC) News and Courier/the Evening Post, Feb. 17, 1990]

WHITE HOUSE EFFECT

When George Bush was on the stump he vowed, among other things, to be "the environment president." Making his claim to the title, he said, "People who think we're powerless to do anything about the 'greenhouse effect' are forgetting about the 'White House effect.' "

Well, now we know what the "White House effect" is. It means letting Chief of Staff John H. Sununu quash any initiative that might involve a political cost. It is meaningless gestures like giving the Environmental Protection Agency a seat in the Cabinet. But what will William K. Reilly, EPA's administrator do when he graces the table in the Cabinet Room at the White House? So far, he's allowed himself to be overruled on every major environmental issue by Mr. Sununu.

The environmental scam, a.k.a. the "White House effect" began when the Bush administration made one of its top scientists, the Goddard Institute's James Hansen, alter his testimony before a congressional committee. Mr. Hansen was not allowed to cite scientific data in warning of the greenhouse effect.

The next example of backsliding came when the Bush administration joined with Japan and the Soviet Union to block an effort by a 68-nation group, meeting in the Netherlands, to set a cap for the year 2000 of no more carbon dioxide emissions than last year.

Then, speaking to international scientists at a meeting in the White House earlier this month, President Bush astonished his audience by avoiding any mention of acid rain or the greenhouse effect. It was the "White House effect" again—Mr. Sununu had gutted the original speech.

The latest intervention of Mr. Sununu will have an impact in the Lowcountry. The chief of staff is reported to have overruled Mr. Reilly once again to water down a federal agreement to protect the nation's wetlands. The Sununu version of the agreement allows exceptions to regulations that protect swamps, marshes and other wetland areas from development.

The "White House effect" is achieved by arguing that any measure proposed to protect the environment "needs more study."

The environment president has taken it upon himself, now, to say, "We're not going to extremes." Put the two together and you have the alarming situation of the nation losing almost half a million acres of wetlands to agriculture and urban development every single year—not to mention the rather unusual weather we've been having lately.

THE NORTH LOS ANGELES COUNTY REGIONAL CENTER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. BERMAN. Mr. Speaker, I rise today to honor an institution that for 15 years has been helping those with developmental disabilities lead more productive lives. The North Los Angeles County Regional Center currently serves more than 6,000 clients who range in functioning levels for medically fragile infants to adults striving to live independently.

The center sponsors a series of exceptional programs, including a parent-to-parent support group, in-home parent training, residential and vocational services, respite care for families, and school and community liaison efforts.

The North Los Angeles County Regional Center places particular emphasis on family involvement in programs and treatment. Its active and innovative board of trustees—which includes parents of individuals with developmental disabilities along with community leaders—has been extremely successful in fostering awareness and support for its activities. In addition, an exemplary professional and specialist staff offers client services on a lifetime basis to those individuals who require it.

Mr. Speaker, it is with pride and pleasure that I ask my colleagues to join me in saluting the North Los Angeles County Regional Center—a facility that provides vital services and support to the community.

COALFIELD ENVIRONMENT ENHANCEMENT ACT OF 1990

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. RAHALL. Mr. Speaker, today I am introducing legislation, entitled the Coalfield Environment Enhancement Act of 1990 that is aimed at encouraging the remining of abandoned coal mine lands.

Joining me in the introduction of this bill are RICK BOUCHER of Virginia, BILL CLINGER of Pennsylvania and my colleague on the Subcommittee on Mining and Natural Resources, AUSTIN MURPHY of Pennsylvania.

Last year the House of Representatives passed legislation, H.R. 2095, to reauthorize the abandoned mine reclamation fund. The purpose of this fund is to foster the reclamation of mined lands left in an abandoned and inadequate reclamation status prior to the date of enactment of the Surface Mining Control and Reclamation Act of 1977. This program serves an extremely valuable function, but even under a 15-year reauthorization of reclamation fee collections as envisioned by H.R. 2095, the fund may still not be in the position to provide for the reclamation of all priority sites in the Appalachian region.

This gives rise to the need to provide for some type of incentive for industry to reenter these abandoned coal mine lands and remine any coal that remains, and subsequently, reclaim the site.

With the enactment of the Water Quality Act of 1987, the Congress for the first time officially recognized the intrinsic value of encouraging the remining of previously mined coal lands. This law, in section 307, contains a provision I sponsored with BILL CLINGER to provide for a modified NPDES permit for qualified coal remining operations. In retrospect, the enactment of this provision, perhaps more than any other action, gave rise to the current interest in legislative and regulatory initiatives to further enhance the remaining option.

Meanwhile, over the years the Office of Surface Mining has identified a number of regulatory changes that could be made by both the Federal agency and the States to promote remining. In fact, the agency has already implemented certain regulatory initiatives involving revegetation and land restoration standards applicable to remining operations.

Despite the fact that some progress has been made in the remining area to date, those of us who have been examining this issue find that additional legislation is necessary if we are to fully realize the benefits remining can have to the coalfield environment. In effect, coal remining incentives not only serve to augment the environmental restoration work being done under the abandoned mine reclamation fund, but have the added benefit of making coal available that would otherwise be bypassed.

Toward this end, our colleague RICK BOUCHER has been diligently working over the years to focus the attention of the environmental community, the coal industry, and the Interior Department on remining legislation. The result of this effort was the introduction last year of H.R. 2791 by the gentleman from Virginia. The gentleman from Pennsylvania, BILL CLINGER, has also taken the initiative and introduced a bill this Congress, H.R. 2719. Both of these measures were the subject of a July 18, 1989, hearing my Subcommittee on Mining and Natural Resources.

As a result of this hearing and subsequent work under the subcommittee's auspices on this matter with interested parties, today we are introducing legislation which seeks to address the major remaining impediments to coal remining operations. These impediments involve liability; in terms of both the extent of liability they may be incurred during a remining operation, and the extended liability associated with obtaining surety bond release.

The Coalfield Environment Enhancement Act of 1990 seeks to promote the remining of abandoned coal mine lands in the simplest but environmentally responsible fashion possible. Under the proposal, the following remining incentives would be provided: First, variances from the backfilling/grading and revegetation requirements of the Surface Mining Control and Reclamation Act; second, date certain release of surety bonds provided there is compliance with the reclamation plan—this addresses the extended liability concern; and third, protection from any event or condition encountered in a remining operation which was not anticipated in the reclamation plan—this addresses the extent of liability concern.

These incentives would be made possible due to the establishment of self-sustaining interest bearing State remining insurance funds fostered by the legislation. These funds would be financed by: First, a portion of a State's annual abandoned mine reclamation fund grant with a matching share provided from the Secretary's discretionary share of the abandoned mine reclamation fund; second, such other moneys a State wishes to dedicate to the insurance fund; and third, insurance premiums paid by coal operators who wish to avail themselves to the program. The purpose of these State remining insurance funds would be to incur any liability for unanticipated events which may arise during a remining operation and to remain liable for any reclamation requirements that may arise after the date certain release of an operator's bond.

Mr. Speaker, I look forward to the continued good faith effort of all interested parties to devise a mutually acceptable incentives package as the Subcommittee on Mining and Natural Resources moves forward with this legislation.

DWIGHT D. EISENHOWER MEMORIAL SCHOLARSHIP ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GOODLING. Mr. Speaker, today, I am introducing legislation which will create, as an independent establishment of the executive branch of the United States, the Dwight D. Eisenhower Foundation, and provides for a permanent endowment for Dwight D. Eisenhower Memorial Scholarships. This legislation is a result of my participation with the Eisenhower Society of Gettysburg, PA, to establish a suitable, permanent tribute to President Eisenhower.

In this centennial year of the birth of President Dwight David Eisenhower, this legislation commemorates the achievements of a boy of humble origins from our Nation's heartland, a boy whose values and character were shaped by work and life on a midwestern farm and by a commitment to family and community. These were the values and experiences on which Eisenhower based a lifelong commitment to service to his country, culminating in the 34th Presidency of the United States.

President Eisenhower's career also included West Point, distinguished service in the United States Army, Supreme Command of the Allied Armies in Europe, the presidency of Columbia University, and Supreme Command of the North Atlantic Treaty Organization.

This legislation commemorates the 100th anniversary of President Eisenhower's birth and is intended to honor not only the man, but the values of character, moral integrity, and service to others that made Ike an outstanding leader and one of the most beloved Presi-

dents in recent history. "I like Ike" was not only a political slogan of the 1950's, but was, more deeply, an expression of genuine affection and trust.

Of his numerous accomplishments as President, no domestic program was more important than Eisenhower's sponsorship of the National Defense Education Act, following the Soviet launching of Sputnik in 1959. Ike harnessed the resources of the Federal Government to meet the crisis in mathematics and science education and paved the way for our advances in engineering and technology and our exploration of space.

Today, we face a crisis in education of immense and seemingly intractable proportions. We continue to struggle, at the elementary and secondary school level, with a general decline in the quality of public education and the level of literacy of our high school graduates. Compared to similar groups in Japan and Western Europe, American students score lower in mathematics, science, geography, and foreign language skills.

We still fail to prevent large number of low-income and minority students from dropping out of school, due to drug abuse, teenage pregnancy, or the lack of self-discipline that grows out of hopelessness.

Assisting low-income and minority students is one of the major challenges facing higher education. Many of these students who failed to reach their educational potential earlier attend 2-year, open admission colleges, whose hybrid programs offer remediation, vocational and technical training, and academic preparation for those who wish to pursue a 4-year degree, and each year, these 2-year colleges enroll approximately 4.8 million students, that is, 43 percent of all undergraduates, and 51 percent of all freshmen. Almost half of all minority students attending an institution of higher education attend 2-year programs. These enrollments reflect the increased number of so-called non-traditional students who are often older than the traditional 18–24 year-old college cohort and usually study part time because they are working to make ends meet.

These nontraditional students now comprise the fastest growing group of students in higher education. Given the declining demographics of the traditional college-age group of 18 to 24 year-olds, these non-traditional students represent an untapped resource for colleges and universities as well as for predicted future shortages in the job market. But, during the 1980's, a gap has grown between 2-year colleges and 4-year institutions, which have become increasingly expensive and selective in their admissions. Although roughly 40 percent of students beginning at a 2-year college say they intend to transfer to 4-year institutions, only about one in four eventually complete academic work for the baccalaureate degree. For minorities—blacks and Hispanics—the degree completion rate is an appalling 9 percent.

Helping low-income and minority students overcome the barriers to transferring from 2-year to 4-year colleges is a growing priority of a higher education community. The American Council on Education and the Ford Foundation are currently studying this very problem and are creating pilot programs for community college students who are potential transfer students.

The Eisenhower Memorial Scholarship program has the potential to play an important and highly symbolic role in enabling outstanding, promising 2-year college students to complete their bachelor's degrees, gaining the knowledge and skills to contribute in a more valuable way to the larger society.

The Eisenhower Memorial Scholarship program will provide merit, need-based scholarships for outstanding students who are enrolled in 2-year colleges and who plan on a career in public service. These scholarships will enable the best and brightest in our 2-year colleges to study full time, transfer to a 4-year college, and complete their undergraduate degrees in a field of public service—education, medicine, public health, and social or environmental work, to name but several possible service paths.

These scholarships shall be awarded for the second through the fourth academic years of undergraduate study. The student will complete his or her 2-year academic program and will continue full-time study for the third and fourth years at a 4-year institution, leading to a bachelor's degree.

These scholarships shall be awarded on the basis of merit. The amount of the scholarship award will be based on the student's calculated need. Scholarships shall not exceed the total cost of attendance or $10,000 for each year of study, whichever is less. To leverage additional funds with the goal of broadening the impact of this program in its early years, institutions which admit Eisenhower Scholars are required to contribute not less than 20 percent of the award in matching funds, through institutional grant funds or tuition waivers.

Scholars will be selected through an annual, national competition. At least one scholar shall be selected, each year, from each State in which an applicant meets the minimum criteria for selection. For each State, the top five candidates who were not selected as Eisenhower Scholars, but who showed significant academic promise, shall be listed as "honorable mentions." Like National Merit Semifinalists, these top candidates will be actively sought after by 4-year institutions.

This legislation authorizes $30,000,000 for the Dwight D. Eisenhower Memorial Scholarship Fund in the United States Treasury. Interest income generated from this permanent endowment will support the operations of the Eisenhower Foundation and will fund scholarships.

The Eisenhower Memorial scholarships promise to expand access to higher education to the largest growing group of non-traditional students, those low-income students, minorities, women, and young adults who might not otherwise reach their full potential to contribute to the larger society.

Such scholarships are, I think, a fitting memorial to a Kansas boy of humble origins who was educated by the only Federal scholarship program in existence in the early 1900's—education at the public's expense for the purpose of public service at either West Point or Annapolis. The service academies opened the doors to public service and distinguished careers for thousands of Americans like Ike, a century and a half before the inception of our major Federal student aid programs.

In the 100th year of the birth of Dwight David Eisenhower, I hope my colleagues in the House of Representatives will join me in supporting the creation of a program which promises to have a lasting impact on the lives of so many talented, promising young Americans, who, in many cases, will be the first in their families to attend college.

There can be no more fitting or lasting memorial in this centennial year of President Eisenhower's birth than a program which, while broadening access to an education of some lasting good, opens the doors to the greater good of a life committed to public service.

DON EDWARDS, PROTECTOR OF THE CONSTITUTION OF THE UNITED STATES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. STARK. Mr. Speaker, my good friend, DON EDWARDS, has been described by a colleague as "the most influential figure on the House side when it comes to civil rights." Those who have followed DON's congressional career know that this is an accurate description of his role in the House of Representatives and we are better off because DON has pursued it so assiduously.

The February 1990 issue of California Lawyer contains a brief article, "Capitol Hill Clout," describing DON EDWARDS standing guard over civil liberties. I would like to place in our RECORD that article. And I would like to publicly thank our esteemed colleague for the continuing effort he devotes to keeping this country the sort of place most of us want it to be. He is truly a sentinel of freedom, guarding and protecting our civil and human rights.

CAPITOL HILL CLOUT

A FORMER FBI AGENT, CALIFORNIA'S DON EDWARDS STANDS GUARD OVER CIVIL LIBERTIES

WASHINGTON.—As Congress prepares to debate a series of civil rights bills this session, Representative Don Edwards of California once again will play a center-stage role when it comes to shaping the new legislation.

Conservative critics have long considered the 75-year-old Democrat a Capitol Hill undertaker for many of their pet issues. Supporters cheer his unabashed liberalism in an age of conservatism. As a key member of the House Judiciary Committee, Edwards himself says he remains as determined as ever to stamp his own ideology on civil rights issues.

Congress is expected to act this year on a sweeping measure, HR 2273, to counter discrimination against 43 million Americans impaired by either physical or mental disabilities. The bill was introduced by former California Congressman Tony Coelho and is now being carried by Representative Steny H. Hoyer (D-Maryland).

Edwards will be in the middle of another debate over measures designed to reverse various decisions handed down by the U.S. Supreme Court last year. Describing the justices' actions as "mean-spirited," the San

Jose lawmaker has been huddling with civil rights lobbyists and mapping legislative strategy that will unfold throughout Congress's election-year session.

Last term the Supreme Court's conservative majority issued a string of decisions that alarmed civil rights advocates. The rulings are expected to make it harder for plaintiffs to win job discrimination cases in federal courts. (See "A New Era in Civil Rights," September 1989.)

"During most of my years here, we have relied on the Supreme Court and other federal courts to protect our liberties," says Edwards. "We can't do that anymore."

He and other civil rights advocates hope Congress will respond to the court rulings just as it did when it overturned a 1984 Supreme Court decision that scaled back sex-discrimination laws. *Grove City College* v. *Bell*, 465 US 555.

Midway through his 14th term in Congress, Edwards wields considerable power over the fate of constitutional and civil rights issues as chairman of a House Judiciary Committee panel with jurisdiction over such matters. "I think he's probably the most influential figure on the House side when it comes to civil rights," says Representative James Sensenbrenner, a Wisconsin conservative and the senior Republican on Edwards' subcommittee.

The Reagan administration was reminded of Edwards' legislative prowess in 1988 when he guided into law two extensive civil rights bills. The law overturning *Grove City* was enacted over a presidential veto and a tough housing rights bill passed despite lukewarm support from the White House.

Throughout the Reagan years, Edwards presided over a subcommittee that routinely buried coveted items on the White House wish list—from balanced-budget legislation to a constitutional ban on abortion. "That's what [congressional] committees exist for," says Representative Henry Hyde (R-Illinois), a leading advocate of conservative causes in the House. "They are there to give a burial—decent or otherwise—to legislation that doesn't measure up to the ideology of the power structure."

After eight years of fighting "rearguard actions" against Reagan-era proposals, Edwards frustratingly finds himself in the same position at the end of George Bush's first year as president. "From our point of view, we see no improvement," says Edwards, speaking of himself and other liberal Democrats on the House Judiciary Committee. "There has been no retreat whatsoever on these efforts to weaken the civil rights laws."

Edwards is particularly scornful of Bush's determined campaign to pass a constitutional amendment outlawing descreation of the American flag. Last fall the California lawmaker played a significant part in halting momentum for the flag amendment by crafting a statute bill that makes it a federal misdemeanor to destroy the flag. 18 USC § 700.

He believes the "modest statute" enacted in October—without Bush's signature—is constitutional, despite the Supreme Court ruling against a flag descreation law in Texas that touched off the furor.

He is clearly uncomfortable, though, as he attempts to defend the new law he admittedly supported only to derail a constitutional amendment. He struggles to explain that the law is not intended to punish political speech but rather the "physical" act of burning a flag. "I admit that it's thin," he says, chuckling over his own verbal acrobatics. "But it's the only thing we've got."

Edwards' record in Congress—and a 1960s antiwar poster that hangs in his Capitol Hill office—belie his past as an FBI agent and business-minded Republican who didn't switch party allegiance until he was 35. A 1938 graduate of Stanford Law School, Edwards spent two years at the FBI. After a stint in the Navy during World War II, he came home and made a fortune as the owner of a title insurance company in San Jose.

He also found himself serving as chairman of the statewide California Young Republicans. But Edwards' own politics were already shifting to the left, fueled by his support for the United Nations and world peace groups. Eventually he abandoned the GOP and immersed himself in such groups as the American Civil Liberties Union and Americans for Democratic Action.

Elected to Congress in 1962, Edwards cemented his liberal credentials through friendships with civil rights lawyer Joseph Rauh and U.S. Supreme Court Justice William O. Douglas. By then it was only natural for the new congressman to develop a deep and ongoing interest in constitutional rights. At one point early in his career, Edwards even joined a small band of lawmakers who voted against a routine measure to find the notorious House Un-American Activities Committee.

Today he has lost little of his zeal. Now that he has his hands full with a new White House adversary, Edwards has no plans to abandon the political battlefield. "In fact," he says, "the older I get, the more liberal I become."

FULFORD UNITED METHODIST CHURCH

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LEHMAN of Florida. Mr. Speaker, on January 21, I had the honor of presenting a flag which flew over the Capitol to the Fulford United Methodist Church.

Founded in 1904 by Capt. William H. Fulford, the Fulford United Methodist Church has tenaciously held its ground through the years. Destroyed by a hurricane in 1908, it not only survived, but thrived until the 1970's, when the church entered a decline. The resiliency of Fulford, however, is evident in its recent upswing brought about primarily through the efforts of Rev. William Owens.

The Miami Herald recently spotlighted this Miami institution and its extraordinary pastor, and I would like to commend this article to the attention of my colleagues.

AFTER PERIOD OF DECLINE, CHURCH IS ON UPSWING

(By Bea L. Hines)

Fulford United Methodist Church has weathered many storms in its 85 years. Its first home blew away in a hurricane. Its surrounding neighborhood, once nearly all Christian, now is predominantly Jewish.

Still, the church at 1900 NE 164th St. thrives in North Miami Beach.

But will it continue to thrive?

Yes, says the Rev. William Owens, pastor of the church, which will celebrate its anniversary this weekend.

"I believe Fulford has a very bright future in this community," he said. "The people's attitude is strong and faithful."

Fulford United Methodist, named for North Miami Beach pioneer Capt. William H. Fulford, was founded in 1904.

Its first home was a packing shed, renovated with funds raised by local women. A hurricane destroyed it in 1908. Since then, the church has grown into a sprawling complex that takes up nearly a block.

Jeannette Campbell, 79, a church member and historian of North Miami Beach, said old church minutes told the story of how Capt. Fulford used to load his wife's organ onto his wagon and haul it to the packing shed for Sunday school.

When residents wanted more of a worship service, he arranged for a traveling preacher to attend one Sunday a month.

By 1970, the church had grown to 1,342 members. But as old-timers retired and moved away and young Jewish families moved in, the church's membership started a long slide.

It wasn't until 1987—when Owens, 34, his wife, Becky, and their two children arrived—that Fulford's membership started growing again. There are now 468 members.

Owens credits the congregation and the church's outreach program for the increase, but members say it is because of the youthful Owens that young families are joining.

"It was a blessing when he was sent to us," said Anna Jones, 78. "He is drawing in the young, which is what we need to keep growing."

Owens thinks the church can serve many kinds of people.

"One of the things I enjoy about this chuch is that the people here come from many different cultures and backgrounds," he said. Many new members come from Cuba and the West Indies.

"We have all age groups here. And the older members show a spiritual maturity that helps to bring young people into the church," he said.

Said Campbell: "He is a great preacher, too. The word gets out about him. We have from 40 to 50 people in our Wednesday night Bible class."

Still, Owens said, "We are not a church without struggle. North Miami Beach is predominantly a Jewish community. We are faced with learning to address the needs of a very diverse community.

"But our strength is the willingness of the people to work together although their backgrounds are different. We simply focus on what we can do, then do it," he said.

QUESTIONS ON MONEY AND POLITICS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GORDON. Mr. Speaker, I would like my colleagues, especially those serving on the Bipartisan Campaign Reform Task Force, to consider carefully the questions raised by Mr. Jack Norman, Sr., in his column which appeared in the Nashville Banner. I think you will find that Mr. Norman's questions, asked in 1986, are more relevant than ever today.

The cost of campaigning has gotten out of hand. Fundraising has become a constant

burden faced by almost all Members of Congress. We must reduce the enormous campaign costs faced by candidates and the potential for abuse these costs represent, while making sure the system is open to anyone who wants to run for office.

Mr. Speaker, I commend this article to my colleagues and ask unanimous consent to have it reprinted in the RECORD.

[From the Nashville Banner, Aug. 12, 1986]

QUESTIONS ON MONEY AND POLITICS

(By Jack Norman, Sr.)

Burning questions:

Has money muscle taken over the American system of free elections?

Has it robbed the ordinary citizen of the right to select his or her political leadership?

How close have big campaign contributions come to bribery and extortion?

Has the press, radio and television been too reluctant to publicize and condemn this activity for reasons of profit?

Is American public office being sold to the highest bidder?

Will a Congress or Legislature which condones and participates in such practice ever move to correct the evil?

Can we depend upon elected officials who welcome such contributions to do anything about it?

Does anyone believe for a moment that a person firm or corporation that has business relations with a public office and contributes large sums to a candidate for that office, does not expect favors in return?

Does anyone believe for a moment that the candidate who accepts such large donations does not know of such expectations?

Does it make any difference if the donations are made through political action organizations?

Are public officials to be elected by reason of their television personalities?

Which is more important, the ability, qualification and record of the candidate or the success of his television makeup artist?

Can a good and qualified, but poor, man or woman ever expect to be elected under this situation?

What will be the effect on future democratic and representative government if this is allowed to continue?

Is the only way left for the public a determination to stop voting for the gross offenders?

RON BROWN ADDRESSES ISRAELI EMBASSY

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GRAY. Mr. Speaker, in these troubled times, I would like to share with my colleagues a speech that was given by Ron Brown, chairman of the Democratic National Committee. The speech was given at the Israeli Embassy at their commemoration of the Martin Luther King holiday. The speech addresses racism and cooperation, common foes and common goals. I commend to this body the words of Mr. Brown.

REMARKS OF DNC CHAIRMAN RONALD H. BROWN, MARTIN LUTHER KING HOLIDAY, EMBASSY OF ISRAEL, WASHINGTON, DC

Good afternoon, it's a pleasure to—at least technically—be here in Israel.

It is fitting and appropriate that we have gathered today in the embassy of the state of Israel. The political party I lead, the Democratic Party, has a long history of cooperation with and support for Israel. We as a Party for example, have long opposed the U.N. resolution equating Zionism to racism. We share a commitment to democracy, a heritage of tolerance, and a love of freedom and justice that shapes our respective institutions.

Thus, we come together today.

Today we celebrate the quiet birth of a Georgian whose voice grew to echo around the world—a Baptist preacher whose love transcended sect and in whose name there grows a forest in Galilee.

The Reverend Dr. Martin Luther King, Jr. spent less than 13 years on the national and international stage—13 years from Montgomery to Memphis. He never held elective office. His only authority was that of his convictions, his dedication, and his morality. Yet the events he led or set in motion, the era he defined, changed the world forever.

Twenty years after his death his name commands respect, and his message of nonviolent activism still informs millions who seek to further change our nation and our world.

Last year we saw the power of his teachings as government after government collapsed, without violence, before the tide of democracy.

Where the writings of Marx and Lenin once held sway, the words of Gandhi and King took power. Dr. King described the changes he helped create.

In his word: "All over the world, like a fever, the freedom movement is spreading in the widest liberation in history. The great masses of people are determined to end the exploitation of their races and their land. They are awake and moving toward their goal like a tidal wave. You can hear them rumbling in every village, street, on the docks, in the houses, among the students, in the churches and at political meetings.

"These developments should not surprise any student of history. Oppressed people cannot remain oppressed forever." Tragically, there are exceptions.

Last summer I had the privilege of meeting Wuer Kaixi, one of the Chinese student leaders who—armed only with the words of Mohandas Gandhi, the wisdom of Albert Einstein, and the example of Martin Luther King—stood up to Red Army tanks in Tiananmen Square.

Imagine for a moment the power of a man whose words—whose ideas—moved hundreds of thousands of students in Beijing to challenge tanks and automatic weapons, armed only with abstractions. Peace. Love. Freedom. I am here today as well to celebrate with you as an American.

It is ironic that the birthday of one so respected around the world is often seen—here in his home—as somehow a holiday for African Americans only.

The birthday of Martin Luther King is a day for all Americans to pause and remember one who gave his life for the American ideal.

Americans of every race have fought and died for that ideal. All Americans are freed when the weight of racism is lifted. All Americans were degraded by segregation, crippled by hate, and compromised by a society that saw each African American as only three-fifths of a person.

All Americans are better off because of Martin Luther King. And I am here today because perhaps no group of people outside of the African American community is as aware of this as the American Jewish community.

Our forebearers stood together—outside, looking in. Denied access to education, employment, and housing, our people knew instinctively that a bond existed.

When the first community-based agencies were founded in Jewish neighborhoods, they reached out beyond their own bases, and assisted children of all races in their quest for educational and civil opportunity.

In 1917, a Yiddish language newspaper compared a St. Louis riot where blacks were killed to the Russian Pogrom at Kishinev in the following words: "Kishinev and St. Louis—the same soil, the same people. It is a distance of four and a half thousand miles between these two cities and yet they are so close and so similar to each other. . . Actually, twin sisters, which could easily be mistaken for each other."

We stood together for justice, sat at lunch counters, rode in busses across the south, marched on Washington, picketed, organized and voted together. Two thirds of the whites who went to Mississippi for freedom summer—two thirds of these students who put their lives on the line—two thirds were Jewish.

And in the earthen dam near Philadelphia, Mississippi, two thirds of the blood is Jewish.

Twenty-five years have passed since the disapperance of James Cheney, Andrew Goodman, and Michael Schwerner.

And twenty-two years since the Reverend Martin Luther King announced support for Israel's "independence, integrity, and freedom," in the face of the Six Day War.

We cannot let the bond disappear. We simply can't let that happen.

Racist and anti-semite are easy words—crutches at times—used too quickly, substituting for meaningful thought, flung out without regard to consequences.

We must not deny that these things exist—that within our communities there are racists and anti-semites.

But we must recognize that there are honest differences between our communities. Differences that can anger and even enrage, but which cannot be allowed to divide us. And we must realize that the differences between our communities are not recognized by David Duke and the Ku Klux Klan—that race hatred and religious persecution walk hand in hand.

We in this room today, we who are leaders and activists in our communities must ensure that a relationship based on mutual respect and a shared history of struggle and oppression does not deteriorate.

We must leave behind this gathering of elites, and carry a message to those in our communities who are not here—the poor and disaffected, the uneducated, the prejudiced and the angry people who search for targets and scapegoats.

That message is this: it is not Jews that have bombed and threatened civil rights leaders, and it is not blacks who are painting swastikas on synagogues. We do not threaten one another.

Together we have created a movement that is still changing America.

Let us work together and see these changes through.

Our shared destiny isn't about rhetoric, a speech or a three-day weekend. It isn't about partisan politics.

It is about the hope for justice in this world. It is about the common threats we still face.

It's about what gets shouted and hurled at our children as they walk to school.

It's about churches that get burned and synagogues that get defaced and destroyed.

It's about a racist bombing in Savannah and an antisemitic attack on a Yeshiva less than ten miles away from where we stand today—both within the past month.

It's about the darkest horrors of history never being allowed to repeat themselves.

We live in an imperfect world. Human beings cannot achieve perfection, but we must work toward it.

As Dr. King said: "Human progress is neither automatic nor inevitable . . . Without persistent effort, time itself becomes an ally of the insurgent and primitive forces of irrational emotionalism and social destruction. This is no time for apathy or complacency. This is a time for vigorous and positive action."

Together we can change history.

As you walk through Washington today or this week you may notice a poster that caught my eye. It presents a silk-screened profile of Dr. King—arms outstretched as though addressing a crowd or welcoming a child, eyes raised, mouth open to speak—and below the words: "I still believe."

After three hundred years of slavery and a century of oppression, I still believe.

After a million lies and broken promises, after a thousand deaths and beatings, after ten thousand jailings and executions, I still believe.

Two decades after James Earl Ray shot down Martin Luther King, I still believe.

I believe that Dr. King did not die in vain. That the moral force he loosened on our world survives, that the lessons he taught have been learned, that the changes he fought for are being made.

I believe that America holds out an unequalled promise of equality, and of brotherhood, of bridging the chasms of race and religion and ethnic heritage that divide so many nations and regions.

And I believe that we can, and we must, make America to live up to that promise.

As Dr. King said: "Let us therefore continue our triumphal march to the realization of the American dream . . . For all of us today, the battle is in our hands . . . The road ahead is not altogether a smooth one. There are no broad highways that lead us easily and inevitably to quick solutions . . . We are still in for the season of suffering . . . How long? Not long. Because no lie can live forever. Our God is marching on."

Thank you and God bless you.

ARCHBISHOP IGNATIUS GHATTAS

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Ms. OAKAR. Mr. Speaker, I am so pleased today to call to your attention the immense pride Greater Clevelanders feel for a man of God who has been recognized for his 37 years of service to his community. Msgr. Ignatius Ghattas has been appointed an archbishop in his Melkite Catholic Church and will be ordained this Friday at St. Elias Melkite Greek Catholic Church in the Cleveland suburb of Brooklyn, OH. He will become the leader of 35,000 Melkites in 41 churches throughout the United States.

Mr. Speaker, I wish to include in the CONGRESSIONAL RECORD an article on Monsignor Ghattas that appeared recently in the Cleveland Plain Dealer.

MONSIGNOR MOVES TO NEW CHALLENGES AS MELKITE BISHOP

(By Darrell Holland)

Monsignor Ignatius Ghattas has been appointed a bishop in his Melkite Catholic Church at a time when many people his age would be retiring.

Ghattas, 68, says he does not believe in retirement. "I really never was afraid of work," he said.

He will be ordained bishop at 4 p.m. Friday at St. Elias Melkite Greek Catholic Church, 8023 Memphis Ave., Brooklyn. A banquet at Stouffer Tower City Plaza Hotel will follow.

After the ordination here, he will travel to the Boston suburb of Newton, Mass., to become archbishop of the Eparch (diocese) of Newton of the Melkite Greek Catholic Church. He will attain the title archbishop because Newton is an archdiocese.

Ghattas said that after his installation as archbishop Feb. 25, he would return here to continue at St. Elias until a successor is named. He then will move to Newton, where the diocese has its offices and operates a seminary.

As archbishop, Ghattas will be the spiritual leader of about 35,000 Melkite Catholics in 41 churches throughout the United States.

Milkites are one of the Byzantine rite Catholic churches, which are loyal to the pope but follow an Eastern rite rather than the Latin or Western rite.

Ghattas said about 15 bishops would come to Cleveland for the ordination, including Maximos V of Lebanon, the Melkite patriarch who oversees the church from offices in Syria, Egypt and Lebanon. Maximos V and 23 Melkite bishops recommended to Pope John Paul II that Ghattas be made a bishop.

Maximos V will be the main celebrant of the Divine Liturgy at Ghattas' ordination here. Also in attendance will be Cardinal James Hickey of the Washington Catholic Archdiocese, who will preside over the service, Cleveland Bishop Anthony M. Pilla and Archbishop Joseph E. Tawil, whom Ghattas is succeeding.

Ghattas has been pastor of St. Elias for the past 37 years, ever since he arrived in the United States from his native Palestine, now part of Israel. He was born in Nazareth on Christmas Day, 1922.

"I had mixed emotions about the appointment," he said. "I have really loved it in Cleveland and after 37 years this is my home.

"I have baptized, confirmed, given communion and married most of the members here and also their children in recent years. This church is really like my family," Ghattas said of the 350 households who make up the parish. "I know them all by name."

He became a U.S. citizen soon after his arrival. Two of his brothers live in Cleveland.

In his new post, he said, he will be "a father to the priests and to the people in the diocese who will make up my flock. I will watch over them and be concerned when they are hungry and thirsty, both spiritually and physically."

He said he hoped to visit each of the parishes within two years, a formidable task since they are scattered throughout the country. He also is likely to have to visit Lebanon at least once each year to attend convocations with Maximos and the other Melkite bishops.

The political and religious strife in Lebanon and other Middle Eastern nations, including the conflict between Israelis and Palestinians, will be concerns he will deal with more as a bishop, he said.

"I will make my voice known," said Ghattas. "You can't have peace without justice. The rights of all persons must be respected in all Middle Eastern nations if peace is to come there."

He said he visited Lebanon last September for a church convocation. "We need to have the kind of freedom, equality and justice that has recently emerged in Eastern Europe in order for there to be harmony in Lebanon and other nations."

Because of the war in Lebanon and the conflict in Israel between Israelis and Palestinians, Ghattas said, there had been many recent Melkite Catholics immigrating to the United States.

"Our churches have helped to resettle people during the past couple of years in great numbers all over the country, including nearly 40 families added to our own parish here," he said. "This helps to keep alive the traditions and culture of our former homelands."

"The newcomers also remind us of our respect for our roots," he added. "Those roots include attempting to keep alive such qualities as hospitality, generosity and faithfulness for which our people are well known."

On a personal note, I have been privileged to represent St. Elias' Church and Monsignor Ghattas in Congress. I value highly his spiritual leadership and his kind friendship. We, in Greater Cleveland, will miss him, but we are also very proud of him.

DIRECT MEDICARE REIMBURSEMENT FOR NURSE PRACTITIONERS AND CLINICAL NURSE SPECIALISTS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, the Members of this body are well aware of the problems the many rural Americans face in accessing health care services in their communities. In recent years we have witnessed many rural areas throughout the country suffer from hospital closures and shortages of health care professionals. Rural communities are having increased difficulty in retaining and recruiting physicians and nurses in order to assure access to primary health care services for Medicare beneficiaries and other citizens. These health care professional shortages are linked to hospital closures in that most often the community will lose their physician when they lose their hospital.

Unfortunately, many Medicare beneficiaries are not receiving essential health care because physicians are not available. Often there are other health care providers available but because of restrictions on Medicare cover-

age, patients cannot utilize the services of other health care professionals such as nurse practitioners and clinical nurse specialists. The consequences can be very disturbing, especially in emergency cases.

For example, I am aware of a particular case in North Dakota where an elderly woman was suffering from pneumonia and was in need of medical treatment. Her community did not have a hospital, so she went to a group practice center that was staffed by nurse practitioners on a daily basis, but only had a physician available periodically. It just so happened that the day she needed care the physician was not available. The nurse practitioner could have provided the elderly women with the care she needed but because Medicare does not provide coverage for services by nurse practitioners in this type of a setting, the elderly women had to drive 70 miles to the nearest available physician.

That is why I am introducing legislation with my colleague BILL RICHARDSON that would provide direct Medicare reimbursement for nurse practitioners and clinical nurse specialists in rural areas. This legislation would make it possible for Medicare beneficiaries to receive health care services from health care providers that are recognized by other health insurance programs, government and private, as providing quality and cost-effective health care services. I believe that Medicare ought to join the CHAMPUS Program and the 15 States that have required health insurers to reimburse nurse practitioners directly for their services in utilizing the services of these professionals.

This legislation is similar to that which has been introduced by Senator DASCHLE in the other body. His bill was actually approved by the Senate Finance Committee last year as part of OBRA 1989 but did not become law.

Under current law, nurse practitioners can receive Medicare reimbursement for their services indirectly in rural health clinics and in skilled nursing facilities. This legislation would provide for direct Medicare reimbursement to certified nurse practitioners and clinical nurse specialists who provide services in rural areas.

Nurse practitioners and clinical nurse specialists will not replace physicians. By recognizing the services provided by these health care professionals, however, the Medicare Program can shore up some of the gaps in access to services. A recent OTA study shows that the quality of care provided by nurse practitioners and clinical nurse specialists is no less than the quality of physician services provided for similar ailments. Not only do nurse practitioners and clinical nurse specialists provide quality care for what they are qualified to deliver, but they do so in a cost-effective manner.

Although this legislation is expected to cost the Medicare Program about $11 million in its first year, I anticipate that in the long run it will save money in the Medicare Program. Reimbursement under this legislation will be at 75 percent of prevailing charges—or 85 percent of prevailing charges outside of the hospital setting. In the end, this legislation is a cost-effective way to expand access to health care services to Medicare beneficiaries that live in rural areas.

I believe that it is time that the Medicare Program recognize the contribution nurse practitioners and clinical nurse specialists can make to improving access to health care services. These professionals are qualified to provide quality care and it only makes sense that their services be utilized. I urge my colleagues to support this legislation.

NATIONAL CANCER INSTITUTE AWARDS FIRST RESEARCH GRANT FOR CANCER VACCINE TO MARC K. WALLACK, M.D.

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to announce to my fellow Members of Congress, that a new era in cancer research begins today. Marc K. Wallack, M.D., chairman of the department of general surgery of the Mount Sinai Medical Center, in the 18th Congressional District of Florida, has been awarded the first-ever research grant by the National Cancer Institute for the continued study of a vaccine that may prevent the recurrence of malignant melanoma, the deadliest of skin cancers.

Dr. Wallack received notification today of the $500,000 grant, which will enable him to support the third and final phase of a randomized double-blind study being conducted under his direction at nine medical centers nationwide.

Melanoma is found most often in Florida, the Southwest, and the tropics. The deadly skin cancer spreads not just through the skin, but also to the lungs, liver, and brain. One-third of sufferers die, even after treatment. While the melanoma vaccine does not prevent cancer, if given after surgery, it could prevent the recurrences that often prove fatal. Approximately 22,000 new cases of malignant melanoma are diagnosed every year.

Mr. Speaker, I invite my fellow colleagues to join me in congratulating Dr. Wallack and the Mount Sinai Medical Center on this prestigious award and wish good luck for the speedy discovery of a cancer vaccine.

GEORGE KONHEIM RECEIVES VARIETY'S BIG HEART AWARD

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LEVINE of California. Mr. Speaker, I rise today to recognize my good and distinguished friend George Konheim, who will be honored as an outstanding citizen at the Variety Club of Southern California's annual Big Heart Dinner on February 27, 1990.

The Variety Clubs International were formed in 1927 when a baby was abandoned in a theater in Pittsburgh. The owner of the theater and his friends adopted this baby, placed her in a foundling home and decided to raise money for the baby and all the others in the home. This was Variety Club Chapter No. 1. Since then, new chapters have been formed around the world. Its members have raised close to $600 million for children who are sick, handicapped, abused, orphaned, or underprivileged. It is for his work in these areas that George Konheim will be honored.

George has been actively involved with community activities all of his life, both in his personal and his professional life. George is a director of the Cedars-Sinai Medical Center, the Jewish Federation Council, Temple Ben Am, the Los Angeles Home for the Aged, and the Child Welfare League of America. He was recently elected to his 22d year as President of Vista Del Mar Child and Family Services, and has served as President of Reiss Davis Child Study Center and Home-Safe, Inc. He is also a leader in the United Way campaign, and is on the board of governors of the City of Hope.

The impressive array of organizations with which he has been affiliated is too long to list fully, but all point to the fact that the honor that will be bestowed on George Konheim is richly deserved. His work on behalf of the Los Angeles community, and particularly the children of the city, has been invaluable. I am delighted to join the Variety Club in recognizing his outstanding contributions.

At this year's annual Big Heart Dinner, over a half million dollars is expected to be raised which will to go the Child Amputee Center at UCLA, the Boys and Girls Club of East Los Angeles, the program for children with AIDS at USC County Hospital, the neo-natal wing at Cedars-Sinai, and for Sunshine Coaches which provides vans to transport children to hospitals and therapy.

Mr. Speaker, I urge my colleagues to join me in congratulating George Konheim for being selected for this honor, and wishing him and his family the best of success in their continued efforts on behalf of the less fortunate in the Los Angeles area.

THE FIVE AMARAL BROTHERS

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to honor five brothers who proudly served their country both in war and in peace.

The five Amaral brothers, Manuel, Horace, Eugene, David, and George, are all World War II U.S. Navy veterans. They collectively served in several areas during the war. Their campaigns included the American campaign, American defense, Asiatic-Pacific, European-African, Middle East, Philippine liberation, World War II occupation, and World War II victory. They also collectively received several decorations for their outstanding service including four Bronze Stars and one Silver Star.

Their service to this Nation also extended to their local community in East Providence, RI. A family plaque has been placed in their name remembering their generous donation of land for the city of East Providence.

It is with great pleasure, as a fellow veteran that I salute these five proud veterans. Their service both at home and abroad is a tribute

to their patriotism and their commitment to their fellow man.

THE EQUAL OPPORTUNITIES FOR ALL WORKERS ACT

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. CAMPBELL of California. Mr. Speaker, I rise today on a matter of both fiscal responsibility and simple fairness. I rise to introduce the Equal Opportunities for All Workers Act—a measure that would immediately repeal the Social Security earnings test.

More than any other Federal program established in the last half century, Social Security represents values and objectives that are particularly American. Since its inception in the 1930's, the Social Security System has constituted a unique compact between the Government and the working men and women of this country. It has functioned, in effect, as a kind of government promisory note—guaranteeing today's workers future security and dignity, in exchange for their present sacrifices. For over 50 years, the Social Security has served us well in this capacity.

Despite its successes, however, the system contains one provision that contradicts its own principles—a contradiction that compels me to act today. The outside earnings limitation imposes a tax on Social Security receipts if a senior citizen continues to work. Specifically, this limitation requires Social Security to deduct $1 of benefits for every $2 earned above the ceiling of a senior's allowable, annual income: effectively a 50-percent tax. Under current law, beneficiaries under age 65 can earn up to $6,480 a year and those aged 65 through 69 can earn up to $8,880 before this tax is imposed.

The earnings limit prevents thousands of older Americans from continuing to exercise one of their most fundamental rights: The right to work; and it denies to our economy the productive participation of skilled, experienced workers.

Over the last 20 years we have witnessed several congressional efforts to repeal this burdensome limitation. In abolishing the earnings test, however, these measures, would necessarily lower the size of the Social Security trust fund. To repeal the earnings limit might jeopardize the fiscal soundness of Social Security.

The bill I am introducing today, however, accomplishes the valuable dual purpose of eliminating this barrier to older workers while also strengthening the financial integrity of the overall Social Security System. The bill would immediately abolish the outside earnings limitation, thus enabling individuals to remain professionally productive for as long as possible. The distinguishing difference of this measure, however, is that all additional tax collected on new income earned would go exclusively toward supplementing the Social Security trust fund.

The origin of the earnings limit lies, as does Social Security itself, in the Great Depression. Jobs were scarce, so seniors were encouraged to leave the workforce to make way for younger workers. Today, unemployment is at a virtual minimum historically—5.2 percent. The shortage is no longer in jobs, but in skilled workers, with disciplined work habits, able to fill them. Social Security has outgrown its earnings test.

This bill would also have the salutary effect of actually increasing the savings rate among what, under its own provisions, would be a newly empowered segment of American workers. The contributions from these workers to the Social Security trust fund, it has been estimated, will actually exceed their new payments from it—for a net increase in the American savings rate. In this age of unwieldy budget deficits and increasing economic competition internationally, we must do all we can to encourage individuals who wish and are able to earn and spend money to do precisely that. The current arrangement penalizes not only active, productive seniors, but in fact everyone who benefits from a healthy, growing economy.

We can expect in the next 20 years to confront the most serious challenge—both socially and fiscally—to ever face the Social Security System. It is during this time that the so called baby boom generation will reach retirement age in full, rightful expectation of receiving their complete benefits. We must ensure that the fund is viable for them, and that their economic contributions are encouraged.

We live in a society in which the work force is growing older. This represents not a disadvantage, but a tremendous opportunity if we are wise enough to grasp it. We will increasingly rely on the skills and energy of older workers. The sooner we not only recognize this fact, but accommodate ourselves to it, the sooner we can realize our full economic capabilities.

My measure seeks to give those whom the system most immediately benefits as full an opportunity as possible to keep it strong and functioning. Rarely has what is most fiscally prudent so closely corresponded to what is undeniably morally right. Our action today ensures that the promise America made over 50 years ago to its workers is kept.

IN WHOSE IMAGE

HON. ARTHUR RAVENEL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. RAVENEL. Mr. Speaker, I would like to submit the following interesting article, "In Whose Image" by Al Wall, one of my constituents. In the light of recent ethics scandals in both the public and private sectors, I believe that it is required reading for all.

[From the Christian Single, July 1989]

IN WHOSE IMAGE

(By Al Wall)

The following quotation is an empirical acquisition from years of observing local and national politics: "It must not only be right, it must look right."

This truism seems to have been overlooked by a considerable number of people in the public eye—politicians, entertainers, athletes, business and professional men and women. In the first six months of 1987 fallen heroes, a group too numerous to list here, dominated front page news. To identify even a few would serve no useful purpose; the admitted and known misdeeds of the idolized is sufficient reason to underscore the need for an individual—in public or private life—to carefully guard his/her image.

"And God said, Let us make man in our image, after our likeness . . . So God created man in his own image, in the image of God created he him; male and female created he them" (Gen. 1:26-27).

Most of us have a natural disposition to think of our personal image as outward appearance—how we look in terms of good grooming and acceptance of our style of dress. While I subscribe to the late Col. Elliott W. Springs' philosophy that "Clothes make the man," appropriate dress is not as important as the feelings and emotions of the heart. Our true image depends upon fairdealing, honesty, integrity, dependability, and the practice of Christian ideals as much as it does a weekly visit to the hairdresser or a monthly visit to the haberdasher or boutique.

As the director of a human resources service organization I work with people from all walks of life to help improve their public image. My clients include politicians, entertainers, businessmen and women, professionals and occasionally, students. From my experience, today, more than ever before, young people are becoming concerned about how they're perceived by the public; how and what others think about them. The reason for this sudden interest in a good image is that millions of young people are employed in positions that demand public acceptance and approval. The pressure to "look good" may lead to a lowering of one's moral standards and Christian beliefs.

The Bible clearly teaches harsh lessons about human misconduct and in some cases, the resulting harsh punishment. For them, it was a matter of choice. Adam's choice cost him the Garden of Eden; Esau's, his birthright; the rich young ruler's, his life; Judas and Ananias', their life and fellowship with God; and Absalom's, David's throne. In each illustration there was an undisputed incorrect choice; each person failed to consider the consequences of his or her actions and decisions.

As a matter of choice we should not frequent businesses known to cater to people with questionable backgrounds. Patronizing such places may be required in the course of business, or they may be a source for obtaining business or professional assistance or information. Regular visits to these locations may lead to unwanted and unearned "guilt by association". We are reminded again that "it must not only be right, it must look right".

In one noble gesture golfing great Bobby (Robert Tyre) Jones demonstrated to the world that material gain was less important to him than maintaining his integrity. The 1930 winner of golf's coveted top prize, the Grand Slam, first accepted the gift of an expensive home in Atlanta, Georgia. The full-time lawyer, part-time golfer believed his amateur standing would be in jeopardy if he accepted the gift. Jones graciously thanked his benefactors and then returned the house in order that no shadow of suspicion be cast on his nonprofessional status. To him, accepting a $50,000 home (worth many times more today) while still participating as an amateur golfer didn't "look right".

Image building, taking into consideration both outward appearance and inward con-

viction, requires adherence to a constant set of principles. One can't waffle or vacillate on an important detail which he/she knows unequivocally to be morally wrong. Protecting the image should be practiced with the same serene diligence that one goes about a day's work: Your word and your integrity are Number One.

TRIBUTE TO WAYNE GRETZKY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. BERMAN. Mr. Speaker, I rise today to salute a truly outstanding individual—Wayne Gretzky. Wayne is not only one of our country's greatest sportsmen, he is involved with and dedicated to the work of a wide variety of charitable and nonprofit organizations. In line with that commitment, Wayne Gretzky is to be honored by an all-star cast at the Fifth Annual Sports Award Roast benefiting the City of Hope Medical Center where he will receive the prestigious "Steamer Award."

Wayne Gretzky's professional career is unparalleled and is well known to the Members of this House. He joined the Los Angeles Kings in 1988 after a brilliant career with the Edmonton Oilers. Last year he became the National Hockey League's alltime leading scorer and for 8 consective years Wayne has received the "Victor Award" as hockey's outstanding player.

Apart from hockey, Wayne has distinguished himself as a humanitarian and a philanthropist. He has been a key supporter of the City of Hope—one of this country's leading medical research and care institutions. He is also involved with a wide range of other organizations and during his short time in Los Angeles has already distinguished himself as an individual committed to using his fame and prestige to benefit those less fortunate.

Mr. Speaker, it is my pleasure and privilege to ask my colleagues to join me in saluting Wayne Gretzky, a supreme athlete, a community leader, and an excellent role model for all.

UMW-PITTSTON CONTRACT RATIFIED

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. RAHALL. Mr. Speaker, yesterday, after being on strike for almost 1 year, over 1,200 United Mine Workers of America members in West Virginia, Virginia, and Kentucky ratified a labor contract with the Pittston Coal Group.

I would like to take this opportunity to commend UMWA President Richard Trumka and Pittston Chairman and CEO Paul Douglas for reaching this agreement. A great deal of credit also goes to Secretary of Labor Elizabeth Dole took who took a personal interest in this labor dispute and served as a mediator at a most crucial juncture in the negotiations.

Moreover, I congratulate the rank and file mineworkers and their families. They worked for over a year without a contract. When it became evident that no settlement would be reached, they exercised their right to strike. During the course of this labor dispute over 3,000 miners and family members were arrested for nonviolent acts of civil disobedience. Meanwhile, some of the tactics used against the mineworkers last year were more reminiscent of the 1920's and 1930's than 1989. In the Appalachian coalfields we saw a new generation of armed, helmeted mercenaries confronting workers who were exercising their legal rights. Peaceful picket lines were threatened by what can only be described as storm troopers armed with mace, nightsticks and even firearms.

Mr. Speaker, organized labor as a whole has been experiencing an erosion of basic rights and civil liberties stemming from our dear former President Reagan's union busting legacy that began with the air traffic controllers strike. But the line in the sand was drawn by the United Mine Workers of America—at places like "Camp Solidarity in Logan County, WV, and at the Moss No. 3 coal preparation plant near Carbo, VA. To all those who were "on the line in '89" I salute you. The ramifications of the actions you took in the coalfields have a significance which will reverberate throughout the Nation.

THE 100TH BIRTHDAY OF PRESIDENT DWIGHT D. EISENHOWER

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GOODLING. Mr. Speaker, as you know, October 14, 1990 is the 100th birthday of President Dwight D. Eisenhower. A number of events are scheduled throughout the world to recognize this significant milestone, and the Dwight D. Eisenhower Society of Gettysburg, PA, is taking a lead role in the domestic celebration.

When thinking of Ike, I have always kept in mind a quote first used to describe George Washington: "a citizen, first in war, first in peace, and first in the hearts of his countrymen." Eisenhower rose from modest origins to become one of the great military leaders in our Nation's history, and one of the most beloved and popular Presidents of all time.

Throughout his career, Ike was recognized for his honesty, integrity, and leadership, as well as his ability to get the job done in a direct and straightforward manner. All Americans should strive to emulate these traits. The celebration this year of Eisenhower's centennial birthday will help to further enlighten and educate people about his deeds and accomplishments.

I recently came across the text of a speech made by a member of the Gettysburg Eisenhower Society, Jane Stevens. Her remarks about Ike are an eloquent tribute to a great American hero. I commend them to your attention.

Many of you are familiar with this button I am wearing on my lapel. For those of you who are not, it says "I Like Ike," a slogan from his first presidential campaign. With his warm, down-to-earth style and spontaneous grin, it was easy to like "Ike." He loved people and people loved him. "I Like Ike" soon became the sentiment of the nation. We trusted him. The whole world trusted him. He became known in his time as the "World's Most Trusted Citizen."

A humble man from humble beginnings, Eisenhower believed in those good old-fashioned, seemingly simple but difficult to develop qualities of honesty, integrity, courage, and honor. He was a man of strong faith, in his God, in himself, and in his fellow man. A West Point graduate, he ranked "duty" above all else.

At the time Eisenhower came to the Presidency, much of the world was weary with the fatigue of war. He was a military man who hated war. He held our hand like the good doctor who holds the hand of an ailing patient at his bedside, giving him the spirit to heal. And so we did. We had eight years of prosperity, the best decade of this century. For eight years he gave us peace.

It was a dangerous decade, the fifties; a period of transition. Eisehower intuitively understood the danger; when confrontation is unrestrained, direct means between the world powers could no longer be tolerated. He understood that the peace that must be sought could not just be a "stilling of the guns, easing the sorrows of war, more than an escape from death," but a "way of life" in this nuclear age. He wisely understood that the world was now too big, too complex, too pervasive, and too dangerous, with its ability to annihilate itself, for any one single man or nation to implement a program that would bring world peace.

Esquire Magazine, in an article by Murray Kempton, described Dwight D. Eisenhower as "the great tortoise . . . upon whose back the world sat for eight years . . . never recognizing the cunning beneath the shell." Once, when asked what he thought was the most important quality a leader must have, Eisenhower replied, "selflessness." It was his conviction that we each had a responsibility, a duty to rise above partisanship, to attempt to understand another's point of view and circumstance, to cooperate in achieving a just and honest solution to a problem or crisis. He was a genius at unifying disparate personalities into an effective team. He was a genius at calmly managing crises.

Quoting Eisenhower, "there can be no freedom without peace. There can be no peace without understanding." This is not just an oversimplified, naive statement about the ongoing efforts to strive for world peace. Especially in view of the escalating problems of drug abuse, the destruction of our environment, and political unrest, it is a very difficult and demanding solution whereby each of us as individual citizens of the world must selflessly do our part, and duty, by whatever contribution we can make.

Eisenhower stated on numerous occasions that he felt his greatest failure was his inability as a leader to achieve world peace. Such a goal would seem wildly optimistic, and unfair to expect of a single man's capacity as a leader. He did not, he could not hope to give us world peace during his time in office. However, he did give us a legacy of freedom as the role model for the means to achieve world peace. His qualities of character are an exemplary guide to govern ourselves with dignity, to understand and respect that same dignity in our fellow man,

and to come together as one for world peace.

BARBARA LAWSON LEAVES EDEN EXPRESS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Ms. Barbara Lawson, the executive director of Eden Express. Eden Express is located in Hayward, CA, in California's Ninth Congressional District. Ms. Lawson is leaving the restaurant after 8½ years of service.

Ms. Lawson began her career with Eden Express in 1981. Her job was to direct the restaurant's business operation and to put together a training program for the disabled. The twofold project evolved into a model for the Nation in the training of the mentally and emotionally disabled.

Eden Express is an 82-seat restaurant; but more importantly, it is a training center where a variety of developmentally disabled people learn job skills in a food service setting. Many of the trainees are people with a history of mental problems or combinations of physical handicaps and developmental disabilities and have never held jobs before coming to Eden Express. The training takes place in a natural work setting with an average of 30 disabled persons enrolled at one time and an average training time of 3.5 months. At the restaurant, the trainees learn self confidence, good working habits and skills needed to obtain and hold a job in the competitive market place. The disabled served at Eden Express are between 16 and 55 years old and, diagnosed as mentally ill, learning disabled, deaf, physically disabled, or brain injured.

The training program that Barbara Lawson devised has helped over 600 disabled people train and move on toward other jobs. Of those that have graduated, 94 percent have obtained jobs and over 82 percent have maintained them. In May 1989, the National Restaurant Association honored Eden Express at their national convention in Chicago for being an outstanding training program. As a national model training program, the staff of Eden Express has assisted in helping launch 17 similar training programs across the Nation.

Eden Express was established by families who had members that could benefit from such a training setting. Besides the dining room which is open 7 days a week for breakfast and lunch, the restaurant also features a banquet room that seats 50 where community groups often meet regularly. The restaurant also offers catering and take-out service, and provides wholesale baking of 600 dozen cookies and muffins weekly.

Eden Express has received numerous awards for its pioneering program including the John R. May Award in 1987 from the San Francisco Foundation for being an outstanding organization in the bay area. In 1987 and 1988, Eden Express was featured on CBS's "West 57th Street," in 1989, on the Peter Jennings News Show, in 1989, on CNN, and has also been featured on various local TV stations, on local radio, and in newspapers. Table Magazine, Restaurant and Institutions, Restaurant USA, Western Tables, Restaurant Business, Restaurant News, and People Magazine have all run feature articles on the restaurant. The restaurant has also received honorary mentions in the following books: "Schizophrenia," by Mary Ellen Walsh; "Surviving Schizophrenia," a family manual by Dr. Torrey; and "Care of the Mentally Ill," a rating of State programs by Drs. Torrey and Wolfe.

Barbara Lawson was born in Oakland, CA, and raised in the San Francisco Bay Area. She received her B.A. from Cal State University at Hayward, and her masters in public affairs from the University of Southern California. Barbara also has her food service credential and a community college credential. She is the past owner of the Lafayette Creamery in Lafayette, CA, and has worked in community service for over 25 years prior to coming to Eden Express. Barbara has three children, Keith, age 31; Lori, age 29; and Lesli, age 22.

Mr. Speaker, Ms. Lawson will be sorely missed at Eden Express where she made the restaurant and its training program into a model for the entire Nation. She will be moving on to a job in consulting and plans to direct her attention to writing about Eden Express and the concepts that contributed to its success in the hopes that everyone will be able to understand what it is that makes this particular program work. I wish Barbara luck in her new careeer and want her to know that her time at Eden Express enriched not only the lives of the disabled but also the lives of everyone who came in contact with them.

THE SOCIAL SECURITY TELEPHONE ACCESS ACT OF 1990

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LEVIN of Michigan. Mr. Speaker, today I am introducing the Social Security Telephone Access Act of 1990. Congressman JACOBS, MOODY, and HUGHES are joining me as original cosponsors. This legislation seeks to address some serious problems with the Social Security toll-free 800 number that have come to the attention of congressional caseworkers across the country. Senator PRYOR is also introducing a companion bill in the Senate.

While I applaud efforts by the Social Security Administration to improve productivity, these efforts must not come at the expense of service to the public. I am afraid that the national data I have seen and the anecdotal evidence I have heard indicate that the 800 number was not a step forward.

Busy signals in January, particularly during the early part of each week, continued to exceed 50 percent. Today, if you open your phone book to find out where your nearest Social Security office is located you will find an empty space where that information used to be found. Beneficiaries with a case can no longer call the Social Security employee who is handling their problem. Instead they must speak with an 800 number operator, who is often hundreds of miles from the relevant file. The caller is then told that they will receive a return phone call from the local office, creating an unnecessary delay and adding to the frustration of an already upset beneficiary.

The 800 number has its place in the Social Security system, I only question whether it should be the sole method of contact between SSA and the public. The legislation we are introducing today will require the SSA to list in local telephone directories the local office phone numbers and addresses, along side the 800 number. The phone directory would indicate that calls relating to specific cases should be directed to the local number, while general Social Security questions and information could best be obtained through dialing the toll-free 800 number.

In addition to ensuring this dual access, the legislation also includes a demonstration project that I have drawn from a bill I introduced in the last session. This telephone service center demonstration project passed the House last year as part of the Reconciliation Act, but unfortunately it was not included in the final conference report.

This demonstration project would test the feasibility of a system to generate followup letters to callers to the 800 number. Many Members of Congress have had reports of misinformation and misunderstandings from questions put to teleservice operators at the 800 numbers. Followup letters would help clarify the responses to these calls, provide a paper record for beneficiaries to substantiate their claims in any subsequent proceeding with the SSA, and provide a quality check for beneficiaries and SSA management.

Mr. Speaker, the Social Security Telephone Access Act of 1990 will allow the SSA to upgrade its technology and improve its services and productivity while protecting the interest of the American public. I ask that the text of the legislation be printed in the RECORD immediately following these remarks.

H.R. 4051

A bill to provide for improved access by telephone to the Social Security Administration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Telephone Access Act of 1990".

SEC. 2. ACCESS BY TELEPHONE TO LOCAL OFFICES OF THE SOCIAL SECURITY ADMINISTRATION.

(a) IN GENERAL .—Title of the Social Security Act is amended by adding at the end the following new section:

"TELEPHONE ACCESS TO THE SOCIAL SECURITY ADMINISTRATION

"SEC. 712. (a) REQUIRED MINIMUM LEVEL OF ACCESS TO LOCAL OFFICES.—In addition to such other access by telephone to offices of the Social Security Administration as the Secretary may consider appropriate, the Secretary shall maintain access by telephone to local offices of the Social Administration at the level of access generally available as of October 1, 1989.

"(b) TELEPHONE LISTINGS.—The Secretary shall make such requests of local telephone utilities in the United States as are necessary to ensure that, in listing subsequently published by such utilities for each locality, the address for each local office of the Social Security Administration serving such

locality is listed. Each requested listing shall include—

"(1) the following statement: "For information about a specific case or claim, call— ", following by the number for the local office; and

"(2) with respect to any toll-free number maintained by the Social Security Administration, the following statement: 'For general information, call—' followed by the toll-free number.".

(b) EFFECTIVE DATE.—The amendment that by subsection (a) shall take effect 30 days after the date of the enactment of this Act.

SEC. 3. DEMONSTRATION PROJECTS RELATING TO ACCOUNTABILITY FOR TELEPHONE SERVICE CENTER COMMUNICATIONS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall develop and carry out demonstration projects designed to implement the accountability procedures described in subsection (b) in each of not fewer then 3 telephone service centers operated by the Social Security Administration. Telephone service centers shall be selected for implementation of the accountability procedures so as to permit a thorough evaluation of such procedures as they would operate in conjunction with the service technology most recently employed by the Social Security Administration. Each such demonstration project shall commence not later than 180 days after the date of the enactment of this Act and shall remain in operation for not less than 1 year and not more than 3 years.

(b) ACCOUNTABILITY PROCEDURES.—

(1) IN GENERAL.—During the period of each demonstration project developed and carried out by the Secretary of Health and Human Services with respect to a telephone service center pursuant to subsection (a), the Secretary shall provide for the application at such telephone service center of accountability procedures consisting of the following:

(A) In any case in which a person communicates with the Social Security Administration by telephone at such telephone service center and provides in such communication his or her name, address, and such other identifying information as the Secretary determines necessary and appropriate for purposes of this subparagraph, the Secretary must thereafter promptly provide such person a written receipt which sets forth—

(i) the name of any individual representing the Social Security Administration with whom such person has spoken in such communication;

(ii) the date of the communication;

(iii) a description of the nature of the communication;

(iv) any action that an individual representing the Social Security Administration has indicated in the communication will be taken in response to the communication; and

(v) a description of the information or advice offered in the communication by an individual representing the Social Security Administration.

(B) Such person must be notified during the communication by an individual representing the Social Security Administration that, if adequate identifying information is provided to the Administration, a receipt described in subparagraph (A) will be provided to such person.

(C) A copy of any receipt required to be provided to any person under subparagraph (A) must be—

(i) included in the file maintained by the Social Security Administration relating to such person; or

(ii) if there is no such file, otherwise retained by the Social Security Administration in retrievable form until the end of the 5-year period following the termination of the project.

(2) EXCLUSION OF CERTAIN ROUTINE TELEPHONE COMMUNICATIONS.—The Secretary may exclude from demonstration projects carried out pursuant to this section routine telephone communications which do not relate to potential or current eligibility or entitlement to benefits.

(c) REPORTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate written reports on the progress of each demonstration project conducted pursuant to this section, together with any related data and materials which the Secretary may consider appropriate. Such reports shall include an initial report (relating to the first 180 days of the project), which shall be submitted not later than 270 days after the commencement of the project, and annual reports thereafter for the duration of the project. The final report shall be submitted not later than 90 days after the termination of the project.

(2) SPECIFIC MATTERS TO BE INCLUDED.—Each report required under paragraph (1) shall—

(A) assess the costs and benefits of the accountability procedures;

(B) identify any major difficulties encountered in implementing the demonstration project; and

(C) assess the feasibility of implementing the accountability procedures on a national basis.

THE SOCIETY OF FORMER SPECIAL AGENTS OF THE FBI, INC.

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. HYDE. Mr. Speaker, last October the Society of Former Special Agents of the Federal Bureau of Investigation, Inc., held its annual convention in Orlando, FL. The society is an independent, nongovernment organization of 8,000 men and women who have previously served our Nation as special agents of the FBI. The members of the society continue to be interested in and supportive of the FBI and its role in the intelligence sphere. At the October 1989 convention, the society adopted an important resolution expressing the support of its members for our country's use of the important tools of intelligence collection, counterintelligence, and covert action in defense of our people and our fundamental national goals. Today, I wish to insert the text of this laudable resolution in the RECORD and commend it to my colleagues as an eloquent reminder to all of us of the important role which these intelligence activities play in our efforts to protect and promote our national interests:

RESOLUTION

Whereas the patriots who established us as one nation under God did so through the application of all the arts and skills of war and deception;

Whereas these included the tools and weapons of the ancient craft of intelligence utilized by all nations since time immemorial;

Whereas such tools and weapons include intelligence collection and use, counterintelligence ploys, covert action and a wide variety of methods and procedures to defend and preserve a body of people and its heritage;

Whereas the Government established by our founding fathers is of the people, by the people and for the people;

Whereas any attack against, or threat to, that Government is an attack on, or threat to, each of us individually;

Whereas every tried and true countermeasure should be available to our intelligence agencies to defeat the subtle espionage and subversive attacks against our strength and security which are constantly being waged with all the weapons of guile, deception and deceit: Now therefore be it

Resolved, That we, the Society of Former Special Agents of the Federal Bureau of Investigation, Incorporated, support the use and application of the tools and weapons of the intelligence craft, including intelligence collection, counterintelligence, and covert action, and urge their use in the defense of our people and the accomplishment of our Government's goals of survival and peace for all nations.

HOMELESS VETERANS

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. KENNEDY. Mr. Speaker, last October, the House Committee on Veterans' Affairs Subcommittee on Oversight and Investigations held a field hearing in Cambridge, MA, to investigate the issue of homeless veterans. Chairman LANE EVANS, Congressman TOM RIDGE, Congressman GEORGE SANGMEISTER and I participated in this hearing. I think we all came to the agreement that despite the efforts of some very dedicated, hard-working individuals, much more is needed to be done to reach out to the homeless veteran population and to keep them permanently off the street. People who are on the front lines working directly with homeless veterans in Massachusetts—people like Will Escobar and Jim Hoover from the Boston V.A.'s Homeless Chronically Mentally Ill Program; Ken Smith, Director for the New England Shelter for Homeless Veterans in Boston; Ralph Cooper, Director of the Veterans Benefits Clearinghouse in Roxbury; and Mark Follonsbee, from Shelter, Inc., in Cambridge—know that we have only hit the tip of the iceberg when it comes to dealing with homeless veterans' needs and that much more support is needed in order to end this national tragedy. Yet, President Bush level funded homeless services in his fiscal year 1990 veterans' budget which will have the effect of curtailing these men's efforts.

Thirty to fifty percent of the adult male homeless population are veterans. These are men and women who were willing to shed their blood and sweat defending the democra-

cy and freedom which we value so highly. It is time that our country finds its soul and makes the commitment to deal with the needs of homeless veterans.

Homeless veterans are not looking for a handout, they are in need of both a helping hand and a welcome home. Although many struggle with complex problems such as mental illness, alcoholism and drug addiction, their problems are within our reach. We have to be able to design a system that is "user-friendly." First, we must provide a health care system that is flexible, allowing homeless veterans to drop in when they need care instead of sending them away with an appointment. Second, we must be able to provide homeless veterans with affordable housing in a supportive environment which will help ease them back into mainstream society. One thing we know that's not the answer is warehousing the homeless in shelters without links to services or permanent housing—it only serves to perpetuate isolation and dependence. Finally, we must be able to provide homeless veterans with job training and skills in order that they can develop the self-assurance and the independence they need in order to remain in mainstream society.

On February 7, 1990, I introduced legislation with my colleagues, Senator JOHN KERRY, Congressman HARLEY STAGGERS, and Congressman CHESTER ATKINS, which implements these three ideas and provides $100 million for each of the next 4 years to accomplish these goals.

The Comprehensive Services Program for Homeless Veterans is legislation which will provide health care, social services, housing, vocational rehabilitation, and transportation services so that we can realistically put an end to this national tragedy. This bill requires that each medical center director within the Department of Veterans Affairs conducts an assessment of the extent of the homeless veteran problem in their area, draft a plan using the array of services provided under the legislation and then form a multidisciplinary team to implement the plan.

The legislation will provide for drop-in centers to be conveniently located in urban areas so that veterans can receive medical and psychiatric care, warm meals, hygiene facilities, job assistance and referral to services provided by the Department of Veterans Affairs and by other agencies as well. Homeless veterans will also become eligible for greatly needed dental, optometric and podiatric care. For an example, it is absurd to expect a homeless veteran to be able to fill out a job application if his vision has deteriorated to the point that he can no longer read. Although these services can be costly, without them, many of other efforts would be futile. The legislation will allow the Secretary to accept donated dental, optometric and other medical equipment and services to help defray the costs.

The bill also provides for mobile support teams to facilitate outreach in not only urban areas but also rural areas as well where the homeless may not have adequate access to needed services. These mobile support teams will provide on demand medical and counseling services and will also provide transportation to medical centers and shelter.

The legislation provides three different types of housing programs in order to meet the varied needs of homeless veterans. Two of the programs establish group homes which provide for varying levels of supervision. One group home is self-run, modeled after the highly successful Oxford homes, which permits the individuals in recovery to learn responsibility and allows for extensive replication of the homes because of the low cost. The other group home is more structured, designed for the individual who requires more intensive therapy and supervision. The last housing program is modeled after the Department of Housing and Urban Development's Section 8 Program. Under this program, a homeless veteran would contribute 30 percent of their income toward rent and the Department of Veterans' Affairs would make up the difference between the veteran's income and the fair market value of the apartment in the private market. All three of these programs require that the veteran remain drug and alcohol free and builds on the concept of "veterans helping veterans." All three of these programs require that the veteran make contributions to the rent. All three of these programs require that the veterans be employed or involved in some sort of work therapy program administered or approved by the Department of Veterans' Affairs.

The problems that homeless veterans face are within our reach. Too many are too quick to throw up their hands and give up on homeless veterans. The Marine Corps has a tradition: never leave a wounded man behind on the battlefield. We would do well to follow in this tradition so that we may heal the wounds of the homeless veterans and get them off the battlefield known as the American streets. I urge my colleagues to support H.R. 3992, the Comprehensive Services Program for Homeless Veterans. Below is a section-by-section summary of the legislation.

H.R. 3992, COMPREHENSIVE SERVICES PROGRAM FOR HOMELESS VETERANS

SECTION-BY-SECTION SUMMARY

Section 1. Title. "Comprehensive Services Program for Homeless Veterans Act of 1990"

Section 2. Definition of Comprehensive Service Program. The purpose of the Comprehensive Services Program is to address the housing, medical care, vocational rehabilitation, social services and transportation needs of homeless veterans. The Secretary will establish this program using services provided under this Act and coordinating these services with other Department of Veterans Affairs programs and any other federal, state and local programs designed to address the needs of homeless veterans.

Section 3. Assessment and Plan.

a. Each medical center director must conduct a joint assessment with the regional benefits director to determine the extent of the homeless veteran problem in their area. The assessment will also include current services being provided by the medical center and benefits office and the extent in which efforts are being coordinated with other public and private organizations.

b. 1. Following the assessment, the medical center and the regional benefits director must jointly submit a plan, including a request for funding, as to how they intend to meet the needs of homeless veterans in their area under the Comprehensive Services Program. Justification must be provided for failure to submit a plan and request for funding.

2. To implement such plans, a multi-disciplinary team of employees must be established. Plans may be periodically updated by the directors to reflect the needs of their current homeless veteran population.

c. $100 million is authorized to carry out the new services under this act for each of the fiscal years 1991-1994. The medical center director's request for funding is capped at $1 million per year.

Section 4. Drop-In Service Centers.

a. In areas of the country with a high population of homeless veterans, drop-in service centers will be provided in conveniently located areas.

b. At least five full-time equivalent employees will be assigned to the drop-in centers. Employees must be in addition to existing Department employees.

c. Services provided include assessment for treatment, evaluation of eligibility for government benefits, medical and psychiatric treatment, counseling and referrals, meals, hygiene facilities, assistance with discharge upgrading and employment services.

Section 5. Mobile support teams.

Mobile support teams will be established to provide outreach, clinical care and transportation services to homeless veterans in areas where there are a high number of homeless veterans and in rural areas where access to services is limited.

Section 6. Expanded health services.

Homeless veterans will be eligible for dental, optometric and podiatric services including supplies.

Section 7. Housing assistance payments.

a. The Secretary shall establish a program which will provide monthly housing assistance payments for homeless veterans.

b. The Secretary will consult with housing experts when establishing regulations for this program.

c. The Secretary will provide housing assistance payments equivalent to the difference between 30% of the veteran's household income and the fair market value of the rental unit.

d. 1. The housing assistance is available for one year unless a veteran in good standing, is unable to find alternative housing. Veterans in this program, must be employed at least half-time or be involved in some work therapy program administered or approved by the Department of Veterans Affairs and must maintain periodic contact with the Department or other authorized agencies. The housing must meet state and local housing codes.

2. Each director will ensure that regular visits by a counselor to the housing unit are conducted to ensure that the conditions of the program are being met.

Section 8. Group homes maintained by the Department of Veterans Affairs.

a. 1. The director shall use funds appropriated under this Act to purchase or lease homes for the provision of housing to veterans with chronic mental illness or who are recovering from alcohol or drug abuse.

2. A. Homeless veterans are to be given first priority. All residents must be employed at least half-time or be involved in some work therapy program administered or approved by the Department of Veterans Affairs.

B. Residential staff housing located on the grounds of medical centers may be used for this purpose.

C. Each group home will have a live-in manager who is a veteran.

D. Drug and alcohol counseling and other appropriate rehabilitation activities will be provided in the group homes.

E. The use of drugs or alcohol is prohibited and will result in expulsion from the group housing.

F. Veterans will pay rent based on their ability to pay and any rent collected will go toward the cost of maintaining the group homes.

G. Housing must be in compliance with state and local housing codes and regulations.

b. Group homes are to be administered according to the guidelines established under the Public Health Service Act.

Section 9. Group homes through nonprofit private entities.

a. 1. The Secretary shall establish and maintain a revolving fund to make loans for the provision of group homes for veterans with chronic mental illness or who are recovering from alcohol or drug abuse. At least four individuals must reside in each group home.

2. The loan from the revolving fund must not exceed more than $4,000. The purpose of the loan is to provide payment of first and last month's rent when required to secure a home. The loan will be paid back no later than two months after the date on which the loan was made.

3. Each resident will pay their share of the loan through monthly installments. Reasonable penalties will be assessed for failure to make the payment on time.

4. The loan can be made to nonprofit private entities, approved by the Secretary, who agree to operate the homes under the following specifications:

a. the use of alcohol or any illegal drug in the group home is prohibited;

b. any resident who violates this prohibition will be expelled;

c. the cost of the housing including utilities will be shared by the residents;

d. the group home will be self-run; by voting, the residents will establish policies concerning the manner in which the home will run.

b. Group homes are to be administered according to the guidelines established under the Public Health Service Act.

Section 10. Evaluations and reports.

a. Each year, the Secretary will provide Congress with the evaluation of the Comprehensive Services Program for that year.

b. In 1994, the Secretary will provide Congress with an overall program evaluation of the Comprehensive Services program.

Section 11. Acceptance of donations.

The Secretary may accept donations of equipment and services for the purposes of providing services under this Act.

Section 13. Definitions.

INTRODUCTION OF OSHA CRIMINAL PENALTY REFORM ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LANTOS. Mr. Speaker, Senator METZENBAUM and I are jointly introducing legislation to beef up and strengthen the criminal penalty provisions of the Occupational Safety and Health Act [the OSH Act].

While the Sentencing Reform Act—the Comprehensive Crime Control Act of 1984, as amended in 1986—had the effect of increasing criminal fines for OSHA violations, these new fines have yet to be fully used.

Under current law, criminal penalties do not apply to workplace safety violations unless there is a resulting fatality. Our bill expands the application of criminal sanctions to willful violations which result in serious bodily injury to workers or recklessly endanger human life.

The weak criminal penalty provisions of the OSH Act are outdated and do not act as a deterrent for those few employers who willfully and recklessly expose workers to toxic substances and dangerous working conditions.

Under present law an employer who willfully violates Federal workplace safety laws causing a worker's death faces no more than 6 months in jail. By comparison, making a copy of a rented video movie is punishable by up to 5 years in prison. That makes no sense.

This bill grew out of hearings held by the House Government Operations Subcommittee on Employment and Housing, which I chair, in 1988 on the Occupational Safety and Health Administration's [OSHA] nonuse of criminal penalties for workplace safety violations. The low criminal penalties for workplace safety violations were repeatedly cited at the hearings as the main reason there have been so few criminal prosecutions by the Federal Government. Since OSHA was established 20 years ago, there have been less than 20 criminal prosecutions, and in only one instance has it resulted in jail time.

Under the bill the penalty for a willful violation by an employer which leads to loss to human life is increased from 6 months to up to 10 years imprisonment.

The bill creates two new criminal offenses. An employer who willfully violates an OSHA standard which causes serious bodily injury to a worker can be punished by a fine and up to 7 years in prison. An employer whose willful violations recklessly endangers human life can be punished by a fine and up to 5 years in prison.

This bill puts teeth into the OSH Act. Unlike civil fines which can be passed on as part of the cost of doing business, the prospect of criminal prosecution and imprisonment will do much to ensure that workplaces are safe and healthful.

OSHA CRIMINAL SANCTIONS—SECTION-BY-SECTION ANALYSIS

Section I.—Short Title

Section II.—Criminal Penalties

The penalty for a willful violation causing the death of an employee is increased from $10,000 to fines enacted in the Sentencing Reform Act which range from $250,000 for an individual to $500,000 for an incorporated entity. Jail sentences are increased from six months for the first violation and one year for the second violation to 10 years for the first violation and 20 years for the second violation.

The penalty for giving advance notification of an OSHA inspection is increased from $1,000 and not more than six months imprisonment to fines in compliance with the Sentencing Reform Act and imprisonment of up to two years.

The penalty for making false statements is increased from $10,000 to fines in compliance with the Sentencing Reform Act and imprisonment of one year.

The penalty for violation of posting requirements is increased from $1,000 to $10,000.

ADDITIONAL CATEGORIES OF CRIMINAL SANCTIONS

A new subsection is added which makes willful violations of OSHA standards, rules and regulations a criminal offense when such violations result in serious bodily injury to an employee, with fines in compliance with the Sentencing Reform Act and imprisonment for not more than seven years.

A new subsection is added which makes willful violations of OSHA standards, rules and regulations which recklessly endanger an employee a criminal offense with fines in compliance with the Sentencing Reform Act and imprisonment of not more than ten years.

PERSONAL LIABILITY

Corporate directors, officers or agents are liable for the same penalties as employers directly involved in violations if they are found to have willfully authorized, ordered or acquiesced in such violations. Penalties or fines imposed on a director, officer or agent shall not be paid from corporate funds.

Section III.—Definitions

Serious bodily injury is defined to include impairment, disfigurement and substantial risk of death.

Section IV

Nothing in the OSH Act shall preempt state and local enforcement of criminal codes.

BILL MORTENSEN'S ELECTION TO FEDERAL HOME LOAN BANK BOARD

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LEVINE of California. Mr. Speaker, I rise today to congratulate my friend William S. Mortensen on his election to the Federal Home Loan Bank Board of San Francisco. Bill is the chairman and CEO of FirstFed Financial Corp. of Santa Monica, CA.

At a time when the industry is under fire, Bill's history within the industry makes him an ideal choice for the post. In additon to his work with FirstFed, Bill Mortensen has been an influential leader in the California savings and loan industry. He was president of the California League of Savings Institutions, the National Council of Savings Institutions, and the Conference of Savings and Loan Associations.

Although the San Francisco Home Loan Bank Board does not play a role in the regulation of thrifts, Bill's contributions to the board's decisions on credit policies will be noticed. He has been critical of the lax enforcement that has characterized the industry in recent years, and has supported tougher penalties for unethical executives. Most importantly, he has expressed strong support for the enforcement of the more rigorous capital standards that were enacted last year.

Mr. Speaker, I ask my colleagues to join me in congratulating Bill Mortensen on his new post. I expect that his presence on the board will be a tremendous asset to the organization.

FOREIGN INVESTMENT POLICY IMPROVEMENTS ACT

HON. PHILIP R. SHARP

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SHARP. Mr. Speaker, I am concerned, as are many other Americans, about rising foreign investment in the United States. We simply do not know enough about the extent, distribution, and effects of foreign investment to allow critical choices about which kinds of these activities may benefit our economy, and those which could immediately or over time threaten our Nation's security.

I have introduced the Foreign Investment Policy Improvements Act to provide the basis for making these crucial decisions, and to put detailed information on foreign ownership in the United States into the hands of officials given responsibility under the Exon-Florio amendment to the 1988 Omnibus Trade and Competitiveness Act for analyzing all foreign acquisitions and mergers over $1 million. Exon-Florio has already served as a useful national security deterrent for companies in my State of Indiana, yet Federal officials could function even more effectively if they had access to a detailed, ongoing profile of foreign investment.

Currently, a number of Federal agencies collect data on foreign investment. The problem is not that too little information is collected—it is that the data is not organized coherently and made available to the right officials. Thus, the two most important data resources of the Federal Government—the Bureau of Economic Analysis and the Census Bureau—now give us an incomplete and at times distorted picture, like a jigsaw puzzle with scattered pieces.

Quite simply, this bill, by putting together the essential pieces of the foreign investment puzzle, would yield both an exact overall view of foreign investment and provide a very localized level of detail. This is a complete picture which is vital to our national security and an informed debate on foreign investment, but one which is currently unavailable. The bill reflects an important change recommended by prominent and respected experts on foreign investment in the United States, such as Edward Graham of Duke University and Paul Krugman of MIT.

By merging the information we already collect, this bill does not create an unnecessary paperwork burden for business or government. And as the President's chief economic adviser, Michael Boskin, notes, free markets function best with sound data.

The Foreign Investment Policy Improvements Act merges Census Bureau data collected at the "establishment" level with "enterprise" level data already collected and reported by the Bureau of Economic Analysis under the 1976 International Investment and Trade in Services Act. This merger would allow us to know with much greater precision the exact economic activities of a foreign entity and each of its affiliates or subsidiaries. The merger of data is feasible because both agencies use a common employer identification number. This bill breaks down the legal and bureaucratic walls that prevent such a merger.

Second, the bill gives this very detailed, classified information to the Committee on Foreign Investment in the United States, an entity given authority by the President pursuant to the Exon-Florio amendment of the 1988 Trade Act. Current law bars even these top officials from obtaining the classified enterprise-level data BEA collects. My proposal ends this legal barrier and provides the Committee with better data while maintaining tight confidentiality safeguards.

Lastly, this proposal allows authorized personnel at the General Accounting Office to access both the merged and raw BEA and Census Bureau foreign investment data so that GAO can fully evaluate the Federal Government's information collection methods and its presentation of foreign investment activity. Such a comprehensive analysis has never been performed. GAO would then develop nonclassified reports on its findings to Congress and the American people.

Under this bill, both executive branch and GAO officers and employees having access to this classified data remain under exactly the same strictures and penalties currently imposed on BEA and Census Bureau personnel to protect against disclosure of data on individual investors.

While the United States is generally viewed as having good collection regimes on foreign investment activity, there are disconnects and distortions in the data which prevent us from having a detailed understanding of the important changes taking place in our economy. The Foreign Investment Policy Improvements Act I have introduced will put the pieces together and end the distortions without comprising the integrity of our collection processes.

H.R. 4060

A bill to amend title 13, United States Code, and the International Investment and Trade in Services Survey Act to improve the quality of data on foreign investment in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Investment Policy Improvements Act".

SEC. 2. ACCESS TO CENSUS DATA BY BUREAU OF ECONOMIC ANALYSIS.

(a) ACCESS TO DATA.—Section 9 of title 13, United States Code, is amended by adding at the end the following:

"(c)(1) The Bureau of Economic Analysis shall use the information described in paragraph (2) for the purpose of carrying out the International Investment and Trade in Services Act. Only officers and employees of the Bureau who swear to observe the limitations imposed by paragraphs (2) and (3) of subsection (a) and be subject to the provisions of section 214 of this title may have access to such information. Section 214 of this title shall apply to such officers and employees, with respect to such information, to the same extent as such section applies to officers and employees of the Bureau of the Census.

"(2) The information referred to in paragraph (1) is information furnished under this title that pertains to any business enterprise operating in the United States that is owned or controlled, directly or indirectly, by foreign persons to the extent of 10 percent or more of the voting securities of the business enterprise (in the case of an incorporated enterprise) or an equivalent interest in the business enterprise (in the case of an unincorporated enterprise). As used in this paragraph, the terms 'business enterprise', 'United States', and 'foreign person' have the meanings given those terms in section 3 of the International Investment and Trade in Services Act.".

(b) CONFORMING AMENDMENT.—Section 9(a) of title 13, United States Code, is amended by inserting after "section 8 of this title" the following: ", subsection (c) of this section, and section 5(e) of the International Investment and Trade in Services Act".

SEC. 3. AMENDMENTS TO THE INTERNATIONAL INVESTMENT AND TRADE IN SERVICES SURVEY ACT.

(a) PURPOSE.—Section 2(b) of the International Investment and Trade in Services Survey Act (22 U.S.C. 3101(a)) is amended by inserting after "the impact of such investment and trade," in the first sentence the following: "to provide for the collection and use of information on direct investments owned or controlled directly or indirectly by foreign governments,".

(b) ACCESS TO INFORMATION.—Section 5 of the International Investment and Trade in Services Survey Act of 1976 (22 U.S.C. 3104) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

"(d)(1) Notwithstanding any other provision of this section restricting disclosure of or access to information submitted under subsection (b)(2), the President, or the President's designee who is responsible, under section 721 of the Defense Production Act of 1950, for monitoring the impact of foreign investment in the United States and coordinating implementation of United States policy on such investment, is authorized to review any such information in order to evaluate, analyze, compare, or verify the nature and extent of foreign investment in the United States.

"(2) Authorized officials and employees designated by the President to perform functions under this subsection shall have access to, and may obtain copies of, any information submitted under subsection (b)(2), including all records, documents, reports, books, papers, and other materials related thereto. Such access shall be granted promptly but not later than 5 days after a duly authorized official or employee has made a request therefor.

"(3) Except as provided in this subsection, an official or employee designated to perform functions under this subsection shall not disclose to any other person or organization any information, including any records, documents, reports, books, papers, and other materials related thereto, acquired during a review conducted under paragraph (1), that specifically identifies any person who furnished information under subsection (b)(2). The President shall establish such procedures and safeguards that are necessary to prevent the unauthorized disclosure of this information. An official or employee designated to perform functions under this subsection may discuss any matter relating to such information with officials or employees designated to perform functions under the data collection program.

"(4) The President or the President's designee may submit a report to the Congress on any review conducted under paragraph (1), except that any such report shall not specifically identify any person who furnished information under subsection (b)(2). Nothing in this subsection shall prevent an official or employee designated to perform functions under this subsection from discussing with a committee or subcommittee of the Congress the findings, conclusions, or recommendations of a draft or final report.

"(e)(1) For the purpose of preparing the reports required by paragraph (2), and subject to paragraph (3), the General Accounting Office shall have access to, and may obtain copies of, any information submitted under subsection (b)(2) and the information furnished under title 13, United States Code, that is used by the Bureau of Economic Analysis under section 9(c) of such title.

"(2) The General Accounting Office shall, subject to paragraph (3), prepare and submit to the Congress a report on each of the benchmark surveys conducted under section 4(b) of this Act for calendar years 1992 and 1997, for the purpose of analyzing the methods used by the Bureau of Economic Analysis in collecting and reporting data in such surveys. Each report shall also include—

"(A) an analysis by the General Accounting Office of trends in foreign investment in the United States, including in aerospace, biotechnology, electronics, energy, manufacturing, and real property;

"(B) any recommendations of the General Accounting Office on any improvements in statutes and regulations which would result in improved tracking of foreign investment in the United States; and

"(C) an analysis by the General Accounting Office of the necessity of the current restrictions of the Bureau of Economic Analysis on public presentation of the data collected under this Act.

Each report prepared under this paragraph on a benchmark survey shall be submitted to the Congress not later than 180 days after the benchmark survey is made available.

"(3) Only those officers and employees of the General Accounting Office who perform functions primarily in economic or international trade and finance may have access to the information described in paragraph (1) and then only after swearing to observe the limitations imposed by paragraphs (2) and (3) of section 9(a) of title 13, United States Code, to be subject to the provisions of section 214 of such title, and to observe the limitations on disclosure imposed under subsection (c) of this section, except that such limitations shall be construed to allow the information described in paragraph (1) to be used to carry out the purposes of this subsection. Section 214 of title 13, United States Code, shall apply to such officers and employees, with respect to such information, to the same extent as such section applies to officers and employees of the Bureau of the Census.

"(4) The reports to Congress required by paragraph (2) shall be made in such manner as to comply with the restrictions on disclosure referred to in paragraph (3).".

(c) CONFORMING AMENDMENTS.—Section 5 of the International Investment and Trade in Services Act is amended—

(1) in subsection (c)(2) by striking "(d)" and inserting "(f)"; and

(2) in subsection (f), as redesignated by subsection (b)(1) of this section, by inserting ", (d), or (e)" after "(c)".

CAN UNDERFUNDED HIGHWAYS STALL THE ECONOMY?

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. McEWEN. Mr. Speaker, I would like to draw the attention of my colleagues to a recent article by Mr. Lester Lamm, president of the Highway Users Federation, detailing the future costs to America of our underfunded Highway Program and our general inclination to defer investment in needed infrastructure projects. Mr. Lamm documents numerous studies by respected authorities who conclusively indicate that declining investment in infrastructure will lead directly to a declining ability to compete in emerging global markets. I commend this article to my colleagues, and I ask that it be printed in the RECORD in its entirety:

CAN UNDERFUNDED HIGHWAYS STALL THE ECONOMY?

(By Lester P. Lamm, President, Highway Users Federation)

Every time we are caught in a traffic jam or jarred by a pothole, we are reminded of the cost to ourselves of poor highway conditions.

Yet the overall cost of underfunded highways and bridges has, until recently, not been clearly documented.

An authoritative body of recent economic research has found a close link between economic growth and public spending on infrastructure—roads, highways, and other facilities.

Merrill Lynch economists have concluded: "The bottom line is clear. If we are concerned about our living standard and our ability to compete internationally, we should also be concerned about the nation's infrastructure."

At a time when the U.S. is determining its future transportation priorities, these findings have important implications.

Inadequate or poorly maintained highways and bridges result in delays for commuters, business travelers, and truckers, who carry the goods and services modern commerce depends on. Driving on poor roads also increases wear and tear on cars and trucks, extracting another cost.

David Aschauer, an economist at the Federal Reserve Bank in Chicago, has found a strong and consistent correlation between GNP growth and public investment. His study suggests that our failure to maintain adequate funding for highways, bridges, and other public infrastructure may underlie the slowdown in what economists call total factor productivity—the amount of output produced by given amounts of labor and private capital.

National productivity grew at a healthy 1.8 percent annual rate between 1950 and 1970, but has sagged to 0.8 percent between 1970 and 1985. Similarly, public infrastructure expanded at a 4.3 percent annual rate between 1950 and 1970, but only a 1.5 percent rate from 1970 to 1985.

The association is clearly strong. A coincidence? Hardly. Consider that among leading industrial nations, the U.S. had both the slowest rate of productivity growth and the lowest ratio of public investment from 1973 to 1985. Meanwhile, Japan led on both criteria.

A recent Merrrill Lynch report titled Our Crumbling Infrastructure, noted that the total public spending for the country's infrastructure dropped from 3.5 percent of GNP to 2.5 percent of GNP between 1960 and 1985. Federal, state, and local governments together devoted 6.8 percent of their budgets to public works in 1984, down from 29 percent in 1950. Federal outlays for infrastructure dropped from 10.9 percent of total non-defense spending in 1962 to 4.5 percent in 1987. And capital outlays for public works as a percentage of gross national product has fallen from 2.2 percent in 1964 to about 1 percent today.

Economics at the University of Rochester have come up with results similar to Aschauer's, concluding, "Our analysis lends support to the view that the productivity slowdown could in fact have been caused by the decline in public capital."

The results of this research have reverberated throughout the economic community had have large political implications.

Business economist David Hale of Kemper Financial Service wrote in a recent report: "The deterioration of the nation's infrastructure, especially highways and bridges . . . has generated new awareness among economists that there are supply-side constraints on growth that can be corrected only through public expenditure."

Princeton economist Alan Blinder warns, "We're letting ourselves become an underdeveloped country in terms of our public capital."

Finally, a group of 327 economists—including four Nobel Laureates—recently signed a statement titled America Needs Increased Public Invesment Now. The statement, released by the Economic Policy Institute, a Washington think tank, notes a deficit in public investment in infrastructure, and predicts, "This deficit will have a crippling effect on America's future competitiveness."

And what of the argument that public spending on infrastructure will hurt the economy by decreasing private investment? Aschauser found that public infrastructure spending only drained private investment initially. After a few years, new roads, bridges, and other transportation facilities, actually stimulated private investment, "ultimately inducing a cumulative rise in the private capital stock."

These findings deserve close consideration as the nation sets future national transportation policies. The current federal-aid highway program, which funds aproximately a quarter of the nation's $70-billion annual highway and bridge construction and repair efforts, expires in 1991.

The U.S. Department of Transportation and the Transportation 2020 coalition are currently preparing a future national transportation plan, which would set national priorities into the next century. The next Congress will then be asked to make decisions that will largely determine the path of future transportation spending.

Transportation 2020 is a coalition of private industry and state and local government officials launched in 1987 to form a national consensus on a future mobility plan. The group has concluded that future spending on highways and bridges will need to reach an $80- to $100-billion annual rate if future travel demands are to be met.

They believe that all levels of government should share in those increased levels.

Each of us is reminded of the necessity of sound highways and bridges every time we travel. Sound research now has underscored the importance of good highways to the entire economy.

Congress will do well to take heed.

INTRODUCTION OF THE DEPOSITOR PROTECTION AND FRAUD ACT OF 1990

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SCHUMER. Mr. Speaker, today, along with my colleague TOM MCMILLEN of Maryland, I am introducing the Depositor Protection and Fraud Act of 1990. This bill is designed to prevent further abuses of the relationships banks and S&L's enjoy with their federally insured depositors.

In one of the most tragic aspects of the Lincoln Savings & Loan fiasco, Lincoln sold junk bonds in its parent company to unsuspecting depositors who assumed that the bonds were insured or that they were safe because they were sold by an insured institution. Many of those depositors were elderly retirees who placed their entire life savings in these now worthless bonds on that mistaken assumption. Many other S&L's, including Centrust Savings of Florida which was recently taken over by the Government, have followed Lincoln's sordid example. These S&L's are detailed in the accompanying study prepared by my office.

Moreover, the problem is not limited to the sale of subordinated debt to depositors. Many S&L's and even some banks have sold their depositors their own common stock over the counter. The attached editorial from Crain's New York Business Magazine—which endorses this legislation—makes it clear that these stock investments were equally rotten and that the depositors were taken advantage of. As Crain's argues:

We don't want to derail the plans by thrifts to raise capital to buttress their position. But with the added problems created by the bailout bill, it's imperative that S&L's raise money with the safeguards provided by traditional Wall Street channels: the scrutiny of an underwriter whose own reputation is at stake in underwriting a stock sale and the screening provided by retail brokers. In doing so, offerings are targeted to a more sophisticated audience, those who already invest in stocks.

Banks and S&L's have a special relationship with their depositors, and enjoy a special trust, as a result of Federal deposit insurance. The relationship is abused by the sale of complex or overpriced investments by weaker institutions in particular to unsophisticated depositors. It is our obligation to ensure that such abuses are prevented.

Incredibly, except for the few incidents in which Lincoln failed to provide the legally required disclosures, the sale of these worthless bonds and stock to unsophisticated and trusting depositors is not prohibited or limited by law or, in most cases, by regulation. The fact that Lincoln, Centrust, and all the others could comply with the narrow letter of the law and still be able to bilk hundreds of senior citizens and other depositors of their savings for retirement is appalling and makes it absolutely clear that the law must be changed.

This act would prevent a repetition of this tragedy by prohibiting the sale in a branch of an insured bank or S&L of any debt or stock in any affiliate of the bank or thrift. Moreover, it would prohibit the sale in a branch of any instrument of a bank or thrift itself that could count as capital for the institution—that is, particularly at risk. It would also give the regulators the explicit authority and mandate to protect depositors if they determine that an uninsured product being offered by the bank or S&L could be confused by a retail customer for an insured deposit.

During testimony before the Banking Committee in November of last year, Securities and Exchange Commission Chairman Richard Breeden concurred and endorsed precisely the action that this bill would accomplish:

There is no doubt that the mode of distribution in this case had the potential to give Lincoln customers the impression that they were making insured investments. The trust that individuals place in a federally insured bank or S&L makes it likely that such confusion will occur, therefore creating the opportunity to exploit an unsuspecting customer.

The most direct and obvious solution to this problem would be to prohibit specifically the sale of the securities of a depository institution or its affiliate on the premises of the insures bank or thrift institution.

In the 10 months since Lincoln was seized and these abuses could no longer be ignored, the S&L regulators have done nothing to prohibit a repetition of Lincoln's actions. In addition, at least one of the banking regulators does not prohibit this inherently abusive practice. So the time has come for legislative action.

This bill is the marriage of two pieces of legislation which dealt with this issue similarly previously introduced by Mr. MCMILLEN and myself, H.R. 3721 and H.R. 3777. The combination is better legislation which, with our combined efforts and the support of our colleagues, should move rapidly to final passage.

S&L'S WITH COUNTER DEBT AUTHORIZATION: PEER GROUP ANALYSIS

[Data as of June 1989, dollar amounts in millions]

	1986	1987	1988	1989
13 S&L's counter debt with minimum denominations less than $100,000:				
RAP capital (percent)	4.24	4.44	4.69	5.00
Tangible capital (percent)	0.34	0.57	0.39	0.91
Income before adjustment	$0.01	$0.00	$0.01	$0.00
3 S&L's counter debt with minimum denominations $100,000:				
RAP capital (percent)	5.71	5.99	5.69	5.90
Tangible capital (percent)	2.33	3.09	3.44	3.49
Income before adjustment	$0.1	$0.1	$0.1	$0.1
Public S&L's which have recently issued noncounter sub debt:				
RAP capital (percent)				4.54
Tangible capital (percent)				3.06
Income before adjustment				$6.5
S&L's with tangible capital greater than 1.5 percent:				
RAP capital (percent)	6.24	6.45	6.22	6.68
Tangible capital (percent)	4.22	4.49	4.53	4.83
Income before adjustment	$2.6	$1.9	$1.8	$1.6

S&L'S WITH RETAIL COUNTER DEBT AUTHORIZATION

[Data as of June 1989]

	Minimum denomination	Total assets (millions)	Tangible net worth	
			Amount (millions)	Percent T.A.
Investors Savings Bank, Virginia	$1,000	$2,325.1	$61.5	2.6
Lincoln Savings Bank, New York	1,000	2,732.2	53.3	1.9
Suncoast S&LA, Florida	1,000	280.7	15.0	5.3
Cenlar FSB, New Jersey	1,000	876.4	4.3	0.5
Eastern Savings Bank, Maryland	1,000	342.4	12.8	3.7
Centrust Savings Bank, Florida	2,000	9,726.9	(44.1)	(0.5)
United Savings Association, Florida	2,500	178.6	9.8	5.5
Essex Savings Bank, North Carolina	2,500	291.7	15.2	5.2
Parkdale Savings Association, Pennsylvania	5,000	539.5	30.7	5.7
Security First FS&LA, Florida	10,000	1,175.4	(26.5)	(2.3)
TCF Bank Savings, Minnesota [1]	10,000	4,995.3	67.5	1.4
Parkway FSB, Florida	10,000	103.3	6.0	5.8
Franklin Savings Bank FSB, Michigan	10,000	402.9	12.9	3.2
Mean for minimum denomination <100,000				0.9
Median for minimum denomination <100,000				2.9
World S&LA, California	100,000	18,808.1	744.1	4.0
Glendale FS&LA, California	100,000	24,478.2	470.2	1.9
Dime Savings Bank FSB, New York	100,000	12,494.7	730.6	5.8

[1] Have received regulatory authorization to sell subordinated debt in the branches of the institution but have not actually initiated sales program.

KANSAN WINS C-SPAN SCHOLARSHIP CONTEST

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mrs. MEYERS of Kansas. Mr. Speaker, we all know what a terrible influence drug abuse has on our country and on the future of today's youth.

Today, I want to salute one of my constituents, Peter Lane of Overland Park, KS. Peter, who is a senior at Shawnee Mission South High School, recently won first place in a college scholarship essay contest sponsored by C-SPAN. The $5,000 prize will be applied directly to Peter's freshman year college tuition costs.

Contest entrants—whose high school teachers are members of "C-SPAN in the Classroom," the public affairs network's free educational service—submitted essays demonstrating their knowledge of the legislative process. Contestants were asked to imagine themselves as a Member of Congress on a C-SPAN viewer call-in program. The question focused on the need for Congress to pass effective antidrug legislation. Nearly 400 entrants participated.

Peter's essay provides insightful comments on the drug scourge that has touched our entire Nation. He mentions the wisdom of the Framers of the Constitution in granting the citizens of our Nation certain inalienable rights.

In his essay, Peter states:

The only way a law works is if the people want it to work. A government by the people cannot exterminate the drug epidemic without the people becoming involved.

I commend Peter for his fine essay and for winning the scholarship. C-SPAN is also commended for its efforts to help educate our

young people by bringing Congress and the U.S. Government into America's classrooms.

The text of Peter's winning essay follows:

INALIENABLE RIGHTS?

(By Peter Michael Lane)

There is a scourge in this nation, a disease that has touched every American's life. This scourge is the prevalence of drugs in our communities. The American people are frightened. Yet, what is even more horrifying is the governmental repression that will appear with the passing of more laws. What must be examined is the conflict between the governmental suffocation of rights with more laws and the methods of combating the infestation of drugs.

Thomas Jefferson wrote in a letter to James Madison, "A Bill of Rights is what the people are entitled to against every government." The Bill of Rights is an essential part of our lives. The Bill of Rights is the document that allows us "freedom of speech or the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Inalienable rights are what people all over the world are suffering for today. Chinese students were shot in Tiananmen Square; East Germans flee to the west to seek a better life; inalienable rights are what America stands for and what we are obliged to protect. Therefore, every law that comes before Congress must be carefully scrutinized and we must ask ourselves, "Will this law decrease my freedom in any way?" If any law diminishes our autonomy, then it is mandatory that the law be eliminated!

It is necessary for Congress to consider what can be done to fight the drug problem, and yet maintain our liberties. First they are required to enforce the laws that they already have enacted. History of the past twenty years tells one that more laws have not decreased the drug trafficking and usage. Laws that we have now need to be used to their fullest extent. The enforcement should include more judges, prosecutors, and police. These are the gears of the criminal justice system.

Second, recognize the true nature of addiction. There are two addictions in America; one to the money that can be earned through the sale of drugs, and the second to the drugs themselves. In order to make our communities safer we are compelled to break the two addictions. Strive to educate the people with skills for good jobs that let them maintain a decent standard of living. If there is more money to be made at selling drugs than working for McDonalds, what will a person choose? Next, it is imperative that we educate people to the destruction of the mind, community, and particularly the family caused by the use of drugs. Drugs are used to escape reality of life. Since drugs destroy life, the reality becomes even worse, thus giving more reason to use drugs. Drug addiction becomes a never ending cycle. Educate that the drug environment is not the answer to problems before the cycle begins.

Finally, people must become involved on a personal level. People must take to the streets in peaceful protests in front of known drug houses to let the drug pushers know that this nation truly belongs to the people. Voters have the obligation not just to elect people to the government but to be the government. If a law is not supported, it does not exist. The law is alive for the elimination of drug trafficking.

What is found is that more laws are not a panacea to the drug problem, especially if government is not controlled by the people. However if Congress continues to hesitate, the best idea is for the people to take the streets back from the pushers by letting them know that we are not scared. We are not scared. Just as the people in Eastern Europe have banded together to regain some of their rights, it is imperative that we come together. It is also up to the people to find alternatives to the drug culture. Necessity dictates that we look at the overall dilemma meticulously. The only way a law works is if the people want it to work. A government by the people cannot exterminate the drug epidemic without the people becoming involved.

STATE OF THE UNION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. JACOBS. Mr. Speaker, my father, Andrew Jacobs, Sr., a former Member of the House of Representatives, sent me the following editorials from the Indianapolis News edition published on the first day of February 1990.

The former Congressman, elected with Harry Truman in 1948, says in his letter to me, "Every Member should read this with appropriate praise for the Indianapolis News and its tradition of objectivity. * * *"

[From the Indianapolis News, Feb. 1, 1990]

PASSAGES

The farther back you can look, the farther forward you can see.—Winston Churchill

As noted last week in this column, Aristotle had misgivings about the poor, the uneducated and the uninterested citizens of Athens being up to self-government. That debate continues around the world even today.

Whatever the degree of citizen participation, Aristotle believed citizen education was its base. In addition to classifying most of the categories of education studied today, he collected the first great library and established a museum. He continued the pursuit of truth and goodness as launched by his mentor, Plato, but went much further in establishing laboratory and scientific research. His students dissected animals and studied the habits of insects.

The science of observation was new, and Aristotle applied it to every facet of life, including education and government.

In contrast to other philosophers—including Plato, who believed that man would evolve into a creature who wouldn't need much government—Aristotle believed some form of government would always be required to maintain order and freedom. Moreover, an educational system, he contended, must instill in young and old alike the precepts of freedom. It was every citizen's duty to learn as much as possible about his government, because its healthy operations promoted his own welfare.

As The News continues its coverage of the beginnings of Western culture, we reprint the following excerpt from Aristotle, circa 340 B.C.

Every state is a community of some kind, and every community is established with a view to some good; for mankind always acts in order to obtain that which they think good. But, if all communities aim at some good, the state or political community, which is the highest of all, and which embraces all the rest, aims at good in a higher degree than any others, and at the highest good.

But of all the things which I have mentioned, that which most contributes to the permanence of constitutions is the adaptation of education to the form of government, and yet in our own day this principle is universally neglected. The best laws, though sanctioned by every citizen of the state, will be of no avail unless the young are trained by habit and education in the spirit of the constitution. . . . (Conversely,) there may be a want of self-discipline in states as well as in individuals.

(In some cases) there has arisen a false idea of freedom which is contradictory to the true interests of the state. For two principles are characteristic of democracy—the government of the majority and freedom. Men think that what is just is equal; and that equality is the supremacy of the popular will; and that freedom means the doing what a man likes. In such democracies every one lives as he pleases . . . but this is all wrong; men should not think it slavery to live according to the rule of the constitution for it is their salvation.

THE STATE OF THE UNION

President Bush relied heavily upon "that vision thing"—and an ace up his sleeve—last night while delivering his State of the Union address.

In his 35-minute speech, the president conjured up a nation in which all Americans walk in security and prosperity, all budgets are balanced and all debts have started to be paid. He described a world in which tyrannies fall from the rot of their own corruption and formerly enslaved nations embrace American ideals with ardor.

This is to be expected, of course. By nature, State of the Union addresses by entrenched presidents are self-congratulatory. No president is going to come before the American people to say, "The State of the Union is worse than it was when I took office."

President Bush hewed well to the established precedent. His address was skillfully written and winningly delivered. It complimented the American people on the advances of the past year and challenged them to work harder in service of their ideals.

Moreover, the speech demonstrated one way America's role will change in the aftermath of what Bush called "the revolution of '89"—the upheaval in Eastern Europe. Saying that he had just spoken with Soviet leader Mikhail Gorbachev by phone, the president announced that he would seek to have both the Soviet Union and the United States reduce their troop levels in Central and Eastern Europe to 195,000 apiece.

Bush's troop-cut announcement shows just how fast the current of history is running right now. Just two months ago, U.S. and Soviet negotiators were wrangling in Geneva to bring troop commitments—which were at 305,000 for the United States and perhaps as many as 600,000 for the Soviet Union—down to 275,000. Now that figure is obsolete, swept away by the flow of human events.

The president alluded to history's powerful rush and said that he wanted to talk about America's role in this rapidly changing world, but then he didn't do it. He talked—at times, quite movingly—about the principle of freedom that has inspired other

nations to toss aside communism, but he didn't say anything about the sacrifices Americans likely will have to make to help those nations along the path to liberty.

Nor did he talk in any depth about the problems confronting Americans within their own shores. He said the deficit could be eliminated and the budget balanced by 1993 without—read his lips—any new taxes. He then said that, once the budget was balanced, the federal government would start paying off the the national debt.

He didn't say how this would be done; he just said it would be done.

He also took a shot at Sen. Daniel Patrick Moynihan, D-N.Y., who has proposed cutting Social Security taxes—in part because he wants to stop the administration and Congress from using Social Security surpluses to disguise the true size of the deficit.

Bush said the Social Security system shouldn't be changed in any fashion, and then moved on, without addressing Moynihan's motive for proposing the change.

The president took the same tack while he discussed the need to improve education in this country. He described the destination—the admirable goals he and the nation's governors set forth in last year's education summit—without saying what road the country would take to get there.

Vagueness is to be expected in State of the Union addresses. Even so, there was something unsettling about the president's speech.

Perhaps it was because this country now has seen two different presidents and five different Congresses pledge, again and again, to wipe away the massive deficits and begin paying off the debt. The deficits however, continue to roll in, and the national debt now is roughly $3 trillion—or approximately three times the size of this year's federal budget. Eventually, the pledges cease being convincing.

Or perhaps it was because the president talked too much about the advances of this past year—advance, by the way, that the people in Eastern Europe made largely on their own—and too little about how Americans must respond to the changes.

More likely, it was the theme that links those two sources of uneasiness—the subtext in the president's speech suggesting that great and needed changes will just happen. Without extensive planning. Without great sacrifice. Without hard work.

That isn't the way the world works, and the American people know it.

U.S. APPAREL INDUSTRY—VICTIM OF FOREIGN POLICY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. FRANK. Mr. Speaker, a recent study released by Economic Policy Institute refutes much of the conventional thinking of about the apparel industry in America. This study demonstrates that, thanks in substantial part to the excellent work force which is available to the apparel industry in this country, creative employers in the apparel industry can thrive in the United States, and that one of the major obstacles to the success of that industry has been American Government policy.

The EPI report documents the extent to which American policy has been unfair to the apparel industry, and has in some ways used it as a sacrificial lamb for foreign policy goals, to the great disadvantage of working people in this country. A recent article in the Boston Herald by Phil Primack does a first-rate job of summarizing this study and making clear the extent to which the apparel industry in this country, with the support of the ILGWU and the ACTWU, could play an important economic role with proper Government policies.

As an example, Mr. Primack quotes from the report as follows:

An apparel manufacturer can get far more U.S. Government assistance . . . for manufacturing in the Caribbean than for manufacturing in Los Angeles or North Carolina.

Mr. Speaker, I commend the business section of the Boston Herald for bringing this important study to the attention of the public and I commend the International Ladies' Garment Workers' Union and the Amalgamated Clothing and Textile Workers' Union for their efforts. Because this is a significant matter for American economic policy, I submit Mr. Primack's article about that important study here:

UNION STUDY TARGETS U.S. FOREIGN POLICY

(By Phil Primack)

Angelo DiChaira, Susie Tay and Lenny Mirasolo didn't need to read the study released in Washington earlier this week to know that America's once-vibrant apparel industry now hangs by a thread.

DiChaira runs House of Charmil Inc., an Essex Street apparel shop. Every week, workers like Tay and Mirasolo produce up to 1,800 high-quality pleated skirts bearing the Freedberg label and bound for such stores as Louis, Boston, where they cost about $250.

"I think the professional women who buy this skirt would be surprised to learn it was made right here in Boston," said Fran King, DiChaira's niece and the shop manager. "A lot of people think this industry doesn't exist at all any more."

The apparel industry—in Boston and across the country—is in decline. The number of people making apparel in Massachusetts has shrunk by more than half in two decades, from 48,300 in 1970 to about 22,000 last year.

Indeed, conventional wisdom sees apparel as a "sunset industry" destined for the cheap labor of foreign lands.

"Half the policymakers and intellectual gate keepers in America have written off this industry," said Roger Hickey, spokesman for the union-supported Economic Policy Institute. "We think that's just wrong and bad for the future of this country."

The EPI study, released Thursday, concludes that the apparel industry's woes are not so much due to low wages paid to foreign workers as to U.S. government policies that favor foreign competitors at the expense of domestic apparel makers.

"An apparel manufacturer can get far more U.S. government assistance . . . for manufacturing in the Caribbean than for manufacturing in Los Angeles or North Carolina," said the EPI report written by Richard Rothstein, a former textile workers union official.

At the same time, weak U.S. enforcement of existing import requirements and Reagan administration refusal to back tougher restrictions have jeopardized what's left of the U.S. industry, Rothstein found.

"Having lost half of its domestic market, the U.S. apparel industry is now teetering between survival and extinction," the report said.

Extinction, it added, would mean the loss of more than 1 million jobs held primarily by women, minorities and immigrants for whom other alternatives may not exist.

As she sat next to two dozen other Chinese women stitching pleated skirt pieces at House of Charmil, Susie Tay said she wouldn't know what to do if the small factory closed.

"This is all I've done for more than 20 years," Tay said.

On either side of her, the other women worked on Singer sewing machines to turn piles of fabric into the finished skirts that were hanging from a rack at one end of the factory floor. The women are paid on a piece-work basis, and earn an average of $6.50 an hour, DiChaira said.

A half-dozen other workers, most of them Hispanic, pleated material, a skilled task that Charmil does on its own rather than paying to contract out.

Across the old factory floor, steam presses hissed. Presser Lenny Mirasolo, whose father is also a presser, worked one of the machines.

"A lot of guys like my dad are close to retiring," he said. "But I'm just 40, I have a wife, two kids and a mortgage. I depend on this industry."

It's not just foreign competitors that make their business precarious, DiChaira and King said.

High Boston rents are a big problem, they said. So are the cyclical slumps in the retail industry. And unforseen developments like the Campeau bankruptcy reach right up to the seventh floor of the old Chinatown building where Charmil's machines hiss and hum.

Some economists argue that quotas only sustain inefficient operations that should be allowed to die a natural death.

But the EPI study concludes that far from favoring its own industry, government policy has created an uneven playing field. Given an even chance, it said, American firms can compete.

Charmil proves that theory, according to one ILGWU Local official, surviving in large part because it found a solid market niche in high-quality pleated skirts.

"Even if they can't compete with foreign wages, operations like (Charmil) have advantages like quick turnaround time and proximity to markets," said Warren Pepicelli of the ILGWU. "They make high-quality garments, not junk."

SOCIAL SECURITY QUESTIONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, February 21, 1990, into the CONGRESSIONAL RECORD:

SOCIAL SECURITY QUESTIONS

In recent weeks the Social Security system has been the object of increased attention. Hoosiers frequently ask questions about the current operation and future outlook of this program.

Why is Social Security raising a surplus?

For most of its history, Social Security worked on a pay-as-you-go basis: payroll

taxes paid by workers went out almost immediately as benefits to retirees. In 1983, the Congress changed the system to address the prospect that when the baby boomers (those born between 1946 and 1964) reached retirement age, there would be too few workers to support their large numbers. The solution was to have baby boomers pay for the benefits of current retirees while also stockpiling funds to finance a significant portion of their own future benefits. To create the large surplus, or trust fund, scheduled increases in Social Security taxes were speeded up. The current payroll tax rate is 15.3 percent of wages (split between employee and employer), on the first $51,300 earned. The trust fund could be enormous. Its worth, currently $165 billion, is projected to be approximately $12 trillion in the early 21st century.

How does Social Security affect the budget deficit?

Social Security is considered off-budget in that its tax revenues are paid into a separate fund rather than into the general Treasury, and that benefits are paid from this fund. However, Social Security benefit payments and revenues are included in the unified federal budget, which provides an overall indication of the impact that the federal government is having on the nation's economy. The unified budget is used to determine the annual federal budget deficit for purposes of the Gramm-Rudman deficit reduction law. The large Social Security surpluses make the deficits appear smaller, masking their true size and lessening political pressures to reduce them. The 1990 budget deficit would be closer to $205 billion than the estimated $138 billion if the Social Security surpluses were not counted.

How can the trust fund be used?

Social Security taxes, by law, must be used to pay Social Security benefits. The surplus funds do not just sit somewhere piling up, but, by law, must be used to buy interest-bearing Treasury certificates. The Treasury can then use these borrowed funds for general government purposes. The funds loaned by Social Security to the general Treasury have always been paid back with interest.

How well is the trust fund build-up working?

The general consensus is that the current approach is not working well. Because the federal government has been running large annual budget deficits in recent years, the Social Security surpluses loaned to the government have been used to offset the deficits. In return, Social Security has received certificates, or IOUs, from the general Treasury. These IOUs, however, will not provide resources to pay benefits; they simply give Social Security a claim on government funds. When the IOUs come due, the government will have to find new revenue to meet this demand. Other taxes will have to be raised, expenditures curtailed, or more borrowing done.

How could the system be improved?

Without changing the basic nature of Social Security, three major alternatives have been suggested:

First, expand trust fund investment options: Some suggest allowing the trust fund to invest not only in federal securities but also in private stocks and other ventures. They claim such a policy would produce higher yields, reduce the IOUs piling up from the general Treasury, and increase the amount of capital available to invest in the economy. Critics argue, however, that there would be endless controversy over how the trust fund should be invested, the federal government would end up owning a large chunk of private industry, and unpredictable market forces, such as a sharp fall in the stock market, could threaten the Social Security reserves. In addition, the federal deficit has to be financed. If Social Security does not provide funds, government bonds must be sold in the private markets, thereby replacing funds that could have been used by businesses for productive investment.

Second, remove Social Security from budget deficit calculations: Others argue that Social Security should be eliminated from budget considerations entirely. Unmasking the true size of the budget deficit could force the Congress and the President to come to grips with it. Balancing the budget would ensure that the trust funds are protected and are used to increase national savings. Critics worry that a completely separate trust fund could tempt policymakers to increase Social Security benefits for current retirees or cut payroll taxes, thereby decreasing reserves available for the future.

Third, return to pay-as-you-go: Some believe that Social Security taxes should be cut, returning the program basically to pay-as-you-go. Social Security taxes have increased sharply in recent years, and have more than offset income tax reductions in the 1980s. Counting the employer share, nearly three quarters of Americans pay more Social Security taxes than they do income taxes. Proponents also argue that the Social Security tax hits low-income workers hardest, boosts labor costs, and discourages employment. Opponents claim that cutting Social Security taxes would increase the deficit dramatically and drive up interest rates. In addition, returning Social Security to pay-as-you-go would, like the current situation in which the surpluses are not being saved, leave no extra funds to help meet the baby-boomers' retirement needs.

What is the outlook?

Debate over how best to deal with Social Security will go on for some time. Social Security should not continue to be used merely to finance the deficit run up by the rest of the government, and the alternative policies need to be explored. My inclination is to favor the approach which removes Social Security from budget calculations entirely, or some variation thereof. The Congress must come to grips with the deficit while protecting the retirement benefits of future Americans. Social Security represents a commitment to Americans, and the Congress must act to uphold this trust.

INTRODUCTION OF THE RURAL NURSING INCENTIVE ACT OF 1990

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. RICHARDSON. Mr. Speaker, I am pleased to join with my friend and colleague from North Dakota, the Honorable BYRON DORGAN, in introducing reimbursement to nurse practitioners and clinical nurse specialists for services provided in rural areas. This legislation is critically needed in my own State of New Mexico.

Last year, a nurse practitioner in New Mexico was fired because of confusion over Medicare's reimbursement policy for nurse practitioner services. Understandably, New Mexico's certified nurse practitioners, numbering over 200 individuals, are concerned about job security and their ability to continue to provide quality health care to New Mexicans. The legislation we are introducing today will put an end to this confusion. Medicare's reimbursements to nurses in advanced practice will now be made on a direct, fair, and equitable basis.

Currently, in Medicare's eyes, a nurse practitioner is "just a nurse" despite the fact that the advanced clinical training of nurse practitioners allows them to provide most of the primary care services usually performed by a physician. In fact, between 75 and 80 percent of adult primary care services, and up to 90 percent of pediatric primary care services can be provided by nurse practitioners. Additionally, a study by the Office of Technology Assessment concluded that nurses in advanced practice provide high quality care in a cost-effective manner.

In short, better utilization of advanced practice nurses can save money. Nurse practitioners serving in outpatient medical clinics can reduce hospital stays for their patients by 50 percent. Effective utilization of a nurse practitioner can increase the productivity of a solo practice physician by approximately 70 percent. To illustrate this point in dollars and cents, one study found that for 58 tasks, the average bill was $8.13 when performed by a nurse practitioner and over $16 when performed by a physician.

Twenty-eight States have recognized the important role nurses play in providing health care by passing legislation requiring direct reimbursement for nurses. More importantly, both CHAMPUS and the Federal Employees Health Benefits Program have provided direct reimbursement to nurse practitioners for over a decade. Medicare is the only major insurer that does not provide direct reimbursement to nurses in advanced practice.

As the representative of a largely rural district, I am appalled at the disparities in our health care system that allow the poor and elderly in rural areas to go without health care. It is imperative that access to quality health care be provided for everyone, regardless of where they live. Nurses in advanced practice can play an important role in addressing these disparities by providing quality care in a cost-effective manner. In closing, it is time for Medicare and the Health Care Financing Administration to recognize the important contributions of nurses in advanced practice by reimbursing them directly.

Mr. Speaker, for the RECORD, am inserting correspondence outlining the concerns of the New Mexico Nurse Practitioner Council.

NEW MEXICO
NURSE PRACTITIONER COUNCIL,
Albuquerque, NM, September 25, 1989.

Congressman BILL RICHARDSON,
332 Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN RICHARDSON: I am writing you on behalf of the New Mexico Nurse Practitioner Council. The Council is an organization which provides a forum for nurse practitioners to discuss issues affect-

ing nurse practitioners in New Mexico. We represent the 249 nurse practitioners currently certified in New Mexico. It has been brought to our attention that in recent weeks nurse practitioners have been denied payment for their services by Medicare. These services were provided by nurse practitioners in collaboration with their supervising physicians and billed to Medicare under the physician's provider number. Traditionally, these services have been provided by nurse practitioners, billed by the physician or clinic and paid by Medicare. Recent fiscal concerns have prompted increased review of these claims and thus, denial of claims for services provided by nurse practitioners.

As a result of this, one nurse practitioner here in New Mexico has been fired because her services are no longer reimbursable and the jobs of other nurse practitioners are in jeopardy.

Nurse practitioners provide care to patients in rural areas where it is difficult to attract or retain physicians. They are also the providers of health care to frail elderly in nursing homes and at other sites. The loss of Medicare payments for nurse practitioner services will lead to decreased services in some areas, and possibly, even the closure of some facilities. This presents a health care crisis for the citizens of New Mexico in that this would greatly decrease the accessibility of health care to older New Mexicans.

Current law provide for reimbursement of physician assistants but not for nurse practitioners. For years, however, both nurse practitioners and physician assistants have provided similar services and worked in similar capacities.

It is imperative that something be done immediately to change this situation. We are not asking to expand our practice only to be reimbursed for the services which we have been providing and, in turn, provide for access to health care for the citizens of New Mexico.

Sincerely,

MICHAEL E. LAFAYETTE,
Secretary.

MASS TRANSIT INCENTIVE PLAN

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GALLO. Mr. Speaker, today I am introducing a bill that will encourage employers to create a realistic employee incentive which will convince more commuters to take mass transit and allow all of us to breathe a little easier.

The 1990's promises to be a decade of challenge and opportunity for innovative solutions to old problems. With traffic gridlock and air pollution plaguing our cities and surrounding areas, lawmakers must look toward mass transit to help solve these complex issues.

As a strong advocate of mass transit, I have opposed, and will continue to oppose, any efforts to cripple or kill Federal programs that are essential to our Nation's efforts to provide affordable rail transportation as an alternative to highway travel.

But, we need to go beyond the status quo by promoting use of bus, rail, and van pool alternatives.

A commuter incentive will promote cleaner air over our most polluted urban areas and ease the traffic gridlock that has become a daily frustration for millions of Americans.

My mass transit incentive plan recognizes that we cannot continue to build bigger and bigger roads and pump more and more pollutants into the air by encouraging automotive, rather than mass transit, commuting habits. The tax laws clearly discourage the use of mass transit and discriminate against its users. The individual who drives to work and parks in the parking place can recover his parking costs tax-free, but the individual who commutes by train, bus, or subway receives no such help.

Under current law, employers can provide up to $15 per month to reimburse employees mass transit commuting costs, but if the employer provides one penny more, he or she loses his business expense deduction and the employee must pay income taxes. My initiative will increase the allowed amount to more closely reflect the current costs of commuting on buses, trains, subways, or in van pools.

By reducing the number of cars on the road at rush hour, we would improve the quality of our air and relieve the pressure on our Nation's highways.

Consider the facts as they directly affect northern New Jersey and other urban and suburban areas.

Roughly 102,000 people drive into New York City each weekday.

New York City officials estimate that 43 percent of these drivers receive tax-free employer-provided parking subsidies. Of these drivers 16 to 25 percent say they would switch to mass transit if it were more affordable. That would mean up to 25,000 fewer cars on the road.

Automobiles are the largest single contributor to the ozone and carbon monoxide problems in New York and in the entire Northeast.

The answer is obvious. Each time a commuter chooses mass transit over driving to work he or she is making a significant contribution to reducing air pollution, making productive use of time formerly spent in traffic and saving the cost and environmental losses caused by destroying open space for new roads and parking lots.

New Jersey is not alone in facing this critical problem. Traffic gridlock and air pollution plague most of our Nation's cities and suburbs. Now, more than ever, we need alternatives to auto travel for commuters.

Increased ridership on mass transit, in turn, helps to keep fares low and provide money for service improvements.

Mass transit represents a necessary investment in the future of our Nation. Continued economic development and continued improvement in the quality of our lives will not be possible without it.

HOLLYWOOD'S NEW SUBPLOT: ENVIRONMENT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. UDALL. Mr. Speaker, a short 60 days remain until Earth Day. A short time indeed, when we consider the tasks that are before us. One of the primary tasks of this celebration is to educate the populous of the world regarding the problems of the environment. It is important that we use every remaining day to accomplish this goal.

According to Nielson Research, the average television viewing time in November 1987 was approximately 19½ hours per week. As long as people are watching that much television, it would be nice to see one of its messages center on environmentally responsible behavior.

In fact, concern for our environment seems to have arrived in Hollywood. I would like to insert into the RECORD an article from USA TODAY regarding this newly accepted theme to be broadcast over our television sets.

One of the most effective protections against environmental degradation is an educated public. There is no legislation that can take the place of a population that simply won't stand for dirty air and water, a toxic waste site in their city or community, or landfills filling up with waste that is recyclable. Once the people make demands, we will get action.

Mr. Speaker, I applaud the work of the individuals who are bringing greater attention to the needs of our environment. I hope that their fine efforts are successful.

HOLLYWOOD'S NEW SUBPLOT: ENVIRONMENT
(By Anita Manning)

Hollywood is doing its part for the planet.

"On thirtysomething," Hope (Mel Harris), is active in a community effort to stop a waste incinerator. Characters discuss the merits of cloth diapers, fret about pesticides and wear environmental T-shirts.

In a segment of "My Two Dads" to air at the end of the month, Joey (Greg Evigan) gets involved in a protest against ocean pollution.

Leonard Nimoy's upcoming film "New York Times" features a political cartoonist who is an environmentalist.

A pilot for the first environmentally themed series, "The Elite," has been produced by Paramount for CBS. The two-hour action/adventure features a team of scientific experts who form an ecological crime-fighting team. No air date yet.

Efforts to encourage environmental themes have met with "tremendous support at all levels of the industry," says Andy Spahn, head of the 6-month-old Environmental Media Association.

The group, whose steering committee includes actors, studio heads and producers—including Ted Danson, Robert Redford, Norman Lear, Brandon Tartikoff, Grant Tinker and Jack Valenti—has met with writers from more than 20 shows.

"A one-minute scene that makes clear recycling is normal social behavior can send a positive signal," says Spahn.

Sneaking in environmental messages is very satisfying, says David Simon, producer

of "My Two Dads." "In the '60s, we were fighting the people in power. Now, we're 'the man.' All these ex-radicals are in government, in the media. This is trus activism. It's really thrilling to be able to do something."

HAYWOOD DAVIS' SERVICE TO CIVIC EDUCATION

HON. H. MARTIN LANCASTER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LANCASTER. Mr. Speaker, we, as a nation have enjoyed the longest lasting constitutional democracy in history. As we witness the rebirth of democracy in European nations formerly under the yoke of tyrannical governments, we try to encourage in their citizens recognition of the importance of the principles and values of free government we have cherished so long.

We must, meanwhile, strive even more diligently to pass on to our own youth the understanding of our democratic institutions. For this reason, I am most pleased to commend the efforts of Haywood Davis of the Pender County schools in my congressional district, whose dedication to the improvement of the civic education of our students has been exemplary. Mr. Davis coordinates the We the People . . . Bicentennial Programs on the Constitution and Bill of Rights which includes the National Bicentennial Competition, its noncompetitive companion program, Congress and the Constitution, and the National Historical Pictorial Map Contest.

Because of Mr. Davis' dedication, thousands of upper elementary, middle and high school students have studied the program's curriculum and are more knowledgeable and appreciative of the origins of our democracy. This curriculum, introduces students to the philosophical ideas of our Founders, the historical background of the Philadelphia Convention, and the issues and debates that shaped the writing of our Constitution. Most importantly, students learn of the responsibilities which accompany the rights of citizenship in a democracy.

It seems ironic that while people throughout the world are clamoring for the right to vote in free elections, in the United States, only one out of five eligible voters under the age of 30 takes advantage of that very right. Obviously, we must work to eliminate this apathy, and education and informed participation are our best tools.

I am pleased to express my admiration and appreciation to Haywood Davis for his impressive contributions to the development of competent and responsible citizenship.

REMEMBERING RABBI CHASKEL WERZBERGER

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SOLARZ. Mr. Speaker, these are violent time, when life can be shattered with the suddenness of a gunshot. That's what happened on the quiet streets of Williamsburg, Brooklyn, recently when an unknown assailant brutally murdered Rabbi Chaskel Werzberger, a beloved leader of the Satmar Hasidic community.

The police reported that during the early morning hours of February 8, Rabbi Werzberger was attacked and shot as he got into his car. Rabbi Werzberger died on Sunday, February 11.

A survivor of the horrors perpetrated by the Nazis at Auschwitz, Rabbi Werzberger came to America as a teenager and grew into a man dedicated to the life of his community. Although he lost much of his family in the Holocaust, Rabbi Werzberger was not a bitter man. Instead, he remained joyful, optimistic, and committed to the future and to the celebration of life and its remarkable possibilities.

Rabbi Werzberger was a devoted and skillful assistant to the Satmar Rebbe, Grand Rabbi Moses Teitelbaum. He loved his community and its members, and they deeply appreciated and valued his guidance. He presided at weddings and funerals and strove to impart the values and principles contained in the Jewish faith to the young generation.

As one dear friend who knew Rabbi Werzberger for 36 years told the New York Times, "The guy was happy at your weddings and had tears in his eyes at funerals. He was part of your family, whatever you did. It was not show. It was with feelings and heart. From cradle to grave, he served his fellow members."

Rabbi Werzberger leaves his dear wife, Rifka, two sons, and four daughters.

Mr. Speaker, it is always a sad day when we must mourn the passing of so fine and generous a neighbor. It is sadder still when that life is cut short prematurely by such a brutal act of criminal insanity. I urge each of my colleagues to reflect on the life of Rabbi Werzberger, his compassion, and his many contributions so that we might be inspired in our work to serve our communities with the same love and dedication he brought to those around him.

SOUTH AFRICA FREE OF RACIAL DIVISION

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. PORTER. Mr. Speaker, as cochairman of the bipartisan, 185-member Congressional Human Rights Caucus, I applaud the decision taken by South African President F.W. De Klerk to unconditionally release Nelson Mandela, the man who embodies black South Africans' struggle for basic human rights and full political enfranchisement. This significant step toward a South Africa free of racial division is a most welcome development and a clear signal to the outside world that an end to the era of internal struggle in South Africa may be on the horizon.

The courage and vigilance which Mandela has displayed throughout his long ordeal is representative of the hardships that have been endured by the majority community of blacks in South Africa. Yet his willingness to enter into discussions with South African authorities demonstrates his desire to secure a peaceful end to apartheid. Hopefully, his freedom, after 27 years of detention, will be the stimulus that will lead South Africa down an irreversible path toward a democratic and just society.

By initiating reforms just 7 months into his term, President F.W. De Klerk has shown true political fortitude. His lifting of the restrictions against the African National Congress, the release of some political prisoners, the end of prohibitions on free media coverage, and the abolition of other emergency restrictions are most welcome and long overdue. Together, they indicate his recognition that no government can suppress freedom of expression and deny the right to political participation without engendering continued civil unrest.

Even so, basic human rights and freedoms still hang in the balance. The Congressional Human Rights Caucus continues to call for the release of all political prisoners, the lifting of all emergency restrictions, and an end to the system of apartheid. The upcoming discussions between Mr. Mandela and members of the South African Government should produce substantial progress toward those goals.

Both Nelson Mandela and President De Klerk are now buffeted by extremism, a force which both men must resist. For his part, Mr. Mandela must exercise leadership to promote peaceful change and Prevent further violence at all costs. As for President De Klerk, he must restrain those who oppose political reform and sustain a dialog with the newly legitimized African National Congress.

As Mr. De Klerk stated in his historic address to Parliament on February 2, "the eyes of responsible governments across the world are focused upon us." Indeed they are, Mr. President, and will continue to be until basic political and human rights become a permanent reality for all South Africans.

FICA TAXES AND CHILDREN'S CAMPS

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. MOODY. Mr. Speaker, I am pleased to join with my colleague Representative HANK BROWN to introduce legislation to modify existing youth employment FICA tax exemptions to include the seasonal employment of full-time students as seasonal camp counselors.

Children's camps throughout the country offer millions of young people the opportunity for an enriched learning experience. Every year, thousands of volunteers, foreign exchange students, and American college students serve as staff members at seasonal camps.

Unfortunately, the seasonal children's camping industry is now facing troubling economic developments. Skyrocketing land values and liability insurance premiums are putting the industry under real pressure. In ad-

dition, there is a shrinking pool of students willing and qualified to work with young children. The bill we are introducing today would help reverse the trend.

Current law provides for several exceptions from FICA taxes, typically for youth-oriented employment. For example, students working for colleges and universities, student nurses employed by hospitals, and young men and women who deliver newspapers are not now subect to FICA taxes.

If the same student takes a summer job working with children at a seasonal summer camp, FICA taxes are asessed. This inequity is compounded by the fact that summer camp counselors are paid an average of $800 for the season—usually far less than the student's academic financial obligations.

Our bill would expand current youth-oriented FICA exemptions to include full-time students employed as children's camp counselors. Only full-time students, employed by seasonal children's camps for less than 13 weeks a year, would be covered by the exemption. Thus professional and adult support staff, most college seniors, nonstudents, and owner/operators would continue to pay FICA taxes, as would long-term employees and all employees of year-round camps.

Extending existing exemptions to seasonal employment of student counselors will help stabilize the employment situation in the summer camp industry and thus ensure that children will be led by qualified individuals. By helping to promote children's camping programs, we will also help improve the lives of millions of American children.

I urge my colleagues to join us in sponsoring this important bill.

INTRODUCTION OF THE NELSON MANDELA RESOLUTION

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. HAYES of Illinois. Mr. Speaker, on February 11, the world watched Nelson Mandela walk out of 27 years of captivity as a political prisoner. He is now back among his people with his dignity intact, and his resolve stronger than ever to see an end to the inhuman system of apartheid. He is not a bitter man for his incarceration. He is not seeking revenge and although he is now free from the prison walls that held him for those 27 years, he is by no means a free man. Until the bondage of apartheid is erased from South African society, Nelson Mandela and his 28 million brothers and sisters, who make up the black majority in that country, will never enjoy true freedom.

The examples Nelson Mandela has set, both by his action before being jailed, and now, after being released, are a testament to his unyielding commitment to freedom and democracy—values which Americans have cherished since the founding of this country over 200 years ago.,

Mr. Speaker, these are indeed remarkable times. Democratic reforms are taking place in Eastern Europe almost on a daily basis. Arms control treaties are being put forth, not only by our country, but also by our cold war opponent, the U.S.S.R. Now we have a South African President opening opportunities for positive change in this country. We also have an African National Congress leader, expressing kind words for a South African President. These are indeed remarkable times, Mr. Speaker.

It is my hope that this Congress, the representative body of the world's most progressive democracy, will take time to officially recognize one of the world's foremost freedom fighters, Nelson Mandela. Just as we have welcomed freedom fighters in the past, including most recently Lech Walesa, it is only fitting that we do the same for one who champions the dreams and aspirations of 28 million of his brothers and sisters who long for true democracy. It is only fitting, Mr. Speaker, that this body host Nelson Mandela in a joint session during his upcoming visit to our courtry.

In celebration of that future event, I am today introducing a resolution designating the week of his visit as "Nelson Mandela Week." It is my hope that all of our colleagues, Republicans, Democrats, Conservatives, and Liberals, and all those in between, join me in this salute to a true champion of democracy.

THE 100TH ANNIVERSARY OF THE PENNSYLVANIA DIVISION OF THE TRAVELERS PROTECTIVE ASSOCIATION

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. YATRON. Mr. Speaker, as you know, the Travelers Protective Association has given over 100 years of service and safety education to the communities they faithfully serve. In January 1990 the Pennsylvania division of the Travelers Protective Association, having a membership of over 21,900, celebrated its 100th anniversary in Harrisburg, PA.

Mr. Speaker, the Travelers Protective Association was founded in Chicago in 1882, and was originally named the Traveling Men's Club. TPA was intimately involved with the creation of the Department of Labor and Commerce, and one of their original endeavors was to have legislation passed requiring railroads to manufacture their railroad cars with steel instead of wood. This alone has undoubtedly saved many lives over the past century. In 1946, TPA also inaugurated a child's accident prevention week, reminding us of simple measures we can all take to help everyone lead safer lives.

In 1975, TPA established a Deaf and Near Deaf Scholarship Program, which has helped many children since then. Indicative of their strong desire to assist deaf youth, at the 1989 National Travelers Protective Association Convention the membership approved the transfer of $1 million to the Deaf and Near Deaf Scholarship Program. This year, the program is already helping 50 children with hearing and other auditory aids and financial assistance. This scholarship program helps deaf and near-deaf children lead normal, productive lives, enabling them to contribute their great insight and learning to our society.

TPA also recently established a Child-O-Dent Program and has recently erected a child fire escape training trailer in Lancaster, PA, to teach children how to safely get out of fires.

Mr. Speaker, the Pennsylvania TPA division is quite active and visible, selflessly helping many in the Commonwealth of Pennsylvania. They lead a statewide Labor Day coffee break at many roadside rest stops. They collect eyeglasses and hearing aids for Pennsylvania's elderly. And they teach Halloween safety, bike safety, and street safety to students throughout the State. The Pennsylvania division of TPA is the largest of the 38 Travelers Protective Association divisions in the United States.

The success of the Pennsylvania TPA division is the product of its strong and devoted membership and its tireless leadership, and I would like to personally commend President Kenneth Brisan, Secretary and Treasurer John Szakasitz, Vice Presidents Walter Pasierbek, Larry Bidelspach, and Milt Stevens, Board Chairman Carl Smollinger, National Director Robert Fitzkee, State Publicity Chairman George Keebler, State Ritual Chairman Michael Wagner, and alternative Director Leroy Hoeltzel for their tremendous exertions over the past year. Their actions help lay the groundwork for the second century of TPA service to the Nation and community. Let us take a moment to recognize their achievements.

TRIBUTE TO CHIEF ART CARNAHAN

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Chief Art Carnahan of my 17th Congressional District of Ohio, who is retiring from the Liberty Fire Department after 32 years of dedicated service.

Chief Carnahan became a volunteer for the Liberty Fire Department in 1957. Since that time, Art has received various promotions. In 1965 he was made a volunteer lieutenant, then in 1969 he was made a full-time captain. Finally, in 1971 he became the Liberty Fire Department fire chief.

Chief Carnahan has devoted many years to his community. He has shown great interest and caring for his fellow citizens and for his position with the Liberty Fire Department. He has been an inspiration for his fellow firefighters and to his community.

Mr. Speaker, I would like to take this opportunity to congratulate Chief Art Carnahan on his retirement after 32 years on the Liberty Fire Department. Chief Carnahan's dedication is greatly appreciated and I am proud to have this opportunity to pay tribute to such a fine individual. I am honored to represent this outstanding citizen.

END THE TRAGEDY IN KOSOVO

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. BONIOR. Mr. Speaker, on February 7, 1990, a number of Albanian-Americans, including some from Michigan's twelfth district, began a vigil in front of the White House in hope of bringing attention to the terrible plight of ethnic Albanians in Kosovo. Their message must not fall on deaf ears. The time has come for the United States to speak out clearly and unequivocally for democratic change and an improvement of the deplorable human rights situation in Kosovo.

The province of Kosovo, whose population is 90 percent Albanian, has been autonomous since 1974. However, for nearly a year, Slobodan Milosevic has imposed martial law on Kosovo. Recent peaceful demonstrations there for free elections and a release of political prisoners have been answered with bullets, clubs and tear gas. The current crackdown by Yugoslavian authorities has claimed at least 30 lives.

Ethnic Albanians have suffered terribly under Milosevic. Schools teaching the Albanian language have been closed. Jail sentences have been handed down for the mere possession of Albanian national symbols. Hundreds of political prisoners remain in Yugoslavian jails for speaking out against these injustices.

The number of political prisoners continues to grow. Over 60 percent of all political prisoners in Yugoslavia are ethnic Albanians. Conditions in Yugoslavian jails are horrendous. Allegations of beatings and torture of ethnic Albanian prisoners are widespread. As a beacon of freedom, the United States must shine a light on such flagrant human rights abuses.

As democratic change sweeps across Eastern Europe, Yugoslavia is at a crossroads. It is important that the terrible suffering of ethnic Albanians in Kosovo be brought before our national conscience. I urge the administration and my colleagues to speak out on this issue so that justice may prevail.

EFFICIENCY IN GOVERNMENT ACT

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. KANJORSKI. Mr. Speaker, today I am introducing legislation entitled the Efficiency in Government Act. Its premise is simple: it requires each Federal agency to examine everything that it does, whether by contract or by Government employee, and to identify changes which will make its operations more efficient and cost effective.

This bill is the product of many oversight hearings held by the Human Resources Subcommittee of the Post Office and Civil Service Committee, which I chair, as well as hearings before several other House committees. An important feature of this legislation is a major overhauling of the way in which the Federal Government determines whether or not to contract to the private sector those functions presently performed by Federal employees. It does this in a manner which should improve the quality of Federal contract drafting, management, and oversight while simultaneously achieving great efficiency and cost savings for those activities which continue to be performed by Federal employees.

This bill requires all agencies to identify and implement their most efficient organizations. After 3 years, if the agency head decides that the private sector may be able to provide the service at an increased savings to the Government, a risk/benefit study is initiated to determine if this could be accomplished consistent with the agency's needs.

In this process, the Efficiency in Government Act addresses a growing contracting problem by ensuring that the Government does not contract with the private sector for services that are inherently "government functions," for example: an act of governing, such as administering grant money or processing and collecting tax returns.

In conducting the contract risk/benefit studies, agencies would be required to compare the costs of keeping the function in-house with those of going to contract. The study must ensure: that the analysis is based on the most efficient organization; that actual costs to agencies are used in the study; that all costs to the Government, including contractor bonuses and severance pay for Federal employees are taken into account; and, equally important, that the possible costs associated with reconverting a contracted function back to an in-house function, if the contracting decision was incorrect.

The Office of Management and Budget would also be required to establish uniform, Government-wide accounting and management procedures when conducting cost comparison studies. Incredibly, this does not now exist despite the last two administrations' enthusiasm for contracting out.

The Efficiency in Government Act also calls for comprehensive economic impact statements on the effect of contracting out on Federal employees and local communities if more than 25 jobs are affected. It also provides early retirement benefits for those Government employees terminated when converting their jobs to a contractor. In addition, the Office of Personnel Management will be required to develop a priority placement program and a retraining program to assist employees who are displaced from conversions to contract in locating and developing skills for future employment.

By requiring both the Government and contractors to identify and implement their most efficient organization, this bill will save the Government millions of dollars by making sure that all organizations, whether Government or contractor, are accountable.

This bill sends a clear message to the American people that we are committed to making major movements in the way Government operates. Efficiency and cost effectiveness will be the new criteria by which its operations are measured. The status quo is no longer good enough. I urge my colleagues to join with me in this effort by cosponsoring this measure.

HONORING NATHAN KOLODNEY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ENGEL. Mr. Speaker, on Sunday, February 25, 1990, an outstanding community leader from the Bronx, Nathan Kolodney, will be honored.

Nat is not only completing his 11th year at Bronx House, which is a Jewish Community Center in the Pelham Parkway section of the Bronx, but he is also celebrating his 10th anniversary as its executive vice president.

During his time at Bronx House and due to his leadership, we have seen the establishment of a parent/toddler center, a latchkey program for elementary school-age children, the creation of an outreach service for the homebound elderly, and the development of health-related programs for all ages—with special emphasis on the needs of senior citizens.

Nat, however, does not limit his activities and his talents only to Bronx House. He has worked and continues to strive for the betterment of all the residents of Bronx County. He is a founder and chairperson of the Bronx Council of UJA-Federation Agencies. Nat also helped establish and currently serves as vice president of the Neighborhood Initiatives Development Corp., a local housing and neighborhood improvement corporation. He also serves as a member of the Bronx Borough President's Economic Development Committee.

I have had the honor and privilege of working with Nat Kolodney during most of the years I have been in public office. He is a dedicated community worker who has shown the kind of commitment to people and neighborhoods that is rarely seen today.

I am pleased to join the community and its leadership in honoring Nat Kolodney.

GEN. THADDEUS KOSCIUSZKO, REVOLUTIONARY WAR HERO

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ANNUNZIO. Mr. Speaker, February 12 marked the 244th anniversary of the birth of the great Polish patriot and hero of the American Revolution, Gen. Thaddeus Kosciuszko. His achievements during the War for Independence embody the hopes and aspirations of the Polish people, and all freedom-loving people, who strive to achieve liberty and self-determination.

Thaddeus Kosciuszko was born in Poland on February 12, 1746, and studied at the Corps of Cadets in Warsaw and the French Higher Military School, where he developed an expertise in military strategy, demonstrating a talent for using the area's terrain for defense purposes.

Four years after he was driven into exile by the partitioning of Poland in 1772, Thaddeus

Kosciuszko offered his services to the Continental Congress. His hope was to contribute to the cause of American independence, and was able to achieve successes which were at the time unattainable for his beloved native home of Poland.

Kosciuszko's first important assignment as military engineer occurred at the Battle of Saratoga. The British plan was to isolate New England from the other colonies. By helping to defeat this strategy and forcing the surrender of Britian's general, "Gentleman Johnny" Burgoyne, Kosciuszko's actions served as a catalyst for bringing both France and Spain into the war, since these countries recognized that the American colonies had the potential to win in their struggle for independence.

Kosciuszko's most important contribution in the battle for American independence was the construction of the fortifications at West Point. The location of the fortifications at the Hudson River was essential to preserve communication among the State, and it took Kosciuszko 2 years to make West Point impregnable to enemy forces.

Because of his meritorious service, Congress in 1783 made him a brigadier general, and Gen. George Washington nominated General Kosciuszko for membership in the Order of the Cincinnati, an organization of the officers of the Continental Army.

Mr. Speaker, today as the people of Poland struggle to establish a true democracy in their beloved nation, I am proud to join with Polish-Americans in the 11th Congressional District of Illinois, which I am honored to represent, and Americans of Polish descent throughout the United States, in commemorating the birth of Thaddeus Kosciuszko. His name and his deeds are a source of strength and inspiration for all peoples who are committed to the just causes of liberty and freedom.

INTERNATIONAL CORRESPONDENCE SCHOOLS CELEBRATE CENTENNIAL

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. McDADE. Mr. Speaker, International Correspondence Schools, Inc. [ICS] based in Scranton, PA, the world's oldest and largest correspondence school, is celebrating its centennial this year.

For a century now, ICS has helped people in the United States, as well as around the world, realize their career hopes and dreams by helping them get better jobs, earn more money, and attain greater job security through correspondence education.

ICS has grown from a one-course coal mining school to an educational institution offering home-study education and training to more than 250,000 students located in more than 130 countries around the world. In February, the school enrolled its 10 millionth student.

Currently, the company offers more than 40 courses domestically and 60 courses around the world; ranging from art to computer programming to TV/VCR repair.

Highways, bridges and buildings across America—including the Panama Canal, Coulee and Hoover Dams, the San Francisco/Oakland Bay Bridge, Pittsburgh's Forbes Field and St. Luke's Hospital in Kansas City, MO—were designed and/or built by ICS alumni and staff. In addition, more than 100 buildings in Lackawanna County and surrounding counties in the heart of my congressional district can lay claim to an ICS influence. In more ways than one, it can be said that ICS has helped change the face of northeastern Pennsylvania.

Today, ICS is used by more than 2,000 American corporations, including nearly half of the Fortune 500 to train their employees.

On behalf of the U.S. House of Representatives, I would like to congratulate International Correspondence Schools and its 300 employees on their 100th birthday and extend best wishes as it moves into its second century of home-study education.

INTRODUCTION OF YOUTH SERVICE ACT OF 1990

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GUNDERSON. Mr. Speaker, today I am joined by Mr. GOODLING, Mr. SMITH from Vermont, and Mr. HENRY to introduce legislation which will address two areas critical to the future of our Nation—the need to instill in our young people the necessary work skills and work ethics to ensure a well qualified work force into the next century, and the need to further explore and better utilize our often untapped human resources in addressing the difficult issues facing our communities today.

The Youth Service Act of 1990 helps to address both of these needs simultaneously by working through existing programs and recognizing the opportunities each of these situations presents to the other. No new bureaucracies are created, no new costs are incurred at any level of government, no mandates are leveled, yet new resources are brought to bear to address the needs of both our young people and our communities.

Under the Youth Service Act, three new programs would be authorized through the Job Training Partnership Act. The first, the Community Service Program for Youth, would allow youths to serve in a myriad of service agencies and organizations, from State and local agencies to senior centers, hospitals, libraries, day care centers and recreational facilities. Through such service, these young participants would gain valuable insight into the working world, learning skills which will not only result in personal career benefits but also in benefits to their future employers and, ultimately, our Nation.

At the same time, the valuable service these young people would provide while improving their own work place skills will improve the welfare of their fellow citizens and their communities, helping to bridge the gap between available resources and the needs of service provider and their consumers.

The second program to be established under the Youth Service Act is the Conservation Corps Program for Youth. Under this program, the resources of our youths would be tapped to address the many environmental needs of our communities. Projects would be developed in conjunction with appropriate State, local, and Federal agencies in areas ranging from conservation, rehabilitation and improvement of wildlife habitats, parks and recreational facilities to urban revitalization, energy conservation and enhancement, and waterfront improvement.

Again, the benefits accrued to the individual participants through enhanced self-esteem, skills and understanding of the work ethic would be matched by important benefits for the community as a whole.

The third component of the Youth Service Act is the School-based Service Learning Program for Youth. Under this program, students would join school-sponsored service programs throughout the community, developed cooperatively with community leaders to address local needs. Service would be coupled with a formal learning component to ensure that the educational skills of participants would be supported and enhanced throughout program participation.

Taken together, these three programs would provide significant, demonstrable benefits to both participants and their communities—benefits which are long term and lasting rather than short term and fleeting. As we watch our communities bring new resources to bear on their needs and our young people enhance their personal and employment skills, we will be watching the future of our Nation.

A SALUTE TO MONICA B. ZULAUF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of our colleagues the achievements of a fantastic lady, one who believes in giving rather than receiving, Mrs. Monica B. Zulauf.

Monica is a resident of Hastings-on-Hudson, NY, but to classify her as a mere "resident" does not do justice to the achievements of this outstanding person.

Monica Zulauf has been chairman of the Hastings-on-Hudson Chamber of Commerce for the past 7 years. Her tenure has been an active and vital one. However, even before becoming chairman, Monica was famous for the festive manner in which she decorated the village every Christmas and Channukah time for the holiday season.

Monica serves on the safety council of the village of Hastings-on-Hudson, and chaired the villages' ethics committee for 6 years. She also serves on the board of trustees for the Community Hospital at Dobbs Ferry, and is a volunteer with St. John's Hospital.

Monica can always be found diligently working for the less fortunate. For over 5 years, she chaired the Bike-a-thon in Hastings which benefited children with cystic fibrosis. She also works closely with the Kiwanis and Key clubs, and is an active member of the Hast-

ings Lions' club and the League of Women Voters.

Monica was appointed to the Waterfront Redevelopment Committee in 1981, and served through the completion of that committee's mandate. A planning firm was eventually chosen to review all prior plans and to propose a realistic means of redeveloping the waterfront neighborhood.

Mr. Speaker, the Hastings-on-Hudson Chamber of Commerce will soon be honoring Monica Zulauf as the "Woman of the Year" for 1990. For many, this is a recognition long overdue. For myself, it is especially a poignant moment, for Monica has been my friend and a invaluable helper for many years.

Mr. Speaker, I invite all of our colleagues to join with me in saluting Monica Zulauf for her stellar achievements.

THE EMERGENCY FEDERAL JUDGESHIP ACT OF 1990

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SMITH of Texas. Mr. Speaker, today our Nation faces a critical shortage of Federal judges. Despite the growing workload of the Federal courts, Congress has not created any new judgeships since 1984.

That is why today I am introducing the Emergency Federal Judgeship Act, a bill to provide for the creation of 20 new judicial positions. The assignment of these positions will be based on the needs of those Federal district courts that have been most severely impacted by the increase in drug crime related case.

Federal courts have witnessed an explosion in the number of criminal cases filed, particularly those related to drug felonies. In the last 5 years, the average number of felony drug cases handled by Federal judges has skyrocketed 70 percent. There are many reasons behind the alarming trend of overburdened Federal court dockets. More criminals are being sent to the courthouse for drug indictments as a result of our increasingly successful efforts in fighting the war on drugs.

Law enforcement reforms such as the implementation of mandatory sentencing guidelines that lessen the incentive of criminals to plea bargain, and passage of the Speedy Trail Act, which requires that drug felony defendants go to trial within 70 days of their indictment, have contributed greatly to the deluge of criminal cases flooding the courts.

One serious impact of the criminal case increase is the growing backlog of civil cases pending trial. Since 1984, the number of pending civil cases over 3 years old has jumped over 40 percent. This does not, however, reflect a productivity or efficiency problem in the Federal judiciary. For example, the Western District of Texas has a pending civil caseload that is 750 percent above the national average. At the same time, this district is highest ranking in the Nation in the number of trials completed per judge. The problem is simply that the Federal court system has been overwhelmed.

As we commit more resources and manpower to our drug enforcement and interdiction efforts, the strain on the Federal courts will continue to increase.

Federal judges in addition to these 20 will still be needed all across the country. However, given the realities of existing Federal bench vacancies and the inherently slow nomination process, we must prioritize the assignment of new judges.

Top priority must go to the areas where the drug war has put the greatest demand on our criminal justice system. My bill will direct the Judicial Conference to recommend the assignment of the 20 new judgeships according to drug-related case filings per district. Creating 20 new positions would be a step toward alleviating the crisis that exists in high-intensity drug crime areas such as Texas, New York, California, Florida, and Arizona.

We cannot continue to beef up our drug interdiction and law enforcement efforts while neglecting the Federal court system and its overburdened resources. I strongly urge my colleagues to join me in cosponsoring this much-needed legislation.

ORGAN MOUNTAINS NATIONAL CONSERVATION AREA

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SKEEN. Mr. Speaker, today I am introducing legislation that will establish the Organ Mountains National Conservation Area [NCA] in southern New Mexico. The Organ Mountains NCA shall consist of approximately 58,560 acres of land managed by the Bureau of Land Management.

This area is already a popular recreation area for thousands of individuals who have a wide range of interests—from picnicking to hiking to rock climbing. The creation of this NCA will help improve, conserve, and protect a diverse area that includes unique and nationally important ecological, cultural, scenic, scientific, and recreational resources. This legislation will establish a plan that will ensure future generations enjoy these outstanding public resources.

The Organ Mountains lie directly east of Las Cruces, NM, the largest city in my district and one of the fastest-growing communities in the Nation. These mountains provide a spectacular backdrop to Las Cruces with a 5,000-foot elevational change from the Mesilla Valley to Organ Peak. These are truly magnificent mountains and they act as a powerful magnet to thousands of people who have made the Organs one of the most popular playgrounds in the State.

The Organ Mountains connect with the Franklin Mountains to the south. This area is known to biologists as one of the most botanically unique regions in the Southwest with 24 rare, threatened, or endangered species. It is an area of tremendous biological diversity where the Chihuahuan Desert, Rocky Mountains, and Mexican Highlands meet. Prehistoric occupation has been noted from at least 9,500 B.C. There are numerous historic ruins within this area including remnants of the Van Patten Resort at Dripping Springs which was built in the 1880's. Nearby are several stilt houses which accommodated tuberculosis patients in the early 1900's.

The Organ Mountains coordinated resource management plan, finalized in 1989, shall be adopted as the initial master plan governing land uses within the Organ Mountains NCA. In addition to the current 55-unit overnight camping and picnic area at Aguirre Springs on the east side of the mountains, and the 16 day-use units of the west side at La Cueva and Dripping Springs, future plans call for an expansion of facilities. The old Cox Ranch headquarters, which was acquired by the BLM with the help of The Nature Conservancy, has been refurbished to create the A.B. Cox Visitor Center with a maintenance shop and additional day-use group picnic facilities.

Besides Baylor Pass Trail and Pine Tree Trail, totaling 10 miles, future plans include the creation of approximately 40 miles of new trails to connect the A.B. Cox Visitor Center and Aguirre Springs with the Franklin Mountains State Park in Texas.

The legislation requires the Department of the Army and the Department of the Interior to develop a cooperative management agreement with provisions for the joint protection and management of scenic, cultural, and natural values within the Organ Mountains NCA.

Livestock grazing will be permitted to continue within the Organ Mountains NCA. Hunting and trapping will be permitted in accordance with applicable laws and regulations of the United States and the State of New Mexico. Subject to valid existing rights, the land within the Organ Mountains NCA will be withdrawn from operation under the general mining laws of the United States.

This legislation, with its inclusive management plan, will provide for the protection, improvement and conservation of some of the most unique public lands in the United States. I am also pleased to state that the concept of an Organ Mountains NCA has produced enthusiastic local support. The Las Cruces City Council and the Dona Ana County Commission have passed resolutions endorsing the creation of a national conservation area. Even the local BLM District Advisory Board unanimously passed a resolution in support of the NCA concept for the Organ Mountains.

Therefore, it is most fitting that Congress takes this legislative step now before the footsteps of the future trample out the legacy of the past. Rare plants, incredible views, opportunities for recreation, solitude, and education await us all in the Organ Mountains. I urge my colleagues to join me in this opportunity to preserve and protect our national heritage.

SALUTE TO THE WEST HENRIETTA BAPTIST CHURCH

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Ms. SLAUGHTER of New York. Mr. Speaker, this weekend, the West Henrietta Baptist Church will celebrate 175 years of ministry. Its

distinguished contributions over the years have enriched the community of West Henrietta, NY, and the congregation has earned special recognition.

The church has grown and accomplished much in its 175-year history and stands as a model of spiritual guidance for the residents of the community and my congessional district.

Through their deep concern for others and a commitment to serve mankind, Pastor Richard Myers and the congregation of the West Henrietta Baptist Church continue to build on their historic foundation. The church has been a pillar of community spirit through sponsorship of religious and civic activities.

The church has actively participated in "Habitat for Humanity" and other programs to aid the poor. In addition, the congregation places a strong emphasis on youth activities and promotes interdenominational cooperation and religious liberty.

We are a nation of diverse religions, yet the church has been the cornerstone of most communities throughout our history. The West Henrietta Baptist Church is a sterling example of how such a strong foundation can help an institution strengthen with age.

I salute Pastor Meyers and his congregation for the achievements of the past, the promise of the present, and the possibilities for the future.

TRIBUTE TO MR. TOM TIJERINA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. TORRES. Mr. Speaker, it is my distinct pleasure and high honor to recognize Mr. Tom Tijerina.

After more than 30 years of dedicated and effective service to his country, Tom is retiring from the Department of the Navy on March 2, 1990. Tom Tijerina has had an illustrious career with the Navy. But he may best be remembered for his work as a procurement analyst and professional adviser to the director of the small and disadvantaged business utilization in the Office of the Secretary of the Navy. In this latest capacity, Tom was the Navy's principal staff member responsible for the implementation of the Small Business Administration's section 8(a) program, and related small disadvantaged business programs. It is no surprise, therefore, that the Navy's performance in this area has achieved a level of excellence during Tom's tenure. Mr. Tijerina has gained wide recognition among the small disadvantaged business community for his expertise, innovation, and guidance in implementing the Navy's procurement policies.

Mr. Speaker, I want to congratulate Mr. Tom Tijerina for a job well done, and to wish him the best for the future.

HONORING THE JOHN BOOTH SENIOR CENTER

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. CARDIN. Mr. Speaker, John Booth Senior Center will celebrate its 25th anniversary of service to the East Baltimore community on Sunday, February 25, 1990.

First opened on February 25, 1965, the center was the culmination of planning and construction efforts by all segments of the community: students from Patterson High School, the Baltimore Metropolitan Area United Auto Workers Retired Workers Council, the United Democratic Club, city councilman William Bonnett, civic leaders Irvin Kovens, Dr. Frank Marino, and Mr. Harold S. Callowhill, and the city of Baltimore Bureau of Recreation.

In 1965 the John Booth Senior Center was one of only 350 senior centers in the United States. Today, there are over 18,000 such groups and centers across our country responding to the needs of our aging population.

I rise to salute the efforts of the John Booth Senior Center founders and supporters. The John Booth Senior Center under the leadership of Ms. June Goldfield, continues to be the focal point of the community, providing opportunities and options for older persons to continue active and creative lives as part of the Baltimore community.

NATIONAL RECREATIONAL TRAILS FUND ACT OF 1990

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. CRAIG. Mr. Speaker, I rise today to introduce the National Recreational Trails Fund Act of 1990.

The measure would set aside a fair portion of the highway trust fund moneys for use in constructing and maintaining off-highway recreational trails. These funds would be allocated to qualified States through a grant program. The bill would also establish a National Recreational Trails Advisory Committee.

All fuel users pay a fuel tax in exchange for a benefit. Not excluded from these taxpayers are those who use highway vehicles off-highway, and other motors not used on highways, such as snowmobiles, all-terrain vehicles, and motorcycles.

Although the recreational trails and back country terrain used by off-highway vehicles must be constructed and maintained, such needs receive little priority in the budgetary process.

In addition, these trails are used by nonmotorists. They would likewise benefit from the improvement of our recreational trails.

Therefore, for safety, environmental protection, and recreational reasons, reserving a portion of the taxes imposed on motor fuel used in off-highway recreational trail motors is warranted.

Mr. Speaker, I urge my colleagues to join me by cosponsoring this important initiative.

CYPRUS: THE TRUE STORY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. BURTON of Indiana. Mr. Speaker, on January 31, 1990, several of my colleagues participated in a special order on the House floor to discuss the Cyprus issue. Regrettably, this discussion presented only one side of the Cyprus equation. A fair hearing for the Turkish Cypriot side of this controversy is long overdue. A great injustice was done to the Turkish Cypriots between 1960 and 1974. Accordingly, I would like to share with my colleagues the historical facts which took place on the island during that period of time.

Cyprus became part of the Turkish empire in 1571. At that time the island was populated by a mixture of people from many different parts of the eastern Mediterranean and Europe. Over three centuries later the island became part of the British empire. In 1960 Britain recognized that both the Greek and Turkish Cypriot communities had a right of self-determination. For this reason, Britain transferred sovereignty not to the Greek Cypiots but to both communities, acting as equal partners under a constitution agreed to by each as political equals.

In December 1963, the Greek Cypriots launched their first major armed attack against the Turkish Cypriot people only 3 years after the establishment of the joint partnership Republic. From that day forward, Turkish Cypriots lived in fear for their lives. Many were killed in constant attacks on their villages and towns. The Turkish Cypriots were forced into fortified enclaves for mutual protection, squeezed into less than 3 percent of the island, and ejected by force from their rightful place in the bicommunal government. Therefore, it was in 1963 not 1974, that Cyprus became divided.

Article IV of the 1960 Treaty of Guarantee gave Turkey the legal right to intervene if the 1960 agreement was violated. They refrained from doing so despite the attack of 1963 and refrained again when attacks on the Turkish Cypriots resumed in 1967. However, when Greece invaded on July 15, 1974, and tried to annex the island, Turkish forces intervened and established an area in Northern Cyprus where Turkish Cypriots could live in safety.

Many of my colleagues often argue that having defeated the Greek Cypriot attack, Turkish troops should withdraw and leave the Turkish Cypriots to live in terror again. Obviously, withdrawal of the Turkish Cypriot troops before a settlement for the island is agreed upon by both peoples—Turkish and Greek—is not a solution. British troops, United Nations troops, and a constitution failed to protect the Turkish Cypriots from 1963 to 1974. The Turkish Cypriots are justified in demanding Turkish troops to ensure their survival. As long as Greek Cypriots do not understand that securi-

ty for the Turkish Cypriots is one of the crucial factors in reaching an overall settlement for the island, it is unlikely that there will be an agreement.

On January 26, 1989, the Greek Cypriot leader, George Vassilious, said "Cyprus is a bastion of Greece. The number of islands which are Greek are many and Cyprus is just one of them." In my view, this represents the fundamental problem preventing a resolution of the Cyprus issue. It must be made clear to the Greek Cypriots that Cyprus is not a Greek island, but an island which belongs to both the Greek and Turkish Cypriots.

The Greek Cypriots repudiated the 1960 treaty and the Constitution of the Republic of Cyprus, by their conduct from 1963 to 1974, and by express declarations in February 1966 and June 1967. Therefore, it can be argued that the exclusively Greek Cypriot administration now operating in Southern Cyprus is no more legitimate than the government established by the Turkish Cypriots.

In my opinion, there can be no hope of a settlement in Cyprus until the Turkish and Greek Cypriots accept each other as political equals. In the interest of both peoples of the island, again, I call upon my colleagues to learn more about the Turkish Cypriot side of the Cyprus issue.

THE TIME HAS COME TO PROTECT THE FLAG

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ROHRABACHER. Mr. Speaker, to my disappointment, the House of Representatives has yet to vote on the proposal to add an amendment to the Constitution which prohibits desecration of the flag.

One of my constituents, Idabell Griffin of Huntington Beach, recently wrote to me asking Congress to enact the amendment. She wrote: "Having lost two brothers in World War II, one a Marine killed on Iowa Jima, March 10, 1945, and my oldest brother in the Navy, I support President Bush returning respect and honor to our flag. The flag is our Nation's symbol of freedom, a reminder of the sacrifice and pride instilled in our hearts."

Ms. Griffin's testimony eloquently demonstrates the need for an amendment to the Constitution to protect the flag of the United States. It is my hope that in this session Congress will vote on this critical issue.

A TRIBUTE TO MR. AND MRS. MORTON L. FRIEDMAN

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. MATSUI. Mr. Speaker, I rise today to congratulate Mr. and Mrs. Morton L. Friedman on the opening of their new business, Caffe Donatello, in the Town and Country Village Shopping Center in Sacramento, CA.

This is indeed a special honor for Mr. and Mrs. Friedman, their family, and their friends. I have no doubt that the operation of their business will be both successful and exciting. This fine establishment will be an added delight to the Town and Country Village Shopping Center.

I commend these Sacramentans for the dedication and commitment invested in starting one's own business. I know that their commitment to excellence will provide the Sacramento community with the highest quality of restaurant service. I ask my colleagues to join me in congratulating the Friedmans and wishing them many years of success.

AID TO ISRAEL

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ANDREWS. Mr. Speaker, as a supporter of strong United States-Israel relations, I was extremely disturbed by Senator DOLE's January 16 proposal to cut aid to Israel and other major United States foreign aid recipients by 5 percent. I hope that my colleagues will join me in working to defeat any such proposal.

There are places where I think we can, and should, reduce United States aid, but Israel is not among them. In fact, Israel's needs are increasing.

Israel is already beginning to receive what is going to be a huge influx of immigrants from the Soviet Union—an influx the United States has been encouraging for more than a decade. Clearly, it is going to need financial assistance in resettling these immigrants.

Moreover, the military threat to Israel appears to be on the rise, particularly with the acquisition of modern weapons by various Arab nations hostile to it.

Again, I do believe that with developments in Eastern Europe and other areas, we must reassess our foreign aid policies. However, cutting aid to Israel, one of our most staunch and important allies, is not the answer.

A TRIBUTE TO OSCAR PETERSEN

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. MRAZEK. Mr. Speaker, I rise today to pay tribute to Oscar Petersen for his 50 years of dedicated service to the Flower Hill Hose Co., No. 1, of the Port Washington Fire Department.

The volunteer fire department is one of the great institutions in America today. Thousands of our citizens freely give their time, effort, and sometimes their lives in order to protect our communities.

For the past 50 years, Oscar Petersen has proudly upheld this tradition. On countless occasions in his career, Oscar answered the call for help in his community, regardless of the time of day, or the possible danger to himself. He has served his community and the Port Washington Fire Department with pride and distinction.

Mr. Speaker, I take great special pride in the many volunteer fire departments throughout the Third Congressional District of Long Island. Those who serve these departments prove that the values of community spirit and voluntarism are still alive and well in America today.

On April 28, 1990, the Port Washington Fire Department and the entire community will honor Oscar Petersen at a cocktail reception. I join them in their salute and wish Oscar well in his future endeavors.

INTRODUCTION OF THE DISABILITIES PREVENTION ACT OF 1990

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. CONTE. Mr. Speaker, today I join with my colleagues, Mr. WAXMAN, Mr. MADIGAN, and Mr. TAUKE in introducing the Disabilities Prevention Act of 1990.

Some 15 percent of the U.S. population, or 38 million Americans, suffer from some kind of physical, sensory, mental disability or chronic disease. These disabilities can take many forms—from head and spinal cord injuries to blindness, birth-related, or developmental impairments. We have long understood the precautions that can be taken to prevent certain types of disabilities—prenatal care, early treatment of potentially disabling diseases, use of seatbelts or bike helmets. But we can also take action to prevent those already living with disabilities from becoming further disabled.

In 1988, the Centers for Disease Control began a national program to address these important issues. The purpose of the Disabilities Prevention Program is to reduce the incidence of disabilities in the general population and to prevent further injury or disability in those persons who already have disabilities in order to assist their independence, productivity, and integration into the community.

Already, the program has been successful in several areas. It has brought new focus and coordinating activities to CDC's efforts in injury prevention and control. And the program is assisting the States with their own disability prevention programs, providing epidemiological data and technical assistance.

This legislation would set forth our priorities for the activities that CDC conducts with respect to disabilities prevention. In brief, it would direct the use of funds for research and demonstration projects, educating the public and training health professionals, and providing technical assistance for the implementation of those activities.

There has been much discussion in this Congress on what needs to be done to remove the barriers to full community participation of those with disabilities. But we must not neglect the public health needs of these people. Given the ability and potential of this program to prevent disabilities and to improve the lives of those currently disabled, I am please today to introduce this legislation that

would formally authorize this important program.

GREATER HOLLYWOOD CHAMBER OF COMMERCE HONORS BOB GIACIN AND DICK BLATTNER

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. SMITH of Florida. Mr. Speaker, on February 17, 1990, the Greater Hollywood Chamber of Commerce presented its annual "Community Service Award" to Mr. Bob Giacin. Bob is a public accountant and has had an accounting firm in Hollywood since 1963. Bob has been chosen by the chamber for this award for his outstanding public service over the last year. He is a trustee for the Greater Hollywood YMCA and was honored as Community Leader of the Year 1986. He is a past president of the Downtown Kiwanis Club of Hollywood and the Greater Hollywood Jaycees. Bob and his wife Kay have two beautiful children who are also very active in the community. Bob Giacin is a highly respected member of the community and well deserving of this award.

At the same time, the Greater Hollywood Chamber of Commerce presented its annual "Leadership Hollywood Alumni Award" to Richard Blattner. Since 1978, the Greater Hollywood Chamber of Commerce has conducted leadership classes that provide education and an opportunity for community-minded individuals to take a more active role in local issues, problems, and their solutions. Dick Blattner has been chosen for this award for his outstanding leadership and participation in activities which have enhanced Hollywood's image. Dick is past president of the Hollywood Leadership Alumni and serves on many country and local boards. I have known Dick and his wife Bunny for years and congratulate this achievement.

I commend the Greater Hollywood Chamber of Commerce for their excellent choices. Hollywood is fortunate to have such fine individuals as active members of our community.

HONORING THE ORDER OF THE ARROW, SEWANAKIE LODGE

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ACKERMAN. Mr. Speaker, I rise today to honor one of the finest scouting organizations I have had the pleasure to be associated with, the Order of the Arrow, Sewanakie Lodge. On the 25th of February this organization will celebrate its 60th anniversary with a gala dinner at Queens College.

The Order of the Arrow has a distinguished history in the scouting movement. It is an honor society that holds within its ranks some of the most dedicated scouts; these are predominantly young persons who have excelled in other troops prior to joining the order. Many of them are Eagle Scouts, the highest rank to which any Scout can aspire.

Not just anyone can join the Order of the Arrow. Admission into the order is dependent upon election by the other members of the order and the applicant must be a Scout under the age of 19. After acceptance into the order, the Scout is given a Native American name since the order has based its whole program on the lifestyle of Native Americans: from their method of cooking to their style of agriculture.

Each member is also required to submit himself to various tests called ordeals, at various stages of his membership. This is also taken from the customs of the Native American. Successful completion of a number of ordeals will move a member to a different rank. In the order, there are three different stages, these are: ordeal membership, brotherhood membership, and vigil honor. The last stage is the most difficult to attain expecially since each ordeal becomes successively harder. In order to be eligible for his position, a Scout must partake in 100 different Scouting events and then must submit himself to judgment by his peers, which may not necessarily result in him securing election. Some members may work for 50 years without achieving this highest honor.

Mr. Speaker, as an Eagle Scout and member of the Order of the Arrow myself, I know that the primary responsibility of the members of the order is to serve Scouting. Their motto is to cheerfully serve and promote Scout camping. This may mean restoring and helping set up campsites or training boys in camping techniques and safety. Many will also perform community service.

The order has had a number of illustrious individuals affiliated with it. Among these are judges, Congressmen, mayors, Governors, and other elected officials in State and local government. Sewanakie Lodge, in particular owes a special debt to a number of important individuals who have played major roles in the success of the lodge in the past 60 years. One such person is Mitchell Morgenstern who has shown continued leadership for 33 years and is at present camping chairman; others worthy of mention are Dennis Sackett and Roy Kramer, both lodge chiefs for many years; and we should not forget the contribution of John Pritchard who has been active for 30 years. I am confident that the present chief, Danny Halloran, will lead the lodge to as much success in the future as these gentlemen did in the past.

In a time when our communities seem to be in dire need of individuals dedicated to community service who can serve as an example to our youth, it gives me great pleasure to witness a group like Sewanakie Lodge do just that. Mr. Speaker, I ask my colleagues to join me in congratulating the Order of the Arrow, Sewanakie, Lodge, on its 60th anniversary and to wish it as much success in its second 60 years as it has in its first.

IN MEMORY OF ARMY CHAPLAINS ABOARD U.S.S. "DORCHESTER"

HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. ROWLAND of Connecticut. Mr. Speaker, 47 years ago this past February 3d a tragedy occurred in the icy waters off the coast of Greenland when the U.S.S. *Dorchester* was torpedoed. What followed aboard the sinking ship for the next 25 minutes was a touching and compelling display of heroism, compassion and patriotism which I would like to commend today.

As a wave of confusion swept across the ship, four U.S. Army chaplains, each of a different faith, restored calm and stability. These men were 1st Lts. Clark V. Poling, Alexander D. Goode, John P. Washington, and George Fox. Courageously and selflessly thinking, they distributed life jackets to the imperiled soldiers. When the supply was exhausted the four chaplains removed their own life jackets and handed them out, knowing that to do so meant certain death.

When the U.S.S. *Dorchester* sank shortly thereafter, 600 men went down as well. The efforts of the brave chaplains, however, helped save the lives of over 200 young soldiers. The last sightings of these chaplains had them standing together, arms linked on the deck, transcending the boundaries of their individual faiths, and praying together.

Mr. Speaker, I rise today to preserve the memory of these heroic chaplains. Their dedication, selflessness, and bravery in the face of death serves as an inspiration to all. It is with great pride and honor that I salute these heroes and all they represent.

SOLID WASTE

HON. MICHAEL DeWINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. DEWINE. Mr. Speaker, each day American households and offices generate more than 800 million pounds of solid waste. We produce so much waste, in fact, that our landfills are reaching capacity at an astounding rate.

In my own State of Ohio, the problem is particularly acute because of out-of-State generated waste. The number of landfills in Ohio has decreased each year, falling from 360 in 1971 to just 172 in 1988. Over 25 percent of the solid waste in Ohio landfills generated in other States, which greatly increases our landfill burden. As a result, Ohio, like other States, will exceed capacity at its current landfills within the next several years.

Mr. Speaker, something must be done. Each State can best determine whether or not to accept waste from another State. I urge my colleagues to join with me in supporting legislation to give this authority to the States. Several bills to prohibit or charge discriminatory

fees for out-of-State garbage have been introduced in this body. This legislation would oblige each State to examine its own policies for disposing solid waste and would encourage more responsible disposal policies. I urge my colleagues to support this legislation so that the Congress can approve it without delay.

IN COMMEMORATION OF THE 25TH ANNIVERSARY OF THE NEW OPPORTUNITIES AT HOFSTRA PROGRAM

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. LENT. Mr. Speaker, beginning March 19, Hofstra University will celebrate the 25th anniversary of the new opportunities at Hofstra program (NOAH). In honor of this historic occasion, I would like to congratulate the university's educators and administrators for their outstanding dedication to promoting access to higher education for minority students.

I am particularly proud of my alma mater which had the vision and commitment to pioneer this very special program. The NOAH Program was conceived a quarter of a century ago in the midst of our country's tumultuous struggle for equality and civil rights. The program was established the same year as the Voter Rights Act was passed in Congress and just 1 year after Dr. Martin Luther King's inspirational "I Have A Dream" speech.

At that time the NOAH Program represented the conviction of a few professors and administrators who wanted to proffer the tools of learning upon minority youngsters heretofore denied such opportunities. As the program has grown over the years, that determination and commitment to furthering the principles of equal education has not diminished.

Since its creation in 1965, the new opportunities at Hofstra program has proven a tremendous success. Hundreds of minority students have completed the program, earned their degrees and gone on to secure productive employment in the professions. The NOAH Program has consistently demonstrated that individuals with potential and commitment can overcome steep obstacles if given a chance.

It is important to note, however, that the NOAH Program profits far more people than just those minority students it has enrolled over the years. This program benefits all of us. Indeed, whenever an individual's potential is realized through the encouragement and dedication of others, then society is also enriched.

I commend Hofstra University for its efforts to better our Nation by creating an environment where all Americans can effectively contribute and achieve their fullest potential. Hofstra University merits our congratulations and acclaim as its NOAH Program passes this significant milestone. I offer my best wishes to the university for many more years of success with the new opportunities at NOAH Program.

COMMEMORATING REYNALDO LEROY MARTINEZ

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1990

Mr. BILBRAY. Mr. Speaker, I rise today to commemorate an occasion that brings me great pleasure. On Friday, February 23, 1990, the New Mexico Club of Nevada will honor Reynaldo Leroy Martinez, a fine New Mexican and Nevadan, at their annual installation and awards banquet. I have known Rey for many years and he is truly deserving of this honor.

Born June 22, 1937, in Chama, NM, Rey moved to Nevada at an early age and attended Basic High School in Henderson. In 1958, he received an A.A. degree from Boise State College in Boise, ID, and he continued his education at Arizona State University, graduating in 1960 with a B.A. in education. He commenced graduate studies at the International University in San Diego, CA.

Returning to Nevada in 1961, Rey was a U.S. Government teacher and baseball coach at Western High School in Las Vegas. He coached Western High School baseball teams to three State championships between 1966 and 1968, and in 1967 was recognized as one of the outstanding teachers in Clark County.

In 1968, he became a lobbyist and political consultant for the National Education Association in Washington, DC. He was recognized as one of the outstanding political and legislative consultants for the NEA in 1980. Then in 1982 he joined the staff of my close friend Senator HARRY REID, who at the time served in this distinguished body as the Congressman from the First District of Nevada, the very honor which I hold today.

The political camaraderie between Rey and HARRY REID goes back to their high school years together at Basic, where Rey was the campaign manager for REID'S student council president campaign. As the tradition continued, he became the political consultant for Lieutenant Governor REID and Gov. Mike O'Callaghan in 1970, the campaign coordinator for lieutenant Governor REID for U.S. Senate in 1974, and the campaign manager for Congressman HARRY REID in 1982 and in 1984. For the past 4 years, he has been the Senator's chief of staff here on Capitol Hill.

Mr. Speaker, I ask my colleagues to join me today in commending Reynaldo Martinez for his well-deserved recognition from the New Mexico Club of Nevada. His contributions to the State of Nevada have earned him recognition as an outstanding member of the Hispanic community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, February 22, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 23

8:00 a.m.
Veterans' Affairs
To hold hearings on S. 2101 and S. 2103, bills on budget recommendations for veterans programs and on the reorganization of the Veterans Health Service and Research Administration.
SH-216

9:30 a.m.
Governmental Affairs
To hold hearings on the General Accounting Office's financial audit of the U.S. Air Force.
SD-342

Labor and Human Resources
To hold hearings on S. 2104, to revise the Civil Rights Act of 1964 (P.L. 88-352) to restore and strengthen civil rights laws that ban discrimination in employment.
SD-430

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on the nominations of Arthur J. Hill, of Florida, to be President of the Government National Mortgage Association, Department of Housing and Urban Development, Philip R. Lochner, Jr., of Connecticut, to be a Member of the Securities Exchange Commission, and John J. Adair, of Virginia, to be Inspector General of the Resolution Trust Corporation.
SD-538

Finance
International Trade Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1991 for the Office of the U.S. Trade Representative, and the International Trade Commission.
SD-215

Foreign Relations
To hold hearings on the report on arms control prospects following Moscow and Ottawa Ministerial meetings.
SD-419

FEBRUARY 26

9:00 a.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To resume oversight hearings on alleged abuses in the Federal student aid program.
SD-342

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Strategic Petroleum Reserve, Geological Survey, Department of the Interior, and conservation programs of the Department of Energy.
SD-116
Finance
Social Security and Family Policy Subcommittee
To hold hearings on the Job Opportunities and Basic Skills Training program, an education and training program established by the Family Support Act of 1988 (P.L. 100-485).
SD-215
Joint Economic
Education and Health Subcommittee
To hold hearings to examine the future of the Head Start educational program.
2318 Rayburn Building

1:15 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for ACTION, the National Council on Disability, the Federal Mediation and Conciliation Service, the National Mediation Board, the Railroad Retirement Board, the Federal Mine Safety and Health Review Commission, the National Labor Relations Board, and the Occupational Safety and Health Review Commission.
SD-192

2:00 p.m.
Agriculture, Nutrition, and Forestry
To hold hearings on the nomination of Gary C. Byrne, of California, to be Administrator of the Rural Electrification Administration, Department of Agriculture.
SR-332
Energy and Natural Resources
Public Lands, National Parks and Forest Subcommittee
To hold hearings on provisions relating to fisheries protection and buffer zones (sec. 104 (e)), and the designation of additional wilderness areas on the Tongass National Forest (title III), of H.R. 987, the Tongass Timber Reform Act.
SD-366

FEBRUARY 27

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on hunger in America.
SD-G50
Finance
To resume hearings on proposed legislation to reduce Social Security taxes.
SD-215
Rules and Administration
Business meeting, to consider S. 1543, to authorize the Colonial Dames at Gunston Hall to establish a memorial to George Mason in the District of Columbia, the nomination of Robert William Houk, of Ohio, to be Public Printer for the Government Printing Office, and other pending executive, legislative, and administrative business.
SR-301
Veterans' Affairs
To hold hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Disabled American Veterans.
SH-216

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on the foreign policy context of defense.
SD-192
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings to examine HUD projects under the Moderate Rehabilitation program (Section 8), focusing on developers and tax incentives for financing such projects.
SD-628
Labor and Human Resources
To resume hearings on S. 2104, to revise the Civil Rights Act of 1964 (P.L. 88-352) to restore and strengthen civil rights laws that ban discrimination in employment.
SD-430

10:15 a.m.
Rules and Administration
To hold hearings on S. 1655, to revise certain provisions of the Federal Election Campaign Act of 1971 (P.L. 92-225) relating to enforcement and congressional election campaign financing.
SR-301

11:00 a.m.
Rules and Administration
To hold hearings on S. 1727, to revise the Federal Election Campaign Act (P.L. 92-225) to provide comprehensive campaign finance reform, to lessen the power of special economic interests, and to restore competition to American congressional elections.
SR-301

2:00 p.m.
Armed Services
To resume hearings on the amended authorization request for fiscal year 1991 for the Department of Defense and the five year defense plan.
SR-253
Judiciary
To hold hearings on the nominations of Harry F. Manbeck, Jr., of Connecticut, to be Commissioner of Patents and Trademarks; Douglas B. Comer, of Virginia, to be Deputy Commissioner of Patents and Trademarks, both of the Department of Commerce; and Robert H. Hodges, Jr., of South Carolina, to be a Judge of the United States Claims Court.
SD-226

2:30 p.m.
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To continue hearings to examine HUD projects under the Moderate Rehabilitation program (Section 8), focusing on developers and tax incentives for financing such projects.
SD-628

FEBRUARY 28

9:00 a.m.
Armed Services
To continue hearings on the amended authorization request for fiscal year 1991 for the Department of Defense and the five year defense plan.
SD-106

9:30 a.m.
Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1991 budget.
SD-608
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 114, a bill to declare activities of manufacturers or distributors of soft drinks which induce retailers to purchase soft drink syrup solely from such entities to be unfair acts or practices for purposes of the Federal Trade Commission Act.
SR-253
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.
Appropriations
To hold hearings on the President's proposed budget for fiscal year 1991.
SD-192
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Alcohol, Tobacco and Firearms, and the Federal Law Enforcement Training Center.
SD-116
Banking, Housing, and Urban Affairs
To hold oversight hearings to review the Office of Technology Assessment's report, "Making Things Better: Competing in Manufacturing."
SD-538
Commerce, Science, and Transportation
To hold hearings on the nominations of Eugene Wong, of Missouri, and William D. Phillips, of California, both to be Associate Directors of the Office of Science and Technology Policy, Executive Office of the President.
SR-232A
Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 48, proposing an amendment to the U.S. Constitution relative to contributions and expenditures intended to affect Congressional and Presidential elections.
SD-226
Labor and Human Resources
Business meeting, to consider S. 15, Emergency Services and Trauma Care Improvement Act, S. 1511, Older Worker's Benefit Protection Act, S. 722, Food Safety Amendments, S. 685, Employee Pension Protection Act, S. 1425, Nutrition Labeling and Education Act, S. 1883, Tobacco Product Education and Health Protection Act, the proposed National Atmospheric Nuclear Testing Completion Act, and pending nominations.
SD-430

1:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture.
SD-138

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Physician Payment Review Commission, the Corporation for Public Broadcasting, the National Commission on Libraries, the U.S. Institute of Peace, the National Commission on AIDS, the Prospective Payment Assessment Commission, the National Commission to Prevent Infant Mortality, and the Soldiers' and Airmens' Home.
SD-192

MARCH 1

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192
Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on the Corps of Engineers water projects.
SD-406

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on forestry issues.
SR-332
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 1751 and S. 1904, bills to safeguard the integrity of food shipments.
SR-253
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine the federal role in promoting and using special alternative incarceration, focusing on boot camps.
SD-342
Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings to review the proposed budget for fiscal year 1991 for the Department of Transportation.
SD-138
Armed Services
To continue hearings to review the amended authorization for fiscal year 1991 for the Department of Defense and the five year defense plan.
SD-192
Banking, Housing, and Urban Affairs
To hold hearings on proposals authorizing funds for the Defense Production Act of 1950, including S. 1379, Defense Production Act Amendments of 1989.
SD-538

1:30 p.m.
Banking, Housing, and Urban Affairs
Consumer and Regulatory Affairs Subcommittee
To hold hearings to review the Expedited Funds Availability Act of 1988 (P.L. 100-86).
SD-538

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the cotton industry.
SR-332

MARCH 2

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on handicapped access issues.
SR-253

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wool and honey industries.
SR-332
Appropriations
To resume hearings on the President's proposed budget for fiscal year 1991.
SD-192
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Consumer Product Safety Commission, the Consumer Information Center, and the Office of Consumer Affairs.
S-126, Capitol

1:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Research Service, Cooperative State Research Service, and Extension Service.
SD-138

MARCH 5

9:30 a.m.
Agriculture, Nutrition and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the rice industry.
SR-332
Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Finance
International Trade Subcommittee
To resume hearings to assess progress on the United States-Japan Structural Impediments Initiative (SII).
SD-215

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on agricultural credit.
SR-332

MARCH 6

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Veterans of Foreign Wars.
SH-216

9:30 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Arms Control and Disarmament Agency, and the Securities Exchange Commission.
S-146, Capitol
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 366, a bill to enroll twenty individuals under the Alaska Native Claims Settlement Act, S. 1128, a bill for the relief of Richard Saunders, S. 1719, a bill to designate a segment of the Colorado River in the Westwater Canyon, Utah as a component of the National Wild and Scenic Rivers System, S. 1738, a bill to convey certain Oregon and California Railroad Grant Lands in Josephine County, Oregon to the Rouge Community College District, and S. 1837, a bill to direct the Secretary of the Interior to establish a Desert Research Center.
SD-366
Governmental Affairs
To hold hearings on the General Accounting Office's report on material weaknesses in the Department of Defense's supply system.
SD-342

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the sugar industry.
SR-332
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on

Food and Nutrition Service and Human Nutrition Information Service.
SD-138

10:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Indian Affairs, and the Indian Gaming Commission.
SD-192

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on crop insurance.
SR-332

Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 1976, to provide for continued United States leadership in high-performance computing, focusing on the Department of Energy.
SD-366

MARCH 7

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the dairy industry.
SR-332

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
SD-406

Governmental Affairs
To hold hearings on S. 1978, to promote U.S. trade and technology interests by reorganizing the Department of Commerce into a Department of Industry and Technology.
SD-342

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Commerce.
S-146, Capitol

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Secretary of the Treasury, and Department Offices.
SD-116

2:00 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on S. 1908 and H.R. 737 bills to amend the Stock Raising Homestead Act to prescribe conditions under which U.S.-owned hardrock mineral deposits may be mined or removed from lands whose surfaces are privately owned.
SD-366

MARCH 8

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve agricultural programs, focusing on conservation issues.
SR-332

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
S-126, Capitol

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Toxic Substances, Environmental Oversight, Research and Development Subcommittee
To hold hearings to examine the effects of lead exposure on children's health and educational performance.
SD-406

Governmental Affairs
To hold hearings to examine fraud, waste and abuse, focusing on agencies on the high risk list.
SD-342

Rules and Administration
Business meeting, to consider pending legislation on campaign finance reform.
SR-301

Small Business
To hold hearings on implications of technology transfer on small business.
SR-428A

Veterans' Affairs
Business meeting, to consider budget recommendations for veterans programs and proposed legislation to reorganize the Veterans Health Service and Research Administration.
SR-418

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Oceanic and Atmospheric Administration, and the National Institute for Standards and Technology.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Transportation Safety Board and the Federal Highway Administration
SD-138

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wheat industry.
SR-332

Energy and Natural Resources
To hold hearings on S.J. Res. 154, to consent to certain amendments enacted by the Hawaii State legislature to the Hawaii Homes Commission Act of 1920
SD-366

Foreign Relations
To hold hearings on the nominations of Everett E. Briggs, of New Hampshire, to be Ambassador to the Republic of Portugal, Edward M. Rowell, of California, to be Ambassador to Luxembourg, Robert G. Joseph, of Virginia, for the rank of Ambassador during his tenure of service as U.S. Commissioner on the U.S.-USSR Standing Consultative Commission, and John J. Maresca, of Connecticut, for the rank of Ambassador during his tenure of service as Head of the U.S. Delegation to the Conference on Confidence and Security Building Measures (CSBM).
SD-419

MARCH 9

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on noxious weeds.
SR-332

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration (NASA).
SR-253

MARCH 15

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the American Ex-Prisoners of War, the Blinded Veterans Association, and the Military Order of the Purple Heart.
SH-216

MARCH 20

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for military health programs.
SD-192

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Minerals Management Service, Department of the Interior, and the Smithsonian Institution.
S-128, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for the Small Business Administration, and the U.S. Information Agency.
S-146, Capitol

2:30 p.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Panama Canal Commission.
SD-116

MARCH 21

9:30 a.m.
Governmental Affairs
To hold hearings on proposed legislation to establish a position of chief financial officer.
SD-342

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Food and Drug Administration, Commodity Futures Trading Commission, Farm Credit Administration, and Farm Credit System Assistance Board.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the United States Secret Service, and the Internal Revenue Service.
SD-116

Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 232 and S.J. Res. 233, measures proposing an amendment to the U.S. Constitution with respect to the impeachment of Article III judges.
SD-226

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Institute of Building Sciences, the Neighborhood Reinvestment Corporation, and the Selective Service System.
SD-138

MARCH 22

9:30 a.m.
Governmental Affairs
To continue hearings on proposed legislation to establish a position of chief financial officer.
SD-342

Veterans' Affairs
To hold hearings on S. 1398 and S. 1332, to provide for the realignment or major mission change of certain medical facilities of the Department of Veterans Affairs.
SR-418

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on management reforms.
SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the American Battle Monuments Commission, Cemeterial Expenses (Army), the National Credit Union Administration, and the United States Court of Veterans Appeals.
SD-116

MARCH 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To resume hearings on S. 1741, to increase competition among commercial air carriers at the Nation's major airports.
SR-253

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Agricultural Marketing Service.
SD-138

MARCH 27

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on manpower and personnel programs.
SD-192

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Indian Health Service of the Department of Health and Human Services, and the U.S. Fish and Wildlife Service, Department of the Interior.
S-128, Capitol

MARCH 28

10:00 a.m.
Appropriations
Treasury, Postal Service, General Goverment Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Public Debt, and the Office of Personnel Management.
SD-116

MARCH 29

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the Department of Energy's Decision Plan relating to the opening of the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, and on proposed legislation to withdraw the public lands surrounding the WIPP site.
SD-366

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Army posture.
SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Science Foundation.
S-126, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of State.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Urban Mass Transportation Administration and the Washington Metropolitan Area Transit Authority.
SD-138

MARCH 30

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Farmers Home Administration, Federal Crop Insurance Corporation, and the Rural Electrification Administration.
SD-138

APRIL 2

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Land Management, and the Office of Surface Mining, both of the Department of the Interior.
S-128, Capitol

APRIL 3

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Air Force posture.
SD-192

APRIL 4

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Foreign Agricultural Service, General Sales Manager, and Soil Conservation Service.
SD-138

APRIL 5

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Navy and Marine posture.
SD-192

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Highway Traffic Safety Administration and the Research and Special Programs Administration.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Postal Service, and the National Archives.
SD-116

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Emergency Management Agency.
SD-192

APRIL 18

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, the Vietnam Veterans of America, the Veterans of World War I, and the Non-Commissioned Officers Association.
SH-216

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Housing and Urban Development.
SD-138

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Park Service, Department of the Interior, and the National Gallery of Art.
S-128, Capitol

APRIL 19

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak).
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Management and Budget, and the Executive Office of the President.
SD-116

APRIL 23

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Forest Service of the Department of Agriculture.
SD-192

APRIL 24

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on the National Guard and Reserves.
SD-192

APRIL 25

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Attorney General.
S-146, Capitol

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Services Administration.
SD-116

APRIL 26

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration.
S-126, Capitol

10:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense intelligence programs.
S-407, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Legal Services Corporation.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Accounting Office.
SD-138

APRIL 30

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for fossil energy and clean coal technology programs of the Department of Energy.
S-128, Capitol

MAY 1

10:00 a.m.
Appropriations
Commerce, Justice, State and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Supreme Court of the United States, and the Judiciary.
S-146, Capitol

MAY 2

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Bureau of Investigation, and the Drug Enforcement Administration, Department of Justice.
S-146, Capitol

MAY 3

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on strategic programs.
S-407, Capitol

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Endowment for the Arts, the National Endowment for the Humanities, and the Bureau of Mines, all of the Department of the Interior.
S-128, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Coast Guard.
SD-138

10:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Council on Environmental Quality, the National Space Council, and the Office of Science and Technology Policy.
SD-116

MAY 4

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Resolution Trust Corporation.
SD-138

MAY 8

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on tactical airpower.
SD-192

MAY 10

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on land warfare.
SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Veterans' Administration.
S-126, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Aviation Administration.
SD-138

MAY 14

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for activities of the Secretary of the Interior, the Secretary of Energy, and the Secretary of Agriculture.
S-128, Capitol

MAY 15

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on seapower.
SD-192

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 16

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 17

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on space programs.
S-407, Capitol

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 22

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for the Department of Defense, focusing on classified programs.
S-407, Capitol

MAY 24

9:00 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for defense programs.
SD-192

JUNE 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense.
SD-192

CANCELLATIONS

FEBRUARY 27

9:30 a.m.
Small Business
To resume hearings on the nomination of Kyo R. Jhin, of Maryland, to be Chief Counsel for Advocacy, Small Business Administration.
SR-428A

POSTPONEMENTS

FEBRUARY 22

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the implementation of the Department of Energy's civilian nuclear waste program.
SD-366

HOUSE OF REPRESENTATIVES—*Thursday, February 22, 1990*

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. GEPHARDT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 22, 1990.

I hereby designate the Honorable RICHARD A. GEPHARDT to act as Speaker pro tempore today.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Reverend Anthony Miciunas, St. Peter Church, Kenosha, WI, offered the following prayer:

Almighty God, You have given rise to an array of nations, instilling in peoples hearts an unquenchable thirst for freedom, peace, and justice.

Look graciously upon the plight of Lithuania, now carrying the heavy cross of an unjust and illegal occupation, perpetrated by force and deceit.

Although a small nation, Lithuania's gifted and hard-working people have proven themselves capable of successfully controlling their own destiny in the family of nations.

Give the Lithuanian people strength to bear their heavy trials, especially since their hopes for independence have been rekindled recently by a promising turn of events.

Almighty God, bless all those who are giving of their time and resources, to regain Lithuania's independence. Give eternal rest to those who have died for the cause of freedom. May their sacrifices and death not be in vain. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Kentucky [Mr. HUBBARD] to lead the Members in the Pledge of Allegiance.

Mr. HUBBARD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONGRESSMAN ANNUNZIO WELCOMES FATHER ANTHONY MICIUNAS

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, it is a genuine pleasure for me to welcome to our Nation's Capitol Father Anthony Miciunas, pastor of St. Peter Church in Kenosha, WI, who offered the opening prayer.

Father Miciunas was born in Oglesby, IL, on October 8, 1915, and has devoted his life in service to his church. He attended elementary school at St. George's and Immaculate Conception grade schools in Chicago, and attended high school at Marian Hills High School in Clarendon Hills, IL. From 1935 through 1941, he completed his seminary studies at Marian Hill Seminary, and was ordained to the priesthood on May 26, 1940.

Dedicated to affairs in the Lithuanian community, Father Miciunas served as business manager for the Lithuanian daily newspaper, Draugas, in Chicago from 1944 through 1952. He has faithfully served as the superior of the Marian Fathers Monastery from 1944 through 1952, from 1957 through 1967, and from 1969 through 1972. He was a consultant at the Marian Fathers World Headquarters in Rome from 1963 through 1969.

Father Miciunas also served as pastor of St. Casimir's Church, in Worcester, MA, from 1972 through 1987. He was pastor of St. Peter Catholic Church in Kenosha from 1952 through 1957, 1960 through 1963 and since October 1, 1987.

I want to express my genuine thanks to Father Miciunas for being with us today, and to wish him continuing success in his dedicated work to the church and to the Lithuanian community.

THE USED OIL RECYCLING ACT

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Madam Speaker, during the Washington Day program sponsored by the Truck Renting and Leasing Association, I met with several board members and my constituent and friend, Mr. Tony Pope, president of Catawba Transportation in Claremont, NC.

We had the opportunity to trade ideas and discuss many issues under consideration by the Congress. One issue of mutual concern is legislation being considered by the House Committee on Energy and Commerce, the Used Oil Recycling Act of 1989. The bill encourages proper handling and recycling of used oil and prohibits the Administrator of the Environmental Protection Agency [EPA] from listing used oil as a hazardous waste.

Like Mr. Pope of Claremont, many of my constituents back in North Carolina are interested in a safe, clean, environmentally sound solution to managing used oil.

Generators of used oil vary from large companies to the individual who changes the oil in his or her own automobile. The truck renting and leasing segment generates well over 6 million gallons of used oil on an annual basis.

The Used Oil Recycling Act manifests the intention of the Congress, and I support its passage.

THE HARD WALK TO FREEDOM IN SOUTH AFRICA HAS BEEN SHORTENED BY ONLY A FEW STEPS

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Madam Speaker, no one can deny that the recent steps taken by President de Klerk mark a significant change in Nationalist Party policy in South Africa. The unconditional release of Nelson Mandela and the unconditional call for negotiations with the ANC and other political organizations are steps that South Africa-watchers could hardly have envisioned just a few weeks ago.

However, I simply cannot agree with our administration when it tells us that the South African Government "has gone a long way toward normalizing the political process in South Africa."

When close to 85 percent of the population, because of the color of their skin, cannot vote, cannot peaceably assemble without fear of tear gassing, cannot speak freely, when thousands of political prisoners remain imprisoned or in exile, when the police and military are still allowed to roam townships like predatory animals, maiming and imprisoning innocents

virtually unchecked, and when black citizens are denied the basic human rights to live and to work where they choose, one can only conclude that the hard walk to freedom in South Africa has been shortened by only a few small steps.

President de Klerk is, in Mr. Mandela's words, "a man of integrity." But no one seriously denies that it is the prospect of economic collapse, not simply goodwill, that brings Mr. de Klerk to the bargaining table with the unvanquished victims of his Government's policies.

But our administration forgets this simple truth when it invites Mr. de Klerk to tea at the Oval Office and grumbles about the very sanctions that contribute to the changes we witness today.

The President would do well to read the lips of apartheid's opponents, both in South Africa and here at home: "Keep the heat on until the day of democracy is at hand."

□ 1110

CONGRESS MADE SANCTIONS HAPPEN

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Madam Speaker, yesterday this body celebrated with Czechoslovakian President Havel the emergence from oppression to democracy for his nation.

So in another part of the world the Congress should recognize another victory and its part in it. I refer to South Africa and the release of Nelson Mandela after decades of imprisonment. For it was on this floor, several years ago, that the issue of debating sanctions for South Africa came up. "No sanctions" was the argument by the White House "because it will cut off communication with South Africa's leaders. Don't impose sanctions," we were told, "because the white government in South Africa will only become intransigent." Finally, "sanctions will only hurt those you are trying to help," we were told.

However, the Congress held firm, backed by black leaders in South Africa who reminded Members, "Yes, sanctions hurt, but apartheid kills."

Today, Mandela is free, the first fledgling attempts at negotiations have begun. This happened, in part, because the United States took a firm stand against apartheid and oppression, despite a Presidential veto of that legislation.

A good lesson for this administration. Congress made sanctions happen, and sanctions helped free Mandela. There are times to stand strong.

INTENSIFYING SOUTH AFRICAN SANCTIONS

(Mr. STOKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STOKES. Madam Speaker, I rise today to express the joy experienced by my congressional district over the release of Nelson Mandela. After 27 years, Nelson Mandela has finally walked out of prison. Yet, it is a tragedy that although released from prison, Nelson Mandela is still not free.

The Government of South Africa has recently acknowledged that the policies of apartheid were illegal and unjust from the very beginning, and that the apparatus of apartheid must be dismantled and destroyed forever. However, this revelation on the part of the Government does not spring from any profound change of heart, but rather from the pressure brought to bear on the Government and the business owners in South Africa by international economic sanctions.

The United States played a significant role in bringing pressure to bear on the racist regime in South Africa by virtue of the comprehensive Anti-Apartheid Act of 1986, imposing a number of economic sanctions against South Africa. The Comprehensive Anti-Apartheid Act was the result of congressional initiative, and was passed into law over President Reagan's veto.

This is not the time to relax the sanctions, while the laws prohibiting blacks from voting or owning property are still in force. The sanctions must be intensified until the entire apparatus of apartheid is destroyed forever. Then, and only then, can relaxation of the economic sanctions be considered.

In closing, Madam Speaker, I would like to quote the words of Nelson Mandela upon his release from prison, and at his trial in 1964:

> I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunity. It is an ideal which I hope to live for and to achieve. But, if need be, it is an ideal for which I am prepared to die.

We have stood with you, Mr. Mandela, through your years of imprisonment, and we stand with you today, on the threshold of a new South Africa, where all men and women will be treated with equality and justice.

RELEASE OF NELSON MANDELA

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, the past few months have witnessed a remarkable trend toward democracy and human rights in areas of the world where these values have been lacking, or nonexistent. Only yesterday, this Chamber was honored by the visit of Vaclav Havel, once a jailed dissident and now a national leader. His appearance here gives us hope that regimes that rule without the consent of the governed will be rejected, and that those who speak out for human rights will ultimately be rewarded.

Before too much time goes by, I hope we can have the privilege of welcoming Mr. Nelson Mandela to speak before Congress. But, unlike Mr. Havel, Mr. Mandela is not really a free man. He is still not treated like a full citizen in his own country. He still does not have the right to seek elected office. Indeed, he doesn't even have the right to vote. Yes, it was a wonderful sight to see Mr. Mandela making his first public appearance in over a quarter of a century on global television. But his release should not be seen as an end in its self, but rather the beginning of a long road to democracy and freedom for all South Africans.

Madam Speaker, the lesson that Mr. Mandela's release teaches us about American policy is that our economic sanctions worked. I believe that we have a moral responsibility to use our country's strong economic leverage to put pressure on regimes that ignore and abuse the rights of their own people. The changes that are beginning to take root in South Africa show that economic sanctions are not only morally correct, but also politically effective.

CONTINUE ECONOMIC SANCTIONS

(Mr. FAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAZIO. Madam Speaker, all of us are pleased by the recent release of Nelson Mandela. But as much as the President hopes, and would like us to believe, this does not signal the end of apartheid in South Africa or the normalization of relations with the de Klerk government.

I was one of many members who struggled with the decision of imposing economic sanctions—I ultimately supported the sanctions, but I did so with great uncertainty that they would have any profound effect on the South African Government. Congress overrode the President's veto on imposing sanctions and now, as a result, we have a leader, like de Klerk, who takes a great political risk and frees Nelson Mandela.

The struggle in South Africa is by no means over. The President cannot just celebrate Mandela's release and pat de Klerk on the back—this is a first step at best toward ending apartheid. Until the President can embrace Mandela's democratic agenda, the United States will not have done all that it can to continue the pressure on the South African Government to end apartheid. The freeing of Nelson Mandela is a first step on a long path for the South African Government—until Mandela has the freedom to travel where he wants, live where he chooses and has the right to vote, he is not truly free. United States economic sanctions should remain in place until all South Africans are truly free. The Democratic Congress should lead once again.

CONSTITUTIONAL AMENDMENT TO PROTECT FLAG

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Madam Speaker, shortly after midnight on October 28 last year, the day the 1989 Flag Protection Act went into effect, four individuals who enjoy burning the American flag removed a flag from a flagpole at a Seattle, WA, Post Office. Then, of course, they were thrilled to burn the American flag.

Yesterday, in the first Federal court ruling on the Flag Protection Act of 1989, U.S. District Judge Barbara Rothstein of Seattle ruled the law we passed last year is unconstitutional.

David Cole of New York, the lawyer representing the flag burners, said yesterday: "I think it's wonderful * * * people must be as free to burn the flag as they are to wave it."

I can assure these Seattle flag burners that if they would go and live in Tehran, Iran, I know Kentucky constituents of mine who will buy them one-way airline tickets to Tehran.

Those of us who were insisting last year that we need a constitutional amendment to ban malicious flag burning by those who live here but hate the United States will now double our efforts for a constitutional amendment.

Question: Is burning down a post office, a Federal building, even the U.S. Capitol, an expression of free speech protected under the first amendment of our U.S. Constitution?

The Federal judge in Seattle ruled yesterday: "Burning the flag as an expression of political dissent does not jeopardize the freedom we hold dear." The great majority of my constituents would disagree with the Federal judge. We need a constitutional amendment to ban malicious flag burning.

The SPEAKER pro tempore (Mrs. UNSOELD). The Chair desires to caution those in the gallery not to express their approval or disapproval with remarks made on the floor.

INTRODUCING LEGISLATION IN SUPPORT OF GIFTED CENTERS IN GUAM AND AMERICAN SAMOA

(Mr. FALEOMAVAEGA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. FALEOMAVAEGA. Madam Speaker, today I am introducing an amendment to section 1, title XV, of the Higher Education Act of 1986, to establish a gifted and talented program targeted to the unique needs of gifted and talented elementary and secondary school students of the territories of American Samoa and Guam.

During the 99th Congress, the House of Representatives passed the Gifted and Talented Children's and Youth Education Act of 1986, which proposed a Federal "capacity building" effort to identify and educate gifted and talented children and youth. The measure was not acted upon by the Senate.

In the 100th Congress, grants for special demonstration programs targeted to the unique needs of native American Indian and native Hawaiian gifted and talented elementary school students were authorized in the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, Public Law 100-297.

The bill I am introducing today would grant opportunities to gifted and talented elementary and secondary students in the territories of American Samoa and Guam. With special programs in education that also address the cultural and historical backgrounds of these students, it will be a means to the realization and development of their potential. As gifted individuals, they embody a valuable untapped resource. Without these programs, a wealth of talent may go undiscovered. This measure will provide a special focus on the truly unique needs of the gifted and talented students of our Pacific territories.

Madam Speaker, I submit the text of the bill to be printed in the RECORD.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Title XV of the Higher Education Amendments of 1986 (20 U.S.C. 4401 et seq.) is amended by—

(1) redesignating part C as part D;

(2) redesignating section 1531 as section 1541; and

(3) inserting the following new part C after part B:

"PART C—GIFTED AND TALENTED PROGRAM FOR NATIVE SAMOANS AND PEOPLE OF GUAM

"SEC. 1531. SHORT TITLE.

"This part may be cited as the 'Pacific Island Gifted and Talented Program Act of 1989'.

"SEC. 1532. FINDINGS.

"The Congress finds and declares that—

"(1) there is a need to legislate special programs for displaced indigenous groups such as the Native Americans and the Native Hawaiians;

"(2) the Federal Government retains the legal responsibility to support the education of Native Samoans and the People of Guam;

"(3) the Congress has the power to legislate special laws for the benefit of Native Samoans and the People of Guam;

"(4) Native Samoan students and students of Guam score below national norms on standardized education achievement tests and are disproportionately represented in many negative social and physical statistics; and

"(5) special efforts in education recognizing the unique cultural and historical circumstances of Native Samoans and the People of Guam are required.

"SEC. 1533. STATEMENT OF PURPOSE.

"The purposes of this part are to—

"(1) recognize the similar roles Native Americans, Native Hawaiians, Native Samoans, and the People of Guam have played in the history and development of the United States;

"(2) authorize and develop a supplemental educational program to benefit Native Samoans and the People of Guam;

"(3) develop creative programs targeted toward Samoan families and families of Guam in the United States; and

"(4) develop cultural experiences which will provide cultural growth.

"SEC. 1534. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Secretary shall provide grants to, or enter into contracts with, the American Samoa Government and the Government of Guam to—

"(1) establish on each of those islands a Gifted and Talented Program; and

"(2) design projects that—

"(A) address the special needs of Native Samoan elementary and secondary school students and students of Guam who are gifted and talented students, including, but not limited to, nutritional education problems, and problems regarding the knowledge of available community resources;

"(B) provide such support services to familes as are necessary to enable students to benefit from the project,

"(C) develop creative programs targeted toward Native Samoan families and families of Guam in the United States,

"(D) provide cultural experiences which will facilitate cultural growth, and

"(E) provide grants or contracts for scholarship or fellowship assistance for undergraduate and graduate Native Samoan and students of Guam enrolled in accredited institutions of higher education in the United States;

"(b) SCHOLARSHIPS AND FELLOWSHIPS.—Scholarships and fellowships received pursuant to subsection (a)(2)(E) shall be awarded on the basis of the student's academic record and financial need. Such scholarships and fellowships shall be subject to the recipient's satisfactory academic performance during the period financial assistance is received.

"SEC. 1535. USE OF FUNDS.

"Funds provided under this part may be used to—

"(1) identify the special needs of gifted and talented students, particularly at the elementary school level, with special consideration given to—

"(A) the emotional and psychosocial needs of such students, and

"(B) the provision of such support services to families as are necessary to enable such students to benefit from the projects;

"(2) make grants, or enter into contracts, for scholarship or fellowship assistance for undergraduate and graduate Native Samoan students and students of Guam enrolled in, or accepted for admission to, accredited institutions of higher education in the United States;

"(3) appropriate research and evaluation of the activities authorized by this part; and

"(4) Implement faculty development programs for the improvement and matriculation of Native Samoan students and students of Guam.

"SEC. 1536. ADMINISTRATIVE COSTS.

"Not more than 7 percent of the amount of funds appropriated to carry out the provisions of this part in any fiscal year may be used for administrative costs.

"SEC. 1537. DEFINITIONS.

"For purposes of this part—

"(1) The term 'Native Samoan' means an individual who is a citizen or national of the United States, and is a descendant of the indigenous people, who, prior to 1900, occupied and exercised sovereignty in the area which now comprises the Territory of American Samoa, as evidenced by—

"(A) written genealogical records;

"(B) public birth records; or

"(C) other public records on file with the archivist or High Court of American Samoa.

"(2) The term 'people of Guam' means individuals who are citizens or nationals of the United States and are descendants of the indigenous people who, prior to 1900, permanently resided in Guam, or other areas in Asia or the Pacific, as evidenced by—

"(A) written genealogical records;

"(B) public birth records; or

"(C) other public records on file with the archivist or Superior Court of Guam.

"SEC. 1538. AUTHORIZATION OR APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $2,000,000 for each of the fiscal years 1990, 1991, 1992, and 1993. Such sums shall remain available until expended.".

□ 1220

PROPOSAL FOR A WHITE HOUSE CONFERENCE ON SOLID WASTE REDUCTION

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MAZZOLI. Madam Speaker, I hope I do not offend my colleagues here in the House when I say this, but unless America's garbage and waste problem is brought directly into the White House and placed right upon the President's desk, America will never have a coherent and coordinated policy to deal with solid waste disposal and the reduction of the solid waste stream.

Let me explain what I mean by this statement. Solid waste is a national problem, and it is a local problem in Louisville and Jefferson County. I have spent a lot of time talking with Mayor Jerry Abramson and Deputy Mayor Joan Riehm and to Rudolph Davidson, who is the head of our Solid Waste Management Department.

All of this concern around the country has given spawn to a spate of meetings and seminars on what to do with solid waste, but that only adds to the incoherence and lack of coordination.

I have introduced legislation today to ask the President to call a White House conference on solid waste reduction and solid waste disposal in order that we might have a safer and cleaner America in the future. I hope that my colleagues will join me in this necessary effort.

SECOND THOUGHTS ABOUT BLANKET SUPPORT FOR THE PHILIPPINES

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. RICHARDSON. Madam Speaker, I have always been a supporter of people power, I have been an admirer of President Aquino, I have hoped like many that democracy will succeed in the Philippines, but now I am having second thoughts about the Philippine Government. I was offended at the snubbing of the Secretary of Defense.

Why was that? Because instead of the United States providing $500 million, we provided $450 million.

The Philippines gets 95 percent more assistance than any other country in the world from United States foreign policy interests. It is important that we keep this relationship in perspective. It is an important relationship, but pettiness and childishness should not be the staple.

Madam Speaker, I am having second thoughts about blank-check voting for everything the Philippines wants, because I think if we are going to remain in the Philippines with our bases—and I think we should, and I hope we will—it should be in a situation where we are wanted. If the Filipinos do not want us, we should go elsewhere—to Singapore, to Guam, or maybe, under changing security objectives, have a different realignment in the Pacific. But we do not need this important relationship to be childish or to be governed by petty politics, and I regret President Aquino's action.

DAKOTA CIGARETTES TERMED "AN OUTRAGE"

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Madam Speaker, the disclosure yesterday of a confidential memo by a cigarette company is an outrage. The company is apparently proposing to market a cigarette called "Dakota" targeted at so-called blue-collar white women.

What a grotesque misuse of the name "Dakota." Dakota represents clean air, open spaces, and healthy living. Apparently, some cigarette companies want to use that name, "Dakota," to sell cigarettes to blue-collar white women who, as I understand it from their literature, "Like to go to tractor pulls."

I do not care if people choose to smoke, that is their business, but I say to cigarette companies, "Don't desecrate the word Dakota with the tar of tobacco aimed at our American women, a segment of our population that is experiencing a dramatic increase in the rate of cancer."

I say to them, "If you are looking for a new name for cigarettes, you should call them 'Danger,' 'Danger Plus,' 'Danger Lights,' or 'Danger Menthol.' You can find plenty of names, but don't desecrate the name Dakota."

Madam Speaker, I would say to these companies, "Don't disserve the meaning of the word Dakota to those of us who live there."

H.R. 4003, SEPARATION PAY FOR MILITARY PERSONNEL

(Mr. SLATTERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLATTERY. Madam Speaker, according to the Department of Defense, 91,000 American troops will be released from the armed services by the end of fiscal year 1991. Currently, military officers who are honorably discharged receive up to $30,000 in separation pay. Enlisted troops receive no compensation when they are released from the military services.

I have introduced H.R. 4003 to end this inequity and to ensure that American troops who have honorably served their country will receive adequate compensation as they adjust to civilian life.

H.R. 4003 will provide some financial security to dedicated servicemembers who have served their country with distinction, but have been denied reenlistment or have been involuntarily discharged in an effort to meet budgetary constraints.

This year, as we scrutinize future trends in defense spending and reductions in our conventional force structure, I urge my colleagues to make separation pay a top priority and I encourage the Defense Department to work with Congress to enact H.R. 4003 into law.

SOUTH AFRICA

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Madam Speaker, as Americans we rejoice in solidarity with the black majority in South Africa. The release of Nelson Mandela marks a time when freedom may triumph over oppression, when the walls of racial segregation in South Africa, like the walls of communism in Eastern Europe, may be razed to their very foundation.

In response, President Bush has recently invited Mr. Mandela and Mr. F.W. de Klerk to Washington to discuss the future of South African-United States relations. He has taken much credit for the United States part in prompting change. But it should be remembered that it was Congress which overrode President Reagan's veto of the 1986 antiapartheid bill, and Mr. Bush who supported the veto. The American people cried out for action, and it was Congress that went to work to address their appeal, not the executive branch.

I applaud the first steps made by Mr. de Klerk to prompt reconciliation in his country, but much remains to be done. The state of emergency has been maintained. Most of the political prisoners are still in jail; even though Nelson Mandela and 7 other political prisoners have been released, 1,800 still remain in jail. Troops are posted within black villages and townships, and all the laws which fundamentally support the apartheid regime are steadfastly defended by the government.

I question the wisdom of an invitation to Mr. F.W. de Klerk at the present time, but I would love to see Mr. Mandela address the joint Houses here.

The United States, as the leader of the free world, must continue to exert pressure on the South African Government to bring about substantive changes which have been so long overdue. As a member of the Committee on Foreign Affairs, the Members can be assured that I will continue to work toward this goal.

ELATION OVER MANDELA'S RELEASE TEMPERED BY CAUTION

(Mr. OWENS of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS of New York. Madam Speaker, all over the world, particularly in South Africa, people are celebrating the recent release of antiapartheid leader Nelson Mandela after 27 years in South African prisons. I share their elation, but I also share Mandela's caution, and that of his organization, the African National Congress.

There are some world leaders who would like to use Mandela's release as an excuse to resume trade, business, and aid with South Africa. British Prime Minister Margaret Thatcher has already lifted sanctions, and to my dismay, the Bush administration has indicated that it would like to lift sanctions and has invited South African State President F.W. de Klerk to the United States for an official visit.

The release of Mandela and other long-held political prisoners who belonged to the African National Congress and other antiapartheid activist organizations is indeed a giant step forward, but it is only a step. As Jesse Jackson has observed, Mandela was released from a small prison to a larger one—the whole of South Africa. As a nominally free man, Mandela still cannot vote, hold office, own land, live anywhere in his country he wishes, or do anything that would be considered a violation of the national state of emergency, which is still in force. The United States imposition of economic sanctions on South Africa was the decisive factor in the apartheid regime's releasing of Mandela and a handful of other political prisoners—money talks, and the sanctions were taking their toll on South Africa's economy.

The Anti-Apartheid Act of 1986 set the terms under which United States sanctions may be lifted, including the unbanning of all organizations, full political involvement for the African majority, repeal of the Group Areas Act and the Population Registration Act, an end to the state of emergency, and good faith negotiations between the South African Government and representative groups. We should demand that all of these concessions be met before the Bush administration lifts the sanctions.

□ 1130

EXTRAORDINARY EVENTS OF 1990

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Madam Speaker, I rise to join my colleagues who have observed 1990's first extraordinary event. During 1989 there were many such extraordinary events, and yesterday in this Chamber Vaclav Havel, the poet-philosopher-playwright-President of Czechoslovakia spoke eloquently about human rights and the extension of those rights which he said had in many ways germinated in the Bill of Human Rights, as he referred to the Bill of Rights of the United States Constitution, from the United States itself.

Madam Speaker, just over a week ago, a tall, dignified 71-year-old man walked out of the gates of prison for the first time since the time of John F. Kennedy. Nelson Mandela's release was a moment of tremendous drama and excitement as all of those in America, who spent many years fighting for his rights and the rights of his fellow men and women in South Africa, saw the first of our hopes fulfilled.

Madam Speaker, much remains to be done before South Africa is a pluralistic democratic state, an objective all of us should want to see and do want to see. Nelson Mandela, like Vaclav Havel, is a symbol for the hopes of the world. Let us continue the pressure until all in South Africa are free.

FLYAWAY ROBBERY

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Madam Speaker, we have heard about highway robbery. Today in the Armed Services Committee we heard about flyaway robbery. The Government Accounting Office testified today we will have to spend $48 billion on the B-2 aircraft before we will know if it works. Of course that is only if current estimates hold.

If $48 billion being spent before knowing whether the B-2 works is not flyaway robbery, I've never seen it. I hope taxpayers rebel. I think they'd rather have that $48 billion locked up in the Social Security trust fund where it belongs rather than gambled on glitzy new toys we do not need that may not work.

FARMERS FACING HIGHER COSTS OF PRODUCTION AND LOWER PRICES

(Mr. JONTZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONTZ. Madam Speaker, no part of our Nation's budget has absorbed more cuts than farm programs in the past 3 years. Yet, Secretary of Agriculture Clayton Yeutter came before the House Agriculture Committee earlier this week to defend even further cuts—$1.5 billion in commodity programs for the coming year alone—with the admonition that our Nation just cannot afford existing expenditures.

What the Secretary should understand, but doesn't seem very sensitive to, is that farmers are facing higher costs of production and lower prices.

The big corporate operations may survive, but what about the average family farmer who is increasingly caught in this price squeeze?

Madam Speaker, we have billions more in the budget again this year for the B-2, star wars, and the M-X. Why

is it that our Nation can afford these expensive weapons, but cannot afford even the modest cost of farm programs which help our producers deliver food and fiber to the American consumer at the lowest cost anywhere in the world?

VACATION OF SPECIAL ORDER AND INSTITUTION OF NEW SPECIAL ORDER

Mr. DORGAN of North Dakota. Madam Speaker, I ask unanimous consent to vacate my 60-minute special order for today and insert instead a 5-minute special order.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from North Dakota?

There was no objection.

CURRENT LEVEL OF SPENDING AND REVENUES FOR FISCAL YEAR 1990

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Madam Speaker, on behalf of the Committee on the Budget and as chairman of the Committee on the Budget, pursuant to the procedures of the Committee on the Budget and section 311 of the Congressional Budget Act of 1974, as amended, I am submitting for printing in the CONGRESSIONAL RECORD the official letter to the Speaker advising him of the current level of spending, credit, and revenues for fiscal year 1990. This is the first report of the second session of the 101st Congress.

The term "current level" refers to the estimated amount of budget authority, outlays, credit authority, and revenues that are available—or will be used—for the full fiscal year in question based only on enacted law.

Current level reports are intended to provide Members information to compare enacted spending and revenues with the aggregate ceilings on budget authority, outlays, and revenues established in a budget resolution, and also to compare enacted legislation with the allocations of new discretionary budget authority, entitlement authority, and credit authority made to a committee pursuant to subsection 302(a) of the Budget Act. This report compares the spending, credit, and revenue levels in current level with those assumed in the budget resolution for fiscal year 1990—House Concurrent Resolution 106—adopted on May 18, 1989.

Current level reports provide information that is necessary for enforcing section 311 of the Budget Act. Section 311(a) prohibits the consideration of a spending or revenue measure if the adoption of that measure would cause the ceiling on total new budget authority or total outlays set in the budget resolution for a fiscal year to be exceeded or would cause revenues to be less than the appropriate level of revenues set forth in the budget resolution.

Section 311(b) provides an exception to the 311(a) point of order for measures that would breach the ceilings on total spending set forth in the budget resolution but would not cause a committee to exceed its appropriate allocation of discretionary spending made pursuant to section 302(a) of the Budget Act. Such an exception was first provided by the budget resolution for fiscal year 1985—House Concurrent Resolution 280, 98th Congress. The exception was made permanent by the amendments to the Budget Act included in the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177, Gramm-Rudman-Hollings). This exception is intended to protect a committee that has stayed within its allocation of discretionary budget authority and new entitlement authority from points of order if the total spending ceilings have been breached for reasons outside of its control. For fiscal year 1990, the 302(a) allocations to House committees made pursuant to the conference report on House Concurrent Resolution 106 were printed in House Report 101-50, May 18, 1989.

Section 311(c) of the Budget Act provides that, for purposes of enforcing section 311, the levels of new budget authority, entitlement authority, outlays, and revenues shall be determined on the basis of estimates made by the Committee on the Budget. Current level reports represent partial fulfillment of this enforcement responsibility of the Budget Committee by providing both estimates of enacted aggregate spending and revenues, and, for purposes of determining the applicability of the section 311(b) exception, estimates of the relationship between the budgetary effect of enacted legislation within a committee's jurisdiction, and the allocation of spending authority made to that committee.

The estimates in this report are based on economic and technical assumptions in place at the time of the adoption of the budget resolution, House Concurrent Resolution 106, on May 18, 1989. This is intended to protect committees which acted on the basis of the assumptions of the budget resolution from changes in economic and technical factors over which they have no control. Unless the Congress adopts a subsequent budget resolution for a fiscal year that alters the assumptions concerning legislative actions, committees should be able to expect that measures that conform with the budget resolution will not be subject to points of order for violation of the Budget Act. To do otherwise and base enforcement on constantly changing economic and technical estimates would seriously disrupt the legislative process, penalize committees that are unable to complete work on legislation within a short period after adoption of a budget resolution, and undermine respect for budget enforcement procedures.

In addition to section 311, the Budget Act contains another point of order that requires Budget Committee estimates for enforcement. Section 302(f)(1) of the Budget Act prohibits the consideration of a measure providing new budget authority, new entitlement authority, or new credit authority if the adoption of that measure would cause a committee to exceed its allocation of new spending or credit authority made pursuant to subsection 302(b) of the Budget Act. The 302(b) allocation is a subdivision of the new spending, new entitlement, and new credit authority allocated to a committee pursuant to section 302(a), among either the subcommittees of that committee or among programs over which the committee has jurisdiction. This point of order was added to the Budget Act by the amendments included in the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 302(g) provides that the enforcement of section 302 shall be based on estimates of spending and credit authority made by the Committee on the Budget. The Budget Committee fulfills this responsibility by providing, as necessary, a separate section 302 status report to the Speaker.

For information purposes only, current level reports will continue to include a comparison of the budget and credit authority divided among the Appropriations subcommittees by that committee's 302(b) division with the actual enacted spending and credit legislation within each subcommittee's jurisdiction.

As chairman of the Budget Committee, I intend to keep the House informed regularly on the status of the current level.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, February 22, 1990.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On January 30, 1976, the Committee on the Budget outlined the procedure which it had adopted in connection with its responsibilities under Section 311 of the Congressional Budget Act of 1974, as amended, to provide estimates of the current level of revenues and spending.

I am herewith transmitting the status report under H. Con. Res. 106, the Concurrent Resolution on the Budget for Fiscal Year 1990.

In the House of Representatives, the procedural situation with regard to the spending ceilings (total new budget authority and total outlays) and the revenue floor is affected by Section 311 of the Congressional Budget Act of 1974, as amended by P.L. 99-177. Section 311(a) prohibits the consideration of a spending or revenue measure which would cause the ceiling on total new budget authority or total outlays set in the budget resolution for a fiscal year to be exceeded or would cause total revenues to be less than the appropriate level set in the budget resolution. Section 311(b) provides an exception to the 311(a) point of order for measures which would breach the ceilings on total spending in the budget resolution but would not cause a committee to exceed its "appropriate allocation" of new discretionary budget authority or new entitlement authority under Section 302(a) of the Budget Act.

The intent of Section 311(b) of the Budget Act is to protect a committee that has stayed within its spending authority allocations—new discretionary budget authority or new entitlement authority—from points of order if the total spending ceilings have been breached for reasons outside of its control. The 302(a) allocations to House committees made pursuant to the conference report on H. Con. Res. 106 were printed in the joint explanatory statement of the Committee of Conference in H. Rept. 101-50. (May 15, 1989).

The enclosed tables compare legislation to each committee's 302(a) allocation of discre-

tionary budget authority, new entitlement authority, new direct loan obligations and new primary loan guarantee commitments. The estimates of spending and revenues for purposes of the application of points of order under the Budget Act are based upon the economic and technical assumptions underlying the fiscal year 1990 budget resolution, H. Con. Res. 106.

Sincerely,

LEON E. PANETTA,
Chairman.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1990 CONGRESSIONAL BUDGET, ADOPTED IN HOUSE CONCURRENT RESOLUTION 106

REFLECTING COMPLETED ACTION AS OF FEB. 21, 1990

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate level	1,329,400	1,165,200	1,065,500
Current level	1,326,993	1,171,407	1,060,266
Amount under ceilings	2,407		
Amount over ceilings		6,207	
Amount under floor			5,234
Amount over floor			

BUDGET AUTHORITY

Any measure which provides budget or entitlement authority and which is not included in the current level estimate and that exceeds $2,407 million in budget authority for fiscal year 1990, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 106 to be exceeded.

OUTLAYS

Any measure which provides budget or entitlement authority that increases outlays and which is not included in the current level estimate for fiscal year 1990, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 106 to be exceeded.

REVENUES

Any measure that would result in a revenue loss which is not included in the current level revenue estimate for fiscal year 1990, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 106.

FISCAL YEAR 1990 BUDGET AUTHORITY—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE PURSUANT TO SECTION 302

[In millions of dollars]

	Current level budget authority
House committee:	
Agriculture	+604
Appropriations [1]	+1,746
Armed Services	+177
Banking, Finance, and Urban Affairs	+3,491
District of Columbia	
Education and Labor	
Energy and Commerce	+331
Foreign Affairs	
Government Operations	
House Administration	+4
Interior and Insular Affairs	+205
Judiciary	
Merchant Marine and Fisheries	+200
Post Office and Civil Service	−330
Public Works and Transportation	
Science and Technology	
Small Business	
Veterans' Affairs	
Ways and Means	−7,695
Unassigned (Sequestration)	−4,288

[1] See next table for detail.

Note.—Committees are over (+) or under (−) their 302(a) allocation for "discretionary action."

FISCAL YEAR 1990 HOUSE APPROPRIATIONS COMMITTEE DISCRETIONARY ACTION—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION SUBDIVISIONS OF THE HOUSE APPROPRIATIONS COMMITTEE PURSUANT TO SEC. 302

[In millions of dollars]

	Current level budget authority	Direct loans	Primary loan guarantees
House appropriations subcommittee:			
Commerce, State, Justice	−45	−32	+806
Defense	−141		
District of Columbia	−2		
Energy and Water	−38		
Foreign Operations		−31	+1,959
Interior			
Labor, HHS, Education	−1,384		
Legislative Branch	−54		
Military Construction			
Rural Development and Agriculture		−71	
Transportation	+2,113	−3	
Treasury, Postal Service	+202		
VA/HUD/Independent Agencies	+1,095		
Total	+1,746	−137	−2,765

Note.—Subcommittees are over (+) or under (−) their 302(b) subdivisions for "discretionary action."

FISCAL YEAR 1990 ALLOCATION OF NEW ENTITLEMENT AUTHORITY [NEA] PURSUANT TO SECTION 302

[In millions of dollars]

Committee	Allocation	Reported [1]	Enacted [2]	Enacted over (+) under (−) allocation
Agriculture	−600	−1,740	−86	+514
Appropriations		−1,676	+1,676	+1,676
Armed Services		+1,953	+2,060	+2,060
Banking, Finance and Urban Affairs	+399	+1,000	+2,000	+1,601
Education and Labor	+15	−24	−25	−40
Energy and Commerce	+200	+256	+151	−49
Interior and Insular Affairs		+205	+205	+205
Post Office and Civil Service	−550	−700	−745	−195
Veterans' Affairs	+457	+453	+458	+1
Ways and Means	−2,700	−4,278	−4,800	−2,100

[1] These figures are used for 401(b)(2) of the Budget Act.
[2] These figures are used for 302(f) points of order.

Note.—The figures for the Armed Services and Appropriations Committees represent the full costs of the January 3.6 percent pay raise for Federal military and civilian personnel respectively. The pay raise was assumed in the budget resolution, but New Entitlement Authority [NEA] was not allocated to any committee because the budget resolution assumed that the pay raise would be achieved through administrative action.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 22, 1990.

Hon. LEON E. PANETTA,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the current levels of new budget authority, estimated outlays, estimated revenues, and direct and guaranteed loan levels in comparison with the appropriate levels for those items contained in the 1990 Concurrent Resolution on the Budget (H. Con. Res. 106). This report, for fiscal year 1990, is tabulated as of close of business February 21, 1990 and includes final action of the 101st Congress, First Session. There has been no legislation enacted in the Second Session. A summary of this tabulation follows:

[In millions of dollars]

	Current level	Budget resolution H. Con. Res. 106	Current level +/− resolution
Budget authority	1,326,993	1,329,400	−2,407
Outlays	1,171,407	1,165,200	6,207
Revenues	1,060,266	1,065,500	−5,234
Direct loan obligations	19,088	19,300	−212
Guaranteed loan commitments	114,701	107,300	7,401

Sincerely,

ROBERT D. REISCHAUER,
Director.

PARLIAMENTARIAN STATUS REPORT, 101ST CONG., 2D SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 21, 1990

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			1,059,700
Permanent appropriations and trust funds	937,469	772,111	
Other appropriations		214,199	
Offsetting receipts	−193,106	−193,106	
Total enacted in previous sessions	744,363	793,205	1,059,700
II. Enacted 1st Session:			
Adjust purchase price for certain dairy products (Public Law 101-7)		−25	
Implementation of the Bipartisan Accord on Central America (Public Law 101-14)	13	7	
Dire emergency and urgent supplemental appropriations (Public Law 101-45)	−21	802	
Apex project, Nevada Land and Water Transfer Act (Public Law 101-67)	−2	−2	
Financial Institutions Reform, Recovery and Enforcement Act (Public Law 101-73)	2,200	1,400	594
Allow planting of alternative crops on permitted acreage (Public Law 101-81)	−10	−10	
Disaster Assistance Act of 1989 (Public Law 101-82)	502	504	
Sec. 107: Disaster relief and emergency assistance (Public Law 101-100)		443	
Energy and water development appropriations (Public Law 101-101)	18,625	11,254	
Performance Management and Recognition Systems Reauthorization Act (Public Law 101-103)		−125	
Extension of certain veterans programs (Public Law 101-110)	[1]	[1]	
Interior appropriations (Public Law 101-121)	11,018	7,352	
Sec. 108: Emergency supplemental to meet the needs of natural disasters (Public Law 101-130)	2,850	1,067	
Disaster Assistance Act (Public Law 101-134)	9	9	
Treasury-Postal Service appropriations (Public Law 101-136)	18,395	16,268	500
Offsetting receipts	−5,212	−5,212	
Defense Production Act extension (Public Law 101-137)	−3	−190	
Statutory debt limit increase (Public Law 101-140)			−157
Veterans, HUD appropriations (Public Law 101-144)	66,788	38,679	
Child Nutrition and WIC Reauthorization Act (Public Law 101-147)	[1]	[1]	
Military construction appropriations (Public Law 101-148)	8,490	3,095	
Rural development-Agriculture appropriations (Public Law 101-161)	39,487	27,043	
Commerce-Justice-State appropriations (Public Law 101-162)	16,939	13,080	
Offsetting receipts	−169	−169	
Legislative appropriations (Public Law 101-163)	1,947	1,747	
Transportation appropriations (Public Law 101-164)	15,040	11,287	
Defense appropriations (Public Law 101-165)	286,025	176,533	

PARLIAMENTARIAN STATUS REPORT, 101ST CONG., 2D SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 21, 1990—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Labor-HHS appropriations (Public Law 101–166)	139,060	115,767	
Offsetting receipts	−36,563	−36,563	
Foreign Operations appropriations (Public Law 101–167)	14,082	3,977	
Offsetting receipts	−40	−40	
District of Columbia appropriations (Public Law 101–168)	533	533	
National Defense Authorization Act (Public Law 101–189)	−1	−27	
Social services block grant supplemental (Public Law 101–198)	100	100	
Palau Compact of Free Association Implementation Act (Public Law 101–219)	205	194	
Technical changes in agricultural programs (Public Law 101–220)	10	−8	
Medicare Catastrophic Coverage Repeal Act (Public Law 101–234)	−5,718	−1,579	−5,849
Department of HUD Reform Act (Public Law 101–235)		14	
Veterans' Benefits Amendments of 1989 (Public Law 101–237)		−129	
Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239)	−11,290	−9,817	5,478
Total enacted 1st Session	583,287	377,258	566
Enacted 2d Session			
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution:			
Salaries of judges	−2	5	
Payment to judicial officers' retirement fund	−4	−4	
Judicial survivors' annuities fund	−3	−3	
Fees and expenses of witnesses	−2		
Justice assistance	−4		
Fisherman's guaranty fund	1	1	
Administration of territories	−1		
Firefighting adjustments	−624	−192	
Federal unemployment benefits [FUBA]	5		
Advances to unemployment trust fund	(48)	(48)	
Special benefits	−24		
Black lung disability trust fund	52	32	
Vaccine improvement program trust fund	7	7	
Federal payment to railroad retirement	1	1	
Retirement pay and medical benefits	−4		
Supplemental security income	263	263	
Special benefits, disabled coal miners	21		
Grants to States for Medicaid	−907		
Payments to health care trust funds	(325)	(325)	
Family support payments to States	84	84	
Payments to States for AFDC work programs	15	15	
Payments to States for foster care	−83		
Health professions student loan insurance fund	−25	−7	
Guaranteed student loans	−175		
College housing and academic facilities loans	−3	−3	
Rehabilitation services	−79		
Payments to widows and heirs	(2)	(2)	
Reimbursement to the rural electrification fund	111	111	
Dairy Indemnity Program	(2)	(2)	
Conservation Reserve Program	720		
Special Milk Program	−2		
Food Stamp Programs	−800		
Child Nutrition Programs	−74		
Federal Crop insurance corporation fund	(2)		
Agriculture credit insurance fund	342		
Rural housing insurance fund	(2)		
Rural communication development fund	(2)		
Payments to the farm credit system financial assistance corporation	−2		
Coast Guard retired pay	−17		
Payment to civil service retirement	(84)	(84)	

PARLIAMENTARIAN STATUS REPORT, 101ST CONG., 2D SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 21, 1990—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Government payments for annuitants	−3	−2	
Readjustment benefits	−62		
Compensation	448	398	
Pensions	−62		
Burial benefits	−4		
Loan guaranty revolving fund	238	238	
Total entitlement authority	−657	945	
Total current level as of February 21, 1990	1,326,993	1,171,407	1,060,226
1990 budget resolution H. Con. Res. 106	1,329,400	1,165,200	1,065,500
Amount remaining:			
Over budget resolution		6,207	
Under budget resolution	2,407		5,234

[1] The extension of certain veterans programs (Public Law 101–110) decreases the current law estimate for the loan guaranty revolving fund shown in category V; the Child Nutrition and WIC Reauthorization Act (Public Law 101–147) increases the current law estimate for child nutrition programs and is included in the amounts shown in category II for Rural Development-Agriculture appropriations (Public Law 101–161).

[2] Less than $500,000.

Notes.—Numbers may not add due to rounding. Amounts shown in parenthesis are interfund transactions that do not add to totals.

OUR FARM BELT HAS BEEN HIT BY A NEUTRON BOMB

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota [Mr. DORGAN] is recognized for 5 minutes.

Mr. DORGAN of North Dakota. Madam Speaker, last week I was in many communities in North Dakota holding farm forums, visiting with farmers to talk about the new farm bill that is going to be written by this Congress. It was interesting to contrast what was learned in the Farm Belt from farmers to what President Bush said just in the last week. Madam Speaker, he said the country's economy is in excellent health. Well, it might be all right for 16 or 20 states in the country because there are some coastal states that are doing fine. Things are great in Hollywood, things are great on Wall Street, and some of the coastal areas are experiencing economic growth, but for the vast part of the middle of America, they are in a deep abiding, lengthy recession capped with 2 years of drought. Things are not fine for farmers.

Madam Speaker, farmers are going broke in record numbers all across the Farm Belt. It is almost as if a neutron bomb had been dropped on some small towns on the Great Plains. The buildings are still there, but the people are gone.

Take a look at the main streets, and do a circle on the main street of almost any small community in the Dakotas, and then ask yoursef, "Is this town living or dying?" The answer is. "The town isn't doing well at all. Low farm prices, and a cock-eyed farm policy by an administration that believes our economic future is found in lower prices, has almost bankrupted rural America."

Madam Speaker, the Agriculture Secretary says, "We want more of the same. This is working just fine."

In fact, Madam Speaker, I have heard Members of Congress say, "The 1985 farm bill is near perfect."

Are they blind? Lower farm prices are not the answer to rural America's economic future.

Some people say, "Well, if we had a little better farm prices, it might mean the price of bread would double."

Madam Speaker, that is crazy. Out of the price of a loaf of bread, farmers get less than the heel. They get less than the price of a wrapper on a box of rice crispies or corn flakes. The flakers are making money, the puffers are making money. The farmer gets the heel.

Now the question is, When are we going to put together a policy that gives farmers at least the cost of production? Anything below the cost of production means farmers are losing money and are going broke.

Madam Speaker, this country has a cheap food policy, and we have had an administration for nearly a decade that believes it ought to be even cheaper. The administration says, "Let's build all the bombers in the world. We want B–2's. We want to start our next Mars exploration next year." Just planning the Mars project is a wonderful $200 million tab next year. Five billion dollars for B–2 bombers. A billion dollars on top of already nearly $4 billion for star wars."

Madam Speaker, these people just are not thinking, and then they say to the productive side of the country, the people who are producing real new wealth, "Well, we can't afford a farm program. We need to cut that back further below the cost of production."

□ 1140

This country is awash in speculation and greed, promoted by administrations that apparently think it is wonderful. Junk bonds are collapsing. Investment firms are going broke in an era of excess and avarice and greed, and the people in this country who produce the real new wealth, most notably those in the farm belt, are not able to make a living because somehow the mentality around here, particularly in the administration, particularly in the Department of Agriculture, is that we must pursue a Nirvana called "International Free Trade" with lower prices for farmers.

It does not make any sense. There never has been free trade in agriculture. There never will be free trade in agriculture. There certainly is not now.

What we need, it seems to me, is to put together a farm plan that says that we can afford decent target

prices, decent support prices for the output of the family farm.

We need a national policy that says that we are going to promote the development and the maintenance of a network of family farms in this country's future. If we do not do that, this country is headed for deep trouble.

It does not make much sense for us to support somebody who milks 3,500 cows every morning. They do that, and we do support their milk, and it does not make sense to me. It does not make sense to support somebody who wants to farm three counties. I do not care about the fortunes of somebody who wants to farm three counties. But it does make sense to say to those family farmers who cannot make it over the depressions of international price movements that we are going to give you a bridge. We are going to give you some support, at least something above the cost of production, because we care whether you survive or perish.

This country's foodstuffs represent the best quality foodstuffs at the lowest percent of disposal income of any country in the world. That fortunate situation will not remain if 2,000 corporate farmers farm all of America. They will grip that supply like an iron fist, and the price of food will skyrocket. We will retain a cheap and high-quality supply of food if we start caring a little about the network of family farms who produce America's food for the rest of the country.

Polls show that most American people support an action by Congress that says it is important to have a network of farms in our future, a network of family farms.

We in Congress had better get to work and resist the efforts of the administration (a) to negotiate away our farm program in Geneva, and (b) to further drive down farm prices. Those efforts are roads to nowhere. We ought to divert a little money from B-2's and trips to Mars in space and star wars and give it to people who make a real difference in this country's economic future, the family farmers.

THE 72D ANNIVERSARY OF LITHUANIAN INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 60 minutes.

GENERAL LEAVE

Mr. ANNUNZIO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my special order today.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Madam Speaker, it is a genuine honor for me to reserve this special order to commemorate the 72d anniversary of Lithuanian Independence Day.

Today we are all witnessing monumental changes sweeping across Eastern Europe, the Baltic States, and the Soviet Union. Each day brings some new report of further steps being taken toward freedom and self-determination. The people of Lithuania have been at the forefront of these efforts to institute reforms and establish democracies. Lithuania's fearless efforts have served as an inspiring example to other nations striving to establish independent states—free from the tyranny of the Soviet Union.

It is important that we in Congress continue to show our support and our encouragement for the courageous people of Lithuania in this struggle, and I want to take this opportunity to thank my colleagues in the House of Representatives, who are joining with me today not only in commemorating Lithuanian Independence Day, but also in showing our support for the Lithuanian people in their quest for freedom.

Seventy-two years ago, at the end of World War I, on February 16, 1918, the Lithuanian people regained their independence, and began to rebuild their country from the devastation of war. Sadly, only a few years later, the country faced the oppression of Stalin's rule, and the occupation of the Nazis. Yet, the desire for freedom in an independent Lithuania never wavered.

During the last several months, extraordinary events have taken place in Lithuania. On August 23, 1989, on the 50th anniversary of the signing of the Molotov-Ribbentrop Pact, which illegally annexed the Baltic States to the Soviet Union, 220 delegates of the Lithuanian Restructuring Movement, known as "Sajudis," met to condemn this pact, and to call for the independence of the Lithuanian State. At this point in the RECORD, I would like to share with my colleagues this declaration, and a copy of this statement follows:

"SAJUDIS" PARLIAMENT STATEMENT ON INDEPENDENCE

A statement of the Parliament of the Lithuanian Restructuring Movement:

To the nations of the world, the government of states, and all people of good will.

This year marks the fiftieth anniversary of the signing of the Soviet-German treaty and secret protocols on the delineation of spheres of influence in Europe that caused the beginning of World War II. Although many countries do not recognize the occupation and annexation of Lithuania and the other Baltic states, the consequences of those agreements have not been eliminated and still determine the life of Lithuania and the other countries. The Soviet Union's occupation of Lithuania and the other countries by military and political force resulted in transformations that have erased Lithuania, a member of the League of Nations, from the political map of the world and brought the nation to the edge of catastrophe. Lithuania, however, has never reconciled itself to its illegal situation and has never abandoned its goal of reestablishing an independent state.

Having met on August 23 in Vilnius, the parliament of the Lithuanian Restructuring Movement declares the following:

(1) The secret agreements between the USSR and Germany, dated August 23, 1939, September 28, 1939, and January 10, 1941, and the documents authenticating them really did exist. This is confirmed by the course of political events and an analysis of historical sources.

(2) The ultimatum of the USSR government on June 14, 1940, to the government of the Lithuanian Republic and the stationing in the Lithuanian Republic of the unlimited military contingent were aggressive acts against a sovereign state, and they created the conditions for changing the Lithuanian government and for organizing elections to the so-called People's Diet of Lithuania, which adopted a declaration on Lithuania's entry into the USSR under conditions of political diktat and terror. The elections in 1940 to the People's Diet were illegal; its decisions about the introduction of Stalinist Soviet power in Lithuania and its request that Lithuania be admitted into the USSR have never had and do not have any legal status.

(3) The legal assessment of the treaties entrusted to a commission of the USSR Congress of People's Deputies has not yet been published, while the political [assessment] has been mentioned merely as a field for future activities. The governments of the USSR and [both] Germanies have so far neither condemned the agreement nor taken any concrete measures to eliminate its consequences and the [subsequent] aggression. The parliament of the Lithuanian Restructuring Movement believes that the nations and governments of the free world will not recognize the criminal effect of the Soviet-German Pact on Lithuanian sovereignty [and] invites the Lithuanian nation by unified peaceful means to reestablish an independent, democratic Republic of Lithuania not subordinate to the administrative system or jurisdiction of the USSR. Lithuania's relations with the USSR should be based on the basic provisions of the Peace Treaty of July 12, 1920.

(4) The present status of Lithuania in the world community and in the Soviet Union poses a serious international problem. The day is near when the government of the USSR will have to acknowledge the occupied status of Lithuania and the necessity of ending that status. At the present time, the presence of an army of occupation in Lithuania restricts the rights of the people to decide freely what sort of social and political future they desire. More than 1,400,000 people in Lithuania have signed statements expressing their opposition to the presence of this army.

In January, 300,000 Lithuanians peacefully gathered in Vilnius Cathedral Square, during General Secretary Gorbachev's visit, to demonstrate their overwhelming support for a free and independent Lithuania, and on February 24, an election will be held in Lithuania. This morning, however, I received disturbing news. The House of Representatives has sent four Mem-

bers of Congress to observe these elections: Congressman DURBIN of Illinois, Congressman JOHN MILLER of Washington, Congressman BILL SARPALIUS of Texas, and Congressman CHRISTOPHER COX of California. Currently these Congressmen are sitting in Berlin, because the Soviet Union has denied them visas to enter Lithuania.

It is my understanding that the President and the State Department, through diplomatic channels, have condemned this action by the Soviets, and the Congress of the United States is outraged and appalled that these Members of Congress are currently being denied access to the Lithuanian election process. I originally, cosponsored legislation to express the sense of Congress in insuring the freedom and fairness of this election, and a copy of this current resolution follows, along with a copy of the most recent press release from the Lithuanian-American Community, Inc., concerning the situation of these four Members of Congress:

U.S. CONGRESSMEN ARRIVE IN WEST BERLIN EN ROUTE TO LITHUANIA-U.S.S.R. SUPREME SOVIET DECISION CALLED "FINAL"

The Lithuanian-American Community, Inc. reports, that a Congressional delegation, led by Congressman Dick Durbin (D-IL), travelling on a fact-finding tour to Lithuania, has arrived in West Berlin as of 5:00 this morning. The congressmen were met in Frankfurt earlier today by officials of the U.S. Consulate there, and were told that the Soviet Foreign Ministry's denial of their visa requests to Lithuania was "final".

According to a source at the U.S. Frankfurt Consulate, a final demarche has been made by U.S. Ambassador Matlock in Moscow to the Soviet Foreign Ministry on behalf of the Congressional delegation. In response to Ambassador Matlock's request that an earlier Soviet decision to deny the congressmen their visas be reversed, the Soviet Foreign Ministry asserted that the initial denial delivered by the USSR Embassy in Washington, D.C. was "authoritative and reflected the views of the [USSR] Supreme Soviet." The Soviet officials in Moscow ended their message by claiming they had "nothing more to add to the decision", which they considered to be "final".

The other three Members of Congress travelling with Mr. Durbin are Christopher Cox (R-CA), William Sarpalius (D-TX) and John Miller (R-WA). The delegation has decided to continue to West Berlin, where they will remain through tonight.

The Congressional delegation departed Washington's Dulles Airport yesterday evening, hoping that the earlier Soviet decision would be reversed through the efforts of President Bush and Ambassador Matlock.

In an earlier telephone discussion with Dr. Vytautas Landsbergis, the leader of "Sajudis", the Lithuanian Reform Movement, which had invited the congressmen to Lithuania, the LAC, Inc. learned that Sajudis has issued an official complaint to the Supreme Soviet of the USSR, in which the decision to deny the visas to the congressmen is denounced as a "product of old thinking."

After this morning's terse statement from the Soviet Foreign Ministry, it appears that the delegation's journey may end in West Berlin. Sajudis, however, has pledged to continue initiatives to grant the congressmen passage into Lithuania.

Parliamentarians from Canada have been successful in reaching Soviet-occupied Lithuania, arriving yesterday evening.

H. CON. RES. 257

Whereas the United States recognized the independent Lithuanian Government on July 27, 1922;

Whereas the United States has never recognized Lithuania's incorporation into the Soviet Union on August 3, 1940;

Whereas throughout a fifty-year history, bipartisan efforts in Congress and consistent expressions in international forums have reflected the unchanging United States position of non-recognition of the Soviet incorporation of Lithuania;

Whereas the continued occupation of Lithuania by the Soviet Union stands in a contradiction of the ideals of freedom, democracy, and self-determination for which the peoples of Lithuania and the United States both stand;

Whereas the Helsinki Final Act of 1975 has spurred the growth of resistance to the continued nondemocractic rule of the Soviet Union in Lithuania;

Whereas a decade ago, in House Concurrent Resolution 200, the Congress restated its position in favor of the independence of Lithuania;

Whereas the United States delegation expressed its concerns about Lithuania at the Madrid conference reviewing implementation of the Helsinki accords in 1980;

Whereas on June 14, 1982, the President signed a proclamation of "Baltic Freedom Day" in response to Senate Joint Resolution 201, adopted by the Congress that year;

Whereas on July 28, 1982, one hundred Members of Congress signed a letter to then-Soviet leader Brezhnev demanding the restoration of Lithuania's independence;

Whereas on January 6, 1983, House Joint Resolution 60 directed the President to issue a proclamation designating February 16, 1983, as "Lithuanian Independence Day";

Whereas the Soviet constitution recognizes the right of secession for all Soviet Republics, including Lithuania;

Whereas on May 18, 1989, the Lithuanian Supreme Soviet adopted constitutional changes granting Lithuania the right to veto Soviet laws, and establishing Lithuanian citizenship and Lithuanian control over all its territory and resources;

Whereas the Lithuanian Supreme Soviet has declared Lithuania's annexation by the Soviet Union in 1940 illegal;

Whereas as a result of this illegal annexation and occupation, Lithuania today experiences acute political, economic, and environmental problems; and

Whereas on February 24, 1990, elections will be held in Lithuania: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) It is the sense of the Congress that the right of self-determination be restored to the people of Lithuania through free and fair elections conducted under the auspices of an international commission comprised of observers from the democratic countries of the world.

(2) It is the sense of Congress that the withdrawal of all non-Lithuanian military forces and political, administrative, and police personnel from Lithuania, prior to the February 24, 1990, scheduled elections, will enhance the prospects that the elections will be free and fair.

(3) The Secretary of State is requested and authorized to send a copy of this concurrent resolution to the President of the Union of Soviet Socialist Republics, and to the Chargé d'Affaires of the Lithuanian Legation to the United States.

Madam Speaker, the current crisis notwithstanding, this is certainly a time of great hope for all Lithuanians and all freedom-loving people throughout the world, as restrictions are being relaxed in Soviet-occupied Lithuania. One of the most desired books in Lithuania is the history of Lithuania written in 1936 by Adolfas Sapoka. This book was reprinted in Chicago in 1988, and subsequently, was smuggled into Lithuania. Today, this book is no longer banned and has been reprinted in several local newspapers. In January, the first independent radio station operating without censors or government funds began radio broadcasts out of the press building in Vilnius.

However, the ultimate goal of all Lithuanians is the creation of a free and independent state totally removed from the yoke to tyranny of the Soviets. An article written by the President of Sajudis, which appeared in the February 19 edition of the Washington Times, entitled "Withdrawal is the Word in Lithuania," best sums up the sentiments of the Lithuanian people, and a copy of this article follows:

[From the Washington Times, Feb. 19, 1990]

WITHDRAWAL IS THE WORD IN LITHUANIA

(By Vytautas Landsbergis)

VILNIUS, LITHUANIA.—Determined to make this goal of independence known to visiting Soviet leader Mikhail Gorbachev, 300,000 Lithuanians—a number equivalent to those deported to Siberia by the Soviet Union after 1940 under a program of homogenization—gathered in Vilnius Cathedral Square last month for a peaceful candlelight vigil. They came there for one reason: to demonstrate their support for the re-establishment of an independent Lithuanian nation-state.

Sadly, the West tends to color the goals of the Lithuanian people in Moscow's terms. Lithuanians speak, for example, of freedom and independence. The West calls our democratic movement nationalist and separatist, as does Moscow.

But, the average Lithuanian asks, how can we secede from a union we never joined and never sought to join? Lithuania was an independent country that was occupied by a morally offensive and discredited diplomatic arrangement, the Nazi-Soviet pact of August 1939. This event hardly legitimizes Lithuania's present condition and doesn't justify Moscow's insistence that the Soviet Union should determine Lithuania's political future.

Is a new secession law that Mr. Gorbachev plans to offer the republics the answer to a Soviet "disunion"? We think not. We fear it will be another bad law in the typical Soviet tradition—a generic solution to a very specific problem: an unnatural and illegitimate union.

Lithuania's case for independence is significantly stronger than the cases of many other Soviet republics. A "divorce" law would not apply to the Baltic states because of their forceable incorporation into the Soviet Union in 1940. Many Western powers have never recognized that illegal incorporation.

Attesting to the sound historical argument for Baltic independence, French President Francois Mitterrand noted after visiting Mr. Gorbachev in Kiev late last year that "necessary distinctions" must be made among "the different republics of the Soviet Union," some of which had a national existence in the past, but a very distant past for a good number of them. It is much less distant—Josef Stalin's time—for the Baltic countries.

It is our view that we have a right to determine our national destiny, and we want to do so by non-violent political means. We want to directly negotiate with Moscow, a process that has already begun, albeit with Mr. Gorbachev as a reluctant partner—and that in itself is an encouraging sign.

In its vision of the new-and-improved Soviet Union, the nation's regime advocates a "federation" instead of a "union," appealing to American principles of federal sovereignty: federal law as the supreme law of the land.

Some compare Mr. Gorbachev's struggle to save the Soviet empire to Abraham Lincoln's fight against secessionism. The big difference is that Lithuania is not trying to preserve slavery, it is trying to escape it. It is not seeking to establish independence, it is working to restore it. It is not calling for secession but for the withdrawal of an illegitimate military and political force.

National feeling runs strong and deep in Lithuania these days. For centuries, our land has been dominated by grasping neighbors. Before the Soviets, it was the czars or Poland or Germany. But rapid developments around us—in Eastern Europe and in the Soviet Union—have considerably improved the propects for our independence.

Now we see our chance to regain independent statehood. It is imperative for our cultural, economic and political survival.

On Feb. 7, the Lithuanian parliament approved a resolution declaring Lithuania's 1940 annexation by the Soviet Union "unlawful and invalid." Elections scheduled for Feb. 24 for a Lithuanian parliament will bring in new blood, even more determined to negotiate with Moscow on independence.

The Sajudis, a coalition of opposition parties, is participating in these elections under the slogan "For a reborn Lithuania—independence; for an independent Lithuania—democracy; for a democratic Lithuania—a humane life. Democracy, independence and prosperity—inseparable."

For the first time since the Soviet annexation, candidates from newly legalized opposition parties—the Social Democrats, the Democratic Party, the Green Party, the Christian Democrats—will run for election under the Sajudis banner. While Moscow has just begun discusing the concept of a multiparty system in the Soviet Union, in Lithuania it is already a reality.

Last March, Sajudis swept Lithuanian elections to the Soviet Congress of Peoples Deputies, carrying 36 of a total of 42 districts. We expect to win the Feb. 24 elections as well, though this electoral campaign promises to be more competitive because of the Lithuanian Communist Party's sudden rise in popularity.

To recover a measure of its authority, which has sagged under pressure from Sajudis, the Lithuanian Communist Party underwent a face lift, defiantly declaring its independence from the mother party in Moscow and adopting a political platform barely paying homage to socialist doctrine.

The Sajudis political platform differs from the Communist Party's in that it advocates complete political independence and normal, diplomatic relations with Moscow on an equal footing, whereas the party leadership still speaks of Lithuanian sovereignty "within the U.S.S.R." Sajudis advocates a break with Moscow in the near future, whereas the party calls for a protracted transition period.

The Sajudis program embraces a free-market economy, a separation of legislative, executive and judicial powers in government, free trade unions and private farming. Among Sajudis' most salient political priorities are Lithuanian-Soviet bilateral negotiations over the conditions and time frame for the withdrawal of Soviet troops from Lithuania; the creation of a nuclear-free zone in the Baltic states; and the expeditious removal of nuclear weapons from Lithuanian territory. Under our program, neutrality would be the keystone of Lithuanian foreign policy.

Sajudis maintains that any action by Soviet military forces to obstruct and undermine the work of Lithuanian legislative and executive powers will be interpreted as another act of aggression, a continuation of what was begun in 1940. We hope that Western democracies will see it in their best interest to support this position.

Mr. Speaker, on this 72d anniversary of the independence of the Lithuanian state, I was glad to add my name as a cosponsor to House Joint resolution 149, legislation to designate February 16, 1990, as "Lithuanian Independence Day." This bill was approved by the full House of Representatives and the Senate, and signed by President George Bush into public law. Accordingly, the President has issued a proclamation to commemorate this anniversary, and a copy of the proclamation follows:

LITHUANIAN INDEPENDENCE DAY, 1990

The birth of a nation is a momentous event that inscribes a people's name forever in the annals of history, motivating and inspiring those who live under its banner and ideals. Seventy-two years ago, on February 16, 1918, the people of Lithuania realized their long-denied dream of independence. The free Republic of Lithuania prospered until the tragic events of 1940—when Soviet troops invaded and occupied the country as a result of the infamous Molotov-Ribbentrop Pact signed just 1 year before.

Lithuania's struggle for liberty, and that of its neighbors in Estonia and Latvia, served as an inspiration to many who saw the collapse of old empires as a harbinger of peace and freedom for Europe. Later, when these heartfelt aspirations were crushed by totalitarian aggression, freedom-loving men and women around the world were rightfully outraged.

The ongoing Baltic dilemma remains an unresolved legacy of the Stalin era. However, the democratic reawakening in Lithuania offers hope that popular aspirations for political, economic, and social justice will be realized.

The brave men and women of Lithuania began to pursue just and noble goals on the 16th of February, 1918. We reaffirm our support and admiration for the Lithuanian people as we recall the significance of that date today—the 72nd anniversary of Lithuanian independence.

In recognition of the aspirations of freedom-loving people in all nations, the Congress, by House Joint Resolution 149, has designated February 16, 1990, as "Lithuanian Independence Day" and has authorized and requested the President to issue a proclamation in observance of this day.

Now, therefore, I, George Bush, President of the United States of America, do hereby proclaim February 16, 1990, as Lithuanian Independence Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities in reaffirmation of their devotion to the principles of democracy and freedom throughout the world.

In withness whereof, I have hereunto set my hand this sixteenth day of February, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fourteenth.

GEORGE BUSH.

Also, as a part of our commemoration of this 72d anniversary of Lithuanian Independence Day in the House of Representatives, the Lithuanian-American Council, Inc. of Chicago, IL, selected Father Anthony Miciunas to be the guest chaplain. The names of the officers of the Lithuanian-American Council follow:

Honorary President, Dr., Kazys Bobelis.

National President, Grozvydas J. Lazauskas.

First Vice President, Casimir Oksas.

Vice Presidents; Stanley Balzekas, Jr., Petras Buchas, Alexander J. Chaplik, Povilas P. Dargis, Vytautas P. Dargis, M.D., Saulius Kuprys, Esq., Viktoras Naudzius, Mykolas Pranevicius.

Secretary, Stasys Dubauskas.

Treasurer, Daina Danilevicius-Dumbrys.

Members: Irene D. Blinstrubas, Vanda Gasperas, Ramune Kelecius, Evelyn Ozelis, Birute Skorubskas, Morkus Simkus.

Council's Representatives in Washington, D.C., Jonas B. Genys, Ph.D.,—Director, Milda Vaivada, Alt.

Director of Information, Msgr. J. Prunskis, J.C.D.

Public Relations Director, Daiva Meile.

Trustees: Teodoras Blinstrubas, Algirdas Budreckis, Ph. D., Kostas Burba, Vytautas Yucius.

Honorary Members of the Board: Teodoras Blinstrubas, Steponas Bredes, Jr., Alena Devenis-Gricattis, Msgr. Joseph Prunskis, Antanas J. Rudis.

Mr. Speaker, on the occasion of this 72d anniversary of Lithuanian Indpendence Day, I am proud to join with Lithuanian-Americans in the 11th Congressional District of Illinois which I am honored to represent, and Americans of Lithuanian descent throughout our Nation, in their hopes and prayers that democratic reforms will continue until true and total freedom and independence in Lithuania has been restored.

Mr. Speaker, I yield to my distinguished colleague, the gentleman from Georgia [Mr. JONES], a great friend of the cause of Lithuania.

Mr. JONES of Georgia. Mr. Speaker, I thank the gentleman from Illinois for yielding to me and for taking out this special order.

I think it is ironic and coincidental that today, although it is not February 16, it is February 22, the birthday of George Washington, our great freedom fighter.

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I think, as we Americans reflect on the extraordinary events and unprecedented transitions sweeping Eastern Europe, it is imperative that independence for Lithuania and her Baltic neighbors be part of our national conscience.

We hear much about the remarkable revolutions in Poland, Hungary, Czechoslovakia, Rumania, and East Germany; they have broken free, and lovers of democracy everywhere should rejoice.

But that makes it doubly important to bring attention to Lithuanian Independence Day.

On February 16, 1918, Lithuania declared its independence, a proud strong nation of free people. But we cannot truly celebrate that anniversary until Lithuania is once again out from under the Soviet heel.

The cynical dealings of Hitler and Stalin enslaved the Baltic States in 1939, but there are positive signs that the courageous people of Lithuania may once again be free to choose their own destiny.

Economic autonomy and political pluralism may soon be a way of life, and with the full moral support of the American people and especially our American President, we may soon see real autonomy in a sovereign Lithuanian state.

There is good news today. In Vilnius, Lenin Avenue has been renamed Gediminas Avenue in honor of the founder the Lithuanian capital.

And July 21 Street, which commemorated the date Lithuania was forcibly annexed by the Soviets, has been renamed February 16 Street to honor the real Lithuanian Independence Day. Today we honor the modern Lithuanian heroes, who even as we speak, are demanding the most basic freedoms. I thank the distinguished gentleman for giving me the opportunity to speak on behalf of Atlanta's dynamic Lithuanian-American community. Perhaps next year we will be able to truly celebrate Lithuanian independence.

Mr. ANNUNZIO. Madam Speaker, I thank my distinguished colleague from Georgia for his very constructive and illuminating remarks, and like him, I pray that in the days ahead that the Lithuanian people, as we know from experience, are going to remain steadfast and are going to have freedom.

Mr. LAFALCE. Madam Speaker, at this time of historic transformation throughout Central and Eastern Europe, the commemoration the 72d anniversary of Lithuanian Independence Day is especially important. The Lithuanian people were among the first in Europe to take bold steps to reestablish their nation among the family of European democracies. Yet, as Soviet domination recedes in this part of the world and Europeans reassert their right to self determination, Lithuanians continue their struggle for independence as a sovereign nation state.

Lithuania was once a free nation. Seventy-two years ago, at the end of World War I, the Lithuanian people regained their independence, rebuilt their homeland ravaged by years of war and adopted the democratic institutions necessary to maintain their liberty. And, after 2 years of fighting the Bolsheviks to successfully retain their independence, Lithuanians enjoyed two decades, from 1920 to 1940, when they could freely practice their rich cultural and religious traditions. Unfortunately, their forcible incorporation into the Soviet Union in 1940 meant an end to this newly won freedom and began five decades of Soviet domination.

The burning desire for independence and democratic freedom, however, has survived, indeed thrived, despite a Soviet program of homogenization, which sent hundreds of thousands of Lithuanians to Siberia since 1940, and ongoing efforts to suppress the spirit and undermine the integrity of this small nation. Last month, 300,000 Lithuanians gathered in Vilnius Cathedral Square for a peaceful candlelight vigil in support of an independent Lithuanian nation state. This congregation was a moving testimony to the indomitable spirit of their nation and a powerful statement regarding the outright failure of decades of Soviet oppression.

For nearly half a century, the United States has refused to recognize the forcible Soviet occupation and annexation of the Baltic States. The peaceful independence movements in Lithuania and the other Baltic States have reaffirmed the moral and legal virtue of this position. The remarkable changes within the Soviet Union provide the United States with an unprecedented opportunity to support the independence movement in Lithuania. As this astounding grassroots movement continues to press the Soviet Union to respond to their demands, our Government should arduously support this freedom-loving people's effort to restore their national status as the Independent Democratic Republic of Lithuania.

Mr. BROOMFIELD. Madam Speaker, for the past several years, many of us in the Congress have joined Lithuanians and Lithuanian-Americans in observing the anniversary of Lithuanian independence. In one respect we do so again today by marking the 72d anniversary of an all too brief time in history when Lithuania was a free and independent member of the family of nations

Those years of freedom from 1918 to 1940 ended when Soviet troops marched into the Baltic nations of Lithuania, Latvia, and Estonia, and began a decades-long occupation of these nations. Over those years, the Soviet Government tried in many different ways to crush the identity and the culture of these people and to assimilate them into the Soviet Union.

However, despite these efforts at russification, the flame of freedom continued to burn deeply in the hearts of the Lithuanian people as they persevered to maintain their human rights and their identity as a separate people. The strength and the depth of their feelings can be clearly seen in these days of perestroika and the enormous changes that are sweeping across Eastern Europe and the Soviet Union itself.

Last year Lithuanian organizations were able to persuade their local Communist authorities to legalize national symbols that were outlawed after the Soviet takeover. In 1989, the Catholic Church was again allowed to conduct mass at the Vilnius Cathedral for the first time in 50 years, thousands of Lithuanians came to participate in religious services at this historic Lithuanian church.

The depth of this yearning to be a free and independent people again is also evident in the reaction of Lithuanians to President Gorbachev's recent trip to their country when he argued for Lithuania to continue in its present status. The question now seems to be not if Lithuania will declare its independence from the Soviet Union, but when and how the break will come about.

Thus, Madam Speaker, as we observe the brief independence of Lithuania that took place seven decades ago, let us also celebrate the independence that will be coming. We have stood by the Lithuanian people during their dark days when all they had was a dream, and we rejoice with them today as that dream has the potential to become a reality.

Through this observance of the anniversary of Lithuanian independence, let us also encourage the Soviet Government to continue in its policies of glasnost and perestroika and allow the changes in the Baltic nations and throughout Europe to take place peacefully. It should not be the role of governments to deter the legitimate aspirations of the people, but rather to help fulfill them.

Mrs. JOHNSON of Connecticut. Madam Speaker, I am honored to represent a part of Connecticut that is blessed with Lithuanians, Estonians, and Latvians who have enriched our community life over many decades. In past years I have taken to the floor of the House of Representatives, on this day of Lithuanian independence, and spoken about the dreams of freedom of a people who have endured 50 years of Soviet domination. Each year I have celebrated with my Lithuanian constituents the proud past of Lithuania, her culture, arts, tradition, and history. Today I want to pay tribute to the entire Baltic community in Connecticut which has kept the dreams of their countrymen alive for us and provided invaluable support and encouragement to their friends and relatives in their mother countries.

I believe that history will mark this year as a magnificent turning point for Lithuania, Latvia, and Estonia, much the same as 1918 and 1940 are indelibly etched in our minds. It is for this reason that I wish to commend the efforts of Americans of Baltic heritage, because their expertise, their backgrounds and their ties to the Baltics will serve as our guide as we forge

new economic, social and political relations with a free and independent Lithuania.

The Baltic community in Connecticut is already paving the way for these new relations through publicity events, education, exchange and leadership. Every year they hold "Black Ribbon Day" at the State capitol to commemorate the anniversary of the Soviet-Nazi Pact of 1939 which resulted in the occupation and annexation of the Baltic countries—an act which the United States has never recognized as legal. They have brought Baltic leaders to the United States, most notably Matri Hint, a leader of the Estonia Popular Front, for firsthand accounts of the changes spinning throughout the Baltic States.

Members of the Estonian, Latvian and Lithuanian Alliance of Connecticut [ELLA] are beginning to build the foundations for trade with the Baltic States. They are an invaluable source of information on the skills and needs of Baltic work forces. In particular, business leaders are working on developing direct air travel between Western Europe and the Baltic States. Today, Balts must backtrack to Moscow in order to fly to Europe. Direct air access to the international community is not only necessary for their economic development but for their nationhood. Another privilege Balts have been denied for half a century has been to send their athletes to the Olympics under their own national colors, and members of ELLA are working with the Olympic committees to realize this national dream.

It is astonishing that only 1 year ago, for the first time since Lithuania was illegally annexed by the Soviet Union, people took to the streets in Lithuania in open celebration of their Declaration of Independence of 1918. In one short year we have witnessed the resurgence of cultural and linguistic freedom, the formation of legal opposition parties, and severance of Lithuanian Communist Party from Moscow. Secession from the Soviet Union is more a matter of "how" than "if." When that historic moment happens, it will be because of the peaceful determination of a people proud of their heritage and driven by their deep devotion to freedom and independence.

Mr. HOYER. Madam Speaker, on February 16, 1918, Lithuania became an independent state. In March 1920, Lenin's Soviet Russia renounced all claims on Lithuanian territory. After the illegal Soviet occupation of Lithuania in 1940, however, Lithuanians could not celebrate the anniversary of their Declaration of Independence. Attempts to do so, such as the February 16 march by several thousand participants 2 years ago, were violently dispersed.

Stunning changes have take place since then. In early 1989, February 16 was proclaimed an official holiday; 200,000 people assembled to rededicate the Lithuanian Freedom Monument, built during the years of independence and taken down during the Soviet occupation. That same day, a statement was issued calling for the eventual reestablishment of a neutral, democratic, and independent Lithuania.

Lithuanian Independence Day this year comes just 8 days before the first multiparty parliamentary elections since the Soviet occupation, will likely create a non-Communist majority in the Lithuanian Parliament—and such a body could well be instrumental in determining Lithuania's future.

The United States has never recognzied the Soviet occupation of the Baltic States and continues to this day to consider them independent states.

Mr. DARDEN. Madam Speaker, today I join my colleagues in commemorating Lithuanian Independence Day. Like many others, I have watched events in Eastern Europe unfolding with a swiftness and intensity unimaginable only months ago. In Poland, East Germany, Czechoslovakia, and Romania, Soviet dominance has been broken and Communist rulers overthrown.

However, for millions in the satellite countries of Estonia, Latvia, and Lithuania, freedom remains elusive. It is especially appropriate, then, that our commemoration of Lithuanian Independence Day offer encouragement to these citizens and support for their struggle. Without Lithuanian independence, the revolutions sweeping Eastern Europe are incomplete. Soviet reforms which do not incorporate basic human rights for all people and recognize the right of self-determination are meaningless.

There have been many inspiring examples of courage in the last year. I commend those who have achieved independence and urge those who still seek freedom to persevere. As we celebrate Lithuanian Independence Day, let us reflect on the successful challenges to totalitarianism and renew our commitment to democracy for all citizens, Lithuanians in particular.

Mr. LEVIN of Michigan. Madam Speaker, I rise today with many of my colleagues to commemorate the 72d anniversary of Lithuanian Independence Day. As barriers to freedom that once seemed insurmountable fall with astonishing speed in Eastern Europe, it is worth remembering the persistence and unbending spirit of the Lithuanian people.

After boldly declaring their independence from the Soviet Union in 1918, the Lithuanians enjoyed two decades of self-rule. During much of this period, they were free to follow their cultural traditions and express their national identity. Betrayed by two oppressors in the 1939 Nazi-Soviet Pact, Lithuanians spent the next five decades under Soviet domination, forced to deny their heritage, their language and their traditions.

But despite the military might and repressive acts of the Soviets, the Lithuanians never lost touch with their roots and never lost their will. Many Americans of Lithuanian descent applied pressure from abroad, while nationalist leaders within Lithuania awaited the opportunity to act. Such spirit needed little kindling to flare into a massive nationalistic movement. When the Soviets last year finally withdrew the prohibition against legally celebrating Lithuanian Independence Day, hundreds of thousands of Lithuanians took to the streets.

Just yesterday, another symbol of history in the making addressed a joint session of Congress. To thunderous applause, Czechoslovak President Vaclav Havel recounted his own unlikely transformation from playwright to statesman. Arrested for the last time by the Communist government on October 27 of last year, 2 months later Havel was unanimously elected President by his country's Parliament. Now that same country seems headed for democracy. Havel remarked how astonishing it was that it took so little to release the long-suppressed longings of his countrymen.

This Saturday's elections in Lithuania, where a grassroots nationalist movement has made the old-guard Communist Party deny their own attachments to Moscow, seems equally astonishing, especially in light of the fact that 2 years ago Lithuanian Independence Day ceremonies were prohibited. It seems unlikely that Soviet President Gorbachev will be able to deny the Lithuanians their independence much longer.

Czechoslovakia and Lithuania—these are two astonishing examples of the spirit of democracy that is sweeping the world. What is less remarkable is that both movements are borne of the same spirit: a people's unwavering desire to be free.

Mr. POSHARD. Madam Speaker, I'm pleased to join my colleague from Illinois, Mr. ANNUNZIO, and the other Members here today to express my support for the people of Lithuania.

In the southern Illinois district which I represent there is a sizable population of people of Lithuanian descent, particularly in Franklin County and in the city of West Frankfort. Americans to the core, they never forget their heritage, and that sense of where they came from. That is a valuable asset for this country, a country built on the foundation of people searching for freedom, and I think our support for their homeland in this way and in others helps send an important message.

What an incredible couple of months it has been, as world events threaten to outpace even our modern society. The grip of communism is loosening and the urge for freedom is gaining strength as it surges through one oppressed population after another.

As we commemorate the 72d anniversary of Lithuanian Independence Day, we should be mindful of the struggle for freedom the Lithuanian people have engaged in for so long a time. After securing an all too brief taste of independence and democracy, the Lithuanian people were repressed by the Soviet Government, and have been under that repression for far too long.

As the beacon for democracy in this world, we stand proudly with the Republic of Lithuania in efforts for freedom.

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to commemorate the 72d anniversary of the establishment of the independent state of Lithuania. On February 16, the recognition of Lithuanian Independence Day is officially noted by many Lithuanians. It was in 1918 when Lithuania, along with several other Baltic States, declared their independence as the empire of Czar Nicholas II collapsed.

The Lithuanian people have a long and powerful history. The first Lithuanian state was formed in the 1200's and was, at one time, the largest European country. Lithuania existed under the rule of the Russian czars from 1795 until 1915. For many years they endured the suppression of their cultural identity. Depsite the years of persecution, the people of Lithuania struggled to preserve their national traditions. It is now that we remember Lithua-

nia's years of perseverance through the observance of their independence.

The United States has never acknowledged the acquisition of Lithuania or the other Baltic Republics by the Soviet Union. Yet we never forget their suffering. Lithuania continues to struggle for democracy. Now, as all eyes are focused upon Eastern Europe, let us offer our support as well as our hearts. A fighter for Lithuanian civil rights once declared, "Lithuania, you always had such lofty hearts, who feared not suffering and death. Such hearts will appear today." Let the peaceful changes which have occurred in Eastern Europe serve as an example to other parts of the world.

Mr. MURPHY. Madam Speaker, it gives me great pleasure to join with my colleagues here in Congress to commemorate Lithuanian Independence Day. Our world is rapidly changing, and the drama of this change can be witnessed every day in the scenes from Eastern Europe. There, peoples long oppressed by governments not of their choosing are coming forward to demand democracy and freedom. And observers the world over note with happiness that they are accomplishing their goals.

Lithuanians are leading the way to change. They have stood together in the streets of their cities and the squares of their villages and spoken with one voice. Their persistence has reminded powerful nations that they are an equal partner in the world, and they have set in motion a movement that is reworking the world order.

For this reason, today's commemoration of Lithuanian Independence Day has special meaning. We are not only remembering the brave men and women who have fought for the national survival of Lithuania in the past, we are looking with hope to those who will lead their nation and all of Eastern Europe into the next century.

As a Member of Congress who represents many Lithuanian-Americans, I know I speak for them when I express their feelings of joy as Lithuania struggles for a renewal of its freedom. Might does not make right, and Lithuanians have never forgotten this fact throughout the past half century. It is only fitting that we join in noting this fact today, because the health of our own Nation depends just as much on us recognizing this certainty, as it does for the proud Lithuanian people now changing the world.

Ms. OAKAR. Madam Speaker, I join my colleagues in commemorating the brave people of Lithuania and their struggle for freedom and independence. I would like to thank my good friend and colleague FRANK ANNUNZIO for organizing this special order.

On February 16, 1918, the Lithuanian people proclaimed their will to be a free, self-governing, and independent nation. Their independence was tragically stolen when the Soviet Army began its occupation of Lithuania, Latvia, and Estonia in 1940.

The Lithuanian people have never accepted this foreign domination, even though their struggle for freedom has had a very high price. Since their occupation began under Stalin, they have been ruthlessly oppressed and their land has been exploited and polluted. Tens of thousands of people from the Baltic nations were deported from their native countries by the Soviet Government. Many of them were deported to Siberia and never returned home again.

But the alien Soviet system imposed on Latvia, Lithuania, and Estonia cannot erase the spark these Baltic people carry in their hearts. In fact, in the past year the peaceful movement for freedom in Lithuania has gained strength. On August 23, people in each of the Baltic countries joined together in an unprecedented demonstration. They formed a human chain from Vilnius to Tallinn to protest the secret agreement between Moscow and Nazi Germany which led to the annexation of their countries. The Lithuanian popular front, Sajudis, estimates that more than 1 million people joined the chain or attended other meetings in Lithuania.

Yet independence in Lithuania is far from accomplished. In the next year, we should anticipate threats to the movement toward democracy in Lithuania. A particular danger is posed by proposed changes in the Soviet constitution which would threaten the movement toward democracy in Lithuania. According to Marju Lauristin, a member of the Congress of Peoples Deputies from Estonia, drafts of laws being circulated in the Supreme Soviet include proposals to fine people up to 20,000 rubles—8 years of the average worker's salary—for belonging to nationalist organizations. Other dangers are posed by legislation in the Supreme Soviet which gives the President greater powers to declare a state of emergency and by legislation which would restrict and slow down a republic's ability to secede.

Our Nation has never recognized the illegal occupation of Lithuania, Latvia, and Estonia, and I support this policy completely. I urge the administration to implement policies to promote and encourage Lithuanian aspirations—and the hopes of all captive nations—for a future of freedom and self-determination. We must also continue to press the Soviet Union to abide by the Universal Declaration of Human Rights, the International Convention on Human Rights, and the Helsinki Compliance Commission.

As a democratic nation and a nation committed to human rights, we must never abandon the brave Lithuanian people. As a nation founded on the right to self-determination, we must encourage it wherever a spark of desire for freedom remains. We cannot help but to hope that someday soon the Lithuanian people's dreams will be realized.

Mr. RUSSO. Madam Speaker, it is with great excitement that I rise in support of this year's Lithuanian Independence Day celebration. For the first time since the Soviet Union illegally annexed the Baltic States 50 years ago, freedom and independence are within Lithuania's reach. The events of Eastern Europe have been truly amazing and have inspired many of us to appreciate more fully that freedom for which our ancestors fought so hard.

The winds of democracy are moving faster than we ever imagined. The right of self-determination has been seized by other Eastern European nations like Poland, Romania, and Czechoslovakia. The evidence of this birth of freedom has appeared twice in this very Chamber. Once in the form of Lech Walesa, and yesterday in the form of Vaclav Havel. Mr. Havel's words about the importance of world events are true. "The human face of the world is changing so rapidly that none of the familiar political speedometers are adequate." In Czechoslovakia they have indeed entered into an era of freedom and equality. It is now an era when all Czechs, "large and small, former slaves and former masters, will be able to create what [our] great President Lincoln called the family of man."

While Czechoslovakia and the other Eastern European countries are molding their egalitarian societies however, Lithuania and the other Baltic States remain under Soviet control. Without the right of self-determination, Lithuanians cannot begin to create the family of man.

During its short 22 years of existence as an independent nation, the Lithuanian Republic was based on democratic principles and a multiparty system. This weekend the Lithuanian people will go to the polls to participate in the first multiparty elections since they were illegally secured by the Soviets under the Hitler-Stalin Pact. While these elections are a visible step toward a more open and democratic system of government, Lithuania has a long way to go until it reaches true freedom.

We in the Congress and the United States support the people of Lithuania in their valiant struggle for freedom and democracy. While democracy and self-determination are not yet realities for the Baltic States, the designation of February 16 as Lithuanian Independence Day provides a tangible manifestation of our belief that the fight for freedom continues in Lithuania.

Mrs. BENTLEY. Madam Speaker, today commemorates the 72d anniversary of Lithuanian independence. As many of us know, Lithuanians declared their indepedence on February 16, 1918; and they retained their independence until 1940 when over 300,000 Soviet troops occupied the country. As a result of Stalin's and Hitler's decision to divide Eastern Europe.

The Lithuanian people are noted for their rich culture and religious devotion which has struggled to survive since the beginning of Soviet occupation. Yet through all of the repression the people of Lithuania continue their struggle for human rights and cultural identity.

Glasnost and Perestroika—Gorbachev's words have given so much hope to Eastern Europe and the world. We already see what has happened in Eastern Europe and the promise to pull back troops and the promise of a new order—but these promises, so far it seems, have not stretched north along the Baltic to Estonia, Latvia, and Lithuania.

Gorbachev has been challenged by the Lithuanian's drive for restored independence. Today, the Lithuanian people are voicing their strong desire for freedom from a system that has crushed them since 1940.

Baltimore Lithuanians celebrated the 72d anniversary last Sunday and hailed the changes in Eastern Europe. They have been very supportive of the changes in Eastern Europe and hope that the Soviet Union will recognize the need for reform in the Baltic region.

I support Lithuania's current initiatives of independence and autonomy; and, commemo-

rating their independence day we give proper recognition to Lithuania's people as well as Lithuanian-Americans. I ask you today Madam Speaker, and other Members, to join me in the honoring of Lithuanian Independence Day.

Mr. HORTON. Madam Speaker, I join today with my colleagues in commemorating Lithuanian Independence Day. I want to thank the gentleman from Illinois [Mr. ANNUNZIO] for taking this time to call our attention to this very special event.

But first, I want to state that I had the opportunity during the last district work period, to visit with some of my Lithuanian-American constituents during a commemoration of the 71st anniversary of Lithuanian Independence Day at a ceremony held at St. George's Parish in Rochester, NY. That meeting of the Lithuanian-American Council of Rochester took place on Sunday, February 11, 1990.

The overall feeling of my friends that were there that day is that now is a very hopeful time for Lithuanians, both those still living in Lithuania and those living abroad. I share this sentiment for this year's celebration comes at a time when Lithuanians are closer than ever to regaining their independence from the Soviet Union. It is an exciting time, it is also a time to be apprehensive.

The obvious cause of this excitement and this apprehension is the elections which are scheduled to be held on February 24. Nobody knows how free this exercise will be, but one can be sure that people from around the world will be watching those elections and checking to see that their results are respected. The integrity of the ballot box is one of the hallmarks of democracy. If that integrity is violated, the credibility of Glasnost and Perestroika will undoubtedly suffer.

There is no doubt in my mind what the results of the elections will be. I only hope that those results will be respected. I have my doubts, though, that the Soviets will accept Lithuanian independence without a fight.

The ball is in President Gorbachev's court. If he chooses to go against the will of the people, he may end up in the same predicament as many other recent Communist leaders in Eastern Europe—out of power. This would be unfortunate for all parties involved.

So today I call on the Soviet leaders to respect the basic human rights of the voters in Lithuania by letting them vote without interference and by respecting the results. In doing so, we will be able to stand here next year and celebrate the first anniversary of the rebirth of an independent Lithuania.

Mr. MOAKLEY. Madam Speaker, I am honored to join my good friend and colleague, FRANK ANNUNZIO, in today's special order commemorating Lithuanian Independence Day.

As in the past, we are saluting the indomitable will and courage of the brave Lithuanians; people who have been under the oppressive and illegal occupation by their Soviet neighbors. But today is different. Today, Lithuanians can truly taste freedom. They can picture the day when they will rightfully stand among other free nations. The day when Lithuania will again be her own country, with her own government and her own proud identity.

Mr. Speaker, incredible events have taken place around this world. The past year has seen changes that never would have been predicted taking place in a few decades much less a few months. The Soviet Union has eased the grip on some of its satellite countries and Lithuanians stand ready to separate themselves from the illegal Soviet influence of over half a century. Individually and as a country we must support this move to freedom. We must not rest until Lithuania is again a free country. The Lithuanian struggle is our struggle. The unflagging efforts for freedom should spur us all to action and to not be satisfied until true independence is achieved.

Mr. DWYER of New Jersey. Madam Speaker, it is with great pleasure that I join with my colleagues today to commemorate the 72d Anniversary of Lithuanian Independence.

I have been privileged to participate in this annual special order since first coming to the House of Representatives. However, for most of those years, we discussed the ongoing tragedy in that country due to the continued dominance of the Lithuanian people by the Soviet Union. Today, because of the changes which have taken place during the past year, there is a hope for realizing the dream of freedom which has been absent in the past. The era of perestroika provided the Lithuanian people with an opportunity for public protest and demonstrations without the usual harsh repercussions of the past. Encouraged by the expansion of protest, the Lithanian people pressed their calls for independence.

Today, many changes have taken place. The Lithuanian Supreme Soviet adopted a declaration of state sovereignty and constitutional amendments in May of last year. A commission of the Lithuanian Supreme Soviet approved a report which characterized the 1940 incorporation of Lithuania into the Soviet Union is illegal. And, in August of last year, hundreds of thousands of Lithuanians joined hands with Latvians, Estonians, and others in a 2-million-person chain that extended from Tallinn, Estonia, through Riga, Latvia, to Vilnius, Lithuania, as a sign of protest marking the 50th anniversary of the Molotov-Ribbentrop Pact.

The Baltic States have made important strides in their quest for independence from the Soviet Union. The Lithuanian people have been in the forefront of this effort.

Much remains to be done before Lithuania will be truly free again. But, the Lithuanian people have made historic progress during the past year, and their commitment to freedom will serve them well as they continue their fight for true independence.

Mr. CLINGER. Madam Speaker, I am pleased to join my colleagues in the House and Lithuanian-Americans throughout the Nation in commemorating the 72d anniversary of Lithuanian Independence Day.

The Soviet Union has dominated the brave country of Lithuania since 1940, when it sent invading troops into the neighboring nation, forcing annexation. But despite this presence, the free hearts and spirits of the Lithuanian people have refused to die.

Lithuania's struggle for freedom is written in the sorrows and courage of a strong people who have endured political repression, religious persecution, and the denial of human rights. Indeed, while it is distressing to realize that many people in Lithuania have never known what we in a free nation commonly take for granted—free speech, free worship, and the right to participate freely in political expression, it is heartening to know that a reversal of this policy may soon unfold.

Last year, the republic's Supreme Soviet passed a declaration of state sovereignty, proclaimed economic autonomy and abolished the constitutional clause guaranteeing the Communist lock on power. Lithuania's Communist Party responded by declaring independence from its national counterpart and, later this week local electors may choose a republican parliament. These are positive signals that severe reform is on the way. Hopefully, these changes can be carried out in a peaceful, effective manner that will ultimately bring prosperity and well-being to its citizens.

The United States has fully recognized Lithuania as a sovereign state since its independence was declared on February 16, 1918. Now, as the tide begins to turn, it's as if our cries for peace and freedom have finally been heard.

Let us join these proud people in celebrating Lithuanian Independence Day and in looking ahead to that joyous day when Lithuanians can again live together in freedom.

Mr. GILMAN. Madam Speaker, I wish to commend the gentleman from Illinois [Mr. ANNUNZIO], for taking out this time to commemorate Lithuanian-Americans. Today, February 22, Americans of Lithuanian descent will note with hope and joy, the anniversary of Lithuanian Independence Day; joy in remembering that day in 1918 when independence was first declared, and the years that followed which saw the flourishing of Lithuanian culture and heritage. The hope which now emanates from all Lithuanians, is a hope for freedom, and democracy.

We join the Lithuanian people in this hope, that the years spent under the domination of the Soviet Union will soon be over. With the current situation in Lithuania, where the first multiparty elections in the Soviet Union since 1918 are taking place, we hope these events will spread to all the Baltic States and ensure the lasting freedom of those States.

Lithuanian Independence Day will most certainly bring out hundreds of thousands of supporters, and with them go our own hopes for their future. Accordingly, Mr. Speaker, I invite my colleagues to acknowledge this anniversary of Lithuanian independence, certain that their national feeling cannot be stifled.

Mr. LIPINSKI. Madam Speaker, I rise today to commemorate the 71st anniversary of Lithuanian independence. This is a particularly exciting occasion considering the developments which are taking place in Lithuania. The movement toward Lithuanian independence has made dramatic progress in the last few months. In December of last year, the Lithuanian Communist Party made an unprecedented move to openly defy Kremlin rule by proclaiming independence from the Soviet Communist Party. This bold and courageous breakthrough by the Lithuanians marks the first time a Soviet Republic Party has defected from the Soviet Communist Party since it began its unwelcome reign 70 years ago.

An overwhelming majority of the Lithuanian people strongly supported their political lead-

ers' decision to sever party ties with Moscow. This break with the party initiated a multiparty political system and brought hope to the Lithuanian people for complete independence. Unlike the Soviet Communist Party, the Lithuanian Communist Party welcomes religious believers as members, endorses free markets and private ownership of industry and farmland. These events are just some of the many undeniable signs of the collapse of communism. Now, the brave peoples of Lithuania, as well as Estonia and Latvia, are on the verge of realizing their dream of independence. Today it is fitting to pay great tribute to the courageous struggle of the Lithuanians, a people who have never given up hope since being robbed of their independence and liberty through the Nazi-Soviet Pact of 1940.

Lithuania will soon add another chapter to its rich history. On February 24, the Lithuanian people will participate in the first democratic elections in their country in over 40 years. These elections will yield a parliament committed to the establishment of an independent Lithuania through peaceful measures. These Lithuanian leaders hope to accomplish a negotiated independence with the Soviet Union, avoiding both military and economic conflict.

In his recent trip to Lithuania, Mikhail Gorbachev acknowledged the principle of Lithuanian independence and their right to secede from the Soviet Union. In this past historic year of the dramatic dismantling of communism, the turn of events in Lithuania is greeted with joy on this Lithuanian Independence Day. The unjust Soviet grasp on Lithuania has finally been loosened. When the inevitable occurs, and Lithuania finally realizes its independence, we will have cause to celebrate once again. I look forward to this time next year in hopes of celebrating a truly independent Lithuania, brought about by the triumph of a courageous and determined people.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. JONES of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. HUBBARD, for 5 minutes, today.

Mr. GLICKMAN, for 60 minutes, on February 26.

Mr. FALEOMAVAEGA, for 60 minutes, on February 27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. COMBEST) and to include extraneous matter:)

Mr. CONTE.
Mr. HORTON.
Mr. FISH.
Mr. MCEWEN.
Mr. ROHRABACHER.
Mr. RITTER.

(The following Members (at the request of Mr. JONES of Georgia) and to include extraneous matter:)

Mr. COLEMAN of Texas.
Mr. CLAY.
Mr. KLECZKA.
Mr. LANTOS in four instances.
Mr. SANGMEISTER.
Mr. RANGEL.
Mr. FASCELL in two instances.
Mr. CLEMENT.
Mr. WYDEN.
Mr. FAZIO.
Mr. VENTO.
Mr. PANETTA.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 169. An act to amend the National Science and Technology Policy, Organization, and Priorities Act of 1976 in order to provide for improved coordination of national scientific research efforts and to provide for a national plan to improve scientific understanding of the Earth system and the effect of changes in that system on climate and human well-being; to the Committee on Science, Space, and Technology.

S. 1310. An act to eliminate illiteracy by the year 2000, to strengthen and coordinate literacy programs, and for other purposes; to the Committee on Education and Labor.

ADJOURNMENT

Mr. ANNUNZIO. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 54 minutes a.m.), under its previous order the House adjourned until Monday, February 26, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2547. A letter from the Secretary of the Navy, transmitting a proposal to transfer the obsolete submarine *Requin* (AGSS-481) to the Carnegie Institute, Pittsburgh, PA, pursuant to 10 U.S.C. 7308(c); to the Committee on Armed Services.

2548. A letter from the Acting Administrator, Farmers Home Administration, transmitting a report on the feasibility of making available properties owned by FmHA to low-income persons whose homes were destroyed and are in the disaster areas of hurricane Hugo or the Loma Prieta earthquake during 1989, pursuant to Public Law 101-235, section 137; to the Committee on Banking, Finance and Urban Affairs.

2549. A letter from the Chairman, Federal Home Loan Mortgage Corporation, transmitting a report of actions taken to promote equal employment opportunities, including a report entitled "Affirmative Employment Program for Minorities and Women—Annual Accomplishment Report for FY 1989," pursuant to 12 U.S.C. 1833e; to the Committee on Banking, Finance and Urban Affairs.

2550. A letter from the Chairman, Board of Trustees, Harry S. Truman Scholarship Foundation, transmitting the annual report for 1988-89, pursuant to 20 U.S.C. 2012(b); to the Committee on Education and Labor.

2551. A letter from the President, Institute of American Indian and Alaska Native Culture and Arts Development, transmitting their annual report for 1988-89, pursuant to Public Law 99-498, section 1515(a) (100 Stat. 1609); to the Committee on Education and Labor.

2552. A letter from the General Counsel, Department of Commerce, transmitting a draft of proposed legislation to permit the Federal Communications Commission to utilize competitive bidding in awarding licenses for use of the electromagnetic spectrum; to the Committee on Energy and Commerce.

2553. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original reports of political contributions by Deane Roesch Hinton, Ambassador Extraordinary and Plenipotentiary-designate to Panama; by Jonathan Moore, U.S. Representative-designate on the Economic and Social Council of the United Nations; and by Shirin Raziuddin Tahir-Kheli, Alternate Representative-designate for Special Political Affairs in the United Nations, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2554. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2555. A letter from the Chairman, National Science Board, transmitting certification that the National Science Foundation completed all implementation actions under section 8E of the Inspector General Act of 1978, as amended, pursuant to Public Law 100-504, section 111 (102 Stat. 2529); to the Committee on Government Operations.

2556. A letter from the Deputy Director for Congressional Relations and Communications, Office of Thrift Supervision, transmitting a report on activities under the Freedom of Information Act for the Federal Home Loan Bank Board for the period of January 1, 1989, through August 8, 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2557. A letter from the Chairman, Tennessee Valley Authority, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2558. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting a report on activities under the Freedom of Information Act for the calender year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2559. A letter from the Deputy Chief, Forest Service, transmitting a report on Federal Lands Cleanup Day activities for fiscal year 1989, pursuant to 36 U.S.C. 169i-1(c)(1); to the Committee on Interior and Insular Affairs.

2560. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting notification of the deferment of a construction repayment installment due the United States from the Vale Oregon Irrigation District, Vale, OR,

pursuant to 43 U.S.C. 485b-1; to the Committee on Interior and Insular Affairs.

2561. A letter from the Director, Administrative Office of the United States Courts, transmitting a request to add an additional judgeship position for the Court of Appeals of the District of Columbia, as originally submitted on October 16, 1989; to the Committee on the Judiciary.

2562. A letter from the Director, Federal Judicial Center, transmitting a copy of the 1989 annual report of the Center, pursuant to 28 U.S.C. 623(b); to the Committee on the Judiciary.

2563. A letter from the Director, Office of Personnel Management, transmitting a copy of the fiscal year 1989 report on the implementation of the Federal Equal Opportunity Recruitment Program, pursuant to 5 U.S.C. 7201(e); to the Committee on Post Office and Civil Service.

2564. A letter from the U.S. Trade Representative, transmitting a draft of proposed legislation to provide authorization of appropriations to the Office of the United States Trade Representative for fiscal years 1991 and 1992, pursuant to 31 U.S.C. 1110; to the Committee on Ways and Means.

2565. A letter from the Secretary of Defense, transmitting a report entitled "Allies Assuming a Greater Share of the Common Defense Burden," pursuant to Public Law 101-148, section 118; jointly, to the Committees on Appropriations and Armed Services.

2566. A letter from the Assistant Secretary for Policy, Budget and Administration, Department of the Interior, transmitting a report on the implementation of section 318 of the DOI and Related Agencies Appropriations Act for Fiscal Year 1990, pursuant to Public Law 101-121, section 318(h) (103 Stat. 750); jointly, to the Committees on Agriculture, Interior and Insular Affairs, Merchant Marine and Fisheries, and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WISE (for himself and Mr. STALLINGS):

H.R. 4068. A bill to make affordable advanced telecommunciations services universally available to rural residents by the year 2000; to the Committee on Agriculture.

By Mr. AuCOIN:

H.R. 4069. A bill to establish within the Department of Education an Office of Vocational and Adult Education and Community Colleges; to the Committee on Education and Labor.

By Mr. GRANDY (for himself, Mr. GOODLING, and Mr. BUNNING):

H.R. 4070. A bill to provide for universal access to basic group health benefits coverage and to remove barriers and provide incentives in order to make such coverage more affordable; jointly, to the Committees on Education and Labor, Ways and Means, and Energy and Commerce.

By Mr. BOEHLERT:

H.R. 4071. A bill to extend the deadlines under the Federal Power Act applicable to the construction of a hydroelectric project in the State of New York; to the Committee on Energy and Commerce.

By Mr. CARDIN:

H.R. 4072. A bill to extend through December 31, 1992, the suspension of import duties on synthetic rutile; to the Committee on Ways and Means.

By Mr. CLAY (for himself, Mr. MARKEY, Mr. MOAKLEY, Mr. FRANK, Mr. DONNELLY, Mr. NEAL of Massachusetts, Mr. ATKINS, Mr. STUDDS, Mr. MAVROULES, Mr. KENNEDY, Mr. EARLY, Mr. CONTE, Mr. FORD of Michigan, Mr. MURPHY, Mr. MILLER of California, Mrs. UNSOELD, Mr. HOCHBRUECKNER, Mr. DE LUGO, Mr. FUSTER, Mr. SCHUMER, Mr. MARTINEZ, Mrs. COLLINS, Mr. GEJDENSON, Mr. GAYDOS, Mr. ACKERMAN, Mr. MORRISON of Connecticut, and Mr. ROSE):

H.R. 4073. A bill to amend the Labor Management Relations Act of 1947 to permit parties engaged in collective bargaining to bargain over the establishment and administration of trust funds to provide financial assistance for employee housing; to the Committee on Education and Labor.

By Mr. CLEMENT (for himself, Mr. COOPER, and Mr. NIELSON of Utah):

H.R. 4074. A bill to improve the effectiveness of Federal railroad safety regulation by providing limited direct enforcement authority to certified State agencies; to the Committee on Energy and Commerce.

By Mr. KOSTMAYER (for himself, Ms. SCHNEIDER, Mr. ATKINS, Mr. AuCOIN, Mr. BATES, Mr. BEILENSON, Mr. BERMAN, Mr. BOEHLERT, Mr. BOUCHER, Mrs. BOXER, Mr. BRYANT, Mrs. COLLINS, Mr. CROCKETT, Mr. DELLUMS, Mr. DURBIN, Mr. DYMALLY, Mr. ENGEL, Mr. FRANK, Mr. FRENZEL, Mr. GEJDENSON, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN, Mr. KASTENMEIER, Mr. LEVINE of California, Mr. LOWEY of New York, Mr. MACHTLEY, Mr. MARKEY, Mr. MATSUI, Mr. MCDERMOTT, Mr. MCHUGH, Mr. MILLER of California, Mr. MOODY, Mrs. MORELLA, Mr. MORRISON of Connecticut, Mr. MRAZEK, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PORTER, Mr. SABO, Mrs. SAIKI, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SOLARZ, Mr. STARK, Mr. SWIFT, Mr. TORRICELLI, Mr. TOWNS, Mr. UDALL, Mrs. UNSOELD, Mr. WAXMAN, Mr. WEISS, Mr. WILSON, Mr. WYDEN, Mr. ACKERMAN, Mr. DIXON, Mr. CAMPBELL of California, Mr. LEWIS of Georgia, Mr. PANETTA, Mr. JOHNSTON of Florida, Mr. STUDDS, Mr. FAUNTROY, Mr. CONYERS, Mr. YATES, Mr. MARTINEZ, Mr. BROWN of California, Mr. FOGLIETTA, Mr. FEIGHAN, Mr. BOSCO, Mr. LEHMAN of Florida, Mr. TORRES, Mr. LEHMAN of California, Mr. SCHUMER, Mrs. JOHNSON of Connecticut, Mr. LEVIN of Michigan, Mrs. ROUKEMA, Mr. SHAYS, Mr. KENNEDY, Mr. OWENS of New York, Mr. CARDIN, and Mr. LANTOS):

H.R. 4075. A bill to authorize increased funding for international population assistance and to provide for a U.S. contribution to the United Nations Population Fund; to the Committee on Foreign Affairs.

By Mr. CONTE (for himself, Mr. IRELAND, and Mr. SKELTON):

H.R. 4076. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to exempt a Federal department, agency, or instrumentality from liability under that act when a facility is conveyed to the department, agency, or instrumentality due to bankruptcy, foreclosure, tax delinquency, abandonment, or similar means; to the Committee on Energy and Commerce.

By Mr. ENGLISH (for himself, Mr. COLEMAN of Missouri, Mr. DE LA GARZA, Mr. MADIGAN, Mr. STENHOLM, Mr. DERRICK, Mr. MORRISON of Washington, and Mr. VOLKMER):

H.R. 4077. A bill to amend the Consolidated Farm and Rural Development Act to require borrower good faith with respect to Farmers Home Administration loans; to improve the management of such delinquent loans including limiting the write-down of such loans; and for other purposes; to the Committee on Agriculture.

By Mr. FALEOMAVAEGA (for himself, Mr. BLAZ, and Mr. AKAKA):

H.R. 4078. A bill to establish a Gifted and Talented Program for certain Pacific Islanders; to the Committee on Education and Labor.

By Mr. GINGRICH (for himself, Mr. ARMEY, Mr. HUNTER, Mr. SMITH of New Hampshire, Mr. HANSEN, Mr. HILER, Mr. IRELAND, Mr. KYL, Mr. BARTON of Texas, Mr. MCEWEN, Mr. BLILEY, Mr. CONDIT, Mr. WELDON, Mr. FIELDS, Mr. STEARNS, Mr. SCHUETTE, Mr. DOUGLAS, Mr. LIVINGSTON, Mr. OXLEY, Ms. ROS-LEHTINEN, Mr. HANCOCK, Mr. SCHAEFER, Mr. BARTLETT, Mr. SHUMWAY, Mr. INHOFE, Mr. NIELSON of Utah, Mr. DONALD E. LUKENS, Mr. PAXON, Mr. HERGER, Mr. ROBINSON, Mr. LAGOMARSINO, Mr. SENSENBRENNER, Mr. JAMES, Mr. UPTON, Mr. BILIRAKIS, Mr. RITTER, Mr. DORNAN of California, Mr. BAKER, Mr. DELAY, Mr. HYDE, Mr. GRANDY, Mr. HEFLEY, Mr. COUGHLIN, Mr. CRAIG, Mr. SHAW, Mr. DREIER of California, Mr. SOLOMON, and Mr. MCCOLLUM):

H.R. 4079. A bill to provide swift and certain punishment for criminals in order to deter violent crime and rid America of illegal drug use; jointly, to the Committees on the Judiciary, Energy and Commerce, Public Works and Transportation, Education and Labor, and Armed Services.

By Mr. WAXMAN (for himself, Mr. SCHEUER, Mr. WALGREN, Mr. WYDEN, Mr. SIKORSKI, Mr. BATES, Mrs. COLLINS, Mr. RICHARDSON, Mr. TOWNS, Mr. MARKEY, Mr. BRYANT, Mr. PANETTA, Mrs. BOXER, Mr. KILDEE, Mr. BEILENSON, Mr. DWYER of New Jersey, Mr. BERMAN, Mr. ACKERMAN, Mrs. BYRON, Mr. CROCKETT, Mr. DE LUGO, Mr. DIXON, Mr. DYMALLY, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FOGLIETTA, Mr. FRANK, Mr. FROST, Mr. FUSTER, Mr. GILMAN, Mr. GREEN, Mr. HAWKINS, Mr. JOHNSTON of Florida, Mr. KASTENMEIER, Mr. LEVINE of California, Mr. MCDERMOTT, Mr. MILLER of California, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Mr. ROYBAL, Ms. SCHNEIDER, Mr. STUDDS, Mr. WEISS, and Mr. WHEAT):

H.R. 4080. A bill to amend title XIX of the Social Security Act to give States the option of providing for coverage for certain HIV-related services for certain individuals who have been diagnosed as being HIV-positive, and for other purposes; to the Committee on Energy and Commerce.

By GOODLING (for himself, Mr. GUNDERSON, Mrs. ROUKEMA, Mr. TAUKE, Mr. FAWELL, Mr. GRANDY, Mr. ROBINSON, Mr. DEWINE, Mr. MICHEL, and Mr. GINGRICH):

H.R. 4081. A bill to amend the Revised Statutes of the United States in regard to the formation and implementation of con-

tracts, and title VII of the Civil Rights Act of 1964 to protect against discrimination in employment; and for other purposes; jointly, to the Committees on the Judiciary and Education and Labor.

By Mr. KOSTMAYER:

H.R. 4082. A bill to prohibit the use of Federal lands in the Allegheny National Forest in the State of Pennsylvania for the construction of certain commercial overnight accommodations, and for other purposes; to the Committee on Agriculture.

By Mr. MOODY (for himself, Mr. GUNDERSON, Mr. KASTENMEIER, Mr. OBEY, Mr. ASPIN, Mr. KLECZKA, Mr. MARTINEZ, Mr. PETRI, Mr. SENSENBRENNER, and Mr. ROTH):

H.R. 4083. A bill to permit dairy products to be called "reduced fat butter" if the products contain 52 percent by weight of milk fat; to the Committee on Energy and Commerce.

By Mr. OWENS of New York:

H.R. 4084. A bill to amend the National School Lunch Act to restore food supplement benefits under the Dependent Care Food Program to adolescent youth; to the Committee on Education and Labor.

By Mr. PANETTA:

H.R. 4085. A bill to direct the Secretary of Health and Human Services to make grants to certain small hospitals located in Federal disaster relief areas; to the Committee on Energy and Commerce.

H.R. 4086. A bill to amend title XVIII of the Social Security Act to permit certain hospitals located in Federal disaster relief areas to qualify for treatment as Medicare-dependent, small rural hospitals; to the Committee on Ways and Means.

By Mr. PENNY (for himself and Mr. SMITH of New Jersey):

H.R. 4087. A bill to amend title 38, United States Code, with respect to employment and training programs for veterans; to the Committee on Veterans' Affairs.

H.R. 4088. A bill to amend title 38, United States Code, with respect to veterans recruitment appointments; to the Committee on Veterans' Affairs.

H.R. 4089. A bill to amend title 38, United States Code, with respect to educational and vocational counseling for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RICHARDSON:

H.R. 4090. A bill to authorize the establishment of the Glorieta National Battlefield in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4091. A bill regarding the establishment of a United States-Panama Free Trade Area; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN:

H.R. 4092. A bill to amend title 18, United States Code, to provide penalties for criminal killings of State and local law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL (for himself and Ms. OAKAR):

H.R. 4093. A bill to amend the Social Security Act to establish a lifecare long-term care program, and for other purposes; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. STENHOLM (for himself and Mr. ROBERTS):

H.R. 4094. A bill to improve the processes for establishing farm and crop acreage bases and establishing the actual yield for each farm for each program crop, to permit producers to plant nonprogram crops on crop base acres, and to accomplish these objectives in an efficient, equitable, flexible, and predictable manner; to the Committee on Agriculture.

By Mr. VENTO (for himself, Mr. ROE, Mr. FAUNTROY, Mr. PENNY, Mrs. COLLINS, Mr. WYDEN, and Mr. CHAPMAN):

H.R. 4095. A bill to amend title XVIII of the Social Security Act to provide coverage of respiratory therapy under the Medicare Program as part of extended care services in a skilled nursing facility; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. SWIFT, Mr. COOPER, Mr. BOUCHER, Mr. LEVINE of California, Mr. SENSENBRENNER, Mr. OXLEY, Mr. DEWINE, Mr. FIELDS, Mr. RITTER, Mr. BRUCE, Mr. BARTON of Texas, and Mr. TAUKE):

H.R. 4096. A bill to implement a serial copy management system for digital audio tape recorders; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. ROYBAL):

H.R. 4097. A bill to amend the Public Health Service Act to extend the program of grants for preventive health services with respect to tuberculosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELDON (for himself, Mr. GRAY, Mr. WALGREN, Mr. BOEHLERT, Mr. ROE, Mr. WALKER, Mr. ACKERMAN, Mr. AKAKA, Mr. ANNUNZIO, Mr. ANTHONY, Mr. APPLEGATE, Mr. ARMEY, Mr. AUCOIN, Mr. BAKER, Mr. BALLENGER, Mr. BARTON of Texas, Mr. BATEMAN, Mrs. BENTLEY, Mr. BEREUTER, Mr. BEVILL, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BORSKI, Mr. BOSCO, Mr. BOUCHER, Mr. BRENNAN, Mr. BROOMFIELD, Mr. BROWDER, Mr. BROWN of Colorado, Mr. BROWN of California, Mr. BRUCE, Mr. BRYANT, Mr. BUECHNER, Mr. BUNNING, Mr. BURTON of Indiana, Mr. BUSTAMANTE, Mrs. BYRON, Mr. CALLAHAN, Mr. CAMPBELL of California, Mr. CAMPBELL of Colorado, Mr. CARPER, Mr. CHANDLER, Mr. CHAPMAN, Mr. COBLE, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. CONTE, Mr. COSTELLO, Mr. COUGHLIN, Mr. COURTER, Mr. COYNE, Mr. CRAIG, Mr. CROCKETT, Mr. DANNEMEYER, Mr. DARDEN, Mr. DAVIS, Mr. DELLUMS, Mr. DERRICK, Mr. DICKS, Mr. DORNAN of California, Mr. DOUGLAS, Mr. DOWNEY, Mr. DREIER of California, Mr. DUNCAN, Mr. DWYER of New Jersey, Mr. DYSON, Mr. EDWARDS of Oklahoma, Mr. EMERSON, Mr. ENGEL, Mr. EVANS, Mr. FAUNTROY, Mr. FAWELL, Mr. FAZIO, Mr. FIELDS, Mr. FOGLIETTA, Mr. FROST, Mr. FUSTER, Mr. GALLEGLY, Mr. GALLO, Mr. GAYDOS, Mr. GEJDENSON, Mr. GEKAS, Mr. GEREN, Mr. GILMAN, Mr. GINGRICH, Mr. GONZALEZ, Mr. GOODLING, Mr. GORDON, Mr. GRANDY, Mr. GRANT, Mr. GUNDERSON, Mr. HAMILTON, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HARRIS, Mr. HAYES of Louisiana, Mr. HEFLEY, Mr. HERGER, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HOLLOWAY, Mr. HOPKINS, Mr. HORTON, Mr. HOYER, Mr. HUBBARD, Mr. HUCKABY, Mr. HUGHES, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. IRELAND, Mrs. JOHNSON of Connecticut, Mr. JOHNSON of South Dakota, Mr. JONES of Georgia, Mr. JONES of North Carolina, Mr. JONTZ, Mr. KANJORSKI, Mr. KASICH, Mr. KENNEDY, Mrs. KENNELLY, Mr. KILDEE, Mr. KOLBE, Mr. KOLTER, Mr. KOSTMAYER, Mr. KYL, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LANTOS, Mr. LAUGHLIN, Mr. LEATH of Texas, Mr. LEHMAN of Florida, Mr. LENT, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LIGHTFOOT, Mr. LIVINGSTON, Ms. LONG, Mrs. LOWEY of New York, Mr. DONALD E. LUKENS, Mr. MACHTLEY, Mr. MADIGAN, Mr. MANTON, Mr. MARLENEE, Mr. MARTIN of New York, Mrs. MARTIN of Illinois, Mr. MATSUI, Mr. MAVROULES, Mr. MAZZOLI, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCDADE, Mr. MCEWEN, Mr. MCGRATH, Mr. MCMILLAN of North Carolina, Mr. MCNULTY, Mrs. MEYERS of Kansas, Mr. MICHEL, Mr. MILLER of Ohio, Mr. MINETA, Mr. MFUME, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MOORHEAD, Mrs. MORELLA, Mr. MURPHY, Mr. MURTHA, Mr. NAGLE, Mr. NEAL of North Carolina, Mr. NELSON of Florida, Mr. NIELSON of Utah, Mr. NOWAK, Mr. PACKARD, Mr. PALLONE, Mr. PARKER, Mr. PARRIS, Mr. PASHAYAN, Mr. PAYNE of New Jersey, Mr. PAYNE of Virginia, Mr. PENNY, Mr. PERKINS, Mr. PICKLE, Mr. POSHARD, Mr. PURSELL, Mr. QUILLEN, Mr. RANGEL, Mr. RAVENEL, Mr. RHODES, Mr. RICHARDSON, Mr. RIDGE, Mr. RINALDO, Mr. RITTER, Mr. ROBINSON, Mr. ROHRABACHER, Mrs. ROS-LEHTINEN, Mrs. ROUKEMA, Mr. ROWLAND of Connecticut, Mr. RUSSO, Mrs. SAIKI, Mr. SAWYER, Mr. SAXTON, Mr. SCHAEFER, Mr. SCHEUER, Mr. SCHIFF, Mr. SCHUETTE, Mr. SHAYS, Mr. SHARP, Mr. SHUMWAY, Mr. SHUSTER, Mr. SIKORSKI, Mr. SISISKY, Mr. SKAGGS, Mr. SKEEN, Mr. SKELTON, Mr. SLATTERY, Ms. SLAUGHTER of New York, Mr. SLAUGHTER of Virginia, Mr. SMITH of New Jersey, Mr. DENNY SMITH, Mr. SMITH of Texas, Mr. SMITH of New Hampshire, Mr. ROBERT F. SMITH, Mr. SMITH of Vermont, Mrs. SMITH of Nebraska, Mr. SOLOMON, Mr. SPENCE, Mr. SPRATT, Mr. STALLINGS, Mr. STANGELAND, Mr. STEARNS, Mr. STENHOLM, Mr. STUDDS, Mr. STUMP, Mr. SUNDQUIST, Mr. SWIFT, Mr. TALLON, Mr. TAUKE, Mr. TAYLOR, Mr. THOMAS of Wyoming, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mrs. UNSOELD, Mr. UPTON, Mr. VALENTINE, Mr. VANDER JAGT, Mr. VENTO, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. WALSH, Mr. WEBER, Mr. WHEAT, Mr. WHITAKER, Mr. WHITTEN, Mr. WILSON, Mr. WISE, Mr. WOLF, Mr. WOLPE, Mr. WYDEN, Mr. WYLIE, Mr. YATRON, and Mr. YOUNG of Alaska):

H.R. 4098. A bill to provide for the minting of coins in commemoration of the bicentennial of the death of Benjamin Franklin and to enact a fire service bill of rights and programs to fulfill those rights; jointly, to the Committees on Banking, Finance and Urban Affairs and Science, Space, and Technology.

By Mr. FOGLIETTA:

H.J. Res. 484. Joint resolution designating April 1990 as "National Weight Loss Month"; to the Committee on Post Office and Civil Service.

By Mr. MOAKLEY:

H.J. Res. 485. Joint resolution designating October 25, 1990, as "Distributive Education Clubs of America National Marketing Education Day"; to the Committee on Post Office and Civil Service.

By Mr. WYDEN (for himself, Mr. WAXMAN, Mr. STARK, Mr. MARKEY, Mr. RINALDO, Mr. WALGREN, Mr. RICHARDSON, Mr. SLATTERY, Mr. SIKORSKI, Mr. MCGRATH, Mr. FLIPPO, Mr. FRENZEL, Mr. COYNE, Mr. MOODY, Mr. MCDERMOTT, Mr. BERMAN, Mrs. MORELLA, Mrs. PATTERSON, Mrs. ROUKEMA, Mr. OWENS of Utah, Mr. HORTON, Mr. RAHALL, Mrs. LOWEY of New York, Mr. VALENTINE, Mr. ACKERMAN, Mr. GEJDENSON, Mr. LANTOS, Mr. GREEN, Mr. MCMILLEN of Maryland, Mr. OWENS of New York, Mr. CARPER, Mr. LEHMAN of Florida, Mr. FAZIO, Mr. LEVINE of California, Mr. SPRATT, Mr. WOLPE, Mr. MOAKLEY, Mr. NEAL of Massachusetts, Mr. RAVENEL, Mr. LAGOMARSINO, Mr. GUARINI, Mr. ENGEL, Ms. LONG, Mr. CARR, Mr. KENNEDY, Mr. LANCASTER, Mr. MCEWEN, Mr. KOLTER, Mr. SAVAGE, Mr. DENNY SMITH, Mr. JONES of North Carolina, Mr. SKAGGS, Mr. MCHUGH, Mr. SCHUMER, Mr. BUSTAMANTE, Mr. DEFAZIO, Mr. WOLF, Mr. HAYES of Illinois, Mr. TAUZIN, Mr. ROSE, Ms. SLAUGHTER of New York, Mr. JONES of Georgia, Mr. MILLER of Washington, Mr. BILIRAKIS, Mr. EMERSON, Mr. NOWAK, Ms. OAKAR, Mr. QUILLEN, Mr. COLEMAN of Texas, Mr. HALL of Texas, Mr. HOAGLAND, Mr. LEACH of Iowa, Mr. SANGMEISTER, Mr. WILSON, Mr. STUDDS, Mr. MRAZEK, Mr. CLARKE, Mr. MANTON, Mr. JONTZ, and Mr. CROCKETT):

H.J. Res. 486. Joint resolution to designate the week of October 7, 1990, through October 13, 1990, as "Mental Illness Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. MAZZOLI:

H. Con. Res. 269. Concurrent resolution expressing the sense of the Congress that the President should establish a White House conference regarding solid waste disposal and reduction; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr. DELLUMS, Mr. ESPY, Mr. DYMALLY, Mr. MFUME, Mr. CROCKETT, Mr. OWENS of New York, Mr. LEWIS of Georgia, Mrs. COLLINS, Mr. FAUNTROY, Mr. HAWKINS, Mr. CLAY, Mr. WASHINGTON, Mr. FLAKE, Mr. DIXON, Mr. SAVAGE, Mr. RANGEL, Mr. TOWNS, Mr. PAYNE of New Jersey, Mr. HAYES of Illinois, Mr. STOKES, Mr. FORD of Tennessee, Mr. APPLEGATE, Mr. WHEAT, Mr. WAXMAN, and Mr. HORTON):

H. Con. Res. 270. Concurrent resolution expressing the sense of the Congress that United States economic sanctions on the Republic of South Africa should not be lifted until such time as all conditions under the Comprehensive Anti-Apartheid Act of 1986 for the termination of such sanctions are met and a democratic political process in South Africa is established; to the Committee on Foreign Affairs.

By Mr. DE LA GARZA:

H. Res. 341. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Agriculture in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. MARLENEE:

H. Res. 342. Resolution expressing the opposition of the House of Representatives to any further extension of the temporary surtax component of the Federal unemployment tax; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

314. By the SPEAKER: Memorial of the Legislature of the State of Maine, relative to the protection of workers at the Portsmouth Naval Shipyard in Kittery, ME; to the Committee on Armed Services.

315. Also, memorial of the Legislature of the State of Nevada, relative to the passage of a Coinage Act; to the Committee on Banking, Finance and Urban Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 60: Ms. SCHNEIDER and Mr. HEFNER.

H.R. 101: Mr. FLAKE and Mr. BEILENSON.

H.R. 252: Mr. WELDON.

H.R. 543: Mr. FRANK, Mr. KANJORSKI, Mr. MAVROULES, Mr. JAMES, Ms. ROS-LEHTINEN, Mr. ROYBAL, Mr. BERMAN, Mr. DOWNEY, Mr. DIXON, Mr. PACKARD, Mr. BROWN of California, Mr. HUNTER, Mr. ENGEL, Mr. BEILENSON, Mr. LEWIS of Georgia, Mr. RAVENEL, and Ms. SCHNEIDER.

H.R. 563: Mr. GOODLING.

H.R. 655: Mr. GRAY.

H.R. 775: Mr. WILSON, Mr. KOSTMAYER, and Mr. STARK.

H.R. 911: Mr. MCCRERY, Mr. STALLINGS, and Mr. BAKER.

H.R. 1383: Mr. PENNY.

H.R. 1400: Mrs. SMITH of Nebraska, Mr. WOLF, Mr. NELSON of Florida, Mr. BONIOR, Mr. HAMMERSCHMIDT, Mr. AKAKA, Mr. ANNUNZIO, and Mr. CONYERS.

H.R. 1461: Ms. SCHNEIDER and Mr. SMITH of Vermont.

H.R. 1582: Mr. MORRISON of Connecticut.

H.R. 2025: Ms. KAPTUR and Mr. CROCKETT.

H.R. 2168: Mr. LEVIN of Michigan and Mr. STUDDS.

H.R. 2204: Mr. FORD of Michigan.

H.R. 2205: Mr. FORD of Michigan.

H.R. 2285: Mr. BEREUTER, Mr. JOHNSON of South Dakota, and Mr. OBERSTAR.

H.R. 2373: Mr. AUCOIN and Mr. NEAL of Massachusetts.

H.R. 2452: Mr. KYL.

H.R. 2584: Mr. VISCLOSKY, Mr. SAVAGE, Mrs. LLOYD, Mr. BONIOR, Mr. GALLO, Mr. GUARINI, Mr. STENHOLM, and Mr. SMITH of New Jersey.

H.R. 2700: Mr. NIELSON of Utah, Mr. PEASE, and Mr. COUGHLIN.

H.R. 2718: Mrs. BOXER.

H.R. 2781: Mr. GILLMOR.

H.R. 2958: Mr. PALLONE.

H.R. 2972: Mr. KOSTMAYER and Mr. SISISKY.

H.R. 3004: Ms. SNOWE and Mr. SOLARZ.

H.R. 3129: Mr. CHAPMAN, Mr. COBLE, Mr. DERRICK, Mr. DORGAN of North Dakota, Mr. GRANDY, Mr. HAMILTON, Mr. HANCOCK, Mr. HOYER, Mr. JONES of North Carolina, Mr. KOLBE, Mrs. LLOYD, Mr. MCDADE, Mr. ORTIZ, Mr. RAHALL, Mr. ROBERTS, Mr. ROBINSON, Mr. ROSE, Mr. SARPALIUS, Mr. SPENCE, Mr. STALLINGS, Mr. THOMAS of Georgia, Mr. VENTO, and Mr. WILLIAMS.

H.R. 3270: Mr. WELDON, Mr. GEKAS, Mr. FIELDS, Mr. DWYER of New Jersey, Mr. DELAY, Mr. BEREUTER, Mr. HUNTER, Mr. GEREN, Mr. MCCRERY, Mr. LEWIS of California, Ms. SLAUGHTER of New York, Mr. MCDERMOTT, Mr. STEARNS, Mr. HANSEN, and Mr. ERDREICH.

H.R. 3480: Mrs. MORELLA, Mr. DONALD E. LUKENS, Mr. FUSTER, Mr. BROWN of California, Mr. AKAKA, Mr. INHOFE, Mr. ROE, Mr. GILMAN, Mr. MRAZEK, Mr. DINGELL, Mr. LAGOMARSINO, Mr. DWYER of New Jersey, Ms. KAPTUR, Mr. PRICE, Mr. HEFNER, Mr. HEFLEY, Mrs. KENNELLY, Mr. STANGELAND, Ms. LONG, Mr. LANCASTER, Mr. GEJDENSON, Mr. BONIOR, and Mr. NAGLE.

H.R. 3501: Mr. BLILEY.

H.R. 3522: Mr. JAMES.

H.R. 3745: Mr. DELLUMS, Mr. FAUNTROY, and Mr. MFUME.

H.R. 3755: Mr. HYDE.

H.R. 3789: Mr. WILLIAMS, Ms. SLAUGHTER of New York, Mr. MOODY, Mr. BOUCHER, and Mr. MAZZOLI.

H.R. 3805: Mr. CONDIT, Mr. FROST, Mr. WELDON, Mr. DWYER of New Jersey, Mr. KOSTMAYER, Mr. FAWELL, Mr. EMERSON, and Mr. GORDON.

H.R. 3818: Ms. PELOSI.

H.R. 3831: Mr. BENNETT, Mr. LANCASTER, Mr. DONNELLY, Mr. MARKEY, Mr. NEAL of Massachusetts, and Mr. ATKINS.

H.R. 3851: Mr. MCNULTY, Mr. MURTHA, Mr. GAYDOS, Mr. JOHNSON of South Dakota, Mr. POSHARD, Mr. PAYNE of New Jersey, Mr. ROE, Mr. TOWNS, Mr. FAUNTROY, Ms. KAPTUR, Mr. MORRISON of Connecticut, Mr. EVANS, Mr. KANJORSKI, Mr. SOLARZ, Mr. EMERSON, Ms. PELOSI, Mr. DWYER of New Jersey, Mr. PALLONE, Mr. DEFAZIO, Mr. CLARKE, and Mr. APPLEGATE.

H.R. 3859: Mrs. LOWEY of New York, Mr. PALLONE, Mr. SMITH of Vermont, and Mr. CLAY.

H.R. 3870: Mr. WOLPE and Mr. JONTZ.

H.R. 3880: Mr. SHAYS, Mr. JENKINS, Mr. SANGMEISTER, and Mr. RHODES.

H.R. 3903: Mr. GALLO, Mr. RINALDO, and Mr. DWYER of New Jersey.

H.R. 3906. Mr. MCCLOSKEY, Mr. ENGEL, Mr. SLATTERY, Mr. PICKETT, Mr. PAYNE of Virginia, and Mrs. MARTIN of Illinois.

H.R. 3909: Mr. PENNY, Mr. MONTGOMERY, Mr. GAYDOS, Mrs. LLOYD, Ms. ROS-LEHTINEN, Mr. MCDERMOTT, Mr. DE LUGO, Mr. YATES, Mrs. JOHNSON of Connecticut, Mr. LEHMAN of Florida, Mr. GUNDERSON, Mr. HAYES of Illinois, Mr. WALSH, Mr. LEWIS of Georgia, Mr. FAUNTROY, Mr. FAWELL, Mrs. MEYERS of Kansas, Mr. SMITH of Vermont, Mrs. BOXER, Mr. FORD of Tennessee, Mr. BOEHLERT, Mr. LANCASTER, Mr. RAHALL, Mr. TOWNS, and Mr. RANGEL.

H.R. 3936: Mr. MURPHY, Mr. JACOBS, Mr. STOKES, Mr. PENNY, Mr. MRAZEK, Mr. FAUNTROY, Mr. BERMAN, Mr. AUCOIN, Mrs. COLLINS, Mr. KLECZKA, Mr. RAHALL, Mr. KASTENMEIER, Mr. ACKERMAN, and Mr. MILLER of California.

H.R. 3949: Mr. THOMAS A. LUKEN.

H.R. 3972: Mr. BARTON of Texas, Mr. BALLENGER, Mr. DELAY, Mr. SHUMWAY, Mr. BOEHLERT, Mr. LIVINGSTON, Mr. PAXON, Mr. QUILLEN, Mr. WALKER, Mr. ROWLAND of Connecticut, Mr. HYDE, Mr. BLILEY, and Mr. KYL.

H.R. 3973: Mr. JACOBS.

H.R. 3978: Mr. SKAGGS, Mr. FAUNTROY, Mr. RANGEL, Mr. MRAZEK, Mr. ROYBAL, Mr. OWENS of Utah, Mr. WOLPE, Ms. PELOSI, Mrs. MORELLA, Mrs. UNSOELD, Mr. BEILENSON, Mr. CROCKETT, Mr. YATES, Mrs. COLLINS, Mr. SCHEUER, Mr. GEJDENSON, Mr. SMITH of Vermont, Mr. HAYES of Illinois,

Mr. JOHNSON of South Dakota, Mr. FORD of Tennessee, Mr. MILLER of California, Mr. CARDIN, Mr. LEHMAN of Florida, Mr. KILDEE, Mr. EDWARDS of California, and Mr. MORRISON of Connecticut.

H.R. 4025: Mr. PALLONE, Mr. CLINGER, Mr. EVANS, Mr. ACKERMAN, Mr. FALEOMAVAEGA, Mr. HORTON, Mr. LAGOMARSINO, and Mr. GOODLING.

H.J. Res. 240: Mr. EVANS, Mr. JACOBS, Mrs. MARTIN of Illinois, Mr. NELSON of Florida, and Ms. ROS-LEHTINEN.

H.J. Res. 364: Ms. SLAUGHTER of New York, Mr. MCCLOSKEY, Mr. NATCHER, Mrs. JOHNSON of Connecticut, Mr. ANNUNZIO, Mr. BOSCO, Mr. CLARKE, Mr. HAMILTON, Mr. HORTON, Mr. SKEEN, Mr. TRAXLER, Mr. WALGREN, Mr. IRELAND, Mr. STARK, Mr. VANDER JAGT, Mr. HARRIS, Mr. SCHULZE, Mr. SMITH of New Hampshire, Mr. TAUZIN, Mr. SUNDQUIST, Mr. ROHRABACHER, Mr. FAUNTROY, Mr. SKELTON, Mr. DERRICK, Mr. SPENCE, Mr. PAYNE of New Jersey, Mr. PRICE, Mr. LAFALCE, Ms. LONG, Mr. DE LUGO, Mr. NAGLE, Mr. JENKINS, Mr. ANDERSON, Mr. MCDADE, Mr. BARNARD, Mr. RAY, Mr. HENRY, Mr. CLEMENT, Mr. BROWDER, Mr. ROWLAND of Connecticut, Ms. PELOSI, Mr. LIPINSKI, Mr. YATRON, Ms. KAPTUR, Mr. MADIGAN, Mr. WALSH, Mr. CHANDLER, Mr. HAMMERSCHMIDT, Mr. STANGELAND, Mr. MACHTLEY, Mr. TAUKE, Mrs. UNSOELD, Mr. MILLER of Washington, Mr. OBEY, Mr. LEWIS of Georgia, Mr. KASTENMEIER, Mr. BOEHLERT, Mr. SAWYER, Mr. BOUCHER, and Mr. FAZIO.

H.J. Res. 417: Mr. KASTENMEIER and Mr. CONDIT.

H.J. Res. 436: Mr. RAVENEL, Mr. PARRIS, Mr. THOMAS of Georgia, Mr. BURTON of Indiana, Mr. MANTON, Mr. WAXMAN, Mr. BROWN of California, Ms. SLAUGHTER of New York, Mr. KANJORSKI, Mr. BUSTAMANTE, Mr. HUGHES, Mr. DYMALLY, Mr. HORTON, Mr. SAWYER, Mr. LANCASTER, Mr. HEFNER, Mr. LAUGHLIN, Mr. WASHINGTON, Mr. DELLUMS, Mr. HAYES of Illinois, Mr. DE LUGO, Mr. AKAKA, Mr. APPLEGATE, Mr. FOGLIETTA, Mr. BEVILL, Mr. BORSKI, Mr. FORD of Michigan, Mr. LEVIN of Michigan, Mr. CLARKE, Mr. DEFAZIO, Mr. DICKS, Mr. DONNELLY, Mr. FALEOMAVAEGA, Mr. FLIPPO, Mr. FORD of Tennessee, Mr. FUSTER, Mr. CROCKETT, Mr. CARR, Mr. BRUCE, Mr. HARRIS, Mr. JONES of North Carolina, Mr. HUBBARD, Mr. KENNEDY, Mr. LEHMAN of California, Mr. LIPINSKI, Mr. KOLTER, Mr. MCHUGH, Mr. MAVROULES, Mr. MFUME, Mr. MOODY, Mr. MURPHY, Mr. ENGEL, Mr. NATCHER, Mr. NEAL of Massachusetts, Mr. PAYNE of Virginia, Mr. SARPALIUS, Mr. SAVAGE, Mr. ROYBAL, Mr. INHOFE, Mr. SLATTERY, Mr. STAGGERS, Mr. SOLARZ, Mr. SISISKY, Mr. SKELTON, Mr. COLEMAN of Texas, Mr. HUTTO, Mr. GONZALEZ, Mr. MCDERMOTT, Mr. KYL, Mr. STOKES, Mr. TALLON, Mr. PICKETT, Mr. TRAXLER, Mr. FASCELL, Mr. WILSON, Mr. RAHALL, Mr. TRAFICANT, Mr. WHEAT, Mr. HATCHER, Mr. BATEMAN, Mr. MCNULTY, Mr. CARDIN, Mr. BARNARD, Mr. BOSCO, Mr. LANTOS, Mr. CARPER, Mr. WYDEN, Mr. MCEWEN, Mr. DYSON, and, Mr. DWYER of New Jersey.

H.J. Res 460: Mr. GALLEGLY, Mr. ATKINS, Mr. NOWAK, Mr. TORRICELLI, Ms. KAPTUR, Mr. RAVENEL, Mr. EVANS, Mr. WALSH, Mr. MCNULTY, Mr. THOMAS A. LUKEN, Mr. COURTER, Mr. FUSTER, Mr. MAVROULES, Mr. LEHMAN of Florida, Mr. PALLONE, Mr. WOLF, Mr. FASCELL, Mr. GUARINI, Mr. SANGMEISTER, Mr. STANGELAND, Mr. SMITH of Iowa, Mrs. COLLINS, Mr. FORD of Tennessee, Mr. ERDREICH, Mr. BOEHLERT, Mr. HOCHBRUECKNER, Mr. STUDDS, Mr. FAUNTROY, Mr. TRAFICANT, Mr. HORTON, Mrs. BOXER, Mr. SCHAEFER, Mr. WAXMAN, Mr. BLILEY, Mr. WALGREN, Mr. BONIOR, Mr. PAYNE of New Jersey, Mr. TOWNS, Mr. DWYER of New Jersey, Mr. SPRATT, Mr. HARRIS, Mr. MCMILLEN of Maryland, Mr. GONZALEZ, Mr. BOUCHER, Mr. ANNUNZIO, Mr. PARRIS, Mr. COUGHLIN, Mr. BROWN of California, Mr. HEFNER, Mr. HALL of Texas, Mr. JOHNSON of South Dakota, and Mr. LANCASTER.

H. Con. Res. 7: Mr. JONES of Georgia.

H. Con. Res. 23: Mr. SHUMWAY, Mr. BOUCHER, Mr. YATRON, Mr. WALGREN, Mr. HARRIS, Mr. PORTER, and Mr. CALLAHAN.

H. Con. Res. 87: Mr. DWYER of New Jersey, Mr. LENT, Ms. OAKAR, Mr. WYDEN, and Mr. TOWNS.

H. Con. Res. 249: Mr. DOWNEY, Mr. ATKINS, Mr. BORSKI, Mr. MORRISON of Connecticut, Mr. ENGEL, Mr. BATES, Mr. RANGEL, Mr. PALLONE, Mr. HYDE, Mr. MCHUGH, and Mr. SCHUMER.

H. Con. Res. 264: Mr. BORSKI, Mr. BOUCHER, Mr. BRUCE, Mr. CAMPBELL of California, Mr. CARDIN, Mr. DELLUMS, Mr. DOUGLAS, Mr. FRANK, Mr. HALL of Ohio, Mr. HUGHES, Mr. GLICKMAN, Mr. GILMAN, Mr. KILDEE, Mr. PALLONE, Ms. PELOSI, Mr. PENNY, Mr. SCHAEFER, Mr. SHAW, Mr. SPENCE, Mr. SYNAR, Mr. WAXMAN, and Mr. STALLINGS.

PETITIONS, ETC.

Under clause 1 of rule XXII:

141. The SPEAKER presented a petition of Lucian T. Robinson, Raleigh, NC, relative to a new Star-Spangled Banner anthem; which was referred to the Committee on Post Office and Civil Service.

SENATE—*Thursday, February 22, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable WYCHE FOWLER, JR., a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

* * * *man doth not live by bread only, but by every word that proceedeth out of the mouth of the Lord doth man live.*—Deuteronomy 8:3.

* * * *seek ye first the kingdom of God, and His righteousness; and all these things shall be added unto you.*—Matthew 6:33.

Eternal God, our Father, listening to the provocative message of President Vaclav Havel in the joint meeting of Congress yesterday, these two texts from the Bible came to mind. Thank Thee for his profound insight that, "We still do not know how to put morality ahead of politics, science, and economics." Help us to contemplate his wise words and remember that it is matters of the heart which are more basic than matters of the head.

Thank Thee for his gentle reminders of the moral roots of the freedom we have enjoyed for 200 years. Thank Thee for the wisdom of one who represents a people who have lived under the rock of repression for 40 years. Help us who have never experienced oppression to understand and heed. Save us from the materialism that denies the faith and moral foundations of our way of life.

We pray in Jesus' name who is Truth. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 22, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WYCHE FOWLER, JR., a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. FOWLER thereupon assumed the chair as Acting President pro tempore.

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Under the order of the Senate of January 24, 1990, the Senator from Virginia [Mr. ROBB], having been appointed by the President of the Senate, is recognized to read George Washington's Farewell Address.

Mr. ROBB. Mr. President, on this, the 258th anniversary of the birth of the man often referred to as the "father of his country," I have the privilege not only, along with Senator WARNER, of representing his native State of Virginia, but also on this day of reading in its entirety, in accordance with custom, George Washington's Farewell Address to the Nation which he led and served with such distinction.

Mr. ROBB, at the rostrum, read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from

these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite movement, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation.* Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as

matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiations by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of factions, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reigns of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one party against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is prob-

ably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by unsurpation; for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, but ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation within its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for

public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumberable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defense posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible to my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with

me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

The ACTING PRESIDENT pro tempore. The Chair thanks the distinguished Senator from Virginia [Mr. ROBB] for reading Washington's Farewell Address.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. The pending question before the Senate is the motion to proceed to Senate Joint Resolution 212 on which there will be 2 hours debate, to be equally divided and controlled by the Senator from West Virginia [Mr. BYRD] and the Senator from Kansas [Mr. DOLE] or their designees.

Mr. DIXON addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DIXON. Mr. President, in view of the fact that the parties are not yet ready to proceed, I ask unanimous consent to proceed as in morning business not to exceed 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FLAG DESECRATION

FLAG STATUTE DECLARED UNCONSTITUTIONAL

Mr. DIXON. Mr. President, yesterday a Federal district judge in Seattle declared unconstitutional the statute we passed last year prohibiting flag desecration. A similar case is before a Federal district judge in the District of Columbia today.

From the start, I had grave doubts whether one could construct a statute that would pass constitutional muster. I have always maintained that the only way to provide sufficient protection for the flag is to pass a constitutional amendment.

In her ruling Judge Barbara Rothstein stated:

> In order for the flag to endure as a symbol of freedom in this Nation, we must protect with equal vigor the right to destroy it and the right to wave it.

I cannot agree with Judge Rothstein that the act of burning the flag is a protected form of expression. I have always agreed with the interpretation of the first amendment as provided in Chaplinsky versus New Hampshire. In that case, a unanimous court stated,

> * * * it is well understood that the right of free speech is not absolute at all times and under all circumstances. There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or "fighting" words—those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.

I look forward with great interest to the ruling in the District of Columbia case, as well as a final ruling on the Seattle case. But I believe it remains very doubtful that the flag burning statute will ultimately be upheld.

As I said on the floor of the Senate in October,

> I would be the first to say that, if the courts uphold (the statute), a constitutional amendment becomes unnecessary. However, we cannot know with certainty what the Supreme Court will do if faced with this statute.

Mr. President, I voted for the statute when it was before the Senate. I had a great deal of respect for the concerted efforts that went into the construction of this statute. However, I stated at that time that the best way to go was on a two-track process, thereby allowing both the statute and the amendment equal opportunity to proceed through the system. It now looks more likely that this train may only have one track left.

I do not know how a higher court is going to rule in either of these cases from yesterday or today, but I know this: no court in this country is going to overturn an amendment to the Constitution that bans flag burning.

We still do not know for certain what the Supreme Court will do when faced with this statute, Mr. President. But the initial indicator is a poor prognosis for the statute.

Mr. President, I continue to believe we need a constitutional amendment.

DISTRICT COURT DECISION IN FLAG CASE

Mr. SPECTER. Mr. President, I seek the floor to make a comment about the decision by the district court on the flag case. I am told Senator DOLE also wants to comment. I will be glad to yield to my colleague, if desired.

The decision by the U.S. district court invalidating the statute prohibiting the burning of the flag, Mr. President, I believe to be wrong as a matter of law based on the excerpts which have appeared so far. I have not yet had an opportunity to examine the full opinion, but the extracts do not deal with the critical distinction made by the statute which covers both private as well as public burning and the extensive debate in the Senate on the statute which was passed.

Whatever the opinion of the full Court may be, it is my thought that it is premature to come to any conclusion based on the single decision by the district court.

When the issue was before the Supreme Court of the United States in Texas versus Johnson on a different, weaker statute, there was a 5-to-4 opinion, and it is my sense that when the case is reviewed ultimately by the Supreme Court of the United States, considering the great national concern about the decision, and considering the appropriate consideration by the Court of such response, including the response of the Congress in enacting legislation and the President in signing legislation, the statute will ultimately be upheld.

I do not believe that the single decision should cause any rush to conclude that the flag-burning statute is dead. My own sense is that it will be upheld and that conclusion should not be drawn based on a single decision before there has been an opportunity to examine in detail the text of the opinion.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. DIXON). Who yields time?

Mr. BYRD. Mr. President, I ask unanimous consent that the time until 5 minutes after 11 not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

A KEYNOTE ADDRESS

Mr. FOWLER. Mr. President, charges involving several of our colleagues now undergoing preliminary investigation by the Senate Ethics Committee have, I believe, intensified the attention that every Senator is giving both to reform of our campaign finance practices and to the ethical implications of how Senators respond to constituent requests. These are necessary and useful consequences of the publicity generated by Charles Keating's activities, no matter what the recommendations of the Ethics Committee ultimately may be.

Senator ALAN CRANSTON last week began an address to the California Newspaper Publishers Association with a discussion of his involvement with Charles Keating. It is a straightforward and candid statement by Senator CRANSTON of what he did and why he did it.

But the speech does not end there. Senator CRANSTON goes on to discuss the foreign policy challenges facing our Nation as a consequence of the tidal wave of freedom and democracy engulfing Communist dictatorships throughout the world. He also pinpoints our challenges in the 21st century—our need to protect the quality of our lives: our rights, our environment, our children's education. We ignore these challenges at our peril.

Mr. President, I ask unanimous consent that Senator CRANSTON's remarks be printed in the RECORD.

KEYNOTE ADDRESS OF U.S. SENATOR ALAN CRANSTON, CALIFORNIA NEWSPAPER PUBLISHERS ASSOCIATION, FEBRUARY 16, 1990

I thank all of you for giving me the opportunity to speak at this convention. As long as I have been attending your convention—some 33 straight years without a miss—this is the first time I've been asked to give your keynote address.

If the last nine months of news coverage of me is the kind of requirement for becoming keynote speaker, let me inform you now that I will gladly give up the honor to someone else next year.

No, I have not come here to argue about my press coverage. I used to be a reporter—and I know how little good it does to argue with a reporter, or an editor, or a publisher.

I might have been one of you today, for way back in the 'teens my wonderful father, who led an otherwise flawless life, turned down an opportunity to buy the Palo Alto Times for $10,000!

But maybe I'd have become a Senator anyway because of the over-riding interests that drew me to public life: the issues of war and peace, an expanding and healthy economy, housing, education, the environment and human rights.

I'm going to talk about those matters. But I know you expect to hear about Charles Keating and Lincoln Savings and Loan. That's what I'll talk about first.

Just as I've been in your shoes, let me ask you to wear mine for a minute.

Pretend you are a United States Senator from California. Really, I ask each of you to pretend that for a few moments. Now: What would you do if a businessman heading a very large operation in California came to you and said that his business, with 740 California employees and more than 120,000 depositors, was being harassed and given the run-around by the federal bureaucracy.

He tells you his business is successful and solvent, but that federal regulators who've never been in business, and don't understand his business, are threatening to wreck his institution with an everlasting audit that is damaging his business and has been going on for two years, the longest in history, with no end in sight.

You listen to what this businessman says. Then you check.

The respected economist, Alan Greenspan—who now heads the Federal Reserve Board—says the man's business is solvent and will be solvent for the foreseeable future.

Arthur Young, one of the nation's "big eight" accounting firms, says this business is solvent.

A letter from the Arthur Young firm says the business's "strategies have thus far proved successful and have turned around an association headed for failure into a strong and viable financial entity."

Arthur Young says the duration of the federal audit "appears to be clearly outside normal standards." And that the Bureaucrats working on the audit "did not have the requisite experience or knowledge to evaluate the types of transactions entered into" by the firm, and the bureaucrats are being "openly hostile and inflexible."

A second international accounting firm states that the business's accounting practices followed in respect to loans challenged by the bureaucrats, are appropriate.

You also find out that both Senators from the businessman's home state—one a Republican and one a Democrat—consider him to be substantial and successful and believe that his business is being unfairly and improperly dealt with by the government regulators.

Now, if you were the Senator, what would you do?

Would you try to find out why the audit was taking so long?

That in fact is all I did at the now famous meetings of Senators with the regulators.

You don't have to take my word for it. Consider the sworn testimony of Mr. Edwin Gray, who was then head of the Federal Home Loan Bank Board.

Mr. Gray, my chief accuser, makes wild charges to the press when he's not under oath but he's more careful when he's subject to perjury. When under oath he has admitted that *all* I did at the meeting with him was ask about the duration of the audit. He also has testified under oath that he did not take any action, refrain from any action, or delay any action because of anything I or the other Senators said or did at any time. Mr. Danny Wall, Gray's successor as regulator, has made the same satement under oath.

A couple of weeks ago I asked the managing editor of a large California daily—a paper that's been very critical of me over the Lincoln affair—the same question I'm asking you: What would you have done in my place?

His answer was: "Off the record, Senator, I would have done just what you did."

Now, you're probably saying to yourself: "OK, Alan, but what about all those contributions you got from Keating?"

Let me tell you, about that.

I figure that I and my staff have helped some 300,000 lindividuals and businesses in California over the past 21 years who have been frustrated by the red tape, delays and incompetence of federal bureaucrats. And I don't have to tell you that the people who have the most problems with bureaucrats are businessmen and women like yourselves.

I've helped them as best I could when I've felt they've had legitimate complaints.

And let me tell you something else: Some were contributors. Most were not. Some contributed to my opponents. That's never the question. The only question is: do they seem to have a real problem, a legitimate complaint?

Most of you don't make political contributions, but you can give or withhold endorsements, and run favorable or unfavorable editorials, not to mention what happens in your news columns. Occasionally over the years, some of you have sought my help on a business matter or on a free first amendment issue. I'm sure that those of you who have been through that experience with me would testify that my response was never influenced by your endorsements, or your editorials, or your news coverage. You know that in every instance, I did what I thought was the right thing to do.

My efforts on behalf of Lincoln Savings were no different.

The fact is that the bulk of the money which careless reporters have asserted Mr. Keating gave to me for my 1986 campaign was really given later on—not to *my* campaign, but to non-partisan voter registration drives two years later in the 1988 presidential race. Those contributions obviously had no effect whatsoever on my 1986 race—in which Keating also gave $80,000 to the Republican Party in California to help defeat me!

I recognize that the $850,000 I raised from Keating for registration is a huge amount of money. Some people think it was too much to have raised from one man—even for a "motherhood" cause like helping people register to vote.

But not a penny of that money—not a penny of any of Keating's money—went into my pocket.

I ask you: Do you really believe that I would have sold out, that I would have risked a lifetime reputation for integrity and a record of solid achievement for my state and my country for these purposes for this man?

The fact is I did not.

And I firmly believe that Californians ultimately will realize that I did not.

Keating never raised any quid-pro-quo with me. I would have thrown him out of my office if he had.

Frankly, I wish I'd never met Charles Keating. I wish I'd never raised a dime from him.

But I have faith in the capacity of the people of California to be fair, and to separate fact from fiction. I'm confident that in the course of time they will know that Alan Cranston has not changed his stripes, and that the causes that have motivated my public service to California will continue to be my guiding compass.

Those are:

Working for peace and human rights throughout the world, and justice and equal opportunity here at home.

Striving for better health care and education, and more affordable housing for America's families.

Honoring our veterans, and our obligations to them.

Strengthening the economy and protecting the environment, which belongs to all of us.

These are some of the causes which have mattered most to me over the years, and matter the most as we enter the 1990's.

As I watch the staggering political upheaval in Europe, I am reminded of another tumultuous time, when, as a young reporter, I was stationed in Rome for International News Service.

It was the mid-'30s, and I covered the rise of Mussolini and Hitler. I decided to return home, and do what I could to awaken our people to the changes I had seen and the threats we all faced.

It was clear to me that America could not be complacent—that the Nazis and Fascists would stop at nothing, and that we needed to prepare to fight for freedom.

Fortunately, the changes in Europe today are more hopeful, far more promising—but perhaps no less significant to the future of that continent and to world peace.

And they are no less urgent in their cry against complacency.

Today, the challenge for the United States is not to bring an end to worldwide aggression and tyranny, as it was in the '30's, but to nurture the infant democracies that are just being born, * * * and to seize this golden opportunity to bring about a reduction in deadly nuclear arsenals and in the costly burdens of the arms race.

We must not shrink from this challenge.

If you look at the new political map of Europe, you see that the Warsaw Pact has collapsed. The Communists in Poland, Hungary, Czechoslovakia, East Germany, Bulgaria and Romania no longer hold dictatorial power in their hands.

These events present us with the most significant opening for arms reductions since the end of World War II.

But so far, how has President Bush responded?

His answer is to propose to increase military spending in FY 1991 by $5 billion—from $301 billion to $306 billion. He wants more missiles and more bombers.

I submit that to increase military spending when the Communist threat to us is so greatly reduced would be a profligate waste and misuse of the American taxpayer's money. In the face of revolution, to change the status quo, we should not be defending the status quo.

The Pentagon's planning guide for fighting the Warsaw Pact countries is unchanged from a year ago. Yet the 55 central European divisions of the Warsaw Pact have been swept off the table. Or, more likely, have moved to our side of the table.

If we are supposed to build up our nuclear armaments to fight in Europe, who does the President expect us to fight?

Vaclav Havel in Czechoslovakia?

Lech Walesa in Poland?

Three former military heads of the Joint Chiefs of Staff, who served under President Reagan and Carter, have recently stated that we do not need both the MX and the Midgetman missiles and could get along without either.

These hardened military men see that times have changed. Why can't President Bush?

I believe we can at least do away with both the MX and the B-2 Stealth bomber. Each B-2 will wind up costing a billion dollars! The B-2 is the first airplane in the history of the world to literally cost more than it would cost if it was made of solid gold! The B-2 has no clear military mission. Experts believe that if B-2s are ever sent out to bomb, the odds that they will ever return are not too good.

I'm leading the fight against the B-2 in the Senate.

And I'll be a leader in the fight to make sense out of the military budget—to cut from it all that we can, consistent with our security. That is my highest priority now in the Senate because it touches everything. If I and many Democrats and Republicans in Congress who share my view succeed in reducing military spending significantly, a sizeable part of the savings should be used to cut the over-all deficit. The rest should be put to work. If, step-by-step with matching military reductions by Mikhail Gorbachev's Soviet Union, we move far enough and fast enough in this direction, we may be able to avoid a tax increase while slashing the deficit and addressing the real needs of our people like education.

The federal government's latest report card on education shows that 50 percent of 17-year-olds in America can't really read.

How can we ever expect to be a viable economic power—how can we ever compete with Japan and the new and coming greater Germany—if half our young people are semi-illiterate?

President Bush has asked for a 2 percent increase in education funding—not enough to cover inflation.

Surely we can do better—and I will be working in the Senate to see that we do.

We must provide more support for education for two principle purposes:

1. To raise teacher salaries. Teachers, along with nurses, are today the lowest paid professionals in our society. That's outrageous. And just plain dumb. We simply must pay what is necessary to attract and retain the best possible teachers. Excellent teachers, who could earn far more in other professions, stay in our schools only at great personal sacrifice. That's not fair.

2. We must provide more support for education to reduce class size, so teachers can know what goes on in the lives and minds of their students. This is particularly important in California. Do you know that among the 50 states, we now rank number 49, next to the worst, next to last, in class size? That's because we've failed to fund California's schools properly.

Money alone is not the answer to our education problems, of course. We must work to reach our kids at an early age, because too many are lost before they make it to the first grade.

We need to expand school time, so that children spend more hours learning every year.

We also need to give teachers more flexibility and authority to teach, and in turn, to ask for more accountability from them.

Beyond fixing our educational system, America must renew its commitment to funding basic research, which has been the seed of our economic growth.

The National Science Foundation reports that this year, for the first time in 14 years, spending on corporate research and development has not kept pace with inflation.

We need to turn this around if we want strong industries, especially high technology.

I believe government has a major role to play in encouraging academic and corporate research and development. That is why I have repeatedly pushed for research and development tax credits.

I have also long worked for a reduction in capital gains taxes to stimulate private investment—I'm sort of a renegade Democrat on this issue—and for less government red tape and fewer licensing restrictions on American industries selling their goods abroad.

America's economic vitality will be the number one national security test of the 1990's—not the MX, not the Midgetman, not the B-2, not Star Wars.

And as we peer past the 1990's into the next century, however, we know that economic issues alone cannot be the sole measure of America's worth.

When we consider the kind of America we want to build, we must look not just at the quantity of our goods, but at the quality of our lives.

The America I'm working for is an America where all women will be guaranteed the right to choose for themselves whether or not they will bear a child. I've introduced legislation in the Senate to assure them of that right.

The America I'm working for is an America that does not accept drugs and crime as evils we have to live with endlessly. And my plan to create law enforcement task forces in high intensity drug areas, and to support local community groups fighting drugs and crime, will put the resources where they can do the most good.

The America I want to build is one where every family can find an affordable place to live, and where those who work hard and save will be able to own their own homes. I have introduced legislation to broaden the opportunity for home ownership for young families just starting out.

The America I want to see is one where we will step up to our environmental responsibilities. It won't wait for the next catastrophe to wash up on our shores.

In the Senate, I'm working to save the California desert, and to prevent unrestrained drilling for oil and gas off the California coast. I'm working to put America in the forefront of the drive to stifle global warming and the greenhouse effect, and to enact a tough Clean Air Act.

That measure's on the Senate floor right now, and I'm fighting for a significant reduction in carbon dioxide emissions and other gases that now mingle with the oxygen we breathe, and accumulate in the atmosphere.

Let me give you a couple of startling statistics:

We are presently putting 22 million tons of sulphur dioxide into the sky every year! Along with 200 other toxic chemicals.

We must put a stop to this!

If we don't, our health and, indeed, our lives are in jeopardy—yours, mine, everybody's!

Environmentalism is no longer a luxury to be enjoyed by the comfortable—but a necessity by which we all will live, or die.

Im meeting the environmental challenge, and all the challenges I've touched upon, it will not be enough for us to know what we do not want—to know that we are against war, and pollution, and ignorance, and economic stagnation, and crime and drug-addiction.

We will need to have and hold a clear vision of the world we want to create and the actions we must take to create that world.

America did not reach its place in the world by sitting on the sidelines of history, waiting for change to take place.

America must lead the forces of change, and California as always, must help show the way.

And that is what I intend to keep on doing in the United States Senate.

Thank you.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I ask unanimous consent that the time for debate on the pending resolution be extended from 11:05 until 1:30 p.m., with the time to be equally divided and under the control of Senators DOLE and BYRD or their designees.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MITCHELL. Accordingly, Mr. President, Senators should be aware in planning their schedules that the vote will occur at 1:30. I earlier had obtained consent that the mandatory live quorum be waived and that the vote occur at 1 o'clock. This concept does not alter the waiver of the live quorum; it merely changes the time for the vote at 1:30. Senators, in adjusting their schedules, previously would have been under the view that the vote would be at 1 p.m. It will now be at 1:30 p.m. to permit an additional period of debate for both sides.

I thank the Senator from Kansas and I thank the distinguished President pro tempore.

Mr. BYRD. Mr. President, I shall allot myself such time as I consume.

THE ARMENIAN RESOLUTION

I. SENSITIVITY TO SUFFERING

Mr. President, I wish to make it clear that I am not insensitive to the suffering of the Armenian people during World War I. Clearly the plight of the Armenians in the Ottoman Empire was a tragic episode. The war that consumed Europe in 1914 had many tragic consequences. Thousands of Armenians died in eastern Anatolia, as did millions of Turks, and Kurds, and Russians. Many of them died as a direct result of wartime military actions. Many more died from starvation and disease exacerbated by wartime conditions. And still more died as a result of atrocities committed by one group on the other.

If this resolution were intended to recognize the suffering and deaths of these scores of thousands, I would be happy to support it. I abhor the senseless misery of war as much as anyone. I realize that the Armenians in eastern Anatolia suffered unimaginable hardships during the First World War. Their location on the border between the two warring empires, tsarist Russia and the Turkish Ottomans, put them in an impossible position, just as it did the Armenians on the Russian side of the border, and just as it did the Turks and Kurds living in this region. But this resolution does not seek to recognize the suffering of all of these people and does not seek only to recognize the suffering of the Armenians. This resolution attempts to lay the blame for all the tragedy of the First World War on the rulers of the Ottoman Empire, the forbearers of modern Turkey. To this, I cannot agree.

Mr. President, I oppose this resolution for several reasons. First, historians do not agree on what happened in the Anatolia region of the Ottoman Empire between 1915 and 1923. Scholarly research continues, and that is how the facts should be verified, not through legislative mandate. We cannot legislate history. Second, this resolution charges the rulers and citizens of the Ottoman Empire, forbearers of the people of today's Republic of Turkey, with genocide. Genocide is a crime punishable under United States and international law. No one here, or anywhere else in the world, has conducted the kind of inquiry into the events of 70 years ago necessary to make such a determination of criminal guilt. Third, Eastern Europe, the Middle East, and the Transcaucasus region are rife with ethnic tensions and nationalistic urges. I am convinced that this resolution will fan the flames of violence and play into the hands of the extremists within those movements. Fourth, and perhaps most importantly, Turkey is one of our most vital strategic allies and this resolution can do that relationship egregious harm.

II. THE HISTORICAL DEBATE

A. SCHOLARLY DISAGREEMENT

The crux of my first objection to Senate Joint Resolution 212 is that we simply do not know for sure what happened. Historians who study the period do not agree on the facts. For every book or article cited to support the claims of one side, an equal number can be cited by their opposition. It may become necessary at some point to evaluate the evidence presented by both sides, but for now I merely want to make it clear that many reputable historians do not support the charge of genocide.

In 1985, the House of Representatives was considering House Joint Resolution 192 to commemorate a "National Day of Remembrance of Man's Inhumanity to Man." This resolution contained language similar to the resolution we are now considering. Specifically, it singled out for special recognition, "the one and one-half million people of Armenian ancestry who were victims of genocide perpetrated in Turkey between 1915 and 1923. * * *" In response to House Joint Resolution 192, 69 scholars, all experts in Turkish, Ottoman, and Middle Eastern studies, signed a declaration which appeared in the Washington Post and the New York Times. The declaration strongly objected to the portrayal of this version of the events as universally accepted historical fact. This historians declared:

As for the charge of "genocide:" No signatory of this statement wishes to minimize the scope of Armenian suffering. We are likewise cognizant that it cannot be viewed as separate from the suffering experienced by the Muslim inhabitants of the region. The weight of evidence so far uncovered points in the direction of serious inter-communal warfare (perpetrated by Muslim and Christian irregular forces), complicated by disease, famine, suffering and massacres in Anatolia and adjoining areas during the First World War. Indeed, throughout the years in question, the region was the scene of more or less continuous warfare, not unlike the tragedy which has gone on in Lebanon for the past decade. The resulting death toll among both Muslim and Christian communities was immense. But much more remains to be discovered before historians will be able to sort out precisely responsibility between warring and innocent, and to identify the causes for the events which resulted in the death or removal of large numbers of the eastern Anatolian population, Christian and Muslim alike.

One of the central points in the historian's objection to House Joint Resolution 192 was the need for more research. As they put it, "Statesmen and politicians make history, and scholars write it. For this process to work, scholars must be given access to the written records of the statesmen and politicians of the past. To date, the relevant archives of the Soviet Union, Syria, Bulgaria and Turkey all remain, for the most part, closed to dispassionate historians. Until they become available the history of the Ottoman Empire in the period encompassed by House Joint Resolution 192 (1915–23) cannot adequately be known." The declaration continues, "As the above comments illustrate, the history of the Ottoman-Armenians is much debated among scholars, many of whom do not agree with the historical assumptions embodied in the wording of H.J. Res. 192." The same historical assumptions are contained in Senate Joint Resolution 212 and the objections are still valid.

Some people might quickly dismiss such a declaration as the work of a fringe group of crackpots. I have heard the scholars who dispute the charge of genocide in the Ottoman Empire compared to extremists who today claim the Holocaust of the Second World War never occurred. However, the 69 individuals who lent their support to this cause can hardly be termed crackpots. They serve on the faculties of some of the finest colleges and universities in America, including: Indiana University, Brandeis University, Princeton University, Ohio State University, Johns Hopkins University, George Washington University, the University of Utah, the University of Massachusetts, the University of Connecticut, Columbia University, Texas Tech University, the University of Chicago, the University of California at Berkeley, and, of course, Glenville State College in West Virginia.

B. OPENING OF THE ARCHIVES

In 1985, those scholars called for greater access to historical records. In response to such calls, the Turkish Government has recently taken steps to facilitate scholarly research into this and other chapters of its history. On June 23, 1989, the Council of Ministers of the Republic of Turkey signed into law new regulations affecting the Turkish State Archives.

The new law greatly simplifies the procedures by which foreign and Turkish scholars obtain permission to conduct research in the archives. Under the previous procedure an applicant had to wait from 6 to 10

months before receiving access to records. Even after receiving permission to use the documents, researchers were often denied access to specific material on the grounds that it was unrelated to the original request. I am told that the new regulations allow a researcher to begin work within 1 day of submitting an application and provide far greater access.

A much larger body of material is available under the new law. Prior to the new law, all documents in the archives dated after May 1914 were closed to scholars. Now, any records dated before 1939 that have been cataloged are open and available for use. This encompases up to 100 million records from Ottoman administrators collected over a period of 500 years. Study of these records will give historians a better understanding of life from the 15th to the early 20th century.

The process of documenting these records has been going on under the direction of Mr. Ismet Miroglu for the last 3 years. Since being named administrator for the Prime Minister's Archives, Mr. Miroglu has assembled a team of over 100 archivists to analyze and catalog the boxes, bags, and stacks of ledgers, decrees, and surveys. Turkish universities have even added courses to train historians and other specialists to assist with this monumental task.

Many documents already cataloged and made available have direct relevance to the dispute over what happened in eastern Anatolia. Registers specifically devoted to the non-Muslim peoples of the Ottoman Empire containing a great deal of information on Turkish-Armenian relations are among the new material. Some of the most important releases are the 224 bound and cataloged volumes of the deliberations and decisions of the Ottoman Council of Ministers. These records cover the years from 1885 to 1922. In the past, many scholars have used these registers to study events which occurred prior to May 1914. Now, for the first time, all of the deliberations and actions of the Council of Ministers during the First World War are available to scholars. This record obviously includes many decisions relating to the relocation of the Ottoman Armenians during the war. Dozens of other categories of records in the Prime Minister's Archives, containing thousands of documents from the period of the First World War, were automatically opened to scholars with the implementation of the new law.

The Ottoman Archives pertaining to Turkish-Armenian history are open and available to all qualified scholars. Since the implementation of the new regulations, no scholar who has applied for permission to work on the newly opened records has been denied. The Turkish Government is doing everything it can to facilitate true scholarly research of the period around the First World War, and of the Armenian relocation specifically.

While the opening of the archives is an extremely important development, the historical debate still rages. The rapid evolution of regimes in Eastern Europe and the increasing openness of the Soviet Union may also encourage further research into the events of the First World War. Relevant documents from the Ottoman Empire surely exist in Bulgaria, the Soviet Union, and Syria, and perhaps other countries as well. We must encourage those governments to follow the lead of Turkey and grant scholars the freedom they need to resolve these important historical questions.

C. LET HISTORIANS DECIDE, NOT LEGISLATORS

Mr. President, now is not the time for the U.S. Senate to engage in an interpretation of history. And this resolution is exactly that, an interpretation of events that took place in the early days of World War I and that are still hotly debated by historians. Now is the time to encourage historians to settle the dispute. The interpretation of this history is better left to scholars, not legislators.

The 69 scholars I mentioned earlier, who opposed a similar resolution in 1985, put it this way: "We believe that the proper position for the United States Congress to take on this and related issues, is to encourage full and open access to all historical archives, and not to make charges on historical events before they are fully understood. Such charges as those contained in H.J. Res. 192 would inevitably reflect unjustly upon the people of Turkey, and perhaps set back irreparably progress historians are just now beginning to achieve in understanding these tragic events." These distinguished historians, political scientists, and other scholars concluded their statement with this thought, "By passing the resolution Congress will be attempting to determine by legislation which side of a historical question is correct. Such a resolution, based on historically questionable assumptions, can only damage the cause of honest historical enquiry, and damage the credibility of the American legislative process."

I consider myself a student of history and as such I know that a particular historical event can be interpreted many different ways. To truly understand isolated occurrences they must be evaluated in a larger context. This is the task that historians now face. They must discover the truth of what took place, and, more importantly, how those events fit into the overall picture of the world at war.

Mr. President, I know that a particular historical event can be interpreted in many different ways. To truly understand isolated occurrences, they must be evaluated in a larger context. This is the task that historians now face. They must discover the truth of what took place, and more importantly, how those events fit into the overall picture of the world at war.

My good friend, Mr. DOLE, has claimed that only 4 of these 69 scholars are even qualified to comment on the resolution. I am not sure what criteria this analysis uses. But the information Senator DOLE introduced into the RECORD shows clearly the academic qualifications of each individual. At least 45 of the scholars are historians, and 22 of these have published extensively on the time period covered by and on the specific charges made in this resolution.

Of the other scholars, the academic specialty of each was identified in the original declaration. They are political scientists, anthropologists, experts in language, literature, art, history, folklore, and other specialties.

But there was never any attempt to claim any different. Whatever their specialty, they all have extensive knowledge of the issues involved, and they all agreed that the charge of genocide needed closer examination. Three did not deny what happened to the Armenians. They simply made the same point that I have made; namely, we have not done the kind of research necessary to reach a decision on the charge of genocide.

My friend, Senator DOLE, also claimed that many of these scholars have repudiated their inclusion on this declaration. Close examination of the evidence submitted for the record will reveal that there are no names associated with the alleged repudiation, and a more telling point is that those claims were made by the Armenian Assembly of America. Despite the wishful thinking of the Armenian lobbying groups, none of these 69 scholars have withdrawn support for the declaration, I have been advised.

Mr. DOLE also identified a scholar by the name of Dr. Phillip Stoddard as a paid agent of the Turkish Government. This characterization does a disservice to Dr. Stoddard, who served this country in a long and distinguished career at the U.S. State Department, including a position as the head of the Intelligence and Research Division.

After retiring, Dr. Stoddard was employed by the Middle East Institute. That may receive funding from the Government of Turkey, but it is dominated by other Middle Eastern countries.

Dr. Stoddard has now retired from his post as director for the institute.

Finally, I would like to quote from the information that the distinguished minority leader introduced yesterday, that all of the signatories of the ad

have at some time studied or written about some aspect of Turkey's history, language, architecture, anthropology, literature, political science, or folklore.

Mr. President, I think these scholars should be afforded the credit that they deserve.

The PRESIDING OFFICER (Mr. ROBB). Who yields time?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the Republican leader, Senator DOLE, has yielded 25 minutes to this Senator, and Senator BRADLEY has asked for 2 minutes to speak at this time. I am prepared to yield him 2 of my 25 minutes, to take precedence over my seeking the floor.

The PRESIDING OFFICER. Without objection, the Senator from New Jersey is recognized for 2 minutes on the time chargeable to the Senator from Kansas. is that correct?

Mr. SPECTER. That is correct.

Mr. BRADLEY. Mr. President, I rise today in support of Senate Joint Resolution 212, which would establish a national day of remembrance for those Armenians who were systematically murdered between the years 1915–23.

On April 24 each year Armenians recall, and mourn, the violent deaths of their ancestors. This resolution commemorates the 75th anniversary of a tragic era in Armenian and Turkish history. During these years more than 1.5 million Armenians were killed, and hundreds of thousands more forced from their homelands by the Turkish Ottoman Empire. The history of the Armenian people is a powerful lesson for Americans, and the world—one that we must not neglect because others would rather forget. History is perhaps our best teacher and a powerful force to prevent such evil from happening to anyone, anywhere, ever again.

A number of people oppose this resolution in the mistaken belief that it promotes anti-Turkish sentiments and will damage relations between one of our most valuable NATO allies. Still others have attempted to interpret the historical circumstances of this era to deny that mass genocidal killings of Armenians occurred.

Mr. President, there is no question of the importance of United States-Turkish relations. This resolution is not a condemnation of the Republic of Turkey. In fact, this legislation was specifically designed not to fan ethnic hatred—rather it was offered to exemplify the tragic consequences of such animosity. The terrible events of 1915–23 occurred. And while people of many ethnic persuasions suffered during this period, the contention that the millions of Armenians who were systematically killed were the natural consequences of war is nonsense. It was a flagrant abuse of human rights and the agony of this period is only prolonged as long as some attempt to deny it.

Mr. President, I urge my colleagues to vote for this measure so the world can begin the long and difficult process of putting this tragedy behind us.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. SPECTER. Mr. President, as represented, I say that Senator DOLE has yielded 25 minutes to this Senator, with the time chargeable used by Senator BRADLEY.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 25 minutes.

Mr. SPECTER. Mr. President, after extensive consideration and a great deal of reading and discussing this issue with many people, I have decided to support the resolution, and have done so after analyzing many difficult considerations: First, the complex legal issue as to what constitutes genocide; second, the involved factual questions as to what actually happened; third, the consideration of the strategic issues affecting our important relationship with Turkey; and fourth, having friends on both sides of this highly charged emotional issue, friends here in the Senate, friends outside of the Senate in Pennsylvania, and even friends who have contacted me who live outside of the United States.

Deputy Secretary Eagleburger has discussed the issue with me, and I have discussed the matter with other administration officials. One who has urged me to oppose the resolution has been Ambassador Strausz-Hupe, whom I have known for 42 years when he was Professor Strausz-Hupe while I attended the University of Pennsylvania and he was in international relations in that institution.

Mr. President, when the Senate expresses itself on this issue, it is my hope that it would not be more broadly construed than the Senate judgment on whether a genocide occurred in the Ottoman Empire against the Armenians from the period between 1915 and 1923, and that it not be considered to be a reflection of the view of United States' sentiment about the people of Turkey or about the present Government of Turkey.

That United States sentiment in terms of supporting the Turkish people was expressed in vote No. 120 in the 101st Congress on an amendment offered by Senator BYRD, the amendment which expressed the sense of the Congress condemning Bulgaria's brutal treatment of its Turkish minority, attacks against and the arbitrary detention of peaceful demonstrators and forceful expulsion of Turks from their homes.

That 99-to-0 vote, where I was one of the Senators voting in favor of the resolution, is a very forceful expression of our friendship for the Turkish Government and people. As has already been articulated, it would be my expectation that the action of the U.S. Senate would have no impact on any later question about reparation or lands that would not be involved here. I see as a matter of legal judgment no legal impact as to what we have to say about this issue at this time.

As the matter is moved through the Senate, Mr. President, I see two important conclusions emerging on this debate. First, the importance of human rights, because so much attention is focusing on the Senate's reaction to this issue. Second, the importance of a judgment by the U.S. Senate on human rights.

When the issue came before the Judiciary Committee on October 17 and it emerged without an opportunity for extensive consideration, it seemed to me at that time, and I expressed reservations which I held at that time and questions which existed in my mind as to whether the U.S. Senate should make a judgment on events going back 75 years, and, second, what were the facts which I was not prepared to evaluate last October 17.

After reflecting on these matters, it has been my conclusion that the Senate should express a judgment because of the tremendous importance of human rights and the constant involvement of the U.S. Senate on the issue of human rights and the fact that the Senate statement on human rights will have an impact on what is happening around the world today and tomorrow and will affect the lives of many people, thousands, perhaps tens of thousands, perhaps hundreds of thousands, perhaps millions of people.

It has only been in the course of recent history that human rights have been elevated, and only in the course, perhaps, of the last two decades have institutions like the U.S. Senate taken a close look at these questions. And it is a tribute, Mr. President, to the importance of this body that so much attention is being focused on our opinion and judgment on this issue. Certainly, our statement, yes or no, on this resolution will be broadly viewed in terms of those who would violate human rights, whether the U.S. Senate will stand up and say human rights are important, and the U.S. Senate is prepared to condemn a violation of human rights.

I do believe that it will have an impact on the lives of many people and that is why it is an issue which cannot be avoided but has to be addressed squarely.

Mr. President, in terms of what are the facts, it is not possible for any

factfinders to make any conclusive determination even if they are very close to an event and we struggle in the course within even a few weeks or months after an event in trying to determine what actually happened with a variety of standards which we apply in those contexts.

But in my analysis and evaluation as to what the historians have to say and what some witnesses who were there have to say, it is my conclusion that the facts establish that genocide did occur.

I have taken this close account, Mr. President, the letter from the Turkish Embassy dated September 29, 1989, where the contention is made by Nuzhit Kandemir, the Ambassador, that the resolution would legislate false history, as he articulates it, and the reasons he has set forth.

I have studied closely a letter from U.S. Ambassador Morton Abramowitz, dated November 16, 1989, and have considered the views of his predecessor Ambassador Strausz-Hupe, who I have already noted was a professor at the University of Pennsylvania when I attended that school many years ago.

My staff and I have engaged in very extensive reading on the subject: "The Armenian Question," by Mim Kemal Oke, including a chapter regarding the massacres; "The Slaughterhouse Province," by Leslie A. Davis, reputed to be an unabridged account of massacres by a former American consul in the Ottoman Empire; the book "Muslims and Minorities," where Justin McCarthy devotes a full chapter to the issue; the book, "Great Events From History," edited by Frank M. McGill, including a chapter regarding this matter; the book by K.B. Bardakjian, "Hitler and the Armenian Genocide," and quite a number of other source materials.

The publication, Mr. President, which I consider to be the most persuasive of all, is the book written by Henry Morgenthau, who was the Ambassador to Constantinople, the Ambassador to the Ottoman Empire in the period from 1913 to 1916.

I ask unanimous consent that the text of Mr. Morgenthau's book from pages 301 to 325 be printed in the RECORD at the conclusion of this statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. That will enable me Mr. President, to refer only to limited portions of what Ambassador Morgenthau had to say. In chapter 14 on the pages enumerated Ambassador Morgenthau starts off with the title "The murder of a Nation" and immediately refers to "The destruction of the Armenian race".

He refers to this factor, Mr. President, at page 302:

> It now became almost the general practice to shoot them—

Referring to the Armenians—

> in cold blood. In almost all cases the procedure was the same. Here and there squads of 50 or 100 men taken and bound together in groups of four, and then marched out to a secluded spot a short distance from the village.

He goes on at page 303 to refer to an incident involving 2,000 Armenians and concludes:

> Practically every man of these 2,000 was massacred.

At page 304 he points out:

> A systematic attempt was made to kill all able-bodied males, not only for the purpose of removing all males who might propagate a new generation of Armenians, but for the purpose of rending the weaker part of the population an easier prey.

Without quoting extensively as I intended to, Mr. President, because of the limited time, I would refer to Ambassador Morgenthau's statement at 319 where he reports:

> It is absurd for the Turkish government to assert—

This is not the current Turkish Government, this is the Turkish Government when he wrote the book originally published in 1919, that he says:

> It is absurd for the Turkish government to assert that it ever seriously intended to "deport the Armenians to new homes"; the treatment which was given the convoys clearly shows that extermination was the real purpose of Enver and Talaat.

And then one final reference, Mr. President. His conclusion that he has:

> * * * by no means told the most terrible details, for a complete narration of the sadistic orgies of which these Armenian men and women were victims can never be printed in an American publication.

But as I find the statement on page 322 that:

> * * * the sufferings of the Armenians in which at least 600,000 people were destroyed and perhaps as many as 1 million.

Mr. President, following the position which I took at the October 17 meeting of the Judiciary Committee, where as I noted earlier I expressed a reservation about the propriety of the Senate taking up this issue and the fact that I had had conflicting accounts on both sides, in 1983, I made a short statement for the CONGRESSIONAL RECORD on the Armenian genocide issue.

It taught me a lesson. I have not made one since without doing independent research, because after I made that statement I had complaints from many of my Turkish constituents and friends who said I was wrong. So I ceased and desisted from making any statement.

Then when the matter came before the Judiciary Committee with Senator DOLE's resolution, we had to deal with it one way or another, and to repeat, on October 17 I stated I was not prepared to deal with the issue on the facts.

At that time as I traveled through Pennsylvania in open-house town meetings many people on both sides of the question came to me to give me their views. And I then wrote to them, soliciting evidence as to what had actually occurred.

I received a large number of statements, Mr. President. I culled them out, and I ask unanimous consent that at the conclusion of my statement 22 written statements appear from people who were in Armenia at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit 2.]

Mr. SPECTER. Mr. President, I ask how much time I have remaining so I may conclude my remaining remarks.

The PRESIDING OFFICER. The Senator has 7½ minutes remaining.

Mr. SPECTER. Mr. President, one statement from these says:

> I was 14 years old when my father, two uncles, five aunts, their husbands and children were massacred. I was saved by a Turk neighbor.
>
> I saw a pile of human bones near Derzor, which was estimated to be the bones of 200,000 Armenians.

This gentleman is aged 90.

A second statement from a John Alabilikian, 82 in part:

> My grandmother, father, mother, and baby brother in my mother's arms were killed in 1915.

A statement by a 90-year-old Armenian, Mr. Der-Bedrossian.

> My brother of 14 years old was shot and then attached to the tail of a horse, dragged him in the city and was killed like that. My mother and sister of 10 years, my brother of 6 and my sister of 1 year were driven into the desert and hungry died in the desert.

Because of the brevity of time I shall not go further but they will appear in the CONGRESSIONAL RECORD with the consent of the body.

Mr. President, I have had factual representations on the other side. The only one in writing that I have to present at this time, and it is the reason I am presenting only one, is from a very distinguished Pennsylvanian, Ayhan Hakimoglu, who writes to me in part:

> My family, a Turkish family, was a victim of the Armenians and several others right here in the Delaware Valley, including the wife of Dr. Kenan Umar of Norristown, whose parents were killed by Armenians and Dr. Rogers of Wilmington, Delaware, whose relatives were killed by Armenians during the Civil War.

Doubtless there is much additional evidence that could be presented on both sides, Mr. President, but in the time available since this issue came to my forceful attention in October to this date I have done what I could to consider the issue, including talking to people in the anteroom while awaiting my time on the floor while the distin-

guished Presiding Officer was making the Washington Farewell Address on calls I received late yesterday afternoon and said if they could come over early this morning I will see them and I will listen to them. I have a mind set, but I am prepared to hear other people out.

Mr. President, the remaining issue is what does constitute the genocide. I talked to a very distinguished Member of Congress yesterday at some length who articulated the position that this was not a genocide because all of the Armenians were not killed, nor were all the Armenians available killed, that there were some Armenians who were left alive. It seems to me that that sort of a definition is not a realistic one. You do not have to kill an entire race.

I have based that legal judgment on a very learned treatise on the subject by Raphael Lemkin. And I ask unanimous consent Mr. President, that pages 79 and 80 be printed in the RECORD because I do not have time to read it all.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAPTER IX—GENOCIDE

I. GENOCIDE—A NEW TERM AND NEW CONCEPTION FOR DESTRUCTION OF NATIONS

New conceptions require new terms. By "genocide" we mean the destruction of a nation or of an ethnic group. This new word, coined by the author to denote an old practice in its modern development, is made from the ancient Greek word genos (race, tribe) and the Latin cide (killing), thus corresponding in its formation to such words as tyrannicide, homocide, infanticide, etc.[1]

Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. (It is intended rather to signify a coordinate plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves.) The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group.

The following illustration will suffice. The confiscation of property of nationals of an occupied area on the ground that they have left the country may be considered simply as a deprivation of their individual property rights. However, if the confiscations are ordered against individuals solely because they are Poles, Jews, or Czechs, then the same confiscations tend in effect to weaken the national entities of which those persons are members.

[1] Another term could be used for the same idea, namely, ethnocide, consisting of the Greek word "enthnos"—nation—and the Latin word "cide."

Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor's own nationals. Denationalization was the word used in the past to describe the destruction of a national pattern.[1a]

The author believes, however, that this word is inadequate because: (1) it does not connote the destruction of the biological structure; (2) in connoting the destruction of one national pattern, it does not connote the imposition of the national pattern of the oppressor; and (3) denationalization is used by some authors to mean only deprivation of citizenship.[2]

Many authors, instead of using a generic term, use currently terms connoting only some functional aspect of the main generic notion of genocide. Thus, the terms "Germanization," "Magyarization," Italianization," for example, are used to connote the imposition by one stronger nation (Germany, Hungary, Italy) of its national pattern upon a national group controlled by it. The author believes that these terms are also inadequate because they do not convey the common elements of one generic notion and they treat mainly the cultural, economic, and social aspects of genocide, leaving out the biological aspect, such as causing the physical decline and even destruction of the population involved. If one uses the term "Germanization" of the Poles, for example, in this connotation, it means that the Poles, as human beings, are preserved and that only the national pattern of the Germans is imposed upon them. Such a term is much too restricted to apply to a process in which the population is attacked, in a physical sense, and is removed and supplanted by populations of the oppressor nations.

Genocide is the antithesis of the Rousseau-Portalis Doctrine, which may be regarded as implicit in the Hague Regulations. This doctrine holds that war is directed against sovereigns and armies, not against subjects and civilians. In its modern application in civilized society, the doctrine means that war is conducted against states and armed forces and not against populations. It required a long period of evolution in civilized society to mark the way from wars of extermination,[3] which occurred in ancient times and in the Middle Ages, to the conception of wars as being essentially limited to activities against armies and states. In the present war, however, genocide is widely practiced by the German occupant. Germany could not accept the Rousseau-Portalis Doctrine: first, because Germany is waging a total war; and secondly, because, according to the doctrine of National Socialism, the nation, not the state, is the predominant factor.[4]

[1a] See Violation of the Laws and Customs of War: Reports of Majority and Dissenting Reports of American and Japanese Members of the Commission of Responsibilities, Conference of Paris, 1919, Carnegie Endowment for International Peace, Division of International Law, Pamphlet No. 32 (Oxford: Clarendon Press, 1919), p. 39.

[2] See Garner, *op. cit.*, Vol. I, p. 77.

[3] As classical examples of wars of extermination in which nations and groups of the population were completely or almost completely destroyed, the following may be cited: the destruction of Carthage in 146 B.C.; the destruction of Jerusalem by Titus in 72 A.D.; the religious wars of Islam and the Crusades; the massacres of the Albigenses and the Waldenses; and the siege of Magdeburg in the Thirty Years' War. Special wholesale massacres occurred in the wars waged by Genghis Khan and by Tamerlane.

[4] "Since the State in itself is for us only a form, while what is essential is its content, the nation, the people, it is clear that everything else must subordinate itself to its sovereign interests."—Adolf Hitler, *Mein Kampf* (New York: Reynal & Hitchcock, 1939), p. 842.

Mr. SPECTER. Mr. President, the essence of what Lemkin has to say is that genocide occurs when the activities are directed not against sovereigns and armies but against subjects and civilians.

The Genocide Convention provides this definition:

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group as such. Among the categories, the first one A, killing members of the group; B, causing serious bodily or mental harm to members of the group; C, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

The conduct which is involved here, Mr. President, fits within that definition, that you do not have to kill an entire race or nationality. The Genocide Convention refers to the destruction in whole or in part. The acts which were perpetrated here on which there is very strong evidence establish that Armenians were sought out—civilians, women and children—and were massacred because they were Armenians. They were not parties to a conflict. They were not soldiers. They were not involved in hostilities. So that, where the contention has been made that there was an uprising and that it was necessary to take this action against the Armenians as a matter of national self-defense, it seems to me that simply does not stand up, and that the evidence does support the accepted definition of a genocide.

Mr. President, in conclusion, it is my hope that this resolution will not adversely affect United States-Turkish relations. There is enormous friendship from the United States of America and from the Senate and from this Senator for the Turkish Government and the Turkish people. It is a very difficult matter for me to have to call up many of my friends and tell them how I am voting on the matter. But in the U.S. Senate we have to stand up and be counted. I think it is important for the Senate to put everyone on notice worldwide that the Senate will not stand by if there is evidence of human rights violations whatever the consequences may be.

When we talk about our relationship with Turkey and important strategic interests with NATO, we are supporting NATO because we support important values—the value of the United States security, the value of freedom,

the value of democracy, and the right to live in peace and the right of women and children as well as men to live in peace. If we do not stand up for these values, then the $300 billion a year that we pour into national defense and the money that we spend on NATO, including our bases in Turkey, is not well spent. So that when you come down to the tough judgment on whether we are going to stand for the human rights and the values embodied in this resolution that I believe we have, then I believe we have to give precedence to that over strategic interests.

But it would be my hope Mr. President, that our friends in the Turkish Government, the Turkish people and those in the United States of Turkish extraction will not take our judgment in this matter in any way other than an evaluation of what has happened in the past and our honest judgment as to what the outcome of this resolution should be.

It is not easy to vote against friends. But it you cannot vote your conscience contrary to the wishes of your friends, then there may not be much of the bond of friendship. And I would say that both as a personal matter for me and I would say that as a national matter for the United States and our relationship with Turkey. But given the benefit of this issue on the floor in October, my preference would have been not to have decided it for the factors that I have elaborated on, but it is here we are placing the vote and I believe the evidence supports a favorable vote.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

EXHIBIT 1

AMBASSADOR MORGENTHAU'S STORY

(By Henry Morgenthau, Formerly American Ambassador to Turkey)

CHAPTER XXIV—THE MURDER OF A NATION

The destruction of the Armenian race in 1915 involved certain difficulties that had not impeded the operations of the Turks in the massacres of 1895 and other years. In these earlier periods the Armenian men had possessed little power or means of resistance. In those days Armenians had not been permitted to have military training, to serve in the Turkish army, or to possess arms. As I have already said, these discriminations were withdrawn when the revolutionists obtained the upper hand in 1908. Not only were the Christians now permitted to bear arms, but the authorities, in the full flush of their enthusiasm for freedom and equality, encouraged them to do so. In the early part of 1915, therefore, every Turkish city contained thousands of Armenians who had been trained as soldiers and who were supplied with rifles, pistols, and other weapons of defense. The operations at Van once more disclosed that these men could use their weapons to good advantage. It was thus apparent that an Armenian massacre this time would generally assume more the character of warfare than those wholesale butcheries of defenseless men and women which the Turks had always found so congenial. If this plan of murdering a race were to succeed, two preliminary steps would therefore have to be taken: it would be necessary to render all Armenian soldiers powerless and to deprive of their arms the Armenians in every city and town. Before Armenia could be slaughtered, Armenia must be made defenseless.

In the early part of 1915, the Armenian soldiers in the Turkish army were reduced to a new status. Up to that time most of them had been combatants, but now they were all stripped of their arms and transformed into workmen. Instead of serving their country as artillerymen and cavalrymen, these former soldiers now discovered that they had been transformed into road labourers and pack animals. Army supplies of all kinds were loaded on their backs, and, stumbling under the burdens and driven by the whips and bayonets of the Turks, they were forced to drag their weary bodies into the mountains of the Caucasus. Sometimes they would have to plough their way, burdened in this fashion, almost waist high through snow. They had to spend practically all their time in the open, sleeping on the bare ground—whenever the ceaseless prodding of their taskmasters gave them an occasional opportunity to sleep. They were given only scraps of food; if they fell sick they were left where they had dropped, their Turkish oppressors perhaps stopping long enough to rob them of all their possessions—even of their clothes. If any stragglers succeeded in reaching their destinations, they were not infrequently massacred. In many instances Armenian soldiers were disposed of in even more summary fashion, for it now became almost the general practice to shoot them in cold blood. In almost all cases the procedure was the same. Here and there squads of 50 or 100 men would be taken, bound together in groups of four, and then marched out to a secluded spot a short distance from the village. Suddenly the sound of rifle shots would fill the air, and the Turkish soldiers who had acted as the escort would sullenly return to camp. Those sent to bury the bodies would find them almost invariably stark naked, for, as usual, the Turks had stolen all their clothes. In cases that came to my attention, the murderers had added a refinement to their victims' sufferings by compelling them to dig their graves before being shot.

Let me relate a single episode which is contained in one of the reports of our consuls and which now forms part of the records of the American State Department. Early in July, 2,000 Armenian "amélés"—such is the Turkish word for soldiers who have been reduced to workmen—were sent to Harpoot to build roads. The Armenians in that town understood what this meant and pleaded with the Governor for mercy. But this official insisted that the men were not to be harmed, and he even called upon the German missionary, Mr. Ehemann, to quiet the panic, giving that gentleman his word of honour that the ex-soldiers would be protected. Mr. Ehemann believed the Governor and assuaged the popular fear. Yet practically every man of these 2,000 was massacred and his body thrown into a cave. A few escaped, and it was from these that news of the massacre reached the world. A few days afterward another 2,000 soldiers were sent to Diarbekir. The only purpose of sending these men out in the open country was that they might be massacred. In order that they might have no strength to resist or to escape by flight, these poor creatures were systematically starved. Government agents went ahead on the road, notifying the Kurds that the caravan was approaching and ordering them to do their congenial duty. Not only did the Kurdish tribesmen pour down from the mountains upon this starved and weakened regiment, but the Kurdish women came with butcher's knives in order that they might gain that merit in Allah's eyes that comes from killing a Christian. These massacres were not isolated happenings; I could detail many more episodes just as horrible as the one related above; throughout the Turkish Empire a systematic attempt was made to kill all able bodied men, not only for the purpose of removing all males who might propagate a new generation of Armenians, but for the purpose of rendering the weaker part of the population as an easy prey.

Dreadful as were these massacres of unarmed soldiers, they were mercy and justice themselves when compared with the treatment which was now visited upon those Armenians who were suspected of concealing arms. Naturally the Christians became alarmed when placards were posted in the villages and cities ordering everybody to bring their arms to headquarters. Although this order applied to all citizens, the Armenians well understood what the result would be, should they be left defenseless while their Moslem neighbours were permitted to retain their arms. In many cases, however, the persecuted people patiently obeyed the command; and then the Turkish officials almost joyfully seized their rifles as evidence that a "revolution" was being planned and threw their victims into prison on a charge of treason. Thousands failed to deliver arms simply because they had none to deliver, while an even greater number tenaciously refused to give them up, not because they were plotting an uprising, but because they proposed to defend their own lives and their women's honour against the outrages which they knew were being planned. The punishment inflicted upon these recalcitrants forms one of the most hideous chapters of modern history. Most of us believe that torture has long ceased to be an adminstrative and judicial measure, yet I do not believe that the darkest ages ever presented scenes more horrible than those which now took place all over Turkey. Nothing was sacred to the Turkish gendarmes; under the plea of searching for hidden arms, they ransacked churches, treated the altars and sacred utensils with the utmost indignity, and even held mock ceremonies in imitation of the Christian sacraments. They would beat the priests into insensibility, under the pretense they they were the centres of sedition. When they could discover no weapons in the churches, they would sometimes arm the bishops and priests with guns, pistols, and swords, then try them before courts-martial for possessing weapons against the law, and march them in this condition through the streets, merely to arouse the fanatical wrath of the mobs. The gendarmes treated women with the same cruelty and indecency as the men. There are cases on record in which women accused of concealing weapons were stripped naked and whipped with branches freshly cut from trees, and these beatings were even inflicted on women who were with child. Violations so commonly accompanied these searches that Armenian women and girls, on the approach of the gendarmes, would flee to the woods, the hills, or to mountain caves.

As a preliminary to the searches everywhere, the strong men of the villages and towns were arrested and taken to prison. Their tormentors here would exercise the most diabolical ingenuity in their attempt to make their victims declare themselves to be "revolutionists" and to tell the hiding places of their arms. A common practice was to place the prisoner in a room, with two Turks stationed at each end and each side. The examination would then begin with the bastinado. This is a form of torture not uncommon in the Orient; it consists of beating the soles of the feet with a thin rod. At first the pain is not marked; but as the process goes slowly on, it develops into the most terrible agony, the feet swell and burst, and not infrequently, after being submitted to this treatment, they have to be amputated. The gendarmes would bastinado their Armenian victim until he fainted; they would then revive him by sprinkling water on his face and begin again. If this did not succeed in bringing their victim to terms, they had numerous other methods of persuasion. They would pull out his eyebrows and beard almost hair by hair; they would extract his finger nails and toe nails; they would apply red-hot irons to his breast, tear off his flesh with red-hot pincers, and then pour boiled butter into the wounds. In some case the gendarmes would nail hands and feet to pieces of wood-evidently in imitation of the Crucifixion, and then, while the sufferer writhed in his agony, they would cry:

"Now let your Christ come and help you!"

These cruelties—and many others which I forbear to describe—were usually inflicted in the night time. Turks would be stationed around the prisons, beating drums and blowing whistles, so that the screams of the sufferers would not reach the villagers.

In thousands of cases the Armenians endured these agonies and refused to surrender their arms simply because they had none to surrender. However, they could not persuade their tormentors that this was the case. It therefore became customary, when news was received that the searchers were approaching, for Armenians to purchase arms from their Turkish neighbours so that they might be able to give them up and escape these frightful punishments.

One day I was discussing these proceedings with a responsible Turkish official, who was describing the tortures inflicted. He made no secret of the fact that the Government had instigated them, and, like all Turks of the official classes, he enthusiastically approved this treatment of the detested race. This official told me that all these details were matters of nightly discussion at the headquarters of the Union and Progress Committee. Each new method of inflicting pain was hailed as a splendid discovery, and the regular attendants were constantly ransacking their brains in the effort to devise some new torment. He told me that they even delved into the records of the Spanish Inquisition and other historical institutions of torture and adopted all the suggestions found there. He did not tell me who carried off the prize in this gruesome competition, but common reputation throughout Armenia gave a preeminent infamy to Djevdet Bey, the Vali of Van, whose activities in that section I have already described. All through this country Djevdet was generally known as the "horseshoer of Bashkale" for this connoisseur in torture had invented what was perhaps the masterpiece of all—that of nailing horseshoes to the feet of his Armenian victims.

Yet these happenings did not constitute what the newspapers of the time commonly referred to as the Armenian atrocities; they were merely the preparatory steps in the destruction of the race. The Young Turks displayed greater ingenuity than their predecessor, Abdul Hamid. The injunction of the deposed Sultan was merely "to kill, kill", whereas the Turkish democracy hit upon an entirely new plan. Instead of massacring outright the Armenian race, they now decided to deport it. In the south and southeastern section of the Ottoman Empire lie the Syrian desert and the Mesopotamian valley. Though part of this area was once the scene of a flourishing civilization, for the last five centuries it has suffered the blight that becomes the lot of any country that is subjected to Turkish rule; and it is now a dreary, desolate waste, without cities and towns or life of any kind, populated only by a few wild and fanatical Bedouin tribes. Only the most industrious labor, expended through many years, could transform this desert into the abiding place of any considerable population. The Central Government now announced its intention of gathering the two million or more Armenians living in the several sections of the empire and transporting them to this desolate and inhospitable region. Had they undertaken such a deportation in good faith it would have represented the height of cruelty and injustice. As a matter of fact, the Turks never had the slightest idea of reestablishing the Armenians in this new country. They knew that the great majority would never reach their destination and those who did would either die of thirst and starvation, or be murdered by the wild Mohammedan desert tribes. The real purpose of the deportation was robbery and destruction; it really represented a new method of massacre. When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well, and, in their conversations with me, they made no particular attempt to conceal the fact.

All through the spring and summer of 1915 the deportations took place. Of the larger cities, Constantinople, Smyrna, and Aleppo were spared; practically all other places where a single Armenian family lived now became the scenes of these unspeakable tragedies. Scarcely a single Armenian, whatever his education or wealth, or whatever the social class to which he belonged, was exempted from the order. In some villages placards were posted ordering the whole Armenian population to present itself in a public place at an appointed time—usually a day or two ahead, and in other places the town crier would go through the streets delivering the order vocally. In still others not the slightest warning was given. The gendarmes would appear before an Armenian house and order all the inmates to follow them. They would take women engaged in their domestic tasks without giving them the chance to change their clothes. The police fell upon them just as the eruption of Vesuvius fell upon Pompeii; women were taken from the washtubs, children were snatched out of bed, the bread was left half baked in the oven, the family meal was abandoned partly eaten, the children were taken from the schoolroom, leaving their books open at the daily task, and the men were forced to abandon their ploughs in the fields and their cattle on the mountain side. Even women who had just given birth to children would be forced to leave their beds and join the panic-stricken throng, their sleeping babies in their arms. Such things as they hurriedly snatched up—a shawl, a blanket, perhaps a few scraps of food—were all that they could take of their household belongings. To their frantic questions "Where are we going?" the gendarmes would vouchsafe only one reply: "To the interior."

In some cases the refugees were given a few hours, in exceptional instances a few days, to dispose of their property and household effects. But the proceeding, of course, amounted simply to robbery. They could sell only to Turks, and since both buyers and sellers knew that they had only a day or two to market the accumulations of a lifetime, the prices obtained represented a small fraction of their value. Sewing machines would bring one or two dollars—a cow would go for a dollar, a houseful of furniture would be sold for a pittance. In many cases Armenians were prohibited from selling or Turks from buying even at these ridiculous prices; under pretense that the Government intended to sell their effects to pay the creditors whom they would inevitably leave behind, their household furniture would be placed in stores or heaped up in public places, where it was usually pillaged by Turkish men and women. The government officials would also inform the Armenians that, since their deportation was only temporary, the intention being to bring them back after the war was over, they would not be permited to sell their houses. Scarcely had the former possessors left the village, when Mohammedan mohadjirs—immigrants from other parts of Turkey—would be moved into the Armenians quarters. Similarly all their valuables—money, rings, watches, and jewellery—would be taken to the policed stations for "safe keeping" pending their return, and then parcelled out among the Turks. Yet these robberies gave the refugees little anguish, for far more terrible and agonizing scenes were taking place under their eyes. The systematic extermination of the men continued; such males as the persecutions which I have already described had left were now violently dealt with. Before the caravans were started, it became the regular practice to separate the young men from the families, tie them together in groups of four, lead them to the outskirts, and shoot them. Public hangings without trial—the only offense being that the victims were Armenians—were taking place constantly. The gendarmes showed a particular desire to annihilate the educated and the influential. From American consuls and missionaries I was constantly receiving reports of such executions, and many of the events which they described will never fade from my memory. At Angora all Armenian men from fifteen to seventy were arrested, bound together in groups of four, and sent on the road in the direction of Caesarea. When they had travelled five of six hours and had reached a secluded valley, a mob of Turkish peasants fell upon them with clubs, hammers, axes, scythes, spades, and saws. Such instruments not only caused more agonizing deaths than guns and pistols, but, as the Turks themselves boasted, they were more economical, since they did not involve the waste of powder and shell. In this way they exterminated the whole male population of Angora, including all its men of wealth and breeding, and their bodies, horribly mutilated, were left in the valley, where they were devoured by wild beasts. After completing this destruction, the peasants and gendarmes gathered in the local tavern, comparing notes and boasting of the number of "giaours" that each had slain. In Trebizond

the men were placed in boats and sent out on the Black Sea; gendarmes would follow them in boats, shoot them down, and throw their bodies into the water.

When the signal was given for the caravans to move, therefore, they almost invariably consisted of women, children, and old men. Any one who could possibly have protected them from the fate that awaited them had been destroyed. Not infrequently the prefect of the city, as the mass started on its way, would wish them a derisive "pleasant journey." Before the caravan moved the women were sometimes offered the alternative of becoming Mohammedans. Even though they accepted the new faith, which few of them did, their earthly troubles did not end. The converts were compelled to surrender their children to a so-called "Moslem Orphanage," with the agreement that they should be trained as devout followers of the Prophet. They themselves must then show the sincerity of their conversion by abandoning their Christian husbands and marrying Moslems. If no good Mohammedan offered himself as a husband, then the new convert was deported, however strongly she might protest her devotion to Islam.

At first the Government showed some inclination to protect these departing throngs. The officers usually divided them into convoys, in some cases numbering several hundred, in others several thousand. The civil authorities occasionally furnished ox-carts which carried such household furniture as the exiles had succeeded in scrambling together. A guard of gendarmerie accompanied each convoy, ostensibly to guide and protect it. Women, scantily clad, carrying babies in their arms or on their backs, marched side by side with old men hobbling along with canes. Children would run along, evidently regarding the procedure, in the early stages, as some new lark. A more prosperous member would perhaps have a horse or a donkey, occasionally a farmer had rescued a cow or a sheep, which would trudge along at his side, and the usual assortment of family pets—dogs, cats, and birds—became parts of the variegated procession. From thousands of Armenian cities and villages these desparing caravans now set forth; they filled all the roads leading southward; everywhere, as they moved on, they raised a huge dust, and abandoned débris, chairs, blankets, bedclothes, household utensils, and other impedimenta, marked the course of the processions. When the caravans first started, the individuals bore some resemblance to human beings; in a few hours, however, the dust of the road plastered their faces and clothes, the mud caked their lower members, and the slowly advancing mobs, frequently bent with fatigue and crazed by the brutality of their "protectors," resembled some new and strange animal species. Yet for the better part of six months, from April to October, 1915, practically all the highways in Asia Minor were crowded with these unearthly bands of exiles. They could be seen winding in and out of every valley and climbing up the sides of nearly every mountain—moving on and on, they scarcely knew whither, except that every road led to death. Village after village and town after town was evacuated of its Armenian population, under the distressing circumstances already detailed. In these six months, as far as can be ascertained, about 1,200,000 people started on this journey to the Syrian desert.

"Pray for us," they would say as they left their homes—the homes in which their ancestors had lived for 2,500 years. "We shall not see you in this world again, but sometime we shall meet. Pray for us!"

The Armenians had hardly left their native villages when the persecutions began. The roads over which they travelled were little more than donkey paths; and what had started a few hours before as an orderly procession soon became a dishevelled and scrambling mob. Women were separated from their children and husbands from their wives. The old people soon lost contact with their families and became exhausted and footsore. The Turkish drivers of the ox-carts, after extorting the last coin from their charges, would suddenly dump them and their belongings into the road, turn around, and return to the village for other victims. Thus in a short time practically everybody, young and old, was compelled to travel on foot. The gendarmes whom the Government had sent, supposedly to protect the exiles, in a very few hours became their tormentors. They followed their charges with fixed bayonets, prodding any one who showed any tendency to slacken the pace. Those who attempted to stop for rest, or who fell exhausted on the road, were compelled, with the utmost brutality, to rejoin the moving throng. They even prodded pregnant women with bayonets; if one, as frequently happened, gave birth along the road, she was immediately forced to get up and rejoin the marchers. The whole course of the journey became a perpetual struggle with the Moslem inhabitants. Detachments of gendarmes would go ahead, notifying the Kurdish tribes that their victims were approaching, and Turkish peasants were also informed that their long-waited opportunity had arrived. The Government even opened the prisons and set free the convicts, on the understanding that they should behave like good Moslems to the approaching Armenians. Thus every caravan had a continuous battle for existence with several classes of enemies—their accompanying gendarmes, the Turkish peasants and villagers, the Kurdish tribes and bands of Chétés or brigands. And we must always keep in mind that the men who might have defended these wayfarers had nearly all been killed or forced into the army as workmen, and that the exiles themselves had been systematically deprived of all weapons before the journey began.

When the victims had travelled a few hours from their starting place, the Kurds would sweep down from their mountain homes. Rushing up to the young girls, they would lift their veils and carry the pretty ones off to the hills. They would steal such children as pleased their fancy and mercilessly rob all the rest of the throng. If the exiles had started with any money or food, their assailants would appropriate it, thus leaving them a hopeless prey to starvation. They would steal their clothing, and sometimes even leave both men and women in a state of complete nudity. All the time that they were committing these depradations the Kurds would freely massacre, and the screams of women and old men would add to the general horror. Such as escaped these attacks in the open would find new terrors awaiting them in the Moslem villages. Here the Turkish roughs would fall upon the women, leaving them sometimes dead from their experiences or sometimes ravingly insane. After spending a night in a hideous encampment of this kind, the exiles, or such as had survived, would start again the next morning. The ferocity of the gendarmes apparently increased as the journey lengthened, for they seemed almost to resent the fact that part of their charges continued to live. Frequently any one who dropped on the road was bayoneted on the spot. The Armenians began to die by hundreds from hunger and thirst. Even when they came to rivers, the gendarmes, merely to torment them, would sometimes not let them drink. The hot sun of the desert burned their scantily clothed bodies, and their bare feet, treading the hot sand of the desert, became so sore that thousands fell and died or were killed where they lay. Thus, in a few days, what had been a procession of normal human beings became a stumbling horde of dust-covered skeletons, ravenously looking for scraps of food, eating any offal that came their way, crazed by the hideous sights that filled every hour of their existence, sick with all the diseases that accompany such hardships and privations, but still prodded on and on by the whips and clubs and bayonets of their executioners.

And thus, as the exiles moved, they left behind them another caravan—that of dead and unburied bodies, of old men and of women dying in the last stages of typhus, dysentery, and cholera, of little children lying on their backs and setting up their last piteous vails for food and water. There were women who held up their babies to strangers, begging them to take them and save them from their tormentors, and failing this, they would throw them into wells or leave them behind bushes, that at least they might die undisturbed. Behind was left a small army of girls who had been sold as slaves—frequently for a medjidie, or about eighty cents—and who, after serving the brutal purposes of their purchasers, were forced to lead lives of prostitution. A string of encampments, filled by the sick and the dying, mingled with the unburied or half-buried bodies of the dead, marked the course of the advancing throngs. Flocks of vultures followed them in the air, and ravenous dogs, fighting one another for the bodies of the dead, constantly pursued them. The most terrible scenes took place at the rivers, especially the Euphrates. Sometimes, when crossing this stream, the gendarmes would push the women into the water, shooting all who attempted to save themselves by swimming. Frequently the women themselves would save their honour by jumping into the river, their children in their arms.

"In the last week in June," I quote from a consular report, "several parties of Erzeroum Armenians were deported on successive days and most of them massacred on the way, either by shooting or drowning. One, Madame Zarouhi, an elderly lady of means, who was thrown into the Euphrates, saved herself by clinging to a boulder in the river. She succeeded in approaching the bank and returned to Erzeroum to hide herself in a Turkish friend's house. She told Prince Argoutinsky, the representative of the "All-Russian Urban Union" in Erzeroum, that she shuddered to recall how hundreds of children were bayoneted by the Turks and thrown into the Euphrates, and how men and women were stripped naked, tied together in hundreds, shot, and then hurled into the river. In a loop of the river near Erzinghan, she said, the thousands of dead bodies created such a barrage that the Euphrates changed its course for about a hundred yards."

It is absurd for the Turkish Government to assert that it ever seriously intended to "deport the Armenians to new homes"; the treatment which was given the convoys

clearly shows that extermination was the real purpose of Enver and Talaat. How many exiled to the south under these revolting conditions ever reached their destinations? The experiences of a single caravan show how completely this plan of deportation developed into one of annihilation. The details in question were furnished me directly by the American Consul at Aleppo, and are now on file in the State Department at Washington. On the first of June a convoy of three thousand Armenians, mostly women, girls, and children, left Harpoot. Following the usual custom the Government provided them an escort of seventy gendarmes, under the command of a Turkish leader, a Bey. In accordance with the common experience these gendarmes proved to be not their protectors, but their tormentors and their executioners. Hardly had they got well started on the road when—Bey took 400 liras from the caravan, on the plea that he was keeping it safely until their arrival at Malatia; no sooner had he robbed them of the only thing that might have provided them with food than he ran away, leaving them all to the tender mercies of the gendarmes.

All the way to Ras-ul-Ain, the first station on the Bagdad line, the existence of these wretched travellers was one prolonged horror. The gendarmes went ahead, informing the half-savage tribes of the mountains that several thousand Armenian women and girls were approaching. The Arabs and Kurds began to carry off the girls, the mountaineers fell upon them repeately, violating and killing the women, and the gendarmes themselves joined in the orgy. One by one the few men who accompanied the convoy were killed. The women had succeeded in secreting money from their persecutors, keeping it in their mouths and hair; with this they would buy horses, only to have them repeatedly stolen by the Kurdish tribesmen. Finally, the gendarmes, having robbed and beaten and violated and killed their charges for thirteen days, abandoned them altogether. Two days afterward the Kurds went through the party and rounded up all the males who still remained alive. They found about 150, their ages varying from 15 to 90 years, and these they promptly took away and butchered to the last man. But that same day another convoy from Sivas joined this one from Harpoot, increasing the numbers of the whole caravan to 18,000 people.

Another Kurdish Bey now took command, and to him, as to all men placed in the same position, the opportunity was regarded merely as one for pillage, outrage, and murder. This chieftain summoned all his followers from the mountains and invited them to work their complete will upon this great mass of Armenians. Day after day and night after night the prettiest girls were carried away; somethimes they returned in a pitiable condition that told the full story of their sufferings. Any stragglers, those who were so old and infirm and sick that they could not keep up with the marchers, were promptly killed. Whenever they reached a Turkish village all the local vagabonds were permitted to prey upon the Armenian girls. When the diminishing band reached the Euphrates they saw the bodies of 200 men floating upon the surface. By this time they had all been so repeatedly robbed that they had practically nothing left except a few ragged clothes, and even these the Kurds now took; and the large part of the convoy marched for five days almost completely naked under the scorching desert sun. For another five days they did not have a morsel of bread or a drop of water. "Hundreds fell dead on the way," the report reads, "their tongues were turned to charcoal, and when, at the end of five days, they reached a fountain, the whole convoy naturally rushed toward it. But here the policeman barred the way and forebade them to take a single drop of water. Their purpose was to sell it at from one to three liras a cup and sometimes they actually withheld the water after getting the money. At another place, where there wells, some women threw themsleves into them, as there was no rope or pail to draw up the water. These women were drowned and, in spite of that, the rest of the people drank from that well, the dead bodies still remaining there and polluting the water. Sometimes, when the wells shallow and the women could go down into them and come out again, the other people would rush to lick or suck their wet, dirty clothes, in the effort to quench their thirst. When they passed an Arab village in their naked condition the Arabs pitied them and gave them old pieces of cloth to cover themselves with. Some of the exiles who still had money bought some clothes; but some still remained who travelled thus naked all the way to the city of Aleppo. The poor women could hardly walk for shame; they all walked bent double.

On the seventieth day a few creatures reached Aleppo. Out of the combined convoy of 18,000 souls just 150 women and children reached their destination. A few of the rest, the most attractive, were still living as captives of the Kurds and Turks; all the rest were dead.

My only reason for relating such dreadful things as this is that, without the details, the English-speaking public cannot understand precisely what this nation is which we call Turkey. I have by no means told the most terrible details, for a complete narration of the most terrible details, for a complete narration of the sadistic orgies of which these Armenian men and women were the victims can never be printed in an American publication. Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecution and injustice the most debased imagination can conceive; became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared with the sufferings of the Armenian race in 1915. The slaughter of the Albigenses in the early part of the thirteenth century has always been regarded as one of the most pitiful events in history. In these outbursts of fanaticism about 60,000 people were killed. In the massacre of St. Bartholomew about 30,000 human beings lost their lives. The Sicilian Vespers, which has always figured as one of the most fiendish outbursts of this kind, caused the destruction of 8,000. Volumes have been written about the Spanish Inquisition under Torquemada, yet in the eighteen years of his administration only a little more than 8,000 heretics were done to death. Perhaps the one event in history that most resembles the Armenian deportations was the expulsion of the Jews from Spain by Ferdinand and Isabella. According to Prescott 160,000 were uprooted from their homes and scattered broadcast over Africa and Europe. Yet all these previous persecutions seem almost trivial when we compare them with the sufferings of the Armenians, in which at least 600,000 people were destroyed and perhaps as many as 1,000,000. And these earlier massacres, when we compare them with the spirit that directed the Armenian atrocities, have one feature that we can almost describe as an excuse: they were the product of religious fanaticism and most of the men and women who instigated them sincerely believed that they were devoutly serving their Maker. Undoubtedly religious fanaticism was an impelling motive with the Turkish and Kurdish rabble who slew Armenians as a service to Allah, but the men who really conceived the crime had no such motive. Practically all of them were atheists, with no more respect for Mohammedanism than for Christianity, and with them the one motive was cold-blooded, calculating state policy.

The Armenians are not the only subject people in Turkey which have suffered from this policy of making Turkey exclusively the country of the Turks. The story which I have told about the Armenians I could also tell with certain modifications about the Greeks and the Syrians. Indeed the Greeks were the first victims of this nationalizing idea. I have already described how, in the few months preceding the European War, the Ottoman Government began deporting its Greek subjects along the coast of Asia Minor. These outrages aroused little interest in Europe or the United States, yet in the space of three or four months more than 100,000 Greeks were taken from their age-long homes in the Mediterranean littoral and removed to the Greek Islands and the interior. For the larger part these were bona-fide deportations; that is, the Greek inhabitants were actually removed to new places and were not subjected to wholesale massacre. It was probably for the reason that the civilized world did not protest against these deportations that the Turks afterward decided to apply the same methods on a larger scale not only to the Greeks but to the Armenians, Syrians, Nestorians, and others of its subject peoples. In fact, Bedri Bey, the Perfect of Police at Constantinople, himself told one of my secretaries that the Turks had expelled the Greeks so successfully that they had decided to apply the same method to all the other races in the empire.

The martyrdom of the Greeks, therefore, comprised two periods: that antedating the war, and that which began in the early part of 1915. The first affected chiefly the Greeks on the seacoast of Asia Minor. The second affected those living in Thrace and in the territories surrounding the Sea of Marmora, the Dardanelles, the Bosphorus, and the coast of the Black Sea. These latter, to the extent of several hundred thousand, were sent to the interior of Asia Minor. The Turks adopted almost identically the same procedure against the Greeks as that which they had adopted against the Armenians. They began by incorporating the Greeks into the Ottoman army and then transforming them into labour battalions, using them to build roads in the Caucasus and other scenes of action. These Greek soldiers, just like the Armenians, died by thousands from cold, hunger, and other privations. The same house-to-house searches for hidden weapons took place in the Greek villages, and Greek men and women were beaten and tortured just as were their fellow Armenians. The Greeks had to submit to the same forced requisitions, which amounted in their case, as in the case of the Armenians, merely to plundering on a wholesale scale.

The Turks attempted to force the Greek subjects to become Mohammedans; Greek girls, just like Armenian girls, were stolen and taken to Turkish harems and Greek boys were kidnapped and placed in Moslem households. The Greeks, just like the Armenians, were accused of disloyalty to the Ottoman Government; the Turks accused them of furnishing supplies to the English submarines in the Marmora and also of acting as spies. The Turks also declared that the Greeks were not loyal to the Ottoman Government, and that they looked forward to the day when the Greeks inside of Turkey would become part of Greece. These latter charges were unquestionably true; that the Greeks, after suffering for five centuries the most unspeakable outrages at the hands of the Turks, should look longingly to the day when their territory should be part of the fatherland, was to be expected. The Turks, as in the case of the Armenians, seized upon this as an excuse for a violent onslaught on the whole race. Everywhere the Greeks were gathered in groups and, under so-called protection of Turkish gendarms, they were transported, the larger part on foot, into the interior. Just how many were scattered in this fashion is not definitely known, the estimates varying anywhere from 200,000 up to 1,000,000. These caravans suffered great privation, but they were not submitted to general massacre as were the Armenians, and this is probably the reason why the outside world has not heard so much about them. The Turks showed them this greater consideration not from any motive of pity.

The Greeks, unlike the Armenians, had a government which was vitally interested in their welfare. At this time there was a general apprehension among the Teutonic Allies that Greece would enter the war on the side of the Entente, and a wholesale massacre of Greeks in Aisa Minor would unquestionably have produced such a state of mind in Greece that its pro-German king would have been unable longer to keep his country out of the war. It was only a matter of state policy, therefore, that saved these Greek subjects of Turkey from all the horrors that befell the Armenians. But their sufferings are still terrible, and constitute another chapter in the long story of crimes for which civilization will hold the Turk responsible.

EXHIBIT 2

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Ohannes Averdissian
Address: 3421 W. Chester Pk., Newtown Sq., PA
Tel. No.: 353-1066
Age: 90
Number of loved ones massacred: 42-45

A short life story: Was 14 yrs. old when my father, two uncles, five aunts, their husbands and children were massacred. I was saved by a Turk neighbor. About 14-18 of my classmates 14-16 yrs. old were massacred. I used to go and watch the pile of dead corpses. In 1922 on my way to Syria I saw a pile of human bones near Derzor which was estimated to be the bones of 200,000 Armenians. These bones were later buried by the French and some were taken to the Great House of Cilicia in Lebanon and put in the archives. I don't have many years left, but I hope, Senator Specter, you will help pass Senate Joint Resolution 212, so I can die in peace knowing that partial justice was done, and all those innocent victims will not be forgotten.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: John Alabilikian
Address: 132 Charles Dr., Havertown, PA.
Tel. No.: H16-9304
Age: 82
Number of loved ones massacred: 10

A short life story: My Grandmother, Father, Mother and Baby Brother in my mother's arms were killed in 1915. They were peace-loving people. I saw them killed with my own eyes.

I was left an orphan at the age of six. When I lost my family I lived with a Turkish one until I was put in an Armenian Orphanage. I stayed here for 3 years until I came to the United States.

The story of my life and of the Armenian Genocide has been documented on tape and is housed in the Museum on Ellis Island. It has also been published in Newsweek, Sept. 1986 and National Park Magazine July 1986. The Museum also has my documents in their archives.

John Alabilikian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Noeruzar Der-Bedrossian.
Address: 1147 Morris Rd., Wynnewood, Pa. 19096.
Tel. No.: Mi-9-3572.
Age: 90.
Number of loved ones massacred: 62.

A short life story: My family was: My father 42 years old, my mother 32 years, my brothers 21 years, 6 years, and 14 years, my sisters 10 and 1 years old. I was 15 years old. In 1915, my father, who was the head of all Armenians, and was a deputy in the Government was caught with all the famous personalities of Oueja, OIS, archbishop, bishop, priests, lawyers, doctors, etc. He had a uniform and a sword given by the Sultan before his fall. My father after 52 days of imprisonment was tortured and killed. My brother of 22 years was hanged. My brother of 14 years was shot, then attached to the tail of a horse, dragged him in the city, and was killed like that. My mother, my sister of 10 years, my brother of 6 and my sister of one year were driven into the desert and hungry, died in the desert.

In the past, my father had helped a German doctor, who was a missionary in Oueja. So during the genocide, my mother took me to him, who kept me during all the massacre: The name of the doctor was Dr. Yacoub Kunzler; after peace I was sent to Aleppo, Syria, where I found my fiance, Bedros Der-bedrojsiah. My husband, Bedros was the survivor of seven brothers, all married, children, all massacred.

My uncles, my aunts, my grand parents, married with children, massacred.

So I am the only survivor of all 62 members; and I survived thanks to Dr. Kunzler.

Noyemzar Der-Bedrossian (Ymiszian)

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Makroohi Barsamian. Address: 2951 Dawn Terrace, Broomall. Telephone no: 215-356-3937. Age: 86. Number of loved ones massacred: 15 at least.

A short life story: I was born in Yozgat, Turkey, in 1903. I was an eyewitness to the killing of the Armenians by the Turks. My father and all the male members of my family were rounded up and taken away—we never saw any of them again. The Turks then came for the women and children. Only 3 of us from my family were saved from being killed.

We came to America in 1921. I am the only one of my entire family living now. I am a survivor of the 1915 Genocide.

This was a Genocide—without question.

Makroohi Barsamian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Armen Derderian. Address: 20 Bishop Hollow Road Apt. H-12, Newtown Sq. Pa. 19073 Telephone No.: (215) 356-8817. Age: 82, Number of loved ones massacred: 10.

A short life story: My father was deported from his house and killed with his brother and sisters. Thank's to a very nice Turk neighbor they kept my mother and her three children because my mother used to do their house work. For one year this family kept us but when the government heard that here and there were some hidden Armenians, they called everybody that whoever was caught with Armenian families were going to be punished, this man called my mother and told her that this animals are going to come after you and us, so tonight I'm going to put on one of my donkeys with your three children and you have to leave before the day breaks. So me and my brother—I was seven my brother 10—we led the donkey and for days we traveled through the Syrian desert to Aleppo. In 1971 we emigrated to U.S.A. I am 82 years old and I have stories in me that if I tell, you'll have goose bumps.

For the past 75 years I haven't forgotten the massacre and no Armenian should forget it because its a big scare in our hearts.

Armen Derderian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Dr. Charles N. Mahjoubian.
Address: 26 Windsor Circle, Wayne, PA 19087.
Tel. No.: 215-640-1752.
Age: 82.
Number of loved ones massacred: On Mother's side ten of eleven died on the road.

A short life story: My family had advance information on what the intention of the government was and we managed to return home after we were taken to the railroad station. The governor General opposed the deportation. My birthplace being the railroad service area, the governor saved Armenian according to law and on his courage, justice, and humanity saving 50,000 out of the 500,000 being deported by rail as the last phase of deportation which lasted only eight months from April to November, 1915.

Deportation was called "extermination" by missionaries and consuls because of the way deportation worked as a usual procedure in the undeveloped country. The deportees were under military/gendarmery control who had life and death power over them. In stead of protecting the deportees, the gendarms protected the criminals who were let loose to do the killings and other crimes. The crimes occurred in the millions of square miles of the Ottoman empire leaving the partially or totally unburied bodies to spread epidemic among the Muslim population. Also deporting about 2 million Armenians denied the population of their productivity. Also Armenians were disarmed and could not resist the crimes which were administered before their very eyes.

I was eight years old and at times I went to the camp with my grandfather while Governors sorting of deportees was taking place for a month.

The governor resigned under threat of punishment and the next Governor carried out the order of the gangster government of the Committee for Union and Progress.

More relevant information is furnished in a separate envelope.

Charles N. Mahjoubian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Kaloust Derminassian.

Address: 3821 Plumstead Ave., Drexel Hill, PA 19026.

Tel. No.: (215) 259-8312.

Age: 95, (Born in Deort Yol) 1895.

Number of loved ones massacred: 70 members.

A short life story: "We were deported first to Alleppo, and from Alleppo to Rakka (Syrian Desert) where most of our dynasty perished. I survived with my aunt and my cousin. From Rakka we were deported walking over 200 miles, to Der-El Zor. There, my cousin perished. In the Desert, all the survivors made their camp. Suddenly, there was an attack on us by "chechens". I was one of the few who survived. My family thought that I was dead however I survived with the help of the Arab Bedouins. After a long journey I came back to Rakka naked and starving. I stayed there until the end of the war. This is a small episode of a very long story."

Kaloust Derminassian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Enza Tarakjian.

Address: 310 Gramont Lane, Villanova, PA 19085.

Tel. No.: (215) 527-4388.

Age: 68 Born in Kilis (Turkey).

Number of loved ones massacred: Mother and 3 brothers.

A short life story: During the first World War one, my family was deported to Selemiya (a town in Central Syria), my three brothers were starved to death. After the war, with the victorious French army, my family returned to Kilis where I was born. When Mustafa Kemal came to power and the French decided to neglect the Armenians and withdrew from Cilicia, the Turks massacred the Armenians of Hajen, Marash and Adana. At that time, my father decides to run away from Kilis like many Armenians. The night before Turks attacked our house, to rob my father after robbing us, they shot to death my mother and my younger sister who was only two months old, gets injured from her forehead while in my mother's arms. That's how we, four sisters, grew orphans from my mother, besides losing all our properties.

Enza Tarakjian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Ester Avedissian.

Address: 3421 W. Chester Pk., Newtown Sq., PA.

Tel. No.: 353-1066.

Age: 82.

Number of loved ones massacred: 35-40.

A short life story: I lost my father, brother, three uncles, three aunts, many cousins and nephews. I still remember how my father and brother were taken in the middle of the night and massacred. I was left an orphan with my sister.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Elize Megerian.

Address: 809 Ellis Ave. Newtown Sq., PA 19073.

Tel. No.: 356-8126.

Age: 80.

Number of loved ones massacred: 35-40.

A short life story: 6 years old when massacre happened. They were chased from homes. Many were whipped. They had no food and ate weeds, some were wild and poisoned mouths. The brides jumped in rivers to keep themselves from being raped. Three cousins (young girls) jumped in rivers so they wouldn't get raped. Cousins, aunts, uncles, neighbors died.

Elize Megerian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Terranda Derminassian.

Address: 3821 Plumstead Ave. Drexel Hill, PA. 19026.

Tel. No.: (215) 259-8312.

Age: 86 (She was 11 yrs old in 1915).

Number of loved ones massacred: 15 people.

A short life story: My family was deported to Alleppo by railroad and carts. My father and my uncles were craftsmen, that's why we weren't deported to the deserts. The Turks needed their labor. Instead of the desert, we were sent to the town of Bab, we were separated from my father and his brothers. We were put in a woman's shelter. We survived by eating wild vegetables, or any thing we could find on the street. We lived this way for four years and my mother and I survived by a miracle.

Terranda Derminassian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Deroohe H. Mahjoubian.

Address: 26 Wingsor Circle, Wayne, PA 19087.

Tel. No.: 215-640-1762.

Age: 74.

Number of loved ones massacred: three.

A short life story: I survived because I was a baby and was left with my grandmother who was kept as a cook by the Pasha who moved into our house as the rest of the family was deported. My father escaped from the caravan and grandmother kept him hidden for a while then he was arrested and was in prison when Armistice was signed.

Deroohe H. Mahjoubian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Sirvart Aspajian.

Address: 261 Hemlock Lake, Springfield, PA 19064.

Tel. No.: (215) 544-1210.

Age: 75 years old. Born in Evereg, 1914.

Number of loved ones massacred: Five uncles and 1 aunt with all their families, and my father.

A short life story: What I remember when I was a child, me and my mother with my 2 sisters were living among Kurks in a Kurdith village. Our house was a stable living with animals. After the war was over Armenians came to this Kurdish village. They took us to an orphange in Aleppo, where I grew up.

Sirvart Arpajian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Mrs. Arousiag Baltian.

Address: 6201 Washington Ave., Phila., PA 19143.

Age: 86.

Number of loved ones massacred: One—father.

A short life story: Her father came to the United States in 1914 and then in 1915 went back to Turkey. He was put in jail there and then they set fire to the jail and all perished.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Nigoghosk Boyadjian.

Address: 2981 Eastburn Ave., Broomall, PA 19008.

Tel. No.: (215) 356-7265.

Age: Born 1901, Neide, Turkey.

Number of loved ones massacred: Four uncles with all their families.

A short life story: I was 14 years old, when our family with 5 uncles and their families, with other Armenians from Neide were deported to Adana and from Adana to Aleppo. In Aleppo my father and one of my uncles were deported to Damascus by train. My father could do this by paying some bribe to Turkish officer who happened to be from our town. My four other uncles with their families were sent to Syrian desert, where they were massacred. We could be saved because we were sent to Damascus. After the war was over my brother-in-law had come to U.S.A. in 1913. He was a physician M.D. My brother-in-law sent me money. That's how I came here and joined my sister.

Nigoghos K. Boyadjian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Avedis Khantzian.

Address: 9-4 Wilde Ave., Drexel Hill, PA 19026.

Tel. No.: (215) 259-7601.

Age: Born 09/05/1911—Malatia, Turkey.

Number of loved ones massacred: Two uncles, two aunts with all their family members.

A short life story: What I remember, they asked all Armenians to be gathered out of town, with their personal belongings only. There, Turks separated us into different groups and each group was deported in different directions under watchful eyes of Turkish gendarmeries. I was saved, thanks to my aunt, because she could make shoes for Turks. She got permission to stay in Malatia, and she told I was her son. After the war was over and Malatia Kewal came to power, we were allowed to move to Heippo and from there I came to U.S.A.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Vertime Satian Semeryian.

Address: 1425 Brierwood Rd., Havertown, PA.

Tel. No.: 215-449-0328.

89—now deceased (3 years).

Number of loved ones massacred: 15—in family.

A short life story: Vertime came to U.S.A. in 1922 and told this story to me, her daughter.

In 1915 the Turkish soldiers came and took her father away and he was never seen again.

We know this was a genocide and that this tragedy should be recognized.

Mary Semeryian Heslip.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Garbes Garabedian.

Address: 824 Fairziz Rd., Drexel Hill, PA 19026.

Tel. No.: 215-789-3959.

Age: 85.

Number of loved ones massacred: 11.

A short life story: Born in 1904 in Turkey, Town of Nevshhor. I am one of the survivors from 4,500 people. Only five saved from this genocide, I am one of them.

Garbes Garabedian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Mary Derderian.

Address: 20 Bishop Hollow Rd., Apt. H-12, Newton Sq., Pa. 19073

Tel. No.: (215) 356-8817.

Age: 76.

Number of loved ones massacred: All family and all relatives.

A short life story: I was nine months old baby, the first of my parents whom I never saw, and up today I don't know what's mother love is because I didn't feel it. The Turks deprived me of it.

Thanks to my one aunt she found me in the rubbles and raised me until I was ten. After that I was sent to a foster house where I was raised as their maid for ten years then I married at twenty to my husband in 1934. It was our 54th anniversary this year. The hurt of never feeling a mothers love and fathers love is very deep.

Mary Derderian.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Sarkis Kechian.

Address: 58 North Keystone Ave.

Tel. No.: 352-8171.

Age: 79.

Number of loved ones massacred: 8.

A short life story: Sarkis Kechian was 4 years old when he fled from Adana and he was hungry for 3 days. One day he found a rotten orange, which the people fed him so he won't die. Then he fled to Palistan and France and England came and took all the orphans to Posaiele, and in the tents they fed them. Then the French people took them to Adana, because they had captured it. Then again they fled to Sanchack and then fled to Lebanon, wher he was put in an orphanage. When all this happened he was separated from his mom. When they go to Lebanon at age 15, he was reunited with his mom.

A SURVIVOR OF THE ARMENIAN GENOCIDE

Name: Asdghig Keshgegian.

Address: 5836 N. 4th St., Phila., PA 19120.

Tel. No.: (215) WA4-6841.

Age: 76.

Number of loved ones massacred: 3.

A short life story: Was deported into desert as an infant with her mother. Her father and two sisters were killed.

Mr. BYRD. I yield 10 minutes to the distinguished Senator from Virginia [Mr. WARNER].

The PRESIDING OFFICER. The Senator from Virginia is recognized for 10 minutes.

Mr. WARNER. Mr. President, I draw on the last comments of my distinguished colleague and refer to the bonds of this institution which have held it together these many years and which make it possible for Senators, no matter how deep the friendship exists between them or how great the mutual respect, to rise on this floor and express to one another our free will and our own independent conclusions.

In each Senator's career, there are moments he or she shall remember, and I will indeed remember this one, because I rise to speak in opposition to my dear friend, the Senator from Kansas, the leader of my party, on the substantive issues of this debate. But I further believe that, as the elected leader, he has a very special privilege to have this body address his proposal in such a way as we can express our decision, as we say, on an up-or-down vote. I will therefore support him on this first vote. Thereafter I will vote in support of my own convictions on the substantive issues.

There are three reasons that I believe we should not adopt the resolution, on an up-and-down vote, as now proposed by the distinguished Senator from Kansas.

First, what are the facts? Is there anyone among us who can say with certainty that all, or the greater part, of the facts that are relevent to this issue are before this body? Are all the known vaults of knowledge across the world freely accessible for objective study and analysis? I believe not. I am told that certain libraries, or caches of books and papers, are not being opened.

Therefore, we are proceeding without the full benefit of the analysis of relevant facts on a most serious and grave international issue.

The second reason is the instability that now prevails in certain areas of central Europe and the Soviet Union that could quickly impact on what we call the flanks of NATO. The flanks are always vulnerable to instability. The march of democracy has been dramatic, unforseen, unprecedented in its speed in central Europe, and to a certain extent, the Soviet Union. But accompanying that has been a measure of political, economic, and, indeed, military instability. That is why I support ever so strongly the continued presence of our troops in central Europe and on NATO's flanks—including those troops stationed in Turkey—at or about the levels recommended by the President of the United States.

We, in what I perceive as the new world, sometimes have great difficulty in understanding the motivations of those who live in Europe, the old world. Particularly in those areas which have experienced ancient civilizations such as the Ottoman Empire, which spanned several centuries. Often, we have difficulty understanding why ethnic groups in those areas continue to harbor feelings which have roots that go back for centuries.

We are witnessing today in the Soviet Republics of Azerbaijan, Tadzhikistan, and Uzbekistan killing, pillaging, civil strife. Each day we hear news of incredible human suffering.

Speaking for one Senator, I have difficulty understanding how these people can fall upon each other, creating death and destruction and compounding the misery of their own lifestyles with this self-inflicted human suffering.

Can anyone in this institution predict with certainty that if we were to adopt this resolution that we would not foster further human suffering and death in certain areas of Turkey and perhaps in other areas of Europe and the Soviet Union where there coexist Armenians and others of different ethnic background? Is this resolution worth the price of another human being's life? We have to ask ourselves that question before we cast our votes.

I, for one, think the United States at this point in time, with the dramatic unfolding of history throughout the world, should do everything we can to reach out and help convey the message of stability and peace and be ever so cautious about any steps we take, be they this resolution or drastic cutbacks in our own national security, for fear we could bring about greater instability and human suffering.

Lastly, the national security implications. I have had the opportunity to visit Turkey, the southern flank of NATO, now off and on for 20 years. It was exactly 20 years ago this month that I was privileged to join the Department of Defense and work for the Department of the Navy. During the course of these 20 years, except for a brief hiatus, I have had special responsibilities with respect to NATO.

Today, NATO is going through a reexamination to establish its future credibility and value as a peacekeeping bond between nations. It is essential that NATO go forward. We cannot predict with certainty exactly how it will fulfill its missions in the wake of this march for democracy in central Europe. But we do know, each of us, instinctively, that it must remain, that it must remain strong and that we, the United States, must exercise a role of leadership in maintaining, to the maximum extent possible, harmonious relationships between the member nations.

Turkey has been a very bold and courageous member of this alliance. Geographically, it is in a strategic location, bordering the Soviet Union and Persian Gulf nations. I know the distinguished Senator from West Virginia has visited there, as have I.

The PRESIDING OFFICER. The time allocated for the Senator from Virginia has expired.

Mr. WARNER. If I could have 1½ minutes additional?

Mr. BYRD. I yield an additional 1½ minutes to the able Senator.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 1½ minutes.

Mr. WARNER. Mr. President, we must bear our responsibility as a member nation of NATO to promote harmony among other member nations of NATO, to continue to try to provide stability in this remarkable period of change. I think it is important that we recognize the strong feelings of Turkey, feelings that are deeply rooted. Likewise we must recognize the suffering and death of incalculable numbers of Armenians throughout history. We must find ways to help them that do not impair and impinge upon the relationship between Turkey and the NATO alliance.

It is for these reasons and others that I shall oppose Mr. DOLE's current form of proposal.

The PRESIDING OFFICER. Who yields time?

Mr. SIMON. Mr. President, I am authorized to yield myself 5 minutes on behalf of the minority leader.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 5 minutes with time chargeable to the minority leader.

Mr. SIMON. Mr. President, let me—and I have spoken twice on this issue already—respond to my distinguished friend from Virginia, Senator WARNER. He brings up basically three points: No. 1, are all the facts before us? And the answer is all the facts are never completely before us. If we were debating the holocaust, they would not all be before us. We do not need to wait until we get all the facts before we can make a decision. We do know enough of the facts, and that is, at a minimum, hundreds of thousands of people were slain simply because they were Armenians. That is the reality.

Many will put that number higher. I wish there were a good scholarly book. If there is anyone from a university press watching this proceeding, I hope someone will do it.

But the evidence is just overwhelming that genocide occurred. There is no question about it. We do not have all the facts, but we have enough of the facts that we can make a judgment.

The second question the Senator from Virginia asks is, Will we foster further suffering and death? And here is a judgment call. The conclusion of the Senator from Virginia is that we might. My conclusion is a different one. My conclusion is when we stand up for human rights, whether it is the holocaust, whether it is the question of Armenians, whether it is human rights in China, we discourage future suffering.

This is a judgment call, I confess. My judgment on this is it differs from the Senator from Virginia. Finally, he brings up the whole question of our relationship with Turkey. Again, here, it seems to me, we do have an interest. We have two interests here: One is to maintain a good relationship with the Government of Turkey, and I want to do that. I have also visited Turkey. But this resolution does not condemn that present Government of Turkey. It does not condemn the people of Turkey. It talks about something that took place many decades ago. If the Government of Turkey, for example, the Parliament of Turkey, were to adopt a resolution condemning slavery in our country or the way we treated American Indians or what we did to Japanese-Americans, I would not consider that an insult to those of us sitting in the United States Senate today, nor to the people of this country today. Our record in the area of human rights is not a perfect one any more than it is of any government. What is, I think, in our national interest is to stand up clearly, firmly for human rights, and that is what the resolution does.

Finally, Mr. President, I want to commend the minority leader. I have great respect for the President pro tempore, as he knows, but I want to commend particularly the minority leader for standing up. We go through this business of making speeches and you can from time to time sense when someone is doing something because there is a passion there and when you are doing it routinely. I sense, to the credit of Senator DOLE, there is a passion on this issue. He really believes strongly, as do I. I hope we will follow the minority leader and vote for this resolution.

The PRESIDING OFFICER. The time allocated to the Senator from Illinois has expired.

PRIVILEGE OF THE FLOOR

Mr. BYRD. Mr. President, I ask unanimous consent that Joseph Le Baron, a congressional fellow with the Democratic Policy Committee, be given the privilege of the floor on the motion to proceed to Senate Joint Resolution 212.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I yield 2 minutes to the distinguished Senator from Wyoming [Mr. WALLOP].

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 10 minutes.

Mr. WALLOP. Mr. President, I thank the able Senator from West Virginia. It is a pretty rare event in my life that I find myself on the floor of the U.S. Senate arguing against the policy of the Senator from Kansas [Mr. DOLE]. In my 14th year of service, I can remember no time when I have actually risen to oppose an initiative of his. But today I do, and I do so not with reluctance, but with regret.

I think that this is the wrong thing to do. I think it is poorly conceived, and I think it is dangerous to the interests of the country we both serve.

Mr. President, our friend and great ally Turkey is located in a region dominated by turmoil. The Republic of Turkey was born in the aftermath of World War I and the Bolshevik Revolution. Now, all around her, the Bolshevik order is collapsing and the post-World War II system is collapsing.

To her east and southeast are Iran, Iraq, and Syria—countries where war, revolution, nerve gas, and medium range rockets are the order of the day. Frankly, Mr. President, I think those geostrategic factors alone should deter us from this resolution, but there is more to be said.

We are being asked to accept one version of the events in question, and much time has been spent during this debate on the question of whose version of events is correct. Clearly it is very hard to tell, and yet we are asked to make profoundly moral judgments with such faulty information.

Some things are disputed, others are not. What is not? Well, it was the middle of World War I when all this happened. I do not know why the events of 1921–23 are included here. Turkey was already out of the war, the Bolsheviks had suppressed the independent Armenian state. The Russo-Turkish treaty had been signed, establishing their common border. There was no more Turkish involvement. Where does all this "1923" come from?

Next, some Armenians were in revolt. They do not deny this. They acknowledge it. They are even proud of it. They were in revolt against their own government, and collaborated with its enemies. Do not misunderstand. I do not argue that that is justification for atrocities and it is no excuse for anything. It simply must be borne in mind that this was not like some of the instances which have been cited in debate, where the world has condemned events and called them genocide.

The old Ottoman government, which the Turks themselves overthrew, may have been bad, even venal, but it was not simply a matter of going after an innocent population. It was the middle of the war, and many were in revolt. That is in addition to those Armenians who were fighting with the Russians against the Ottomans until 1917, when the Bolsheviks took power and Russia withdrew from the war. And much of what we are talking about, however it is characterized, took place between 1915 and 1917. I repeat, Mr. President, 1915–17. Not 1920 or 1921, certainly not 1923, not the Turks.

I do not believe anyone has said anything about the Turkish view of these events either, and that needs to be said as well. Yes, there were mass deportations of Armenians. Is that alone, at that time and place, criminal under these conditions? There were also disease and famine. Will it make a difference to history to determine how many died of disease and poor conditions? Do we know? These are weighty and terrifying questions of human life and morality. I do not believe we have looked at these grisly aspects of a terrible time. What is going on in Armenia and Azerbaijan today pales by comparison, and we are shocked by those events.

Some of the Iraqi Kurdish refugees whom Turkey has taken in during the last year and is supporting with the help of the United States and the United Nations have suffered from poor conditions, and the United States

and the United Nations have provided funds and advice to help Turkey cope with these people. Some are even the victims of having been gassed by their own government. How do we describe those deaths? Some from cold, or disease, the latent effects of the gassings, age, heart attack? Is it genocide? Are the gassings genocide—or do we have another description for that horror?

Nobody denies the deaths of the Armenians, but what about Turkish civilian deaths? There were at least as many, and a large number at the hands of Armenians, as well as the Russian army. Was their suffering less? Do their grandchildren bear less of a burden?

I will return to these themes, Mr. President, but must say something about this friend and ally itself.

Turkey today, which is 98 percent Moslem, still sits in that dangerous part of the world. When the Turkish Republic emerged from the ruins of the Ottoman Empire after World War I it adopted our Western values and has worked to live up to those standards even since.

Compare the history of Turkey since 1923 with that of Germany or Russia, let alone the Communist countries. Turkey confronted the job of nation-building and, as far as one can tell, did far better than most of their neighbors in Eastern Europe or neighboring Arab countries.

The peace treaties at the end of World War I obligated the Turks to do certain things, and they have done them. At that time, Mr. President, the Armenians, whose sufferings I do not deny or minimize, approached the peace conferences. For all the talk of cables and reports and eyewitness accounts, the world did not see it that way then and there. They did not order Turkish reparations be paid to the Armenians. Remember the effect of war reparations on Germany and the rise of Hitler.

As for earlier proceedings of the Senate, which the distinguished leader of my own party and the distinguished president pro tempore discussed yesterday on the floor, I must simply say that the judgment of our predecessors in the 1920's on the events of their day in Europe did not in every case prove to be informed or lead to successful policy.

That same Senate was unwilling to support President Wilson's efforts in Europe. So even then, Mr. President, and in every forum, there was not only information which was debated in different ways, but our own needs to be considered, even if the judgment which was exercised was not always correct. Is the Senate of that time indirectly complicitous in World War II because it refused to let the United States join the League of Nations after World War I, or because it did not object to the high reparations which Germany had to pay France, or to the territorial claims of France against Germany?

Indeed, Turkey managed to understand very well the threats around her in those years after World War I, just as she does today. When the Fascists came to power in Italy and the Nazis in Germany, the United States remained isolationist.

After war broke out, Turkey had to mobilize her army, just in case, and late in the war entered on our side. Turkey made the kind of commitment then after World War II which eluded the United States after World War I.

Why then is it that just in the last few years have Armenian terror groups appeared on the world stage? I do not in any way reference the thousands of upstanding Armenian Americans who have denounced the terror, expressed their legitimate rage, and rightfully protested. No, Mr. President, I refer to real terror groups and ask why now, in the last decade, are they going after Turkey?

How many have been trained by the PLO or in Libya? I think our FBI and CIA know. Where were these supporters of a commemorative in the 1950's or the 1960's, before international terror, with the help of the KGB before Gorbachev, became so widespread? And why is it just now, with the collapse of the U.S.S.R. and the attempt to dismember it into independent states, that we, of all people, should get involved in attacking the territorial integrity of an ally?

Make no mistake. My good friend, the leader of my party in the Senate, has referred to David and Goliath, little Armenia and big Turkey. I think I see it differently than my friend Senator DOLE, who is, I know in good conscience, of a different opinion. I see a Russian Goliath about to be dismembered by the little Davids who made it up, but Turkey, too, is David across the border.

Who are we to support the redrawing of the Russo-Turkish border? That is what Armenia says she wants. Nagorno-Karabag and the redrawing of the border. Mount Ararat, the symbol of Armenian life, is in Turkey, Mr. President. And it is the Armenian Supreme Soviet, its legislature, which has established a commission to "examine," that is to say, to undermine and repudiate, that 1921 treaty.

Mr. President, at the end of World War II, the United States invested manpower and money in preventing the Soviet takeover of northern Iran, again in the news every day. We recognized the threat to democracy there. There was a Soviet supported insurgency, and we fought it with the Marshall Plan and in other ways. Just in our time, almost 50 years later, is it becoming clear that the battle may be over.

Since those first days after World War II, Turkey has been our faithful ally. She fought with us in Korea. Need I even say anything about it? The Turks were there. They fought hard. They were decorated. We did not wonder about them.

Much has been said about whether the Nazi Germans and the Turks have a similar past. Mr. President, the world saw fit to occupy Germany, but certainly not to visit guilt and responsibility on the children, and the later generations.

However, we have always been cautious about German troops getting involved outside NATO. They even back off of U.S. peacekeeping duty of their own accord. We never worried about the Turks. Why now, with Armenia and Azerbaijan in flames once again, are these questions out there?

The course to democracy in Turkey has not been easy, Mr. President, and we all know the trials and tribulations too well. The Turkish population, Turkish institutions, and the Turkish military have all shown their devotion to civilian democracy. Who else in that area, Mr. President, can say that? The U.S.S.R.? Soviet Armenia? Bulgaria? Romania? Iran?

Mr. President, I think we are riding the wrong horse here. I do not mean the horse of freedom for the peoples of the U.S.S.R. But I do mean that we are riding toward border disputes and undoing the Turkish border. I have not heard much here about the role of Armenian lobbyists, only the role of Turkish lobbyists. Has there not been lobbying on both sides?

It has been said that the Turkish Ambassador has been here, but Armenia has no lobbyists. I wonder, then, who has supplied all the materials which the other side is entering into the record? Has not the distinguished Governor of California himself lobbied?

Mr. President, Turkey should serve as an inspiration for the region, both in Europe and in the Middle East. Despite the difficulties of their struggle, Turkey remains on the democratic path. There are fair and free elections. Where else in that part of the world? Only in Israel and Greece.

Here, however, we endanger them. It should be a source of pride to us all that, apart from this resolution, relations between our two countries are good. Turkish-American relations have been good under various administrations, even despite some disagreements, and under different governments in Turkey. I hope we do not squander that source of good will by our actions here. I fear the divisiveness it may bring.

Mr. President, Turkey has been so helpful to us in NATO that it hardly needs repeating here. With her long Soviet border and hostile neighbors,

she has done more than her duty, carried more than her share. Turkey has been our full partner over the years.

We have a few thousand advisers there, but the Turks really do the job for us and the rest of the allies. The missions which NATO gave Turkey have always been critical ones and she has done them well, and when we asked that alliance members increase military expenditures by 3 percent in real dollars Turkey averaged 4.4 percent, dropping back to 3.5 percent in 1988, still more than we asked.

Mr. President, what will the Turkish population say to this decree? With the turmoil in the Soviet Union and Eastern Europe that may continue for some time, I am truly worried about where this may lead us.

I think this is the beginning of the latest chapter in ethnic conflict which bodes ill for us and for Turkey. She must see the possibility of turmoil near her borders and wonder how reliable we really are. Do not forget: it has been a Soviet goal to separate Turkey from NATO, just as they wanted to sever us from Western Europe.

Mr. President, Turkey is unique among our friends. We all know that. Why have we not even granted her a full hearing? Why has it come to parliamentary procedure to assure at least a partial hearing? Are we really satisfied that this is the right way to proceed? I am not. I do not deny the tragedy, but I fear we are laying the foundation for another one, far greater than most of us imagine.

Mr. President, there is much to be examined here and we could have examined a good deal of that had the interest been in the committee to hold a hearing on these events and have them flushed out in the appropriate arena. Absent that, we are toying with the fate and feelings of a loyal ally that fought with us in Korea, fought with us every step along the way, and has the longest border with the Soviet Union of any country in NATO. We dare not do this lightly, Mr. President.

The PRESIDING OFFICER (Mr. LIEBERMAN). Who yields time?

Mr. BYRD. Mr. President, I thank the distinguished Senator from Wyoming for an excellent statement, and I thank the distinguished Senator from Virginia [Mr. WARNER] for an excellent statement.

I wonder if the other side now could produce a speaker so that we could keep the time pretty much evenly running between the two sides.

Mr. President, I ask unanimous consent that for the next 2 minutes the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, the two sides I understand are awaiting the arrival of speakers. I ask unanimous consent that the next 3 minutes not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, how much time remains to the two sides?

The PRESIDING OFFICER. The proponents control 42 minutes and the opponents 34 minutes.

Mr. BYRD. Mr. President, I shall try to give just a little more time to the speakers who are arriving. I ask unanimous consent, and I trust that I will not be perceived as intruding on the two leaders in extending this time. It has the effect of extending the time. I believe one of the speakers has probably arrived.

So I ask that the time begin running when the distinguished Senator from New Jersey has taken the floor.

Mr. LAUTENBERG. I thank the distinguished President pro tempore for his always kind remarks even at those times, Mr. President, when we may disagree on an issue. It is never easy to disagree with the distinguished Senator from West Virginia, whose leadership has been demonstrated here for so many years, and whose views and comments are very hard to argue with.

Mr. President, I am asking unanimous consent that 5 minutes from the Republican leaders time be made available to me.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. LAUTENBERG. Thank you, Mr. President.

Mr. President, I rise today in support of Senate Joint Resolution 212, to establish a National Day of Remembrance of the Armenian Genocide of 1915–23. I am pleased to be a cosponsor of this joint resolution. With its passage, we will recognize the first genocide of the 20th century.

Between 1915 and 1918, over 1½ million Armenians perished of starvation and butchery at the hands of the Ottoman Empire. The genocide involved not only the killing of innocents but their forcible deportation across Asia Minor. They were persecuted, banished, and slaughtered while much of Europe was engaged in World War I.

Mr. President, in the debate on the motion to proceed to this resolution, a great deal has been said about our relations with the Republic of Turkey. I want to make one thing perfectly clear. This resolution goes out of its way to distinguish between the acts that occurred under the Ottoman Empire and the modern-day Government of Turkey.

Turkey is our valued ally, one which has contributed much to NATO. My support of this resolution is in no way meant to change or undercut that relationship.

I understand that the Turkish Government strongly opposes this resolution. It has been suggested that we should refrain from proceeding to and adopting this resolution, because it would be an affront to our ally.

Mr. President, I cannot agree.

Turkey is indeed a valued NATO ally and an important friend of the United States. It is in a part of the world where it is surrounded by a sea of hostility. I have met with many of the representatives of the Turkish Government, and with Turkish-Americans about this resolution, and have listened to their concerns in detail. I appreciate their pride in their country. I recognize their important strategic relationship to the United States.

But these are not reasons to ignore or deny historical evidence. To deny these facts is not only to downgrade the horror of the Armenian killings, but to remove the underpinnings of human progress. Remembrance is a way to serve notice on those who would perpetrate future atrocities that we will not forget, nor permit such horrors to happen again.

This resolution does not blame modern-day Turkey. The events in question occurred in 1915–23. We refer to actions of the Ottoman Empire.

Mr. President, West Germany is no less of an ally because we recognize the Holocaust, or because we are building a museum to remember it. West Germany and its people acknowledge the Holocaust and the Nazi mistreatment and slaughter of 6 million Jews and tens of thousands of other Europeans. The German people continue to grapple with that horrible chapter of their history.

We in the United States have recognized the sad chapters in our own history and have tried to make redress. Most recently, we enacted legislation to make reparations to Asian Americans who were incarcerated during World War II. We remember the enslavement of black Americans and continue to this day to address the legacy of pain and injury that black Americans have inherited from that chapter in American history.

Senate Joint Resolution 212 acts as a reminder of the violations of human rights against the Armenian people. To the Armenians and those who filed endless numbers of eyewitness accounts of the massacres and mass death following forced deportation of Armenians across Asia Minor in 1915, there could be no set of circumstances imaginable more completely depraved, or corrupt, or inhumane.

The Genocide Treaty, which the United States ratified in 1988, defines genocide as acting with a "specific intent to destroy, in whole or in substantial part, a national, ethnic, racial or religious group." History shows that the Ottomans intended to eradicate the Armenian population.

As many as 1.5 million Armenians—including women and children who were not a security threat to the Ottomans—died from forced marches and massacres. International diplomats in Turkey at the time—including Henry Morganthau—denounced the Ottomans' policy as a massacre of the Armenians. The Turkish Interior Minister at the time sent telegrams urging the extermination of the Armenians.

It was Prof. Raphael Lemkin, a lawyer who escaped Poland during the Nazi invasion of 1939, who first coined the word genocide in 1944. After designating the term "genocide" to describe the deliberate destruction of a people, Lemkin became the first person to characterize the atrocities of 1915-23 as the "Armenian genocide." In his tireless work for the ratification of the Genocide Convention, he repeatedly referred to the Armenian genocide, together with the Holocaust, as a prototype of the crime of genocide.

I salute those of Armenian descent who have worked hard to ensure that the genocide of their people does not fade into historical irrelevance but remains a shocking lesson and horrendous example of inhumanity of man to man. I think it is time for the U.S. Government to recognize these events, and to ensure that such a tragedy is never again visited upon any people anywhere on this Earth.

I ask my colleagues to vote for cloture on the motion to proceed.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, how much time remains on the two sides?

The PRESIDING OFFICER. The proponents of the resolution have 36 minutes remaining and the opponents 46 minutes remaining. Who yields time?

Mr. BYRD. Mr. President, the time is running against both sides equally, is it not?

The PRESIDING OFFICER. The Senator is correct. The time is running against both sides.

Mr. BYRD. Does the distinguished Republican leader have a speaker?

Mr. DOLE. I yield 2 minutes to the Senator from California [Mr. CRANSTON].

Mr. CRANSTON. Mr. President, I rise today in support of the resolution to designate April 24, 1990, as the National Day of Remembrance of the Armenian Genocide of 1915-23. This resolution honors those who died during the Armenian massacre perpetrated by the Turkish Ottoman Empire.

This legislation is in no way designed to accuse the current governments of Turkey, very different from the Turkish Ottoman Empire, or the Turkish people, who are our friends and allies. Nor is it designed to detract from the numerous contributions that the Turkish people have made to this county.

Rather, this legislation in designating April 24 as a remembrance for those who perished in the Armenian massacre, is intended to recognize and acknowledge the atrocity that occurred against the Armenian people in an effort to help ensure that genocide, against any group of people, does not even recur, and that America will always express its anger over acts of genocide.

I deeply sympathize with those whose relatives were killed in the Armenian massacre. I understand their anger that there are those who still deny that the massacre indeed took place, despite the fact that the massacre has been well documented over the past six decades. This is analogous to the denials that there was genocide against the Jewish people in Nazi Germany. Obviously, a bold lie.

To refute these facts—re: the Armenian genocide—is to perpetrate yet another crime against the Armenian people. We have an obligation to remember the victims of the Armenian massacre. As later events proved, the world did not learn a lesson from this, the first genocide of the 20th century—unfortunately, not the last.

We cannot reverse the events of the past, but we can and we must strive to keep the memory of this tragedy alive, so as to help prevent a recurrence of the extermination of a people because of their nationality, their race or their religion.

Mr. METZENBAUM. Mr President, Senate Joint Resolution 212, the Armenian genocide resolution, is finally before the full Senate, after months of intense deliberation in committee and in Senators' private consultations. Senators have spoken eloquently and forcefully on both sides of this issue. Usually, a commemorative item is dealt with speedily, and with little controversy. The lengthy debate over this particular commemorative testifies to the Senate's concern about this issue. This is as it should be. No one pretends that this is just another commemorative, or that the Armenian tragedy should be approached with anything but the utmost gravity.

Mr. President, I share my colleagues' deep conviction that Senate Joint Resolution 212 deserves careful thought. For many years, I have felt very strongly that the mass slaughter of Armenians deserved to be commemorated in a meaningful way. I made strong statements to that effect here on the Senate floor. I have said as much to the Turkish representatives here in Washington. This aspect of my position has not changed one bit.

Another aspect of my position has changed, however. My colleagues are aware of the amendment I offered to Senate Joint Resolution 212 last fall when the Senate Judiciary Committee considered the resolution. What prompted this amendment? Frankly, it was an attempt to find a middle ground. The most deeply involved parties in the Armenian genocide issue, the Armenians themselves and the Government of the Republic of Turkey, are separated by a vast emotional gulf.

Mr. President, my amendment was an attempt to bridge this gulf. Turkey is a responsible, valued ally. Armenian-Americans have contributed as much to our society as any of the many proud ethnic groups in the United States. It seemed to me that the U.S. Congress could play a role in bringing these parties to some mutually agreeable understanding.

I also acted out of concern over what the U.S. Senate would implicitly be doing in approving the original text of Senate Joint Resolution 212. This text, which is before us today, puts the U.S. Government, through the Congress, on record as commemorating a genocide against the Armenian people by the Ottoman Empire.

Mr. President, genocide is probably one of the most sensitive issues ever to be considered by the Congress. Indeed, I was an outspoken supporter and original sponsor of legislation to implement the Convention on the Prevention of Genocide several years ago. But the Congress must act very carefully when its actions give official recognition to events as contentious as genocide.

In particular, the Congress must temper its voice, or even withhold judgment, when a question is still being debated by responsible historians. This imperative is all the more pressing when two such valued parties as Armenian-Americans and Turkey are involved.

Mr. President, I wish that the historical community had reached a definitive conclusion about the Armenian genocide. It would certainly have made by personal deliberations on this resolution easier. But historians have not reached a definitive conclusion. In fact, some of the leading experts on the Middle East have repeatedly expressed their concerns about this resolution.

My amendment was an attempt to air those concerns. I am not a historian, and I know of no Senator who was a historian before his or her election to public office. I am concerned that the Senate is drawing official conclusions before the experts have reached their conclusions.

Mr. President, my staff and I have met with representatives of the Armenian-American community repeatedly over the past 3 months. They make a very compelling, well documented argument for their cause. I respect their dedication and I applaud their commitment. I recognize the fact that over a million Armenians were massacred in a wave of violence around the time

of World War I. I deplore the atrocities committed against them. But I remain concerned that strong—responsible—voices continue to challenge the text of Senate Joint Resolution 212.

Mr. President, my amendment was defeated by the Judiciary Committee. Out of concern that this issue not be glossed over by the full Senate, I remained a cosponsor of Senate Joint Resolution 212, during the committee's deliberations. Without that cosponsorship the resolution may not have sufficient votes to be considered by the committee. I did not think that was fair. Since the committee's action I have taken my name off as a cosponsor.

As we approach a final vote on the issue, my concerns have not yet been allayed. I remain worried that the Senate may be acting where the experts have yet to reach a consensus.

Mr. President, it is my hope that a way can be found to appropriately remember the 75th anniversary of the Armenian tragedy on April 24, while allowing more time for consideration of the genocide question.

For now, I believe that Senate Joint Resolution 212 is a step too far for the U.S. Senate to take at this time.

If the cloture motion is defeated I still hope we can find a compromise suitable and fair to both the Armenians and the Turks.

Mr. KERRY. Mr. President, this April 24 will mark the 75th anniversary of the Armenian genocide perpetrated by the rulers of the old Ottoman Empire. It is appropriate and important for the U.S. Senate to enact Senate Joint Resolution 212, designating this date as "The National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923."

The resolution is opposed very vigorously by the Government of Turkey. Opposition on the part of the administration has been equally intense. However, I believe it is imperative for us to be guided by our collective consciences, rather than a sense of political expediency and adopt this resolution.

President Bush stated in 1988 that "the American people, our Government and certainly the Bush administration will never allow political pressure to prevent our denunciation of crimes against humanity * * *. I would join Congress in commemorating the victims."

In October of the same year, the President reinforced this view saying:

> The United States must acknowledge the attempted genocide of the Armenian people in the last years of the Ottoman Empire, based on the testimony of survivors, scholars, and indeed our own representatives at the time, if we are to insure that such horrors are not repeated.

That is the purpose of Senate Joint Resolution 212. We seek to send a message once again to citizens of our own country and the international community that the Armenian Genocide of 1915 through 1923 should not be relegated to the dust bin of history. Documented reports from that horrible chapter in the history of man's inhumanity to his fellow man show that an estimated 1.5 million Armenians out of 2.3 Ottoman-Armenians either died or were deported from their homeland—a homeland which had been theirs for 3,000 years.

Human rights concerns among the various religious denominations were as deep-seated in the early 20th century as they are today. Much of the information concerning the Armenian genocide in the old Ottoman Empire came from Protestant missionaries working in Armenia. Their reports, and reports from other sources, so concerned the United States Ambassador to Turkey at the time, Henry Morgenthau, Sr., that he filed repeated protests to the government. A 684-page British report on the massacre was written by Viscount James Bryce with the assistance of Arnold Toynbee.

Even the old Ottoman Empire's allies during World War I, the Germans and Austrians, raised concerns about the genocide being directed against the Armenian people. The German military advisor to the Ottoman Empire, Otto Liman van Sanders, personally intervened to halt the deportation of Armenians from Smyrna in November 1916. German theologian Johnannes Lepsius, did much to expose the Ottoman atrocities in Germany through his activities among German clergymen, university professors and journalists.

But perhaps the most damning evidence of the genocide came during this century's first war crimes trial. A short-lived liberal Ottoman govenment condemned the young Turk triumvirate, responsible for ordering the genocide, to death in absentia.

The indictment, which was read during the first session of the court martial, was directed at the leaders of the young Turk Government of the Ottoman Empire, and all members of the Committee of Union and Progress. The indictment stated that the committee operated as a secret agency, acting through oral and secret instructions aimed at the destruction of the Armenians and subverting the constitution.

Rather than recounting the entire indictment, I ask unanimous consent that the documents regarding the indictments and subsequent verdicts of the court martial be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KERRY. I want to express my appreciation to Leo Kuper, professor emeritus at UCLA and vice president of International Alert Against Genocide and Mass Killing, for making these materials available to the Members of the Senate.

At the time of the perpetration of this mass atrocity, the United States Government was vigorous in launching protests after protest on behalf of the beleaguered Armenians. Unfortunately, there was very little we could do at the time. Ambassador Morgenthau was particularly outraged over the genocide and devoted a chapter of his book entitled, "Secrets of the Bosphorus" to the massacre. He appropriately titled the chapter "The Murder of a Nation." I ask unanimous consent that this material be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. KERRY. Despite protestations to the contrary, the simple fact of the matter is that the Armenian people were eliminated from western Anatolia. Where more than a million Armenians lived before the war, almost none survived later.

Mr. President, times does not heal all wounds. Certainly it should not hide them. Just ask the families of the victims of the other two great genocides of this century, the victims of the Holocaust and the victims of the Khmer Rouge. In the case of the Armenians it has been one thing to suffer a tragedy of such horrendous proportions; it is quite another to be told that nothing occurred. Tragically, the administration opposes this resolution which calls upon the people of the United States to pause for a moment on April 24, to remember the victims of the Armenian genocide. It would be a tragedy if the Senate succumbs to political considerations which, once again, will make victims of the Armenian people.

By passing Senate Joint Resolution 212, we will be repeating the words never again. It is time to help in the healing process and extent to the Armenian people the world over the dignity and justice they so richly deserve. In so doing, we will be asserting our own right to help define civilization, to assert moral principles, and to act with basic human decency and compassion.

This resolution does not blame the Government of the Republic of Turkey for the massacre which took place under the Ottomon rulers. By so strenuously opposing this resolution, the present day government of Turkey does a disservice to itself by attempting to camouflage or avoid altogether the truth.

We cannot treat this issue like the deficit. We cannot succumb to political

expediency that allows us to ignore the truth. An expendiency that allows us to ignore this truth is an expediency that allows these human tragedies to happen time and again.

Acknowledging the truth regarding this tragic chapter of history can help us to move forward. Turkey is a friend and ally of the United States. And as a friend and ally, it is important for us to counsel the Government to come to terms with this tragic event—to reach out to the Armenian people and addresses this issue with the resolve it deserves.

The persistence of the Armenian community to gain international recognition of this atrocity is appropriate, particularly in light of the cultural pain felt so deeply by all Armenians around the world. It is imperative that their efforts meet with success because it is important for the issue of genocide to be placed in front of our collective human conscience once again. In so doing, we may help to save some other culture or race from future suffering or repression from a government which has decided that genocide may once again be implemented as a national policy to deal with a minority.

EXHIBIT 1

INTERNATIONAL ALERT,
Los Angeles, CA, November 9, 1989.

To Members of Congress: I am writing in connection with the proposed day of remembrance of the massacres of Armenians during World War I.

As a sociologist concerned with major issues of human rights, I have carried out research, and written extensively over a period of some twenty years on the crime of genocide and the means for its prevention.

The massacre of Armenians is one of the cases I studied intensively. Based on a wide range of sources, including not only eyewitness accounts and the testimony of survivors, but also governmental records, there is conclusive evidence that the massacres constituted the crime of genocide.

Among the less publicly known documents is the record of the Turkish court martial proceedings against leading members of the former government, including the Ministers of War, the Interior and the Navy, and the Committee of Union and Progress, who organized the killings.

Attached to this letter is a summary of the indictment and of the sentences, as well as a brief statement on the background to the Armenian tragedy.

LEO KUPER, Professor Emeritus UCLA and Vice President, International Alert Against Genocide and Mass Killing.

INTRODUCTION

Following World War I, the new Turkish government instituted courts martial against the Young Turk dictators, including the ministers of War, Interior, and Navy and other members of the dominant Committee of Union and Progress, [CUP] who had perpetrated the genocide of the Armenians.

These proceedings established, beyond any doubt, that the deportations and massacres against the Armenian people during the War were planned and premeditated. The aim of the policy was clearly the extermination of all Armenians in Ottoman Turkish territories.

The evidence gathered and introduced at these trials included official telegrams sent by the central government to the provinces and accounts by eyewitnesses from various nationalities. The transcripts recording this evidence are widely available, since they were reported in the official gazette of the Ottoman Empire, the Takvim-i-Vekayi. Yet the Turkish government has never released the actual evidence. In fact, in some of the verified testimony, former officials acknowledge that they were ordered to destroy critical evidence.

Rejecting defenses based on the "orders from higher authorities" argument, the courts overwhelmingly found those indicted guilty as charged.

After World War II the Allies used these proceedings as precedent for the Nurnberg trials.

BRIEF BACKGROUND

Starting in 1915, the Ottoman government embarked on a course to exterminate the Armenian people. To its credit, the post WWI Turkish government instituted courts martial to prosecute those responsible for the worst crimes. The trial of the Young Turk leaders, initiated by the new government of the Ottoman Empire, is the first offical war crimes trial. The Extraordinary Courts Martial dealt with the major question of the subversion of the constitutional order and the wholesale deportations and massacres of the Armenian population of the Empire during World War I, what came to be known since as the Genocide of the Armenians.

The government plan to try those responsible for crimes during the War divided defendants into three categories:

1. Major criminals, who would be tried before the Supreme Court;
2. Functionaries cooperating with major criminals, who would be tried in civil courts;
3. Common citizens, who would be tried in the lower courts.

Extraordinary courts would be formed according to articles 89 and 91 of the Ottoman constitution. The Empire was divided into ten zones to try all the criminals. By January 1919, prosecutors and judges of instruction were selected for four of the regions.

The Commission of Inquiry established by the new Turkish government was authorized to collect all evidence from the governors throughout the Ottoman Empire. The Commission, through the Ministry of Interior and Post and Telegraph (PTT), requested that PTT offices in the provinces submit to the capital all communications which were sent out by the defendants pertaining to Armenians from May 1915 through April 1917. Many governors complied, others did not. In addition, the Commission of Inquiry interrogated the statesmen and military commanders who served under the Young Turk government during the War.

Enough evidence was gathered in 1918 to implicate a number of members of Parliament, making it a liability for a government trying to distance itself from the extermination policy of the Young Turks. The Sultans dissolved Parliament. Calls for the imprisonment of those who had taken an active part in the implementation of Young Turk policy increased. In an attempt to bring some legitamacy to his government, Ottoman Foreign Minister Mustafa Reshad Pasha stated in Paris, in 1919:

A pallid light is extended upon the atrocities committed against the Armenians, atrocities which aroused the indignation of humanity; our land has been given back to us transformed into a gigantic slaughter house.

By the end of 1918, almost 200 CUP leaders had fled, but the Ottoman government demanded the extradition of major criminals.

Ultimately the Ottoman government arrested about 100 who fled. On December 9, 1918, a Court Martial constituted to try Enver, Jemal and Talat the major perpetrators. The verdict, given on July 5, 1919, condemned all three and Nazim, and sentenced in absentia to death. The courts martial in Istanbul also announced that others involved in deportations and massacres at Ankara, Gerasoon, Sivas, Adabazar, Bilejik, Bitlis, Izmit, Mamuret ul-Aziz, Amasia, Der es-Zor, Kirshehir, Diyarbekir, Kayseri, Konia, Changeri, Adrianople, Karahisar, Adana, Chatalja, Dardanelles, Bafra, Marash, Akhisar, Istanbul, and Kutahia must be brought to justice. By April 1920, the Commission of Inquiry had 110 files yet to be examined and the Courts Martial office had more than 100 dossiers of people to be brought to trial.

The rise of the nationalist movement in Turkey and changes in Western policy toward it made it impossible to continue trials of Turkish leaders for crimes committed against non-Turks.

LIST OF MAJOR DEFENDANTS MENTIONED IN THIS FILE

Aziz Atif—Head of the special Organization in Istanbul.

Enver Pasha—Minister of War, Commander-in-chief of the Ottoman Army. Member of the CUP Central Committee.

Hasim—Minister of Post and Telegraph.

Ahmed Izzet Pasha—Former Prime Minister.

Jemal Pasha—Minister of Marine. A fugitive abroad. Member of the CUP Central Committee.

Mahmud Kamil—Former Commander of the Third Army.

Musa Kazim—Former religious head.

Nazim Effendi—Minister of Education, Special Organization and CUP leader in Istanbul.

Rifat Bey—Speaker of Upper House of the Ottoman Parliament.

Riza Bey—CUP plenipotentiary in Trebzon.

Behaeddin Shakir—Head of the Special Organization.

Javid Sheref—Minister of Finance.

Mustafa Sheref Bey—Minister of Commerce and Agriculture.

Talat Pasha—Minister of the Interior, former Prime Minister. President of the Central Committee of the CUP.

Vehip Pasha—Commander of the Third Army.

SUMMARY OF THE INDICTMENT AGAINST THE LEADERS OF THE YOUNG TURK GOVERNMENT OF THE OTTOMAN EMPIRE—APRIL 12, 1919

[Full text of indictment read during the first session of the court martial, April 27, 1919 and reported in Takvim-i-Vekayi (official gazette of the Ottoman Empire,) Number 3040.]

The post-War Turkish Government indicted the leaders of the Young Turk Government of the Ottoman Empire, all members of the Committee of Union and Progress (CUP), for the following [numbers are for convenience]:

1. The Committee of Union and Progress had operated in two ways in an effort to deceive the people:

(a) as a public organization, a party abiding and acting by its by-laws;

(b) as a secret agency, acting through oral and secret instructions aimed at the destruction of the Armenians and subverting the constitution.

2. CUP activities were marked by violence, murder, pillage and abuse. Talat, Enver, Jemal and their party resorted to terror and violence in ruling the country, causing enormous disasters.

3. The CUP had decided to enter the War on the side of Germany long before the Ottoman Empire declared war formally.

4. To realize its secret program of eliminating Armenians, the CUP set up the Special Organization, composed mainly of criminals released from prisons.

(a) Ostensibly, the Special Organization was created to help the war effort. In fact, it was involved in criminal activities. Behaeddin Shakir was stationed in Erzerum and supervised the brigades in the Eastern Provinces. Riza was in Trebizond. Aziz Atif and Nazim led the effort in Istanbul.

(b) The Special Organization was given abundant money, secret cipher codes, vehicles and weapons.

(c) Members of the Special Organization, the CUP Representatives and local employees were engaged in manslaughter, pillaging, burning of buildings and bodies, and violating the honor of women. All Ottoman subjects suffered from these acts and a significant number of those who suffered were Armenians.

(d) An important portion of the files of the Special Organization and the files of the CUP Central Committee regarding Armenians were stolen.

The specific object of this investigation being the tragedy that befell the Armenians during their deportation, the Court notes.

5. These tragic acts were not local or isolated incidents but were brought about by a central body, consisting of the indicted defendants, who directed them through oral and secret instructions.

(a) The Ministry of Interior headed by Talat and the CUP were both engaged in organizing the Special Organization which was employed in massacring and annihilating the convoys of deported Armenians.

(b) Telegrams demonstrated that Talat, Enver and Jemal ordered the massacres. The CUP government leaders gave strict orders to bury the dead and burn their effects, as corpses lay around for too long or were thrown into rivers, particularly the Euphrates, embarrassing the authorities and contaminating the environment.

(c) Talat approved the drowning of Armenians in the Black Sea.

(d) Vehip Pasha [who replaced Mahmud Kamil as Commander of the Third Army] testified that the destruction and annihilation of the Armenians and the plunder of their belongings were the result of the decisions of the Central Committee of the CUP.

(e) Nazim believed that the measures taken against the Armenians would permanently solve the question of Turkey's treatment of minorities.

(f) Talat was aware of and consistently refused to act seriously on reports concerning the Armenian massacres.

6. The CUP intended to annihilate the Armenians through deportations and massacres.

(a) The CUP and Goverment carried out deportations and massacres even in distant places where there was neither military nor disciplinary necessity.

(b) The governor of Mamuret-ul-Aziz reported that all the roads were covered with so many corpses of women and children, that they didn't have enough manpower and time to bury them quickly.

(c) From Diyarbekir alone, 120,000 Armenians were deported.

7. Some Muslims opposed the measures. For example, the Muslims of Kastamonu told the governor: "Like [animals led to a] slaughterhouse, the Armenians of neighboring districts and their wives and children are being taken to the mountains and killed. We do not want this to happen here.

8. The CUP and Government authorities strictly forbid Muslins to protect the Armenians. For instance, Mahmud Kamil, Commander of the Third Army, decreed in a telegram that any Muslim protecting an Armenian will be executed before his own house and his house will be burnt. Muslim employees and military personnel [protecting Armenians] will be court martialed.

(a) The CUP and Government classified those who refused to take part in the massacres and deportations as traitors. Those who went along were protected and supported.

(b) The CUP and Government dismissed officials for not carrying the orders to annihilate the Armenians from the central authorities; some of them were executed.

All the points raised in the Indictment are supported by documents and testimonies.

THE EXTRAORDINARY COURTS MARTIAL—SUMMARY OF THE SENTENCE, JULY 5, 1919

[Full text of the sentences reproduced in the Takvim-i-Vekayi (official gazette of the Ottoman Empire,) Number 3604.]

Based on verified and credible testimony, on documents, and on the irrefutable facts of the massacres and deportations which left practically no Armenians in the Ottoman Empire, the court found the defendants guilty as charged, except for Rifat [Speaker of Upper House of the Ottoman Parliament] and Hasim [Minister of Post and Telegraph].

In this session the court referred to five points to justify its guilty verdicts:

1. The massacres in Trebizond, Yozgat and Boghazliyan were organized and perpetrated by the leaders of the CUP. Claims that they became aware of the crime rather late were found invalid since the accused made no effort either to prevent their recurrence or [to punish] the perpetrators.

2. The decision to enter the war was made not by the cabinet but by the CUP.

3. Former Prime Minister Ahmed Izzet Pasha had to resign from his post as Minister of War because of the intervention of the CUP [in government affairs].

4. Supplies financial transactions, and assets were monopolized by the CUP, especially by its Representative in Istanbul so that public wealth was in the hands of a handful of individuals. This impoverished the population, caused hardship, and consequently considerably weakened the war effort. It was also an instance of interference in government affairs.

5. The CUP ran the affairs of the state as it wished.

As a result, the CUP commanded the machinery of the government and imposed its will on the country.

The Verdict

As principal organizers of the slaughter of innocent Armenians in an attempt to exterminate them, Talat, Enver, Jemal and Nazim were found guilty.

Javid and Mustafa Sheref were also found guilty.

Musa Kazim, religious head and head of clergy, was found guilty as an accomplice.

Rifat and Hasim were found not guilty.

Talat, Enver, Jemal and Nazim were sentenced to death.

Javid, Mustaf Sheref and Musa Kazim were sentenced to 15 years of hard labor.

The court's decision——was unanimous.

EXHIBIT 2

SECRETS OF THE BOSPHORUS

(By Ambassador Henry Morgenthau)

[Constaninople, 1913-1916]

CHAPTER XXIV

THE MURDER OF A NATION

The destruction of the Armenian race in 1915 involved certain difficulties that had not impeded the operations of the Turks in the massacres of 1895 and other years. In these earlier periods the Armenian men had possessed little power or means of resistance. In those days Armenians had not been permitted to have military training, to serve in the Turkish Army, or to possess arms. As I have already said, these discriminations were withdrawn when the revolutionists obtained the upper hand in 1908. Not only were the Christians now permitted to bear arms, but the authorities, in the full flush of their enthusiasm for freedom and equality, encouraged them to do so. In the early part of 1915, therefore, every Turkish city contained thousands of Armenians who had been trained as soldiers and who were supplied with rifles, pistols, and other weapons of defence.

The operations at Van disclosed that these men could use their munitions to good advantage. A similar "rebellion" at Zeitoun also proved that those despised merchants and traders of the Empire possessed energetic fighting power. It was thus apparent that an Armenian massacre this time would generally assume more the character of warfare than those wholesale butcheries of defenceless men and women which the Turks had always found so congenial. If this plan of murdering a race was to succeed, two preliminary steps would therefore have to be taken: it would be necessary to render all Armenian soldiers powerless and to deprive of their arms the Armenians in every city and town. Before Armenia could be slaughtered, Armenia must be made defenceless.

In the early part of 1915 the Armenian soldiers in the Turkish Army were reduced to a new status. Up to that time most of them had been combatants, but now they were all stripped of their arms and transformed into workmen. Instead of serving their countrymen as artillerymen and cavalrymen, these former soldiers now discovered that they had been transformed into road labourers and pack animals. Army supplies of all kinds were loaded on their backs, and stumbling under the burdens, and driven by the whips and bayonets of the Turks, they were forced to drag their weary bodies into the mountains of the Caucasus. Sometimes they would have to plough their way, burdened in this fashion, almost waist-high through snow. They had to spend practically all their time in the open, sleeping on the bare ground—whenever the ceaseless prodding of their taskmasters gave them an occasional opportunity to sleep. They were given only scraps of food; if they fell sick they were left where they had dropped, their Turkish oppressors perhaps stopping long enough to rob them of all their possessions—even of their clothes. If any stragglers succeeded in reaching their destinations they were not infrequently massacred.

In many instances Armenian soldiers were disposed of in even more summary fashion, for it now became almost the general practice to shoot them in cold blood. In almost all cases the procedure was the same. Here and there squads of fifty or a hundred men would be taken, bound together in groups of four, and then marched out to a secluded spot a short distance from the village. Suddenly the sound of rifle-shots would fill the air, and the Turkish soldiers who had acted as the escort would sullenly return to camp. Those sent to bury the bodies would find them almost invariably stark naked, for, as usual, the Turks had stolen all their clothes. In cases that came to my attention, the murderers had added a refinement to their victims' sufferings by compelling them to dig their graves before being shot.

Let me relate a single episode which is contained in one of the reports of our Consuls and which now forms part of the records of the American State Department. Early in July 2,000 Armenian "amélés"—such is the Turkish word for soldiers who have been reduced to workmen—were sent from Harpoot to build roads. The Armenians in that town understood what this meant and pleaded with the Governor for mercy. But this official insisted that the men were not to be harmed, and he even called upon the German missionary, Mr. Ehemann, to quiet the panic, giving that gentleman his word of honour that the ex-soldiers would be protected. Mr. Ehemann believed the Governor and assuaged the popular fear. Yet practically every man of these 2,000 was massacred, and his body thrown into a cave. A few escaped, and it was from these that news of the massacre reached the world. A few days afterward another 2,000 soldiers were sent to Diarbekir. The only purpose of sending these men out in the open country was that they might be massacred.

In order that they might have no strength to resist and to escape by flight, these poor creatures were systematically starved. Government agents went ahead on the road, notifying the Kurds that the caravan was approaching and ordering them to do their congenial duty. Not only did the Kurdish tribesmen pour down from the mountains upon this starved and weakened regiment, but the Kurdish women came with butchers' knives in order that they might gain that merit in Allah's eyes that comes from killing a Christian. These massacres were not isolated happenings; I could detail many more episodes just as horrible as the one related above. Throughout the Turkish Empire a systematic attempt was made to kill all able-bodied men, not only for the purpose of removing all males who might propagate a new generation of Armenians, but for the purpose of rendering the weaker part of the population an easy prey.

Dreadful as were these massacres of unarmed soldiers, they were mercy and justice themselves when compared with the treatment which was now visited upon those Armenians who were suspected of concealing arms. Naturally, the Christians became alarmed when placards were posted in the villages and cities ordering them to bring all their arms to headquarters. Since this order applied only to Christians, the Armenians well understood what the result would be should they be left defenceless while their Moslem neighbours were permitted to retain their arms. In many cases, however, the persecuted people patiently obeyed the command, and then the Turkish officials almost joyfully seized their rifles as evidence that a "revolution" was being planned, and threw their victims into prison on a charge of treason. Thousands failed to deliver arms simply because they had none to deliver, while an even greater number tenaciously refused to give them up, not because they were plotting an uprising, but because they proposed to defend their own lives and their women's honour against the outrages which they knew were being planned.

The punishment inflicted upon these recalcitrants forms one of the most hideous chapters of modern history. Most of us believe that torture has long ceased to be an administrative and judicial measure, yet I do not believe that the darkest ages ever presented scenes more horrible than those which now took place all over Turkey. Nothing was sacred to the Turkish gendarmes; under the plea of searching for hidden arms they ransacked churches, treated the altars and sacred utensils with the utmost indignities, and even held mock ceremonies in imitation of the Christian sacraments. They would beat the priests into insensibility, under the pretence that they were the centres of sedition. When they could discover no munitions in the churches, they would sometimes arm the bishops and priests with guns, pistols, and swords, then try them before courts-martial for possessing weapons against the law, and march them in this condition through the streets, merely to arouse the fanatical wrath of the mobs. The gendarmes treated women with the same cruelty and indecency as their husbands. There are cases on record in which women accused of concealing weapons were stripped naked and whipped with branches freshly cut from trees, and these beatings were even inflicted on women who were with child. Violations so commonly accompanied these searches that Armenian women and girls, on the approach of the gendarmes, would flee to the woods, the hills, or to mountain caves.

As a preliminary to the searches everywhere the strong men of the villages and towns were arrested and taken to prison. Their tormentors here would exercise the most diabolical ingenuity in their attempt to make their victims declare themselves to be "revolutionists" and to tell the hiding-places of their arms. A common practice was to place the prisoner in a room, with two Turks stationed at each end and each side. The examination would then begin with the bastinado. This is a form of torture not uncommon in the Orient; it consists of beating the soles of the feet with a thin rod. At first the pain is not marked, but as the process goes slowly on it develops into the most terrible agony, the feet swell and burst, and not infrequently, after being submitted to this treatment, they have to be amputated. The gendarmes would bastinado their Armenian victim until he fainted; they would then revive him by sprinkling water on his face and begin again. If this did not succeed in bringing their victim to terms they had numerous other methods of persuasion. They would pull out his eyebrows and beard almost hair by hair; they would extract his fingernails and toe-nails; they would apply red-hot irons to his breast tear off his flesh with red-hot pincers, and then pour boiled butter into the wounds. In some cases the gendarmes would nail hands and feet to pieces of wood—evidently in imitation of the crucifixion, and then, while the sufferer writhed in his agony, they would cry: "Now let your Christ come and help you!"

These cruelties—and many others which I forbear to describe—were usually inflicted in the night time. Turks would be stationed around the prisons, beating drums and blowing whistles, so that the screams of the sufferers would not reach the villagers.

In thousands of cases the Armenians who endured these agonies had refused to surrender their arms simply because they had none to surrender. However, they could not persuade their tormentors that this was the case. It therefore became customary, when news was received that the searchers were approaching, for Armenians to purchase arms from their Turkish neighbours so that they might be able to give them up and escape these frightful punishments.

One day I was discussing these proceedings with Bedri Bey, the Constantinople Prefect of Police. With a disgusting relish Bedri described the tortures inflicted. He made no secret of the fact that the Government had instigated them, and, like all Turks of the official classes, he enthusiastically approved this treatment of the detested race. Bedri told me that all these details were matters of nightly discussion at the headquarters of the Union and Progress Committee. Each new method of inflicting pain was hailed as a splendid discovery, and the regular attendants were constantly ransacking their brains in the effort to devise some new torment. Bedri told me that they even delved into the records of the Spanish Inquisition and other historic institutions of torture, and adopted all the suggestions found there. Bedri did not tell me who carried off the prize in this gruesome competition, but common reputation throughout Armenia gave a pre-eminent infamy to Djevdet Bey, the Vali of Van, whose activities in that section I have already described. All through this country Djevdet now became known as the "marshall blacksmith of Bashkale," for this connoisseur in torture had invented what was perhaps the masterpiece of all—that of nailing horseshoes to the feet of his Armenian victims.

Yet these happenings did not constitute what the newspapers of the time commonly referred to as the Armenian atrocities; they were merely the preparatory steps in the destruction of a race. The Young Turks displayed greater ingenuity than their predecessor, Abdul Hamid. The injunction of the deposed Sultan was merely "to kill, kill," whereas the Turkish democracy hit upon an entirely new plan. Instead of massacring out-right the Armenian race, they now decided to deport it. In the south and south-eastern section of the Ottoman Empire lies the Syrian desert and the Mesopotamian valley. Though part of this area was once the scene of a flourishing civilisation, for the last five centuries it has suffered the plight that becomes the lot of any country that is subjected to Turkish rule; and it is now a dreary, desolate waste, without cities and towns or life of any kind, populated only be a few wild and fanatical Bedouin tribes. Only the most industrious labour, expended through many years, could transform this desert into the abiding-place of any considerable population. The Central Government now announced its intention of gathering the 2,000,000 or more Armenians living in the several sections of the Empire and transporting them to this desolate and inhospitable region. Had they undertaken such a deportation in good faith it would have represented the height of cruelty and injustice. For a large part the Armenians are not agriculturists; their talents are chiefly for business and commercial life; though many of them do cultivate farms and engage in sheep-herding, many lived in

cities and large towns, and, as I have already said, they represent the economic force of the country. To seize such peoples by the million and send them into one of the most barren parts of Asia would have been an act of the most inhuman spoliation. As a matter of fact, the Turks never had the slightest idea of re-establishing the Armenians in this new country. They knew that the great majority would never reach their destination and that those who did would either die of thirst and starvation, or be murdered by the wild Mohammedan desert tribes. The real purpose of the deportation was robbery and destruction; it really represented a new method of massacre. When Talaat, as Minister of the Interior, gave the orders for these deportations, he was merely giving the death-warrant to a whole race; he understood this well, and in his conversations with me he made no particular attempt to conceal the fact.

All through the spring and summer of 1915 the deportations took place. Of the larger cities, only Constantinople, Smyrna, and Kutahia were spared; practically all other places where a single Armenian family lived now became the scenes of these unspeakable tragedies. Scarcely a single Armenian, whatever his education or wealth, or whatever the social class to which he belonged, was exempted from the order. In some villages placards were posted ordering the whole Armenian population to present itself in a public place at an appointed time—usually a day or two ahead, and in other places the town-crier would go through the streets delivering the order vocally. In still others not the slightest warning was given. The gendarmes would appear before an Armenian house and order all the inmates to follow them. They would take women engaged in their domestic tasks without giving them the chance to change their clothes. The police fell upon them first as the eruption of Vesuvius fell upon Pompeii; women were taken from the washtubs, children were snatched out of bed, the bread would be left half-baked in the oven, the family meal would be abandoned partly eaten, the children would be taken from the schoolroom, leaving their books open at the daily task, the men would be forced to abandon their plough in the fields and their cattle on the mountain-side. Even women who had just given birth to children would be forced to leave their beds and join the panic-stricken throng, their sleeping babies in their arms. Such things as they hurriedly snatched up—a shawl, a blanket, perhaps a few scraps of food—was all that they could take of their household belongings. To their frantic question, "Where are we going?" the gendarmes would vouchsafe only one reply: "To the interior."

In some cases the refugees were given a few hours, in exceptional instances a few days, to dispose of their property and household effects. But the proceeding, of course, amounted simply to robbery. They could sell only to Turks, and since both buyers and sellers knew that they had only a day or two to market the accumulations of a lifetime, the prices obtained represented a small fraction of their value. Sewing-machines would bring one or two dollars—a cow would go for a dollar, a houseful of furniture would be sold for a pittance. In many cases Armenians were prohibited from selling or Turks from buying even at these ridiculous prices; under pretence that the Government intended to sell their effects to pay the creditor whom they would inevitably leave behind, their household furniture would be placed in stores or heaped up in public places, where it was usually pillaged by Turkish men and women. The Government officials would also inform the Armenians that, since their deportation was only temporary, the intention being to bring them back after the war was over, they would not be permitted to sell their houses. Scarcely had the former possessors left the village, when Mohammedan Mohadjirs—immigrants from other parts of Turkey—would be moved into the Armenian quarters. Similarly all their valuables, money, rings, watches, and jewellery, would be taken to the police-stations for "safe keeping" pending their return, and then parcelled out among the Turks. Yet these robberies gave the refugees little anguish, for far more terrible and agonising scenes were taking place under their eyes. The systematic extermination of the men continued; such males as the persecutions which I have already described had left, were now violently dealt with. Before the caravans were started, it became the regular practice to separate the young men from the families, tie them together in groups of four, lead them to the outskirts, and shoot them. Public hangings without trial—the only offence being that the victims were Armenians—were taking place constantly. The gendarmes showed a particular desire to annihilate the educated and the influential. From American Consuls and missionaries I was constantly receiving reports of such executions, and many of the events which they described will never fade from my memory. At Angora all Armenian men from fifteen to seventy were arrested, bound together in groups of four, and sent on the road in the direction of Caesaria. When they had travelled five or six hours and had reached a secluded valley, a mob of Turkish peasants fell upon them with clubs, hammers, axes, scythes, spades, and saws. Such instruments not only caused more agonising deaths than guns and pistols, but, as the Turks themselves boasted, they were more economical, since they did not involve the waste of powder and shell. In this way they exterminated the whole male population of Angora, including all its men of wealth and breeding, and their bodies, horribly mutilated, were left in the valley, where they were devoured by wild beasts. After completing this destruction, the peasants and gendarmes gathered in the local tavern, comparing notes and boasting of the number of "giaours" that each had slain. In Trebizond the men were placed in boats and sent out on the Black Sea; gendarmes would then come up in boats, shoot them down, and throw their bodies into the water.

When the signal was given for the caravans to move, therefore, they almost invariably consisted of women, children, and old men. Anyone who could possibly have protected them from the fate that awaited them had been destroyed. Not infrequently the prefect of the city, as the mass started on its way, would wish them a derisive "pleasant journey." Before the caravan moved the women were sometimes offered the alternative of becoming Mohammedans. Even though they accepted the new faith, which few of them did, their earthly troubles did not end. The converts were compelled to surrender their children to a so-called "Moslem Orphanage," with the agreement that they should be trained as devout followers of the Prophet. They themselves must then show the sincerity of their conversion by abandoning their Christian husbands and marrying Moslems. If no good Mohammedan offered himself as a husband, then the new convert was deported, however strongly she might protest her devotion to Islam.

At first the Government showed some inclination to protect these deporting throngs. The officers usually divided them into convoys, in some cases numbering several hundred, in others several thousand. The civil authorities occasionally furnished ox-carts which carried such household furniture as the exiles had succeeded in scrambling together. A guard of gendarmerie accompanied each convoy, ostensibly to guide and protect it. Women, scantily clad, carrying babies in their arms or on their backs, marched side by side with old men hobbling along with canes. Children would run along, evidently regarding the procedure, in the early stages, as some new lark. A more prosperous member would perhaps have a horse or a donkey, occasionally a farmer had rescued a cow or a sheep, which would trudge along at his side, and the usual assortment of family pets, dogs, cats, and birds, became part of the variegated procession. From thousands of Armenian cities and villages these despairing caravans now set forth; they filled all the roads leading south; everywhere, as they moved on, they raised a huge dust, and abandoned débris, chairs, blankets, bedclothes, household utensils, and other impediments, marked the course of the processions. When the caravans first started, the individuals bore some resemblance to human beings; in a few hours, however, the dust of the road plastered their faces and clothes, the mud caked their lower members, and the slowly-advancing mobs, frequently bent with fatigue and crazed by the brutality of their "protectors," resembled some new and strange animal species. Yet for the better part of six months, from April to October, 1915, practically all the highways in Asia Minor were crowded with these unearthly bands of exiles. They could be seen winding in and out of every valley and climbing up the sides of nearly every mountain—moving on and on, they scarcely knew whither, except that every road led to death. Village after village and town after town was evacuated of its Armenian population, under the distressing circumstances already detailed. In these six months, as far as can be ascertained, about 1,200,000 people started on this journey to the Syrian desert.

"Pray for us," they would say as they left their homes—the homes in which their ancestors had lived for 2,500 years. "We shall not see you in this world again, but sometime we shall meet. Pray for us!"

The Armenians had hardly left their native villages when the persecutions began. The roads over which they travelled were little more than donkey-paths; and what had started a few hours before as an orderly procession soon became a dishevelled and scrambling mob. Women were separated from their children and husbands from their wives. The old people soon lost contact with their families and became exhausted and footsore. The Turkish drivers of the ox-carts, after extorting the last penny from their charges, would suddenly dump them and their belongings into the road, turn around and return to the village for other victims. Thus in a short time practically everybody, young and old, was compelled to travel on foot. The gendarmes whom the Government had sent supposedly to protect the exiles, in a very few hours became their tormentors. They followed their charges with fixed bayonets, prodding anyone who

showed any tendency to slacken the pace. Those who attempted to stop for rest, or who fell exhausted on the road, were compelled, with the utmost brutality, to rejoin the moving throng. They even prodded pregnant women with bayonets; if one, as frequently happened, gave birth along the road, she was immediately forced to get up and rejoin the marchers. The whole course of the journey became a perpetual struggle with the Moslem inhabitants. Detachments of gendarmes would go ahead notifying the Kurdish tribes that their victims were approaching, and Turkish peasants were also informed that their long-waited opportunity had arrived. The Government even opened the prisons and set free the convicts on the understanding that they should behave like good Moslems to the approaching Armenians. Thus every caravan had a continuous battle for existence with several classes of enemies—their accompanying gendarmes, the Turkish peasants and villagers, the Kurdish tribes and bands of Chétés or brigands. And we must always keep in mind that the men who might have defended these wayfarers had nearly all been killed or forced into the army as workmen, and that the exiles themselves had been systematically deprived of all weapons before the journey began.

When they had travelled a few hours from their starting-place, the Kurds would sweep down from their mountain homes. Rushing up to the young girls, they would lift their veils and carry the pretty ones off to the hills. They would steal such children as pleased their fancy and mercilessly rob all the rest of the throng. If the exiles had started with any money or food, their assailants would appropriate it, thus leaving them a hopeless prey to starvation. They would steal their clothing, and sometimes even leave both men and women in a state of complete nudity. All the time that they were committing these depradations the Kurds would freely massacre, and the screams of old men and women would add to the general horror. Such as escaped these attacks in the open would find new terrors awaiting them in the Moslem villages. Here the Turkish roughs would fall upon the women, leaving them sometimes dead from their experiences or sometimes ravingly insane. After spending a night in a hideous encampment of this kind, the exiles, or such as had survived, would start again the next morning. The ferocity of the gendarmes apparently increased as the journey lengthened, for they seemed almost to resent the fact that part of their charges continued to live. Anyone who dropped on the road was frequently bayoneted on the spot. The Armenians began to die by hundreds from hunger and thirst. Even when they came to rivers, the gendarmes, merely to torment them, would sometimes not let them drink. The hot sun of the desert burned their scantily-clothed bodies, and the bare feet, treading the hot sand of the desert, became so sore that thousands fell and died or were killed where they lay. Thus, in a few days, what had been a procession of normal human beings became a stumbling horde of dust-covered skeletons, ravenously looking for scraps of food, eating any offal that came their way, crazed by the hideous sights that filled every hour of their existence, sick with all the diseases that accompany such hardships and deprivations, but still prodded on and on by the whips and clubs and bayonets of their executioners.

And thus, as the exiles moved they left behind them another caravan—that of dead and unburied bodies, of old men and women in the last stages of typhus, dysentery, and cholera, of little children lying on their backs and setting up their last piteous wails for food and water. There were women who held up their babies to strangers, begging them to take them and save them from their tormentors, and failing this, they would throw them into wells or leave them behind bushes, that at least they might die undisturbed. Behind was left a small army of girls who had been sold as slaves—frequently for a medjidie, or about eighty cents—and who, after serving the brutal purposes of their purchasers, were forced to lead lives of prostitution. A string of encampments filled by the sick and the dying, mingled with the unburied or half-buried bodies of the dead, marked the course of the advancing throngs. Flocks of vultures followed them in the air, and ravenous dogs, fighting one another for the bodies of the dead, constantly pursued them. The most terrible scenes took place at the rivers, especially the Euphrates. Sometimes, when crossing this stream, the gendarmes would push the women into the water, shooting all who attempted to save themselves by swimming. Frequently the women themselves would save their honour by jumping into the river, their children in their arms. "In the last week in June," I quote from an authentic report, "several parties of Erzeroum Armenians were deported on successive days and most of them massacred on the way, either by shooting or drowning. One, Madame Zarouhi, an elderly lady of means, who was thrown into the Euphrates, saved herself by clinging to a boulder in the river. She succeeded in approaching the bank and returned to Erzeroum to hide herself in a Turkish friend's house. She told Prince Argoutinsky, the representative of the 'All-Russian Urban Union' in Erzeroum, that she shuddered to recall how hundreds of children were bayoneted by the Turks and thrown into the Euphrates, and how men and women were stripped naked, tied together in hundreds, shot, and then hurled into the river. In a loop of the river near Erzinghan, she said, the thousands of dead bodies created such a barrage that the Euphrates changed its course for about a hundred yards."

It is absurd for the Turkish Government to assert that it ever seriously intended to "deport the Armenians to new homes"; the treatment which was given the convoys clearly shows that extermination was the real purpose of Enver and Talaat. How many exiled to the south under these revolting conditions ever reached their destinations? The experiences of a single caravan shows how completely this plan of deportation developed into one of annihilation. The details in question were furnished me directly by the American Consul at Aleppo, and are now on file in the State Department at Washington. On the first of June a convoy of 3,000 Armenians, mostly women, girls, and children, left Harpoot. Following the usual custom the Government provided them an escort of seventy gendarmes, under the command of a Turkish leader—Bey. In accordance with the common experience these gendarmes proved to be not their protectors, but their tormentors and their executioners. Hardly had they got well started on the road when . . . Bey took 400 liras from the caravan, on the plea that he was keeping it safely until their arrival at Malatia; no sooner had he robbed them of the only thing that might have provided them with food than he ran away, leaving them all to the tender mercies of the gendarmes.

All the way to Ras-ul-Ain, the first station on the Bagdad line, the existence of these wretched travellers was one prolonged horror. The gendarmes went ahead, informing the half-savage tribes of the mountains that several thousand Armenian women and girls were approaching. The Arabs and Kurds began to carry off the girls, the mountaineers fell upon them repeatedly, killing and violating the women, and the gendarmes themselves joined in the orgy. One by one the few men that accompanied the convoy were killed. The women had succeeded in secreting money from their persecutors, keeping it in their mouths and hair; with this they would buy horses, only to have them repeatedly stolen by the Kurdish tribesmen. Finally the gendarmes, having robbed and beaten and killed and violated their charges for thirteen days, abandoned them altogether. Two days afterward the Kurds went through the party and rounded up all the males who still remained alive. They found about 150, their ages varying from fifteen to ninety years, and these they promptly took away and butchered to the last man. But that same day another convoy from Sivas joined this one from Harpoot, increasing the numbers of the whole caravan to 18,000 people.

Another Kurdish Bey now took command, and to him, as to all men placed in the same position, the opportunity was regarded merely as one for pillage, outrage, and murder. This chieftain summoned all his followers from the mountains and invited these to work their complete will upon this great mass of Armenians. Day after day and night after night the prettiest girls were carried away; sometimes they returned in a pitiable condition that told the full story of their sufferings. Any stragglers, those who were so old and infirm and sick that they could not keep up with the marches, were promptly killed. Whenever they reached a Turkish village all the local vagabonds were permitted to prey upon the Armenian girls. When the diminishing band reached the Euphrates they saw the bodies of 200 men floating upon the surface. By this time they had all been so repeatedly robbed that they had practically nothing left except a few ragged clothes, and even these the Kurds now took, the consequence being that the whole convoy marched for five days completely naked under the scorching desert sun. For another five days they did not have a morsel of bread or a drop of water. "Hundreds fell dead on the way," the report reads; "their tongues were turned to charcoal, and when, at the end of five days, they reached a fountain, the whole convoy naturally rushed toward it. But here the policemen barred the way and forebade them to take a single drop of water. Their purpose was to sell if at from one to three liras a cup, and sometimes they actually withheld the water after getting the money. At another place, where there were wells, some women threw themselves into them, as there was no rope or pail to draw up the water. These women were drowned and, in spite of that, the rest of the people drank from that well, the dead bodies still remaining there and polluting the water. Sometimes when the wells were shallow and the women could go down into them and come out again, the other people would rush to lick or suck their wet, dirty clothes, in the effort to quench their thirst. When they passed an Arab village in their naked condition the Arabs pitied them and gave them old pieces of cloth to cover themselves with. Some of the exiles who still had money

bought some clothes; but some still remained who travelled thus naked all the way to the city of Aleppo. The poor women could hardly walk for shame; they all walked bent double."

On the seventieth day a few creatures reached Aleppo. Out of the combined convoy of 18,000 souls just 150 women and children reached their destination. A few of the rest, the most attractive, were still living as captives of the Kurds and Turks; all the rest were dead.

My only reason for relating such dreadful things as this is that, without the details, the English-speaking public cannot understand precisely what this nation is which we call Turkey. I have by no means told the most terrible details, for a complete narration of the sadistic orgies of which these Armenian men and women were the victims can never be printed in an American publication. Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecution and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915. The slaughter of the Albigenses in the early part of the thirteenth century has always been regarded as one of the most pitiful events in history. In these outbursts of fanaticism about 60,000 people were killed. In the massacre of St. Bartholomew about 30,000 human beings lost their lives. The Sicilian Vespers, which has always figured as one of the most fiendish outbursts of this kind, caused the destruction of 8,000. Volumes have been written about the Spanish Inquisition under Torquemada, yet in the eighteen years of his administration only a little more than 8,000 heretics were done to death. Perhaps the one event in history that most resembles the Armenian deportations was the expulsion of the Jews from Spain by Ferdinand and Isabella. According to Prescott 160,000 were uprooted from their homes and scattered broadcast over Africa and Europe. Yet all these previous persecutions seem almost trivial when we compare them with the sufferings of the Armenians, in which at least 600,000 people were destroyed and perhaps as many as 1,000,000. And these earlier massacres, when we compare them with the spirit that directed the Armenian atrocities, have one feature that we can almost describe as an excuse: they were the product of religious fanaticism, and most of the men and women who instigated them sincerely believed that they were devoutly serving their Maker. Undoubtedly religious fanaticism was an impelling motive with the Turkish and Kurdish rabble who slew Armenians as a service to Allah, but the men who really conceived the crime had no such motive. Practically all of them were atheists, with no more respect for Mohammedanism than for Christianity, and with them the motive was a cold-blooded, calculating state policy.

The Armenians are not the only subject people in Turkey who have suffered from this policy of making Turkey exclusively the country of the Turks. The story which I have told about the Armenians I could also tell with certain modifications about the Greeks and the Syrians. Indeed, the Greeks were the first victims of this nationalising idea. I have already described how, in the few months preceding the European war, the Ottoman Government began deporting its Greek subjects along the coast of Asia Minor. These outrages aroused little interest in Europe or the United States, yet in the space of three or four months about 400,000 Greeks were taken from their age-long homes in the Mediterranean littoral and removed to the Greek Islands in the Aegean Sea. For the larger part these were bona fide deportations; that is, the Greek inhabitants were actually removed to new places and were not subjected to wholesale massacre. It was probably for the reason that the civilised world did not protest against these deportations that the Turks afterward decided to apply the same methods on a larger scale not only to the Greeks but to the Armenians, Syrians, Nestorians, and others of its subject peoples. In fact, Bedri Bey, the Prefect of Police at Constantinople, himself told one of my secretaries that the Turks had expelled the Greeks so successfully that they had decided to adopt the same method to all the other races in the empire.

The Martyrdom of the Greeks therefore comprised two periods, that antedating the war, and that which began in the early part of 1915. The first affected the Greeks living on the sea-coast of Asia Minor. The second affected those living in Thrace and in the territories surrounding the Sea of Marmora, the Dardanelles, the Bosphorus, and the coast of the Black Sea. These latter, to the extent of several hundred thousand, were sent to the interior of Asia Minor. The Turks adopted almost identically the same procedure against the Greeks as that which they had adopted against the Armenians. They began by incorporating the Greeks into the Ottoman Army and then transforming them into labour battalions, using them to build roads in the Caucasus and other scenes of action. These Greek soldiers, just like the Armenians, died by thousands from cold, hunger, and other privations. The same house-to-house searches for hidden weapons took place in the Greek villages, and Greek men and women were beaten and tortured just as were their fellow Armenians. The Greeks had to submit to the same forced requisitions, which amounted in their case, as in the case of the Armenians, merely to plundering on a wholesale scale. The Turks attempted to force the Greek subjects to become Mohammedans; Greek girls, just like Armenian girls, were stolen and taken to Turkish harems, and Greek boys were kidnapped and placed in Moslem households. The Greeks, just like the Armenians, were accused of disloyalty to the Ottoman Government; the Turks accused them of furnishing supplies to the English submarines in the Marmora and also of acting as spies. The Turks also decalared that the Greeks were not loyal to the Ottoman Government, but that they also looked forward to the day when the Greeks outside of Turkey would become part of Greece. These latter charges were unquestionably true; that the Greeks, after suffering for five centuries the most unspeakable outrages at the hands of the Turks, should look longingly to the day when their territory should be part of the Fatherland, was to be expected. The Turks, as in the case of the Armenians, seized upon this as an excuse for a violent onslaught on the whole race. Everywhere the Greeks were gathered in groups and, under the so-called protection of Turkish gendarmes, they were transported, the larger part on foot, into the interior. Just how many were scattered in this fashion is not definitely known, the estimates varying anywhere from 200,000 up to 1,000,000. These caravans, suffered great privations, but they were not submitted to general massacre as were the Armenians, and this is probably the reason why the outside world has not heard so much about them. The Turks showed them this greater consideration not from any motive of pity. The Greeks, unlike the Armenians, had a Government which was vitally interested in their welfare. At this time there was a general apprehension among the Teutonic Allies that Greece would enter the war on the side of the Entente, and a wholesale massacre of Greeks in Asia Minor would unquestionably have produced such a state of mind in Greece that its pro-German king would have been unable longer to have kept his country out of the war. It was only a matter of state policy, therefore, that saved these Greek subjects of Turkey from all the horrors that befell the Armenians. But their sufferings are still terrible, and constitute another chapter in the long story of crimes for which civilization will hold the Turk responsible.

ADMINISTRATION OF JIMMY CARTER, MAY 16, 1978

RECEPTION HONORING ARMENIAN AMERICANS

[Remarks at the White House Reception, May 16, 1978]

The PRESIDENT. The first thing I want to say is that it is an honor for Rosalynn and me to have you here in our home, which is also your home.

In preparation for the previous meeting that I had with your group in the Roosevelt Room in the West Wing, I went back and studied some of the history of the Armenian people. And I, again, am impressed with the tremendous contribution that you've made to our own Nation, the high examples that you've set in leadership, in music, arts, in business, in politics, in education, and in your sound political judgment in choosing to be Democrats—[laughter]—also in your very early support of me when I ran for President. Yours was the first group that had confidence in me, and I will always remember it. And your help for our party and our country is something that I appreciate very much.

As one of the oldest people in the world, you have, I think, struggled with great courage and tenacity to preserve your own identity, your own customs, and, too, in a very modest way, let the world come to appreciate what you've accomplished.

I feel close to you because you were the first Christian people, first Christian nation, and because of that, your deep religious beliefs, I doubt that any other people have ever suffered more. I know that through the early years of the foundation of your people's home, you suffered a great deal. But it's generally not known in the world that in the years preceding 1916, there was a concerted effort made to eliminate all the Armenian people, probably one of the greatest tragedies that ever befell any group. And there weren't any Nuremburg trials. There weren't any high public figures who recognized how much you and your families had to suffer.

Well, I feel very deeply that I, as President, ought to make sure that this is never forgotten, not only the tragedy of your history but also the present contributions that you make and the bright future that you have.

I'm very grateful that there are about a million Armenian Americans who provide stability in a unique place in our Nation's social and political structure, and I'm very grateful to you.

I might add one other thing. You are very generous people. Some of you have become quite influential, quite affluent, and quite famous because of your superb achievements. And this is a matter of great pride to me as it is to you.

So, I just wanted to let you know that, in a few words, as President, and on behalf of the American people, I appreciate what you are.

Thank you very much.

ADMINISTRATION OF RONALD REAGAN, APR. 22, 1981

DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

(By the President of the United States of America)

A Proclamation

The Congress of the United States established the United States Holocaust Memorial Council to create a living memorial to the victims of the Nazi Holocaust. Its purpose: So mankind will never lose memory of that terrible moment in time when the awful spectre of death camps stained the history of our world.

When America and its allies liberated those haunting places of terror and sick destructiveness, the world came to a vivid and tragic understanding of the evil it faced in those years of the Second World War. Each of those names—Auschwitz, Buchenwald, Dachau, Treblinka and so many others—became synonymous with horror.

The millions of deaths, the gas chambers, the inhuman crematoria, and the thousands of people who somehow survived with lifetime scars are all now part of the conscience of history. Forever must we remember just how precious is civilization, how important is liberty, and how heroic is the human spirit.

Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten.

As part of its mandate, the Holocaust Memorial Council has been directed to designate annual Days of Remembrance as a national, civic commemoration of the Holocaust, and to encourage and sponsor appropriate observances throughout the United States. This year, the national Days of Remembrance will be observed on April 26 through May 3.

Now, therefore, I, Ronald Reagan, President of the United States of America, do hereby ask the people of the United States to observe this solemn anniversary of the liberation of the Nazi death camps, with appropriate study, prayers and commemoration, as a tribute to the spirit of freedom and justice which Americans fought so hard and well to preserve.

In witness whereof, I have hereunto set my hand this 22nd day of April, in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two hundred and fifth.

[Filed with the Office of the Federal Register, 10:52 a.m., April 23, 1981]

[From the A.N.C. News, March 1983]

SPEAKER OF THE HOUSE REQUESTS A RETRACTION OF STATE DEPARTMENT BULLETIN NOTE

SPEAKER THOMAS P. O'NEILL'S ORIGINAL INQUIRY

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 1982.

Hon. GEORGE P. SCHULTZ,
Secretary of State, Department of State, Washington, DC.

DEAR MR. SECRETARY: I have read the Department of State Bulletin of August 1982 and I am deeply disturbed because the Department takes an official position that "the Department of State does not endorse allegations that the Turkish Government committed a genocide against the Armenian people".

In modern times, genocide is a crime that can be committed only through the instrumentalities of a national government or with the approval of a national government. Both President Reagan and President Carter have acknowledged that the genocide of Armenians took place and that it must not be forgotten. The United States Senate confirmed the Armenian genocide on May 31, 1920 in S. Res. 359. On April 8, 1975 the United States House of Representatives confirmed it in H.R.J. 148, which I cosponsored. And of course the genocide is well documented in the State Department's cable from United States diplomats in Ottoman, Turkey. These cables and Ambassador Morganthau's writings reflect no ambiquity regarding the responsibility of the Ottoman Government for the hideous fate of millions of Armenians.

This sort of revisionism is an outrage when engaged in by historians; it is absolutely inexcusable when it comes from the Department of State of the greatest democracy in the world. Consequently, I am formally requesting the Department reconsider its position on the matter and retract its erroneous "Note" of August 1982.

Sincerely,

THOMAS P. O'NEILL, Jr.,
The Speaker.

DEPARTMENT OF STATE RESPONSE

DEAR MR. SPEAKER: Assistant Secretary of State for Congressional Affairs, Powell A. Moore, promised in his January 7 letter to keep you abreast of developments on the issues raised by the August 1982 Department of State Bulletin article "Armenian Terrorism—A Profile." In this regard I am writing you on behalf of the Department of State, Ed Derwinski, I and other department officials who participated on January 12 in a frank, cordial and mutually educational meeting with five individuals reflecting a broad cross-section of the Armenian-American community.

At this meeting I explained that since assuming my position as Assistant Secretary for Public Affairs last summer, I had carefully investigated the circumstances surrounding the publication of the article on Armenian terrorism and its accompanying footnotes. The article was published as part of a special section on terrorism intended to cover the department's serious concern over terrorism, whatever the group or the justification invoked for violent actions. The article on Armenian terrorism was published not as an official statement of policy but as an article of interest. After its publication and receipt of inquiries, we published in the very next edition of the Bulletin (September) the editor's note which follows:

"The article, 'Armenian Terrorism—A Profile' which appeared in the feature on terrorism in the August, 1982 issue of the Bulletin does not necessarily reflect an official position of the Department of State, and the interpretive comments in the article are solely those of the author."

The Armenian Americans with whom we met raised no objection to the September editor's note in itself. Nonetheless, I want to confirm to you as we did to them that neither the August footnote nor the article represent an effort to present the official position of the Department of State Publication of the article and footnotes represent no policy change by the Department of State.

I appreciated your directing our attention to this problem and giving us the opportunity to clarify the matter, I hope that you find the above explanation helpful.

Sincerely,

JOHN HUGHES,
Assistant Secretary for Public Affairs and Department Spokesman.

Mr. WILSON. Mr. President, I rise today in enthusiastic support as the primary cosponsor of this resolution to establish a national day of remembrance for the victims of the Armenian genocide from 1915 through 1923.

I remember the day a few short years ago that I cast the crucial 67th vote enabling the Senate to adopt the international convention against all forms of racial and cultural genocide. It was a proud day for this body—a day when we collectively condemned the evil motives of men and governments that led them to systematically exterminate entire populations as a result of what they believed or the cultures into which they were born. On that day, we declared that these martyred millions of yesteryear did not die in vain. And on that day, we nobly kept alive the hope that agony suffered by the just could yet bring victory.

Today, the Senate has before it a specific historic example of the type of premeditated mass murder—spurred by visions of empire and power—that it so soundly rejected in theory with the passage of the genocide convention. Yet we pause when confronted with one tragic totalitarian event which stained the early history of this century otherwise known for its gradual discovery of how civilizations can thrive if their inhabitants are only left free.

Indeed, Mr. President, no questions or mysteries should linger about whether the Armenian people endured a fierce rule of terror during World War I that we could only characterize as a genocidal campaign. We float on a sea of evidence—published accounts, eyewitness reports, and the confessions of the persecutors themselves—that furnish the proof of this devastating experience. If only as dispassionate evaluators, we cannot wade through this sea with indecision or indifference.

We can cite the documentation for the Armenian genocide even before it began in earnest. We know that in April 1915, Ottoman rulers issued a proclamation ordering the deportation of all Armenians to designated "vilayets"—or provinces—mainly within eastern Turkey. Subsequent memoranda filed with the State Department by missionaries, businessmen, diplomatic personnel, and educators—now available for review at the U.S. Archives—indicate that 600,000 Armenians alone died in the deportations carried out only between April and December of the genocide's first year.

The American consul posted to one of the major deportation provinces of eastern Turkey, Leslie A. Davis, notes in a number of written reports sent to Washington yet never acknowledged in the public debate on the Armenian genocide until today, that Americans living in the region labeled it as the "slaughterhouse vilayet." In a December 30, 1915 dispatch to the United States Ambassador to the Ottoman Empire, Henry Morganthau, Mr. Davis wrote that:

> The term slaughterhouse vilayet * * * has been fully justified by what I have learned and actually seen since September. it appears * * * that men, women, and children were massacred about five hours distance from here. In fact, it is almost certain that with the exception of a very small number * * * all who have left here have been massacred before reaching the borders of the vilayet.

We have this information because Leslie Davis recorded it in a 132-page typewritten report for his superiors upon his return to the United States after 3 years of consular duty during which he witnessed countless numbers of murders and forced deportations. Susan Blair, a researcher and author, reproduced the Davis report in her 1989 book "The Slaughterhouse Province." Blair points out that Davis offered a unique perspective of the Armenian genocide because as a diplomat representing a neutral nation, he personally visited massacre sites only to see "the bodies of murdered Armenians whom he had previously seen alive." Despite these traumatic occurrences, Davis, by his own admission, held little respect for the Armenian people or their culture. This eyewitness, Mr. President, was not a propagandist or a hired gun.

So that my colleagues may have the opportunity to review the Davis account, Mr. President, before we fully dispose of this resolution, I ask unanimous consent that a copy of it appear in the RECORD.

Higher American officials than Leslie Davis, Mr. President, with no political or personal motives to cite the Armenian genocide other than their interpretations of fact, agreed that a systematic extermination took place.

Davis' immediate superior, Ambassador Morganthau, concluded in a July 1915 telegram sent to the Secretary of State that "A campaign of race extermination" against "peaceful Armenians" had begun "under a pretext of reprisal against rebellion."

Out of the White House and not yet even a Chief Justice, William Howard Taft wrote in 1920 that the Serbians and the Armenians shouldered more wartime suffering than any other noncombatants.

President Wilson, deliberating on the growing body of genocidal accounts produced by Davis and others, instructed his Secretary of State in 1919 to negotiate with Congress for the sending of United States troops to Armenia.

And in our own day, with the benefit of historical analysis, Presidents of both parties have not hesitated to voice the truth about this tragedy.

At a Holocaust memorial service in 1981, President Reagan invoked "The genocide of the Armenians" in promising that America would never forget the lessions in human hardship learned from the two World Wars.

President Carter also said in 1978 that the Ottomans made a "concerted effort to eliminate all the Armenian people."

Yet we need not rely exclusively on the word of our own countrymen, past or present, to search for more confirmation of the Armenian genocide. The Ottoman Government itself, ravaged by war and plagued by remorse, put the main perpetrators of the genocide on trial in 1919.

The empire's indictment against its own Ministers of War, Interior, and the Navy states that through any number of oral or clandestine means, these officials authorized "an unending chain of massacres, pillage, and abuse." But much of the evidence for the trials also originated in formal telegrams mailed from the central government to the deportation provinces. Under the harsh if not hypocritical judgment of their peers, four authorities were sentenced to death and four others consigned to 15 years of hard labor.

It should therefore come as no surprise, Mr. President, that the founder of the modern Republic of Turkey, Kemal Ataturk, explicitly renounced the "massacres of millions" by the Ottoman regime. Like free and democratic Germany, free and democratic Turkey opened its history with a rejection of the horror previously visited upon its own minority populations.

It puzzles me, then, why our strong ally Turkey expresses concern about this resolution. They know as we do that as Ataturk proclaimed, the utopian Ottoman rulers, and not the Turkish culture or nation, were the instigators of the genocide.

They know as we do that the United States Senate, both before and after this resolution, will assist the Ozal government with its economic reform program; that before and after this resolution, Turkey will remain a trusted and strategically vital member of NATO; and that before and after this resolution, we will still share the same security concerns.

They know as we do, Mr. President, that Turkey will remain one of the top five recipients of United States foreign aid, with a military assistance package to equal $500 million this year.

And they know as we do, Mr. President, that no logical, moral, or political connection exists between recognizing one of the great human tragedies of world history and our friendship with, or respect for, the Turkish people.

Let us focus, then, on the only issue at hand—a proper commemoration—a single quiet day—devoted to these brave souls who fell because they dared to be proud members of one community and professors of one faith.

Mr. President, the highest ranking Armenian-American in the history of our Nation is Gov. George Deukmejian, of California.

We in California, whether privileged to share in his proud Armenian heritage by blood or just by the hospitality of our Armenian friends and neighbors, are justly proud of Governor Deukmejian. He is unable to address us in person with the eloquent arguments for passage of this resolution that he can make so convincingly.

Being unable to address us in person, he has sent a letter addressed to me but deserving the attention and thoughtful consideration of all Members of the Senate concerned with justice and with prevention of the recurrence of tragedy.

I ask my colleagues to give to Governor Deukmejian's letter the attention it deserves and ask unanimous consent that it be printed in the RECORD at this point in the debate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, CA, February 21, 1990.

Hon. PETE WILSON,
U.S. Senate, Hart Office Building, Washington, DC.

DEAR PETE: I am writing to ask you to convey to your Republican colleagues in the United States Senate my strong support for Senate Minority Leader Bob Dole's initiative to commemorate the victims of the Armenian genocide.

The diplomatic representatives of the United States at the time, along with missionary organizations who provided relief to the victims and survivors and reputable scholars have all attested to the systematic effort by the Ottoman Turkish Empire to

annihilate the Armenian people between 1915 and 1923.

On April 24, 1990, the 75th anniversary of these atrocities will be commemorated throughout the world. The Congress of the United States has an obligation to join in remembering the victims of that tragic period, and in doing so, to send an unmistakable signal to those who believe that silence is tolerance.

I strongly urge the Senate to vote for this commemorative resolution.

Your efforts and those of Senator Dole to secure passage of this measure are greatly appreciated.

Most cordially,

GEORGE DEUKMEJIAN.

Mr. KOHL. Mr. President, I have approached this debate with mixed emotions. I have been dealing with this issue ever since Senate Joint Resolution 212 was referred to the Judiciary Committee on which I serve. When the resolution was scheduled to be acted on, I started receiving phone calls and letters from friends and from the Government of Turkey suggesting that this commemorative was a dangerous statement: it contained, I was told, false information and would, if adopted, threaten our relationship with Turkey, and encourage political unrest and terrorism.

Well, those are serious problems. So before the committee acted, I spent a good deal of time studying the facts. I have regretfully concluded that, while there is nothing in the resolution which justifies it, adoption of this legislation may threaten our relationship with Turkey and may encourage political unrest and terrorism. But I have also concluded that this resolution is historically correct—it factually memorializes the tragic genocide of the Armenian people by the Ottoman Empire between 1915 and 1923.

These conclusions create something of a quandary. Obviously I do not wish to offend Turkey or contribute to political instability or terrorism. Nor do I want to commit the unpardonable sin of ignoring a crime against humanity. I think all of my colleagues who share my conclusion that a genocide took place have struggled with the same problem.

I believe that Senator DOLE has made a good faith effort to solve that problem. He has repeatedly said that this resolution has nothing to do with modern Turkey—it refers to events which took place before the state of Turkey was established. He has repeatedly said that this resolution has nothing to do with the political agenda of some segments of the Armenian community—it does not imply support for reparations and is certainly not an indication of support for the terrorism which has been conducted by some Armenian nationalists.

Senator DOLE has gone further than that: he has publicly indicated that he is willing to modify the language of the resolution in a variety of ways. He had said that he is willing to amend the pending resolution so that it makes it unequivocally clear that we oppose "raising the issues of reparations or territorial dismemberment of Turkey as being absolutely dangerous, unjustified, unfair, and unacceptable." He has already made it clear that the resolution does not refer to Turkey but he is willing to go further: he has proposed language which says that the events being memorialized took place under "the government of the Ottoman Empire of that period prior to the establishment of the Republic of Turkey."

Indeed Senator DOLE has gone perhaps even further than I would be willing to go. He has suggested that he would support an amendment to the resolution which would avoid the need to make a judgment about the historic validity of the claim of genocide and simply request that the people of the United States "join the millions of Armenians and other people around the world who commemorate every April 24 as the anniversary of the Armenian genocide."

My point, Mr. President, is that there has been a real effort made here to compromise. But we cannot compromise the facts—and the facts demonstrate that there was a planned and systematic effort to eliminate the Armenian community by the Ottoman Empire between 1915 and 1923. Other Members of the Senate have already filled pages of the CONGRESSIONAL RECORD with documents and reports which support the claim of genocide. I would simply indicate that the Government of the United States, along with other governments, has already recognized the validity of the claim of genocide; this resolution may represent an initial statement by the Senate but it is not the first time that this conclusion has been reached by governments or other organizations. Let me cite just a few examples.

Our Ambassador to the Ottoman Empire, Henry Morganthau, told our Government that "it appears that a campaign of race extermination is in progress under the pretext of reprisal against rebellion."

American Presidents have consistently referred to the genocide. Ronald Reagan, Jimmy Carter, George Bush—at least as a candidate—have all spoken about the genocide.

The European Parliament, the American Bar Association, the United Nations Commission on Human Rights—all have reached the conclusion that there was a genocide.

So, Mr. President, I believe that we are being asked to reject a violation of basic human rights for the sake of political expediency. That I cannot do. I believe there was a genocide. I cannot ignore that fact. I cannot evade it. Recognizing it is the only way to prevent such disasters in the future.

If we accept the notion that diplomatic and political needs ought to govern our behavior, where does that leave us? I see a rising tide of anti-Semitism in the Soviet Union; are we going to allow our diplomatic desire to improve relations with the Soviets to prevent us from protesting anti-Semitism? I hope not. But if the arguments of those who oppose this resolution are accepted, then we might be asked to ignore or minimize the anti-Semitism we all see. Will we use the same moral compass to determine our policy in Cambodia—should we take the easy course and embrace the leaders of the genocidal regime who seek to regain power? That is simply not what we ought to be about as human beings. And it ought not be what we are about as a country.

Mr. President, I regret the fact that the people of Turkey may be upset by this resolution. I do not think they should be upset. I do think we have done everything we can to moderate the language of the resolution. But if the cost of making them happy is ignoring a genocide undertaken by the Ottoman Empire before the modern Republic of Turkey was even established, I do not believe we can afford to pay the price. I will vote for cloture and hope to have an opportunity to vote for an amended version of this resolution.

Mr. JEFFORDS. Mr. President, this has been a long and troubling debate. It has focused on a particularly painful period in history. It has focused unwanted attention on one of our good allies and fellow NATO members. It has called into contention the Armenian suffering at the hands of the Turks, 1915-23. It has opened old wounds and unfortunately created new animosities.

It is time to put all this behind us. It is time to step back from the emotionalism of the moment and rationally consider how we can resolve the issue. For we are not historians. We are not qualified to make the definitive judgment on whether or not genocide actually occurred in Armenia or anywhere else. But we do have a responsibility to bring this dispute to a close in a way that will acknowledge the suffering of the past and prevent any further suffering in the future.

I am a cosponsor of Senate Joint Resolution 212, which would resolve:

That April 24, 1990, is designated as "National Day of Remembrance of the Seventy-fifth Anniversary of the Armenian Genocide of 1915-1923," and that the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this date as a day of remembrance for the 1.5 million people of Armenian ancestry who were victims of the genocide perpetrated by the governments of the Ottoman Empire from 1915 to 1923, prior to the establishment of the Republic of Turkey, and in their memory this

date is commemorated by all Armenians and their friends throughout the world.

The distinguished Republican leader, Mr. DOLE, is offering an alternative that I believe can resolve this controversy. He has proposed that Senate Joint Resolution 212 be replaced by a Senate Concurrent Resolution with the following text:

That April 24, 1990, is designated as Armenian Martyrs Day, commemorating the 75th anniversary of the systematic destruction of the Armenian people in the period from 1915 to 1923.

Congress calls on the people of the United States to join the millions of Armenians and other people around the world who commemorate every April 24 as the anniversary of the Armenian genocide, a day of remembrance of the 1½ million Armenian people who were the victims of the government of the Ottoman empire of that period prior to the establishment of the Republic of Turkey.

This alternative makes several important changes. First, instead of being signed by the President and becoming a law as would a joint resolution, a concurrent resolution is merely a statement of opinion by the House of Representatives and the Senate, carrying no force of law.

Second, the concurrent resolution could not be construed as a certification by Congress that there was a genocide. Rather, it calls upon the American people to join Armenians and others in a day of remembrance of the 1½ millon Armenians who died.

Third, this language makes very clear that Congress in no way considers the present Government of Turkey or the present Turkish people responsible for the events of close to a century ago. While I can understand the sensitivities of the Turkish people on this issue, I would hope that they will not misconstrue this statement to be any more than it is—a commemoration of those who died 75 years ago. Turkey is a strong and valued ally. She should not consider this language to in any way diminish that standing.

Finally, let me say that I support Senate Joint Resolution 212. Yet, I realize that this is a time for compromise, for understanding the sensitivities of each side, and for resolving this issue with finality. Therefore, I urge my colleagues to support Senator DOLE'S motion to end debate and to move to a vote on the proposed Senate concurrent resolution.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I have discussed this request with the distinguished Republican leader, and he is agreeable to it. I ask unanimous consent that of our remaining time, which I understand is about equal now, that he and I proceed to discuss the matter for 15 minutes each, and in that way, we will be able to profitably utilize the remaining time for the next 30 minutes and hopefully thereafter.

The PRESIDING OFFICER. Without objection, the next 30 minutes will be divided equally between the distinguished President pro tempore and the distinguished Republican leader.

Mr. BYRD. Mr. President, I yield myself the full 15 minutes.

The PRESIDING OFFICER. Without objection.

Mr. BYRD. Mr. President, let me begin to sum up the reasons I oppose the resolution and support cloture.

First of all, the scholars themselves disagree as to what the facts were and are in relation to the question of genocide having been committed by the Ottoman Empire. So I think it is important that scholars have the opportunity to study the facts.

As I have already indicated in my remarks today and heretofore, provisions have now been made for those facts to be made available. The State Archives of the Republic of Turkey are open. The Council of Ministers only last year determined that they should be open. Students may have available to themselves ready access to those archives, and certainly the orders and regulations and proclamations and decisions of the Council of Ministers under the Ottoman Empire, just as the minutes of our own Department of State are made available, and they comprise volumes on top of volumes.

Those minutes and proclamations, decisions, regulations, orders of the Ottoman Council of Ministers will be made available, so that scholars and historians may indeed determine for themselves what the facts are.

So my point is that scholars today disagree, and I have already made a statement to that effect. I have quoted eminent scholars and historians, who are presently associated with various outstanding universities in this country. I pointed out that they disagree as to what the facts were and are. So let us make it possible for the scholars to study.

Alexander Pope said, "Who shall decide when doctors disagree?" So I say, who shall decide when politicians disagree? Who shall decide when legislators in this body disagree? Let the scholars and the historians determine what history was. Legislators and politicians make history. But it is the historian who interprets and analyzes the history that is made by legislators and politicians. So let the scholars determine the facts, after careful scrutiny and study.

My second point is that to adopt this resolution would inflame the virulent passions that have existed in the Balkans and the Transcaucuses and in the Middle East for decades, and even now are being inflamed.

There are old enmities and hatreds, misunderstandings, and great instability that today exists in the Transcaucasus and in at least three of the southern Soviet provinces in the Balkans, and we should not by our action herein inflame those passions further and exacerbate violence, hatred, and militancy, and that is what we will be doing. Too much has already been said, Mr. President, in truth on this floor. Too much by way of inflammatory statements have been said, not intentionally. They were not intended to be, but I am concerned that too much has already been said.

This is the place where we debate issues and sometimes things may be said out of passion that are not intended to fuel the fires. So it is dangerous to fuel these fires and they are not latent. They are not latent. It is dangerous to fuel them.

Third, I oppose this resolution because Turkey is the diplomat of the Middle East. The present Republic of Turkey has the confidence of Syria and Israel, and those countries in the Middle East. If indeed we see a shift from the East European stage to the Middle East, if we see for some reason the Warsaw Pact should dissolve, the stage is going to shift to the Middle East, and it will be important that we have a trusted ally there that is a recognized diplomat and has used its good offices already in the interest of peace. In the interest of peace we need to have that ally. We need not offend that ally as we will do so grievously should this resolution pass.

I have heard all of the qualifying statements and disclaimers stated. Mr. President, it is not necessarily how we view the language in this resolution. It is how it will be viewed elsewhere, and I am informed that the debates are already going forward in the Turkish assembly where they have been watching and listening with consternation as to what is going on on this floor.

So Turkey has a growing importance in that cauldron of the Middle East. There are fundamentalists, there are radical fundamental forces at work in Turkey today that would enjoy seeing Turkey's orientation toward the West reversed.

We have seen what happened in Iran when the radical fundamentalists took over that country. Let us hope that that never happens in Turkey, a country which sits astride the straits that lead from the Sea of Marmara to the Black Sea, the Bosporus, and from the Sea of Marmara to the Aegean Sea, a country that stretches astride and bridges Asia and Europe. Let us hope that that country never falls prey to radical fundamentalism. It is the only non-Arab Moslem friend of Israel, non-Arab Moslem friend in the Middle East. And we should do whatever we can do to strengthen the diplomat of the Middle East, to strengthen the Republic of Turkey.

I know we say oh, well, we are not charging the present-day Turks. Mr.

President, it would offend me if someone were to charge that my grandfather was a horse thief. And it will offend today's generation of Turks for their forebears to be labeled as criminals.

So I say that we should not do anything that would impair or menace the strength of Turkey as a diplomat as the shifting stage will go to that area of the world in future.

How much time do I have remaining?

The PRESIDING OFFICER. The President pro tempore has 4 minutes remaining.

Mr. BYRD. Mr. President, I shall address a fourth point.

Mr. President, the Constitution of the United States in article VI, paragraph 2, reads as follows: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made," all treaties made, "or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land and the Judges in every State shall be bound thereby."

In 1986 this Senate under the able leadership of the distinguished Senator from Kansas [Mr. DOLE] approved the ratification of the International Convention on Prevention and Punishment of the Crime of Genocide. We put the stamp of approval, the Senate's approval on that convention and that is the law of the land.

Now what do we do today? We propose to contravene, to act in contravention of that international convention, which required a two-thirds vote in this body, and which carried in this body by an overwhelming super majority. Now we set down the instrument at that point. What was the instrument? The international convention. This Government was a signatory to the international convention. That convention was negotiated. It was signed by our Government. It was approved by this Senate and we should let our handiwork do its job.

That convention provided for the codification of international law in respect to the crime of genocide.

That convention provided the instrument, the mechanism, through which contracting parties could bring before the international organs, including the General Assembly of the United Nations and other organizations of the United Nations, their disputes before the United Nations.

And that convention also provided that the contracting parties in dispute could have their disputes with respect to the interpretation of the convention and their disputes as to the responsibility of a state for genocide to be brought before the international court of justice. That is what we have already provided. We put our stamp of approval on that international convention.

That is where this matter should be decided, in the organ that was created partly by ourselves. We should not sit as a tribunal in this matter. We should not sit as some rump juridical assembly in the determination of whether or not the forebears of the present government of our friend, our ally, the Republic of Turkey should be branded as criminals.

How much time do I have out of my 15 minutes?

The PRESIDING OFFICER. The 15 minutes have expired.

Mr. BYRD. I yield the floor for the moment.

The PRESIDING OFFICER. The Chair recognizes the Senate Republican leader.

Mr. DOLE. Mr. President, I thank the Chair. I pay my respects to my friend, the President pro tempore, the Senator from West Virginia [Mr. BYRD]. We find ourselves on different sides of an issue that I think is important. We have tried to complete the record on this side with documents, one after another, facts, statements, stories from the New York Times. In fact, I have a book of clippings from around the world that was compiled about the Armenian genocide.

I think we have to ask ourselves before this vote—and keep in mind this is only a vote to proceed; we are not voting on the merits. We are voting whether or not we have enough sensibilities in this body to even undertake to discuss the question of Armenian genocide. And who is going to speak for the annihilation of the Armenians if we do not do it in the Senate?

Words spoke a half century ago by adolf Hitler as he unleashed the Holocaust, words that echo still today in this Chamber, in our hearts, when Hitler said, "Who, afterall, speaks today of the * * * Armenians?" Do not worry about the Jews, they have forgotten about the Armenians.

Well, I believe the Senate must speak because if we do not speak now, then who will?

I still recall the justifiable outrage expressed when President Reagan visited the Bitburg Cemetery a long time after the Holocaust. I am not moved by the plea that we should not punish the sons and daughters of those who may have participated in the Ottoman Empire in the slaughter of Armenians. I am moved by who might have been the sons and the daughters of the 1½ million Armenians who were slaughtered. What about their sons, what about their daughters, if any?

So as I said, we have a classic case here of David and Goliath. Armenia is flat on its back, devastated by earthquakes, 500,000 people homeless in a little country of 3½ million; 30,000 of its citizens killed 14 months ago. Armenia—David.

And on the other side, Goliath—Turkey.

And I will concede, as I did in my opening statement, Turkey is an important ally. They are our friend, and that is why we must make certain in our resolution that we are talking about the Ottoman Turkey.

We will give Turkey a half billion dollars in aid this year. Not bad. We gave Armenia $5 million. In fact, our record in helping Armenia is probably the poorest of any industrialized nation, the record of the United States.

And we had to scrounge around to find $5 million to help some of the people who are still living in shacks in a part of the world where they have very adverse winters. So Turkey gets $500 million. They get a lot of benefits from us. It is not just that Turkey is helping us.

Turkey has a very active ambassador here. He is a very fine man. I have met with him, talked to him. I have no quarrel about him doing his job, and he has been to see every Senator.

But Armenia has no ambassador, they have no embassy. They do not have any contracts with any businesses in the United States. They cannot put pressure on Senators. It does not happen to be a very attractive site for an investment in Armenia, at least right now.

But lots of big American companies operate in Turkey. They put in billions in investment and they take out millions in profits. And some of those investment dollars end up in the coffers of the Turkish Government which spends them on high-priced lobbyists who have been all over us the past few months. And some of those profits are paying for the American industry representatives who have been hammering home to many of us how important their profit margins in Turkey are.

Turkey—Goliath—has all the troops, all the guns, money, an embassy, American business, lobbyists—the whole 9 yards. They can all speak for Turkey and make the case for Turkey.

Armenia, none of the above. Nothing. A country flat on its back.

And I just ask my colleagues in this procedural vote, if we do not speak for Armenia, who will? We have heard we should not decide this issue. It ought to be left to the courts. Let me remind my friends that this convention on genocide had been hanging around the Senate for 37 years before we acted in 1986. We decided the issue. It is prospective; it is not retroactive.

We have expressed our outrage about the German genocide, the Nazi genocide, genocide in Uganda, genocide in Cambodia. We passed resolutions on the Senate floor. We decided, without near the evidence in two of

those cases, Uganda and Cambodia that we have in the case of Armenia.

The Senate has already made its decision in 1920, in a unanimously passed resolution. I put in the text of that yesterday. The Senate has hardly been the only body making a judgment in this case. The European Parliament declared that there was an Armenian genocide in the face of strong Turkish threats of retaliation. The U.N. Human Rights Commission, a fairly objective group as I understand, has declared there was a genocide. The American Bar Association has declared their was a genocide. And so have all of the following distinguished citizens of the world: Winston Churchill, not bad for a start; Elie Wiesel; Samuel Gompers; the Archbishop of Canterbury; former French President Giscard D'Estaing; Rafael Lemkin, the person who coined the word "genocide" in 1946; 10 American Presidents, Democrats and Republicans; former Speaker Tip O'Neill; former President Gerald Ford; Henry Cabot Lodge; Cardinal Cushing.

I put in the RECORD yesterday the names of 26 of my colleagues on each side of the aisle who made strong statements about this over the years. All of these people cared enough to look at the facts.

Let me say again, this is not a small book. This is a book on the Armenian genocide. News stories from around the world in 1915, 1916, 1918, and not one has been refuted on the Senate floor. The New York Times talked about 800,000 slain, how Armenian children were starved, how Armenian women were sold. So let us look at the facts.

I said earlier on, let us let history be the judge. "Oh, we have not waited long enough. We want the scholars to look at it." After 75 years, the Turks are saying, "We are finally going to open up the archives." They have been saying that for years. And that is not my quote. It is a story which appears in one of the Turkish newspapers which I made reference to 2 days ago. Normally archives are opened after 50 years. We waited 75 years. They are now saying we do not want this to happen; if there is anything left you can look at it.

Again records in the Turkish newspapers, not Armenian newspapers, say they have been going through those things for years to delete all the material that might be incriminating. So we have all kinds of evidence. We have cartons of it. We have 10 times as much documentary evidence on this genocide as we ever had on the killing fields of Cambodia. But no one I know of stands around on the floor saying, "Well, I do not have the proof on Cambodia." We all voted for it. And we were right.

We have some of the same kind of gruesome photography of Armenian women and children—I did not display it on this floor because I did not want to do that—that shows the murdered, mutilated, burned, decapitated, and battered bodies of Armenian women and children and men. It was a genocide.

We do not need more time to study. We have had lots of hearings, lots of debate.

Some want more hearings. Who are they going to call to testify? Who is alive that perpetrated the crime of genocide? No one. We do not fault the present Turkish leaders, the sons and the grandsons and the daughters and the granddaughters of those who may have perpetrated the crimes, but we are trying to remember the sons and the grandsons and the daughters and the granddaughters of the 1.5-million Armenians had who were slaughtered.

My colleagues will weigh the equity, and see how they come out. So, I suggest, we are going to have a procedural vote. They can vote not to take it up; then they may never have to face it.

There are some saying Congress is becoming more and more like this; we do not have to face tough issues. This is not a popular issue. Some say: "Armenia? Who cares?" The poor, suffering Armenians. We used to talk about it at home: "Eat your food; save it for the Armenians."

They have been survivors. I guess the last time I counted, I know of one Armenian in Kansas. I understand there are about 50 of Turkish descent in my State. I met one Armenian in Winfield, KS, just a few months ago. So I do not have some big constituency in Kansas. But if we do not get a cloture vote today or next week or later, this issue is going to come back.

We care deeply about the issue. We had up to 60 cosponsors. I will confess it has dropped to 46, because a lot of people are concerned. Every Senator on this floor has said:

> I sympathize with the Armenians. I wish we could do something. It was terrible. There were atrocities. There were tragedies. But I cannot do anything that might offend the Turkish Republic.

Then came the onslaught. The onslaught started before it came out of committee. We have offered a compromise. I am still prepared to compromise. Before we have the vote I am going to ask unanimous consent that we convert the joint resolution into a concurrent resolution and change the language. I do not want to offend Turkey. I have been there. As I said before, I went at the suggestion of the distinguished President pro tempore. And he is right, more of our colleagues should visit the Turkish Republic. They are our friends.

I am not certain I will be welcome again, but others may be. It is an important ally. But we are not talking about today. We are talking about something that happened 75 years ago.

Maybe we can compromise. I am prepared to do that, but I understand they do not want anything. I do not know of any way to duck the issue. I understand there are going to be efforts in the House and maybe efforts here later. If we cannot see it through this way, we will start offering it as an amendment to every bill that comes up. I do not think we want to do that. I would like to try to figure out some way to resolve it and have it done.

It is not pleasant for the Republican leader in this case to be on the other side of the President. And we think we have a solution to that.

Mr. President, how much time do I have?

The PRESIDING OFFICER (Mr. KERREY). One and one-half minutes, under the present unanimous consent.

Mr. DOLE. I want to close this phase of the debate and I want to read the words from a telegram sent by the Minister of the Interior of the Ottoman Empire—this is the guy in charge of the genocide—to the Government of Aleppo, dated January 15, 1916. I read this. This is it. It was signed by Talaat. He was part of the triumverate responsible. Let me read quickly. It is dated January 15, 1916.

> We hear that certain orphanages which have been open receive also the children of Armenians. Whether this is done through ignorance of our real purpose, or through contempt of it, the government will regard the feeding of such children or any attempt to prolong their lives as an act entirely opposed to its purpose, since it considers the survival of these children as detrimental. I recommend that such children shall not be received into the orphanages, and no attempts are to be made to establish special orphanages for them. Minister of the Interior.

That is an order: Starve the children. And they did. They were successful. Drown the women, sell the women, slaughter the men. They were successful. And we stand here today and say we are powerless. We cannot even express our sense of Congress through a joint resolution, concurrent resolution, or simple resolution.

So, I hope in the closing few minutes that my colleagues will understand this is a procedural vote. This is a vote about the human rights we all talk about, talk about, and parade around and say "Oh, I am for human rights." Well, this is a good place to start. I hope my colleagues will let us proceed to the resolution and then we can have our debate, offer our amendments. But, if we cannot even proceed to the resolution, we have no other choice but to offer it at the next opportunity as an amendment, so we do not have to go through this process.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, how much time does each side have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 16 minutes, 25 seconds. The minority leader, Republican leader has 16 minutes, 23 seconds.

Mr. BYRD. Mr. President, I have listened to my friend with great interest and I share his feeling of compassion toward the victims of atrocities. I share those compassions wherever they may exist or occur.

The distinguished Republican leader has spoke about the Turkish Ambassador and how the Turkish Ambassador has contacted Members of the Senate. And he has said that the Armenians have no Ambassador.

Not only the Turkish Ambassador has discussed this with Members of the Senate, but the American Ambassador to Turkey has had discussions with Members of the Senate and has underlined the concerns that have been expressed here on this floor by myself and others, with respect to what may be the pernicious results of this well-intentioned resolution.

Reference has been made to the American Bar Association, and others, who have labeled the actions of the Ottoman Empire as genocide.

Mr. President, this is the U.S. Senate. The American Bar Association—I have great respect for that association—may make a proclamation. Senators on this floor may stand and say, well, the actions were genocide. But there is a great deal of difference, when it comes to the Senate itself, the most powerful upper legislative body of the free world, when it makes a proclamation, when it puts on its stamp of approval. It is far different from an edict or announcement or proclamation from some other group, let it be American to the core.

We are talking about the Senate now, and we are Members of the Senate. My good friend speaks of the resolutions that we all passed in 1978 concerning Cambodia. Mr. President, 1978 was 10 years before this Senate approved the ratification of the international convention. But now, ex post facto, we want to go back. It is being urged that we, that the Senators, the Senate go back now 70 years and proclaim about actions about which we do not have the facts, I do not have the facts, no one of 100 Senators has the facts, on which to make a careful, deliberate, objective judgment.

So that is why the Senate approved the ratification of the International Convention.

Mr. President, under the American system, there are tribunals that have been constitutionally created to determine what is right and what is wrong in cases before them. I have heard it said here on the Senate floor, let us vote for the resolution; it is right; it is right.

Mr. President, the court system of the United States is different from the court system of England, but we can look at the English history and see the incipient beginnings of our own court system in many respects.

Henry I, who reigned from 1100 to 1135, created the Exchequer court and the system of itinerant justices who went out and down into the Shire courts and the hundred courts, the other feudal courts from the Curia Regis to represent the king, the crown.

William I, William the Conqueror, reigned from 1066 to 1087. He brought over from the continent itself what is the equal of today's accusing jury, the special inquest, the grand inquest. And Henry II enlarged upon his grandfather's actions, whereas under Henry I, royal writs could take from the Shire courts and other courts specified cases and bring them before the Curia Regis, which was the King's court, the royal court.

Henry II, who reigned from 1154, following the reign of Stephen, to 1189—1154 to 1189—enlarged and expanded on the system of writs whereby contesting parties could make use of the jury system. Henry II introduced the jury system—I am not talking about the accusing jury; I am talking about the jury system—and expanded the reach of the Exchequer court and created a Court of Common Pleas.

The Magnum Concilium was the great council made up of 500 barons and thanes and people of wealth and property. That constituted the high court of Parliament. Another British system, the House of Lords, still constitutes the highest court under the British system.

Our forefathers saw it differently. They did not place into the hands of the Senate of the United States juridical powers; they created a Supreme Court. And the Senate in the First Congress initiated the act, the judiciary act by which that Supreme Court was formally constituted and made up of six justices at that time.

So this Senate did not sit as a high court except in cases of impeachment. Here, again, we might retire to the history of the motherland, imposed on many of us and certainly many who sat at the convention and the First Congress.

So it was the reign of Edward III. Edward I reigned from 1272 to 1307. Edward II, deposed by the first Parliament, reigned from 1307 to 1327 and Edward III reigned from 1327 to 1377.

It was during Edward I's reign that Parliament found a way to control the King's ministers. The first impeachment occurred in 1376 when Richard Lyons, who was a customs officer, was accused of illegal acts. But that was not the last time that impeachment was used. It was used many more times. So our forebears provided for this Senate to be the tribunal in the cases of impeachment, but not in the cases that the courts of this country were constituted to decide.

So as for the right and wrongs in particular cases, those were decided by the courts. The same is true with regard to international conventions. This Senate, by its own hand, put its stamp of approval by a supermajority, two-thirds required, on the International Convention on the Prevention and Punishment of the Crime of Genocide. There it is that cases involving suspected genocide are to be determined.

So there is the instrument, there is the mechanism where this matter should be decided. It should not be in this court of impeachment that we should try a friendly country, an ally—Turkey.

I hope that the distinguished Republican leader will draw back from something that he has said, and I paraphrase him: If we do not succeed today, we will try Tuesday. If we do not try Tuesday, we will try again and again and again. We will do it by amendment.

I hope that my friend will not persist. Of course, this is on a motion to invoke cloture on a motion to proceed. But that is within the Senate's rules, and there have been other instances in which the motion to proceed was indeed filibustered. Sometimes it turns out to be best.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes and 53 seconds.

Mr. BYRD. Mr. President, I reserve the remainder of my time.

Mr. DOLE. Mr. President, I yield 4 minutes to the distinguished Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the Senate is about to vote on one of the most critical issues of human rights in the 20th century, involving one of the most senseless and despicable atrocities in all of human history.

The question before the Senate is very simple. The issue is justice for the Armenians, and it is time for the Senate of the United States to go on record in support of the Armenian genocide resolution.

Nothing in this resolution disparages the modern Government of Turkey.

But those who have studied the history of the tragic times during and immediately after World War I are well aware of the cruel and bloody and continuing massacre of the courageous and proud Armenian people that took place beginning in 1915.

Over 1½ million innocent Armenian men, women, and children were tortured and murdered under the Ottoman Empire, in one of the darkest

chapters in the history of man's inhumanity to man.

By remembering the Armenians today, by adopting the Armenian genocide resolution, the United States Senate can help to ensure that the abominable crime of genocide is never repeated again—in any nation in any place on earth.

I urge the Senate to invoke cloture and to pass this long overdue resolution.

I yield back the remaining time to the minority leader.

Mr. DOLE. Mr. President, how much time do I have?

The PRESIDING OFFICER. The minority leader has 14 minutes 40 seconds.

Mr. DOLE. I may not need all that time and will be pleased to have the distinguished President pro tempore close the debate. He has about 4 or 5 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOLE. I did want to touch on one point that has been discussed by some. We have talked about the strategic importance of Turkey, and it is true. This is an argument some of us made when we debated a resolution on Chinese students that did not seem to sell too well on the other side and not too well on this side. Thirty-seven Senators voted to sustain the President's veto, and in that case the President had already done everything by Executive order that would have been done by the legislation. So I want to point out there is a rather clear difference.

Mr. President, I have listened to the distingished Senator from Arkansas [Mr. BUMPERS]; and the Senator from Oklahoma [Mr. BOREN]; and the Senator from Florida [Mr. GRAHAM]. Nearly every Senator that I can recall—and I have not missed too much of the debate—has stated very precisely their concern and their feeling for those Armenians who did suffer during this period without any reference to the word "genocide." And, again, I displayed for those who may have missed it some of the news stories. Those in the back of the Chamber happen to be from the New York Times, but they are reprinted in this book on the Armenian genocide, stories from around the world.

The distinguished President pro tempore said, well, that is fine but we passed enabling legislation here in 1988 that says now if we are going to have anybody talk about genocide, you have to have a trial. I did not know we were having a trial. I thought we were here passing a commemorative resolution. Let me read the language of the pending resolution:

That April 24, 1990, is designated as "National day of remembrance of the Seventy-fifth Anniversary of the Armenian genocide of 1915-23," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this date as a day of remembrance for the 1,500,000 people of Armenian ancestry who were victims of the genocide perpetrated by the governments of the Ottoman Empire from 1915 to 1923, prior to the establishment of the Republic of Turkey, and in their memory this date is commemorated by all Armenians and their friends throughout the world.

Now, that is the language of Senate Joint Resolution 212. That is the language to which some 60 Senators initially gave their stamp of approval. I do not question the motives of anyone in this Chamber; I have been here too long, but I do think some people felt—maybe on reflection, whatever—they would like to have some expression for the Armenians but they were concerned about our relationship with Turkey. I have said from day one that I would be willing to compromise, but we understand we are told by the Turks, in addition to all the things they do to intimidate us, that they do not want to compromise, they do not have to compromise. Maybe they do not. But I have listened to all of these arguments of my friends in the Senate on both sides of the aisle.

In a moment or two I am going to make a proposition which I do not think anybody can refuse. I would like to propose that the joint resolution, Senate Joint Resolution 212, be converted into a concurrent resolution and also that the language be modified. I would ask the clerk to read the proposed concurrent resolution. I have not yet made a request, but I would ask that the clerk read what I will propose.

The PRESIDING OFFICER. Without objection, the clerk will read the resolution.

The legislative clerk read as follows:

Resolved by the Senate and House of Representatives in Congress assembled, That April 24, 1990, is designated as "Armenian Martyrs Day," commemorating the seventy-fifth anniversary of the systematic destruction of the Armenian people in the period from 1915 to 1923. Congress calls on the people of the United States to join the millions of Armenians and other people around the world to commemorate every April 24th as the anniversary of the Armenian genocide, a day of remembrance of the 1,500,000 Armenian people who were the victims of the Government of the Ottoman Empire of that period. These events occurred prior to the establishment of the Republic of Turkey, which was in no way involved in any of the activities of that period.

Mr. DOLE. Mr. President, let me point out some rather significant differences in the two proposals. I think this concurrent resolution would meet the objections of the opponents of the joint resolution. First, this form will not have the force of law. It is a concurrent resolution approved by the House and Senate, not signed by the President. It would be only an expression on the part of Congress as to its feelings about the events between 1915 to 1923. It makes very clear that the present Republic of Turkey was in no way involved in those events. I think a careful reading of the language of Senate Joint Resolution 212 and the proposed concurrent resolution will point out, first of all, there is no finding or statement of fact that there was a genocide. What it says is that Congress calls on the people of the United States to join the millions of Armenian and other people around the world to commemorate every April 24 as the anniversary of the Armenian genocide, a day of remembrance of the 1,500,000 Armenian people who were the victims of the Ottoman Empire of that period. So we call upon the people of the United States to join the millions of Armenians who so commemorate.

What does the pending resolution say? It says, "Armenian ancestry who were victims of the genocide," and, also, in the title would be "the Seventy-Fifth Anniversary of the Armenian Genocide of 1915-1923." We have changed that to "Armenian Martyrs Day."

Mr. President, I want to make certain that the distinguished Senator from Ohio has a copy of the revised resolution.

Mr. METZENBAUM. I do now.

Mr. DOLE. I failed to get it to him earlier. Having been around here awhile, I cannot believe there is not some way we can address the concerns, certainly not to the complete satisfaction of the other side; that does not always happen around here, but if in fact we are concerned about the fate of the Armenians, call it what you will, then it would seem to me there is some obligation to let us proceed to the resolution. I will alert the distinguished Senator from West Virginia, I would not propose that the joint resolution (S.J. Res. 212) be converted into a concurrent resolution in the form that I have submitted.

The PRESIDING OFFICER. Is there objection?

Mr. METZENBAUM addressed the Chair.

Mr. BYRD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. And I do object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. I have the floor, Mr. President.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. This demonstrates, I hope, to all those who have any concern for the Armenians, any concern, that what the opponents seek to do is shut us out, not even giving us an opportunity to modify or otherwise change the form or substance of our

pending resolution. I say to my colleagues who have expressed their concern, who have made speeches on this floor, who have told me privately, if you just change it a little bit and take out the statement there was a genocide, we all are sympathetic to what you are trying to do, well, I tried. I made that effort, and it was objected to. I should indicate that the President would support the language I have just sent to the desk.

But I know there are other Senators who may wish to speak. I do not want to take all of the time but there is still time for undecided Senators to leaf through their booklets, to look at some of the headlines from papers around the country, the Los Angeles Times, New York Times, papers all over the country, that talk about the Armenian genocide.

I know the Senator from Arkansas is on the floor, the distinguished Senator from Arkansas, Senator BUMPERS. I hope he will have a chance to take a look at the modified language that we talked about some yesterday.

So I say to my colleagues we made the effort to modify the language. I cannot do that unless I can proceed to the legislation. Rarely is a member of this body denied the opportunity to proceed. I am not talking about the final form, I am talking about proceeding to the legislation that is pending. If we cannot do it this way, we do not have any other recourse. Why not have a vote right now on the motion to proceed? Just do away with the cloture vote. I think most colleagues who are fairminded, whether they may be for or against the final resolution, are going to let me proceed. I cannot recall——

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOLE. This is a procedural vote. It is not a vote on the merits.

For those who have just joined us, I just made a unanimous-consent request that I convert the joint resolution to a concurrent resolution. It does not become law, and is not as offensive. So I can modify the language, and take out some of those things that offended the Turkish Republic. And there was an objection to it.

If we are denied the right to proceed, we cannot even change the amendment, and cannot even get to the substance. We do not have any other choice but to continue to offer this until someday we get a vote. It is not a threat.

I agree with the Senator from West Virginia. We ought to get it resolved. It does not help our relationship with Turkey at all.

But again let me ask my friends in the remaining few minutes to go back and read some of the stories in the New York Times, from the fifties and sixties. Read what our Ambassador, Mr. Morgenthau, had to say. He was there. He talked about the atrocities. It is in nice big print so everybody can read it.

Again, I say that I was called this morning by a friend of mine, dear friend of mine, saying, "Bob, I wish you would stop talking about the Armenian resolution. That was a long time ago." Who cares? Who cares about the million and a half Armenians who were slaughtered? There are not many Armenians in America. They are not a political force. They are not going to defeat anyone or elect anyone. Who cares about the Armenians? Nobody, I guess.

We are going to find out here in a minute. We are going to wait for the court to act. We are going to wait until they open up the archives. "It has been 75 years that we have waited for them to open up the archives." That old dog will not hunt anymore. They have been using that for years. "Oh, we will just open up the archives."

These are not my words. These are from the Turkish press who said it is another game. Every 7 months the Turkish Government announces: "We are going to open up the archives." And we fall for it.

But I just say to my colleagues, Mr. Talaat was the man in charge. He is the one who wrote about the orphans, and stopped feeding the children. "Starve the children. It is all right. They are only Armenians." They did not want them in the orphanage. They did not want to feed them.

I do not know what will happen in the vote. I think it is an important one. You talk about human rights. We all make speeches on human rights and we talk about abuses. The State Department issued their report 2 days ago. It has been condemned, criticized, applauded. If you are really concerned about human rights you can dismiss the lives of a million and a half Armenians because they are a small country with 3½ million people, 3,500 homeless because of the earthquake 14 months ago. They do not have an embassy. They do not have an Ambassador. They do not have any lobbyists. They do not have American business in Armenia. They do not have anything at all. All they have is their hope that the U.S. Senate will hear them and let history be the judge.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. Mr. President, how much time do I have?

The PRESIDING OFFICER. Four minutes and thirty-five seconds.

Mr. BYRD. Mr. President, I call attention once more to article 6, paragraph 2, of the Constitution of the United States. I read therefrom.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under Authority of the United States, shall be the supreme Law of the Land, and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

This body by an overwhelming super majority in 1986 put its stamp of approval on the International Convention on Prevention and Punishment of the Crime of Genocide. In so doing, and in connection with the implementing legislation which came later, it set up the mechanism by which disputes such as this could be handled, and provided the organizations, including the Security Council and the General Assembly of the United Nations to which the contracting parties could go to make their charges; and, provided that disputes with respect to the interpretation of the international convention as to the responsibility of any state where genocide occurs should go to the international court of justice. This is where we said these cases should go.

Now in circumvention of what we said, and what our Government signed, we say no, let us not trust our handiwork, let us make the decision here and now, no hearing, no witnesses, and 13 hours of debate.

Mr. President, we should not try our friend in this court. The distinguished Republican leader offered a unanimous-consent request that the joint resolution, Senate Joint Resolution 212, be converted into a concurrent resolution. I objected. My friend, Mr. DOLE, said this demonstrates that those who oppose this resolution want to shut us out.

Mr. President, what it demonstrates is that some of us, as well as the distinguished Republican leader, understand the rules of the Senate. We understand that a Senate joint resolution under the Constitution and a bill go to the President of the United States for his signature. They are presented under the Constitution to the President for his signature. Those who object to converting this resolution into a concurrent resolution, like the distinguished Republican leader, understand too that a concurrent resolution does not go to the President.

It was not presented to the President for his decision. So what this would do is remove from the President the responsibility of vetoing or signing or letting it become law over his veto. He would not have to do that with the concurrent resolution. It would not be law anyhow. It would have no legally binding affect, but the President would not have to showdown, would not have to make any judgment with respect to that concurrent resolution, because it would never have to go to his desk. That is what the situation is here.

Further, may I say that as to the language itself, whether it is genocide or whether another similarly pejora-

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tive characterization is in the language of the resolution is not the main point. The offensive and pernicious results of passage of the resolution derive from that kind of pejorative judgment about the events of that period. Turkey is still on trial on this floor. The foreign policy disaster in the making if this resolution passes would be the same. The reaction in Turkey would be the same upon passage of the resolution. It cannot be cured by substituting language like massacre, or slaughter, or widespread killing, or some such characterization of genocide.

May I point out that the language that the distinguished Republican leader has read includes the language "systematic destruction of the Armenian people." What is that, but genocide? It also makes reference to the anniversary of the Armenian genocide. So the words are there, no matter how they are cloaked or otherwise.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. I ask unanimous consent that each side may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. The resolution cannot be cured by substituting language such as that. It essentially means the same thing. The outcome will be the same: A very negative reaction in Turkey and significant damage to America's security interests in that region, the same inflammatory effects on the ethnic rivalries and tensions in that critical region.

The passage of the resolution, with such cosmetic alterations, still puts a stamp of Senate condemnation of judgment on Turkish history. There is no useful purpose in fooling ourselves with such cosmetic surgery. The effect would be identical. The fine distinctions of English words that carry the same meaning, same message, same judgment and the same condemnation, will not make any difference.

Mr. President, a concurrent resolution, as I say, is a way for the White House to wash its hands——

The PRESIDING OFFICER. The Senate will come to order.

Mr. BYRD. I thank the Chair.

It is a way for the White House to wash its hands of a major foreign policy issue. The distinguished Republican leader says the President would support the concurrent resolution. Why, of course. It will not have to go to his desk. He will not have to showdown, veto it. That is quite a reversal of White House insistance on its sole prerogative to make foreign policy.

Mr. President, I yield the floor.

Mr. DOLE. Mr. President, I know there are Senators who have other commitments. I just say that this is the "David versus Goliath vote." This is one country with nothing, except an earthquake and a half-million homeless, and no American interests, no lobbyists, no Embassy here, no Ambassador, nothing. The only place they can come is to the U.S. Senate. You have another country, "Goliath," Turkey, with an Embassy, Ambassador, $1 billion of American investment in Turkey, and they say, do not pass this on to our children and grandchildren.

What about the children and grandchildren of the million-and-a-half Armenians? Does anybody want to shed any tears for them? So if we really are concerned about human rights, as we properly were in the Holocaust, though it took us 38 years to ratify the Genocide Convention in this body, so we were not very eager to even do that. Maybe we can redeem ourselves a bit today by letting the world know that we do not always support the rich and the powerful and those with the most lobbyists. Sometimes we judge right from wrong. That is all the debate is here, right or wrong.

The right thing to do is let us proceed. This is not a filibuster on the merits. It is on a procedural vote. I cannot believe I am going to be denied that right. So we want to proceed. We might work something out, except the Turks say, "We do not want to work anything out." Welcome to America. We like to work things out. So give us the chance to do that. Do not cut us off at the knees by saying we cannot even proceed to the resolution. That is all I want to do, proceed to the resolution.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOLE. We have offered a modification. I am prepared to vote.

CLOTURE MOTION

The PRESIDING OFFICER. The hour of 1:30 having arrived, by unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of S.J. Res. 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923."

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to the consideration of Senate Joint Resolution 212, a joint resolution designating April 24, 1990 as "National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923" shall be brought to a close.

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Connecticut [Mr. DODD] is absent on official business.

Mr. SIMPSON. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The PRESIDING OFFICER (Mr. ADAMS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—49

Armstrong	Glenn	Mikulski
Bentsen	Gore	Mitchell
Biden	Grassley	Moynihan
Bingaman	Harkin	Murkowski
Boschwitz	Hatch	Pell
Bradley	Heflin	Pressler
Burdick	Heinz	Riegle
Burns	Helms	Rudman
Chafee	Humphrey	Sarbanes
Cohen	Jeffords	Simon
Cranston	Kassebaum	Specter
D'Amato	Kasten	Stevens
DeConcini	Kennedy	Thurmond
Dole	Kerry	Warner
Domenici	Kohl	Wilson
Durenberger	Lautenberg	
Garn	Levin	

NAYS—49

Adams	Graham	Nickles
Baucus	Gramm	Nunn
Bond	Hatfield	Packwood
Boren	Hollings	Pryor
Breaux	Inouye	Reid
Bryan	Johnston	Robb
Bumpers	Kerrey	Rockefeller
Byrd	Leahy	Roth
Cochran	Lieberman	Sanford
Conrad	Lott	Sasser
Danforth	Lugar	Shelby
Daschle	Mack	Simpson
Dixon	Matsunaga	Symms
Exon	McCain	Wallop
Ford	McClure	Wirth
Fowler	McConnell	
Gorton	Metzenbaum	

NOT VOTING—2

Coats	Dodd

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business for 2 hours with Senators permitted to speak therein.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

Mr. MITCHELL. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Is leader time reserved today,

The PRESIDING OFFICER. The Chair will state there was no leader time reserved today.

ORDER FOR LEADER TIME

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be 30 minutes of leader time to be equally divided between the distinguished Republican leader and the majority leader.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

Mr. SARBANES. Will the majority leader yield for a question?

Mr. MITCHELL. Certainly.

SCHEDULE

Mr. SARBANES. Does the majority leader have any illumination he can give us on the schedule for the rest of the day—for the rest of the week?

Mr. MITCHELL. I will do so very shortly, following consultation with the distinguished Republican leader, the chairman of the Senate Labor Committee, and others who have been involved in matters pending.

I expect to have an announcement very shortly regarding the schedule for the remainder of this week and the first part of next week?

The PRESIDING OFFICER. The Republican leader.

THE FIRST CLOTURE VOTE

Mr. DOLE. Mr. President, I just want to take 1 minute to comment on the vote. I congratulate my colleagues who supported the motion to proceed on the first cloture vote. I think it was 40–49. It was fairly close.

But the point is to get cloture you need 60, and I know of a number who vote for cloture on the second time around. I believe at least one if not both of the absentees support our position.

I think in the final analysis it will be a clear majority for moving ahead, which would give us courage to do so, if not through this process, through the amendment process. But I will discuss it with the majority leader.

I intend to file another cloture petition today, on which, unless there was some agreement, the vote would occur probably next Tuesday. And there will be additional debate. I think we are making a case.

I will be very pleased to visit with any of my colleagues who have different views and would like to figure out something. I have already been approached by two on the other side trying to see if there is some way we can work it out. There should be some way to work it out.

I think every one of the 49 who voted against the motion to proceed certainly cares about the Armenians and is sympathetic with those who were slaughtered in 1915 to 1923. but I guess, with administration and other opposition, the fact we had 49 votes is an indication there is strong support for doing something.

I can say in that regard, the President of the United States is prepared to make an accommodation, and I will have printed in the RECORD portions or a letter from the President which indicate if, in fact, there were a concurrent resolution with the language I suggested earlier, that we would have the support from the President of the United States.

I say a concurrent resolution instead of a joint resolution because, I am advised, if it is not law but only a resolution, it does not have the same adverse impact with some of our friends in Turkey.

Mr. President, we will proceed, we will persist, and I hope we will succeed in the final analysis.

Mr. BOSCHWITZ. Will the minority leader yield for a moment?

Mr. DOLE. I will be happy to.

Mr. BOSCHWITZ. I think there are some national interests involved that go beyond the period of these difficulties, 1915 to 1923. I hope he is able to work out the differences on this resolution. I think it would be, indeed, in our national interests.

Mr. DOLE. I thank the Senator for his support.

THE FLAG BURNERS

Mr. DOLE. Mr. President, the flag burners have won yet another victory. Yesterday, a district judge in Seattle ruled the so-called Flag Protection Act of 1989 was unconstitutional and the act of flag burning is constitutionally protected symbolic speech.

It is no surprise that the flag burners are already celebrating, scheduling a news conference here in Washington to toast the desecrators and to roast Congress for its well-intentioned but so far useless efforts to protect our national symbol.

But the litigation game is not quite over yet. The Supreme Court will now have the opportunity to review the district court's decision, and in fact the flag statute itself contains an expedited review provision.

As I have said before, it is the obligation of the statute's sponsors and those who support it to ensure that this expedited review provision works as advertised, so the Supreme Court can settle the score once and for all and determine whether the flag statute is the "great fix" that its sponsors claim it to be.

But so far, the flag statute is receiving a flunking grade. Despite its marquee billing, the so-called Flag Protection Act of 1989 has not protected a single flag. In fact, it has encouraged the flag burners to commit their outrages, to show their contempt for Congress' handiwork.

That is why it is so important to get an expedited decision on the statute's constitutionality, and that is why I continue to urge the flag statute sponsors to ensure that expedited review does indeed become a reality.

Mr. President, during last year's debate on the constitutional amendment, I argued that the amendment approach was the only sure-fire way to give Old Glory the protection it deserves. I argued that a constitutional amendment was the only way to overturn the Texas versus Johnson decision and to protect the integrity of our flag without impinging upon our cherished first amendment freedoms.

Yesterday's ruling confirms that these arguments were right all along. And it confirms that the overwhelming majority of Americans were right on target last year when they urged Congress to pass the 27th amendment to our Constitution.

Mr. President, I would be remiss if I did not thank the distinguished Senator from South Carolina, Senator THURMOND, the senior Senator from South Carolina, for his initial efforts. He was the first one to introduce a constitutional amendment.

It was sort of overtaken by events, but he has been out in the forefront, and I say to the distinguished ranking member of the Judiciary Committee, I think he was right then and I think we are right now.

I hope we will see an expedited process so, if this statute is held unconstitutional finally by the Supreme Court, we may move expeditiously to pass the constitutional amendment.

Mr. THURMOND. Will the distinguished Senator yield?

Mr. DOLE. I will be happy to yield.

A CONSTITUTIONAL AMENDMENT TO PROTECT THE FLAG

Mr. THURMOND. Mr. President, I want to thank the able Republican leader for his kind remarks. I remember, I attended a ceremony over in Arlington in which President Bush spoke on this very subject.

The able Republican leader, Senator DOLE, was there at that time and spoke. The distinguished Senator from Illinois spoke too at that ceremony.

We told the people then, we told the committee, Judiciary Committee, of which I am the ranking member, the way to accomplish this was a constitutional amendment. But for some reason they insisted on going forward with the statute.

I voted for the statute, but I said then I felt it was inadequate. Now this Federal judge has held it inadequate. So if we really want to get relief and protect the flag, the thing to do is first to pass a constitutional amendment of

the nature of which I introduced shortly after that first decision on this subject.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. BOSCHWITZ. I thank the Chair.

(The remarks of Mr. BOSCHWITZ pertaining to the introduction of S. 2159 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 2159 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. I thank the Chair.

(The remarks of Mr. LOTT pertaining to the introduction of S. 2159 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

AWARD OF ANTIDRUG FUNDS

Mr. GORTON. Mr. President, I am pleased to announce that under the President's national drug control strategy the Department of Justice today awarded $7.3 million in Federal antidrug funds to the State of Washington for local law enforcement. The award of this grant to the Washington State Department of Community Development is indeed timely. It was just 5 weeks ago that the State requested Federal funding for additional law enforcement because of the rapid increase in crime from the illegal drug trade in our State.

I am a firm supporter of the President's national drug strategy, and commend the administration on its decisive response to the critical need for law enforcement in Washington State. In my view, the propriety of the President's plan with its emphasis on law enforcement is clear. A recent presentation by the Washington State Association of Counties reported that Yakima, Pasco, and Seattle, WA, each has more crime per capita than the much larger cities of New York, Chicago, Detroit, and Philadelphia. To those of us who live in Washington, regrettably this is no great surprise. Washington State is awash in drugs. Just last week, the illegal drug trade in Washington was compared by the media to that of Miami and New York.

Unfortunately, Yakima Valley has become a major west coast distribution point for illegal drugs crossing our United States border from Mexico. Our national drug czar was astounded to learn on his visit to Yakima that drug dealers have created a pipeline to smuggle illegal drugs along long-established migrant farm labor routes extending deep inside Mexico.

The Yakima Valley, once quiet orchard country, is now on the front lines of our Nation's drug war. The drug epidemic has heavily burdened Yakima County, which has one of the lowest average per capita incomes in Washington State. With such inadequate resources, Yakima alone could not even begin to deal with the national drug problem and was nearly on the brink of collapse. These essential Federal funds will help allay this crisis and give us tools to battle the scourge of illegal drugs that is wreaking havoc across the country.

I do not believe for one moment, however, that the war on drugs will be won without holding criminals accountable for their illegal behavior. President Bush is providing leadership, and has asked for concrete reforms of our criminal justice system fully to carry out his drug war strategy. But Congress has failed to provide the requested statutory reforms to punish criminals.

Mr. President, our criminal justice system is in critical need of reform. I will not cease my pursuit for that reform until the American people are no longer victims of a system of justice which fails to hold users and dealers accountable for their illegal behavior. The people of Washington State and of this great Nation expect no less.

I hope that all of my colleagues will join me in enacting legislation to provide necessary statutory reform.

The PRESIDING OFFICER. Who seeks recognition?

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. EXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 1991 BUDGET

Mr. EXON. Mr. President, I have reviewed the President's budget, and while there are some new receipts and new bakers, the President's 1991 budget serves up the same cooked number as we have seen in the past.

It is fluffy pastry, filled with the air of rhetoric, but lacking the needed policy fiber to enrich the Nation's economic health. This budget conclusively discredits the Gramm-Rudman law through its use of all too optimistic economic forecasts, clever accounting gimmicks, and budgetary sleight of hand.

The grand Gramm-Rudman scheme has allowed Congress and the President to simply avoid making hard decisions necessary to reduce the deficit. In spite of the promise of dramatically declining deficits and eventual surpluses, over a trillion dollars of debt has been added since the enactment of the Gramm-Rudman law.

Rather than a road map to economic prosperity, over the last several years the budget has come to resemble a maniac's drawings—disconnected from the truth or reality. The cost of massive programs such as the savings and loan bailout are taken off budget, wild assumptions are made about interest rates and inflation and once sacred trust funds are being used to run the day-to-day operations of the Government.

Mr. President, let us start the decade with honesty. According to the Congressional Budget Office, the 1991 deficit is at least $38 billion more than claimed by the Bush administration. The reliability of the President's OMB and Gramm-Rudman law is brought into question even by the President's own budget. A bare 3 months after OMB determined that the Gramm-Rudman target of $100 billion had been met, the President's budget shows the 1990 budget deficit to be $122 billion. Where did the $22 billion come from? The CBO calculates the 1990 deficit to be $138 billion. The Senate should not again play this game of hide the deficit that we have done all too often.

Now is the time to take stock of America's delicate economic and near bankrupt fiscal condition and set out on a sustainable and successful plan to reduce deficit spending.

Over the years, Senator HOLLINGS and I have been advocates of a freeze budget. I am hopeful that our time has finally come. A modified freeze budget would be a good first step on a long road toward fiscal soundness.

Mr. President, in spite of the disappointments with the President's budget—and it certainly is a disappointment—the decade did not open with a refreshing breeze at all of honesty. But it did gain some sort of respectability when Senator MOYNIHAN captured America's attention with a plan to somewhat reduce Social Security payroll collections, while more than adequately, amply, and fully protecting current recipients and those to be added to the Social Security system for many years to come.

At the present time, including the big Social Security tax increase that went into effect on January 1, 1990, the Government is collecting $1 billion a week—$1 billion a week, Mr. President—in excess of what it needs to meet required Social Security payouts.

Where do those extra billions go? Some think it goes safely into a trust fund to pay increased Social Security payouts in the 21st century. The totally false assumption here is the word "safely." The extra billions do go

through the so-called trust fund as a bookkeeping entry, but are at once confiscated by the Government and replaced with an IOU. These billions of dollars are then spent on general Government operations like any other tax collected moneys.

What would be an employee's reaction? What would an employee think if the employer were using the company's pension fund to pay the company's bills, and when asked about the foolhardy practice, simply reply, do not worry, do not worry, even though the guardian of the pension fund has not balanced the books for over 5 years and had in the past 4 years alone plunged from the world's largest creditor to the world's largest debtor nation? What is the maximum sentence for misappropriation of funds?

As a long-time advocate of taking Social Security and other trust funds out of the deficit calculations, I support the Moynihan plan. It would be one thing if Social Security taxes were being saved for future generations. The fact is that these funds are simply being spent. Unless we can fashion a better trap to keep Uncle Sam's fingers out of the Social Security cookie jar, we had best, in all honesty, regain some semblance of credibility by passing the Moynihan bill.

I would agree that we should not pass the Moynihan bill if—and I emphasize "if"—we could find a way to guarantee the Social Security funds were separated and conserved as was intended rather than converted to other uses as is clearly the case today.

Under the current law younger workers between the ages of 18 and 40 years are the ones being most directly defrauded. They essentially are being asked to pay the same tax twice, first today when payroll taxes are the highest in history and second in 20 to 30 years again at even a higher rate when current borrowing from the trust fund must be paid back, indeed, Mr. President, if it is ever paid back. Recent policy has all but locked in forever the commitment of weekly $1 billion excesses in the Social Security trust fund supposedly for soundness of the Social Security system but instead it goes to finance general government.

It is not unlike paying your pledge to the church on Sunday and then stopping payment on the check on Monday morning. At the end of the year your records would indicate definitely that you had kept your faith with your promise and your pledge, but the church would be broke.

It is time for trust to be restored in the Social Security system and the Moynihan plan is at least a first step in that direction if we can do no better.

Mr. President, our burden is heavy, and our will must be very strong. This Senate can make a meaningful difference in America's economic future. I have faith in the Senate Budget Committee and in the full Senate. With the spirit of goodwill, full understanding, and honesty of the true size of the economic problems that face us, I believe that Congress can work together, not as Democrats or Republicans, but as Americans to tackle this crisis.

ESSAY BY PROF. WALLY PETERSON

Mr. EXON. Mr. President, I direct the Senate's attention to a very, very interesting article entitled "Money in America" that I recently received from a colleague and friend of mine from Nebraska, Mr. Wally Peterson, a professor in economics at the University of Nebraska.

Professor Peterson recently sent me this article and asked that I look at it and give him my reaction. The essence of his paper is that America needs to adopt a truth in budgeting law. I could not agree more.

The use of America's trust funds to run the day-to-day operations of the Federal Government borders on the edge of a major scandal. It is long past time that the American people be given the whole truth about the budget.

To address the problems of phony budgeting, last year I introduced legislation known as the Debt Ceiling Reform Act which ties debt ceiling legislation to the congressional budget process. This legislation would take the utility out of accounting gimmicks and measure progress on the deficit in terms of total debt. Such a mechanism would give a true picture of the Nation's fiscal condition and give us a chance to begin to work on it.

While the politicians in Washington tell the American people that the deficit is declining, I am delighted that educators such as Professor Peterson are telling the American people the truth.

Mr. President, I recommend Professor Peterson's essay to my colleagues and ask unanimous consent that it be printed in the RECORD as if read.

Mr. President, I recommend Professor Peterson's essay to my colleagues, which is as follows:

MONEY IN AMERICA

(By Wallace C. Peterson)

How about a "Truth in Budgeting" Law? Perhaps it is time to write your Senators and Representatives in Washington about this.

We have a "Truth in Lending" law, one which is supposed to tell the consumer how much he or she is really paying in interest.

Just as the "Truth in Lending" Act was designed to keep lenders honest in dealing with borrowers, so a "Truth in Budgeting" Act could keep the government honest in telling Americans what the government spends, what it collects in taxes, and the real difference between the two.

But doesn't the government do this now? Doesn't the Gramm-Rudman-Hollings Act force the government to do this?

To both of the above, the answer is No!

The government is not "cooking the books," using phony figures to describe what is going on. But it is being deceptive, using "creative" accounting to tell American citizens something less than the whole truth about the real size of the deficit.

There are basically two ways in which this is done. One is by the growing use of the so-called "Trust Funds," and the other is through "on budget" and "off budget" accounting techniques.

Let us look at the Trust Funds. There are at least 17 such funds, of which the best-known are those for Social Security and Medicare, highway building, and airport and airway development.

If we strip away the fancy rhetoric, we find that these "funds" are simply a device to enable the government to earmark money for particular purposes, such as pension, highways, or airports.

Usually the activities to be financed in connection with a particular fund are paid for by a special tax, such as the payroll tax for Social Security, gasoline taxes for highways, or taxes on airplane tickets or aviation fuel for airport construction.

Most of the time in the not-too-distant past, the income and outgo from such funds was roughly in balance. Not now. In recent years the "biggies" among such funds—Social Security and Medicare, highways, and airports—have been running sizeable surpluses.

And what happens so such surpluses? By law the government is required to "invest" such surpluses in federal securities, so money flowing into the funds but not spent immediately for the earmarked purpose winds up in the Treasury, available for spending in any way the government sees fit.

Here is where the "on-budget, off-budget" concepts enter the picture. If a fund, like the Social Security "Trust Fund," is generating a sizeable surplus, then, by all means, bring it into the overall budget. This makes the deficit look better.

On the other hand, if the trust fund happens to be running a deficit, then leave it "off-budget." Once again the deficit will look better.

To illustrate how this works, let's look at the numbers for 1989. The publicized deficit, the one that is supposed to be meeting the Gramm-Rudman-Hollings targets, was $152.1 billion, down $69.1 billion from the peak deficit in 1986. That's real progress, isn't it?

But hold on. If we take away the Social Security surplus ($41.9 billion), the real, "truth in budgeting deficit" jumps to $194.0 billion. Add in the surpluses on all the other trust funds, and the real budget climbs even higher to $204.5 billion.

The smallest "real" deficit the government has had since 1983 was $169.3 billion in 1987. Since then the "real" deficit has increased, not fallen. It is supposed to fall in 1990, but that remains to be seen. Don't bet on it.

Whether or not Americans want to do anything about the deficit is another matter. But at the very least we ought to have straight-forward figures, not manipulated ones that make the folk in Washington look better.

Isn't it time for a "Truth in Budgeting" bill?

Mr. EXON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. REID). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are in morning business.

MOSCOW'S REJECTION OF FLIGHTS TO ISRAEL

Mr. GRASSLEY. Mr. President, I rise today to call my colleagues' attention to an article in Tuesday's New York Times. The headline reads "Moscow Rejects U.S. Pleas to Allow Flights to Israel."

Apparently, despite appeals from President Bush and the entire U.S. Senate to permit direct flights of emigrants, yet another door has been closed on the Soviet Jews.

This latest announcement throws cold water on what had been improvements in Soviet emigration policies. It also points up deficiencies in our own refugee policies, and the flawed premises on which they were based.

As I am pained to recall, this country put a limit on the number of Soviet refugees to be admitted in fiscal year 1990. We based this action on the premise that Soviet society was a safer place in which to live. As we heard our State Department say at the time that limit was put on: "Jews could always stay in the Soviet Union or go to Israel." Most of us never bought the line that staying in the Soviet Union was a real option. Now that the Soviets have said a very loud "No" to direct flights to Israel, this may become a nonoption.

Further, we took away the presumptive refugee status for Jews and other religious minorities based on only tentative changes in Soviet society. Well, today we know that anti-Semitism is growing. Threats of pogroms are circulating throughout the Soviet Union. Who among us really believes that deep-rooted religious persecution has gone away with "glasnost?"

In another major policy change, under the leadership of our State Department, we closed the Vienna-Rome pipeline for refugee processing. This shift was based on the false premise that processing would be more efficient in Moscow and that more Jews should go to Israel as opposed to the United States.

Now, unfortunately—but predictably—lines in Moscow for applications are longer than ever, backlogs for interviews are deeper than ever, and denial rates are higher than ever.

Then, even if an applicant is lucky enough to get refugee status, he will wait months before he is able to leave the Soviet Union.

As an advocate for freedom of choice, I may have differences with some of the advocacy groups that believe Soviet Jews should be resettled in Israel. But the bottom line is that today, Soviet Jews are not going anywhere due to a combination of United States and Soviet policies. And this bottom line means that Soviet Jews are trapped in the Soviet Union.

The New York Times article should raise concerns about our own policies. It is time to reexamine the premises on which these policies were based. Frankly, this latest development only confirms the doubts that I have expressed from the day our policies were announced.

We must also take this opportunity to inform the Soviet Union that this latest move operates as yet an additional obstacle standing in the way of waiving Jackson-Vanik.

Our work is not complete in zealously pursuing the issue of human rights and emigration with the Soviets. Now, more than ever before, we must open our doors to Soviet refugees while we still have a chance to do so.

Mr. President, I ask unanimous consent that a copy of the article from Tuesday's New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 20, 1990]

MOSCOW REJECTS U.S. PLEA TO ALLOW FLIGHTS TO ISRAEL

(By Robert Pear)

WASHINGTON, February 19.—The Soviet Union, under heavy pressure from Arab countries, has rejected an appeal from the Bush Administration to allow direct flights for Soviet Jews from Moscow to Israel, Administration officials said today.

American and Israeli officials said that in the absence of such flights, thousands of Soviet Jews were in effect trapped in the Soviet Union at a time of rising anti-Semitism.

About 4,600 Soviet Jews emigrated to Israel last month, mostly through Budapest. Officials say there are not enough flights from Moscow to Budapest for all who want to leave. Emigration would total 10,000 to 12,000 a month, they add, if direct flights were available to Israel.

CHAGRIN IN WASHINGTON

The Soviet position against direct flights is somewhat embarrassing to the United States. Washington restricted the admission of Soviet Jews and shut down a migration route known as the Vienna-Rome pipeline in October on the assumption that Jews would be able to leave the Soviet Union with little difficulty.

Aeroflot and El Al signed a commercial agreement in early December providing for direct flights from Moscow to Tel Aviv, but the Soviet Union has withheld the political approval needed to carry out the agreement.

In remarks to the Commonwealth Club in San Francisco on Feb. 6, President Bush said Moscow could play a useful role as "a catalyst for peace in the Middle East" if it allowed "direct flights for Soviet Jews wishing to leave the Soviet Union to go to Israel."

MOSCOW GIVES NO TIMETABLE

Secretary of State James A. Baker 3d told Soviet officials later that they should comply with the airline agreement and allow direct flights, but Moscow says it is unable to do so now, a State Department official said. He said that Soviet officials gave no indication of when, if ever, they might permit such flights.

In the last two weeks, the Soviet Ambassadors to Syria and several other Arab countries have said there were no plans for direct flight.

Moscow's refusal to permit direct flight slows but does not stop the migration of Soviet Jews, whom Israel is counting upon to bolster its strength.

Arab Governments, including those in moderate countries like Egypt and Morocco, have denounced the Soviet Union for relaxing emigration rules. The Arabs assert that Soviet Jews who settle in the West Bank and the Gaza Strip would tip the demographic balance and trample on the rights of Palestinians already living there.

The Bush Administration believes that further settlement of the occupied territories represent an obstacle to peace. But Israel says that few Soviet Jews have settled in the territories.

"While the United States advocates the right of Soviet Jews to leave the Soviet Union, it is not able to take all those who want to come to this country," said David A. Harris, a Washington representative of the American Jewish Committee. "Consequently, the U.S. feels an obligation to facilitate their movement to Israel, which actively welcomes them. There is a greater sense of urgency to get Jews out of the Soviet Union as quickly as possible because of the growing specter of anti-Semitism."

Phillip A. Saperia, assistant executive vice president of the Hebrew Immigrant Aid Society, said that "with instability in the Soviet Union, the need for direct flights is greater than ever."

For years, the United States automatically granted refugee status to Soviet Jewish applicants on the assumption that they had "a well-founded fear of persecution" in their homeland. In late 1988, the United States began to deny such status to some Soviet Jews.

In the past, many Soviet émigrés with Israeli visas traveled to Vienna or Rome, then changed their destination to the United States. On Oct. 1, the United States moved to end the use of way stations in Vienna and Rome. After that date, it said, "those who wish to take up permanent residence in the United States must apply at the American Embassy in Moscow."

U.S. CEILING OF 50,000

President Bush has set a ceiling of 50,000 on the number of Soviet citizens who can come to the United States as refugees in the current fiscal year, which began Oct. 1. But at least 100,000 would seek admission to this country if they felt they could succeed, American officials estimate.

Confidential State Department documents show that the new policy was based on the premise that there would be "direct charter flights to Israel" from Moscow. Such flights have not materialized.

All 100 members of the United States Senate have signed a letter appealing to the Soviet President, Mikhail S. Gorbachev, to allow direct flights to Israel. "We are ad-

vised that two, or perhaps even more, 747 flight per day can be arranged once this signed agreement between Aeroflot and El Al is implemented," the letter said.

The bottleneck appears to be the result of logistical problems and Moscow's political sensitivity to Arab complaints. Yuli M. Vorontsov, a Soviet First Deputy Foreign Minister, declared on Jan. 29 that people leaving the Soviet Union should not be used "to push Palestinians off land belonging to them."

It appears that Moscow wants to retain some control over the flow of Soviet Jews, even as it gets credit from the United States for permitting freer emigration. Israeli officials and Soviet refugee groups say that it takes up to a year for Soviet Jews to get seats on flights leaving the Soviet Union.

MONTHS TO GET AN APPOINTMENT

In addition, they said, it takes several months for Soviet citizens to get appointments at the Soviet office that issues exit permits, and it takes six or seven months for them to arrange for the shipment of their baggage and personal property out of the Soviet Union.

Israel says that 71,196 Soviet Jews left the Soviet Union last year, far more than the previous high of 51,320 in 1979. Of the 12,056 who went to Israel last year, less than 1 percent settled in the occupied territories. But Prime Minister Yitzhak Shamir of Israel set off a torrent of criticism when he suggested on Jan. 14 that he wanted to hold onto the West Bank and the Gaza Strip as homes for new Soviet émigrés.

Senators Bob W. Kasten, Republican of Wisconsin, and Patrick J. Leahy, Democrat of Vermont, recently introduced a bill to provide $400 million in loan guarantees to finance construction of housing in Israel for Soviet émigrés. Israel requested such aid in September.

Mr. Leahy said that American aid agreements with Israel routinely prohibit the use of American funds to establish settlements in the occupied territories. But White House officials say that Israel can use money from other sources to build housing for settlers in the territories.

King Hassan II of Morocco declared in a recent speech that "the nightmare of Soviet Jews' emigration to the occupied territories, haunting the Arab nations, is considered a catastrophe."

In a debate in the Israeli Parliament last week, Mr. Shamir said: "The Government has no specific policy of directing immigrants to Judea, Samaria, and the Gaza Strip, just as it is both incapable of preventing immigrants from opting for living in those places and is unwilling to do so. Every immigrant is free to choose his place of residence as he pleases."

THE AVENUE OF THE SAINTS PROJECT

Mr. GRASSLEY. Mr. President, I rise again today to discuss one of the most important transportation projects for the Midwest United States that has come on the maps of highway planners in many, many years. Moreover, this project will enhance the transportation needs not only of the Midwest, but also of the entire United States.

The project I refer to is called the Avenue of the Saints. This highway project is referred to as the Avenue of the Saints because it will connect St. Paul, MN, and St. Louis, MO.

There are existing interstate links going from St. Louis to Chicago and Kansas City, from the Twin Cities to Chicago and Kansas City, from Chicago to Omaha, and from Chicago to Kansas City. But there is a missing link in this Midwest transportation network and that missing link is this projected Avenue of the Saints.

At the present time, a study committee that involves the States of Missouri, Minnesota, Iowa, Illinois, and Wisconsin is determining the location of the route. There are now, after considering probably dozens of routes, four potential routes to choose from.

These routes, No. 1, would be St. Louis, up the Illinois side of the Mississippi River, to the Quad Cities through Illinois, parts of Wisconsin, and northwesterly to St. Paul.

The second route from St. Louis to the Quad Cities, and then westward on Interstate 80 to Cedar Rapids, IA, and north at that point to St. Paul.

And then two other routes that are exactly the same in the southern portion, from St. Louis through Missouri, southeastern Iowa, and then north at the end of Interstate 380 to St. Paul. Or another link from the end of Interstate 380 to Interstate 35, and then north to St. Paul.

These four routes were determined out of all the routes that were considered after a very exhaustive study. Numerous considerations were factored into these determinations: The impact on national, regional, and State economic development; funding feasibility; the status of existing highway routes; traffic demand; and of course environmental concerns.

The Avenue of the Saints study committee will be making a decision on a final route. In other words, they are going to pick one of these four routes still in the running on or near March 1. The study committee will submit its decision to the Federal Highway Administration, and the Federal Highway Administration in turn will report to Congress by May 1 of this year concerning funding options for this project.

I want to take this opportunity to urge the Federal Highway Administration to move expeditiously and positively toward an early completion of the Avenue of the Saints. I would also like to take this opportunity to urge my colleagues here in the Senate as well as in the other body, specifically those on the appropriate authorization and appropriation committees, to take a serious look at the Avenue of the Saints project, because I believe that it will be a vital part of our Nation's transportation future, or at least for now I believe that it ought to be a very important part of our Nation's transportation future.

A lot of people in the Midwest have worked for many years for this highway, the Avenue of the Saints. They have worked very hard for it to become a reality. I would like to salute their efforts. I am cautiously optimistic that the Avenue of the Saints will soon be more than just a dream.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INTIFADA

Mr. WILSON. Mr. President, I rise to share with my colleagues a very revealing article that appeared in the Wall Street Journal of February 21, 1990; yesterday. It was written by Steven Emerson. Mr. Emerson was formerly an editor of U.S. News & World Report.

It is entitled, "The Intifada You Don't See on Television." As that title would imply, the thrust of the article is that the television coverage to which American audiences have been exposed on the subject of the Intifada, or the so-called uprising against the occupation of the West Bank in Israel, has been something less than the total coverage which the author thinks should have taken place. The subhead, I think, perhaps makes the point. It reads, "In the 150 stories filed by U.S. networks from the West Bank last year, only half a dozen focused on Palestinians killing other Palestinians."

Mr. President, this is truly fascinating and, frankly, a deeply disturbing article. Let me read just selected portions.

Nearly one-third of all Palestinians killed last year in the West Bank and Gaza were murdered by fellow-Palestinians. Palestinian death squads roam the West Bank and Gaza, torturing and executing not only "collaborators," but also political rivals, moderates, criminals and women they consider promiscuous. The annual human rights report the State Department scheduled for release today might be expected to mention these facts. It does not. While the report devotes some 13 detailed pages to Israeli human rights abuses, it can spare just four paragraphs for Palestinian human rights abuses.

Perhaps the State Department has been watching too much television. It is from television that most Americans get their image of the intifada. And the U.S. networks have been complicit in a massive deception about the West Bank conflict.

Mr. President, that is strong language. Everything that I have read is a quote from Mr. Emerson's article. Some would say that it is a harsh judgment, not only of American televi-

sion but of the State Department's report. I submit that Mr. Emerson knew what he was saying and said what he intended to say because he thought that it was long overdue, that it was necessary for the American people to more fully become acquainted with the truth, as he was observed. So in order to make his point he continues:

U.S. reporters have acquiesced in Palestinian control over what gets filmed.

I repeat:

U.S. reporters have acquiesced in Palestinian control over what gets filmed.

And then he quotes Amos Aynor, an Israeli crewman who has worked for CBS. Mr. Emerson attributes this statement to Mr. Aynor:

Fundamentalist groups never allowed us in certain areas in Gaza.

Referring to another Israeli cameraman who has worked for United States networks, Tali Godor, Emerson cites this quotation which he describes accurately as being "even more blunt."

Every time a crew came to film the Palestinians, the rule was "Once you are here, you will cover what we want. You will not dig too much."

Mr. Goder went on to say:

We know that if we aim the camera at the wrong scene, we'll be dead.

According to Mr. Emerson:

These apprehensions are not unrealistic. A November CBS story about death squads in the Arab town of Nablus was one of the few television pieces to show the reign of terror imposed by Palestinian gangs.

This is an additional excerpt from this article:

If reports of threats by Palestinian gangs against a network's own crew are not newsworthy, it is perhaps unsurprising that other sorts of Palestinian violence have been ignored. Since the beginning of the uprising in December 1987, more than 175 Palestinians have been killed by fellow Palestinians. More than 25 have been burnt to death; another 20 have been strangled, lynched or suffocated; and others have been decapitated, dismembered and otherwise mutilated. More recently, the ears of "collaborators" have been cut off. Israeli soldiers have killed 25 Palestinians in Gaza since September.

While Palestinian gangs have killed almost double that number, 47.

Mr. President, in a further indication of the seriousness of the omissions in U.S. television coverage, Mr. Emerson cites the concern of Amnesty International:

Amnesty International found the killing of Palestinians by other Palestinians so disturbing that in November it issued a strong condemnation of the "killing of alleged collaborators," noting that many had been interrogated and tortured—

That is the language of the Amnesty International—

"interrogated and tortured" by "special squads of Palestinians." Furthermore, Amnesty said, "Palestinians leaders have endorsed or failed to condemn the killing of collaborators."

Documents intercepted by Israeli intelligence—and whose authenticity has been confirmed by Palestinians themselves—indicate that the Palestine Liberation Organization approves and directs the killings of other Palestinians.

I simply say by way of a side comment that it is no wonder that the Israeli Government, the coalition Government is insistent that they not negotiate directly with the PLO.

But I think it is not just interesting, but it should be a point of considerable focus of attention by American policymakers and by the American public in general that documents whose authenticity have been approved by Palestinians themselves make it clear that it is the PLO that has been behind this directed killing of Palestinians by Palestinians and their purpose, it seems, is quite obvious: They do not wish collaboration, as they term it, or cooperation in the kind of elections that would bring about new Palestinian leaders, those elected by those who are residents in the West Bank, to engage them in negotiations for what would be full autonomy, saving only the reservation by the Government of Israel of the right to have a sufficient military presence in outposts to guarantee the safety of the entirety of the State of Israel.

Let me continue briefly with Mr. Emerson's article:

While Palestinian political terror on the West Bank fails to make the news, utter fabrications about Israeli brutality are reported uncritically. At the beginning of the intifida, for instance, the U.S. networks were called to el-Mokkasad hospital in Jerusalem to film a dying 15-year old Palestinian boy named Ramiel Aluk. His Palestinian doctor showed the boy hooked up to life-support tubes, and claimed that he had been savagely beaten by Israeli troops.

The networks gave the story wide publicity. On Feb. 8, 1988, Peter Jennings introduced ABC's piece by announcing, "In the Middle East today, United Nations officials say that the Israelis have beaten another Palestinian to death in the occupied territories." CBS said the boy had "received a blow to his head," and then quoted his doctor: "I think he will die soon." NBC reported on a "doctor's helplessness and a father's despair as his 15-year-old dies of head injuries received in a riot."

But the story wasn't true.

According to the pathology records of Rami's autopsy and other medical records, the boy died of a cerebal hemorrhage caused by high blood pressure. He had been sick for more than a year.

Another example is the story of Amjad Hissein Jabril, a 14-year-old Palestinian-American. He was found shot to death in El-Bireh on the West Bank last August. CNN quoted Palestinians charging that the boy had been lost with Israeli soldiers. When his body was found, it showed signs of torture and mutilation.

Despite the army's denials, the State Department pressured the Israeli government into a formal investigation. The family refused to turn over the corpse, so the army exhumed the body. An independent Scottish pathologist selected by the boy's family performed an autospy. No evidence was found of any torture whatsoever. Amjad had died of a single gunshot wound in the back—from a low-calibre, low velocity gun. The Israeli Army regularly uses military high-velocity rifle bullets and high-calibre pistols.

The autopsy records for these and other Palestinian killings are kept in the Institute for Forensic Medicine, in Jaffa. After reviewing a number of reports, I asked its director Dr. Yehuda Hiss whether any American reporters had ever come to interview him. "None." Even human rights organizations have not bothered to ask for his files. The International League for Human Rights sent two lawyers to interview him on an investigation into Israeli brutality. But, Dr. Hiss said, "they came without any lists or names and left after an hour."

The networks prefer to get at truth by more dubious means. In the past year they have handed out at least 15, and perhaps as many as 25, Super-8 video cameras to Palestinians. These "cameramen" make their videos on their own and provide the networks with footage of riots, strikes and funerals. The cameras, according to a senior American television newsmen "were distributed to the Palestinians on the basis that they bring us action. But I would be lying to you if I didn't admit that the whole thing makes me feel uneasy."

Asked about the practice of providing videocameras to Palestinians, ABC spokesman Scott Richardson said, "ABC will not confirm or deny that we give our cameras to Palestinians. However our general policy in the world is that from time to time, we have given out equipment to local citizens for safety, legal or political considerations."

Mr. President, the fact is that except for Eastern Europe, where fewer than five such cameras were given out and each for only a limited period, the networks have distributed cameras nowhere else in the world.

Because few if any American television journalists speak Arabic, it is only natural that the networks seek out Palestinians who speak the language and who can help supply stories. But according to Israeli court records, many of the Palestinian journalists on staff or consultants to the American networks are active participants in the Intifada. There is absolutely no way to insure the authenticity of what is filmed nor is there any way to stop the cameras from being used as a tool to mobilize a demonstration.

Now, strict guidelines have in fact been laid down by some of the networks. CBS in their Production Standards is one that has laid down such guidelines, but from the testimony of eyewitnesses it seems that these guidelines are observed in the breach.

Mr. President, I think it is worth the time of my colleagues to read in its entirety this article by Steven Emerson, former editor of U.S. News & World Report, because it casts in a very different light the actual facts and certainly the coverage given to those facts by U.S. television networks on the subject of the Intifada. The Intifada that we have not seen on television is the Intifada that has been directed and orchestrated by the Palestine Liberation Organization. I think

that when 150 stories are filed by U.S. networks in a single year from the West Bank, there is something terribly wrong when less than half a dozen focused on the killing, the rampant killing of Palestinians by other Palestinians under the direction of the PLO.

So I hope, Mr. President, that my colleagues will give the kind of attention to this story, which is abundantly documented, that it deserves. I also hope, Mr. President, that hereafter the networks will observe the kind of stringent standards on news reporting that will assure objectivity and fairness.

They are not perfect. They are required to operate under duress in difficult circumstances but, candidly, there is no excuse for a record of this kind—150 stories filed, half a dozen focused upon Palestinians killing other Palestinians. Mr. President, that is not balance. It is not good journalism. It is not fair and accurate coverage, and it will inevitably lead to a distorted view on the part of the American people as to what has actually been going on for these past several months of the Intifada.

Mr. President, I thank the Chair for its courtesy.

HUMAN RIGHTS VIOLATIONS IN CUBA

Mr. MACK. Mr. President, I want to take just a moment to raise in essence another human rights issue, the violation of human rights on the island of Cuba. I had intended to offer an amendment today, or propose a free standing resolution, but it appears I will not be able to get that to the floor today. It is possible we may be able to work out some of the parliamentary procedure before the day is concluded.

But I wanted to mention two points. One, the resolution that I am going to offer asks the United Nations to take a more aggressive stand in investigating human rights violations in Cuba. If we do not get that finished in today's business, I am hopeful that I can bring it up next week before the U.N. Human Rights Commission votes on this issue, which is, I believe, on March 7.

Borrowing on an idea that developed last year in the Baltic States, the concept of a chain of democracy, people standing hand-to-hand stretching many miles to bring to the attention of the world the need for people to enjoy individual freedom, an organizing committee in Miami has developed a similar chain that will run from Miami down to Key West, and that will take place this Saturday. Once again, you might say free Cuban Americans are trying to raise the issue of the need for liberty on the island of Cuba and as a result have sent me a letter which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAIN OF DEMOCRACY

To the People of Cuba:

The Cuban exile community wishes to convey to the Cuban people on the island their solidarity with their struggle to obtain liberty for Cuba and their support of the individual and collective efforts of all those who struggle daily while trying to attain this goal, as was done by the father of our country during the wars for independence.

At this historic moment when people living under dictatorships evidence their desire for freedom while trying to democratize their governments and institutions, we demand that the Cuban people join the assembly of the free nations of the world.

We dedicate the chain for democracy, made up of thousands of Cubans and brothers from other lands, to those on the island of Cuba who suffer under the Communist tyranny.

For a free, democratic and sovereign Cuba!

The Organizing Committee of the Chain for Democracy.

Mr. MACK. I will just make a comment or two from the letter:

The Cuban exile community wishes to convey to the Cuban people on the island their Solidarity with their struggle to obtain liberty for Cuba and their support of the individual and collective efforts of all those who struggle daily while trying to attain this goal.

I think it is appropriate to conclude my remarks by saying I think all of us were impacted yesterday by the message of President Havel of Czechoslovakia when he talked about the significant point of the spirit of man, the realization that maybe we have focused too much and too often on the side of scientific and economic expansion but not enough attention is paid to the spirit of man. When he referred to Abraham Lincoln's words about the family of man—and frankly the words we heard today on the Senate floor, whether that be on the resolution brought up earlier or whether it has to do with the comments of the Senator from California or whether it has to do with the comments that I raise now with respect to human rights violations in Cuba—I think the world is beginning to understand that we are in fact a family of man and that we should be working together to protect the basic rights of all individuals in all countries throughout the world.

Thank you, Mr. President.

Mr. WIRTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING MILITARY AND CIVILIAN PERSONNEL IN CALIFORNIA FOR THEIR ASSISTANCE FOLLOWING THE LOMA PRIETA EARTHQUAKE

Mr. WILSON. Mr. President, I rise today with heartfelt gratitude to publicly commend and record the extraordinary efforts of our military and civilian personnel stationed at California's Moffett Field, Onizuka Air Force Base, and California's Air National Guard at Moffett Field, in the aftermath of the Loma Prieta earthquake which, on October 17, 1989, inflicted devastating destruction over a large portion of northern California.

On February 24, 1990, over 800 courageous and valiant men and women of America's military forces, and civilians serving aboard military bases, will be honored by a grateful civilian community in Santa Clara County, CA, for their individual and collective contributions to the earthquake relief effort and for their exceedingly generous assistance to the people of California.

Our military personnel aboard Moffett Field and Onizuka Air Force Base and the National Guard Unit at Moffett Field mobilized instantaneously following the earthquake and with dedication beyond the call of duty, began rescue and relief assistance throughout San Francisco and the surrounding communities.

Aiding local fire and police departments, the California Highway Patrol, the Salvation Army, and the American Red Cross, these men and women worked around the clock to help reestablish communications, evacuate the injured, fight fires, control crowds, establish food and clothing banks, erect temporary housing, man emergency kitchens, and act as translators for non-English-speaking residents. Moffett Field personnel became central to the relief efforts, coordinating the visits of President Bush, Vice President QUAYLE, and the host of congressional and official dignitaries who visited the earthquake site in the days following this disaster, as well as coordinating the airlift of vital supplies to the disaster areas.

Beyond such invaluable contributions, the families of these military personnel donated food and clothing, coordinated distribution of these items, opened their own homes to those whose homes were destroyed by the earthquake, and demonstrated a remarkable personal commitment to their California community.

We Californians are privileged to have such splendid and caring military personnel in residency in our State. Our military families have traditionally been exemplary neighbors who have enriched our communities with their sense of civic responsibility and commitment. In the case of the Loma Prieta earthquake, they demonstrated

the best of this tradition of community service, and extended a compassionate helping hand to their fellow man in acts of courage and selflessness which will long be remembered and deeply appreciated by all the people of California.

I am privileged to honor these sons and daughters of America in this Chamber of the U.S. Senate and to submit their names to the CONGRESSIONAL RECORD to forever preserve the sterling assistance they freely gave to my fellow Californians during a time of great crisis and need.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

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AC2 Dawn M. Anderson
AC2 John P. Armenta
ETC Felipe M. Bagkus, Jr.
ABE2 Tyrell Baker
ET2 Lori K. Bessette
AC2 Kimberly A. Brunyansky
AMS3 Elizabeth C. Campbell
LCDR William A. Carpenter
ABHCS Ivan G. Colbert
ABH2 James M. Carter
CWO4 William F. DeBerg
AC2 Katherine E. Driggers
AOAA Rachel A. Durst
ET1 George H. Emerson
AC2 Vicki D. Eck
ACAN Steven C. Eastlick
ABH2 Byron Forslund
ACCS Theil B. Fowler
ACAA Jeffrey A. Friesner
AOC George G. Gange
ABH1 Thomas C. Gatlin
AC2 Reginald P. Graf
ET2 Bruce G. Giddings
AC3 William R. Garlinger
LT James Q. Henderson
ETC William J. Horan
AC1 Robert M. Haas
AC2 Phil A. Howard
ABH2 Carlton B. Heard
ABE2 Jimmy L. Hoggatt
ABE2 Eddithorn K. Jacobs
ET2 Vicki L. Johnson
AC3 Christopher E. Khan
AC3 Charles E. Koch
AC3 William T. Keyser
ABHC Ernest M. Linayao
AC2 Hidee R. Larson

ET2 Christopher J. Laporte
AC2 Brian T. Lund
ET2 William H. Lysinger
AC3 Trieu Q. Luu
ABH2 John L. Marcella
ET2 Dale A. McCrary
ACAA Angela M. McClure
ACAA David A. Michaud
ET1 Vance S. Nixon
ET3 Debbie L. Norman
AC2 Brian M. Palay
AC1 Iain G. Palmer
AC3 Celeste R. Parks
AC3 Dawn M. Pedone
WTSN Robert W. Pegg
ETC Gordon R. Perry
ACC Robin J. Rose
AE3 Kathleen G. Rapley
ACAN Christopher A. Roberts
OS1 Alberto B. Silvas
ABH2 Robert L. Scholl
AC2 Robert W. Staats
ACAN Cameron A. Seferovich
AOAN Olga L. Sierravalentine
ABE1 David Stringham
ACAA Nicholas M. Sulkowski
AO3 Ronald E. Teague, Jr.
AO1 Kevin E. Taylor
AC1 Kenneth R. Thompson
AN Deberah J. Tedesco
ABH2 Delaine E. Virtucio
ET1 Kimberly J. Walter
ETC Desi D. Ward
CWO2 Michael W. Wasmund
ABH1 David G. Watson
AC1 Denise A. Williams
ET3 Michael A. Williams
ET1 Sheila K. Williams
ET2 Gregory S. Wilson
AC2 Shawn L. Woodward
AC3 Cynthia A. Werner

PATROL SQUADRON FIFTY, FPO SAN FRANCISCO 96601-5923

AR Laura N. Achowicz
AA Mager L. Anthony
AR Sheila J. Cannady
PC3 Susan L. Fibberson
AT2 Curtis W. Keely
AN Manal M. Lewis
MSSA Jerry E. Mask

PATROL SQUADRON THIRTY-ONE, NAS MOFFETT FIELD 94035-5000

AE3 Stephen Azaroff
AME3 Cory H. Carlson
AT3 Nicholas J. Cromwell
AXAA Robert C. Enstrom
AT3 Dennis G. Farquhar, Jr.
AOAA Teresa D. Groover
AT3 Kimberly G. Haxton
AEAA Jeffrey G. Hilliard
AO2 Keith A. Hutchinson
AT3 Judith L. Kennedy
AX3 Michael J. McBurney
ATAA Jonathan R. McCullough
AWAA Scott C. McDonald
AX3 Salvador Morales
AR John P. Murray
ATAN Michael D. Panos
AOAR George L. Pevarnik, Jr.
AOAA Michael A. Polanco
AWAA Michael W. Rutt
AMSAR Tracy J. Seaman
AO3 Frederic P. Swiridoff
AOAA Mark A. Taormina
DP3 Dennis D. Thimsen
AE1 Sharon L. Vail
AOAA Rita M. Vallesillo
AWAA David M. Vanleuven
AOAN Scott A. White
AMHAN Carol R. Wolfe

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PNCS Faia P. Aliifua
AG1 Belino C. Guzman
AMHC Dimee V. Santos

PATROL SQUADRON NINETEEN, FPO SAN FRANCISCO 96601-5911

AO1 Frank Thomas
AT1 Donald Warriner
PNC Carlos Murillo
LCDR Michael Hansell

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MSGT Joseph Bersack
MAJ Steve Borochoff
CAPT Larry Bouchard
SSGT Doreen Brewer
SMSGT Robet Busch
SSGT Russel Cagle
SGT Richard Deschaine
CAPT Richard Dimmel
LTCOL Robin Ericson
CAPT Karolen Fahrni
MS. Nancy Grube
SRA Tim Heckathon
LT Tim Hogan
TSGT Daniel Johll
CADET Gregory Lynch
CAPT Joseph Martel
SSGT Jeffery McAlister
SGT Edwin Medina
CADET Daniel Potas
CAPT Beau Pottorff
MAJ James Puhek
CAPT Linda Puhek
SGT Francisca Reardon
TSGT Roger Renner
SGT Sherri Rupley
MAJ William Savey
A1C Eric Scherer
SSGT Floyd Shokely
A1C John Stark
A1C Michael Stewart
SSGT Armando Suarez
SRA Douglas Sweeney
COL Lars Vedvick
SRA Thomas W. Miller

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Mr. Bob Barrett
Ms. Carolyn Batwinis
Mr. Edmund Beauchamp
Mr. Pedro J. Betancourt
Ms. Gwendolyn D. Brantley
Ms. C.Ann Broomes
Mr. Ted Brown
Mr. Benjamin R. Bryant
Mr. Charles H. Cardwell
Mr. Rocci T. Caringello
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Mr. Dominic J. Civiletti
Mr. Larry G. Clark
Ms. Melissa A. Clyne
Mr. John J. Cox
Ms. Elise C. Craugh
Mr. Salvador V. Cruz
Mr. Earl Daniels
Mr. Bill R. Dawson
Mr. Roberto R. Delacruz
Mr. Charles F. Derrossett
Ms. Suzanne M. Doherty
Ms. Janet M. Etheridge
Mr. Matthew G. Fairbairn
Mr. Darryl K. Fields
Mr. Richard J. Geiser
Ms. Karen Gershanov
Mr. Collen G. Granero
Mr. Jesus D. Guerrero
Ms. Sandra Harrell
Mr. Milton Heimlich
Ms. Della Ivey
Mr. John E. Johnson
Mr. Johnnie L. Johnson
Mr. Richard H. Jones
Mr. Walter K. Laidler
Mr. Lloyd T. Losinger
Ms. Anne McMillin
Mr. Rodolfo S. Panelo
Mr. Donald E. Payne
Mr. Benjamin J. Pleasant
Mr. Albert Putney
Ms. Mary Quigley
Mr. Pedro D. Santos
Ms. Mary Scheibley
Mr. Larry D. Schmidt
Mr. John R. Shackleton
Mr. Dennis Sorci
Mr. Ronald Summers
Mr. Alonzo Toles
Mr. Elvin Tyler
Mr. Peter H. Wasserburger
Mr. Keith Williams

MEMBERS OF THE 129 AIR RESCUE GROUP WHO PARTICIPATED IN THE EARTHQUAKE EFFORT

ARG—Air Rescue Group
ARS—Air Rescue Squadron
CAMS—Consolidated Aircraft Maintenance Squadron
RMS—Resources Management Squadron
MSF—Mission Support Flight
MSS—Mission Support Squadron
CES—Civil Engineer Squadron
SVF—Services Flight
HOSP—Hospital
AFRES—Air Force Reserves
TNANG—Tennessee Air National Guard

AIR RESCUE SQUADRON

TSGT Don M. Allie
CAPT Bruce A. Apkarian
SSGT Troy Arce
CAPT Douglas K. Bawden
MAJ Gregory A. Bose
MSGT Gregory M. Caeton
TSGT Timothy J. Carazo
1ST LT Archie C. Carrico
SSGT Sean G. Casey
SSGT David W. Cruz
TSGT Ernest Delli Gatti
TSGT Rodrigo Dezubiria
MAJ John W. Duncan, Jr.
SMSG David M. Dunlap
CAPT Catherine Ederington
TSGT Victor J. Ferrera
SSGT Sandra M. Fish
MSGT Dale B. Fitzgerald
1ST LT Darwin K. Foote
A1C Frederick R. Foote
MAJ Brian E. Foss
MAJ Donald M. Graham
SSGT Daniel Greenawalt
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TSGT Philip T. Harris
LT COL Philip N. Henry
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SRA Lance T. Hinkley
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LT COL John E. Iffland
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MSGT Lee A. James
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SSGT Daniel A. Lapostole
LT COL Thomas J. Laut
AB Michael E. Lecy
MSGT Stuart H. Loux
MAJ Kenneth M. Lowen
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MAJ Michael J. Martini
SSGT Richard Martinsen
MSGT Mark S. McGlaughlin
CAPT Jeffrey Michelsen
SSGT James Mills

LT COL John E. Molloy
TSGT Halina D. Monczyn
MSGT David L. Morrison
CAPT James J. Mullins
LT COL James M. Newton
SSGT Christopher Nordby
CAPT John P. O'Neil
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MAJ Claude F. Roberts
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MSGT Melvin T. Schafer
LT COL Theodore Schindler
MSGT Donald L. Shanks
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SRA Keith M. Shukait
TSGT Scott R. Simpson
2D LT Michael Stasio
CAPT Glen H. Stoddard
MSGT Curtis A. Welle
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CMSGT Steven D. Wofford
A1C Christopher Young
TSG Timothy V. Young

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LT COL William P. Hagopian
CMSGT Dennis W. McKiver
LT COL Russell Padula
CMSGT David J. Rhoads
COL John L. Ruppel, Jr.

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MAJ Carlos Briones
SGT Susan Chapple
A1C Michael R. Drake
SSG Diana Marroquin
TSGT James Sullivan
MSGT Richard Ybarra
SRA Michael McMillan

MISSION SUPPORT SQUADRON

SSGT Joseph Amaro
TSGT Edward Avilla
SGT Edmond Chicoine
SGT Eric Eaton
MSGT Gilbert Gonsalves
SSGT Jon Ingalls
MSGT Mark Leyba
SSGT Richard Loomis
CAPT Kevin J. Stetson

HOSPITAL

MAJ Victoria V. King
LT COL Danilo V. Lucila

SERVICES FLIGHT

TSGT Victor A. Kottinger
MSGT George Meyerhuber
TSGT Cindy L. Miller
CAPT Marylyn A. Rios

AIR FORCE RESERVES

CMSGT Fred T. Elliott
CAPT Robert Letschin

TENNESSEE AIR NATIONAL GUARD

MSGT Douglas R. Maxsen

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TSGT Joaquin E. Aquilar
TSGT Mario Almenanza
SGT Alan Alvarez
SSGT Prem Antwine
SGT Kevin T. Baker
SSGT Ernest Belnap
AMN Andy Bentley
SGT Kathleen A. Bray
CMSGT Richard J. Butow
TSGT Randall Comstock
SRA Christopher Delaossa
LT COL Frederick Francisco
SSGT Gloria Gonzalez
SSGT Charles D.G. Grant
A1C Humberto S. Guadian
TSGT John H. Harris, Jr.
MSGT Larry K. Humpal
SSGT James C. Jarrett
SSGT Christian Jensen
SMSGT Dennis J. Korbel
MSGT Terrence L. Kuschel
1ST LT Daniel Lawrence
SSGT Johann P. Lotscher
TSGT Joe A. Love
SSGT Robyn McDaniels
TSGT Sandra A. Mishima
TSGT Tommy Montoya, Jr.
SGT Dennis Naguria
SRA Kenneth R. Orgill
SSG Daniel Perez
1ST LT Thomas Pinkerton
AMN Amando Pinpin
TSGT Joe R. Reyes
CAPT William H. Rutledge
MSGT William L. Schuppel
SGT Harold R. Smith
TSGT Gregory P. Tatro
MSGT David T. Tong
TSGT Brian Toomey
SSGT Philip D. Walton
SGT Terry Wilson
TSGT Jerome Wray

CONSOLIDATED AIRCRAFT MAINTENANCE SQUADRON

TSGT Miguel Alvarez
TSGT Walter Badertscher
MSGT Steven Beanan
CMSGT James Black
SSGT Paul Bryant
MSGT Michael Butler
TSGT David Cantrell
SSGT Timmy Chapple
SSGT Mark Collison
SGT Timothy Coppin
SSGT Wesley Craven
MSGT Alfred Curtez
SGT Shawn Daliposon
TSGT Thomas Detar
SRA Vicky Doering
SSGT Daniel Dufty
MAJ Alan Erskine
TSGT Ray Estrella
TSGT Gary Fendley
SSGT Gary Ginestra
SRA Joe Ging
TSGT Roger Godt
MSGT Edward Golmitz
MSGT James Graves
TSGT Danilo Guerrero
TSGT Gary Hallock
TSGT Ridgley Haslam
TSGT Carl Hay
SGT Claudine Herbelin
CMSGT Gerald Hitesman
SSGT Fred Hoehn
SSGT Donald Houskeeper
TSGT Hugh Howard
TSGT John Hunter
SRA Craig Ingles
TSGT Norman Jacobs
SSGT Donald W. Jefferies
TSGT Anthony Jeffrey
SSGT William Jennings
SSGT Brian Joyce
SGT Malcolm Knox
SSGT Michael Kuehl
MSGT Alfred Lagrimas
SGT Thomas Lynn
SSGT Armando Martinez
A1C John Martinez
SRA Thomas Massey
CMSGT Bobby McClure
SSGT Shawn McGrath
TSGT Javier Mendoza
TSGT Horace Mingo
SGT Luis Miranda
SGT Mark Moraes
TSGT Donna Moyer
MSGT Robert Nichols
TSGT Debbie Nordstrom
SRA Arturo Paramo
TSGT Kimberly Paul
TSGT Thomas Paul
SSGT Jack Pemberton
MSGT Uwanna Perras
SRA William Phelps
SGT Jamie Powers
TSGT Richard Pruneda
SSGT Andrew Reuther
TSGT Herman Rijfkogel
A1C Paul Rodrigues
MAJ James Rommelfanger
SSGT Jesse Rosete
COL John Ruppel
TSGT Scott Santos
A1C Steven Scaglione
SSGT Christine Schab
MSGT Michael Schmoll
TSGT Andrew Simon
SGT Kirk Skeeland
TSGT Timothy Smerdon
TSGT Johnny Smith
SSGT Charles Smutko
TSGT John Spooner
SSGT Joseph Starcher
A1C David Straughn
TSGT Rommel Struckus
MSGT James Terry
SSGT Raul Valenzuela
TSGT Vernon Vanerwegen
SSGT Mark Vanvliete
TSGT Charles Vonhofen
MSGT Bobby Walker
TSGT Wayne Watt
SSGT John Wilson
TSGT Chew Yuen

AIR RESCUE GROUP

LTC Robert B. Koenig
MAJ George W. Edmonds, Jr.
MSG Mary G. Mattox

RESOURCE MANAGEMENT SQUADRON

LTC Stephen P. Straw
MAJ Marvin G.L. Lum
CPT Arthur M. Hardee
SMS Douglas B. Sale
MSG Michael S. Bailado
MSG John D. Betz
MSG Everett E. Cooper, Jr.
MSG Charles D. Faherty
MSG Henry B. Gardey, Jr.
MSG Alex T. Mendoza
MSG Paul F. Wilkins
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TSG Dennis L. Powell
TSG David L. Ross
TSG William C. Sarow
TSG Rebecca J. Sunda
TSG Harold T. Traynor
SSG Mark E. Biernacki
SSG Steven A. Bowman
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SSG James C. Burt
SSG Weldon Coker
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SSG Earl E. Foster
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SSG Robert K. Hitomi
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SSG Jose M.R. Sinay
SSG Daniel J. Wallace
SGT Andres C. Malinao, Jr.
SGT Enrico P. Risano
SRA Henry L. Brum

SRA Kevin R. Johnson

TERRY ANDERSON

PONTIAC, MI, DESIGNATES DAY OF RECOGNITION FOR HOSTAGES IN LEBANON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,804th day that Terry Anderson has been held in captivity in Beirut.

I would also like to acknowledge that the city of Pontiac, MI, is designating today as a "day of recognition for the hostages in Lebanon and their families." I know that the families of the hostages are most appreciative of Pontiac's efforts to bring continued attention to the plight of the hostages, and I do hope that the city's pleas for justice do not fall on deaf ears.

SAMMY DAVIS, JR.

Mr. WILSON. Mr. President, it's my great privilege to honor Sammy Davis, Jr., in this Chamber of the U.S. Senate on behalf of all Californians.

For over six decades, the extraordinary Sammy Davis, Jr., has been an entertainer without equal. His swanlike dancing is a purely rhapsodic expression of grace, and as a singer, his richness of voice and unparalled euphony have made Sammy Davis, Jr., a national treasure. Such classics as, "Mr. Bojangles," "That Old Black Magic," and "Candy Man," have become standards of American music.

His long career contains such highlights as a Royal Command performance in London, stardom in Las Vegas, best-selling author, a multitude of recording smashes and a "lifetime achievement in the performing arts" honor from the Kennedy Center. Sammy Davis, Jr., will be bestowed another well-deserved accolade when the Professional Dancers Society fetes him for his "extraordinary contributions to dance" on April 1, 1990.

It is with pleasure that I submit this tribute to Sammy Davis, Jr., a man who continues to entertain millions of people around the world and whose legacy will remain in the hearts and minds of many generations to follow.

ONE HONEST PERSON

Mr. PRESSLER. Mr. President, rarely does a day go by when we are not confronted with another news report chronicling the flaws of the human character. Most reported news is bad news, and unfortunately, reporters do not have to look long to find it. Greed, corruption, larcency, and scandal too often provide plenty of grist for the news mill.

However, every so often, a story does come down the pike which gives one hope. Recently, while traveling my State, I read one such story in the Brookings Daily Register. Written by a fine reporter, Ms. Molly Miron, the story tells how Mr. Kermit Torgerson of Astoria, SD, reacted to receiving a check from his health insurance company for $87,729.60. Kermit had submitted a claim to the insurance company, but it was for $175 to cover the cost of some medicine he had purchased. You can imagine his surprise when he opened the envelope and found a check payable to him for a sum of money greater than any he had ever possessed in his life.

Well, Mr. President, Kermit could have cashed the check, kept the money, lived lavishly, and fulfilled a lifelong dream to travel to his Norwegian ancestral home. Kermit could have lived as a king. Such temptation could test anyone's mettle. Many would have pocketed the windfall.

But Kermit did no such thing. Rather, he immediately telephoned the insurance company and reported the error. As the company representative remarked, "There's one honest person left in the world."

Mr. President, there is probably more than one such person left in the world. However, if you were to take the views of my constituents at face value, not too many of them reside in Washington, DC. But, I can attest to there being many such persons in my great State of South Dakota. Kermit Orgerson is a typical example of the hardworking, dedicated, devoted, dutiful and honest people in my State who I have the great privilege to represent here in the U.S. Senate. I'm very proud of Kermit. His single act says a great deal about the way of life we enjoy in South Dakota.

Mr. President, so that the rest of my colleagues may enjoy the benefit of this uplifting account of the temptation of Kermit Torgerson, I ask unanimous consent that Ms. Miron's story be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THERE'S ONE HONEST PERSON LEFT IN THE WORLD—ASTORIA MAN RETURNS CHECK WITH BIG ERROR

(By Molly Miron)

ASTORIA.—When Kermit Torgerson of Astoria routinely sent his insurance company a bill for $175 for some medicine, he expected payment as usual, not an $87,729 bonanza.

"If I could have put this in savings, it would have been between $600 and $700 a month," he said. "I'd have retired tomorrow."

Torgerson, a part-time postal clerk who has worked at the Astoria Post Office for 32 years, said he has been a satisfied member of the American Postal Workers Union insurance company since 1971. On Saturday, as he was sorting the mail at the post office, he set aside his own letters and then opened the check from the APWU.

"I couldn't believe it," he said. "I thought my eye was going bad again."

His next thought was how to remedy the error. He called the insurance company and talked to the representative at APWU headquarters in Silver Spring, Md. They seemed as surprised as Torgerson to hear of the mistake. When the company finally was convinced the computer had spit out a string of wrong numbers, he said, the representatives expressed gratitude that they did not have to spend months searching for the glitch.

"They said there's one honest person left in the world," Torgerson recalled.

However, a person cannot be the victim of such a stupendous computer error without trying to get some fun out of it and dreaming a little about what it would be like to spend such an unexpected sum.

Torgerson lives with his 93-year-old father and an ancient dog named Boomer in an old house across Main Street from the Astoria Post Office. Thinking of a real five-figure windfall check, he did not immediately imagine a new big house, or even a colored television to replace his old black-and-white set. Torgerson, who has lived in the Astoria area all his life, dreams of traveling to the country of his ancestors.

"I wish I could have kept it (money)," he said. "I would have been in Norway yet this year. If I get another one like this, I'll be in Norway for damn sure, but it could only happen once in a lifetime."

IRANIAN BAHA'IS PERSECUTED

Mr. PRESSLER. Mr. President, a few years ago we heard chilling reports of the Iranian Government's execution of Iranian Baha'is, including women and teenagers, whose only crime was their religious belief.

According to representatives of the American Baha'i community, more than 200 Baha'is have been executed in Iran since the Islamic regime took over in 1979.

I have supported previous congressional appeals for the religious rights of Iranian Baha'is, and am pleased to cosponsor Senate Concurrent Resolution 53, which calls for the emancipation of the Baha'i community.

American Baha'is tell us that the resolutions which we have adopted, together with other international appeals, have helped persuade the Iranian Government to moderate the worst aspects of its religious persecution. It is encouraging to know that our actions have been helpful, and that no Baha'is have been executed for the past 2 years.

But the 110,000 American Baha'is believe it is not enough to stop murdering innocent people. Though the killing has stopped, the persecution has not.

The Baha'is are denied rights that you and I take for granted. The Baha'i faith is not recognized as a religion in Iran, and individual Baha'is have no protection under Iranian law. The Baha'i community cannot choose its own leaders or hold property. Iranian Baha'is are not permitted to operate religious schools or carry on any of the normal activities of a peaceful, law-abiding religious community.

The Iranian Government has responded previously to negative publicity about its actions. It is critical that we maintain pressure on Iran. I urge our colleagues to say "yes" to religious liberty. Help the peace-loving Baha'is live in peace in Iran.

SELECTION OF DEWAYNE COOK AS THE TOP NAVY RECRUITER

Mr. GRASSLEY. Mr. President, I want to bring to your attention the achievements of a member of the U.S. Navy, Mr. DeWayne Cook. DeWayne was born and raised in Waterloo, IA, and now resides in Omaha, NE.

DeWayne was recently selected by the Navy as its top recruiter. Recruiters earn credit for each person they sign up. However, additional credit is awarded for certain extraordinary recruits, such as those who score highly on military aptitude tests. DeWayne was named the best recruiter in the Omaha recruiting district, then was named best in the entire Navy upon further review.

DeWayne Cook's achievements are even more notable when you consider, Mr. President, that 4,200 Navy recruiters nationwide were reportedly eligible for the selection as the top Navy enlisted recruiter. DeWayne, who is married and has three children, was awarded a rather large trophy from Vice Admiral Jeremy Boorda at the Navy Recruiting Command's banquet in Altanta recently.

Superiors and friends in Omaha say DeWayne has excelled at recruiting young people from Omaha's black community. Frank Peak, a coordinator of outreach services at the North Omaha Alcoholism Counseling Program, described DeWayne in the December 10, 1989 Omaha World-Herald as being "more than just a recruiter. He's like a parent to them. * * * He's a positive role model."

This country needs more role models like DeWayne Cook for young people, Mr. President. This is the case whether it concerns inner city kids, such as those in Omaha, kids living in small towns, such as Carroll, IA, or kids residing on farms across the country. I hope my remarks today on the Senate floor will further encourage others to go beyond the point of merely fulfilling the requirements of a job or of being a citizen by reaching out to young people on an individual level.

THE RISE OF ANTI-SEMITISM IN RUSSIA

Mr. WIRTH. Mr. President, I believe there are increasingly disturbing signs throughout the news media, both the United States and in the Soviet Union, about a rising tide of anti-Semitism in the Soviet Union. The economic difficulties and ethnic turmoil wrought by Mr. Gorbachev's policies are, inadvertently forming a breeding ground for resurgence of right-wing, nationalistic anti-Semitism. "Pamyat" and other organizations have vented their frustration with perestroika by blaming Jews for all the past and present problems facing the Soviet Union.

Anti-Semitic views are increasingly taking on violent forms. Members of Pamyat broke into a January meeting of Soviet writers, beat many of the participants and threatened to return with guns. Rumors are circulating that May 5, St. George's Day, has been designated for a pogrom against Jews.

While the rise of Russian anti-Semitism is not well appreciated in the West, Soviet Jews are keenly aware of this frightful trend. Many of the 70,000 Jews who emigrated from the Soviet Union last year did so to escape virulent anti-Semitism. Growing numbers of Soviet Jews will quite understandably continue to flee in fear of a pogrom inspired by Russian right-wing nationalists seeking to "de-Zionize" the Soviet Union.

Just today it was reported that Moscow prosecutors have begun criminal proceedings against Pamyat for "inciting national and racial hatred and strife." This action is a start, but we must continue to keep our attention focused on this very disturbing and quite ugly trend.

Mr. President, while visiting Moscow last month, I had the honor of meeting again with Vitalii Goldanskii, an extraordinary human being who serves as Director of the Semenov Institute of Chemical Physics of the Soviet Academy of Sciences. Over a meal in his apartment, Vitalii outlined the scope and nature of the rise of anti-Semitism in Russia. With the help of John Holdren at the University of California at Berkeley, Dr. Goldanski has written a truly frightening account of the rise of anti-Semitism which appeared in last Sunday's Washington Post "Outlook" section.

Vitalii sketches the rising tide of hatred among Russian nationalists as they try to cope with changes in their country by blaming the Jews for the October Revolution, collectivization, purges, and genocide. In spite of repeated appeals from members of the Congress of People's Deputies and distinguished Soviet scientists, the Gorbachev government has not acted to condemn or curtail anti-Semitic activities. I have joined Senator SIMON and other colleagues in writing to President Gorbachev urging him to publicly condemn anti-Semitic activities. While welcome, the reported government prosecution against Pamyat cannot substitute for political leadership on this issue.

Mr. President, the positive changes which Mr. Gorbachev's policies promise to bring to the Soviet Union are regrettably accompanied by the rise of rightwing nationalists who can only make sense out of the changing times by blaming and threatening Jews.

Let me read a couple of quotes from Dr. Goldanskii's article.

He says:

> But too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-semitic groups that seek to subvert perestroika, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."
>
> These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions."

Dr. Goldanskii goes on later in the article to say:

> Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolites (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1953), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.
>
> Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

Dr. Goldanskii closes by stating:

> The stakes are high. If the monarcho-Nazis prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.

The stakes in this, for all of us, are extraodinarily great.

This afternoon we have heard a number of very eloquent appeals on behalf of human rights. The Style section of this morning's Washington Post has a long article on former President Carter and his commitment to efforts relating to human rights around the world. Like former President Carter's efforts, the efforts that we in the United States make on behalf of human rights in the Soviet Union are directly in keeping with our own fine tradition of respect for human dignity. In addition, it is also in our own basic self-interest to promote these rights, especially at a time when it would appear that centrifugal

forces are trying to tear apart the Soviet Union. Mr. President, there are 25,000 nuclear warheads in the Soviet Union. Given this fact, it is clearly in our own best interests to do everything that we can to help dampen any kind of rightwing nationalism reflected in Pamyat and virulent antisemitism.

Mr. President, I ask unanimous consent that Dr. Goldanskii's piece be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 19, 1990]

ANTI-SEMITISM: THE RETURN OF A RUSSIAN NIGHTMARE

(By Vitalii I. Goldanskii)

(The following essay represents the sharpest public criticism to date by a senior Soviet official of the growing anti-semitism in the Soviet Union. It was written by Vitalii Goldanskii, a prominent Soviet scientist and director of the Semenov Institute of Chemical Physics of the Soviet Academy of Sciences. Goldanskii is a member of the Council of People's Deputies and the foreign relations committee of the Supreme Soviet. He wrote the following essay in English, with editing assistance from John P. Holdren, a professor of energy and resources at the University of California at Berkeley.)

Supporters of President Gorbachev's perestroika are increasingly alarmed by the possibility that this program of restructuring and reforms may collapse. Should this occur—and it cannot be ruled out even in the near future—it would be a disaster not only for the Soviet Union but for all humankind.

Many of the difficulties being encountered by perestroika are well known outside the Soviet Union, as are some of the potential consequences if perestroika fails. But too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-semitic groups that seek to subvert perestroika, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions. They are perhaps already the strongest, and certainly the fastest growing, of the divisive forces pushing the country toward bloodshed and civil war.

The extremist groups go by a variety of innocuous-sounding names, of which the best known outside the Soviet Union is the "National Patriotic Front Pamyat" (pamyat means "memory"). A number of them recently entered into a confederation under the title of "Bloc of Social-Patriotic Movements in Russia." I prefer to call them Russian monarcho-Nazis (or monarcho-fascists), to reflect their combination of deep reverence for the autocratic csarist Russian empire and ferocious hatred of Jews.

Incredibly, the Russian monarcho-Nazis openly and widely condemn the Jews as the main culprits in all of the troubles of Russia from the October Revolution of 1917 up until the present—including genocide against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges; destruction of tens of thousands of Russian churches and historical monuments; and spiritual poisoning of the people through the introduction of decadent and corrupt Western culture alien to Russian tradition. They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making reference to the disgraceful hoax, "The Protocols of the Elders of Zion."

There is striking simiarity, in fact, between the views, programs and intentions of the Russian monarcho-Nazis and the original Nazi platform as laid out in Hitler's "Mein Kampf" and other infamous documents of the German Nazi period. This similarity, and the resemblance of the general situation in the Soviet Union in 1988-90 to that in Germany in 1931-33, have been publicized by progressive Soviet mass media. The newspaper Soviet Circus, for example, has printed a point-by-point comparison of Pamyat's manifesto with the program of the Nazi Party of the 1930s.

The main organization serving as a coordinator of the monarcho-Nazi forces is the Union of Writers of the Russian Federation (RSFSR). As outlets for their propaganda they have at their disposal such newspapers and journals as "Literaturnaya Rossiya" (Literary Russia), "Nash Sovremenik" (Our Contemporary), "Molodaya Gvardija" (Young Guards) and "Moscow." The leaders of this movement include many notorious writers, some scientists, some artists and others.

The Nazi-type speeches and publications of these groups are becoming routine features of everyday life in the Soviet Union. Their form and content were analyzed by Prof. Herman Andreyev from Mainz University in West German in a recent issue of the weekly magazine Ogonyok. He concluded that in Western European countries such statements would be treated as unconstitutional, the person propagating them would be called to account and the organizations supporting them would be dissolved.

Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolities (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1953), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.

Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

The explanation of such passivity on the part of authorities seems quite simple. In addition to the evident sympathy of many authorities on different levels to the views of the monarcho-Nazis, others who do not sympathize nonetheless hesitate to act because of the way the growing aggressiveness of the monarcho-Nazis is linked to the bloody ethnic conflicts and intensifying separaist movements in nearly all of the outlying districts of the Soviet Union.

Specifically, this situation offers the monarcho-Nazis considerable opportunities for blackmail and intimidation of Gorbachev and his closest advisers, through the claim that, in conditions of the "decline of empire," the Russian heartland and her "genuine sons" constitute the only reliable basis for the preservation of Gorbachev's power. Such arguments are being used to push Gorbachev toward the right and to divide him from his true supporters on the left—the liberal intelligentsia. The result could be a repetition of the circumstances that produced the downfall of Khrushchev in 1964.

In parallel with their attempts to intimidate Gorbachev, the monarcho-Nazis have been openly attacking his foreign policy. They even have accused Gorbachev of being an agent in the service of the CIA and the Israeli intelligence service, the Mossad. With this two-pronged strategy of intimidation and direct attack, the Russian monarcho-Nazis hope to attain either a decisive influence over Gorbachev's policies or his removal and replacement at the seat of power by supporters of their movement.

What would that mean for Soviet Jews? The answer is all too clear from the similarity of the monarcho-Nazis' program to that of Hitler. The Russian monarcho-Nazis already possess their eqivalent to Hitler's SA and SS, in the form of the Pamyat movement. This movement does not disguise its intentions to carry out pogroms against the Jews, to whom it refers using the insulting word "ahidy" (yids). In fact, members of Pamyat have been organizing well-attended meetings all over the country to call for pogroms—even in Moscow's Red Square on Nov. 12, 1989—and no one has stood in their way.

Hitler treated as Jews those who have more than one-quarter Jewish blood. Pamyat goes further. It has announced its intention to search for Jewish progenitors back to the 10th generation. New recruits to Pamyat are required to prove their "racial purity" and to provide to the organization the home addresses of five Jews—no doubt for the purposes of the pogroms to come. Opponents of the monarcho-Nazi movement who happen to be "racially pure" or "Aryan" are characterized, along with all liberal intelligentsia, as "masons" (or "zhiho-masons," i.e., supporters of Jews); and these are also the targets of pogrom propaganda.

The brazenness of monarcho-Nazi threats against Soviet Jewry has been increasing. In addition to anti-semitic rallies and the desecration of Jewish cemetries around the country, which have been going on for some time, it now seems that meetings of liberal intellectuals are no longer safe from disruption by Pamyat thugs.

On the evening of Jan. 18 of this year, for example, a meeting of the progressive "April" group of writers at the Central House of Writers in Moscow was invaded by some dozens of Pamyat monarcho-Nazis with megaphones. They roughed up some of the writers, forcibly ejected others from the hall, shouted anti-semitic slogans and announced that their next visit will be with automatic weapons. They also designated St. George's Day, at the beginning of May, for a pogrom. The police were called but took their time in arriving, and there were no arrests.

Further increases in anti-semitic activities (especially, of course, actual violence) surely will lead to a mass exodus of Jews, people of partly Jewish extraction and "racially pure"

liberal intelligentsia. This new wave of emigrants—refugees from monarcho-Nazi power—could reach several millions and would represent a serious brain-drain from the U.S.S.R.

As for the possibility of another Holocaust, it certainly could not reach the scale of earlier Nazi crimes: The world has changed too drastically in the last half century for that. But a wave of pogroms more or less along the lines of the infamous "Kristallnacht" cannot be ruled out—weaker if a government like the present one tries to oppose them, stronger if a successor government of the monarcho-Nazi stripe sympathizes with the pogrom lust.

What should be done? As a start, the world public should be informed of the activities and intentions of the new followers of Hitler in the Soviet Union and should be told their names. The famous "Brown Book" published by anti-fascists in 1933, after all, was the first important step in the exposure of the Nazi crimes of that era. Clearly, the publishers of newspapers, journals and books, and producers of electronic media, have an important role to play.

The stakes are high. If the monarcho-Nazis prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.

SOVIET ANTISEMITES PROSECUTED

Moscow, February 21—Prosecutors have begun criminal proceedings against Pamyat, a Russian nationalist group accused of antisemitism, a newspaper reported today.

Jewish groups have been demanding for years that Pamyat, a loosely knit organization with affiliates nationwide, be prosecuted for provocations against Jews.

The weekly Literaturnaya Gazeta said Moscow prosecutors are pursuing charges against Pamyat of "inciting national and racial hatred and strife." It said Pamyat was charged because of a statement published in a newspaper calling for a campaign to "de-Zionize" the country.

The Pamyat statement said: "Jews and their relatives must not be allowed to defend dissertations, to acquire knowledge and get academic titles, to join the Soviet Communist Party * * * to be elected to local governing councils [and] must not be appointed to leading party, government and other posts."

Literaturnaya Gazeta praised the prosecutor's office, saying it "realized the danger and unlawfulness of such extremist actions."

Many of the thousands of Soviet Jews emigrating to the West say they are doing so in part because of a reported rise in antisemitism. The Soviet press has carried statements from government agencies condemning people who fan ethnic strife and promising to investigate.

Mr. WIRTH. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUED OPERATION OF THE D&H RAILROAD

Mr. D'AMATO. I rise to address a critical transportation issue throughout the Northeast, that is the continued operation of the Delaware and Hudson Railroad, known as the D&H. If the Consolidated Rail Corporation, known as Conrail, has its way, the D&H will be on be just a memory, and Conrail will have a monopoly stranglehold on shippers in the region. I do not think that is right, and I do not believe that that is what Congress intended when it rescued Conrail with taxpayers' money.

As a matter of fact, the areas in New York that would be adversely affected are Albany, Voorheesville, Rouses Point, Plattsburg, Glens Falls, Corinth/Crown Point, Buffalo, and Binghamton, just to mention several.

There are more than 50 major shippers in New York State who depend on D&H service. Eleven thousand jobs are tied to these shippers, and seven captive shippers, employing several thousands of people, would close down without the D&H. Many of these firms ship hazardous materials that cannot be safely transported by truck, or materials that trucks cannot carry. About 700 railroad jobs depend on the D&H.

D&H has filed for bankruptcy, and its trustee is now trying to sell it. A bid was accepted from the Canadian Pacific Railroad subject to Conrail negotiating certain trackage rights in Hagerstown, MD. Without these rights, D&H can never be profitable. Conrail has refused, and the Canadian Pacific deal has fallen through. The Governors of New York and Pennsylvania have appealed to Conrail chairman, James Hagen, to negotiate a trackage rights agreement. I, along with other elected officials, have done the same thing. I wrote to Mr. Hagen that Congress intended Conrail to have competition and that without the needed trackage rights D&H would be broken up in liquidation. Mr. Hagen wrote back, and I quote, "If there are public policy reasons for subsidizing the D&H, it would seem appropriate for that subsidy to come from public sources."

Mr. President, I agree with Mr. Hagen. After all, Congress gave Conrail about $7 billion and exempted it from strict Federal laws, including environmental and antitrust laws, to enable it to become a strong freight railroad. Unfortunately, the Federal well for such projects has been plumbed dry.

Private transportation companies may not be responsible for safeguarding the public weal. However, the D&H's imminent demise will create a Conrail monopoly in the Northeast. Monopolies are just not good public policy, and are not good business for shippers and employees.

Conrail should be very concerned that monopoly status invites prompt Federal reregulation of rail freight rates and services provided by railroads which have attempted to limit competition, and that is what Conrail is doing right now.

With Congress' massive help, Conrail has become a multibillion dollar transportation "Goliath." Conrail should be sensitive to public policy concerns. It was created for public policy reasons. In 1976, the final system plan mapped out Conrail's system and designated the D&H as its competitor in the Northeast. The small D&H was given trackage rights over Conrail. Despite the trackage rights and financial aid, the D&H has not been profitable and has been on its knees over the last few years. A final push from Conrail will soon see it end flat on its face.

At this point, I ask unanimous consent to insert into the RECORD a copy of an article by Mr. Lamkin, Jr., which appeared in the February 20, 1990 issue of the Journal of Commerce.

There being no objection, the article, was ordered to be printed in the RECORD, as follows:

A RAILROAD DESIGNED

(By J.T. Lamkin, Jr.)

The plight of the Delaware & Hudson Railway comes before Congress and a bankruptcy court as the result of a flawed federal attempt in the 1970s to maintain competitive rail access to the Philadelphia and New York City Metropolitan areas.

The Regional Rail Reorganization Act of 1973 created the Consolidated Rail Corp., or Conrail, as a for-profit corporation to acquire and operate rail properties pursuant to a plan of the United States Railway Association, a federal oversight agency also established by the act. Congress charged the USRA with preparing the plan for the reorganization of the Penn Central, Erie-Lackawanna and five other bankruptcy Northeast rail lines. The agency was freed by statute from Interstate Commerce Commission review, antitrust statutes, bankruptcy laws and the National Environmental Policy Act. Congress did require, however, that a competitive structure be maintained.

The Final System Plan of 1975, in addition to designating the property to be conveyed to Conrail, provided for the expansion of Chessie System (now CSX Corp.) into both metropolitan areas via the Erie-Lackawanna and two other railroads. However, in late January 1976, Chessie declined the properties it was offered. USRA officials, many of whom became senior officers with Conrail, were allowed to develop and implement a new competitive strategy while preparing for Conrail's operational start-up in April of that year.

The USRA's solution aggressively advanced by its chief executive officer, James

A. Hagen, who subsequently assumed the same function at Conrail, was to grant trackage rights over Conrail property to the Delaware & Hudson, a small railroad then operating between Scranton, PA, and Montreal, Quebec. The rights extended the Delaware & Hudson's territory to Buffalo, Philadelphia, Washington and Newark, NJ.

The USRA saddled the new "competitor" was high track rental charges, expensive operating rules and limits on traffic into New York. Most damaging, however, was the route structure over which the rights were conferred. The USRA managed to select the slowest and most circuitous routes for the Delaware & Hudson into New York and Philadelphia. In 1976 these lines may have seemed reasonable, but they condemned the railroad to failure from the start. In its 14 years, it has never shown an operating profit.

All of the groups that looked at purchasing the Delaware & Hudson out of its present bankruptcy concluded that the infusion of over $100 million by the State of New York and the Federal Railroad Administration over the past 14 years did little to improve the basic competitiveness of the railroad. Indeed, Canadian Pacific, the bankruptcy trustee's recommended purchaser, made its offer contingent upon the correction of one of the route flaws. Without such action, Canadian Pacific withdrew. One wonders what the offers might have been if a truly competitive structure were in place.

Based on figures announced by Conrail officials, Conrail controlled about 99 percent of the rail freight business in New Jersey and 95 percent of the traffic in Philadelphia in the middle of the 1980s. The gross value of the Conrail franchise in these two areas alone amounted to more than $1.5 billion in 1984 and accounted for more than 45% of the company's gross revenue that year. It is not surprising that the individuals who perpetrated this competitive sham so long ago now oppose its revamping.

Despite the Delaware & Hudson's tarnished record, the efforts of the bankruptcy trustee to maintain and correct its flawed route structure merit Congress's full support. It is long-established federal policy that competition is the best regulator. This basic precept has been the stated public policy of every recent piece of federal rail legislation. During the Conrail sale, numerous public and private officials voiced their concern that the Northeast not be deprived of competitive rail service. In fact, all demanded more and stronger competition than existed.

Following Conrail's purchase by management, the D&H embargoed its only New York-area terminal. Conrail's competition in the area, such as exists, has been provided by the New York Susquehanna and Western Railroad, a short line dependent upon its interchange with the Delaware & Hudson for non-Conrail connections to the west and north. Despite that railroad's cramped New Jersey facilities, several major international shippers, including Sea-Land, Hanjin and NYK Lines, have "voted with their feet" and left Conrail for the Delaware & Hudson-NYS&W service.

Nothing can more clearly demonstrate the market's desire for more of the competitive balance envisioned by Congress.

The market value of any railroad is tied to the size and share of the markets served. Certainly one could argue that Conrail's stock price is quite favorably affected by its large share of the New York and Philadelphia markets. A truly competitive Delaware & Hudson route structure, unfettered by Conrail-imposed operating constraints, cannot fail to increase the going-concern value of the estate.

At the time of the Conrail sale it was not in the government's economic interest to address this freak of fate. But if the Federal Railroad Administration and Congress are intent upon recovering the public money invested in the Delaware & Hudson, they should solve the basic route problems and let the market decide the worth of Conrail's "competitor."

Mr. D'AMATO. This article points out that the final system plan design for the D&H system was defective and doomed to fail. Interestingly, Conrail's current chairman was then head of the U.S. Railway Association which created this plan.

I am working with my colleagues from New York and Pennsylvania to write legislation to bring Conrail back to the bargaining table. This legislation is being drafted out of utter frustration with Conrail's intransigence.

Our constituents deserve better treatment than to be held captive to one railroad freight company without being able to bargain for rates and service. Conrail may be waiting to pick up all the marbles if the D&H is broken apart in liquidation. However, Congress should not allow "Monopoly" to become the only game in the rail freight industry. If reregulation is necessary in certain instances to protect the public interest, then this Senator will push for it to protect rail service in the Northeast.

Now, Mr. President, let me point out to you some of the major shipments that we are talking about. We are talking about coal, grain, paper products, newsprint, automobiles, chemicals, clay, salt, and food products. Also, D&H provides access into New England. It services the Port of Albany and then south into Harrisburg, PA and Potomac Yard, VA. To put this into perspective, we are talking about certain trackage rights, about 30–40 miles, which would give the Canadian Pacific an opportunity to operate a competitive railroad that would not need subsidies from the Federal Government and that would provide an opportunity for these shippers and these businesses to continue.

Let me quote to you part of a conversation that I had with Mr. William Newman, vice president of Conrail, and its Washington counsel. I told him that it had come to my attention that Conrail was not bargaining in good faith, that indeed they did not want there to be competition, that they were setting an arbitrarily high figure for the purchase of these trackage rights; I believe it was something like $90 million. In other words, Conrail is making it so expensive that no one would undertake this kind of cost.

Let me tell you what Mr. Newman's attitude was. I said that I understand the need for corporate profits, that you have to be concerned about it, but that there is also a public responsibility as well as to your corporation—particularly a corporation that was born with 7 billion dollars worth of taxpayers' money.

As an aside, let me mention that the Chairman of the Board of Conrail, Mr. Hagen, was impossible to contact. During critical periods leading up to court imposed deadlines on this matter.

Going back to Mr. Newman, this is what he said to me: "This is Conrail's railroad, and we have to do what is in the best interest of shareholders, employees and our shippers."

I told him, "Now, look, I have been misquoted many times. I want to read back to you what you just said, because I am going to go down to the Senate floor and put this into the RECORD." He said, "Yes, that is right." We went over this again. As a matter of fact, the first time he said "This is Conrail's railroad; we have to do what is in the best interest of the railroad," and expanded and said "shareholders and employees and our shippers."

It is not in the best interests of Conrail simply to force the D&H out of business. If they do, and the intended fallout is loss of jobs and productivity, and we are talking about American companies that are making it, our American citizens, brothers and sisters who are working, who are producing, then what will happen is Senators like myself and the Senators from Pennsylvania will sponsor legislation to reregulate those monopolistic railroads. Railroads which seek to dominate an entire region and have no competition and who do not give a darn about public responsibility, particularly those that have been financed by the taxpayers of this country, need special attention by Congress.

I told Mr. Newman that we are working on legislation that would do exactly that. I also told him that this Senator, along with Congressman LENT in the House and the Senators from Pennsylvania would not be adverse to introduce that legislation if left with simply no alternative but to have a monopoly.

I hope that Mr. Newman conveys the strength of my feelings and those of my colleagues in the Congress, as well as our determination to see that the people of this region are not left without proper and adequate rail freight service and do not suffer the unnecessary loss of thousands of jobs. It is one thing to lose jobs through competition when a company cannot compete, but it is another thing to lose productivity capacity simply because a railroad says, well, I can do better without any real competition. I can pick up additional business, and I will not even have any competition for rail

freight in significant parts of the northeast. It is wrong.

Mr. President, I hope that the Conrail people begin to listen to the message that I am attempting to send to them. I believe that it will be a tragedy for us to have to consider legislation reregulating railroads simply because they are looking to make an extra buck on the backs of the American taxpayer.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, the distinguished Republican leader is here on the floor with me, and I have had the opportunity to consult with him. And following that consultation, I will announce now that there will be no further rollcall votes today or tomorrow, and as under the previous schedule there will be none on Monday. So the next rollcall vote will be at or about 2:15 p.m. on Tuesday. It is possible there may be some Tuesday morning.

Mr. President, let me amend my comments to say that there will be no further rollcall votes today; there will be none tomorrow. There will be a pro forma session tomorrow. The Senate will be in session on Monday on legislative business, but any votes that are ordered that day will be scheduled for Tuesday.

Senators should be aware there will be votes on Tuesday. I will have to discuss with the distinguished Republican leader and the President pro tempore the schedule for the next cloture vote on the Armenian resolution previously anticipated to occur on Tuesday after the caucus.

But in any event, Senators should be aware there will be no further rollcall votes today, no rollcall votes tomorrow, and although the Senate will be in for legislative business on Monday, there will be no rollcall votes on that day.

I thank my colleagues for their cooperation. I will have a further announcement about the subjects that we will be taking up on Monday and Tuesday and the time schedule for tomorrow, Monday, and Tuesday as soon as I have had a chance to consult in more detail with the Republican leader.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MIKULSKI). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois is recognized.

Mr. SIMON. I thank the Chair.

(The remarks of Mr. SIMON pertaining to the submission of Senate Concurrent Resolution 95 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

EXTENSION OF MORNING BUSINESS

Mr. SIMON. Madam President, I ask unanimous consent that morning business be extended for 30 minutes under the same terms and conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 96-114, as amended by Public Laws 98-33, 99-161, and 100-674, his appointments of the Senator from Virginia [Mr. ROBB] and Mr. John Mansfield Falk, of Virginia, to be members of the Congressional Award Board.

Mr. SIMON. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER [Mr. LAUTENBERG]. Without objection, it is so ordered.

THE SCOURGE OF ILLICIT DRUGS

Mr. HATCH. Mr. President, I rise today to speak on issues of fundamental importance to all Americans. I refer to the scourge of illicit drugs which is properly viewed by the American public as one of the gravest threats to our national well-being. I need not remind my colleagues of my unwavering support for the strongest possible legislation to fight narcotics trafficking. I also expect and demand the effective enforcement of those laws by the Department of Justice.

However, I also believe that we must be careful when we attack those actually in the front lines fighting the "drug war." I personally have been troubled in recent weeks by the severe criticism of attacking the Justice Department's recent settlement of money laundering charges against the Bank of Credit and Commerce International.

As a member of the Senate Judiciary Committee, I have personally reviewed this matter in some detail. I have talked directly to representatives of the Justice Department. And with this perspective, I have concluded that those who have condemned the Justice Department's handling of the matter may not be aware of or appreciate the salient facts in the case.

The case against BCCI, a foreign banking operation owned by prominent individuals in the Middle East, involved alleged money laundering activities by a handful of BCCI's employees. Those individuals are on trial right now in the Federal district court in Tampa, FL, and I, therefore, will refrain from comment on that phase of the proceedings. It has, however, been widely reported that two subsidiaries of BCCI, charged under U.S. principles of corporate criminal responsibility, settled the case with the Justice Department. Those subsidiaries entered pleas of guilty to money laundering offenses and agreed to a $15 million civil forfeiture to the U.S. Government, among other conditions.

Strongly worded complaints against the Justice Department have been made by those who consider this settlement of the case to be too lenient or a slap on the wrist. I am completely mystified by that criticism. I believe the Department of Justice, under the leadership of Attorney General Thornburgh, is doing an exemplary job in fighting the war on drugs, and resolved this particular case in a thoroughly professional and fitting manner.

Significantly, the Federal district court in Tampa independently studied this settlement agreement for several weeks, and concluded after a careful review—including the view of opponents to the settlement—that this resolution was just and appropriate. The penalty imposed on BCCI was the largest ever imposed upon a bank for money laundering offenses in the United States.

The payment, it is noted, was made with bank assets—not drug money or drug profits as has been erroneously reported. In addition, the bank has been placed under 5 years of regulatory probation with the Federal Reserve and has volunteered to cooperate with the Government in important ways. So I just do not see how one could plausibly say that this is a lenient disposition.

To be sure, the BCCI case in Tampa was a very serious matter—but the charges ought to be viewed in their proper perspective. The case arose from the conduct of a small number of BCCI's more than 14,000 employees.

No member of the bank's senior management or its board of directors was alleged in the indictment even to have been aware of any of the laundering transactions—much less to have approved them. The transactions, in fact, violated express bank policies.

Furthermore, unlike other money laundering cases, none of the 14 transactions charged in the indictment involved the handling or receipt of cash—the most common form of laundering; rather, the funds came as wire transfers from reputable U.S. banks. The transactions involved a total of $14 million, spread out over the span of a year, a rather small fraction of the billions of dollars in wire transfers that large banks like BCCI transact every year. Only normal banking fees were charged for these transactions—not the large fees typically charged by professional money launderers for their crimes. The transactions were documented with the forms and records required by the bank, and, thus, there was no apparent reason for senior BCCI management to have identified or questioned these transactions. Contrary to press reports, the U.S. attorney advised the court that the total fees to BCCI from all the indicted transactions was no more than $250,000, a sum which the bank has paid back many times over in the penalties provided for in the settlement.

Do not misunderstand me. Money laundering is a serious crime and the BCCI case was an important prosecution. But let us also fairly recognize there was no systemic money laundering uncovered in the BCCI case after intensive investigation. Rather, BCCI appears to be a large international corporation, some of whose employees may have committed serious misdeeds in violation of the bank's own written rules. And BCCI is legally responsible for the conduct of those employees under U.S. law.

It thus seems evident to me that Monday morning critiques of the Justice Department for its handling of this case are premised on a fundamental misunderstanding of the facts of the case and the terms of the settlement. Nobody knows these facts better than the Justice Department officials themselves. I have spoken with them about this case and I can find no reason whatsoever to second-guess their judgment. Importantly, the Justice Department clearly understands, better than any of us can, that an international bank in 73 countries could provide important cooperation and assistant in the global drug war. They know what cooperation this bank has offered and can provide.

In this regard, I am aware that BCCI has sometimes been referred to as "Noriega's bank" as though this factor somehow validates or justifies the criticism of the settlement. The Noriega reference, however, serves to obscure the actual charges and evidence in the case—a point the prosecution clearly understood. Moreover, a guilt by association approach overlooks the fact that various respected, major banks worldwide have held substantial Noriega assets. Based on public United States Government estimates that Mr. Noriega deposited some $200 to $300 million in foreign bank accounts, BCCI appears to have held but a fraction of that money, most in an account of the Panamanian Defense Forces. So it would be unfair to exaggerate this aspect of the case, and most importantly, shortsighted, because information the bank does possess with regard to Mr. Noriega will undoubtedly be made available to the United States on a cooperative basis in connection with that ongoing prosecution in Miami.

It is, perhaps, noteworthy that the U.S. attorney's office advised the district court that BCCI's conduct during the past year should be considered in evaluating any settlement of the case. I agree and note that after this case was announced in late 1988, the senior management and board of directors of BCCI reacted responsibly and properly. The bank engaged new management for its American operations; it retained outside auditors and well-regarded counsel to advise the bank and to formulate and implement new compliance procedures and controls. Customer accounts in the United States and certain other countries were reviewed and accounts that did not satisfy high standards of the review team were closed. In addition, BCCI voluntarily closed certain of its agencies in Florida to ensure tighter control over its overall operations; it has instituted a major worldwide compliance effort and cooperated with American and other international law enforcement authorities. And it entered into appropriate agreements with bank regulatory authorities to alleviate their concerns. This is the kind of reaction one might hope to see from a responsible corporate citizen.

Given these circumstances, I regret there have been some calls to put BCCI out of business in this country, and even legislative proposals to require the revocation of the license of any bank that is convicted of a money laundering offense. Such suggestions may have political appeal, but I believe we should consider the ramifications of this idea. I wonder what the face of corporate America would look like if the death penalty were imposed on every bank—or, by analogy, every defense contractor—that found itself in a situation similar to BCCI's. Under our principles of law, a corporation can be held criminally accountable for the conduct of any of its agents or employees, no matter how lowly. I cannot believe that we would seriously want to put the very survival of our greatest and most venerable financial institutions at the mercy of every teller or low-level officer who happens to work for them, and whose actions cannot possibly be controlled, as a practical matter, by any large company. Let us remember that if we did that, then a lot of U.S. banks—the Bank of New England, Great American Bank, Bank of Boston, and others—would have been put out of business. All those banks and various others have been convicted of money laundering or fined for Bank Secrecy Act violations.

I believe these calls for license revocation are a dangerous precedent and would, if implemented, unfairly harm innocent depositors, customers, employees, and shareholders. At a time when we are trying to attract capital into the banking industry to enhance the stability and soundness of our financial institutions, we must resist ill-conceived notions that will seriously undermine capital formation efforts by wrongly threatening the continued existence of respected banks.

As a final comment, we must be aware that efforts to make an example of this foreign bank—by imposing unprecedented penalties for offenses which other banks have committed—could be seen by some as discriminatory. It will not be lost on the international community—including our friends in the Middle East—that BCCI's critics seem to be singling out this foreign bank for unusually harsh, punitive treatment. I, for one, do not think that approach serves the national interest.

I congratulate the Justice Department for its handling and proper resolution of the BCCI case. I also compliment our Federal banking authorities for their restrained, professional approach in addressing regulatory concerns. And I commend the senior management, directors, and shareholders of BCCI for the responsible way the company has responded to the charges in these proceedings.

I ask my colleagues to join me in continuing our aggressive, allout war on drugs. We must be careful, however, not to let passion overwhelm fact or common sense.

CLEAN AIR LEGISLATION

Mr. HATCH. Mr. President, the ongoing efforts to reach a compromise on a stronger Clean Air Program are going to present each of us with some very difficult and important decisions. Those decisions will have long-lasting impacts on every segment of our society. While there is no question that all of us want clean air, I believe that it would be a terrible mistake to forget to take into consideration some very important factors such as the availability of technology, the true costs of compliance, the amount of environ-

mental benefit derived by certain requirements, and the overall economic impact of a new program.

I am very concerned about the impacts of the residual risk title of S. 1630 and worry that passage of the bill might codify standards that are unrealistic and unscientific and would ultimately force the shutdown of vital components of our economy.

Traditionally, public health policy has been concerned with the number of people exposed to or at risk from particular conditions. However, in the Senate bill the standard for regulating pollutant sources is driven by the health risk imposed on the maximum exposed individual.

The risk to the maximum exposed individual is determined by using standard risk assessment methodology in which the highest exposure is presumed to occur to a hypothetical individual residing at the fenceline of a source for 70 years, never once leaving it.

According to Dr. Bernard Goldstein:

If adopted into law, the maximum exposed individual standards will severely hinder appropriate decisions to protect the public by producing a misleading emphasis on the individual rather than on the population. Such an approach is contrary to public health policy and to the history of public health decisionmaking.

I believe we need more realistic science-based standards for the regulation of toxic air pollutants. No one resides for 70 years at the fenceline of a source, never going indoors. To focus exclusively on the maximum exposed individual is an inappropriate and ineffective attempt to solve a public health problem.

While the maximum exposed individual approach stems from a laudable desire for equity, it does not, according to Dr. Goldstein, "fit into the tradition of public health that strives to achieve the optimal health for all people. The emphasis on the maximum exposed individual in current legislation is an example of the problems imposed by having public health decisions made by individuals trained primarily in law rather than in public health disciplines, where equity—and not health—is the leading principle."

The maximum exposed concept should not be ignored, but we must give the administrator of the EPA the flexibility to consider other factors such as the aggregate population risk, the time needed to research and develop new, feasible technologies, and the strength of the evidence of human health risk. In addition, the maximum exposed individual concept should not act as an automatic shutdown number. The methodology is just too uncertain and capricious to support closing much of our industry.

I would like to include in the RECORD a copy of Dr. Bernard Goldstein's article from the Environmental Forum on "The Maximally Exposed Individual." I believe it will be very helpful in assisting each of us in understanding the problems associated with setting standards based on the risk to the maximum exposed individual, and I would encourage my colleagues to read the article.

I ask unanimous consent that the article by Dr. Goldstein be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Environmental Forum, November/December 1989]

THE MAXIMALLY EXPOSED INDIVIDUAL

AN INAPPROPRIATE BASIS FOR PUBLIC HEALTH DECISIONMAKING

(By Bernard D. Goldstein)*

*Bernard Goldstein, M.D., is director of the Environmental and Occupational Health Sciences Institute, and director of the Graduate Program in Public Health, both joint programs of Rutgers University and the University of Medicine and Dentistry of New Jersey-Robert Wood Johnson Medical School. At the latter institution he also chairs the Department of Environmental and Community Medicine. From 1983-85 he served as EPA's Assistant Administrator for Research and Development and previously chaired the Agency's Clean Air Scientific Advisory Committee.

Once again, Congress is considering a revision of the Clean Air Act. And once again, one of the most contentious issues is how to deal with the many air contaminants not now regulated by EPA. Among the many facets to the air toxics issue is one that has broad significance to environmental health laws in general: whether the standard for regulating pollutant sources should be driven by the health risk imposed on an entire exposed population, or alternatively, the risk to the most exposed person, better known as the "maximally exposed individual" (MEI).

The risk to the MEI is determined by using standard risk assessment techniques in which the highest exposure is presumed to occur to the individual residing immediately downwind from the factory. Legislation introduced last April by Senator Dave Durenberger (R-MN) proposes that standard setting for air toxics should focus exclusively on the "individual in the population who is most exposed to emissions of a pollutant (or stream of pollutants) from a source." Under the Durenberger bill, emissions control and reduction decisions are based on whether the risk to the MEI exceeds some predetermined standard, for example 1 in 10,000. Calculation of the risk to the MEI and the resultant control decisions are completely independnet of the surrounding populations. They remain the same whether the MEI lives at the edge of an uninhabited desert or a megalopolis.

If adopted, this law will severely hinder appropriate decisions to protect the public by producing a misleading emphasis on the individual rather than on the population. Such an approach is contrary to sound public health policy and to the history of public health decisionmaking.

Population size and health policy

Public health, by definition, involves populations. Clinical medicine, with its very different standards and approaches, involves the individual patient and his or her unique exposures to specific risks. To focus exclusively on the MEI is to attempt, inappropriately and ineffectively, to solve public health problems with clinical standards. Further, it contradicts the intent of existing public health laws. The Clean Air Act, for example, clearly states the need to protect sensitive populations such as asthmatics, but not the most sensitive individual asthmatic.

The number of people exposed to or at risk from particular disease conditions is an important factor in much of our health policy. For example, our present occupational health standards are based on the number of workers exposed, severity of a hazard, and technologic feasibility. Even our most fundamental public health practices involve population size, such as requirements to test for E coli bacteria in drinking water, one of the oldest public health regulations. Bacteria samples must be taken at intervals and in numbers proportionate to the population.

MEI is an inadequate target for pollution control

Traditional public health methodology is concerned with the "total risk" to the population. If two towns—one of 500 people and one of 50,000—were equidistant from the same toxic air pollutant source, and each individual in both towns faced the same risk of cancer—for instance, 1 in 10,000—the total public health risk would be greater in the larger town. The total risk is calculated as the likelihood of an adverse event occurring in the total population. Hence, the town of 500 people has a total risk factor of .05 ($1/10{,}000 \times 500$). The town of 50,000 people has a much greater total risk factor of 5 ($1/10{,}000 \times 50{,}000$).

Applying this simple methodology to another hypothetical example, as illustrated in Figure 1, illustrates the problems of using the MEI concept. Imagine the situation depicted in Figure 1A. Here, a single individual resides at the fenceline of a pollutant source, and the lifetime risk of an adverse event (for instance, death caused by cancer) to that individual is 1 in 1,000. In a second situation (Figure 1B), 100,000 individuals live roughly equidistant from the source but at a sufficient distance so that the lifetime risk of death to each individual is reduced to 1 in 100,000. In the third possibility (Figure 1C), both of these situations exist simultaneously. According to the regulators in our imaginary scenario, a risk to the MEI of more than 1 in 10,000 would trigger the requirement for pollution control measures.

If regulated on the MEI principle, these regulators would ignore taking action in scenario B, in which the individual's risk is less than the threshold of 1 in 10,000. Scenario A, on the other hand, would lead to regulatory action. When one accounts for the size of the population at risk by using traditional methodologies, however, there is a thousand-fold less total risk in scenario A. The total risk to the community of 100,000 is one adverse event ($1/100{,}000 \times 100{,}000$). This community, then, is likely to suffer one death of cancer over a lifetime (a 70-year period) of exposure. The total risk to the MEI in scenario A remains 1 in 1,000.

Scenario C represents the mix of populations at various exposures. Under the MEI approach, the factory owner in this scenario could simply buy out the property owner at the fenceline in order to meet the regulatory threshold. This would produce a hundred-fold decrease in risk of death to the MEI—now living elsewhere—while at the same time avoiding regulation of the factory and providing an equitable distribution of

risk to the community. In other words, situation C would become situation B.

Again, looking at the situation using traditional public health methodology demonstrates that the purchase of the fenceline property has a miniscule effect on overall public health. Taking the total population into account, one can see that the total number of adverse lifetime events would only decrease from 1.001 to 1.000. This scenario could allow a polluter to avoid regulation despite a significant threat to a large population. It is an example of poor public policy engendered by sole reliance on the risk to the MEI, rather than considering the entire population.

Population size and time

Another way to demonstrate the fallacy of relying on the MEI approach is to translate the above example from numerical risk ratios into the duration of time during which the unwanted adverse event is likely to occur. When one regulates with one life (the MEI's) in mind, the duration in which the adverse event is likely to occur can be orders of magnitude longer. In situation A, the lifetime risk of 1 in 1,000 means that the unwanted adverse event is likely to occur once in 1,000 lifetimes. Using the standard lifetime of 70 years, the time period during which this unwanted event would be expected to occur is 70,000 years.

Remember that this is statistical reasoning. This doesn't mean that an MEI won't suffer the adverse event until the end of the 70,000 years. The event may happen at the beginning or end of that 70,000 years, or it may happen twice in 70,000 years and not again for the next 70,000 years. The point is that—on average—it will happen once every 70,000 years. These statistical averages change drastically when whole populations are considered.

When one regulates with populations in mind, the year "lifetimes" are lived simultaneously by the whole group. Hence, when one adverse event is expected in 100,000 lifetimes as is the case in scenario B, but there are 100,000 lives being regulated, the adverse event is statistically likely to occur within 70 years. The individuals in this scenario are less at risk, but the population is much more severely endangered.

Risk assessment process inappropriate for MEI

The use of the MEI to regulate pollutant sources is also seriously questionable because of the way that risk assessments are currently performed. A relatively high degree of conservatism is already built into the current risk assessment approach based on sound public health principles involving protection of a population. Exposure rates are usually calculated with many conservative simplifying assumptions pertinent only to the total population risk. If the MEI rather than the population were the original target for developing risk assessment procedures, then a different approach would have been used as the data qualilty objectives and policy considerations are significantly different.

For example, assuming a daily tap water intake of 2 liters, or that someone stands outside his or her front door breathing a pollutant for 70 years, is perhaps not an inappropriate overestimate of exposure when dealing with large populations—certain individuals may approximate such exposure scenarios. However, it is highly unlikely that such an indiviudal will also be the one living at the factory fenceline. When considering the specific individual—or at least the very small population living at the factory fenceline—it becomes very misleading to make such assumptions.

Further, as in Figure 1, it is not unreasonable to assume that a single housing site is occupied for 70 years. However, U.S. experience demonstrates that it is highly unreasonable to assume that this location will be occupied by the same individual during this 70-year period. Population mobility does not alter the risk level to public health as long as the total population number remains fairly stable. But failure to take into account population mobility in calculating the risk for one indiviudal living at the fenceline—the MEI results in at least an additional half an order of magnitude degree of conservatism. If we are serious about using the MEI for regulatory purposes, we at least need to have our risk assessors consider an approach that is appropriate for this purpose.

Most sensitive individuals not necessarily protected

It is erroneously believed that if you protect the MEI you protect the most sensitive indiviudal. This is wrong on a number of counts. Equating the MEI with the most sensitive individual is false. Sensitivity is determined by a number of different factors, only one of which is the extent and amount of exposure. For any given level of external exposure there may be more internal uptake among some individuals than others: for example, exercising individuals inhale more than sedentary individuals. For any given level of internal uptake there may be more delivery of a toxic product to a target organ among some individuals, for example, caused by differences in metabolism. For any given level of toxic agent reaching a target organ there may be a greater amount of damage caused, for example, because of differing responses to allergens. And for any given level of target organ damage there may be a greater impact on particular individuals, for example, due to age or a preexisting disease. It is highly unlikely that the indivdual living immediately downwind from the fenceline will also be the most sensitive individual.

Protecting the MEI may not protect public health

Protecting the MEI does not automatically guarantee the protection of those of lower exposure, though this is a common misperception. For example, consider what happens if one requires the factory described in scenario C to achieve a ten-fold reduction in emissions. The risk to MEI decreases from .001 to .0001, while the risk to the population in the town goes from 1.000 to 0.100. Accepting such a regulatory solution permits a residual risk to the town that is a hundred-fold higher (0.100 to 0.001) than the original risk to the MEI that led to the regulation. Hence, a risk-based approach to the MEI, such as a benchmark of 1 in 10,000, does not leave the MEI nor the more distant population without risk.

CONCLUSION

New Jersey is one of the most environmentally active states. Some people believe this is because the Garden State has more environmental problems than others, but that is only part of the reason. The state has the greatest population density in the nation, and large numbers of people live very near pollution sources. Other states may have equal or worse pollution problems, but lack the same population at risk. Both factors have played a major role in forming public concerns, and surely cannot be ignored in developing solutions. There is no basis in public health for regulating a factory in the desert with one hermit living at the fenceline identically to a factory in a populous area of New Jersey.

The MEI approach stems from a laudable desire for equity. Unfortunately, it does not fit into the tradition of public health that strives to achieve optimal health for all people. The emphasis on the MEI in current legislation is an example of the problems imposed by having public health decisions made by individuals trained primarily in law rather than in public health disciplines, where equity—and not health—is the leading principle.

The maximum lifetime risk to the individual should not be ignored. When considered in conjunction with other information, it can be useful. In the final decision on the Vinyl Chloride case, EPA appears to concur. The Agency has decided to include consideration of the MEI, but refused to set any rigid standard, and also required consideration of the exposure of the larger population along with other factors.

Ultimately, however, the risk to the MEI is far less important than the aggregate risk to all individuals potentially affected. It is not clear whether EPA's decision will place undue emphasis on the MEI. To make policy solely or even predominantly on the basis of the MEI is a distortion of classic public health approaches. It is inimical to the health of our citizens to pursue the control of environmental hazards in a way that ignores or belittles the importance of population density.

The Senator from Montana is recognized.

Mr. BURNS. I thank the Chair.

(The remarks of Mr. BURNS, pertaining to the introduction of S. 2162 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be 30 minutes equally divided between Senators BYRD and DOLE for debate on the motion to proceed to Senate Joint Resolution 212, the Armenian resolution, during the remainder of today's session.

The PRESIDING OFFICER (Mr. HARKIN). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I had not said anything immediately following the vote on cloture today, and so I take this moment to congratulate the Republican leader on the good fight that he made. It was obvious that his heart was in it. He was very conscientious about it. He spoke with great feeling, and I just hope that I have said nothing that hurt his feelings. I

do not believe I have. I have talked with him since, and he was in a perfectly fine mood, as he always is when I talk with him. I just did not want to go home this weekend without saying that I appreciated the position he took. I regret that I had to oppose him.

We all at times have to be a little partisan in this place. There is no partisanship in this instance. There was nothing personal as far as I am concerned. I do not see it as a matter in which I win or I lose, because it is not "I" who would lose in either case. I think we both stood up for what we felt was the right thing to do, and both of us perceived it differently as to the impact that it might have. And so we have gone all through that. I will not go through it here again.

I should, however, say once more that I reluctantly objected to the Republican leader's request to change the Senate joint resolution to a concurrent resolution. I did that for two reasons, and I explained them on the floor. They were genuine reasons for opposing the request. One was that on a matter of this kind, if the Senate and the House are going to take an action, it ought to be something that goes across the President's desk because it could prove to be as fateful as some of us have expressed concern that it would. It might not. But in a matter of this importance to a very strong and faithful and friendly ally, I think the President should have the opportunity to stop it or to sign it. And a concurrent resolution would not go to the President's desk.

Second, as to the change in language itself, I saw that change as reported by the distinguished leader as still being offensive to that friendly country, that ally, and even though there are words that are changed, if they are heard to be the same, if they are interpreted to be the same meaning, then I think it is just as important we not let that language become an act of the Senate in a concurrent resolution as it would be in a Senate joint resolution. A concurrent resolution is still the action of both Houses. It still carries the stamp of the Senate. And so for those two reasons I reluctantly objected.

So we will have another vote on Tuesday next. We will not be discussing this matter at great length, but there will be some little discussion on Tuesday I think. I felt I wanted to say these things on the RECORD before we go home.

There is a personal relationship that exists among and between Senators, and in my 31 years in the Senate I have fought a good many legislative battles. I lost some and won some. I try to go on after the battle is over and think of the next day and the next issue that will come along. I believe that is the way Senator DOLE looks at it. He always has looked at it that way. We always shake hands and walk out of here, put our hands on each other's shoulders, and forget about it.

The book, "The Last Battle," contains a good many of William Jennings Bryant's speeches. We have not fought the last battle. There will always be others. If I am not here to fight them as time comes and goes, someone else will be here.

So I congratulate all those on both sides of the aisle who voted pro and con. I found a long time ago that today's antagonists may be tomorrow's allies. I found in my political contests over the years that people who opposed me in this election or that election or another election, as time went on, if I put it behind me, they became my supporters in many instances.

And it works both ways. Some of those who supported me that day do not support me anymore. That is the way it is. That is the way it runs. That is the way it is here.

Had the position that I took today lost, I would be here saying the same thing that I am saying now.

So, Mr. President, I believe that Senator DOLE will come back into the Chamber later and offer a cloture motion. He may wish to have something more to say, or maybe not. There is some, I believe, some business to be transacted yet.

I believe I will recess the Senate, having been authorized by the majority leader to do so for say 10 minutes, to give the Presiding Officer and the officers of the Senate an opportunity to get a drink of water, and get out of the Chamber if they want, stretch, and get a little air.

RECESS FOR 10 MINUTES

Mr. BYRD. Mr. President, I ask unanimous consent the Senate stand in recess for 10 minutes.

There being no objection, the Senate, at 6:11 p.m., recessed until 6:21 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. HARKIN].

The PRESIDING OFFICER. The Chair in its capacity as the Senator from Iowa suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARKIN). Without objection, it is so ordered.

SUNDAY'S NICARAGUAN ELECTIONS

Mr. HELMS. Mr. President, on Sunday the Nicaraguan people will go to the polls to elect their new leaders. According to some analysts, Mrs. Violeta Chamorro may come from behind to win. Public opinion surveys in Nicaragua purportedly show that neither Mrs. Chamorro nor Daniel Ortega, the Communist, has a clear majority, although sadly, Ortega is the odds-on favorate to win.

It is absurd to discuss this event as though it were a simple election, and as though the only question is whether the votes will be counted accurately and fairly. The point is that no matter who wins, the Nicaraguan people lose, and the American people lose. Neither candidate has the will or the power to restore freedom in Nicaragua.

Mr. President, democracy does not consist in simply the ability of all citizens to vote in elections and have their vote counted fairly. There are many totalitarian systems in the world that count the votes of all of their citizens. In fact, the more totalitarian a system is, the more likely a high percentage of the people will vote. There is, after all, no freedom when people are forced to vote. The right not to vote is as important as the right to vote.

Nor is it a free election just because more than one candidate is running. Voting is only a part of democracy, and democracy is only a part of freedom. The American concept of freedom goes beyond the democratic process. Freedom requires a whole social infrastructure, which includes the democratic process, but which also demands religious freedom, economic freedom, press freedom, and the freedom to nourish and preserve one's traditional culture. Only in such an atmosphere can candidates freely choose to run; only in such an atmosphere can voters freely choose.

The current election in Nicaragua meets none of those tests. The people of Nicaragua do not have a free choice. Mrs. Chamorro is not the choice of a free opposition. She is an alternative supported by the U.S. Government in a blatant attempt to stage a fake election to legitimize the present Communist regime in Managua. The Congress of the United States, in its wisdom, has chosen to betray the true freedom fighters of Nicaragua, the Nicaraguan Resistance. For the United States, it is a moral tragedy of immense dimensions. Therefore, Congress, and the administration, apparently wish to whitewash the evils of the present regime by pretending that communism has been supported in a so-called free election.

But how can there be a free election, when there is no free choice? The so-called opposition, United Nicaraguan Opposition, is not a free political institution. It was created by the State Department and the CIA to control the electoral process and prevent an effective nationalist opposition. The State Department insisted that the opposition had to include everyone, including the Communist Party of Nicaragua. In

fact, the majority of the parties in UNO are Communist, Marxist, or Socialist philosophies which are associated worldwide with totalitarian regimes. One senior administration official told my office that the inclusion of the Communist Party was essential to the success of the coalition. Another official told us that the United States can control the Communists and Socialists in the coalition. Indeed, most of the State Department's candidates are persons violently opposed to the U.S. system. They would not be elected dog catcher in any jurisdiction in the United States.

The so-called selection of Mrs. Chamorro as UNO candidate is a case in point. She was, after all, an original member of the Sandinista government, part of the popular front organized by Fidel Castro. She is today a critic of the Government, but not its Marxist doctrine. Despite the fact that U.S. Government officials stage-managed the UNO convention—demanding that Mrs. Chamorro be selected as UNO's candidate—she failed to gain a majority even after six or seven ballots. In fact, she never did gain a majority, but was simply proclaimed the candidate by the United States, despite the fact that two of her children are still members of the Sandinista Party. Her son, Carlos Fernando Chamorro, has been Director of Party Propaganda and is currently editor of the Party newspaper, Barricada. And her daughter, Claudia, is Ortega's former Ambassador to Costa Rica. Moreover, Mrs. Chamorro has never demonstrated any power of political organization or any capability to govern. A weaker candidate is harder to imagine. A government led by Mrs. Chamorro would still be a Sandinista-style government, with the same doctrine, and probably much of the same personnel.

Then, as her running mate, the United States insisted that UNO choose the former Sandinista Minister of Labor, Virgilio Godoy. There is little evidence that he ever left the Sandinista Party, and he certainly has never repudiated its Marxist doctrine.

It is so hard to tell UNO candidates from Sandinista candidates. Indeed, scores of UNO candidates actually turned out to be Sandinista infiltrators who ostentatiously withdrew their candidacies in the middle of the campaign, embarrassing UNO when it was too late to file real candidates.

It is not surprising that Mrs. Chamorro and her Sandinista running mate ran a poor campaign. They failed to make fundamental criticisms of the Sandinistas' revolutionary Marxist doctrine. They failed to criticize the enormous corruption and special privileges that are associated with Daniel Ortega and the Communist gang that holds the country in thrall. They failed to attack the lack of fundamental religious freedoms and the persecution of all those who reject the Marxist conclusions of so-called liberation theology.

For this reason, I strongly opposed any U.S. funding of the electoral fraud in Nicaragua. To me it is unconscionable that any U.S. taxpayers' funds would be used to support the candidacy of the Communists and pseudo-Sandinistas who dominate the UNO coalition. Moreover, it was clear that, under Sandinista decrees, half of the U.S. funding would go to the Sandinistas themselves. Nevertheless, State Department representatives solemnly promised that none of the funding would go to the Sandinistas themselves, and that the United States would find ways to circumvent Nicaraguan laws and regulations. But now we see that, for all practical purposes, the U.S. funds went only to the Communist Sandinistas, and that little or none of the money went for its professed purpose of helping Mrs. Chamorro. Not one Member of Congress should have been shocked by a New York Times article on February 4 entitled "U.S. Aid Just Dribbles In to Nicaragua Opposition, but the Sandinistas Profit." That article quotes an A.I.D. official as saying, "The Sandinistas have blocked UNO's access to this money, but the Nicaragua Government has access to its share. That was the worst nightmare of many people."

It is for this reason that I believe the U.S. Government should never be allowed to intervene in any election, in any country, at any time. You cannot jump-start democracy by using undemocratic methods. Every time we have attempted to do that, the result has been a disaster for the country involved. Perhaps the reason is that the State Department, in choosing the candidates it wants to support has consistently selected philosophical leftists congenial to its own way of thinking, despite what the people of the country involved want, and despite what the American people would want.

The people of Nicaragua therefore face an agonizing choice. On the one hand, they can vote for the Sandinista candidates and the continuance of a revolutionary Marxist and totalitarian government, backed by the Soviet Union, that has control over every aspect of their lives—their jobs, their government, the press, the army, the secret police, the neighborhood monitors, the school system.

On the other hand, they can vote for the candidates, backed by the United States, who are former members of the Sandinista government, and who offer only a weak, "me-too" revolutionary philosophy which they have no means of implementing if they should win. If you were an ordinary Nicaragua voter, what would you do? Would you vote against a powerful government that more than likely has the power to find out how you voted, and certainly has the power to make reprisals? Or would you vote for a weak, me-too candidate with no demonstrable power to take office or to govern if she did?

Who speaks for the Nicaraguan nation in this contest of two Sandinistas each backed by rival superpowers? Who stands for freedom? Who stands for the right to overthrow socialism?

A prudent Nicaraguan, offered such a fraudulent choice, would come to the rational conclusion that it is better to support the tyrant who has control of his life than to engage in vain support for an alleged democratic process. But of course men and women do not always act upon superficially rational motives. They sometimes act out of deeper, more powerful motives that are more important to human dignity than superficial rationalism. I hope, indeed, that thousands of Nicaraguans do cast a protest vote against Daniel Ortega, despite the unworthiness of his opponent. Unfortunately, in the circumstances, it is a grand, but empty gesture.

Mr. President, Daniel Ortega will have a lot of company in Managua this weekend. The United Nations and the Organization of American States have sent teams of observers. And a number of Americans, including former President Carter, are traveling to Nicaragua to observe the fairness of the election. President Carter has already expressed his satisfaction with most of the electoral proceedings thus far, and there is litle indication that he will take exception with the result.

The fact is, Nicaragua today is a corpse upon a marble slab, with a dagger in its heart. The handle of that dagger bears the fingerprints of President Carter, for it was he who installed the Sandinista regime. True, the present regime may have departed somewhat from President Carter's former hopes—but if it allegedly returns to the democratic fold through elections proclaimed "free and fair" by President Carter himself, won't that seem to vindicate his original decision? I find that a little too convenient to ring true. The brutal, undemocratic nature of the Sandinista regime was perfectly evident in 1979, and I stood on this floor and said so—and said so again in 1980, 1981, 1982, 1983, and down to this very day.

Mr. President it was evident 5 months ago that the coming elections in Nicaragua would be a fraud—and I, for one, am disappointed that the State Department played a key role in legitimizing this sham. Hardly a week has passed without reports of blatant harassment and Sandinista-sponsored violence. Several opposition campaign workers have been killed. Communist thugs have terrorized opposition rallies and threatened to kill many Nica-

raguans associated with the opposition. Many Nicaraguans are afraid that if Ortega loses, the violence will merely escalate.

One prominent election observer, former Costa Rican President Mario Echandi, travelled to Nicaragua and drafted an important report about his concerns with the elections. He concluded, based on the Sandinistas' election preparation, that it is virtually impossible at this point to have free and fair elections in Nicaragua. He was particularly dubious about the Sandinista claims that they had registered 95 percent of the eligible voters in just 4 days. According to President Echandi, no physical documentation was necessary to register. In fact Mr. President, some Members of this body could have registered to vote in the Nicaraguan elections, given their lax registration policies.

Mr. President, I recently asked the staff of the Senate Foreign Relations Committee to compile a chronology of the Sandinista election abuses that have been reported in the press. This partial list, taken solely from public sources, details a weekly campaign of harassment by Daniel Ortega and his Communist conspirators. The public record of fraud, psychological warfare, and intimidation throughout the election goes to show that it really doesn't matter what happens on election day. The fraud has already been committed.

Mr. President, I ask unanimous consent that the full text be placed in the RECORD at the end of my remarks.

Mr. President, the only sign of hope in Nicaragua today is that the Nicaraguan Resistance—the freedom fighters—who have been cut off from United States aid, have pledged to continue the fight for freedom. They have a new breed of leaders, no longer in the pay of the CIA, who are free to liberate their country without the shackles of U.S. support. They are brave men undertaking an impossible task, but they have the purity of true nationalism and deep patriotism. Perhaps they will succeed. Perhaps they will topple the Sandinista government whether the Sandinista government is led by Daniel Ortega or led by anyone else. I wish them well. I always have. I always will. They are patriots who deserve better than the treatment they have received at the hands of the U.S. Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

NEWS REPORTS OF CAMPAIGN HARASSMENT
RECORD INSERT

NOVEMBER, 1989

Francisco Mallono, 38, an UNO campaigner is killed by men in military (Sandinista) uniforms.

Source: The Washington Times 1/26/90.

NOVEMBER 14, 1989

Jose Alfonso Valle, 43, arrested for handing out UNO fliers. He is held until December 30, 1989.

Source: The Washington Times 1/26/90.

NOVEMBER 29, 1989

Jose Blen Rosales, 29, an UNO supporter in Kisalaya, is killed.

Source: The Washington Times 1/26/90.

DECEMBER 1, 1989

William Cruz Lazo of Estelil, 22, is kidnapped by six armed men, including two Sandinista officers. He is later found dead.

Source: The Washington Times 1/26/90.

DECEMBER 10, 1989

Center for Democracy releases report claiming an armed Sandinista mob provoked a confrontation at an UNO rally in Masatepe. One man was killed by machete and several were wounded.

Source: Miami Herald 12/15/89.

DECEMBER 14, 1989

The Bush administration accuses Sandinistas of carrying out violent attacks designed to intimidate the political opposition.

The U.S. Ambassador to the OAS Luigi Einaudi blasts a pattern of violence and intimidation designed to prevent opposition candidates from freely expressing their right to participate in the electoral process in Nicaragua.

Source: Miami Herald 12/15/89.

DECEMBER 15, 1989

U.S. Deputy Secretary of State Eagleburger says leftist violence against the Nicaraguan opposition raises "grave doubts" about Sandinista government willingness to hold fair elections.

Source: Miami Herald 12/16/89.

Four UNO officials, including the UNO council candidate in Concepcion, announce that they continue to be harrassed by the Sandinista police. One was asked to resign by state security officials. All stated that they would continue their campaigns.

Source: Managua Radio Corporacion 12/15/89. (FBIS 12/16/89).

DECEMBER 20, 1989

U.S. deposits $1.8 million in a fund designated for UNO and $1.5 million in fund designated for the IPCE (Institute for Electoral Promotion and Training).

Source: The Washington Times 1/17/90

JANUARY 1, 1990

The Sandinistas shell the Miskito indian village of Kisalaya, none are killed. The Miskito political group later endorses UNO.

Source: The Washington Times 1/26/90.

JANUARY 4, 1990

Hernaldo Zuniga, UNO legal representative, officially protests to the CSE about a communique issued by Defense Minister Humberto Ortega on December 27, which threatened UNO leaders if the United States invaded Nicaragua. Zuniga noted that since the communique, UNO leaders Violeta Chamorro, Virgilio Godoy, Emilo Alvarez Montalvan and Augustin Jarquin Araya and Luiz Sanchez Sancho have received numerous death threats.

Source: Managua Radio Sandino 1/3/90. (FBIS 1/4/90).

JANUARY 8, 1990

ONUVEN, the United Nations Mission for Verification of Elections in Nicaragua, criticizes the Nicaraguan media for its lack of objectiveness. The report contains a separate chapter on television, stating "Not only is the state run television coverage [of the UNO], but it usually distorts the truth. It has become worse over the past few weeks, and any mention of the UNO opposition party has been simply insulting." It further criticizes the airing of the Sandinista's political propaganda. It criticizes both pro-government and pro-UNO papers.

Source: ACAN 1/8/90. (FBIS 1/10/90).

JANUARY 10, 1990

Igbal Riza, chairman of ONUVEN, the United Nations Observer Mission for the Verification of Elections in Nicaragua, voiced concerned over threats made by Defense Minister Humberto Ortega to "execute" opposition members if the US invades Nicaragua. He further stated "execution can easily be interpreted as intimidation of the opposition" and the initial effect "was a series of threatening phone calls to UNO presidential candidate Violeta Chamorro."

Source: ACAN 1/10/90. (FBIS 1/11/90).

JANUARY 11, 1990

Antonio Lacayo of UNO accuses the Sandinista government of dragging its feet so UNO cannot train pollwatchers at each of the 4,394 polling cites. UNO says it has not received any money appropriated by the US government in October.

Source: Miami Herald 1/12/90.

JANUARY 12, 1989

Luis Sanchez Sancho announces that UNO has not received any of the funds deposited in the Nicaraguan Central Bank for its use.

Source: Managua Radio Catolica 1/12/90. (FBIS 1/22/90).

JANUARY 15, 1989

After members of the opposition threaten to resign if not paid, the Sandinistas claim they are beginning to pay out some of the $600,000 in funds from the US that had been available since December. The story does not hold up.

Source: Los Angeles Times 1/20/90.

Rep. Peter Goss (R-FL), who just returned from Nicaragua, said "If the poll watchers aren't there, there's a pretty good prima facie case that the elections are not free and fair."

Rep. Cass Ballenger (R-NC), who returned on the same trip, said the Sandinista are using "using a technicality to hold up the process" (not releasing money to IPCE).

Source: The Washington Times 1/17/90.

UN Observer Elliot Richardson predicted fair elections but noted unbalanced coverage by the state owned media, misuse of government property for campaigning and use of violence and intimidation at political rallies. He noted that the government press refers to UNO as GN-UNO (National Guard-UNO), linking the party to Samoza's National Guard.

Source: The Washington Post 1/16/90.

JANUARY 16, 1990

Police use tear gas to break up a small opposition rally in Grenada. Four people, including the political director for the Grenada region, were arrested. The police also seized an opposition station wagon. The police claim that no prior permission was given. However, on August 24, 1989 the Supreme Election Council announced that no prior permission for rallies would be needed.

Source: The Washington Times 1/18/90, Managua Radio Corporacion 8/23/89 (FBIS 8/24/89), Managua Radio Catolica 1/16/90. (FBIS 1/19/90).

Interior Ministry troops attempt to arrest Carlos Brienco, director of the UNO Independiente newscast, on the charge of driving a stolen automobile. When his wife

threatened to go to La Prensa, the police fled. His wife later mentioned that she had been harrassed two weeks ago.

Source: La Prensa 1/16/90. (FBIS 1/19/90.

Sandinistas claim to release $200,000 for the IPCE (Institute for Electoral Promotion and Training), the UNO group responsible for training and paying poll watchers. (Money deposited 12/20)

Source: The Washington Times 1/17/90.

JANUARY 17, 1990

Four opposition activists are arrested for "aggression, offenses and lack of respect" toward Ortega as he leaves a pro-government rally.

The Washington Times quotes State Department Official that the first installment of money to the IPCE that was claimed to be released on January 16 has not been. "We continue to get insurances almost on a daily basis that the money will be released within the hour, but it never is released." Official states that the government objection to the IPCE is unfair because it had certified the IPCE as "grantworthy" on November 11, 1989.

Source: The Washington Times 1/18/90.

JANUARY 18, 1989

The OAS raises doubts about free and fair election, claiming that the source of some violence can be traced to the Sandinistas or to "an armed group of irregulars." OAS also noted that UNO supporters have been threatened with loss of jobs and benefits.

The US State Department says campaign showed a "striking pattern of Saninista intimidation, harrassment of the opposition and violence."

Source: Los Angeles Times, Miami Herald, The Washington Times 1/19/90.

Barricadea, the official party newspaper, claims that UNO has been swindled by the US and has not received its October money because of "the 'Jewish style' with which the US Congress typically manages the contributions of US taxpayers." The paper disassociates itself from the writer's comments the next day.

Source: The Washington Times 1/23/90.

JANUARY 19, 1990

The Sandinista newspaper Barricada announces again that monies due the UNO and the IPCE have been released. The report does not hold up.

Source: Barricada 1/19/90. (FBIS 1/22/90).

National Democratic Confidence Party activist Carlos Alberto Molina is arrested at his home, physically mistreated and charged with being a "Somozist henchman."

Source: Managua Radio Corporacion 1/23/90. (FBIS 2/1/90).

JANUARY 22, 1989

State Department spokeswoman Margaret Tutweiler says, "the Nicaraguan government is doing everything in its power to block monies by Congress to help level the playing field for the opposition."

The Permanent Commission on Human Rights questions whether the government was to quick to blame the contras for the death of the two nuns and the priest on January 1, 1990. "The regime was in a great hurry to close this case."

Source: The Washington Times 1/23/90.

JANUARY 23, 1990

President of the National Democratic Confidence Party, Agustin Jarquin Anaya, complains to the Supreme Electoral Council about members of his party being harrassed.

A group of taxi drivers in Managua claim that they were told by the Transportation and Construction Ministry that if they did not participate in a rally for a Sandinista candidate they would not be allowed to purchase any more cars for use as taxis.

Source: Managua Radio Corpoacion 1/23/90. (FBIS 2/1/90).

JANUARY 25, 1990

A Puebla Institute report claims "civic opposition bears the brunt of the violence" in election campaign.

Source: The Washington Times 1/26/90.

UNO campaign chief Antonio Lacayo charges that members of the UNO vote counting board have been harassed by the state security apparatus.

Source: Managua Radio Catolica 1/25/90. (FBIS 2/1/90).

JANUARY 26, 1990

Former President Carter announces "If the Nicaraguan government does not expedite the delivery of appropriated funds, there will a great uproar in our country, a legitimate condemnation of the process."

Source: The Washington Times 1/29/90.

La Prensa claims that the Sandinistas have been polling public employees and are developing plans to deal with UNO supporters after the election.

Source: La Prensa 1/26/90. (FBIS 1/31/90).

Members of the Reynoso Lanuza family report that they have been threatened by state security and FSLN supporters because of their support of UNO.

Source: La Prensa 1/27/90. (FBIS 2/5/90).

JANUARY 28, 1990

Nicaragua promises to release funds for UNO and IPCE after former President Carter pleads on UNO's behalf.

Keith Schuette, President of the National Republican Institute (NRI), notes that equipment given to UNO by the NRI and the National Democratic Institute (NDI) has been slapped with a $450,000 tarriff.

Source: The Washington Times 1/26/90

UNO activist Leonardo Cajina Monterrey is shot and wounded by Sandinista Defense Committee member Juan Diego Mejia while campaigning for UNO in a Manuga neighborhood.

Source: La Prensa 1/29/90. (FBIS 2/5/90).

JANUARY 29, 1989

The Sandinistas claim to release some 1156 political prisoners that should have been released as per the Sandinista promise of August, 1987

Source: Los Angeles Times 1/30/89

UNO expresses doubt that money intended for it will be released. Luis Sanchez, UNO spokesperson said that although the opposition "is satisfied with the steps taken" by Carter, UNO is still skeptical about getting the money. Furthermore he said "all of this confirms UNO's reports on the obstacles raised by the Sandinist government against the opposition."

Source: ACAN 1/30/90

UNO coordinater for the Roberto Huembes Market region, Jose Miguel Marin Gurdian, claims to have been threatened by state security police for organizing a rally for the UNO candidate in Managua.

UNO leader in Nindiri, Jose Ramos, was threatened with the loss of his land by Rene Membreno, a former Sandinista judge and wife of the town's mayor, for allowing his house to be used for an UNO meeting.

Source: Managua Radio Corporation 1/29/90. (FBIS 2/1/90).

An UNO motorcade on its way to a rally in Rio Blanco is attacked by "Member of the military" with "tomatoes, dirty water, rocks, empty bullet shells and bullets,"

Source: La Prensa 1/30/89. (FBIS 2/6/90).

JANUARY 30, 1989

UNO national treasurer, Reynaldo Hernadez, claims that automobiles donated to UNO from overseas are being held up in Customs.

Hernandez also claims that UNO has received no response to a two week old request to the Nicaraguan Telecommunication and Postal Service Institute to receive a radio frequency to communicate with departmental offices.

Source: Managua Radio Corporation 1/30/90. (FBIS 2/1/90).

JANUARY 31, 1990

Radio Corporacion reports that the Sandinistas have been arming members of the Special Brigades with handguns in case the government loses the election.

Source: Managua Radio Corporacion 1/31/89. (FBIS 2/1/90).

Silviano Matamoros, president of the IPCE announces that the Institute received the first monies sent to the UNO by the US Congress.

Source: AFP 2/3/90. (FBIS 2/5/90).

FEBRUARY 5, 1990

A United Nations report criticizes the Sandinistas for preventing the UNO opposition from receiving foreign funds. The report further alleged sporadic police intimidation and use of state property to help the ruling Sandinista party's campaign.

According to Keith Schuette of the National Republican Institute, 54 of 76 automobiles purchased for UNO had not been cleared for release.

Source: The Washington Times, Miami Herald 2/6/90.

FEBRUARY 7, 1990

Nicaraguan government denies visas to members of a bipartisan American congressional delegation sent to observe the February 25 elections. Sen. Richard Lugar stated "This is the first time I have been denied access to a purportedly free and fair election process, and I am disappointed by this turn of events." The government task force is disbanded.

Source: The Washington Times, The Washington Post 2/8/90.

FEBRUARY 8, 1990

UNO convoy carrying vice-presidential candidate Virgilio Godoy is attacked with rocks and sticks.

Source: La Prensa 2/9/90. (FBIS 2/13/90).

FEBRUARY 10, 1990

An UNO activist, Felix Cardenas, is shot after returning from an UNO rally in Buena Vista

Source: La Prensa 2/12/90. (FBIS 2/15/90).

FEBRUARY 11, 1990

Carlos Araica, an UNO campaign worker in Managua, is attacked in his home by five men swinging steel pipes.

Source: The Washington Post 2/17/90.

FEBRUARY 12, 1990

The Miami Herald reports three cases of intimidation:

Silvia Elena Gutierrez, an opposition candidate for town council, is fired without explanation in January from a state owned company.

Francisco Morales Aleman is offered a deal from a government candidate where he would have earned $30,000 for the sale of

livestock, if he drops out of a National Assembly race.

Maritza Rivas, a town council candidate and lawyer has received threatening late-night phone calls, warning her that "opposition heads will roll" after the elections.

Source: Miami Herald 2/12/90.

FEBRUARY 14, 1990

At a campaign rally in Matagalpa, Nicaraguan president Ortega said that if the FMLN wins the elections, it will seize property owned by opposition leaders, including the only opposition newspaper.

If we win, I say we will hand them a complete bill, so they will be left without a newspaper—La Prensa—and the homes of the [presidential] candidate and vice presidential candidate will be converted into children's homes on the day after the elections.

Source: The Washington Times 1/15/90, Managua Radio (FBIS 2/15/90).

Several dozen workers from a state-owned coffee cooperative said they were trucked in to a Sandinista rally in Matagalpa.

Rosalio Perez, a campansino from Muy Muy, said he was seeking a loan from the state bank and that the loan officer recommended that he attend Matagalpa rally.

The town hall and tax office in Masaya was closed because of a Sandinista rally.

Source: Miami Herald 2/18/90.

FEBRUARY 16, 1990

Contra spokesman Alejandro Acevedo said "the Sandinistas never gave us [Nicaraguan refugees and contras in Honduras] real guarantees to register in the electoral census. Only Nicaraguans vacationing or studying in Honduras were given the opportunity to register." This action could deprive the UNO of up to 20,000 votes.

Source: ACAN 2/26/90. (FBIS 2/20/90).

FEBRUARY 18, 1990

Bus and train service between Masaya, Tipitapa and Managua was disrupted as the government diverted trains and buses for use at a pro-government rally in Leon. (UNO was holding its final rally in Managua that day.) Two UN observers said the lack of supporters from these two cities was suspicious because UNO has traditionally drawn large crowds in these cities.

A sound system rented by UNO for the rally was held up at the border by customs officials. The officials later could not be found when their signatures were needed to release the equipment.

A plane scheduled to take aerial pictures of the UNO rally was denied permission to take off.

UNO officials reported that private bus and truck drivers were threatened with the loss of their licenses if they transported UNO supporters to the rally.

UNO also claimed that Sandinista officials also threw nails and tacks on roads leading to Managua from Granada and Masaya.

Sandinista Television aired the Batman movie and the replay of the Tyson-Douglas heavyweight championship fight at the time of the UNO rally.

Source: Miami Herald 2/19/90 The Washington Post 2/22/90, The Washington Times 2/22/90.

FEBRUARY 21, 1990

The annual State Department Country Reports on Human Rights Practices for 1989 criticizes Nicaragua for political and extrajudicial killings, disappearances, torture and other cruel, inhuman or degrading treatment of punishment, arbitrary arrest, detention or exile, invasion of privacy, violations of humanitarian law in internal conflicts and arrests and intimidation of opposition political figures.

According to State Department spokeswoman Margaret Tutweiler, "Sandinista intimidation of the opposition continues in Nicaragua."

Source: CNN 2/21/90, State Department Country Reports on Human Rights—1989. The Washington Times 2/22/90.

The Sandinistas use government buses and trains and army trucks to bring thousands of people from other cities to their final rally in Managua. The Sandinistas also make the day a holiday, giving government workers a half day off, with pay. According to Federico La Cato, a member of the state farming cooperative, "they close it [the state factory or farm] and the people come."

Source: The Washington Times 2/22/90, The Washington Post 2/22/90.

The Washington Times reports that before the Sandinistas cut off water, electricity and bus transportation the day before and the day of UNO rallies in Altagracia and San Carlos.

Source: The Washington Times 2/22/90.

COMMUNIST CHINA FLUNKS EVERY STATE DEPARTMENT'S HUMAN RIGHTS TEST

Mr. HELMS. Mr. President, the State Department Human Rights Report on Communist China was released yesterday, and I hope all Senators will read it carefully.

What does the report say? For openers, it says that in 1989—last year when the world was bedazzled with a "changed" Soviet Union—the Chinese Communists violated every internationally recognized human rights standard: Killings, torture, slave labor camps, religious persecution, arbitrary arrest, denial of due process and/or a fair trial, denial of free speech, a free press, peaceful assembly, suppression of workers' rights. It's all in the State Department's report, released yesterday.

Surprising? Hardly.

Mr. President, two decades ago, in the summer of 1970, Senator Thomas Dodd of Connecticut asked the Senate Judiciary Committee to conduct a study of the "Human Cost of Communism in China." Senator Dodd had deep suspicions but he wanted the facts.

Unfortunately, he did not live to see the results of the study which was published in the summer of 1971 but I suspect he anticipated what the outcome would be. On page 16 of the report is a table entitled "Casualties to Communism in China." Millions were murdered in political persecution campaigns. Up to 30 million people died in slave labor camps. The range of estimates ran between 34 and 64 million victims.

Senator Tom Dodd's report laid down one grim fact after another: Executions, slave labor camps, purge of intellectuals, destruction of China's cultural heritage, insane political and economic schemes, violence and terror—the list of suffering goes on and on.

But that, Mr. President, was 20 years ago. Since then, we have been told, the Communist leadership has reformed. Since then some of our highest appointed and elected leaders have gone to Peking to clink glasses with the Communist leadership and wish them long life. Supposedly those bad old days are behind the Chinese people. But now even the State Department admits the truth.

And now, Mr. President, the 1989 State Department Human Rights Report on Communist China has been released. Again, I do hope that everyone will study that report and compare it with the 1971 report.

What's the bottom line? What does it all mean? If you hold Senator Todd Dodd's 1971 report in one hand and the State Department's official report in the other, it is a clear indictment of our policy toward Communist China. For 20 years our policy has been one of appeasement—and that is the word for it—appeasement, of the Communist butchers of Peking.

That policy has failed and failed spectacularly. The killings are still going on, the secret police still torture ordinary Chinese people for their religious beliefs and the slave labor camps are still a one-way ticket to the grave.

Nor, as some have said, has Communist China made remarkable economic progress in the intervening 20 years. Far from it. The people of mainland China live in the same grinding poverty as they did 20 years ago. Today the average per capita income in mainland China is $300, free China on Taiwan is over $7,500 and free China has a multiparty democracy as well as widespread respect for human rights.

It is time for a new policy toward Communist China. One based not on appeasement but on the historic values that made the United States what it is. It is time for a policy that looks forward to the day liberty will triumph on mainland China, a policy that rejects the tyrants of the present and the past.

Mr. President, I ask unanimous consent that the State Department's Country Report on Human Rights on Communist China and the Committee on the Judiciary's report of July 1971 entitled, "The Human Cost of Communism in China" be printed in the RECORD.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

THE HUMAN COST OF COMMUNISM IN CHINA

INTRODUCTION

(By Senator James O. Eastland, Chairman, Senate Subcommittee on Internal Security)

Last fall, on the initiative of the late Senator Thomas J. Dodd of Connecticut, the Senate Subcommittee on Internal Security asked Prof. Richard L. Walker, a lifetime

student of Chinese affairs, to prepare a study on "The Human Cost of Communism in China." Professor Walker, who serves as the director of the Institute of International Studies at the University of South Carolina, is widely recognized as one of this country's foremost China scholars—and it was precisely because of his scholarly background and his preeminence in the field that Dr. Walker was selected to do the job of research and writing.

The publication of the study comes at a particularly opportune moment. The announcement that President Nixon will be visiting Red China in the near future, makes it more than probable that the coming period will witness important changes in our relations with Peking. But there can be no disagreement on the central point that, whatever the status of our relations with China, it is imperative that we in America have a realistic appreciation of the nature and objectives of Chinese communism.

For some strange reason, most of the newspapermen who have traveled to China for the American press in the wake of Peking's invitation to the American ping-pong team felt called upon to paint Communist China in the most positive hues and to ignore the massive evidence of inhumanity and aggression that has characterized Communist rule in China.

It was almost as though American reporters in Hitler Germany during the 1930's had limited themselves to reporting that the streets were clean, there was an air of general prosperity, the trains were running on time, unemployment had been eliminated, and the people appeared well fed and contented. All of these things were true about Hitler Germany. But any reporter who focused exclusively on these aspects of Nazi rule and ignored all of the negative aspects, including the massive military buildup, would justly have excoriated as a propagandist. Needless to say, there were such propagandists; and, to the extent to which they were successful, they succeeded in blinding segments of the public, in both Britain and America, to the threat which Nazi Germany posed to their own security.

The great merit of the study which follows is that, while it does not deny to Communists credit for certain important economic and social accomplishments, it paints the picture whole by assessing and bringing to life the terrible human cost at which these accomplishments were achieved.

In an earlier companion study, "The Human Cost of Soviet Communism," Robert Conquest, the famed British Sovietologist, calculated that at least 21,500,000 human beings had been executed or killed in other ways by the Soviet Communist authorities. This, he emphasized, was a minimum estimate and the real figure might very well be 50 percent higher. In addition, he estimated that the Communist revolution and the civil war and famine which followed it cost another 14 million human lives. The total human cost of Soviet communism, therefore, comes to somewhere between 35 million and 45 million lives.

In the case of the Soviet Union, the estimates were based on a massive documentation that had accumulated over the years—including Khrushchev's account of the crimes of the Stalin era. In the case of Red China, the available documentation, while not so extensive, is still substantial enough to permit estimates within wider margins. It is Professor Walker's estimate, after having studied all the evidence, that communism in China, from the time of the first civil war (1927-36) until today has cost a minimum of 34 million lives and that the total may run as high as 64 million lives.

While it may be a matter of the pot calling the kettle black, it is interesting to note that Moscow has charged that "in the course of 10 years, more than 25 million people in China were exterminated. . . . During 1960 alone, Mao Tse-tung's government exterminated more Chinese than were killed in the entire war against Japan."

As Professor Walker so aptly sums up the matter:

"The Communist movement in China, despite its proclaimed high ideals, must be judged on performance, and, as regards the human equation, there is little to commend it. Those who wish to rationalize public assassinations, purges of classes and groups or slave labor as a necessary expedient for China's progress are resorting to the same logic which justified a Hitler and his methods for dealing with economic depression in the Third Reich.

"It is important that we in America remember some of the basic facts of human values lest we be beguiled into forgetting that those who succeeded in inducing an artificial American euphoria in the wake of ping-pong diplomacy from Peking in the spring of 1971, are the same leaders who have extracted such a great human cost from their own people, in the name of a doctrine long since discredited in the world, both in terms of performance and intellectual respectability."

In World War II, the fact that we were locked in struggle with common enemies brought us together with the Soviet Union in an alliance of convenience. Because it was widely felt that we must speak no evil of our Soviet allies, the American and British press submitted to a kind of self-imposed censorship on all criticism of the Soviet regime. It proved to be only one short step from this self-censorship to the euphoric belief that if we continued to see no evil and speak no evil where our Soviet allies were concerned, we would win the trust and good will of the Soviet Government and pave the way to our peaceful cooperation in the postwar period.

And so we closed our eyes to the historic record; and we closed our eyes to the massacre in the Katyn Forest, where the Soviets in cold blood murdered 10,000 POW Polish officers; and we closed our eyes to the Soviet betrayal of the Warsaw uprising. Fearful of a deep Soviet penetration of Europe, and convinced that the Red Army would not simply liberate the countries it entered and then withdraw, Churchill strongly urged that the Allies invade Europe via the soft Balkan underbelly rather than via France, in order to meet the Russians as far to the East as possible. But we resisted Churchill's urging, in part because we wished to avoid anything which might arouse Soviet suspicions, in part because our military leaders thought in purely military terms and not in terms of ultimate political consequences. During the final days of the War in Europe it was in our power to take both Prague and Berlin—but we abstained from doing so because it was feared that this would give offense to the Russians. It was these military failures, compounded by our diplomatic failures at Yalta and Potsdam, which turned the whole of Central Europe over to Communist rule. They also left Berlin an isolated and beleaguered island—which may, conceivably, lead to a major war because there is no way, short of abject surrender, in which we can withdraw from our commitment to the freedom of West Berlin, and no way in which Berlin can be defended.

This is the high price we have had to pay in Europe for failing to remember certain essential things about Soviet communism during the euphoria that characterized our World War II military alliance.

In the Far East, we have paid back just as high a price for closing our eyes to the truth about the Soviet regime and Soviet intentions. Because we looked upon the Soviet Union only as an ally and not as a potential antagonist, we made concessions at the expense of our Chinese allies to get Stalin into the war against Japan in the closing days—to be exact, on August 8, 1945. In retrospect, it is clear that we should have done everything in our power to let Moscow know that we considered her assistance unnecessary in this area and to dissuade her from moving against the Japanese in the Far East. The immediate result of our innocence was that the Soviets, with virtually no fighting, were able to take the surrender of the 1,000,000-man Japanese Kwantung Army, with all of its arms and ammunition. History will record that the Soviet occupation of Manchuria and the massive quantities of arms and ammunition which were turned over to the Chinese Communists by the Soviets, played a determining role in bringing the Communists to power in mainland China. And it is clear beyond dispute that if the Soviets had not occupied Northern Korea and imposed a puppet regime there, we would have had no Korean war. Finally, it is more than probable that there would have been no Vietnam war.

The validity of these assertions is confirmed to the hilt in a remarkably frank article which appeared in a recent issue of World Marxist Review, international theoretical organ of Communist and Workers parties. This is what the article had to say on the decisive role played by the Soviet occupation of Manchuria in the Chinese Communist revolution:

"The Soviet victory in Manchuria had a direct bearing on the progress of the Chinese revolution. Kwangtung Army weapons and Manchuria's military-industrial facilities were turned over to the Chinese revolutionary forces. No less important for the victory of the national liberation movement in China was that Soviet political and diplomatic actions frustrated U.S. imperialist and Kuomintang intentions of crushing the revolution.

"In autumn 1945 the Soviet Command in Manchuria denied Kuomintang troops landing facilities in Dairen (Port Dalny). Neither was the Koumintang allowed to violate Point 4 of the agreement on Port Arthur, according to which defense of that naval fortress was entrusted to the USSR. This precluded U.S. and Kuomintang designs of using the Liaotung Peninsula for hitting the revolutionary forces in Manchuria in the back. Dairen and Port Arthur, controlled by the Soviet Command, were support bases for the Chinese revolutionary forces. So much so that U.S. Admiral F. Sherman said in August 1945 that if the two ports had been open for American and Chiang Kai-shek troops, developments in post-war China would have taken an entirely different course.

"Manchuria and China's northern regions were the strategic area from which People's Liberation Army regulars ultimately mounted their swift offensive south, liberating the country, forcing the Kuomintang regime to flee, and compelling its imperialist patrons

to withdraw. And none but a regular army could have crushed the Kuomintang troops, for the militia was no more than auxiliary in this effort, a reserve force that secured the PLA rear.

"The alliance of China's revolutionary forces with the Soviet Union and the world Communist movement contributed decisively to the victory of the Chinese revolution." [1]

The article was equally frank in dealing with the Soviet role in fostering and establishing the North Korean Communist regime. This is what it said:

"A mass movement unfolded for the democratic restoration of Korean statehood. People's Committees, which were new democratic bodies of power, sprang up all over the country, consisting of workers, peasants, petty and middle bourgeois, and intellectuals. Democratic organizations were formed in the South, as well as the North.

"In October 1945 an Organizational Bureau of the Central Committee of the Communist Party of North Korea was formed in Pyongyang to found a mass party, which became the leader of the country's democratic forces, its swift expansion testifying to its popularity and prestige. There were only 6,000 Communists in North Korea in December 1945, with membership climbing to 134,000 by August 1946. Subsequently, the Communist Party amalgamated with the New People's Party to form the Korean Party of Labor.

"The Japanese colonial administration was at once removed from power in the northern part of the country, where Soviet troops were stationed. The Soviet Command recognized and cooperated with the people's committees factories and other possessions of Japanese capitalists were turned over to the people.

"The Korean People's Democratic Republic (KPDR) was constituted in September 1948. Comrade Kim Il Sung, General Secretary of the Korean Party of Labor and Chairman of the KPDR Council of Ministers, said: 'If there had been no Soviet Union, the great offspring of the October Revolution, and if the Soviet Union had not achieved its historic victory over German fascism and Japanese militarism, Korea would still be languishing under the Japanese colonial yoke; we would have no independent state, the Korean People's Democratic Republic.'" [2]

Finally, the article made it clear, in the paragraphs which follow, that the Soviet invasion of Manchuria was the opening wedge in a coordinated continental offensive that reached as far as South Vietnam and facilitated the success of Ho Chi Minh's revolution.

"For the peoples of Southeast Asia, too, the Soviet entry into the war against Japan was a call to the final battle. In Vietnam the Communist Party of Indochina planned an armed rising early in August, which the All-Vietnam Congress of People's Representatives, convening on August 16, fully endorsed. A National Liberation Committee was elected, and on August 19 the popular revolution triumphed in Hanoi; and on August 25 it triumphed in Hué, and with Emperor Bao Dai, the Japanese puppet, abdicating, in Saigon as well.

"On September 2, 1945, at a mass meeting in Hanoi, Ho Chi Minh announced the constitution of the Democratic Republic of Vietnam (DRV), the first People's Democracy in Asia, born on the last day of the Second World War.

"The victory of the August revolution in Vietnam ended the more than 80-year-old rule of foreign imperialism and centuries of feudal oppression.

"Twenty-eight years after the October Revolution," Ho Chi Minh wrote later, "the victory of the Soviet Army over the Japanese imperialists considerably facilitated the success of the August 1945 revolution, which liberated Vietnam." [3]

Had our leaders better understood the nature of Soviet communism, they would have more clearly foreseen all the catastrophic consequences that would flow from the Soviet entry into the war against Japan in its dying days. And had they foreseen these consequences, they might have moved to avoid them by discouraging, or, if need be, preempting, the Soviet occupation of Manchuria and Korea.

There is nothing new historically about accommodations or alliances of convenience between basically hostile powers. In certain situations, such arrangements are not only desirable but well-nigh unavoidable. Since it was considered in the national interest, prior to our involvement in World War II, to continue trading with Nazi Germany and to maintain relations with it, certainly it is a defensible proposition that we should seek to trade with Communist China and to enlarge our relations with it.

But if we are to have relations with Red China, let us do so with our eyes open. Let us not close our eyes to all the unpleasant truths about Communist China. Above all, let us not close our eyes to the unpleasant fact that the fundamental hostility of Red China to the United States is spelled out, with undeviating vehemence and consistency, in thousands of doctrinal pronouncements and propaganda statements over the years.

For, as our experience after World War II demonstrated so tragically, history exacts a high price of nations that indulge in euphoria over arrangements of convenience with basically antagonistic powers.

Assessments may differ, within Congress and within the Administration, on the question of our policy towards Red China. But the facts presented in this study deserve the most careful consideration in the context of any assessment.

It is the hope of the undersigned Senator that at least some of our alienated students who cannot identify with their own country and who, instead, brandish the banner of Mao Tse-tung, will show themselves open-minded enough to read this study and weigh its implications for themselves as students. Here they clamorously insist on their right to "do their own thing"—from smoking pot to throwing bombs. But in Red China no student is permitted to do his own thing. Instead, as this study points out, more than 25,000,000 young people have been sent to the countryside as common laborers, against their will—sometimes for a year, sometimes for several years, sometimes for life.

It is also to be hoped that those intellectuals who are disposed to sympathize with Communist China because they look upon it as some kind of brave new world, will be induced to reassess their sympathy in the light of some of the facts here set forth. They should ask themselves, among other things, how such sympathy can be reconciled with the following passage from the letter written by Professor Yang Shihchan to the Yangstze Daily during the brief period of intellectual freedom that characterized the "Hundred Flowers" episode.

". . . During the social reforms campaign, unable to endure the spiritual torture and humiliation imposed by the struggle . . . the intellectuals who chose to die by jumping from tall buildings, drowning in rivers, swallowing poison, cutting their throats, or by other methods, were innumerable. If we say that comrade Stalin has not escaped from condemnation in history for his cruel massacre of comrades, then our Party, in my opinion, will also be condemned for our massacre of intellectuals who had already "surrendered" themselves to us. Our Party's massacre of intellectuals and the mass burying alive of the literati by tyrant Ch'in Shih-huang, will go down in China's history as two ineradicable stigma. This cannot but make us utterly heartbroken."

The Subcommittee on Internal Security is indebted to Professor Walker for a study which painstakingly details the many aspects of Chinese Communist inhumanity and amorality. It is a study of outstanding quality which should be read by everyone who seeks a balanced understanding of Chinese communism.

JAMES O. EASTLAND.

JULY 30, 1970.

Re commissioning of special studies on (1) the human cost of communism in the Soviet Union and (2) the human cost of communism in Red China.

Hon. JAMES O. EASTLAND,
Chairman, Subcommittee on Internal Security, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Over the years the Senate Subcommittee on Internal Security, by way of establishing certain essential background facts on communism and the implication of Communist activities in this country, has held hearings and published studies dealing broadly with the crimes perpetrated by the Communist governments in those countries they control, and the record of perfidy and aggression of these governments in their relations with other countries. The quality of some of the publications issued by the subcommittee has resulted in praise from component authorities and has made them standard reference texts of permanent value.

It has occurred to me that it would be extremely useful and it would fill a gap in the existing literature if the subcommitee could commission studies by the most competent available authorities setting forth in comprehensive manner the human costs of communism (1) in the Soviet Union, and (2) in Red China. The story of Communist terror in the Soviet Union and Red China has been told in bits and pieces, but to my knowledge, there is so far no comprehensive study that attempts to assess the entire cost of the Communist system, in terms of human life, in the two major Communist countries. The nearest thing to such a study is Robert Conquest's book, "The Great Terror," But this is confined to the 20 years of the Stalin terror rather than covering the entire 50 years of Soviet communism.

Specifically, I would like to propose that the subcommittee commission Mr. Conquest, who is recognized as one of the West's foremost Sovietologists and perhaps its leading expert on Soviet terror, to prepare a study, approximately 10,000 words in length, on the subject of "The Human Cost of Communism in the Soviet Union."

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[1] World Marxist Review, October, 1979, page 86.
[2] Ibid, pps. 86-87.
[3] Ibid, page 87.

I would also like to propose that, as a companion volume, the subcommittee commission Dr. Richard L. Walker, director of the Institute of International Studies at the University of South Carolina, to prepare a study of comparable length on "The Human Cost of Communism in Red China." Professor Walker, as you know, is generally recognized as one of our country's foremost China experts.

Prior to writing this letter, I established contact with both Mr. Conquest and Dr. Walker to find out if they would be able to prepare the studies in question. I am happy to inform you that they have both answered in the affirmative, subject to the understanding that there would be some arrangement for compensation.

If you approve of this proposal and if the approval of the Rules Committee is obtained, I will notify Mr. Conquest and Dr. Walker immediately so that they can get to work on their studies.

I feel that the publication of these studies would reflect credit on the subcommittee and that they would be particularly timely in view of the current debate over the human cost of a Communist victory in Vietnam and Southeast Asia.

With my thanks for your consideration and with every best wish,

Sincerely yours,

THOMAS J. DODD.

FOREWORD

Of the many characteristics which make us human, two stand out. The first is our ability to train and use our intellectual powers—to reason, to create, to learn, to communicate, to transmit. The second is man's possession of a moral and spiritual nature which teaches him to value human life. In the truly civilized man, these two characteristics operate in tandem—one depends upon the other. They in turn are related to the finest achievements of man in art, in literature, in music and other forms of creative self-expression.

Man's ability to develop intellectually, morally, spiritually and creatively—his ability, in short, to realize his human potential—demands a condition of individual and cultural freedom. Those who persecute men for the free use of their intellect or for the views they hold on any subject, or for their artistic creativity are the true barbarians of any age.

The quality of being human is also related to the institutions created and carried on by successive generations of men. These include the great cultural traditions with their varied styles of social, clan or family life from which the individual can never completely divorce himself and which change relatively slowly. Man is, after all, locked into his own life style by the very language—itself a cultural institution—with which he communicates with his fellow humans. Those who persecute their fellow men because they are a part of human institutions—a clan, a class, an occupation, or a faith—are also barbarians in the truest sense of the term. This is why so much of the religious bigotry in Western history is so reprehensible. Equally reprehensible is the persecution of political dissidents under the modern totalitarian regimes of fascism and communism.

The Communist movement in China, despite its proclaimed high ideals, must be judged on performance, and, as regards the human equation, there is little to commend it. Those who wish to rationalize public assassinations, purges of classes and groups or slave labor as a necessary expedient for China's progress are resorting to the same logic which justified a Hitler and his methods for dealing with economic depression in the Third Reich.

It is important that we in America remember some of the basic facts of human values lest we be beguiled into forgetting that those who created an almost artificial euphoria in the wake of the ping-pong diplomacy from Peking in the spring of 1971 are the same leaders who have extracted such a great human cost from their own people in the name of a doctrine long since discredited in the world, both in terms of performance and intellectual respectability.

RICHARD L. WALKER.

JULY 1971.

THE HUMAN COST OF COMMUNISM IN CHINA

(By Richard L. Walker)

If the rains of Communism flood the world, humanity will drown. Would you understand me, dear friend, if I told you I saw an old woman weep because the sun had died in China? [1]

STALINIST CHINA?

On July 1, 1971, the Chinese Communist Party celebrated half a century of existence. These five turbulent decades have been filled with prodigious changes but also with weighty tragedy for great numbers of the inhabitants of the Middle Kingdom. It can be doubted whether the twelve young revolutionary idealists who gathered in a girls' school in Shanghai in 1921 to set their Party in motion could have foreseen the impact which their actions would have upon China. One of the twelve, Mao Tse-tung, was to occupy the center of the stage in the Chinese Communist movement for more than thirty-five years. During the period of protracted conflict which led the Communists to power, Mao was, in many respects the Lenin of China. Shortly after accession as Chairman of the People's Republic of China in 1949, Mao's role seemed to take on more of the characteristics of a Stalin.

This parallel with the Stalin era deserves our sober attention. Aspects of its are uncomfortably precise. There has been the same monumental inhumanity and the same commitment to political terror as a means of crushing the opposition. There is an aura of mystery surrounding the activities and whereabouts of the "great supreme commander;" the cult of personality has at times reached ridiculous extremes; his whims and arbitrary decisions have made his associates tremble and have caused untold suffering for his people.

There has been the intellectual isolationism of his country, now a great bulwark and fortress for the spreading of his truth. And, above all, there has been distrust and suspicion focused against the very people who could help to gain support for the leader and aid the progress of the country: the intellectuals and students.

There is yet another aspect of the parallel between the Mao and Stalin periods deserving of attention—the treatment of their rule among the scholars and journalists in the outside world. It is difficult for many to remember the praise heaped upon Stalin in the 1930's, but we are made acutely aware of the fascination with Chairman Mao, through a surfeit of scholarly and journalistic attention which helps to build his cult and his image as a sort of superman. It is not surprising that Stalin is still a great hero in Communist China. (His picture was prominently displayed in Peking on October 1, 1970, the 21st anniversary of the People's Republic of China.) [1]

For more than two decades, those few voices in the West who attempted to call attention to the realities of Stalin's terror were drowned out by the strident chords of praise sung by the "intellectuals" in the outside world who were fascinated with the grandiose experiments in the "land of Socialism." Those who called attention to the mass executions or to the facts of slave labor or to the incredible cost of collectivization were frequently ridiculed or demeaned; it was asserted they did not seem to understand that some sacrifices have to be made for revolutionary progress. Even the show trials of the great purges were pronounced as signs of growing democracy. Such myopia seems almost incredible to us today in the wake of subsequent revelations from the USSR itself, the outpourings of works like those of Solzhenitsyn, and the wealth of refugee testimony which became available after World War II.

But it was the Khrushchev "Secret Speech" of February 1956, which really jolted those who had for decades apologized ritualistically for crimes against humanity in the Soviet state. The American Stalin Prize winner, Howard Fast, was moved to deep soul-searching:

"It is a strange and awful document, perhaps without parallel in history; and one must face the fact that it itemizes a record of barbarism and paranoic blood-lust that will be a lasting and shameful memory to civilized man. . . .

"Where I failed miserably and where I swear by all that is holy that I will not fail again, was. . . [in failing] to see that. . . to abandon the holy right of man to his own conscience, his own dignity, his right to say what he pleases, to speak freely and boldly for the truth as he sees the truth—and fearing no man, whether right or wrong—is no victory at all. . . . I knew that writers and artists and scientists were intimidated, but I accepted this as a necessity for socialism. . .

"This I can never accept again—and never again can I accept as a just practice under socialism that which I know to be unjust. . . . Never again will I remain silent when I can recognize injustice—regardless of how that injustice may be wrapped in the dirty linen of expediency or necessity. Never again will I accept the 'clever' rationale, which appears to make sense but under scrutiny does not." [2]

Howard Fast's statements in 1956 make an eloquent point of departure and a warning for those who might still be tempted to hold up double standards—those who are prone to excuse the crimes and terror practiced against humans in the name of socialism and yet are in the forefront in fighting other injustices.

Fast also centered in on some of the very items which tend to set humans apart from other living creatures—the independence of the human intellect, the striving for freedom, and the standards of decency and individuality which dare not be sacrificed.

The China scholars in the West have not yet had the equivalent of a Khrushchev "Secret Speech" detailing Mao's many crimes against his fellow Chinese and Communist comrades. Perhaps for this reason many still harbor those same sentiments which caused the Howard Fasts to ignore Soviet realities in Stalin's name; but surely the accumulated evidence as well as the example from the Soviet experience should give pause.[3]

Footnote at end of article.

For the sake of the socialist "higher goals" many of these scholars have been prone to excuse massive injustices on the questionable assumption that these injustices were only temporary. Since the founding of the People's Republic of China, not a few American "China-watchers" have hastened into print to denounce Chiang Kai-shek's government for this or that injustice, such as the imprisonment of Lai Chen, the editor of *Free China* in September, 1960 (the author joined in protesting what seemed to be a clear case of political persecution). But those same "China-watchers" have turned admiring eyes on the Chinese Communists and have either remained silent about some of the human costs described in the pages which follow, or have rationalized that these are a necessary part of some vague "inevitable" Chinese revolution.

With good reason the People's Republic of China (PRC) has been called "the largest enterprise in the history of mankind." [4] The problems of adjusting the world's longest lived, richest, and most traditional culture to the demands of the age of the computer, atomic energy or jet aircraft are indeed unprecedented for any regime. These, too, are factors that have weighed heavily in the minds of intellectual sympathizers. Further, there is the factor of the guilt complex of the Western world toward China because of the period of imperialism in China. This has tended to make many Western observers more inclined to suspend judgment of the Chinese Communists and to hold those double standards which for so long blinded the outside world to the realities of the Soviet system. And yet, can the world ignore the monumental human cost of Mao's China or its Stalinoid features, especially since the "Great Leap Forward" of 1958?

CHINESE COMMUNIST ACHIEVEMENTS—AND THE COST

Those young zealots who pledged their lives to the Communist cause in China during the early years of the Chinese Communist Party (CCP) joined in expounding a series of high-sounding general goals which Chinese from all walks of life could support. They promised unity for their long-divided country, equality with and expulsion of the foreigners with their hated "special privileges," industrialization and modernization, respect and standing in the world, and an end to oppression and tyranny at home. Many Chinese, especially students and intellectuals, knew that these goals would have to be achieved if China were to take its place as a respected equal in the councils of the world. The hope for fulfillment of these goals evoked enthusiasm and support for the PRC—on nationalist rather than on communist ideological grounds—from many sectors of the population during the early years.[5]

There can be no gain saying that under the rule of Mao Tse-tung some of these goals are in sight for the People's Republic of China. China is a thermonuclear power which has already given clear indications with its own "sputnik" in April 1970 that it is well on the way to becoming an ICBM power. During the first decade of Communist rule, the PRC made dramatic achievements in industrialization and modernization—steel production, for instance, reaching in excess of 12,000,000 tons.

The two decades of Communist rule in mainland China have also witnessed some remarkable progress in other areas. Especially important was the early work in the fields of education and public health. The government made strenuous efforts to bring literacy to a vast population which, over earlier decades of warfare and division, had been offered little opportunity for education. Well-organization public health teams carried the message of elementary basic habits in sanitation and hygiene to the remote rural areas of China. Then, too, there was an improvement in communications which, in combination with some formidable projects for water control and irrigation, helped to prevent those appalling losses of human life which had periodically occurred in China in the wake of past natural disasters.

The initial achievements of the "New China" were owed in large part to a combination of factors such as the large-scale Soviet support, an early unity of disparate factions, and especially the enthusiasm and energies of the many students, intellectuals, and specialists—"bourgeois elements" Mao called them—who gave their all for the "people's government," out of simple patriotic motives.

In fairness, it should be pointed out that many of the projects implemented by the Communist government were originally conceived and planned and, in some cases, initiated, under the Nationalist government which preceded it. In fairness, too, it must be observed that it is an oversimplification to compare the progress achieved during the 20 years of Communist rule with the relative lack of progress during approximately 20 years of Nationalist rule. The Chinese communists since coming to power, have not had to contend with any foreign or domestic threat. The Nationalist government, on the other hand, during most of its rule had to contend with the Japanese invasion and occupation of much of its territory, and, simultaneously, with a massive Communist insurrection.

But the main question at issue is not whether progress has been achieved in various areas under Communist rule, but how high a price has been paid for this progress. What would a balanced picture include? Could comparable progress have been achieved with less drastic and more humane methods? At the close of World War II and when the Communist movement in China was driving to power, there might have been reason to wonder what methods would be most efficacious for the achievement of those standards of development and life which seemed to be the universal goal of the leaders of the third world. In the 1970's there can no longer be any question that the Chinese Communist "model" cannot begin to offer the progress for its people which a free system can; there are too many alternative examples. The wonder of the "risen sun" of Japan or the measured progress of a non-totalitarian India, both cooperating with an interdependent world in relative harmony, stand in stark contrast to the price which the Chinese people have paid for Marxism-Leninism and the Thought of Mao Tse-tung.

It is my considered judgment, after following Communist China closely for more than two decades, that the cost of progress achieved under Communist rule is too high for the conscience of the world to absolve its perpetrators. In terms of human life and human suffering and in terms of destruction of moral and cultural values this cost cannot be condoned by any rationalization. The high Chinese Communist Party leaders who sit down at convivial banquets with visiting Americans may be guilty of as great crimes against humanity and their own people as were Hitler and Stalin and their followers. In the case of Chou and Mao, their commitment to their Communist faith has been one of more than half a century, and in its name they have not hesitated to commit any act.[6] They consider themselves to have been vindicated by history and their success; thus those who would deal with them can hardly expect that they have "softened" or have changed their goals or perspectives.

I have included in this summary history of the Human Costs of Communism in China some individual accounts which help to bring this human element for the Chinese into better focus. Whether it is the experience of an escaped slave laborer, the eye-witness to the terror of the campaign against counterrevolutionaries in 1951, or the pitiful letter of a Chinese caught up in the madness of the "Great Leap Forward" of 1958, each of these accounts helps to remind us of that critical factor: the individual human. When one begins to multiply such individual sorrows and agonies by the millions, then perhaps it is possible to understand when a Chinese refugee says that the Yellow River is at flood tide, swollen with the tears of the Chinese people.

THE FIFTY YEARS

On the eve of the final Communist victory in China in 1949, Mao Tse-tung paused on the twenty-eighth anniversary of the founding of the CCP to survey the past and plot the future. The first twenty-eight years had seen the Party single-mindedly, through reverses and successes, pursue its one overriding goal—the capture of state power. In his commemorative work *On the People's Democratic Dictatorship*, Mao promised to continue in the path which had brought success. He warned that the "people's army, people's police, and people's courts" would be used to defend the dictatorship which was being established and to aid with the completion of the revolution. In this work Mao defined "the people" who were to be exercising the dictatorship as consisting of four classes; the peasants, the proletariat, the national bourgeoisie, and the petty bourgeoisie—all under the leadership of the "working class and the Communist Party." All others were, in an Orwellian sense, "unpeople." And he warned that the latter, whom he termed "reactionaries," were to have no rights and that if "they speak or act in an unruly way they will be promptly stopped and punished." [6]

The Chinese bourgeoisie, including the minor and front parties, who joined in support of the People's Republic of China, nursed hope for a mellowing of the Communists' attitude. Mao had, after all, promised that this first stage in his two-stage revolution "will be a considerably long one." Private businessmen knew that they would eventually be doomed in China under the Communists, but many anticipated a period of thirty to fifty years before Mao's brand of socialism would spell their doom.[7] Many would have been wise to do as Mao did and survey the first twenty-eight years of the CCP, for the experiences of those years were to set the tone and the pattern of Chinese Communist revolutionary rule. They would have learned there was little hope for a liberal treatment from their new rulers.

In one of his earliest published works in March 1927, Mao had warned: "a revolution is not a dinner party, or writing an essay, or painting a picture, or doing embroidery; it cannot be so refined, so leisurely and gentle, so temperate, kind, courteous, restrained

and magnanimous."[8] He continued that for the revolution to succeed. "To put it bluntly, it is necessary to create terror for a while in every rural area . . ."[9] The leader of the Communist Party of China was a good Stalinist who believed in the efficacy of terror for the sake of the ultimate goal.[10]

Other aspects of the period of the drive to power which were to set the tone for the CPR included the subordination to Marxist-Leninist dogma—an attempt to fit the Chinese people and civilization within the framework of an artificial intellectual construct developed in Europe. Mao himself, in a statement which indicated his contempt for his native culture, asserted that the Chinese people were "poor and blank." Thus, they could be molded into a pattern which he perceived. Part of that pattern include those aspects which have come to characterize his rule: mass mobilization for various projects and undertakings; a preponderance of military style including the viewing of practically every state policy or action in military terms, with, for example, "shock troops" for the literacy campaigns, "brigades" as a basic organization in the people's communes, or Red Guard "armies" storming the citadels of power of China's "Khrushchev"; the dualism of the love-hate, friend-enemy, who-whom, relationships of the Marxist-Leninist class struggle interpretation of the world in which there can be no neutrals.[11]

The Chinese Communist path to power included an initial "united front" with the Nationalists (1924-27) during which a military and political campaign was launched to wrest the country from the hands of the warloads; the breakdown of the front and resultant civil war (1927-36) which included the Nationalist military campaigns against Mao's headquarters in Southeast China; and finally the "Long March" of 1934-35 to the Communist headquarters in Northwest where, from 1936 throughout World War II, Mao directed his separate forces which were once again nominally in a second "united front" with the Nationalists (1936-45). Then came the second civil war of the Chinese Communist drive for power (1945-49). Through the course of this quarter century of unremitting struggle the costs to the Chinese people were staggering. It is well nigh impossible to make an accurate assessment. But assessments are possible within certain limits.

Some writers have estimated the number of casualities occasioned by the Communists in their drive to power. One common figure given is twenty million.[12] For more than two decades, The Nationalist government under Chiang Kai-shek fought back against the Communist insurgents. Sometimes it fought defensively, sometimes it took the offensive. Certainly the five "annihilation campaigns" which Chiang Kai-shek waged against the Chinese Communists in Kiangsi before they broke out of encirclement and embarked on their Long March (1934-35) were costly to both sides and also to the surrounding innocent peasants caught in the crossfire. The March itself was costly to Communist forces as well as to the local forces of the countryside through which they moved. The second civil war (1945-49) involved the use of modern military equipment which had been developed during the Second World War, and was doubtless much more costly. It was also a period when the Communists were generally on the offensive.

THE EARLY YEARS

In 1949 the Chinese people were indeed deserving of peace and an opportunity to unify and reconstruct their ravaged country. The more than two decades of Communist power, however, have brought no surcease to struggle, violence, warfare, or misery for China. There have been external wars such as in Korea (1950-53), with India (1962), and along the Soviet borders (1969); there have been formidable conflicts with areas where minority nationalities are situated, particularly in Tibet where hostilities assumed major proportions in 1959 and have been continuing sporadically since; there have been the struggles waged in the wake of the Cultural Revolution, such as that in Kwangsi in the summer of 1968 where an estimated 50,000 were killed in the city of Wuchow alone.[13]

But perhaps even more tragic has been the pattern of rule which Mao and his fellow Communists have used to bring about political control of the Chinese people and the development of power for the Chinese state. Since 1949 China has been subjected to a pattern of wave after wave of mass campaigns breaking upon the countryside and only gradually receding. These campaigns, sometimes overlapping, have followed each other in such a way as to allow few moments of calm. Mao has indeed been a proponent of permanent revolution. Each of these campaigns has claimed millions of victims; all have been infused with the Maoist belief in the desirability of struggle and the necessity for violence; some have resulted in large-scale purges or the elimination of whole groupings within the society.

The naming of some of these campaigns is enough to evoke apprehension among refugees in Hong Kong, where a minimum of two million Chinese have moved to escape from Chinese Communist rule.

There was the Agrarian Reform of 1949-52 which brought about the execution of several million landlords.[14]

Then came the campaign against counter-revolutionaries of 1951-52 during the first twelve months of which it was estimated that one and one-half million were executed.[15]

The 3-anti and 5-anti campaigns of 1951-53 purged the business, finance and industrial circles with executions and a wave of suicides. All of these were linked to bandit suppression campaigns from 1949 to 1956.

In connection with the purge of Kao Kang and Jao Shu-shih in 1955, Mao launched yet another campaign against "hidden counterrevolutionaries" in 1955. Following this, he moved on yet another front with a drive for collectivization of the peasants in "agricultural producers' cooperatives" which he demanded be completed by the end of the First Stalin-type Five-Year Plan (1953-57). It was the end of this period that he finally persuaded the intellectuals and others who had joined in the united front of 1949 to speak up and voice criticisms in the spring of 1957. Their vehemence against the Communist Party and Mao's leadership resulted in an Anti-rightist campaign which terrorized China during the ninth and tenth years of Communist rule, and fused into the "Great Leap" of 1958-1959.

The first decade of Communist rule in China may be forgotten in the West—after all, we have short memories, a fact on which Communist leaders have frequently traded—but the Chinese people have not forgotten their leaders' capacity to carry through the combination purge-drive which can infuse the population with that terror which Mao had early on decided was a prerequisite for effective rule. Perhaps the following three excerpts—three of thousands available but possibly forgotten—can help explain why this is the case.

MASS EXECUTIONS OF THE EARLY PERIOD

Millions were executed in the immediate post-power seizure period in Communist China. Many of the executions took place after mass public trials, in which the assembled crowds, whipped up to a frenzy by planted agitators, called invariably for the death penalty and for no mercy for the accused. During this early period, Mao and his colleagues made no effort to conceal the violent course being followed. On the contrary, the most gruesome and detailed accounts were printed in the Communist press and broadcast over the official radio for the purpose of amplifying the condition of mass terror the trials were clearly intended to induce.

The first example below is of public trials which took place in Peking (as, indeed, in all major cities in mainland China) during the spring of 1951. It is taken from the *China Missionary Bulletin*, a Hong Kong monthly, of May, 1951, and quotes extensively from the official Chinese Communist sources:

"MASS MURDERS IN PEKING

"The bloody terrorism erupted in Peking on March 24 and 25, and was imitated immediately by other large cities. A terrifying mass display was staged on the 24th of March under the slumbering trees of the Central Park in Peking. According to the Communist report, more than 5,000 people were present, representatives of political parties, of factories, commercial firms, religions, schools, etc. The band of 'anti-revolutionaries', those to be executed, were led to the meeting to be charged publicly. Thus the typical K'ung su hui, so widespread in the countryside, appeared in a slightly different guise in the large cities.

"Here, instead of accusations arising from the masses, they were made by the Mayor of Peking and the various department heads of the city government. With each speech the bitter hatred was blown more white hot. In all, the meeting lasted almost five hours. At the end the Mayor of Peking, P'ang Cheu, again stood before the emotionally worked up audience and in a dramatic speech asked them to pass sentence: 'Comrades, what should we do with all these criminals, bandits, secret agents, evil landlords, heads of reactionary Taoist sect organisers?'

"The crowd unanimously roared 'Shoot them'.

"The Mayor continued: 'Should we have mercy on them?'

"'No Mercy'—the crowd shouted back.

"The Mayor commented: 'Truly, no mercy for them. If we would pardon them, that would be a sin on the part of the Government.'

"The next question was: 'Is it cruelty to execute all these criminals?'

"The answer came back: 'It is not cruelty.'

"The Mayor commented: 'Truly it is not cruelty. It is mercy. We are protecting the lives of the people whom they harm.'

"The last question was put: 'Comrades, are they right or are we right?'

"And the last answer: 'We are right', started the cheering for the Mayor and Mao Tse-tung.

"The Mayor concluded: 'We are here representing the people. It is our duty to do the will of the people. We suppress the anti-revoluntionaries. This act we perform according to the law. Those who have to be killed, we kill. In cases where we could kill or not,

we do not kill. But when it has to be killing, we kill. . . . No you all want them to be suppressed. Tomorrow the Court will pronounce the judgment and they will be executed". (*Jen Min Daily*, March 25, 1951).

"The next day a big meeting was held outside the city walls (although it is not clear who were present) and the executions took place and were broadcast over the radio. (*Jen Min Daily*, April 3)."

The second example comes from an official Chinese Communist book distributed in English to the outside world in 1951. It is Peking's version of one of the trials of the "landlords" whom Mao had decreed should be eliminated as a class. The executions of many innocents in the countryside were also accomplished through mass meetings and demonstrations.

"With raised fists, the audience below shouted in one voice 'Down with reactionary landlords!' 'We demand that Peng Ehr-hu be shot!' . . .

"The masses again shouted in unison. 'Down with criminal landlords who hide and disperse their properties!' 'Long live the unity of the peasants!'

"It had started raining. But the tense atmosphere did not in any way lessen. . . .

"By four o'clock over 20 peasants had poured out their grievances from the platform. Mass sentiment had surged to the boiling point. Over and above there was a curious hush of expectancy. Not one person left or took shelter in spite of the terrific downpour.

"(Then the people's tribunal met to deliberate.)

"'Peasant comrades!' The judge's voice was grave. 'We have just heard some of the accusations made by local peasants. From these accusations, it ought to be clear to everyone how the landlord class has always worked hand in glove with the enemy of the peasants—whether it was Japanese imperialism or the KMT (Koumintang)—to oppress the peasants themselves. The same motive has prompted them to act as fawning lackeys to American imperialism, since American imperialism is directly opposite to the people's interests too.'

"'Our verdicts on the three criminal landlords are as follows: . . . Pen Yinting, age 40, native of Hsinlu Village, has caused the deaths of patriotic youths during the Resistance War. After liberation he oranized superstitious societies and spread rumors to delude the public. Also he has hidden firearms with the intent to plan for an uprising. The sentence for him is—death. do you all agree?'

"The sound of applause that came from below was deafening. . . .

"With one arm sheltering his tear-stained face, Pen Yin-ting was hurried along. . . . When Grandma Li, with her bony fist clenched, edged her way through the crowds and tried to hit him on the shoulder, the guards immediately stopped her. A cordon was quickly formed by them around the prisoners as more blows were about to shower from all directions. . . .

"The prisoners were escorted to the graveyard south of the temple. From the back of the graveyard came the sound of several shots.

"The sound shrilly pierced through the thick, moist atmosphere enveloping Huiling hsiang. Sighs of relief were heard as justice was meted out to the convicted.

"'Down with the reactionary landlords!'

"'Long live the emancipation of the peasants!'

"'Long live the Communist Party!'

"'Long live Chairman Mao Tse-tung!'

"The masses, for the first time freed from their dread and restraints, let out these slogans with a voice stronger than ever."[15a]

The third account of the mass executions which have characterized communists rule is of particular significance because it was written by one of the leaders who initially participated in Mao's coalition government and after several years escaped to Hong Kong.

"The gates of the Bureau of Public Security opened, and out came a police truck with about twenty policemen standing on it, guns in hand, followed by twenty-odd trucks carrying prisoners and four police guards each. The trucks went slowly past our hostel, and I saw that every prisoner had been stripped to his pants and had his wrists tied behind his back. They were crouching on the trucks, still and lifeless, and at first glance, gave one the impression of so many pigs going to slaughter. The loudspeakers began to boom, 'Shoot the counterrevolutionaries' and the crowd shouted and clapped. All around me, people were calmly chatting and laughing. After the trucks went by, the huge crowd closed in after them and followed them to the execution ground.

"That day, more than four hundred so-called counterrevolutionaries were shot. I did not go to the execution ground, but I was told that the place was packed, and that after each execution, the crowd, under direction, applauded.

"That night, I borrowed a copy of Dickens' *A Tale of Two Cities* from another member of the Mission who happened to be a writer. As I read, I could understand why it was possible for the French to derive pleasure from killing. They hated the French aristocracy. But what I had seen that day was different. The masses had no quarrel with those who were executed, yet they shouted and applauded the Government-sponsored massacre. I think in their hearts they must have been frightened."[16]

THE CAMPAIGNS OF THE SECOND DECADE

The second decade of Chinese Communist rule began in the midst of the most grandiose of all Mao Tse-tung's campaigns, the "Great Leap Forward" of 1958-60. This mobilized tens of millions of the Chinese to smelt iron in primitive and ineffective backyard furnaces (a testament of the Chairman's ignorance of the modern scientific world) and sought to push the Chinese peasants into communal-type militarized living, replete with, in some cases, separation of sexes and families, communal dining halls, and abandonment of all personal and family items. The human cost of this grandiose Maoist scheme in terms of wasted energy and resources, suffering, and death can probably never be reckoned. Not surprisingly, even this found apologists in the West, including Edgar Snow, who claimed that the movement was spontaneous and voluntary on the part of the Chinese peasantry and people and that it was a success in terms of teaching modernization as well as productivity.

The "Great Leap Forward" met with stern Soviet disapproval, and, as the Sino-Soviet dispute subsequently developed, the Kremlin was to level many charges against the Maoists concerning their brutality. Some of these charges seemed to approach in dimensions the figures on casualties and oppression which have been leveled against the CPR by the rival government in Taiwan.[17]

In 1969, for example, Moscow charged:

"In the course of 10 years, more than 25 million people in China were exterminated. More than 25 million people! And to be more precise: 2.8 million from 1949 to 1952; 3.6 million from 1953 to 1957; 6.7 million from 1958 to 1960; and 13.3 million Chinese were savagely assassinated from 1961 to 1965."[18]

The Soviets have not been noted for the reliability of their figures in such propaganda barrages, and it is interesting to note that they lay the greatest number of casualties at Mao's door in the period following the serious outbreak of the dispute. According to Moscow,

"during 1960 alone, Mao Tse-tung's government exterminated more Chinese than were killed during the entire war against Japan."

We can wonder, too, given the nature of the Soviet system, how sincere are their denunciations of forced labor in China. According to the Soviets, for instance, the Peking authorities had to resort to serious measures in 1959 to deal with popular resistence occasioned by the "Great Leap." In the words of Radio Moscow—

"Mass repressions were designed, it seems, to reeducate by force labor. The discontented were dumped by the millions in enormous concentration camps. These camps were situated in the most deserted and remote areas of China, and the prisoners were subjected to physical labor which was almost always beyond their strength. Of course, it has been impossible thus far to obtain any precise details of those who were tortured to death in the famous reeducation camps."[18a]

The aftermath of the failure of the Great Leap led to numerous campaigns from 1960 to 1964 during which the Party sought to restore order and discipline by making "everyone a soldier." Numerous soldier heroes, willing to brave hardships to "serve the people," were extolled for the benefit of young people from the towns and cities who were dispatched to the countryside or out to the frontier areas. This latter program, which was once again in full swing beginning in 1968, has seen millions of youth sent from their homes to areas which can barely sustain the present population.

In 1965-66 Mao launched yet another great campaign, the Great Proletarian Cultural Revolution, which lasted until 1969. This too, brought in its wake executions, purges, and terror.

This brief recounting of the Maoist "rule by drives" is enough to make one marvel at the resilience of the Chinese people. Already in 1959 there were estimates that the first decade of the People's Republic of China had brought the extermination of thirty million people.[19] The additional cost in casualties and suffering since the Great Leap Forward and the Cultural Revolution have yet to be measured.

SOME RESERVATIONS

Such figures as those cited above, even though some of them are based upon official statements by leaders in Peking, can only be rough guesses at best. In his report to the National People's Congress on June 26, 1957, for example, Chou En-lai stated that since 1949, of the counterrevolutionaries captured, only 16 percent had been executed, 42 percent were sent to labor camps, and 32 percent had been placed under surveillance.[20] Official estimates of the number of counterrevolutionaries "deactivated" before that time ranged in millions, but, except for a brief period in 1951, Peking has refrained from giving figures. Four of the six regional leaders of the Great Administrative Areas into which the PRC was ini-

tially divided stated that, in the early period of the campaign against "native bandits" and counterrevolutionaries in the areas, 1,176,000 has been liquidated.[21] But one can wonder even at these figures.

As the foregoing indicates, the past half century has been one of almost continuous warfare, and the costs of war are hard to measure—squandered energies and resources can never be fully accounted for; postponement of necessary social and economic measures can cause undue burdens for future generations. Heartache and separation come at a high price. In the case of casualty figures in China, they are generally imprecise, and contending sides have not avoided the usual practice of inflating when it suits a purpose at hand.

China tends to be so vast a subject and the numbers of people involved so overwhelming that we all too frequently forget the human equation. When figures are in the millions, there can be a tendency to forget that the subject is humanity rather than the latest figure on steel production. The millions of Jews exterminated by the Nazis were thinking, loving, emoting, creative beings. The millions who died at the hands of Stalin partook of the same characteristics—they, too, were human. So also have been the victims of Mao's and his comrades' attempt to mould Chinese civilization into the framework of his dogma.

An attempt to assess the cost in casualties of the Communist movement in China is obviously fraught with uncertainty. With regard to China there is just so much that we do not know and can never know. Not only is there an inconsistency in Communist figures,[22] but estimates from the outside world vary greatly. Then, too, there are a number of other imponderables: How many Allied troops died in World War II, for example, because Chinese Nationalists and Communists had committed troops against each other or because Mao's policy was to use only ten percent of his forces and emergy against the Japanese? [23] Or, how many of the 34,000 U.S. war dead in Korea are a direct or indirect cost of communism in China?

The following table offers in extremely rough form possible parameters of the estimates of the direct cost in human lives occasioned by the movement which Mao and eleven others started in 1921 to "liberate" the Chinese people. It is entirely possible that a reasonable estimate would be that the figure approaches fifty million Chinese—also members of the human race.

The question which must concern us also is not whether this or that figure is exaggerated, but the extent to which mass unstructured killings have been and continue to be a part of the mode of rule in Communist China. The table should at the very least give some pause to those who would wrap this kind of injustice in the dirty linen of expediency, of necessity, to use Howard Fast's language.

CASUALTIES TO COMMUNISM IN CHINA

	Range of estimates	Range of estimates
1. First Civil War (1927–36)	250,000	[1] 500,000
2. Fighting during Sino Japanese War (1937–45)	50,000	[2] 50,000
3. Second Civil War (1945–49)	1,250,000	[3] 1,250,000
4. Land reform prior to "Liberation"	500,000	[3] 1,000,000
5. Political Liquidation Campaigns (1949–58)	[4] 15,000,000	[5] 30,000,000
6. Korean war	[1] 500,000	[6] 1,234,000
7. The "Great Leap Forward" and the Communes	1,000,000	[7] 2,000,000
8. Struggles with minority nationalities, including Tibet	500,000	[8] 1,000,000
9. The "Great Proletarian Cultural Revolution" and its aftermath	250,000	[9] 500,000
10. Deaths in forced labor camps and frontier development	15,000,000	[10] 25,000,000
Total	34,300,000	63,784,000

[1] John S. Aird, "Population Growth" in Eckstein and Galenson, eds., Economic Trends in Communist China (Chicago: Aldine, 1968), p. 265. There are wide ranging figures regarding the "Long March" (1934–1935). Hugo Portisch, Red China Today (Chicago: Quadrangle, 1966), p. 131 offers the usual estimate of 100,000.

[2] This figure would include, for example, the New Fourth Army incident of January 1941 and numerous minor skirmishes during the war. See Peter S.H. Tang and Joan M. Maloney, Communist China: The Domestic Scene, 1949–1967 (South Orange: Seton Hall, 1967), pp. 60–69.

[3] One official statement lists half a million "feudal bullies" eliminated in the north by June 1949; this would not include Manchuria or other areas under Communist control. The figure of one million is probably closer given the intensity of the early part of the "land reform" in this early period. Cf. Problems of Communism No. 2, 1952, p. 2.

[4] This figure, drawn from a Department of State estimate is given in several places: Franz H. Michael and George E. Taylor, The Far East in the Modern World (New York: Holt, 1956) p. 457 use the figure for the first four years of Communist rule. George M. Beckmann, The Modernization of China and Japan (New York: Harper and Row, 1962), p. 520 cities the same figure from a later government estimate. As noted above, the Soviets give a figure of 25+ million for the period 1949 to 1965.

[5] New York Times, June 2, 1959.

[6] The larger figure is the official U.N. command estimate of Chinese Communist casualties. Aird prefers a more modest assessment of U.N. performance against the Chinese "People's Volunteers." The Chinese Nationalists guess 1,540,000.

[7] On some of the background for the range of estimates, based on discussions in Hong Kong and subsequent studies, see two speical supplements which the author did for the New Leader: "Letter from the Communes," June 15, 1959 and "Hunger in China," May 30, 1960. Valentin Chu, in another New Leader supplement entitled "The Famine Makers," June 11, 1962 places the deaths of peasants owing to the "leap" at a minimum of one million.

[8] The figures on Tibet are also uncertain, but the International Commission of Jurists found clear evidence of genocide. Stanely Ghosh, Embers in Cathay (New York: Doubleday, 1961), p. 190, notes that the number of people immediately killed in the revolt of 1959 was 65,000 according to reliable sources. Troubles with other minority groupings have also led to casualty figures. See, for example, the interview by Hugo Portisch with the former Sinkiang "Culture Minister" in the Vienna Kurier of May 8, 1967. The Uighur leader, probably with very little urging from his Soviet hosts, discussed Chinese policies which had resulted in the deaths of thousands of Uighurs. He cited, for example, the case of the village of Kutcha, where he claimed that 10,000 people died in 1959 alone, all Uighurs.

[9] These figures are surely conservative estimates. As noted in the text more than 50,000 are reported to have perished in Wuchow, Kwangsi alone. On May 30, 1967, Radio Moscow (obviously not the most reliable of sources) estimated that more than 100,000 had already been executed in the course of the Cultural Revolution. These figures would also include the casualties of the hsia-fang or "rustication" movement which sent Red Guards to the countryside and frontiers when the army started to put the lid on the Cultural Revolution and bring it to a halt. They also include the wave of public executions which were part of the move to restore order and started in 1969 and continued through 1970. James Yeh, writing in the Mainichi Daily News in Tokyo on September 4, 1969, reported on the executions in some detail and also quoted the official Peking figure that by that time more than 25 million young people had been sent to the countryside.

[10] Robert Conquest in The Great Terror (New York: Macmillan, 1968), p. 533, estimates an annual casualty rate of 10 per cent in Soviet slave labor camps. It can be doubted whether conditions in China are any more humane—stories heard from former inmates in Hong Kong can be hair raising indeed. Granting a 10 per cent annual death rate in Chinese Communist Labor Reform Camps over 20 years of their formal existence, the figures given are obviously conservative.

What sort of rule is this which occasions the execution of untold numbers of young people, such as those whose bodies floated into Hong Kong in 1968 and again in 1970? Where is the consistency of apologists who maintain that the rule of Mao has brought new spirit to China, and then argue about the disfigured, tortured and bound bodies floating into Hong Kong, that the Chinese have always been that way?

It is worth remembering that at the very moment in June 1971, when reporters were commenting on Mao Tse-tung's creation of the new Chinese man (see, for example, Seymour Topping's dispatches in the New York *Times*), troops of the People's Liberation Army were machine-gunning scores of their fellow Chinese who were attempting to escape to Hong Kong from Mao's new paradise. Many of the youths drowned in the attempt, and others—the few—who made it told stories which were reported in the Hong Kong press, but were omitted in the euphoria that surrounded the first American direct access to Communist China for journalists and a few specialists in more than two decades. The number of casualties occasioned by attempts to flee China, though not included in the preceding table, cannot be considered insignificant.

FORCED LABOR

Surely one of the high human costs which the Chinese people have paid for rule by the Communist Party has been the system of "Reform Through Labor Service," a euphemism for forced labor or slave labor. This has been a part of the Chinese Communist political system from the outset, though the formal 77 regulations—worked out with the aid of Soviet "experts" sent by Stalin—were not drawn up until June 27, 1952 and not officially promulgated until August 26, 1954.

During the early years Peking talked quite openly about this system, which it was confident would help to remould the class character of those former enemies whom it hoped to "save." It is an interesting commentary on Western wishful thinking about Mao's China that although forced labor is an organic and essential element of the Communist economy, it has received practically no attention for more than a decade.[24] One can search the pages of the China Quarterly (the most important scholarly journal devoted to Communist China, now in its eleventh year of publication) in vain for a treatment of forced labor.

Part of the difficulty may lie in the curtailment of overt references to the system following the presentation of the Economic and Social Council of the United Nations in December 1955 of a report on forced labor which had a major section devoted to revelations about the conditions in China. Nevertheless, at the time of the celebration of the tenth anniversary of the PRC in 1959, there was an exhibition in Peking of the achievements of the corrective labor camps, and a subsequent one in Huhehot in April, 1960.[25] Further, there have been many refugees who have found their way out of mainland China, who have testified to the continued importance of forced labor in the Chinese Communist economy. At the time of the Cultural Revolution outsiders were reminded once again of the importance of the labor reform camps. In the contending between factions in Canton in 1967, for example, one Red Guard publication reported on the disorders that Canton was "faced with a huge decisive battle," and noted that even "Labor reform camp prisoners are being set free." [26]

There has been little attempt, since the early days of the Chinese Communist rule to carry through systematic study of forced labor and the conditions in forced labor camps. Following the airing of some of the details before United Nations bodies with much of the evidence gathered from Communist publications, Peking played down its own discussions of "reform through labor service".

It is ironic that some of the more recent discussions of forced labor in Communist China have come from the Soviet Union. For example, Radio Moscow, on May 30, 1967, claimed that more than 18 million political prisoners were languishing in some 10,000 camps in mainland China, and it quoted a recently escaped Chinese as saying that in the labor camps the people were being treated like animals. Surely there is need for a more thorough scrutiny of this part of Mao's China, which is related to construction schemes and to the whole social

and economic system, and we need more reliable information than the Soviets are likely to furnish if we are to understand the extent to which forced labor colors the whole of Communist China.

On the score of forced labor, as with casualties, figures are imprecise. The United Nation's report of 1955 listed some 20 to 25 million in regular labor camps and another 12.5 million in corrective labor camps. One scholar in the West estimated the number at about 14 million in 1954.[27] Certainly, as the years have passed, this institution, with its high human costs, has tended to be surrounded by ever denser fog. Most authors must, in the absence of adequate piecing together of hard evidence (and few seem inclined to that task), resort to imprecise phrases, but even the most cautious have commented on the "staggering number of persons involved." [28]

No estimate of the number of Chinese in forced labor camps for reform through labor service is less than ten million. But once again, the issue is not one of precise numbers but of the high cost in human terms of this degradation for political reasons or because of class origin or background. Those who have escaped and testified in the outside world allow no doubt about the sub-human and oppressive conditions in the labor camps, the hardships of separation from families, and the high mortality rates.[29]

It is probable that the Chinese forced labor camps have exacted a higher toll in human life than the mass executions—as Robert Conquest has shown to be demonstrably the case in the Soviet Union. Food supplies and the precarious nature of life in China anyway hardly offered hope for decent treatment for slave laborers. Reporters who visited the Chinese mainland from the United States in the spring and summer of 1971 and were entertained at sumptuous banquets by an affable Chou En-lai were hardly likely to raise the impolite question of slave labor or the arbitrary movement of personnel to forced labor brigades. But escapees give an almost constant stream of gruesome details about the system, for those who are inclined to listen.

There is another high human cost in a system which, because terror is an essential ingredient, bebases the very people who must perforce carry it through: the concentration and labor camp guards, as the following excerpt makes plain. It is drawn from the testimony of Yuan Mei, an escaped prisoner from a labor reform camp, presented to the International Commission Against Concentration Camp Practices in Brussels in November, 1956.[29a]

"One wintry morning, as a chill wind swept in from the north, 170 labourers were marched to work as usual. On arrival at the work site, the supervisor on duty, a fellow named Fang Yu, nicknamed "The Star of Pestilence", ordered the men to wade into the cold water. He blew his whistle three times, but the workers were reluctant to move. He then fired into the air threatening to shoot to kill if the men dared ignore his order. My two friends and I had luckily been assigned to fell trees on the slope. But the shot scared both of them, and they took shelter under a dense cluster of bushes. I didn't follow them but hid behind a sizeable tree-trunk and observed what happened subsequently.

"Workers in threes and fives began to strip off their clothes and were driven into the icy water like cattle. But a few of them failed to get into the water fast enough. This enraged the supervisor who grabbed a submachinegun from the nearest guard and let loose a barrage of fire which instantly killed several of them. A number of other leapt into the water with their clothes on. But the shooting was too much for them and they all stampeded, breaking away in all directions and running for cover.

"The situation threatened to get out of control and the armed guards joined in the shooting. A short while later, the whole company of the border defense troops was rushed to the spot and deployed around the whole area. Order was quickly restored, at the price of more innocent lives.

"The day's work was suspended. Those taking refuge behind the trees were then summoned and ordered to return to the camp. My friends, Liu and Tseng, were so scared that when they emerged from their hideout they looked more dead than alive. They asked me whether they had been wounded by the gunfire. I checked them over carefully and reassured them that there was nothing wrong with them. But their legs were too weak to move, so I had to drag them up to the top of the embankment along a path still slippery with blood.

"The group was assembled for roll-call. Some were plastered with mud, others were drenched. Everyone, was ashen-white and shaking with fear. "Over 21 labourers were missing, killed, wounded, or perhaps, escaped. No one could tell. But the would-be 'escapees' were grouped together and one after the other were beaten up in front of the lucky ones whose assignment kept them from being directly involved." [30]

DRAFT LABOR

Related to the forced labor reform program is the system of draft labor. At the time of the "Great Leap Forward" of 1958–59 this involved more than 100 million people in vast schemes for irrigation or back-yard iron smelting. Mao Tse-tung was eminently successful in getting his people to "volunteer" their services for his grandiose attempt to modernize his country by massed human energy. It was claimed, for example, that more than 400,000 volunteers from around the Peking area had contributed their labor to the building of the Ming Tombs Reservoir. This aspect of mobilizing the Chinese populace to help tackle their problems has excited a fair amount of admiration abroad. But it is legitimate to wonder to what degree this type of activity partakes of the character of forced labor. Letters which poured out from China during the Great Leap allowed for little doubt that the "volunteering" was far from voluntary.[31]

Here, for example, is a letter from South China to an overseas Chinese relative.

"KWANGTUNG PROVINCE, *August 27, 1959.*

"DEAR ELDEST UNCLE: I haven't written you for a long time. It's hoped that all of you are fine there. We are all right. Don't worry about us. My elder brother has been transferred from the Paisha Mine to the Haiyen Salt Mine for several days. His hardship as revealed in his letters is really worthy of our great sympathy. The trouble is that I don't have any power myself, nor do I possess enough abilities to help him. I have often written him and advised him to come back to join the family so that I might feel relieved of the strong sense of obligation for him. He answered, 'What you've said is perfectly right. But my superior will not approve my request and I have to stay. I want to escape, but on the consideration of food, I dare not. I'm now held at bay.' What can we do about that?

"Furthermore, our papers have not been approved; we have to endure all the hardships. There's an old saying, 'Man proposes and God disposes.' I still cherish hope. This month I was transferred, too. I'm working for the poultry raising yard at Lungch'uan Temple, very close to eldest aunt's house. Just for the work, I have left my lovely family again. You didn't personally see our life at the mine near Canton. So miserable! We lived under a thatched roof; the inside and outside of the hut were flooded when it rained. We had to sit up till dawn. Now I am suffering the same, so I always feel miserable. When I think about our present condition, I cannot help crying.

"While working for the sulphur mine, we people worked in the water even during freezing weather with heavy snow. Autumn will be over soon and winter will come. How can my elder brother bear the cold? It's impossible for us to carry on like this. Please write to aunt's husband for some letters that might help us apply for an exit permit. I hope approval will be given as early as possible. Otherwise, the best years of our life will be gone forever.

"For almost one year I've heard nothing from aunt's husband. Maybe he's afraid I'll bother him too much. A Chinese proverb says, 'Money is flying overhead; the wise men will have it while the fools have none.' So all the poor are fools and good for nothing. That's true. They further say, 'All fools are spineless.' But there are some fools who have spines.

"Uncle, please write me and help us get out. Ask aunt to add a letter to her husband's. Also, please write to the Overseas Chinese Affairs Committee to speed up the approval. I would like to die after we meet. When we become older, everything is gone. Regret does not help at all. I haven't invited you and aunt to have dinner once. Very sorry. But if my application is approved and I can thereby work out my future, I must reward all my benefactors.

"I'm now young and strong and able to bear any heavy work. To toil till death in our Fatherland does not pay off at all. I cannot pour out all the words by which I want to appeal to you. My tears come down with words. Please write to aunt's husband immediately and mail some photos of your whole family, or send them to me. Take good care of your health.

"Best wishes,

YOUR NEPHEW." [32]

OTHER ASPECTS OF HUMAN COSTS

In their propaganda at home and to the outside world the Chinese Communists frequently assert that their opponents are accumulating "blood debts" which will have to be paid. This may in part reflect their pattern of thinking, but it is not impossible that it is a reflection of concern over their own behavior toward their fellow Chinese.

There are many other aspects of Communist rule in China, in addition to those discussed above which are related to that human equation which *must* be a vital part of any assessment of Maoist rule and a half century of the Chinese Communist Party. Many of these aspects are related to the arbitrary or totalitarian manner of the rule and especially to the personality cult of Chairman Mao. The human costs in the seven subdivisions which follow are not easily quantifiable but they may in the long run prove to be higher than the seemingly incredible casualty and forced labor figures given above. Those, too, are factors which the Chinese people, whose memories and

sense of history count generations rather than years, are not likely to forget.

1. The arbitrary movement of people.—The Chinese Communists have resorted to numerous campaigns which have separated members of families or arbitrarily sent individuals off either to the countryside or out to the frontier areas. One example of this has been the almost continual campaign to send young intellectuals to the countryside since 1955. The young people have disliked the rural manual labor for which they find themselves unprepared, and the peasants have resented their presence because they represent extra feeding problems and are unable to carry through assigned tasks.

The climax of this drive has come in the wake of Mao's attempts to restore order after the Red Guard extremes of 1966 and 1967. Between December 1968 and December 1969 it was estimated that more than 26 million youth's were "rusticated," or sent down to the countryside. These included practically all of the middle school and college graduates as well as college students whose schools were at that time closed. According to one close observer of the Chinese scene, "Mao has indeed sold Chinese youth down the river." [33] In many cases the youth were sent to become the serfs on land controlled by the People's Liberation Army, and the Maoists made it quite clear that the move was to be for life. Little wonder that for fifteen years the government has had to cope with the "blind influx" of the youth back to the cities. But in the most recent case the rustification of intelligent and qualified youth represents a really long-range loss of talents to a country which most needs them—"half a million students of schools of higher education . . . the hope of a developing country, thrown on the rubbish heap. If things do not change quickly, hundreds of thousands of jobs will be filled by men who have not learnt the elements of their profession." [34]

2. Purging of the Intellectuals.—The intellectuals also have been "rusticated," and many more have been consigned to oblivion. Mao's contempt for China's intellectuals is well-known; it parallels that of Stalin. From the founding of the PRC, a major Maoist goal has been the "remolding" of China's "intellectuals," a rather loosely-defined group of people in China and generally meaning anyone who is fairly literate or thinks for himself. This has involved campaigns, denunciations, forced confessions, and subjection to reform through labor. The distrust for the intellectuals or for anyone who did not accept the current Maoist writ has extended to Party leaders too. There was the campaign against Hu Feng in 1955; Mao's old colleague and the suspected ghost writer of *On New Democracy,* Liang Shu-ming fell from grace as did Ting Ling, Communist China's foremost woman novelist who has disappeared from sight and is rumored to be a latrine orderly.

During the Hundred Flowers episode in the spring of 1957, a great number of intellectuals and even Party leaders spoke out against Communist Party oppression of human qualities and against the utilization of terror. The following extract is from a 10,000-word letter to Chairman Mao written by Professor Yang Shih-chan in Hankow and subsequently published in the *Yangtze Daily.* It was publications such as this, intended by the Communist leaders to prove the malevolence of the "rightists", which gave the outside world some insight into the degree of discontent in Communist China, even at a point (1957) when the first Five-Year Economic Plan and other aspects of the Communist system seemed to be the most successful.

"Our Constitution provides that citizens 'enjoy freedom of residence and freedom to change residence.' In fact, we have not given any of the 500 million peasants the freedom to change their residence to a city. . . .

"Again, our Constitution provides that 'freedom of the person of citizens is inviolable.' During the campaign for the suppression of counter-revolutionaries in 1955, an untold number of citizens throughout the country were detained by the units where they were working (this did not happen to myself). A great many of them died because they could not endure the struggle. No matter how strong the 'reasons' were for detaining their citizens to conduct struggles against them, this was, after all, a serious violation of human rights. . . .

"This is tyranny! This is malevolence!

"Possibly, these acts were considered 'necessary' at a certain time and in a certain place, but just because of this alleged 'necessity,' the articles of the Constitution on human rights have become a sort of window-dressing to deceive the people. . . . Today, we do not even know the height or size of a person we elect, let alone his character or ability. We have simply become ballot-casting machines. . . .

"At different times, intellectuals may be thrown into the fire or pushed into the water, sent down to hell, or lifted up to heaven. Going down to hell, intellectuals have a great many grievances and regret that, considering themselves wise at the time of liberation, they 'did not listen to their friends' advice to go abroad to observe the conditions there.' (*Ch'ang Chiang Daily* Editor's note: 'To go abroad to observe the conditions there' was 'go to Formosa' in the original text, and the change was made by the writer himself.) . . . In the last seven years, they have lived like a girl being brought up under her future mother-in-law in the home of her fiancé, constantly trembling with fear. . . .

"We have applied to intellectuals methods of punishment which peasants would not apply to landlords and workers would not apply to capitalists. During the social reform campaigns, unable to endure the spiritual torture and humiliation imposed by the struggle . . . the intellectuals who chose to die by jumping from tall buildings, drowning in rivers, swallowing poison, cutting their throats or by other methods, were innumerable. The aged had no escape, and pregnant women were given no pardon. . . . Comparing our method of massacre with that adopted by the fascists at Auschwitz, the latter appeared more clumsy and childish (at any rate, they hired executioners), but more prompt and 'benevolent.' If we say that Comrade Stalin has not escaped from condemnation in history for his cruel massacre of comrades, then our Party, in my opinion, will also be condemned for our massacre of intellectuals who had already 'surrendered' themselves to us. Our Party's massacre of intellectuals, and the mass burying alive of the *literati* by the tyrant, Ch'in Shih-huang, will go down in China's history as two ineradicable stigma. This cannot but make us feel utterly heartbroken." [35]

But the Great Proletarian Cultural Revolution of 1966 to 1969 and its aftermath have constituted the ultimate in the purging of China's intellectuals. In the midst of the attack against the intellectuals which got into full swing under the army in 1969 one observer noted:

"In fact, Mao is embarked on one of his recurrent anti-intellectual campaigns; it bodes ill not only for those at the middle or end of their education but those who are just reaching school age. The press carries an unending stream of articles to illustrate Mao's statement that 'the lowly are the most intelligent, the elite are the most ignorant.' " [11 36]

The following is an extract from an account of Red Guard terror by Ma Sitson, China's leading violinist. Such human experiences are all too frequently forgotten in some of the bland accounts of Communist rule in China by Western Scholars.

". . . then a day or two later a major struggle meeting outdoors at the school, a platform was set up at one side of large courtyard for the department head and his accusers. Many people came forward out of the crowd to level accusations. The rest of us were ordered to squat in the sun and watch. It was ugly. Red Guards dragged four or five men and women—friends and neighbors who had in the past defended the man—up the platform and swore at them. Then a Guard took a real whip and began beating them. The department head was beaten most savagely of all. Somebody screamed, 'You see! Look what happens to those who oppose.' The poor man lay there in the sun for at least an hour. I don't know how he got to his cell. Later on during this same meeting the Red Guards were invited to beat us too, on the pretext that we were not bowing low enough. I was cut around the head with a metal belt buckle.

"This took place during the second or third week of August, when the Red Guard frenzy was at its height in Peking. Physical violence slacked off after that. Elsewhere in the city there were many terrible incidents during this period. Students at one high school actually beat to death every one of their teachers. The woman who lived next door to us in the west city was accused of having a radio transmitter and sending messages to Chaing Kai-shek. Red Guards pulled her from her house into the street and killed her. People spoke of heaps of unburied bodies rotting in the mortuaries.

"Fear of this same irrational violence caused my family to run away from Peking." [37]

Sending professors and scientists to be "educated" by the illiterate soldiers, peasants, and workers may have a leveling influence, and it may fulfill Mao's dream of teaching them of the hardships of Chinese life. On the other hand it hardly offers opportunity for China to meet some of the highly complicated problems which the sophistication of modern industry requires.

3. Cultural destruction.—Linked to Mao's contempt for the intellectual is his negative view toward the traditional Chinese culture. Despite the fact that he fancies himself a fairly good poet in the traditional style, he alone seems to have the privilege of writing poetry that way. As Mu Fu-sheng has noted, "Poets cannot admire today the beauty of the moon or the fragrance of wine without having to confess to 'bourgeois sentiments' in disgrace." [39] Under the Communist rule, systematic destruction has frequently been practiced against traditional Chinese culture. Libraries have been burned, shrines destroyed, and art works defaced. During the Cultural Revolution, the regime pushed the destruction of the "four-olds"—culture, ideas, customs, habits—and even in some places ancestral shrines which have meant so much to the Chinese.

Certainly one of the major features of Chinese civilization has been the rich literary and artistic heritage. This is intimately related to every aspect of Chinese life—even for the poor peasants. On this score too, the Maoist rule has exacted a great human cost. Perhaps this is best symbolized by the disappearance of publications of the cultural tradition in the past five years in favor of the billions of copies of Mao's "little red book." Again, in 1966 the New China News Agency reported from Peking:

"In the afternoon of 24 August, revolutionary fire was ignited in the Central Institute of Arts to destroy the sculptures of emperors, kings, generals, ministers, scholars, and beauties, images of Buddha, and the niches for the Buddha sculptures. The revolutionary students and teachers said: 'What we have destroyed and crushed are not only a few sculptures, but the whole old world.'" [40]

The carrying on of a cultural tradition is perhaps more meaningful to the Chinese view of humanity than for any other culture. Little wonder a Chinese who was sympathetic to Mao's initial impetus for the "new China" left with the feeling, "The Communist regime is no overall solution to China's problem; if it were, culture would occupy a place beside economics." [41] The most telling commentary of the cultural cost of Communism in China lies in the fact that it has not produced a single first class work of literature or art in twenty years.

4. *Rash and grandiose schemes.*—Linked to the leader cult of Mao have been the campaigns, amazingly inspired but unfortunately based on Maoist ignorance of the modern world, which he has directed against the traditional culture and in favor of his own solutions for China's problems—schemes which have not proven to be solutions to anything but have only escalated yet higher the human cost of his rule. The collectivization in 1955, in the Stalinist model, wrought great havoc in the countryside, though not nearly as great as caused three years later by the people's communes, Mao's deep plowing schemes, and the militarization of the peasants. Again, Mao's scheme for becoming an industrial power through the back-yard iron furnaces caused untold agony and waste in 1958 and 1959. In 1959 "the government decided to lead the water of the great rivers of the south to the arid north. Tens of millions of people were set to work, without a scientific blueprint. The result was disastrous alkalization of the most useful wheat growing land of the north. China began to import wheat." [42] The Cultural Revolution with its treatment of the schools and intellectuals partakes of the same paranoic character. The human cost of having China's middle schools and institutions of higher learning closed for four years is incalculable.

Meanwhile, some of Chairman Mao's schemes, for which he has mobilized tens of millions of his fellow Chinese time and again have prevented those very projects which ought to have had attention in a developing country. As one of the most astute China-watchers in Hong Kong, L. La Dany has observed:

"Perhaps the most important objects of economic development should be transport and regulation of major rivers. For the past ten years both seem to have been shelved. The sixties did not witness a major development of transport, whether by rail or water. No modern engineering operations for the regulation of the major rivers were undertaken. China has not yet reached a state of development at which she could undertake such works by herself, and foreign capital and expertise are not being accepted. When future generations come to pass judgment on the present regime, they will certainly blame it for having neglected the development of the basic infrastructure, transport and the rivers." [43]

The extreme to which the subordination of the cult of personality and the interpretations of Chairman Mao can go is perhaps reflected in a *People's Daily* article which criticized the Huai River project of the 1950's for relying on the theory that specialists are needed instead of proletarian masses for planning. The purged Chairman Liu Shaochi and his associates were blamed for alleging that "specialists play the real role," and that steel, timber, and cement were of paramount importance. The article asserted that the "mass line and . . . vigorous mass movements" lie at the heart of bringing the Huai River under control.[44]

5. *Violence and Terror.*—We have already referred to the fact that Mao is a believer in the efficacy of terror. During the Hundred Flowers movement in 1957, those who dared to speak up repeatedly referred to the terror which had driven the people to silence and into a dull, drab uniformity. In the wake of Maoist terror has come the loss of the traditional Chinese sense of humor—and how human it is to be able to laugh! Campaigns of using show trials and summary executions before mobs have stunned many people from all over the world. The executions at mass rallies, a technique associated with the early years of Communist rule, were revived in full vigor in 1969 and 1970.

In July 1969, for example, two students in Peking were executed for "defying Chairman Mao's latest instructions." Posters in the city warned everyone who had not been present for the mass gathering at which the students were dispatched that "all the enemies of Chairman Mao had not yet been destroyed indicating that more executions were to be expected." [45] Radio Moscow commented on the trials in 1969:

"Public trials attended by tens of thousands of persons were carried out almost everywhere in the country. In the case of the 28 January rally in the Peking stadium, where a hundred thousand persons were present, 11 innocent people were put on trial. The television station gave coverage to the public trials at which two of the accused were executed on the spot. Similar public trials were held in the large cities of the country. They were held in Shanghai on 24 January and 14 May, Taiyuan on 31 January, Nanchang on 13 February, Canton on 9 April and 24 October, and Chengtu on 17 May. Those who were put on trial on these occasions were all accused of one offense, that is, for opposition to Chairman Mao, attacks against him, or for being his enemies. Even students were tried and slaughtered. These were ones who obviously could not have posed any direct threat against Mao Tse-tung's safety or position. Then why were they slain? It was not accidental that the masses were present at these trials. The aim of these trials was by no means to cure and save the sick as Mao Tse-tung would so much like to refer to them. The trials were "to frighten the snake out of cover" and "kill one to warn a hundred." In other words, it was a method of intimidating the majority by killing a small group." [46]

The correspondent of the Baltimore *Sun* reported from Hong Kong on September 19, 1970 that yet a new wave of public executions and show trials were in progress again in mainland China. There were a few futile signs of resistance to the high cost that the Chinese people were paying for Communist rule. One of the most interesting was the arrival in Hong Kong in the spring of 1970 of some bamboo flutes for sale in the British Crown Colony. The workmen who made the flutes in Kweichow had carved some traditional verses in classical calligraphy on them. As Stanley Karnow noted, the flutes reflect "the feeling of quiet desperation that must grip sensitive, educated Chinese striving to survive amid the turmoil convulsing Communist China." One of the poems reflected a reaction to Communist violence and terror:

"That I was born into this world is too foolish.

"Turning my head towards my motherland, I am overcome with grief and despair,

"I came to this world to create but am stifled.

"I seek to become a monk and cannot

"Who can see my silent weeping in the darkness." [47]

6. *The Refugees.*—Yet another high human cost in China stemming from the subordination of that great civilization to Communism has been the massive displacement of people. The story of people forced to leave their homes has always been a human tragedy, and those who have fled and continue to attempt to flee from mainland China and its Communist rulers number in the millions. Two million fled to Taiwan and at least another two million have escaped into Hong Kong which had a population of only 650,000 when the Japanese left at the end of World War II, but now boasts a population of more than four million.

7. *Other Items.*—There are yet other aspects of the human cost of Communism in China, but like so many of those listed, they are difficult to quantify. One, for example, would be the replacement of the traditional language of courtesy and respect between humans—so characteristically Chinese—with the language of violence, struggle, "blood debts," and desirability of war.

As one scholar points out:

"The Communist regime has also systematically discredited the old Confucian social principles and Western values, especially among the youth of the country. The pages of Young China, the organ of the Communist Youth League, are replete with examples of 'progressive' advice. For example, in answer to an inquiry from a boy regarding his duty to denounce his father, a former landlord, who was hiding with his family, the editor stated:

"Yes! Liquidate blood relations in the cause of justice. But wait, liquidation is only a figure of speech. The regime kills only the worst criminals. It reforms the rest by hard labor. Once his thoughts are reformed, your father will be returned. Your father will be grateful, and you will be the instrument of his salvation. If he has not reformed, you can denounce him again'" [48]

All this, and the stifling of creativity, added to all the other factors in this dismal catalog, are far too high a price to pay for an outmoded doctrine and panacea which has not worked elsewhere.

THE ALTERNATIVES

Obviously solving the problems of China is a formidable and vexing task, and as has been indicated, the temptation to go for the grandiose scheme as a solution is great. But there are other paths, far more peaceful

and far less destructive through which the Chinese civilization can find its proper role in the modern world, maybe even in a piecemeal manner. Three specifically Chinese alternatives come to mind.

There is, first of all, the wonder of Hong Kong which has in large part been made possible by the talents of the Chinese people, and which is far more a Chinese phenomenon than it is a British phenomenon. The rule of the British Crown may be deemed "undemocratic" by some, but under standards of British law and justice and normalized expectation in stability and commerce the Chinese have shown a remarkable capacity for democratic community, social and professional organizations, and they have shown how to handle one of the greatest refugee problems in the world and to raise living standards in Asia in a meaningful sense.

Singapore is yet another basically Chinese example which indicates that problems of poverty, development, and education are better solved without violence, class struggle or subordination to totalitarian dogma.

Taiwan, too, is another dramatically successful Chinese alternative to the Communist approach to the problems of the Asian peoples. Though one may criticise the Nationalist government for certain authoritarian aspects of its rule, it is a very long way from the most rigid authoritarianism to the merciless and all-pervasive totalitarianism of a Stalin or a Mao Tse-tung. Certainly, it would be impossible to argue that there has been in the past two decades the kind of human cost which China's Leninist-Stalinist, Mao Tse-tung, has deemed necessary, indeed desirable.

The time is at hand to break away from the kind of double entry moral bookkeeping which has characterized the approach of all too many Western intellectuals to the facts of the rule in mainland China under Mao Tse-tung. The cost in human terms—whether related to social improvements which communist insurgency prevented during Mao's drive for power or to the grandiose schemes of the "Great Helmsman" during his first twenty-one years of rule—stands as a formidable indictment of a half century of communist experience in China. There can be no rationalization for the attack upon those qualities which have made the Chinese among the world's most civilized humans. Their civilization has a long memory, and this is a period which will be remembered as a blot on their approach to the human condition.

There is general agreement that in our quest for peace and security we must, perforce, deal with the Chinese Communists. But in doing so, it is important that we not allow a temporary tactic or a Chou En-lai smile obscure our understanding that the top leaders of the Chinese Communist Party remain committed to their faith and to their past record.

In a dinner party with American correspondents in Peking on June 21, 1971, Chou argued that the American protective shield should be withdrawn from Taiwan so that the Taiwan problem could be solved as a strictly internal manner. He assured his guests that no revenge would be inflicted on the mainlanders in Taiwan who would be permitted to return to their homes, and he was quoted as saying, "Far from exacting revenge on them, we will reward them." [49]

Such words sound convincing to those Americans who are anxious to disengage from responsibilities in the Western Pacific and who have short memories. But these were just the terms which Chou En-lai and Mao Tse-tung promised to the former Nationalists and third-party intellectuals who joined the Communists on their accession to power in 1949; yet they were among first victims who are now statistics in the sobering table of casualties given above. These too, were the terms which Mao offered in the "Hundred Flowers" period of 1957; yet in the anti-rightist campaign which followed, a vindictive revenge was exacted. Would this same Chinese Communist leadership whose record has been detailed above be likely to behave in any different manner once they had, by their current soft line, won the very concession from the United States which they have sought for two decades by a hard line? It seems well nigh incredible that certain leaders of the American scholarly community should urge that we accept Chou En-lai's word and abandon the firm commitment of the United States government to the security of the people in Taiwan.

If the outside world cannot learn that the Chinese Communist leaders are indeed a remarkable group of "true believers" in their doctrines, if we are prone to forget or ignore their history and their past actions, if we do not exercise the wisdom which can point toward the day when the Chinese people can abondon class struggle and revolutionary would violence as the path to their modernization, then the human cost of Communism in China, detailed in the pages above, will, in all probability, mount very much higher.

FOOTNOTES

[1] Liu Shaw-tong, *Out of Red China* (New York: Duell, Sloan, 1952), p. 269. These are the concluding words of a book written during the last days of the Stalinist era.

[2] It is probably not inaccurate to say that a great number of China specialists in the West have been almost as instrumental to building up the image of Mao the superman as were the Soviet specialists who analyzed Stalin's supposed brilliance in the 1930's. The Stalin-like features of Mao Tse-tung have been brilliantly analyzed by Arthur H. Cohen. See *Problems of Communism*, 15.5 (Sept.-Oct., 1966), pp. 8-16 and 16.2 (Mar.-Apr., 1967), pp. 97-9. Cohen clearly has the better logical and academic position in an exchange with Stuart R. Schram, a Mao biographer and contributor to the image of the all-wise leader. The Western "analysts" of Chairman Mao frequently devote page after page to explorations of the workings of his mind in such a way as to indicate that he thinks in all fields and solidly at least 72 hours per day. The frequent visitor to Communist China and a semi-official biographer of Mao, Edgar Snow, has through his writings and reporting been probably the chief contributor to the romanticized view of Mao as a humanist revolutionary concerned about the fate of mankind. Snow hardly deigns to mention the almost constant persecution of creative intellectuals by a Mao who has been grasped up into the vortex of his own infallibility. As Cohen has noted in the second of the pieces cited: "Most totalitarian rulers (including Hitler, Stalin, and Mao) have justified their actions—to others, and no doubt to themselves—in terms of some greater good which their actions would supposedly bring to their subjects. What Mao shares with Hitler, however, is the frank and explicit rejection of 'humanism' as a motive or goal for his policies." Surely an eloquent example of the extremes to which outsiders can go in helping to build the Mao cult was an article which appeared in the *Far Eastern Economic Review*, January 15, 1970, in which the author, Jack Gray, the Secretary of Glasgow University's Chinese Studies Department, found in Mao the most sophisticated modern economics and opined that "Mao's economic ideas are far closer to those of many Western economists dealing with the problems of underdevelopment (Hirschmann, Nurkse, Myrdal) than are the Liebermanist idea associated with Liu Shao-chi." There were also apologist analysts who maintained that Stalin was as great an economist in the modern world as John Maynard Keynes!

[3] Reprinted from the New York *Daily Worker* of June 12, 1956 in *Problems of Communism*, 5.4, Jul.-Aug. 1956, p. 4.

[4] Western observers of the China scene have had, however, adequate reasons to question the nature of Maoist rule and its parallels with that of Stalin. There were, for example, the revelations during the "Hundred Flowers" movement of 1957. See Roderick MacFarquhar, *The Hundred Flowers* (London: Stevens, 1960). Then came the revelations from refugees from the Great Leap Forward in 1958 and 1959, and the flight and plight of the Tibetans, beginning in 1959. The revelations during the Cultural Revolution of 1966-1969 were also eloquent in detailing some of what had been going on in China.

[5] Tibor Mende, *China and Her Shadow* (London: Thames and Hudson, 1960), p. 31.

[6] For a discussion of how the initial support was squandered, see the author's "The Elusive Elan: Problems of Political Control in Communist China," in R. F. Staar, ed., *Aspects of Modern Communism* (Columbia: University of South Carolina, 1968), pp. 195-222.

[7] The same Chou En-lai, for example, who is so frequently accepted as the "pragmatist" and the more reasonable of Peking's leaders, did not hesitate to supervise personally the extermination of the family of Ku Shun-chang in Shanghai after Ku had confessed to the Nationalists. This is just one of many incidents detailing in the autobiographical series published in *Ming Pao* (Hong Kong) No. 41, May, 1969, p. 94 by the former top Chinese Communist colleague of Chou, Chang Kuo-t'ao.

[8] Mao Tse-tung, *Selected Works*, Vo. IV (Peking: Foreign Languages Press, 1965), p. 418. By 1967 it was clear that "the people" were those who supported Mao, his cult, and his thoughts, and (as was the case in the USSR under Stalin) many of his comrades were being purged for doubting his ominiscience.

[9] Mao's view of the two-stage revolution and the long period of coexistence which would mark the first stage was spelled out in his *On New Democracy* (January, 1940), *Selected Works*, Vol. II, pp. 339-384.

[10] Mao, "Report on an Investigation of the Peasant Movement in Hunan," *Selected Works*, Vol. I, p. 28. Interestingly enough, the footnote to this passage in the official edition calls attention to the fact that these virtues enumerated are virtues attributed to Confucius, a clear indication of where Mao would stand on some of those very humanistic qualities which has made Chinese civilization loved and respected.

[11] *Ibid*, p. 29.

[12] Mao repeatedly called upon his Party and his people to learn from Stalin and to follow Stalin. See, for example, *Selected Works*, Vol. II, "Stalin , Friend of the Chinese People," pp. 335-336.

[13] Mao had said in his *On New Democracy* that in the world from now on "neutrality" is only a term for deceiving people, *Selected Works*, Vol. II, p. 364.

[14] This figure is given, for example, by D.G. Stewart-Smith in his *The Defeat of Communism* (London: Ludgate Press, 1964), p. 223.

[15] See Tillman Durdin's dispatch in the New York *Times*, September 22, 1968.

[16] J. Clement Lapp, *Tensions in Communist China* (a study prepared by the Legislative Reference Service for Senator Alexander Wiley), GPO, 1960, p. 4.

[17] New York *Times*, November 13, 1951.

[18] Hsiao Ch'ien, *How the Tillers Win Back Their Soil* (Peking: Foreign Languages Press, 1951), pp. 74-80. In view of the subsequent collectivization the irony of the title can be appreciated. One of the few good novels resulting from the literature of protest which followed Mao's violence and betrayal of the peasants, and which captures the mood in the rural areas, is Eileen Chang's *Naked Earth* (Hong Kong: Union Press, 1956—original in Chinese published 1954). The English version is worthy of a rereading, especially by those who are disposed to report in euphoric terms—before they venture into Communist China's communes.

[19] Chow Ching-wen, *Ten Years of Storm* (New York: Holt, 1960), pp. 112-113.

[20] The Government Information Office in Taipei charged that over 47 million Chinese were liquidated between 1949 and 1963. (Released from Taipei, Sept. 3, 1970.)

[18] Radio Moscow, April 17, 1969.

[18a] *Ibid.*

[19] See the New York *Times* "Editorial" of June 2, 1959.

[20] Lapp, *Tensions in Communist China*, p. 61.

[21] See R. L. Walker, *China Under Communism; the First Five Years* (New Haven: Yale University Press, 1955). p. 219.

[22] Mao, for example, in his "Hundred Flowers" speech estimated that a mere 800,000 had been killed, but this was in conflict with previous statements by Chou En-lai, Lo Jui-ching and others.

[23] Peter S. H. Tang and Joan Maloney, *Communist China: The Domestic Scene, 1949-1967* (South Orange: Seton Hall, 1967), p. 65.

[24] The contribution of the Labor Camps was dealt with in W. W. Hollister, *China's Gross National Product and Social Accounts, 1950-1957* (Glencoe: Free Press, 1958), pp. 102-103. But little work on its role in the economy has been done since, largely due to the absence of Chinese Communist statistics.

[25] See *China News Analysis*, Hong Kong, No. 377, November 16, 1961, p. 2.

[26] Survey of the China Mainland Press, U.S. Consulate General, Hong Kong, No. 4019, p. 18.

[27] Karl A. Wittfogel, "Forced Labor in Communist China," *Problems of Communism, 5.4 Jul-Aug., 1956, p. 40. This is one of the very few scholarly articles dealing with this important subject. Wittfogel notes that his figure means that one out of every forty people people in Communist China would be a slave laborer.*

[28] Y. L. Wu, *An Economic Survey of Communist China* (New York: Bookman, 1956), p. 322. A. D. Barnett in his *Communist China: The Early Years, 1949-1955* (New York: Praeger, 1964), p. 65 is more cautious and says that the Figure is "probably in the millions." He notes, however, the point being made here that the human element is undisclosed in the "dry, bureaucratic and lifeless prose" of Chinese Communist publications. (p. 67).

[29] Some compelling stories are related in *Forced Labor*, UNESCO, Document E/2815, December 15, 1955, pp. 92ff. One personal tale is reproduced in an Appendix.

[29a] It is legitimate to wonder whether there are those so anxious to have the "privilege" of a guided tour in Mao-land that, as journalists or scholars, they are unwilling to report the many similar stories of violence available in Hong Kong on an almost daily basis.

[30] Reprinted in *The New Men* (Hong Kong: China Viewpoints, 1957), pp. 52-53.

[31] See R. L. Walker, "Letters from the Communes," *The New Leader*, June 15, 1959, esp. pp. 23ff.

[32] R. L. Walker, "Hunger in China," *The New Leader* (Special Supplement), May 30, 1960, pp. 27-28.

[33] Peggy Durdin, "The Bitter Tea of Mao's Red Guards," *New York Times Magazine*, January 19, 1969.

[34] L. LaDany, *China News Analysis* (Hong Kong), No. 772, September 5, 1969.

[35] Quoted from Roderick MacFarquhar, *The Hundred Flowers* (London: Stevens, 1960), pp. 94-95.

[36] Peggy Durdin, "The Bitter Tea of Mao's Red Guards," p. 35.

[37] Ma Sitson, "Terror at the Hands of the Red Guard," *Life* (June 2, 1967), p. 29.

[39] Mu Fu-sheng, *The Wilting of the Hundred Flowers*, p. 257.

[40] New China Agency release, Peking, August 25, 1966.

[41] Mu Fu-sheng, p. 258.

[42] *China News Analysis*, No. 774, September 19, 1969.

[43] China News Analysis, No. 870, July 10, 1970.

[44] New China News Agency, Peking, September 25, 1970.

[45] Dispatch of James Yeh in the *Mainichi Daily News*, Tokoyo, September 4, 1969.

[46] Radio Moscow, May 31, 1969. Stalin's executions were not so public, but then, everyone knew of the terror.

[47] Washington *Post*, April 16, 1970.

[48] George M. Beckmann, "The Modernization of China and Japan" (Harper and Row, 1962), page 520.

[49] Seymour Topping in the New York *Times*, June 23, 1971, pp. 1, 4.

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

(Report submitted to the Committee on Foreign Affairs, House of Representatives and the Committee on Foreign Relations, U.S. Senate by the Department of State in Accordance With Sections 116(d) and 502(b) of the Foreign Assistance Act of 1961, as Amended, February 1990)

CHINA

The People's Republic of China (PRC) is an authoritarian one-party state ruled by the Chinese Communist Party (CCP). Following the Beijing massacre in early June, the Government reinforced totalitarian measures to control political views. A closed inner circle of a few senior leaders exercises ultimate power over the nation, with Deng Xiaoping the first among equals. Some of these party elders hold positions within the Politburo, the Central Military Commission, or other organs. Others hold no formal positions of authority but still wield considerable influence.

The Government maintains control through a nationwide security network which includes the Ministry of State Security; the Ministry of Public Security; the Ministry of National Defense; state judicial, procuratorial, and penal systems; and through traditional societal pressure. In 1989 the security network was responsible for widespread human rights abuses, especially in Beijing and Xizang (Tibet).

Despite 10 years of economic reforms intended to expand the role of market forces, China's centrally planned economy still retains price controls and allocations of some key goods by administrative directive. The Government has decentralized some economic decisionmaking authority and endorsed the development of a small private sector, particularly in retail sales and services. As part of a comprehensive economic austerity and restructuring program initiated in 1988, the Government took a more aggressive approach in scrutinizing private firms, punishing tax evaders, and attempting to limit the incomes of private entrepreneurs. The central authorities also withdrew some of the economic decisionmaking power delegated to lower levels.

The human rights climate in China deteriorated dramatically in 1989. On March 5-7, People's Armed Police (PAP) used indiscriminate and excessive force in suppressing demonstrations in Lhasa, Tibet, killing scores of persons. These killings and other serious human rights abuses, however, were dwarfed when the leadership ordered the People's Liberation Army (PLA) and other security forces to suppress forcefully a peaceful, student-led movement seeking greater freedom for China's people. At least several hundred, and possibly thousands, of people were killed in Beijing on June 3-4. The Beijing massacre was followed by a drastic country-wide crackdown on participants, supporters, and sympathizers. Thousands were arrested and about a score are known to have been executed, following trials which fell far short of international standards, for alleged crimes committed during the arrest. There have been persistent but unconfirmed reports of numerous unannounced executions. At year's end the crackdown was still continuing. The Government attempted to defend its actions by a massive disinformation campaign, expulsion and harassment of foreign journalists, a ban on the sale of books by dissidents, and the jamming of the Voice of America and some other foreign radio stations. Virtually all internationally recognized human rights discussed in this report are restricted, many of them severely.

RESPECT FOR HUMAN RIGHTS

Section 1: Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

By far the most serious instance of extrajudicial killing in China in 1989 was the June 3-4 massacre in Beijing. Credible evidence indicates that the leadership deliberately ordered the use of lethal force to suppress peaceful demonstrations. The excessive force employed resulted in the deaths of many unarmed civilians. As noted above, estimates of the number killed vary widely, and an exact accounting may never be possible.

In early March, the PAP shot and killed scores of Tibetan monks and their supporters during demonstrations in Lhasa. Hundreds more were injured as police used indiscriminate and excessive force to quell protests in support of Tibetan independence.

Many independent observers believe that the number of persons actually executed in connection with the 1989 demonstrations throughout the country is far higher than those officially announced to date. Confirmation of such executions is not available, and Chinese officials have refused to respond to diplomatic requests for information.

According to reliable sources, 2 persons were killed and 150 injured, 10 seriously, during an April police raid on an underground Catholic church service in Shijiazhuang, Hebei Province.

b. Disappearance

The Government, as a matter of course, does not publicly announce the names of those detained or arrested. In view of the large number detained after the Beijing massacre, concerns have arisen over the fate of those detainees whose status has not been clarified.

There were credible reports of numerous raids on university campuses, private residences, workers' dormitories, think tanks, and hotels in the weeks following the June 3-4 massacre by both the PLA and various security bureaus. Large numbers of persons who participated in or supported the spring demonstrations were detained. While most of these detentions occurred soon after the June massacre, the crackdown continued months later. When universities reopened, returning students were investigated, and some students were detained by security forces. The Government acknowledges that some students, such as Liu Gang, Zhou Fengsuo, Ma Shaofang, and others on the list of 21 most wanted, have been arrested; however, it has not publicly charged, or acknowledged holding, the majority of students reportedly detained whose whereabouts are unknown. Some workers at a computer firm that supported deposed CCP General Secretary Zhao Ziyang, journalists from Beijing-based newspapers, and intellectuals also remain unaccounted for. Since announcing a total of about 2,500 detentions by the end of June, the Government has refused to comment on the number of additional detentions since that time or to provide any information on those detained.

Detention of leaders of unofficial religious groups continued in 1989, often with no notification to followers or family members. At least two dozen bishops, priests, and laymen of the underground Catholic church were detained during the year, and the

status of several of them remained unknown at year's end.

The whereabouts and status of many Tibetans detained during demonstrations in Lhasa are also unknown. A security official told a Western journalist in October that 400 had been arrested after the March demonstrations and that 323 were subsequently released. Other reports from Tibet cite significantly higher figures.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Reports of torture and degrading treatment of persons detained for committing so-called counterrevolutionary crimes have been persistent and consistent. Many Chinese citizens who participated in the demonstrations suffered beatings and other forms of ill-treatment in police efforts to extract information about others who may have been involved in the demonstrations. A person involved in erecting the Goddess of Democracy statue in Tiananmen Square was repeatedly detained, beaten, and forced to implicate others. He remains under detention, and it is not known if he has been officially charged. As of year's end, there were continuing reliable reports of beatings of political detainees in the Beijing area by security forces.

In Tibet officials have rebuffed diplomatic requests to visit prisons and to discuss individual human rights cases. Since the suppression of the March 5-7 demonstrations in Lhasa, there have been persistent and convincing reports of torture of those detained or arrested. A March 1989 report by U.S. Congressional staff related accounts, based on interviews with refugees from Tibet, of cruel and unusual punishment of Tibetans.

Conditions in Chinese prisons are invariably harsh and frequently degrading. According to press reports, more than 200 students and intellectuals are being held in the Qincheng maximum-security prison north of Beijing. Prisoners are reportedly packed eight to a cell. A person imprisoned prior to the June massacre reported beatings in prisons in western China. Prisoners, both criminal and political, are subjected to severe psychological pressure to confess their "errors." Those who resist are sometimes beaten and denied family contact. According to an official of the Supreme People's Procuratorate, cases under investigation concerning illegal arrests and the extraction of confessions by torture rose 57.7 percent during the first 6 months of 1989 as compared with the same period in 1988. The People's Procuratorates agreed to hear 21,838 cases involving charges of torture. Of these, 838 were major criminal cases.

d. Arbitrary Arrest, Detention, or Exile

China's Criminal Procedure Law proscribes arbitrary arrest or detention. According to the law, interrogation should take place within 24 hours of detention, and the detainee's family or work unit should be informed of the reasons for it and the place of detention. Articles 43-52 of the Criminal Procedure Law, however, permit the police to delay notifying the family and work unit "in circumstances where notification would hinder the investigation." Frequently family members are not informed when individuals are detained for political reasons. A detainee may be held legally for up to 10 days prior to formal arrest. In some cases, however, detainees have been held for months without charge.

Under Article 19 of "The Regulations of the PRC on Administrative Penalties for Public Security," police have the authority to assign persons accused of disturbing the peace, fabricating rumors, hindering government officials from performing their official duties, and other minor public order offenses to "labor education" camps for up to 3 years. According to an article in the official press in October, some 2 million Chinese citizens have been sent to these camps in the past 10 years.

Sentences imposed by criminal courts may be served in prisons or in "reform through labor" camps, whose function is not fully explained in the legal code. Many of these are in remote areas such as Xinjiang or Qinghai. Upon release from these camps, many prisoners reportedly have been denied permission to return to their homes and forced to remain in these underpopulated regions. This amounts to a form of internal exile.

Some of those detained since the June massacre may be charged with "crimes of counterrevolution," under Articles 90-104 of the Criminal Law. These articles are cast in such broad terms that they empower the State to detain people for a wide range of activities considered in violation of the law. Those detained for committing "crimes of counterrevolution" are treated in theory the same as those detained for other crimes, and their cases are supposed to be handled in accordance with the Criminal Procedure Law. The imposition of martial law in parts of Beijing in late May permitted martial law authorities to issue orders and detain people independent of the authority of the local Beijing government. Large numbers of people may be detained for long periods of time without any public notification while the PLA and police conduct their investigations.

In 1989 the number of persons accused of political offenses rose dramatically as a result of the spring demonstrations. The number of people initially detained and the number who remain under detention has not been released. Estimates of the number of detainees after June 4 vary from the 2,500 officially announced in late June to over 100,000 according to some journalists and human rights groups. Western press reports in December quoted "well-informed" government sources as putting the figure at 10,000.

Most of those detained appear to be manual workers. A number of prominent intellectuals were also detained, including journalist Dai Qing, former Democracy Wall prisoner Ren Wanding, reformist Party official Bao Tong, and several student leaders.

Some applicants for foreign visas have reportedly been detained and interrogated for at least several days.

Several hundred people connected with the March 5-7 proindependence demonstrations in Lhasa were subsequently detained. The Tibet Daily published on September 14 and 25 the names of 14 Tibetan Buddhist nuns who were detained and sentenced to 2 to 3 years of "labor education" for demonstrating in Lhasa on September 2 and 22. The nuns were detained for shouting in a public area slogans demanding independence for Tibet and were accused by the police of engaging in "separatist activity." The police detained the nuns and immediately adjudicated their cases under their own authority. Because of the secrecy surrounding these matters and the Government's refusal to discuss them, reliable estimates of the total number of political prisoners in Tibet, as in the rest of China, are not obtainable.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

China's judiciary is not independent but is controlled by the CCP. The highest court is the Supreme People's Court. The next level is the High Provincial People's Court, followed by the Intermediate Local People's Court, and then the Basic Local County People's Court. Separate and special military, maritime, and railway courts function directly under the Supreme People's Court.

In recent years the CCP and the Government have moved toward establishment of a more independent legal system. There have been efforts to define broadly stated laws more narrowly, including the provisions of the law on "crimes of counterrevolution," to make clear what are criminally indictable offenses. Programs have been set up to provide professional training for judges through overseas training courses to acquaint them with legal procedures in the West. Since June, however, the impetus for legal reform has waned.

Due process rights are stipulated under the Constitution but are often ignored in practice. The law requires that all trials be held in public, except those involving state secrets, juveniles, and "personal secrets." It also states that a defendant may be held in custody during investigation prior to the trial for a maximum of 2 months, although a 1-month extension may be requested from the next highest procuratorate. The procuratorate then has 1½ months to decide whether or not to prosecute the case. An additional month is permitted if "supplementary investigation" is needed. Any further delay requires approval of the Standing Committee of the NPC. In practice, the period of pretrial detention can be much longer. Two American citizens arrested for alleged fraud and forgery were held for 7 months before a decision was made not to prosecute.

The procuratorate sends to trial only those persons it determines are guilty. Persons appearing before the court are presumed guilty, and trials are thus, in effect, sentencing hearings. Defense lawyers almost never contest their client's guilt; their function is generally confined to requesting clemency. There is an appeal process, but initial decisions are rarely overturned, and sentences can actually be increased. Defendants are expected to "show the right attitude" by confessing their crime, and, because they are presumed guilty, those who fail to confess are treated more harshly.

The Government has publicly announced the executions of a score of persons who were tried and found guilty of crimes directly linked to the spring demonstrations. For example, three were executed in Shanghai on June 22 allegedly for burning a train, seven in Beijing on June 22 allegedly for "setting fire to military trucks, stealing military goods, and assaulting soldiers," and two in Chengdu in July allegedly for arson. A factory worker in Jinan was sentenced to death in late October for allegedly setting fire to a car, three in Chengdu in November for burning a cinema, and two in Beijing in December for beating a policeman to death.

The Government has repeatedly argued that those executed were "legally" found guilty of destroying government property or other internationally recognized crimes, and not of political offenses. The executions in Shanghai at least tend to belie the Government's assertion. On June 6, during demon-

strations protesting the massacre of civilians in Beijing, a train ran over a group of demonstrators in the Shanghai suburbs, killing six. Angered by this, hundreds of people reportedly stormed that train or the next train nearing the station and burned it. A railway court convicted and sentenced to death three people for burning the train. No one was detained in connection with the death of the six demonstrators. The Government contended that the defendants were accorded their full rights. Serious doubts about the fairness of the trial remain, however, including the excessive sentences, the selection of these three persons for prosecution from among the hundreds involved, the hurried nature of the trial, and the mental competence of at least one of the defendants. Given the near total lack of procedural safeguards in these trials, government claims that the accused received "due process" are not credible.

Those arrested for crimes of counterrevolution frequently are tried in secret and family members are not informed of the charges or details of the case. Credible reports suggest that even years after the conviction and imprisonment of a person considered a dissident, family members still do not know the details of the alleged crime.

A number of political prisoners jailed in previous cycles of repression, notably "Democracy Wall" dissident Wei Jingsheng, remain in prison. Yang Wei, a former student in the United States who was jailed for 2 years for activities during the 1986 demonstrations, was released in January but detained again in July for involvement in the spring protests. Among those who have been tried and convicted for clearly political offenses during 1989 are Xiao Bin, who received a 10-year sentence for "spreading rumors" about the demonstrations to the American Broadcasting Corporation (ABC) television; Zhang Weiping, sentenced to 9 years' imprisonment for telephoning information on Hangzhou protests to the Voice of America (VOA); and Chen Zhixiang, a teacher in Guangzhou who was given 10 years for painting a "counterrevolutionary" slogan. Persistent reports claim that many others, perhaps several hundred, have been secretly convicted of similar political offenses.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires that search warrants be issued before authorities may search premises, but it is often ignored. It is unlikely the army and the security forces obtained warrants prior to their raids on homes and businesses to arrest "counterrevolutionaries" for their role in the democracy demonstrations.

Personal and family life are extensively monitored and regulated by authorities. Most persons depend on their work unit for employment, housing, ration coupons, permission to marry or have a child, and other aspects of ordinary life. The work unit, along with the neighborhood watch committee, monitors activities and attitudes. In the wake of the demonstrations, authorities have redefined the function of the neighborhood watch committees, requiring them to work more closely with the Public Security Bureau. Mail is often opened and read, telephones monitored, and television cameras located at some key intersections, in luxury hotels, and in some buildings. After the post-Tiananmen crackdown began, the authorities produced television footage from clandestine cameras showing alleged Taiwan spies observings the Tiananmen Square demonstrations, and student leader Wuer Kaixi and other demonstrators eating at the Beijing Hotel.

The Government strictly regulates dealings between Chinese citizens and foreigners. Virtually all foreigners are forced to live separately in designated residential compounds, and all Chinese entering the foreign areas are closely monitored by guards and video cameras on roofs and in elevators. Residences of foreign diplomats, journalists, and businessmen are assumed to be electronically and physically monitored.

The Chinese Government maintains a comprehensive and highly intrusive family planning program. Individual and family decisions about bearing children are controlled by the State, with severe sanctions against those who deviate from official guidelines. The Central Government sets an annual nationwide goal for the number of births to be authorized. This is then apportioned among provinces, and further down through prefecture, county, town, and district levels. Ultimately, each work unit (village, factory, or government office) receives a target figure for births over the next few years. As the allotments are quite small, couples wishing to have a second child often must wait many years before receiving permission. In some areas, newly married couples have also been required to wait years before having their first child.

While strongly encouraging all couples to have only one child, Chinese policy allows two or more children for many rural families. Members of ethnic minorities, particularly in remote areas, are also generally not subject to the same strict limitations imposed on the Han majority.

Implementation of the policy varies widely from place to place and from year to year. In many areas, couples apparently are able to have several children without incurring any penalty, while in other areas enforcement has been excessively harsh. Periodic campaigns exhort all Chinese to have fewer children, to have them later in life, and to space them more widely. When national targets are not met, officials call for stricter implementation, and some have advocated more coercive methods than central government policy currently authorizes. Local officials have great discretion in how, and how severely, the policy is implemented.

Under China's national Marriage Law, women may not legally marry before age 20; men before age 22. In practice, early marriages are discouraged, and the press frequently extols the virtues of later marriage. Lack of available housing and other social concerns are often cited as additional reasons to delay marriage.

Couples are not allowed free choice about whether to practice family planning, how many children they may have, or when they may have them. In practice, most couples have little choice concerning the form of birth control to use.

The population control policy relies primarily on heavy doses of education and propaganda, augmented by sever psychological pressure on those who resist. Disciplinary measures against couples who violate the policy include stiff fines (often as high as a year's salary), withholding of social services, demotion, and other administrative punishments. If a unit exceeds its allocation, punishment may be meted out to the offending couples, to unit officials, and to the unit as a whole. Some local officials have reportedly destroyed or confiscated the private property of families with unauthorized children if fines are not paid. In 1988 a Chinese couple studying in the United States, Dr. Li Quanbang and Ms. Ping Hong, were threatened with severe punishment if Ms Ping refused to abort her second child before returning to China. Ms. Ping's employer warned her that, if she returned, she would have to have an abortion even in the third trimester of pregnancy. If she insisted on having the child, she would be placed on probation and the entire factory would be punished. Eventually the authorities relented, but the U.S. Government determined that the Li family and a few other Chinese couples who faced similar situations had demonstrated a well-founded fear of persecution and granted them asylum in the United States.

Physical compulsion to submit to abortion or sterilization is not authorized, but continues to occur as officials strive to meet population targets. Reports of forced abortions and sterilizations continue, though well below the levels of the early 1980's. In early 1989, a U.S. Congressional staff delegation interviewed Tibetan refugees in Nepal. They, and some previous news stories, reported harrowing accounts of abuses in Tibet.

Chinese officials have consistently maintained that China does not condone forced abortion and sterilization and that officials who commit such abuses are punished. They admit, however, that such punishment is rare and have refused to provide documentation of any punishments.

Female infanticide also persists in some rural areas. Insistence that local oficials meet population goals has contributed to the reemergence of this traditional practice, generally by parents who hope to have more sons without incurring official punishment. There are allegations that some Chinese officials and doctors have participated in infanticide or in abortions so late in pregnancy as to be tantamount to infanticide. The Chinese Government strongly opposes infanticide, to the point of prosecuting offenders, but has been unable to eradicate it.

One recent development in China's population control policy was the passage in November 1988 of a set of eugenic regulations in Gansu province prohibiting people with severe mental handicaps from having children. Provincial official estimate the rules will affect some 26,000 persons whose intelligence quotient is judged to be 49 or lower. Should any of these persons decide to marry, one spouse must undergo sterilization. For those already married, one partner must be sterilized and any pregnancies compulsorily aborted. Officials claim that permission for any operation requires the consent of a mentally competent relative but acknowledge that heavy psychological pressure may be employed to obtain consent. As of December 1989, provincial officials said that 1,714 persons had been identified as requiring sterilization, and 731 operations had been performed. According to a Health Ministry official, the Government is drafting a new law to extend the ban nationwide.

Despite a decade of efforts, officials acknowledge that population growth has significantly exceeded the national targets and that the goal of holding China's population to 1.2 billion by the end of the century will not be met. This realization, together with a recent escalation of official rhetoric, have led some observers to suggest that China may be entering a new cycle of strict enforcement of family planning policies, after a period of relative relaxation.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

On June 3-4, in order to clear peaceful demonstrators who had occupied Tiananmen Square for several weeks, PLA troops fired heavily and indiscriminately at crowds in the approaches to and around Tiananmen Square, resulting in at least hundreds of deaths and thousands of injuries. Some were crushed by military vehicles driven into the crowd. The PLA also suffered scores of casualties as enraged citizens fought back. According to Western diplomats, some PLA casualties also resulted from soldiers accidentally shooting or injuring other soldiers. While it is difficult to know precisely how many civilians died or were injured, the numbers are certainly far greater than those cited by authorities. Mayor Chen Xitong, in a speech before the National People's Congress Standing Committee on June 30, said over 200 civilians were killed, including 36 students, and 3,000 injured, with "dozens of soldiers and police killed and 6,000 injured." Hospitals and human rights groups, however, provided much higher estimates. Visiting several hospitals in Beijing after the June 3-4 massacre, diplomats and other observers viewed scores of dead civilians, including women and children, with bullet wounds and other injuries, and heard from medical personnel the hardships the hospitals faced in treating the dead and injured. At one hospital, doctors said that on June 3, 50 civilians had died from bullet wounds in their hospital alone.

The authorities clearly used excessive deadly force against the demonstrators. While they used tear gas and rubber bullets briefly in some areas of Beijing, the PLA and security forces relied primarily on lethal force rather than traditional riot control techniques to clear demonstrators from the roads leading to Tiananmen Square. Foreign diplomats and their families did not escape the heavy-handed actions of the PLA. On June 7, PLA soldiers, allegedly returning fire from a sniper, shot at a diplomatic housing complex, spraying scores of apartments with gunfire but causing no casualties. Chinese authorities have produced no evidence that a sniper was actually present in the compound and firing at the PLA.

Security forces used excessive force in breaking up a religious ceremony and demonstration by members of the underground Catholic Church near Shijiazhuang, Hebei Province in April, leaving 2 civilians dead and at least 150 injured. In another major incident involving the use of excessive force during demonstrations in Lhasa on March 5-7, police shot and killed scores of Tibetan monks and their supporters.

Section 2: Respect for Civil Rights, Including:

a. Freedom of Speech and Press

Freedom of speech and self-expression are severely restricted. Limited criticism of government policies and officials is tolerated and had increased in recent years. However, the limits were tightened again after June 4. Citizens are not permitted to criticize senior leaders or to express opinions contrary to the "Four Cardinal Principles": Marxism/Leninism/Mao Zedong Thought as the theoretical foundation of the State, socialism as its goal, Communist Party leadership, and the "people's democratic dictatorship" (which includes the right to use force against "counter-revolutionaries").

Those who violate these guidelines frequently are severely punished. Xiao Bin, a worker in Dalian, was sentenced to 10 years' imprisonment for expressing personal views on the Beijing massacre to an ABC news crew, and Zhang Weiping, a student, was sentenced to 9 years' imprisonment for informing VOA about antigovernment demonstrations.

Renowned scientist and dissident Fang Lizhi sent senior leader Deng Xiaoping an open letter on January 6 appealing for amnesty for political prisoners. On February 16, 33 prominent intellectuals signed an open letter to the national leadership supporting Fang's call for amnesty. The Government attacked the letter in the official press on February 23 and later characterized it as an act of "counterrevolution." Some signatories have since fled China while others have been detained. Security forces stepped up surveillance of Fang and restricted his movements. He and his wife Li Shuxian were physically prevented from attending a banquet in Beijing hosted by President and Mrs. Bush. In June Fang and Li took refuge in the U.S. Embassy, after which the Government charged them with criminal "counterrevolutionary" activity and named them as key "conspirators" in the student demonstrations.

Television and radio are strictly controlled by the Government and used to propagate the party's version of events. In the wake of the June 3-4 events, the authorities began a massive disinformation campaign, asserting that the spring demonstrations had evolved into a counterrevolutionary rebellion led by a few conspirators. State Council spokesman Yuan Mu claimed on June 16 that only 300 had died on June 3-4, half of them PLA soldiers. Regular programming was replaced by special programs giving the CCP's version of events. These programs were broadcast several times a day for weeks. In July China Central Television (CCTV) broadcast a four-part program conveying the official version of the massacre. Events were altered to suggest that the troops had been called in to "quell a riot" rather than that troops fired on peaceful demonstrators who then reacted in a rage. Again on September 23, CCTV televised a special program countering charges by activists in the United States and featuring comments by Liu Xiaobo, detained since June, denying that anyone had died in Tiananmen Square. In the wake of the massacre, television news constantly replayed assertions of government officials such as Yuan Mu and selected remarks by the handful of foreign observers supportive of the Government position.

Following the imposition of martial law in Beijing, the Chinese cut off the satellite feed for the U.S. network news services. Security authorities and PLA soldiers on the night of June 3-4 detained two U.S. reporters along with a number of other foreign journalists. In the aftermath, authorities severely restricted the movements of foreign journalists, harassing and expelling several of them.

After an 11-year moratorium, the Government resumed jamming VOA Chinese-language broadcasts on May 21. The official press has harshly attacked VOA reports, claiming that they were part of a Western conspiracy to subvert China. Chinese authorities confiscated film from foreigners leaving the country and insisted on developing it for review and censorship.

Restrictions on the publication of books and other printed material, which had generally eased during the 1980's, have become much more stringent since June. Print media, like the broadcast media, have been used to disseminate disinformation about the spring demonstrations and the Government's crackdown.

A number of journalists were detained or otherwise officially harassed in 1989. During the demonstrations, then Shanghai Party Secretary Jiang Zemin sacked the editor of the World Economic Herald, Qin Benli, and closed the newspaper, silencing one of the country's few independent journalistic voices. Since June, Qin has been under investigation. His Beijing bureau chief was arrested and several staff writers are still detained. Other journalists apparently still under detention include personnel from the government mouthpiece People's Daily, the official English-language China Daily, Guangming Daily, and Radio Beijing. Others have been dismissed from their jobs for printing material at variance with the party line, including editor Tan Wenrui and director Qian Liren of People's Daily, publisher Zhang Li and editor Li Jiawei of the Sichuan Provincial Social Science Academy Publishing House, Editor-in-Chief Yao Xihua of the Guangming Daily, Editor-in-Chief Li Xiaoshi and Deputy Editor-in-Chief Sun Changjiang of the Science and Technology Daily.

On July 17 the Government temporarily removed from the newsstands foreign language newspapers, magazines, and publications in order to limit access by Chinese citizens to foreign news and to consolidate government control over the importation and distribution of foreign printed material. While the ban was lifted at the end of August, tighter control on distribution has enabled authorities to censor foreign language material more effectively. For example, several issues of the Far Eastern Economic Review were withheld from newsstands or had offending articles removed. More recently, foreign media reports on the overthrow of Romanian dictator Ceaucescu have been barred from distribution.

The Government reportedly has also banned publications by activists and other authors considered unacceptable. Writings by astrophysicist Fang Lizhi and his wife Li Shuxian, investigative journalist Liu Binyan, playwright Su Xiaokang, intellectuals such as Su Shaozhi, Bao Tong, Jin Guantao, Ge Yang, Cao Siyuan, Li Honglin, Zhang Xianyang, Dai Qing, Liu Xiaobo, Yan Jiaqi, and dozens of others have reportedly been banned. Li Ruihuan, member of the Standing Committee of the Politburo, on August 24 announced a campaign to "clean up and rectify" the publishing and audiovisual industries. Li said the campaign was aimed at curbing publications advocating "bourgeois liberalization" (Western social, political, and cultural ideas) and pornography.

In the wake of the student demonstrations, the Government has worked to reimpose more rigid ideological control over the school system. The State Education Commission ordered that 30,000 fewer first-year students be admitted to universities for the fall 1989 semester. The cuts were primarily among those seeking to study the social sciences. The number of students studying Western philosophy, political science, and management were reduced. The entire first-year class at Beijing University, a main center for the demonstrations, was sent to an isolated camp for a year of military training and ideological indoctrination. (The Government said this program might be expanded to include additional universities in the future). Some recent college graduates are being sent from Beijing to the country-

side or to factories for ideological training. On July 1, a State Education Commission official told the Chinese press that "students' level of patriotism and willingness to serve their country should be major criteria" in decisions on who should be permitted to study overseas. Required study of the writings of Communist theoreticians has been sharply increased.

Investigations into press activities have led to intimidation of journalists and broadcasters, stronger press control, and a complete halt, for now, of press reform. The Government has made it clear that the press must support the party line and cannot question the "Four Cardinal Principles." The detention of journalists and broadcasters described in earlier sections reinforced the Government's message.

b. Freedom of Peaceful Assembly and Association

Article 35 of the Constitution guarantees the right "of assembly, of association, of procession, and of demonstration," but such activities may not infringe "upon the interests of the State" (Article 51). In an effort to prevent students from again demonstrating or occupying Tiananmen Square, the National People's Congress Standing Committee on October 31 adopted a law governing assemblies, parades, and demonstrations that significantly limits the right of individuals or groups to organize mass political activities.

The law, in theory, guarantees the right to assemble and demonstrate but stipulates that parades and demonstrations must abide by the Constitution and laws and may not "infringe on the interests of the State, society, and collectives or the legitimate freedoms and rights of other citizens." In practice, this proscribes any protests against socialism or the leadership. Moreover, this stipulation could be used to ban protests that disrupt traffic, interfere with business, or occupy public places, and all acts that could be interpreted as "infringing" on the freedoms of other citizens. Also banned are demonstrations that advocate national separatism or jeopardize national unity.

The law does not apply to "traditional cultural, recreational, or sports activities; normal religious activities; nor traditional, nongovernmental activities among the people." Also exempt are celebrations held by the State and assemblies held by "state organs, political parties, social groups, enterprises, or institutions in accordance with the law or their organic charters." Presumably, local authorities retain the power to determine what are "normal" religious activities; unapproved gatherings, such as evangelical revivals, religious retreats, and outdoor masses could be restricted or banned. Similarly, local officials would decide when "traditional" cultural activities carry unacceptable political overtones related to such sensitive issues as national separatism.

Procedures for obtaining a permit are extremely restrictive and constructed in such a way as to discourage exercise of the right of assembly. Demonstration organizers must apply for a permit at least 5 days before the event, specifying the purpose, type of demonstration, slogans to be used, the number of participants and vehicles, the routes and times of the march, the number and type of audio equipment, and the names, addresses, and occupations of sponsors. Marches are generally to be confined to the hours of 6 a.m. to 10 p.m. except with special permission. The law reserves to local officals the right to change the time, location, and route of a demonstration, even after giving approval, requiring only that they "promptly notify" the sponsors. Citizens cannot organize or participate in demonstrations outside their own locality, nor can government employees organize or participate in protests that "go against their responsibilities and obligations prescribed in relevant laws and regulations."

Professional and other mass associations are for the most part organized and controlled by the Communist Party. Other new regulations require all organizations to be officially registered and approved, including societies, research units, foundations, and chambers of commerce. Ostensibly aimed at secret societies and criminal gangs, the regulations are also used to prevent the formation of unauthorized political or labor organizations, such as the student and worker groups that emerged before and during the spring prodemocracy protests. The regulations can also be used to close down unregistered house churches or discussion groups that local leaders deem potentially subversive.

In parts of Beijing, martial law was imposed on May 20 and remained in effect until lifted in January 1990. Under martial law, groups of people were not permitted to gather and demonstrations were strictly forbidden. Martial law has also been in effect in Lhasa since demonstrations broke out there in early March. In areas where martial law is not in effect, authorities also have adopted a stricter policy toward allowing groups of people to assemble. Information and security forces maintain a close watch on groups formed outside the Party establishment, particularly unauthorized religious groups and other associations. Associations recognized by the State are permitted to maintain relations with recognized international bodies, but these contacts are monitored and limited by the Government.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

C. Freedom of Religion

Religious freedom is subject to tight constraints. While the Constitution affirms toleration of religious beliefs, the Government severely restricts religious practice outside the officially recognized and government-controlled religious institutions. Religious proselytizing is restricted to officially sanctioned places of worship or to the homes of persons properly registered with an officially recognized religious institution. Religious conversion is tolerated (though generally not for Communist Party members).

By far the largest group of religious believers in China are Buddhists who belong to the dominant Han ethnic group. Han Buddhist leaders generally cooperate with the Government and have experienced few reported difficulties. Daoism, widely practiced in southern coastal provinces, is officially respected as an important part of traditional Chinese culture, but many of its practices conflict with government strictures against superstition and waste of arable land and have been heavily criticized. China permits Muslim citizens to make the hajj to Mecca, and over 2,000 Chinese, most subsidized by the Chinese Government or by overseas Muslims, make the journey annually.

The Government insists that no religious institutions may be subject to foreign domination or influence. In order to eliminate perceived foreign domination of Christian groups in the past, the Government in the 1950's established the Catholic Patriotic Association (CPA) and the Protestant Three Self Movement (TSM). The CPA ordains its own bishops and priests, generally follows pre-Vatican II practices, and rejects papal authority. Proselytizing by foreign groups is forbidden. Americans and other foreigners have been expelled for distributing Bibles or proselytizing. Twelve Americans were detained in Kunming on June 23 and were later expelled for having imported religious materials. Officially sanctioned religious organizations are permitted to maintain international contacts as long as these do not entail foreign control. The TSM and its Buddhist and Muslim counterparts have established extensive networks of international support. The CPA has no official ties to Catholic churches outside China, but its leaders frequently visit Catholic and other religious leaders abroad.

Tibetan Buddism is also tightly controlled. Religious activity is thriving with some government support, though the number of monasteries and monks remains far below the pre-1949 level. The Government does not tolerate religious manifestations that advocate Tibetan independence. The Government recognizes the Dalai Lama as a major religious figure, but condemns his political activities and his leadership of a "government in exile." As with other religious, Tibetan Buddhist activities are subject to government monitoring and control. The Government exercised a considerable degree of control over the late Tibetan Buddhist Panchen Lama, the second most revered religious figure in Tibetan Buddhism. Following his death early in 1989, the State Council approved procedures for selecting the "reincarnated" Panchen Lama which will give the Government a prominent role.

After forcefully suppressing all religious observance during the 1966-76 Cultural Revolution, the Government began in the late 1970's to restore or replace confiscated churches, temples, mosques, and monasteries. The official religious organizations administer more than a dozen Catholic and Protestant seminaries, nine institutes to train imams and Islamic scholars, and institutes to train Buddhist monks. The Government supervises the publications of religious material for distribution, to ensure that it conforms to religious beliefs and philosophical positions sanctioned by the Government.

There are active underground religious movements which pose an alternative to the state-regulated churches and temples. The Catholic underground church claims a membership far larger than the 3.5 million officially registered with the CPA, though actual figures are unknown. It has its own bishops and priests and conducts its own services. Protestants also conduct private services independent of government control; some of these groups are apparently quite dynamic. The Christian underground movement imports religious materials, including Bibles, from abroad. Underground church officials reject legally published material because it does not conform to their beliefs. The Government generally tolerates but sometimes actively suppresses nonsanctioned religious groups. Security forces have raided illegal underground services, resulting in arrests, injuries, and even deaths, as in the raid on an underground Catholic service in Hebei in April in which 2 persons were reportedly killed and 150 were injured.

A large number of Catholic leaders and somewhat fewer Protestants have spent long periods in prison. Most long-term Catholic prisoners had been released by late 1987, but detentions continue. Bishops Julius Jia Guozhi, Joseph Fan Xueyan,

Pietro Liu Guandong, Giuseppe Li Side, Jiang Liren, Mattia Lu Zhensheng, Filippo Yang Lipo, Paolo Li Zhenrong, Bartolomeo Yu Chengdi, and other priests in the underground Catholic Church as well as underground Protestant leaders were reportedly detained during 1989 for varying periods of time. Underground Catholic Bishop Casimir Wang Milu has not been seen since his arrest in 1986 and is presumed to be in prison. As of year's end, no information was available on at least 20 Catholic priests detained by security forces in Hebei, Gansu, Sichuan, and Fujian provinces. International human rights groups report that at least 30 underground Protestant leaders may also be in detention.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government uses an identification (ID) card system to restrict the movement of Chinese citizens within the country. Citizens are registered as residents of a particular jurisdiction and assigned to a specific work unit. Movement within the country or change of workplace can, in most cases, be done only with government permission and agreement by the work unit. Those workers on short-term work contracts with a work unit have more leeway in movement. On expiration of a contract, the worker may be able to negotiate a position in another area or continue his contract. Significant numbers of farmers have moved from the countryside to cities in search of employment. Authorities are trying to limit the migration but they estimate there are at least a million unregistered persons in Shanghai and Guangzhou and 700,000 in Beijing. Measures undertaken in connection with the Government's current austerity program will result in large-scale unemployment and authorities reportedly intend to enforce their return to the countryside.

After the June disorders, the Ministry of Public Security ordered full national implementation of regulations on carrying and checking residents' identification cards as of September 15. The cards have been under partial and experimental use for several years.

Under the new procedures, citizens are required to carry their ID cards at all times when out of doors and must present them on demand to authorities. They must also present ID cards when registering for voting, residence, military service, marriage, or school entrance; applying for employment, licenses, loans, notarization of documents, social insurance or relief, travel to restricted areas or to leave the country; participating in lawsuits; picking up mail or claiming remittances; boarding an airplane; or registering in a hotel.

More stringent scrutiny of ID cards will close loopholes through which many Chinese have slipped in recent years. Some have used the relative freedom of travel to act as business middlemen and fixers, often involved in quasi-legal or illegal cash-and-carry deals, money changing, and black market activity. Also likely to be caught in the tighter net are itinerant preachers and evangelists, many of whom lack a permanent residence. Recent Chinese press reports decry incidents in which people caught without their ID card were subjected to extortion by police or shaken down by criminals posing as police.

Existing restrictions on foreign travel were tightened in 1989. In the wake of the Beijing massacre, the Government has implemented more restrictive criteria for passport issuance. Procedures reportedly include obtaining a political "bill of good health" from the work unit and its party committee and submitting to background checks by the Public Security Bureau (and, in Beijing, the martial law command). Passport applicants are screened to determine the applicant's political loyalty and his role in the spring demonstrations. The double exit permit system implemented on June 20 was designed to support this objective. In Shanghai, dissident Zhang Cai was detained at the airport when trying to board a flight out of China. There are also reports that some Chinese who marry foreigners and wish to emigrate have had to repay the cost of their education in order to obtain a passport.

The Government has imposed restrictions on overseas studies. New regulations reportedly require tighter ideological screening, and perhaps several years' war experience, as prereguisities for permission to study overseas. Furthermore, lower limits will be set on the number of publicly funded students sent abroad to study humanities, with the emphasis instead going to more practical studies such as the sciences and specialized training.

China has continued to relax restrictions on internal travel by foreigners. Since last year it has increased the number of cities open to foreign visitors from 504 to 626. Tibet, the capital of which remains under martial law, has begun again to allow tourism. Tourists, however, must travel in groups of at least three, obtain prior permission, and travel with officially designated travel agencies. Most requests by foreign diplomats for travel to Tibet since March have been denied.

China encourages its citizens who are legally overseas studying or doing research to return to assist the China's development. Some 35,000 Chinese citizens are currently studying or conducting research in the United States. The State Education Commission declared on December 8 that scholars returning from overseas would not be held accountable for participation in prodemocracy activities while abroad. However, many of these scholars claim that they or their families have been subject to threats of reprisals by Chinese officials.

The Chinese Government accepts repatriation of PRC citizens who have entered other countries or territories illegally. The Hong Kong Government says it returned to the PRC 11,392 illegal immigrants in the first 9 months of 1989, compared to 21,000 in 1988. None of those returned were believed to be considered by the PRC Government to have been participants in or supporters of the spring demonstrations. To retaliate against the Hong Kong Government for having allowed dissident swimmer Yang Yang to depart for the United States, the PRC temporarily suspended repatriation for 2 weeks in October. Japanese authorities have decided to proceed with repatriation of illegal immigrants from China who entered Japan by sea during the summer of 1989. It remains unclear what punishment, if any, these PRC citizens will face once they have been repatriated.

China accepted more than 280,000 refugees and displaced persons from Vietnam and Laos between 1978 and 1982. These refugees were predominantly ethnic Han Chinese or married to ethnic Chinese. In recent years, the Government has adopted a stricter policy of "no new admissions." Thus, Chinese authorities currently discourage Vietnamese refugees from settling in China. There have been persistent reports that local authorities along China's southern coast help to provide food, water, and fuel to Vietnamese migrants so they may proceed to Hong Kong, and in some cases, to Japan and Korea. There also have been credible reports that Vietnamese refugees reaching China's interior provinces have been forcibly repatriated. Other credible reports suggest that the PRC has also repatriated persons of other nationalities seeking refugee status. Although China signed the Comprehensive Plan of Action (CPA) negotiated at the International Conference on Indochinese Refugees in Geneva in June 1989, it is unclear whether China considers itself a CPA "participating state." China has yet to create formal mechanisms to enforce CPA provisions, and its policy on the principle of first asylum remains ambiguous.

Section 3: Respect for Political Rights: The Right of Citizens to Change their Govenment

The people of China do not have the right or the ability peacefully and legally to change their government. Chinese citizens can neither freely choose nor change the laws and officials which govern them. China is ruled by the CCP, the paramount source of political authority. Within the party, a closed inner circle of a few senior leaders exercise ultimate power over the nation. Most hold key positions within the six-member Standing Committee of the Politburo, the Central Military Commission, or other organs. Former senior leaders continue to influence government policy. Deng Xiaoping remains first among equals in this group despite his formal retirement in October. The senior party leadership determines policy, which is then implemented by the Government. According to the 1982 Constitution, the National People's Congress (NPC) is the highest organ of state power. It nominally selects the President and Vice President, decides on the choice of the Premier, and elects the Chairman of the Central Military Commission. It had been granted, and had begun to exercise, increasing independence and influence during the late 1980's. Debates had become much more open, and several important government proposals were sent back for further study. During the May-June crisis, some NPC members attempted to convene an extraordinary meeting of the body to revoke the Government's declaration of martial law in Beijing, but were unable to do so. Since that time, the NPC has generally resumed its previous role of ratifying decisions already made by the senior leadership.

The Government neither tolerates dissent nor accepts challenges to its authority. The authorities denounce as "counterrevolutionary" proposals to limit the power of the Party or to alter the nation's ideology. The Government's handling of the spring demonstrations, the killing of its citizens, its subsequent crackdown on dissent, and its massive disinformation campaign aimed at rewriting history demonstrate the senior leadership's determination to retain power.

Section 4: Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

China rejects the concept of universal human rights despite its adherence to the United Nations Charter, which mandates respect for and promotion of human rights. Chinese official commentators in recent months have increasingly argued that each nation has the right to define human rights

as it pertains to the human conditions existing within that country. No nation or international organization, they say, has the "legal right" to apply its definition of human rights to conditions in other countries. Officials strongly reject any criticism of China's rights situation by international human rights organizations and other nations, and they assert that international groups and foreign nations use human rights as a means to interfere in China's internal affairs.

A resolution passed by the U.N. Human Rights Commission's (UNHRC) Subcommission on Prevention of Discrimination and Protection of Minorities in August, calling on the Secretary General to collect information on the human rights situation in China, was denounced by the Chinese Government as brazen interference in its internal affairs. China defended its use of force in suppressing the demonstrations in June legalistically, citing the legitmate right of the Chinese authorities "to maintain law and order." It has also rejected Amnesty International's August 1989 report condemning the June massacre, and it has harshly and aggressively attacked the VOA for its coverage of and commentary on the June events.

In October the Government denounced the awarding of the Nobel Peace Prize to the Dalai Lama, who has been an outspoken critic of human rights violations in Tibet, as "gross interference in China's internal affairs" and as "hurting the feeling of the Chinese people." A Ministry of Foreign Affairs spokesman on October 7 said that awarding the Nobel Peace Prize to the Dalai Lama "constitutes open support to the Dalai Lama and the Tibetan separatists in their activities to undermine and split China."

There are no organizations within China which specifically monitor or comment on human rights conditions. The Government crushed an incipient human rights monitoring group—Amnesty 89—following the June crackdown and has made it clear that it will not tolerate the existence of such a group. It has reacted with equal defensiveness to international accusations of human rights violations in Tibet. Authorities have refused to respond to charges of human rights violations in connection with the killing of demonstrators in Lhasa on March 5-7. They have generally not permitted reporters or human rights workers to visit Tibet, have refused diplomatic requests to discuss human rights issues, and have generally denied diplomats access to Tibet.

Section 5: Discrimination Based on Race, Sex, Religion, Language, or Social Status

While laws designed to protect women and minorities exist, in practice discrimination persists in housing, jobs, education, and other aspects of life based on sex, religion, race, and class. The 1982 Constitution states that "women in the People's Republic of China enjoy equal rights with men in all spheres of life," and it promises, among other things, equal pay for equal work. In fact, however, the general status of women is not equal to that of men, and there was no signficiant improvement in upholding women's rights or in the working conditions of women in 1989. By many standards, the status of women has regressed in recent years. Within the work force, 83 percent of the 220 million women employed perform physical labor. Seventy-seven percent of employed women work in agriculture, 13 percent in industry, and 4 percent in the service trade. In industry, most women are employed in lower skilled and lower paid occupations. The number of professional women is low. Women who graduate from college are less likely than men to be placed in prestigious positions. There is a significant wage gap between men and women performing the same tasks.

China's recent enterprise and labor reforms have sought to streamline enterprises and give workers greater job mobility. Women apparently bear the brunt of these reforms in terms of job insecurity and cutbacks in welfare programs. Many employers have admitted they prefer to hire men, citing the avoidance of maternity leave and child care provisions as their chief reason. Complaints from women of discrimination, unfair dismissal, demotion, or wage cuts when they needed maternity leave have risen signficantly. There has been an increasing number of reports of young women in the special economic zones being fired when they become pregnant or reach childbearing age. The New China News Agency reported that during factory efficiency drives in the second half of 1987, over 60 percent of "redundancies" were women. To combat the problem, on July 25, 1988, the State Council issued a regulation on female employees' legal rights, stating that work units will not be allowed to discriminate against women or reduce their maternity benefits, but there is no evidence that the regulation has been implemented effectively.

While the gap in the education levels of men and women is narrowing, the majority of the educated, particularly the highly educated, are men. Women now make up 37.4 percent of high school students and 25.7 percent of university students. Similarly, a disproportionate number of government-funded scholarships for overseas study go to men. Women also reportedly need higher scores than men to gain admission to select universities.

There are reports of violence against women, particularly wife beating, selling of women for wives, abuse of female children, and female infanticide in some rural areas—practices the Government condemns and attempts to curb. The Chinese have admitted that there is very little legal recourse to curb what is a traditional tolerance for abuse of women. Selling women for wives is a growing problem; in December the Government began a campaign against the practice, labeling it one of "six evils" to be eradicated. Official statistics are lacking but unofficial estimates are in the tens of thousands. A New York Times article quoted a confidential government document in September that cited the rising cost of traditional rural weddings (more than $2,500) versus the cost of buying a wife ($500 to $800) as one reason for the practice. Female children are seen, particularly in the countryside, as unproductive. They will leave the family and not provide assistance for the parents' retirement (as sons are expected to do). Some provincial and local authorities have attempted to ease this traditional bias by facilitating establishment of retirement homes. Many female children are forced to work long hours at an early age and are sometimes beaten if chores are not completed. Numerous reports tell of young girls being removed from school at the age of 8 or 9 to work in rural enterprises or the fields so that their families can "make some money from them before they leave home."

Chinese authorities have not succeeded in stopping abductions and the trading of women and children. People's Daily reported on November 15 that between 1981 and 1988 some 16,000 women and 900 children who are abducted in Shandong Province were saved by authorities. Of the more than 14,000 arrested for abducting women and children, 22 percent or 3,100 were sentenced to prison. The number of abductions nationwide is not known, but the statistics from Shandong would indicate that the number is high.

The economic progress of minorities is viewed by the Government as one of its significant achievements. Ethnic minorities benefit from special treatment in marriage and family planning, employment, and university admission. Nevertheless, discrimination based on ethnic origin persists. The concept of a largely homogeneous ethnic race of the Han people pervades the general thinking of the majority Han Chinese. Less than 7 percent of the population belong to one of the 55 designated ethnic minorities. Most reside in areas they have traditionally inhabited. Their standards of living remain far below the national average. Despite the CCP's avowed policy of increasing minority representation in the Government and in the CCP, ethnic minorities are effectively shut out of all but a few leadership positions and play a minor role in decisionmaking. Some minorities resent Han officials holding key positions in minority areas. Tibetans in Tibet and Uighurs in Xinjiang have demonstrated against Han Chinese authority. PLA troops are stationed in these areas, and marital law remains in place in Lhasa. During an inspection tour of Xinjiang August 26, Minister for Public Security Wang Fang accused Uighur separatists of fomenting local instability.

Section 6: Worker Rights

a. The Right of Association

The PRC's 1982 Constitution guarantees "freedom of association," but the guarantee is heavily qualified by referrences to the interest of the State and the leadership of the CCP, and, in fact, workers do not have the right to form or join independent unions of their own choosing. Union membership is theoretically voluntary for individual employees, but each enterprise must have a union and each union must join the All-China Federation of Trade Unions (ACFTU), nominally an independent organization, but in fact closely controlled by the CCP and the only legal national federation. Virtually all state-sector workers and nearly 90 percent of all urban sector workers belong to ACFTU chapters.

The right to strike, which had been included in China's 1975 and 1978 Constitutions, was removed from the 1982 Constitution on the grounds that the political system had eradicated class contradictions between the proletariat and capitalists. However, in 1983 the ACFTU Chairman stated that if a trade union and its labor protection safety officers found that a workplace was too dangerous, the union should organize the workers to leave the hazardous areas. Thus, authorities usually view strikes as justified only when they respond to problems such as a sudden deterioration in safety conditions. Nevertheless, strikes and, more commonly, work slowdowns do occur. In the first half of 1988, 49 strikes were reported officially. The number for 1989 is unknown, but reports of job actions in support of prodemocracy demonstrations in the spring of 1989 were widespread. Strikes and slowdowns generally occur over distribution of benefits of safety concerns at individual enterprises. They are usually resolved with-

out the need for intervention from outside the enterprise. The usual role of the trade union in such strikes is to persuade the workers to return to their jobs.

During the countrywide political demonstrations in the spring of 1989, "Workers' Autonomous Federations" (WAF) were formed in major cities. The Beijing WAF claimed to represent over 100,000 workers from 40 industries in the capital. WAF leaders insisted they wanted to organize legally and did not oppose the rule of the CCP. The concerns of the WAF included bureaucratic corruption, wage disparities between workers and plant managers, the absence of workplace democracy, the lack of genuine workers' representation in the policymaking process, and poor safety and working conditions. Established primarily to mobilize and express workers' sympathy for the demands of student demonstrators, the WAF did not have time to build organizations at the enterprise level. Thus, although there are workers who purport to carry on the work of the WAF, the June crackdown apparently destroyed the federations. Many observers believe concern over growing worker support for students' demands prompted the Government to order troops into Tiananmen Square on June 3–4. According to international eyewitnesses, most of the Beijing WAF leaders were killed during the massacre.

After June 4, workers became a primary target of government reprisals. The Hong Kong Trade Union Education Center (HKTUEC) complied a list of 211 workers arrested in connection with the demonstrations. According to the HKTUEC, 89 were held on charges related only to their participation in the autonomous federations. All of those known to have been executed for offenses linked to the demonstrations were manual workers.

At the ACFTU annual conference in December, its appointed president declared that "trade unions must implement resolutely the party's line and general and specific policies." A senior party official, addressing the conference, demanded that party committees at all levels "exercise centralized leadership" over the union movement. He explicitly ruled out the formation of independent unions: organizations that contravene the "Four Cardinal Principles," put forward proposals contrary to party policy, or threaten state stability, would be dealt with according to the law immediately."

The ACFTU claims to have contacts with trade unions in over 120 countries or regions and has stated that it will establish links with foreign unions regardless of whether they are affiliated with Western, Communist, or other federations. However, its relations with the International Labor Organization (ILO) and the International Confederation of Free Trade Unions (ICFTU) have been strained. China has ratified neither ILO Convention 87 regarding Freedom of Association nor Convention 98 on Collective Bargaining. The ICFTU vigorously protested Chinese violation of worker rights at the ILO Conference in Geneva shortly after the Beijing massacre. In November, the ILO's Governing Body approved stiff detailed questions on the death of workers during the massacre, arrests, death sentences, and executions, and government allegations against the WAF.

b. The Right to Organize and Bargain Collectively

The Government does not permit collective bargaining. The terms and conditions of employment, including wages, are unilaterally determined through administrative regulations which are treated as confidential material and are not publicly available. Without legal status as a collective bargaining body, the ACFTU's role has been restricted to consultation in decisionmaking on wages and wage reforms. Trade unions have limited themselves to channeling workers' complaints to the management of individual enterprises or municipal labor bureaus.

Clause 33 of the "Provisional Directive on Private Enterprises in the PRC" issued on June 3, 1988 states that trade unions in private enterprises have the right to represent employees and to sign collective agreements with the enterprise. Depending on how it is implemented, this could form a basis for important new trade union rights in China.

Under the labor contract system, which now covers approximately 10 percent of the work force, individual workers may negotiate with management over contract terms. In practice, however, very few are able to negotiate effectively on salary and fringe benefits. At its October 1988 National Congress, the ACFTU leadership recognized that it would need to be more responsive to worker demands for benefits and improved safety conditions or face worker demands for a more independent union. In reaction to the creation of the WAF, the party began efforts to reassert control at every level of the union structure. Thus, unions enjoy less freedom of action than they have had for the last several years.

Labor practices in the Special Economic Zones do not vary substantially from national practice. Although there are reports of child laborers working in the Special Economic Zones, the practice appears more prevalent in small enterprises in the rural areas. Wages in the Special Economic Zones, like those in other Chinese enterprises, are set by the factory management in consultation with the factory Worker Congress. In general, wages in foreign-invested joint ventures tend to be higher than in Chinese enterprises.

Although Chinese workers still do not have complete mobility, foreign-invested joint ventures are given greater freedom to recruit workers than their Chinese counterparts are allowed. Like Chinese state-run and collective enterprises, joint ventures are required to have unions and to provide office space and facilities for union activities.

c. Prohibition of Forced or Compulsory Labor

China is still considering ratification of ILO Convention 105 on Forced Labor. Assignment of minor offenders to punitive "education through labor" camps without benefit of trial would appear to violate the Convention. Prisons and labor reform camps are expected to be partially self-supporting and thus require productive and profitable labor, with little compensation, from their inmates. Some observers consider the recent directives requiring students to perform manual labor during the school year and university graduates to work for a year or more in "grassroots units" before pursuing careers or graduate study as another form of compulsory labor. More broadly, the longstanding practice of unilaterally assigning school graduates at all levels to specific jobs and effectively trapping them in those jobs through the worker's dependence on the work unit deprives workers of any significant degree of choice in employment.

d. Minimum Age for Employment of Children

Regulations promulgated in 1987 prohibit the employment of school-age minors who have not completed the compulsory 9 years of education. The employment of child labor is pervasive, however, particularly in the rural areas and reportedly in the special economic zones. In addition, many private enterprises regularly employ children, often falsely representing them as the children of the enterprise owner. The problem is most serious in Guangdong Province, where a recent State Statistical Bureau survey found that only 71 percent of the province's school-age children were attending school. As noted (Section 5), there have also been increasing reports of children, particularly girls, being removed from school at the age of 8 or 9 to work in the fields. In September 1988, the Ministry of Labor issued a circular designed to curb pervasive child labor problems. It imposes severe fines, withdrawal of business licenses, or jail for employers who hire child laborers under 16 years of age. According to Ministry of Labor officials, however, the circular cannot be fully implemented until a national conference is convened sometime in 1990 to discuss the problem of child labor. Guangdong has not yet promulgated any regulations to enforce the 1987 directive.

e. Acceptable Conditions of Work

China has not yet adopted a labor code, and deliberations on a draft labor law appear to have been derailed by the post-June crackdown. There is no minimum wage in China, although administrative regulations apparently fix the minimum at between $9 and $13 per month. A large proportion of a worker's income comes in the form of bonuses or subsidies added to a basic wage rate. For example, many foreign investors have found that basic salary costs may make up as little as 20 to 30 percent of overall costs per employee. As part of a comprehensive economic austerity program initiated in late 1988, the Government is attempting to reduce the amount of bonuses paid to workers.

The maximum and normal workweek is 48 hours, of which 3 to 12 hours are generally spent in political study or "education" on current social issues. The time spent in political study increased sharply in the second half of 1989, particularly in work units whose members had been active in the spring demonstrations.

At factories and construction sites, occupational health and safety are constant themes of posters and compaigns. Every work unit of any size must designate a health and safety officer; the ILO has established a training program for these officials. Even so, general health and safety conditions in the workplace are extemely poor. The safety consciousness of both workers and managers is generally very low. State procurators deal annually with thousands of negligence and accident cases involving criminal or civil liability. The absence of a national labor code, however, makes enforcement of safety regulations extremely difficult.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

The PRESIDING OFFICER. The pending business is the motion to proceed to Senate Joint Resolution 212.

CLOTURE MOTION

Mr. DOLE. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of S.J. Res. 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the Seventy-Fifth Anniversary of the Armenian Genocide of 1915-1923.

Bob Dole, Edward Kennedy, Pete Wilson, James M. Jeffords, Paul Sarbanes, Jake Garn, Arlen Specter, Pete Domenici, Alfonse D'Amato, Larry Pressler, Bill Bradley, John Heinz, John F. Kerry, Nancy L. Kassebaum, Carl Levin, Strom Thurmond.

Mr. DOLE. Mr. President, under the previous order the Senator from Kansas and the Senator from West Virginia are each permitted 15 minutes to speak further on the so-called Armenian resolution.

I am going to yield back my time except to say that I again thank the distinguished President pro tempore for his many courtesies during the debate. We are on opposite sides on this particular issue, but I thank the Senator from West Virginia for what I thought was a very constructive debate. I am sure we will have additional debates between now and the vote on Tuesday.

But I yield back my time.

The PRESIDING OFFICER. The Senator's time is yielded back.

The time controlled by the Senator from West Virginia will now begin to run.

Mr. BYRD. Mr. President, if I have any time remaining under the order, I yield it back.

The PRESIDING OFFICER. All time is yielded back.

Mr. BYRD. Mr. President, the majority leader has asked me to take care of the wrapup on this side, if my distinguished friend the Republican leader is ready to proceed.

Mr. DOLE. Mr. President, I am ready.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Order No. 602, the nomination of Robert H. Gentile to be an Assistant Secretary of Energy, and all nominations placed on the Secretary's desk in the Coast Guard.

I ask unanimous consent that the nominees be confirmed en bloc, that any statements appear at the appropriate place in the RECORD as if read, that the motion to reconsider en bloc be laid upon the table, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF ENERGY

Robert H. Gentile, of Ohio, to be an Assistant Secretary of Energy (Fossil Energy).

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE COAST GUARD

Coast Guard nominations beginning David M. Bernstein, and ending Michael L. Woolard, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 24, 1990.

Coast Guard nominations beginning Robert L. Deyoung, and ending John J. Fagan, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 24, 1990.

Coast Guard nominations beginning David L. Powell, and ending Barry L. Higgins, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 5, 1990.

STATEMENT ON THE NOMINATION OF ROBERT H. GENTILE

Mr. McCLURE. Mr. President, on February 21, 1990, the Committee on Energy and Natural Resources favorably reported the nomination of Robert H. Gentile to be an Assistant Secretary of Energy for Fossil Energy by a vote of 19 to 0.

Mr. Gentile has had a long career in the fossil energy field. His industry background as chief executive officer of two different coal mining companies followed by his experience with the Federal Government, particularly as Director of the Department of the Interior's Office of Surface Mining Reclamation and Enforcement, qualify him for the position of Assistant Secretary for Fossil Energy. Five years as a Federal Government manager with the Peace Corps have added to his management experience.

Mr. President, I urge my colleagues to join me in supporting Mr. Gentile's confirmation as Assistant Secretary for Fossil Energy.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

STUDENT ATHLETE RIGHT-TO-KNOW ACT

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 392, S. 580.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 580) to require institutions of higher education receiving Federal financial assistance to provide certain information with respect to the graduation rates of student-athletes at such institutions.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Human Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Athlete Right-to-Know Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is increasing concern among citizens, educators, and public officials regarding the academic performance of student-athletes at institutions of higher education;

(3) an overwhelming majority of college presidents (86 percent) in a 1989 survey said that the pressure for success and financial rewards in intercollegiate athletics interferes with the educational mission of the United States' colleges and universities;

(4) every year more than 10,000 students are awarded athletically related student aid by institutions of higher education;

(5) prospective student athletes and their families should be aware of the educational commitments prospective colleges make to athletes; and

(6) knowledge of the graduation rates of student-athletes would assist prospective students and their families in making an informed judgment about the educational benefits available at a given institution of higher education.

SEC. 3. REPORTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(a) REPORTS TO THE SECRETARY.—Each institution of higher education which receives Federal financial assistance and is attended by students receiving athletically related student aid shall annually submit a report to the Secretary of Education (hereinafter referred to as the "Secretary") which contains—

(1) the number of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports combined, broken down by race and sex;

(2) the number of students at the institution of higher education, broken down by race and sex;

(3) the average graduation rate for the 4 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports combined, broken down by race and sex;

(4) the average graduation rate for the 4 most recent first-time, full-time graduating classes of all students, broken down by race and sex; and

(5) the number and percentage of students receiving athletically related student aid who earned a bachelor's degree or its equivalent within 10 years of entering the school.

(b) STUDENT NOTIFICATION.—When an institution described in subsection (a) offers a potential student-athlete athletically related student aid, such institution shall provide to the student and his parents, his guidance counselor, and high school coach the information contained in the report submitted by such institution pursuant to subsection (a).

(c) SPECIAL CIRCUMSTANCES.—If an institution of higher education described in subsection (a) finds that the information collected pursuant to subsection (a), because of extenuating circumstances, does not provide an accurate representation of the school's graduation rate, the school may provide additional information to the student and the Secretary.

(d) COMPARABLE INFORMATION.—Each institution of higher education described in subsection (a) may provide supplemental information to students and the Secretary showing the graduation rate when such graduation rate includes students and student-athletes in good academic standing who transferred into, out of, or otherwise left, such institution. The Secretary shall ensure that the date presented to the student and the data submitted to the Secretary are comparable.

SEC. 4. REPORT BY SECRETARY.

(a) IN GENERAL.—The Secretary shall, using the data required under section 3, shall compile and publish a report containing the information submitted under section 3, broken down by——

(1) individual institutions of higher education, and

(2) athletic conferences recognized by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics.

(b) REPORT AVAILABILITY.—The Secretary shall make available copies of the report required under subsection (a) to any individual or secondary school requesting a copy of such report.

SEC. 5. INFORMATION.

The Secretary may, at his discretion, obtain the information required by section 3 from a private, not-for-profit organization when, in the Secretary's opinion, such collection will reduce the paperwork burden imposed on higher education institutions.

SEC. 6. TWO-YEAR COLLEGE DATA.

The Secretary shall, in conjunction with the national Junior College Athletic Association, develop and obtain data on graduation rates from two-year colleges that award athletically related student aid. Such data shall, to the extent practicable, be consistent with the reporting requirements set forth in section 3 of this Act.

SEC. 7. DEFINITIONS.

For the purpose of this Act—

(1) The term "athletically related student aid" means any scholarship, grant, or other form of financial assistance whose terms require the recipient to participate in an institution of higher education's program of intercollegiate athletics in order to be eligible to receive such assistance.

(2) The term "institution of higher education" has the same meaning given such term by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(3) The term "Secretary" means the Secretary of Education.

(4) The term "graduation rate" means the percentage of students with no previous collegiate participation who enter an institution of higher education as full time, regularly meticulated, degree seeking student in a specific year and graduate with a bachelor's degree, or the equivalent, within 5 years.

AMENDMENT NO. 1259

(Purpose: To establish the Student Athlete Right-to-Know Act)

Mr. BYRD. Mr. President, on behalf of Senators BRADLEY, KENNEDY, and COCHRAN, I send a substitute amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for Mr. BRADLEY (for himself, Mr. KENNEDY, and Mr. COCHRAN), proposes an amendment numbered 1259.

Mr. BYRD. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Athlete Right-to-Know Act".

SEC. 2 FINDINGS.

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is increasing concern among citizens, educators, and public officials regarding the academic performance of student-athletes at institutions of higher education;

(3) an overwhelming majority of college presidents (86 percent) in a survey by the U.S. News and World Report believe that the pressure for success and financial rewards in intercollegiate athletics interferes with the educational mission of the United States' colleges and universities;

(4) more than 10,000 athletic scholarships are provided annually by institutions of higher education;

(5) prospective student athletes and their families should be aware of the educational commitments prospective colleges make to athletes; and

(6) knowledge of the graduation rates of student-athletes would assist prospective students and their families in making an informed judgment about the educational benefits available at a given institution of higher education.

SEC. 3. REPORTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(a) REPORTS TO THE SECRETARY.—Each institution of higher education which receives Federal financial assistance and is attended by students receiving athletic scholarships shall annually submit a report to the Secretary which contains—

(1) the number of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(2) the number of students at the institution of higher education, broken down by race and sex;

(3) the graduation rate for students at the institution of higher education who received athletic scholarships for football, basketball, and all other sports, broken down by race and sex;

(4) the graduation rate for first-time full-time students, broken down by race and sex;

(5) the average graduation rate for the 4 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(6) the average graduation rate for the 4 most recent graduating classes of all students, broken down by race and sex; and

(7) the average graduation rate for the 10 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball and all other sports, broken down by race and sex.

(b) STUDENT NOTIFICATION.—When an institution described in subsection (a) offers a potential student-athlete athletically related student aid, such institution shall provide to the student and his parents, his guidance counselor, and coach the information contained in the report submitted by such institution pursuant to subsection (a).

(c) SPECIAL CIRCUMSTANCES.—If an institution of higher education described in subsection (a) finds that the information collected pursuant to subsection (a), because of extenuating circumstances, does not provide an accurate representation of the school's graduation rate, the school may provide additional information to the student and the Secretary.

(d) COMPARABLE INFORMATION.—Each institution of higher education described in subsection (a) may provide supplemental information to students and the Secretary showing the graduation rate when such graduation rate does not include students transferring into, and out of, such institution. The Secretary shall ensure that the data presented to the student and the data submitted to the Secretary are comparable.

SEC. 4 REPORT BY SECRETARY.

(a) IN GENERAL.—The Secretary shall, using the data required under section 3, shall compile and publish a report containing the information required under section 3, broken down by—

(1) individual institutions of higher education, and

(2) athletic conferences recognized by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics.

(b) REPORT AVAILABILITY.—The Secretary shall make available copies of the report required under subsection (a) to any individual or secondary school requesting a copy of such report.

SEC. 5. INFORMATION.

The Secretary may, at his discretion, obtain the information required by section 3 from a private, not-for-profit organization when, in the Secretary's opinion, such collection will reduce the paperwork burden imposed on higher education institutions.

SEC. 6. WAIVER.

The Secretary shall waive the requirements of this Act for any institution of higher education which is a member of an athletic association or athletic conference that voluntarily publishes graduation rate data (or has already agreed to publish the data) that, in the opinion of the Secretary, is substantially comparable to the information required under this Act.

SEC. 7. DEFINITIONS.

For the purpose of this Act—

(1) The term "athletically related student aid" means any scholarship, grant, or other form of financial assistance whose terms require the recipient to participate in an institution of higher education's program of intercollegiate athletics in order to be eligible to receive such assistance;

(2) The term "institution of higher education" has the same meaning given such term by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(3) The term "Secretary" means the Secretary of Education; and

(4) The term "graduation rate" means the percentage of students who enter an institution in a specific year and receive a bachelor's degree within 5 years.

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1991.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1259) was agreed to.

Mr. BYRD. Mr. President, I know of no further amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Athlete Right-to-Know Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is increasing concern among citizens, educators, and public officials regarding the academic performance of student-athletes at institutions of higher education;

(3) an overwhelming majority of college presidents (86 percent) in a survey by the U.S. News and World Report believe that the pressure for success and financial rewards in intercollegiate athletics interferes with the educational mission of the United States' colleges and universities;

(4) more than 10,000 athletic scholarships are provided annually by institutions of higher education;

(5) prospective student athletes and their families should be aware of the educational commitments prospective colleges make to athletes; and

(6) knowledge of the graduation rates of student-athletes would assist prospective students and their families in making an informed judgment about the educational benefits available at a given institution of higher education.

SEC. 3. REPORTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(a) REPORTS TO THE SECRETARY.—Each institution of higher education which receives Federal financial assistance and is attended by students receiving athletic scholarships shall annually submit a report to the Secretary which contains—

(1) the number of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(2) the number of students at the institution of higher education, broken down by race and sex;

(3) the graduation rate for students at the institution of higher education who received athletic scholarships for football, basketball, and all other sports, broken down by race and sex;

(4) the graduation rate for first-time, full-time students broken down by race and sex;

(5) the average graduation rate for the 4 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(6) the average graduation rate for the 4 most recent graduating classes of all students, broken down by race and sex; and

(7) the average graduation rate for the 10 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex.

(b) STUDENT NOTIFICATION.—When an institution described in subsection (a) offers a potential student-athlete athletically related student aid, such institution shall provide to the student and his parents, his guidance counselor, and coach the information contained in the report submitted by such institution pursuant to subsection (a).

(c) SPECIAL CIRCUMSTANCES.—If an institution of higher education described in subsection (a) finds that the information collected pursuant to subsection (a), because of extenuating circumstances, does not provide an accurate representation of the school's graduation rate, the school may provide additional information to the student and the Secretary.

(d) COMPARABLE INFORMATION.—Each institution of higher education described in subsection (a) may provide supplemental information to students and the Secretary showing the graduation rate when such graduation rate does not include students transferring into, and out of, such institution. The Secretary shall ensure that the data presented to the student and the data submitted to the Secretary are comparable.

SEC. 4. REPORT BY SECRETARY.

(a) IN GENERAL.—The Secretary shall, using the data required under section 3, shall compile and publish a report containing the information required under section 3, broken down by—

(1) individual institutions of higher education, and

(2) athletic conferences recognized by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics.

(b) REPORT AVAILABILITY.—The Secretary shall make available copies of the report required under subsection (a) to any individual or secondary school requesting a copy of such report.

SEC. 5. INFORMATION.

The Secretary may, at his discretion, obtain the information required by section 3 from a private, not-for-profit organization when, in the Secretary's opinion, such collection will reduce the paperwork burden imposed on higher education institutions.

SEC. 6. WAIVER.

The Secretary shall waive the requirements of this Act for any institution of higher education which is a member of an athletic association or athletic conference that voluntarily publishes graduation rate data (or has already agreed to publish the data) that, in the opinion of the Secretary, is substantially comparable to the information required under this Act.

SEC. 7. DEFINITIONS.

For the purpose of this Act—

(1) The term "athletically related student aid" means any scholarship, grant, or other form of financial assistance whose terms require the recipient to participate in an institution of higher education's program of intercollegiate athletics in order to be eligible to receive such assistance;

(2) The term "institution of higher education" has the same meaning given such term by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(3) The term "Secretary" means the Secretary of Education; and

(4) The term "graduation rate" means the percentage of students who enter an institution in a specific year and receive a bachelor's degree within 5 years.

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1991.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill, as amended, was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FEDERAL CIVIL PENALTIES INFLATION ADJUSTMENT ACT

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 437, S. 535.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 535) to increase civil monetary penalties based on the effect of inflation.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1260

(Purpose: To make a technical amendment concerning the date of the short title of the Act)

Mr. BYRD. Mr. President, on behalf of Mr. GLENN, I send a technical amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] for Mr. GLENN, proposes an amendment numbered 1260.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 1, line 5, strike out "1989" and insert in lieu thereof "1990".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1260) was agreed to.

Mr. GLENN. Mr. President, I rise in support of S. 535, the Federal Civil Penalties Inflation Adjustment Act, which was introduced by Senator LAUTENBERG on March 8, 1989, and referred to the Subcommittee on Oversight of Government Management of the Governmental Affairs Committee. On October 13, Subcommittee Chairman CARL LEVIN notified the committee that the subcommittee had unanimously voted to report S. 535 to the committee for its consideration. On November 17, 1989, the Governmental Affairs Committee favorably reported S. 535 to the full Senate by voice vote.

The bill's intent is simple and straightforward—to increase the deterrent effect of civil monetary penalties assessed by Federal agencies by establishing a formula to adjust those penalties to keep pace with inflation. In 1988, the Subcommittee on Oversight of Government Management held a hearing on Senator LAUTENBERG's predecessor bill to S. 535. That hearing pointed out that the deterrent effect of civil monetary penalties has been significantly weakened by years of inflation. For example, statistics show that inflation has eroded penalties set as recently as 1976 by over 100 percent and penalties set prior to 1970 by more than 200 percent. Moreover, 60 percent of all penalties were last adjusted before 1981 and 30 percent were last adjusted before 1961.

In addition to providing a formula for inflation adjustments using the Consumer Price Index, this bill requires the administration to provide Congress with:

First, a complete list of all statutorily authorized civil monetary penalties;

Second, a calculation of the adjustment that would be required for each penalty to keep pace with inflation; and

Third, a list of the statutory changes that would be necessary to make these adjustments.

S. 535 has incorporated changes to the prior legislation suggested by the Justice Department, and this bill meets with their approval as well as the approval of the Treasury Department. S. 535 represents good common sense and I urge my colleagues to give it their full support.

Mr. LEVIN. Mr. President, I am pleased that the Senate is considering S. 535, the Federal Civil Monetary Penalties Adjustment Act of 1990. This bill, which Senator LAUTENBERG and I introduced a year ago, has been unanimously approved by the Senate Governmental Affairs Committee and its Subcommittee on Oversight of Government Management.

Civil monetary penalties [CMP's] are fines assessed by Federal agencies to deter violations of Federal laws and regulations. Thanks to Senator LAUTENBERG's efforts, we have learned that many of these penalties have not been adjusted for years—in some cases a decade, and in some cases even a century. The result is that the deterrent effect of many CMP's has been weakened by years of inflation.

The Subcommittee on Oversight of Government Management, which I chair, held hearings on civil monetary penalties in February 1988. We learned that CMP's are so numerous that it is difficult even to list them all. It appears that many CMP's are redundant or obsolete. Others have been so eroded by inflation that they no longer have any significant deterrent effect.

This bill would address the problem by requiring the administration to provide Congress with a complete list of all statutorily authorized civil monetary penalties, a calculation of the adjustment required for each penalty to keep pace with inflation, and a list of the statutory changes necessary to make these adjustments.

The bill would not provide for any automatic adjustment of the CMP's covered—separate legislation would be required for each change. However, the bill would provide the Congress with a benchmark against which to measure CMP's and ensure that appropriate adjustments are made. In addition, the listing of CMP's should help facilitate the consolidation and elimination of redundant and obsolete penalties by bringing such problems to our attention.

I commend Senator LAUTENBERG for calling our attention to the failure of many CMP's to keep pace with inflation, and I thank the chairman of the Governmental Affairs Committee, Senator GLENN, for his prompt action in marking up the bill.

The Federal Civil Monetary Penalties Adjustment Act promises to make a significant contribution to good government by ensuring that civil monetary penalties are realistic and continue to serve their purpose of deterring violations of Federal law. I urge my colleagues to join me in supporting this legislation.

Mr. LAUTENBERG. Mr. President, the Federal Civil Penalties Inflation Adjustment Act of 1990 is simple, good government legislation based on common sense. The bill is designed to establish a mechanism for periodically increasing civil penalties to account for inflation.

The legislation would require the President to prepare a comprehensive list of civil penalties and the levels to which each penalty should be increased to account for inflation. These lists would be prepared every 5 years. In addition, the bill calls for improved reporting of the number and amounts of civil penalties assessed and collected.

Mr. President, we in Congress like to talk tough when we set penalties for violating laws. But all too often, once we enact penalties, we forget about them. They get lost in the thick volumes of the United States Code, never to be seen or heard from again.

Many of these penalties are designed to meet important public needs: to protect the environment, to ensure a safe workplace, to provide for transportation safety, and to ensure that consumers are protected from unsafe products.

The problem is that as these penalties sit on the shelf, inflation dramatically erodes their deterrent effect.

Because of inflation, for example, the penalties for violating worker safety and consumer product safety standards have been reduced by about two-thirds since they were last set in the early 1970's.

If it were presented for a vote, would the Senate approve a two-thirds cut in OSHA penalties, when workplace hazards persist? Would the Senate approve a similar cut in consumer product safety penalties, when thousands of children are injured by dangerous products each year? The answer, I think, is no. Yet inaction gives us the same result.

These are not isolated cases. According to a report by the President's Council on Integrity and Efficiency, 60 percent of all civil monetary penalties were last adjusted before 1981. Thirty percent were last adjusted before 1961, and 16 percent were last adjusted before World War II.

In fact, several penalties date back to as early as 1793.

There is no good justification for allowing real penalty values to erode over time. Yet now, while consumers must cope with price hikes in everything from food to medical care, those who violate the law do not.

Maintaining the deterrent value of civil penalties will mean safer products, safer travel, safer workplaces and cleaner environment. It also will ensure that honest businesses will be treated more fairly.

After all, meeting the legal requirements for a safe workplace or for waste control often involves a substantial investment. Honest businesses are making that investment. Sometimes, though, their competitors are not. And with weak sanctions, they're getting away with it.

As a society, we owe an obligation to the honest, law-abiding business. An obligation to make sure that its competitors can't exploit weakened sanctions to gain an unfair competitive advantage. This bill will help us meet that obligation.

The consumer, the worker, and the honest businessperson—all will benefit by this bill. But there's one more major beneficiary: the taxpayer.

Although civil penalties are designed primarily to deter unlawful conduct, they also help reduce the deficit by producing hundreds of millions of dollars for the Government each year. Periodically adjusting penalties would increase receipts. Former OMB Director Joseph Wright testified that the impact on government revenues would be significant.

Unfortunately, the OMB maintains no detailed central account that tracks penalty assessments and collections and matches them with the laws under which they are imposed. There is no accounting of which laws need updating the most. Apparently, hundreds of millions of dollars is seen as small change that is not worth watching more closely.

This bill requires the administration to maintain a central accounting of agencies' performance and collections. That way, Congress and the public would know whether the laws are being enforced and how much money is being raised from each penalty.

Mr. President, when I introduced similar legislation in the 100th Congress, the bill called for automatic annual increases in penalty levels through notices in the Federal Register. In response to concerns raised by the administration, the bill was significantly revised. As modified, the legislation requires periodic reports designed to enable Congress to pass separate legislation enacting the needed penalty increases. Congress will have to act quickly to ensure the maximum effectiveness of this procedure.

Mr. President, when this bill was the subject of hearings in the Governmental Affairs Committee last year, it attracted support from a variety of groups representing consumers, environmentalists, and organized labor, among others. The Department of Justice has also stated that it has no objections to the bill.

I want to take this opportunity to thank Senators LEVIN and GLENN for their help with this bill. I also want to thank the staff of the Government Affairs Committee for their assistance, particularly Peter Levine, Linda Gustitus, and Lorraine Lewis. Finally, I want to express my appreciation to U.S. PIRG, the Consumer Federation of America, Congress Watch, and the AFL-CIO for their testimony in support of the legislation and their help in moving the bill forward.

I urge my colleagues to support the bill.

The PRESIDING OFFICER. If there are no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for third reading, was read the third time, and passed, as follows:

S. 535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Civil Penalties Inflation Adjustment Act of 1990".

FINDINGS AND PURPOSE

SEC. 2. (a) Findings.—The Congress finds that—

(1) the power of Federal agencies to impose civil monetary penalties for violations of Federal law and regulations plays an important role in deterring violations and furthering the policy goals embodied in such laws and regulations;

(2) the impact of many civil monetary penalties has been and is diminished due to the effect of inflation;

(3) by reducing the impact of civil monetary penalties, inflation has weakened the deterrent effect of such penalties; and

(4) the Federal Government does not maintain comprehensive, detailed accounting of the efforts of Federal agencies to assess and collect civil monetary penalties.

(b) PURPOSE.—The purpose of this Act is to establish a mechanism that shall—

(1) allow for regular adjustment for inflation of civil monetary penalties;

(2) maintain the deterrent effect of civil monetary penalties and promote compliance with the law; and

(3) improve the collection by the Federal Government of civil monetary penalties.

DEFINITIONS

SEC. 3. For purpose of this Act, the term—

(1) "agency" means an Executive agency as defined under section 105 of title 5, United States Code, and includes the United States Postal Service;

(2) "civil monetary penalty" means any penalty, fine, or other sanction that—

(A)(i) is for a specific monetary amount as provided by Federal law; or

(ii) has a maximum amount provided for by Federal law; and

(B) is assessed or enforced by an agency pursuant to Federal law; and

(C) is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts; and

(3) "Consumer Price Index" means the Consumer Price Index for all-urban consumers published by the Department of Labor.

CIVIL MONETARY PENALTY INFLATION ADJUSTMENT REPORTS

SEC. 4. Within 6 months after the date of the enactment of this Act, and on January 1 of each fifth calendar year thereafter, the President shall submit a report on civil monetary penalty inflation adjustment to the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House of Representatives. Such report shall include—

(1) each civil monetary penalty as defined under section 3(2);

(2) the date each civil monetary penalty was most recently set pursuant to law;

(3) the maximum amount of each civil monetary penalty or, if applicable, the range of the minimum and maximum amounts of each civil monetary penalty in effect on the date of the submission of such report;

(4) the amount of each civil monetary penalty described under paragraph (3) other than any such penalty for which inflation adjustment is provided by law, if each such penalty is increased by the adjustment described under section 5; and

(5) a listing of the modifications to Federal law that would be required to—

(A) increase each penalty described in paragraph (1) by the adjustments described under section 5, excluding any penalty for which inflation adjustment is provided by law or that has been increased within the 5-year period immediately preceding the date of the submission of such report; and

(B) provide that any increase in any civil monetary penalty shall apply only to violations which occur after the date any such increase takes effect.

COST-OF-LIVING ADJUSTMENTS OF CIVIL MONETARY PENALTIES

SEC. 5. (a) ADJUSTMENT.—The adjustment described under paragraphs (4) and (5)(A) of section 4 shall be determined by increasing the maximum civil monetary penalty or the range of minimum and maximum civil monetary penalties, as applicable, for each civil monetary penalty by the cost-of-living adjustment. Any increase determined under this subsection shall be rounded to the nearest—

(1) multiple of $10 in the case of penalties less than or equal to $100;

(2) multiple of $100 in the case of penalties greater than $100 but less than or equal to $1,000;

(3) multiple of $1,000 in the case of penalties greater than $1,000 but less than or equal to $10,000;

(4) multiple of $5,000 in the case of penalties greater than $10,000 but less than or equal to $100,000;

(5) multiple of $10,000 in the case of penalties greater than $100,000 but less than or equal to $200,000; and

(6) multiple of $25,000 in the case of penalties greater than $200,000.

(b) DEFINITION.—For purposes of subsection (a), the term "cost-of-living adjustment" means the percentage (if any) for each civil monetary penalty by which—

(1) The Consumer Price Index for the month of June of the calendar year preceding the adjustment exceeds

(2) the Consumer Price Index for the month of June of the calendar year in which the amount of such civil monetary penalty was last set or adjusted pursuant to law.

ANNUAL REPORT

SEC. 6. No later than January 1 of each year, the President shall submit a report on civil monetary penalties to the Congress which shall include—

(1) to the extent possible, the number and amount of civil monetary penalties imposed pursuant to each provision of law providing for such civil monetary penalties, during the

complete fiscal year preceding the submission of such report;

(2) to the extent possible, the number and amount of such civil penalties collected during such fiscal year; and

(3) any recommendations that the President determines appropriate to—

(A) eliminate obsolete civil monetary penalties;

(B) modify the amount of any civil monetary penalty; or

(C) make any other legislative modifications concerning civil monetary penalties.

Mr. BYRD. I move to reconsider the vote by which the bill, as amended, was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I yield the floor.

UNITED NATIONS HUMAN RIGHTS COMMISSION

Mr. DOLE. Mr. President, on behalf of Senators MACK, GRAHAM, MCCAIN, LIEBERMAN, KASTEN, COATS, GRAMM, and GORTON, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 247) expressing the sense of the Senate that the United Nations Human Rights Commission should continue to report on human rights in Cuba.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate preceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 247

Whereas the United Nations Human Rights Commission (UNHRC) sent a delegation to Cuba to investigate violations of human rights in Cuba in September, 1988;

Whereas the UNHRC delegation report found serious abuses of human rights, including "137 complaints of torture, cruel, inhuman or degrading treatment or punishment";

Whereas the Cuban Government gave public guarantees that no reprisals would be taken against Cuban citizens testifying before the UNHRC delegation;

Whereas after the visit of the UNHRC delegation more than twenty Cuban citizens who testified before the delegation were arrested, and the leaders of human rights groups imprisoned;

Whereas 90 United States Senators wrote to the United Nations Secretary General requesting that he intercede on behalf of Alfredo Mustelier Nuevo, Ernesto Díaz Rodriguez, and Mario Chanes de Armas, who have been incarcerated for over 20 years in Cuba;

Whereas on March 9, 1989, the UNHRC called on the Secretary General of the United Nations to "maintain direct contacts on the issues and questions contained in the report" on human rights in Cuba and take up the results of his efforts "in an appropriate manner";

Whereas the Secretary General of the United Nations has not acceded to the requests of the United States and other nations to provide a report on human rights situation in Cuba;

Whereas the UNHRC has appointed Special Rapporteurs to investigate and report on the situation of human rights in such countries as Iran, Afghanistan, El Salvador, and Romania: Now, Therefore, be it

Resolved by the Senate, That the Senate hereby—

Condemns the Government of Cuba for retaliating against citizens who testified before the delegation of the United Nations Human Rights Commission (UNHRC);

Urges the Government of Cuba to release all human rights activists and other political prisoners, particularly those who have suffered over 20 years in prison;

Urges the Secretary General to prepare and make available to the 46th Session of the UNHRC a report on the results of his contacts with the Government of Cuba pursuant to UNHRC Resolution 89-113;

Urges the UNHRC to hold Cuba accountable to the standards embodied in the Universal Declaration of Human Rights;

Urges the UNHRC to appoint a Special Rapporteur to investigate the situation of human rights in Cuba and to submit a report for consideration at the 47th Session of the United Nations Human Rights Commission.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZING THE MAJORITY AND MINORITY LEADERS TO ESTABLISH AN ADVISORY PANEL ON CAMPAIGN FINANCE REFORM

Mr. BYRD. Mr. President, on behalf of Senator MITCHELL and Senator DOLE, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 248) to authorize the majority and minority leaders to establish an advisory panel on campaign finance reform.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 248) was agreed to.

The resolution reads as follows:

S. RES. 248

Resolved, That the majority and minority leaders of the Senate are authorized to assemble an advisory panel (hereinafter referred to as the "Campaign Finance Reform Panel") to assist in the formulation of policy relating to campaign finance reform.

SEC. 2. The Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate, out of the account for miscellaneous items, the actual and reasonable expenses (including expenses incurred prior to the date this resolution is agreed to) incurred by members of the Campaign Finance Reform Panel for transportation and per diem expenses, in carrying out their functions as members of such Panel. Such expenses shall be paid on vouchers certified by the majority leader (or his designee), or the minority leader (or his designee) of the Senate.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RE-REFERRAL OF A BILL—S. 2055

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be discharged from further consideration of S. 2055, a bill to amend the National School Lunch Act, and that it be referred to the Committee on Agriculture, Nutrition, and Forestry.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINT—SENATE REPORT 101-243

Mr. BYRD. Mr. President, I ask unanimous consent that there be a star print of Senate Report 101-243 to reflect the changes that I now send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

At 11:12 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 186. Joint resolution designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2386. A communication from the Director of the Office of Management and Budget, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals dated February 1, 1990; pursuant

to the order of January 30, 1975, as modified by the order of April 11, 1986, referred jointly to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Finance, and the Committee on Foreign Relations.

EC-2387. A communication from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Act of February 28, 1947, to authorize the Secretary of Agriculture to cooperate with the Western Hemisphere countries in animal disease control; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2388. A communication from the Acting Director of the Defense Security Assistance Agency, transmitting, pursuant to law, information concerning the Department of the Navy's proposed letter of Offer to Germany for defense articles estimated to cost in excess of $50 million; to the Committee on Armed Services.

EC-2389. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report on the results of the Supportive Housing Demonstration Program; to the Committee on Banking, Housing, and Urban Affairs.

EC-2390. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on the implementation of the Fish and Seafood Promotion Act of 1986; to the Committee on Commerce, Science, and Transportation.

EC-2391. A communication from the Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the 1988 annual report on royalty management and collection activities; to the Committee on Energy and Natural Resources.

EC-2392. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report on the viability of the domestic uranium mining and milling industry; to the Committee on Energy and Natural Resources.

EC-2393. A communication from the Assistant General Counsel, Department of Energy, transmitting, pursuant to law, notice of a meeting related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC-2394. A communication from the Deputy Chief, Forest Service, Department of Agriculture, transmitting, pursuant to law, a report on the observance of Federal Lands Cleanup Day; to the Committee on Energy and Natural Resources.

EC-2395. A communication from the Assistant Secretary, Policy, Budget & Administration, Department of the Interior, transmitting, pursuant to law, the reports of the Bureau of Land Management and the Fish and Wildlife Service on the implementation of the 1990 Department of the Interior and Related Agencies Appropriations Act through February 1, 1990; to the Committee on Energy and Natural Resources.

EC-2396. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Proposals Received in Response to the Clean Coal Technology III Program Opportunity Notice"; to the Committee on Energy and Natural Resources.

EC-2397. A communication from the Acting Administrator of the General Services Administration, transmitting an informational copy of a prospectus; to the Committee on Environment and Public Works.

EC-2398. A communication from the United States Trade Representative, transmitting a draft of proposed legislation to provide authorization for appropriations to the Office of the United States Trade Representative for fiscal years 1991 and 1992; to the Committee on Finance.

EC-2399. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements other than treaties entered into by the United States within sixty days after the execution thereof, dated February 15, 1900; to the Committee on Foreign Relations.

EC-2400. A communication from the Chairman of the U.S. Consumer Product Safety Commission, transmitting, pursuant to law, the report of the Commission on the competition advocacy program; to the Committee on Governmental Affairs.

EC-2401. A communication from the Chairman of the National Science Board, transmitting, pursuant to law, a report on implementation of the Inspector General Act of 1978; to the Committee on Governmental Affairs.

EC-2402. A communication from the Controller of Washington Gas, transmitting, pursuant to law, a certified copy of a balance sheet of the company; to the Committee on Governmental Affairs.

EC-2403. A communication from the General Counsel of the National Labor Relations Board, transmitting, pursuant to law, the fiscal year 1989 Federal Managers' Financial Integrity Act Report on Internal Controls and Financial Systems provided to the President of the United States; to the Committee on Governmental Affairs.

EC-2404. A communication from the Acting Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the annual report of the Commission under the Government in the Sunshine Act for calendar year 1989; to the Committee on Governmental Affairs.

EC-2405. A communication from the Chairman of the Board for International Broadcasting, transmitting, pursuant to law, the initial semiannual report on the Inspector General for the period April 1, 1989, through September 30, 1989; to the Committee on Governmental Affairs.

EC-2406. A communication from the Assistant Secretary for Administration, Department of Agriculture, transmitting, pursuant to law, the fifth and final annual report on competition in contracting; to the Committee on Governmental Affairs.

EC-2407. A communication from the Comptroller of the General Services Administration, transmitting, pursuant to law, the annual report on the Presidents Retirement System for the fiscal year ending September 30, 1988; to the Committee on Governmental Affairs.

EC-2408. A communication from the Acting Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's annual report under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2409. A communication from the Chairman of the National Endowment for the Humanities, transmitting, pursuant to law, the Endowment's annual report under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2410. A communication from the Director of the Office of National Drug Control Policy, transmitting, pursuant to law, a report on the organization of Federal drug control programs; to the Committee on the Judiciary.

EC-2411. A communication from the Acting Secretary of Defense, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for fiscal year 1989; to the Committee on Small Business.

EC-2412. A communication from the Deputy Secretary of Veterans Affairs, transmitting a replacement copy of a draft of proposed legislation to waive the reporting and waiting period requirements of section 210(b)(2) of title 38, U.S. Code, for a planned administrative reorganization of the regional field offices of the Veterans Health Services and Research Administration; to the Committee on Veterans' Affairs.

EC-2413. A communication from the Secretary of Veteran Affairs, transmitting, pursuant to law, the annual report on the activities of the Veterans Administration for the fiscal year ended September 30, 1988; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 245. A resolution designating National Employee Health and Fitness Day.

S.J. Res. 190. A joint resolution designating April 9, 1990 as "National Former Prisoners of War Recognition Day."

S.J. Res. 226. A joint resolution to designate the year 1990 as the "Bicentennial Anniversary of the legacy of Benjamin Franklin."

S.J. Res. 227. A joint resolution to designate March 11, through March 17, 1990, as "Deaf Awareness Week."

S.J. Res. 229. A joint resolution to designate April 1990 as "National Prevent-A-Litter Month."

S.J. Res. 230. A joint resolution to designate the period commencing on May 6, 1990 and ending on May 12, 1990 as "National Drinking Water Week."

S.J. Res. 231. A joint resolution to designate the week of June 10, 1990, through June 16, 1990, as "State-Supported Homes for Veterans Week."

S.J. Res. 236. A joint resolution designating May 6, through 12, 1990, as "Be kind to Amimals and National Pet Week."

By Mr. BIDEN, from the Committee on the Judiciary, with an amendment and an amendment to the title and with a preamble:

S.J. Res. 241. A joint resolution to designate the week of April 29, 1990, through May 5, 1990, as "Jewish Heritage Week."

By Mr. BIDEN, from the Committee on the Judiciary, without amendment and with a preamble:

S.J. Res. 243. A joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

S.J. Res. 245. A joint resolution designating July 2, 1990, as "Idaho Centennial Day."

S.J. Res. 250. A joint resolution designating April 1990 as "National Recycling Month."

S.J. Res. 251. A joint resolution designating "Baltic Freedom Day."

S.J. Res. 252. A joint resolution designating the week of April 15, 1990, through

April 21, 1990, as "National Minority Cancer Awareness Week."

By Mr. BIDEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 258. A joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

Jack N. Egnor, of Colorado, to be United States Marshal for the District of Colorado for the term of four years;

Donald W. Tucker, of Arizona, to be United States Marshal for the District of Arizona for the term of four years;

Scott Alan Sewell, of Maryland to be United States Marshal for the District of Maryland for the term of four years;

Thomas W. Corbett, Jr., of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years; and

Clarence Thomas, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BOSCHWITZ (for himself, Mr. MCCAIN, Mr. GORTON, Mr. ARMSTRONG, Mr. LOTT, Mr. COATS, Mr. GRAMM, Mr. KASTEN, Mr. MCCONNELL, Mr. NICKLES, Mr. MACK, Mr. SIMPSON, Mr. SYMMS, Mr. MCCLURE, Mr. WARNER, Mr. WILSON, and Mr. HATCH):

S. 2159. A bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age; to the Committee on Finance.

By Mr. SANFORD (for himself, Mr. SASSER, and Mr. FORD):

S. 2160. A bill to amend the Securities Exchange Act of 1934 to promote longer term investment, to provide for more effective disclosure with respect to the conduct of leveraged buy outs and tender offers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATFIELD:

S. 2161. A bill to establish within the Department of Education an Office of Vocational and Adult Education and Community Colleges; to the Committee on Labor and Human Resources.

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 2162. A bill to establish a National Water, Air, and Soil Technologies Evaluation Center; to the Committee on Environment and Public Works.

By Mr. KENNEDY (for himself, Mr. SIMON, and Mr. INOUYE):

S. 2163. A bill to amend the Public Health Service Act to establish a lifecare long-term care program, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SIMON:

S. 2164. A bill to prevent potential abuses of electronic monitoring in the workplace; to the Committee on Labor and Human Resources.

By Mr. BINGAMAN:

S. 2165. A bill to establish the Glorieta National Battlefield in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. DOLE, Mr. THURMOND, and Mr. COATS):

S. 2166. A bill to amend 42 U.S.C. 1981 in regard to the formation and implementation of contracts, and Title VII of the Civil Rights Act of 1964 to protect against discrimination in employment, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MCCAIN (for himself, Mr. INOUYE, Mr. DASCHLE, Mr. CONRAD, Mr. BURDICK, Mr. MURKOWSKI, Mr. DECONCINI, and Mr. GORTON):

S. 2167. A bill to reauthorize the Tribally Controlled Community College Assistance Act of 1978 and the Navajo Community College Act; to the Select Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOLE (for himself, Mr. MACK, Mr. GRAHAM, Mr. MCCAIN, Mr. LIEBERMAN, Mr. KASTEN, Mr. COATS, and Mr. GRAMM):

S. Res. 247. A resolution expressing the sense of the Senate that the United Nations Human Rights Commission should continue to report on human rights in Cuba; considered and agreed to.

By Mr. BYRD (for Mr. MITCHELL (for himself and Mr. DOLE)):

S. Res. 248. A resolution to authorize the Majority and Minority Leaders to establish an advisory panel on campaign finance reform; considered and agreed to.

By Mr. SIMON (for himself, Mr. CRANSTON, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. BOREN, Mr. GORE, Mr. MCCONNELL, Mr. SANFORD, Mr. JEFFORDS, Mr. PELL, Mr. LUGAR, Mr. SPECTER, Mr. LEVIN, and Mr. BOSCHWITZ):

S. Con. Res. 94. A concurrent resolution relating to the release of Nelson Mandela and other positive developments in South Africa; to the Committee on Foreign Relations.

By Mr. SIMON (for himself and Ms. MIKULSKI):

S. Con. Res. 95. A concurrent resolution concerning the consultations of nations at the conference on the reunification of Germany; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOSCHWITZ (for himself, Mr. MCCAIN, Mr. GORTON, Mr. ARMSTRONG, Mr. LOTT, Mr. COATS, Mr. GRAMM, Mr. KASTEN, Mr. MCCONNELL, Mr. NICKLES, Mr. MACK, Mr. HATCH, Mr. MCCLURE, Mr. SIMPSON, Mr. SYMMS, Mr. WARNER, and Mr. WILSON):

S. 2159. A bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have retained retirement age; to the Committee on Finance.

OLDER AMERICANS' FREEDOM TO WORK ACT

Mr. BOSCHWITZ. Mr. President, I rise to introduce legislation to provide freedom, opportunity, and fairness for millions of older Americans. Together with my colleagues, Senators MCCAIN, GORTON, ARMSTRONG, LOTT, COATS, GRAMM, KASTEN, MCCONNELL, NICKLES, MACK, HATCH, MCCLURE, SIMPSON, SYMMS, WARNER, and WILSON, I present the Older American's Freedom to Work Act, a bill that would repeal the Social Security earnings test for people 65 and over.

The Social Security earnings test is antiquated provision in the Social Security Act that actually penalizes our Nation's seniors for their productivity. For every $3 earned by retirees over the $9,360 earnings limit, they lose $1 in Social Security benefits. That is a 33-percent effective tax, and together with Federal taxes, State taxes, and Social Security taxes, it will amount to at least 50 percent, and sometimes 70 or even 80 percent or more.

If we add the 33 and then add 28 percent Federal income tax, and then add the Social Ssecurity tax we are already up to 70. And then we have to also add State taxes.

It is a great disincentive to work, and it keeps hundreds of thousands, perhaps millions of retirees out of the labor market.

Mr. President, this is something we cannot afford to let happen, because no American should be discouraged from working.

As a businessman, I believe America's most underutilized resource is our elderly. There are over 40 million American men and women age 60 and over out there with over one billion years of cumulative experience and what we are doing is discouraging them from working. In a sense, we are "putting them out to pasture."

Statistics show that in 1930, before Social Security was adopted, 54 percent of men age 65 and over were in the labor force. Today that number is 16. And this withdrawal is predicted to get worse. The Wall Street Journal reports that 83 percent of all men and 92 percent of all women over 65 are completely out of the work force. Three out of five of these do not have any disability that would preclude them from working. Many would work. With the Department of Labor warning us about impending future labor shortages, why should the Government be stopping them from contributing?

Of course, if you don't like an idea—even a good idea—you can always find obstacles to put in the path of that idea. In the case of earnings limit repeal, the first point raised by opponents is the issue of cost.

How do opponents of earnings test elimination do this? Because congres-

sional analysts use static revenue models in which human nature plays no part. These figures pretend that people are stick figures who will not respond to incentives, and as a businessman, I don't believe that for a minute. Eliminating the earnings limit will increase labor and capital income thereby increasing Federal tax revenues. It will also increase the amount of Social Security benefits paid that are withheld. It will decrease the demand on Medicare as many of the elderly who work will be insured.

Some 400,000 elderly workers earn annual incomes within 10 percent of the earnings limit—a sure sign that workers already are trying to earn all they can without bumping against the penalty-triggering limit.

Mr. President, this repeal will not cost us anything. According to a recent dynamic economic analysis repealing the earnings test will actually net $140 million in extra Federal revenue and I suppose it might be even more than that. I want to emphasize that estimates by the Congressional Budget Office do not, and will not, tell us the whole story. By repealing the earnings limit, our Federal deficit would go down, not up.

The same study found that this policy reducing Social Security benefits for elderly people who work is costing our Nation $15 billion a year in reduced production. The taxes on that alone would go a long way toward minimizing the budget deficit. With the increasing competition from our friends overseas, America cannot afford any legislation which reduces production, especially $15 billion worth; let alone keeping people out of the work force who are experienced and very often want to work. That is all we want to do by this bill: To allow those who work to continue to work without being so heavily penalized.

As a matter of fact, Great Britain recently repealed their earnings limit.

Not only will repeal of the earnings test bring in additional revenue, it will save the American taxpayer over $200 million a year in reduced compliance costs. According to the Social Security Administration, 60 percent of all overpayments and 45 percent of benefit underpayments are attributable to the earnings test. The red tape reporting procedures and bureaucratic paperwork maze often confuse and frighten many older Americans. We can put an end to that by passing this bill.

Frequently, the earnings test is accused of being only for the rich, but in all fairness nothing could be farther from the truth. The highest effective marginal tax rates are not imposed on the wealthiest of elderly taxpayers. The highest effective marginal tax rates are imposed on the middle-income elderly who must work to supplement their income; dividends and interest from savings accounts do not count against the earnings limit, and that, indeed, is an unfairness.

There is a man who phoned yesterday to say he has written many letters to Congress about the earnings limit—even though he does not earn up to the limit of $9,360. He is outraged and bewildered by a law that so discourages productivity by this Nation's elderly. Mr. Payne, being a World War II veteran who fought in the Pacific from 1943 to 1946, said, "I will not defraud my government of one cent!" and emphasized the point that the earnings limit encourages people to work and be paid "under the table."

The Congress has pondered the earnings test long enough—it is not fair; it is outdated; and it has to go. The earnings limit is not in the spirit of what this country is all about. It is blatant age discrimination, and it should be stopped right now. This bill is similar to legislation that has been introduced in the House by Representatives by DENNY HASTERT and has 171 cosponsors. The year 1990 is for action and I urge my colleagues in the Senate many of whom, indeed are going to be affected by this bill, to join me in cosponsoring the "Older Americans' Freedom to Work Act."

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Older Americans' Freedom to Work Act of 1990".

SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act is amended—

(1) in paragraph (1) of subsection (c) and paragraphs (1)(A) and (2) of subsection (d), by striking "the age of seventy" and inserting "retirement age (as defined in section 216(l))";

(2) in subsection (f)(1)(B), by striking "was age seventy or over" and inserting "was at or above retirement age (as defined in section 216(l))";

(3) in subsection (f)(3), by striking "33⅓ percent" and all that follows through "any other individual," and inserting "50 percent of such individual's earnings for such year in excess of the product of the exempt amount as determined under paragraph (8)," and by striking "age 70" and inserting "retirement age (as defined in section 216(l))";

(4) in subsection (h)(1)(A), by striking "age 70" each place it appears and inserting "retirement age (as defined in section 216(l))"; and

(5) in subsection (j), by striking "Age Seventy" in the heading and inserting "Retirement Age", and by striking "seventy years of age" and inserting "having attained retirement age (as defined in section 216(l))".

SEC. 3. CONFORMING AMENDMENTS ELIMINATING THE SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) UNIFORM EXEMPT AMOUNT.—Section 203(f)(8)(A) of the Social Security Act is amended by striking "the new exempt amounts (separately stated for individuals described in subparagraph (D) and for other individuals) which are to be applicable" and inserting "a new exempt amount which shall be applicable".

(b) CONFORMING AMENDMENTS.—Section 203(f)(8)(B) of such Act is amended—

(1) in the matter preceding clause (i), by striking "Except" and all that follows through "whichever" and inserting "The exempt amount which is applicable for each month of a particular taxable year shall be whichever";

(2) in clause (i), by striking "corresponding"; and

(3) in the last sentence, by striking "an exempt amount" and inserting "the exempt amount".

(c) REPEAL OF BASIS FOR COMPUTATION OF SPECIAL EXEMPT AMOUNT.—Section 203(f)(8)(D) of such Act is repealed.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act is amended—

(1) in the last sentence of subsection (c), by striking "nor shall any deduction" and all that follows and inserting "nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60."; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: "(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60, or".

(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of such Act is amended—

(1) by striking "either"; and

(2) by striking "or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit".

(c) CONTINUED APPLICATION OF RULE GOVERNING ENTITLEMENT OF BLIND BENEFICIARIES.—The second sentence of section 223(d)(4) of such Act is amended by inserting after "subparagraph (D) thereof" where it first appears the following: "(or would be applicable to such individuals but for the amendments made by the Older Americans' Freedom to Work Act of 1990)".

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply only with respect to taxable years ending after December 31, 1990.

Mr. McCAIN. Mr. President, I am pleased to join my distinguished colleague and friend from Minnesota in the introduction of the Older Americans' Freedom to Work Act. This is very important, indeed, in the lives of many senior citizens. It is critical legislation, both to our seniors and to our Nation generally. This legislation, I would like to repeat, will fully repeal the Social Security earnings cap for older Americans between the ages of 65 and 69. Most people do not know

that due to this cap on earnings for older Americans, we find senior Americans the heaviest taxed of our entire population.

Historically, older Americans have been discouraged from staying in the work force. This has been accomplished by placing this cap on the amount of income that a Social Security beneficiary is able to make. If a beneficiary exceeds this cap, they are subject to a 33 percent effective tax. This, coupled with other taxes paid by the working senior, saddles seniors who make as little as $10,000 per year with a shocking effective marginal tax rate of about 70 percent.

No American should be discouraged from working. Unfortunately, one demographic group in our society, our Nation's seniors, is penalized severely for attempting to be productive members of our Nation's work force. Mr. President, this is a quality-of-life issue. Why should we be telling seniors that they can only make a certain amount of money or be subject to an effective tax rate higher than any other age group? Just because one happens to turn age 65 does not mean that one's ability to be a productive member of society and contribute to the economy ceases. In fact, I would argue that in many cases it increases.

One segment of the senior population is particularly hard hit by this policy, Mr. President, and that is low-income seniors. For example, a senior with no private pension income or liquid investments from his or her working years may need to work just to meet basic expenses such as shelter, food, and housing, not to mention health care costs, which are rising at an astronomical rate. If such an individual were to have a job providing merely $5 per hour, once he or she reached the cap, the spending power for an hour's wage would drop dramatically, effective to $2.20 an hour.

Mr. President, this Social Security cap affects more than just individual seniors. It affects our Nation as a whole. The Labor Department is continually warned of shortages in our country's work force. Today, 83 percent of all men and 90 percent of all women age 65 and older are completely retired. The Labor Department reports that compared to 1970, this represents an increase in the retirement rate of 40 percent.

Over the past couple of years, there has been much focus on our Nation's ability to stay competitive in an increasingly competitive world marketplace. While we certainly do not have control over all the factors that play a role in determining our Nation's ability to stay competitive, there are some that we, in fact, do have direct control over.

One factor over which we do have control, and a critical one at that, is encouraging or discouraging older Americans from staying in the workplace. There are a number of myths that are being perpetrated by those who advocate retaining the earnings cap, such myths as the earning cap repeal being too costly; Social Security is a form of socialized insurance to replace lost earnings; repeal of the earnings cap would only favor the rich; and the earnings test is needed to create job opportunities for younger workers. All of these are myths, myths which we will no doubt be addressing as time moves forward.

The bottom line is that we need to empower our Nation's seniors to map out their own lives, limited only by their ambitions to work and save.

We need to cease the policy that reduces the spending power of the low-income elderly worker with a wage of $5 an hour to $2.20. We need to cease the policy that saddles older Americans who, by choice or necessity, work with a marginal tax rate of 70 percent. And we need to cease the policy which is going to impair, rather than enhance, our Nation's ability to compete in a global marketplace that is becoming more and more competitive.

Mr. President, it is about time we eliminate the Social Security earnings limit. I hope our colleagues will join Senator BOSCHWITZ and others in sponsoring this legislation, seeing it through to its passage and putting an end to this policy which places an onerous burden on the least able to defend themselves of our Nation's population and that is our Nation's seniors who can and do contribute so much to our society.

Mr. GORTON. Mr. President, I take this opportunity to commend the distinguished Senator from Minnesota and his eloquent seconder, the Senator from Arizona, on introducing a bill, of which I am a cosponsor, to remove the earnings limitation on Social Security recipients. That seems to me to provide for justice entirely too long denied and to offer real incentives to men and women in our society who have much left to offer our society, who wish to work and to produce and to help us grow, and who are so seriously penalized by the present income rules of the Social Security System.

Mr. LOTT. Mr. President, I would like to join also in commending the Senator from Minnesota for this leadership in introducing this legislation, the Older Americans Freedom to Work Act. I think it is something we sincerely need to do, and I am joining him in cosponsoring that legislation.

As the Social Security Act is currently designed, the Government continues to give little thought to older Americans' ability to contribute to the work force.

As my friends on CNN's "Capital Gang" show might say, the taxes imposed on America's working seniors are an outrage. These workers are subject to the Federal Insurance Contributions Act, even in situations where they are receiving Social Security benefits. They are subject to Federal, State, and local taxes. They are subject to taxes on tax-exempt income. And they are subject to a tax on the Social Security benefits they receive.

That brings me to the biggest outrage, the Social Security retirement earnings limit. Beginning January 1, 1990, this limit reduces benefits to persons between the ages of 65 and 70 who earn more than $9,360 per year. These reductions amount to $1 in reduced benefits for every $3 in earnings above the $9,360 limit.

Because of that limit, senior workers earning $12,000 annually, who should be in the lowest tax bracket, end up keeping only 36.85 cents of every dollar earned, while a young worker making the same wages takes home 77.35 cents from every dollar he earns.

This tax is unheard of in Western democracies. I cannot think of a single reason why our working elderly should be taxed as if they were Swedish millionaires.

But the Social Security retirement earnings limit is an outrage not just because it is unfair; it also poses a serious threat to the work force in this country in the future.

Demographers tell us that between the years 2000 and 2010 the baby boom generation will be in their retirement years. With fewer babies being born to replace them, this Nation is looking at a possible severe labor shortage.

Almost a year ago, the Senate overwhelmingly agreed to an amendment, attached to the Minimum Wage Restoration Act, which would begin to phase out the Social Security earnings limit. At the time is called for raising the monthly limit to $80 and allowing older workers to earn an extra $1,000 in 1990 before they must forfeit Social Security benefits.

This action would have relieved over 1 million older Americans of what I consider to be excessive tax rates in the upcoming year. Unfortunately, it was dropped from the final version of the minimum wage bill.

This was yet another outrage because it seemed only fair that while the Congress was granting a raise to the working poor of this country it should have provided some needed financial benefit and relief to the working older Americans as well.

An earnings limit for Social Security beneficiaries is an ill-conceived idea and I cannot understand from where in the world it ever came. It is an administrative nightmare for the Social Security Administration. The Social Security Administration, as a matter of fact, spends more than $200 million and devotes a full 6 percent of its em-

ployees to police the income levels of retirees.

For beneficiaries the income limit is a frustrating experience of estimating and reporting income levels to the Social Security Administration. So that is why I am joining in sponsoring this legislation.

In the 1930's, when the earned income limit was devised, encouraging the elderly to leave the workplace was seen as a positive act, designed to increase job opportunities for younger workers. Maybe it was a good idea, but times have changed and we should change.

Today, with our shrinking labor force, such a policy is absurd for a number of reasons. We need the skill, the wisdom and the experience of our older workers, and we should not punish them for wanting and being willing to continue to work. I hope that this body this year will set us on a course to totally eliminate this earnings limitation.

By Mr. SANFORD (for himself, Mr. SASSER, and Mr. FORD):

S. 2160. A bill to amend the Securities Exchange Act of 1934 to promote longer term investment, to provide for more effective disclosure with respect to the conduct of leveraged buyouts and tender offers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

LONG-TERM INVESTMENT, COMPETITIVENESS, AND CORPORATE TAKEOVER REFORM ACT

Mr. SANFORD. Mr. President, today, along with my colleagues Senator SASSER and Senator FORD, I am introducing the Long-Term Investment, Competitiveness and Corporate Takeover Reform Act of 1990.

We have all watched with considerable anxiety this past week as one of America's most powerful financial institutions, Drexel Burnham Lambert, collapsed before our eyes. The speed with which Drexel fell, the impact on its employees, and the implications for our markets, particularly the high-yield bond market, raised both eyebrows and concerns about the results of involvement in the high-yield market. While many will say that Drexel's fall marks the end of the "decade of debt" and the demise of junk-bond financed deals, I believe Drexel's fall is a foreboding of things to come if the financial markets do not move away from the days of highly leveraged deals, done often for the sake of the deal, to a time when our securities laws and the our financial markets place greater emphasis on longer term investment and well-financed transactions.

I am afraid that we have seen a fundamental shift in our financial markets from deals being done for sound financial and business reasons to the age of the eighties, when far too high a percentage of the deals are being done for financial manipulation pure and simple. Their motivation lies all to often in the huge up-front fees for promoters, bankers, and lawyers who have no real stake in the longrun vitality of the firm. While some will argue that the deals are over, I believe now is the time to clean up the abuses while we can, to put in place the mechanisms needed to monitor the debt that is already outstanding and to take steps to encourage a more stable long-term oriented market.

In reflecting on how we approach these issues and the experience we had last Congress in failing to pass S. 1323, the Tender Offer Disclosure and Fairness Act of 1987, I have come to the conclusion that we need to shift the debate from the symptoms of the problem to the causes of the problem. The focus of our legislation must be changed from the old "raiders" versus "entrenched management" fight to the more fundamental problems of encouraging good corporate management to manage for the long term and encouraging sound investors to take a longer term view, at the same time that we curb the abuses that have led to excessive volatility in our markets.

Last fall, the Senate Banking Committee held two hearings on America's competitive position. I was very struck by the testimony that was presented. Daniel Burstein, in reflecting on America's competitiveness challenges noted that he is often asked "What is the No. 1 thing we can do to reverse the current situation?" His response was that the No. 1 priority is that as a nation, "we must bring an end to our malignant focus on short-term interests, short-term rewards and short-term solutions." He went on to state that:

> When you think long term, you begin to realize that however many instant billionaires are created by speculative stock markets, managers focused on quarter-to-quarter profits, highly leveraged corporate takeovers and rapid-fire mergers and acquisitions industry, we are witnessing not the competitive restructuring of American industry but a suicidal dismemberment of the very companies, sectors, and industries in which America now has global competitive strengths.

I agree.

I believe that much of the short-term orientation can be traced to changes that have occurred in the capital markets over the last 20 years, in particular, the growing institutionalization of the markets and the advent of highly leveraged acquisitions. As a result, I have tried to reshape the proposal I have been working on to focus on long-term investment and the integrity of the market.

At a time when the United States has the largest domestic budget deficit in its history, its highest international trade deficit ever, and when we are facing increasingly aggressive competition from abroad to sell our American products and services in the world market, we cannot afford to have our corporate managers concentrating their time, money, and energy looking over their shoulders for the news of a hostile raid, or spending all of their time managing only for the next quarter. While the United States has been building up red ink in our public accounts, our corporate accounts and our consumer accounts, Japan, West Germany, and many of our competitors have been moving aggressively to become huge creditor nations. This red ink has now flooded our corporate boardrooms, due in no small part to the phenomenon of hostile takeovers and leveraged buyouts.

Article after article has appeared on the leveraging of corporate America, with various speculations on just how much debt America and American corporations can afford. The numbers are very disturbing. Since the end of 1983, over $313 billion of net corporate equity has been retired, while corporations have borrowed $613 billion. By the end of 1987, total nonfinancial corporate debt reached nearly $2.5 trillion, or approximately $10,000 for every man, woman, and child in the United States. Much of this debt load is a direct result of hostile takeovers or leveraged buyouts and, equally important, efforts to thwart such takeovers. But the question should not be how much debt can corporate America afford, but should we have this type of debt at all. Corporate leveraging must now be taken every bit as seriously as our domestic and international trade deficits.

After listening to the testimony of hundreds of witnesses appearing before the Banking Committee, and watching the wave of hostile takeovers and leveraged buyouts sweep over my home State of North Carolina, from the "deal of the century" for RJR, to the hostile bid for Burlington Industries, I have become convinced that the Congress must act to curb the worst of the abuses we have seen in the corporate takeover and leveraged buyout area. At the same time, Congress must act to encourage long-term investment and well-financed deals. Before the next wave of restructurings to correct all the bad deals done in the eighties begin, we ought to have the appropriate rules in place to ensure that these new deals are done with fuller and more effective disclosure and are based on sounder financing.

I believe that there are two basic ways to curb highly leveraged hostile takeovers and leveraged buyouts. First, we could end the tax subsidies for such corporate mergers by restricting the deduction for interest payments on the debt incurred to finance the transactions or by reducing the double taxation of dividends.

The second approach is to amend the Williams Act and the various laws which govern tender offers. While I fully support the first approach, and have introduced legislation to limit the interest deduction for debt incurred in highly leveraged transactions, the bill I am introducing today deals with the Williams Act, the problems of churning by pension funds, and the need to monitor carefully the debt now being held by our financial institutions. Before I discuss the specific elements of this bill, I would like to discuss why I think it is essential that the Congress consider takeover and leveraged buyout reforms during this Congress.

INTEGRITY OF THE MARKETS THREATENED

At the first hearing the Banking Committee conducted on corporate takeovers during the 100th Congress, Nicholas Brady, who was then chairman of Dillon, Read & Co., and is now our Secretary of the Treasury, testified that takeovers have given rise to a number of troubling activities. He referred specifically to "profits on the part of raiders, arbitrageurs, and bankers that appear to be out of proportion" and the sense "that there was something tilted about a game in which the same group of raiders, arbitrageurs, and bankers attack one company after another, reaping profits without ever seeming to take risk or losses." In more recent testimony before the Senate Finance Committee, Secretary Brady has expressed a "gnawing sense of concern" that something is just not right.

Felix G. Rohatyn, senior partner at Lazard Freres & Co., expressed similar concerns in his testimony before the Banking Committee, noting "the basic concept of our securities laws has been full disclosure, nonmanipulation, and equal treatment of all shareholders." He went on to state that "current [takeover] techniques and legal trends undercut these concepts." With respect to the financing of these transactions, Mr. Rohatyn noted that:

> Very large pools of money are managed by arbitrageurs looking for rapid returns; some of these pools are financed by junk bonds. Equally large pools are in the hands of raiders, similarly financed. This creates a potentially interlocking set of relationships which has as its basic purpose the destabilization of a large corporation and its subsequent sale or breakup. It creates, at the very least, the appearance, if not the reality, of professional traders with insider information, in collaboration with raiders and junk bond buyers, deliberately driving companies to merge or liquidate.

While I am particularly concerned about allegations of manipulation in the takeover process, this legislation is also motivated by concerns about the impact of corporate takeovers and leveraged buyouts on corporate debt, employment, communities, and bondholders.

THE LEVERAGING OF CORPORATE AMERICA

As the press, financial analysts, and the markets examined the "deal of the century," the $25 billion leveraged buyout of RJR Nabisco, a host of articles appeared on the leveraging of corporate America, and the implications not only for corporate America but also for the general economic health of the Nation. For many years, many Wall Street analysts have expressed concerns about this leveraging. Chairman Shad of the Securities and Exchange Commission described the problem as follows:

> Corporate takeovers and buyouts are financed through large loans. The net effect is that debt is being used to retire equity, which is known as leveraging up a company's capitalization. The greater the leverage, the greater the risks to the company, its shareholders, creditors, officers, employees, suppliers, customers, and others * * *. The more leveraged takeovers and buyouts today, the more bankruptcies tomorrow. During the past few years, the multibillion dollar premiums shareholders have received in leveraged takeovers and buyouts have been a multiple of their losses from acquisition related bankruptcies. The premiums come first, the consequences later. The leveraging-up of American enterprise will magnify the consequences of the next recession or significant rise in interest rates.

I must agree. As the Chairman of the Federal Reserve, Alan Greenspan, noted, more than $500 billion in equity has been retired since 1983. The concerns over the amount of debt must be compounded by concerns over the use of the debt, since it is used to buy back equity or pay takeover expenses, not pay for capital improvements or research and development, or a host of other activities necessary to keep our corporations competitive.

Now that we have seen the collapse of Drexel, the fall of Campeau and concerns throughout the junk bond market, my concern has shifted to those institutions holding this debt. We must be careful that our banking institutions are not damaged by the fallout from the excessive leverage of these deals.

THE SHORT-TERM FOCUS OF BUSINESS

My concerns also relate to the short-term focus that results from the constant threat of corporate takeovers. Prof. Peter Drucker observed that:

> The fear of the raider is undoubtedly the largest single cause for the increasing tendency of American companies to manage for the short term and let the future go hang.

Managers feel the need to sacrifice long-term investment strategies conceived to maintain their competitiveness in the marketplace in order to avoid a short-term takeover threat. This short-term focus is enhanced by the pressure of a securities marketplace dominated by institutional investors and pension fund managers whose performance is measured on a quarterly basis and who seek immediate results in order to retain their portfolio accounts.

In statement after statement, we have heard that while the best defense a corporate raid is a high stock price, the company investing in a long-term strategy is likely to suffer a short-term decrease in its stock price, thereby opening itself up to an unwanted raid. Leon G. Cooperman, a partner at Goldman, Sachs & Co. put it this way:

> I don't think any company can afford a long-term investment unless its managers own 51 percent of it.

Harold Williams, former chairman of the SEC, noted:

> If you ran a company in a way that penalizes short-term earnings, it weakens your stock, and you risk being taken over * * *. So the raiders enhance an already overpowering trend toward the short-term viewpoint.

Lawrence Chimerine, chairman and CEO of Wharton Economics, Inc. observes that:

> (c)orporations have overextended themselves * * *. In the short-run, high debt loads hurt capital spending. Over the long-run, this will result in lower growth and productivity.

As Peter Drucker concluded, fear of takeovers is

> contribut[ing] to the obsession with the short term and the slighting of tomorrow in research, product development, market development and marketing, and in quality of service—all to squeeze out a few more dollars in the next quarter's bottom line.

CUTBACKS IN RESEARCH AND DEVELOPMENT

Indeed, the cutbacks in spending for research and development are particularly troubling, as such expenditures may be essential to keeping America's corporations on the cutting edge of technological developments and to keep them competitive with foreign competition. In a survey released in January of this year, the National Science Foundation reports that—for the first time in 14 years—spending on corporate research and development in the United States has not even kept pace with inflation. Another recent study confirmed what had been predicted by Forbes Magazine, that as a result of worries over corporate takeovers, "one of the first items to go in corporate restructuring is the R&D budget." The study examined 200 companies that account for nearly 90 percent of the industrial research and development spending in the country. Those companies that had not been involved in recent mergers or leveraged buyouts reported a 5.4-percent increase in their research and development spending, while those that had undergone a takeover or buyout reduced their R&D expenditures by 5.3 percent.

EFFECTS ON BONDHOLDERS AND OTHER STOCKHOLDERS

Much of the debate on corporate takeovers and leveraged buyouts has focused on the effect these transac-

tions have on stockholders. Indeed, the main thrust of the Williams Act is to give shareholders sufficient time and information to evaluate takeover bids. The theory seems to be that if the stock price is up, all is right with the world.

I am afraid that is too narrow an approach, as a corporation is much more than its stock price. While stockholders' interests certainly deserve protection, others, including creditors, employees, pensioners, and the corporate community deserve some consideration as well.

Indeed, one of the major constituencies that has clearly suffered through this wave of takeovers are the bondholders of our corporations. In the recent buyout of RJR Nabisco, RJR bonds lost 20 percent of their value nearly overnight. As early as 1985, Business Week observed that:

> The takeover and leveraged buyout craze may be a boon for shareholders, but it is slaughtering owners of high-grade corporation bonds * * * Bondholders are emerging as the victim of takeover mania.

There is a great deal of evidence that many highly leveraged transactions take from the bondholders to give to the stockholders, with no sense of fairness or justification, nor with any protection from the Williams Act.

Employees deserve consideration as well. Firm evidence indicates that hostile takeovers, both successful and unsuccessful, have led directly to the elimination of jobs. These jobs are often lost because companies have slashed operations and sold assets to service massive debts incurred in connection with hostile takeover attempts.

For all of these reasons, concerns about manipulation of our markets, excessive greed on the part of a small group who participate in these deals, overleveraging of our corporations, resulting short-term focus on the part of management, detrimental effects on employees and bondholders, cutbacks in research and development, and a detrimental effect on the communities in which these corporations are located, we are introducing the Long-Term Investment, Competitiveness and Corporate Takeover Reform Act of 1990.

To achieve the goals of more long-term investment and enhanced competitiveness, this bill does the following:

1. ENCOURAGE LONG-TERM PENSION INVESTMENT

In order to promote longer term investment on the part of institutional investors, the bill would provide that fiduciaries of pension funds shall consider the benefits of long-term ownership of stock in deciding whether to tender their shares.

I think this is essential. Current case law virtually requires pension fund managers to tender their shares if the tender offer is even as much as a penny over the current market price, even if that manager fundamentally believes that the tender offer is not good for the long-term health of the corporation. I am afraid that portions of our ERISA laws, as well intentioned and important as they are, have had the unfortunate side effect of encouraging shorter term investment and greater speculation in the market. I think the problem can be corrected without fundamentally changing our pension laws.

The bill would also prohibit the use of the surplus assets of a pension plan to finance a takeover or leveraged buyout. I think this will also help promote longer term investment and sound pension plans, by taking the fear out of having excess investments that could become a magnet for corporate raiders.

In addition, the bill attempts to stop excessive churning by applying the current "short-short" rule to pension funds. This rule currently applies to mutual funds. It prohibits such funds from making more than 30 percent of their income from shares held for less than 3 months. While I anticipate that this provision may raise some concerns, I think the problem of short-term focus and short-term investments is sufficiently serious to warrant discussion about any and all ideas to encourage longer term investment. This is a provision that I invite comment on and will consider all such comments in considering whether changes to the provision are needed. I hope the inclusion of this provision will engender debate on an issue that needs discussion: what to do about excessive turnover in our pension funds.

I was encouraged by my colleague Senator KASSEBAUM's proposal to consider a graduated tax on short-term trades on pension funds, as I think that legislation, like this proposal, focuses attention on the churning problem. A recent editorial in the Pensions and Investment Age magazine noted that with the 70 percent or better annual turnover rate in pension fund portfolios, pension funds were acting more like spectators than investors. A recent study found that the 13 largest institutional investors on the average turned over in excess of 60 percent of all their portfolio assets every year, and that 20 percent of the largest institutional investors turned over their entire portfolio each year. Others have reported turnover rates of over 1,000 percent per year. As studies by the Department of Labor have shown, pension fund returns are clearly reduced as a result of the high transaction costs associated with high turnover rates. We need to find sound ways to address this problem and I hope this proposal is one idea that my colleagues will consider.

2. EMPLOYEE OWNERSHIP

I also think encouraging greater employee ownership of stock will help create more long-term owners, as well as giving employees the opportunity to become owners of capital. This bill does so by giving employee groups more time than the 20 days provided under current law to respond to a takeover. The provision ensures that an employee group is given sufficient time to arrange financing if it wishes to participate in a transaction for the corporation.

3. ANTI-GREENMAIL/SHORT-SWING PROFITS PROVISION

Another cause of the short-term focus and the volatility in the market stems from the huge short-swing profits that can be made simply by putting a company in play. Our proposal to address this is very simple: treat 5 percent shareholders who file a tender offer exactly as we currently treat officers, directors, and 10 percent shareholders of corporations. These individuals are deemed by the law to be insiders and as such, they cannot make profits on stock of their corporation that is bought and sold within a 6-month period. Certainly someone who is about to file a tender offer has the most essential type of inside information and should be restricted from making a profit simply by trading on that inside information.

The provision would not affect those who are truly interested in buying a corporation, as such individuals would be unlikely to sell their shares back in less than 6 months after they bought them. The provision would thus only touch the true speculators, who are adding so much volatility and short-term trading to our markets.

As such, the provision also eliminates greenmail.

4. PROTECTION OF WORKERS

There is no doubt that one of the groups that suffers the most from hostile takeovers and leveraged buyouts are the employees of the corporation. This bill provides some limited protection for such workers by requiring buyers to abide by outstanding collective-bargaining agreements for at least 180 days.

5. ADDITIONAL RESERVES AGAINST HIGHLY LEVERAGED TRANSACTIONS

Because such a large portion of the financing for these transactions is obtained from banks, the bill gives the regulators of these institutions the authority to require greater reserves or capital to support such loans, if the regulators deem such additional capital to be necessary to the safety and soundness of such institutions. The bill also requires the regulators to report to the Congress regarding highly leveraged transactions.

6. INDEPENDENT APPRAISALS AND INDEPENDENT REVIEW OF GOING PRIVATE TRANSACTIONS

The other area that was not addressed in S. 1323 that has clearly been shown in the RJR deal and others to be a problem is the conflict

of interest of management participating in a leveraged buyout. Management has all the cards and can too easily manipulate the fairness opinions that are prepared regarding the offer. As such, to ensure that shareholder interests are fully and effectively protected in corporate restructurings, the bill we are introducing requires that an independent appraisal of the deal be made available to all shareholders at least 20 days prior to the consummation of the transaction. This appraisal would have to be conducted by a firm that has no financial stake in the outcome of the deal.

In addition, the bill prohibits the consummation of any going private transaction until 45 days have elapsed since the public announcement of the transaction. I think it is important to give the markets some time to react to buyout offer, so that other bidders can enter the process and shareholders can be more fully informed about their options.

7. FIRM FINANCING AND FINANCING DISCLOSURE

In order to curb excessive leverage and the ability to put a company in play with virtually no money risk, the bill effectively applies the same 50-percent margin requirement that individual investors face to tender offers. It requires that bidders have at least 50 percent of the financing in place and committed before commencing a tender offer. The bill also calls for disclosure of fees for financing, lawyers, investment bankers, and others.

8. NONCONTROVERSIAL TENDER OFFER REFORMS

The bill picks up on some important items from S. 1323 on which I think there is a great deal of consensus: First, closing the 13(d) window, and second, lengthening the tender offer process.

First, close the 13(d) window.—The bill closes the so-called 10-day window. Under current law, any person who acquires more than 5 percent of a company's stock need not file a disclosure statement until 10 days after the acquisition that exceeds the 5-percent threshold. During this 10-day window, however, such person may acquire additional securities without public disclosure. As a result, by the time the first disclosure is made, a person may have secretly accumulated a controlling interest in the company.

In 1983, the SEC Advisory Committee on Tender Offers found that the 10-day window presented a substantial opportunity for abuse, and recommended that the window be closed to "provide adequate notice of the shareholder's investment and intentions regarding the issuer and [to give] time for the market to assimilate such information." The bill shortens the 10-day window to 5 days and prohibits any additional purchases beyond the 5-percent threshold until the 13(d) filing is made. In order to encourage well-financed offers, however, the bill provides for a shorter time period—30 days—for well-financed deals. Well financed is defined as an offer that would not constitute a highly leveraged transaction as defined by the banking regulators.

Second, lengthen the tender offer time period.—In order to give all shareholders and interested parties the time necessary to evaluate an offer, the bill increases the tender offer time period from 20 business days to 45 business days.

I hope that by including only the less controversial reforms to the Williams Act and focusing on provisions that will encourage a longer term focus, we can move the debate along. We must enact legislation that will allow our corporate managers to get back to managing productive, competitive, job-creating companies that do the research and make the capital investment necessary for future growth and competitiveness in our global economy, instead of looking over their shoulders for the next raider and focusing only at quarterly results, while at the same time curbing some abuses in the market and ensuring the free flow of capital.

I believe that this bill does just that and I urge my colleagues to support it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Long-Term Investment, Competitiveness, and Corporate Takeover Reform Act of 1990".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Managers of American corporations have been criticized for their short-term focus, leading to a lack of investment in research and development, and plants and equipment that are necessary to maintain our competitive position worldwide.

(2) The short-term horizon of our corporate managers can be traced, in part, to changes in the capital markets away from ownership by individuals to ownership by large pension funds and institutional investors, and in part to threats of hostile takeovers.

(3) Pension funds, with assets of almost $2 trillion, and institutional investors are playing an ever increasing role in the country's economic system, with estimates that by the year 2000, as much as two-thirds of all corporate equities will be held by pension funds. The pressure on such pension fund managers and other institutional investors to perform better than the market and the high turnover rate in some pension funds has raised concerns that the accumulation of large blocks of stock in fewer hands may be contributing to the number of mergers and acquisitions and to a shorter term focus on the part of management.

(4) On an aggregate basis, corporate takeovers and leveraged buy outs have been a factor in an enormous increase in corporate debt. Debt for nonfinancial businesses rose from $0.5 trillion in 1970 to $3.1 trillion by the end of the third quarter of 1988, a more than sixfold increase. In addition, for the period 1984 through the third quarter of 1988, a total of $794 billion of corporate debt has been added, while a total of $422.3 billion of corporate equity has been withdrawn.

(5) The large amount of debt incurred by corporations either as a result of, or to stave off, takeovers or leveraged buy outs has resulted in a decrease in research and development budgets and needed investments in plant improvements and equipment at a time when United States industry is struggling to maintain its international competitiveness.

(6) Long-term investment and planning are essential to sustained economic growth, yet numerous economic factors are pushing corporate managers and investors to take an increasingly short-term view.

(7) The integrity of our financial markets and the confidence of the public in them have been undermined by the conduct of parties in tender offers and leveraged buy outs.

(8) Therefore, in order to protect the public interest, it is necessary to correct inadequacies in, and curb abuses of, our existing securities laws.

SEC. 3. WILLIAMS ACT REFORMS.

(a) 10-DAY WINDOW.—Section 13(d)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(d)(1)) is amended—

(1) by striking out "shall, within ten days after such acquisition" and inserting in lieu thereof "shall, within 5 days after such acquisition"; and

(2) by inserting after "send to each exchange" the following: "and registered national securities association"; and

(3) by adding at the end thereof the following: "Any person required to send and file such a statement may not acquire or agree to acquire, directly or indirectly, the beneficial ownership of any additional amount of such equity securities after the transaction that required such person to send and file such statement until after such statement has been filed with the Commission.".

(b) TENDER OFFERS.—Section 14(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78n(d)) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (6) through (12), and

(2) by inserting after paragraph (1) the following new paragraphs:

"(2) Any person making a tender offer for or a request or invitation for tender offers of any class of any such equity security shall hold such offer, request, or invitation open for a period of at least 45 business days from the date on which such offer, request, or invitation is first published, sent, or given to security holders, or such longer period as the Commission may, by rule, prescribe.

"(3) In the case of a well-financed offer, the preceding sentence shall be applied by substituting '30' for '45'. For the purpose of the preceding sentence, a well-financed offer is an offer that would not, if consummated, constitute a highly leveraged transaction as defined by the appropriate regulatory agencies (other than the Commission).

"(4)(A) If, during the 45-day period described in paragraph (2), a qualified employee stock ownership plan notifies the offeror, the issuer, or the Commission, of the plan's intent to acquire additional securities of the issuer on terms which are substantially equivalent to other offers, paragraph (2) shall be applied by substituting '95' for '45'.

"(B) For purposes of this subsection, the term 'qualified employee stock ownership plan' means an employee stock ownership plan defined in section 4975(e)(7) of the Internal Revenue Code of 1986 which—

"(i) is sponsored by the issuer (or a member of the controlled group) of the equity securities to which the request or invitation for tenders described in paragraph (1) is made,

"(ii) meets the requirements of section 410(b) of the Internal Revenue Code of 1986, and

"(iii) owns securities of the issuer representing at least 5 percent of the outstanding voting securities (of the issuer) on the day on which the 45-day period begins to run and has held such 5 percent for a period beginning at least 6 months before such 45-day period begins to run.

"(C) The provisions of this paragraph shall not apply to any acquisition or proposed acquisition of a security if—

"(i) the acquisition of such security, together with all other acquisitions by the same person of securities of the same class during the preceding 12 months, would not exceed 2 percent of that class;

"(ii) a block of 10 percent or more of the outstanding shares is acquired and such shares were held by the seller for at least 2 years prior to the sale;

"(iii) such acquisition is from one family member to another;

"(iv) such acquisition is made by a person who owned more than 50 percent of the outstanding shares prior to such purchase; or

"(v) the Commission, by rule or regulation, or by order, has exempted such acquisition from the provisions of this subsection as it determines to be necessary or appropriate and consistent with the public interest, the protection of investors, and the purposes of this paragraph.".

(c) CONFORMING AMENDMENT.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by striking the heading of such section and inserting the following:

"PROXIES AND TENDER OFFERS".

SEC. 4. ANTI-GREENMAIL/SHORT-SWING PROFITS.

Section 16 of the Securities Exchange Act of 1934 (15 U.S.C. 78p) is amended—

(1) in the caption, by striking "and principal stockholders" and inserting "principal stockholders, and holders of more than 5 percent";

(2) in subsection (b)—

(A) by inserting "(1)(A)" after "(b)"; and

(B) by striking "Suit" and all that follows through the end period and inserting the following:

"(B) For the purpose of discouraging manipulative tender offer practices, any profit realized by any person from any disposition, directly or indirectly, of equity securities described in section 13(d)(1), shall inure to and be recoverable by the issuer of such securities, if such person (i), was the beneficial owner, at the time of such disposition, of more than 5 percent of the class of securities so disposed of, (ii) made a tender offer for such securities within 6 months preceding the disposition, and (iii) had held any or all of such securities for less than 6 months prior to the disposition thereof. The preceding sentence does not apply if (I) such disposition was a purchase by the issuer of the securities and has been approved by the affirmative vote of a majority of the aggregate outstanding voting securities of the issuer, or (II) the same offer to purchase is made available to all shareholders.

"(2) Suit to recover such profit may be instituted at law or in equity in any court of competent jurisdiction by the issuer, or by the owner of any security of the issuer in the name and in behalf of the issuer if the issuer shall fail or refuse to bring such suit within 60 days after request or shall fail diligently to prosecute the same thereafter; but no such suit shall be brought more than 2 years after the date such profit was realized. This subsection shall not be construed to cover any transaction where such beneficial owner was not such both at the time of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the Commission by rules and regulations may exempt as not comprehended within the purpose of this subsection.

"(3) The Commission shall, by rule, regulation, or by order upon application, conditionally or unconditionally exempt any person, security, or transaction from any or all of the provisions of paragraph (1)(B) as it determines to be necessary or appropriate and consistent with the public interest, the protection of investors, and the purposes of this subsection.".

SEC. 5. PROTECTION OF WORKERS.

Section 14(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78n(d)), as amended by section 3, is amended by adding at the end the following:

"(13)(A) Any person who acquires ownership or control of any plant, facility, or other property of an issuer, either directly in his own name or indirectly, through a transaction in response, or otherwise related, to the filing of a statement under section 13(d) of this title announcing an intent to seek a change in control of the issuer or a statement under this section announcing a tender offer for the issuer's securities shall have the following minimum statutory obligations to the employees of the plant, facility or property who are, at the time the transaction is consummated, covered by a collective bargaining agreement (the 'preacquisition agreement');

"(i) If the acquiring person uses the plant, facility, or property in a manner which is not fundamentally different from its preacquisition use, the person—

"(I) shall abide by the terms of the preacquisition agreement, regardless of its expiration date, for a period of 180 days after the date the acquirer commences operations at the plant, facility or property; and,

"(II) shall, if the preacquisition agreement was not due to expire within one year of the date of the consummation of the acquisition transaction, negotiate in good faith with the employees' exclusive bargaining representative for a collective bargaining agreement covering the unexpired term of the preacquisition agreement and shall submit to binding arbitration on all unresolved issues if the parties are unable, within 120 days of the acquisition, to negotiate a new agreement.

"(ii) If the acquiring person uses the plant, facility or property in a manner which is fundamentally different from its preacquisition use, the acquirer shall provide to any employee, who was covered by the preacquisition agreement and whose employment is involuntarily terminated by reason of the acquisition transaction, severance pay in an amount equal to six times his monthly compensation at the time of termination.

"(B) In the event of arbitration of unresolved issues pursuant to subparagraph (A)(i)(II), the parties shall select an arbitrator from a special roster of arbitrators prepared by an appropriate agency of the Federal Government which engages in the mediation and conciliation of labor-management disputes in the industry designated by the Secretary of Labor and the arbitrator shall within the 180-day period stated in subparagraph (A)(i)(I) issue a final and binding award on all unresolved issues, based upon the acquiring person's experience under the terms of the preacquisition agreement and on collective bargaining agreements covering comparable plants, facilities and properties.

"(C) For purposes of this paragraph—

"(i) the property of an issuer includes property owned by an entity controlled by the issuer;

"(ii) the obligations created herein apply to each succeeding transferee of the issuer's property in the same manner as to the original acquirer of the property by reason of a transaction covered by subparagraph (A); and

"(iii) any condition, stipulation, or provision in any contract purporting to waive the rights and obligations created in this section shall be void.

"(D) Any person seeking to enforce the rights and obligations created by this section may sue at law or in equity in any court of competent jurisdiction. In any suit under this subsection, the court may, in its discretion, assess reasonable costs, including attorneys' fees in favor of the prevailing party.".

SEC. 6. ADDITIONAL RESERVE REQUIREMENTS.

(a) IN GENERAL.—Each appropriate Federal banking agency shall review the exposure to risk of United States depository institutions arising from the medium- and long-term loans made by such institutions that are outstanding in connection with highly leveraged transactions, as defined by the appropriate Federal banking agency. Each agency shall provide directions to such institutions regarding additions to general reserves, if the agency determines that such additions to general reserves are necessary to protect the safety and soundness of the institution, based on a determination by the agency that such institution's loans with respect to highly leveraged transactions are unduly concentrated.

(b) DETERMINATION OF INSTITUTIONAL EXPOSURE TO RISK.—In determining the exposure of an institution to risk for purposes of subsection (a), the appropriate Federal banking agency—

(1) may exempt, in full or in part, from reserve requirements established pursuant to subsection (a), any loan that is secured, in whole or in part, by appropriate collateral for payment of interest or principal; and

(2) take into account any other factors which bear on such exposure and the particular circumstances of the institution.

(c) TIMING AND REPORT.—

(1) DETERMINED BY AGENCY.—Except as provided in paragraph (3), each appropriate Federal banking agency shall determine the timing of any addition to reserves required by subsection (a).

(2) REPORT.—Each appropriate Federal banking agency shall transmit to the Congress not later than December 1 of each

year a report on the actions taken pursuant to this section.

(3) DEADLINE.—Each Federal agency required to undertake a review described in subsection (a) shall complete the review not later than December 31, 1990.

(d) DEFINITION.—As used in this section, the term "appropriate Federal banking agency" means the Comptroller of the Currency, the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, and the Board of Governors of the Federal Reserve System.

SEC. 7. LONG-TERM INVESTMENTS.

(a) ANTICHURNING RULE.—Section 406(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1106(a)(1)) is amended—

(1) by striking "or" at the end of subparagraph (D),

(2) by striking the period at the end of subparagraph (E) and inserting a semicolon, and

(3) by adding at the end the following new subparagraph:

"(F) sale or disposition of—

"(i) stock or securities (as defined in section 2(a)(36) of the Investment Company Act of 1940), or

"(ii) options, futures, or forward contracts, which were held for less than 3 months unless less than 30 percent of such plan's gross income for the fiscal year is derived from such sale or disposition.".

(b) ERISA AMENDMENTS.—

(1) Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end thereof the following:

"(d) In voting on a merger, combination, or sale of substantially all the assets of, or in tendering or refraining from tendering securities in a tender offer for, a publicly owned business the securities of which constitute assets of a plan, a fiduciary shall take into consideration the long-term as well as the short-term interests of the participants and beneficiaries of the plan and shall not be deemed to have violated this part solely because the fiduciary takes such interests into consideration.".

(2) Section 4044 of such Act (29 U.S.C. 1344) is amended by adding at the end thereof the following new subsection:

"(e)(1) Notwithstanding subsection (d)(1) and subject to paragraph (2), a distribution otherwise permitted pursuant to such subsection shall be prohibited if any part of the residual assets of the plan are used to finance, directly or indirectly—

"(A) any acquisition of the securities of the employer pursuant to a tender offer subject to section 14(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78n(d)) by any person, or

"(B) any acquisition of the securities of the employer in a transaction to which section 13(e) of such Act (15 U.S.C. 78m(e)) applies,

including the repayment, redemption, or refinancing of any indebtedness incurred by such person in connection with any such acquisition.

"(2) Paragraph (1) does not apply to a transaction described in section 4980(c)(3) of the Internal Revenue Code of 1986 (as in effect on the date of enactment of this subsection) if—

"(A) the transfer of assets to the plan is approved by a majority vote of all participants of the employer plan;

"(B) prior to the vote, there is disclosure to the participants of all material facts concerning the transfer of assets to the plan and the acquisition of employer securities by the plan, including—

"(i) the terms of the employee stock ownership plan,

"(ii) the terms of the plan from which the assets are being transferred, and

"(iii) whether or not a new plan will be established in place of the plan from which the assets are being transferred; and

"(C) the vote by the participants is confidential, and takes place within a reasonable period of time following the disclosure required under subparagraph (B).

"(3) For purposes of this subsection:

"(A) The term 'person' means a natural person, company, or partnership including an employer, two or more persons who act together pursuant to an express or implied agreement or understanding for the purpose of acquiring, holding, disposing of the securities of the employer, or influencing the management or policies of the employer, such as by acting (i) as a partnership, limited partnership, syndicate, or other group whether or not formally organized, (ii) pursuant to an arrangement or understanding to indemnify against loss or to hold harmless, or (iii) otherwise.

"(B) The term 'employer' includes any person that, directly or indirectly, owns or controls 50 percent or more of the voting power or total value of the outstanding stock of an employer.".

SEC. 8. LEVERAGED BUY OUT AND GOING PRIVATE TRANSACTIONS.

Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end thereof the following new subsection:

"(h)(1) It shall be unlawful for one or more officers, directors, employees, or affiliates of an issuer of any security which is registered pursuant to section 12 of this title, or which would have been required to be so registered except for the exemption contained in section 12(g)(2)(G) of this title, or of any closed-end investment company registered under the Investment Company Act of 1940, to acquire all or substantially all of the shares of a class of such issuer's or such company's equity securities unless—

"(A) at least 45 days have elapsed between the day on which the proposed acquisition is publicly announced and the day on which the acquisition occurs;

"(B) such issuer or company has obtained a report by an independent appraiser, as provided in paragraph (2), on the proposed acquisition; and

"(C) the report is made available to all shareholders and all members of the board of directors of the issuer in accordance with such rules as the Commission may prescribe, but not later than 20 days before the day on which the acquisition occurs.

"(2) For the purpose of paragraph (1)(B), any officers, directors, employees, or affiliates intending to purchase all or substantially all of the shares of a class of such issuer's or such company's equity securities shall obtain an independent appraisal of such issuer from a nationally accredited accounting firm which has no financial interest in the outcome of such restructuring transaction and whose fees for performing such appraisal are not related to the outcome of such restructuring transaction. Any firm preparing an appraisal pursuant to this subparagraph shall be given access by the issuer to any and all of the issuer's books, records and premises.

"(3) For the purpose of this subsection, the term 'affiliate' means any person who becomes affiliated with one or more of the officers, directors or employees of the issuer in a transaction in which such officer, director or employee will own, in the aggregate, directly or indirectly, within 3 years of such purchase of such equity security, 5 percent or more of the equity of the surviving corporation or continuing business.".

SEC. 9. FIRM FINANCING AND FINANCING DISCLOSURES.

(a) FINANCING OF TAKEOVERS.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n), as amended by section 8, is amended by adding at the end thereof the following new subsection:

"(i)(1) It shall be unlawful for any person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, to make a tender offer for, or a request or invitation for tenders of, any equity security of a class described in subsection (d)(1) of this section unless 50 percent or more of the consideration to be offered consists of cash. For purposes of the preceding sentence, 50 percent or more of the consideration shall qualify as cash, if—

"(A) such cash is at the time of announcement of the tender offer on deposit in an account of the tendering person at a bank or trust company organized under the laws of the United States, a State, or the District of Columbia; or

"(B) the offering person has entered into a legally enforceable, unconditional, and irrevocable commitment (not subject to execution of a further definitive agreement) to provide such cash from such bank or trust company, which commitment is not contingent in any manner upon the success or failure of such tender offer or request or invitation for tenders.

"(2) The provisions of paragraph (1) shall not apply to a tender offer for, or a request or invitation for tenders—

"(A) of equity securities of the tendering person,

"(B) of equity securities of a class the total value of which is less than $100,000,000, or

"(C) in connection with borrowings or the incurrence of debt or the issuance of bonds, notes, debentures, participations, other debt securities, or other obligations to pay money (or money's worth in one or more other forms) to provide for the purchase of 'qualifying employee security' purchased or acquired by an 'employer stock ownership plan' (as defined in section 4975(e)(7) of the Internal Revenue Code of 1986).

"(3) The Board of Governors of the Federal Reserve System, in consultation with the Commission, shall prescribe rules and regulations to effectuate the purpose of this subsection. The Board of Governors is empowered to grant exceptions to the provisions of this subsection by order. In acting on an application for an exception, the Board of Governors shall consider the positive economic aspects of the transaction, the fairness of the transaction to shareholders, debtholders, and creditors of both the acquired and acquiring corporation, and the economic dislocation, including unemployment risks, likely to be caused by consummation of the transaction. The Board of Governors shall respond affirmatively or negatively within 20 business days after receiving an application for an exception. Decisions of the Board of Governors denying such exceptions shall not be reviewable in any court, nor shall they be considered by

any court by reason of any extraordinary writ or remedy.

"(4)(A) Any person that violates or conspires to violate paragraph (1) of this subsection shall be subject to a civil penalty of not less than 5 percent of the borrowings such person has publicly represented it would need to fund the entire proposed transaction.

"(B) On application by any person, any United States district court may issue an injunction or other order to prevent a violation of this subsection.".

(b) FINANCING DISCLOSURES.—Section 13(d)(1)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(d)(1)(B)) is amended by striking out "security, a description of the transaction and the names of the parties thereto, except that where a source of funds is a loan made in the ordinary course of business by a bank, as defined in section 3(a)(6) of this title, if the person filing such statement so requests, the name of the bank shall not be made available to the public" and inserting in lieu thereof the following: "security—

"(i) a summary of each agreement or arrangement relating to the extension of credit, the issuance of securities for cash, or the other acquisition of such funds, including the identity of the parties, the term, the collateral, the stated and effective interest rates, all fees to be paid in connection with the agreement or arrangement to any person providing or arranging for the provision of such funds or other consideration, and all other material terms or conditions relative to such loan agreement or arrangement; and

"(ii) any plans or arrangements to finance or repay any amount of such funds representing indebtedness incurred or to be incurred, or if no such plans or arrangements have been made, a statement to that effect.".

(c) ITEMIZED STATEMENT OF EXPENSES.—Section 13(d)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(d)(1)), as amended by section 3, is amended—

(1) by striking out "and" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof "; and"; and

(3) by inserting after subparagraph (E) the following:

"(F) a reasonably itemized statement of all expenses incurred or estimated to be incurred in connection with the acquisition of such beneficial ownership, including expenses for legal, accounting, financial, and investment banking services, filing fees, and all other similar fees and expenses, indicating whether or not such person has paid or will be responsible for paying any or all such expenses.".

(d) DISCLOSURE OF EXPENSES.—Section 14(d)(8) of the Securities Exchange Act of 1934 (15 U.S.C. 78n(d)(8)), as redesignated by section 3, is amended by adding at the end thereof the following: "Such rules and regulations shall require appropriate disclosures by officers or directors of the issuer of all expenses incurred or estimated to be incurred in connection with the tender offer or request or invitation for tenders, including expenses for legal, accounting, financial, and investment banking services, filing fees, and all other similar fees and expenses, indicating whether or not such person has paid or will be responsible for paying any or all such expenses".

SEC. 10. ROLE OF STATE LAW.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding at the end thereof the following:

"ROLE OF STATE LAW

"SEC. 36. The Congress declares that the internal affairs or governance of corporations shall be subject to regulation by the laws of the State under which such corporation is organized. Nothing contained in section 13 or 14 of this title or any rules or regulations thereunder shall be construed to invalidate, impair, or supersede any law enacted by any State regulating the internal affairs or governance or contests for control of any corporation organized under its laws, except where compliance with such law would preclude compliance with the filing, disclosure, procedural, or antifraud requirements of sections 13 and 14 of this title.".

Mr. SASSER. Mr. President, I rise with my friend the Senator from North Carolina to introduce the Long-Term Investment, Competitiveness and Corporate Takeover Reform Act of 1990. If enacted, this bill will go far toward restoring the competitive position of American corporations worldwide.

Much has been said about the preoccupation of American business with short-term results. Because of this short-term view, our corporate managers are reluctant to make needed investmants in research and development, and in plants and equipment.

Mr. President, our short-term focus has been noticed by our competition. Akio Morita, the president of Sony, criticizes American businessmen for rarely thinking beyond the next quarterly earnings statement, when—as he knows all too well—it can take decades to develop new products and technologies.

Much of this corporate short-term orientation can be traced to changes in the securities markets over the past 10 years. Indeed, there have been two major developments. First, ownership of stocks has increasingly shifted from individuals to institutions. And second, pursuit of profits from short-term trading, particularly in highly leveraged transactions, like takeovers and LBO's, has taken precedence.

Mr. President, not long ago most companies were owned by individuals that took a long-term proprietary interest. Today, over half of all stock is owned by institutions who often own it for only a matter of minutes.

Our managers have become reluctant to pursue initiatives that might depress earnings in the short run. This reluctance is not unfounded. Last year, the president of Martin Marrietta testified before the Banking Committee that following an announcement of an R&D Program by his company "one-third of the institutional investors dumped our stock."

When stock is dumped, its price falls, and companies become more vulnerable to the other bane of American management—the corporate raider. The other big reason companies today don't want to make long-term investments, Mr. President, is the fear of a hostile corporate takeover.

Mr. President, hostile takeovers and LBO's have dominated the financial markets for much of the last 10 years. But these huge debt ridden transactions often have returned little of real value to the economy. Some of the best run companies in the country have been subject to hostile raids, and they're rarely in better shape afterwards. The recent bankruptcy of Federated Stores is testimony to the legacy of the corporate raider, as is, I might say, the bankruptcy of Drexel Burnham.

And the takeover LBO craze has contributed significantly to the $800 billion increase in corporate debt that we've seen over the last 5 years. This debt level will make the next recession much more difficult to weather.

So Mr. President, we rise today to introduce legislation that will restore our securities markets as a place where long-term investment is fostered, where shareholders and employees are protected, and where transactions stand on their own merit rather than on a pile of debt.

Our legislation has several major provisions. First, it extends an anti-churning rule to pension funds. Pension funds comprise about half of institutional stock ownership, but pay no taxes on their trades. Rather than tax their short-term gains, as some have proposed, we would require them to play under the same rules as do the other big players in the market—the mutual funds. By law, 70 percent of mutual fund income must be from stocks held for over three months. Our bill requires the same from the pension funds.

A second issue addressed in the legislation is employee ownership and worker protection. Too often, employees of companies have been abused in the takeover process. The bill gives an employee stock option plan [ESOP] additional time to mount a bid for a company that is subject to a hostile takeover. No group of shareholders is more interested in the long-term productivity of the company than its employees. If the employees have an ESOP, our bill gives them the right to buy the company.

The bill also requires that collective-bargaining agreements be abided by for at least 180 days following a takeover. It prohibits the use of residual funds in an employee pension plan to finance a takeover. And it requires that trustees consider the long-term interests of plan participants in determining whether to sell shares to a corporate raider.

Third, the bill addresses bank lending to highly leveraged transactions. It requires the bank regulators to crack down and impose additional reserve re-

quirements on banks that are overexposed to such lending. This is important. The enormous increase in corporate debt that we've seen over the last few years is a threat to the economy overall and the banking system in particular.

Lastly, the bill closes a number of loopholes in the Federal securities laws that have been abused countless times by raiders and others that seek short-term profit at the expense of the long-term health of our corporations and the economy.

Mr. President, I want to compliment the Senator from North Carolina for his leadership on this important issue. I yield the floor.

By Mr. HATFIELD:

S. 2161. A bill to establish within the Department of Education an Office of Vocational and Adult Education and Community Colleges; to the Committee on Labor and Human Resources.

OFFICE OF VOCATIONAL AND ADULT EDUCATION AND COMMUNITY COLLEGES

● Mr. HATFIELD. Mr. President, last November, the American Association of Community and Junior Colleges and the Association of Community College Trustees unanimously adopted a resolution calling for a high-level position within the Department of Education responsible for serving community, technical, and junior college interests. I rise today to introduce legislation which would establish such a position at the Department of Education by broadening the scope of the current Office of Vocational and Adult Education to include community colleges.

Mr. President, the community colleges in this Nation have the largest enrollment of any segment of higher education. Enrollment at community, technical, and junior colleges grew tremendously after World War II—between 1965 and 1975 alone, total enrollment grew by 215 percent. Today, enrollment continues to rise, as rapidly increasing numbers of young and full-time students choose community, technical, and junior colleges for their first college experience.

Many of the community, technical, and junior colleges of the United States are unhappy with the general absence of professionals for 2-year colleges in the Department of Education's executive ranks. This trend began in the early days of the U.S. Office of Education and remains true today. Because of the major contributions these institutions make to higher education, this omission is simply no longer acceptable. We are long overdue in ensuring that representatives of community colleges are identified in the leadership of the Department and serving in an advisory capacity to the Secretary and other Department leaders.

Obviously, there will be some disagreement as to the appropriate place in the Department to establish such a position. Community colleges are involved in many Federal programs including adult and vocational education, education for the handicapped, migrant education, international education, as well as student financial aid, title III, and other postsecondry education programs. Typically these institutions have been viewed as "stepping stones" to 4-year colleges and universities, and have been treated as such under the Office of Postsecondary Education.

Mr. President, this view is increasingly inaccurate. Community colleges have broadened their appeal and are gradually being seen as an end in themselves—training tomorrow's work force for specific vocations. Community colleges have traditionally enrolled students with a wide range of educational objectives. In a national survey conducted for the Carnegie Foundation, 36 percent of the students polled indicated they attend a community college to prepare for transfer to a 4-year institution, but fully 34 percent attend a community college to acquire skills needed for a new occupation. This dramatic change must be recognized and I believe the best representation for the community college is within the Office of Vocational and Adult Education.

Mr. President, in Oregon there are 16 community colleges simply bursting with students; over 300,000 students are expected to attend community college classes this year. Enrollment jumped by 6.8 percent in 1988 to 7.5 percent in 1989. The vocational training programs and basic skills instruction offered by these institutions are attractive to students as an appropriate resource for their postsecondary education. As my colleagues know from the community colleges in their own States, this trend is reflected throughout the Nation.

Congress will soon begin the reauthorization process for the Higher Education Act, and it is my intention to see that the issue of representation for community colleges is addressed in that process. I urge my colleagues to support a leadership role for 2-year institutions at the Department of Education.

I ask that a letter from the American Association of Community and Junior Colleges be inserted in the CONGRESSIONAL RECORD following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JOINT COMMISSION ON FEDERAL RELATIONS,
Washington, DC, February 22, 1990.

Hon. MARK O. HATFIELD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR: The AACJC and ACCT applaud your introduction of the bill that adds "community colleges" to the title of an Assistant Secretary of the Department of Education.

Such organizational rank for community colleges is long overdue. Our institutions have long since grown into the largest branch of postsecondary education, enrolling more than half the Americans who start college, and serving some ten million adults in both credit and noncredit programs. Departmental staffing has been characterized by the glaring absence of community college professionals throughout its history.

Our Joint Commission on Federal Relations looks forward to assisting you in the enactment of your bill either in its own right or as part of the Higher Education Act reauthorization.

Our warmest appreciation for your vision and leadership.

Sincerely,

FRANK MENSEL,
Vice President for Federal Relations, AACJC; Director of Federal Relations, ACCT.●

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 2162. A bill to establish a National Water, Air, and Soil Technologies Evaluation Center; to the Committee on Environment and Public Works.

NATIONAL WATER, AIR, AND SOIL TECHNOLOGIES EVALUATION CENTER

Mr. BURNS. Mr. President, I rise today to introduce legislation that will establish within the U.S. Department of Energy a National Water, Air, and Soil Technologies Evaluation Center.

Mr. President, cleaning up our environment has become a top priority in this country in the minds not only of Congress, but in the minds of all the citizens across the country. I think the debate that we have going now on clean air pretty well is an example of that.

Hazardous waste disposal is one of the crippling issues of our generation. We are drowning in waste. The waste we have to deal with ranges from relatively harmless to extremely dangerous.

Currently, our only solution to the problem of waste disposal is to bury it and hope that over time the problem goes away. For some forms of waste, that may be well, and the most cost-effective means of dealing with the problem, but other more dangerous waste is a problem, and it is not going to go away. It has to be dealt with.

Contamination of our ground water is one of the dangerous side effects of waste disposal. If the stuff were simply to lie in the soil, we could put a fence around it and put up signs and warn people that it would be harmful, in order keep them away, but the issue

of ground-water contamination is a much more difficult proposition.

Ground-water contamination may well be the hidden threat that brings waste disposal to a head.

I am pleased that Admiral Watkins of the U.S. Department of Energy has chosen to move aggressively on the issue of hazardous waste disposal and treatment. DOE has a big problem on its hands at countless sites across this country.

Private industry is also beginning to address the problem of waste disposal and treatment. Concerned individuals across the country are beginning to look at the problems associated with hazardous waste disposal and treatment, and are beginning to bring creative ideas to bear on its solution.

What is lacking? I will tell you what is lacking—a clearinghouse, a national testing facility to develop and test new and untried technologies that might be helpful in disposing of harmful waste. This bill addresses that need.

In Montana, the city of Butte has the dubious distinction of being next to the largest Superfund site in the United States.

The Berkeley pit is filling with arsenic and heavy metals at the rate of approximately 7 million gallons per day. The pit already contains approximately 11 billion gallons of water contaiminated with virtually all the complex metallic and inorganic substances common to acid mine drainage.

The Butte site is an ideal location for a national test bed facility to develop and test new and existing technologies for decontaminating contaminated sites.

Such a facility could conduct evaluations of existing technologies for waste disposal; conduct research, development, and demonstration of new technologies for waste disposal; certify the use of equipment, procedures, and other forms of technology; provide training in the use of equipment, procedures and other forms of technology; and promote the transfer of technologies for the removal of contaminants from water, soil, and the air between Government agencies and private industry.

Let me make it clear that I am not advocating that any hazardous waste be transfered to Butte or to any place in Montana. Quite the opposite. This measure would at long last begin the process of coordinating efforts to find a way to decontaminate harmful waste instead of just moving the problem around and watching it get worse.

I urge other Senators to join me in this effort, because if they say legislation drives technology, I think this will.

Mr. President, I ask unanimous consent that a copy of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) Metallic and inorganic contamination occur in ground water on many Departments of Defense, Energy and other Government sites;

(2) Development of technologies for the removal and recovery of contaiminants from waste water in a safe, effective, and efficient manner is a high priority need;

(3) The exchange of information and transfer of technologies for cleaning of contaminant sites between and among government agencies and private industry is in the national interest;

(4) The Berkeley Pit in Butte, Montana is a non-operating, open copper mine pit containing approximately 11,000,000,000 gallons of water contaminated with virtually all the complex metallic and inorganic substances common to government and private faciliity wastes, and is accompanied by sludge and ground contamination;

(5) The Berkeley Pit is filling at a rate of approximately 7,000,000 gallons of dangerously contaminated water each day, thereby endangering the water and aquifers of the citizens of Butte, Montana, and other residents of the Columbia River System;

(6) The Berkeley Pit offers a unique site for testing equipment developed for removing contaminants from water, air, and soil; while also providing the means (applicable technology) to eliminate a potential health hazard by cleaning the Pit water.

(7) There is a need to coordinate the activities of the many Government agencies now independently applying their resources to the development of technologies for the recovery and removal of these contaminants.

SEC. 2. ESTABLISHMENT OF CENTER.

(a) IN GENERAL.—The Department of Energy's test facility at Butte, Montana, is established as the National Water, Air, Soil Technologies Evaluation Center (referred to as the "Center").

(b) FUNCTIONS.—The center shall—

(1) Provide assistance in the analysis of hazardous waste and other environmental contaminants generated by, or situated on property under the control of, departments and agencies of the United States;

(2) Conduct evaluations of existing technologies for waste disposal;

(3) Conduct research, development, and demonstration test and evaluation of new technologies for waste disposal;

(4) Certify the use of equipment, procedures, and other forms of technology in the removal of contaminants from water, air, and soil;

(5) Provide training in the use of equipment, procedures, and other forms of technology in the removal of contaminants from water, air, and soil; and

(6) Promote the transfer of technologies for the removal of contaminants from water, air, and soil between and among Government agencies and private industry.

(c) REFERRAL AND COORDINATION OF FUNCTIONS.—The heads of departments and agencies of the United States that have responsibilities and capabilities in the field of waste disposal and decontamination of the environment shall cooperate in referral to the Center functions that can most effectively be performed in concert, under the direction of the Secretary of Energy with the advice of the Administrator of the Environmental Protection Agency so as to avoid duplication of effort among the departments and agencies.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to establish and operate the center.

By Mr. KENNEDY (for himself, Mr. SIMON, and Mr. INOUYE):

S. 2163. A bill to amend the Public Health Service Act to establish a Lifecare Long-Term Care Program, and for other purposes; to the Committee on Labor and Human Resources.

LIFECARE LONG-TERM CARE PROTECTION ACT

Mr. KENNEDY. Mr. President, today I am introducing the Lifecare Long-Term Care Insurance Program.

When Medicare was passed in 1965, it was the most important step forward for our Nation's senior citizens since the enactment of Social Security more than a half century ago. It is difficult to remember today that in the dark days before Medicare, every illness could be financially devastating for senior citizens. Medicare was a health care bill of rights for every elderly American. But it was a bill of rights with fundamental gaps that were apparent from the day Medicare was enacted. One of these gaps is that Medicare does not cover home care or nursing home care except on a restricted and temporary basis.

Long-term care insurance is as essential to the current generation of the elderly as Medicare was to the last generation. Every senior citizen who has ever needed nursing home care or home care knows that—and so do their spouses, their children, and their grandchildren.

The magnitude of the long-term care problem is immense. Over 1 million elderly Americans live in nursing homes today—and for every senior citizen in a nursing home, two or three more are equally disabled and equally in need—struggling to survive in their own homes, in their children's homes, or in other community settings.

The number of senior citizens in nursing homes today vastly understates those who will need long-term care in the years ahead. As Americans live longer, 35 to 50 percent can expect to enter a nursing home at some point in their lives. The number of people age 85 and older, the group most in need of long-term care, will increase fourfold by 2040. According to surveys, almost half of all American families have been touched—and often touched hard—by the need for long-term care.

One of the most distressing aspects of this growing crisis is the devastating cost of decent long-term care for the vast majority of families. For the average senior citizen, a stay in a nursing

home today can be as financially ruinous as a stay in the hospital used to be in the dark days before Medicare.

According to a study by the House Select Committee on Aging, one-third of all elderly couples would be pauperized if one of them had to be institutionalized for 6 months. And for senior citizens who are single and therefore more likely to be living on the edge, almost two-thirds would be impoverished in the same 6 months.

Home care is less costly than nursing home care, but even that type of care is prohibitively expensive for most of the elderly. One out of every five married couples would be impoverished by 6 months of home care; almost one-third would see their hopes for a dignified retirement vanish within a year. Again, if the senior citizen is single, two-thirds will be impoverished within a year.

Crushing as these expenses are in financial terms, they are even more destructive in human terms. Disabled senior citizens who cannot afford assistance are condemned to lives of loneliness, misery, and despair. Even if they manage to recover physically from the stroke, or fractured hip, or heart attack, or other disability that led to confinement in a nursing home, they often cannot go home, because the financial burden of treatment and recovery has wiped out the savings that made life at home possible, let alone comfortable.

When an infirm senior citizen must be cared for in the home by a spouse, or by a daughter or son with children of their own, the financial and emotional burden of providing needed care can become so great that it destroys all possibility of happiness—both for the senior citizen and for the family members who provided the care.

These conditions are unacceptable in America in 1990, and the legislation I am introducing today is designed to put an end forever to these human tragedies.

The Lifecare Program will provide comprehensive protection against the need for long-term care, whether that care is provided in a nursing home or a person's own home. Because the need for long-term care can strike children and disabled younger adults as well as seniors. Lifecare will cover those groups as well.

Lifecare is constructed on three fundamental principles. First, it will be universal. Everyone will be able to participate. All insurance programs work best with both participation: They are most effective in protecting both society and individuals, and they are most cost-effective, too.

Second, the program will be available to all without regard to ability to pay. Social insurance programs have wide support because rich and poor contribute alike and benefit alike. It is no accident that Social Security and Medicare are the two most broadly supported and widely loved social programs ever enacted, and that successful approach will be a cornerstone of the Lifecare Program.

Third, the program must be comprehensive enough to provide all essential services without the need for private supplementary insurance. Studies by the Brookings Institution have shown conclusively that private insurance cannot possibly reach all the elderly needing help. The reason is obvious. Private insurance that is not sold on a group basis inevitably skims off the easiest risks and least costly clients and dumps the rest on government. And where gaps in a public program need to be filled by private insurance, it is those who need the gaps filled the most who are typically least able to afford supplementary protection. Forty-three percent of those elderly with one or more limitations in the so-called activities of daily living have annual incomes of $9,000 or less.

Even if the elderly could afford private coverage, they would pay too much if they bought it privately. As experience under Medicare proves, private insurance inevitably costs more than the Government charges for the same protection. Administrative costs are a rockbottom 2 or 3 percent under Medicare, compared to as high as 40 percent under private Medigap policies.

In the years subsequent to Medicare's enactment, a strong private insurance market has grown up around the base that Medicare provides. Despite the fact that senior citizens have to pay too much for the Medigap coverage they buy, this coverage does fill some of Medicare's most glaring holes. Eighty percent of senior citizens have either Medicaid or private Medigap coverage for hospital deductibles, copayments, and extended stays, as well as copayments for physician care.

No comparable market has developed for private long-term care insurance. So far only 1.3 million private long-term care policies have been sold, covering less than 1 percent of the elderly. Medicaid coverage for long-term nursing home care is available only after senior citizen has been impoverished by the cost of care.

When Congress passes a long-term care protection program, it should be a program that truly meets the needs of disabled senior citizens—and children and disabled younger adults as well. Congress should not have to come back later to correct inadequacies that were obvious from the beginning. We tried that in the case of the Medicare Catastrophic Coverage Act, but our efforts were unsuccessful for two reasons: The new and expanded benefits were to be paid for partly by a surtax that the elderly found oppressive and the law did too little to address the elderly's greatest concern—protection against the costs of long-term care.

The comprehensive program that I am proposing today comes in two parts, analogous to Medicare. Part A covers the full cost of home care and the first 6 months of nursing home care. It is fully financed with Federal funds. Part B covers longer stays in nursing homes. Enrollment in part B is voluntary, and is financed two-thirds by premiums from the elderly themselves and one-third from public revenues, with subsidies for cost-sharing for the low-income elderly.

Individuals will be eligible under part A for home services, adult day care, and respite care if they are completely unable to perform at least one of the normal activities of daily living or are significantly disabled on two or more of these activities. These activities include transferring—for example, from a bed to a wheelchair—bathing, dressing, eating, and using the bathroom. Those who need care because they are cognitively disabled, by Alzheimer's disease, for example, would also be covered. Services would be based on the degree of disability and the need for care, with limits on the daily or weekly cost, but no limit on the length of time as long as the need continued. A modest copayment would assure that services are provided only when needed, but the copayment would be related to ability to pay, so that no one is denied needed services because the copayment is too burdensome.

Eligibility for home care would be determined at the Federal level, but the program would be organized and managed at the local level by area long-term care coordination agencies designated by State governments. State governments would retain a fiduciary responsibility for their operation under Federal guidelines. This State-local delivery system follows a model of home care that a number of States, including Massachusetts, use to deliver high quality, humane, comprehensive, and cost-effective care to disabled elderly citizens.

In addition to home care, part A would fully cover the cost of the first 6 months of a nursing home stay. Nursing home care, rather than home care, would be provided if nursing home care is necessary and in the best interest of the senior citizen.

For protection against the cost of longer nursing home stays, individuals can enroll in part B of lifecare. After an initial eligibility period subsequent to the bill's enactment, individuals can choose to enroll at either age 45 or age 65. Those enrolling at 45 would have lower premiums throughout life and protection between ages 45 and 65.

The Lifecare Program will cost an estimated $20 billion a year when fully phased in. The cost is large, but the

benefits are even larger. I believe that this is one program where the American people will say "amen" when we ask them to pay for it with higher taxes—and end the shameful current neglect that blights the lives of too many disabled citizens and their families. In a recent poll conducted by the Yankelovich Group for AARP, 88 percent of the respondents said they supported a Federal long-term care program.

There are a number of possible ways to pay for lifecare. The one I favor is to eliminate the current income ceiling on the payroll tax for both employees and employers. This way all Americans will pay the same share of their income to support these important programs. Eliminating the ceiling from its current level of $51,300 a year will raise over $50 billion—much more than is needed to pay for lifecare—and we could use the surplus to reduce the tax rate for all workers.

A number of other possible financing sources for long-term care have been suggested. I intend to work with the tax committees and the elderly groups to find the method that is fairest and most generally acceptable. The key condition is that the program must be self-financing. Deficit increases are as unacceptable as inaction. I am confident that the American people and the Congress will find a way to pay for the kind of program that our senior citizens and their families need and deserve.

If we are honest, we know that society already pays for long-term care, but in cruel and irrational ways. Public funds now contribute more than $20 billion a year for nursing home care—almost half the total. But these revenues, provided through Medicaid, are expended only after senior citizens and their families have been forced to pauperize themselves. I say, these public dollars should be used up front, to protect the elderly's standard of living when there is something left to protect.

The billions of dollars of private funds that go into the current system would also be redirected under lifecare. Today, they are extorted from the sick and their families as an unfair penalty for serious long-term illness. When lifecare is law, these private dollars will be spent through an effective social insurance program that spreads the cost among all citizens.

Enacting lifecare will be a difficult battle—almost as difficult as the enactment of Medicare a quarter century ago. The battle for Medicare was won because America's senior citizens, and the American people as a whole, knew that no decent society denies decent health care to elderly citizens in need. In 1990, the American people know that decent long-term care, whether in a senior citizen's own home or in a nursing home, is just as fundamental.

Finally, I pay tribute to the late Congressman Claude Pepper, whose tireless efforts did so much to place this issue high on our national agenda list and whose pioneering home care bill is the basis for the home care in part A of Lifecare. I also commend Senator PAUL SIMON, who has been a leader in this field. He has contributed a great deal to the development of this legislation, and I am pleased that he is joining in sponsoring it today. Companion legislation is being introduced today by Congressman ROYBAL and Congresswoman OAKAR in the House of Representatives.

Mr. President, I ask unanimous consent that the text of the bill and a fact sheet describing the bill may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Lifecare Long-Term Care Protection Act".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Lifecare long-term care protection program.

"TITLE XXVI—LIFECARE LONG-TERM CARE PROTECTION PROGRAM

"PART A—GENERAL PROVISIONS

"Sec. 2601. Definitions.
"Sec. 2602. Long-term care agencies.
"Sec. 2603. Contribution of State funds.

"PART B—COVERAGE OF HOME AND COMMUNITY-BASED CARE SERVICES

"Sec. 2611. Benefits.
"Sec. 2612. Eligibility.
"Sec. 2613. Respite care.
"Sec. 2614. Qualified service providers.
"Sec. 2615. Payment for services.
"Sec. 2616. Home and Community-Based Advisory Council.
"Sec. 2617. Quality assurance boards and community advisory boards.
"Sec. 2618. Home and community-based care quality assurance.
"Sec. 2619. Certification.
"Sec. 2620. Reimbursement.

"PART C—COVERAGE OF FIRST 6 MONTHS OF NURSING HOME CARE

"Sec. 2621. Benefits.
"Sec. 2622. Eligibility.
"Sec. 2623. Limitations on payment.
"Sec. 2624. Reimbursement.
"Sec. 2625. Relationship to other entitlement programs.

"PART D—INSURANCE COVERAGE FOR NURSING HOME CARE THAT EXCEEDS 6 MONTHS

"Sec. 2631. Establishment of Federal Long-Term Care Insurance Program.
"Sec. 2632. Eligibility.
"Sec. 2633. Premium rates.
"Sec. 2634. Benefits.
"Sec. 2635. Qualified service providers.
"Sec. 2636. Reimbursement.

"PART E—TRAINING AND RESEARCH

"Sec. 2641. Grants for training for home and community-based care for the elderly.
"Sec. 2642. Grants for home health aides.
"Sec. 2643. Grants for model consumer training programs.
"Sec. 2644. Centers for long-term care planning and technical assistance.

"PART F—DEMONSTRATION PROJECTS

"Sec. 2651. Demonstration projects for seriously mentally ill individuals.
"Sec. 2652. Demonstration projects for working age individuals with severe functional limitations.
"Sec. 2653. General authority.".

Sec. 3. Conforming amendments.
Sec. 4. Effective date.

SEC. 2. LIFECARE LONG-TERM CARE PROTECTION PROGRAM.

The Public Health Service Act is amended—

(1) by redesignating title XXVI (42 U.S.C. 300aaa et seq.) as title XXVII;

(2) by redesignating sections 2601 through 2614 (42 U.S.C. 300aaa through 300aaa-13) as sections 2701 through 2714, respectively; and

(3) by inserting after title XXV the following new title:

"TITLE XXVI—LIFECARE LONG-TERM CARE PROTECTION PROGRAM

"PART A—GENERAL PROVISIONS

"SEC. 2601. DEFINITIONS.

"As used in this title:

"(1) ACTIVITY OF DAILY LIVING.—The term 'activity of daily living' includes:

"(A) BATHING.—Getting water and cleansing the whole body, including turning on the water for a bath, shower, or sponge bath, getting to, in, and out of a tub or shower, and washing and drying oneself;

"(B) DRESSING.—Getting clothes from closets and drawers and then getting dressed, including putting on braces or other devices and fastening buttons, zippers, snaps, or other closures, selecting appropriate attire, and dressing in the proper order;

"(C) TOILETING.—Going to a bathroom for bowel and bladder function, transferring on and off the toilet, cleaning after elimination, and arranging clothes;

"(D) TRANSFERRING.—Moving in and out of bed and in and out of a chair or wheelchair; or

"(E) EATING.—Transferring food from a plate or its equivalent into the body, including cutting food so as to make possible safe ingestion.

"(2) ADULT DAY HEALTH CARE.—The term 'adult day health care' means a community-based group program designed to—

"(A) meet the need for adult day health care for functionally impaired individuals in a structured, comprehensive program; and

"(B) provide a variety of health and social services furnished by an adult day health care center in an ambulatory group care setting during any part of a day, but on a less than 24-hour basis, to an individual described in section 2612.

"(3) ADULT DAY HEALTH CARE CENTER.—

"(A) IN GENERAL.—The term 'adult day health care center' means a public agency or private organization (or a subdivision there-

of), with an identifiable administrative unit headed by a Director, that meets such standards for personnel, program, physical characteristics of the facility, recordkeeping, and such other aspects of the function of such center as the Secretary considers necessary or desirable for the health, safety, and effective treatment of patients and establishes by regulation.

"(B) PROFESSIONAL ORGANIZATION STANDARDS.—In promulgating such regulations, the Secretary shall carefully consider certification standards established by the National Council on Aging and its professional membership unit, the National Institute for Adult Day Care.

"(C) PERSONNEL.—Such standards shall include the participation in the provision of the services of the center of a multidisciplinary group of personnel that includes at least—

"(i) one physician or nurse practitioner, which could be the individual's own physician or nurse practitioner;

"(ii) one registered professional nurse;

"(iii) one social worker;

"(iv) individuals with skills representing physical, recreational, or occupational therapy or speech-language pathology; and

"(v) a dietitian.

"Such personnel may be employed directly by the center or on a consultant basis, as specified by the Secretary by regulation.

"(D) STATE CERTIFICATION.—To be considered an adult health care center under this title, a center shall be certified by a State, pursuant to regulations issued by the Secretary.

"(4) CARE PLAN.—

"(A) IN GENERAL.—The term 'care plan' means a plan that has been developed by a Case Management Agency, or a home care or home health agency working under contract with the Case Management Agency to provide case management services. Such a care plan shall be based on the results of a comprehensive needs assessment of an eligible individual conducted by a case management team in cooperation with the individual, the family of the individual, or other informal caregivers, and in consultation with such other health professionals as the case management team considers appropriate for the needs of the individual. A care plan developed by a home care or home health agency is subject to review and approval by the Case Management Agency. Any entity performing case management services for individuals determined eligible for services under this title shall not be allowed to self-refer for services included in the care plan of such individual.

"(B) CONTENTS.—The plan shall—

"(i) include a definition of specific outcome goals on which improvement, reduced rate of decline, maintenance, or improved quality of life for the individual is expected; and

"(ii) identify the specific mix of services necessary to meet the outcome goals allotted to the patient and reimbursable under this title as determined by the procedure described in section 2602.

"(5) CASE MANAGEMENT SERVICES.—

"(A) IN GENERAL.—The term 'case management services' means services performed by a case management team that include—

"(i) conducting a comprehensive needs assessment in cooperation with an individual and the family of an individual and in consultation with such other health professionals (including a physical therapist, occupational therapist, nurse practitioner, certified dietitian, or physician) as the case management team considers appropriate for the needs of the individual to assess the physical, social, cognitive, and environmental status of the individual;

"(ii) developing, implementing, and modifying (when necessary) the care plan of an individual;

"(iii) coordinating the services provided under the care plan;

"(iv) monitoring the care plan to ensure the quality, quantity, timeliness, and effectiveness of the services;

"(v) monitoring the progress of an individual toward achievement of the goals specified in the care plan; and

"(vi) reviewing and revising, as necessary, the care plan at least once every three months or earlier in the event that the condition of the individual changes.

"(B) REQUIREMENT.—Individuals providing case management services to children and the disabled under this Act shall demonstrate their experience with the special needs of these populations.

"(6) CASE MANAGEMENT TEAM.—The term 'case management team' means a registered professional nurse and a qualified social worker (who is licensed or certified, if applicable, in the State in which the individual is providing services), working in consultation with other health professionals as needed, who are employed by a Case Management Agency or by a certified home health agency, home care agency, or other private nonprofit organization under contract with the agency to provide case management services pursuant to the requirements of this title and standards prescribed by the Secretary by regulation. Such nurse and social worker shall meet standards of education, training, and experience established by the Secretary by regulation to qualify to provide case management services under this title. The case management team for any person determined eligible for services under this part, as defined under section 2612(a)(2)(B)(ii), shall also include a physician.

"(7) COMPREHENSIVE NEEDS ASSESSMENT.—The term 'comprehensive needs assessment' means a comprehensive interdisciplinary assessment of the status and needs of an individual that is conducted by a case management team. The assessment shall address functional status (including activities of daily living), instrumental activities of daily living (such as housekeeping, shopping, transportation, meal preparation, and taking medication), medically defined conditions, drug regimen, nutrition status, mental status, living arrangement, and availability of caregiver support.

"(8) HEAVY CHORE SERVICES.—The term 'heavy chore services' means heavy cleaning and minor home repair. Chore services may not be used to perform activities that are the responsibility of a housing authority or landlord, or both. Heavy chore services shall be provided by personnel not requiring special training but who work under supervision of the case management agency or other qualified provider. Heavy chore services include those services determined by a case manager to be necessary to protect the health and safety of an individual such as washing floors and walls, woodcutting, changing storm windows, replacing window panes, door and window locks, installing minor home adaptations, snow shoveling, weatherization, and such other needed heavy chore services as are specified by a case manager.

"(9) HOME AND COMMUNITY-BASED CARE SERVICES.—The term 'home and community-based care services' means items and services provided to an individual—

"(A) under a written plan of care for furnishing such items and services to the individual;

"(B) except as provided clauses (iv), (v), and (xii) of subparagraph (C), on a visiting basis in a place of residence of the individual and in other facilities (but not including a nursing home); and

"(C) that include—

"(i) homemaker services;

"(ii) home health aide services;

"(iii) heavy chore services;

"(iv) adult day health care provided at an adult day health care center;

"(v) respite care;

"(vi) home mobility aids and minor adaptations to the home of the individual that promote independence (such as installation of an emergency alarm system, railings, ramps, and special toilets) that are approved by the case manager and included in the care plan of the individual;

"(vii) nursing care provided by or under the supervision of a registered professional nurse;

"(viii) medical social work services;

"(ix) physical, occupational, or speech therapy or rehabilitative services to preserve and restore functional capability or to prevent functional deterioration;

"(x) transportation to and from health or social services;

"(xi) nutrition and dietary counseling provided by or under the supervision of a qualified dietitian; and

"(xii) any of the items and services referred to in clauses (i) through (xi)—

"(I) that are provided on an outpatient basis, under arrangements made by the case manager, at a hospital or nursing facility, or at a rehabilitation center that meets such standards as may be prescribed in regulation; and

"(II) the furnishing of which cannot readily be made available to the individual in such place of residence, or can be provided more economically or effectively in such hospital, facility, or center.

"(10) HOME CARE AGENCY.—The term 'home care agency' means an agency in any State that has been certified by the State to provide home care services pursuant to regulations of the Secretary. Such services include homemaker services, heavy chore services, and respite services.

"(11) HOME HEALTH AGENCY.—The term 'home health agency' means an agency in any State that has been certified by the Secretary to provide home health services. Such services shall include home health aide services, homemaker services, nursing services, respite services, medical social work services, and occupational, physical, speech therapy, and nutrition and dietary counseling.

"(12) HOME HEALTH AIDE SERVICES.—

"(A) IN GENERAL.—The term 'home health aide services' means the services provided by a home health aide who meets such educational, training, and any other requirements as the Secretary shall establish by regulation and who is employed by a home health or home care agency or whose services are provided under a contract with, or subcontract on behalf of, a Case Management Agency.

"(B) SERVICES.—Such services shall include—

"(i) providing personal care in following the instructions of the case management team of an individual under the supervision of a registered professional nurse or, if ap-

propriate, a physical, speech, or occupational therapist;

"(ii) assisting the individual with activities of daily living;

"(iii) assisting the individual with the taking of medications ordered by a physician, that are ordinarily self-administered;

"(iv) assisting and reinforcing the individual with necessary self-help skills; and

"(v) reporting to the registered professional nurse supervisor any change in the condition or family situation of the individual.

"(13) HOMEMAKER SERVICES.—

"(A) IN GENERAL.—The term 'homemaker services' means services provided by a homemaker who meets such educational, training, and any other requirements as the Secretary shall establish by regulation and who is employed by a home health or home care agency or who are working under contract with, or subcontract on behalf of, a Case Management Agency.

"(B) SERVICES.—Homemaker services may include—

"(i) organizing the homemaking activity of the household with the active participation of an individual, if possible, and other responsible family members;

"(ii) coordinating efforts of other family members in planning and carrying out the duties necessary for the normal functioning of the household;

"(iii) performing routine housekeeping tasks, planning and preparing meals, doing the marketing and simple errands, and taking care of light laundry;

"(iv) assisting the individual with personal care services including performing activities of daily living; and

"(v) performing such incidental household services as are essential to the care of an individual at home, such as reporting to a registered professional nurse supervisor changes in the condition or family situation of the individual and following a written case plan established by a case management team.

"(14) NURSING FACILITY.—

"(A) IN GENERAL.—The term 'nursing facility' means an institution that meets such requirements as the Secretary shall prescribe by regulation to ensure the safe and efficient provision of nursing home services under this title.

"(B) REQUIREMENTS.—

"(i) REGISTERED PROFESSIONAL NURSE.—All nursing facilities shall maintain at least one registered professional nurse on duty at all times. The Secretary may provide limited waivers of such requirement if—

"(I) the facility demonstrates to the satisfaction of the Secretary that it has been unable, despite diligent efforts (including offering wages at the community prevailing rate) to recruit and retain appropriate personnel;

"(II) the Secretary determines that a waiver of the requirement will not endanger the health, safety, or well being of residents of the facility;

"(III) the facility meets any other requirements that the Secretary may establish for the approval of such a waiver; and ,

"(IV) such waiver is not for a period in excess of 6 months, but such may be renewed on a limited basis for additional periods not to exceed 6 months.

"(ii) REGISTERED PROFESSIONAL SOCIAL WORKER.—All nursing facilities shall maintain at least one full-time registered professional social worker to direct its social services program.

"(15) RESPITE CARE.—The term 'respite care' means a temporary break provided to an individual who supplies regular care to a dependent relative or friend. For purposes of this title, the break may not exceed 30 days or 720 hours, in a calendar year. The term includes institutional or noninstitutional patient supervisory services to temporarily relieve the caregiver of an eligible individual as determined by a Care Management Agency and included in the care plan of the individual.

"(17) SPELL OF ILLNESS.—The term 'spell of illness' means a period of consecutive days beginning with the first day on which an individual is furnished a covered service and ending with the close of the first 6 consecutive months thereafter during which the individual is not an inpatient of a hospital or a nursing facility.

"SEC. 2602. LONG-TERM CARE AGENCIES.

"(a) LONG-TERM CARE SCREENING AGENCY.—

"(1) ESTABLISHMENT.—The Secretary shall contract with entities to act as Long-Term Care Screening Agencies (hereinafter referred to in this title as the 'Screening Agency') for each designated area of a State. It shall be the responsibility of such agency to assess the eligibility of individuals residing in the geographic jurisdiction of the agency, for services provided under this Act according to the requirements of this Act and regulations prescribed by the Secretary.

"(2) ELIGIBILITY.—The Screening Agency shall determine the eligibility of an individual based on the results of a preliminary telephone or written questionnaire (completed by the applicant, by the caregiver of the applicant, or by the legal guardian or representative of the applicant) that shall be validated through the use of a screening tool administered in person by a physician, nurse practitioner, or registered professional nurse, to each applicant determined eligible through initial telephone or written questionnaire interviews not later than 15 days from the date on which such individual initially applied for services under this part.

"(3) QUESTIONNAIRES AND SCREENING TOOLS.—

"(A) IN GENERAL.—The Secretary shall establish a telephone or written questionnaire and a screening tool to be used by the Screening Agency to determine the eligibility of an individual for services under this title consistent with requirements of this title and standards established by the Secretary by regulation.

"(B) QUESTIONNAIRES.—The questionnaire shall include questions about the functional impairment, mental status, and living arrangement of an individual and other criteria that the Secretary shall prescribe by regulation.

"(C) SCREENING TOOLS.—The screening tool should measure functional impairment caused by physical or cognitive conditions as well as information concerning cognition disability, behavioral problems (such as wandering or abusive and aggressive behavior), the living arrangement of an individual, availability of caregivers, and any other criteria that the Secretary shall prescribe by regulation. The screening tool shall be administered in person.

"(4) NOTIFICATION.—Not later than 15 days after the date on which an individual initially applied for services under this part (by phone or written questionnaire), the Screening Agency shall notify such individual that such individual is not eligible for benefits, or that such individuals must schedule an in-person screening to determine final eligibility for benefits under this title. The Screening Agency shall notify such individual of its final decision not later than 2 working days after the in-person screening.

"(5) IN-PERSON SCREENING.—An individual (or the legal guardian or representative of such individual) whose application for long-term care benefits under this Act is denied on the basis of information provided through a telephone or written questionnaire, shall be notified of such individual's right to an in-person screening by a nurse or appropriate health care professionals.

"(6) APPEALS.—The Secretary shall establish a mechanism for hearings and appeals in cases in which individuals contest the eligibility findings of the Screening Agency.

"(7) FUNDING LEVEL.—The Screening Agency shall be responsible for determining the estimated funding level that shall be allotted for individuals eligible for home and community-based care, pursuant to standards established under section 2615(e) and regulations of the Secretary.

"(b) LONG-TERM CARE CASE MANAGEMENT AGENCY.—

"(1) ESTABLISHMENT.—The Secretary shall contract with a State or, in any case in which a State declines to contract with the Secretary, a private nonprofit organization, to establish and administer a Long-Term Care Case Management Agency (hereinafter referred to in this title as 'Case Management Agency') for each designated area of a State. Such agency shall demonstrate expertise in the delivery of health and social services to the chronically ill and disabled pursuant to requirements established in this title and such standards as the Secretary may establish by regulation (including standards for training and qualification of personnel, financial responsibility, and governance).

"(2) DUTIES.—A Case Management Agency shall provide case management services for eligible individuals directly or through contracts with home care or home health agencies that meet the requirements of this title and standards prescribed by the Secretary by regulation for providing case management services.

"(3) CARE PLAN.—The Case Management Agency shall develop a care plan for each individual determined to be eligible by a Screening Agency. In developing a care plan for an individual, the Case Management Agency shall design a plan that meets the service needs of the individual, consistent with the resources available to the agency.

"(4) FUNDING.—

"(A) IN GENERAL.—The actual level of funding allotted to an eligible individual by the Case Management Agency to cover services included in the individual's care plan may fall above or below the estimated annualized level allotted to the individual by the Screening Agency based on the detailed assessment and plan of care provided by the Case Management Agency.

"(B) LIMITATION.—The Case Management Agency shall allocate the resources available from the the Screening Agency (as described in section 2615(a)) to ensure that the total expenditures for home and community-based care for individuals eligible for services covered under this title residing within the geographic jurisdiction of the agency do not exceed the total amount available monthly to the Case Management Agency, pursuant to this section, for home and community-based services. The Case Management Agency shall establish specific financial controls (including authorizing the amount, scope, and duration of services to be provided to an individual) to carry out this subparagraph.

"(c) REGISTRY.—A Case Management Agency shall maintain a registry of qualified providers of home and community-based and nursing home care in the State and shall assist individuals in choosing qualified providers to carry out the care plan. An individual eligible for services under this title shall be free to choose from the registry the home care agency, home health agency, or other qualified provider of services to carry out the care plan of such individual. The Case Management Agency shall assist the individual in locating alternative providers if the individual becomes dissatisfied with the provider initially chosen.

"(d) MONITORING.—A State shall, along with the Secretary, monitor the performance of all designated Case Management Agencies and assure the fiscal stability of such agencies. A State shall act as the financial guarantor of each agency.

"SEC. 2603. CONTRIBUTION OF STATE FUNDS.

"(a) ESTIMATE.—The Secretary shall estimate the amount that a State would have spent during each calendar year for individuals eligible for long-term care services under each Federal-State entitlement program in the absence of the program established by this title. Such estimate shall be updated annually based on the projected increases in the cost of carrying out this title.

"(b) CONTRIBUTION.—For residents of a State to be eligible to participate in the program established by this title during a calendar year, the State shall contribute the amount estimated under subsection (a) to the Secretary to share in the costs of providing services to such State residents under the program established by this title for such calendar year.

"PART B—COVERAGE OF HOME AND COMMUNITY-BASED CARE SERVICES

"SEC. 2611. BENEFITS.

"An individual who meets the eligibility criteria prescribed in section 2612 shall be eligible under the program established by this part for coverage for home and community-based care services that are—

"(1) determined to be necessary by a Case Management Agency;

"(2) described in the care plan of the individual;

"(3) services for which the individual is eligible; and

"(4) consistent with the need for care of the individual, regulations issued by the Secretary, and standards established under this part.

"SEC. 2612. ELIGIBILITY.

"(a) IN GENERAL.—An individual shall be eligible for benefits under this part only if the individual—

"(1)(A) is—

"(i) 65 years of age or older; or

"(ii) eligible for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) as the result of a disability; and

"(B) has been determined by a Screening Agency through a screening process (conducted in accordance with section 2602) to be—

"(i) completely dependent (does not participate) in at least one age-appropriate activity of daily living or unable to perform two or more age-appropriate activities of daily living without human assistance or supervision; or

"(ii) so cognitively impaired (due to adult onset or acquired chronic organic disease of the brain, occurring in clear consciousness, and including those individuals who would meet such criteria except for the presence of a transient delirium in such individuals) as to require substantial supervision from another individual because such impaired individual engages in inappropriate behavior that poses a substantial health and safety hazard to such impaired individual or to others; or

"(2)(A) is under 19 years of age; and

"(B) has been determined by a Screening Agency through a screening process (conducted in accordance with section 2602)—

"(i) to be unable to perform two or more age-appropriate activities of daily living without human assistance or supervision; or

"(ii) to require both a medical devise to compensate for the loss of a vital body function that is necessary to avert death or major loss of bodily functional capacity and substantial and ongoing nursing care to avert death or further disability; or

"(3)(A) would be eligible for benefits under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq) on the basis of a disability except for the required 24-month waiting period;

"(B) has been determined by a Screening Agency through a screening process (conducted in accordance with section 2602) to be completely dependent (does not participate) in at least one age-appropriate activity of daily living or unable to perform two or more age-appropriate activities of daily living without human assistance or supervision; and

"(C) has a medical prognosis that such individual's life expectancy is 12 months or less.

"(b) APPLICATION.—An individual shall be eligible for benefits under this part only if—

"(1) the individual has filed an application for, and is in need of, benefits covered under this part;

"(2) the legal guardian of the individual has filed an application on behalf of an individual who is in need of benefits covered under this part; or

"(3) the representative of an individual who is cognitively impaired, who has no legal guardian, and who is in need of benefits covered under this part, files an application on behalf of the individual.

"SEC. 2613. RESPITE CARE.

"(a) ELIGIBILITY.—An individual shall be eligible for respite care benefits under this part if—

"(1)(A) the individual meets the requirements established in section 2612;

"(B) the individual is dependent on a daily basis on a primary caregiver and is assisting the individual without monetary compensation in the performance of at least two age-appropriate activities of daily living; and

"(C) without such assistance the individual could not perform such activities of daily living; or

"(2) the individual has dementia or other cognitive impairments, as determined by a Screening Agency.

"(b) DETERMINATION OF NEED.—The determination of the need of an individual for respite care shall be made by the Case Management Agency. An analysis of such need shall be included in the care plan of the individual.

"(c) SERVICES.—Respite care services under this section may include home and community-based services or nursing home services described in section 2621(b).

"(d) PERIOD OF COVERAGE.—Coverage for such services shall be for short periods of time of not to exceed 30 days or 720 hours during a given calendar year.

"(e) REIMBURSEMENT RATES.—Reimbursement rates for respite care services covered under this section shall be the same as rates established elsewhere in this part for home and community-based services and nursing home services.

"SEC. 2614. QUALIFIED SERVICE PROVIDERS.

"(a) IN GENERAL.—Services provided to eligible individuals pursuant to a plan of care under this part shall be provided by qualified service providers.

"(b) TYPES.—A qualified service provider shall include—

"(1) a home care agency certified by the State;

"(2) a home health agency certified by the Secretary;

"(3) an adult day health care center certified by the State; and

"(4) other certified or licensed provider of specific services including a registered professional nurse, qualified social worker, physician, nurse practitioner, physical, occupational or speech therapist, certified dietitian, and other providers as the Secretary shall designate by regulation that meet standards established by the Secretary.

"(c) APPROVAL REQUIRED FOR REIMBURSEMENT.—No individual or agency shall be eligible for reimbursement for services provided to an individual under this part unless the Case Management Agency approves the provision of services to such individual or agency.

"SEC. 2615. PAYMENT FOR SERVICES.

"(a) CASE MANAGEMENT AGENCIES.—The Secretary shall pay an amount monthly to each Case Management Agency that equals the sum of the amounts allotted by the Screening Agency for eligible individuals in the geographic jurisdiction of such Case Management Agency who have been determined by such Screening Agency to be eligible to receive services covered under this part.

"(b) SERVICE PROVIDERS.—

"(1) DIRECT PAYMENTS.—The Case Management Agency shall make direct payments to certified home care and home health agencies, and other qualified providers of home and community-based services reimbursable under this part, in accordance with such methods as the State may establish pursuant to regulations promulgated by the Secretary.

"(2) FULL PAYMENT FOR SERVICES.—All providers of home and community-based care services under the program established under this part shall accept payment rates established by the Case Management Agency as payment in full for services and shall not pass on additional charges to beneficiaries for services rendered under a plan of care.

"(c) PROVIDERS OF CASE MANAGEMENT SERVICES.—If a Case Management Agency contracts with a home health or home care agency to provide case management services, the Case Management Agency shall make direct payments to such organization in accordance with such methods as the State may establish pursuant to regulations promulgated by the Secretary.

"(d) LIMIT ON PAYMENT FOR HOME HEALTH AND COMMUNITY-BASED SERVICES.—

"(1) INITIAL PERIOD.—During the 3-year period beginning on the date of enactment of this title, the maximum amount of payments that may be made to a Case Management Agency for home and community-based services provided to an individual who resides in the geographic jurisdiction of the agency and who is eligible for services under

this part shall be, on an annualized basis, not more than 65 percent of the average amount payable, including the cost of ancillary services, for the same number of care days in a nursing home under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in the area in which the home and community-based care is provided.

"(2) SUBSEQUENT YEARS.—In years subsequent to the period referred to in paragraph (1), the maximum amount referred to in such paragraph shall be established by the Secretary according to such prospective payment methods as the Secretary may establish by regulation to assure that no payment is made for home and community-based services that will exceed the cost of an alternative placement in a nursing facility, less a reasonable estimate of the cost of room and board in such facilities or in the community.

"(e) AMOUNT OF COVERAGE.—

"(1) IN GENERAL.—Subject to subsection (d) and other provisions of this subsection, the amount of coverage allotted to an eligible individual shall be the amount necessary to carry out the service needs of the individual.

"(2) MAXIMUM AVERAGE AMOUNT.—In the case of an individual in a given geographic area, the average amount payable for such individual shall not exceed an amount determined by multiplying—

"(A) the maximum amount prescribed in subsection (d); by

"(B) a measure of the severity of the need for services of the individual.

"(3) SEVERITY OF NEED FOR SERVICES.—For purposes of paragraph (2), the severity of the need for services of an individual shall be estimated by such statistical models and techniques, that shall include a measure of the severity of dependency in activities of daily living, cognitive impairment, living arrangement, age, and such other factors as the Secretary shall specify by regulation, except that all individuals determined to be eligible for services under this part shall be presumed to face a monthly need for services of at least 5 percent of the maximum allotment. In determining eligibility, the Secretary shall not use any measures of the income and assets of the individual. Expenditures authorized by this paragraph shall be made only for the services specified in this part in accordance with a written care plan prepared through case management services provided by the Case Management Agency or a home care or home health agency under contract with the agency to provide case management services.

"(4) CHRONICALLY-ILL INDIVIDUAL.—The amount of coverage allotted in a month to an eligible individual who is a chronically-ill individual, as described in section 2612(a)(2)(B)(ii), who resides in a State shall be an amount that the Secretary estimates is equal to 100 percent of the amount that would be payable, under the plan of the State approved under title XIX of the Social Security Act during the month if such individual were provided appropriate care in an appropriate institutional setting, if no limit on amount, duration, or scope of covered institutional services applied other than medical necessity.

"(f) COPAYMENT.—The amount payable for home and community-based services under this part shall be reduced by a copayment amount equal to 5 percent of the amount of the monthly insurance benefits of the individual under title II of the Social Security Act (42 U.S.C. 401 et seq.), if any, or 10 percent of the cost of services provided to the individual, whichever is less.

"SEC. 2616. HOME AND COMMUNITY-BASED CARE ADVISORY COUNCIL.

"(a) ESTABLISHMENT.—No later than 60 days after the date of enactment of this title, there shall be established an independent body to be known as the 'Home and Community-Based Care Advisory Council' (hereinafter referred to in this section as the 'Council').

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Council shall be composed of 13 individuals appointed by the Secretary.

"(2) EXPERTISE.—To the maximum extent practicable, the Council shall include individuals with expertise in pediatrics, geriatrics, gerontology, disability, case management of home and community-based services and home and community-based care reimbursement, home and community-based care consumers and their representatives, home and community-based care providers and their representatives, professionals with expertise in long-term care including nurses, social workers, discharge planners, third party payors, long-term care ombudsmen, and State and local health and social service agency representatives.

"(3) TERM.—An appointment to the Council shall be for a term of not to exceed 4 years.

"(c) PURPOSE.—The purpose of the Council shall be—

"(1) to assist the Secretary in assuring the prompt and efficient implementation of this part;

"(2) to regularly review the implementation of this part; and

"(3) to recommend to the Secretary and Congress any necessary modifications of this part.

"(d) CONSULTATION.—The Secretary shall regularly and closely consult with the Council in the implementation and administration of this part.

"(e) MEETINGS.—To carry out this section, the Secretary shall meet with the Council at least once every month during the 24-month period beginning 60 days after the date of enactment of this title and at least quarterly after such period.

"SEC. 2617. QUALITY ASSURANCE BOARDS AND COMMUNITY ADVISORY BOARDS.

"(a) QUALITY ASSURANCE BOARD.—A State shall establish and appoint members to a quality assurance board that will monitor the quality of care provided under this part in a given area of the State, pursuant to procedures established by the Secretary by regulation.

"(b) COMMUNITY ADVISORY BOARD.—A State shall establish and appoint members to a community advisory board for each Case Management Agency pursuant to regulations by the Secretary. The advisory board shall be composed of consumers of services and their families, representatives of agencies and organizations, professionals providing services to the elderly, and public members. Public members and consumers and their families shall form a majority of the members of the advisory board.

"SEC. 2618. HOME AND COMMUNITY-BASED CARE QUALITY ASSURANCE.

"(a) HOME AND COMMUNITY-BASED CARE SERVICES CONSUMERS' BILL OF RIGHTS.—The Secretary shall promulgate regulations that shall establish a bill of rights for consumers of home and community-based services (hereafter referred to in this section as the 'consumer'), that shall recognize the following as the rights of consumers that may be asserted by the consumer or the representative or guardian of the consumer:

"(1) TREATMENT OF INDIVIDUAL.—To be treated with courtesy, respect, and full recognition of one's dignity, individuality, and right to control one's own household and lifestyle.

"(2) FULL INFORMATION.—To be fully informed by the individual's case management team of his or her condition.

"(3) REFUSAL OF TREATMENT.—To refuse all or part of any treatment, care, or service, and to be informed of the likely consequences of such refusal.

"(4) NONDISCRIMINATION.—To receive treatment, care, and services in compliance with all State and local laws and regulations without discrimination in the provision or quality of services based on race, religion, gender, age, or creed (except as provided under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.)), or because of a change in the source of payment.

"(5) FREEDOM FROM ABUSE.—To be free from mental and physical abuse, neglect, and exploitation, and to be free from chemical and physical restraints.

"(6) RESPECT AND PRIVACY.—To receive respect and privacy in the home care consumer's treatment, care, and services in caring for personal needs, in communications, and in all daily activities.

"(7) CONFIDENTIALITY.—To be assured of the confidential treatment of personal and financial records and to approve or refuse the release of such records to any individuals outside the agency except as otherwise required by law or third-party payment contract.

"(8) EXERCISE OF RIGHTS.—To be free to fully exercise the consumer's civil rights and to be assisted in doing so when assistance is needed.

"(9) TRANSITION OF SERVICES.—To receive assistance to assure a smooth transition in services consistent with the welfare of the home care consumer.

"(b) HOME AND COMMUNITY-BASED PROVIDER QUALITY ASSURANCE REQUIREMENTS.—

"(1) IN GENERAL.—In addition to such other requirements as may apply, the Secretary shall promulgate regulations that require that in order to receive funding under this title for the provision of home or community-based services (hereinafter referred to in this section as 'services'), all qualified providers shall, not later than 6 months after the date of the publication of such regulations—

"(A) comply with the consumers' bill of rights promulgated under subsection (a);

"(B)(i) implement procedures for promptly reviewing and resolving the grievances of consumers; and

"(ii) provide an oral notification and a written copy of such procedures to each consumer (or the representative or guardian of the consumer) who receives services provided by a qualified provider;

"(C) ensure that each provider employed by or under contract with a home care or home health agency receives training—

"(i) sufficient to meet a level of proficiency established by the Secretary in regulations (in consultation with representatives of the elderly, disabled, and children, home health and home care agencies, and experts in the fields of geriatric nursing, pediatric nursing, geriatric social work, pediatric social work, mental health, rehabilitation, and other appropriate health care professionals) that are appropriate in content and amount as are consistent with the requirements of section 4021(b) of the Omnibus Budget Reconciliation Act of 1987;

"(ii) that develops separate levels of proficiency in and is reflective of the range of skills required of providers that provide different levels of services; and

"(iii) the extent of which shall be made available on request to each consumer with respect to the amount of training or level of certification achieved by each provider;

"(D) supervise all care providers employed by or under contract with a qualified provider in accordance with regulations promulgated by the Secretary (including regular random on-site supervisory visits by registered nurses or other appropriate health care professionals); and

"(E) perform annual evaluations of the quality of services provided by providers employed by or under contract with a qualified provider that shall document consumer involvement through a process that shall include client interviews.

"(2) DURABLE MEDICAL EQUIPMENT SERVICES.—In addition to such other requirements as may apply, to receive funding for the provision of durable medical equipment services under this title, a qualified provider shall in each case of a consumer to which such services are provided—

"(A) issue written instructions for the operation of such equipment;

"(B) provide sufficient training to the consumer, the family of the consumer, and the staff to permit the appropriate and safe operation of all such equipment; and

"(C) formulate an emergency plan that is appropriate for the services provided to the home care consumer.

"(c) CASE MANAGEMENT AGENCY QUALITY ASSURANCE REQUIREMENTS.—In addition to such other requirements as may apply, the Secretary shall promulgate regulations requiring that an agency, to receive funding for the provision of case management services under this Act, shall, not later than 6 months after the date of the publication of such regulations—

"(1)(A) comply with the consumers' bill of rights promulgated under subsection (a); and

"(B) provide an oral notification and a written copy of such bill of rights to each consumer (or the representative or guardian of the consumer) who receives services under this Act;

"(2)(A) implement procedures for the prompt review and resolution of the grievances of consumers; and

"(B) provide an oral notification and a written copy of such procedures to each consumer (or the representative or guardian of such consumer) who receives services from the agency;

"(3) provide to each consumer (or the representative or guardian of the consumer) a written statement of the services to be provided to the consumer and the schedule for the provision of such services, as agreed on by the consumer;

"(4) provide to each consumer a clear written statement as to how the consumer (or the representative or guardian of the consumer), may appeal the benefit and level decisions made by the agency;

"(5) maintain procedures that assure prompt access by eligible consumers to services;

"(6) ensure that the personnel that provide case management services to each consumer have received adequate training as prescribed in regulations promulgated by the Secretary, in consultation with the appropriate Home Care Quality Assurance Board; and

"(7) establish and implement case management procedures that shall include—

"(A) a plan of care that establishes reasonable and measurable client objectives and the services to be provided to meet such objectives;

"(B) a plan of care that employs outcome measures of care insofar as they are appropriate and available for each consumer served;

"(C) methods for a review that shall be conducted at least once during every 3-month period of—

"(i) the needs of the consumer; and

"(ii) the plan of care for the consumer;

"(D) methods for follow-up and on-going monitoring of patient and services delivery; and

"(E) a statement of the criteria and procedures to be applied for the discharge or transfer of the consumer to another agency, program, or service.

"(d) STANDARD AND EXTENDED SURVEY.—Section 1891(c) and (d) of the Social Security Act (42 U.S.C. 1395bbb(c) and (d)) shall apply to home health agencies certified to receive payments for services provided under this title.

"(e) SURVEY.—The Secretary shall develop and implement a standard and extended survey of home care agencies certified to receive payments for services provided under this title.

"SEC. 2619. CERTIFICATION.

"(a) REQUIREMENT.—

"(1) IN GENERAL.—A State shall—

"(A) survey home care agencies, home health agencies, and adult day health care centers to determine their eligibility to participate in the program established under this part; and

"(B) certify such an agency or center as eligible to participate in such program if the agency meets the requirements of this part and regulations prescribed by the Secretary.

"(2) FREQUENCY.—A State shall conduct the survey and certification required under paragraph (1) not less than once during each fiscal year.

"(b) INDIVIDUAL PROVIDERS.—

"(1) IN GENERAL.—To be eligible to be reimbursed for services covered under this part, a qualified service provider referred to in section 2614 shall be licensed or, if applicable, certified by the State in which the provider practices pursuant to the requirements of this part and regulations prescribed by the Secretary.

"(2) HOMEMAKERS AND HOME HEALTH AIDES.—To be reimbursed for services covered under this part, a homemaker or home health aide must be a trained employee of a certified home care or home health agency working under professional supervision.

"(3) WAIVER.—The Secretary may waive the certification requirement for providers that do not provide direct patient care.

"SEC. 2620. REIMBURSEMENT.

"(a) ACCEPTANCE OF REFERRALS AND REIMBURSEMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a home health or home care agency or other provider certified by a State to provide services reimbursable under this part shall provide services to all individuals referred to the provider by a Case Management Agency or by an organization under contract with the agency to provide case management services and accept as payment in full the reimbursement amounts provided under this part.

"(2) EXCEPTION.—The service requirement imposed under paragraph (1) shall not apply if the requirement would be in conflict with the operating policies under which the provider was certified (such as the maximum number of individuals an agency may care for at any time).

"(b) ADDITIONAL SERVICES.—Nothing contained in this part shall be construed to preclude any individual who is eligible to receive services under this part from purchasing home and community-based services that are more generous than services provided for in the care plan of the individual. If an individual purchases more generous services, a provider may not charge such individual higher rates for such services than the amount the provider is reimbursed under this part.

"(c) RELATIONSHIP TO OTHER ENTITLEMENT PROGRAMS.—Notwithstanding any other provision of law, in the case of any service covered under this part that is also covered under another Federally administered entitlement program, the Secretary shall act as a secondary payer under this part.

"(d) REIMBURSEMENT.—Reimbursement for services provided under this part shall be subject to the requirements of this part and regulations prescribed by the Secretary.

"PART C—COVERAGE OF FIRST 6 MONTHS OF NURSING HOME CARE

"SEC. 2621. BENEFITS.

"(a) IN GENERAL.—Subject to subsection (c), an individual who meets the eligibility criteria prescribed in section 2622 shall be eligible under the program established by this part for coverage for services described in subsection (b) provided to the individual by a nursing facility that are required by the individual, while the individual is an inpatient of the facility, for a period of time not to exceed 6 months for a spell of illness.

"(b) TYPES.—Coverage may be provided under this part for—

"(1) nursing care provided by or under the supervision of a registered professional nurse;

"(2) bed and board in connection with the furnishing of nursing care;

"(3) physical, occupational, or speech therapy furnished by a facility or by others under arrangements with a facility;

"(4) medical social services;

"(5) drug, biological, supply, appliance, and equipment for use in the facility, that is ordinarily furnished by the facility for the care and treatment of an inpatient;

"(6) medical service of an intern or resident-in-training under an approved teaching program of a hospital with which a facility has in effect a transfer agreement or other diagnostic or therapeutic service provided by a hospital with which a facility has in effect a transfer agreement; and

"(7) such other health services necessary to the health of a patient as are generally provided by a nursing home facility.

"(c) BENEFITS AFTER COVERED STAYS.—An individual shall be eligible for additional nursing home coverage under this part subsequent to a covered stay if—

"(1) the individual has not been an inpatient in a hospital or nursing facility for at least 6 consecutive months after any covered stay; and

"(2)(A) the individual has a diagnosis that is different than that provided for the preceding nursing home stay; or

"(B) there has been a substantial worsening of the condition of the individual since the latest discharge of the individual.

"SEC. 2622. ELIGIBILITY.

"(a) IN GENERAL.—An individual shall be eligible for benefits under this part if—

"(1)(A) the individual is—

"(i) 65 years of age or older; or

"(ii) eligible for benefits under Part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) as the result of disability; and

"(B) has been determined by a Screening Agency through a screening process (conducted in accordance with section 2602) to be—

"(i) completely dependent with respect to at least one activity of daily living or unable to perform two or more activities of daily living without human assistance or supervision; or

"(ii) so cognitively impaired (due to adult onset or acquired chronic organic disease of the brain, occurring in clear consciousness, and including those individuals who would meet such criteria except for the presence of a transient delirium in such individuals) as to require substantial supervision from another individual because such impaired individual engages in inappropriate behavior that poses a substantial health and safety hazard to such impaired individual or to others;

"(2)(A) the individual is under 19 years of age; and

"(B) has been determined by a Screening Agency through a screening process (conducted in accordance with section 2602)—

"(i) to be unable to perform two or more age-appropriate activities of daily living without human assistance or supervision; or

"(ii) to require both a medical devise to compensate for the loss of a vital body function that is necessary to avert death or major loss of bodily functional capacity and substantial and ongoing nursing care to avert death or further disability;

"(3) the individual (or legal guardian) has filed an application for such benefits, and is in need of, benefits covered under this title;

"(4) receiving nursing home services in a nursing facility would be in the best interest of the individual; and

"(5) the Secretary determines that the individual meets the eligibility requirements imposed under this subsection.

"(b) CURRENT INDIVIDUALS.—An individual who is in a hospital or nursing home on the date of the enrollment of the individual in the program established by this part shall be ineligible for coverage under this section until the individual's first spell of illness beginning after such date.

"SEC. 2623. LIMITATIONS ON PAYMENT.

"(a) IN GENERAL.—Monthly reimbursement for nursing home services covered under this part shall be an amount the Secretary determines to be reasonable and appropriate, taking into account the average cost of providing appropriate care.

"(b) PROSPECTIVE PAYMENT.—To the extent feasible, the Secretary shall establish a prospective payment mechanism for payment for nursing home services covered under this part that takes into account the expected resource utilization of individual patients based on the degree of impairment of the patients and other factors affecting service requirements.

"SEC. 2624. REIMBURSEMENT.

"Certified nursing homes shall accept payment for services rendered under this part as payment in full and shall not be allowed to pass on additional charges to beneficiaries for covered services.

"SEC. 2625. RELATIONSHIP TO OTHER ENTITLEMENT PROGRAMS.

"Notwithstanding any other provision of law, in the case of any service covered under this part that is also covered under any other Federally administered entitlement program, the Secretary shall act as a secondary payer under this part.

"PART D—INSURANCE COVERAGE FOR NURSING HOME CARE THAT EXCEEDS 6 MONTHS

"SEC. 2631. ESTABLISHMENT OF FEDERAL LONG-TERM CARE INSURANCE PROGRAM.

"The Secretary shall establish an optional insurance program for individuals 45 and over to cover nursing home stays that exceed 6 months.

"SEC. 2632. ELIGIBILITY.

"(a) DETERMINATION.—

"(1) IN GENERAL.—A Screening Agency shall determine whether an individual is eligible to receive benefits covered under this part.

"(2) SCREENING TOOL.—The agency shall use the same screening the first 6 months of nursing home care under part C in order to determine the continued need of an individual for nursing home care and therefore eligibility for benefits under this part.

"(3) PERIODIC EVALUATION.—The Case Management Agency shall continue to make such an evaluation periodically, pursuant to regulations of the Secretary, as long as an individual remains in a nursing home.

"(b) ELECTION OF COVERAGE.—

"(1) IN GENERAL.—Subject to the other provisions of this subsection, an individual shall have the option to purchase coverage under this part at 45 years of age or at 65 years of age.

"(2) INITIAL YEAR.—During the 1-year period beginning on the effective date of this part, an individual who is 45 years of age or over shall be eligible to purchase insurance under this part, except that such an individual shall not be eligible to purchase insurance while confined to a hospital or nursing home or within 6 months after a period of confinement in a nursing home or 90 days after a period of confinement in a hospital.

"(3) EXTENSION BEYOND INITIAL YEAR.—If an individual is confined to a nursing home or hospital during a period that extends beyond the first year after the effective date of this part, an individual shall be eligible to enroll in the program established by this part during the 60-day period beginning after the individual's first spell of illness.

"(4) SUBSEQUENT YEARS.—During years subsequent to the period referred to in paragraph (2), an individual shall be eligible to purchase insurance under this part within 6 months of the 45th or 65th birthday of the individual.

"(5) ACTIVATION OF BENEFITS.—To receive coverage under the insurance program established by this part, an individual shall have purchased such coverage at least 1 month prior to admission to a nursing facility, unless the reason for the need of services is because of an accident or stroke subsequent to the date that such individual signed up for coverage under this part.

"SEC. 2633. PREMIUM RATES.

"(a) IN GENERAL.—The Secretary shall determine one premium rate for individuals electing to purchase coverage under this part at age 45 (or between ages 45 and 64 during the initial enrollment period) and a separate rate for those who elect such coverage at age 65 (or at age 65 and over during the initial enrollment period).

"(b) REVISION.—The Secretary shall revise the premiums annually.

"(c) RATES.—In developing premium rates under the program established by this part, the Secretary shall establish rates that are expected to cover 45 percent of the estimated costs of nursing home stays that exceed 6 months for those individuals enrolled in the program.

"(d) COST SHARING FOR LOW-INCOME INDIVIDUALS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay—

"(A) an amount equal to 100 percent of the amount of the premium charged an eligible individual under this section if the income of the individual does not exceed 100 percent of the poverty line for a single individual (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)));

"(B) an amount equal to 75 percent of the amount of the premium charged an eligible individual under this section if the income of the individual is between 100 percent and 150 percent of the poverty line for a single individual (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))); and

"(C) an amount equal to 50 percent of the amount of the premium charged an eligible individual under this section if the income of the individual is between 150 percent and 200 percent of the poverty line for a single individual (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

"(2) MINIMUM PAYMENT.—Notwithstanding paragraph (1), an eligible individual who elects to purchase insurance under this part shall pay not less than $5 per month as part of the premium for such insurance.

"SEC. 2634. BENEFITS.

"(a) TYPES.—An eligible individual who elects to purchase insurance under this part shall be eligible to receive from a nursing facility for an unlimited period of time (contingent on the continued need of the individual for services)—

"(1) nursing care, provided by or under the supervision of a registered professional nurse;

"(2) physical, occupational, or speech therapy furnished by the facility or by others under arrangements with the facility;

"(3) medical social services;

"(4) drugs, biologicals, supplies, appliances, and equipment for use in the facility, that are ordinarily furnished by the facility for the care and treatment of inpatients;

"(5) medical services of interns and residents-in-training under an approved teaching program of a hospital with which the facility has in effect a transfer agreement and other diagnostic or therapeutic services provided by a hospital with which the facility has in effect a transfer agreement; and

"(6) such other health services necessary to the health of patients as are generally provided by nursing facilities.

"(b) DURATION.—The duration of benefits covered under this part shall be unlimited as long as the Case Management Agency determines, through its periodic review of a patient, that the patient continues to require nursing home services.

"SEC. 2635. QUALIFIED SERVICE PROVIDERS.

"(a) IN GENERAL.—Covered nursing home services under this part shall be provided by qualified service providers.

"(b) TYPES.—A provider shall be considered a qualified service provider under this part if the provider is a nursing facility that is certified by the State and meets the requirements of this part and any other standards established by the Secretary by regulation for the safe and efficient provision of services covered under this part.

"SEC. 2636. REIMBURSEMENT.

"(a) AMOUNT.—Monthly reimbursement for nursing home services under this part shall be 65 percent of the amount the Secretary determines to be reasonable and appropriate to cover the cost of care provided under this part, taking into account the average cost of providing appropriate care in the most efficient manner.

"(b) PROSPECTIVE PAYMENT.—To the extent feasible, the Secretary shall establish a prospective payment mechanism for payment for nursing home services under this part that takes into account the expected resource utilization of individual patients based on their degree of disability and other factors determining service requirements.

"(c) ROOM AND BOARD.—

"(1) IN GENERAL.—Notwithstanding section 2632(b)(2), payment for room and board under this part shall be made by an individual participating in the program established by this part for those days spent in a nursing facility beyond 6 months.

"(2) MANNER OF PAYMENT.—Such payments for room and board shall be made by an individual directly to the nursing facility.

"(3) RATES.—Charges for room and board shall be 35 percent of the average per diem rate paid by the Secretary to nursing facilities receiving reimbursement under this part.

"PART E—TRAINING AND RESEARCH

"SEC. 2641. GRANTS FOR TRAINING FOR HOME AND COMMUNITY-BASED CARE FOR THE ELDERLY.

"(a) IN GENERAL.—The Secretary shall make grants to schools of nursing, social work, allied health, and public health of accredited universities to develop and conduct programs to train individuals in the provision, supervision, planning, and analysis of home and community-based care and nursing home care for the elderly, disabled, and chronically ill children and in the administration of such programs.

"(b) USE OF FUNDS.—Funding made available under this section may be used for curriculum development, faculty support, and traineeships and fellowships.

"(c) GRANT PREFERENCES.—In awarding grants under this section, the Secretary shall give a preference to programs that—

"(1) provide for the development or conduct of programs for continuing education and certification of professionals currently working in the field of geriatric health in the provision of services to the chronically impaired and working in the field of pediatric care specialization in the provision of care services to chronically ill, disabled, and medical technology dependent children;

"(2) have established or will establish affiliations with nursing homes, agencies providing home and community-based care, senior citizen centers, adult day care centers, and other institutions and agencies providing health and social services to the impaired elderly, for the purpose of providing in-service training to individuals being trained at the grant-receiving institution and technical assistance to the institution providing services; and

"(3) have established or will establish affiliations with programs of geriatric training based in accredited medical schools or schools of nursing, or both.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for fiscal year 1991, $20,000,000 for fiscal year 1992, and $25,000,000 for fiscal year 1993.

"SEC. 2642. GRANTS FOR HOME HEALTH AIDES.

"(a) IN GENERAL.—The Secretary shall make grants to State approved programs (that meet requirements established by the Secretary relating to minimum course hours, curriculum content, competency evaluation, and qualifications of instructors) to develop and conduct programs to train individuals in the provision of home health aide services. Such training programs shall be designed and conducted according to guidelines and requirements established by the Secretary by regulation.

"(b) GRANT PREFERENCES.—Preference shall be given to programs that have established or will have established affiliations with nursing homes, agencies providing home and community-based care, senior citizen centers, adult day health care centers, and other institutions providing health and social services to the impaired elderly, for the purpose of providing in-service training to individuals being trained at the grant-receiving program and technical assistance to the institution providing services.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of the fiscal years 1991 and 1992 and $25,000,000 for fiscal year 1993.

"SEC. 2643. GRANTS FOR MODEL CONSUMER TRAINING PROGRAMS.

"(a) IN GENERAL.—The Secretary shall make grants available to accredited university schools of nursing to develop model consumer training programs. Such programs shall provide information and training about the delivery of home care services for caregivers as well as general information about the home and community-based care service system for consumers or potential consumers of home care or home health services, or both, pursuant to regulations established by the Secretary.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 1991, $10,000,000 for fiscal year 1992, and $15,000,000 for fiscal year 1993.

"SEC. 2644. CENTERS FOR LONG-TERM CARE PLANNING AND TECHNICAL ASSISTANCE.

"(a) IN GENERAL.—The Secretary shall through grants or contracts, or both, assist public or private nonprofit entities in meeting the costs of planning and developing new centers, and operating existing and new centers, for multidisciplinary health planning development and assistance under this section for the purpose of—

"(1) assisting the Secretary in carrying out this part;

"(2) providing such technical and consulting assistance as States may require;

"(3) conducting research, studies, and analysis of planning and resource development for the provision of long-term care services; and

"(4) developing long-term care planning approaches, methodologies, policies, and standards.

"(b) NUMBER OF CENTERS.—The Secretary shall provide assistance under this section so that at least 6 such centers shall be in operation by January 1, 1992.

"(c) CASE-MANAGEMENT AGENCIES.—Agencies assisted under this section—

"(1) may enter into arrangements with Case Management Agencies for the provision of such services as may be appropriate and necessary in assisting the agencies in performing their functions under this part; and

"(2) shall develop and use methods (satisfactory to the Secretary) to disseminate to such agencies long-term care planning approaches, methodologies, policies, and standards.

"(d) STAFF.—

"(1) DIRECTOR.—Each center shall have a full-time director who possesses a demonstrated capacity for substantial accomplishment and leadership in the field of planning and resource development in the area of long-term care.

"(2) ADDITIONAL STAFF.—Each center shall employ such other additional staff as may be appropriate. The staff of the center shall meet such additional requirements as the Secretary may by regulation prescribe.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 1991 and $15,000,000 for each of the fiscal years 1992 and 1993.

"PART F—DEMONSTRATION PROJECTS

"SEC. 2651. DEMONSTRATION PROJECTS FOR SERIOUSLY MENTALLY ILL INDIVIDUALS.

"(a) IN GENERAL.—The Secretary shall conduct at least 5 (but not more than 10) demonstration projects to determine the relative effectiveness, cost, and impact on quality of long-term home care of using different models of providing and reimbursing long-term home care services for seriously mentally ill individuals and family caregivers.

"(b) DEFINITION.—As used in section, the term 'seriously mentally ill individual' means an individual who a licensed mental health professional in the individual's State of residence certifies—

"(1) has schizophrenia, bipolar or unipolar disorder or other significant mental illness that restrict the ability of the individual to function in activities of daily living, employment, and social interaction;

"(2) has been previously institutionalized or is at risk of being institutionalized in the absence of the services provided under this section; and

"(3) is not institutionalized at the time of the certification.

"(c) REQUIREMENTS.—Demonstration projects conducted under this section shall—

"(1) each be conducted over a period of 3 years;

"(2) be conducted in sites that are chosen to be geographically diverse and include at least one rural site;

"(3) be sensitive to the needs of racial and ethnic minorities;

"(4) include outreach and case management activities;

"(5) be responsive to family needs and concerns and appropriately involve and consult with family members regarding the provision of services under this section;

"(6) specify, at the time of application, specific outcome expectations to be met by the project and identify appropriate mechanisms for measuring such outcomes; and

"(7) include testing the use of different agencies as Case Management Agencies and providing for the selection of such agencies in consultation with the Comptroller General.

"(d) OTHER SERVICES.—Demonstration projects conducted under this subsection may—

"(1) provide services or reimbursement for nursing care, homemaker or homehealth aide services, psychosocial services, medical services, including the provision, monitoring, and testing of necessary medications, client and family education, training, and counseling, respite care, crisis intervention,

information and referral services, and rehabilitation; and

"(2) provide services to seriously mentally ill individuals or provide services to home caregivers (including family members) when such services augment and support home caregivers in the care of seriously mentally ill individuals.

"(e) EVALUATION.—The Secretary shall provide for the evaluation of the projects on a concurrent basis and shall prepare and submit to the appropriate Committees of Congress, not later than 18 months after the initiation of the projects and on the completion of the projects, a report on the findings of the evaluation. Such evaluation shall measure the cost and effectiveness of funded projects against the outcome expectations identified in the initial applications and include relevant data on client and family satisfaction and perceived benefits, together with such additional information as the Secretary may consider appropriate.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section for each of the fiscal years 1991, 1992, and 1993, not to exceed $10,000,000 to carry out demonstration projects under this section and not to exceed $1,000,000 to carry out the evaluation of such projects under subsection (e).

"SEC. 2652. DEMONSTRATION PROJECTS FOR WORKING AGE INDIVIDUALS WITH SEVERE FUNCTIONAL LIMITATIONS.

"(a) IN GENERAL.—The Secretary shall conduct at least 5 and not more than 10 demonstration projects to determine the feasibility of providing long-term home care benefits for working-age individuals with severe functional limitations (as defined in subsection (b)).

"(b) DEFINITION.—As used in this section, the term 'working-age individual with severe functional limitations' means an individual who is over 18 years of age, but under 65 years of age, who is not entitled to benefits under title XVIII of the Social Security Act but who is a chronically ill individual, within the meaning of section 1861(jj)(1)(A)(i) of such Act.

"(c) REQUIREMENTS.—Demonstration projects under this section—

"(1) shall include, in the items and services covered under long-term home care, personal care services, short term respite, and emergency assistance and shall permit coverage of items and services provided either by home health agencies or by other qualified persons;

"(2) may provide for limited cost-sharing for long-term home care;

"(3) shall provide that payment rates for long-term home care provided by persons other than home health agencies shall be comparable to the payment rates for such care provided by home health agencies;

"(4) shall provide that each plan of care for an individual shall take into account the capability of the individual to direct the long-term home care of the individual and to train persons in providing that care;

"(5) shall test the effectiveness of consumer-directed living centers that are primarily engaged in assisting working age individuals with severe functional limitations in maximizing their independence;

"(6) shall, to the maximum extent practicable, cover working age individuals with severe functional limitations who—

"(A) are at imminent risk of institutionalization within 30 days if such individual is not provided long-term home care;

"(B) are institutionalized but who, if provided long-term home care, could be discharged from the institution; or

"(C) need long-term home care to secure or continue employment, to increase independence, to enable present caregivers to secure or continue employment, or to stabilize families;

"(7) shall include projects under which personal care services are made available away from the primary residence of the individual, as well as at that residence; and

"(8) shall include projects under which family members may be employed as caregivers if the family members would be employed if not providing such care or if the individual requires more than 20 hours a week of long-term home care.

"(d) CONSULATION, EVALUATION, REPORT.—

"(1) CONSULTATION.—In designing and evaluating the projects conducted under this section, the Secretary shall consult with experts in the field of disability policy and independent living and with groups representing working age individuals with severe functional limitations.

"(2) EVALUATION.—The Secretary shall provide for the evaluation of the projects conducted under this section on a concurrent basis. Such evaluation shall include an evaluation of the size of the demand, cost, relative effectiveness, and impact on quality of life, of providing long-term home care to working age individuals with severe functional limitations.

"(3) REPORT.—Not later than 18 months after the date on which the projects conducted under this section are completed, the Secretary shall prepare and submit, to the appropriate Committees of Congress, a report concerning the findings of the evaluation under paragraph (2). The Secretary shall include in such report recommendations for appropriate legislative changes.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated —

"(1) for each of fiscal years 1991, 1992, and 1993 not to exceed $10,000,000 to carry out demonstration projects under this section; and

"(2) for the 3-fiscal-year period beginning with fiscal year 1991 not to exceed $1,000,000 to carry out the evaluation of such projects under this section.

"SEC. 2653. GENERAL AUTHORITY.

"(a) PAYMENTS.—Payments under demonstration projects under this part may be made in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section.

"(b) SOCIAL SECURITY ACT.—The Secretary may waive such requirements of title XVIII of the Social Security Act as may be required to carry out demonstration projects under this section.".

SEC. 3. CONFORMING AMENDMENTS.

(a) Section 305(i) of the Public Health Service Act (42 U.S.C. 242c(i)) is amended by striking out "2511" each place it appears and inserting in lieu thereof "2713".

(b) Sections 406(a)(2), 480(a)(2), 485(a)(2), and 505(a)(2) of such Act (42 U.S.C. 284a(a)(2), 287a(a)(2), 287c-2(a)(2), and 290aa-3a(a)(2)) are each amended by striking out "2101" and inserting in lieu thereof "2701".

(c) Sections 465(f) and 497 of such Act (42 U.S.C. 286f and 289f) are each amended by striking out "2601" and inserting in lieu thereof "2701".

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this section, this Act and the amendments made by this Act shall become effective on the date of enactment of this Act.

(b) COVERAGE OF HOME AND COMMUNITY-BASED CARE SERVICES.—Part B of title XXVI of the Public Health Service Act (as added by section 2 of this Act) shall require payment for services provided in accordance with such part after 1 year after the date of enactment of this Act.

(c) COVERAGE FOR NURSING HOME CARE.—Part C of such title shall apply to nursing home care provided in accordance with such part on or after January 1 of the third year that begins after the date of enactment of this Act.

(d) FEDERAL LONG-TERM CARE INSURANCE PROGRAM.—Part D of such title shall require the establishment of a Federal long-term care insurance program in accordance with such part on and after January of the second year that begins after the date of enactment of this Act. Payment for nursing care under such part shall begin on January 1 of third year that begins after the date of enactment of this Act.

(e) TRAINING AND RESEARCH.—Part E of such title shall require training and research programs in accordance with such part on and after January 1, 1991.

SENATOR KENNEDY'S LIFECARE LONG-TERM CARE INSURANCE PROGRAM

THE PROBLEM

Approximately three million senior citizens are unable to perform two or more activities of daily living without assistance. Their disabilities make it impossible for them to perform such activities as dressing, bathing, going to the bathroom, or eating on their own. Of this population, 1.3 million reside in nursing homes; an additional 1.6 million live in community settings. For some seniors, the disability can be expected to improve over time; for others, disability is chronic. In all cases, however, some degree of disability will last for an extended period and require long-term care. Approximately 1 million disabled children and disabled adults under age 65 also need long-term care.

The cost of the necessary long-term care required by disabled persons in high, so high as to be out of the reach of all but the most affluent. Indeed, a recent study[1] found that one-third of elderly married couples would be impoverished in just 26 weeks if one member of the family needed nursing home care. Almost half would be impoverished within a year. For single senior citizens, who tend to be less well off, the savings of a lifetime would be lost even more quickly. Over one-half would be impoverished within 26 weeks; over two-thirds would be impoverished within a year.

Most senior citizens perform home care to nursing home care, if their physical condition permits them to stay in their homes. Although it is less costly, home care, too, is expensive. Approximately one in five married couples would be impoverished by 26 weeks of home care; one-third would be impoverished within a year. Half of single seniors would be impoverished within 26 weeks; sixty percent would be destitute within a year.

The inability to afford the cost of essential services can be devastating to disabled

[1] U.S. Congress. Report presented by the Chairman of the House Select Committee on Aging. *Long-Term Care and Personnel Impoverishment: Seven in Ten Elderly Living Alone are at Risk.* October, 1987.

senior citizens. When they cannot afford to purchase the assistance they need, they are condemned to lives of loneliness and misery that generally end in unwanted confinements in nursing homes. Sixty-six percent of even the most disabled seniors, those who are unable to perform four or more of the essential activities of daily living, receive no formal home care or assistance in managing their daily lives. When they recover from strokes or hip fractures or other temporary disabilities that make treatment in nursing homes necessary, too often they can not return to their own homes because the cost of that necessary care destroyed the savings that made life at home possible.

Most disabled senior citizens struggling to survive in community settings rely on assistance from children, spouses, other relatives or friends to manage. But the burden of that care is frequently so overwhelming that it places intolerable strains on the caregivers, many of whom are aging or aged themselves.

Public programs provide limited assistance in meeting long-term care needs. The Medicare program covers up to 100 days in a skilled nursing facility, but a beneficiary must require skilled nursing care to be eligible. Since most disabled senior citizens do not require skilled nursing care for more than a relatively brief time, Medicare provides little help in meeting nursing home bills. Because of this and other restrictions, Medicare covers less than two percent of the total number of nursing home care days. Medicare also covers home health services. However, Medicare only covers such services provided 5 days a week for up to 2 or 3 weeks, regardless of an individual's needs. Moreover, Medicare coverage for home health services is restricted to those needing skilled nursing care (or physical therapy, speech therapy, or occupational therapy).

Medicare covers the cost of nursing home care in all states, and contributes approximately forty-two percent of total national nursing home costs. However, Medicaid is never available until the disabled senior citizen is impoverished. Extremely restrictive eligibility rules in many states make it impossible for some seniors to obtain Medicaid even if they are poor or have become impoverished as a result of nursing home expenses. Medicaid rarely covers home care services, and, again, is only available once the senior citizen has been impoverished by the cost of care. While recent legislation provides some additional protection under Medicaid to spouses of individuals who must enter a nursing home, it does not provide any assistance to single seniors, does not apply in all states, and, even where it applies, does not assure that spouses will not suffer a significant loss of income and assets.

Other public programs, such as Title XX and the Older American's Act, provide assistance for home care for some senior citizens, but budgets for such programs are extremely limited in relationship to need, and they do not provide the security of an insurance program.

PRINCIPLES OF LIFECARE

Universal Insurance: Lifecare is a universal social insurance program modeled on the successful example of Medicare and Social Security. All Americans will contribute, and all seniors, disabled children, and disabled adults eligible for Medicare who need services will benefit. There will be no means testing in determining an individual's eligibility for services.

Government Responsibility for Comprehensive Coverage: Only a public long-term care insurance program can assure universality, equity, and reasonable administrative costs. Gaps in government programs can be filled by private insurance, as has happened in Medicare, but such an approach is inherently unsatisfactory. The administrative costs of private insurance are much higher—10 to 40 percent for private Medigap coverage as compared to two to three percent for Medicare—and the lower income elderly, who are least able to pay out-of-pocket for gaps in government coverage, are also least able to buy private coverage to fill the gaps. There would be a role for private insurance to provide additional coverage under Lifecare, but Lifecare is designed so that all essential services will be covered by the program.

Services Based on Need: All seniors and other eligible individuals who need long-term care will be eligible to receive it. The services available to individuals will be based on need for care, as determined by uniform assessment procedures. Both care in a nursing facility and a person's own home will be covered.

Modest Copayments and Deductibles: Copayments and deductibles reduce the demand for care, but experience has shown that they reduce the demand for necessary as well as unnecessary care. Seniors of moderate means would be particularly victimized by copayments and deductibles, because they would be unable to afford them and because the better off would be likely to buy private insurance to cover the cost of copayments and deductibles. This has been the experience under Medicare.

No Increase in the Deficit: Given the current economic situation, any new long-term care insurance program must be self-financing.

DETAILS OF THE LIFECARE PROGRAM

The Lifecare program would provide home and community-based care and nursing home care for the impaired elderly, for disabled children, and for disabled, Medicare-eligible adults under age 65. In addition, adults who would be Medicare-eligible except that they have not been disabled for the required 29 months would be eligible if they suffered from a terminal disease. Lifecare, like Medicare, would be divided into Part A and Part B. Part A would cover home and community-based care and the first six months of nursing home care. Part B would establish an optional public insurance program to cover stays in nursing homes that exceed six months. The bill also creates a number of grant programs to help increase the national capacity to provide high quality long-term care services.

Under the Lifecare program, the Secretary of the Department of Health and Human Services would establish Screening Agencies for each area of a State. A Screening Agency would be responsible for determining the eligibility of individuals residing in its geographic jurisdiction for services covered under both Part A and Part B of the Lifecare program.

The Secretary would contract with the State to establish and administer a Case Management Agency for each area of a state. The Case Management Agency would assume responsibility for providing case management services for persons determined eligible for services by the Screening Agency. Case management services include conducting a comprehensive needs assessment (which includes measures of the person's functional and cognitive impairment, behavioral problems, living arrangement and availability of informal care, and medical problems), developing an eligible person's specific plan of care for either home and community-based services or for nursing home services based on the results of the needs assessment, and coordinating the provision of such services by qualified providers.

HOME AND COMMUNITY-BASED CARE

Persons eligible for home and community-based care are individuals who are determined by a Screening Agency to be either totally dependent in at least one age-appropriate activity of daily living or dependent upon human assistance in at least two age-appropriate activities of daily living, or cognitively impaired enough to require continual supervision.

Qualified providers of home and community-based care include certified home care agencies, home health agencies, adult day health care centers, and other certified or licensed providers of specific services such as registered professional nurses, licensed social workers, physicians, and physical, occupational and speech therapists and other providers approved by the State or the Case Management Agency. All providers of home care services under the Lifecare program would be required to accept payment rates established by the Case Management Agency as payment in full for services and would not be allowed to pass on additional charges to beneficiaries, for services rendered under the plan of care. A beneficiary could, however, purchase additional, optional services out of his or her own pocket at the payment rates established by the Case Management Agency. For example, a family might wish, as a matter of convenience, to provide more hours of chore services than were determined necessary under the plan of care.

Specific home and community-based benefits covered by the Lifecare program include:

Homemaker services;
Home health aide services;
Heavy chore services;
Adult day health care;
Respite care;
Home mobility aides and minor home adaptations;
Nursing care provided by or under the supervision of a registered professional nurse; and
Physical, occupational, or speech therapy.

The Screening Agency would be responsible for allotting an estimated funding level to each person determined eligible for home and community-based services under the Lifecare program. This funding level will be dependent on an individual's severity of need for services, which shall include a measure of physical and cognitive impairment, living arrangement, and age. While the Case Management Agency would be free to modify the budget for a particular individual based on the individual care plan, the total budget for the agency would be fixed and would be based on the aggregate amount established by the screening for all individuals receiving home and community-based care from the Agency. This budgeting method is analogous to the Medicare DRG payment system, which pays hospitals a fixed amount for all individuals with the same diagnosis but recognizes that individuals with the same diagnosis will require different amounts of treatment.

During the first three years of this program, the maximum amount that could be

spent to provide home and community-based services to a particular individual could not exceed 65 percent of the average amount that would be paid for nursing home services under Medicare. In subsequent years, the limit would be established by the Secretary.

FIRST SIX MONTHS OF NURSING HOME CARE

Eligibility for coverage of the first six months of nursing home care would be based on the same age and disability requirements used to determine a person's eligibility for home and community-based care. Nursing home care would only be provided if it were better for the individual than home care and consistent with the beneficiary's preferences.

Qualified providers of nursing home care include nursing facilities that meet the standards for participation in the Lifecare program established by the Secretary.

The Secretary is encouraged to establish a prospective payment system for nursing home services. The Secretary is required to use a methodology that will promote effective and economical provision of high quality services. Nursing homes would be required to accept payment from the Lifecare program as payment in full and would not be allowed to pass on additional charges to beneficiaries for covered services.

PART B INSURANCE PROGRAM TO COVER NURSING HOME STAYS THAT EXCEED SIX MONTHS

All individuals age 45 and over may enroll in the Part B optional insurance program. Individuals may purchase insurance within six months of their 45th or 65th birthday. There will be a separate, lower premium for those enrolling at age 45 than for those enrolling at age 65. Premiums will be set at a level sufficient to finance two-thirds of the cost of the program, with Federal funds contributing one-third of the cost.

To receive benefits under this program, individuals must be enrolled in the insurance program one month prior to admission to a nursing facility. For persons who received coverage for nursing home care under Part A, the Screening Agency would determine eligibility for Part B coverage through a reassessment process. The Screening Agency would determine the activation of benefits for those enrolled persons aged 45–64, through an assessment process similar to that used for determining eligibility for Part A nursing home care.

The insurance program established by Part B would cover 65 percent of the cost of nursing home stays that exceed six months. People who receive Part B coverage would be required to pay for the part of the nursing home bill that represents the cost of room and board, which they would have had to pay if they were living in the community. Accordingly, Part B insurance does not cover 35 percent of the daily nursing home cost. For those lacking sufficient income to pay the 35 percent share, Medicaid would act as a gap-filler. There would also be income-related subsidies for the premium cost for low-income elderly.

STRENGTHENING OF LONG-TERM CARE DELIVERY SYSTEM

Enactment of Lifecare will result in substantially expanding the ability of disabled seniors and other eligible individuals to receive the home care and nursing home services they need. To help expand our society's ability to provide high quality long-term care services, the legislation establishes a number of capacity-building programs. These include:

Training programs for professionals providing nursing home and home and community-based services;

Training programs for home health aides;

Establishment of centers to provide technical assistance to agencies providing or managing home care and to conduct research on long-term care needs and planning methods; and

Programs to develop consumer information programs on long-term care services.

COST OF THE PROGRAM

The annual net cost of the tax-supported portion of the plan at full implementation is estimated to be $20 billion.

PROGRAM FINANCING

Senator Kennedy believes that the most appropriate way to insure disabled citizens against the cost of long-term care would be to eliminate the current $51,300 cap on the amount of income subject to the Medicare and Social Security payroll tax. As currently applied, the Social Security and Medicare taxes are regressive. Since everyone pays the same percentage tax on the first $51,300 dollars of income and nothing thereafter, workers with wages below that ceiling pay a higher proportion of income to finance these programs than individuals with higher incomes. Eliminating the current cap would correct that inequity and generate enough revenues to cover the cost of Lifecare. The substantial amount of excess revenues created by this change could be used for Social Security rate reduction.

ADDITIONAL BACKGROUND

The following tables provide additional background on the long-term care problem.

TABLE 1.—ELDERLY AT FINANCIAL RISK

[Percent of elderly at risk of impoverishment [1] by weeks of either nursing home care or home care [2]]

Living arrangement	26 weeks	52 weeks
Married in institution	34	46
Alone in institution	58	67
Married at home	22	33
Alone at home	48	57

[1] Impoverishment refers to spending down income and financial assets to the Federal poverty level, which for purposes of this analysis was $4,860 for a one person family and $6,540 for a two person family.

[2] For purposes of these estimates, home care means care received 5 days per week.

Source: House Select Committee on Aging.

NUMBER OF DISABLED ELDERLY

[In millions]

Dependency status	Living in nursing home	Living in community
ADL Score		
2 (Mildly impaired)	0.2	0.8
3–4 (Moderately impaired)	.3	.5
5–6 (Severely impaired)	.6	.3
Total number of disabled elderly	1.3	1.6

Source: 1984 National Health Interview Survey and 1982 National Nursing Home Survey, National Center for Health Statistics.

TABLE 3.—DISTRIBUTION OF PATIENTS IN NURSING HOMES

[By expected length of stay]

Length of stay	Number of patients	Percent of patients
Less than 6 months	740,000	63
6 to 12 months	122,000	10
Over 12 months	302,000	27
Total	1,164,000	100

Source: Korbin Liu and Kenneth G. Manton, "The Gerontologist." Volume 24, Number 1, 1984.

TABLE 4.—*Percent of elderly going home from nursing home*

[By length of stay]

Length of stay	*Percent* [1]
Less than 6 months	18.9
6 to 12 months	1.2
Over 12 months	1.7
Total	21.8

[1] Total discharges 1,223,500.

Source: 1985 National Nursing Home Survey, National Center for Health Statistics.

By Mr. SIMON:

S. 2164. A bill to prevent potential abuses of electronic monitoring in the workplace; to the Committee on Labor and Human Resources.

PRIVACY FOR CONSUMERS AND WORKERS ACT

Mr. SIMON. Mr. President, I am today introducing legislation that would outlaw secret monitoring in the workplace.

Most Americans believe that their telephone conversations with private businesses or Government agencies are free from third party surveillance. However, as many as 400 million such calls a year are subject to invasion by snooping supervisors. Telephone companies, insurance firms, direct mail marketers and even Government agencies such as the Internal Revenue Service and the Social Security Administration regularly listen in on calls between their employees and the public.

Countless telephone callers, since they are not aware that an intruder is overhearing what they believe to be a private conversation, are in this way deprived of the right to make fundamental choices about what sensitive information thay are willing to divulge.

For example, a caller could be discussing a claim for an intimate medical matter, such as a case of AIDS, with an insurance company employee. While the AIDS victim is on the line, he does not know that the claims specialist's supervisor is secretly monitoring his call. Similarly, a taxpayer may be talking about a financial problem with an IRS employee. The taxpayer has no idea the conversation is subject to hidden surveillance by another Government official.

It is an unfortunate irony that the Federal Bureau of Investigation is required to obtain a court order to wiretap a telephone, even in cases of national security, but that employers are permitted to spy at will on their own personnel and the public.

Telephone eavesdropping in the workplace not only tramples upon the public's right to privacy but also violates employees' dignity.

Mr. President, in addition to secretly listening in on consumers' telephone calls, businesses and Government agencies are making rampant use of

computers to evaluate employees' job performance.

Demonstrating the magnitude of this intrusive practice, in 1987 the Office of Technology Assessment reported that concealed computer monitoring was being used by employers to evaluate the pay and performance of up to 6 million American office workers.

In the case of clandestine telephone surveillance, employers now use computers as a tool to supplement company supervisors' scrutiny of workers' conversations with customers. The computer is ued to record information about the length of time the employee spends handling a business call and the kinds of transactions the worker carries out during the conversation.

Just as neither the employee nor the customer knows that a supervisor is on the telephone line, similarly neither party to the conversation is aware that a computer is silently collecting information about the content of the call.

Secret electronic surveillance is also used by management as a tool to monitor the output of employees who use video display terminals [VDT's] and other computer equipment to do their assignments.

Monitored employees, whether in telephone conversations with the public or in producing work with computers, must carry out rapid repetitive duties that require rigorous attention to detail executed under the stress of constant supervision and the demand for faster output. In one mail order firm, employee turnover rose to 80 percent after the company instituted covert electronic monitoring of its VDT operators.

In reality, secret monitoring is the merciless electronic whip that drives the fast pace of today's workplace in the service industry.

Most disturbing, concealed monitoring imposes the worst features of old-fashioned factories on today's office workers. Unrestrained surveillance of workers has turned many modern offices into electronic sweatshops.

In assembly-line environments, employees must labor at top speed under a pace set by unwinking computer taskmasters. These machines are ever vigilant. They "watch" every work activity that an employee performs, even counting the number of keystrokes per second that he or she makes.

The computer sets arbitrary work rules and then inexorably tracks the employee to ensure that these standards are being met. Standards are frequently ratcheted up, and evaluations become based on the minute details rather than on the final product or service.

The relentless assault of secret monitoring impels employees to care more about meeting a numerical standard measured by a lifeless computer than about meeting the service needs of a customer.

The result is that for millions of wage earners, the "electronic supervisor" is the new boss in the information age. Workers justifiably complain of dehumanization when companies use computers as surrogates for human supervisors to set standards and evaluate performance.

From a related standpoint, secret surveillance is taking a devastating toll on the occupational safety and health of workers who are subjected to this misguided business policy. Employees who labor under the scrutiny of concealed monitoring suffer high levels of stress-related medical problems such as ulcers, heart disease, fatigue, diabetes and depression.

Mr. President, Americans should not be forced to give up their dignity or sacrifice their health when they go to work. We have occupational safety and health laws to protect workers' bodies. Congress similarly needs to reduce stressful environments and provide justice on the job for workers subjected to secret monitoring.

Prof. Alan F. Westin of Columbia University, an expert on individual rights in the business world, has observed that "Americans are coming to believe that the rights we attach to citizenship in society—free expression, privacy, equality and due process—ought to have their echo in the workplace."

To help achieve that goal, I am today introducing the Privacy for Consumers and Workers Act. This legislation strikes a careful balance between the demands for technological change and the need for citizen protection.

The bill would provide employees for the first time with a right to know when and under what conditions monitoring will take place. The measure would require employers to give workers advance notice of the types of monitoring that will occur and how they will be used.

The bill stipulates that when monitoring is occurring, workers—and, in the case of third-party telephone surveillance, the public—would have to be notified with a beeping tone or other form of contemporaneous communication.

The Privacy for Consumers and Workers Act mandates that monitoring be relevant to job performance. Thus, if employers must monitor, they should monitor the work and not the worker. The bill also prohibits the collection of data pertaining to employees' exercise of their first amendment rights. An additional provision specifies that monitoring cannot be the exclusive basis for performance evaluation or disciplinary action.

Mr. President, Supreme Court Justice Louis Brandeis referred to the right of privacy as "the right to be left alone, the right most valued by a civilized society." My legislation would help preserve this most fundamental of American values in an era of growing use of surveillance technologies at the workplace.

Mr. President, I ask unanimous consent that a description of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRIVACY FOR CONSUMERS AND WORKERS ACT

NOTICE

The bill requires employers to provide employees with prior written notice of: the forms of electronic monitoring they will be subjected to and the frequency of the monitoring; how to interpret the records or printouts of statistics on the monitoring and how production standards are based on those statistics; what kind of personal data on the employee will be kept, and what the personal data will be used for.

Employers shall provide prospective employees with the notice described above for monitoring activities that may directly affect the prospective employee if hired. Such notice shall be provided at any personal interview or meeting with the prospective employee, or upon the request of the prospective employee.

Employers shall notify employees while the computer or telephone monitoring is taking place. In the case of telephone monitoring, the notice must also be given to the third party or customer being monitored.

Employers shall have 90 days after enactment to provide written notice to existing employees.

PERFORMANCE EVALUATIONS AND DISCIPLINARY ACTION

The employer may not use the computer monitoring data as the exclusive basis for individual performance evaluations or for disciplinary action, unless the employee is allowed to review the personal data within a reasonable amount of time after it is obtained.

PRODUCTION QUOTAS

The data may not be used as the sole basis for setting production quotas.

FIRST AMENDMENT RIGHTS

In addition, the data may not, disclose an employee's exercise of rights guaranteed by the first amendment.

ENFORCEMENT

Violations of the provisions of this act shall be punishable by a civil penalty, not to exceed $10,000.

The Secretary of Labor may bring injunctive action to enforce the provisions of this act.

Employees may bring civil actions in the appropriate court for damages arising from violations of this act.

Rights protected by this act may not be waived.

The Secretary shall have 6 months to issue rules and regulations regarding the enforcement of this act.

CRIMINAL INVESTIGATIONS

The provisions of this Act shall not apply to monitoring conducted by law enforcement agencies as otherwise permitted in criminal investigations.

By Mr. BINGAMAN:

S. 2165. A bill to establish the Glorieta National Battlefield in the State

of New Mexico; to the Committee on Energy and Natural Resources.

GLORIETA NATIONAL BATTLEFIELD

● Mr. BINGAMAN. Mr. President, I rise today to introduce a bill that would designate as a national battlefield the site on which the battle of Glorieta, NM, was fought. This historic site is in need of Federal protection to preserve the historical and cultural values of the area where hundreds of Civil War volunteers and regulars fought bitterly over the questions that divided this Nation into war.

The battle of Glorieta, fought at an important pass on the Santa Fe Trail, marked the turning point of a Confederate drive to occupy and control the New Mexico territory and larger areas of the Southwest beyond Texas. After having passed through the Arizona territory to the south, and traveling along the Rio Grande River, the Confederate force of Texas Mounted Rifle Volunteers was met at Glorieta by a Federal contingent of Colorado and New Mexico volunteers and detachments of U.S. Cavalry regiments.

The Texas volunteers were intent on continuing through the pass and on to the Federal garrison of Fort Union, which was many miles to the northeast. The opposing forces fought to a draw as the Union soldiers fortified and blocked the trail in addition to attacking and burning on 80-wagon supply train which held nearly all of the Confederates' belongings. It was at this point that the Texas volunteers were checked in their progress, turned back to San Antonio where they had begun.

The casualties suffered on both sides were significant, as each sought victory in what was to become a decisive battle. The stakes were becoming increasingly high—nothing less than jurisdiction over the two vast territories of Arizona and New Mexico and the chance to control much more of the West and increase the land holdings of the Confederacy.

Today, much of the actual battlefield is in private hands and parts of it lie under the roadbed of a nearby interstate. A smaller, two-lane road bisects the site. The adobe buildings of Pigeon Ranch, still standing since they were occupied in March of 1862 by both sides in the battle, are without the Federal protection that they badly deserve.

I cannot stress enough, Mr. President, the need to act quickly in this matter, so that the important historical events that transpired there are not forgotten. Increased development activity in the area and the growing popularity of the region make it imperative that these lands and buildings be secured before deterioration renders them valueless.

It is important that generations to come do not forget the history of this great Nation, which includes the battles that we have fought among ourselves. For this reason, Mr. President, I introduce legislation today that would lead to Federal acquisition of the important lands on which this significant battle was fought. Similar legislation is being introduced today in the House of Representatives by Congressman BILL RICHARDSON.

I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Glorieta National Battlefield Establishment Act of 1990".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—the Congress makes the following findings:

(1) The March 26-28, 1862 Civil War battle of Glorieta Pass, New Mexico was the decisive battle of the Civil War in the Far West, which has prompted some historians to label it the "Gettysburg of the West". The consequences of the battle were far reaching.

(2) Following the Confederate defeat at Glorieta Pass, the Confederate grand design to capture the riches and support of the West collapsed as the Confederate forces withdrew from New Mexico and the Rocky Mountains. Except for fighting in eastern Kansas, the Civil War in the West ended at Glorieta Pass.

(3) Although many have made proposals for Government protection of the battlefield sites, the area has not been protected and is subject to a variety of impacts and threats to the integrity of this historic scene.

(b) PURPOSE.—It is the purpose of this Act to recognize the national significant of the Battle of Glorieta and its importance in our Nation's history, and to provide for the preservation and interpretation of the battlefield by establishing the Glorieta National Battlefield.

SEC. 3. ESTABLISHMENT OF THE NATIONAL BATTLEFIELD.

In order to preserve for the benefit and enjoyment of present and future generations, that area in New Mexico known as the Glorieta Battlefield, is hereby established as the Glorieta National Battlefield (referred to as the "national battlefield"). The national battlefield shall include the Pigeon's Ranch and Johnson's Ranch Units comprising approximately seven hundred and fifty three acres as generally depicted on the map entitled "Glorieta National Battlefield", numbered GLNB-80, OOOB and dated February 1990.

SEC. 4. ACQUISITION OF LAND WITHIN THE GLORIETA NATIONAL BATTLEFIELD.

(a) IN GENERAL.—The Secretary is authorized to acquire lands, waters, and interest therein within the boundaries of the Glorieta National Battlefield as identified in section 3 of this Act by donation, purchase with donated or appropriated funds, or exchange.

(b) LIMITS ON CONDEMNATION.—The Secretary's authority to acquire lands through condemnation under subsection (a) is limited to the 121 acres included in the core area of the Pigeon's Ranch Unit. The remaining lands within the boundary of the national battlefield shall be acquired from willing sellers.

(c) TRANSFER.—The 33 acres within the Pigeon's Ranch Unit administered by the United States Forest Service is hereby transferred to the management of the National Park Service to be managed according to the purposes of section 5.

SEC. 5. ADMINISTRATION OF THE PARK.

The Secretary shall administer the national battlefield in accordance with the provisions of this Act and the provisions of law generally applicable to the administration of units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-7).

SEC. 6. GENERAL MANAGEMENT.

Within two fiscal years from the date funding is made available for the purpose of preparing a general management plan for the national battlefield, the Secretary shall develop and transmit to the Committee on Energy and National Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, a general management plan for the national battlefield consistent with the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act.●

By Mr. HATCH (for himself, Mr. DOLE, Mr. THURMOND, and Mr. COATS):

S. 2166. A bill to amend 42 U.S.C. section 1981 in regard to the formation and implementation of contracts and title VII of the Civil Rights Act of 1964 to protect against discrimination in employment, and for other purposes; to the Committee on Labor and Human Resources.

CIVIL RIGHTS PROTECTIONS ACT

Mr. HATCH. Mr. President, today I am introducing a bill prepared and supported by the administration, the Civil Rights Protections Act of 1990. This bill is a measured and fitting response to recent Supreme Court civil rights decisions. It affects two civil rights statutes, section 1981 and title VII.

Section 1981 bans racial discrimination in the making and enforcement of contracts. This bill codifies the Supreme Court's ruling in *Runyon* v. *McCrary*, 427 U.S. 160 (1976), that 42 U.S.C. section 1981 reaches discrimination by private actors. It also ensures that racial discrimination in the performance, terms, and conditions of a contract, including racial harassment, are also prohibited by section 1981. Thus, the bill overturns *Patterson* v. *McLean Credit Union*, 109 S.Ct. 2363 (1989).

Further, this bill provides that, under title VII, an employee may calculate the time within which to challenge the validity of a seniority system alleged to have been adopted for the purpose of discriminating from the date on which the employee suffers injury. This provision overturns *Lorance* v. *AT&T Technologies,* 109 S.Ct. 2261 (1989).

At the same time, this bill does not "jimmy" the rules by which disparate impact lawsuits may be brought under title VII. By leaving the Wards Cove versus Atonio decision undisturbed, it avoids imposing liability under title VII due to mere racial or gender imbalance in a job. It does not disturb at all the proper use of statistics in a disparate impact case, but it avoids their misuse which Justice O'Connor, in her plurality opinion in Watson versus Fort Worth Bank and Trust, said could "lead in practice to perverse results. If quotas and preferential treatment become the only cost-effective means of avoiding expensive litigation and potentially catastrophic liability, such measures will be widely adopted. The prudent employer will be careful to ensure that its programs are discussed in euphemistic terms but will be equally careful to ensure that the quotas are met. Allowing the evolution of disparate impact analysis to lead to this result would be contrary to Congress' clearly expressed intent * * *"

I urge my colleagues to support the Civil Rights Protections Act of 1990 which would provide safeguards against discrimination where a need has been demonstrated.

I ask unanimous consent that at the conclusion of my remarks, a copy of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil Rights Protections Act of 1990".

SEC. 2. EXPANSION OF PROTECTIONS AGAINST DISCRIMINATION IN THE PROFORMANCE OF CONTRACTS.

Section 1977 of the Revised Statutes of the United States (42 U.S.C. 1981) is amended by inserting at the end thereof the following new language:

"The rights protected by this section are protected against impairment by nongovernmental discrimination as well as against impairment under color of state law. This section affords the same protection against discrimination in the performance, breach, or termination of a contract, or in the setting of the terms or conditions thereof, as it does in the making or enforcement of that contract.".

SEC. 3. EXPANSION OF RIGHT TO CHALLENGE DISCRIMINATORY SENIORITY SYSTEMS.

Section 706(e) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(e)) is amended by adding at the end thereof the following:

"For purposes of this section, an unlawful employment practice occurs when a seniority system is adopted, when an individual becomes subject to a seniority system, or when a person aggrieved is injured by the application of a seniority system, or provision thereof, that was adopted for an intentionally discriminatory purpose, in violation of this Title, whether or not that discriminatory purpose is apparent on the face of the seniority provision.".

SECTION-BY-SECTION ANALYSIS

Section 1. Short title. This section states that the Act may be referred to as the "Civil Rights Protections Act of 1990".

Section 2. This section codifies the Supreme Court's holding in *Runyon* v. *McCrary,* 427 U.S. 160 (1976), that 42 U.S.C. § 1981 reaches discrimination by private actors. This section also addresses the holding in *Patterson* v. *McLean Credit Union,* ____ U.S. ____, 109 S. Ct. 2363 (1989), (1) that section 1981 only protects against discrimination involving the right to make or the right to enforce contracts, and (2) that on-the-job racial harassment does not impair the right to enforce a contract because the victim has access to legal process to sue for the harassment. This section addresses the holding in Patterson by specifying that section 1981 protects against racial discrimination, not only in the formation and enforcement of a contract but in the performance, breach and termination of a contract, and in the setting of its terms and conditions, as well.

Section 3. This section provides that the calculation of time within which an employee must file a charge challenging the validity of a seniority system alleged to have been discriminatorily adopted or maintained may be measured from the date on which the employee becomes subject to the seniority system or the date on which the employee suffers injury, as well as from the date on which the seniority system is adopted. In *Lorance* v. *AT&T Technologies, Inc.,* ____ U.S. ____, 109 S. Ct. 2261 (1989), the Supreme Court construed section 706(e) of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-5(e), as requiring any employee potentially affected by the adoption of a new seniority system to sue within a certain period of time after the date on which the new seniority system is adopted, even though at that point the employee has not yet suffered and may never suffer any actual injury. Under section 706(e) as this section would amend it, while the date on which the new seniority system is adopted and the date on which an employee becomes subject to the seniority system would trigger the time for filing a charge, so would subsequent applications of the seniority system to the employee.

42 U.S.C. 1981 AS AMENDED TO ADDRESS PATTERSON

42 U.S.C. § 1981 [R.S. § 1977]. Equal rights under law.

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other. The rights protected by this section are protected against impairment by nongovernmental discrimination as well as against impairment under color of state law. This section affords the same protection against discrimination in the performance, breach, or termination of a contract, or in the setting of the terms or conditions thereof, as it does in the making or enforcement of that contract.

42 U.S.C. 2000E-5(E) AS AMENDED TO ADDRESS LORANCE

§ 2000e-5(e) [Section 706(e) of Title VII]

A charge under this section shall be filed within one hundred and eighty days after the alleged unlawful employment practice occurred and notice of the charge (including the date, place, and circumstances of the alleged unlawful employment practice) shall be served upon the person against whom such charge is made within ten days thereafter, except that in a case of an unlawful employment practice with respect to which the person aggrieved as initially instituted proceedings with a State or local agency with authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, such charge shall be filed by or on behalf of the person aggrieved within three hundred days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charges shall be filed by the Commission with the State or local agency. For purposes of this section, an alleged unlawful employment practice occurs when a seniority system is adopted, when an individual becomes subject to a seniority system, or when a person aggrieved is injured by the application of a seniority system, or provision thereof, that is alleged to have been adopted for an intentionally discriminatory purpose, in violation of this Title, whether or not that discriminatory purpose is apparent on the face of the seniority provision.

Mr. DOLE. Mr. President, I join today with my distinguished colleagues, Senators HATCH, THURMOND, and COATS, in introducing the Civil Rights Protections Act of 1990.

During the past several months, the Justice Department has conducted a review of several recent, and fairly controversial, Supreme Court decisions involving civil rights policy and the proper interpretation of our Nation's civil rights laws. The Justice Department has also been carefully monitoring the practical, real-life effects of these decisions on the ability of prospective plaintiffs to bring discrimination lawsuits.

As a result of its efforts, the Justice Department has prepared remedial legislation to correct two of the Supreme Court decisions—Patterson versus McLean Credit Union and Lorance versus AT&T Technologies. Although these rulings may have been correct as a matter of statutory construction, the Justice Department believes—and I agree—that legislation is needed to ensure that the underlying purposes of our Federal civil rights laws are not needlessly frustrated.

Let me briefly describe the rulings in both cases and explain why I believe that this legislation is important.

PATTERSON VERSUS MC LEAN CREDIT UNION

Section 1981 of title 42 of the United States Code, a statute enacted in 1866 during the reconstruction ERA, prohibits discrimination in the "making and enforcing" of contracts.

In Patterson, the Supreme Court ruled that section 1981 applies only to discrimination occurring at the time of a contract's formation and not during the contract's performance. Under this restrictive interpretation of section 1981, a person who suffers racial harassment while on the job could not seek section 1981 remedies.

The Civil Rights Protection Act would amend section 1981 so that section 1981 covers discrimination not only when a contract is formed, but all stages of a contract's performance. As a result, someone who suffers on-the-job discrimination would be able to avail himself of section 1981's damages provision, a remedy not contained in the other Federal law prohibiting employment discrimination—title VII of the Civil Rights Act of 1964.

LORANCE VERSUS AT&T TECHNOLOGIES

In Lorance, the Supreme Court ruled that title VII requires that an employee who wishes to challenge a discriminatory seniority plan must challenge the seniority plan at the time of its adoption.

This ruling may have been correct as a matter of statutory construction, but it is simply unfair to require an employee to challenge a seniority plan before the plan actually applies to him or her. None of us are mind-readers, nor can we predict the future. Furthermore, the Court's restrictive interpretation of title VII in Lorance will encourage speculative litigation, since employees are likely to challenge seniority plans immediately at the time of adoption out of a fear that they will be precluded from challenging these plans at a later date.

ROOM FOR REFORM

I know that Senator KENNEDY and others have introduced legislation, the Civil Rights Act of 1990, that overturns not only Patterson and Lorance, but also three other recent Supreme Court decisions—Martin versus Wilks, Wards Cove versus Atonio, and Price Waterhouse versus Hopkins. At this time, I am not convinced that these three decisions were wrongly decided nor am I convinced that the principles underlying these decisions are invalid.

Nevertheless, I look forward to the upcoming Labor Committee hearings on the Civil Rights Act of 1990 and to reviewing the testimony that will be presented at these hearings. After my review, I will determine whether remedial legislation to correct the perceived deficiencies of Martin versus Wilks, Wards Cove, and Price Waterhouse is, in fact, needed.

CONCLUSION

Mr. President, the Civil Rights Protections Act of 1990 is prudent and responsible legislation. It responds to specific, identifiable problems created by two recent Supreme Court decisions and responds in a way that is carefully targeted to address these problems.

As a result, I urge my colleagues to support this bill, and I urge its speedy passage by Congress.

By Mr. MCCAIN (for himself, Mr. INOUYE, Mr. DASCHLE, Mr. CONRAD, Mr. BURDICK, Mr. MURKOWSKI, Mr. DECONCINI, and Mr. GORTON):

S. 2167. A bill to reauthorize the Tribally Controlled Community College Assistance Act of 1978 and the Navajo Community College Act; to the Select Committee of Indian Affairs.

REAUTHORIZATION OF TRIBALLY CONTROLLED COMMUNITY COLLEGES

● Mr. MCCAIN. Mr. President, I rise today to introduce a bill to extend the authorization for funding of the Navajo Community College and other tribally controlled colleges and for their endowment program.

In introducing this bill I am pleased to be joined by Senators INOUYE, DASCHLE, CONRAD, BURDICK, MURKOWSKI, DECONCINI, and GORTON. I look forward to working closely with them as we consider this legislation.

The authorization would extend through 1992, consistent with the request of the tribal colleges, at which time a comprehensive review of the authorizing legislation would be conducted.

Even though my bill is a simple reauthorization, I want to use this occasion to inform my colleagues of what these colleges are, and why they are of such importance to American Indians and to higher education generally.

The 24 tribally controlled community colleges are located in 10 Midwestern and Western States, and all but two are located on Indian reservations. Sixteen of the colleges are in Montana, North Dakota, and South Dakota; the others are in Arizona, California, Michigan, Nebraska, New Mexico, Washington, and Wisconsin.

The largest of the colleges, with an enrollment approaching 2,000 this year, is the Navajo Community College, in my home State of Arizona. This college was also the first to be established; it was created by the Navajo Nation upon its own initiative in 1968.

These community colleges were established to meet needs of American Indians that were not being met by other institutions of higher education. These colleges reflect the cultures and the aspirations of the tribes that govern them; their curriculums may include Indian cultures and languages, as well as the curriculums found in other community colleges; they provide supportive learning environments to students whose previous instruction may have been deficient; and their reservation settings make higher education accessible and encourage continued learning by young and old alike.

And what these colleges do, they do well. Their graduates go on to jobs or to 4-year schools. And those who enter 4-year schools are less likely to drop out than those who have not had the tribal college experience.

The success tribal colleges have achieved has been achieved despite inadequate funding and facilities which are often poor. Congressional authorization of $5,280 per student has not been matched by appropriations, I regret to say.

I commend my colleagues, however, for the support you gave to an increase in the fiscal year 1990 budget. For each student, the tribal college will receive about $2,300 this year.

I am hopeful that we will be able to further increase the funding for tribal colleges this year, perhaps, in part, through the congressionally-authorized tribal college endowment fund. I applaud President Bush for proposing a tripling of the endowment program for historically black colleges and universities, and I look forward to working with him to obtain a substantial increase in the endowment program for tribally-controlled community colleges.

My colleague from North Dakota, Senator CONRAD, will soon be introducing a bill to enlarge the community college endowment program, and I have told him that I will be pleased to join him in sponsoring that bill.

Mr. President, the tribally-controlled community colleges of this Nation have been for too long but little noticed for the important roles they play in affording higher education opportunities to American Indians. Late last year, however, they gained new visibility with the publication of "Tribal College: Shaping the Future of Native America," the product of a 2-year study conducted by the Carnegie Foundation for the Advancement of Teaching.

This publication describes the richness of the tribal college experience for students and for the communities they serve, and the poverty of their resources. Its action plan looks to private sources of funding, as well as to the Congress, to strengthen the abilities of the colleges to serve Indian people and communities as they ought to be served.

The Carnegie report also looks to the promise of the tribal colleges, saying, "They can, with adequate support, continue to open doors of opportunity to the coming generations and help Native American communities

bring together a cohesive society, one that draws inspiration from the past in order to shape a creative, inspired vision of the future."

Mr. President, I ask that a copy of my bill and the section-by-section analysis be printed in the CONGRESSIONAL RECORD immediately following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRIBALLY CONTROLLED COMMUNITY COLLEGES.

(a) GRANT PROGRAMS.—Subsection (a) of section 110 of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended by striking out "1987, 1988, 1989, and 1990" each place it appears and inserting in lieu thereof "1990, 1991, and 1992".

(b) ENDOWMENT PROGRAM.—Section 306 of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1836) is amended by striking out "1987, 1988, 1989, and 1990" and inserting in lieu thereof "1990, 1991, and 1992".

SEC. 2 NAVAJO COMMUNITY COLLEGE.

Paragraph (1) of section 5(a) of the Navajo Community College Act (25 U.S.C. 640c-1) is amended by striking out "1987, 1988, 1989, and 1990" and inserting in lieu thereof "1990, 1991, and 1992".

SECTION-BY-SECTION ANALYSIS OF A BILL REAUTHORIZING APPROPRIATIONS FOR TRIBALLY-CONTROLLED COMMUNITY COLLEGES

Section 1(a) authorizes appropriations for grants to tribally-controlled community colleges for two additional years, through fiscal year 1992.

Section 1(b) authorizes appropriations for the endowment program for tribally-controlled community colleges for two additional years, through fiscal year 1992.

Section 2 authorizes appropriations for the Navajo Community College for two additional years, through fiscal year 1992.●

ADDITIONAL CONSPONSORS

S. 513

At the request of Ms. MIKULSKI, the names of the Senator from Vermont [Mr. LEAHY] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 513, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend certain retirement provisions of such chapters which are applicable to law enforcement officers to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the U.S. Customs Service, and revenue officers of the Internal Revenue Service.

S. 565

At the request of Mr. CRANSTON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 565, a bill to authorize a new corporation to support State and local strategies for achieving more affordable housing; to increase homeownership; and for other purposes.

S. 566

At the request of Mr. CRANSTON, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 566, a bill to authorize a new corporation to support State and local stategies for achieving more affordable housing, to increase home ownership, and for other purposes.

S. 675

At the request of Mr. CRANSTON, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 675, a bill to eliminate discriminatory barriers to voter registration, and for other purposes.

S. 1349

At the request of Mr. PRYOR, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 1349, a bill to amend the Internal Revenue Code of 1986 to exclude small transactions and to make certain clarifications relating to broker reporting requirements.

S. 1515

At the request of Mr. MITCHELL, the name of the Senator from Idaho [Mr. SYMMS] was added as a cosponsor of S. 1515, a bill to amend the Internal Revenue Code of 1986 to permit private foundations and community foundations to establish tax-exempt cooperative service organizations.

S. 1629

At the request of Mr. SPECTER, the name of the Senator from Washington [Mr. ADAMS] was added as a cosponsor of S. 1629, a bill to establish clearly a Federal right of action by aliens and U.S. citizens against persons engaging in torture or extrajudicial killings, and for other purposes.

S. 1766

At the request of Mr. DANFORTH, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1766, a bill to amend titles XVIII and XIX of the Social Security Act to require providers of services under such titles to enter into agreements assuring that individuals receiving services from such providers will be provided an opportunity to participate in and direct health care decisions affecting such individuals.

S. 1832

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1832, a bill to amend and reauthorize the Public Housing Drug Elimination Act of 1988.

S. 1853

At the request of Mr. CHAFEE, the names of the Senator from Florida [Mr. GRAHAM], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of S. 1853, a bill to award a Congressional Gold Medal to Laurence Spelman Rockefeller.

S. 1890

At the request of Mr. THURMOND, the name of the Senator from Utah [Mr. GARN] was added as a cosponsor of S. 1890, a bill to amend title 5, United States Code, to provide relief from certain inequities remaining in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes.

S. 2051

At the request of Mr. HELFLIN, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 2051, a bill to amend the Social Security Act to provide for more flexible billing arrangements in situations where physicians in the solo practice of medicine or in another group practice have arrangements with colleagues to "cover" their practice on an occasional basis.

S. 2158

At the request of Mr. PRYOR, the names of the Senator from Nevada [Mr. REID] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 2158, a bill to direct the Secretary of Health and Human Services to promulgate regulations to require that an individual telephoning the Social Security Administration has the option of accessing a Social Security Administration representative in a field office in the geographical area of such individual, and for other purposes.

SENATE JOINT RESOLUTION 48

At the request of Mr. HOLLINGS, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of Senate Joint Resolution 48, a joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional and Presidential elections.

SENATE JOINT RESOLUTION 212

At the request of Mr. METZENBAUM, his name was withdrawn as a cosponsor of Senate Joint Resolution 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the Seventy-Fifth Anniversary of the Armenian Genocide of 1915-1923."

SENATE JOINT RESOLUTION 229

At the request of Mr. CRANSTON, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Louisiana [Mr. JOHNSTON], and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Joint Resolution 229, a joint resolution to designate April 1990, as "National Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 235

At the request of Mr. HUMPHREY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of Senate Joint Resolution 235, a joint

resolution proposing a constitutional amendment to limit congressional terms.

SENATE JOINT RESOLUTION 236

At the request of Mr. WILSON, the names of the Senator from Utah [Mr. HATCH], the Senator from Iowa [Mr. GRASSLEY], the Senator from Louisiana [Mr. BREAUX], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 236, a joint resolution designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week."

SENATE JOINT RESOLUTION 238

At the request of Mr. SARBANES, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of Senate Joint Resolution 238, a joint resolution to designate the week beginning March 5, 1990, as "Federal Employees Recognition Week."

SENATE JOINT RESOLUTION 243

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of Senate Joint Resolution 243, a joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

SENATE JOINT RESOLUTION 255

At the request of Mr. PRYOR, the names of the Senator from New Hampshire [Mr. HUMPHREY], the Senator from Maine [Mr. MITCHELL], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of Senate Joint Resolution 255, a joint resolution designating the 1990 filing season, to be celebrated as the "20th Anniversary of the IRS-Sponsored Volunteer Programs Season."

SENATE JOINT RESOLUTION 257

At the request of Mr. BIDEN, the names of the Senator from North Dakota [Mr. BURDICK], the Senator from Arizona [Mr. DECONCINI], the Senator from Alabama [Mr. HEFLIN], the Senator from Hawaii [Mr. INOUYE], the Senator from Indiana [Mr. LUGAR], and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of Senate Joint Resolution 257, a joint resolution to designate March 10, 1990, as "Harriet Tubman Day."

SENATE CONCURRENT RESOLUTION 88

At the request of Mr. GRAHAM, the names of the Senator from North Carolina [Mr. SANFORD], the Senator from Wyoming [Mr. SIMPSON], the Senator from Virginia [Mr. ROBB], the Senator from Massachusetts [Mr. KERRY], and the Senator from Alabama [Mr. HEFLIN] were added as cosponsors of Senate Concurrent Resolution 88, a concurrent resolution expressing the sense of the Congress that a postage stamp should be issued in honor of Claude Denson Pepper.

SENATE CONCURRENT RESOLUTION 91

At the request of Mr. HATFIELD, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of Senate Concurrent Resolution 91, a concurrent resolution expressing the sense of the Congress with respect to achieving common security in the world by reducing reliance on the military and redirecting resources toward overcoming hunger and poverty and meeting basic human needs.

SENATE RESOLUTION 239

At the request of Mr. DECONCINI, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of Senate Resolution 239, a resolution expressing the sense of the Senate denouncing the military offensive in Angola and urging an immediate ceasefire.

SENATE RESOLUTION 245

At the request of Mr. LUGAR, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of Senate Resolution 245, a resolution designating National Employee Health and Fitness Day.

SENATE CONCURRENT RESOLUTION 94—RELATING TO THE RELEASE OF NELSON MANDELA AND OTHER POSITIVE DEVELOPMENTS IN SOUTH AFRICA

Mr. SIMON (for himself, Mr. CRANSTON, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. BOREN, Mr. GORE, Mr. MCCONNELL, Mr. SANFORD, Mr. JEFFORDS, Mr. PELL, Mr. LUGAR, Mr. SPECTER, Mr. LEVIN, and Mr. BOSCHWITZ) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 94

Whereas tremendous sacrifices have been made by the anti-apartheid movement in South Africa, including Nelson Mandela, Walter Sisulu, and other imprisoned black leaders, throughout this century;

Whereas the release of long-term political prisoners and other reforms announced by the Government of South Africa in recent months represent significant victories for these leaders and the cause of justice;

Whereas South African President F.W. de Klerk released Nelson Mandela, after 27 years of imprisonment, and unbanned the African National Congress and other political organizations;

Whereas President de Klerk has taken other steps to promote a climate conducive to dialogue and negotiations within South Africa, including permitting a number of peaceful protests and calling for the repeal of the Separate Amenities Act, the relaxation of some emergency regulations and a moratorium on executions;

Whereas Nelson Mandela, Walter Sisulu, and other black leaders recently released from prison have committed themselves to negotiations for a peaceful end to apartheid and the establishment of a nonracial democracy in South Africa;

Whereas United States and international sanctions have strengthened the courageous efforts of anti-apartheid forces in South Africa to promote peaceful change; and

Whereas the Group Areas Act, the Population Registration Act, and other legislative pillars of apartheid remain firmly in place and many political prisoners continue to be incarcerated: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) welcomes the positive political changes in South Africa;

(2) commends President de Klerk for the courageous actions he has taken, particularly the release of Nelson Mandela and the unbanning of the African National Congress and other political organizations;

(3) urges President de Klerk to initiate the real dismantling of the apartheid system, to move rapidly to meet the conditions necessary for the opening of negotiations, and to meet the terms of the Comprehensive Anti-Apartheid Act of 1986 for the relaxation of sanctions;

(4) commends Nelson Mandela, Walter Sisulu, and other representatives of the black majority for their courageous perseverance in the struggle for a nonracial democracy and urges them to continue to facilitate the climate for negotiations;

(5) remains committed to the maintenance of sanctions against the Government of South Africa until the requisite conditions of the Comprehensive Anti-Apartheid Act of 1986 for the suspension, modification or termination of sanctions have been met;

(6) will support the suspension or modification of one or more sanctions or the termination of sanctions as soon as the conditions of the Comprehensive Anti-Apartheid Act of 1986 are met; and

(7) continues to regard assistance to the victims of apartheid as an important and necessary complement to U.S. sanctions.

Mr. SIMON. This past Sunday I had the indescribable privilege of speaking with Mr. Nelson Mandela over the telephone. It was a thrilling moment to speak to a man who has committed his life to bringing justice in South Africa and who is so respected and loved by people all over the world. His release is a transforming event.

Today, I am introducing a resolution on South Africa and am joined by my colleagues Senators CRANSTON, KASSEBAUM, KENNEDY, MCCONNELL, BOREN, GORE, SANFORD, JEFFORDS, SPECTER, LEVIN, and BOSCHWITZ. It recognizes the positive, concrete steps taken by President de Klerk to help create a climate for negotiations in South Africa. And although it was long overdue, President de Klerk took an important step in releasing Nelson Mandela. The tone and direction President de Klerk is taking is one that the African National Congress and other antiapartheid activitists have long been working for. And I hope that in the next few weeks, President de Klerk will lift the state of emergency, release more political prisoners, and continue to take other critical steps.

Our resolution recognizes the courage and perseverance of Nelson Mandela, Walter Sisulu, and other leaders. Nelson Mandela has made it abun-

dantly clear that he is committed to a peaceful solution.

While we are mindful of the real progress being made in South Africa, we also recognize that it is only the beginning. The call from some quarters for suspending or modifying sanctions is premature. The Comprehensive Anti-Apartheid Act of 1986 provides two sets of criteria, one for complete termination of sanctions, the other for suspension or modification of sanctions.

Briefly, for termination, these five conditions must be met:

First, release of all political prisoners, including Nelson Mandela;

Second, repeal of the nationwide state of emergency and release of all detainees;

Third, unbanning of political groups and allowing for freedom of political expression;

Fourth, repeal of the Group Areas Act and the Population Registration Act; and

Fifth, agreement to enter into good faith negotiations with truly representative members of the black majority without preconditions.

For suspension or modification of sanctions, the South African government must meet four of the five conditions, and demonstrate "substantial progress toward dismantling the system of apartheid and establishing a nonracial democracy."

In my view the first condition includes all those detained without charge and sentenced or currently prosecuted for "security" offenses motivated by political resistance to apartheid as well as those prosecuted or sentenced for offenses committed during anti-apartheid protests.

Their third condition refers to basic political freedoms, such as political expression, publication, assembly, association and movement (including the return of exiles), and freedom from violence and intimidation by the military, police, and vigilante forces.

The substantial progress on dismantling apartheid and establishing a nonracial democracy condition involves repealing some of the legislative pillars of apartheid and demonstrating a willingness to abandon the concept of group rights as a means of protecting individual rights and to establish a political system based on the fundamental democratic principle of majority rule and the need to protect individual rights.

Inevitably, there may be differences of opinion between the Congress and the administration on when sanctions might be modified or suspended. At the appropriate time I am willing to work closely with the administration to ensure that we are in agreement on the progress that we need to see before we can begin to consider any suspension or modification of sanctions. We will soon have a meeting with Secretary of State Baker to continue our ongoing dialog with the administration.

When the South African Government released Nelson Mandela, it also unleashed hopes there and around the world that an end to institutional injustice in South Africa might soon be in sight. Nelson Mandela's release has the potential to be the most important transforming even in the long, sad history of apartheid. It is too soon to know if we're seeing the light at the end of the tunnel.

Democratization is sweeping other regions of the world. Our hope is that fundamental change will come also to South Africa. The policy of the United States, as stated in the sanctions act, has helped bring us to this juncture and our role has been significant. We will continue the United States role in helping to foster the climate for continuing progress. This resolution begins to more clearly define that role.

When we passed the Comprehensive Anti-Apartheid Act of 1986, we took a solid, bipartisan stand in favor of bringing justice to South Africa. That stand has made a difference in South Africa. Our stand supported those fighting against aparthied and helped to persuade those who wanted to maintain it to take steps to change it. I hope that the significant, positive movement in South Africa will continue.

Mr. Nelson Mandela and President de Klerk have delivered important speeches in the past week and a half. I recommend them to my colleagues, and I ask unanimous consent that the speeches be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 12, 1990]

TRANSCRIPT OF MANDELA'S SPEECH AT CAPE TOWN CITY HALL: "AFRICA IT IS OURS!"

(Following is a transcript of the address at Cape Town City Hall yesterday by Nelson Mandela, as recorded by The New York Times through the facilities of Cable News Network. Portions of the speech were delivered in Xhosa, one of the major languages spoken by black South Africans.)

Amandla! Amandla! i-Afrika, mayibuye! [Power! Power! Africa it is ours!]

My friends, comrades and fellow South Africans, I greet you all in the name of peace, democracy and freedom for all. I stand here before you not as a prophet but as a humble servant of you, the people.

Your tireless and heroic sacrifices have made it possible for me to be here today. I therefore place the remaining years of my life in your hands.

On this day of my release, I extend my sincere and warmest gratitude to the millions of my compatriots and those in every corner of the globe who have campaigned tirelessly for my release.

I extend special greetings to the people of Cape Town, the city to which, which has been my home for three decades. Your mass marches and other forms of struggle have served as a constant source of strength to all political prisoners.

I salute the African National Congress. It has fulfilled our every expectation in its role as leader of the great march to freedom.

I salute our president, Comrade Oliver Tambo, for leading the A.N.C. even under the most difficult circumstances.

I salute the rank-and-file members of the A.N.C. You have sacrificed life and limb in the pursuit of the noble cause of our struggle.

LEADER'S SALUTATIONS

I salute combatants of Umkonio We Sizwe [Spear of the Nation], like Solomon Malhangu and Ashley Kriel, who have paid the ultimate price for the freedom of all South Africans.

I salute the South African Communist Party for its steady contribution to the struggle for democracy. You have survived 40 years of unrelenting persecution. The memory of great Communists like Moses Kotane, Yusuf Dacoo, Bram Fischer and Moses Madidha will cherished for generations to come.

I salute General Secretary Joe Slovo, one of our finest patriots. We are heartened by the fact that the alliance between ourselves and the party remains as strong as it always was.

I salute the United Democratic Front, the National Education Crisis Committee, the South African Youth Congress, the Transvaal and Natal Indian Congresses. And Costau. And the many other formations of the mass democratic movement.

I also salute the Black Sash and the National Union of South African Students. We note with pride that you have acted as the conscience of white South Africans. Even during the darkest days in the history of our struggle, you held the flag of liberty high. The large-scale mass mobilization of the past few years is one of the key factors which led to the opening of the final chapter of our struggle.

I extend my greetings to the working class of our country. Your organized stance is the pride of our movement. You remain the most dependable force in the struggle to end exploitation and oppression.

TRIBUTES TO CAMPAIGNERS

I pay tribute—I pay tribute to the many religious communities who carried the campaign for justice forward when the organizations of our people were silenced.

I greet the traditional leaders of our country. Many among you continue to walk in the footsteps of great heroes like Hintsa and Sekhukhuni.

I pay tribute to the endless heroes of youth. You, the young lions. You the young lions have energized our entire struggle.

I pay tribute to the mothers and wives and sisters of our nation. You are the rock-hard foundation of our struggle. Apartheid has inflicted more pain on you than on anyone else. On this occasion, we thank the world—we thank the world community for their great contribution to the anti-apartheid struggle. Without your support our struggle would not have reached this advanced stage.

The sacrifice of the front-line states will be remembered by South Africans forever.

My salutations will be incomplete without expressing my deep appreciation for the strength given to me during my long and lonely years in prison by my beloved wife and family.

I am convinced that your pain and suffering was far greater than my own.

NEED FOR ARMED STRUGGLE

Before I go any further, I wish to make the point that I intend making only a few preliminary comments at this stage. I will make a more complete statement only after I have had the opportunity to consult with my comrades.

Today the majority of South Africans, black and white, recognize that apartheid has no future. It has to be ended by our own decisive mass actions in order to build peace and security. The mass campaigns of defiance and other actions of our organizations and people can only culminate in the establishment of democracy.

The apartheid destruction on our subcontinent is incalculable. The fabric of family life of millions of my people has been shattered. Millions are homeless and unemployed.

Our economy—our economy lies in ruins and our people are embroiled in political strife. Our resort to the armed struggle in 1960 with the formation of the military wing of the A.N.C., Umkonto We Sizwe, was a purely defensive action against the violence of apartheid.

The factors which necessitated the armed struggle still exist today. We have no option but to continue. We express the hope that a climate conducive to a negotiated settlement would be created soon so that there may no longer be the need for the armed struggle.

I am a loyal and disciplined member of the African National Congress. I am, therefore, in full agreement with all of its objectives, strategies and tactics.

DEMOCRATIC PRACTICE

The need to unite the people of our country is as important a task now as it always has been. No individual leader is able to take all these enormous tasks on his own. It is our task as leaders to place our views before our organization and to allow the democratic structures to decide on the way forward.

On the question of democratic practice, I feel duty bound to make the point that a leader of the movement is a person who has been democratically elected at a national conference. This is a principle which must be upheld without any exceptions.

Today, I wish to report to you that my talks with the Government have been aimed at normalizing the political situation in the country. We have not as yet begun discussing the basic demands of the struggle.

I wish to stress that I myself had at no time entered into negotiations about the future of our country, except to insist on a meeting between the A.N.C. and the Government.

Mr. de Klerk has gone further than any other Nationalist president in taking real steps to normalize the situation. However, there are further steps as outlined in the Harare Declaration that have to be met before negotiations on the basic demands of our people can begin.

I reiterate our call for inter alia the immediate ending of the state of emergency and the freeing of all, and not only some, political prisoners.

A DECISIVE MOMENT

Only such a normalized situation which allows for free political activity can allow us to consult our people in order to obtain a mandate. The people need to be consulted on who will negotiate and on the content of such negotiations.

Negotiations cannot take place—negotiations cannot take up a place above the heads or behind the backs of our people. It is our belief that the future of our country can only be determined by a body which is democratically elected on a nonracial basis.

Negotiations on the dismantling of apartheid will have to address the overwhelming demand of our people for a democratic nonracial and unitary South Africa. There must be an end to white monopoly on political power.

And a fundamental restructuring of our political and economic systems to insure that the inequalities of apartheid are addressed and our society thoroughly democratized.

It must be added that Mr. de Klerk himself is a man of integrity who is acutely aware of the dangers of a public figure not honoring his undertakings. But as an organization, we base our policy and strategy on the harsh reality we are faced with, and this reality is that we are still suffering under the policies of the Nationalist Government.

Our struggle has reached a decisive moment. We call on our people to seize this moment so that the process toward democracy is rapid and uninterrupted. We have waited too long for our freedom. We can no longer wait. Now is the time to intensify the struggle on all fronts.

UNIVERSAL SUFFRAGE

To relax our efforts now would be a mistake which generations to come will not be able to forgive. The sight of freedom looming on the horizon, should encourage us to redouble our efforts. It is only through disciplined mass action that our victory can be assured.

We call on our white compatriots to join us in the shaping of a new South Africa. The freedom movement is the political home for you, too. We call on the international community to continue the campaign to isolate the apartheid regime.

To lift sanctions now would be to run the risk of aborting the process toward the complete eradication of apartheid. Our march to freedom is irreversible. We must not allow fear to stand in our way.

Universal suffrage on a common voters roll in a united democratic and nonracial South Africa is the only way to peace and racial harmony.

In conclusion, I wish to go to my own words during my trial in 1964. They are as true today as they were then. I wrote: I have fought against white domination, and I have fought against black domination. I have cherished the idea of a democratic and free society in which all persons live together in harmony and with equal opportunities.

It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

[The following portion was delivered in Xhosa. The translation was provided by Mbulelo Mzamane, a professor of Comparative Literature at the University of Georgia.]

My friends, I have no words of eloquence to offer today except to say that the remaining days of my life are in your hands.

[He continued in English.] I hope you will disperse with discipline. And not a single one of you should do anything which will make other people to say that we can't control our own people.

NELSON MANDELA ADDRESSES SOWETO RALLY, FEBRUARY 1, 1990

[Text] [Words indistinct] unable to do so [words indistinct] that it is not worthwhile to (?compete with) [words indistinct]. I appeal to you, therefore, as my comrade Walter [Sisulu] has done, for discipline. It is discipline and loyalty to our principles that will liberate us, and I have not the slightest doubt that you are capable of behaving like people who are ready to make your contribution to the solution of the problems that are facing us, and also to address the greater question of the new society we want to establish.

Comrades, friends, and people of Soweto at large: I greet you in the name of the heroic struggle of our people to establish justice and freedom for all in our country. I salute our president, Comrade Oliver Tambo, for his leadership of the ANC [African National Congress] that has put our organization and the hopes of the people it represents on the political center stage in South Africa.

I salute our rank-and-file members and combatants of the ANC who have sacrificed all for the love of their country and their people.

I salute the South African Communist Party for its consistent and determined contribution to the struggle for a democratic government in South Africa. Our alliance is built on the unshakable foundation of our united struggle for a nonracial democracy.

I salute the United Democratic Front [UDF], the Congress of South African Trade Unions [COSATU], the National Education Crisis Committee, and many other formations of the MDM [Mass Democratic Movement]. The work of the [word indistinct] has ensured that none of the reformist strategies of the government have succeeded.

I salute the working class of our country. Our movement would not be where it is without your organized strength. You are an indispensable force in the struggle to end exploitation and oppression in South Africa.

We salute the victory of SWAPO [South-West African People's Organization] with whom we have shared plenty of battles against colonialism and apartheid. You have established your right to self-determination, and your victory is our victory. I pay tribute to the many religious leaders who carried the struggle for justice forward and held our banner high during the most brutal periods of repression against our people.

I salute the courage and heroism of the youth of South Africa organized under the South African Youth Congress. At this point I wish to pay tribute to Comrade Hector Pieterson, who together with hundreds of young activists were mowed down by apartheid bullets in 1976. [applause]

We gained inspiration by courage and conviction during our lonely years on the island. Today, my return to Soweto fills my heart with joy. At the same time, I also return with a deep sadness, with a deep sense of sadness. Sadness to learn that you are still suffering under an inhuman system. The housing shortage, the school crisis, unemployment, and the crime rate still remains.

I am even more proud to be a member of this community because of the pioneering role it has played in the struggle for the democratization of local government. You have built democratic structures of local government in Soweto such as street committees and civic organizations that give practical import to our desire to let the people [word indistinct].

I fully support the call made by our people for democratic systems of local government that will have a (?single) [word indistinct]. In this regard, I believe that the campaign for open cities must receive our

active support. As proud as I am to be part of the Soweto community, I have been greatly disturbed by the statistics of crime that I have read in the newspapers.

Although I understand the deprivations our people suffer, I must make it clear that the level of crime in (?our country) is unhealthy and must be eliminated as a matter of urgency. It is through the creation of democratic and accountable structures that we can achieve this. I salute the anticrime campaign conducted by our organizations.

The crisis in education that exists in South Africa demands special attention. The education crisis in black schools is a political crisis. It arises out of the fact that our people have no vote and therefore cannot make the government of the day responsible for their [words indistinct]. Apartheid education is inferior and a crime against humanity.

Education is an area that needs attention, that needs the attention of all our people: students, parents, teachers, workers, and all other organized sectors of our community.

Let us build disciplined structures, SRC's [students representative councils], a united national teachers organization, parent structures and parent-teacher-student associations, and the National Education Crisis Committee.

It has been the policy of the ANC that those schools and the entire education system is a (?sign) of problems. The actual process of learning must take place in the school. I want to add my voice, therefore, to the call made at the beginning of the year that all students must return to school and learn.

We must continue our struggle for people's education within the school system and utilize its resources to achieve our goals. I call on the government to build more schools, to train and employ more teachers, and to abandon its policy of forcing our children out of the school system by use of various measures such as the age restriction and their refusal to admit those who fail their classes.

We have consistently called for a unitary, nonracial education system that develops the potential of all our youth. As I said when I spoke on the [word indistinct] at the Rivonia trial 27 years ago, and as I said on the day of my release in Cape Town, the ANC will pursue the armed struggle against the government as long as the violence of apartheid continues. [applause]

Our armed combatants act under the political leadership of the ANC [word indistinct] of our people's army [word indistinct] not only in the military affairs but as [words indistinct] of our movement. We are therefore disturbed that there are certain elements among those who claim to support the liberation struggle who use violence against our people. The hijackings and setting alight of vehicles and the harassment of innocent people are criminal acts that have no place in our struggle. We condemn such. [applause]

Our major weapon of struggle against apartheid oppression and exploitation is our people organized into mass formations of the democratic movement. This is achieved by politically organizing our people, not through the use of violence against our people. I call in the strongest possible way for us to act with the dignity and discipline that our just struggle for freedom deserves.

Our victory must be celebrated in peace and joy. In particular, I call on our people in Natal to unite against the perpetrators of violence. I call on the leadership of the UDF, COSATU, and Inkatha to take decisive steps to revive the peace initative and to (?end the scourge) on our proud history. Let us act with political foresight and develop bold steps to end the mindless violence.

Joint initiatives at local, regional, and national levels between the parties concerned must call for restraint. The security forces must be compelled to act with absolute impartiality and to arrest those offenders who continue with violence. We understand that attempts are being made to disrupt the unity of the oppressed by stirring (?vengeance) between African and Indian communities in Natal. Let us build on the proud tradition of the unity in action as a [words indistinct] which was fully endorsed by our great hero, Chief Luthuli.

I am also concerned by the ongoing violence perpetrated by certain sections of the security forces against our people's marches and demonstrations. We condemn this. I understand that implementing apartheid laws has made it extremely difficult for many honest policemen to [word indistinct] their role as servants of the public. You are seen in the eyes of many of our people as an instrument of repression and injustice. We call on the police to abandon apartheid to serve the interests of the people. Join our march to a new South Africa, where you also have a place.

We note with appreciation that there are certain areas where policemen are acting with restraint and fulfilling the real role of protecting all our people, irrespective of their race.

Much debate has been sparked off by the ANC policy on the economy relating to nationalization and the redistribution of wealth. We believe that apartheid has created a heinous system of exploitation in which a racist minority monopolizes economic wealth while the vast majority of the oppressed, (?the black people), are condemned to poverty. South Africa is a wealthy country. It is the labor of black workers that has built the cities, roads, and factories we see. They cannot be excluded from sharing this wealth.

The ANC is just as committed to economic growth and productivity as the present employers claim to be. Yet we are also committed to ensure that a democratic government has the resources to address the inequality caused by apartheid. Our people need proper housing, not ghettoes like Soweto. [applause]

Workers need a living wage [applause] and the right to join unions of their own choice [applause] and to participate in determining policies that affect their lives. Our history has shown that apartheid has stifled growth, created mass unemployment, and led to spiralling inflation that has undermined the standard of living of the majority of our people, both black and white. Only a participatory democracy involving our people in the structures of decisionmaking at all levels of society can ensure that this is corrected.

We will certainly introduce policies that address the economic problems that we face. We call on employers to recognize the fundamental rights of workers in our country. We are marching to a new future, based on strong foundations of respect for each other, achieved through bona fide negotiations.

In particular, we call for genuine negotiations to achieve a fair labor relations act and better [word indistinct] to resolve conflict.

Employers can play their role in serving the new South Africa by acknowledging these rights. We call on workers, black and white, to join industrial trade unions organized under the banner of our nonracial, progressive federation, the Congress of South African Trade Unions, which has played an indispensable role in our struggle against apartheid. [applause]

A number of obstacles to the creation of a nonracial, democratic South Africa remain and need to be tackled. The fears of whites about their rights and place in a South Africa they do not control exclusively are an obstacle we must understand and address. I stated in 1964 that I and the ANC are as opposed to black domination as we to white domination. We must accept that our statements and declaration alone will not be sufficient to allay the fears of white South Africans. We must clearly demonstrate our goodwill to our white compatriots and convince them by our conduct and arguments that a South Africa without apartheid will be a better home for all. A new South Africa has to eliminate racial hatred and suspicion caused by apartheid, and offer guarantees to all its citizens of peace, security, and prosperity.

We call on those who, out of ignorance, have collaborated with apartheid in the past to join our liberation struggle. No man or woman who has abandoned apartheid will be excluded from our (?movement) towards a nonracial, united, and democratic South Africa based on one-person, one-vote, on a common voters roll. [applause]

Our primary task remains to unite our people across the length and breadth of our country. Our democratic organizations must be consolidated in all our (?sectors). Democratic, political practice and accountable leadership must be strengthened on all fronts. Our struggle against apartheid, though seemingly (?uncertain), must be intensified on all fronts. Let each one of you and all of our people give the enemies of peace and liberty no space to take us back to the dark hell of apartheid. [applause]

It is only disciplined mass action that (?assures) us of the victory we seek. Go back to your schools, factories, mines, and communities. Build on the massive energies that recent events in our country have unleashed by strengthening disciplined mass organizations. We are going (?forward). The march towards freedom and justice is irreversible.

I have spoken about freedom in my lifetime. Your struggle, your commitment, and your discipline have released me to stand before you today. [applause] These basic principles will propel us to a free, nonracial, democratic, united South Africa that we have struggled and died for.

Comrades, I came here expecting to see not only the comrades who are here, but also Comrade (Elias Motshwaledi), Govan Mbeki, Raymond Mkaba, Oscar Mpheta, Harry Gwala. I am told that with exception of Comrade Raymond Mkaba, they are all ill, and it is my wish that they all have a complete and speedy recovery so that they again can lead us.

You know very well that our president, Comrade Oliver Tambo, is not well. It is my intention, subject to what the National Reception Committee may decide, to visit our headquarters in Lusaka, to go and thank personally those remarkable men and women who have put our organization in an unprecedented position to win the new South Africa that we are fighting for.

From Lusaka I intend to visit Sweden, so that I can have the opportunity of shaking hands and congratulating the man who has led this movement. [applause]

Two days ago in my address in Cape Town I told the audience that I have read on numerous occasions that it is not the king and general that make history, but the masses of the people. I have always believed in this but not to the extent to which I now believe that basic principle, because I have seen, with my own eyes, the masses of our people, the workers, the peasants, the doctors, the lawyers, the clergy, all our people; I have seen them making history, and that is why all of us are here today.

In conclusion, I must repeat what Comrade Sisulu has said. It is proper that we should behave, it is proper that we should behave in a way worthy of disciplined freedom fighters and men who know what their duty is. Let not a single (?hair), not a window be broken when you leave this place. And remember that we have friends on death row, and it is your struggle that has made the government to grant some sort of relief in this regard, and we sincerely hope that there are men among the government who will respond constructively to the demand that those men should be set free. Africa!

ADDRESS BY THE STATE PRESIDENT, MR. F.W. DE KLERK, DMS, AT THE OPENING OF THE SECOND SESSION OF THE NINTH PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA, CAPE TOWN, FEBRUARY 2, 1990

Mr. Speaker, Members of Parliament, the general election on September the 6th, 1989, placed our country irrevocably on the road of drastic change. Underlying this is the growing realisation by an increasing number of South Africans that only a negotiated understanding among the representative leaders of the entire population is able to ensure lasting peace.

The alternative is growing violence, tension and conflict. That is unacceptable and in nobody's interest. The well-being of all in this country is linked inextricably to the ability of the leaders to come to terms with one another on a new dispensation. No one can escape this simple truth.

On its part, the Government will accord the process of negotiation the highest priority. The aim is a totally new and just constitutional dispensation in which every inhabitant will enjoy equal rights, treatment and opportunity in every sphere of endeavour—constitutional, social and economic.

I hope that this new Parliament will play a constructive part in both the prelude to negotiations and the negotiating process itself. I wish to ask all of you who identify yourselves with the broad aim of a new South Africa, and that is the overwhelming majority:

Let us put petty politics aside when we discuss the future during this Session.

Help us build a broad consensus about the fundamentals of a new, realistic and democratic dispensation.

Let us work together on a plan that will rid our country of suspicion and steer it away from domination and radicalism of any kind.

During the term of this new Parliament, we shall have to deal, complementary to one another, with the normal processes of legislation and day-to-day government, as well as with the process of negotiation and renewal.

Within this framework I wish to deal first with several matters more closely concerned with the normal process of government before I turn specifically to negotiation and related issues.

1. FOREIGN RELATIONS

The Government is aware of the important part the world at large has to play in the realisation of our country's national interests.

Without contact and co-operation with the rest of the world we cannot promote the well-being and security of our citizens. The dynamic developments in international politics have created new opportunities for South Africa as well. Important advances have been made, among other things, in our contacts abroad, especially where these were precluded previously by ideological considerations.

I hope this trend will be encouraged by the important change of climate that is taking place in South Africa.

For South Africa, indeed for the whole world, the past year has been one of change and major upheaval. In Eastern Europe and even the Soviet Union itself, political and economic upheaval surged forward in an unstoppable tide. At the same time, Beijing temporarily smothered with brutal violence the yearning of the people of the Chinese mainland for greater freedom.

The year of 1989 will go down in history as the year in which Stalinist Communism expired.

These developments will entail unpredictable consequences for Europe, but they will also be of decisive importance to Africa. The indications are that the countries of Eastern and Central Europe will receive greater attention, while it will decline in the case of Africa.

The collapse, particularly of the economic system in Eastern Europe, also serves as a warning to those who insist on persisting with it in Africa. Those who seek to force this failure of a system on South Africa, should engage in a total revision of their point of view. It should be clear to all that it is not the answer here either. The new situation in Eastern Europe also shows that foreign intervention is no recipe for domestic change. It never succeeds, regardless of its ideological motivation. The upheaval in Eastern Europe took place without the involvement of the Big Powers or of the United Nations.

The countries of Southern Africa are faced with a particular challenge: Southern Africa now has an historical opportunity to set aside its conflicts and ideological differences and draw up a joint programme of reconstruction.

It should be sufficiently attractive to ensure that the Southern African region obtains adequate investment and loan capital from the industrial countries of the world. Unless the countries of Southern Africa achieve stability and a common approach to economic development rapidly, they will be faced by further decline and ruin.

The Government is prepared to enter into discussions with other Southern African countries with the aim of formulating a realistic development plan. The Government believes that the obstacles in the way of a conference of Southern African states have now been removed sufficiently.

Hostile postures have to be replaced by co-operative ones; confrontation by contact; disengagement by engagement; slogans by deliberate debate.

The season of violence is over. The time for reconstruction and reconciliation has arrived.

Recently there have, indeed, been unusually positive results in South Africa's contacts and relations with other African states. During my visits to their countries I was received cordially, both in private and in public, by Presidents Mobutu, Chissano, Houphouet-Boigny and Kaunda. These leaders expressed their sincere concern about the serious economic problems in our part of the world. They agreed that South Africa could and should play a positive part in regional co-operation and development.

Our positive contribution to the independence process in South West Africa has been recognized internationally. South Africa's good faith and reliability as a negotiator made a significant contribution to the success of the events. This, too, was not unnoticed. Similarly, our efforts to help bring an end to the domestic conflict situations in Mozambique and Angola have received positive acknowledgement.

At present the Government is involved in negotiations concerning our future relations with an independent Namibia and there are no reason why good relations should not exist between the two countries. Namibia needs South Africa and we are prepared to play a constructive part.

Nearer home I paid fruitful visits to Venda, Transkei and Ciskei and intend visiting Bophuthatswana soon. In recent times there has been an interesting debate about the future relationship of the TBVC countries with South Africa and specifically about whether they should be re-incorporated into our country.

Without rejecting this idea out of hand, it should be borne in mind that it is but one of many possibilities. These countries are constitutionally independent. Any return to South Africa will have to be dealt with, not only by means of legislation in their parliaments, but also through legislation in this Parliament. Naturally this will have to be preceded by talks and agreements.

2. HUMAN RIGHTS

Some time ago the Government referred the question of the protection of fundamental human rights to the Southern Africa Law Commission. This resulted in the Law Commission's interim working document on individual and minority rights. It elicited substantial public interest.

I am satisfied that every individual and organisation in the country has had ample opportunity to make representations to the Law Commission, express criticism freely and make suggestions. At present, the Law Commission is considering the representations received. A final report is expected in the course of this year.

In view of the exceptional importance of the subject of human rights to our country and all its people, I wish to ask the Law Commission to accord this task high priority.

The whole question of protecting individual and minority rights, which includes collective rights and the rights of national groups, is still under consideration by the Law Commission. Therefore, it would be inappropriate of the Government to express a view on the details now. However, certain matters of principle have emerged fairly clearly and I wish to devote some remarks to them.

The Government accepts the principle of the recognition and protection of the fundamental individual rights which form the constitutional basis of most Western democracies. We acknowledge, too, that the most practical way of protecting those rights is vested in a declaration of rights justifiable by an independent judiciary. However, it is clear that a system for the protection of the rights of individuals, minorities and national entities has to form a well-rounded and balanced whole. South Africa has its own national composition and our constitutional

dispensation has to take this into account. The formal recognition of individual rights does not mean that the problems of a heterogeneous population will simply disappear. Any new constitution which disregards this reality will be inappropriate and even harmful.

Naturally, the protection of collective, minority and national rights may not bring about an imbalance in respect of individual rights. It is neither the Government's policy nor its intention that any group—in whichever way it may be defined—shall be favoured above or in relation to any of the others.

The Government is requesting the Law Commission to undertake further task and report on it. This task is directed at the balanced protection in a future constitution of the human rights of all our citizens, as well as of collective units, associations, minorities and nations. This investigation will also serve the purpose of supporting negotiations toward a new constitution.

The terms of reference also include:

The identification of the main types and models of democratic constitutions which deserve consideration in the aforementioned context;

An analysis of the ways in which the relevant rights are protected in every model; and

Possible methods by means of which such constitutions may be made to succeed and be safeguarded in a legitimate manner.

3. THE DEATH PENALTY

The death penalty has been the subject of intensive discussion in recent months. However, the Government has been giving its attention to this extremely sensitive issue for some time. On April the 27th, 1989, the honourable Minister of Justice indicated that there was merit in suggestions for reform in this area. Since 1988 in fact, my predecessor and I have been taking decisions on reprieves which have led, in proportion, to a drastic decline in executions.

We have now reached the position in which we are able to make concrete proposals for reform. After the Chief Justice was consulted, and he in turn had consulted the Bench, and after the Government had noted the opinions of academics and other interested parties, the Government decided on the following broad principles from a variety of available options:

That reform in this area is indicated;

That the death penalty should be limited as an option of sentence to extreme cases, and specifically through broadening judicial discretion in the imposition of sentence; and

That an automatic right of appeal be granted to those under sentence of death.

Should these proposals be adopted, they should have a significant influence on the imposition of death sentences on the one hand, and on the other, should ensure that every case in which a person has been sentenced to death, will come to the attention of the Appellate Division.

These proposals require that everybody currently awaiting execution, be accorded the benefit of the proposed new approach. Therefore, all executions have been suspended and no executions will take place until Parliament has taken a final decision on the new proposals. In the event of the proposals being adopted, the case of every person involved will be dealt with in accordance with the new guidelines. In the meantime, no executions have taken place since November the 14th, 1989.

New and uncompleted cases will still be adjudicated in terms of the existing law. Only when the death sentence is imposed, will the new proposals be applied, as in the case of those currently awaiting execution.

The legislation concerned also details other related principles which will be announced and elucidated in due course by the Minister of Justice. It will now be formulated in consultation with experts and be submitted to Parliament as soon as possible.

I wish to urge everybody to join us in dealing with this highly sensitive issue in a responsible manner.

4. SOCIO-ECONOMIC ASPECTS

A changed dispensation implies far more than political and constitutional issues. It cannot be pursued successfully in isolation from problems in other spheres of life which demand practical solutions. Poverty, unemployment, housing shortages, inadequate education and training, illiteracy, health needs and numerous other problems still stand in the way of progress and prosperity and an improved quality of life.

The conservation of the physical and human environment is of cardinal importance to the quality of our existence. For this the Government is developing a strategy with the aid of an investigation by the President's Council.

All of these challenges are being dealt with urgently and comprehensively. The capability for this has to be created in an economically accountable manner. Consequently, existing strategies and aims are undergoing a comprehensive revision.

From this will emanate important policy announcements in the socio-economic sphere by the responsible Ministers during the course of the session. One matter about which it is possible to make a concrete announcement, is the Separate Amenities Act, 1953. Pursuant to my speech before the President's Council late last year, I announce that this Act will be repealed during this Session of Parliament.

The State cannot possibly deal alone with all of the social advancement our circumstances demand. The community at large, and especially the private sector, also have a major responsibility towards the welfare of our country and its people.

5. THE ECONOMY

A new South Africa is possible only if it is bolstered by a sound and growing economy, with particular emphasis on the creation of employment. With a view to this, the Government has taken thorough cognisance of the advice contained in numerous reports by a variety of advisory bodies. The central message is that South Africa, too, will have to make certain structural changes to its economy, just as its major trading partners had to do a decade or so ago.

The period of exceptionally high economic growth experienced by the Western world in the sixties, was brought to an end by the oil crisis in 1973. Drastic structural adaptations became invitable for these countries, especially after the second oil crisis in 1979, when serious imbalances occurred in their economies. After considerable sacrifices, those countries which presevered with their structural adjustment programmes, recovered economically so that lengthy periods of high economic growth and low inflation were possible.

During that particular period, South Africa was protected temporarily by the rising gold price from the necessity of making similar adjustment immediately. In fact, the high gold price even brought prosperity with it for a while. The recovery of the world economy and the decline in the price of gold and other primary products, brought with them unhealthy trends. These included high inflation, a serious weakening in the productivity of capital, stagnation in the economy's ability to generate income and employment opportunities. All of this made a drastic structural adjustment of our economy inevitable.

The Government's basic point of departure is to reduce the role of the public sector in the economy and to give the private sector maximum opportunity for optimal performance. In this process, preference has to be given to allowing the market forces and a sound competitive structure to bring about the necessary adjustments.

Naturally, those who make and implement economic policy have a major responsibility at the same time to promote an environment optimally conducive to investment, job creation and economic growth by means of appropriate and properly co-ordinated fiscal and monetary policy. The Government remains committed to this balanced and practical approach.

By means of restricting capital expenditure in parastatal institutions, privatisation, deregulation and curtailing government expenditure, substantial progress has been made already towards reducing the role of the authorities in the economy. We shall persist with this in a well-considered way.

This does not mean that the State will forsake its indispensable development role, especially in our particular circumstances. On the contrary, it is the precise intention of the Government to concentrate an equitable portion of its capacity on these aims by means of the meticulous determination of priorities.

Following the progress that has been made in other areas of the economy in recent years, it is now opportune to give particular attention to the supply side of the economy. Fundamental factors which will contribute to the success of this restructuring are:

The gradual reduction of inflation to levels comparable to those of our principal trading partners;

The encouragement of personal initiative and savings;

The subjection of all economic decisions by the authorities to stringent financial measures and discipline;

Rapid progress with the reform of our system of taxation; and

The encouragement of exports as the impetus for industrialisation and earning foreign exchange.

These and other adjustments, which will require sacrifices, have to be seen as prerequisites for a new period of sustained growth in productive employment in the nineties.

The Government has also noted with appreciation the manner in which the Reserve Bank has discharged its special responsibility in striving toward common goals.

The Government is very much aware of the necessity of proper co-ordination and consistent implementation of its economic policy. For this reason, the establishment of the necessary structures and expertise to ensure this co-ordination is being given preference. This applies both to the various functions within the Government and to the interaction between the authorities and the private sector.

This is obviously not the occasion for me to deal in greater detail with our total economic strategy or with the recent course of the economy.

I shall confine myself to a few specific remarks on one aspect of fiscal policy that has

been a source of criticism of the Government for some time, namely State expenditure.

The Government's financial year ends only in two month's time and several other important economic indicators for the 1989 calendar year are still subject to refinements at this stage. Nonetheless, several important trends are becoming increasingly clear. I am grateful to be able to say that we have apparently succeeded to a substantial degree in achieving most of our economic aims in the past year.

In respect of Government expenditure, the budget for the current financial year will be the most accurate in many years. The financial figures will show:

That Government expenditure is thoroughly under control;

That our normal financing programme has not exerted any significant upward pressure on rates of interest; and

That we will close the year with a surplus, even without taking the income from the privatisation of Iscor into account.

Without pre-empting this year's main budget, I wish to emphasise that it is also our intention to co-ordinate fiscal and monetary policy in the coming financial year in a way that will enable us to achieve the ensuing goals—namely:

That the present downturn will take the form of a soft landing which will help to make adjustments as easy as possible;

That our economy will consolidate before the next upward phase so that we will be able to grow from a sound base; and

That we shall persist with the implementation of the required structural adaptations in respect, among other things, of the following; easing the tax burden, especially on individuals; sustained and adequate generation of surplusses on the current account of the balance of payments and the reconstruction of our gold and foreign exchange reserves.

It is a matter of considerable seriousness to the Government, especially in this particular period of our history, to promote a dynamic economy which will make it possible for increasing numbers of people to be employed and share in rising standards of living.

6. NEGOTIATION

In conclusion, I wish to focus the spotlight on the process of negotiation and related issues. At this stage I am refraining deliberately from discussing the merits of numerous political questions which undoubtedly will be debated during the next few weeks. The focus, now, has to fall on negotiation.

Practically every leader agrees that negotiation is the key to reconciliation, peace and a new and just dispensation. However, numerous excuses for refusing to take part, are advanced. Some of the reasons being advanced are valid. Others are merely part of a political chess game. And while the game of chess proceeds, valuable time is being lost.

Against this background I committed the Government during my inauguration to giving active attention to the most important obstacles in the way of negotiation. Today I am able to announce far-reaching decisions in this connection.

I believe that these decisions will shape a new phase in which there will be a movement away from measures which have been seized upon as a justification for confrontation and violence. The emphasis has to move, and will move now, to a debate and discussion of political and economic points of view as part of the process of negotiation.

I wish to urge every political and community leader, in and outside Parliament, to approach the new opportunities which are being created, constructively. There is no time left for advancing all manner of new conditions that will delay the negotiating process.

The steps that have been decided, are the following:

The prohibition of the African National Congress, the Pan Africanist Congress, the South African Communist Party and a number of subsidiary organisations is being rescinded.

People serving prison sentences merely because they were members of one of these organisations or because they committed another offence which was merely an offence because a prohibition on one of the organisations was in force, will be identified and released. Prisoners who have been sentenced for other offences such as murder, terrorism or arson are not affected by this.

The media emergency regulations as well as the education emergency regulations are being abolished in their entirety.

The security emergency regulations will be amended to still make provision for effective control over visual material pertaining to scenes of unrest.

The restrictions in terms of the emergency regulations on 33 organisations are being rescinded. The organisations include the following: National Education Crisis Committee, South African National Students Congress, United Democratic Front, Cosatu, and Die Blanke Bevrydingsbeweging van Suid-Afrika.

The conditions imposed in terms of the security emergency regulations on 374 people on their release, are being rescinded and the regulations which provide for such conditions are being abolished.

The period of detention in terms of the security emergency regulations will be limited henceforth to six months. Detainees also acquire the right to legal representation and a medical practitioner of their own choosing.

These decisions by the Cabinet are in accordance with the Government's declared intention to normalise the political process in South Africa without jeopardising the maintenance of the good order. They were preceded by thorough and unanimous advice by a group of officials which included members of the security community.

Implementation will be immediate and, where necessary, notices will appear in the Government Gazette from tomorrow.

The most important facets of the advice the Government received in this connection, are the following:

The events in the Soviet Union and Eastern Europe, to which I have referred already, weaken the capability of organisations which were previously supported strongly from those quarters.

The activities of the organisations from which the prohibitions are now being lifted, no longer entail the same degree of threat to internal security which initially necessitated the imposition of the prohibitions.

There have been important shifts of emphasis in the statements and points of view of the most important of the organisations concerned, which indicate a new approach and a preference for peaceful solutions.

The South African Police is convinced that it is able, in the present circumstances, to combat violence and other crimes perpetrated also by members of these organisations and to bring offenders to justice without the aid of prohibitions on organisations.

About one matter there should be no doubt. The lifting of the prohibition on the said organisations does not signify in the least the approval or condonation of terrorism or crimes of violence committed under their banner or which may be perpetrated in the future. Equally, it should not be interpreted as a deviation from the Government's principles, among other things, against their economic policy and aspects of their constitutional policy. This will be dealt with in debate and negotiation.

At the same time I wish to emphasise that the maintenance of law and order dare not be jeopardised. The Government will not forsake its duty in this connection. Violence from whichever source, will be fought with all available might. Peaceful protest may not become the springboard for lawlessness, violence and intimidation. No democratic country can tolerate that.

Strong emphasis will be placed as well on even more effective law enforcement. Proper provision of manpower and means for the police and all who are involved with the enforcement of the law, will be ensured. In fact, the budget for the coming financial year will already begin to give effect to this.

I wish to thank the members of our security forces and related services for the dedicated service they have rendered the Republic of South Africa. Their dedication makes reform in a stable climate possible.

On the state of emergency I have been advised that an emergency situation, which justifies these special measures which have been retained, still exists. There is still conflict which is manifesting itself mainly in Natal, but as a consequence of the country-wide political power struggle. In addition, there are indications that radicals are still trying to disrupt the possibilities of negotiation by means of mass violence.

It is my intention to terminate the state of emergency completely as soon as circumstances justify it and I request the co-operation of everybody towards this end. Those responsible for unrest and conflict have to bear the blame for the continuing state of emergency. In the meantime, the state of emergency is inhibiting only those who use chaos and disorder as political instruments. Otherwise the rules of the game under the state of emergency are the same for everybody.

Against this background the Government is convinced that the decisions I have announced are justified from the security point of view. However, these decisions are justified from a political point of view as well.

Our country and all its people have been embroiled in conflict, tension and violent struggle for decades. It is time for us to break out of the cycle of violence and break through to peace and reconciliation. The silent majority is yearning for this. The youth deserve it.

With the steps the Government has taken it has proven its good faith and the table is laid for sensible leaders to begin talking about a new dispensation, to reach an understanding by way of dialogue and discussion.

The agenda is open and the overall aims to which we are aspiring should be acceptable to all reasonable South Africans.

Among other things, those aims include a new, democratic constitution; universal franchise; no domination; equality before an independent judiciary; the protection of minorities as well as of individual rights; freedom of religion; a sound economy based on proven economic principles and private en-

terprise; dynamic programmes directed at better education, health services, housing and social conditions for all.

In this connection Mr. Nelson Mandela could play an important part. The Government has noted that he has declared himself to be willing to make a constructive contribution to the peaceful political process in South Africa.

I wish to put it plainly that the Government has taken a firm decision to release Mr. Mandela unconditionally. I am serious about bringing this matter to finality without delay. The Government will make a decision soon on the date of his release. Unfortunately, a further short passage of time is unavoidable.

Normally there is a certain passage of time between the decision to release and the actual release because of logistical and administrative requirements. In the case of Mr. Mandela there are factors in the way of his immediate release, of which his personal circumstances and safety are not the least. He has not been an ordinary prisoner for quite some time. Because of that, his case requires particular circumspection.

Today's announcements, in particular, go to the heart of what Black leaders—also Mr. Mandela—have been advancing over the years as their reason for having resorted to violence. The allegation has been that the Government did not wish to talk to them and that they were deprived of their right to normal political activity by the prohibition of their organisations.

Without conceding that violence has ever been justified, I wish to say today to those who argued in this manner:

The Government wishes to talk to all leaders who seek peace.

The unconditional lifting of the prohibition on the said organizations places everybody in a position to pursue politics freely.

The justification for violence which was always advanced, no longer exists.

These facts place everybody in South Africa before a fait accompli. On the basis of numerous previous statements there is no longer any reasonable excuse for the continuation of violence. The time for talking has arrived and whoever still makes excuses does not really wish to talk.

Therefore, I repeat my invitation with greater conviction then ever:

Walk through the open door, take your place at the negotiating table together with the Government and other leaders who have important power bases inside and outside of Parliament.

Henceforth, everybody's political points of view will be tested against their realism, their workability and their fairness. The time for negotiation has arrived.

To those political leaders who have always resisted violence I say thank you for your principled stands. This includes all the leaders of parliamentary parties, leaders of important organizations and movements, such as Chief Minister Buthelezi, all of the other Chief Ministers and urban community leaders.

Through their participation and discussion they have made an important contribution to this moment in which the process of free political participation is able to be restored. Their places in the negotiating process are assured.

CONCLUSION

In may inaugural address I said the following:

"All reasonable people in this country—by far the majority—anxiously await a message of hope. It is our responsibility as leaders in all spheres to provide that message realistically, with courage and conviction. If we fail in that, the ensuing chaos, the demise of stability and progress, will forever be held against us.

"History has thrust upon the leadership of this country the tremendous responsibility to turn our country away from its present direction of conflict and confrontation. Only we, the leaders of our peoples, can do it.

"The eyes of responsible governments across the world are focused on us. The hopes of millions of South Africans are centered around us. The future of Southern Africa depends on us. We dare not falter or fail."

This is where we stand:

Deeply under the impression of our responsibility.

Humble in the face of the tremendous challenges ahead.

Determined to move forward in faith and with conviction.

I ask of Parliament to assist me on the road ahead. There is much to be done.

I call on the international community to re-evaluate its position and to adopt a positive attitude towards the dynamic evolution which is taking place in South Africa.

I pray that the Almighty Lord will guide and sustain us on our course through unchartered waters and will bless your labours and deliberations.

Mr. Speaker, Members of Parliament, I now declare this Second Session of the Ninth Parliament of the Republic of South Africa to be duly opened.

Mr. CRANSTON. Mr. President, as Senate floor manager of the 1986 Comprehensive Anti-Apartheid Act, I am pleased to join with fellow congressional leaders of antiapartheid movement to reaffirm our commitment to combating apartheid and promoting multiracial democracy in South Africa.

Our message is clear.

The days of the repugnant apartheid regime are numbered. Like the Berlin wall, the obscene barriers of the apartheid state must soon crumble.

The courage of those in South Africa working for democracy—black and white—will clearly carry the day.

Sanctions have worked. By marshaling moral, diplomatic, and economic influence, we have helped impress upon South African leaders the urgency and inevitability of change.

The bipartisan resolution we are introducing today sets forth the following clear principles.

First, we welcome the commitment to nonviolence voiced by Nelson Mandela and his colleagues in the African National Congress.

We also welcome the courageous moves of F.W. de Klerk.

But these are just first steps. All the instruments of the hated apartheid state remain in place. Black citizens still cannot vote, cannot live where they want, work where they wish.

Congress extends two hands to the people of South Africa. We offer both carrots and sticks: the incentive of expanded trade and significant aid to a multiracial democracy; the commitment of continued sanctions if the instruments of apartheid are not swiftly dismantled.

Mr. President, I submit for the RECORD the following documents:

The text of section 311 of the 1986 act; and

A Senate Foreign Relations Committee staff memorandum explains these conditions, a memorandum which serves as the basis for the action we are taking today.

ELABORATION ON CONDITIONS OF 1986 ANTI-APARTHEID ACT

CONDITION (SEC. 311(A))

1. This includes, throughout South Africa, all those detained without charge and sentenced or currently prosecuted for "security" offenses motivated by political resistance to apartheid. It also addresses those who have been sentenced or prosecuted for offenses committed because they were swept up in anti-apartheid unrest.

2. The state of emergency in place at the time of enactment was nationwide. Repeal of the state of emergency includes the repeal of all emergency restrictions affecting the media, anti-apartheid groups and organizations including those dealing with education, and police powers.

3. This includes, throughout South Africa, such conditions as freedom of expression, publication, assembly, association and movement (including the return of exiles), and freedom from violence and intimidation by the military, police, and vigilante forces.

4. Self-explanatory.

5. "Truly representative members of the black majority" refers to those individuals who represent the genuine political aspirations of the black community and does not include individuals who represent elements of the black community because of their positions in apartheid structures, such as the homeland leaders.

"Good faith negotiations" are negotiations designed to bring about the real dismantling of apartheid and the creation of a political system in which individual rights, including the right to vote and full political participation, are provided for all races.

CONDITION 3 UNDER SECTION 311(B)

"Substantial progress toward dismantling the system" means repealing some of the legislative pillars of apartheid.

Substantial progress toward establishing a "nonracial democracy" means demonstrating a willingness to abandon the concept of "group rights" as a means of protecting individual rights and to establish a political system based on the fundamental democratic principle of majority rule, while also recognizing the need to protect individual rights.

TERMINATION OF CERTAIN PROVISIONS

SEC. 311. (a) This title and sections 501(c) and 504(b) shall terminate if the Government of South Africa—

(1) releases all persons persecuted for their political beliefs or detained unduly without trial and Nelson Mandela from prison;

(2) repeals the state of emergency in effect on the date of enactment of this Act and releases all detainees held under such state of emergency;

(3) unbans democratic political parties and permits the free exercise by South Africans of all races of the right to form political parties, express political opinions, and

otherwise participate in the political process;

(4) repeals the Group Areas Act and the Population Registration Act and institutes no other measures with the same purposes; and

(5) agrees to enter into good faith negotiations with truly representative members of the black majority without preconditions.

(b) The President may suspend or modify any of the measures required by this title or section 501(c) or section 504(b) thirty days after he determines, and so reports to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, that the Government of South Africa has—

(1) taken the action described in paragraph (1) of subsection (a),

(2) taken three of the four actions listed in paragraphs (2) through (5) of subsection (a), and

(3) made substantial progress toward dismantling the system of apartheid and establishing a nonracial democracy,

unless the Congress enacts within such 30-day period, in accordance with section 602 of this Act, a joint resolution disapproving the determination of the President under this subsection.

(c) It is the policy of the United States to support the negotiations with the representatives of all communities as envisioned in this Act. If the South African Government agrees to enter into negotiations without preconditions, abandons unprovoked violence against its opponents, commits itself to a free and democratic post-apartheid South Africa under a code of law; and if nonetheless the African National Congress, the Pan African Congress, or their affiliates, or other organizations, refuse to participate; or if the African National Congress, the Pan African Congress or other organizations—

(1) refuse to abandon unprovoked violence during such negotiations; and

(2) refuse to commit themselves to a free and democratic post-apartheid South Africa under a code of law,

then the United States will support negotiations which do not include these organizations.

Mr. BOREN. Mr. President, I am pleased to join with a bipartisan group of my Senate colleagues in sponsoring this joint resolution on the changes in South Africa. The resolution shows our support for the positive developments in South Africa, as well as for the political process that began last year and has accelerated during the past few weeks.

I believe this resolution accurately reflects the feelings of Members of Congress, the administration, and the American people. All Americans welcome the political process that has begun, and all of us hope that the longstanding goal of a just and nonracial South Africa can finally be realized in the foreseeable future.

The events in South Africa of the last month have truly been historic.

The release of Nelson Mandela is an event all of us have long been awaiting. His moral and symbolic leadership in fighting apartheid serves as an inspiring example for people around the world who are working for justice and political and economic freedom. His speeches and interviews following his release were very positive, and highlighted his lifelong commitment to a nonracial just society for all South Africans.

President de Klerk has embarked on a courageous path toward achieving a peaceful resolution to his country's problems. His opening speech to the South African Parliament, announcing the unbanning of the ANC and other political organizations and stating his dedication to opening negotiations with leaders of the opposition, along with his statement announcing the release of Nelson Mandela herald a new phase in the political development in South Africa.

Mr. President, I want to especially highlight for my colleagues the speeches Nelson Mandela gave in Cape Town and in Soweto, as well as the opening address by President de Klerk at the opening of Parliament. I ask unanimous consent that these three speeches be included in the RECORD at the end of my remarks.

The PRESIDING OFFICER. If there is no objection, the speeches will be printed in the RECORD.

Mr. BOREN. While there are fundamental political, cultural, and economic differences, I believe analogies between President de Klerk's leadership and that of President Gorbachev in the Soviet Union contain a great deal of truth. Both men are attempting to lead their country out of a troubled past to a new country with political and economic freedoms for all. Both are responding to historic developments, political as well as economical, that dictate either progress or a final failure, with the very viability of their countries at stake.

Both also face strong opposition from the political extremes in both countries. However, one crucial difference prevents the analogy from being complete. The changes in the Soviet Union have had a profound impact on the political culture in that country, and the drive for political freedom in regions of the Soviet Union can never be rolled back. However, the changes we have seen in South Africa are reversible. Because of this, our country needs to be vigilante, and work closely together to enhance the delicate process underway. We cannot respond and act all at once. We must take deliberate steps, in a step-by-step process, to encourage progress and maintain our leverage for continuing change. This applies to the sanctions currently in place, as well as possible future positive gestures. Our approach must not be one that is an all or nothing approach toward sanctions but one which allows us a range of reactions phased to coincide with the actual rate of real progress in the negotiations. A proportional approach should be followed.

To this end, I believe it is crucial that the President and the Secretary of State work closely with leaders of Congress to ensure the United States speaks with one voice, sends one message, and articulates a common set of goals for change in South Africa. Through a united position, we can best influence positive change within that country.

President Bush decided at the onset of his administration to set a different tone in United States policy toward South Africa. After my visit to that country in December 1988, I met with the President on a number of occasions to discuss U.S. policy. I encouraged him to invite a Albertina Sisulu and leaders of the United Democratic Front to come to the United States and talk directly with him. His personal invitation and positive meeting with "Mama" Sisulu, as well as his earlier meeting with Archbishop Tutu, the Reverend Boesak, and the Reverend Naude were very significant, and highlighted his personal interest in South Africa. This was a marked change from the previous administration, and opens the opportunity for a new partnership with Congress on U.S. policy as we move forward. President Bush deserves commendation for moving administration policy in more potentially helpful directions.

I hope both Nelson Mandela and President de Klerk have the opportunity to visit our country in the coming weeks. Their thoughts, visions, and plans would be welcome here, and a first hard account would help all U.S. policymakers for the future.

I look forward to sitting down with Secretary Baker and the bipartisan leaders of Congress to discuss these changes in South Africa and where our policy goes from here if progress continues, including the details concerning modifying sanctions under the 1986 Comprehensive Anti-Apartheid Act. Our country's role in encouraging this process will be greatly enhanced if we speak with one voice. As I believe with all matters of foreign policy, a united, bipartisan stand is the best avenue to positively affect the current situation.

Again, Mr. President, I want to commend all of my colleagues in joining together on this resolution. I hope this is a symbol of the work all of us can do together in promoting the changes underway in South Africa.

EXCERPTS FROM THE SPEECH BY MANDELA IN SOWETO

SOWETO, SOUTH AFRICA, February 13.—Following are excerpts from Nelson Mandela's speech here today:

HIS PRIDE IN SOWETO

. . . As proud as I am to be part of the Soweto community, I have been greatly disturbed by the statistics of crime, what I have read in the newspapers. Although I understand the deprivations our people suffer, I must make it clear that the level of crime

in our township is unhealthy and must be eliminated as a matter of urgency. I salute the anti-crime campaigns conducted by our organizations.

The crisis in education that exists in South Africa demands special attention. The education crisis in black schools is a political crisis. It arises out of the fact that our people have no vote and therefore cannot make the government of the day responsive to their needs.

Apartheid education is inferior and a crime against humanity. Education is an area that needs attention, that needs the attention of all our people, students, parents, teachers, workers and all of the organized sectors of our community. . . .

THE POWER OF EDUCATION

It has been the policy of the A.N.C. that the entire education system is a site of struggle . . . I want to add my voice therefore to the call made at the beginning of the year: that all students must return to school and learn.

We must continue our struggle for people's education within the school system and utilize its resources to achieve our goals. I call on the Government to build more schools, to train and employ more teachers, and to abandon its policies of forcing our children out of the school system by use of various measures. . . .

THE VIOLENCE OF APARTHEID

As I said when I stood on the dock at the Rivonia Trial 27 years ago and as I said on the day of my release in Cape Town, the A.N.C. will pursue the armed struggle against the Government as long as the violence of apartheid continues.

Our armed combatants act under the political leadership of the A.N.C., cadres of our people's army are engaged not only in military affairs but as the political commissars of our movement. We are therefore disturbed that there are certain elements amongst those who claim to support the liberation struggle who use violence against our people. The hijacking and setting alight of vehicles and the harassment of innocent people are criminal acts that have no place in our struggle. We condemn that. . . .

POWER IN NUMBERS

Our major weapon of struggle against apartheid oppression . . . is our people organized into mass formation of the democratic movement. This is achieved by politically organizing our people, not through the use of violence against our people.

I call in the strongest possible way for us to act with the dignity and discipline that our just struggle for freedom deserves. Our vigils must be celebrated in peace and joy. In particular I call on our people in Natal to unite against the perpetrators of violence . . . Let us act with political foresight and develop bold steps to end the mindless violence.

. . . We understand that attempts have been made to disrupt the unity of the oppressed by starting tensions between African and Indian communities in Natal. Let us build from the proud tradition of unity in action.

BLACKS BUILT THE NATION

We call on the police to abandon apartheid, to serve the interests of the people. Join our march to a new South Africa where you also have a place. We note with appreciation that there are certain areas where policemen are acting with restraint and fulfilling the real role of protecting all our people irrespective of their race.

Much debate has been spoken of the A.N.C. policies on the economy relating to nationalization and the redistribution of wealth. We believe that apartheid has created a heinous system of exploitation in which a racist minority monopolizes economic wealth while the vast majority of the oppressed and black people are condemned to poverty.

South Africa is a wealthy country. It is the labor of black workers that has built the cities, roads and factories we see. They cannot be excluded from sharing this wealth. The A.N.C. is just as committed to economic growth and productivity as the present employer came to be. Yet we are also committed to ensure that a democratic government has the resources to address the inequalities caused by apartheid. Our people need proper houses, not ghettos like Soweto. . . .

A LIVING WAGE

Workers need a living wage and the right to join unions of their own choice and to participate in determining policies that affect their lives. . . .

We call on employers to recognize the fundamental rights of workers in our country. We are marching to a new future based on strong foundations of respect for each other achieved through bona-fide negotiations. In particular, we call for genuine negotiations to achieve a fair Labor Relations Act and mechanisms to resolve conflict.

Employers can play their role in shaping the new South Africa by acknowledging these rights. We call on workers, black and white, to join industrial trade unions. . . .

The fears of whites about their rights and place in a South Africa they do not control exclusively are an obstacle we must understand and address. I stated in 1964 that I and the A.N.C. are as opposed to black domination as we are to white domination. We must accept that our statements and declarations alone will not be sufficient to allay the fears of white South Africans. We must clearly demonstrate our good will to our white compatriots and convince them by our conduct . . . that a South Africa without apartheid will be a better home for all. . . .

ONE PERSON ONE VOTE

We call on those who out of ignorance have collaborated with apartheid in the past to join our liberation struggle. No men or women who have abandoned apartheid will be excluded from our movement towards a nonracial, united and democratic South Africa based on one person one vote, on a common voters roll. . . .

MASSES CONTROL HISTORY

Two days ago, in my address in Cape Town, I told the audience that I have read on numerous occasions that it is not the kings and generals that make history but the masses of the people. I have always believed in this.

But much to the extent to which I now believe that basic principle because I have seen with my own eyes the masses of our people, the workers, the peasants, the doctors, the lawyers, the clergy, all our people I have seen them making history and that is why all of us are here today.

(Following is a transcript of the address at Cape Town City Hall yesterday by Nelson Mandela, as recorded by The New York Times through the facilities of Cable News Network. Portions of the speech were delivered in Xhosa, one of the major languages spoken by black South Africa.)

Amandla! Amandla! i-Afrika, mayibuye! [Power! Power! Africa it is ours!]

My friends, comrades and fellow South Africans, I greet you all in the name of peace, democracy and freedom for all. I stand here before you not as a prophet but as a humble servant of you, the people.

Your tireless and heroic sacrifices have made it possible for me to be here today. I therefore place the remaining years of my life in your hands.

On this day of my release, I extend my sincere and warmest gratitude to the millions of my compatriots and those in every corner of the globe who have compaigned tirelessly for my release.

I extend special greetings to the people of Cape Town, the city to which, which has been my home for three decades. Your mass marches and other forms of st-uggle have served as a constant source of strength to all political prisoners.

I salute the African National Congress. It has fulfilled our every expectation in its role as leader of the great march to freedom.

I salute our president, Comrade Oliver Tambo, for leading the A.N.C. even under the most difficult circumstances.

I salute the rank-and-file members of the A.N.C. You have sacrificed life and limb in the pursuit of the noble cause of our struggle.

LEADER'S SALUTATIONS

I salute combatants of Umkonto We Sizwe [Spear of the Nation], like Solomon Malhangu and Ashley Kriel, who have paid the ultimate price for the freedom of all South Africans.

I salute the South Africa Communist Party for its steady contribution to the struggle for democracy. You have survived 40 years of unrelenting persecution. The memory of great Communists like Moses Kotane, Yusuf Dacoo, Bram Fischer and Moses Madidha will be cherished for generations to come.

I salute General Secretary Joe Slovo, one of our finest patriots. We are heartened by the fact that the alliance between ourselves and the party remains as strong as it always was.

I salute the United Democratic Front, the National Education Crisis Committee, the South African Youth Congress, the Transvaal and Natal Indian Congresses. And Cosatu. And the many other formations of the mass democratic movement.

I also salute the Black Sash and the National Union of South African Students. We note with pride that you have acted as the conscience of white South Africans. Even during the darkest days in the history of our struggle, you held the flag of liberty high. The large-scale mass mobilization of the past few years is one of the key factors which led to the opening of the final chapter of our struggle.

I extend my greetings to the working class of our country. Your organized stance is the pride of our movement. You remain the most dependable force in the struggle to end exploitation and oppression.

TRIBUTES TO CAMPAIGNERS

I pay tribute—I pay tribute to the many religious communities who carried the campaign for justice forward when the organizations of our people were silenced.

I greet the traditional leaders of our country. Many among you continue to walk in the footsteps of great heroes like Hintsa and Sekhukhuni.

I pay tribute to the endless heroes of youth. You, the young lions. You the young lions have energized our entire struggle.

I pay tribute to the mothers and wives and sisters of our nation. You are the rock-hard foundation of our struggle. Apartheid has inflicted more pain on you than on anyone else. On this occasion, we thank the world—we thank the world community for their great contribution to the antiapartheid struggle. Without your support our struggle would not have reached this advanced stage.

The sacrifice of the front-line states will be remembered by South Africans forever.

My salutations will be incomplete without expressing my deep appreciation for the strength given to me during my long and lonely years in prison by my beloved wife and family.

I am convinced that your pain and suffering was far greater than my own.

NEED FOR ARMED STRUGGLE

Before I go any further, I wish to make the point that I intend making only a few perliminary comments at this stage. I will make a more complete statement only after I have had the opportunity to consult with my comrades.

Today the majority of South Africans, black and white, recognize that apartheid has no future. It has to be ended by our own decisive mass actions in order to build peace and security. The mass compaigns of defiance and other actions of our organizations and people can only culminate in the establishment of democracy.

The apartheid destruction on our subcontinent is incalculable. The fabric of family life of millions of my people has been shattered. Millions are homeless and unemployed.

Our economy—our economy lies in ruins and our people are embroiled in political strife. Our resort to the armed struggle in 1960 with the formation of the military wing of the A.N.C., Umkonto We Sizwe, was a purely defensive action against the violence of apartheid.

The factors which necessitated the armed struggle still exist today. We have no option but to continue. We express the hope that a climate conducive to a negotiated settlement would be created soon so that there may no longer be the need for the armed struggle.

I am a loyal and disciplined member of the African National Congress. I am, therefore, in full agreement with all of its objectives, strategies and tactics.

DEMOCRATIC PRACTICE

The need to unite the people of our country is as important a task now as it always has been. No individual leader is able to take all these enormous tasks on his own. It is our task as leaders to place our views before our organization and to allow the democratic structures to decide on the way forward.

On the question of democratic practice, I feel duty bound to make the point that a leader of the movement is a person who has been democratically elected at a national conference. This is a principle which must be upheld without any exceptions.

Today, I wish to report to you that my talks with the Government have been aimed at normalizing the political situation in the country. We have not as yet begun discussing the basic demands of the struggle.

I wish to stress that I myself had at no time entered into negotiations about the future of our country, except to insist on a meeting between the A.N.C. and the Government.

Mr. de Klerk has gone further than any other Nationalist president in taking real steps to normalize the situation. However, there are further steps as outlined in the Harare Declaration that have to be met before negotiations on the basic demands of our people can begin.

I reiterate our call for inter alia the immediate ending of the state of emergency and the freeing of all, and not only some, political prisoners.

A DECISIVE MOMENT

Only such a normalized situation which allows for free political activity can allow us to consult our people in order to obtain a mandate. The people need to be consulted on who will negotiate and on the content of such negotiations.

Negotiations cannot take place—negotiations cannot take up a place above the heads or behind the backs of our people. It is our belief that the future of our country can only be determined by a body which is democratically elected on a nonracial-basis.

Negotiations on the dismantling of apartheid will have to address the overwhelming demand of our people for a democratic nonracial and unitary South Africa. There must be an end to white monopoly on political power.

And a fundamental restructuring of our political and economic systems to insure that the inequalities of apartheid are addressed and our society thoroughly democratized.

It must be added that Mr. de Klerk himself is a man of integrity who is acutely aware of the dangers of a public figure not honoring his undertakings. But as an organization, we base our policy and strategy on the harsh reality we are faced with, and this reality is that we are still suffering under the policies of the Nationalist Government.

Our struggle has reached a decisive moment. We call on our people to seize this moment so that the process, toward democracy is rapid and uninterrupted. We have waited too long for our freedom. We can no longer wait. Now is the time to intensify the struggle on all fronts.

UNIVERSAL SUFFRAGE

To relax our efforts now would be a mistake which generations to come will not be able to forgive. The sight of freedom looming on the horizon should encourage us to redouble our efforts. It is only through disciplined mass action that our victory can be assured.

We call on our white compatriots to join us in the shaping of a new South Africa. The freedom movement is the political home for you, too. We call on the international community to continue the campaign to isolate the apartheid regime.

To lift sanctions now would be to run the risk of aborting the process toward the complete eradication of apartheid. Our march to freedom is irreversible. We must not allow fear to stand in our way.

Universal suffrage on a common voters roll in a united democratic and nonracial South Africa is the only way to peace and racial harmony.

In conclusion, I wish to go to my own words during my trial in 1964. They are as true today as they were then. I wrote: I have fought against white domination, and I have fought against black domination. I have cherished the idea of a democratic and free society in which all persons live together in harmony and with equal opportunities.

It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

[The following portion was delivered in Xhosa. The translation was provided by Mbulelo Mzamane, a professor of Comparative Literature at the University of Georgia.]

My friends, I have no words of eloquence to offer today except to say that the remaining days of my life are in your hands.

[He continued in English.] I hope you will disperse with discipline. And not a single one of you should do any thing which will make other people to say that we can't control our own people.

ADDRESS BY THE STATE PRESIDENT, MR. F.W. DE KLERK, DMS, AT THE OPENING OF THE SECOND SESSION OF THE NINTH PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA, CAPE TOWN, FEBRUARY 2, 1990

Mr. Speaker, Members of Parliament, the general election on September the 6th, 1989, placed our country irrevocably on the road of drastic change. Underlying this is the growing realisation by an increasing number of South Africans that only a negotiated understanding among the representative leaders of the entire population is able to ensure lasting peace.

The alternative is growing violence, tension and conflict. That is unacceptable and in nobody's interest. The well-being of all in this country is linked inextricably to the ability of the leaders to come to terms with one another on a new dispensation. No one can escape this simple truth.

On its part, the Government will accord the process of negotiation the highest priority. The aim is a totally new and just constitutional dispensation in which every inhabitant will enjoy equal rights, treatment and opportunity in every sphere of endeavour—constitutional, social and economic.

I hope that this new Parliament will play a constructive part in both the prelude to negotiations and the negotiating process itself. I wish to ask all of you who identify yourselves with the broad aim of a new South Africa, and that is the overwhelming majority:

Let us put petty politics aside when we discuss the future during this Session.

Help us build a broad consensus about the fundamentals of a new, realistic and democratic dispensation.

Let us work together on a plan that will rid our country of suspicion and steer it away from domination and radicalism of any kind.

During the term of this new Parliament, we shall have to deal, complementary to one another, with the normal processes of legislation and day-to-day government, as well as with the process of negotiation and renewal.

Within this framework I wish to deal first with several matters more closely concerned with the normal process of government before I turn specifically to negotiation and related issues.

1. FOREIGN RELATIONS

The Government is aware of the important part the world at large has to play in the realisation of our country's national interests.

Without contact and co-operation with the rest of the world we cannot promote the well-being and security of our citizens. The dynamic developments in international politics have created new opportunities for South Africa as well. Important advances have been made, among other things, in our

contacts abroad, especially where these were precluded previously by ideological considerations.

I hope this trend will be encouraged by the important change of climate that is taking place in South Africa.

For South Africa, indeed for the whole world, the past year has been one of change and major upheaval. In Eastern Europe and even the Soviet Union itself, political and economic upheaval surged forward in an unstoppable tide. At the same time, Beijing temporarily smothered with brutal violence the yearning of the people of the Chinese mainland for greater freedom.

The year of 1989 will go down in history as the year in which Stalinist Communism expired.

These developments will entail unpredictable consequences for Europe, but they will also be of decisive importance to Africa. The indications are that the countries of Eastern and Central Europe will receive greater attention, while it will decline in the case of Africa.

The collapse, particularly of the economic system in Eastern Europe, also serves as a warning to those who insist on persisting with it in Africa. Those who seek to force this failure of a system on South Africa, should engage in a total revision of their point of view. It should be clear to all that it is not the answer here either. The new situation in Eastern Europe also shows that foreign intervention is no recipe for domestic change. It never succeeds, regardless of its ideological motivation. The upheaval in Eastern Europe took place without the involvement of the Big Powers or of the United Nations.

The countries of Southern Africa are faced with a particular challenge: Southern Africa now has an historical opportunity to set aside its conflicts and ideological differences and draw up a joint programme of reconstruction.

It should be sufficiently attractive to ensure that the Southern African region obtains adequate investment and loan capital from the industrial countries of the world. Unless the countries of Southern Africa achieve stability and a common approach to economic development rapidly, they will be faced by further decline and ruin.

The Government is prepared to enter into discussions with other Southern African countries with the aim of formulating a realistic development plan. The Government believes that the obstacles in the way of a conference of Southern African states have now been removed sufficiently.

Hostile postures have to be replaced by cooperative ones; confrontation by contact; disengagement by engagement; slogans by deliberate debate.

The season of violence is over. The time for reconstruction and reconciliation has arrived.

Recently there have, indeed, been unusually positive results in South Africa's contacts and relations with other African states. During my visits to their countries I was received cordially, both in private and in public, by Presidents Mobutu, Chissano, Houphouet-Boigny and Kaunda. These leaders expressed their sincere concern about the serious economic problems in our part of the world. They agreed that South Africa could and should play a positive part in regional co-operation and development.

Our positive contribution to the independence process in South West Africa has been recognized internationally. South Africa's good faith and reliability as a negotiator made a significant contribution to the success of the events. This, too, was not unnoticed. Similarly, our efforts to help bring an end to the domestic conflict situations in Mozambique and Angola have received positive acknowledgement.

At present the Government is involved in negotiations concerning our future relations with an independent Namibia and there are no reason why good relations should not exist between the two countries. Namibia needs South Africa and we are prepared to play a constructive part.

Nearer home I paid fruitful visits to Venda, Transkei and Ciskei and intend visiting Bophuthatswana soon. In recent times there has been an interesting debate about the future relationship of the TBVC countries with South Africa and specifically about whether they should be re-incorporated into our country.

Without rejecting this idea out of hand, it should be borne in mind that it is but one of many possibilities. These countries are constitutionally independent. Any return to South Africa will have to be dealt with, not only by means of legislation in their parliaments, but also through legislation in this Parliament. Naturally this will have to be preceded by talks and agreements.

2. HUMAN RIGHTS

Some time ago the Government referred the question of the protection of fundamental human rights to the Southern Africa Law Commission. This resulted in the Law Commission's interim working document on individual and minority rights. It elicited substantial public interest.

I am satisfied that every individual and organisation in the country has had ample opportunity to make representations to the Law Commission, express criticism freely and make suggestions. At present, the Law Commission is considering the representations received. A final report is expected in the course of this year.

In view of the exceptional importance of the subject of human rights to our country and all its people, I wish to ask the Law Commission to accord this task high priority.

The whole question of protecting individual and minority rights, which includes collective rights and the rights of national groups, is still under consideration by the Law Commission. Therefore, it would be inappropriate of the Government to express a view on the details now. However, certain matters of principle have emerged fairly clearly and I wish to devote some remarks to them.

The Government accepts the principle of the recognition and protection of the fundamental individual rights which form the constitutional basis of most Western democracies. We acknowledge, too, that the most practical way of protecting those rights is vested in a declaration of rights justifiable by an independent judiciary. However, it is clear that a system for the protection of the rights of individuals, minorities and national entities has to form a well-rounded and balanced whole. South Africa has its own national composition and our constitutional dispensation has to take this into account. The formal recognition of individual rights does not mean that the problems of a heterogeneous population will simply disappear. Any new constitution which disregards this reality will be inappropriate and even harmful.

Naturally, the protection of collective, minority and national rights may not bring about an imbalance in respect of individual rights. It is neither the Government's policy nor its intention that any group—in whichever way it may be defined—shall be favoured above or in relation to any of the others.

The Government is requesting the Law Commission to undertake further task and report on it. This task is directed at the balanced protection in a future constitution of the human rights of all our citizens, as well as of collective units, associations, minorities and nations. This investigation will also serve the purpose of supporting negotiations toward a new constitution.

The terms of reference also include:

The identification of the main types and models of democratic constitutions which deserve consideration in the aforementioned context;

An analysis of the ways in which the relevant rights are protected in every model; and

Possible methods by means of which such constitutions may be made to succeed and be safeguarded in a legitimate manner.

3. THE DEATH PENALTY

The death penalty has been the subject of intensive discussion in recent months. However, the Government has been giving its attention to this extremely sensitive issue for some time. On April the 27th, 1989, the honourable Minister of Justice indicated that there was merit in suggestions for reform in this area. Since 1988 in fact, my predecessor and I have been taking decisions on reprieves which have led, in proportion, to a drastic decline in executions.

We have now reached the position in which we are able to make concrete proposals for reform. After the Chief Justice was consulted, and he in turn had consulted the Bench, and after the Government had noted the opinions of academics and other interested parties, the Government decided on the following broad principles from a variety of available options:

That reform in this area is indicated;

That the death penalty should be limited as an option of sentence to extreme cases, and specifically through broadening judicial discretion in the imposition of sentence; and

That an automatic right of appeal be granted to those under sentence of death.

Should these proposals be adopted, they should have a significant influence on the imposition of death sentences on the one hand, and on the other, should ensure that every case in which a person has been sentenced to death, will come to the attention of the Appellate Division.

These proposals require that everybody currently awaiting execution, be accorded the benefit of the proposed new approach. Therefore, all executions have been suspended and no executions will take place until Parliament has taken a final decision on the new proposals. In the event of the proposals being adopted, the case of every person involved will be dealt with in accordance with the new guidelines. In the meantime, no executions have taken place since November the 14th, 1989.

New and uncompleted cases will still be adjudicated in terms of the existing law. Only when the death sentence is imposed, will the new proposals be applied, as in the case of those currently awaiting execution.

The legislation concerned also details other related principles which will be announced and elucidated in due course by the Minister of Justice. It will now be formulated in consultation with experts and be submitted to Parliament as soon as possible.

I wish to urge everybody to join us in dealing with this highly sensitive issue in a responsible manner.

4. SOCIO-ECONOMIC ASPECTS

A changed dispensation implies far more than political and constitutional issues. It cannot be pursued successfully in isolation from problems in other spheres of life which demand practical solutions. Poverty, unemployment, housing shortages, inadequate education and training, illiteracy, health needs and numerous other problems still stand in the way of progress and prosperity and an improved quality of life.

The conservation of the physical and human environment is of cardinal importance to the quality of our existence. For this the Government is developing a strategy with the aid of an investigation by the President's Council.

All of these challenges are being dealt with urgently and comprehensively. The capability for this has to be created in an economically accountable manner. Consequently, existing strategies and aims are undergoing a comprehensive revision.

From this will emanate important policy announcements in the socio-economic sphere by the responsible Ministers during the course of the session. One matter about which it is possible to make a concrete announcement, is the Separate Amenities Act, 1953. Pursuant to my speech before the President's Council late last year, I announce that this Act will be repealed during this Session of Parliament.

The State cannot possibly deal alone with all of the social advancement our circumstances demand. The community at large, and especially the private sector, also have a major responsibility towards the welfare of our country and its people.

5. THE ECONOMY

A new South Africa is possible only if it is bolstered by a sound and growing economy, with particular emphasis on the creation of employment. With a view to this, the Government has taken thorough cognisance of the advice contained in numerous reports by a variety of advisory bodies. The central message is that South Africa, too, will have to make certain structural changes to its economy, just as its major trading partners had to do a decade or so ago.

The period of exceptionally high economic growth experienced by the Western world in the sixties, was brought to an end by the oil crisis in 1973. Drastic structural adaptations became inevitable for these countries, especially after the second oil crisis in 1979, when serious imbalances occurred in their economies. After considerable sacrifices, those countries which persevered with their structural adjustment programmes, recovered economically so that lengthy periods of high economic growth and low inflation were possible.

During that particular period, South Africa was protected temporarily by the rising gold price from the necessity of making similar adjustment immediately. In fact, the high gold price even brought prosperity with it for a while. The recovery of the world economy and the decline in the price of gold and other primary products, brought with them unhealthy trends. These included high inflation, a serious weakening in the productivity of capital, stagnation in the economy's ability to generate income and employment opportunities. All of this made a drastic structural adjustment of our economy inevitable.

The Government's basic point of departure is to reduce the role of the public sector in the economy and to give the private sector maximum opportunity for optimal performance. In this process, preference has to be given to allowing the market forces and a sound competitive structure to bring about the necessary adjustments.

Naturally, those who make and implement economic policy have a major responsibility at the same time to promote an environment optimally conducive to investment, job creation and economic growth by means of appropriate and properly co-ordinated fiscal and monetary policy. The Government remains committed to this balanced and practical approach.

By means of restricting capital expenditure in parastatal institutions, privatisation, deregulation and curtailing government expenditure, substantial progress has been made already towards reducing the role of the authorities in the economy. We shall persist with this in a well-considered way.

This does not mean that the State will forsake its indispensable development role, especially in our particular circumstances. On the contrary, it is the precise intention of the Government to concentrate an equitable portion of its capacity on these aims by means of the meticulous determination of priorities.

Following the progress that has been made in other areas of the economy in recent years, it is now opportune to give particular attention to the supply side of the economy. Fundamental factors which will contribute to the success of this restructuring are:

The gradual reduction of inflation to levels comparable to those of our principal trading partners;

The encouragement of personal initiative and savings;

The subjection of all economic decisions by the authorities to stringent financial measures and discipline;

Rapid progress with the reform of our system of taxation; and

The encouragement of exports as the impetus for industrialisation and earning foreign exchange.

These and other adjustments, which will require sacrifices, have to be seen as prerequisites for a new period of sustained growth in productive employment in the nineties.

The Government has also noted with appreciation the manner in which the Reserve Bank has discharged its special responsibility in striving toward common goals.

The Government is very much aware of the necessity of proper co-ordination and consistent implementation of its economic policy. For this reason, the establishment of the necessary structures and expertise to ensure this co-ordination is being given preference. This applies both to the various functions within the Government and to the interaction between the authorities and the private sector.

This is obviously not the occasion for me to deal in greater detail with our total economic strategy or with the recent course of the economy.

I shall confine myself to a few specific remarks on one aspect of fiscal policy that has been a source of criticism of the Government for some time, namely State expenditure.

The Government's financial year ends only in two month's time and several other important economic indicators for the 1989 calendar year are still subject to refinements at this stage. Nonetheless, several important trends are becoming increasingly clear. I am grateful to be able to say that we have apparently succeeded to a substantial degree in achieving most of our economic aims in the past year.

In respect of Government expenditure, the budget for the current financial year will be the most accurate in many years. The financial figures will show:

That Government expenditure is thoroughly under control;

That our normal financing programme has not exerted any significant upward pressure on rates of interest; and

That we will close the year with a surplus, even without taking the income from the privatisation of Iscor into account.

Without pre-empting this year's main budget, I wish to emphasise that it is also our intention to co-ordinate fiscal and monetary policy in the coming financial year in a way that will enable us to achieve the ensuing goals—namely:

That the present downturn will take the form of a soft landing which will help to make adjustments as easy as possible;

That our economy will consolidate before the next upward phase so that we will be able to grow from a sound base; and

That we shall persist with the implementation of the required structural adaptations in respect, among other things, of the following; easing the tax burden, especially on individuals; sustained and adequate generation of surpluses on the current account of the balance of payments and the reconstruction of our gold and foreign exchange reserves.

It is a matter of considerable seriousness to the Government, especially in this particular period of our history, to promote a dynamic economy which will make it possible for increasing numbers of people to be employed and share in rising standards of living.

6. NEGOTIATION

In conclusion, I wish to focus the spotlight on the process of negotiation and related issues. At this stage I am refraining deliberately from discussing the merits of numerous political questions which undoubtedly will be debated during the next few weeks. The focus, now, has to fall on negotiation.

Practically every leader agrees that negotiation is the key to reconciliation, peace and a new and just dispensation. However, numerous excuses for refusing to take part, are advanced. Some of the reasons being advanced are valid. Others are merely part of a political chess game. And while the game of chess proceeds, valuable time is being lost.

Against this background I committed the Government during my inauguration to giving active attention to the most important obstacles in the way of negotiation. Today I am able to announce far-reaching decisions in this connection.

I believe that these decisions will shape a new phase in which there will be a movement away from measures which have been seized upon as a justification for confrontation and violence. The emphasis has to move, and will move now, to a debate and discussion of political and economic points of view as part of the process of negotiation.

I wish to urge every political and community leader, in and outside Parliament, to approach the new opportunities which are being created, constructively. There is no time left for advancing all manner of new conditions that will delay the negotiating process.

The steps that have been decided, are the following:

The prohibition of the African National Congress, the Pan Africanist Congress, the South African Communist Party and a number of subsidiary organisations is being rescinded.

People serving prison sentences merely because they were members of one of these organisations or because they committed another offence which was merely an offence because a prohibition on one of the organisations was in force, will be identified and released. Prisoners who have been sentenced for other offences such as murder, terrorism or arson are not affected by this.

The media emergency regulations as well as the education emergency regulations are being abolished in their entirety.

The security emergency regulations will be amended to still make provision for effective control over visual material pertaining to scenes of unrest.

The restrictions in terms of the emergency regulations on 33 organisations are being rescinded. The organisations include the following: National Education Crisis Committee, South African National Students Congress, United Democratic Front, Cosatu, and Die Blanke Bevrydingsbeweging van Suid-Afrika.

The conditions imposed in terms of the security emergency regulations on 374 people on their release, are being rescinded and the regulations which provide for such conditions are being abolished.

The period of detention in terms of the security emergency regulations will be limited henceforth to six months. Detainees also acquire the right to legal representation and a medical practitioner of their own choosing.

These decisions by the Cabinet are in accordance with the Government's declared intention to normalise the political process in South Africa without jeopardising the maintenance of the good order. They were preceded by thorough and unanimous advice by a group of officials which included members of the security community.

Implementation will be immediate and, where necessary, notices will appear in the Government Gazette from tomorrow.

The most important facets of the advice the Government received in this connection, are the following:

The events in the Soviet Union and Eastern Europe, to which I have referred already, weaken the capability of organisations which were previously supported strongly from those quarters.

The activities of the organisations from which the prohibitions are now being lifted, no longer entail the same degree of threat to internal security which initially necessitated the imposition of the prohibitions.

There have been important shifts of emphasis in the statements and points of view of the most important of the organisations concerned, which indicate a new approach and a preference for peaceful solutions.

The South African Police is convinced that it is able, in the present circumstances, to combat violence and other crimes perpetrated also by members of these organisations and to bring offenders to justice without the aid of prohibitions on organisations.

About one matter there should be no doubt. The lifting of the prohibition on the said organisations does not signify in the least the approval or condonation of terrorism or crimes of violence committed under their banner or which may be perpetrated in the future. Equally, it should not be interpreted as a deviation from the Government's principles, among other things, against their economic policy and aspects of their constitutional policy. This will be dealt with in debate and negotiation.

At the same time I wish to emphasise that the maintenance of law and order dare not be jeopardised. The Government will not forsake its duty in this connection. Violence from whichever source, will be fought with all available might. Peaceful protest may not become the springboard for lawlessness, violence and intimidation. No democratic country can tolerate that.

Strong emphasis will be placed as well on even more effective law enforcement. Proper provision of manpower and means for the police and all who are involved with the enforcement of the law, will be ensured. In fact, the budget for the coming financial year will already begin to give effect to this.

I wish to thank the members of our security forces and related services for the dedicated service they have rendered the Republic of South Africa. Their dedication makes reform in a stable climate possible.

On the state of emergency I have been advised that an emergency situation, which justifies these special measures which have been retained, still exists. There is still conflict which is manifesting itself mainly in Natal, but as a consequence of the country-wide political power struggle. In addition, there are indications that radicals are still trying to disrupt the possibilities of negotiation by means of mass violence.

It is my intention to terminate the state of emergency completely as soon as circumstances justify it and I request the co-operation of everybody towards this end. Those responsible for unrest and conflict have to bear the blame for the continuing state of emergency. In the meantime, the state of emergency is inhibiting only those who use chaos and disorder as political instruments. Otherwise the rules of the game under the state of emergency are the same for everybody.

Against this background the Government is convinced that the decisions I have announced are justified from the security point of view. However, these decisions are justified from a political point of view as well.

Our country and all its people have been embroiled in conflict, tension and violent struggle for decades. It is time for us to break out of the cycle of violence and break through to peace and reconciliation. The silent majority is yearning for this. The youth deserve it.

With the steps the Government has taken it has proven its good faith and the table is laid for sensible leaders to begin talking about a new dispensation, to reach an understanding by way of dialogue and discussion.

The agenda is open and the overall aims to which we are aspiring should be acceptable to all reasonable South Africans.

Among other things, those aims include a new, democratic constitution; universal franchise; no domination; equality before an independent judiciary; the protection of minorities as well as of individual rights; freedom of religion; a sound economy based on proven economic principles and private enterprise; dynamic programmes directed at better education, health services, housing and social conditions for all.

In this connection Mr. Nelson Mandela could play an important part. The Government has noted that he has declared himself to be willing to make a constructive contribution to the peaceful political process in South Africa.

I wish to put it plainly that the Government has taken a firm decision to release Mr. Mandela unconditionally. I am serious about bringing this matter to finality without delay. The Government will make a decision soon on the date of his release. Unfortunately, a further short passage of time is unavoidable.

Normally there is a certain passage of time between the decision to release and the actual release because of logistical and administrative requirements. In the case of Mr. Mandela there are factors in the way of his immediate release, of which his personal circumstances and safety are not the least. He has not been an ordinary prisoner for quite some time. Because of that, his case requires particular circumspection.

Today's announcements, in particular, go to the heart of what Black leaders—also Mr. Mandela—have been advancing over the years as their reason for having resorted to violence. The allegation has been that the Government did not wish to talk to them and that they were deprived of their right to normal political activity by the prohibition of their organisations.

Without conceding that violence has ever been justified, I wish to say today to those who argued in this manner:

The Government wishes to talk to all leaders who seek peace.

The unconditional lifting of the prohibition on the said organizations places everybody in a position to pursue politics freely.

The justification for violence which was always advanced, no longer exists.

These facts place everybody in South Africa before a fait accompli. On the basis of numerous previous statements there is no longer any reasonable excuse for the continuation of violence. The time for talking has arrived and whoever still makes excuses does not really wish to talk.

Therefore, I repeat my invitation with greater conviction then ever:

Walk through the open door, take your place at the negotiating table together with the Government and other leaders who have important power bases inside and outside of Parliament.

Henceforth, everybody's political points of view will be tested against their realism, their workability and their fairness. The time for negotiation has arrived.

To those political leaders who have always resisted violence I say thank you for your principled stands. This includes all the leaders of parliamentary parties, leaders of important organizations and movements, such as Chief Minister Buthelezi, all of the other Chief Ministers and urban community leaders.

Through their participation and discussion they have made an important contribution to this moment in which the process of free political participation is able to be restored. Their places in the negotiating process are assured.

CONCLUSION

In my inaugural address I said the following:

"All reasonable people in this country—by far the majority—anxiously await a message of hope. It is our responsibility as leaders in all spheres to provide that message realistically, with courage and conviction. If we fail in that, the ensuing chaos, the demise of stability and progress, will forever be held against us.

"History has thrust upon the leadership of this country the tremendous responsibility to turn our country away from its

present direction of conflict and confrontation. Only we, the leaders of our peoples, can do it."

"The eyes of responsible governments across the world are focused on us. The hopes of millions of South Africans are centered around us. The future of Southern Africa depends on us. We dare not falter or fail."

This is where we stand:

Deeply under the impression of our responsibility.

Humble in the face of the tremendous challenges ahead.

Determined to move forward in faith and with conviction.

I ask of Parliament to assist me on the road ahead. There is much to be done.

I call on the international community to re-evaluate its position and to adopt a positive attitude towards the dynamic evolution which is taking place in South Africa.

I pray that the Almighty Lord will guide and sustain us on our course through unchartered waters and will bless your labours and deliberations.

Mr. Speaker, Members of Parliament, I now declare this Second Session of the Ninth Parliament of the Republic of South Africa to be duly opened.

SENATE CONCURRENT RESOLUTION 95—RELATING TO NEGOTIATIONS RELATIVE TO GERMAN UNIFICATION

Mr. SIMON (for himself and Ms. MIKULSKI) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 95

Whereas, a uniting of the two governments of Germany into one entity appears likely in the near future; and

Whereas, the people of Germany and all of Europe, who have experienced the painful consequences of military aggression in the past, desire to live in peace and freedom in a Europe free of military aggression;

Whereas, France, Poland and Czechoslovakia have special reason for making sure that great care is exercised as preparations are made for a united Germany; and

Whereas, the upcoming conference on German unification includes only one of those three countries, France; and

Whereas, the people of Poland and Czechoslovakia have suffered greatly when decisions were made on the future of Central Europe by other nations, without consultations with the Governments of Poland and Czechoslovakia;

Whereas, other bordering nations have much at stake in the unification of Germany: Therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the Sense of the Congress that Prime Minister Tadeusz Mazowiecki and President Vaclav Havel and other designated leaders of the Polish and Czechoslovak Governments should be consulted by the governments of the United States, the Union of Soviet Socialist Republics, Great Britain and France both prior to the upcoming meeting and during its sessions: Be it further

Resolved by the Senate (the House of Representatives concurring), That the leaders of other bordering nations should also be consulted by the governments of the United States, the Union of Soviet Socialist Republics, Great Britain and France both prior to the upcoming meeting and during its sessions.

Mr. SIMON. Madam President, I am submitting a concurrent resolution that calls for consultation with Poland and the other bordering countries of Germany in connection with the talks that are going to be taking place on the unification of Germany. I had frankly hoped that we would have clearance to take this up and suspend the rules and take it up immediately. There is objection by one member of the Foreign Relations Committee to doing that. So I am submitting it. I hope we can move it expeditiously.

There is concern, particularly in Poland. There are only two nations that have experienced dramatic changes in the lifetimes of any of us in this body in connection with Germany. One is France and one is Poland. France is a member of the two plus four, one of the big four that is going to be talking about this.

There is concern in Poland that actions are going to be taken without consultation with Poland. Frankly, the consultation should not be just with Poland. It should be with Czechoslovakia, it should be with Austria, Denmark, Netherlands, Begium. It should be with the other bordering countries. The resolution simply calls for that consultation; that the four superpowers—that is probably in incorrect terminology—that the United States, Soviet Union, France, and Great Britain should not act independently without consulting with these other bodies.

That is what the concurrent resolution does, very simply. It will be referred to the Committee on Foreign Relations. I hope we can move it very quickly.

I think it is significant that Mr. Gorbachev has suggested that Poland should be considered. It seems to me to be not in our own national interest for Mr. Gorbachev to say Poland should be considered and we are not saying the same thing. It is not a very complicated thing that I am talking about. It is fairly simple. I hope we can get some positive action.

The PRESIDING OFFICER. Will the Senator withhold?

The Chair in her capacity as a Senator from Maryland, asks unanimous consent to be included as an original cosponsor.

Mr. SIMON. I will be honored to have the Senator from Maryland as an original cosponsor.

SENATE RESOLUTION 247—RELATING TO HUMAN RIGHTS IN CUBA

Mr. DOLE (for Mr. MACK), (for himself, Mr. GRAHAM, Mr. MCCAIN, Mr. LIEBERMAN, Mr. KASTEN, Mr. COATS, Mr. GRAMM, and Mr. GORTON) submitted the following resolution; which was considered and agreed to:

S. RES. 247

Whereas the United Nations Human Rights Commission (UNHRC) sent a delegation to Cuba to investigate violations of human rights in Cuba in September, 1988;

Whereas the UNHRC delegation report found serious abuses of human rights, including "137 complaints of torture, cruel, inhuman or degrading treatment or punishment";

Whereas the Cuban Government gave public guarantees that no reprisals would be taken against Cuban citizens testifying before the UNHRC delegation;

Whereas after the visit of the UNHRC delegation more than twenty Cuban citizens who testified before the delegation were arrested, and the leaders of human rights groups imprisoned;

Whereas ninety United States Senators wrote to the United Nations Secretary General requesting that he intercede on behalf of Alfredo Mustelier Nuevo, Ernesto Diaz Rodriguez, and Mario Chanes de Armas, who have been incarcerated for over twenty years in Cuba;

Whereas on March 9, 1989, the UNHRC called on the Secretary General of the United Nations to "maintain direct contacts on the issues and questions contained in the report" on human rights in Cuba and take up the results of his efforts "in an appropriate manner";

Whereas the Secretary General of the United Nations has not acceded to the requests of the United States and other nations to provide a report on human rights situation in Cuba;

Whereas the UNHRC has appointed Special Rapporteurs to investigate and report on the situation of human rights in such countries as Iran, Afghanistan, El Salvador and Romania: Now, therefore, be it

Resolved by the Senate, That the Senate hereby—

Condemns the Government of Cuba for retaliating against citizens who testified before the delegation of the United Nations Human Rights Commission (UNHRC);

Urges the Government of Cuba to release all human rights activists and other political prisoners, particularly those who have suffered over twenty years in prison;

Urges the Secretary General to prepare and make available to the 46th Session of the UNHRC a report on the results of his contacts with the Government of Cuba pursuant to UNHRC Resolution 89-113;

Urges the UNHRC to hold Cuba accountable to the standards embodied in the Universal Declaration of Human Rights;

Urges the UNHRC to appoint a Special Rapporteur to investigate the situation of human rights in Cuba and to submit a report for consideration at the 47th Session of the United Nations Human Rights Commission.

SENATE RESOLUTION 248—ESTABLISHING AN ADVISORY PANEL ON CAMPAIGN FINANCE REFORM

Mr. BYRD (for Mr. MITCHELL), (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 248

Resolved, That the majority and minority leaders of the Senate are authorized to assemble an advisory panel (hereinafter referred to as the "Campaign Finance Reform Panel") to assist in the formulation of policy relating to campaign finance reform.

SEC. 2. The Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate, out of the account for miscellaneous items, the actual and reasonable expenses (including expenses incurred prior to the date this resolution is agreed to) incurred by members of the Campaign Finance Reform Panel for transportation and per diem expenses, in carrying out their functions as members of such Panel. Such expenses shall be paid on vouchers certified by the majority leader (or his designee), or the minority leader (or his designee) of the Senate.

AMENDMENTS SUBMITTED

STUDENT ATHLETE RIGHT-TO-KNOW ACT

BRADLEY (AND OTHERS) AMENDMENT NO. 1259

Mr. BYRD (for Mr. BRADLEY), (for himself, Mr. KENNEDY, and Mr. COCHRAN) proposed an amendment to the bill (S. 580) to require institutions of higher education receiving Federal financial assistance to provide certain information with respect to the graduation rates of student-athletes at such institutions, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Athlete Right-to-Know Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is increasing concern among citizens, educators, and public officials regarding the academic performance of student-athletes at institutions of higher education;

(3) an overwhelming majority of college presidents (86 percent) in a survey by the U.S. News and World Report believe that the pressure for success and financial rewards in intercollegiate athletics interfers with the educational mission of the United States' colleges and universities;

(4) more than 10,000 athletic scholarships are provided annually by institutions of higher education;

(5) prospective student atheltes and their families should be aware of the educational commitments prospective colleges make to athletes; and

(6) knowledge of the graduation rates of student-athletes would assist prospective students and their families in making an informed judgment about the educational benefits available at a given institution of higher education.

SEC. 3. REPORTING REQUIREMENTS FOR INSTITUTIONS OF HIGHER EDUCATION.

(A) REPORTS TO THE SECRETARY.—Each institution of higher education which receives Federal financial assistance and is attended by students receiving athletic scholarships shall annually submit a report to the Secretary which contains—

(1) the number of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(2) the number of students at the institution of higher education, broken down by race and sex;

(3) the graduation rate for students at the institution of higher education who received athletic scholarships for football, basketball, and all other sports, broken down by race and sex;

(4) the graduation rate for first-time, full-time students, broken down by race and sex;

(5) the average graduation rate for the 4 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex;

(6) the average graduation rate for the 4 most recent graduating classes of all students, broken down by race and sex; and

(7) the average graduation rate for the 10 most recent graduating classes of students at the institution of higher education who received athletically related student aid for football, basketball, and all other sports, broken down by race and sex.

(b) STUDENT NOTIFICATION.—When an institution described in subsection (a) offers a potential student-athlete athletically related student aid, such institution shall provide to the student and his parents, his guidance counselor, and coach the information contained in the report submitted by such institution pursuant to subsection (a).

(c) SPECIAL CIRCUMSTANCES.—If an institution of higher education described in subsection (a) finds that the information collected pursuant to subsection (a), because of extenuating circumstances, does not provide an accurate representation of the school's graduation rate, the school may provide additional information to the student and the Secretary.

(d) COMPARABLE INFORMATION.—Each institution of higher education described in subsection (a) may provide supplemental information to students and the Secretary showing the graduation rate when such graduation rate does not include students transferring into, and out of, such institution. The Secretary shall ensure that the data presented to the student and the data submitted to the Secretary are comparable.

SEC. 4. REPORT BY SECRETARY.

(a) IN GENERAL.—The Secretary shall, using the data required under section 3, shall compile and publish a report containing the information required under section 3, broken down by—

(1) individual institutions of higher education, and

(2) athletic conferences recognized by the National Collegiate Athletic Association and the National Assocition of Intercollegiate Athletics.

(b) REPORT AVAILABILITY.—The Secretary shall make available copies of the report required under subsection (a) to any individual or secondary school requesting a copy of such report.

SEC. 5. INFORMATION.

The Secretary may, at his discretion, obtain the information required by section 3 from a private, not-for-profit organization when, in the Secretary's opinion, such collection will reduce the paperwork burden imposed on higher education institutions.

SEC. 6. WAIVER.

The Secretary shall waive the requirements of this Act for any institution of higher education which is a member of an athletic association or athletic conference that voluntarily publishes graduation rate data (or has already agreed to publish the data) that, in the opinion of the Secretary, is substantially comparable to the information required under this Act.

SEC. 7. DEFINITIONS.

For the purpose of this Act—

(1) The term "athletically related student aid" means any scholarship, grant, or other form of financial assistance whose terms require the recipient to particpate in an institution of higher education's program of intercollegiate athletics in order to be eligible to receive such assistance;

(2) The term "institution of higher education" has the same meaning given such term by section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(3) The term "Secretary " means the Secretary of Education; and

(4) The term "graduation rate" means the percentage of students who enter an institution in a specific year and receive a bachelor's degree within 5 years.

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1991.

FEDERAL CIVIL PENALTIES INFLATION ADJUSTMENT ACT

GLENN AMENDMENT NO. 1260

Mr. BYRD (for Mr. GLENN) proposed an amendment to the bill (S. 535) to increase civil monetary penalties based on the effect of inflation, as follows:

On page 1, line 5, strike out "1989" and insert in lieu thereof "1990".

NOTICES OF HEARINGS

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. LEVIN. Mr. President, I wish to announce that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, will hold a hearing on the Federal role in promoting and using special alternative incarceration on Thursday, March 1, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. METZENBAUM. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Energy Regulation and Conservation of the Committee on Energy and Natural Resources.

The hearing will take place Tuesday, March 27, at 9:30 a.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 1355, legislation to assist private industry in establishing a uniform residential energy effi-

ciency rating system, and for other purposes.

For further information, please contact Allen Stayman at (202) 244-7865.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON CONSUMERS

Mr. BYRD. Mr. President, I ask unanimous consent that the Consumer Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 22, 1990, at 9:30 a.m. to hold a hearing on S. 1400, the Product Liability Reform Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, February 22, 1990, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BYRD Mr. President, I ask unanimous consent that the Committee on Banking. Housing, and Urban Affairs be allowed to meet during the session of the Senate, Thursday, February 22, 1990, at 10 a.m. to hold hearings on the Federal Reserve's First Monetary Policy Report for 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BYRD. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, February 22, beginning at 10 a.m., to hear presidential nominees Erich W. Bretthauer, nominated to be assistant administrator, Office of Research and Development, EPA; Jacqueline L. Phillips, nominated to be Federal cochairman, ARC; and Hilda Gay Legg, nominated to be alternate Federal cochairman, ARC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the full Committee of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate 9:30 a.m., February 22, 1990, to receive testimony on the Department of Energy's implementation of the civilian nuclear waste program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, February 22, at 2:30 P.M., on the nomination of Allan Victor Burman, to be administrator for Federal Procurement Policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, February 22, at 9 a.m., on S. 1742, the Federal Information Resources Management Act of 1989.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Education, Arts and Humanities of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Thursday, February 22, 1990, at 10 a.m. for a hearing on S. 1675, the Excellence in Teaching Act and S. 1676, the National Teacher Act of 1989.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Thursday, February 22, 1990, at 9 a.m. to receive testimony on the implications of changes in the Soviet Union and Eastern Europe for Western security.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, February 22, 1990 at 2 p.m. in open session to consider the nomination of Adm. David E. Jeremiah, USN, to be Vice Chairman of the Joint Chiefs of Staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EUROPEAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on European Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 22, at 2 p.m. to hold a hearing on U.S. policy in Europe.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, February 22, 1990, for the following hearings:

9:30 a.m.: Hearing on S. 1543, to authorize the Colonial Dames at Gunston Hall to establish a memorial to George Mason in the District of Columbia;

10:00 a.m.: Hearing on the nomination of Robert William Houk, of Ohio, to be Public Printer; and

11:00 a.m.: Hearing on S. 2120, to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate general election campaigns, to limit contributions by multicandidate political committees, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COURTS AND ADMINISTRATIVE PRACTICE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Courts and Administrative Practice of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Thursday, February 22, 1990, at 2:30 p.m., to hold a hearing on S. 1436, a bill to revise, streamline, and make more efficient the review of land and resource management plans, together with sales and other actions implementing such plans, to clarify the jurisdiction and powers of the courts with regard to review of such plans and actions pursuant thereto, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate at 2 p.m. on February 22, 1990, to receive testimony on S. 1578, to provide for the creation of an independent Historic Preservation Agency and a National Center for Preservation Technology, and for other purposes; and S. 1579, to amend the National Historic Preservation Act, the Historic Sites Act, the Archaeological Resources Protection Act, the Abandoned Shipwreck Act, and certain related acts to strengthen the preservation of our historic heritage and resources, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 22, 1990, at 9:30 a.m. to hold a hearing on the Budget Authorization for the U.S. Customs Service, and to examine the possibility of a 2-year authorization and to also consider proposed legislation relating to the ad va-

lorem customs merchandise processing fee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE IMPACTS OF THE EXPIRATION OF THE GREAT LAKES SET-ASIDE ON GREAT LAKES PORTS

● Mr. GLENN. Mr. President, as cochair of the Senate Great Lakes Task Force, I rise to protest the expiration of the Great Lakes set-aside, a policy that has helped offset the negative impacts of cargo preference on the Great Lakes shipping industry.

Cargo preference requires that a certain percentage of U.S. food aid cargoes will be transported on U.S. flag vessels. This policy is intended to assure employment for the U.S. flag shipping industry, and encourage a healthy merchant marine. However, the reality for the Great Lakes maritime commerce is that there is no regular ocean-going U.S. flag service to the lakes and there will not be for the foreseeable future. Thus, every time cargo preference is expanded, Great Lakes ports lose out on opportunities to compete for these cargoes. This means that within the Great Lakes region, cargo preference hurts employment in maritime related activities, and reduces merchant shipping activity.

Congress recognized this situation in 1985 when it expanded cargo preference from 50 to 75 percent of the Public Law 480 Government food aid cargoes. The Great Lakes historically competed successfully for roughly 4 percent of these cargoes. Because Congress foresaw that expansion of cargo preference would greatly curtail our region's ability to compete, and Congress' intent was not to hurt employment but increase it, Congress created a Great Lakes set-aside guaranteeing that 4 percent of United States Government food-aid cargoes would still be available to Great Lakes ports.

The set-aside was authorized for 4 years, while the increase in cargo preference was indefinite. Despite our earnest efforts by Great Lakes Task Force members to extend the set-aside prior to expiration last fall, all of our attempts were blocked by members representing competing port ranges. The set-aside has now expired, and Great Lakes ports are feeling the damage as the new shipping season opens.

The first round of bids for Public Law 480 cargoes were recently submitted to the U.S. Department of Agriculture by Great Lakes ports. Last year, when the set-aside was still in effect, the ports won allocations totaling thousands of tons of cargoes during the first round. This year the ports were the low bidder for a substantial portion of the allocations, but cargo preference policies prevented the U.S. Department of Agriculture from awarding any of the shipments to our ports. This outcome is neither efficient nor equitable.

The 1990 farm bill and the Great Lakes Maritime Trade Act of 1989 offer opportunities to redress this unnecessary blow to the Great Lakes agricultural exports. The Great Lakes only seek the opportunity to compete on a level playing field with the other port ranges. Repeal of the 75-percent cargo preference policy to the historical 50 percent, extension of the Great Lakes set-aside, and reflagging are among many possible resolutions to the present inequitable situation.

Mr. President, I personally will be seeking appropriate committee action on these and other Great Lakes maritime issues which I raise in S. 1350, my omnibus Great Lakes maritime trade bill—a bill which was cosponsored by 12 Senators—and look forward to your assistance in addressing the legitimate needs of the Great Lakes region.●

NOMINATION OF CLARENCE THOMAS

● Mr. PRYOR. Mr. President, on February 6, the Senate Judiciary Committee held a confirmation hearing on the nomination of Clarence Thomas as a U.S. circuit judge for the District of Columbia Circuit. During this hearing, a number of statements were made by Mr. Thomas that I find troubling.

Before I outline my concerns, I would like to acknowledge that there is much to admire and respect about Clarence Thomas. He is truly a self-made man, having advanced from very humble beginnings to Chairman of the Equal Employment Opportunity Commission [EEOC]. Along the way he attended law school at Yale University, served as assistant attorney general for the State of Missouri, and was appointed Assistant Secretary for Civil Rights at the U.S. Department of Education. These are significant achievements that should be taken into account when considering Mr. Thomas' fitness to serve on what is often described as the second most important court in the land.

What must be taken as an equally important indication of Mr. Thomas' ability to serve effectively on the District of Columbia Circuit, however, is his track record in his most recent position as Chairman of the EEOC. In that vein, I would like to take this opportunity to briefly explain my understanding of his performance in that capacity.

As chairman of the Senate Special Committee on Aging, I am particularly concerned about, and committed to, strong and effective enforcement of the Age Discrimination in Employment Act [ADEA]. With this in mind, I was dismayed to learn about several erroneous statements made by Chairman Thomas and his supporters regarding his role in enforcing ADEA.

At the hearing Mr. Thomas was praised by some for his 8-year tenure in which he took the EEOC "in shambles" and eliminated the case backlog, installed a new computer system for tracking cases, and managed the Commission's funds more wisely. Such comments give the impression that Clarence Thomas saved the EEOC from certain demise. I believe that the several thousand age discrimination claimants who, during Chairman Thomas' watch, lost their rights largely due to EEOC neglect and mismanagement would differ with this rose-colored view of the past 8 years.

According to documents obtained by the staff of the Special Committee on Aging during an investigation of the EEOC by former Chairman John Melcher, the EEOC's inventory backlog of 33,000 in 1982 rose to over 61,000 in 1987. During that same period, the number of unprocessed charges 300 days old or older increased some 2,200 percent, from 727 to 15,428. Therefore, far from eliminating its backlog, the EEOC was actually adding to it.

In addition, words of praise for Chairman Thomas for modernization of the EEOC must be taken with a grain of salt. The Aging Committee's investigation of EEOC found evidence that during Chairman Thomas' tenure the Commission spent millions of dollars in a highly unreliable computer system that eventually had to be replaced. Only recently has the EEOC's new Charge Data System begun to function properly and provide a reliable national data base.

Mr. Thomas' performance under questioning by members of the Judiciary Committee regarding EEOC's enforcement of the ADEA raised a number of concerns. Many of his responses appeared to be shaky attempts at revisionist history. Under questioning from Senator HATCH, Mr. Thomas stated that the EEOC had at one time allowed the statute of limitations for filing a case in Federal court lapse on 900 ADEA cases. He claimed, however, that the situation has been corrected and that lapses are now down to two cases a year.

These numbers are totally inaccurate and, some would say, border on misrepresentation. In fact, the EEOC's own figures indicate that the statute of limitations may have lapsed on well over 13,000 ADEA claims form 1984 to 1988. Additionally, over 1,500 charges contracted out by the EEOC to State Fair Employment Practice Agencies [FEPA's] have been allowed to expire since 1988.

In 1987 Chairman Melcher, acting on a number of complaints, began an investigation into ADEA claims that the EEOC had allowed to lapse. In early September, Chairman Melcher requested that the EEOC provide him with information on how many ADEA cases had exceeded the 2 year statute of limitations. Although an internal survey of district offices showed that the EEOC had let at least 900 ADEA charges lapse, Mr. Thomas chose to redefine cases as charges which had been recommended for litigation, and he told the Aging Committee that 70 such cases had expired.

After months of fruitless attempts to obtain additional and accurate information on this matter, the Aging Committee issued a February 1988 subpoena to Chairman Thomas to provide data on the lapsed charges. Thomas reported that from 1984 to 1987, 779 charges had exceeded the statute of limitations. Two weeks later Thomas received an internal EEOC report indicating that 1,200 charges had expired in 1987 alone.

Later in 1988, Congress passed the Age Discrimination Claims Assistance Act [ADCAA], which extended the statute of limitations 18 months for charges which were filed on or after January 1, 1984 and which expired on or before April 7, 1988. In complying with reporting requirements under ADCAA, the EEOC has admitted that it has mailed out more than 13,000 notices to older workers whose claims may have been allowed to expire during that period.

As mentioned, Mr. Thomas proclaimed to the Judiciary Committee that the problem of lapsed ADEA charges has been correcterd and that lapses are now running about 2 a year. In fact, EEOC documents submitted to the Judiciary Committee show that over 1,500 ADEA charges contracted out by the Commission to State FEPA's for investigation have lapsed since ADCAA.

Mr. Thomas' response when confronted by Senator METZENBAUM with this fact was twofold. He initially stated that the EEOC has no control over the FEPA's. He further responded by stating that the ADEA statute of limitations did not matter on those charges because they were filed under State antidiscrimination laws, which have no such limitations. These statements are certainly misleading, and raise serious questions about the nominee's appropriateness for the Federal bench.

The EEOC contracts with FEPA's to investigate a range of employment discrimination cases filed at the State level. While it is true that age discrimination charges lodged with FEPA's are filed under State antidiscrimination laws, they also represent claims under the ADEA. Indeed, EEOC regulations make it clear that charges filed with FEPA's under contract are considered to be filed with the EEOC also.

As the Federal entity charged with the enforcement of the ADEA, the EEOC has an inescapable duty to protect the rights of ADEA claimants. The fact that a lapsed charge may still be valid under State law does not relieve the Commission of its fundamental responsibility.

The contracts between the EEOC and FEPA's require that a charge be investigated and sent to the EEOC within 18 months of the date the charge is filed. This is intended to give the EEOC time before the expiration of the 2 year statute of limitations to make a decision on litigating the charge or issuing a no cause letter to the claimant. If FEPA's violate this time frame, they don't get paid. In addition, the EEOC can discontinue its relationship with poorly performing FEPA's. Most importantly, with its new computer system, the EEOC has the ability to track charges filed with FEPA's, and has the contractual right to take from the State agencies those charges found to be in danger of lapsing.

In conclusion, there should be little dispute that thousands of ADEA claimants have unfairly and unacceptably lost their rights during Chairman Thomas' 8-year tenure. We all agree that the massive lapses of ADEA charges prior to 1988 should have never happened. Likewise, we must recognize the tragedy and irony that even as Congress was acting to restore the rights of those who lose claims during that period, hundreds more cases were lapsing.

Mr. President, the qualifications and experiences of any person nominated to fill such an important post as a judgeship on the D.C. Circuit must be closely scrutinized. There are few things I respect more than an individual who has made a success of him or herself in the face of hardships. Indeed, Mr. Thomas' accomplishments are to be applauded; however, the concerns I have outlined above should not be dismissed as irrelevent to the confirmation process.

I have not decided how I will vote on Mr. Thomas' nomination; however, I will make my decision based on the scope of my knowledge about the nominee and his qualifications. It is my hope that all my colleagues will do the same. I look forward to reviewing the Senate Judiciary's report and recommendation on Mr. Thomas, as well as to any discussion which may occur on the floor regarding his nomination.●

OPPOSITION TO ANTI-SEMITISM

● Mr. GRAHAM. Mr. President, today I rise to call to the attention of the Senate and to the world the signs of an insidious rise of anti-Semitism in the Soviet Union.

Unfortunately, some in the Soviet Union have translated the new openness in their country as the freedom to hate, the freedom to revive scapegoat tactics of the past, and the freedom to attack other peoples' religious heritage.

President Gorbachev's program of glasnost has lifted some of the constraints on freedoms of expression, religion and assembly in the Soviet Union. Changes in the Soviet Union and neighboring Eastern bloc countries generally have advanced the cause of freedom. But, as we note these positive trends, we must not overlook the growth of organized anti-Semitic movements like Pamyat, which advocate religious hatred and violence against Soviet Jews.

In 1988, I visited Kiev, Leningrad, and Moscow, and learned first-hand of the phenomenon of rising anti-Semitism. Mr. President, silence in the face of anti-Semitism is not acceptable. We will not be silent. We will not close our eyes. We will not sit on the sidelines. We must speak out. For this reason, I have joined with Senator SIMON and other Members of the Senate to call on President Gorbachev to publicly condemn anti-Semitism in all its forms. Furthermore, I have asked Mr. Gorbachev to take quick action on pending proposals to permit those who have sought for many years to leave the Soviet Union to do so.

Mr. President, I ask that an article by Vitalii I. Goldanksii, a member of the Soviet Council of Peoples Deputies and the Foreign Relations Committee of the Supreme Soviet be printed in the RECORD. Mr. Goldanski, the director of the Semenov Institute of Chemical Physics of the Soviet Academy of Sciences, is considered the highest ranking Soviet official to acknowledge—in very clear terms—the rising anti-Semitism in the Soviet Union. His observations must be heeded by this body and by the world to prevent human rights and Soviet reform from being undermined by bigotry and prejudice.

The article follows:

[From the Washington Post, Feb. 18, 1990]

ANTI-SEMITISM: THE RETURN OF A RUSSIAN NIGHTMARE

(By Vitalii I. Goldanskii)

Supporters of President Gorbachev's perestroika are increasingly alarmed by the possibility that this program of restructuring and reforms may collapse. Should this occur—and it cannot be ruled out even in the near future—it would be a disaster not only for the Soviet Union but for all humankind.

Many of the difficulties being encountered by perestroika are well known outside the Soviet Union, as are some of the potential consequences if perestroika fails. But too little attention has been given, until now, to the special dangers posed by the

growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-semitic groups that seek to subvert perestroika, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions. They are perhaps already the strongest, and certainly the fastest growing, of the divisive forces pushing the country toward bloodshed and civil war.

The extremist groups go by a variety of innocuous-sounding names, of which the best known outside the Soviet Union is the "National Patriotic Front *Pamyat*" (pamyat means "memory"). A number of them recently entered into a confederation under the title of "Bloc of Social-Patriotic Movements of Russia." I prefer to call them Russian monarcho-Nazis (or monarcho-fascists), to reflect their combination of deep reverence for the autocratic csarist Russian empire and ferocious hatred of Jews.

Incredibly, the Russian monarcho-Nazis openly and widely condemn the Jews as the main culprits in all of the troubles of Russia from the October Revolution of 1917 up until the present—including genocide against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges; destruction of tens of thousands of Russian churches and historical monuments; and spiritual poisoning of the people through the introduction of decadent and corrupt Western culture alien to Russian tradition. They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making reference to the disgraceful hoax, "The Protocols of the Elders of Zion."

There is striking similarity, in fact, between the views, programs and intentions of the Russian monarcho-Nazis and the original Nazi platform as laid out in Hitler's "Mein Kampf" and other infamous documents of the German Nazi period. This similarity, and the resemblance of the general situation in the Soviet Union in 1988-90 to that in Germany in 1931-33, have been publicized by progressive Soviet mass media. The newspaper Soviet Circus, for example, has printed a point-by-point comparison of Pamyat's manifesto with the program of the Nazi Party of the 1930s.

The main organization serving as a coordinator of the monarcho-Nazi forces is the Union of Writers of the Russian Federation (RSFSR). As outlets for their propaganda they have at their disposal such newspapers and journals as "Literaturnaya Rossiya" (Literary Russia), "Nash Sovremennik" (Our Contemporary), "Molodaya Gvardija" (Young Guards) and "Moscow." The leaders of this movement include many notorious writers, some scientists, some artists and others.

The Nazi-type speeches and publications of these groups are becoming routine features of everyday life in the Soviet Union. Their form and content were analyzed by Prof. Herman Andreyev from Mainz University in West Germany in a recent issue of the weekly magazine Ogonyok. He concluded that in Western European countries such statements would be treated as unconstitutional, the persons propagating them would be called to account and the organizations supporting them would be dissolved.

Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolites (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1953), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.

Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

The explanation of such passivity on the part of the authorities seems quite simple. In addition to the evident sympathy of many authorities on different levels to the views of the monarcho-Nazis, others who do not sympathize nonetheless hesitate to act because of the way the growing aggressiveness of the monarcho-Nazis is linked to the bloody ethnic conflicts and intensifying separatist movements in nearly all of the outlying districts of the Soviet Union.

Specifically, this situation offers the monarcho-Nazis considerable opportunities for blackmail and intimidation of Gorbachev and his closest advisers, through the claim that, in conditions of the "decline of empire," the Russian heartland and her "genuine sons" constitute the only reliable basis for the preservation of Gorbachev's power. Such arguments are being used to push Gorbachev toward the right and to divide him from his true supporters on the left—the liberal intelligentsia. The result could be a repetition of the circumstances that produced the downfall of Khrushchev in 1964.

In parallel with their attempts to intimidate Gorbachev, the monarcho-Nazis have been openly attacking his foreign policy. They even have accused Gorbachev of being an agent in the service of the CIA and the Israeli intelligence, the Mossad. With this two-pronged strategy of intimidation and direct attack, the Russian monarcho-Nazis hope to attain either a decisive influence over Gorbachev's policies or his removal and replacement at the seat of power by supporters of their movement.

What would that mean for Soviet Jews? The answer is all too clear from the similarity of the monarcho-Nazis' program to that of Hitler. The Russian monarcho-Nazis already possess their equivalent to Hitler's SA and SS, in the form of the Pamyat movement. This movement does not disguise its intentions to carry out pogroms against the Jews, to whom it refers using the insulting world *"zhidy"* (yids). In fact, members of Pamyat have been organizing well-attended meetings all over the country to call for pogroms—even in Moscow's Red Square on Nov. 12, 1989—and no one has stood in their way.

Hitler treated as Jews those who have more than one-quarter Jewish blood. Pamyat goes further. It has announced its intention to search for Jewish progenitors back to the 10th generation. New recuits to Pamyat are required to prove their "racial purity" and to provide to the organization the home addresses of five Jews—no doubt for the purposes of the pogroms to come. Opponents of the monarcho-Nazi movement who happen to be "racially pure" or "Aryan" are characterized, along with all liberal intelligentsia, as "masons" (or *"zhido-masons,"* i.e., supporters of Jews); and these are also the targets of pogrom propaganda.

The brazenness of monarcho-Nazi threats against Soviet Jewry has been increasing. In addition to anti-semitic rallies and the desecration of Jewish cemeteries around the country, which have been going on for some time, it now seems that meetings of liberal intellectuals are no longer safe from disruption by Pamyat thugs.

On the evening of Jan. 18 of this year, for example, a meeting of the progressive "April" group of writers at the Central House of Writers in Moscow was invaded by some dozens of Pamyat monarcho-Nazis with megaphones. They roughed up some of the writers, forcibly ejected others from the hall, shouted anti-semitic slogans and announced that their next visit will be with automatic weapons. They also designated St. George's Day, at the beginning of May, for a pogrom. The police were called but took their time in arriving, and there were no arrests.

Further increases in anti-semitic activities (especially, of course, actual violence) surely will lead to a mass exodus of Jews, people of partly Jewish extraction and "racially pure" liberal intelligentsia. This new wave of emigrants—refugees from monarcho-Nazi power—could reach several millions and would represent a serious brain-drain from the U.S.S.R.

As for the possibility of another Holocaust, it certainly could not reach the scale of earlier Nazi crimes: The world has changed too drastically in the last half century for that. But a wave of pogroms more or less along the lines of the infamous *"Kristallnacht"* cannot be ruled out—weaker if a government like the present one tries to oppose them, stronger if a successor government of the monarcho-Nazi stripe sympathizes with the pogrom lust.

What should be done? As a start, the world public should be informed of the activities and intentions of the new followers of Hitler in the Soviet Union and should be told their names. The famous "Brown Book" published by anti-fascists in 1933, after all, was the first important step in the exposure of the Nazi crimes of that era. Clearly, the publishers of newspapers, journals and books, and producers of electronic media, have an important role to play.

The stakes are high. If the monarcho-Nazi prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.●

GAO REPORT ON B-2 PROGRAM

● Mr. LEAHY. Mr. President, this morning the General Accounting Office presented its first unclassified report on the B-2 program to the House Armed Services Committee. The report issues a strong warning

that the B-2 cost and schedule have changed significantly since 1986 and remain uncertain.

The GAO makes clear that the Air Force will not "fly before it buys." American taxpayers have already spent $25 billion on this program and to date, only 1 percent of the flight test program has been completed. GAO claims over $48 billion will be spent and 31 planes purchased before critical performance requirements will finally be tested.

Mr. President, I ask that a copy of the executive summary of the GAO report be printed in the RECORD so that all Senators and their staff may review these findings.

The summary follows:

[GAO Feb. 22, 1990]

EXECUTIVE SUMMARY

PURPOSE

The B-2 bomber is one of the most costly Department of Defense programs. Its high cost and highly classified nature have made it the subject of considerable controversy. Since 1986, GAO has issued five classified reports on the B-2 program. Recent changes in the security classification of the program permit this unclassified report on the program's history and current cost, schedule, and test status. This report contains information from our prior classified reports that is now unclassified and updated as necessary.

BACKGROUND

The B-2 has been in full-scale development since 1981. It is a flying wing aircraft with two crew members and provisions for a third. It has twin weapon bays and four engines and is designed to perform the traditional long-range bomber role for both nuclear and non-nuclear missions. The Air Force believes the B-2 has the greatest potential for a future capability against targets of uncertain locations, although concerns exist about the difficulties of locating movable targets.

The Air Force has been developing the B-2 while producing and deploying the B-1B bomber to modernize the aging B-52 bomber fleet. The B-2 is being developed to take advantage of low observable technologies, which, when combined with on-board avionics, are intended to allow penetration of current and postulated Soviet defenses.

In 1981 the Air Force estimated the cost to procure 133 B-2s—6 development aircraft and 127 production aircraft—would be $32.7 billion in 1981 dollars. In 1986 the Department of Defense announced the estimated cost would be $36.6 billion in 1981 dollars, which was equivalent to $58.2 billion in escalated dollars over the life of the B-2's procurement. The cost estimate and the related program schedule became the baseline from which subsequent budget and schedule changes are measured.

RESULTS IN BRIEF

The B-2 program's cost and schedule have changed significantly since 1986 and remain uncertain. The B-2 acquisition strategy includes cost and schedule projections that rely on very high annual funding levels and on ordering a large number of planes before the necessary testing to demonstrate that the B-2 can perform its mission is completed.

Since 1986 the B-2 cost estimate increased $12 billion, and the final B-2 delivery was extended 3 years to 1999. Future schedule changes and cost increases will occur if projected annual funding requirements are not appropriated or if planned program savings are not achieved.

The flight test program has just begun. If current schedules are met, it will be at least 3 years before critical performance requirements have been fully tested. That is the point in testing where problems are typically discovered. At that time, under the current schedule, over $48 billion would have been appropriated and 31 aircraft would have been ordered. In view of these uncertainties, as well as changing world conditions, GAO believes that alternative acquisition strategies should be considered.

Major design changes early in the B-2's development caused manufacturing difficulties that have contributed to a slower production schedule and labor cost increases. Contractors have reported improvements in productivity and reductions in manufacturing defects, but these improvements are less than anticipated. Also, further manufacturing improvements may be hindered by continuing design changes.

PRINCIPAL FINDINGS

Cost Estimate Increases: In June 1989 the B-2 program was estimated to cost $70.2 billion, a $12 billion increase from the baseline estimate. The June 1989 estimate depends on achieving $6.2 billion in savings through a cost reduction initiatives program and multiyear procurement strategy. The amount of savings and the feasibility of achieving them are uncertain. If the projected savings are not realized, additional funding will be required, and the B-2 program's schedule may be extended.

Since 1986 B-2 estimated cost increases have been caused primarily by an incomplete aircraft design at the start of manufacturing, underestimated material costs, and production schedule extensions. The most recent increase, $2.6 billion, occurred between January and June 1989 and was primarily due to extending the schedule 1 year.

Funding Assumptions: The current acquisition plan requires funding of $5.3 billion in fiscal year 1991 and $7.5 to $8 billion annually for fiscal years 1992 through 1995 to achieve the estimated program cost of $70.2 billion. If these funding levels are not achieved, the Air Force will have to delay or reduce the B-2's production program.

Program Schedule Changes: The B-2 program schedule has changed each year since 1986. The latest change in June 1989 delayed both the first full production and multi-year procurement decisions by 1 year. It also extended the B-2 final deliveries from 1998 to 1999. The last B-2 delivery is now scheduled 3 years later than planned in the 1986 baseline estimate.

The Secretary of Defense approved this schedule extension because delays in completing the first aircraft delayed the start of flight testing. If the production schedule had not been extended, the concurrency in the program would have increased. The schedule extension maintained the previously planned relationship between flight testing and production.

Manufacturing Problems: GAO reported in August 1988 that the contractors were encountering manufacturing problems, as evidenced by a large number of manufacturing defects, inefficient labor, and the transfer of work originally planned to be accomplished at the subcontractor plants to the final assembly site. These problems were caused in part because, to maintain schedule, manufacturing was started before the aircraft design was complete.

Manufacturing data collected in 1989 showed that the contractors are resolving some of these problems. The contractors are reporting they have reduced the number of manufacturing defects, improved worker efficiency, and transferred less work to the final assembly site. However, these improvements were less than anticipated.

As in the case of other programs, the contractors are initiating many changes to engineering drawings, which continue to disrupt the manufacturing process. Some of these changes require new parts, new tooling, and changes to the manufacturing plan, which hinder efforts to stabilize the manufacturing process.

B-2 Flight Test Program: The B-2 flight test program began on July 17, 1989, with the first flight of the aircraft. To date, 1 percent of the flight test program has been completed. The program will likely continue into 1994. The pace of testing will increase as the remaining five development aircraft become available for testing.

The first 1½ years of flight testing is to demonstrate basic B-2 air worthiness and provide preliminary data on the low observable features of the aircraft. More critical operational testing, including integrated offensive and defensive avionics, where problems have frequently been discovered on other programs, is scheduled to begin in 1992.

MATTER FOR CONGRESSIONAL CONSIDERATION

There has been much debate on whether the Department of Defense can realistically expect to receive the funding levels projected by the Department for the B-2 program. Because of this and the fact that critical testing is several years away, the Congress may wish to require the Secretary of Defense to provide an analysis of alternative acquisition plans for the B-2 program, including various annual funding levels. This analysis would provide the Congress with information on options for future funding decisions and their related impact on the B-2's cost and schedule.

AGENCY COMMENTS

GAO did not request official written comments on this report. However, GAO discussed a draft of this report with Department of Defense officials and incorporated their comments where appropriate.●

SMALL GOVERNMENTS REGULATORY PARTNERSHIP ACT OF 1989

● Mr. BOSCHWITZ. Mr. President, I recently cosponsored Senator GLENN's bill, S. 1758, the Small Governments Regulatory Partnership Act of 1989. I believe this legislation will be most beneficial to small governments in relieving the burden placed on it by the Federal Government. Most Senators have many small governments—villages, towns, townships—in his or her State; Minnesota, the State I am proud to represent, has many such small governments.

This bill, Mr. President, will clarify that the Regulatory Flexibility Act [RFA] applies to small governments as well as to small businesses. Oftentimes the Federal Government asks too much of the local government. Since

the RFA was passed, whenever a Federal agency issues a regulation, it must certify whether the regulation will affect small entities. Small entities includes both small businesses and small governments. Currently, the enforcement of the RFA is by the Office of Advocacy at the Small Business Administration. Naturally, their emphasis is on small businesses rather than small governments.

S. 1758 would establish an Office of Small Government Advocacy within the Office of Management and Budget [OMB], headed by a Director for Small Government Advocacy. The Director shall be appointed by the President with Senate confirmation. That individual needs to be familiar with small government needs, and with the difficulties these communities encounter with the Federal regulatory process. It is believed this office could be staffed, and perhaps even funded, by existing OMB personnel and resources.

The Office of Small Government Advocacy will be assisted by a small government coordinator within certain Federal agencies. These coordinators will watch their own agencies' actions under the RFA, and provide support and data to the Office for Small Government Advocacy.

The legislation, Mr. President, will also establish an Interagency Committee of Small Government Coordinators within OMB. This committee will be responsible for coordinating the programs, plans, and policies of the small government coordinators.

S. 1758 will make it more difficult for agencies to exercise some of the RFA's waiver provisions. In fact, an agency would be required to provide evidence and citation of data sources when it claims that a proposed regulation will have no ill effects on small entities.

Finally, the legislation would require agencies to use standard measures when analyzing the effect of regulations on small governments.

I believe the Small Governments Regulatory Partnership Act of 1989 could relieve some of the burden Federal regulations place on small governments. I am proud to be a cosponsor of Senator GLENN's legislation, and I encourage my colleagues to support this bill.●

FALLON FEDERAL CHILD CARE CENTER OPENING

● Mr. SARBANES. Mr. President, I was very pleased to participate in the opening earlier this month of the Fallon Federal Child Care Center in Baltimore. The opening of this excellent facility comes at a time when the need for more and better child care services is becoming increasingly apparent. I am pleased that Federal employees working in the Fallon Building and other working parents will now have the opportunity to leave their children in the hands of an experienced, professional staff during the workday.

The Fallon Child Care Center is operated by the YWCA and provides full-time and drop-in day care for children ages 2 through 5. In addition, a holiday and summer program will be offered for children ages 6 to 12. Children of all Federal employees as well as the public are welcome at the center.

This facility was sponsored by the Internal Revenue Service, the Army Corps of Engineers, the General Services Administration, and the Federal Highway Administration. These four agencies, together with the remaining Federal agencies which have offices located in the Fallon Federal Office Building, will provide continuing funding for the program. Additional funding will be provided by the YWCA, the CFC, and private donors.

The generous support of these agencies and organizations enables the center to offer exceptional child care at significantly lower fees than are typically charged by child care services. In view of recent statistics indicating the inadequacy of the existing supply of child care services to meet the needs of children whose mothers are in the labor force, I share the view of the Fallon Child Care Center's sponsors that the opening of this facility addresses a critical need to offer quality, affordable child care for the children of all parents employed in the Fallon Building.

It is unfortunate that most American working mothers and their children do not have the same opportunity. There are more than 9 million children under the age of 6 with working mothers. Over half of all mothers with infants under 1 year of age work outside the home. In the past 15 years, the number of preschool children with mothers in the work force has increased by 75 percent, and the number of school-aged children with working mothers has grown by 22 percent. Yet, a study completed by the National Association for the Education of Young Children reported that in 1986, licensed day care services were capable of accommodating just 2.1 million children—only 24 percent of all preschool children with working mothers. The Census Bureau reported that in 1985, over 2 million school-aged children spent a portion of the day unsupervised while their parent or parents worked. In Maryland, a study undertaken by the Johns Hopkins Institute for Policy Studies at the request of the Maryland Department of Human Resources indicates that there is a great need for increased day care facilities for both preschool and school-aged children.

As an original cosponsor of the Act for Better Child Care, I was very pleased that this legislation was passed by the Senate on June 23, 1989. It remains my view that the ABC bill will help establish a national commitment to extend the availability of quality, affordable child care such as that offered by the Fallon Federal Child Care Center to all working parents and their children. It has become increasingly apparent that economic trends will continue to bring larger numbers of mothers into the work force, and it is my hope that similar legislation will receive prompt consideration in the House of Representatives.●

JENIFER JONES, CYPRUS HIGH SCHOOL, MAGNA, UT

● Mr. HATCH. Mr. President, I rise today to pay tribute to a very talented young woman from my home State of Utah who has just been chosen as the 1990 western regional recipient of the 1990 Amateur Athletic Union/Mars Milky Way High School All-American Award. Jenifer Jones, a senior at Cyprus High School in Magna, UT, is one of eight students nationally to receive this award.

The criteria for this award are manifold. In addition to academic and athletic prowess, the recipient must also participate in community events. Jenifer, a 4.0 student, is a General Sterling Scholar and a member of both the National Honor Society and the National Honor Roll. She was awarded the Century III Leadership Award and won the Disney World "Dreamer & Doer" for the State of Utah. In addition, she is a talented musician and composed her school fight song.

In addition to her many scholastic achievements, Jenifer is the captain of the Cyprus High School girl's basketball, volleyball, and track teams, earning varsity letters in all three sports. She was selected as a member of the all-region basketball team, the all-State volleyball first team, and was awarded the outstanding distance runner.

Jenifer also participates in church and community events. She is the congregation organist at her church, founded the Piano Achievement Day, and is a member of the drug youth committee. In addition, she coordinated a youth conference at Utah State University.

Jenifer is now eligible to be one of the two national recipients of this award, and I am very happy that such an accomplished young woman is representing Utah.●

FAIR OR FOUL: BEYOND TODAY'S ELECTION IN NICARAGUA

● Mr. DURENBERGER. Mr. President, like umpires in a World Series baseball game, the whole world seems to be standing around polling places in Nicaragua this coming weekend, observing the election and getting ready to declare the results either "fair" or "foul."

The stakes are significant in making that declaration, but there are also pitfalls in overemphasizing the "fair" or "foul" call. Sandinista actions after the elections are perhaps even more important than the elections themselves.

Before acting hastily after declaring the elections fair or foul, U.S. policymakers would be wise to take a quick "time out"—at least long enough to survey the scene and resist the temptation to make rash judgments that might not bear the test of time.

Regardless of the outcome, Nicaragua's much touted elections are only one step in the long process of democratization. The elections are not the end objective. They represent one essential element in a much broader process of establishing a peaceful, democratic, open society.

Even if the Sandinistas win an election that international observers and the internal opposition consider to have met acceptable standards, and that victory is by no means assured, in no way does that imply that we will immediately return to fully normalized bilateral relations between the United States and Nicaragua. The singular, if significant, act of conducting a fair election process does not automatically grant Nicaragua lifetime membership in the family of democratic nations.

I support Secretary of State James Baker's recent statements regarding future directions of United States policy toward Nicaragua. Secretary Baker recently stated that the United States "would be prepared to improve relations with any government that wins a certifiably free and fair election in Nicaragua." He also stated, however, there would have to be a testing period, some period of time during which we can satisfy ourselves that they—the Sandinistas—have indeed stopped shipping SA-7 missiles and other military equipment to the Marxist FMLN guerrillas in El Salvador.

We must also acknowledge that our past policy of supporting the armed Nicaraguan Contras is dead in the water, no longer a credible option in a country that desperately wants peace and an opportunity to pick up the pieces and move on. If the elections are generally considered free and fair, we must be prepared to accept the election and then define those issues that really matter—issues that can be used to define a new, more constructive bilateral relationship between the United States and Nicaragua.

So, what comes next—regardless of who wins Sunday's elections? And, what do we—as U.S. citizens and policymakers—do on Monday morning?

Beyond evaluating the full range of assessments from the international observers, I'd suggest we watch both the winners and losers and see how they act, both in victory and in defeat.

If the Sandinistas lose, will they be the first government in Nicaraguan history to relinquish power in a peaceful transition? As either winners or losers, will they give up Sandinista party control of the army and police? If they lose, will they accept their role as a minority political party?

Regardless of the outcome, will the Sandinistas finally end their support for the FMLN guerrillas in El Salvador? Will they, in coordination with a Contra army demobilization, drastically cut the size of their military and security forces? Will they permit the political opposition to operate as a legitimate democratic force—a force that will not be abused, but will be consulted and respected?

This past year has marked an amazing watershed in world history—away from tyranny and repression and in the direction of freedom and economic opportunity. Nicaraguans deserve to cross that watershed, as well. In Central America, as elsewhere, there's a distinct and encouraging trend away from the authoritarianism represented by the first 10 years of Sandinista rule. Nicaragua is the final holdout.

And, while some will contend that Sunday's election will not live up to the standards set by Nicaragua's neighbors, we must be prepared to accept its results.

But, as Americans, we also have a responsibility to keep democracy from being defined by singular events, without considering the broader range of circumstances in the country.

The Nicaraguan elections can help define our future relations with a nation toward which we have shown heavyhandedness in the past. And, some might argue, the job of defining that new United States-Nicaraguan relationship is as simple as calling one election "fair" or "foul." It is not.

I would content today's vote represents much more—the opportunity for a new and more constructive policy. But, determining the full extent of that opportunity will take patience. And, it will take time.●

DEDICATION OF LA VERTA L. TERRY

● Mr. LUGAR. Mr. President, February marks the annual observance of National TRIO Day, enacted by a joint resolution of Congress which each year recognizes the contributions and importance of federally supported initiatives which work to assure equal opportunity in postsecondary education.

In Indiana, there are 26 such programs, including Upward Bound, Student Support Services, Talent Search, Educational Opportunity Centers, and the Ronald E. McNair Post Baccalaureate Achievement which annually oversees 10,000 Hoosier citizens.

On this occasion, I wish to acknowledge the dedication and commitment of a very special individual, Mrs. La Verta L. Terry, who has dedicated 22 years of her professional career in service to the students of Indiana.

Born on November 10, 1926, in Brasil, IN, La Verta entered the work force at the tender age of 10, working part time before and after school. During the summer, La Verta worked full time. Admitted to the Indiana University School of Music and the recipient of a merit scholarship, La Verta instead enrolled in Southern Christian College and went on to receive her baccalaureate degree from Jarvis College.

In 1963, La Verta began her career as a substitute teacher in the Monroe County School. A year later she accepted a full-time teaching position.

In 1968, she joined the staff of Indiana University as assistant to Dean Rozelle Boyd of the university division. Together they established what would become the Groups Program which still services hundred of Indiana University students each year.

"Ms. Terry," as she is affectionately referred to by her many students both past and present, now serves in the capacity of director of the Groups Program. In its over 20-year history the program has served well over 4,000 students and touched the lives of many others by providing that first opportunity for a postsecondary education for those who otherwise would not have attended college.

With a rare combination of talents that inspire, motivate, challenge, and encourage, La Verta Terry has served not only as a role model, but in many cases family to those individuals fortunate enough to participate in her program. Her work goes far beyond the routine 9 to 5, and she still spends countless hours devoting herself to individuals who find themselves in need of her counsel and advice. To this day, her former students remain in contact with their special mentor in Bloomington.

I ask my colleagues to join me in recognizing an outstanding Hoosier, La Verta L. Terry, for her many contributions to Indiana and the Nation.●

DENIAL OF SOVIET VISAS TO CONGRESSIONAL DELEGATION

● Mr. SIMON. Mr. President, this coming Saturday, February 24, the

people of Lithuania will go to the polls in the first multiparty elections they have held since their nation was forcibly incorporated into the Soviet Union 50 years ago. It's a momentous occasion. And, for obvious reasons, it has become the focus of worldwide attention.

This is both the test and the promise of the much-discussed new thinking in Moscow. The central authorities have begun to allow glasnost and political perestroika to extend beyond the bounds of theory and debate and be put into actual practice. Lithuania's opposition parties are campaigning for seats in the national legislature. Because they haven't had any experience doing this in the past—political parties hardly have experience even existing in the open, let alone trying to run campaigns—they have looked to established parliamentary institutions, like ours, for some advice on how best to put their message before the voters. This is glasnost in action. And it is tremendously encouraging.

Unfortunately, mixed in with these examples of new thinking run some currents of old thinking. I learned last night that a bipartisan delegation of U.S. Congressmen, headed by my good friend and fellow Illinoisian DICK DURBIN, was denied a visa to enter the U.S.S.R. The purpose of their visit was straightforward: it was to have been a fact-finding mission to Lithuania, designed to give members of the U.S. Congress first-hand exposure to the changes in that Republic that are a direct result of President Gorbachev's reform policies.

But the Soviet authorities turned them down. And the visa refusal came not from a mid-level consular official, but from no less a body of stature than the U.S.S.R. Supreme Soviet. The decision stated that the presence of foreign legislators in the Soviet Union at this time was not desirable, because it is not possible to render them the necessary assistance and hospitality. This, despite the fact that a delegation from the Canadian Parliament had already arrived in Lithuania. And despite the fact that the United States Congress recently played host to a delegation from the same Supreme Soviet.

The real reason for the turndown could be found a little further down in the official Soviet statement. It said the invitation to the Congressman had been offered by an improper authority—namely, the Lithuanian Reform Movement Sajudis. Moscow, trying to safeguard its prerogative against the rising tide of decentralization, said such invitations could be offered only by the Supreme Soviet.

Mr. President, I am willing to make a small wager that if that invitation had been made by the Lithuanian Communist Party, and not Sajudis, the Supreme Soviet in Moscow could have found a way to endorse it, and visas would have been on the table in no time flat.

This episode is especially frustrating because it reminds me of a similar experience I had in 1985 during a visit to the Soviet Union. In the process of applying for Soviet visas I encountered a fair amount of foot-dragging whenever I mentioned my desire to visit the Lithuanian capital of Vilnius, where I planned to hold some informal meetings. Eventually I received the visa, but when I arrived in Leningrad and tried to fly to Lithuania, I was told there would be a delay of 2 weeks. Both the consulate general in Leningrad and the Embassy in Moscow made protests in my behalf, but the Soviet authorities would not be moved and I was not allowed to go to Vilnius.

That was, as I said, in 1985, not long after General Secretary Gorbachev came to power. In many areas there have been truly revolutionary changes since that time, as the upcoming election in Lithuania demonstrates. But as we can see from the regrettable and, in my opinion, misguided decision to deny visas to an official delegation of the U.S. Congress, in other important respects there has been little if any change at all. But I think the people of Lithuania are going to have the last word on that this Saturday.●

ORDERS FOR FRIDAY, FEBRUARY 23; MONDAY, FEBRUARY 26, AND TUESDAY, FEBRUARY 27, 1990

Mr. MITCHELL. Mr. President, I am about to propound a unanimous-consent request. I am advised by staff of the distinguished Republican leader that this is agreeable to him. Perhaps Senator HATCH might remain and confirm that with the staff. This involves the schedule through next Tuesday for the Senate.

RECESS UNTIL 10 A.M.

Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Friday, February 23, and that on Friday, the Senate meet in pro forma session only, with no business conducted.

RECESS UNTIL 11:30 A.M. MONDAY, MORNING BUSINESS

I further ask unanimous consent that at the close of the pro forma session, the Senate stand in recess until 11:30 a.m. on Monday, February 26; that on Monday, following the time for the two leaders, there be a period for morning business until 12 noon, with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF S. 1430

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 12 noon on Monday, the Senate begin consideration of S. 1430, the National and Community Service Act of 1989.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO PROCEED TO CONSIDERATION OF SENATE JOINT RESOLUTION 212; VOTE ON CLOTURE MOTION

Mr. MITCHELL. Mr. President, I further ask unanimous consent that at 2:15 p.m. on Tuesday, February 27, there be 2 hours of debate, equally divided between Senators BYRD and DOLE on the motion to proceed to Senate Joint Resolution 212, and that at 4:15 p.m., the Senate proceed to vote on the motion to invoke cloture on the motion to proceed, with the live quorum having been waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, for the information of Senators, votes are possible Tuesday morning in relation to the national service bill.

PROGRAM

Mr. MITCHELL. For the information of Senators planning their schedules, let me summarize the schedule for the next several days. As I announced earlier, there will be no further rollcall votes today, and the Senate will be in pro forma session only tomorrow.

On Monday, the Senate will come in at 11:30 and then beginning at noon will go to the national service bill. There will be no rollcall votes on Monday, but it is anticipated that there will be debate, and if any Senator has amendments and is prepared to offer them, he or she should be prepared to do so at that time.

Any votes ordered on Monday will be stacked on Tuesday. It is possible, indeed, that there will be votes on Tuesday morning on that bill.

On Tuesday, after the party caucuses, at 2:15 there will be 2 hours of debate on the motion to invoke cloture on the motion to proceed to the Armenian resolution, and the vote on that cloture motion will be held at 4:15 p.m. on Tuesday, the mandatory live quorum having been waived by virtue of this unanimous consent agreement.

After that vote, if we have not finished the national service bill by then, we will return to it and I hope be able to complete it promptly thereafter.

Following that, and probably on Wednesday morning, we will return to the Clean Air Act. It is my expectation that by then, there will be a substitute to be offered either embodying an agreement reached between members of the committee and the administration, or absent that agreement, a substitute prepared by the committee incorporating some aspects of that agreement. And in any event, we will be back on clean air with the expecta-

tion that we will stay on that until we then finish it.

So, Mr. President, for the information of Senators, there will be no votes tomorrow or Monday. There will be votes Tuesday, including a cloture vote at the specific time of 4:15 on the Armenian resolution, and then we hope to finish national service and be on clean air until we finish that. I thank my colleague from Utah, and the distinguished Republican leader for his courtesy.

Mr. BYRD. Mr. President, does the distinguished Republican leader have any further statement to make or any business he would like to transact?

Mr. DOLE. Nothing further. I thank my colleague.

Mr. BYRD. I thank the Republican leader.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move in accordance with the order previously entered that the Senate stand in recess until the hour of 10 a.m. on tomorrow, Friday, February 23, 1990.

The motion was agreed to and, at 6:47 p.m., the Senate recessed until Friday, February 23, 1990, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 22, 1990:

DEPARTMENT OF ENERGY

ROBERT H. GENTILE, OF OHIO, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING DAVID M. BERNSTEIN, AND ENDING MICHAEL L. WOOLARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 1990.

COAST GUARD NOMINATIONS BEGINNING ROBERT L. DEYOUNG, AND ENDING JOHN J. FAGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 1990.

COAST GUARD NOMINATIONS BEGINNING DAVID L. POWELL, AND ENDING BARRY L. HIGGINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 1990.

EXTENSIONS OF REMARKS

A TRIBUTE TO THE HONORABLE JAMES ERNEST WHARTON

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. HORTON. Mr. Speaker, as the dean of the New York congressional delegation, I want to pay tribute today to a former Member of this body, Congressman James Wharton of the State of New York. Representative Wharton died of a stroke on January 12, 1990, at his home in Summit, NY.

James Wharton served in this body from 1951 until 1965. I had the privilege of serving with Congressman Wharton when I first came to Washington in 1953. As a freshman, I looked to him for advice and guidance since he was one of the more senior members of the delegation. His departure after the elections in 1964 marked a significant loss to the House and to our State.

Congressman Wharton had a varied career outside of Congress. He fought in World War I and then attended Union University, and Albany Law School. After working in the insurance business for 7 years, he began his own private practice in 1929 in his hometown of Richmondville, NY. He also owned and operated a farm and worked in the real estate development business. During his career in public service, he served as district attorney of Scholarie County, as well as county judge and judge of the children's court.

On behalf of the Members of the New York congressional delegation, I send our condolences to his wife Marion, daughter Beverly Radez, and sister Lucy. My wife Nancy joins me in expressing our thoughts and prayers.

CRITICISM OF ISRAEL'S HUMAN RIGHTS RECORD—CHARLES KRAUTHAMMER CRITICIZES THE DOUBLE STANDARD USED TO JUDGE ISRAEL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. LANTOS. Mr. Speaker, Israel has been unjustifiably singled out by the media with the release yesterday of the State Department's annual human rights report to the Congress. This morning's edition of the Washington Post is typical of the coverage. The report contains 1,641 pages, of which 23 pages are devoted to Israel, yet today's Washington Post devotes one article to general comments about the entire report and a second article of equal length to Israel alone.

The comments in the State Department report on Israel are generally positive and balanced:

Israel is a parliamentary democracy with a multiparty political system and free elections. * * * Since Israel's founding * * * it has been in a formal state of war with most of its Arab neighbors * * * Israel has experienced numerous terrorist incidents * * * Israeli citizens have a range of civil and other rights generally comparable to those in advanced Western democracies although Israel's Arab citizens have not shared fully in the rights granted to, and the duties levied on, Jewish citizens.

Compare that with the human rights report on Iraq:

Iraq's human rights record remained abysmal * * * the intelligence services engage in * * * torture and summary execution * * * problems include continuing disappearances and arbitrary detentions, lack of fair trial, widespread interference with privacy, excessive use of force against Kurdish civilians * * * the Government used chemical weapons against Kurdish civilians in 1989 as it did in 1988 * * * the Government has destroyed villages and relocated approximately 500,000 Kurdish and Assyrian inhabitants. * * * For years execution has been an established Iraqi method for dealing with perceived political and military opponents of the government * * * thousands of people arrested over the years by Iraqi security * * * have "disappeared" while in detention, with many feared executed * * * both physical and pyschological torture are used by authorities.

Mr. Speaker, I could continue these examples ad nauseam, but I believe my point is clear.

An excellent essay appeared in the February 26 issue of Time magazine by Charles Krauthammer entitled "Judging Israel." Mr. Krauthammer—senior editor at the New Republic, essayist for Time magazine, and the winner of the Pulitzer Prize for commentary in 1987—gives very knowledgeable insight into the double standard by which Israel is judged.

Mr. Speaker, Mr. Krauthammer's excellent essay provides a much needed perspective on the Israeli human rights record. I ask that it be placed in the CONGRESSIONAL RECORD, and I urge my colleagues to give it careful and thoughtful attention.

[From Time magazine, Feb. 26, 1990]

JUDGING ISRAEL

(By Charles Krauthammer)

Jews are news. It is an axiom of journalism. An indispensable axiom, too, because it is otherwise impossible to explain why the deeds and misdeeds of dot-on-the-map Israel get an absurdly disproportionate amount of news coverage around the world. If you are trying to guess how much coverage any Middle East event received, and you are permitted but one question, the best question you can ask about the event is: Were there any Jews in the vicinity? The paradigmatic case is the page in the International Herald Tribune that devoted seven of its eight columns to the Palestinian uprising. Among the headlines: "Israeli Soldier Shot to Death; Palestinian Toll Rises to 96." The eighth column carried a report that 5,000 Kurds died in an Iraqi gas attack.

Whatever the reason, it is a fact that the world is far more interested in what happens to Jews than to Kurds. It is perfectly legitimate, therefore, for journalists to give the former more play. But that makes it all the more incumbent to be fair in deciding how to play it.

How should Israel be judged? Specifically: Should Israel be judged by the moral standards of its neighborhood or by the standards of the West?

The answer, unequivocally, is: the standards of the West. But the issue is far more complicated than it appears.

The first complication is that although the neighborhood standard ought not to be Israel's, it cannot be ignored when judging Israel. Why? It is plain that compared with the way its neighbors treat protest, prisoners and opposition in general, Israel is a beacon of human rights. The salient words are Hama, the town where Syria dealt with an Islamic uprising by killing perhaps 20,000 people in two weeks and then paving the dead over; and Black September (1970), during which enlightened Jordan dealt with its Palestinian intifadeh by killing at least 2,500 Palestinians in ten days, a toll that the Israeli intifadeh would need ten years to match.

Any moral judgment must take into account the alternative. Israel cannot stand alone, and if it is abandoned by its friends for not meeting Western standards of morality, it will die. What will replace it? The neighbors: Syria, Jordan, the P.L.O., Hamas, Islamic Jihad, Ahmed Jabril, Abu Nidal (if he is still around) or some combination of these—an outcome that will induce acute nostalgia for Israel's human-rights record.

Any moral judgment that refuses to consider the alternative is merely irresponsible. That is why Israel's moral neighborhood is important. It is not just the neighborhood, it is the alternative and, if Israel perishes, the future. It is morally absurd, therefore, to reject Israel for failing to meet Western standards of human rights when the consequence of that rejection is to consign the region to neighbors with considerably less regard for human rights.

Nevertheless, Israel cannot be judged by the moral standards of the neighborhood. It is part of the West. It bases much of its appeal to Western support on shared values, among which is a respect for human rights. The standard for Israel must be Western standards.

But what exactly does "Western standards" mean? Here we come to complication No. 2. There is not a single Western standard, there are two: what we demand of Western countries at peace and what we demand of Western countries at war. It strains not just fairness but also logic to ask Israel, which has known only war for its 40 years' existence, to act like a Western country at peace.

The only fair standard is this one: How have the Western democracies reacted in similar conditions of war, crisis and insurrection? The morally relevant comparison is not with an American police force reacting

to violent riots, say, in downtown Detroit. (Though even by this standard—the standard of America's response to the urban riots of the '60s—Israel's handling of the intifadeh has been measured.) The relevant comparison is with Western democracies at war: to, say, the U.S. during the Civil War, the British in Mandatory Palestine, the French in Algeria.

Last fall Anthony Lewis excoriated Israel for putting down a tax revolt in the town of Beit Sahour. He wrote: "Suppose the people of some small American town decided to protest Federal Government policy by withholding their taxes. The Government responded by sending in the Army . . . Unthinkable? Of course it is in this country. But it is happening in another . . . Israel."

Middle East scholar Clinton Bailey tried to point out just how false this analogy is. Protesting Federal Government policy? The West Bank is not Selma. Palestinians are not demanding service at the lunch counter. They demand a flag and an army. This is insurrection for independence. They are part of a movement whose covenant explicitly declares its mission to be the abolition of the state of Israel.

Bailey tried manfully for the better analogy. It required him to posit 1) a pre-glasnost Soviet Union, 2) a communist Mexico demanding the return of "occupied Mexican" territory lost in the Mexican War (Texas, New Mexico, Arizona, Utah, Nevada and California) and 3) insurrection by former Mexicans living in these territories demanding secession from the Union. Then imagine, Bailey continued, that the insurrectionists, supported and financed by Mexico and other communist states in Latin America, obstruct communications; attack civilians and police with stones and fire bombs; kill former Mexicans holding U.S. Government jobs ("collaborators"); and then begin a tax revolt. Now you have the correct analogy. Would the U.S., like Israel, then send in the Army? Of course.

But even this analogy falls flat because it is simply impossible to imagine an American in a position of conflict and vulnerability analogous to Israel's. Milan Kundera once defined a small nation as "one whose very existence may be put in question at any moment; a small nation can disappear and knows it." Czechoslovakia is a small nation. Judea was. Israel is. The U.S. is not.

It is quite impossible to draw an analogy between a small nation and a secure superpower. America's condition is so radically different, so far from the brink. Yet when Western countries have been in conditions approximating Israel's, when they have faced comparable rebellions, they have acted not very differently.

We do not even have to go back to Lincoln's Civil War suspension of habeas corpus, let alone Sherman's march through Georgia. Consider that during the last Palestinian intifadeh, the Arab Revolt of 1936-39, the British were in charge of Palestine. They put down the revolt "without mercy, without qualms," writes Middle East scholar Fouad Ajami. Entire villages were razed. More than 3,000 Palestinians were killed. In 1939 alone, the British hanged 109. (Israel has no death penalty.)

French conduct during the Algerian war was noted for its indiscriminate violence and systematic use of torture. In comparison, Israeli behavior has been positively restrained. And yet Israel faces a far greater threat. All the Algerians wanted, after all, was independence. They were not threatening the extinction of France. If Israel had the same assurance as France that its existence was in no way threatened by its enemies, the whole Arab-Israeli conflict could have been resolved decades ago.

Or consider more contemporary democracies. A year ago, when rioting broke out in Venezuela over government-imposed price increases, more than 300 were killed in less than one week. In 1984 the army of democratic India attacked rebellious Sikhs in the Golden Temple, killing 300 in one day. And yet these democracies were not remotely as threatened as Israel. Venezuela was threatened with disorder; India, at worst, with secession. The Sikhs have never pledged themselves to throw India into the sea.

"Israel," opined the Economist, "cannot in fairness test itself against a standard set by China and Algeria while still claiming to be part of the West." This argument, heard all the time, is a phony. Israel asks to be judged by the standard not of China and Algeria but of Britain and France, of Venezuela and India. By that standard, the standard of democracies facing similar disorders, Israel's behavior has been measured and restrained.

Yet Israel has been treated as if this were not true. The thrust of the reporting and, in particular, the commentary is that Israel has failed dismally to meet Western standards, that it has been particularly barbaric in its treatment of the Palestinian uprising. No other country is repeatedly subjected to Nazi analogies. In no other country is the death or deportation of a single rioter the subject (as it was for the first year of the intifadeh, before it became a media bore) of front-page news, of emergency Security Council meetings, of full-page ads in the New York Times, of pained editorials about Israel's lost soul, etc., etc.

Why is that so? Why is it that of Israel a standard of behavior is demanded that is not just higher than its neighbors', not just equal to that of the West, but in fact far higher than that of any Western country in similar circumstances? Why the double standard?

For most, the double standard is unconscious. Critics simply assume it appropriate to compare Israel with a secure and peaceful America. They ignore the fact that there are two kinds of Western standards, and that fairness dictates subjecting Israel to the standard of a Western country at war.

But other critics openly demand higher behavior from the Jewish state than from other states. Why? Jews, it is said, have a long history of oppression. They thus have a special vocation to avoid oppressing others. This dictates a higher standard in dealing with others.

Note that this reasoning is applied only to Jews. When other people suffer—Vietnamese, Algerians, Palestinians, the French Maquis—they are usually allowed a grace period during which they are judged by a somewhat lower standard. The victims are, rightly or wrongly (in my view, wrongly), morally indulged. A kind of moral affirmative action applies. We are asked to understand the former victims' barbarities because of how they themselves suffered. There has, for example, been little attention to and less commentary on the 150 Palestinians lynched by other Palestinians during the *intifadeh*. How many know that this year as many Palestinians have died at the hands of Palestinians as at the hands of Israelis?

With Jews, that kind of reasoning is reversed: Jewish suffering does not entitle them to more leeway in trying to prevent a repetition of their tradegy, but to less. Their suffering requires them, uniquely among the world's sufferers, to bend over backward in dealing with their enemies.

Sometimes it seems as if Jews are entitled to protection and equal moral consideration only insofar as they remain victims. Oriana Fallaci once said plaintively to Ariel Sharon, "You are no more the nation of the great dream, the country for which we cried." Indeed not. In establishing a Jewish state, the Jewish people made a collective decision no longer to be cried for. They chose to become actors in history and not its objects. Historical actors commit misdeeds, and should be judged like all nation-states when they commit them. It is perverse to argue that because this particular nation-state is made up of people who have suffered the greatest crime in modern history, they, more than any other people on earth, have a special obligation to be delicate with those who would bring down on them yet another national catastrophe.

That is a double standard. What does double standard mean? To call it a higher standard is simply a euphemism. That makes it sound like a compliment. In fact, it is a weapon. If I hold you to a higher standard of morality than others, I am saying that I am prepared to denounce you for things I would never denounce anyone else for.

If I were to make this kind of judgment about people of color—say, if I demanded that blacks meet a higher standard in their dealings with others—that would be called racism.

Let's invent an example. Imagine a journalistic series on cleanliness in neighborhoods. A city newspaper studies a white neighborhood and a black neighborhood and finds that both are messy, the black neighborhood is cleaner. But week in, week out, the paper runs front-page stories comparing the garbage and graffiti in the black neighborhood to the pristine loveliness of Switzerland. Anthony Lewis chips in an oped piece deploring, more in sadness than in anger, the irony that blacks, who for so long had degradation imposed on them, should now impose degradation on themselves.

Something is wrong here. To denounce blacks for misdemeanors that we overlook in whites—that is a double standard. It is not a compliment. It is racism.

The conscious deployment of a double standard directed at the Jewish state and at no other state in the world, the willingness systematically to condemn the Jewish state for things others are not condemned for—this is not a higher standard. It is discriminatory standard. And discrimination against Jews has a name too. The word for it is anti-Semitism.

DANIEL ORTEGA—FATHER OF DESPAIR

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McEWEN. Mr. Speaker, today marks the birthday of George Washington, the Father of our Country.

George Washington led America in peace and prosperity for 8 years. He could have remained in office for a third term but rejected any notion that a democracy should be controlled by one man. For two centuries, the

Presidency and the Nation have flourished by following the good advice and example of George Washington, and the tradition of the peaceful transfer of power.

What a contrast we have in Nicaraguan President Daniel Ortega, who assumed power by deceit, retained power by force and terror, stole the 1984 Nicaraguan Presidential election, and is ready to steal another election.

For those of us who have bothered to take note, Danny Ortega is running again this weekend.

The Sandinista Party's platform calls for at least 4 more years—

Four more years of violent repression of dissenting voices;

Four more years of maintaining a huge army to strong-arm Nicaragua's peaceful neighbors;

Four more years of economic blight;

And 4 more years of Marxism in our hemisphere.

Freedom-loving people everywhere must demand a fair election. A fair election is unlikely in a nation where the Sandinistas are intimidating opposition candidates, forcing them to abandon their campaigns, and threatening the democratic opposition's election observers.

This body must repudiate Daniel Ortega, the father of Nicaraguan misery and despair. We must recognize and condemn his calculated, violent effort to ensure his reelection. Nicaragua deserves to be free.

IN HONOR OF FRANK R.J. WHITTAKER

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FAZIO. Mr. Speaker, I rise today to honor Frank R.J. Whittaker, past chairman of the Sacramento Neighborhood Housing Services' board of trustees, for his numerous contributions to assure the success of this grassroots organization through its formative years.

Mr. Whittaker, a native of Scotland, came to Sacramento in 1985, at the request of the late C.K. McClatchy, to become general manager of the Sacramento Bee, a position he filled until he was named president of the newspaper this year.

When a number of Sacramento's elected officials, business leaders, and I organized Neighborhood Housing Services in 1986, we asked Frank to help, and he agreed without hesitation.

Because Sacramento Neighborhood Housing Services was excluded from receiving funds from a statewide consortium of lending institutions, it became necessary to find alternative sources of operating income to assure the delivery of program services. In 1987, a Board of Trustees, comprised of major public and private sector representatives, was organized to conduct an annual fund-raising campaign. Since that time, Frank Whittaker has given leadership to not one, but two, successful fund raising campaigns.

His dedication to the Neighborhood Housing Services' public, private, and resident partnership has been an inspiration to other business leaders who have joined in providing the financial resources to deliver neighborhood services for the past 3 years.

The contributions Frank made as chairman of Sacramento Neighborhood Housing Services' board of trustees have set a standard for all future chairmen and members of this organization. It is indeed my pleasure to recognize Frank R.J. Whittaker for his service to the entire Sacramento community through his exemplary leadership of the Sacramento Neighborhood Housing Services.

A CONGRESSIONAL SALUTE TO J.T. McKINNEY IN HONOR OF HIS SELECTION AS MAN OF THE YEAR

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ANDERSON. Mr. Speaker, it is my pleasure today to pay tribute to my very close friend, J.T. McKinney, who is to be honored as the California Pools for the Handicapped, Inc.'s, "Man of the Year." I have the distinct pleasure of using this opportunity to express my personal appreciation for his tremendous commitment to his fellow man and years of service to our community.

J.T. was born in Texas, raised in Oklahoma, and came to sunny California in 1954. A man of humble beginnings, J.T. started making his name in the world with a $200 loan from his sister, with which he acquired one truck and embarked on his career in the transportation industry. Typically though, J.T. not only paid attention to his own affairs but to the needs of his industry through involvement in its principal organizations. He was chairman of the board of the California Truck Rental and Leasing Association [CATRALA], founding board member of the National Truck Rental and Leasing Association [TRALA], a founding member of the Alliance of State TRALA's, a board member of the American Truck Leasing Network [AMATRALEASE], and a board member of the Pico Rivera Chamber of Commerce, where he was named Man of the Year one year.

J.T.'s accomplishments extend well beyond his line of business. He is currently on the board of trustees of St. Mary's Hospital, a member of the board of directors of the Long Beach civil light opera, on the board of trustees of California Pools for the Handicapped, on the men's hospice action committee, and on the board of directors of the Rancho Dominquez Bank. I can't think of a more impressive list of life accomplishments.

My wife, Lee, joins me in extending our heartfelt congratulations to this intensely dedicated man. His continuing dedication to the needs of the community make him a worthy recipient of this distinguished honor. To no finer man could we have the pleasure of extending the deserved title, "Man of the Year." He is truly a man for all years. Lee and I wish him all the best in the years to come.

TRIBUTE TO AFRICAN AMERICANS' CONTRIBUTIONS TO AMERICAN BUSINESS

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to express my appreciation for the important contributions that African-Americans and especially African-American business organizations have made to America's stability and growth. In the 200 years since Richard Allen formed the Free African Society in Philadelphia to provide Americans of African descent with a forum within which they could give one another assistance and support, much has been accomplished.

Society as a whole has benefits from the innovative and entrepreneurial spirit of African-Americans. Inventions patented by African-Americans have raised the comfort level of each of us and enhanced the quality of life in America. Charles Drew discovered blood plasma, Jan Matzeliger revolutionized shoemaking with his lasting machine, Norbert Rilieux revolutionized the sugar industry, Lewis Latimer made important applications to the principles of electricity, and the list goes on, and on.

Despite the odds, organizations such as the National Business League, which was founded by Booker T. Washington 100 years ago and predates the U.S. Chamber of Commerce by 12 years, were the foundation for much of the process we realize today. I believe that special tribute is to go to former Congressman Parren T. Mitchell. He's someone for whom I hold a great deal of respect and someone I regard as Booker T. Washington's contemporary counterpart.

Thanks to Congressman Mitchell's foresight and determination, there is a Small Business Administration that offers technical assistance and support to both minority and smaller businesses. Within the Fourth Congressional District, I would like to recognize the dedicated work of Ms. Joanne Jackson, minority business enterprise coordinator for Anne Arundel County, and Mr. Dennis Brownlee, minority business enterprise coordinator for Prince Georges County, for their efforts to bring African-Americans in general and minority businesses in particular, closer to our shared goal of economic equality.

THE GLORIETA BATTLEFIELD

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RICHARDSON. Mr. Speaker, in May of each year thousands of dedicated Civil War enthusiasts and a broad range of interested observers travel to Glorieta, NM to witness a reenactment of the "Battle of Glorieta," the decisive battle of the Civil War in the Far West.

The Battle of Glorieta, often called the "Gettysburg of the West," occurred on March 28, 1862, at Glorieta Pass in northern New Mexico. Approximately 1,000 Texas Confederate troops engaged in a pitched battle against Union troops at Pigeon's Ranch on Glorieta Creek. The Confederates hoped to take Fort Union, a major Union supply point, and the last Union stronghold before Colorado. Although the Confederate forces eventually won the battle, the Union forces destroyed the Confederate supply train which was left 6 miles back at Johnson's Ranch. This forced the Confederates to retreat down the Rio Grande back to Texas. The Battle of Glorieta prevented the expansion of the Confederacy into the rich mining fields of Colorado and California. Except for fighting in eastern Kansas, the Civil War in the West ended at Glorieta Pass.

The significance of the Glorieta site was recently underscored by the discovery of a mass Confedrate gravesite containing the remains of at least 34 Confederate soldiers and numerous Civil War artifacts. The director of the Museum of New Mexico described the gravesite as "extraordinarily significant and very, very important historically." This discovery will greatly increase our knowledge of this pivotal battle and facilitate a great appreciation of the site by the general public.

Today, I am introducing legislation that would authorize the National Park Service to acquire approximately 753 acres of the Glorieta battlefield including the Pigeon's Ranch and Johnson's Ranch, by donation, exchange, or purchase. The Secretary's authority to acquire lands through condemnation would be limited to the 121 acres included in the core of the Pigeon's Ranch.

Mr. Speaker, most of the residents in the area I have described are already willing to sell or exchange their lands. The battlefield will be an important addition to the Nation's public park system. I urge my colleagues to support this legislation so that the Glorieta Battlefield may be preserved for the enjoyment of future generations.

BLACK HISTORY MONTH—HONORING IDA B. WELLS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, in February of 1926, Dr. Carter G. Woodson established "Black History Month" in order to honor the invaluable contributions made by black men and women to the culture and history of the United States. Over the years, our fine Nation has paused each February to honor these contributions which have furthered the cause of our Nation's ideals of "life, liberty and the pursuit of happiness." This occasion should not limit us to only recognize the contributions made on our continent, it also affords us the opportunity to recognize those made by black men and women across the globe. This is a month of bittersweet celebration, for it reminds us how far we have come on this journey, as well as how far we have yet to go.

One of the many significant figures deserving recognition for her contributions is Ida B. Wells, a civil rights activist in the late 1800's. Wells was born in 1862 into a society divided by racial hate and oppression, seeing first hand the sad effects of racial discrimination. Ms. Wells was secretary of the National Afro-American Council and was the first president of the Negro Fellowship League in Chicago and in 1909, she helped establish the NAACP. Through her tireless dedication and efforts in these organizations, she educated people about the horrors of discrimination and lynchings. Her heroic contributions to the civil rights movement influenced the easing of racial tensions at the beginning of this century, which in turn, made possible the needed reforms of the sixties.

Her actions educated the ignorant who sought to hold fast to their racial prejudices. Ms. Wells is being honored on a commemorative stamp in the black heritage series for the impact she had on the civil rights movement. The stamp features a portrait of Wells with a picket line in the background which symbolizes her perseverance to bring an end to the racially divided society. During this month rich in history, we should all take time to educate ourselves of the tremendous contributions Afro-Americans have made. Through the contributions of all Americans such as Ida B. Wells, we have furthered ourselves as a society which maintains its excellence through diversified achievements.

THE 1990 CELEBRATION OF NATIONAL TRIO DAY IN THE DISTRICT OF COLUMBIA

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FAUNTROY. Mr. Speaker, I am honored to rise in this noble Chamber to recognize that unique group of programs known as TRIO on the occasion of its National Day.

Talent Search [TS], Upward Bound [UB], Student Support Services [SSS], the Educational Opportunity Center [EOC] and Ronald E. McNair programs are federally funded educational opportunity programs that enhance postsecondary access, retention and graduation for minority and low-income citizens of this country. Together these programs serve as advocates for more than 450,000 low-income students (youth and adults) and work to eliminate perceived and realistic barriers to higher education. Admissions and financial aid guidance, career counseling, tutoring, pre-GED testing and cultural enrichment programs are but a few of the services offered by these programs to facilitate personal growth and prepare students for the future.

The 1990 celebration of National TRIO Day is especially significant in that this year marks the 25th anniversary of two of the programs, Talent Search and Upward Bound, both funded under the original Higher Education Act of 1965.

In the District of Columbia we have been extremely fortunate to have had two of the TRIO programs for 25 and 23 years respectively, Upward Bound at Howard University (1965) and the Educational Opportunity center (1967) in southeast (formerly Project O.P.E.N.) In addition to these two, we have an Upward Bound Program at Trinity College (1968) and Student Support Services Programs at Gallaudet University (1972), Howard University (1973) and the University of the District of Columbia (1971).

Each year TRIO programs in the Nations Capital help more than 4,000 low income, first generation and physically disabled residents begin or continue a program of postsecondary education.

TRIO Programs are educational opportunity programs that help low-income, disadvantaged students enter and succeed in college. They were established by Congress and are funded under title IV of the High Education Act of 1965.

While student financial aid programs are designed to help students overcome financial barriers to higher education, TRIO Programs help students overcome class, cultural and academic barriers to higher education. They provide information, academic instruction, counseling, tutoring and assistance in applying for financial aid.

For the foregoing, I celebrate the history of the D.C. TRIO Program, and pray God's continued blessing on the leadership and the fruit of their collective labors.

YOUNG ISRAEL OF PARKCHESTER, BRONX, NY

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SCHEUER. Mr. Speaker, I rise in recognition of Young Israel of Parkchester, an orthodox synagogue that is marking its golden anniversary on February 25. For 50 years, Young Israel has kept faith with the Jewish community in the Parkchester section of the Bronx. It continues to serve as a center of Jewish life—for prayer, Jewish study, and social activity.

Keeping Jewish traditions alive in the East Bronx through dedicated and devoted service to Jews of all ages has been the mission of Young Israel of Parkchester since its inception in 1940. As Rabbi Seymour Schwartz, the spiritual leader of Young Israel, has stated: "The building of a sanctuary does not end with the physical structure alone, it continues in the daily life of the Jew residing in our community, reaching out, stretching forth a hand to all who seek the spiritual nourishment provided by our synagogue."

Although its congregation, like that of many other tradition-bound religious institutions, has diminished in size, Young Israel remains as a beacon for those seeking spiritual guidance, be they congregants or unaffiliated Jews. Young Israel has retained its commitment to fostering an active Jewish communal life. The synagogue's efforts have helped instill in young people a deeper understanding of, and appreciation for, their faith and their heritage. Those in their golden years—who comprise the bedrock of Parkchester's Jewish commu-

nity—have been well served by a senior center operated under the auspices of Young Israel of Parkchester. The synagogue's Sabbath meal programs have brought the spirit of Shabbat to those who might not otherwise have experienced this religious ritual.

Through its highly successful adult education program, outreach to youth, women's league and men's club-sponsored Sunday morning breakfast programs, daily minyans, and special holiday programs and festivities, Young Israel is helping to keep the spirit of Judaism and of community alive in Parkchester.

All this obviously could not have been possible without the active support of a group of dedicated men and women committed to disseminating their spiritual values of orthodoxy. Among this synagogue's dedicated founders were Max and Ruth Spielberger. At its 50 anniversary dinner on February 25, the congregation of Young Israel of Parkchester will fittingly pay tribute to the Spielbergers for their untiring, noble efforts in building, supporting, and vitalizing their synagogue. The couple remain active congregants today and Max continues to raise needed funds with an uncommon fervor. Says one fellow congregant, "Max, in his quest for donations, makes a tax collector appear like a timid soul."

To Young Israel of Parkchester and to Max and Rose Spielberger, we say "mazel tov" on this important occasion and extend our best wishes for the future.

POPULATION ASSISTANCE

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Ms. SCHNEIDER. Mr. Speaker, we have all heard the predictions that the 1990's are destined to be known as the decade of the environment.

As signs of democracy flourish in East Europe and the Soviet Union there is great opportunity for shifting dollars now spent on troops and weaponry, to doing battle on the global environmental perils confronting us.

The industrialized world is responsible for a disproportionate share of fouling the global nest, and we are long overdue in moving from needless polluting to thoughtful stewardship practices.

Considerable environmental degradation also emanates from the developing world, and these problems will get worse because of the enormous growth in population projected for the coming decades.

Enforcement of rigorous environmental standards may be the most appropriate action for the highly industrialized nations, but the first line of defense against environmental destruction in the developing world is the stabilization of population growth.

The Third World is adding to the planet the equivalent of the U.S. population every 36 months, or the equivalent of China's population every 12 years.

It is precisely in these poorer nations where population pressures have taken the greatest toll. There is simply no way to isolate environmental problems from population growth.

In the developing world, firewood is still the primary source of fuel and will be for years to come. But firewood requires cutting down trees, which leads to soil erosion, flooding, and a cycle of resource degradation that, for most of the world's poorest countries, severely undermines economic development.

The National Academy of Sciences recently notified President Bush that population growth is threatening local and global environmental integrity.

World Bank President Barber Conable has repeatedly called upon all countries to increase funding for family planning services, warning that a burgeoning population will overwhelm even the mose successful development assistance.

The World Health survey of the World Health Organization estimates that if universal voluntary family planning services were provided to women who want fewer children, births would drop by one-third in Latin America and Asia, and by one-fifth in Africa.

It is noteworthy that abortions would decline in the wake of more extensive family planning services. Currently, a large fraction of deliberately terminated pregnancies result from women lacking access to modern birth control methods.

The bottom line is that voluntary family planning services make good sense. U.N. studies show that each dollar expended on these services reaps a sevenfold return on the taxpayers' investment in the form of improved maternal and infant health, and improved productivity.

Therefore, it stands to reason that the U.S. must get back into the effort, alongside other industrialized countries, to assist the less developed world in establishing a more equitable balance between its population, its environment, and its resources.

We have been, in effect, a sideline observer rather than a participant since some Government officials put forward the incredulous position some 5½ years ago that population growth does not have an impact on development one way or another.

Nothing could be further from the truth, and that is why I join with my colleague, Representative PETE KOSTMAYER, in introducing the International Voluntary Family Planning Act, which calls for $500 million per year for U.S. international population assistance—roughly a doubling from current U.S. expenditures.

This is a fiscally prudent investment that buys us more development for our tax dollars than virtually any other international assistance program.

Until quite recently population experts were telling us that by substantially accelerating family planning information, education, and services worldwide, global population could be stabilized at 8 billion.

Today, the U.N. estimates that unless immediate action is taken to significantly increase family planning, a stabilization will not be achieved until our human numbers reach 14 billion or more.

The net result of our past neglect combined with our continued neglect will be a world with nearly double the population than it might have been.

For the next 30 to 40 years, let us hope that the world will not be divided into teams playing demographic roulette. The game is much too dangerous, with our quality of life and the planet's health very much at stake.

MEDICAID AIDS AND HIV AMENDMENTS OF 1990

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. WAXMAN. Mr. Speaker, over the past year, one message has come through loud and clear about AIDS: The epidemic is not over yet. And, as far as health care costs and hospital programs, the worst is yet to come. For some time, we have all looked at numbers like 100,000 cases or 1 million infected Americans or averages of 2 to 3 hospitalizations per patient.

But now we are facing what those numbers really mean. They mean hospitals near bankruptcy. They mean overflowing emergency rooms. They mean rising public health care costs. They mean morbidity and mortality, death and disease among some of our youngest citizens and among many who have no access to health care at all.

AIDS is creating a crisis in access to health care, in financing health care, and in delivering health care. None of these problems is new. All of them are, however, made much worse and much more immediate and unforgiving with the tidal wave of patients that now need and will continue to call upon hospitals and community providers for help.

Medicaid has become a principal source of financing for this help. The Health Care Financing Administration estimates that 40 percent of all AIDS patients at some point become Medicaid beneficiaries. This comes about for a variety of reasons. Most common is that people with AIDS often lose their jobs and thus their insurance and quickly become poor in an effort to pay their health bills. In addition, the number of women and children with AIDS is growing and the disease is increasingly concentrated among many people who are the poorest of the poor, even before they became sick.

Today I am joining with a number of my colleagues in introducing legislation to make Medicaid respond more effectively to this epidemic. I hope to deal with a basic problem of getting early intervention drug services to poor patients while such services are still useful. I hope to assist those hospitals that are struggling with an overwhelming case load of AIDS patients who depend on Medicaid. I hope to begin to use Medicaid dollars to slow the shift of private insurance responsibilities onto public programs. And I hope to provide good home care for children with AIDS.

The first, and most far reaching, of these proposals is to give States the option to expand the eligibility for Medicaid to provide access to early intervention prescription drugs to low-income HIV-infected people.

Medicaid is not available to all poor people in the United States. In order to be eligible, a person must meet two requirements. First, the individual must meet the means test—both in

terms of annual income and total personal assets—established by the State.

Second, the individual must also fall into one of three basic categories: he or she must be over 65 or be a member of a family with dependent children or be totally disabled. Even if the individual is poor enough to meet the means test, if he or she does not meet one of these three criteria, then the individual is not eligible for Medicaid.

While some impoverished AIDS patients are undoubtedly eligible for Medicaid as elderly people or as mothers or children, most impoverished people with AIDS who are on Medicaid are eligible because they are disabled. In general, however, the Social Security Administration requires that a patient have full AIDS before he or she is considered disabled; patients with such a full AIDS diagnosis are presumed to be disabled.

Medicaid is not available for payment for early intervention drugs and services for HIV-infected people with no symptoms or with early mild symptoms. Since these people are not disabled yet, they cannot meet the standard for eligibility, no matter how poor they may be. If, however, they develop one of the opportunistic infections or conditions, they will be considered disabled and thus Medicaid eligible.

Thus, a person who is HIV-infected and has a severely compromised immune system (e.g., T-cells under 200) is recommended by National Institutes of Health [NIH] to be taking pneumonia prophylaxis and early AZT to prevent illness. That person is not, however, eligible for Medicaid assistance to purchase these early intervention drugs or to pay for physician visits or laboratory services for diagnosis.

When this person develops pneumonia, however, he or she meets the Centers for Disease Control [CDC] definition for AIDS, is presumed by the Social Security Administration to be disabled, and is eligible for Medicaid assistance to pay for the inpatient hospital care that is needed to treat the AIDS-related pneumonia.

The obvious problem is that while prescription drugs are available to slow or prevent disabling immune deficiency and its accompanying illnesses, most of the people eligible for Medicaid assistance are those who already have such immune deficiency and illnesses. The parallel financial problem is that while early intervention drugs cost less than hospital care, most HIV-infected people become eligible for Medicaid only when early intervention is too late and hospitalization is needed. (E.g., the cost of pneumonia prophylaxis is $1,100 per year; the average cost of hospitalizing an AIDS patient with pneumonia is $17,000 per admission.)

With such limitations, the Medicaid program serves poor HIV and AIDS patients badly, requiring them to get sick almost to the point of no return before assisting them with their health care. Similarly, the program serves hospitals badly by crowding them with AIDS patients whose pneumonia and other illnesses might have been prevented if early intervention had been provided. And, obviously, the program limits serve no financial interests, short-changing less expensive prescription drug care and thus driving up the need for costly inpatient hospital care.

The second proposal that we are making is to improve the Medicaid payment to hospitals that serve a large number of AIDS patients. It has been demonstrated that AIDS patients cost more for hospitals to care for than the Medicaid program in most States will pay. Recently published studies by the National Association of Public Hospitals show that, on average, revenues for AIDS patients are almost 20 percent below the costs of delivering inpatient care for those patients.

If we hope for hospitals to stay in business—not just to provide care for AIDS patients but also to provide acute care to all patients—then we have to make sure that the rising number of AIDS patients and their associated costs does not overwhelm the hospitals. We must, at a minimum, assure that the Medicaid program does not contribute to the problem.

The third proposal that we are making is to allow States to use Medicaid dollars to pay for Medicaid beneficiaries' continuation coverage under COBRA. By making it an allowable Medicaid expenditure for States to pay this premium for people who are otherwise eligible for Medicaid, we allow people to retain their full private health insurance at a savings to both State and Federal governments.

The final proposal is to allow States to use Medicaid dollars to provide home- and community-based care to children with AIDS. Long-term hospitalization for these children is clearly not the most therapeutic or even humane way of caring for them. If we can make it possible for parents, for foster families, or for charitable organizations to care for these sick children outside of such high-tech settings we should do so.

Clearly these proposals are not a panacea for the health care delivery problems that the epidemic is posing. Clearly we could do more for long-term care, for improvement of primary care, for psychosocial services, and for home- and community-based services for adults. But this is a starting point. If we can begin by making these changes to the financing system, it will prolong lives, save dollars, keep financially strapped hospitals afloat, and improve care for people with AIDS and all Americans. If we do not, our whole public health care system may be flooded with sickness, death, and bad debt, and the communities it serves will be devastated.

We must make the start.

I've included a summary of the provisions of the bill:

Optional Medicaid Coverage of HIV-Related Services for Certain HIV-Positive Individuals. States would be allowed to offer Medicaid coverage for certain services for low-income individuals infected with the HIV virus. If a State elects this option, it must cover the following services, to the extent that they relate to treatment of infection with the HIV virus or treatment for (or prevention of) opportunistic diseases relating to AIDS: (1) prescribed drugs; (2) physicians' services, outpatient hospital services, rural health clinic services, and Federally-qualified health center services; (3) laboratory services; (4) clinic services; and (5) case management services. To qualify for this coverage, an individual would have to meet the following criteria: (1) the individual has tested positively to be infected with the HIV virus and has an abnormally low immune function for which medical intervention is indicated to prevent decline in such function or to prevent opportunistic diseases related to AIDS; and (2) the individual's income and resources could not exceed the maximum amounts allowed, respectively, under the State's Medicaid program for a disabled individual. Unless they were otherwise eligible for Medicaid, these HIV-positive individuals would be eligible only for the services specified, and not for inpatient hospital care. This option would be effective January 1, 1991.

Adjustment in Payments to Hospitals for Individuals with AIDS. States would be required to increase payments for inpatient services delivered to Medicaid-eligible individuals with AIDS by hospitals serving high volumes of persons with AIDS. Hospitals meeting the following criteria would qualify for the payment adjustments: (1) the hospital qualifies as a Medicaid disproportionate share hospital under the State plan; (2) during the most recent calendar year the hospital's inpatient admissions with AIDS exceeded the lesser of 250 or 20 percent of its total admissions; and (3) the hospital has made a reasonable effort to reduce hospitalization of persons with AIDS by making arrangements to coordinate the care of these individuals with at least one of a number of specified outpatient service providers (such as community health centers, TB or STD clinics, or AIDS service demonstration projects). The payment adjustment would apply only to inpatient hospital services provided to Medicaid-eligible individuals with AIDS. The amount of the adjustment would have to equal at least 25 percent of the amount the hospital would otherwise be paid (including its Medicaid disproportionate share adjustment). States would have the option of broadening the eligible class of hospitals or increasing the payment adjustments. This requirement is effective July 1, 1991.

Providing Federal Medicaid Assistance for Payments for Premiums for "COBRA" Continuation Coverage for HIV-Positive Individuals. Under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), as amended by the Omnibus Budget Reconciliation Act of 1989, employers with more than 20 employees are required to offer employees who lose their jobs (and their families) the option of continuing coverage under the employer's group health insurance plan at the employer's group rate. If the employee was disabled at the time he or she lost his job, the employee may continue coverage for up to 29 months. During the first 18 months, the employee must pay 102 percent of the employer's group premium rate; from the 19th through the 29th month, the employee must pay 150 percent of the employer's rate. The bill would allow States to use Federal Medicaid funds, at their regular matching rates, to pay the premiums for "COBRA" continuation coverage on behalf of certain individuals. These individuals must (1) have tested positively to be infected with the HIV virus, (2) be entitled to elect COBRA continuation coverage, (3) have an income at or below 100 percent of the Federal poverty level ($5,980 for an individual in 1989), and (4) have countable resources (other than the home) that do not exceed twice the amount allowed under the SSI program ($4,000). The option would be effective January 1, 1991.

Optional State Coverage of Home or Community-Based Services to Certain Children With AIDS. Under current law, States can

obtain from the Secretary of HHS a waiver of limitations on the use of Federal Medicaid funds to enable them to purchase home- and community-based services to individuals with AIDS who are at risk of hospital or nursing home care. In order to receive this waiver, States must demonstrate budget neutrality. Under this provision, States would be allowed to offer Medicaid coverage for home and community-based services to low-income children under age 18 who have been diagnosed as having AIDS without obtaining a waiver or demonstrating budget neutrality. Home and community-based services would include case management, supervision or additional services for foster children or their parents, personal care, and respite care. The income and resource standards would be the same as those that would apply under the State's Medicaid plan if the child were in a hospital. This option would be effective January 1, 1991.

TRIBUTE TO FULLER E. CALLAWAY, JR.

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RAY. Mr. Speaker, I rise today to pay tribute to Mr. Fuller E. Callaway, Jr., a gentleman who has helped to make the Third District of Georgia such a great place to live. Mr. Callaway has spent his entire career with an eye toward helping others become established in business. He has done this by creating educational grants, endowing research projects, and offering financial incentives. Through his generosity, countless others have benefitted.

Mr. Speaker, I am proud to announce that a new magazine has recently come to life in the third district; it is called LaGrange magazine. By the quality of the first issue I am sure that it will be very successful. It is fitting that LaGrange magazine chose to honor Mr. Callaway with a picture on the cover of the first issue and by offering an excellent account of his life. I would now like to insert into the RECORD that article:

LAGRANGE FRIEND AND BENEFACTOR

(By Ed Crouse)

Neither the history of LaGrange nor the history of the Callaway family could be written without many references each to the other. To talk with the elder Callaways is to get an often exciting, often homespun glimpse into a mutually benevolent past.

If ever a city could be said to have a heart and spirit, it is LaGrange. And the heart and spirit of LaGrange is the Callaway family. For over fifty years, the city has been the beneficiary of Callaway largesse to an extent that literally boggles the mind. Schools. Parks. Hospitals. Churches. Band uniforms. Law enforcement. Charitable organizations. Medical research. Social programs. And on and on.

The patriarch of the family is Fuller Earle Callaway, Jr., ably assisted by his gracious wife, Alice Hand Callaway. Now in their golden years, Mr. Fuller and Miss Alice can look out from their gracious home on Vernon Street onto a city whose civic, educational, religious and cultural assets are a direct result of the Callaway generosity and belief in the strength and durability of their fellow citizens.

Mr. Fuller created the Callaway Foundation in 1943 to carry on in an orderly fashion the charitable work he no longer could do personally because of tax laws and legal restrictions. From that time until September 1988, the Foundation has made contributions from income to recognized religious, charitable and educational purposes, or the acquisition of facilities for those purposes, of over $120 million. Traditionally, most of that support has gone to the benefit of projects and people in LaGrange and Troup County. Over time, the Foundation has contributed, in unusual circumstances or degree of need, to deserving causes elsewhere in Georgia and throughout the United States. But, by and large, it is the local community that enjoys the greatest consideration.

Mr. Fuller is the son of Fuller E. Callaway and Ida Cason Callaway. He is Georgia born and educated and has been a local resident all his life.

"I was born in a house on West Haralson that my father bought for $1,250 cash. Even when I was a litte lad in school, my father was teaching me the lessons I would need for the years ahead. Not by preaching, but by example and experience.

"When I was fourteen, he took me with him on a business trip to Europe. We visited many countries. So I would learn different currencies, he made me treasurer for the trip.

"And one day he said to me, 'Baby,' (Since I was six, he called me Baby. Later on, our hands called me Mr. Baby.) 'Baby,' he said, 'I'll give you ten cents a week if you'll keep my shoes shined.' I agreed. I was always eager to earn hard money.

" 'But there are conditions,' he said 'That ten cents is not all yours. One penny belongs to the Lord. One penny is yours to go into savings. And the other eight cents is yours to spend wisely.' That's a lesson and a formula I've lived with all my life."

Young Fuller grew up in a home always warm and always busy. Allowances were unknown, but hard money for hard work was the norm. He idolized his mother, Ida, and loved and respected the father who was the foundation of the home.

"My father was a hard worker and a smart businessman, even though he never went further than a one-room, one-class schoolhouse. He earned his first hard money—five cents—when he was eight, as a waterboy at a barn raising.

"In town, he bought three spools of thread for that nickel and sold them to farm women in the community for five cents each. He was practicing what I learned later is 'place utility' in economics. With his fifteen cents, he bought nine spools and sold them.

"As he grew older, he walked the county with a pack on his back, having added to his household items. When he was twelve, he rented a farm with his own money . . . and worked it. Then he moved into town and worked at Bradfield's Store and saved five-hundred dollars, a fortune back then, by the time he was eighteen. Then he opened his own store in a rented building where Mansour's now stands on the square."

Mr. Fuller enjoys recounting stories about his father, who was an instinctive salesman, practicing clever merchandising programs as unknown then as they are common today. And Fuller, Sr. was aggressive.

On one occasion, when he was eighteen and legally unable to borrow money to operate his store, he personally lobbied the legislature in Atlanta to pass a resolution declaring he was of legal age! Armed with that document, affixed with the Great Seal of Georgia, he wheedled a thousand-dollar line of credit from Mr. Abrams, a local banker.

"Father didn't realize it, but he was operating on the British banking system, working with a line of credit rather than an outright loan so he didn't pay interest until he used the money. As I grew older, and entered the financial arena, I have done the same thing."

Fuller, Sr. was an eminently successful storekeeper. Very quickly, he adopted the concept of mass marketing. From a young German metalsmith named Conklin, he bought a freight car of kitchen utensils to bolster his standard inventory of goods. He sold out. Then from a Mr. Jim Cannon, who built the first terrycloth towel factory in North Carolina, Fuller, Sr. bought two carloads of towels. He sold those, too. Then he bought twelve carloads of a new kind of canning jar from a man named Mason in Indiana. Again, he sold out.

"Father believed in advertising. He once bought the whole front page of the newspaper and ran an ad saying, 'I sell everything a man needs to eat, to wear or to wash his face!' He had two big events every month in the store—a grand-opening sale and a great liquidation sale. Cheapest advertising in the world. Father's store had a lot to do with LaGrange's early growth. At the time Mountville and Greenville were bigger, as I recall. But a lot of families came to town on Saturdays 'to see what Callaway has.' "

Fuller Callaway, Sr.—still a young man not yet thirty—went on to build or buy and expand the Callaway group of companies that was to carry out virtually every phase of textile production. The name Callaway was recognized throughout the United States and Europe as a force in the industry.

"When my father was twenty-nine, he told his bookkeeper to figure out what he was worth. His net worth. The man did. It was a considerable figure. Father said, 'That's enough. No man needs any more. Every year that we exceed that figure, we will give away the difference.' That was the beginning of the Callaway Foundation."

HIS ADULT YEARS

Mr. Fuller followed in his father's footsteps practicing both the business acumen and philosophy of giving that was to add to both the family wealth and the Callaway philanthropies. Following graduation from the Georgia School of Technology (Georgia Tech) in 1926, he took employment at Valley Waste Mills, one of several dozen small, autonomous mills owned by Callaway. At one time or another, he served—often simultaneously—as an officer of all the Callaway facilities, including the Fuller E. Callaway Foundation that had been founded in 1923 as the Relief Association.

"Father used to help build churches out of his own pocket. He had a rule: anyone—white, black or spotted—who wanted to build a church in the LaGrange area would be given a plot of land and half the cost of the building. He wouldn't support the church's operation; that was up to the congregation. The people had to come up with half of the construction costs and they were on their own. After income taxes came in, he couldn't do that. That's when Father set up the Relief Association."

After the untimely death of Fuller Earle Callaway in 1928, elder brother Cason and Mr. Fuller undertook management of the far-flung Callaway interests. In 1932, they brought all the Callaway facilities under

one umbrella; they consolidated and streamlined and formed Callaway Mills, the entity that became a leader in the world textile industry. Its research and design specialists broke new ground in production, machinery, operations, products and sales. Still determined to follow his father's philosophy of giving, Mr. Fuller conceived the Institute of Textile Technology in Charlottesville, Virginia.

Mr. Fuller shocked his business associated by announcing he would, at age forty, take a ten-year leave of absence from the Callaway enterprises "to charge up my batteries and get a fresh perspective on what was important to me." He turned control of Callaway over to his old friend and confidant, Arthur B. Edge, Jr., and looked to interests outside the company. He tinkered with electronics. He took up painting and produced a good number of excellent seascapes, nature scenes and still-life oils. He took up the beef-cattle business and assembled a large herd of prize horned Herefords.

HIS UNIVERSITY TIES

Mr. Fuller has worked hard over the years to repay his "debt" to Georgia Tech. In 1946, with two other alumni, he founded the Georgia Tech Research Institute. With only three-thousand dollars seed money, the Tech Research Institute prospered and last year turned over to Tech over $100 million dollars.

"I was in my young twenties when I got interested in research. It is a foundation stone for a prosperous industry. I learned later that Georgia Tech, being a tax-supported state institution, could not do research. So three of us put in a thousand dollars each and founded the Georgia Tech Research Institute. Hired a young Tech graduate named Harry Baker to run it. We told him how long the job lasted depended on how good a job he did. He did extremely well. Made a career of it. Harry's dead now. The institute will turn over another $100 million this year. It supports all nineteen branches of science. Harry did extremely well."

Mr. Fuller kept his word and stepped back into harness in 1958. Under his leadership, the company thrived. Then, ten years later, after friendly negotiations, Callaway Mills Company was sold—for cash—to Roger Milliken, a strong and respected textile-empire builder of Spartanburg, South Carolina.

It is interesting to note that since Callaway Foundation was organized in 1943, no member of the family has ever received one penny in compensation or expenses from its coffers. But Foundation beneficiaries—most of them in and around LaGrange—have been awarded over $120 million!

Today, Mr. Fuller and Miss Alice enjoy the good life at their home on Vernon Street. The house was begun in 1914 and completed in 1916 on land bought from the Ferrell Estate by Fuller, Sr. He tore down the Ferrell house and built the mansion on the same spot to take full advantage of a grand five-acre boxwood garden planted originally in 1841 by Mrs. Ferrell. The original Mrs. Ferrell tended the garden meticulously until her death in 1903. Mr. Fuller's mother took up the garden in 1914, followed by Miss Alice, who admits the garden is "a love of my life."

Mr. Fuller is particularly proud of the fact that Georgia Tech now has in the design state a dramatic, ultramodern research building that will be named after him. Due largely to the support of the Georgia Tech Research Foundation and the support of industrial giants such as Southern Bell, IBM and Standard Oil, the university now is considered to be among the leaders in research and Number One in research in electronics and solar energy.

"They told me they wanted to name the building after me. My father always said, 'If you never name a thing for anyone that's alive, you'll never be sorry you did.' I said, 'You better wait till I'm dead.' But they said they'd do it whether I wanted it or not. I'm pleased. There is a building already on campus named for my father and another for my son, Fuller Earle Callaway, IL. He died in 1971."

To meet and talk with Mr. Fuller today is to enjoy a man who has lived long, accomplished much and given bountifully. He loves to reminisce. He tends to denigrate his contributions to his town—almost embarrassed when you mention them. He will tell you stories endlessly about his father and about his own adventures in business. And he appreciates the elements that have allowed him to succeed.

"I have always said if you could ever choose anything to inherit, it should be luck. You can be right in every way and have bad luck . . . and you're gone! You can be wrong in every way and have good luck . . . and you have it made! The second choice would be humor. I would rather have humor than an extra leg. Fortunately, I had two Irish great-grandmothers. Got a good helping of luck and humor from them."

And we all have benefitted.

THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. KASTENMEIER. Mr. Speaker, the Digital Audio Tape Recorder Act of 1990, which is being introduced today, has many significant implications for the copyright laws. The Judiciary Committee Subcommittee on Courts, Intellectual Property, and the Administration of Justice, which I chair, has jurisdiction over these laws. I speak here today to express my concern that because of the way the bill has been drafted, it will apparently not be referred to the Committee on the Judiciary for consideration of those copyright issues.

Copyright law represents a balance between the rights of creators and the interests of the public. This bill squarely and significantly implicates that balance, and in particular the issue of home-taping, which has been a controversial issue before my subcommittee for many years.

On the one hand, a digital audio tape [DAT] machine provides considerable benefits for consumers. It will enable them to make perfect copies of sound recordings that are in digital form. The Digital Audio Tape Recorder Act will, in certain important respects, limit the ability of consumers to use DAT machines to copy.

On the other hand, DAT technology poses serious concerns for holders of the copyrights in the underlying works. The recording industry has argued that consumers who are able to make perfect copies will no longer be interested in buying the underlying works from retail outlets; they will simply obtain them from other sources and copy them. The result will be a decrease in purchases, in financial rewards to creators, and in the ability of the copyright holders to financially support the creation of new works.

Hardware manufacturers have disputed this argument, contending that home-taping has stimulated the interest of music lovers, and has motivated them to buy more music than they otherwise would have. Studies commissioned by these parties have invariably contradicted each other. This situation led Senator DECONCINI, the chairman of the Senate Judiciary Subcommittee on Patents, Copyrights, and Trademarks, and me to request the Office of Technology Assessment to conduct its own study. That study, released last October, concluded that while the ultimate impact of home-taping on consumers and the affected industries is difficult to determine, the costs to the public of a ban might outweigh any offsetting losses to the music industry.

I am always concerned about the impact of new technology on the copyright laws, and about the availability of that technology to consumers. The Constitution authorizes the enactment of copyright laws that encourage the creative process by granting creators a limited monopoly. The ultimate goal is to promote "the progress of science and useful arts," and thereby ensure that the American public has access to these creative works. New technologies may enhance consumer access, or they may threaten to limit it. The Congress must review these innovations and, when necessary, must act to fulfill its constitutional mandate.

The proposed bill requires that a "serial copy management system" [SCMS] be incorporated into DAT machines. This system would permit consumers to make digital-to-digital first-generation copies of prerecorded music, but would prevent them from making digital-to-digital subsequent-generation copies of the copies. Certain exceptions are created, such as for noncopyrighted materials, and first and second-generation digital copying of analog material is permitted. Analog copying as a whole is not covered by the bill.

Last Congress, the recording industry supported legislation that would have required a copy-code scanner to be inserted into all digital audio tape machines imported into this country. The purpose of the scanner was to prevent taping of copyrighted music under certain circumstances. This was a controversial measure, with some opponents contending that the system would degrade the quality of the underlying music, would prevent taping when it should permit it, and would permit it when it should have precluded it. Senator DECONCINI and I requested the National Bureau of Standards to test the copy-code scanner; NBS concluded that these concerns were legitimate and that the system in fact suffered from these defects. I opposed the legislation, which died at the end of the 100th Congress.

Despite the failure of the copy-code scanner proposal, I strongly encouraged the parties, both proponents and opponents, to try to negotiate their differences. In Athens, Greece, last spring and summer, representatives of the

software and hardware manufacturers gathered for extensive negotiations that resulted in this bill. For the first time that I can recall, they are united in their strong support for legislation on the issue of taping of sound recordings. They deserve praise for their efforts to negotiate a solution to what seemed an intractable problem.

Even so, the proposal is not without controversy. SCMS is a purely technical solution. It does not address the issue of royalties for the copying of copyrighted material. Music publishers and songwriters, therefore, strongly oppose it. They argue that a technical solution is insufficient to protect their rights, and that any proposal must include a provision for royalties. In addition, they argue that the SCMS system is inadequate because any losses from home-taping stem from the very first-generation taping that SCMS permits, and not from the subsequent generation taping that it limits.

My subcommittee has considered the debate over royalties for many years. It is, both intellectually and politically, a difficult issue, and supporters of the idea have to date not been successful in convincing the Congress of its merits. In particular, consumers who would have to pay those royalties have objected strenuously.

I do not know whether the political tenor on the issue of royalties has changed and therefore express no opinion about it. I certainly understand the arguments of the opponents of this legislation, and believe that they must be thoroughly aired in hearings before the Judiciary Committee, which has the experience and expertise to consider these issues.

In addition, I have my own questions about the specifics of the SCMS proposal. For example, as I have noted, I have always had concerns about technical limitations on new technologies, supporting full access by consumers to those innovations. In addition, the SCMS agreement is intended to be worldwide in scope. The Congress must therefore make sure that its actions are consistent with those of its counterparts elsewhere in the world. I am aware, however, that the proposal is not without strong dissenters in Europe, and that royalty proposals are gaining strength there. Third, the bill incorporates by reference a lengthy technical document, prepared by the parties supporting the legislation. It does not set forth all required conduct within the statute itself. This raises delegation of authority, notice, and technical drafting questions. Finally, the Congress should consider whether it makes sense to enact legislation on a technology-by-technology basis, or whether a comprehensive approach to the issue of home-taping is more appropriate.

I also believe, however, that the parties to this agreement should be rewarded for their efforts. This proposal deserves consideration by the Congress. I have no doubt that the committee or committees that will receive referral will do an excellent job of considering the issues within their jurisdiction. I believe, however, that consideration of this bill is incomplete without a full and expert review of the copyright issues it raises.

THE FEDERAL CUSTODIAL RESPONSIBILITY PROTECTION ACT OF 1990

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. CONTE. Mr. Speaker, I rise today to introduce legislation that would release Federal agencies from Superfund liability whenever they buy in collateral at a foreclosure sale in order to hold the property in a custodial manner until resold. My bill, The Federal Custodial Responsibility Protection Act of 1990, seeks to remedy an adverse situation created for Federal departments, agencies, or instrumentalities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, better known as CERCLA or Superfund, in which Federal agencies who exercise their fiduciary responsibilities in order to minimize the Government's loss on a default may be held responsible for environmental cleanup costs.

The Federal Custodial Responsibility Protection Act of 1990 simply amends section 101(20)(A)(iii) of CERCLA to include a Federal department, agency, or instrumentality in exemption from the definition of "owner or operator" for purposes of liability whenever title or control is conveyed due to bankruptcy, foreclosure, tax delinquency, or abandonment. I am pleased to state that two of my distinguished small business colleagues, ANDY IRELAND and IKE SKELTON have joined with me in introducing this critical legislation.

Mr. Speaker, I first became aware of this problem when the Small Business Committee held a hearing on Superfund liability and its impact on financing for small business. This hearing, which was chaired by our distinguished chairman, JOHN LAFALCE, determined that lending institutions are unwilling to finance businesses located near possible contaminated sites because under CERCLA they can be held liable for the entire cost of the cleanup plus damages even if they were not a direct party to the waste problem. Chairman LAFALCE has introduced legislation, H.R. 2085, of which I am the first original cosponsor, that would allow banks to foreclose without CERCLA liability. H.R. 2085 would also exempt the fiduciary from exposing its own assets to CERCLA liability. Passage of H.R. 2085 would restore lender confidence in the value of land and greatly aid small businesses, whose greatest collateral is frequently land, in obtaining financing necessary for growth and competition.

A key panelists at that hearing was Sally B. Narey, General Counsel, U.S. Small Business Administration who discussed the issue of CERCLA implications for the SBA, indeed all Federal agencies. My bill, The Federal Custodial Responsibility Protection Act of 1990, was introduced as a direct result of her testimony. With a minimum of words and a lawyer's understanding of the complexity of the issue she presented testimony that succinctly addresses the problem. I enclose for the RECORD a copy of her testimony and urge all my colleagues to join with me and my small business colleagues ANDY IRELAND and IKE SKELTON in cosponsoring The Federal Custodial Responsibility Protection Act of 1990.

STATEMENT OF SALLY B. NAREY, GENERAL COUNSEL, U.S. SMALL BUSINESS ADMINISTRATION

I want to thank the Committee for the opportunity to address the issues raised by Chairman LaFalce in his recent letter to Administrator Engeleiter. At the request of the Administrator, it is my privilege, as General Counsel of SBA, to appear before this Committee today on behalf of the Agency. The focus of this hearing is of great interest. The Small Business Administration has heard from small businesses about the problems which have arisen for them and their lending institutions under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, or, as it is more commonly known, CERCLA or Superfund. They have also expressed complaints about similar problems created by other related federal laws, and by numerous environmental statutes which have been adopted by the states. These problems are of significance to SBA because they directly impact upon our programs of financial assistance to small businesses. It is clear that solutions to these problems are urgently needed.

IMPLICATIONS FOR LENDERS AND SMALL BUSINESSES

Under Section 107(a) of CERCLA, among those persons who may be held to be liable for the cleanup costs of a hazardous waste site, are the owner or operator of that site. The application of that provision in the lending context has caused such concern among lenders to small businesses that it has diminished their interest in making financing available. It has resulted in a growing reluctance by lenders to extend loans to small businesses out of the fear that if a small business should fail, and its lender take possession of the debtor's assets through foreclosure, settlement, or a bankruptcy proceeding, the lender, as an "owner" under CERCLA, is likely to be required to bear the costs of any necessary environmental cleanup.

Because of this potential liability, a prudent lender will often request an environmental audit of the potential borrower's property upon submission of a loan application. This can cost several thousand dollars. Small businesses, certainly those seeking SBA financial assistance, generally do not have sufficient funds to incur the cost of such audits and may be deprived of the opportunity for financing. On the other hand, if lenders finance these audits, it is likely that interest rates on loans to small businesses will rise to offset the cost. If this should occur, some otherwise creditworthy small businesses may simply not be able to bear the costs of higher periodic loan payments and, as a result, may not be able to afford financing.

Additionally, small businesses, especially fledgling enterprises, are likely to benefit from their lender's financial and entrepreneurial advice after a loan has been made. The lenders also want to keep an eye on such businesses. Yet, out of concern that they may be viewed as participating in the day-to-day operation of the borrower to such a degree as to be considered an owner or operator liable under CERCLA, lenders may determine that it is best not to offer advice to inexperienced small businesses. If unable to protect their investments, these

lenders may simply decide not to extend financing.

Finally, many small businesses have little collateral beyond land, buildings, machinery and equipment. But those are the very items of collateral most likely to be tainted if hazardous waste is, or becomes, present on the property. Once again, a lender may seek to avoid involvement in a loan to a small business for fear that the collateral obtained to secure such a loan is likely to become tainted and, ultimately, become valueless or give rise to cleanup costs should the lender take ownership of the collateral. As you are aware, cleanup liability can be imposed without any degree of fault on the part of the lender. This potential outcome may be sufficient to dissuade many lenders from ever getting involved in loans to small businesses.

IMPLICATIONS FOR SBA

If a small business cannot obtain a loan from a bank, it may seek an SBA-guaranteed or direct loan. SBA itself does not have the expertise or funds to conduct environmental audits to determine the propriety of Agency involvement in a particular loan transaction. Similarly, if a participating lender asks SBA to honor its guaranty and buy its share of a guaranteed loan, SBA has no ability to determine if the bank has acted prudently in its treatment of environmental issues. Nor is SBA able to discern if the collateral for the loan has become tainted during the life of the loan. Finally, we note that at least one court case has raised the issue of potential cleanup liability as a result of advice provided a borrower by SBA employees.

SBA is currently faced with potential cleanup liability once it buys in collateral at a foreclosure sale upon default of an SBA borrower. When SBA honors a guaranty the collateral for the loan is assigned by the lender to SBA and either the Agency or the lender, acting at the request of the Agency, proceeds to liquidate the collateral. When SBA liquidates a direct loan it proceeds on its own with respect to its collateral. Often it is deemed appropriate by SBA that it buy in collateral at foreclosure in order to hold the property in a custodial manner for future resale in order to minimize the government's loss on the default.

Under CERCLA and other similar laws, it is possible that such buy ins by SBA may make it the owner of the subject property and, as a result, potentially liable for cleanup costs. Even though the SBA is a government lending agency, mandated to become involved in risky loans, mandated to attempt to minimize the government's loss upon a borrower's default, and certainly not motivated by profit, SBA may be found to be a party responsible for Superfund cleanup costs.

SBA does not buy in property for the purpose of building up a portfolio. SBA does not hold property for proprietary reasons. SBA takes possession of collateral and holds it in a custodial manner in an effort to secure a later recovery for the government. SBA attempts to sell such bought in property as quickly as possible.

Mr. Chairman, the problems I have outlined are very real. SBA is presently finding itself involved in hazardous waste sites around the country as a result of its loan programs. In one situation, where SBA obtained collateral through foreclosure, we are now being sued by a state environmental agency. SBA now faces the possibility of sending unknown amounts of money for site cleanups simply because of foreclosure actions taken to minimize the government's loss following the default of a small business borrower. We have apprised EPA of our concerns, and we are pleased to have the opportunity to express them to you today.

This concludes my prepared remarks. I will be pleased to answer any questions you may have.

THE CONGRESS MUST CONDEMN THE OUTRAGE OF ANTI-SEMITISM IN THE SOVIET UNION; SUPPORT HOUSE CONCURRENT RESOLUTION 264

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. LANTOS. Mr. Speaker, the astounding changes which are taking place in the Soviet Union—which have brought democracy, pluralism, and much-needed economic, social, and political reform to Eastern Europe—have been welcomed by peoples around the world. But those same changes have unleashed forces within the Soviet Union that are cause for serious alarm, not only for enlightened Soviet citizens, but for friends of human rights everywhere. The greater openness in the Soviet Union and the instability and uncertainty produced by the changes taking place under Mikhail Gorbachev have encouraged the rise of an assertive and extremist right-wing, which has led to a most disturbing and destructive revival of Russian anti-Semitism.

In the Washington Post of February 18, Vitalii I. Goldanskii, a prominent Soviet scientist, director of the Semenov Institute of Chemical Physics of the prestigious Soviet Academy of Sciences, and a member of the Soviet parliament and its foreign relations committee expressed his serious concern in terms that demand our attention:

Too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-Semitic groups that seek to subvert perestroika, to blame the country's past and present problem on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

According to Professor Goldanskii,

These extremists are flourishing in the climate of spite, envy, scapegoating, and hatred,

And they

Openly and widely condemn the Jews as the main culprits in all the troubles of Russia from the October revolution of 1917 up until the present—including the genocide against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges. . . . They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making reference to the disgraceful hoax, "The Protocols of the Elders of Zion."

The best known of these extremist Russian nationalist groups, *Pamyat*—which academician Goldanskii refers to an "equivalent to Hitler's SA and SS"—refers to Jews by the insulting term zhidy [yids] and has been organizing well-attended meetings throughout the Soviet Union to call for pogroms. In addition to anti-Semitic rallies, the extremists have desecrated Jewish cemeteries and disrupted meetings of intellectuals.

Mr. Speaker, in view of these vicious anti-Semitic actions by growing numbers of individuals and groups in the Soviet Union, it is essential that we unequivocally go on record as being opposed to these racist outrages. A few days ago with my distinguished colleague from Colorado, Mr. BROWN, I introduced House Concurrent Resolution 264 condemning popular anti-Semitism in the Soviet Union. I urge my colleagues to join us as a cosponsor of this legislation.

In view of the appalling rise of anti-Semitism in the Soviet Union, we must go on record against these outbursts. Our Nation—which has been the leading advocate for human rights and respect for the dignity of all men—must take all action necessary to stop these acts of harassment and violence.

Mr. Speaker, I insert the text of our resolution in the RECORD, and I urge my colleagues to join in supporting its passage:

H. CON. RES. 264

Whereas the emergence of popular anti-Semitism in the Soviet Union is of great concern to the United States;

Whereas the more than 2,000,000 Soviet Jews constitute the third largest Jewish community in the world;

Whereas throughout the Soviet Union, anti-Semitic sentiment, including demonstrations by Pamyat, a nationalist anti-Semitic organization, statements by electoral candidates, threatening phone calls and letters, and harassment of Jews, is becoming commonplace in certain Soviet cities;

Whereas on January 18, 1990, a Moscow writers' meeting was disrupted by a group of individuals shouting anti-Semitic statements;

Whereas many Soviet Jews live in fear of violence, intimidation, and harassment;

Whereas the Anti-Defamation League conducted an 11-day investigation into anti-Semitism in the Soviet Union, and has concluded that the situation poses a serious threat to the Soviet Jewish community; and

Whereas the Soviet Government has not responded forcefully to the rise in popular anti-Semitism: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President of the United States should urge President Gorbachev of the Soviet Union to—

(1) publicly condemn the emergence of popular anti-Semitism in the Soviet Union; and

(2) take whatever measures are necessary to protect Soviet Jews from acts of harassment and violence.

A TRIBUTE TO IMOGENE GERLACH

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. MCEWEN. Mr. Speaker, it is with great pleasure that I rise today to recognize Imogene Gerlach of Wheelersburg, OH, who on

Monday, February 26, is celebrating her 50th anniversary as an employee of GTE North Inc. I join with all of her coworkers at GTE in Portsmouth by expressing pride in her years of tireless effort to serve her community.

Mrs. Gerlach began her career as an operator with the Portsmouth Home Telephone Co. in 1940. She later became an assistant chief operator with the Ohio Associated Telephone Co., and she now serves as an office assistant in the outside plant engineering department of GTE in Portsmouth.

Mr. Speaker, though telecommunications has been one of the fastest growing and most technical industries in our country over the past half-century, we must all remember that it was the service and dedication of people like Imogene Gerlach that made our phone system the best in the world. I urge my colleagues to join me today in commending Mrs. Gerlach for her dedicated and tireless service as a phone company employee for the past 50 years.

IN HONOR OF COL. JOHN THOMAS LAWELL

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to Col. John Thomas Lawell who is retiring after 30 years of dedicated service to the U.S Air Force.

Originally from Indiana, Colonel Lawell was commissioned into the Air Force in 1960 through the Air Force Reserve Officers Training Program immediately upon graduation from Indiana University with a bachelor's degree in business administration. He entered pilot training at Bainbridge AFB, GA, and completed his training at Reese AFB, TX. Upon completion of pilot training, Colonel Lawell was assigned to Travis AFB, CA, where he was a C–124 pilot, a C–141 pilot, and he also piloted the C–5A aircraft. In 1969, he went to Wake Island as the air operations officer and then returned to Travis AFB in 1970 serving first as chief of aircraft maintenance quality control and then as commander of the organizational maintenance squadron.

In 1974, Colonel Lawell was assigned to Lajes Field in the Azores where he served as chief of maintenance. In 1976, Colonel Lawell earned his master's degree in management and supervision from Central Michigan University and, in the same year, attended the Air War College. He was reassigned in 1977 to Scott AFB, IL, where he served as the chief of the avionics systems division and then as the chief of the weapons systems division. His next assignment was at the Pentagon in May 1979 where he served as chief of the combat aircraft branch and then as chief of the maintenance policy division.

Colonel Lawell became the deputy commander for operations at the 437th Military Airlift Wing at Charleston AFB, SC, in 1981. Later that same year, he assumed the position of deputy chief of staff for operations at the headquarters of the 21st Air Force at McGuire AFB, NJ, and subsequently became the commander of the 438th Military Airlift Wing at McGuire AFB. In 1983, he was appointed deputy chief of the combat logistics division in the directorate of logistics plans and programs in the office of the deputy chief of staff for logistics and engineering at the headquarters of the U.S Air Force.

In June 1985, Colonel Lawell became the inspector general at the Sacramento Air Logistics Center. In August of that same year, he became the first director of Environmental Management, the first dedicated environmental organization in the U.S. Air Force. Under his direction, McClellan AFB's Office of Environmental Management has excelled and became a leader within the Air Force and the Department of Defense.

In response to a serious threat to local ground water supplies and private wells on the northwest side of McClellan AFB, Colonel Lawell, through his work with the McClellan Ground Water Task Force in 1986, initiated a hookup of over 560 off-base residents to a local city water supply. In addition, he oversaw the implementation of a state of the art ground water extraction-treatment system in 1987 to contain the contamination under the base.

Colonel Lawell has also managed the development and implementation of a base hazardous waste minimization program which has achieved a 57-percent reduction in hazardous waste generation in only 5 years. As a result of this successful program, McClellan AFB was selected as the Air Force winner of the Gen. Thomas D. White Award for Environmental Quality.

Colonel Lawell led the Air Force in signing the first ever interagency agreement between three Air Force bases, the Environmental Protection Agency, and the State of California. He also coordinated the implementation of a chemical reduction program which reduces the amount of hazardous chemicals brought onto the base, manages and tracks all hazardous chemicals used at McClellan, and incorporates an innovative system to calculate all hazardous air and water emissions.

Colonel Lawell has demonstrated his extraordinary leadership skills by providing extensive support of Air Force operations, in managing the environmental responsibilities for one of the Air Force's oldest and largest industrial facilities, and by excelling as a command pilot with over 6,000 flying hours in the C–124, C–131, C–141, C–5A, T–33, and T–37 aircraft. In addition, Colonel Lawell has received the Department of Defense Meritorious Service Medal, the Air Medal with one Oak Leaf Cluster, the Air Force Commendation Medal with three Oak Leaf Clusters, the Air Force Humanitarian Service Medal, and the Combat Readiness Medal. The superb leadership, outstanding dedication, and ceaseless efforts of Col. John Thomas Lawell culminate a distinguished career in the service of his country.

A CONGRESSIONAL SALUTE TO SISTER MARY LUCILLE DESMOND IN HONOR OF HER SELECTION AS HUMANITARIAN OF THE DECADE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to a dear friend and outstanding citizen, Sister Mary Lucille Desmond, in honor of her selection by the California Pools for the Handicapped, as "Humanitarian of the Decade." It has been an absolute pleasure and privilege to have known Sister Mary Lucille the past few years and I can think of no individual more deserving of this prestigious award. By virtue of her kindness toward others, her commitment to the needs of the sick, and her unflinching dedication to the betterment of mankind, Sister Mary Lucille stands as an inspiration to all those who have ever known her. It is for this reason, I would like to tell you a little about her.

Sister Mary Lucille was born in County Cork, Ireland, the Isle of Saints and Scholars and I believe dedicated nuns, and entered the congregation at age 16. Pursuant to completing 1 year of initial spiritual studies, she went to the Motherhouse in Houston for completion of religious formation and theological studies.

After making religious perpetual profession of vows in the congregation, she attended Loyola University in New Orleans to finish work on her doctorate in hospital pharmacy. She later served as director of pharmacy in congregational health-care facilities both in Houston and in Lake Charles, LA. In the late 1960's she was sent to study hospital administration at St. Louis University and on completion of those studies became president and CEO at St. Patrick Hospital, Lake Charles, LA, and subsequently, CEO of St. Mary Medical Center in Long Beach, where she continues to be very active in the community.

My wife, Lee, joins me in extending our heartfelt congratulation to Sister Mary Lucille Desmond and we wish her all the best in the years to come.

MARYLANDERS CONTRIBUTE TO BLACK HISTORY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, as we commemorate Black History Month, I would like to take this opportunity to bring your attention to the rich contributions made to black history by Marylanders. Residents of my State and the Fourth Congressional District have contributed to the achievements, the heritage, and to the character of American history and black history in particular.

As Marylanders, we don't have to look long or far for the accomplishments and great deeds of black Americans from our State. In

fact, three of the most noted black Americans in history, Benjamin Banneker, Frederick Douglass, and Harriet S. Tubman, all hail from Maryland. Christian Fleetwood, a "free man of color" and college graduate was the recipient of a Congressional Medal of Honor for his bravery during the Civil War. Henry Blair, of the Eastern Shore, inventor of a seed planter, was the first black American to receive a patent from the U.S. Office of Patents.

The list of contributions made by black Marylanders is extensive and due in part to the fact that by 1830, our State had the largest number of free blacks than any State in the Union. By 1860, blacks constituted one-third of the State's population. The Maryland Abolition Society, formed in 1789, was only the fourth such society organized in this country. Its work made a significant impact on the dismantling of that system here in our State in 1864, as well as nationally.

There's a great deal of local history in Anne Arundel County as well. Kunta Kinte, made famous through Alex Haley's book "Roots," arrived in the Port of Annapolis on the *Lord Ligonier* in September 1767. The area we now call Historic Annapolis was the hub of activity for many black artisans and businessmen. Following the Civil War, the former Camp Parole became a popular settlement area for newly freed men and is still one of the most stable and respected communities in the city of Annapolis today.

The first school for blacks in the county, the Freedmen's Bureau, was established in 1865 on Muddy Creek Road in south Anne Arundel County. Supported by Federal funds, it founded the Stanton School in the Parole area of Annapolis in 1867. When the original school closed in 1870, black residents rallied to save the Parole site, purchasing land and moving it to West Washington Street in Annapolis. The original Freedmen's Bureau is now the site of the Ralph Bunche Community Center, and the former Stanton School now a community recreation center. The Free School had the distinction of being the oldest school in continuous use for the blacks in the county and was never a part of the public school system.

Over the span of our Nation's history, black Marylanders have made enormous contributions to our heritage. By remembering their achievements over the past 200 years, we are reminded of how far we've come as a nation.

INTRODUCTION OF THE UNITED STATES-PANAMA FREE TRADE BILL

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RICHARDSON. Mr. Speaker, the nascent democratic Government of Panama is struggling to rebuild its devastated economy and democratic institutions. As Panama rises from the depths to which it was taken by Manuel Noriega, our two nations' close historical ties dictate that the United States play a critical role in Panama's revival. For this very reason, I am today introducing legislation directing the President to pursue negotiations to initiate a free trade agreement with the Government of Panama.

Six years of Noriega's corruption-infested rule, coupled with the damage of United States sanctions and invasion, and subsequent looting, have left Panama's economy, particularly the private sector, in ruins. The final years of Noriega's rule saw economic production decline by as much as 25 percent. Similarly, fully one-quarter of the population is unemployed. To make matters worse, Panama's foreign debt, which stands at $4 billion, is one of the world's largest per capita. These numbers only hint at the task which lies ahead of the Panamanian people and the government of President Guillermo Endara.

The United States has already taken important steps toward aiding Panama. On February 7, the House and Senate approved a package of $42 million in aid and removed sanctions, imposed in 1988, making Panama eligible for loans and investment credits. President Bush will soon present Congress with a larger package of aid for Panama, totaling nearly $500 million. Both of these packages are critical to Panama's future. I am most heartened that Congress is addressing the Panamanian situation on a level of high priority.

But it is important to understand that United States economic assistance packages will not immediately "jump start" the Panamanian economy, particularly the private sector. Our aid will primarily be used to repair Panama's dilapidated infrastructure. For example, of the $42 million package recently approved, nearly $30 million will go to build housing and public works projects. In light of Noriega's neglect and damages incurred during the invasion, these projects are badly needed and have high priority. Their effect, however, will not immediately impact the private sector. Not until public works projects are well underway or completed will Panama's private sector reap the benefits of United States aid.

A free trade agreement would assure Panama's private sector grows and develops simultaneously with Panama's public sector. Such a free trade agreement would quickly begin to pay dividends. Due to its unique tax, banking, and corporate laws, foreign investors long poured capital into Panama until Noriega's actions isolated the country both politically and economically. Duty-free status for Panamanian goods headed to the United States would again make Panama an attractive center for foreign investors.

Increased foreign investment, in turn, would help address two of Panama's other major problems; unemployment and foreign debt. The private sector, fueled by foreign capital and unimpeded access to U.S. markets, will undoubtedly grow and provide the jobs Panama's young and growing population desperately needs. As more of its citizens are employed and the private sector strengthens, the Panamanian Government would be better able to resolve its balance of payments crisis without neglecting the needs of its people.

Mr. Speaker, Panama is at a critical juncture in its history. We must do all that is possible to assure Panama benefits from a growing and stable economy. We would expect economic stability and growth to translate into political stability—a growing economy would help Panama avoid the problems of Latin America's other fledgling democracies, desperately attempting to consolidate democratic institutions in the face of economic disaster.

The United States has already moved to restore Panama to the generalized system of preferences and the Caribbean Basin Initiative. While these programs are tremendously important, my legislation calls for a more comprehensive agreement between our two nations. Under the Omnibus Trade Act of 1988 the President was given the authority to enter into negotiations with nations to reduce trade tariffs and other barriers. The legislation I am introducing today encourages the President to exercise that very authority with the nation of Panama.

Mr. Speaker, United States foreign assistance will be critical to Panama's economic revitalization. By coupling this assistance with a free trade agreement, we would give Panama's private sector similar assistance and, in effect, help the Panamanians help themselves.

IN MEMORY OF GEORGE SAENZ

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to speak today about the war on drugs from a perspective which is slightly different than that which is usually discussed. The unusual battlefield which the war is being fought upon is not acknowledged and recognized.

In the particular battlefield to which I refer, the combatants are usually anonymous, and for good reason. Anonymity is necessary to protect their identity because of the particular way they must fight the war. I am talking about the drug war being waged in the skies over our borders by the U.S. Customs Service. Without fanfare, but effectively, the Customs Service Aviation Operation has been serving notice on airborne smugglers that if they try to bring drugs into our country by air, they are going to get caught and be prosecuted. And they have been caught and prosecuted. But, regrettably, not without a price. At times that price has been tragically high.

Today, I recognize and pay tribute to a fallen warrior in the war on drugs. His name is George Saenz, a pilot for the U.S. Customs Service Miami Aviation Operations Branch.

On November 2, 1989, George Saenz entered a Customs enforcement operation from which he never returned. At about 9:30 p.m. on that fateful evening, a Black Hawk helicopter on an enforcement mission crashed into the Atlantic Ocean. Six crewmen were aboard; five were rescued. The sixth man, copilot George Saenz, could not be accounted for and was listed as missing. A massive air/sea rescue effort was launched. All possibilities were explored. The missing pilot was never found—a catastrophic result of the war on drugs.

Few of us in this esteemed body knew George Saenz personally. As a Customs Service pilot in Miami, he was well known as a member of a distinguished group of dedicated professionals who, voluntarily, have taken on

the deadly responsibility of stopping airborne smugglers in their quest to enslave for profit.

George Saenz was exemplary of the American tradition that says we see a situation that is hurting the American people, their children, their families, their futures. It must be stopped. George Saenz accepted his commission with all of its risks, as Customs Service pilots do, day after day. Unfortunately, he paid the ultimate price.

I had the high honor of knowing George because he was the pilot during a demonstration interception mission of the U.S. Customs Service which I participated in this summer. He was a man of much integrity and devotion to his job and he is sorely missed by all of the fine men and women of Homestead Air Force Base.

I would like to take this moment and extend my personal condolences to Mr. Saenz's wife, Laurie, their two beautiful children, Melanie and Elaine, and all of the members of his family. There is no more noble calling than to dedicate one's life to the service for his country and his countrymen. George Saenz will be missed dearly, but not forgotten. We must never forget the fallen soldiers in the war on drugs.

THE 1990 HISTORICAL HERITAGE CELEBRATION

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FAUNTROY. Mr. Speaker, I rise to bring to the attention of the Congress the fact that on Monday, February 26, 1990, the annual Heritage Symposium will be held in the Blackburn Auditorium at Howard University in Washington, DC.

The symposium is being organized by the Heritage of Afro-American Beauty and Barber Industry, Inc. The Heritage was established and incorporated in the District of Columbia on July 11, 1988. The symposium, an annual event, will focus on promoting unity, education, history, culture, and economic development. This focus is consistent with the goals of the symposium; to chronicle the history of the Afro-American beauty, barbering, and manufacturing industry, while being dedicated to research, study, and the dissemination of historical information to schools, libraries, archives, and museums.

The symposium promises to be informative and fascinating. There will be presentations on the historical origin of beauty, barbering, and manufacturing from ancient to modern times. There will be displays of historical artifacts and information about early pioneers in the industry.

Proud Lady Cosmetics and Products will present a film and an exhibition. Many notables will be in attendance, including officials from the Education Bureau of the Embassy of Egypt. Models will feature fashions, hairstyles, and makeup from early to modern times. The event will be an exciting exploration into the rich historical past of an industry which traces its roots back thousands of years to the beginning of time.

I urge all Members to consider this program which seeks to "Link the past—with the present—for the future."

NATHAN KOLODNEY HONORED FOR HIS COMMUNITY SERVICE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SCHEUER. Mr. Speaker, we all believe that education and community service are valuable pursuits, and I would like to take this opportunity to recognize a citizen of my district, Nathan Kolodney, who has dedicated his life to both.

Nathan Kolodney is completing his 11th year at the Bronx House Jewish Community Center and his 10th year as its vice president. Bronx House serves as an important cultural and educational organization in our community and under Mr. Kolodney's leadership, its programming has been expanded and enhanced. It has not been easy. Private and public bureaucracy are not always immediately amenable to the achievement of goals, even those as noble and necessary as those of Bronx House. But patience and hard work have prevailed, and Nat will continue for at least another 10 years to persevere in helping all the residents of the Pelham Parkway community. In addition to his work at Bronx House, Mr. Kolodney is a founding member and chairperson of the Bronx Council of United Jewish Appeal Federation agencies and a founding member and officer of the Neighborhood Initiatives Development Corp.

This weekend we honor Mr. Kolodney for his current efforts to raise funds through Bronx House to support the postelementary education of Jewish children in Yeshivas and Hebrew schools throughout the Bronx. Very recently, hundreds of Russian Jewish immigrant families have settled in our Pelham Parkway community. Recognizing the importance of Jewish education in preserving their cultural and religious heritage, these families want very much to enable their children to receive Jewish educations. However, this education is very expensive and few families can afford it, making scholarship assistance essential if this proud tradition is to continue. Through Nathan Kolodney's current fundraising efforts at Bronx House, this dream will become a reality for many in our Pelham Parkway community.

On behalf of the citizens of my district, I take this opportunity to personally thank and honor Mr. Kolodney for his lifetime of selfless and generous work.

A TRIBUTE TO ART ST. GERMAIN

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to pay tribute to one very special member of my community in recognition for his years of service and commitment to the Provinces Civic Association [PCA] of Anne Arundel County. I wish to congratulate Art St. Germain as this year's recipient of the PCA's Citizen of the Year Award in recognition for his 14 years of dedication and service for that association.

Art has served on the Provinces Civic Association board of directors since 1976 when he undertook the role of vice president while at the same time he remained a full-time student at the University of Maryland. Since then, Art has served in every capacity on the board of directors. He currently holds the position of president and represents a community of more than 900 homes. Art has served on the Anne Arundel County Housing Code Violations Review Board, been a delegate to the United Council of Civic Associations, and was the youngest nominee at age 21 for the Outstanding Young Marylander Award sponsored by the Glen Burnie Jaycees.

It is with great pride that I offer my congratulations to Art St. Germain on his many achievements and extend best wishes for his continued success in the future as he leaves the board to pursue other interests. I know that my colleagues will be pleased to join me in this well-deserved tribute.

RESTORING U.S. LEADERSHIP IN POPULATION ASSISTANCE

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. KOSTMAYER. Mr. Speaker, the cold war, which had preoccupied world leaders for more than 40 years, appears on the brink of a permanent thaw. We stand at the threshold of rare opportunities and singular challenges.

The dramatic events now occurring in Eastern Europe could not have been predicted a year, or even 6 months, ago. But these events could lead to even more dramatic changes in global policies and perspectives.

For too long, the priorities of both East and West have been based on fear and distrust. As Vaclav Havel told us yesterday, for too long, we have been contestants engaged in a dangerous and debilitating arms race rather than partners striving to improve the quality of life for the human race.

Our generation has the responsibility of writing a new world agenda. We must reorder world priorities. These priorities may determine our very survival.

Mr. Speaker, the bill I am introducing today, along with nearly 100 members of the House, addresses a vital issue for the new global agenda. In fact, former Secretary of Defense and World Bank President Robert McNamara ranked it as second in importance only to the threat of thermonuclear war. Former Secretary of State George Schultz asserted that this issue underlies all poverty and deprivation in the Third World. The issue is rapid population growth.

Today's world population of 5.3 billion increases at the rate of more than 90 million a year—a number equal to the population of Mexico. Virtually all of that growth is in the

poorest countries of the world. Within the next generation, 3 billion young people—the equivalent of the entire world population in 1960—will enter their reproductive years and 90 developing countries are projected to double their populations.

Given these facts, the amount proposed by this legislation—$500 million for voluntary family planning assistance with $60 million earmarked for the United Nations Population Fund—is fully warranted and constitutes a direct investment in global peace and security. Furthermore, this kind of assistance is cost-effective and will save much money that would otherwise be used for disaster and famine relief, while helping to promote social and political stability, and natural resource protection in developing nations. More realistic family planning aid will help make economic growth a more likely possibility for the poorest nations of the world, and it will help to vastly reduce the number of abortions worldwide—something we all support.

Some 20 years ago the issue of population stabilization was considered controversial. It is no longer controversial except in a very small number of countries, one of which, unhappily, is the United States.

Five or six years ago the antichoice movement here, smarting from a series of defeats on the domestic front, turned its attention to U.S. foreign assistance. The movement convinced some in Congress that the United Nations Population Fund had forfeited its right to U.S. funds. Why? Because the UNFPA provides assistance to the National Family Planning Program or the People's Republic of China—a program that allegedly condones forced abortions.

The fact is that the UNFPA has never funded a single abortion—forced or voluntary—in the People's Republic of China or anywhere else. The aid that the UNFPA has given to population efforts in China has been primarily assistance with the census undertaken there in the past decade. UNFPA opponents overlook or ignore the fact that the current assistance rendered by the UNFPA to the family planning efforts in China is concentrated primarily on the improvement of maternal and child health and on the manufacture of safer contraceptive methods.

Even if the allegations against China's population program are assumed to be true, it is both irrational and unconscionable for the United States—once the industrialized world's foremost leader in international population assistance—to turn its back on the U.N. Population Fund.

The UNFPA is the largest multilateral organization providing population and family planning assistance to the developing world. The United States was instrumental in establishing UNFPA 20 years ago, and U.S. leadership in the UNFPA is critical to the success of worldwide population efforts. Can anyone be surprised to learn that, until 5 years ago, the United States was the leading contributor to UNFPA?

Not one single donor country has followed the lead of the United States in refusing to contribute to UNFPA. Not Great Britain. Not Canada. Not West Germany. Not Japan. Not one single traditional ally of the United States has turned its back on UNFPA, as has the U.S. Government. In fact, most of our best friends in the industrialized world have actually increased their contributions to the United Nations Population Fund.

A proposal to provide funding for UNFPA was vetoed by the President last December, because the White House wants to play politics with this critical issue to placate its friends in the antichoice movement. That is certainly its prerogative, but this Congress is obligated to approve responsible legislation and to disapprove legislation that is irresponsible. By vetoing the bill last year that called for restoring U.S. funds to UNFPA, the President of the United States said, in effect, everyone else is out of step but us.

According to President Bush, it is OK to continue to sell state-of-the-art fighter planes to China, but it is not OK to fund a multilateral organization that spent a mere $10 million in China last year helping to improve maternal and child health. I urge my colleagues who understand the importance of the voluntary family planning effort and who voted less than 3 months ago for the resumption of U.S. funds for the UNFPA to stand with us again.

This bill will allow the United States to resume its leadership in international population assistance, and to resume its partnership with the most important multilateral organization in this field. It will begin to compensate for the 5 years in which the United States has not contributed to the United Nation Population Fund and it, once again, will not provide any funds to the Chinese Population Program in order to accommodate those who object to the Chinese Program.

The bill preserves intact the prohibition against the use of any United States population assistance funds for abortion, coercive or otherwise, in China or in any other country that receives United States funds. Moreover, those funds contributed to the UNFPA must be maintained in a segregated account and shall not be available for the People's Republic of China. Any agreement entered into by the United States and the UNFPA must expressly state that the full amount granted to the UNFPA by such agreement will be refunded to the United States if any United States funds are used for any family planning programs in China or for abortions in any country. The U.N. Population Fund provides support to programs in more than 130 countries around the world while the U.S. Government provides bilateral population aid to less than 40.

Finally, world population stablization based on voluntary family planning activities will not be achieved at the lowest possible total cost so long as each country goes its own separate way. Stabilization will be achieved only through a cooperative and concerted effort—an effort undertaken by the most affluent nations, such as the United States, working in harmony with the organizations that have the most experience and the best infrastructure, such as the UNFPA.

Balancing the world's population with its resources and environment involves the entire international community—nations large and small, wealthy and poor. The task encompasses a wide ideological, cultural and political spectrum. If we make the right decisions in reordering global priorities, the beneficiaries will be our children and grandchildren. If we do not, the brunt of the consequencs—from environmental deterioration, economic stagnation, famine and political chaos—will victimize all of us.

RECYCLERS URGE CONGRESS TO SUPPORT THEIR CAUSE

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. MARLENEE. Mr. Speaker, with all the current hype about the need to recycle everything from bottle caps to washers, I am shocked that a major piece of legislation currently under consideration by the House Energy and Commerce Committee threatens to decimate the existing recycling industry.

Has Congress gotten so caught up in a stampede to churn out environmental legislation that it would destroy an entire industry that for years has played a vital role in environmental protection through its market of recyclable materials. That's sheer lunacy. How can Members of Congress ride the current recycling bandwagon, but support legislation that so clearly deals a fatal blow to the recycling industry? Where I come from, we call that double-talk, pure and simple.

H.R. 3735's devastating impact on recyclers is detailed in a letter from one of my constituents. Allow me to quote from that letter:

DEAR CONGRESSMAN MARLENEE: The Energy and Commerce Committee is considering legislation which will treat recyclers, including most scrap metal processors, as hazardous waste handlers and make it much more difficult and far more expensive to recycle most metals. If left unchanged this legislation has the potential to close many scrap recycling operators and, for those that continue, create new costs to be assumed in the manufacturing of ferrous and non-ferrous metals.

The bill, H.R. 3735, was introduced by Rep. Thomas Luken of Ohio, a member of the House Energy and Commerce Committee and Chairman of the Subcommittee on Transportation and Hazardous Materials. That Subcommittee will begin to work on the bill in the next few weeks. Among its many provisions, the bill requires that anyone handling discarded materials which contain 0.1 percent or more of nickel, silver, chromium, cadmium, beryllium, lead, or mercury be classified as a hazardous waste facility. It would define common household items such as stainless steel flatware, or durable goods such as automobile and refrigerator components as hazardous wastes. Recyclers of such materials would have to obtain a hazardous waste permit, purchase new liability insurance or post a large bond, install groundwater and other environmental monitoring, provide for closure and post-closure care of the facility, and be subject to EPA controls on manufacturing and handling procedures for hazardous waste.

In 1988, recyclers processed over 57 million tons of discarded material which H.R. 3735 would classify as hazardous. In so doing, the legislation will prevent many recyclers from handling metals at all, requiring both increased land disposal and increase production of virgin inputs.

Congress should instead promote recycling and treat recyclers, their suppliers and their customers differently from solid and hazardous waste operators. After all, a material in the recycling process isn't a waste. To be a waste means disposal; material in the recycling process means reuse.

Please oppose the imposition of hazardous waste handler status on scrape recyclers, and support amending H.R. 3735 to remove materials in the recycling process from the definition of solid and hazardous waste. Let the Subcommittee on Transportation and Hazardous Materials know the impact this legislation will have on recycling. If you need any further information, please let me know. The survival of the recycling industry as we know is at stake.

With high freight costs and low population density, it is marginal to work in Montana. Imposition of this type will tend to raise the cost of doing business and the end result will be losses of jobs in Montana.

Help us stay in business and continue to be a responsible employer. Unneeded extra regulation is bad for us, bad for Montana and bad for the country!

Best personal regards.

Very truly yours,

JERROLD A. WEISSMAN,
President.

URBAN MARSHALL PLAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RANGEL. Mr. Speaker, I would like to bring to your attention and to the attention of my colleagues, an interesting and thought-provoking article by John Jacob, president of the National Urban League, about an urban Marshall plan that would help keep America competitive in the 21st century.

I believe in the whole concept of an urban Marshall plan and feel it would benefit our society tremendously.

Here is the article by John Jacob which appeared in the Carib News on January 23, 1990:

URBAN MARSHALL PLAN

The revolution sweeping eastern Europe has led to calls for a new Marshall Plan and for a new Economic Development Bank to help those countries back on their feet.

Those ideas may make sense, but what about an Urban Marshall Plan to help our own cities and an Urban Investment Bank to invest in our own human and physical resources?

That makes even more sense.

It's not a new idea, either. Back in 1963, Whitney Young and the National Urban League called for a Domestic Marshall Plan. That plan would have rebuilt our cities and invested in developing the human resources of poor people shunted off to the margins of society.

Had that call been implemented, we would not have the devastation we see in our inner cities today and despair would long ago have been replaced by hope and opportunity.

In 1990, we have another chance to implement a peaceful revolution of progress in our own country. The experts say that the end of the Cold War means today's $300 billion defense budget could be safely cut in half.

The $150 billion savings is the much-derided "peace dividend" that many claim doesn't really exist. But it does—if we have the political will to use it wisely.

Some people say the peace dividend should be applied to balancing the federal budget, but that is not inconsistent with funding an Urban Marshall Plan.

Up to $100 billion could go to cutting the deficit. Economists say that would bring interest rates down to around five percent, which would stimulate investment and productivity. There would be a growth in sales and tax revenues that would further close the budget gap.

The remaining $50 billion or so should fund an Urban Marshall Plan that is essential to keeping America competitive in the 21st century.

An Urban Marshall Plan would have as its primary goal bringing people at the margins of society into the mainstream to become productive citizens in a productive society.

Some of the Urban Marshall Plan funds would go to repairing our neglected infrastructure—the base of our economy. America's roads, bridges, water supply and other key infrastructure sectors are in desperate need of modernizing.

That would create blue-collar jobs and put many of our ailing industries back on their feet, while creating conditions necessary for future prosperity.

Part of the Urban Marshall Plan would targeted to developing our neglected human resources by providing the job training, health care, and housing people need to function at peak levels.

All of America's poor would greatly benefit, but the most immediate impact would be on minorities, who lagged far behind the majority population in the go-go 1980s.

Education is one obvious area where greater public investment in minority and poor children will pay off in a productive future workforce.

Right now we're competing against countries like Japan, where 95 percent of all their people are high school or technical school graduates. We're not doing a good job of meeting the Japanese challenge—and we won't until 95 percent of our school children get the same solid education that theirs get.

Without the public investments of an Urban Marshall Plan, we'll be well on our way to become a second-rate power in an age where national strength is measured by brainpower and skills, and not by bombs that can't be used without committing suicide.

INTRODUCTION OF APRIL 1990, AS NATIONAL WEIGHT LOSS MONTH

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FOGLIETTA. Mr. Speaker, today I am introducing a resolution declaring April 1990 as "National Weight Loss Month." I invite my colleagues to recognize the health hazards of being overweight by joining me in cosponsoring this bill. For their benefit and for the American public, I would like to insert the text of this resolution at this point in the RECORD:

H.J. RES. 484

Whereas it is estimated that 68,000,000 adult Americans, one in every four, are overweight (defined as being 5 to 19 percent above one's ideal weight) and 34,000,000 adult Americans are obese (defined as being 20 percent or more above one's ideal weight);

Whereas overweight adult men and women are from all races, lifestyles, and economic and social strata;

Whereas the Report on Nutrition and Health, prepared by the Public Health Service, cites overconsumption of fats and certain other foods as a major national health problem;

Whereas obesity can cause serious illnesses, such as heart disease, high blood pressure, hypertension, strokes, diabetes, and some forms of cancer;

Whereas the Council on Scientific Affairs of the American Medical Association has determined that a comprehensive approach to weight loss and weight control must include a nutritionally balanced diet, behavior modification, and exercise; and

Whereas it is estimated that 43,000,000 adult Americans are making a serious attempt to control their weight: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 1990 is designated as "National Weight Loss Month". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that month by learning more about the health problems associated with being overweight and attempting to become more conscious of the importance of proper diet and exercise.

MEDIA DISTORTION OF ISRAEL'S HUMAN RIGHTS RECORD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. LANTOS. Mr. Speaker, yesterday the State Department's annual report to the Congress—"Country Reports on Human Rights Practices"—was released. Media reports on the contents of the document have given disproportionate attenton to Israel and its efforts to maintain order in the face of a Palestinian insurrection.

As we in the Congress consider this report, I would like to call to the attention of my colleagues an excellent article which appeared in yesterday's edition of the Wall Street Journal, which provides an extremely helpful perspective to some of the media coverage we are seeing regarding Israel's human rights record. The article—"The Intifada You Don't See on TV"—was writiten by Steven Emerson, formerly an editor at U.S. News and World Report and a well-known journalist who has authored a number of important books.

As Mr. Emerson points out, some 150 stories about violence in the West Bank and Gaza were broadcast by American television networks last year, but only half a dozen focused on the brutal phenomenon of Palestinians killng other Palestinians—despite the fact that nearly one-third of all Palestinians killed

last year in the West Bank and Gaza were murderd by their fellow-Palestinians.

Media coverage not only distorts reality through its selective reporting on events in the occupied Territories, but also its very presence creates events which it then can cover. We have a communications media counterpart to science's "Heisenberg Uncertainty Principle"—the very presence of Western journalists and television cameras distorts the events they seek to report.

Mr. Speaker, Steve Emerson's excellent article helps to provide balance and perspective on the Israeli Government's efforts in this whole area. In the context of yesterday's publication of the State Department's human rights report, I ask that his article be placed in the CONGRESSIONAL RECORD, and I urge my colleagues to give it careful and thoughtful attention.

[From the Wall Street Journal, Feb. 21, 1990]

THE INTIFADA YOU DON'T SEE ON TV

(By Steven Emerson)

Nearly one-third of all Palestinians killed last year in the West Bank and Gaza were murdered by fellow-Palestinians. Palestinian death squads roam the West Bank and Gaza, torturing and executing not only "collaborators," but also political rivals, moderates, criminals and women they consider promiscuous. The annual human rights report the State Department scheduled for release today might be expected to mention these facts. It does not. While the report devotes some 13 detailed pages to Israeli human rights abuse, it can spare just four paragraphs for Palestinian human rights abuses.

Perhaps the State Department has been watching too much television. It is from television that most Americans get their image of the intifada. And the U.S. networks have been complicit in a massive deception about the West Bank conflict.

U.S. reporters have acquiesced in Palestinian control over what gets filmed. "Fundamentalist groups never allowed us in certain areas in Gaza," says Amos Aynor, an Israeli crewman who has worked for CBS. Tali Goder, an Israeli cameraman who has also worked for U.S. networks, is even more blunt: "Every time a crew came to film the Palestinians, the rule was 'Once you are here, you will cover what we want. You will not dig too much.' We know that if we aim the camera at the wrong scene, we'll be dead."

These apprehensions are not unrealistic. A November CBS story about death squads in the Arab town of Nablus was one of the few television pieces to show the reign of terror imposed by Palestinian gangs. Soon afterward, Israeli troops raided the casbah, killing several gang members and capturing others alive. The Israeli Army passed a warning to CBS bureau chief, Michael Rosenbaum, that radical Palestinians had issued a death threat against the CBS crew. CBS did not report the warning.

NOT NEWSWORTHY

If reports of threats by Palestinian gangs against a network's own crew are not newsworthy, it is perhaps unsurprising that other sorts of Palestinian violence have been ignored. Since the beginning of the uprising in December 1987, more than 175 Palestinians have been killed by fellow Palestinians. More than 25 have been burnt to death; another 20 have been strangled, lynched or suffocated; and others have been decapitated, dismembered and otherwise mutilated. More recently, the ears of "collaborators" have been cut off. Israeli soldiers have killed 25 Palestinians in Gaza since September; Palestinian gangs have killed 47 Palestinians, according to Israeli military sources.

Israeli officials admit that one-third of the Palestinians killed by other Palestinians have assisted the authorities; the rest are people considered "impure" by the leaderships of the West Bank gangs or are people who have merely done business with Jews. In October, a Palestinian father of seven was knifed to death in Jericho for "collaboration." He had sold floral decorations to religious Jews building a ritual Succah.

"Death sentences" are kangaroo court killings by Palestinian gangs made up of classical juvenile delinquents and social outcasts who have suddenly found a legitimate way to kill. Homosexuals are frequent targets. Women who wear "too much" makeup or short skirts have been raped or burned with acid, if not killed outright. Yet in the more than 150 stories filed by U.S. networks from the West Bank last year, only half a dozen focused on the internecine killing of Palestinians by other Palestinians.

Amnesty International found the killing of Palestinians by other Palestinians so disturbing that in November it issued a strong condemnation of the "killing of alleged collabortors," noting that many had been "interrogated and tortured" by "special squads of Palestinians." Furthermore, Amnesty said, "Palestinians leaders have endorsed or failed to condemn the killing of collaborators."

Documents intercepted by Israeli intelligence—and whose authenticity has been confirmed by Palestinians themselves—indicate that the Palestine Liberations Organization approves and directs the killings of other Palestinians.

While Palestinian political terror on the West Bank fails to make the news, utter fabrications about Israeli brutality are reported uncritically. At the beginning of the intifida, for instance, the U.S. networks were called to el-Mokkasad hospital in Jerusalem to film a dying 15-year old Palestinian boy named Rami el Aluk. His Palestinian doctor showed the boy hooked up to life-support tubes, and claimed that he had been savagely beaten by Israeli troops.

The networks gave the story wide publicity. On Feb. 8, 1988, Peter Jennings introduced ABC's piece by announcing, "In the Middle East today, United Nations officials say that the Israelis have beaten another Palestinian to death in the occupied territories." CBS said the boy had "received a blow to his head," and then quoted his doctor: "I think he will die soon." NBC reported on a "doctor's helplessness and a father's despair as the 15-year-old dies of head injuries received in a riot."

But the story wasn't true.

According to the pathology records of Rami's autopsy and other medical records, the boy died of a cerebral hemorrhage caused by high blood pressure. He had been sick for more than a year.

Another example is the story of Amjad Hussein Jabril, a 14-year-old Palestinian-American. He was found shot to death in El-Bireh on the West Bank last August. CNN quoted Palestinians charging that the boy had been lost with Israeli soldiers. When his body was found, it showed signs of torture and mutilation.

Despite the army's denials, the State Department pressured the Israeli government into a formal investigation. The family refused to turn over the corpse, so the army exhumed the body. An independent Scottish pathologist selected by the boy's family performed an autopsy. No evidence was found of any torture whatsoever. Amjad had died of a single gunshot wound in the back—from a low-calibre, low velocity gun. The Israeli Army regularly uses military high-velocity rifle bullets and high-calibre pistols.

The autopsy records for these and other Palestinian killings are kept in the Institute for Forensic Medicine, in Jaffa. After reviewing a number of reports, I asked its director Dr. Yehuda Hiss whether any American reporters had ever come to interview him. "None." Even human rights organizations have not bothered to ask for his files. The International League for Human Rights sent two lawyers to interview him on an investigation into Israeli brutality. But Dr. Hiss said, "they came without any lists or names and left after an hour."

The networks prefer to get at truth by more dubious means. In the past year they have handed out at least 15, and perhaps as many as 25, Super-8 video cameras to Palestinians. These "cameramen" make their videos on their own and provide the networks with footage of riots, strikes and funerals. The cameras, according to a senior American television newsman "were distributed to the Palestinians on the basis that they bring us action. But I would be lying to you if I didn't admit that the whole thing makes me feel uneasy."

Asked about the practice of providing video cameras to Palestinians, ABC spokesman Scott Richardson said, "ABC will not confirm or deny that we give out cameras to Palestinians. However our general policy in the world is that from time to time, we have given out equipment to local citizens for safety, legal or political considerations."

In fact, except for Eastern Europe—where fewer than five cameras were given out and each for only a limited period—the networks have distributed cameras nowhere else in the world.

Because few if any American television journalists speak Arabic, it is only natural that the networks seek out Palestinians who speak the language and who can help supply stories. But according to Israeli court records, many of the Palestinian journalists on staff or consultants to the American networks are active participants in the intifada. There is absolutely no way to insure the authenticity of what is filmed nor is there any way to stop the cameras from being used as a tool to mobilize a demonstration.

"Cameras don't lie" is the familiar refrain issued by reporters when confronted with criticism about their coverage. And there is no disputing that cameras have shown Israeli soldiers viciously beating and shooting Palestinians, sometimes without justification.

ABC News broadcast in December footage showing Israeli troops wounding "Palestinian stone throwers" without firing warning shots, contradicting the Israeli Army's version of the episode. The Israeli Army later suspended the troops.

STRICT GUIDELINES

Yet the networks also realize that cameras can distort events. It is not well-known,

but each network has strict guidelines that are supposed to guide the use of cameras in civil disturbances.

CBS's Production Standards, which are typical of those used by every network, say that if "your presence is clearly inspiring, continuing or intensifying a dangerous, or potentially dangerous disturbance, cap your cameras and conceal your microphones regardless of what other organizations may do."

Furthermore, the guidelines warn reporters not to report "as factual, rumors, 'eyewitness' reports or statements by participants unless and until their accuracy has been separately and authoritatively confirmed."

In practice, television crew members concede, the guidelines are ignored. "When cameras are taken out, the crowd performs for us. The Palestinians know that we are their lifeline," says Mr. Aynor. "And the guidelines are good until your competitor gets the story you didn't. Then, it's get the story at all costs, forget the guidelines." ABC, in its guidelines, says it "would rather miss a story than mis-report it." If only ABC, or the other networks, truly meant what it said.

NATIONAL DRUG AND CRIME EMERGENCY ACT

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McEWEN. Mr. Speaker, I rise in support of the National Drug and Crime Emergency Act which is being introduced today by my esteemed colleaged from Georgia. I am proud to be an original cosponsor of this needed legislation.

The American public has made it clear that drug use poses a major threat to our Nation. There is no doubt that we face an emergency caused by an enemy that is eating away at the core of our morals and values. Nowhere is that more visible than here in our Nation's Capital. Drug use rips apart the fabric of society and can no longer be tolerated.

This bill answers the call of the public for tough measures against the tyranny of drugs. This bill addresses both supply and demand. It sends a clear message that drug use—all illicit drug use is wrong—and that drug use will have negative consequences. All of the scientific evidence is not enough if we do not have the needed weapons to defend our family values and morals.

So-called casual users will think more than twice when they know the cost of using drugs could be loss of their driving license or their college grant.

And for those drug traffickers who are preying on our communities, this bill sends an unequivocal message. You will pay. You will do time. You will not escape from paying for your crime.

A CONGRESSIONAL SALUTE TO JUDY REVIS IN HONOR OF HER SELECTION AS PARENT OF THE YEAR

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ANDERSON. Mr. Speaker, it is a pleasure to pay tribute to Judy Revis who will be honored on February 23, 1990, as the California Pools for the Handicapped, Inc.'s, Parent of the Year. This occasion gives me the opportunity to express my personal appreciation for her years of commitment and dedication to her son, Michael, and the rest of the handicapped community.

Unless you are the parent of a handicapped child, it is difficult to imagine the commitment that is made. Judy Revis, as the mother of an autistic child, knows firsthand. For 2 years she has brought Michael to the California Pools for the Handicapped on a weekly basis, missing only when illness struck. During the delivery of her third child, Ashley, now 11 months, Judy missed bringing Michael to rehabilitative swimming for only 1 week. No small feat for a woman recovering from a pregnancy.

It is not just to her son Michael that she is a shining example of motherhood; she also divides her time among two other children, Lyndsi and Ashley, and her husband, Larry. Her busy schedule centers around her family and includes duties relating to Brownies, dance, and sports for her oldest daughter; therapy, speech, and swimming for her son; meeting the needs of a small infant daughter; and babysitting. She also finds time to be a member of both the Parents of Teachers Organization at Lyndsi's school, and the Parents Teachers Association at Michael's school. From her listed activities as a parent, it is not hard to see why Mrs. Revis has been selected as the California Pools for the Handicapped, Inc.'s Parent of the Year.

My wife Lee, joins me extending our heartfelt congratulations to this caring and giving woman. She has dedicated her life to ensure the happiness of those around her. We wish, Judy, her husband, Larry, and their children, Lyndsi, Michael, and Ashley, all the best in the years to come.

TRIBUTE TO LEONARD BLACKSHEAR AND JOHN PETTY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to pay tribute to Mr. Leonard Blackshear and Mr. John Petty, two very special members of my community, who have demonstrated their dedication and commitment to the preservation and promotion of African-American business development.

Mr. Blackshear and Mr. Petty have followed in the footsteps of earlier innovators such as Richard Allen who established the Free African Society in 1787 to promote self-help and support opportunities, and Booker T. Washington who organized the National Business League, which was the forerunner to the U.S. Chamber of Commerce, pre-dating it by 12 years. Through their various activities, both Mr. Blackshear and Mr. Petty have influenced the ways that minority businesses are developed and ultimately perceived.

For years to come, the dedication and commitment of both Mr. Blackshear and Mr. Petty will be remembered. Leonard Blackshear is the founder and president of Associated Enterprise Inc., in Annapolis, MD. As an officer with the National Business League of Southern Maryland, he was instrumental in structuring the reform of the organization's national focus and scope, shaping new directions which will put it on the cutting edge of the future. Mr. Petty, through his position with the State of Maryland Office of Minority Affairs, his chairmanships of the membership committee of the Minority Business Advisory Board for PortAmerica and the economic development committee for the Southern Coalition on Black Affairs, is making a difference and making inroads for African American entrepreneurs across the State.

Mr. Speaker, I commend these two gentlemen for their outstanding work and unprecedented commitment to justice and economic equality.

TRIBUTE TO BRAVE MILITARY DEPENDENTS IN PANAMA

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Ms. SCHNEIDER. Mr. Speaker, we have all heralded the bravery of our Armed Forces in Panama. Americans in uniform, however, were not the only citizens who took risks to ensure a successful operation in Panama. Today I wish to recognize those civilian dependents of military personnel in Panama who also showed great bravery.

The contribution and sacrifices of American military dependents all over the world are frequently overlooked. They are placed on the front lines of many dangerous situations without the equipment or training to protect themselves. Yet time and time again, these family members prove themselves to be worthy of our respect.

The courage of the American military dependent is perhaps the most overlooked contribution of any military mission. I feel it is appropriate to acknowledge their contributions to the mission in Panama. The bravery of military dependents deserves to be recognized.

One particular story has come to my attention by a Rhode Island constituent. Kathleen Crowley, wife of Capt. Stephen Crowley, spent the night of the attack on Fort Amador just a few hundred yards from the military target lying on the floor of her room.

An early evacuation of the civilians would have made a surprise attack impossible. I think it is appropriate to take this moment to thank those citizens who may have been overlooked, but should not go without mention.

Congratulations to Kathleen Crowley and others like her for their contribution to a successful operation in Panama.

CLAY INTRODUCES HOUSING TRUST FUND BILL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. CLAY. Mr. Speaker, today I am introducing legislation to permit the establishment through collective bargaining of housing trust funds.

On December 1, 1988, local 26 of the Hotel and Restaurant Employees International Union and Boston's unionized hotels negotiated a provision providing for a jointly administered trust fund to assist employees and their families in meeting housing costs. The housing trust fund would provide financial assistance to employees to reduce downpayments, buydown the interest rate on mortgages, provide collateral for loans, and provide assistance for initial rental costs. The contract provisions establishing the housing trust are dependent, however, on the Congress acting by May 31, 1990, to permit the establishment of jointly managed housing trust funds.

On November 22, 1989, the Senate unanimously passed legislation, S. 1949, amending the Labor Management Relations Act [LMRA] to permit the establishment of housing trust funds as a permissive subject of collective bargaining. That legislation was jointly sponsored by Senator KENNEDY and Senator HATCH. The bill I am introducing today is identical to the bill passed unanimously by the Senate. I am pleased to be joined in this effort by the entire Massachusetts delegation as well as other Members of this body. It is my intention to seek House action on this legislation this spring.

The LMRA—also known as the Taft-Hartley Act—includes provisions intended to prevent unwarranted collusion between union officials and management by restricting the ability of employers to provide financial assistance to unions and their officers. Exemptions to this general prohibition permit the establishment of certain enumerated employee benefits that may be provided through trusts jointly administered by unions and employers. As labor and management have sought to address issues of importance to workers, these provisions have been periodically expanded to provide for joint trusts to address emerging concerns. Current law permits the establishment of health benefits, life insurance, retirement benefits, vacation benefits, severance benefits, apprenticeship programs, scholarship funds, and child care assistance. The bill I am introducing will further amend the law to permit the establishment of housing trusts to address the increasing difficulty workers face in obtaining affordable, decent housing.

This legislation does not impact Federal revenue. Further, establishment of housing trust funds would be a permissive, voluntary subject of collective bargaining. As such, the subject could be raised at the bargaining table only when both parties were willing to discuss it. Neither party would be permitted to bargain to impasse or engage economic pressure over the establishment of a housing trust fund. Finally, such trusts would not only be jointly managed by labor and management, but would be fully subject to the regulatory requirements of the Labor Management Reporting and Disclosure Act—Landrum-Griffin Act—and the Employee Retirement Income Security Act [ERISA] as it relates to any other welfare plan.

As Senator KENNEDY stated during Senate consideration of this legislation:

Labor and management in Boston have agreed on an effective approach to better housing. They need no money from Congress for this trust fund to become a reality. All they require is permission to do so under the Labor Management Relations Act.

Mr. Speaker, in my view enactment of this very modest bill will further important public policies. The previous administration's neglect and abuse of public housing programs has jeopardized the ability of the Federal Government to address America's housing needs. Today, half a million Americans are homeless and in many areas of the country rising housing costs are placing the ability of workers to own their own homes beyond reach. This legislation promotes a private sector solution to the increasing difficulties workers face in obtaining affordable, decent housing. It deserves the support of the Members of the House.

I want to share with my colleagues an editorial from the February 6, 1990, issue of the Boston Globe and a letter from the Massachusetts delegation in support of this legislation.

The editorial and letter follows:

[From the Boston Globe, Feb. 6, 1990]

HOTEL WORKERS' HOUSING NEEDS

A pioneering housing plan by the Boston hotel workers' union needs help from Congress. The House should pass a law quickly so the hotel workers can get the housing they urgently need.

The plan, negotiated with the hotels a year ago, diverts five cents for every hour worked into a Housing Trust Fund. The money, already up to $1 million, is idle because the federal Taft-Hartley Law prohibits this kind of benefit.

Members of hotel workers Local 26 knew about that, but thought it would be easy to persuade Congress to amend the law. They set a contract deadline of May 30, 1990, little knowing of the lawmakers' leisurely pace.

Thanks to prodding by Sen. Edward Kennedy, the bill cleared the Senate in November. It must pass the House within the next four months to do any good.

Rep. Joseph Moakley has promised to help, but no one from Massachusetts sits on the Labor and Education Committee, which oversees the legislation. Committee members need to move the bill quickly, even though it does not immediately affect their constituents.

Although the bill will first help members of Local 26, its long-range impact could be as a precedent for contract negotiations in any community where housing prices have soared beyond the reach of union members.

The trust fund would provide the seed money to get hotel workers into housing most appropriate for their needs. Money from the fund will be used for counseling on the intricacies of home buying, as security deposits, or to reduce the interest rate on loans.

Unions are supposed to negotiate contracts that help meet the changing needs of their members—whether for higher wages, medical care or housing. Local 26 and the hotels deserve praise for setting up the Housing Trust Fund, and a helping hand from Congress to ensure it takes effect promptly.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 1990.

Hon. WILLIAM CLAY,
Chairman, Subcommittee on Labor-Management Relations, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CLAY: We, the undersigned members of the Massachusetts delegation, respectfully request that the Subcommittee on Labor-Management Relations initiate legislation which would amend Section 302(c) of the Taft-Hartley Act to allow for the negotiation of housing trust funds. Further, we offer our strong and active support of such an initiative and we ask to be included as original cosponsors.

We support a companion bill to S. 1949 which was passed by the Senate in November 1989 under the sponsorship of Senator Edward M. Kennedy. As you know, S. 1949 amends Section 302(c) of the Taft-Hartley Act to allow parties engaged in collective bargaining to negotiate for the establishment and administration of housing trust funds which can provide financial assistance for employee housing.

We submit our request on behalf of both union and management representatives of the Boston hotel industry. In December 1988, Boston hotel workers, represented by Local 26 of the Boston Hotel and Restaurant Employees, negotiated a contract which provided for the financing and implementation of a housing trust fund for direct financial assistance for eligible members.

As Congressional representatives of these workers, we applaud the efforts of Local 26 and commend this example of union-management cooperation. We believe that this innovative and unprecedented benefit represents an effective and tax-free method of attacking the serious problem of the lack of affordable housing. Moreover, the successful implementation of this trust fund at the local level will encourage its duplication nationwide and could become an integral part of a national strategy for addressing the urgent need for more affordable housing.

It is urgent that this matter be given immediate consideration to ensure the viability of this program. The union's original contract agreement imposes a deadline of May 31, 1990 for this adjustment. Without it, the money deposited into the trust fund will be diverted to cover traditional employee benefits. Since affordable housing is one of the most critical issues facing working men and women today, we sincerely hope that this severe time limit will not jeopardize the realization of this housing trust fund.

We thank you in advance for your cooperation and offer any assistance we could provide.

Sincerely,

Edward J. Markey, Barney Frank, Richard E. Neal, Gerry E. Studds, Joseph P. Kennedy II, Silvio O. Conte, John Joseph Moakley, Brian J. Donnelly, Chester G. Atkins, Nicholas Mavroules, and Joseph D. Early.

LET'S RECOGNIZE THE IMPORTANCE OF COMMUNITY COLLEGES

HON. LES AuCOIN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. AuCOIN. Mr. Speaker, today I am introducing legislation to advance the cause of community colleges across this country by increasing their profile in the U.S. Department of Education. A companion bill is being introduced in the Senate by my colleague from Oregon, Senator MARK O. HATFIELD.

Our bill will establish an Office of Vocational and Adult Education and Community Colleges within the Department of Education, to be administered by an Assistant Secretary of Vocational and Adult Education and Community Colleges.

The new office will replace the current Office of Vocational and Adult Education. It will administer Federal programs relating to vocational education, adult technical-vocational education, adult basic education, community colleges, and technical institutions. It will also serve to coordinate programs which address adult rural education and rural family education.

In changing the name of this office, Mr. Speaker, I intend more than a cosmetic change at the Department of Education. I want to change the reality. The fact is that the Department has failed to recognize the critical role community and junior colleges have come to play in building a competitive work force for the United States now and in the 21st century.

Why should the Department of Education pay more attention to community colleges? Between 1965 and 1975 enrollment in community colleges more than tripled as communities across the country built institutions to answer to the exploding demand. Since then enrollment has increased steadily to the present level of over 5 million students. In my district, Portland Community College now has a larger total enrollment than all of Oregon's 4-year institutions combined.

In growing as rapidly as they have, community colleges have responded to needs which are easily recognizable as basic requirements of a competitive work force and a strong economy. Basic education, technical training, upgrading of skills, and small business expertise are critical to our ability to deal with a rapidly changing world economy and world of work. Business leaders and their employees are sensitive to these changes and community colleges have been quick to offer programs at costs affordable to middle income and working people.

Community colleges have come to play a leading role in cooperating with secondary schools to enhance vocational education. They have contracted with industry to train and upgrade the skills of employees. They incubate small businesses. They increasingly offer services to Government agencies for training welfare recipients and underemployed workers so they can become more productive. As more women entered the work force many chose community colleges as their training point of entry; women now make up more than half of all community college enrollments. In many rural communities they are the only source of higher or technical education available to the local population. There is every sign that they are—and will continue to be—a major player in meeting the challenges and solving the problems which confront our society.

To recognize the increased role of community colleges does not in any way discount the importance of other institutions of higher education—universities, colleges, and graduate schools. Educating our citizens and our work force in a changing world is the job of many different kinds of institutions. But we need to recognize, and—where we can—enhance the contribution of community colleges to these major challenges. And I say this as trustee of one of the finest private universities in the country, my own alma mater.

Mr. Speaker, the bill we are introducing today will, I hope, be a first step toward the kind of recognition community colleges deserve from officials charged with shaping Federal education policy to address the needs of a 21st century work force. I urge my colleagues to support this effort.

In closing, I would like to submit for the RECORD testimony of Mr. Keith Skelton, chairman of the board of Portland Community College about the need for this legislation. Mr. Skelton presented this testimony to a hearing held by the U.S. Department of Education in San Francisco on November 15, 1989, on reauthorization of the Higher Education Act. The testimony follows:

TESTIMONY OF KEITH SKELTON

My name is Keith D. Skelton and I appear here as a representative of Portland Community College in Portland, Oregon, where I am Chair of the elected Board of Directors. I also appear representing and as a member of the Board of the Oregon Community College Association, a group made up of 16 community colleges having a student population of over 300,000 attendees. I commend the federal Department of Education for the timing of these hearings. These forums give all partners in the programs covered by the Higher Education Act, and especially in the Title IV programs, an opportunity to share ideas and problems that should be addressed in the reauthorization process.

I believe this procedure shows good faith on the part of the Department to meet college leaders in the field through this process, so that we may discuss the mounting difficulties colleges face in their good faith efforts to make the programs work under the multitude of massive regulations promulgated by your department.

I am a relative newcomer to the community college arena, having spent most of my life in 4 years college classrooms and courtrooms. I became involved in community colleges when my own son, a Navy veteran who appeared on the civilian scene with service acquired afflictions of alcohol and drugs, through the caring counselling and education of devoted faculty members in the community college I now serve he became a productive and valued member of main stream society, and that sold me on community colleges.

When I became aware of the national picture, however, I soon found that the immense federal Department of Education had no special area of application reserved for community colleges; so far as I can see, no person, group, or section in the Department speaks for our displays interest in the specialized area of community colleges. We have our detractors, especially involving default loans; however, I have yet to find any special pleaders among the 4 year college devotees who populate the offices and payrolls of the Department. I have resolved, therefore, that I will do what I can to see that Community Colleges are recognized in the Act, and if it takes legislation I am prepared to go that route if necessary. I am getting support from community colleges throughout the nation, and I believe that in the near future we will see a new interest in community colleges displayed in the Department of Education.

It is no secret that the community, technical and junior colleges of the United States are displeased with the general absence in the Department's executive ranks of professionals from two years colleges. This was, unfortunately, true in the U.S. Office of Education, and nothing much has changed since the Department was established. Moreover, we have yet to see any initiative of change today in the year of the President of Education.

What has made the omission all the more egregious in recent years, and all the more detrimental to both the department and our communities, is the fact that community colleges now have the largest enrollment of any segment of higher education. Let me remind you; community colleges today are not glorified high schools; we now serve the majority of American students starting college, and the proportion of total enrollment continues to grow. In Maryland, for instance, in the Departments own back yard recent data shows that ¾ of Maryland's freshman and sophomores are enrolled in community colleges. In Oregon the figure is well above 50%, and the college I represent has a larger total enrollment than all of the Oregon 4 year institutions combined.

In the Bush Administration, no official of presidentially nominated rank comes today from the recent ranks of community college professionals. Since the department has seen little disposition to rectify this omission we think it should be addressed in the reauthorization. I am sure that I speak for community colleges throughout this land when I urge here today that the reauthorization establish an Office of Assistant Secretary to manage community and technical college affairs, with responsibility for all postsecondary programs of subbaccalaureate level, including postsecondary and adult technical-vocational education, cooperative education, and adult basic education.

Such an office should play a vital role in helping mold federal training and educational programs into the kind of national human resource strategy that gives the nation a world class work force by the turn of the century. In addition to the irreplaceable role they play in providing 2 year transfer education, community colleges constitute the nation's largest network of formal adult training and retraining on technical skills levels, and yet they do not begin to be effectively utilized as they should be in meeting the employment challenge of global competition. Blame for this underutilization is federal Department of Education, as well as the Labor Department and the economic development agencies of the varous states.

* * * * *

Thank you for this opportunity to present my views and my proposal regarding increasing the role which community colleges play in the Department. I hope you will recommend my proposals to the Secretary.

DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. WAXMAN. Mr. Speaker, I am pleased to join my colleagues Messrs. SWIFT, COOPER, BOUCHER, OXLEY, FIELDS, RITTER, BRUCE, BARTON, and TAUKE on the Energy and Commerce Committee in introducing the Digital Audio Tape Recorder Act of 1990.

Digital audio tape [DAT], like compact discs, was developed with the state-of-the-art digital technology that has revolutionized the quality of music recordings available to consumers. While compact discs only allow prerecorded music to be played back, DAT goes one step further and allows it also to be recorded. And, unlike copies on analog tape, DAT copies, whether they are the first or thousandth generation, have the same master copy quality as the original recording.

This recording technology, which was developed a number of years ago in Japan and is just now being introduced to the United States market, has reignited the debate on copyright protections for creators and owners of music. Neither Congress nor the courts have addressed this issue. But as taping has increased, the men and women who write music have effectively lost their ability to protect their creative works. This is wrong. Congress must pass legislation that protects copyrighted material and properly compensates writers and artists when it is taped.

To understand the threat DAT poses to copyright holders, we need only look at the impact current recording technology has had on the music industry. Since cassette recorders were introduced more than 10 years ago, blank tape sales have grown by 345 percent. The recording industry estimates losses of approximately $1.5 billion annually in lost sales.

In 1987 I introduced H.R. 1384, the Digital Audio Recorder Act, to address the threat to copyright holders of the imminent entry of DAT machines into the United States. H.R. 1384 would have required all DAT machines sold in the United States, for one year after the bill's enactment, to contain a copy-code scanner system to prevent copies of prerecorded music from being made. This bill would have given Congress time to consider the best way to balance the benefits of home taping with the rights of copyright holders. Key provisions of H.R. 1384 were included in the omnibus trade bill but were removed for procedural reasons before it was considered by the full House.

After H.R. 1384 failed to pass, many Members of Congress encouraged the consumer electronics and recording industries to work to resolve their differences on copyright issues. Representatives of these industries worked together for almost 2 years to find a common legislative solution to copyright problems.

The negotiators could not agree on much. They did not agree, for instance, on whether consumers have a right to tape prerecorded music. Nor could they agree on whether a royalty system should be created to compensate copyright holders when their works are taped. They did, however, reach agreement on one major issue; The problem of serial copying, that is, copying from copies on DAT recorders. They also made joint recommendations to world governments on the format for DAT. The Digital Audio Tape Recorder Act, which my colleagues and I are introducing today, embodies this landmark compromise.

The Digital Audio Tape Recorder Act would require all DAT recorders to contain a serial copy management system [SCMS]. This technology would not prevent a DAT recorder from making first-generation digital-to-digital copies of original prerecorded music, but it would prevent serial copying. Home taping on conventional analog tape recorders would not be subject to this legislation.

Some members of the creative community have expressed concern that the enactment of the DAT agreement could implicitly establish a legal right to first-generation home taping. To allay these concerns, this legislation explicitly states that no new taping rights are created, and that this bill will have no effect on existing copyright laws as they pertain to home taping.

I have been a longstanding supporter of a royalty system as the fairest and most efficient way to compensate creators and owners of music for their copyrighted work. I know that many in the creative community are deeply disappointed that this bill contains no such system. I share that disappointment and wish a compromise were in hand. Unfortunately, it is not.

It may be that Congress will be ready to enact a royalty system in the near future. I certainly will do all I can to make that a reality. But in the interim, I believe this bill provides real and important protection to copyright holders. It is not a comprehensive solution, but it does guarantee that the creative community will be protected against unauthorized serial DAT copies of their copyrighted musical works.

The Digital Audio Tape Recorder Act represents the first time, after many years of debate, that the recording and consumer electronics industries have found some common ground on intellectual property rights. It also demonstrates that the protection of intellectual property can be possible without impeding the development of new recording technologies. I urge my colleagues to join me in cosponsoring this important legislation.

Printed below is a section-by-section description of the Digital Audio Tape Recorder Act.

SECTION-BY-SECTION DESCRIPTION OF THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

Section 1 sets forth the title of the bill.

Section 2 sets forth certain findings that help put the legislation in perspective. Most of the findings describe the development of the serial copy management system (SCMS) for digital audio tape (DAT) recorders and how this system works. Other findings indicate that—

Enactment of the legislation will fulfill the constitutional power of Congress to promote the progress of science and the useful arts by encouraging the development of new technologically advanced products while providing protection for creators of copyrighted works;

Congress expects representatives of the consumer electronics and music industries to discuss copyright issues resulting from new technologies, including recordable and erasable compact disc players, to study possible approaches, and to make legislative recommendations for applying SCMS or another system with greater copying restrictions than SCMS to these new technologies; and

Enactment of the legislation will not address or affect the legality of private home copying under copyright law and will not prejudice consideration of whether or not royalties should be levied for private home copying of copyrighted music.

As a group, the findings provide background helpful for interpreting the SCMS standards and specifications mandated for DAT recorders and help put congressional consideration of the legislation into context.

Under SCMS, the circuitry which controls the functions of a DAT recorder will be programmed to read certain coding information accompanying the source material and, based on the particular combination of codes it reads, will not prevent unrestricted copying, will not prevent copying but label the copy with a code to restrict further digital-to-digital copying, or disallow such copying. Under this system, a DAT recorder will not prevent the making of first-generation digital-to-digital copies of original prerecorded music and other material from compact discs, prerecorded DAT cassettes, digital broadcasts, and other digital sources entering through a digital input, but will prevent the making of second-generation digital-to-digital copies of the copies. In recognition of the fact that a DAT recorder is presently unable to determine whether original prerecorded music or other material entering through an analog input has been coded for copyright protection, a DAT recorder will not prevent the making of a first-generation and a second-generation digital-to-digital copy of the source material, but will prevent the making of a third-generation digital-to-digital copy of the second-generation copy. In the even that technological developments permit the circuitry of a DAT recorder to identify copyrighted material entering through an analog input, equivalent limitations on digital copies of copies should apply, but there will be no limitation on serial digital copying of analog material not coded for copyright protection.

Home taping on conventional analog tape recorders will not be subject to SCMS. Thus, home taping on analog tape recorders will remain unaffected by this legislation.

Section 3 governs the manufacture and distribution of DAT recorders and phonrecords. Subsection (a)(1) provides that no person may manufacture or distribute a DAT recorder or digital audio interface device that does not conform to the standards and specifications to implement SCMS set forth in the technical reference document or established under an order by the Secretary of Commerce. (For purposes of this section, "manufacture or distribute" is defined broadly in subsection (f) to mean to manufacture, assemble, sell, resell, lease, or distribute in commerce, or to offer to do any of these in commerce.)

Subsection (a)(2) provides that, if the Secretary of Commerce approves standards and specifications under section 4(b)(3) to imple-

ment SCMS for source material in the analog format, then no person may manufacture or distribute a DAT recorder or digital audio interface device that fails to conform to such standards and specifications. At present, a DAT recorder is unable to determine whether original prerecorded music or other material entering through an analog input has been coded for copyright protection. Industry representatives are at work, studying the technical feasibility of implementing a system that would carry the copyright code in the analog, as well as the digital, format. If they develop a technical solution and if the Secretary then makes the required determination, future models of DAT recorders will have to implement the new technology before they may be sold in the United States.

Subsection (b) proscribes circumvention of SCMS. It provides that no person may manufacture or distribute a device, or offer to perform a service, the primary purpose or effect of which is to avoid, bypass, remove, deactivate, or otherwise circumvent any program or circuit that implements, in whole or in part, SCMS in DAT recorders. Thus, the legislation is aimed at the sale of so-called "black boxes" and computer programs that will defeat the system, as well as at persons operating a service to circumvent the system.

Subsection (c) exempts professional model DAT recorders from the coverage of the legislation. This subsection contains a number of criteria for determining whether a particular device qualifies as a professional model. The intent is threefold: to ensure that recording professionals, such as musicians, recording studio engineers, broadcasters, and cable operators, may purchase DAT recorders that are not limited in their recording ability; to provide manufacturers with guidance for designing and marketing models for use by recording professionals; and to ensure that this exception does not become a loophole by which the unscrupulous seek to market "professional" models to consumers through traditional consumer outlets.

Subsection (d) provides that no person may encode a phonorecord of a sound recording with inaccurate information relating to the category code, copyright status, or generation status of the source material so as to improperly affect the operation of SCMS. This provision, however, does not require any person to encode a phonorecord so as to claim copyright protection. That remains a decision for each copyright holder to make.

Subsection (e) provides that a person who transmits or otherwise communicates to the public in digital form the copyright status of a sound recording must do so accurately. This provision does not require broadcasters or cable operators to transmit sound recordings in a particular digital format or to otherwise transmit information about the category code, copyright status, or generation status of a sound recording. Rather, it only requires that information about the copyright status of a sound recording be accurate if it is transmitted or othewise communicated.

Section 4 sets forth the mechanisms for implementing SCMS in DAT recorders and digital audio interface devices. Subsection (a) provides that within 10 days following enactment of the legislation, the Register of Copyrights must publish the technical reference document in the Federal Register. The proposed text of this document is attached to this section-by-section description. It is a technical reference document that adopts certain of the standards proposed to the International Electrotechnical Commission (IEC) in "IEC 958: Digital Audio Interface" and "IEC XXX Part 6: Serial copy management system for consumer audio use DAT recorders." Irrespective of how the proposals are treated by the IEC, the standards and specifications set forth in the technical reference document are intended to be determinative for purposes of defining the technical requirements of this legislation.

The technical reference document establishes two sets of standards and specifications. The first set governs the composition and specifications. The first set governs the composition of digital audio signals being sent to and received by a DAT recorder, known as the "Digital; Audio Interface Standard." The second set governs the recording functions of consumer model DAT recorders, to be known as the "Serial Copy Management System Standard" or the "SCMS Standard."

Subsection (b) contains three "safety valve" mechanisms, all triggered upon petition of an interested party, to implement SCMS differently than provided for in the technical reference document. Upon receipt of a petition and before issuing an order under this provision, the Secretary of Commerce must consult with the Register of Copyrights. The first mechanism provides the Secretary with the authority to issue an order permitting in commerce DAT recorders that possess the functional characteristics of SCMS and are compatible with SCMS as prescribed under the technical reference document, but which do not meet all of the standards and specifications set forth in the technical reference document. The intent is to have a mechanism by which the Secretary can remedy any technical problems that develop in implementing SCMS using the technical reference document and to permit other technologies which may be developed which implement SCMS in some other way. The second provision gives the Secretary the authority to issue an order permitting in commerce DAT recorders that meet a new set of standards and specifications to implement SCMS, in the event that the overall standards for DAT recorders or digital audio interface devices are no longer applicable and are revised in the future. The third provision provides the Secretary with the authority to approve standards and specifications for applying SCMS to source material in the analog format in an equivalent manner as source material in the digital format.

Section 5 establishes remedies for violations of the legislation. Subsection (a) provides that an aggrieved person or the Attorney General may bring a civil action to redress a violation of section 3. Subsection (b) provides the court with authority to grant injunctions, award damages, direct the recovery of costs, and grant such other equitable relief as it may deem reasonable.

Subsection (c) sets forth mechanisms for calculating damages, subject to a limit of $1 million per judgment as established under paragraph (1). An aggrieved person has the option of recovering actual damages or statutory damages, subject to this limit. Paragraph (2) provides the court with the authority to make an additional award of damages, up to a maximum of an additional $5 million, if it determines that a violation of section 3 was committed willfully and for purposes of direct or indirect commercial advantage or private financial gain. Paragraph (3) gives the court the discretion to lower the damage award to $250 if it finds that the violator was not aware and had no reason to believe that his or her acts constituted a violation of section 3.

Subsection (d) provides the court with authority to impound devices that the court has reasonable cause to believe do not comply with section 3.

Subsection (e) limits the authority of a court to issue a temporary or preliminary injunction against the distribution of DAT recorders labeled as professional models. The court only may do so if it finds that the labeling and distribution of the devices by a manufacturer were without a reasonable basis or not in good faith. The intent is to permit a manufacturer to continue to distribute devices in commerce pending resolution of the case, unless it is clear that it could not reasonably or in good faith have labeled and distributed a device as a professional model.

Subsection (f) permits the court to order the remedial modification of any device or phonorecord that does not comply with section 3. The court also is given authority to order destruction of any device or phonorecord that does not comply with section 3.

Section 6 defines terms used in the legislation. Of these definitions, the most important one defines a DAT recorder. The intent is to limit the applicability of this legislation only to devices that are intended or marketed to consumers for the primary purpose of making a sound recording in a digital format on magnetic tape. The "primary purpose" test is intended to ensure that only those products expected to be used principally for making audio recordings contain the circuitry or program to implement SCMS. In addition, by stating that the legislation covers devices included with or as part of some other device, the bill is intended to cover devices like "boom boxes" and to ensure that the requirements of the legislation may not be avoided merely by incorporating a DAT recorder into another device.

The bill defines a digital audio interface device as any machine or device, whether or not developed as of the date of the enactment of the Act, and whether or not included with or as part of some other device, that supplies a digital audio signal through a "non-professional interface" as that term is used in the Digital Audio Interface Standard in Part I of the technical reference document or in an order of the Secretary of Commerce pursuant to section 4(b)(1) or (2).

For drafting simplicity, the bill refers to the "technical reference document," the document appearing in the Congressional Record that sets forth the standards and specifications for implementing SCMS in DAT recorders and digital audio interface devices.

Finally, this section states that all other terms in the bill will have the same meanings as those set forth in the Copyright Act of 1976, as amended. Such terms as "phonorecord" and "sound recording" appear throughout the bill. These and other terms have developed particular meanings through statutory amendments to the law and through judicial precedent. This provision preserves the interpretations developed under the Copyright Act.

Section 7 provides that the legislation is not intended to affect any right or remedy, or any limitation on any such right or remedy, held by or available to any person under the Copyright Act of 1976, as amended. Section 7 also provides that nothing in the legislation creates or affords any greater or lesser rights with respect to private home

copying of a copyrighted work than any rights afforded under the Copyright Act.

Section 8 amends the Copyright Act to include the language set forth in section 7 in statutory form.

Finally, section 9 of the bill establishes the date of enactment as the effective date for the legislation, but specifies that the requirements for implementing SCMS do not apply to devices or phonorecords manufactured or assembled prior to that date. Thus, all devices and phonorecords currently in the hands of consumers or in the chain of distribution prior to enactment of the legislation will not be subject to it.

DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SWIFT. Mr. Speaker, I take great pleasure in joining my friend and colleague Mr. WAXMAN and our House colleagues in introducing the Digital Audio Tape Recorder Act of 1990. He and I came to this proposal from different directions, but we agree that it is both necessary and important.

Two years ago we were on different sides of a knock-down, drag-out legislative battle. Ultimately, we did not legislate on DAT in the 100th Congress. However, as a result of our activity, several House Members, including my friend, the gentleman from Wisconsin [Mr. KASTENMEIER], suggested to the recording and consumer electronics industries that perhaps the best legislative approach to DAT might be arrived at through negotiation between these two industries. We were not the only ones. In the other body and, indeed, around the world, leaders of government and industry made the same request: Won't you please work something out on DAT?

I am pleased to be able to join my colleagues in introducing a bill based on the compromise that these industries reached. The heart of this compromise is agreement that a circuit called the Serial Copy Management System, or SCMS, should be legally required to be built into every DAT manufactured after the effective date of the legislation. Very simply, the SCMS would not interfere with the ability of DAT's to make pure digital copies of albums, but would not allow these copies to be themselves copied digitally. This provides protection from chain-letter type duplication of the recording industry's very valuable digital master tapes, but, in my view does not materially interfere with the legitimate needs of consumers. I say this as an avid home taper myself.

I very much hope we can pass this legislation this year. While the technology is a bit complicated, I think expert testimony will show that for engineers it is fairly straightforward and quite feasible. I think there has been regulatory uncertainty about DAT long enough. Consumers are entitled to the newest technology while it is still new.

Some who applauded my stand 2 years ago have wondered why I should support any legislation now. After all, they point out, the restrictive legislation of 2 years ago never passed. Why regulate a product that I believe is already legal?

First, even if DAT's with SCMS built in may soon be available for purchase, the only sound course is to support this bill. What this product needs is confidence and stability. The only agreement between these industries was to recommend measures to governments. If the compromise is never officially adopted, there is nothing to prevent either its lawful circumvention by those who would sell machines without SCMS protection, or the ultimate adoption of measures inconsistent with SCMS. Moreover, consumers might be hesitant to invest in a format that remains controversial.

Second, we should recognize that while this bill is very narrowly drawn so as to regulate DAT only, its significance extends well beyond its scope. For years, we in Congress have held hearings and commissioned studies about the march of technology and our inability to keep the law abreast of it. In this instance we asked the industries that developed the techology to work out a reasonable compromise on some very difficult issues, and they actually have done so. They did it in a commendably specific way: This bill does not change the copyright law as it pertains to any product, including DAT; nor does it theoretically or specifically impinge on other advanced technologies. In other words, this bill represents a noble yet safe experiment. Those who care about applying the law to advanced technologies have every reason to wish it to succeed.

I look forward to working with my colleagues to have this legislation expeditiously enacted into law.

ANTI-SEMITISM: THE RETURN OF A RUSSIAN NIGHTMARE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. LANTOS. Mr. Speaker, last Sunday the Washington Post published an outstanding article on the rise of anti-Semitism in the Soviet Union. The author is Vitalii I. Goldanskii, a prominent Soviet scientist and the director of the Semenov Institute of Chemical Physics of the Soviet Academy of Sciences. Academician Goldanskii is also a member of the Council of People's Deputies—the Soviet parliament—and a member of the parliament's foreign relations committee. To my knowledge, this article is the sharpest public criticism thus far of the alarming rise of anti-Semitism in the Soviet Union.

Mr. Speaker, I ask that this outstanding article be placed in the CONGRESSIONAL RECORD, and I urge my collegues to give it serious and thoughtful attention. We in the Congress must take the lead in criticizing, condemning, and calling the attention of the world to this inhuman, racist violence against innocent men, women, and children. This article is an important first step in publicizing this vicious, spiteful, and dangerous nightmare.

[From the Washington Post, Feb. 18, 1990]

ANTI-SEMITISM: THE RETURN OF A RUSSIAN NIGHTMARE

(By Vitalii I. Goldanskii)

Supporters of President Gorbachev's perestroika are increasingly alarmed by the possibility that this program of restructuring and reforms may collapse. Should this occur—and it cannot be ruled out even in the near future—it would be a disaster not only for the Soviet Union but for all humankind.

Many of the difficulties being encountered by perestroika are well known outside the Soviet Union, as are some of the potential consequences if perestroika fails. But too little attention has been given, until now, to the special dangers posed by the growing aggressiveness in the Soviet Union of extreme right-wing, virulently anti-semitic groups that seek to subvert perestroika, to blame the country's past and present problems on the Jews, and (as some of their propaganda states explicitly) to "finish what Hitler started."

These extremists are flourishing in the climate of spite, envy, scapegoating and hatred associated with the increasingly severe difficulties in the Soviet economy and growing ethnic tensions. They are perhaps already the strongest, and certainly the fastest growing, of the divisive forces pushing the country toward bloodshed and civil war.

The extremist groups go by a variety of innocuous-sounding names, of which the best known outside the Soviet Union is the "National Patriotic Front Pamyat" (pamyat means "memory"). A number of them recently entered into a confederation under the title of "Bloc of Social-Patriotic Movements of Russia." I prefer to call them Russian monarcho-Nazis (or monarcho-fascists), to reflect their combination of deep reverence for the autocratic csarist Russian empire and ferocious hatred of Jews.

Incredibly, the Russian monarcho-Nazis openly and widely condemn the Jews as the main culprits in all of the troubles of Russia from the October Revolution of 1917 up until the present—including genocide against the Russian people in the form of the millions of Russian deaths in civil war, collectivization and various purges; destruction of tens of thousands of Russian churches and historical monuments; and spiritual poisoning of the people through the introduction of decadent and corrupt Western culture alien to Russian tradition. They even accuse the Jews of ritual murders and a worldwide conspiracy against humankind, making reference to the disgraceful hoax, "The Protocols of the Elders of Zion."

There is striking similarity, in fact, between the views, programs and intentions of the Russian monarcho-Nazis and the original Nazi platform as laid out in Hitler's "Mein Kampf" and other infamous documents of the German Nazi period. This similarity, and the resemblance of the general situation in the Soviet Union in 1988-90 to that in Germany in 1931-33, have been publicized by progressive Soviet mass media. The newspaper Soviet Circus, for example, has printed a point-by-point comparison of Pamyat's manifesto with the program of the Nazi Party of the 1930s.

The main organization serving as a coordinator of the monarcho-Nazi forces is the Union of Writers of the Russian Federation (RSFSR). As outlets for their propaganda they have at their disposal such newspapers and journals as "Literaturnaya Rossiya"

(Literary Russia), "Nas Sovremennik" (Our Contemporary), "Molodaya Gvardija" (Young Guards) and "Moscow." The leaders of this movement include many notorious writers, some scientists, some artists and others.

The Nazi-type speeches and publications of these groups are becoming routine features of everyday life in the Soviet Union. Their form and content were analyzed by Prof. Herman Andreyev from Mainz University in West Germany in a recent issue of the weekly magazine Ogonyok. He concluded that in Western European countries such statements would be treated as unconstitutional, the persons propagating them would be called to account and the organizations supporting them would be dissolved.

Yet the monarcho-Nazis seem to be meeting no serious opposition—indeed, more often sympathy and connivance—from important party and government leaders of the U.S.S.R. It is instructive, for example, that in the platform of the Soviet Communist Party on ethnic problems published in August 1989, not a single word was said about the anti-semitic campaign against so-called cosmopolites (1949), the shooting of leading Jewish writers and artists (1952), or the disgraceful "Doctor's plot" (1935), while many other Stalin-era crimes against various nationalities of the Soviet people were scrupulously mentioned.

Similarly, an appeal by more than 200 people's deputies of the U.S.S.R. to the Presidium of the First Session of the Congress of the People's Deputies in June 1989, expressing concern about the "growing wave of anti-semitic activities, including open calls for violence that could lead to irretrievable consequences," went unanswered. That was also the fate of a letter written to Gorbachev on this subject by 10 distinguished scientists and writers in September 1989.

The explanation of such passivity on the part of the authorities seems quite simple. In addition to the evident sympathy of many authorities on different levels to the views of the monarcho-Nazis, others who do not sympathize nonetheless hesitate to act because of the way the growing aggressiveness of the monarcho-Nazis is linked to the bloody ethnic conflicts and intensifying separatist movements in nearly all of the outlying districts of the Soviet Union.

Specifically, this situation offers the monarcho-Nazis considerable opportunities for blackmail and intimidation of Gorbachev and his closest advisers, through the claim that, in conditions of the "decline of empire," the Russian heartland and her "genuine sons" constitute the only reliable basis for the preservation of Gorbachev's power. Such arguments are being used to push Gorbachev toward the right and to divide him from his true supporters on the left—the liberal intelligentsia. The result could be a repetition of the circumstances that produced the downfall of Khrushchev in 1964.

In parallel with their attempts to intimidate Gorbachev, the monarcho-Nazis have been openly attacking his foreign policy. They even have accused Gorbachev of being an agent in the service of the CIA and the Israeli intelligence service, the Mossad. With this two-pronged strategy of intimidation and direct attack, the Russian monarcho-Nazis hope to attain either a decisive influence over Gorbachev's policies or his removal and replacement at the seat of power by supporters of their movement.

What would that mean for Soviet Jews? The answer is all too clear from the similarity of the monarcho-Nazis' program to that of Hitler. The Russian monarcho-Nazis already possess their equivalent to Hitler's SA and SS, in the form of the Pamyat movement. This movement does not disguise its intentions to carry out pogroms against the Jews, to whom it refers using the insulting word "zhidy" (yids). In fact, members of Pamyat have been organizing well-attended meetings all over the country to call for pogroms—even in Moscow's Red Square on Nov. 12, 1989—and no one has stood in their way.

Hitler treated as Jews those who have more than one-quarter Jewish blood. Pamyat goes further. It has announced its intention to search for Jewish progenitors back to the 10th generation. New recruits to Pamyat are required to prove their "racial purity" and to provide to the organization the home addresses of five Jews—no doubt for the purposes of the pogroms to come. Opponents of the monarcho-Nazi movement who happen to be "racially pure" or "Aryan" are characterized, along with all liberal intelligentsia, as "masons" (or "zhidomasons," i.e., supporters of Jews); and these are also the targets of pogrom propaganda.

The brazenness of monarcho-Nazi threats against Soviet Jewry has been increasing. In addition to anti-semitic rallies and the desecration of Jewish cemeteries around the country, which have been going on for some time, it now seems that meetings of liberal intellectuals are no longer safe from disruption by Pamyat thugs.

On the evening of Jan. 18 of this year, for example, a meeting of the progressive "April" group of writers at the Central House of Writers in Moscow was invaded by some dozens of Pamyat monarcho-Nazis with megaphones. They roughed up some of the writers, forcibly ejected others from the hall, shouted anti-semitic slogans and announced that their next visit will be with automatic weapons. They also designated St. George's Day, at the beginning of May, for a pogrom. The police were called but took their time in arriving, and there were no arrests.

Further increases in anti-semitic activities (especially, of course, actual violence) surely will lead to a mass exodus of Jews, people of partly Jewish extraction and "racially pure" liberal intelligentsia. This new wave of emigrants—refugees from monarcho-Nazi power—could reach several millions and would represent a serious brain-drain from the U.S.S.R.

As for the possibility of another Holocaust, it certainly could not reach the scale of earlier Nazi crimes: The world has changed too drastically in the last half century for that. But a wave of pogroms more or less along the lines of the infamous "Kristallnacht" cannot be ruled out—weaker if a government like the present one tries to oppose them, stronger if a successor government of the monarcho-Nazi stripe sympathizes with the pogrom lust.

What should be done? As a start, the world public should be informed of the activities and intentions of the new followers of Hitler in the Soviet Union and should be told their names. The famous "Brown Book" published by anti-fascists in 1933, after all, was the first important step in the exposure of the Nazi crimes of that era. Clearly, the publishers of newspapers, journals and books, and producers of electronic media, have an important role to play.

The stakes are high. If the monarcho-Nazis prevail and perestroika collapses in an orgy of chauvinism and racism, the results are likely to include not only a rapidly growing degree of anarchy in the Soviet Union but even the outbreak of civil war. In a country still laden with tremendous stockpiles of nuclear and chemical weapons, as well as a widespread network of nuclear power plants, such a chain of events could quickly become not just a national but an international catastrophe.

A CONGRESSIONAL SALUTE TO JOANNE HILL CRONIN IN HONOR OF HER SELECTION AS WOMAN OF THE YEAR

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ANDERSON. Mr. Speaker, it is my pleasure to pay tribute to Joanne Hill Cronin who will be honored on February 23, 1990, as the California Pools for the Handicapped, Inc.'s, Woman of the Year. I would like to take this opportunity to express my personal appreciation for the years of dedication to cause that this award represents.

Joanne Hill Cronin has been an active and committed member of this community for nearly 60 years. After moving to Long Beach in 1933, Ms. Cronin attended St. Anthony Grammar School and High School and then did her college work at UCLA. On September 25, 1954, she married her husband Paul. From their loving relationship sprang two children, Paul Cronin and Kathleen Dyke, and now she has three grandchildren, Matthew, Anna, and David Cronin, to brighten her life.

Joanne has set new standards for community activism. There can be no doubt her standards of involvement are those we all should aspire to. She is deeply involved with St. Barnabas Catholic Church as president and member of the parish council, and has been a finance organizer of the parish festival for the past 12 years. A 19-year member of the St. Mary's Hospital Guild, she has held numerous board and committee positions, including the position of president. Joanne has also been a committee member of the St. Mary's Hospice Auction, chairing and overseeing its success. She is also a member of the Long Beach Civic Light Opera Diamond Terrace, member of the Women's Heart League, and member of the board of directors of The Shepard's Center. The list of her accomplishments and services to others seems never-ending.

My wife, Lee, joins me in extending our heartfelt congratulations to a kind, giving, and generous woman. An award like this only begins to speak of all we owe Joanne. Your efforts can never fully be rewarded, but I hope this award shows our community's deep appreciation. We wish you all the best in the years to come.

CONGRESSMAN FISH RESPONDS TO RELEASE OF NELSON MANDELA

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FISH. Mr. Speaker, this past Saturday, February 17, 1990, I had the honor of speaking at the Vassar College Chapel in Poughkeepsie, NY, at the college's "Welcome Home Nelson Mandela" celebration. Also speaking on the occasion were Tebogo Mafole, Chief U.N. Representative of the African National Congress, and Patrick Lekota, publicity secretary of the United Democratic Front. At this point I would like to insert into the CONGRESSIONAL RECORD the text of my remarks:

REMARKS OF HON. HAMILTON FISH, JR.

I am honored to speak to you in one of the most remarkable periods of African and world history. I cannot begin to match the expertise of those present on South Africa and that of the faculty panel to follow and hope to learn from you today.

This week has left us all breathless. Events are moving so fast that what happens one day is old news the next. This time a week ago, Nelson Mandela remained where he had been for more than 27 years, in a prison cell. Today, he's a free man.

We hope history will record that last week's events signaled a new era for South Africa. There are promising signs in addition to Mandela's release—the recent lifting of the ban on all political parties and allowing some peaceful demonstrations.

Several political prisoners in addition to Mandela, including Walter Sisulu, have been freed, and although a modest step, South African beaches have been ordered to admit blacks.

What accounts for these dramatic changes? Several things. Withoug a doubt, the key factor has been the dedication, patience, and perseverance of the many South African black leaders, other anti-apartheid activists and ordinary citizens who have struggled over the years for equal rights.

It hasn't been easy. Many of these heroes and heroines have sufferd greatly for their cause and some, like Steven Biko, have given their lives in the hopes of creating a new South Africa.

No individual, however, has loomed as large as Nelson Mandela. As the principal force behind the free South Africa movement in the early 1960's and a prisoner of the very system he sought to abolish, Mandela, from his prison cell, has been an inspiration to those in the liberation campaign.

Even though he was shut off from the outside world for nearly 30 years, the black people of South Africa never lost sight of Mandela's vision of a nation in which black and white children could go to school together, where black could live where they want, and could aspire to all the dreams of men and women in free societies

His ideal can be summed up in his own words, taken from the speech he delivered at his sentencing more than 25 years ago and repeated in part last Sunday. He said:

"I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunity. It is an ideal which I hope to live for and to achieve. But, if need be, it is an ideal for which I am perpared to die."

He should, and I hope will, play a key role in the development of a new democratic system that will include all races.

Another force behind the emerging freedoms in South Africa is the country's new President, F.W. de Klerk. He deserves credit for positive developments which can lead to negotiations.

The National Executive Committee of the A.N.C. calls these steps important in creating a climate conducive to negotiations, and evidenced a willingness to negotiate a suspension of hostilities by both sides.

Recent changes in the rest of the world help us understand why Pretoria has taken these steps. For one, there has been a decline in military adventurism by the Soviet Union. I understand Pretoria, in the past, has justified its repressive policies on this fear. Whereas, in reality, an indigenous uprising was more likely.

Also, the December 1988 Namibia-Angola agreement effectively ended the conflict there. Trade and investment opportunities are opening up in other African countries.

So, with the world picture looking brighter, South Africa can address its pressing needs at home.

Another reason for the recent changes is that many white South Africans, especially those in business, are fed up with apartheid. It's unprofitable. They are frustrated by the difficulties encountered in attracting loans and investments from firms reluctant to do business with their country. This disenchantment has been long in coming. It is what we hoped our sanctions would encourage.

We in Congress have stood with you in your cause over the years. Four years ago, I was an original Republican sponsor of the House-passed Anti-Apartheid Act of 1986. That law banned imports from South Africa, limited American exports and banned new American loans and investment in that country. In 1988 we passed a comprehensive ban on trade and investment.

The sanctions were more effective than even we in Congress expected. The law also proved to Pretoria that the United States meant business, that America, perhaps the most prominent symbol of liberty in the world, would not be for such injustice, for State-sponsored violence and suppression.

Pleased as we are with Mandela's release and other positive developments, we must remember that much remains to be done. For example, it is ironic that Mandela, the most revered figure in South Africa now and one of the most admired in the world, cannot vote because of his skin color. That must change.

The state of emergency, which allows police to detain people indefinitely, send troops into black townships and censor the press, must be lifted. And all, not just some, of the estimated 2,000 to 3,000 political prisoners should be released.

These are the demands Mandela articulated on his first day of freedom as conditions to negotiating a non-racial society, and they should be addressed promptly. To these the A.N.C. has added amnesty for exiles.

Furthermore, the Group Areas Act, which keeps blacks and whites apart, and the Population Registration Act—the two pillars of apartheid—are still law. So are the land acts, which reserve 87 percent of the country for whites, who make up just 14 percent of the population.

All of these laws, which form the backbone of apartheid, must be stricken from the books.

The Internal Security Act, still in place must not be used to prevent an atmosphere of political freedom.

The white government must negotiate with the A.N.C. and other black opposition groups to form a democratic, non-racial form of government in which all people may participate.

I pledge to you that I shall join like-minded colleagues in Congress to keep the heat on Pretoria until all these changes have been made and South Africa has been transformed into a truly democratic nation. At this time, I do not believe the economic sanctions we have imposed should be lifted. By law, relief is conditioned upon realizing many of the changes and actions called for by South African black leaders.

Unknown at this time is whether President F.W. de Klerk is going the distance. Will he be constrained by his constituency and the limits of his own thinking? We just don't know. We do know that the concept of group rights—the white veto—has not been addressed.

Ending apartheid will have a liberating effect, not just for blacks but for whites as well. Today we celebrate the beginning of that end—for surely that will happen, peacefully I pray but it will happen.

Welcome home Mandela.

IN HONOR OF WILLIE HALL

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. DIXON. Mr. Speaker, I rise today in recognition of the career achievements of an individual whose extensive involvement with and service to the black and Asian communities of my district has facilitated the efforts of one corporation to become a positive force in the community. Last year, Willie D. Hall retired from a productive and beneficent professional career with the Seven-Up/Royal Crown Bottling Co. after 25 years of dedicated service to his company and to the community it serves.

Willie joined the Seven-Up/Royal Crown Bottling Co. as a driver salesman trainee in 1963 and has since advanced through numerous positions, including driver salesman, divisional supervisor, branch manager, special field service consultant, ethnic markets manager and community relations manager. In March 1988, Willie was promoted to director of community affairs at Seven-Up/Royal Crown, in which capacity he continued his focused involvement with the black and Asian communities.

Willie has served as president of the Los Angeles Chapter of the National Association of Market Developers [NAMD], the Crenshaw Chamber of Commerce, the Greater Crenshaw Revitalization Agency and the Crenshaw Citizen's Advisory Committee. He has also served on numerous boards and committees, among them: the board of the Crenshaw Y.M.C.A., the Western States Black Research Center, the Ruth More Service Volunteers, Avalon Carver Center Senior Companion Program, and the Chinatown Service Center. Willie is a member of the Hollenbeck Police and Businessmen Association, National Association of Market Developers [NAMD], the

Urban League and the National Association for the Advancement of Colored People [NAACP], and was instrumental in founding the Crenshaw Merchants Association and the Santa Barbara Avenue Property Owners Association.

Born in Groveton, TX, Willie settled in the Los Angeles area in 1962. He studied electronics at the National Trade School of Los Angeles and marketing and photography at Harbor College in Harbor City. He also obtained several certificates from Biola College in Evangelical Teacher Training and attended Talbot Theological Seminary in its Master's Program. In addition to his various civic and corporate activities, Mr. Hall is currently an Associate Minister of Tabernacle Faith Baptist Church.

Throughout his career, Willie Hall demonstrated his dedication to the revitalization of the Crenshaw area and a genuine commitment to helping those community residents most in need. His involvement with civic and community groups encouraged the establishment and maintenance of minority owned businesses in my district, and his support of local charities and causes has been both visible and significant. As director of community affairs, Willie was point man in the Seven-Up/Royal Crown Bottling Co.'s effort to become "an integral part of the social fabric which makes up the community." Undoubtedly, Willie Hall's involvement with Seven Up's community outreach programs ensured the integrity of his company's civic commitment.

Thus, on the occasion of Seven-Up's Retirement Salute to Willie Hall, I ask you to please join me in congratulating Mr. Hall on his long list of achievements and noteworthy contributions, and in extending to Willie, his wife Johnnie Mae, their four children and three grandchildren best wishes for continued good health and happiness in the years ahead.

THE BUTTER COMPETITIVENESS ACT OF 1990

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. MOODY. Mr. Speaker, I am pleased to introduce the Butter Competitiveness Act of 1990, legislation that allows for the creation of a new dairy product, reduced fat butter—a pure dairy alternative to margarine. This bill is intended to help the dairy industry move competitively into the 1990's by allowing greater responsiveness to consumer demand and market trends.

While health-conscious consumers have been shying away from high-fat foods, many dairy products—some of the Nation's purest and most natural foods—have been unfairly left in the lurch. Butter in particular has been held hostage to a 1923 statute that defined "butter" as containing not less than 80 percent butterfat by weight.

My bill will retain that statutory definition of butter, but will also permit a dairy product called reduced fat butter. This new reduced fat butter would have to be 52 percent butterfat by weight to be produced and sold.

Over the years Americans have become more and more aware of the health consequences of the food we eat. We have seen the introduction and rising consumption of lower fat frozen yogurts, high fiber breads, diet and caffeine-free sodas, low-sodium products, reduced fat and cholesterol mayonnaise and salad dressings, and so on. Consumption of these products has risen dramatically as people are responding to recommendations by doctors and nutritionists that a lower fat diet can help to reduce the risks of heart disease and contribute to all around better health.

Patients with high cholesterol rates and/or high blood pressure are often told to switch from whole or 2 percent milk to skim milk, to lower their salt intake, and to switch from butter to margarine or some type of vegetable oil spread flavored with buttermilk. Consumers have not had the option of switching to a lower fat butter, a pure dairy alternative to oil-based margarines and spreads.

This bill will accomplish several things at once:

It will give consumers across the Nation a choice to opt for a reduced fat dairy product instead of nondairy margarines or spreads. Our message to margarine users will be "come home to butter."

Dairy farmers will benefit because the increased demand for butterfat that this may generate is expected to lower CCC purchases of butterfat. Butter is currently the only dairy product in large surplus, so much so that last year's CCC purchases of butter caused the support price for milk to be lowered 50 cents this past January 1. A reduced fat butter could thus stem the decrease in the support price for milk by lowering CCC purchases of surplus butterfat; more butterfat will be used up commercially by the expanding butter market created by this lower fat alternative.

It will benefit dairy manufacturers by increasing their market share. Over the years increased consumption of margarine and other nondairy spreads has unfairly hit the dairy industry. This bill is intended to help butter manufacturers aggressively pursue a bigger share of the national market for butter and spreads because there will now be a real dairy alternative to compete with oil-based margarines and spreads.

This bill is a starting point. In my discussions with consumer groups, dairy farmers, and industry representatives, some have expressed a strong preference for this new butter to be called light butter, while others have recommended reduced fat. Strong arguments can be made for both sides, but I have chosen reduced fat for introduction purposes. I want to open the discussion on this issue and get the ball moving. Input from the dairy industry, farmers, and consumers toward resolving this and arriving at a mutually acceptable term is very much welcome.

The bottom line of my bill is twofold: I want to protect the integrity of butter as a pure dairy product while at the same time giving the dairy industry the chance to respond to consumer demands for lower fat foods.

Mr. Speaker, I hope my colleagues will join me and original cosponsors STEVE GUNDERSON, BOB KASTENMEIER, DAVE OBEY, MATTHEW MARTINEZ, GERRY KLECZKA, TOBY ROTH, THOMAS PETRI, JIM SENSENBRENNER, and LEW ASPIN in cosponsoring this important legislation that will benefit both the dairy industry and health-conscious consumer demand.

TAX DOLLARS DID FUND ANNIE SPRINKLE

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ROHRABACHER. Mr. Speaker, it appears that Annie Sprinkle, the Kitchen Theatre, and the New York State Council on the Arts have changed their tune.

But don't be fooled—the Annie Sprinkle show did receive Government money—not once but twice.

First, the Kitchen Theatre in New York City, which hosted 12 performances by Annie Sprinkle, received $60,000 directly from the National Endowment for the Arts for operating expenses.

Second, the New York State Council on the Arts, which receives $500,000 in unrestricted funds from the NEA every year, funded a performing art series at the Kitchen Theatre which included Annie Sprinkle.

The Kitchen Theatre applied for $30,000 from the NYSCA to produce 36 shows in the series. The Kitchen's grant application to the NYSCA describes Sprinkle as a feminist postporn modernist who "* * * uses her experiences within the pornography industry to comment upon gender roles and sexual identity in contemporary society." The NYSCA disbursed a partial grant of $25,000, 32 performances worth, but did not stipulate which shows were excluded from funding.

Here is what the key players initially had to say about the Annie Sprinkle show:

On stage during performance, Annie Sprinkle announced, "Usually I get paid a lot of money for this, but tonight it's government funded."

On January 21, 1990, Bobby Tsumagari, executive director of the Kitchen Theatre in New York, confirmed Ms. Sprinkle's claim. "What NYSCA looks for from the Kitchen is a kind of risk taking, experimental programming and that is predominately what they fund us for," Tsumagari said. She added that a list of programming was submitted to the NYCSA "which did in fact represent what we were doing this year. They could have easily chosen not to fund these 12 productions."

A few days later Tsumagari said, "One interpretation is because of the way that contracting works with the NYSCA, there is no State council funding, as they are only funding 32 of our 54 performances. Another interpretation is that a list of programming was submitted to them which did in fact clearly represent what we were doing this year." But, because the council did not specifically tell the Kitchen which four performances it was not funding, Tsumagari added, "it really is a matter of how one wants to interpret the facts."

On January 21, NYSCA spokesman Tim Mulligan confirmed that the council gave

$25,000 to the Kitchen for a "performance art series" that included 12 performances of Annie Sprinkle. A few days later he added, "You can't say one way or another" if 4 performances of Sprinkle were part of the 32 which the council eventually approved.

The chairman of the NEA, on February 2, 1990, when asked about the Ms. Sprinkle show, said, "The point is, we are not the moral arbiter of this country. We're not going to run around and respond just because something happened somewhere that someone didn't like."

Two weeks after the story broke and after the public expressed its opinion of Government funds going to Annie Sprinkle, people began to change their stories.

On February 7, the Kitchen claimed that it "did not utilize funds from the NYSCA to present these performances." The NYSCA chairman said "we specifically limited our funding because the council felt the Annie Sprinkle presentation was not of artistic quality to warrant council support." Nevertheless, despite their denials, the NYSCA has yet to produce any evidence that they excluded Annie Sprinkle from their grant or that they informed the Kitchen prior to the Annie Sprinkle performances that they were not to use their grant for that purpose. In fact, it's now clear that the NYSCA kept any misgivings they may have had about Ms. Sprinkle to themselves. As Mr. Mulligan explained in a recent Village Voice article, "The council didn't want to fund Annie Sprinkle but we didn't say it because that gets into censorship."

Make no mistake about it, the NEA, the NYSCA and the Kitchen are playing a shell game with taxpayer dollars. The NEA gives more than $500,000 to the NYSCA which, in turn, gave $25,000 to the Kitchen and Annie Sprinkle. Tracing the report from its source to its ultimate destination—no matter how the NEA tries to hide behind front groups—Federal dollars are going to XXX-rated pornography. Mr. Speaker, this must cease. Later this session, I will offer an amendment to the Interior Appropriations bill to end Government funding for the National Endowment for the Arts. I urge my colleagues to support my amendment. I also ask that my colleagues take a moment and read the following editorial which appeared in the Washington Times. Furthermore, I would like to place in the RECORD articles from the New York City Tribune, which broke the Annie Sprinkle story, along with their editorial on the subject.

PUBLIC FUNDING OF EROTIC SHOW STIRS NEW FUROR, ART VS. SMUT DEBATE

(By Walter Skold)

A new fight in the battle surrounding public funding of controversial art has erupted over a show in Manhattan that is called avant-garde by defenders but labeled pornographic by its critics.

Critics feel that the show, Annie Sprinkle: Post-Porn Modernist, may actually be in violation of state and federal anti-obscenity laws and think that Manhattan District Attorney Robert Morgenthau should launch an investigation.

The show, which contains very explicit sexual acts and images, was performed 12 times over the last 2 weeks at The Kitchen, a theater at 512 W. 19th St. in the Chelsea section of Manhattan. The show was part of a 32-performance series funded by a $25,000 grant from the New York State Council on the Arts (NYSCA).

Last night was the final performance of Annie. A new show will replace it, continuing the state-funded series.

Annie's main writer and only actor is Annie Sprinkle, a self-proclaimed "feminist-porn activist" who has previously appeared in more than 150 X-rated films, according to a press release put out by The Kitchen. She now says that: "porn is dead" and calls herself an artist who performs "post-porn modernism."

Her critics say that if what she did is considered art, it is "obscene" art that should not have been funded at taxpayers' expense.

As part of her performance last Thursday evening, Sprinkle did the following:

Masturbated with various "sex toys" until she supposedly experienced orgasms.

Invoked the spirits of "ancient, sacred, temple prostitutes" into the theater.

Performed oral sex on rubber penises (dildoes) and invited the audience to massage her breasts and photograph her scantily clad body.

To conclude her performance, she opened her vaginal canal with a gynecological tool known as a speculum and invited the audience to the stage to inspect her cervix.

After the show, some 50 men and women paid $5 apiece to have a picture taken with Sprinkle's large breasts resting atop their heads.

Efforts to find out who at NYSCA approved the funding for Annie and whether those involved in the decision were aware of the show's controversial content were unsuccessful.

$25,000 PROVIDED

Tim Mulligan, a spokesman for NYSCA, said that top council officials were not in the office Friday to make any comments. He did confirm that the council gave $25,000 to The Kitchen for a "performance art series" that included the 12 performances of Annie.

Mulligan said he was unsure exactly how much of the $25,000 went specifically to fund Annie.

"How somebody in a decision-making position from the state could say, 'Oh boy, let's go with that,' is beyond me," said Joseph Riley head of Morality in Media (MIM).

"You know, Gov. Cuomo is talking about no possibilities to bring the budget down further," said Riley, "but it it seems to me that this could be one of the first things to go."

This latest controversy comes in the wake of numerous political and cultural controversies last year which eventually led to the passage of a congressional amendment prohibiting the National Endowment for the Arts (NEA) from funding "obscene art."

The issue exploded when the New York City Tribune reported last year that artist Andres Serrano had received NEA funding for his Piss Christ, a photo of a crucifix in a jar of urine.

Shortly afterward, photographer Robert Mapplethorpe stirred debate over an NEA-funded exhibit built around homo-erotic pictures that were considered obscene by critics both in and out of Congress.

The incidents and the ensuing legislation have sparked a heated debate within both the political and artistic communities as to what the proper relationship between the artist and the state should be.

Sprinkle herself made reference to these events during her performance last Thursday.

At one point, after purportedly inducing the first orgasm with her favorite "sex toys," she smiled and said to the audience. "Usually I get paid a lot of money for this, but tonight it's government funded."

Most of the 200 men and women in the audience roared with laughter, but others failed to see the humor.

"That an indictment could be gained from a grand jury, I have no doubt," Riley said, "and what would happen at a trial is a very good question."

Riley, whose group fights obscenity nationwide, said that Morgenthau should consider investigating the performance for possible violations of the state's anti-obscenity laws.

"It is ironic that, at a time of supposed frugality, the state is funding what is arguably an obscene performance by someone who admittedly has appeared in 150 porn films."

"It's also ironic that Mr. Morgenthau was sworn in again, yet this sort of thing goes on under his jurisdiction, when to the best of my knowledge he has not sought an obscenity indictment in about a decade."

"Look we have an $8-billion porn industry which is controlled by organized crime, according to the California Department of Justice," complained Page Mellish, president of Feminists Fighting Pornography (FFP).

"Why is tax money being used to present this pornography?" she asked.

Bobbi Tsumagari, The Kitchen's executive director, told the New York City Tribune that critics should not castigate the show without having seen it first. She fears that a "simple, verbal description" of certain parts of the show, without seeing it performed in context, could indeed make Annie sound like pornography.

Riley and Mellish did not see the risque show, but they made their comments based on the descriptions of others and a review in the latest edition of Screw magazine.

The Screw review said, "Sprinkle has always inhabited the extreme edges of the sexual underworld . . . to exploit the revolutionary, or at least irreverent, aspects of pornography."

"The piece itself is not pornographic," said Tsumagari, "but it does question, as much as contemporary art does, what is appropriate material for artists, and what is a public and a private act."

She also said it "comments on the sex industry in a very stringent way, from a first-hand point of view."

Tsumagari may have been referring to one scene that graphically and gruesomely depicted the violence and abuse often associated with pornography. At the beginning of the skit, called "100 Blow Jobs," Sprinkle becomes very angry and despondent, and admits she "met a lot of rotten people" in her career.

Then, with a background of the loud voices of demanding men shouting curses and insults at her, she proceeds to give frantic oral sex to various dildoes, which represent abusive sex partners.

"Sprinkle can claim that it's art," said Mellish, "but you can go to 42nd Street right now, and put a couple of bucks in a machine, and have the same interaction with a woman.

"Now, I don't know if those women claim [what they are doing] is art, but very few people would claim that it is not pornography," she said.

"What she is doing is no different than what is inside Playboy, Penthouse and in booths on 42nd Street," added Mellish.

Screw magazine said, "By casting her act in the form of a Tony 'performance piece,' Annie snares all the artsy nabobs who might otherwise turn up their noses at a six-shows-a-night Show World stand."

Show World is a pornographic theater in Manhattan that has movies, private booths and live-sex acts. Sprinkle herself first developed and performed some of her skits in burlesques, strip joints and in live-sex theaters.

"Some avante-garde people may consider this art, but a jury may not agree," said Robert Peters, an attorney with MIM.

He said that most people are not aware of the state's obscenity laws, a situation he blamed on a "very successful public relations campaign by the American Civil Liberties Union [ACLU]."

"The ACLU always talks about the First Amendment," said Peters, "but the fact is, the First Amendment does not protect" pornography if jurors judge it to be obscene.

MORGENTHAU CRITICIZED

Peters also criticized Morgenthau for not enforcing New York's obscenity laws against the state's booming pornography industry. He thinks convictions can be obtained if "enough political pressure is brought to bear" on the district attorney, but he said many people are tired of complaining because "they get no response."

Tsumagari disagrees with critics who say the show is obscene. "This show encourages you to think about something that you think you know about," she said, "and makes you see the issue of pornography in a new light.

"Frankly, real pornography doesn't do that, which is one of its pernicious influences," she said.

A "Post-Porn Modernist Manifesto," which is printed in the show's program and is signed by more than 20 people, describes the philosophy of such modernists who "celebrate sex as the nourishing, life-giving force."

It states, "We embrace our genitals as part, not separate, from our spirits," and adds, "We utilize sexually explicit words, pictures and performances to communicate our ideas and emotions."

The signers also "denounce sexual censorship as anti-art and inhuman."

The widespread disagreement over Annie seems to illustrate the clash between personal philosophies and public opinions that often occurs when people try to draw the line between "art," "pornography" and "obscenity."

The state obscenity law at one point describes obscenity as "patently offensive" descriptions of sexual acts like sodomy, masturbation, sadism, excretion or the rude exhibition of the genitals.

It also stipulates that material or performances judged to be obscene must, as a whole, lack "serious literary, artistic, political and scientific appeal."

Annie does contain masturbation, excretion and the displaying of genitals, but its defenders say it cannot be considered legally obscene because the show is primarily artistic in content and form.

"The current legislation [initiated by Sen. Jesse Helms, R-N.C.] uses a definition of obscenity which used the phrase 'without artistic merit,'" pointed out Tsumagari, "but this show, in our estimation, has a lot of artistic merit."

Steve Cain, a talk show host on WABC-AM radio, saw the show with his wife, and found it to be "enjoyable," not objectionable.

"It was artistic, enjoyable and provocative, but not pornographic," said Cain, who said he felt the show's main message to be "that society is too hung up about sex."

Mellish said her group won't "get into what is and isn't art," and Riley asked, "Is this art or garbage?"

Regarding a clear-cut, definitive answer, he said, "It's very hard to say."

Still, he and Peters said that Albany legislators should consider whether the funding of the show was a violation of the new federal regulations regarding the NEA.

The state council receives large grants from the NEA every year. Under the new regulations, the federal arts agency is not allowed to fund "obscene" material directly or indirectly.

"Obviously, I'm very much concerned about the move to restrict the NEA from using its best resources to evaluate the merits of programs," said Tsumagari. "And that is essentially what the Helms legislation is about."

She said the legislation "is not really about people stopping shows, its about people trying to prevent public funds from going to these shows, which is a different issue."

"These are the very same principles which were involved in the Mapplethorpe controversy," agreed Cain, who said the state should attempt to develop criteria for funding art "based on what is credible."

"If the state is going to fund the arts," said Cain, "it should not be able to censor the content, but should give to legitimate artists equally."

Many observers, however, have said that it is probably impossible, and maybe not even appropriate, for the state to decide just what is "legitimate" art.

The Kitchen has a tradition of presenting works that "test certain boundaries of art forms and of public acceptability," said Tsumagari, "and let's face it, that stage of public acceptability changes."

She said that what NYSCA "looks for from The Kitchen is a kind of risk-taking, experimental programming, and that is predominantly what they fund us for."

Tsumagari said a list of programming was submitted to NYSCA. "We did in fact represent what we were doing this year."

"They could easily have chosen not to fund these 12 productions" of Annie Sprinkle, she said.

She adamantly defended the grant however, saying, "You need to look at all the programming here, not just our show, so you can filter it into a balance across the board."

Mulligan was able to tell the City Tribune what the Kitchen application said about the show in question.

It described Sprinkle as a "self-described feminist post-porn modernist who "uses her experiences within the pornography industry to comment upon gender roles and sexual identity in a contemporary society."

"Her work is particularly concerned with developing physical and psychological states of health and well-being and in some of the oppressive qualities of everyday life, as well as the AIDS epidemic."

Sprinkle was not available for an interview, but the show's press release program and previous interviews give an idea of how she sees herself and her work.

A Kitchen theater release said, "The work charts writer/performer Annie Sprinkle's personal odyssey through the worlds of art and ideology, commerce and pornography, a journey which leads her to alternative models of sexual health and well-being."

FAST-PACED AND WITTY

The show's program says Sprinkle "has constructed a fast-paced and witty show which draws on her own experience as a sex researcher who has explored her own and society's sexuality in depth through work in pornography and prostitution."

It also describes Sprinkle as someone who "understands sex as her hobby, politics, spiritual discipline, expertise, main source of income, only subject matter, foremost topic of thought and conversation and the key to her great health and happiness."

During the performance, Sprinkle said her sexual obsessions are "new age" spirituality, and likened her art to ancient sacred prostitutes and Taoist masters who could lengthen their orgasms. She also prayed with the audience to invoke the spirits of past sex goddesses.

"I like to evoke spirits," she told the crowd, "they love having sex."

At one point, she mounted an altar of candles and lit them in honor of former friends and lovers who had died from AIDS. She then prayed to their spirits, lit incense, and, with the audience chanting along and applauding, induced an orgasm with a vibrator.

That skit was called "Sex Heals," and in an interview with New York Native last year, Sprinkle called such techniques "ecstatic mind altering masturbation rituals."

Riley agreed that there are similarities between ancient sexual/religious rituals and what is presently considered pornography. "But," he said "For her to talk today in that same kind of reference, is the same kind of con that Al Goldstein uses in claiming first amendment protections for what he does."

Goldstein publishes the pornographic magazine Screw and produces the cable show "Midnight Blue," which Sprinkle has often appeared on.

"What we have here is a uni-sex P.T. Barnum," said Riley. "Barnum said there is a sucker born every minute, only in this case it is almost literal."

Goldstein and Riley have clashed for years over pornography and have both become national symbols for those who either want to enforce or abolish state and federal laws restricting obscenity.

[From New York City Tribune, Jan. 31, 1990]

DISPUTE GROWS OVER WHETHER NEW YORK FUNDED SEX SHOW IN CHELSEA THEATER

(By Walter Skold)

A controversial performance by a famous pornography star who participated in a series of state-funded performances has lawmakers and artists arguing again about government and corporate funding of "obscene art."

Based on interviews with officials at the New York State Council on the Arts (NYSCA), and with the director of the Kitchen theater in Manhattan's Chelsea section, where the shows were performed, the New York City Tribune reported last week that public funds made possible a show that some critics called "patently obscene."

Now NYSCA denies having funded the performances of Annie Sprinkle: Post-Porn Modernist. The Council this week released a statement calling the show "not of an artistic quality." However, officials said internal records that could prove exactly what they did or did not fund are not available to the public.

Critics say NYSCA is playing a "shell game" and maintain that Sprinkle was in fact funded, because the state was the major funding source for the series in which the show appeared.

The show featured graphic and explicit sexual scenes that included masturbation, oral sex, urination, orgasmic ritual dances and the inspection of Sprinkle's vagina by some members of the audience.

Assemblyman Joseph Pillittere (D-Niagara), the chairman of the Assembly's Tourism, Sports, and Art Committee, was shocked at the content of Sprinkle's performance and said that "based on what she did in her last performance, I would not want the state to fund anything that she is involved with" in the future.

He called NYSCA's funding of the series a mistake but said the nature of the agency's funding procedures make it possible for such things to happen occasionally.

He said the funding of such events "is almost impossible to control unless you have total censorship and demand that everyone who gets state money has to predetermine what their exact performance is going to be."

Presently, contracts and applications between NYSCA and institutions are so vague, critics say, that the facts of just what the Council is and is not funding is often a matter of interpretation.

In a statement sent to the Tribune, NYSCA Chairperson Kitty Carlisle Hart said that "council contracts are drawn in broad terms for a simple reason: to avoid the slightest hint of censorship."

But critics say the cry of censorship is a smokescreen for the fact that public funds are used to sponsor art production series that include objectionable material.

"The bottom line is that if taxpayers' dollars were taken out of the formula, the show would not have been funded," said an angry Dana Rohrabacher, a congressman from California who has been extremely critical of the National Endowment for the Arts (NEA).

"The fact that artists are able to get their hands on tax dollars and use it to fund obscene and sexually graphic presentations," said Rohrabacher, "suggests there is something pretty wrong with the system."

The circumstances surrounding the performance of Sprinkle at the Kitchen seem to provide a good example of just how the sometimes complicated funding process works.

The Kitchen originally applied to the state for $30,000 to produce 36 shows in its performance art series. NYSCA only gave the Kitchen $25,000 to put on 32 performances, but it did not stipulate just which shows it was not funding.

The original application from the Kitchen included 4 performances of Sprinkle, but the show was actually performed 12 times. This happened because the Kitchen, as is often the case with theaters, added 22 more performances to its schedule after the application was submitted.

Barbara Tsumagari, the executive director of the Kitchen, said when first contacted that "one interpretation is, that because of the way that contracting works with NYSCA, there is no state council funding as they are only funding 32 of our 54 performances."

"Another interpretation is that a list of programming was submitted to them which did in fact clearly represent what we were doing this year," added Tsumagari.

But because the Council did not specifically tell the Kitchen which four performances it was not funding, she said "it really is a matter of how one wants to interpret" the facts.

When first contacted, Jim Mulligan, a NYSCA spokesman, said "you can't say one way or the other" if the 4 performances of Sprinkle were part of the 32 which the Council eventually approved.

Neither Hart nor NYSCA director, Mary Hays, were in the office when Mulligan first spoke with the Tribune however, and after the first story was published, NYSCA then said that the Sprinkle performances had in fact been turned down.

Part of the reason for the confusion is because nowhere on the approved contract with the Kitchen does it specify that the four controversial performances were being denied funding. This decision was an internal one made by the panel of artists who make recommendations on funding requests.

Still, the Council will not release these internal records because they say the decisions are meant to be confidential to protect the panelists.

"As a corollary," to not telling recipients just which shows are being denied, said Hart, "we believe that a reduced amount from requested funding is a very clear comment to the agency involved that, while much of their effort is worthy of public funding, some clearly is not."

She reiterated that "We wish to avoid the slightest appearance of censoring any artist," and claimed that "over the years, the State legislature, in every examination and reexamination of our funding process, has strongly supported this viewpoint."

While Pillittere is upset over the Sprinkle performance, he is sympathetic with the Council. He said he has talked about this funding problem with Hart and Hays and agreed that "it is almost impossible to control every aspect of the total fiscal budget."

He said the Council has a good overall record and that the Council record is good and that "Out of the total budget, this is one of the few of this type of performances that the state has been involved in" that is objectionable.

But John Mashburn, a legislative aide for Senator Jesse Helms, said that is "like saying the Exxon Valdez is only one of a thousand ships that wrecked."

Mashburn said "People are being fast and loose with just who is funding who," and added that many governmental art agencies "know who they give it too, but they don't necessarily know what the entity does with it once they get the funds."

"We are not saying that they can't do it," said Mashburn. "They can call it whatever they want to, but don't tax the American public is what we're saying."

[From New York City Tribune, Feb. 8, 1990]

WHO PAID ANNIE SPRINKLE TO DO THOSE DIRTY THINGS?

Did the National Endowment for the Arts (NEA) and the New York State Council for the Arts (NYSCA) fund a public show in which porn star Annie Sprinkle masturbated with a variety of sex toys and invited the audience to examine her vagina with a flashlight? Or were we wrong?

On January 22 the New York City Tribune reported that the Council gave a $25,000 grant to The Kitchen theater for a series of performances that included a show called Annie Sprinkle: Post-Porn Modernist. In his original story, City Tribune reporter Walter Skold quotes a spokesman for the state council, the director of The Kitchen and Spinkle herself as saying that the performances were funded by the NYSCA. The council, we noted, is funded by the NEA.

Now, in the wake of a blistering attack from Congressman Dana Rohrabacher, R-Ca., the NEA, the NYSCA and The Kitchen all say in published interviews that we got the story wrong. It's amazing how a little heat from the right person can jog one's memory.

The NYSCA says it never intended to fund the Sprinkle performances because they were deemed to be lacking in artistic merit. And the spokesman said he was mistaken when he originally spoke to our reporter. However, for more than two weeks the council has refused to provide us with documentation that could easily validate this claim. Surely, if the council reviewed the application from The Kitchen and decided not to fund Sprinkle, there must be some letter to that effect.

Is the NYSCA stonewalling us? If no letter exists then how was The Kitchen to know that the $25,000 shouldn't go to Sprinkle? The more likely scenario is that the council is in the habit of pouring tax dollars down a black hole.

Sprinkle says she was only kidding when she interrupted an orgasm to thank the government for funding her show.

The program for Sprinkle's show lists the NYSCA as a funder as well as a number of non-profit organizations that probably thought they were helping some kind of legitimate theatrical performance.

The NEA says based on press accounts, it would not have funded the Sprinkle show although it admits to giving $60,000 directly to The Kitchen for operational expenses. Their position seems to be it's not the NEA's problem if the theater happens to put on live sex shows.

In a letter to NEA Chairman John Frohnmayer, Rohrabacher, correctly notes, "No other government agency would have the gall to hold itself unaccountable for the ultimate destination of the tax dollars it disburses."

Most Americans would be shocked to know their tax dollars are wasted on the kind of pornographic anti-religious trash consistently funded by the State Council for the Arts and the NEA. The refusal of the agencies to take responsibility for their remarkably bad judgment is distressing.

These agencies have become the Exxon Valdez of American culture. They were created for good purpose, but, oh my, what pollution they have caused.

[From the Washington Times, Feb. 12, 1990]

THE WELL-ENDOWED MS. SPRINKLE

The Greek philosopher Diogenes used a lantern in his unavailing search for an honest man. Porn artiste and ex-prostitute Annie Sprinkle uses a flashlight, and the taxpayers have to shell out for it.

Actually, it's not clear whether the flashlight that serves to inspect the interior regions of Ms. Sprinkle's anatomy is funded by the American taxpayer, but parts of her bizarre stage act may be. Several newspapers in the last week have documented the passage of public money from the taxpayers through the National Endowment for the Arts to the New York State Council on the Arts to The Kitchen, one of Manhattan's

steamier nocturnal haunts, where performs the incomparable Ms. Sprinkle.

What Ms. Sprinkle does on your nickel makes the homoerotic and excretory concoctions of Robert Mapplethorpe and Andres Serrano look like finger painting by the Mouseketeers. Her act includes masturbation on stage, urinating in a toilet and asking members of her audience if they'd like to peer up her nether body openings by means of the flashlight. Whatever spectators find when they accept her invitation, it's probably not an honest man.

Barbara Tsumagari, executive director of The Kitchen, denies that Ms. Sprinkle's contributions to the lively arts are financed by the NEA. She says the 12 shows Ms. Sprinkle is putting on are only part of a series of 54 performances, and taxpayers had to swallow the tab for a mere 32 of them. But the publicly funded New York State Council on the Arts spewed up $25,000 for the series and receives $500,000 annually from the NEA. The Kitchen's share of the NEA booty is $60,000 for operating expenses. Ms. Sprinkle herself, during her performance, says, "Usually I get paid a lot of money for this, but tonight it's government funded."

Meanwhile, The New York Post, The New York City Tribune and other papers have disrobed several other well-veiled instances of weird funding by the NEA: A San Francisco gallery that offers a video on "genital openings"; an excursion into "woundings and cuttings by women as a healthy response to a sick society"; and $20,000 to three lesbian writers "known for the homoerotic content in some of their works," according to The Washington Blade. Then there's Ms. Sprinkle's fellow aesthete, Johanna Went, whose performances with excrement, menstrual products and male genitals transcend the imagination of even Ms. Sprinkle and were partly funded by the NEA and the NYSCA in the 1980s.

Critics of the NEA like Sen. Jesse Helms and Rep. Dana Rohrabacher are properly volcanic over the agency's apparent inability to refrain from funding human waste products. Last year, when the Mapplethorpe and Serrano controversies broke, these and few other lawmakers proposed drastic remedies, but their colleagues overrode them with more modest measures. As a result, we find ourselves still encumbered with the likes of Ms. Sprinkle, Ms. Went and other "post-porn modernists" as these fraudulent weirdos bill themselves.

Not too long ago the whole lot of them would have been locked up by the vice squad or scooped up by the garbage trucks. Today literati and legislators solemnly pronounce them to be heralds in the vanguard of beauty, rush to champion their rights of free expression and ladle up largesse so they can indulge their tiny imaginations in comfort.

The moral here ought to be clear. Federal art almost always will be bad, small-minded stuff, and the Annie Sprinkles will always find ways to get their hands on the federal loot. Everyone hereabouts knows this political fact, but few will confess the awful truth. You can use a lantern or a flashlight, but when you peer into the bellies of Congress or the NEA, you won't find many more honest men than Diogenes did.

TRIBUTE TO U.S. CUSTOMS SERVICE AGENT TIMOTHY C. McCAGHREN

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 22, 1990

Mr. COLEMAN of Texas. Mr. Speaker, it is with sadness and a heavy heart that I rise to pay tribute to America's latest casualty in the war on drugs, U.S. Customs Service agent, Timothy C. McCaghren.

Agent McCaghren was killed in a suspected drug-related incident near El Paso, TX, at the Zaragosa Bridge Border Station. He had stopped a van and was questioning the driver when the vehicle accelerated, dragging him along the ground and mortally injuring him.

The story of Agent McCaghren brings home the reality of the war on drugs. Beyond all the news conferences, press releases, and promises, it always comes down to the brave, dedicated men and women on the frontlines of the war on drugs. It is ironic, Mr. Speaker, that every year the administration tells the Congress that customs inspectors are not law enforcement officials, and indeed, attempts to cut the Customs Service. But it should not take tragic events such as this one to demonstrate how dangerous a Customs Service agent job can be—not to mention the extent of these agents' dedication to their duty.

If anything positive comes out of this tragedy, I hope it jars the attention of Washington to the needs of the men and women on the frontlines of the war on drugs. They are real people with real considerations and concerns. They do their jobs 24-hours a day, serving this Nation and its people. They deserve more support from us. We should take this opportunity to reflect upon the role of border law enforcement agents such as those of the U.S. Customs Service and what they mean to our communities and our future.

We should also take a moment to pray for the family of Agent McCaghren. The U.S. Congress and indeed, the entire Nation will never forget his ultimate sacrifice for his country, just as we will never forget another fallen hero, Kika Camarena of the Drug Enforcement Administration. When you see the flags flying at half-mast around El Paso, it means more than sadness, more than compassion, more than condolences; it means pride, too; the people of the 16th Congressional District of Texas are proud of Agent McCaghren and what he stands for.

But let us now take steps to ensure that his death is not in vain. Let us redouble our efforts at all levels in the war against drugs. Let us push forward with education and preventative measures to keep future generations of young people from becoming involved in the scourge of narcotics. And let us never, never forget the courageous and stirring example of U.S. Customs agent, Timothy C. McCaghren, a man who gave his life in the service of his country.

HONORING DR. LARRY GENTILELLO AND DR. BARRY FISHER

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. BILBRAY. Mr. Speaker, it gives me great pleasure to rise before this esteemed body today and recognize the work of Dr. Larry Gentilello, a trauma surgeon and professor with the University of Nevada's School of Medicine, and Dr. Barry Fisher, chief of surgery at University Medical Center at Las Vegas, NV. Together they have developed a blood-warming therapy that recently saved one Las Vegan's life and promises to redefine modern medical procedure.

On January 17, 1990, Murray Brown, a 26-year-old ceramic tile setter was driving his Jeep in Las Vegas when it plunged into a draining channel during a torrential rainstorm. Submerged in freezing flood water for 30 minutes, Mr. Brown's body temperature had dropped to a low 85 degrees. The blood-warming technique pioneered by Drs. Gentilello and Fisher saved him from acute hypothermia. By heating his blood with the continuous arterial-veinous rewarmer, the physicians were able to quickly raise his body temperature.

Until now the patient had to be warmed from the outside, putting tremendous strain on the heart and body. With this medical breakthrough the blood itself slowly rewarms the organs, reducing the risk of acetic buildup which can damage vital organs. Without the blood-warming machine, Mr. Brown would have had no chance of surviving. He is the first human the machine has ever been used on and, I am pleased to announce, is making a remarkable recovery.

Mr. Speaker, I thank my colleagues for this opportunity to commend the work of Dr. Larry Gentilello and Dr. Barry Fisher in the permanent record of this body. It is both an honor and a privilege.

CELEBRATING AMERICAN CHOCOLATE WEEK

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. WALKER. Mr. Speaker, Pennsylvania, I am proud to say, manufactures more chocolate than any other State in the Union. In my own District, the 16th, Lititz, PA is the home of Wilbur Chocolate Co. M&M/Mars has a large chocolate facility in Elizabethtown. Other Pennsylvania chocolate companies are Hershey Foods Corp., including Luden's Inc., and H.B. Reese Co.; Whitmans Inc.; the Blommer Chocolate Company; Leaf, Inc.; Cherrydale Farm, Inc.; Goldenberg Candy Co.; R.M. Palmer Co.; and Pennsylvania Dutch Co.

The week of March 12–17 is the first annual American Chocolate Week. This week did not require a costly congressional resolution. Rather, it grew out of the honest sentiment of

chocolate lovers nationwide. Chocolate makers in Pennsylvania will join with chocolate lovers throughout the U.S. to celebrate what an October 1989 Gallup poll discovered is America's favorite flavor.

As ranking member of the House Science, Space, and Technology Committee, I'm pleased to report that chocolate has been included in the menus of all American and Russian space flights because it's a morale booster, as well as a source of nutrients.

In Pennsylvania we truly believe that the quality of American chocolate products equals or surpasses that of any other country's products. I'm pleased to join in the celebration of American Chocolate Week.

MENTAL ILLNESS AWARENESS WEEK

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. WYDEN. Mr. Speaker, today I am introducing, with the support of over 70 of my colleagues, a joint resolution to authorize the President to designate the week of October 7–13, 1990 as "Mental Illness Awareness Week".

Mental illness is a problem of staggering proportions. One in five American families will be affected by serious mental illness. Mental illness all social levels and all ethnic groups in equal proportion.

According to the American Psychiatric Association, 15 to 25 percent of the elderly suffer from significant symptoms of mental illness. In addition, approximately 12 million children under the age of 18 suffer from mental disorders such as depression, hyperactivity, and autism. About 15 percent of Americans will suffer a major depressive episode. One-third of the homeless on our streets are victims of mental illness.

But many people with mental illness are suffering needlessly. Many mental disorders are diagnosable, treatable, and even curable. But fewer than one-fifth of those who have mental disorders seek or receive the treatment they need. Many do not even realize that they have an illness can be effectively treated.

Nine out of 10 patients suffering from major depression or anxiety can recover; 7 of 10 suffering from manic depression can return to normal lives; 1 in 4 with schizophrenia can recover.

We can help turn this problem around by letting people know that help is available for mental illness. Of all the resolutions that will be considered by Congress this year, I hope you will agree that Mental Illness Awareness Week has particular merit. Its passage will help bring much-needed attention to the fact that so many mental disorders can be attacked and conquered.

The inspiration for Mental Illness Awareness Week comes from such groups as the American Psychiatric Association [APA] and the National Alliance for the Mentally Ill. APA members conduct research and provide treatment necessary for those suffering from mental illnesses. The Alliance, which was formed in 1979 for families of the mentaly ill, supports education, advocacy, and research in the mental health field.

Few diseases have the potential which mental illness has to disrupt the lives of the sufferers, and their families and friends. And no other disease is more clouded by misunderstanding.

Only through an increased understanding of the causes and treatments available will the fear and ignorance surrounding mental illness become a thing of the past.

Mental Illness Awareness Week provides us with an opportunity to reach out and help fellow Americans understand this disease and encourage those afflicted to seek appropriate care. I urge my colleagues to join me in cosponsoring this important resolution.

DAT RECORDING AGREEMENT

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. BARTON of Texas. Mr. Speaker, today, it gives me great pleasure to join my colleagues in introducing the Digital Audio Tape Recorder Act of 1990. This legislation embodies a compromise that addresses introduction in the market of one of the newest sound recording devices, the digital audio tape [DAT] recorder. I am particularly pleased to report that this legislation is supported by Tandy Corp., one of the leaders of the consumer electronics industry and a company that has made great contributions to the Sixth District of Texas.

As my colleagues know, this legislation is the result of years of consideration and months of negotiation. After an unsuccessful attempt in 1987 by the recording industry to limit digital copying by DAT machines, the recording industry followed the suggestion of Members of both Houses of Congress and joined hands with the consumer electronics industry to seek a solution. Last summer, executives from both the recording industry and audio component manufacturers convened to discuss the problems involving digital recording.

From these negotiations emerged an unprecedented pact among historical adversaries. This pact proposed legislative action on a technical effort to limit digital copying of copyright protected material on DAT machines. These industry leaders agreed to recommend the implementation of a standardized electronic circuit called the serial copy management system, or SCMS, into machines. SCMS is a system by which DAT machines can be used for digital-to-digital copying but will be precluded from digital copies of copies.

The DAT machine takes a quantum leap in the realm of taping technology. These machines will enable music listeners to audibly appreciate the symphonic quality of sound recordings previously apparent only to audiophiles with the most advanced analog tape recorders. Now, American consumers should finally have access to the technological advancement in sound recording for which they have long awaited.

Let us leave the day of the dinosaur and proceed toward a new and more innovative technological future by enacting this legislation. I encourage my colleagues to expeditiously enact this historic compromise.

INTRODUCTION OF LEGISLATION TO EXTEND THE SUSPENSION OF THE IMPORT DUTY ON SYNTHETIC RUTILE

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. CARDIN. Mr. Speaker, today I introduced legislation to extend the suspension of the import duty on synthetic rutile. Few have heard of synthetic rutile, but this titanium bearing mineral, used as a feedstock in the production of titanium dioxide, is vital to the paint, plastics, and paper industries in the United States. Titanium dioxide is used as a nontranslucent ingredient in almost all paints, all printing papers except newsprint, and a wide variety of plastics and other products. As a principal feedstock for the production of titanium dioxide, synthetic rutile is a commodity vital to a large and important industry employing thousands. SCM Chemical, with a large facility in Baltimore, is a major producer of titanium dioxide.

Beginning in 1974, the import duty on synthetic rutile has been suspended by Congress. There have been a series of extensions of this suspension, with the most recent due to expire in 1990. For the reasons set out below, I believe the duty suspension for synthetic rutile should be extended again and I ask for my colleagues' support.

The most obvious reason for the suspension of duty on synthetic rutile is its inconsistent treatment under the harmonized tariff schedule of the United States. All other feedstocks for titanium dioxide—natural rutile, ilmenite, and titanium slag—are listed as duty-free. Only synthetic rutile is subject to duty, apparently for the sole reason that it was not a commercially available product when the tariff schedules were originally written. There is no logical reason for such disparate treatment of only one of four substances which are all put to the same use. This illogical distinction results only in an unfair and anticompetitive hardship on titanium dioxide producers dependent on synthetic rutile.

The producers who use synthetic rutile would suffer both in terms of production and employment as a result of any duty. There is currently only one domestic producer of synthetic rutile, Kerr-McGee Chemical Corp., and it is unable to supply the total domestic demand for the feedstock. Furthermore, as the economic outlook for major users of pigments has improved, domestic demand and worldwide competition for feedstocks has increased substantially. The cost/price squeeze caused by reliance on imports of synthetic rutile and the costs of any duty on such imports would threaten the economic health of much of the titanium dioxide industry and those it employs.

Continuation of the duty-free status for synthetic rutile would help protect an important domestic industry—not by erecting trade barriers, but by removing them. I look forward to the support of my colleagues for this measure.

THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. RITTER. Mr. Speaker, I rise today to announce my support for the Digital Audio Tape Recorder Act of 1990. Like many of my colleagues on the Energy and Commerce Committee, I think this legislation embodies a fair and appropriate response to a significant advancement in sound recording capability, the digital audio tape [DAT] recorder. In my view, this bill strikes an acceptable balance between many competing interests, including the needs of consumers, manufacturers, and the creative community. Equally important, this legislation sets the stage for the continuing rational discussion of economic rights of hardware and software producers regarding the development of future technologies.

As my colleagues know, this bill addresses an issue that has been the subject of substantial scrutiny and arduous negotiation. In 1987, the recording industry urged legislation that would have kept DAT machines out of the United States until the machines recording capability was limited. With the demise of that legislation, which I personally supported as giving appropriate weight to the United States value-added software producers, Members of both Houses of Congress encouraged the recording and consumer electronic industries to negotiate a compromise amongst themselves, and finally we have that compromise. Now that these two parties have jointly recommended this proposal to us, it is incumbent upon us to act.

In 1989, the worldwide recording industry and audio component manufacturers signed an agreement which recommended legislative action on a technical proposal to limit digital copying of copyright protected material on DAT machines. They agreed to recommend implementation of a standard circuit called the Serial Copy Management System, or SCMS. Under this system, DAT machines can be used for digital-to-digital copying, but will be precluded from making digital copies of copies. The bill I rise today to support as an original cosponsor will incorporate SCMS into every DAT machine manufactured after the effective date of this legislation.

The DAT machine revolutionizes the existing audio taping technology. These machines capture and preserve recordings with very high-quality fidelity. SCMS will prohibit the misuse of this medium to the detriment of our entertainers and our recording industry. The Digital Audio Tape Recorder Act of 1990 is a major step forward in bringing advanced technology into the home of American consumers while respecting the important jobs and economic activity of a major American industry, the recording industry.

I, therefore, urge my colleagues to consider seriously, and support this unique legislative response to one of the most exciting technological advances of our time.

HOSPITAL RELIEF

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. PANETTA. Mr. Speaker, I rise today to introduce two bills which will provide much-needed relief to hospitals which serve communities devastated by the great quake of 1989. One such hospital is Hazel Hawkins Memorial Hospital in Hollister, CA.

Like most rural hospitals, Hazel Hawkins was struggling to make ends meet even before the earthquake. Under today's Medicare reimbursement policies, rural hospitals are reimbursed for Medicare patients at rates which make it virtually impossible to compete with nearby urban facilities. With less money, they cannot provide a full range of services or attract topnotch staff. Yet small hospitals provide essential services to otherwise underserved communities, like Hollister. The residents of these communities will have no where to turn for adequate medical care in an emergency if these facilities are allowed to close.

In the case of Hazel Hawkins, the earthquake was the final straw. Because the hospital must treat many people in the area who have lost jobs and businesses, it is providing more and more care to people who cannot pay their bills. The situation is approaching crisis proportions, and the hospital board is now considering closing the intensive care unit due to inadequate funds. Hazel Hawkins needs help immediately in order to continue providing care to the people of San Benito County.

These bills can provide short-term financial assistance to hospitals like Hazel Hawkins Memorial allowing them to get back on their feet after the disaster. The first bill would authorize the Secretary of Health and Human Services to make available four grants of $500,000 each to small hospitals in the disaster area with a defined indigent case load. The second bill liberalizes requirements for assistance under the Medicare-Dependent Small Rural Hospital Program, which allows hospitals with high indigent case loads to change their reimbursement calculations. Together, these measures will allow rural hospitals to survive the current crisis so they may continue to serve communities in dire need. I strongly urge my colleagues to support swift passage of this legislation through the committee review process in response to an emergency situation.

TRIBUTE ON THE RETIREMENT OF BLAINE CORNELL-SUPERVISOR OF THE STANISLAUS NATIONAL FOREST

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. LEHMAN of California. Mr. Speaker, over the past 7 years, I have had the pleasure of working with a fine public servant, Blaine Cornell, who until recently was the supervisor of the Stanislaus National Forest. Blaine made the decision last December to retire after a Forest Service career which has spanned 38 years.

Blaine began his career on the Payette National Forest in Idaho as a seasonal employee working on fire control, trail maintenance, and timber management. After graduating from the University of Idaho with a bachelor of science degree in forest management, he returned to the Payette National Forest as a ranger on two different districts. Later, he moved on to the Teton National Forest in Wyoming and the Boise National Forest in Idaho. Blaine went to Nevada in 1964 to take a job as timber/fire staff on the Toiyabe National Forest. After holding that job for 5 years, he was promoted to deputy forest supervisor. Then in 1971, Blaine transferred to California to take over the supervisor's position in the Mendocino National Forest. Finally, Blaine made his final career move by coming to Sonora, CA, to become the supervisor of the Stanislaus in 1976.

My association with Blaine began in 1982 when I was elected to Congress from California's 18th district which includes part of the Stanislaus National Forest. Our work began in earnest when legislation to include the Tuolumne River in the National Wild and Scenic River System was being considered by Congress. Although we did not always agree on everything through the years, one could never doubt Blaine's sincerity and commitment to do what he thought was in the best interest of the forest.

I wish Blaine and his lovely wife Greta the best in their much deserved retirement. And no matter where they may go, I hope they will always consider Sonora and the Stanislaus National Forest their home.

TRIBUTE TO NELSON MANDELA

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. CROCKETT. Mr. Speaker, a few short days ago, Nelson Mandela, the symbolic and real hope of justice and freedom in South Africa, left the confinements of the South African prisons where he has spent the last 27 years.

Like all freedom-loving peoples of the world, we rejoice in this step for Mandela, and for all the people of South Africa. His statesmanship,

wisdom, and leadership will be crucial in the difficult negotiations that lie ahead.

But while he is no longer behind barbed wire gates, Nelson Mandela is not yet a free man. He, and 23 million other black South Africans remain imprisoned by the racist system of apartheid.

Mandela was not let out because of some miraculous change of heart on the part of the South African Government. He was freed because of the pressure brought to bear on that government by millions of South African blacks refusing to put up any longer with the status quo, and by the economic and political pressure from sanctions imposed by the United States Congress over Presidential veto.

Mandela's freedom is not the end, it is the beginning of the course to justice in South Africa. Now is not the time to relax sanctions. It's time to keep their feet to the fire until Mandela—and all of South Africa—are truly free.

ACREAGE BASE AND PROGRAM YIELD FLEXIBILITY ACT OF 1990

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. STENHOLM. Mr. Speaker, I am pleased to join my colleague from Kansas [Mr. ROBERTS], in introducing the Acreage Base and Program Yield Flexibility Act of 1990.

Nobody knows yet what next year's farm legislation will look like, but whatever the new law does, it will almost certainly have to assign acreage bases and yields to participating farmers. We'll need some way to measure how many acres a farmer normally plants and what productive capacity is associated with those acres.

This bill maintains the current basic formulas, but provides additional flexibility to allow producers to make some modest adjustments in their management decisions. This legislation would not overhaul the whole machine; but rather, fine-tune what we already have—and know works—to make it run a little better.

By allowing producers to swap up to 20 percent of their program bases, farmers are provided a flexible and equitable system for making sound management decisions based on the ever changing circumstances that Mother Nature, markets, and Congress can create. Without this flexibility, many producers are forced to farm and manage the program instead of their operations.

In addition, this legislation provides equity to producers by allowing them to prove their yields upward before getting locked into another 5 years of farm programs. Too many farmers are locked into predetermined yields that are outdated by technology and improved farming practices. Allowing producers to make this adjustment will return commonsense management and marketing strategies to farm country.

The net result would be a more market oriented agriculture at less long-term cost to taxpayers. I urge my colleagues to support this legislation.

ANGOLA NEEDS PEACE

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SPRATT. Mr. Speaker, I am rising to express my concerns about the latest developments in Angola. Last year, the prospects for peace in Angola seemed much brighter after 14 bloody and destructive years of civil war.

The MPLA government and the leaders of UNITA came together in a summit meeting of African leaders in Zaire. At this summit in Gbadolite, the two leaders agreed to a cease-fire and negotiations for national reconciliation. Although difficult negotiations remained, the years of bloodshed seemed to be ending. However, the peace talks stalled and eventually fell apart. Then, last December the MPLA launched an offensive against UNITA-held territory. According to some reports, the latest offensive by the MPLA includes the use of significant numbers of tank companies, mechanized companies, and artillery companies. Hundreds of soldiers on both sides have already been killed and the end of the bloodshed is nowhere in sight.

The Bush administration has called upon "Luanda and the Soviet Union to stop the offensive immediately and concentrate instead on the peace process." I call upon my colleagues to join with me in asking for an end to the fighting so that peace can come to that violence ridden nation.

Whether you support UNITA or the MPLA is not the issue. The critical issue is to support an end to the 15-year-long civil war which has caused so much tragic bloodshed and death. Both Democrats and Republicans should urge both sides to the conflict to reach a cease-fire agreement and a national reconciliation agreement. Without national reconciliation and subsequent elections, the carnage and bloodshed will continue.

THE DRUG SUMMIT: A NEW ERA IN THE WAR ON DRUGS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. BROOMFIELD. Mr. Speaker, I salute President Bush for keeping his promise to the American people to win the war on drugs. I also commend him for undertaking a potentially dangerous mission to the Cartagena drug summit. Thanks to his determined efforts, the summit was successful and the United States has cemented a regional alliance with Peru, Bolivia, and Colombia. While the drug war is not over, we have made some real progress and I believe the administration's approach to solving this problem is sound. I encourage my colleagues in the Congress to help the President keep the promises he made at the summit by supporting his overall Andean strategy.

At the Cartagena meeting, the President and the leaders of Colombia, Peru, and Bolivia committed themselves to a cooperative antidrug strategy. They formed the first antidrug cartel. While in Colombia, the leaders signed agreements to reduce cocaine consumption, production, and trafficking by increasing their governments' efforts against the cocaine trade. Already, the administration has requested a $2.2 billion 4-year regional aid program for the Andean states.

At the drug summit, our Chief Executive supported the need to help coca growers in the Andean countries find substitute crops. The U.S. Government is prepared to finance economic activities designed to generate alternative sources of income to make Andean nations less dependent on coca. Unfortunately, cocaine production has become the mainstay of the weak economies of the Andean nations. Coca cultivation and drug production reportedly provide those Andean economies with $4 billion a year in profits. Coca production creates jobs for about 1.5 million farmers who cultivate coca plants. The Presidents of the Andean nations also agreed that they must improve their governments' law enforcement capabilities, enhance their antinarcotics efforts and do more to control this illegal trade.

America must do its share in this war on illicit substances. We must be part of an international united front in the offensive against cocaine trafficking. We must cure our Nation's insatiable appetite for these illegal drugs. Demand reduction is one of the keys to eliminating the drug problem. We must also control the export of weapons to Latin America and keep the drug barons and their henchmen from terrorizing those nations with arms "made in America." Finally, we must stop the flow of precursor chemicals from the United States to Latin America for the production of narcotics.

At his inaugural address, the President promised to confront the drug problem. He told us that he would complete this important antinarcotics mission. He launched his attack on the drug problem by issuing a battle plan describing how America's war against the drug threat would be fought. The overall U.S. approach, the national drug control strategy, focuses both on domestic and international drug issues. The Andean strategy is particularly important. In carrying out that phase of the strategy, some progress has been made. General Noriega, who turned Panama into a money laundering and drug transit country, is facing drug charges. With United States support and encouragement, Colombia declared war on the drug traffickers. The Medellin cartel is in disarray. Jose Gonzalo Rodriguez Gacha, a drug baron, was killed in a shootout. Another drug kingpin, Pablo Escobar, was forced into hiding. Six months ago, the drug lords looked 10 feet tall. Now, they are asking for a truce. The Colombian offensive disrupted supply networks and drove down the price of coca leaves. So far, this part of America's antinarcotics strategy has produced results.

President Bush has also boosted funds for the war on drugs by 69 percent and the fiscal year 1991 budget calls for spending $10.6 billion on antidrug efforts. Some positive results are already visible. Consumption is down in the certain sectors of our society. Our President is following his strategy and keeping his

commitment to take action, and not use mere rhetoric, against the menace of drugs.

The drug summit was a tentative first step toward other more concrete agreements between the Andean states and the United States. Another summit is planned in 6 months. This summit was a major step toward expanded antinarcotics cooperation. We must comply with the understandings reached in Cartagena by providing assistance to those Andean nations. The role of Congress is critical in this regard. I am confident that the administration will keep its promises and continue the battle against the scourge of illegal drugs.

STATE RAIL SAFETY PROGRAM ENHANCEMENT ACT OF 1990

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. CLEMENT. Mr. Speaker, today I am joined by Representative JIM COOPER and Representative HOWARD NEILSON in introducing bipartisan legislation which we believe will have a significant effect on the safety of our Nation's railroads.

As many of our colleagues know, under the Railroad Safety Act of 1970, certified State agencies are entitled to receive Federal grants of one-half of their costs of policing railroads' compliance with Federal railroad safety standards. Unfortunately, the Federal Government has not lived up to its half of the bargain.

After substantial cuts, funding for the grant program was zeroed out in fiscal year 1989, and not funded in fiscal year 1990, despite the fact that the Federal Railroad Administration [FRA] continues to rely on the participation of 111 State inspectors in its safety program. While the State of Tennessee has been able to continue funding its State inspection program through higher inspection fees, without the grants, some States may lose their incentive to participate in rail safety efforts. Last June, for instance, the Alabama Public Service Commission announced its intention not only to leave the FRA safety program, but to close its entire railway safety section because of the loss of Federal funds. There is nothing special about Alabama's case. At risk is over one-third of the Nation's entire rail safety inspection capability.

In addition to inadequate funding, State enforcement agencies have become increasingly frustrated with the system of reporting the safety violations they detect to the FRA. The FRA is inclined to lump together a railroad's violations and negotiate the fine. In many cases, the States reporting violations never know whether any enforcement action has been taken against the infringing railroad at all.

When States have taken rail enforcement matters into their own hands, the law has not been clear. For example, 3 years ago the State of Louisiana began inspecting rail vehicles carrying hazardous materials which were in rail yards awaiting shipment. Upon finding violations, the State placed monetary sanctions against a few carriers. Subsequently, the State of Louisiana had been served suit by a railroad company in which they contend a preemption of States by Federal regulations as they relate to the transportation of hazardous materials by rail. The suit is still pending. Certainly, States have a legitimate enforcement need when the public health and safety is at risk.

If the FRA continues with what has been aptly characterized as its laissez-faire attitude toward rail safety, and if the States can no longer afford their safety programs, the railroad industry will be largely left to regulate itself, which is most certainly not in the public interest.

The State Rail Safety Program Enhancement Act of 1990 will restore the commitment to vigorous safety enforcement that Congress intended when it reauthorized the grant program in fiscal year 1989. Our bill would allow State agencies which have been certified by the FRA, to impose fines on railroads they find to be in violation of Federal safety regulations. Our legislation will provide an incentive for States to continue their rail safety efforts without the Congress having to appropriate any Federal funding. It will also have the desirable effect of increasing the enforcement actions taken against unsafe railroads. However, the bill does not allow States to promulgate any new regulations of their own or impose fines in excess of the Federal fine schedule.

This legislation is supported by the National Association of Regulatory Commissioners. I invite my colleagues to support our sensible effort to make our Nation's railroads safer.

TRIBUTE TO MARY JAYNE BRONCATO

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SANGMEISTER. Mr. Speaker, it is with great pride that I rise to pay tribute to an exemplary educator, Mary Jayne Broncato, a constituent and a friend from my home district.

Mary Jayne Broncato recently added to her long list of professional achievements with her appointment as assistant superintendent of public education in Illinois. She brings to her new post 29 years of experience, including more than 20 years in Joliet School District 86, most recently as district superintendent.

Mary Jayne began her career of improving young minds in 1961 as a literature teacher at St. Francis High School in Wheaton, IL. From there she returned to Will County, teaching in Romeoville, IL, public schools from 1962 to 1967, before coming to District 86. Her full-time service to Joliet schools was only interrupted by appointments to the faculty of her two alma maters, Lewis University and Northern Illinois University in the 1970's.

In addition to her dedicated work as an educator, Mary Jayne is a devoted wife and mother who, together with her husband, Jacob, raised two sons, John and Patrick.

Mr. Speaker, Mary Jayne has also set a fine example by her dedication to community service. She was an active member of the board of directors of the United Way of Will County. In 1986 she served as campaign chairperson for the annual United Way Fund Drive, which that year raised a record amount under her leadership. Just last month she successfully completed her term as United Way Board President. She also unselfishly donates her time to the Boy Scouts of America, the American Cancer Society, and Joilet Project Pride serving on their respective boards of directors.

Mr. Speaker, the residents of Joilet are losing an outstanding educator, an involved and conscientious citizen, and a friend. However much we may miss her, our district will still benefit from her new position with the State of Illinois. On behalf of my constituents, I thank Mary Jayne Broncato for her service and wish her well in the future.

INTRODUCTION OF NEW HEALTH CARE INITIATIVE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. ROYBAL. Mr. Speaker, today, I am pleased to be part of a new health care initiative which, if enacted, will bring much-needed relief to Americans of all ages. This bill, called Lifecare, marks an important advance in the Government's support of long-term care. Lifecare would provide home and community-based care and nursing home care for the impaired elderly, for disabled children and for disabled, Medicare-eligible adults under age 65. I commend my Senate colleague, the honorable EDWARD M. KENNEDY (D-Mass.) for his tireless work to bring this bill to fruition—he is the sponsor on the Senate side. And I am honored to join my colleague on the Aging Committee, the honorable MARY ROSE OAKAR (D-Ohio), in introducing this bill in the House.

In poll after poll, senior citizens have pointed to long-term care as their No. 1 health priority. Children with birth defects, or who are born prematurely, or who are victims of accidents, also are in sore need of long-term care to assist them with activities of daily living. Frail and disabled Americans need not be elderly—they can be any age. Long-term illnesses do not discriminate on the basis of age.

Unfortunately, our health care system does discriminate on the basis of the type of illness a person has. If it is an acute problem—something short-term, like a broken arm or an appendectomy—our health care system, public and private, usually does a good job of treating it and paying for the care. However, should a patient have the misfortune of contracting a chronic illness such as Alzheimer's disease, Parkinson's disease or Multiple Sclerosis, or suffering a serious injury or stroke which leads to lifetime injury, there is little or no assistance. Only Medicaid, the Federal-

State health program for the very poor, will pay for long-term care.

According to my subcommittee's estimates, some 1 million Americans annually become impoverished trying to meet the costs of long-term illness and injury each year. This is a startling statistic in a country as rich as ours.

In an attempt to address that problem, last year, the late Congressman Claude Pepper, who recognized long-term care as the most serious gap in the U.S. health care system, and I introduced legislation, H.R. 2263, to cover long-term care under medicare. Under the terms of that measure, chronically ill elderly, disabled persons and children could receive long-term home care benefits under Medicare after having been certified to be unable to perform two or more normal activities of daily living. Our bill focused on efficiency and appropriateness of care, too, establishing a professional case management team to determine needs and assign appropriate services. Quality of care is also a prime concern.

H.R. 2263 is still pending in committee. Since its introduction, a whole host of long-term care bills have been introduced in the House and the Senate.

Some of these measures have serious gaps in coverage, however. Many do not cover children or the disabled, which I consider a big mistake. The long-term care bill which is finally enacted by Congress must cover all Americans. Also, it is important that eligibility be based not on income but rather on the individual's functional limitations, as was true in the Pepper-Roybal bill. I am pleased that the initiative we introduce today, the Kennedy-Roybal-Oakar bill, meets that important test and will cover children and the disabled.

The financing of any long-term care proposal should be simple, and based on the principle of social insurance. The Pepper-Roybal bill identified one source of financing—removal of the ceiling on income subject to the Medicare payroll tax—and the financing mechanism was supported by the American public. I can note with pride that Senator KENNEDY has expressed this intent to pursue the same financing plan in our new bill. We will also adopt other appropriate social insurance methods as needed.

The new bill we introduce today builds upon the Pepper-Roybal bill in an important way—it would provide coverage for custodial care in nursing homes. I still believe, and I know the majority of Americans share my view, that one's home is the preferred setting for delivery of long-term care services. But when home care is no longer beneficial and nursing home care is unavoidable, we would make that type of care available.

I look forward to cooperating with my colleagues, Senator KENNEDY and Congresswoman OAKAR, on this bill and urge my other colleagues in the House and Senate to join us. Americans, more than even before, are looking for leadership in dealing with the problem of long-term care, a problem which will only get worse as our population ages. Let us take advantage of this opportunity to enact meaningful legislation to address the problem now.

CUDAHY VETERANS PROUDLY DEDICATE WAR MEMORIAL

HON. GERALD D. KLECZKA

WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. KLECZKA. Mr. Speaker, on Memorial Day, Monday, May 28, 1990, the Cudahy War Memorial Fund, Inc., in conjunction with the Allied Veterans Council of Cudahy, will be dedicating a memorial to all the veterans who served in foreign wars. They will be paying special tribute to those who gave their lives in the ultimate sacrifice.

The monument will be a massive 9 feet high by 7 feet wide black marble structure that has been designed to coordinate with the architectural layout of the site donated by the county government. The monument will be located in Cudahy on the southeast corner of Layton Avenue and Lake Drive, in Sheridan Park.

Seven short months ago, the veterans of Cudahy decided it was time to pay a fitting tribute to their fallen comrades. Once marshaled, the veterans responded in record time. While other communities have tried for years to raise the funds necessary to honor their veterans, Cudahy started, organized, funded, and will complete, and dedicate theirs in less than a year.

The dedication will take place after what is shaping up to be the largest parade ceremony in the history of the city. Even the neighboring communities have planned their Memorial Day activities so they can join in Cudahy's parade and dedication. From all indications, it will be the most successful community undertaking in the history of the city, and it will not cost the taxpayers one cent!

It is refreshing to see a community take the initiative to start and complete a project without State or Federal aid. In fact, the Cudahy War Memorial fund is projected to be in the enviable position of being overfunded. That Cudahy cares, is not just a slogan, it's a way of life the community practices.

The generous contributions received from the Patrick Cudahy Co., the Ladish Foundation, the Patrick and Anna M. Cudahy Foundation, the Cudahy Lions Club, the Cudahy Kiwanis Club, and the city of Cudahy have already assured the success of the project. Additional contributions will provide for the perpetual care of the monument.

Generations to come will be reminded of the courage and patriotism which motivated these gallant men and women when their country called them to duty. Cudahy echoes the sentiments expressed in the Cudahy Brothers Co., newsletter, "Peacock Feathers," after World War II that still rings true today: "Each and everyone of those men and women should be honored and remembered for time immemorial, for theirs was a heroic sacrifice, which benefited all the world."

The board of directors and the officers of the Cudahy War Memorial Fund, Inc., were the driving force behind the monument. The chairman of the board is Richard Bartoshevich, and the directors are Erwin Bud Bessler, Joseph P. Farina, George Dawidziak, Lloyd Buttke, Robert Felle Jr., Alexander Haidarian, Joseph Macek, Anthony Luljak, and Donald Jankowski. The officers are Frank Chovanec, president; Donald Arthur Jensen, vice president; and Daniel R. Furdek, secretary/treasurer. Each and every one deserves a heartfelt thanks for the effort they made on behalf of their community.

There are countless others, from local, State, and national officials to local individuals and family members of the deceased veterans who have contributed to make this a success and a showcase event for the community. This is truly a dedication that the whole community takes pride in. Congratulations Cudahy, on a job well done.

INTRODUCTION OF NURSING HOME ACCESS TO RESPIRATORY THERAPY ACT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. VENTO. Mr. Speaker, I am introducing legislation today to improve the health care of our Nation's elderly by preserving respiratory therapy services at nursing homes.

In the wake of the repeal of catastrophic health insurance, we must find low cost ways of fine tuning the Medicare system to improve health care for the elderly. My bill would make a technical change in Medicare to assist elderly Americans in need of respiratory care, particularly those living in medically underserved areas such as inner cities and rural communities.

Growing numbers of our senior citizens suffer from both chronic and severe respiratory illnesses such as emphysema and asthma. There is an increasing population of elderly who are dependent upon mechanical ventilators to breathe for some part of the day. Years ago these patients would have remained confined to the hospital. The advance of medical technology and the advent of the Medicare prospective payment system has had the effect of transferring many of these respiratory patients out of the hospital and into alternative care sites such as skilled nursing facilities [SNF's].

Over the past 10 years, respiratory care in SNF's has been delivered by a variety of entities, including the transferring hospital, independent respiratory care companies, or by the nursing home. The system has worked well until recently, when Medicare began to enforce an outmoded and little-known provision which requires that only a hospital with a transfer agreement with a SNF may provide respiratory care personnel to the SNF. Furthermore, only full-time employees of that hospital may be sent to the nursing home. This provision was enacted in 1965 when respiratory care services were almost always limited to the hospital.

Medicare, until recently, has not enforced this rule. However, Medicare intermediaries in Ohio, Florida, and New Jersey have now revived it, and the consequences for SNF patients could be devastating, particularly in rural areas and inner cities.

Many rural hospitals are having severe manpower shortages, and must rely on tem-

porary agencies or contract service employees. Regardless of the qualifications of the respiratory personnel, these individuals may not provide reimbursable respiratory care simply because they are not full-time hospital employees.

Many small hospitals cannot afford a fully operational respiratory care department and must rely on contract personnel to deliver care to the respiratory patient population. Care to SNF patients again would be prohibited.

There are currently 6,000 vacancies for respiratory therapists in the country. The Institute of Medicine has predicted that by the year 2000 the demand for respiratory therapists will exceed the supply by 34 percent. The resurrection of this rule my Medicare would further limit respiratory care at SNF's already suffering from personnel shortages.

The legislation I am introducing today would rectify this problem by including respiratory therapy as part of extended care services in a skilled nursing facility. Since the legislation simply codifies the previously exisitng method of providing respiratory care services through a variety of practitioners, it is expected to have little or no budget impact. It simply allows patients afflicted with respiratory illnesses to continue to receive the needed and appropriate respiratory care, regardless of the care site.

Mr. Speaker, I am pleased that Representatives ROE, FAUNTROY, PENNY, COLLINS, WYDEN and CHAPMAN have joined me as original cosponsors of this legislation to improve the quality and increase the access to respiratory care services available to our nation's elderly. I am hopeful that this legislation will be enacted quickly so that the negative consequences of the enforcement of the outdated Medicare provision will be avoided. I urge other colleagues to join me in this important effort.

FLORIDA SHOULD NOT HAVE TO PAY FOR FLAWED FEDERAL POLICIES

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. FASCELL. Mr. Speaker, I rise to express my concern that, in implementing its policies, the Federal Government is abdicating its responsibility to finance its decisions. Good businessmen try to maximize their production while minimizing their costs; however, this is a practice, it seems, that is not transferable to the Federal Government. It is irresponsible for the Federal Government to continue to produce policies and, in the process of minimizing its costs, pass the bill on to State and local governments. Immigration is a prime example of policy by abdication being practiced [in south Florida] these days, and recently it was hinted that the Federal Government's Outer Continental Shelf Oil and Gas Development Program would soon follow suit.

I am dismayed over recent newspaper reports that the Secretary of the Interior would like Florida to buy back offshore oil exploration leases in the waters adjacent to the Florida Keys and Everglades National Park. The State of Florida did not encourage the sale of these leases nor did it benefit financially; the State of Florida should not have to pay one dime of the cost of buying back these leases. The statements of Secretary Lujan, however, indicate an increasingly standardized practice of the previous and current administration: the Federal Government asks State and local governments to supply the soap, the mop, and the elbow grease to clean up the mess caused by their policies.

Secretary Lujan was recently quoted as saying that "I can't start the practice of canceling leases, but maybe we can start getting States to buy those leases." I commend the Bush administration for trying to find a solution to this problem of great concern to all Floridians, but it is wrong to expect Florida to bail it out of this one just as it is wrong to ask States to pay for absorbing the costs of Federal immigration policies. It was irresponsible for the Department of the Interior to sell these leases while the area was protected by a moratorium, and it is unfair to ask the State of Florida to pay for refunds to the purchasers. It is equally unfair to ask high-impact States to pay the costs of inconsistent immigration policies which are an overwhelming burden for many local communities.

Federal immigration policies are a failure to control our borders and a definite failure to provide our communities with anything like adequate assistance to deal with the problem. A dangerous "gee whiz, tough luck" precedent has been set for one flawed Federal policy; why not apply it to another?

The people of south Florida do not have a foreign policy, a border patrol, or an immigration policy. What they do have are attractive and hospitable communities with a tradition of doing their best to welcome newcomers. They also have a major financial and community services problem.

South Florida has already expended well in excess of $100 million to deal with Federal refugee problems and faces additional millions in expenditures. This is just to take care of the refugees who are already here, not to mention the new wave looming on the horizon. Aside from the staggering sums involved, all south Floridians pay in the quality of education and health care for everyone because a crisis in priorities has been created. The Federal assistance that characterized past immigration emergencies has been replaced by a policy of Federal indifference.

We all recognize the acute strain the Federal budget deficit has placed on other levels of government, but this kind of taxation by abdication cannot go on. Federal immigration policies and Secretary Lujan's recent comments indicate a willingness to increase the financial burden for States for Federal policies. In each of the past few years, the Federal commitment to State and local governments absorbing new immigration populations has gotten smaller and smaller. The logic is simple; let's apply the Federal Government's commitment to immigration policies to finding a solution to the offshore drilling dilemma in Florida. Before we consider the capital gains tax, we need to look a the "Federal pains" tax. In south Florida, those rates are already too high to add the Outer Continental Shelf oil and gas exploration folly.

REMARKS ON BEHALF OF PAUL WILLIAM HILLYARD ON THE OCCASION OF HIS RETIREMENT

HON. D. FRENCH SLAUGHTER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 22, 1990

Mr. SLAUGHTER of Virginia. Mr. Speaker, today, I pay tribute to a man who has done nothing more or less than serve his community faithfully for better than 50 years. Today, I wish to recognize Mr. Paul William Hillyard on the occasion of his retirement.

"Soup," as he is known, has been working for the Winchester, VA, school system for the last 30 years. He began his teaching career as a physical education teacher and for the past 15 years, he has served Daniel Morgan Middle School in an administrative capacity as assistant principal. In fact, Mr. Hillyard has been the assistant principal there since Daniel Morgan opened its doors in 1974.

Friday, February 23, 1990, may be the day Paul Hillyard retires, but I am sure that Daniel Morgan Middle School will carry forward many of his ideas for years to come. Also, I am confident that his spirit of contribution and participation will remain with the school as a legacy in its own right.

The secrets of "Soup's" success are not too difficult to find. To begin, he has a wonderful family. He is married and has three children, a son and two daughters. He also has two grandchildren, a granddaughter, and a grandson. Mention of his family would not be complete either without acknowledgement and respect paid to Mrs. Opal Hillyard, "Soup's" mother.

The Braddock Street United Methodist Church has seen four generations of Hillyard family members. Remarkably, those four generations continue to worship there, as I understand that Mrs. Opal Hillyard is still an active member.

Clearly, family and faith are two outstanding features of "Soup's" life. Community involvement is another. "Soup" is a member of the Gainesboro Volunteer Fire Department and the Ruritan Club. He has been a referee on both the college and high school levels. Further, he has served as a little league football referee. This kind of volunteerism is precisely the sort that President Bush has highlighted and applauded in speeches throughout the country.

Before concluding my remarks I want to say that contrary to the opinion of some it is not old fashioned, or otherwise out of date, to be a pillar of community or to serve others. It is not old fashioned to belong to the church where you and generations before and after have worshipped. Part of what makes our country so strong is its commitment, through the generations, to family, faith, and community. Values are what makes the difference in terms of quality of life.

Mr. Paul Hillyard, "Soup," built his life around the traditions of family, faith, and community service. While I am sure he will be missed at work, I am equally confident that his strong presence in the community will continue.

"Soup," I hope the years ahead are as rich as those behind you. Congratulations on your retirement.

SENATE—*Friday, February 23, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 10 a.m. and 21 seconds, on the expiration of the recess, and was called to order by the Honorable HERBERT KOHL, a Senator from the State of Wisconsin.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 23, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HERBERT KOHL, a Senator from the State of Wisconsin, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. KOHL thereupon assumed the chair as Acting President pro tempore.

RECESS UNTIL MONDAY, FEBRUARY 26, 1990, AT 11:30 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until Monday, February 26, 1990, at 11:30 a.m.

Thereupon, at 10 a.m. and 42 seconds, the Senate recessed until Monday, February 26, 1990, at 11:30 a.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

HOUSE OF REPRESENTATIVES—*Monday, February 26, 1990*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We thank You eternal God, that though we accept the patterns of day following day and event following event, we recognize that the time in which we live is a special moment when peoples and nations are claiming a reality that had been only a vision or a distant hope. As Your bountiful spirit of renewal touches the lives of people in so many different circumstances and in diverse ways, so may we, in our own responsibilities, be good and faithful stewards of the gifts You have given us. May Your blessing be upon each person who turns to You in need, and may Your benediction nurture us in all the days ahead. This is our earnest prayer. Amen.F

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. GILLMOR] please come forward and lead the House in the Pledge of Allegiance.

Mr. GILLMOR led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. HALLEN, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 535. An act to increase civil monetary penalties based on the effect of inflation;

S. 580. An act to require institutions of higher education receiving Federal financial assistance to provide certain information with respect to the graduation rates of student-athletes at such institutions; and

S. 2124. An act to authorize appropriations for the National Space Council, and for other purposes.

The message also announced that pursuant to Public Law 96-114, as amended by Public Laws 98-33, 99-161, and 100-674, the Chair, on behalf of the majority leader, announces his appointments of Mr. ROBB and Mr. John Mansfield Falk, of Virginia, to be members of the Congressional Award Board.

The message also announced that pursuant to sections 276d-276g, title 22, of the United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. HOLLINGS, Mr. MCCLURE, Mr. GRASSLEY, and Mr. MURKOWSKI, as members of the Senate delegation to the Canada-United States Interparliamentary Group during the 101st Congress, 2d session, to be held in Kiawah Island, SC, February 22-26, 1990.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution on Friday, February 23, 1990:

S.J. Res. 186. Joint resolution designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week."

JIM WRIGHT'S ROLE AS PEACEMAKER

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of California. Mr. Speaker, it is with great joy that we learn this morning of the election of Violeta Barrios Chamorro to the Presidency of Nicaragua. We hope that permanent peace will come to that nation and that Mrs. Chamorro's administration will bring a good life to the people.

Many men and women deserve credit for helping make the democratic process work. President Jimmy Carter deserves special praise. President Oscar Arias of Costa Rica offered splendid leadership in the drive for peace by the five Central American presidents.

We in the House of Representatives should be proud of the courageous initiative in August 1987, of our then Speaker, Jim Wright. It was Speaker Wright who put forth the plan that eventually resulted in the free election yesterday, and who had the courage to support President Arias' ongoing peace process when others were trying to derail it. Jim Wright's name will go down in history as the peacemaker.

PEOPLE CHOOSE FREEDOM

(Mr. LEWIS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, Fidel Castro must be shaking in his boots.

The changes in Eastern Europe are spilling over into our own hemisphere. Yesterday, the people of Nicaragua battered down their Berlin Wall with ballots. Today, Americans and freedom-loving people everywhere are celebrating the fall of another dictator. Daniel Ortega has finally learned the lesson that so many dictators have learned recently: Given the choice, people will choose freedom every time.

Can open and fair elections in Cuba be far off?

NICARAGUAN ELECTIONS: RECOGNITION OF THE HEROINE AND HERO

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, the heroine today is Violeta Chamorro, who was chosen by a substantial majority of the Nicaraguan people to be their new President. The election was fair and peaceful and President Daniel Ortega has conceded defeat. This election proves, once again, that the ballot is more powerful than the bullet. Mrs. Chamorro should be applauded for her courage and tenacity against tremendous odds.

In our praise for Mrs. Chamorro, we should not overlook the hero in this drama—former President Jimmy Carter. His diligence and integrity added fairness to the election campaign and credibility to the outcome. His impartiality gave both sides confidence that his participation would ultimately be good for Nicaragua. Americans should be proud of Jimmy Carter's role as a peacemaker and the dignity with which he treats his status as a former President.

Today there is an almost unprecedented opportunity for peace in Central America. I hope President Bush seizes this opportunity by immediately lifting economic sanctions against Nicaragua and extending a helping hand, as we have the struggling new democracies in Eastern Europe.

DEMOCRACY WINS IN NICARAGUA

(Mr. MICHEL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, the stunning victory of democracy over totalitarianism in Nicaragua is a great tribute to the courage of the Nicaraguan people. They did not believe in the opinion polls. They believed in a free Nicaragua.

It is also a personal triumph for Mrs. Chamorro. We congratulate her and her UNO colleagues for a great victory.

Much remains to be done before democracy can be said to have been established in Nicaragua. However, this victory is a splendid beginning.

I am reminded of Secretary of State Jim Baker's moves in the early days of the Bush administration to get bipartisan accord on how we deal with Nicaragua, and we did have our detractors, I might add.

It is my hope that President Bush and the Congress can continue to work on a bipartisan basis to help this new democracy get on its feet. We must leave to historians to explore the various paths that led to the victory. However, one point should be made immediately: President Reagan, President Bush, and the bipartisan coalition in the Congress deserve a part of the credit for the triumph.

In the face of persistent opposition, the two Presidents and the bipartisan coalition kept alive the hope for democracy by helping the Contras and the political democratic opposition.

To the Contras, who fought courageously and well against the largest, best-equipped army in the history of Central America, let me say:

Your sacrifices were worth it. Your cause was just, and your critics were wrong. Without your courage, none of this could have happened.

As I said, the true glory goes to the Nicaraguan people, to Mrs. Chamorro, and to UNO. Long live democracy in Nicaragua.

TRIBUTE TO PAUL MICK

(Mr. HUBBARD asked and was given permission to address the House for 1 minute.)

Mr. HUBBARD. Mr. Speaker, the headline on the front page of yesterday's Washington Post reads: "4 Slain, 2 Hurt in NW Club . . . D.C. Toll Hits 83." Yes, through February 24, that's 83 murders in our Nation's Capital compared to 84 at the same time last year.

So, what's new, you ask.

Well, the headlines in the newspapers in my own district yesterday were: "Slaying of Publisher Shocks Marion, KY" and "Publisher killed during burglary."

Paul Mick, age 42, publisher of the Crittenden Press, chairman of the Western Kentucky Industrial Foundation and the former president of the Kentucky Press Association, was found stabbed to death at his home early Saturday morning after he struggled with a burglar.

An 18-year-old white man in Marion who lived three blocks from the Mick home has been arrested, charged with burglary and murder.

Paul Mick was one of my most outstanding constituents. He was one I proudly referred to as a friend.

His attractive, talented wife Nancy, and their three children, Allison, 18, Andrea, 9, and 5-year-old Lucas Mick, are among the tens of thousands of western Kentuckians who mourn the loss of Paul Mick.

Western Kentuckians—like the residents of Washington, DC—wonder why all these senseless murders continue and when they will end.

CUBAN PEOPLE DESERVE CHANCE TO CHOOSE

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, it has been 10 years of stormy weather in Central America; now the Sun is finally shining through the clouds. After years of struggle, peace and democracy in the area have a fighting chance.

The Sandinistas should respect the people's mandate. Ortega should turn over the reins of government to Mrs. Chamorro, and he should do it without delay.

The election results will reach far outside of Nicaragua. Salvadoran rebels should get the message: Central Americans do not want Marxist rule. They want free speech, free elections, and free markets.

Fidel Castro should also take notice. Latin Americans have suffered from 25 years of Cuban-sponsored subversion. The only results have been death and destruction. It is time to give the Cuban people a chance to choose their own government.

THE DREXEL BURNHAM LAMBERT BANKRUPTCY FLIM-FLAM DEMANDS CORRECTION BY CONGRESS

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, in the days of the old West the robbers would ride out of town—saddlebags bulging with stolen money—just before the posse rode into town.

We had another wild west adventure the other day, Mr. Speaker.

Only this time the bad guys did not wear red bandanas and buckskin vests. They wore Hermes ties and Saville row suits.

This time they didn't ride out of town on horses but on BMW's and Rolls Royces.

I am talking about the $350 million in bonuses the brokerage firm, Drexel Burnham Lambert, Inc., paid to executives and insiders just days before its parent corporation declared bankruptcy owing—you guessed it—$350 million to employees, creditors, and investors.

But, the bankruptcy trustee may not be able to recapture that money because of a legal flim-flam and shell game. The bonuses were paid by the Drexel brokerage firm, but it was the parent firm which went into chapter 11 bankruptcy.

On Thursday Chairman JACK BROOK'S subcommittee, on which I serve, will open hearings into this Drexel outrage.

I hope we can change the bankruptcy code to give trustees added authority to go behind fraudulent transfers of corporate wealth designed to defeat legitimate claims of creditors and rank-and-file employees.

Mr. Speaker, I want to rewrite that old West scenario. I want the posse to ride into town before the bad guys ride out.

□ 1210

GREAT LAKES INVASION COULD COST BILLIONS

(Mr. GILLMOR asked and was given permission to address the House for 1 minute.)

Mr. GILLMOR. Mr. Speaker, I want to echo the joy of the previous speaker and the American people at the defeat of the Marxist-Sandinista dictatorship.

What I rise today to talk about is an invasion of Lake Erie by a small creature.

A few years ago, almost unnoticed, an inch-long creature invaded the Great Lakes. Now, noticeably, residents around the lakes are worried because up to 700,000 can occupy one square meter of lake bottom.

I am referring to the zebra mussel, which is a tiny destructive shellfish from Europe that clings to anything solid and feeds on plankton.

Zebra mussels are choking water intake pipes, ruining boat motors, fouling fish spawning grounds, and disrupting the food chain. Experts agree the zebra mussel could spead almost immediately to lakes, ponds, and rivers throughout the Northeast and into the Mississippi basin.

Mr. Speaker, the zebra mussel could cause up to $5 billion in damage to the Great Lakes. Canada has already funded extensive research, and Congress needs to fund research now that will prepare the rest of the United States to deal with the problem of the zebra mussel.

THE PEOPLE HAVE FINALLY SPOKEN IN NICARAGUA

(Mr. SKELTON asked and was given permission to address the House for 1 minute.)

Mr. SKELTON. Mr. Speaker, the Nicaraguan people have finally spoken. Yesterday Presidential candidate Violeta Chamorro won in an upset against Daniel Ortega. Actually it was only an upset for those who did not have faith in the Nicaraguan people or in the election process.

The turning point for the opposition took place when the people lost their fear, when they became convinced that their vote indeed would be cast in secret. Pollsters who had predicted a Sandinista victory turned out to be wrong.

So what were the elements that contributed to this stunning development? First, the steadfast support for democracy in Nicaragua on the part of this country through this decade, from earlier support for the Contras to the recent support for these democratic elections. Second, the sincere effort on the part of Central American leaders to find a peaceful solution themselves for Central America. Third, the role played by international observers to ensure the fairness of the elections.

The United Nations, the Organization of American States, and especially former President Jimmy Carter deserve congratulations on the very positive role they played in making yesterday's election possible.

Finally, Mr. Speaker, and most important, the credit for victory has to go to the Nicaraguan people. They voted for Violeta Chamorro and a platform that called for reconciliation, an end to the war, an end to the military draft, and the beginning of a new relationship with the United States. The Nicaraguan people have finally spoken after 10 years. Now, Mr. Speaker, the work begins.

A TRIBUTE TO ALL WHO HAVE WORKED FOR DEMOCRACY IN NICARAGUA

(Mr. GUNDERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Speaker, a number of my Democratic colleagues have risen this morning to suggest that we give former President Carter credit for his role in ensuring free and fair elections in Nicaragua. As a Republican, I am more than ready to concede all the credit in the world to President Carter for his efforts. All I ask in return, however, is that Members on both sides of the aisle, especially the Democratic side, concede to us that our efforts over the last 10 years have also been proper in pursuing a course to give the people of Nicaragua a government that believed in democracy, a government that was committed to the real revolution that the Ortega brothers stood for when they came to power, not the totalitarianism that they imposed over the decade of the 1980's and was rejected yesterday.

President Havel of Czechoslovakia said last week in this Chamber, "Things are happening so fast we don't have time to be astonished." Who would have believed the people have the power within them to turn out and overturn the Government of Nicaragua as they did yesterday?

We hear now discussions of reconciliation in Nicaragua. Let us also have reconciliation in this Congress and in this country. We now have the people's voice in Nicaragua for a government that is free, a government of, by, and for the people. Let us do our part to assist them in making their dream come true this time out.

UNITED STATES-CENTRAL AMERICAN COOPERATIVE APPROACH VINDICATED BY NICARAGUAN ELECTION RESULTS

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, the news that we have heard so far indicates that the election in Nicaragua yesterday demonstrates what can be done when the United States works cooperatively with its regional allies in this hemisphere rather than insisting on a policy which has no supporters but ourselves.

The Sandinistas were able to withstand the pressures from the discredited Contras, but they were not able to withstand the full force of world opinion when that force was effectively applied to regional cooperation led by Costa Rican President Arias and in the end supported by the United States.

The Bush administration is to be congratulated for moving away from the unilateral militarism of the preceding administration. Former House Speaker Jim Wright is also to be congratulated for his leadership role in moving the United States toward support for the regional approach. This vote is a vindication of the insistence of those in the Congress who for so long fought for a policy of regional cooperation and regional cooperative pressure rather than unilateral military confrontation.

A NEW BEGINNING FOR THE NICARAGUAN PEOPLE

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, the votes are in from Nicaragua and the result is clear: Violeta Chamorro did to Daniel Ortega what "Buster" Douglas did to Mike Tyson—win by a knockout.

Mr. Speaker, the people of Nicaragua yesterday confirmed what many of us have been preaching for 11 years—that the Sandinistas do not have the support of the people and that when given a choice, the people will make that clear.

And make it clear they did. Violeta Chamorro is a remarkable woman. She has triumphed over considerable adversity in her ultimately successful bid. She has had to endure threats and violence from the Sandinistas' legendary turbas divinas—the divine mobs—but through it all, she refused to be cowed.

Mr. Speaker, the Nicaraguan people have lived an almost uninterrupted nightmare for several decades. We all know that the dictator Somoza was no great friend of civil liberties; we now have concrete proof that the Sandinistas are no better, and quite probably are far worse.

The Nicaraguan people have suffered enough. It is incumbent upon Mr. Ortega to respect the wishes of his people and step down. We in the Congress can do our part by making it clear that we are united in the belief that Nicaragua's election was fair and square and that Mr. Ortega must respect its results.

This is no time for partisan squabbles, Mr. Speaker, it is a time to speak with a unified voice. The Nicaraguan people have voted and the fate of their nation depends on their voices being heard.

□ 1220

THE TIMIDITY OF THE S&L BAILOUT LAW

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, last week marked the 1 year anniversary of the submission to Congress of President Bush's S&L legislation. Unlike his predecessor, President Bush stepped to the precipice of the S&L crisis and acted. President Bush appropriately addressed a very significant problem, offered a responsible outline for a solution and worked with the U.S. Congress to improve that proposal. I support the President in those efforts.

Unfortunately, Mr. Speaker, the Bush administration's political courage of February 1989 has turned to political timidity in February 1990. The President has looked into the depths of the Grand Canyon-sized S&L bailout and is backing away. Instead of appointing people to get the job done, the President is looking for people to

exercise political damage control. The decision of Frederick Wolf not to assume the job of the director at OTS is the most recent disappointment and further evidence of the lackluster performance of the Bush administration in implementing the S&L bailout law.

Today, Mr. Speaker, the two public representative slots in the important RTC oversight board are still unfilled. The RTC oversight board is headed by an acting president after President Dan Kearney quit 2 weeks ago in frustration with Treasury meddling. There soon will be an acting director to replace the acting director at the Office of Thrift Supervision. All of those posts are keyed to proper enforcement of the tough new S&L bailout law.

Mr. Speaker, the U.S. Treasury and the Bush administration is basing its selection criteria for those posts on whom they can best control, while the cost of the $166 billion S&L bailout mounts by over $14 million a day. It is high time for the administration to get its act together and to muster the political courage and intestinal fortitude being spent on the S&L bailout. It is bad enough to pay for this S&L bailout once, much less paying more tomorrow on account of today's timidity of the S&L bailout law.

FREEDOM CONTINUES ITS MARCH

(Mr. COUGHLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COUGHLIN. Mr. Speaker, there can be little question that the trend towards democracy that has been so prevalent in Eastern Europe and the U.S.S.R., and which has manifested itself most recently in that region in Lithuania, has further triumphed in Nicaragua. With tremendous bravura, the people of Nicaragua have turned out in huge numbers to elect an opposition movement dedicated to individual rights and a free economy. The National Opposition Union, headed by Violeta Chamorro and known by the Spanish acronym UNO, has waged an uphill battle against an entrenched Sandinista Party that dominated the Nicaraguan mass media throughout the campaign. UNO's success is a tribute to the indomitable spirit of democracy.

I particularly congratulate President Bush, Secretary Baker and the administration on their handling of this sensitive question. It is the policies of the Reagan-Bush years that have helped bring about truly extraordinary change in the world.

Though the United States and the Sandinista leadership of Nicaragua have not enjoyed positive relations over the years, the Sandinistas do deserve our recognition for their apparent willingness to abide by the will of the people. While there have been some reports of irregularities, numerous international observers, including prominent Americans, have concluded that the elections have been the fairest in Nicaragua's history. The Sandinistas deserve credit for realizing that an effort to thwart the popular will would only have further exacerbated the strife that has characterized the Nicaraguan political landscape for a decade.

As the transition to a government unequivocally committed to democracy and individual rights occurs, I am thoroughly optimistic that America's relationship with Nicaragua will change dramatically for the better. I intend to support the normalization of relations as the democratic process further unfolds, and look forward to supporting the administration in its efforts to address Nicaragua's myriad needs.

I know my colleagues join me in hoping that democracy will continue its victorious march, visiting Cuba, Haiti, and every other corner of our planet where dictatorship seeks to deny people their rights and dignity.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Kalbaugh, one of his secretaries.

A NEW CHAPTER OPENS IN NICARAGUA

(Mr. McHUGH asked and was given permission to address the House for 1 minute.)

Mr. McHUGH. Mr. Speaker, the election in Nicaragua opens a new chapter in that country, a chapter we all hope will be more peaceful and more prosperous.

Based on current reports, yesterday's election was fair and decisive. We congratulate the Nicaraguan people on their commitment to democracy. We congratulate the Sandinista Government on meeting its pledge to conduct the election in the first place. And, of course, we congratulate the victorious opposition that now has the difficult job of reconciliation and recovery.

Our policy should be to support that reconciliation and recovery in every way we can. That certainly includes disbanding the Contras, lifting the embargo, and normalizing relations with the new government.

We should also try to extend this very same spirit to El Salvador, whose suffering people also crave peace and reconciliation.

IT TOOK A WOMAN TO BRING DOWN ORTEGA

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, it took a woman to bring down Ortega.

The Contras couldn't do it; Ollie North couldn't do it; Congress couldn't do it.

A woman, the press, and above all, a people who long to be free have brought about this amazing event. This is a fitting continuation to the developments in Eastern Europe.

Special thanks should go to all those people who went to Nicaragua to guarantee free elections.

The people have spoken.

Congratulations to the citizens of Nicaragua and Violetta Chamorro.

ANNUAL REPORT ON ADMINISTRATION OF THE FEDERAL RAILROAD SAFETY ACT OF 1970

The SPEAKER pro tempore (Mr. VISCLOSKY) laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

(For message, see proceedings of the Senate of today, Monday, February 26, 1990.)

FREE ELECTIONS IN LITHUANIA BRING COUNTRY A STEP CLOSER TO INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, this weekend we witnessed a monumental and historic step toward independence for the people of Lithuania. On Saturday, February 24, for the first time in 72 years, the Lithuanian people participated in free elections.

Over 75 percent of eligible voters in Lithuania cast their votes for delegates to the 141-seat Parliament. Of the 123 races now counted, the reform movement, Sajudis, can claim victory for its endorsed candidates in 73 races. These results insure Sajudis majority status in the legislature, and this election is a crushing blow for the Communists. Vytautus Landsbergis, the leader of Sajudis, said that it is very likely that Lithuania will declare independence from the Soviet Union when the Parliament meets in the spring.

Mr. Speaker, this is truly an extraordinary time for Lithuania, and we in the Congress must continue to demonstrate our strong support for the people of Lithuania so that they may continue successfully their journey on the road to independence without interference from the Soviet Union.

A NEW NATIONAL STRATEGY: NEW IDEAS FOR NEW REALITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. SKELTON] is recognized for 30 minutes.

Mr. SKELTON. Mr. Speaker, on Wednesday January 24 of this year I gave a speech from this very spot calling for the development of a new national security strategy. At that time I described the present situation in which our Nation finds itself as analogous to the situation in which we found ourselves in the months after our victory in World War II.

In 1945, there was much joy in America because the war had been won. As we Americans returned to peacetime pursuits, little did we realize the strategic threat which Stalin's Russia would assume. Who would have thought in September 1945 that in less than 5 years the United States would be involved in another war? Few in 1945 would have been able to locate Korea on a map.

Today, there is also much happiness in the West. Our side has won the cold war. I don't dispute that idea. As in 1945, the call has gone out to cut the defense budget. Once again however the future is unclear. Before we reduce our Armed Forces in the manner we have done after every major war we have fought this century, let's take a dispassionate assessment of the threats and challenges that we as a nation face throughout the world.

In many ways the international political landscape has changed considerably in the past few months. Events in the Soviet Union, Eastern Europe, and now in South Africa give us much cause for joy and celebration. The ideals for which this country has stood over the past 50 years have been affirmed throughout the world.

STRATEGIC PROBLEMS

At the same time, however, I noted in my January speech the many developments and challenges in the world that this Nation must still confront. The following is simply a short listing of some of those strategic problems confronting this country today. We must address:

First, a Soviet Union that as it sheds its ideological underpinnings will remain a great power with great power interests;

Second, instability in Eastern Europe;

Third, the unification of Germany;

Fourth, the economic and political integration of Western Europe as symbolized by EC '92;

Fifth, the rise of an economic superpower in the Far East—Japan;

Sixth, the diffusion of chemical and nuclear weapons technology to countries of the Third World in conjunction with the spread of ballistic missile technology;

Seventh, terrorism, drug trafficking, and other forms of low intensity conflict;

Eighth, the need to maintain access to oil and other vital mineral resources for which domestic resources are no longer adequate; and

Ninth, a whole host of other problems I will not mention now due to the shortness of time.

NATIONAL SECURITY STRATEGY

In my speech last month I stated my strong belief that the individual given the principal responsibility for developing a new national security strategy for our Nation must be the President. As a result of provisions included in the Department of Defense Reorganization Act of 1986, the Goldwater-Nichols Act, the President is required to submit a national security strategy to the Congress. The Congress shares the responsibility with the President for ensuring that the Nation has a coherent national security blueprint. Congress, through its power of the purse, must be a partner in the development of such a strategy so that the resources for its implementation can be provided.

And yet, having the President submit a national security strategy by way of legislation that addressed only one department, the Department of Defense, is simply not sufficient. The requirement for developing a national security strategy is one that the Department of Defense cannot do alone. The Defense Department has the principal task of putting together a national military strategy to support the much broader national security strategy. In other words, military strategy is a subset of the national security strategy. The larger task of formulating a national security strategy is an interdepartment and interagency requirement. In addition to the Department of Defense the other players in the formulation of a national security strategy should include: First, the Department of State; second, the Department of the Treasury; third, the Department of Commerce; fourth, the Office of Management and Budget, Fifth, the Agency for International Development; Sixth, the Arms Control and Disarmament Agency; and seventh, the Central Intelligence Agency.

This list is by no means an exhaustive one but it gives a flavor for the input needed if we are to develop a national security strategy that indeed safeguards the interests of the United States in a still dangerous world. And safeguards those interests in all the various facets—diplomatic, political, technological, economic, and military.

SOME LEGISLATIVE OPTIONS

In order to push this process along, I see a possibility of promoting at least four legislative options. They can be promoted singly or all four together as part of a unified effort. The first option, as I noted in my January speech, would be to provide more authority, more power, to the Chairman of the Joint Chiefs of Staff so that he could exercise his stategic planning responsibilities which we sought to give him in the Goldwater-Nichols Act. He in turn could provide the Secretary of Defense a coherent, realistic strategic plan, with a set of alternatives. In this way both the Chairman of the JCS and the Secretary of Defense would be able to link a stronger strategic planning component with the programming and budgeting functions of the PPBS. PPBS stands for "planning, programming, and budgeting system" which was introduced by Robert McNamara in the early 1960's in order to give some coherence to defense politics.

The second legislative option would consist of establishing a national security planning staff within the White House, as part of the National Security Council. Members of such a staff would include representatives of those Departments and agencies listed above. In this way a President could fashion a more coherent national security strategy by involving a wide assortment of key planners from the various departments in a more unified fashion. Tradeoffs among various departments involved in national security matters need to be considered on a continuing basis as the President formulates a national security strategy. While OMB performs that function from a budgetary standpoint it cannot do so from a policy standpoint. Development of a national security strategy has to take into consideration budgetary limitations but it cannot be driven by them.

The third option would consist of establishing a national military strategy planning staff under the direct authority of the Chairman of the Joint Chiefs of Staff. Unlike the present entity responsible for planning in the organization in the Joint Chiefs of Staff, J-5, the new national military strategy planning staff would work exclusively for the Chairman of the JCS. It could be part of J-5 but it would work exclusively for the Chairman.

And finally a fourth option would call for the establishment of a joint committee on national security strategy by the Congress. This would enable Congress to oversee the process in a much more effective manner than currently possible. The interplay between diplomatic, military, and trade issues requires a more comprehensive oversight mechanism by Congress. Today, that oversight is divided among the various oversight committees—Armed Services, Foreign Affairs, Energy and Commerce, just to name a few.

SISYPHUS RECALLED

To accomplish any one of the four legislative options I have described above will entail much effort for there will be much resistance. Organizational change of any institution—whether at the White House, the Department of Defense, or up here on Capitol Hill—is extremely difficult and requires patience. For example, even after two sitting members of the Joint Chiefs of Staff called for substantial changes in the organization of the Joint Chiefs of Staff, it took 4 years to bring those changes about in a meaningful fashion. On many occasions during that long effort I felt much like Sisyphus, the figure of ancient Greek mythology condemned in Hades to roll a huge stone up a hill only to have it roll back down once he had reached the top. At least for those of us involved in that effort, our years of labor were crowned with success in a relatively short period of time. As a result, the Goldwater-Nichols Act is on the law books.

As yet, there is no guaranteee that even if all four pieces of legislation I have briefly described today were to be enacted over the next few months that the system would work any better. Yet the aim is worth the effort. Good, wise, and effective policies cannot be brought about by organizational changes alone. For those policies to be adopted we need good, wise, and effective people in government crafting those policies. But good organizational structures can help those individuls by removing unnecessary obstacles that too often get in the way of crafting those effective policies. In the long run, I firmly believe that the national interests of the United States can be promoted much more effectively with the changes I have proposed. Over the next few weeks and months I will give more detail to the proposals I have touched upon in my speech today in an effort to gather the support that this important task will require.

□ 1230

TARGETING THE BENEFITS OF THE 1990 FARM BILL

The SPEAKER pro tempore (Mr. VISCLOSKY). Under a previous order of the House, the gentleman from Kansas [Mr. GLICKMAN] is recognized for 60 minutes.

Mr. GLICKMAN. Mr. Speaker, for all of us who eat, the 1990 farm bill will be the most important legislation this House considers this year. In a political and policy environment dominated by constraints on spending, we have to make hard choices about how we spend each taxpayer dollar. My colleagues and I who serve on the Agriculture Committee, and all of us who share my own perspective on the importance of the 1990 farm bill, will have to make some of the hardest choices in this regard this year. Those choices will require us to spend less than the needs dictate for the continuation of a stable food supply. Those choices will also force us to decide who should get the benefit of the funds available to spend for farm, food, and rural programs?

I commend to my colleagues' attention the remarks the distinguished chairman of the committee, Mr. DE LA GARZA, has made repeatedly on the proportion of total Federal spending allocated to agriculture and farm programs. In comparison to other functions, it is minuscule, yet it continues to be besieged. Indeed, the President in his fiscal year 1991 budget proposed that we cut spending on farm programs by an additional $1.5 billion. This proposed reduction is particularly significant in light of the fact that Federal agricultural spending has been cut over 50 percent in the past few years.

I believe that the Bush administration's agricultural dollar allocation is irresponsible and fails to account for the demonstrated need we have to sustain an adequate, responsible Federal investment in our food security infrastructure. I am confident that in the end, while agriculture will do its share to meet out budget guidelines it will not have to be forced to bear an unreasonable share of cuts as the administration desires and that the ultimate budget reduction will be substantially below the administration's mark.

As I said, while I do not accept the magnitude of these proposed cuts nor the need for cuts at a time of such demonstrated need, I want to set that debate aside and suggest options for making reductions if we are faced with that eventuality. Furthermore, I think it is appropriate for us to consider those reductions in the context of what I believe ought to be our highest priority: Preserving family sized agriculture.

I believe now is the time for us to consider targeting these funds, specifically the funds for income support payments—commonly known as deficiency payments or target price payments—so they go to mid to smaller sized family operators. Now is the time, in some capacity, to place an upper ceiling on the size of farms which qualify for such support, or at least determine eligibility for farm programs to insure that if cuts are made, they are directed at the wealthiest of producers and not to the bulk of family sized operators. While some targeting already exists in the form of a $50,000 payment limitation under the program, there are clearly additional ways to insure the equity and fairness of farm program spending cuts.

Today I want to suggest some options for doing so but most importantly in setting the stage for this debate, I want to bring to the attention of my colleagues a report on farmers' attitudes on these questions and some statistics on this issue. In short, the support for this approach exists in farm country. Just last week my subcommittee completed the last of 10 field hearings in preparation for the writing of the 1990 farm bill. We were fortunate to have traveled to virtually every part of the country and what we heard will be invaluable in writing that legislation as will the views we have collected from other sources, especially as we have to make the tough choices the budget will force upon us. We conducted those hearings because I believe firmly that the new farm bill should reflect the preferences and opinions of those who will be most directly affected by it.

The National Public Policy Education Committee recently released a survey conducted by agricultural economists in 21 States with the assistance of USDA's Economic Research Service, "U.S. Farmers' Preferences for Agricultural and Food Policy in the 1990's." The survey covered many diverse issues and represents the responses of over 12,000 farmers from the heart of farm country.

Two questions in this survey go to the heart of the issue of targeting. When asked to state their preferences for ways to reduce farm commodity program expenditures, 29 percent said they favored percentage cuts across-the-board and 7 percent said they favored deeper cuts. Fifty-two percent of the responding farmers said they favor instead some form of targeting. Thirty-seven percent said they favored directing aid to small farms and 15 percent said they favored giving such support only on the basis of financial need.

When asked whether future farm programs should give more benefits to farmers with annual sales under $250,000, 16 percent of the famers said they disagreed. However, 53 percent of the farmers said they agreed.

On these two questions to test the amount of support for further targeting farm program benefits, farmers favor such a shift in policy. In an era of budget-driven farm policy changes and at a time when rural America is losing population, farmers clearly realize that now is the time to target those limited resources to those who most do indeed need income support and to make sure that our countryside do not lose more farm families.

In view of the fact that substantial support exists for such a change in policy, how will it affect production agriculture, how many farms would be affected? First of all, let me note that I have asked USDA to analyze this question to provide the subcommittee with up to date information for use in preparing an option. However, some

figures do exist which I believe will be constructive for Members to review as this debate begins.

According to figures compiled by USDA for 1988, the most recent currently available, there are 2,197,000 farms in the United States. Of that number, 30,000 have gross sales annually in excess of $500,000, less than 1½ percent of total farms.

These farms, however, account for over 8 percent of total Government spending on farm programs, approximately $1,221,000,000 altogether. Each farm in this category earned in excess of $40,000 in direct Government payments in 1988.

In sum, the largest farms in this country earn a disproportionate share of the total payment made under Government programs. Can we continue policies which exacerbate this sort of distribution of Federal resources or, as we are looking at ways to ensure that agriculture programs meet this reasonable share of deficit reduction, can we target these benefits to even out the distribution of benefits, save funds, and ensure that only those farms which need Government income support to remain viable are recipients of the dollars?

I believe we can and we should. I am not alone in my belief. As I noted, farmers in huge numbers share this view. In addition, the President's budget, for all of its other problems, also suggests such a targeting approach which has been picked up by our colleague, Mr. ARMEY of Texas. This proposal to limit spending on farms with adjusted gross incomes in excess of $100,000 annually is too draconian and goes too far.

I am examining alternatives which move in the same direction of targeting, will save dollars, and which will not do undue damage to the agriculture economy. I am examing proposals to place a ceiling on eligibility for income support payments at the following levels of gross farm cash marketings annually: $500,000; $750,000; and $1 million. With the assistance of the USDA's analysis, I intend to have a proposal prepared by the time the subcommittee meets to write its part of the 1990 farm bill. Along the same line, Congress could also phase down those target prices to farmers who have reached a certain size, rather than eliminating them from the program automatically once they have reached that size. There are many, many fair and equitable ways to skin this cat, and I do not at this time want to lock myself into any one proposal, except to say that benefits to the overwhelming majority of farmers and ranchers will be protected and could even be increased under these ideas. For example, it may be possible to actually raise target prices to many producers who are family sized operators by adopting an approach along the lines I have discussed.

In addition to stimulating debate on an income ceiling on income supports, I am also reserving the right to examine further options to target benefits. I believe we should reevaluate the changes made to existing payment limit rules in the 1987 budget bill and effective for the 1989 crops. While these changes, which I played a role in writing and instigating, are steps in the right direction, I am concerned they have fallen short of their intention and that as opposed to limiting farm reorganizations done to capture program benefits, they have simply caused more creative ways to reorganize farms.

I am also concerned about the inequity which prevents farm spouses, in most cases farm wives, from being eligible for assistance. I believe we should examine ways to redress this problem, in recognition of the contribution farm wives make to farm operations, and that we can pay for such a change by further tightening the 1987 payment limit reforms.

Mr. Speaker, I am under no illusion that the proposals I have sketched here today are controversial. There are many questions raised by them: How do you define a family sized operator? Won't these proposals remove the ability of the Government to control supply since big operators will be out of the farm programs? Won't some farmers reorganize their farms just to stay under the new limitations? Will this just create more bureaucracy?

These and other questions are legitimate ones and must be answered successfully to make the ideas of targeting farm programs work. But the fact that proposals are controversial does not mean they are wrong. This is why I came here today to get the debate going and put forward a set of options for the farm community, and others, to discuss. As I indicated at the beginning of my remarks, I do not believe agriculture should be singled out for huge budget cuts and I fully support these programs and the spending which goes into them. At the same time, I also believe we need to make a bold stroke to address questions of fairness, need for Government assistance, need in rural communities, and fiscal constraints while protecting the underlying strength of our Nation's farmers.

The concepts I am raising here just might lead to a gradual restructuring of agriculture away from the trends toward bigness and consolidation we have seen over the past 20 years. Those trends have resulted in a depopulation of rural America, wreaking havoc on rural health care, education, and overall rural infrastructure. Our Federal farm programs should not just be geared to preserve the status quo but should be geared to provide the bulk of the benefits to average sized producers—not just the wealthiest of producers and certainly not to folks who live far away from our farms and have no personal input into farming at all. A farm program truly geared to the family sized operator could do more to repopulate rural America and preserve equity and fairness in our farm programs than just about any other rural development program I can think of. I hope that my colleagues on and off the Agriculture Committee will join me in this effort.

□ 1250

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. GLICKMAN. I am glad to yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding. I have been listening to him and following his activity and the activities of the other members of the House Agriculture Committee. I want to commend the gentleman from Kansas for his leadership on a coming piece of legislation as well as his leadership through the years on past pieces of farm legislation that mean so much not only to his district and the Midwest, but also to my State of Montana.

I wonder if the gentleman will continue to yield for the purpose of a statement I wish to make with regard to the recent election in Nicaragua.

Mr. GLICKMAN. I am pleased to yield to the gentleman from Montana.

NICARAGUAN ELECTION

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for his courtesy.

There will, of course, be great differences of opinion about how Mrs. Chamorro was elected and why, and what role the United States has had in her election, which I believe is applauded by the majority of the membership of this House.

Let me say though, as one who has opposed American intervention and particularly military assistance in that country consistently since I have been in the Congress, I believe that had America not spent between a half a billion to a billion dollars in attempting to bomb that little nation flat, had we not had the loss of 50,000 lives in that nation and in the surrounding countries, we would have been able to move to an earlier election in Nicaragua, and we would have seen Mr. Ortega and his people voted out of power.

The hard fact is that this Nation, through military intervention, did exactly the opposite of what we had hoped they would do. For all these years we inadvertently kept Mr. Ortega in power because he was able, with his constituencies, to play off his leadership against Yankee imperialism. So all of those years of wasted taxpayers' dollars, all of those lives

lost in Central America and throughout Nicaragua have at last we hope now ended through the process that I hope everyone in this House applauds, and that is free, democratic elections throughout Central America and particularly in Nicaragua.

Let me make the point again: What we were attempting to do through military might cannot be done in Nicaragua or anywhere else. It is not bombs that are going to change a nation. If this Nation, if the United States is going to affect democracy in these nations, it will be through penicillin and schoolbooks, and repairing the thatched roofs on classrooms in these countries. It is through sending them textbooks, it is through real, genuine humanitarian aid, and then in assisting them to hold free elections. We cannot export democracy through the barrel of a gun, and yesterday's election in Nicaragua has once again proven, it seems to me, that those who were in favor of humanitarian rather than military assistance in Central America have been proven to be correct.

Again I thank the gentleman for his courtesy in yielding.

Mr. GLICKMAN. I thank the gentleman and also applaud him for the content of his remarks, which are right on target.

Mr. Speaker, I yield back the balance of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GILLMOR) to revise and extend their remarks and include extraneous material:)

Mrs. MARTIN of Illinois, for 60 minutes, each day, on May 1 and May 2.

(The following Members (at the request of Mr. GLICKMAN) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes.

Mr. OWENS of New York, for 5 minutes, each day, on February 27 and 28 and on March 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WAXMAN, notwithstanding the fact that it exceeds 2 pages of the RECORD and is estimated by the Public Printer to cost $1,849.

(The following Members (at the request of Mr. GILLMOR) and to include extraneous matter:)

Mr. SOLOMON.

Mr. SCHUETTE.

Mr. CAMPBELL of California.

Mr. MACHTLEY.

Mr. FRENZEL.

Mr. SCHAEFER.

(The following Members (at the request of Mr. GLICKMAN) and to include extraneous matter:)

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mrs. LLOYD in five instances.

Mr. HAMILTON in 10 instances.

Mr. DE LA GARZA in 10 instances.

Mr. MCMILLEN of Maryland.

Mr. FORD of Michigan.

Mr. LEVINE of California.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 535. An act to increase civil monetary penalties based on the effect of inflation; to the Committee on Government Operations.

S. 580. An act to require institutions of higher education receiving Federal financial assistance to provide certain information with respect to the graduation rates of student-athletes at such institutions; to the Committee on Education and Labor.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 186. Joint resolution designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week."

BILLS PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following title:

On February 22, 1990:

H.R. 2281. An act to amend the Elementary and Secondary Education Act of 1965 to extend the authorization for certain school dropout demonstration programs, and

H.R. 150. An act to amend the Immigration and Nationality Act to provide a procedure for an alien who dies while serving on active-duty with the U.S. Armed Forces during certain periods of hostilities to be considered a citizen of the United States at the time of the alien's death.

ADJOURNMENT

Mr. GLICKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 56 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 27, 1990, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2567. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-155, "Closing of a Public Alley in Square 105, S.O. 87-336, Act of 1990," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2568. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to extend and amend programs under the Head Start Act; to the Committee on Education and Labor.

2569. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed letter(s) of offer and acceptance [LOA] to Greece for defense articles and services (Transmittal No. 90-24), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

2570. A letter from the Acting Director, Defense Security Assistance Agency, transmitting, notification of the Department of the Army's proposed letter(s) of offer and acceptance [LOA] to Greece for defense articles and services (Transmittal No. 90-23), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

2571. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2572. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2573. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C 1339(b); to the Committee on Interior and Insular Affairs.

2574. A letter from the Acting Administrator, General Services Administration, transmitting prospectuses for the fiscal year 1991 for the GSA's Public Buildings Service Capital Improvement Program, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

2575. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for the U.S. Customs Service for fiscal years 1991 and 1992; to the Committee on Ways and Means.

2576. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to provide for the recovery by the U.S. Customs Service of the cost of Customs processing of imported articles, and for other purposes; to the Committee on Ways and Means.

2577. A communication from the President of the United States, transmitting the administration's report on Soviet noncompliance with arms control agreements, pursuant to 22 U.S.C. 2592a; jointly, to the Committees on Armed Services and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAWKINS: Committee on Education and Labor. H.R. 3315. A bill to extend the authorization of appropriations for the Taft Institute; with an amendment (Rept. 101-406). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DE LA GARZA (for himself, Mr. MADIGAN, Mr. GLICKMAN, Mr. MARLENEE, and Mr. ROBERTS):

H.R. 4099. A bill to suspend section 332 of the Agricultural Adjustment Act of 1938 for the 1991 crop of wheat; to the Committee on Agriculture.

By Mr. DICKINSON:

H.R. 4100. A bill to amend the Internal Revenue Code of 1986 to meet the growing challenge of America's infrastructure needs; to the Committee on Ways and Means.

By Mr. FRENZEL (for himself and Mr. AUCOIN):

H.R. 4101. A bill to provide authority to regulate exports, to improve the efficiency of export regulations, and to minimize interference with the ability to engage in commerce; to the Committee on Foreign Affairs.

By Mr. HERTEL:

H.R. 4102. A bill to establish a fellowship program to enable American teachers and others with expertise necessary for the transition from a Communist system to a democratic, market economy system to share their knowledge and skills with the people of the emerging democracies of Eastern Europe; to the Committee on Foreign Affairs.

By Mr. SCHUETTE:

H.R. 4103. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the standard deduction in the case of certain individuals paying certain expenses; to the Committee on Ways and Means.

H.R. 4104. A bill to amend the Internal Revenue Code of 1986 to increase the limitations on the deduction for retirement savings, and for other purposes; to the Committee on Ways and Means.

H.R. 4105. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on capital gains of individuals; to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 4106. A bill to suspend Federal education benefits to individuals convicted of drug offenses; to the Committee on Education and Labor.

By Mr. CONYERS:

H. Res. 343. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Government Operations in the 2d session of the 101st Congress; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 173: Mrs. SMITH of Nebraska and Mr. PENNY.
H.R. 509: Mr. TAYLOR.
H.R. 563: Mr. MOORHEAD.
H.R. 671: Mr. GILMAN.
H.R. 763: Mr. MORRISON of Connecticut.
H.R. 844: Mr. BLILEY and Mr. DOUGLAS.
H.R. 857: Mr. ACKERMAN, Mr. FROST, and Mr. EVANS.
H.R. 1078: Mr. WYDEN.
H.R. 1249: Mr. ROYBAL.
H.R. 1390: Mr. RAY.
H.R. 1608: Mr. ROSE.
H.R. 1675: Ms. SCHNEIDER.
H.R. 1676: Mr. FASCELL.
H.R. 2085: Mr. ENGEL and Mr. COSTELLO.
H.R. 2608: Mr. FAWELL, Mr. YATES, Mr. LIVINGSTON, Mr. UPTON, Mr. JENKINS, Mr. ERDREICH, and Mr. SABO.
H.R. 2754: Mr. FISH, Mr. KILDEE, Mr. LEVINE of California, Mr. REGULA, Mr. ROWLAND of Connecticut, Mr. SHUSTER, Mr. SLAUGHTER of Virginia, Mr. TORRICELLI, and Mr. WHEAT.
H.R. 2926: Mr. WYDEN, Mr. DYSON, and Mr. BRUCE.
H.R. 3164: Mr. MCCLOSKEY, Mr. DENNY SMITH, Mr. ROWLAND of Georgia, and Mr. GRANDY.
H.R. 3238: Mr. STEARNS, Mr. SCHAEFER, Mr. ARMEY, Mr. HERGER, Mr. GEREN of Texas, Mr. INHOFE, and Mr. KOLBE.
H.R. 3292: Mr. LEWIS of Georgia.
H.R. 3319: Mr. GEJDENSON and Mr. SHAYS.
H.R. 3333: Mr. ARCHER, Mr. BARTLETT, Mr. NIELSON of Utah, Mr. BILIRAKIS, Mr. JAMES, Mr. ROBERT F. SMITH, Mr. ECKART, and Mr. INHOFE.
H.R. 3475: Mr. BILIRAKIS and Mr. CONTE.
H.R. 3483: Mr. PALLONE.
H.R. 3508: Mr. CLARKE.
H.R. 3512: Mr. JONTZ.
H.R. 3530: Mr. HOCHBRUECKNER.
H.R. 3595: Mr. SLAUGHTER of Virginia, Mr. QUILLEN, and Mrs. MARTIN of Illinois.
H.R. 3631: Mr. HUGHES.
H.R. 3673: Mr. PAYNE of Virginia, Mrs. LLOYD, Mr. HERGER, Mr. COBLE, Mr. EMERSON, Mr. TAUKE, Mr. SIKORSKI, Mr. HANCOCK, Mr. GOODLING, Mrs. VUCANOVICH, Mr. FROST, and Mr. JENKINS.
H.R. 3699: Mr. BILBRAY, Mr. BROWN of Colorado, Mr. CAMPBELL of Colorado, Mr. COSTELLO, Mr. COMBEST, Mr. HUCKABY, Mr. KILDEE, Mr. LIPINSKI, Mrs. MEYERS of Kansas, Mr. PALLONE, Mr. SOLOMON, and Mr. WILSON.
H.R. 3714: Mr. HOCHBRUECKNER.
H.R. 3751: Mr. STARK, Mr. MARKEY, Mrs. COLLINS, Mr. BONIOR, Mr. DELLUMS, Mr. JAMES, Mr. HAYES of Illinois, and Mr. DWYER of New Jersey.
H.R. 3798: Mr. SHUMWAY, Mr. SLAUGHTER of Virginia, and Mr. HANSEN.
H.R. 3848: Mr. BAKER, Mr. BEVILL, Mr. FORD of Michigan, Mr. GLICKMAN, Mr. GUARINI, Ms. KAPTUR, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. OWENS of Utah, and Mr. RANGEL.
H.R. 3859: Mr. FROST.
H.R. 3878: Mr. CRANE.
H.R. 3928: Mr. DOWNEY and Mr. TOWNS.
H.R. 3978: Mr. FORD of Michigan, Mr. LIPINSKI, Mr. BATES, Mr. OLIN, Mr. JONTZ, Mr. OWENS of New York, and Mr. BERMAN.
H.R. 3990: Mr. BOEHLERT.
H.R. 4010: Mr. HALL of Ohio and Mr. SARPALIUS.
H.J. Res. 54: Ms. OAKAR.
H.J. Res. 127: Mr. ROGERS and Mr. UDALL.
H.J. Res. 464: Mr. ANDERSON, Mrs. BOXER, Mr. DWYER of New Jersey, Mr. FLIPPO, Mr. JONES of Georgia, Ms. KAPTUR, Mr. THOMAS A. LUKEN, and Mr. MARTINEZ.
H. Con. Res. 39: Mr. GRANDY.
H. Con. Res. 47: Mr. SPENCE.
H. Con. Res. 176: Mr. FISH.
H. Con. Res. 265: Mr. JAMES, Mr. PAXON, Mr. BILIRAKIS, and Mr. NELSON of Florida.
H. Res. 314: Mr. PALLONE, Mrs. MARTIN of Illinois, and Mr. ENGEL.

PETITIONS, ETC.

Under clause 1 of rule XXII,

142. The SPEAKER presented a petition of Dave Solomon Merlin II, Washington, DC, relative to a Coinage Act; which was referred to the Committee on Banking, Finance and Urban Affairs.

SENATE—*Monday, February 26, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 11:30 a.m. on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we reverence God, the Senate will be led in prayer by the Senate Chaplain, the Reverend Dr. Richard C. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

I just learned as I came into the lobby that Frankie Johnson, wife of retired Sgt. Walter Johnson, of the Capitol Police, is very, very ill in the hospital. We want to remember her and any others who might be in this situation in silent prayer.

Bless the Lord, O my soul: and all that is within me, bless his holy name. Bless the Lord, O my soul, and forget not all his benefits: Who forgiveth all thine iniquities; who healeth all thy diseases; who redeemeth thy life from destruction; who crowneth thee with lovingkindness and tender mercies.—Psalm 103:1-4.

Gracious God, perfect in truth, justice, mercy, and love, our Father in Heaven, as we begin this week we want to begin with praise and adoration for Thee. We acknowledge that Thou art the Lord of history, the Ruler of the nations, the Giver of life. We glorify Thee, not because Thou dost need our praise, but our humanness demands it. We need to honor Thee, to worship Thee, and when we fail, we demean ourselves. Save us from pride which refuses to acknowledge Thee, from ambition which seeks only ego-satisfaction, from lust for power that corrupts and destroys.

We need Thee, Lord, never more than when we refuse to acknowledge our need. Help us, we pray, in the name of Jesus whose love is unconditional, universal, and eternal. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time for the two leaders, there will be a period for morning business until 12 noon, with Senators permitted to speak therein for up to 5 minutes each. At noon, the Senate will begin consideration of S. 1430, the national and community service bill. There will be no rollcall votes today. Any votes ordered today relative to S. 1430 will be stacked for tomorrow, Tuesday, with the possibility of votes occurring before the Senate recesses for the conference luncheons tomorrow. I encourage those Senators who wish to offer amendments to S. 1430 to come forward and offer them today. I hope that today we will be able to move ahead with this measure in an expeditious manner.

Mr. President, as I indicated, there will be no rollcall votes today. There will be tomorrow. I expect that we will continue on the national service bill tomorrow until the time of the party conferences. After the party conferences, there will be 2 hours of debate on the motion to proceed to the Armenian resolution, with a vote occurring on the motion to invoke cloture on that resolution at 4:15 p.m.

Following that vote, it is my intention to return to the national service bill and to continue until action is completed on that. It is my hope and intention that we will be in a position to submit a substitute amendment to the clean air bill on Thursday morning and be ready to consider that measure for the remainder of this week and next week, as well, until we complete action on that bill.

ELECTION OF MRS. CHAMORRO

Mr. MITCHELL. Mr. President, the election of Mrs. Chamorro as the next President of Nicaragua is a reaffirmation of the right of people everywhere to determine their own future freely and fairly in an open electoral process. It is yet another example of the desire for democratic government that is being courageously expressed by people throughout the world, people who have been living under Communist totalitarian regimes.

This is a victory for peace and another step toward an ultimate settlement of the conflict in Central America. I congratulate Mrs. Chamorro on her victory and President Ortega on the conduct of the campaign. I hope that the administration will move quickly to assist Mrs. Chamorro's government in working to achieve national reconciliation and economic recovery.

This result also vindicates the bipartisan accord on Central America reached by the congressional leadership and the administration last spring. When the United States turned from promoting war to promoting a peaceful democratic process in Nicaragua, we helped make this result possible. I commend all who participated in that process, especially Secretary of State James Baker who initiated the discussion which led to that bipartisan accord. Let us now all work together with equal cooperation and sincerity to achieve a program to encourage national reconciliation and recovery in Nicaragua.

Mr. President, I yield the remainder of my leader time. I am pleased now to yield to the distinguished Republican leader.

RECOGNITION OF THE REPUBLICAN LEADER

The PRESIDENT pro termpore. Under the standing order, the Republican leader is recognized.

TWO DOWN, ONE TO GO

Mr. DOLE. Mr. President, it appears that Daniel Ortega used the same pollster I did in New Hampshire. This time, though, the result is one I can enthusiastically celebrate.

As I look around this hemisphere—at Panama, at Nicaragua, and Cuba—it seems to me it is: two down, and one to go: Noriega is history, and now so is Ortega.

No doubt about it, it is a day—yet another day—to celebrate. The message from Managua is the same simple message we heard in Poland, and in Czechoslovakia, and, in fact, in Lithuania just yesterday—given a free choice, people will always choose freedom.

Given a free choice between Sandinista tyranny and democracy—the people of Nicaragua have ignored intimidation, overcome a stacked-deck, and taken back their own future.

We congratulate them—their President-elect, Mrs. Violeta Chamorro, an extraordinarily brave and tenacious woman; all of those from UNO who stuck together when the chips were down; and most of all the citizens of

Nicaragua. They have suffered grievously for many, many years. They deserve peace, freedom, and a fair shot at prosperity.

They have taken a giant first step. But they still have a long way to go.

Last August, I visited Poland, arriving on the very day that Prime Minister Mazowiecki took office. During that visit, I also met with President Jaruselski.

Perhaps the most striking thing that Jaruselski said to me was that he was determined, in his remaining days, to do everything he could to help his country—not as a Communist, but as a Pole. I was convinced at the time that he was sincere. Events since have indicated he was.

I hope that Daniel Ortega will follow President Jaruselski's example.

Much of what happens in the coming weeks will be up to him, and his Sandinista colleagues. The people of Nicaragua have spoken, loud and clear. With every advantage, fair and unfair, in his favor—Ortega has been rejected by something like a 3 to 2 margin.

The people of Nicaragua have "thrown the rascals out." I hope the rascals will accept that verdict, and give up all the levers of power—not only the Presidency, but the armed forces, the state security apparatus, and the entire range of governmental authority.

The people of Nicaragua have elected UNO starting on inauguration day, April 25—UNO should rule.

What about our own policy? Obviously, we all join in celebrating this victory for freedom. Over the years, we have had different prescriptions for restoring democracy to Nicaragua. But we have shared a common goal. There is real hope, now, that our goal can be achieved. And as the majority leader just referred to I think perhaps the turning point may have been the bipartisan accord agreed to between the administration and Republicans and Democrats in the House and the Senate.

But I also believe that the final outcome is a vindication of the Reagan policies over the years, and there is no doubt in my mind that had it not been for the contrast it would never have been an election notwithstanding the bipartisan accord.

For those who have supported Contras over the years, with much criticism—never was that popular with some of the American people—my view is that policy has been vindicated as demonstrated, and perhaps, as I have indicated, that coupled with the bipartisan accord may have led to this outcome.

It is time, now, that we try to form a sound, bipartisan policy, to support Mrs. Chamorro's government and help ensure its long-term success.

In the first instance—as I said—we should insist that the Sandinistas really give up power. So far, Ortega is saying the right things. I hope the Sandinistas follow up his good words with good deeds.

If they do, our three principal concerns will be taken care of.

Nicaragua's unholy alliance with Moscow and Havana.

Sandinista support for the Communist insurgency in El Salvador.

And Sandinista suppression of the Nicaraguan people.

Under those circumstances, we must be prepared to move swiftly to help Mrs. Chamorro succeed.

The first step, of course, is eliminating all of the sanctions now in place against the Sandinista regime. I hope we will do whatever we need to, so that can be accomplished when Mrs. Chamorro becomes President Chamorro on April 25.

But much more will be required. We should—we must—provide her new government with aid. And let us not kid ourselves: We are talking about "big bucks" in aid.

The Nicaraguan economy is flat on its back. "Capital flight" is not a problem—because there is no more capital left to "fly." Foreign investment is nothing but a memory. Domestic investment is zero.

Meanwhile, the country is physically devastated by years of war. Inflation is sky high. Unemployment is the rule, not the exception.

If any newly elected leader ever faced an economic and social emergency, Mrs. Chamorro does.

She needs our help, and she deserves it.

But it raises the same old question—the question we are facing for Eastern Europe, for Panama. Where are we going to get the money?

I hope that the understandable exhilaration that we all feel this morning will give way later today to renewed, sober consideration of the new economic burdens we in this country face.

The world is changing. The frontiers of freedom are expanding. But our bank account is not.

We have great new opportunities, and major new responsibilities. But we do not have one single cent in new revenues to pay for it.

And, as far as I know, we do not have a whole bunch of Senators lining up to introduce legislation to spend more in foreign aid.

So how are we going to pay for it all?

On this day of new freedom in the hemisphere, I do not want to raise an old cry. But the fact is: the only way we are going to pay for new aid to Nicaragua, Panama, Czechoslovakia, name any country—is to look into the foreign aid budget that now exists, and make some tough calls.

This is a new reality. It was not around 6 months ago—a new reality in international affairs. It demands that we at least ask the question: Is it not time to consider some new priorities in American aid? What are our priorities? Are they never going to change? Are we going to go out and find billions of dollars more in foreign aid? How many Senators are going to vote for it? How much? What percent of the American people support it? It will not be a very high percentage.

So I simply pose that question again today, and I hope that all Senators will consider it seriously in the days ahead. I know when I suggested an aid review before, 73 of my colleagues voted. "Oh, don't cut Israel one cent"—73, which would be a clear majority in this Chamber.

I never suggested anything except to take a look at it, some small reduction, right across the board. And again I think the victory of Mrs. Chamorro—in any event, whoever would have won this election—we would have had some new obligations. Maybe there is some money somewhere that was not discovered. Maybe the Presiding Officer can find some in the Appropriations Committee. Maybe I just do not understand how this works—so we do not have to go back and take the review. Once you are in that program, you are never going to be reduced, never going to be examined, and never going to be asked to justify what you received last year as we are in all other programs including agriculture, education, whatever it is.

So it seems to me that this is a happy day for democracy. But I would guess Mrs. Chamorro, when she talks with President Bush, as I am certain she will probably sometime today, will make it clear to President Bush that "we need help. We need American help." That means dollars. It means economic aid. It means investment, and it means eliminating sanctions.

So I just suggest, as I did earlier this year, that perhaps it is time to take a look to see where we can find the money.

Mr. President, I reserve the remainder of my time.

MORNING BUSINESS

The PRESIDENT pro tempore. There will now be a period for the transaction of morning business to expire at 12 o'clock noon. Senators are permitted to speak therein for not to exceed 5 minutes each.

The Senator from California [Mr. CRANSTON] is recognized for 5 minutes.

NICARAGUAN ELECTIONS

Mr. CRANSTON. Mr. President, it is wonderful indeed that the Nicaraguan people have finally been able to ex-

press their views and elect their own leaders in free and fair elections. President Ortega has already stated that he will cede power to Violeta Chamorro and her newly elected UNO government. I commend all Nicaraguans for participating in this election which spells the end of the Contra conflict and the beginning of a new, democratic era for their war-ravaged country.

I believe that the United States should move swiftly to assist the new Nicaraguan Government. The moment is clear that it is fully in charge in its efforts to bring peace and prosperity to the people of Nicaragua and to improve United States-Nicaraguan ties.

This means we should send an Ambassador immediately. We should also end the embargo and begin to assess the possibility of economic aid. An aid initiative in partnership with the Organization of American States would not only bring economic assistance to Nicaragua but would visibly show the entire region support for the democratic process in Central America.

This election demonstrates that freedom is indeed breaking out all over the world. I am hopeful that a peaceful, democratic Nicaragua will pave the way to a peaceful, democratic Central America.

The Republican leader spoke just now of one way to find the money to help the new Nicaraguan Government, and to cover other unmet underfunded needs.

I suggest there is a better way than the ways suggested by our Republican leader. Astounding developments are occurring in the world, in Central Europe, and in the Soviet Union. We have seen 50 divisions of the Warsaw Pact swept from the table or perhaps swept toward our side of the table. We see the Soviet Union in turmoil, and we see Mikhail Gorbachev seeking to lead the Soviet Union in new and better directions; beginning to test steps toward democracy, beginning to explore moving toward a market-oriented economy.

Plainly the threat that we have perceived for so long from that part of the world against us, against the free world, is greatly diminished. I believe we should take a look at the military budget, figure out exactly what we need under the new circumstances, and then invest only that in security; and plainly, in view of the reduced threat, that should allow for quite substantial savings not so much perhaps in the first year but increasingly large sums in coming years. I find it hard too believe that President Bush, given these changes, has actually asked for a dollar increase in military spending, from $301 billion last year to $306 billion this year. If we reordered our priorities in a sensible way and cut military spending to the degree that we can, consistent with our security, I believe that in the course of time we might well find it possible, A, to reduce the deficit and B, to find the funding we need for assistance to new fledging democracies like those in Central Europe, and now in Nicaragua, to find more funds for housing, health care, education, child care, protecting the environment, rebuilding the infrastructure, and the war against crime and drugs in ways that were impossible and beyond reach; that we might find it possible to do all that without any significant increase in taxation. That would be a new era in America, an era of far larger priorities. I urge my colleagues and I urge the administration to explore how far we can go in the new direction that is opening up to us as the world changes and as freedom takes its march forward.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. LOTT] is recognized for not to exceed 5 minutes.

Mr. LOTT. I thank the Chair.

THE NICARAGUAN ELECTION

Mr. LOTT. Mr. President, I rise to express my enthusiasm, in fact very pleasant surprise, at the results of the election in Nicaragua. If we all had listened just to the media and Washington, and in fact if we had relied on the polling data we were given, it was obvious that President Daniel Ortega was to have been the newly elected leader in Nicaragua.

But that election has proven once again when the people, whether it is in the United States, or Eastern Europe, or Central America, or South America, are given the opportunity to cast votes in a free and fair election, they will make their voices clearly heard not only for peace but also for democracy and freedom.

So I rise to congratulate Violeta Chamorro for her great victory, and also to say that I am very pleased Daniel Ortega has recognized that the people have elected Mrs. Chamorro and her UNO coalition. I hope there will be a swift and orderly transition to this democratically elected government; that the United States will quickly send an Ambassador to Nicaragua; that we will lift all sanctions we have had imposed against Nicaragua; and, yes, we will find ways to provide assistance to a country that is flat on its back, because the people now have reached out for opportunity and for freedom and we need to assist them as they get on their feet and trying to make this fledging democracy work.

I am very pleased that we will see an end to the oppression of the Sandinistas, but I do not think this is the time we should say it is this group's fault or that person's fault or to this or that person's credit. I think the credit goes to the people of Nicaragua for this great victory.

I want to also emphasize one other thing which I do not think we talk enough about in this country and that is we have not been seeing democracy and freedom move just in Eastern Europe; it has been happening finally in South America and Central America. In country after country that has had a military dictatorship or socialistic government, with all kinds of oppression, they are moving toward demoracy.

I hope we can now look at this new government in Central America and build on it a better relationship with the United States and all of the other Central American countries and in fact South America, because when you look at those countries and the battles they are fighting, like in Argentina where they are trying so hard to move away from government domination to freedom of the people, or countries like Honduras and El Salvador, they are moving in the right direction; they are moving toward a system that we in America love and appreciate so much, free enterprise and democracy. I commend them all. I am real excited about what we see happening in Central America, and I am especially excited about what we see happening in Nicaragua.

I thank the Chair. I yield the floor.

Mr. President, I observe there is not a quorum present.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CHAMORRO VICTORY

Mr. LIEBERMAN. Mr. President, Violeta Chamorro's apparent victory in the Nicaraguan elections is good news for the people of that country, and good news for democracy. The grassroots movement toward freedom is not limited to Eastern Europe; the people's desire for basic human rights is being heard from the Soviet Union to South Africa to Central America. The people of the world continue to make history by relegating their oppressors to the scrapheap of history.

I urge President Bush to recognize the new Government of Nicaragua, and I hope we can play a role in helping Nicaraguans build a strong foundation of freedom and opportunity. I was pleased to have supported legislation which provided funding for the National Endowment for Democracy. That organization helped make sure that the election was fairly conducted.

With democracy sweeping the world, attention will be focused on the remaining bastions of repression. That includes Cuba, where Fidel Castro continues to try to swim against the tide of freedom. For Fidel Castro, reading the news this morning is like reading the handwriting on the wall. It is twilight in the age of the dictator. His continued presence on the world stage would be comic, were his rule not so deadly.

THE ANNIVERSARY OF THE ALAR CONTROVERSY

Mr. LIEBERMAN. Mr. President, it was exactly one year ago today that the great Alar controversy began. It was a Sunday evening, and a report on CBS' "60 Minutes" disclosed that this pesticide was still being widely used on apples, despite the fact that the Government had known it was a probable human carcinogen for 17 years.

My wife and I watched that episode, and we were particularly disturbed to learn that many scientists and doctors believe that children are at greater risk from pesticides like Alar than had previously been suspected. We immediately threw out apple juice and apple sauce that we had been giving to our baby girl Hana.

The day after the "60 Minutes" broadcast, on February 27, 1989, the Natural Resources Defense Council released its report, "Intolerable Risk: Pesticides in Our Children's Food." That report not only disclosed in detail the failure of Government to get Alar off the market, it demonstrated the Environmental Protection Agency's inability to regulate a whole host of pesticides on our foods, many of which may threaten our health.

The Alar controversy provoked action throughout the land. Here is Washington, hearings were held, and through them the public became more aware of the extent to which they are exposed to chemicals on their foods. My colleague, Senator HARRY REID, was a real leader in efforts to expose the problems associated with Alar and pesticide regulation, and I was proud to work with him on the Toxic Substances Subcommittee of the Environment Committee. I joined with Senator REID and several of our colleagues in legislation to ban Alar, despite the fact that the company that makes Alar was headquartered in my State. Finally, in June, the Alar manufacturer agreed to withdraw Alar from the market.

It is now 1 year later. Apples are free of Alar, but not much else has changed. Our system of regulating pesticides—which resembles a cross between a Rube Goldberg invention and a Joseph Heller novel—remains intact, so to speak. No significant improvements have been made in Government regulation of pesticides. The pesticide EBDC was targeted for withdrawal from use on many foods last December, but that was 19 years after the Government learned that it posed a threat to human health. Actual removal of EBDC from those foods could take many more years to accomplish; and it will still be allowed for use on potatoes and tomatoes, two vegetables often eaten by children.

Mr. President, we need sweeping changes in the way our Government controls chemcials on the food we eat. I am now drafting legislation which would ensure that pesticides known to be damaging to human health are removed far sooner than they can be under current laws and regulations. My bill will also provide for the periodic expiration of pesticide registrations to ensure that bureaucratic delay does not prevent the removal of harmful substances from the food supply. Simply put, the shoe must be on the other foot. Only people should be presumed innocent until proven guilty, not chemicals.

My bill will also requires the Environmental Protection Agency to pay closer attention to the health risks faced by children when it makes pesticide registration decisions. The EPA will also be required to review the cumulative effect of pesticides on our food; fruits and vegetables often contain many pesticides which may interact. The Government should examine food and chemicals in the context of how they are eaten, not as isolated substances to be considered separately in laboratory settings.

And finally, I intend to make sure that the EPA's Scientific Advisory Panel—which reviews all pesticides decisions—contains at least one public health specialist and one pediatrician. Members of that panel should also provide full disclosure of their consulting activities prior to and during service on the panel. Disclosure is necessary to avoid the kinds of conflicts of interest we have experienced in recent years with the Scientific Advisory Panel.

The President once indicated a desire to change pesticide regulations, too. Back in October, he made a speech about the subject. The few proposals he made at that time were clearly insufficient to provide for the kind of major change in pesticide regulation I believe is necessary to protect public health. Since that time, he has completely failed to provide us with any actual legislation. His administration has demonstrated the same kind of lack of initiative in proposing changes in the law as the EPA has demonstrated in enforcing it.

On this anniversary of the beginning of the Alar controversy, let us rededicate ourselves to the pursuit of better laws, and faster, more effective regulation of the chemicals that exist on the food we all eat. Alar is gone, but hundreds of potentially harmful pesticides remain, so our fight must endure.

DESIRE FOR DEMOCRACY

Mr. KENNEDY. Mr. President, the results of the elections in Nicaragua are a dramatic tribute to the irresistible desire for democracy by the people of Nicaragua, and an equally dramatic repudiation of the repressive totalitarian rule of the Sandinistas.

All of us hope that the transition to the Government of President-elect Chamorro will be peaceful, and that the years of confrontation between the United States and Nicaragua are finally over.

A free Nicaragua will find Congress and the administration ready to join Nicaragua in building a new partnership for peace and progress in Central America and throughout our hemisphere.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John Ziolkowski:									
Brazil	Cruzado	986.66	259.00					986.66	259.00
Argentina	Australe	119,700	190.00					119,700	190.00
Paraguay	Guarani	93,975	75.00					93,975	75.00
Uruguay	New Peso	48,450	75.00					48,450	75.00
Chile	Peso	66,660	220.00					66,660	220.00
Peru	Inti	510,000	150.00					510,000	150.00
Costa Rica	Colone	9,262.50	114.00					9,262.50	114.00
Janet Bresline:									
United States	Dollar				3,746.00				3,746.00
Egypt	Pound	2,023.97	792.75					2,023.97	792.75
Bangladesh	Dollar		330.00						330.00
Bangladesh	Taka	1,340	41.61					1,340	41.61
Thailand	Baht	12,875	500.96					12,875	500.96
Philippines	Peso	8,436	381.35					8,436	381.35
Robert E. Young:									
United States	Dollar				3,746.00				3,746.00
Egypt	Pound	2,023.97	792.75					2,023.97	792.75
Bangladesh	Dollar		330.00						330.00
Bangladesh	Taka	4,830	150.00					4,830	150.00
Thailand	Baht	17,168	668.00					17,168	668.00
Philippines	Peso	7,246.12	327.58					7,246.12	327.58
Hong Kong	Dollar	4,917.80	630.00	174.74	22.38			5,092.54	652.38
David L. Johnson:									
United States	Dollar				3,746.00				3,746.00
Egypt	Pound	2,023.97	792.75					2,023.97	792.75
Bangladesh	Dollar		330.00						330.00
Bangladesh	Taka	3,320	103.10					3,320	103.10
Thailand	Baht	17,168	668.00					17,168	668.00
Philippines	Peso	5,871.12	265.42					5,871.12	265.42
Hong Kong	Dollar	4,917.80	630.00	174.74	22.38			5,092.54	652.38
Total			8,817.27		11,282.76				20,100.03

PATRICK LEAHY,
Chairman, Committee on Agriculture, Nutrition and Forestry, Oct. 31, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS, ADDENDUM TO FIRST QUARTER REPORT, FOR TRAVEL FROM JAN. 31, TO MAR. 31, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mazie R. Mattson:									
Germany	Deutsche mark	934.50	534.00					934.50	534.00
Italy	Lire	808,500	588.00					808,500	588.00
Turkey	Lire	350,000	175.00					350,000	175.00
Bahrain	Dinar	33.993	90.00					33.993	90.00
Egypt	Pound	716.32	296.00					716.32	296.00
Israel	Dollar		498.00						498.00
Spain	Peseta	23,985	205.00					23,985	205.00
Richard L. Collins:									
Germany	Deutsche mark	934.50	534.00					934.50	534.00
Italy	Lire	808,500	588.00					808,500	588.00
Turkey	Lire	350,000	175.00					350,000	175.00
Bahrain	Dinar	33.993	90.00					33.993	90.00
Egypt	Pound	716.32	296.00					716.32	296.00
Israel	Dollar		498.00						498.00
Spain	Peseta	23,985	205.00					23,985	205.00
Steve Cortese:									
Germany	Deutsche mark	934.50	534.00					934.50	534.00
Italy	Lire	808,500	588.00					808,500	588.00
Turkey	Lire	350,000	175.00					350,000	175.00
Bahrain	Dinar	33.993	90.00					33.993	90.00
Egypt	Pound	716.32	296.00					716.32	296.00
Israel	Dollar		498.00						498.00
Spain	Peseta	23,985	205.00					23,985	205.00
Senator Jake Garn:									
Germany	Deutsche mark	934.50	534.00					934.50	534.00
Italy	Lire	794,750	578.00					794,750	578.00
Turkey	Lire	350,000	175.00					350,000	175.00
Bahrain	Dinar	9.426	25.00					9.426	25.00
Egypt	Pound	716.32	296.00					716.32	296.00
Israel	Dollar		498.00						498.00
Spain	Peseta	21,762	186.00					21,762	186.00
Senator Daniel K. Inouye:									
Germany	Deutsche mark	934.50	534.00					934.50	534.00
Italy	Lire	808,500	588.00					808,500	588.00
Turkey	Lire	350,000	175.00					350,000	175.00
Bahrain	Dinar	33.993	90.00					33.993	90.00
Egypt	Pound	716.32	296.00					716.32	296.00
Israel	Dollar		498.00						498.00
Spain	Peseta	23,985	205.00					23,985	205.00
Delegation expenses: [1]									
Germany								499.09	499.09
Italy							3,258.67		3,258.67
Turkey							2,168.76		2,168.76
Bahrain							643.82		643.82
Spain							4,171.00		4,171.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS, ADDENDUM TO FIRST QUARTER REPORT, FOR TRAVEL FROM JAN. 31, TO MAR. 31, 1989—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			11,836.00				10,741.34		22,577.34

[1] Delegation expenses include reimbursements to the Department of State under authority of sec. 502(b) of the Mutual Security Act of 1954, as amended by sec. 22 of P.L. 95–384. The following individuals traveled with the delegation under authorization as noted: Senator Ernest F. Hollings and Robert Sneed—Committee on Commerce, Science and Transportation. Reports of their expenditures appear in the report of the authorizing source.

ROBERT C. BYRD,
Chairman, Committee on Appropriations, Jan. 25, 1990.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Warren B. Rudman:									
Korea	Dollar		600.00						600.00
China	Dollar		788.00						788.00
Hong Kong	Dollar		212.00						212.00
Total			1,600.00						1,600.00

ROBERT C. BYRD,
Chairman, Committee on Appropriations, Nov. 3, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS, FOR TRAVEL FROM APR. 1 TO JUNE 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Rand H. Fishbein:									
Philippines	Dollar		720.00						720.00
China	Dollar		1,194.00						1,194.00
United States	Dollar				4,751.41				4,751.41
Senator Frank R. Lautenberg:									
France	Franc	5,397.44	808.00					5,397.44	808.00
Senator Tom Harkin:									
France	Franc	4,023.84	606.00					4,023.84	606.00
United States	Dollar		543.00						543.00
Rand H. Fishbein:									
Morocco	Dollar		1,334.00						1,334.00
United States	Dollar				2,129.00				2,129.00
Total			5,205.00		6,880.41				12,085.41

ROBERT C. BYRD,
Chairman, Committee on Appropriations, Nov. 3, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES, AMENDED REPORT, FOR TRAVEL FROM JAN. 1 TO MAR. 31, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
Egypt	Dollar		296.00						296.00
Jordan	Dinar	27,415	52.87			15,308.75	28.37	42,723.75	81.24
Syria	Dollar		254.00				18.14		272.14
Syria	Pound					2,234.28	199.49	2,234.28	199.49
Israel	Dollar		152.00						152.00
United States	Dollar				1,211.24				1,211.24
Anthony Cordesman:									
Egypt	Dollar		296.00						296.00
Jordan	Dinar	27,415	52.87			15,308.75	28.37	42,723.75	81.24
Syria	Dollar		254.00				18.14		272.14
Syria	Pound					2,234.28	199.49	2,234.28	199.49
Israel	Dollar		152.00						152.00
United States	Dollar				2,390.63				2,390.63
Total			1,509.74		3,601.87		492.00		5,603.61

SAM NUNN,
Chairman, Committee on Armed Services, Nov. 12, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Judith A. Freedman:									
Greece	Drachma	49,179	291.00					49,179	291.00
Turkey	Lira	694,757	315.00					694,757	315.00
Ann E. Sauer:									
Greece	Drachma	49,179	291.00					49,179	291.00
Turkey	Lira	694,757	315.00					694,757	315.00
Durwood W. Ringo, Jr.									
Greece	Drachma	32,786	194.00					32,786	194.00
Turkey	Lira	694,757	315.00					694,757	315.00
Brian D. Bailey:									
Greece	Drachma	49,179	291.00					49,179	291.00
Turkey	Lira	694,757	315.00					694,757	315.00
Robert G. Bell:									
United States	Dollar				619.00				619.00
United Kingdom	Pound	566.47	888.00					566.47	888.00
Total			3,215.00		619.00				3,834.00

SAM NUNN,
Chairman, Committee on Armed Services.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION, FOR TRAVEL FROM JAN. 1 TO MAR. 31, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Albert Gore, Jr.:									
England	Pound	306.96	528.00					306.96	528.00
United States	Dollar				2,841.00				2,841.00
Total			528.00		2,841.00				3,369.00

ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
Sept. 26, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION, FOR TRAVEL FROM APR. 1 TO JUNE 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Carol J. Carmody:									
France	Franc	4,061.44	608.00					4,061.44	608.00
Senator Albert Gore, Jr.:									
France	Franc	1,018.40	152.00			335.00	50.00	1,353.40	202.00
United States	Dollar				2,379.80				2,379.80
Regina M. Keeney:									
France	Franc	5,068.80	768.00					5,068.80	768.00
United States	Dollar				1,053.00				1,053.00
Linda L. Lance:									
Sweden	Dollar		1,050.00						1,050.00
United States	Dollar				497.00				497.00
Alan D. Maness:									
Sweden	Dollar		995.61		54.39				1,050.00
United States	Dollar				968.00				968.00
John D. Windhausen:									
France	Franc	5,913.50	896.00					5,913.50	896.00
United States	Dollar				984.00				984.00
John W. Timmons:									
France	Franc	4,061.44	608.00					4,061.44	608.00
Total			5,077.61		5,936.19		50.00		11,063.80

ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
Sept. 28, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ernest F. Hollings:									
Ireland	Pound	740.89	1,017.00					740.89	1,017.00
Scotland	Pound	164.43	254.00					164.43	254.00
Norway	Krone	2,366	338.00					2,366	338.00
Robert D. Sneed:									
Ireland	Pound	740.89	1,017.00					740.89	1,017.00
Scotland	Pound	164.43	254.00					164.43	254.00
Norway	Krone	2,366	338.00					2,366	338.00
Total			3,218.00						3,218.00

ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
Oct. 5, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steven J. Shimberg:									
Kenya	Shilling	16,772.95	784.00					16,772.95	784.00
United States	Dollar				3,488.00				3,488.00
Senator Harry Reid:									
Ireland	Pound	740.89	1,017.00					740.89	1,017.00
Scotland	Pound	164.43	254.00					164.43	254.00
Norway	Krone	2,366	338.00					2,366	338.00
Total			2,393.00		3,488.00				5,881.00

QUENTIN BURDICK,
Chairman, Committee on Environment and Public Works, Sept. 28, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS, FOR TRAVEL FROM JULY 1 to SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Christopher J. Dodd:									
Costa Rica	Colon	65,934	819,00					65,934	819.00
Senator Terry Sanford:									
Costa Rica	Colon	32,119	398,25					32,119	398.25
Nicaragua	Dollar		70.00						70.00
El Salvador	Colon	385	77.00					385	77.00
Guatemala	Quetzal	534	198.00					534	198.00
Geryld Christianson:									
Austria	Shilling	2,306.60	168.00					2,306.60	168.00
United States	Dollar				2,458,00				2,458.00
Robert Dockery:									
Costa Rica	Colon	65,934	819.00					65,934	819.00
William L. Green:									
Costa Rica	Colon	32,119	398.25					32,119	398.25
Nicaragua	Dollar		70.00						70.00
El Salvador	Colon	385	77.00					385	77.00
Guatemala	Quetzal	534	198.00					534	198.00
Richard Kessler:									
Philippines	Peso	4,158,56	188.00					4,158,56	188.00
Janice O'Connell:									
Costa Rica	Colon	65,766	817.00					65,766	817.00
Honduras	Lempira	672	336.00					672	336.00
United States	Dollar				658				658.00
Barry Sklar:									
Costa Rica	Colon	21,619	268.00					21,619	268.00
Nicaragua	Dollar		40.00						40.00
El Salvador	Colon	275	55.00					275	55.00
Guatemala	Quetzal	402	148.00					402	148.00
Honduras	Lempira	672	336.00	368.59	184.30	14.90	7.50	1,055.49	527.80
United States	Dollar		658.00						658.00
William Triplett:									
Hong Kong	Dollar	4,999	640.00					4,999	640.00
Total			6,778.50		3,300.30		7.50		10,086.30

CLAIRBORNE PELL,
Chairman, Committee on Foreign Relations, Nov. 3. 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22 P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON GOVERNMENTAL AFFAIRS, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mary K. Vinson:									
Spain	Peseta	53,081	447.00					53,081	447.00
United States	Dollar				771.00				771.00
Stephen H. Levin:									
Spain	Peseta	53,081	447.00					53,081	447.00
United States	Dollar				771.00				771.00
Leonard Willis:									
Spain	Peseta	53,081	447.00					53,081	447.00
United States	Dollar				771.00				771.00
Harry G. Broadman:									
Venezuela	Bolivar	26,200	656.00			10,000	250.00	36,200	906.00
United States	Dollar				362.00				362.00
Total			1,997.00		2,675.00				4,922.00

JOHN GLENN,
Chairman, Committee on Governmental Affairs, Jan. 25, 1990.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY, FOR TRAVEL FROM APR. 1 TO JUNE 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Cecilia Swensen:									
United States	Dollar				599.00				599.00
France	Franc	5,867.68	868.00					5,867.68	868.00
Richard W. Day:									
United States	Dollar				2,312.00				2,312.00
Switzerland	Franc	903.40	528.00					903.40	528.00
Jerry M. Tinker:									
United States	Dollar				2,312.00				2,312.00
Switzerland	Franc	903.40	528.00					903.40	528.00
Total			1,924.00		5,223.00				7,147.00

JOSEPH R. BIDEN, JR.,
Chairman, Committee on the Judiciary, Oct. 30, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON LABOR AND HUMAN RESOURCES, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Orrin G. Hatch:									
United States	Dollar				3,446.00				3,446.00
Jordan	Dinar	54,930	102.00	15,093	27.00			70,023	129.00
Israel	Shekel	412	200.00					412	200.00
Switzerland	Franc	221	132.00					221	132.00
Kevin S. McGuiness:									
United States	Dollar				2,988.00				2,988.00
Jordan	Dinar	28,003	52.00	15,093	27.00			43,096	79.00
Israel	Shekel	206	100.00					206	100.00
Switzerland	Franc	136.94	82.00					136.94	82.00
Jonathan P. Raymond:									
United States	Dollar				2,988.00				2,988.00
Jordan	Dinar	54,930	102.00	15,093	27.00			70,023	129.00
Israel	Shekel	618	300.00					618	300.00
Switzerland	Franc	221	132.00					221	132.00
Robert Lockwood:									
United States	Dollar				2,988.00				2,988.00
Jordan	Dollar		97.00				35.00		132.00
	Dinar			15,093	27.00			15,093	27.00
Israel	Dollar		600.00		66.00		270.00		936.00
Switzerland	Dollar		132.00						132.00
Total			2,031.00		12,584.00		305.00		14,920.00

EDWARD M. KENNEDY,
Chairman, Committee on Labor and Human Resources, Jan. 8, 1990.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE, FOR TRAVEL FROM JULY 1, TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John Despres			1,880.00		3,443.00				5,323.00
Jonathan Chambers			1,880.00		3,516.00				5,396.00
David Holliday			2,146.00		3,039.00				5,185.00
James Martin			758.00		2,462.00				3,220.00
Regina Genton			946.00		2,294.00				3,240.00
C. Charles Battaglia			306.00		1,257.21				1,563.21
Senator Arlen Specter			622.00						622.00
David Holliday			163.00						163.00
Total			8,701.00		16,011.21				24,712.21

DAVID BOREN,
Chairman, Select Committee on Intelligence, Sept. 30, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Richard Kaufman:									
United States	Dollar		400.00		669.18				1,069.18
England	Pound	256.39	216.00						216.00
Total			616.00		669.18				1,285.18

LEE H. HAMILTON,
Chairman, Joint Economic Committee, Nov. 8, 1989.

AMENDED CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE, FOR TRAVEL FROM APR. 1 TO JUNE 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jeff Bingaman:									
United States	Dollar		276.36						276.36
Alice Slacido:									
United States	Dollar		95.00						95.00
Total			371.36						371.36

LEE H. HAMILTON,
Chairman, Joint Economic Committee, Nov. 8, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Judith Ingram:									
United States	Dollar				1,794.97		27.44		1,822.41
Romania	Leu	3,195	355.00					3,195	355.00
Hungary	Forint	15,075.40	248.00					15,075.40	248.00
German	Deutsche mark	295.12	155.00					295.12	155.00
John J. Finerty:									
Soviet Union	Dollar		1,950.00		2,590.00				4,540.00
Michael J. Ochs:									
Soviet Union	Dollar		2,950.00		2,786.22				5.736.22
Samuel G. Wise:									
Austria	Schilling	6,946.10	504.00					6,946.10	504.00
United States	Dollar				713.00				713.00
Ann W. Banchoff:									
Soviet Union	Dollar		3,200.00		1,778.00				4,978.00
Catherine Cosman:									
Soviet Union	Dollar		3,200.00		1,748.00				4,948.00
Michael Amitay:									
Turkey	Lira	2,214,533	1,010.00			186,201	83.12	2,400,734	1,093.12
United States	Dollar				2,032.80		85.28		2,118.08
Samuel G. Wise:									
Turkey	Lira	1,830,827	835.00			186,201	83.12	2,017,028	918.12
Poland	Zloty	2,555,000	350.00					2,555,000	350.00
Netherlands	Guilder	725.40	328.00					725.40	328.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE, FOR TRAVEL FROM JULY 1 TO SEPT. 30, 1989—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				399.44				399.44
Senator Dennis DeConcini:									
Turkey	Lira	1,830,827	835.00			186,201	83.12	2,017,028	918.12
Poland	Zloty	1,586,363	217.31					1,586,363	217.31
Netherlands	Guilder	362.70	164.00					362.70	164.00
United States	Dollar				178.25				178.25
Senator Frank Lautenberg:									
Turkey	Lira	1,830,827	835.00			186,201	83.12	2,017,028	918.12
Poland	Zloty	2,555,000	350.00					2,555,000	350.00
United States	Dollar				1,322.80				1,322.80
Jane Fisher:									
United States	Dollar		144.00		35.80		625.00		805.00
Turkey	Lira	1,151,120	525.00			186,201	83.12	1,337,321	608.12
Poland	Zloty	2,555,000	350.00					2,555,000	350.00
Netherlands	Guilder	725.40	328.00					725.40	328.00
Erika B. Schlager:									
Poland	Zloty	2,555,000	350.00					2,555,000	350.00
United States	Dollar				1,064.00				1,064.00
Delegation Expense: [1]									
United States	Dollar						189.72		189.72
Total			19,183.31		16,443.28		1,343.24		36,969.83

[1] Delegation expenses include payment to the Department of State under the authority of sec. 502(b) of the Mutual Security Act of 1954, as amended by sec. 22 of P.L. 95–384.

DENNIS DeCONCINI,
Chairman, Commission on Security and Cooperation in Europe,
Oct. 25, 1989.

AMENDED CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE, FOR TRAVEL FROM APR. 1 to JUNE 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Dennis DeConcini:									
France	Franc	202.80	30.00					202.80	30.00
Catherine Cosman:									
France	Franc			200.00	29.85			200.00	29.85
Jane S. Fisher:									
France	Franc			273.00	40.75			273.00	40.75
Samuel G. Wise:									
France	Franc			150.00	22.38	149.00	22.23	299.00	44.61
Ann Banchoff:									
Germany	Deutsche mark			65.00	33.51			65.00	33.51
Delegation expense: [1]									
France	Franc					9,439.55	1,456.67	9,439.55	1,456.67
Total			30.00		126.49		1,478.90		1,635.39

[1] Delegation expenses include payment to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by sec. 22 of P.L. 95–384.

DENNIS DeCONCINI,
Chairman, Commission on Security and Cooperation in Europe,
Oct. 4, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL, FOR TRAVEL FROM JAN. 1 TO MAR. 31, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Morgan Hardiman:									
Turks and Gaicos Islands	Dollar		116.95						116.95
Bahamas	Dollar		100.30						100.30
Total			217.25						217.25

JOSEPH R. BIDEN, Jr.,
Chairman, Senate Caucus on International Narcotics Control, July 21, 1989.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), U.S. SENATE ARMS CONTROL OBSERVER GROUP, FOR TRAVEL JUNE 24–30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Claiborne Pell:									
United States	Dollar				1,099.00				1,099.00
Switzerland	Franc	611.90	364.00					611.90	364.00
Austria	Schilling	4,379.30	319.65					4,379.30	319.65
Senator Richard Lugar:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Senator Jake Garn:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Senator Dale Bumpers:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Senator Patrick Leahy:									
United States	Dollar				1,211.92				1,211.92
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Senator Paul Sarbanes:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Senator John Warner:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	2,306.65	168.00					2,306.65	168.00
Senator Carl Levin:									
United States	Dollar				938.00				938.00
Switzerland	Franc	222.00	132.14					222.00	132.14
Austria	Schilling	3,400.00	247.63					3,400.00	247.63
Mira Baratta:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Robert Bell:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Monica Chavez:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Geryld Christianson:									
Switzerland	Franc	611.90	364.00					611.90	364.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Richard D'Amato:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Scott Harris:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Yvonne Hopkins:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Ken Myers:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Sarah Sewall:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Dave Smith:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Sally Walsh:									
Switzerland	Franc	1,223.80	728.00					1,223.80	728.00
Austria	Schilling	4,613.30	336.00					4,613.30	336.00
Delegation expenses: [1]									
Switzerland							8,944.36		8,944.36
Austria							6,951.75		6,951.75
Total			18,283.42		3,248.92		15,896.11		37,428.45

[1] Delegation expenses include direct payments and reimbursements to the State Department and to the Defense Department under authority of sec. 502(b) of the Mutual Security Act of 1954, as amended by sec. 22 of P.L. 95–384, and S. Res. 179, agreed to May 25, 1977.

GEORGE J. MITCHELL,
Majority Leader.
CLAIBORNE PELL,
Delegation Chairman.
ROBERT DOLE,
Republican Leader.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE MAJORITY LEADER, FOR THE PERIOD JULY 1 TO SEPT. 30, 1989

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert Dockery:									
Honduras	Lempira	672	336.00	564.57	282.29			1,236.57	618.29
United States	Dollar				658.00				658.00
Total			336.00		940.29				1,276.29

GEORGE J. MITCHELL,
Majority Leader, Nov. 6, 1989.

TRANS-ANTARCTIC INTERNATIONAL EXPEDITION

Mr. DURENBERGER. Mr. President, I take this occasion to give my weekly update on the six-man Trans-Antarctica expedition. This will be my last as the team will accomplish its 4,000-mile, 6-month dogsled traverse of Antarctica this coming weekend. They are about 140 miles away from their destination, which is the Soviet research station at Mirnyy.

Next week we will be celebrating their accomplishment and, Mr. President, on Tuesday next I will introduce a joint resolution honoring the team and its accomplishment.

In addition, the team will come to Washington on March 26 so I will introduce them, and hopefully as importantly a couple of their dogs, to the Senate.

Right now, the team is racing to meet a Soviet icebreaker at Mirnyy that must leave by March 5 or risk being locked in by ice. Winter is coming to the southern hemisphere, and the team is experiencing its most extreme weather. A week ago temperatures dropped to lower than 50 degrees below zero with winds over 30 miles per hour and a windchill of over 110 degrees below zero.

As the team gets close to Mirnyy, they descend from the Antarctic plateau toward the sea. The temperatures are warmer but storms are more frequent and violent. Winds on the coast at Mirnyy have been clocked at as much as 180 miles per hour. The weather extremes are comparable to that which they faced on the Antarctic Peninsula last fall.

Storms are dangerous and make travel impossible because of poor visibility. It was a storm that trapped the famous South Pole explorer Robert Scott 11 miles from his food cache in 1912. Scott and his crew, as we know, perished.

In this final stretch, the team faces dangerous crevasses like those on the peninsula. Crevasses are formed when glaciers move downhill to meet the sea. As the glaciers move great cracks and fissures occur, often 50 feet deep. To minimize the danger of falling into a hidden crevasse, the team is following the path laid out by Soviet trucks that travel between their Vostok and Mirnyy bases. The trucks use radar to detect dangerous crevasses.

Awaiting the team's arrival at Mirnyy are journalists from all over the world. Television crews from Japan, France, Italy, Australia, the Soviet Union, and the United States will record the team's historic finish. French and Japanese television stations plan major live coverage of the finish, and ABC Sports, which has given several updates, will televise a 90-minute special on March 25.

In addition, reporters like Angus Phillips of the Washington Post have written stories on the expedition.

Mr. President, I ask unanimous consent that the Phillips article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 20, 1990]

WARM WELCOME AWAITS ANTARCTIC CROSSERS

(By Angus Phillips)

With Southern Hemisphere winter closing in, Minnesotan Will Steger plods on, leading an international team of five men, three sleds and 40 dogs down a narrow, fozen track toward the conclusion of man's greatest Antarctic adventure.

Steger's 4,000-mile trek across the barren continent is due to end at Mirnyy on the east coast March 2, right on schedule, ending a 6½-month test that started inauspicously but is finishing in style.

The team has steadily clocked days of 26, 27, 28 and even 30-plus miles since leaving Vostok, the coldest place on Earth, on Jan. 22 for the final 850 miles to the sea. The way is easier now as the men trudge downhill, following the track of a Soviet tractor used to ferry scientists between Vostok and the port at Mirnyy.

Over the weekend, Steger's crew winnowed the remaining distance to about 200 miles, but the final stetch is expected to take longer than usual as the trekkers are joined by a French camera crew, which will document their triumphant last steps.

If the $11 million voyage, the first nonmotorized crossing of Antarctica, seems assured of success, it's only as certain as things get at 75 degrees south latitude.

"In Antarctica you can't count on anything," said Jennifer Kimball Gasperini, U.S. coordinator of the expedition, who regularly talks with Steger by radio. "In the next week or so it will probably get down to minus-79 degrees Fahrenheit, which is extremely hard on man and dogs, and the weather gets worse the nearer they get to the sea. Winds in Mirnyy have been recorded up to 180 mph.

"Storms are dangerous. Remember, in 1912 [South Pole explorer Robert] Scott perished only 11 miles from his food cache. A blizzard came up, they couldn't move and they died there. The same thing could happen here."

And if the explorers lose their trail in a storm, crevasses are a serious peril, she said. "But we feel very confident right now, and they're confident."

That's a big change from the early days of the voyage, when Steger's group weathered a 60-day storm on the rugged Antarctic Peninsula, with day after day of winds up to 100 mph and temperatures of 45 below. The storms left the group tentbound for 13 days and they arrived at the halfway point at the South Pole 10 days behind schedule, with continuation of their trip in jeopardy.

But they got help from the Soviet science mission there, which donated fuel to help set up food caches by airplane along the 800-mile "Area of Inacessibility" east of the Pole. All has gone smoothly since.

"We've had no major crises since the Pole," said Gasperini. "The first half of the trip was far more difficult than anyone imagined, but the second half has gone pretty much as planned."

Steger, 45, and his co-leader, Frenchman Jean-Louis Etienne, 43, organized the voyage to call attention to the environmental fragility of the Antarctic and the need for international cooperation to protect it. Their colleagues are from the Soviet Union, England, China and Japan.

But in his lastest dispatches from the trail, Steger writes mostly about his troubles as the cold sets in. In order to write in his journal, "The usual procedure in the morning is to warm these pages over the Coleman stove. This drives away moisture and heats the pages so the ink will dry. The other instrument, the pen, is placed immediately upon getting out of the bag in my crotch for a five-minute warming session. This wakes the ink into a liquid state."

Britisher Geoff Somers chronicles his morning ritual: "All the inside of the tent is covered in ice. Your sleeping bag is hard and stiff with ice. And you're stiff, your back aches. You crawl out into these freezing temperatures and you feel absolutely horrible. The first thing to do is light the stove. Touch the bottle and it's minus-50 Fahrenheit . . . then you get the matches, and as soon as you open the box, ice forms on the matches. It's colder than a deep freeze. . . . All you want to do is stay in your bag. But you have no choice . . . you have to go."

The worst dangers of the final stretch, however, have been sidestepped by following the track of the Soviet tractor, which is equipped with radar to detect hidden crevasses that could swallow the team whole. This outside assistance was part of the original plan, Gasperini said. "We couldn't have succeeded without it."

The trekkers are rushing to meet a Soviet ice-breaker that will carry them and a group of Soviet scientists out of Antarctica March 5, just before sea-ice closes the region. Their voyage has attracted world attention, and television crews from Italy, Japan, Australia, the Soviet Union, France and the United States are flying to Mirnyy to record the final steps. ABC-TV plans to air a live segment on March 5 during "Wide World of Sports," and a 90-minute special March 25, Gasperini said.

Steger, who led the first unresupplied trek to the North Pole three years ago with his dog sleds and five companions, will embark on a publicity tour when he returns to the United States to plug his book, "Saving the Earth; a Citizens Guide to Environmental Action."

Eventually, however, he plans to retreat to the log cabin he built three miles from the nearest road in Ely, Minn.

Any chance the slender, bespectacled adventurer will become star struck by success?

"I doubt it," said Gasperini. "He's lived on $3,000 a year most of his life. He doesn't have electricity; he doesn't have running water. He's one of nine kids from a very conservative family. He doesn't care for fancy hotels. He just wants to use his life to promote the environment and work for a cleaner world. Fame is probably one his biggest fears."

Mr. DURENBERGER. Mr. President, I am very pleased that the team is receiving this media attention. They deserve it. They deserve international recognition of their accomplishments.

Also, as the world debates the future of Antarctica, it is important that we understand that although the continent is a barren and hostile land, it is also very fragile. Intrusions last for-

ever. The huts and garbage of 19th century explorers are still present for modern scientists and tourists to see.

Through the expedition, citizens of the world are more aware of this often overlooked continent. For this, the team has performed not only a historic feat but provided a valuable service to the future of mankind.

CONGRATULATIONS TO THE NICARAGUAN PEOPLE

Mr. DURENBERGER. Mr. President, I rise to extend my most sincere congratulations to the people of Nicaragua for their great democratic victory in the elections yesterday. Against considerable odds, the Nicaraguan opposition has secured a stunning victory. The people have courageously expressed their political will in what turned out to be an overwhelming vote for peace, democracy, and, hopefully, for prosperity.

The elections yesterday are the first step in a long process of democratization. The next few months will be crucial for the people of Nicaragua.

The struggle, as we know, is not yet over. In some sense it may just be the beginning. Sandinista actions in the aftermath of the elections will be critical.

Will the Sandinistas relinquish power in a peaceful transition as they have pledged to do? Will they give up Sandinista party control of the military, of police, of the security forces as they pledged to do? Will they in coordination with the demobilization of the Contra army drastically cut the size of their military and security forces, which they have been trying to get all of the rest of the Central Americas to do? And will the Sandinistas finally end their support for the FMLN guerrillas in El Salvador?

Mr. President, nothing has surprised us more in a year full of surprises than that election. But not to underestimate the value of elections, I think Americans will be watching events in Nicaragua very closely. We now also have the opportunity to forge a new and constructive relationship not only with Nicaragua but El Savador, Guatemala, Honduras, and Costa Rica. The new leaders of this country will have even tougher obligations than we. They must rebuild after a natural disaster. Managua has been visited in the 1970's by two terrible earthquakes. But nothing has been closer to a natural disaster than the political and economic problems this country has faced in the last 10 years. The new leaders will have a huge problem just to heal the divisions between the Nicaraguan people.

The first election like this, in El Salvador, its neighbor, was held in 1982 and the first one really comparable in 1984 and look how far the El Salvadorans remain from peace. So it is a huge, huge undertaking for Mrs. Chamorro.

And third, the new leadership will be responsible for making Nicaragua a responsible member of a regional effort to bring peace and eventually prosperity to all of these countries—again, an enormous undertaking to a very, very small country.

Mr. President, I know Nicaragua. I have known Nicaragua since the early seventies. I cannot imagine a time which has been more significant to the people of this country than today. And if I were to give any words of encouragement to any of my colleagues, I would say if I had to pick any one of the countries whose people do have the capability of coming back and taking on this responsibility, I think it is Nicaragua.

The United States should move to normalize diplomatic relations, to lift the trade embargo with Nicaragua. We also have an obligation to the people of Nicaragua to provide economic aid to assist them in rebuilding their economy and assisting in building democratic institutions.

In conclusion, Mr. President, I would like to say just a couple of words to Daniel Ortega and to other members in the junta. For those who have followed the history of this country, I must say it is you, the Ortega brothers, and others who really began the revolution to democracy in Central America. It was not the President of the United States. It was not the CIA. It was not any of the so-called democratic institutions of this country. It began with the people who took to the hills in the sixties and seventies against the Somoza regime. It is these people who began the revolution to democracy when they went to the hills. Few people endorsed their tactics. No one today endorses their tactics. But the results are in that election.

The question has always been whether or not the members of the junta who took control in Nicaragua had a greater commitment to their politics, which was unquestionably Marxist-Leninist, or to their country.

And so I stand here today, Mr. President—I know I am remote from Mr. Ortega and others—to say this is a great opportunity for the people who were the true revolutionaries in that country, who were the people who sought to bring some kind of a representative system to what was a totalitarian country, to prove that their interests are in the people of Nicaragua and the future of that tremendous country rather than in their own political ideology.

HOPES RISE FOR THE RELEASE OF TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,808th day that Terry Anderson has been held in captivity in Beirut.

I would also like to make note of a little-remarked but quite positive development which took place over the weekend. On Friday, February 23, the Washington Post reported that the Tehran Times, which usually expresses the views of Iran's President Ali Akbar Hashemi Rafsanjani, called for the release of all foreign hostages being held in Lebanon. The next day, according to the Post, Sheik Mohammed Hussein Fadlallah, spiritual leader of the pro-Iranian Hezbollah, also advocated freedom for the 17 hostages in Lebanon, 8 of whom are Americans. The Tehran Times and the Shiite cleric both pointed out that dramatic changes in the world order are now requiring the Muslim world to rethink some of its present policies.

These reports, though buried in the back pages of the Post, are no small thing. Here we have a media arm of the Iranian Government, and a chief cleric of one of Lebanon's major fundamentalist parties saying that it is time to seek out humanitarian means for resolving the hostage situation in Lebanon. Indeed, the indefatigable Peggy Say, who was in Damascus pleading for the release of her brother Terry Anderson, called the statements "the most encouraging news that I have heard."

In recent months, as we know, ideological dogmatism has rapidly been giving way to reason in many areas of the world. For the sake of the hostages and their families, let us hope that the news of these latest reports signals to us that the same transformation is beginning to take place—even if on a very small scale—in the Near East.

Mr. President, I ask unanimous consent that the two Washington Post articles, as well as a New York Times article on the subject, be reprinted in the Post at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 23, 1990]

TEHRAN PAPER CALLS FOR UNCONDITIONAL RELEASE OF HOSTAGES

(By Sharif Imam-Jomeh)

TEHRAN, February 22.—The English-language Tehran Times, which usually voices the opinions of President Ali Akbar Hashemi Rafsanjani, called today for the unconditional release of all foreign hostages being held in Lebanon, saying that Iran can continue its "rightful struggle against the West" in other ways.

Diplomats and analysts here and abroad said it was unclear what would be the effect of the call, which appeared in no other Iranian news media. In Damascus, however, Peggy Say, sister of Terry Anderson, the longest-held American hostage, wept at the report and called it "the most encouraging news that I have heard," Reuter news service reported.

The Tehran Times said all the factions in Lebanon "should regard the hostages as victims of imperialist policies of the West and make attempts to get them all freed." It complained that the continued captivity of the hostages has benefited Western propaganda against Iran, and said, "Maybe 1990 will be the year for the release of all the hostages."

The editorial reflected many of the points made by Rafsanjani in a speech to parliament Tuesday, in which he said he saw the political upheaval in the Soviet bloc posing threats to countries such as Iran.

"The world is getting unipolar," Rafsanjani said. "Lots of chances of independent countries to exploit the conflicts between superpowers are fading. Conflicts are turning into understandings that mainly benefit those who are hostile to us."

Iran has pressed for Moslem unity as a response to the changed world situation, and the editorial suggested that release of the hostages could further that goal.

Lebanese militants, most of them pro-Iranian and believed to be under Tehran's influence, hold 17 Western hostages, including eight Americans.

Say was in Damascus today as part of a campaign seeking the release of her brother, Middle East correspondent for the Associated Press, who was abducted March 16, 1985.

"I have been hoping very much for this kind of statement," she told Reuter. "All we can do now is to wait and see how those people in Lebanon would react. I do not personally consider Tehran the problem. I consider it part of the solution.

[From the Washington Post, Feb. 24, 1990]

SHIITE CLERIC CALLS FOR RELEASE OF HOSTAGES

BEIRUT, February 23.—The spiritual leader of Hezbollah, believed to be an umbrella organization for Moslem groups holding hostages, said today the 18 Western captives in Lebanon should be freed.

"We have to think of finding realistic and humanitarian means to free the foreign hostages," Sheik Mohammed Hussein Fadlallah said in a sermon at today's prayers in Bir el-Abed, a district in the Shiite Moslem slums of south Beirut.

"This problem has been widely exploited by Western forces to distort the image of Islam and Moslems," he said

Fadlallah is the spiritual leader of Hezbollah, or Party of God, which is allied with Iran.

Fadlallah's statement came a day after the English-language Tehran Times, which is close to Iranian President Ali Akbar Hashemi Rafsanjani, said the hostages should be freed because they had become a propaganda tool of Iran's enemies. The editorial was the first known call by an Iranian newspaper for freeing the hostages.

Shiite kidnappers are believed to hold most of the hostages who include eight Americans, four Britons, two West Germans, two Swiss, an Italian and an Irishman.

Said Fadlallah, "There should be a new study of this problem in order to be able to bring about a political and humanitarian solution that guarantees the freedom of the captives and the rights of Moslems."

[From the New York Times, Feb. 24, 1990]

HOSTAGE'S SISTER AGAIN TOURS MIDEAST

(By Alan Cowell)

CAIRO, February 23.—As her brother approaches the fifth anniversary of his kidnapping in Beirut, Peggy Say has embarked on her fourth tour of this troubled region to keep people from forgetting about him and the other foreigners still held in Lebanon.

This time, she said in a telephone interview from Damascus, she has gotten a sense that "everybody is trying their best" to get her brother, Terry A. Anderson, a correspondent for The Associated Press, and 16 other Westerners, freed. Everybody, that is, except their faceless, elusive captors.

Perhaps the most positive signal, she said, was an editorial in The Teheran Times on Thursday that urged that the hostages be released.

"Regardless of the West's propaganda ploys, Muslim forces, out of Islamic and humanitarian considerations, should work to get the hostages free with no conditions," the newspaper said. Within Iran's faction-ridden politics, the newspaper is seen by Western analysts as close to President Hashemi Rafsanjani.

A STRONG SIGNAL

"I had a very emotional reaction to that story," Mrs. Say said. "It was a strong signal, I believe, that Iran is not so much the problem as part of the solution." The issue, she said, is "how those people in Lebanon react."

Iran is viewed as the sponsor of several militant Islamic groups in Lebanon, but the direct lines of support are generally held to run to figures in the Teheran leadership who hold less conciliatory views than President Rafsanjani.

Mr. Anderson was kidnapped in Muslim West Beirut on March 16, 1985, and is one of eight Americans still believed to be in captivity. Western diplomats say they believe that he is held by the pro-Iranian group Islamic Holy War.

Along with representatives of The Associated Press and her husband, David, Mrs. Say has met with members of the European Parliament, the United Nations Educational, Scientific and Cultural Organization, known as Unesco, Pope John Paul II and Yasir Arafat, the chairman of the Palestine Liberation Organization.

When she talked with Mr. Arafat in Tunis, Mrs. Say said, "he admitted to me that he had no real influence."

"However, if he finds himself in a position to exert influence, he said he would do so," she said.

In the complex patchwork of Lebanon's myriad militias, armed groups, proxy forces and conventional armies, Mr. Arafat's P.L.O. fighters recently sided with a pro-Syrian Shiite Muslim group, Amal, against a pro-Iranian Shiite Muslim group, the Party of God.

The conflict between the rival Shiite groups has also damaged relations between their sponsors in Damascus and Teheran, reducing Syria's ability to press Iran for a release of the Western hostages, diplomats in Damascus say.

Mrs. Say met on Thursday night with the Syrian Foreign Minister, Farouk al-Sharaa, in Damascus.

"I would say that everybody, including the Syrians, sees it in their best interests for this situation to end and because of that conviction everybody is trying to do their best," she said.

Syria maintains 40,000 troops in Lebanon but has resisted demands that it free hostages by force. A high Syrian official said no one had provided the "address" where hostages were kept. A previous effort to storm a place where hostages were said to be held ended in Syrian casualties but nothing else, because the information was wrong, the official said.

Western diplomats in Damascus said there was no indication that any release of hostages was imminent. The diplomats said it was possible that with tensions high on virtually all fronts in Lebanon, the hostages were under closer guard than ever.

Mr. Anderson has been held longer than any Western hostage and has been able to communicate with his family only through occasional videotapes released by his captors.

SHEIK ASKS RELEASE OF HOSTAGES

BEIRUT, LEBANON, February 23.—A leading pro-Iranian Muslim cleric appealed today for the release of Western hostages in Lebanon, saying the West had used their plight to defame Islam.

The cleric, Sheik Mohammed Hussein Fadlallah, the spiritual mentor of the Party of God, issued the appeal during Friday prayers. The sheik visited Iran this month.

"We have to find practical and humanitarian means to free the kidnapped foreigners because this issue has been exploited a lot by Western powers in order to disfigure the image of Islam and Muslims," he said.

A LOOK BACK: THE COLD WAR ERA

Mr. MOYNIHAN. Mr. President, few journalists have reported the cold war from the front lines so intelligently and extensively as Flora Lewis of the New York Times. Now she is doing as much with the transition from that era to a new period of history. On Saturday, she paused a moment to look back. The result was masterful.

I ask unanimous consent that her column be reprinted in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 24, 1990]

A NECESSARY COLD WAR?

(By Flora Lewis)

PARIS.—Unraveling the cold war is causing enormous concern and unease. The big headaches confronting Europe would have been settled long ago if World War II hopes had been fulfilled for maintaining at least friendly East-West relations, if not an actual alliance.

There's no counting the number of lives lost and ruined because of the cold war—in wars such as Korea, Vietnam, Cambodia, Afghanistan, in repression, in suspicion that led to persecution in the West as well as the East. There's no counting the amount of resources wasted on huge armies and devastating weapons.

If hopes are fulfilled for an end to the global power-ideology conflict of the last four decades, future generations will wonder what drove their forefathers to such madness. Did they really mean to nuclearize each other out of existence? Did each side really imagine it had the ultimate answer to the good society and could only survive by doing in its rival?

Communism is an ideology, a system that claimed with "scientific certainty" that it knew how to resolve all social problems and that it had a monopoly on historical foresight. Capitalism was never more than a

method for bringing together what it takes to produce—labor, tools, management—with no pretense that constant adjustment of the social machinery would not be necessary. The dispute wasn't between two creeds but between the messianic and the practical view of making things work.

Now Mikhail Gorbachev and his Foreign Minister, Eduard Shevardnadze, tell the world there is no difference in basic values. In that case, what was the fight about?

In Ottawa a week ago, Mr. Shevardnadze did admit that "our country took too much time grappling with the dilemma" of truth versus happiness, whether "to prefer the anxiety of someone who knows the truth or the tranquillity of those who ignore it." And to prove the right choice had been made at last, he said candidly, "Today our country is indeed sick."

But having recognized "universal human values and the dignity of the individual," having "renounced force as an instrument for solving any domestic or foreign problems," seeking friends not enemies, he pronounced, "Such a state has to survive."

"We shall become not only a big and strong country but a genuinely comfortable and civilized home for women and men," he said.

Whether or not the Muscovite prediction comes closer to the target this time than when Stalin proclaimed the "inevitable" victory of Communism, or when Khruschev told the West "We will bury you," Mr. Shevardnadze's forecast had a different tone.

So the answer probably has to be that the cold war was, unfortunately, necessary. There were absurd excesses, of course, in the witch hunts, the secrecy, the military extravagance of the American response. It is strange now to recall what panic, what lack of confidence drove the democracies to feel they were in danger of being overwhelmed by Communist ideas, not only by Red armies.

There was an unacknowledged link between the Victorian idea of inevitable progress, the promise of the Industrial Revolution, and the Marxist idea of inevitable collapse, the demons of the Industrial Revolution devouring themselves. It stokes fears that the ideologists had a better crystal ball, or a master plan, that might be irresistible and therefore had to be resisted at any cost. President Kennedy pledged we would "pay any price" to preserve our own vision.

We may have paid more than required. But it is questionable that the understanding awakening in the world that there will always be problems, that utopias are mythical, would have been achieved without the demonstration that the cold war provoked. There is a more skeptical idea of progress now, a realization that there will always be trade-offs that bring pain as well as benefit.

The key lesson is not that righteousness will triumph—both sides wallowed in righteousness—but that there is need for a certain humility in establishing man's place. Perfect systems bring perfect disaster. Leaving room for error, and admitting error in ways that encourage correction, offer a better chance. That is the great strength of democracy, which isn't an ideology either but a way of enabling people to settle quarrels by argument instead of force.

There is still a yearning for a grand design, a guaranteed formula to discern and deflect the tide of history. It is a romantic notion, and while romantic ideals have their role as inspiration, they are the source of catastrophe when they are imposed by dreamers who acquire might. If it took the cold war to destroy the illusion that the grubby real world can be ignored, it was worth it. Now for getting on with everyday repairs, which makes all the difference.

JAPANESE TRADE BARRIERS ON AMERICAN WOOD PRODUCTS

Mr. GORTON. Mr. President, I wish today to address an issue of utmost importance in our trade relations with Japan—our efforts to open the Japanese wood products market.

We have been told repeatedly by some Japanese opinion leaders that there is nothing that America makes that the Japanese people want to buy. That is utter nonsense. Japanese consumer, for example, are eager to buy American wood products, if only they were allowed to do so.

It is important that Super 301 negotiations with Japan on wood products succeed. Although our wood products industry is the most efficient in the world, its access to the Japanese market is limited by a web of trade barriers. Those barriers include sky-high tariffs on value-added products, unnecessary building code and standards restrictions, subsidies, and a closed distribution system.

The elimination of these barriers could increase our exports to Japan by as much as $2 billion a year, as well as create or maintain 10,000 American mill jobs. Thousands of other jobs in transportation and other related industries might well be created as well. While many of these jobs would be in the State of Washington, others would be generated across the country.

In addition, Mr. President, we should not be satisfied to eliminate only one or two of Japan's most egregious barriers. It is the cumulative effect of the intricate web of trade barriers, working together, that keeps our wood products out of the Japanese market. The U.S. Trade Representative is working to eliminate the entire range of barriers, and I applaud those efforts. In addition, of course, the President of the United States now seems likely to meet the newly reelected Prime Minister of Japan, and I hope this subject comes up at that meeting as well.

Mr. President, consider this example of the type of barriers U.S. companies face: An American firm developed a fire retardant coating for wood that prevents the spread of flames. The Japanese Government requires that all building materials undergo testing with an open flame to determine combustibility. Because the American product actually puts out the flame, Japanese bureaucrats have refused to approve it. That absurd practice has denied United States companies export opportunities and Japanese consumers safer building materials.

Japan simply must stop that kind of behavior. We should let the Japanese Government know—in no uncertain terms—that we expect real results from the Super 301 negotiations, results that are measurable in the marketplace. We will not be satisfied with excuses, half-measures, or cosmetic concessions.

Opening the wood products market would also provide real benefits to the Japanese consumer. Houses in Japan are so small that the Japanese have come to call them "rabbit hutches." The price of the average condominium in Tokyo is now eight times a wage earner's annual income. By comparison, the price of an average home in the United States is only three times the average household income. Even at those prices, the average Japanese has half the living space that the average American enjoys. The Government of Japan could improve the quality and affordability of housing for its own people by allowing more wood products to be imported from the United States.

Mr. President, this country sells, at competitive prices, quality wood products that the Japanese consumer wants to buy. The major obstacles standing in the way are Japan's trade barriers.

Japan has promised to become an import superpower. Importing more American wood products would be an appropriate way to begin to honor that pledge.

Mr. President, the wood products negotiations have proceeded slowly at best. In passing the Super 301 legislation, Congress intended that serious consequences be imposed if trade negotiations do not yield significant results.

Although it may be premature to presume the failure of the wood products negotiations, I am not optimistic that they will obtain results significantly better than last week's stalemated trade talks on structural impediments. Our administration and Japanese officials would do well to bear in mind the special importance that Congress attaches to the Super 301 talks and act accordingly.

WALNUT STREET BAPTIST CHURCH 175TH ANNIVERSARY

Mr. FORD. Mr. President, I rise today to honor the Walnut Street Baptist Church of Louisville, KY, which is celebrating its 175th anniversary this year.

Starting with only 13 members, Walnut Street Baptist has grown to a congregation of over 6,000 members in the past 175 years. Originally named the First Baptist Church of Louisville, during the early years the congregation met in the homes of its members. This changed in 1834 when along with the Free Masons the church constructed a two-story building to be shared by the two groups.

Membership continued to grow, and in 1849 the First Baptist Church united with the city's Second Baptist Church, which had been formed in 1838. They erected a building on the northwest corner of Fourth and Walnut Streets, and the new congregation became known as the Walnut Street Baptist Church. This building remained the home of the church until the early 1900's when it was sold and the present facility was constructed on the southeast corner of Third and St. Catherine Streets.

When other churches moved to the suburbs during the fifties and sixties, Walnut Street resisted this trend and, instead, reaffirmed its commitment to ministering to the needs of all people. Today, the overwhelming majority of its members live in the Louisville area, and its Sunday morning service is seen in more than 40,000 homes. Through its day care center and various ministries programs, Walnut Street Baptist Church has strengthened its ties to the community and remained a prominent fixture in Louisville. May its next 175 years be as blessed.

NICARAGUAN ELECTION

Mr. NUNN. Mr. President, yesterday's election in Nicaragua is the latest in a stunning series of events which demonstrate a worldwide desire for democracy and a rejection of communism and totalitarian regimes.

I join freedom loving peoples throughout the world in congratulating the Nicaraguan people, the victorious candidate Violeta Chamorro and the National Opposition Union. I understand that the Nicaraguan people turned out in unprecedented numbers, exceeding 90 percent of the eligible voters in many areas of that country in their exercise of the right of self determination.

I also would like to note that the ability of the voters to cast their ballots in secret and free of any significant fraud was made possible because of the international focus and the special efforts of a number of observer groups, including those of the United Nations and the Organization of American States. The participation of former President Jimmy Carter, who continues to be a symbol of fairness and of mankind's desire for self determination, was also a significant factor in ensuring that there were free and fair election procedures.

It also must be noted that Daniel Ortega's commitment to a smooth and effective transition of governmental power to the newly elected government is very welcome. The role of the army and the police will bear close watching.

The United States must now monitor the transition process and be ready to review and to respond quicky to legitimate request that might be forthcoming from Mrs. Chamorro, particularly with respect to the removal of trade sanctions.

The prospects for peace and stability in Central America have been significantly enhanced as a result of this election. This is indeed a happy day for all freedom loving peoples and especially for the people of Nicaragua and the rest of Central America.

TWO IMPORTANT EVENTS IN CENTRAL AMERICA THIS WEEKEND

Mrs. KASSEBAUM. Mr. President, I would like to spend just a few minutes discussing two important events that have taken place in Central America this weekend, the passing away of El Salvador's former President, Jose Napolean Duarte, and the elections in Nicaragua.

On Friday, President Duarte died after a long struggle with cancer. President Duarte demonstrated the same resilience and defiance of the odds in his struggle against cancer that he demonstrated in political life.

Throughout his career, President Duarte was a forceful advocate for democracy, justice, and tolerance. For over a quarter century, he fought for these values. His most intense struggle was perhaps in the last 5 years of his political life when he served as President and oversaw El Salvador's experiment in democracy.

We were very fortunate in Kansas to have President Duarte accept the invitation in 1984 to lecture at Kansas State University. During his speech, President Duarte said he had told both the left and the right that he was "offering to change the concept of hate for the concept of tolerance." President Duarte emphasized that his struggle was to bring El Salvador's reality closer to democracy. As we remember President Duarte, we must remember his message.

President Duarte's efforts did not end in El Salvador. He also fought for democracy and justice throughout Central America. He played a key role in the Central American peace effort until the time of his death.

The peaceful elections in Nicaragua are a result of these regional efforts. They are also the result of a courageous people who demonstrated the power of the individual vote.

I would like to join my colleagues who have this morning been congratulating Mrs. Chamorro on her election victory. Both in her struggle to keep a free press running in Nicaragua and as the opposition's Presidential candidate, Mrs. Chamorro has demonstrated that she is a light that could not be diminished in Nicaragua. Her efforts embody the principles of democracy. There is no better example of courage than Violeta Chamorro.

As well as congratulating the winner of that election, I would also like to commend President Daniel Ortega. It is surprising, to a certain extent, that one would do that after having regarded him as an oppressive leader in Nicaragua. But largely due to his commitment, the conduct of the elections were sufficiently fair. And, in his first statement after the early returns, he has promised to abide by the result.

There are many difficulties that lie ahead for a peaceful transition of power. But, in my view, these are issues that must be resolved by Nicaraguans. The most appropriate role for the United States at this point is to be supportive but to step back and let the new government and the old government respond to the people's will.

The most useful and appropriate form of aid that the United States can give is not huge sums of money, but rather aid that is targeted toward building democratic institutions and improving Nicaragua's trading ability. Our goal should be to help rebuild a self-sufficient economy, not an economy dependent on U.S. foreign aid dollars. Too often we have seen our best foreign aid intentions result in the exact opposite of our intended goals.

Mr. President, I also believe that the election result in Nicaragua provides an opportunity for us to reevaluate our policy in El Salvador. Democracy in the region has been strengthened, which sends an important signal to both the left and the right in El Salvador. Negotiation and respect of the people's will is the only route to reconciliation. As President Duarte told us, the keys are democracy, justice, and tolerance.

Mr. President, this has been an amazing year for democracy. But, despite the number of elections we have already witnessed, the excitement for each new demonstration of the people's will does not diminish. I know I join many Americans in hoping that yesterday's election in Nicaragua will not only mean a more peaceful and prosperous future for Nicaragua, but for all Central Americans as well.

NICARAGUAN ELECTION RESULTS

Mr. THURMOND. Mr. President, today, I rise in strong support of Mrs. Violeta Chamorro who scored a stunning election victory in Nicaragua. Her defeat of Daniel Ortega is truly a victory for freedom, democracy, and peace in Central America.

This rejection of Communist rule proves that the Nicaraguan people want democracy rather than a totalitarian regime in their homeland. The elections would probably not have occurred if the United States had not pressed Ortega's Sandanista regime by supporting the freedom fighters.

The Nicaraguan election mirrors recent events which have occurred in Eastern Europe and the Soviet Union where the death knell for communism has sounded. I hope this election represents the beginning of the end for communism in Central America.

VICTORY FOR DEMOCRACY IN NICARAGUA

Mr. BYRD. Mr. President, the announcement that Violeta Chamorro, the long-time editor of La Prensa, and Virgilio Godoy have led their political party, UNO, to victory over the Marxist regime of Daniel Ortega is stunning, wonderful, welcome news. Ms. Chamorro has replaced Daniel Ortega without a shot having been fired. I congratulate them, and have cabled them this morning my congratulations. It is my hope and my belief that the dark days for the people of Nicaragua are coming to a close.

The victory of Ms. Charmorro as the new President of Nicaragua is a validation of the steadfast policy which we Democrats in this body have promoted, in the face of the hostility and recalcitrant policies of the previous administration for 8 long years. We consistently argued that diplomacy and peaceful evolution are the correct road for American policies in Central America, instead of the violent path represented by the single-focused and single-minded militancy of the so-called Contra aid policy. I believe the turning point was the amendment worked out with great difficulty in 1988 to the fiscal year 1989 Department of Defense Appropriations Act, which substituted humanitarian aid for military aid to the Contras, rejected the violent road, and put Ortega on the spot by fully placing the responsibility for Nicaragua's failed economy on the shoulders of the Sandinistas. After nearly 3 weeks of continuous negotiations, my colleagues will recall, a compromise across the aisle on the text of that amendment had been reached, only to be rejected at the last minute by a reluctant White House. It had to be passed along party lines because of that reluctance, but the text and details were worked out in a long cooperative effort with Mr. DOLE. The distinguished Senator from Oklahoma, Mr. BOREN, deserves great credit for his long labors on that amendment, but there were many other Senators involved, trying to develop a peaceful solution to the crisis in Nicaragua. The distinguished Senator from Tennessee, Mr. SASSER was deeply involved over the years, as were Senators DODD, HARKIN, KERRY, and many others. They are all to be congratulated.

The amendment validated the peaceful road espoused by all the Central American Presidents, led by President Oscar Arias of Costa Rica and the late President Napoleon Duarte of Salvador. They exhibited enlightened leadership in the democratic tradition, and we owe them the credit their historic actions, embodied in the Esquipulas accord of August 7, 1987, and other followup accords and declarations have led to today in Managua.

It led to the bipartisan accord of last fall referred to by the distinguished majority leader, Mr. MITCHELL, in his remarks today. The new administration was persuaded to break decisively with the policies of the past and to join with the Congress on a gamble on the democratic road.

Together we took away Ortega's embattled hero excuse for his government's failures. And it was not long before the pressures for elections became inexorable.

Today marks a new beginning for the people of Nicaragua. It is appropriate to immediately review our economic policies toward Nicaragua, with an eye to doing all we can to help this new government get Nicaragua back on her feet, to revive Nicaragua's economy, to provide whatever assistance we can, and to help the Nicaraguan people shape their own destiny.

Mr. President, I ask unanimous consent that my cablegram to Mrs. Chamorro and Mr. Godoy be printed in the RECORD.

There being no objection, the cablegram was ordered to be printed in the RECORD, as follows:

FEBRUARY 26, 1990.

From: Senator Robert C. Byrd, President Pro Tempore, U.S. Senate.

To: Violeta Chamorro, President-elect, Virgilio Godoy, Vice President-elect, Managua, Nicaragua.

Congratulations on your well-deserved and stunning, overwhelming election victory. Yours is a triumph of democracy and national pride. I look forward to renewing our friendship, and I look forward to your assuming your high offices and long service on behalf of the Nicaraguan people. Best wishes and, again, congratulations.

A GREAT DAY FOR DEMOCRACY

Mr. GRAHAM. Mr. President, this is a great day for democracy. Yet, another society on Earth has elected, through a free and fair democratic process, to adopt the values which the democratic nations of the world share and which we attempt to provide for others.

We rejoice in this decision of the people of Nicaragua. We rejoice in the fact that positive change has occurred as a result of yesterday's election without bloodshed.

I commend the Nicaraguan people, who have proceeded through this process, the first truly democratic election in at least a half century of that nation's history, and have done so in an exemplary manner. According to accounts from Nicaragua, from the many observers who have been in that country for weeks and culminated in intense review of the election process yesterday, this election was free and fair. I commend those many observers, who brought a healthy international spotlight to this election.

The advent of democracy in Nicaragua underscores the importance of decisions that we will be making in this Congress over the next several weeks. I anticipate that we will receive from the administration a recommendation relative to the restoration of economic and diplomatic relations with Nicaragua. As soon as we are certain that there will be a transition of power to the Government that has been freely elected by the people of Nicaragua, I hope that we will take those steps.

I also wish to underscore the importance of Nicaragua becoming a full participating member in the Caribbean Basin Initiative. Mr. President, this was an initiative adopted in 1983 by the U.S. Congress in an attempt to establish a special trading relationship with our nearest neighbors in the Caribbean and Central America. Nicaragua has not been a participant in this program to date. I anticipate that they will soon become an active member. In the next few days we are going to be debating the question of expanding the benefits of the Caribbean Basin Initiative and making the program a permanent commitment.

I hope that the events in Nicaragua and their predecessor events in Panama have underscored the importance of the United States having an effective long-range trade program within our own hemisphere.

Finally, Mr. President, this election means that another nation has rejected communism. The Sandinista government had many advantages in this election. The Sandinistas controlled the army, the Sandinistas controlled the police, the Sandinistas controlled all of the mechanisms of government. They provided State media, State vehicles, all to support their political campaign. But the opposition had something even more powerful than money and government position. The opposition had the hopes of the Nicaraguan people for positive change.

When the people were given an opportunity in Nicaragua to choose, they chose democracy. In so doing, they have joined an impressive expanding list of nations around the world who were given the opportunity to choose between authoritarian rule and rule by the people, of the people and for the people, have elected democracy.

Mr. President, I believe that we, as Americans, who for 200 years have held high the beacon of democracy around the world, who believe in the words of our Declaration of Independence, can share the pride of the people of Nicaragua for their victory yesterday. Thank you.

THE NAMIBIAN CONSTITUTION

Mr. HATCH. Mr. President, last November nearly 700,000 Namibians, approximately 97 percent of that country's total electorate, cast their ballots to elect a constituent assembly to write a constitution for an independent Namibia.

The Constituent Assembly has now fulfilled its mandate, and the Constitution adopted last week will put Namibia well on the road to being the most liberal democracy in Africa. Rooted in the rule of law, the Namibian Constitution centers around a system of separation of powers, provides checks and balances, and guarantees fundamental rights and human dignity for all.

The people of Namibia, and particularly its founding fathers, deserve our praise and congratulations. They have truly given Africa and the world a lesson in democracy.

I would like to submit for the record a statement made by two American constitutional scholars, Profs. Dennis L. Thompson of Brigham Young University and John Norton Moore of the University of Virginia. The statement was made at the conclusion of their visit to Namibia as guests of the Foundation for Democracy in Namibia to observe the constitutional process.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESS STATEMENT OF AMERICAN CONSTITUTIONAL SCHOLARS ON THE HISTORIC OCCASION OF THE FRAMING OF THE NAMIBIAN CONSTITUTION JANUARY 26, 1990

We congratulate the people of Namibia at this historic time of preparing a national constitution and imminent independence. The independence of Namibia as a free and democratic nation based on equal rights for all is a triumph of the human spirit and the rule of law.

It has been an honor and a privilege to observe the development of a Constitution for Namibia at the invitation of the Foundation for Democracy in Namibia. We have come as private citizens to observe and our comments are not necessarily those of the Foundation, our government or our universities. We are particularly appreciative of the opportunity to have met with all political parties represented in the newly elected Constituent Assembly as they have participated in the historic framing of the Constitution. And we have been encouraged by the goodwill extended by the delegates in the Constituent Assembly toward each other. There is a sense of cooperation and determined effort to succeed in drafting a document which will endure through the generations.

The preparation of a national constitution is one of the most important events in the life of any nation. It is essential that it takes place in an atmosphere of careful and full deliberation. Indeed, such an atmosphere conducive to full embodiment of the principles of democracy, fundamental rights of mankind and the rule of law, which are a reflection of the basic principles in the Namibian struggle for independence, can only facilitate the immediate realization of full independence. Moreover, a careful process of consensus building in the preparation of the Constitution would begin an important tradition in the national life of Namibia and would greatly strengthen the first national government. As such, we would emphasize a point repeatedly made to us in our discussions with national leaders that it is strongly in the interest of the new Nation to proceed carefully and with full deliberation in its preparation of a Constitution.

As we observe the historic process of Constitution building in Namibia—itself an important milestone in progress toward universal realization of freedom and human dignity—we are mindful of the framing of our own Constitution by the founding fathers some 200 years ago and of the great debt our Nation owes to their work. In 1987 the United States proudly celebrated the bicentennial of our Constitution and next year we will celebrate the bicentennial of the Bill of Rights. In great measure the enduring of the Republic is due to the sound principles of democratic governance bequeathed by our constitutional framers enabling progressive realization of human freedom and dignity for all in a government genuinely of the people, by the people and for the people.

We believe that all nations must develop their own Constitution and law. Experiences and circumstances differ and constitutions must reflect those differences. Nevertheless, we are mindful of certain constitutional principles underlying our own experience which we believe are broadly reflective of the successful experience of many democratic nations throughout human history. The most important of these are that democratic governments should be constructed around a system of separation of powers, checks and balances and division of powers encouraging both consensus building in government and democratic responsiveness to the people; that a just constitutional system must be rooted in the rule of law rather than decree by might; that an effective democracy must guarantee fundamental rights and human dignity for all, and that government which encourages freedom in the economic sphere, as it encourages freedom elsewhere, will be far more successful in unleasing the creative potential of its citizens and realizing its developmental aspirations.

As we have observed the historic Constitution building in Namibia we are mindful of these fundamental principles and heartened by the trends we see. The basic thrust of the draft Constitution to date reflects the determination of the people of Namibia for a multi-party democratic Nation with equal opportunity and human dignity for all. We are also heartened by the consensus building at work in the Constitutional drafting process.

Dennis L. Thompson, Associate Academic Vice President and Professor of Political Science at Brigham Young University; John Norton Moore, The Walter L. Brown Professor of Law and Director of the Graduate Program at the University of Virginia School of Law.

[From the Windhoek Advertiser, Feb. 1, 1990]

CONSTITUTION THE MOST LIBERAL IN AFRICA

The controversial paragraphs four to seven of article 11 were dropped after Shadow Attorney-General Hartmut Ruppel informed the CA that Swapo had agreed, in the words of Namibia National Front (NNF) President, Mr Vekuui Rukoro, "To give humanity and human rights a chance."

Detention without trial in independent Namibia will now only be possible under martial law or State of Emergency. In such cases it will be subject to Parliamentary reviews.

The CA also on Wednesday accepted that freedom of speech and the Press was a nonderogable right which could not be taken away even in a state of war or under national emergency.

With the abolition of the death penalty this makes the constitution one of the most liberal in Africa.

LIMIT

The CA also decided to limit the powers of the Executive President even further by creating, at the suggestion of Shadow Minister of Information, Mr Hipido Hamutenya, and Action Christian National Chairman Mr Jan de Wet, a Security Service Commission to advise the President on the appoint of the Chief of Defense Force and the Inspector-General of Police.

After a long and somewhat heated exchange of the matter, the Assembly reached what the Chairman Mr. Hage Geingob called "An historic compromise."

NOMINATING

These important—and in a recently wartorn society like Namibia potentially divisive—positions will now be filled by a Parliamentary-approved Commision naming candidates for appointment by the President.

The first appointments, however, will be made by the President in consultation with the leaders of other parties in the Assembly.

The Assembly, after a long and inconclusive discussion on the role of the Attorney-General and that of the Prosecutor-General, decided that the lawyers in the House would meet legal advisers and completely redraft two articles dealing with these positions.

BESSINGER

It also accepted two proposals by Shadow Minister of Wildlife, Conservation and Tourism, Mr Niko Bessinger, to make stronger provision for environmental issues by focusing on the need to preserve natural resources, eco-systems and biological resources, as well as the beauty and character of the country, not only for the present generation but also for the future.

These measures were also placed under the authority of the independent ombudsman who will control and monitor abuses in the Civil Service.

ACADEMIC

The Assembly decided, at the suggestion of Mr Katjiuongua, to include academic freedom as a fundamental and irrevocable right in the Bill of Rights. It decided that only citizens by birth or decent could become president.

A paragraph giving the President power to declare Martial Law "Whether or not a state of war with another country exists, but only in a situation in which war prevails." was referred back to legal advisers for clarification after an objection from Mr. Katjiuongua.

APPROVAL

The CA made it obligatory for the President to seek Parliamentary approval for a Declaration of War, after Mr Katiuongua used the example of the Vietnam war to point out the danger of Presidents waging unpopular armed conflicts.

A decision on whether Deputy Ministers had to be appointed from among the mem-

bers of the National Assembly and whether they were part of the Cabinet was deferred.

NUJOMA

President-in-waiting Sam Nujoma made his first contribution to the debate in the Assembly when he told the House the Namibian people had suffered under apartheid and bantustans and that the aim was to create a central government.

Therefore Regional Governors would be appointed from Windhoek, he said during a discussion on what the Chairman of a Regional Council Management Committee should be called.

It was decided they would be called "Chairperson of the Management Committee" and hold office for three years.

The CA now has only about 20 of the 138 articles of the constitution left to discuss, as well as seven schedules, while some clauses have to approved after consultation with legal advisers.

The rest of the Constitution is expected to be discussed in the Assembly this afternoon.—Sapa

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Under the order, morning business is closed.

NATIONAL AND COMMUNITY SERVICE ACT

The PRESIDENT pro tempore. Also under the order, the Senate will now proceed to the consideration of S. 1430, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1430) to enhance national and community service, and for other purposes.

The Senate proceeded to consider the bill, which had reported from the Committee on Labor and Human Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "National and Community Service Act of 1989".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.
Sec. 2 Findings.
Sec. 3. Purposes.

TITLE I—SCHOOL BASED COMMUNITY SERVICE

PART A—SCHOOL BASED COMMUNITY SERVICE

Sec. 101. Short title.
Sec. 102. Program authorized.
Sec. 103. Definitions.
Sec. 104. Allocation of funds.
Sec. 105. State application.
Sec. 106. Local application.
Sec. 107. Federal share.
Sec. 108. Use of funds.
Sec. 109. Federal activities.
Sec. 110. Evaluation.
Sec. 111. Authorization of appropriations.

PART B—HIGHER EDUCATION

Sec. 121. Innovative projects for community service.

PART C—STATE STUDENT INCENTIVE GRANT AND WORK STUDY PROGRAMS

Sec. 131. Additional reservation for campus-based community work learning study jobs.
Sec. 132. Work study programs.

PART D—PUBLICATION

Sec. 141. Information for students.
Sec. 142. Exit counseling for borrowers.
Sec. 143. Department information on deferments and cancellations.
Sec. 144. Data on deferments and cancellations.

PART E—DIRECT LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Sec. 151. Loan cancellation authorized.
Sec. 152. Effective date.

PART F—LOAN FORGIVENESS

Sec. 161. Loan forgiveness.
Sec. 162. Effective date.

TITLE II—YOUTH SERVICE CORPS

Sec. 201. Short title.
Sec. 202. Definitions.
Sec. 203. Program authorized.
Sec. 204. Allocation of funds.
Sec. 205. State application.
Sec. 206. Focus of programs.
Sec. 207. Related programs.
Sec. 208. Public lands or Indian lands.
Sec. 209. Training and education services.
Sec. 210. Amount of award.
Sec. 211. Matching requirement.
Sec. 212. Preference for certain projects.
Sec. 213. Effect of allowances on eligibility for other Federal assistance.
Sec. 214. Age and citizenship criteria for enrollment.
Sec. 215. Post-service benefits.
Sec. 216. Living allowance.
Sec. 217. Joint projects involving the Department of Labor.
Sec. 218. Federal and State employee status.
Sec. 219. Authorization of appropriations.

TITLE III—NATIONAL SERVICE DEMONSTRATION PROGRAM

Sec. 301. Short title.
Sec. 302. Definitions.
Sec. 303. Grants.
Sec. 304. Types of national service.
Sec. 305. Terms of service.
Sec. 306. Eligibility.
Sec. 307. Vouchers.
Sec. 308. Living allowance.
Sec. 309. Training.
Sec. 310. Use of funds.
Sec. 311. Public-private partnership.
Sec. 312. In-service education benefits.
Sec. 313. National Service Demonstration Program amendments.
Sec. 314. Authorization of appropriations.

TITLE IV—CORPORATION FOR NATIONAL SERVICE

Sec. 401. Definitions.
Sec. 402. Establishment of Corporation; application of District of Columbia Nonprofit Corporation Act.
Sec. 403. Board of directors.
Sec. 404. Officers and employees.
Sec. 405. Nonprofit and nonpolitical nature of the Corporation.
Sec. 406. Housing and education vouchers; living allowances.
Sec. 407. Reports.
Sec. 408. Supplementation.
Sec. 409. Prohibition on use of funds.
Sec. 410. Nondiscrimination.
Sec. 411. Notice, hearing, and grievance procedures.
Sec. 412. Nonduplication and nondisplacement.
Sec. 413. State advisory board.
Sec. 414. Evaluation.
Sec. 415. Funding.
Sec. 416. Functions of the National Service Board.
Sec. 417. Presidential awards for service.
Sec. 418. Comprehensive service strategy.
Sec. 419. Engagement of participants.

TITLE V—EXPANSION OF VOLUNTEERS IN SERVICE TO AMERICA

Sec. 501. Short title.
Sec. 502. Authorization of appropriations.

TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

Sec. 601. Short title.
Sec. 602. Programs of national and local significance.
Sec. 603. Authorization of appropriations.

SEC. 2 FINDINGS.

Congress finds that—

(1) service to the community and the Nation is a responsibility of all citizens of the United States, regardless of the economic level or age of such citizens;

(2) citizens of the United States who become engaged in service at a young age will better understand the responsibilities of citizenship and continue to serve the community into adulthood;

(3) serving others builds self-esteem and teaches teamwork, decision making, and problem-solving;

(4) the 70,000,000 youth of the United States who are between ages 5 and 25 offer a powerful and largely untapped resource for community service;

(5) conservation corps and human service corps provide important benefits to participants and to the community;

(6) the Volunteers in Service to America Program (hereinafter in this Act referred to as "VISTA"), as established by title I of the Domestic Volunteer Act of 1973 (42 U.S.C. 4951 et seq.), is one of the most cost effective means to fight poverty in the United States;

(7) the cost of higher education, loan indebtedness, and the high price of housing deter many young adults from volunteering for VISTA and other service programs that involve a substantial time commitment;

(8) older Americans, through the Older American Volunteer Programs (as established by title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.)), provide 500,000,000 hours of service each year and are a vital force in addressing national problems;

(9) many potential volunteers cannot participate in a full-time volunteer service program, but should have the option of part-time service in such a program; and

(10) a range of full-time and part-time national and community service opportunities should be made available to all citizens, particularly youth and older Americans.

SEC. 3. PURPOSES.

It is the purpose of this Act to—

(1) renew the ethic of civic responsibility in the United States;

(2) ask citizens of the United States, regardless of age or income, to engage in full-time or part-time service to the Nation;

(3) begin to call young people to serve in national volunteer programs;

(4) enable young Americans to make a sustained commitment to national service by removing barriers to such service that have been created by high education costs, loan indebtedness, and the cost of housing;

(5) build on the existing organizational framework of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citi-

zens, particularly youth and older Americans;

(6) involve volunteers in activities that would not otherwise be performed by employed workers; and

(7) generate 1,000,000,000 additional volunteer service hours to help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty.

TITLE I—SCHOOL BASED COMMUNITY SERVICE

PART A—SCHOOL BASED COMMUNITY SERVICE

SEC. 101. SHORT TITLE.

This part may be cited as "Serve America, the Service to America Act of 1989".

SEC. 102. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized, in accordance with the provisions of this Act, to make grants to States or local applicants to create or expand service opportunities for students and out-of-school youth and for community members, particularly senior citizens, to volunteer in schools.

(b) TERM OF GRANT.—The term of the grants may be for a period of not longer than 3 years.

SEC. 103. DEFINITIONS.

For purposes of this part—

(1) COMMUNITY-BASED AGENCY.—The term "community-based agency" means a private nonprofit organization that is representative of a community or a significant segment of a community and that is engaged in meeting human, educational, or environmental community needs.

(2) EDUCATION INSTITUTION.—The term "education institution" means a local educational agency, elementary or secondary school or a community-based agency that provides educational services.

(3) EDUCATION PARTNERSHIP PROGRAM.—The term "education partnership program" means a program in which school volunteers work in an educational institution in support of the school's objectives to enhance the education of students.

(4) ELEMENTARY SCHOOL.—The term "elementary school" has the same meaning given that term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

(5) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(6) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given that term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

(7) LOCAL GOVERNMENT AGENCY.—The term "local government agency" means a public agency that is engaged in meeting human, social, educational, or environmental needs.

(8) OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means an individual who has not attained the age of 25, has not completed college or the equivalent, and is not enrolled in an elementary or secondary school or institution of higher education.

(9) PARTICIPANT.—The term "participant" means a student or out-of-school youth who provides services pursuant to a program funded under this title.

(10) PARTNERSHIP PROGRAM.—The term "partnership program" means a cooperative effort to enhance the education of students among an education institution and one or more of the following:

(A) the private sector;

(B) public and non-profit agencies;

(C) institutions of higher education; and

(D) community organizations.

(11) PLACEMENT.—The term "placement" means the matching of a participant or team with a specific project.

(12) PROJECT.—The term "project" means any activity that results in a specific identifiable service or product that otherwise would not be done with existing funds, and which shall not duplicate the routine services or functions of the employer to whom participants are assigned.

(13) SCHOOL VOLUNTEER.—The term "school volunteer" means a person beyond the age of compulsory schooling, including an older American, an employee of a private business, an employee of a public or nonprofit agency, or any other individual working without financial remuneration and under the direction of professional staff within a school or school district.

(14) SECONDARY SCHOOL.—The term "secondary school" has the same meaning given that term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

(15) SECRETARY.—The term "Secretary" means the Secretary of Education.

(16) SERVICE OPPORTUNITY.—The term "service opportunity" means a program or project enabling students or out-of-school youth to perform meaningful and constructive service in agencies, institutions, and situations where the application of human talent and dedication may help to meet human, educational, and environmental community needs, especially those relating to poverty.

(17) STATE.—The term "State" means a State, the Commonwealth of Puerto Rico, Guam, the District of Columbia, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or Palau.

(18) STATE AGENCY FOR HIGHER EDUCATION.—The term "State agency for higher education" means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(19) STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the same meaning given that term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).

(20) STUDENT.—The term "student" means an individual who is enrolled full-time or part-time in an elementary or secondary school or institution of higher education.

(21) STUDENT COMMUNITY SERVICE PROGRAM.—The term "student community service program" means a program in which students or out-of-school youths are offered service opportunities in the community or an educational institution.

SEC. 104. ALLOCATION OF FUNDS.

(a) GRANTS TO STATES.—

(1) IN GENERAL.—The Secretary shall use 85 percent of the funds appropriated under section 111 to make grants to States that have submitted applications under section 105.

(2) CONSIDERATIONS IN AWARDING GRANTS.—

(A) IN GENERAL.—In awarding grants to States, the Secretary shall consider the number of students enrolled in elementary and secondary schools in the State, the quality of the proposal, and evidence of State commitment to the program.

(B) GRANT FORMULA.—If more than $50,000,000 is appropriated for this part, then the Secretary shall allocate 85 percent of the funds appropriated under section 110 according to the chapter 1 basic grant formula described in section 1005 of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711) to States that have applications approved under section 105.

(b) REMAINDER.—The Secretary shall use the remaining 15 percent of the funds appropriated under section 111 for program support, evaluation, training, technical assistance, and activities described in section 109.

(c) LOCALITY APPLICATION.—If a State does not apply for assistance under this part or if a State does not have an application approved under section 105, the Secretary, may make grants directly to local applicants. The Secretary shall apply the criteria described in section 106 in evaluating such local applications.

SEC. 105. STATE APPLICATION.

Each State desiring to receive a grant under this part shall, through the State educational agency, submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each of such applications shall describe how—

(1) local applications will be ranked according to criteria described in section 106;

(2) service programs in the State will be coordinated;

(3) cooperative efforts among education institutions, local government agencies, community-based agencies, businesses, and State agencies to provide service opportunities, including those that involve the participation of urban, suburban, and rural youth working together will be encouraged;

(4) economically and educationally disadvantaged students, including individuals with handicapping conditions, are assured service opportunities;

(5) service programs receiving funds under this title will be evaluated;

(6) programs funded under this part will serve urban and rural areas and any tribal areas that exist in such State;

(7) technical assistance and training will be provided to service programs in the State;

(8) non-Federal funds will be used to expand service opportunities for students and out-of-school youth; and

(9) disseminations of information and outreach will be used to ensure involvement of a broad range of organizations, particularly community-based organizations.

SEC. 106. LOCAL APPLICATION.

(a) APPLICATION REQUIRED.—

(1) PARTNERSHIP.—

(A) IN GENERAL.—Any education institution, local government agency, community-based agency or consortia thereof desiring to receive a grant under this part shall form a partnership consisting of 1 or more education institutions and 1 or more local government or community-based agencies.

(B) EXCEPTION.—The provisions of subparagraph (A) shall not apply if the applicant is (A) an education institution that plans to provide service opportunities solely within an education institution; or (B) an education institution that has formed a partnership with 1 or more private businesses to conduct an educational partnership program.

(2) CONTENT OF APPLICATION.—Applicants shall apply to the State educational agency at such time and in such manner as the State educational agency may reasonably require. Each such application shall—

(A) contain a written agreement between the institution with which participants or school volunteers are affiliated and 1 or more representatives of the community or education institution where service opportunities will be provided stating that the program was jointly developed by the parties and that the program will be jointly executed by the parties;

(B) specify the membership and role of an advisory committee consisting of representatives of community agencies, service recipients, youth serving agencies, students, parents, teachers, administrators, school board members, labor, and business;

(C) describe the goals of the program, including goals that are quantifiable, measurable, and demonstrate benefits to the participants or school volunteers and the community;

(D) set forth the service opportunities to be provided;

(E) describe how the participants or school volunteers will be recruited, including any special efforts to recruit out-of-school youth with the assistance of community-based agencies;

(F) describe how participants or school volunteers were or will be involved in the design and operation of the program;

(G) state the name, if available, qualifications, and responsibilities of the coordinator of any program assisted under this Part;

(H) describe preservice and inservice training to be provided to supervisors and participants or school volunteers;

(I) describe the means by which exemplary service will be recognized;

(J) describe potential resources that will permit continuation of the program, if needed, upon the conclusion of Federal funding; and

(K) contain assurances that, before a placement of a participant or school volunteer is made, the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

(3) STUDENT COMMUNITY SERVICE PROGRAM.—If the applicant plans to operate a student community service program, in addition to the above information, each applicant shall—

(A) describe an age-appropriate learning component for participants that includes, but is not limited to, a chance for participants to reflect on service experiences and expected learning outcomes;

(B) describe whether or not the participants will receive academic credit for participation;

(C) set forth the target numbers of students and out-of-school youth who will participate in the program assisted under this part and the target numbers of hours of service such participants will provide individually and as a group;

(D) describe the proportion of expected participants who are educationally or economically disadvantaged, including participants with handicapping conditions;

(E) describe the ages or grade levels of expected participants;

(F) include other relevant demographic information about expected participants; and

(G) provide assurances that participants will be provided with information on VISTA, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), chapter 30 of title 38, United States Code, chapter 106 of title 10, United States Code, full-time Youth Service Corps and National Service Demonstration programs funded under this Act, and other service options and their benefits, such as student loan deferment and forgiveness, as appropriate.

(b) APPROVAL.—

(1) STUDENT COMMUNITY SERVICE PROGRAMS.—In the case of student community service programs, the State educational agency shall approve only local applications describing programs that provide—

(A) an age-appropriate learning component for participants to reflect on service experiences;

(B) preservice and inservice training for both supervisors and participants involving representatives of the community where service opportunities will be provided; and

(C) evidence that participants will make a sustained commitment to the service project.

(2) SCHOOL VOLUNTEER AND PARTNERSHIP PROGRAMS.—In the case of school volunteer and partnership programs, the State educational agency shall only approve local applications describing programs that provide—

(A) preservice and inservice training for both supervisors and school volunteers;

(B) opportunities for school volunteers to work with at-risk children or their teachers.

(c) PRIORITY.—

(1) IN GENERAL.—In providing assistance pursuant to this part, the State educational agency shall give priority to applications describing—

(A) programs which involve participants in the design and operation of the program;

(B) programs in greatest need of assistance, such as programs targeting low-income areas;

(C) programs which involve individuals of different ages, races, sexes, ethnic groups, and economic backgrounds serving together; and

(D) in the case of applicants that are educational institutions, programs that are integrated into the academic program.

(2) SCHOOL VOLUNTEER AND PARTNERSHIP PROGRAM.—In the case of a school volunteer and partnership program, the State educational agency shall give priority to applications describing programs—

(A) involving older Americans as school volunteers;

(B) involving a partnership between an educational institution and a private business in the community; or

(C) which focus on drug and alcohol abuse prevention, school drop-out prevention, or nutrition and health education.

(d) DURATION.—Grants to local applicants under this part may be for up to a 3-year period and are renewable for a second period of up to 3 years to expand or improve an existing program or to initiate a new program.

SEC. 107. FEDERAL SHARE.

(a) FEDERAL SHARE.—

(1) REQUIREMENTS FOR STATES.—Funds provided pursuant to this part shall not be used by a State to pay more than 75 percent of the costs of programs assisted under this title.

(2) REQUIREMENT FOR LOCAL APPLICANTS.—

(A) LIMITATION ON FUNDS.—Funds provided pursuant to this part may not be used by a local applicant to pay more than—

(i) 80 percent of the costs of programs assisted under this title for the first year in which the applicant receives funds under this part;

(ii) 70 percent of the costs of programs assisted under this title for the second year in which the applicant receives funds under this part;

(iii) 60 percent of the costs of programs assisted under this title for the third year in which the applicant receives funds under this part; and

(iv) 50 percent of the costs of programs assisted under this title for the fourth and each succeeding year in which the applicant receives funds under this part.

(B) PAYMENT BY LOCAL APPLICANT.—

(i) NON-FEDERAL SOURCES.—The portion of the costs of programs assisted under this part that are to be paid by a local applicant from sources other than Federal funds may be paid in cash or in kind, fairly evaluated.

(ii) PRIVATE PROFITMAKING ORGANIZATIONS.—If the portion of the costs of programs assisted under this part to be paid by a local applicant from sources other than Federal funds are paid by private profitmaking organizations then subsection (a) shall be applied by substituting—

(I) "85 percent" for "80 percent";

(II) "75 percent" for "70 percent"; and

(III) "65 percent" for "60 percent".

SEC. 108. USE OF FUNDS.

(a) STATES.—

(1) ADMINISTRATION.—States shall use no more than 20 percent of funds allocated under section 104 for the costs of administration, including training, technical assistance, curriculum development, and coordination activities.

(2) SCHOOL VOLUNTEER AND PARTNERSHIP PROGRAMS.—States shall use no more than 10 percent of funds allocated under section 104 for school volunteer and partnership programs.

(b) LOCAL APPLICANTS.—Local applicants may use funds provided under this part for supervision of participants, program administration, training, reasonable transportation costs, insurance, and other reasonable expenses.

(c) STIPENDS.—Funds provided under this part shall not be used to pay any stipend, allowance, or other financial support to any participant except reimbursement for transportation, meals, and other reasonable out-of-pocket expenses incident to participation in a program assisted under this part.

SEC. 109. FEDERAL ACTIVITIES.

(a) CLEARINGHOUSES.—

(1) IN GENERAL.—The Secretary, in consultation with the National Service Board authorized under title IV of this Act, is authorized to fund one or more national or regional clearinghouses on service.

(2) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—Public and private nonprofit agencies with extensive experience in student community service and school volunteer and partnership programs shall be eligible to receive funds under paragraph (1) of this subsection.

(3) FUNCTION OF CLEARINGHOUSES.—National and regional clearinghouses funded under paragraph (1) shall provide information, curriculum materials, technical assistance, and training to States and local entities eligible to receive funds under this part.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Board of Directors for the Corporation for National Service as established under section 403, is authorized to make grants to fund national model youth service programs.

(2) ELIGIBILITY.—States, education institutions, local government agencies, community-based agencies, or consortia of the above organizations shall be eligible to receive grants under paragraph (1) of this subsection.

(3) DISSEMINATION OF INFORMATION.—The Secretary shall widely disseminate informa-

tion about national model youth service programs funded under paragraph (1) of this subsection.

(c) INNOVATIVE CURRICULUM MATERIALS.—The Secretary is authorized to make grants for the development of innovative curriculum materials for use in student community service and school volunteer partnership programs.

SEC. 110. EVALUATION.

(a) EVALUATION.—The Secretary shall provide, through grants or contracts, for the continuing evaluation of programs assisted under this part, including evaluations that measure and evaluate the impact of programs authorized by this part, in order to determine program effectiveness in achieving stated goals in general and in relation to cost, the impact on related programs, and the structure and mechanisms for delivery. Such evaluations shall include, where appropriate, comparisons with appropriate control groups composed of individuals who have not participated in such programs. Evaluations shall be conducted by individuals not directly involved in the administration of the program evaluated.

(b) STANDARDS.—The Secretary shall develop and publish general standards for evaluation of program effectiveness in achieving the objectives of this part.

(c) INPUT.—In carrying out evaluations under this part, the Secretary shall include the opinions of program participants and members of the communities where services are delivered concerning the strengths and weaknesses of such programs.

(d) PUBLICATION.—The Secretary shall publish summaries of the results of evaluations of program impact and effectiveness no later than 60 days after the completion of such evaluation.

(e) OWNERSHIP OF PROPERTY.—All studies, evaluations, proposals, and data produced or developed with assistance under this part shall become the property of the United States.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part, $65,000,000 for fiscal year 1991, and such sums as may be necessary for each of the 4 succeeding years.

PART B—HIGHER EDUCATION

SEC. 121. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

Part C of Title X of the Higher Education Act of 1965 (20 U.S.C. 1135e et seq.) is amended to read as follows:

"PART C—INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

"STATEMENT OF PURPOSE

"SEC. 1061. It is the purpose of this part to support innovative projects to determine the feasibility of encouraging student participation in community service activities before, during, or after the completion of such student's higher education.

"INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

"SEC. 1062. (a) GENERAL AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants to, and contracts with, institutions of higher education (including combinations of such institutions), and other public agencies and nonprofit organizations working in partnership with institutions of higher education, for purposes including, but not limited to—

"(1) encouraging students to participate in community service activities that will engender a sense of social responsibility and commitment to the community;

"(2) creating opportunities for students to engage in community service activities in exchange for financial assistance that reduces the debt acquired by students in the course of completing postsecondary education;

"(3) encouraging student-initiated and student-designed community service projects; and

"(4) encouraging the integration of community service into academic curricula.

"ADMINISTRATIVE PROVISIONS

"SEC. 1063. (a) APPLICATION.—No grant may be made, and no contract may be entered into, under section 1062 unless an application is made to the Director of the Fund for Improvement of Postsecondary Education (hereinafter referred to as the "Director") at such time, in such manner, and contained or accompanied by such information as the Director may reasonably require.

"(b) Consistent with the provisions of section 1003(c), the National Board of the Fund for the Improvement of Postsecondary Education shall advise the Director on programs, priorities, and the selection of projects developed under the authority of section 1062.

"(c) TECHNICAL EMPLOYEES.—(1) The Secretary may appoint, for terms not to exceed 3 years, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service, technical employees to administer this title who may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

"(2) The Secretary may appoint no more than 1 technical employee for each $2,000,000 appropriated under section 1064.

"(d) The provisions of section 1004(b) shall apply to grants made under section 1062.

"(e) Nothing in this part shall be construed as requiring an institution of higher education to offer academic credit as a requirement of receiving assistance under this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1064. There are authorized to be appropriated to carry out this part, $35,000,000 for fiscal year 1991, and such sums as may be necessary for each of the 4 succeeding years."

PART C—STATE STUDENT INCENTIVE GRANT AND WORK STUDY PROGRAMS

SEC. 131. ADDITIONAL RESERVATION FOR CAMPUS-BASED COMMUNITY WORK LEARNING STUDY JOBS.

Section 415B(a) of the Higher Education Act of 1965 (20 U.S.C. 1070c–1(a)) is amended by inserting the following new paragraph at the end thereof:

"(3)(A) In the event the appropriation for this subpart exceeds $75,000,000, the Secretary shall, notwithstanding the provisions of section 415(C)(b)(3)(A), allot 50 percent of such excess to the States for the purpose described in section 415(C)(b)(3)(B).

"(B) The Secretary shall make the allotment required under subparagraph (A) on the basis of the number of students participating in campus-based community work learning study jobs assisted under this subpart in each State as compared to the total number of students participating in such jobs in all States.".

SEC. 132. WORK STUDY PROGRAMS.

(a) WORK STUDY PROGRAMS.—Section 443(b)(5) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(5)) is amended by striking "and 70 percent for academic year 1990–1991" and inserting "70 percent for academic years 1990–1991 and 1991–1992, and 60 percent for academic year 1992–1993".

(b) COMMUNITY SERVICE LEARNING PROGRAMS.—Section 443(b)(5)(B) of the Act is amended by striking "90" and inserting "100".

PART D—PUBLICATION

SEC. 141. INFORMATION FOR STUDENTS.

(a) Section 485(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(a)(1)) (hereafter in this part referred to as the "Act") is amended—

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following:

"(L) the terms and conditions under which students receiving guaranteed student loans under part B of this title or direct student loans under part E of this title, or both, may—

"(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness, and

"(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.).".

(b) Section 487(a)(7) of the Act (20 U.S.C. 1094(a)(7)) is amended by inserting before the period a comma and the following: "particularly the requirements of subsection (a)(1)(L) of such section".

SEC. 142. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of the Act (20 U.S.C. 1092(b)) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (2):

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

SEC. 143. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of the Act (20 U.S.C. 1092(d)) is amended by inserting the following before the last full sentence: "The Secretary shall provide information on the specific terms and conditions under which students may obtain partial cancellation or defer repayment of loans for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) and Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness, shall indicate (in terms of the Federal minimum wage) the maximum level of

compensation and allowances which a student borrower may receive from a tax-exempt organization to qualify for a deferment, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.".

SEC. 144. DATA ON DEFERMENTS AND CANCELLATIONS.

Section 485B(a) of the Act (20 U.S.C. 1092b(a)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (4):

"(5) the exact amount of loans partially canceled or in deferment for service under the Peace Corps Act (22 U.S.C. 2501 et seq.)), for service under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), and for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

PART E—DIRECT LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

SEC. 151. LOAN CANCELLATION AUTHORIZED.

(a) Section 465(a)(2) of the Higher Education Act of 1965 (20 U.S.C.1087ee(a)(2)) (hereafter in this part referred to as the "Act") is amended—

(1) by striking out "or" at the end of clause (D);

(2) by striking out the period at the end of clause (E) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new clause:

"(F) as a full-time volunteer in service comparable to service referred to in subparagraph (E) for an organization of demonstrated effectiveness which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code 1986.".

(b) Section 465(a)(3)(A) of the Act (20 U.S.C. 1087ee(a)(3)(A)) is amended—

(1) by striking out "or" at the end of clause (iii);

(2) by striking out the period at the end of clause (iv) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new clause:

"(v) in the case of service described in subparagraph (F) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service.".

SEC. 152. EFFECTIVE DATE.

The amendments made by sections 2 and 3 of this part shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this part to individuals who are new borrowers on that date.

PART F—LOAN FORGIVENESS

SEC. 161. LOAN FORGIVENESS.

(a) STUDENT VOLUNTEER.—Section 427(a)(2)(B)(ii) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(B)(ii)) (hereafter in this Act referred to as the "Act") is amended by inserting after "that" a comma and the following: "subject to the provisions of subparagraph (H),".

(2) Section 427(a)(2) of the Act (20 U.S.C. 1077(a)(2)(B)(ii) is amended by—

(A) striking out "and" at the end of subparagraph (G);

(B) redesignating subparagraph (H) as subparagraph (I); and

(C) inserting after subparagraph (G) the following new subparagraph (H):

"(H) provides (subject to section 432(j)) in the case of any student borrower who, prior to the beginning of the repayment period, agrees in writing to volunteer for service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax exempt organization of demonstrative effectiveness for the payment by the United States of the percent of the amount of loans specified in section 432(j), and".

(b)(1) Section 428(b)(1)(D) of the Act (20 U.S.C. 1078(b)(1)(D)) is amended by inserting after "paragraph" the following: "and subject to subparagraph (V)".

(2) Section 428(b)(1) of the Act (20 U.S.C. 1078(b)(1)(D)) is amended by—

(A) striking out "and" at the end of subparagraph (T);

(B) striking out the period at the end of subparagraph (U) and by inserting in lieu thereof a semicolon and "and"; and

(C) adding at the end thereof the following new subparagraph:

"(V) provides (subject to section 432(j)) in the case of any student borrower who, prior to the beginning of the repayment period, agrees in writing to serve as a volunteer for service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness for the payment by the United States of the percent of the amount of loans specified in section 432(j).".

(c) Section 432 of the Act (42 U.S.C. 1082) is amended by adding at the end thereof the following new subsection:

"(j) PARTIAL CANCELLATION AUTHORITY.—(1) The Secretary shall enter into an agreement with any student borrower described in section 427(a)(2)(H) or 428(b)(1)(V) under which the borrower agrees to serve as a volunteer under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness.

"(2) The agreement under paragraph (1) shall contain provisions designed to assure that—

"(A) the Secretary will assume the obligation of paying the percent of any loan made, insured, or guaranteed under this part pursuant to the schedule described in paragraph (5); and

"(B) the student borrower who fails to volunteer for service in accordance with the agreement will assume the obligation of paying the amount of any such loan attributable to the period for which the student borrower failed to comply with the agreement.

"(3) The Secretary shall in each fiscal year pay to the holder of each loan for which the Secretary assumes responsibility under this subsection the amount specified in paragraph (5).

"(4) The Secretary shall waive or suspend any obligation of service or payment of any, or any part of, the loan to which the United States is entitled under paragraph (2)(A) whenever the Secretary determines that compliance by an individual with the agreement is impossible or would involve extreme hardship to the individual.

"(5)(A) The percent of a loan which shall be paid by the United States under paragraph (2)(A) of this subsection is 15 percent for the first or second year of service and 20 percent for the third or fourth year of service described in paragraph (1).

"(B) If a portion of the loan is paid by the Secretary under this subsection for any year, the entire amount of interest on such loan which accrues for such year shall be paid by the Secretary.

"(C) Nothing in this subsection shall be construed to authorize refunding of any repayment on the loan.".

SEC. 162. EFFECTIVE DATE.

The amendments made by section 161 of this part shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this Act to individuals who are new borrowers on that date.

TITLE II—YOUTH SERVICE CORPS

SEC. 201. SHORT TITLE.

This title may be cited as the "American Conservation and Youth Service Corps Act of 1989".

SEC. 202. DEFINITIONS.

As used in this title—

(1) BOARD.—The term "Board" means the National Service Board established under title IV.

(2) CREW LEADER.—The term "crew leader" means a participant who assists in the supervision of other participants engaged in work projects pursuant to this Act.

(3) CREW SUPERVISOR.—The term "crew supervisor" means the adult staff individual who is responsible for supervising a crew of participants, including the crew leader.

(4) INDIAN LANDS.—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes that is subject to restrictions on alienation imposed by the United States.

(5) INDIAN TRIBE.—The term "Indian tribe" means an Indian tribe, band, nation, or other group that is recognized as an Indian tribe by the Secretary of the Interior. Such term also includes a Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

(6) LOCAL APPLICANT.—The term "local applicant" means a public or private nonprofit agency that has applied to administer a program funded under this title.

(7) PARTICIPANT.—The term "participant" means an individual enrolled in a program funded under this title.

(8) PLACEMENT.—The term "placement" means the matching of a participant or crew with a specific project.

(9) PROGRAM.—The term "program" means an activity carried out under this title.

(10) PROGRAM AGENCY.—The term "program agency" means—

(A) a Federal or State agency designated to manage a program in a State;

(B) the governing body of an Indian tribe; or

(C) a local applicant administering a program funded under this title.

(11) PROJECT.—The term "project" means an activity that results in a specific identifiable service or product that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

(12) PUBLIC LANDS.—The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by an agency or instrumentality of a State or local government.

(13) STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau.

(14) SUMMER PROGRAM.—The term "summer program" means a program authorized under this title that is limited to the months of June, July, and August.

(15) YOUTH SERVICE CORPS PROGRAM.—The term "youth service corps program" means a program, such as a conservation corps or human services corps, that offers full-time, productive work (to be financed through stipends) with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training, and support services.

SEC. 203. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Board is authorized, in accordance with this title, to provide a grant to a State or local applicant to create or expand full-time or summer youth service corps programs.

(b) TERM OF GRANT.—The term of such grant shall be for a period not greater than three years.

(c) RENEWING GRANT.—The Board may renew such grant for an additional three-year term.

SEC. 204. ALLOCATION OF FUNDS.

(a) COMPETITIVE GRANT.—The Board may make competitive grants to States that have submitted applications under section 205.

(b) DIRECT GRANTS.—

(1) IN GENERAL.—If a State does not apply for assistance under this title, the Board may make a grant directly to a local applicant in such State.

(2) EVALUATION.—The Board shall apply the criteria described in section 205 in evaluating such local applicant.

(c) LIMITATION.—

(1) CAPITAL EQUIPMENT.—Not more than 10 percent of the amount of funds made available to a program agency under section 219 may be used for the purchase of major capital equipment.

(2) ADMINISTRATIVE EXPENSES.—Not more than 15 percent of the amount of funds made available to a program agency under section 219 may be used for administrative expenses.

(3) SUMMER PROGRAMS.—Not more than 10 percent of the amount of funds made available to a State under section 219 may be used for summer Youth Service Corps programs.

SEC. 205. STATE APPLICATION.

(a) SUBMISSION OF APPLICATION.—In order to receive a grant under section 219, a State shall submit an application to the Board at such time and in such manner as the Board may reasonably require.

(b) CONTENT OF APPLICATION FOR A STATE.—In such application, the State shall describe—

(1) any Youth Service Corps program proposed to be conducted directly by such State with funds provided under section 219; and

(2) any grant program to entities within such State proposed to be conducted by such State with funds provided under section 219.

(c) CONTENT OF APPLICATION FOR A STATE OR LOCAL APPLICANT.—In order to receive funds under section 219 to directly conduct a Youth Service Corps program pursuant to section 204 (a) or (b), each applicant shall include in the application for such funds—

(1) a comprehensive description of the objectives and performance goals for the program, a plan for managing and funding the program, and a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided by such program;

(2) a plan for certification of the training skills acquired by participants and award of academic credit to participants for competencies developed from training programs or work experience obtained under this title;

(3) an estimate of the number of participants and crew leaders necessary for the proposed projects, the length of time that the services of such participants and crew leaders will be required, the support services that will be required for such participants and crew leaders, and a plan for recruiting such participants, including educationally and economically disadvantaged youth and youth who have recently left foster care;

(4) a list of requirements to be imposed on such sponsoring organization of an individual serving in a program or project under this title, including a requirement that a sponsoring organization that invests in a project under this title by making a cash contribution or by providing free training of an individual participating in such program or project shall be given preference over a sponsoring organization that does not make such an investment;

(5) a description of the manner of appointment of sufficient supervisory staff (including participants who have displayed exceptional leadership qualities), who shall in turn provide for other central elements of a youth corps, such as crew structure and a youth development component;

(6) a description of a plan to ensure the on-site presence of knowledgeable and competent supervision at program facilities;

(7) a description of the facilities, quarters, and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment that will be provided by such applicant;

(8) a description of basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner that such standards shall be enforced;

(9) a description of the plan to assign participants to facilities as near to the homes of such participants as is reasonable and practicable;

(10) the assurance that, before a placement of a volunteer under this title is made, the program agency will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program; and

(11) such other information as the Board may prescribe.

(d) GRANT PROGRAM.—Each State desiring to receive funds under this title to conduct a grant program pursuant to subsection (b)(2) shall describe in its application how—

(1) local applicants will be evaluated;

(2) service programs in the State will be coordinated;

(3) economically and educationally disadvantaged youth, including youth who have left foster care, will be recruited;

(4) programs will be evaluated;

(5) the State will encourage cooperation among programs and the appropriate State job training coordinating council established under the Job Training and Partnership Act (29 U.S.C. 1501 et seq.);

(6) such State will certify the training skills acquired by each participant and the credit to each participant for competencies developed from training programs or work experience obtained under this title; and

(7) before any placement of a volunteer under this Act is made, the State will ensure that program agencies consult with each local labor organization representing employees in the area who are engaged in the same or similar work as the work that is proposed to be carried out by such program.

SEC. 206. FOCUS OF PROGRAMS.

(a) IN GENERAL.—Programs funded under this title may carry out projects that—

(1) in the case of conservation corps programs, focus on—

(A) conservation, rehabilitation, and improvement of wildlife habitat, rangelands, parks, and recreational areas;

(B) urban revitalization, and historical and cultural site preservation;

(C) fish culture, habitat maintenance and improvement, and other fishery assistance;

(D) road and trail maintenance and improvement;

(E) erosion, flood, drought, and storm damage assistance and controls;

(F) stream, lake, waterfront harbor, and port improvement;

(G) wetlands protection and pollution control;

(H) insect, disease, rodent, and fire prevention and control;

(I) the improvement of abandoned railroad beds and rights-of-way;

(J) energy conservation projects, renewable resource enhancement, and recovery of biomass;

(K) reclamation and improvement of strip-mined land; and

(L) forestry, nursery, and cultural operations; or

(2) in the case of human services corps programs, include service in—

(A) State, local, and regional governmental agencies;

(B) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, day care centers, programs serving individuals with handicapped conditions, and schools;

(C) law enforcement agencies, and penal and probation systems;

(D) private nonprofit organizations that primarily focus on social service;

(E) activities that focus on the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training that benefits educationally disadvantaged individuals, weatherization of and basic repairs to low-income housing, energy conservation (including solar energy techniques), removal of architectural barriers to access by handicapped individuals to public facilities, and conservation, maintenance, or restoration of natural resources on publicly held lands; and

(F) any other nonpartisan civic activities and services that the Board determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs (particularly needs related to poverty) or in the community where volunteer service is to be performed.

(b) INELIGIBLE SERVICE CATEGORIES.—In order to be eligible to receive assistance under this title, the service projects referred to in subsection (a) shall not be conducted by any—

(1) business organized for profit;
(2) labor union;
(3) partisan political organization;
(4) organization engaged in religious activities, unless such project does not involve any religious functions; or
(5) domestic or personal service company or organization.

(c) LIMITATION ON SERVICE.—No participant shall perform services in any project for more than a 1-year period.

SEC. 207. RELATED PROGRAMS.

An activity administered under the authority of the Secretary of Health and Human Services, that is operated for the same purpose as a program eligible to be carried out under this title, is encouraged to use services available under this title.

SEC. 208. PUBLIC LANDS OR INDIAN LANDS.

(a) LIMITATION.—The Board shall only fund programs that involve projects on public lands or Indian lands or that provide a public benefit.

(b) REVIEW OF APPLICATIONS.—The Board shall consult with the Department of the Interior in reviewing applications proposing programs or projects on public lands or Indian lands.

(c) CONSISTENCY.—A project carried out under this title for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—
(1) the provisions of law and policies relating to the management and administration of such lands, and all other applicable provisions of law; and
(2) all management, operational, and other plans and documents that govern the administration of such lands.

(d) RESERVATION OF FUNDS.—The Board shall reserve not more than 5 percent of funds appropriated under section 219 for Federal disaster relief programs.

SEC. 209. TRAINING AND EDUCATION SERVICES.

(a) ASSESSMENT OF SKILLS.—Each program agency shall assess the educational level of participants at the time of entrance into the program, using any available records or simplified assessment means or methodology.

(b) ENHANCEMENT OF SKILLS.—Each program agency shall, through programs and projects administered under this title, enhance the educational skills of participants in the program.

(c) PROVISION OF IN-SERVICE TRAINING AND EDUCATION.—
(1) REQUIREMENT.—A program agency shall use not less than 10 percent of the funds made available to such agency to provide in-service training and educational materials and services for participants and individuals serving in a project.
(2) AGREEMENTS FOR ACADEMIC STUDY.—A program agency that is receiving assistance under this Act may enter into arrangements with academic institutions or education providers, including—
(A) local education agencies;
(B) community colleges;
(C) 4-year colleges;
(D) area vocational-technical schools; and
(E) community based organizations;
for academic study by a participant in order for such participant or individual to upgrade literacy skills, to obtain a high school diploma or the equivalent of such diploma, to obtain a college degree, or to enhance employable skills.
(3) COUNSELING.—Career and educational guidance and counseling shall be provided to a participant during a period of in-service training as described in this subsection.
(4) PRIORITY FOR PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS.—A participant who has not obtained a high school diploma or the equivalent of such diploma shall have priority to receive services under this subsection.

(d) POST-SERVICE EDUCATION AND TRAINING ASSISTANCE.—
(1) USE OF FUNDS.—A program or project receiving funds under section 219 shall use not less than 10 percent of such funds to meet the requirements of section 215 for post-service education and training assistance.
(2) ACTIVITIES.—The activities conducted under this section may include activities available to an eligible participant under in-service education and training assistance programs, career and vocational counseling, assistance in entering a program under the Job Training Partnership Act (29 U.S.C. 1501 et seq.), and assistance for other activities considered appropriate for such participant by the appropriate program agency and the Board.

(e) STANDARDS AND PROCEDURES.—
(1) CONSISTENCY WITH STATE AND LOCAL REQUIREMENTS.—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and the certification of educational attainment in programs conducted under subsection (c) are consistent with the requirements of applicable State and local law and regulations.
(2) ACADEMIC STANDARDS.—Such standards and procedures shall specify that an individual serving in a program or project under this title—
(A) who is not a high school graduate shall participate in an educational curriculum so that such individual can earn a high school diploma or the equivalent of such diploma; and
(B) may arrange to receive academic credit in recognition of the education and skills obtained from service satisfactorily completed.

SEC. 210. AMOUNT OF AWARD.

In determining the amount of funds to be awarded to an applicant under this title, the Board shall consider—
(1) the proportion of the unemployed youth population of the area to be served; and
(2) the type of project or service proposed to be carried out with funds appropriated under this title.

SEC. 211. MATCHING REQUIREMENT.

(a) FEDERAL SHARE.—The Federal share of the cost of programs assisted under this title shall not exceed 75 percent.

(b) STATE OR LOCAL APPLICANT.—The State or local applicant share of the costs of programs assisted under this title shall be at least 25 percent.

SEC. 212. PREFERENCE FOR CERTAIN PROJECTS.

In the approval of applications for programs and projects submitted under section 205, the Board shall give preference to programs and projects that—
(1) will provide long-term benefits to the public;
(2) will instill a work ethic and a sense of public service in the participants;
(3) will be labor intensive, and involve youth operating in crews;
(4) can be planned and initiated promptly; and
(5) will enhance skills development and educational level and opportunities for the participants.

SEC. 213. EFFECT OF ALLOWANCES ON ELIGIBILITY FOR OTHER FEDERAL ASSISTANCE.

Living allowances and benefits received under this title by an economically disadvantaged youth, as defined in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)), shall be disregarded in determining the eligibility of the family of the youth for, and the amount of, any Federal benefits based on need.

SEC. 214. AGE AND CITIZENSHIP CRITERIA FOR ENROLLMENT.

Enrollment in programs funded under this title shall be limited to individuals who, at the time of enrollment, are—
(1) not less than 16 years or more than 25 years of age, except that summer programs may include individuals not less than 15 years and not more than 21 years of age at the time of the enrollment of such individuals; and
(2) citizens or nationals of the United States (including those citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau) or lawful permanent resident aliens of the United States.

SEC. 215. POST-SERVICE BENEFITS.

(a) IN GENERAL.—The program agency shall provide post-service education and training benefits (such as scholarships and grants) for each participant in an amount not less than $50 per week nor more than $100 per week.

(b) EXCLUSION FROM GROSS INCOME.—For purposes of section 61 of the Internal Revenue Code of 1986, in the case of an individual, gross income shall not include any amount received as assistance under this section.

SEC. 216. LIVING ALLOWANCE.

(a) IN GENERAL.—Each participant in a full-time youth service corps program shall receive a living allowance of not less than 100 percent of the poverty line for a single individual (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) and not more than 100 percent of the amount such participant would have earned if such participant had been paid at a rate equal to the minimum wage for a 40-hour work week under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during the period of service of such participant.

(b) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), each participant in a full-time youth service corps shall be provided with health insurance.

(c) FACILITIES, SERVICES, AND SUPPLIES.—
(1) IN GENERAL.—The program agency may deduct, from amounts determined under subsections (a) and (b), a reasonable portion of the costs of the rates for room and board provided at residential facilities for a participant.
(2) EVALUATION.—The program agency shall establish the deductions and rates under paragraph (1) after evaluating of costs of providing such room and board.
(3) DUTIES OF PROGRAM AGENCY.—A program agency may provide facilities, quarters, and board and shall provide limited and emergency medical care, health insurance, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment to each participant.

(d) GUIDANCE AND PLACEMENT.—
(1) IN GENERAL.—Each program agency shall provide such job and educational guidance and placement information and assistance for each participant as may be necessary.
(2) COORDINATION WITH OTHER ENTITIES.—Such assistance shall be provided in coordi-

nation with appropriate State, local, and private agencies and organizations.

SEC. 217. JOINT PROJECTS INVOLVING THE DEPARTMENT OF LABOR.

(a) DEVELOPMENT.—The Board may develop, in cooperation with the Secretary of Labor, regulations designed to allow, where appropriate, joint projects in which activities supported by funds authorized under section 219 are coordinated with activities supported by funds authorized under employment and training statutes administered by the Department of Labor (including the Job Training Partnership Act (29 U.S.C. 1501 et seq.)).

(b) STANDARDS.—Regulations promulgated under paragraph (1) shall provide standards for approval of joint projects that meet both the purposes of this title and the purposes of such employment and training statutes under which funds are available to support such projects.

SEC. 218. FEDERAL AND STATE EMPLOYEE STATUS.

(a) IN GENERAL.—Participants and crew leaders are considered as being responsible to, or the responsibility of, the program agency administering the project on which such participants, crew leaders, and volunteers work.

(b) NON-FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise specifically provided in this subsection, a participant or crew leader in a project that receives assistance under this title shall not be considered a Federal employee and shall not be subject to the provisions of law relating to Federal employment.

(2) WORK-RELATED INJURY.—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, a participant or crew leader serving in a program that receives assistance under this title shall be considered an employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty", as used in such subchapter, shall not include an act of a participant or crew leader while absent from the assigned post of duty of such participant or crew leader, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date that the employment of the injured participant or crew leader is terminated.

(3) TORT CLAIMS PROCEDURE.—For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, a participant or crew leaders assigned to a Youth Service Corps project shall be considered an employee of the United States within the meaning of the term "employee of the government" as defined in section 2671 of such title.

(4) ALLOWANCE FOR QUARTERS.—For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, a participant or crew leader shall be considered an employee of the United States within the meaning of the term "employee" as defined in paragraph (3) of subsection (a) of that section.

SEC. 219. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to carry out this title $100,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995.

TITLE III—NATIONAL SERVICE DEMONSTRATION PROGRAM

SEC. 301. SHORT TITLE.

This title may be cited as the "National and Community Service Demonstration Act".

SEC. 302. DEFINITIONS.

As used in this title—

(1) BOARD.—The term "Board" means the National Service Board authorized under title IV.

(2) ELIGIBLE ORGANIZATION.—The term "eligible organization" means a public or private nonprofit organization engaged in meeting human, educational, environmental, or public safety needs.

(3) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(4) PARTICIPANT.—The term "participant" means an individual participating in a program under this title.

(5) PLACEMENT.—The term "placement" means the matching of a participant or team with a specific project.

(6) PROGRAM.—The term "program" means an activity carried out under this title.

(7) SPECIAL SENIOR SERVICE MEMBER.—The term "special senior service member" means an individual who is age 60 or over and willing to work full-time or part-time in conjunction with a full-time national service program.

(8) SPONSORING ORGANIZATION.—The term "sponsoring organization" means an organization, eligible to receive assistance under this title, that has been selected by a State to provide a placement for a participant.

(9) STATE.—The term "State" means a State, the Commonwealth of Puerto Rico, Guam, the District of Columbia, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or Palau.

SEC. 303. GRANTS.

(a) IN GENERAL.—Not later than 1 year from the date of enactment of this title, the Board shall, in accordance with the provisions of this title, make grants to States to create full-time and part-time national service demonstration programs.

(b) TERM OF GRANT.—The term of such grant shall not extend beyond September 30, 1995.

(c) CRITERIA FOR RECEIVING APPLICATIONS.—In awarding such grant to a State, the Board shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for a large-scale national service program;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the expediency with which the State proposes to make the program operational.

(d) DIVERSITY.—The Board shall ensure that programs receiving such a grant are geographically diverse and include programs in both urban and rural States.

(e) ALTERNATIVE VOUCHER OPTION LIMITED.—The Board shall ensure that no more than 25 percent of States are authorized to exercise the alternative voucher authorized under section 307(d)(3).

(f) COMPOSITION OF PROGRAMS.—The Board shall ensure that at least 25 percent of programs under section 314 include full-time, part-time and special senior service participants.

(g) NUMBER OF STATES.—

(1) IN GENERAL.—The Board shall ensure that—

(A) no more than five States are authorized to operate full-time programs and no more than five States are authorized to operate part-time programs in fiscal year 1991;

(B) no more than eight States are authorized to operate full-time programs and no more than eight States are authorized to operate part-time programs in fiscal year 1992;

(C) no more than 10 States are authorized to operate full-time programs and no more than 10 States are authorized to operate part-time programs in fiscal year 1993; and

(D) no less than 12 States are authorized to operate full-time programs and no more than 35 States are authorized to operate part-time programs in each of the fiscal years 1994 and 1995.

(2) SINGLE PROGRAM.—For purposes of this subsection, a State operating a single national service program with both full-time and part-time options shall be counted as a State operating a full-time program and a State operating a part-time program.

(3) COOPERATIVE ARRANGEMENT.—For purposes of this subsection, a State operating a national service program involving a cooperative arrangement with a multi-State organization or with sites in more than one State shall be counted as a single State.

(h) STATE APPLICATION FOR GRANT.—In order to receive a grant under this title, a State shall submit an application to the Board at such time and in such manner as the Board may reasonably require. Each such application shall describe—

(1) the State administrative plan for the program, including such functions, if any, that will be carried out by public and private nonprofit organizations pursuant to a grant or contract;

(2) the method that participants, including economically and educationally disadvantaged youth, college-bound youth, and employed individuals, shall be recruited and selected for a program receiving assistance under section 314;

(3) procedures for training, supervising, and organizing participants in such program;

(4) the geographical areas within such State in which the program would be operated to provide the optimum match between the need for volunteer services and the anticipated supply of volunteers;

(5) the plan for placing such participants in teams or making individual placements in such program;

(6) assurances that, before such placement is made, such State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program;

(7) assurances that, before such placement is made, such State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such program;

(8) the anticipated number of full-time and part-time participants and special senior service members in such program;

(9) a plan for recruiting and selecting sponsoring organizations that will receive participants under this title;

(10) procedures for matching such participants with such sponsoring organizations;

(11) the State budget for the program;

(12) whether the State desires to exercise the voucher alternative option authorized under section 307(d)(3);

(13) a plan for evaluating the program and assurances that such State will fully cooperate with any evaluation undertaken by the Board pursuant to section 414; and

(14) other such information as the Board may reasonably require.

SEC. 304. TYPES OF NATIONAL SERVICE.

(a) IN GENERAL.—A participant in a program funded under section 314 shall perform national service to meet unmet educational, human, environmental, and public safety needs, especially those needs relating to poverty.

(b) TYPES OF NATIONAL SERVICE.—Such national service may include the following types of service—

(1) educational service, such as literacy programs, Head Start, (as established under 42 U.S.C. 9831)) and other early childhood education programs, tutorial assistance, and service in schools, libraries, and adult education centers;

(2) human service, such as—

(A) service in hospitals, hospices, clinics, community health centers, public health organizations, facilities serving individuals with acquired immune deficiency syndrome, homes for elderly individuals, programs serving individuals with handicapping conditions, and child-care centers; and

(B) service in programs to assist elderly, disabled, poor, and homeless individuals, including programs to build, restore, and maintain housing for poor or homeless individuals and self-help programs;

(3) environmental service, such as service in programs to conserve, recycle, maintain, and restore natural resources in urban and rural environments, to provide recreational opportunities, and to encourage community betterment or beautification;

(4) public safety service, including placement with police, fire departments, courts, and prisons; and

(5) in the case of special senior service members, service to assist a State in administering a program, including mentoring, supervision, and other functions.

SEC. 305. TERMS OF SERVICE.

(a) LENGTH OF SERVICE.—

(1) PART-TIME.—An individual volunteering for part-time national service under this Act shall agree to perform community service for at least 3 years but not more than 6 years, at the discretion of such individual.

(2) FULL-TIME.—An individual volunteering for full-time national service shall agree to perform community service for at least one year but not more than two years, at the discretion of such individual.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service shall serve for a period of time as allowed by the Board.

(b) PARTIAL COMPLETION OF SERVICE.—If the State releases a participant from completing a term of service in the program for compelling personal circumstances shown by such participant, the Board may provide such participant with a portion of the financial assistance specified in section 307 corresponding to the quantity of the service obligation completed by such individual.

(c) TERMS OF SERVICE.—

(1) PART-TIME.—A participant performing part-time national service shall serve for—

(A) 2 weekends a month and 2 weeks during the year; or

(B) an average of 9 hours per week.

(2) FULL-TIME.—A participant performing full-time national service shall serve for not less than 40 hours per week.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service shall serve either part-time or full-time as allowed by the Board.

SEC. 306. ELIGIBILITY.

(a) PART-TIME.—

(1) ELIGIBILITY REQUIREMENTS.—An individual may serve in a part-time national service program if such individual—

(A) is age 17 or over;

(B) is a citizen of the United States or lawfully admitted for permanent residence.

(2) PRIORITY.—In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.

(b) FULL-TIME.—An individual may serve in a full-time national service program if such individual—

(1) is age 17 or over;

(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and

(3) is a citizen of the United States or lawfully admitted for permanent residence.

(c) SPECIAL SENIOR SERVICE.—An individual may serve as a special senior service member if such individual—

(1) is age 60 or over; and

(2) meets the eligibility criteria for special senior service membership established by the Board.

SEC. 307. VOUCHERS.

(a) PART-TIME.—The Board shall annually provide to each part-time participant a nontransferrable voucher that is equal in value to $3,000 for each year of service that such participant provides to the program.

(b) FULL-TIME.—The Board shall annually provide to each full-time participant a nontransferrable voucher that is equal in value to $8,500 for each year of service that such participant provides to the program.

(c) SPECIAL SENIOR SERVICE PARTICIPANT.—A special senior service participant shall be ineligible to receive a voucher under this section.

(d) USE OF VOUCHER.—

(1) PART-TIME.—A voucher issued pursuant to subsection (a) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs for a first home; or

(C) tuition at an institution of higher education on a full-time basis, or the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) FULL-TIME.—A voucher issued pursuant to subsection (b) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs for a first home; or

(C) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) at an institution of higher education on a full-time basis, or the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(3) ALTERNATIVE VOUCHER OPTION.—A State administering a full-time national service program may apply to the Board for authorization to offer an alternative voucher option limiting the use of vouchers to either education or housing.

(e) EXCLUSION FROM GROSS INCOME.—For purposes of section 61 of the Internal Revenue Code of 1986, any compensation received under this section by a participant shall not be considered gross income.

SEC. 308. LIVING ALLOWANCE.

(a) IN GENERAL.—Each participant in a full-time national service program shall receive a living allowance of not less than 100 percent of the poverty line for a single individual (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) and not more than 100 percent of the amount such participant would have earned if such participant had been paid at a rate equal to the minimum wage for a 40-hour workweek under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) during the period of service of such participant.

(b) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), each participant in a full-time national service program shall be provided with health insurance.

(c) SPECIAL SENIOR SERVICE PARTICIPANT.—

(1) FULL-TIME.—Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a) and such other assistance as the Board considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

(2) PART-TIME.—Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program and such other assistance that the Board considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

SEC. 309. TRAINING.

(a) PROGRAM TRAINING.—

(1) IN GENERAL.—Each participant shall receive 3 weeks of training conducted by the Board in cooperation with the State.

(2) CONTENTS OF TRAINING SESSION.—Each training session described in paragraph (1) shall—

(A) orient each participant to the nature, philosophy, and purpose of the program;

(B) build an ethic community service; and

(C) train each participant to effectively perform the assigned program task of such participant by providing—

(i) general training in citizenship and civic and community service; and

(ii) if feasible, specialized training for the type of national service that each participant will perform.

(b) ADDITIONAL TRAINING.—Each State may provide additional training for participants.

(c) AGENCY OR ORGANIZATION TRAINING.—In addition to the training described in subsections (a) and (b), each participant shall receive training from the sponsoring organization in skills relevant to the work to be conducted.

SEC. 310. USE OF FUNDS.

(a) PROHIBITED USES.—No Federal funds shall be expended for training provided pursuant to section 309(b), State administration, State recruitment, supervision of participants, inservice education benefits provided pursuant to section 312, grievance procedures and arbitration required under subsection 411(e), the State cost of data collection, the expenses of State advisory com-

mittees, or constructing, building, or renovating any physical structure or facility.

(b) ALLOWABLE USES.—The expenditure of Federal funds shall be limited to training provided pursuant to section 309(a), vouchers provided pursuant to section 307, living allowances and health insurance provided pursuant to section 308(b), Federal administrative costs under sections 414 and 416, and the costs of evaluations conducted pursuant to section 414.

SEC. 311. PUBLIC-PRIVATE PARTNERSHIP.

The Board shall consider and develop opportunities for cooperation between public and private entities in the funding and execution of a program funded under section 314, including cost-sharing arrangements with sponsoring organizations.

SEC. 312. IN-SERVICE EDUCATION BENEFITS.

Each State that receives funds under section 314 shall provide to each participant enrolled in a full-time program funded under section 314 in-service educational services and materials to enable such participant to obtain a high school diploma or the equivalent of such diploma.

SEC. 313. NATIONAL SERVICE DEMONSTRATION PROGRAM AMENDMENTS.

(a) TREATMENT OF EDUCATION AND HOUSING VOUCHER.—For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), vouchers received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such a voucher be considered as—

(1) annual adjusted family income as defined in section 411F(1) of subpart 1 of part A of title IV of the Act (20 U.S.C. 1070a-6); or

(2) total income as defined in section 480(a) of part F of title IV of the Act (20 U.S.C. 1087vv(a)).

(b) TREATMENT OF STIPEND FOR LIVING EXPENSES.—In no case shall stipends received under this Act be considered in the determination of expected family contribution or independent student status under—

(1) subpart 1 of part A of title IV of the Act (20 U.S.C. 1070a et seq.); or

(2) part F of title IV of the Act (20 U.S.C. 1087kk et seq.).

(c) CONFORMING AMENDMENTS.—The Act is amended—

(1) in section 411F(9) (20 U.S.C. 1070a-6(9)), by adding at the end thereof the following new subsection:

"(F) Annual adjusted family income does not include any stipend received by a participant in the National Service Demonstration Program established under the National and Community Service Act of 1989.";

(2) in section 411F(12)(B)(vi) (20 U.S.C. 1070a-6(12)(B)(vi)), by striking "(including all sources of resources other than parents)" and inserting "(including all sources of resources other than parents and stipends received as a result of participation in the National Service Demonstration Program established under the National and Community Service Act of 1989.";

(3) in section 480(f) (20 U.S.C. 1087vv(f)), by—

(A) striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon and "and"; and

(C) adding at the end thereof the following new paragraph:

"(3) any stipend received by a participant in the National Service Demonstration Program established under the National and Community Service Act of 1989."; and

(4) in section 480(d)(2)(F) (20 U.S.C. 1087vv(d)(2)(F)), by inserting after "other than parents" "and stipends received as a result of participation in the National Service Demonstration Program established under the National and Community Service Act of 1989)".

SEC. 314. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $100,000,000 in fiscal year 1991, $125,000,000 in fiscal year 1992, $150,000,000 in fiscal year 1993, $300,000,000 in fiscal year 1994, and $300,000,000 in fiscal year 1995.

TITLE IV—CORPORATION FOR NATIONAL SERVICE

SEC. 401. DEFINITIONS.

As used in this title:

(1) BOARD.—The term "Board" means the Board of Directors for the Corporation for National Service.

(2) CORPORATION.—The term "Corporation" means the Corporation for National Service, as established by section 402(a).

(3) ELECTION.—The term "election" has the same meaning, when referring to an election for Federal office, as given such term in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1)).

(4) FEDERAL OFFICE.—The term "Federal office" has the same meaning as given that term in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3)).

SEC. 402. ESTABLISHMENT OF CORPORATION; APPLICATION OF DISTRICT OF COLUMBIA NONPROFIT CORPORATION ACT.

(a) ESTABLISHMENT.—There is established a nonprofit corporation, to be known as the "Corporation for National Service", that shall not be considered an agency or establishment of the United States Government.

(b) APPLICATION OF DISTRICT OF COLUMBIA NONPROFIT CORPORATION ACT.—The Corporation shall be subject to this Act, and to the extent consistent with this Act, to the District of Columbia Nonprofit Corporation Act.

SEC. 403. BOARD OF DIRECTORS.

(a) APPOINTMENT.—

(1) IN GENERAL.—The Corporation shall be directed by a National Service Board consisting of 11 members appointed by the President, by and with the advice and consent of the Senate.

(2) TIME PERIOD FOR APPOINTMENTS.—The President shall appoint members of the Board not later than 90 days after the date of enactment of this title.

(3) POLITICAL AFFILIATION.—Not more than six members of the Board shall be members of the same political party.

(4) NOMINATIONS.—Three of the members of the Board shall be appointed from individuals nominated by the Speaker of the House of Representatives, and three of such members shall be appointed from individuals nominated by the majority leader of the Senate.

(b) QUALIFICATIONS.—The President shall select the members of the Board—

(1) from among citizens who are eminent in such fields as community service, youth service, education, civic affairs, business, labor, or military service; and

(2) so as to provide as nearly as practicable a broad representation of various regions of the United States, various professions and occupations, and a variety of talent and experience appropriate for the performance of the functions and responsibilities of the Corporation.

(c) INCORPORATION.—The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to incorporate the Corporation under the District of Columbia Nonprofit Corporation Act.

(d) TERM OF OFFICE.—The term of office of each member of the Board shall be 7 years, except that—

(1) any member appointed to fill a vacancy within the Board occurring prior to the expiration of the term for which the predecessor of such member was appointed shall be appointed for the remainder of such term;

(2) initial appointments to the Board shall be for terms of 3, 5, or 7 years; and

(3) no member of the Board shall be eligible to serve more than two consecutive terms.

(e) VACANCY.—A vacancy in the Board shall not affect the power of the Board and shall be filled in the same manner as the original appointment.

(f) MEETINGS.—

(1) REQUIREMENT.—A member of the Board shall attend not less than 50 percent of all duly convened meetings of the Board in any calendar year.

(2) PENALTY.—

(A) IN GENERAL.—A member who fails to meet the requirement of paragraph (1) shall forfeit membership on the Board.

(B) APPOINTMENT OF NEW MEMBER.—The President shall appoint a new member to fill such vacancy created under subparagraph (A) (while meeting the requirements of subsection (e)), not later than 30 days after such vacancy is determined by the Chairperson of the Board, as elected in subsection (g).

(3) QUORUM.—Six members of the Board shall constitute a quorum.

(g) ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON.—Members of the Board shall annually elect one such member to be Chairperson and elect one or more of such members as a Vice Chairperson.

(h) COMPENSATION OF BOARD MEMBERS.—

(1) NON-FEDERAL EMPLOYEE.—A member of the Board shall not, by reason of such membership, be considered to be an officer or employee of the United States.

(2) COMPENSATION.—Except as provided in paragraphs (3) and (4), a member of the Board shall, while away from the home or regular place of business of such member, be allowed travel and actual, reasonable, and necessary expenses.

(3) FEDERAL EMPLOYEE.—A member of the Board who is a full-time officer or employee of the United States shall receive no additional pay, allowances, or benefits by reason of such membership.

SEC. 404. OFFICERS AND EMPLOYEES.

(a) IN GENERAL.—

(1) RATE OF BASIC PAY.—The Corporation shall have a President, and such other officers and employees as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board, except that no officer or employee of the Corporation may receive compensation at an annual rate of pay that exceeds the rate of basic pay payable from time to time for level I of the Executive Schedule under section 5312 of title 5, United States Code.

(2) ADDITIONAL COMPENSATION.—No officer or employee of the Corporation shall receive any salary or other compensation from any source other than the Corporation for services performed for the Corporation.

(3) TERM OF OFFICE.—All officers and employees of the Corporation shall serve at the pleasure of the Board.

(b) EMPLOYMENT OF SPECIAL SENIOR SERVICE MEMBERS.—In selecting employees, the Board is encouraged to include members of the Special Senior Service as defined in section 302(8).

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Corporation without payment of reimbursement to the detailing agency. A detail of a Federal employee under this subsection shall not result in the interruption or loss of civil service status or privilege of such employee.

SEC. 405. NONPROFIT AND NONPOLITICAL NATURE OF THE CORPORATION.

(a) LIMITATIONS ON POWERS.—

(1) ISSUANCE OF STOCK.—The Corporation shall not issue any shares of stock or declare or pay any dividends.

(2) INCOME OR ASSETS OF THE CORPORATION.—No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services on behalf of the Corporation.

(b) NONPOLITICAL NATURE OF CORPORATION.—The Corporation shall not contribute to or otherwise support any political party or candidate for elective public office.

SEC. 406. HOUSING AND EDUCATION VOUCHERS; LIVING ALLOWANCES.

(a) HOUSING AND EDUCATION VOUCHERS.—The Corporation shall issue housing and education vouchers pursuant to section 307. The Board shall consult with the Department of Education in issuing education vouchers.

(b) LIVING ALLOWANCES.—The Corporation shall establish living allowances pursuant to section 308, taking into account regional variations in the cost of living.

SEC. 407. REPORTS.

(a) STATE REPORTS.—

(1) IN GENERAL.—Each State receiving funds under part A of title I and titles II and III shall submit an annual report to the Board on the status of national and community youth service programs in such State.

(2) LOCAL GRANTEES.—Each State may require local grantees receiving funds under part A of title I and titles II and III to supply such information as is necessary to complete such report, including a comparison of actual accomplishments with the goals established for the program, the number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

(3) REPORT DEMONSTRATING COMPLIANCE.—

(A) IN GENERAL.—Each State receiving funds pursuant to this title shall include information in such report that demonstrates compliance with the provisions of section 412.

(B) LOCAL GRANTEES.—Each State may require local grantees to supply such information as is necessary to comply with paragraph (1).

(4) AVAILABILITY OF REPORT.—Such report shall be available to the public on request.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—The Board shall, not later than 120 days after the end of each fiscal year, prepare and submit to the appropriate authorizing and appropriation committees in Congress a report on programs funded under part A of titles I and titles II and III.

(2) CONTENT.—Such report shall summarize information contained in State reports required under subsection (a) and reflect the findings and actions taken as a result of any evaluation conducted by the Board.

SEC. 408. SUPPLEMENTATION.

(a) IN GENERAL.—All Federal funds and funds used to pay the remainder of the costs of programs assisted under part A of title I and titles II and III shall be used to supplement the level of State and local public funds expended for services assisted under this Act in the previous fiscal year.

(b) AGGREGATE EXPENDITURE.—Subsection (a) shall be satisfied, with respect to a particular program, if the aggregate expenditure in such program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure in such program in the previous fiscal year, excluding Federal funds and funds used to pay the remainder of the costs of programs assisted under this title.

SEC. 409. PROHIBITION ON USE OF FUNDS.

(a) IN GENERAL.—Funds provided under part A of title I and titles II and III shall not be used by program participants and program staff to—

(1) give religious instruction, conduct worship services, or engage in any form of proselytization;

(2) assist, promote, or deter union organizing; and

(3) finance, directly or indirectly, an activity designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

(b) CONTRACTS OR COLLECTIVE BARGAINING AGREEMENTS.—A project assisted under this title shall not impair existing contracts for services or collective bargaining agreements.

SEC. 410. NONDISCRIMINATION.

(a) IN GENERAL.—Any financial assistance provided under this Act shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and the regulations issued thereunder.

(b) NONDISCRIMINATION.—An individual with responsibility for the operation of a program funded under this part A of title I and titles II or III shall not discriminate in the selection of participants to such program because of race, religion, color, national origin, sex, age, handicap, or political affiliation.

(c) RULES AND REGULATIONS.—

(1) EDUCATION.—In the case of programs funded under part A of title I, the Secretary of Education shall issue rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for no more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

(2) VOLUNTEER SERVICE.—In the case of programs funded under title II and title III of this Act, the Board shall issue rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

SEC. 411. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Secretary of Education (in the case of a program funded under title I) or the Board (in the case of a program funded under title II or III), is authorized, in accordance with the provisions of this Act, to suspend payments or to terminate payments under a contract or grant providing assistance under this Act whenever the Secretary determines there is a material failure to comply with this Act or the applicable terms and conditions of any such grant or contract issued pursuant to this Act.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Secretary of Education (in the case of a program funded under part A of title I) or the Board (in the case of a program funded under title II or III) shall prescribe procedures to ensure that—

(A) assistance under this Act shall not be suspended for failure to comply with the applicable terms and conditions of this Act except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions of this Act unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to such recipient.

(c) TRANSCRIPT OR RECORDING.—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) STATE LEGISLATION.—Nothing in this Act shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with this Act, of the programs administered under this Act.

(e) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—State and local applicants funded under part A of title I and titles II, and III shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning projects funded under this Act, including grievances regarding proposed placements of such participants in such projects.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made within 1 year after the date of the alleged occurrence.

(3) DEADLINE FOR HEARING AND DECISION.—

(A) HEARING.—A hearing on any grievance shall be conducted within 30 days of filing such grievance.

(B) DECISION.—A decision on any grievance shall be made not later than 60 days after the filing of such grievance.

(4) ARBITRATION.—

(A) IN GENERAL.—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held within 45 days after the request for such arbitration.

(C) DEADLINE FOR DECISION.—A decision on such grievance shall be made within 30 days after the date of such arbitration proceeding.

(D) COST.—The cost of such arbitration proceeding shall be divided evenly between the parties.

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a

participant in a program assisted under this Act, such placement shall not be made unless such grievance is resolved pursuant to this subsection.

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) suspension of payments for assistance under this Act;

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

SEC. 412. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Funds provided under this Act shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) PRIVATE NONPROFIT ENTITY.—Funds available under this Act shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program established under this Act.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created under this Act that will infringe in any manner on the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program under this Act shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program under this Act shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker;

(ii) employee who recently resigned or was discharged;

(iii) employee who is subject to a reduction in force;

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick); or

(v) employee who is on strike or who is being locked out.

SEC. 413. STATE ADVISORY BOARD.

(a) FORMATION OF BOARD.—Each State applying for funds under part A of title I or titles II or III shall form a State Advisory Board for National and Community Service.

(b) APPOINTMENT OF MEMBERS.—The Governor of such State shall appoint members to such Advisory Board from among—

(1) representatives of State agencies administering community service, youth service, education, social service, and job training programs; and

(2) representatives of labor, business, agencies working with youth, community-based organizations such as community action agencies, students, teachers, Older American Volunteer Programs as established under title II of the Domestic Volunteer Act of 1973 (42 U.S.C. 5001 et seq.), full-time youth service corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, educational partnership programs, and other organizations working with volunteers.

(c) DUTIES OF BOARD.—The State Advisory Board for National and Community Service shall assist the State agency administering a program funded under part A of title I or titles II or III in—

(1) coordinating service programs and related programs within the State;

(2) disseminating information about service programs funded under this Act;

(3) recruiting participants for programs funded under this Act; and

(4) developing programs, training methods, curriculum materials, and other materials and activities related to programs funded under this Act.

SEC. 414. EVALUATION.

(a) IN GENERAL.—The Board shall provide, through grants or contracts, for the continuing evaluation of programs assisted under titles II and III, including evaluations that measure and evaluate the impact of programs authorized by titles II and III, in order to determine—

(1) the effectiveness of such programs in achieving stated goals in general and in relation to cost;

(2) the impact of such programs on related programs, including VISTA, the military, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the National Guard; and

(3) the structure and mechanisms for delivery of services for such programs.

(b) COMPARISONS.—The Board shall include in such evaluations, where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

(c) CONDUCTING EVALUATIONS.—Evaluations of such program shall be conducted by individuals who are not directly involved in the administration of such program.

(d) PROGRAM OBJECTIVES.—The Board shall ensure that programs funded under title III are evaluated for effectiveness in—

(1) recruiting and enrolling of diverse participants in such programs, consistent with the requirements of section 306, based on economic background, race, ethnicity, age, marital status, education levels, and handicap;

(2) promoting of the educational achievement of each participant in such programs, based on earning a high school diploma or the equivalent of such diploma and the future enrollment and completion of increasingly higher levels of education;

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America program established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

(4) promoting of positive attitudes among each participant regarding the role of such participant in solving community problems based on the view of such participant regarding the personal capacity of such participant to improve the lives of others, the responsibilities of such participant as a citizen and community member, and other factors;

(5) enabling each participant to finance a lesser portion of the higher education of such participant through student loans;

(6) providing services and projects that benefit the community;

(7) supplying additional volunteer assistance to community agencies, but not overloading such agencies with more volunteers than can effectively be utilized;

(8) providing services and activities that could not otherwise be performed by employed workers and that will not supplant the hiring of, or result in the displacement of, employed workers or impair the existing contracts of such workers; and

(9) attracting a greater number of citizens to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and VISTA.

(e) COMPARISON OF PROGRAM MODELS.—The Board shall evaluate and compare the effectiveness of different program models in meeting the program objectives under subsection (d) including full-time and part-time programs, programs involving different types of national service, programs using different recruitment methods, programs offering alternative voucher options, and programs utilizing individual placements and teams.

(f) OBTAINING INFORMATION.—

(1) IN GENERAL.—In performing the evaluation required under subsection (d), the Board may require each program participant and State or local applicant to provide such information as may be necessary to carry out the requirements of this section.

(2) CONFIDENTIALITY.—The Board shall keep such information confidential.

(g) DEADLINE.—The Board shall complete the evaluation required under subsection (d) not later than 4 years after the date of enactment of this Act.

SEC. 415. FUNDING.

Of funds appropriated for title II and III of this Act, not less than $5 million or more than $25 million shall be made available to the Board for program support and activities referred to in sections 414 and 416.

SEC. 416. FUNCTIONS OF THE NATIONAL SERVICE BOARD.

The National Service Board shall—

(1) administer programs authorized under title II and title III of this Act;

(2) provide, directly or through contract with public or private nonprofit organizations with extensive experience in service programs, training and technical assistance to States, full-time youth service corps, and national service demonstration programs;

(3) in consultation with the Department of Education, provide one or more clearinghouses for information on service (the Board may contract with public or private non-profit organizations with extensive experience in service to perform such clearinghouse function);

(4) consult with appropriate Federal agencies in administering programs funded under titles II and III; and

(5) arrange for the evaluation of programs authorized under titles II and III of this Act, in accordance with section 414.

SEC. 417. PRESIDENTIAL AWARDS FOR SERVICE.

(a) PRESIDENTIAL AWARDS.—

(1) IN GENERAL.—The President is authorized to make Presidential Awards for service to individuals demonstrating outstanding community service and to outstanding service programs.

(2) NUMBER OF AWARDS.—The President is authorized to make one individual and one program award in each Congressional district, and one statewide program award in each State.

(3) CONSULTATION.—The President shall consult with the Governor of each State in the selection of individuals and programs for Presidential Awards.

(4) PARTICIPANTS IN PROGRAMS.—An individual receiving an award under this section need not be a participant in a program assisted under this Act.

(b) INFORMATION.—The President shall ensure that information concerning individuals and programs receiving awards under this section is widely disseminated.

SEC. 418. COMPREHENSIVE SERVICE STRATEGY.

The President shall design a comprehensive Federal service strategy that shall include—

(1) the review of existing programs to identify and expand opportunities for service, especially by students and out-of-school youth;

(2) the designation of a senior official in each Federal agency who will be responsible for developing youth service opportunities in existing programs nationwide;

(3) the establishment of service projects in each Federal agency;

(4) the encouragement of Federal employees to participate in service projects;

(5) the designation of an executive branch official to coordinate the Federal service strategy; and

(6) the annual recognition of outstanding service programs by a Federal agency.

SEC. 419. ENGAGEMENT OF PARTICIPANTS.

A State shall not engage a participant to serve in any program funded under this Act unless and until Federal funds have been appropriated for vouchers and other necessary expenses and costs associated with such participant in such fiscal year in such State.

TITLE V—EXPANSION OF VOLUNTEERS IN SERVICE TO AMERICA

SEC. 501. SHORT TITLE.

This title may be cited as the "VISTA Expansion Act of 1989".

SEC. 502. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.—Section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081) is amended by striking out paragraph (1) of subsection (a) and inserting in lieu thereof the following new paragraph:

"(1) There are authorized to be appropriated to carry out part A of title I (except section 109) $30,600,000 for fiscal year 1990, $39,909,000 for fiscal year 1991, $47,800,900 for fiscal year 1992, and $56,500,000 for fiscal year 1993.".

TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 601. SHORT TITLE.

This title may be cited as the "National Older American Volunteer Programs Expansion Act of 1989".

SEC. 602. PROGRAMS OF NATIONAL AND LOCAL SIGNIFICANCE.

Part D of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5021 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 225. PROGRAMS OF NATIONAL AND LOCAL SIGNIFICANCE.

"(a) IN GENERAL.—The Director shall establish, within each program authorized under this title, a program for making grants to support programs that address national problems on a local level.

"(b) USE OF GRANTS.—The recipient of a grant under the program established under subsection (a) shall use such grant to provide creative solutions to urgent problems.

"(c) AWARDING OF GRANTS.—

"(1) ESTABLISHMENT OF PROGRAM.—There is established the 'Programs of National and Local Significance' program. Under the program, the Director shall award grants each year to programs administered under this title to respond to an identified community need.

"(2) AWARDS.—

"(A) IN GENERAL.—The grants authorized under paragraph (1) may be awarded to both existing and new projects.

"(B) LIMITATION.—A grant under paragraph (1) may not exceed $150,000 per year.

"(3) CRITERIA FOR AWARDING GRANTS.—

"(A) IN GENERAL.—Under the program established under paragraph (1), the Director shall award grants based on a demonstration by an applicant that such grant will enable such applicant to uniquely and effectively respond to an identified community need.

"(d) USE OF GRANTS.—A program receiving a grant under subsection (a) shall demonstrate that assistance provided by such grants shall be used to increase—

"(1) the total number of volunteers supported by such projects; and

"(2) the number of volunteers in such projects engaged in responding to the identified community need referred to in subsection (g) for which such grant was made.

"(e) DISSEMINATION OF INFORMATION.—The Director shall disseminate information on the Programs of National and Local Significance established under this section to field personnel of the ACTION Agency and other community volunteer organizations that request such information.".

"(f) PRIORITY.—Priority for grants under this section shall be given to the following programs of national significance—

"(1) programs that assist individuals with chronic and debilitating illnesses such as immune deficiency syndrome;

"(2) programs designed to decrease drug and alcohol abuse;

"(3) programs that work with teenage parents;

"(4) mentoring programs that match senior volunteers with youth who need guidance;

"(5) adult and school-based literacy programs;

"(6) respite care, including care for frail elderly individuals and disabled or chronically ill children living at home;

"(7) before and after-school programs, sponsored by organizations such as libraries, that serve children of working parents;

"(8) programs working with boarder babies;

"(9) programs serving children who are enrolled in child care programs with priority given to those serving children with special needs; and

"(10) the provision of care to developmentally disabled adult individuals residing in home and community-based settings, and when appropriate, the involvement of older developmentally disabled individuals as Older American Volunteer Program volunteers.

"(g) FUNDING.—

"(1) AMOUNTS TO BE MADE AVAILABLE.—Notwithstanding any other provision of law, the Director shall make amounts under section 502 available to carry out this section.

"(2) DIRECTOR.—The Director shall not make grants under this section within a program authorized under this title unless the amount appropriated under section 502 for such program, for the fiscal year that such grants are made, exceeds 105 percent of the amount appropriated for the preceding fiscal year for such program.".

SEC. 603. AUTHORIZATION OF APPROPRIATIONS.

(a) RETIRED SENIOR VOLUNTEER PROGRAM.—Section 502(a) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(a)) is amended—

(1) by striking out "and" after "1988,"; and

(2) by inserting after "1989" the following: ", $39,900,000 for fiscal year 1990, $43,900,000 for fiscal year 1991, $48,300,000 for fiscal year 1992, and $53,100,000 for fiscal year 1993,".

(b) FOSTER GRANDPARENT PROGRAM.—Section 502(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(b)) is amended—

(1) by striking out "and" after "1988,";

(2) by inserting after "1989" the following: ", $70,800,000 for fiscal year 1990, $80,900,000 for fiscal year 1991, $91,700,000 for fiscal year 1992, and $98,200,000 for fiscal year 1993,".

(c) SENIOR COMPANION PROGRAM.—Section 502(c) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(c)) is amended—

(1) by striking "and" after "1988,"; and

(2) by inserting after "1989" the following: ", $36,600,000 for fiscal year 1990, $39,000,000 for fiscal year 1991, $44,700,000 for fiscal year 1992, and $48,700,000 for fiscal year 1993,".

RECESS UNTIL 12:45 P.M.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 12:45 p.m., at the behest of the majority leader and at the request of the Senator from Utah [Mr. HATCH].

There being no objection, the Senate, at 12:17 p.m., recessed until 12:45 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. ROBB].

NATIONAL AND COMMUNITY SERVICE ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, today the Senate begins consideration of S. 1430, the National and Community Service Act of 1990. Across the world, nations are beginning this new decade with interest in democracy. In unprecedented numbers, Eastern Europeans and Soviet citizens are standing up for new order, calling for the participation of the people in the institutions of government. It is tragedy that while brave, young people of oppressed nations risk their lives for the right to self-government, more and more young Americans do not vote and feel disconnected from their communities.

They have forgotten that democracy means not only the right to pursue one's own interest, but the responsibility to participate in the life of the Nation in return.

Three decades ago, we were in the beginning stages of the Cold War, and Americans lived in the deepening shadow of the nuclear arms race. In an effort to promote world peace and international understanding, President Kennedy called on all Americans to ask what they could do for their country. Americans responded by the millions, and today, the Peace Corps bears witness to those words and their enduring appeal.

Today, the challenges we face at home are as monumental as those we faced abroad three decades ago. Drug abuse has become a national scandal. America has unprecedented numbers of homeless families. One in five children grows up in poverty. Twenty-three million Americans are too illiterate to read the headlines of a daily newspaper. We have failed to preserve our natural resources of clean air and water and our great national forests are at risk through exploitation and pollution.

We cannot meet these challenges without the full participation of our citizenry. It is time to rekindle the sense of community service and commitment to others. The National and Community Service Act of 1990 is an attempt to provide Federal leadership and support in our common effort to reach these goals.

We began work on this issue a year ago when a task force of the Labor and Human Resources Committee reviewed proposals by a dozen Senators. The committee held four hearings, listening to over 50 witnesses. Senators PELL, MIKULSKI, DODD, NUNN, and I worked closely to draft S. 1430, which incorporates the best ideas of congressional sponsors of national service legislation.

The Labor Committee reported this legislation in August 1989, by a bipartisan vote of 11-4. Senators DURENBERGER, SPECTER, and JEFFORDS have all been helpful in building bipartisan support for the bill. Finally, Senator HATCH deserves great credit for his work in restructing the legislation and including President's Points of Light Initiative Foundation.

We will be offering a floor amendment on behalf of the Labor Committee. This amendment incorporates a compromise between the sponsors of S. 1430 and Senator HATCH. We are very grateful that Senator HATCH has been willing to work with us to craft legislation that accommodates all of our interests.

Title I of the bill provides funding for States and localities to establish a wide array of national and community service programs for Americans of all ages.

Title I funds will be used to start up part-time community service programs for young people through their schools or through community organizations like the YMCA or United Way. Funds may also be used to enable members of the community, particularly senior citizens, to volunteer in the schools. This model is based on legislation I proposed last year called Serve-America, and an educational partnership proposal by Senator GRAHAM. Its goal is to make such programs available to every student in America, from kindergarten to college.

Mr. President, we have seen some rather dramatic examples of these programs at work. In my own State of Massachusetts, the Springfield school system actually requires community service for grades K through 12—although there is nothing in this legislation that requires that children who are going to receive a diploma must perform community service. In this program young children in the kindergarten are involved in various community programs, such as folding napkins or developing various Valentines for senior citizens on Valentine's Day, there are a variety of different activities; 4th and 7th graders adopt a senior citizen, call that senior citizen in the nursing home, spend 5 minutes a day talking to that elderly person, visiting that elderly person on their birthday—this program has been well received by the students as well as the faculty and the community and their parents. It is just one of a variety of examples of which we take note.

We have also recognized the extraordinary interest of many of our retirees in being involved in community service. Last year I had the opportunity to visit the Date County school system. Under the then Superintendent of Education, Mr. Fernandez, they incorporated tens of thousands of senior citizens into the school system. Those senior citizens involved themselves with tremendous interest in what was happening in the schools, attending various academic programs, cultural programs, and educational programs. They involved themselves in an important way in the life of the community and in the future education of these young people. So we recognize that what we are trying to devise is some kind of path to draw on the extraordinary desire and willingness of many Americans to involve themselves in different community activities.

The educational partnership proposal was included in this program at the request of Senator GRAHAM of Florida, who will be here later to speak about it. It is something of which every community should take note and hopefully find some aspects of the program that are particularly worthwhile.

The goal, as I said, is to make such programs in this part of the legislation available to every student in America from kindergarten to college. Then, as various community programs begin, we will hopefully find that those who finish and complete school will have made voluntarism lifetime commitment. And by trying to provide these opportunities through the school system, we will begin to draw on that sense of commitment in our young people.

Our legislation also recognizes that many citizens, having learned the lesson of service, will want to make a more substantial commitment to the country. To expand the number of full-time service opportunities, title I will also support youth service and conservation corps programs, in which young Americans work in teams to clean up the environment, respond to hunger, homelessness, disease, and poverty, and meet other pressing needs.

Senators DODD and MOYNIHAN authored this provision, which is based on the Civilian Conservation Corps of the 1930's, and currently exists in 60 States and localities across the country. These programs have been successful in providing needed services to communities at minimal cost, while teaching young people jobs skills and enhancing their self-esteem.

As described during the Labor and Human Resources Committee hearings, for many of the youth in these programs, It is the first time in their lives that they have felt that they had something to contribute to their communities. For many, their corps experience is a turning point in their lives that can make the difference between lifelong employment and long-term reliance on social services.

We also believe that service opportunities ought to be available to all Americans, including those for whom a serious commitment to service might prevent them from pursuing the goal of a college education or the chance to own a home. Therefore, title I will also provide opportunities for students to earn college scholarships, and for young workers to make a downpayment on a home by serving their communities full time or part time. In a related provision, sponsored by Senator Bumpers, a portion of Federal student loans will be forgiven if students sign up for the Peace Corps, VISTA, or a comparable program after graduation.

A final option under title I enables States to design their own service programs. Over 30 States have begun service programs—ranging from full-time youth service corps to part-time volunteer programs. Several States have developed worthwhile models, offering an array of options—Massachusetts, Minnesota, Pennsylvania, and California are among the leaders in this effort. The innovative program

under title I will enable States to implement their best ideas.

The National and Community Service Act also expands and modifies several existing programs. Two of these provisions—the doubling of the VISTA program and expansion of the Older American Volunteer Programs administered by the Action agency—have already been enacted as part of the reauthorization of the Domestic Volunteer Service Act. These programs are an important part of our national service effort and deserve to be funded at their full authorization levels.

Title II of S. 1430 expands another existing service program, the innovative projects for community service at the Department of Education, to encourage colleges and universities to make community service programs available on their campuses. This small program, administered by the fund for the improvement of postsecondary education, receives a dozen proposals for every one it is able to fund. The legislation also increases incentives for colleges to use their work-study funds for community service jobs, and for States to use their State student incentive grant money for community service programs.

For these work study programs the Federal Government will put up a substantial amount of the funds, and the colleges will put up the rest.

Finally, title III of S. 1430 includes President Bush's Points of Light Initiative Foundation. The purpose of the Foundation is to encourage every American to volunteer, to identify successful community service projects, and to promote leaders in community service. As the President has often said, the definition of a successful life must include service to others. The Points of Light Initiative Foundation will help us meet our goal of involving all Americans in voluntary service.

This legislation has many purposes. It will enable our Nation to respond to needs unmet by existing efforts with a force of citizens ready to combat drug abuse, homelessness and hunger, protect our forests, parks and streams, improve our schools and child care centers, and assist elderly and disabled members of the community.

It will remind all Americans of the responsibilities of citizenship, by starting service programs in the earliest grades.

Basically, what we are trying to do is encourage service programs in local communities that will be developed by the students or the community—but developed in such a way that they have both an educational component and make a contribution to the community. These are the criteria which we would try to set; programs that are particularly useful and worth while would be able to gain the seed money.

How important it is to have seed money. We had testimony of those that had been involved in ServVermont last year, where some of the high school seniors there wanted to have an alcohol-free graduations. They needed $100 in order to buy the paper and stamps to solicit the community and gain support for their project. This student was successful; she was able to develop sufficient resources. She had scores of other high schools uninvolved.

That $100 seed money provided important hope to many of the young people who, as a result, became involved in community service for the first time. This is the kind of timing we want to achieve with this legislation.

This legislation will benefit those who participate in service programs. It would expand access to higher education, job training, and home ownership to those who might not otherwise have those opportunities.

It will teach young people about the needs of the community. By teaching them to help others and also teach them that they can help themselves.

The bill applies a time-tested tool of educational reform, service learning. There is no better way to inspire a child's interest in science than by analyzing and cleaning up a polluted stream. There is no better way to help a teenager improve his reading skills than by helping a first grader learn to read.

This legislation will not restrict funding for student financial aid programs in any way. Nor will it require any person to serve in exchange for Federal benefits. It will not impose a new bureaucracy on States or localities. It is designed to work through existing agencies and programs. Most importantly, it will not compel any State, locality, institution, or individual to participate.

We hope that nationwide, every State will make available the array of opportunities available in many States today. In Massachusetts, for example, young people may serve for a year after high school through the City Year Program in Boston. In return, they earn a $5,000 scholarship. Students in the Springfield Public Schools begin a school-based community service program in kindergarten and continue through high school. Organizations like the Thomas Jefferson Forum, Youth Outreach Weekends, Boston Community Schools, the JFK Library Corps, Student Volunteer Resource Center, and Teens as Community Resources help young people volunteer outside the school setting.

Boston Partners in Education and Hand in Hand enable adult volunteers to assist schools and youth-serving agencies. Tufts University, Boston University, the University of Massachusetts, and other colleges and universities encourage their students to serve the surrounding communities.

I had the opportunity earlier to address what they call Campus Compact which is a series of over 100 colleges that are very much involved in trying to provide students with more opportunities for service in the community. Many of these colleges are actually providing school credits for community service. Some are not, but all understand the educational value of volunteering. When community service is supervised with the appropriate kind of academic oversight, it can be truly educational.

For those who believe that these programs benefit only the participants, I say, talk to the families in South Carolina whose homes, devastated by Hurricane Hugo, were repaired by members of the Montgomery County, MD, Greater Atlanta, and McKeesport, PA, Conservation Corps.

Talk to the rangers in Yellowstone Park who witnessed the strenuous work done by Conservation Corps crews from 14 States after the devastating fire in the summer of 1988. Talk to the residents of San Francisco, who saw how effectively the California Conservative Corps and the local corps in San Francisco and Oakland East Bay helped the city rebuild after the earthquake last October.

It is time for other Americans to roll up their sleeves too, and do what they can to serve their communities and the Nation. It is time to turn away from the "me" decade of the 1980's and make the 1990's the decade of helping others.

Mr. President, I remember attending, a little more than a year ago, the 25th anniversary of the Peace Corps. One of the events was a luncheon, and I had an opportunity to six at the table with the first volunteers. I asked all of them the same question, and they all gave virtually the same answer. The question was, why did they volunteer for the Peace Corps? And virtually the identical answer that came from all of them was that it was the first time that anyone had asked them to do something for someone else. It is that spirit out there among the young people of this country which I believe we as a society, whether it has been in the form of either family or church groups or local communities or State or at the national level, really have not tapped. It is very rich and powerful tradition which is unique to the whole American character and experience.

I believe it is one that we as a society desperately need, and our country needs. I think all of us who are aware of these programs know of the extraordinary value that it provides for those who participate.

Finally, Mr. President, I want to point out where we are today with the bill. The proposal which we are laying out to the Senate incorporates a varie-

ty of different approaches which have been proposed. All of the proposals have been modified substantially. But it has been an extraordinary indication of the sponsors' commitment to the concept that they are willing to make substantial adjustments and changes in their initiatives.

I see the Chair, now the Presiding Officer, Senator ROBB, who has, along with Senator NUNN, been involved in shaping a particular program.

We were able to work with Senator NUNN to ensure that the concepts which were the basis of that program, have been included.

As I mentioned, Senator DODD and Senator MIKULSKI have been longstanding advocates of the Conservation Corps and the part-time service opportunities.

We have been able to incorporate those ideas, and the principal sponsors of those programs will speak to them. We have urged them to do so.

Senator PELL and others have had a long-standing interest about how we could use the existing educational systems to provide greater opportunities and incentives for community service. Those have been incorporated. Senator BUMPERS and Members of the Senate have been equally committed to the expansion of VISTA, and have spoken to us about the concept of voluntary service. I know they will be addressing their particular interests and concern. What we hope, Mr. President, is that we will have a reasonable opportunity to consider all of these ideas. I call on my colleagues to examine this bill carefully.

This bill includes President Bush's proposal, and we have commended the President for speaking about this issue. The President, of course, first raised the issue in the 1988 Presidential campaign. His proposal has been more fully developed in the report by Governor Kean and his colleagues.

We have taken that particular recommendation, which was actually included in the President's 1991 budget, and have added that to our proposal as an indication of our willingness to put out a variety of programs. Then we plan, in the next year or two, to do a careful evaluation as to which programs have been the most effective, which ones have really been able to achieve support and interest, to evaluate the strengths and deficiencies of these programs and to continue to adjust and alter and changes these programs.

So that is basically the spirit of this legislation, Mr. President. We have a number of Senators on both sides of the aisle who will be over here speaking during the course of the afternoon about this proposal. We are prepared now to involve ourselves in considering any of the amendments.

I hope that Senator HATCH, who is our principal cosponsor, will have a chance to make a presentation on this particular proposal and then that we would welcome those Senators who have indicated a desire to speak, and also we are quite prepared, after that, to begin the debate on these amendments. We have had a number of amendments which have been recommended, and we are ready to discuss them. We know that the majority leader has been generous in setting this time, and it is our desire to work with those Members who want to offer amendments so that we could debate those fully this afternoon and then move to the disposition of some of those amendments.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland [Ms. MIKULSKI].

Ms. MIKULSKI. Mr. President, I rise in enthusiastic support of the National and Community Service Act of 1990. I thank the Chair for being one of the leading architects of this legislative initiative and for the support that he has brought to it.

Mr. President, we are here today to talk not about a new program, but really enabling public policy to follow the basic American values we hold dear, the values of hard work and rewarding hard work, of civic obligation, and of lending a helping hand to others. We are particularly cognizant of the value in our county of continuing to develop social inventions that provide access to the American dream. Access to the American dream has brought people from all over the world to our shores, immigrants who then knew when they came that with hard work, initiative, self-reliance, and so on, they could own a home, they could go to school, they could enhance themselves and help this country.

These are the values we stand for, and these are the values we promote in this bill that we bring to the floor today.

These values are in trouble. Young people face a tremendous challenge in reaching for the American dream, trying to pay for that college or save for that downpayment on their first home. While they struggle to be able to afford higher education or to be able to buy a home, they often feel that they do not have the time to lend a helping hand to others.

We needed to find a way to help people put in some sweat equity and hard work while they learned the "habits of the heart" that keep America strong. We want to restore that sense of civic obligation, because we know there is no such thing as a no-cost democracy. The National Service Demonstration Program is our idea to tie those two values together: Access to the American dream, rewarding hard work, acknowledging that there is a sense of civil obligation in generating the "habits of the heart." We do that very concretely.

For those who want to spend a year or 2 in community service, who want to change their lives and devote their time to something larger than themselves, the full-time program offers a great opportunity to do that.

That is the one that I have been one of the leading architects of with Senator NUNN.

Participants will serve the community and earn vouchers that they can use to pay for higher education or a down payment on first-time home ownership.

From my discussions out in the community, what I have learned is that not everybody could go away and not everybody should go away.

Who cannot go away? Our high-technology graduates have to immediately go right into their fields before they lose the knowledge edge, the people in math, science, and civics, many working in some of the Federal laboratories like the National Institutes of Health or Goddard in our own community. We could sure use them running a Saturday scholar program or science fairs, and many would make an enormous contribution. And many people want to get on with their lives and relationships and stay in their own community.

Although they acknowledge that problems are global, they know that ultimately a lot of problems are local and they want to devote themselves to solving the problems in Baltimore. At the same time the mothers want to solve the problems in Bangladesh.

I am especially proud to be the author of the Part-Time Service Demonstration Program, complementary to the full one. Part-time service creates the opportunity for people to pay for higher education or have a first home down payment, while they continue with their lives in their own community.

This program asks people to devote 2 weekends a month and 2 weeks a year to their communities, just like the National Guard. These are people who do not think that they have the time to be out there to do what needs to be done. Our bill offers an opportunity for them to do that.

They would work primarily in nonprofit organizations doing the kinds of

community service that needs to be done.

Mr. President, under the weekend model, it would be delivering weekend Meals on Wheels, which we now do not often have in our community. It means running tutoring programs; it means being library assistants, it means working habitats for the human hands where you get out there and do it. It also means doing scouting programs.

Much as the bill offers an opportunity, it also asks an obligation. We want to reach out to people and show them we want to help them with their aspirations, but we also want them to put a little perspiration into their own community, using their skills and talents to work with these programs that help people. And along the way we hope they get inspiration from the contributions they make.

I think this legislation is a terrific investment in human capital, for people who need help and access to the American dream benefit, our voluntary organizations getting infusion of energy and more volunteers than they have had benefit.

For example, in Maryland we are facing a short-fall in recruitment of voluntary firefighters, an old-fashioned tradition as old as barn-raising. Right now, we do not have the men and women out there doing it.

This is a program good for our kids. It rewards the ones who want to work and work hard. It teaches them valuable lessons and skills, and we get voluntary services being done. But it is not a jobs bill, or a ceta bill. It is a way to help us build better citizens.

Mr. President, like you, I do not want a big, bloated bureaucracy. This is not some big, new Federal program, and there is no room in this bill or in Washington for another bloated bureaucracy. We essentially set up a little mom and pop size foundation to oversee things, like public broadcasting. States will have to put some money into it so this will keep the cost low. And for the part-time program, it is under the Governors, and as a former Governor, you know those Governors know how to squeeze a dollar. We want to encourage voluntarism, not federalize it.

In drafting this bill, we looked outside the beltway. We talked to labor, business, educators, job trainers, and folks who work with youth. We talked to the people who are out there now, giving of themselves. And we talked to the people who said they always wanted to serve, but nobody asked. We asked, we listened, and then we acted.

We have worked hard to blend our many ideas into this one comprehensive bill, which calls on each of us to turn to our neighbor and extend our hand. I am very pleased that my idea for part-time vouchered community service is part of this far-reaching legislation.

The National and Community Service Act will create a continuum of community service, offering a variety of opportunities to people of all ages, from all backgrounds, who want to serve full or part time, at home or away. It will bring different kinds of people together in new ways and teach them the rewards of helping others. And I'm very proud to say that so many of those experts are now clamoring for this bill.

How did we get to the floor today? National Service bills have been offered for years—what's special about this year? Well, over a dozen bills were introduced, including innovative proposals from my colleagues like Senators NUNN, KENNEDY, DODD, PELL, ROBB, GRAHAM, and BUMPERS, whose ideas are the anchors of the bill we debate today. As we discussed these ideas, a real groundswell of support developed among the people whose lives will be touched by what is decided here.

I do not know about everyone in this room, but I didn't decide when I was 6 that I wanted to be a Senator. I was a social worker 20 years ago when I got involved in a community project to stop a highway from destroying my neighborhood. That involvement with others changed my life. It meant more to me than you can imagine, because it led me to a life of public service. This bill will lead millions of Americans to service, to caring, to better citizenship and involvement with others. And that's great, because that's what gives meaning to our lives.

I believe that those who give to others get far more than they give. And after they've graduated from school or a youth corps, after they've earned their vouchers, paid for school, bought that first house, I believe that the people who participate in this program will stick with service for life.

Those are the people who'll make a difference, for themselves and for all of us. I believe they'll change America. I'm eager to ask them to join us. Right now, I'm asking you all to join us in offering them that opportunity.

It was only a year and a half ago that I wrote an op-ed piece suggesting a new model for national service. We've come so far so quickly because people know a good idea when they see one. I want to thank Senator KENNEDY, whose work as chairman of the Labor and Human Resources Committee brought us all together and made this bill a reality. I also want to thank Senators NUNN, PELL, and DODD, who devoted long hours and careful consideration to this important bill.

Mr. President, we worked hard to plant many ideas. Senator KENNEDY had ideas, and Senator GRAHAM had one which involves the business community.

And what we have done here is create a continuum for public service and voluntarism from the elementary school all the way through senior citizens. What we have also done is create an ethic, an ethic of neighbor helping neighbor.

This National and Community Service Act will create that continuum of community service, offering a variety of opportunities to people of all ages and backgrounds who want to serve full-time or part-time at home or away. It will bring different kinds of people together in new ways and teach them the rewards of helping others.

I am proud to say many people are clamoring for this bill. We hope when they get out there and work together, they get a sense of community, a sense of the platoon, like the military had. I hope the boys and girls involved in this program are so proud to participate in it they will remember it all their lives.

There is a saying, Mr. President, you know, once a marine, always a marine. And people feel very proud of that esprit de corps, and they carry it through their lives.

Somehow or other, we are somewhat less enthusiastic in the bureaucracy. I have never heard anyone say once a member of HUD, always a member of HUD; once a member of EPA, always a member of EPA, because there is not necessarily the same identification when achieving a high public purpose. And that is what we want to do with this legislation: instill those values, give people an opportunity, structure, and I think this legislation does it.

Mr. President, I know a lot of people right now say we should not pay for volunteers. And I can appreciate that and I respect that position.

Mr. President, there are a lot of wonderful men and women out there doing volunteer work out there, like Jake Powell of Salisbury, who is in his late thirties and works for Wicomico County near Summerset that comes to Virginia. He works for Joseph House, a nonprofit organization that helps the homeless, the downtrodden. Sister Mary Elizabeth runs it; it is called the Mother Teresa of the Eastern Shore.

Jake helps her by doing shopping bag drives and actually gets out there and helps collect food for the homeless. Since 1985, Jack has collected 25 tons of food to help Sister Mary Elizabeth help others. He also understands human behavior. He runs prom night, Project Prom Night, so kids can have a good time. That does not mean having a good drink. He helps them have fun and sobriety at the same time.

You know, we also think about this bill in terms of post-high-school kids we talked about. I tell you, Mr. President, one of the other things that we enjoyed in our hearing was listening to the way children volunteer. Senator

KENNEDY's component will draw in children in middle school and high school.

Mr. President, I got the biggest kick out of 11-year-old Samantha Hodge-Williams, who volunteers at something called Magic Me in Baltimore. She visits elderly people in nursing homes, and it made her see that her world was only a small part of a larger world.

Also, we heard of another little girl who works for a program called Save a Heart, and what she did was go into senior citizens centers and actually help do aerobics. Can you imagine this 9-year-old coming in and turning on her music—actually she did more than turn on music, Mr. President. She turned on herself to help those senior citizens, and so on.

Mr. President, that is what this bill is all about, creating an ethic of voluntarism in our society, of neighbor helping neighbor. That is what made our country great. Because as we learn cooperation and compassion, that is what makes us competitive. Compassion and cooperation enabled us to become more competitive as a Nation. We were bound together as a community and knew that often you need to make a self-sacrifice of individual gratification for a greater good.

Mr. President, I think this is a great bill. I hope the Senate will listen carefully. I know there will be debate on various aspects of this, but I am so enthusiastic about supporting it and playing a part in it because we really do take our values and put them in public policy. We do not often get a chance to do that. This is the way we can do it.

Mr. President, I now yield back the floor. The Senate has been most indulgent in allowing me this time.

Mr. HATCH. Mr. President, I have some comments to make about this bill, but I think I am going to defer in favor of my colleague from Georgia, who has been waiting for quite a while. I will speak, if I may, immediately after he has concluded.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia [Mr. NUNN].

Mr. NUNN. Mr. President, I thank Senator HATCH for his courtesy and also for his leadership on this bill.

Mr. President, I want to express my support for S. 1430 the National and Community Service Act of 1989.

I am especially gratified that title I, part D of this legislation would authorize a limited demonstration of the concept which Senator CHUCK ROBB—who is now occupying the chair—and I have been promoting through S. 3, the Citizenship and National Service Act of 1989.

S. 3, and its House counterpart, H.R. 660, introduced by Congressman DAVE MCCURDY, are based on two simple and time-honored principles. First, in introducing the original legislation, we believe that citizenship in a free society involves mutual obligations as well as individual rights and privileges—obligations that can and should be discharged in part by military or civilian service to the country. Second, we believe that in return our country should give young people who are willing to serve the opportunity to earn the kind of education, training, or housing benefits that can give them an honest chance to pursue the American dream of upward mobility.

To make these principles a fundamental part of American life, we provided in S. 3 for a permanent, national program whereby our young people could volunteer for 1 or 2 years of civilian service; 2 years of military service; or 8 years of military reserve service; and receive in exchange vouchers that could be used for college expenses, job training, or a downpayment on a first home.

Military volunteers who met the recruitment requirements of the armed services would serve as citizen soldiers, while those opting for civilian service would work in their own communities for public and private nonprofit agencies that provided social services ranging from home health care to illiteracy training to recycling and recreation—addressing those needs unmet by either the private or public sectors.

Even though Senator ROBB and I envisioned a full-time program, we were always very aware that Senator MIKULSKI's part-time proposal was the ideal complement to our concept. Under her plan, participants could work in community programs for 9 hours a week and 2 weeks in the summer and earn housing and educational vouchers. Our Citizens Corps would also have enlisted a number of volunteers over 65 who could work either full or part time and would earn a modest hourly wage.

Under our original concept, Federal student aid would gradually be converted into benefits earned through service in the Citizens Corps. This provision was at the heart of the controversy surrounding the legislation, but also was at the heart of the overall concept.

I remain fully committed to S. 3, and to a permanent, national program which could open up opportunities for our young people while giving them what my colleague, Senator BARBARA MIKULSKI, has termed sweat equity in the future of their communities and their country. But Senator ROBB and I recognized the day we introduced S. 3 that so fundamental a change in the way we provide educational benefits, and the way we deliver many social services, would not occur without a period of testing.

The program authorized by S. 1430 does not make service a condition of receiving other kinds of Federal student aid. Part D of title I of S. 1430 would authorize a demonstration program based on S. 3, based on Senator PELL's similar proposal, and the part-time approach developed by Senator MIKULSKI.

I congratulate Senator KENNEDY and the staff of the Labor and Human Resources Committee for crafting this legislation. I also thank Senator HATCH for his cooperation in crafting the compromise which we have before us today. This bill blends proposals ranging from Senator DODD's expansion of the conservation Corps Program to Senator GRAHAM's idea for promoting service in our public schools.

Basically, it is a bill that provides Americans from all walks of life the opportunity to serve each other and their country—the young and the retired, the college student and the business executive, the young mother who has a few hours a week and the young man who wants to give a year or more of his life.

This bill tests the concept of a civilian GI bill, calling for a new basis of citizenship in which citizens are once again asked to give something back to their nation. This approach will be an altogether new and mostly nongovernmental effort in which citizens, serving one by one in their own communities, work together to tackle the Nation's great social deficit.

The demonstration program authorized in the bill is truly a pilot project because it represents a carefully calculated experiment in determining the attractiveness of education and housing vouchers to those who might serve, the feasibility of training and placing volunteers effectively in a decentralized manner, and the value of their service to the community and the Nation.

One of the critical questions we will ask during this pilot phase is what effect a nationwide civilian community service program would have, if implemented, on military recruitment programs that offer similar benefits. Some have expressed specific concern that the level of educational benefits provided to civilian servers under this program is higher than the postservice benefits for some members of the military under the Montgomery GI bill. Let me respond to that.

First, while military service is one from of national service, I think all of us must keep in mind that it is different form most other forms of service because of the unique sacrifices we ask of those who serve in the military, not only the sacrifices they make, but also the potential for great sacrifices in terms of service and risk. Second, because of these sacrifices and the inherent risks involved, military members should receive more compensation than we give to people who perform other forms of national service.

I believe we have addressed this concern in the bill: The combination of in-service and postservice benefits is substantially higher for military service than the overall compensation for civilian national service under this legislation. In fact, a 2-year civilian national service participant will receive benefits which are approximately 40 percent lower than the total compensation of his or her military counterpart.

I ask unanimous consent that a table summarizing the weekly compensation for full-time service in the military and full-time service in the national service program be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMPARISON OF INSERVICE AND POSTSERVICE BENEFITS FOR MILITARY SERVICE AND CIVILIAN NATIONAL SERVICE

[Weekly compensation for full-time service—2 yrs of service]

	Military service		Civilian national service, S. 1430 as amended
	Montgomery GI bill—basic benefit	Montgomery GI bill—with kickers	
Inservice pay	[1] $287	$287	$135
Value of postservice benefit	[2] 86	173	96
Total	373	460	231

[1] Based on total regular military compensation of $30,000 for 2 yrs of service minus $1,200 contribution for Montgomery GI bill benefits.
[2] Calculated as total postservice benefit divided by number of weeks served.

(Mr. KERREY assumed the chair.)

Mr. NUNN. Mr. President, I do not believe that this demonstration program will undermine military recruitment. In fact, as service to the Nation is given high visibility by the President and other national leaders, I anticipate that more young people will be attracted to service generally, which can only benefit the military.

The program we outline will provide a limited number of full-time, civilian placements in a limited number of States. Only 1,300 full-time participants would be serving in the first year of the program. The military recruits over 290,000 individuals each year. There is no way that this small program could have any appreciable impact on the overall recruiting effort of the military services, particularly at a time when the size of the active duty military force is declining and when recruitment requirements will be diminishing.

This also holds true for the part-time program. The level of the participation—potentially up to 4,500 participants—is simply not high enough to affect the overall recruiting effort of the Reserve and National Guard.

In my opinion, even if we went nationwide with this proposal rather than testing it, it still would not have an adverse impact on recruiting because it would instill a participation by so many young people who are not attracted to either the military or the civilian service.

I think in that revival of what we call the civic obligation in this country, that sentiment, it would do the military a world of good.

Finally, I think it is important to point out that anticipated reductions in our military forces may create an even greater need for civilian work that provides an opportunity for service and for upward mobility. I think one of the things that is going to fall out of the overall changes, the sweeping changes taking place in the world, is a reduced size in military force, and therefore fewer people being given the opportunity to go into the military. This is particularly one of the downside effects in terms of low income and minority students who have the military as, in some cases the only, in many cases the best, equal opportunity employer and the best job experience that they could possibly get. That is one of the few down sides of the overall events in the world which are primarily very positive.

S. 1430 is, in many ways, similar to the bill that Senator ROBB and I introduced last January. It would create a decentralized and cost-efficient way to deliver human services to needy citizens. When one older person can avoid a nursing home because she gets assistance with her meals from a young server or when one illiterate adult learns to read through the assistance of a part-time tutor, we can be sure that the investment is both meaningful and appropriate.

Moreover, the programs outlined in both S. 3 and S. 1430 would invest in the future productivity of the service providers themselves, which will pay enormous dividends as they enter the workforce.

Some critics have objected to the payment of stipends and educational and housing vouchers to the national service participants. This argument ignores the many service opportunities—including military service—which provide various forms of compensation to individuals.

Without some form of compensation, many individuals could not afford to serve their country. In my mind, service should not be limited to those who have the luxury to serve without compensation.

Before this bill becomes law, and I hope it will become law, we are going to hear an awful lot of argument along that line. Why not just let everybody volunteer? Why give anybody anything for volunteering? Why not let it be pure voluntarism?

We could have used that argument in the military but we did not because we knew it would not work. Some of the same people who are advocating that now were most vocal in the 1970's and 1980's in providing very large bonuses for people who served in the military, including very large bonuses for those willing to serve in combat arms.

So, this principle of voluntarism, as noble as it is, usually ends up, if it is pure voluntarism, appealing to only those people who have incomes sufficient to allow them to volunteer while they are also earning enough money to live on.

We have seen that time and time again. I do not think we diminish the spirit of voluntarism by helping young people with their educational requirements in return for service to the country. We do that in the military today. We do it successfully, in the military today. Without that form of compensation, without those bonuses, without those educational vouchers, the volunteer force simply would not have worked.

I hope people who debate this will keep that point in mind.

The fact is those young Americans who serve their country should be helped with their education or housing more than those who do not serve. With college and housing costs rising beyond the reach of many families and with career opportunities almost non-existent for those without rudimentary job skills, both S. 3 and S. 1430 would provide needed resources for those who have contributed to the common good.

S. 3, of course, differs from S. 1430 in several, critical areas. The bill before us is more limited in scope to the program anticipated by S. 3. It also differs in that eligibility for existing Federal student aid programs will in no way be linked to a young person's willingness to perform community service—though I would stress that there is no linkage of aid to service during the 5-year phase-in provided by S. 3, either.

I remain committed to the concept of earned benefits. After S. 3's introduction, the concern was expressed that requiring service of those seeking Federal student aid would have somehow been punitive or burdensome, particularly for low-income students.

Those of us who sponsored S. 3 reject the notion that it would have a regressive effect. To the contrary, a program offering higher levels of college assistance than ever before to anyone willing to serve would enormously expand educational opportunities for low- and middle-income families, while solidifying public support for student aid. Let us not forget, also, that the poor, themselves, would have been the primary beneficiaries of the services provided by the many volunteers working in the Citizens Corps.

The program authorized by S. 1430, again like the phase-in stage of the permanent program in S. 3, does not make service a condition of receiving other kinds of Federal student aid. But I do think this program will dem-

onstrate that giving young people a chance to earn educational benefits is the best available—and most affordable—way to expand educational opportunity while reestablishing this country's tradition of civic obligation.

Let me again express my support for the pending legislation and my thanks to Senator KENNEDY and to his very capable staff and also to Senator HATCH and his capable staff for working out this legislation.

I also want to express my deep appreciation to Senator BARBARA MIKULSKI who has been a vital leader in this overall endeavor from day one. At a time when the spirit of democracy and the dream of freedom and opportunity are becoming common aspirations of all people on this planet, Americans have a special obligation to keep the spirit and the dream alive for each other and for our children. It is highly appropriate that this first small step toward rekindling the ethic of civic obligation is offered to the U.S. Senate by the man whose brother best expressed that ethic when he challenged Americans to "ask not what your country can do for you * * * ask what you can do for your country." So I am grateful for the leadership of Senator KENNEDY and Senator HATCH and others in the legislation and hope the Senate will pass it. I also hope we can make progress in the House and progress with the White House.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am happy to be here debating this bill today. It has been a difficult voyage and difficult legislation to put together, but I think we now have something that ought to please almost everybody. I am hopeful it will please our friends down at the White House as well.

Mr. President, it is appropriate that we are considering this legislation just following George Washington's birthday. He was one of our country's most notable first volunteers. Though he was a comfortably situated plantation owner, George Washington selflessly served as the leader of the fledgling American Army at a time when his spirit and enthusiasm for the cause may have counted as much as or more than his military ability.

It is this spirit of service and enthusiasm for making a difference that we are trying to promote today with this legislation.

I salute President Bush for recognizing the importance of volunteers to our communities and the contributions they make every day to the quality of life we have here in America. It is time for even the most jaded politician and the most cynical columnist to admit that the "thousand points of light" is not a cliche. It is time that they acknowledge what American citizens have known since our Nation was founded. Volunteers make a difference. They read to the lonely shut-in, coach the little league teams, pick up trash in our parks, comfort the sick and bereaved, and participate in the democratic process. They pitch in to help in times of disaster. Volunteers do a million other things that are indispensable in our society. If we had to pay them for what they do, our national debt would be incalculable. This bill recognizes that.

Senators KENNEDY, DODD, MIKULSKI, NUNN, and others have worked hard to bring a consensus bill to the floor. Hours of discussion and consultation with the highest levels of the administration have helped to shape this legislation. While it is not precisely what President Bush has recommended, and I am aware that he still has concerns about the total authorization and other components of the bill, it is fair to say that this legislation reflects many changes that are compatible with the administration's vision for a National Service Program.

President Bush has called on all Americans to reawaken our Nation's spirit of voluntarism. He has offered his pulpit to acknowledge and thank those who devote themselves to volunteer service. The compromise today allows our State leaders to accept President Bush's challenge to invigorate our State and local communities to the call of national service.

I am happy to present this substitute agreement which I believe to be a fair and needed prosposal. We worked hard to find the best structure for these programs and have finally agreed on a funding level of $50 million in fiscal year 1990 and $75 million in fiscal year 1991. Authorized funds not appropriated may be carried over in subsequent years. This compromise also includes the President's Points of Light Foundation that thas been recommended by the President's Advisory Committee on the Points of Light Initiative Foundation. This Foundation is formed to "accomplish President Bush's mission of promoting existing volunteer progrms, encouraging the formation of new ones and motivating all Americans to engage in community services."

This bill will permit every State in the Union to participate in the National Service Program and to promote voluntarism in its own way. Flexibility is given to States to choose a volunteer program that addresses their specific needs. The selection includes community-based and school-based volunteeer programs; a youth service corp or conservation corp efort; a full- or part-time volunteer corp; or the development of their own innovative programs that address their specific needs. This compromise also allows the States to set living allowances and benefit programs, but caps these levels at specified amounts. Some States may wish to recruit additional volunteers; others may need resources to support the number of people who are already willing to volunteer.

In Utah, for example, there are scores of people in our communities who would gladly donate their time if we had the materials to make their donation productive. This is also true for our young people who want to serve their community, but who do not have the financial resources to commit for transportation or other expenses. I remember in my home State of Utah, the countless volunteers who lined our streets with sandbags to protect our homes and our communities from ravaging floods. And, I remember the high school students from Salt Lake County who collected funds and food for the famine relief efforts in Africa. And, I thank the hundreds of volunteers who comprise our ski patrol to help those who may be injured on our fine ski slopes, the finest ski slopes in the world, that we have in Utah. These are only a few of the many countless stories about volunteers who have helped make our communities better.

I am pleased that the Utah State Legislature has recently passed a bill which reflects my own State's desire to be a part of these new programs. Their bill sets up a Youth Conservation Corps. This corps of high-risk youth will help perform the immense task of maintaining and improving the vast amount of urban and rural land in our State while educating our youth about the value and satisfaction of hard work at the same time. I want to commend the bill's sponsor, Senator Lorin Pace, for his diligent work to pass a bill unanimously in the State Senate and achieve strong support in the State House of Representatives.

But, Mr. President, while I certainly agree that the specific provisions of this bill are important—or I woud not have spent so much time negotiating them with my colleagues on the other side of the aisle—I believe they may be less so than the idea this legislation represents. Both President Bush and this legislation seek to rejuvenate and refresh the spirit of community activism and neighborliness in America.

We are taking this action not because volunteers in America are letting us down, but rather because they are so vital to us. We should take this action because it is time to support volunteers, not just take them for granted.

But, finally, Mr. President, we are taking this action because we realize that Government cannot solve every problem. We cannot decree an end to hunger or suffering or disaster and have it be so. Likewise, we cannot pass this legislation and expect that every American will automatically be inspired to be a volunteer. I hope many

more Americans will join the ranks of our dedicated volunteers.

We must also recognize that Americans volunteer because of the intrinsic benefits of their philanthropy. We derive personal satisfaction from helping others and from making our communities thrive. We voluneer because it is the right thing to do, not because we anticipate a tangible gain. There are a thousand points of lights across America already shining and making our society better. Their talents and gifts reward our communities everyday. And, through this legislation, we are making a modest attempt at helping them in their efforts. It is this spirit that inspired George Washington to accept the lonely and difficult leadership of what was perceived as a losing cause.

As I stand here on the floor of the U.S. Senate, I am reminded of these words of Edward Everett Hale, Chaplain of this great body:

I am only one, but I am one.
I cannot do everything,
But I can do something.
Because I cannot do everything,
I will not refuse to do the something that I can do.
And, that which I ought to do,
By the grace of God, I shall do.

This legislation, Mr. President, will not by itself make America a better place to live. The Points of Light Foundation will not by itself beam light around the country. But, Mr. President, we can, by enacting this bill, take a position in support of volunteers. And, that, Mr. President, we ought to do.

I am proud of those who worked on this bill. I am proud to have been able to work side by side with Senator KENNEDY, Senator MIKULSKI, Senator NUNN, Senator ROBB, and a whole raft of others, and Senator DURENBERGER.

I have to say this is an important bill. It is a modest bill, but it is a bill that sends an important message all over America. I hope the Points of Light Foundation stays in it and I hope the President will be very pleased in the end. I want to thank all of those who have worked on it, especially the staff members who have worked so well and diligently to try to bring it altogether. Mr. President, I yield the floor.

Mr. ROBB addressed the Chair.

THE PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, just over a year ago, I cosponsored the bill introduced by my good friend, the senior Senator from Georgia from whom we heard a few minutes ago. That bill, S. 3, the Citizenship and National Service Act of 1989, created a lot of controversy—controversy which finally drew sustained legislative, and public attention to an issue that has been of interest, to me for many years.

The bill we consider today and the bill which I hope my colleagues will support contains many of the provisions from S. 3 and a number of related initiatives crafted by other Senators. Although each of us had a different approach to the idea of community service, we share some fundamental goals and I believe the final product benefited from the range of interests which shaped it.

The cosponsors of this bill share a concern about the social deficit in this country, the unmet needs in our communities—problems like illiteracy homelessness, and infant mortality—the kinds of needs that the energy of our young people can help to address.

The programs you see reflected in this bill; school-based service, conservation corps work, and extended national civilian service commitments, are designed to make a habit out of "giving back" to the community. A principal feature is the idea that we need to "get" young people early to make the "ethic" of "civic responsibility" a part of life from the earliest time possible.

We need to cultivate that "habit." A recent survey done by "People for the American Way" found that when asked to rank a series of life goals for their relative importance, young Americans labeled "enjoying yourself and having a good time" as more important, than "being a good American who cares about the good of the country." And nearly 2½ times as many emphasized "having a good time" as did "being involved in helping your community be a better place."

When asked why they thought more people were not involved in volunteer activities, these young Americans cited a number of possible causes: A lack of encouragement from their parents and schools, uncertainty about how to get involved, and pressures to do other things like get good grades.

But the numbers suggest that 57 percent of those young Americans who have participated in volunteer activities felt good about helping someone. And I know from talking to my own daughters that their volunteer activities have been among the most memorable and fulfilling experiences of their high school and college careers.

As my colleagues know, my interest in the proposal was rooted in my desire to increase the access of poor and middle-class students to Federal financial aid and to begin to create a new ethic, an ethic of earned benefits, to replace the presumption of entitlement that many Americans have toward student aid and other Federal programs today.

This was by far the most controversial element of S. 3, and the one which attracted the most attention. Concerned educators raised questions about the impact that requiring service before providing significant educational benefits might have on the number of underprivileged students who wound up attending college.

One element of S. 3 that is not contained in today's legislation was designed to get at this issue of mutual civic obligation. Originally, S. 3 proposed the eventual phasing out of many of the current Federal loan and grant programs for postsecondary education and the substitution of the national service program for those programs.

I think that the variety of approaches to encouraging service provided in this bill will help these young people to overcome the difficulties of finding a way to serve and will help this generation develop an ethic of mutual obligation, a sense that with rights come responsibilities.

That debate has been postponed. But I hope that after 5 years of testing whether students and communities participate in the national service program and of finding out whether these students can provide meaningful service in their communities, we will revisit the question, of establishing a link between individual and community and between opportunity and obligation.

Mr. President, I join with the other sponsors and cosponsors of this legislation. I am very pleased to do so. I join in commending them for an exceptional amount of effort that has gone into this particular bill which emerges in the spirit of compromise from all sides. I join with them in hoping that my colleagues will favorably consider and eventually pass this particular legislation. Mr. President, I yield the floor.

Mr. DURENBERGER. Mr. President, I rise to comment on the National Community Service Act of 1990. I appreciate the comments that the Senator from Utah has made, but I am the principal Republican cosponsor of this legislation. I came to support this legislation rather late, although I do not come to the subject of voluntarism late at all.

As I look at what makes this country great, I note it is not the number of automobiles in this country, nor is it the desinger suits that we wear. What we have known for the two centuries of our history is that what makes America great is the character of our people, in particular, our willingness to stand up for that character when it is put to the test, to stand up for democracy and for the good that we can find in other people when so many seek to criticize us.

Thus I am encouraged when I pick up the paper and I read about the courage and the character of the people around the world who are standing up for the rights of freedom and democracy. These are exciting and historic times. From the Chinese stu-

dent who stands up to the tank in Tiananmen Square to the thousands of people who have died in Romania, all over the world we are seeing unprecedented acts of courage and devotion, all in the name of freedom; all over the world, that is, except, I am saddened to say, here in the United States.

When times are good it is easy for a people, or a nation, to lose sight of the individual responsibilities we have to others and, the civil duty we have as part of a democracy. The 1980's have been labeled by some as the "Me Decade," the decade that focused on self needs rather than on the needs of others. What is truly disturbing is that this apathetic attitude is carrying over into the Nation's young.

My colleague from Virginia referred to a study by the People for the American Way which shows young people are less involved, less interested in public life, and do not understand the notion of individual responsibility that it takes to preserve their democratic freedoms.

When asked about goals young people have for themselves, only 24 percent stated that being involved in helping the community would a very or extremely important goal.

The one encouraging part of the survey however was the fact that young people do care, and that they do want to get involved. They simply do not know how.

Mr. President, that is exactly what this legislation before us will do. It would establish the structure needed to encourage participation in community and national service and would turn, I believe, the 1990's into a decade where we put others first.

Because of Minnesota's strong leadership in the area of youth service last summer I convened a task force on youth service which included many of the best people who have personally committed their lives to volunterism in my State. At the heart of Minnesota's youth service is the belief that there must be a collaboration between schools, youth service organizations, and the community, and that youth service be encouraged at an early age so it will be sustained throughout life.

Minnesota is using both State and local financing to accomplish that goal, and I am pleased to report that more than 200 or our 400-plus school districts now have youth development plans in place, and about 150 more now offer a youth service component as part of their curriculum.

At this point I ask unanimous consent to submit for the RECORD a copy of the final report of this task force that I put together, including a listing of model youth service programs in my State. I ask unanimous consent that it be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURENBERGER. I ask my colleagues to note the qualifications and the variety of the task force membership.

(See exhibit 1.)

Mr. DURENBERGER. Mr. President, I felt from the beginning that it was very important for this legislation to have strong bipartisan support, and that we take advantage of the strong national leadership we have seen on voluntarism and community service from President Bush. It is absolutely essential that any new, successful community service program have strong national leadership that only a President can provide.

So it was with great deliberation that I chose to support the legislation before us today. The reasons for supporting it are many, but let me just point out three reasons why I think the legislation is so essential.

First, is the role community service can play in enhancing and improving education in this country. By offering students the opportunity to gain hands-on experience, the efforts of traditional classroom learning can be greatly enhanced. Whether by tutoring younger children in math, reading, gaining exposure to a possible future career for one's self in health care and natural resources or—and this is probably the most important—just gaining the people skills, the relationship skills that the young need to function in society, young students can add significantly to their classroom learning experience.

The survey we referred to earlier clearly shows the needs in this area. The survery shows that youth today appreciate the Democratic freedoms in this country, the individual rights that are guaranteed them, but they are unable to grasp the other half of the equation—their responsibilities to participate in the community and in government to ensure these freedoms and rights become a reality.

This bill will help establish that link by establishing what I would call experienced-based learning opportunities.

Mr. President, at this point I would mention the fact that about 21 years ago in my State I participated with our then Governor in a program called lighted school conference which for the first time in America, provided a community-based broadening of the educational system into the community. It has now become known all over the country as community education, but it began in our State as an effort to take the school into the community.

One of the purposes of this bill is to bring the student through the community into the educational process. I think that represents not only a change over two decades but how important the relationship between education, formally, and education through hands on community service.

The second reason why this legislation is essential is the positive effect the community service has on building further generations of citizens. This bill encourages participation by all students. Voluntarism can lead to an increased sense of self-esteem, especially for those who may be undernurtured or vulnerable. Young people today need to feel wanted and appreciated. They need outlets for the positive contributions they can make to society, and they need recognition of the contributions they are or could be making.

I must tell you of an experience I had a couple of months ago at an alternative high school program in my State. An alternative high school is one of those streetside dropout programs for kids who just cannot make it because they are vulnerable, undernurtured; maybe it is impossible for them to make it in the traditional school system. I met a high school student, who looked to me to be about 16 years old, who was involved in a literacy program in which he read to younger elementary students. The student had come from a broken family and had been abused as a child, and obviously lacked the love and the attention from his parents that he needed to feel good about himself as a person. He described himself to me as a fighter, and a person who always got in trouble. Every place he went he got in trouble, and he would end up at the end of every situation in some fisticuffs.

The gift of this program came to light for me when he began to tell me about this literacy program. In the literacy program he had to go into a kindergarten-first grade setting and teach kids who were 10 years younger than he was how to read. One little boy who had been in the beginning of this reading program, sort of shy and distant, finally came up to him, to this 16-year-old fighter kind of kid, sat on his lap, and gave him a big hug. The kid sat in front of me and he started getting tears in his eyes and he said, "You know, Mr. Senator, this is the first time in my whole life anybody ever gave me a hug."

So that began for him one of those very difficult to define in "educational terms" experiences, built principally on the growth in his own self-esteem.

Mr. President, so often we think of voluntarism as something we do for the less fortunate in life. But we often forget that the simple joys of helping others helps us as well. What we can learn about ourselves through helping others is the incredible value of voluntarism.

Jim Kielsmeier of the National Youth Leadership Council put it this way: "Youth in service must come to

be perceived as active and powerful youth citizens, contributors and participants, rather than this business of fragile 'at risk' victims. High expectations have a way of inspiring young people, motivating positive behavior where we have seen punitive and negative approaches" in the past.

The third reason for this legislation, Mr. President, is that I believe community service can offer an outlet for young people to use their time in a constructive manner. Today's young people face a range of temptations and have numerous competing demands on their time. In meeting these temptations and making positive use of their time, there is a great value represented by the sense of accomplishment and self-worth that community service can bring.

Within this context, expanding support for young service needs to be considered a vital and integral part of this Nation's efforts to curb the negative influence of drugs, particularly among young people. Drug use, including the use of alcohol, can often be traced to idle time, low self-esteem and negative self and social expectations.

I found out the other day in a hearing chaired by our chairman that the most vulnerable age for young people today beings at age 10 and lasts through the age of 16. This is the age in which the television-bound, peer-controlled, and family unsupported child of America today develops his and her addiction.

Whether it is addiction to the chemicals of alcohol or drugs, nicotine, or a variety of other potentially abusive dependencies in our society, it is the period of time in which the young are most vulnerable in becoming the addicts.

Properly motivated and recognized community service can go a long way toward reducing the influences of those contributing factors and addressing what all of us regard to be a major national crisis of dependence on drugs and a variety of addictive substances in our society.

I applaud the effects of my colleagues from Massachusetts, and what he has done in this bill to make the important link between community service and putting an end to drug and alcohol abuse in America.

Mr. President, I realize that some of our colleagues have raised concerns about the cost of this proposal, about dependence on governmental agencies and programs, and about its inclusion of stipends and other compensation for some young people who perform community service.

In fact, I have heard people laugh about this. Let me address these concerns one at a time, again based on our experience in the State of Minnesota.

First, I am well aware of the competing pressures that new funding like this places on an already excessive Federal deficit. For that reason, every Federal commitment must be viewed in terms of its present effect on the budget and future rewards and savings. The benefits of this legislation cannot be measured in monetary terms, and thus will never pass the Congressional Budget Office test.

But I am confident that this legislation will, in the long run, prove its worth. I believe that the experience of Minnesota and other States provide the evidence we need to make that calculation.

Second, as a life-long community volunteer myself and active supporter in the voluntary sector, I am very skeptical of any effort to turn encouragement of voluntarism into a government program. I have been doing this at the national level since 1971, when I became a director of Volunteer.

At the same time, the success and the experience of Minnesota's efforts to improve voluntarism has shown me the need for the limited degree of structure and support envisioned in this legislation.

My State has invested seed money into its community service programs, and from that has grown a full network of service programs. The money needed to support the infrastructure is not very large, but without it, you lose the link that holds the system together.

Finally, on the subject of payment of stipends or financial incentives to community service participants, I would like to make two points.

First, the Minnesota task force I have had advising me on this took a strong stand in opposition to any forced linkage between community service and access of Federal student financial aid. I agree wholeheartedly with that position.

But, I also agree that limited experimentation with the use of vouchers or stipends, for paying tuition or other educational expenses, will give us a valuable tool for experimenting with new ways of meeting the growing burdens associated with financing postsecondary education—a new way of financing education in which we are financing not only an education, but also a lifetime ethic of service.

In addition, for many young people this may be a wise investment of public funds if this experience serves both educational needs and improves self esteem. The alternatives could prove to be much more costly to society in the long-run than the nominal stipendiary awards envisioned by this legislation.

These are new ideas, and I commend the Senator from Massachusetts for building in a strong program of evaluation that would test the effectiveness of this program.

I am especially grateful to the very open way in which the Senator from Massachusetts has accepted the ideas which we have offered from Minnesota for improving this legislation since the time it was reported from the Labor and Human Resources Committee. I am pleased that he has accepted my suggestion to ensure that the clearinghouses will act as a focal point and communications link for youth service activities, including the use of a national computer network and other telecommunications technology, and the sensitiviity to my suggestion to increase the training requirements for postsecondary student financial aid administrators who are involved in placing students in community service opportunities.

I also commend my colleague for ensuring equal opportunity for recipients of grants between the educational community and the community agencies. The assurance for equal opportunity is heightened under the committee substitute, which changes the oversight authority of the Youth Service Program from the Department of Education to the Points of Light Foundation.

Mr. President, all around us a limitless and renewable natural resource is waiting to be tapped, as this Nation seeks to meet the unmet needs and unfulfilled opportunities of its people. Youth in service is that natural resource. With passage of this legislation, we can begin to tap that resource.

I want to thank Senator KENNEDY and Senator HATCH for the time they have spent and for their commitment to this issue.

I urge my colleagues to support this very important legislation.

EXHIBIT 1

BUILDING A LIFETIME ETHIC OF SERVICE

(Report of the Minnesota Ad Hoc Working Group on Youth Service, September 1989)

U.S. SENATE,
Washington, DC.

DEAR FRIEND: All around us, a limitless and renewable natural resource is waiting to be tapped as this nation seeks to meet unmet needs and unfulfilled opportunities. Youth in service is that natural resource, and with continued strong leadership from the President, and the U.S. House and Senate, we can begin to tap that resource in the 101st Congress.

Our vehicle can be a comprehensive, bipartisan youth service bill, drawing on the spirit and best elements of legislation already introduced by a number of members of Congress and legislation President Bush has promised to submit this fall. In crafting a bi-partisan proposal, I believe we would also be wise to draw on the experience and expertise of states—like Minnesota—which are already tapping the rich natural resource represented by our nation's youth.

That's one reason I recently convened an "ad hoc working group on youth service" which includes many of the best minds on this subject in a state that is leading the rest of the nation in expanding youth service opportunities. This report is the culmination of their work and, while time limitations dictated that it not result in a compre-

hensive youth service proposal, it does include a number of principles and recommendations that can help guide both Congress and the Administration on this issue.

Briefly, the Minnesota working group concluded that national youth service legislation must:

1. Support a continuum of voluntary service opportunities, beginning at a young age and integrating educational and self-development objectives for young people which will reap life-long benefits.

2. Allow maximum flexibility in awarding federal grants to local communities which promote collaborative youth service projects run by both schools and youth service organizations. Grants should also be administered in ways that maximize the potential for private sector support.

3. Encourage and improve planning, training, information sharing, research and evaluation on a decentralized basis around the country. Young people themselves should be guaranteed a major role in designing these programs.

4. Recognize and encourage the value of bi-partisan national leadership and visibility, especially the kind of leadership and visibility that can only be provided by the President.

5. Clearly distinguish between the varying needs and goals of youth service for different ages of young people and for young people with differing economic circumstances. While agreeing that stipends and other finance assistance may be needed in some instances, the working group felt very strongly that there should be no forced linkage between community service and student aid.

Based on these basic principles, the Minnesota working group then made a series of recommendations, aimed specifically at Senator Kennedy's "National and Community Service Act of 1989," but also directed to the Bush Administration. Briefly, the working group recommends that both proposals:

1. Designate a single independent agency—like the proposed National Service Board—as the grant making authority for all new federal youth service programs.

2. Earmark specific funds for the establishment of three to five regional youth service resource centers to help with needs assessment, planning, training, research, evaluation, communication and recognition. Preferably, existing organizations or resource centers would receive these funds.

3. Place a higher priority on planning and needs assessment in local communities prior to the awarding of grants to initiate or expand youth service opportunities. It should draw heavily on the input of local governments, the private and voluntary sectors, and young people in each community.

4. Place a higher priority on training for teachers and youth service workers and for administrators of student loan and work study programs who place students in youth service projects.

5. More explicitly recognize the value of youth service—including the proposed youth service corps—in waging the nation's war on drugs.

I whole-heartedly endorse these principles and recommendations and hope that you will take the time to carefully review them, as they are detailed in this report. I also hope that all those who care deeply about the future of both young people and the nation they will inherit will not join forces in crafting comprehensive, bi-partisan youth service legislation that can be adopted and signed in this session of Congress. That's an objective I'm committed to, and I hope I can count on your support, as well.

Sincerely,

DAVE DURENBERGER.

BACKGROUND ON THE MINNESOTA AD HOC WORKING GROUP AND THIS REPORT

As is true in many areas of public policy and community service, Minnesota is leading the nation in encouraging the expansion of youth service opportunities. With the active support of the governor and legislature, Minnesota's schools and colleges, youth service organizations, and the private and non-profit sectors are engaged in hundreds of collaborative efforts in all parts of the state.

At the same time, Congress and the Bush Administration are both promoting national legislation to encourage youth service. This legislation may be considered on the floor of the U.S. Senate later this fall after having been reported favorably by the Labor and Human Resources Committee in early August.

Because of Minnesota's strong leadership on youth service, U.S. Senator Dave Durenberger recently convened an "ad hoc working group on youth service." This group was charged with reviewing the pending federal legislation and recommending changes or improvements.

Members of the working group met three times during August and September to establish principles they felt should be included in national youth service legislation and to agree on a set of recommendations. This report represents a summary of their work.

In order to build further awareness of the pending legislation—and to solicit additional Minnesota input—a mailing which summarized the pending legislation and work of the ad hoc group was sent to approximately 4,000 youth and voluntary service, education, and government leaders in Minnesota in early September.

A follow-up mailing summarizing this report and updating Minnesotans on the status of national youth service legislation will also be sent to the same 4,000 individuals later this fall.

And, finally, Senator Durenberger intends to conduct several meetings or forums on youth service in various parts of the state during the Senate's October recess, again to gain additional visibility for federal youth service proposals and to solicit further input on the pending legislation from Minnesotans.

MEMBERS OF THE AD HOC WORKING GROUP

Recommendations for membership of the ad hoc working group came largely from the youth service community in Minnesota, and others joining in the process by attending subsequently meetings. Still others participated by mail and by phone. Those who became involved in reviewing proposed federal youth service legislation through either meetings or mailings included:

Keith Baker, Greater Minneapolis Chamber of Commerce

Linda Bauer, teacher, Hill City public schools

Tom Berg, program officer, McKnight Foundation

Paula Beugen, Consultant, Minnesota Office on Volunteer Service

State Representative Kathleen Blatz, IR, Bloomington

Kim Boyce, executive director, Ramsey County Exten-Service

Kevin Collins, intern, Minnesota Campus Service Initiative

Larry Fonnest, director, Minnesota Conservation Corps

Lara Lee Geraghty, director, Minnesota Office of Volunteer Service

Linda Giesen, City of St. Paul Youth Corps

Rick Jackson, vice president, Metropolitan YMCA of Minneapolis

Glen Jeffrey, board chairman, National Youth Leadership Council

Jim Kielsmeier, president, National Youth Leadership Council

Mark Korf, president, Minnesota Community College Student Association

Mark Langseth, director, Minnesota Campus Service Initiative

Lynn Mikula, Animal Humane Society, Minneapolis

Keith Morton, executive director, University, YMCA

State Representative Ken Nelson, DFL, Minneapolis

Gerry Ouellette, teacher, The Marshall School, Duluth

Kent Plumley, legislative director, Minnesota Community College Student Association

Mary Jo Richardson, Minnesta Department of Education

Adam Rautio, student, Cooper High School, New Hope

Ted Sauer, teacher, Hopkins Schools

Stephen Seidel, project coordinator, Twin Cities Habitat for Humanity

Patti Stuhlman, Minneapolis public schools, community education

Kit Sturgeon, student, Carleton College, Northfield

Rich Willits, associate director, National Youth Leadership Council

Staff assistance was provided by Jon Schroeder, Senator Durenberger's director of policy development; and Carolyn Boos, Senator Durenberger's Washington legislative assistant for human services and education.

SPECIAL ACKNOWLEDGMENT

Senator Durenberger and his staff wish to acknowledge the invaluable assistance provided this project by members of the ad hoc working group. Beyond providing strong substantive support, the University YMCA and National Youth Leadership Council also hosted meetings of the working group. And, the National Youth Leadership Council made available its mailing list of youth service leaders throughout the state who were kept informed of the group's work.

FOR FURTHER INFORMATION

For further information on the status of national youth service legislation, or the recommendations of the working group, please contact Jon Schroeder, Office of Senator Dave Durenberger, 1020 Plymouth Building, Minneapolis, Mn. 55402; 612-370-3382 or 800-752-4226 (toll free in Minnesota).

I. INTRODUCTION: YOUTH SERVICE TAKES ITS PLACE ON THE NATION'S POLITICAL AGENDA

Thanks to strong Presidential and Congressional leadership, a major national youth service initiative has a strong chance of being passed into law during the 101st Congress.

The increased interest in encouraging youth service stems, in part, from proposals for a national youth service foundation made by President Bush during the 1988 campaign. That proposal has now been expanded upon by the President and is expected to be introduced in legislative form this fall.

There are also more than twenty different youth service bills now pending in the Congress—including several highly controversial proposals mandating service as a condition of receiving student loans and grants.

And, perhaps of most importance, a number of states are considering legislation encouraging youth service through schools, colleges, youth service organizations, and youth service corps. This grass roots support for expanding youth service opportunities has been especially strong in Minnesota.

A. LEGISLATIVE PURPOSES ARE DIVERSE, AIMED AT VARYING GOALS

While the general objective of encouraging young people to become engaged in community service is a constant, the legislative proposals to achieve that objective have been diverse and, in some cases, highly controversial. A brief summary of a number of these proposals—prepared by the Congressional Research Service—is included as Appendix I to this report.

President Bush's proposal, for example, would establish a Points of Light Initiative Foundation with $25 million per year in federal funding, matched by at least $25 million in private funds.

As announced in late June, the proposed foundation would encourage the identification and replication of successful volunteer programs; reward successful examples of community service programs; and aid in the development of a new generation of community leaders.

Although there had been earlier indications that the President might seek to implement his proposal through executive order, it now appears that the Bush proposal will be formally introduced in the Congress later this fall.

Other proposals introduced earlier this year by members of the U.S. House and Senate authorize varying sums of money to fund grants to schools and youth service organizations to encourage expanded service opportunities as part of the curricula of elementary, secondary, and post secondary institutions.

Still other proposals introduced in the 101st Congress provide funds to create or expand local or state youth service corps or underwrite demonstration projects which encourage young people to do community service through stipends or vouchers to be spent on post-secondary education or housing.

Perhaps the most controversial of these youth service proposals are companion bills introduced by Senator Sam Nunn (D-Georgia) and Representative David McCurdy (D-Oklahoma) which make receiving student financial aid contingent upon completing a civilian or military service commitment. These proposals have generated considerable opposition among many educators and students who feel they would force lower income students into national service options, segregating the military and other service agencies by income and, perhaps, race.

B. KENNEDY BILL CONSOLIDATES PROPOSALS, ELEVATES THE STAKES IN THE NATIONAL DEBATE ON YOUTH SERVICE

Expanded community service by both young and older Americans got a major boost on August 2 when the Senate Labor and Human Resources Committee took favorable action on the "National and Community Service Act of 1989."

This legislation, which is actually a compromise bill forged from ten separate proposals, earmarks a total of $330 million for programs ranging from kindergartners to foster grandparents. It was introduced in late July by Senator Ted Kennedy (D-Massachusetts) and a number of other Democratic Senators who had previously introduced youth service bills of their own.

Senator Kennedy's proposal would encourage community service by young people through schools, non-profit youth organizations, and state or local "service corps." Administration of the grants would be split between the U.S. Department of Education and a newly created Corporation for National Service.

In some cases, college-age young people would be given incentives to do community service through cash stipends, educational assistance, and vouchers that could be used to help pay for college or buy a first home. The proposal also includes increased funding for existing federally supported service programs including VISTA, Foster Grandparents, and the Retired Senior Volunteers Program (RSVP). A more complete summary of Senator Kennedy's proposal is included as Appendix II to this report.

At the present time, there are no Republican co-sponsors of this proposal. In the Labor and Human Resources Committee, however, it was supported by two Republicans, Senator Durenberger and Senator Thad Cochran of Mississippi. A third Republican, Senator James Jeffords of Vermont abstained on the vote to favorably report the bill to the floor.

The absence of Republican co-sponsors appears to be, in part, in deferrence to President Bush and his promise to submit his own youth service legislation later this fall. Several objections have also been raised by the Administration and some Republican Senators about the amount of funding authorized by the bill and the inclusion of educational assistance or vouchers or cash stipends for community service.

Despite these objections, Senator Kennedy and other co-sponsors have indicated a willingness to work with the Administration on a bi-partisan proposal. And, both Senator Kennedy and the Administration have been made aware of the work of the Minnesota youth service task force and have been receptive to considering its recommendations in finalizing their legislative proposals.

II. MINNESOTA'S STRATEGY FOR PROMOTING A LIFETIME OF COMMUNITY SERVICE—A MODEL FOR COLLABORATIVE ACTION

The ad hoc working began its review of pending federal legislation from the perspective that Minnesota's experience with youth service offers principles and models that deserve replication elsewhere in the country.

At the heart of the state's youth service initiative is a strong belief that there must be close collaboration between schools, youth service organizations and the community; and that youth service must be encouraged at an early age, with that encouragement sustained throughout life.

A. STATE LEGISLATION AUTHORIZES LOCAL SCHOOL DISTRICT FUNDING THROUGH COMMUNITY EDUCATION, AIDS CAMPUS SERVICE INITIATIVES, SUPPORTS YOUTH CONSERVATION CORPS.

Building on its past record of leadership, the 1989 Minnesota Legislature took several additional steps to support other voluntary service.

First, the Legislature authorized school districts to levy an additional 25 cents per resident for youth service activities through their community education program. That's on top of a 50 cent per capita levy authorized in 1987 for youth service development.

This new option could raise an additional $1.0 million per year and is believed to be the first such state encouragement anywhere for community-based, community funded youth service. According to Minnesota Department of Education, more than 200 Minnesota school districts have youth development plans currently in place and approximately 150 will now offer a youth service component.

Second, $150,000 in matching funds was allocated to help colleges support youth service activities that are now underway on about 20 Minnesota campuses throughout the state. These activities range from designing and teaching college classes to tutoring elementary-age students and working to prevent drug abuse.

Third, $70,000 was added to fund the Minnesota Office on Volunteer Services. Partly, that new money will help the state agency train community groups to use increased student volunteers effectively, an important contribution to making voluntary service meaningful and valued by both those who volunteer and those who receive the services of volunteers.

And, finally, the Legislature appropriated $400,000 to expand the Minnesota Conservation Corps. This program—housed in the Minnesota Department of Natural Resources—provides summer and some year-around jobs like cutting trails and cleaning up rivers for low income youth.

B. STATE BOARD OF EDUCATION RULE INCLUDES YOUTH SERVICE IN SCHOOL CURRICULUM.

In addition to these actions by the 1989 Legislature, the Minnesota Department of Education has adopted a rule that—beginning next year—will require schools to include youth service in the classroom curriculum and provide youth service opportunities in or out of school.

Students won't be required to perform voluntary service under this rule, but the districts will be required to offer the opportunity and to reward it with academic credit. Already, more than 160 school districts have applied for and will receive state aid to prepare for this requirement with workshops and curriculum planning.

C. EXAMPLES OF YOUTH SERVICE IN MINNESOTA COMMUNITIES

At the grassroots, this strong interest in youth service in Minnesota is evident in communities throughout the state—both small and large, rural and urban. Following is a brief sampling of some of the more creative youth service initiatives in Minnesota:

Waseca High School Youth Service Leadership Class

In Waseca, the Youth Service Leadership Class is a key part of the state-legislated, locally levied community youth development plan. Students in the class—with leadership training from the National Youth Leadership Council—worked with their teacher to design the curriculum for their own class. Students participating in the class serve in the community four days a week and come together on Mondays to share frustrations as well as inspiration. Some projects for the class include providing leadership training for sixth graders, organizing a food drive, student taught art classes at a nursing home, performing surveys and other research for the Youth Development Advisory Council, and a city-wide clothing drive which filled a truck with clothing for the poor.

University YMCA, University of Minnesota

Founded in 1887, the University of Minnesota YMCA has been a pioneer in service-learning for more than 100 years. Currently, one of the most popular University Y programs is Project Motivation, which pairs U of M students with 7th and 8th graders who are in need of friendship and/or personal guidance. Under this program, volunteers participate in a three-day orientation and training retreat before starting the program and continue to meet regularly as a group to discuss issues related to children who are under-nurtured. During the 1988-89 academic year, the University YMCA also helped co-lead a "Community Service and Social Justice" course at the University of Minnesota.

Tobacco use prevention activities

Over 225 young people involved in tobacco use prevention activities in Aitkin, Koochiching and Itasca Counties were recently presented one of three Governor's Awards for Excellence in Health Promotion by the Minnesota Department of Health. These young people serve on local youth councils, design parade floats and county fair displays, write newspaper and radio ads, draw posters, provide peer counseling and other educational services to their classmates.

Blooming Prairie student EMTs

For the past three years, Blooming Prairie High School student volunteers have become certified Emergency Medical Technicians (EMTs) and an average of 4-6 students each year have become members of the city's volunteer ambulance service. This is a vital contribution to emergency medical services in a rural community where daytime volunteers are sometimes hard to attract and where ambulance services can make the difference between life and death. Several of the students have also used the skills and training they've received through the program to obtain part-time jobs with professional ambulance services while going to college.

Hibbing High School's "Homework Helper" program

In Hibbing, a peer tutoring program called Homework Helper has involved two dozen students who use their time and talents to assist another 110 students in grades 4-12. The program ran 22 weeks and was well-received by students, parents, and school officials. Hibbing youth service students developed a comprehensive range of services that deal with issues such as wellness and parent-student-teacher communications.

4-H Club activities in Itasca County

The Cloverleaf 4-H Club, as part of a five year focus on the problems of hunger and poverty, held an annual fundraising drive for the local food shelf. Also in Itasca County, the Drumbeater 4-H Club studied hazardous waste in northern Minnesota. The group developed a public questionnaire on the subject, gathered resource materials and produced a skit and video that were presented at statewide meetings.

Teen Outreach Program

With strong support from the Junior League and other community organizations, Minneapolis public school students age 13 to 16 are combining small group discussions and voluntary service in the community as part of the Teen Outreach program. Goals of the program include increased graduation rates, reducing the incidence of teen age pregnancy, and improving self-awareness and other personal skills. In addition to meeting daily in small discussion groups, the students serve as community volunteers in areas such as neighborhood centers, nursing homes, hospitals, and day care centers. The program is offered at a number of junior and senior high schools in the city including several alternative high schools including those run by Plymouth Youth Center and the Work Opportunity Center.

Armstrong High School "Involvement"

This twenty year old program is run as part of the social studies curriculum at Armstrong High School in Plymouth. Seniors desiring a grade of A or B must complete 20 hours of volunteer work in a non-profit service organization in the community. Students are given opportunities to sign up at the beginning of the school year at an Involvement Fair at which over 50 organizations fill the school's main foyer to recruit students for the program.

4-H Alcohol Decisions Program

Nearly 1000 4-H teens were trained in 40 Minnesota counties last year to plan and conduct alcohol programs for 10-12 year olds in classrooms, 4-H clubs, park and recreation programs and other youth organizations. Older students who are trained receive information on alcohol use and are instructed in how to teach younger children about alcohol and to help them make wise choices. More than 12,000 elementary students were reached during the year through these programs conducted by 4-H volunteers.

Recycling promotion in Alexandria

The Victoria Vikings 4-H Club decided that recycling education and awareness was a community need on which they could have a positive impact. They did surveys to generate interest, phone calls to remind residents of pick-up days, radio talk show interviews, newspaper articles, public displays, and developed an original "Recycling Game" for senior citizens, schools, and scouts. The program was credited by local officials and the MPCA as being instrumental in a dramatic increase in the county recycling collection rate.

Child care awareness in Fairfax

The Camp Go-Getters 4-H Club found that the number of two-earner households and single parents was growing in rural Renville County. In response, it organized and conducted a community wide babysitting clinic for 4th, 5th and 6th graders, both to help them become better babysitters and to provide them with "survivable information" when they stay home alone after and before school. Over 50 young people were trained and informed on safety and emergency information. And the young people taught their peers how to make a "babysitting kit" of supplies and games; and they gave demonstrations on first aid and the responsibilities kids may have to assume when they are at home alone.

Metropolitan State University older students program

A growing number of students in post-secondary schools are outside of the traditional 18-22 age range, presenting additional challenges and opportunities for matching community service with a college curriculum. Metropolitan State University in the Twin Cities is doing just that with a federal community service grant. This program encourages adult students (average age, 35) to undertake significant community service projects for college credit. In the second year of the program, enrollment doubled to more than 300 students. Under separate grants from three area foundations, approximately eight students per quarter are awarded $500 stipends for tuition and for some of the costs of the community service projects such as materials and transportation.

Community College service learning proposal

Service learning at its best is student-initiated, and one good example is a proposal for a community service requirement at the state's Community Colleges now being developed by the Minnesota Community College Student Association. The proposal would require community service as a graduation requirement, with strong local planning and initiation of the community service opportunities. The association is also discussing an active program to encourage students to become involved in government and citizenship activities in issue areas like environmental protection. Special attention is being paid to the varying needs of older and other non-traditional students in designing the program.

III. PRINCIPLES FOR NATIONAL POLICY ON YOUTH SERVICE

In reviewing and making recommendations on national youth service legislation, the working group felt it appropriate to first establish a set of principles on which such legislation should be based. Those principles, in large part, reflect the experiences of Minnesotans in setting state policy on youth service and in designing and implementing youth service programs in the state. In some cases, they also reflect experiences members of the working group have had with youth service programs in other parts of the country.

Briefly, the working group believes that:

A. NATIONAL YOUTH SERVICE LEGISLATION SHOULD ESTABLISH AND SUPPORT A CONTINUUM OF VOLUNTARY SERVICE OPPORTUNITIES, BEGINNING AT A YOUNG AGE AND INTEGRATING EDUCATIONAL AND SELF-DEVELOPMENT OBJECTIVES FOR YOUNG PEOPLE WHICH WILL REAP LIFE-LONG BENEFITS

The working group feels strongly that voluntary service emerges from a "state of mind" that is most effectively nurtured from a very young age. The seeds that produce a United Way board member, in other words, are most effectively planted in early and continuous experiences in scouting, 4-H, tutoring, or other volunteer experiences available through schools or youth organizations.

These links between voluntary service and education are at the heart of Minnesota's leadership on this issue. And, beyond encouraging a life-time of volunteerism from the earliest possible age, these links with education also help achieve two important goals that benefit the individual who volunteers.

The first of these goals is improving educational outcomes through "experienced-based learning." And, its objective is to use the practical, "hands-on" experiences of voluntary service to supplement classroom learning. That makes what states like Minnesota are doing to encourage youth service an important part of educational reform—part of a much broader effort to broaden and improve the educational experiences needed by future generations.

A second goal behind the link to education is the increased self-esteem and positive use of time that voluntary service can represent for all young people, but especially those who may be undernurtured or vulnerable.

Today's young people face a range of temptations and have numerous competing demands and opportunities for use of their time. In meeting these temptations and making positive use of time, there is great value represented by the sense of accomplishment and self-worth that community service can bring.

These kinds of positive experiences can also build a greater sense of "citizenship" in young people that can translate into greater interest in voting and community activities and increased civic involvement now and later in life.

As Jim Kielsmeier of the National Youth Leadership Council has put it:

"Youth in service must come to be perceived as active and powerful young citizens, contributors and participants, rather than fragile 'at risk' victims. High expectations have a way of inspiring young people motivating positive behavior where we have seen punitive and negative approaches largely fail."

Within this context, expanded support for youth service needs to be considered a vital and integral part of the nation's efforts to curb the negative influences of drugs—particularly among young people. Drug use—including the use of alcohol—can often be traced to idle time, low self-esteem and negative self- and societal-expectations. Properly motivated and recognized community service can go a long way toward reducing the influence of those contributing factors.

Finally, expanded youth service must be viewed as unleashing a national resource that can't be ignored in today's environment of tight budgets and unmet needs. In areas like environment protection, child care, long-term care, tutoring of disadvantaged students, and many others, youth in service can help meet needs that will otherwise simply not be addressed. In this respect, we all have an important stake in making youth service opportunities more available, for the benefit they represent to young people, for those they directly serve, and for the nation as a whole.

B. NATIONAL YOUTH SERVICE LEGISLATION SHOULD ALLOW MAXIMUM FLEXIBILITY IN AWARDING GRANTS TO LOCAL COMMUNITIES WHICH PROMOTE COLLABORATIVE YOUTH SERVICE PROJECTS RUN BY SCHOOLS AND YOUTH SERVICE ORGANIZATIONS. AND, GRANTS SHOULD BE ADMINISTERED IN WAYS WHICH MAXIMIZE THE POTENTIAL FOR OBTAINING PRIVATE SECTOR SUPPORT.

Minnesotans have found that the best youth service programs—those most likely to meet both community needs and the educational and self-improvement needs of young people—are those which involve close collaboration between schools, youth service organizations, and groups identifying and addressing needs in the local community.

Much of the leadership for these programs has come from teachers who build youth service opportunities into their curriculum. But, experience has also demonstrated the value of drawing on the experiences of youth service organizations like YMCAs, and Scouts, as well as less formal, but community-based, organizations. In addition, non-public schools, churches, voluntary organizations and administrators—and many other programs which use volunteers—have much experience to offer any community looking to expand its youth service opportunities.

One vehicle for linking these diverse interests at a local level is the community education structure which has evolved in Minnesota over the past twenty years. Community education has responsibility for administering the funding the state legislature has authorized local school boards to levy, for example, and making that funding available to local youth service projects.

In deciding how best to administer federal funding for youth service, the working group believes maximum flexibility should be given states and local communities. In many states, formal education agencies might be selected to carry out that mission. But, the legislation should give states and local communities the discretion to make that determination themselves.

And, at both the national and state/local level, youth service programs should be administered by organizations that are likely to attract large amounts of donated funding from the private sector, including business and private foundations.

C. NATIONAL YOUTH SERVICE LEGISLATION SHOULD ENCOURAGE AND IMPROVE PLANNING, TRAINING, INFORMATION SHARING, RESEARCH, AND EVALUATION NATIONALLY AND ON A DECENTRALIZED BASIS AROUND THE COUNTRY. YOUNG PEOPLE THEMSELVES SHOULD BE GUARANTEED A MAJOR ROLE IN DEVELOPING AND CARRYING OUT THESE PROGRAMS.

There is no question that there is a crying need for volunteers in many service areas in virtually all communities. But, there must be careful coordination between local officials and others responsible for identifying and meeting community needs, agencies and organizations that serve those needs, and what will hopefully be a growing number of available volunteers.

This suggests that planning and needs assessment should be done prior to the awarding of grants for actual service projects. It also suggests that training of teachers, youth service workers, financial aid administrators and others who will link young people with service opportunities must also be an important part of programs which expand those opportunities. Both of these principles are considered very important components of Minnesota's highly successful experience with expanding youth service opportunities.

The working group feels strongly that expansion of youth service opportunities would benefit from leadership, training, communications, and recognition which is nationally supported, but decentralized. Maximum effort should be made to offer these services through existing youth service resource centers, rather than spending unnecessary time and money creating new ones.

And, finally, the working group feels very strongly that young people themselves must be directly involved at every step in the process of assessing community needs, establishing priorities to address them, designing youth service opportunities, training, and evaluation. Many of Minnesota's most successful youth service projects have been those designed and carried out by young people themselves.

D. NATIONAL YOUTH SERVICE LEGISLATION SHOULD RECOGNIZE AND ENCOURAGE THE VALUE OF BI-PARTISAN NATIONAL LEADERSHIP AND VISIBILITY, ESPECIALLY THE KIND OF LEADERSHIP AND VISIBILITY THAT CAN ONLY BE PROVIDED BY THE PRESIDENT.

Any activity that depends so much on motivating, communicating, and recognizing the contributions of individuals must not ignore the value of visible national leadership that only a President can provide.

The working group applauds the leadership taken so far on this issue by President Bush and is hopeful that a truly bi-partisan proposal can ultimately be adopted that incorporates components of his initiatives and ideas and proposals advanced by Congressional Republicans and Democrats. In particular, the working group is hopeful that the final legislative lpackage will include components of the President's proposal designed to encourage broad support for youth service from the private sector.

E. NATIONAL YOUTH SERVICE LEGISLATION SHOULD CLEARLY DISTINGUISH BETWEEN THE GOALS OF EXPANDING VOLUNTARY AND COMMUNITY SERVICE AND THE GOALS OF PROVIDING NEW WAYS OF UNDERWRITING THE COST OF POST-SECONDARY EDUCATION AND FIRST-TIME HOME OWNERSHIP. AND, NATIONAL YOUTH SERVICE LEGISLATION SHOULD ENSURE THAT THERE IS NO FORCED OR REQUIRED LINKAGE BETWEEN COMMUNITY SERVICE AND ACCESS TO FEDERAL ASSISTANCE IN FINANCING POST-SECONDARY EDUCATION.

The working group is aware that the legislation introduced by Senator Kennedy takes a number of different approaches toward advancing the general goal of promoting youth service. This consolidation of proposals with differing approaches has been an important part of the political dynamics that have helped raise the visibility of the issue and helped build support.

As this issue moves forward, however, it will be important to maintain perspective on the differing objectives of various parts of this legislation.

The objective of encouraging life-long involvement in community service through high school and college curricula, for example, is different from an objective of offering domestic national service as an alternative to military service, or an objective of assisting young people with the high cost of obtaining a college education or purchasing a first home.

Supporters of national youth service legislation must also be prepared to articulate the differing needs for monetary compensation for young people at different ages and points in their lives. In particular, the working group sees the value of providing financial incentives for youth who are not in college to take advantage of the opportunity to participate in a youth service corps.

For many young people in their late teens or early twenties, this may be a very wise investment of public funds if this experience serves both educational needs and improves self-esteem. The alternatives of not continuing a high school or college education, or of a life of drugs or criminal activity, will be much more costly to society in the long-run than the nominal stipendiary awards envisioned by this legislation.

But, while the working group supports using demonstration grants to test various ways of providing incentives for college-age young people to engage in community service, it also has grave concerns about mandatory links between national service and eligibility for student grants and loans. It would not wish to see its support for these demonstrations interpreted as potential support down the road for making the link between national service and student aid mandatory.

This opposition to mandatory links between national service and student aid reflects concerns that low income students would be forced into community service (a contradiction in itself), while the same service by higher income students would remain discretionary.

The growing number of older, non-traditional, and returning students also face

practical obstacles in meeting mandatory service requirements for financial aid.

Many of these students have work and family obligations that make full or even part-time community service impractical. They, in particular, should not be forced to perform community service in order to have access to needed financial assistance.

At the same time, however, national youth service legislation should recognize the value that service learning can have for students of all ages and help facilitate those experiences for non-traditional students.

IV. RECOMMENDATIONS FOR IMPROVING NATIONAL YOUTH SERVICE LEGISLATION

Based on these principles—and on youth service experiences in Minnesota—the working group offers the following recommendations for national youth service legislation. Because it is currently the principal legislative vehicle under consideration, a number of these recommendations make specific references to Senator Kennedy's "National and Community Service Act of 1989" which is now pending in the U.S. Senate. The recommendations are also being directed to the President's Office of National Service, however, for consideration in finalizing the President's legislative proposal.

A. Designate the proposed National Service Board as the grant making agency for youth service programs aimed at school-aged young people.

This designation would be consistent with parts of the legislation designating the national Service Board as the grantmaking authority for youth service corps (Title II) and the national service demonstration program (Title III). It would give clear focus and accountability for a variety of youth service initiatives in a single independent agency. And—like the Corporation for Public Broadcasting and other quasi-public agencies—it would also provide a more attractive target for private sector funding.

As is clear from the experience in Minnesota, the working group also believes that it is important that a broad range of public, non-profit, and private sponsors be equally eligible to receive grants for youth service projects—depending on who is most appropriate to provide local leadership in each community. In particular, local youth service organizations, non-public schools, and other non-school agencies need to be in a position to compete on an equal basis with public schools or districts for grants.

To make this flexibility clear to the intent of the legislation, the working group feels it would be appropriate to change all references to "school-based programs" in the legislation to "school-aged programs." The working group also urges that the legislation specifically require that young people, local education agencies, youth service agencies, voluntary sector leaders, and non-public schools all be included in the planning and needs assessment required by this legislation.

These recommendations are not meant in any way to deminish the role of public schools in carrying out the intent of this legislation. In fact, it is anticipated that a very large share of the grants and leadership role in expanding youth service opportunities will go to public school teachers and public schools. And, as has been pointed out in the working group's set of principles, expanded youth service opportunities provide a vital component of educational reform—a reality that presumes strong leadership and involvement in youth service programs from public schools. This will help ensure both the credibility of experienced-based learning opportunities and their integration with more traditional forms of educating students.

B. Earmark specific funds authorized by the legislation for the establishment of three to five regional resource centers for youth service needs assessment, planning, training, research evaluation, communication, and recognition.

Specifically, the working group recommends that Section 109 of Title I of the legislation be amended to earmark at least several of the $100 million in this title for establishment of three to five regional youth service resource centers located in various parts of the country.

The working group believes that establishment of such resource centers could be one of the most important contributions of this legislation, and so, believes that funds for their establishment should be specifically earmarked, perhaps on a matching basis with locally or regionally raised private funds.

It is assumed that at least some of these regional resource centers would be established under multi-year contracts with existing youth service support agencies or organizations, rather than being newly created. Presumably, this would save start-up time and expense and administrative overhead, as well as benefit from existing experience and expertise.

Among the top priority functions of these regional resource centers would be the following:

Assisting states and local communities with needs assessment and planning.

Providing support for networking and information dissemination, including publication of national and regional newsletters and magazines highlighting outstanding examples of youth service projects around the country.

Conducting research and evaluation on youth service, including evaluation of the impact of service experiences on the youth who participate and on the organizations and communities they serve.

Providing leadership development and training at the center for several days to six months and on-site in local communities at workshops and conferences.

Administer award and recognition programs for outstanding youth service projects.

Act as a focal point and communications link for youth service activities, including through the use of national computer network.

Facilitate national and international communications and networking on youth service experiences through exchanges and telecommunications technology.

C. Place a higher priority in the legislation on planning and needs assessment in local communities prior to the awarding of grants to initiate or expand youth service opportunities.

Specifically, the working group recommends that planning grants be awarded under the elementary and secondary, post-secondary, youth service demonstration, and youth service corps titles of the legislation; and that carrying out community needs assessment and advance planning for the use of volunteers to meet those needs be done prior to the awarding of larger grants for youth service projects or demonstration projects.

An important part of this planning process should be involvement of broad segments of the community—including young people—and local evaluation of which educational institutions and youth service agencies are most appropriate to actually carry out the projects designed to expand youth service opportunities.

Finally, the working group envisions a large role for the regional resource centers recommended above in assisting communities with this advance planning and needs assessment.

D. Place a higher priority in the legislation on training for teachers and youth service workers and training for post-secondary student loan and work study workers and administrators.

In particular, the working group believes that the post-secondary provisions in Title I and the demonstration projects authorized by Title III need to be strengthened through the addition of specific teacher and youth service worker training requirements.

This would include courses or other training in youth service curriculum development in colleges or schools of education, both for future teachers and for youth service workers. And, it would include special training in youth service placement for individuals who administer student loan and work study programs—especially those involved in demonstrations authorized under Title II of the proposed legislation.

Specificially, the working group recommends that Section 121, section 1063(a) be amended to add a requirement that: "In determining awards, the director shall ensure applications provide for proper standards or training of personnel." And, to Section 132(a), the working group recommends that the following language be added: "School financial aid administrators responsible for the placement of students shall be trained in the area of community service."

The working group also believes that Section 108(a)(1) needs clarification as to what is included in the maximum 20 percent of grants that can be spent on administration. If administration is to include everything needed to plan, train, do research, and evaluate youth service projects, then 20 percent is too low. If it just represents the state's role in more narrowly administering a grant program, then 20 percent is considerably higher than what is traditionally allocated to states for administering federal programs.

Again, the working group envisions an important role for its proposed regional resource centers in doing this type of training for teachers, youth service workers, and post-secondary financial aid administrators.

E. National youth service legislation should more explicitly be recognized for the role that it can play in waging the nation's war on drugs.

As the working group noted in defining its set of principles, one major benefit of youth service is the positive effect it has on self-esteem and the positive use it makes of what can be idle time. These are two important objectives in addressing the core causes of drug abuse among young people. As such, expanded youth service opportunities—include the more structured, intensive, and remunerative experiences possible in youth service corps—can be a major weapon in the nation's efforts to reduce demand for drugs.

To highlight this potential, the working group recommends that the positive relationship between youth service and the nation's war on drugs be more explicitly recognized in the labor and Human Resources Committee's report on this bill and in the findings and purposes which justify the legislation (Sections 2 and 3).

The working group also recommends one specific change that recognizes the roles that many types of youth service opportunities—not just drug prevention or education programs, per se—play in the nation's war on drugs. To make this clear, in Section 106(c)(2)(C), the working group recommends that programs which include a focus on drug and alcohol abuse prevention be given priority.

F. Every effort should be made to adopt national youth service legislation which enjoys broad bi-partisan support, including the active participation and support of the President.

The working group applauds both President Bush and Congressional sponsors of youth service legislation for the past leadership they have shown on this issue. The working group especially appreciates the leadership role that Senator Kennedy has shown in drawing together a number of youth service proposals introduced separately by his Democratic colleagues.

But, we also believe that now is the time for partisan considerations to be permanently put aside and for maximum efforts to be made by both the Bush Administration and Democratic Congressional leaders to identify common elements in their proposals and to move toward a bi-partisan compromise that can be adopted during the 101st Congress. An important first step down this road toward compromise would be the earliest possible formal introduction of legislation incorporating youth service initiatives previously proposed by President Bush.

At this process of compromise goes forward, the working group also urges Senator Durenberger to continue to play a constructive role in bridging differences and building bi-partisan support for the eventual legislative package.

APPENDIX I—NATIONAL SERVICE LEGISLATION IN THE 101ST CONGRESS

Following are brief summaries of a number of the major volunteer service bills that are currently pending before the Congress, based on information provided by the Congressional Research Service. Sponsors are noted in parentheses.

HR 660 (Dave McCurdy, D-Okla.) and S 3 (Sam Nunn, D-Ga.)

Makes receiving student aid contingent upon completing a civilian or military service commitment.

HR 717 (Leon E. Panetta, D-Calif.) and S 322 (Christopher J. Dodd, D-Conn.)

Creates a Conservation Corps to maintain and improve Federal lands and a Youth Service Corps for other public-good projects.

HR 781 (Joseph M. Gaydos, D-Pa.)

Creates a Conservation Corps.

HR 948 (Barbara B. Kennelly, D-Conn.)

Offers student aid or help buying a home in return for civilian or military service commitment. Identical to Nunn-McCurdy, but without the mandatory tie between student aid and service.

HR 985 (Constance A. Morella, R-Md.)

Pays for students' last two years of school in return for three-year commitment to the Peace Corps.

HR 1000 (David E. Bonior, D-Mich.) and S 408 (Barbara A. Mikulski, D-Md.)

Offers student aid or help buying a home in return for part-time community service work.

HR 1312 (Major R. Owens, D-NY)

Reauthorizes and expands Volunteers in Service to America (VISTA) program and two others under ACTION agency. Approved by House Education Committee June 8.

HR 1408 (Pat Williams, D-Mont.) and S 232 (Daniel Patrick Moynihan, D-NY)

Creates Conservation Corps.

HR 1615 (Robert Garcia, D-NY) and S 576 (Claiborne Pell, D-RI)

Offers student aid for two years of full-time community service.

HR 1947 (Owens)

Authorizes grants for school-based volunteer programs and expands VISTA programs.

HR 1951 (John Porter, R-Ill.) and S 781 (John McCain, R-Ariz.)

Creates voluntary part-time national service program, provides enhanced student aid for military volunteers and requires the president to submit a plan for a comprehensive national service program.

HR 2084 (Kennelly)

Creates program similar to that in HR 948, but allows service to be performed after receiving financial benefits.

HR 2159 (Dante B. Fascell, D-Fla., by request)

Reauthorizes Peace Corps program

HR 2421 (Dale E. Kildee, D-Mich.)

Reauthorizes ACTION volunteer programs for the elderly. Approved by House Education Committee June 8.

HR 2591 (William D. Ford, D-Mich.) and S 650 (Edward M. Kennedy, D-Mass.)

Authorizes grants for school-based volunteer programs.

S 382 (Bob Graham, D-Fla.)

Authorizes grants for school-based volunteer programs.

S 539 (Dale Bumpers, D-Ark.)

Requires Department of Education to publicize current student-loan deferment options for students who serve in the Peace Corps, VISTA, or other tax-exempt organizations.

S 540 (Bumpers)

Gives partial forgiveness on Perkins student loans for full-time volunteers working for tax-exempt organizations.

S 541 (Bumpers)

Gives partial forgiveness on Stafford loans for full-time volunteers working for Peace Corps, VISTA or tax-exempt organizations.

S 683 (Alan Cranston, D-Calif.)

Reauthorizes Peace Corps.

S 689 (Pete V. Domenici, R-NM)

Authorizes grants for school-based programs to get children involved in community service programs.

APPENDIX II—SUMMARY OF THE "NATIONAL AND COMMUNITY SERVICE ACT OF 1989"

On August 2, the Senate Labor and Human Resources Committee voted to recommend to the full Senate a comprehensive national service bill that had been assembled by Senator Kennedy and a number of other Senators who had previously introduced legislation dealing with youth service and national service. The legislation also expands funding for existing federal community service programs including VISTA and the RSVP and Foster Grandparents programs. Following is a section-by-section description of the proposal as it was approved by the committee.

TITLE I—SCHOOL-BASED PROGRAMS

The first title of the bill authorizes $100 million for a variety of programs designed to encourage community service by elementary, secondary, and post-secondary students.

A. K–12 programs—65 percent of the funding

Federal Administration: The U.S. Department of Education makes three-year competitive grants to states for student community service and volunteers in schools programs (85 percent of funding). Criteria include the number of students in K–12, quality of the proposals, evidence of state interest. The balance of funds (15 percent) are awarded in grants to states, higher education institutions, non-profit organizations and consortia for training, technical assistance, curriculum development and innovative programs.

State Administration: State Departments of Education make grants to school/community agency partnerships for student community service programs (at least 70 percent of the funding); grants to school/community agency partnership programs, through which community members volunteer in schools, with priority for those involving senior citizens or members of the business community (up to 10 percent). The remainder of the funds (up to 20 percent) may be used for administration, training, technical assistance and curriculum development (states may contract for these tasks). A state match of 25 percent is required.

Local Administration: Schools/community agency partnerships receiving funds must establish advisory committees including representatives of community agencies, service recipients, youth serving agencies, students, parents, teachers, administrators, labor and business. Student community service programs must include age appropriate learning components, training for students and supervisors, and a sustained commitment by students. Priorities for funding include need, students involved in the program design, diversity of volunteers in programs, and programs typing service to the academic program. Funds may be used for start-up costs, program coordination, training, supervision, transportation, and insurance. Three-year grants may be renewed for a second three-year period. A local match (in cash or in kind) is required with the federal portion declining as follows: 90 percent in the first year, 80 percent in the second year, 70 percent in the third and 50 percent for years 4–6. As an incentive, the federal share is increased by five percent in years 1–3, if the local sponsor is a private, for-profit business.

B. Post-Secondary programs (35 percent of the funding)

This section would modify the Innovative Projects for Community Services and Student Financial Independence programs administered by the Fund for the Improvement of Post-Secondary Education (FIPSE). Language is added to encourage grants to test innovative ways of incorporating community service into the academic program (including awarding credit for service hours), and for implementing student-designed projects.

Work study modifications: Under current law, in 1990, the federal share for work study will be 70 percent for the regular program and 90 percent for community service learning programs. This bill would change

those percentages in 1992 to 60 percent for the regular program and 100 percent for community service learning.

State Student Incentive Grant modifications: Under current law, community service is a permissive use of funds under the SSIG program. States may spend up to 20% of their SSIG allotment for campus-based community service work learning study jobs for eligible students. The current appropriation is $72 million. Under this bill, for amounts appropriated for SSIG above $75 million, 50 percent must be used for campus-based community work learning study.

Perkins and Stafford Loan modifications: The legislation requires the Secretary of Education to implement and advertise current deferment on loan repayment for students who serve as Peace Corps or VISTA volunteers and for those who perform comparable, full-time service with tax-exempt community service organizations.

Perkins Loan modifications: Current partial cancellation of loans for Peace Corps and VISTA volunteers is extended to those who perform comparable full-time service with tax exempt community service organizations.

Stafford loan modifications: Partial cancellation of loans is provided to Peace Corps and VISTA volunteers and to those who perform comparable service with tax-exempt community service organizations.

TITLE II—FULL-TIME YOUTH SERVICE CORPS

The second title of the bill authorizes a second $100 million to fund a limited number of full-time youth service corps programs administered by states or local agencies.

Federal administration: In consultation with appropriate agencies, the National Service Board (created under Title IV below) makes competitive grants to states to establish or expand full-time or summer youth service/conservation corps programs. Work done by these Corps may include service in government agencies, nursing homes, hospitals, libraries, parks, day care centers, schools, law enforcement agencies, other private non-profit social service organizations, for urban revitalization, or work done on public lands including improvement of parks, wetlands, and forests.

State administration: States may administer programs directly or make grants to entities within the state. Localities may apply directly to the Federal Government if their state does not apply. A state match of 25 percent is required. Federal money must supplement, not supplant state funds. Programs may spend up to 10 percent on capital equipment, 15 percent on administration. They must spend 10 percent on in-service education and training. A preference in awarding grants will go to programs that provide long-term public benefits, instill work ethic and sense of public service in participants, involve youth operating in teams, enhance educational levels and opportunities, and meet unmet needs.

Eligibility: Young people ages 16–25 for full-time programs; 15–21 for summer programs.

Stipends: Participants will receive stipends that are not less than 100 percent of the poverty line nor more than 100 percent of the minimum wage ($6,200 to $7,000 per year); educational benefits are provided at a rate of not less than $50 per week in the program nor more than $100 per week ($2,600 to $5,200).

TITLE III—NATIONAL SERVICE DEMONSTRATION PROGRAM

The third title of the bill authorizes a third $100 million to be spent on a number of demonstrations designed to test the effectiveness of various types of vouchers and stipends in "incenting" young people and seniors to participate in community service programs.

Federal administration: A National Service Board (created under Title IV below) makes competitive grants to states to run civilian service programs. The Board awards education and housing vouchers, pays stipends, federal training costs and evaluation costs.

State Administration: States design and administer programs. States pay administrative costs, state training costs, data collection, in-service education benefits.

Eligibility: 17 years of age or older; 60 years of age or older for senior service.

Stipends: For full-time participants only; not less than 100 percent of the poverty line nor more than 100 percent of the minimum wage ($6,200 to $7,000 per year); benefits.

Vouchers: Education and/or housing voucher equal to $8,500 per year for up to two years for full-time service; $3,000 per year for at least three, but not more than six years of part-time service. Education vouchers may be used to pay education expenses or to pay back student loans. Housing vouchers may be used for a downpayment or closing costs on the purchase of a first home.

TITLE IV—ADMINISTRATIVE PROVISIONS

This title sets up the federal administrative machinery for the legislation, and deals with issues like reporting requirements, labor protection, and evaluation.

A. National Service Corporation

A National Service Corporation, headed by an eleven member board is established. The board members are appointed by the President, with the advice and consent of the Senate. Of the eleven, no more than six may be from the same political party; three are appointed from among individuals nominated by the Speaker of the House and three are appointed from among individuals nominated by the Senate majority leader. The members serve seven year terms.

The Board provides national leadership on national service and administers the Full-time Youth Service Corps and National Service Demonstration Program. States may apply to the board for funding for one or both of these programs.

B. Reporting, labor protection and other requirements

This title includes provisions applicable to programs funded under Title I(A), Title II, and Title III including reporting requirements, limitations on use of funds, state advisory committee requirements, anti-displacement language for employees of programs using participants in various youth service programs, and grievance procedures. Provisions applicable to programs funded under Title II and Title III include language reducing eligibility for federal student loans, but not federal grants, for individuals receiving educational vouchers.

C. Evaluation

Evaluation of all programs funded under Title III is required to test the impact of different models of programs based on criteria that include:

1. Success in recruiting diverse participants, based on: income, geographic background (rural, urban, suburban), gender, race and ethnic background, age, marital and family status, educational level, and handicap.

2. Effects on participants, based on: high school graduation (or GED), future college enrollment, financing of post-secondary education, academic achievement, career choices, attitudes, and future commitment to community volunteer work.

3. Effects on the community, based on: value of service to beneficiaries, ability of community agencies to absorb volunteers, consistency of commitment by volunteers, effect on military recruitment, displacement of paid workers.

TITLE V—EXPANSION OF VISTA

This title incorporates other proposals to restore the number of VISTA volunteers to the previous peak level over four years. FY 1989 appropriations of $21.6 million supports 2,600 VISTA volunteers—a substantial decrease from the FY 1975 peak of 4,580 volunteers.

TITLE VI—EXPANSION OF OLDER AMERICAN VOLUNTEER PROGRAMS

This title increases involvement of Retire Senior Volunteer Program volunteers, Foster Grandparents, and Senior Companions in targeted areas: AIDS, teenage parents, mentoring, literacy, respite care, after school programs, boarder babies, special needs children in child care, adult developmentally disabled, and drug-abuse prevention.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FORD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, while we are debating this bill and other Senators are coming to the floor to make their views known, I thought I would bring out some of the interesting things that we found in the course of our hearings, one of which is there is an assumption that, when we talk about voluntarism or national community services, one has to be either gifted or talented, rich or smart, to volunteer. Yet what we found out is that so many wonderful, ordinary people volunteer and, in fact, that is where our biggest pool comes from—old people out there right now doing extraordinary things in our veterans hospitals, many of them men who were vets themselves or spouses. The ladies auxiliaries have created a spirit of working in our veterans hospitals that I think is of a heroic quality. It starts, actually, a family process where Dad began to volunteer in one of the hospitals in Baltimore, like Fort Howard, and his sons and daughters keep it on, some of them vets themselves who served in Korea or served in Vietnam. That is one source of volunteers.

The other, though, is that we often think of poor people as beneficiaries

of programs but not necessarily contributors. Yet we found that that is not the case in our hearings.

Actually, ABC recently did a special on voluntarism, and I would like to tell you a story about a Hispanic teenager, barely literate; he could hardly read himself. They decided to do a bold experiment to pair him with a younger child to help him along, and asked this teenager to be responsible for tutoring or mentoring this elementary school child. Do you know what happened? The teenager developed a sense of responsibility. He literally became a big brother. As he took on the responsibility of helping this little kid learn to read, guess what? He began to learn to read himself. He was responsible for the first time in his whole life for someone else. He took it on; he began to read. He himself began to apply himself in school. He is now an A student and, guess what? Someone who was on the way to being a troublemaker is now a troubleshooter. He is planning to become a teacher, a teacher, because he was asked to take this on. He helped himself, he helped another needy kid and, under our program, the ability to become a teacher would become closer because we would help him with his student loan.

Then we had some of the kids come in from the Conservation Corps. Sure, they wore their khakis and helped in cleaning up the environment and many of those good, wholesome things. But some of the Conservation Corps kids we met were on their way to being what my mother would refer to as dead end kids. They were just heading to a dead end, potentially, of trouble and just on the border. And, yet, we met with the Conservation Corps because they were recruited into the Corps and began to develop a whole alternative sense of responsibility and pride. They took pride in joining the Corps. They took pride in the uniform they wore because they knew they were doing something important for others. They took pride because they began to learn some manly and womanly virtue, like love of nature, caring for the environment.

We had a program in Maryland where Phil Bradon came into the Montgomery County Conservation Corps. He was the crew director. Mr. President, he told us he was heading for some difficulties, but because he was recruited, he now has done lots of outdoor work and has actually done trolley track work for the Trolley Museum. It has given him an opportunity to learn skills, first of all, of reliability, of responsibility, and what any other employer would want, because, in order to do his chore, he had to improve his literacy. He is now moving to get his GED, and, I tell you, when he finishes his stint in the Conservation Corps, he is going to be fit for duty in America's private sector.

Why do I single this one out? Mr. President, right now my Governor in Maryland has debated the prison budget. It is skyrocketing, going off the charts. There is not enough money to provide the prison beds for the druggies. And at the same time, what we find is alternatives are being developed called boot camps. I like that boot camp idea. I like it a lot. While we are developing boot camp for the kids who have gone astray, why not develop a Conservation Corps for the good kids?

Mr. President, one of the problems with our legislation is we often focus on kids when they have gone astray. I would like to reward the good kids. I would like to say yes to the kids who say no to drugs, no to getting pregnant, no to getting someone else pregnant. These Conservation Corps are alternative boot camps, but it is before the kids get in trouble. If they are dead end, we turn their direction so they are heading for somewhere.

Mr. President, our Conservation Corps is an opportunity structure. It is an opportunity structure for the kids to be good kids and to award good behavior.

Mr. President, when we look at Phil Bradon and other boys and girls like him around this country, this is what we are talking about what our legislation does. It says yes to the kids who are saying no to drugs and other problems, but are saying yes to helping their country, and, along the way, they learn responsibility, they learn civic obligation, they learn habits of the hearts, and, as I said, they are then fit for duty in America's private sector.

Mr. President, I think that is what some of these programs are about. As we are going through this conservation from time to time I am going to be bringing some of these stories because when you listen out there, I tell you these volunteers are really the heartbeat of democracy.

Mr. President, I know we are waiting for one of the Senators to come. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I would like to be recognized for the purposes of speaking on this bill.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, you and I have worked on this legislation, and particularly on title I, the school- or community-based programs for students and even out-of-school youths.

One of the problems in advocating legislation is the language is so boring, so dry, so technical the American people cannot get excited about it. They just think we are spending money. When you read a description of this bill, there is not a linkage on what we do. For example, we are going to provide assistance for competitive grants to State departments of education to be awarded to school community partnerships for youth community service or education partnership programs with priority for involving senior citizens or members of the business community—the idea of the Senator from Florida [Mr. GRAHAM] idea—working with schools.

Does that not sound flat? Does that not sound boring? Then it goes on to require programs to include appropriate learning components, training for youth, sustained commitment by youth participants, diversity of program, and tying service to academic programs.

All of that is legislative language, Mr. President, that says we are going to get our kids ready for the future, we are going to get our kids ready for the 21st century. We are essentially building and linking school-based programs with the needs of the future. How are we going to do that? Some concrete examples:

Mr. President, often there is conversation here on the Hill about the global economy, our need to be more competitive, our need to get our kids ready for the future. As part of that conversation, there are comparisons between the Japanese school day and the Japanese school year with the American school day and the American school year. We seem to fall behind either because our schoolday is too short or our school year might not be long enough. But, Mr. President, I support the idea of extending school days and school years.

But, Mr. President, I beieve that not all learning occurs in the classroom. Some of the most important things I learned as a young girl growing up were the things that I learned after school. I was a Girl Scout. Actually, Mr. President, I was a Brownie who grew up to be a Senator. My finest memories are being a Brownie and a Girl Scout. I started out with one of those little oatmeal boxes and graduated on to more complex things and earning badges. I learned a lot. I learned a lot about the environment and about nature. I learned a lot about working with others, team work, and so on.

When we talk about expanding the school day or school year, I think the voluntary service part, school- or community-based programs actually fit right into this idea and can enrich stu-

dent activity. The idea of the Senator from Florida for example, of engaging the business community, not only in coming to the classroom, but setting up those kinds of things after school where kids could help run the bookstore being taught by the business community about business skills, inventory, bookkeeping, cost accounting.

What did we learn in Girl Scouts? Everybody loves to joke about the Girl Scout cookie sales. Listen, when I meet those young ladies out there selling those Girl Scout cookies, they know about entrepreneurship, they know about marketing. As they deal with those chocolate chips, they are getting ready to deal with microchips in our competitive society.

I know when the Senator speaks, he is going to give examples on the business community relationship, but I would like to talk a minute or two about the senior citizens.

In our hearings, we listened to senior citizens come in and talk about their involvement.

We had a wonderful story where this senior citizen, a retired Federal employee, came in and talked about how he was working in a school tutoring. Now, Mr. President, this is a man who works in the library, and he has assisted young boys and girls in terms of books, in terms of actually reading with them, and in actual tutoring. What was so wonderful about this is that at age 82 he is an integral part of this school system. He is quick, he is alert and he is teaching those kids. And guess what, they are teaching him. He loves the energy. He loves the vitality. We cannot wait to get up every day and come into that shcool system to work with the boys and girls. Some have not had an easy time in life. For some of them, Mr. Bob, as they affectionately call him, is the most stable male figure they have had in their life, the only person who has ever spoken to them in a quiet voice encouraging them to do things. The kids love Mr. Bob and Mr. Bob loves the kids.

Can you imagine what this means in terms of men and women coming into schools? I was in a working class neighborhood where retired men from Bethlehem Steel were actually working in a local public school—retired guys out there helping our youth. This is what our schools need—our young kids seeing people who have worked a day, given a day, often veterans themselves, raised families, and yet they see them doing what you and I would call man's ultimate virtue; you can be a big strong guy and care about a little kid, and in that process teaching them to achieve.

How does this fit in with global competition? Our kids need to read, they need to be exposed to adults and more learning opportunities, and I think that is an excellent example.

Admiral Watkins, the Secretary of Energy, has actually encouraged that to go further. He is encouraging men and women who work at the Federal laboratories around our country to get involved in the school systems. What wonderful leadership he is providing where men and women are getting invovled.

We are finding retired Federal employees, often with backgrounds in science and math, coming into school programs and actually enriching them. Now some of these will occur in the classroom but some will occur after school in a physics club, in a math club, maybe it will be field trips, maybe a variety of other things, but it will be doing, concrete kinds of projects that our boys and girls need.

We need to recruit kids into math, science, engineering, and other fields. I am not so sure we can always get mathematics and physics into our public schools, but I bet we could get many people who are retired to do some work both within the classroom and outside the classroom in different kinds of clubs and organizations.

So, Mr. President, as we look at title I and grants to community-based projects and public-private partnerships, I wanted to put a human face on some of it. I know you will have some stories to tell about Florida. I do not want to talk only about Maryland. I guess I know it the best. But this is an idea that will make us more competitive and get our kids ready for the 21st century.

Mr. President, I note the Senator from Arkansas is here. He has been one of the real architects of this legislation. I will yield the floor so that he may provide his own eloquence.

Mr. BUMPERS. Mr. President, I thank the distinguished Senator from Maryland for her very gracious and complimentary remarks. Voluntary service is an issue which has been high on my agenda ever since I came to the Senate, and today I am delighted to be here to lend my support to this bill that Senator KENNEDY has brought to the floor as S. 1430. I appreciate very much the inclusion of S. 539, S. 540, and S. 541, the three bills that I introduced on March 8, 1989, which are sections 141 through 162. The purpose of sections 141 through 162 is to remove obstacles that prevent young people from working for private section, tax-exempt community service organizations.

I addressed the Senate about my original bills when I introduced them on March 8, 1989 (135 CONGRESSIONAL RECORD at S2354–S2357). I also had the opportunity to speak about these issues when Senator KENNEDY introduced his bills on July 27, 1989 (135 CONGRESSIONAL RECORD at S9017–S9021). I will not repeat myself today, Mr. President, but I would like to make some brief comments.

Most of us would agree that the greatest obstacle facing a young person who wants to devote part of his or her life to serving others through the Peace Corps, VISTA, or other comparable community service is student loan indebtedness. Most students obtain loans to finance their educations. These loans become payable shortly after graduation, which means that many students who would like to participate in service programs simply cannot because they feel a strong obligation to go out, get a job, and start repaying that heavy financial burden.

Congress has long recognized this problem and has provided deferments for repayment of direct and guaranteed student loans for Peace Corps and VISTA volunteers for almost 30 years. In 1980, the ability to defer payments on direct and guaranteed student loans was also extended to students who perform comparable services in the private sector for nonprofit, tax-exempt community service organizations.

Deferring repayment obligations for student loans clears the way for many more students to participate in Peace Corps, VISTA, and community service. Even more students might perform community service if they only knew that these deferments were available. Therefore, sections 141 through 144 of the act direct the Department of Education to publicize to students the availability of these deferments.

The purpose of this section is to ensure that the Department of Education provides information about student loan deferments to all students who would qualify for such deferments if they worked in Peace Corps, VISTA, or with comparable tax-exempt community service organizations.

Students who financed their educations with direct, Perkins loans already may have part of their loans canceled in return for service in the Peace Corps or VISTA. The national community service bill will extend this partial cancellation of direct Perkins loans to students who serve full-time, for at least a year, at a low rate of pay with a tax-exempt community service organization.

The purpose of these sections of the legislation, 151 through 153, is to provide equal treatment to students who participate in community service, whether it be Peace Corps, VISTA, or comparable community service organizations.

The national community service bill also contains a new proposal that extends the incentive for students to work in community services. Sections 161 and 162 provide for partial cancellation of guaranteed student loans, Stafford loans for Peace Corps and VISTA workers, and for workers who provide comparable service with tax-

exempt community service organizations.

The purpose of sections 161 and 162 is to increase the number of students who participate in Peace Corps, VISTA, and tax-exempt community service by removing financing obstacles to participation. Mr. President, there are more than 3 million students with guaranteed student loans, nearly 4 times as many as have direct loans. Partial cancellation of loans for students with guaranteed loans may allow many of them to participate in community service.

These proposals are effective ways to promote community service by students. The proposals are especially effective because the private sector will create the service programs and no additional Government bureaucracy will be necessary to manage the programs. The entire program can be enacted at very little cost to the Government.

Mr. President, this is an American model of voluntary service. It is a bottom-up, not a top-down approach. It taps the diversity and energy of America's unique and independent nonprofit sector. More importantly, it gives American young people an opportunity to share their energies and talents to better the world for all of us. I urge my colleagues to join me in support of this bill.

Mr. President, I am prepared to yield the floor unless the distinguished Senator from Maryland wishes to comment further.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MIKULSKI). Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I request recognition for purposes of delivering a statement on S. 1430.

The PRESIDING OFFICER. The Senator from Florida is recognized for the purposes he stated.

Mr. GRAHAM. Madam President, I wish to congratulate you as well as the other Members of this body who have worked so hard to bring this important legislation before us. I particularly commend Senator KENNEDY for his leadership in bringing the many ideas that form the National Community Service Act, S. 1430.

This bill incorporates key elements of ideas and legislation from many Senators, such as we have just heard from the distinguished Senator from Arkansas.

I believe that the proposal before us will make a significant contribution towards the revival of the spirit of community service in America. To see that this spirit is alive and flourishing in our country, we need look no further than our neighborhood schools where we find many examples of the value of community service.

Our schools have been the focus of a great deal of attention recently. Unfortunately, dropout rates are too high. Unfortunately, in some schools, drug abuse is a constant threat. Unfortunately, many of the students in our schools come from broken homes. And, unfortunately, many of our students badly trail students in the other countries in basic subjects that contribute to a competitive economy: math, science, and reading skills.

The support mechanisms and individual attention needed by students are often unavailable. Teachers in schools have more responsibilities than they have ever attempted to assume in the history of education in this land. Educators continue to wear multiple hats. They are a full-time teacher, they are a friend, they are a coach, counselor, surrogate parent. But they do all of those roles with, in many instances, less and less help.

Madam President, schools in my State have found a solution, an invaluable resource for teachers and students at a time when resources are few. That resource is the school volunteer.

Last year in Florida, more than 140,000 volunteers contributed in excess of 6 million hours of service to over 2,000 public schools. If that service had been billed, it would have cost the State and the school districts in excess of $61 million.

Nationwide, it is estimated that $1 billion in service was provided by business and citizen school volunteers last year. These volunteers, working under the supervision of professional school staff, greatly enrich and enhance the educational experience of students. They provide needed services to students and teachers, including tutoring in reading, math, science, and English. They organize and operate the computer laboratories; they serve in guidance offices, libraries, and health centers.

Madam President, a few minutes ago, you gave some interesting personal examples, I share your feeling that too often we are immersed in specific technical words or the dollar signs in an appropriations bill, that the humanity of these programs is lost. I would like to accept your invitation to talk about some of that humanity.

Last year, under the auspices of the Senate Select Committee on Aging, I chaired a hearing in Palm Beach, County, FL, on the subject of the use of seniors as school volunteers. It was a moving hearing in terms of the testimony of the bond that has developed between the volunteer and the students served.

I remember one volunteer who had spent a lifetime working with the blind in her previous home in the Northeast. She had come to Florida. After a few months of retirement, she realized that life needed that vitality of direct involvement.

So with her special skills in braille and working with the blind, she has been an invaluable volunteer, helping blind students and vision-impaired students in the public schools of her community.

Another man who had spent his life as an engineer and scientist, with tremendous enthusiasm for what it meant to be a scientist, now is sharing not only his skills, his cognitive knowledge, but himself, that special sense of discovery that is so much a part of the excitement of being a scientist.

But let me talk about one particular experience that I had as a volunteer. Last spring, I spent a day as a school volunteer at a middle school in Tallahassee, FL, Belleview Middle School.

At this school I came across a relationship between Darrell and David. Darrell is a young man, 11 or 12 years old, who has had an extremely diverse, and often unhappy, life. Darrell comes from a broken home. His mother struggles to support her family on a very limited income. Darrell had not found school an easy place. He was 1 year behind his grade level at the time I met him. He had never had a report card, Madam President, in his 5 or 6 years of formal schooling, which had not had at least one F. Many times, the F's were the most frequently occurring letter on the card he brought home.

Darrell also had a serious health problem. He had a sinus condition which caused him to miss many days of school and restricted his ability to be a full participant. Darrell also suffered from a lack of self esteem. He did not have high expectations of what was possible for him.

Into Darrell's life came a school volunteer whose name was David. David is an employee of a State agency. Tallahassee being the capital of the State, that is the principal source of employment in that community. David's agency had adopted Belleview Middle School. So, on a regular basis, employees of that agency worked in the school.

David established a one-to-one relationship with Darrell for 2 or 3 days each week, and increasingly David sought out Darrell on weekends. He would come and sit with him and go over homework assignments. He would see that Darrell was eating properly, and that his standard and style of life was that which was a necessary part of his being able to perform effectively in the school. He found that there was some help for Darrell's sinus problem. Through another State agency, there

was funding available to have the necessary medical care, eventually leading to some surgery to help relieve Darrell's physical problem.

He also found that Darrell's ability to do well in school had been severely restricted because his mother's financial situation had become so desperate that in the apartment that she rented, they had lost their electricity. The lights had been turned off, and they were facing the prospect of eviction. David, being knowledgeable of what programs were available, was able to arrange for Darrell and his family to find a new home which they could afford. And the lights were turned on. Not only literally were the lights turned on, but in terms of Darrell the lights turned on.

After a few months of this relationship, Darrell, for the first time, brought home a report card that did not have an F on it. And in the last reporting period of the 1988-89 school year, Darrell made the honor roll. That is a tremendous testimony to what one adult, who cared enough and was provided with a structure that made it possible for him to have that relationship, can mean in the life of another human being.

Madam President, I am going to talk some more about the specifics of this legislation, but I think when we finish at the end of this debate, we are talking about that elderly woman, skilled in braille and services for the blind, sitting across the table from a blind youth; we are talking about that spark of enthusiasm that the engineer was able to bring to a whole classroom of potential young scientists, and we are talking about David and Darrell sitting at a cafeteria table talking about his homework and about his homelife and about what kind of future is possible for him.

Madam President, this bill that we have so carefully, and with so much effort and dedication, crafted will provide incentives for States and local educational agencies to help create school and volunteer partnership programs. A particular emphasis of this bill will be to encourage more of our senior Americans to contribute their wealth of knowledge and experience to schools in their communities.

I am pleased that this legislation includes so many components of S. 382, which I had introduced in February of 1989. My bill contains a provision calling for the creation of a clearinghouse to support school volunteer and partnership programs on a nationwide basis. It also provides incentives for the creation and expansion of volunteer partnerships, with emphasis placed on increasing school volunteer opportunities for senior citizens.

Madam President, today, we are asking citizens of all ages to make a commitment to national and community service. Service knows no age restrictions. It is my belief that as we make that challenge to serve, it is important that the Federal Government should lead by example in encouraging private sector and community involvement in the schools. If we, the Federal Government, are indicating the importance that we place upon service for others, the most dramatic and the most meaningful means by which we can express that sincerity is by the way we act ourselves.

So I am suggesting that we, through this legislation, make that strong commitment for the Federal Government's role in voluntary action.

The Department of Defense has established itself as a leader of the Federal level in forming partnerships with local schools. In Florida, I have seen firsthand the significant benefits these military partnerships provide to students, schools, the communities in which they are located, as well as the military.

Seventy-five Navy and Air Force partnerships in Florida duplicate the highly successful adopt-a-school, Saturday scholars, and math-science initiative programs that were developed by the U.S. Navy. Adopt-a-school at Pensacola Naval Air Station encourages squadrons to adopt local schools through tutoring students, organizing sporting activities, field trips, and other outreach activities.

As an example of how influential the Pensacola program has been, I ask unanimous consent to have printed in the RECORD an editorial which appeared in the February 14, 1990, issue of the Tampa Tribune.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CITIZEN OF THE YEAR

Each year Tampa's Civitan Club singles out someone remarkable, a person whose efforts touch the heart of the community. We're downright delighted to acknowledge this year's Citizen of the Year: James F. Urbanski, vice president and general manager of The Tampa Tribune.

Why Jim Urbanski for Tampa's most signal honor, announced yesterday at the Governor's Day Luncheon at the Florida State Fair? Along with furthering drug prevention through the Greater Tampa Chamber of Commerce, of which he is past president, and promoting Tampa in his role as a leader of the Super Bowl Task Force, he has been a conscientious supporter of the Boy Scouts, the United Way, the American Cancer Society, the Salvation Army, the March of Dimes, the Red Cross, and just about every other charitable and cultural organization in town. The current president of the Southern Newspaper Publishers Association, Urbanski combines high energy with an unfailingly gracious manner.

Two years ago, while on a business trip to Pensacola, Urbanski observed a program at the Pensacola Naval Base where servicemen voluntarily teamed up with youths in need of tutoring. Back in Tampa, he persuaded the top brass at MacDill Air Force Base to replicate the program. Thus, some 50 youths, most from underprivileged College Hill, became "Saturday scholars," and as they grew more proficient in math and science, they learned an important lesson about civics, compassion, and the power of committed leadership.

As president of the SNPA, he has established goals regarding literacy, newspaper quality, and minority hiring—a pledge backed up by five journalism scholarships of $3,000 each.

A native of Bloomington, Ill., Urbanski joined The Tribune in 1960, becoming vice president and general manager in 1977. He and wife Ann have four children.

Citizen of the Year. We who know Jim well know how the title fits.

Mr. GRAHAM. The editorial commends the citizen of the year designated by the Tampa Civitan Club, James F. Urbanski. In the editorial, it states:

Two years ago while on a business trip to Pensacola, Urbanski observed a program at the Pensacola Naval Base where servicemen voluntarily teamed up with youth in need of tutoring. Back in Tampa, he persuaded the top brass at MacDill Air Force Base to replicate that program. Thus, some 50 youths, most are from the underprivileged College Hill neighborhood, became "Saturday Scholars," and as they grew more proficient in math and science, they learned an important lesson about civics, compassion, and the power of committed leadership.

Madam President, I believe that this example of how a program in one community has now influenced many others is an example of how the Federal Government can effectively lead by example.

Under the Saturday Scholars Program, which is now an important part of the relationship between MacDill Air Force Base and the Hillsborough County schools, students and volunteers give up six consecutive Saturday mornings for intensive tutoring sessions. The program culminates in a ceremony where graduates receive and cherish the white "Dixie cups," or hats, of their tutors.

Schools have had to turn away students eager to participate in this popular Saturday morning program.

The math-science initiative at Orlando Naval Training Center provides students with tutors who have technical expertise for instruction in math, science and computer skills.

At a time when math and science teachers are in such short supply, this program has been an important resource to participating schools and students.

Madam President, the leadership provided by the Air Force and Navy should be duplicated in other branches of the armed services and throughout the Federal Government.

During consideration of fiscal year 1990 Department of Defense appropriation bill, the Senate accepted my amendment to require each branch of the armed services to follow the Navy's lead.

I am pleased that the National and Community Service Act, which we are debating today, also includes my pro-

posal to require all Federal agencies and departments—both civilian and military—to establish partnerships with local schools and to encourage Federal employees to participate as school volunteers.

A strong and visible leadership role on the part of the Federal Government will serve as a much needed beacon to the private sector and stimulate substantial community involvement in their local schools.

Madam President, I urge my colleagues to follow your leadership in support of S. 1430.

I again thank you and Senator KENNEDY for incorporating my ideas to promote school volunteer and partnership programs into this important national initiative. A revival of voluntary action, a stimulus to apply the best practices across the Nation, and commitment of the Federal Government to this important initiative will substantially contribute to our objective.

Madam President, I commend you for your leadership. I urge my colleagues to follow your wisdom.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I rise in support of the bill before us, the National and Community Service Act, and to express my hope that we will seize this opportunity to reinvigorate a spirit of service among our Nation's citizens—especially our young people.

This bill is the result of an enormous effort on the part of Member of this body and many, many others who have been deeply committed to voluntarism and community service for a long time. The bill represents a growing consensus that something more must be done to motivate and assist Americans of all ages to get involved in projects and endeavors that help others. Because, however, there are different views on exactly what role the Federal Government should play in generating a greater level of community service, this legislation was designed to try and test a variety of approaches. Thus, our proposal is to support local programs that fall into different models—including school-based programs, summer youth service programs, and programs that might help us consider developing a more ambitious national service effort. The bill also earmarks funds to stimulate more involvement among college students in community service, off campus, during this summers, and after graduation through opportunities like the Peace Corps and VISTA.

Mr. President, America prides itself in having a long tradition of voluntarism and citizen involvement. But I believe we must recognize that we need far more of our people to make a commitment to serving others, whether that commitment is an hour a week, a day a month, a year or 2 of their lives, or in the form of the job or career they choose. Poverty, illiteracy, hunger, racial tensions, and drug abuse are crying out for attention. Our country tolerates a shocking level of infant mortality and a growing portion of citizens who are shut out from basic health care—of dimensions that other industrialized countries find appalling.

It is not just the Government's job or the job of charity to respond to these enormous and, in some cases growing, problems. Individuals—of every age and in every community—are needed, to devote the time, suffer the inconvenience, and make sacrifices on behalf of others, on behalf of their communities, on behalf of our country's future.

I was personally captivated by the call to serve that rang out from President Kennedy in the early 1960's. It was an extraordinary time then. Our President asked young people in particular to join in an effort to build a better society, and I was among thousands and thousands who responded. We heard his voice, the voice of his brother, Robert Kennedy, and Martin Luther King, Jr., prodding our Nation to live up to our ideals: freedom, equality, tolerance, and service.

In response to this call, I decided to join VISTA, the program patterned after the Peace Corps and created to spur full-time service in some of the poorest areas of our country. Through VISTA, I went to West Virginia, and my life changed instantly. That was 25 years ago, and I never left. I made public service my career and West Virginia my permanent home.

Through the VISTA Program, I spent 2 years working in Emmons, WV, a coal town whose people struggled to feed their children and make it through the day. My memories of that time will never fade—memories of building a community center, starting a preschool program, taking kids to see a dentist for the first time, and pounding at State government for a schoolbus so the teenagers of Emmons could go to high school.

When I recall that time, I feel more strongly than ever that our leaders, at every level, must call on Americans to give more of themselves to others. The needs are endless, and they are everywhere. But unfortunately, voluntarism and service have to be promoted and nurtured and sought out. Our citizens—young and old—need to be nudged and urged to serve.

Mr. President, the National and Community Service Act is conceived to put into action a series of programs that will call on more of our people to get involved in service, and in ways that will steer them to make meaningful, needed contributions in their communities and on behalf of others. We want to build on the growing number of youth service and community service projects that have been cropping up in many States. We want to offer financial support to existing and new projects that show the most promise. And we want to see what approaches work the best, are most cost-effective, and provide the greatest rewards to everyone involved.

This bill is an effort to call on and call out to Americans to give more of themselves. Our society needs the talent, the hours, and the compassion of more citizens who are willing to volunteer or enter full-time careers in fields like teaching or practicing medicine in the rural parts of America. In these times, when success is so often defined in economic or financial terms, we should reflect on the words of Robert Kennedy:

He reminded us that "the gross national product does not include the beauty of our poetry or the strength of our marriages, the intelligence of our public debate or the integrity of our public officials. It allows neither for the justice in our courts, nor for the justness of our dealings with others. The gross national product measures neither our wit nor our courage, neither our compassion nor our devotion to our country. It measures everything, in short, except that which makes life fully worthwhile."

I sincerely believe this bill deserves strong support. We must act vigorously and boldly to convince our citizens to experience that which makes life truly worthwhile.

Mr. CRANSTON. Mr. President, I rise today in support of S. 1430, the National and Community Service Act of 1990.

In the past year, a number of proposals intended to foster and lend support to the volunteer spirit have been introduced in the Senate. S. 1430 brings these proposals together in a comprehensive measure. This bill would offer numerous and varied service opportunities to many Americans who wish to contribute to the well-being of their communities—regardless of their age or economic background. As a long-time supporter of the concept of national service, I am delighted to be a cosponsor of this important legislation.

S. 1430 would expand upon existing programs that we know work, and it would provide the means for implementing and testing new programs for their quality and effectiveness. In particular, S. 1430 would allow participat-

ing States to choose one or any combination of three new programs: A School and Community Based Service Program, and American Conservation and Youth Corps, and a National Service Full- and Part-Time Program.

The first of these initiatives, the School and Community Based Service Program, would offer volunteer opportunities to students in our elementary and secondary schools. Such an early introduction to voluntary service would provide these young people with an apprenticeship in citizenship, and good training for a life of productive work. This program would also provide service opportunities for olders Americans, who have so much experience and wisdom to offer our communities. They, too, need a vehicle for their extraordinary talents, and this program, and other programs within the bill provide such vehicles.

Mr. President, I take particular pleasure in noting the second new program offered in S. 1430, the American Conservation and Youth Corps. This program would, among other things, create an American Conservation Corps patterned after the highly successful Civilian Conservation Corps of the New Deal years. S. 1430 would provide matching Federal funds to supplement existing State Conservation Corps and to develop new conservation corps in States that don't have this program.

Mr. President, the successes of the conservation corps in California made me very enthusiastic in my support of a National Conservation Corps. In California, the valuable contributions of the young men and women in the conservation corps are not confined to the important task of maintaining our public lands for the enjoyment of present and future generations. They do much more. When the Loma Prieta earthquake struck the San Francisco Bay area in October of last year, the San Francisco Conservation Corps was quick to respond. Members of the corps were actively involved in emergency evacuation efforts, patrolling devastated areas, and assisting many citizens in retrieving their belongings and finding shelter. Crews from other conservation corps in California, and as far away as New York, joined the San Francisco crew in its efforts. This remarkable display of cooperation and eagerness to help represents voluntarism at its best. I believe that S. 1430 promotes this extraordinary spirit.

The authors of S. 1430 are also to be congratulated for the inclusion of a full- and part-time National Service Program, patterned to some extent after the National Guard. This provision of the bill would establish demonstration projects to test the viability of programs that reward full- and part-time civilian service participants with vouchers to defray education costs or assist first time home buyers. The evaluation component which accompanies these demonstration projects would give us a change to evaluate the effectiveness of these demonstration projects, and also their impact on the recruitment capabilities of other types of community service programs, such as the Peace Corps, and VISTA. I am particularly pleased that the amended version of S. 1430 provides for frequent evaluation reports so we can closely monitor the effect of this bill on military recruitment efforts.

Mr. President, I congratulate the authors of S. 1430 for their tremendous collaboration on this fine package of community service programs. This bill represents the molding together of a number of innovative proposals which would provide the American public with a wide choice of volunteer options. The legislation we consider today would bring people of all ages and backgrounds together in effective work. This Nation's citizens can add the human dimension and the volunteer spirit so often lacking in established bureaucracies. In return, these volunteers would take home important skills, self-esteem, and the joy of serving one's community. This bill would truly foster a spirit of voluntarism in this country. I urge passage of S. 1430.

Mr. ADAMS. Mr. President, I rise today in support of the compromise we have reached on S. 1430, the National and Community Service Act. My home State of Washington has already accepted the importance of voluntary community service. The Washington Leadership Institute and the Washington Service Corps are two prime examples of community service in action. Both efforts will be augmented by the bill before us today.

I am pleased to be a cosponsor of this significant initiative. We need to promote voluntary community service throughout the United States. Enactment of S. 1430 is essential to achieve this goal. This bill represents a compromise which effectively addresses concerns regarding worker displacement that could result from increased volunteer activity and the potential discriminatory impact of tying financial aid eligibility to community service as suggested during initial discussions on this issue.

Recent public opinion polls demonstrate that Americans view drug abuse and education as the most challenging issues facing our Nation. During a Washington Post-ABC survey, pollsters found that among those polled, the "breakdown of the family" was blamed most often for our current drug crisis and that our peace dividend should be spent to improve education. While we would be kidding ourselves and cheating our children if we were to operate under the illusion that a nationwide program for community service is a panacea for our problems, I firmly believe that this bill is a necessary and fundamental component in our efforts to combat the drug crisis and improve education. Both are essential goals as we work to cultivate our Nation's human resources and regain our international competitiveness.

In a very real sense, although by no means a substitute for the family, national and community service can help correct the disenfranchised and hostile attitudes that are harbored by many Americans today. Many people have no reason to feel a part of a community, no feeling of responsibility to care for others and no sense of ownership for the future of the country. A strong program for voluntary national and community service can help reverse this trend of alienation.

President Bush has expressed support for the concept of national and community service. Through this bill, we will give programmatic form to this concept. Without this program, much of America would be excluded from contributing. Without some extra incentive, many people, plain and simple, cannot afford to participate in voluntary service. We want to move beyond a volunteer system of mainly the affluent serving the poor. Certainly, we need and want the participation of the wealthy. But, we also need to promote the participation of those who are not as well off so that they can experience the same sense of accomplishment and satisfaction that comes with serving one's community or nation.

The compromise we have reached combines the three major programs in S. 1430 into one State grant program, and authorizes the Points of Light Foundation to make these grants.

I am very pleased that title I of this bill will augment the innovative Washington Leadership Institute and provide the opportunity to create or strengthen other school-based programs across the Nation. Under this section of the National and Community Service Act, all school aged children are eligible for participation in projects like the Washington Leadership Institute. The Washington Leadership Institute currently sponsors various programs that help young people from many different backgrounds develop leadership skills while serving their communities through projects they design themselves. A moving example of what can be accomplished is the food bank in Toledo, WA. After participating in the week long Governor's School for Leadership which is part of the Washington Leadership Institute, Sean Fox saw a great need for a food bank in his home town of Toledo. Acting as his own lobbyist, he was able to garner the necesary support for his project from the mayor of Toledo, Shirley Grubb, and his school principal, Dennis Clark. Fol-

lowing extensive ground work and numerous organizational meetings, the food bank began operating. Operating out of an old roller rink that the town rented for the project at $1 per year, the food bank soon secured second hand refrigerators and freezers to store perishables. To this day, the Toledo food bank is fulfilling a very great need, and for this we owe our thanks to Sean Fox and the Washington Leadership Institute.

Additionally, title I encourages older Americans and businesses to become active in school volunteer and partnership programs. While there is no substitute for Federal funding for education, I do believe that as we struggle with scarce resources to improve the quality of education in our country, it is important to engage volunteers and businesses in school improvement programs whenever possible. Further, we can not underestimate the importance of promoting community service to postsecondary education age individuals. S. 1430 recognizes this and includes provisions which expand programs like the Student Financial Independence Program and the State Student Incentive Grant Program. In some cases, students are also eligible for forgiveness of student loans.

The American Conservation and Youth Service Corps included under title I will complement Washington State's current efforts involving the Washington Service Corps and the Washington Conservation Corps. Under this section of the bill, States are encouraged to establish or improve programs that provide full-time opportunities to youth in conservation or human service related projects. The potential productive work capacity under this program is significant and the education and skills individuals gain from participation is irreplaceable. Four hundred young Washingtonians participate and benefit each year in the Washington Service Corps working on community service projects. Enactment of this legislation will give even more young residents of my home State the opportunity to learn from youth service experiences.

Finally, title I of the National and Community Service Act also provides for demonstration programs which will encourage the development and enhancement of community service programs involving part-time, full-time, and senior citizen participants. Participants in this program will receive stipends and vouchers good for first-time home buying and educational expenses.

I have always felt that voluntary service is the price we must pay for the benefits of living in a free society. Passage of this measure is desperately needed as we work to instill upon the citizens of this country the importance of national and community service. I strongly believe that people want to contribute to society, but we need to make sure that productive opportunities exist and that each and every individual has an equal chance to participate. This compromise represents a solid approach to utilizing our Nation's vast and untapped human resources and to restoring the sense of civic responsibility that has clearly fallen by the wayside. The benefits of this proposal over the long term will far outweigh program costs. S. 1430 deserves expeditious passage by the full Senate.

Mr. KENNEDY. Mr. President, I want to personally thank the Senator from West Virginia for his comments about my brother, Bob. Those words were strongly felt and meant. I appreciate the context in which they were used.

I also extend congratulations to the Senator for an excellent exposition about the importance of this legislation and for his bringing to bear his own personal experience which I think is important and relevant to this legislation. We are very appreciative of his strong statement and his continuing support.

There are a number of Members of this body who are not members of the particular committee that helped to shape this legislation, and the Senator from West Virginia is one of those. We value highly his support and his working with us in the shaping of the legislation. I want to thank him very much for those comments.

Mr. President, we have had a good number of statements over the course of the afternoon from both sides of the aisle. We have heard from most of those, although not all of those, who had different recommendations which we considered. We still look forward to hearing from the Senator from Connecticut [Mr. DODD]; the Senator from Rhode Island [Mr. PELL], whom I referenced earlier during the debate, who, because of their responsibilities as members of the Foreign Relations Committee, necessitated their presence in Nicaragua and now are on their way back to this debate and have communicated again to me their strongest support and their desire to be heard tomorrow. But we have heard from a number of the members of our committee and a number of those who are not on our committee who have taken a very special interest.

I take note that for a Monday when there was the announcement that we would not be voting, we have had an impressive group of Members who have spoken about the issues which are incorporated in this particular proposal.

I know there have been some amendments which have been proposed. I, again, indicate we have permitted time for those who had been strongly supportive of the legislation to speak. But I also indicated earlier in the day that we hope to be able to start the debate on some of these amendments with the final disposition of some of those early tomorrow in order to permit the Senate's schedule to move forward.

I take note of the fact that over the period of a number of hours, just about noontime, when we started the debate, we have not had one Senator who has spoken in opposition to this legislation. I know that there are some areas of policy which have been included in this legislation which some Members, in the form of amendments, have expressed some concerns about, but we have not had any Member speak out in opposition to it. We take note of that at this time.

So we are quite prepared to move ahead, Mr. President, in considering any of the amendments. We are prepared to stay here until whatever time Members so desire so that we can debate these amendments, and then we would be prepared to work out with the proponents of those amendments and the leadership a reasonable period of time so we can dispose of them at an early time tomorrow and to move this whole process.

The legislation has been reviewed and examined and heard in our committee. We have had opportunities to debate many of these issues in our committee prior to coming to the floor. We worked with as many of those Members of this body who have been interested in this approach over a very considerable period of time. We think we have a sound package that the sponsors can defend and are prepared to do so. So we are very hopeful that we can move this process forward and come to grips with any differing views so that the Senate can work its will and that this legislation, which so many have contributed to, will move forward in the legislative process.

There is work to do over in the House. They formed a task force. Different proposals have been advanced there. I have been in communication with the leadership, and I know others have as well. I know our majority leader has. This is a priority item, so we want to move this forward. We realize we have a number of other extremely important pieces of legislation on the calendar.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I wish to address the bill before us.

Mr. President, I rise in support of S. 1430, the National and Community Service Act of 1989.

First of all, let me commend the authors of this bill and those who have been working diligently with the administration in getting the price tag down to what I think is a much more reasonable level and one which is likely to lead to passage.

It is refreshing to me that S. 1430 is on the floor of the Senate for consideration. Community service, clearly not a new concept, has frequently not received the attention and recognition that it deserves. Without the panoply of community service programs our country would not be as great as it is. Too frequently their efforts go unnoticed. Passage of this bill will publicly acknowledge this work and encourage others to give of their time as well.

I will not take time to outline the provisions of the bill for others before me have already done that very adequately. But I do want to address one of the recurring criticisms I have heard about this bill.

That criticism is that the bill provides money for volunteers, which many believe is antiethical to community service, and I agree to a certain extent. Community service should be free, but unfortunately it does have its costs. Costs associated with starting up programs in schools and communities, administration costs for running programs, vehicles needed to transport volunteers, building, and publication costs.

But those are often minimal costs compared to the sacrifice of individuals of their time and their own money. Part of the costs associated with the bill are those which come from the student financial aid forgiveness program. Some might argue that this is a costly and unwarranted provision.

But postsecondary institutions are expensive and more and more students are leaving school with heavy loan and debt burdens. It is naive to think that we can attract energetic, young, and bright individuals into community and social service when they have loan repayments to think about. It is not a financial inducement into service; rather it is an acknowledgment that community service is a sacrifice, a sacrifice which has numerous benefits not to the individual alone but to our society as a whole.

S. 1430 establishes a comprehensive framework and infrastructure for community service. It provides programs from elementary through to secondary schools. Incentives for involvement in higher education and on through to programs to encourage senior citizens.

The bill incorporates a number of different programs and concepts for community service. One of these programs is the American Conservation and Youth Service Corps. National recognition and Federal support for this program will clearly enhance the work that States have already embarked upon. I want to just briefly explain the effects of this program in my State of Vermont.

The Vermont Youth Conservation Corps was established in 1985 with the intent of helping to restore and preserve the State's cultural heritage. This past summer marked Vermont Youth Conservation Corps [VYCC] fourth year of serving Vermont youth and improving State lands and communities. During the year, 90 youth corpsmembers, ages 6-21, and 46, JTPA recipients, participated in a variety of conservation projects including; trail blazing, fence building, construction of drainage systems, and upgrading of community parks and grounds.

But the variety of conservation projects are not the only component of the program. Educational assessments, remediation, and employment competency training are important aspects of the program. A special curriculum, writing, reading, discussion combining preemployment competencies and environmental and conservation issues, was developed specifically for the Vermont Youth Conservation Corps. The curriculum has proven highly successful in teaching participants leadership and communication skills, involvement in community service and appropriate tool and safety training.

The Vermont Youth Conservation Corps has become a program which enriches the lives of Vermont youth through special learning opportunities while providing a service to Vermont communities and the environment. Corpsmembers complete the summer with a greater awareness of their own potential, a new appreciation of the environment, and an awareness of the rewards of team work and community service.

S. 1430 brings together programs already in existence and new ones to encourage community service in our country. I have seen the success of programs within my State, and now it is time to expand them to the remainder of the country.

Mr. President, I urge adoption of this bill and am hopeful it will occur soon.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I understand the National Community Service Act of 1989 is still the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOLE. Mr. President, I understand there may be some way to compromise some of the differences in the legislation. I have, and I know some others have, some serious reservations about the costs and the appropriateness of the legislation. But, at the same time, I am certain if legislation does pass—and I assume we can work out our differences—that may be in the works and maybe, if so, we can take care of all the legislation very quickly. But if it does pass the body it must ensure that individuals with disabilities are involved in national service programs as volunteers, not just as recipients.

The talents and skills of our 43 million Americans with disabilities have been seriously underutilized for much too long. At a time when the President has endorsed historic civil rights legislation for people with disabilities, we must guarantee that these citizens are given the opportunity to participate fully in any national service initiative.

Although recipients of Federal assistance under this legislation are covered by the Rehabilitation Act of 1973, and it is referenced in this legislation, I believe we could strengthen the bill by spelling it out. Doing so will improve opportunities for people with disabilities and help break the cycle of separateness that plagues this minority.

My amendments will have to be reconfigured when we have a substitute, but my amendments are simple. The bill now defines "adult volunteer" as a person beyond the age of compulsory schooling, including an older American, an employee of a private business, an employee of a public or nonprofit agency, or any other individual working without financial remuneration in an educational institution to assist students, or out of school youth.

The bill also specifies that, in providing financial assistance to adult volunteer and partnership programs, priority shall be given to programs that involve individuals of different ages, races, sexes, ethnic groups, and economic backgrounds.

My proposal would amend this language to include a person with a disability under the definition of an adult volunteer and add individuals with disabilities to the list delineating program participants.

We also modify that portion of the bill which would suggest the types of national service that may be made available under national service demonstration programs. The bill now includes health care services, child care, housing-related programs and self-help programs under the category human service. Our proposal would specifically include programs that assist those who are elderly, disabled,

poor, and homeless in obtaining meaningful employment.

Project with industry programs, programs under the Job Training Partnership Act, vocational rehabilitation agencies and nonprofit organizations offering employment assistance are among the types of programs and organizations that could benefit from the services of volunteers.

Mr. President, we should not just focus on service programs that will make easier the day-to-day lives of our most vulnerable citizens. We should also emphasize programs that can assure many of these individuals achieve greater independence and dignity by helping them become productive members of society.

Important to such endeavors is the recognition that all of us have unique talents and skills—whether one happens to have a disability or not.

Overcoming the barriers that exclude adults with disabilities from jobs commensurate with their abilities has not been easy.

There are many individuals with disabilities, who by reason of their disability, are unable to work, yet could significantly contribute to volunteer activities.

It is already being done. Just recently, I might add, the Dole Foundation awarded a grant to the Center for Independent Living in Berkeley, CA, to assist the area homeless in finding shelter and eventual employment through job training activities.

The Department of Labor has taken the lead with this project through funding under the Stewart McKinney Act.

This project is just one example of true voluntarism at work—people working together providing free training and counseling to help homeless people find jobs and integrate themselves back into the community.

In addition to regular paid staff, there are many homeless and people with disabilities who volunteer their talents. Since the October 17 earthquake, the project has assisted victims in relocating and finding employment. The project has also set up a clothing center to provide free clothing to the homeless.

People with disabilities are eager and ready to contribute yet still face discrimination and lack of accessibility. Assuring access carries with it the responsibility for the provision of reasonable accommodations.

Two of the amendments under my proposal will require reasonable accommodations for people with disabilities.

One will insist that the applications in their descriptions of the equipment facilities, emergency care, and other features, include accommodations for individuals with disabilities. Often providing accommodations for participants with disabilities involves no more than taking a commonsense approach that need not be difficult to be effective. The other amendment proposes making the 3-week training program required by this legislation to be accessible wherever appropriate.

The biggest barrier to inclusion of people with disabilities is the lack of understanding. The responsibility to support people with disabilities begins and ends where it does with everyone else. These amendments will send a signal that people with disabilities, like everyone else, have the knowledge and skills to make a difference in their communities.

Finally, Mr. President, where the bill refers to individuals, or participants, with handicapping conditions, my proposal would substitute the term "with disabilities" wherever the term "with a handicapping condition" occurs. The usage of the term "with disabilities" is consistent with language found in the Rehabilitation Act of 1973 and the Fair Housing Act, as well as disability-related legislation pending before Congress, including the Americans With Disabilities Act and the Education of the Handicapped Act. This important change in terminology will bring outdated terminology up-to-date with state-of-the-art policy for people with disabilities.

Mr. President, I ask unanimous consent that I may speak as in morning business for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKS TO PRESIDENT REAGAN

Mr. DOLE. Mr. President, I just had the pleasure of talking with former President Reagan by telephone. I called President Reagan to thank him for his efforts on behalf of the people of Nicaragua for the past several years, because without President Reagan's steadfast resolve, we would not have seen a free election or a fair election; we would not have seen the election of Violeta Chamorro in that country.

There is no doubt in my mind that one can look at many things that happened over the past several years, past several months, past several weeks and had it not been for Ronald Reagan, despite all the criticism he took from many Members of Congress and many Americans, he understood precisely what he wanted for the people of Nicaragua: Democracy, freedom, and get rid of a dictator.

Because of his resolve and because of his steadfast efforts, because of the money the Congress appropriated to help the Contras, because of the imposition of sanctions by the President of the United States, at that time Ronald Reagan, and because of his continuing support, never wavering in his efforts to bring freedom and democracy to the people of Nicaragua, there is no doubt in my mind that the No. 1 catalyst in all this has been former President Ronald Reagan.

So I thank him on behalf of the people of Nicaragua, on behalf of Violeta Chamorro, the winning candidate, on behalf of all of us who stood with Ronald Reagan through those rather contentious times.

I say this does vindicate, as I said earlier today, Ronald Reagan's policy during the Reagan years. Whenever you give the people a chance, an option of freedom or oppression, they are going to take freedom and democracy every time.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNUAL REPORT ON ADMINISTRATION OF THE FEDERAL RAILROAD SAFETY ACT—MESSAGE FROM THE PRESIDENT PM 97

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

I transmit herewith the 1988 annual report on the administration of the Federal Railroad Safety Act of 1970, pursuant to 45 U.S.C. 440(a).

GEORGE BUSH.

THE WHITE HOUSE, *February 26, 1990.*

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 1989, the Secretary of the Senate, on February 23, 1990, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolution:

S.J. Res. 186. Joint resolution designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week."

The enrolled joint resolution was signed on today, February 26, 1990, by the President pro tempore [Mr. BYRD].

MESSAGES FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in

which it requests the concurrence of the Senate:

H. Con. Res. 250. Concurrent resolution condemning the deliberate and systematic human rights violations of the Government of Haiti.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 250. Concurrent resolution condemning the deliberate and systematic human rights violations of the Government of Haiti.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, February 26, 1990, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 186. Joint resolution designating the week of March 1 through March 7, 1990, as "National Quarter Horse Week."

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BURDICK, from the Committee on Environment and Public Works:

Erich W. Bretthauer, of Nevada, to be an Assistant Administrator of the Environmental Protection Agency;

Jacqueline L. Phillips, of Maryland, to be Federal Cochairman of the Appalachian Regional Commission; and

Hilda Gay Legg, of Kentucky, to be Alternate Federal Cochairman of the Appalachian Regional Commission.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GARN (by request):

S. 2168. A bill to amend the Defense Production Act of 1950 to support mobilization of the defense industrial base of the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATFIELD:

S. 2169. A bill to amend title 35, United States Code, to impose a 5-year moratorium on the granting of patents on genetically altered or modified animals in order to establish a federal regulatory and review process to deal with the economic, environmental, and ethical issues raised by the patenting of such animals; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2170. A bill to prescribe the conditions under which contractors receiving operating-differential subsidy of their affiliates may engage in coastwise or intercoastal trade; to the Committee on Commerce, Science, and Transportation.

By Mr. NUNN (for himself and Mr. WARNER) (by request):

S. 2171. A bill to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

S. 2172. A bill to authorize certain construction at military installations for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

S. 2173. A bill to improve the management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes; to the Committee on Armed Services.

S. 2174. A bill to repeal or modify certain reporting requirements relating to activities of the Department of Defense; to the Committee on Armed Services.

By Mr. BAUCUS (for himself and Mr. BURDICK):

S. 2175. A bill to amend the Solid Waste Disposal Act to extend the compliance date of financial responsibility requirements and to establish a national program to provide loan guarantees to small businesses for the closure and replacement of underground storage tanks; to the Committee on Environment and Public Works.

By Mr. LIEBERMAN (for himself, Mr. LAUTENBERG, Mr. CHAFEE, Mr. DURENBERGER, Mr. JEFFORDS, and Mr. WILSON):

S. 2176. A bill to provide better enforcement of the environmental laws of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. DODD, Mr. MOYNIHAN, Mr. LEAHY, Mr. BRADLEY, Mr. GRASSLEY, and Mr. DASCHLE):

S. 2177. A bill to improve the collection and dissemination of information relating to the supply of winter heating fuels, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. GRASSLEY, and Mr. DASCHLE):

S. 2178. A bill to amend title 18, United States Code, to establish a Federal criminal offense for illegal creation of a fuel shortage; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. MOYNIHAN, Mr. BRADLEY, Mr. LEAHY, Mr. DODD, Mr. CONRAD, and Mr. DASCHLE):

S.J. Res. 261. A joint resolution making dire emergency supplemental appropriations for low income home energy assistance; to the Committee on Appropriations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FORD:

S. Res. 249. Resolution authorizing the use of the Hart Senate Office Building Atrium on March 5, 1990, for a performance by the Western Kentucky University Choir; ordered held at the desk.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GARN (by request):

S. 2168. A bill to amend the Defense Production Act of 1950 to support mobilization of the defense industrial base of the United States; to the Committee on Banking, Housing and Urban Affairs.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1990

● Mr. GARN. Mr. President, today I would like to introduce a bill proposed by the administration to amend the Defense Production Act of 1950 to support mobilization of the defense industrial base of the United States. I am pleased that the administration sent us their suggestions. I think that this bill is indicative of the administration's firm support for the Defense Production Act and I join them in urging that the act be extended this year. Although I have not reviewed or taken a position of every provision of the bill, I believe these proposals deserve careful consideration and am confident that the Banking Committee and the Senate will support many of them. I ask unanimous consent that the administration's bill and explanatory materials be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Defense Production Act Amendments of 1990".

EXTENSION OF THE DEFENSE PRODUCTION ACT OF 1950

SEC. 2. Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended to read as follows:

"Title I, title III, and title VII of this Act shall be permanent as of August 11, 1990. *Provided,* That all authority hereby made permanent under Title III of this Act shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts."

DECLARATION OF POLICY

SEC. 3. Section 2 of the Defense Production Act of 1950 (50 U.S.C. App. 2062) is amended to read as follows:

"SEC. 2. (a)(1) In view of the present international situation, the need for measures to reduce defense production lead times and bottlenecks, and in order to provide for the national defense and national security, our defense mobilization preparedness effort continues to require the development of preparedness programs, defense industrial base improvement measures, and the expansion of domestic productive capacity and supply beyond the levels needed to meet the civilian demand, as well as a need for a maximized response to early warning indicators to ensure the timely availability of adequate industrial production and supply for national defense requirements. Also required is some diversion of certain materials

and facilities from civilian use to military and related purposes.

"(2) These activities are needed in order to improve defense industrial base efficiency and responsiveness, to reduce the time required for industrial mobilization in the event of a threat to the security of the United States or an attack on the United States or to respond to actions occurring outside of the United States which could result in the termination or reduction of the availability of strategic and critical materials, including energy, and other industrial resources, which could adversely affect the national defense preparedness of the United States. In order to ensure the national defense preparedness which is essential to national security, it is also necessary and appropriate to assure the availability of domestic energy supplies for national defense needs.

"(b)(1) Executive departments and agencies shall assess the capability of the defense industrial base to satisfy peacetime, surge and mobilization requirements and take necessary actions, where appropriate, to ensure that adequate domestic production capacity exists to satisfy these requirements. To ensure that essential mobilization requirements are met, consideration should be given to stockpiling stategic materials to the extent that such stockpiling is economical and feasible.

"(2) It is the policy of the Congress that plans and programs to carry out this declaration of policy shall be undertaken with due consideration for promoting efficiency and competition."

EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY

SEC. 4. Section 303(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)) is amended by striking out "25,000,000" in the last sentence and inserting in lieu thereof "50,000,000".

SEC. 5. Section 303(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(b)) is amended by striking out "September 30, 1995" and inserting in lieu thereof "ten years from the initial date of such purchase, commitment to purchase, or sale".

SEC. 6. Section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099) is repealed.

VOLUNTARY AGREEMENTS

SEC. 7. Section 708A of the Defense Production Act of 1950 (50 U.S.C. App. 2158a) is repealed.

SEC. 8. Section 708 of the Defense Production Act of 1950 (50 U.S.C. App. 2158) is amended—

(a) by striking out "and subsection (j) of section 708A" in subsection (a) thereof;

(b) by inserting a new subsection (b), to read as follows:

"(b) As used in this section the term—

"(1) 'antitrust laws' means—

"(A) the Sherman Act (15 U.S.C. 1 et seq.);

"(B) the Clayton Act (15 U.S.C. 12 et seq.);

"(C) the Federal Trade Commission Act (15 U.S.C. 41 et seq.);

"(D) sections 73 and 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9);

"(E) the Act of June 19, 1936, chapter 592 (15 U.S.C. 13, 13a, 13b, and 21a); and

"(F) the Webb-Pomerene Act (15 U.S.C. 61-65).

"(2) 'plan of action' means any of one or more documented methods adopted by participants in an existing voluntary agreement to implement that agreement.";

(c) in subparagraph (c)(1),

(1) by striking "Except as otherwise provided in section 708A(o), upon" and inserting in lieu thereof "Upon"; and

(2) by inserting "and plans of action" after "voluntary agreements";

(d) in subparagraph (c)(2), by striking out the last sentence therein.

(e) in subparagraph (d)(1), by striking ", and the meetings of such committees shall be open to the public." in the second sentence thereof and inserting in lieu thereof ". Meetings of such committees shall be open to the public unless the individual designated by the President in subsection (c)(2) finds that the matter or matters to be discussed at such meetings fall within the purview of matters described in subsection (b)(1), (b)(3), or (b)(4) of section 552 of title 5, United States Code.";

(f) in subparagraph (d)(2), by striking out "section 552(b(1) and (b)(3)" and inserting in lieu thereof subsections (b)(1), (b)(3), and (b)(4) of section 552";

(g) in subparagraph (e)(1), by inserting "and plans of action" after "voluntary agreements";

(h) in subparagraph (e)(3),

(1) in subparagraph (D), by striking out "subsection (b)(1) or (b)(3) of section 552" and insert in lieu thereof "subsection (b)(1), (b)(3), or (b)(4) of section 552"; and

(2) in subparagraph (G), by striking out "subsections (b)(1) and (b)(3) of section 552" and inserting in lieu thereof "subsections (b)(1), (b)(3), and (b)(4) of section 552";

(i) in subsections (f) and (g),

(1) by inserting "or plan of action" after "voluntary agreement" each place it appears; and

(2) by inserting "or plan" after "the agreement" each place it appears;

(j) in subsection (h),

(1) by inserting "and plans of action" after "voluntary agreements";

(2) by inserting "or plan of action" after "voluntary agreement" each place it appears;

(3) in subsection (h)(3) by striking out "subsections (b)(1) and (b)(3) of section 552" and inserting in lieu thereof "subsections (b)(1), (b)(3), and (b)(4) of section 552"; and

(4) in subsections (h)(7) and (h)(8) by striking out "subsection (b)(1) or (b)(3) of section 552" and inserting in lieu thereof "subsections (b)(1), (b)(3), or (b)(4) of section 552";

(k) in subsection (j), to read as follows:

"(j)(1) There shall be available as a defense for any person to any civil or criminal action brought under the antitrust laws (or any similar law of any State) with respect to any action taken to develop or carry out any voluntary agreement or plan of action under this section (provided that such action was not taken for the purpose of injuring competition) that—

"(A) such action was taken—

"(i) in the course of developing either a voluntary agreement, the making of which was initiated by the President, or a plan of action adopted thereunder, or

"(ii) to carry out either a voluntary agreement authorized and approved in accordance with this section, the making of which was initiated by the President, or a plan of action adopted thereunder, and

"(B) such a person complied with the requirements of this section and the rules promulgated hereunder, and acted in accordance with the terms of the voluntary agreement or plan of action.

"(2) Except in the case of actions taken to develop a voluntary agreement or plan of action, the defense provided in this subsection shall be available only if and to the extent that the person asserting the defense demonstrates that the action was specified in, or within the reasonable contemplation of an approved voluntary agreement the making of which was initiated by the President or any approved plan of action adopted thereunder.

"(3) Persons interposing the defense provided by this subsection shall have the burden of proof upon the elements of the defense, except that the burden shall be on the person against whom the defense is asserted with respect to whether the action was taken for the purpose of injuring competition.";

(l) in subsection (k), by inserting "and plans of action" after "voluntary agreements" each place it appears

(m) in subsection (l), by inserting "or plan of action" after "voluntary agreement";

(n) by adding a new subsection (n), as follows:

"(n) Notwithstanding any other provision of law, any activities conducted under a voluntary agreement or plan of action approved pursuant to this section, when conducted in compliance with the requirements of this section, the rules promulgated herunder, and the provisions of the voluntary agreement or plan of action, are exempt from all Federal laws, rules and regulations pertaining to advisory committees."; and

(o) by adding a new subsection (o), as follows:

"(o) In any action in any Federal or State court for breach of contract, there shall be available as a defense that the alleged breach of contract was caused predominantly by action taken during an emergency to carry out a voluntary agreement or plan of action authorized and approved in accordance with this section."

EXECUTIVE RESERVE

SEC. 9. Section 710 of the Defense Production Act of 1950 (50 U.S.C. App. 2160) is amended—

(a) in subsection (b), by striking paragraph (4) and inserting in lieu thereof:

"(4) Notwithstanding any other provision of law, the President, upon finding that achievement of the purpose of this section requires such action, may exempt with respect to specified activities, persons who become employed pursuant to subsection (b)(1), and their private employers, from the antitrust laws or any similar state law; Provided, that the exemption authorized in this subparagraph shall apply only with respect to activities undertaken in good faith within the scope of the employer's official governmental duties.";

(b) in subsection (b), by striking paragraph 6 and inserting in lieu thereof:

"(6) The heads of the departments or agencies making appointments under this subsection (b), shall file with the Office of the Federal Register for publication in the Federal Register a statement including the name of the appointee, the employing department or agency, the title of the appointee's position, and the name of the appointee's private employer. Any such appointee who is not required to file a financial disclosure report pursuant to section 101 of the Ethics in Government Act of 1978, shall file with the appointing department or agency a confidential financial disclosure report pursuant to section 107 of that Act.";

(c) in subsection (b)(7) by striking "Chairman of the United States Civil Service Commission" and inserting in lieu thereof "Director, Office of Personnel Management";

(d) in subsection (e), by inserting "(1)" before the first sentence, striking the last sentence, and adding the following at the end thereof:

"(2) Notwithstanding any other provision of law, the President, upon finding that achievement of the purpose of this section requires such action, may exempt with respect to sepcified activities, members of this executive reserve who become employed by the Federal Government during periods of emergency, or who are engaged in the executive reserve training program, and their private employers, from the antitrust laws or any similar State law; Provided, that the exemption authorized in this paragraph (4) shall apply only with respect to activities undertaken in good faith within the scope of the employees' official governmental duties; and

"(3) The heads of the departments or agencies employing members of the executive reserve under this subsection (e) shall file with the Office of the Federal Register for publication in the Federal Register a statement including the name of the employee's position, and the name of the employee's private employer. Any such employee who is not required to file a financial disclosure report pursuant to section 101 of the Ethics in Government Act of 1978, shall file with the employing department or agency a confidential financial disclosure report pursuant to section 107 of that Act."; and

(e) by adding the following new subsections;

"(h) As used in this section the term 'antitrust laws' has the same meaning that it has under section 708.

"(i) Notwithstanding any other provision of law, any activities conducted under this section are exempt from the operation of all Federal laws, rules and regulations pertaining to advisory committees.

"(j) The President shall promulgate regulations implementing the exemptions contained in subsections (b)(4) and (e) of this section."

SEC. 10. Chapter 11 of title 18, United States Code, is amended—

(a) in section 203, by adding a new subsection (g), to read as follows:

"(g) This section shall not apply if the President certifies in writing that the national interest so requires.";

(b) in section 205, by adding a new subsection (i), to read as follows:

"(i) This section shall not apply if the President certifies in writing that the national interest so requires.";

(c) in section 207, in the form that section is in effect before January 1, 1991, by adding a new subsection (1), to read as follows:

"(1) This section shall not apply if the President certifies in writing that the national interest so requires.";

(d) in subsection (b) of section 208, by striking "or" at the end of paragraph (3), by striking "." at the end of paragraph (4) and inserting in lieu thereof "; or", and by adding a new paragraph (5), to read as follows:

"(5) if the President certifies in writing that the national interest so requires.";

(e) in section 209, by adding a new subsection (g), to read as follows:

"(g) This section shall not apply if the President certifies in writing that the national interest so requires."; and

(f) in section 207, as amended by sections 101 and 102 of the Ethics Reform Act of 1989 (P.L. 101-199), by adding a new paragraph (7) to subsection (j), to read as follows:

"(7) NATIONAL INTEREST WAIVER.—The restrictions contained in this section shall not apply if the President certifies in writing that the national interest so requires.".

SEC. 11. The Department of Energy Organization Act (42 U.S.C. 7101 *et seq.*) is amended—

(a) by repealing sections 603 through 606, subsections (a) and (b) of section 607, and subsections (a) and (c) of section 608;

(b) in subsection (c) of section 607, by striking ", 603(c), 605(a), or 606(c)";

(c) in subsection (b) of section 608, by striking ", 603, 604, 605, or 606' ' and

(d) in the table of contents, by striking the items relating to sections 603 through 606.

GENERAL PROVISIONS

SEC. 12. Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(a) by striking paragraph (b) and inserting in lieu thereof:

"(b) the word 'materials' shall include raw materials, articles, commodities, components, processes, products, supplies, and technical information, and services with regard thereto.";

(b) by striking paragraph (c) and inserting in lieu thereof:

"(c) The word 'facilities' shall include services with regard thereto, but shall not include farms, churches or other places of worship, or private dwelling houses.";

(c) by striking paragraph (d) and inserting in lieu thereof:

"(d) The term "national defense" means programs for military and energy production or construction, military assistance to any foreign nation, stockpiling, space, and directly related activity."; and

(d) by adding a new paragraph (g) as follows:

"(g) The word 'services' shall include any effort that is needed in or incidental to the development, production, construction, assemblage, processing, delivery, use or distribution of materials or facilities."

SEC. 13. Section 703(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2153(b)) is hereby repealed.

SEC. 14. Section 705(e) of the Defense Production Act of 1950 (50 U.S.C. App. 2155(e)) is amended—

(a) by inserting after the words "person furnishing such information shall" the following: "be exempt from public disclosure under section 522(b)(3)(B) of title 5, United States Code and shall"; and

(b) by repealing the second paragraph thereof.

SEC. 15. Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(a) by striking "and for payment of interest under subsection (b) of this section" in subsection (a)(1);

(b) by striking "Bureau of the Budget" in subsection (a)(1) and inserting in lieu thereof "Office of Management and Budget";

(c) by amending subsection (a)(4) to read as follows:

"(4) There are authorized to be appropriated for fiscal years 1991, 1992, 1993, 1994, and 1995 not to exceed $250,000,000 to carry out the provisions of sections 301, 302, and 303 of the Act."; and

(d) by adding a new paragraph (5) at the end of subsection (a) to read as follows:

"(5) Actions that would exceed the dollar limit in Section 303(a) are hereby authorized for the following industrial resources shortfalls:

(A) accelerated cooled/direct quenched steel plate; and

(B) thermoelectric coolers."

SEC. 16. Sections 705(d) and 716 of the Defense Production Act of 1950 (50 U.S.C. App. 2155(d) and 2165) are amended by striking "$1,000" and inserting in lieu thereof "$10,000".

SEC. 17. Section 720 of the Defense Production Act of 1950 (50 U.S.C. App. 2169) is hereby repealed.

SECTIONAL ANALYSIS

Purpose: To amend the Defense Production Act of 1950 to support mobilization of the defense industrial base of the United States.

SECTION 1. SHORT TITLE

This section cites Act as the "Defense Production Act Amendments of 1990".

SECTION 2. EXTENSION OF THE DEFENSE PRODUCTION ACT OF 1950

This section converts the non-permanent provisions of Titles I, III, and VII of the Act to permanent status. Currently, the Act contains an expiration date of August 10, 1990 for these non-permanent provisions of the Act. The proposed amendment avoids costly impacts on national defense and preparedness programs that would result from termination of the Act.

SECTION 3. DECLARATION OF POLICY

The Declaration of Policy was a call to action in the Korean War period. To meet the needs of the present international situation and to present a stronger basis for industrial mobilization preparedness, a clearer, more concise and workable declaration of policy is necessary.

In addition, the concept of the "Graduated Mobilization Response" (GMR) is introduced. GMR provides for a graduated response to early warning indicators to ensure the timely availability of adequate industrial production and resources for national defense requirements.

SECTION 4. RAISE CEILING FOR PURCHASE COMMITMENTS

This section raises from $25,000,000 to $50,000,000 the outstanding amount of purchases or purchase commitments to correct an industrial resource shortfall. If the aggregate outstanding amount of all procurement actions would exceed $50,000,000, then any further purchase commitments may be taken only if specifically authorized by law.

SECTION 5. EXTENSION OF THE PERIOD FOR PURCHASES AND PURCHASE AGREEMENTS

This section extends the completion date for Title III projects entered into under section 303 "ten years from the date of the purchase, commitment to purchase or sale". The current deadline is September 30, 1995, which was last extended by amendments to the Act in 1980. The proposed change permanently adds ten years to the completion date for any project under Title III of the Act.

SECTION 6. REPEAL OF SECTION 309 REPORTING REQUIREMENT

This section repeals the requirement for reporting on the effects of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the United States.

SECTION 7. REPEAL OF SECTION 708A

This section repeals section 708A of the Defense Production Act. In all respects but one, section 708A is obsolete.

When enacted in 1975, section 708A prescribed procedures for developing and carrying out any voluntary agreement or plan of action to implement the Agreement on an International Energy Program dated November 18, 1974. Subsequently, the Energy Policy and Conservation Act was enacted, with section 252 therein (42 U.S.C. 6272) now serving as the exclusive statute governing the United States' participation in the International Energy Program, and rendering section 708A obsolete for purposes of the International Energy Program.

The only remaining effective provision in section 708A is subsection (o), which prohibits the use of voluntary agreements under section 708 to implement any international agreement relating to petroleum products to which the United States is a party. Consequently, subsection 708A(o) causes an antitrust defense to be unavailable for voluntary actions by United States oil companies to fulfill the United States' oil supply obligations under the North Atlantic Treaty and other international agreements, such as the United States-Israel Oil Supply Agreement. Repeal of section 708A would rectify this situation and would not affect the status of 42 U.S.C. 6272 as the exclusive statute governing voluntary agreements and plans of action pursuant to the International Energy Program.

SECTION 8. VOLUNTARY AGREEMENTS

Section 8(a) is a conforming amendment to the repeal of Section 708A.

Section 8(b) defines the term "plan of action". Section 708 presently omits any provision for plans of action, such as were employed during the Korean War and as authorized under section 252 of the Energy Policy and Conservation Act, with regard to the Agreement on an International Energy Program. Thus, at present under section 708, it appears that any actions decided by voluntary agreement participants would have to be reflected in a new "voluntary agreement," as distinguished from an implementing document adopted by the participants in an existing voluntary agreement. A plan of action may propose taking steps, the particulars of which are quite significant in their effects and which cannot be anticipated when the voluntary agreement is approved.

Thus, there is a need to recognize that a plan of action is a separate document which needs to be approved separately, but which is not subject to the elaborate procedures for approval of voluntary agreements, since such procedures could impede the ability of a voluntary agreement group to accomplish the objectives of the agreement expeditiously.

Section 8(c) is a conforming amendment to the repeal of Section 708A.

Section 8(d) permits more than one individual to be delegated the authority to make voluntary agreements under Title I of the Act.

Section 8(e) modifies section 708(d)(1) to provide authority to close to the public meetings of advisory committees established in connection with section 708 voluntary agreements, to permit consideration of classified or other sensitive information, which may be essential during severe national emergencies. Specifically, the amendments authorize the closing of advisory committee meetings to deal with subjects that fall within subsections (b)(1), (b)(3), and (b)(4) of the Freedom of Information Act (FOIA). The (b)(1) exemption relates to material classified on the grounds of national security or foreign policy considerations, and it is potentially of great significance in emergency planning and response. The (b)(3) exemption covers material exempted from disclosure by other statutes, the most important of which are 18 U.S.C. section 1905 and 50 U.S.C. App. section 2155(e), prohibiting, among other things, disclosure by government employees of trade secrets and other confidential information received in the course of employment. The (b)(4) exemption pertains to industry confidential or proprietary information or data. Also, in connection with DPA section 708(d) advisory committees, the amendments would modify subsection (d)(2) of section 708, which requires public disclosure of transcripts of advisory committee meetings and agreements resulting therefrom, unless the transcripts or agreements related to subjects that fall within FOIA exemptions (b)(1) and (b)(3). The amendment would make the public disclosure exemption applicable as well to any "plan" resulting from an advisory committee meeting, and would expand the exemption to cover subjects that fall within FOIA exemption (b)(4) pertaining to industry confidential or proprietary information or data.

Section 8 (g), (i), (j), (k), (l) and (m) inserts the term plan of action wherever the term voluntary agreement is set out in section 708 of the Act.

Section 8(k) eliminates the unique, vague and unreasonably difficult requirement that in order for actions to qualify for the antitrust defense, the person taking them must prove that he has done so "in good faith," and substitutes the test applicable to the antitrust defense in section 252 of the Energy Policy and Conservation Act (EPCA), available to participants in the International Energy Program. In contrast with the DPA's good faith requirement, EPCA section 252 provides that the actions complained of must not have been taken "for purposes of injuring competition," and, except in the case of actions taken to develop a voluntary agreement or plan of action, the person asserting the defense must demonstrate that the actions were "specified in, or within the reasonable contemplation of, an approved plan of action."

Section 8(n) exempts voluntary agreement participants from the provisions of laws, rules and regulations pertaining to advisory committees while they are carrying out the provisions of a voluntary agreement and/or plan of action under this Act.

Section 8(o) adds a new subsection (o), making available to firms fulfilling a Presidential request pursuant to a voluntary agreement or plan of action, a breach of contract defense comparable to that now afforded by EPCA section 252(j) for firms participating in actions to satisfy U.S. obligations under the International Energy Program. It is expected that voluntary agreement and plan of action participants would demand breach of contract protection as a condition of their assisting in carrying out Government policies with respect to the reallocation of resources.

SECTION 9. STRENGTHEN EXECUTIVE RESERVE

This section provides limited protection from the Federal antitrust laws to Special Government Employees Serving Without Compensation (WOC's) and National Defense Executive Reservists (NDER's), to assure that the section 710 authority can be utilized to make the most constructive use of private persons from industry during national emergencies.

In order to provide the necessary manpower to achieve the purposes of the DPA, section 710 of the Act permits the President to temporarily employ as Federal employees persons who possess outstanding experience and abilities, and whose skills are not otherwise obtainable. The close cooperation of industry officials required by these programs may be perceived as exposing them to antitrust risks. In general, antitrust liability attaches only to private conduct that has anticompetitive consequences. Thus, actions taken by a governmental official within the scope of this authority do not ordinarily give rise to antitrust concerns. Actions by NDERs or WOCs that cause competitive harm only could result in ultimate antitrust liability if such individuals were acting outside the scope of their governmental activity. What is important is the fact that the very threat of antitrust challenge may deter persons from industry from fully participating in the NDER, even where their conduct ultimately would be held not to violate the antitrust laws. The antitrust exemption authority essentially confirms legislatively the situation already established by case law. In addition, section 9 would exempt WOCs and NDERs from all statutes, rules and regulations pertaining to advisory committees.

SECTION 10. AMENDMENT TO CHAPTER 11 OF TITLE 18, UNITED STATES CODE

This section amends title 18 of the United States Code to provide exemptions to the principal conflict of interest laws for NDERs and WOCs when the President certifies in writing that the national interest requires a waiver from these laws. Existing waiver provisions in title 18 which might apply to NDERs or WOCs during a crisis are inadequate. Consequently, NDERs and WOCs could find themselves subject to criminal prosecution as a result of their activities on behalf of the government during a period of NDER activation or the NDER member may find that he or she is not employable because of the conflict of interest laws. Such considerations have seriously limited the participation of NDERs in the energy industry.

It should be emphasized that the legislative changes would not themselves waive the conflict of interest laws. Rather, they would empower the President to do so. The President, in exercising this authority, could impose restrictions on any waivers of the conflict of interest laws; for example, he could stipulate that the waiver would not apply to certain types of actions that might be taken by a WOC or NDER, such as negotiation or execution of government contracts with his or her concurrent or former employer. This legislation is proposed with the intention that the President grant waivers only insofar as necessary to achieve important national objectives. The point is that this requires administrative flexibility, which current law does not provide. The conflict of interest law waiver authority would not be limited to activated WOCs and NDERs, because the Administration believes that it is preferable to consider revisions to the criminal code conflict of interest provisions on an across-the-board basis, rather than as special purpose exemptions in the DPA.

SECTION 11. AMENDS THE DEPARTMENT OF ENERGY ORGANIZATION ACT

This section repeals the financial reporting and conflict of interest provisions in sections 603 through 606, section 607 (a) and

(b), and section 608 (a) and (c) of the Department of Energy Organization Act. These provisions, the operation of which was suspended for one year by the Ethics Reform Act of 1989 (P.L. 101-194), are essentially duplicative of the post-employment and participation restrictions in Chapter 11 of title 18, United States Code, and of the financial disclosure requirements in the Ethics in Government Act of 1978, as amended by P.L. 101-194.

General Provisions

SECTION 12. AMENDING DEFINITIONS

Subsections (a) and (b) incorporates the term service in the definition of "materials" and "facilities," and subsection (d) adds a definition of "services."

Subsection (c) amends the term "national defense" to drop "atomic" from energy so that programs for all forms of energy production and construction are covered under the Act.

SECTION 13. REPEAL OF PROVISION PERTAINING TO TITLE IV OF ACT

This section repeals Section 703(b) which refers to Title IV of the Defense Production Act which was terminated in 1953.

SECTION 14. AUTHORIZE DISCLOSURE OF CERTAIN INFORMATION

This section repeals an obsolete paragraph which prohibits disclosure of confidential information obtained by the Office of Price Stabilization under section 705 of the Defense Production Act prior to April 30, 1953.

SECTION 15

Subsection (a) deletes the requirement that interest be paid on Title III disbursements and inventory. Subsection (b) amends section 711(a)(1) by striking "the Bureau of the Budget" and replacing it with "the Office of Management and Budget."

Subsection (c) authorizes appropriations for programs under sections 301, 302 and 303 of the Act.

Subsection (d) exempts two specific projects from the dollar ceiling in section 303(a) of the Act. These projects would exceed the current ceiling and the increase relieves the Congress and the President of a cumbersome administrative burden without diminishing existing safeguards.

SECTION 16. INCREASE PENALTIES

This section amends section 705(d) and 716 of the Act to make fines consistent with the other sections of the Act that provide for fines. Fines should reflect current financial realities and be sufficiently large to provide deterrence.

SECTION 17. REPEAL OF TERMINATED NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

This section repeals section 720 of the Act which set up the National Commission on Supplies and Shortages. The Commission expired on March 31, 1977. Its functions are provided by the Departments of Commerce and Interior and the Federal Emergency Management Agency.●

By Mr. HATFIELD:

S. 2169. A bill to amend title 35, United States Code, to impose a 5-year moratorium on the granting of patents on genetically altered or modifed animals in order to establish a Federal regulatory and review process to deal with the economic, environmental, and ethical issues raised by the patenting of such animals; to the Committee on the Judiciary.

FIVE-YEAR MORATORIUM ON PATENTING ANIMALS

● Mr. HATFIELD. Mr. President, shortly after the United States dropped the first atomic bombs on Hiroshima and Nagasaki, American poet E.B. White observed:

The quest for a substitute for God ended suddenly. The substitute turned up: and who do you suppose it was? It was man himself, stealing God's stuff.

Mr. President, those words came to my mind on Wednesday as my colleagues and I listened to Czechoslovakian President Vaclav Havel. "We still don't know how to put morality ahead of politics, science, and economy," he said. "We are still incapable of understanding that the only genuine backbone of all our actions, if they are to be moral, is responsibility—responsibility to something higher than my family, my country, my company, my success." More than four decades have passed since the conclusion of World War II and yet we continue in our irresponsible and indeed immoral quest to "steal God's stuff."

I rise on this floor today to introduce legislation which would suspend animal patenting for 5 years. It may seem strange to my colleagues that I have chosen to speak of nuclear weapons and to quote President Havel in this context, and yet my concerns over animal patenting are inextricably tied to this notion of "stealing God's stuff." Put simply, Mr. President, the patenting of animals blurs the distinction between man's work and God's work in a way I believe is tremendously dangerous.

In April 1987, the U.S. Office of Patents and Trademarks [PTO] issued a notice that it would begin considering patent applications for genetically engineered vertebrate and invertebrate animals. Because I was concerned by the profound economic, environmental, and ethical questions issues raised by the PTO's unilateral decision to allow the animal kingdom to be patented, I offered an amendment to the fiscal year 1987 supplemental appropriations bill that prohibited the use of Patent Office funds for patenting genetically engineered animals. Apparently my colleagues shared my concerns; the amendment was passed in the Senate and the PTO agreed not to patent any animals through fiscal year 1987.

In February 1988, I again introduced legislation—this time to establish a 2-year moratorium on animal patenting. My intent was to allow time to resolve the concerns surrounding this complex issue. Unfortunately, the Patent Office went ahead and issued a patent on genetically engineered mammals whose cells had been altered so as to contain a cancer-causing genetic sequence.

Today Mr. President, over 75 animal patents are pending. In the almost 3 years since the PTO's decision, however, virtually no progress has been made in regulating this controversial intellectual property area.

I rise today to introduce legislation which would once again place a moratorium on patenting of genetically engineered animals. This 5-year moratorium is designed to provide Congress with sufficient time in which to study and appropriately respond to the complex implications of animal patenting.

It is becoming increasingly clear that the PTO has no way of dealing with the various economic, social, governmental, environmental, and ethical issues which arise from its decision to extend patents to animal life. As I have stated before, I believe that it is the responsibility of Congress to carefully consider the broad ramifications of the technologies it encourages through patenting. This careful examination has not taken place in the case of the creation of transgenic animals. My legislation will provide time to conduct a congressional review of this technology and take appropriate legislative steps to maximize its benefits while minimizing its negative impacts.

This legislation is not an attempt to halt the promising field of genetic engineering. I want to be very clear on this point. The various techniques of biotechnology, when used responsibly, have enormous potential in a number of areas including pharmaceutical and agricultural products. However, genetic engineering now allows us to take human genetic traits and insert them into the permanent genetic code of animals. We are also gaining the increased ability to mix and match the genetic traits of animals, insects, and plants, creating new and different species. To suddenly and unconditionally grant patents for the development of any and all of these genetic creations is irresponsible and imprudent.

Specific concerns about animal patenting center on its economic, environmental, ethical, and governmental impacts. Let me address each one individually.

In economic terms, this controversial patent policy transforms the genetic makeup of the biotic community from a common heritage of us all—to the private preserve of the major corporations. Major biotechnology and chemical corporations will increasingly compete for control and ownership of the gene pool of animal species, patenting those creatures that they can successfully genetically engineer.

Fearing the dramatic economic effects of this policy on agriculture, farm groups across the country have opposed animal patenting. By genetically altering a major livestock species—and then patenting that creation—a corporation could become the sole controller of that species. Farmers would be forced to pay the corporation

patent fees every time they bred the species, or sold part of their herd. Keep in mind that traditionally bred animals have never been granted patents. Thus, the PTO policy has given biotechnology breeders a significant market advantage over traditional breeders. Given the major contribution that traditional breeders have made to American agriculture—and the fact that biotechnology has yet to create a successful agricultural product—this patent advantage for biotechnology seems unwise economic policy. Researchers and small scientific institutions could also be devastated by animal patenting as they would be forced to pay patent fees on genetically engineered laboratory animals. No study has yet been conducted which focuses on the potential economic impacts of animal patenting on farmers, researchers, or other economic groups. Such a comprehensive study is long overdue.

Environmental concerns stem from the fact that corporations in search of patenting profits now have a significant incentive to manipulate animals and release genetically engineered animals into the environment. The release of large numbers of these new genetically engineered animals could have significant impact on the environment. Yet no study of these impacts has taken place either. Nor is there any regulation to review the deliberate re-release of such animals into the environment.

The ethical implications of patenting animals include the potential increase in animal suffering created by large numbers of transgenic animals being created and passing along novel genetic traits to future generations. These animals and their offspring will be the victims of increasing genetic tinkering, trials and errors. Additionally, a variety of ethicists and religious denominations have expressed deep concerns about the dissemination of human characteristics throughout the animal kingdom. They have also questioned the wisdom of characterizing the living world as patentable "manufactures." Most recently in July 1989, the World Council of Churches Central Committee agreed that:

> Animal life forms should not be patented and calls for further study of the profound moral and social implications of patenting life forms.

And in June 1989, the European Patent Commission [EPC] rejected a patent application by Harvard which was virtually identical to the patent granted in the United States. The EPC cited both legal and ethical grounds for its rejection of the patent application.

Finally, there is growing concern about the possibility of patenting human forms, especially pre-embryos, since these forms are without constitutional protection. In sum, the patenting of animals creates the urgent necessity for the establishment of ethical limits to man's right to manipulate and refashion the biotic community to his commercial needs.

Traditionally the patent and copyright laws have statutory protections assuring that rights and privileges owned by the public are not given over to private ownership. Under this rule of law, living things were held not to be patentable as being in the public ownership. Congress allowed the patenting of certain plants twice, once in 1930, and again in 1970. However, in 1980, the Supreme Court, in a 5-to-4 decision, Chakrabarty versus Diamond, held that microorganisms were patentable if they had been genetically altered. The minority in that decision maintained that the patenting of microorganisms should not be allowed without a clear signal from Congress that this was the statutory intent. Unfortunately, the Patent Office has unilaterally extended the holding in Chakrabarty to allow, for the first time, the patenting of the entire animal kingdom, with the possible exception of man himself. This represents a vast, unique and deeply troubling usurpation of congressional authority. Moreover it denies the public the traditional legislative process for the protection of their rights.

Mr. President, my legislation to rescind this Patent Office decision simply maintains the status quo, by returning major patenting policy decisions to the correct and traditional forum, Congress. In the future, Congress can decide, on a case-by-case basis, if it is in the public interest to allow genetically engineered animals to be patented.

I ask that a list of organizations supporting this legislation be inserted in the CONGRESSIONAL RECORD following my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS SUPPORTING HATFIELD MORATORIUM LEGISLATION

American Humane Association.
The Humane Society of the United States.
Massachusetts Society for the Prevention of Cruelty to Animals.
Friends of Animals.
Animal Welfare Institute.
American Society for the Prevention of the Cruelty to Animals.
American Anti-Vivisection Society.
Animal Protection Institute of America.
Humane Farming Association.
Doris Day Animal League.
Fund for Animals (New York).
National Alliance for Animal Legislation.
National Wildlife Federation.
National Farmers Union.
Foundation on Economic Trends.●

By Mr. INOUYE:

S. 2170. A bill to prescribe the conditions under which contractors receiving operating-differential subsidy or their affiliates may engage in coastwise or intercoastal trade; to the Committee on Commerce, Science, and Transportation.

SUBSIDIZED VESSELS IN COASTAL TRADE

● Mr. INOUYE. Mr. President, in its opinion in Matson Navigation Co. versus Connor,[1] the Court, in my view, very succinctly and accurately explained the purposes of the Merchant Marine Act of 1936, and the rationale underlying certain of its provisions which are affected by the legislation I am introducing today. The Court said:

> The purposes surrounding the enactment of the Merchant Marine Act of 1936 as explained in its legislative history and Section 101 of the act were to promote and develop a strong American merchant marine to serve American shippers in time of peace. Accordingly, the 1936 Act was primarily designed to develop the carriage of a substantial portion of the nation's foreign commerce by United States flag vessels in time of war and peace through payment of construction subsidy and operating subsidy for use in competition with lower cost foreign flag vessels. Another important purpose of the Act was to promote the maintenance of an unsubsidized, privately owned merchant fleet sufficient to carry all of the nation's "domestic water-borne commerce" (Section 101 of the Act).
>
> Sections 506 and 605(a) of the Act contemplate exceptions to the general scheme of allowing subsidy for foreign operations only. These exceptions exist as to vessels on four specified kinds of mixed voyages, including vessels on "a voyage in foreign trade on which the vessel may stop at certain specified domestic off-shore points, providing subsidy is prorated according to domestic operation. Yet Section 805(a) directs the Secretary even in those cases not to permit the operation of subsidized vesels in domestic waters if he "finds it will result in unfair competition" to exclusively domestic operators, or that it would be prejudicial to the objects and policies of the Act.

The statutory scheme of the 1936 act is clearly intended to provide substantial protection for domestic operations as against subsidized operators in the interest of promoting and safeguarding our cabotage laws and the purposes they serve; and for this reason permission to enter the domestic trades by subsidized operators and their affiliates will only be granted as a final resort when adequate service by unsubsidized operators is unavailable. (Matson versus Connor.)

Mr. President, we continue to have a U.S. merchant marine capable of carrying all of our domestic waterborne commerce. Regrettably, however, for sometime we have not had a merchant marine capable of carrying anywhere near a substantial portion of our foreign waterborne commerce. In fact, our commercial fleet carries less and less each year. So, one part of our maritime policy is a success, and the other is a failure so far.

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[1] *Matson Navigation Company* vs. *Connor*, 258 F. Supp. 144 (N.D. Cal. 1966, *aff'd*, 394 F.2d. 514 (9th Cr. 1968), *cert. denied*, 393 U.S. 998 (1968).

The past three administrations have tried without success to revitalize the liner subsidy program so that our subsidized carriers can be competitive with their foreign-flag counter parts in our international trades, and carry a substantial portion of the cargo that moves in them. It is difficult to pinpoint the reasons for their inability to reform the subsidy program, however.

Generally, industry proposals have been criticized by the Maritime Administration as failing to deal with the inefficiences in the present subsidy system, and as being too costly, especially in times of severe fiscal restraint. The industry, on the other hand, cannot agree with proposals put forth by the Maritime Administration.

Throughout this impasse, and as the fortunes of our subsidized international fleet have continued to decline, a disturbing trend has developed within the Maritime Administration. In an attempt to compensate for its inability to effect subsidy reform, previous administrations and MarAd have sought to ease restrictions on subsidized operators. These restrictions were intended to promote, implement, and safeguard the objects and policy of the 1936 act. What in effect is happening is that the distinctions Congress intended to exist between subsidized and unsubsidized operators, and between Jones Act and noneligible Jones Act operators are disappearing—with one vital exception. The subsidized operators, while free to compete with unsubsidized operators, still receive ODS. This makes for an uneven playing field, and undermines the objects and policy of the 1936 act.

Mr. President, let me cite a few examples.

In 1981 and again in 1983 at the urging of the executive branch, Congress departed from its policy of promoting vessel construction in U.S. shipyards by amending the law to provide a window of opportunity for ODS operators to build vessels in foreign shipyards.

Whenever requested, and it has been on several occasions, MarAd has approved the use of foreign-flag line haul and foreign-flag feeder vessels by subsidized operators, even though the 1936 act generally prohibits their use in competition with U.S.-flag vessels, except in special circumstances and for good cause shown.

The 1936 act requires that owners of subsidized vessels agree to operate only in foreign trades unless they come within one of two explicit exceptions. Despite this requirement when the owners of a 225,000 dwt supertanker—*Stuyvesant*—wanted to operate in the domestic oil trade and offered to repay the constructional differential subsidy as a condition precedent, MarAd agreed.

Similarly, section 805 of the 1936 act forbids the payment of subsidy to an operator who owns or operates vessels in the domestic trades, if the Secretary finds that the domestic operations will result in unfair competition to an exclusively domestic operator or will be rejudicial to the objects and policy of the act. In one case, the Secretary granted an exemption from this prohibition and allowed the unsubsidized affiliate of a subsidized operator to enter the Mainland-Puerto Rico trade, and in doing so relied on reasons unrelated to the objectives set out in the statute.

Most recently, over the vigorous opposition of all unsubsidized operators serving Hawaii, an administrative law judge has recommended that a subsidized operator be permitted to enter the Mainland-Hawaii trade, even though current service is qualitatively and quantitatively adequate.

Mr. President, in view of the steadily declining fortunes of our subsidized liner fleet and the willingness, indeed some might say the eagerness, of the Maritime Administration to ease restrictions for ODS operators, it should come as no surprise that the subsidized operators are actively seeking legislation which would statutorily grant two subsidized carriers authority to call weekly in Hawaii westbound from the U.S. Pacific coast. This would be regardless of whether the existing unsubsidized service was adequate; or whether subsidized service would result in unfair competition vis-a-vis the unsubsidized operator, or be contrary to the policy and objects of the Merchant Marine Act of 1936.

Furthermore, this proposal would change the ODS reduction formula presently contained in section 605 in a manner that would be much more favorable to a subsidized operator. Today section 605 requires that if a subsidized vessel makes a domestic call as part of a foreign voyage, the subsidy must be reduced on the basis of a ratio of the gross revenue derived from the domestic cargo relative to the gross revenue derived from the entire voyage. For a vessel calling westbound in Hawaii and continuing on to the Far East, this may require a subsidy reduction of perhaps 25 to 40 percent. The industry proposal uses a ratio based on the amount of time a vessel spends sailing in the domestic trade versus the amount of time of the complete round foreign/domestic voyage. If a vessel spends 5 days in the Pacific coast/Hawaii trade out of a 30-day round trip, the resulting 1 to 6 ratio yields an ODS reduction of 16.66 percent, which is considerably less than a ratio based on gross revenue.

These provisions substantially weaken the existing statutory safeguards intended to protect exclusively domestic carriers and shippers from service by subsidized operators and their affiliates, which would result in unfair competition or which would be prejudicial to the objects and policy of the Merchant Marine Act of 1936.

Under the guise of strengthening the U.S. merchant marine for national security and to compete in our international trades, the subsidized liner operators seek Government assistance—ODS reform—to increase their ability to compete with foreign flag operators, even if it is necessary to jeopardize the efficient service at reasonable rates in our domestic trades, which is now provided by Matson and other unsubsidized operators. In other words, their proposal views the domestic Hawaii market as a target of opportunity for ODS operators without regard to the shipping service and price needs of consumers in that market, or the objects and policy of the 1936 act. A cynic might observe that the U.S.-subsidized liners are to some extent responsible for making U.S. ships noncompetitive in our foreign liner trades, and now they want to disrupt our domestic trades. But even here they are unsure of their competitive ability vis-a-vis exclusively domestic carriers, so they want the existing statutory safeguards lowered to give them an edge.

Not only is theirs a bad proposal, the subsidized operators agreed upon it among themselves without consulting the unsubsidized domestic operators, such as Matson and Totem, who could be victimized by it.

Mr. President, for all the reasons I have discussed, the stability, indeed the viability of our domestic liner trades, is being threatened, and the purpose for which Federal operating subsidy is paid to our international carriers is being undermined.

For these reasons the legislation I am introducing today would amend section 805 of the 1936 act, so that subsidized liner operators could only enter the domestic trades if the Secretary of Transportation finds that existing service to that domestic point is inadequate. If he does so, and grants permission, he must also condition it upon whatever restrictions he finds necessary to guard against:

(1) Unfair competition;

(2) Prejudice to the objects and policy of the act; and

(3) Applicant's service in the coastwise or intercoastal trade being supported, directly or indirectly, by any money paid by the United States to a contractor under title VI of the 1936 act to subsidize operations by that contractor in the U.S. foreign commerce.

Domestic service by an unsubsidized liner affiliate of a subsidized operator would be permitted if the Secretary finds that it would not result in:

(1) Unfair competition;

(2) Prejudice to the objects and policy of the act; and

(3) Applicant's service in the coastwise or intercoastal trade being supported, directly or indirectly, by any money paid by the United States to a contractor under title VI of the 1936 act to subsidize operations by that contractor in the U.S. foreign commerce; and

(4) Service by any vessels built with CDS which are older than 25 years.

I believe a brief explanation is in order with respect to the prohibition against an unsubsidized affiliate operating CDS-built vessels over 25 years of age exclusively in the domestic trade. According to my information, in the next few years, several CDS-built ships will reach the end of their 25-year statutory lives and, accordingly, become eligible to operate exclusively in the Jones Act trades. In my view, our maritime policy and the shipping public will be ill-served if the domestic trades become a dumping ground for aging CDS vessels that are no longer capable of operating effectively in the foreign commerce for which they were constructed. Further, the prospect of these vessels becoming available for domestic trade in the relatively near term will undoubtedly have a very negative impact on the willingness of unsubsidized Jones Act companies to invest in modern tonnage. Commitments to build coastwise qualified vessels are very difficult business decisions in view of the sizeable amounts of capital involved and, therefore, should be encouraged by Government policy, rather than confounded. Such a consequence would also adversely affect our shipbuilding industry, because what commercial building that is being done is being done for exclusively domestic operators.

My proposal would only prohibit dedicated domestic operation of CDS vessels over 25 years old by an affiliate of a subsidized company. Mixed foreign/domestic operation by either a subsidized or unsubsidized company would not be affected. Indeed, if an operator feels that the older CDS ship is still competitive enough to operate profitably in bona fide foreign voyages while making calls in domestic ports, he remains free to do so.

Likewise, if an unsubsidized operator that is not affiliated with an operating differential subsidy contractor wishes to operate an over-25-year-old CDS vessel in the domestic trade, there is no prohibition.

It seems to me, however, that the floodgates should not be opened to permit the wholesale introduction and operation of aging CDS ships in domestic commerce. The domestic offshore communities are vitally dependent on an efficient ocean transportation system. Government policy should encourage the capital investments necessary to maintain and upgrade ocean shipping service to these dependent areas.

In my view, what the Supreme Court said in discussing the legislative history of the CDS program is instructive on this point:

> It was recognized from the outset that substantial limits would have to be placed upon the entry of subsidized vessels into the domestic trade. Any other result would have been disastrous for the unsubsidized Jones Act fleet for which that trade was (and is) reserved. Burdened by higher construction costs, greater outstanding debt, and higher operating expenses, that fleet would simply have been unable to compete with new vessels enjoying the benefits of the 1936 Act.—*Seatrain Shipbuilding Corp.* v. *Shell Oil Co.*, 444 U.S. 572, 586–7 (1980).

More recently, it is interesting to note what the Assistant Secretary of the Navy for Shipbuilding wrote to the Transportation Department on April 27, 1987, officially opposing a proposed rule allowing for CDS payback by oil tankers to permit them to enter the domestic trades. As he said in his letter:

> Allowing tankers built with construction-differential subsidy to repay that subsidy to the government and enter the domestic tanker trade has had a stifling effect on the domestic tanker trade since 1978.
>
> CDS repayment would continue disrupting the domestic tanker market, as it has for nine years.

I believe his reasons are instructive as well.

Under the bill I am introducing, within 180 days after enactment the Secretary shall initiate a hearing to determine if any mixed or affiliated service then in existence is in accordance with the new standards. If he finds such service is not in compliance, he shall issue an order prescribing conditions necessary to bring it into compliance.

Finally, the provision in current law making it a misdemeanor to divert subsidy funds into coastwise operations is strengthened by expressly providing for revocation of the provision to engage in the domestic trades.

Mr. President, I would hope that the distinguished chairman of the Merchant Marine Subcommittee would hold hearings on this measure and consider it as expeditiously as his schedule permits. The reason why I feel this matter deserves our early attention is that in all probability the Maritime Administration will continue on the course I have described, and this of course puts our domestic liner trades at further risk. The need for this legislation is independent of and separate from ODS reform, and, in my view, the two should not be linked. Indeed, the prospects for ODS reform in this session of Congress are, I believe, getting dimmer as time goes on without a consensus. If the past is any indication, that is another reason for concern that MarAd will be willing to free ODS operators from restrictions in lieu of giving them more subsidy.

Mr. President, I have prepared a paper which discusses section 805 and its origins in the 1936 act and ask unanimous consent that it appear in the RECORD immediately following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LIMITATIONS OF SECTION 805(a) ON SUBSIDIZED VESSELS IN DOMESTIC TRADE

The general scheme of the Merchant Marine Act of 1936 is to have a commercial fleet to operate in our international trades and carry a substantial portion of the cargo that moves in them. To achieve this objective, the 1936 Act provided for the payment of construction and operating subsidy as necessary to make U.S.-flag operators competitive with their foreign-flag counterparts. The Act also intended that we have a commercial fleet to operate in our domestic trades which would carry all of the cargo that moves. Since our cabotage laws prohibited foreign-flag or foreign-built U.S.-flag vessels from competing in these trades, subsidy for domestic trades was, of course, unnecessary.

The 1936 Act recognized that in some cases it might be in the national interest to deviate from the general scheme and permit subsidized operators to divert their resources from the task for which they were subsidized, and compete with the unsubsidized, U.S.-built vessels operating in our domestic trades. The framers of the Act were well aware that when subsidized operators did so, there was a great possibility that by diverting capacity from our international trades the U.S.-flag share of cargo would be reduced. In that case, such a diversion could be contrary to the announced policy of the 1936 Act and the reason for paying subsidy—to carry a substantial portion of our foreign waterborne commerce. From the earlier experience with mail subsidies, Congress was also aware that there was a real possibility that subsidy funds could give the recipient an unfair competitive advantage over an unsubsidized domestic operator using vessels with substantially higher construction costs.

Accordingly, Sections 506 and 605(a) of the Act set out very limited exceptions to the general rule of allowing subsidy for foreign voyages only; and Section 805(a) further required that domestic calls, otherwise permissible under Sections 506 and 605(a), must not result in unfair competition for exclusively domestic operators, or prejudice the objects and policy of the Act, or divert subsidy funds to the domestic operation.

Where ocean common carriers are concerned, these statutory safeguards are in danger of being eroded by Administration policies and interpretations, so that they will no longer protect unsubsidized operators as Congress intended. This breakdown threatens the ability of our domestic liner fleet to meet the qualitative and quantitative demand of domestic shippers and eventually the needs of the public. Should this occur, we will, of course, have failed to maintain a merchant fleet capable of carrying all of our domestic waterborne commerce, and that is one of the paramount objectives of the 1963 Act.

ORIGINS OF SECTION 805(a) MERCHANT MARINE ACT, 1936

Section 605 of the Merchant Marine Act, 1936 prohibits payment of ODS to any

vessel on a voyage in which it engages in domestic trade. Exceptions are made for limited carriage of domestic cargo, provided that a pro rata reduction is made in ODS payments.

Recognizing the inherent advantages of a subsidized vessel (even with a pro rata subsidy reduction), a subsidized operator or his affiliate still may not carry domestic cargo under Section 605 unless he can first demonstrate under Section 805(a) that the proposed domestic service (1) would not result in unfair competition to persons operating exclusively in the coastwise or intercoastal service, and (2) would not be prejudicial to the objects and policy of the Merchant Marine Act, 1936. If the subsidized vessel is permitted to enter the domestic trade, Section 805(a) also makes it unlawful for any subsidy to be diverted into the coastwise or intercoastal operations.

Congress' commitment to preventing unfair competition by subsidy recipients in the domestic offshore trades has been unequivocal. In discussing the legislative history of the Merchant Marine Act, 1936, the United States Supreme Court observed that:

"It was recognized from the outset that substantial limits would have to be placed upon the entry of subsidized vessels into the domestic trade. Any other result would have been disasterous for the unsubsidized Jones Act fleet for which that trade was (and is) reserved. Burdened by higher construction costs, greater outstanding debt, and higher operating expenses, that fleet would simply have been unable to compete with new vessels enjoying the benefits of the 1936 Act". *Seatrain Shipbuilding Corp.* v. *Shell Oil Co.*, 444 U.S. 572, 586–7 (1980).

When the legislation which was eventually enacted as the 1936 Act was being considered by Congress, total prohibition of operation of subsidized vessels in domestic commerce was advocated both by legislators and shipping industry witnesses. Nevertheless, section 522(d) of H.R. 8555 prohibited payment of ODS while the vessel was engaged in exclusively domestic service, but provided for proportionate reduction of ODS when the vessel operated in mixed domestic/foreign voyages.

In the Committee Report accompanying H.R. 8555, the Minority Views of Congressmen Wearin and Brooks criticized the bill as "permit(ting) continuation of the unsound policy of subsidies to intercoastal operators to go through the subterfuge of merely stopping in a foreign port en route, such as Havana, Cuba; Cristobal or Balboa, Canal Zone; for the incidental transaction of business thus placing subsidized American lines in unfair competition with unsubsidized American lines. . . ." House Report No. 1277, Committee on Merchant Marine and Fisheries to accompany H.R. 8555 (June 20, 1935), p. 35.

Section 1010(a) of H.R. 7521, another ODS bill considered by Congress, also permitted payment of ODS on mixed voyages involving intermediate stops at offshore territories and possessions. During the 1935 House hearings, Ernest M. Bull, President of the A.H. Bull Steamship Company, a domestic operator in the Puerto Rico trade, testified in favor of revising the ODS bill to require subsidized vessels to operate only in the foreign trade, and to eliminate voyages involving intermediate stops at offshore territories and possessions from the bill's definition of "foreign trade" voyages. Hearings before the House Committee on Merchant Marine and Fisheries on H.R. 7521 (March–May, 1935) p. 678. Mr. Bull was quite straightforward as to the reason for his opposition to subsidized operators in the Puerto Rico trade, saying "[i]n the case of a rate war, how could we compete with them?" *ibid.*

When the 1936 Act became law, however, Congress opted for restrictions on domestic operation of subsidized vessels, rather than outright prohibition. The conditions which prompted Congress to elect that alternative in 1936, however, have changed considerably over the last 54 years.

In 1936, and, in fact, until containerization changed the entire cargo-handling system by revolutionizing the physical handling of cargo, it was an economic necessity for ocean-going cargo vessels to make multiple port calls along a continental coast to load and discharge numerous small units of cargo. After a transoceanic voyage, the breakbulk vessel would repeat the same process along the coast of a different continent.

Calls on domestic offshore ports for bunkers in the course of foreign voyages were also necessary, depending on the size and type of propulsion of the vessel involved. Permitting subsidized vessels to call at domestic offshore ports to load or discharge cargo in the course of foreign voyages recognized what may have been, for all by the largest or most modern vessels, an operational necessity.

Containerization and modern vessel engineering have obviated the operational concerns related to smaller breakbulk ships. Moreover, recent testimony before Congress and regulatory agencies has established that the domestic offshore trades have adequate liner common carrier cargo vessel capacity to handle present and future cargo requirements. Both the Puerto Rico and Alaska trades are said to suffer from overtonnaging with its inevitable rate instability. In the Hawaii trade, testimony introduced before the Maritime Administration in the application of American President Lines, Ltd., (APL) to call on Hawaii with subsidized vessels in the course of foreign trade voyages, documents that existing unsubsidized carriers offer sufficient capacity to meet Hawaii's present and future needs. In 1990, unlike 1936, there is no need to rely upon cargo operations by subsidized vessels in domestic commerce.

UNFAIR COMPETITION OF SUBSIDIZED VESSELS IN DOMESTIC TRADES

The difficulty of ensuring fairness is inherent in a policy that allows subsidized ships to compete with unsubsidized ships. Three sections of the 1936 Act attempt to deal with this problem.

Section 506 generally requires vessels built with construction subsidy to be operated exclusively in the foreign commerce, with certain exceptions, such as allowing limited domestic calls while the vessel is on a voyage in foreign trade. Section 605 of the Merchant Marine Act, 1936 generally prohibits payment of ODS for the operation of any vessel on a voyage on which it engages in domestic trades. Limited exceptions are made, including voyages in foreign trade on which the vessel may stop at the State of Hawaii. If the subsidized vessel engages in these domestic trades, the subsidy is reduced by an amount which bears the same ratio to the total subsidy otherwise payable as the gross revenue from the domestic cargo bears to the gross revenue derived from the entire voyage. Even after this pro rata subsidy reduction, Section 805(a) prohibits the subsidized vessel from entering the domestic trades if the Secretary of Transportation finds that the proposed domestic operation would result in unfair competition or would be prejudicial to the objects and policy of the Merchant Marine Act, 1936. Further, subsidy cannot be diverted to support domestic operations.

First, it has always been questionable whether the domestic trade reduction formula is an effective means of preventing subsidy paid for international operations from being used to support domestic service. This concern is even more true today because of the decline of the American dollar versus currencies of other major maritime nations and revisions in the Maritime Administration's method of ODS payment. More specifically, there is evidence that the amount of ODS paid exceeds the amount needed to equalize costs differentials between American and foreign vessels. This "excess subsidy" can be used, even after the subsidy reduction of Section 605, to finance competition with unsubsidized exclusively domestic operators.

Moreover, with respect to the Hawaii trade, U.S. flag operators in the foreign trades only seek to carry cargo from the U.S. Pacific Coast to Hawaii westbound, continue the voyage on to Asia, pick up high priced Asian imports, and return directly to the U.S. Pacific Coast. The westbound direction for these carriers is essentially a backhaul move where they carry low priced U.S. exports to the Far East. They generate their major revenue on the eastbound carriage of Asian imports into the United States. This contrasts to exclusively domestic operators in the Hawaii trade which must make their primary revenue on the westbound leg to Hawaii. This fundamental economic reversal gives the subsidized U.S. flag operators in foreign commerce a significant pricing advantage over exclusively domestic operators.

Consider also that the U.S. flag vessel that stops in Hawaii en route to the Far East will allocate a limited amount of space for Hawaii cargo. This carrier will inevitably set its most competitive rates (relative to the exclusively domestic operator's) on the higher rated cargo. This leaves the dedicated domestic operator to carry animal feed, fertilizer, blasting grit, and other lower rated cargoes. The domestic operator's costs have not decreased because he must still carry the container, but his revenue has decreased because the containers on the vessel are full of lower valued commodities. Likewise, the vessel in foreign trade can choose to ignore cargo which is more expensive to handle or to avoid geographic areas, such as the Neighbor Islands of Hawaii.

The concern here is that these advantages of the subsidized carrier will adversely affect the domestic company's ability to reinvest in new vessels, containers, and other equipment that is essential to maintaining reliable service in this very capital intensive industry. The exclusively domestic operator's rate of return is regulated by the Federal Maritime Commission. Moreover, the domestic carriers profits are reinvested into vessels and equipment that will be used in the domestic trades. This is not necessarily true for the carriers that serve the foreign trades.

MARITIME POLICY CONSIDERATIONS OF ALLOWING SUBSIDIZED VESSELS INTO DOMESTIC TRADES

Section 805(a) also requires the subsidized applicant to demonstrate that the proposed domestic operation will not be "prejudicial to the objects and policy of this Act". The

purposes and policies of the 1936 Act, as set forth in Section 101, are to promote the development of a Merchant Marine sufficient to carry all our domestic and a "substantial" portion of our foreign commerce. Adequacy of service in both the domestic and foreign trades, therefore, is of paramount importance in deciding whether or not domestic service by subsidized operators is consistent with the Act's objectives and should be permitted.

Recent testimony before Congress and the regulatory agencies clearly establishes that the domestic offshore trades have sufficient liner common carrier cargo vessel capacity to handle the cargo requirements of the domestic offshore communities. In the Hawaii trade, testimony introduced before the Maritime Administration in the application of American President Lines to call in Hawaii westbound substantiates that existing domestic carriers offer sufficient capacity to meet Hawaii's present and future shipping needs. There is, moreover, a serious concern that APL's entry would overtonnage the Hawaii trade.

Overcapacity may precipitate a short-term benefit of lower rates for some shippers but this would undoubtedly be overshadowed by widespread rate instability. This would soon jeopardize the ability of unsubsidized companies to continue making the sizeable capital investments that are necessary to maintaining a reliable, ocean transportation system over the long term. The domestic offshore communities must be assured of a healthy U.S-flag domestic commerce fleet which is dedicated to serving them, regardless of the changing economics of international shipping.

Finally, there are serious gaps in logic of a maritime policy which has as its object the development of a merchant marine sufficient to carry a "substantial" portion of U.S. foreign commerce, and yet permits subsidized vessels to solicit domestic cargo when the U.S.-flag share of the U.S./foreign trades stands at 17%. If the dual purpose of the Merchant Marine Act of 1936 is to develop and protect the foreign and domestic waterborne commerce, neither object is served by adding capacity to an adequately served domestic trade at the expense of much needed capacity in the foreign trade.

These substantial issues of fundamental fairness and maritime policy objectives have essentially been ignored in the most recent administrative decisions involving application of Section 805(a). According to the Secretary of Transportation in a December 1984 decision in Docket No. S-724, Aeron Marine Shipping Company, et al, in order to defeat a Section 805(a) application, unsubsidized carriers must prove that subsidized competition will be of such a nature that existing domestic carriers will be driven out of the trade, which will cause both insufficient capacity in the trade and long-term detriment to the trade. That is an impossible burden of proof because it involves long range forecasting of the actions of other parties.

ODS REFORM

The United Shipowners of America (USA) is an association composed of U.S.-flag liner operators that presently receive or desire to receive operating differential subsidy. Over the last several months, USA members have discussed among themselves a legislative proposal to reform the system of ODS payment. Rather than confine themselves to this subject, they have elected to include in their proposal several provisions which have profound ramifications for the unsubsidized U.S.-flag liner operators that exclusively serve the domestic offshore trades. USA has made these decisions without consulting either the affected Congressional delegations or the exclusively domestic offshore carriers that will be impacted by some USA companies' private objectives.

For example, the USA bill would statutorily grant subsidized American President Lines authority to call weekly in Hawaii westbound from the U.S. Pacific Coast. This would be regardless of whether the Maritime Administration finds that APL's current pending application to provide such service would result in unfair competition or be contrary to the policy and objects of the Merchant Marine Act, 1936.

Pursuant to USA's proposal, Sea-Land would become an ODS contractor. Yet their extensive domestic offshore operations would be statutorily exempt from any review under Section 805(a) for unfairness or implications contrary to the objects and policy of the Act.

Furthermore, the USA bill proposes changing the ODS reduction formula presently contained in Section 605 in a manner that would be considerably more favorable to the subsidized company. More specifically, today Section 605 requires that if a subsidized vessel makes a domestic call as part of a foreign voyage, the subsidy must be reduced on the basis of a ratio of the gross revenue derived from the domestic cargo relative to the gross revenue derived from the entire voyage. For a vessel calling westbond in Hawaii and continuing on to the Far East, this may require a subsidy reduction of perhaps 25% to 40%. The USA bill uses a ratio based on the amount of time a vessel spends sailing in the domestic trade versus the amount of the complete round foreign/domestic voyage. If a vessel spends five days in the Pacific Cost/Hawaii trade out of a 30 day round-trip, the resulting one:six ratio yields an ODS reduction of 16.66%, which is considerably less than a ratio based on gross revenue.

A primary objective of ODS reform legislation would be to remove many of the government-imposed restrictions on ODS contractors that were established in 1936 as a condition of receiving subsidy. In the strictly regulated environment of 1936, Congress decided to permit subsidized operators to carry cargo in the domestic trades under the close scrutiny of the same regulatory body that controlled even the foreign trade operations of these subsidized vessels.

Today's consensus is that this system has proven too cumbersome. Thus, one of the objectives of ODS reform is to move away from this over regulated system in order to give U.S.-flag subsidized carriers "parity" with their more flexible foreign flag competitors. Yet, while the subsidy recipients of America want "parity" for themselves against foreigners, the USA bill would statutorily override even the limited provisions of Section 805(a) that are designed to protect unsubsidized U.S.-flag companies from unfair subsidized competition and to insure that U.S. maritime policy is not working at cross purposes.

Moreover, ODS reform is designed to give U.S. flag subsidized companies greater operational flexibility and other advantages that will make them more formidable competitors in the foreign trades. These advantages should not be coupled with the already considerable advantages which subsidized companies have over unsubsidized companies and used to further subsidize vessel inroads into the domestic trades.

The domestic trades are already fully served by unsubsidized carriers that have invested substantially in the development of a quality ocean transportation system to the domestic offshore communities. As long as these domestic carriers continue to demonstrate this commitment, subsidized vessels should concentrate on competing in the foreign trades for which they have been paid over $8 billion of ODS over the past 50 years.●

By Mr. NUNN (and Mr. WARNER) (by request):

S. 2171. A bill to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1991

● Mr. NUNN. Mr. President, by request, for myself and the senior Senator from Virginia [Mr. WARNER] I introduce, for appropriate reference, a bill to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, and for other purposes.

I ask unanimous consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Defense Authorization Act, 1991".

TITLE I—PROCUREMENT

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the Army as follows:

For aircraft, $1,583,200,000.

For missiles, $2,436,322,000.

For weapons and tracked combat vehicles, $2,172,600,000.

For ammunition, $1,424,400,000.

For other procurement, $2,798,243,000.

SEC. 102. NAVY AND MARINE CORPS.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the Navy as follows:

For aircraft, $9,532,661,000.

For weapons, including missiles and torpedoes, $4,626,175,000.

For shipbuilding and conversion, $11,195,200,000.

For other procurement, $6,081,500,000.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the Marine Corps in the amount of $782,100,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the Air Force as follows:

For aircraft, $14,217,400,000.

For missiles, $9,005,700,000.

For other procurement, $8,307,400,000.

SEC. 104. DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for procurement for the Defense Agencies in the amount of $1,969,400,000.

SEC. 105. RESERVE FORCES.

Funds are hereby authorized to be appropriated for fiscal year 1991 for procurement of aircraft, vehicles, communications equipment, and other equipment for the reserve components of the Armed Forces, in the amount of $455,400,000.

SEC. 106. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for procurement for fiscal year 1991 for the Defense Inspector General in the amount of $981,000.

SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the destruction of lethal chemical weapons in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 747) in the amount of $354,400,000.

SEC. 108. AUTHORIZATION FOR TRANSFERS FROM FISCAL YEAR 1990 APPROPRIATIONS.

(a) M-1 TANK PROGRAM.—Of the amounts authorized to be appropriated for the Army for the procurement of weapons and tracked combat vehicles in section 101 of this Act, the following transfers, totaling $860,300,000, are authorized, when so provided in an appropriations act, from the following appropriations, in the amounts specified:

"Aircraft Procurement, Army, 1990/1992", $16,000,000;

"Procurement of Ammunition, Army, 1990/1992", $90,000,000;

"Other Procurement, Army, 1990/1992", $11,000,000;

"Weapons Procurement, Navy, 1990/1992", $13,900,000;

"Shipbuilding and Conversion, Navy, 1990/1994", $592,398,000;

"National Guard and Reserve Equipment, 1990/1992", $40,900,000;

"Research, Development, Test and Evaluation, Defense Agencies, 1990/1991", $4,950,000;

"Military Construction, Army, 1990/1994", $3,200,000;

"Military Construction, Navy, 1990/1994", $16,150,000'

"Military Construction, Army National Guard, 1990/1994", $18,301,000;

"Military Construction, Air National Guard, 1990/1994", $36,841,000;

"Military Construction, Army Reserve, 1990/1994", $16,660,000.

(b) F-15 AIRCRAFT PROGRAM.—Of the amounts authorized to be appropriated for the Air Force for aircraft in section 103 of this Act, the following transfers, totaling $498,750,000, are authorized, when so provided in an appropriations act, from the following appropriations, in the manner specified:

"Aircraft Procurement, Air Force, 1990/1992", $181,700,000;

"Missile Procurement, Air Force, 1990/1992", $131,000,000;

"Other Procurement, Air Force, 1990/1992", $70,000,000;

"Research, Development, Test, and Evaluation, Air Force, 1990/1991", $100,000,000;

"Research, Development, Test, and Evaluation, Defense Agencies, 1990/1991",

(c) AVAILABILITY OF TRANSFERS.—Amounts transferred pursuant to this authorization are authorized to be made available for the same purposes of the appropriation to which transferred and for the time period of the appropriation from which transferred or until September 30, 1993, whichever is earlier.

TITLE II—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the use of the Armed Forces for research, development, test, and evaluation, as follows:

For the Army, $6,025,900,000.

For the Navy, $9,017,127,000.

For the Air Force, $13,276,300,000.

For the Defense Agencies, $9,688,200,000, of which—

(i) $348,100,000 is authorized for the activities of the Deputy Director, Defense Research and Engineering (Test and Evaluation); and

(ii) $90,800,000 is authorized for the Director of Operational Test and Evaluation.

TITLE III—OPERATION AND MAINTENANCE

AUTHORIZATION OF APPROPRIATIONS

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

For the Army, $23,562,900,000.

For the Navy, $24,531,600,000.

For the Marine Corps, $1,948,100,000.

For the Air Force, $22,048,900,000.

For the Defense Agencies, $8,663,100,000.

For the Army Reserve, $890,400,000.

For the Naval Reserve, $984,600,000.

For the Marine Corps Reserve, $86,100,000.

For the Air Force Reserve, $1,042,500,000.

For the Army National Guard, $1,988,500,000.

For the Air National Guard, $2,175,400,000.

For the National Board for the Promotion of Rifle Practice, $5,600,000.

For the Defense Inspector General, $98,519,000.

For Drug Interdiction and Counter-drug Activities, Defense, $1,207,900,000.

For the Court of Military Appeals, $5,600,000.

For Environmental Restoration Defense, $817,000,000.

For Humanitarian Assistance, $13,000,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 1991 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense for providing capital for working capital funds, in amounts as follows:

For the Army Stock Fund, $407,000,000.

For the Navy Stock Fund, $37,200,000.

For the Air Force Stock Fund, $1,340,200,000.

For the Defense Stock Fund, $50,000,000.

For the Army Industrial Fund, $151,100,000.

For the Navy Industrial Fund, $238,700,000.

For the Defense Industrial Fund, $4,000,000.

TITLE IV—PERSONNEL AUTHORIZATIONS FOR FISCAL YEAR 1991

PART A—ACTIVE FORCES

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The armed forces are authorized strengths for active duty personnel as of September 30, 1991, as follows:

(1) The Army, 727,500.

(2) The Navy, 584,800.

(3) The Marine Corps, 196,500.

(4) The Air Force, 530,000.

PART B—RESERVE FORCES

SEC. 401. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 1991, as follows:.

(1) The Army National Guard of the United States, 447,300.

(2) The Army Reserve, 309,200.

(3) The Naval Reserve, 149,700.

(4) The Marine Corps Reserve, 43,900.

(5) The Air National Guard of the United States, 116,300.

(6) The Air Force Reserve, 85,200.

(7) The Coast Guard Reserve, 12,700.

(b) WAIVER AUTHORITY.—The Secretary of Defense may vary the end strength authorized by subsection (a) by not more than 2 percent.

(c) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year, and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

SEC. 403. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 402(b), the reserve components of the Armed Forces are authorized, as of September 30, 1991, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 26,199.

(2) The Army Reserve, 13,344.

(3) The Naval Reserve, 22,997.

(4) The Marine Corps Reserve, 2,401.

(5) The Air National Guard of the United States, 8,468.

(6) The Air Force Reserve, 655.

SEC. 404. INCREASE IN NUMBER OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) SENIOR ENLISTED MEMBERS.—Effective on October 1, 1990, the table in section

517(b) of title 10, United States Code, is amended to read as follows:

"Grade	Army	Navy	Air Force	Marine Corps
E–9	557	202	231	12
E–8	2,585	429	670	74."

(b) OFFICERS.—Effective in October 1, 1990, the table in section 524(a) of such title is amended to read as follows:

"Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,219	1,071	575	110
Lieutenant Colonel or Commander	1,524	520	532	75
Colonel or Navy Captain	364	188	194	25".

PART C—MILITARY TRAINING STUDENT LOADS

SEC. 405. AUTHORIZATION OF TRAINING STUDENT LOADS.

(a) IN GENERAL.—For fiscal year 1991, the components of the Armed Forces are authorized average military training loads as follows:

(1) The Army, 74,382.
(2) The Navy, 66,173.
(3) The Marine Corps, 23,236.
(4) The Air Force, 27,179.
(5) The Army National Guard of the United States, 16,611.
(6) The Army Reserve, 15,337.
(7) The Naval Reserve, 3,112.
(8) The Marine Corps Reserve, 3,520.
(9) The Air National Guard of the United States, 2,765.
(10) The Air Force Reserve, 1,628.

(b) ADJUSTMENTS.—The average military student loads authorized in subsection (a) shall be adjusted consistent with the end strengths authorized in parts A and B. The Secretary of Defense shall prescribe the manner in which such adjustments shall be apportioned.

TITLE V—GENERAL PROVISIONS

SEC. 501. REPEAL OF REQUIREMENT FOR SEPARATE BUDGET REQUEST FOR PROCUREMENT OF RESERVE EQUIPMENT.

Section 114(e) of title 10, United States Code, is repealed.

SEC. 502. REPEAL OF REQUIREMENT FOR AUTHORIZATION OF CIVILIAN PERSONNEL BY END STRENGTH.

Section 115(b)(2) of title 10, United States Code, is repealed.

SEC. 503. REPEAL OF CEILING ON EMPLOYEES IN HEADQUARTERS AND NON-MANAGEMENT HEADQUARTERS AND SUPPORT ACTIVITIES.

Section 194 of title 10, United States Code, is repealed.

SEC. 504. REPEAL OF REPORTS ON UNOBLIGATED BALANCES AND ON BUDGETING FOR INFLATION.

Sections 2215 amd 2216 of title 10, United States Code, is repealed.

SEC. 505. REPEAL OF ANNUAL OUTLAY REPORT REQUIREMENT.

Section 5 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–180; 103 Stat. 1364) is repealed.

GENERAL COUNSEL OF
THE DEPARTMENT OF DEFENSE,
Washington, DC, February 22, 1990.

Hon. DAN QUAYLE,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: There is forwarded herewith legislation, "To authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, and for other purposes."

This legislative proposal is part of the Department of Defense legislative program for the 101st Congress and is needed to carry out the President's fiscal year 1991 budget plan. The Office of Management and Budget advises that there is no objection to the presentation of this proposal to the Congress and that its enactment would be in accord with the program of the President.

Title I provides procurement authorization for the Military Departments and for the Defense Agencies in amounts equal to the budget authority included in the President's budget for fiscal year 1991. It also authorizes the transfer of Fiscal Year 1990 appropriations for the M–1 Tank Program and the F–15 Aircraft program in accordance the requests for those transfers included in the President's budget for Fiscal Year 1991.

Title II provides for the authorization of each of the research, development, test, and evaluation appropriations for the Military Departments and Defense Agencies in amounts equal to the budget authority included in the President's budget for fiscal year 1991.

Title III provides for authorization of the operation and maintenance appropriations of the Military Departments and the Defense Agencies in amounts equal to the budget authority included in the President's budget for fiscal year 1991. Title III also includes appropriations for the purpose of providing capital for working-capital funds of the Military Departments and the Defense Agencies in amounts equal to the budget authority included in the President's budget for fiscal year 1991.

Title IV prescribes the personnel strengths for the active forces and the selected Reserve of each reserve component of the Armed Forces in the numbers provided for by the budget authority and appropriations requested for the Department of Defense in the President's budget for fiscal year 1991. This title also prescribes the end strengths for reserve component members on full-time active duty or full-time National Guard duty for the purpose of administering the reserve forces and provides for an increase in the number of certain enlisted and commissioned personnel who may be serving on active duty in support of the reserve components. Finally, title IV provides for the average military training student loans in the numbers provided for this purpose in the President's amended budget for fiscal year 1991.

Title V consists of five general provisions. Section 501 repeals the provisions of section 114(e) of title 10, United States Code, requiring a separate budget request for the procurement of Reserve Equipment. Section 502 repeals the provisions of section 115(b)(2) of title 10, United States Code, requiring the authorization of an end strength for civilian personnel of the Department of Defense. Section 503 repeals the provisions of section 194 of title 10, United States Code, on the number of personnel who may be assigned to management and nonmanagement headquarters support activities. Section 504 repeals the requirement contained in section 2215 of title 10, United States Code, for submission of reports on unobligated balances and the requirement in section 2216 of title 10 for submission of an annual report on budgeting for inflation. Section 505 repeals the requirement contained in Section 5 of the National Defense Authorization Act for fiscal years 1990 and 1991 for the submission of a joint annual outlay report by the Director of the Office of Management and Budget and the Director of the Congressional Budget Office.

Enactment of this legislation is of great importance to the Department of Defense and the Department urges its speedy and favorable consideration.

Sincerely,

Terrence O'Donnell.●

By Mr. NUNN (for himself and Mr. WARNER) (by request):

S. 2172. A bill to authorize certain construction at military installations for fiscal year 1991, and for other purposes; to the Committee on Armed Services.

MILITARY CONSTRUCTION AUTHORIZATION ACT, 1991

● Mr. NUNN. Mr. President, by request, for myself and the senior Senator from Virginia [Mr. WARNER] I introduce, for appropriate reference, a bill to authorize certain construction at military installations for fiscal year 1991, and for other purposes.

I ask unanimous consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, This title may be cited as the "Military Construction Authorization Act, 1991".

TITLE I—ARMY

SEC. 101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

ALABAMA

Anniston Army Depot, $64,500,000.
Redstone Arsenal, $14,400,000.
Fort Rucker, $3,400,000.

ALASKA

Fort Wainwright, $5,600,000.

ARIZONA

Fort Huachuca, $1,050,000.

ARKANSAS

Pine Bluff Arsenal, $1,600,000.

CALIFORNIA

Fort Irwin, $4,200,000.
Fort Ord, $7,400,000.

COLORADO

Fort Carson, $23,500,000.
Falcon Air Force Base, $1,450,000

GEORGIA

Fort Benning, $10,880,000.
Fort Stewart, $1,650,000.

HAWAII

Schofield Barracks, $9,700,000.

INDIANA

Fort Benjamin Harrison, $5,600,000.

KANSAS

Fort Leavenworth, $34,000,000.
Fort Riley, $14,900,000.

KENTUCKY

Fort Campbell, $2,300,000.
Fort Knox, $25,500,000.

MARYLAND

Aberdeen Providing Ground, $45,100,000.
Fort Detrick, $530,000.

MISSOURI

Fort Leonard Wood, $9,700,000.

NEW YORK

Fort Drum, $9,408,000.

NORTH CAROLINA

Fort Bragg, $54,400,000.

OKLAHOMA

Fort Sill, $25,150,000.

PENNSYLVANIA

Carlisle Barracks, $26,200,000.
Fort Indiantown Gap, $6,350,000.
Tobyhanna Army Depot, $6,800,000.

SOUTH CAROLINA

Fort Jackson, $1,600,000.

TEXAS

Fort Hood, $43,269,000.
Fort Sam Houston, $33,700,000.

UTAH

Dugway Proving Ground, $450,000.
Toole Army Depot, $11,800,000.

VIRGINIA

Fort A.P. Hill, $3,200,000.
Fort Belvoir, $2,500,000.
Fort Eustis, $530,000.
Fort Lee, $520,000.
Fort Myer, $2,150,000.
Fort Story, $1,600,000.

WASHINGTON

Fort Lewis, $18,000,000.

WISCONSIN

Fort McCoy, $24,400,000.

CONUS CLASSIFIED

Classified Location, $3,000,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

GERMANY

Giessen, $2,250,000.
Grafenwoehr, $10,830,000.
Heilbronn, $5,500,000.
Hohenfels, $10,160,000.
Kaiserslautern, $5,000,000.
Mannheim, $7,600,000.
Vilseck, $15,600,000.
Various, $6,553,000.

JAPAN

Various, $10,450,000.

KOREA

Camp Casey, $8,690,000.
Camp Garry Owen, $1,800,000.
Camp Hovey, $8,500,000.
K-16 Airfield, $1,500,000.
Various, $11,000,000.

SEC. 102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—The Secretary of the Army may construct or acquire family housing units (including land acquisition), using amounts appropriated pursuant to section 104(a)(6)(A), at the following installation, in the number of units shown, and in the amount shown: Hawaii, Oahu Various, one hundred thirty-eight units, $15,000,000.

(b) PLANNING AND DESIGN.—The Secretary of the Army may, using amounts appropriated pursuant to section 104(a)(6)(A), carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,700,000.

SEC. 103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) IN GENERAL.—Subject to Section 2825 of title 10, United States Code, the Secretary of the Army may, using amounts appropriated pursuant to section 104(a)(6)(A), improve existing military family housing in an amount not to exceed $44,100,000.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Army may:

(1) Carry out projects to improve existing military family housing units at the following installations, in the number of units shown, and in the amount shown for each installation:

(A) Fort Ord, California, fifty-two units, $2,700,000;

(B) Walter Reed Army Medical Center, District of Columbia, eight units, $440,000;

(C) Fort Riley, Kansas, one hundred and four units, $4,000,000;

(D) Aberdeen Proving Ground, Maryland, seventy units, $2,800,000; and

(E) Fort Sill, Oklahoma, one hundred and twenty units, $4,500,000.

(2) Carry out projects to improve existing military family housing units, authorized by the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (Division B of Public Law 101-189), in the number of units shown and the amounts shown for each installation:

(A) Fort Riley, Kansas, one hundred and twelve units, $4,150,000; and

(B) Fort Lewis, Washington, thirty eight units, $2,150,000.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,334,450,000 as follows:

(1) For military construction projects inside the United States authorized by section 101(a), $561,887,000.

(2) For military construction projects outside the United States authorized by section 101(b), $105,433,000.

(3) For unspecified minor construction projects authorized under section 2805 of title 10, United States Code, $7,603,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $89,577,000.

(5) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $10,400,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $61,800,000.

(B) for support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,492,650,000, of which not more than $434,316,000 may be obligated or expended for the leasing of military family housing worldwide.

(7) For the Homeowners Assistance Program as authorized by section 2832 of title 10, United States Code, $5,100,000, to remain in effect until expended.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 101 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 105. AUTHORIZATION OF PROJECTS FOR WHICH FUNDS HAVE BEEN APPROPRIATED.

(A) In addition to the military construction projects authorized under title I of the Military Construction Authorization Act, 1990 (Public Law 101-189), the Secretary of the Army may carry out the following military construction projects in the following additional amounts which have been appropriated for such projects before the date of the enactment of this Act:

(1) Fort Leavenworth, Kansas, Child Development/Religious Education facility, $2,500,000.

(2) Fort Detrick, Maryland, Chapel Center/Child Development Center, $1,000,000.

(3) Fort Sill, Oklahoma, Child Development/Religous Education Facility, $2,150,000.

(b) Notwithstanding the provisions of section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of the projects authorized by subsection (a) may not exceed the total amount authorized for such projects by such subsection.

SEC. 106. EXTENSION OF CERTAIN PRIOR YEAR AUTHORIZATIONS.

(a) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1985 PROJECTS.—Notwithstanding the provisions of section 607(a) of the Military Construction Authorization Act, 1985 (Public Law 98-407, 98 Stat. 1514), authorizations for the following projects authorized in section 101 of that Act, as extended by section 2107(b) of the Military Construction Authorization Act, 1987 (division B of Public Law 99-661), section 2105(a) of the Military Construction Authorization Act, 1988 and 1989 (division B of Public Law 100-180), section 2106(a) of the Military Construction Authorization Act, 1989 (Public Law 100-456), and section 2105(a) of the National Defense Authorization Act, 1990 and 1991 (division B of Public Law 101-181) shall remain in effect until October 1, 1991, or the date of enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) Barracks modernization in the amount of $600,000 at Argyroupolis, Greece.

(2) Barracks modernization in the amount of $660,000 at Perivolaki, Greece.

(b) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1986 PROJECTS.—Notwithstanding the provisions of section 603(a) of the Military Construction Authorization Act, 1986 (Public Law 99-167, 99 Stat. 981), authorizations for the following projects authorized in sections 101 and 102 of that Act, as extended by section 2105(b) of the Military Construction Authorization Act, 1988 and 1989 (division B of Public Law 100-180), section 2106(b) of the Military Construction Authorization Act, 1989 (Public Law 100-

456) and section 2105(b) of the National Defense Authorization Act, 1990 and 1991 (division B of Public Law 101-181) shall remain in effect until October 1, 1991, or the date of enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) Modified record fire range in the amount of $2,850,000 at Nuremberg, Germany.

(2) Flight simulator building in the amount of $2,900,000 at Wiesbaden, Germany.

(3) Family housing, new construction, six units, in the amount of $596,000 at Fort Myer, Virginia.

(c) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1987 PROJECTS.—Notwithstanding the provisions of section 2710(a) of the Military Construction Authorization Act, 1987 (division B of Public Law 99-661, 100 Stat. 4040), authorization for the following project authorized in sections 2102 of that Act, as extended by section 2106(c) of the Military Construction Authorization Act, 1989 (Public Law 100-456) and section 2105(c) of the National Defense Authorization Act, 1990 and 1991 (division B of Public Law 101-181) shall remain in effect until October 1, 1991, or the date of enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) Family housing, new construction, forty units in the amount of $4,100,000 at Crailsheim, Germany.

(d) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1988 PROJECTS.—Notwithstanding the provisions of section 2171 of the Military Construction Authorization Act, 1988 and 1989 (division B of Public Law 100-180, 101 Stat. 1206), authorizations for the following projects authorized in sections 2101 and 2102 of that Act, as extended by section 2105(d) of the National Defense Authorization Act, 1990 and 1991 (division B of Public Law 101-181) shall remain in effect until October 1, 1991, or the date of enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) Hardstand/tactical equipment shop in the amount of $2,250,000 at Wiesbaden, Germany.

(2) Family housing, new construction, twenty-five units, in the amount of $2,200,000 at Fort A.P. Hill, Virginia.

(3) Family housing, new construction, one hundred six units, in the amount of $11,200,000 at Bamberg, Germany.

(4) Family housing, new construction, one hundred fifty-two units, in the amount of $12,600,000 at Baumholder, Germany.

(e) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1989 PROJECTS.—Notwithstanding the provisions of section 2701 of the Military Construction Authorization Act, 1989 (Public Law 100-456, 102 Stat. 2115), authorizations for the following projects authorized in sections 2101 and 2102 of that Act shall remain in effect until October 1, 1991, or the date of enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) Physical fitness training center in the amount of $5,800,000 at Rheinberg, Germany.

(2) Aircraft maintenance hanger in the amount of $8,800,000 at Wiesbaden, Germany.

(3) Industrial operations facility in the amount of $6,600,000 at Rheinberg, Germany.

(4) Hardstand/equipment maintenance shop in the amount of $2,250,000 at Wiesbaden, Germany.

(5) Pre-positioned war material facilities in the amount of $4,450,000 at unspecified foreign locations.

(6) Access roads in the amount of $5,300,000 at New Cumberland Army Depot, Pennsylvania.

(7) Family housing, new construction, one hundred and eight units, in the amount of $9,100,000 at Fort Bliss, Texas.

(8) Family housing, new construction, eight/eight units, in the amount of $8,400,000 at Hohenfels, Germany.

TITLE II—NAVY

SEC. 201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

ALASKA

Adak, Naval Air Station, $4,250,000.
Adak, Naval Security Group Activity, $3,000,000.
Amchitka, Fleet Surveillance Support Command, $31,000,000.

ARIZONA

Yuma, Marine Corps Air Station, $3,720,000.

CALIFORNIA

Camp Pendleton, Amphibious Task Force, $8,470,000.
Camp Pendleton, Marine Corps Air Station, $4,110,000.
Camp Pendleton, Marine Corps Base, $19,910,000.
China Lake, Naval Weapons Center, $17,585,000.
Concord, Naval Weapons Station, $9,850,000.
Corona, Naval Weapons Station, Seal Beach Annex, $8,870,000.
El Toro, Marine Corps Air Station, $6,980,000.
Lemoore, Naval Air Station, $900,000.
Long Beach, Naval Shipyard, $500,000.
Long Beach, Naval Station, $3,520,000.
Miramar, Naval Air Station, $5,460,000.
Monterey, Naval Postgraduate School, $8,810,000.
North Island, Naval Air Station, $1,510,000.
Point Mugu, Pacific Missile Test Center, $2,070,000.
Port Hueneme, Naval Construction Battalion Center, $2,010,000.
Port Hueneme, Naval Ship Weapon Systems Engineering Station, $10,150,000.
San Diego, Fleet Anti-Submarine Warfare Training Center, Pacific, $8,950,000.
San Diego, Naval Ocean Systems Center, $11,760,000.
San Diego, Naval Submarine Base, $540,000.
San Diego, Naval Supply Center, $8,800,000.
San Diego, Naval Training Center, $15,229,000.
San Diego, Naval Public Works Center, $3,320,000.
Skaggs Island, Naval Security Group Activity, $1,472,000.
Twentynine Palms, Marine Corps Air-Ground Combat Center, $10,820,000.

CONNECTICUT

New London, Naval Submarine Base, $22,500,000.
New London, Naval Submarine School, $18,990,000.

DISTRICT OF COLUMBIA

Washington, Naval Research Laboratory, $9,850,000.

FLORIDA

Jacksonville, Naval Air Station, $9,140,000.
Jacksonville, Naval Aviation Depot, $14,670,000.
Key West, Naval Air Station, $7,030,000.
Mayport, Fleet Training Center, $4,300,000.
Mayport, Naval Station, $4,950,000.
Orlando, Naval Training Center, $18,030,000.
Panama City, Naval Coastal Systems Center, $4,330,000.
Pensacola, Navy Public Works Center, $3,460,000.

GEORGIA

Albany, Marine Corps Logistics Base, $1,360,000.
Kings Bay, Naval Submarine Base, $66,675,000.

HAWAII

Kaneohe Bay, Marine Corps Air Station, $1,650,000.
Lualualei, Naval Magazine, $1,660,000.
Pearl Harbor, Commander Oceanographic System Pacific, $12,780,000.
Pearl Harbor, Naval Submarine Base, $2,010,000.
Pearl Harbor, Navy Public Works Center, $6,940,000.

ILLINOIS

Great Lakes, Naval Training Center, $2,170,000.
Great Lakes, Navy Public Works Center, $2,460,000.

INDIANA

Crane, Naval Weapons Support Center, $13,520,000.

KENTUCKY

Louisville, Naval Ordnance Station, $5,660,000.

MAINE

Kittery, Portsmouth Naval Shipyard, $38,182,000.

MARYLAND

Bethesda, National Naval Medical Center, $9,040,000.
Indian Head, Naval Ordnance Station, $6,430,000.
Patuxent River, Naval Air Test Center, $9,040,000.
Patuxent River, Naval Hospital, $2,510,000.
St. Inigoes, Naval Electronic Systems Engineering Activity, $4,020,000.

MISSISSIPPI

Gulfport, Naval Construction Training Center, $8,710,000.

NEW JERSEY

Earle, Naval Weapons Station, $85,400,000.

NORTH CAROLINA

Camp Lejeune, Marine Corps Base, $29,170,000.
Cherry Point, Marine Corps Air Station, $13,950,000.

PENNSYLVANIA

Warminster, Naval Air Development Center, $10,770,000.

RHODE ISLAND

Newport, Naval Education and Training Center, $6,230,000.

SOUTH CAROLINA

Beaufort, Marine Corps Air Station, $6,700,000.
Charleston, Naval Station, $720,000.
Charleston, Naval Weapons Station, $27,030,000.
Parris Island, Marine Corps Recruit Depot, $3,410,000.

TEXAS

Lackland Air Force Base, Naval Technical Training Center Detachment, $11,850,000.

VIRGINIA

Arlington, Headquarters Marine Corps, $2,810,000.
Dahlgren, Naval Space Surveillance System, $9,850,000.
Dam Neck, Fleet Combat Direction Systems Support Activity, $6,500,000.
Little Creek, Naval Amphibious Base, $20,470,000.
Little Creek, Naval Amphibious School, $2,600,000.
Norfolk, Fleet Training Center, $16,080,000.
Norfolk, Naval Station, $10,950,000.
Norfolk, Navy Public Works Center, $4,020,000.
Oceana, Naval Air Station, $3,670,000.
Quantico, Marine Corps Combat Development Command, $34,114,000.
Quantico, Naval Research Laboratory Annex, $2,600,000.
Wallops Island, AEGIS Combat Systems Center, $5,490,000.

WASHINGTON

Bangor, Trident Refit Facility, $3,020,000.
Bangor, Trident Training Facility, $3,610,000.
Bremerton, Puget Sound Naval Shipyard, $2,000,000.
Everett, Naval Station, $22,267,000.
Keyport, Naval Undersea Warfare Engineering Station $18,590,000.
Oak Harbor, Naval Hospital, $2,180,000.
Silverdale, Strategic Weapons Facility Pacific, $56,480,000.
Whidbey Island, Naval Air Station, $19,100,000.
Whidbey Island, Naval Facility, $1,750,000.

VARIOUS LOCATIONS

Land Acquisition, $10,660,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

GUAM

Naval Magazine $9,319,000.
Navy Public Works Center, $7,500,000.

ICELAND

Keflavik, Naval Air Station, $2,440,000.
Keflavik, Naval Communication Station, $10,248,000.

ITALY

Sicily, Naval Communication Station, $1,513,000.
Sigonella, Naval Air Station, $10,240,000.

JAPAN

Hanza, Okinawa, Naval Security Group Activity, $1,035,000.
Iwakuni, Marine Corps Air Station, $3,017,000.

SPAIN

Rota, Naval Communication Station, $1,105,000.

UNITED KINGDOM

Brawdy Wales, Fleet Surveillance Support Command, $1,740,000.
London, Personnel Support Activity, $442,000.

VARIOUS LOCATIONS

Host Nation Infrastructure Support, $1,000,000.

SEC. 202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—The Secretary of the Navy may, using amounts appropriated pursuant to section 204 (a)(7)(A), construct or acquire family housing units (including land acquisition), at the following installations in the number of units shown, and in the amount show, for each installation:

Camp Pendleton, Marine Corps Base, California, one hundred and sixteen units, $11,805,000.
Long Beach, Naval Station, California, three hundred units, $25,018,000.
Point Mugu, Pacific Missile Test Center, California, Family Housing Office, $513,000.
San Diego, Navy Public Works Center, California, three hundred units, $31,880,000.
New York, Naval Station, New York, one hundred and fifty units, $19,692,000.
Little Creek, Naval Amphibious Base, Virginia, Family Housing Office, $372,000.
Norfolk, Navy Public Works Center, Virginia, two Community Centers, $834,000.
Naval Air Station, Family Housing Office, Bermuda, $378,000.
Guantanamo Bay, Naval Station, Cuba, one hundred and thirty-four units, $18,409,000.
Keflavik, Naval Air Station, Iceland, one hundred and twelve units, $27,479,000.

(b) PLANNING AND DESIGN.—The Secretary of the Navy may, using amounts appropriated pursuant to section 204(a)(7)(A), carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $6,200,000.

SEC. 203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) IN GENERAL.—Subject to section 2825 of title 10, United States Code, the Secretary of the Navy may, using amounts appropriate pursuant to section 204(a)(7)(A), improve existing military family housing units in the amount of $42,420,000.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Navy may carry out projects to improve existing military family housing units at the following installations, in the number of units shown, and in the amount shown, for each installation:

Camp Pendleton, Marine Corps Base, California, one hundred seventy units, $7,130,000.
Long Beach, Naval Station, California, one hundred units, $6,764,500.
San Diego, Navy Public Works Center, California, thirty-two units, $2,171,200.
Great Lakes, Navy Public Works Center, Illinois, one hundred seventy-eight units, $11,453,500.
Fallon, Naval Air Station, Nevada, one unit, $74,500.
Camp Lejeune, Marine Corps Base, North Carolina, four hundred thirty-five units, $16,882,000.
Bangor, Naval Submarine Base, Washington, one hundred units, $6,067,600.
Roosevelt Roads, Naval Station, Puerto Rico, thirty-two units, $1,940,700.
Rota, Naval Station, Spain, one hundred and sixty-two units, $6,022,100.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,017,800,000 as follows:

(1) For military construction projects inside the United States authorized by section 201(a), $914,374,000.

(2) For military construction projects outside the United States authorized by section 201(b), $49,599,000.

(3) For the construction of the Headquarters Building, Naval Intelligence Command Headquarters, Suitland, Maryland, as authorized by section 2201(a) of the Military Construction Authorization Act, 1989, $55,048,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, $13,311,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $76,951,000.

(6) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $4,017,000.

(7) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $185,000,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $719,500,000, of which not more than $53,775,000 may be obligated or expended for the leasing of military family housing units worldwide.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 201 of this Act may not exceed the sum of:

(1) the total amont authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $65,300,000 (the balance of the amount authorized under section 201(a) for the construction of trestles replacement at Naval Weapons Station, Earle, New Jersey).

TITLE III—AIR FORCE

SEC. 301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amount shown for each of the installations and locations inside the United States:

ALABAMA

Gunter Air Force Base, $20,100,000.
Maxwell Air Force Base, $22,500,000.

ALASKA

Clear Air Force Station, $5,000,000.
Eielson Air Force Base, $12,400,000.
Galena Airport, $8,700,000.
King Salmon Airport, $2,500,000.
Shemya Air Force Base, $47,400,000.
Various Locations, $11,000,000.

ARIZONA

Luke Air Force Base, $1,800,000.
Williams Air Force Base, $9,150,000.

CALIFORNIA

Beale Air Force Base, $6,300,000.
Castle Air Force Base, $3,000,000.
Edwards Air Force Base, $17,100,000.
March Air Force Base, $1,050,000.
McClellan Air Force Base, $11,200,000.
Sierra Army Depot, $3,650,000.
Travis Air Force Base, $10,800,000.
Vandenberg Air Force Base, $115,00,000.

COLORADO

Falcon Air Force Station, $710,000.
Peterson Air Force Base, $4,050,000.

FLORIDA

Avon Park Range, $700,000.
Cape Canaveral Air Force Station, $2,400,000.
Eglin Air Force Base, $4,700,000.
Homestead Air Force Base, $7,900,000.
MacDill Air Force Base, $12,250,000.

GEORGIA

Moody Air Force Base, $4,400,000.
Robins Air Force Base, $21,200,000.

HAWAII

Hickam Air Force Base, $11,420,000.
Wheeler Air Force Base, $3,500,000.

IDAHO

Mountain Home Air Force Base, $1,350,000.

ILLINOIS

Scott Air Force Base, $2,160,000.

LOUISIANA

Barksdale Air Force Base, $74,710,000.

MAINE

Bangor Air National Guard Base, $970,000.
Loring Air Force Base, $830,000.

MARYLAND

Andrews Air Force Base, $3,050,000.
Fort George G. Meade, $1,800,000.

MASSACHUSETTS

Hanscom Air Force Base, $3,800,000.

MICHIGAN

K.I. Sawyer Air Force Base, $2,700,000.
Wurtsmith Air Force Base, $960,000.

MISSISSIPPI

Columbus Air Force Base, $400,000.

MISSOURI

Whiteman Air Force Base, $87,400,000.

NEBRASKA

Offutt Air Force Base, $2,600,000.

NEVADA

Indian Spring Auxiliary Field, $2,550,000.
Nellis Air Force Base, $12,500,000.

NEW JERSEY

McGuire Air Force Base, $7,850,000.

NEW MEXICO

Holloman Air Force Base, $3,010,000.
Kirtland Air Force Base, $4,200,000.

NORTH CAROLINA

Seymour Johnson Air Force Base, $2,502,000.

NORTH DAKOTA

Grand Forks Air Force Base, $77,050,000.
Minot Air Force Base, $3,600,000.

OHIO

Newark Air Force Base, $5,100,000.
Wright-Patterson Air Force Base, $10,150,000.

OKLAHOMA

Altus Air Force Base, $21,700,000.
Tinker Air Force Base, $55,100,000.
Vance Air Force Base, $400,000.

SOUTH CAROLINA

Charleston Air Force Base, $14,090,000.

SOUTH DAKOTA

Ellsworth Air Force Base, $13,150,000.

TEXAS

Brooks Air Force Base, $4,100,000.
Carswell Air Force Base, $12,616,000.
Dyess Air Force Base, $7,550,000.
Goodfellow Air Force Base, $980,000.
Kelly Air Force Base, $10,300,000.
Lackland Air Force Base, $22,500,000.
Laughlin Air Force Base, $1,820,000.
Randolph Air Force Base, $1,750,000.
Reese Air Force Base, $5,090,000.
Sheppard Air Force Base, $8,400,000.

UTAH

Hill Air Force Base, $22,500,000.

VIRGINIA

Langley Air Force Base, $600,000.

WASHINGTON

Fairchild Air Force Base, $108,040,000.
McChord Air Force Base, $5,200,000.

WYOMING

F.E. Warren Air Force Base, $9,600,000.

VARIOUS LOCATIONS

Classified Location, $11,00,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

ANTIGUA

Antigua Air Station, $8,200,000.

CANADA

Various Locations, $6,300,000.

GERMANY

Bitburg Air Base, $2,00,000.
Hahn Air Base, $4,300,000.
Marienfelde Communications Station, $1,621,000.
Rhein-Main Air Base, $3,250,000.
Spangdahlem Air Base, $9,250,000.

GREENLAND

Thule Air Base, $6,300,000.

HONDURAS

La Mesa Air Base, $12,600,000.
Palmerola Air Base, $4,600,000.

ITALY

Ghedi Air Base, $550,000.
Rimini Air Base, $510,000.
San Vito Air Station, $2,750,000.

JAPAN

Kadena Air Base, $3,720,000.

KOREA

Kunsan Air Base, $20,300,000.
Osan Air Base, $15,600,000.

PHILIPPINES

Clark Air Base, $710,000.

SEYCHELLES ISLANDS

Mahe Missile Tracking Site, $4,600,000.

TURKEY

Incirlik Air Base, $4,800,000.
Pirinclik Air Station, $1,250,000.

UNITED KINGDOM

High Wycombe Air Station, $4,200,000.
RAF Alconbury, $7,300,000.
RAF Bentwaters, $1,500,000.
RAF Chicksands, $12,200,000.
RAF Lakenheath, $8,105,000.
RAF Mildenhall, $1,100,000.

VARIOUS LOCATIONS

Classified Location, $4,800,000.
Classified Location, $3,000,000.
Classified Location, $14,243,000.

WORLDWIDE CLASSIFIED

Classified Location, $3,800,000.
Classified Location, $4,000,000.
Classified Location, $4,000,000.
Classified Location, $2,600,000.

SEC. 302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—The Secretary of the Air Force may construct or acquire family housing units (including land, acquisition) using amounts appropriated pursuant to section 304(a)(7)(A), at the following installations in the number of units shown, and in the amount shown, for each installation:

Nellis Air Force Base, Nevada, housing office, $235,000.

Holloman Air Force Base, New Mexico, housing maintenance facility, $219,000.

Charleston Air Force Base, South Carolina, housing office and maintenance facility, $592,000.

Myrtle Beach Air Force Base, South Carolina, housing office, $258,000.

Ellsworth Air Force Base, South Dakota, housing office, $313,000.

Anderson Air Force Base, Guam, housing supply and storage facility, $1,371,000.

(b) PLANNING AND DESIGN.—The Secretary of the Air Force may, using amounts appropriated pursuant to section 304(a)(7)(A), carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $6,000,000.

SEC. 303. IMPROVEMENT TO MILITARY FAMILY HOUSING UNITS.

(a) IN GENERAL.—Subject to section 2825 of Title 10, United States Code, the Secretary of the Air Force may, using amounts appropriated pursuant to section 304(a)(7)(A), improve existing military family housing units in an amount not to exceed $173,612,000.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under Section 2825(b) of title 10, United States Code, the Secretary of the Air Force may carry out projects to improve existing military family housing units at the following installations, in the number of units shown, and in the amount shown, for each installations:

Maxwell Air Force Base, Alabama, thirty-five units, $1,998,000.

Eielson Air Force Base, Alaska, fifty-one untis, $6,070,000.

Elmendorf Air Force Base, Alaska, forty units, $4,804,000.

Eaker Air Force Base, Arkansas, two hundred seven units, $10,169,000.

Little Rock Air Force Base, Arkansas, one hundred fifty three units, $6,847,000.

McClellan Air Force Base, California, twelve units, $1,062,000.

Travis Air Force Base, California, one hundred forty-four units,

Classified Location, $8,060,000.

Peterson Air Force Base, Colorado, thirty-five units, $1,722,000.

Bolling Air Force Base, District of Columbia, sixty-four units, $2,579,000.

Elgin Air Force Base, Florida, fifty-four units, $1,987,000.

MacDill Air Force Base, Florida, forty-four units, $2,456,000.

Robins Air Force Base, Georgia, forty units, $1,710,000.

Nellis Air Force Base, Nevada, fifteen units, $1,583,000.

Plattsburgh Air Force Base, New York, two hundred twenty-four units, $15,640,000.

Charleston Air Force Base, South Carolina, one hundred eighty units, $8,389,000.

Myrtle Beach Air Force Base, South Carolina, one hundred thirty units, $6,459,000.

Shaw Air Force Base, South Carolina, sixty-four units, $3,011,000.

Bergstrom Air Force Base, Texas, forty-six units, $1,729,000.

Kelly Air Force Base, Texas, thirty-seven units, $2,301,000.

Laughlin Air Force Base, Texas, one hundred forty units, $5,427,000.

Sheppard Air Force Base, Texas, one hundred ninety-seven units, $8,133,000.

Hill Air Force Base, Utah, four units, $84,000.

Fairchild Air Force Base, Washington, two hundred two units, $11,559,000.

Ramstein Air Base, Germany, one units, $124,000; fifty-four units, $2,085,000; ninety units, $3,440,000.

Kadena Air Base, Japan, seventy-five units, $6,208,000; ninety-eight units, $6,028,000.

Moron Air Base, Spain, thirty-six units, $2,107,000.

RAF Chicksands, United Kingdom, thirty-four units, $2,647,000.

RAF Lemble, United Kingdom, two units, $120,000.

RAF Lakenheath, United Kingdom, sixty units, $2,985,000; ten units, $892,000; fourteen units $940,000.

(c) WAIVER OF SPACE LIMITATIONS FOR FAMILY HOUSING UNITS—

(1) To support the United States Air Forces in Europe (USAFE), and Tactical Air Command (TAC), the Secretary of the Air Force may carry out an improvement project to add to and alter existing family housing units and (notwithstanding section 2826(a) of title 10, United States Code) increase the net floor area of one family housing unit at Ramstein Air Base, Germany, to not more than 3,636 square feet; and increase the net floor area of fifteen family housing units at Nellis Air Force Base, Nevada, to not more than 1,970 square feet.

(2) For purpose of the subsection the term "net floor area" has the same meaning given that term by section 2826(f) of title, 10, United States Code.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,336,100,000.

(1) For military construction projects inside the United States authorized by section 301(a), $943,828,000.

(2) For military construction projects outside the United States authorized by section 301(b), $184,059,000.

(3) For the construction of the Large Rocket Test Facility, Arnold Engineering Development Center, Tennessee, as authorized by section 2301(a) of the Military Construction Authorization Act, 1989 (division B of Public Law 100-456; 102 Stat. 2087), and as amended by section 2307 of the Military Construction Authorization Act, 1990, Public Law 101-189, $109,300,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, $10,272,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $107,741,000.

(6) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $9,000,000.

(7) For military family housing functions—

(A) For construction and acquisition of military family housing and facilities, $182,600,000; and

(B) for support of military housing (including functions described in Section 2833 of title 10, United States Code), $789,300,000 of which not more than $110,911,000 may be obligated or expended for leasing of military family housing units worldwide.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $85,800,000 (The balance of the amount authorized for the construction of the Titan IV Launch Complex Vandenberg Air Force Base, California.)

SEC. 305. EXTENSION OF CERTAIN PREVIOUS AUTHORIZATIONS.

Notwithstanding the provisions of section 2701(a) of the Military Construction Authorization Act, 1989 (division B of Public Law 100-456), authorizations for the following projects authorized in section 2301 of that Act shall remain in effect until October 1, 1991, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1992, whichever is later:

(1) F-111 Avionics Facility in the amount of $1,300,000 at Cannon Air Force Base, New Mexico.

(2) Aircraft Operational Apron-Phase I in the amount of $4,950,000; Intelligence Facility-Phase II in the amount of $2,250,000; Special Operations Forces Helicopter Maintenance Facility in the amount of $4,100,000; Special Operations Forces Hangar/Nose Dock in the amount of $2,100,000; and Special Operations Forces Hydrant Fueling System in the amount of $800,000 at Clark Air Force Base, Philippines.

(3) Defense Language Institute Language Training Laboratory in the amount of $12,000,000 at Lackland Air Force Base, Texas.

SEC. 306. AUTHORIZATION FOR A FACILITY.

The Secretary of the Air Force may acquire at no cost an existing building constructed on Eglin AFB, Florida, in 1986 as part of a three year incrementally funded Research, Development, Test and Evaluation contract.

TITLE IV—DEFENSE AGENCIES

SEC. 401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

DEFENSE COMMUNICATIONS AGENCY

Wheeler Air Force Base, Hawaii, $1,491,000.

Arlington Service Center, Virginia, $2,664,000.

DEFENSE LOGISTICS AGENCY

Defense Reutilization and Marketing Office, Anniston Army Depot, Alabama, $2,370,000.

Defense Depot, Tracy, California, $1,700,000.

Defense Reutilization and Marketing Office, Fort Meade, Maryland, $9,500,000.

Defense Depot, Mechanicsburg, Pennsylvania, $18,100,000.

Defense Reutilization and Marketing Office, Fort Jackson, South Carolina, $500,000.

Defense Depot, Memphis, Tennessee, $14,900,000.

Defense General Supply Center, Richmond, Virginia, $7,000,000.

Defense Reutilization and Marketing Office, F.E. Warren Air Force Base, Wyoming, $1,700,000.

DEFENSE MEDICAL FACILITIES OFFICE

Marine Corps Base, Camp Pendleton, California, $1,750,000.

Walter Reed Army Medical Center, District of Columbia, $4,000,000.

MacDill Air Force Base, Florida, $2,900,000.

Fort Benning, Georgia, $2,000,000.

Fort Riley, Kansas, $1,050,000.

Marine Corps Base, Camp Lejeune, North Carolina, $3,200,000.

Altus Air Force Base, Oklahoma, $500,000.

Philadelphia Naval Shipyard, Pennsylvania, $11,600,000.

Lackland Air Force Base, Texas, $2,250,000.

Cheatham Annex, Virginia, $6,500,000.

Dam Neck Flight Center, Virginia, $4,050,000.

Fort Lee, Virginia, $2,650,000.

Marine Corps Base, Quantico, Virginia, $2,450,000.

DEFENSE NUCLEAR AGENCY

White Sands Missile Range, New Mexico, $64,800,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $19,471,000.

OFFICE OF THE SECRETARY OF DEFENSE

Defense Language Institute, Monterey, California, $6,350,000.

Uniformed Services University of the Health Sciences, Bethesda, Maryland, $800,000.

Classified Locations, $32,800,000.

SPECIAL OPERATIONS COMMAND

Coronado Naval Amphibious Base, California, $21,020,000.

Eglin Air Force Base, Florida, $11,750,000.

Fort Stewart/Hunter Army Air Field, Georgia, $4,900,000.

Norristown, Army Reserve Center, Pennsylvania, $2,598,000.

Dam Neck Marine Environmental Facility, Virginia, $9,160,000.

Classified Location, $2,747,000.

STRATEGIC DEFENSE INITIATIVE ORGANIZATION

Barking Sands Pacific Missile Range, Hawaii, $3,870,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

DEFENSE MEDICAL FACILITIES OFFICE

Ray Barracks, Giesen, $5,000,000.

Nuernberg, Germany, $5,800,000.

Rhein-Main Air Base, Germany, $870,000.

Aviano Air Base, Italy, $1,100,000.

Vicenza, Italy, $28,000,000.

Camp Casey, Korea, $1,000,000.

Kunsan Air Base, Korea, $14,400,000.

Sinop, Turkey, $1,750,000.

RAF Edzell, United Kingdom, $5,400,000.
RAF Lanark, United Kingdom, $3,900,000.

DEFENSE NUCLEAR AGENCY

Johnston Island, $8,595,000.

DEPARTMENT OF DEFENSE SCHOOLS

Darmstadt, Germany, $7,276,000.
Frankfurt, Germany, $7,449,000.
Idar Oberstein, Germany, $2,189,000.
Kaiserslautern, Germany, $13,341,000.
Landstuhl, Germany, $3,724,000.
Mannheim, Germany, $8,708,000.
Nellingen, Germany, $3,187,000.
Ramstein Air Base, Germany, $12,217,000.
Harrogate, United Kingdom, $2,100,000.
Various Locations, $15,188,000.

NATIONAL SECURITY AGENCY

Classified Location, $2,375,000.

OFFICE OF THE SECRETARY OF DEFENSE

Classified Location, $1,600,000.

SEC. 402. FAMILY HOUSING.

The Secretary of Defense may construct or acquire three family housing units (including land acquisition), using amounts appropriated pursuant to section 405(a)(15)(A), at classified locations in the total amount not to exceed $400,000.

SEC. 403. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, the Secretary of Defense may, using amounts appropriated pursuant to section 405(a)(15)(A), improve existing military family housing units in an amount not to exceed $100,000.

SEC. 404. CONFORMING STORAGE FACILITIES.

Section 404(a) of the Military Construction Authorization Act, 1987 (Public Law 99-661) as amended, is further amended to read as follows:

"(a) AUTHORITY TO CONSTRUCT.—The Secretary of Defense may, using not more than $10,000,000 appropriated for fiscal year 1987, using not more than $5,000,000 appropriated for fiscal year 1988, using not more than $9,300,000 appropriated for fiscal year 1989, using not more than $11,000,000 appropriated for fiscal year 1990, and using not more than $13,580,000 appropriated for fiscal year 1991, carry out military construction projects not otherwise authorized by law for conforming storage facilities."

SEC. 405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,725,100,000 as follows:

(1) For military construction projects inside the United States authorized by section 401(a), $285,091,000.

(2) For military construction projects outside the United States authorized by section 401(b), $155,169,000.

(3) For military construction projects at Nellis Air Force Base, Nevada, authorized by section 2401(a) of the Military Construction Authorization Act for fiscal years 1990 and 1991, $56,000,000.

(4) For military construction projects at Fort Sill, Oklahoma, authorized by section 2401(a) of the Military Construction Authorization Act, 1989, as amended, $10,400,000.

(5) For military construction projects at Defense Reutilization and Marketing Office, Eglin Air Force Base, Florida, authorized by section 2401(a) of the Military Construction Authorization Act for fiscal years 1990 and 1991, $2,850,000.

(6) For military construction projects at Defense Construction Supply Center, Columbus, Ohio, authorized by section 2401(a) of the Military Construction Authorization Act for fiscal years 1990 and 1991, $13,530,000.

(7) For military construction projects at Defense Personnel Support Center, Philadelphia, Pennsylvania, authorized by section 2401(a) of the Military Construction Authorization Act for fiscal years 1990 and 1991, $3,940,000.

(8) For military construction projects at Fort Sam Houston, Texas, authorized by section 2401(a) of the Military Construction Authorization Act, 1987, as amended, $77,000,000.

(9) For military construction projects at Portsmouth Naval Hospital, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act for fiscal years 1990 and 1991, $40,000,000.

(10) For unspecified minor construction projects under section 2805 of title 10, United States Code, $12,955,000.

(11) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $12,700,000.

(12) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $104,285,000.

(13) For base closure and realignment activities as authorized by the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), $916,500,000.

(14) For conforming storage facilities constructed under the authority of section 2404 of the Military Construction Authorization Act, 1987, as amended, $13,580,000.

(15) For military family housing functions—

(A) for construction and acquisition of military family housing facilities, $500,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $20,600,000, of which not more than $17,897,000 may be obligated or expended for the leasing of military family housing units worldwide.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 may not exceed the total amount authorized to be appropriated under paragraph (1) and (2) of subsection (a).

SEC. 406. MEDICAL FACILITY, NELLIS AIR FORCE BASE, NEVADA.

(a) PROJECT AMOUNT.—The item listed under the heading "Defense Medical Facilities Office" in section 2401 of the Military Construction Authorization Act for fiscal years 1990 and 1991 is amended by striking "Nellis Air Force Base, Nevada, $62,000,000." and inserting in lieu thereof "Nellis Air Force Base, Nevada, $66,000,000.".

(b) TITLE TOTAL.—Section 2405(b)(3) of such Act is amended by striking $52,000,000." and inserting in lieu thereof "$56,000,000.".

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

SEC. 501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Infrastructure Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990 for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Infrastructure Program as authorized by section 501, in the amount of $420,400,000.

TITLE VI—GUARD AND RESERVE FORCES FACILITIES

SEC. 601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1990, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) for the Department of the Army—

(A) for the Army National Guard of the United States, $66,400,000, and

(B) for the Army Reserve, $59,300,000.

(2) for the Department of the Navy, for the Naval and Marine Corps Reserve, $50,200,000.

(3) for the Department of the Air Force—

(A) for the Air National Guard of the United States, $66,500,000, and

(B) for the Air Force Reserve, $37,700,000.

TITLE VII—EXPIRATION OF AUTHORIZATIONS

SEC. 701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER TWO YEARS.—Except as provided in subsection (b), all authorizations contained in titles I, II, III, IV, and V for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefor) shall expire on October 1, 1992, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1993, whichever is later.

(b) EXCEPTION.—The provisions of subsection (a) do not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before October 1, 1992, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1993, whichever is later, for construction contracts, land acquisition, family

housing projects and facilities, or contributions to the NATO Infrastructure Program.

SEC. 702. EFFECTIVE DATES.

Titles I, II, III, IV, V, and VI shall be in effect as of October 1, 1990 or the date of enactment of a Military Construction Authorization Act for fiscal year 1991, whichever is later.

TITLE VIII—GENERAL PROVISIONS

LONG-TERM FACILITIES CONTRACTS

SEC. 801. Section 2809(c) of title 10, United States Code, is amended by striking "1991" and inserting in lieu thereof "1993".

LEASING OF MILITARY FAMILY HOUSING

SEC. 802. Section 2828(e)(1) of title 10, United States Code, is amended by striking the first sentence and inserting in lieu thereof the following:

"Expenditures for the rental of family housing in foreign countries (including the costs of utilities, maintenance, and operation) may not exceed $20,000 per unit per annum as adjusted for inflation and foreign currency fluctuation from October 1, 1987.".

LEASING OF MILITARY FAMILY HOUSING

SEC. 803. Section 2828(e)(2) of title 10, United States Code, is amended by striking "53,000" and inserting in lieu thereof "54,225".

MILITARY HOUSING RENTAL GUARANTEE PROGRAM

SEC. 804. Section 802(h) of the Military Construction Authorization Act, 1984 (10 U.S.C. 2821 note) is amended by striking "1990" and inserting in lieu thereof "1991".

OPTIONS ON REAL PROPERTY

SEC. 805. Section 2677 of title 10, United States Code, is amended—

(a) by striking the caption and inserting in lieu thereof: "Options on real property";

(b) in subsection (a) by

(1) inserting "or lease" after the word "acquisition", and

(2) striking "for a military project of" and inserting in lieu thereof "by"; and

(c) by striking the period at the end of subsection (b) and adding "or, in the case of an option to lease, an amount that is not more than 12 percent of the appraised annual fair market rental value of the property.".

FINANCIAL FLEXIBILITY TEST PROGRAM

SEC. 806. (a) Under regulations issued by the Secretary of Defense, the Department of Defense is authorized to conduct a "Financial Flexibility Test Program" as follows:

(1) The Secretary of a military department may designate a major command to participate in the Financial Flexibility Test Program.

(2) The head of a major command selected under subsection (1) may—

(A) within the total authorization of projects authorized to be accomplished for the command estimated to cost $5 million or less, accomplish military construction projects estimated to cost $5 million or less, whether or not previously authorized by law, as the head of the command deems necessary; and

(B) accomplish military construction projects authorized under this section using turn-key selection procedures established pursuant to section 2862 of this title.

(3)(A) A District Engineer of the Army Corps of Engineers may manage all military construction projects at a single military installation selected by the Secretary of the Army as a single project for notice and reporting purposes; and

(B) The commander of an engineering field division of the Naval Facilities Engineering Command may manage multiple projects at a single military installation selected by the Secretary of the Navy as a single project for notice and reporting purposes.

(b) The Financial Flexibility Test Program established by this section shall expire on September 30, 1993.

IMPACT ASSISTANCE FOR AREAS AFFECTED BY THE WHITEMAN AIR FORCE BASE B-2 PROGRAM

SEC. 807. Section 802 of Public Law 96-418, as amended, is amended—

(a) in subsection (a) by inserting the phrase "or Whiteman Air Force Base," immediately following the phrase "East Coast Trident Base" both times it appears;

(b) in subsection (b)(3) by inserting the phrase "or Whiteman Air Force Base" immediately following the phrase "East Coast Trident Base"; and

(c) in subsection (d) by deleting the word "program" and inserting in lieu thereof the phrase "or Whiteman Air Force Base programs".

HOMEOWNERS ASSISTANCE PROGRAM

SEC. 808. Section 2832 of title 10, United States Code, is amended—

(a) by inserting "(a)" before "The Secretary", and

(b) by adding at the end the following new subsection:

"(b) Notwithstanding subsection (i) of the Act referred to in subsection (a), the Secretary may transfer such sums as are determined to be necessary to provide assistance under that Act to the fund established by subsection (d) of that Act from any funds available for obligation by the Department of Defense. The Secretary shall report the facts concerning any transfer made pursuant to this section to the appropriate Committees of Congress.

BASE CLOSURES AND REALIGNMENTS

SEC. 809. (a) This section may be cited as the "Defense Base Consolidation Act".

(b) Section 2687 of title 10, United States Code, is amended to read as follows:

"§ 2687. Base closures and realignments.

"(a) THRESHOLD.—Notwithstanding any other provision of law, no action may be taken, except for those closures or realignments authorized by other provisions of law, to effect or implement—

"(1) the closure of any military installation at which at least 300 civilian personnel are authorized to be employed,

"(2) any realignment with respect to any military installation referred to in paragraph (1) involving a reduction by more than 1,000, or by more than 50 percent, in the number of civilian personnel authorized to be employed at such military installation at the time the Secretary of Defense notifies the Congress under this section of the Secretary's plan to close or realign such installation, or

"(3) any construction, conversion, or rehabilitation of any military facility that may be required as a result of the closure or realignment of a military installation to which this section applies, unless and until the provisions of subsection (b) are complied with.

"(b) CONGRESSIONAL NOTIFICATION.—If an action described in subsection (a) with respect to the closure or realignment of a military installation is taken, the Secretary shall notify the Committees on Armed Services of the Senate and House of Representatives of the proposed closure or realignment, and submit with the notification an evaluation of the fiscal, local economic, budgetary, environmental, strategic, and operational consequences of such closure or realignment.

"(c) NATIONAL SECURITY EXEMPTION.—Subsections (a) and (b) of this section shall not apply to the closure or realignment of a military installation if the President certifies to the Congress that such closure or realignment must be implemented for reasons of national security or a military emergency.

"(d) IMPLEMENTATION.—

"(1) The Secretary of Defense may—

"(A) carry out actions necessary to implement such closure or realignment, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from such military installation to another military installation, using funds in the Base Closure Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

"(B) provide—

"(i) economic adjustment assistance to any community located near a military installation being closed or realigned, and

"(ii) community planning assistance to any community located near a military installation to which functions will be transferred as a result of such closure or realignment, if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, using funds in the Base Closure Account or funds authorized for and appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

"(C) carry out activities for the purposes of environmental restoration and mitigation using funds in the Base Closure Account or funds appropriated to the Department of Defense for environmental restoration and mitigation; and

"(D) provide outplacement assistance to separating employees at military installations being closed or realigned using funds in the Base Closure Account or funds appropriated to the Department of Defense for outplacement assistance to employees.

"(2) Nothing in this section restricts the authority of the Secretary of Defense or the Secretary of the military department concerned to obtain architectural and engineering services under section 2807 of this title.

"(e) MANAGEMENT AND DISPOSAL OF PROPERTY.—

"(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property and facilities located at a military installation closed or realigned under the procedures established by this section—

"(A) the authority of the Administrator to utilize excess property under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. § 483);

"(B) the authority of the Administrator to dispose of surplus property under section 203 of that Act (40 U.S.C., § 484); and

"(C) the authority of the Administrator to grant approvals and make determinations under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. § 1622(g)).

"(2)(A) Subject to subparagraph (B), the Secretary of Defense shall exercise the au-

thority delegated to the Secretary pursuant to paragraph (1) in accordance with—

"(i) all regulations in effect on the date of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) governing the utilization of excess property and the disposal of surplus under the Federal Property and Administrative Services Act of 1949; and

"(ii) all regulations in effect on the date of the enactment of the Defense Authorization Amendments and Base Closure and Realignment Act governing the conveyance and disposal of property under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

"(B) The Secretary of Defense, after consulting with the Administrator of General Services, may issue regulations that are necessary to carry out the delegation of authority required by paragraph (1).

"(C) The authority required to be delegated by paragraph (1) to the Secretary of Defense by the Administrator of General Services shall not include the authority to prescribe general policies and methods for utilizing excess property and disposing of surplus property.

"(D) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this section, with or without reimbursement, to a military department or other entity (including nonappropriated fund instrumentalities) within the Department of Defense or the United States Coast Guard.

"(E) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this section, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

"(3)(A) Except as provided in paragraph (B), all proceeds—

"(i) from any transfer under paragraph 2(D); and

"(ii) from the disposal of any property or facility made as a result of a closure or realignment under this section, shall be desposited into the Base Closure Account.

"(B) In any case in which the Secretary of Defense requests assistance from the General Services Administration in the management or disposal of property or facilities, the Secretary of Defense shall reimburse the Administrator of General Services in accordance with section 1535 of title 31, United States Code, for any expenses incurred in such activities.

"(f) APPLICABILITY OF OTHER LAW.—

"(1) The provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*) shall not apply to the actions of the Department of Defense in selecting a military installation for closure or realignment, in selecting a military installation to receive functions from an installation to be closed or realigned, and in preparing and providing the Congressional reports required by this section.

"(2) The provisions of the National Environmental Policy Act of 1969, as amended, shall apply to actions of the Department of Defense (A) during the process of property disposal, and (B) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected, but before the functions are relocated. In applying the provisions of such Act, the Secretary of Defense or the Secretary of the military departments concerned shall not have to consider—

"(i) the need for closing or realigning the military installation which has been selected for closure or realignment by the Secretary of Defense or the Secretary of the military department concerned;

"(ii) the need for transferring functions to the military installation which has been selected as the receiving installation; or

"(iii) military installations alternative to those selected.

"(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969, as amended, to the extent such Act is applicable, of any act or failure to act by the Department of Defense or the military department concerned during the closing, realigning, or relocating of functions referred to in clauses (A) and (B) of paragraph (2), or of any act or failure to act by the Department of Defense or the military department concerned under this section, may not be brought later than the 60th day after the date of such act or failure to act.

"(g) WAIVER.—The Secretary of Defense may close or realign military insallations pursuant to the procedures set forth in this section without regard to—

"(1) any prior enacted provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

"(2) the procedures set forth in section 2662 of this title.

"(h) BASE CLOSURE ACCOUNT.—

"(1) The Department of Defense Base Closure Account established under Section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act is hereby permanently established on the books of the Treasury as an account to be known as the "Department of Defense Base Closure Account" which shall be administered by the Secretary of Defense as a single account.

"(2) There shall be deposited into the Account—

"(A) funds appropriated to the Account;

"(B) any funds that the Secretary of Defense may transfer to the Account, from funds appropriated to the Department of Defense for any purpose, provided that the Secretary of Defense transmits written notice of, and justification for, such transfer to the appropriate committees of Congress; and

"(C) proceeds described in subsection (e)(3)(A);

"(3) The Secretary of Defense may use the funds in the Account only for the purposes described in subsection (d).

"(4) When funds in the Account are used to carry out a construction project under section (d)(1), and the cost of the project will exceed the maximum amount authorized by law for a minor construction project, the Secretary of Defense must notify, in writing, the appropriate committees of Congress of the nature of, the justification for, and the amount of expenditures for the project. Any such construction project may be carried out without regard to section 2805 of this title.

"(i) DEFINITIONS.—In this section:

"(1) The term "military installation" means a base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department which is located within the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"(2) The term "civilian personnel" means direct-hire, permanent civilian employees of the Department of Defense.

"(3) The term "realignment" includes any action which both reduces and relocates functions and civilian personnel positions, but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances, or other similar causes.

"(4) The term "Account" means the Department of Defense Base Closure Account established by Public Law 100-526.

"(5) The term "appropriate committees of Congress" means the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives.".

THE SECRETARY OF DEFENSE,
Washington, DC, February 8, 1990.

Hon. J. DANFORTH QUAYLE,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of legislation "To authorize certain construction at military installations for fiscal year 1991, and for other purposes." This legislative proposal is needed to carry out the President's Fiscal Year 1991 budget plan.

This proposal would authorize appropriations in Fiscal Year 1991 for new construction and family housing support for the Active Forces, Defense Agencies, NATO Infrastructure, and Guard and Reserve. In addition, the draft legislation includes an amendment to section 2687 of title 10, United States Code, to improve the management of the Department of Defense by streamlining procedures to close or realign military installations.

This draft Military Construction Authorization Bill would authorize construction projects at installations that I announced as candidates for closure or realignment. When final closure decisions are made, I will ask for appropriate changes to our request.

Current law limits my ability to improve the management of the Department of Defense and achieve savings in the defense budget by closing unneeded or obsolete military installations until after the completion of lengthy and time-consuming studies and evaluations. The net effect of these cumbersome procedures is that few, if any, bases ever get closed.

Section 2687 currently requires Congressional notification during a narrow once a year window. Further, coupled with the National Environmental Policy Act of 1969, it requires extensive reviews of the anticipated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of proposed actions way out of proportion to the benefit of the studies.

In an era when we are attempting to reduce the size of the Department in a prudent, cost-effective manner, section 2687 procedures are wasteful and expensive, and constitute an exercise in futility. They serve only to protect parochial interests and encourage lawsuits.

The enclosed legislation will allow us to streamline and reorganize the Department's domestic base structure in an efficient and constructive manner. It will improve section 2687 procedures to permit Congressional notification at any time, not just the limited

window of opportunity now available. Further, it will expedite the lengthy procedures required by the National Environmental Policy Act of 1969, while still complying fully with all substantive provisions of law designed to protect the environment.

To ease the impact on affected communities, the draft legislation will establish permanently a Base Closure Account. This fund will be available to provide community planning assistance, community impact assistance, environmental restoration and mitigation, as well as out-placement assistance to separating employees.

This Office of Management and Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely,

DICK CHENEY.●

By Mr. NUNN (for himself and Mr. WARNER) (by request):

S. 2173. A bill to improve the management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes; to the Committee on Armed Services.

DEFENSE BASE CONSOLIDATION ACT

● Mr. NUNN. Mr. President, by request, for myself and the senior Senator from Virginia [Mr. WARNER], I introduce, for appropriate reference, a bill to improve the management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes.

I ask unanimous consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act maybe cited as the "Defense Base Consolidation Act."

SEC. 2. Section 2687 of title 10, United States Code, is amended to read as follows:

"§ 2687. Base closures and realignments

"(a) THRESHOLD.—Notwithstanding any other provision of law, no action may be taken, except for those closures or realignments authorized by other provisions of law, to effect or implement—

"(1) the closure of any military installation at which at least 300 civilian personnel are authorized to be employed,

"(2) any realignment with respect to any military installation referred to in paragraph (1) involving a reduction by more than 1,000, or by more than 50 percent, in the number of civilian personnel authorized to be employed at such military installation at the time the Secretary of Defense notifies the Congress under this section of the Secretary's plan to close or realign such installation, or

"(3) any construction, conversion, or rehabilitation of any military facility that may be required as a result of the closure or realignment of a military installation to which this section applies, unless and until the provisions of subsection (b) are complied with.

"(b) CONGRESSIONAL NOTIFICATION.—If an action described in subsection(a) with respect to the closure or realignment of a military installation is taken, the Secretary shall notify the Committees on Armed Services of the Senate and House of Representatives of the proposed closure or realignment, and submit with the notification an evaluation of the fiscal, local economic, budgetary, environmental, strategic, and operational consequences of such closure or realignment.

"(c) NATIONAL SECURITY EXEMPTION.—Subsections (a) and (b) of this section shall not apply to the closure or realignment of a military installation if the President certifies to the Congress that such closure or realignment must be implemented for reasons of national security or a military emergency.

"(d) IMPLEMENTATION.—

"(1) The Secretary of Defense may—

"(A) carry out actions necessary to implement such closure or realignment, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from such military installation of another military installation, using funds in the Base Closure Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

"(B) provide—

"(i) economic adjustment assistance to any community located near a military installation being closed or realigned, and

"(ii) community planning assitance to any community located near a military installation to which functions will be transferred as a result of such closure or realignment,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, using funds in the Base Closure Account or funds authorized for and appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

"(C) carry out activities for the purposes of environmental restoration and mitigation using funds in the Base Closure Account or funds appropriated to the Department of Defense for environmental restoration and mitigation; and

"(D) provide outplacement assistance to separating employees at military installations being closed or realigned using funds in the Base Closure Account or funds appropriated to the Department of Defense for outplacement assistance to employees.

"(2) Nothing in this section restricts the authority of the Secretary of Defense or the Secretary of the military department concerned to obtain architectural and engineering services under section 2807 of this title.

"(e) MANAGEMENT AND DISPOSAL OF PROPERTY.—

"(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property and facilities located at a military installation closed or realigned under the procedures established by this section—

"(A) the authority of the Administrator to utilize excess property under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. § 483); and

"(C) the authority of the Administrator to grant approvals and make determinations under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. § 1622(g)).

"(2)(A) Subject to subparagraph (B), the Secretary of Defense shall exercise the authority delegated to the Secertary pursuant to paragraph (1) in accordance with—

"(i) all regulations in effect on the date of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) governing the utilization of excess property and the disposal of surplus property under the Federal Property and Administrative Services Act of 1949; and

"(ii) all regulations in effect on the date of the enactment of the Defense Authorization Amendments and Base Closure and Realignment Act governing the conveyance and disposal of property under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

"(B) The Secretary of Defense, after consulting with the Administrator of General Services, may issue regulations that are necessary to carry out the delegation of authority required by paragraph (1).

"(C) The authority required to be delegated by paragraph (1) to the Secretary of Defense by the Administrator of General Services shall not include the authority to prescribe general policies and methods for utilizing excess property and disposing of surplus property.

"(D) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this section, with or without reimbursement, to a military department or other entity (including nonappropriated fund instrumentalities) within the Department of Defense or the United States Coast Guard.

"(E) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this section, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

"(3)(A) Except as provided in paragraph (B), all proceeds—

"(i) from any transfer under paragraph 2(D); and

"(ii) from the disposal of any property or facility

made as a result of a closure or realignment under this section, shall be deposited into the Base Closure Account.

"(B) In any case in which the Secretary of Defense requests assistance from the General Services Administration in the management or disposal of property or facilities, the Secretary of Defense shall reimburse the Administrator of General Services in accordance with section 1535 of title 31, United States Code, for any expenses incurred in such activities.

"(f) APPLICABILITY OF OTHER LAW.—

"(1) The provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.) shall not apply to the actions of the Department of Defense in selection a military installation for closure or realignment, in selecting a military installation to receive functions from an installation to be closed or realigned, and in preparing and providing the Congressional reports required by this section.

"(2) The provisions of the National Environmental Policy Act of 1969, as amended,

shall apply to actions of the Department of Defense (A) during the process of property disposal, and (B) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected, but before the functions are relocated. In applying the provisions of such Act, the Secretary of Defense or the Secretary of the military departments concerned shall not have to consider—

"(i) the need for closing or realigning the military installation which has been selected for closure or realignment by the Secretary of Defense or the Secretary of the military department concerned;

"(ii) the need for transferring functions to the military installation which has been selected as the receiving installations; or

"(iii) military installations alternative to those selected.

"(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969, as amended, to the extent such Act is applicable, of any act or failure to act by the Department of Defense or the military department concerned during the closing, realigning, or relocating of functions referred to in clauses (A) and (B) of paragraph (2), or of any act or failure to act by the Department of Defense or the military department concerned under this section, may not be brought later than the 60th day after the date of such act or failure to act.

"(g) WAIVER.—The Secretary of Defense may close or realign military installations pursuant to the procedures set forth in this section without regard to—

"(1) any prior enacted provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

"(2) the procedures set forth in section 2662 of this title.

"(h) BASE CLOSURE ACCOUNT.—

"(1) The Department of Defense Base Closure Account established under Section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act is hereby permanently established on the books of the Treasury as an account to be known as the 'Department of Defense Base Closure Account' which shall be administered by the Secretary of Defense as a single account.

"(2) There shall be deposited into the Account—

"(A) funds appropriated to the Account;

"(B) any funds that the Secretary of Defense may transfer to the Account, from funds appropriated to the Department of Defense for any purpose, provided that the Secretary of Defense transmits written notice of, and justification for, such transfer to the appropriate committees of Congress; and

"(C) proceeds described in subsection (e)(3)(A);

"(3) The Secretary of Defense may use the funds in the Account only for the purposes described in subsection (d).

"(4) When funds in the Account are used to carry out a construction project under section (d)(1), and the cost of the project will exceed the maximum amount authorized by law for a minor construction project, the Secretary of Defense must notify, in writing, the appropriate committees of Congress of the nature of, the justification for, and the amount of expenditures for the project. Any such construction project may be carried out without regard to section 2805 of this title.

"(i) DEFINITIONS.—In this section:

"(1) The term' military installation means a base, camp, post, station, yard, center,' or other activity under the jurisdiction of the Secretary of a military department which is located within the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"(2) The term 'civilian personnel' means direct-hire, permanent civilian employees of the Department of Defense."

THE SECRETARY OF DEFENSE,
Washington, DC, February 8, 1990.

Hon. J. DANFORTH QUAYLE,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of legislation "To improve management of the Department of Defense by streamlining procedures to close or realign military installations, and for other purposes."

Current law limits my ability to improve the management of the Department of Defense and achieve savings in the defense budget by closing unneeded or obsolete military installations until after the completion of lengthy and time-consuming studies and evaluations. The net effect of these cumbersome procedures is that few, if any, bases every get closed.

Section 2687 of title 10, United States Code, currently requires Congressional notification during a narrow once a year window. Further, coupled with the National Environmental Policy Act of 1969, it requires extensive reviews of the anticipated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of proposed actions way out of proportion to the benefit of the studies.

In an era when we are attempting to reduce the size of the Department in a prudent, cost-effective manner, section 2687 procedures are wasteful and expensive, and constitute an exercise in futility. They serve only to protect parochial interests and encourage lawsuits.

The enclosed legislation will allow us to streamline and reorganize the Department's domestic base structure in an efficient and constructive manner. It will improve section 2687 procedures to permit Congressional notification at any time, not just the limited window of opportunity now available. Further, it will expedite the lengthy procedures required by the National Environmental Policy Act of 1969, while still complying fully with all substantive provisions of law designed to protect the environment.

To ease the impact on affected communities, the draft legislation will establish permanently a Base Closure Account. This fund will be available to provide community planning assistance, community impact assistance, environmental restoration and mitigation, as well as out-placement assistance to separating employees.

The Office of Management and Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely,

DICK CHENEY.[1]

By Mr. NUNN (for himself and Mr. WARNER) (by request):

S. 2174. A bill to repeal or modify certain reporting requirements relating to activities of the Department of Defense; to the Committee on Armed Services.

DEFENSE REPORTS REDUCTION ACT

● Mr. NUNN. Mr. President, by request, for myself and the senior Senator from Virginia [Mr. WARNER], I introduce, for appropriate reference, a bill to repeal or modify certain reporting requirements relating to activities of the Department of Defense.

I ask unanimous consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Reports Reduction Act".

TITLE I—REPEALS

SEC. 101. REPORTS IMPOSED BY TITLE 10, UNITED STATES CODE.

Title 10, United States Code, is amended as follows:

(1) (A) Section 117 is repealed.

(B) The table of sections at the beginning of chapter 2 is amended by striking out the item relating to section 117.

(2) Section 127 is amended—

(A) by striking out "Subject to the limitations of sub-section (c), and within" in the first sentence of subsection (a) and inserting in lieu thereof "Within"; and

(B) by striking out subsection (c).

(3) Section 673(b) is amended by striking out the last sentence.

(4) Section 2006(e) is amended—

(A) by striking out paragraph (3); and

(B) by redesignating paragraph (4) as paragraph (3).

(5) Section 2113(j) is amended—

(A) by striking out "subject to paragraph (2)," in subparagraphs (B), (C), and (E) of paragraph (1);

(B) by striking out paragraph (2); and

(C) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(6) Section 2208 is amended by striking out subsection (k).

(7) (A) Section 2216 is repealed.

(B) The table of sections at the beginning of chapter 131 is amended by striking out the item relating to section 2216.

(8) Section 2307 is amended by striking out subsection (d).

(9) (A) Section 2357 is repealed.

(B) Section 2359 is repealed.

(c) The table of sections at the beginning of chapter 139 is amended by striking out the items relating to sections 2357 and 2359.

(10) Section 2367 is amended by striking out subsection (c).

(11) Section 2388 is amended by striking out subsection (d).

(12) Section 2394a(b) is amended—

(A) by striking out "(1)" after "(b)"; and

(B) by striking out paragraph (2).

(13) Section 2401 is amended—

(A) by striking out subsection (b) and inserting in lieu thereof the following:

"(b) The Secretary may make a contract described in subsection (a)(i) if specifically authorized by law to do so.";

(B) by striking out subsection (e); and

(C) by redesignating subsection (f) as subsection (e).

(14) Section 2404 is amended—

(A) by striking out subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(15) Section 2431 is amended—

(A) by striking out subsection (b);

(B) by striking out "or (b)" in subsection (c); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(16) (A) Section 2455 is repealed.

(B) the table of sections at the beginning of chapter 145 is amended by striking out the item relating to section 2455.

(17) Section 2672a(b) is amended by striking out the last sentence.

(18) Section 2675 is amended—

(A) by striking out "(a)" at the beginning of the text of such section; and

(B) by striking out subsection (b).

(19) (A) Section 2706 is repealed.

(B) The table of sections at the beginning of chapter 160 is amended by striking out the item relating to section 2706.

(20) Section 2779(b) is amended by striking out paragraph (4).

(21) Section 2805(b) is amended by striking out paragraph (3).

(22) Section 2834 is amended—

(A) by striking out subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(23) Section 2854 is amended—

(A) by striking out "(a) Subject to subsection (b), the" at the beginning of the section and inserting in lieu thereof "The"; and

(B) by striking out subsection (b).

(24) Section 4314 is amended by striking out the last sentence.

(25) Section 6956 is amended—

(A) by striking out subsection (a); and

(B) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively.

(26)(A) Section 7217 is repealed.

(B) The table of sections at the beginning of chapter 631 is amended by striking out the item relating to section 7217.

(27) Section 7308 is amended by striking out subsection (c).

(28) Section 7309(b) is amended by striking out the last sentence.

SEC. 102. REPORT IMPOSED BY TITLE 32, UNITED STATES CODE.

Section 314(d) of title 32, United States Code, is amended by striking out the last sentence.

SEC. 103. REPORTS IMPOSED BY TITLE 37, UNITED STATES CODE.

Title 37, United States Code, is amended as follows:

(1) Sections 301a and 301c are amended by striking out subsection (e).

(2) Section 303a(c) is amended by striking out the last sentence.

(3) Section 306 is amended by striking out subsection (f).

(4) Section 308b is amended—

(A) by striking out subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(5) Section 308c is amended—

(A) by striking out subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(6) Section 310 is amended by striking out subsection (d).

(7) Section 312b is amended—

(A) by striking out subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(8) Section 312c is amended—

(A) by striking out subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(9) Section 1008(a) is amended by striking out the last sentence.

SEC. 104. REPORTS IMPOSED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1987.

The National Defense Authorization Act for Fiscal Year 1987 (Public Law 99-661; 100 Stat. 3816) is amended as follows:

(1) Section 1207(g) is amended—

(A) in paragraph (3), by striking out subparagraph (C); and

(B) in paragraph (4)—

(i) by striking out subparagraph (B); and

(ii) by redesignating subparagraph (C) as subparagraph (B).

(2) Section 1362 is repealed.

SEC. 105. REPORTS IMPOSED BY DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1986.

The Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 583) is amended as follows:

(1) Section 913 is amended—

(A) by striking out subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(2) Section 915 is repealed.

(3) Section 1456 is amended—

(A) by striking out "(a) CAPABILITY OF DOMESTIC TEXTILE AND APPAREL INDUSTRIAL BASE.—"; and

(B) by striking out subsection (b).

SEC. 106. REPORT IMPOSED BY DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1985.

Section 1002(d)(2) of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 22 U.S.C. 1928 note) is amended—

(1) by striking out subparagraph (A);

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(3) by striking out "subparagraph (A)" in subparagraph (A) (as redesignated by paragraph (2)) and inserting in lieu thereof "paragraph (1)"; and

(4) by striking out "subparagraph (B)" in subparagraph (B) (as redesignated by paragraph (2)) and inserting in lieu thereof "subparagraph (A)".

SEC. 107. REPORT IMPOSED BY DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1976.

Section 808 of the Department of Defense Appropriation Authorization Act, 1976, (Public Law 94-106; 10 U.S.C. 7291 note), is repealed.

SEC. 108. REPORT IMPOSED BY PUBLIC LAW 91-441.

Section 506(d) of Public Law 91-441 (50 U.S.C. 1518) is amended by striking out the last sentence.

SEC. 109. NOTIFICATION REQUIRED BY PUBLIC LAW 85-804.

The first section of Public Law 85-804 (50 U.S.C. 1431) is amended by striking out the last two sentences.

SEC. 110. REPORT IMPOSED BY MILITARY CONSTRUCTION AUTHORIZATION ACT, 1981.

Section 802 of the Military Construction Authorization Act, 1981 (Public Law 96-418; 10 U.S.C. 2431 note), is amended by striking out subsection (e).

SEC. 111. REPORTS IMPOSED BY DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1986.

The Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190 (99 Stat. 1185)), is amended as follows:

(1) Section 8005(j) is amended by striking out "prior fiscal years:" and all that follows and inserting in lieu thereof "prior fiscal years;".

(2) Section 8009 is amended by striking out subsection (d).

SEC. 112. REPORT IMPOSED BY MILITARY SELECTIVE ACT.

Section 18 of the Military Selective Service Act (50 U.S.C. App. 468) is amended—

(1) in subsection (a)—

(A) by striking out "as the President deems appropriate," and all that follows in the first sentence and inserting in lieu thereof "as the President deems appropriate."; and

(B) by striking out the second sentence; and

(2) in subsection (h)—

(A) by striking out "(1)" at the beginning of the text of such subsection; and

(B) by striking out paragraph (2).

SEC. 113. REPORT IMPOSED BY DEFENSE PRODUCTION ACT OF 1950.

Section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099) is repealed.

SEC. 114. REPORT IMPOSED BY FOREIGN ASSISTANCE ACT OF 1961.

Section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h) is amended by striking out subsection (e).

SEC. 115. REPORT IMPOSED BY WATER RESOURCES DEVELOPMENT ACT OF 1986.

Section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287) is amended—

(1) by striking out subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 116. REPORT IMPOSED BY WATER RESOURCES DEVELOPMENT ACT OF 1974.

Section 12 of the Water Resources Development Act of 1974 (33 U.S.C. 579) is repealed.

SEC. 117. REPORT IMPOSED BY FLOOD CONTROL ACT OF 1970.

Section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b) is amended—

(1) by striking out subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

TITLE II—MODIFICATIONS

SEC. 201. REPORTS IMPOSED BY TITLE 10, UNITED STATES CODE

Title 10, United States Code, is amended as follows:

(1) Section 115(b)(3)(A) is amended by striking out "February 15" and inserting in lieu thereof "April 1".

(2) Section 662(b) is amended by striking out "the Secretary shall immediately notify Congress of" in the second sentence and inserting in lieu thereof "the Secretary shall include in the periodic report required by this subsection information on".

(3) Section 2215 is amended—

(A) in subsection (a), by striking out "reports (at the times specified under subsection (d))" and inserting in lieu thereof "an annual report (at the time specified in subsection (d))"; and

(B) by amending subsection (d) to read as follows:

"(d) TIMING OF REPORT.—An annual report shall be submitted to Congress under this section concurrent with the President's budget.".

(4) Section 2434(a)(2) is amended by striking out "at least 30 days".

(5) Section 2457(d) is amended by striking out "Before February 1 of each year," and

inserting in lieu thereof "Before February 1, 1989, and biennially thereafter,".

(6) Section 2662 is amended—

(A) by striking out "$5,000" in subsection (b) and inserting in lieu thereof "$25,000".

(7) Section 2687(b)(1) is amended by striking out ", as part of an annual request for authorization of appropriations to such Committees,".

(8) Section 2853(d)(3) is amended by inserting ", whichever occurs earlier" after "increased cost".

SEC. 202. REPORTS IMPOSED BY DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1985.

The Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2492) is amended as follows:

(1) Section 1002(d) (as amended by section 106) is further amended—

(A) in paragraph (1), by striking out "April 1, 1985, and each year thereafter," and inserting in lieu thereof "April 1, 1989, and biennially thereafter,"; and

(B) in paragraph (2)(A), by adding at the end the following new clause: "(xi) Other selected indicators of NATO capability.".

(2) Section 1003(c) is amended by striking out "The Secretary of Defense shall submit to the Congress each year, not later than March 1," and inserting in lieu thereof "The Secretary of Defense shall submit to the Congress not later than April 1, 1989, and biennially thereafter,".

SEC. 203. REPORT IMPOSED BY ARMS EXPORT CONTROL ACT.

Section 21(c)(2) of the Arms Export Control Act (22 U.S.C. 2761(c)(2)) is amended by striking out "forty-eight hours" and inserting in lieu thereof "five days".

GENERAL COUNSEL,
DEPARTMENT OF DEFENSE,
Washington, DC, February 6, 1990.

Hon. DAN QUAYLE,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed is draft legislation "To repeal or modify certain reporting requirements relating to activities of the Department of Defense."

This proposal is part of the Legislative Program of the Department of Defense for the 101st Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The proposed legislation would repeal or amend certain statutory provisions that require the submission to Congress or to a committee of Congress of recurring reports, notifications, or studies relating to the national defense. The proposal is submitted in accordance with section 602 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433; 10 U.S.C. 111 note).

Section 602(a) of the Act expresses a congressional policy to eliminate unnecessary reporting requirements imposed on the Department of Defense. Section 602(b) directs the Secretary of Defense to provide Congress a list of provisions requiring the submission of recurring reports, notifications, or studies relating to the national defense; to recommend to Congress whether the requirements should be retained, modified, repealed, or consolidated; and to submit to Congress draft legislation to implement any recommended changes in law involving these requirements as well as to conform to the termination of certain reporting, notification, and study requirements by section 602(c). The enclosed draft bill would implement the changes in law recommended by the Department under section 602(b) and the conforming changes warranted by section 602(c).

COST AND BUDGET DATA

Enactment of this legislation would bring about a net reduction in departmental reporting requirements, resulting in some savings in cost to the Department.

Sincerely,

TERRENCE O'DONNELL.

SECTIONAL ANALYSIS

"To repeal or modify certain reporting requirements relating to activities of the Department of Defense."

TITLE I—REPEALS

Title I repeals certain statutory provisions that require the submission to Congress or to a committee of Congress of recurring reports, notifications, or studies concerning the national defense. A number of these provisions are repealed by recommendation of the Department of Defense under section 602(b)(2)(D) of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433; 10 U.S.C. 111 note), which directed the Secretary of Defense to recommend to Congress whether certain requirements for reports, notifications, or studies should be retained, modified, or repealed. Other provisions are repealed to conform to section 602(c) of the Goldwater-Nichols Act, which terminated various statutory reporting requirements.

Following is an analysis of each section of title I. In the case of those sections effecting a repeal in accordance with a recommendation of the Department of Defense under section 602(b)(2)(D) of the Goldwater-Nichols Act, the analysis gives a rationale for each repeal. No rationale is given for a repeal conforming to the termination of a reporting requirement by section 602(c) of the Goldwater-Nichols Act, or for a clerical amendment ancillary to any repeal.

Section 101

Section 101 repeals provisions in title 10, United States Code.

Paragraph (1)(A) of section 101 repeals 10 U.S.C. § 117, which requires the Secretary of Defense to make an annual report to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives on the readiness of the military forces of the North Atlantic Treaty Organization (NATO). The information in this report is generally redundant with information available to Congress in other documents, such as the report required by section 1002(d) of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2575) and the Annual Posture Statements submitted by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. The report under 10 U.S.C. § 117 becomes even more unnecessary in light of section 202(1)(B) of the bill, which amends the Department of Defense Authorization Act, 1985, to expand the reporting requirement in section 1002(d) to cover additional selected indicators of NATO capability.

Paragraph (1)(B) of section 101 strikes out the item relating to 10 U.S.C. § 117 in the table of sections at the beginning of chapter 2 of title 10.

Paragraph (2)(A) of section 101 amends 10 U.S.C. § 127 by striking out the reference in subsection (a) to subsection (c).

Paragraph (2)(B) of section 101 strikes out subsection (c) of 10 U.S.C. § 127. Subsection (c) requires the Secretary of Defense to submit a quarterly report to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives on the expenditure of funds for emergency or extraordinary purposes under subsections (a) and (b).

Paragraph (3) of section 101 strikes out the last sentence of 10 U.S.C. § 673(b). This sentence requires the Secretary of Defense to report at least annually to the Committees on Armed Services of the Senate and House of Representatives on policies and procedures to ensure equitable treatment for the involuntary call to active duty of members of the Ready Reserve.

Paragraph (4)(A) of section 101 strikes out 10 U.S.C. § 2006(e)(3). Section 2006(e)(3) requires the Department of Defense Education Benefits Board of Actuaries to report to the President and Congress, at least once every four years, on the status of the Department of Defense Education Benefits Fund and to recommend such changes as are necessary to protect the public interest and maintain the Fund on a sound actuarial basis.

Paragraph (4)(B) of section 101 redesignates paragraph (4) of 10 U.S.C. § 2006(e) as paragraph (3).

Paragraph (5)(A) of section 101 amends 10 U.S.C. § 2113(j) by striking out the reference to paragraph (2) in paragraphs (1) (B), (C), and (E).

Paragraph (5)(B) of section 101 strikes out 10 U.S.C. § 2113(j)(2). Section 2113(j)(2) requires the Board of Regents of the Uniformed Services University of the Health Sciences to notify the Committees on Armed Services of the Senate and House of Representatives in advance of certain arrangements involving cooperative enterprises with the Henry M. Jackson Foundation for the Advancement of Military Medicine or with other nonprofit entities.

Paragraph (5)(C) of section 101 redesignates paragraphs (3), (4), and (5) of 10 U.S.C. § 2113(j) as paragraphs (2), (3), and (4), respectively.

Paragraph (6) of section 101 strikes out 10 U.S.C. § 2208(k). Section 2208(k) requires the submission of annual reports to the President and Congress on working-capital funds in the Department of Defense. These reports duplicate information in the Statement of Financial Conditions, Standard Forms 220 and 221, filed annually with the Department of the Treasury by each of the military departments. The information so filed is publicly available. The report required by § 2208(k) does not provide additional information which effects the oversight of working-capital funds.

Paragraph (7)(A) of section 101 repeals 10 U.S.C. § 2216. Section 2216 requires the Secretary of Defense to make an annual report to the Committees on Armed Services of the Senate and House of Representatives which identifies and explains, for each budget account for the current fiscal year and the two preceding fiscal years, variances between amounts appropriated to the Department of Defense to offest anticipated inflation and amounts estimated, as of the date of the report, to be needed to offset anticipated inflation. The Department of Defense routinely reports on the current status of programs and makes the information available independently of the requirement in § 2216.

Paragraph (7)(B) of section 101 strikes out the item relating to 10 U.S.C. § 2216 in the

table of sections at the beginning of chapter 131 of title 10.

Paragraph (8) of section 101 strikes out 10 U.S.C. § 2307(d). Section 2307(d) prohibits the Department of Defense, the Department of Transportation, and the National Aeronautics and Space Administration from exercising authority to make certain advance contractual payments in excess of $25,000,000, unless they give prior notification to the Committee on Armed Services of the Senate and House of Representatives.

Paragraph (9)(A) of section 101 repeals 10 U.S.C. § 2357, which requires the Secretaries of the military departments to submit a semiannual report to Congress on all contracts for research or devlopment made during the preceding six months which exceed $50,000. The same information is maintained by the Federal Procurement Data Center and is publicly available.

Paragraph (9)(B) of section 101 repeals 10 U.S.C. § 2359, which requires the Secretary of Defense to give Congress an annual notification with detailed information on any employee of a federal contract research center whose compensation from the United States exceeded the basic pay for level II of the Executive Schedule.

Paragraph (9)(C) of section 101 strikes out the items relating to 10 U.S.C. §§ 2357, 2359 in the table of sections at the beginning of chapter 129 of title 10.

Paragraph (10) of section 101 strikes out 10 U.S.C. § 2367(c). Section 2367(c) prohibits the use of Department of Defense appropriations to operate new federally funded research centers without a prior report to Congress. The report duplicates material available under Office of Procurement Policy Letter 84-1, which requires three notices over a 90 day period in both the Commerce Business Daily and the Federal Register before establishing a new federally funded research and development center. Notices given under this administrative procedure have resulted in numerous inquiries by members of Congress, which indicates that the procedure is adequate to keep Congress informed.

Paragraph (11) of section 101 strikes out 10 U.S.C. § 2388(d). Section 2388(d) requires the Secretaries of the military departments to report to the Committees on Armed Services of the Senate and House of Representatives the terms of contracts for storage, handling, and distribution of liquid fuels and the names of the contractors.

Paragraph (12)(A) of section 101 amends 10 U.S.C. § 2394a by redesignating subsection (b)(1) as subsection (b).

Paragraph (12)(B) of section 101 amends 10 U.S.C. § 2394a by striking out subsection (b)(2). Subsection (b)(2) requires the Secretary of Defense to submit to the Committee on Armed Services of the Senate and House of Representatives a report at least biennially on studies on the use of solar and other renewable forms of energy to meet the needs of the Department of Defense.

Paragraph (13)(A) of section 101 amends 10 U.S.C. § 2401 by deleting the requirement, in subsection (b), for the Secretaries of the military departments to notify the Committees on Armed Services and on Appropriations of the Senate and House of Representatives before contracting for the long-term lease of a vessel or aircraft or for the provision of a service through use by a contractor of a vessel or aircraft. This notification requirement apparently arose out of concern that, under previous tax law, the rental cost of the lessee government agency did not represent the entire cost of the arrangement to the Government because the lessor received tax benefits. However, with the elimination of such tax benefits under recent laws, the Department of Defense believes that the rationale for the congressional notification is no longer valid.

Paragraph (13)(B) of section 101 amends 10 U.S.C. § 2401 by striking out subsection (e). Subsection (e) specifies certain information that must be provided in a request to Congress for authorization for certain leases of aircraft or naval vessels including an analysis by the Secretary of Defense which compares the cost of the Government of the lease (including lost tax revenues) with the cost of direct procurement. Subsection (e) also provides that, after submission of this analysis to Congress, the Director of the Office of Management and Budget and the Secretary of the Treasury shall report to Congress on their evaluation of the analysis. The rationale for striking out § 2401(e) is the same as in the above analysis for paragraph (13)(A); which eliminates the notification requirement in § 2401(b).

Paragraph (13)(C) of section 101 amends 10 U.S.C. § 2401 by redesignating subsection (f) as subsection (e).

Paragraph (14)(A) of section 101 amends 10 U.S.C. § 2404 by striking out subsection (d). Subsection (d) requires the Secretary of Defense to notify Congress whenever he has exercised his authority to waiver provisions of law that govern the formation, terms and conditions, and performance of contracts for the procurement of petroleum by the Department of Defense.

Paragraph (14)(B) amends 10 U.S.C. § 2404 by redesignating subsection (e) as subsection (d).

Paragraph (15)(A) amends 10 U.S.C. § 2431 by striking out subsection (b). Subsection (b) requires the Secretary of Defense to submit a supplemental report or notification to Congress before procuring specified weapon systems. The Department of Defense believes that the annual report on these weapon systems required by subsection (a) of § 2431 currently provides comprehensive data, including information provided in the supplemental reports under subsection (b), and is sufficient for congressional oversight. Further, while the annual report is used extensively by Congress for source documentation, it does not seem that similar use is made of the supplemental reports.

Paragraph (15)(B) of section 101 amends to U.S.C. § 2431 by striking out the reference in subsection (c) to reports required to be submitted under subsection (b).

Paragraph (15)(C) of section 101 amends 10 U.S.C. § 2431 by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

Paragraph (16)(A) of section 101 repeals 10 U.S.C. § 2455, which requires the Secretary of Defense to submit annual progress reports to the Committees on Armed Services of the Senate and House of Representatives on cataloging and standardizing supplies.

Paragraph (16)(B) of section 101 strikes out the item relating to 10 U.S.C. § 2455 in the table of sections at the beginning of chapter 145 of title 10.

Paragraph (17) of section 101 strikes out the last sentence of 10 U.S.C. § 2672a(b). This sentence requires the Secretaries of the military departments to give notice to the Committees on Armed Services of the Senate and House of Representatives before acquiring an interest in land, the acquisition of which is not provided for in a military construction authorization act.

Paragraph (18)(A) of section 101 amends 10 U.S.C. § 2675 by redesignating § 2675(a) as § 2675.

Paragraph (18)(B) of section 101 amends 10 U.S.C. § 2675 by striking out subsection (b). Subsection (b) provides that the Secretaries of the military departments may not exercise their authority under the section to acquire certain real property by lease in a foreign country unless they make prior notification to the Committees on Armed Services of the Senate and House of Representatives.

Paragraph (19)(A) of section 101 repeals 10 U.S.C. § 2706, which requires the Secretary of Defense to submit annual progress reports to Congress on environmental restoration at military facilities.

Paragraph (19)(B) of section 101 strikes out the item relating to 10 U.S.C. § 2706 in the table of sections at the beginning of chapter 160 of title 10.

Paragraph (20) of section 101 strikes out 10 U.S.C. § 2779(b)(4). Subsection (b)(4) requires the Secretary of Defense to report to Congress annually on funds that were appropriated by subsection (b)(2) for the purpose of eliminating losses in military construction or expenses of family housing caused by fluctuations in the exchange rates of foreign currencies. All funds appropriated for that purpose by § 2779(b)(2) have been obligated and expended. More recently, funds were appropriated for the same purpose by section 121 of the Military Construction Appropriations Act, 1987 (as enacted in Public Law 99-591; 100 Stat. 3341-293 and in Public Law 99-500; 100 Stat. 1783-293). Section 121 also prescribes an annual report by the Secretary of Defense to Congress on all transfers made to or from the appropriation. The reporting requirement in section 121 supersedes that in 10 U.S.C. § 2779(b)(4).

Paragraph (21) of section 101 strikes out 10 U.S.C. § 2805(b)(3). Sections 2805(b)(3) prohibits the Secretaries of the military departments from exercising their authority to carry out minor construction projects to relocate certain activities from one installation to another, unless they notify the appropriate congressional committees in advance. The Department of Defense believes that the notification requirement in § 2805(b)(3) is unnecessary because it is subsumed in more stringent notification requirements imposed by provisions in annual appropriations acts, such as section 107 of the Military Construction Appropriations Act, 1988 (as enacted in Public Law 100-202) and section 107 of the Military Construction Appropriations Act, 1987 (as enacted in Public Law 99-591; 100 Stat. 3341-292 and in Public Law 99-500; 100 Stat. 1783-292). These provisions require notification to the Committees on Appropriations before using funds appropriated in those Acts to transfer or relocate any activity from one installation to another.

Paragraph (22)(A) of section 101 amends 10 U.S.C. § 2834 by striking out subsection (b). Subsection (b) prohibits the Secretaries of the military departments from exercising their authority to execute agreements under which the Secretary of State provides housing in foreign countries for personnel of the military departments assigned to those countries, unless the Secretaries of those departments give prior notification to the appropriate congressional committees. The information in these notifications duplicates that in budgets submitted to Congress.

Paragraph (22)(B) of section 101 amends 10 U.S.C. § 2834 by redesignating subsection (c) as subsection (b).

Paragraph (22)(A) of section 101 amends 10 U.S.C. § 2854 by striking out the reference in subsection (a) to subsection (b) and by redesignating § 2854(a) as § 2854.

Paragraph (23)(B) of section 101 amends 10 U.S.C. § 2854 by striking out subsection (b). Subsection (b) prohibits the Secretaries of the military departments from exercising their authority to repair or replace damaged or destroyed military facilities if the cost of repair or replacement would exceed that for a minor military construction project, unless they give prior notification to the appropriate congressional committees. Such repairs and replacements do not increase real property inventory or reflect any changes in stationing or force structure. Accordingly, the Department of Defense believes that notification of these repairs and replacements are of little use to Congress.

Paragraph (24) of section 101 strikes out the last sentence of 10 U.S.C. § 4314. This sentence requires the Secretary of the Army to report annually to the Committees on Armed Services of the Senate and House of Representatives on the awarding of degrees of master of military art and science to graduates of the United States Army command and General Staff College.

Paragraph (25)(A) of section 101 amends 10 U.S.C. § 6956 by striking out subsection (a). Subsection (a) requires the Secretary of the Navy to notify each member of Congress annually of any vacancy that will occur at the United States Naval Academy in the following year for which the member is entitled to nominate candidates.

Paragraph (25)(B) of section 101 amends 10 U.S.C. § 6956 by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively.

Paragraph (26)(A) of section 101 repeals 10 U.S.C. § 7217. Section 7217 requires the Secretary of the Navy to submit an annual report to Congress on appropriations for the Department of the Navy for the preceding fiscal year.

Paragraph (26)(B) of section 101 strikes out the item relating to 10 U.S.C. § 7217 in the table of sections at the beginning of chapter 631 of title 10.

Paragraph (27) of section 101 strikes out 10 U.S.C. § 7308(c). Section 7308(c) provides that the Secretary of the Navy may not use his authority to transfer an obsolete or captured naval vessel to a state or nonprofit organization unless prior notice is given to Congress.

Paragraph (28) of section 101 strikes out the last sentence of 10 U.S.C. § 7309(b). This sentence prohibits the President from exercising his authority to contract for construction of a vessel or certain major components thereof in a foreign shipyard, unless the President gives prior notice to Congress.

Section 102

Section 102 strikes out the last sentence of 32 U.S.C. § 314(d). This sentence requires the Secretaries of the Army and the Air Force to submit abstracts to Congress each year of the reports that are sent to the Secretaries by the state adjutants general of the National Guard.

Section 103

Section 103 repeals provisions in title 37, United States Code.

Paragraph (1) of section 103 strikes out 37 U.S.C. §§ 301a(e), 301c(e). Section 301a(e) requires the Secretary of Defense to submit an annual report to Congress on the payment of aviation career incentive pay to certain members of the uniformed services. Section 301c(e) requires the Secretary of Defense to submit an annual report to Congress on the payment of submarine duty incentive pay to certain members of the Navy.

Paragraph (2) of section 103 strikes out the last sentence of 37 U.S.C. § 303a(c). This sentence requires the Secretary of Defense to report biennially to Congress on special pay for health professionals.

Paragraph (3) of section 103 strikes out 37 U.S.C. § 306(f). Section 306(f) requires the Secretary of Defense to make a report to Congress for any year in which special pay is paid under § 306 to certain officers performing critical duties of unusual responsibility.

Paragraph (4)(A3) of section 103 amends 37 U.S.C. § 308b by striking out subsection (e). Subsection (e) requires the Secretary of Defense to submit a report to Congress every three months on the payment of reenlistment bonuses to members of the Selected Reserve of the Ready Reserve.

Paragraph (4)(B) of section 103 amends 37 U.S.C. § 308b by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

Paragraph (5)(A) of section 103 amends 37 U.S.C. § 308c by striking out subsection (e). Subsection (e) requires the Secretary of Defense to submit a report to Congress every three months on the payment of enlishment bonuses to members of the Selected Reserve of the Ready Reserve.

Paragraph (5)(B) of section 103 amends 37 U.S.C. § 308c by redesignating subsection (f) as subsection (e).

Paragraph (6) of section 103 strikes out 37 U.S.C. § 310(d). Section 310(d) requires the Secretary of Defense to report annually to Congress on the administration of payment of hostile fire or imminent danger pay to members of the uniformed services under § 310.

Paragraph (7)(A) of section 103 amends 37 U.S.C. § 312b by striking out subsection (c). Subsection (c) requires the Secretary of the Navy to make an annual report to the Committees on Armed Services of the Senate and House of Representatives on the payment of bonuses to individuals who agree to participate in officer naval nuclear propulsion plant training.

Paragraph (7)(B) of section 103 amends 37 U.S.C. § 312b by redesignating subsection (d) as subsection (c).

Paragraph (8)(A) of section 103 amends 37 U.S.C. § 312c by striking out subsection (d). Subsection (D) requires the Secretary of the Navy to make an annual report to the Committees on Armed Services of the Senate and House of Representatives on the payment of bonuses to certain officers qualified for naval nuclear propulsion plant service.

Paragraph (8)(B) of section 103 amends 37 U.S.C. § 312c by redesignating subsection (e) as subsection (d).

Paragraph (9) of section 103 strikes out the last sentence of 37 U.S.C. § 1008(a). This sentence requires the President to submit an annual report to Congress on the adequacy of pay and allowances for members of the uniformed services. This report is not used as a basis for decision making on military compensation by either Congress or the executive branch. The automatic annual military pay raises provided for by law eliminated the need for such a report as a means of documenting the need for adjustments in compensation. Further, this report is in large part redundant with the report submitted to Congress on the quadrennial review of compensation for members of the uniformed services, which is required by § 1008(b).

Section 104

Section 104 repeals provisions in the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99-661; 100 Stat. 3816).

Paragraph (1)(A) of section 104 amends § 1207(g) of Public Law 99-661 by striking out paragraph (3)(C). Paragraph (3)(C) provides that the Secretary of Defense shall include, in the semiannual reports to Congress on meeting the goal in § 1207(a) for awarding defense contracts to minority entities, a separate description for blacks, native Americans, Hispanics, Asian Pacific Americans, and other minorities of the percentage and dollar amounts of contracts awarded and the number of entities involved. The reporting requirement in § 1207(g)(3)(C) necessitates the generation of a large volume of records. These records are not created in the normal course of contracting with minority organizations, and are much more detailed than necessary to measure progress toward meeting the minority contract award goal in § 1207(a).

Paragraph (1)(B)(i) of section 104 amends § 1207(g) of Public Law 99-661 by striking out paragraph (4)(B). Paragraph (4)(B) provides that the Secretary of Defense shall include, in the annual reports to Congress on meeting the goal in § 1207(a) for awarding contracts to minority entities, detailed information on failures of such entities to perform in accordance with contractual cost and technical requirements. The collection of such detailed information involves an administratively burdensome and expensive review of every minority contract to determine if all cost and technical requirements have been met. Further, the information available is often incomplete, because on many contracts the Government has no right to obtain information on estimated costs to the contractor or on amounts expended by the contractor.

Paragraph (1)(B)(ii) of section 104 amends § 1207(g) of Public Law 99-661 by redesignating paragraph (4)(C) as paragraph (4)(B).

Paragraph (2) of section 104 repeals § 1362 of Public Law 99-661. Section 1362 prohibits the closure, transfer, or relocation of the correctional facilities at Fort Riley, Kansas, unless the Secretary of Defense gives 180 days advance notice to Congress. The Department of Defense believes that § 1362 infringes unduly on the Department's ability to manage its resources efficiently.

Section 105

Section 105 repeals provisions in the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 583).

Paragraph (1)(A) of section 105 amends § 913 of Public Law 99-145 by striking out subsection (b). Subsection (b) requires the Secretary of Defense to report to Congress each year on establishing and meeting goals for making defense procurements that are competitive procurements.

Paragraph (1)(B) of section 105 amends § 913 of Public Law 99-145 by redesignating subsection (c) as subsection (b).

Paragraph (2) of section 105 repeals § 915 of public Law 99-145. Section 915 requires the Secretary of Defense to report annually to Congress on his plan for performing cost analyses for major defense acquisition programs.

Paragraph (3)(A) of section 105 amends § 1456 of Public Law 99-145 by redesignating § 1456(a) of § 1456.

Paragraph (3)(B) of section 105 amends § 1456 of Public Law 99-145 by striking out subsection (b). Subsection (b) requires the Secretary of Defense to report to Congress every five years on the status of the domestic textile and apparel defense industrial base.

Section 106

Section 106 repeals a provision in the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2492).

Paragraph (1) of section 106 amends § 1002(d)(2) of Public Law 98-525 by striking out subparagraph (A). Subparagraph (A) requires the Secretary of Defense to make an annual report to Congress on the status and cost of the United States commitment to the North Atlantic Treaty Organization (NATO). The Department of Defense believes that the costs in this report have little utility. They obscure the fact that the bulk of United States forces have worldwide missions, and this makes it analytically misleading to single out specific costs as being attributable solely to membership in NATO.

Paragraph (2) of section 106 amends § 1002(d)(2) of Public Law 98-525 by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

Paragraph (3) of section 106 amends § 1002(d)(2) of Public Law 98-525 by striking out the reference in subparagraph (a) (as redesignated by section 106(2) of the bill) to the reporting requirement in "subparagraph (A)" and inserting in lieu thereof a reference to the reporting requirement in "paragraph (1)" of § 1002(d).

Paragraph (4) of section 106 amends § 1002(d)(2) of Public Law 98-525 by striking out the reference in subparagraph (B) (as redesignated by section 106(2) of the bill) to a reporting requirement in "subparagraph (B)" and inserting in lieu thereof a reference to a reporting requirement in "subparagraph (A)" of § 1002(d)(2).

Section 107

Section 107 repeals § 808 of the Department of Defense Appropriation Authorization Act, 1976 (Public Law 94-106; 10 U.S.C. 7291 note). Section 808 requires the Secretary of Defense to submit an annual report to the Committees on Armed Services of the Senate and House of Representatives on any changes in the five year naval ship new construction and conversion program.

Section 108

Section 108 strikes out the last sentence of § 506(d) of Public Law 91-441 (50 U.S.C. 1518). This sentence provides that an immediate report should be made to Congress if a chemical or biological warfare agent is disposed of without having first been made harmless, where such disposal is accomplished in an emergency to save human life.

Section 109

Section 109 strikes out the last two sentences of the first section of Public Law 85-804 (50 U.S.C. 1431). These sentences prohibit an agency that exercises national defense functions from using its emergency authority to make certain procurements without regard to contract laws, unless there is an advance notification to the Committees on Armed Services of the Senate and House of Representatives.

Section 110

Section 110 strikes out § 802(e) of the Military Construction Authorization Act, 1981 (Public Law 96-418; 10 U.S.C. 2431 note). Section 802(e) requires the Secretary of Defense to make an annual report to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives on assistance provided by the Secretary, under § 802, to communities near MX Missile System sites or near the East Coast Trident Base and to the states in which those communities are located.

Section 111

Section 111 repeals provisions in the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190 (99 Stat. 1185)).

Paragraph (1) of section 111 strikes out the clause in § 8005(j) of Public Law 99-190 that requires the Secretary of Defense to notify Congress before obligating funds to pay for an unusual cost overrun incident to overhaul, maintenance, or repair for a ship inducted into an industrial fund activity or contracted for in a prior fiscal year.

Paragraph (2) of section 111 strikes out § 8009(d) of Public Law 99-190. Section 8009(d) requires the Secretary of Defense to notify and report to Congress on the use of the following authorities: to exempt departmental funds and contract authorizations from the apportionment requirements in 31 U.S.C. § 1512; to provide for the cost of an airborne alert as an expense that is excepted, under 41 U.S.C. § 11(a), from the restriction that a Government procurement may be made only when authorized by law or under an adequate appropriation; and to provide for the cost of an increase in the number of members of the armed forces, beyond the number for which funds are appropriated, as an excepted expense under 41 U.S.C. § 11(a).

Section 112

Section 112 repeals provisions in § 18 of the Military Selective Service Act (50 U.S.C. App. 468).

Paragraph (1)(A) of section 112 amends § 18(a) of the Military Selective Service Act by striking out a clause in the first sentence. This clause prohibits the President from using his authority under the sentence to order a private facility to sell certain articles to the armed forces, unless the Committees on Armed Services of the Senate and House of Representatives have received advance notice.

Paragraph (1)(B) of section 112 amends § 18(a) of the Military Selective Service Act by striking out the second sentence. This sentence provides guidance in computing the amount of advance notice that must be given to congressional committees under the clause in § 18(a) that is stricken out by section 112(1)(A) of the bill.

Paragraph (2)(A) of section 112 amends § 18(h) of the Military Selective Service Act by redesignating subsection (h)(1) as subsection (h).

Paragraph (2)(B) of section 112 amends § 18(h) of the Military Selective Service Act by striking out paragraph (2). Section 18(h)(2) provides that the President shall make semiannual reports to Congress on the share of United States steel production that he has required producers to make available to individuals or firms under § 18(h) for use in filling military orders for steel products.

Section 113

Section 113 repeals § 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099). Section 309 requires the President to make an annual report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the impact of offsets on United States defense preparedness and on selected aspects of the United States economy. Reports submitted recently under § 309 have shown that the impact of foreign military sales offsets on defense exports and overall exports is slight.

Section 114

Section 114 strikes out § 514(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(e)). Section 514(e) requires the President to report to Congress whenever United States defense articles valued at more than $10,000,000 are used abroad during any fiscal year to create a new war reserve stockpile or add to an existing stockpile for a foreign country. With regard to countries that are not members of the North Atlantic Treaty Organization (NATO), the report under § 514(e) duplicates information that is provided to Congress for its use in setting the annual ceiling on stockpiling under § 514(b)(1). Further, based on the lack of congressional inquiries arising from the reporting requirement under § 514(e) during the past 10 years, the Department of Defense believes the requirement to be of *minimal* utility at best.

Section 115

Section 115 repeals a provision in § 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287).

Paragraph (1) of section 115 amends § 910 of the Water Resources Development Act of 1986 by striking out subsection (b). Subsection (b) requires the Secretary of the Army to submit an annual report to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate on planning, engineering, and design by the Chief of Engineers for water resources development projects. This report duplicates information provided in support of the budget.

Paragraph (2) of section 115 amends § 910 of the Water Resources Development Act of 1986 by redesignating subsection (c) as subsection (b).

Section 116

Section 116 repeals § 12 of the Water Resources Development Act of 1974 (33 U.S.C. 579). Section 12 requires the Secretary of the Army to submit to Congress annually a list of civil waterway projects that have been authorized for at least eight years without any appropriations in the last eight years, and which the Secretary determines should no longer be authorized. This list essentially duplicates the one that the Secretary of the Army must submit to Congress under § 1001(b)(2) of the Water Resources Development Act of 1986 (Public Law 99-662; 33 U.S.C. 579a(b)(2)), which identifies water resources projects that have been authorized, but for which there has been no obligation of funds during the preceding 10 fiscal years.

Section 117

Section 117 repeals a provision in § 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).

Paragraph (1) of section 117 amends § 221 of the Flood Control Act of 1970 by striking out subsection (e). Subsection (e) requires the Secretary of the Army to maintain information on agreements with local authorities for construction by the Army of water resources projects, and to report annually to Congress on the status of those agreements. The Department of Defense believes that

the excellent record in the performance of these agreements makes it unnecessary to submit recurring reports on their status; information could be provided to Congress in response to specific requests.

Paragraph (2) of section 117 amends § 221 of the Flood Control Act of 1970 by redesignating subsection (f) as subsection (e).

TITLE II—MODIFICATIONS

Title II amends certain statutory provisions that require the submission to Congress or to a committee of Congress of recurring reports, notifications, or studies concerning the national defense. These amendments are made by recommendation of the Department of Defense under section 602(b)(2)(D) of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433; 10 U.S.C. 111 note), the pertinent requirements of which are described in the first paragraph of this sectional analysis, under the heading "TITLE I—REPEALS". The amendments in title II are intended to make the affected statutory reports, notifications, and studies more meaningful to Congress and to facilitate their preparation by the Department of Defense. Following is an analysis of each amendment in title II.

Section 201

Section 201 amends provisions in title 10, United States Code.

Paragraph (1) of section 201 amends 10 U.S.C. § 115(b)(3)(A) to change from February 15 to April 1 the date by which the Secretary of Defense must submit to Congress the report recommending the end strength for the active armed forces and for the civilian personnel of the Department of Defense for the following fiscal year. This report reflects the President's budget, and often requires extensive and time consuming revisions to conform to unforeseen last minute changes in the budget. Submission of the report on April 1 will allow for orderly preparation based on availability of more firm budget data, and will result in a more complete and useful document.

Paragraph (2) of section 201 amends 10 U.S.C. § 662(b) to provide that the report which the Secretary of Defense must make to Congress at least semiannually on the promotion rates of officers in joint duty assignments shall include information on any failure of those promotion rates to meet the objectives set forth in § 662(a), and information on what action is taken to prevent further failures. Currently, § 662(b) requires such information to be provided in the form of a separate notification to Congress. Including this information in the periodic reports would place it in the context in which it can best be understood, while also reducing the number of congressional notifications.

Paragraphs (3) (A) and (B) of section 201 amend 10 U.S.C. § 2215(a), (d) to provide that the report which the Secretary of Defense must submit to the Committee on Armed Services of the Senate and House of Representatives on excess unobligated departmental funds shall be submitted once a year, concurrent with the President's budget, rather than three times a year. The new timing would ensure that this report on excess funds, or savings, coincides with the budgetary submission on which the savings are premised, thus making the report more meaningful. The reduced frequency of the report would decrease the administrative burden of preparation.

Paragraph (4) of section 201 amends 10 U.S.C. § 2434(a)(2) so that the Secretary of Defense may grant approval for full-scale engineering development, or production and deployment, of a major defense acquisition program at any time after having submitted a manpower estimate of the program to the Committees on Armed Services of the Senate and House of Representatives. Currently under § 2434(a)(2) the Secretary must withhold such approval until at least 30 days after submission of the manpower estimate to the Committees. The requirement to wait at least 30 days can result in costly delays in the execution of programs.

Paragraph (5) of section 201 amends 10 U.S.C. § 2457 (d) to provide that the report of the Secretary of Defense to Congress on North Atlantic Treaty Organization (NATO) standardization and interoperability shall be biennial rather than annual. This would be consistent with the Department's biennial budget process and would provide Congress with ample information on NATO standardization and interoperability.

Paragraph (6)(A) of section 201 amends 10 U.S.C. § 2662(b), to change from $5,000 to $25,000 the lower limit of certain real property transactions on which the Secretaries of the military departments must report annually to the Committees on Armed Services of the Senate and House of Representatives. This change in the current threshold takes into account inflation occurring after it was enacted, and will thus reduce reporting requirements while continuing to provide for submission of information to Congress on the financially more significant transactions.

Paragraph (7) of section 201 amends 10 U.S.C. § 2687(b)(1) so that notifications by the Department of Defense to the Committees on Armed Services of the Senate and House of Representatives on certain proposed closures or realignments of military installations would no longer be postponed until the submission of a request for authorization of appropriations, but rather would be made at any time after the particular proposals have been developed. This would generally provide for much earlier submission of information to Congress and for better advance planning to implement the proposals.

Paragraph (8) of section 201 amends 10 U.S.C. § 2853(d)(3) to clarify that certain limitations on reductions in the scope of military construction projects or on increases in the costs of such projects become inapplicable 21 days after the Department of Defense has notified the appropriate congressional committees of such a proposed reduction or increase, or when each of the committees has indicated approval, whichever occurs earlier. The current statutory text does not include the "whichever occurs earlier" language, and has sometimes been interpreted so that the limitations continue to apply long after the 21 day notification period, while congressional committees have neither indicated approval nor disapproval of the proposals. This has caused costly delays.

Section 202

Section 202 amends provisions in the Department of Defense Authorization Act, 1985 (Public Law 98-525; 98 Stat. 2492).

Paragraph (1) of section 202 amends § 1002(d)(1) of Public Law 98-525 to provide that the report which the Secretary of Defense is required to submit to the Committees on Armed Services of the Senate and House of Representatives on certain munitions and aircraft shelters for NATO shall be a biennial rather than an annual report. Biennial submission would be consistent with the Department's budget process, would be of sufficient frequency to ensure that the report is current, and would reduce the administrative burden of preparing the report.

Paragraph (1)(B) of section 202 amends § 1002(d)(2) of Public Law 98-525 (as amended by section 106 of this bill) by adding a new subparagraph (A)(xi). This expands the scope of the report on NATO that is made biennial by section 202(1)(A) of this bill so that the report covers information on selected indicators of NATO capability in addition to those currently listed in subparagraphs (B)(i)-(X) of § 1002(d)(2). The expanded report would give Congress a more complete description of the military status of NATO.

Paragraph (2) of section 202 amends § 1003(c) of Public Law 98-525 to change the timing and frequency of the report on allied contributions to the common defense which the Secretary of Defense is required to submit to Congress. Currently the report must be submitted by March 1 of each year; this is changed to April 1 of every other year. The new timing and frequency would be consistent with the Department's biennial budget process, would continue to ensure that the report is current, and would reduce the administrative burden of preparing the report.

Section 203

Section 202 amends § 21(c)(2) of the Arms Export Control Act (22 U.S.C. 2761(c)(2)) to extend, from 48 hours to five days, the time within which the President must report to Congress on the existence of or a change in status of significant hostilities or terrorist acts which may endanger American lives or property, and which involve a country in which United States personnel are performing security assistance functions. More than 48 hours are generally required to obtain accurate, complete information and to develop prudent assessments of the danger which hostilities or terrorist acts may pose to American lives or property, and to reach a coordinated judgment in the executive branch that a report is legally required under § 21(c)(2). Extending the time for submitting the report would enable more accurate and comprehensive preparation.●

By Mr. BAUCUS:

S. 2175. A bill to amend the Solid Waste Disposal Act to extend the compliance date of financial responsibility requirements and to establish a national program to provide loan guarantees to small businesses for the closure and replacement of underground storage tanks; to the Committee on Environment and Public Works.

UNDERGROUND STORAGE TANK POLLUTION PREVENTION AND ASSISTANCE ACT

● Mr. BAUCUS. Mr. President, I rise today to introduce the Underground Storage Tank Pollution Prevention and Assistance Act. This legislation is needed to help small service stations—especially those in rural areas—comply with Federal underground storage tank requirements.

Mr. President, last week I chaired a hearing to review—among other things—the problems that many tank owners are having in complying with the UST Program.

The general sense from the long list of witnesses that testified at the hearing—witnesses with diverse backgrounds I might add—is that there are serious problems that we must address if the UST Program is going to work.

Let me spend a moment to describe the key problems that were on the minds of the experts at the hearing, and quite frankly on my mind and many of my colleagues.

First, the Underground Storage Tank Program is not working as we had planned. We envisioned a program that would require leak detection first, tank upgrade and replacement next and financial assurance, in that order. Instead, EPA has implemented a program where most underground tank owners need insurance even before they are required to install leak detection equipment.

The problem is that tank owners can't get insurance until they upgrade or replace their tanks or otherwise ensure there is no contamination. Most insurance companies generally require a clean bill of health before they will write a policy. Other insurers will write policies at sites that may have some contamination but the insurance premiums may be as much as $15,000 per tank.

A related problem is that many tank owners simply can't get the money they need to clean up prior releases. Nor can they get the money needed to test their tanks for leaks, or to upgrade or replace their tanks. It seems that some lenders are unwilling to loan money to tank owners out of fear of future liability.

The Petroleum Marketers Association of America sums up the problems best, noting that tank owners: "are caught in a catch-22 situation in their efforts to make the required upgrades for their underground storage tanks and obtain pollution liability insurance for their systems * * *. Insurance companies are telling marketers they must make the upgrades before they will be considered for insurance * * * [but] insurance companies, fearful of what they believe to be potential environmental liability problems, are reluctant to make loans to marketers for the necessary upgrades."

Still another problem is that pollution insurance—which will be required this April for some tank owners, and this October for all others—may not be as readily available as we had hoped. Although 15 private companies offer some form of insurance, and 34 States have insurance funds, recent announcements from the 2 largest insurers of tank insurance—Federated Mutual and Petromark—call into question the short-term availability of insurance.

Federated, has decided to stop writing policies in States that have set up State insurance funds. And Petromark, earlier this month learned that it has serious financial problems that threatens its existence. As a result, Petromark will not sell any new policies, at least until its financial problems are resolved.

These two decisions have created a new wrinkle in the insurance market. One which will make insurance more difficult to get—at least in the short term.

Mr. President, I have received two letters that I ask to be printed in the RECORD at the conclusion of my remarks that illustrates the difficulty tank owners are having.

Mr. President, we need to help tank owners get the money they need to upgrade or replace their tank systems so they can get pollution insurance—and so they can prevent future contamination.

Unfortunately, we are too late to prevent leaks at some 200,000 to 600,000 tanks that are leaking now. Many of these tanks are made of unprotected bare steel and have already corroded.

In my home State of Montana, one-third of the 11,000 tanks are considered high risk tanks. They are made of uncoated steel and have been around for more than 15 years. These tanks may be storing millions of gallons of petroleum, solvents and other chemicals that will leak as tanks corrode and valves loosen.

For some communities in Montana its already too late. Some tanks are already leaking. No one knows for sure how many have leaked but tanks at 250 facilities—presently under State investigation—are leaking and contaminating the soil and groundwater. In fact, in several communities, the municipal water supply wells have been closed after being contaminated from leaking underground storage tanks.

Mr. President, Montana's Department of Health and Environmental Sciences recently sent my office a letter describing real life problems that have occurred in several Montana communities from leaking underground storage tanks. I ask that this letter be printed in the RECORD at the conclusion of my remarks.

Mr. President, leaking underground storage tanks clearly present a very real threat to our health and environment. We must clean up existing contamination and protect against new leaks.

Unfortunately, many small businesses are fighting an uphill battle to comply with the tank requirements we have established. If we are to protect everyone, and prevent new problems from occurring, we must help these owners solve their problems.

The legislation that I am introducing today does just that. It will help small economically disadvantaged businesses meet all of the underground storage tank requirements.

It assures that these businesses—convenience stores, mom and pop gas stations and others—will be able to stay in business. And it assures that these businesses will provide first class environmental protection to the citizens that depend on their services.

The bill ensures this by establishing a loan guarantee program. It authorizes the EPA to guarantee loans up to $200,000, made by lenders, to small disadvantaged businesses. In certain special circumstances, a tank owner could even get a grant to offset some of the regulatory costs.

This program should make it much easier for small disadvantaged businesses to get the financing necessary to replace their unprotected bare steel tanks with the newest tanks available.

The funding for this program will come from the LUST Trust Fund. As my colleagues know, the LUST Trust Fund is currently used to clean up contamination that has already occurred. This bill simply allows the fund to also be used to guarantee loans to small disadvantaged businesses so they can replace their tanks before they leak. Its like preventive medicine.

The bill also extends the compliance date of the financial responsibility requirements by 1 year.

Mr. President, it is true that the law currently provides EPA with authority to suspend enforcement if insurance is not available. However, a suspension could place some tank owners in a vulnerable position with their creditors. Some creditors require compliance with all laws and regulations as a condition for further credit or supplies.

A suspension of enforcement would remove the threat of Government penalties but tank owners without insurance would still be out of compliance. Therefore, this bill extends the compliance date rather than suspending enforcement.

There are some who do not believe that an extension is needed—that it will send a signal that Congress isn't serious about requiring insurance. Others feel that 6 months is all that is needed. Still others argue that one year is not enough.

Let me assure everyone. Congress is serious about pollution insurance. Tank owners must be financially responsible for cleaning up contamination from their tanks. However, given the current disarray and transition within the tank insurance industry I am convinced that an extension is needed.

I believe that a 1-year extension should provide ample time for more insurance to become available. One more year should give more States the time they need to get their insurance funds in place and approved by EPA. And it should provide the time for

more tanks to be tested, upgraded, or replaced so they are more insurable.

Mr. President, we must move forward in implementing the Underground Storage Tank Program. It is important to our well-being that we do. This bill, will help many tank owners get on the right track so that we will make real, measured progress.

Our latest information tells us that we have serious health and environmental problems from leaking underground storage tanks. But it also tells us that we are having serious problems with the UST Program itself. That it's not working.

Without this legislation we could face even more serious environmental problems than we do today. And we could face severe economic disruptions as well—especially to our small mom and pop services. Without this bill, I could easily see a situation where many small stations close up shop but leave behind a huge environmental mess.

This legislation will keep these services open and operating in an environmentally sound manner.

I urge my colleagues to support this bill. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2175

Be it enacted in the Senate and the House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SEC. 1. (a) SHORT TITLE.—This Act may be cited as the "Underground Storage Tank Pollution Prevention and Assistance Act".

(b) TABLE OF CONTENTS.—

Sec. 1 Short Title and Table of Contents.
Sec. 2 Congressional Policy.
Sec. 3 Definitions.
Sec. 4 Underground Storage Tank Loan Guarantee Program.
Sec. 5 Pollution Prevention.
Sec. 6 Leaking Underground Storage Tank Trust Fund Amendment.
Sec. 7 Compliance Dates.

CONGRESSIONAL POLICY

SEC. 2. It is the policy of the Congress to assist in the closure and replacement of underground storage tanks and to assure that qualified small businesses are not prevented from such efforts due to lack of adequate capital. Accordingly, it is the policy of the Congress to provide guarantees of loans made for such purposes.

DEFINITIONS

SEC. 3. Section 9001 of the Solid Waste Disposal Act is amended by adding at the end thereof—

"(9) the term "small business" refers to an owner of an underground storage tank who owns a single such tank or who owns not more than 12 such tanks which are located at a single facility, as defined in subparagraph (D) of paragraph (6) of subsection (h) of section 9003 of this subtitle.

"(10) The term "essential community service" refers to an underground storage tank or several tanks at a facility which is deemed by the agency designated pursuant to subsection (b) of section 9002 of this subtitle to be essential to the continued economic viability of the community or area in which the tank is located. At a minimum, any tank or facility which is currently engaged in the distribution of petroleum to the public and is located more than 50 miles from another underground storage tank currently engaged in the distribution of petroleum to the public may be deemed to be an essential service."

"(11) The term "threatened release" refers to a circumstance where, in the judgment of the Administrator, the failure to take corrective action will result in the release of petroleum."

UNDERGROUND STORAGE TANK LOAN GUARANTEE PROGRAM

SEC. 4. Subtitle I of the Solid Waste Disposal Act is amended by adding at the end thereof the following new section—

"UNDERGROUND STORAGE TANK LOAN GUARANTEE PROGRAM

"SEC. 9011(a) ENCOURAGEMENT OF CLOSURE AND REMOVAL.—(1) In order to encourage the closure and replacement of underground storage, the Administrator is authorized to guarantee, and to enter into commitments to guarantee, principal and interest on loans made by lenders to qualified small business concerns, for the purpose of—

"(A) closure of underground storage tanks, consistent with the requirements of sections 9003(c)(5) and 9004(a)(5) of this subtitle; and

"(B) replacement of underground storage tanks, consistent with the requirements of section 9003(e).

"(b) AMOUNTS OF LOAN GUARANTEE.—(1) Any guarantee under this section shall apply only to so much of the principal amount of the loan involved as does not exceed 90 percentum of the aggregate cost of the activity with respect to which the loan is made.

"(2) The amount of the guarantee of any loan shall not exceed $200,000.

"(3) The aggregate amount of guarantees outstanding under this section at any one time shall not exceed $100,000,000.

"(c) TERMS AND CONDITIONS.—Loan guarantees under this section shall be on such terms and conditions as the Administrator determines, except that a guarantee shall be made under this section only if—

"(1) the loan bears interest at a rate not to exceed such annual percent on the principal obligation outstanding as the Administrator determines to be reasonable, taking into account the range of interest rates prevailing in the private sector for similar loans and risks by the United States;

"(2) the terms of such loan require full repayment over a period not to exceed 20 years;

"(3) in the judgment of the Administrator, the amount of the loan (when combined with amounts available to the qualified borrower from other sources) will be sufficient to carry out the activity with respect to which the loan is made;

"(4) in the judgment of the Administrator, there is reasonable assurance of repayment of the loan by the qualified borrower; and

"(5) the Administrator finds that no other reasonable means of financing or refinancing is reasonably available to the applicant.

"(d) PAYMENT OF PRINCIPAL AND INTEREST.—(1) With respect to any loan guaranteed pursuant to this section, the Administrator is authorized to enter into a contract to pay, and to pay, the lender for and on behalf of the borrower the principal and interest charges which become due and payable on the unpaid balance of such loan if the Administrator finds that—

"(A) the borrower is unable to meet principal and interest charges, that it is in the public interest to permit the borrower to continue to pursue the purposes of the project, and that the probable net cost to the Federal Government in paying such principal will be less than that which would result in the event of a default; and

"(B) the amount of such principal and interest charges which the Administrator is authorized to pay shall be no greater than the amount of principal and interest which the borrower is obligated to pay under the loan agreement.

"(2) In the event of any default by a qualified borrower on a guaranteed loan, the Administrator is authorized to make payment in accordance with the guarantee, and the Attorney General shall take such action as may be appropriate to recover the amounts of such payments, including any payment of principal and interest under paragraph (1) from such assets of the defaulting borrower as are associated with the activity with respect to which the loan was made or from any other surety included in the terms of the guarantee.

"(3) Such amounts as may be returned to the United States pursuant to this subsection shall be paid to the Leaking Underground Storage Tank Trust Fund established pursuant to section 9508 of chapter 98 of subchapter (A) of the Internal Revenue Code of 1986, as amended.

"(e) ESSENTIAL SERVICE MAINTENANCE.—(1) The Administrator may make a grant to a small business, in conjunction with a loan pursuant to this section, for up to 50 percent of the cost of closure and replacement of underground storage tanks if the Administrator determines that–

"(A) the small business is an essential community service;

"(B) not less than three private lending institutions have declined to provide a loan for the closure and replacement of underground storage tanks as guaranteed pursuant to this section; and

"(C) such assistance is in the public interest.

"(f) SEVEN YEAR LIMIT.—No loan guarantee shall be made, or contracts entered pursuant to this section, after the expiration of the 5-year period following the date of enactment of this section.

"(g) REPORTS.—The Administrator shall submit to the Congress annually upon the completion of the appropriate accounting period a report describing the financed operations of the program authorized by this section and making such recommendations for the improved management of the program as he determines to be appropriate.

"(h) PLEDGE OF FULL FAITH AND CREDIT OF UNITED STATES.—The full faith and credit of the United States is pledged to the payment of all obligations incurred under this section."

POLLUTION PREVENTION PROJECTS

SEC. 5. "(a) Section 9003(h)(2) of the Solid Waste Disposal Act is amended by inserting in the second sentence after the term "release" the phrase "or threatened release."

"(b) Section 9003(h)(6)(A) of the Solid Waste Disposal Act is amended by inserting after the term "release" the phrase "or threatened release."

LEAKING UNDERGROUND STORAGE TANK TRUST FUND AMENDMENT

SEC. 6. Section 9508 of Chapter 98 of Subchapter A of the Internal Revenue Code is

amended by deleting the period at the end of subsection (c)(1) and adding at the end thereof "and the loan guarantee and principal and interest payment program authorized by section 9011 of such Act, including the payment of administrative expenses incurred in connection therewith".

COMPLIANCE DATES

SEC. 7. COMPLIANCE DATE.—Section 9003(f)(3) of the Solid Waste Disposal Act is amended by adding at the end the following:

"Owners and operators shall be in compliance with regulations promulgated under subsections (c) and (d) of this section not later than April 26, 1991 for all petroleum marketing firms owning 13-99 underground storage tanks at more than one facility, and not later than October 26, 1991 for persons owning 1-12 underground storage tanks."

FIRST NATIONAL BANK,
Bozeman, MT, February 15, 1990.

Hon. MAX BAUCUS,
U.S. Senate, Washington DC.

DEAR SENATOR BAUCUS: Mr. John Taggart is the owner and operator of the Conoco Travel Shop near Bozeman, Montana and has been a good customer of this bank for many years.

John and I met today regarding his commercial loan account with our bank and the future of his business. During the course of our discussion, I became much more concerned about the enormous liability we lenders have as it pertains to financing of retail gasoline stations due to federal laws concerning leakage of underground gasoline storage tanks.

As a result of this increased liability we lenders are forced to shoulder, I foresee a substantial decrease in willingness on the part of lenders nationwide, to loan money to retail gasoline station operators for testing and clean up of their existing locations, construction of new facilities or remodeling their present facilities. I am sure you recognize that ultimately the consumer and small business owner will suffer from this federal legislation.

Max, please understand I am concerned about leakage of underground gasoline tanks and the contamination of our ground water and soil. I believe lenders across the nation share my interest in providing the necessary loan funds for testing and clean up, if our liability is negated or substantially eliminated.

As I see it, Congress has the choice to relax the liability we lenders face or drive the price of gasoline even higher with substantially fewer small business operators willing to sell gasoline.

Thank you for your consideration.

Sincerely,

ROBERT A. NYSTUEN,
Vice President.

INSURETECH,
INSURANCE TECHNICIANS, INC.,
Billings, MT, February 13, 1990.

Re pollution liability.

JOHN TAGGART,
Conoco Travel Shoppe,
Huffine Lane, Bozeman, MT.

DEAR JOHN: I've contacted all the companies I represent including the one that currently writes the insurance on your business and I cannot find a market for pollution liability for you. I have heard of several risk retention groups. However, I'm not sure they have the financial strength to handle such a volatile area of insurance. I've had dealings in the past with Federated Insurance and their pollution coverage and found them to be almost pulling out of the market due to such poor loss experience.

If I hear of a market for pollution, I'll be glad to research it for you. At the present time, I'm closing my file regarding pollution liability for you.

Best Regards,

JIM WATSON, CIC.

DEPARTMENT OF HEALTH AND
ENVIRONMENTAL SCIENCES,
Helena, MT, February 22, 1990.

Re underground storage tank program.

CLIFF ROTHENSTEIN,
Aide ot Senator Max Baucus,
Washington, DC.

DEAR MR. ROTHENSTEIN: Enclosed is some material you requested by phone today regarding leaking underground storage tanks (USTS) in Montana. I have included a copy of a Quarterly Report that we recently submitted to EPA that summarizes numbers of leaking UST sites for various categories. There are currently about 250 leaking UST sites that our office is involved with; there are approximately 9,700 UST facilities inventoried in the state. Our office has been receiving about 20 to 30 reports of new leaking UST sites per month in Montana. As I mentioned to you on the phone, the leaking tank sites range in extent of contamination from minor spills/overfills to larger leaks that have impacted drinking water supplies or caused gasoline vapors to enter buildings.

Also attached are some excerpts from reports on several leaking tank sites in Montana that cover a variety of impacts. Included are:

Lewistown; State Fish Hatchery; contaminated groundwater discovered when an abandoned UST was removed; located near Big Spring which is the municipal water supply source for Lewistown.

Livingston; Tracy's Chevron gasoline pipeline leak; contaminated groundwater and caused vapor problems in three business buildings in downtown Livingston.

Judith Gap, groundwater contamination that closed down two municipal water supply wells resulting from leaking UST.

Poplar groundwater contamination from leaking USTS that entered city sewer lines and caused vapor problems in several buildings in Poplar.

Great Falls; US West Manhole; gasoline product entered telephone utility line causing vapor and maintenance problems.

West Glacier; gasoline vapors entering several residences in town from unknown source.

Augusta; groundwater contamination that impacted several private drinking wells in town; source appears to be from several leaking USTs.

In addition, a municipal water supply well in Cascade recently was closed down due to benzene contamination that may be from a leaking UST. A school in Baker had to be evacuated approximately two years ago because of gasoline vapors that came from a nearby service station's leaking UST. As you can see, there are a number of problems that can and do result from leaking USTs in Montana.

Please contact me if you have questions or need additional information.

Sincerely,

DOUG ROGNESS,
UST Program,
Corrective Action Manager.●

By Mr. LIEBERMAN (for himself, Mr. LAUTENBERG, Mr. CHAFEE, Mr. DURENBERGER, Mr. JEFFORDS, and Mr. WILSON):

S. 2176. A bill to provide better enforcement of the environmental laws of the United States, and for other purposes; to the Committee on Environment and Public Works.

POLLUTION PROSECUTION ACT

● Mr. LIEBERMAN. Mr. President, today joined by my colleagues, Senators LAUTENBERG, CHAFEE, DURENBERGER, JEFFORDS, and WILSON, I am introducing legislation designed to strengthen the criminal and civil enforcement program at the U.S. Environmental Protection Agency. Specifically, the legislation I am proposing would:

First, increase the number of EPA criminal investigators from 47 to 171;

Second, authorize EPA to hire 50 investigators to assist in the development and prosecution of civil cases;

Third, establish a National Enforcement Training Institute to train lawyers, inspectors, experts and investigators in the Nation's environmental laws;

Fourth, provide that the funding for these measures would come from the penalties collected by EPA in enforcing the Nation's environmental laws.

During my experience as Attorney General of Connecticut, I became acutely aware that having tough laws and regulations in place is only half the battle in achieving compliance with our environmental laws. Ensuring that the laws are enforced is the second critical part of any truly effective system of environmental laws.

One especially important and relatively new approach to environmental enforcement is the use of criminal penalties and imprisonment of individuals who violate our environmental laws.

Attorney General Dick Thornburgh recently stressed the importance of criminal prosecution as a means of deterring deliberate non-compliance with our environmental laws. He stated:

With callous disregard for our actions and an almost hostile view toward the environment, for nearly 200 years we seemed not to care and America took a very long journey down the road of indiscriminate pollution.

But now, thankfully, we do care. And even though it will take a very long time to undo the damage we have done, and even though it will be hugely expensive, and even though our success will be measured in increments—we are on a new course from which we shall not retreat.

Which means that, as a government and as a people, we must and will reamin vigilant. It means, as legal defenders of the health of the land, water and air, we must and will investigate, prosecute and convict polluters. And it means that, as individuals, we must never again say, 'So what?' to environmental crimes.

The laws we have enacted are tough. Under the Clean Water Act, the oil spill legislation passed by the Senate and the Clean Air Act provisions

passed by the Senate Environment and Public Works Committee, a violator can go to jail and face large civil penalties for each violation.

But, while the Attorney General's words are tough, the program at EPA does not provide enough tools for EPA and the Justice Department to follow up on these words. The backbone of EPA's criminal enforcement program is its investigators, who provide EPA with the ability to collect evidence about environmental violations. Yet, unbelievably, EPA only has 47 criminal investigators throughout the nation—in essence, less than one investigator for each State. Some individual States have devoted almost that many investigators to enforcement of State criminal environmental laws. And other law enforcement agencies, such as the Fish and Wildlife Service, have more than four times the number of investigators which EPA has.

In testimony before the Environment and Public Works Committee last November, the former head of the Justice Department's environmental crimes section pointed out the weaknesses in EPA's program created by the woefully inadequate number of investigators. Currently, he testified, cases are investigated by EPA only after the violations are discovered and the harm is done. This means that EPA is always in a reactive posture and that few cases are the product of reasoned or targeted focus on suspected wrongdoing. He testified that, "as a consequence, EPA's limited resources are not directed toward uncovering practices which would provide the greatest public exposure and deterrence." However, with more criminal investigators, EPA would be able to bring cases that would have greater deterrent value than those currently being brought.

I am especially pleased that the proposal to increase the number of criminal investigators and to establish a National Enforcement Training Institute, as set forth in this proposed legislation, was supported in a resolution to the President from the National District Attorneys Association.

Even with the scant resources available, EPA's criminal enforcement program has been active in prosecuting environmental crimes. Since 1983, more than 400 defendants have either pled guilty or been convicted of environmental offenses; more than $23 million in fines have been paid; and more than 271 years of jail time have been imposed.

With the proposed increase in the number of criminal and civil investigators and an increased emphasis on training of law enforcement personnel, I am hopeful that the enforcement of our environmental laws will be strengthened and greater compliance with the laws will occur.

Finally, I believe the proposal to authorize EPA to hire 50 civil investigators will not only strengthen compliance with our laws, but will do so in a cost-effective manner. Investigators are used to track down witnesses; they also provide critical support for court cases. Currently, however, EPA is too often required to rely on outside consultants to only develop cases. As a member of the Governmental Affairs Committee, I have heard extensive testimony that EPA's reliance on contractors is not cost-effective. This legislation will help ensure that EPA's reliance on outside consultants is decreased.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pollution Prosecution Act of 1990".

SEC. 2. EPA OFFICE OF CRIMINAL INVESTIGATION.

The Administrator of the Environmental Protection Agency (hereinafter referred to as the "Administrator") shall increase the number of professional criminal investigators assigned to its Office of Criminal Investigations in fiscal year 1991, and in each of the next following 4 fiscal years. The increase in each such fiscal year shall be at least equal to 30 percent of the aggregate number of criminal investigators assigned to that office during the prior fiscal year. For fiscal year 1991, and in each of the next following 4 fiscal years, the Administrator shall provide additional support staff to the Office of Criminal Investigations.

SEC. 3. CIVIL INVESTIGATORS.

The Administrator, as soon as practicable following the date of the enactment of this Act, but no later than fiscal year 1991, shall hire 50 civil investigators to assist the Office of Enforcement and Compliance Monitoring in developing and prosecuting civil and administrative actions and carrying out its other functions.

SEC. 4. NATIONAL TRAINING INSTITUTE.

The Administrator shall, as soon as practicable but no later than fiscal year 1991, establish within the Office of Enforcement and Compliance Monitoring the National Enforcement Training Institute. It shall be the function of the Institute, among others, to train Federal, State, and local lawyers, inspectors, civil and criminal investigators, and technical experts in the enforcement of the Nation's environmental laws.

SEC. 5. FUND.

(a) There is established in the Treasury of the United States the Pollution Prosecution Fund (hereinafter referred to as the "fund").

(b) Commencing with fiscal year 1991, and each fiscal year thereafter, the Secretary of the Treasury shall transfer to the fund an amount equal to the greater of (1) $10,000,000, or (2) an amount determined by the Secretary to be equal to 50 percent of all moneys (other than moneys specifically earmarked by law for other purposes) deposited in the general revenues of the Treasury during the preceding fiscal year from penalties imposed in connection with the violation of laws administered by the Environmental Protection Agency.

(c) Moneys in the fund shall be available, in such amounts as are provided in appropriation Acts, for use in carrying out the provisions of this Act. Moneys in the fund, to the extent determined by the Administrator to be in excess of the amounts needed for purposes of this Act, shall be returned to the general revenues of the Treasury.

(d) Nothing in this Act shall be construed as reducing or otherwise modifying or limiting any other authorization for appropriations available to the Environmental Protection Agency.

SEC. 6. AUTHORIZATION.

For the purpose of meeting the initial needs of this Act for fiscal year 1991, there is authorized to be appropriated $10,000,000.●

● Mr. LAUTENBERG. Mr. President, I join Senator LIEBERMAN in introducing the Pollution Prosecution Act of 1990. This legislation recognizes that our environmental laws do not work if they are not vigorously enforced.

The bill aims at enhancing EPA enforcement capabilities in a number of ways. First, it increases the number of EPA criminal investigators from 47 to 171. Second, it authorizes EPA to hire 50 investigators to assist in the development and prosecution of civil cases. Third, it establishes a National Enforcement Training Institute to provide training in the enforcement of the Nation's environmental laws for Federal, State, and local lawyers, inspectors, civil and criminal investigators, and technical experts.

Provisions in this bill enjoy important support from the National District Attorneys Association, as was indicated in their November 1989 resolution. This support is not surprising because the bill's author, Senator LIEBERMAN, was himself a distinguished law enforcement official in his prior position as attorney general of Connecticut. Testimony before the Subcommittee on Toxic Substances, Environmental Oversight, and Research & Development particularly noted the problems caused by understaffing. A former Justice Department official noted how the number of criminal investigators currently available was limiting the deterrence capability of EPA enforcement.

Better enforcement training and staffing will result in more effective implementation of our environmental laws. The measure seeks to accomplish these improvements by using funds deposited in the Treasury from the penalties collected by EPA in enforcing environmental laws. So the goal is to enhance enforcement not at the expense of other Federal programs, but instead from drawing from penalties received from violations of environmental laws. And the bill does this without reducing, modifying, or limiting any other authorization, such as

Superfund, for example, available to the Environmental Protection Agency. The virtue of this approach, as is the case with our other Federal environmental statutes, is that the polluter will pay for the costs of responding to pollution.

Mr. President, I believe this legislation provides a basis upon which to improve the Nation's environmental law enforcement, and I look forward to working with the distinguished Senator from Connecticut on moving the legislation forward.●

● Mr. CHAFEE. Mr. President, I am most pleased to join my good friend from Connecticut—Senator LIEBERMAN—and my good friends from the Committee on Environment and Public Works, Senators LAUTENBERG, DURENBURGER, and JEFFORDS—as well as my good friend from California—Senator WILSON—in introducing legislation today that would greatly strengthen the ability of our Government to enforce the many statutes we have enacted to protect our environment.

This bill addresses a pressing need by ensuring that the Environmental Protection Agency will be equipped with the resources to continue our progress as a Nation toward a cleaner and safer environment.

Mr. President, I am proud to say that many Senators have joined with me over the years to enact a great number of statutes designed to protect the environment. As one recent example, I recall the overwhelming vote by which the Senate overrode a Presidential veto of the Water Quality Act of 1987. In addition, of course, we have enacted the Superfund Amendments of 1986, the Hazardous and Solid Waste Amendments of 1984, and a host of other laws on behalf of environmental protection.

But one important fact can not be overlooked in this avalanche of well-intentioned environmental legislation. That fact is that enforcement of these statutes is the essential ingredient in ensuring that the statutes have their desired effect. We can pass all the environmental legislation we want, but the effect will be trivial unless the EPA has the tools to enforce the requirements contained in the legislation.

All of which brings me to the bill we introduce today. This bill goes to the heart of the environmental enforcement effort. It contains several specific provisions that will significantly enhance the ability of the EPA and other Government agencies to ensure compliance with the environmental statutes.

Specifically, the bill would accomplish the following:

First, it would increase from 50 to 175 the number of investigators employed by the EPA to pursue criminal violations of the environmental laws. By so doing, it would significantly increase the ability of the EPA to discover and to punish those who deliberately flout the requirements of the law.

Second, it would authorize the EPA to hire an additional 50 investigators to focus on civil violations of environmental statutes.

Third, it would direct the EPA to establish a national enforcement training institute to educate Federal, State, and local inspectors, experts, investigators, and lawyers in the most current and effective methods of pursuing violations of the environmental statutes.

In addition, the bill provides that funding for these worthwhile objectives would be derived from penalties collected by the EPA from persons and companies that are proved to have violated the environmental statutes. In this fashion, the bill directs that fines collected for environmental harms are directed back into the effort to redress such harms.

Mr. President, this bill merits the strong support of my colleagues, and I invite them to join with me in seeing that it is enacted into law.●

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. DODD, Mr. MOYNIHAN, Mr. LEAHY, Mr. BRADLEY, Mr. GRASSLEY, and Mr. DASCHLE):

S. 2177. A bill to improve the collection and dissemination of information relating to the supply of winter heating fuels, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. GRASSLEY, and Mr. DASCHLE):

S. 2178. A bill to amend title 18, United States Code, to establish a Federal criminal offense for illegal creation of a fuel shortage; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. KOHL, Mr. COHEN, Mr. PELL, Mr. MOYNIHAN, Mr. BRADLEY, Mr. LEAHY, Mr. DODD, Mr. CONRAD, and Mr. DASCHLE):

S.J. Res. 261. Joint resolution making dire emergency supplemental appropriations for low income home energy assistance; to the Committee on Appropriations.

LEGISLATION RELATIVE TO THE HOME HEATING FUELS CRISIS

● Mr. LIEBERMAN. Mr. President, about 12 million households in America heat their homes with heating oil; millions more use propane. When unusually cold weather hit this past December, many of those families found themselves scrambling to get fuel to keep warm, and they were forced to pay top dollar to get it—up to four times higher than usual in some areas. Families and some businesses were hit hard, and many households relying on government energy assistance confronted a painful choice of heating their homes or putting food on the table.

On January 16, 1990, the Governmental Affairs Committee held a hearing on the home heating fuels crisis. Representatives from the Energy Department and Justice Department, as well as the oil industry and consumer groups, testified. Following up on information we received at that hearing, Senator LEVIN and I have prepared three pieces of legislation that we believe will help deal with the aftershocks of this year's crisis and reduce the risk of a similar predicament occurring in the future.

The first bill would require the Department of Energy to establish recommended minimum inventory levels for No. 2 distillate—heating oil and diesel fuel—propane fuel, and natural gas for each winter heating season and report on the adequacy of the Nation's inventories at the start of the season. This year, preseason stocks of distillate were at historic lows, the culmination of nearly a decade-long decline in inventories, and stocks of propane were so low that there were shortages in a number of places. Low inventories contributed to the dramatic rise in prices in December. Our bill would require the Energy Information Administration to publish weekly prices and inventories of these fuels on a State-by-State, regional and national basis. If actual inventories fall below recommended review, the Secretary of Energy would have to notify the President, Congress, and State energy offices for affected States. Finally, the bill would require the Department of Energy to conduct a study on the use of interruptible natural gas contracts, which require large industrial users to switch from gas to heating oil or other fuels when demand for gas is extremely high. Witnesses at the hearing suggested that interruptible natural gas customers added considerably to the strain on the heating oil and propane markets in December and contributed to the steep price increases.

The second bill would make it a Federal offense for anyone to create a fuel shortage with the intent to raise prices or restrict competition. It would also authorize the Attorney General to initiate a civil action for injunctive or monetary relief, including treble damages. Our bill, which is modeled on a State statute, differs from existing antitrust laws because it would apply to a single individual or company and would not require concerted action or a conspiracy.

Finally, we are introducing a companion bill to the House dire energy emergency supplemental appropriations bill—H.J. Res. 455—for the Low

Income Home Energy Assistance Program [LIHEAP]. LIHEAP is a program that works. It is a lifeline to families who are struggling to get by. Witnesses at the hearing testified that, because of the cold snap and high prices early this winter, many housholds have already exhausted their benefits and will be unable to heat their homes as the winter wears on. The bill would provide an additional $300 million to replenish depleted LIHEAP funds, an important step in view of this winter's problems, and the administration's proposed 25 percent cut in LIHEAP funding for fiscal year 1991.

As the weather gets warmer, we should not let the events of this winter slip from memory without taking meaningful steps both to help those in need and to prevent the same thing from happening a few years down the road. We can take those steps by acting on this legislation.●

● Mr. LEVIN. Mr. President, I am pleased to join my colleague, Senator LIEBERMAN, and the rest of our cosponsors in introducing legislation to address the dramatic rise in the price of home heating fuel this past December.

For thousands of families in Michigan and other parts of the Midwest and Northeast, the frigid temperatures of December 1989 will be remembered as a financial nightmare. As fast as the termperatures dropped, fuel prices rose, until many people were faced with the bitter reality of choosing between feeding their families or heating their homes.

The price of home heating oil and propane gas in Michigan in the month of December increased 35 to 40 percent. This dramatic price increase, coupled with a substantial increase in the amount of these products used because of the severe cold spell, resulted in some Michigan residents seeing heating bills that had almost doubled over last year's bills.

Lyle and Betty Hudson of Cedarville, MI, sent my office four of their recent heating bills to show the outrageous increase in the cost of propane. Seeing the actual bill gives you a real feeling for what it is like to be on the receiving end of this price increase. Mr. Hudson was charged $.75 per gallon for his propane on September 1, 1989. He was charged $.95 per gallon just 1 week later, September 8, 1989—an increase of almost 40 percent in 1 week. On December 1, 1989, he was charged $.97 per gallon and then on January 2, 1990, 1 month later, he was charged $1.32 per gallon. That's a 77-percent increase over September 1. Let me tell you, he's mad. He understands that there will be some increase in price because of the severe weather, but he can't understand a 77-percent increase in 4 months, and neither can I.

The Governmental Affairs Committee held a hearing last month to find out the cause for these price increases and to consider ways to prevent the reoccurrence of such a nightmare. The legislation that we are introducing today, if passed, would implement an early warning system for future fuel crises, deter any person from manipulating the fuel supply in order to increase fuel prices by adding a new criminal sanction for such conduct, and, finally, provide immediate relief for those families that were hardest hit by the sudden rise in fuel prices.

To accomplish these legislative goals, Mr. President, we are introducing three separate bills. First, we are introducing a bill which would require more monitoring and information from the Department of Energy [DOE], so we can be apprised on a weekly basis about the status of oil and propane prices and supplies. We must take whatever action we can to prevent or minimize the possibility of a price increase like the one we saw this winter. We can't control the weather, but we can have better management and tighter control over our oil supplies and, therefore, our oil prices.

This bill would require DOE to recommend specific preseason inventory levels for home heating oil and propane and advise the President, Congress and State governments when the inventory levels fall below the DOE recommended levels. Currently, DOE takes no position on the recommended inventory level. We need DOE to be more aggressive in assessing the adequacy of the heating oil and propane fuel inventory. DOE is in an excellent position to determine just what an adequate preseason inventory is and thereby set a goal or standard for the industry to meet.

Second, Mr. President, we are introducing a bill which would make it easier for the Justice Department to bring a price-gouging case. This bill would make it a new crime to individually manipulate fuel supplies in order to increase prices. Under this new statute, the Attorney General would not have to prove collusion or conspiracy amongst companies; the act of one individual or company alone would be enough. Any violation of this statute could result in a criminal penalty of $250,000 or 5 years in prison, or both and the possibility of triple damages in a civil suit.

Finally, we are introducing a joint resolution which would appropriate an additional $300 million for this year's nearly exhausted Low Income Home Energy Assistance Program. On January 8, 1990, 17 governors from the Northeast and Midwest regions of the country wrote to President Bush urging him to seek additional funding for this program and stating that such an increase is "essential." Many States are running out of money, including my home State of Michigan. And this is a program that serves our neediest families—families with incomes averaging $7,000 a year nationally and $5,500 a year in Michigan.

Mr. President, this legislation is not the complete answer to our home fuel pricing problems, but it is an important and worthwhile step we can take right now. We will continue our work to develop legislation to establish a home heating oil and propane gas reserve system, either held by the Federal Government or required of the private oil companies. Establishing a specific reserve seems to be the best hedge against a disastrous period like last December.●

● Mr. CONRAD. Mr. President, I am pleased today to join my colleagues in introducing this resolution making dire emergency supplemental appropriations for the Low Income Home Energy Assistance Program.

Since its inception, LIHEAP has provided essential heating and cooling assistance to millions for poor families. It has helped them keep warm during the winter and cool during the summer. In States with extreme temperatures like North Dakota, some recipients could not survive without this aid.

But despite the fact that so many children, elderly, and their families depend on this important program, LIHEAP has been subjected to repeated budgetary assaults during the past several years. Because of this, only about one-third of those eligible for assistance are receiving it.

Many LIHEAP-eligible households are forced to do without heat at some point during the winter when funds are not available. For example, the National Low Income Energy Consortium reported that 28 percent of all poor or near poor U.S. households reported that because they were unable to pay their utility and fuel bills, they were without heat for 1 or more days during the winter of 1986-87. And LIHEAP funding has continued to decrease since 1987.

From the $1.83 billion level in 1987, LIHEAP funding has now decreased to $1.39 billion. And for the coming year, President Bush has proposed to cut back LIHEAP to $1.05 billion.

The inadequacy of LIHEAP funding has been apparent for years. Yet many have refused to acknowledge the problem. For example, one survey showed that 21 of 49 States were forced to cut heating benefits due to the fiscal year 1988 cuts. Nineteen States reduced the number of households served; 17 eliminated or reduced the use of LIHEAP funds for weatherization—something that would save money in the long run; and 28 States used oil overcharge funds to supplement LIHEAP. In this last group of States, two-thirds were forced to reduce program services.

And what was the reaction? In fiscal year 1989 LIHEAP was cut from $1.53 billion to $1.38 billion.

Finally this past year we were able to stop the steady erosion in LIHEAP appropriations. But then came the record cold temperatures of December, depleting LIHEAP funds to their current levels.

The Washington Post on February 20 ran an article entitled "In Cold Spell, U.S. Heating Assistance Becomes A Lifesaver." That article told the story of several families, and the indispensable nature of LIHEAP to them. It mentioned one family in particular that ran out of heating oil during December. When the schools were closed by the cold weather, the family's five children had to huddle around a wood stove. The family had to pile bales of hay around the base of their farmhouse to insulate the pines.

While the temperature during the last several weeks has been milder, the fact remains that the cold December weather severely depleted LIHEAP funding reserves. It is imperative that Congress act to restore those funds now.

Mr. President, I ask unanimous consent that an article entitled "The LIHEAP Squeeze: Budget Cuts Hurt Program" from October of last year be printed in the RECORD immediately after my statement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE LIHEAP SQUEEZE: BUDGET CUTS HURT PROGRAM

The past few years have been difficult for our national legislators as they struggle with the federal budget. Lawmakers face increasing pressure to reduce the deficit which eventually means that some good programs will experience budget cuts. Add the influence of the savings and loan bailout, the proposed multi-billion dollar anti-drug campaign and the message is clear—the budget is being stretched to the limit.

In this political climate, many programs are in a funding squeeze. Some are in more trouble than others, however, because of the number of years they have been subject to the budget knife. One such plan which has taken more than its share of funding cuts is the Low Income Home Energy Assistance Program (LIHEAP). In fact, funding has been in a steady decline since 1985 when appropriations peaked at $2.1 billion. Since then, funding has dropped by one-third to $1.38 billion this year.

In human terms this means that many low income, handicapped and elderly Americans may not be able to pay their energy bill.

In monetary terms, budget cuts may signal potential increases in energy costs to all customers. LIHEAP has paid a portion of the energy bill of those customers who may otherwise be unable to pay. And just like any other business, the energy utility must include uncollectible accounts in the cost of business, resulting in increases in the overall cost of energy.

For these reasons, the decline in LIHEAP funding is of concern to the nation's natural gas and electric providers.

In 1990, LIHEAP will need to be reauthorized by Congress. Many energy industry leaders will be looking at this activity as an opportunity to strengthen support for the program. A renewed commitment to LIHEAP is necessary because as federal support decreases, the future of this valuable energy assistance program is in jeopardy.

A VALUABLE PROGRAM IN JEOPARDY

A crisis is developing because of a $700 million drop in LIHEAP funds in four years. As a result of this decline, benefits to millions of homes have been reduced and nearly half a million have seen them totally disappear.

Food, water and a warm, dry shelter are essential elements to human existence. Prehistoric man thrived on freshwater streams and a fire to warm the cave and cook the food.

Society has evolved and people with varying standards of living will debate today's essentials for human existence. But regardless of the outcome, the most basic human needs will remain the same—food, water and shelter.

Throughout time a segment of each society has been less fortunate than the rest. In most cases, benevolent citizens have sought ways to provide the essentials to people in need.

One such essential is, of course, warmth. Home heating is certainly a basic requirement in our area of the country and in 1979, President Carter developed a concept to provide heating assistance to needy people. Called the Low Income Home Energy Assistance Program (LIHEAP), the plan has been providing an essential human need to millions of Americans.

In 1989, 5.8 million households received heating assistance from LIHEAP with benefits ranging from $51 to $458 per household. The program benefits low income, handicapped, the elderly and other people truly in need by paying a portion of their energy bills. Typically, LIHEAP recipients have annual incomes under $6,000 with the program covering about 22 percent of their energy costs.

Now the program's future is in question. A crisis is developing because LIHEAP has been victim of a steady decline in funding since 1985. Program funds have dropped $700 million in the past four years. As a result of this 33 percent cut, benefits to millions of homes have been reduced and nearly half a million people have seen LIHEAP benefits totally disappear.

But, funding problems have always been a part of LIHEAP. Even when money for this income-based, block grant program was at its highest, it was never adequate to serve all eligible households nor even pay more than a portion of their energy costs. As a result, further budget cuts will slice deeply into the program. Currently, regular LIHEAP benefits reach only 5.8 million households, just 25 percent of the 24 million households eligible nationwide according to the National Consumer Law Center.

Many states have looked to various solutions to resolve the budget shortfall. Some have raised eligibility criteria so fewer low income households qualify. Other states have simply reduced benefits across the board. Still others have opened the program later or closed it before the heating season ended.

From a LIHEAP perspective, in recent years our area has been more fortunate than others due to the mild winters we have experienced. In 1988, our winter was 10 percent warmer than normal and in 1987, it was 20 percent warmer than normal. This warmer weather, plus the decline and stabilization of energy costs, has masked the full impact of the past LIHEAP funding cuts. But, area utility leaders warn that a normal winter will put many additional low income consumers in jeopardy and a severely cold winter could very well bring about a crisis situation as benefits are lowered and program participation is cut back.

In 1990, LIHEAP will need to be reauthorized. Utility companies along with national energy and consumer associations will be using the reauthorization proceedings as a platform to discuss the benefits of the program. Clearly, LIHEAP has been a valuable tool to help millions of needy families meet a basic human need.

As we approach the 1990s, solutions to budget deficit problems while retaining programs which benefit the needy will not only challenge our creativity but will serve to define our nation's social conscience.

Low Income Home Energy Assistance Program Funding Allocation by State

[In millions]

State	Fiscal years—					Difference from 1985–89
	1985	1986	1987	1988	1989	
Montana	$15.2	$14.5	$13.4	$11.3	$10.2	$5.0
North Dakota	16.6	15.8	14.6	12.2	11.0	5.6
South Dakota	13.4	12.8	11.8	9.9	9.0	4.4
Wyoming	6.2	5.9	5.5	4.6	4.1	2.1

Federal funding of LIHEAP in our region has decreased about 33 percent in four years. This is in spite of the fact that our region has extremely cold winters and high levels of energy usage. Since the typical LIHEAP recipient resides in substandard housing without appropriate weatherization construction and considering the average LIHEAP recipient has an annual income of under $6,000—the cost of energy is a substantial portion of that family's budget.

In recognition of the impact declining LIHEAP funding would have on our region, the program has received substantial support from our congressional delegation. In a gesture of bi-partisan support, the majority of the Senators and House members from our region signed a "Dear Colleague" letter urging full funding of LIHEAP.

Federal funding of LIHEAP

Fiscal year:	*Billions*
1985	$2.10
1986	2.01
1987	1.83
1988	1.53
1989	1.38
1990	

For fiscal year 1990, the House of Representatives authorized a LIHEAP appropriation of $1.4 billion. The Senate decreased the appropriation and approved a budget of $1.278 billion. The approved bill is now in conference committee where it is expected that congressional leaders will "split the difference." LIHEAP supporters have been seeking approval of the House appropriation of $1.4 billion which represents last year's funding level plus inflation. Across the board cuts to fund the administration's drug program as well as other reductions for deficit control reasons may be an additional complication to the LIHEAP appropration.

Congress has cited the availability of oil overcharge funds as justification for previ-

ous funding reductions. Oil overcharge funds were collected from oil companies as a penalty for violating retail price controls imposed in the 1970s. Many states have used these funds to offset LIHEAP cuts but the funds are now nearly exhausted. A survey conducted by the National Consumer Law Center and funded by the Department of Energy, revealed the 95 percent of oil overcharge funds had been allocated. In fact, this year when the administration proposed a reduced LIHEAP appropriaiton, the availability of oil overcharge funds was not indicated as a resource as was done in previous years.●

ADDITIONAL COSPONSORS

S. 364

At the request of Mr. GORE, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 364, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the earned income tax credit, to make credit for dependent care expenses refundable, and for other purposes.

S. 619

At the request of Mr. SARBANES, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 619, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 874

At the request of Mr. FORD, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 874, a bill to establish national voter registration procedures for Presidential and congressional elections, and for other purposes.

S. 1430

At the request of Mr. KENNEDY, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1430, a bill to enhance national and community service, and for other purposes.

S. 1675

At the request of Mr. KENNEDY, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 1675, a bill to provide financial assistance for teacher recruitment and training, and for other purposes.

S. 1695

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 1695, a bill to provide financial assistance to conduct agricultural research and to commercialize such research, and for other purposes.

S. 1751

At the request of Mr. GORTON, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1751, a bill to prohibit the use of refrigerated motor vehicles for the transportation of solid waste, to prohibit the use of cargo tanks in providing motor vehicle transportation of food and hazardous materials, and for other purposes.

S. 1850

At the request of Mr. CONRAD, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 1850, a bill to require sequestration for a fiscal year if the actual deficit for the preceding fiscal year exceeds the target by more than $10,000,000,000.

S. 1853

At the request of Mr. CHAFEE, the names of the Senator from Colorado [Mr. WIRTH], the Senator from Massachusetts [Mr. KERRY], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Mississippi [Mr. COCHRAN], the Senator from Delaware [Mr. BIDEN], the Senator from Virginia [Mr. ROBB], and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of S. 1853, a bill to award a Congressional Gold Medal to Laurence Spelman Rockefeller.

S. 1865

At the request of Mr. DANFORTH, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1865, a bill to require the Comptroller General of the United States to review and report on the effectiveness and fairness of agency policies and procedures for distributing Federal research funds.

S. 1974

At the request of Mr. HARKIN, the names of the Senator from South Carolina [Mr. HOLLINGS] and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of S. 1974, a bill to require new televisions to have built-in decoder circuitry.

S. 2006

At the request of Mr. GLENN, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 2006, a bill to establish the Department of the Environment, provide for a global environmental policy of the United States, and for other purposes.

S. 2021

At the request of Mr. DOLE, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 2021, a bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed financial institutions.

S. 2039

At the request of Mr. COCHRAN, the names of the Senator from Alabama [Mr. SHELBY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Oregon [Mr. PACKWOOD], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 2039, a bill to improve the quality of student writing and learning, and the teaching of writing as a learning process in the Nation's classrooms.

S. 2056

At the request of Mr. HARKIN, the names of the Senator from Michigan [Mr. RIEGLE] and the Senator from Hawaii [Mr. MATSUNAGA] were added as cosponsors of S. 2056, a bill to amend title XIX of the Public Health Service Act to provide grants to States and implement State health objectives plans, and for other purposes.

S. 2083

At the request of Mr. KERRY, the names of the Senator from Maryland [Mr. SARBANES], the Senator from North Dakota [Mr. BURDICK], and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of S. 2083, a bill to bring about a negotiated end to the war in El Salvador, and for other purposes.

S. 2114

At the request of Mr. KENNEDY, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 2114, a bill to promote excellence in American mathematics, science, and engineering education; enhance the scientific and technical literacy of the American public; stimulate the professional development of scientists and engineers; provide for education, training, and retraining of the Nation's technologists; increase the participation of women and minorities in careers in mathematics, science, and engineering; and for other purposes.

S. 2158

At the request of Mr. PRYOR, the names of the Senator from Ohio [Mr. GLENN] and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors of S. 2158, a bill to direct the Secretary of Health and Human Services to promulgate regulations to require that an individual telephoning the Social Security Administration has the option of accessing a Social Security Administration representative in a field office in the geographical area of such individual, and for other purposes.

SENATE JOINT RESOLUTION 224

At the request of Mr. BYRD, the names of the Senator from California [Mr. WILSON], the Senator from Arkansas [Mr. BUMPERS], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of Senate Joint Resolution 224, a joint resolution to designate the month of May 1990 as "National Trauma Awareness Month."

SENATE JOINT RESOLUTION 234

At the request of Mr. LAUTENBERG, the name of the Senator from Nebraska [Mr. EXON], was added as a cosponsor of Senate Joint Resolution 234, a joint resolution to amend one of the reservations under which the United States consented to and participates in the Delaware River Basin Compact.

SENATE JOINT RESOLUTION 240

At the request of Mr. BINGAMAN, the name of the Senator from Arizona [Mr. DECONCINI], was added as a cosponsor of Senate Joint Resolution 240, a joint resolution designating the week of June 10, 1990, through June 16, 1990, as "Multiple-Use Sustained-Yield Week."

SENATE JOINT RESOLUTION 248

At the request of Mr. BOSCHWITZ, the names of the Senator from Montana [Mr. BURNS], the Senator from Indiana [Mr. LUGAR], the Senator from Rhode Island [Mr. PELL], the Senator from New York [Mr. D'AMATO], the Senator from Mississippi [Mr. COCHRAN], the Senator from Alabama [Mr. HEFLIN], the Senator from Texas [Mr. BENTSEN], the Senator from Georgia [Mr. NUNN], the Senator from Wisconsin [Mr. KASTEN], the Senator from Arizona [Mr. DECONCINI], the Senator from California [Mr. WILSON], the Senator from Kansas [Mr. DOLE], the Senator from Idaho [Mr. SYMMS], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maryland [Ms. MIKULSKI], the Senator from New Jersey [Mr. BRADLEY], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Missouri [Mr. BOND], the Senator from North Dakota [Mr. BURDICK], the Senator from Ohio [Mr. GLENN], and the Senator from Minnesota [Mr. DURENBERGER], were added as cosponsors of Senate Joint Resolution 248, a joint resolution to designate the month of September 1990 as "International Visitor's Month."

SENATE JOINT RESOLUTION 251

At the request of Mr. RIEGLE, the names of the Senator from Vermont [Mr. JEFFORDS], the Senator from Oklahoma [Mr. NICKLES], the Senator from Rhode Island [Mr. CHAFEE], the Senator from New Jersey [Mr. BRADLEY], the Senator from Georgia [Mr. FOWLER], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Utah [Mr. HATCH], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. BOND], and the Senator from Texas [Mr. BENTSEN], were added as cosponsors of Senate Joint Resolution 251, a joint resolution designating "Baltic Freedom Day."

SENATE JOINT RESOLUTION 258

At the request of Mr. BRADLEY, the names of the Senator from Delaware [Mr. BIDEN], the Senator from North Carolina [Mr. SANFORD], and the Senator from New Mexico [Mr. DOMENICI], were added as cosponsors of Senate Joint Resolution 258, a joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day."

SENATE RESOLUTION 206

At the request of Mr. DANFORTH, the name of the Senator from New Mexico [Mr. BINGAMAN], was added as a cosponsor of Senate Resolution 206, a resolution to establish a point of order against material that earmarks research moneys for designated institutions without competition.

SENATE RESOLUTION 249—AUTHORIZING THE USE OF THE HART SENATE OFFICE BUILDING ATRIUM ON MARCH 5, 1990

Mr. FORD submitted the following resolution; which was ordered held at the desk by unanimous consent:

S. RES. 249

Resolved, That the Western Kentucky University Choir under the sponsorship of Senator Ford is authorized to use the Hart Senate Office Building Atrium on March 5, 1990 for a musical performance beginning at approximately 12:30 p.m. and ending at 1:00 p.m.

AMENDMENTS SUBMITTED

CLEAN AIR ACT AMENDMENTS

BOSCHWITZ AMENDMENT NO. 1261

(Ordered to lie on the table.)

Mr. BOSCHWITZ submitted an amendment intended to be proposed by him to the bill (S. 1630) to amend the Clean Air Act to provide for attainment and maintenance of health protective national ambient air quality standards, and for other purposes, as follows:

On page 587, after line 23, add the following:

WATER QUALITY OF MISSISSIPPI RIVER

SEC. 703. (a) The Director of the Geological Survey (hereafter referred to in this section as the "Director") shall conduct a study of the water quality of the Mississippi River.

(b) In conducting such study, the Director shall consult with, and request the assistance of, the United States Fish and Wildlife Service, Environmental Protection Agency, the United States Army Corps of Engineers, and appropriate States.

(c) The Director shall enter into a planning period during which he shall consult with such Federal agencies and States to develop a framework for the study. The framework for the study shall be completed within 120 days following the date of the enactment of this Act.

(d) The Director shall report the results of such study, together with his findings and recommendations, to the Congress on or before December 1, 1992.

(e) There is authorized to be appropriated $2,000,000 to carry out the study authorized by this section.

On page 159, immediately after the item "Sec. 702. Stratospheric ozone and global climate protection." add "Sec. 703. Water quality of the Mississippi River.".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the public that a hearing before the Mineral Resources Development and Production Subcommittee of the Committee on Energy and Natural Resources has been rescheduled.

The hearing originally scheduled for 2 p.m. on Wednesday, March 7, 1990, has been rescheduled for Friday, March 9, 1990, at 1 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony concerning S. 1908 and H.R. 737, legislation to amend the Stock Raising Homestead Act, and S. 1805, legislation to authorize the Secretary of the Interior to reinstate oil and gas lease LA 033164.

Those wishing to submit written statements for the hearing record should write to the Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, room 364, Washington, DC 20510. For further information, please contact Lisa Vehmas of the subcommittee staff at (202) 224-7555.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Select Committee on Indian Affairs will be holding an oversight hearing on Wednesday, February 28, 1990, beginning at 9 a.m., in 484 Russell Senate Office Building on the fiscal year 1991 budget for Indian programs.

Those wishing additional information should contact the Select Committee on Indian Affairs at 224-2251.

SPECIAL COMMITTEE ON AGING

Mr. PRYOR. Mr. President, I would like to announce for the public that the Senate Special Committee on Aging has scheduled a hearing on marketing abuses in the Medigap insurance industry.

The hearing will take place on Wednesday, March 7, 1990, beginning at 9 a.m. in room 628 of the Dirksen Senate Office Building in Washington, DC.

For further information, please contact Portia Mittelman, staff director at (202) 224-5364.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on Wednesday, March 21, 1990, to receive testimony for the 1990 farm bill. The hearing will be held at 9:30 a.m. in room 332 of the Senate Russell Office Building. For further information, please call Bob Young of the committee staff at 224-5207.

SUBCOMMITTEE ON AGRICULTURAL RESEARCH

Mr. LEAHY. Mr. President, I wish to announce that the Subcommittee on Agricultural Research, of the Committee on Agriculture, Nutrition, and Forestry, will hold a hearing on March 22, 1990, on S. 2108, the Organic Foods Production Act of 1990. The hearing will be held at 9:30 a.m. in room 332 of the Senate Russell Office Building. For further information, please call Kathleen Merrigan of the committee staff at 224-5207.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on International Trade of the Committee on Finance be authorized to meet during the session of the Senate on February 26, 1990, at 2 p.m. to hold a hearing to evaluate progress thus far in the negotiations to open the Japanese forest products market, and explore trade retaliation should the talks fail.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., February 26, 1990, to receive testimony on two major provisions of H.R. 987, the House-passed Tongass reform legislation: section 104(e), provisions relating to fisheries protection and buffer zones; and title III, provisions relating to the designation of additional wilderness areas on the Tongass National Forest.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Monday, February 26, 1990, to hold hearings on the abuses in Federal student aid programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SOCIAL SECURITY AND FAMILY POLICY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Social Security and Family Policy of the Committee on Finance be authorized to meet during the session of the Senate on February 26, 1990, at 10 a.m. to hold a hearing on the Job Opportunities and Basic Skills Training Program, an education and training program created through the Family Support Act of 1988.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

HIGHER TECHNOLOGY TERRORISM

● Mr. LEAHY. Mr. President, recently I was invited to speak to a meeting of anti-terrorism experts at the FBI Academy in Quantico, VA. The threat of international, state-sponsored terrorist attacks in the United States is of serious concern to me. Many experts in this area agree that there is a need for the United States to be much better prepared to defend itself against sophisticated terrorists exploiting high technology to attack us here at home. The Senate should be doing more to draw attention to this threat to our security.

I ask that my remarks to this seminar be printed in the RECORD.

The remarks follow:

INTERNATIONAL TERRORISM: THE THREAT TO THE UNITED STATES

(Remarks by Senator Patrick Leahy)

Thank you, Mr. Chairman. It is a pleasure to participate in this seminar on the threat of high technology terrorism to the United States.

This is a subject of special concern to me. In the summer and fall of 1988, I held two hearings specifically on high tech terrorism and the risks it poses to the United States. One of my main witnesses was Buck Revell, of the FBI.

In our first hearing we reviewed the nature and scope of the threat. What we heard from all our witnesses was sobering.

There was a consensus that it is only a matter of time before international terrorism strikes us at home. And these terrorists are not likely to be "down at the heels" fringe radicals. They will be well supported by terrorist states like Libya, Iran, Iraq and Syria.

There was also wide agreement that when it comes here, international terrorism is likely to be much more sophisticated in its methods and weapons than we have seen to date.

I have seen nothing in the eighteen months since those hearings to alter these conclusions.

The second hearing concentrated on how prepared we are to cope with this high tech terrorism threat. We looked at some illustrative high tech terrorism scenarios, and worked through how the Administration would deal with them.

Despite some important steps inside the Executive branch to improve intelligence collection, strengthen coordination and do contingency planning, I came away from those hearings deeply concerned that we were not yet ready as a government to deal with a terrorist threat directed against us.

Let me cite just one example.

We looked at a hypothetical scenario in which the US Government had intelligence that terrorists were planning to shoot down an American airliner in revenge for the accidental destruction of the Iranian Airbus by the USS Vincennes in the Persian Gulf.

I pressed the Administration witnesses on how we would handle such advance intelligence. Would we go public and alert the traveling public, with all the likely hysteria that would cause? Or would we withhold the information to prevent panic?

The ambiguous, evasive nonresponses made me uneasy. I was concerned that the Government in fact was not thinking through how we would respond to this kind of situation. I feared this might be symptomatic of a broader unwillingness to face up to the hard policy dilemmas inherent in preparing for international terrorism aimed directly at us.

And within three months, that scenario happened for real.

In December 1988, using a sophisticated, difficult-to-detect device in a tape recorder, terrorists destroyed Pan American flight 103 over Lockerbie, Scotland. Scores of Americans and others died.

In the Pan Am 103 case, the U.S. Government did have certain forewarning of a terrorist threat aimed at an American airline, and using just the type of device which blew up Pan Am 103. Yet, confusion, uncertainty and bureaucratic caution prevailed in that case, as it did in the discussion before my committee in September 1988.

I do not want to dwell on that tragedy. But, I hope you and your colleague are now trying to think through this particular problem of a workable public information policy on terrorist threats.

The point I want to make is that despite a lot of talk and a lot of planning, the failure to have a workable public information policy about terrorism underscores that we still have not got ourselves truly ready for what is likely to be a major long term threat to the security of the United States.

We offer an inviting, highly vulnerable target to the sophisticated international terrorist.

The United States is a society totally dependent on interlocking networks and nodes for communications, transportation, energy transmission, financial transactions, and essential government and public services. Disruption of key nodes by terrorists could cause havoc, untold expense, and perhaps even mass deaths.

We are, in the jargon of the trade, a "target-rich environment."

As my hearings revealed in 1988, the experts in the FBI, DoE, FEMA, the State Department and other agencies are aware of this vulnerability, accept the probability of international terrorism seeking to exploit technology against us, and are doing what they can to deter, defeat and recover from such attacks. Important actions are being taken at the working level in the key agencies in contingency planning for nuclear, biological and chemical terrorism incidents.

For example, I am impressed by the joint task forces of national, state, and local law enforcement, intelligence and emergency response agencies which have been formed under FBI leadership.

It is also very significant that the FBI, DoE, FEMA and other agencies now assign a high priority to preparing for a nuclear terrorist incident. Work is also being done to prepare for what is probably far more likely, a major terrorist action involving chemical or biological agents.

Coordination, collection and sharing of intelligence, pooling of resources, both at the national and local level, and contingency planning are vastly improved over the last five years.

So, I do not want to convey the impression that we in Congress believe little is being done. Merely that not enough is being done.

However, as one who has taken more than a passing interest in this subject, I have to stress that I do not yet feel we are ready pyschologically to cope when international terrorism hits us at home. The mishandling of the Lockerbie tragedy is a warning sign.

Despite a lot of rhetoric—which we do not even hear much anymore—I sense that many political leaders in this country do not seriously believe there is a real and present danger of international terrorism in the United States.

Given our national predilection for being energized by what is in the news today, maybe this complacency is understandable. Through a combination of luck and skill and hard work by the FBI and other agencies, we have thus far had only relatively minor international terrorism incidents at home.

But, to think luck and skill will protect us indefinitely is to live in a fool's paradise.

I think there really is dangerous complacency at the highest levels of our government on this terrorism issue. The pressure we saw two years ago from the Reagan Administration to work with the Congress to forge a strong policy to deal with international terrorism at home is no longer there.

When international terrorism strikes here, I do not think it will be limited to a pipe bomb here or a shooting there. It will be state sponsored terrorists, supported and abetted by intelligence services, national treasuries, embassies and diplomatic pouches. They will strike at us in ever more sophisticated, high tech attacks, exploiting our vulnerabilities and threatening mass destruction. Their aim will be to force changes in our foreign policy or to humiliate us, or to seek revenge.

So, I welcome discussions like this one today. More planning, more coordination, and more work by the experts is certainly necessary, and I commend you for it.

But I would feel a lot more comfortable if I saw real national leadership in pushing for more resources, more high level policy debate, and more sustained attention to the international terrorist threat.●

THE 100TH ANNIVERSARY OF THE FOUNDING OF THE UNITED MINE WORKERS OF AMERICA

● Mr. HEINZ. Mr. President, the year 1990 marks an important milestone for my State and for the Nation. 1990 is the 100th anniversary of the founding of the United Mine Workers of America.

The UMW's history is inextricably linked with America's progress. During the latter part of the last century, America was blessed with a booming industrial expansion. Providing the fuel for this expansion became an urgent priority. Deep in the bowels of the Earth men toiled, picking, shoveling, and blasting at walls of coal. It was coal that satisfied the insatiable appetites of the factories and railroads.

But the workers were unorganized. Their labors were often exploited. Wages were cut. Dependency on the company town was commonplace. The companies were more interested in profit, rather than the welfare of those who labored in their behalf.

On January 25, 1890 a group of 198 mineworkers, representing 20,000 miners from nine States, met and formed the United Mine Workers of America. The union was open to all miners, of all ages, colors, and creeds.

Over the next century, the brothers and sisters of the UMW held together through countless challenges. Through those struggles, they would help achieve living wages, 8-hour work-days, safer workplaces, the end of child labor, and health and retirement benefits. These are all just part of the fair labor practices that all working men and women now enjoy.

Mr. President, we owe a great deal to the membership of the UMW for their tireless efforts in behalf of working people. Around the Nation this year, in areas where coal has been mined for generations, celebrations will be held to commemorate this anniversary. In my State, on March 31 at California, PA, a joint parade and observance will be held by the members and friends of UMWA's districts 4 and 5. I invite my colleagues to join me in commemorating the 100th anniversary of the founding of the United Mine Workers of America.●

NATIONAL RETIREE VOLUNTEER CENTER

● Mr. PRYOR. Mr. President, as the chairman of the Senate Special Committee on Aging, I would like to take this opportunity to draw the attention of my fellow Members to a very special organization known as the National Retiree Volunteer Center [NRVC]. The NRVC serves as a bridge between retired individuals with a desire to serve and community organizations in need of their help. Under this innovative initiative, older men and women work to lessen illiteracy, hunger, drug abuse, at risk youth, and a host of other problems.

NRVC is founded on the principle that this Nation's retirees represent a rich, but untapped, resource of skills and experience. Giving substance to this principle, NRVC volunteers successfully challenge the myth that retirement marks the conclusion of one's contributive years. For these volunteers, the opportunity to contribute to their community may be richer than ever before.

Broadly stated, the goals of the NRVC are to seek lasting solutions to community problems and mobilize retiree assistance, while enriching the quality of life for retirees and their communities. To fulfill these ends, NRVC initiates, develops and expands retiree volunteer programs under the auspices of corporations, Government, educational institutions, and professional institutions.

Through NRVC, all participants—retirees, corporations, and community organizations—gain. In applying the experience they have obtained during their working years, NRVC volunteers are provided a continued sense of purpose. At the same time, corporate sponsors note that their involvement with the program fosters good will with retirees, employees, and community leaders. Community agencies benefit from a skilled and motivated corps of volunteers which allow them to stretch the reach of their existing services and to develop innovative approaches to meeting social needs.

Founded over a decade ago as a local, nonprofit initiative in Minnesota, NRVC currently is helping more than 30 major corporations, 6,000 retiree volunteers, and 800 community agencies across the nation. As part of this effort, NRVC has initiated a number of corporate retiree volunteer programs, among them General Mills, IBM, 3M, Dow Chemical, Unisys, Honeywell, Westinghouse, and American Express. At the same time, it is serving as a guiding force in the development of similar programs for many other corporations.

Mr. President, the number of older Americans is growing, while the chances of living longer and healthier lives are increasing. At the same time, there can be little doubt that the demand for community services across a broad range of areas is continuing to climb. Drawing on the skills, energy, and good will of older volunteers clearly should be among the means this Nation uses to help meet these needs. NRVC is in the vanguard of this effort, and I applaud this successful and timely organization.●

HEALTH CARE CRISIS IN THE UNITED STATES

● Mr. DASCHLE. Mr. President, there is a growing awareness of the magnitude of the health care crisis in the United States, and it becomes increasingly clear to Congress that our past palliative attempts to restrict the escalation of health care costs have failed. Americans pay more for health care than the citizens of any other country in the world, yet we seem to get little in return. Our population is no healthier than that of countries that spend far less per capita on doctors and hospitals, and invest a much smaller proportion of their gross national product on health care.

Much of the debate on health care reform has focused on the problem of those citizens who are too poor to pay for health insurance. However, many working Americans are also unable to insure against the costs of illness or injury because they work in occupations blacklisted by the insurance industry. Blacklisted groups range from

auto dealers to window washers. This problem is most acute for employees of small business which employ less than 50 people.

The magnitude of this problem of occupational underwriting is illustrated in the following article from the New York Times, February 5, 1990. I ask that the full text of this article be reprinted in the RECORD.

The article follows:

[From the New York Times, Feb. 5, 1990]

HEALTH INSURERS, TO REDUCE LOSSES, BLACKLIST DOZENS OF OCCUPATIONS

(By Milt Freudenheim)

In an effort to avoid losses, many insurance carriers have quietly blacklisted dozens of types of small businesses and professions. A wide variety of occupations, from bartender and gas-station attendant to oil driller and dentist, have been declared ineligible for health insurance.

The exclusions are adding heat to the growing debate over how to protect the 31 million uninsured Americans, more than half of whom are working people and their families. At least three Congressional committees and several state commissions are drafting laws that could help make health insurance accessible to those without it. And the insurance industry, hoping to ward off new Government programs and regulations, is scrambling to come up with its own proposals.

SITUATION IS "JUST AWFUL"

In his State of the Union address last week, President Bush said his White House domestic policy advisers would review "recommendations on the quality, accessibility and cost" of health care being developed by Government study groups. A number of Democrats in Congress are working on bills that would require all employers to offer health coverage. Some critics of the insurance industry are also calling for national standards of conduct for insurers.

The situation is "just awful" for small businesses that need health insurance, said James Bissonett, an insurance broker in Eden Prairie, Minn., a suburb of Minneapolis.

The exclusions can have serious consequences for workers in the affected industries. In a number of states, including New York, they may turn to a Blue Cross or Blue Shield plan for coverage, often at a high monthly cost, but in many states such people go without insurance. And many hospitals, doctors and medical clinics will not treat uninsured patients.

While some health insurers have been accused of denying coverage to people in cities and occupations where the insurers contend the AIDS virus is most prevalent, the exclusions extend well beyond these groups. More than 40 industries are listed as "ineligible" in correspondence to insurance brokers from several large insurers. The lists were provided by a New York insurance broker, who asked not to be identified, as examples of the exclusions imposed by many insurance companies.

For instance, a list under the letterhead of the Phoenix Mutual Life Insurance Company, based in Hartford, includes service businesses like laundries, service stations, hotels, motels and restaurants; hazardous or seasonal industries like oil drilling and ski resorts, and health-care providers.

At the Hartford Group, a subsidiary of the ITT Corporation, types of businesses listed as ineligible for medical, disability and life insurance included barber shops, bars, beauty salons, car washes, entertainment groups, fishing enterprises, logging or mining operations, Government-financed nonprofit organizations, drilling and exploration operations for oil and natural gas, scrap dealers, taxi drivers and used-car dealers.

For dental coverage, the same company said chiropractors, dentists, education groups and municipal employees were also ineligible.

Insurance executives cite a number of reasons for the exclusions, which they say are based on their profit-and-loss experiences with such groups. Insurers say that employees of some businesses that sell alcohol, like restaurants and bars, have higher rates of alcoholism, resulting in expensive health problems. They say businesses like lumberyards, munitions plants and sanitation companies can be unprofitable for insurers because of frequent accidents or illnesses.

Other businesses with high turnover and many part-time employees, like motels, convenience stores and hair salons, are excluded because transient employees may be in poor health to start with and insurers find it difficult to verify their health histories, said Henry Raymond, a director of insurance, managed care and provider relations with the Health Insurance Association of America, an insurer trade group in Washington.

"Some industries that have high turnover and low pay may be perceived as occupations that attract an employee whose truthfulness and veracity may be difficult to verify," Mr. Raymond added. He said that in analyzing the health of applicants to decide whether their group should be accepted for insurance and what rates to charge, "it is very difficult to verify what hospital a transient individual went to, or to get a documented health history."

Yet another reason for exclusion, insurance executives say, is a high incidence of claims by people in the health-care professions, like doctors, dentists, nurses, chiropractors and other medical workers. "Because they are highly aware of health-care needs, health providers tend to have a high rate of utilization," said Joan Herman, a senior vice president at Phoenix Mutual.

ADMINISTRATIVE COSTS

Finally, some groups are excluded because insurers say they require high administrative expenses. Insurers say they usually take several years to earn back the start-up costs of enrolling new members, so they shun clients like local governments that require annual open bidding and may frequently switch insurers. Similarly, they contend that some small nonprofit organizations may lose their financing and drop their coverage before the insurer can recoup its costs.

But many groups say the exclusions are arbitrary and unfair. "I would like to see statistical data to show why the arts community is treated like the ammunition industry," said Ted Berger, executive director of the New York Foundation for the Arts.

INDIVIDUALS ALSO DENIED COVERAGE

Arts and dance groups and people like florists and interior designers say their groups are often unfairly excluded on the mistaken assumption that their employees are likely to contract the AIDS virus, even though many states prohibit discrimination against people thought to be at increased risk of AIDS.

Mark Scherzer, a Manhattan insurance lawyer, said small businesses with employees who have consulted mental health therapists were also often refused health insurance.

The exclusions extend beyond certain groups to individuals in small businesses that have not been blacklisted. Many individuals who are ill or have a sick dependent go without health insurance after being rejected—while their fellow workers are accepted—or after being charged steep rate increases. About 2.5 million Americans are considered medically uninsurable, according to Federal estimates.

"Middle-class folks often don't realize how shallow their coverage is and how vulnerable they are," said Maryann O'Sullivan, executive director of Health Access, a California consumer coalition based in Los Angeles. The most impoverished Americans are insured by the Medicaid program run by states and the Federal Government.

The exclusion problem "has gotten worse over the last few years," said Lisa M. Carroll, health services director of the Small Business Service Bureau, an association based in Worchester, Mass., that arranges group insurance for 35,000 businesses.

Insurers say the exclusions have resulted from rapidly rising medical costs that increase their risks. "We're being told the problems are becoming more acute," said Mr. Raymond of the Health Insurance Association. "We hear it from the state insurance commissioners, customers having trouble getting coverage and on Capitol Hill."

SMALL GROUPS SUFFER MOST

Critics of exclusions, including some insurance executives, say blanket denials of coverage are adding heat to a growing debate over improving access to health care for uninsured Americans. The insurance exclusions are felt most by groups of fewer than 50 employees, whose combined premiums frequently do not meet the costs of a single expensive illness. While insurance brokers say they can sometimes negotiate exceptions to the exclusions, small groups often find the price beyond their reach.

The critics say many insurance carriers now concentrate on the customers considered least likely to have high medical costs, avoiding people who would once have been insured as part of a communitywide group.

"The insurance industry is killing itself softly," said Uwe E. Reinhardt, a health-care expert and professor of political economy at Princeton University. "I understand their business needs, but I would like them to get out of the game of picking the favorable risks and excluding the rest. They are getting a terrible reputation."

SOME INSURERS ARE ALARMED

Ms. Carroll of the Small Business Service Bureau said the restrictions were often unfair. "Even though they may hire part-timers, the owners and operators and permanent office staff are also being excluded," she said.

"And most diseases are not industry-specific."

Some insurance executives have also expressed alarm. "We are clearly concerned about accessibility, both as a company and as an industry," said John P. Cole, executive vice president of the Lincoln National Corporation, an insurer based in Fort Wayne, Ind. "What we have to do as an industry is get back in the insurance business, to look at small businesses and take on more risk than we have in the past."

Some insurance carriers have tried to avoid exclusions. Indeed, Blue Cross and Blue Shield associations in some states still

accept all applicants, although their rates have also risen steeply and often include added charges for people in cities where health care is expensive, as well as for elderly people, who are more likely to submit medical claims.

The Small Business Service Bureau arranges coverage for pooled groups of its members with nonprofit Blue Cross and Blue Shield plans and health maintenance organizations that have fewer barriers to membership.

Insurance groups are also discussing special pools financed by the insurance industry that would accept high-risk people, spreading the costs of their care among all insurers. Small employers would still pay a premium, but would receive tax credit or government assistance.

HIGHER RATES FOR EVERYONE

At least 18 states have pools that receive little or no government help. Bob Griss, a policy analyst in Washington with the World Institute on Disability, an advocacy group for disabled people, said groups using the pools must still pay high premiums.

Under the current system, unpaid health costs not covered by insurance are transferred through higher rates to everyone who does have coverage. "We all end up paying more," said Dr. Stephen Crane, a health policy analyst at the Boston University School of Public Health.

Insurers voice frustration about efforts to insure small groups. Joseph Fazzino, a spokesman for the Hartford Group, said the company stopped selling group health insurance last year to most businesses with fewer than 50 employees. He said the exclusion list "may still apply to groups of 50 to 100 employees."

"We've found it is very difficult to adequately price small groups," he added. As for government-financed nonprofit agencies or municipalities, "those might be cases where the clients go out for bids on a yearly basis," he said.

Because such policies cannot be easily renewed, the handling expenses are high. "Some of the other cases have many part-time and transient employees," Mr. Fazzino said.

EXCLUDED FROM HEALTH INSURANCE

Insurance companies often deny small businesses health insurance because of the nature of the work, the rate of claims of the administrative costs.

Hazardous work: Mines, quarries, oil drillers and riggers, lumberyards, logging operations, farms, ranches, charter and unscheduled airlines, aviation and pilot-training schools, munitions plants, sanitation businesses, asbestos-related industries, pest-control services, scrap dealers.

Low-paying or seasonal work: Hotels, motels, restaurants, car washers, laundries, cleaners, entertainment and arts groups, beauty salons, barber shops, bowling alleys, pest-control services, service stations, convenience stores, farms, ranches, fishing enterprises, golf clubs, and resorts, camps.

Higher rate of claims: Doctors, dentists, nurses, chiropractors and other medical workers.

Higher administrative costs: Government-financed nonprofit organizations, municipalities.●

COMMENDATION FOR "WE THE PEOPLE" BICENTENNIAL PROGRAMS

● Mr. GRAHAM. Mr. President, as a new decade begins we are witnessing the springtime of democracy around the world. Thousands of people, once silenced by repressive regimes, are now speaking a common language of liberty, freedom, and justice for all.

We in the United States, founders of the world's most enduring constitutional democracy, can rejoice at the blossoming of democracy. We wish the people of these nations well and pledge our friendship and support as they start down the path toward establishing democratic government.

What better time to impress on our own young people as understanding of these cherished values—values first written down in the Declaration of Independence and our Constitution. Only by instilling in our youth an appreciation for the sacred fire of liberty can we hope to keep it burning bright for generations to come.

In that spirit, I am pleased to recognize a group of State and district coordinators who have demonstrated exemplary dedication to improving our students' civic education. The individuals are Mimi Bissonnette, Theresa Bryant, Eugene Cain, Ronald Cold, James Elliott, Charles Fleming, Connie Hankins, Dr. Gus Jimenez, Sheila Keller, Kathleen McCarron, Dr. James Moore, Randy Pachuta, Laurie Petter, Annette Boyd Pitts, Louie Roos, Clinton Rouse, Cynthia Ryan, Kathy Steiner, Warren Tracy, Dr. Theron Trimble, Margaret Ward, and H. Quinn Wiggins. These individuals coordinate the "We the People . . . Bicentennial Programs on the Constitution and Bill of Rights." These programs include the National Bicentennial Competition, its Noncompetitive Companion Program, Congress and the Constitution and the National Historical Pictorial Map Contest.

Through the dedicated and voluntary efforts of these individuals, thousands of upper elementary, middle, and high school students have studied the program's curriculum. This curriculum, incorporated in the "We the People . . ." text, introduces students to the philosophical ideas of our Founders, the historical background of the Philadelphia Convention and the issues and debates that shaped the writing of our Constitution. Students learn how our Government is organized and how it protects the rights and liberties of all citizens. Most importantly, students learn the responsibilities that accompany the rights of citizenship in the democracy.

Teaching those responsibilities is more important than ever. Presently, only one out of five eligible voters under age 30 exercises their right to vote. It is clear we must do all we can to change that apathy into activism.

These programs are helping do just that. I am pleased to express my admiration and appreciation to these coordinators for their contributions to the development of competent and responsible citizenship.●

PLENARY SESSION OF THE NATIONAL JEWISH COMMUNITY RELATIONS ADVISORY COUNCIL

● Mr. MOYNIHAN. Mr. President, the annual plenary session of the National Jewish Community Relations Advisory Council [NJCRAC] met recently in Phoenix, AZ. This council is the most representative body of American Jews. It includes delegates from 11 national Jewish organizations and 117 local Jewish community councils in 34 States and the District of Columbia.

The members of the Senate are familiar with NJCRAC, and many of my colleagues have participated in plenary functions in previous years, as did Senators DENNIS DECONCINI and CARL LEVIN this year.

I rise to commend to your attention two addresses that were delivered at the NJCRAC opening plenary session on Sunday evening, February 18, 1990. The first is a moving tribute to Andrei Sakharov given by the erudite executive vice chairman of NJCRAC, Albert D. Chernin. The second is a frank and spirited report on conditions in the Soviet Union presented by Oleg Derkovsky, First Secretary of the Embassy of the Union of Soviet Socialist Republics. Secretary Dakovsky's remarks bear remarkable witness to the degree that Andrei Sakharov helped unleash the historic forces of change that are restructuring the Soviet Union. Both Mr. Chernin's magnificent remarks and the warm applause that greeted the remarks of a Soviet official at a major national Jewish event are effective tributes to Andrei Sakharov's rare vision and courage.

I ask that both addresses be printed in the RECORD.

The remarks follow:

ADDRESS OF OLEG DERKOVSKY, FIRST SECRETARY, EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED STATES

Few would dispute today the notion that we are living in a rapidly changing world. Indeed, after a long period of time, when the world order based on confrontation between two social political systems, first and foremost between the USSR and the United States, was perceived as inevitable and the only possible state of international affairs.

Today's changes are regarded by many as something incredible, bordering on the miracle. These changes are warmly welcomed by the absolute majority of governments and peoples all over the world. They lessen the threat of a nuclear disaster, create a fa-

vorable atmosphere for moving toward a kinder and gentler world. (Applause.)

These changes are directly linked to the domestic processes in which the Soviet Union set forth five years ago a course aimed at revoluntionary restructuring of our society based on broad democratization, fundamental return of the economic mechanism and economic management, drastic overhaul of the political system. On the scale of values, we give unquestioned priority to universal human values. And—(Applause.)

We believe that these values must prevail over ideological considerations. We realize—(Applause.)

We realize that with all this diversity in terms of existing social and political systems, our world is still one single whole. This shrinking planet of ours, Earth, is our common heritage and property. It is essential, therefore, that as a human race, we rise above differences in traditional controversies for the sake of human survival. (Applause.)

We are different as far as our national cultural and ethnic traditions are concerned and shall remain different, each with one's own interests and one's own realities. But our objectives are common: Freedom, equality, and justice.

The ways and means of achieving these objectives as well as the forms and concrete shapes they may take in various countries might be different. There are many people in this country who have doubts regarding our ability to solve our economic problems. This is understandable because the state of the Soviet economy and some other developments in my country do give rise to concern. There is some overheating political activity, but that has been generated by the processes of renewal and democratization of public life. This does create problems, but in our situation, a slower pace would probably create even bigger problems.

There is a serious debate in the society, in the Soviet society, with regard to the best ways and means of achieving their objective of Perestroika. Radical opinion demands a faster pace of reforms. The conservative link makes warnings trying to slow down changes or simply to resist them. This is a fact of life now in the Soviet Union. Of course, there are pragmatists who are in between.

In short, a real political struggle is evolving in the Soviet Union on most crucial issues, how best to address the nationalities question, what kind of new arrangements should be made between republics in the Soviet Union, how to respond to demands of full independence proclaimed by certain nationalistic circles in Latvia, Estonia, Lithuania, Georgia, et cetera.

There are no easy answers to these questions, no magic formulas or yardsticks. The road to success is through civilized dialogue and determined movement forward in establishing institutions and making laws of a democratic society.

At this time, Perestroika is going through perhaps its most difficult period. It has turned out that the most complex revolution is a peaceful revolution, a change in the minds of the people. We have a concept of Perestroika. We are continuing a creative search for proper approaches to implement some of the individual elements. Despite all the difficulties, we keep moving steadily forward. We are convinced of our ultimate success.

One of the elements of the economic program of Perestroika is the integration of our country into the world economic system. Our economic ties with the United States could play no small role here. The strategic goal is truly large scale: Mutually advantageous cooperation and interaction of the Soviet and American economies. This would benefit both sides.

Unfortunately, what stands in the way are the remaining discriminatory barriers, whether the absence of most favored nation status or the outdated COCOM regulations.

The U.S. administration declared at Malta that it was ready to move toward normalization of trade and economic relations. We do hope that this readiness will be translated into concrete deeds. We are aware of the nature of discussions in American political quarters regarding the fate of Perestroika, whether it is in the United States' interest to see Perestroika succeed or fail.

There are also more philosophical observations being made to the effect that advances on the Soviet Union and Eastern Europe constitute the collapse of Communism and the ultimate triumph of capitalism. Some even believe that the end of history has come. We obviously disagree with such conclusions.

Yes, we have failed in our experiment with socialism in our attempts to put into life ideals and dreams of social justice as they had been perceived by founding fathers of socialism. Yet, the idea of socialism is not dead since ideas do not die.

I urge you to regard Perestroika as a fresh start to achieve the noble goals of freedom, democracy, moral integrity, material and cultural prosperity. (Applause.)

We are starting to create a society capable of developing and renovating itself, a society with dynamic and effective economy with a real—not just declared—power of people, oriented toward meeting the requirements of a truly free man, a society with its own effective system of checks and balances. I'm speaking about a system of government which would place above all else the needs and interests of a human being which would create conditions for realizing the unique potential and talents of each and every individual.

I'm sure you're informed about the recent plenary session of the Central Committee of the CPSU. By endorsing a new draft platform for the party, we have made a giant step toward a democratic socialism, a step along the way of transferring power from the party to democratically elected councils. The party itself is changing its role. It is determined to continue to fight for the leading role in the society by political means in competition with other social, political movements, not by monopolizing power and not by fixing such a monopoly in the constitution. (Applause.)

The above-mentioned platform promotes the idea of establishing a presidential system of government in the Soviet Union; that is, concentrated executive power in the hands of a president and his cabinet. The next important stage will be the XXVIII party congress, maybe June, July, which is empowered to adopt the platform I have spoken about.

It is worthy of note that the acceptance by western countries in the last 50 years of number of principles of socialism and, above all, the social protection of an individual is the reason why western civilization has found a way out of the deepest crisis into which it was plunged in the '30s.

Today we are being criticized for introducing capitalist market elements, allegedly undermining our state-owned enterprises and thus socialism.

Ironically, President Roosevelt was accused in the 1930s of "Sovietizing," America and of ruining free enterprise. Now it seems that we have exchanged roles. It is socialism that should show the ability to overcome the crisis on the basis of revolution and renovation of fundamental values.

As for the question on which of the two existing social systems will prove to be the best in giving people greater freedom and well-being, let us leave it for future generations to decide. Most probably the exemplary social structure of the third millennium will sensitize all positive experience accumulated by mankind.

A few words about Soviet-American relations:

There is every reason to assert that over the past years, U.S.-Soviet relations have been elevated to a qualitatively new level. A series of high-level meetings and contacts in Moscow and Wyoming ministerials and finally the shipboard summit at Malta each took us further away from confrontation and closer to cooperation. The most important result is the strong mutual perception that the threat of war has greatly diminished.

The so-called "enemy-image" which is being eroded. The cold war is basically behind us and every major prerequisite is there to effect a decisive turn in our relationship toward more cooperation, more interaction and true partnership as an integral part of the global process of normalization of international situation. (Applause.)

At Malta our leaders reached a broad agreement on a program of practical steps to further develop our relationship. A landmark event in this process will be President Gorbachev's visit to this country in late June of this year for a full-fledged Soviet-American summit. I think it will be no exaggeration to say that the year 1990 promises to be one of the most productive in terms of Soviet-American agreements in the key area of our relationship—security and arms control.

It is a fact of life that the Soviet Union and the United States are the two major and most powerful states in the Contemporary world. This does not confer them any special privileges but imposes very special responsibility. For we are the custodians of tremendous and terrifying power capable of destroying this civilization. This danger—and it did not cease to exist—makes irrelevant scholastic disputes on capitalism and socialism.

If, God forbid, a nuclear disaster were ever to break out, ashes for what we call capitalism would be undistinguishable from ashes for what we call socialism. Therefore, cooperation between us is not just one option. It is the only option. (Applause.)

The changes in our military posture and thinking are well-known. These changes are real ones, and not just hasbara. (Laughter.)

This is the only Hebrew word I know, and—(Laughter).

And these changes are being recognized as such in this country as well. In turn, we are encouraged that for the first time in the post-war history a serious discussion is under way in the United States about a need for a fundamental revision of the United States' military strategy and posture. (Applause.)

Just two years ago, we had the conclusion of the INF Treaty that actually eliminated a portion of our nuclear arsenals. At this point we're aiming at cutting our strategic inventories by half. So the trend is unmistakable: progressively deeper cuts, with

each phase reinforcing stability and predictability of our strategic relationship.

Our military alliances will be evolving, too. We want to see the solution to be in the direction of reducing the military content and emphasizing the political orientation of those organizations.

This brings us to the monumentous changes which are taking place in the countries of Eastern Europe. Let me stress that as those countries are changing, everyone can see that people there are completely free to choose their own paths and their own methods of building new societies. Our respect for their choice means respect for full sovereignty of the countries of Eastern Europe unconstrained by ideology, respect for their independence.

Encouraging progress has been made in other issues of the U.S.-USSR overall agenda. We have added a new item to our agenda, the so-called global problems—environment, terrorism, drugs—and the first discussions have been encouraging. If we do not come to grips with environmental problems, we might one day begin competing not for political supremacy or spheres of influence, but for access to water, fresh air, and even a green lawn. (Applause.)

A few words about the nationalities problem in the Soviet Union. The Soviet leadership put the nationalist question high on the agenda of Perestroika. A special resolution on that score was adopted by the 19th Party conference in June 1988. The Soviet state was founded as a result of the will and inspirations of the multi-national family of peoples. On this banner is inscribed the right of nations to self-determination, revival and advancement of national cultures, accelerated progress of formerly backward national regions, and the elimination of strife between nations.

In this sphere our performance was also not up to the mark because of breaches of the rule of law during the personality cult period, and by the ideology and psychology of stagnation. Many acute questions that derived from the very development of nations and nationalities were swept under the rug. The negative phenomena that accumulated over the decades has been neglected and ignored for a long time and were not properly assessed; hence, the problems we are facing today. Perestroika in the nationalities question means that ethnic groups residing outside their national territories, or ethnic groups that have no such territories, should be granted the opportunities to fulfill their national cultural needs, especially in education, communication, folk arts. They should also have the opportunity to form national culture centers, to use the mass media, and to satisfy their religious requirements in this direction. (Applause.)

The most important principle of our multi-national state is the free development and equal use by all Soviet citizens of their mother tongues. Nationalities problems must be tackled in a calm spirit with a strong sense of responsibility. It is essential to create a social environment in which people of any nationality should feel at home in any part of our country.

September last a special party platform on the nationalities question was adopted. The major idea of this platform is to develop a contractual principle of the Soviet federation. We have in mind different forms of federal links, preservation of multi-faceted and diverse nature of life of nationalities with retaining the integrity and unity of the Soviet state. Our ideal is unity in diversity and multi-formity. Democratization created conditions for overcoming our inter-ethnic problems in a democratic way. But unfortunately, the paradox is that the national energy that has been given free rein by Perestroika is harmful to Perestroika, when it assumes radical extreme forms.

Alongside with positive developments, democratization brought about negative phenomenon—all sorts of extreme views, including racial bigotry. The problems of ethnic relations that engender separatism are very hard to solve.

It should be obvious that separatist trends are dangerous precisely because they can lead to the breakup and even distintegration of national entities themselves. And events in Armenia and Azerbaijan by chance speak for themselves. The nature of the difficulties we face today was explained by President Gorbachev when he spoke on February the 5th, only two weeks ago, in Moscow, at the Central Committee plenum, and I quote: "While making steps along the path of Perestroika we have realized that the crisis that hit the country is much deeper and much more dangerous than first was anticipated."

And that explains many phenomena we are witnessing today.

The problems and contradictions which have been accumulating during previous decades in the depths of the social fabric came to the fore. Unfortunately, we did not manage to avoid mistakes and miscalculations in the course of Perestroika itself, and this also complicates the situation which is being characterized by tensions and anxieties, elements of apathy and disappointment.

Let me address now an issue which I'm sure is of concern to you. I know that it is of concern to you. Leaders of your organization in contacts with us have indicated their serious concerns in connection with what they see as a resurgence of anti-Semitic trends in the Soviet Union spearheaded by such groups as Pamyat. They spoke about the necessity to apply in practical terms the anti-racist provisions of the Soviet constitution. I want you to know that the Prime Minister of the Soviet Union, Mr. Rishkov, 10 days ago, spoke from the rostrum of the party plenum in exactly the same terms. President Gorbachev, as the leader of a multi-national country, speaks publicly denouncing all sorts of racial bigotry.

Let me read now to you a brief document which I hope will shed sufficient light on the problem the way it is now and probably alleviate some of your concerns. I'm going to read to you a statement issued by the State Security Committee. Don't be surprised. You know—everybody knows this committee. This is KGB. But it sounds like State Security Committee. I don't know. (Applause.)

The USSR State Security committee distributed a statement on February the 9th pertaining to rumors about alleged pogroms against Jews, the Azerbaijanies and the Armenians.

"To give credibility to these rumors," the statement says, "those who spread them cite the nationalistically tainted programs of some informal associations as well as hooligan and provocative attacks by individual elements like the one that recently took place at the Central Writers House in Moscow. Within—" and that's very important from my point of view.

"Within its competence, especially that part of it which concerns protection of the constitutional rights of Soviet citizens, the USSR State Security Committee cannot ignore manifestations of nationalist extremism and takes measures to combat them as provided for by the law. (Applause.)

"As for the rumors about pogroms, there is no concrete evidence to support these claims. The only information that the State Security bodies have been receiving are rumors themselves, reports of them by the mass media and requests by individual citizens for explanation about one rumor or another. Nevertheless, the KGB is following the development of the situation and will take the necessary measures if tension escalates. The States Security Committee relies on assistance from the public and those who know concrete facts about illegal actions or intentions to commit them.

"In these conditions," the statement continues, "it is important for the mass media to cover such sensitive issues in a more balanced way and not to circulate unverified information."

As to the incident mentioned in this statement I have read to you, the Attorney General of Moscow region has ordered an investigation; and this investigation is underway. Press reports in the Soviet Union do not exclude the possibility of criminal charges against those who participated in this provocation.

Let me turn now to another issue, the broader issue of human rights.

In an effort to bring our own laws and regulations in the sphere of human rights in conformity with international practice, in particular, the Helsinki Accords and the Vienna Declaration, the Soviet Parliament on November the 13th, 1989, started to consider a draft law on exit from and entry to the USSR. The draft law says about the necessity to establish a well-founded time frame for secrecy, that citizens must be informed of before when they're applying for a job. The disputes that may arise can be settled in court. That is helping to remove the problem of the so-called Refuseniks.

The adoption of this law will create legal guarantees for ensuring the human right of leaving any country, including one's home, and returning to one's home country. At this time, virtually any citizen in the Soviet Union can obtain a foreign passport for five years for temporary travel or for permanent residence abroad. The duration of temporary stay abroad is determined by the person leaving the country at the time of applying for a visa.

The bill provides also that exit of a Soviet citizen for a permanent residence abroad is exercised on the basis of a document which confirms the permission by a respected foreign country to entry for this purpose. But this is not a limitation introduced on our own accord. The bill was approved in the first reading in the USSR Supreme Soviet by 368 votes against 10 votes with five abstentions. The bill must be completed in a short time which will be needed to take into account the suggestions made by the deputies.

I wish to inform you that during the meeting between Foreign Minister Shevardnadze and Secretary of State James Baker held in Moscow on February the 7th and 9th, a thorough and very positive discussion of human rights and human affair issues took place. In the context of this discussion, the Soviets side reiterated its intention to enact a new emigration law shortly. (Applause.)

We are also now actively deliberating on a major piece of legislation—a draft law on the freedom of conscience and religious organizations. The purpose of that law will be

to provide legal guarantees for the rights of citizens to the freedom of conscience and an opportunity for believers to participate in civic activities and in the renewal of our society. The draft law builds upon international legal norms as well as the provisions of the Vienna Concluding Document. That document contains, inter alia, such provisions as the possibility to publicly express and disseminate religious beliefs as well as religious education. (Applause.)

With regard to the status of Soviet Jewry: Jews play a significant part in the political, social, and cultural life in the Soviet Union. Thus, during the recent elections, many of them were elected as members of the Congress of People's Deputies. Citizens of Jewish nationality feature prominently among high school and university students. Many of them are scientists and winners of various national prizes and awards.

It will be recalled that a certain number of Jews are leaving the Soviet Union to take up permanent residence abroad. But the majority of Soviet Jews have no intention to leave the country. Our principle is to create as best possibilities as possible for those who want to stay in the USSR and develop their culture, religious heritage and language. (Applause.)

For those who want to emigrate, no obstacles exist anymore. (Applause.)

But we do hope that as soon as we succeed with the changes we are having in mind, that the people who left the Soviet Union will be encouraged to come back. The fact is that an organized Jewish community is reviving in the Soviet Union. More and more Soviet Jews are studying Hebrew, learning about Jewish history, celebrating Jewish holidays, and returning to synagogues. They are already—there exists already more than a hundred of them in the Soviet Union.

In February 1989, a new Jewish cultural center was opened in Moscow named after Solomon Mikhoels, a renowned Russian Jewish theater direction who was a victim of Stalinist persecutions in 1948.

There are also a few other informal Jewish cultural centers and libraries in Moscow and other big cities—Leningrad, Kiev, Riga, Tallin and Minsk.

On February the 18th, 1989, the opening of the Soviet Union's first legal yeshiva took place. Eighty students, future rabbis have been enrolled in the first classes to be taught by five rabbis, three from Israel and two from the United States. The Soviet government will provide stipdends for the students. No obstacles exist for those who want to study Hebrew, as I have mentioned before. (Applause.)

Another piece of information: The first Kosher bakery producing matzo opened in Moscow in March 1989, as well as a Kosher restaurant. (Applause.)

These are concrete examples of change in times with respect to Soviet Jews, but I want to stress specifically that such changes are taking place for all other nationalities in the Soviet Union, including Russian people, who probably suffered more than others in terms of losing their national identity, religious and ethnic aspirations during the stagnation period.

Freedom and democracy are indivisible. Either we, the Soviet people—Russians, Jews, Ukranians, all—succeed, or we all fail. That is why success of Perestroika is in the interest of the people of the Soviet Union and the rest of the world. (Applause.)

Let me finish on this note. I probably unfortunately have no time to address the Middle East problem, which I am an expert of. I wish to thank you very much for your kind attention and for inviting me here to speak today.

Andrei Dmitriyevich Sakharov—In Memoriam

(Reflections of Albert D. Chernin, Executive Vice Chairman, NJCRAC)

In my trips to the Soviet Union over these past 25 years I was never privileged to have met Andrei Dmitriyevich Sakharov. Yet I felt I knew him as did so many of you who have struggled for the rights of Soviet Jews.

To those of us in the struggle he appeared as a giant. Yet we were told by those close to him that he did not have an imposing presence, a commanding personality. He was shy and unpretentious, reticent and soft-spoken, modest in gesture, manner and dress. He was not comfortable in center stage; he preferred to avoid the limelight.

He could have done so, enjoying the private, hidden, sheltered, privileged world that he had as a Soviet physicist of the stature of Oppenheimer and Teller. He could have remained in that elitist world where he had access to the pinnacle of power. All that would have been required of him was to compromise his principles and ideals, not uncommon in today's world.

Rare are men such as Sakharov and Raoul Wallenberg who deliberately chose the path of conscience, rather than the comfortable life which was theirs to enjoy. Their own lives did not require such as choice but they did so. They were aware and yet heedless of the consequences. That was their charisma; their power.

Condemned, harassed, ostracized, exiled, he suffered the last 20 years of his life as a pariah. It could not silence this quiet, gentleman. He was driven by a deep sense of compassion for the suffering of others and a sense of outrage at injustice against all the victims of the tyranny of the Brezhnev regime: jailed Armenian nationalists; dissenters in mental hospitals; nonconformist Baptists, and Solzhenitsyn even as he warned against Solzhenitsyn's vision of Holy Russia as "bearing the echoes of Stalinism."

His voice was loud and clear in behalf of Soviet Jews seeking to emigrate. He was arrested for participating in a demonstration over the murder of Israeli athletes at the Munich Olympics. With the Refuseniks he stood vigil at the courthouse when Scharansky was tried. Selfless, he understood why Jews, single-minded in seeking more modest goals, could not join in his advocacy of fundamental changes in the Soviet system.

Denounced as a traitor, he was a patriot whose dream was to humanize Russia. Long before glasnot, he warned, as President Gorbachev has recognized, that Russia suffered by the authoritarian controls that permeated the Soviet Union. Long ago he warned, as we now understand, of the dangers of "detente without democratization." Now Soviet leaders are heeding many of his warnings for the good of the Soviet people. Ultimately it could be for the good of all who desire freedom and a world at peace.

Like Moses, he was not destined to reach the Promised Land. And, like Moses, at least he was able in his final days to catch a glimpse of the Promised Land that the Soviet Union could still yet become.

We never knew him personally. We knew him only by the transcending universal ideals he represented as fixed stars in the skies. Those fixed stars are still there to guide the Soviet Union and to guide us. It is now for the Soviet Union to choose whether to follow those stars. And we too have a choice: whether we persevere in continuing the unending struggle to fulfill the dreams of Andrei Dmitriyevich Sakharov.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the latest budget scorekeeping report for fiscal year 1990, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended.

This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $3.5 billion in budget authority, and over the budget resolution by $4 billion in outlays. Current level is under the revenue floor by $5.2 billion.

The current estimate of the deficit for purposes of calculating the maximum deficit amount under section 311(a) of the Budget Act is $114.6 billion, $14.6 billion above the maximum deficit amount for 1990 of $100 billion.

The report follows:

Congressional Budget Office,
U.S. Congress,
Washington, DC, February 22, 1990.

Hon. Jim Sasser,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The attached report shows the effects of Congressional action on the budget for fiscal year 1990 and is current through February 21, 1990. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 1990 Concurrent Resolution on the Budget (H. Con. Res. 106). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S.Con.Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated February 5, 1990, there has been no action that affects the curent level of spending or revenues.

Sincerely,

Robert D. Reischauer,
Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 101ST CONG. 2D SESS. AS OF FEB. 21, 1990

[In billions of dollars]

	Current level [1]	Budget resolution H.Con.Res. 106	Current level +/− resolution
FISCAL YEAR 1990			
Budget authority	1,325.9	1,329.4	−3.5
Outlays	1,169.2	1,165.2	4.0
Revenues	1,060.3	1,065.5	−5.2
Debt subject to limit	2,956.8	3,122.7	−165.9
Direct loan obligations	19.1	19.3	−.2
Guaranteed loan commitments	114.7	107.3	7.4
Deficit	114.6	[2] 100.0	[3] 14.6

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has

enacted in this or previous sessions or sent to the President for his approval and is consistent with the technical and economic assumptions of H. Con. Res. 268. In addition, estimates are included of the direct spending effects for all entitlement or other mandatory programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions. In accordance with Sec. 102(a) of the Balanced Budget and Emergency Deficit Control Reaffirmation Act (101 Stat. 762) the current level deficit amount compared to the maximum deficit amount does not include asset sales.

[2] Maximum deficit amount [MDA] in accordance with section 3(7)(E) of the Congressional Budget Act, as amended.

[3] Current level plus or minus MDA.

PARLIAMENTARIAN STATUS REPORT 101ST CONG. 2d SESS.
SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 21, 1990

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			1,068,600
Permanent appropriations and trust funds	954,917	791,226	
Other legislation	639,255	638,374	566
Offsetting receipts	−237,825	−233,738	
Total enacted in previous sessions	1,356,347	1,195,862	1,069,166
II. Enacted this session			
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution:			
Salaries of judges	−2	5	
Payment to judicial officers' retirement fund	−4	−4	
Judicial survivors' annuities fund	−3	−3	
Fees and expenses of witnesses	−2		
Justice assistance	−4		
Fisherman's guaranty fund	1	1	
Administration of territories	−1		
Firefighting adjustments	−624	−192	
Federal unemployment benefits [FUBA]	5		
Advances to unemployment trust fund	(48)	(48)	
Special benefits	−24		
Black Lung disability trust fund	52	32	
Vaccine improvement program trust fund	7	7	
Federal payment to railroad retirement	1	1	
Retirement pay and medical benefits	−4		
Supplemental security income	263	263	
Special benefits, disabled coal miners	21		
Grants to states for Medicaid	−907		
Payments to health care trust funds	(325)	(325)	
Family support payments to States	84	84	
Payments to states for AFDC work programs	15	15	
Payments to stated for foster care	−83		
Health professions student loan insurance fund	−25	−7	
Guaranteed student loans	−175		
College housing and academic facilities loans	−3	−3	
Rehabiliation services	−79		
Payments to widows and heirs	(*)	(*)	
Reimbursement to the rural electrification fund	111	111	
Dairy indemnity program	(*)	(*)	
Conservation reserve program	720		
Special milk program	−2		
Food stamp program	−800		
Child nutrition programs	−74		
Federal crop insurance corporation fund	(*)		
Agriculture credit insurance fund	342		
Rural housing insurance fund	(*)		
Rural communication development fund	(*)		
Payments to the farm credit system financial assistance corporation	−2		
Coast Guard retired pay	−17		
Payment to civil service retirement	(84)	(84)	
Government payments for annuitants	−3	−2	
Readjustment benefits	−62		
Compensation	448	398	
Pensions	−62		
Burial benefits	−4		
Loan guaranty revolving fund	238	238	
Disaster relief	−1,100	−883	

PARLIAMENTARIAN STATUS REPORT 101ST CONG. 2d SESS.
SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEB. 21, 1990—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Total entitlement authority	−1,757	62	
VI. Adjustment for Economic and Technical Assumptions	−28,685	−26,763	−8,900
Total current level as of February 21, 1990	1,325,905	1,169,160	1,060,266
1990 budget resolution H. Con. Res. 106	1,329,400	1,165,200	1,065,500
Amount remaining:			
Over budget resolution		3,960	
Under budget resolution	3,495		5,234

* Less than 500.000.

Notes.—Numbers may not add due to rounding. Amounts shown in parenthesis are interfund transactions that do not add to totals.

FUNDING FOR TRIBALLY CONTROLLED COMMUNITY COLLEGES

● Mr. INOUYE. Mr. President, I am pleased to join my good friend and colleague, Senator MCCAIN, in introducing this important legislation to reauthorize the funding for tribally controlled community colleges.

I firmly believe that the tribal community colleges are among the most fruitful endeavors for which the Congress has ever offered its support. It is with no small commitment and pride that the tribal colleges have taken Indian education, an area of dire statistics in Indian country, and turned it into one of great achievement.

Those Indian students who attend tribal colleges are more likely to pursue and achieve an advanced degree in a State institution. Tribal colleges can now point to hundreds of success stories where they have provided an opportunity where there otherwise may not have been one. Their graduates are increasingly today's tribal government leaders, business leaders, educators, and role models.

By virtue of these successes, tribal colleges have assumed a special role for all native Americans. They serve as a bridge between American education and the American Indian. The tribal colleges bring the traditional American college classroom and education to the Indian people. Likewise, they serve to bring the rich traditions and cultures of Indian people into the classroom. With renewed vigor, the tribal colleges have led a renaissance of Indian culture and traditions.

Mr. President, I would like to emphasize what is otherwise often lost to debates regarding the great opportunities the tribal colleges provide for Indian students and their communities. The success of the tribal colleges not only benefits Indian students and their communities, but also enhances the lives of non-Indian students and our communities. As those tribal college graduates filter into the State institutions, they bring their unique perspectives and diversity of experience to the classroom, to our children, and into society. It is such diversity that makes this country a leader among nations. We should recognize that the native American has played and will continue to play no small role in that respect.

Mr. President, I am hopeful that we all will take note of the great importance of tribal colleges. In our modern world, with the ever increasing need for better education, the future of America's first citizens has come to depend largely on the success of their colleges. Likewise, we all stand to benefit greatly from our continued support of the tribally controlled colleges.●

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar items Nos. 604, 605, 606, and 607.

I further ask unanimous consent that the nominees be confirmed en bloc; that any statements appear in the RECORD as if read; that the motions to reconsider be laid upon the table, en bloc; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Scott Alan Sewell, of Maryland, to be U.S. marshal for the District of Maryland for the term of 4 years.

Thomas W. Corbett, Jr., of Pennsylvania, to be U.S. attorney for the Western District of Pennsylvania for the term of 4 years.

Jack N. Egnor, of Colorado, to be U.S. marshal for the District of Colorado for the term of 4 years.

Donald W. Tucker, of Arizona, to be U.S. marshal for the District of Arizona for the term of 4 years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

REMOVAL OF INJUNCTION OF SECRECY—CONSULAR CONVENTION WITH THE REPUBLIC OF TUNISIA

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Consular Convention with the Republic of Tunisia, Treaty Document No. 101-12, trans-

mitted to the Senate February 23 by the President.

I also ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I am transmitting, for the Senate's advice and consent to ratification, the Consular Convention between the United States of America and the Republic of Tunisia signed at Tunis on May 12, 1988. I am also transmitting, for the information of the Senate, the report of the Department of State with respect to the convention.

The signing of this convention is a significant step in the process of enhancing and broadening the relationship between the United States and the Republic of Tunisia. Consular relations between the two countries currently are not addressed by a bilateral agreement. The convention establishes clear obligations with respect to matters such as notification of consular officers of the arrest and detention of the nationals of their countries and protection of the rights and interests of the nationals of their countries.

The people of the United States and Tunisia have a tradition of friendship and cooperation. I welcome the opportunity through this consular convention to promote further the good relations between the two countries. I recommend the Senate give early and favorable consideration to the convention and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, *February 23, 1990.*

THE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, and 459, en bloc; that the amendment, where appropriate, be agreed to; that the resolutions be deemed read a third time and passed; that the preambles be agreed to, en bloc; that the motion to reconsider the passage be laid upon the table; that the title amendment, where appropriate, be agreed to.

I further ask unanimous consent that the consideration of these items appear individually in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL FORMER PRISONERS OF WAR RECOGNITION DAY

The joint resolution (S.J. Res. 190) designating April 9, 1990 as "National Former Prisoners of War Recognition Day," was considered, order to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 190

Whereas the United States has fought in many armed conflicts;

Whereas thousands of members of the Armed Forces of the United States who served in such wars were captured by the enemy and held as prisoners of war;

Whereas many such prisoners of war were subjected to brutal and inhumane treatment by their captors in violation of international codes and customs for the treatment of prisoners of war and died, or were disabled, as a result of such treatment;

Whereas in 1985, the United States Congress (in Public Law 99-145) directed the Department of Defense to issue a medal to former prisoners of war in recognition and commemoration of their great sacrifices in service to our Nation; and

Whereas these great sacrifices of former prisoners of war and their families deserve national recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 9, 1990, is designated as "National Former Prisoners of War Recognition Day" in honor of the members of the Armed Forces of the United States who have been held as prisoners of war, and the President is authorized and requested to issue a proclamation calling upon the people of the United States to commemorate such day with appropriate ceremonies and activities.

BICENTENNIAL ANNIVERSARY OF THE LEGACY OF BENJAMIN FRANKLIN

The joint resolution (S.J. Res. 226) to designate the year 1990 as the "Bicentennial Anniversary of the Legacy of Benjamin Franklin," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 226

Whereas the year 1990 is the bicentennial of the year of the death of Benjamin Franklin;

Whereas the contributions of Benjamin Franklin to science, government, diplomacy, printing and publishing, business, philosophy, medicine, engineering, and philanthropy continue to influence profoundly the people of this Nation;

Whereas the hard work and commitment to public service of Benjamin Franklin embodied the spirit that guided this Nation to independence;

Whereas, during this lifetime, Benjamin Franklin established a worldwide reputation as a man of wit, wisdom, and dedication to liberty, and such worldwide reputation continues today; and

Whereas the legacy of achievement of Benjamin Franklin is unmatched in scope and importance: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the year 1990 is designated as the "Bicentennial Anniversary of the Legacy of Benjamin Franklin", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such bicentennial year with appropriate ceremonies and celebrations.

DEAF AWARENESS WEEK

The joint resolution (S.J. Res. 227) to designate March 11 through March 17, 1990, as "Deaf Awareness Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution and the preamble are as follows:

S.J. RES. 227

Whereas during the second week of March 1988, a revolutionary sequence of historic social events evolved on the campus of Gallaudet University, the only university in the Nation which teaches exclusively deaf and hard of hearing students;

Whereas the events which occurred at Gallaudet University in the Spring of 1988 had great significance to all Americans, especially those who are deaf or hard of hearing;

Whereas the week long social protest at Gallaudet University awakened the people of nations around the world to the fact that deaf and hard of hearing individuals are able to achieve at the same level as others and need to be recognized as individuals with unique abilities and qualities; and

Whereas the week long social protest at Gallaudet University served to educate and sensitize the American people concerning the hopes and dreams of the twenty-four million Americans who are deaf or hard of hearing: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 11 through March 17, 1990, is designated as "Deaf Awareness Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe this week by remembering the significance of the historic social movement, which began in March 1988 at Gallaudet University, through appropriate ceremonies and activities.

NATIONAL PREVENT-A-LITTER MONTH

The joint resolution (S.J. Res. 229) to designate April 1990 as "National Prevent-A-Litter Month," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

39-059 O-91-36 (Pt. 2)

S.J. RES. 229

Whereas the irresponsibility of some dog and cat owners in allowing uncontrolled breeding of their pets has created a pet overpopulation problem in the United States;

Whereas the pet overpopulation problem results in the destruction of milions of dogs and cats each year;

Whereas the pet overpopulation problem results in other cruelties to pets caused by neglect, such as abandonment, starvation, and injury;

Whereas the cruelties inflicted on pets result not only in lost animal lives but also in lost resources spent by thousands of communities to shelter neglected and displaced pets;

Whereas the pet overpopulation problem can be solved only by active promotion of pet owner responsibility programs that include spaying and neutering of pets, proper care and shelter of pets, and compliance with animal control regulations; and

Whereas the people of the United States should commit themselves to preventing the needless destruction of pets by practicing responsible pet ownership and by spaying and neutering pets as a means of combating the problem of pet overpopulation; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 1990 is designated as "National Prevent-A-Litter Month", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

NATIONAL DRINKING WATER WEEK

The joint resolution (S.J. Res. 230) to designate the period commencing on May 6, 1990, and ending on May 12, 1990, as "National Drinking Water Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 230

Whereas water itself is God-given, and the drinking water that flows dependably through our household taps results from the dedication of the men and women who operate the public water systems of collection, storage, treatment, testing, and distribution that insures that drinking water is available, affordable, and of unquestionable quality;

Whereas the advances of health effects research and water analysis and treatment technologies, in conjunction with the Safe Drinking Water Act Amendments of 1986 (Public Law 99-339), could create major changes in the production and distribution of drinking water;

Whereas this substance, which the public uses with confidence in so many productive ways, is without doubt the single most important product in the world and a significant issue of the future;

Whereas the public expects high-quality drinking water to always be there when needed; and

Whereas the public continues to increase its demand for drinking water of unquestionable quality; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing on May 6, 1990, and ending on May 12, 1990, is designated as "National Drinking Water Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such period with appropriate ceremonies, activities, and programs designed to enhance public awareness of drinking water issues and public recognition of the difference that drinking water makes to the health, safety, and quality of life we enjoy.

STATE-SUPPORTED HOMES FOR VETERANS WEEK

The joint resolution (S.J. Res. 231) to designate the week of June 10, 1990, through June 16, 1990, as "State-Supported Homes for Veterans Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 231

Whereas since 1864, 36 States have established a total of 58 State-supported homes for the veterans of this Nation;

Whereas such States and the Department of Veterans Affairs support such State-supported homes for veterans and such State-supported homes for veterans currently serve critical needs of the veterans of this Nation;

Whereas such State-supported homes for veterans shall continue to serve the veterans of this Nation and meet the future needs of such veterans when the number of aging veterans increases at an accelerated rate in this Nation;

Whereas such State-supported homes for veterans provide an important resource for the veterans of this Nation, and for the families of such veterans;

Whereas the staff of such State-supported homes for veterans contribute to an enhanced quality of life for the veterans of this Nation, and for the families of such veterans; and

Whereas there is a need for greater public awareness of the vital and significant contributions of State-supported homes for veterans to this Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of June 10, 1990 through June 16, 1990, is designated as "State-Supported Homes for Veterans Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

BE KIND TO ANIMALS AND NATIONAL PET WEEK

The joint resolution (S.J. Res. 236) designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 236

Whereas 1990 marks the 75th anniversary of the American Humane Association's "Be Kind to Animals Week" and the 10th anniversary of "National Pet Week", sponsored by the American Veterinary Medical Association, the Auxiliary to the American Veterinary Medical Association, and the American Animal Hospital Association;

Whereas animals and pets give companionship and pleasure in daily living, share the homes of nearly 50,000,000 individuals or families in the United States, and provide special benefits to elderly persons and children;

Whereas the people of the United States have a firm commitment to promote responsible care of animals and pets and guard against cruel and irresponsible treatment;

Whereas teaching kindness and respect for all living animals through education in schools and communities is essential to the basic values of a humane and civilized society;

Whereas the people of the United States are grateful to the veterinary medical profession for providing preventive and emergency medical care and assistance to animals, spaying and neutering animals to combat overpopulation, and contributing to the education of animal owners; and

Whereas the people of the United States are indebted to animal protection organizations, State humane organizations, and local animal care and control agencies for promoting respect for animals and pets, educating children about humane attitudes, and caring for lost, unwanted, abused, and abandoned animals: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 6 through 12, 1990, is designated as "Be Kind to Animals and National Pet Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

GREEK INDEPENDENCE DAY

The joint resolution (S.J. Res. 243) to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 243

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the 1990 marks the 2,500th anniversary of the birth of democracy;

Whereas the Founding Fathers of the United States drew heavily upon the political and philosphical experience of ancient Greece in forming our representaive democracy;

Whereas March 25, 1990, marks the 169th anniversary of the begnning of the revolution that freed the Greek people from the Ottoman Empire;

Whereas democratic ideals have forged a close bond between our two nations and their peoples; and

Whereas it is proper and desirable to celebrate our ideals with the Greek people, and to reaffirm the democratic principles from which our two great nations sprang: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 25, 1990, is designated as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that day with appropriate ceremonies and activities.

IDAHO CENTENNIAL DAY

The joint resolution (S.J. Res. 245) designating July 3, 1990, as "Idaho Centennial Day," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 245

Whereas at 10 a.m., on July 3, 1890, President Benjamin Harrison signed a proclamation declaring Idaho a State;

Whereas the State of Idaho is known as the Gem State;

Whereas the State of Idaho has become a national leader in agriculture, natural resource industries, technology, and manufacturing;

Whereas the people of Idaho have harvested the natural abundance to produce a wealth which has enabled the building of cities, educational institutions, an unhurried pace of life, and a rich culture, while maintaining the pristine ecology;

Whereas the beautiful mountains, rivers, lakes, trees, deserts, plains, and fields of the State of Idaho are appreciated and preserved, and the quality of life is unsurpassed; and

Whereas on July 3, 1990, the State of Idaho will begin a new century of statehood: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That July 3, 1990, is designated as "Idaho Centennial Day," and the President is authorized and requested to issue a proclamation acknowledging the economic, social, and historic contributions of the people of the State of Idaho to the United States during the past century.

NATIONAL RECYCLING MONTH

The joint resolution (S.J. Res. 250) designating April 1990 as "National Recycling Month," was considered, and ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 250

Whereas the continued generation of enormous volumes of solid waste each year presents unacceptable threats to human health and the environment;

Whereas several regions of the United States are experiencing a severe shortage of disposal capacity for municipal solid waste;

Whereas as a result of the inability to find sites for new solid waste management facilities, many communities are managing waste in facilities that were not designed with the best available environmental controls;

Whereas the generation of hazardous waste and solid waste must be reduced and as much remaining waste as possible must be recycled to protect human health and the environment and to minimize treatment and disposal capacity problems;

Whereas a significant amount of waste can be diverted from disposal by the utilization of source separation, mechanical separation, and community-based recycling programs;

Whereas local governments should be an integral component of the decisionmaking process regarding the management of municipal solid waste;

Whereas developing a system of waste management that, to the greatest extent practicable, separates elements of the waste stream that require special management or that are in demand for reuse or recyling will enhance the economic feasibility and environmental safety of all management methods, including recycling, incineration, and land disposal;

Whereas source reduction and recycling represent and most environmentally sound means of managing municipal solid waste and can often be carried out with a lower cost than is incurred by other means;

Whereas recycling preserves limited landfill capacity and reduces the amount of solid waste intended for incineration;

Whereas recycling can save energy and avoid the pollution created from extracting resources from their natural environment;

Whereas the revenues recovered by recyling programs offset the costs of solid waste management;

Whereas a well-developed system of recycling scrap metals, paper, and glass already exists and is significantly reducing the quantity of solid waste entering landfills or incinerators;

Whereas the technology for recycling plastic is currently under development, and progress continues toward increasing potential markets;

Whereas many consumer products are designed without sufficient regard for safe and efficient recycling after disposal;

Whereas Federal, State, and local governments should promote the design of products that can be recycled safely and efficiently;

Whereas Federal, State, and local governments should enact legislative measures that will increase the amount of solid waste that is recycled;

Whereas Federal, State, and local governments should encourage the growth of incremental markets for materials recovered from recyclable goods;

Whereas Federal, State, and local governments should establish incentives for household separation of waste to encourage recycling;

Whereas the success of source reduction and recycling programs depends on the participation of an informed public; and

Whereas the people of the United States should be encouraged to participate in educational and legislation endeavors that promote waste separation methods, community-based recycling programs, and expanded utilization of recovered materials: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 1990 is designated as "National Recycling Month", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

BALTIC FREEDOM DAY

The joint resolution (S.J. Res. 251) designating "Baltic Freedom Day," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 251

Whereas the people of the Baltic States of Estonia, Latvia, and Lithuania have cherished the principles of religious and political freedom and have recently held mass demonstrations calling for freedom and independence;

Whereas from 1918 to 1940, the Baltic States existed as independent, sovereign nations and as fully recognized members of the League of Nations;

Whereas 1990 marks the 50th anniversary of the invasion, seizure, and illegal incorporation of the Baltic States into the Soviet Union against the national will and the desire for independence and freedom of the Baltic people;

Whereas 1990 also marks the 50th anniversary of the continued policy of the United States of not recognizing the illegal forcible occupation of the Baltic States by the Soviet Union;

Whereas, due to Soviet and Nazi collusion, the Baltic States suffered a loss of one-third of their population by the end of World War II;

Whereas, under Soviet occupation, the native Baltic peoples have been deported from their homelands to forced labor and concentration camps in Siberia and elsewhere;

Whereas the people of the Baltic States have unique indigenous cultures, national traditions, and languages, which have been threatened by decades of russification;

Whereas the Soviet Union has introduced into the Baltic States ecologically unsound industries without proper safeguards, and the presence of those industries has critically endangered the environment and well-being of the Baltic people;

Whereas, as part of Soviet President Mikhail Gorbachev's campaign of openness, restructuring, and democratization, the Soviet leaders have officially acknowledged the illegality of the secret protocols to the 1939 Molotov-Ribbentrop Pact, which led to the Soviet military invasion of the Baltic States in 1940;

Whereas, in the spirit of openness and democratization, the Baltic peoples are affirming their right, upheld both by international law and by the Soviet Constitution, to restore full independence through parliamentary and peaceful means; and

Whereas the United States, as a member of the United Nations, has repeatedly upheld the right of nations to self-determination: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) the Congress recognizes the continuing desire and right of the people of the Baltic States for freedom and independence;

(2) the Congress, in keeping with the policy of the United States to deny recogni-

tion of the Soviet occupation of the Baltic States, urges the Soviet Union to recognize the sovereignty of the Baltic States and to yield to the rightful demands of the Baltic peoples for independence from foreign domination and oppression, as guaranteed by Principle Eight of the Helsinki Accords, to which the Soviet Union is a signatory;

(3) June 14, 1990, the anniversary of the first mass deportation of the Baltic peoples from their homelands in 1941, is designated as "Baltic Freedom Day", as a symbol of the solidarity of the people of the United States with the aspirations of the captive Baltic people; and

(4) the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe Baltic Freedom Day with appropriate ceremonies and activities, and to submit to the Congress within 60 days a statement articulating specific actions the United States Government is taking, in fulfillment of the intent of the nonrecognition principle to—

(A) support the peaceful restoration of the independence of the Baltic States; and

(B) to encourage Soviet support for a peaceful transition to independence and democracy in the Baltic States.

NATIONAL MINORITY CANCER AWARENESS WEEK

The joint resolution (S.J. Res. 252), designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 252

Whereas the month of April each year is designated as National Cancer Month for the purpose of promoting increased awareness of the causes, types, and treatments of cancer;

Whereas the National Cancer Institute has recognized that significant differences exist in the incidence of cancer and survival rates for cancer patients between minority and economically disadvantaged communities in the United States and the population in general;

Whereas increased awareness of the causes of cancer and available treatments will help reduce cancer rates among minorities and the economically disadvantaged through preventive measures and will improve survival rates for cancer patients through early diagnosis;

Whereas a comprehensive national approach is needed to increase awareness about cancer among minorities and economically disadvantaged persons, and to encourage health care professionals, researchers, and policy makers to develop solutions to the cancer-related problems unique to these communities; and

Whereas focusing public attention on cancer in minority and economically disadvantaged communities during one week so designated will have a positive impact on preventive health care and treatment in these communities. Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of April 15, 1990, through April 21, 1990, is designated as "National Minority Cancer Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States and all Federal, State, and local government officials to observe the week with appropriate programs and activities.

NATIONAL ARBOR DAY

The joint resolution (S.J. Res. 258) to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 258

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the last Friday of April 1990 as "National Arbor Day" and calling upon the people of the United States to observe such a day with appropriate ceremonies and activities.

NATIONAL EMPLOYEE HEALTH AND FITNESS DAY

The joint resolution (S.J. Res. 245) designating "National Employee Health and Fitness Day," was considered, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, and the preamble, are as follows:

S.J. RES. 245

Whereas recent medical studies prove that regular exercise and good nutrition are basic requisites for good health;

Whereas a strong and healthy body influence not only an individual's outlook on life but also a person's mental attitude, daily experiences both on and off the job, and academic and social skills;

Whereas the National Association of Governors' Councils on Physical Fitness and Sports and the Association for Fitness in Business are presenting the second National Employee Health and Fitness Day (NEHFD) on Wednesday, May 16, 1990;

Whereas NEHFD is the largest event in the Nation's history to promote fitness at the worksite and the ultimate goal of NEHFD is to encourage employers to look seriously at initiating long-term fitness and recreation programs; and

Whereas employers throughout the Nation are being asked to join in National Employee Health and Fitness Day by allowing employees to participate in noncompetitive walking, jogging, cycling, and other activities designed to be fun and dramatize the importance of physical fitness at the same time: Now, therefore, be it

Resolved, That the members of the U.S. Congress hereby designate Wednesday, May 16, 1990 as "National Employee Health and Fitness Day"; and be it further

Resolved, That all American employers and employees are encouraged to take an active role in practicing better health and fitness from this day forward.

JEWISH HERITAGE WEEK

The Senate proceeded to consider the joint resolution (S.J. Res. 241); to designate the week of April 29, 1990, through May 5, 1990, as "Jewish Heritage Week," which had been reported from the Committee on the Judiciary, with an amendment.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, as amended, and the preamble are as follows:

S.J. RES. 241

Whereas May 10, 1990, marks the forty-second anniversary of the founding of the State of Israel;

Whereas the months of April, May, and June contain events of major significance in the Jewish calendar, including Passover, the anniversary of the Warsaw Ghetto Uprising, Holocaust Memorial Day, and Jerusalem Day;

Whereas the Congress recognizes that an understanding of the heritage of all ethnic groups in this Nation contributes to the unity of this Nation; and

Whereas understanding among ethnic groups in this Nation may be fostered further through an appreciation of the culture, history, and traditions of the Jewish community and the contributions of Jewish people to this Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of May 6, 1990 through May 13, 1990, is designated as "Jewish Heritage Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States, departments and agencies of State and local governments, and interested organizations to observe such week with appropriate ceremonies, activities, and programs.

The title was amended so as to read "Joint resolution to designate the week of May 6, 1990 through May 13, 1990, as "Jewish Heritage Week."

NATIONAL RAILROAD PASSENGER CORPORATION AUTHORIZATION

Mr. MITCHELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2364.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 2364) entitled "An Act to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the following Members be the managers of the conference on the part of the House:

From the Committee on Energy and Commerce: Mr. Dingell, Mr. Thomas A. Luken,

Mr. Eckart, Mr. Slattery, Mr. Boucher, Mr. Lent, Mr. Whittaker, Mr. Tauke (except for section 4 of the House bill and section 4 of the Senate amendment), and Mr. Bliley (solely for section 4 of the House bill and section 4 of the Senate amendment).

Additional conferees from the Committee on the Judiciary (solely for section 4 of the House bill and section 4 of the Senate amendment): Mr. Brooks, Mr. Mazzoli, Mr. Edwards of California, Mr. Fish, and Mr. Moorhead.

Mr. MITCHELL. Mr. President, I move the Senate insist on its amendment, agree to a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to, and the Presiding Officer (Mr. KOHL) appointed Mr. HOLLINGS, Mr. EXON, Mr. BRYAN, Mr. ROBB, Mr. DANFORTH, Mr. PRESSLER, and Mr. KASTEN conferees on the part of the Senate.

MEASURE HELD AT THE DESK—S. RES. 249

Mr. MITCHELL. Mr. President, I ask unanimous consent that Senate Resolution 249, submitted earlier today by Senator FORD, be held at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, if the distinguished Republican leader has no further business, and if no other Senator is now seeking recognition, I ask unanimous consent that Senator SYMMS be permitted to speak in morning business for up to 10 minutes, and that at the conclusion of his remarks the Senate stand in recess under the order until 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it so ordered. The Chair recognizes Senator SYMMS.

Mr. SYMMS. Mr. President, I thank the majority leader for accommodating me to make some brief remarks.

THE POLICIES OF RONALD REAGAN

Mr. SYMMS. Mr. President, I happened to catch the remarks of the distinguished Republican leader just a few moments ago with reference to former President Reagan. I could not have said it better, Mr. President, than Senator DOLE. I think this Nation is seeing dividend after dividend after dividend being paid on the basic policies that Ronald Reagan brought back to this country when he was elected President in 1980. In a general sense, we have seen the caving in of the Iron Curtain countries. We have seen the real fruition of peace through strength.

Mr. President, when Time magazine named Mikhail Gorbachev Man of the Decade, I thought, boy, Time magazine suffers from selective perception, as so many of us do; we see what we want to see. It is easy for someone like me to criticize the media that may have a biased point of view or different point of view than I have, but I think in this case they really missed the target because, when Reagan was elected President in 1980, the Soviet Army was advancing into Afghanistan. They were reaching their tentacles across Africa. There were all kinds of things happening, and with the very simple fact that when President Reagan got into office, the Republicans took the Senate and we increased defense spending slightly, 1.5 percent of our GNP, Mr. President.

President Reagan would have liked to have done a little more. We were only able to get a 1.5 percent increase in the GNP for defense spending, and that fact alone brought the realization to those people in the Communist bloc countries that they could not match the United States.

When President Reagan first met with Soviet leaders, he informed them in his direct and polite, courteous way, "We are not going to lose the arms race. We are going to win the arms race. You can either admit to it now or do it later at a great deal of expense to your people. Why not start laying down some of our arms and learn to get along."

So what has happened is we have seen country after country after country throwing out oppressive Communist dictators, partly because of the policies of former President Reagan, partly because of the information age itself, high technology, the computer age, satellite TV, Radio Free Europe, et cetera, all of the information that is beamed into those countries. It is the old adage that if we had just started bombing the Communist countries with the Sears' catalog 30, 40 years ago, it would have been an offensive for the humanitarian aspects of capitalism, and we would have won this battle much sooner.

But nevertheless it was peace through strength that has won this election which took place in Nicaragua. I was thrilled to see the outcome of the election.

Senator DOLE made a comment earlier this morning that the problem with the election was that Daniel Ortega obviously used the same pollster that he had in New Hampshire. I think, although a cute quip, the fact of the matter is the Nicaraguan people when they get polled or asked a question, of course they are going to say they are for the dictator. What they did not anticipate is how they would vote in a private, secret ballot situation. They voted like people have voted throughout history. They vote with their feet. When there is no other way, they run and flee to freedom. If they get a chance through the ballot box, they will vote for freedom and against tyranny.

So I want to say congratulations to the people of Nicaragua for this election. We are going to now have to be standing by to be prepared to help them. But I also want to say congratulations to former President Reagan for his efforts, and then the follow-through that is taking place as a response to his leadership, to support those people who stand up for freedom, whether it be the mujahidin in Afghanistan, the Contras in Nicaragua, or freedom fighters one and all anywhere—when American stands for freedom, freedom will prevail.

MALCOLM FORBES

Mr. SYMMS. Mr. President, I note the passing of a great, unabashed, formidable person, Malcolm Forbes. He passed away this weekend. My deepest sympathy goes to his family.

But I think a real tribute to this man is so many of the so-called tycoons of America are oftentimes apologetic for some of the virtues of capitalism. Malcolm Forbes is one capitalist who was very proud of capitalism. He espoused the values, the humanitarian aspects of capitalism throughout his life. He had a great sense of humor. He was a very colorful individual. I am sure he will be missed by all of us in America.

I wish his family the best of success in the future in continuing the drumbeat for freedom, for capitalism, and for the humanitarian virtues that capitalism offers this country, which Malcolm Forbes, the colorful owner of the business magazine that bears his name and the unabashed salesman for capitalism did throughout his entire life.

I ask unanimous consent that an obituary from the Washington Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Feb. 26, 1990]

MALCOLM FORBES, CAPITALIST

NEW YORK.—Malcolm Forbes, 70, the colorful owner of the business magazine that bears his name and an unabashed salesman for capitalism, died of a heart attack Feb. 26 at his home in Far Hills, N.J.

Mr. Forbes, who returned Saturday morning from a trip to London, died in his sleep.

His frequent forays on Harley-Davidson motorcycles and hot-air balloons made him a symbol of capitalist machismo. Often seen with longtime friend Elizabeth Taylor, he appeared in newspaper celebrity columns as often as on their business pages.

Miss Taylor was his frequent companion since his 39-year marriage to Roberta Laidlaw Forbes ended in divorce in 1985.

Mr. Forbes spent a reported $2 million on his 70th birthday party in August. He was

proclaimed an honorary citizen of Tangier as that Moroccan bash—which included seaside fireworks and nightlong dancing—drew to a close two days later.

The nearly 1,000 guests included some of the top names in business, industry, entertainment and the arts. They feasted on pigeon pie, lamb mechoui and chicken tadjine.

He made the first free flight over Beijing in a hot-air balloon and set six world ballooning records. He rode his Harleys in numerous charity events, and made the first motorcycle tour of China.

"Forbes was the Babe Ruth of business publishing," said George Steinbrenner, principal owner of the New York Yankees, "He made his mark through integrity, a toughness and wonderful sense of humor. We'll miss him."

Billionaire developer Donald Trump expressed shock at the death of his friend: "Malcolm was an extraordinarily positive force in America's business and social life. His loss takes excitement, creativity and genuine business leadership from every American businessman," Mr. Trump said.

BASQUES COOKING

Mr. SYMMS. Mr. President, I had brought to my attention that the November 26 issue of the New York Times magazine, featured a piece on Basque cooking.

Idaho Basques contribute significantly to the State's population. I was pleased to see the recipe for Freda Cenarrusa's braised lamb shanks. Not only is Mrs. Cenarrusa a fine chef, but she is the wife of our secretary of state, Peter Cenarrusa.

The State of Idaho is made up of a variety of peoples, including the Basques, who contribute significantly to Idaho's welfare. In all ways of life, the Basques are prevalent, whether it be commerce, politics, or cooking.

The Cenarrusas are exemplary of Idaho's well-being. Pete, a sheep rancher, divides his time between guiding his fellow citizens and growing one of Idaho's finest products: lamb.

We are made up in our State of a wide variety of people like so many States in this country. One of our populations that we in Idaho are so proud of is our Basque population.

Because I am proud of my State and of its citizens, Mr. President, I ask unanimous consent that the article and the recipes accompanying it in The New York Times magazine be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BASQUE IN IT

(By Susan Herrmann Loomis)

As I was driving through Nevada recently, a highway billboard proclaimed "Winnemucca—If You Don't Visit, Who Will?" That pessimistic plea did not prepare us for the extraordinary Basque meal we had in a restaurant tucked off the main street of this small town in the northern part of the state.

Finding a Basque restaurant in such a lonely spot wasn't as surprising as it seems. There are Basques from California to Idaho, and they've created rich enclaves of their culture. The California gold rush enticed the Basques to the West, where they spread throughout neighboring states, eventually becoming sheepherders. They proved to be so skilled and dependable that when, in 1951, there was a shortage of shepherds, Congress passed an act allowing Basques to enter this country and claim permanent-resident status.

Few Basques herd sheep now. They've prospered, going on to other work. But the older generation of Basque males in the West got their start herding sheep. Most of them learned to cook during long summers in grazing lands. They prepared food they knew from home, rich in garlic, peppers, leeks and onions, olive oil, herbs and plenty of succulent lamb.

In Winnemucca, we followed our noses to the Martin Hotel, a weathered clapboard restaurant across from the railroad tracks. The aroma of garlic, onions and roasting lamb billowed out across the porch through screened windows. Years ago, the hotel was run by a Basque for shepherds who descended for the winter. They handed their paychecks to the innkeeper, who lodged and fed them until the money was gone.

At the family-style dinner, we passed bowls of chunky beef soup, crisp-roasted lamb, rib eye and several carafes of grapey red wine. It was easy to imagine the room, now filled with families, ranchers and the town volleyball team, crowded instead with the Basque shepherds digging into a meal that reminded them of home.

Many stories of the Basques in Idaho revolve around their dancing and food: lively soups and stews, a Basque pepper called chorizero, dried, slow-cooked lamb dishes and rustic desserts.

In Boise, Juanita Y. Hormaechea ushered us into her dining room, where the walls were covered with photographs of her family in the Basque country and maps of their villages. Juanita's husband, Rufino, was on the patio, assiduously watering rows of leeks and chorizero peppers. Mr. Hormaechea brought his pepper seeds from the Basque country to supply his friends and relatives.

Mrs. Hormaechea, a former teacher of Basque dances, is the self-appointed historian and cultural expert of the Boise Basque community. She and her husband are big promoters of Basque food. Mr. Hormaechea ran to the kitchen to pull out pepper sauce, a homemade roll, a bowl of last night's stew. He is especially passionate about a beef stew made with potatoes, dusky red pepper sauce and leeks, which, according to Basque legend, are so revered that they should be dug from the earth with a silver trowel. His wife prefers a potato and green bean soup wildly flavored with toasted garlic, and a chicken dish brightened with sweet peas. She insisted that I take her recipe for gypsy's arm cake, which is filled with cinnamon-scented pastry cream.

Mrs. Hormaechea led us to Pete T. Cenarrusa, Idaho's secretary of state, a sheep rancher and a tireless fan of what he considers the incomparable Basque character. Perhaps the best known Cenarrusa specialty is prepared by his nephew, Mike Cenarrusa, who manages a sheep ranch. Several times a year this portly man with porkchop sideburns cooks a leg of lamb with a shot of olive oil, onions and garlic for 14 hours, until the meat is so moist and tender that it falls from the bone. "He makes it for the cowboys," says Pete Cenarrusa. "And I'm convinced that it's the only reason we never have trouble finding a crew." Mrs. Cenarrusa's lamb shanks are a version of the 14-hour lamb. They cook long and slowly with onions and garlic to achieve juicy results.

FREDA CENARRUSA'S BRAISED LAMB SHANKS

4 lamb shanks, weighing 16 to 18 ounces each, trimmed of excess fat
Salt and freshly ground black pepper to taste
1 large onion, diced
3 cloves garlic, minced
½ cup hearty red wine
1 pound dry egg noodles
1 cup loosely packed parsley leaves for garnish
1 garlic clove for garnish.

1. Brown the lamb shanks in a Dutch oven or a large skillet over medium-high heat. Season generously with salt and pepper.

2. When the lamb shanks are browned, reduce the heat to medium. Add the onion and the garlic and work them down among the lamb shanks so they are on the bottom of the skillet. Cook, stirring as best you can by moving the lamb shanks around in the skillet, until the onions and garlic begin to turn golden, about five minutes. Pour in the wine and stir. When it begins to boil, reduce the heat to low, cover and cook until the cooking juices have thickened somewhat and the lamb shanks are tender enough to fall from the bone. Depending on the size and quality of the lamb shanks, this will take from three to four hours. If the cooking juices are browning too rapidly, add a half cup of water and continue cooking.

3. When the shanks are done, remove them from the cooking juices. Remove any meat from the bone and cut away any gristle you don't want to eat. If there are very large pieces of meat, cut them into bite-sized pieces. Keep them warm. Increase the heat under the pan to medium and reduce the cooking juices, stirring up any brown bits, until they are thickened, about five minutes. Season to taste and keep warm.

4. While the sauce is reducing, bring a large pot of salted water to a boil. Add the egg noodles, stir and cook until they are al dente, about 10 minutes. Drain.

5. Mince the fresh parsley and the garlic clove together.

6. To serve, divide the noodles among six warmed dinner plates or shallow soup bowls. Place equal amounts of lamb atop the noodles and pour the sauce over all. Garnish with the parsley and garlic and serve immediately.

Yield: Six servings.

BASQUE CHICKEN WITH PEAS

3 tablespoons olive oil
3½ pounds chicken pieces
Salt and freshly ground black pepper to taste
2 large bell peppers, cored and sliced into ¼-inch pieces
1 large onion, thinly sliced
4 ounces lean slab bacon, rind removed and cut into ¼-inch dice
1 leafy sprig of parsley, coarsely chopped
3 cloves of garlic, minced
2 pounds fresh or frozen sweet green peas.

1. Heat the olive oil in a large frying pan or skillet over medium-high heat. When the oil is hot, brown the chicken on both sides, seasoning generously with salt and pepper.

2. Remove the chicken from the pan and reserve. Reduce the heat to medium and add the peppers, onion, bacon, parsley and garlic to the pan. Cook, stirring, constantly,

until the garlic and onion become translucent, about five minutes.

3. Return the chicken to the pan, cover and cook over medium-low heat, stirring occasionally, until the chicken is nearly cooked through and the vegetables are tender, about 30 minutes.

4. Add the peas, stir gently, cover and cook just until they are heated through, three to five minutes. (If using frozen peas, increase the cooking time slightly.) Season to taste.

5. To serve, transfer the chicken and vegetables, to a warmed serving platter and pour the cooking juices over all.

Yield: Four servings.

GYPSY'S ARM CAKE

The pastry cream:
5 egg yolks
6 tablespoons sugar
¼ cup all-purpose flour
Pinch of salt
1½ to 1¾ cups milk
1 cinnamon stick
The cake:
7 large eggs, at room temperature, separated
1 cup granulated sugar
1¼ cups cake flour
1 teaspoon baking powder
½ teaspoon salt
1 teaspoon vanilla
3 tablespoons confectioners' sugar
¼ teaspoon cinnamon.

1. To make the pastry cream, whisk the egg yolks with the sugar in a medium sized bowl until they are thick and lemon colored. Whisk in the flour and salt and reserve.

2. Place one-and-a-half cups of the milk and the cinnamon stick in a medium-sized saucepan over medium-high heat. Scald, remove from the heat, cover and let stand for 15 minutes.

3. Remove the cinnamon stick from the milk and discard. Return the milk to the scalding point over medium-high heat and gradually whisk it into the egg yolk and flour mixture. Return this mixture to the saucepan and cook, stirring constantly, until the mixture comes to a boil. Continue cooking for at least two minutes, until the pastry cream thins slightly and the flour taste has cooked out of it. Remove from the heat, transfer to a bowl, cover and cool.

4. Preheat the oven to 375 degrees.

5. Line a 17-by-11-by-1-inch jellyroll pan with parchment paper. Brush with oil or melted butter and dust with flour.

6. To prepare the cake, beat the egg yolks with three-quarters of the cup of sugar in the bowl of an electric mixer, using the whisk attachment, until the mixture is thick and lemon colored. Sift together the dry ingredients. Remove the whisk attachment and, using the mixer attachment, add the dry ingredients at low speed, mixing until just incorporated. Add the vanilla, mix quickly and thoroughly and reserve. The mixture will be quite thick.

7. In a separate bowl, whisk the egg whites with the pinch of salt until they form stiff points. Add the remaining sugar and whisk until the egg whites become glossy, an additional 30 seconds. Fold one quarter of the egg whites into the flour and egg yolk mixture, then fold the remaining egg whites in, working quickly.

8. Spread the cake mixture in the prepared pan and bake until the cake is golden and the top springs back when lightly pressed, 8 to 10 minutes.

9. While the cake is baking, sift one tablespoon of the confectioners' sugar on a clean tea towel.

10. Remove the cake from the oven and immediately turn it over on top of the sugar-dusted towel. Peel the parchment paper from the cake and, working from the long side, gently roll the cake in the towel. Cool for about 30 minutes.

11. When the cake has cooled, unroll it. Trim off the edges of the cake. If necessary, thin the pastry cream slightly with additional milk, to easy spreading consistency. Spread an even layer on the cake. Carefully re-roll the cake and place it seam-side down on a serving platter.

12. Mix together the remaining confectioners' sugar and the cinnamon and sift it over the top of the cake. Serve immediately.

Yield: Ten to 12 servings.

BASQUE POTATO AND GREEN BEAN SOUP WITH GARLIC

1½ pounds russet potatoes, peeled and cut into 2-inch cubes
1 tablespoon Kosher salt
6 cups water
1 pound green beans, trimmed, cut on the slant into 2-inch lengths
6 tablespoons olive oil
6 large cloves garlic, thinly sliced
Freshly ground black pepper.

1. Place the potatoes, one tablespoon of salt and the water in a large saucepan over medium-high heat, cover and bring to a boil. Cook until the potatoes are nearly soft through, about 15 minutes. Add the green beans and cook, uncovered, until they start to turn tender and lose their bright green color, about 15 minutes.

2. While the beans and potatoes are cooking, heat the olive oil in a small saucepan over medium heat. When the oil is hot but not smoking, add the sliced garlic and cook, stirring constantly, until it turns golden brown, about five to eight minutes. Remove from the heat and reserve.

3. When the beans and potatoes are cooked, add the garlic and olive oil to the soup and stir. Season to taste with salt and pepper, if desired, and serve immediately.

Yield: Six servings.

WHAT "PROFIT" MEANS TO ROTARIANS

Mr. SYMMS. Mr. President, in an editorial printed in the Idaho Press-Tribune, the Idaho columnist Ralph Smeed talks about the word "profit" and what it means to Rotarians. Over the years, the Rotarians have taken it upon themselves to contribute significantly to a vast number of charitable causes, and their motto has been, "He profits most who serves the best."

It seems clear that the conception of the word represents a spiritual meaning. However, at the last Rotary International Convention, members voted to drop the term "profit" from their motto as they felt it was offensive and injurious to some of the participating countries.

Mr. President, profit is not a bad word, especially when one considers its meaning as regarded by the Rotarians. I must agree with Mr. Smeed when he goes on to say that profit is the driving force of America; it is what we are all about. It is precisely the notion of profit which allows groups such as the Rotarians to be charitable.

In order to remind ourselves of what we are as a country, I ask unanimous consent, Mr. President, that the editorial, "Hey Rotarians! Profit Not a Dirty Word," appearing in the August 20, 1989, edition of the Idaho Press-Tribune, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Idaho Press-Tribune, Aug. 20, 1989]

HEY ROTARIANS! PROFIT NOT A DIRTY WORD

(By Ralph Smeed)

Time was when God, motherhood, apple pie and the flag reigned supreme.

But now "God" has pretty well been legislated out of the classroom, formally at least. Motherhood has been relegated to the back seat (no pun) by the population control gang; apple pie got a kick in the groin by CBS-TV's hysteria-mongering program 60-minutes when they attacked the apple spray ALAR. And the flag? Well, you know, the hippies and a few malcontents have convinced the Supreme Court it's not very bad even to burn it.

Comes now Rotary International, the worldwide service club whose motto is (or has been) "He profits most who serves the best." A fine slogan, I always thought, during the quarter century or so I've been a member in good standing (at least standing good enough not to get kicked out—so far).

Rotary, of course, means different things to different people. But generally their members donate lots of money to all sorts of good causes, not the least of which is good fellowship. Yet the 160 or so countries, the citizens of which enjoy the blessings of these Rotary Clubs, are not exactly in complete agreement as to where this largesse comes from.

Take it from me, gentle reader, there is lots of it, too. Donations include, but are not limited to, money for sports and electronic scoreboards in such local event centers as Caldwell's O'Connor Field House to a worldwide crusade buying enough polio vaccine to eradicate the dreaded disease from every country's citizens.

A pretty impressive undertaking, I think you'll agree, and these are only a few of many worthwhile efforts Rotarians are up to every year all round the world. All these fine efforts to do good, and believe me, they are many and costly, are financed out of the club members' profit, hence the slogan of long years' high standing and understandable respect, if not reverence.

"He profits most . . ." then would seem destined to be chiseled, so to speak, in stone and forever. But, sad to say, it is not so. Even though most any fool could plainly see "profit" comes in many ways including, certainly, psychic profits. But we are here concerned more with the financial variety of profit inasmuch as the money is from whence cometh all. And it's all voluntary, too.

Let's hasten to add we don't want to put down the many hours of dedicated and hard work the members contribute to their clubs, but most of this is to make money (read, profit) with which to pay for their projects.

Comes now Dr. William Fomey a retired medical doctor of Boise who is district governor of this Rotary area. A nice man. He told us last week that Rotary International's convention at Seoul, Korea, voted to drop the word profit from their famous

slogan because "to some of the countries the word was offensive." Well, poor babies. One assumes these were communist countries who objected; though I'm not 100 percent sure. But wherever they were, it is sad indeed to see America's principles taken so lightly.

Now then, Rotary is a nonprofit organization, but anyone who can count, and even many who cannot, know full well that nothing happens until somebody sells something. Furthermore, if they don't sell it at a profit, damn few if any of these fine charitable efforts, local and worldwide, can succeed.

Why then does the prejudice against profit persist? It's not exactly a new phenomenon, you know. Well, we might better have asked why the prejudice against the whole profit (and loss) system for that's what America is all about. It is the "steam" that drives the USA's engine of producing. Maybe our own convictions are weak, however.

The late, great R.G. LeTourneau, builder of huge machines that moved the face of the earth for the benefit of masses said, "Men can have what men produce. They cannot have what they don't produce." (Except, he should have added, by politics). Apparently the well-meaning Rotary "wheels" at Seoul had never heard of LeTourneau's wheels.

They could have consulted Robert Ringer, too, author of the best-selling *Restoring the American Dream* which was so enthusiastically endorsed by former Secretary of the Treasury William Simon. Ringer sums up the profit flap thusly:

"This was the ultimate in logic twisting. Profits, the thing that makes the whole American way of life possible—including "free" handouts through government functions—were being termed a "catastrophe." Perhaps Mr. Kahn (the government's chief inflation fighter) will be happy when Atlas finally shrugs and says, "You're right, profits are evil. I'm not going to waste my time earning them anymore. I quit."

After the profit seekers quit—then—where does Rotary International turn to raise money for their no doubt sincere do-good functions? At that point the ball game is over.

The U.S. Chamber of Commerce says that profit is NOT a dirty word, but I guess they haven't talked to enough Rotary Clubs lately.

RICHARD BROWN

Mr. SYMMS. Mr. President, I am saddened to say for the RECORD that Rich Brown, who was born and raised in southwestern Idaho, and who had a significant impact on the start of my political career back in the early 1970's in Idaho, recently passed away at a very young age, sooner than we expected.

Mr. President, the obituary of Richard Brown, a man who contributed significantly to this community, recently appeared in the Idaho Press-Tribune.

Rich was 62 years old. He was a thinker, and a really, very fine gentleman. He made a great deal of contribution to our community, and I regret his passing, and extend my sympathies to his wife, Barbara, and their family.

Richard Brown was born and raised in southwestern Idaho where he spent his adult life building a fleet of school buses, priding himself on the safety and dependability of his establishment. Others, namely his employees and the schoolchildren, were always his first priority. His dedication to the welfare of his community is further illustrated by his contributions to the Republican Party and the Nampa City Chamber of Commerce, his church, and lodge organizations.

In honor of this fine citizen, Mr. President, I ask unanimous consent that Richard Brown's obituary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RICHARD BROWN

G. Richard "Rich" Brown, 62, of Nampa, died Tuesday, Dec. 5, 1989, at his home of natural causes. Funeral services will be held at 1 p.m. Friday, Dec. 8, at the First Christian Church, Nampa, with Pastor Kenneth B. Britt officiating. Burial will follow at Kohlerlawn Cemetery, Nampa, with Masonic Rites by Ashlar Lodge No. 29, AF & AM.

Richard was born on June 30, 1927, at Marsing, Idaho, the youngest of three children of Grundy and Ruby Baggerly Brown. He was raised and educated in Nampa and graduated from Nampa High School in 1945. He then attended Washington State University at Pullman, Wash. Richard joined the U.S. Army in 1946, and was honorably discharged at Fort Ord, Calif., in 1948. He married Barbara Jean Lessinger Sept. 15, 1948, in Nampa and three daughters were born to this union. Following his military service, Richard joined his father and brother in the livestock trucking business, G.M. Brown and Sons. In 1952 they purchased a fleet of 10 school buses from Howard Gibbs and founded the Brown Bus Co. In 1966 Richard bought out his father's and brother's shares. At the time of his semi-retirement in 1987, the company had grown to a fleet of 60 buses.

Richard pursued all of his business ventures with intensity and set high expectations for his associates and employees, especially "Mr. Brown's bus drivers." He was dedicated to making the Brown Bus Co. a first-class, dependable and safe operation. He made satisfying his customers—the school board, patrons and children—his highest priority.

Richard was active in the Republican Party, serving as national committeeman for Goldwater in 1964 and for several years as Canyon County chairman. He was also a very active member of the Nampa Chamber of Commerce, serving on its board for 16 years and as president in 1971. He received many special Chamber awards and was currently chairman of the transportation committee.

He was a member of the First Christian Church; Ashlar Lodge No. 29, AF & AM, Nampa; the Scottish Rite Bodies of Boise; El Korah Shrine Temple, Boise; Nampa Lodge No. 1389; BPOE; the Nampa Countrymen's Club; and a former member of the Nampa Rotary Club.

Survivors include his wife, Barbara Jean of Nampa; three daughters and their families, Peggy J. and Vaughn Heinrich and their sons, Jeremy and Benjamin, all of Caldwell; Anne L. and Duane Harris and their children, Matthew and Katie, all of Coeur d'Alene; Sharon E. and Frank Kyzer and their children, Joshua and Elizabeth, all of Nampa; a brother, Robert of Nampa; a sister, Norma Montgomery of Boise; and numerous nieces and nephews.

He was preceded in death by his father, mother and a grandson, David Kyzer.

Because of his years of dedicated service to the Nampa community, the family suggests memorials be made to the Nampa Civic Center, designated for the "Rich Brown Memorial Fund," in care of Nampa City Hall, 411 3rd St. S., Nampa 83651.

Friends may call until 9 p.m. today and from 9 to 11 a.m. Friday at Flahiff Funeral Chapel of Nampa.

EMILY RENO, ONE OF AMERICA'S 10 MOST CARING PEOPLE

Mr. SYMMS. Mr. President, an Idahoan was recently honored as one of America's "10 Most Caring People." Aside from the Governor and the mayor, she's the most known person in Boise. Emily Reno, at nearly 80 years of age, is a woman who reaches out to everyone. Her accomplishments are almost too many to be counted.

Known as the Lady in Blue for nearly 40 years, Mrs. Reno has been actively involved in anything having to do with volunteering from the Salvation Army to the Veterans Affairs Volunteer Services Advisory Council. Given the amount of effort she puts into the well-being of others, it is no surprise that she has been chosen as one of the most caring of us all.

Mr. President, I ask unanimous consent that the article about Emily Reno, appearing both in the December issue of the magazine Caring People and December 31, 1989, issue of New Frontier be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ANGEL IN BLUE: EMILY RENO

Emily Reno is loved and known by everyone in Boise, Idaho, from the mayor to the loneliest shut-in," Senator Steve Symms said in nominating Reno for a caring award. "Those who know her, love her, and appreciate her. We're all proud to be part of her life."

For nearly forty years, Emily has been known as the "Lady in Blue." She was enrolled in the Salvation Army as a soldier in January of 1950. Over the years, she has served as home league treasurer, roll sergeant, welcome sergeant, *War Cry* sergeant, Sunday school teacher, and for 27 years, home league secretary.

"The Salvation Army helped instill love in me," says Reno. "Love is not just L-O-V-E, a four-letter word. Love is something you have to feel."

Reno's specialty is visiting shut-ins, nursing home's residents, and other lonely people. Although she is now nearly eighty years old, Reno drives her own car and makes her rounds. "I love to visit people," she says. "They all become personal friends. What I am doing shows what I believe. It's better than preaching," says Reno, who adds: "It also reminds me how thankful I should be that I'm a visitor and not the person being visited."

Reno's personal "war cry" has always been, "I'll do it," "it" referring to any job that needs doing. "You can always count on

Emily to be in the kitchen, helping with cleanup," says Joy Brusmeyer, program director at the Salvation Army. "She genuinely cares for people, and that caring just spills over."

"I don't know what she's not into," says Bill Turner, director of voluntary services for the VA Medical Center in Boise. "Aside from the Governor and the Mayor, she's the most known person in Boise."

Each year during the Christmas holidays, Reno takes to her station, ringing the handbell at the familiar Salvation Army kettle. "We keep thinking she should reconsider, but out she goes. People will go out of their way to stop by and give to her kettle," Brusmeyer says. "Needless to say, she's our biggest fundraiser."

For the past 18 years, Reno has also raised money for the March of Dimes by participating in the annual WalkAmerica. She walks the entire 20-mile route each time. "The first year she asked me for a pledge," Turner says, "I considered her age, her 5'2" height and her slightly portly figure and made a rather generous pledge per mile. Several weeks later, she came back holding out her hand for over one hundred dollars."

When asked to what she owes her vitality, Reno explains: "I love life. I love people. I love the Lord."

She is usually the top fundraiser, reports Imogene Carico, director of the state-wide March of Dimes chapter. "One year she won a moped as a prize. She sold it and gave the money to a young couple she knew who were trying to move to Alaska," Carico recalls.

For three years, Reno participated in the Salvation Army's 10-mile Walk for Hunger. She has donated 9½ gallons of blood to the Red Cross over the years. She has also worked with the Cystic Fibrosis Foundation and was active in the Eagles Auxiliary lodge.

Reno seems to go wherever there is a need. She visits people in the VA hospital and the local jail. For the VA, she visits not only the medical center but also the Idaho State Veterans Home and community nursing homes. She runs errands, pays bills, and sits and chats with those who are in need of companionship. Reno also serves on the Veterans Affairs Volunteer Services Advisory Council.

When she first mentioned going to visit inmates of the jail, one of Reno's friends admonished her to be careful. "It's all right," she replied. "They'll be glad to see someone." Reno was right.

"She has a tremendous capacity to love and care for people," Turner says. "You can't get by without a hug." Everyone who knows Emily agrees.

"Her hug is her trademark," Brusmeyer says. "She reaches out and touches people and they respond." "If you took a poll, you couldn't find too many people in Boise who haven't been hugged by Emily," Carico adds. "When she says she needs a hug, you just give her one, coming and going."

A widow who now lives alone, Emily has raised five children. Three of them still live in the area and follow their mother's example, working with the rape crisis center, the Salvation Army, and the Cystic Fibrosis Foundation.

Each day, as she visits the sick, the elderly, and the homebound, Emily makes the dark days a little brighter for the shut-ins and those in the twilight of life. In words of Captain Daniel Starret, Boise Corps Officer, "She is a very special person. She gives her heart to God, her hand to man, and hugs for all."

Mr. SYMMS. Mr. President, on behalf of Senator KASTEN, I ask unanimous consent to add Pat Rich to the list of his staff granted access to the Senate floor during the consideration of the National Community Service Act of 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMMS. Mr. President, I yield the floor.

ORDERS FOR TOMORROW

RECESS UNTIL 10:30 A.M.; MORNING BUSINESS UNTIL 11 A.M.; RECESS FROM 12:30 P.M. TO 2:15 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10:30 a.m. tomorrow, Tuesday, February 27, and that following the time for the two leaders there be a period for morning business until 11 a.m., with Senators permitted to speak therein for up to 5 minutes each. I further ask unanimous consent that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. in order to accommodate the party conference luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MITCHELL. Mr. President, tomorrow at 11 the Senate will resume consideration of S. 1430, the national and community service bill. At 2:15 p.m. tomorrow, there will be 2 hours of debate on the motion to invoke cloture on the motion to proceed to Senate Joint Resolution 212, the Armenian resolution, with the time equally divided between Senators BYRD and DOLE. A vote on the cloture motion will occur at 4:15 p.m. Other votes are likely to occur during tomorrow's session.

RECESS UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 10:30 a.m., Tuesday, February 27.

There being no objection, the Senate, at 5:40 p.m., recessed until Tuesday, February 27, 1990, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate after the recess of the Senate on February 23, 1990, under authority of the order of the Senate of January 3, 1989:

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

JAMES HENRY MICHEL, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE DWIGHT A. INK, RESIGNED.

THE JUDICIARY

JACK D. SHANSTROM, OF MONTANA, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MONTANA VICE JAMES F. BATTIN, RETIRED.

IN THE ARMY, NAVY, AND AIR FORCE

THE FOLLOWING-NAMED ASTRONAUTS FOR PROMOTION TO THE GRADE INDICATED UNDER THE PROVISIONS OF ARTICLE II, SECTION 2, CLAUSE 2 OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA:

IN THE ARMY

To be Colonel

LT. COL. JAMES C. DAMSON, xxx-xx-xxxx

IN THE NAVY

To be captain

COMDR. RICHARD N. RICHARDS, xxx-xx-xxxx

IN THE AIR FORCE

To be colonel

LT. COL. MARK N. BROWN, xxx-xx-xxxx

To be lieutenant colonel

MAJ. MARK C. LEE, xxx-xx-xxxx

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICER IDENTIFIED WITH AN ASTERISK IS ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

MEDICAL CORPS

To be lieutenant colonel

*CANDICE L. CASTRO, xxx-xx-xx...

To be major

HERBERT G. ALEXANDER, JR., xxx-xx-xxxx
EVELYN M. BARRAZA, xxx-xx-xxxx
JOHN D. BROOKE, xxx-xx-xxxx
DONNA L. CHESTER, xxx-xx-xxxx
FRANCIS C. CORRIGAN, xxx-xx-xxxx
JOROME C. HILL, xxx-xx-xxxx
GEORGE F. HODGES, xxx-xx-xxxx
FRANCES KASARDA, xxx-xx-xxxx
ROBERT F. KRYWICKI, xxx-xx-xxxx
KERSTIN M. MILLER, xxx-xx-xxxx
AGNES K. OHNO, xxx-xx-xxxx
DANIEL R. OUELLETTE, xxx-xx-xxxx
CLIFFORD A. PORTER, xxx-xx-xxxx
JOHN A. POWELL, xxx-xx-xxxx
JON A. PROCTOR, xxx-xx-xxxx
CHAEIM SANTOS, xxx-xx-xxxx
SANFORD M. SILVERMAN, xxx-xx-xxxx
KEITH N. STEINHURST, xxx-xx-xxxx

EXTENSIONS OF REMARKS

FRENZEL-AUCOIN INTRODUCE MAJOR REVISION OF EXPORT CONTROL LAWS

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. FRENZEL. Mr. Speaker, today, Congressman AUCOIN and I have introduced H.R. 4101, a major revision of the Export Administration Act which is designed to modernize our export control policy. It is designed to respond to the sweeping changes occurring in Eastern Europe as well as to obtain the reform we have needed for years to move our policy closer to that of our European allies at Cocom. In my judgment, if we do not modernize our own system and cooperate more fully with our allies to restrict international controls to the highest technology items, Cocom could be disbanded, or ignored, at great cost to the security of the entire free world. If that happens, it is clear to me that our allies will significantly relax their own export control systems, while, if our system continues as it is, ours will continue to be more restrictive in response. That would send us farther back into the Dark Ages than we are now.

The Frenzel-AuCoin bill would place Commerce in charge of the entire licensing process, the control list and negotiations at Cocom. Interagency review would be at the discretion of Commerce. It would decontrol all licenses to Cocom and 5(k) countries, it would decontrol licenses to all other countries, except the U.S.S.R. and the P.R.C., at a revised green zone centered around a 750-PDR rate for computers. For the U.S.S.R. and the P.R.C. the current P.R.C. green zone would determine the line for decontrol. The bill would also establish only one control list with a process to remove unilateral controls and to index the list regularly. It requires that foreign availability determinations be made in 90 days with no opportunity for negotiations to maintain controls with our allies. It permits no extraterritorial application of U.S. laws through reexport controls, and only the foreign boycott law would include U.S. subsidiaries in other countries. Multiple licenses would be available to controlled countries for the first time, and all telecommunications equipment used in civilian applications would be decontrolled, allowing U.S. companies to compete for what will probably be a first priority of many Eastern European countries—to update their telecommunications systems. We have also given Commerce some guidelines to facilitate supercomputer sales. Short supply and the multilateral controls [Toshiba] have been abolished. The threshold for the proposed supercomputer definition has been raised, OMB review has been restricted, Commerce USTR and Treasury will be members of the National Security Council when export control disputes may be elevated to the President through the NSC. Commerce has been given added enforcement authority and DTSA will now serve under the Under Secretary of Defense for Acquisitions. Foreign policy controls, which need drastic reform as well, if not elimination, have not been touched in this bill other than to exclude U.S. subsidiaries abroad from their application. National Security controls should be the first priority for revision. Foreign policy should follow soon thereafter, however.

Some of the changes are substantive, but I do not believe that our redraft threatens our national security. In fact, it would strengthen it by improving Cocom enforcement and placing more emphasis on negotiating new control agreements with more countries. Authority would also be given to grant new benefits as countries become less of a security risk. This will encourage more, not less, cooperation.

Granting Commerce's sole authority throughout the bill is a means to strengthen our national security, not weaken it. So many resources are wasted today in turf battles resulting from unnecessary interagency review that should be redirected at the highest technology levels which could have a militarily critical application. Here is where we should direct our attention. I do not believe Commerce will act in a vacuum. It will request review by other agencies to protect itself. If licensing mistakes, or list review mistakes, are made, DOC alone is responsible. Now the blame is placed by pointing a finger at the next player at the table. That should not happen—there must be one central authority, not many. The agency responsible for licensing should also decide what is on the control list and also negotiate at Cocom.

Even though I believe there is sufficient enforcement authority today, the Frenzel-AuCoin bill would strengthen enforcement by giving Commerce enforcement authority abroad and at U.S. ports. With its elevated role on export control, Commerce must also have added authority in the enforcement arena.

There have been many positive export control bills introduced. Many of them would place pressure on Commerce to avoid errors, particularly those that would remove all export control authority from Commerce and establish a new agency to administer these laws. In my judgment, we should give Commerce a chance to prove itself before we move in this direction. We all know the problems associated with the establishment of new agencies, and most of us tread lightly into that area.

Mr. Speaker, a few years ago the National Academy of Science reported that unnecessary export controls caused the United States to lose $9 billion of sales per year. I am sure that would be far greater if we do not relax our laws to adapt to the changes taking place in Eastern Europe. I hope this bill will encourage the House to move aggressively to overhaul the current system. We cannot afford to make minor revisions in a time of major progress. The time to begin reform is now.

The section-by-section analysis of the bill follows:

FRENZEL-AUCOIN EXPORT CONTROL BILL

SECTION-BY-SECTION ANALYSIS

Section 1—Short Title and Table of Contents.

Section 2—General Provisions:

(a)—(a) Authority to control by Commerce and presumption of approval for exports to all countries defined.

(d)—License free zone for CoCom and 5(k) countries, [3(b) in this bill].

(e)—No license for replacement parts.

(f)—No re-export licenses.

(g)—No licenses on certain goods containing components subject to export controls within six months of enactment.

(h)—No controls on news or equipment related to broadcast of news or of the news itself.

(i)—No licenses for telecommunications equipment for civilian use.

(j)—No licenses to free world and controlled countries at revised PRC green zone at 750 PDR. USSR and PRC receive current green zone. Indexing system developed within six months of enactment.

(k)—No licenses for exhibited items if title held by exporter.

(l)—Effective date for (d) and (j) is December 31, 1990.

Section 3—Countries:

(a)—Controlled—Commerce, consulting with State, publishes list of controlled within three months of enactment.

(b)—Commerce negotiates with other countries to obtain CoCom-like control systems and CoCom treatment. May also provide additional benefits for other countries which are moving in our direction. Commerce may also reduce or eliminate treatment for any country not living up to its agreement with US. Would require that the current and future 3(b) agreements be published in the Federal Register.

Section 4—Commodity Control List:

(a)—Secretary establishes and maintains one control list of dual-use items. Consults with other agencies as necessary. List revisions published in Federal Register.

(b)—Quarterly review of list by Commerce. Thirty day comment period provided for each review in Federal Register. Determinations by 30 days after end of review period. CoCom proposals by US based on this process.

(c)—Indexing procedure for removal of list items established within six months.

(d)—Secretary also receives private sector requests for list revision and makes determination within 90 days. If agreed, implemented within 120 days and published in Register. Rejections also published along with explanation.

(e)—Secretary makes foreign availability determinations on own or upon receipt of petitions. Decision within 90 days. If decision that no foreign availability exists, explanation provided to petitioner.

(f)—Licenses.

(1)—Validated to single end user.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(2)—Multiple export licenses as follows:

(A)—Distribution licenses authorized to any destination. Secretary determines diversion prospects. Audits permitted. Secretary issues regulations facilitating granting of DL's to smaller companies.

(B)—Comprehensive operations license, establish within six months—to subsidiaries in all countries. Audits here also.

(C)—Project license, including multilaterally approved projects.

(D)—Service supply license—for spare parts.

(3)—General license.

(4)—Other licenses authorized.

(5)—Secretary determines reliability of applicants.

(6)—Licenses issued or denied within 60 days. If Secretary refers, does so within ten days. Reviewers respond in 20 days or deemed to have approved. Referred licenses issued within 45 days of receipt.

(7)—Regulations within six months to facilitate sales of high-end items, including setting of deadlines and development of model security plans. Each six month Secretary reports those licenses which have not been acted upon within four months along with reasons for delay.

(8)—Any review of the SNEC shall be requested by Commerce and must comply with regulations established under 4(f)(7).

(g)—Unilateral export controls expire within six months. If no foreign availability, may extend six months. May also extend six months if pursuing negotiations to achieve controls.

(h)—Supercomputer definition raised to 250 MFLOPs. To qualify for additional safeguards, the definition is raised to 600 MFLOPs for OECD countries and 250 for other free world. Indexing provided.

(i)—Secretary must consider exceptions to International Lists and support CoCom allies requests for exceptions if suitable civilian end users.

Section 5—Negotiations.

(a)—Secretary heads US delegation. List of objectives stated, including publication of the ICL's, improved enforcement, uniform interpretation, development of decontrol system, attempt to expand membership, direction to delete telecommunications products for civilian use from ICLs, negotiate an agreement on revised supercomputer definition consistent with Sec. 4 (h), and negotiate end to unanimity rule. Secretary includes private sector advisors for list review.

Section 6—Foreign Boycotts:

This language is identical to current law.

Section 7—Foreign Policy Controls:

This language is identical to current law.

Section 8—Administrative Procedure:

(b)—civil penalties—hearing before ALJ. Secretary reviews ALJ decision and decides within 30 days. No judicial review. ALJ has 1 year.

(c)—Secretary may issue temporary denial orders to prevent violations. 180 day limit with 180 day extension if justified. Renewal only after hearing.

(d)—annual report similar to current report.

(e)—Under Secretary and 2 Assistant Secretaries authorized.

(f)—regulations authorized.

(g)—guide must be published quarterly consisting of list of controlled items and how they are applied to countries, the CoCom International Lists, list of precedent-setting exports, list of those denied export privileges as well as those identified under the Trading with the Enemy Act.

(h)—Secretary can delegate to any government official.

(i)—TACs—authorized for 2 year periods. Use of TACs is elevated throughout the bill.

Section 9—Violations:

This language is similar to current law.

Section 10—Enforcement—similar to current law, except:

Commerce is given additional authority to conduct enforcement efforts abroad, at U.S. ports of entry and is granted the same enforcement authority as Customs.

Section 11—Definitions—normal definitions, except that definition of "U.S. person" which includes foreign subsidiaries only applies to boycott.

Section 12—Miscellaneous Provisions:

(b)—Sec. 38 of Arms Export Control Act is repealed.

(c)—OMB shall not conduct further agency review.

(d)—Commerce, Treasury and USTR serve on NSC.

(e)—No user fees on export license applications.

(f)—DTSA placed under Under Secretary of Defense for Acquisitions.

FRENZEL-AuCOIN INTRODUCE MAJOR REVISION OF EXPORT CONTROL LAWS

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. AuCOIN. Mr. Speaker, in 1988, the Congress passed and the President signed into law omnibus trade legislation which, among other things, included a number of reforms designed to help streamline the U.S. export control system. For many years, I have been saying that your export licensing process was too cumbersome, too far reaching, and too anachronistic to keep pace with the march of technological innovation in this country. Ironically, the U.S. Government itself has put America's high technology industry at a competitive disadvantage, a fact documented by the National Academy of Sciences which found that U.S. industry loses approximately $9 billion a year in sales because of our burdersome export license process.

I was pleased that the Congress recognized this problem in 1988 and, although the reforms did not go as far as I would have liked, it was my hope that the reforms would help America's sunrise industry flex its competitive muscles in the international marketplace.

While the export licensing system works more efficiently that it did 5 years ago—thanks in great part to the Department of Commerce, the administration has not moved as quickly and aggressively as I had hoped in implementing the legislative changes we made. The fact is that the pace of innovation in the high technology field is still much greater than the speed with which the U.S. Government can respond.

Meanwhile, the dramatic events taking place in the Soviet Union and East Europe warrant a reexamination of the stringency of our export control system. That system, which was a product of the cold war, has become tighter and tighter during the Reagan years. Although it usually reached too far, there was always a good reason to be concerned about the Soviet military buildup and the risk of diversion. But times have clearly changed. The new political world that is emerging in those countries warrants a fresh examination of how much U.S. technology we need to keep locked up in our warehouses. Does the evil empire approach to export controls that has been championed for so long by a paranoid Department of Defense make any sense any more?

I think not.

It makes good economic and political sense for the United States to embark on a high technology Marshall plan vis a vis the new emerging democracies in East Europe. We should also allow our exporters to break into the new market for low level technology in the Soviet Union. At the same time, of course, we cannot forget our long relationships and the lucrative markets in the allied nations.

These emerging issues compel Congressman FRENZEL and me to call for dramatic action.

By September 30, 1990, the Congress will have to reauthorize the Export Administration Act. While some are saying that we should seek a mere 1-year extension of the act, I say that's a head in the sand approach that could spell disaster. For once, let's take the bull by the horns and truly help make one American industry competitive again.

The bill that we are introducing today is the product of many discussions with the U.S. high technology industry. It is by no means a perfect bill. Its main purpose is to begin the debate on where we will go from here.

Among other things, our bill would do the following:

Establish a license free zone for Cocom and 5-K nations, effective on December 31, 1990. This is a proposal that we put forward in 1987 and which the House of Representatives contained in its version of the 1988 omnibus trade bill. But our proposal was eventually watered down in conference. The final law required the administration designate certain countries for license free treatment if it was determined that they had adequate export control systems. Incredibly, no countries have been recommended for such treatment so far. This is outrageous. Over 80 percent of U.S. high technology exports go to these countries and the overwhelming majority of licenses are granted with no problem. Meanwhile, most Cocom members do not require export licenses of any kind of high technology exports to other Cocom members. This puts our high technology companies behind the eight ball in the competition with overseas products. If most Cocom licenses are approved anyway, why go through the exercise to begin with? And why tie up people at the Department of Commerce rubber stamping these licenses when they could be devoting more time to the examination of truly sensitive items?

Eliminate reexport controls. Incredibly, the United States still requires an exporter in a foreign country to get permission to reexport a U.S. product outside of Cocom. This is an insult to foreign nations that has generated incredible controversy over the years. To those who would raise the appropriate question of national security, remember that a shipment that goes to a Cocom country is still subject to controls imposed by Cocom. In other

words, under our bill the United States exporter would be able to ship an item to France, and France would not have to get permission from our Department of Commerce to reexport the item. But France would still have to adhere to the export controls imposed by Cocom—and the United States sits on Cocom. Therefore, there would always be controls on sensitive items.

Establish a license free zone on low-level technologies for all free world and Eastern European countries. The U.S. exporters who wish to ship high technology items with a capacity of up to 750 PDR could ship them without a license. When it comes to East Europe, there are boundless opportunities for establishing joint ventures, increasing trade, extending credit, and so forth, and we must take advantage of this situation or else these governments could backslide. But we cannot be naive about the reforms in East Europe. We know how quickly the political world can change in these volatile countries. So, we are not advocating that we permit the license free export of all technologies. Those items of any military significance will still have to go through rigorous review, but clearly we are now in a safe enough position to allow the export of 15-year-old technologies and help these nations aggressively enter these new and exciting markets.

Allow the license free export of any high technology product with a capacity of up to 550 PDR to the Soviet Union. We cannot ignore President Gorbachev's new arms reductions initiatives, the improvement in human rights in the Soviet Union and, of course, the incredible changes in East Europe. Although the Soviet Union is not moving as fast as their former bloc countries toward market oriented societies, it makes sense to begin to tap, or create, the potential markets in the U.S.S.R. Releasing this level of technology poses no threat at all to our national security. At the same time, it could mean billions of dollars to U.S. exporters. If we stand by the sidelines, we are going to lose out on some potentially large markets that surely will be snatched up by our more aggressive competitors. Now is the time to launch a new kind of first strike weapon—American know-how.

Require the Department of Commerce to be responsible for the establishment of a single control list. The current lists of controlled items in this country has gotten way out of hand. It's time to put one agency in charge—and that agency should be Commerce. For years, U.S. industry has been confused by the unclear jurisdictional lines between Commerce's responsibility for dual use commodities and the State Department's munitions export control authority. In some cases, industry has been required to submit parallel license applications, subjecting them to additional burdens and delays. Current practice allows State to assume jurisdiction over a dual use product without consultation with Commerce or industry. We propose that Commerce be responsible for the construction of a single control list.

Eliminate DOD's role in export licensing. Defense still exerts an inordinate amount of influence on the export control process and they still maintain a very hard line view of the world. Last year, the General Accounting Office issued a report at my request which documented that in the vast majority of cases, Defense did not contribute any new knowledge to the process of determining if export of the product would be a threat to our national security. Our bill would transfer the Defense Technology Security Administration to the Under Secretary of Defense for Acquisition. The Department of Commerce, as the lead agency responsible for export controls, would at its option consult with Defense—and others—when it felt it needed the Defense Department's expertise.

Decontrol all telecommunications equipment for civilian use.

DRUG DETERRENCE LEGISLATION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. SOLOMON. Mr. Speaker, today I am introducing legislation that would suspend Federal education benefits to any individual convicted of a controlled substance abuse.

It can definitely be a hard lesson, but one worth learning. Don't use drugs. Attitudes are changing, but we need to continue to make people think before they get involved with drugs. Casual drug users make up a large percentage of the drug epidemic and are one of the biggest reasons why we continue to see drug trafficking in the United States. Due to the backlog of drug-related cases in our courts, casual users face minimal sentencing, if any at all.

Under this legislation any individual who has been convicted of a Federal or State offense involving a controlled substance would no longer be eligible to receive Federal education benefits for the following amounts of time:

If convicted of an offense involving:

	Ineligibility period is:
Possession of a controlled substance:	
1st offense	1 year.
2d offense	2 years.
3d offense	Indefinite.
Sale of a controlled substance:	
1st offense	2 years.
2d offense	Indefinite.

These penalties would be nullified, if the individual successfully completes a rehabilitation program.

Suspending Federal education benefits is just one more way for us to show that we are not going to tolerate casual drug use any more and I would like for all my colleagues to join me by supporting this drug deterrence legislation.

TESTIMONY FROM "MAIN STREET NORTH"

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. OBERSTAR. Mr. Speaker, the following testimony on defense priorities was presented to me recently by several constituents in Duluth, MN.

I commend these remarks to my colleagues.

JANUARY 10, 1990.

Re: Main Street North.

JAMES L. OBERSTAR,
8th District, MN.

Congressman and Northlanders, I would like to briefly share with you a bit of the information I've gathered as I research viable Conversions from our current Military Economy.

First, it is necessary to recognize that our traditional definition of national security in military terms is an outmoded concept . . . real security is increasingly to be found in global cooperation.

Humanity's quest for the ultimate weapon has delivered the global community into an all-encompassing state of insecurity. The prime losers in maintaining a state of constant war prepation are civilians. The death toll in the 22 wars raging in the 80's (most far removed from western thinking) was 85% civilian. (Sivard, '88)

Economically, a permanent war economy results in: Deterioration of the nations' vital infrastructure; Retardation of civilian research & development; and Loss of competitiveness.

An estimated two thirds of the products civilian (fixed reproducable, tangible) wealth are now in dire need of reconstruction. These include: industrial plants and machinery, communications and transport systems, buildings, bridges, H20 systems, so on. (Melman, '86).

Policies relevant to society's future security needs must be re-oriented. Environmental degredation requires our "national" security to become an ongoing cooperation globally to manage Earth's resources. International H20 disputes, toxic clouds, soil erosion, and climate shifts have become our "security" concerns. Military means cannot reverse resource depletion or restore lost ecological balance.

As we enter this last decade of the 20th century, we must turn away from our history of military development toward a future which will leave something of our human heritage to the children of the 21st century. For example, the cost of the Stealth bomber program of 68,000,000 will cover 2/3 of the estimated cost of meeting U.S. clean water goals by the year 2000.

Congressman, I urge you to be stubborn and insistent in your efforts to turn the direction of our nation toward a sustainable future. Thank you.

SALLY T. BUJOLD.

(Primarily stolen from the State of the World 1989. World Watch Institute.)

TABLE 8.—TRADE-OFFS BETWEEN MILITARY AND SOCIAL OR ENVIRONMENTAL PRIORITIES

Military priority	Cost	Social/environmental priority
Trident II submarine and F–16 jet fighter programs.	$100,000,000,000	Estimated clean-up cost for the 3,000 worst hazardous waste dumps in the United States.
Stealth bomber program.....	68,000,000,000	Two-thirds of estimated costs to meet U.S. clean water goals by 2000.
Requested SDI Funding fiscal year 1988–92.	39,000,000,000	Disposal of highly radioactive waste in the United States (non-military).
2 Weeks of world military expenditure.	30,000,000,000	Annual cost of the proposed U.N. Water and Sanitation Decade.
German outlays for military procurement and R&D, FY 1985.	10,750,000,000	Estimated clean-up costs for West German sector of the North Sea.
Approx. 4 days of global military spending.	8,000,000,000	Action Plan over 5 years to save the world's tropical forests.
Development cost for Midgetman ICBM.	6,000,000,000	Annual cost to cut U.S. sulfur dioxide emissions by 8–12 million tons/year to combat acid rain.
Approx. 2 days of global military spending.	4,800,000,000	Annual cost of proposed U.N. Action Plan to halt Third World desertification over 20 years.
6 months of U.S. outlays for nuclear warheads, FY 1986.	4,000,000,000	U.S. government outlays for energy efficiency, FY 1980–87.
SDI research, FY 1987	3,700,000,000	Enough funds to build a solar power system serving a city of 200,000.
3 weeks of military spending of countries with literacy rates of 50 percent or less.	2,400,000,000	Additional UNESCO budget needs, over a decade, to eliminate illiteracy worldwide.
10 days of European Economic Community military spending.	2,000,000,000	Annual cost to clean up hazardous waste sites in 10 European Economic community countries by the year 2000.
1 Trident submarine.....	1,400,000,000	5-year child immunization program against 6 deadly diseases, preventing 1 million deaths a year.
3 B–1B bombers	680,000,000	U.S. government spending on renewable energy, FY 1983–85.
2 months of Ethiopian military spending.	50,000,000	Annual cost of proposed U.N. Antidesertification Plan for Ethiopia.
1 nuclear weapon test.....	12,000,000	Installation of 80,000 hand pumps to give Third World villages access to safe water.
1-hour operating cost, B–1B bomber.	21,000	Community-based maternal health care in 10 African villages to reduce maternal deaths by half in one decade.

Source: Worldwatch institute, based on various sources.

A boy who entered high school decided that rather than concentrate on classes or spend time in constructive extra curricular activities, he would "dominate" his fellow students. He would be the strongest, most defensive, most offensive kid in class. He had brass knuckles, knife, and later even a gun to insure that. He did body building exercises so that he looked strong although he was not. He used drugs to help him forget that he didn't feel good about himself.

After gaduation his classmates got jobs, made community decisions, maintained healthy lifestyles. He was unemployed, hungry and felt powerless. He took more drugs and was easy prey for covert manipulations.

We as a country are like that boy. We will worry about being the most domineering, strongest country without improving from within. We need to: Produce goods and food to be self sustaining: solve social problems (drugs, education, employment, medicine).

For instance, as the food production moves away from the family farm, into the big food cartels the possibility of and enemy takeover of our food supply becomes greater.

Defense should mean solving internal problems, or we will have our own "D" day: Discontent, Drugs, Disease, Danger, Depression, and Destitution.

Thank you very much, Mr. Oberstar, for this opportunity!

MARGARET WEBSTER.

TAMARACK, MN.

JANUARY 10, 1990.

Hon. JAMES OBERSTAR,
House of Representatives,
Washington, DC.

DEAR JIM: Since I am unable to attend your public meeting tonight I would like to take this opportunity to make a few comments with this letter.

First of all let me say that I am very happy to see world tension reduced to the point where this nation can shift some attention away from the military and start concentrating on its own needs. The list could be long, but I will condense it to what I consider to be of primary concern:

(1) Help for the homeless; (2) Health care for everyone; (3) Education; (4) City infrastructure: (A) streets, (B) side walks, (C) sewage disposal, (E) parks and recreation. (5) Drug treatment programs; and (6) Restoration of the "J.F.K." Youth Job Corp.

Thanks for your consideration. I appreciate your giving us an opportunity to express our opinion.

Yours truly,

WILLARD M. CLARK.

DULUTH, MN,
January, 10, 1990.

Hon. JAMES OBERSTAR,
Member of U.S. Congress, Room 213 Federal Building, 515 W. First St., Duluth, MN.

DEAR CONGRESSMAN: During years of the cold war, and especially of the Reagan and Bush administrations, federal appropriations for social services have been reduced in order that appropriations for armament could be increased. And now that Secretary Gorbachev is seeking lesser expenditures for armament, in order to have more Soviet funds for other purposes, it seems to me obvious that we should make a similar adjustment. Our failure to do so would weaken the support for him, and so increase the possibility that his right-wing opponents, who may want to continue the cold war, will be able to replace him. In order to reduce the potential for war, I think we should do everything we can to keep him, or possibly Yeltsin, in power.

As I understand military principles, a larger force is required for offense, than is required for defense; and therefore I consider it downright damaging for us to maintain larger numbers under arms, or larger investments in armaments, than does the U.S.S.R.

There is a tendency to try to find other uses for the military, and especially in trying to stop the flow of cocaine from Colombia and Peru. Social workers generally think they are more apt to succeed by working with potential drug users to reduce the demand. Former Secretary of State, George Schultz supported their position on WDSE-TV during the past week. The best analysis of the subject may be "Fighting Drugs With the Military" by Michael T. Klare, in The Nation for 1990 Jan. 1. He predicts that at best only slight reduction in the flow of cocaine could be secured from such a vast area and that the farmers who cannot make a decent living by growing any other crop, would eventually draw us into another Vietnam. Social workers recall that our effort at prohibiting sale of alcohol in the 1920s vastly increased our criminal element, and when we legalized its sale, the consumption decreased.

From an economic standpoint, we could by arms reduction, increase the forces producing things we consume and build housing for the homeless. The readjustment would be stressful for those in the military or in arms production; but they have been getting a lion's share of the income, and have had several years to see that readjustment was going to be needed. If they did not save to meet a readjustment cost, they have nobody to blame but themselves.

We have contracts with military personnel; but perhaps some would agree to change their contract for the purpose of delivering mail. We used to have two deliveries a day; and I can imagine that two instead of one would considerably speed business.

Thanks again for holding the meeting in Duluth. I think it was very worthwhile.

Respectfully,

ED KRAMER.

Representative OBERSTAR: I'm Mary Evans from Duluth.

This is a hearing on defense spending and I wish to question Congress' interpretation of defense. We don't have a War Department or an Attack Department. It is a Defense Department and the money is budgeted for defense, not attacks. The defense of our U.S. cities mean the population should be protected—protected against pollution, the environment (and here I'm talking of snow and rain or the homeless and insufficient food for the hungry) protection against nuclear waste, protection against crime and drugs and protection against attacks on the United States.

Why does the Energy Department make so many nuclear weapons for the Defense Department? Do we have two attack departments? Please take back to your committee that defense means a lot more than attack. If the Defense Department can't help us in the aforementioned defenses then the Defense Department money should go elsewhere.

Thank you.

OBERSTAR TOWN MEETING, JAN. 10, 1990

Congressman OBERSTAR: You were quoted in today's Duluth News-Tribune to the effect that the Budget Committee will with difficulty have to make a massive $64 billion cut in one year.

If the total annual defense budget could be cut in half as many in and out of government have already recommended, we could have a "peace dividend" of 150 billion. Pres. Bush suggests that expecting a peace dividend isn't being realistic.

Why wouldn't it be possible to cut the budget by $50 billion, reduce the federal deficit by $50 billion, and use the balance $50 billion of the peace dividend for people benefits such as: (1) National Health Care like Canada's; (2) Aid to education; (3) Roads and bridges and mass transit; (4) Waste disposal and pollution control; and (5) Caring for hungry, poor, and homeless.

Expanding on these for new priorities realizing that this is a land of plenty:

(1) About half (?) of our people have no hospitalization and medical insurance and can't afford to buy it; thus health deteriorates.

(2) Many test scores and opinion polls tell us that we can do a better job in education. The "Education President" needs to be pressured along with Congress into dedicating more money for educational programs that

are aimed at improving instruction appropriate to the '90's and the 21st Cent., decrease crime and drug abuse, reducing the dropout rate which in turn would help reduce the crime and unemployment rates. A footnote to this point is that our jails and prisons are overflowing which tells me that some of our homes and schools aren't able to do enough alone to salvage large numbers of our youth.

(3) Continued building of roads and bridges and mass transit systems can be a trade-off for some of the no longer needed military related employment. (Consider the $200 million which was spent during the past several years bringing the freeway past the downtown area of Duluth.)

(4) Waste disposal and pollution control. We are burying ourselves in our own waste! Research money for better methods and enforceable laws to guarantee health protection are needed to control individual and corporate waste/air, water, and land pollution.

(5) Caring for the poor, hungry, and homeless. To a large extent I believe this is not a popular cause for expending tax dollars. But I find no excuse, however, in this land of plenty to have hundreds of hungry, freezing, homeless people when we seem to have tons of money for national defense and national security and bailing out the corrupt S&L speculators. Taking care of our fellow American needy, suffering people has to be priority related to national security.

OIL PRICE GOUGING

Last week when we got our new oil bill to find that the price had risen 30¢ per gallon since the previous billing, I called seven other oil companies to find that each of them had raised their price to $1.199 per gallon. The reasons they raised their price: "Our price is up; there's a shortage of fuel; we have to raise prices to keep up with our competition." I called the Superior Refinery which also said the same things, including "Cold weather demand; all dealers charge the same because of competition." What a joke! Where is the competition? I call this price fixing, and I know laws are supposed to prohibit this.

Sincerely

RAY MUSKAT.

DULUTH, MN.

TRIBUTE TO MARY ANN BANKS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. FORD of Michigan. Mr. Speaker, I rise today to honor a very special person in my congressional district, Ms. Mary Ann Banks of Romulus, MI.

On Friday this week, Ms. Banks, the former mayor pro tem of Romulus, will be honored by the Romulus Chamber of Commerce as their 10th annual "Romulus Person of the Year."

Mary Ann Banks is a lifelong resident of Romulus, which is known to the rest of Michigan and the Nation principally as the home of the Detroit Metro Airport. I can say without fear of contradiction that no one has given more of herself to Romulus over the years than Mary Ann.

When she retired last year, Mary Ann had served for 12 years as mayor pro tem and chairperson of the Romulus City Council. Her official duties involved her in every aspect of community affairs—business development, public safety, education, and recreation.

Ms. Banks has been an outstanding public servant, not just as an elected official, but also as an employee of the Romulus school system. In addition to her duties as secretary for special services, Mary Ann enriched the lives of Romulus schoolchildren in a number of ways. She established the annual Student Government Day at Romulus City Hall, she has volunteered countless hours to help organize and run school fairs and PTA activities, and she has given generously of her time as a speaker in the schools, helping to make civics and government classes relevant and meaningful to hundreds of Romulus students.

I applaud the greater Romulus Chamber of Commerce for honoring Mary Ann Banks. She richly deserves the honor. Romulus is lucky to have benefited in so many ways from Mary Ann's talents, energy, civic pride, foresight, and her generous spirit.

TRIBUTE TO DAVID NORMAN

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to David Norman of my 17th Congressional District of Ohio, who is the statewide winner of the Veterans of Foreign Wars [VFW] "Why I Say No to Drugs" essay contest.

The VFW sponsored the contest for sixth, seventh, and eighth graders from all public, parochial, and private schools in Ohio. David is an eighth grader at Mineral Ridge Middle School and his winning essay is a personal account of what it is like living with parents who are addicted to drugs and alcohol.

I urge my fellow Members to read David's essay. I feel David's story needs to be told because it exemplifies the situation that many of our Nation's youth live with today.

WHY I SAY NO TO DRUGS

In this paper I am going to relate an authentic story of a very happy husband, wife, and son, and how drugs affected their lives. Things were great until the father began associating with the wrong people and started taking drugs regularly. Driving home from work one tragic night, after smoking marijuana and drinking a great deal of alcohol, he lost control of his car and killed himself and two other people. With his death he left behind a wife and an 18-month-old son.

The mother of this son had also been occasionally experimenting with pot. She eventually entered into a second marriage with a dope addict and they had a son, but one year later they were divorced. This was followed by another marriage to another dope addict, and another son was born. Throughout all these events, the oldest boy was being abused, beaten, and mistreated in many ways. As a 4-year-old he was placed in a closet and the door was locked. As a matter of fact, this closet served as his bedroom. He uncomfortably slept on a shelf while one younger brother slept on the floor below him.

After years of this abuse, the oldest boy finally ran away to live with grandparents who legally adopted him. The two younger boys, however, remained at home with the mother. Eventually the mother attempted suicide, and the father was imprisoned for drug-dealing. When all of this occurred, the mother gave away her two sons to strangers and then tried to kill herself again. Family and friends were hired to find the two boys. Concerned aunts and uncles sold property and personal items very dear to them in their efforts to discover the children. One was found 1,500 miles away, and the other just one block from his home. One of the boys was sent to live with his genuine father, while the other moved in with foster parents.

The boy who lived with his real father got a bad rap because, unfortunately, the father was a junkie. Again, the child suffered abuse and was eventually taken away to live with an aunt. The mother finally began to straighten out her life, and did gain custody of the boys again. As of this writing, the father has been released from jail, and the mother is attending school. Sounds good, huh? Well, they are still on drugs. They have not learned! They have ruined many lives, including those of three boys who will never be the same. The oldest one has undergone counseling for 9 years, still experiences horrible nightmares, and has been affected in many other ways.

I hate drugs because I am that oldest boy. Before becoming addicted to narcotics, a person should think of the many other people who love him, and if he truly loves them in return, he will say no to drugs. Not only can a person kill himself, but he can cause much harm to everyone around him. Believe me, I know!

Mr. Speaker, I would like to take this opportunity to commend David Norman on his prize-winning essay. His story brings to light the plight of children in America who are victims of parents and relatives who are chemically dependent. David deserves our admiration and respect for having the courage to tell his story. I am honored to represent this outstanding young man.

DOCTORS IN DISTRESS

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. LAUGHLIN. Mr. Speaker, I would like to call to the attention of my colleagues the strain in the medical profession in rural America caused by overregulation, as mentioned in a series of articles appearing in the New York Times entitled, "Doctors in Distress." The over regulation of the medical profession has caused a professional malaise in the profession that has affected rural hospital closings and Medicare costs. These are some reasons why men and women have been applying to medical school in small numbers in recent years, and why we have more burned-out doctors in a profession that is changing very rapidly.

Mr. Speaker, two well noted doctors from my home district, Dr. Dennis Wagner and his brother Dr. Robert Wagner of Shiner, TX, expressed their discontent in a New York Times feature article—February 19 issue—when they said they spend 40 percent of their time on

paperwork. The skyrocketing medical costs combined with the hospital crisis in rural America is one reason excellent doctors are leaving their professions and entering other fields. From 1975 to 1985, the number of rural doctors increased by 14.2 percent and great gains were made.

However, these gains must be looked at with a grain of salt when you consider that in a recent survey, 25 percent of rural doctors said they were dissatisfied with rural practice and were planning to leave within 5 years. Mr. Speaker, one possible solution now being considered by lawmakers would reimburse rural hospitals their fair share of medicare payments, and give more attention to the professional needs of doctors. If such proposals are implemented, it would help to solve a rural hospital crisis.

Clearly, the excessive paperwork, hospital closings and over regulation is developing into a crisis for the medical doctor in the heartland of America. Something must be done so that doctors who have dedicated their life to the medical profession, like the Wagners did, may practice medicine without excessive regulations and rules that threaten to stifle their abilities to provide the care needed in rural America.

ANNIVERSARY OF ESTONIAN INDEPENDENCE

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. CAMPBELL of California. Mr. Speaker, the Soviet Union's illegal annexation of the Republic of Estonia in 1940 stands in the annals of world history as one of the most shameful acts of international banditry ever perpetrated upon defenseless people. As the world's democracies watched, Hitler and Stalin divided Europe and set the stage for World War II. Estonia, Latvia, and Lithuania, along with other nations, suffered indescribably as the result of these criminal acts.

For almost five decades, the Estonians have been subjected to genocidal foreign occupation. With few meaningful options and limited resources, they have never ceased to resist and fight. Tens of thousands of unmarked graves in Siberia bear silent testimony to their suffering and steadfast desire for freedom. Those who were able to flee continued their struggle abroad, some fighting and dying on faraway battlefields. Their final resting places, from Finland to Arlington, VA, attest to their valor and willingness to fight wherever freedom was threatened.

On February 24, Estonians everywhere marked the 72d anniversary of Estonia's declaration of independence with renewed hope that past wrongs will be set right and that freedom will be theirs again. There can be no real peace or justice in the world until their Estonians, along with their Baltic neighbors and all other oppressed peoples in the world, are again masters of their own land and their own fate. On this anniversary, let us recommit ourselves to support them in their struggle for national survival and independence. This support should be unequivocal and based on the same ideals and principles that generations of Americans have fought and died for. The greatest tribute that we can pay to their sacrifices is to champion the rekindling of freedom wherever it has been extinguished. To do less would be to betray our own heritage.

Elagu Eesti (Long Live Estonia).

THE AIRBORNE SELF-PROTECTION JAMMER

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, today I rise to discuss the Airborne Self-Protection Jammer [ASPJ]. As some of you may be aware, the Air Force has eliminated funding for the ASPJ in the President's fiscal year 1991 budget. They have taken this action despite a dozen years of consistent Congressional support for ASPJ. The Air Force has decided to cut this program because they have some questions regarding the test performance of ASPJ, and because they need to find some place to cut in their budget. But can the Air Force really afford to eliminate the ASPJ program. The Navy, which has also invested considerable amounts of research and development funds believes that the ASPJ is absolutely necessary. Furthermore, every indication is that the ASPJ will indeed meet all expectations.

ASPJ is planned for approximately 2,200 Navy and USAF AV-8B, F-14, F-16, and F/A-18 aircraft. In constant year dollars the acquisition cost of ASPJ to protect these aircraft is approximately $60 billion. The acquisition cost of ASPJ to protect these aircraft is about $2.5 billion when purchased in economical quantities. That is what I call a leverage item. ASPJ is the most thoroughly tested system in the history of jammer developments. There have been over 8,000 hours of ground tests and 500 hours of flight test in the F-16 and F-18 aircraft. Any deficiencies in ASPJ relate more to the inability to define and provide the proper operational test environment than the ability of ASPJ to perform. For example, the measure of effectiveness criteria was so flawed that the Defense Acquisition Board declared that it must be redone. Amazingly, the important capability of ASPJ to prevent missiles from being launched wasn't even evaluated.

ASPJ is ready and it performs. There are over 400 LANTIRN equipped F-16 aircraft and over 500 Navy F/A-18's that must have ASPJ today. The Air Force wonders if they can afford self protection. How can they not afford it? A 5-percent reduction in aircraft would provide sufficient offset for this critically needed protection. Where in the budget is the Air Force planning to provide protection for these high valued aircraft? Is there really a net cost benefit from other alternative systems considering planes and lives lost to a less effective system, not to mention the added cost and time needed to develop a replacement to ASPJ? The fact is, there are no other systems available that can do the job. Other existing systems have very limited threat capability and must be redesigned, combined, repackaged and retested in the F-16 aircraft. All of this for a system less capable than the one we already have—ASPJ, the very type of leveraged system we need at this time of budget stretching. Every $1M spent on ASPJ from this point forward will save us many millions more in saved aircraft or reduced force structure requirements. This is not the time to stop a very well-conceived program after over $1 billion of expenditures, just when the cost and force structure benefits are being realized. ASPJ is in low rate production right now. As I stated before the Navy strongly supports the program. Reasonable public policy indicates that this low rate production should be continued by the Navy and Air Force without costly interruptions until the Defense Acquisition Board makes their determination for full rate production. The Air Force must continue its final verification testing of the ASPJ in the F-16 aircraft this year and should restore its support of the ASPJ Program in 1991 budget. No other path makes sense.

UNITED STATES ASSISTANCE TO POLAND: INITIAL REPORT TO CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. HAMILTON. Mr. Speaker, on February 15, 1990, the Committee on Foreign Affairs received an initial report concerning United States agricultural and economic stabilization fund assistance to Poland under Public Law 101-179, the Support for East European Democracy [SEED] Act of 1989.

The report follows:

U.S. DEPARTMENT OF STATE,
Washington, DC, February 13, 1990.

Hon. DANTE B. FASCELL,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: The Department herewith transmits an initial report concerning assistance to Poland, as required by section 102(a) of Public Law 101-179, "The Support For East European Democracy (SEED) Act of 1989."

Sincerely,

JANET G. MULLINS,
Assistant Secretary, Legislative Affairs.

Enclosure: As stated.

POLISH STABILIZATION FUND

On January 2, 1990, a stabilization fund for Poland (the Fund) went into effect. Pledges totaling approximately $1 billion have been made. Of this amount the U.S. has contributed a grant of $199.14 million as authorized by Section 102(c) of PL grant of $199.14 million as authorized by Section 102(c) of PL 101-179—the SEED Act. Other contributors to date are listed in the attached fact sheet.

Under the terms of the agreement between Poland and the United States governing the provision of the U.S. grant, the authorities of the two countries will decide in the future on the purposes for which the U.S. grant will be used after the Fund has been terminated.

The Fund is designed to support the currency reform instituted by Poland on January 1, 1990. Under this reform the zloty was sharply devalued and an official rate of 9,500 zloties=$1 was established. Also, the Polish authorities enacted a law which provides for limited convertibility of the zloty, by enabling residents to obtain freely foreign exchange for importation of merchandise and selected services.

As of February 2, Poland has not drawn on the Fund. The currency reform so far appears successful and the parallel market rate for the zloty has appreciated.

BRIDGE LOAN

In further support of Poland's program to attack inflation and to implement necessary economic reforms, the U.S. also organized a bridge loan of $500 million for Poland. The U.S. contribution amounted to $200 million. Drawdowns and subsequent repayments under the bridge loan are linked to future disbursements to Poland by the IMF and IBRD. U.S. funds for the bridge loans are from the Exchange Stabilization Fund.

DEBT RELIEF

On January 12, U.S. officials met with other members of the "Paris Club" for informal discussions on rescheduling Polish debt to member countries. Negotiations with Polish authorities will begin during the week of February 12 and are expected to result in a major rescheduling of Polish debt on very generous terms. Informal discussions have also been held between the Paris Club and representatives of commerical banks aimed at achieving comparable treatment of the two sets of creditors. These discussions will continue in the very near future.

Initial steps taken by the United States and on Poland's requirement for agricultural assistance (Title VII, Section 701(a)(2)ff.).

As specifically regards to food aid and other agricultural assistance (as opposed to macroeconomic assistance), the following information is submitted to meet these reporting requirements.

Initial steps taken to provide food aid include Congressional direction to pledge not less than $125 million in FY 1990. To date, $120 million has been programmed to provide corn, pork bellies, vegetable oil, rice, and cotton to Poland. Our intention is to provide U.S. feedgrains as much needed inputs to support the Polish dairy, livestock and poultry sectors. In that vain, USDA intends to make available an additional $5 million in corn under existing authority. The Poles recently indicated the need for obtaining wheat over the coming months, which we are currently reviewing.

We are especially concerned that Western food aid not undercut domestic agriculture production. We are working with the Polish Government and other donors to find ways to bring more farmers' stock to urban markets.

In December 1989, Secretary Yeutter and his Polish counterpart signed a framework agreement aimed at providing administrative and technical assistance to Poland's agriculture. The cooperation includes activities that will enhance Poland's agricultural production, marketing, inspection, and research systems.

Ten separate working groups will be formed to cooperatively work on assessing Poland's requirements for additional agricultural assistance in FY 1990 and future years.

A USDA Extension Service team of seven persons will spend ten days in Poland in February assessing immediate agricultural needs. The team will be evaluating Poland's existing agricultural extension system along with its rural infrastructure.

As currently programmed commodities arrive and are distributed in Poland, and the working groups mentioned above begin to work with their Polish counterparts, USDA will be in an excellent position to evaluate its programs and assess future Polish needs. We anticipate being able to make available an assessment update, as required by the SEED Act by mid-summer.

Poland has also transmitted a request for considerable assistance in obtaining noncommodity farm inputs. Neither the Act nor other existing programs provide a U.S. Government mechanism for meeting such a request on an immediate basis. In response USDA has undertaken a considerable effort to publicize the need in the U.S. private sector and is working with various private groups to explore avenues of assistance.

FACT SHEET—POLAND: STABILIZATION FUND

Purpose.—The Fund will complement resources provided by International Monetary Fund [the IMF] and will be available to support policies aimed at liberalization of payments and transfers for current international transactions. The Fund will bolster the credibility of such policies by providing an additional line of reserves.

Amount.—At least US$1 billion.

Start-up date.—January 2, 1990.

Term.—The term of the Fund will be one year with the possibility of extension for a further period.

Contributions.—Grants and loans and credit lines will be provided in the following amounts from at least the following countries:

United States: US$200,000,000; Federal Republic of Germany: US$ equivalent 250,000,000; United Kingdom: US$100,000,000; Japan: US$ equivalent 150,000,000; France: US$ equivalent 100,000,000; Italy: US$100,000,000; Canada: US$25,000,000; Austria: US$20,000,000; Switzerland: US$30,000,000; Spain: US$14,000,000; Turkey: US$750,000; Portugal: US$2,500,000; Sweden: US$ equivalent 10,500,000.

Fund owner and stabilization borrower.—National Bank of Poland (NBP).

Depository.—The Fund is to be held in an account established at the Federal Reserve Bank of New York [FRBNY] in the name of NBP.

Executive committee.—An Operating committee of contributing countries will be established in Washington, D.C., comprising the Executive Directors of the IMF or other representatives of governments of such countries. The Committee will be responsible for overseeing the operation and termination of the Fund. The United States will be responsible for the Secretariat work of the Operating Committee.

Operation of the Fund.—The Fund will be used as a supplemental line of reserves for sales of foreign exchange by NBP to the Polish foreign exchange banks. Any drawdowns from the Fund will be matched by use of Polish foreign currency holdings. Similarly, NBP purchases of foreign exchange from Polish foreign exchange banks will be used in equal portions to reconstitute any drawdowns of Poland's foreign currency holdings and Fund resources.

General review.—The operation of the Fund will be reviewed by contributors in consultation with the Managing Director of the IMF and Poland before June 30, 1990.

A RESOLUTION REGARDING THE ISSUE OF TRANSYLVANIAN HUNGARIANS

HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. DONALD E. LUKENS. Mr. Speaker, during its 83 years of existence, the American Hungarian Federation has proudly and effectively represented the views of the 1.8 million Hungarian Americans in this country.

For several decades, the American Hungarian Federation has been at the forefront of the struggle for human and cultural rights as well as the right of self-determination for the 2.5 million Hungarians living in Transylvania, which is currently part of Romania.

Since the dreaded Ceausescu regime was overthrown by the revolution of the people, the federation has adopted a resolution regarding the issue of Transylvanian Hungarians drafted by the national president Rt. Rev. Tibor Domotor and Dr. Z. Michael Szaz, the chairman of the federation's international relations committee. Both Reverend Domotor and Dr. Szaz have dedicated many years of their lives to the fight for human rights and against the Communist dogma.

I insert this resolution into the RECORD.

A PETITION FROM THE AMERICAN HUNGARIAN FEDERATION ON BEHALF OF THE HUNGARIANS LIVING IN TRANSYLVANIA AND FOR A JUST AND LASTING PEACE IN EUROPE

The American Hungarian Federation was founded in 1906 and chartered by an act of the United States Congress in 1907 to serve as the umbrella organization and spokesman for the Hungarians living in the United States of America. On January 6, 1990 in Linden, New Jersey, the board of directors of the American Hungarian Federation passed the following resolutions.

1. That the U.S. Government initiate a call for an international conference under the terms of the 1975 Helsinki declaration to review the question of national boundaries in disputed areas of Europe.

2. That the right of self-determination, as annunciated in the famous 14 points of President Wilson, serve as the basis for all border revisions and be especially applied to the areas detached form Hungary by force at the end of World War I and World War II.

3. That the international conference ratify by treaty the new boundaries and guarantee them something the United States failed to do after World War I and II.

The seeds of World War III were planted in the unilateral peace treaties of World Wars I and II, and unless an international conference resolves by peaceful means the unjust and unstable boundaries of Hungary, Germany and the nationalities of Eastern Europe and the Balkans, the people in these areas will try to resolve the issues through force and bloodshed that will spread beyond their immediate geographic area and involve the United States and other nations in another world-wide tragedy.

Until such time as an international conference can complete the above requested action, we the board of directors of the American Hungarian Federation further request.

4. That the United States government demand form the present and future Romanian governments that they grant autonomy to the Hungarian population of Transylvania.

We should demand the immediate restoration of the Hungarian school system, including the Bolyai University, to its previous role as the preserver, protector and transmitter of Hungarian language and culture in Transylvania.

We should demand that bilingual equality between Hungarian and Romanian be established. That there be freedom to use either language in all public and private communication and that all Hungarian places and monuments be designated by their Hungarian names.

We should demand that the forced resettlement of Hungarians outside of Transylvania be terminated and those already forced to settle in other parts of Romania be allowed to return to their former areas within Transylvania.

We should demand that the Romanian government respect the basic human rights of all Hungarians in Transylvania to freedom of religion, speech and participation in the political process of their region and country.

We should demand that an international commission be established to monitor the compliance of the Romanian government in the above areas.

The year 1990 marks the 70th anniversary of the Treaty of Trianon, a treaty based on hatred, vindictiveness and obsolete military considerations. This treaty was reconfirmed by the Paris Peace Conference that saw the division of Europe into two ideological and economic systems.

Lincoln remarked a nation cannot live half-free and half slave. The revolutions sweeping central and eastern Europe starting in 1989 show that you can by force of arms suppress the flame of freedom, but you cannot extinguish it. The time has come for the U.S. Government to take a stand for freedom and self-determination of these people along just and ethical lines. Inaction on the part of the U.S. Government at this time will only insure that it will at a later point in time be caught up in a conflagration it could have at least tried to prevent.

TRIBUTE TO ELSIE MALLEY

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. SCHAEFER. Mr. Speaker, today I rise to pay tribute to a very special lady who is celebrating her 100th birthday on March 6, 1990.

Elsie Malley, one of seven children, was born on a farm in Alma, KS. She has fond memories of her childhood there; everything from the swimming hole to cherished family Christmases.

At age 13, Elsie quit school to go to work cleaning houses, where she began a lifetime of sharing with others. Later, she became a nursemaid, and then a department store clerk in Topeka, KS.

Elsie moved to Colorado, and while caring for a woman friend, met and married Andrew in 1911. They settled in their home at 18th and Logan in Denver. However, Andrew passed away in 1929, and for 5 years after that, Elsie worked at the Federal Reserve Bank. She later married Henry, the owner of a meat market. They bought a ranch in the Smoky Hill area, and the running of the ranch fell into Elsie's hands as Henry spent most of his time in his native Germany. Henry passed away in 1966, and in 1967 she married Henry Malley and moved to Brodus, MT. Henry Malley died, leaving her with a nightclub in Brodus, which she sold and with the proceeds bought a much needed library there.

Elsie returned to Denver in 1971, and as the generous caring person she is, contributed greatly to a fundraising drive to build a senior center in Englewood, CO. Her generosity helped the dream come true, and the Malley Senior Center in Englewood opened in 1977. It has grown to be the largest in the State, with over 9,000 members.

I would like to commend Elsie M. Malley for her caring spirit of giving to others and to wish her great happiness on the occasion of her 100th birthday.

THE FAMILY TAX RELIEF AND SAVINGS PLAN

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. SCHUETTE. Mr. Speaker, today I am introducing three bills to reduce taxes and provide incentives to save for the lower and middle class American.

I call this package of bills "The Family Tax Relief and Savings Plan." The first bill provides for a cut in the capital gains rate, the second is a modified IRA plan to help families save for first time home purchases, child care, education, and medical expenses as well as retirement, and the third is a tax feature which would significantly increase the standard deduction for those families truly unable to save for the same purposes.

All three bills are geared toward economic expansion, saving for the future, and making more money available for investment in our great American economy. Historically, our Tax Code has been structured away from savings and toward consumption; consumption has become ingrained in our national psyche. My legislation will tilt the Code toward increased savings.

This change, of course, is necessary due to the recent erosion in the level of national savings. The United States finds itself in a critical situation. Our personal and national savings rates are simply too low to provide necesssary capital from within our own borders for the entrepreneurs who are the backbone of our national economic growth. Unless this problem is addressed soon, our future competitiveness and our ability to maintain our current standard of living could easily be seriously affected.

I urge my colleagues to join with me in promoting savings, investment, education, and improvement in the ability of the average American to provide housing, child care, education, and medical care for his or her family.

VIRGIN ISLANDS PAIR HIKES APPALACHIAN TRAIL

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. DE LUGO. Mr. Speaker, It takes determination and stamina, not to mention a big heart and big thighs, to hike the length of the Appalachian Trail.

We have two young Virgin Islands residents who made the full-length, 2,000-mile trek on the Appalachian Trail and I want to bring their attention to the U.S. Congress. Sarah Glass and Brian Dierk joined an elite group that has completed this hike and I want to express the Virgin Islands' pride in their unique accomplishment.

Many people start the Appalachian Trail every spring, but only a few have the discipline and determination to carry on all summer and finish up as the fall colors begin to appear in Maine. Brian and Sarah have joined that elite group.

Brian and Sarah trained hard, hiking the beautiful steep mountains of St. Thomas in the Virgin Islands, to prepare for the Appalachian Trail. For months prior to the hike, they could be seen every day climbing our own mountains at all hours and in all weather. They showed great discipline and they achieved their goal.

I want to place this story from the Virgin Islands Daily News that recounts their achievement into the CONGRESSIONAL RECORD, and express my congratulations to both of them.

[From the Virgin Island Daily News]

2,000-MILE APPALACHIAN HIKE IS RARE FEAT FOR VIRGIN ISLAND PAIR

(By Isaac Causey)

Daily News Sportswriter

Would you walk 2,000 miles for nothing?

I wouldn't, but would you?

Well, Sarah Glass did. Earlier this year, Glass and her friend, Brian Dierk, both of St. Thomas, hiked on the Appalachian Trail from Georgia to Maine.

"I wouldn't recommend it to anyone," Glass said of the journey, which lasted from April 21 until Oct. 3. "It was a challenge we had. I guess everyone gets them."

But get this: According to Jean Cashin of the Appalachian Trail Committee, the group supervising the event, out of about 1,200 people a year entering the hike, less than 100 actually finish it. In the event's 46-year history, only about 1,800 people have finished the hike.

"It was hard and exciting," said Dierk, 25. "I think it was the challenge that made us do it."

Glass said that in order to get a badge, each person who completes the hike must write a letter describing the journey.

Can you imagine yourself climbing hills and mountains, while fighting the rain, wild animals and fatigue, just for a badge? Some challenge, indeed.

Well, Glass and Dierk did.

"About 90 percent of the people who drop out do it before they make it to Kentucky," Glass said. "When we were walking up the hill for the start of the hike, folks even starting dropping out then.

"After our first day hiking, in which we did 8.7 miles, I said, 'Oh my God, what have we gotten ourselves into now?' My feet were hurting and I wondered if we could make it."

Come on. Two thousand miles . . . It can't be that bad. I mean, it's only a 40-hour ride while driving 50 mph. Plus, Glass and Dierk had the luxury of sleeping on the hard ground and eating canned food for about five months. In addition, Glass and Dierk carried backpacks weighing 45 and 55 pounds, respectively.

"It was kind of neat," Glass, 27, admitted. "Strangers would come out to the trail and watch. Some would bring you sodas and candy bars. They were so supportive."

Plus, there is the great exhilaration of finishing. Doing what only a few have done. The few, the proud and the bold. The chosen 1,800.

"When we made it to the last mountain," Glass said. "I looked across the valleys and waters and it finally hit me that we might finish this thing. Everybody was jumping up and down, hugging and kissing each other. I thought: 'Get me to the closest McDonald's.'"

The craziest thing about traveling on the trail, Glass said, was meeting crazy people—for example, Crazy Man.

Crazy Man is the name given to a gentleman on the trail who fits the title. Glass said she never knew his real name, but called him 'Traveler' because he was making his seventh trip on the trail. Would you call him anything else?

How could someone train to conquer 2,000 miles of wilderness, hills and mountains seven times? In fact, how could anyone get in shape for such a one-time experience?

"There's nothing you can do to train for the mountains," she said. "We did a lot of walking around here. Both of us are pretty athletic. I play tennis and run a lot, but that doesn't matter on the mountains. I tell you, they take no prisoners."

THE DANGER OF "ICE"

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. LEVINE of California. Mr. Speaker, on November 20, 1989, I introduced H.R. 3766, legislation making the penalties for distribution of 50 grams of "ice," a new smokable form of speed, comparable to penalties for distribution of 50 grams of crack. Experts have predicted that ice will be the crack of the 1990's. My legislation seeks to stop the distribution of ice now, before dealers are able to addict a new generation of drug users.

Today, I would like to share with my colleagues excerpts from a February 8 article from Rolling Stone titled "The Ice Age." As the author states, "(a)n epidemic of ice in America promises to strain further the law enforcement, judicial, educational, and social resources already being spent in the Nation's war on drugs. Like heroin, coke, crack, PCP, and other drugs of choice in our time, ice threatens health, lives, families, and social fabric."

Ice abuse is especially known for causing schizophrenia and paranoia, resulting in episodes of extreme violence. As the article states, in Hawaii, where ice abuse is epidemic, weapons seizures are up 150 percent, law enforcement has confiscated submachine guns, assault rifles, hand grenades, rocket grenades, and booby traps.

Mr. Speaker, I commend the attached article to my colleagues, and urge their support of H.R. 3766:

THE ICE AGE

HONOLULU.—One night as he slept, special agents from the DEA entered Robert Li's bedroom and planted a tiny speaker in his brain. The device was top secret; it transmitted and received. It read his thoughts, broadcast voices, tracked him by satellite everywhere he went.

At work in the produce department, he'd notice now and then that certain shoppers would stop their carts and spy on him—men, women, teenagers. He could hear them talking. "He's spraying the lettuce now," they'd say.

At home he'd hear noises. He'd look out the window, but no one was there. Sometimes, if he looked quick enough, he could glimpse the edge of a shirt collar in the bushes, the bill of a baseball cap behind the fence. Once he saw a man with a walkie-talkie standing near his car. "I know what you're thinking," the man said into a handset. Li rushed outside. The man was gone.

After that, Li stayed in his room. The broadcasts got louder. He dug around in his ear with a paper clip, but he couldn't find anything. Neither could the doctor who patched him up three times. "Then I started thinking maybe things were planted in my walls, planted in my radio," Li says. "I took apart everything in my room you could think of. I'd spend hours—ten, twelve, fifteen straight hours—just taking something apart. Don't ask me what I was looking for. I mean, I knew what I was looking for. I was looking for a mike or something like that. But they could have easily put it in there, and you don't know what it is. You know how many parts a TV set has? I couldn't find anything, so I put it back together. I don't know if I'll get radiation now, but it works."

At the moment Li is sitting on his bed, propped on pillows against the wall, grinding his teeth. This is his parents' place, a modest wood-frame house on the windward side of the island of Oahu, in the state of Hawaii, nine or ten miles over the mountains from Waikiki. It's a small room, the scene of his boyhood, with wood paneling, a shelf full of model cars and spent disposable lighters. Li is twenty-eight, part Chinese, part Caucasian, part Hawaiian. He is dark and mop haired, with hooded eyes and a strong square chin.

Li reaches into his shirt pocket and pulls out a clear glass tube with a hollow ball at one end, a fluted mouthpiece at the other. At the top of the ball is a small hole; at the bottom, a little clump of crystals. The crystals are translucent, shiny, like sea salt or rock candy. Li covers the hole with his finger, teases the glass ball with a tight blue flame. In a few seconds the crystals melt, then bubble, then vaporize. Smoke swirls inside the ball, clean white smoke, wispy and warm like clouds. He sucks it through the tube, inhales deeply. There is no smell. It tastes to him like vanilla. Others say that it tastes like green apples or star fruit, or that it tastes the way plumaria smells. Li exhales, opens his eyes, smiles.

The first time Li smoked ice was six years ago. He wasn't a drug type; he didn't even smoke *pakalolo*, Hawaiian-grown pot. He was a drinker. His was a standard-issue American life. Since high school, weekends had been a case of beer, cruising the streets of Waikiki, gawking at tourists, stopping in at Masquerades or the Rock and Roll Clinic or maybe going in with three friends on one of the whores strolling the beachfront avenue of shopping malls. He would do cocaine once in a while, share a half a gram, not enough to get really high, just something to keep him awake a little longer, to take the wooze off the beer.

Then his buddy Ron asked Li if he wanted to try something new. They were on dinner break on the night shift at the grocery store. Each smoked about four hits. "It felt different," Li says. "I didn't know what to expect, and I didn't know the high, so I didn't know I was high. But I noticed I kept talking more. I was more friendly towards people. Usually I'm kind of quiet. It made me feel happy, you know. And it made you want to work more, and work harder and faster. I was stocking shelves. I was really stocking those shelves. Great rows. Perfect balance. I really concentrated. I hardly took any breaks."

For the next six months, Li and Ron would smoke crystals before work four or five times a week. A week's worth cost them only about thirty dollars apiece. They'd heat and smoke, and then the liquid would cool and recrystallize, stick to the bottom of the pipe. Ice is reusable—portable, too. The pipe stays always loaded and ready to go. They could carry it anywhere they went, and they did. Nobody could tell they were on drugs. They seemed garrulous and happy. They got their work done. They were model employees.

In a few months Li had his own pipe. You can buy one at any number of head shops or Korean liquor stores, but only if you ask for a "liquid-incense burner." If you say "pipe," they won't understand you. At work, Li started taking more breaks. Between breaks he'd think about the next break.

Even though the feelings of well-being and concentration and high energy Li got from smoking just a few hits could last six to eight hours, or even longer, taking hits off the pipe became his main preoccupation. Smoking was sensual: the flame, the bubbles, the swirl. It was something he just kept thinking about, something he wanted to do again and again. After a while, all he ever wanted to do was smoke or visit people who smoked. There weren't many of those around in 1983, but they found one another, and their number grew. In the beginning, ice makes you want to share.

Li would stay up three or four days at a time, then crash. It was hard to sleep at first. His mind would race and his heart would pump. Then, just as he'd start settling down, phasing out, a jolt would run through his body, and he'd be up again, wide awake. Finally, he'd sleep fifteen or twenty hours. Then he'd smoke some more, just to get out of bed.

More months passed. Li lost weight, about thirty pounds. His eyes sunk into the back of his head and his skin turned greenish yellow, but he looked okay to himself. He started calling in sick at work. He stayed in his room. "You'd start thinking about what's broken around the house, how to fix it," he says. "Sometimes you'd actually fix something. Most times you just think how to make things. Things just for drugs. A better pipe. Or trying to make something to hold the pipe in my car, so that it only took one hand to operate the lighter and the pipe."

Sometime during his second year of daily use, Li became convinced that the DEA had planted the speaker in his brain. "It's like whatever I'd be doing, the voices would tell me what I was doing," he says. "It would be your thoughts, but in somebody's else's voice. Or I'd think something, and then they'd say, 'Oh, I heard what you just thought.' They were playing with you. They were always teasing you. *They.* I always say *they.* Sometimes you think it's your friends. Sometimes you think it's undercovers. Then I thought at one point that maybe it was this special agency that helped you get off drugs. I thought maybe my parents paid these people to trip me out so bad that I'd stop."

Li was fired from his job. For the next two and a half years, he stayed home and smoked. When he thinks about that time, it's kind of like a movie he saw once, grainy and hazy, a shadow of memories. His parents knew what he was doing behind his closed door. He told them he was smoking ice, because he didn't want them to think he was smoking crack. All those commercials, you know? He didn't want them to worry. Since he'd worked for many years and always lived at home, he had quite a bit of savings. He spent that, and then he spent a $5000 credit line he'd opened to restore his old Mustang. He ran his credit cards to the limit with instant cash advances.

"I heard the voices every single damn day for over a year and a half," says Li. "Maybe two years, three. It was really bugging the shit out of me. The part that bugged me the most was that my thoughts were being read. Like I couldn't have a personal thought to myself. Your friends were reading your thoughts, so you couldn't think nothing about them. I'd have fights with my parents, and I'd say, 'You guys know what I'm thinking!' And they would tell me it was just the drugs. I would say, 'You know what's going on. You guys are playing this game with me. Just tell me how you're doing it, and I'll quit.'

"Some days I would think, 'Oh, all these voices are only in my mind. It's stupid to think they planted something in my head.' But some days your mind would think the worst things. My friends noticed I was weird. They said they liked me better when I was straight. I agreed with them. I knew it was true, but what could I say? I liked the drugs."

Six months ago, the voices got so bad that Li finally agreed to get help. He stopped smoking, got some medication from a clinic. The voices went away. He got a custodial job and thought about the last six years. It was like he'd missed part of his life. He stayed straight for a while. Then, he says, "you start thinking of the good times you had with your friends. You wish you could go through it again. You want to reminisce. It doesn't seem like bad memories. You can think of the hard times, but mostly it's only the good times you think of."

Li raised his pipe, heats the bowl. The smoke swirls; he takes another hit. "I only do it once in a while now," he says. "Like maybe only three or four days a week, but not every day. It feels great. It's like a new high. I get the voices, but it's not strong like it used to be. I guess I can cope with it better now.

Robert Li is one vision of a new era in drug abuse, the age of ice. A synthetic smokable reprise of crystal methamphetamine, ice is essentially the same drug as the pep pills and speed of yesteryear, the crank of motorcycle gangs and heartland dopers in America today. What's different is the form—whole crystals; the method of ingestion—smoking; and the purity—about ninety percent. Some incidence of ice has been reported in New Orleans, New York, the Pacific Northwest and Southern California, the traditional home of crystal-meth production. But the real problem, according to the National Institute on Drug Abuse (NIDA), is in Hawaii, where the drug has recently been declared "epidemic."

Manufactured with easily purchase medical ingredients, ice ranges in color from translucent to milky white to yellowish brown. Fifty dollars buys one-tenth of a gram on the street, in papers or glassine envelopes. Coke sells at fifty dollars for one-half gram. Shipments of ice have been intercepted coming into Hawaii from Taiwan, Hong Kong, Thailand, the Philippines and Korea, which law-enforcement officials say is the world's major producer. Ice is the fusion of two Asian traditions—smoking drugs and using amphetamines. It is called *shabu* by the Japanese, *hiroppon* by the Koreans, *yaamaa* by the Thais, *batu* by the Filipinos. At the moment, according to a law-enforcement source, there are two labs manufacturing ice in Honolulu.

The medical examiner's office here reports thirty-six deaths involving the drug since 1985, twelve of them in the first six months of 1989. The dead ranged in age from eighteen to sixty-six and represented all of Hawaii's major ethinic groups. Causes of death were determined to be heart disease, stroke, murder, toxic overdose, suicide and, in one case, autoerotic hanging.

The NIDA study shows that twenty-five percent of all babies of suspected drug users tested in Hawaii had traces of crystal meth in their bodies. One YMCA youth-outreach program reports that use of ice among its 500 teenage clients has skyrocketed. In 1986, YMCA officials say they know of no kids doing ice. In 1987, there were 50; in 1988, 250.

A police study of comparable nine-month periods in 1988 and 1989 shows ice arrests up from 203 to 451—most of them resulting from routine traffic stops. Total seizures of the drug doubled to almost ten pounds during those same periods. A task force consisting of Honolulu police, federal prosecutors and agents for the DEA, the IRS, the INS and U.S. Customs has arrested twenty-two major traffickers since 1987. All either have pleaded guilty or await trial.

On the rise also is violence related to ice, particularly among immigrant Filipino youth gangs, which have served as the major sales force since the drug was first marketed in quantity in the mid-Eighties. Weapons seizures are up 150 percent: Police and federal agents have confiscated submachine guns, fully automatic assault rifles, hand grenades, rocket grenades and booby traps.

Now, according to the NIDA study, "the stage may be set for . . . [smoking] to become a trend elsewhere on the continental U.S."

An epidemic of ice in America promises to strain further the law-enforcement, judicial, educational and social resources already being spent in the nation's war on drugs. Like heroin, coke, crack, PCP and other drugs of choice in our time, ice threatens health, lives, families and social fabric.

But compared with the consequences of the others, the threat of widespread ice use has a paricularly disturbing element. Put aside for a moment the fact that long-term use of crystal meth causes alterations in brain chemistry that result in the symptoms and delusions of paranoid schizophrenia. Think about this: Ice is not a drug that makes you high. It doesn't make you drunk like alcohol or stoned like pot. It doesn't give you a rush, take you on a trip or even bend reality. In the beginning, before the toxic effects build, the thing that ice does is make you feel bright, awake, happy. You feel good about yourself, no matter how bad things may be. You can work and produce on ice, be rewarded for you efforts. You don't mind getting up in the morning. You don't care anymore that your job is boring or that your boss is a schmuck. You see the goodness in others. You see your place in the universe and the golden possibilities of things to come. Just a few hits of ice and all is well; you can get on with the life you already own.

Local and federal officials have already begun to articulate the ice problem in the same terms as crack—as a part of the calculus of gangs and economics. They say that ice is more attractive because its effects last longer than crack's. They miss the point. Ice threatens a new population for a whole new set of reasons. Like soma, in Huxley's Brave New World, ice is a maintenance drug for the masses, a pacifier, a rectifier, a kind of readymade, chemical worldview. The people using ice in Hawaii are not, for the most part, the usual criminal elements, and they don't use ice for the usual criminal reasons. Housewives who do ice say they become modern models of Superwoman, finding energy to handle kids, job, husband and bedroom, and still have time for themselves. Adolescents say that ice makes them feel secure, well adjusted and better able to express their inner feelings. Truckers, accountants, store clerks, hotel and restaurant workers, data processors, mechanics—mainstream, middle-class Americans—are doing a highly dangerous drug, and they are doing it because it helps them overcome the malaise of daily earthbound existence, helps them acccept who they are.

Rick, a maintenance man, heard Samoan war drums, thought someone was out to kill him and turned himself over to the cops to avoid assassination. Connie, a messenger, thought her body was covered with bugs. She went so far as to call the health department and have her whole house fogged. Jack went outside several nights a week and rammed his truck into the trash cans in his driveway. Derek, a data programmer, had a DEA implant too, but he used his to contact famous men like Lee Iacocca for discussions about corporate management. Jasmine, the former manager of a fastfood restaurant, would spend hours cleaning her kitchen floor with a toothbrush. Tommie, a truck driver, heard voices from random speakers: The PA system at a used-car lot would taunt him. The radio in his truck would be off, but still it would call his name.

Ice affects people the way it does because of its similarity to a group of natural chemicals in the brain called sympathomimetic amines. These amines, which include norepinephrine, epinephrine and dopamine, function as neurotransmitters, the chemical facilitators of human reactions and feelings.

Amphetamines cause the release of these chemicals into the brain and body. The physical effects depend upon the user, the environment, the dose, the purity and the method of administration. With small doses, users experience increased blood pressure, slower heart rate and weaker heart contractions. With greater doses, heart rate and force of contractions accelerate. Other

symptoms are dilated pupils, light sensitivity, blurred vision and dry mouth, as well as increased breathing rate and muscle tension.

Users also feel fidgety, anxious. They enjoy repeating simple tasks over and over, like stringing beads or playing darts. In the beginning, before reaching a toxic state, ice users feel euphoric and alert. They feel powerful, confident, uninhibited, impulsive, horny. Men experience easy and durable erections, and orgasms for both sexes are delayed and intense. Often, users think their performance on the job has improved, and sometimes their ability to carry out simple manual tasks may actually be greater. Usually, however, improvement is only in perception. You just think you're doing more.

After a time, the brain becomes flooded with dopamine, and the resulting imbalance is the same one seen in paranoid schizophrenics. In fact, researchers first began understanding schizophrenia when they applied the medical models developed through the study of "speed freaks" in the Sixties. Besides voices, hallucinations, bugs and paranoia, ice users also have less tolerance for frustration and stress, which often results in violence. Like schizophrenics, ice addicts can be treated with drugs like Thorazine and Haldol, though some patients continue to hear voices for as long as six months after quitting. As the acute symptoms of addiction set in, the intensity, efficiency and euphoria vanish. Users need larger and larger does just to get normal.

Smoking ice sends amphetamines quickly to the brain. Inhaled into the lungs, the drug is absorbed immediately into the bloodstream through millions of tiny vessels. The blood then flows into the left side of the heart, where it is pumped into the brain and then through the body. When injected, the drug travels from the vein through the body, to the right heart, to the lungs, to the left heart and then to the brain. This way, the drug takes longer to kick in, but users experience an intense rush. When smoked, there is little or no rush.

Ice may cause the arteries in the heart and brain to shrivel. Pulmonary edema, and excess of fluid in the lungs, has also been seen, as have strokes and cerebral hemorrhages. Early reports show that ice use by pregnant women causes decreased blood flow to the fetus, resulting in underdeveloped limbs, organs and brains. The long-term effects of ice are not known.

"Ice is the street name for methamphetamine, a man-made drug, one of a family of central-nervous-system stimulants called amphetamines. Some sources attribute the discovery of amphetamines to a German scientist in 1887; others to a Japanese in 1919. What is clear is that sometime around the turn of this century, pharmaceutical researchers figured out the chemical structure of the natural substance the brain manufactures to react to stress and synthesized it in the lab. Amphetamines are copies of the brain's natural stimulant.

It wasn't until 1932 that any practical use for amphetamines was discovered. That year, the drug company Smith, Kline and French marketed a Benzedrine inhaler for treatment of lung congestion, asthma, colds and hay fever. As people discovered the euphoriant effects of Benzedrine, the first abuse of the drug began. By breaking open the inhaler and pouring a soft drink over the drug-impregnated filter paper inside, users could extract the basic amphetamine. The manfacturer soon changed to a nasal shrinker that did not have a stimulative effect on the brain.

Over the next decade, depsite isolated instances of abuse, amphetamines became known as a kind of universal tonic. The drug industry developed a list of thirty-nine generally accepted uses for amphetamines, including treatment of schizophrenia; morphine, codeine and tobacco addiction; heart block; head injury; infantile cerebral palsy; radiation sickness; low blood pressure; seasickness; and persistant hiccups.

The drugs were promoted as nonaddictive, and amphetamine derivatives, such as methamphetamine, were developed in both oral and intravenous preparations. A warning was included with the drug, indicating that doses higher than recommended might cause restlessness and sleeplessness. Physicians at the time, according to the literature, were sure there were no significant side effects. In 1937, amphetamines were used in the treatment of hyperactive children, Parkinson's disease, depression and narcolepsy, an epileptic disorder that causes a person to fall asleep at inappropriate moments. When narcolepsy patients reported loss of appetite, it was discovered that amphetamines also worked as an anorexic, an appetite depressent for weight loss.

World War II saw heavy use of amphetamines by both sides. According to NIDA, 200 million amphetamine tablets were distributed to U.S. troops during the war to increase activity in battle and to stave off hunger and sleep. Likewise, the drug was used by the British and Germans, as well as the Japanese, who also distributed amphetamines to industrial workers at home to enhance output.

Consequently, large stores of the drug remained on hand after the war. Pharmaceutical companies in Japan mounted a publicity campaign to market the drug over the counter to the general public, suggesting that citizens needed the lift to get back into normal life. This led to the first documented epidemic of amphetamine abuse. In the late Forties, it was reported that Japan had 550,000 amphetamine addicts in a population of 88.5 million. Japan's first wave of abuse peaked in 1954, when the government cracked down on over-the-counter sales and 55,000 arrests were made. Amphetamine use, however, continued to spread throughout Asia.

Though a prescription was necessary in the United States, millions of units of amphetamines were still sold by drug companies to shady entrepreneurs in care of post office boxes. From there amphetamines found their way into diners, taverns, filling stations. Bennies or pep pills, as they came to be known, were used by college students athletes, truckers and housewives, in addition to thousands of veterans returning from the war with amphetamine habits.

The earliest incidence of intravenous abuse of amphetamines was found among American GIs stationed in Korea and Japan in the early Fifties. The soldiers learned to mix the drug—then called splash—with heroin and inject the combination. This came to be known as a speedball. In time, all amphetamines became known as speed.

In the early Sixties, doctors in San Francisco began prescribing amphetamine injections for treatment of heroin addiction. Widespread abuse followed as San Francisco pharmacies began selling injectable amphetamines without precriptions, or with crudely forged prescriptions or through bogus telephone orders from users posing as doctors. At the same time came the advent of the "scrip-writers," physicians who, for the six- or seven-dollar cost of an office visit, would write out prescriptions for drugs.

In 1962, federal, state and local law-enforcement agencies cracked down, and drug companies withdrew their liquid, injectable products from general distribution, though amphetamines remained available to hospitals. Soon illegal crystal meth labs cropped up in the Bay Area, capitalizing on the lucrative market abandoned by legitimate producers.

The height of speed abuse began with the Summer of Love, in 1967, when thousands of teenagers took off to Haight-Ashbury. That first year, pot and LSD were the drugs of choice for the masses of flower children; there was relatively little speed, and little violence, in the beginning. In time, however, the tenor of drug use in the Haight changed. As kids arrived in increasing numbers, the original flower children, who saw drugs as a path to love, peace and mind expansion, were overrun by the newcomers. The new kids were into anything they could get their hands on. The speed labs met the need.

In the last fifteen years, with the rise of cocaine and crack, amphetamines—under the name of crystal meth or crank—have found a quiet niche among motorcycle gangs, truckers and dopers in rural areas, where cocaine is less plentiful and too expensive, and where organized crime has no major stake. Produced in home labs by rogue chemists, the drug is synthesized by a simple process and has lately become even harder to detect due to new chemicals that smell less pungent.

After a lull of several years, crystal meth use seems to be on the rise in the U.S. seizures of labs producing crystal meth more than tripled between 1981 and 1987. Emergency-room reports of meth abuse increased 110 percent between 1985 and 1987. Meth-related deaths increased 78 percent between 1985 and 1986. Until recently, before the advent of ice, crystal meth was either snorted or shot.

Asians who live in crystal meth's "White Triangle"—the area circumscribed by Japan, Hong Kong and Thailand—have historically eschewed the use of needles. With their long tradition of smoking opium, heroin and marijuana, the Japanese, Chinese and Koreans have, over the last several decades, been smoking amphetamines as well.

With the law-enforcement heat on in Japan in the Sixties, Japanese criminal gangs, the *yakuza*, relocated their illegal amphetamine laboratories to South Korea and Taiwan, shipping the finished product back to Japan to feed the habits of tens of thousands, possibly hundreds of thousands, of addicts. Arrests in Japan for amphetamine trafficking and possession have held steady at about 20,000 a year for the last decade. In South Korea, arrests increased about 800 percent between 1984 and 1988. Recently, Korean authorities arrested twenty-three people involved in a major production ring. Drug-enforcement officials say that the lifting of foreign-travel restrictions by the Seoul government has led to a 72 percent increase in travel, providing an easy screen for drug couriers.

Ice made its first appearance in Hawaii during the late Seventies, as America's fiftieth state was taking on the increasingly Eastern complexion of a Pacific rim outpost. The man who popularized ice in Hawaii, according to law-enforcement officials, was a Filipino immigrant named Paciano "Sonny"

Guerrero. Arrested in March of last year with two pounds of ice, a DeLorean car, $30,000 in cash and jewelry and detailed records of his business dealings, Guerrero, 38, was sentenced to twenty-five years in prison without parole for the sale and distribution of ice.

Guerrero, a naturalized citizen, came to Hawaii from the Philippines in the Sixties, then worked as a warehouseman and mechanic for a tire dealership near Honolulu. He and a few friends began smoking and dealing small amounts of ice in the late Seventies and early Eighties. In 1984, Guerrero met Jackie Y. She and her boyfriend, Leonard T. Kang, had access to a big source of ice at home in Korea. Thus, Guerrero became the main ice connection in Hawaii.

"Sonny was a horrendous gambler," says one law-enforcement official. "Through his gambling—cockfighting and cards—he knew hundreds of people, mostly Filipinos who were either degenerate gamblers or car thieves, the criminal element." Under Guerrero, there emerged a group of lieutenants called the Seven Princes. Beginning in 1984, a well-structured organization was built, and Guerrero started moving pounds, kilos and multikilos through a network of dealers and runners that ran into the hundreds and supplied thousands.

"The organization was kind of strange in that they didn't really fit into the patterns you usually see," says the official. "Generally, some are groups of amateurs that get lucky, and the next thing they know, they're making millions. Then you have the organized-crime guys, and it's just a business. Sonny didn't fit into either category. On the one hand, they were very organized, had very clear-cut lines of communications and authority. They had beepers and code numbers, were very security-conscious. They divided things up into cells, so some people never knew who they were getting their drugs from. They were very efficient and very smart in some ways. But very stupid in others. For example, here you have a multimillion-dollar organization, and everybody involved, including the people making millions, were smoking themselves."

Guerrero, five foot six, 150 pounds, favored loud clothes and gaudy jewelry. When he was arrested, he was wearing around his neck a one-ounce gold Krugerrand surrounded by one-carat diamonds. Guerrero ran a stable of fighting chickens and gambled regularly at Sam See Gambling House, an illegal parlor in Kalihi, one of the Filipino ghettos of Oahu. He was known to drop $250,000 in an evening and laugh it off.

Guerrero also liked to travel to the mainland with an entourage. The group, usually four men and three women, would fly to Los Angeles and check into an expensive suite, equipped with four or five televisions. Then the women would be sent out to buy Nintendo games for all the TVs, and the men would smoke ice and play Nintendo all night long. The next day they'd leave the stuff in the room, fly to San Francisco and start all over again.

It is not known how much ice Guerrero moved during his career, but in the eighteen months before his arrest, his own minutely kept records show, he sold more than seventy-five kilos of the drug at gross receipts of $7.6 million.

Through contacts with the underworld, Guerrero assembled a sales force from the memberships of five Filipino gangs; the Hawaii Brothers, the Young Hawaii Brothers, the Cross Suns, the Wild Boys and the Young Terrible Kids. Ranging in age from fifteen to thirty, these gang members involved in drugs numbered about 300.

In certain ways, the Filipino gangs mirror the profile of gangs on the mainland. They are socially dispossessed young men, with litte education. They see ice not only as good tasting and countercultural but also as the key to economic and social gain. The Filipino gangs surfaced years ago in response to intense prejudice against Filipinos in Hawaii. In a land of immigrants, Filipinos are at the bottom of the racial pecking order. The butt of jokes and lampoonish stereotypes, they are known throughout the islands as the Puerto Ricans of the Pacific.

Filipinos were first brought to the territory in the 1900s as colonials contracted to work on sugar-cane and pineapple plantations. Today, with the decline of agriculture in the state, they work predominantly in the "new plantations," the tourist hotels and restaurants that account for the bulk of Hawaii's industry and income.

From 1970 to 1980, during which time martial law was imposed by Philippine president Ferdinand Marcos, the percentage of Filipinos in the Hawaiian population rose from nine to fifteen. In public schools, a good indicator of future demographics, thirty percent of the students today are Filipinos. Filipinos have twice the birthrate of any other ethnic group except Hawaiians, and their dropout rates are the highest. Filipinos also have the highest percentage of parents holding at least two jobs. In fact, it is not uncommon for each parent to work two jobs. Instant cash is what they're after. They want to bring their families over, to buy a house. Though the ghettos are not dirty or run-down, they are overcrowded, with landlords charging their countrymen $300 to $600 a month for one room in a house shared with several other Filipino families.

"Because the first wave of immigration was predominantly male," says Dean Alegado, a Philippines-born professor of ethnic studies at the University of Hawaii, "a lot of the stereotypes about Filipinos had to do with lack of women. They are also known for gambling, troublemaking, knives, gangs. They traveled in packs, spent money on expensive clothes and cars, lived in red-light districts like Chinatown."

Says one intermediate-school guidance counselor: "The parents work very hard to give their kids material things. They don't see their kids much, so they give them things. They figure they're in America now, and kids just have to have what they see on TV. All the kids have cars. Nice new cars. A lot of them are bought by the parents. The parents take the bus, the kids bring the cars to school. It's not unusual for a parent to get another job just to make the payments on a kid's car."

With the coming of Sonny Guerrero and ice, young Filipinos saw a new and exciting way to make money. Oddly, counselors and teachers first noticed amphetamine use among adolescent Filipino girls who may have been given the drug by older boyfriends. Soon, however, the boys followed. "One of the first things we noticed," says one youth counselor, "was that the stuff was incredibly expensive, so the people who were using were also selling. And all of a sudden these kids had access to money like they never saw before. Mostly they sell to their friends. We had one client who was netting like $500 a week for some pretty minimal dealing."

Adds the school guidance counselor: "These kids give the money they make back to their parents. I don't think the parents ask them where it's from. They can always pull the shades down over their eyes."

The kids also spend money on themselves, though not in the ostentatious ways of the mainland. The older ones have new cars, but they tend to be Nissans and Hondas and pickup trucks. They dress like Miami Vice, get their hair spiked in the front and leave it long in the back, sometimes tinting the ends with henna. They carry handguns in their belts or in tote bags. They turn up the Van Halen or Bon Jovi, but not too loud. Oahu may be a large island, but it is still a very small town.

From the Filipino community, use of the drug spread outward into the general population. "When you get down to the level of the guy who works at Sears, and he wants to sell a half a gram to make back his money and get his stash free, he's going to sell to anybody, whether the guy's white or Japanese or whatever," says a law-enforcement source. "The other ethnic groups just don't have their own source of supply."

Today—with Guerrero, a major Korean distributor and many leaders of the Hawaii Brothers in jail on drug and criminal charges—rival Filipino gangs are vying for control of Hawaii's ice trade. In the last six months there has been an outbreak of gang-related shootings. One boy was killed in a shootout at a high school. A twenty-three-year-old man was found on a deserted road, bound hand and foot and shot through the head. A sixty-four-year-old woman was killed in the crossfire of a drive-by shooting.

"The trend I'm looking at now," says an officer with the Honolulu police department's gang task force, "is that there's a void at the top of the organizations. We feel the ground rumbling. It's starting to look like the more crystal gets notoriety here, the more people start to use it, the more these gangs are going to realize, hey, this is a damn profitable drug.

"These guys are getting sophisticated," the officer continues. "They're going high-tech. Pagers, cellular phones, guys keeping track of their deals on personal computers. And when you take the general public out there, the users can be anybody. Although the angle is that, hey, these gang guys here are dealing it, you have a great demand out there, and it doesn't matter what ethnic group they are. The users come from all backgrounds. Eventually, they start selling too."

In the next few years, if the experts from NIDA and the DEA are correct, the mainland will be hearing a lot more about ice hallucinations and voices, ice bugs and paranoia, ice in the workplace and at home.

ALL WHO LOVE DEMOCRACY REJOICE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. McEWEN. Mr. Speaker, the past 8 months have been unparalleled in providing a string of dramatic democratic uprisings in oppressive Communist countries, confirming the success of decades of dedicated American effort, and the complete failure and rejection of communism. In nearly all corners of the world this is a tremendously exciting time for

supporters of peace, freedom, and democracy.

Today I rise to applaud the efforts of those who have labored for years to allow Nicaragua to join the rest of its Central American neighbors in the family of free and democratic nations. Despite every effort of the Sandinista dictators and their friends to the contrary, the forces of democracy would not submit to the type of tactics that held Eastern Europe hostage for the past 45 years.

Yesterday, the Sandinista regime that tried to steal every ounce of freedom, democracy, and human spirit out of the people of Nicaragua over the last decade, learned a lesson that continues to ring in the ears of Communist dictators the world over: Given the slimmest opportunity, the desire to breath free will lead to the demise of totalitarians.

Here from this place of freedom, to Violeta, Chamorro, the rest of the UNO candidates, parties, and supporters, and all of the Nicaraguans with the courage to defy the Sandinista threats and vote for UNO, demand our respect and commendation. We hope that this will cause another country to be free from the grips of Communist oppression—all who love democracy rejoice.

TECHNICAL REFERENCE DOCUMENT FOR THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1990

Mr. WAXMAN. Mr. Speaker, printed below is the Technical Reference Document for the Digital Audio Tape Recorder Act of 1990. This document contains the standards and specifications for the serial copy management system [SCMS] in DAT recorders recommended by the recording and consumer electronics industries and mandated by H.R. 4096, the Digital Audio Tape Recorder Act of 1990.

TECHNICAL REFERENCE DOCUMENT FOR THE DIGITAL AUDIO TAPE RECORDER ACT OF 1990

INTRODUCTION

This Technical Reference memorandum is provided to facilitate the implementation of legislation relating to digital audio tape ("DAT") recorders, known as the "Digital Audio Tape Recorder Act of 1990" ("the Act").

This Technical Reference memorandum adopts those standards proposed to the International Electrotechnical Commission ("IEC") in "IEC 958: Digital Audio Interface" and "IEC XXX Part 6: Serial copy management system for consumer audio use DAT recorders", that are necessary to implement the Serial Copy Management System under the Act. However, compliance with the standards and specifications set forth herein may require adherence to additional IEC standards and specifications with respect to digital audio signals and/or DAT recorders. Regardless of whether the standards and specifications set forth in this or any other document are subsequently adopted or amended by the IEC, the mandatory standards and specifications set forth herein, as they may be amended pursuant to an order of the Secretary of Commerce under Section 4(b) of the Act, shall be considered determinative for the purposes of United States law.

Two sets of standards and specifications are established by this memorandum. The first set governs the composition of digital audio signals being sent to or by a DAT recorder via a non-professional interface, referred to hereinafter as the "Digital Audio Interface Standard." The second set governs the recording and play-back functions of non-professional model DAT recorders, referred to hereinafter as the "Serial Copy Management System Standard" or the "SCMS Standard."

PART 1. DIGITAL AUDIO INTERFACE STANDARD

Many devices are capable of producing digital audio signals. For example, compact disc players, DAT recorders, analog-to-digital converters and electronic musical instruments currently can issue digital audio signals; future devices may include digital videocassette recorders and digital microphones, among others. To enable communication between these different types of devices and a DAT recorder, it is necessary and desirable to establish a common protocol or "interface" that mandates the location and significance of particular bits of information in the digital audio output signal of each device. Such a standard already has been established in the document IEC 958.

Under IEC 958, inaudible information, known as "Channel status data", accompanies a digital audio signal being sent to or by a DAT recorder. Like all digital data, channel status data consist of numerical information encoded as a series of zeros and ones. Each zero or one constitutes a "bit" of data in which both zero and one may impart information concerning the composition of the audio signal being sent to or by a DAT recorder. Bits represented in this memorandum as "X", rather than as zero or one, indicate that those bits may be either zero or one without affecting the standards set forth herein.

Channel status data bits are organized into units of information, known as "blocks," relating to both the left and right stereo audio channels. Each block contains 192 bits of information, numbered consecutively from 0 to 191. Most of these 192 bits currently are reserved for future use. Those channel status bits that are significant to the implementation of the Digital Audio Interface Standard and the Serial Copy Management System are included within channel status bits 0 through 15, as set forth in the remaining sections of this Part I.

A. Summary of Mandatory Digital Audio Interface Standard

According to IEC 958, there are two basic types of interfaces for digital audio signals that can be sent to or by a DAT recorder. A "professional interface" is a digital audio signal that contains particular types of channel status data for such DAT recorders as would be used by recording professionals as contemplated by the Act ("professional model" DAT recorders). A "non-professional interface" is a digital audio signal that contains different types of channel status data. The channel status data sent in a non-professional interface are incompatible with the channel status data in a professional interface. Hence, a non-professional DAT recorder cannot record digital audio signals sent in a professional interface. Whether a digital audio interface is professional or non-professional is indicated by the setting of Bit 0, know as the "Channel Status Block Flag", as set forth below.

This Digital Audio Interface Standard applies only to machines having a non-professional interface. To the extent that a professional model DAT machine also may have a non-professional interface, such a professional model DAT machine must send channel status data via its non-professional interface in accordance with the standards set forth herein. However, nothing in this Digital Audio Interface Standard shall be interpreted to prevent a professional model DAT recorder having a non-professional interface from permitting such channel status data bits to be set in accordance with the needs of a professional user.

This Digital Audio Interface Standard requires that all devices having a digital audio output capable of supplying a digital audio signal to a DAT recorder through a non-professional interface must implement five types of codes located between Channel Status Bits 0 and 15. Under the Digital Audio Interface Standard, Channel Status Bits 0 through 15 are supplied in a digital audio output signal, and are read by a DAT recorder. Those bits that are mandated under this Digital Audio Interface Standard are as follows:

1. *Bit 0.* Bit 0 (the "Channel Status Block Flag"), one of the "Control" bits, shall identify whether the channel status bits are for a professional or non-professional interface. Where Bit 0 is set as "1", the signal contains the channel status data required for a professional interface. Where Bit 0 is set as "0", the channel status data is suitable for a non-professional interface. The remaining bit assignments under this Digital Audio Interface Standard are mandated only with respect to a non-professional interface, *i.e.*, where Bit 0 is set as "0".

2. *Bit 1.* Bit 1, another of the "Control" bits, shall identify whether the signal being sent to or by the DAT recorder is a digital audio or a digital data signal. Where Bit 1 is set as "0", the signal is a digital audio signal. Where Bit 1 is set as "1", the signal is a digital data signal.

3. *Bit 2.* Bit 2 (the "C" Bit), another of the "Control" bits, shall identify whether copyright protection is asserted for the work being sent via the digital audio input signal. Where the C Bit is set as "0", copyright protection has been asserted over the material being sent to the digital audio input of the DAT recorder. Where the C Bit is set as "1", either that material is not protected by copyright or no copyright protection has been asserted by the owner of that material. For Digital Receivers (Category Codes 001XXXXL and 0111XXXL), the C Bit shall be set as "0", except that these devices shall send the C Bit as "1" only where the cable operator or broadcaster specifically transmits information indicating that no copyright protection has been asserted over the material. Where a device combines more than one digital audio input signal into one digital audio output signal (*e.g.*, in the case of a digital signal mixing device), and copyright protection has been asserted in the C Bit for at least one of the input signals, then the device must permit the assertion of copyright protection over the resulting digital audio output signal (*i.e.*, set the C Bit as "0").

There is no existing legal requirement that a copyright owner must assert protection over its work (and, therefore, set the C Bit as "0"). However, except as provided herein with respect to Digital Receivers, a copyright owner may not set the C Bit as "0" for works that are not copyrighted or are in the public domain.

4. *Bits 3-7.* These bits are sent to and read by a DAT recorder, but specific bit settings for Bits 3-7 are not necessary for the implementation of the SCMS Standard set forth in Part II.

5. *Bits 8-14.* Bits 8-14 shall specify a "Category Code" that identifies the type of device that produces the digital audio signal sent to or by a DAT recorder. Using various combinations of zeros and ones, Bits 8-14 can define Category Codes for as many as 128 different devices that can provide digital audio signals to a DAT recorder. According to IEC 958, the first three to five Category Code bits (numbered Bits 8-10 through 8-12) describe general product groups, and the remaining Category Codes bits specify particular devices within each product group. IEC 958 has assigned particular Category Codes to existing and anticipated product groups and devices, and has reserved additional Category Codes for future devices.

The Category Code issued by each particular device must reflect the most specific code applicable to that device. There is one exception in the case of digital signal processing and mixing products, which receive digital audio signals from one or more sources and either process or combine them with other incoming digital audio signals. If all incoming signals are from an analog-to-digital converter having a Category Code "01100XXX", these devices should issue the Category Code of that analog-to-digital converter rather than of the digital signal processing or mixing device. This will permit two generations of copies from present-day analog recordings, which otherwise is permitted under the SCMS Standard.

The relevance of these Category Codes to the SCMS Standard is described below in Part II.

6. *Bit 15.* Bit 15 (the "L" Bit) shall indicate the "generation status" of the digital audio signals being sent to or by a DAT recorder. "Generation status" means whether the signal emanates from a source that has been produced or published by or with the authority of the owner of the material, such as commercially released pre-recorded compact discs or DAT tapes or a digital broadcast (referred to herein as "original"); or whether the signal emanates from a recording made from such "original" material. In the latter case, a recording made directly from an "original" source is known as a "first-generation" copy; a recording made from a first-generation copy is a "second-generation" copy; and so forth.

For most products, if the L Bit is set as "0", the source is a recording that is first-generation or higher. If the L Bit is set as "1", the source is "original." For digital audio output signals from a laser-optical product, however, the definitions of the L Bit are reversed (*i.e.*, L Bit= "0" for "original" material and L Bit="1" for first-generation or higher recordings). For Digital Broadcast Receivers (Category Codes 001XXXXL and 0111XXXL), the L Bit always shall be set as "0"; except in the case of receivers for Electronic Audio Software Delivery, in which case such receivers shall send the L Bit as "1" only where the cable operator or broadcaster specifically transmits information indicating that the higher material should be treated as if it were first-generation or higher.

For devices that combine more than one digital audio input signal into one digital audio output signal (such as digital signal processors or mixers), the L Bit of the output signal must reflect the highest generation status of any input signal over which copyright protection has been asserted. Thus, where one or more of the constituent input signals is a first-generation or higher copy over which copyright protection is asserted, then the device must reflect in the L Bit of the digital audio output signal the generation status for a first-generation or higher copy. In all other cases, the device shall reflect in the L Bit that the output signal is original.

B. Mandatory Digital Audio Interface Standards

The following bit assignments for channel status data, as referenced in the provisions of IEC 958 ¶ 4.2.2 "Channel status data format for digital equipment for consumer use", shall be mandatory:

1. *Bit 0-2 of the "CONTROL" Bits:*

a. *Bit 0 (the "Channel Status Block Flag")*

Bit 0= "0"—Non-professional interface.

Bit 0= "1"—Professsional interface.

b. *Bit 1.*

Bit 1="0"—Digital audio signals.

Bit 1="1"—Non-audio (data) signals.

c. *Bit 2 (the "C" Bit).*

i. *Case 1.*

Bit 2="0"—Copyright protection asserted.

Bit 2="1"—No copyright protection asserted or not under copyright.

Exception to Case 1.

For Digital Receivers (Category Codes 001XXXXL and 0111XXXL), the C Bit shall indicate:

Bit 2="0"—Copyright information transmitted and protection asserted, or no copyright information transmitted.

Bit 2="1"—Copyright information transmitted and no copyright protection asserted.

ii. *Case 2.*

Where a single digital audio output signal results from the combination of more than one digital audio input signal:

Bit 2="0"—Copyright protection asserted over at least one of the constituent digital audio input signals.

Bit 2="1"—For all of the consistent digital audio input signals, no copyright protection asserted or not under copyright.

2. *Bits 3-7:*

Specific bit settings for Bits 3-7 are not necessary for the implementation of the SCMS Standard set forth in Part II.

3. *CATEGORY CODE Bits 8-15:*

a. *Bits 8-15.*

The Category Codes that follow are established for particular product groups. Where Bit 15 is represented by "L" rather than a zero or on, Bit 15 (the "L" Bit) can be either a zero or one without affecting the Category Code. Where Bit 15 is represented by "X" rather than a zero or one, the device is not capable of issuing status information concerning the L Bit.

00000000—General. This category applies to products that are capable of sending channel status data but are not programmed to send such data in accordance with the specifications set forth in this Memorandum, because the products were manufactured before the implementation of this Digital Audio Interface Standard and the Serial Copy Management System Standard. This General Category Code shall not be used for products manufactured after the effective date of the Act.

0000001L—Experimental products not for commercial sale.

100XXXXL—Laser-optical products, such as compact disc players (including recordable and erasable compact disc players) and videodisc players with digital audio outputs.

010XXXXL—Digital-to-digital ("D/D") converters and signal processing products.

110XXXXL—Magnetic tape of disc based products, such as DAT players and recorders.

001XXXXL and 0111XXXL—Digital reception of digitally-encoded audio signals with or without video signals, including Digital Cable or Digital Broadcast Receivers.

101XXXXL—Musical instruments, microphones and other sources that create original digital audio signals.

01100XXX—Analog-to-digital ("A/D") converters for analog signals without status information concerning the C Bit and L Bit ("Present A/D converters").

01101XXL—A/C converters for analog signals which include status information concerning the C Bit and the L Bit ("Future A/D converters").

0001XXXL—Solid memory based products.

Particular devices within each product group defined above shall be assigned specific Category Codes in accordance with IEC 958. Manufacturers of any device that is capable of supplying a digital audio input to a DAT recorder must use the most specific Category Code applicable to that particular device. However, digital signal processing or digital signal mixing products in Category Code product group "010XXXXL" should issue the Category Code for Present A/D converters where all the input signals have the Category Code for a Present A/D converter.

b. *Bit 15 (the "L" Bit):*

The L Bit shall be used to identify the generation status of the digital audio signal as emanating from an "original" work or from a first-generation or higher recording.

1. *Case 1.*

For all Category Code (except as explicitly set forth below), the L Bit shall indicate:

Bit 15="0"—First-generation or higher recording.

Bit 15="1"—"Original" work, such as a commercially released pre-recorded DAT tape.

a. *Exception (a) to Case 1.*

The reverse situation is valid for laser optical products (100XXXXL). For this Category Code the L Bit shall indicate:

Bit 15= "1"—First-generation or higher recording

Bit 15= "0"—"Original" recording, such as a commercially released pre-recorded compact disc

b. *Exception (b) to Case 1.*

For Digital Receivers (Category Codes 001XXXXL and 0111XXXL), Bit 15 always shall be set as "0"; except for receivers for Electronic Audio Software Delivery, for which the L Bit shall indicate:

Bit 15= "0"—Generation status information transmitted as original status material or no generation status information transmitted

Bit 15= "1"—Generation status information transmitted as for non-original material

c. *Exception (c) to Case 1.*

The L Bit has no meaning for A/D converters for analog signals that do not include status information concerning the C Bit and the L Bit (*i.e.*, A/D converters in Category Code 01100XXX).

2. *Case 2.*

Where a single digital audio output signal results from the combination of more than one digital audio input signal:

Bit 15= "0"—One or more of those constituent digital audio input signals over which copyright protection has been asserted is first-generation or higher.

Bit 15= "1"—All other cases.

II. SERIAL COPY MANAGEMENT SYSTEM FOR "NON-PROFESSIONAL MODEL" DAT RECORDERS

The Serial Copy Management System Standard applies only to digital audio tape recorders that are not professional model DAT recorders as defined under the Act.

The general intention of the SCMS Standard is to prevent non-professional model DAT recorders from making second-generation or higher digital recordings of "original" digital audio input signals over which copyright protection has been asserted via the channel status bits. The SCMS Standard does not prevent the making of a first-generation recording of such "original" digital audio signals. As future technologies permit, the SCMS Standard will limit the digital recording by a DAT recorder of analog audio signals over which copyright protection has been asserted to the making of only a first-generation digital copy. However, because present technology does not identify whether analog audio signals are protected by copyright, the SCMS Standard will not prevent the making of a first and second-generation digital copy of such signals. The SCMS Standard will not restrict digital recording of material over which copyright protection has not been asserted via the channel status bits of the digital audio input signal.

A. Summary of Mandatory Serial Copy Management System Standard

To implement the Serial Copy Management System, the SCMS Standard requires that a DAT machine must play-back and/or record specific inaudible data in a particular location on a digital audio tape. According to the IEC documents "IEC XXX Part 1: Digital Audio Tape Cassette System (DAT) Dimensions and Characteristics" and "Part 6: Serial copy management system for consumer audio use DAT recorders," that particular location on the digital audio tape consists of two bits known as "subcode ID6 in the main ID in the main data area" ("ID6").

1. SCMS Operation When Playing a DAT Tape

With respect to the play-back function, a DAT machine that is connected to another DAT recorder can provide digital audio output signals via a non-professional interface. In that circumstance, the DAT play-back machine functions as a digital audio interface device that must provide channel status data conforming to the Digital Audio Interface Standard set forth above in Part I. The SCMS Standard requires that when a digital audio tape is played back, the DAT play-back machine reads the information from ID6 on the tape and then sends the corresponding channel status data (concerning Bit 2 "the C Bit" and Bit 15 "the L Bit"), along with the Category Code for a DAT machine, in its digital audio output signal. The channel status data to be sent in response to the various settings of ID6 are as follows:

1. Where ID6 is set as "00", copyright protection has not been asserted over the material under the SCMS Standard. In response to ID6, the digital audio signal output of the DAT will provide the C Bit set as "1" and the L Bit set as "0".

2. Where ID6 is set as "10", copyright protection has been asserted over the material under the SCMS Standard and the recording is not "original". In response to ID6, the digital audio output signal of the DAT will provide the C Bit set as "0" and the L Bit set as "0".

3. Where ID6 is set as "11", copyright protection has been asserted over the material under the SCMS standard and the recording is "original". In response to ID6, the digital audio output signal of the DAT will provide the C Bit set as "0" and the L Bit set as "1".

2. SCMS Operation When Recording on DAT Tape

With respect to the recording function, the SCMS Standard governs the circumstances and manner in which a DAT recorder may record a digital audio input signal. A DAT recorder implementing the SCMS Standard must be capable of acknowledging the presence or absence of specific channel status information being sent to the DAT recorder via its digital audio input. The DAT recorder than responds to that channel status information by either preventing or permitting the recording of that digital audio input signal. If recording is permitted, the DAT machine records specific codes in ID6 on the tape, so that when the tape is played back, the DAT machine will issue the correct channel status data in its digital audio output signal. The settings of ID6 to be recorded in response to particular channel status bit information are as follows:

1. Where the C Bit of the digital audio input signal is set as "0" (copyright protection asserted), the DAT recorder shall not record the input, except in three circumstances: (a) where the input is original material (*i.e.*, where the digital audio input signal comes from one of the products on the "Category Code White List" set forth below in section C); (b) where the digital audio input signal contains an undefined Category Code (in which case only one generation of recording is permitted); or, (c) where the digital audio input signal comes from a product with a defined Category Code but the product currently is not capable of transmitting information regarding copyright protection (in which case, two generations of copying are possible). In circumstances (a) and (b) above, the DAT recorder will record "10" in ID6 to prevent further copying. In circumstance (c) above, the DAT recorder will record "11" in ID6 for the first-generation copy.

2. Where the C Bit of the digital audio input signal is set as "1" (no copyright protection asserted or not copyrighted), the DAT recorder will record "00" in ID6, and unlimited generations of copying will be permitted.

3. Where the C Bit of the digital audio input signal fluctuates between "0" and "1" at a rate of between 4–10 Hz, the signal is coming from a recordable or erasable compact disc that is not an "original" and that contains material over which copyright protection has been asserted. The DAT recorder shall not record in this circumstance.

4. The condition "01" in ID6 has been assigned no meaning within the SCMS Standard. Therefore, to prevent circumvention of the SCMS Standard, the DAT recorder shall not record "01"in ID6 on the tape.

B. Mandatory Standards for the Serial Copy Management System

Mandatory Standards for Digital Audio Output Signals

a. *Category Code Bit 15 (the "L" Bit).*

All "non-professional model" DAT recorders shall provide the Category Code "1100000L" in the channel status bits of the digital audio output signal. The status of the L Bit of the Category Code shall be provided in the digital audio output signal of the DAT recorder as follows, in accordance with the status of ID6:

When ID6 is "00", the digital audio output signal shall indicate in the L Bit of the Category Code that the output source is either a first-generation on higher DAT tape recorded from an "original" source, or an "original" commercially released prerecorded DAT tape of material over which copyright protection is not being asserted under the SCMS standard. In either of these cases, the L Bit shall be set as "0", and the complete Category Code would be "11000000".

When ID6 is "10", the digital audio output signal shall indicate in the L Bit of the Category Code that the output source is a first-generation or higher DAT tape recorded from an "original" source (*i.e.*, L Bit="0"). The complete Category Code in this case would be "11000000".

When ID6 is "11", the digital audio output signal shall indicate in the L Bit of the Category Code that the output source is an "original" source, such as a commercially released prerecorded DAT tape (*i.e.*, L Bit="1"). The complete Category Code in this case would be "11000001".

b. *Bit 2 (the "C" Bit).*

All non-professional model DAT recorders shall provide an output code in the C Bit in the channel status bits of a digital audio output signal. The C Bit shall be applied in the digital audio output signal as follows, in accordance with the status of ID6:

When ID6 is "00", the C Bit shall be set as "1".

When ID6 is "10" or "11", the C Bit shall be set as "0".

2. Mandatory Standards for Recording Functions

The SCMS Standard with respect to recording functions performed by a non-professional model DAT recorder receiving digital audio input signals shall be implemented as follows:

1. Digital audio input signals in which the C Bit is set as "0" shall not be recorded, except for the cases specified below in paragraphs 2, 4 and 5.

2. A DAT recorder may record a digital audio input signal in which the C Bit is set as "0", where the Category Code of the signal is listed in the "Category Code White List" set forth below. The DAT recorder shall record "10" in ID6 on the tape in this case.

3. For digital audio input signals in which the C Bit is set as "1", the DAT recorder shall record "00" in ID6 on the tape except for those cases specified below in paragraphs 4 and 5.

4. For digital audio input signals that contain Category Code information that is not defined in this memorandum, the DAT recorder shall record "10" in ID6, regardless of the status of the C Bit or the L bit.

5. For digital audio input signals originating from an A/D converter with the Category Code "01100XXL", or from other sources such as from A/D converters with the Category Code for "General" ("00000000"), the DAT recorder shall record "11" in ID6, regardless of the status of the C Bit or the L Bit. This requirement shall be applied to digital input signals that do not contain source information of the original signal before digitization, *e.g.*, an A/D converter that does not deliver source information.

6. For digital input signals originating from an A/D converter with the Category Code "01101XXL", which can deliver original source information concerning the C Bit and L Bit even if the source is in analog format, the requirement stated above in

paragraph 5 shall not be applied. The "Category Code White List" set forth below includes this Category Code.

7. A digital audio tape of "original" generation status over which copyright protection has been asserted shall contain "11" in ID6. A digital audio tape of "original" generation status over which no copyright protection has been asserted shall contain "00" in ID6.

8. A DAT recorder shall not record digital audio input signals where the C Bit alternates between "0" and "1" at a frequency of between 4 and 10 Hz and the Category Code is for a Compact disc digital audio signal ("10000000"), as in the case of digital audio input signals from recordable or erasable compact discs that are not "original" and that contain material over which copyright protection has been asserted.

9. A non-professional model DAT recorder shall not record digital audio input signals sent from a professional interface, *i.e.*, where channel status Bit 0 is set as "1".

10. The condition "01" in ID6 is not to be used.

11. Category codes and the C Bit included in the channel status information of digital audio input signals being sent to or by a DAT recorder shall not be deleted or modified and shall be monitored continuously and acted upon accordingly.

C. "CATEGORY CODE WHITE LIST"

100XXXX0—Laser optical product.

010XXXX1—Digital-to-digital converter and signal processing devices.

110XXXX1—Magnetic tape and disc based product.

001XXXX0—Digital reception of digitally encoded audio and signals with or without video signals, such as

0111XXX0—Digital Cable and Digital Broadcast Receivers.

101XXXX1—Musical instruments.

01101XX1—Future A/D converter (with status information concerning the C Bit and L Bit).

0001XXX1—Solid state memory based product.

00000011—Experimental products not for commercial sale.

PART III. APPLICATION OF THE DIGITAL AUDIO INTERFACE AND SCMS STANDARDS

The following charts apply and correlate those codes that are mandated by the Digital Audio Interface Standards SCMS Standard under the Act, in those situations contemplated by these standards. The columns in each of these charts identify the following information:

The "Signal Source" column describes the type of product sending the digital audio signal to a DAT recorder.

The three columns under the heading "Digital Audio Input Signal" identify the correct channel status information in the C Bit, Category Code Bits 8-14 and the L Bit, respectively, which correspond to each product. The "Digital Audio Input Signal" described below is the signal being sent to the DAT recorder.

The next three columns under the heading "DAT Recorder Response" identify the response of the DAT recorder to the corresponding digital audio input signal. The column "ID6" specifies the code that the DAT recorder will record on the tape in ID6 in response to the digital audio input signal. The last two columns set forth the correct channel status information in the C Bit and L Bit that are sent in the digital audio output signal of a DAT recorder in response to the setting of ID6.

Each of the appropriate codes is set forth in the cases described below:

CASE 1.—WHERE COPYRIGHT PROTECTION HAS BEEN ASSERTED OVER THE DIGITAL AUDIO INPUT, AND THE SOURCE OF THE INPUT IS "ORIGINAL" MATERIAL

[Only first-generation recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Laser Optical	0	100XXXX	0	10	0	0
D/D converter	0	010XXXX	1	10	0	0
Magnetic prod.	0	110XXXX	1	10	0	0
Musical instrum.	0	101XXXX	1	10	0	0
Future A/D conv.	0	01101XX	1	10	0	0
Digital receiver	0	001XXXX	0	10	0	0
Digital receiver	0	0111XXX	0	10	0	0
Experimental	0	0000001	1	10	0	0
Solid state dev.	0	0001XXX	1	10	0	0

CASE 2.—WHERE COPYRIGHT PROTECTION HAS NOT BEEN ASSERTED OVER THE DIGITAL AUDIO INPUT, AND THE SOURCE OF THE INPUT IS "ORIGINAL" MATERIAL

[First-generation and above recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Laser Optical	1	100XXXX	0	00	1	0
D/D converter	1	010XXXX	1	00	1	0
Magnetic prod.	1	110XXXX	1	00	1	0
Musical instrum.	1	101XXXX	1	00	1	0
Future A/D conv.	1	01101XX	1	00	1	0
Digital receiver	1	001XXXX	0	00	1	0
Digital receiver	1	0111XXX	0	00	1	0
Experimental	1	0000001	1	00	1	0
Solid state dev.	1	0001XXX	1	00	1	0

CASE 3.—WHERE COPYRIGHT PROTECTION HAS BEEN ASSERTED OVER THE DIGITAL AUDIO INPUT, AND THE SOURCE OF THE INPUT TO THE DAT RECORDER IS NOT "ORIGINAL" MATERIAL

[No recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Laser Optical	0	100XXXX	1	—	–	–
D/D converter	0	010XXXX	0	—	–	–
Magnetic prod.	0	110XXXX	0	—	–	–
Musical instrum.	0	101XXXX	0	—	–	–
Future A/D conv.	0	01101XX	0	—	–	–
Experimental	0	0000001	0	—	–	–
Solid state dev.	0	0001XXX	0	—	–	–

CASE 4.—WHERE COPYRIGHT PROTECTION HAS NOT BEEN ASSERTED OVER THE DIGITAL AUDIO INPUT, AND THE SOURCE OF THE INPUT TO THE DAT RECORDER IS NOT "ORIGINAL" MATERIAL

[Second-generation and above recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Laser Optical	1	100XXXX	1	00	1	0
D/D converter	1	010XXXX	0	00	1	0
Magnetic prod.	1	110XXXX	0	00	1	0
Musical instrum.	1	101XXXX	0	00	1	0
Future A/D conv.	1	01101XX	0	00	1	0
Experimental	1	0000001	0	00	1	0
Solid state dev.	1	0001XXX	0	00	1	0

CASE 5.—WHERE THE DIGITAL AUDIO INPUT SIGNAL INCLUDES CATEGORY CODE INFORMATION, BUT CANNOT PROVIDE INFORMATION CONCERNING COPYRIGHT PROTECTION OF THE SOURCE

[First- and second-generation recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
General	X	0000000	0	11	0	1
Present A/D con.	X	01100XX	X	11	0	1

CASE 6.—WHERE THE DIGITAL INPUT SIGNAL DOES NOT INCLUDE A DEFINED CATEGORY CODE

[First-generation recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Undefined	X	--------	X	10	0	0

CASE 7.—WHERE COPYRIGHT PROTECTION HAS BEEN ASSERTED OVER THE DIGITAL AUDIO INPUT FROM A RECORDABLE OR ERASABLE COMPACT DISC THAT IS NOT AN "ORIGINAL" BY FLUCTUATING THE C BIT AT A RATE BETWEEN 4–10 Hz

[No recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
CD player	0/1	1000000	0	—	–	–

CASE 8.—WHERE THE DIGITAL SIGNAL TRANSMITTED TO A DIGITAL RECEIVER DOES NOT INCLUDE INFORMATION CONCERNING COPYRIGHT PROTECTION

[Only first-generation recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Digital receiver	0	001XXXX	0	10	0	0
Digital receiver	0	0111XXX	0	10	0	0

CASE 9.—WHERE THE DIGITAL SIGNAL TRANSMITTED TO A RECEIVER FOR ELECTRONIC AUDIO SOFTWARE DELIVERY PROVIDES GENERATION STATUS INFORMATION AS IF THE STATUS WERE FIRST-GENERATION ±±±±±±±±±±±±±OR HIGHER

[No recording permitted]

Signal source	Digital audio input signal			DAT recorder response		
	C bit (Bit 2)	Category code (Bits 8–14)	L bit (Bit 15)	ID6	C bit (Bit 2)	L bit (Bit 15)
Digital receiver	0	001XXXX	1	—	–	–
Digital receiver	0	0111XXX	1	—	–	–

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, February 27, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 28

9:00 a.m.
Armed Services
To continue hearings on S. 2171, to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991.
SD-106

Labor and Human Resources
Business meeting, to consider S. 15, Emergency Services and Trauma Care Improvement Act, S. 1511, Older Worker's Benefit Protection Act, S. 722, Food Safety Amendments, S. 685, Employee Pension Protection Act, S. 1883, Tobacco Product Education and Health Protection Act, the proposed National Atmospheric Nuclear Testing Completion Act, and pending nominations.
SD-430

Select on Indian Affairs
To hold hearings on proposed budget estimates for fiscal year 1991 for Indian programs.
SR-485

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on the nomination of Gary C. Byrne, of California, to be Administrator of the Rural Electrification Administration, Department of Agriculture.
SR-332

Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1991 budget.
SD-608

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 114, a bill to declare activities of manufacturers or distributors of soft drinks which induce retailers to purchase soft drink syrup solely from such entities to be unfair acts or practices for purposes of the Federal Trade Commission Act.
SR-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings to review the Office of Technology Assessment's report, "Making Things Better: Competing in Manufacturing."
SD-538

Commerce, Science, and Transportation
To hold hearings on the nominations of Eugene Wong, of Missouri, and William D. Phillips, of California, both to be Associate Directors of the Office of Science and Technology Policy, Executive Office of the President.
SR-232A

Finance
To hold hearings on proposed legislation for deficit reduction and spending initiatives contained in the President's fiscal year 1991 budget.
SD-215

Foreign Relations
To hold hearings to review the Andean Drug Summit.
SD-419

Governmental Affairs
Business meeting, to consider S. 2006, to establish the Department of the Environment and to provide for a global environmental policy of the United States, the nomination of Allan V. Burman, of Virginia, to be Administrator for Federal Procurement Policy, and other pending calendar business.
SD-342

Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 48, proposing an amendment to the U.S. Constitution relative to contributions and expenditures intended to affect Congressional and Presidential elections.
SD-226

1:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposing budget estimates for fiscal year 1991 for the Department of Agriculture.
SD-138

Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings on prospects for peace in Cambodia.
SD-419

2:00 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposing budget estimates for fiscal year 1991 for the Physician Payment Review Commission, the Corporation for Public Broadcasting, the National Commission on Libraries, the U.S. Institute of Peace, the National Commission on AIDS, the Prospective Payment Assessment Commission, the National Commission to Prevent Infant Mortality, and the Soldiers' and Airmens' Home.
SD-192

Select on Intelligence
To hold closed hearings on intelligence matters.
SH-219

3:30 p.m.
Agriculture, Nutrition, and Forestry
To hold hearings on the nomination of La Verne G. Ausman, of Wisconsin, to be Administrator of the Farmers Home Administration, Department of Agriculture.
SR-332

Foreign Relations
To hold hearings on the nomination of Robert W. Farrand, of Virginia, to be Ambassador to Papua New Guinea, and to serve concurrently as Ambassador to Solomon Islands, and to the Republic of Vanuatu.
SD-419

MARCH 1

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on the Corps of Engineers water projects.
SD-406

Labor and Human Resources
To resume hearings on S. 2104, to revise the Civil Rights Act of 1964 (P.L. 88-352) to restore and strengthen civil rights laws that ban discrimination in employment.
SD-430

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on forestry issues.
SR-332

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 1751 and S. 1904, bills to safeguard the integrity of food shipments.
SR-253

Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine the federal role in promoting and using special alternative incarceration, focusing on boot camps.
SD-342

Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposing budget estimates for fiscal year 1991 for foreign assistance, focusing on refugee programs.
SD-124

Appropriations
Transportation Subcommittee
To hold hearings to review the proposed budget for fiscal year 1991 for the Department of Transportation.
SD-138

Armed Services
To continue hearings on S. 2171, to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991.
SD-192

Banking, Housing, and Urban Affairs
To hold hearings on proposals authorizing funds for the Defense Production Act of 1950, including S. 1379, Defense Production Act Amendments of 1989.
SD-538

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Judiciary
To hold hearings on the nomination of Robert W. Sweet, Jr., of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention, Department of Justice.
SD-226

Joint Economic
To hold hearings on proposals to improve Federal economic statistics.
SD-106

1:30 p.m.
Banking, Housing, and Urban Affairs
Consumer and Regulatory Affairs Subcommittee
To hold hearings to review the Expedited Funds Availability Act of 1988 (P.L. 100-86).
SD-538

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the cotton industry.
SR-332

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Alcohol, Tobacco and Firearms, and the Federal Law Enforcement Training Center, both of the Department of the Treasury.
SD-116

Foreign Relations
European Affairs Subcommittee
To hold hearings to examine economic transformation in Eastern Europe.
SD-419

Labor and Human Resources
Children, Family, Drugs, and Alcoholism Subcommittee
To hold hearings on proposed legislation authorizing funds for the Headstart educational program.
SD-430

Select on Intelligence
To hold closed hearings on intelligence matters.
SH-219

2:30 p.m.
Judiciary
Courts and Administrative Practice Subcommittee
Business meeting, to mark-up S. 590, to prohibit injunctive relief or an award of damages against a judicial officer for action taken in a judicial capacity, S. 591 and S. 592, to revise the Federal Rules of Criminal Procedure with respect to the examination of prospective jurors, and S. 982, to restore legal rights of individuals who were exposed to radiation in connection with the U.S. Atomic Weapons Testing Program.
SD-226

MARCH 2

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on the issues surrounding the collapse of Drexel Burnham Lambert, Inc.
SD-538

Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on handicapped access issues.
SR-253

Energy and Natural Resources
To hold oversight hearings on the implementation of the Department of Energy's civilian nuclear waste program.
SD-366

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wool and honey industries.
SR-332

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Consumer Product Safety Commission, the Consumer Information Center, and the Office of Consumer Affairs.
S-126, Capitol

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on S. 1675 and S. 1676, bills to provide financial assistance to strengthen the recruitment and training of teachers in the United States and to provide a range of incentives for teachers to continue in the profession.
SD-430

1:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Research Service, Cooperative State Research Service, and Extension Service.
SD-138

MARCH 5

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the rice industry.
SR-332

Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Finance
International Trade Subcommittee
To resume hearings to assess progress on the United States-Japan Structural Impediments Initiative (SII).
SD-215

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on agricultural credit.
SR-332

MARCH 6

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Veterans of Foreign Wars.
SH-216

9:30 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Arms Control and Disarmament Agency, and the Securities Exchange Commission.
S-146, Capitol

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 366, a bill to enroll twenty individuals under the Alaska Native Claims Settlement Act, S. 1128, a bill for the relief of Richard Saunders, S. 1719, a bill to designate a segment of the Colorado River in the Westwater Canyon, Utah as a component of the National Wild and Scenic Rivers System, S. 1738, a bill to convey certain Oregon and California Railroad Grant Lands in Josephine County, Oregon to the Rouge Community College District, and S. 1837, a bill to direct the Secretary of the Interior to establish a Desert Research Center.
SD-366

Governmental Affairs
To hold hearings on the General Accounting Office's report on material weaknesses in the Department of Defense's supply system.
SD-342

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the sugar industry.
SR-332

Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Food and Nutrition Service and Human Nutrition Information Service.
SD-138

10:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Indian Affairs, and the Indian Gaming Commission.
SD-192

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on crop insurance.
SR-332

Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 1976, to provide for continued United States leadership in high-performance computing, focusing on the Department of Energy.
SD-366

MARCH 7

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the dairy industry.
SR-332

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
SD-406

Governmental Affairs
To hold hearings on S. 1978, to promote U.S. trade and technology interests by reorganizing the Department of Commerce into a Department of Industry and Technology.
SD-342

10:00 a.m.
Appropriations
To hold hearings on the President's proposed budget for fiscal year 1991.
SD-192

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Secretary of the Treasury, and Departmental Offices.
SD-116

2:00 p.m.
Appropriations
To continue hearings on the President's proposed budget for fiscal year 1991.
SD-192

Small Business
To hold hearings on the President's proposed budget request for fiscal year 1991 for the Small Business Administration and on proposed legislation authorizing funds for the Small Business Administration.
SR-428A

MARCH 8

8:30 a.m.
Office of Technology Assessment
The Board, to meet to consider pending calendar business.
H-131, Capitol

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve agricultural programs, focusing on conservation issues.
SR-332

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
S-126, Capitol

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Toxic Substances, Environmental Oversight, Research and Development Subcommittee
To hold hearings to examine the effects of lead exposure on children's health and educational performance.
SD-406

Governmental Affairs
To hold hearings to examine fraud, waste and abuse, focusing on agencies on the high risk list.
SR-342

Rules and Administration
Business meeting, to consider pending legislation on campaign finance reform.
SR-301

Small Business
To hold hearings on implications of technology transfer on small business.
SR-428A

Veterans' Affairs
Business meeting, to consider budget recommendations for veterans programs and proposed legislation to reorganize the Veterans Health Service and Research Administration.
SR-418

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Commerce.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Transportation Safety Board and the Federal Highway Administration.
SD-138

Foreign Relations
To hold hearings to examine support for East European democracy.
SD-419

1:30 p.m.
Environment and Public Works
To hold hearings on the President's proposed budget request for fiscal year 1991 for the U.S. Fish and Wildlife Service.
SD-406

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wheat industry.
SR-332

Energy and Natural Resources
To hold hearings on S.J. Res. 154, to consent to certain amendments enacted by the Hawaii State legislature to the Hawaii Homes Commission Act of 1920.
SD-366

Foreign Relations
To hold hearings on the nominations of Everett E. Briggs, of New Hampshire, to be Ambassador to the Republic of Portugal, Edward M. Rowell, of California, to be Ambassador to Luxembourg, Robert G. Joseph, of Virginia, for the rank of Ambassador during his tenure of service as U.S. Commissioner on the U.S.-USSR Standing Consultative Commission, and John J. Maresca, of Connecticut, for the rank of Ambassador during his tenure of service as Head of the U.S. Delegation to the Conference on Confidence and Security Building Measures (CSBM).
SD-419

MARCH 9

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on noxious weeds.
SR-332

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration (NASA).
SR-253

1:00 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on S. 1908 and H.R. 737, bills to amend the Stock Raising Homestead Act to prescribe conditions under which U.S.-owned hardrock mineral deposits may be mined or removed from lands whose surfaces are privately owned.
SD-366

MARCH 15

9:30 a.m.
Veterans Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Paralyzed Veterans of America,

the Jewish War Veterans, the American Ex-Prisoners of War, the Blinded Veterans Association, and the Military Order of the Purple Heart.

SH-216

MARCH 20

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for military health programs.

SD-192

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Minerals Management Service, Department of the Interior, and the Smithsonian Institution.

S-128, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for the Small Business Administration, and the U.S. Information Agency.

S-146, Capitol

2:00 p.m.
Energy and Natural Resources
To hold hearings on S. 2088, to extend authority for Titles I and II of the Energy Policy Conservation Act (P.L. 94-163), to expand the strategic petroleum reserve (SPR) to one billion barrels, and to provide for predrawdown diversion authority for SPR oil.

2:30 p.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Panama Canal Commission.

SD-116

MARCH 21

9:30 a.m.
Governmental Affairs
To hold hearings on proposed legislation to establish a position of chief financial officer.

SD-342

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Food and Drug Administration, Commodity Futures Trading Commission, Farm Credit Administration, and Farm Credit System Assistance Board.

SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the United States Secret Service, and the Internal Revenue Service.

SD-116

Judiciary
Constitution Subcommittee
To hold hearings on S.J. Res. 232 and S.J. Res. 233, measures proposing an amendment to the U.S. Constitution with respect to the impeachment of Article III judges.

SD-226

2:00 p.m.
Appropriations
VA, HUD, and Independence Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Institute of Building Sciences, the Neighborhood Reinvestment Corporation, and the Selective Service System.

SD-138

MARCH 22

9:30 a.m.
Governmental Affairs
To continue hearings on proposed legislation to establish a position of chief financial officer.

SD-342

Veterans' Affairs
To hold hearings on S. 1398 and S. 1332, to provide for the realignment or major mission change of certain medical facilities of the Department of Veterans Affairs.

SR-418

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on management reforms.

SD-192

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.

SD-106

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the American Battle Monuments Commission, Cemeterial Expenses (Army), the National Credit Union Administration, and the United States Court of Veterans Appeals.

SD-116

MARCH 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To resume hearings on S. 1741, to increase competition among commercial air carriers at the Nation's major airports.

SR-253

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Agricultural Marketing Service.

SD-138

Finance
Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee
To hold hearings to review the Internal Revenue Code rules governing private pension plans and options for simplification.

SD-215

MARCH 27

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on manpower and personnel programs.

SD-192

9:30 a.m.
Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold hearings on S. 1355, to assist private industry in establishing a uniform residential energy efficiency rating system.

SD-366

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Indian Health Service of the Department of Health and Human Services, and the U.S. Fish and Wildlife Service, Department of the Interior.

S-128, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on Central America.

SD-366

MARCH 28

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Public Debt, and the Office of Personnel Management.

SD-116

MARCH 29

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the Department of Energy's Decision Plan relating to the opening of the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, and on proposed legislation to withdraw the public lands surrounding the WIPP site.

SD-366

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Army posture.

SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Science Foundation.

S-126, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Oceanic and Atmospheric Administration, and the National Institute for Standards and Technology.

S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Urban Mass Transportation Administration and the Washington Metropolitan Areas Transit Authority.
SD-138

MARCH 30

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Farmers Home Administration, Federal Crop Insurance Corporation, and the Rural Electrification Administration.
SD-138

APRIL 2

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Land Management, and the Office of Surface Mining, both of the Department of the Interior.
S-128, Capitol

APRIL 3

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Air Force posture.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. bilateral assistance.
SD-192

APRIL 4

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Foreign Agricultural Service, General Sales Manager, and Soil Conservation Service.
SD-138

APRIL 5

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Navy and Marine posture.
SD-192

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Highway Traffic Safety Administration and the Research and Special Programs Administration.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Postal Service, and the National Archives.
SD-116

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Emergency Management Agency.
SD-192

APRIL 15

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on population policy and resources.
SD-138

APRIL 18

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, the Vietnam Veterans of America, the Veterans of World War I, and the Non-Commissioned Officers Association.
SH-216

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Housing and Urban Development.
SD-138

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Park Service, Department of the Interior, and the National Gallery of Art.
S-128, Capitol

APRIL 19

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Legal Services Corporation.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak).
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Management and Budget, and the Executive Office of the President.
SD-116

2:00 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on multilateral development banks.
SD-138

APRIL 23

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Forest Service of the Department of Agriculture.
SD-192

APRIL 24

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on the National Guard and Reserves.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on refugee programs.
SD-138

APRIL 25

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Attorney General.
S-146, Capitol

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Services Administration.
SD-116

APRIL 26

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration.
S-126, Capitol

10:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense intelligence programs.
S-407, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of State.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Accounting Office.
SD-138

APRIL 30

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for fossil energy and clean coal technology programs of the Department of Energy.
S-128, Capitol

MAY 1

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Supreme Court of the United States, the Judiciary, and the Federal Trade Commission.
S-146, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on eastern Europe.
SD-138

MAY 2

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Bureau of Investigation, and the Drug Enforcement Administration, Department of Justice.
S-146, Capitol

MAY 3

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on strategic programs.
S-407, Capitol

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Endowment for the Arts, the National Endowment for the Humanities, and the Bureau of Mines, all of the Department of the Interior.
S-128, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Coast Guard.
SD-138

10:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Council on Environmental Quality, the National Space Council, and the Office of Science and Technology Policy.
SD-116

MAY 4

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Resolution Trust Corporation.
SD-138

MAY 8

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on tactical airpower.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. military assistance.
SD-138

MAY 10

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on land warfare.
SD-192
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Veterans Administration.
S-126, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Aviation Administration.
SD-138

MAY 14

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for activities of the Secretary of the Interior, the Secretary of Energy, and the Secretary of Agriculture.
S-128, Capitol

MAY 15

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on seapower.
SD-192

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 16

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 17

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on space programs.
S-407, Capitol

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 22

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for the Department of Defense, focusing on classified programs.
S-407, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on the global environment.
SD-138

MAY 24

9:00 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for defense programs.
SD-192

JUNE 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
SD-138

JUNE 12

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on organization and accountability.
SD-138

9:00 a.m.
Appropriations
Foreign Operations Subcommittee

JUNE 19

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
Room to be announced

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
Room to be announced

CANCELLATIONS

FEBRUARY 27

9:30 a.m.
Small Business
To resume hearings on the nomination of Kyo R. Jhin, of Maryland, to be Chief Counsel for Advocacy, Small Business Administration.
SR-428A

HOUSE OF REPRESENTATIVES—*Tuesday, February 27, 1990*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, for all Your good gifts that brighten each day and give direction and purpose and fulfillment to life.

For the gifts of reconciliation and understanding, we give You thanks. For the gifts of family and friends and colleagues, we offer our praise. For the gifts of faith, hope, and love, we honor Your name.

At this special time in the life of many nations our hearts are filled with joy that peoples who have known fear or humiliation of the spirit are experiencing the liberties and freedoms that are Your promise to all Your creation.

We are grateful, O loving God, that these freedoms are growing, that families are being reunited, that respect between peoples can flourish, that believers can pray and worship openly as their hearts may lead.

May Your good blessings, O God, continue to be with Your people, and may we, in response to Your abiding love, ever seek to do justice, love mercy, and walk humbly with You. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Maine [Mr. BRENNAN] please come forward and lead the House in the Pledge of Allegiance?

Mr. BRENNAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Kalbaugh, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate insist, upon its amendment to the bill (H.R. 2364) "An act to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes," disagreed to by the House, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLINGS, Mr. EXON, Mr. BRYAN, Mr. ROBB, Mr. DANFORTH, Mr. PRESSLER, and Mr. KASTEN, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 190. Joint resolution designating April 9, 1990, as "National Former Prisoners of War Recognition Day";

S.J. Res. 226. Joint resolution to designate the year 1990 as the "Bicentennial Anniversary of the Legacy of Benjamin Franklin";

S.J. Res. 227. Joint resolution to designate March 11 through March 17, 1990, as "Deaf Awareness Week";

S.J. Res. 229. Joint resolution to designate April 1990 as "National Prevent-A-Litter Month";

S.J. Res. 230. Joint resolution to designate the period commencing on May 6, 1990, and ending on May 12, 1990, as "National Drinking Water Week";

S.J. Res. 231. Joint resolution to designate the week of June 10, 1990 through June 16, 1990, as "State-Supported Homes for Veterans Week";

S.J. Res. 236. Joint resolution designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week";

S.J. Res. 241. Joint resolution to designate the week of May 6, 1990 through May 13, 1990, as "Jewish Heritage Week";

S.J. Res. 243. Joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy";

S.J. Res. 245. Joint resolution designating July 3, 1990, as "Idaho Centennial Day";

S.J. Res. 250. Joint resolution designating April 1990 as "National Recycling Month";

S.J. Res. 251. Joint resolution designating "Baltic Freedom Day";

S.J. Res. 252. Joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week"; and

S.J. Res. 258. Joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day".

RESIGNATION AS MEMBER OF THE COMMITTEE ON EDUCATION AND LABOR

The Speaker laid before the House the following resignation as a member of the Committee on Education and Labor:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 1990.

Hon. THOMAS S. FOLEY,
Chairman, Democratic Steering and Policy Committee, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the rules of the House governing Democratic and Republican ratios on committees of the House, I respectfully submit my resignation to the House Committee on Education and Labor.

Thank you for the opportunity to have served in a temporary capacity on that very important committee. I especially am happy to have served under the leadership of retiring Chairman Augustus F. Hawkins and am proud that one of my newest colleagues will have the opportunity to do the same for the remainder of the 101st Congress.

Your attention to this matter is greatly appreciated.

Sincerely,

KWEISI MFUME,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER laid before the House the following resignation as a member of the Committee on Small Business:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 1990.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby submit my resignation from the House Committee on Small Business.

Sincerely,

MICHAEL R. MCNULTY,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS

The SPEAKER laid before the House the following resignation as a member of the Committee on Banking, Finance, and Urban Affairs:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 1990.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I respectfully resign my position on the Committee on Banking, Finance, and Urban Affairs.

If you have any questions, please contact me or Leslie Nolan in my office.

With kindest wishes and warmest personal regards, I remain

Sincerely,

TOM MCMILLEN,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE RECESSES ON WEDNESDAY, MARCH 7, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 7, 1990, for the Speaker to declare recesses, subject to the call of the Chair, for the purpose of receiving in joint meeting the Honorable Giulio Andreotti, President of the Council of Minister of the Republic of Italy.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING REMARKS OF SUNDRY MEMBERS MADE IN OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY TO BE PRINTED IN THE CONGRESSIONAL RECORD

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the remarks of the three Members representing the House of Representatives at the wreath-laying ceremony of Thursday, February 22, 1990, at the Washington Monument for the observance of George Washington's birthday, the gentleman from Minnesota [Mr. VENTO], the gentleman from Virginia [Mr. PAYNE], and the gentleman from California [Mr. LAGOMARSINO], be inserted in today's CONGRESSIONAL RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The material relating to the above request is as follows:

TENTATIVE SCENARIO—WREATH-LAYING CEREMONY: FEBRUARY 22, 1990, PRESIDENT GEORGE WASHINGTON 258TH BIRTHDAY ANNIVERSARY, WASHINGTON MONUMENT, WASHINGTON, DC

10:30 a.m., participants and Members of the Washington National Monument Society assemble in Monument waiting room.

11:00 a.m., presentation of colors: Joint Armed Services Color Guard.

Welcome: Master of Ceremonies, Robert G. Stanton, Regional Director, National Capital Region, National Park, Service.

Remarks: The Honorable Samuel Spencer, Washington National Monument Society.

Remarks: James M. Ridenour, Director, National Park Service.

Remarks: The Honorable Bruce F. Vento, U.S. House of Representatives, 4th District, Minnesota.

Remarks: The Honorable Robert J. Lagomarsino, U.S. House of Representatives, 19th District, California.

Remarks: The Honorable Lewis F. Payne, U.S. House of Representatives, 5th District, Virginia.

The Wreath of the U.S. House of Representatives: Honorable Robert J. Lagomarsino, Honorable Lewis F. Payne, and Honorable Bruce F. Vento.

The Wreath of the Washington National Monument Society: Honorable Samuel Spencer.

The Wreath of the National Park Service: Honorable James M. Ridenour.

11:30 a.m., taps and retiring of colors.

Conclusion: Mr. Stanton announces that the Washington Monument will be open for tours in about 20 minutes.

REMARKS OF HON. BRUCE F. VENTO
WASHINGTON: MAN AND CAPITAL

Thank you very much, Regional Director Stanton. I am very pleased to be here today at the Washington Monument, with my colleagues Representatives Lagomarsino and Payne, with Directors Ridenour and Hartzog, with the Washington Monument Society, and, especially, with the men and women of the National Park Service charged with the preservation and interpretation of the Washington Monument and of so many other key sites in our nation's history.

In this city of monuments that stand as silent sentinels reminding us of our past, events such as this morning help us remember the ideals that these monuments symbolize. These memorials reflect our dedication to democracy. Today, in our actions, we live that dedication. For it is George Washington's dedication to freedom and democracy that we so respect, and it is his spirit we recognize today.

Two hundred years ago, the city of Washington, D.C. we know today as the nation's capital was fields, forest and swamp. The United States of America was a very young nation—only nine years before the British had surrendered at Yorktown, only seven years before the treaty of Paris ended the American Revolution, only the year before the Constitution had become the law of the land and while the Congress decided in 1790 to move the Capital to this area, it did not relocate from Philadelphia for another ten years.

Here, on the banks of the Potomac River, our fragile young nation decided to build a capital city where no city stood. Instead of moving to already established areas, it was decided to build a capital and a city. The ports of Georgetown and Alexandria were nearby, but fields and trees stood where we stand today. The Capital we see today was based on the vision of a new capital, for a new nation. It was the first time a national capital was established by law and designed from scratch. At the time, it was even perhaps presumptuous of us to build such a city. Washington was to be the seat of government, a national city.

The Capital that evolved here reflects a vision of our first President, George Washington. He wanted it at this location, near his beloved Mount Vernon. And he wanted a new city for a new nation and a capital: "Magnificent to grace a great nation."

Never mind that we were a poor struggling nation at the time; Washington firmly believed that we would grow into the expansiveness of the Capital City the greatness he envisioned.

George Washington born down the river on a plantation near the Potomac River. Washington, the surveyor, who had helped explore Virginia, who had fought to claim this land, chose this site on the banks of the Potomac River and enlisted Pierre L'Enfant to design this new national city. After years and years of temporary capitals during the American Revolution—sometimes just a step ahead of hostile British troops—President Washington, longed for a permanent capital. And while various other locations have been proposed during the past 200 years, the Capital has remained here—even after the British burned our Capitol Building and White House. Since its early history, this nation has grown in ways George Washington could never have foreseen. But the Capital remains in Washington, D.C.

In the early days of this republic George Washington was nearly defied. Few figures in our past have been the target of so much mythology. Washington provided us with instant history and, we earnestly wanted to believe, instant respect. This city named after him was designed to do the same—provide a fitting home to a brave if raw nation. For many years, it was a collection of public buildings barely linked by residences. For many years, the unpaved avenues wide enough for parades but excessively broad in those horse and buggy days gave Washington, D.C. the name "city of magnificent intentions". Some of those intentions—George Washington's intentions—were only realized in this century.

A century ago, the Potomac River lapped near where we stand today, and a canal more resembling an open sewer flowed only a block away. While the river was certainly a key part of George Washington's vision, I doubt the canal-sewer was. His vision for the capital—just as his vision for the nation—was expansive and hopeful. And while he was not the demigod some have claimed, he was indeed a great leader with a good vision for both our Capital City and nation. From the vantage of two centuries, that vision has served us well. Today, we can look at the nation's capital, and at this nation and see beyond our problems to the vision Washington left us. We can only thank him and many others who contributed their vision, and their labor to make our nation and our Capital what it has become today some two hundred years later.

Today we see the vision of George Washington, and of the country he founded reflected in the courage and vision of Lech Walesa and Vaclav Havel and all the people who have joined them in their fight for freedom. Washington's spirit helped inspire their quest for freedom and democracy—a quest that continues and must continue. So as we stand here at the Washington Monument, let us remember the man who inspired it but even more George Washington's vision and the power of the democratic spirit in our lives today. The memorials remind us of the democratic spirit but we must be the ones to live that democratic spirit. Thank you.

REMARKS OF CONGRESSMAN L.F. PAYNE, JR., AT THE WASHINGTON MONUMENT ON GEORGE WASHINGTON'S BIRTHDAY, FEBRUARY 22, 1990

(To Honor the Father of our Country) Friends, it's privilege for me to be here today to help honor the father of our country, a great revolutionary hero, and the man Benjamin Franklin said was "one of the greatest captains of the age." George Washington was the first and certainly one of the greatest presidents of our country. Since the days when the beloved General Washington led his war-weary Continentals down from New York to attack British forces and soundly defeat them at Yorktown, Virginia—a grateful nation has been honoring this noble American, who is even bigger than his legend.

(A Virginian Born) How fitting it is that we meet this morning at the Washington Monument in the city of Washington, D.C. on the day George Washington was born in 1732. He is every American's all-American. We from Virginia feel particularly proud of our countryman who was born on a farm in the northern neck of Virginia. As a youth, George Washington was good at math and became a surveyor. In that capacity he crisscrossed the state surveying vast tracts of land, including parts of Alexandria we now call Olde Town.

(I Have Heard the Bullets Whistle) From early on, George Washington suffered and overcame hardship and defeat. His father died when he was a boy. He suffered from malaria, small pox, dysentery and pleurisy—all killers in his day, and all before he was 30 years old. At 23 he was a full Colonel in the Virginia militia. He lost battles and nearly lost his life. Twice his horse was shot out from under him and on one occasion four shots actually pierced his jacket. He was a brave man who believed in fate, and a greater hand guiding his destiny. "I have heard the bullets whistle," he said, "and believe me, there is something charming in the sound."

(Unanimously Elected President) He was named Commander in Chief of the Revolutionary Armies at age 41. He truly cared about his men and they stuck by him during the hardest times. He was an exceptional administrator and skilled businessman. He had the patience and gifts to organize and inspire a rag-tag American army which he led to victory over better trained and so-called superior forces. The office of President of the United States was created with George Washington in mind. He was unanimously elected to two terms as President, and left this nation a legacy that we still enjoy.

(His Legacy to Us Today) As president, George Washington set himself above factions and parties. He saw the need and drew people's confidence to a strong federal government and cooperating yet separate roles for Congress and the Executive branch. He put this young nation on sound financial footing by retiring the national debt. He set up a central national bank and established a permanent national defense. He left office with a thriving national economy and the people's high respect for the Constitution with its new Bill of Rights.

(A Strong Foundation) "Many things which appear of little importance at the beginning," said President Washington, "may have great and durable consequences having been established at the commencement of a new government." He laid a strong foundation for us all and set the high example of the selfless public servant. "Let the reins of government be braced and held with a steady hand," he insisted, "and every violation of the Constitution be reprehended."

(The Cornerstone of the Capitol) After Congress selected the banks of the Potomac to become the new seat of national government, George Washington selected the site. He oversaw plans for the construction of this city and its government buildings. In September, 1773, he laid the cornerstone of the Capitol building that would seat its first Congress in 1880, a few weeks after George Washington died at age 67, at his country home in nearby Mount Vernon. But this town had already been named in his honor—while he was still alive. And inside many of us today George Washington is yet alive—as his example continues to inspire us.

(The World Mourned) In his will, George Washington left his estate to his wife Martha; his crabtree walking stick, given to him by Ben Franklin, to his brother Charles; and the steel pistols taken from the British during the Revolution, to his old friend Lafayette. He was mourned and eulogized around the world. "Never have I beheld so superb a man," said Lafayette. "He gave to the Western world independence and freedom," said John Marshall. "A life without stain, a fame without flaw," wrote William Thackery.

Please allow me now to call on the words of fellow Virginian, Henry "Light-Horse Harry" Lee who in 1799 said of George Washington, "To the memory of the Man, first in war, first in peace and first in the hearts of his countrymen." Thank you.

REMARKS OF HON. ROBERT J. LAGOMARSINO

Honored guests, ladies and gentlemen, boys and girls, as we were coming over here, I was struck by the thought that the battle for freedom and democracy—two words we often associate with George Washington—never really ends.

Two centuries ago, we were a young Nation, struggling to survive and to put into practice those principles of freedom and democracy enshrined in the Constitution and the Declaration of Independence, few people in Europe thought we would succeed.

Succeed we did, of course—though not without considerable sacrifice and the loss of many lives—that other great American President, Abraham Lincoln, whose memory is enshrined at the far end of the Reflecting Pool struggled years later to hold together the Nation General Washington had helped create. Two presidents, 2 different centuries, but engaged in the same struggle for freedom and democracy.

In this century, we have been called upon more than once to defend those ideals, and I have little doubt we will be called to do so again in the next.

What sparked my chain of thought were the remarks of another President—not an American but a European—delivered just 24 hours ago in the U.S. Capitol, within sight of where we are standing.

In his speech to a joint session of the United States Congress, Vaclav Havel, playwright and newly installed President of Czechoslovakia, spoke eloquently of how the example of our own Nation had inspired his countrymen in their struggle for freedom and democracy.

A struggle they did not take lightly * * *. Only last October he was imprisoned once again for such thoughts. His words echoed those of Lech Walesa, another prisoner of conscience, whose address to Congress last fall stirred many hearts.

These tributes to our first President remind us of the need for constant vigilance to preserve the freedom and democracy which he won for us, even the British, whose generals he defeated in the Revolutionary War, admired the man, and today, ships of all nations, when they pass by his home above the Potomac fire a salute to his memory.

So the sounds of tribute, and of battle, echo down through the ages. From Yorktown to Gettysburg, from Verdun to Prague, and they all seem to converge, somehow on this spot * * * here, by this monument to the Father of our Nation and the man who showed the way to so many others * * * George Washington: soldier, patriot, President, may his memory always stand as a monument to freedom throughout the world.

AUTHORIZING TAKING OF OFFICIAL PICTURES OF THE HOUSE FOR "WE THE PEOPLE" AND "THE CAPITOL"

Mr. GEPHARDT. Mr. Speaker, I offer a resolution (H. Res. 344) and I ask unanimous consent for its immediate consideration.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 344.

Resolved, That at a time designated by the Speaker, the United States Capitol Historical Society shall be permitted to take official pictures of the House while in actual session for inclusion in the new edition of "We the People" and "The Capitol". The pictures shall also be available for legitimate nonprofit news and education purposes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO. Mr. Speaker, I offer a privileged resolution (H. Res. 345) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 345

Resolved, That the following Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Education and Labor, Craig A. Washington, Texas, to rank after Jolene Unsoeld, Washington;

Committee on Energy and Commerce, C. Thomas McMillen, Maryland;

Committee on the Judiciary, Craig A. Washington, Texas;

Committee on Post Office and Civil Service, Michael R. McNulty, New York;

Committee on Public Works and Transportation, Gary L. Ackerman, New York, and Carl C. Perkins, Kentucky; and

Committee on Veterans' Affairs, George J. Hochbrueckner, New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2742, LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1990

Mr. WILLIAMS submitted the following conference report and statement on the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes:

CONFERENCE REPORT (H. REPT. 101-407)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Library Services and Construction Act Amendments of 1990".

(b) REFERENCES.—References in this Act to "the Act" are references to the Library Services and Construction Act (20 U.S.C. 351 et seq.).

SEC. 2. DEFINITIONS.

Section 3 of the Act is amended—

(1) in paragraph (2)—

(A) by striking "and initial equipment" and inserting "and for the purchase, lease, and installation of equipment";

(B) by striking "to conserve energy" and inserting "to ensure safe working environments and to conserve energy"; and

(C) by striking "includes machinery" and inserting "includes information and building technologies, video and telecommunications equipment, machinery"; and

(2) by adding at the end thereof the following new paragraphs:

"(17) The term 'handicapped individual' means an individual who is physically or mentally impaired, visually impaired, or hearing impaired.

"(18) The term 'network' means any local, statewide, regional, interstate, or international cooperative association of library entities which provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers for improved supplementary services for the clientele served by each type of library entity.".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) AMENDMENT.—Section 4(a) of the Act is amended to read as follows:

"SEC. 4. (a) There are authorized to be appropriated—

"(1) for the purpose of making grants as provided in title I, $100,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

"(2) for the purpose of making grants as provided in title II, $55,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

"(3) for the purpose of making grants as provided in title III, $35,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

"(4) for the purpose of making grants as provided in title V, $1,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

"(5) for the purpose of making grants as provided in title VI, $10,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

"(6) for the purpose of activities as provided in title VII, $500,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years; and

"(7) for the purpose of making grants as provided in title VIII, $6,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years, except that no amounts are authorized to be appropriated under this paragraph for any fiscal year unless the total amount appropriated pursuant to paragraphs (1), (2), and (3) for such fiscal year equals or exceeds sum of the total amount appropriated pursuant to such paragraphs for the preceding fiscal year, plus 4 percent of such total amount.

There shall be available for the purpose of making grants under title IV for each of the fiscal years 1990, 1991, 1992, 1993, and 1994, 1.5 percent of the amount appropriated pursuant to each of paragraphs (1), (2), and (3) for each such fiscal year. There shall be available for the purpose of making grants under section 5(d) for such fiscal years 0.5 percent of the amount appropriated pursuant to each of such paragraphs for each such fiscal year.".

(b) CARRYOVER OF FUNDS.—Section 4(b) of the Act is amended by striking "and for the next succeeding fiscal year" and inserting "and is authorized to remain available until expended".

SEC. 4. ALLOCATIONS.

(a) AMENDMENT.—Section 5(c) of the Act is amended to read as follows:

"(c)(1) From one-half of the sums available pursuant to the second sentence of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indian tribe that submits an approved application under section 403.

"(2) From the remaining one-half of the sums available pursuant to such second sentence, the Secretary shall make allocations to Indian tribes that (A) are receiving an allocation under paragraph (1) of this subsection for such fiscal year; and (B) have submitted approved applications under section 404.

"(3) In making allocations under paragraph (2)—

"(A) no funds shall be allocated to an Indian tribe unless such funds will be administered by a librarian; and

"(B) the Secretary shall take into account the needs of Indian tribes for such allocations to carry out the activities described in section 402(b).

"(4) In making allocations under this subsection, the Secretary shall take such actions as may be necessary to prevent an allocation from being received to serve the same population by any 2 or more of the following entities (as defined in or established pursuant to the Alaskan Native Claims Settlement Act): an Alaskan native village, a regional corporation, or a village corporation.".

(b) CONFORMING AMENDMENT.—Section 6(g)(2) of the Act is amended by inserting after "section 5(c)(2)" the following: "in the same fiscal year in which it has received an allocation under section 5(c)(1)".

SEC. 5. ANTIDISCRIMINATION PROVISION.

Section 6(b) of the Act is amended by—

(1) striking "and" at the end of paragraph (3);

(2) redesignating paragraph (4) as paragraph (5); and

(3) inserting the following new paragraph (4) after paragraph (3):

"(4) provide assurances that libraries within the State that receive funds under this Act shall not discriminate on the basis of race, religion, age, gender, national origin, or handicapping condition in providing space for public meetings; and".

SEC. 6. RESOURCE SHARING COORDINATION.

Section 6 of the Act is amended—

(1) in subsection (d)(1), by striking "and construction" and inserting ", construction, and interlibrary cooperation and resource sharing"; and

(2) by adding at the end thereof the following new subsection:

"(h) The Secretary shall coordinate programs under titles V and VI of this Act with the programs assisted by titles I, II, and III of this Act, and shall provide to the head of the State library administrative agency the opportunity to comment on any application for a grant under title V or VI of this Act prior to the awarding of the grant, in order to assure that such grants from the Secretary are for purposes consistent with the long-range program required under subsection (d) of this section.".

SEC. 7. MAINTENANCE OF EFFORT.

(a) GENERAL REQUIREMENT.—Section 7(a) of the Act is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) there will be available from State and local sources for expenditure under the programs, during the fiscal year for which the allotment is made, an amount that equals or exceeds the amount required to provide the State percentage as required by subsection (b); and

"(2)(A) there will be available for expenditure for State aid to public libraries and library systems, during the fiscal year for which the allotment is made, an aggregate amount equal to 90 percent of the amount actually expended for such purposes in the second preceding fiscal year; and

"(B) there will be available for expenditure, during the fiscal year for which the allotment is made, for the State library administrative agency, or for the part thereof charged by State law with the extension and development of public library services throughout the State, an aggregate amount equal to 90 percent of the amount actually expended for such purpose in the second preceding fiscal year.

The Secretary may, in accordance with regulations, waive the requirements of paragraph (2) of this subsection, if the Secretary determines that the application of such paragraph would be unjust or unreasonable in the light of exceptional extenuating circumstances.".

(b) INSTITUTIONAL LIBRARY SERVICES.—The last sentence of section 103 is amended by inserting before the period at the end thereof the following: "and to the extent that the Secretary determines that the populations served by such expenditures has declined".

SEC. 8. EDUCATION RESEARCH LIBRARY.

(a) AMENDMENT.—The Library Services and Construction Act is further amended by inserting after section 8 the following new section:

"EDUCATION RESEARCH LIBRARY

"SEC. 9. None of the activities or functions of the Department of Education Research Library which are utilized, directly or indi-

rectly, by the Secretary in carrying out this Act and which were not performed by contractors as of July 26, 1989, shall be contracted out or otherwise transferred from the Federal Government before September 30, 1991, unless such transfer is expressly authorized by statute, or unless the value of all work performed under the contract and related contracts in each fiscal year does not exceed $50,000.".

(b) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Department of Education Research Library. The Comptroller General shall prepare and submit a report on the study required by this section by no later than January 30, 1991, together with such recommendations and any statutory changes required to carry out such recommendations, as the Comptroller deems necessary. Such study shall include—

(1) an assessment of the historic and scholastic value and significance of the library's collection to educators, education researchers, historians, and others;

(2) a review of the feasibility and merits of expanding public access to and use of the library's collections and alternative means by which such access could be promoted; and

(3) an evaluation of the quality and effectiveness of services provided by the library to Department personnel and recommendations for improving such services.

SEC. 9. INTERGENERATIONAL LIBRARY SERVICES.

Section 101 of the Act is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

"(5) for assisting libraries in developing intergenerational library programs that will match older adult volunteers with libraries interested in developing after school literacy and reading skills programs for unsupervised school children during afterschool hours;".

SEC. 10. CHILDCARE LIBRARY OUTREACH.

Section 101 of the Act is further amended by inserting after paragraph (5) the following new paragraph:

"(6) for assisting libraries in providing mobile library services and programs to child-care providers or child-care centers which are licensed or certified by the State, or otherwise meet the requirements of State law;".

SEC. 11. LIBRARY LITERACY CENTERS.

Section 101 of the Act is further amended by inserting after paragraph (6) the following new paragraph:

"(7) to establish and support model library literacy centers, coordinated by the State library administrative agency with other interested State agencies and nonprofit organizations to reduce the number of functionally illiterate individuals and to help them reach full employment;".

SEC. 12. DRUG ABUSE PREVENTION.

Section 101 of the Act is further amended by inserting after paragraph (7) the following new paragraph:

"(8) for assisting libraries in providing and displaying educational materials, and conducting community-wide programs, aimed at preventing and eliminating drug abuse, in cooperation with local education agencies or other agencies or organizations, if appropriate;".

SEC. 13. USE OF TITLE I FUNDS.

Section 102(a) of the Act is amended by adding at the end thereof the following new sentence: "In carrying out its program to accomplish the purposes of this title, a State may make subgrants to library systems or networks which include libraries other than public libraries, if the purpose of the subgrant is to improve services for public library patrons.".

SEC. 14. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE LIBRARIES.

Section 102(c) of the Act is amended by adding at the end thereof the following new paragraph:

"(3) No State shall, in carrying out the provisions of paragraph (2) of this subsection, reduce the amount paid to any major urban resource library below the amount that such library received in the fiscal year preceding the fiscal year for which the determination is made under such paragraph (2), except that such amount may be ratably reduced to the extent that (A) the total Federal allocations to the State under section 5 for purposes of this title for the applicable fiscal year are reduced, or (B) the 1990 Census shows the population of the city served by such library has decreased.".

SEC. 15. STATE ANNUAL PROGRAM.

Section 103 of the Act is amended—

(1) in paragraph (3), by striking "and institutionalized individuals";

(2) in paragraph (4), by striking everything following "elderly" the first place it appears and inserting a semicolon; and

(3) by striking paragraph (5) and inserting the following:

"(5) describe the uses of funds to make library services and programs more accessible to handicapped individuals.".

SEC. 16. TECHNOLOGY ENHANCEMENT.

(a) DEFINITION.—Section 3 of the Act is further amended by adding at the end thereof the following new paragraph:

"(19) The term 'technology enhancement' means the acquisition, installation, maintenance, or replacement, of substantial technological equipment (including library bibliographic automation equipment) necessary to provide access to information in electronic and other formats made possible by new information and communications technologies.".

(b) USE OF TITLE I FUNDS.—Section 101 of the Act is further amended—

(1) by striking "and" at the end of paragraph (9) (as redesignated by section 7(1));

(2) by striking the period at the end of paragraph (10) (as redesignated by section 7(1)) and inserting "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(11) for assisting public libraries in making effective use of technology to improve library and information services.".

(c) USE OF TITLE II FUNDS.—Title II of the Act is amended—

(1) by inserting "AND TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the heading of such title;

(2) by inserting "AND LIBRARY AND INFORMATION TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the head of section 201;

(3) by inserting "and technology enhancement" after "construction" each place it appears in sections 201, 202(a), 202(b), 203(1), 203(2), and 203(3);

(4) by striking "section 3(2)" in section 202(a) and inserting "sections 3(2) and 3(19), respectively"; and

(5) by inserting "AND TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the heading of section 203.

(d) USE OF TITLE III FUNDS.—Section 302(a) of the Act is amended—

(1) by striking "and" at the end of clause (1); and

(2) by inserting before the period at the end of clause (2) the following: "; and (3) developing the technological capacity of libraries for interlibrary cooperation and resource sharing".

SEC. 17. PRESERVATION OBJECTIVES IN CONSTRUCTION.

Section 203 of the Act is amended—

(1) by striking the period at the end of paragraph (4) and inserting "; and"; and

(2) by adding at the end thereof the following new paragraph:

"(5) follow policies and procedures in the construction of public libraries that will promote the preservation of library and information resources to be utilized in the facilities.".

SEC. 18. RESOURCE SHARING.

(a) ATTAINMENT OF COMPLIANCE WITH RESOURCE SHARING PLANS.—Sections 301 and 304(a) of the Act are each amended by striking "eventual" and inserting "attaining".

(b) SCHOOL LIBRARY RESOURCES.—Section 304 of the Act is amended by adding at the end thereof the following new subsection:

"(e) Public and school libraries which cooperate to make school library resources available to the public during periods when school is not in session may be reimbursed for such expenses.".

SEC. 19. PRESERVATION COOPERATION.

Title III of the Act is amended by adding at the end thereof the following new section:

"PRESERVATION PROGRAMS

"SEC. 305. (a) The long-range program and annual program of each State under this title may—

"(1) include a statewide preservation cooperation plan that complies with this section; and

"(2) identify the preservation objectives to be achieved during the period covered by the long-range plans required by section 6.

"(b) A statewide preservation cooperation plan complies with this section if—

"(1) such plan specifies the methods by which the State library administrative agency will work with libraries, archives, historical societies, scholarly organizations, and other agencies, within or outside the State, in planning, education and training, coordinating, outreach and public information, and service programs to ensure that endangered library and information resources are preserved systematically; and

"(2) such preservation plan is developed in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations, and other interested parties.

"(c) A State which has a statewide preservation cooperation plan that complies with this section may use funds under this title to carry out such plan.

"(d) The State library administrative agency may contract part or all of the preservation program under this section to other agencies or institutions.".

SEC. 20. MAXIMUM GRANTS UNDER TITLE V.

Section 501(c) of the Act is amended by striking "$15,000." and inserting "$35,000, except that—

"(1) not more than 30 percent of the funds available for grants under this title in any fiscal year may be used to make grants in amounts between $35,000 and $125,000; and

"(2) no recipient may receive more than one grant under this title for any fiscal year.".

SEC. 21. LIBRARY LITERACY GRANTS.

Section 601(e) of the Act is amended by striking "$25,000" and inserting "$35,000".

SEC. 22. EVALUATION AND ASSESSMENT.

(a) AMENDMENT.—The Act is further amended by adding at the end thereof the following new title:

"TITLE VII—EVALUATION AND ASSESSMENT

"PROGRAM AUTHORITY

"SEC. 701. The Secretary is authorized to carry out a program for the purpose of evaluation and assessment (directly or by grants or contracts) of programs authorized under this Act.".

(b) CONFORMING AMENDMENT.—Section 5(a) of the Act is amended by striking out paragraph (5).

SEC. 23. FAMILY LEARNING CENTER PROGRAMS.

(a) AMENDMENT.—The Library Services and Construction Act is amended by adding at the end the following:

"TITLE VIII—LIBRARY LEARNING CENTER PROGRAMS

"PART A—FAMILY LEARNING CENTERS

"STATEMENT OF PURPOSE

"SEC. 801. It is the purpose of this part to expand and improve opportunities for lifetime learning and the involvement of the Nation's families as partners in their children's education by providing comprehensive, family-oriented library services through Family Learning Centers.

"GRANTS FOR FAMILY LEARNING CENTERS

"SEC. 802. The Secretary shall carry out a program of making grants from sums appropriated pursuant to paragraph (7) of section 4(a) to local public libraries for the purposes of supporting family learning centers.

"USE OF FUNDS

"SEC. 803. (a) Funds made available to a grantee under this part shall be used to initiate, expand, or improve public library services to families.

"(b) Not less than 25 percent of the funds made available under this part shall be used for the acquisition of resources and materials in print and electronic formats—

"(1) which are intended for use by and with adults, including materials in such areas as child care, child development, nutrition, parenting skills, and job and career information; and

"(2) which are intended for use by and with children and adolescents.

"(c) Not less than 10 percent of the funds made available to a grantee under this part shall be used for—

"(1) the acquisition or leasing of computer hardware for use by library patrons, including services necessary for the operation, installation, and maintenance of such equipment; and

"(2) the acquisition of computer software and complementary explanatory material for use by library patrons.

"APPLICATION

"SEC. 804. (a) Any local public library which wishes to receive a grant under this part shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary determines is necessary to evaluate the quality of the applicant's proposal and the applicant's ability to carry it out.

"(b) Each such application shall—

"(1) describe the manner in which the funds will be used to initiate, expand, or improve library services to families;

"(2) provide assurances that the library will be open on weekday evenings, Saturdays, and some Sundays and legal public holidays to enable families in which both parents work outside the home to utilize the library's services;

"(3) demonstrate that the library has or will have sufficient qualified staff with specialized training in providing library services to children, adolescents, and adults;

"(4) provide for the establishment of an advisory committee consisting of parents, teachers, local school administrators, librarians, library administrators, library trustees, local elected officials, and business leaders, at least one-third of whom are parents who regularly use the services of the library;

"(5) provide for the establishment of a family library loan program through which families may borrow sets of books for extended periods, and other innovative programs and policies designed to encourage greater use of the library by families;

"(6) provide for a job and career information program to provide information and assistance to parents and others who are unemployed or seeking a new job;

"(7) describe, if appropriate, any special services and outreach activities which will be offered to meet the needs of—

"(A) adolescent parents;

"(B) single-parent families;

"(C) families in which both parents are employed outside the home;

"(D) parents and children with limited English language proficiency; and

"(E) educationally disadvantaged adults and their children;

"(8) describe the methods by which the library will publicize and promote the services of the Center in cooperation with the local media, schools, businesses, social service agencies, and other appropriate entities; and

"(9) provide assurances that the funds provided will be used to supplement and not supplant funds otherwise available for the purposes of this part.

"SELECTION OF FAMILY LEARNING CENTERS

"SEC. 805. (a) The Secretary shall select family learning centers on a competitive basis from among the local public libraries submitting applications under section 804. In making such selection, the Secretary shall give priority to applications which—

"(1) promise to serve a significant number of families on a regular basis; and

"(2) offer innovative approaches to improving library services for families and approaches which show promise for replication and dissemination.

"(b) In making grants under this title, the Secretary shall assure that there is an equitable distribution of grants among the States and between urban and rural communities.

"(c) No grant made under this title for any fiscal year shall exceed $200,000.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 806. There are authorized to be appropriated $3,000,000 for fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out the provisions of this part.

"PART B—LIBRARY LITERACY CENTERS

"STATEMENT OF PURPOSE

"SEC. 811. The purposes of this part are to—

"(1) establish model library literacy centers throughout the country to serve as resource centers for the dissemination of literacy materials and equipment to local public libraries in order to help overcome the high incidence of adults with limited literacy skills in the United States;

"(2) help adults with limited literacy skills reach full employment through nonthreatening learning experiences in their local public library or in their own home; and

"(3) offer innovative approaches to improving library literacy services to adults and approaches which show promise for replication and dissemination.

"GRANTS TO STATES FOR LIBRARY LITERACY CENTERS

"SEC. 812. (a) The Secretary shall carry out a program of making grants on a competitive basis to States which have an approved basic State plan under section 6 of this Act and an approved application under section 813 of this Act.

"(b)(1) The total grant amount awarded to each State shall not exceed—

"(A) $350,000 in the first fiscal year in which a State receives a grant under this part; and

"(B) $100,000 in the second and third fiscal years in which a State receives a grant under this part.

"(2) Funds received in the first fiscal year in which a State receives a grant under this part shall remain available until expended. Funds received in the second and third fiscal year in which a State receives a grant under this part shall be available only for the fiscal year for which funds are received.

"(3) Funds received in the second and third fiscal years in which a State receives a grant under this part shall be matched, on a dollar for dollar basis, from non-Federal sources.

"STATE APPLICATION

"SEC. 813. (a) Funds appropriated pursuant to section 818 shall be available for grants to States for the purpose of supporting not more than 1 library literacy center in each State to coordinate the State-wide distribution of library literacy materials and equipment on a loan basis to local public libraries within the State.

"(b) Any State wishing to receive a grant shall, through it's State library administrative agency, in conjunction with the advisory committee established under section 816, submit an application to the Secretary at such time, in such form, and containing such information and assurances as the Secretary may reasonably require. No application may be approved by the Secretary unless it contains assurances that the State will—

"(1) designate the State library administrative agency, or select a local public library through a competitive process, to serve as a library literacy center in accordance with the provisions of this part;

"(2) provide assurances that the library literacy center will—

"(A) select local public libraries to participate in a literacy materials and equipment loan program,

"(B) select at least 25 percent of the local libraries that participate in the literacy materials and equipment loan program from rural areas;

"(C) give priority in the selection of local public libraries to participate in the literacy materials and equipment loan program to public libraries within the State which serve those in greatest need;

"(D) coordinate the distribution of equipment and materials;

"(E) provide training to local public library personnel;

"(3) describe how the results of the grant program will be evaluated and disseminated;

"(4) set forth the potential of the grant program for achieving replicability and for serving as a model program; and

"(5) distribute 100 percent of the amounts received pursuant to this part to the library

literacy center as designated or selected under section 817.

"(c) The Secretary shall give priority to applicants whose applications comply with the provisions of this part and describe programs and services to be delivered in States which have—

"(1) the highest concentrations of adults who do not have a secondary education or its equivalent,

"(2)(A) few community or financial resources to establish the program described under this part without federal assistance, or

"(B) low per capita income, or high concentrations of unemployment or underemployment.

"USE OF FUNDS

"SEC. 814. (a) Funds made available under this part shall be used by the library literacy centers to establish coordination centers to make literacy materials and equipment available to local public libraries on a loan basis to initiate, expand, or improve public library literacy services and programs. Such services and programs may include—

"(1) the acquisition of literacy education equipment including, but not limited to, video recorders and television monitors;

"(2) the acquisition of print materials, audio tapes and video tapes designed to train adults with limited literacy skills, including materials and tapes prepared by public television;

"(3) the acquisition of library resource materials for literacy instruction purposes;

"(4) the acquisition of literacy training materials including but not limited to General Education Development (GED) print materials and video tapes; and

"(5) staffing for coordination and training of local library personnel on literacy services.

"(b) Each library literacy center receiving a grant under this part may use no more than 25 percent of such funds for the acquisition of literacy education computers and computer software.

"LOCAL APPLICATION

"SEC. 815. (a) Any local public library desiring to participate in programs and services conducted pursuant to this part shall submit an application to the State or the library literacy center as selected by the State under Section 817 at such time, in such form, and containing such information as the State or the library literacy center determines is necessary to evaluate the quality of the local public library's proposal and the local public library's ability to carry out such proposal.

"(b) Each such application shall—

"(1) describe the manner in which the equipment and materials will be used to initiate, expand, or improve local library literacy services;

"(2) demonstrate that the library has or will have sufficient qualified staff and volunteers with specialized training in providing library literacy services to adults;

"(3) provide for the establishment of—

"(A) a library literacy loan program through which adults with limited literacy skills or individuals helping illiterate adults to learn to read may borrow books, video tapes, and other learning materials,

"(B) other innovative programs and policies designed to encourage greater use of the library by adults with limited literacy skills or individuals helping illiterate adults learn to read;

"(4) provide assurances that coordination will take place with literacy organizations and community-based organizations providing literacy services;

"(5) provide job and career information to adults with limited literacy skills who are unemployed or seeking a new job;

"(6) provide information or referrals to other adult education opportunities in the community;

"(7) describe, if appropriate, any special services and outreach activities which will be offered to meet the needs of adults with limited literacy skills;

"(8) describe the methods by which the library will publicize and promote the services of the library in cooperation with the local media, schools, businesses, social service agencies, and other appropriate entities; and

"(9) provide assurances that the materials, equipment and training provided will be used to supplement and not supplant materials, equipment and training otherwise available for the purposes of this part.

"ADVISORY COMMITTEE

"SEC. 816. Each State receiving a grant under this part shall establish an advisory committee to assist in coordinating the services and programs assisted under this part. Such committee shall consist of, but not be limited to, representatives of—

"(1) the Governor's office;

"(2) the State library administrative agency;

"(3) the State Advisory Counsel on Libraries;

"(4) the State department of education;

"(5) the State employment office; and

"(6) public television.

"(7) adult literacy community organizations.

"SELECTION OF LITERACY LEARNING CENTERS

"SEC. 817. Each State receiving a grant under this part shall designate the State library administrative agency as the library literacy center or shall select a library literacy center on a competitive basis from among the local public libraries submitting applications under section 815. In making such selection, the State shall give priority to applications which—

"(1) demonstrate the greatest ability to carry out the requirements of section 813 and to serve other local libraries; and

"(2) offer innovative approaches to improving library literacy services to adults and approaches which show promise for replication and dissemination.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 818. There are authorized to be appropriated $3,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year thereafter to carry out the provisions of this part.".

(b) CONFORMING AMENDMENTS.—Section 3 of the Act is amended by adding at the end thereof the following:

"(20) The term 'educationally disadvantaged adult' has the meaning given that term in section 312(3)(A) of the Adult Education Act of 1988 (20 U.S.C. 2101a).

"(21) The term 'adult with limited literacy skills' means an adult whose minimal skills in reading, writing, or computation or in performing basic arithmetical computations preclude the individual from functioning in society without assistance from others.".

SEC. 24. TECHNICAL AMENDMENT.

Title I of the Act is amended—

(1) by inserting "PUBLIC" before "LIBRARY" in the heading of such title; and

(2) by inserting "PUBLIC" before "LIBRARY" in the heading of section 101.

SEC. 25. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 1990.

And the Senate agree to the same.

AUGUSTUS F. HAWKINS,
PAT WILLIAMS,
WILLIAM D. FORD,
MAJOR R. OWENS,
CHARLES A. HAYES,
CARL C. PERKINS,
JOSEPH M. GAYDOS,
GEORGE MILLER,
NITA LOWEY,
GLENN POSHARD,
BILL GOODLING,
THOMAS COLEMAN,
MARGE ROUKEMA,
TOM TAUKE,
STEVE GUNDERSON,
PAUL HENRY,
Managers on the Part of the House.

EDWARD KENNEDY,
CLAIBORNE PELL,
PAUL SIMON,
ORRIN G. HATCH,
NANCY LANDON KASSEBAUM,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

1. The House bill, but not the Senate amendment, broadens the definition of "network" to specifically include networks that permit the participation of "international" entities. The Senate recedes.

2. The House bill, but not the Senate amendment, contains a provision that prohibits the contracting out of the Department of Education's Research Library through September 30, 1990 and requires a General Accounting Office study of the contracting out issue to be completed by January 1, 1991. The Senate recedes.

3. The House bill, but not the Senate amendment, contains a provision that permits libraries to participate in drug abuse prevention programs as an allowable activity under Title I. The Senate recedes.

4. The House bill and the amendment differ with respect to Title V, Foreign Language Materials Acquisition. The Senate amendment maintains the maximum award size at $15,000 and sets aside 30 percent of the funds under this program for Major Urban Resource Libraries (MURLS) with no limit on the size of the grant for awards made from the 30 percent set-aside.

The House recedes with an amendment to raise the grant size from $15,000 to $35,000 and reserve 30 percent of the funds for

grants of $125,000. In addition, no library may receive an award under both programs.

5. The House bill, but not the Senate amendment, contains a provision that recognizes that school libraries can be reimbursed with Library Services and Construction Act funds for providing access to the public during periods when school is not in session. The Senate recedes.

6. The House bill, but not the Senate amendment, clarifies the intention of the maintenance of effort reporting requirements. The Senate recedes with a technical amendment.

7. The House bill, but not the Senate amendment, contains a new Title VIII, Family Learning Centers. The Senate recedes with an amendment adding a provision for Library Literacy Centers to this title. This new title VIII may not be funded until titles I, II, and III are funded at the Fiscal year 1989 appropriations levels, plus 4 percent.

8. The Senate amendment, but not the House bill, contains a provisions that requires libraries not to discriminate in providing equal access to library space for public meetings. The House recedes with an amendment to include only libraries that receive Library Services and Construction Act funds.

9. The Senate amendment, but not the House bill, clarifies provisions regarding licensing and certification of child-care centers. The House recedes.

AUGUSTUS F. HAWKINS,
PAT WILLIAMS,
WILLIAM D. FORD,
MAJOR R. OWENS,
CHARLES A. HAYES,
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Managers on the Part of the House.

EDWARD KENNEDY,
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NANCY LANDON KASSEBAUM,
Managers on the Part of the Senate.

SEEKING APPROPRIATE METHODS OF BRINGING A HALT TO OFFSHORE OIL DRILLING

(Mr. SMITH of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Florida. Mr. Speaker, just the other day Secretary Lujan of the Department of the Interior made a rather flippant, cavalier statement. I am talking about the moritorium on oil drilling that many of us in this Congresss would like to see made permanent in the gulf and other southern areas in the hemisphere off the shores of the United States. He said that maybe the State of Florida should buy back the oil leases.

Well, he knows very well that is not capable of being done. No. 1, the State of Florida never got the money for selling them in the first place, so then the Feds would pocket 100 million bucks and then the State of Florida and its citizens would pay to get back that land which the Federal Government sold to begin with.

No. 2, it was a cavalier attitude and a cavalier remark, because he knows it is not capable of being done. That is not the way to seriously discuss the environmental problems of this country or to address the concerns that a great many Members of this House have.

On a bipartisan basis, 13 members of the State of Florida delegation have written a letter to the Secretary asking him to consider appropriate methods of finding out how we can stop oil drilling and save the environment, and one of the ways is not by being funny or cute and coming up with a suggestion that frankly nobody believes has a prayer of ever coming to pass.

Mr. Speaker, I say to the Secretary, "Mr. Lujan, we hope you can do better next time in reality."

□ 1210

THE PERIOD OF CONFLICT OVER NICARAGUA IS OVER

(Mr. BONIOR asked and was given permission to address the House for 1 minute).

Mr. BONIOR. Mr. Speaker, the results of the Nicaraguan elections are a victory for democracy, a victory for the peace process, a victory for all of us who have worked for so many years for a peaceful solution in Nicaragua.

Violeta Chamorro has accomplished at the ballot box in a few short weeks, what the "Contras could not accomplish in a decade, at the cost of millions of United States dollars and thousands of Nicaraguan lives. She is to be congratulated. President Ortega is also to be commended for upholding his commitment to the peace process and for his willingness to abide by free and fair elections.

President Arias was right when he told us that negotiations—not military aid—could bring about peaceful change and democracy.

It is time for us to put the bitter period of conflict over Nicaragua behind us. I hope all the people of Nicaragua will now be able to work together in a spirit of reconciliation and openness for a new era of peace and prosperity.

A VICTORY FOR THE NICARAGUAN PEOPLE

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, Sunday was a victory for the Nicaraguan people. Extraordinary numbers of people registered, over 90 percent. An extraordinary percentage came out to vote, over 90 percent. The geography of the country was a problem, but yet the election was peacefully conducted and properly conducted. I commend the Sandinista government for the election process, specifically the Supreme Electoral Council headed by Dr. Fiallos. I thought Ortega's remarks were conciliatory and constructive.

Mr. Speaker, I think special credit is owed to former President Jimmy Carter. I was privileged to be a part of the election observer team, and I want to say as well that kudos are in order for the Organization of American States and for the United Nations. It played varied and constructive roles in the pre election period and during the election.

Mr. Speaker, things are on track, it would appear, for reconciliation in Nicaragua. It is important that we lower the rhetoric in this country and in this body on this divisive issue. Some extraordinary difficulties have taken place, but I think it is important now that we give an opportunity for the Nicaraguan people to claim the advantages of the victory that they had on Sunday. They approached their duties as citizens at the ballot box with absolute reverence. It is an extraordinary example that all people in democracies all across the world might do well to emulate.

EARTH DAY 1990 COUNTDOWN

(Mr. FAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAZIO. Mr. Speaker, Earth Day 1970 focused the attention of a generation of Americans on the importance of preserving our environment. However, in the 1980's under the Reagan-Bush administrations, our national commitment to preserving our precious environment languished in indifference.

Earth Day 1990, which is now 54 days away, offers a great opportunity to rekindle our Nation's vigorous commitment to the environment. Clean air and clean water, along with preservation of the wonderful beauty and diversity of our natural environment are among the most important legacies we can leave for future generations.

Every American should be able to breathe clean air. Achieving this goal will require a comprehensive effort with major reductions in emissions from stationary sources as well as automobiles, trucks, and other mobile sources. Cleaner, alternative fuels for vehicles can contribute significantly to

reducing air pollution and I urge the Federal Government to take a leadership role in promoting fuels that will help clean up our air.

Finally, we must not forget that the growing demand for energy is the underlying cause of much of our air pollution. We need to redouble our energy conservation efforts. Energy conservation not only promises savings, but also reduces air pollution.

CONGRATULATING MRS. CHAMORRO AND COMPLIMENTING MR. ORTEGA

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, throughout the past decade, Ronald Reagan said, "Name one totalitarian Communist regime which has ever negotiated itself out of existence." He obviously asked that question rhetorically.

Well, Mr. Speaker, until April 15 of last year, when the roundtable talks took place in Poland and the June 4 elections there, it could not be done. Obviously, in the past several months, we have seen it take place in a number of countries; the most recent, of course, was Nicaragua. Winston Churchill said, "In victory, magnanimity."

It is no secret that on the Democratic side of the aisle and the Republican side of the aisle, most all of us supported the democratic process and the candidacy of Mrs. Chamorro. It is clear to me that Daniel Ortega should get a degree of credit for, first of all, responding to international pressure and holding that election.

Mr. Speaker, Daniel Ortega also should get a great deal of credit for last year's San Ysidro agreement recognizing that the FMLN Communist guerrillas in El Salvador are attempting to destabilize that government, and, yes, I also congratulate Mr. Ortega for his warm sense of congratulations to Mrs. Chamorro that he demonstrated just last evening.

My colleagues, it is very clear that two important things remain at the top for this change to take place. The Ministers of Interior and Defense need to see a change, and it is going to be up to that government to do it. They should have our wholehearted support.

Mr. Speaker, the gentleman from Missouri [Mr. SKELTON], my colleague, and I have introduced a resolution today, which I hope our colleagues will cosponsor, congratulating Mrs. Chamorro and also complimenting Daniel Ortega on the way he has handled this. I urge my colleagues to cosponsor.

FORKED-TONGUE ENVIRONMENTALISTS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, the American people know the difference between rhetoric and responsibility. The Bush administration's claim as environmental defender is rejected every day as simple rhetoric as his administration takes the antienvironmental stance on wetlands, global warming, oilspills, and the list goes on.

Take the President's "America the Beautiful" plan. While President Bush pretends to commit his administration to reforestation and beautification, his budget calls for just the opposite.

Far from beautifying the Tongass National Forest, the budget calls for a 20-percent increase in funding—to continue harvesting ancient trees in our largest and last rain forest at the taxpayers' expense simply for the timber industry's profit.

The House spoke clearly last July when it voted 356 to 60 in favor of the Tongass Timber Reform Act to protect the forest, and the taxpayer, from this outrageous Federal subsidy.

Another example of President Bush's duplicity on the environment is the recent secret settlement negotiations between Exxon and the Justice Department over the *Valdez* oil spill. Since when is the criminal allowed to determine restitution for his own crime? Apparently, if you are Joe Hazelwood, you will be prosecuted to the full extent of the law; but if you are Exxon, the Attorney General will cut you a deal.

President Bush's claim to being the environmental President is without foundation. Every real action of his administration places our environment in greater jeopardy.

NICARAGUAN ELECTIONS

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, on Sunday I witnessed an incredible thing. As an invited member of the Organization of American States observer team, I watched the Nicaraguan people choose Violeta Chamorro as their President—and choose freedom and democracy as their course for the future.

With an overwhelming mandate—one that has long been underestimated—the people of Nicaragua finally said enough to the Marxist/authoritarian regime of Daniel Ortega.

By insisting on an open and fair election in Nicaragua, the United States helped open the door to freedom—and on Sunday a whole Nation walked through that door.

The people of Nicaragua have shown courage and determination. Their commitment to peaceful change and their faith in the potential of freedom and democracy helped them to triumph on the most uneven of playing fields. They have joined the ever-rising tide of freedom that we see rushing into almost every corner of the world.

I congratuate Violeta Chamorro, the 14-party opposition coalition, the people of Nicaragua, and even the Sandinista regime—which now appears willing to respect the results of the election.

But there is more work to be done. With the election behind them, the people of Nicaragua stand ready to tackle the daunting challenge of rebuilding their country. They need—and deserve—our help.

□ 1220

THE ENVIRONMENT

(Mr. WOLPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLPE. Mr. Speaker, I rise to express my strong concern that White House Chief of Staff John Sununu's continuous intervention on environmental matters is doing President Bush a grave disservice and, at the same time, is jeopardizing our Nation's environmental policy.

In recent weeks, Mr. Sununu has overruled President Bush's environmental advisers on at least three major policy issues. In each instance, the effect of Mr. Sununu's intervention has been to substantially weaken efforts to clean up and protect the environment. First, Mr. Sununu succeeded in watering down a major Presidential speech on global warming. Then he weakened a Federal agreement to protect fragile wetlands. And now his hand is clearly visible in efforts to weaken the clean air bill.

Is the President really serious about keeping his promise to the American people to protect the environment? If he is, it is time that he rein in Mr. Sununu and begin to heed his own environmental advisers. The environmental crisis we face is real. It deserves more than lipservice. It deserves strong Presidential leadership.

PRESIDENT'S PRIORITY ON EDUCATION IS EMPTY RHETORIC

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, in his State of the Union Address last month, President Bush said:

Education is the one investment that means more for our future because it means the most for our children.

But to invest means to commit money in order to earn a return.

Unfortunately, if one looks at recent education funding levels, the President's top priority looks like empty rhetoric.

For example, in his education funding request this year President Bush asked for a real increase of only 2.7 percent.

This lack of investment costs all of us later on. The irony is that for all of his posturing on taxes, Bush's failure to adequately invest in the educational system of our Nation imposes a hidden tax on business of $210 billion a year for employee training in basic reading, writing, and arithmetic.

Such a tax does nothing to foster a stronger economy.

In closing, I urge the President to take decisive action in the classroom. I also ask the American people to start reading to their children at home.

ULTIMATE STRENGTH OF THIS COUNTRY IS IN ITS EDUCATIONAL SYSTEM

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, yesterday I was traveling in North Dakota and visited a small college on one of our Indian reservations. As I visited with the students, they told me again and again how difficult it has become to get any financial support to continue their education.

One young woman told me she didn't know where she could get the $900 for tuition during the next semester, but that she desperately wanted to stay in school in order to improve her life.

It seems to me that a President bent on building B-2 bombers and star wars, taking trips to Mars, and putting missiles on railroad tracks should be able to understand that the ultimate strength of this country is in its education system—and if we weaken that, we weaken America's first defense.

President Bush says he wants to be an "education President." But it's more than saying the words. It's making the investment. Here are some sober thoughts about our education system, Mr. President. U.S. students are 2 to 3 years behind the Japanese students when they graduate from high school—and one-half of the Japanese high school graduates know as much as U.S. college graduates. The United States is one of the few industrial countries left whose classrooms are dark more than half the year. We have a 180-day school year while the Japanese have a 240-day school year. And the list goes on.

The plain fact is, we have to rededicate ourselves to build the finest education system in the world, and to keep it that way. Mr. President, that's going to take some creative genius and some commitment. But we can't do it if we just talk about it. We've got to decide that educating our kids to be the best they can be is more important than building missiles whose explosions destroy their world's dreams.

EDUCATION AND THE PRESIDENT'S "NEW MATH"

(Mr. MARTINEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARTINEZ. Mr. Speaker, the President has said that he wants to be the education President and he said that improving math skills must be a top priority. Looking at the President's budget, we can see why: This budget just doesn't add up.

This proposed budget slashes spending for education in real terms. And that's not all: Under the President's plan, Federal education funding would again fall as a percentage of GNP. This budget is $10 billion below the proportion of the GNP we were spending a decade ago. Studies suggest that the United States is coming in close to last among industrialized nations in its education funding efforts. Instead of leading the world, we are lagging much of the world in education funding.

The President is right when he says that money doesn't buy excellence in education—but adequate funding does buy qualified teachers, quality textbooks, and school facilities that don't date from the Korean war. We do need to use our education dollars more efficiently. That is why it is curious that the President opposes funding star schools which helps put modern telecommunications to work in our schools.

Let me give you another example of how this budget doesn't add up. Our Nation badly needs skilled teachers in mathematics, sciences, foreign languages, special education, bilingual education, and so on. In disregard of that need this budget makes it harder to become a teacher because it cuts student aid for would be teachers and for all students.

Pell grants—which go to the neediest students—would receive no adjustment for inflation. This would mean that between 1980 and 1991 the award will be cut by one-fifth after inflation. Is it any wonder that a falling proportion of minority students is going on to college. This decrease in college attendance includes minority students from middle-income families who don't dare incur the debts that this administration's policies require for higher education.

We need to move the Nation toward a more reasonable balance of scholarships and loans—rather than the current system that leaves disadvantaged students deep in debt at the time in their lives when they are working to build careers, striving to establish strong families and battling to keep a roof over their heads.

At a time when modernizing work-based education is increasingly vital to keep our Nation's businesses competitive in world markets, this budget proposes to cut it. Funding is cut from IRCA programs to provide English language and basic skills training to immigrants receiving amnesty. In short, the budget does not add up.

No matter how lofty the goals are said to be, this budget undermines our Nation's ability to build excellence and access in education for all Americans. Thirty-second sound-bite rhetoric that promises an education President and then proposes to cut real funding for education is something America cannot afford. I urge my colleagues to support making America No. 1 in education by supporting an education budget that does add up.

A WELCOME END TO THE STRUGGLE IN NICARAGUA

(Mr. McNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, what a tremendous year for freedom. The Berlin Wall has come crashing down. The Soviet Communist Party has given up its monopoly on power, and now we can all rejoice at Sunday's democratric miracle, when the Nicaraguan people spoke out with their votes against totalitarianism and made Violeta Chamorro their new President.

We must now do all we can to help her establish peace, freedom, justice, and prosperity for all; but winning the Presidency is only step one. The Sandinistas still control the army, the security forces, and the instruments of government. They will play a significant role in the transition.

I commend President Ortega for his pledge of cooperation.

I also salute President Bush for his commitment to normalize our diplomatic relations with Nicaragua and to lift the economic embargo and the trade embargo. These are commitments he made before the election results were known, and when it appeared as though the Sandinistas would be victorious.

Working together, Mr. Speaker, we will finally see an end to this bitter struggle in Central America.

FORMER PRESIDENT REAGAN'S POLICIES IN CENTRAL AMERICA VINDICATED

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, a freedom tide is sweeping this planet. We can see it in Eastern Europe. The Berlin Wall is down. Even in the Soviet Union, we can see democracy making great progress. In South Africa we can see the freedom tide.

Now today we recognize it even in Central America, in Nicaragua. The bulwarks of tyranny will not stand against this tide. Yet unlike the tide, which is a natural occurrence, these things did not happen on their own or as a natural occurence. These were the outgrowth of policies. Over the last decade, Ronald Reagan was reviled and his policies attacked by those who now applaud and celebrate the progress we have made. I am very proud to have served with Ronald Reagan, and it is the Reagan doctrine that we can give credit to for these great changes today.

WRONG ADVICE TO TAXPAYERS FROM THE IRS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Money Magazine gave a tax test to 50 professional tax preparers, and guess what, 48 of the 50 flunked. That is right. Only two experts were able to correctly identify how much tax this hypothetical family of four did owe. In fact, over 300 of those experts overestimated their tax by $8,000.

Now, this hypothetical $8,000 could help this hypothetical family given their hypothetical kid a hypothetical 4-year college degree; but I see the sad truth here, and it is a shame when a taxpayer has to pay up to a $4,000 service fee to have an expert screw up their taxes, which they could have done themselves.

The bottom line is that a Philadelphia attorney and a CPA cannot figure out our tax laws, and the people in the country cannot either.

We simplified it all right. We have taken it from calculus to brain surgery.

□ 1230

ANTI-COMMUNIST: A BADGE OF HONOR

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, I can't understand the soft drone of 1-minute speeches here, most of them on domestic issues, when in the last 48-hour period we have experienced one of the great upsets of communism in our lifetime. It boggles my mind. I feel like Diogenes going around looking for the honest man, in this case the honest liberal, the liberal who will stand up and say with some intellectual courage, "I was wrong over my adult life. Communism is and always was worse, or just as bad, than Nazism or fascism, because it has killed more people."

The evil Castro will probably fall within the next year or two, and dos Santos, the evil Communist in Angola, will fall; Mengistu, the evil one in Ethiopia, will fall within the next 3 or 4 years, maybe sooner.

What a glorious time we live in. All of my life the dominant media culture, Mr. Speaker, and people in this House have called me an anti-Communist with an opprobrious ring to that term. It is a badge of honor. I have worn it since I was 16 years of age, 40 years an anti-Communist, and I am proud of it.

We have not seen anything yet. But will an honest liberal, please, come up to me and say, "BOB, anti-Communist is a term of honor. I was wrong about the Contras. I was wrong about the church people going down there. I was wrong about Jennifer Jean Cassolo. I was wrong to go bootlicking down there to the Ortega brothers with their hidden Swiss bank accounts. I was wrong about communism."

Gorbachev is right. Stalin killed more people than Adolf Hitler. The Third Reich lasted for 12 years of ugly terror. Communism has lasted for 72½ years and counting. We are going to see it all die, and then we will all be anti-Communist and lovers of liberty.

NATIONAL ASSESSMENT OF CHAPTER 1 COMPENSATORY EDUCATION PROGAM

(Mr. ORTIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks)

Mr. ORTIZ. Mr. Speaker, today I rise in support of the bill, H.R. 3910, the National Assessment of Chapter 1 Compensatory Education Program.

The purpose of this bill is to assess the need for compensatory education nationwide for disadvantaged children, as we prepare to reauthorize chapter 1 which expires at the end of fiscal year 1993.

As we study the various needs of our educational system in the 1990's, it is important to pay particular attention to the area of south Texas.

As a vegetable growing agricultural entity, farmers in the Rio Grande Valley tend to hire migrant workers.

Due to the severe freeze last month, the citrus and vegetable crop in south Texas, as well as other areas of the country, were greatly damaged.

I take this time, Mr. Speaker, to emphasize that the Department of Education should realize that the number of migrant workers will, in all probability, be lower this year than normal.

I urge those conducting the educational study to be aware of the fact that there will be fewer migrant workers in the valley area, therefore, the data collected must be adjusted to ensure accuracy.

INTRODUCTION OF STUDENT LOAN DEFAULT REDUCTION AMENDMENTS OF 1990

(Mr. DENNY SMITH asked and was given permission to address the House for 1 minute and to revise and extend his remarks)

Mr. DENNY SMITH. Mr. Speaker, when President Bush talked about education during his State of the Union Address, he spoke of the critical need for more math and science teachers. Many of these future teachers will depend on guaranteed student loans to help pay their college costs. Unfortunately, we may not be able to meet their needs because we spend 37 cents out of every GSL dollar financing unpaid student loans.

That's why I rise today to introduce the Student Loan Default Reduction Amendments of 1990, which amends the Higher Education Act of 1965 to allow Secretary Cavazos more latitude in cracking down on student loan defaults.

In fiscal year 1989 defaults on guaranteed student loans totaled $1.8 billion. These default rates are unacceptable, and serve only to rob other valuable education programs of scarce resources. Put simply, the time has come to reassert that a good education is worth borrowing money for, and worth paying back.

The President is 100 percent behind this legislation, and has identified it as a key component of his plan to invigorate America's education system. Senators GRAMM and DOLE have introduced companion legislation in the Senate, and have pledged to move the bill through that body with all possible speed.

I ask my colleagues to demonstrate their support for getting more dollars to education by cosponsoring this bill.

TRIBUTE TO JESSE SAPOLU

(Mr. FALEOMAVAEGA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, it is my understanding the world Super Bowl champions, the San Francisco 49ers, are in Washington today, and our President will be hosting them

sometime today at the White House. Congratulations are certainly in order for the owners and the coaching staff of this great football team.

Mr. Speaker, there is one particular individual and fellow football player on this 49ers team that I would like to pay a special tribute to and to share his good name with my colleagues this morning.

He is unique in that he was the only Pacific Islander who played in a Super Bowl game. A graduate of Farrington High School in Honolulu and the University of Hawaii where he lettered in football and other sports, Jesse Sapolu is an outstanding role model for our Nation's youth, both while attending college and even today.

Jesse was drafted by the 49ers some 8 years ago as an offensive guard and center.

Throughout the past season, he played as first-string center for the 49ers and proudly wears No. 61 on his jersey.

Jesse is the son of proud but humble Samoan parents who have labored diligently and faithfully for the Samoan Congregational Christian Church for over 30 years.

A humble gentleman who stands 6 feet, 4 inches tall and weighs 285 pounds, Jesse Sapolu is probably the only Pacific Islander to my knowledge to have successfully earned three Super Bowl rings with the 49ers from three world championship football games.

Jesse Sapolu is a devout Christian and is married to the lovely Melanie Aholoholo from the island of Kaua'i in the State of Hawaii, and they are the proud parents of three children.

CREDIT ALSO TO PRESIDENT BUSH

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, decades come and go; seasons mark the changes in our lives; but the drives and hopes of people are a constant.

Witness Eastern Europe: fear chained them; despair held them back.

But no more. They will be free.

Now Nicaragua. A woman's voice was heard. The paper could be shut down; but the truth could not be muzzled. And the people voted.

All of these countries look to the United States. We are the model; we should be justifiably proud of the example we set, proud of even the little things, such as the peaceful transfer of power.

And we shall watch Nicaragua to see if Ortega listens to the wishes of his countrymen.

As we pass out praise for those who have done so much, the Walesas, the Havels, the Chamorros, and President Carter, we should not overlook President Bush. He has provided strong leadership in Central American affairs, from his handling of the Panama crisis to encouraging free elections in Nicaragua.

Repressed peoples worldwide, from Eastern Europeans to Nicaraguans, want to be our friends. And President Bush has not shrunk from extending a strong U.S. hand in friendship.

We are beginning to see the results.

THE 25TH ANNIVERSARY OF HEAD START

(Mrs. UNSOELD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. UNSOELD. Mr. Speaker, this year marks the 25th anniversary of Head Start. Why is that significant?

Mr. Speaker, there is nothing more vital to our national security than how we educate our children. If we are to be successful in an increasingly competitive world, our children must first succeed in the classroom. Yet, too many of our children entering kindergarten today are not prepared to learn. They have never learned discipline, never learned respect for someone else, for themselves, for property, never learned responsibility.

We have a high-school dropout rate of over 25 percent.

We know that $1 invested in Head Start will save $4.75 in future costs of welfare, unemployment, and crime. Yet only 18 percent of our eligible 3-to-5-year-olds are able to participate in Head Start.

The President's budget does not recommend full funding. I call upon my colleagues, Mr. Speaker, to reauthorize Head Start and provide full funding this year. Head Start is a good start for investment in life.

TRIBUTE TO VIOLA GRAY-JOHNSON

(Mr. CARDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, on February 18, Viola Johnson, age 84, passed away at Johns Hopkins Hospital of a respiratory illness. Ms. Johnson lived a life that was a monument to the values that we all cherish as Americans. She worked tirelessly for 40 years at South Baltimore General Hospital where she pressed uniforms for staff members. She believed in the work ethic and did her best to teach her children and grandchildren right from wrong. She told them with a little hard work and belief in yourself you can do and be anything you want.

Viola Gray-Johnson's story is typical of millions of American families. The strong maternal influence, teaching by example, giving her children and her grandchildren belief in their own abilities to achieve great things. What makes this classic American story of special interest to us in this Chamber is that the legacy of Viola Johnson's faith is alive in the work of her grandson, the U.S. Representative from Maryland's Seventh District, our colleague and my friend, the Honorable KWEISI MFUME.

We all would like to express our sympathies to Congressman MFUME and to his entire family. Mrs. Johnson will be missed, but she has left her family, and the people of Baltimore and the entire United States better off.

□ 1240

ECONOMIC CONVERSION LEGISLATION IS NEEDED NOW TO ASSIST COMMUNITIES WITH DEFENSE SPENDING DECLINE

(Mr. BRENNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENNAN. Mr. Speaker, I join today with Congresswoman OAKAR, in cosponsoring legislation to assist communities which are heavily affected by defense industries to make the conversion to nondefense industry opportunities.

We have witnessed a real decline in defense spending over the past 5 years and that trend will continue. The dramatic changes we see in Eastern Europe, the Soviet Union, and now in Nicaragua reflect the budget realities of less for defense.

In my home State of Maine, we are heavily influenced by defense industries. While defense cuts have not translated into massive layoffs yet, we need to begin planning for that possibility.

This legislation assists in developing plans to shift from defense work to alternative public and private projects. These projects can be used to address critical needs in the areas of housing, education, and transportation. The bill also addresses retraining, education, and job placement help for displaced workers.

The decline in defense spending should not result in economic catastrophe, but provide for economic opportunity. This bill will aid in that effort and I urge your support for it.

ELECTION SHOULD END NICARAGUAN OBSESSION

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, like Buster Douglas, Mrs. Chamorro got off the canvas and upset Daniel

Ortega. Only there was no Don King to try and cancel the victory. In fact, the Sandinistas permitted a clean, efficient, and fair election. They permitted thousands of observers, myself included. They have gracefully accepted defeat.

As much as some people hate to say this, we should commend them and acknowledge their positive effort in this election.

If Mrs. Chamorro is going to govern effectively, she is going to need them to be cooperative and turn over his reigns of power, especially the military and the security policy.

So, for once, let us shut up and stop gloating over the Sandinista defeat. Let us not complicate the reconciliation process in Nicaragua.

For those that say Nicaragua has got to get in line for United States help alongside those Eastern European democracies, I say Nicaragua comes first. We have a moral obligation to help that country after 10 years of a U.S. proxy war and thousands killed. This election hopefully should end our Nicaraguan obsession.

Mr. Speaker, I wish to insert for the RECORD a prediction of our colleague, the gentleman from New York [Mr. SOLARZ]. The gentleman is to be commended for his foresight.

SOLARZ PREDICTION, FEB. 22, 1990

[In percent]

	Solarz	Result
UNO	57	55
FSLN	38	40
Minor parties	5	

ECONOMIC AID PACKAGE FOR NICARAGUA

(Mr. SLATTERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLATTERY. Mr. Speaker, on Sunday I witnessed historic elections in Nicaragua as a member of the OAS observation team.

The people of Nicaragua spoke freely in this election and democracy triumphed. I congratulate Mrs. Chamorro and her UNO team.

But many other people deserve credit for the election. President Ortega should be recognized for honoring his word to hold a free election, because that is what happened. Secretary General Baena Soares of the OAS should be recognized and commended, along with former President Carter and his team, for the countless hours they spent without pay in observing this election.

But now, Mr. Speaker, the hard work of governing begins for the new government headed by Mrs. Chamorro. Now is also the time for this administration to make sure our commitment to democracy in Nicaragua is not empty rhetoric.

I hope that President Bush will restore full diplomatic relations to the Nicaraguan Government immediately. We should also lift the trade embargo and encourage international assistance from the World Bank and the International Monetary Fund.

We should make sure that Nicaraguan men and women have the opportunity to have equal access to our markets. We must also commit the United States to an economic aid package that will at least equal the economic assistance that the Nicaraguan Government under the Sandinistas has received from the Soviet Union and other Eastern bloc countries.

THE AVIATION TRUST FUND

(Mr. VALENTINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALENTINE. Mr. Speaker, the airport and airway trust fund, known also as the aviation trust fund, is derived from various user taxes and an 8 percent ticket tax (which is proposed to go to 10 percent) levied on airline passengers. Under the law, that money is intended primarily for research and for capital investments in airports and air traffic control equipment that serve to maintain or enhance this country's aviation system.

The aviation trust fund currently has an unspent balance of approximately $13 billion. We all know what that balance is being used for: It is being used to help camouflage the true size of the Federal budget deficit. How long can this go on before those people who are paying for, but not receiving, aviation improvements go beyond a state of anger to a state of utter rage?

The people of this country will gladly pay dedicated user taxes if they agree with the public objectives and are confident that the funds will be used to achieve those objectives. The aviation trust fund, as currently administered, can make a claim for neither.

The time for dealing honestly with the trust fund is now, and I hope that we in the Congress will have the courage to do it.

PUT CLEAN AIR BILL ON PRESIDENT'S DESK BY EARTH DAY

(Mr. DOUGLAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOUGLAS. Mr. Speaker, a number of Members have stood here today and attacked President Bush and New Hampshire's John Sununu over clean air legislation. I think what we need to do is put this in perspective, because today is the seventh month to the day that the President's clean air package came to the U.S. House. It was introduced July 27, and the President asked that he get the bill on his desk by January 1.

We have not even voted on it yet, and yet the President is already being attacked by Democratic Members of this House, who control this House and have controlled it since 1954. If they want the clean air bill on the floor, they can get it on the floor by April 22, which is Earth Day. It should be on the floor. We should be voting on it. It should be signed by the date the President wants it, the latest date, Earth Day.

Before the President gets attacked again, I think the Democrats ought to recognize they control the House, they control the action. They can put that bill on the desk of the President, and the sooner the better.

AMERICA NEEDS MORE EDUCATION, NOT JAILS

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, this morning we have been awakened to a new revelation that one out of every four persons who occupy prison cells or are on probation are African-American young men in their 20's. I think that one of the answers to trying to solve the problem is not building more jails, not trying to develop more mechanisms within the criminal justice system, but understanding that in this Nation there is a responsibility and an obligation to educate all of its people.

Education has been the key that has unlocked the door for so many who have tried to escape the circumstances of their life from ghetto experiences, those who have found themselves with an inability to be competitive. Education has given them those opportunities.

Yet, in many of our communities the dropout rate is so high that these young men find their way to the streets and determine the way to succeed is to be able to function out in the streets.

I would challenge us today to understand our obligation to all of our citizens and our obligation in an educational manner is to somehow endow within each and every citizen the capability and the skill to be competitive, the ability to be productive. We can only do that by committing ourselves to a priority in education, so that each and every American citizen understands not only their responsibility to the Nation, but their responsibility to themselves. Let us educate every American.

DICTATORSHIPS AROUND THE WORLD ARE MOVING TOWARD DEMOCRACY

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, we are all thrilled and astonished at the victory of Mrs. Violeta Chamorro in Nicaragua. Few of us anticipated it, although many of us hoped for it.

It is an exhilarating fact that when voters have been given the chance to express themselves on staying with tight, nasty, repressive dictatorships or moving toward democracy, they have gone for it every single time. They have gone for it in Russia. They have gone for it in Eastern and Central Europe. They have gone for it in the Baltic States. And here they have gone for democracy in Nicaragua.

□ 1250

I have had the pleasure and privilege of meeting with Mrs. Chamorro. She is a charming, educated, fine, sincere person. But she needs a heck of a lot of help, Mr. Speaker.

The history of relatives of deposed and fallen chiefs of state taking their place is not encouraging. Prime Minister Bhutto, the daughter of the executed Prime Minister Bhutto is having great difficulty in Pakistan. Mrs. Aquino, who was a simple housewife, has performed miracles considering her lack of experience when she took on this job, but she is in great difficulty. Rajiv Gandhi, the aviator son of Mrs. Gandhi who took over, had a desperately difficult time because of lack of experience and knowledge and sophistication about the ways of politics and governance, and I fear that Mrs. Chamorro is going to need all of the help that she can get. As a very charming, educated, cultivated housewife she has a desperate plate of problems before her, and we owe her help, we owe her advice and counsel, and we owe her resources. Mr. Speaker, we have a $5 trillion economy, and out of that we ought to be able to create an adequate foreign aid program to help the Nicaraguan people and Mrs. Chamorro.

BIGEYE IS TRULY A BOMB

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, as the dramatic changes unfold in Eastern Europe and Secretary of State James Baker reports major progress on nuclear, conventional, and chemical weapons arms control, the Pentagon continues to fund development for an outdated and severely flawed weapon called the Bigeye nerve gas bomb.

The Bigeye bomb project is no small undertaking. If this Congress were to approve full funding, the taxpayers would get stuck with a billion dollar bill for a weapon that repeatedly failed nearly every round of testing.

The Bigeye's supporters call for additional time to work out these design problems. Additional time? This bomb was misdesigned in 1959 and has been under development for no less than 30 years.

It's time to stop spending money on this failed weapon. Its development has been drawn out so long that it can play no real role in the final draft of the chemical weapons treaty. While the Bigeye cannot intimidate the Russians, it continues to scare the daylights out of American taxpayers.

CONGRATULATING MRS. CHAMORRO ON VICTORY IN NICARAGUA

(Mr. CARPER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARPER. Mr. Speaker, questions concerning the fairness and openness of the Nicaraguan elections finally have been answered. Democracy has triumphed. By all accounts, Sunday's elections were both fair and open.

Despite President Ortega's gracious concession speech, serious questions remain, however, concerning the willingness of the Sandinistas to turn over real power in Nicaragua. The Sandinista military and police must be transformed into Nicaraguan forces. Without doubt, the Sandinistas will find the loss of that power even more difficult to accept than last weekend's election results.

Mrs. Chamorro, meanwhile, is to be congratulated on a most impressive victory against great odds. She will find, as did the Sandinistas, that winning an election, or a revolution, however difficult, is far easier than governing a country mired in poverty and wracked by deep internal dissension.

The United States has contributed directly to the deterioration of the Nicaraguan economy through our economic embargo and our support of the Contras. Now, we must assist in Nicaragua's rebuilding by quickly normalizing relations, both diplomatic and economic, with the new government.

Just as important, the United States must work closely and skillfully with the Organization of American States and the United Nations, as well as with Sunday's winners and losers, in an effort to promote a peaceful transition of power when Mrs. Chamorro is sworn in as President in April. Like the recently concluded campaign, that transition will not be easy, nor will it likely be very friendly. But it must be done if Sunday's elections are to have true meaning.

As that transition moves forward, other changes should occur: The demobilization of the Contras and their reintegration into Nicaraguan society. Any remaining U.S. aid to the Contras should be used for that purpose.

The best enforcer of Mrs. Chamorro's victory is international public opinion in a world that is quickly being transformed. Enough Nicaraguan blood has been spilled; the time for rebuilding Nicaragua and for restoring hope to its people has come at last.

THE PEOPLE HAVE SPOKEN FOR DEMOCRACY IN NICARAGUA

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker Mrs. Chamorro's victory in the Nicaraguan elections should bring great pride to every member of this House who supported the Freedom Fighters in their quest to oust a Communist dictator.

Once again, the people have spoken overwhelmingly that they do not want the tyranny and oppression of Communist governments. And if given the opportunity in free and fair elections, that they will vote them out of office without the least hesitation.

Unfortunately, Communists understand that they are pretenders to the throne and are never able to govern with the support of the people. Communists must be pressured and dragged kicking and screaming into holding free elections.

Ortega and the Sandinistas were no different. Without our support of the Contras and the courage of the opposition in the country, Mr. Ortega would have been content to grow old as dictator over his country like so many other Communists.

As democracy continues to break out all over the world, a clear message is being sent to the few remaining Communist dictators: The people want freedom and not oppression.

Hey, Fidel, I hope you're listening. Cuba may be next.

ANTI-SEMITISM

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, now that perestroika is taking hold in Eastern Europe and the Soviet Union, the terrible specter of anti-Semitism is again rearing its ugly head. Our Government must make it absolutely clear to the Soviets that anti-Semitism in the Soviet Union, or anywhere else will not be tolerated.

Soviet Jews are now fleeing the U.S.S.R. in record numbers, many fearing for their lives. Yet it is becoming increasingly difficult for newly applied refugees to again admittance to the United States, and despite promises, the Soviet Union has not yet allowed direct flights from the U.S.S.R to Israel. This leaves many potential refugees trapped with no place to go.

The U.S. Congress and the Bush administration must demand from Mr. Gorbachev direct flights from Moscow to Tel Aviv immediately and strong intervention from the Soviet Government to end the scourage of anti-Semitism in the U.S.S.R.

CONSTITUTIONAL AMENDMENT TO PROTECT THE FLAG

(Mr. HUBBARD asked and was given permission to address the House for 1 minute.)

Mr. HUBBARD. Mr. Speaker, today I have introduced a resolution proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the physical desecration of the flag of the United States and to set criminal penalties for that act.

This is not the first resolution of this type this Congress. I introduce this resolution to remind my colleagues that last week—on February 21—in the first Federal court ruling on the Flag Protection Act of 1989, U.S. District Judge Barbara Rothstein, of Seattle, ruled the law we passed last year was unconstitutional.

David Cole, of New York City, the lawyer representing the Seattle flag burners, said last week of Judge Rothstein's decision: "I think it's wonderful * * * people must be as free to burn the flag as they are to wave it."

The Seattle flag burners are four individuals who shortly after midnight on October 28 last year, the day the 1989 Flag Protection Act went into effect, removed a flag from a flagpole at a Seattle Post Office. Then, of course, they excitedly burned the American flag.

There are those who argue that's OK. But very few of my Kentucky constituents think that way.

Those of us in the House who were insisting last year that we need a constitutional amendment to ban malicious flag burning by those who live here but hate the United States will now double our efforts for a constitutional amendment.

NICARAGUA ELECTIONS

(Mr. SLAUGHTER of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLAUGHTER of Virginia. Mr. Speaker, today I rise to congratulate the people of Nicaragua for their free and fair vote. Another dictator has fallen before the popular will.

□ 1300

Violeta Chamorro appears to have unseated dictator Ortega.

When the Sandinistas seized power as a victorious united front in 1979, they apparently had the good will and support of the international community, including the United States. After defeating democratic elements and hijacking the revolution, the Sandinistas attempted in true Marxist-Leninist fashion to socially reengineer Nicaraguan society.

Their failure to overhaul Nicaraguan society by force resulted in civil war—20,000 organized and trained men joined a fight to overthrow the new dictators whose rhetoric was different but whose methods of social control were the same. Today those who fought for the right to speak out, vote, and participate in the governing of their country are vindicated.

Nicaragua's people, all Central America, and the United States are winners today.

THE 1988 ANNUAL REPORT ON MINE SAFETY AND HEALTH ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. MAZZOLI) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

(For message, see proceedings of the Senate of today, Tuesday, February 27, 1990.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the "yeas" and "nays" are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

THE 1992 NATIONAL ASSESSMENT OF CHAPTER 1 ACT

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3910) to require the Secretary of Education to conduct a comprehensive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended.

The Clerk read as follows:

H.R. 3910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "1992 National Assessment of Chapter 1 Act".

SEC. 2. NATIONAL ASSESSMENT OF PROGRAMS ASSISTED UNDER CHAPTER 1.

(a) NATIONAL ASSESSMENT.—

(1) GENERAL REQUIREMENT.—The Secretary of Education, through the Deputy Under Secretary for Planning, Budget, and Evaluation and the Assistant Secretary of Educational Research and Improvement (in this section referred to as the "Assistant Secretary"), shall conduct a comprehensive national assessment of the effects of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (in this section referred to as "chapter 1").

(2) INDEPENDENT REVIEW PANEL.—Such assessment shall be planned, reviewed, and conducted in consultation with an independent panel of researchers, State practitioners, local practitioners, and other appropriate individuals including individuals with a background in conducting congressionally mandated national assessments of chapter 1. The Federal Advisory Committee Act shall not apply to the establishment or operation of such panel.

(3) COORDINATION WITH AND USE OF EXISTING STUDIES.—Such assessment shall be coordinated with all related research conducted by the Secretary of Education. Nothing in this section shall be construed to limit or alter the authority of the Secretary to review other program aspects of chapter 1 not mandated by this section.

(b) CONTENTS OF ASSESSMENT.—The assessment required by subsection (a) shall include descriptions and evaluations of—

(1) the implementation of the provisions of sections 1019, 1020, 1021, and 1435 of chapter 1, including—

(A) the progress made by State educational agencies and local educational agencies in implementing such sections;

(B) procedures used by State educational agencies and local educational agencies to govern interactions between such agencies relating to the administration and coordination of the provisions of such sections;

(C) program improvements undertaken by local educational agencies and State educational agencies under such sections and the effects of such improvements on program participants with respect to the basic and more advanced skills that all children are expected to master; and

(D) major programmatic accomplishments and problems and procedural accomplishments and problems caused by the implementation of such sections;

(2) the implementation of section 1015 of chapter 1, including—

(A) the number of schoolwide projects assisted under such section;

(B) operational procedures used by the schoolwide projects assisted under such section, including an analysis of similarities and differences in procedures and programs among such projects in different States;

(C) accomplishments and problems resulting from establishing schoolwide projects;

(D) an analysis of the effectiveness of schoolwide projects as compared to other programs assisted under part A of chapter 1; and

(E) a description of uses of funds in programs assisted in the implementation of schoolwide projects;

(3) the overall operation and effectiveness of part A of chapter 1, including—

(A) program participation, particularly—

(i) allocation of funds to school sites and the factors involved in such allocation;

(ii) recipients of services delivered with assistance under such part, including limited English proficient students;

(iii) with respect to each local educational agency that receives assistance under such part (or a representative sample of such agencies for each State), the number of eligible children within the jurisdiction of such agency, the resources necessary to serve all such eligible children, and the school attendance of participants in programs assisted under such part; and

(iv) the effect of the decennial census complied by the Bureau of the Census in 1990 on the allocation of funding to local educational agencies, as well as counties;

(B) program services and personnel, particularly—

(i) services delivered with assistance under part A of chapter 1; and

(ii) a comparison of the background and training of teachers and staff who conduct programs assisted under part A of chapter 1 and regular classroom teachers and staff;

(C) program administration, particularly—

(i) coordination with regular classroom activities and with other programs;

(ii) the adequacy of standardized tests; and

(iii) the effectiveness of parent involvement procedures in enhancing parental collaboration with schools and parent involvement in the children's educational development;

(D) program outcomes, particularly—

(i) student achievement, as reflected by student attendance, behavior, grades, and other indicators of achievement; and

(ii) the development of curricula that provides effective instruction in basic and more advanced skills that all children are expected to master; and

(E) a national profile of the manner in which local educational agencies implement activities described in the plans included in their applications submitted to the Secretary under section 1056 of chapter 1;

(4) the implementation of section 1017 of chapter 1;

(5) the operation and effectiveness of Even Start projects carried out under part B of chapter 1; and

(6) the operation and effectiveness of programs for migratory children carried out under subpart 1 of part D of chapter 1.

(c) CONSULTATION WITH CONGRESSIONAL COMMITTEES.—In designing and implementing the assessment required by subsection (a), the Secretary of Education shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives.

(d) REPORTS TO CONGRESS.—

(1) GENERAL REQUIREMENTS.—The Secretary of Education shall submit to the Congress—

(A) not later than June 30, 1992, a report containing the preliminary results of the assessment required by subsection (a); and

(B) not later than December 1, 1992, a final report with respect to such assessment.

(2) LIMITATION ON DEPARTMENTAL REVIEW OF REPORTS.—Notwithstanding any other provision of law, the Secretary of Education shall make available to the appropriate committees of the Congress such studies, reports, and data as are submitted to the Secretary by grantees and contractors pursuant to this Act without any additions, deletions, or other modifications by the Department of Education. The Secretary of Education and the President may submit such additional studies and make such additional recommendations to the Congress with respect to chapter 1 as they may consider appropriate.

(c) RESERVATION OF AMOUNTS.—From funds appropriated for purposes of chapter 1, the Secretary of Education shall reserve for purposes of conducting the assessment required by subsection (a) a total amount of not more than $6,000,000 from funds appropriated for the fiscal years 1990, 1991, 1992, and 1993. Amounts reserved under the preceding sentence may only be expended during the period beginning on December 1, 1989, and ending on January 1, 1983.

The SPEAKER pro tempore. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, universal quality education is the key ingredient needed to keep the United States competitive with its neighbors in the international community, and ensure economic growth and prosperity at home.

But, today we are faced with an education system which threatens our economic stability. While some schools are achieving education excellence, many are struggling and turning out a generation of adults ill prepared for the challenges and complexities of the workforce of the 1990's and beyond.

The majority of new workers are expected to be those in our society who are most educationally at-risk: the economically disadvantaged, minorities, and immigrants. For economic, social, and moral reasons, it is imperative that we as a Nation mobilize all of the many resources we have to make education the number one national priority.

One of the most cost effective, successful Federal elementary and secondary programs on the books is the Chapter 1 Program. Chapter 1, which was reauthorized through 1993, as part of the Hawkins-Stafford School Improvement Amendments of 1988, provides basic reading and mathematics skills to economically and educationally at-risk students in school districts across the country.

Studies have shown that $600 spent for a child or one year of compensatory education can save $4,000 in the cost of a single repeated grade. The school improvement amendments required an additional $500 million to be spent each fiscal year for chapter 1, so that full funding could be reached by 1993. I am sorry to report that this year, less than one-half of all children eligible for chapter 1 remedial education are enrolled in the program. This situation exists for one reason—inadequate funding—we are not spending enough money on our children in the chapter 1 effort.

The measure before us today, H.R. 3910, the National Assessment of Chapter 1, deals not with funding levels, about which an agreement has not been reached, rather this measure comprehensive, objective evaluation of the continued effectiveness of all aspects of chapter 1. The gentleman from California introduced this legislation with our friend and colleague, the gentleman from Pennsylvania [Mr. GOODLING].

This legislation, which was unanimously reported by the Education and Labor Committee, is designed to provide for an objective and fair analysis of the effectiveness of chapter 1. The committee found the last national assessment to be extremely helpful when we reauthorized chapter 1 in 1988, and we anticipate the assessment required by this bill will be equally as useful to those who will be reauthorizing the law in 1993.

New provision, such as program improvement and schoolwide projects, need to be properly evaluated, and the national assessment must be coordinated with all other related research conducted by the Secretary of Education. This legislation also includes an amendment which has been recommended by the Department of Education, and agreed to by Mr. GOODLING and Mr. HAWKINS, which exempts the review panel from the Federal Advisory Committee Act, so as to ensure timely completion of the assessment.

I thank the gentleman from Pennsylvania [Mr. GOODLING] for his commitment to quick passage of this legislation, and urge my colleagues to do everything we can to make education our No. 1 priority.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3910, the 1992 National Assessment of Chapter 1 Act, a bill that I enjoyed the responsibility of coauthoring with my distinguished chairman, AUGUSTUS HAWKINS. This small but important bill will authorize the Secretary of Education to conduct a national assessment of the Chapter 1 Program. Chapter 1, the largest of the Federal elementary and secondary

education programs, will expire in 1993. That may seem like a time in the distant future, but in terms of gathering and collating information, it is imperative that we begin the assessment of the program now. This assessment will help to give Members valuable information regarding the implementation of the program.

Furthermore, it is also our intent that the Department of Education, in carrying out this national assessment, include in their studies an evaluation of the effects of the State and Federal regulations related to chapter 1 services offered to children.

I wish to thank the Department of Education for their suggestions and assistance in helping to rewrite the bill in order to make this a comprehensive and workable review. I know that the Department has already begun studying various program aspects of chapter 1. It is my intent that those activities continue and are incorporated into this assessment.

I would also like to take a moment to commend the Department for their work in implementing the provisions of Public Law 100-297, the Hawkins-Stafford Amendments of 1988. I realize that we placed very stringent time constraints on the Department for issuing regulations. The legislation incorporated in Public Law 100-297, the authorizing legislation for chapter 1, took Congress over 16 months to complete; yet, the time constraints we imposed on the the Department was a great deal shorter. As a matter of fact, in order to meet the deadlines in the legislation, the Department began working on the negotiated rulemaking regional meetings for the regulations even before the bill was completed by Congress.

I wish to commend the Department for the careful consideration they gave to the comments and negotiations made regarding the proposed regulations and the policy manual. It is my understanding that on the policy manual alone the Department conducted numerous meetings with over 1,300 local educators, administrators, and committees of practitioners. Careful consideration takes time. Furthermore, the Department should be commended for the regional meetings held last year explaining the regulations and those held this year explaining the program improvement sections of chapter 1.

With regards to the substitute amendment, two important amendments have been included in the substitute to the reported bill. First, we have clarified our intent to include consideration of the participation of private school children under section 1017 of chapter 1. Second, the Department has pointed out that the advisory panel created to advise the Department would be subject to the Federal Advisory Committee Act and we accordingly exempted this panel from those requirements.

Finally, I would note that our chairman has announced his intention not to seek reelection. I realize that, as a member, he will not benefit from the fruits of this study. I commend him for his consideration and foresight in laying the foundations for information that will be useful for those men and women who will serve in Congress in 1993.

Again, I rise in support of this bill and ask my colleagues to join me in voting in favor of its passage.

□ 1310

Mr. WILLIAMS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Montana [Mr. WILLIAMS] that the House suspend the rules and pass the bill, H.R. 3910, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3910, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

AUTHORIZATION FOR THE TAFT INSTITUTE FOR FISCAL YEARS 1990, 1991, AND 1992

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3315) to extend the authorization of appropriations for the Taft Institute, as amended.

The Clerk read as follows:

H.R. 3315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1373 of the Education Amendments of 1980 is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1373. There are authorized to be appropriated to carry out this subpart—

"(1) $750,000 for fiscal year 1990;

"(2) $500,000 for fiscal year 1991; and

"(3) $250,000 for fiscal year 1992.

No funds are authorized to be appropriated to carry out this subpart for fiscal year 1993 or any succeeding fiscal year.".

SEC. 2. It is the sense of the House of Representatives to reject any extraneous amendments not related to the subject of this bill.

The SPEAKER pro tempore. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H.R. 3315, a bill to extend the authorization of the Robert A. Taft Institute of Government.

We are all pretty familiar with the Taft Institute. It's a nonprofit, nonpartisan education organization named in honor of the late U.S. Senator Robert A. Taft of Ohio. It was founded in 1961, and it has received Federal support since 1981.

The Taft Institute each year conducts seminars for educators who are responsible for teaching government at the classroom level. These seminars, held on college campuses, attempt to give these educators a better understanding of how our system of government works. The seminars are taught by practicing politicians and elected officials. One hundred and eighty current Members of Congress have taught Taft seminars. Last year 30 seminars in 27 States were held, enrolling 847 educators. Since its beginning, 580 Taft seminars have been held on more than 125 college campuses; 8,000 educators have gained practical political experience through them, and more than 15,000 Republican and Democratic government and political officials have conducted that training. Taft is a success.

H.R. 3315 would continue that success. It would provide continued Federal support for the Taft Institute for 3 more years. When Taft received its initial Federal authorization in 1980, its supporters believed that the institute could develop to the point where it could function without continued Federal support. This bill gets us to that point. Over the next 3 years, the Federal contribution to the Taft Institute will be annually reduced, so that by fiscal year 1993 the institute will be on its own financially. I had originally wanted to fund the Taft Institute for 4 fiscal years. However, when this bill was considered in committee, an amendment was offered granting the Taft Institute authorizations of $750,000 in fiscal year 1990, $500,000 in fiscal year 1991, and $250,000 in fiscal

year 1992. That amendment was adopted, and is a part of the legislation before us today. I have been assured by the Institute's staff that they will be able to gear up their fund-raising efforts to have sufficient private resources in place to make up for the loss of Federal funding that will occur in fiscal year 1993.

The Taft Institute is a good program. Last year when we attempted to reauthorize it, a number of extraneous items were added to the Taft bill that contributed to that legislation's defeat. This year we adopted an amendment in committee that attempts to prevent that from happening again this year.

H.R. 3315 would continue a very worthwhile program. I urge my colleagues to support it.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to join Chairman WILLIAMS and Mr. COLEMAN, ranking member of the Subcommittee on Postsecondary Education in supporting the consideration of H.R. 3315, the reauthorization of the Taft Institute, under suspension of the rules.

The Taft Institute honors the name of a great Republican, the late U.S. Senator Robert A. Taft, and has, for the past 25 years, promoted the greater understanding of our government and the political process at all levels.

The Taft Institute is a nonprofit organization, which conducts seminars for classroom teachers, administrators and librarians who are responsible for the teaching of history, social studies, civics, and government. These seminars focus on the American Government and how it works, and they are taught by politicians and government officials. Almost 200 Members of Congress have participated in these seminars.

This final reauthorization of the Taft Institute, H.R. 3315, provides 3 years of a continuing but declining Federal level of support. During this transition period, the Taft Institute will develop private sources of support for its continued operation of its yearly seminars.

The purpose of H.R. 3315 is to provide a stable phase-out of Federal support; $750,000 is authorized for fiscal year 1990; $500,000 for fiscal year 1991, and $250,000 in fiscal year 1992. The bill provides for no funding in fiscal year 1993 or any succeeding fiscal year.

Mr. Speaker, let me close by saying, "but if," and the "but if" is that if it comes back from the Senate as it did in the fall of 1988, I will work just as hard to kill it again as I did to kill it at that time, because when it left here, it was a single bill for $750,000, and when it came back, it was a bill of $60 million. Everything under the Sun that anybody thought they could pass was added, and we, of course, wanted to go home. They do not have that luxury at this time, so I am just sending out notice now before we go to conference that I have not lost my enthusiasm to kill the bill if it becomes a Christmas tree.

Mr. MONTGOMERY. Mr. Speaker, I rise in support of H.R. 3315. The work done by the Taft Institute provides educators with valuable, practical information about politics and government. This face-to-face experience with government leaders gives our educators a better insight into how the process works. That translates into more effective teaching of these subjects when the teachers, administrators and librarians return to their schools across the country.

My alma mater, Mississippi State University, has had a long and successful relationship with the Taft Institute. The program has recently had some funding problems and some cuts were made, but this authorization will help remedy some of those problems and enable the program to continue. It has been good for Mississippi and for the country and I think it deserves our support.

Mr. COLEMAN of Missouri. Mr. Speaker, I join Chairman WILLIAMS in supporting the consideration of H.R. 3315 under suspension of the rules. The Taft Institute honors the name of a great Republican and has, for the past 25 years, promoted the greater understanding of the American political process at all levels of government.

Through its "Seminars for Teachers," the Taft Institute has reached out to some 20,000 classroom teachers of history, social studies, and civics. These seminars bring these teachers into direct contact with politicians, party organizers, and government officials—representatives of the political process at the local, State, and Federal levels. These seminars are an important means of educating and inspiring those teachers who will themselves introduce literally thousands of students to the American political process. I know their effectiveness, because I participated in one of the Taft-sponsored seminars at the University of Missouri in Kansas City, MO, last year. I am one of almost 200 Members of Congress to have participated in this seminar program.

So, I join Chairman WILLIAMS in this final authorization of a program that works well and that will continue its important work in the future, as the Taft Institute increases its private sources of funding.

This authorization will provide a continued but declining level of support for the Taft Institute during a period of transition. As Federal funding is gradually reduced, it is our expectation that the institute will develop its private sources of support. We are all in agreement on this point. The purpose of continued funding is to provide for a stable phaseout of Federal support.

H.R. 3315 provides for 3 years of declining levels of Federal support, costing $1.5 million over 3 fiscal years, 1990 through 1992. Thereafter, there will be no further authorizations for appropriations for the Taft Institute.

I have been assured by the family of the late Senator Robert A. Taft and by representatives of the institute, that a 3-year phaseout will provide an acceptable and adequate period of transition, as the institute increases its fundraising efforts.

The Taft Institute is a fitting memorial to a great American political figure and has been worthy of our Federal support and encouragement. I think it is also fitting that we encourage, in this last reauthorization of the Taft Institute, private means to serve the public ends of responsible and knowledgeable citizenship.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

Mr. WILLIAMS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. WILLIAMS] that the House suspend the rules and pass the bill, H.R. 3315, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3315, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

CONFERENCE REPORT ON H.R. 2742, LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1990

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes.

The Clerk read the title of the bill.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

□ 1320

Mr. WILLIAMS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to call for the adoption of the conference report

to accompany H.R. 2742, the Library Services and Construction Act Amendments of 1990. The Library Services and Construction Act was the first, and continues to be the largest, Federal program of assistance specifically for public libraries. The act is designed to assist libraries in extending and improving services, to provide some support for library construction and renovation, to promote sharing of resources among libraries, to improve services to native Americans and to support library literacy programs.

It is important to note that while this conference agreement makes few changes to the existing law, it was drafted with the White House Conference on Libraries in mind. A portion of the funding needed for the 1990 conference has already been appropriated and planning for State and local level meetings that will preceed the national meeting has already begun. This conference process will provide the Congress with a comprehensive assessment of the needs of our Nation's libraries. The recommendations that will come from this meeting will serve as the basis for the next reauthorization of the LSCA programs in 1994.

This conference agreement broadens the current Library Services and Construction Act to encourage the use of new technologies to improve library services, adds additional literacy and child-centered activities in title I, and includes a variety of technical amendments to increase flexibility and efficiency to the programs. It also provides public libraries with the opportunity to become more involved with preservation efforts.

Finally, I note that this conference agreement closely reflects the original House passed legislation.

I urge my colleagues to adopt the conference report accompanying H.R. 2742.

KEY FEATURES OF H.R. 2742 LIBRARY SERVICES AND CONSTRUCTION ACT

SECTION 2: DEFINITIONS

This section of the bill updates various definitions used in the Act to reflect the current state of technologies used in public libraries. In addition, this section broadens the definition of the term "international" to emphasize the ability of public libraries to participate in library information networks that include both foreign and domestic libraries and information centers. The conferees note that this is not a change in current law. The term "international" was added in an effort to encourage libraries to provide the public with the broadest range of information services possible.

SECTION 5: ANTIDISCRIMINATION PROVISION

This section of the bill requires the State Library Administrative Agency to provide assurances that libraries receiving funds under the LSCA programs do not discriminate on the basis of race, religion, age, gender, national origin, or a handicapping condition in making space available to the public for meetings. The Committee recognizes that State Library Administrative Agencies are limited in their ability to regulate private libraries, therefore the provisions of this amendment apply only to public libraries receiving LSCA funds.

SECTION 7: MAINTENANCE OF EFFORT

This section of the bill modifies the system of evaluating a state's maintenance of effort in supporting public libraries. The Committee recognizes the importance of the maintenance of effort requirements in leveraging State support for public libraries. This modification is designed to preserve the maintenance of effort concept while also simplifying the reporting requirements for States and providing more flexibility in allowing States to reallocate funds to support new priorities.

SECTION 18: RESOURCE SHARING

This section of the bill encourages public and school libraries to cooperate in making school library resources available to the public during periods when school is not in session. While this is an allowable activity under current law, the Committee is hopeful that by making specific reference to this activity, more public libraries will explore developing cooperative relationships with school libraries such that school library resources will be available to the public yearround.

SECTION 20: MAXIMUM GRANTS UNDER TITLE V

This section of the bill amends Title V to increase the maximum grant size to $35,000 for 70 percent of the funds and $50,000 for 30 percent of the funds appropriated under this Title. The Committee recognizes the significant increase in the cost of purchasing foreign materials and therefore has increased the grant size to assist libraries in maintaining quality foreign materials collections.

SECTION 21: LIBRARY LITERACY GRANTS

The Library Literacy Grants program was created by the Library Services and Construction Act Amendments of 1984. (P.L. 98-480). Title IV received $4,737,000 in FY1986 and has been funded at or near its authorized level ever since that time. Reports on the program show it to be highly successful. In 1986, 217 local public libraries and 22 state libraries in 46 states were funded. These projects reached more than 48,400 adults. In subsequent years, the program has been equally successful. In FY 1989, 531 applications were received, but only 214 could be awarded with the $4,370,000 available. The Conferees are impressed with the record of success that this program has achieved in addressing the immense national problem of illiteracy. Title VI enables libraries to make their own unique contribution to such efforts, in coordination with other agencies and organizations. This bill increases the grant size under Title VI from $25,000 to $35,000. The Conferees hope that by raising the grant level some projects may be funded that permit the greater use of technology such that an even larger number of individuals may be reached by this program.

SECTION 22: TITLE VIII

Part A—Family Learning Centers

This section of the bill creates a discretionary grant program to support Family Learning Centers in public libraries. The Committee recognizes the important role that families play in supporting their childrens' education. By providing support through comprehensive family-oriented library services, the Committee hopes to strengthen this partnership.

Part B—Library Literacy Centers

This section of the bill creates a discretionary grant program to establish and support library literacy centers throughout the country to serve as resources centers for the dissemination of literacy materials in order to help overcome the high incidence of adults with limited literacy skills in the U.S. Such centers will provide adults with nonthreatening opportunities to learn to read either at home or in the library. In addition, such centers will assist adults with limited literacy skills in reaching full employment through literacy learning experiences at the public library. Funds awarded under this program may be used to purchase literacy training and resource materials and support staffing and personnel training to provide literacy services.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join Chairman WILLIAMS and the ranking member of the Postsecondary Education Subcommittee, Mr. COLEMAN, in supporting the conference report of H.R. 2742, the Library Services and Construction Act. All major items of disagreement between the House and Senate versions of the LSCA have been resolved, and I support the swift adoption of the conference report on H.R. 2742, under the suspension of rules.

The LSCA is the largest program of Federal support to libraries. The LSCA is important to Pennsylvania and to all of the States, for it is essentially a State-based program, allowing in most cases individual States to determine both the process and projects funded under the act.

The result has been that States are able to tailor-make programs to meet local needs and priorities.

The use of Federal library funds as seed money to begin programs has been very important to Pennsylvania, expanding access to library services, particularly in rural areas; leveraging local funds for needed library construction and the installation of computer technology systems; providing increased funding for literary programs and particularly for literacy materials, in the absence of State funding; and creating the authority for statewide preservation plans for the conservation of library materials. Pennsylvania has some of the oldest libraries in the Nation, with some collections going back almost 250 years, and the need for such a preservation program has been long felt.

Further, the amendments to the LSCA strengthen the coordination between the States and the Department of Education, and provide an additional title for evaluation and assessment activities, incorporating one of the central recommendations of the administration's own library bill, the "Library Services and Improvement Act

of 1989," which as ranking member, I introduced by request.

The administration's proposals for retargeting Federal support for libraries deserve serious consideration, but I join the chairman and the ranking member in wishing to await the recommendations of the White House Conference of Libraries before making basic changes in the federal role in expanding and improving library services.

In conclusion, I want to stress that the final conference report reflects strong bipartisan support for the Library Services and Construction Act amendments, both in the House and in the Senate. I would like to express my appreciation of the support of the Pennsylvania State librarian, Sarah Parker, and the other 48,000 librarians throughout the Nation, who have endorsed these amendments through the American Library Association.

Mr. COLEMAN of Missouri. Mr. Speaker, I am pleased to join Chairman WILLIAMS today to support, under suspension of the rules, the conference report on H.R. 2742, the Library Services and Construction Act Amendments of 1990.

The Library Services and Construction Amendments of 1989 have had strong bipartisan support. The LSCA Amendments of 1989 have been supported by the testimony of State and local librarians during hearings and have been endorsed by the American Library Association, representing over 48,000 librarians throughout the Nation. I would like to commend the library community for its support and participation in this reauthorization process.

H.R. 2742 makes technical changes to the LSCA, adds a new title IV, for assessment and evaluation of current programs, which was requested by the administration, and adds a new title VIII, for competitive grants for family learning centers providing family-oriented services in each State. Title VIII cannot be funded until all other titles have been funded.

The Library Services and Construction Act provides the majority of funds directly to State library agencies, which then tailor library programs which are responsive to the current, local needs of libraries in that State. Additionally, LSCA leverages State and local funds for public libraries, enlarging the impact of federally appropriated moneys.

LSCA funds are critical to the continued expansion of access to library materials and services, through such programs as resource sharing, improved delivery of materials, and through expanded services for the elderly and visually impaired.

This legislation will also assist libraries in coping with the growing problem of illiteracy in American communities. LSCA has provided roughly $1.5 million in the last year for grants for literacy programs in libraries, for materials, for training volunteer tutors, and for the coordination of literacy activities with other agencies working to combat illiteracy.

H.R. 2742, the Library Services and Construction Act Amendments of 1990, continues to provide both State and local librarians with the expanded resources and the flexibility to respond to these and other problems, such as the preservation of deteriorating library holdings and materials.

I join Chairman WILLIAMS in supporting the conference report on H.R. 2742. All items of difference between the House and Senate versions of the LSCA have been resolved to the satisfaction of the conferees, extending this Federal support program and the important library services it supports throughout the Nation.

Mr. OWENS of New York. Mr. Speaker, I rise in strong support of the conference report for the Library Services and Construction Act Amendments.

The conference report includes a more modest version of an amendment I offered in committee to establish a new title VII under LSCA to support family learning centers; $3 million would be authorized for this new program of competitive grants to local libraries in fiscal year 1991 and such sums in the succeeding 4 years.

These grants could be used by libraries to initiate, expand, or improve public library services to families. At least 25 percent of the funds are to be used for the acquisition of new books, and other resources and materials for children and their parents, including materials on child care, child development, and nutrition. Another 10 percent of the funds are to be used for the purchase of computer hardware and software for the use of library patrons.

Family learning center grants could also be used to support special library services geared to families, such as staying open on weekday nights, on weekends, and on some holidays to enable working parents to use the library with their children. Libraries could also establish a family library loan program through which families could borrow sets of books for extended periods, and set up other similarly innovative family-oriented programs and policies.

The conference report also includes an amendment I offered in committee which blocks the Department of Education from contracting out its research library before October 1991 to give the General Accounting Office and the Congress sufficient time to give this issue careful review. The Department's research library maintains one of the largest and most comprehensive education collections in the United States, second only to the Columbia University Teachers College Library. Its collection includes the complete archives of the Department and rare textbooks and other materials dating as far back as the 15th century.

The research library's impressive and unique collection represents over a century of hard work. The library began, in fact, with the personal collection of the very first Commissioner of Education. We have an obligation to assure that any decisions made about its future are made with the same care and consideration with which it has been administered over the past 100 years.

My amendment would bar the Department from proceeding with its current plans to contract out the library until after GAO has had an opportunity to carry out a study of the library's operations that is also required by the amendment. GAO is directed to review three particular concerns about the library's operations: First, the value of the library's unique collection to the educational community, historians, and others; second, possible alternatives for expanding public access to the library's resources; and third, ways in which current services to Department personnel can be improved.

With this information in hand, the Department and the Congress will be in a much better position to discuss alternatives for the library's future. It is the intention of the Subcommittee on Select Education, in particular, to review this issue again during our consideration of legislation to reauthorize the Office of Educational Research and Improvement in the next Congress.

In other areas, H.R. 2742 makes only modest changes in LSCA in the expectation that the 1991 White House Conference on Libraries will provide a forum to examine and discuss more substantive changes in Federal library policy. Librarians and library users in every State will have the opportunity to participate in this process and to help shape Federal library policy for the next century.

The conference report does, however, make a few important interim changes in LSCA which are necessary to help libraries cope with urgent problems in the areas of technology and preservation which we cannot afford to wait until 1994 to address.

Libraries of every type and size and in every part of the country are struggling to keep pace with recent rapid advances in information technology. With more and more information now being made available only through online databases, microfilm, compact disks, and in other machine-readable formats, keeping up with new technology has become essential to fulfilling the library's mission. But in era of tight operating budgets, few libraries have been able to pull together all of the resources they need to meet the large capital costs of new technology.

Last year I introduced legislation which would establish a new formula grant program under LSCA to provide assistance for the purchase and rental of new information technologies and to provide librarians with the training they need to use them effectively. I continue to believe that this is the kind of approach Federal policy will have to take in the future.

But in the interim H.R. 2742 does include new provisions designed to help libraries meet their technology needs. It permits State library agencies to use their title II construction grants for the purchase, installation, and maintenance of substantial new equipment and information technologies. It would be left up to the State agency's discretion how much, if any, of these funds are used for this purpose. As with construction projects, the non-Federal match for title II technology projects would be 50 percent. In addition, changes have been made in title I to permit these basic grant funds to be used to pay for staff training and other technical assistance libraries may need to meet their technology needs.

H.R. 2742 also includes amendments designed to assist libraries with the preservation of their collections. Experts now estimate that up to 80 percent to 90 percent of the books and other printed resources on the shelves of the Nation's libraries are printed on acidic

paper and are thus vulnerable to deterioration and disintegration over the next few decades. This so-called slow fire in the stacks undermines the very capacity of the library to continue to act as the agent for universal, equal access to information in our society. We have made startling progress in the last 50 years in expanding and improving the services of our libraries and in making them accessible to unserved and underserved populations. Unless we act now to address the preservation needs of our libraries, we face the prospect of seeing all this progress quite literally turn to dust.

H.R. 2742 permits States to use a portion of their title III resource sharing and cooperation grants for preservation activities. With these new resources, States can begin to provide the practical training in preservation that is now needed by so many librarians working in the field. Assistance can be provided in evaluating the conditions of collections in local libraries and guidance offered about how best to meet the unique preservation needs of each community. Statewide planning can also be supported to minimize the waste of scarce resources and to assure that libraries' preservation efforts are well coordinated.

In conclusion, Mr. Speaker, I want to commend Subcommittee Chairman PAT WILLIAMS and ranking minority member THOMAS COLEMAN for their hard work on this fine legislation.Their willingness to listen to and to work closely with librarians and library administrators during this reauthorization have won them many new friends and admirers in the library community.

Mr. FRENZEL. Mr. Speaker, I rise in support of the conference report on House Resolution 2742, the Library Services and Construction Act [LSCA].

Libraries have long been in the forefront of services to the community. Libraries make a major contribution to the quality of life for the entire family, young and old alike. The purpose of House Resolution 2742 is to provide financial and material assistance to public, school and college libraries. When appropriated, House Resolution 2742 will also keep the libraries in the cutting edge of information-sharing technology.

Title I, which authorizes $100 million, is the largest Federal assistance program specifically for libraries to expand the range of library services offered in the States. Title I provides funds for innovative services to previously unserved or underserved populations such as the elderly and the handicapped.

Under title II, the conferees agreed to authorize $55 million for construction to remove barriers for access by handicapped persons and to accommodate new information technologies, and to renovate historic buildings for use as public libraries.

Title III of the bill authorizes $35 million for inter-library cooperation and resource sharing. This has become an increasingly important part of the LSCA. Historically, title III has authorized grants to States for interlibrary loan programs. Currently, the program is helping with new forms of technology such as computer bibliographic systems that are communicated through telephone lines.

In addition to the three main titles LSCA will also authorize funds for foreign language materials and library literacy programs. The conferees also added a new title to provide funds for family learning centers.

The Library Services and Construction Act is a successful program that should be reauthorized. The reauthorization of House Resolution 2742 will help the library system as it faces challenges to maintain its high standards and meet the increasing needs for library services.

I urge my colleagues to support the conference report on House Resolution 2742.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

Mr. WILLIAMS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the legislation before us.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. WILLIAMS] that the House suspend the rules and agrees to the conference report on the bill, H.R. 2742.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceeding on this motion will be postponed.

CONCERNING IRANIAN PERSECUTION OF THE BAHA'IS

Mr. DYMALLY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 87) concerning Iranian persecution of the Baha'is.

The Clerk read as follows:

H. CON. RES. 87

Whereas in 1982, 1984, and 1988, the Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i Faith, Iran's largest religious minority;

Whereas in such resolutions and in numerous other appeals, the Congress condemned the Iranian Government's persecution of Baha'is, including the execution of more than 200 Baha'is and the imprisonment of additional thousands on account of their religious beliefs;

Whereas the Congress has urged the President to work with other governments and with the United Nations in support of the rights of Iranian Baha'is;

Whereas recent reports indicate a decline in the numbers of Baha'is executed or imprisoned in Iran and the restoration of some confiscated business and personal properties; and

Whereas despite such actions affecting individual Baha'is, the Government of Iran continues to deny the Baha'i community the right to organize, select its leaders, acquire and maintain places of worship or assembly, operate religious schools, and conduct other religious activities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) continues to hold the Government of Iran responsible for upholding the rights of all its nationals, including Baha'is, in a manner consistent with that Government's obligations under international law which guarantee the civil and political rights of its citizens;

(2) acknowledges reports of recent improvements in the treatment of individual Baha'is, including a decline in the number of executions and the release of many Baha'is imprisoned on religious charges;

(3) express concern that the Baha'i community as a whole remains an oppressed minority which is denied legal recognition and internationally recognized rights which would permit Baha'is to organize, hold property, operate religious schools, and conduct the normal activities of a peaceful law-abiding religious community;

(4) urges the Government of Iran to extend to the Baha'i community the rights guaranteed by the Universal Declaration of Human Rights and other relevant human rights accords, including freedom of thought, conscience and religion, education, and equal protection of the law; and

(5) calls upon the President to continue—

(A) to emphasize the need for improvements in the Government of Iran's human rights practices, particularly Iran's treatment of Baha'is and other religious minorities, as an important factor in the development of the United States Government's relations with the Government of Iran;

(B) to encourage other governments to continue to appeal to the Government of Iran concerning the situation of the Baha'is;

(C) to cooperate with other governments and international organizations in joint appeals and to initiate and support actions by the United Nations and its agencies to promote the protection of the religious rights of Baha'is; and

(D) to provide, and to urge others to provide, for refugee and humanitarian assistance for those Baha'is who flee their homelands on account of religious repression.

The SPEAKER pro tempore. Under the rule, a second is not required on this motion.

The gentleman from California [Mr. DYMALLY] will be recognized for 20 minutes and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to give my whole hearted support to House Concurrent Resolution 87 which timely concerns itself with the continued persecution of the Baha'is by the present regime in Iran.

It is important to note that the persecution of this group is unfortunately symbolic of the general and pervasive atmosphere of repression and persecu-

tion that permeate the very social fabric of the Iranian society.

During the latter part of January of this year, a special representative of the United Nations visited Iran for the first time, to investigate human rights violations which it had collectively condemned by numerous resolutions and unsuccessful requests for U.N. team visits over the past 8 years. The November 1989 U.N. report to the General Assembly was particularly catalytic in dramatizing with vivid cases, the nature and extent of human rights violations in Iran. These included summary arrests and imprisonment without charges, of thousands of Iranians with particular emphasis on the repressive, dehumanizing and inhumane treatment of women.

It was apparent during the visit of the U.N. delegation to Iran that, because of the enormity of human rights violations and the willingness of thousands of Iranians to risk reprisals and to brave the inclement weather to be a witness to these atrocities, a week's time frame was most inadequate. For example, more than 1,000 families who were victims of the Iranian regime, staged a sit-in in front of the U.N. office to describe their sufferings and ordeals to the U.N. delegation, in spite of a total news blackout on the U.N. delegation's visit, but with the help of the widely listened to resistance radio and foreign broadcasts.

As a consequences, in a day and a half, 30 of my colleagues joined me in requesting an extension of the time frame from the U.N. Secretary General. The delegation, for reasons of logistics had to return after a week but plans a followup visit in the very near future after it has presented its findings to the current session of the U.N. Human Rights Commission to be followed by a joint resolution.

State sponsored terrorism, reaffirmed by the continued call for the death of British author Rushdie 1 year after Khomeini's death, is still the order of the day in Iran.

It is, therefore, not surprising that there is growing opposition, internally and externally, to the present Iranian regime and its inhumane atrocities. For example, the 23-nation parliamentary assembly of the Council of Europe has called for the expulsion of the present Iranian regime from the United Nations and the immediate recognition of the Iranian resistance led by Massoud Rajavi. This movement is gaining more and more adherents and increasing as the legitimate representative of the Iranian people. A resolution by the European Parliament and a memorandum signed by me and 185 of you, my colleagues, takes the same position.

The winds of change taking place in the Soviet Union and Eastern Europe and the growing support to the Mojahedin resistance indicate that the time has come for the international community to further the isolation and eventual fall of the present Iranian regime with, among other actions, an effective international arms and oil boycott. The move toward democracy and the justice and human rights in Iran will, thereby, be greatly facilitated.

Broad support of this resolution will, without question, convey this important message to the world community.

□ 1330

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. YATRON], the chairman of the Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs.

Mr. YATRON. Mr. Speaker, I rise in strong support of House Concurrent Resolution 87, which has 145 cosponsors. This initiative was approved by the Subcommittee on Human Rights and International Organizations on January 31, and the Foreign Affairs Committee on February 6. To facilitate the passage of this resolution, which has the support of the administration, Chairman HAMILTON and Congressman GILMAN of the Subcommittee on Europe and the Middle East waived their jurisdiction. I thank them for their support in this effort.

I want to commend the ranking minority member of the subcommittee, Congressman BEREUTER, for joining me in authoring this resolution. I want to also commend Chairman FASCELL and Congressman BROOMFIELD for their leadership in bringing this legislation to the floor.

Mr. Speaker, House Concurrent Resolution 87 calls upon the President to continue to emphasize the need for improvement in the Government of Iran's human rights record, particularly its treatment of Baha'is and other religious minorities. It asks the President to cooperate with other governments at the United Nations and in other joint efforts to protect the religious rights of the Baha'is, and to provide for humanitarian assistance for those Baha'is who flee their homeland.

The Subcommittee on Human Rights has held extensive hearings on the Baha'is and the Congress has passed several resolutions concerning Iranian persecution of this religious minority. The Baha'is are a gentle and peace-loving people, who espouse equality and education. Yet they have been the victims of the most severe kinds of repression. They have been imprisoned, tortured and killed for their religious beliefs. Although they constitute the largest religious minority in Iran, their religion is not recognized and their places of worship destroyed. Their marriages are not sanctioned and their children are denied college education. All opportunities to seek redress are closed, and due process rights are not provided.

The State Department's just-released human rights report documents ongoing human rights violations against the Baha'is which underscores the fact that despite the change in leadership in Tehran, Iran's human rights record continues to be one of the worst in the world.

The resolution is most timely in light of the recent U.N. special rapporteur's visit to Iran. Due largely to the leadership of the National Spiritual Assembly of the Baha'is community of the United States, the world community, including the United Nations has focused considerable attention on the plight of the Baha'is. Although they are still subjected to government-sponsored repression, recent efforts by the international community, including congressional resolutions, have resulted in a reduction of killing of Baha'is. However, much more needs to be done if the Baha'is are to live free of persecution.

Mr. Speaker, it is my hope that the passage of the resolution, the recent U.N. investigation, and the consideration of a human rights resolution at the current session of the Human Rights Commission at Geneva will continue to effectively pressure the Iranian Government.

Mr. Speaker, at this point, I would like to insert into the RECORD an excerpt of an exchange of views between Chairman FASCELL and Congressman LAGOMARSINO from a recent hearing. In this colloquy, both our colleagues spoke to the importance of congressional human rights resolutions and the positive impact that they have on countries in which they are directed.

I urge my colleagues to support this resolution.

EXCERPT OF EXCHANGE OF VIEWS BETWEEN CHAIRMAN FASCELL AND CONGRESSMAN LAGOMARSINO

Chairman FASCELL. Let the Chair express his appreciation to the Chairman of the Western Hemisphere Subcommittee, the ranking member and the gentleman from California for taking this action.

Expressing the opinion of the Congress with regard to the situation in Haiti is absolutely essential, as it is with the other actions that we have taken.

Some people, unfortunately, still think that there is no weight in what we say in these resolutions or that in some way it is a useless exercise. When the Congress through this committee takes action and speaks, especially in a unified voice, with regard to an action in any country in the world, it has great impact, and considerable power. It is important for us, as representatives of the people of this country, to take positions after due deliberation and debate. People are entitled to know where we stand and where this country stands.

People still argue about sanctions. I do not know that history will ever support the idea that sanctions are helpful in bringing about social or political change. I think they do.

But one thing is certainly very clear: that we need to speak, whether it is by resolution or legislation, with respect to a position which we know is morally right. It has tremendous strength and power in the world, even more so than steel.

So, I am happy to join the gentleman in sponsorship of this resolution.

Mr. LAGOMARSINO. Mr. Chairman, would you yield?

Chairman FASCELL. Mr. Lagomarsino, of course.

Mr. LAGOMARSINO. I wanted to just commend you for the statement you have made and to say that I think you are absolutely right. Every time that I go to a foreign country I am absolutely amazed at how much the people in that country know about what is going on here, whether they hear about it on the CNN or it is read.

Chairman FASCELL. They have read these resolutions. That is for sure.

Mr. LAGOMARSINO. They sure have.

Chairman FASCELL. Yes.

Mr. LAGOMARSINO. And maybe if the governments are not paying attention, the people sure are.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to have been an original cosponsor of this House Concurrent Resolution 87, which now has 145 cosponsors. For far too long, the Baha'i community in Iran has been oppressed by the Government of Iran.

We take note of recent progress with respect to Iran's treatment of individual members of the Baha'i faith, but we call upon the Iranian Government to institutionalize human rights and religious rights for their largest religious minority group.

It is my sincere hope that this congressional action will inspire the U.N. Human Rights Commission, now meeting in Geneva, to press the Iranian Government to abandon, once and for all, its persecution of these peaceful people.

I noted in today's newspapers that the U.N. Human Rights Commission rapporteur, assigned to examine the human rights situation in Iran, submitted what has been called a mildly critical report as allegedly part of a deal to help secure the release of 17 Western hostages in Lebanon—including 8 Americans. While I do not take a back seat to anyone desiring to obtain the release of those hostages, we still must not turn a deaf year to the human rights plight of an entire nation. The international community must continue in its position of holding Iran accountable for its human rights violations, and to continue to urge that it make progress in this important area.

Permit me to thank American Baha'i spokesman, Prof. Firuz Kazemzadeh, for his outstanding articulation of the plight of the Baha'is. Let me also thank the distinguished chairman, the gentleman from Pennsylvania [Mr. YATRON] of the Subcommittee on Human Rights and International Organizations, as well as his ranking minority member, the gentleman from Nebraska [Mr. BEREUTER], for their outstanding work on this critical issue.

Mr. Speaker, I urge our colleagues to support House Concurrent Resolution 87 and to once again send a strong message to Iran and the Baha'i people that we continue to care about the human rights situation in Iran, and the suffering of the Baha'i people.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER], the cochairman of the Human Rights Caucus and an initial cosponsor of this measure and a longtime fighter for human rights in this House.

Mr. PORTER. Mr. Speaker, I thank the gentleman from New York for yielding this time to me and for his leadership in the Congress on all matters concerning human rights, as I do also thank the gentlemen from Pennsylvania, New York, and California for their leadership.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 87, concerning the continued persecution of the Baha'is in Iran.

As in years past, we are here today to send a message to the Government of Iran that the fundamental rights of the 300,000 members of the Baha'i community must be respected. Despite the death of Ayatollah Khomeini and reports in the Western media that overall conditions for human rights in Iran have improved recently, the Baha'i community continues to be oppressed for being a heresy under Islamic fundamentalist law.

Members of the Baha'i faith are a peaceful, law-abiding community, not a misguided sect seeking to subvert the Iranian Government as they have been portrayed. Today, they constitute the largest religious minority in Iran. Yet for many long, dark years, they have been denied their religious rights. They have been denied their legal rights as citizens of Iran. They have been denied their human rights. And in some cases, they have been denied their right to life itself.

Under Ayatollah Khomeini's rule, thousands of Iranian Baha'is were imprisoned and many of them were tortured. Hundreds of thousands were denied employment and education. And more than 200 Baha'is, including women and children, were executed solely for their religious beliefs.

The recently released State Department Report on Human Rights states that no Baha'is were executed last year, and that the number of Baha'is held in prison fell to fewer than 15. This is very encouraging news and is a testament to the effect that international condemnations have had on the Iranian regime. However, Baha'is are still not a legally recognized religion in Iran and are still imprisoned for their religious beliefs, denied the right to organize, select their leaders, acquire and maintain places of worship, operate religious schools, or conduct religious activities.

Clearly, this is an intolerable situation, and we must not allow this suppression to continue. Instead, we must speak out, as we are today, and appeal to the nations of the world to condemn this continuing persecution. I urge the United Nations Human Rights Commission, currently meeting in Geneva, to adopt a resolution on the condition of human rights in Iran with specific focus on the treatment of the Baha'i community.

The concept of religious freedom is a principle that all Americans hold dear, as do many other nations around the world. Unfortunately, Iran does not yet adhere to this concept. Only through actions by the U.S. Congress, the United Nations, and others can we hope to help end the continuing persecution of the Baha'i people and secure their right to freedom of worship as guaranteed in international law.

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Mr. YATRON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California [Mr. LANTOS], a leader on human rights issues in the Committee on Foreign Affairs.

Mr. LANTOS. Mr. Speaker, first, I would like to pay tribute to the distinguished chairman of the Human Rights Subcommittee, the gentleman from Pennsylvania [Mr. YATRON], for his outstanding leadership on all human rights issues, and to the ranking minority member, the gentleman from Nebraska [Mr. BEREUTER], and to my friend, the cochairman of the Congressional Human Rights Caucus, the gentleman from Illinois [Mr. PORTER], who has been the leader in this fight for human rights for Baha'is.

Mr. Speaker, at a time when there are human rights improvements throughout the globe, with a few notable exceptions, the tragic case of the Baha'is stands out as a disgraceful spectacle of a peaceful, gentle people being persecuted purely for their religious faith.

Although the number of Baha'is under active persecution has been somewhat reduced during the course of 1989, the fact remains that men, women, and children of the Baha'i faith—for no reason whatever except their religious faith—are continuously under persecution, discrimination, harassment, and worse in Iran.

Mr. Speaker, I was particularly shocked a few days ago when, in honor of the 11th anniversary of the Iranian revolution, amnesty was announced for all kinds of criminals, but a few groups were excluded. Let me tell my colleagues who those groups are who were excluded. Those groups are armed robbers, rapists, drug dealers, those guilty of multiple burglaries,

armed opponents of the government, and members of the Baha'i sect.

The ultimate arrogance of the Iranian regime to lump together drug dealers, burglars, rapists, with a group of individuals whose sole crime it is to worship the Almighty in their own way tells us volumes about the values of the Iranian regime.

Mr. Speaker, for over a decade we have pleaded for equal rights in the religious arena for members of the Baha'i faith. We are sending word to the government in Iran that we will not go away. We will continue to raise the Baha'i issue year after year after year, just as we raised the issue of the Soviet dissidents and refuseniks, just as we raised the issue of Lech Walesa in Poland, just as we raised the issue of the distinguished President of Czechoslovakia who addressed us assembled in joint session just a few days ago, President Vaclav Havel. Just as President Havel got out of jail, just as his persecution came to an end because of his own courage and because men and women in free societies spoke out on his behalf, just as Lech Walesa stopped being the persecuted trade union leader and became the acknowledged leader of the Polish people who was received by the President of the United States and addressed a joint session of Congress, I look forward to the day—not far in the future—when the members of the Baha'i faith will have their full religious rights restored to them and they will be accepted as fully equal members of Iranian society.

Mr. MFUME. Mr. Speaker, I rise to support the measure House Concurrent Resolution 87, which expresses the sense of the Congress that we are concerned that the Baha'i community as a whole remains an oppressed minority in Iran, and urges the Government of Iran to extend considerable human rights to members of the Baha'i community.

The Baha'i people are the largest religious minority group in Iran and yet the plight of the Baha'is and the atrocities that they have suffered have gone unrecognized by the Iranian Government. Additionally, many Members of the House of Representatives have written to the Iranian Government asking them to provide an account of the Baha'is allegations of human rights abuses. Unfortunately, these queries have also fallen upon deaf ears since I, at least, have yet to receive a substantive explanation as to why the Baha'i people have had to endure such gruesome hardships.

The Baha'i are known to be very friendly people who stress the importance of not only education and equality, but many Baha'is have committed themselves to eradicating slavery. It has been reported by the special representative to the United Nations Commission on Human Rights that between 1979 and 1985 there were 7,000 reported executions in Iran. I say reported because only God knows how many innocent people died at the hands of the secret executions that did not receive coverage from the Iranian media.

In closing, Mr. Speaker, we should not ease the pressure on Iran's international isolation until the latest revolutionary government comes clean and accounts for its human rights violations against the Baha'is and other individuals who may not have agreed with the Ayatollah, nor his regime's totalitarian rhetoric.

Mrs. MEYERS of Kansas. Mr. Speaker, I rise in strong support of House Concurrent Resolution 87. The Government of Iran's treatment of the Baha'is ranks among the worst repressions directed at a religious minority in history.

Iran has stripped from the Baha'i faith even recognition as a religion. Because the Baha'i faith developed as an offshoot of Islam, the mullahs declare it to be a heresy and adherents to be infidels, deprived of any protection under the law. Baha'is are barred from public employment and their organizations are banned. This pacific, law-abiding religious community has suffered unspeakable persecution from the government, in blatant violation of religious rights guaranteed by international law.

Congress has passed resolutions such as this three times previously, and they have had a positive effect on Iran's behavior. In 1989, no Baha'is were executed, and the number of Baha'is in prison has dropped to 15. Yet this is not nearly enough. The Baha'is should have all of their rights restored to them, and I believe Congress should continue to speak out until this occurs.

Mr. LEHMAN of Florida. Mr. Speaker, I have been aware and involved in congressional appeals on behalf of religious minorities in Iran since the hostage crisis several years ago. I would like to express my support again today for the Baha'i community in Iran who continue to be an oppressed minority. Two hundred Baha'is were executed for their religious beliefs since the Islamic regime took over in 1979. That no Baha'is have been killed since 1987 attests to the effect that international pressure and publicity critical of Iranian human rights practices have had.

Nevertheless, those who practice the Baha'i faith in Iran must do so in secrecy; they are denied the right to organize or conduct relgious schools; they are still represseed. I believe that passage of House Concurrent Resolution 87, expressing concern about the Baha'is in Iran and urging the Government of Iran to extend relevant human rights to members of the Baha'i community will send an important message to Iran. If Iran is to return to the community of civilized nations, it must be willing to respect its own citizens.

Mr. BERMAN. Mr. Speaker, I rise today in support of House Concurrent Resolution 87, a resolution that once again will reaffirm our support for the Baha'i community in its struggle to secure basic human rights from the Iranian Government.

Since the Iranian revolution of 1979, hundreds of Baha'is have been executed or imprisoned because of their faith. The recently released State Department human rights report documents that this repression continues. The Iranian Government, in the past year has systematically and ruthlessly attempted to expunge the practice of the Baha'i faith and repress its adherents.

However, one thing is clear, the Iranian Government does respond when the civilized world records its outrage at their actions.

There were no executions of Baha'is last year and the number of those imprisoned has dropped to below 15. I have no doubt that previous condemnations of Iranian actions by this House have contributed significantly to that decline.

The United Nations Commission on Human Rights will vote on Iran during the coming month. It is imperative that we send a signal loud and clear that we unreservedly condemn Iranian repression of Baha'is and demand that the community be granted its basic rights to practice freely as guaranteed by international law.

Mr. Speaker, I therefore ask my colleagues to join with me in supporting this resolution.

Mr. STARK. Mr. Speaker, I strongly support House Concurrent Resolution 87, expressing our outrage for the continued mistreatment of people of the Baha'i faith in Iran.

People of the Baha'i faith in Iran, that country's largest religious minority, are law-abiding citizens in Iran as well as the 144 other countries and territories in which they live. The Baha'i raise their children on principles which instill discipline, respect, education, and freedom. They do not engage in public demonstrations or in subversive activities against any group or government. Iranian Baha'is, in keeping with Baha'i teachings, do not engage in political activity and are committed to obey their country's civil law.

Although the conditions in Iran for the Baha'is have improved from extreme persecution, they continue to face significant harassment. For example, the Baha'i faith is still not recognized by the Iranian Government; no organized Baha'i activity is allowed; no right of access to holy places is permitted; and community property is confiscated.

In light of these examples, the Iranian Government is far from recognizing the fundamental principle of religious freedom. This is the third resolution the House of Representatives has considered on the human rights violations of the Baha'i in the past 10 years. I hope that passage of this resolution will send a message to the leaders of Iran about the importance of human rights. The House of Representatives should continue to denounce the actions of the Iranian Government for their gross mistreatment of the Baha'is by passing this resolution.

Until the persecution of the Baha'is ends, I will oppose any normalization of trade and economic relations between Iran and the United States. We should treat their pistachios, rugs, and oil the same way they treat the peace-loving Baha'is.

Mrs. MORELLA. Mr. Speaker, I am pleased to be a cosponsor of this important resolution, which refocuses our attention on Iranian human rights violations committed against the embattled Baha'i religious minority. More than 200 Iranian Baha'is have been executed since the Iranian revolution in 1979, and there has been little change in official attitudes toward the Baha'i community since the death of Ayatollah Khomeini. Baha'is continue to be persecuted solely on the basis of their religious beliefs.

We are here today to put Tehran on notice that the U.S. Congress, as it has in previous years, continues to hold the Iranian Government responsible for assuring the basic human, civil, and political rights of all of its citizens. I welcome some recent reports that show some improvement in the treatment of Baha'is, including a decline in executions and the release of some Baha'is who had been imprisoned for religious reasons.

Yet there can be no doubt that the Baha'i community as a whole remains a brutally repressed minority. The Iranian regime denies Baha'is legal recognition and internationally recognized rights. By virtue of this repression, Baha'is are restricted from organizing, holding property, operating religious schools, or engaging in other activities normally conducted by such peaceful and law-abiding religious groups.

Iranian repression of the Baha'is constitutes a gross violation of the universal declaration of human rights. Iranians should be guaranteed freedom of thought, conscience and religion, education, and equal protection of the law. The United States Government should regard Iran's human rights record as a principal factor in our relations with that country, and we should work with other governments and international organizations in support of the human rights of Baha'is and other Iranian minorities. In the meantime, we and others should continue to provide necessary assistance to Baha'is fleeing their homeland because of religious repression.

Mr. HALL of Ohio. Mr. Speaker, I rise in support of House Concurrent Resolution 87, a resolution introduced by my colleague, Representative YATRON, which condemns the continued Iranian persecution of members of the Baha'i faith. As an original cosponsor of the resolution and a member of the Congressional Human Rights Caucus, I strongly support this public condemnation of Iranian abuse of human rights.

In the past 8 years, the Iranian Government has executed more than 200 Baha'is and imprisoned thousands. It has refused to allow the Baha'is, Iran's largest religious minority, such basic rights as the election of its leaders, the operation of its schools, and the acquisition and maintenance of its places of worship.

International pressure on the Iranian Government may be working. In 1982, 1984, and 1988, Congress passed resolutions similar to the measure we are considering today urging the Iranian Government to end the harassment of the Baha'is. During this same time period the Iranian Government has scaled down its attacks on the peaceful Baha'i community. Last year no Baha'is were killed and fewer than 15 were imprisoned.

House Concurrent Resolution 87 declares that Iran is responsible for maintaining and protecting the human rights of all its citizens regardless of their race or religion. Although Iran has improved its record of human rights abuses, this resolution expresses concern that Iran continues to deny the Baha'i community many of the legal rights required under international law. The resolution urges the President to continue to support and emphasize the need for further improvements in Iran's human rights record. Finally, the resolution expresses the sense of Congress that the United States Government should continue to provide assistance for Baha'is who leave Iran because of religious persecution.

I have met with members of the Baha'i faith of the Miami Valley in my district who have expressed to me their concern for the Baha'is of Iran. It is tragic that a group of people should be forced to suffer the kinds of human rights denials that the Baha'is have had to endure. That is why I urge you to support House Concurrent Resolution 87 and vote to send a clear message to the Iranian Government that we do not approve of their treatment of the Baha'is.

Mr. FASCELL. Mr. Speaker, I rise in strong support of the resolution.

The gentleman from Pennsylvania [Mr. YATRON] is to be commended for again calling to the attention of the Congress the cruel persecution of adherents to the Baha'i faith by the Government of Iran.

Given the sorry record of United States-Iranian relations over the last decade I suspect that many in Iran may be tempted to dismiss American concerns over the Baha'is as part of some nefarious scheme to discredit Iran. That is simply not true. I and other Members of Congress are here representing the commitment of the American people to a fundamental proposition on which our own country is based: freedom of conscience. We are committed deeply and irrevocably to the idea that each human being has the inherent right to judge for himself his own relation to the Almighty by any name. And we believe with that individual human right comes the right to those activities of worship and education common to all religion. This is not some American notion about human rights; it is a human right enshrined in the Universal Declaration of Human Rights and recognized by most nations, including the Soviet Union.

The Baha'i community in the United States is small. Of a population of 250 million there are only 110,000 Baha'is here. When I first heard of the plight of the Baha'is in Iran I knew nothing of their religion but study revealed that their's is a gentle and sincere religion asking only to be left alone at peace. The widespread support they have gotten in Congress stems not from their political strength but from the instant response all Americans feel for those who suffer simply because they have a different religious belief.

The Government of Iran has done despicable things to adherents of the Baha'i faith, killing even small children. The Government has tried to stamp out a religion using every kind of trumped up charge imaginable from treason to petty crimes. I know that such horror perpetrated in the name of the Iranian people does not represent their wishes or the tenets of Islam. Yet ultimately it is the Iranian people whose silence allows these horrors to continue.

Recently the United Nations Human Rights Commission was allowed to have a representative visit Iran. At its current meeting in Geneva the Commission is scheduled to consider the human rights situation in Iran. The Commission must speak up strongly in condemnation of the Iranian Government's treatment of the Baha'is.

I hope that the Iranian authorities will reconsider the case of the Baha'i community in Iran and find as I have that they are a peaceful people seeking only to follow their own conscience. Iran must stop killing innocent people if it is to regain the respect of the world community.

Mr. SMITH of New Jersey. Mr. Speaker, as cosponsor of the resolution, House Concurrent Resolution 87, introduced by my good friends, GUS YATRON and DOUG BEREUTER, I rise today calling for its unanimous approval by the House. Mr. Speaker, this resolution urges the Government of Iran to guarantee the rights of conscience and religion, and equal protection of the law, for its Baha's community.

While more than 200 Baha'is were executed and many thousands imprisoned during the cruel rule of Ayatollah Khomeini, I am encouraged by the report that no executions have been recorded since his death. Nonetheless, the Baha'is continue to face discrimination, restrictions, and denials, such as the right to select their own leaders, operate religious schools, or conduct religious activities.

Mr. Speaker, the U.S. Government highlighted the lack of religious tolerance in Iran at the United Nations Human Rights Commission on February 13. During the debate on religious intolerance, as congressional representative of the U.S. delegation to the United Nations, I had the honor of presenting the U.S. statement on religious intolerance. As noted at that time, the Iranian officials maintain their policy of restrictions on the Baha'i community. The United Nations Human Rights Commission, I believe, has a real responsibility to maintain the level of concern internationally and promote a genuine respect for religious tolerance.

Iran stands in stark contrast to the positive developments which have been seen in Eastern Europe and the Soviet Union. While the economic and political structural changes have not been codified in these countries, the religious communities have begun to experience much greater freedom. Mr. Speaker, I commend the sponsors of this resolution today for having introduced this measure so that the level of concern is maintained in the United States Congress and emphasis is given to improvements in human rights practices in Iran, such as religious freedom, in United States relations with the Government of Iran.

Mr. BEREUTER. Mr. Speaker, according to the State Department human rights report that was released last week, Iran continues to be a major violator of human rights. The report notes that the Islamic government's hold on power is achieved through "arrests, summary trials and executions, and other forms of intimidation implemented by an extensive internal security system."

It is hard to draw an accurate picture because Iran has no procedural safeguards to guarantee basic human rights, and because the fundamentalist regime has very tight control on the flow of information. It is clear, however, that tens of thousands have suffered at the hands of Iran's revolutionary tribunals.

Earlier this month, Mr. Speaker, an investigating team from the United Nations Human Rights Commission conducted a brief investigation of conditions in Iran. It is altogether fitting, therefore, that this body choose this time

to consider House Concurrent Resolution 87, concerning Iran's systematic persecution of the Baha'i religious sect.

The Baha'i religion is an offshoot of Islam, and is not officially recognized by the Iranian Government. Instead, they consider the Baha'is to be a misguided and heretical sect—something to be stamped out. And over the years, the fundamentalist regime in Iran has done its very best to do just that.

Since the 1979 revolution when Khomeini came to power, hundreds of Baha'is have been executed or imprisoned because of their faith. Baha'is have systematically been denied the normal benefits of society, such as access to education, the right to travel, the ability to inherit property, and even—on occasion—the right to purchase food.

This resolution demonstrates the continuing commitment of the United States Congress to press for respect of religious minorities in Iran. Resolutions concerning the Baha'is have been passed by both Houses of the Congress in 1982, 1986, and again in 1988. The resolution we are considering today has 139 cosponsors, demonstrating the overwhelming support of this resolution.

Mr. Speaker, this Member would bring to your attention the gentleman from Pennsylvania [Mr. YATRON] whose tireless efforts on the behalf of the Baha'is have made this resolution possible. I also would like to voice my appreciation to Chairman HAMILTON of the Subcommittee on Europe and the Middle East, and ranking member GILMAN of that subcommittee, for acting in a timely and expeditious manner on this important resolution, and for the chairman and ranking member of the Foreign Affairs Committee, Mr. FASCELL and Mr. BROOMFIELD. Truly, Mr. Speaker, this is a bipartisan effort that enjoys overwhelming support.

As an original cosponsor of this resolution—along with Chairman YATRON—this Member would urge adoption of this resolution.

Mr. BROOMFIELD. Mr. Speaker, for the past several years, the Congress has expressed its support of the rights of the followers of the Baha'i faith. We have condemned the persecution that has been inflicted upon the Baha'is, and stated that we hold the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i faith, Iran's largest religious minority.

There has been limited progress by Iran in respecting the rights of individual Baha'is. The number of executions and imprisonments of Baha'is and the confiscation of their property has decreased.

Yet despite these steps, the persecution of Baha'is as a group has not ceased. Through House Concurrent Resolution 87, before us today, we continue to express our concern regarding the persecution of these people. The resolution recognizes the progress that has been made. However, it also points to the need for continued work in support of the universally recognized human rights of the Baha'is and all people. The resolution urges further progress by Iran that would allow the Baha'is to organize, hold property, operate religious schools, and conduct the normal activities of a peaceful law-abiding religious community.

Mr. Speaker, I wish to congratulate Congressmen YATRON and BEREUTER for their leadership in this matter. Their persistence has helped make possible progress that has been made so far. I also wish to congratulate our chairman, Congressman FASCELL, for bringing this resolution before us today.

As a cosponsor of this resolution, I urge our colleagues to support House Concurrent Resolution 87 and to continue to send an important dual message of support to the people of the Baha'i faith, and accountability to the Government of Iran.

Mr. FEIGHAN. Mr. Speaker, as a cosponsor of House Concurrent Resolution 87, I urge my colleagues to support this resolution. The resolution expresses the sense of Congress that the Government of Iran extend to the members of the Baha'i community, the largest religious minority within Iran, the human rights to which all human beings are entitled. The resolution also urges the President to support the plight of the Baha'is through cooperation with other governments and the United Nations. We must support this resolution and show that we will not stand and watch as a foreign government abuses its citizens.

The Baha'i vision is one in which no religion is preeminent; no one religion can call itself the one true faith, for each religion is a facet of what can be called the truth. This view has placed the Baha'is at odds with much of the Islamic community. This conflict has been exemplified by the persecution of Baha'is by the Government of Iran. There are 300,000 Baha'is in Iran, and since the fall of the Shah in 1979, they have borne the brunt of Iranian religious fervor. More than 200 Baha'is have been executed. By 1982 all Baha'i students had been expelled from Iranian universities. Some believers were even forced to repay salaries and pensions earned under the earlier regime. This pattern of persecution was endemic during the early years of the Khomeini government.

Recently, conditions for the Baha'is have improved slightly. No Baha'is have been executed since 1987, and fewer than 20 Baha'is remain in prison. The Baha'is can now also reapply for school. Although persecution has not been so consistent in recent years, the Baha'is still experience discrimination.

The internationally community has consistently addressed the plight of the Baha'is through the United Nations. Between 1985 and 1988 the United Nations adopted four resolutions specifically mentioning the Baha'is and condemning Iran's human rights record. For each of the last 8 years, the United Nations Commission on Human Rights and the United Nations Economic and Social Council have adopted resolutions concerning Iran's human rights record.

The Congress has also made a concerted effort to address Iranian abuse of the Baha'is. Congress adopted concurrent resolutions pertaining to Iranian human rights abuses and the Baha'is in 1982, 1984, and 1988. In addition, the Reagan administration repeatedly expressed support for the Baha'is, and I hope that the Bush administration will, upon passage of this resolution, continue our historical support for the Baha'is.

We tend to forget that Iran is not a homogenous country, that there are minority populations within the country that are as dissatisfied with the current government as the international community. We rightly concentrate on the connection between Iran and international terrorism, for Iranian controlled terrorist organizations such as Hezbollah control the lives of America hostages. But we must also remember the Baha'is, for the Iranian Government's atrocious foreign policy is only an extension of its domestic policy, a domestic policy which justifies persecution of minority populations based on religious differences.

A recent report by Mr. Reynaldo Galindo-Pohl, the United Nations Special Rapporteur for Human Rights in Iran, supports the purpose of this resolution. All religious shrines and many properties remain confiscated. In addition, Baha'is are rarely admitted to universities. It is still illegal to practice the Baha'is faith, for the Zoroastrian, Christian, and Jewish faiths are the only constitutionally recognized religious minorities. In his report the special rapporteur did state that the situation for the Baha'is was approaching de facto tolerance; he added, however, that continued monitoring was necessary due to past and current discrimination against the Baha'is.

Again, I urge my colleagues to support this resolution. The Iranian Government must know that the Government of the United States has not forgotten the Baha'is. The commitment that this resolution demonstrates is simple and thorough; the United States is committed to human rights, and the status of the Baha'is is no exception.

Mr. BEREUTER. Mr. Speaker, according to the State Department Human Rights Report that was released last week, Iran continues to be a major violator of human rights. The report notes that the Islamic government's hold on power is achieved through "arrests, summary trials and executions, and other forms of intimidation implemented by an extensive internal security system."

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Since the 1979 revolution when Khomeini came to power, hundreds of Baha'is have been executed or imprisoned because of their faith. Baha'is have systematically been denied the normal benefits of society, such as access to education, the right to travel, the ability to inherit property, and even on occasion the right to purchase food.

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Mr. Speaker, this member would bring to your attention the gentleman from Pennsylvania [Mr. YATRON] whose tireless efforts on the behalf of the Baha'i have made this resolution possible. I also would like to voice my appreciation to Chairman LEE HAMILTON of the Subcommittee on Europe and the Middle East, and ranking member GILMAN of that subcommittee, for acting in a timely and expeditious manner on this important resolution, and for the distinguished chairman and ranking member of the Foreign Affairs Committee, Mr. FASCELL and Mr. BROOMFIELD. Truly, Mr. Speaker, this is a bipartisan effort that enjoys overwhelming support.

As an original cosponsor of this resolution, along with the gentleman from Pennsylvania Chairman YATRON, this Member would urge adoption of this resolution.

Mr. YATRON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from California [Mr. DYMALLY] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 87).

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. YATRON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 87, the concurrent resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERSONAL EXPLANATION

Mr. LAGOMARSINO. Mr. Speaker, yesterday due to a visit by Vice President DAN QUAYLE to my district I was unable to be in Washington and, therefore, was unable to vote on House Concurrent Resolution 87, the resolution concerning Iranian persecution of the Baha'is, and the conference report to H.R. 2742, the bill to extend and amend the Library Services and Construction Act.

For the RECORD, I would have voted "Aye" on both measures. I am a cosponsor of House Concurrent Resolution 87 and supported the resolution during its consideration by the House Foreign Affairs Committee, of which I am a senior member. Last September 12, 1989, I supported H.R. 2742 when it was before the full House.

I am encouraged that both measures passed the House with overwhelming majorities.

PERSONAL EXPLANATION

Mr. COSTELLO. Mr. Speaker, I regret that I was unable to vote on two bills passed under Suspension of the Rules on Tuesday, February 27. I was in a meeting on the Senate side of the Capitol and due to mechanical failure of my personal address system, I did not vote on the bills H.R. 2742 and House Concurrent Resolution 87. However, if I had been in the Chamber at the time of the vote I would have voted "aye" on both pieces of legislation.

Mr. Speaker, I wanted to let my constituents know through the use of the CONGRESSIONAL RECORD of why I was unable to vote on these bills. I appreciate the opportunity to include my remarks at this time.

ANIMAL DISEASE CONTROL CO-OPERATION ACT OF 1947 AMENDMENTS

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4010) to provide the Secretary of Agriculture authority regarding the sale of sterile screwworms.

The Clerk read as follows:

H.R. 4010

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 28, 1947 (61 Stat. 7; 21 U.S.C. 114b et seq.) is amended—

(1) in the first section—

(A) by inserting at the beginning "SECTION 1. COOPERATION IN ANIMAL DISEASE CONTROL.—", and

(B) by striking "screw-worm" and inserting "screwworm";

(2) in section 2 by inserting after "Sec. 2." the heading "USE OF FUNDS.—";

(3) by inserting after section 2 the following:

"SEC. 3. SALE OF STERILE SCREWWORMS.—(a) IN GENERAL.—Notwithstanding section 1, the Secretary of Agriculture may, independently or in cooperation with any foreign government or any international organization or association, produce and sell sterile screwworms to any foreign government or to any international organization or association, if the Secretary determines that the protection of livestock and related industries of the United States will not be adversely affected by such production and sale.

"(b) TERMS OF SALE.—The Secretary may provide for the sale of screwworms under subsection (a) under such terms and conditions as the Secretary considers appropriate.

"(c) DEPOSIT OF PROCEEDS.—(1) INDEPENDENT SALES.—If the Secretary independently produces and sells screwworms under subsection (a), the proceeds of such sales shall be deposited in the Treasury of the United States and be credited to the appropriation from which the operating expenses of the facility producing the screwworms have been paid.

"(2) COOPERATIVE SALES.—If the Secretary produces and sells screwworms in cooperation with a foreign government or an international organization or association, the proceeds of such sale shall be divided between the United States and such government, organization, or association, as determined by the Secretary, and the United States portion of such proceeds shall be deposited into the Treasury of the United States and be credited to the appropriation from which the operating expenses of the facility producing the screwworms have been paid.";

(4) in section 4 by inserting after "Sec. 4." the heading "AUTHORIZATION OF APPROPRIATIONS.—";

(5) in section 5 by inserting after "Sec. 5." the heading "COOPERATION WITH PUBLIC AND PRIVATE ENTITIES.—"; and

(6) by adding at the end the following new section:

"SEC. 6. SHORT TITLE.—This Act may be referred to as the 'Animal Disease Control Cooperation Act of 1947'.".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 minutes and the gentleman from Missouri [Mr. EMERSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, perhaps the name screwworm might entice someone to ask what this program is and what it is we do. I think probably a short explanation is in order.

The screwworm eradication program is perhaps the most successful program ever ventured into in a scientific way by the Federal Government of the United States. It is cost effective, and it exercised the first peaceful use of radiation in the world in the field of agriculture. This is one of those programs where a certain periodical might point their finger at Congress, but, yes, this program has been so successful.

The screwworm is a fly. It is a pest which had inhabited most of the Southwestern United States. As an example, there were about 16 million recorded cases in Texas in 1 year of screwworm infestation, then it came down to 2 or 3 by the middle seventies—now it's usually zero.

What happens is that if there is any open wound, the fly lays its eggs in the open wound. It caused extensive damage to the cattle industry, to wildlife, and even to humans. I might mention that during the recent Panama exercise, one of our soldiers wounded there was found to have larvae of the screwworm fly.

It was one of the momentous occasions of history when scientists, Drs. Knipling and Bushland, one with the use of radiation, the other with the procreation of the fly, began their efforts to combat the screwworm.

□ 1350

Yes, I say to this periodical that often points a finger at us, it started with research on the sexual capacities of a fly. And it has saved untold millions of dollars and problems throughout the United States.

We have eradicated the fly from the United States. We have it almost out of Mexico. We are now going into Central America.

What happens is you grow from the eggs of the fly the pupa, which is the worm. Then the male fly by radiation is sterilized. Then they are set loose in a specific geographic area.

Since it has been sterilized, it cannot reproduce. Therefore, eventually you eradicate the fly from a specific area.

I annually recommend Drs. Knipling and Bushland for the Nobel Peace Prize. Certainly there are no more meritorious actions in the useful exploitation of radiation than the peaceful purpose of eradicating this pest that affects livestock and humans.

I think it is noteworthy that these two gentleman are still alive. I visit with them periodically. The small laboratory outside of Kerrville, TX, where they initiated their studies is now named after them, the Knipling-Bushland Research Laboratory.

Mr. Speaker, that is a brief history of where this problem comes from. What we are trying to do here in this legislation is allow flies to be sold to other countries. We now find this is limited to the Western Hemisphere. What this legislation does is allow the Department of Agriculture, APHIS, the agency which handles this program, to sell the flies anywhere in the world at a price. The income from the sale of the flies will come back to the program so it can be regenerated into the program.

I cannot say enough about the peaceful use of radiation. I would rather that we had done more of that than put it in missiles and rockets. It has been very successful.

The plant is low in capacity at this point, but it can fulfill the capacity needed.

I might mention that we have a similar problem with the medfly, the Mediterranean fruitfly, that also causes tremendous damage to the fruit and vegetable industry. What this legislation does is allow the Department of Agriculture to sell the sterile screwworm fly to whoever may need them in their particular country for a price to be directed back into the program.

Mr. Speaker, this bill authorizes the U.S. Department of Agriculture [USDA], either independently or in cooperation with other countries or international organizations or associations, to produce and sell sterile screwworm flies to other countries or international organizations.

As those familiar with the livestock industry know, the screwworm fly is a flesh-feeding parasite that attacks warmblooded animals and humans. The pest can be a serious threat to livestock production and even human health wherever it becomes established.

Fortunately, through an intensive cooperative effort by the Federal Government and U.S. livestock producers, the screwworm was declared eradicated from the United States by 1982. Without our vigilance, the USDA estimates the screwworm could today be causing 350 million dollars' worth of damage to our domestic livestock industry. We have now moved the screwworm battleground south of the United States border, in Mexico and several Central American nations.

Part of the aggressive eradication program south of the border involves a form of biological pest control—the release of sterile screwworm flies which mate with the existing screwworm flies, but product no offspring. Consequently, the population of flies diminishes and eventually disappears altogether.

The only facility in the world which currently produces sterile screwworm flies is operated by the joint United States-Mexico Commission on Screwworm Eradication based in Tuxtla Gutierrez, Mexico. This facility was founded in 1976 and is operated jointly by the USDA and Mexico's Secretariat of Agriculture.

The Secretary of Agriculture has informed Congress that screwworms were found in North Africa last year, the first such detection of the pest outside the Western Hemisphere. The spread of screwworms to the African Continent is of great concern because of its potential impact on animal disease control efforts and public health.

H.R. 4010 would provide the necessary authority for the USDA, or the USDA working through the Commission, to sell sterile flies to the Food and Agricultural Organization [FAO] of the United Nations to help combat the pest in North Africa.

To ensure U.S. taxpayers are not further burdened by the costs associated with eradicating the screwworm, this bill directs that the proceeds attributable to the United States of any sale of sterile screwworms be deposited in the U.S. Treasury and used to offset the expenses of operating the sterile screwworm-rearing facility.

Mr. Speaker, there is an element of urgency to the need for action on this bill.

In order to most effectively combat the screwworm infestation in North Africa, the FAO should act rapidly before the dry season ends. Previous research in Texas and Mexico has shown that eradication efforts are more successful during the dry season than during the more wet and humid season.

H.R. 4010 would allow FAO eradication efforts to be successfully conducted and protect the people and food supply of the African Continent.

As the custodians of technology to combat this pest and as Americans deeply concerned about the quality of life throughout the world, I urge my colleagues to support this measure.

Mr. EMERSON. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of the bill before the House of Representatives today, H.R. 4010, a bill that provides the Secretary of Agriculture with the authority to sell sterile flies to foreign countries or international organizations for use in the biological control of screwworm infestations. I particularly would like to thank the chairman of the committee, Mr. DE LA GARZA, for his prompt attention to this measure. He and I know that the screwworm is a pest that presents a serious threat to livestock production, as well as serious public health impacts.

Screwworm infestations were eradicated from the United States in 1982 and in recent years millions of dollars have been spent in eradicating this pest in Mexico and Panama. Part of the eradication program involves releasing sterile flies in the infested areas. Recently, these pests were found in North Africa, the first detection of screwworm outside of the Western Hemisphere. The presence of these pests cause considerable concern because of the potential for it to be spread to European countries bordering on the Mediterranean Sea and eventually into central Africa.

If allowed to spread, the screwworm can become the most devastating livestock and wildlife pest in Africa. The effect on human health would be considerable, particularly in the countries where drought and famine have already weakened the people. The threat posed by this pest is not limited to this region alone. The constant movement of people and goods throughout the world can lead to the introduction of screwworm into any country.

H.R. 4010 allows the Secretary, independently or in cooperation with a foreign government or an international organization, to produce and to sell sterile screwworm to any country in the world for use in eradicating such infestations. The bill also provides the Secretary with the authority to deposit the proceeds of the sales attributable to the United States to the appropriation for the facility that produced the screwworm.

The administration has no objection to this bill and I urge my colleagues to support H.R. 4010. I thank the chairman of the Committee on Agriculture.

Mr. HALL of Ohio. Mr. Speaker, I rise in support of H.R. 4010, which gives the Secretary of Agriculture authority, independently or in cooperation with the government of any country of the world, to produce and sell sterile screwworms to the government of any country of the world and to any international organization or association.

I would like to commend in particular the chairman of the Committee on Agriculture, Mr. DE LA GARZA, and the vice chairman of the

Select Committee on Hunger, Mr. EMERSON, for leading this important effort.

United States assistance in the international screwworm eradification effort is needed to combat the recent outbreak of the screwworm fly in northern Africa. Because screwworm larvae are fatal to humans and livestock, this outbreak presents a real threat to many of our allies including Israel and Egypt, and could potentially have devastating effects on the people, economies, and wildlife of Africa.

The only way to stop the infestation is to interrupt the breeding cycle by saturating an afflicted area with sterile flies. The U.N. Food and Agriculture Organization is currently coordinating the effort to eradicate the fly from Libya, where it was introduced through infested livestock from the Western Hemisphere. I believe it is important that the United States assist this important international organization in this humanitarian effort.

Attempts at screwworm eradication have been immensely successful in this hemisphere. Current U.S. law prohibits the export of sterile screwworm flies outside the Western Hemisphere. We can prevent tragedy in Africa by making this appropriate technology available. It will save lives.

I urge all Members to suppport this legislation.

Mr. EMERSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 4010.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4010, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REGARDING MARION LAKE IN MARION, KS

Mr. ANDERSON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1016) to change the name of "Marion Lake," located northwest of Marion, KS, to "Marion Reservoir."

The Clerk read as follows:

S. 1016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake located northwest of the City of Marion, Kansas, commonly known as "Marion Lake", and adopted and authorized in Public Law 81-516, shall hereafter be known and designated as "Marion Reservoir". Any reference to such lake in a law, map, regulation, document, record or other paper of the United States shall be deemed to be a reference to "Marion Reservoir".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from California [Mr. ANDERSON] will be recognized for 20 minutes, and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1016, as passed by the Senate, would alleviate a problem of local confusion in the area of Marion, KS. Currently, there are two lakes in the area of Marion, KS, which hold the name of Marion. This bill would change the name of one of those lakes to Marion Reservoir.

This project was authorized by the Congress for flood control, water supply, and other conservation uses by the Flood Control Act of 1950. Since the project was placed in full flood control operation in February 1968, it has prevented over $36 million in flood damages.

I would also like to commend the gentleman from Kansas, Congressman WHITTAKER, for his fine work on this legislation. My best wishes go to him and his family as he looks forward to his retirement from Congress.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HAMMERSCHMIDT asked and was given permission to revise and extend his remarks.)

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise today in support of S. 1016, a bill to change the name of Marion Lake to Marion Reservoir. The bill is the Senate companion to H.R. 2434, introduced by the distinguished gentleman from Arkansas [Mr. WHITTAKER] who will be retiring at the end of this Congress.

The reason we are bringing up the Senate version of this bill today in lieu of the House version, is that there was a slight technical error in the original bill that was amended by the Senate.

Marion Lake is located northwest of the city of Marion, KS. It is my understanding that quite a bit of confusion has arisen due to the fact that there exists another lake in that area with the same name of Marion.

By renaming the northwest lake "Marion Reservoir," this bill should clear up the confusion between the two lakes and make things easier for the residents and visitors of Marion, KS.

I urge my collegues to support it.

□ 1400

Mr. ANDERSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas [Mr. WHITTAKER].

Mr. WHITTAKER. Mr. Speaker, I want to personally thank the gentleman from California [Mr. ANDERSON] as well as the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for their cooperative efforts to address this dilemma that we have had for some time, I thank them for their expeditious handling of this matter. It is genuinely appreciated.

Mr. Speaker, I rise in support of S. 1016, which would rename the lake located northwest of the city of Marion, KS, as Marion Reservoir.

At present, there are two bodies of water in Marion County, KS, within 10 miles of each other, each with the name Marion Lake. This measure would end a great deal of confusion that has been caused by the two lakes sharing the same name.

The cities of Marion and Hillsboro, the Marion Economic Development Council, the Marion Chamber of Commerce, and the Marion County Commission all are in support of this measure.

I urge the passage of S. 1016.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ANDERSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from California [Mr. ANDERSON] that the House suspend the rules and pass the Senate bill, S. 1016.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ACCEPTANCE OF A STATUE OF PHILO T. FARNSWORTH

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the

concurrent resolution (H. Con. Res. 226) providing for acceptance of a statue of a statue of Philo T. Farnsworth, presented by the State of Utah, for placement in National Statuary Hall, and for other purposes.

The Clerk read as follows:

H. CON. RES. 226

Resolved by the House of Representatives (the Senate concurring), That (a) the statue of Philo T. Farnsworth (the father of television), furnished by the State of Utah for placement in National Statuary Hall in accordance with section 1814 of the Revised Statutes of the United States (40 U.S.C. 187), is accepted in the name of the United States, and the thanks of the Congress are tendered to the State of Utah for providing this commemoration of one of its most eminent personages.

(b) The State of Utah is authorized to use the rotunda of the Capitol on May 2, 1990, at 11:00 o'clock, ante meridiem, for a presentation ceremony for the statue. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) The statue shall be displayed in the rotunda of the Capitol for a period of not more than six months, after which period the statue shall be moved to its permanent location in National Statuary Hall.

SEC. 2. The transcript of proceedings of the ceremony shall be printed, under the direction of the Joint Committee on the Library, as a House document, with illustrations and suitable binding. In addition to the usual number, there shall be printed 6,555 copies of the document, of which 450 copies shall be for the use of the House of Representatives, 105 copies shall be for the use of the Senate, 3,500 copies shall be for the use of the Representatives from Utah, and 2,500 copies shall be for the use of the Senators from Utah.

SEC. 3. The Clerk of the House of Representatives shall transmit a copy of this concurrent resolution to the Governor of Utah.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the gentleman from Ohio [Mr. GILLMOR] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 226 authorizes that the statue of Philo T. Farnsworth be placed in the National Statuary Hall.

Mr. Farnsworth, known as "the father of television" invented the first all-electronic television system. During his lifetime, he held patents to approximately 100 inventions, and aided in the development of such devices as radar, infrared lights, the electron microscope, and the baby incubator. Because of his dedication to the improvement of our society, the State of Utah wishes to display a statue of Philo T. Farnsworth in the U.S. Capitol.

Current legislation provides for the placement of two such statues into the National Statuary Hall by each State of the United States. Currently, there is but one statue from the State of Utah on display in the National Statuary Hall.

The bill also authorizes the State of Utah to use the rotunda of the Capitol on May 2, 1990, at 11 o'clock, for a presentation ceremony for the statue.

The statue shall be displayed in the rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be moved to its permanent location in the National Statuary Hall.

The transcript of proceedings of the ceremony shall be printed, under the direction of the Joint Committee on the Library, as a House document, with illustrations and suitable binding.

We have all benefited from Farnsworth's contributions to modern technology. His research helped to make the astronomical telescope 50,000 times more powerful and millions of Americans saw the first Moon walk because Farnsworth's image dissector sent back pictures of the historical event. Thus, special thanks from the Congress should be tendered to the State of Utah for providing this commemoration of Philo T. Farnsworth.

I urge my colleagues to support the passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GILLMOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 226 which authorizes the acceptance of a statue of Philo T. Farnsworth for permanent placement in Statuary Hall, and also the use of the rotunda of the Capitol for a presentation ceremony of the statue on May 2, 1990.

As Members know, each State is allowed to present two statues for placement in Statuary Hall, and the State of Utah has chosen the statue of Dr. Farnsworth to be its second gift for the Hall.

Dr. Farnsworth's accomplishments were vast. In addition to being considered the father of television, he is the creator of many ingenious and useful technological innovations, including radar and baby incubators.

Mr. Speaker, there are few people that pass on this Earth who have the opportunity to leave behind them from the ferility of their brainpower so many thing so useful to mankind as Dr. Farnsworth, and I think it is only fitting that he be honored by the State of Utah and by the U.S. Congress, and I would urge my colleagues to support the resolution.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah [Mr. NIELSON].

Mr. NIELSON of Utah. Mr. Speaker, the State of Utah has chosen to honor Philo T. Farnsworth by placing his likeness in the National Statuary Hall. A dedication ceremony is to be held on Wednesday, May 2, 1990 in the Capitol rotunda to which all Members are invited.

Philo T. Farnsworth, the father of television, well represents the pioneering spirit of Utah and its rich heritage. While growing up, Philo was an outstanding student with the vision to create many useful things. During his high school years, he perceived the concept of radio transmission of moving pictures what we now know as television. Television has had a profound effect on the world in virtually every sphere: Entertainment, education, and information. No doubt it has had a significant effect on the changes we are seeing in the world today. Dr. Farnsworth's impact was not only felt in television, but also in the development of radar, computers, infrared night lights, baby incubators, and the gastroscope. He was also a member of the first committee of the Federal Communications Commission to establish television reception standards.

Clearly, Philo T. Farnsworth is an outstanding choice to represent the people of Utah. He was an inventor with the vision to help humanity through invention and advanced technologies. I urge your support of House Concurrent Resolution 226 which will provide for acceptance of the Philo T. Farnsworth statue for placement in the National Statuary Hall.

Mr. OWENS of Utah. Mr. Speaker, I rise to ask support for House Concurrent Resolution 226, a bill establishing the procedure for presentation of a second statue from the people of my State of Utah to the people of the United States of America. The first statue from Utah, currently in Statuary Hall is that of Brigham Young, "the Great Colonizer."

This second statue depicts Utahan, Philo T. Farnsworth, best known as the father of television. More precisely, Mr. Farnsworth invented the image dissector which, along with his development of the cathode ray tube, led to the development of the television camera and viewing set.

Granted, there is not a united opinion as to whether all that has been done with Mr. Farnsworth's invention has been for the good, but most of us are in agreement that the impact of it has been phenomenal. May I note that our debate here in the House is being beamed to homes throughout the world, thanks to Philo T. Farnsworth.

But, Mr. Speaker, Mr. Farnsworth was not a one invention wonder. His ingenuity brought us such divergent creations as the radar, the electron microscope, and the incubator for newborn babies. He also pioneered research into the peaceful uses of nuclear fission and helped make greater strides possible in the development of the astroradio telescope.

Philo T. Farnsworth's work has expanded four frontiers and brought the wonder of our planet into our homes. He has also brought us images of planets beyond the world. His inventions insure our jets fly safely, our children grow strong, and our peace is preserved. Indeed, the favorable effects of his inventions have no limits since they are being applied in greater and greater measure to our daily lives.

Mr. Speaker, while Philo T. Farnsworth is truly a giant among inventors, the people of Utah are offering a life-size statue of him in their National Capital, and hope that permission will be granted for suitable ceremonies commemorating its placement in the Nation's Capitol.

Mr. BATES. Mr. Speaker, I rise today in support of House Concurrent Resolution 226 authorizing the placement of statue of Philo T. Farnsworth in Statuary Hall.

The Subcommittee on Procurement and Printing, in conjunction with the Subcommittee on Libraries and Memorials, is pleased to have been of assistance in facilitating the passage of this legislation.

We are pleased to have been a part of Utah's endeavor to honor the inventor of television with a statue placed in the U.S. Capitol. Television has played a tremendous role in the lives of Americans. Because of television, the proceedings of the House of Representatives are broadcast through the Nation giving Americans the opportunity to view the legislative process in action.

Once again, Mr. Speaker, I strongly support the placement of a statue of Philo T. Farnsworth in the U.S. Capitol.

Mr. GILLMOR. Mr. Speaker, I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 226.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING USE OF THE ROTUNDA FOR A DEDICATION CEREMONY CONCERNING LAJOS KOSSUTH

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 251) authorizing use of the rotunda of the Capitol for a dedication ceremony incident to the placement of a bust of Lajos Kossuth in the Capitol and authorizing the printing of a transcript of the proceedings of the ceremony, as amended.

The Clerk read as follows:

H. CON. RES. 251

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. DEDICATION CEREMONY AND PLACEMENT OF A BUST OF LAJOS KOSSUTH IN THE CAPITOL.

The Joint Committee on the Library is authorized to use the rotunda of the Capitol on an appropriate date in March 1990 for a ceremony to dedicate a bust of Lajos Kossuth, the leader of the Hungarian Revolution of 1848–1849, known as the "George Washington of Hungary". After the ceremony, the Architect of the Capitol shall place the bust in the rotunda for a period of not more than one year and, at the end of such period, shall place the bust in a permanent location in the Capitol.

SEC. 2. PRINTING OF A TRANSCRIPT OF THE PROCEEDINGS OF THE DEDICATION CEREMONY.

A transcript of the proceedings of the ceremony referred to in section 1 shall be printed as a House document, with illustrations and suitable binding. In addition to the usual number, there shall be printed, for the use of the Joint Committee on the Library, such number of copies of the document as does not exceed a cost of $1,200.

The SPEAKER pro tempore. Is a second demanded?

Mr. GILLMOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the genteman from Ohio [Mr. GILLMOR] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

□ 1410

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 251, as amended, authorizes the Joint Committee on the Library to use the Rotunda of the Capitol in March 1990 for a ceremony to dedicate a bust of Lajos Kossuth. He was the leader of the Hungarian revolution of 1848–1849, known as "the George Washington of Hungary." Lajos Kossuth was the first foreigner after Marquis Lafayette to be allowed to address the two Houses of Congress. He was one of the Governors of Hungary during the war of the Hungarians against the Hapsburg Empire. In 1958, the United States honored Lajos Kussuth as one of the champions of liberty with an 8-cent stamp.

After the ceremony, the Architect of the Capitol shall place the bust in the rotunda for a period of not more than 1 year. Additionally, the bill provides for placement of the statute in a permanent location in the Capitol.

A transcript of the proceedings of the ceremony shall be printed as a House document with illustrations and suitable binding for the use of the Joint Committee on the Library.

Placement of the bust in the Rotunda at this time honors the 141st anniversary of the Hungarian Revolution, reaffirms that Kossuth is indeed a "champion of liberty," and is a symbol of the enduring American-Hungarian friendship. I urge my colleagues to support passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GILLMOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 251 as amended, a bill which would allow the use of the Rotunda for a ceremony to dedicate a bust of the Hungarian statesman, Lajos Kossuth and the permanent placement of the bust in the Capitol. Mr. Kossuths leadership inspired the Hungarian people to rise up and fight for their freedom during the Hungarian democratic revolution of 1848–49. It was a cry for freedom that is once again being echoed in Eastern Europe today. Mr. Kossuth is known as the George Washington of Hungary.

As an Ohioan I would be remiss not to mention the involvement with and commitment to Hungary on the part of many Ohioans. In fact, Cleveland, OH has the largest settlement of people of Hungarian descent of any place in the world except for Budapest. Also, my own spouse, Karen, is a Hungarian from Cleveland.

I also would like to point out that it was an Ohioan, Mr. Csaba Kur of Warren, OH which made the bust of Mr. Kossuth, which will be placed in the Capitol.

In 1848–49, the United States expressed its support for the Hungarian uprising. Now, 141 years later, we can show our renewed sympathies by supporting this resolution.

Mr. Speaker, I would like to thank my distinguished chairman for his work in bringing this bill to the floor and I urge my colleagues to support it.

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LANTOS].

(Mr. LANTOS asked and was given permission to revise and extend his remarks.)

Mr. LANTOS. I thank the gentleman for yielding.

Mr. Speaker, first I want to thank the chairman of the Committee on House Administration, the gentleman from Illinois [Mr. ANNUNZIO] for his support, and I also want to thank the chairman of the Subcommittee on Libraries and Memorials, the gentleman from Missouri, my good friend Congressman BILL CLAY, for his support of this legislation.

Mr. Speaker, 1989 was a pivotal year in human history. It will go down as 1492 or 1776 or—yes, as 1848—as one of the great turning points in the history of mankind.

In 1848 a democratic revolution swept Europe, but the difference between the democratic revolution of 1848 and the democratic revolution of 1989 is that the first one failed and the second one has been triumphant.

Mr. Speaker, our resolution brings back before us the revolution of 1848, it permits the use of the Rotunda of the Capitol for a ceremony to unveil and present a bust of the father of Hungarian democracy, and the hero of the 1848 revolution, Lajos Kossuth. This bust will be permanently placed in the Capitol of our Nation.

Kossuth is only the seventh non-American citizen to be so honored. He led the Hungarian nation's uprising against Austrian domination and suppression in 1848. He was properly viewed as the George Washington of the Hungarian people.

After that revolution was suppressed with the overwhelming numerical preponderance of the troops of the Czar, Kossuth fled to Turkey and then came to the United States where he spent 2 years.

Not many know, Mr. Speaker, that following the Marquis de Lafayette, Kossuth was the second non-American citizen to address a joint session of the Congress about a century and a half ago. His remarks stirred our colleagues of that generation no less profoundly than did those of President Vaclav Havel, of Czechoslovakia, just a few days ago.

Kossuth sparked enourmous interest throughout this country. He was welcomed and honored as a hero in New York and Boston and Philadelphia and Charleston and Columbus. Counties were named after him throughout the Nation. He became one of those honored visitors whose commitment to the values of our Revolution the American people appreciated and cherished and honored.

I think it is significant, Mr. Speaker, that this ceremony honoring this great democrat of the 19th century—that is democrat with a small d—will take place on the 15th of March, anniversary of the beginning of the 1848 revolution and just 10 days before the first free and open miliparty elections in Kossuth's native country of Hungary in half a century.

Honoring this 19th century democratic hero is symbolic of our commitment as a nation to champions of democracy. It is important to recognize that Lech Walesa and Vaclav Havel and all the other heros of Eastern Europe over the last 2 years did not come out of a lack of a democratic tradition. There was a profound democratic tradition going back in some instances for centuries.

This ceremony on the 15th of March in our Rotunda honoring a hero of the Hungarian uprising of 1848–49 will be an appropriate milestone in this historic series of events which celebrate the rebirth of democracy and freedom in Poland and Czechoslovakia, in Hungary, in Estonia, in Lithuania, Latvia, East Germany, and hopefully Bulgaria and Romania.

Mr. Speaker, I urge my colleagues to support the passage of this resolution.

Mr. BATES. Mr. Speaker, I rise today in support of House Concurrent Resolution 251 authorizing the placement of a bust of Lajos Kossuth, the leader of the Hungarian Revolution of 1848–1849, in the United States Capitol.

The Subcommittee on Procurement and Printing, in conjunction with the Subcommittee on Libraries and Memorials, is pleased to have been of assistance in facilitating the passage of this legislation.

As events unfolding in Eastern Europe in recent months have thrilled people throughout the world, it is a timely moment to remember that the struggle for freedom has been fought many times over the centuries. Placing this bust is an important way to state our appreciation for those who have strived for freedom.

Once again, Mr. Speaker, I strongly support the placement of a bust of Lajos Kossuth in the U.S. Capitol.

□ 1420

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

Mr. GILLMOR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 251), as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair understands there was an agreement reached on the House floor last week not to have recorded votes prior to 3 o'clock this afternoon. Therefore, it is the intention of the Chair to entertain 1-minute speeches and special orders, with the understanding that legislative business will be resumed at about 3 p.m.

SANDINISTA PRESSURE STILL A MAJOR CONCERN IN NICARAGUA

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, the people of Nicaragua have spoken and freedom and democracy are the clear winners in that country.

Freedom is on the march all over the world and we must pay special attention to our Latin and Central American neighbors. With this new found freedom in Nicaragua, democracy and prosperity can follow. Our responsibility is to assist this country's growth through increased cooperation and participation in cultural, political, economic, and diplomatic efforts.

Mr. Speaker, my major remaining concern whether or not the Sandinista political party will actually give up their army. They are the only political party I know of in the world which has it own army. The Sandinistas wrote the country's constitution to give themselves the army, not the people, not to the government, but to themselves. We, in Congress, must insure that the popular mandate of the Nicaraguan people is fulfilled with the peaceful transfer of both the political and the military power to the newly elected Government of Nicaragua.

Don't let the Marxist Sandinistas "Panamize" this election.

Mr. Speaker, I include the following article from the Washington Times:

[From the Washington Times, Feb. 27, 1990]

CHAMORRO PRESSURED TO APPEASE SANDINISTAS

(By James M. Dorsey)

A quest for economic and political stability could force Nicaraguan President-elect Violeta Chamorro to strike a deal with the defeated Sandinistas and allow them to retain temporary control over the military and police, administration officials and analysts said yesterday.

They compared Nicaragua's situation to that of Poland, where the government led by the non-communist Solidarity movement had to concede defense and security ministries to the communists to maintain order.

Control of Nicaragua's 80,000-strong military and security forces tops a host of issues that Mrs. Chamorro's National Opposition Union and the Bush administration have yet to confront.

The police and the military, the largest army in Central America, were created as armed wings of the political Sandinista Front, not as national security forces under civilian control.

Senior amdinistration officials, including President Bush and Secretary of State

James A. Baker III, met yesterday to discuss how the United States could support Mrs. Chamorro's daunting task of consolidating power and engineering a peaceful transition in Nicaragua.

Mr. Bush and Mr. Baker called for transfer of both civilian and military power to the new government, which is scheduled to take office in Nicaragua on April 25.

"Our role will be to do any and everything we can to help . . . Mrs. Chamorro build a new government, help them on rebuilding Nicaragua's economy, and we will be urging the other members of the democratic community and nations to provide support as well," said State Department spokeswoman Margaret Tutwiler.

Dismantling the Sandinista military apparatus is likely to become one of the first major challenges Mrs. Chamorro will have to confront, according to the officials and analysts.

Despite conciliatory statements from both sides, there were fears of violence and instability in a nation in which one party has never peacefully transferred power to another.

Sandinista Interior Minister Tomas Borge said before the elections that he could not imagine that his security forces would obey ministers named by a new government.

"If a new government is formed * * * it will have to name its Cabinet and if it names another interior minister, it would have to get rid of the staff as well, because they certainly would not obey the new minister," Mr. Borge said.

Speaking also before the elections, Defense Minister Humberto Ortega cautioned that even if Mrs. Chamorro won, "she would still have to deal with me" and that the armed forces may not obey orders they considered unsound.

But a State Department official said parts of the armed forces would reject a Sandinista attempt to hold on to power. "The Interior Ministry is probably more loyal to the cause of the revolution than other elements" but "the loyalty of the reserve forces might be suspect," the official said.

Some analysts suggest that Mrs. Chamorro's campaign pledge to eliminate the draft and reduce the size of the army coupled with the Sandinista electoral defeat could prompt an erosion of revolutionary support.

"Suddenly those people wearing Sandinista T-shirts might be taking them off," said Mark Falcoff, a expert on Latin America at the American Enterprise Institute. Mr. Falcoff recalled that many supporters of Nicaraguan leader Anastasio Somoza joined the Sandinistas immediately after their 1979 overthrow of the former dictator.

"It's unclear whether the Sandinistas are willing to give up power. We may therefore see attempts to negotiate a government of national reconciliation with the opposition Sandinistas including control of the defense and interior ministries," said Latin America expert Eva Loser.

The Sandinistas remain Nicaragua's largest political party, despite their defeat, with more than 40 percent of the vote.

Robert Leiken, an expert on Latin America at Harvard University, suggested that demobilization could depend on the scope of U.S. economic aid. "The problem is that Nicaragua is an economic basket case. There are no jobs. There is a need for emergency aid to rebuild the infrastructure and create jobs for the ex-army," Mr. Leiken said.

VACATION OF SPECIAL ORDER AND GRANTING OF SPECIAL ORDER

Mr. GILLMOR. Mr. Speaker, I ask unanimous consent that the special order granted to Mr. DORNAN of California for today for 5 minutes be vacated, and that he be granted a 60-minute special order for today instead.

The SPEAKER pro tempore (Mr. HAYES of Louisiana). Is there objection to the request of the gentleman from Ohio?

There was no objection.

BLACK HISTORY MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STOKES] is recognized for 60 minutes.

Mr. STOKES. Mr. Speaker, thank you for the opportunity to reserve this special order to commemorate Black History Month. Since 1976 when Congress adopted the resolution designating February as Black History Month, we have taken this opportunity to highlight and pay tribute to the notable accomplishments of black men and women who helped to build this great Nation.

Black Americans have a magnificent and rich history; a history which is inextricably woven into the economic, social, and political fabric which distinguishes our country from all others. From Garrett Morgan's invention of the traffic signal to Mary McLeod Bethune's founding of a university on $1.50, black men and women have made enormous contributions in the development of this country.

For these reasons, the members of the Congressional Black Caucus proudly reserve time each year to share with our colleagues and the world black history—our history.

Mr. Speaker, I want to pause at this time for remarks from my distinguished colleagues who join me on this occasion.

Mr. Speaker, I have the pleasure to serve as chairman of the Congressional Black Caucus Health Braintrust. In this capacity, I advocate on behalf of the CBC the need for quality health care for all Americans, especially the poor, minorities, and disadvantages. Therefore, I can think of no better time than Black History Month to spotlight the achievements of black men and women in the field of health and medicine.

Join me in paying tribute to those individuals who mustered the inner-strength and determination to accomplish feats that made them special. They sacrificed and gave of themselves to help make this world a better place for all of us.

Since colonial times, the black physician has been active on the American scene. In 1667, Dr. Lucas Santomee, the first physician of Afro-American descent, was rewarded with a grant of land for his services to the colony of New Amsterdam. Nearly a century later, the first recognized American-trained-and-established black physician was Dr. James Derham. Derham has born in Philadelphia, bought his freedom, and went to New Orleans, where he established a very successful practice, treating both black and white patients.

With the intensified fighting and conflict in the colonies during the pre-Civil War era came the emergence of the formerly trained black doctor. Thus, the first black American to obtain a medical degree was Dr. James McCune Smith of New York, who received his M.D. degree in Glasgow Scotland in 1837. The first to obtain a medical degree in the United States was Dr. David J. Peck, who received his M.D. from Rush Memorial College in 1847.

It is noteworthy that an American medical school graduated a black American 2 years before any conferred the degree on a woman, black, or white. Nonetheless, in 1864, Rebecca Lee became the first black woman to receive medical training in the United States, graduating from the New England Female Medical College in Boston. At the age of 23, Susan Smith McKinney Steward received her M.D. in 1870 from the New York Medical College for Women, becoming the first black woman so honored.

Black Americans were notable achievers in other health professions and arenas. One former slave who comes to mind when talking about the history of blacks in health and medicine is Sojourner Truth. Not only a famous abolitionist and underground railroad agent, Sojourner Truth was a nurse during the Civil War and immediately thereafter.

Sojourner Truth's legacy laid the foundation for other blacks to follow in her footsteps. Dorothea Lynde Dix was one such individual. When the Civil War began, Ms. Dix journeyed to Washington DC, and offered to assist the War Department by providing care for sick and wounded soldiers. In 1861, she was appointed by Secretary of War Simon Cameron to supervise the women nurses. This was a post of honor, but one that carried no official status or pay. Her wide-ranging authority gave her the power to organize hospitals for the care of the sick and wounded soldiers, to appoint nurses, and to receive, control and disperse special supplies for distribution among the troops.

While there are no accurate records of the appointment of nurses, their number, and where they served, a journal in the National Archives is devoted to documenting the role of colored nurses in the Civil War. According to this journal, 181 colored

nurses—men and women—served between July 1863 and June 1864.

The significant role of these nurses established the framework for Mary Mahoney to become the first black woman to receive a diploma in nursing from the New England Hospital for Women and Children School of Nursing in Boston in 1879.

Let us also remember the many other extraordinary black Americans in health, medicine, and related fields like Dr. Daniel Hale Williams a pioneer in open heart surgery; Dr. Percy Julian whose research helped create derivative drugs which are in widespread use today for sufferers of arthritis and glaucoma; and the distinguished Dr. Charles Drew who discovered blood plasma.

In looking back at the achievements of these individuals, it is apparent that we owe much to blacks in the area of health and medicine.

As I stand here today, I am proud to note that black health professionals have continued to struggle and sacrifice to eliminate barriers and obstacles in the delivery of health care in our Nation. The National Medical Association, the National Dental Association, the National Black Nurses Association to name a few, have been in the forefront in addressing these challenges.

Add to this list of these determined leaders, the first black Secretary of U.S. Department of Health and Human Services—Dr. Louis Sullivan. He brings to the post the aspirations and dreams of so many black Americans before him. More importantly, Dr. Sullivan represents all black men and women in health and medicine who have persevered despite the obstacles. I am proud that history books in the future will record Dr. Sullivan's contributions to our Nation and the world.

Mr. Speaker, want to thank my colleagues for their participation in this special order. I am hopeful that what has been heard today has heightened the awareness and appreciation of the role courageous black men and women have played in the development of this Nation. Furthermore, we are hopeful that one day, the celebration of Black History Month will not be limited to 1 month. It is our hope that one day American heroes and achievers—both black and white—will stand side by side throughout the pages of our history books—for all the world to see.

□ 1430

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I am pleased to yield to my distinguished colleague, the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Speaker, a recent event in my district is part of the living legacy of the history of black Americans.

Last month was the grand opening in Denver of the Black America West Museum in its new home, the house once occupied by Dr. Justina Ford, Colorado's first black female doctor.

The museum is the collection of important historical artifacts gathered with the keen eye and tireless energy of the curator, Paul Stewart. Paul knew this void existed: There was no collection that showcased the contributions the black cowboy made in the Westward expansion of the United States. The national media he has received for his museum demonstrates the interest America has to this hidden page of history.

The restored house the museum now occupies is itself historic, a place well known and loved by many of my constituents.

Dr. Justina Ford started her practice in the early 1900's and did not quit until her death in the 1950's. She delivered hundreds of babies and gave comforting medical attention to anyone who knocked at her door. She offered food, shelter, and clothing as best she could, traveling in her horse and buggy and later in her auto.

To be a black woman entering the medical profession when she did was a path-breaking accomplishment. She met both sexist and racist resistance and hostility. Like her practice, however, she never let up.

Her house was within hours of demolition 7 years ago when neighbors saw the wrecker's ball and recognized the importance of saving the house. It was saved, moved, and eventually refurbished and landscaped. Many of her personal effects, including her doctor's bag were returned for display. Today, it stands as a community beacon in one of Denver's historic districts.

Mr. Speaker, this is what Black History Month is all about: the accomplishments of yesterday, showcased in a meaningful location today, for the benefit of the leaders of tomorrow.

Mr. STOKES. Mr. Speaker, I thank the gentlewoman from Colorado for a very interesting and fascinating lecture on the contributions of black Coloradans. We appreciate the gentlewoman's participation.

Ms. ROS-LEHTINEN. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I am pleased to yield to the distinguished gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, in February of 1926, Dr. Carter G. Woodson established Black History Month in order to honor the invaluable contributions made by black men and women to the culture and history of the United States. Over the years, our fine Nation has paused each February to honor these contributions which have furthered the cause of our Nation's ideals of "life, liberty and the pursuit of happiness." Today, we are taking part in this month of celebration through this gathering which honors the living legacy of Carter G. Woodson, the father of black history. Through presenting a greater understanding and appreciation of these contributions, we will overcome our past shortcomings, and build upon them, allowing our Nation to further its excellence.

One of these finest contributors, Dr. Charles Richard Drew, has provided us with achievements that we benefit from in the present and which will carry us into the future. His experience should remind us of the ignorance of racial prejudices. Born in an era of racial division and hatred, Dr. Drew rose above this ignorance to establish himself as a world renowned surgeon, medical scientists, educator and authority on the preservation of blood.

After successfully helping the British establish a military blood bank program, our own War Department requested that blood from white donors not be mixed with that from black donors. Dr. Drew called this hypocrisy "a stupid blunder;" he recognized that as men, we are all of the same blood, and should work together in all of our efforts. In hearing Dr. Drew's statement, we are also reminded of Dr. Martin Luther King's request that men should "not be judged by the color of their skin, but the content of their character."

Men such as Dr. Drew and Dr. King have made tremendous contributions to this American experience, which we should all be proud of. We should emulate their lives for their tangible contributions as well as their spirit which they possessed that has enabled us to defeat the evils of racial prejudice. True, their dreams have not been perfectly realized, but we as Americans can unite and finish this journey which began so long ago.

In Dr. Drew's memory, the honor of his past contributions are recognized in the Charles R. Drew Elementary School of Miami. Through the tireless efforts of Mr. Fred Morley, principal of the Drew School and Mr. Everett Abney, the Drew dream is being furthered, and endless opportunities are being made for the students. As an educator, I must applaud this institution, and others which have adopted its curriculum, for they realize the vital importance of a solid education.

Unlimited opportunities are available for students who discipline themselves in an environment conducive to learning. The Drew School and its Career Awareness Laboratory provide students who are against the odds, with quality education and discipline for all to follow. They profess Dr. Drew's ideology of hard work in order to achieve the excellence which he attained.

So, as we are here today, let us resolve anew and dedicate ourselves in furthering unity, education, history, culture, and economic development, so that all Americans will benefit and continue the pursuit of excellence. Dr. Woodson and Dr. Drew clearly made valuable contributions in all of these areas, and they deserve to be honored for their achievements.

□ 1440

Mr. STOKES. Mr. Speaker, I thank the gentlewoman from Florida [Ms. ROS-LEHTINEN] for her very articulate statement, and I very much appreciate her participation.

Mrs. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I am pleased to yield to the distinguished gentlewoman from Louisiana [Mrs. BOGGS].

Mrs. BOGGS. Mr. Speaker, the annual observance of Black History Month offers us the opportunity to honor the achievements of black Americans throughout our Nation's history and to explore the rich heritage of the African-American community. This year, we who serve in Congress have special occasion to recognize the black Representatives and Senators who have served over the past 120 years. We welcome the publication of "Black Americans in Congress, 1870-89," which has just been released in honor of Black History Month and as part of the commemoration of the bicentennial of Congress.

This new volume was prepared by the Office of the Historian under the direction of the Commission on the Bicentenary of the U.S. House of Representatives. As Chairman of the Commission, I am pleased to announce this publication and hope that it will contribute to a better understanding of this often overlooked chapter in our history.

The book includes biographical essays on the 66 blacks who have served in Congress since the days of Reconstruction. In addition to recognizing the individual achievements of the 63 Representatives and three Senators, including the five black women who have served in the House, the book offers a broader view of black participation in our Nation's politics and the lengthy struggle to achieve full equality of rights and opportunities.

Many of the early black Members of Congress participated in various efforts to secure the freedoms and rights of blacks in the South. Typical was Charles Edmund Nash, one of my predecessors from Louisiana, who served in the 44th Congress. While still in his teens, the Louisiana native enlisted in a black regiment of the Union Army and was critically wounded in one of the last engagements of the Civil War. Nash came to this Chamber in 1875 and served on the Committee on Education and Labor which had been created in 1867 to oversee Federal programs to assist former slaves. Most notable among the other military heroes was Robert Smalls of South Carolina. Drafted into Confederate service, Smalls won national fame when he and his black crew slipped a cotton steamer through to the Union fleet.

The first generation of black Congressmen keenly understood the need for education among former slaves and their children. John Mercer Langston of Virginia was founder of the Howard University Law School and served as acting president of Howard and president of Virginia Normal and Collegiate Institute before coming to the House of Representatives. Thomas Ezekiel Miller of South Carolina was a school commissioner before serving in Congress and later became president of South Carolina State College. As a Representative, Richard Harvey Cain of South Carolina proposed funding education from the proceeds of Federal land sales.

For more than 20 years after the end of Federal Reconstruction, blacks continued to win election to Congress from Southern districts and to pursue Federal support of educational and economic opportunities. These Representatives also sought Federal protection of the civil rights guaranteed by the 14th and 15th amendments to the Constitution.

The black Representatives of the 19th century faced enormous obstancles to enacting their legislative program, and with the institutionalization of segregation, fewer and fewer won election. The first chapter in the history of blacks in Congress ended when George White of North Carolina left office in 1901. Although no other blacks would win election until 1928, the 19th century black Congressmen, many of them born in slavery, signified the achievements of a generation and laid the foundation for the civil rights campaign that would culminate in the legislation of the 1960's.

In the middle decades of the 20th century, blacks began to win congressional seats in Northern cities and served as spokesmem for the concerns of their urban districts. These Members from Chicago, New York, Detroit and later Philadelphia and Los Angeles, sought solutions to the problems of housing, education, and unemployment that plagued inner-city neighborhoods. As the most prominent elected black officials, these Members also became defenders of the civil rights movement. Following passage of the landmark Voting Rights Act of 1965 and the victories of the civil rights movement, blacks have won election from all regions of the country.

As the publication of this book will make clear, the black Representatives of today carry on a tradition that dates back to the 1870's. A review of the careers of these 66 individuals demonstrates the remarkable achievements in the days following emancipation and in this century during the struggle for civil rights. These biographies also describe the recurrent efforts to secure rights for all Americans and achieve the dream of a democratic society.

This evening at 6:30 in H-324, the O'Neill Room of the Capitol, the Bicentenary Commission and the Chair of the Congressional Black Caucus will present this volume to the leadership. I hope all of you participating in this special order will join us for the ceremony and reception.

□ 1450

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, I would just like to commend the gentleman and praise the gentleman for the preparation of the book on black Americans of the U.S. Congress. I have seen it. It is a high-quality piece of journalism.

In fact, I was privy to it several months before its publication and used part of it in my book, which will shortly be released on black Members of Congress.

I might add that during the period of reconstruction that the gentleman talked of from 1870 to 1901, there were 23 black Members of Congress. We are proud today that sitting in one Congress we have 24 Members. There was, however, a period of barren years, and that was the 28-year period from 1901 to 1928 when no members of our race had the privilege and the honor of serving in the U.S. Congress, but in 1928 Mr. De Priest, Oscar De Priest, of Chicago, was elected the first black Member of Congress in the 20th century. Then for the next 17 years there was still only one black Member of Congress, when Mr. De Priest was defeated 6 years later by Mr. Arthur Mitchell. Well, Mr. Mitchell was not defeated. He did not run after two terms, and was replaced by Mr. Bill Dawson.

From 1928 until 1945 we did not see a second black Member of Congress elected until Adam Clayton Powell from the district in Harlem.

Today we do have 24 black Members of Congress.

In the history of this country, a little over 200 years, there have been less than 10,000 Members elected to serve in the U.S. House of Representatives. Only 265, I believe, have had the privilege of serving more than 10 terms, or more than 20 years. The gentleman who stands in the well and who is responsible for this special order is one of those 265 Members who

have had the privilege of serving more than 20 years.

I also had the same privilege. I came the same day as the gentleman from Ohio [Mr. STOKES].

I would like to mention a third member of our race who has served more than 20 years, and that is the gentleman from California [Mr. HAWKINS], who announced just recently that he would not seek reelection. I think this country owes the gentleman from California [Mr. HAWKINS] a great deal. The gentleman from California [Mr. HAWKINS] has served continuously for 56 years in elected office, 28 years in the California assembly and 28 years in this body. He served with distinction, and I am proud to get up and happy to be able to acknowledge the contributions that he has made.

Mrs. BOGGS. Mr. Speaker, if the gentleman will yield further, I thank the gentleman from Missouri for his fine compliments and I congratulate him on the really important book he has undertaken, where he can go into much greater detail than our official volume was able to explore.

I would also like to say with great pride that the gentleman from California is a native Louisianian. He was born in Shreveport, LA, and lived there until he was around 8 years of age. We are all very proud that his beginning were in our State and that he has been such a stalwart leader, particularly as the earliest black Congressmen were in the education of his generations and future generations. He has made a tremendous contribution to this country in so many regards and we are extraordinarily proud of him.

I would also like to say that we have to remember that we had such great black women who have been in the Congress, including the one that is here now, the gentlewoman from Illinois [Mrs. COLLINS].

We have to remember that Shirley Chisholm was the first black woman to be nominated for the Presidency.

We have to remember that Barbara Jordon was thanked with great huge billboard signs all over the country for saving our Constitution, and we have to remember that Yvonne Brathwaite Burke was the only person of whom I am aware who ever asked for official maternity leave from the House of Representatives.

It has been a great pleasure to work on this book and, of course, it was Katie Hall who helped to establish the Martin Luther King national holiday, and we could go on and on about the blacks and their contributions to Congress and to the Nation.

I hope that all of you will join us in the celebration of the publication of our book this evening.

Mr. STOKES. Mr. Speaker, I thank the distinguished gentlewoman from Louisiana for the eloquence which she has brought to the floor once again, as she always does, and to join with my distinguished colleague, the gentleman from Missouri [Mr. CLAY] in commending the gentlewoman for the leadership that she has given us with the production of this book, "Black Americans in Congress." It is a book that all of us take great pride in reading about those who came before us. Someday I am sure we will enjoy reading about those who will come after us; but we thank the gentlewoman so much for the leadership she has given in this area, as she has in so many other areas. It has been a pleasure to have the gentlewoman participate.

I say to the gentleman from Missouri [Mr. CLAY] that I certainly appreciate his participation. The gentleman from Missouri [Mr. CLAY] and I came into the Congress together in January 1969 with Congresswoman Shirley Chisholm, whom the gentlewoman from Louisiana has mentioned so nicely. In fact, the three of us happened to have the distinction of being cofounders of the Congressional Black Caucus, a feat of which we are very, very proud.

Mr. Speaker, I am very pleased at this time to yield to my distinguished friend and colleague, the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I thank my friend for yielding to me, and rise as a fourth member of the class entering in January 1969.

Mr. STOKES. That is right.

Mr. FISH. Mr. Speaker, I am extremely proud to rise today in observance of Black History Month, to pay tribute to Dr. Carter G. Woodson, so appropriately recognized as the father of black history. One could easily speak for hours on the contributions of black Americans to the history of our Nation, and on the integral role Dr. Woodson played in the recording and interpretation of these events. For that reason, I take this opportunity to focus solely on one particular group of black Americans, and to share their distinguished military achievements. That group is the 369th Infantry Regiment formerly the 15th Infantry Regiment, New York National Guard.

The service of black Americans in the U.S. Armed Forces has received attention in recent weeks, due largely to the release of the critically acclaimed movie "Glory." "Glory" portrays the experiences of the all-black 54th Regiment of Massachusetts during the Civil War. Between the years of 1862 and 1865, more than 40,000 black troops gave their lives, both to preserve the Union and to bring an end to slavery. Despite their heroic efforts and courageous contributions to the war effort, black soldiers were discriminated against in pay, assignments, and rank.

Conditions were much the same when my father joined the 369th in 1918. Ours was a segregated Army; an Army where blacks and whites were kept rigidly separate. My father, however, had the honor of leading a company of the all-black 369th Infantry, which at the outset of our entry in that war, was assigned to the French 4th Army—I am told to avoid integration with the American forces.

The 369th had an extremely distinguished record in World War I. Eleven times they were cited for bravery. The entire regiment received the French Legion of Honor for gallantry under fire. Individually, 171 of its officers and enlisted men were decorated with this honor. The 369th will be remembered for many things: the 191 days they served in action—the longest of any American regiment; the only volunteer regiment raised during WWI that reached France; the first regiment of Allies to reach the Rhine; the only regiment in U.S. history to carry a State flag through the war. Mr. Speaker, they never lost a man to capture and never lost a foot of ground.

The 369th also distinguished itself in World War II and in Korea. My colleague, CHARLES RANGEL, obtained a Federal Charter for the 369th association.

Today, the 369th, now known as the 369th Transportation Battalion, wages different types of battles out of its post at the armory located at 142d Street and Fifth Avenue in New York City. It is engaged in numerous efforts designed to help children in the community to be the best that they can be. They support area Boy Scouts and the Harlem Little League, and run a program called the Junior Tennis Program. Through this program, youngsters are given the opportunity to develop their skills both on and off the court because their participation is dependent upon their commitment to getting good grades in school. Finally, the 369th Historical Society is making its own contribution to Black History Month, having given more than 3,000 kids tours of the armory and teaching them about the history of the black military.

It is my privilege to have this opportunity to pay tribute to the 369th and to share with you the role that their achievements have played, and continue to play, in the development of our Nation.

□ 1500

Mr. STOKES. Mr. Speaker, I thank my friend and distinguished colleague, the gentleman from New York [Mr. FISH], for bringing to our attention the famed 369th. All of us familiar with black history take a great deal of pride in that regiment and the fact that the gentleman's distinguished father, who served in this body, led

that regiment, and so we appreciate very much his remarks on this occasion.

Mr. Speaker, I am pleased at this time to yield to another distinguished member of the Black Caucus and a member who distinguished himself in terms of American black history by being one of only three black Americans to be elected as Lieutenant Governors of States in the United States. A few years ago he was elected the Lieutenant Governor of the State of California and served that State in a very distinguished manner. I am very pleased at this time to yield to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. President, I thank my friend, the gentleman from Ohio [Mr. STOKES], for bringing us together to observe African-American History Week and to focus attention on a much neglected aspect of African-American history, and that is the exclusion of the accomplishments of African-Americans in our textbooks which we use in our schools.

With the permission of the Speaker, I would like to make a personal reference. As an elementary school teacher in Los Angeles, I had the privilege of teaching the fifth grade, and the social studies unit for the fifth grade is U.S. history. I was shocked to learn in a textbook "Great Names in American History" only two African-Americans were mentioned in that entire textbook, Booker T. Washington and George Washington Carver, both of whom came from Tuskegee University.

Having gone to a British school, I obviously was not as exposed to American history as some of the teachers in my school, but I had spent enough time at Lincoln University in Missouri to know that there were many more than two African-Americans in American history who had significant contributions. So when I became a member of the California Assembly, I authored legislation which mandated the inclusion of African-Americans in our California textbooks. Today I am including in the RECORD an article from the Washington Times which deals with this subject.

Publishers around the country, school districts around the country, are faced with this challenge of seeing to it that our textbooks accurately reflect the accomplishments of African-Americans in U.S. history. That is a rich history. I note with some pride the mention of Dr. Charles Drew by the gentlewoman from Florida. I am pleased to say to the Speaker and Members of the House that in my district is located the Charles Drew University of Medicine and Science. It is dedicated to the work of Dr. Charles Drew, a very unique school to which my good friend, the gentleman from Ohio [Mr. STOKES], has made a significant contribution as a member of the Committee on Appropriations.

So we must begin to chronicle, as the gentlewoman from Louisiana mentioned, the accomplishments of African-Americans in our textbooks. These textbooks neglect these great accomplishments of these brave and loyal citizens, and today, my small contribution to this special order is simply to bring attention to publishers, school districts, educators, administrators about the need to begin to rewrite our textbooks so that the accurate contributions would be reflected in these texts for our children today and tomorrow, in our school system.

Mr. Speaker, I thank the gentleman from Ohio for bringing us together to continue to observe the great history of a great people.

I include in the RECORD the previously mentioned article from the Washington Times.

[From the Washington Times, Feb. 26, 1990]

BLACK EDUCATORS SEEK TO REWRITE CURRICULUM TO COUNTER WHITE BIAS

(By Carol Innerst)

Black educators and organizations, arguing that the lessons taught in the nation's public schools are grounded in "white supremacy" and are responsible for the "genocidal" miseducation of minority children, are engaged in a nationwide offensive to radically rewrite school curriculums.

The drive is part of a widespread trend to infuse "multiculturalism" into elementary and secondary school curriculums to boost the self-esteem of minority children, keep them from dropping out and improve their academic achievement.

"Lies are being taught and continue to be taught in the American public school curriculum," said Conrad Worrill, chairman of the National Black United Front, a group targeting school curriculums in St. Louis, Kansas City, Houston, Dallas, Seattle, San Francisco, Detroit, New York, Chicago and other cities.

"Now that we are clear that the European world did not bring the light of civilization to Africa, and in fact it was the other way around—Africans in ancient times had a profound influence on the rest of the world—we ought to put African contributions at the center of the curriculum," said Mr. Worrill, chairman of the Department of Inner-City Studies Education at Northeastern Illinois University in Chicago.

The National Urban Coalition, the National Council of Black Studies, the National Alliance of Black School Educators, and the Association for the Study of Classical African Civilizations also have made school curriculums a top priority.

They have met some success in Portland, Ore., with the public schools' adoption of "African-American Baseline Essays." Fully developed, the "Essays" will portray the experience of each ethnic minority within each academic area.

"Essays" are to be used by teachers as a regular curriculum supplement, said Asa G. Hilliard III, a psychologist at Georgia State University who introduced the concept to Portland in 1981. Mr. Hilliard has outlined the concept to District educators developing a multicultural curriculum and recently began working with the Atlanta Public Schools.

"Black children are being miseducated and they're resisting it by not wanting to go to school, so genocide takes place," said Richard Brown, coordinator with NBUF's Portland Chapter. "We want every youngster in Portland schools to get exposed to this material, and that's not happening. . . . There should be a mandate."

Said Mr. Worrill, "The American public school system is organized on the white supremacy point of view. That's the problem."

A similar tone permeates a controversial task force report that has recommended radically rewriting the New York State school curriculum.

"People of color have to have some relationship to their learning, some personal stake in what it is they're getting in order for it to be meaningful," said Ramona Edelin, president of the National Urban Coalition.

The organization, which has 40 affiliates throughout the country, is interested in infusing African and African-American content in the school curriculum, said Ms. Edelin, an organizer of African-American Summit '89, at which delegates called for development and mandatory use of "Afrocentric curriculum materials."

While there is almost universal agreement that most school curriculums should better reflect minority contributions to American culture, many educators, historians and parents are disturbed by such ethnocentric fervor that disparages the common elements in our history, society and culture.

"A new curriculum cannot be built around a proposal that demeans and caricatures the culture of which it is part, and that disparages everyone who happens to have a white skin," said Diane Ravitch, professor of education and history at Teachers' College, Columbia University, and principal co-author of California's new multicultural History/Social Science framework.

"The California approach is to say all civilizations have made contributions of importance, there is tremendous variety and we are one people. It's a positive theme. It doesn't set group against group," she said.

"I do think the old establishment-type history was at fault because it omitted the experience and sufferings of many peoples," said William H. McNeill, professor emeritus of history at the University of Chicago. "The trouble with some kinds of [curriculum] revisions is that they become new distortions."

Ethnocentrism has always been natural to humankind, he said, but depending upon the level of anger, it can be subversive and even dangerous. "In a society with serious strains, to make that more acute by the kinds of history you teach is potentially contributing to the political antagonism and is irresponsible," Mr. McNeill said.

"Curriculum should be changed, not to put down any other group, but to tell the truth," said Edward Joyner, school development coordinator and associate of renowned child psychiatrist. Dr. James Comer at the Child Study Center, Yale University. "Don't teach to make bitter, but to set the record straight. You commit just as much damage when you distort your version of the truth."

Mr. Joyner, liaison with the Prince George's County Public Schools where the Comer program is being used to improve minority achievement, agreed. "The Comer program is based on parental and community imput as well as African-American culture. . . . Make kids feel capable and proud

of their own backgrounds, but able to accept some of the values, attitudes of the mainstream," he said.

"History as a series of ethnic studies was an approach tried in the '60s and '70s all over the country," noted Charlotte Crabtree, professor at the Graduate School of Education at University of California, Los Angeles, and principal co-writer with Ms. Ravitch of the California framework. "There was no common thread.

"One of the first things we did in 1987 was to center the curriculum in the unifying history of the nation," she said. "It would be ironic if anyone were to go back to the ethnic studies approach that was widely discarded."

A MODEL CURRICULUM

Pressed by the Black United Front and the Desegregation Monitoring Advisory Committee, the Portland, Ore., school district published "African-American Baseline Essays," a multicultural curriculum effort. Unlike the curriculum changes proposed in New York, the Portland plan is conceived primarily, though not exclusively, as a teacher resource. It teaches, among other things, that:

Egypt was a Black African society—a matter of considerable scholarly dispute—and that Egyptian culture had its developmental origins further south in the African interior.

The African origins of Greek development became lost to the minds of Europeans 2,000 years after it was an unquestioned reality of the Greeks.

Since Africa is widely believed to be the birthplace of the human race, it follows that Africa was the birthplace of mathematics and science.

The concept of vaccination as a method to prevent smallpox was the contribution of a salve named Onesimus from Boston. In 1721, Onesimus described to his owner the process of innoculation for the treatment of smallpox he received in Africa. The owner in turn passed the practice on to doctors in the city.

To justify the enslavement and the exploitation of Africans, the Europeans began in the 15th Century to read them out of the respectable commentary of human history. Many achievements of black people were attributed to while people.

Source: Portland Public Schools.

Mr. STOKES. Mr. Speaker, I thank my distinguished friend and colleague, the gentleman from California [Mr. DYMALLY], for his articulate statement on the subject of Black History Month.

Mr. Speaker, I am pleased to now yield to a very distinguished member of the Congressional Black Caucus, a gentleman who has distinguished himself in his own right and who represents Brooklyn, NY, the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, I would first like to also congratulate my colleague, the gentleman from Ohio [Mr. STOKES], for continuing this tradition that he started some time ago of having these special orders related to Black History Month. When he started these, I am certain that we did not have the volume of items on television and newspapers and on the radio related to Black History Month that we have today. We are quite pleased with the facts that there are so many different programs of various kinds that are being offered by public television, the network television, the local television stations, radio stations, and numerous other communications entities recognizing Black History Month. That was not the case when the gentleman from Ohio [Mr. STOKES] first started these special orders. These special orders certainly should continue as a part, as a component of a larger effort, because there cannot be too much said about this long-neglected history of African-Americans in this country.

Mr. Speaker, as a senior member of the Committee on Education and Labor, I am particularly interested in one of Carter G. Woodson's best-known books, and I do congratulate my colleagues for also focusing on the works of Carter G. Woodson and his efforts to keep black history alive, which started, of course, at first as a 1-week celebration, and now it is a month celebration, but many other speakers before me have said a number of things about him which I do not want to repeat.

I just want to focus on "Mis-Education of the Negro," that particular book, and the spirit of that book goes marching on.

In that book, which was written in 1933, Mr. Woodson notes that African-Americans were deliberately undereducated or miseducated so that they would never be able to rise above subservience and compete educationally, economically, and politically with whites. This miseducation was so complete that most African-Americans internalized feelings of inferiority and self-doubt. These feelings of inferiority and self-doubt were encouraged by the curricula and prevented them from fighting or challenging against the pervasive racial segregation of that time.

In fact, Carter Woodson wrote that if the practice of having the African-Americans enter and leave a white establishment by colored-only doors had not existed, African-Americans were so thoroughly brainwashed by the years of inferior education that they could have, or they would have, created their own back door. They would have created their own colored-only door, entrances and exits to white establishments.

It was an education reminiscent of what they call in South Africa "Bantu" education. Bantu education is what the minority white South African population has imposed on the majority African population under the system of apartheid. Bantu education has become synonymous with irrelevant education, education which does not prepare anybody to move into the mainstream of society and to be able to survive and make a living.

In 1990 we see that Bantu education, such miseducation of African-Americans continues in too many places. Too many public schools in urban areas across the Nation are old, decaying, they are decrepit and they are overcrowded, and they send a physical message to the youngsters right away that, "Your schools are different, they are inferior, we do not really intend to provide the same kind of education to you that we are providing to other youngsters." Classrooms are often so packed that the teachers are unable to give each student individual attention and assistance that he or she needs, and African-American students are often tracked into unchallenging, uninteresting classes for slow learners whether they deserve to be there or not.

A disproportionate number of African-American students are labeled retarded or learning-disabled. African-American students are often discouraged from majoring in the so-called difficult subjects, like mathematics, science, or languages. They are often not encouraged to attend colleges or universities by high school guidance or academic counselors. This does not exist only in the Deep South, I assure the Members.

□ 1510

Academic counselors in New York City are still discouraging youngsters from going to college. If they are encouraged, they are only encouraged to attend junior colleges or 2-year colleges. They are not encouraged to go to 4-year institutions of higher learning, graduate, and professional schools.

Contributing to their miseducation is 10 years of Reagan-Bush education policies which have seen a decrease in Federal funding for education. And each time Federal funding is cut, black students, African-American students, are hurt most.

Carter G. Woodson's legacy was his understanding that a people who know their history and understand its greatness can never again feel themselves inferior to any group. Negro History Week, which is now Black History Month, was a major step in undoing the damage that those years of Bantu miseducation, the years of lies and distortions by white historians regarding African and African-American history, did to us as a people.

But ethnic pride is not enough. As descendants of slaves and victims of post-slavery segregation and racism, and as taxpayers who have yet to reap the full benefits of the moneys we pay into the system, African-Americans need reparations in the form of a sweeping Federal Marshall plan which includes job training, urban education programs, massive upgrading of urban public school buildings nationally, the

preparation of urban teachers, better urban teachers, a complete overhaul of urban housing stock, affirmative action set-aside programs, and so forth.

But most important of all, we cannot emphasize too much the need to make a herculean effort, a monumental effort, to end the miseducation of the African-American students. Education is the kingpin to the solution of all of our problems. I am certain that Carter G. Woodson fully understood that. We should make certain that the spirit of Carter G. Woodson goes marching on.

Thank you very much, Mr. Speaker.

Mr. STOKES. Mr. Speaker, I thank my distinguished friend for his contribution to the special order.

I am pleased to yield to the distinguished gentleman from New York [Mr. RANGEL], the senior member of the Committee on Ways and Means, and one of the members of the Congressional Black Caucus who has contributed so much to this body.

Mr. RANGEL. Mr. Speaker, I would like to congratulate the gentleman from Ohio [Mr. STOKES] for taking the initiative in bringing to this august body the statements of our friends and colleagues as we try to remind Americans of the great contributions that African-Americans have made to our history.

I know that during this time of the year so many of us are asked, "Why do you think you need your own history? Isn't American history good enough for you? It is good enough for other Americans."

Yet, Chairman STOKES, I am reminded of the experience that I had as a child, the fact that being born and raised in New York I never really knew too much about Africa. None of the teachers brought it to me. My family members tried to explain it, but it was always something so very foreign to me.

It was only after the United Nations opened up in New York City that we saw these African leaders dressed in their majestic clothes, costumes that I had never seen, speaking eloquently, which we were able to see and hear on television, that I truly understood that Africa just wasn't a place that we saw in the Tarzan movies, but was a place that we had to be able somehow to find a way to see where we came from, what contributions we made to this country, and how we can enjoy being called colored, Negro, black, African-Americans, but at least be able to have the same sense of identity as so many other Americans have had.

I recall that when Nelson Mandela was finally freed the feeling of pride that youngsters and other people felt. Not just black people, but Americans felt. That here a man, without a gun, without an army, had the will and the strength to allow himself to be imprisoned and not to be conditionally discharged because he had certain principles that dealt with what our Constitution is all about, and that is that all people be treated equally and have the opportunity to vote and participate in their government, and to come out with his wife strongly at his side, his family standing with him.

I guess all Americans, and especially African-Americans, felt a sense of pride in being identified with this type of courage and this type of leadership.

But, Mr. Speaker, I thought about it for a while. And as I see my colleagues wanting to return to Eastern Europe to enjoy the newly found freedom that people are seeing in Czechoslovakia and in Poland and in other parts of Eastern Europe, I wondered as African-Americans if the opportunity was given to us, if we were told that we would have first-class roundtrip tickets for ourselves and our family and our friends to visit our homeland, are we the only people in this great republic that would not know what to tell the travel agent? We would not know what country, what region. Certainly we would have even difficulty in saying what part of the continent that we would like to revisit in order to track our heritage or to track our roots.

I wonder whether we are the only people whose history has been so distorted and denied to us that even in sending a care package we would not know the town or village that we would want to be a part of saying that we remembered where we have come from.

So that is why we should pick a week, a month, a year, or a substantial part of our time, reviewing American history and restoring to it the dignity of the contributions of those Americans whose origins are in Africa.

We should remind each other that in this mosaic that we have in this country, where all people can make a contribution, that we can only move forward when all people are moving forward. Whenever there is a part that economically or socially or politically is not able to participate, then we lose that high ground when we try to tell countries as to what comes from a democratic country.

So it seems to me that I, like you, would hope that soon, certainly in our lifetime, it would be unnecessary to take out time in the well to extol this month, that we try to educate our fellow Americans about our contribution. But since that time has not come as yet, Mr. Speaker, let me once again say that we thank the gentleman from Ohio [Mr. STOKES] for the contributions that he and his family have made. Certainly the gentleman is part of that black African history that we are so proud of, and we thank him for constantly bringing to this House floor an opportunity for Members to participate in this special order so that we can join him and so many of our fellow Americans in understanding the great contribution to history that we have made as a people.

Mr. STOKES. Mr. Speaker, I thank my distinguished friend and colleague, the gentleman from New York [Mr. RANGEL], for his very kind remarks and for his contribution to this special order.

Mr. Speaker, I am pleased to yield to the distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to join with our colleagues in commemorating Black History Month for 1990 and I thank the gentleman for yielding.

Thomas Carlyle, the Scottish historian, wrote that: "The history of the world is but the biography of great men." Black History Month is an appropriate time to pay tribute to the many black men and women throughout the ages who have contributed to create the world in which we live. It is especially appropriate that we do so, because for too many years our historians and our school textbooks put these positive contributions on the back burner.

Too often, our history courses have failed to teach that the first victim of our war for independence, Crispus Attuckus, was a black man. Crispus Attuckus was a freed slave killed by British soldiers while he led the protest against British oppression known in history books as the Boston Massacre. This pivotal event in our Nation's history is often glossed over, without mentioning the contribution made by a black man.

Our beautiful Capitol City, Washington, DC, was laid out with the assistance of a black man, Benjamin Banneker, who in his time was called "the black Ben Franklin," because of his awesome contributions in so many different fields.

Harriet Tubman and Sojourner Truth were two black women who risked their lives during the struggle to end slavery in helping people flee to freedom.

Frederick Douglass, an escaped slave, was one of our Nation's leading diplomats and governmental leaders during the 1800's. Booker T. Washington and W.E.B. DuBois, although of opposing philosophies, helped develop the need for black education and for a self-awareness so necessary to achieve real equality.

The scientific contributions of George Washington Carver, of Granville T. Woods, and of Jan Matzeliger helped usher America into the industrial age.

And let us not forget the courageous, dedicated civil rights black leadership of Mrs. Rosa Parks, Martin Luther King, Jr., Medgar Evers, A. Philip Randolph, and Whitney Young.

And what would our culture be today, without the rich contributions made by the outstanding musicians who created jazz, the first truly American art form? "Fats" Waller, "Jelly Roll" Morton, Scott Joplin, and many others helped bring jazz music to us all, and their tradition was carried out by future generations of talented black artists.

Mr. Speaker, black Americans have contributed to every facet of American life. It is extremely appropriate therefore that we join together in calling these significant accomplishments to the attention of all citizens of our Nation.

□ 1520

Mr. STOKES. Mr. Speaker, I thank my distinguished friend and colleague from New York for his contribution to this special order.

I am pleased to yield to the gentleman from Kentucky [Mr. MAZZOLI], a distinguished friend and colleague.

Mr. MAZZOLI. Mr. Speaker, let me thank the gentleman from Ohio for having called this special order. I appreciate the opportunity of joining with him on the floor to speak about Black History Month.

Mr. Speaker, I have had the great good fortunes of being in political office for over 20 years. I entered in 1968 with three of the black politicians that I would say are seminal in Kentucky, State Senator Georgia Powers, who just recently retired, Representative Mae Street Kidd, with whom I was with just last weekend, and Representative Hughes McGill, who died soon after our election in 1968 to be succeeded by his wife Charlotte.

Then in 1971 I was elected to the House of Representatives and came here with the gentleman from New York [Mr. RANGEL], who spoke just a moment ago, the gentleman from California [Mr. DELLUMS], and the gentleman from the District of Columbia, Delegate WALTER FAUNTROY. So my own career, Mr. Speaker, has been intertwined with those of great black Americans.

Mr. Speaker, I am proud to join my colleagues in the House in celebrating and commemorating February as Black History Month.

In 1926, Dr. Carter G. Woodson, known as the father of black history, established Negro History Week—in 1976 extended to a month—because he recognized the need for all to recognize the history and culture of black Americans.

It is fitting that a month be set aside to honor the significant achievements of black Americans, many of whom have lived in Louisville and Jefferson County, KY, the district I am honored to represent in Congress.

Today, I wish to honor one such Louisville native, John W. Shannon, currently Under Secretary of the Army.

John Shannon was born and reared in Louisville before leaving for Central State University in Wilberforce, OH, where he earned a bachelor of science degree. John received his master of science degree from Shippensburg State College in Pennsylvania, attended Catholic University for postgraduate studies, and is a graduate of the U.S. Army War College.

John entered the U.S. Army, and during his excellent career which led to his eventual promotion to full colonel, he held various positions of leadership earning respect from his peers.

His career included two tours in Vietnam as an adviser and an infantry battalion commander. Secretary Shannon earned numerous awards while on active duty, including the Legion of Merit, the Bronze Star, and the Secretary of Defense Award for outstanding public service, just to name a few.

Before serving as Under Secretary of the Army, John Shannon held the Assistant Secretary position for installations and logistics. He assisted in direct Army policy and activities of logistics, installation procedures, and preservation and restoration of the environment. He also managed the Army's chemical stockpile disposal program.

Recently in Louisville, I had the honor of attending a luncheon sponsored by the Intergovernmental Black History Committee at which John Shannon delivered the key remarks. It was then that I fully realized what an outstanding role model John is for many black youths in Louisville.

I am proud to recognize Under Secretary John Shannon for his many contributions to Louisville, to America, and to the world.

I also extend best wishes and warmest regards to his wife, Jean, and their son, John, who is a lieutenant in the U.S. Army Reserve, who, when a young student, was an intern in my office.

Speaking for my constituents in Louisville and Jefferson County, John, we are all very proud of you.

Mr. STOKES. I thank the gentleman from Kentucky very much for his contribution.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Speaker, I too congratulate the gentleman from Ohio for having this special order in the spirit of Black History Month.

In the spirit of Black History Month, I want to recognize just a few of the many outstanding individuals of the Fourth Congressional District who have dedicated their lives to improving the communities in which they live and work. These are very special people. People that have combined talent, wisdom, and commitment to achieve great things for their family, community, and Nation. We can all look to these individuals as examples of leadership in action.

The first leader I am proud to recognize is Rev. Isaac Singleton, Sr., pastor of Mount Zion Baptist Church in Joliet. Born in Tallulah, LA, to Ruben and Sarah Singleton, Reverend Singleton worked his way through Lincoln Christian College and eventually received a doctorate of divinity degree from Miller University in New Jersey. He has served as pastor of Mount Zion Baptist Church since 1961. A devoted husband, father, and community leader, Reverend Singleton has truly enriched the lives of many people who have had the honor to come in contact with him. He has received numerous awards for his contributions such as the Community Leader of American National Editors Award, the Community Relations Award from the city of Joliet, the Distinguished Citizens Award by Lewis University, and he is listed in the Who's Who Among Black Americans.

Reverend Singleton's diverse involvement includes serving as chairman to the children and family services advisory council of the State of Illinois, vice president of the Joliet region chamber of commerce, and presently as president of the Joliet affiliate of Operation Push.

Reverend Singleton's mission has taken him around the world to Africa, the Caribbean, Latin America, and the Middle East. We are proud of his contributions in foreign lands, but we are always grateful when he returns. Reverend Singleton has made an important mark on our community, and for this he will always be remembered.

The next tribute is as much to a family as it is to an individual. Robert and Augusta Gavin raised their three daughters and three sons who would go on to make significant contributions. The late Dr. Charles Gavin of Chicago Heights was truly a leader and pioneeer in the first degree. Upon graduation from medical school, Dr. Gavin completed a residency in orthopedic surgery and became one of the first Afro-Americans to become a board certified orthopedic surgeon.

In cooperation with several colleagues and community leaders, Dr. Gavin was able to establish and maintain a free medical clinic servicing indigent patients in the inner city of Chicago. His dedication and unselfish service to his patients were a source of inspiration to hundreds of people who crossed his path.

At an early age, the late Harriet Gavin Martin exhibited a sense of community. She made lasting contributions to Prairie State College. Harriet believed education was the key for further development of the individual and the community.

Robert Gavin, Jr., served in the U.S. Marine Corps during World War II and received several service awards. Robert was financially involved in the community by contributing freely to programs and activities that fostered youth development and racial harmony.

Judge Marvin Gavin graduated from DePauw University and Harvard Law School. Judge Gavin currently serves as a circuit court judge and president of the Gavin Foundation. The Gavin Foundation gives thousands of dollars each year in scholarships and grant aid to deserving members of the community.

A holder of a doctorate in education, Dr. Katherine Gavin's specialty is in the field of early childhood development and personalized learning. Katherine was a founding member of the Illinois Association for Personalized Learning Program. She is a frequent writer and lecturer in her field of specialty and has received numerous awards and citations for her work and contributions. Katherine formerly served as division chairperson at Prairie State College.

Yvonne Gavin Robinson received a double masters degree from Governors State University and has been a teacher in District 170 for over 15 years. She is currently the principal of Dr. Charles Gavin School in Chicago Heights where she has served with distinction.

Leonard Robinson, son-in-law to Robert Gavin, Sr., has made important contributions through his leadership in the development of the South Suburban YMCA and as a teacher with the Chicago Board of Education. His devotion to the youth of Illinois is truly commendable by helping build character at the ages when it is most important. We are fortunate to have the Gavin family among us, and their legacy continues to survive through their children and the Gavin Foundation.

Dillard Harris, superintendent/principal of Fairmont School District No. 89, Lockport, has displayed great leadership and civic responsibilities over the years. Having served as a U.S. Air Force officer since 1957, he achieved the rank of lieutenant colonel. Dillard has served on numerous civic organizations—often as the first Afro-American to be admitted—and has always been a strong supporter and promoter of Afro-American civil rights. Currently, he is the president of the Will County NAACP.

Dillard has been active in the Fairmont community as well as the school, believing that a school must meet more than the standard educational needs. Dillard believes that children should be stimulated enough in school to make them work independently on school projects and learning tasks outside of traditional classroom settings. Dillard Harris has dedicated his life to defending the Nation and educating his children. His life's work embodies the two sides to freedom: one side to protect and defend; and the other to grow and develop.

These are just a few of the many outstanding contributions to the Fourth Congressional District by Afro-Americans. The Fourth Congressional District is a better place thanks to the efforts of those mentioned here today.

Mr. STOKES. I thank the gentleman for his participation.

Mr. Speaker, I yield to the distinguished gentleman from New Jersey [Mr. PAYNE], who has distinguished himself by becoming the first black American to be elected to Congress from the State of New Jersey.

Mr. PAYNE of New Jersey. Mr. Speaker, I too would like to commend the gentleman from Ohio for calling this special order today.

Mr. Speaker, today, I am honored to have this opportunity to join with my colleagues to participate in this special order and recognize the accomplishments of African-Americans throughout history. Since 1976, February has been designated as Black History Month. However, as you know, the concept was originated by Dr. Carter G. Woodson, more than six decades ago. This is an opportunity to pause and take notice of the persons and events which have contributed to the advancement of African-American people in this country and the development of this Nation.

The founder of Black History Month, Dr. Carter G. Woodson, is indeed not only an African-American hero but, an American hero. It has been said that Dr. Woodson was a discoverer of truth, organizer of truth, contributor to truth, a disseminator of truth, and a defender of truth. Through the efforts of this historian, scholar, and educator, we have access to compilations of accurate information concerning black history.

Dr. Woodson, who himself was self-educated until the age of 17, espoused the importance of scholarship and learning about one's heritage and the accomplishments of one's people. He believed that we must consider the African-American's contribution to American history as constructive parts of a whole, not as solitary fragments.

Mr. Speaker, as the first black Congressman from New Jersey, I am proud to be a mere fragment. But, I am even more proud to be a part of the whole. The African-American community is a tapestry within which is woven the skills and talents of individuals whose accomplishments represent endurance and perseverance.

Through much adversity and against oftentimes unsurmountable odds, African-Americans have educated themselves and shared the fruits of their knowledge in a variety of ways to the betterment of the country and world we live in.

In addition to Carter G. Woodson, there are countless others who knew the value of an education and the opportunities it could provide. I am reminded of Frederick Douglas who, as a slave, educated himself and went on to gain fame as an abolitionist. And of course, Mary McCleod Bethune, who was an outstanding educator and political activist. She was the founder of the institution today known as Bethune-Cookman College and founder and president of the National Council of Negro Women. She was also the first black woman to receive a major appointment in the Federal Government.

Other notables who participated in the education of blacks include Booker T. Washington, founder and president of Tuskegee Institute; and Dr. Charles Drew, famous for his work with blood plasma who taught countless surgeons at Howard University.

There are many more who were so eager to receive an education that they transgressed or challenged laws which were barriers to their ability to realize their goals. For example, during slavery, when it was illegal to teach slaves to read and write, a freed black man by the name of Daniel Payne established a clandestine school for slaves in South Carolina.

After the abolition of slavery, through self-help, philanthropy, and sheer determination, black men and women quenched their thirst for education in schools commonly known as freedmen schools. These schools, some of which are today's historically black colleges, educated about 200,000 students. These colleges and universities have educated countless African-Americans who have distinguished themselves in the fields of education, medicine, law, music, art, science, and technology.

In more recent history, Thurgood Marshall, a great legal scholar, led the successful battle in Brown versus Board of Education which declared segregation in public schools unconstitutional.

Thurgood Marshall litigated several other successful cases challenging discrimination in voting rights, housing, education, and transportation. He was subsequently appointed by President Lyndon Johnson to the U.S. Circuit Court of Appeals and later became the first black Supreme Court Justice. As a member of the Supreme Court, he has had a profound impact on the ability of minority students to have equal educational opportunities.

Today, I am honored to recognize the achievements of those individuals who were determined to learn and those who were committed to teaching. The value of education has been indisputable and in spite of legal and

societal obstacles, the African-American community has furthered its goals through education. African-Americans have also contributed to the improvement of the quality of life in this country and in other parts of the world. Clearly, the legacy of Dr. Carter G. Woodson is still alive.

□ 1530

Mr. STOKES. Mr. Speaker, I thank the gentleman from New Jersey for his contribution to this special order, and I am pleased at this time to yield to the distinguished Representative from the State of Maryland, who has the distinction of being the second black American in history to be elected to represent the great State in this body, a very valuable member of the Congressional black Caucus, the gentleman from Maryland [Mr. MFUME].

Mr. MFUME. I thank the gentleman from Ohio [Mr. STOKES] for yielding this time.

I do not know exactly what else I can add to all that has been said preceding me except to talk about chronologically some of the developments that have taken place in this Nation, as it relates to persons of African ancestry, and to talk about the conditions that exist now that I think are underlined and underscored as we celebrate Black History Month.

No matter what part of our recent history we choose to select from the year 1620 and beyond, we would agree that there were always those of us whose ancestors stumbled but refused to fall, bent but refused to break, tired but refused to quit; they were burdened yet unbowed.

We look at that period and move onward to the period of the Revolutionary War. It is instructive to take note of the fact that the first person to die in that war for this Nation was an African American, Crispus Attucks, not because he was necessarily brave or had some special quality, but he had a basic understanding of democracy and how to preserve a democracy and was willing to make the ultimate sacrifice.

So long after the Revolutionary War up until the 1800's, when we got into an era where cotton was king and where the historian John Hope Franklin called it the peculiar institution in America's history. That institution of slavery that ran all the way up to 1865 culminated with the Civil War in this Nation, and out of that the experiences of that war we had, as we come to know it at least, the Emancipation Proclamation.

The Emancipation Proclamation was signed by Lincoln, which is still celebrated today as Jubilee Day on the east coast and is Juneteenth Day in the West and Midwest, served pretty much as a threshold for the launching of a new era. We moved from emancipation to reconstruction. After that, the end of reconstruction, unfortunately, this Nation took a giant step backward where we entered what was known as the era of Jim Crow.

The era of Jim Crow has a peculiarity about it also. It offered up for the first time things such as the grandfather clause, where you could not vote unless your grandfather voted, but since your grandfather was a slave you to all intents and purposes could not vote.

Things such as the literacy test, which meant that you had to be able to recite at will any part of the Constitution that was asked of you to prove you were literate enough to vote.

Then we moved from that to what was known as the white primaries, where you could only vote in the primary election if you were white, and then you could only vote in general elections after that if you were black, but since most of the decisions were made in the primary elections you were still disenfranchised.

So that period of Jim Crow went from the end of reconstruction in the late 1800's all the way up until the civil rights era of the 1950's and 1960's. Many of us know what happened from that point onward.

I indicated as I began my remarks by saying that there was not a whole lot to add to what has already been said in the hour or so preceding me except to point out a very real fact, and that is that in employment, housing, health care, education, there is still a discrepancy in this Nation where African-Americans, regardless of their rich history, find themselves at a disadvantage, and that celebrations such as this are important and warranted.

Mr. Speaker, I commend the gentleman from Ohio [Mr. STOKES] for year after year bringing us to this point. I would simply say that we must also use it as a point of instruction to realize how far we need to go in this Nation to bring about true democracy for all its citizens.

Mr. STOKES. I thank the distinguished gentleman for his contribution to this special order.

Mr. Speaker, I am pleased to yield to the last speaker in this special order.

Mr. Speaker, it might be well for me to observe at this point in time that five members of the Congressional Black Caucus happen to be ministers in this Congress in addition to being Members of Congress.

The gentleman to whom I now yield hails from New York. He is the first Afro-American in the AME Church to be elected to the Congress, as a very distinguished black America.

Mr. FLAKE. I thank the gentleman very much.

Mr. Speaker, and to the Congressman from Ohio [Mr. STOKES] I certainly think it is an honor and privilege to be here to share in this special order. I think it is important as we consider how far we have come, to take a moment to talk about the denomination of which I am a part, because it represents the first formal founding of an African-American church in this Nation.

In 1787, Richard Allen purchased his freedom and went to worship in St. George's AME Church in Philadelphia.

Worshiping in the balcony, he and members of that congregation found themselves on their knees at the altar on a Sunday morning being physically removed, put out of the door of that church and determining that they would not go back there, that they would worship in dignity, they would have self-esteem and somehow they would find a way to express their feelings about God in their own way.

So up the street from St. George's, in a blacksmith shop, they began to worship in their way of worshiping and calling forth all people who were free, people who were descendants from Africa, people who had a will for self-expression, people who wanted an opportunity to be themselves, free to worship, being somehow able to make a difference in the society of which they were a part.

The African Methodist Episcopal Church brought together a group of people of limited education and in spite of that decided to start night classes, which ultimately culminated in the founding of the first university owned and operated by African-Americans in this land, Wilberforce University in 1856.

From that, they developed 11 other colleges and universities which have historically been at the forefront of educational change.

□ 1540

From that blacksmith shop the church has grown to a membership of over 2 million people in the United States, Europe, the Caribbean, and Africa.

I would say to Members, Mr. Speaker, I am not the first African-American to serve in Congress. I am happy for this opportunity to share with Members that the first African-American in the U.S. House of Representatives, Mr. Hiram Revels, was an African Methodist Episcopalian clergyman. Joseph Rainey, who served in the Congress from the 41st through the 45th Congress was also a member of the African Methodist Episcopalian Church clergy. I am pleased to be the third in the line of those to serve in Congress out of the African Methodist Church. I am proud to be a part of that, a movement of freedom, a voice of hope, a voice of salvation and education, one of social concern and political awareness. The church has not restricted itself just to those things which are religious, but also had adopted itself to a

concern about those things which are profane and secular. I thank God for an opportunity that we could share this day, our legacy and our heritage, for not only the Members of this Congress but the members of this Nation and this world.

Mr. STOKES. Mr. Speaker, I thank the gentleman from New York [Mr. FLAKE] for his participation in the special order. Mr. Speaker, I want to especially thank all the Members of the House who have taken the time out of their very busy schedules to come here and participate in this special order on the floor this afternoon.

In addition to that, many of our colleagues, in the interest of time, have submitted their remarks for the RECORD.

Mr. HAYES of Illinois. Mr. Speaker, I rise today to join my distinguished colleagues in speaking in honor of Black History Month. The outstanding contributors and achievements which African-Americans have made to our Nation since its inception makes it appropriate that we set aside this month to honor and remember those individuals that have helped make America the great Nation that it is today.

In 1926, Dr. Carter G. Woodson, known as the father of black history, established Negro History Week. In 1976 it was extended to a month because he recognized the need for all Americans to remember the history and culture of black Americans.

Today I join my distinguished colleagues in commemorating this special month, not only for African-Americans, but all Americans. Today is a time that we should reflect on great Americans such as Harriet Tubman, Dr. W.E.B. DuBois, Booker T. Washington, Dr. Martin Luther King, Jr., and others who played vital roles in adding meaning to the development of democracy in America.

This is a time that we talk with our people and tell them of our rich and unique heritage. We must tell them of the uniqueness of our people. Reassuring them that the troubles of today are only temporary—if they keep their eyes on the prize. Dr. Woodson recognized this need when he started Black History Week some 60-odd years ago.

When I reflect on the contributions of African-Americans I tend to look at those involved in the civil rights and labor movements. Although they were seemingly two seperate movements there was only one goal and that goal was and continues to be, equality for all Americans. Equality in the workplace, as well as equality in all aspects of society, regardless of one's creed, color, or religion.

In the labor movement there were many struggles for the rights of African-Americans. From the formation of the first trade unions in the 1790's to the mid-1930's, the policy and practice of organized labor, as far as black workers were concerned, was largely outright exclusion or segregation. But because of the united front and adversity of African-Americans union members discrimination has been addressed and it will someday be eradicated from the workplace. I would like to take some time to honor two labor organizations: the American League of Colored Laborers and the Colored National Labor Union.

Before the Civil War, African-Americans had started to recognize the power of togetherness and organization. The American League of Colored Laborers was organzied in New York City in 1850, with Frederick Douglass as its vice-president. The main objective of the organization was to promote unity among mechanics, foster training in agriculture, industrial arts, and commerce, and assist member mechanics in setting up business for themselves.

In 1869, another group, the Colored National Labor Union issued its first appeal for the unity of American workers without regard to race or color. Nine Philadelphia garment cutters, whose union had been shattered and its members blacklisted, formed a secret society that ultimately was to transform this sentiment into reality. They named it the Noble Order of the Knights of Labor. By 1886 it had more than 1 million members. It had achieved what no labor body before it had accomplished, the organization and unification of the American working class.

In 1972, I, along with William Lucy, Nelson Jack Edwards, Cleveland Robinson, and William Simons, formed the Coalition of Black Trade Unionists. We formed this coalition to stress the significance of the black struggle for social and economic equality. Now after 18 years, this organization is still going strong. And we will continue to address the concerns of working Americans. Today there are a number of very influential African-Americans continuing to push the labor movement forward. With the recognition of these influential African-Americans during Black History Month, it is my hope that younger African-Americans will continue to carry the torch.

Black History Month is a time to learn from history and learn from our successes, as well as from our mistakes. Many strides have been made in the civil rights and labor movements in recent years. Unfortunately, recent incidents of racial discrimination, and Supreme Court decisions lets me know that the fight for equality is not finished. We must do more to expand employment and educational opportunities for young black Americans. Especially our young black men. Only yesterday a report was released that said one-fourth of all black males are either incarcerated or paroled. This is a sad figure and that is why I will continue to fight in this body to vote for legislation that will give every American a decent standard of living and opportunity to enjoy freedom and equality.

Mr. DELLUMS. Mr. Speaker, it is more than fitting that we commemorate this year's celebration of Black History Month by paying special tribute to its original founder, the late Dr. Carter G. Woodson.

Dr. Woodson was a great American in every sense of the term, because throughout his life he sought to make America an all-inclusive society for everyone, regardless of race, creed, or gender. He was in the forefront of the educational effort to make black America an integral part of this all-inclusive society, through his untiring efforts to broaden the scope of black self-awareness and intensify black pride through a thorough study of black history.

Born the son of former slaves in New Canton, VA, on December 19, 1870, Dr. Woodson knew from first-hand experience the demeaning, dehumanizing mode of life and labor forced on black Americans by the post-Civil War system of apartheid that we called segregation. It is to his eternal credit, and to our collective benefit, that he devoted his life's work to eradicating the stigmas and stereotypes of segregation imposed by a majority racist society on its nonwhite minorities.

Dr. Woodson holds a special place in the minds, hearts, and souls of black Americans because he sought to teach us the fuller meaning and better understanding of the totality of the black experience in America throughout our struggle for freedom and full equality in every aspect of American life. In 1916 he organized the Association for the Study of Negro Life and History [ASNLH], from which has flowed the increasing interest in, and demand for, the expansion of black history and black studies as valid intellectual and academic enterprises.

In his voluminous speeches and writings Dr. Woodson consistently argued that all Americans, regardless of color, had much to learn of value from a careful study of the black experience. But he also emphasized that black Americans needed most of all to study their own history, to gain a better appreciation of the struggles of their forebears and a more comprehensive understanding of their own cultural traditions. His establishment of the Journal of Negro History provided a scholarly forum for the publication of articles and reviews that could expand the scope of the learning process about our multidimensional past. For that endeavor alone, we are all in his debt.

In 1926 Dr. Woodson was also the moving force in initiating the celebration of Black History Week which, since 1976, has become Black History Month. My hope is that this annual commemoration of the black past and present will continue to grow as a necessary learning experience for all Americans, so that we can all work together to heal the wounds of racism and to struggle together so that all of us can live out the full meaning of the promises contained in the Declaration and the Bill of Rights.

Mr. ESPY. Mr. Speaker, I rise today, during this Black History Month, to recognize the contributions of black Americans to our Nation's history, and to the history of the world.

The achievements of black Americans are many. They include outstanding contributions in many areas. In fact, black Americans have produced outstanding men and women in every field of endeavor—after they broke down the walls of exclusion.

It is proper that the theme of this Black History Month be in honor of Dr. Carter G. Woodson, the great historian and educator who contributed so much to the study of Africans in America, and who explained perhaps better than anyone the crippling result of our failure to understand black history and afford it its deserved place among subjects. The achievements of Dr. Woodson and others are vital and they deserve recognition throughout the year.

I want to focus my remarks on black Americans' unique contribution to what is clearly the most powerful force in the world today—the idea of freedom. The human desire for democracy which is rapidly transforming our world, from Eastern Europe and the Soviet Union to South Africa, Central America, and Asia. It is that same idea which has motivated black Americans to struggle against slavery and its legacy, segregation, and racism.

To most of the settlers who flocked to the New World, America was a land of vast opportunity and hope. Yet, before the new nation could begin, early Americans had to defeat colonial domination. So it was particularly ironic, and tragic, that to those Americans of African descent, this new land of bright promise for most was a land of darkness, slavery, and oppression.

When the Declaration of Independence was signed in 1776, forcefully declaring that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights," among which are the "Right to Life, Liberty, and the pursuit of Happiness," black Americans were not considered men. When the Constitution was completed in 1787, with the eloquent beginning, "We the People," blacks were not included in the "We."

The Constitution was never intended to include blacks, women, or native Americans in the "more perfect union" that the Founding Fathers envisioned. The blessings of liberty were to be secured for some, while holding others in bondage. In the original Constitution, blacks were considered to be three-fifths of men, there was a clause protecting the international slave trade, and there was a fugitive slave clause.

As we marvel at the mostly peaceful process of change in Eastern Europe, and hope for peaceful change in South Africa, we must grapple with the fact that our own evil empire was ended only after a bitter and bloody war which split this Nation in two. And we must reckon with the years of official apartheid and racist violence which endured, and the legacy which remains.

We are inspired by the people of Eastern Europe. Yet, the story of black Americans, who have pressed forward the struggle for freedom after surviving in a hostile, foreign land, against a captor who maintained his grip only through forbidding laws, lynchings, and the whip, is submerged. There is inspiration here as well.

At times in our history in America, blacks have been randomly murdered, raped, castrated, beaten, and, exploited, systematically denied the opportunity to fulfill our potential as human beings, and widely regarded as inherently less intelligent than others.

Yet, motivated by the desire to be free, black Americans have forged ahead, breaking down barriers, achieving against the odds. When little girls were bombed in church, communities terrorized, and leaders assassinated, black Americans have continued their quest for freedom. When Presidents and Congresses turned their backs, and Supreme Court of the Nation's ruled that "blacks had no rights, a white was bound to respect," and that "separate but equal" was constitutional, black Americans continued their quest for freedom.

As a result, the Constitution which we cherish is not the same document drafted 203 years ago. The 14th amendment conferred equal citizenship upon the freedmen; the 15th amendment prohibited States from denying blacks the right to vote—yet these two amendments were more laxly enforced than any other part of the Constitution for three quarters of a century. But in the 1950's and 1960's, they became the basis for Supreme Court decisions and civil rights legislation, including the 1965 Voting Rights Act, which have propelled us until today.

The black struggle for freedom has changed the Constitution, and it has changed the character of our Nation. It has broken down the walls of legal segregation and disenfranchisement, pushing our Nation from hypocracy, on the road to real democracy. In so doing, black Americans have motivated freedom fighters the world over.

Perhaps it is this spirit—the will to overcome the highest mountain or endure the darkest night in the quest for freedom—which is the essence of black history. In the 1990's, we are witnessing freedom breakout around the world. I am proud of the contribution black Americans have made to this struggle—and I look forward to the contributions which certainly are to come.

Mr. SPENCE. Mr. Speaker, in conjunction with Black History Month, which the Nation is celebrating this February, I would like to draw my colleagues' attention to a distinguished American who was important in encouraging black involvement in politics as well as a leading advocate for protecting the right of black Americans to vote. That man is the late Honorable George Washington Murray, who served as a Republican Representative from South Carolina to Congress from 1893 until 1897.

George Washington Murray came from humble beginnings, being born a slave in Sumter County on September 24, 1853, to become a skilled orator and a resourceful leader. From 1874 to 1876 he was one of the first black students to attend the recently integrated University of South Carolina, which is located in my district. Thereafter, for 15 years, he taught school and operated a small farm until 1890 when he was appointed to the important post of inspector of customs at the Charleston Customs House.

Thereupon, he launched his national political career by announcing his candidacy for the Republican congressional nomination. Murray successfully beat back several challenges to his electoral victories and demonstrated his independence of thought and action even as a freshman Member of Congress. Matters that drew his attention included the free-silver coinage issue, improving education, and aid to the needy. During this time, he remained active in the fight against the political disenfranchisement of black Americans. In order to promote black property ownership, he purchased 10,000 acres of land himself and resold tracts to black farmers.

Mr. Murray played an integral role in attempts to unify the Republican Party in the South, serving as the State chairman and as a delegate to several national conventions. Upon leaving Congress, he engaged in the real estate business and also devoted his time to lecturing and literary pursuits. He continued to be an active speaker and political figure until his death in Chicago in 1926.

George Washington Murray's life remains a testament to the heights that may be reached through perseverance, a yearning for education, a striving for justice, and a dedication to the full development of one's own God-given talents. It is fitting that we pay tribute to his accomplishments during this special month honoring the numerous and worthy contributions made by black Americans toward the greatness of the United States.

Mr. PRICE. Mr. Speaker, I rise today to pay tribute to Carter G. Woodson, whose contributions preserved the rich and detailed legacy of black history in our Nation, and whose perseverance led to the establishment of Black History Month.

At 1538 Ninth Street, in northwest Washington, there is a historical site not known to many visitors to our Nation's Capital, nor to historians who have documented this city's rich heritage. This site is filled with the memories of one who devoted his life to preserving and documenting the historic contributions of African-Americans. The site is the home of Dr. Carter G. Woodson, the founder of the Association for the Study of Negro—now Afro-American—Life and History, and the father of Black History Month.

Dr. Woodson established the Association for the Study of Negro Life and History in 1915. Too often, he saw the works and achievements of African-Americans ignored and exploited by other historians. He devoted his life to ensuring these contributions became an integral part of American history. Dr. Woodson also saw the importance of sharing these achievements with scholars throughout the world and began publishing the Journal of Negro History in 1916. The journal is now entering its 75th year of publication.

People of this Nation have benefited from the knowledge contained in the volumes of this journal and have been enlightened by the intellectual achievements it records. I credit the Journal of Negro History for the preservation of African-American heritage within my home State of North Carolina and for recognizing the contributions of many persons and institutions in my district.

The contributions of North Carolina citizens like the Honorable James Adams Hyman of the 44th Congress, the Honorable James Edward O'Hara of the 48th–49th Congresses, the Honorable Henry Plummer Cheatham of the 51st–52d Congresses, and the Honorable George Henry White of the 55th–56th Congresses can be found within the binders of this journal. These men were the first African-American North Carolinians to serve in the U.S. House of Representatives.

The pages of the journal also include the history of distinguished colleges and universities in our country, like Show University and St. Augustine's College, historically black colleges in my district. Shaw University was founded in 1865 and is the site of the first 4-year medical school in the Nation. St. Augustine's College was established in 1867 by the Freemen's Commission of the Protestant Episcopal Church for the sole purpose of pro-

viding education and training for former slaves.

To encourage recognition of the contributions and achievements of African-Americans, Dr. Woodson went a step further to designate the week encompassing February 12th and 14th as Negro History Week. This week was chosen to honor the birth dates of two Americans—Abraham Lincoln and Frederick Douglass—who changed the lives of African-Americans in this country. It was later expanded into Black History Month.

The achievements of African-American men and women in this country are worthy of recognition and we owe the opportunity to share in this rich heritage, in large part, to Dr. Carter Woodson and all other scholars who have followed in his footsteps. I hope that we will continue to recognize the legacy of his work, accept the challenges it poses for us, and learn from his struggles and achievements. American history is incomplete if we do not recognize the contributions that Dr. Woodson worked to preserve.

Mr. TOWNS. Mr. Speaker, as we know, February is Black History Month. Africans first stepped on American soil in 1619. In those 371 years, the history of black Americans has been marred by slavery, injustice, and racism.

However, in the face of these overwhelming obstacles black Americans have survived and often prospered. These people of strength and courage excelled in fields as varied as law, medicine, science, journalism, business, the arts, and religion. It is in recognition of the struggle and achievements of these incredible people that I present to you portraits of men who used their talent to benefit all people. These black American inventors did not allow prejudice to dowse the fire of imagination nor bigotry to put out the flame of knowledge. Instead they used their intelligence, ingenuity, and determination to enlighten the world. These men may may not be well-known figures, but they contributed substantially to the history of our country.

I do this in the hope that the knowledge of their struggle and ultimate triumph will inspire yet another generation to work to overcome any obstacle which may be encountered on the long and arduous road to freedom. As Dr. Martin Luther King said in his last speech, "I know that we as a people will get to the promised land someday."

These portraits are taken from the Encyclopedia of Black America, edited by W. Augustus Low and Virgil A. Clift, and the Black Almanac by Alton Hornsby, Jr. I commend these gentlemen on their enlightening work.

NORBERT RILLIEUX

Norbert Rillieux was born in New Orleans in 1806 to a Black mother and a White father. His father sent him to school in Paris. In 1830, he became an instructor of applied mechanics at L'Ecole Centrale in Paris.

After his return to the states, Rillieux built and installed a triple effect evaporator to process and refine sugar. However, this device had only limited success. Undaunted, he continued to work on the refining method. In 1846, he obtained a patent for the revolutionary multiple-effect vacuum evaporation process for refining sugar to obtain a whiter and grainier product. Before Rillieux's refining method, sugar was a luxury item used on rare occasions. In addition to making sugar accessible to many people, Rillieux's invention promoted manufacturing efficiency in reducing fuel consumption and labor requirements necessary for the production of the final product. The technique became the basic manufacturing process in sugar as well as condensed milk, soap, gelatin and glue.

Frustrated and disillusioned by racial discrimination in Louisiana, Rillieux returned to Paris in 1861.

LEWIS LATIMER

Lewis Latimer was born in Chelsea, Massachusetts in 1848. Latimer was a self-taught draftsman.

In 1876, Alexander Graham Bell asked Latimer to develop the blueprints for his telephone patent. In addition to his work on the telephone, Latimer was the only Black member of the Edison Pioneers, a group of distinguished scientists and inventors who worked with Thomas Edison.

In 1882, Latimer received a patent for manufacturing carbon filaments. This process proved superior to any other because the carbon filaments, made from cellulose of cotton thread or bamboo were excellent conductors of electricity. Prior to Latimer, others had attempted to develop a fiber suitable for filament. However these inventions were unsuccessful because they had a short life or low conductivity. Latimer's use of carbon filaments, which allowed durability, longevity and conductivity paved the way for the widespread use of electric light.

JAN EARNEST MATZELIGER

Jan Earnest Matzeliger was born in Surinam in 1852. At 19, he became a merchant seaman and sailed to America.

He settled in Lynn, Massachusetts. In the nineteenth century, Lynn, Massachusetts was the capital of the shoe industry. Matzeliger spoke little or no English when he arrived. However, he worked in a shoe manufacturing factory and attended school in the evenings where he learned to speak English fluently.

When Matzeliger began working in the shoe industry, the process of attaching leather uppers to the sole of the shoe was done by a manual process that required highly skilled craftsmen. This costly and tedious labor intensive process made the cost of shoes extremely expensive. In 1880, Matzeliger invented a machine which automated the process of stitching the leather upper to the sole of the shoe. Matzeliger's invention produced shoes ten times faster than the hands of a shoe craftsman.

Matzeliger's invention made Lynn, Massachusetts the undisputed shoe capital of the world. Over the next two years, he obtained four additional patents covering specific improvements on his machine. By 1889, the demand for his "hand-laster" had become worldwide.

GARRETT MORGAN

Garrett Morgan was born in 1875 in Paris, Tennessee. Morgan developed his first invention a belt fastener for sewing machines in 1901.

In 1914, he won the First Grand Prize Gold Medal at the Second International Exposition of Sanitation and Safety for his breathing helmet and smoke protector (gas mask). Because of widespread doubt as to the efficacy of his machine Morgan demonstrated the use of this device in the rescue operations following an explosion in a tunnel at the Cleveland Waterworks that trapped many workers below Lake Erie. The gas mask gained wider acceptance in World War I when it was used to protect against the use of poisonous gas.

Finally, in 1923, Morgan developed an automatic stop sign to aid the movement of traffic. He sold the rights to this invention to General Electric.

Everyday, we encounter the contributions of these Black inventors. From the time you put sugar in your morning coffee (Rillieux), put on your shoes (Matzeliger), stop at a traffic signal (Morgan) on your drive to work and arrive at your office to turn on the lights (Latimer). So the next time you do any of these things, think of them and understand that the intelligence and ingenuity of these Black men have improved your life.

Mr. KILDEE. Mr. Speaker, in honor of Black History Month, I would like to take this opportunity to insert in the record a excellent column by a dear friend of mine, James "Cap" Wheeler, on the crucial role African-Americans have played in the American labor movement. Cap Wheeler has been active in the United Auto Workers since the early 1950's at the Buick Foundry in Flint, MI. For the past 4 years he has served as financial secretary for UAW Local 599, the local of which my father was a member. Cap's column appeared on the front page of the Headlight, the union paper for Local 599.

As one who has been on the forefront of the struggle for civil rights for all Americans as well as the struggle for dignity in the workplace for American working men and women, Cap Wheeler brings a unique perspective to the history of African-Americans in the labor movement. I heartily commend Cap's column to all my colleagues in the House of Representatives.

[From Headlight, Feb. 8, 1990]

FEBRUARY: BLACK HISTORY MONTH

(By James "Cap" Wheeler)

Did you know blacks and unions go back a long way? The first blacks in America in the 1600s were not slaves but servants working in homes, just as many white immigrants were. Many bought land and prospered after their service was done.

Black workers were joining unions well before the slaves were freed in 1863. For example:

In 1838 the Caulkers Association organized in Baltimore to bargain with shipyard owners.

In 1850 the Waiters Protective Association organized in New York to improve wages and working conditions.

African-American longshoremen in Georgia and South Carolina staged strikes for justice in the mid 1860s. In 1871 the Longshoremen Association Number 1 organized in Baltimore.

In 1877 the Black Washerwomen in Galveston, Texas called for higher wages and refused to work for less than $1.50 a day. When the Black Washerwomen in Atlanta, Georgia went on strike, 1,000 black workers joined them, including cooks, servants and child nurses.

One of labor's greatest heroes is A. Phillip Randolph, whose memory was honored by a special stamp the U.S. Post Office issued last year. (This stamp is one of three that was chosen for our 50th Anniversary celebration at Local 599 an can still be obtained for 35¢ each.) Randolph organized the Brotherhood of Sleeping Car Porters back

in 1925, when the railroad was the way to travel.

When the Congress of Industrial Unions (CIO) began the greatest organizing drive in American history in 1936, blacks played a key role in unionizing steel, auto, rubber and meat packing.

The last automaker the UAW organized was the Ford Motor Company, which used violence and fear to keep out the union. Ford was the only major automaker that hired many blacks in the old days, and it brought in African-Americans from the South as scabs. With the help of local black workers and religious leaders, especially Rev. Charles Hill, the black workers came out of the plant and joined the strike that brought Ford management to its knees in April, 1941.

The UAW joined the Civil Rights movement with enthusiasm. The late UAW President Walter Reuther was the only white international union president to walk arm and arm with Dr. Martin Luther King during the famous marches of the 1960s.

Even in South Africa the UAW is at the forefront of the struggle to win justice. UAW President Owen Bieber has fasted, joined demonstrations, been arrested and traveled to South Africa to support freedom movements. Our pressure helped free South African Metalworker's Union President Moses Mayekiso last year after he was charged with treason.

As Dr. Martin Luther King, Jr. said in his address to the AFL-CIO Convention, December, 1961 . . .

"I look forward confidently to the day when all who work for a living will be one with no thought to their separateness as Negroes, Jews, Italians or any other distinctions. This will be the day when we bring into full realization the American dream—a dream as yet unfulfilled. A dream of equality of opportunity, of privilege and property widely distributed; a dream of a land where men will not take necessities from the many to give luxuries to the few; a dream of a land where men will not argue that the color of a man's skin determines the content of his character; a dream of a nation where all our gifts and resources are held not for ourselves alone, but as instruments of service for the rest of humanity; the dream of a country where every man will respect the dignity and worth of the human personality. That is the dream. . . ."

Mr. HORTON. Mr. Speaker, I join with my colleagues today to pay tribute to the accomplishments and contributions that black Americans have made to our Nation. I deem it an honor to address my colleagues on a subject as important as this. The contributions that blacks have made to our great country have long been ignored and often forgotten by many.

Mrs. Harriet Tubman, one of the true reformers of the 1800's, and one of the true giants in black history, was a resident of the city of Auburn, which is in the 29th Congressional District of New York. She lived there during the 1850's until her death in 1913. Mrs. Tubman was born a slave in 1821 on the Eastern Shore of Maryland. She dedicated her life to seeing that slaves would someday experience freedom. She defied slave custom and refused to become a part of a system in which she did not believe. Although slavery did not offer Mrs. Tubman the opportunity to attend school, she possessed innate intelligence and creativity as well as extraordinary foresight and judgment. Having worked the fields, this muscular, small-framed woman was determined to use her inner strength to be free.

Mrs. Tubman escaped from her slave owners in Maryland, and began her journey to freedom by the guidance of the North Star and aided by conductors of the Underground Railroad. Having discovered freedom in the North, she wanted others to experience the same. She made nearly 20 trips to the South on the Underground Railroad and led thousands of black slaves to freedom.

During her many travels to Canada, Mrs. Tubman visited Auburn, NY. At that time, Auburn was experiencing a period of radical reform and abolitionist activity. Tubman settled in Auburn in 1857. Then U.S. Senator William Henry Seward violated Federal law by selling her, an ex-slave, a plot of land.

The brick house built on that land by Tubman's second husband between 1875 and 1888 is adjoined by a 25-acre site which Tubman deeded to the African Methodist Episcopal Zion Church in 1903. Also located on the site is a reconstruction of the Tubman Home for Indigent and Aged Negroes that Tubman established, and where she lived from 1912 until her death there in 1913. Although Tubman served as a Union nurse during the Civil War, she had to wait 30 years before the Government granted her a meager $20-a-month pension for her wartime services. She died nearly penniless, but with full military honors.

The many contributions and the timeless effort that this fugitive slave, abolitionist, nurse, and social reformer gave cannot be detailed in this short speech. The greatness of her life represented almost a century of struggle, beginning with the Negro's fight against slavery and ending in efforts toward social justice.

Mr. FROST. Mr. Speaker, last year at this time the release of the most prominent political prisoner was a dream, an unrelenting struggle. Today Nelson Mandela is a partner at the negotiating table to disassemble the apartheid system in South Africa. As I join my colleagues in observing Black History Month this year, I feel a sense of renewed confidence in light of recent events. All around the world, people are waking up and finally beginning to realize that oppression is neither permissible nor popular; it can not and will not be accepted today. Perhaps this is a sign that slowly but steadily, we are becoming a more educated society.

Despite thousands of years of subjugation, black Americans have persevered. And many praises are due to one visionary black historian for his tremendous efforts in researching and recording the history of African-Americans. The son of former slaves, Carter G. Woodson rose from poverty in the post-Civil War South to become a highly educated and influential person instrumental in recovering the black experience. Woodson accurately realized that "the achievements of the Negro properly set forth will crown him as a factor in early human progress and a maker of modern civilization," however, if left unrecorded, such contributions might be relegated to the basement of American history or even worse, altogether forgotten.

Self-educated until the age of 17, Woodson went on to complete high school, received a degree in literature from Berea College, a B.A. and M.A. from the University of Chicago, and a Ph.D. from Harvard in 1912. Three years later, Carter Woodson founded the Association for the Study of Negro Life and History, and in 1916, he published the first edition of the scientific quarterly, Journal of Negro History. Woodson established the crucial foundation which disclosed the field of Negro history that had previously been overlooked and ignored. Independently, Woodson built the association with nothing more than his own energy and intellect and today the association is used by thousands of scholars.

This year it is especially fitting that we honor the father of black history for he was determined to educate the public about his people. In opening the door to black history, we can begin to understand and credit black Americans for their contributions. We can begin to eradicate our racial prejudices through discovering their source and in learning to appreciate the heritage of our fellow man.

Mr. WEISS. Mr. Speaker, it is with great pleasure that I participate today in the commemoration of Black History Month and the father of black history, Dr. Carter G. Woodson. I would like to thank my colleague, Mr. STOKES, for once again organizing this important special order, giving us the opportunity to come together and share our thoughts and hopes during this special celebration.

We all know that history is not simply what happened, but how it is remembered. For centuries in this country, the contributions of black Americans have been ignored, glossed-over, and even undermined by historians, teachers, and the public at large. Whether by the distortion that comes from naivete, outright racism, or simply lack of information, our country's history books have excluded the outstanding contributions that black Americans have made in the building of our Nation.

If is was not for the renowned historian, Dr. Carter Godwin Woodson, this tragically neglected part of American history might be lost forever. Dr. Woodson diligently and brilliantly laid the foundation on which the current edifice of Afro-American studies is being built. Writing in the October 1975 issue of the Journal of Negro History, Michael Winston makes the following observations on Woodson:

His commitment was contagious. His burning determination was the inspiration of a whole generation of historians, teachers, and a black community eager for a knowledge of its past, hungry for pride, and for simple dignity in the face of doubt and denial.

Dr. Carter Woodson created the Association for the Study of Negro Life and History and the prestigious Journal of Negro History in 1915. He discovered, researched, and organized the body of knowledge of African-Americans, developed its bibliography as well as its methodology and philosophy. Moreover, he developed supports and techniques that perpetuated and popularized the field so that it became and remains the main source and vehicle of knowledge and pride for black people everywhere as well as for the scholar and more serious student.

In creating and cultivating the field of African-American history, Dr. Woodson amassed thousands of books, periodicals, documents, papers, and photographs on the subject. He possessed one of the largest collections of material on blacks owned by an individual. The most valuable part of his collection, his documents and papers, he gave to the Library of Congress for public use.

Thanks to Dr. Woodson, one day our Nation will be able to appreciate fully the greatness and importance of Afro-American history and the values that inhere in the black tradition. To date, however, only the surface of this history's richness has been scratched. I anxiously await the day when the value of black history and its traditions are actualized and fully ingested by black and white children and adults, as a natural part of social heritage. When that day comes, we all will realize the full significance of Dr. Carter Woodson's accomplishments and foresight.

Until that day, however, we must make a conscious effort to ensure that all Americans are aware of what blacks have experienced and given to this country. Their struggle continues and, during Black History Month, and every other month, we must focus on the past, present, and future of the black fight for social justice. This fight is far from over—race still remains a major disadvantage in many areas of our society. A third of African-Americans live in poverty or near poverty; their unemployment rate is twice that of whites. Their school dropout rate is reported to be as high as 50 percent in some urban areas. Meanwhile, African-Americans make up only 2 percent of this Nation's elected officials when they make up close to 13 percent of its overall population.

For African-Americans to win the struggle for economic and political equality, all Americans must know the full truth, importance, and beauty of black history. Carter Woodson realized this and, his message, "Ye shall know the truth and the truth shall make you free," is as potent today as it was in his lifetime.

Mr. MAZZOLI. Mr. Speaker, I am proud to join my colleagues in the House in celebrating and commemorating February as Black History Month.

In 1926, Dr. Carter G. Woodson, known as the father of black history, established Negro History Week—in 1976 extended to a month—because he recognized the need for all to recognize the history and culture of black Americans.

Our Nation recently observed a national holiday in tribute to Dr. Martin Luther King, Jr. I was a proud sponsor of the congressional resolution which established his birthday as a national holiday.

It is fitting that a month be set aside to honor the significant achievements of black Americans, many of whom have lived in Louisville and Jefferson County, KY, the district I am honored to represent in Congress.

Today, I wish to honor one such Louisville native, John W. Shannon, currently Under Secretary of the Army.

John Shannon was born and reared in Louisville before leaving for Central State University in Wilberforce, OH, where he earned a bachelor of science degree. John received his master of science degree from Shippensburg State College in Pennsylvania, attended Catholic University for postgraduate studies, and is a graduate of the U.S. Army War College.

John entered the U.S. Army, and during his excellent career which led to his eventual promotion to full colonel, he held various positions of leadership earning respect from his peers.

His career included two tours in Vietnam as an advisor and an Infantry battalion commander. Secretary Shannon earned numerous awards while on active duty, including the Legion of Merit, the Bronze Star, and the Secretary of Defense Award for Outstanding Public Service, just to name a few.

Before serving as Under Secretary of the Army, John Shannon held the Assistant Secretary position for Installations and Logistics. He assisted in direct Army policy and activities of logistics, installation procedures, and preservation and restoration of the environment. He also managed the Army's Chemical Stockpile Disposal Program.

Last week in Louisville, I had the honor of attending a luncheon sponsored by the Intergovernmental Black History Committee at which John Shannon delivered the key remarks. It was then that I fully realized what an outstanding role model John is for many of black youths in Louisville.

I am proud to recognize Under Secretary John Shannon for his many contributions to Louisville, to America, and to the world.

I also extend best wishes and warmest regards to his wife, Jean, and their son, John, who is a lieutenant in the U.S. Army Reserve, who, when a young student, was an intern in my office.

Speaking for my constituents in Louisville and Jefferson County, John, we are all very proud of you.

Mr. COYNE. Mr. Speaker, I am pleased to join with my colleagues in commemorating Black History Month.

The idea of Black History Month originated with the great historian and educator Carter G. Woodson, who started Negro History Week in 1926. It has been an important tradition ever since. We observe it by reflecting on the African-American experience and recalling the accomplishments of black women and men in American history.

One of the greatest and most impressive of these individuals—indeed, one of the most remarkable Americans of this century—was a gentleman named A. Philip Randolph.

There is no monument to him in Washington. No Hollywood studio has made a feature-length movie about his life. As a matter of fact, many people of our generation probably have no idea who he was.

But this wise, kindly, shrewd man changed our country more than almost any of his contemporaries. We still live with his legacy. It seems to me that Black History Month is an appropriate time to recall who A. Philip Randolph was and what he did.

He was born in rural Florida in 1889, the son of an African Methodist minister.

As a boy, Randolph nearly witnessed the lynching of a black prisoner in the county jail. The lynching was forestalled only because Randolph's father called out his parishioners for an all-night vigil outside the jail. That vigil not only saved the life of the prisoner—it also taught the minister's son that if blacks were organized, they would have a chance to defend themselves.

Randolph evidently remembered that lesson some years later in New York City. In 1925, he was making ends meet as the editor of a black magazine called the Messenger when some Pullman car porters approached him. They had heard one of his speeches, and they asked him to help form a union. He said he would.

The project he was taking on must have seemed doomed from the start. After all, as historian Joseph Wilson later wrote, Randolph was setting out to organize the rank-and-file porters, those who made up the sleeping berths, shined the shoes, slept in the smoking cars, and catered to their passengers' whims.

On the other side was the billion-dollar Pullman Corp. which used company spies, stool pigeons, blackmail, bribery, physical intimidation, and mass firings to prevent unionization among its Afro-American workers.

But Randolph remembered his father's lesson. And somehow, against all odds, he and his colleagues won. After 12 long, difficult years, the Brotherhood of Sleeping Car Porters was finally recognized by the Pullman Corp. in 1937 as the bargaining agent for the porters.

As Randolph's protege Bayard Rustin pointed out, this was the first time in American history that a black union had won an agreement with a white company. It was certainly one of the most dramatic triumphs in the history of the American labor movement.

The Brotherhood of Sleeping Car Porters became the most influential black trade union in the country. In a few years, it had some 18,000 dues-paying members in more than 100 cities.

The union brought about huge improvements in the wages and working conditions of the porters. But its historic importance goes beyond that.

"Because of [Randolph's] broad social vision," Bayard Rustin wrote, "he understood that the new-found dignity and modest prosperity of the Pullman porters would never be secure in a society where the vast majority of black people still lived in poverty and fear." Randolph and his union committed themselves to civil rights at a time when the civil rights movement itself was little more than a distant dream.

Randolph's first great battle for civil rights came before Pearl Harbor. He had been pressing President Roosevelt to issue an Executive order that would end segregation in defense plants. Roosevelt was not too eager to desegregate, so Randolph planned a march on Washington in 1941 to push his demands.

The New York Times later noted that "the announcement horrified official Washington: the thought of thousands of blacks marching in what was still a southern city caused near panic."

The turning point came in a meeting between Randolph and Roosevelt. The President complained that if 100,000 blacks came to Washington, which was segregated, there would be no place for them to eat, to sleep, to go to the toilet. Randolph paused—then he

told the President that if he was really so concerned about where marchers would eat, sleep, and go to the toilet, he could simply issue an Executive order desegregating all public accommodations in Washington.

According to Rustin, Roosevelt's cigaretteholder nearly fell from his mouth. Six months before Pearl Harbor, FDR signed a fair employment practices order that called for an end to discrimination in defense plant jobs, and Randolph called off the march.

Randolph may have had a feeling of deja vu in 1948 when he pressed President Truman to desegregate the armed services. He met with Truman, testified before the Senate Armed Services Committee, and led a group of picketers at the Democratic National Convention. It took a few weeks for a reluctant Truman to issue Executive Order 9981 banning racial discrimination in the military.

Throughout the 1950's and 1960's, Randolph was the elder statesman of the civil rights movement. Martin Luther King, Jr., Roy Wilkins, and other major civil rights leaders all called Randolph "the Chief." Our former colleague Andrew Young once declared, "We could not have had a successful civil rights movement without Mr. Randolph." He was right.

Randolph's crowning achievement was the 1963 March on Washington. He spoke from decades of experience when he said, "We are not a pressure group; we are not an organization or a group of organizations; we are not a mob. We are the advance guard of a massive moral revolution for jobs and freedom. This revolution reverberates through the land, touching every village where black men are segregated, oppressed, and exploited."

A. Philip Randolph lived his last years in a modest union-owned apartment in New York City. A few days after he died in 1979, the tax examiner looked over his apartment. He concluded that except for a broken television set, which maybe could have been fixed, the value of Randolph's material possessions was about $500.

But he really left us a legacy far greater than that.

He understood early on that true racial equality must be economic as well as legal. He knew that many black women and men worked in deplorable, inhumane conditions, and that too many of them could barely get by.

When Randolph looked around him, he knew that one of the main vehicles for equality of black working people should be the trade union movement. That became a cornerstone of his strategy.

Fifty years ago, that may not have seemed very sensible. Many unions had no interest at all in accepting black members. So Randolph set out to desegregate the union movement. He nudged, cajoled, and argued for desegregating unions until the day finally came when blacks could feel at home in the labor movement.

Things gradually changed. During the 1960's, the labor movement was one of the strongest supporters of the civil rights movement. Today, more African-Americans belong to unions than to any other nonreligious organizations. A. Philip Randolph deserves a lot of credit for that.

Another part of his legacy is a spirit of universality. After he died, Rustin observed that "the Chief's commitments were boundless * * *. He was a true partisan, that is, a partisan for all humanity, regardless of race, religion or nationality."

In 1942, Randolph urged Rustin and others to defend the rights of Japanese-Americans in internment camps. Randolph himself helped start the first committee in America against apartheid. He was a strong supporter of Israel. He spoke out for independence movements in Asia and Africa, and he sent representatives to India, Ghana, Nigeria, Zambia, Kenya, and Tanzania.

He never faltered. "Even a few days before his death," said Rustin, "he emphasized to me the urgency of assisting the many refugees from Haiti who are reaching our shores in search of freedom."

A. Philip Randolph has been dead for 11 years now, but his legacy seems as vital and useful now as ever. One of the best ways we can celebrate Black History Month is by contributing in some way to the movement for justice and decency and equality that was his life's work.

Mr. ERDREICH. Mr. Speaker, a theme is established each year as a focal point during our Nation's observance of Black History Month when we honor the past achievements and review the current status of black Americans. This year, the 1990 theme for Black History Month is "The Father of Black History, Carter G. Woodson: A Living Legacy."

Dr. Woodson, a noted black historian, originated the idea to acknowledge the many outstanding contributions of black Americans. He chose February as the month for this special observance because it was the month in which two men, both who fought for equality in their own way, were born: Abraham Lincoln on February 12, and Frederick Douglass on February 14.

First established as Negro History Week in 1926, this observance evolved into Black History Week in the early 1970's, and was established as Black History Month in 1976.

Dr. Woodson envisioned a special time when the Nation's attention was focused on the important part that black Americans have played from our Nation's earliest history today; in fact, there is no facet of society that has not benefited from and enjoyed the contributions of and leadership from black Americans.

Their successes span across education, science, industry, music, literature, politics, sports, and the arts. They include people like Mary McLeod Bethune, noted educational leader who became the first black woman to receive a major appointment in the Federal Government; Jesse Owens, world-class athlete and U.S. Olympian; Shirley Chisholm, the first black woman elected to Congress; Dr. Charles Drew, who developed the first blood plasma bank; Dr. Daniel Hale Williams, who performed the first successful open-heart surgery; and Percy Lavon Julian, who was the first scientist to synthesize cortisone.

They include Sidney Poitier, first black to win an Academy Award for best actor; Dr. Ralph Bunche, U.N. Ambassador and first black to win the Nobel Peace Prize; Gwendolyn Brooks, first black to win a Pulitzer; Edward R. Brooke, the only black U.S. Senator since Reconstruction; Jan Metzeliger, inventor of the first automated shoemaking machine; and Colin Powell, first black to head the National Security Council, and now, first black Chairman of the Joint Chiefs of Staff.

Many do not know that the term "the real McCoy" refers to the numerous creations of black inventor Elijah McCoy, or that Garrett A. Morgan, who was black, invented the electric traffic signal and gas mask.

As we observe this year's Black History Month, let us commit ourselves to continuing to work for policies in this country that will enable us to perpetuate Dr. Woodson's living legacy, and create a climate that will present all citizens with the chance to share in the opportunities our Nation offers, and make contributions that will continue to benefit our Nation and all Americans.

Major Hollywood projects such as "A Soldier's Story" and "Glory" have brought some recognition to the black soldier. But these accounts of black military life only scratch the surface. To understanding the role that blacks have had in military history we must begin with this country's revolution.

Crispus Attucks and thousands of other slaves served this country during the Revolutionary War in exchange for their freedom. Crispus Attucks was the first man to fall in the Boston massacre of 1750.

According to President Lincoln it was the vast participation of the black soldier that ensured a Northern victory and the preservation of the Union.

Not many know that the 9th and 10th Cavalry, all black units led by Teddy Roosevelt, participated in the infamous charge up San Juan Hill.

During the First World War the 369th Infantry Regiment, known as Les Enfants Perdu, never lost a prisoner, a trench, or a foot of ground during 191 days under fire, longer than any other American unit.

We should recall Dorrie Miller, the heroic messman aboard the battleship *Arizona* at Pearl Harbor on December 7, 1941. Although Dorrie was denied training in weaponry because he was black, he was credited with shooting down four Japanese planes for which he was awarded the Navy Cross.

It is difficult to forget that at a time when African-Americans were waging a war for civil rights at home, the Vietnam war took thousands of young black GI's to Southeast Asia. Despite domestic problems, studies of draft and casualty lists indicate that African-Americans participated in the Vietnam war proportionately more than any other group.

However, Black History Month is not only a time for remembering, it is also a time for doing. Although they have served their country with honor, valor, and distinction, today's black veterans have not always received the benefits they deserve.

Policy is needed for agent orange compensation. VA hospitals and vet centers need more funding. Additionally, posttraumatic stress disorder treatment programs need to be established. And we must address the astonishing estimate that one of every three homeless people in America is a veteran.

So it is now that I would like to take this opportunity to urge my colleagues to really remember the black veteran.

Mr. GEPHARDT. Mr. Speaker, I rise to join the chorus of tribute for the many millions of African-Americans whose contributions to our Nation are remembered each year during Black History Month.

For the very special year of 1990, black history needs to be remembered and commemorated every month, both because of the many important anniversaries we remember and because of the many challenges we face.

Since 1990 is the 35th anniversary of that December morning when a seamstress in Montgomery named Rosa Parks refused to be denied a seat on a bus because of her color. And because Ms. Parks had the courage to sit down, millions more were inspired to stand up.

And 1990 is the 27th anniversary of that sad day when Nelson Mandela was imprisoned. But 1990 will be remembered in history as the year in which Mandela, and South Africa, began to stride toward freedom.

And 1990 is also the 25th anniversary of the Civil Rights Act of 1964. Then it was first major piece of civil rights legislation in a century, today it represents still one of this House's finest moments.

And, 1990 will be, I predict, the year in which the House and the Senate will pass the Civil Rights Act of 1990, to restore the rights that have been slowly eroded by a judiciary that is coming to be dominated by those who have the narrowest view of opportunity, dignity, and liberty. Fortunately, the Congress is entrusted by we the people to correct such mistakes. And correct them we will—with or without the support of the President.

The accomplishments we celebrate, the anniversaries we commemorate, are indeed extraordinary—especially for those of us who serve America in this House. I remember being moved when by the eloquent and elegant defense of the Constitution that was mounted by Barbara Jordan. Think of how far we have come—two centuries ago the Constitution indefensibly considered Ms. Jordan's ancestors to be three-fifths of a person. Today that Constitution, improved by amendments, is interpreted by an African-American on the Supreme Court.

As we celebrate Black History Month, I especially want to commend the outstanding work produced this year by Bruce A. Ragsdale and Joel D. Treese, under the direction of the Office of the Historian of the House, Dr. Raymond W. Smock, titled: "Black Americans in Congress, 1870–1989." This book, sponsored by the Commission on the Bicentenary of the U.S. House of Representatives, is an inspiration and an exemple of how far African-Americans have come. Their work celebrates the lives of 67 extraordinary men and women—including the first two African-American Missourians to serve in Congress, my friends and colleagues William Clay and Alan Wheat.

The promise of America has often been a promise unfulfilled for African-Americans. The dream, in the words of the poet Langston Hughes, has often been "a dream deferred." It has been through the efforts of courageous African-Americans that the cruel mendacity of denying the American dream to huge percentages of our population has been challenged—and overcome.

Lord knows we're not there yet. America still has miles to go. But in 1990 we are seeing that the promise of America is inspiring the hearts of millions the world over. It is doubly vital that in this year, with the eyes of the world upon us, we take steps to make the "dream deferred" a dream fulfilled. The lessons of the lives of millions of African-Americans whom we remembered this month teaches us that we can once again challenge ourselves to bridge the gap between America's promise and its performance.

Mr. FASCELL. Mr. Speaker, each February we honor noteworthy Americans during Black History Month. I rise today to pay tribute to the late Reverend Theodore Gibson. A long time Miami resident, Father Gibson has become a role model for people of all races to follow. During his years as a minister, community leader, and city commissioner, Father Gibson tirelessly fought racial discrimination and poverty in his neighborhood of Coconut Grove, FL. I had the privilege of knowing him for many years and I can attest to the fact that his efforts had a far-reaching impact on civil rights in Miami. His many accomplishments should be noted today so that Americans everywhere can follow in his footsteps and work for justice and social equality.

His civil rights work began in 1948 when he confronted residents of what was known as white town in Coconut Grove and complained about the poor living conditions his neighbors experienced every day. It was horribly unfair, Father Gibson argued, for people anywhere to live without basic necessities like indoor plumbing. He, thus, demanded that the dilapidated homes in his neighborhood be quickly improved. Because of Father Gibson's relentless work on this issue, the Miami City Commission passed an ordinance mandating that landlords install indoor plumbing in all their buildings. It was a first step taken by Father Gibson in his movement to improve living conditions throughout Miami.

After this significant victory, Father Gibson and a prominent member of Miami's white community, Elizabeth Virrick, founded the Slum Clearance Committee. Together, they pressured the Miami City Commission and many prominent property owners into cleaning up the ghetto into which the "black Grove" had evolved. Father Gibson was instrumental in obtaining necessary home improvements for many of his neighbors. In short, he felt he had a duty to ensure that all of his neighbors received whatever assistance they needed.

In 1956, a House committee in the Florida legislature searched for Communists in the NAACP. The committee demanded from Father Gibson, then the president of the Miami chapter of the NAACP, a list of his chapter's membership. Father Gibson refused the request. He knew that many members of the NAACP were schoolteachers who would probably be fired if it became known that they were members of the organization. Father Gibson, fighting for his principles, took his case to the Supreme Court and won. Justice William O. Douglas, writing the Court's majority opinion, hailed Reverend Gibson's actions and said, "If the NAACP can be ransacked because some Communists have joined, then all the walls of privacy have come down." In short, Father Gibson's life was more than a fight for racial equality; it was a fight to secure justice for all.

In 1957, Father Gibson filed suit locally to demand that his son be allowed to attend Coral Gables Jr. High School. The decision handed down in Gibson versus Board of Public Instruction was in Father Gibson's favor. While it ultimately did not have the national significance of Brown versus Board of Education, it was indeed very important in helping many of Miami's blacks gain entrance into Miami's white schools. As a result, black children received educational opportunities historically denied to them. This, as Father Gibson hoped, gave blacks the chance to enjoy an education they rightfully deserved.

Father Gibson remained active in city affairs and, in 1972, was elected to Miami's City Commission where he served with honor until his retirement in 1982. Later that year, Father Gibson died of cancer. His untimely death was a great loss to all of Miami's residents. However, his accomplishments have had a lasting effect on the city and, especially on his neighbors and friends in Coconut Grove. He strived to change the system by working within it to promote social justice and equality for all. Father Gibson's message of working together to solve racial inequality is as important for our Nation today as it was for Miami in the 1950's. We have much work left to do, but in remembering the work of Father Gibson, we see how far we have come.

Mr. MAVROULES. Mr. Speaker, as you know, February is Black History Month and it gives me great pleasure to pay tribute to those Americans who have traveled a tumultuous course through America's history. We, as a nation, have come a long way. However, not until the leaders of the civil rights movement compelled America to take a hard look at itself, did we begin to move toward a free and equal society.

Black history in the United States has thus witnessed two major turning points. The Civil War was of course the first pivotal change for blacks in America and the second major change was the civil rights era. As a result of the Civil Rights Act blacks have finally been given greater opportunity to fully participate and prosper. They have made tremendous strides in all facets of American society and the country as a whole has benefited.

Herbert S. Cables, Jr., to Deputy Director of the National Park Service is a fine example of the many contributions black Americans are making to American society. Mr. Cables has had 15 years experience as a National Park Service Administrator. During his tenure at the NPS he was the recipient of the coveted 1988 Federal Meritorious Executive Rank Award. Mr. Cables has been involved with various park and recreation positions at the Federal and city levels for more than 30 years and has served for 7 years as Regional Director of NPS operations in New England, New York, and New Jersey, a region that encompasses 40 national park areas as diverse as the Statue of Liberty, Acadia National Park, Cape Cod National Seashore, and Gateway National Recreation Area. Mr. James Ridenour, the Director of the National Park Service, stated

that Cables' experience "has given him invaluable understanding of the ways in which the National Park Service works and will be extremely helpful to me as I acclimate to the traditions and challenges of one of the most widely praised Government organizations in America."

As for his other achievements, Mr. Cables earned a bachelor's degree in recreation administration from the University of Bridgeport and a master's degree in business administration from New York University. He was an outstanding athlete in college and later went on to become the first black coach in the professional Eastern Basketball League.

Although there still remains many obstacles, blacks continue to make great headway and occupy a myriad of prominent positions within our society. People like Herbert S. Cables, Jr., continue to inspire us all by his commitment and dedication to the preservation of our national parks and cultural resources. He is also a role model for all Americans. His career and life is a testatment to the progress we are making as a society.

Mr. DE LUGO. Mr. Speaker, I am proud to join my distinguished colleague from Ohio and the members of the Congressional Black Caucus in this special order in honor of Black History Month. I want to commend Mr. STOKES for calling this special order and Mr. DELLUMS, the chairman of the Black Caucus, for his many years of bold leadership on issues of concern to black Americans and all minorities in the United States.

We in the U.S. Virgin Islands join enthusiastically in observing Black History Month. For us it is a major opportunity to celebrate the primary culture of our islands, where the vast majority of our people are black west Indians. We are proud of our distinctive heritage as west Indians and Americans. And we are determined to create for ourselves a distinctive future, which will build upon our unique position as a west Indian and American territory under the U.S. flag.

I want to take special note of two big events that relate to the celebration of the Virgin Islands' own history within the context of this observance of Black History Month.

First, just last week on the island of St. Thomas we dedicated two statues in Post Office Square in Charlotte Amalie, now known as Educators Park. Statues of three outstanding Virgin Islanders now grace that park, and these three individuals represent the best in community service, accomplishment, and courage that are so important to remember during Black History Month. The statues portray J. Antonio Jarvis, an outstanding educator and newspaper editor; Rothschild Francis, a courageous community leader who fought for the dignity of all Virgin Islanders after our islands were acquired by the United States in 1917; and Edith Williams, a dedicated teacher who also established the first school lunch program in our islands. These three Virgin Islands leaders are an inspiration for us as we build upon our history to create an even better future for our islands.

Second, it is good to note during Black History Month, that the U.S. Virgin Islands has been selected for a special exhibit during this summer's Smithsonian Festival of American Folklife on the Mall here in Washington. From June 27 to July 8, the local culture of the Virgin Islands—from folk stories and native recipes to music and Carnival troupes—will be on display on the Mall. Our history and our living culture will shine brightly during that festival and I hope many of my colleagues here in Congress will be able to see Virgin Islands culture for themselves, thanks to the Smithsonian exhibit.

Mr. Speaker, again, let me say the U.S. Virgin Islands is proud to share its unique history and culture as part of this celebration of Black History Month.

Mr. CARDIN. Mr. Speaker, I would like to highlight a special order today that puts black Americans in the spotlight. Black History Month has been celebrated since 1976 but its origin dates back to 1926 when Dr. Carter G. Woodson set aside a period in February to praise the contributions, achievements, and heritage of black Americans.

I rise on the important day to draw attention to a group of Americans that has survived slavery and segregation and has emerged as leaders who have paved the way for progress in our nation.

Because of Dr. Woodson's determined spirit and intellect, he landed himself a spot in the history books, and this year's Black History Month is dedicated to him. In 1915, he founded a national movement for the study, preservation, interpretation, and dissemination of black history that surpassed earlier efforts.

His accomplishments began accumulating after he founded the Journal of Negro History in 1916 and served as its editor for 34 years. In 1926, he launched Negro History Week, a public education program that reached virtually thousands in the span of a generation.

Dr. Woodson has helped bring the black tradition to the forefront of the nation. It is now our turn to pay tribute to black Americans' unyielding effort to share their talents with the rest of the Nation.

I honor the black Americans in the Third Congressional District of Maryland for their accomplishments throughout history. I hope that you, my colleagues, will join me in this acknowledgment.

Mr. RAY. Mr. Speaker, I rise today to observe Black History Month. I recently cohosted my Third Annual Black History Observances in Columbus, GA, with Dr. Henry Cook, Mr. Sal Siaz-Verson, and Mr. Brad Turner, and in Fort Valley, GA, with Mr. Claybon Edwards and Rev. Julius Simmons. These annual events are to commemorate Black History Month and are dedicated to the recognition of individuals, organizations, and communities for a better America. These meetings pay sincere tribute to those individuals and institutions who have contributed their efforts and dedicated their existence to the improvement of America.

Joining me at these breakfasts were the Honorable MIKE ESPY, Under Secretary of the Army, John Shannon, and Dr. Eunice Thomas with the U.S. Department of Health and Human Services.

Both program sites were filled to overflowing with local citizens who were interested in observing Black History Month. They were treated to three excellent speakers who touched upon the need to continue the struggle for equal rights for all citizens. Proceeds from the breakfasts went to the House of Mercy in Columbus, a loving home for less fortunate people which was founded by Mrs. Ocie Harris in 1976, and to the Cleveland W. Pettigrew Endowment Fund of Fort Valley State College in Fort Valley, a fund which assists Fort Valley State College students and faculty.

Mr. Speaker, Black History Month allows us to set aside a time in the daily life of America to focus upon the significant accomplishments that blacks have achieved in this country's history. However, history is a living and growing thing and changes that are taking place today will have deep historical significance in the future.

In the past year, we have seen Colin Powell become the first black Chairman of the Joint Chiefs of Staff, Art Shell become the first black professional football coach in the modern era, and Douglas Wilder, of Virginia, become the first black Governor. These are important changes, not just for these particular people, who richly deserve these positions, but also significant to all other Americans.

As more and more blacks and other minorities attain such distinguished positions, the more commonplace and accepted such occurrences will become. As these people are given a chance to participate and excel in their various jobs, racism and prejudice will soon fade into the darkness of forgotten jealousy and deserted pettiness.

Mr. Speaker, I want to thank Congressman LOUIS STOKES for his reserving this special order time to observe Black History Month and for allowing me to participate.

Mrs. BOXER. Mr. Speaker, I want first to extend my thanks and appreciation to Congressman LOUIS STOKES today for arranging this special time in which Members of Congress can rise and speak on black history. It is important that we reflect on the history of our people, their contribution and sacrifice, in living the ideals that we too often take for granted.

In recent months, we have had an unprecedented experience in hearing from leaders from Eastern Europe who have come here to relate to us in moving terms how they have lived the ideals set forth by the founders of our Nation. Most recently, President Vaclav Havel, of Czechoslovakia, reminded us of the way that responsibility serves as the underpinning for any progress in human rights. As he said: "* * * the only genuine backbone of all our actions, if they are to be moral, is responsibility. Responsibility to something higher than my family, my country, my company, my success—responsibility to the order of being where all our actions are indelibly recorded and where and only where they will be properly judged."

Mr. Speaker, we have heard here today, and will hear more as this special order proceeds, of the giants in black history who have fulfilled that commitment to responsibility. Their devotion to the higher order of human rights deserves the thanks of a nation. There are many of those giants serving with us in this House here today. Who here cannot hold but the deepest respect for the powerful words of a RON DELLUMS or the courage of a John Lewis? There is a rich pantheon of black

leaders in many fields who should be remembered for their contributions to this Nation.

But Mr. Speaker, I rise here today not to speak on the black Americans who have won fame in the national spotlight for their works. Today, I want to offer praise for those leaders who have struggled and sacrificed in their own communities for black progress. For it is these local leaders who stand on the frontlines of human rights in every community across our great Nation and who are writing the latest chapters in black history.

I would like to talk about a few individuals from my own region in the San Francisco Bay Area who are making history.

The career of crusading newspaper publisher Carlton Goodlett offers a stunning example of how one man can make a difference for his community. A leading publisher of black newspapers, Goodlett has worked more than half a century in the civil rights struggle and has become an international figure in the cause of world peace.

For 44 years, Goodlett has published the Sun Reporter in San Francisco, building that paper into a publishing chain that reaches from coast to coast with a combined circulation of 500,000. Although few could agree with every stance that the Sun Reporter has taken over those years, no one could doubt that Goodlett has not lived up to the paper's motto: "Dedicated to the cause of the people—that no good cause shall lack a champion and that evil shall not thrive unopposed."

Goodlett, who in 1938 became the first black to gain a psychology doctorate at the University of California, has said that "I was trained to cure human illness, but I found that I spent most of my life trying to cure the social pathology known as racism." As a crusading black weekly, the Sun Reporter encountered many of the social problems that were confronting the black population moving into the bay area to work in its many shipyards.

An early campaign was to combat job discrimination. Goodlett participated in the lawsuit that forced the boilermakers union to end its policy of enrolling black workers into a segregated auxiliary. His paper was firebombed over his antigambling crusade and he faced the loss of advertisers for his anticrime campaign.

He has, in the words of one labor ally, "steel in his bones."

An untiring advocate of nuclear disarmament and world peace, Goodlett, in 1963, succeeded Dr. W.E.B. du Bois and Paul Robeson as a member of the World Peace Council Presidium. Goodlett's Sun Reporter was among the first black newspapers to oppose the Vietnam war. He also helped persuade Dr. Martin Luther King to unite the civil rights crusade in America with the peace movement.

In 1966, Goodlett was the second black in nearly 100 years to run for Governor in the United States. Although unsuccessful, Goodlett continued to promote other blacks to elective office. Terry Francois, who Goodlett helped become the first black person to sit on the San Francisco Board of Supervisors, has said of him: "* * * that there's no one who's made a greater impact on the welfare or the fate of the black community since World War II * * *."

Goodlett has certainly not been alone in his efforts to bring human dignity and opportunity to his community.

The Reverend Cecil Williams, pastor of San Francisco's Glide Memorial United Methodist Church, has developed a crusade to fight the crack epidemic in his community. Glide's "Fact on Crack" attack began in 1988 and is now acknowledged as among the leading programs in the country to confront crack cocaine addicting and to find solutions for people struggling to end their dependence on the drug.

Following the 1989 Loma Prieta earthquake, Rev. Williams led his Glide Church to help more than 1,500 homeless in downtown San Francisco. Glide served over 60,000 meals, placed dozens of people in temporary housing and provided human services for hundreds, ranging from new clothing to basic personal hygiene needs in the week following the earthquake.

Over the years, LeRoy King, regional director of the International Longshoremen's and Warehousemen's Union and the late ILWU vice president Bill Cheater, helped build a progressive labor-church-community coalition. This coalition proved a powerful force in the public life of the bay area. King helped the ILWU put together a model of urban racial integration in 1960 known as the St. Francis Square, a middle-income housing cooperative.

The sense of community help is perhaps best exemplified by Enola Maxwell. A community volunteer since coming to San Francisco on July 4, 1948, Ms. Maxwell joined the freedom riders in the 1960's to march for equal rights with the Reverend Martin Luther King in the South. She brought the spirit of the movement back to San Francisco where she founded the Potrero Hill Neighborhood House in 1970. As its executive director, she has fostered an extraordinary multipurpose community program that offers wide-ranging youth and elderly programs, recreation, juvenile diversion programs, substance abuse help, basic education, summer lunch programs, a social development program for the disabled, and even a theater ensemble.

As her son Ronald Hatter, a neighborhood house volunteer, describes her work, "from the civil rights struggle you come back and learn the community needs are here."

Mr. Speaker, these are just a few of the many black leaders who have contributed to their community. They—and the thousands of others across the United States—should also be honored during this special month. Black history, we must remember, is being written every day. As events in recent months have shown, the United States remains the beacon of hope for human rights worldwide. But we must not let this glow mask the work that must still be done here at home to make equal opportunity, equal rights, and economic freedom a reality in America.

Mr. VISCLOSKY, Mr. Speaker, I would first like to commend Congressman STOKES for organizing this special order to mark the observance of Black History Month.

With the release of Nelson Mandela earlier this month, it is particularly fitting that Congress has designated this February as Black History Month.

Mr. Mandela, who through 27 years of imprisonment, remained steadfast and unwilling to compromise his beliefs in order to loosen the ties of apartheid that have bound South Africans for so long, is symbolic of countless African-Americans who have suffered soley due to the color of their skin and who have heroically struggled to bring about necessary changes in our society.

Many have fought, bled and died so that African-Americans could be recognized as first class citizens with equal rights. Many whose names will never be known, and some whose names will never be forgotten.

I stand here today to pay tribute to those unsung heroes who have helped to lay the groundwork for our great country. It is because of these quiet warriors that prominent leaders of the past such as Carter G. Woodson, Dr. Martin Luther King Jr., Frederick Douglass, W.E.B. Dubois, Malcolm X, Dr. Benjamin E. Mays, Mary McLeod Bethune, Paul Robeson and Adam Clayton Powell, Jr., were able to pave the road for African-Americans leaders of today.

We must never forget that these leaders are the fruits of years of labor. More importantly, we must remember the branches, stems and roots of the civil rights movement that held these fruits in place so that they could blossom and become ripe in their own time.

We must remember roots like William Whipper who was one of the earliest advocates of the nonviolent movement, Ida B. Wells, who in 1898 went to President McKinley for help because of the abhorrent lynchings of African-Americans, Sojourner Truth who was one of the leading anti-slavery speakers in the 1800's, George T. Downing, who was a leader in working for equal rights for black troops during the Civil War and Harriet Tubman, who risked her life time-and-time again to carry slaves through the underground railroad to freedom.

Yes, these are a few, but there are more. We must never forget those roots that took their lives into their hands when they stood tall against the Ku Klux Klan and the burning crosses in order to exercise their rights to vote, to sit at lunch counters, drink from water fountains, use public facilities and to sit in the front of the bus. We must keep in mind the roots that were willing to die in the Civil War for a country that would never claim them as her own. We must keep in mind those roots that held fast to faith and inner strength when every hour seemed darker than the one before. These are the roots of African-Americanism that must never be forgotten.

Lastly, we must be mindful of roots like Oscar Micheaux, a novelist and filmmaker who was determined to present the truth and view the African-American heart at close range, whose branches brought forth the fruits of writers like Langston Hughes, Margaret Walker, James Baldwin, and directors like, Robert Townsend, Lorraine Hansberry and Spike Lee.

We must be mindful of roots like Alexander T. Augusta, a physician, soldier and professor who brought forth the fruits of Charles Drew, Patrick Healy, Ernest E. Just, Dr. Percy Julian,

Dr. Olive O. Callendar and Dr. Roland B. Scott.

We must be mindful of the roots of Jefferson Franklin Long, our former colleague of Georgia who was the first African-American Member to speak on the floor of the House of Representatives. Because of his voice, the fruits of his branches stretched forth to bear Edward Brooke, the first and only African-American U.S. Senator, Julian bond, who was nominated for Vice-President in 1968, Shirley Chisholm, our former colleague, who was the first African-American woman in the U.S. House of Representatives, Richard Hatcher, who was elected the first African-American mayor of Gary, IN, and Douglas Wilder, the first African-American elected as Governor of Virginia.

Because so many lives were lost in the struggle for equality, we must be mindful that the struggle is not over. It is not over when we are losing our leaders through racial mail bombings; it is not over when we are losing our future leaders to drugs; it is not over when African-American college enrollment is slipping rapidly. There is so much more that has to be done. Black History Month reminds me of this and the words of Vernon E. Jordan Jr., when he said: "Civil Rights don't take place in a vacuum. They are meaningful only in the real world where people have to survive to work, to raise their families, to instill in their children hope for the future and the skills to function in society where a broad back and a desire to work are no longer enough."

Mrs. PATTERSON. Mr. Speaker, in honor of Black History Month, I would like to pay tribute to a dynamic woman whose life-long work enhanced the quality of life for all Americans.

Mary McCleod Bethune—educator, political adviser, community leader, and mother—was born in 1875 and raised in my home State of South Carolina in the town of Mayesville. Emerging from a home that emphasized the necessity of living by high standards, Ms. Bethune learned early the importance of setting goals and including others in her active quest to fulfill them.

With the collective well-being of African-Americans in mind and in heart, Ms. Bethune focused primarily on education as the means by which to challenge the social, intellectual, political, and economic conditions of the day. The choice to concentrate her efforts in the education field resulted from a childhood incident, in which a white playmate took a book away from her—explaining that the book was not for her since black people could not read. At that point, for her, education, particularly reading, became the symbol of racial differences and the key to dismantling these differences.

The list of her accomplishments appears endless, as they spanned nearly 60 of her 80 years.

After continuing her education in North Carolina and Chicago, Ms. Bethune married and started a family. She then taught for a number of years before founding Bethune-Cookman College in Daytona Beach, FL. In the earlier part of this century, she was vice-president of the National Urban League and president of the National Association of Colored Women. Ms. Bethune also served as an advisor on African-American education for five presidents, including Calvin Coolidge, Herbert Hoover, and Franklin D. Roosevelt.

In 1936, she became the director of the Division of Minority Affairs under Roosevelt's National Youth Administration. In this capacity, Ms. Bethune examined several projects that were established during the depression to meet the needs of the country's youth and worked to have some of the NYA funds allocated to various African-American institutions, including Bethune-Cookman College. A special advisor to President Roosevelt, Ms. Bethune held a coveted position as one of the few African-Americans who had personal access to the President.

Her position as a prominent and effective leader in the black community, however, took her beyond the responsibilities of a political figure. Mobilized by the need to address the community's spiritual concerns, for example, Ms. Bethune's work often included religious programs. The frequent confrontations with societal discrimination in schools, prisons and hospitals compelled Ms. Bethune to organize mission schools, a hospital in Daytona Beach, and fund-raising activities to support these endeavors—all of which required her personal and constant participation.

Ms. Bethune's immense contributions to progressive history in the United States are to be highly commended and appreciated. In memory of her devotion and determination, Ms. Bethune's work should be remembered as one of the most significant influences on this Nation's responsibility to cultivate the ideals expressed in freedom and equality.

It is with great pleasure that I stand here before you today to commemorate this outstanding individual, whose commitment to excellence continues to inspire us as we celebrate Black History Month.

Mr. PICKETT. Mr. Speaker, it is my great pleasure to participate in this celebration of Black History Month, which, for the past decade and a half, has greatly enriched our appreciation of the many contributions black Americans have made to our country.

Dr. Carter C. Woodson, the focus of this year's commemoration, was a pioneer in documenting the accomplishments of black Americans. As a historian best known for establishing Negro History Week, the precursor to Black History Month, Dr. Woodson, helped initiate the study of achievements which previously went unrecognized.

I am pleased that Dr. Woodson's legacy lives on in our schools and throughout our country. No more should our youngsters receive an education that limits the definition of famous Americans by race.

Without Black History Month, many Americans would probably never learn about the lives of so many individuals whose impact is still felt today. They would probably never know of the important medical contributions of Percy Lavon, the first scientist to synthesize cortisone, or Daniel Hale Williams, who performed the first open heart surgery in 1893. Without this month, the courage of explorers such as Christopher Columbus' captain on the *Nina* and Matthew Henson, who reached the North Pole before Robert Peary, would also go unnoticed. Many Americans would never know about World War II heroes like Dorrie Miller and other black Americans who have served this Nation courageously from Lexington and Concord to Vietnam. They might never read the poetry of Langston Hughes or the novels of James Baldwin. Indeed without this month, our history books would be much thinner and less compelling.

Black History Month also serves to help those who never heard Martin Luther King's empowering words to be moved by them for years to come. More recent leaders, such as Justice Thurgood Marshall and the current Governor of my State of Virginia, Douglas Wilder, are also honored with the celebration of this month. It is only through studying these individuals that Americans will feel the pride we should in the contributions of black Americans. It is only through praising these individuals that our children will have the role models they need to perpetuate the accomplishment of their predecessors.

It was in 1916 that Dr. Woodson established his scholarly journal detailing the contributions of black Americans. I hope all citizens take the time to honor those who overcome great obstacles to their own personal success to help build a Nation that now cherishes those sacrifices and the rich results they produced.

Mr. Speaker, I would like to thank the gentleman from Ohio for taking out this special order today in celebration of Black History Month.

Mr. CLEMENT. Mr. Speaker, I am pleased to join my colleagues in commemorating Black History Month and I would especially like to take this opportunity to pay tribute to three black universities in my hometown, Nashville, TN.

During Black History Month, we pause to reflect on the achievements of black Americans. Lessons learned by examining history can provide the groundwork for growth, progress and for avoiding a reputation of mistakes society made in the past.

I am very proud to note that many of the prominent black Americans who made significant contributions to our Nation's history and who participated in the struggle, for equal opportunity were natives of Nashville.

Throughout the struggle equality and civil rights, black educational institutions and churches provided a backdrop for communicating ideas and nurturing social and ideological beliefs. The three black universities in Nashville have historically served as forums for the development of ideas and social change. Equally important, they are contributions to Nashville, the State of Tennessee and the world.

I want to take this opportunity to salute Fisk University, MeHarry Medical College and Tennessee State University by briefly summarizing their histories and their unique roles with the black community.

FISK UNIVERSITY

Fisk University began as Fisk Free School, one of four schools founded for freedmen during the Union Army occupation of Nashville. In October 1865, the American Missionary Association, the Western Freedman's Aid Commission and the U.S. Bureau of Refugees, Freedmen and Abandoned Lands decided to open a school to help answer the educational needs of freed slaves.

In December 1865, Gen. Clinton Bowen Fisk, head of the Kentucky-Tennessee Freedmen's Bureau, secured housing for the school in several old Union Army Hospital buildings between Church Street and what is now Charlotte Avenue.

On January 9, 1866, the school's founders, John Ogden and Erastus Cravath and Gov. William G. Brownlow, addressed the dedication ceremonies. The school taught basic elementary and grammar school subjects.

Following the Civil War, and with the reopening of the Nashville public schools in the fall of 1867, the need for basic education was less pressing. The institution was chartered as Fisk University on August 22, 1867.

Now chartered as a university, Fisk needed new quarters. In 1871, the surplus Union Army Fort Gillem was purchased. A student choir, organized in 1867 under the leadership of Prof. George L. White, began touring the Nation in order to raise funds for new buildings. This group, called the Fisk Jubilee Singers, raised over $50,000 for the construction of historic Jubilee Hall.

By the 1890's, Fisk's curriculum had expanded to include liberal arts, theology, teacher training, and a secondary school. Simultaneously the campus continued to expand.

At the turn of the century, with the arrival of a second generation of freed blacks, the school began to undergo even greater changes in curriculum and teaching methods. As time passed and the institution grew, demands were made for more blacks on the Fisk faculty and in the administration. In 1947 Charles S. Johnson became the first black to head the university.

Amid the civil rights movement during the 1960's, and facing diminishing financial support from white donors, Fisk was forced to dip into its $15 million endowment.

Since the 1960's the school has continued to work to increase its financial base.

Under the capable hand of Dr. Henry Ponder, Fisk University is providing educational opportunities to the students it serves.

MEHARRY MEDICAL COLLEGE

Meharry Medical College originated in 1876 as the medical division of Central Tennessee College, an institution established by the Freedmen's Aid Society of the Methodist Episcopal Church.

The founder and first president of Meharry Medical College was Dr. George Whipple Hubbard, a former Union soldier who received his medical degree from the University of Nashville. He was born in New Hampshire in 1841. While still in school, Hubbard began the work of building Meharry, serving as sole instructor, religious advisor and superintendent of the teaching hospital.

Meharry's dental and pharmaceutical departments were organized in 1886 and 1889, respectively. There was only one member in the first graduating class in 1890. In 1910 the School of Nursing of Mercy Hospital was transferred to Meharry.

Meharry Medical College was granted a charter separate from Central Tennessee College, which has changed its name to Walden University, on October 13, 1915.

On February 1, 1921, Dr. John J. Mullowney, a 1908 graduate of the University of Pennsylvania and a former faculty member of Girard College in Philadelphia, became the second president of Meharry. Under his leadership, admission requirements were rigorously administered, the number of faculty members increased, research and hospital facilities were expanded, the bed capacity was increased to 100, outpatient clinics were reorganized according to specialty and a hospital superintendent was employed.

With contributions from the general education board and the Rockefeller, Rosenwald, Eastman, and Carnegie Foundations, together with assistance from the city of Nashville and Meharry alumni, the college moved from south Nashville to its present location in north Nashville adjacent to Fisk University. In 1923, when there were still many class B medical schools, Meharry was awarded an A rating.

In 1938 the distinguished internist and scholar, Dr. Edward J. Turner, assumed the post of president. Dr. Turner modified the curriculum of the medical school, insisting on a more scientific approach and stressing the importance of proper clinical procedures. During this time, Meharry began to experience financial difficulties which it confronted throughout the 1940's.

In 1952 Dr. Harold D. West was named the first black president of the school. Under Dr. West's guidance, the school initiated fiscal expansion and started a $20 million fund drive. Land adjacent to the campus was purchased and a new wing was added to the hospital.

In the early 1960's, the School of Nursing and Division of Dental Technology were terminated and significant improvements were made to the curriculum and the facilities in the schools of medicine and dentistry.

In 1968 Dr. Lloyd Elam was appointed president. Meharry then established a graduate school offering a Ph.D degree in basic sciences and a school of allied health professions in conjunction with Tennessee State and Fisk Universities. New buildings for the school of medicine and dentistry and a new hospital building were constructed in the 1970's.

Led by its current president, Dr. David Satcher, Meharry Medical College continues to provide not only quality medical educations to future health professionals, but provides critically needed medical services to the community.

TENNESSEE STATE UNIVERSITY

Tennessee State University, as it exists today, is the result of the July 1, 1979, merger of the former Tennessee State University and the University of Tennessee at Nashville. TSU developed from a normal school for Negroes to its current university status.

The origins of the school date to 1909, when the Tennessee General Assembly created the Agricultural and Industrial State Normal School, along with two other normal schools.

In 1922 the institution was elevated to the status of a 4-year teacher's college which was empowered to grant bachelor's degrees. The first degrees were granted in June 1924. During the same year, the institution became known as the Agricultural and Industrial Normal College. In 1927 the word normal was dropped from the school's name.

The general assembly of 1941 authorized the State board of education to substantially upgrade the college's educational program to include establishment of graduate studies leading to the master's degree. Graduate curricula was first offered in several branches of teacher education. The first master's degree was awarded by the college in June 1944.

Accreditation of the institution by the Southern Association of Colleges and Schools was first obtained in 1946.

In August 1951, the institution was granted university status by approval of the State board of education. The reorganization of the institution's educational program included the establishment of the graduate school, the school of arts and sciences, the school of education and the school of engineering.

Provisions were also made for the addition of other schools in agriculture, business and home economics.

The university was elevated to a full-fledged land grant university by the State board of education in August 1958. The Land Grant University Program, approved by the State board of education, included the School of Agriculture and Home Economics, the Graduate School, the division of business, the division of extension and continuing education and the department of aerospace studies.

A school of allied health professions was authorized in 1974, from which a school of nursing was created in 1979. The school of business was also established in 1974.

What initially began in 1947 as an extension center of the University of Tennessee based in Knoxville, the University of Tennessee, Nashville, offered only 1 year of extension credit until 1960. In 1960 the board of trustees of the University of Tennessee approved 2 years of extension credit at the university in Nashville. Authorization was granted in 1963 to extend the credit to 3 years.

To more fully realize its commitment as a full function evening university, the University of Tennessee at Nashville became a full fledged 4-year degree granting institution in 1971 after successfully completing necessary requirements for accreditation by the Southern Association of Colleges and Schools. During the same year, the general assembly sanctioned the institution as a bona fide campus of the University of Tennessee, and the new university occupied its quarters in a building at 10th and Charlotte Avenues in Nashville.

Following erection of the building at 10th and Charlotte, a decade-long litigation to dismantle the dual system of higher education in Tennessee ensued, culminating with a court order issued by Judge Frank Gray in February 1977, which ordered the merger of the two schools.

Today, TSU is led by President Otis Floyd, and like the other two black universities in Nashville, TSU has developed a national reputation for quality in education.

Most importantly, the three black universities in Nashville continue to provide forums for creativity, the development of ideas and a climate for educational and social progress. Fisk, Meharry and TSU also serve as partners in the economic and social development of our city and region.

During Black History Month, I want to recognize Nashville's three black universities and salute everyone associated with the institu-

tions since their creation. Despite facing many difficult obstacles throughout the years, Fisk University, Meharry Medical College and Tennessee State University have grown into strong educational institutions.

I believe that when America's history is reviewed a century from now, many of the people who will have played prominent roles in the events which shaped our country will be graduates of Nashville's three black universities.

I also want to reemphasize my strong commitment to Fisk, Meharry and TSU and pledge my full support, cooperation and effort in the continued growth and vitality of these institutions.

Mr. RAHALL. Mr. Speaker, I want to thank my colleague, the distinguished gentleman from Ohio, for reserving this time to celebrate Black History Month.

Today, we pay tribute to black Americans who have made significant contributions to America and its history. I am pleased to bring to my colleagues' attention the contributions of the distinguished educator, Booker T. Washington.

Mr. Washington was born on a plantation in Franklin County, VA and moved with his family to Malden, WV after the Emancipation Proclamation. His mother, determined to see that her children were educated, obtained a copy of Webster's "Blue-back Spelling Book," and Mr. Washington mastered the alphabet during a time when there were few blacks able to read.

Mr. Washington continued his studies, while working in a coal mine and salt furnace during the day. One day he overheard a conversation between two miners who were discussing a school that was known for educating blacks. He enrolled in Hampton Institute in 1872 and graduated with honors in 1875. He returned to teach school in Malden, WV, for a short while before leaving to further his education. Mr. Washington became known for his oratorical skills and was in great demand as a public speaker throughout the country. His desire to leave an impact when he spoke, resulted in one of his most famous phrases, "In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress".

Booker T. Washington established the well known Tuskegee Institute in Tuskegee, AL and his philosophy was to ensure that blacks learned that through hard work, proper social graces, and economic progress, they would be ready to face the many challenges of life. Tuskegee Institute will always stand as a legacy to this great black American. Mr. Speaker, in my own Fourth District of West Virginia, I have a black historical college which espouses these virtues, Bluefield State College, in Bluefield, WV. In closing, let us remember those black Americans whose contributions to our country and world are too numerous to recount here. As we look around the world and rejoice in the progress that is being made in South Africa, by the recent release of Nelson Mandela and the destruction of the Berlin Wall, let America not regress, but continue to fight for equal rights, liberty, and justice for all. We are all children of God.

Mr. DYSON. Mr. Speaker, Black History Month is a special event that provides all Americans with the opportunity to reflect on the impressive contributions of black Americans to the success of our Nation. Indeed, Americans are proud of such historical figures as Frederick Douglas, George Washington Carver, Harriet Beecher Stowe, and of such contemporary leaders as Carter Woodson, Martin Luther King Jr., Thurgood Marshall, and Rosa Parks. These men and women and many others not mentioned deserve the highest praise for their gifts to American scholarship, literature, technological innovation, and civil liberties, which are admired, if not envied, the world over. Through their example of courage and determination, often displayed in the face of adversity, these men and women continue to provide the hope that is essential for younger generations, who strive for similar achievements.

Mr. Speaker, in order to highlight the wide range of black American contributions, I would like to bring to your attention two native Marylanders, Harriet Tubman and Benjamin Banneker. Harriet was born in Maryland's Dorchester County in the early 1820's. Harriet fled to the North to escape slavery and helped 300 slaves, including her parents, to flee through the "Underground Railroad." By touring the North to decry slavery, Harriet defied those people offering an unbelievable $40,000 reward for her capture. She demanded not only the abolition of slavery, but also a redefinition of women's rights.

During the Civil War, she served as a nurse, spy, and scout for the Union forces. Well acquainted with the countryside from her days as a conductor on the "Underground Railroad," she was considered especially valuable as a scout. During the last years of her life, she opened her home in Auburn, MA, to the aged and needy. She died in 1913, leaving her home to posterity as a monument to her character and will.

Benjamin Banneker, born a free black in Baltimore County in 1731, was a self-taught man of science and an almanac maker, who helped to draw the plans for the District of Columbia. By profession, he was a tobacco planter. His amateur interest in astronomy led him to make projections for solar and lunar eclipses and to compute tables of the locations of celestial bodies. Abolition societies in Maryland and Pennsylvania were instrumental in the publication of almanacs of his findings. At the age of 30, Benjamin constructed a striking wooden clock without having seen a clock before that time, although he had examined a pocket watch.

Benjamin did not forget his brethren in chains. He wrote to Thomas Jefferson, then Secretary of State, with a letter rebuking Jefferson for his proslavery views and urging the abolition of slavery. Described by some writers as the first American black man of science, Benjamin was an extremely competent mathematician and amateur astronomer.

Nearly one century later, Abraham Lincoln continued the call for freedom in his Emancipation Proclamation, stating:

That on the 1st day of January, A.D. 1863, all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free * * *."

The desegregation movement of the 1950's and the civil rights movement of the 1960's yielded victories as awe-inspiring as the Emancipation Proclamation of the great Lincoln himself. Because so many of the black people we honor were and are activists for greater civil liberties, Black History Month offers the valuable opportunity to reaffirm our commitment to principles that result in free minds and free spirits. We must reaffirm our commitment to protect civil liberties in our own country, even as we pray for Nelson Mandela, Bishop Tutu, and the milions of black South Africans who are working for a peaceful transition to greater democracy in their country. In order for America to lead by example, we must ensure that all American men and women are treated equally by our laws.

Mr. Speaker, it is an honor for me to recognize the achievements of black Americans, not the least of which is their persistence in fighting for a commitment to civil liberties that benefits, not only present and future generations of Americans, but the world community as well.

Mr. HALL of Ohio. Mr. Speaker, I am proud to join my colleagues in commemorating February as Black History Month. In 1926, Dr. Carter G. Woodson had an idea to celebrate the forgotten, ignored, and overlooked achievements of a race of people. Beginning as Negro History Week, Dr. Woodson's creation was designated by Congress in 1976 as a month-long observance intended for all Americans to learn of and appreciate the accomplishments of African-Americans.

"The Father of Black History" in the United States began life as a son of former slaves. From these humble beginnings, Dr. Woodson started on a journey in search of education, both for himself and for others. Whether studying in this Nation at the University of Chicago or at Harvard University, or abroad in Europe and Asia, he distinguished himself as a student of history.

Woodson knew that black people in America had been conditioned to believe that they, as a race, were inferior to whites. He understood that, although the physical chains of slavery had been removed, the psychological chains of bondage were still intact. To correct this condition, Woodson began a lifelong mission to achieve a new and more positive kind of thinking among his people. Conducting comprehensive research, this remarkable scholar published numerous books and journals to reeducate those who were the victims of a miseducation.

To achieve his goal of reeducation for the masses, Woodson founded the Association for the Study of Negro Life and History in 1915. The following year, he inaugurated the "Journal of Negro History" and served as its director and editor. Through this publication, as well as through such books as "The Mis-Education of the Negro," Woodson established himself as the foremost historian of African-American history.

Though Woodson died in 1950, he left behind a great collection of works that reflect his never-ending effort to spread knowledge. After his death, his legacies of teaching self-education and the need for a positive self-

esteem continued. As the activities of the civil rights movement of the sixties grew, so did the emphasis on cultural pride and awareness. The movement's two most prominent leaders, Dr. Martin Luther King, Jr. and Malcolm X, shared Woodson's belief that "if a race has no recorded history, its achievements will be forgotten and finally claimed by other groups." Because of this view, both men led passionate crusades to achieve black self-awareness through reeducation.

Common acts of overt discrimination and racial violence that once scarred this Nation have gradually vanished, although such ugly instances do, at times, resurface. The recent mail bomb murders of a Federal judge and a civil rights attorney are just two examples of the racial hatred that remains alive today. Also, we should not forget that, for a variety of reasons, a significant number of African-Americans currently have very little opportunity to realize that fabled American dream.

Though America remains far from Dr. King's dream of racial harmony, the remarkable strides toward full justice and equality for all citizens can be observed across the country. As we near the 21st century, we can see noticeable changes in the American population. During the past year, great achievements have been made in the city halls and State capitals of this Nation. In Virginia, the cradle of the Confederacy, the grandson of a slave, Douglas Wilder, has risen to be the first elected African-American Governor. In Mississippi, the heart of the Deep South, there are now more African-American elected officials than in any other State in the Union. In New York City, Mayor David Dinkins is also breaking new political ground. In fact, in cities as diverse as Cleveland, Seattle, Detroit, and Los Angeles, African-American mayors have broken down racial barriers.

Also, during our commemoration of black achievements, let us also celebrate this month's release of South Africa's Nelson Mandela. Mr. Mandela's continuing resistance to an unjust system of apartheid is an example of undying determination. He shares a common bond with African-Americans, in his persistent struggle for complete equality and justice.

The innumerable contributions that African-Americans have made to this Nation can never be fully recorded. Brought to our shores to be the burden-bearers of a beginning country, they have endured through adverse and hostile conditions to achieve success. In politics, academics, medicine, science, the arts, sports, and entertainment, they have reached great heights. During this deserved celebration of a people's heritage and culture, let us never forget to continue striving to make both the American dream and Dr. King's dream realities for all.

Mr. KENNEDY. Mr. Speaker, for over 14 years February has been observed and celebrated as Black History Month. During this time many black Americans have been recognized for their outstanding accomplishments and contributions to the history of our Nation. The tribute to these famous black historians continues today as we highlight a wide range of contributions that black Americans have made to our society.

Many black Americans have touched our lives with their beliefs and actions. One of the most prominent of those who helped to change the course of American history was Dr. Carter Woodson. Dr. Woodson's life was a fascinating story in itself. He was an outstanding educator, a detailed writer, and a leading black historian. Dr. Woodson has made vast contributions to the recording of black history and is recognized by many as the "Father of Negro History."

The son of former slaves, Dr. Woodson was unable to attend school until the age of 20. He was self-instructed and received his high school diploma in less than 2 years. After high school Dr. Woodson went on to the University of Chicago, Harvard, and the Sorbonne where he learned to speak French and Spanish fluently. Dr. Woodson was always ambitious for more education. He had a deep passion to learn and to pass on what he had learned to others. His hunger to teach eventually brought him back to the high school he had graduated from just 4 years earlier. He went on to serve as dean of the School of Liberal Arts of Howard University and as dean of the West Virginia Collegiate Institute. Dr. Woodson had a strong desire to be the very best that he could be and because of his great personal and educational achievements he serves as an inspiring example to us all.

Today, with our children falling dreadfully behind in their education, and with so many distinguished role models to whom they may aspire, we must all do our best to inform them about the great men and women who played an important role in making American history. If we do this, we will provide them with great examples to follow and with even greater reasons to lead. Our children are witnesses to the rapid and dramatic changes that are occurring in the world today; freedom, justice, democracy and peace are taking hold around the globe. And all of it before their very eyes.

Yet sadly, too many of our children are poorly educated, and woefully ignorant of black history. It is our responsibility to make sure that each and every one of them become educated. Our children need to know that just as the people of Eastern European countries are struggling today to bring about the freedom and justice that had been missing from their lives for so long, black Americans are still struggling to achieve the same goals here in our country.

Rosa Parks spoke recently about her role in the civil rights movement. A modest person, she said that her role in history was small, but that it has the potential of being great if the children of America learn of the values and beliefs that she so firmly believed, embraced, and supported. "If they learn and understand why I did what I did, then someday maybe they will make a difference too."

Dr. Woodson served as a prominent black role model for many in the early 1900's. He believed that if the history of his people was not recorded in some way, then his people's achievements would be forgotten and eventually claimed by other groups. He would never let this happen and thanks to him, we will never forget. In our time we have come to recognize many famous people, Dr. Martin Luther King, Jr., Linda Brown, Marion Anderson, Jackie Robinson, to name just a few, as being firsts for their times. Dr. King was the first person to rally over 200,000 people together to appeal for racial equality. Linda Brown's case, Brown versus the Board of Education of Topeka, became the first suit against a board of education that challenged segregation as being unequal and unconstitutional. Marion Anderson was another great first. She was the first black singer to perform at the Lincoln Memorial in front of more than 75,000 people. The first black player in modern major league baseball is a title that belongs to Jackie Robinson.

The key to all of this is that we have learned from these famous people and our lives have been changed by these people. They have educated us with their desires for freedom, justice, democracy, and peace.

Mr. FALEOMAVAEGA. Mr. Speaker, let me also commend the gentleman from Ohio who has convened this special time to honor this special group of Americans who have risen against great odds, and have made many significant contributions to our great country. I might add, a country which in its own unique way created the special atmosphere which allows the underdog to rise up like the proverbial phoenix from the ashes of despair, and challenge those outmoded institutions which would denegrate the rights of any person based on race.

History is probably the most subjective of social sciences, always seen through the eyes of he who prepares the chronicle, unfortunately sometimes these observers are not noted for their objectivity, making events appear according to their interpretation.

Before the mid-20th century very little balance existed in the chronicle of American society. It is therefore appropriate that Black History Month be dedicated to Carter G. Woodson who richly deserves the title of "Father of Black History", his work as historian, educator, editor, and author makes him a pioneer in the field of black history and interpretation of the black image. This broadened interpretation and improved self-image has resulted in the rise of events and personalities among black leaders in America.

With the establishment in 1916 of the "Journal of Negro History", and Negro History Week in 1926, which later became Black History Month, Carter G. Woodson set in motion activities and events which have changed the shape of not only black history, but of American history as well.

On August 28, 1963, Dr. Martin Luther King gave his most passionate address most known as "I had a Dream". I believe that Carter G. Woodson also had a dream, and that his was not so different from that of Dr. King. Carter Woodson would have been proud to see many of the changes in the late 20 century with many firsts for black Americans moving into leadership roles at all levels of our society. In politics, the great State of Virginia elected Douglas Wilder as the first black Governor; Gen. Colin Powell, is Chairman of the Joint Chiefs of Staff. There is no question that black Americans have made it to the top in the highest fields of endeavor and professionalism in American society today.

I believe an important consideration is that these individuals have not reached these high

positions because of racial considerations. No, it is because they have competed in the open arena and won with the support of all in their communities and spheres of influence. Fairness and merit is all that is needed to enhance our democratic principles, which is what America is all about.

As we enter that last decade of the 20-century we can look back and see that much has been accomplished, even the last and most adament adversary toward racial equality has started to succomb. With the release of Nelson Mandela and a commitment to sit down and discuss the problems of apartheid and their resolution in partnership with the black leadership, the leaders of the last bastion of separatism and racial tension has begun to yield.

What greater tribute to Carter G. Goodson than to close the 20-century with terms related to race and color being outmoded and replaced by "people."

Mr. Speaker I submit this is how we measure the greatness of this wonderful country of ours. Justice and fairness is colorblind, and truly the struggles, tribulations, and hardships experienced by our Black American community over the years—is something we ought never forget. We have attempted to correct many wrongs of the past, and I pay special tribute to our black community throughout the United States for bringing about constructive and meaningful changes for the benefit of all citizens—for all races, all nationalities, all creeds, and all denominations.

Mr. Speaker, I salute Black History Month and my highest commendation to all black leaders throughout America for their faithful services and untiring beliefs in providing for a more fair and just society.

Ms. KAPTUR. Mr. Speaker, in recognition of Black History Month, I would like to introduce a man that made history in Ohio's Ninth Congressional District. It is an honor to pay tribute to an outstanding young man of 91 years of age. He is a man for all seasons. James B. Simmons, Jr., is a man whose intelligence, composure, and dignity positively influenced all those, whose lives he has touched. His lifelong devotion to his wife Isabelle marks him as a man of love and valor. J.B. grew up in Georgia in the early part of this century. His entire life demonstrates a commitment to people, to human development, and service to his community. J.B. Simmons began his career beating the odds in pre-civil-rights days when Martin Luther King, Jr., and Jesse Jackson were too young to have national influence. He achieved two positions in Toledo that had never been held before by blacks. The values of commitment and service were instilled in him at a young age and guided his life thereafter.

J.B., as his friends call him, began his learning process with his father who taught him carpentry. His educational attainment in the post-World War I years set a pace for others to follow. He attended Booker T. Washington Tuskegee Institute, graduating in 1921 with a degree in printing. He accepted a job at an African Methodist Episcopal Church college in Florida, but a Lincoln University professor encourage him to attend that university. The educators found a scholarship for him to help him afford the costs. During the summers, he worked as pullman porter to supplement the scholarship. He obtained a pre-law degree from Lincoln University in 1925. Later, he received Lincoln's alumni award as a distinguished graduate. These were important accomplishments for a black man who once dared to dream of a life as a painter or a school teacher. In 1935 he moved to Toledo. His desire was to do advanced study in law school but he was hindered by lack of financial resources. However, he persevered and was able to attend night school at the University of Toledo's law program. He graduated with law degree in 1945. In 1950, his zeal for education was recognized by former Ohio Gov. Frank J. Lausche, who appointed him to the board of trustees for the College of Education and Industrial Arts at Wilberforce University.

In 1945, after 9 years as a resident of Toledo, he began serving the Toledo community. J.B. decided to pursue a seat on Toledo City Council. With $2,100 that was raised for the effort from businesses and local unions, he achieved a ninth place finish. It earned him a place in the history books of the 20th century. He holds the distinction of being the first black in the history of our community to be elected to that body. J.B.'s victory drew national attention. However, J.B. was very modest about his role in the victory, "* * * it wasn't J.B. Simmons that won. It was a crusade, a crusade that involved the whole community. Maybe I motivated people. That was all." From his first days on council, Mr. Simmons made it clear that he would use his seat to continue the struggle for racial equality. The next election in 1947 brought much more favorable results; he finished fourth. Still better, in 1949, Mr. Simmons finished third. You can't help but know J.B. and come to respect him more and more.

Mr. Simmons also worked for the community by being an active member in many service-oriented organizations such as Ohio Welfare Council, Federal Housing and Rent Control Board, Selective Service Advisory Board, the Planning Committee for the YMCA's town meeting and Grand Master of the Free and Accepted Masons. J.B. involved himself in order to promote change in his community. Looking back, J.B. states, "I may not live to see all the changes that need to take place, but I guess I've seen a few." Mr. Simmons is held in the highest regard throughout our community.

In 1959, he achieved the distinguished position of vice mayor, again a first-time achievement for a black in our community. At his victory rally he stated, "Sometimes they will understand me, sometimes they won't agree with me, and sometimes they will wish they had not elected me, but I promise not to forget that I represent the people." And Mr. Simmons kept his word. He spent 7 terms, 14 years serving the people of Toledo. It was during this period, that I remember my own father paying him the highest compliment my father could pay any person, "J.B. Simmons is an honest man."

J.B. was also a key figure in civil rights activities throughout his life. He was instrumental in integrating plants in Toledo and opening new avenues for blacks by breaking down barriers to black employment in stores, hospitals, factories, and public transportation. He was a forefather of the Mass Movement League, which brought blacks together for the purpose of pursuing civil rights. The league employed direct action with picket lines, mass rallies, and confrontation to force cab companies to hire blacks as drivers, convince local hospitals to allow blacks to become nurse's aides and nurse trainees, and persuade the telephone companies to hire blacks as telephone operators. An early protest in November 1942 targeted unfair practices at a local organization. The picket line drew 50 police officers and resulted in an injury to a pregnant woman who was picketing. The league produced a leaflet asking, "How long will black men stand by and see their pregnant women beat up with the nightsticks of these police officers?" Later, 1,500 people gathered at the Frederick Douglass Community Center to hear Mr. Simmons call for justice. Looking back J.B. stated, "That was where we really started to move. People saw the need for a mass movement and they started joining." The league was also influential in making sure that blacks obtained jobs utilizing machinery instead of being floor sweepers at organizations like Champion Spark Plug Co. and Willys-Overland. J.B. states today, "I don't like to say I accomplished things, but I think I helped create an atmosphere where blacks had more opportunities in the city. I showed people that blacks could serve the community." J.B. was also a member of the NAACP and a patron of Eastern Star, a women's group similar to the Masons. As Mamie Williams, the first black deputy registar for this area stated, "Everyone looked up to him as a father; he has been a leader of blacks for the last half century."

After 1962, he devoted his time to being an attorney. Even then, he continued to help black people by getting many of the city's most prominent black lawyers get started. Among the lawyers he mentored was his son, J.B. Simmons III.

Mr. Speaker, I am honored to be able to recognize James B. Simmons today. He has moved this country forward by his vision, strength, and determination to move history, beginning here in our own city. He has done this always with such aplomb and good will, I do not believe there is a single person who does not hold him in the highest esteem. His life honestly made a difference in Toledo, in Ohio, and in our Nation. It gives me great pleasure to share with my colleagues in the U.S. House of Representatives a glimpse at the life of my dear friend J.B. Simmons, Jr., for whom I hold the deepest respect and admiration. May he and his wife be blessed always for what they have done for others. J.B. has lived the words that were stated by Robert Kennedy in 1969, "Some men see things as they are and say why? I dream of things that never were and say why not?"

Ms. PELOSI. Mr. Speaker, I thank my distinguished colleague from Ohio, Mr. STOKES, for calling this special order on Black History Month. It is especially fitting that this year's theme is "The Father of Black History, Carter G. Woodson: A Living Legacy" as we witnessed in 1989 the removal of long established racial barriers with the elections of David Dinkins, Norman Rice, and L. Douglas

Wilder; and 1990 has already proven to be a watershed in black history throughout the world with the release of Nelson Mandela. I am proud to take part in this special order to celebrate the significant contributions of African-Americans to our society.

The work of Carter Woodson has enabled all of us as a nation to study the history of African-Americans. His work has opened new frontiers for scholars. Mr. Woodson's publications have been used as the standard text in the study of black history in this country. His life was dedicated to chronicling the achievements of the African-American community with the belief that if a race has no recorded history then its achievements will be forgotten.

As an accomplished historian, Carter Woodson recognized the need to celebrate the achievements and contributions of blacks worldwide. Most of the resources on black history available today can be traced back to Carter Woodson. His work serves as an inspiration to all of us.

I believe that Mr. Woodson's work serves a significant function in our society. It is critically important to educate our children to the 300 years of struggle of African-Americans. Black History Month and the work of Carter Woodson help us to focus on the past, present, and future of the fight for social justice in our society. We must recognize that the struggle is still far from being over. Yet this year we should be encouraged by the progress we have made. Not long ago freedom for Nelson Mandela seemed unlikely and an end to apartheid appeared impossible.

I am proud to represent an area where we enjoy an abundance of creativity and innovation within our African-American community. With the help of the Glide Memorial Church, St. Paul of the Shipwreck, the Third Baptist Church, the Washington Senators, and the Omega Boys Club, we will find solutions to the crises in education and drugs. I am encouraged by the work of these groups within our community and I commend them for their creativity and achievements.

I look forward to continuing my involvement as an associate member of the Black Caucus to ensure job opportunities, affordable housing, health care, and drug treatment and rehabilitation services for all Americans. Again I would like to thank the gentleman from Ohio for calling this important special order. Thank you.

Mr. DIXON. Mr. Speaker, well over a half-century ago, historian Carter G. Woodson posited that a people whose history and achievements go unrecorded "becomes a negligible factor in the thought of the world and stands the danger of being exterminated." Motivated by his own foreboding, Carter G. Woodson set out to document the experience of black women and men in Africa and the "New World," and to record the tremendous contributions of African-Americans to the Nation in which they toiled for three centuries as slaves.

Woodson's scholarship brought new integrity to the study of black history and culture and earned him the title, "Father of Black History." Woodson believed that "the achievements of the Negro properly set forth will crown him as a factor in early human progress and a maker of modern civilization." Africans, he wrote, "produced in ancient times a civilization [which] influenced the [Mediterranean] cultures * * * and taught the modern world trial by jury, music by stringed instruments, the domestication of sheep, goat, and cow and the use of iron by which science and invention have remade the universe. Must we let this generation continue ignorant of these eloquent facts?" Sadly, generations do, still, continue ignorant of these eloquent facts, despite the efforts of Dr. Woodson and his proteges.

Subsequent research has revealed volumes more about the centrality of black Africa in the spawning of modern civilization and about the central role of African-Americans in building, literally and figuratively, this great Nation. Yet, mournful are the voices which attest, in swelling choruses, to a dearth of positive black role models for today's African-American youth. I believe that there is, in fact, a wealth of positive African-American role models whose examples beg exposure and emulation.

I rise today to recognize a number of African-Americans from the Los Angeles area who have made noteworthy contributions to the advancement of their respective professions and from whose pioneering work the African-American community derives significant benefit.

Leroy Weekes, M.D., is a prominent Los Angeles obstetrician with an established record of community service and leadership in the medical profession which spans over 40 years. He continues to practice in my district at the Julian Ross Medical Center, which Dr. Weekes named for his mentor at Howard University Medical School where he trained. Throughout his career, Dr. Weekes has been active in community affairs. Dr. Weekes initiated efforts to establish a Martin Luther King, Jr. Medical Center to serve residents of the South-Central Los Angeles area.

L. Julian Haywood, M.D., is professor of medicine and director of the Coronary Care Unit at LAC/USC Medical Center. He is vice president, cofounder and former president of the Sickle Cell Disease Research Foundation and former president of the American Heart Association's Los Angeles affiliate. Dr. Haywood has published scores of articles in numerous scientific journals and serves on several medical review boards. He has conducted pioneering research in the areas of hypertension, sickle cell disease, and computer applications in cardiology, and has been committed to addressing the medical and health care needs of the African-American and disadvantaged communities.

My esteemed colleague and friend, U.S. Congressman AUGUSTUS "GUS" HAWKINS, whose district includes Watts, South Central Los Angeles and Huntington Park, will retire this year from over a half century in elected office. Representative HAWKINS served for 28 years in the California Assembly before being elected the first African American Representative from a Western State in 1962. In 28 years in Congress, GUS HAWKINS has compiled a distinguished record at the national level as a staunch advocate of the poor, minorities, and the disadvantaged, and he is responsible for important legislation in the areas of civil rights, employment, and education. He is responsible for the creation of the Equal Employment Opportunity Commission [EEOC] under title VII of the 1964 Civil Rights Act and is currently chairman of the House Committee on Education and Labor.

Rev. James Lawson has contributed to the human community as a spiritual leader, civil rights activist, and peacemaker. As president of the United Methodist Youth Fellowship, Reverend Lawson spent over a year in Federal prison as a conscientious objector. As a close associate of Rev. Martin Luther King, Jr., Lawson trained freedom riders and became one of the preeminient voices for nonviolent direct action. Today Reverend Lawson focuses his energies on the problems of the urban poor in Los Angeles, as president of the Southern Christian Leadership Conference/Greater Los Angeles and vice president of the SCLC national board. Additionally, he is pastor of Holman United Methodist Church and president of the Peace with Justice Leadership Conference, a coalition of 60 denominational and religious groups.

Herbert L. Carter is executive vice chancellor of California State University and the first black chairman of the board of the United Way of Greater Los Angeles. Carter earned his doctorate in education administration, and is responsible for guiding, coordinating, and integrating policy formulation and program planning for the entire California State University system. A longtime volunteer, Mr. Carter has held numerous positions with the United Way and is responsible for the creation of the United Way's Black Partnership Development Council.

For 20 years, Willie West has taught classes and coached the basketball team at Crenshaw High School. During that time, Crenshaw has maintained a virtual stranglehold on Los Angeles city's top high school basketball honors, garnering an incredible 11 city championships and 4 State championships. The Cougars have amassed a total of 433 victories against 48 losses overall for an amazing winning percentage of 90 percent against all opponents—giving West one of the highest winning percentages among high school basketball coaches in the Nation.

Astronaut Ron McNair was one of four African-Americans participating in the American space program at the time of his death. McNair was a trained physicist and a mission specialist on the ill-fated 1986 space shuttle *Challenger* mission. A graduate of North Carolina State A&T University, McNair received his Ph.D. in philosophy and physics from MIT. McNair was an enthusiastic individual whose love of science and discovery was an inspiration to the African-American youth whose interest he encouraged in the sciences.

Dr. Mae Jemison is the first black woman accepted to participate in NASA's Astronaut Corps Training Program. A graduate of Stanford University and Cornell University School of Medicine, Jemison worked as a Peace Corp medical officer in Sierra Leone and Liberia before applying to NASA in 1986. Dr. Jemison now awaits her opportunity to become America's first black woman in space, as a mission specialist on an upcoming space shuttle mission.

Beyond Los Angeles, African-Americans can take pride in the steady rise in the number of black officials elected and appointed to high office. Speaker of the California As-

sembly Hon. Willie Brown, majority whip of the U.S. House of Representatives, Hon. BILL GRAY, Virginia Governor Douglas Wilder, New York City Mayor David Dinkins, Commander in Chief of the Joint Chiefs of Staff General Colin Powell, and Secretary of Health Dr. Louis Sullivan have all attained positions of leadership never before occupied by blacks.

Clearly, the recent ascension of African-Americans to key posts in government and the professions has not and will not, by itself, eradicate the range of problems plaguing the African-American community. Nevertheless, it is important that African-American youth take note of the despite-the-odds accomplishments of the black men and women I have mentioned. Each one of them has overcome imposing obstacles to reach their respective position, and all have given generously to the African-American community that is their common base. Thus, it is in the spirit of Carter G. Woodson, and with the hope that the black youth of today will be inspired to heighten their own aspirations, that I recognize these contemporary African-American role models whose lives comprise a significant part of the ever-expanding body of eloquent African-American historical facts.

Mr. COSTELLO. Mr. Speaker, I would like to thank the gentleman from Ohio for taking out this special order today on the contributions that black Americans have made to our Nation's history.

The year 1989 was an important year for black public officials and their contributions to society. We saw recent history made with the election of Douglas Wilder of Virginia as the first black elected Governor in America, and through the election of New York City's first black mayor, David Dinkins.

Late in the year, Gen. Colin Powell, the first black chairman of the U.S. Joint Chiefs of Staff, directed the military invasion of Panama, liberating that country from the oppressive rule of Gen. Manuel Noriega.

The year 1989, was also a year that tragedy struck one of my colleagues and a leader in Congress, when Congressman Mickey Leland was killed in a plane crash on a visit to a refugee camp in Ethiopia. Mickey Leland's efforts to end hunger in America and Africa have left us all a goal to achieve and a legacy to live up to. Mickey's successor, Congressman Craig Washington, has promised to continue those goals and I know that I and other Members will be working with him toward those efforts.

The theme this year for Black History Month is "The Father of Black History, Carter G. Woodson: A Living Legacy." Today we celebrate the contributions of Carter Woodson and his introspectives of black life and black history in America.

It is my hope that as this country enters the last decade of the 20th century, we will witness a greater understanding of black history and black culture and the important role black Americans have played in the formulation of this Nation.

I want to express my appreciation to the members of the Congressional Black Caucus and thank them for allowing me to enter my comments into the record on the occasion of this historic special order.

Mr. TANNER. Mr. Speaker, it is a pleasure to participate in this special order today to commemorate Black History Month. It is appropriate that we take the time each year to focus on the achievements of black Americans throughout our history. The observance of Black History Month offers us all an opportunity to gain a better understanding and appreciation for the contributions black Americans have made, and are making, to our society.

Like all of our colleagues, I take great pride in the many attractions of my congressional district that make it unique to the other 434 congressional districts in this great Nation. Of special significance today is the town of Henning, TN, the birthplace of author Alex Haley and the home of the Alex Haley Museum.

The reason I feel that is significant on this occasion is that the list of contributions of black Americans to American society is not complete without those of Mr. Haley. His literary works have focused on the heritage of black Americans and the terrible obstacles they had to overcome to achieve the hopes and dreams all Americans yearn for. Indeed, his legendary book "Roots" itself is a significant contribution to our society.

Not only did that book chronicle the Haley family, it provided black Americans a source of pride in their African heritage.

Moreover, it vividly sensitized white Americans to the cruely of slavery, the tragedy of freedom denied, and the hardships faced by black Americans.

While each of these accomplishments are noteworthy in and of themselves, there is another that was significant as well. It is the great interest that "Roots" generated in many Americans in their own heritage. It renewed for many the desire to bring families back together for reunions and renewal of familial bonds so important to any society, but of even greater value in this Nation of immigrants.

So, as we commemorate Black History Month, I think it is important that we look now only at the past, but at the present achievements of those thousands of living black Americans who toil diligently every day making contributions, large and small, that enhance the lives of all of us and the generations that are to follow.

GENERAL LEAVE

Mr. STOKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the special order just completed.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order:

Conference report on H.R. 2742, by the yeas and nays; and

House Concurrent Resolution 87, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second electronic vote.

CONFERENCE REPORT ON H.R. 2742, LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1990

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the conference report on the bill, H.R. 2742.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana [Mr. WILLIAMS] that the House suspend the rules and agree to the conference report on the bill, H.R. 2742, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 401, nays 4, not voting 26, as follows:

[Roll No. 16]

YEAS—401

Ackerman	Campbell (CO)	Edwards (OK)
Akaka	Cardin	Emerson
Alexander	Carper	Engel
Anderson	Carr	English
Andrews	Chandler	Erdreich
Annunzio	Chapman	Espy
Anthony	Clarke	Evans
Applegate	Clay	Fascell
Archer	Clement	Fawell
Aspin	Clinger	Fazio
Atkins	Coble	Feighan
AuCoin	Coleman (MO)	Fields
Baker	Coleman (TX)	Fish
Ballenger	Combest	Flake
Barnard	Condit	Flippo
Barton	Conte	Foglietta
Bateman	Conyers	Ford (MI)
Bates	Cooper	Frank
Beilenson	Coughlin	Frenzel
Bennett	Courter	Gallegly
Bentley	Coyne	Gallo
Bereuter	Craig	Gaydos
Berman	Crockett	Gejdenson
Bevill	Dannemeyer	Gekas
Bilbray	Darden	Gephardt
Bilirakis	Davis	Geren
Bliley	de la Garza	Gibbons
Boehlert	DeFazio	Gillmor
Boggs	DeLay	Gilman
Bonior	Dellums	Gingrich
Borski	Derrick	Glickman
Bosco	DeWine	Gonzalez
Boucher	Dickinson	Goodling
Boxer	Dicks	Gordon
Brennan	Dingell	Goss
Brooks	Dixon	Gradison
Broomfield	Donnelly	Grandy
Browder	Dorgan (ND)	Grant
Brown (CA)	Dornan (CA)	Gray
Brown (CO)	Douglas	Green
Bruce	Downey	Guarini
Bryant	Dreier	Gunderson
Buechner	Duncan	Hall (OH)
Bunning	Dwyer	Hall (TX)
Burton	Dymally	Hamilton
Bustamante	Dyson	Hammerschmidt
Byron	Early	Hancock
Callahan	Eckart	Hansen
Campbell (CA)	Edwards (CA)	Harris

Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hoagland
Hochbrueckner
Holloway
Hopkins
Horton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lancaster
Lantos
Laughlin
Leach (IA)
Leath (TX)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken, Thomas
Lukens, Donald
Machtley
Madigan
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Moakley
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Parris
Pashayan
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Sangmeister
Savage
Sawyer
Saxton
Scheuer
Schiff
Schneider
Schroeder
Schuette
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (VT)
Smith, Denny (OR)
Smith, Robert (NH)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stark
Stearns
Stenholm
Stokes
Sundquist
Swift
Synar
Tallon
Tanner
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Thomas (WY)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Walsh
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NAYS—4

Armey
Bartlett
Crane
Stump

NOT VOTING—26

Collins
Costello
Cox
Durbin
Ford (TN)
Frost
Hastert
Houghton
Hyde
Lagomarsino
Lehman (CA)
Levine (CA)
Lewis (FL)
Lowery (CA)
Manton
Miller (WA)
Morrison (CT)
Roth
Sarpalius
Schaefer
Schulze
Smith, Robert (OR)
Studds
Tauke
Washington
Yates

□ 1605

Mr. ARMEY and Mr. BARTLETT changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

PERSONAL EXPLANATION

Mr. MORRISON of Connecticut. Mr. Speaker, I was unavoidably detained in Connecticut this afternoon and missed two votes.

Had I been here, I would have voted "aye" on rollcall 16, approving the conference report on H.R. 2742, the library services and construction amendments.

I would also have voted "aye" on rollcall 17, passage of House Concurrent Resolution 87, which condemns persecution of Baha'is in Iran.

EXPLANATION OF MISSED VOTES

Mr. TAUKE. Mr. Speaker, because of meetings in the Senate with Senator GRASSLEY and the Iowa League of Postmasters and representatives from the North Iowa Community College, I missed rollcall votes 16 and 17 on H.R. 2742 and House Concurrent Resolution 87, respectively. While both passed overwhelmingly, I want to make clear that had I been present I would have voted in favor of both. My record on H.R. 2742 is clear. I supported it when it was before the House Education and Labor Committee, on which I serve, and when it was first before the House last September.

CONCERNING IRANIAN PERSECUTION OF THE BAHA'IS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution (H. Con. Res. 87).

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DYMALLY] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 87) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 27, as follows:

[Roll No. 17]

YEAS—404

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Billey
Boehlert
Boggs
Bonior
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Broomfield
Browder
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Combest
Condit
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Douglas
Downey
Dreier
Duncan
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Foglietta
Ford (MI)
Frank
Frenzel
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Grant
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hoagland
Hochbrueckner
Holloway
Hopkins
Horton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lancaster
Lantos
Laughlin
Leach (IA)
Leath (TX)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken, Thomas
Lukens, Donald
Machtley
Madigan
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Moakley
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (WA)
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nelson
Nielson

Nowak	Rowland (CT)	Stenholm
Oakar	Rowland (GA)	Stokes
Oberstar	Roybal	Stump
Obey	Russo	Sundquist
Olin	Sabo	Swift
Ortiz	Saiki	Synar
Owens (NY)	Sangmeister	Tallon
Owens (UT)	Savage	Tanner
Oxley	Sawyer	Tauzin
Packard	Saxton	Taylor
Pallone	Scheuer	Thomas (CA)
Panetta	Schiff	Thomas (GA)
Parker	Schneider	Thomas (WY)
Parris	Schroeder	Torres
Pashayan	Schuette	Torricelli
Patterson	Schumer	Towns
Paxon	Sensenbrenner	Traficant
Payne (NJ)	Sharp	Traxler
Payne (VA)	Shaw	Udall
Pease	Shays	Unsoeld
Pelosi	Shumway	Upton
Penny	Shuster	Valentine
Perkins	Sikorski	Vander Jagt
Petri	Sisisky	Vento
Pickett	Skaggs	Visclosky
Pickle	Skeen	Volkmer
Porter	Skelton	Vucanovich
Poshard	Slattery	Walgren
Price	Slaughter (NY)	Walker
Pursell	Slaughter (VA)	Walsh
Quillen	Smith (FL)	Watkins
Rahall	Smith (IA)	Waxman
Rangel	Smith (NE)	Weber
Ravenel	Smith (NJ)	Weiss
Ray	Smith (TX)	Weldon
Regula	Smith (VT)	Wheat
Rhodes	Smith, Denny (OR)	Whittaker
Richardson	Smith, Robert (NH)	Whitten
Ridge	Snowe	Williams
Rinaldo	Solarz	Wilson
Ritter	Solomon	Wise
Roberts	Spence	Wolf
Robinson	Spratt	Wolpe
Roe	Staggers	Wyden
Rogers	Stallings	Wylie
Rohrabacher	Stangeland	Yatron
Ros-Lehtinen	Stark	Young (AK)
Rose	Stearns	Young (FL)
Rostenkowski		
Roukema		

NAYS—0

NOT VOTING—27

Collins	Lehman (CA)	Schaefer
Costello	Levine (CA)	Schulze
Cox	Lewis (FL)	Smith, Robert (OR)
Durbin	Lowery (CA)	Studds
Ford (TN)	Manton	Tauke
Frost	Miller (WA)	Washington
Hastert	Morrison (CT)	Yates
Houghton	Mrazek	
Hyde	Roth	
Lagomarsino	Sarpalius	

□ 1614

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LEWIS of Florida. Mr. Speaker, due to district commitments, I was forced to miss three recorded votes this week.

Had I been in Washington, I would have voted "aye" on rollcall 16, the conference report on H.R. 2742, the Library Services and Construction Act amendments. I would have also voted "aye" on rollcall 17, House Concurrent Resolution 87, concerning Iranian persecution of the Baha'is.

Mr. Speaker, I take great pride in my voting record which was over 99 percent last year. I do not take my voting responsibilities lightly, however, this situation was simply unavoidable.

MORE THAN MEETS THE EYE IN CLEAN AIR DEBATE

The SPEAKER pro tempore (Mr. HAYES of Louisiana). Under a previous order of the House, the gentleman from Illinois [Mr. POSHARD] is recognized for 5 minutes.

Mr. POSHARD. Mr. Speaker, I am taking this time today and in future afternoons and evenings to ask for your attention to a very serious matter.

As we all know, revisions to the Clean Air Act are on their way. For my district in southern Illinois the impact could be devastating if we don't make some changes.

So over the course of the next few weeks and months, I am going to take the time to tell you a little about what we think could be done, and the consequences if we do not.

Southern Illinois is coal mining country. Presidential tickets of both parties have come to our mines to learn about the industry and the men and women who work there.

I would like to take this opportunity to issue an open invitation to anyone in this body who wants to know more about coal mining, the people who depend on it for their survival, and the issues involved in this clean air debate, to come to southern Illinois for a first hand look. We will do that at your convenience.

One thing you will learn is the coal there is high quality but also in some instances high in sulphur content. That is what makes it a target of this legislation.

One Member who has taken the opportunity to find out more about the relationship between coal and clean air is my friend, Congressman ESTEBAN TORRES. He brought the Small Business Subcommittee on Labor and the Environment to southern Illinois for a hearing on the impact of acid rain legislation on small businesses and the coal mines.

Here is the text of that hearing. It answers some of the questions you may have about what stake southern Illinois and the Midwest has in this debate, and why we are so committed to making modifications to any legislation that would throw our people out of work.

Let me encourage you to pick up a copy, or ask me for one, and just read some of the testimony.

Just as a foreword, let me take a few revelations from this hearing for your consideration.

Here is what Congressman TORRES said:

As we look at the Clean Air Act or the clean air bill, we must understand the adverse affect on small businesses and the coal industry so we can minimize the economic disruptions. And those are: layoffs, plant closings, mine closings, dislocations of people. And it causes great economic misery to communities.

The United States Congress is a place and an opportunity for all views and voices to be heard through hearings very much like this one.

Let me thank Congressman TORRES for his commitment to this dialoge.

That is what southern Illinois wants. A chance to make its case, and I am going to bring it to you as best as I can in the upcoming debate.

What will I be talking about?

You will hear from the United Mine Workers, who predict 19,000 jobs lost, directly and indirectly, if the President's bill passes without any changes. And the Illinois Coal Association, which predicts real disaster for the coal industry in my State. Even before the bill is really considered, the bad news is rolling in. Old Ben Coal No. 21 closes, 337 left jobless. Two family members of my staff are affected by that. Everyone in southern Illinois feels the effect.

You will hear from utility companies like Central Illinois Public Service Co., which says if it and other utilities like it are impacted with legislation that keeps them from using Illinois coal, the mines will be devastated, and people at home will feel a resounding thud when that increased utility bill hits their mailbox.

And we could go on and on with spinoff effects in small businesses that serve the mines and the people who work in them. I do not mean to exaggerate. We are talking about outright economic disaster being heaped on areas on the country like mine. And I suggest to my colleagues—there must be a more fair solution.

Yes, one of the arguments you will hear me make is for some kind of cost-sharing approach to reducing utility plant emissions. And I think the historical basis for that is clear.

When the savings and loan industry needed billions, we took it from all of the American taxpayers, even though the problem was in many ways fairly centralized to a few particular States. That is one example. There are hundreds of problems that have faced one area especially that have been met with a national solution. We suggest the same can be done here.

Now I know some of you must think that I do not support clean air, or that I want us to ignore that problem, pretend it does not exist, or otherwise turn our backs on it. I do not believe that at all.

I definitely want us to make progress on cleansing our environment for my kids and yours to enjoy. I understand the principle that we have been given but one mother earth, that we are the stewards of her destiny,

and as a young man who grew up on the rich earth of southeastern Illinois and all it offered, I am very much aware of what damage can be done.

And I do not suggest that those of you who champion this cause of clean air amendments that crack down hard on plant emissions and other types of pollutants are insensitive to the plight of coal miners in my district. I know your intent is not to harm them or their way of life.

I see it more as a balancing test. We have the need for cleaner air that we must meet, and we have the need for jobs and an economy that produces goods and services.

Those needs are not mutually exclusive. They can be met together. With a real program of clean coal technology, a cost-sharing approach to the cleanup, and a commitment to long range solutions, we can meet all of the diverse needs of this country.

That is what makes us so great today, the ability to address a problem in an open and democratic way. I encourage us to take that approach with the clean air bill. We will all be better off for having done so.

□ 1620

A TRIBUTE TO BENNINGTON HIGH SCHOOL

(Mr. WATKINS asked and was given permission to address the House for 1 minute.)

Mr. WATKINS. Mr. Speaker, not so long ago I would not have stood before you with the pride, enthusiasm and hope that I have today. Not so long ago I was nearly ready to agree with the naysayers. The television and newspapers brought reports of drug-related death, crime, and violence to my home almost daily. And I have witnessed far too many families suffer the pain caused by drugs. I grew sad and then mad when I imagined the future of a nation on its knees, helpless, and hopeless.

But then I learned about a recent event at my alma mater—Bennington High School—in my hometown of Bennington, OK. And now I know that the tide is turning. There is light at end of the tunnel.

For many of you it might be hard to imagine that all the students at a high school would submit to a drug test. Now imagine every single one of those students volunteering for such a test. Yet that is exactly what happened at Bennington High School, which recently became the first 100 percent drug free high school in Oklahoma and perhaps the Nation. Every single student was tested for drugs and every single student passed.

As you know, Mr. Speaker, it takes a team effort to achieve great goals. And that is just what is going on in Bennington. Local merchants, for example, have joined the effort by offering discounts to students certified as drug free. The local Jaycees sponsored a party for drug free students from Bennington and other communities in Bryan County. The merchants and the Jaycees decided that positive consequences ought to come from positive accomplishments. I agree.

But that's not the end of the story, Mr. Speaker. From now on, 10 percent of the high school students will be randomly selected and drug tested once a month. If I were a betting man, I would wager that Bennington High School will keep its drug free title.

Someone once said that a journey of a 1,000 miles begins with the first step. I recognize that this country has many miles to travel before arriving at a point where it can say it has won the war on drugs. And I don't deny, Mr. Speaker, that I am talking about a relatively small group of young people. But the steps they have taken symbolize something much bigger. Their action symbolizes a changing attitude and spirit among young people when it comes to drugs. It is happening all across this country, in the smallest towns and in the largest cities. And that is why I rise today with renewed hope and enthusiasm for America's future.

I close by taking you back to 1787. It was a time much like today, when this Nation's future was at a crosswinds. At the close of the Constitutional Convention, Benjamin Franklin rose and made an observation about the chair from which General Washington had been presiding. On the chair was the design of a Sun low on the horizon, and many of the delegates had wondered whether it was a rising or a setting Sun. "We know now," Franklin said. "It is a rising Sun and the beginning of a great new day."

And because of the students at Bennington High School, supported by their parents, teachers and community, I see a rising Sun and the beginning of a bright future for Oklahoma and for America.

ESTONIAN INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, February 24 marked the 72d anniversary of Estonian Independence Day, for it was on this date in 1918 that the Estonian people gained independence from the tyranny imposed on them for centuries by the Russians.

The people of Estonia were able to grow and prosper for 22 years after their declaration of independence. Sadly, late in the spring of 1940, the Soviets invaded Estonia, and began their efforts to suppress the culture, language, and religion of the Estonian people.

The Estonian people, however, remained steadfast in their desire for freedom, and during the last few months we have witnessed bold steps taken by Estonia to shake itself loose from the tyrannical yoke of the Communists. As this drive for independence is sweeping across the Baltic States, commemoration of Estonian independence takes on special significance. Estonian elections are scheduled for March 18, and if the recent elections in Lithuania are an indication of the rejection of Communist rule and the wave of nationalism rolling across the Baltic States, then Estonia will also continue on this road to self-determination.

On the occasion of the commemoration of Estonian Independence Day, Estonian-Americans gathered in New York, Chicago, Lakewood, New Jersey, and other locations throughout the United States, and approved a resolution calling for the withdrawal of Soviet military forces from Estonia and the restoration of independence for their beloved homeland. A copy of the resolution follows:

ESTONIAN INDEPENDENCE DAY RESOLUTION

Whereas, we, Estonian-Americans, have gathered throughout the United States of America on this 24th day of February, 1990, to commemorate the 72nd anniversary of the declaration of independence of the Republic of Estonia on February 24, 1918;

Whereas, the government of the Soviet Union has, after many years of denial, admitted that the invasion and occupation of the Baltic Republics was a result of the infamous Molotiv-Ribbentrop Pact in which the Soviet Union colluded with Nazi Germany to allow the Soviet Union in 1940 to illegally seize and occupy the Republics of Estonia, Lithuania, and Latvia and to incorporate them by force into the Soviet Union.

Whereas, the people of Soviet-occupied Estonia, Latvia, and Lithuania have publicly let the world know of their desire for justice, human rights, the right for self-determination, and end of foreign occupation by participation in many massive demonstrations throughout their countries, as well as through their elected officials;

Whereas, the majority of Estonian people have recently registered themselves as citizens, or descendants of the citizens of the Republic of Estonia at the time of forcible occupation by the Soviet Union in 1940, with the goal of restoring the institutions and the government of the Republic;

Whereas, Estonian-Americans expect the United States Government to continue in its steadfast support of the policy of non-recognition of the illegal annexation of the Republic of Estonia by the Soviet Union in deeds as well as in words, particularly in any negotiations and agreements for reduction of military forces in Europe; now, therefore, be it

Resolved, that we urge the President of the United States to take full advantage of the momentum generated by the prospect of negotiating the Conventional Forces in Europe treaty with the Soviet Union and demand: 1) that the Soviet Union withdraw all its military, as well as uniformed and secret police and border patrol forces from Soviet-occupied Estonia, Latvia, and Lithua-

nia; 2) that the Soviet Union allow restoration of unconditional independence for the Baltic republics; and 3) that the Soviet Union fully compensate for all property and human rights violations resulting from its illegal occupation of the Baltic states under the infamous 1939 Hitler-Stalin agreement; and be it further

Resolved, that we pledge that American citizens of Estonian descent will faithfully support all United States Government efforts to promote and secure basic human rights, including the right of self-determination, for all peoples and all nations; and be it further

Resolved, that we convey to the President of the United States our heartfelt greetings and pray that the Lord will guide him in his efforts to secure peace, justice, and freedom throughout the world.

Mr. Speaker, on the inspiring occasion of the 72d anniversary of Estonian Independence Day, I am proud to join with Estonian-Americans in the 11th Congressional District of Illinois which I am honored to represent, and Americans of Estonian descent throughout the United States, in celebration of this special day. Hopefully our continued support for the Estonian people will help them to achieve at long last their cherished dream of a truly free and independent Estonian state.

THE SOCIAL SECURITY SURPLUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, there has been much discussion about the surplus in the Social Security fund, which is being used to reduce the national deficit. I propose that a portion of these funds be used to give senior citizens comprehensive, long-term health care benefits, including long-term nursing home care and a good prescription drug program. I would also use a portion of this surplus money to help the so-called "notch" babies born between 1917 and 1921. As you know, these people, through no fault of their own, receive less social security than others. This is unfair!

Our Government is constantly giving senior citizens the short end of the stick. The Government gives them help on the one hand and takes it away from them with the other. As a result, seniors are finding themselves worse off with each passing year. Because of these inadequacies seniors are forced to also pay more every year for private coverage.

Last year, seniors wanted the Medicare Catastrophic Coverage Act repealed. I supported this successful effort because of the inadequate coverage provided under the law and the horrendous surtax it required seniors to pay. However, the repeal of this law does not diminish the need for a long-term health care program—it only emphasizes the need to construct a more effective plan. The Government has an obligation to provide older Americans with proper medica coverage without an unfair and discriminatory surtax. We should not be using funds designated for Social Security to finance the Federal budget deficit, especially in light of the inadequate health care coverage provided by Medicare.

During my first year in Congress, a recurring theme in all my discussions with senior citizens was the need to make long-term health care widely available and affordable. A recent report from the Family U.S.A. Foundation found that 84 percent of older Americans cannot afford the cost of basic nursing home insurance. Additionally, many seniors currently in nursing homes have been forced to go into poverty in order to receive Medicaid coverage. This is a national disgrace!

The Federal Government must immediately address the need for long-term nursing home care and home health care services, as well as comprehensive prescription drug program. Congress must look at the possibility of using excess Social Security funds or investing them to finance a comprehensive health care program for older Americans.

Additionally, we must address the Social Security "notch" issue. Every Congress, bills to correct this injustice are introduced, but no action is taken on them. It is unfair that some people are being penalized because of the year they were born. These so-called "notch" babies should not continue to be second-class citizens.

Current estimates show that it will cost a total of $6 to $10 billion per year to correct the "notch". The Social Security surplus is currently $155 billion and is expected to rise to over $1 trillion by the end of the decade. It is only right for us to use a small portion of this money to correct this horrible discrimination.

Social Security was set up over 50 years ago to address the retirement needs of senior citizens. Throughout its existence, Social Security has adapted to address the changing needs of older Americans. Today, there are new and different issues which need to be confronted.

The United States has the resources to bail out the savings and loan industry, as well as build bombers at a cost of $500 million per plane. Surely, we can provide comprehensive health care for our senior citizens and correct the Social Security "notch." I look forward to working with my colleagues to see that the needs of our senior citizens are met.

MICKEY LELAND MEMORIAL DOMESTIC HUNGER RELIEF ACT

The SPEAKER pro tempore (Mr. HAYES of Louisiana). Under a previous order of the House, the gentleman from California [Mr. PANETTA], is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I rise today to announce the introduction of a very special piece of legislation, the Mickey Leland Memorial Domestic Hunger Relief Act. This bill addresses the continuing problem of domestic hunger. I am pleased that this bill has been a bipartisan effort, thanks to the efforts of BILL EMERSON, the ranking Republican on the Domestic Marketing, Consumer Relations and Nutrition Subcommittee. CHARLIE HATCHER, chairman of the subcommittee, has also been instrumental in the designing of this bill.

This bill is named for our late colleague, Mickey Leland. As you know, Mickey had a very personal interest in the issue of hunger, both domestic hunger and international hunger. Mickey was a special person. He had a rare combination of compassion and commitment. I would like to think of this bill as a sort of living memorial to Mickey and his work. By providing more food to the millions of American children living in poverty and by preventing some of those children and their families from being thrown into the ranks of the homeless, we can help Mickey Leland's spirit to live on.

Recent data indicate that two to five million children do not have adequate food and that millions more may be at risk of hunger. The U.S. Public Health Service has reported that the Surgeon General's goal of eliminating growth retardation of infants and children caused by inadequate diet cannot be met under present circumstances. Recent research shows that hungry children have significantly impaired abilities to learn and are more likely to suffer from health problems. Clearly, proper nutrition for all of our Nation's children and their families must be a top national priority.

I am proud to say that the legislation that we are introducing today is an entirely fitting memorial to Mickey Leland. The bill makes a serious effort to attack the causes of hunger rather than just its symptoms.

TO HELP THE HOMELESS AND THOSE ON THE BRINK OF HOMELESSNESS

The centerpiece of the bill is a pair of provisions designed to alleviate hunger among the homeless and near-homeless. HUD and Census Bureau data show that 45 percent of all poor renters spend at least 70 percent of their incomes on shelter costs. Households that are forced to devote this much of their income to shelter costs will almost by definition be at severe risk of hunger. Moreover, the high cost of shelter for low-income Americans is forcing more and more of them to double-up in housing. Unfortunately, current food stamp rules do not properly recognize the needs of these households.

Our bill would allow households with children to deduct high shelter costs in the same way that elderly and disabled households do at present. Under current law, households may deduct shelter expenses that exceed 50 percent of their incomes, but only up to $177 a month. The cap does not apply to elderly and disabled households.

The excess shelter deduction was enacted to avoid forcing households with high housing and utility costs to choose between eating

and paying their shelter costs. But for households that are not elderly or disabled, this deduction is limited to $177 a month—even if the household's excess shelter costs are greater than this. This means that the very families that face the most severe housing cost burdens—families that do not receive HUD housing aid and that pay extremely high proportions of their incomes for housing—are the families that are not permitted to deduct the full cost of their excess shelter costs. Under the current food stamp benefit structure, families with very high shelter costs are thus assumed to have money available for food that actually must go to pay the rent and utility bills—and as a direct result their food stamp benefits are set at unrealistically low levels. The cap most severely burdens families with children since it is a fixed limit with no allowance for household size.

Since the cap was enacted in 1977, the low-income housing market has changed radically. In 1978, the number of low-rent housing units—defined as units renting for no more than $250 a month, as measured in 1985 dollars—exceeded the number of housholds with incomes below $10,000 a year. In 1985, there were 3.7 million fewer low-rent units than there were households below $10,000, a sharp reversal of the conditions that prevailed only 7 years earlier. The result has been a stunning incease in the housing cost burdens on poor households.

Moreover, the rationale for the cap has disappeared since 1977. Congress imposed the cap to keep middle income households from getting food stamps by claiming large shelter deductions. At the time, eligibility was based solely on income after deductions. Gross income limits have since been added to the program to exclude higher-income households without regard to their deductible expenses. Lifting the cap therefore will not allow middle income households to receive food stamps: it will only provide more realistic benefits to families with high shelter costs who are now eligible.

Our bill also would simplify the current food stamp household definition. It would require that persons purchasing and preparing food together apply for food stamps as a single household. Adults who buy and cook food on their own could do so as separate households from their relatives. For example, when two sisters who had previously lived on their own move into the same apartment because they cannot afford separate housing, either or both could apply for food stamps independently if they bought and cooked food separately. The bill would still require parents and their minor children to be in the same household.

Current law requires, subject to several exceptions, that parents and their adult children, and adult siblings, be in the same household even if they buy and cook food separately. State food stamp administrators have complained that the current definition is far too complex and excessively error-prone.

The current household definition discourages low-income people from doubling-up in the homes of relatives. This is extremely counter-productive at a time of rising homelessness. These rules hurt migrant farm workers, who may live separately in their base States but double-up with relatives in labor camps during their travels to save money.

The AFDC, Medicaid, and SSI Programs have no comparable rule requiring adult siblings, or parents and their adult children, to apply for and receive benefits together.

The bill would direct State agencies to certify homeless households on the basis of reported expenses for shelter except where the household's report is questionable. It would also have USDA issue rules under which State agencies could conduct surveys to determine how much homeless people in their jurisdictions typically spend on temporary shelter in the course of the month. Homeless households reporting shelter expenses up this level could be certified on that basis without having to produce receipts from people who put them up.

According to recent information from USDA, only 18 percent of homeless people are receiving food stamps even though virtually all are eligible. Social service agency staff working with the homeless report that, in most cases, the reason homeless people are not on the program is not resistance to dealing with public welfare system. Instead, the main problems are: First, homeless people's difficulty in complying with complex procedural requirements that were designed for households with stable living situations; and second, the small benefit allotments that homeless people receive under current procedures despite their high need.

Homeless people are unlikely to have birth certificates, social security cards, driver's licenses, and other similar documents with them. Whatever documents a homeless person starts out with may rapidly be destroyed by the elements, stolen, or inadvertently left behind when the homeless person is forced to leave somewhere quickly.

Also, homeless people with any income—such as county general relief or SSI checks—often live for part of each month in a cheap hotel or with acquaintances—who charges them rent by the day or the week. Homeless people seek out these accommodations because of crime and overcrowding at shelters, because shelters do not consistently have room for them—or have rules limiting how many nights they can stay—or because they live in rural areas or small towns that have no shelters. They may return to the street when their money, or their welcome runs out. Next time they have some money, they may return to the same place or find temporary abode for a few days or weeks somewhere else. But because they rarely get receipts for these expenses, and because they are inherently difficult to predict, current rules prevent food stamp offices from giving these household shelter deductions for them. Moreover, current budgeting rules deny homeless households credit even for expenses that they can verify.

As a result, homeless people rarely receive any shelter deduction even though they spend as much money as they can on housing. Therefore a homeless person getting general relief or SSI will get a very low food stamp allotment as their entire check is counted against their food stamps.

TO PROMOTE SELF-SUFFICIENCY

The bill seeks to promote self-sufficiency and personal responsibility in several ways. It would exclude the first $50 a month paid as child support from consideration as income in determining the food stamp allotments of AFDC households. AFDC already allows household to keep the first $50 of child support paid each month.

The $50 exclusion in AFDC recognizes the importance of having parents assume responsibility for their children: it gives custodial parents an incentive to seek out absent parents and absent parents an incentive to pay child support. The Food Stamp Program currently undercuts these incentives by counting the $50 payments as income, which reduces food stamps.

Excluding the first $50 of child support payments for food stamps as well as AFDC will simplify the administration of the two programs and ease burdens on case workers. This reform passed this body in 1987 as part of the welfare reform bill.

The bill would raise the current $4,500 limit on the fair market value of vehicles that food stamp recipients may own.

The current $4,500 vehicle limit was written into the Act in 1977 and has not changed since, despite substantial inflation. As inflation passes the $4,500 vehicle resource limit by, more and more working families are made ineligible for food stamps because of cars they depend upon to get to work. The Consumer Price Index for cars has risen 120 percent since 1977. Working households may be forced to choose between going hungry for lack of food stamps and selling their cars, which can force them to leave their jobs.

The President's task force on food assistance in January 1984 recommended that this limit be increased to $5,500 immediately. Increases in the limit passed the House with the 1985 farm bill in the Senate with the 1988 Hunger Prevention Act. The bill also would require USDA to conduct demonstrations to determine the effects of broader exclusions of one car for each food stamp households. We should do nothing that will compromise households' opportunities to retain and enhance their abilities to be self-sustaining. These demonstrations, conducted in a sufficient number of locations, should provide an opportunity to examine the impact of our vehicle rules on households' ability to get and keep jobs, and on needy households' ability to obtain food assistance.

The proposal would strengthen food stamp employment and training [E&T] programs in three ways. First, it would allow and encourage States to include initiatives to help recipients become self-employed in the employment and training programs. Resources needed for these ventures, such as looms, would be exempt. Second, it would increase the limit for reimbursements to recipients for the costs incurred in E&T activities—apart from child care—to $75 per month. Current law limits reimbursements for these costs to $25 a month and requires States to exempt households from work requirements if their costs would be higher. And third, it would test a State option to allow States to give priority in their E&T programs to volunteers.

The provision concerning volunteers would give States new opportunities to conform their food stamp E&T programs to the rules for

AFDC's JOBS program. The Family Support act requires States to give first consideration to certain volunteers in their JOBS programs. Volunteers are likely to be more motivated and therefore better able to get the most out of an E&T program.

The bill would allow low-income people to receive food stamps while attending programs at colleges or universities as part of their compliance with food stamp E&T, the Trade Adjustment Act, or other State-operated employment and training programs. These students have already been determined to be legitimately low-income and the educational program essential to their long-term self-sufficiency. Students who are currently ineligible who are not in higher education through State or local training programs would continue to be ineligible.

This section also would remove the prohibition on receiving food stamps for students over age 50 who do not have at least half-time jobs but would make them subject to the food stamp E&T program. Current rules allow students over 60 to receive food stamps. Students over 50 are likely to be displaced homemakers or other workers seeking retraining for new jobs. Many of these students are unlikely to be able to obtain even part-time work unless they go to school. Their ability to remain viable members of the work force may depend upon this training, but current rules may prevent them from obtaining it without depriving their families of the means to eat. This provision would ensure that employers' preferences for younger workers do not deny these low-income people the chance to obtain food stamps.

Finally, this section would promote administrative simplicity in the rules for counting educational benefits as income. It would apply the rules that govern the large Federal educational benefit programs, such as Pell Grants and work-study, to all other forms of educational benefits.

A similar amendment regarding students and education assistance passed the House in 1987 as part of the welfare reform bill, H.R. 1720, but was dropped along with all other food stamp provisions from the final bill.

The bill would seek to preserve the role of parents in combined households by allowing household members to designate a parent of children in the household as its head. The fact that adult children move back in with their parents should not displace the parents' role as head of their own household. The intent here is merely to protect the commonsense meaning of what it is to be the head of a household.

The bill seeks to avoid hunger and hardship caused by inadequate benefits in the Food Stamp Program. Almost two-thirds of those getting food stamps are elderly, disabled, or children. Almost 83 percent of all food stamp benefits go to families with children.

TO PROMOTE BENEFIT ADEQUACY

The bill would raise basic food stamp benefit levels in stages to 105 percent of the Thrifty Food Plan. This needs to be done to allow households to purchase the Thrifty Food Plan for most or all of the year. Under the Hunger Prevention Act of 1988, basic food stamp benefits will reach 103 percent of the Thrifty Food Plan in fiscal year 1991. Food stamp benefit levels increase every October to reflect food costs the previous June.

Over the 13-year history of the Thrifty Food Plan, the average cost of the plan in the last half of the fiscal year has exceeded the cost in the previous June by an average of 5.4 percent. The adjustment to 105 percent of the previous June's cost is needed to make it much more likely that food stamp allotments will be sufficient to allow food stamp households to purchase the Thrifty Food Plan for most or all of the year.

It should be noted that even this increase is relatively modest. Food stamps provide an average of less than $0.57 per person per meal. The maximum food stamp benefit for a family of four provides only $0.91 per person per meal. FNS has reported that "fewer than 1 in 10 families spending an amount of money equivalent to the cost of the Thrifty Food Plan received 100 percent of the recommended daily allowances. Less than half received even two thirds of the recommended daily allowances."

The bill would return to the rule enacted in 1981 and eliminate the pro-rating of food stamps for households reapplying within 30 days of going off of the Program. The Omnibus Budget Reconciliation Act of 1981 [OBRA] required that new applicants for food stamps have their initial month's benefit prorated based upon the day of the month that they applied. OBRA 1982 extended prorating to recipients whose participation in the program is briefly interrupted because the household, for whatever reason, does not reapply by the first day of the month. A recent GAO report recommended this change back to the OBRA 1981 rule.

GAO found that the vast majority of the households suffering short gaps in benefits remain eligible throughout the period. Gaps frequently result from State errors, forms lost or delayed in the mails, or honest misunderstandings by household members. These gaps in benefits can force households to divert some of their rent, mortgage or utility money to pay for food, leaving them in danger of an eviction or a utility shut-off. The situation of recipients who suffer a brief gap in benefits is different from that of new applicants, who may have been living off of income from a job in the early part of the month before they applied for food stamps. The Drought Relief Act of 1988 enacted this provision for migrant farm workers, and the Senate's version of the Hunger Prevention Act of 1988 would have applied this rule to all households.

The bill would specifically exclude from consideration as income the special back-to-school clothing allowances that West Virginia, Massachusetts, and New Mexico have been providing to poor families with school-age children for years. The exclusion would apply without regard to the form in which the allowance is provided. Until recently USDA generally had not treated these allowances as income, but a policy change in the last few years has led to litigation. This provision would recognize that presentable clothing is important to children's self-respect and ability to learn in school and would not reduce the food stamps of families receiving back-to-school clothing allowances.

The bill would index the $10 minimum benefit provided to one- and two-person households to reflect inflation. The current minimum benefit has been unchanged over the past 12 years. The cost of the Thrifty Food Plan has risen 89 percent over this period.

The purchasing power of the $10 minimum benefit has shrunk enormously over the years. For many minimum benefit households, the cost of traveling to certification and issuance centers is as much as or more than the amount delivered. Chief among the victims of this problem are the elderly and disabled, whose households constitute 87 percent of all those receiving the minimum benefit.

Indexing the minimum benefit for inflation will have relatively little cost but will ensure that it does not erode further. In the interest of administrative simplicity, the indexed amount will be rounded to the nearest $5.

TO IMPROVE EFFICIENCY AND ADMINISTRATION

The bill contains a number of other provisions to simplify program administration and reduce administrative burdens for State administrators. It would give States the option to reduce unnecessary paperwork by allowing those States that require monthly reporting the option to simplify their forms and have households report on a smaller number of subjects than at present.

The Hunger Prevention Act of 1988 gave States the option to eliminate monthly reporting altogether or to limit the categories of households subject to it in whatever manner they felt appropriate. Some States have taken advantage of this option. Other States, however, wish to continue collecting monthly reports from some households but would like to simplify the reporting process by reducing the number of items on which each household must report. This amendment would give States the opportunity to do so.

The bill adopts an administration proposal to allow one household member to sign all declarations required in the application process on behalf of the household. In rural areas, where transportation to food stamp offices is often more costly and difficult, requiring multiple signatures can impose a substantial burden on low-income households because of pro-rating. State food stamp administrators have advocated this change as a benefit both to food stamp offices and to households.

The bill would seek to ensure flexibility for States' outreach activities by allowing States to assist households with the application process rather than merely distribute information. Prescreening and counseling activities appear to be among the more effective methods of outreach to eligible nonparticipants. States should be permitted to fund these activities under the permissive outreach provisions we included in the Hunger Prevention Act 2 years ago.

The bill includes a clarifying amendment concerning a simplified procedure for claiming excess medical deduction. It seek to minimize administrative burdens on food stamp offices and elderly and disabled recipients seeking to claim deductions for excess medical cost. It would require States to estimate recipients' medical expenses for the certification period based upon their verified costs for the past few months and available information about

their conditions. The household's medical deduction would then be based on these estimates unless the recipent experienced a significant change. Under this procedure, households would not have to make change reports unless there is a significant unanticipated change in their medical expenses.

Many medical expenses are recurrent but not monthly: for example, medicine that needs to be refilled every 40 days, doctors' appointments set every 6 weeks, monitoring tests scheduled every 3 months. Current rules that require households to submit, and food stamp offices to process, change reports every time medical expenses go up or down by more than $25. Where the change was predictable at the last certification interview, these reporting requirements create unnecessary burdens on both recipients and administrators.

Section 351 of the Hunger Prevention Act of 1988 was intended to correct this problem. Unfortunately, FNS' interim regulations provide little change from the status quo and are unlikely to simplify the current procedure significantly for either households or State agencies. This provision would clarify the intent of the earlier amendment.

The bill would simplify eligibility determinations for recipients of State and local general assistance programs by making them categorically eligible for food stamps. To ensure that the programs subject to this requirement are in fact legitimate, means-tested program, we would have USDA certify their appropriateness to receive categorical eligibility.

The bill would simplify eligibility determinations for recipients of supplemental security income and aid to families with dependent children and encourage one-stop shopping for needed benefits. Under current law, food stamp offices are not required to make separate resource determinations for households in which all members receive AFDC or SSI. But if one member of the household is not on AFDC or SSI, the food stamp office must evaluate the resources every member of the household. For household members who have already met the AFDC or SSI resource test, this is a waste of time. The proposal would provide that the food stamp office does not have to consider any resources that the AFDC or SSI programs have already determined to be exempt.

This section extends to members of mixed households the Food Stamp Program's longstanding principle of relying on other low-income programs' resource determinations. Few resources that are excluded for AFDC or SSI count for food stamps, yet the current rules require a whole new resource valuation be done for food stamps unless an entire household is receiving AFDC or SSI. Allowing food stamp workers to disregard resources that AFDC and SSI rules have already had disregarded should simplify the eligibility determination process significantly. It should also eliminate some serious inequities in a few isolated cases where AFDC or SSI rules do differ. For example, it would not deny food stamps to SSI recipients with resources that are exempt because they are needed under one of SSI's PASS plans for helping disabled persons eventually achieve self-sufficiency. State food stamp administrators have specifically recommended excluding resources that SSI has excluded because they are needed to carry out a PASS plan.

TO HELP THE RURAL POOR

The bill has a special emphasis on reducing hunger in rural America. It would exempt from consideration as resources those vehicles that are used to transport water or fuel where the household lacks piped-in water or fuel. This is still necessary in some rural areas. In places that still are not served by water mains, households may have to haul drums of water for long distances, and often over difficult terrain. Other rural households may have to haul firewood or coal to their homes for heat. Even the poorest of these households cannot afford to be without a dependable vehicle that can hold up under this kind of use. Yet the trucks that many of these households have for this purpose, through far from luxurious, tend to have fair market values well in excess of the current $4,500 limit. Denying otherwise eligible households food stamps solely because they have such a vehicle serves no legitimate purpose.

The bill would require States to designate areas where low-income persons face substantial transportation difficulties, under a procedure to be included in State plans of operation. In these designated areas, States would be required to issue food stamps by mail. Many if not most rural counties already issue benefits by mail because it is administratively cheaper and more convenient for households. The bill would exempt from this requirement any area in which the mail loss rate exceeds the extremely low threshold set out in existing FNS regulations. The bill also would incorporate current rules on loss-prone households, excluding them from the requirement to mail.

In many rural areas, the nearest food stamp issuance center may be 20, 30 or more miles away. Many recipients are dependent on others for transportation. Households report having to pay friends and neighbors an amount for transportation that is almost as much as the value of their allotments. These households are still having to pay to get their food stamps a decade after the purchase requirement was abolished for all other households. Under these circumstances, many rural households have decided that food stamps are not worth the difficulty of applying and arranging transportation to pick up their benefits each month.

The provision passed the Senate as section 330 of the Hunger Prevention Act of 1988 but did not appear in the final bill.

The bill includes a provision that would simplify resource determinations in rural areas. It is designed to save food stamp offices and households from having to determine and verify a precise value for a household member's small, undivided interest in a marginal piece of property. Most of this property exists in rural areas, where many people die intestate and the value of the land does not justify probating the estate. After a couple of generations, a small, isolated plot of land may have as many as 20 or 30 part-owners, each of whom now must obtain an appraisal or other verification of the value of their interest before they can get food stamps. This section would exclude this property as inaccessible.

OTHER PROVISIONS

The bill would ensure that in any demonstration project, cashed-out food stamps would be increased to reflect any State or local sales taxes and that they not be counted to reduce benefits in any other programs. Current law prohibits States from charging sales tax on items purchased with food stamps. Current law also prohibits other Federal and State benefit programs from counting food stamps as income. Demonstration projects could undercut these protections by cashing out food stamps. It then is no longer apparent which purchases are made with food stamps, and the prohibition on reducing other public benefits because of the receipt of food stamps is no longer, as it is now written, applicable. This amendment seeks to ensure that food stamps remain a basic, reliable nutritional safety net for these children by ensuring that these projects will not cause recipients to lose food stamps or have other needs-based benefits reduced by counting food stamps as income.

In a provision of special interest to those of us from Northern California, the bill would simplify procedures for giving replacement food stamps to recipients who fall victim to earthquakes, hurricanes and other natural disasters. It would give USDA authority to issue food stamps to households meeting regular eligibility standards to replace food destroyed in a disaster up to the amount of the applicable maximum benefit allotment. Current regulations limit replacement stamps to the amount of the household's normal allotment. This offers little benefit to elderly and disabled households who receive the $10 minimum benefit but who have exhausted their month's income buying food that has been destroyed in a disaster.

This provision would also give USDA the discretion to extend the current 10-day period for reporting losses where food stamp offices are not open to receive reports or where telephone service is still out for more than 10 days after the disaster. This was a problem in areas such as Charleston, SC, and the Virgin Islands after Hurricane Hugo struck last fall. The amendment would not limit or expand FNS's separate authority to issue special emergency eligibility rules for disaster victims.

The bill would provide important protections to recipients in electronic benefit delivery projects. USDA has been moving rapidly to introduce electronic methods of delivering benefits. These systems require there to be special equipment in check-out lanes for a food stamp household to use their benefits. Current law has USDA absorb the cost of any required new equipment, but it does not ensure that the equipment be made widely available.

To save money, USDA has examined limiting the number of the required devices in each store, which could result in segregated check-out lines through which all food stamp recipients must pass. This would be inconsistent with current regulations that prevent stores from discriminating against or singling out food stamp recipients. Forcing food stamp recipients to stand in special food stamp lines would increase the stigma of receiving benefits, which already keeps many eligible households from applying.

A further problem is that when these systems are set up without taking into account the needs of retailers, many stores on which households depend may refuse to participate. The Washington Post recently reported that Safeway, one of the Nation's largest supermarket chains, has refused to participate in any of the demonstrations because of the cost and inconvenience of operating the systems USDA is currently promoting. This could force food stamp households to buy food at small convenience stores, where the higher prices will exhaust their benefits earlier in the month.

This section would require that before any demonstration can take place, all necessary equipment must be provided to each checkout line in all stores in the area. Ideally, this will be equipment the stores have purchased themselves to serve non-food stamp customers. It would also provide that systems may only be implemented where they accommodate retailers' needs sufficiently to have enlisted most of the area's supermarkets, and most of the stores serving special language groups that may have difficulty using stores with only English-speaking staff. Finally, it would direct USDA to develop standards for these projects in consultation with representatives of the States, food retailers, recipients, and other affected parties.

The bill would allow States to give households with benefits at or near the minimum the option of receiving 2 or 3 months' benefits at once so that they do not have to go to issuance centers as frequently. At present, households receive monthly allotments no matter how small the amount of the benefit. For households that do not have their stamps mailed to them, getting the monthly allotment can be burdensome, involving long bus or car rides at inconvenient hours. Allowing the State to batch small monthly allotments together avoids this problem and provides enough in benefits so that recipients can take advantage of economies of scale in their purchases. Also, States are expected to experience significant administrative savings by being able to make one issuance instead of two or three.

The bill would extend to homeless recipients the authority States already have to negotiate concessional prices with restaurants to provide meals for the elderly in exchange for food stamps. Only restaurants agreeing to serve meals for bargain prices are allowed to accept food stamps.

The bill would correct a technical error in the current statute that gives applicants for and recipients of social security benefits, but not SSI applicants and recipients from mixed households, the right to receive food stamp applications at social security offices. SSI applicants and recipients are even more likely to be eligible for food stamps than those applying only for social security. This amendment would not expand SSA's obligations to process food stamp applications to new categories of households: the food stamp applications of mixed SSI/non-SSI households would be submitted to the regular food stamp office for processing.

The bill establishes a commission to seek ways to coordinate AFDC and food stamp policies and to reduce barriers in both programs. The bill also authorizes a few carefully controlled pilot projects that will allow States that assure basic protections to households to compare the effects of using some AFDC income rules in computing food stamp benefits. I also would be interested in seeing demonstrations of the effects of applying many of the rules we have developed over the years in food stamps to the AFDC Program.

The bill would move towards completion of the reform of the food stamp quality control system that we began in 1988 by voiding the sanctions applied for years prior to when the States had a reasonable opportunity to conform their operations to the new system. In this respect, we would be following the reforms of the AFDC QC system enacted in last year's reconciliation bill. We remain concerned that States' applications for waivers be given full and fair consideration by the Department. This matter requires further scrutiny.

The bill would accelerate the collection of overissuances from households that have been convicted of food stamp fraud by giving them 10 days, rather than the current 30, in which to make their decision about how to repay the overissuance. This change is in keeping with our long-standing insistence on firm measures to protect the Program from those who would take advantage of it.

The bill would reauthorize the Food Stamp Program for the length of the farm bill. It would also reauthorize the Puerto Rico Nutrition Assistance Program at the current services level. It is not the intent of this proposal to interfere with any decisions about the status of that Program that may be made in the context of legislation on the future relationship of Puerto Rico to the United States.

The bill also strengthens our commodity distribution programs in important ways. It reauthorizes the TEFAP program for 5 years and increases the mandatory purchase authority for commodities to be distributed through TEFAP to $190 million for the first 2 years of the bill. For the final 3 years, the bill would authorize $220 million a year in commodity purchases for TEFAP. The bill also would require USDA to buy $32 million a year in commodities for distribution to soup kitchens and food banks. And it would extend the current food bank demonstration projects and allow them to expand.

The bill authorizes funds for a National Gleaning Clearinghouse to share information on available, unused food that could be made available through the emergency feeding network. The bill establishes a separate authorization for Commodity Supplemental Food Programs for the elderly. In this way, we intend to emphasize the importance of adequate nutrition for our older Americans without in any way neglecting the importance of programs for women and children.

I believe that this legislation will go a long way to address the great need for nutrition assistance in our country. Clearly assistance of this type does not come without some cost. However, the authors of the bill are commited to ensuring that this initiative is paid for in the Budget Resolution and achieves its goals within the Gramm-Rudman targets. To this end, we have provided for a delay of up to 1 year of all cost items included in the bill, except for the shelter deduction provision and TEFAP commodity purchases, should a sequestration take place in fiscal year 1991. The increase in the shelter deduction and TEFAP program would be reduced by the same percentage as the sequestration.

I urge my colleagues to review this legislation and support its passage. It not only honors Mickey Leland, but address real problems faced by real families everyday. Imagine having to make the choice between heating your home or eating 7 nights a week. I believe that no family should have to make that choice. This bill makes important changes in the Food Stamp Program to ensure that families do not have to make these choices.

COMMUNISM: WHAT IT IS AND WHO ITS PERPETRATORS HAVE BEEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN of California. Thank you, Mr. Speaker. Please start the clock.

I have waited since early November for this moment to discuss communism, what it is, who have been the perpetrators of it for all of my life and the decades before I was born. I was born in 1933, the year that our then President Franklin Delano Roosevelt recognized the brutal Communist government that had stolen power from a democratic government back in 1917.

I wanted to do this after the Berlin Wall began to crumble on November 9. I understand if you rush you can still get a historical chip out of that ugly edifice to man's inhumanity to man.

After that a series of events started to unfold that can only be described as stunning, absolutely stunning, and they occurred up to Christmas Day itself, when one of the world's true tin pot Communist dictators was executed in Romania, with his wife at his side. I refer of course to Ceceauscu and his wife, Elena.

Then, when it looked as if all these events were going to be left behind in 1989, the 200th anniversary year of the French Revolution, great events continues on into 1990.

In this Chamber just a few days ago the imprisoned poet, arrested on October 27 and then inauguarated as President less than 60 days later, came before this Chamber, President Vaclav Havel of Czechoslovakia. He received several well deserved standing ovations from my colleagues in this House.

In spite of that, some of my colleagues—now listen to my next words, Mr. Speaker, because I believe them, I know I am correct—some of my colleagues in this Chamber, thank God only a handful, were pulling for the victory of the Communist 9, the military junta in Nicaragua.

I have a suspicion that some people were down there in Nicaragua, to sign off on a fair election, no matter what

took place in that election 2 days ago. They were willing to sign-off on an Ortega victory so that they would not look like fools for the last 10 years for praising Daniel Umberto Ortega, Tomas Borge, Arce, Father D'Escoto, the suspended homosexual priest, and all of the other horrible things that have taken place down there for 10 years. They wanted to accept the election, disband the Contras, get off Danny Ortega's back, and start pouring money into the first Communist dictatorship that ever would have been voted on in history.

That is what all the papers were saying just 72 hours ago. They were predicting that the first Communist would be voted into power shortly, the first in history. But history remains pluperfect. It did not happen. Communism was not voted into power in Nicaragua. Communism lost.

So I am going to take this hour to start with Nicaragua, but broaden out and discuss communism in general, and to repeat what I said in a brief 1-minute addressed to this House this morning, that for 40 years, at least, back to when I was 16 years of age—and I am 56 now—I have been described as an anti-Communist by the dominant media culture. We did not know what to call it in the forties and fifties, but "liberal" would suffice, liberal big media.

The dominant media culture has described this person whether as a broadcaster or as a Congressman, and always as a candidate, as an anti-Communist. And when they would use that term, which I think is a term of honor, they would put a spin later in the article so that it became an ignominious appellation, a term of opprobrium, disgrace. How tasteless that someone should be an anti-Communist.

Well, let us start off with today's New York Times, what is described in the dominant culture as America's paper of record.

They begin their lead editorial in the morning's paper with the title "The Morning After in Nicaragua."

The morning after, like it is a hangover.

It says,

Violeta Barrios de Chamorro's remarkable victory is far from complete. Her Sandinista opponents are still entrenched in power.

Read that Chamorro opponents. That is certainly true. Entrenched in raw power.

Her own supporters are deeply divided. Her country's economy is a mess. She'll need generous help, especially from Washington.

When? When she is inaugurated, God willing, on April 25? Or do they want us to pour money in right now so that the Communists down there can divert more money to their Swiss bank accounts?

How many times did I come out in this well with Daniel Umberto Ortega's bank account number and the exact amount he had in it to a penny? His bookkeeper, Maj. Roger Miranda, had defected and gave us that case study. Of course, it was ignored by many people on the other side of the aisle. By many people.

The New York Times says,

The good news from Nicaragua deserves to be savored while its multiple surprises are fresh.

Why are we always so surprised when communism fails at the ballot box, when it has a 100-percent record of failure if there truly is free and secret balloting?

It says, "Mrs. Chamorro's upset is a devastating rebuke to Sandinistas." The Marxist-Leninist-Communist Sandinistas.

It says, "Daniel Ortega guessed wrong about the outcome." So did a lot of people in this Chamber. They were confident he would win, and they were going to defend his victory to the hilt, even if some evidence did surface that the election was stolen. The retiring president of Costa Rica Oscar Arias, said in Costa Rica, the country that adjoins on its southern border that the election was stolen back in October because of the way the Sandinistas manipulated the registration process.

□ 1640

The New York Times goes on to say that "Mrs. Chamorro's convincing victory is another boon for Mr. Bush in a time of startling democratic surprises." Amen, New York Times, "It follows the collapse of communism in Eastern Europe."

I hate to read that line because Tiananmen Square is still like a ghost, and at every meeting or seminar on the collapse of communism we still should recall the young students ground into a bloody rubble by the tank treads in Tiananmen Square, which I had walked across with my younger son, just a few months before, never dreaming that this could happen in China's capital city.

It continues "Mrs. Chamorro's convincing victory," and "the collapse of communism in Eastern Europe, deepens the isolation of Fidel Castro in Cuba." I pause for a prayer. Please, God, please give this old Communist his call to judgment. Take him out. Let the people of Cuba know the exhilarating thrill that people are feeling in Hungary, Bulgaria, Romania, Czechoslovakia, Lithuania over the weekend, and just across that little Caribbean gulf in Nicaragua now.

The New York Times says, "and it enables the administration to claim victory for its Nicaraguan policy." You bet it does. And it ends discussing "a decade of divisive, and obsessive, aid for Contra rebels."

Was our aid to Afghanistan's rebels, the Mujahidin, obsessive? Was our aid, supposedly covert, to Angola obsessive?

The aid that continued to these young Contra fighters with their blood, toil, tears and sweat, to quote Mr. Churchill, forced the Communists in the military junta in Managua into an election that they never for a minute dreamed they woud lose or they never would have had it.

Can my colleagues imagine Castro on the phone yesterday to the Ortega brothers telling Danny.

Tell Umberto to get on the extension. Listen, don't ever tell anybody I am your mentor again. I told you not to have an election. I have not had an election in 30 years and I am still in power. You blew it.

That is what Umberto was quoting for a while when it looked like this election would never come to pass.

Mr. BUECHNER. Mr. Speaker, will the gentleman yield?

Mr. DORNAN of California. I am happy to yield to the gentleman from Missouri who marched in the streets of Managua with me. How long ago was that, 2 years?

Mr. BUECHNER. It was 2 years ago.

Mr. DORNAN of California. And holding up your fingers in a "L" for liberty. Who would have believed then, with the turbas divinas on every street corner, ready to beat up people on every street corner, that we would ever have this victory?

Mr. BUECHNER. I have heard the elegant words of the gentleman from California about the brave freedom fighters, and when we met with Mrs. Chamorro's brother and the other leaders of the domestic opposition, not the people fighting with the Contras, but the leaders of the labor unions, the independent unions, the people that did not want to have the Sandinista government, and when we talked about cutting off the assistance for the Contras, they said they could not publicly support the Contras because that was considered treason and they would be subject to arrest, and for that matter death. They said but please send a message to your Congress, take it back to your colleagues that unless the Contras keep a presence there we will never be able to force the Sandinistas into giving us one inch of quarter.

So I have listened, as has the gentleman, to our colleagues that say it was Jimmy Carter that brought about this election, or it was the fact that we cut off the military aid. The bottom line is that the people down there believed in democracy. We had a totalitarian government that determined how people got to the polls, we had a totalitarian government that determined what they got to read about the election, what was going to be on the radio, what was going to be on television. Literally the food that was being handed out to these starving families the week

before the election, they were so cocky, they were filled with Madison Avenue, the people from New York City and Los Angeles that came down and put on the big hype, and they had done what the gentleman from California and I know as politicans should never be done, which is to believe your own campaign rhetoric.

Mr. DORNAN of California. They got puffed up, and when you think you have the election in the bag, that is when you are heading for a fall.

Mr. BUECHNER. But have we not heard some of our colleagues talk about the fact that this was a popular front, that the Sandinistas were not Communists, were not totalitarians, were not Marxist, they were a popular front, they enjoyed the highest depth of popularity that we could possibly imagine?

Mr. DORNAN of California. I would ask the gentleman to stay with me for a second because the word "Marxist" appears in this editorial in the New York Times. It goes on to say how Mrs. Chamorro skillfully deals with the unhappy losers. The reason they are unhappy is because they thought they had it in the bag.

Mr. BUECHNER. They are unhappy because they lost.

Mr. DORNAN of California. Right. They remain the largest party in the country, true. They continue to control the bureaucracy, the police, the army, "during a treacherous transition." That is the New York Time's words, that this transition is going to be treacherous, fraught with the possibility for the Communists just saying, "The hell with all of this; we are not giving up power."

It says international observers will remain in Nicaragua. My passport sits at the Nicaraguan Embassy right now. Eight Congressmen in this chamber were given the honor of not being allowed into Nicaragua, not that everybody who went down did not have a good vehicle, whether it was Carter, or the OAS, or the United Nations group going down. But eight of us were singled out and told no, you cannot go down and count votes, and I would have loved to.

I could have gone to Namibia earlier in the year. I have been to El Salvador for four elections, been a presidential observer, a civilian observer during my forced break in service here in 1983 and 1984. I would have loved to have gone down there, but that is all right. I prayed all night long, and I enjoyed waking up and calling the State Department Situation Room and hearing the great news.

It says international observers are going to remain in Nicaragua, and I am going to try to go down there soon, even if Mrs. Chamorro has to intervene for me with the embassy where she will soon appoint an ambassador and, of course, unless treachery takes place.

It says, "Mrs. Chamorro has many strengths. She was an early supporter of the revolution, and indeed personified its promise. It was the murder in 1978 of her husband, Pedro Joaquin Chamorro," exact date November 10, 1978, "editor of the newspaper La Prensa, that provided the spark for the mass uprising against the Somoza dynasty."

That was when the middle class rose up against Somoza, and she broke with Somoza, she was with the original junta, and she quit that, "when their new tyranny supplanted the old." This is the New York Times, "when their new tyranny supplanted the old."

We have had people in this House, according to the New York Times' characterization, supporting tyranny for 10 years.

It says Mrs. Chamorro is going to need help from Mr. Bush. Of course, I had the honor of introducing Mrs. Chamorro and her intelligent, bright daughter, Christiana, to George Bush when he was Vice President at the inauguration of Oscar Arias on May 8, 1976. As the American delegation walked into the big soccer stadium in Costa Rica, we got a standing ovation from the crowd for 5 minutes. We circled around and were seated immediately in front of Mrs. Chamorro, and I asked her to step out of her box and to come down and to meet George Bush. I introduced him to Christiana and I said later on, kidding, I mean kidding I said, "Here is a future president of her country."

Then the Nicaraguan delegation comes in and everybody starts whistling. I said I did not know that they were that popular. Mrs. Chamorro said, "You misunderstand. Here in Central America whistling is like booing in your country." The crowd in Costa Rica is booing the Nicaraguan delegation. You better believe she has earned her spurs to bring this country back to sanity.

Mr. BUECHNER. If the gentleman will yield back, I know this is his article because we marched together for liberty, and I really think that this is really a heady time for those who stood here and listened to the debate so many many times, and heard our belief that there were folks in Nicaragua, a majority of people that did not believe in a Marxist form of government, that wanted freedom of religion, freedom of speech, freedom of the press, the ability to determine their own lives, and not be told something by someone wearing a bandana, and that we were literally mocked by some of our colleagues who said that we were out of touch with reality down there.

Mr. DORNAN of California. Exactly.

Mr. BUECHNER. Last night I saw on television the arm patches of the police in Nicaragua. It does not say "the Police of Managua." It does not say "the Police of Matagalpa." It says "Policia Sandinista." They are the Sandinista police, the ones who take an oath of office to the political party.

Mr. DORNAN of California. Does the gentleman know the last party, pure political party that had their own private police like that?

Mr. BUECHNER. The Nazis.

Mr. DORNAN of California. The Gestapo. It was the Gestapo. First it was the SA, and then it turned into the Gestapo, a party police taking over hotels all over the major cities of Europe, and torturing people to death, breaking them so that they could tell on other people, so that they could execute them. This is the same kind of intimidation that went on down there, only to a lesser degree.

□ 1650

But I want to ask you a question, my friend from Missouri: The New York Times, in its closing paragraph, says, "Success in Managua will strengthen democracy elsewhere in Central America." Will it ever.

What is going to happen to the Faribundi Marti terrorist guerrillas up in the hills in the adjoining country of El Salvador or adjoining across the Gulf of Fonseca?

It says, "Whether United States pressure and the Contra war hastened or delayed the wonderful breakthrough in Managua is debatable." Good, I am debating it right now. Anybody who wants to come over and debate, fine. It says, "No matter what, democracy was the winner Sunday." But in the paragraph prior to that, it says that President Bush must act quickly to lift the sanctions—I kind of agree with that—and move finally to disband the Contras. Before she is sworn in? What would you think of going in there and trying to disarm the Contras right now and telling them to stand down when even the New York Times has just said it is going to be a treacherous transition? I am for going down, and I hope you will go with me. We will get a delegation of 15 people and we will go down and tell the Contras truly, "Men, she is your President now, lay down your arms and go back to your homes and go back to your farms and help this economy." But would you shut them down 1 day before April 25?

Mr. BUECHNER. No, I would not.

Mr. DORNAN of California. Nor would I.

Now, please hang around if the gentleman would.

Mr. BUECHNER. No. I just wanted to join the gentleman from California to recall that day when we marched down the streets with that little girl that had been beaten the week before,

and she fainted and we were out in the sunlight.

Mr. DORNAN of California. Thrown down the steps of a church, a 22-year-old woman.

Mr. BUECHNER. I still recall all those brave people, the people that went to the polls. By the way, I would like to remind our American voters that people went to the polls who had to walk miles and miles to get there, who suffered the most severe types of deprivation to get there, who were threatened with the loss of their food, with their lodging, which is all controlled by the Government, their jobs. Literally, when they took that ballot and put it in that box, they were taking the chance of their lifetime.

Mr. DORNAN of California. Exactly.

Mr. BUECHNER. For Americans who cannot go to vote, who take democracy for granted, I would hope they would look at those brave people who besides marching down and fleshing out the Libertad, put it into action.

Mr. DORNAN of California. The gentleman reminded me of something else when he talked about police insignia.

I have used this example on college campuses to try to get it across to young people. They can understand it easier for some reason on high school campuses, what it means when the army, the navy, and the air force in Nicaragua is owned by a political party. I just thought of something for the first time in my life: When a political party took the insignia on the air force airplanes and their tanks and changed it. The World War II German aircraft used what they called a cocade, as opposed to the French and the British who then, and still, use a rondele, and Nicaragua used to use a rondele. That is a blue circle with a white circle inside and a blue bull's-eye in the middle of that. That was the insignia of their air force even under the corrupt tinpot dictator Somoza. They have taken out the white center and put in the Sandinista Party emblem, the way Hitler, who left the crosses on the wings but put a band around the fuselage of his planes on which he put the swastika. This was also put on most tanks, and navy ships. That was the party symbol, the swastika. I cringe when I see in South Africa the most extreme right, as the media calls them, the racists there, taking the German Nazi Party flag in a red field, white ball in the center, then breaking up the swastika into little separate crooked crosses; I cringed when I saw that in the streets of Cape Town a week ago after Mandela was released. I cringe at that. I also cringe when I see a Sandinista party symbol on a Hind helicopter.

Imagine Governor Dukakis campaigning in his own State right next to Boston Bay, talking to his crowd, and here comes the Blue Angels or the Air Force Thunderbirds over, dumping out pamphlets telling all the people in Boston what an absolute boob Dukakis is, that he owes his election to the Canadians or the Russians or something. And on the side of the Thunderbird airplane, instead of the white American star on a field of blue is the Republican elephant. I suppose the speaker might say, "Well, we want part of the air force and the army, because we control the legislature. Let us have a little Democratic donkey inside the insignia."

That is what the Sandinistas have as we talk right now.

One of the first things Chamorro will have to do as she takes control of the military 2 months from now is to take the party symbol of the losing party off all of the military equipment in that country, of which there is going to be a fire sale for a lot of the Soviet Hind helicopters and tanks, and replace it with the blue and white and blue rondele of the Nicaraguan Air Force.

Mr. Speaker, I yield to the gentleman.

Mr. BUECHNER. I will let the gentleman go back to his time.

Mr. Speaker, there are a number of us who would be happy to go down, put on some dungarees and paint off those Sandinista symbols.

Mr. DORNAN of California. Well, Mrs. Chamorro would probably be very happy, the Madam President, to have us do that.

Now I want to broaden this theme.

Now who are the Communists and what have they done since the day before I was born in April 1933, and what did they do since 1917 and all the years before that? The Communists are exactly what Ronald Reagan said, evil. And the Soviet Union is the head of the octopus, it truly was the Evil Empire.

When Time magazine made Mr. Gorbachev the man of the decade, even though he only came to power March 11 of 1985, a few months beyond the halfway point for the decade, they called the U.S.S.R. an empire twice, and evil once. They never put the two words together, though.

Communists have killed more people than Mussolini's Fascists, the warlords of Japan, or Adolf Hitler's Nazis. Put those three World War II Fascists together in their 12 years of what was supposed to be the Thousand-Year Reich, and they did not kill nearly as many human beings as have been killed in 72½ years of communism. We are still counting.

People are still dying in Afghanistan at this moment. People are dying in Angola with Soviet regimental commanders leading the attack against Jamba in the southeastern corner of Angola against the free forces of General Savimbi, who will someday be President Savimbi if they ever have a free election there.

What is my source for saying that Stalin killed more people than Adolf Hitler? Why, none other than Mikhail S. Gorbachev.

When I was in Moscow in August 1988, a television documentary had just run on television. I am sorry I did not see it first hand. I missed it by a few days. I was meeting with some Soviet Jewish dissidents and refusniks. They were saying, "Congressman, you cannot believe what was on television here last week. An hour documentary where Gorbachev himself says that Stalin killed more people than Hitler, in cold blood, and massacred millions more." If Gorbachev says that, can we not refer to Stalin as an evil person? Why does Hollywood, now dominated by the left, still keep making movies about Nazis, which is fine, but hardly ever a film, unless its almost a cartoon, Rambo-type film, independently done, against the evil that Gorbachev says killed more people than Adolf Hitler?

Listen to the great terror, a description of the great terror that is communism. They have used famine as a political weapon. Stalin did this against his own people in the Ukraine. The current Marxist-Leninist-Stalinist-Communist government of Mengistu in Ethiopia, and it has its apologists in this House, more people will apologize for that Communist government in Ethiopia than will apologize for the Communist government that is still in power in Nicaragua, the Mengistu government has used famine as the political weapon in Ethiopia. The Communists in Ethiopia may even do it again in order to cling to their power.

When I was in Ethiopia in May 1985 at a couple of the camps there, Ibnet, Ansokia, I looked at these people, 100,000 of them, and was shocked. Ten thousand of them were to die within weeks of my staring at them in these little hovel camps, all as a Government program to keep in power 60 thugs who came to power not by balloting but by the power of the gun.

Here is an article which I will submit as exhibit A in my remarks, from the Washington Times, September 13, 2 months before the Berlin Wall started to come down. Reuters' story out of Moscow, "Mine Contains 300,000 Stalin Victims, TV Says."

[From the Washington Times, Sept. 13, 1989]

MINE CONTAINS 300,000 STALIN VICTIMS, TV SAYS

Moscow—Up to 300,000 people killed by Stalin's security police in the 1930s are buried in an abandoned gold mine near Chelyabinsk in the southern Ural mountains, Soviet TV said yesterday.

The grave was one of the biggest to be publicized since the Memorial movement, which commemorates purge victims, began pressing Soviet authorities last year to investigate repression under the late dictator.

The report said a ceremony was held last weekend in memory of the victims and a proper burial had been given to 350 of them whose skeletons had been found in the past year.

It showed human rights activist Andrei Sakharov, a member of Memorial, addressing the service on a hillside.

"This place was once called Golden Mountain. * * * Men, women, the elderly and even children were brought here at nightfall and shot down," a TV commentator said "There is no telling how many people were massacred, but some estimates say up to 300,000."

The report showed skulls with bullet holes.

Mass graves have been found near Kiev, where Memorial estimates up to 240,000 people are buried, and in a forest near Minsk where some accounts say 150,000 people were killed by Stalin's police.

Secret mass graves have been found in Moscow cemeteries.

Josef Stalin ruled the Soviet Union from the early 1920s until his death in 1953. From the early 1930s, waves of arrests swept the country, with thousands of people summarily tried and executed.

Before Soviet leader Mikhail Gorbachev launched a review of Stalin's role, the Soviet establishment hailed him as a hero and executions of innocent people were written off as "errors."

□ 1700

The description reminds me of the killing fields in Cambodia, when Khmer Rouge Communists slaughtered their own people, that sort of an autogenecide, killing a fourth or a fifth or a quarter of your own people.

Josef Stalin had 3 years of ruling where there was troika, until he finally killed off the opposition, and total power was his for 26 years, shared power for 29 years. Put that against Hitler's 12 years, and the Third Reich, and Members see the potential for mass slaughter and evil.

With my son, Mark, on the same trip I discussed a while ago, going to Moscow through Beijing, we flew on an old Soviet airplane, an Antivof 24, up to Ulan Bator, in Mongolia. I was the first Congressman to have been in Mongolia in 30 or 40 years. One Senator had been there, ALAN CRANSTON. We found a big statue of Stalin, because Mongolia was the first State conquered by Communists that was not made into one of the so-called independent republics. I hate to use that word "republic." Mark and I posed for pictures in front of the big statue of Stalin, and my son said, "When do you think that will come down?" And I said, "There is one in Georgia that will come down first." They are both down. The statue in Ulan Bator in Mongolia came down last week. I saw a film of it on a European news show, just over the weekend. It is down in Mongolia. They have resurrected Genghis Khan, one of their national heroes. He had been suppressed and written out of history as a nonperson by the Communists who took over with their brand of Mongolian Judas Iscariot traitors who took over Mongolia under the name of communism. I do not know if there is a statue left of Stalin anywhere in the world except maybe in a Marxist professor's room in some American college—or Albania.

The Communists, like Hitler, used concentration camps. But in Vietnam, they are called reeducation camps. But they had their concentration camps which Hitler copied. Solzhenitsyn, the first great writer, a captain in the army that moved into Lithuania as a fallout of the Hitler-Stalin pact of August 23, 1939 saw the incredible raping and pillaging of the conquering Russians. Within weeks, of course, Russian and German tanks are rolling into Poland, and World War II is on. Of course, the reward for Stalin's treachery was Operation Barbarossa, June 22, 1941, when Hitler finally turns against his fellow totalitarian dictator and ally in the infamous Hitler-Stalin pact. What did the Communist get out of the pact? Part of Poland, Lithuania, Latvia, and Estonia, Moldavia, and Bessarabia. Oddly enough, Lithuania just had an amazing free election where their party for independence, just won overwhelmingly. There is an article in yesterday's paper that the big question in Lithuania is one which resurrects the ghost of Senator Joseph McCarthy, famous or infamous, depending on your point of view. The question: "Have you ever been a Communist?" That is what they are asking in Lithuania of every person running for office, "Have you ever been a Communist?"

This is still a so-called republic of the Soviet Union, one of their 15 republics and they are asking "Have you ever been a Communist?" If yes, then "When?" Then they ask a question which never occurred to Joseph McCarthy. They ask, "Why, why would you ever have become a Communist?" If the answers are wrong, probably even to the first one, "Not fit to hold office."

Of course, we haven't asked those serious questions in this country in decades. It is any person's guess, but it is safe to say that at a minimum, at a minimum, Stalin and his followers have killed 70 million people in the name of communism. I have seen scholarly reports, for example, by the late Eugene Lyons, senior editor of Reader's Digest, where the figure gets up to 150 million, if we throw in China and all the satellite wars right down to Nicaragua and include those inhumane shootings like Arthur D. Nicholson, U.S. Army lieutenant colonel, shot to death doing his duty in East Germany. If you recall, he was shot in front of his sergeant, who was arrested and spread-eagled, and not allowed to help the superior officer, Colonel Nicholson, as he lay bleeding to death in front of his sergeant's eyes. That was a few years ago.

I looked at a friend of mine, the gentleman from Georgia [Mr. DARDEN], and I thought, does any Member on this side of the aisle ever remember we had a Member here who was proud to be called an anti-Communist? A doctor, commander in the Naval Reserve, he had served active duty as a doctor in the Navy, Larry Patton McDonald, was killed along with 269 people, 68 of them Americans, including little children, on Korean Flight 007. I remember one, big full-page picture in People magazine of "Little Sam," a Thai mother, Army father, killed on the airliner, Korean Flight 007, August 31. An American Congressman had died in the line of duty. I look at the gentleman from Georgia [Mr. DARDEN] as a good Congressman, strong anti-Communist, strong prodefense, and I thought, "Buddy would not be here if the Soviets had not killed Larry along with 269 other people."

Did the Soviets ever apologize? Years later, but indirectly. At the time the commander of all military forces in the homeland, Victor Ogarkov, appeared on television with maps and pointers, explaining what happened. To this day liberals in the media keep making the case for the Soviets. What was the Soviets' response? "We shot it down. We will do it again." In fact, they promoted to a lieutenant colonel the pilot in his leather jacket, looking like a gangster, who flew the mission that shot down a jumbo jet 747.

The atrocities go on. Just try and absorb this quote by one of Britain's current living great historians, Paul Johnson, who has written one of the most exciting comprehensive books of this last decade, titled "Modern Times." Here is a quote from "Modern Times" under the chapter titled "Superpower and Genocide."

Mr. Johnson says:

In any case the confusion of moral issues by the end of the War was fundamentally compounded by the presence, in the ranks of the righteous, of the Soviet totalitarian power. There was scarcely a crime the Nazis or the Knights of Bushido had committed, or even imagined, which the Soviet regime had not also perpetuated, usually on an even larger scale. It ran precisely the type of system which had produced the war and its horrors. More specifically, the Nazi-Soviet pact of September 1939 and the Japanese-Soviet pact of April 1941 had made the Axis aggressions possible.

You may be asking yourself, who were the Knights of Bushido? They were an aberrant, vicious, offshoot of the Samurai Warrior code. Knights of Bushido, for example, took the young Marines that were kidnapped when Guadalcanal fell 2 days before Christmas in 1942, and after a few weeks put them on a prison ship, heading to either Formosa or Yokahama.

□ 1710

On the prison ship, the knights of bushido took three young Marine aircraft mechanics from that little handful of Grumman F-4-F Wildcats that had defended Wake Island down to the last plane in those horrible days of World War II. They blindfolded those men, made them kneel down on the deck before the whole ship's company of officers and Japanese sailors on the ship, and made them witness the beheading of three young Marines on the way to prison camp.

It was the knights of bushido who beheaded 4 of the Doolittle Raiders out of the 80 men who were on that raid. Three or four were beheaded by bushido warriors, just as a way of getting back at the United States because we had penetrated their defenses with 2-engine bombers and bombed the Japanese homeland as early as April 18 of 1942. The knights of bushido, just like the SS guards specialized in killing in some of the German camps; were the torture masters in many of the Japanese concentration camps, and they were patterned after Hitler's camps because they visited one another's camps.

The knights of bushido were the guards for the Japanese warlord's germ warfare experiments at Harbin in Manchuria. They committed unspeakable crimes so ghastly that it is amazing that most of the bushido criminals got away with those crimes, because everybody's focus was on Europe and the Nuremberg trials involving the Nazis. The bushido warriors were just as bad. Paul Johnson is saying that Stalin was just as bad, if not worse.

But some people refuse to see the bad in communism. I checked something during the debate on one of our bills here, the bill to protect Chinese students in this country from deportation. I want the Members to listen to this observation. I supported that bill to protect the Chinese students from their Communist government. Not once during the entire debate did my California colleagues, Congresswoman PELOSI or Congresswoman BOXER, ever use the term "Communist," to describe the Chinese Government.

How can that be? That has got to be a self-imposed discipline. We cannot discuss this killing without using the word "Communist." Mr. LAGOMARSINO used it freely, as he should. China is suffering today because of communism. My colleagues apparently see evil people who just happen to be Communists, although I doubt that I have ever heard one of them use the word "evil," applied to anything in public life today unless it was environmental issues.

They do not see people who are evil because they are Communists. I do not understand how they miss that connection.

Now, this is point 2 in this very short exposition tonight. I can hardly cover this subject in an hour. How have the Communists and communism managed to last so long? And they are going to be with us in pockets right to end of the century, even if the last Communist regime to fall is tiny Albania or Castro's Cuba sitting on a sinking island saying, "I'll be the last Communist in the world even if everyone else caves in." And he just may be.

Allow me to quote Jean Francois Revel.

> Indeed, one factor in the exceptional longevity of Communist systems has been, precisely, the credulity of the democracies, which seem to wake up each morning imagining these systems "cured" of totalitarianism. As a consequence, the Western nations obligingly assist them in getting around their difficulties and in withstanding the pressures that threaten them from within. According to normal criteria of political success, the Bolshevik regime, given the massive disasters it had brought about and its manifest incapacity to govern the country, or any country, should have foundered in 1921. That this emblem of failure has managed to drag itself along until nearly the end of the century says something not only about the resilience of Communism as a political system but also about the willingness, if not the desire, of the non-Communist and anti-Communist West to close its eyes to its own proper interests and values.

So, it is the gullibility and the connivance of the West, especially with Western liberals in Europe as that word is taken to mean in its modern post-World War II context, and certainly the liberals here in the United States.

The ultimate reason for this blind spot was the rise of moral relativism in Western culture. This was the acceptable political philosophy to my liberal colleagues and friends.

Now, this sort of led to this moral equivalence that I have heard debated so many times on the House floor since I was sworn in on January 4, 1977. This moral equivalence preached by liberals equates the free world or parts of the free world with the Communist world. Many liberals just do not believe in the justness of our own system. I don't know why. But it is obvious that we could never take the steps necessary in a bipartisan fashion to accomplish the end of communism as long as this blind spot exists.

So communism grew and grew and grew right through the 4 years of President Jimmy Carter. We remember what this Annapolis graduate of the class of 1953 was saying after the Soviet tanks rolled into the beleaguered little country of Afghanistan. We remember what Carter said in canceling the olympics and the wheat deal with the Soviet Union. He said, "I have learned more about communism in the last 10 days than I had learned in my whole life." I wondered if he learned down there in Nicaragua over the last few days that he was part of the cause of the Communist takeover of Nicaragua. We knew it was not a pure revolution, but Carter was completely fooled. The facts were there. I remember the late Larry McDonald, of whom I just spoke, standing at that very lectern over there talking about how the Sandinistas were not the pure Democrats that people in the Carter administration were portraying, that they would sell out their revolution to communism just as Castro had done and just as the Bolsheviks had crushed the Mensheviks and Kerensky's short 9-month regime in the Soviet Union in 1917.

The bipartisan coalition that we needed to shorten communism by 10 or 20 years never formed in this House, and I do not see it forming right now to get Castro, to get dos Santos in Angola or to get Mengistu in Ethiopia.

Nothing happened until our 40th president, Ronald Reagan, came along and decided to stage a competition. And he never even named it the Reagan Doctrine; those of us in the Congress named it the Reagan Doctrine for our President. He knew the Communists could not win economically, in the hills of Nicaragua, in the jungles of Angola, or on the desert plains of Afghanistan, if we pushed just a little bit. But even under President Reagan it took 4½-plus years to get Stinger missiles into Angola and into Afghanistan. We never did get them down there to the Contras or this whole thing might have been resolved a few years ago in Central America and Nicaragua.

Communism's own capacity for collapse was finally given the proper environment thanks to the 40th President of the United States and as a result of a lot of hard-fought battles in this House.

Now some people don't believe this. In fact, I was told today by a moderate standing in this aisle on the Democratic side, that our policy is really controlled by moderates. He said that moderates are the glue that take the extremists on both sides and make them come together.

What party leadership is controlled by a moderate philosophy or a moderate ideology? None that I know of. This is not the bible talking about things in moderation. This is, as I told this Member, talking about a wet finger in the air. They say, "Keep my voting tallies on all the ratings as close to 50 percent as possible." Blow this way, then blow that way. Keep that wet finger in the air. Margaret Thatcher called them "the wets" flopping all over the place, testing the winds to see how they could keep their own offices.

What has moderation accomplished? Well, it gave us the stalemate in Korea, where we still have over 40,000

troops. It gave us first a stalemate and then an eventual loss in Vietnam. That is what this moderate policy brought us in Vietnam. It brought us a stalemate in Europe for 40 years. No matter that there were food riots in Posnan, Poland, the horror of 50,000 people killed in Hungary, and in 1968 3,000 dead in the streets of that beautiful city of Prague.

No, this was a stalemate. This was our stalemate for 40 years, 4 decades after we crushed Hitler in 3 years, 5 months, and 1 day. He had already been dead a week when the German generals signed an unconditional surrender, and 99 days from Harry Truman's birthday, on May 8, we saw V-E Day, the day of victory in Europe. So 99 days later there was a cease-fire in mid-August, and we were rid of Tojo and his warlords. We were rid of the knights of bushido, and Tojo had been forced to resign the year before. Hitler had committed suicide, and Mussolini's body was hanging by his feet, his dead corpse was cut to ribbons by stone-throwing people in a Northern Italian village. His mistress was next to him.

All that was done in less than 3 years and 8½ months, and here we dragged out Central America for 10 years thanks to the moderates and liberals in this House.

We conservatives had the liberals beaten, and they knew it, but the moderates flopped back and forth and back and forth. Young Contra kids were coming in as teenagers with their Cruz y Emalas, the Cross of Emalas around their necks. They were out there fighting, giving their blood in order to force an election and bring about freedom. But the moderates would only give them enough to bleed and die, not win.

Now, Ronald Reagan and Pope John Paul II and Lech Walensa, those are truly the men of the decade, the people who were there during the entire decade, not the late comers like Mr. Gorbachev, who is being swept along by events. But bless his little Christian baptized heart, at least he has already unleashed the thugs with the shovels in Georgia and in Armenia, and the tanks are still around Opera Square, which the people call Freedom Square in Armenia. I saw that with my own eyes 13 months ago when they had those demonstrations all across the Soviet Union.

□ 1720

Mr. Speaker, hundreds of thousands of people turned out in Moscow, and Kiev, and Novosibirsk, and Sverdlovsk and in Omsk; yes, even in Krasnoyarsk, where the big phased array radar sits now defunct because we conservatives finally got them to admit it was a violation of the SALT talk treaties. In Leningrad, only a few people were suppressed by the secret police still operating in the Soviet Union.

Now, Mr. Speaker, let us see if I have time to close without taking a special order tomorrow night on part three of my three part, broad ranging, little exposition on who won the Cold War.

Part three: Who won the Cold War? Well, the liberals did not win it, that is for sure. We hear them in the well trying to take credit for this ever since the House came back into session last month, such claims are ridiculous. Since the late 1970's the Democratic Party lost its sometime disposition to remain adamantly opposed, not only to the expansion of communism, but to its very being. All of that died when Scoop Jackson died, within 24 hours of the time the Russians killed Larry McDonald. A great conservative on defense, the Senator from the State of Washington, Scoop Jackson died. A big submarine was named after him, a nuclear missile submarine that is out there keeping the world safe for democracy at this very moment. That was when the Democratic Party lost its basic belief that, not only should communism be contained, a moderate policy brought about by a Foreign Service officer, George C. Kennan, during the Harry Truman years, but that communism's very existence was evil. All of that seemed to die in the liberal chambers of the Democratic leadership with the passing of Senator Jackson.

A few examples: How can House Speaker Tip O'Neill—I liked Tip—get away with saying, "History will judge that we should never have been at Grenada. We had no right to go to Grenada."

Well, Mr. Speaker, why are the big cruise ships, like *Sovereign of the Seas*, stopping at Grenada now? If the Communists, Maurice Bishop, brutally murdered by the psycho Communist, Hudson Austin, was still ruling Grenada, believe me there would not be any cruise ships stopping there now.

How can my friend and colleague, the gentleman from Massachusetts [Mr. KENNEDY] get away with saying during his campaign, "I have no problem with a Marxist or a Communist government in Central America"? Well, that is because the young scion of the Kennedy clan does not have to live under Marxism or communism. I hope he has made great statements up there in Boston about how happy he is that Violeta Barrios de Chamorro has won and that again freedom has triumphed somewhere in the world.

And why is it that the Reverend Jesse Jackson can get away with saying, about the aftermath of the Communist horror, their victory in Southeast Asia.

"Unfortunate, unfortunate. Sometimes people struggling for freedom lose their way."

Mr. Speaker, that is what he called the genociding in Cambodia. They just lost their way a little bit, but they are still basically struggling for freedom. And he wants to be a Senator from a tiny little State called the State of Columbia?

Mr. Speaker, let me quote from a Warren Brooks column that I read during the break. Here is what Mr. Brooks said again in the Washington Times: He said.

Those who have endured the scorn of the dominant media culture, because they have relentlessly defended freedom and free market capitalism, are now expected to be quite and still while that dominant culture expropriates the triumph of their ideas, my ideas, our ideas, as if it were somehow their own.

Mr. Speaker, I hear it coming from this lecturn every day now.

It is reminiscent of Beverly Nichols' plaintive protest in "Green Grows the City" against his neighbor's gushing praise of a hard won, but suddenly flowering, garden. In his story, "Green Grows the Garden," the protagonist says, "How can you admire my flowers when I can see them, too?"; meaning: I planted them, and all you did was bitch, moan, and gripe.

What right do those, whose creed has always been the redistribution of the efforts of others, what right do they now have to celebrate the budding of freedom midst the ruins of the socialism they so long and gladly praised and sustained? If the so-called American liberal left had any real respect, they would be engaged in agonized reflection and collective head-hanging over the appalling errors of their own cowardly, pusillanimous predilections for the impoverishing hand of statism and their long contempt for freedom's economic agenda, not just their economic agenda, but their whole agenda.

Mr. Speaker, This article is so good I would like to submit it for the RECORD after my remarks.

Here is an unsigned editorial from a recent Wall Street Journal entitled "Who Really Won Eastern Europe?" It says:

"Liberals have been quick to credit Mikhail Gorbachev for having the vision to see he could no longer hold on to Eastern Europe, and deliberately choosing to let it go. Representing this view, Michael Kinsley"—of Crossfire fame, young Michael—"wrote in the New Republic that 'communism obviously deserves more credit than it has gotten for being able to produce its own collapse.'"

How is that? Give them credit for producing the terror state, and the economic deprivation and utter decay that brought about its own collapse? Kinsley claimed that the U.S. conservatives believe that communism was forever. I never did. Never. And that the best the West could hope for was an eternal standoff. Where does Michael Kinsley get this unadulterated garbage? According to Kinsley the collapse of the Soviet empire was a happy accident, neither anticipated or sought by conservatives.

This pipsqueak is the ultimate arrogant liberal sitting there on Crossfire telling conservatives what they think. A few conservative straw men may have felt that way; but the preeminent figure on the right for the past two decades did not, says the journal.

Ronald Reagan in a 1981 state dinner honoring Margaret Thatcher said, "We will not merely contain communism. We will transcend it." I remember that vividly. I put it in newsletters. I used it in speeches for a year. Ronald Reagan said, "We are going to transcend and conquer communism."

Do not think he is not enjoying his retirement in Bell Air. I know he is thinking, "Way to go, Contras, you brought about an election. Another Communist down the tubes."

Mr. Speaker, Ronald Reagan ought to have a little Communist upside-down on the side of his car the way people put Nazi swastikas on airplanes in World War II, and little rising suns, when they shot down some of Tojo's pilots.

Reagan said that we will transcend it. President Reagan said that it was time for the West to prepare; this is in 1981, folks; to prepare for the post-Soviet world, and he dismissed communism. Listen to these words. I do not catch the timber of his voice to mock him, but to honor him: "a sad, bizarre chapter in history whose last pages are being written even now." That is Ronald Reagan, folks, 9 years ago. Beautiful prophesying, my good friend, Mr. Reagan. Excellent.

But events just do not happen, the Wall Street Journal says. Yes, the freeing of Eastern Europe was helped by communism's inherent flaws. But why did it happen now? Why in 1989 and the continuing collapse in 1990? "Mikhail Gorbachev did not come to power to preside over the loss of Eastern Europe." What persuaded this smart man to accept it?

Mr. Speaker, the answer is twofold. In the 1980's the West, especially the United States, began to both promote policies of economic growth and to rebuild the military capability lost in the preceding year where we dragged some of our liberal colleagues on the majority side of this aisle, dragged them kicking and screaming for the rebuilding of America's defenses. I felt like some of them were hanging around my legs, an albatross around my neck, every time I tried to defend the B-1 strategic advanced modernization or any other defense system on this House floor. Oil deregulation ended the energy crisis, tax cuts spurred the economy, inflation was tamed, and the explosion of new capital fueled the computer and biotechnology industries that drove Western technology forward, and there is so much more good stuff, but I do want to get to the close.

The Wall Street Journal article referred to follows:

WHO WON EASTERN EUROPE?

Vaclav Havel, in his address to a joint session of Congress Wednesday, talked of the forces that kept hope alive in Eastern Europe the past 40 years:

"All of this taught us to see the world in bipolar terms as two enormous forces—one, a defender of freedom, the other, a source of nightmares. Europe became the point of friction between these two powers, and thus, it turned into a single enormous arsenal divided into two parts.

"In this process, one-half of the arsenal became part of that nightmarish power, while the other, the free part, bordering on the ocean and having no wish to be driven into it, was compelled, together with you, to build a complicated security system to which we probably owe the fact that we still exist."

The sledgehammers flung at the Berlin Wall last November had barely been put down before the debate in the West began over who deserved the immediate credit for freeing Eastern Europe. The lion's share goes to the people who bravely took to the streets and forced their jailers to cry uncle. But the two main contenders for second place are Mikhail Gorbachev and Ronald Reagan. Which one deserves the greater thanks?

Liberals have been quick to credit Mikhail Gorbachev for having the vision to see he could no longer hold on to Eastern Europe, and deliberately choosing to let it go. Representing this view, Michael Kinsley wrote in the New Republic that "communism obviously deserves more credit than it has gotten for being able to produce its own collapse." He claimed U.S. conservatives believed that communism was forever and that the best the West could hope for was an eternal standoff. The collapse of the Soviet Empire was a happy accident, neither anticipated or sought by conservatives.

A few conservative straw men may have felt that way, but the pre-eminent figure on the right for the past two decades did not. Ronald Reagan, at a 1981 state dinner honoring Margaret Thatcher, said, "We will not merely contain communism, we well transcend it." He said it was time for the West to prepare for the post-Soviet world, and dismissed communism as "a sad bizarre chapter in history whose last pages are being written even now."

But events don't just happen. Yes, the freeing of Eastern Europe was helped by communism's inherent flaws. But why now? Mikhail Gorbachev didn't come to power to preside over the loss of Eastern Europe. What persuaded him to accept it?

The answer is twofold. In the 1980s, the West, especially the U.S., began to both promote policies of economic growth and to rebuild the military capability lost in the preceding years.

Oil deregulation ended the energy crisis, tax cuts spurred the economy, inflation was tamed and an explosion of new capital fueled the computer and biotechnology industries that drove Western technology forward. In their 1987 book, "Blood in the Streets," James Davidson and Sir William Rees-Mogg predicted a communist crackup by noting that while the Soviet Union could turn in respectable rates of economic growth so long as it was industralizing, it was doomed once the world economy shifted from making slabs of steel to producing complex silicon chips.

Back in 1984, economists Henry Rowen and Charles Wolf predicted on these pages that the failure of the Soviets to compete on the world stage would threaten their empire. In his recent book, "The Democratic Imperative," Gregory Fossedal shows how Western radio broadcasts fueled discontent within the Soviet Union by explaining why socialism couldn't deliver the goods.

The economically stagnant Soviets could have used their military might in a last-ditch effort to secure their geopolitical status. But thanks to the Reagan defense policies, courageously supported by West European governments, they never got the chance.

In the new edition of his book "Revolution," Reagan adviser Martin Anderson reports that Mr. Reagan decided early on he would inform Mikhail Gorbachev that the U.S. intended to win the Cold War. At their first summit in Geneva, Mr. Anderson says President Reagan told the Soviet leader, "We can continue to disarm or we can continue the arms race. And I'll tell you now, you can't win the arms race. There is no way."

By coincidence, the Wednesday evening of Czech President Havel's speech to Congress, a cable-TV network broadcast a World War II documentary about Munich. Toward the end, after the British and French had signed away the Sudetenland, after Chamberlain had announced "peace with honor," the program noted the Czechs' bitterness toward their nominal allies. The Czechs had been ready to fight for freedom but instead got four decades of totalitarianism.

We do not know whether the Havels and Walesas supported the deployment in the West of Pershing missiles, or even the U.S. decision to send Stingers to the Afghan mujahedeen. What is clear is that in the fourth decade of the East's imprisonment, the U.S. and its allies determined to stand up more firmly than ever to the "other force," and that the Soviet Union decided to stand down.

□ 1730

Mr. Speaker, the best paragraph in this Wall Street editorial says:

In the new edition of his book "Revolution," Reagan adviser Martin Anderson reports that Mr. Reagan decided early on he would inform Mikhail Gorbachev that the U.S. intended to win the Cold War.

Now we are up to 1985. Reagan is telling Martin Anderson, his good friend, great adviser to President Reagan, that he is going to tell Mr. Gorbachev, "We are going to win the cold war, my friend Mikhail."

At their first summit in Geneva, Mr. Anderson says President Reagan told the Soviet leader, "We can continue to disarm or we can continue the arms race. And I'll tell you now, "you can't win the arms race. There is no way."

Now, in closing, I just would like to point out again the stunning things of this last decade of the 1980's that I think brought about this amazing, unparalleled rollback of raw totalitarian evil.

Pope John Paul II, remember Stalin asked once contemptuously, "How many divisions does the Pope have?" Well, when the Pope visited Poland and visited his now good friend, Lech

Walesa, and talked to those people in his native homeland about freedom, the spark of freedom turned into a forest fire and it continues burning brightly to this day and spread south and even spread west into East Germany right up to the Berlin Wall itself.

Ronald Reagan I have talked about.

The final factor was the technological revolution which found its voice through the Voice of America. Indeed Mr. Havel when he was here last week actually made a visit, a house call, to Radio Liberty and the Voice of America to thank them for pumping the truth through the airwaves to all those countries.

What were the young people in Romania saying after Ceausescu and the wicked witch had been killed? What were they saying in the week between Christmas and New Year's? They were yelling in broken English to any American reporter, some of them flaming liberals of the dominant media culture, "Thank you for the Voice of America. We listened all these years to Voice of America and Radio Liberty."

And how many people did I hear in this Chamber suggest that we cut that budget all the time because it was provocative? How many liberals in this Chamber followed the words of their once and now much derided Presidential candidate of 1972, George McGovern, who said not 2½ years ago, this is McGovern speaking, "What right do we have to tell these Governments in Eastern Europe what type or form of Government they should have," as though those people voted for communism or wanted to live with its economic stagnation and Russian troops hidden in every little wooded area and glen up and down everything from the Baltic to the Adriatic. They wanted that, according to McGovern. How is history going to treat him?

If you do accept the premise that the cold war is over or ending and that the good guys—I read that, the conservatives—have won, then how can Time magazine possibly make the loser of the cold war the man of the decade, or even the half-decade, and call his empire evil in the same endorsement of his new media status?

But let me sum up my final thoughts, Mr. Speaker. If Mikhail Gorbachev is the man of the decade, then Ronald Reagan is the man of the century. I think that a lot of people who unmercifully criticized Ronald Reagan owe him a profound apology, especially for ridiculing his evil empire remark. If there is anybody in this Chamber who still doubts that the Soviet Union is an evil empire, I suggest they take the grand tour that many of us are taking of the Eastern European capitals and ask the people there, particularly the ones who saw bloodshed in Bucharest, Romania, for freedom.

[From the Washington Times, Jan. 10, 1990]

WHY IS THE LEFT JUBILANT?

(By Warren T. Brookes)

Those who long endured the scorn of the Dominant Media Culture because they relentlessly defended free market capitalism now are expected to be still while that culture expropriates the triumph of their idea as if they were its own.

It is reminiscent of Beverly Nichol's plaintive protest in "Green Grows the City" against his neighbor's gushing praise of his hard won, but suddenly flowering garden.

"How can you admire my petunias," he demanded, "When I can see them too?" How can you who regularly mocked me for my dogged toil, now take such pleasure in its fruits, as if they were some cosmic surprise in which you somehow shared authorship?

What right do those, whose creed was always the redistribution of the efforts of others, now have to celebrate the budding of freedom midst the ruins of the socialism they so long and gladly sustained?

If the so-called American "liberal" left had any real self-respect they would now be engaged in agonized reflection and collective head-hanging over the appalling errors of their own pusillanimous predilections for the improverishing hand of statism, and their long contempt for freedom's economic agenda.

In Poland and Eastern Europe today, they are not reading the smirking socialism of John Kenneth Galbraith who in 1984 wrote "the Russian system succeeds because in contrast to the Western industrial economy it makes full use of its manpower;" or the macro-statism of Paul Samuelson, who once wrote "it is a vulgar mistake to think that most people in Eastern Europe are miserable."

Well, "les ex-miserables" are now studying "The Road to Serfdom" by Nobel economist Friedrich A. Hayek who was ostracized by most of the U.S. ivy academe precisely because he wrote that devastating 1944 indictment of socialism's awful enslaving fraud on humanity and its blood-relationship to Nazi (National Socialist) fascism.

Mr. Hayek's intellectual descendant, 1987 Nobelist James Buchanan was once driven off the University of Virginia faculty because he developed "Public Choice" theory that explains why government bureaucracies always get things wrong and make us less free.

In Budapest and Prague they are now reading "Capitalism, Freedom and Democracy" by Mr. Hayek's scholarly offspring, Nobelist Milton Friedman who is still subjected to total opprobrium by the same U.S. academics whom broacasters now call upon to grade the '80s, and who always issue failing marks to Mr. Friedman's theories.

Mr. Friedman's genius never was much welcomed beyond his tenured place at the University of Chicago, until he joined the Hoover Institution, which itself now is under vicious attack by Stanford "liberals" who cannot stand its unapologetic market capitalism.

Today, some liberal pundits even suggest communism never was much of a threat, that it no longer lives anywhere but in Cuba and Albania, hopping we'll ignore the muddled Marxism that still dominates the U.S. universities milieus. In "The Closing Of the American Mind" Allan Bloom courageously traced the statist antecedents of that lockstep-left thought control of today's U.S. academe:

"What happened to the universities in Germany in the thirties is what . . . is happening everywhere. The New Left in America was a Nietzscheanized . . . Left. A distinguished professor of political science proved this when he read to his radical students some speeches' about what was to be done. They were enthusiastic until he informed them that the speeches were made by Mussolini."

That ugly socialist/fascist axis was played out in the brilliant but systematically unheralded life of the real godfather of communism's European creakup: The greatest Austrian economist, Ludwig von Mises, whose penetrating mind gave intellectual birth to Messrs, Hayek, Friedman and Buchanan, and rebirth to Adam Smith.

Yet von Mises was completely shut out of the socialist/fascistminded Austrian and German universities in the 1920s and 1930s and was never offered any American post after exile by Nazism. Why? He wrote a book titled "Socialism" in 1922 in which he coined the phrase "statolotry" for the new Western irreligion, and showed with precise logic why socialism could never work.

"How can economic action that always consists of preferring [choosing] and setting aside saving, that is, of making unequal valuations, be transformed into equal valuations, by the use of equations?" How can economic growth that depends on unequal individual effort always be made to produce an equal result?

Von Mises' book, as Murray Rothbard writes' had an enormous influence during the 1920s and 1930s not only in raising profound questions of socialists. But also in converting countless young socialist intellectuals to the cause of freedom and free markets." Among them; former socialist Mr. Hayek, himself.

Though von Mises' "Money and Credit" stands today as one of the classics of economic literature, Mr. Rothbard writes, "It is truly shameful that at a time when every third-rate Marxoid refugee was able to find a prestigious berth in academia, one of the great minds of the twentieth century could not find an academic post."

Today, in the devilish doublespeak of the Dominant Media Culture, the demise of communism is pronounced the death knell for anticommunists; market capitalism's triumph seen as defeat for market capitalists.

It is time to tell these "front-runners" for democracy to stop admiring the flowers in our garden, because, while we were digging deep in the hard but fruitful soil of liberty, sowing the seeds of freedom, they were nourishing the tares of totalitarianism.

Now it is harvest time. Hopefully, those seedlings are strong enough to endure the tares uprooting. But freedom's fair-weather friends have earned no place at this salad bar. They are gate-crashers in the great garden party of democratic capitalism.

As Americans listen to these flower-admiring children now romancing the crumbling stones of the evil empire, they should note how often they mock those who really undressed the emperor.

[From the Washington Times, Jan. 9, 1990]

CRIMES WITHOUT JUST PUNISHMENT

(By Arnold Beichman)

As I watched the CBS "60 Minutes" film production several Sundays ago of the inside of the Soviet Perm labor camp for political prisoners, I felt the same horror as I did seeing the newsreels of Auschwitz and Buchenwald 44 years ago, the mounds of

corpses produced in the name of Adolf Hitler. Far more corpses were produced in the name of Josef Stalin.

I recalled Alexander Solzhenitsyn's descriptions in his multivolumed "Gulag Archipelago" of Soviet slave labor camps. I remembered the sufferings of Natan Sharansky, Eleanor Lipper, Vladimir Bukovsky among the handful who survived and the millions and millions of Soviet citizens who did not.

I recalled the time as described by Yelena Bonner, widow of Andrei Sakharov, when so-called doctors descended upon her martyred husband, then exiled in Gorki and under house arrest. The doctors tried forced-feeding him during his hunger strike. One doctor, whose name is publicly known, said to Sakharov, "We won't kill you, but we will make you an invalid for life." The Soviet doctors finally won their war against Sakharov. Are those doctors still practicing their brutish medicine?

What made the Holocaust not understandable but finally bearable was the Nuremberg war trials and that some of the Nazi human monsters were either executed or jailed for long terms. Somebody paid for the crimes of Adolf Hitler and his genocide apparatus.

Will anyone pay for the crimes of Stalin and his successors against the Soviet peoples?

Millions of Ukrainians, Chechen-Irgush, Bvelo-Russians, and Russians, Crimean Tatars, Balts, Georgians, the peoples of Central Asia and so many others were exterminated during the three decades of Stalin's bloody reign. Stalin and the Communist Party of the Soviet Union turned the country into a vast slaughterhouse. At the Perm prison camp, three Ukrainian rights-activists, members of the Ukrainian Helsinki committee, died as political prisoners between 1984 and 1985.

Who, then, will pay for the crimes of Stalin and his successors against the Soviet peoples and for the post-Stalin deaths of three Ukrainian human-rights activists?

Such monstrous massacres could not have been inflicted and planned by one man alone. The killing fields needed a killing machine which the Communist Party of the Soviet Union, its central committee, its Politburo, its presidium, its party-controlled media, its nomenklatura and its secret police supplied.

Who will pay for the crimes of Stalin and his successors against the Soviet peoples?

The alibi for the Nazi war criminals is that they had merely been following orders. The Allied jurists, including the Soviet judge, ignored that plea and the war criminals were punished. Are the Soviet prison-keepers, the Soviet torturers and executioners, the terror apparatchiks, who participated in the longest blood bath in human history immune from punishment? And will those Soviet leaders who gave the orders also be forgiven in the era of Soviet President Mikhail Gorbachev the Good?

Who will pay for the crimes of Stalin and his successors against the Soviet peoples?

So long as these crimes go unpunished, so long can it be said that there is no rule of law in the Soviet Union. So long as no Soviet leader is prepared to try under a recognized rule of law the terror apparatchiks, there can be no confidence in those who today hold the reins of power in the Soviet Union.

In Britain, the House of Commons voted overwhelmingly Dec. 12 for a recommendation to change the law so that Nazi war criminals living in Britain could be prosecuted. Prime Minister Margaret Thatcher and Neal Kinnock, Labor opposition leader, voted for the recommendation. Shouldn't Soviet criminals who warred against their own citizens also be prosecuted?

Countering my thesis is a prudential argument:

If we seek a peaceful transition from communism to freedom, then we must assure the terror apparatachiks and their superiors, however great their guilt, that no reprisals are planned—in other words that the past will be forgiven. Not to announce such an amnesty in advance, goes the argument, would ensure a blood bath as seen in the desperate resistance by the Romanian Securitate, a resistance born not out of loyalty to Nicolae Ceausescu, but to a will to survive the December revolution.

Such an amnesty offer, however, was not granted the Nuremberg defendants, any more than immunity-for-surrender was offered Gen. Manuel Antonio Noriega and his Panamanian Defense Forces. Well, goes the argument, the Nuremberg defendants had been defeated in battle as had Gen. Noriega. Therefore the prudential argument need not apply.

My answer to that contention is that the crimes of the Soviet state and of the Soviet Communist Party are so damnable—according to Zbigniew Brzezinski: "It has been openly admitted that 60 out of its [the Soviet Union's] 70 years involved sustained criminality"—so monstrous and so unprecedented that to forgive is to forget what communism did to some 40 million human beings in one country alone. How did the Soviet killing machine manage to operate so efficiently for at least six decades? Even with all the research by Western scholars of the Soviet past, do we really know the full extent of the barbarousness of the Soviet regime?

Even accepting the prudential argument for amnesty, shouldn't at the very least the secret party dossiers be made public or made available to scholars so that the world can learn what happens in a society when the rule of law disappears? If the present Soviet regime seeks legitimacy by a selective rehabilitation of the innocent dead, shouldn't the world and the Soviet peoples learn the names of the terror apparatchiks and what they did?

Politburo member Alexander Yakovlev advocates the blanket rehabilitation of all past political prisoners, even if they actually committed some crime. Mr. Yakovlev is chairman of the Politburo commission on the rehabilitation of Stalin's victims. In a Moscow News interview reported by Tass, Mr. Yakovlev called for the establishment in the Soviet Union of an "ethical democracy." How ethical can a Soviet "democracy" be when the victms are "rehabilitated" and the criminals exonerated?

Perhaps the entire question of Soviet Party guilt may be moot. President Nixon has written: "To a man [Stalin] who killed tens of millions of Soviet citizens, Gorbachev gave a pat on the back and a slap on the wrist." When Mr. Gorbachev was asked two years ago by l'Humanite, the French communist daily, whether the vestiges of Stalinism had been overcome in the Soviet Union, he replied:

"Stalinism is a concept thought up by the enemies of communism to discredit socialism as a whole."

So, the answer to my question is this:

No one will pay for the crimes of Stalin and his successors against the Soviet peoples.

AMERICAN-JAPANESE PATENT PROCESS DOES NOT WORK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, I first want to commend my colleague, the gentleman from California, for his very excellent capsulized history of the horrors of communism in the 20th century and the treacherous crimes of the Axis in World War II, and also for his pointing out the contribution of President Reagan to enforcing the collapse of these totalitarian walls and the leaders, and now I hope the gentleman will give the same interest with me in understanding the economic war that we are fighting today. The talk that I am going to give today, Mr. Speaker, concerns the patent process and how unfair our colleague in the Far East, Japan, is, in dealing with patents of American companies.

We might start out by saying, Mr. Speaker, that regardless of all the niceties that are exchanged in our trade talks it remains painfully clear that the Japanese are not mending their ways with American companies.

Yesterday's Outlook column by Peter Truell in the Wall Street Journal compared the Japanese and why reactions differ to them. It brought up and discounted the fact that the Japanese claim the attention they receive is because of racial and cultural prejudice. The story pointed out "there are other explanations for the disporportionate attention paid Japan."

Among other factors it pointed out that the Japanese market is not open, there is a lack of foreign investment in Japan and it does not have the propensity to import foreign goods. One area that is not mentioned is that of patents.

I have a special interest in the patent process in Japan because of friends and what has happened to them—and because I am hearing stories like the one I am going to relate today. The latest story to come to my attention is what the Japanese have done to a company that does substantial engineering and manufacturing in my district, as well as elsewhere in the United States of America. The company is Allied-Signal Inc.

This is not a small company. Allied-Signal was founded in 1920 and its main area of business is aerospace, automotive products, and engineered materials. Allied-Signal was chosen by the Air Force last year to joint venture with Raytheon, the IFF system for all of NATO—a $4.2 billion project if it survives the budget process.

Allied is the 28th largest company on the Fortune 500 list of companies and is one of 30 companies used to make up the Dow Jones industrial average. It has $12 billion in revenue.

The company employes 110,000 people worldwide and operates in 40 countries.

In no other country has Allied-Signal had the trouble that it has had in Japan.

Now Allied-Signal has requested the U.S. Trade Representative "to aid them in opening the Japanese market for new materials."

The company responded to a call from the U.S. Trade Representative for comments on major foreign trade barriers under the super 301 provision of the U.S. Trade Act of 1974. The Trade Representative can take action to open those markets and I am urging that the U.S. Trade Representative pushes hard on this one.

The Allied-Signal press release which was faxed to my office states succinctly what the problem with the Japanese is:

"The Japanese actions to preclude American companies from these advanced materials markets are a textbook example of Japanese industrial targeting of cutting-edge technology,"said Edward L. Hennessy, Jr., Allied-Signal chairman and CEO.

"If they are successful in keeping us out of Japan and continue to discourage our sales in third countries until our patents expire, they will then drive us out of business. What has happened to so many other American products will happen to us. We do not intend to let that happen," Hennessy said.

Allied-Signal said Japanese government agencies and businesses working in concert have successfully taken steps to keep the company out of the Japanese market for amorphous metal alloys, a material invented by Allied-Signal and for which it holds hundreds of U.S., European and Japanese patents. Specifically, the company said the Japanese took the following actions:

"Organized and funded a 34-company "Amorphous Metals Group" under the Japan Research and Development Corporation to speed development of a Japanese product to compete with Allied-Signal.

"Manipulated the Japanese patent system so that it took 11 years for Allied-Signal's basic patent to issue. During this time, Japanese companies worked to duplicate Allied-Signal's technology. The Allied-Signal patent has just three years of effective life remaining.

"Pressured Japanese utilities not to buy transformers containing Allied-Signal's product, despite their clear superiority in conserving energy, a national priority in Japan.

"Discouraged the purchase of Allied-Signal's amorphous alloys in Japan until Japanese companies could develop their own products.

"Pressured Allied-Signal to license its proprietary technology to Japanese companies on unreasonable terms, backed by the threat of government aid to help evade the company's patents."

Allied-Signal's amorphous metal alloys, marketed under the name Metglas®, are used in the cores of electric transformers, where they cut energy losses by 70 percent. In Japan, the use of such transformers would result in savings of $625 million per year in oil expenditures or would eliminate the need to build two 750 megawatt nuclear power plants.

Allied-Signal has built the world's first commercial plant to manufacture amorphous metal alloys and has been successful in selling the material in the United States and other countries. It has been stymied in Japan, however, despite more than a decade of marketing efforts through a joint venture with the Mitsui group. The potential world market for amorphous alloys in transformers is $1 billion a year and more than $2.5 billion per year for other applications. In addition, the technology upon which the material is based, also patented by Allied-Signal, is expected to have broad application in the development of additional new materials including those for aerospace and superconductor applications.

Remember, Allied-Signal has only 3 years left on this patent. The clock started ticking for the firm when it first applied for a patent and as soon as the paper was filed and became available to the Japanese business world 1½ years later—without granting the patent. Japanese companies have worked ever since to duplicate the Allied-Signal patent and now, the company has only 3 years left on the patent.

This is very close to what the Japanese have done to another company Go-Video of Scottsdale, AZ. That small company developed a double deck VCR, which is scheduled to come on the market this spring. The Japanese refused to sell parts to Go-Video and tried to market a double deck VCR but were stopped by Joe Alioto, the attorney for Go-Video.

The next best step for the Japanese interests was to go to other countries and ask those countries not to sell to Go-Video in an effort to squeeze it out.

Go-Video retaliated by suing the Japanese trading companies. They are now in court, and their case promises to shed some important light for American business on just what the Japanese are doing.

The reason the Japanese wanted to stop Go-Video is that the VCR is 50 percent of the electronics export from Japan and electronics compose one-third of Japan's exports. Go-Video holds the patent on the next two generations of the VCR and Japan wants to stifle the possibility of anyone else entering the market.

These two cases are very similar in that the Japanese were not honoring a patent process for the Americans until the Japanese interest could controll all of the technology. In one case they stalled the patent. In another they tried the strong arm method through other countries.

There is one significant difference in the Allied-Signal case and that is that Allied-Signal was in a joint venture with the Mitsui group. So even a joint venture is no guarantee.

This outrageous conduct by the Japanese must be changed. I urge the United States Trade Representative to go full speed on changing what has happened to Allied-Signal. How many other companies have run into this difficulty? What does this mean to the overall well being of American industry and the health of our economy?

Surely the Japanese know what they are doing. The "Japanese Conspiracy" by Marvin Wolf points out how they have targeted American business.

These two vital manufacturing companies are important to the United States. Allied-Signal must have some redress from this egregious wrong. The well-being for all of us is at stake.

If Japan, Inc. can stall and coerce a company the size of Allied-Signal, the 28th largest on the Fortune 500 index, about the use of its proprietary licensing, then what will that nation do to a smaller company.

All of us must be concerned about such activities. The administration must take strong action to stop such unfairness and targetting U.S. industries. Our Government must ensure a fair playing field for American business. Enough is enough. I certainly intend to follow through with these objections to such deliberate destruction of American industry.

□ 1750

CONTINUATION OF FUNDING FOR CHINESE MBA PROGRAM IS A POSITIVE STEP

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. PAXON] for 5 minutes.

Mr. PAXON. Mr. Speaker and my colleagues, we all have clear vision in our memory of those valiant men and women in China, many of them students, who stood in Tiananmen Square in front of those tanks and in front of those troops to stand up for freedom and democracy and basic human rights. In my view, my colleagues, there is nothing more important than this Congress, than this country, standing with those valiant men and women in their fight for basic human rights and the opportunity to move that country in a new direction.

As a result, today I am very pleased to tell my colleagues and announce that we are going to do just that. We are going to stand with these men and women in China who seek change in their country.

I have just received the assurance from the Department of Commerce that funding for a very successful MBA Program run in China by the University of Buffalo in my district will be continued.

Just 2 short weeks ago we had been concerned that the funding for this program was going to be ended and there were about 83 students in that program whose education was going to be terminated April 1.

I think this would have been a great tragedy, because these men and women literally risked their very lives to attend those programs, to get this education, and to prepare to begin to

build China in a new direction, new free markets, freedom, and democracy for their people.

The decision this afternoon by the Department of Commerce to continue this program, to continue the funding coming to the University of Buffalo, is a tremendous step forward.

In addition, I am extremely pleased the Department is going a step further. Not only will they continue the funding for the ongoing students' educations, but the Department and the administration are going to try to identify funds, both public and private, to continue this program in the years to come for additional classes and for more students.

My friends, for those men and women who stood up and in many cases lost their lives in China in Tiananmen Square to change the direction of China, I think the decision today by the Department of Commerce and by the administration is a very positive one. It means we will be standing with these men and women in China, as we have with the people in Eastern Europe and Central America and all other parts of the world, who are looking for a new dawn and a new era in their lands.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOYER (at the request of Mr. GEPHARDT) for today on account of illness in the family.

Mr. MANTON (at the request of Mr. GEPHARDT) on February 27 and February 28 on account of a death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GILLMOR) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH, for 60 minutes each, on today, February 28, and March 1.

Mr. PARRIS, for 5 minutes, today.

(The following Members (at the request of Mr. OWENS of Utah) and to include extraneous material:)

Mr. BRUCE, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GAYDOS, for 30 minutes, today.

Mr. GAYDOS, for 30 minutes, on February 28.

Mr. BRUCE, for 60 minutes, on February 28.

(The following Members (at the request of Mr. CAMPBELL of California) to revise and extend their remarks and include extraneous material:)

Mr. PARRIS, for 5 minutes, on February 28.

Mr. DREIER of California, for 60 minutes, today.

(The following Member (at the request of Mr. POSHARD) to revise and extend his remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. PAXON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. OWENS of Utah, on House Concurrent Resolution 226, during debate in the House today.

(The following Members (at the request of Mr. GILLMOR) and to include extraneous matter:)

Mr. GRANDY.

Mr. BROOMFIELD in two instances.

Mr. IRELAND.

Ms. ROS-LEHTINEN in three instances.

Mr. GILLMOR.

Mr. WELDON.

Mr. SHUMWAY.

Mr. GALLO.

Mr. DENNY SMITH.

Mr. DEWINE.

Mr. MADIGAN.

Mr. PORTER.

Mr. ROWLAND of Connecticut.

Mr. ROHRABACHER.

Mr. GRADISON.

(The following Members (at the request of Mr. OWENS of Utah) and to include extraneous matter:)

Mr. WAXMAN.

Mr. COLEMAN of Texas.

Mr. HAYES of Illinois.

Mr. MAVROULES.

Mr. EDWARDS of California.

Mr. SLATTERY.

Mr. SOLARZ in three instances.

Mr. MAZZOLI.

Mr. BERMAN in eight instances.

Mr. STARK in three instances.

Mr. VENTO.

Mr. BRYANT.

Ms. SLAUGHTER of New York.

Mr. SCHUMER.

Mr. RICHARDSON.

Mr. FUSTER.

Mr. NEAL of Massachusetts.

Mr. JENKINS.

Mr. HAWKINS.

Mr. WEISS.

Mr. WISE.

(The following Members (at the request of Mr. CAMPBELL of California) and to include extraneous matter:)

Mr. CRANE in two instances.

Mr. BLILEY.

Mr. HORTON.

Mr. WOLF.

Mr. KOLBE.

SENATE JOINT RESOLUTIONS REFERRED

Joint Resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 190. Joint Resolution designating April 9, 1990, as "National Former Prisoners of War Recognition Day;" to the Committee on Post Office and Civil Service.

S.J. Res. 226. Joint Resolution to designate the year 1990 as the "Bicentennial Anniversary of the Legacy of Benjamin Franklin;" to the Committee on Post Office and Civil Service.

S.J. Res. 227. Joint Resolution to designate March 11 through March 17, 1990, as "Deaf Awareness Week;" to the Committee on Post Office and Civil Service.

S.J. Res. 229. Joint Resolution to designate April 1990 as "National Prevent-A-Litter Month;" to the Committee on Post Office and Civil Service.

S.J. Res. 230. Joint Resolution to designate the period commencing on May 6, 1990, and ending on May 12, 1990, as "National Drinking Water Week;" to the Committee on Post Office and Civil Service.

S.J. Res. 231. Joint Resolution to designate the week of June 10, 1990 through June 16, 1990, as "State-Supported Homes for Veterans Week;" to the Committee on Post Office and Civil Service.

S.J. Res. 236. Joint resolution designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 241. Joint resolution to designate the week of May 6, 1990 through May 13, 1990, as "Jewish Heritage Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 243. Joint resolution to designate March 25, 1990, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy"; to the Committee on Post Office and Civil Service.

S.J. Res. 245. Joint resolution designating July 3, 1990, as "Idaho Centennial Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 250. Joint resolution designating April 1990 as "National Recycling Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 251. Joint resolution designating "Baltic Freedom Day"; to the Committees on Foreign Affairs and Post Office and Civil Service.

S.J. Res. 252. Joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 258. Joint resolution to authorize the President to proclaim the last Friday of April 1990 as "National Arbor Day"; to the Committee on Post Office and Civil Service.

ADJOURNMENT

Mr. PAXON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.) under its previous order, the House adjourned until tomorrow, Wednesday, February 28, 1990, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2578. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Armed Services.

2579. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-154, "Closing of a Public Alley in Square 452, S.O. 87-405, Act of 1990", and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2580. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-156, "District of Columbia Statutory Savings Provision Temporary Act of 1990", pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2581. A letter from the Associate Director, ACTION, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2582. A letter from the Acting Director, Federal Emergency Management Agency, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2583. A letter from the Chairman, Tennessee Valley Authority, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act for calendar year 1989, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2584. A letter from the Clerk, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 1989 through December 31, 1989, pursuant to 2 U.S.C. 104a (H. Doc. No. 101-153) to the Committee on House Administration and ordered to be printed.

2585. A letter from the Acting Assistant Attorney General for Legislative Affairs, transmitting a draft of proposed legislation to provide for the recovery by the United States of the costs of hospital and medical care and treatment furnished by the United States in certain circumstances, and for other purposes; to the Committee on the Judiciary.

2586. A letter from the President, Little League Baseball, Inc., transmitting the organization's annual report for the fiscal year ending September 30, 1989, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

2587. A letter from the Attorney General, transmitting a draft of proposed legislation to amend 42 U.S.C. 1981 in regard to the formation and implementation of contracts, and title VII of the Civil Rights Act of 1964 to protect against discrimination in employment, and for other purposes; jointly to the Committees on Education and Labor and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAWKINS: Committee of Conference. Conference report on H.R. 2742 (Rept. 101-407). Ordered to be printed.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 4010. A bill to provide the Secretary of Agriculture authority regarding the sale of sterile screwworns. (Rept. 101-408). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. Report on allocation of budget totals for fiscal year 1990 submitted pursuant to section 302 of the Congressional Budget Act of 1974 (Rept. 101-409). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLILEY (for himself, Mr. BATEMAN, Mr. PARRIS, Mr. PICKETT, and Mr. SISISKY):

H.R. 4107. A bill to direct the Secretary of the Interior to permit certain uses of lands within Richmond National Battlefield Park and Colonial National Historical Park in the Commonwealth of Virginia; to the Committee on Interior and Insular Affairs.

By Mr. CAMPBELL of Colorado:

H.R. 4108. A bill to permit Telluride Regional Airport to receive assistance under the Airport and Airway Improvement Act of 1982; to the Committee on Public Works and Transportation.

By Mr. CHANDLER (for himself and Mr. SCHULZE):

H.R. 4109. A bill to amend title XVIII of the Social Security Act to provide for coverage of screening mammography and colonrectal screening examinations under part B of the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. PANETTA (for himself, Mr. EMERSON, Mr. DE LA GARZA, Mr. HATCHER, Mr. HALL of Ohio, Mr. GLICKMAN, Mr. STAGGERS, Mr. ESPY, Mr. SARPALIUS, Mr. FALEOMAVAEGA, Mr. MORRISON of Washington, and Mr. MILLER of Califorina):

H.R. 4110. A bill to amend the Food Stamp Act of 1977 to respond to the hunger emergency afflicting American families and children, to attack the causes of hunger among all Americans, to ensure an adequate diet for low-income people who are homeless or at risk of homelessness because of the shortage of affordable housing, to promote self-sufficiency among food stamp recipients, to simplify the food stamp program's administration, to reauthorize the food stamp and temporary emergency food assistance programs, to codify and reauthorize other nutrition programs, and for other purposes; to the Committee on Agriculture.

By Mr. CRAIG (for himself and Mr. RAHALL):

H.R. 4111. A bill to amend the Mining and Mineral Resources Research Institute Act of 1984, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GEJDENSON (for himself, Mr. ROWLAND of Connecticut, Mr. MORRISON of Connecticut, Mrs. KENNELLY, Mrs. JOHNSON of Connecticut, and Mr. SHAYS):

H.R. 4112. A bill to establish the Weir Farm National Historic Site in the State of Connecticut; to the Committee on Interior and Insular Affairs.

By Mr. GRADISON:

H.R. 4113. A bill to suspend temporarily the duty on certain chemicals; to the Committee on Ways and Means.

By Mr. HAYES of Louisiana:

H.R. 4114. A bill to amend the Disaster Assistance Act of 1989 to allow the Secretary of Agriculture to take into account the verified planting intentions of soybean producers in determining prevented planting credit; to the Committee on Agriculture.

By Mr. HERTEL (for himself, Mr. JONES of North Carolina, Mr. DAVIS, Mr. SHUMWAY, Mr. SAXTON, Mr. CLEMENT, Mr. HUGHES, Mr. STUDDS, Mrs. SAIKI, Mr. MANTON, Mr. BORSKI, Mr. BRENNAN, Mr. HERGER, Mrs. LOWEY of New York, and Ms. SCHNEIDER):

H.R. 4115. A bill to authorize appropriations for certain ocean and coastal programs of the National Oceanic and Atmospheric Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. KOLBE:

H.R. 4116. A bill to amend title 28, United States Code, to make certain positions on the U.S. Sentencing Commission part time beginning October 1, 1990; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Mr. UDALL, Mr. STUMP, Mr. RHODES, and Mr. KYL):

H.R. 4117. A bill to provide for the divestiture of certain properties of the San Carlos Indian irrigation project in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MACHTLEY (for himself, Ms. SCHNEIDER, Mr. FRANK, Mr. MRAZEK, Mr. PENNY, and Mr. TOWNS):

H.R. 4118. A bill to terminate the Ground-Wave Emergency Network [GWEN] Program; to the Committee on Armed Services.

By Mr. MORRISON of Washington:

H.R. 4119. A bill to direct the Secretary of the Interior to convey certain lands in Sunnyside, WA, to the Sunnyside Valley Irrigation District; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS (for himself, Mr. BATES, Mr. BONIOR, Mrs. BOXER, Mr. BUSTAMANTE, Mr. CLAY, Mr. COSTELLO, Mr. DE LUGO, Mr. ENGEL, Mr. FAUNTROY, Mr. FAZIO, Mr. FISH, Mr. FOGLIETTA, Mr. FRANK, Mr. FROST, Mr. FUSTER, Mr. GEJDENSON, Mr. HAYES of Illinois, Mr. KILDEE, Mr. LAFALCE, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEVINE of California, Mr. MILLER of California, Mr. MORRISON of Connecticut, Mr. NEAL of Massachusetts, Ms. PELOSI, Mr. PERKINS, Mr. POSHARD, Mr. RAHALL, Mr. RANGEL, Mr. SAVAGE, Mr. SAWYER and Mr. STARK):

H.R. 4120. A bill to amend the Job Training Partnership Act to provide services and facilities for homeless individuals and their families at existing or special Job Corps centers; to the Committee on Education and Labor.

By Mr. ROGERS:

H.R. 4121. A bill to repeal the provisions of the Revenue Reconciliation Act of 1989 which require the withholding of income tax from wages payed for agricultural labor; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 4122. A bill to amend the Fair Credit Reporting Act to clarify and strengthen consumer protection provisions, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SMITH of Iowa (for himself, Mr. LAFALCE, and Mr. MCDADE):

H.R. 4123. A bill to amend the Small Business Act to promote the planting of trees by small businesses, and for other purposes; to the Committee on Small Business.

By Mr. DENNY SMITH (for himself, Mr. MICHEL, Mr. LENT, Mr. OXLEY, Mr. MILLER of Washington, Mrs. JOHNSON of Connecticut, Mr. HANSEN, Mr. RAY, Mr. LAGOMARSINO, Mr. WALSH, and Mr. CRAIG):

H.R. 4124. A bill to amend the Higher Education Act of 1965, to reduce student loan defaults, to achieve greater accountability in Federal student assistance programs, to minimize the potential for waste, fraud, and abuse, and for other purposes; to the Committee on Education and Labor.

By Mr. SYNAR (for himself and Mr. PANETTA):

H.R. 4125. A bill to amend chapter 11 of title 31, United States Code, to require that the annual budget submitted by the President includes a statement of revenues from the sale, lease, and transfer of Government assets, and for other purposes; to the Committee on Government Operations.

By Mr. TORRICELLI:

H.R. 4126. A bill to extend the suspension of duties on certain chemicals; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 4127. A bill to abolish the Oversight Board of the Resolution Trust Corporation and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ANNUNZIO:

H.J. Res. 487. A joint resolution designating the week of June 3 through June 9, 1990, as "Headache Awareness Week"; to the Committee on Post Office and Civil Service.

By Mrs. BYRON:

H.J. Res. 488. A joint resolution designating May 16, 1990, as "National Employee Health and Fitness Day"; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS (for himself and Mr. GOODLING):

H.J. Res. 489. A joint resolution to declare it can be the policy of the United States that there should be a renewed and sustained commitment to Federal aid to elementary and secondary education; to the Committee on Education and Labor.

By Mr. KILDEE (for himself, Mr. TAUKE, Mr. HAWKINS, Mr. GOODLING, Mr. SAWYER, Mrs. UNSOELD, Mrs. LOWEY of New York, and Mr. POSHARD):

H.J. Res. 490. Joint resolution commemorating May 18, 1990, as the 25th Anniversary of Head Start; to the Committee on Post Office and Civil Service.

By Mr. HUBBARD:

H.J. Res. 491. Joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the physical desecration of the flag of the United States and to set criminal penalties for that act; to the Committee on the Judiciary.

By Mr. PARKER (for himself and Mr. MONTGOMERY):

H.J. Res. 492. Joint resolution to designate March 30, 1990, as "National Doctor's Day"; to the Committee on Post Office and Civil Service.

By Mr. RITTER (for himself and Mr. HERTEL):

H.J. Res. 493. Joint resolution designating June 14, 1990, as "Baltic Freedom Day," and for other purposes; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

By Mr. SOLOMON:

H.J. Res. 494. Joint resolution authorizing and requesting the President to designate the second full week in March 1990 as "National Employ the Older Worker Week"; jointly, to the Committees on Post Office and Civil Service and Education and Labor.

By Ms. SLAUGHTER of New York:

H. Con. Res. 271. Concurrent resolution expressing the sense of the Congress that the President should designate a special envoy to negotiate the release of Americans held hostage in Lebanon, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEPHARDT:

H. Res. 344. Resolution authorizing official pictures of the House while in session; considered and agreed to.

By Mr. FAZIO:

H. Res. 345. Resolution designating membership on certain standing committees of the House; considered and agreed to.

By Mr. GAYDOS:

H. Res. 346. Resolution providing amounts from the contingent fund of the House for the expenses of investigations and studies by standing and select committees of the House in the 2d session of the 101st Congress; to the Committee on House Administration.

By Mr. DORGAN of North Dakota:

H. Res. 347. Resolution expressing the sense of the House of Representatives regarding the need to develop compaign finance reform legislation in the 2d session of the 101st Congress to limit expenditures in House of Representatives elections and to reduce the role of political action committees in financing such elections; to the Committee on House Administration.

By Mr. DRIER of California (for himself and Mr. SKELTON):

H. Res. 348. Resolution to express the sense of the House of Representatives concerning the election of Violeta Chamorro as President of Nicaragua; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. STUDDS:

H.R. 4128. A bill to authorize issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel *Ernestina;* to the Committee on Merchant Marine and Fisheries.

By Mr. SYNAR:

H.R. 4129. A bill to extend for 10 years the patent for the drug Ethiofos (WR2721) and its oral analogue; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. MILLER of Ohio.

H.R. 191: Mr. TAUZIN.

H.R. 467: Mr. HOAGLAND, Mr. SANGMEISTER, Mr. WALSH, and Mr. KLECZKA.

H.R. 543: Mr. CONDIT, Mr. DEFAZIO, and Mr. BILIRAKIS.

H.R. 563: Mr. SKELTON.

H.R. 933: Mr. BRUCE, Mr. ROSE, Mr. JAMES, and Mr. JONES of Georgia.

H.R. 995: Mr. ROBERT F. SMITH.

H.R. 1008: Mr. PALLONE, Mr. EMERSON, Mr. FISH, and Mr. ECKART.

H.R. 1046: Mr. HOAGLAND.

H.R. 1092: Mr. HANSEN, Mr. JAMES, Mr. DURBIN, Mr. KANJORSKI, and Mr. FOGLIETTA.

H.R. 1095: Mr. EDWARDS of Oklahoma and Mr. GONZALEZ.

H.R. 1109: Mr. COURTER.

H.R. 1167: Mr. SKELTON, Mr. GAYDOS, Mr. CLAY, and Mr. BENNETT.

H.R. 1227: Mr. SWIFT, Mr. THOMAS of California, Mr. HYDE, Mr. UDALL, Mr. ARCHER, and Mr. CARPER.

H.R. 1239: Mr. MACHTLEY and Mr. KOLBE.

H.R. 1347: Mr. SMITH of New Jersey.

H.R. 1383: Ms. KAPTUR.

H.R. 1530: Mr. MCMILLEN of Maryland, Mr. SIKORSKI, and Mr. MCDADE.

H.R. 1570: Mr. JENKINS, Mr. BARNARD, Mr. PANETTA, Mr. YATES, Ms. PELOSI, Mr. PALLONE, Mr. FOGLIETTA, Mr. MILLER of California, Mr. SCHUMER, and Mr. MINETA.

H.R. 1617: Mr. HUNTER.

H.R. 1649: Mr. SWIFT and Mr. RAHALL.

H.R. 1699: Mr. HEFNER, Mr. CONTE, Mr. WYDEN, Mr. FEIGHAN, Mr. LANCASTER, Mr. PARKER, Mr. TOWNS, Mr. ORTIZ, Mr. RAHALL, Mr. BILBRAY, Mr. MAVROULES, Mr. BRUCE, Mr. HOYER, Mr. AKAKA, Mr. BOSCO, Mr. EVANS, Mr. CAMPBELL of Colorado, Mr. BORSKI, Mr. BRYANT, Mr. CARPER, Mr. SKAGGS, Mr. DICKS, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. GRAY, Mr. CHANDLER, Mr. HUBBARD, Mr. COBLE, Mr. DIXON, Ms. PELOSI, Mr. HOAGLAND, Mr. NEAL of North Carolina, Mr. ALEXANDER, Mr. MCDADE, Ms. OAKAR, Mr. PURSELL, Mr. PERKINS, Mr. NOWAK, Mr. SCHEUER, Mr. SHAYS, and Mr. ROSE.

H.R. 2098: Mr. HYDE, Mr. GRANDY, and Mr. HUBBARD.

H.R. 2116: Mr. TAUZIN.

H.R. 2225: Mr. GOODLING.

H.R. 2319: Mr. SCHEUER, Mr. FLAKE, and Mr. GEKAS.

H.R. 2418: Mr. KYL, Mr. MACHTLEY, Mr. SKELTON, Mr. THOMAS of California, Mr. MILLER of Ohio, and Mr. SWIFT.

H.R. 2460: Mr. CONTE, Mr. GEKAS, Mr. LOWERY of California, and Mr. LEACH of Iowa.

H.R. 2499: Mr. BRUCE, Mr. BOSCO, Mr. CONTE, Mr. FRANK, Mr. RINALDO, Mr. HUGHES, Mrs. ROUKEMA, Mr. MRAZEK, Mr. RANGEL, Mr. ENGEL, Mr. MARTIN of New York, Mr. MCHUGH, Mr. HAYES of Illinois, Mr. GUNDERSON, Mr. HYDE, Mrs. COLLINS, Mr. FAWELL, Mr. EVANS, and Mr. PANETTA.

H.R. 2521: Mr. ROSE.

H.R. 2529: Mr. JONTZ.

H.R. 2649: Mr. SHAYS.

H.R. 2665: Mr. EDWARDS of California.

H.R. 2667: Mr. KILDEE and Mr. HENRY.

H.R. 2674: Mr. JAMES, Mrs. BENTLEY, and Mr. HANCOCK.

H.R. 2740: Mr. SENSENBRENNER.

H.R. 2761: Mr. FORD of Tennessee, Mr. BOUCHER, Mr. CARPER, Mr. NEAL of North Carolina, and Mr. MRAZEK.

H.R. 2840: Mr. DURBIN, Mr. JONTZ, Mr. MILLER of California, and Mr. FEIGHAN.

H.R. 2852: Mr. CONTE, Mr. JONTZ, and Ms. SCHNEIDER.

H.R. 3083: Mr. PACKARD.

H.R. 3123: Mr. BOSCO, Mr. JACOBS, and Mr. UDALL.

H.R. 3126: Mr. MARTINEZ, Mr. FOGLIETTA, Mr. MCNULTY, Mrs. UNSOELD, Mr. HOCHBRUECKNER, Mr. HAYES of Illinois, Mrs. BOXER, Mr. OWENS of New York, Mr. FAZIO, Mr. WALSH, Mr. GORDON, Mrs. SAIKI, Mr. LEWIS of Georgia, and Mr. FALEOMAVAEGA.

H.R. 3154: Mr. MCCLOSKEY, Mr. YATES, Mr. PORTER, Mr. LEWIS of California, and Mr. HAYES of Illinois.

H.R. 3172: Mr. POSHARD.

H.R. 3182: Mr. MARKEY, Mr. FISH, and Mr. HATCHER.

H.R. 3252: Mr. HAYES of Illinois, Mr. FUSTER, Mr. TAYLOR, Mr. RICHARDSON, and Mr. BATES.

H.R. 3267: Mr. JONES of Georgia and Mr. RHODES.

H.R. 3349: Mr. THOMAS of Wyoming and Mr. MILLER of California.

H.R. 3389: Mr. BEILENSON, Mr. MAZZOLI, and Mr. KOLBE.

H.R. 3415: Mr. FISH.

H.R. 3419: Mr. RAY.

H.R. 3445: Mr. HYDE.

H.R. 3485: Mr. PARKER.

H.R. 3517: Mr. BOSCO and Mr. FROST.

H.R. 3520: Mr. WISE.

H.R. 3533: Mrs. MARTIN of Illinois, Mr. KANJORSKI, Mr. FAZIO, Mr. LEWIS of California, Mr. CLINGER, Mr. YOUNG of Alaska, Mrs. VUCANOVICH, Ms. KAPTUR, and Mr. BOSCO.

H.R. 3574: Mr. STANGELAND

H.R. 3605: Mr. BOSCO.

H.R. 3622: Mr. JAMES.

H.R. 3623: Mr. JAMES.

H.R. 3625: Mr. LENT, Mr. SOLOMON, Mr. SCHEUER, Mr. RANGEL, Mr. JONES of North Carolina, Mr. PALLONE, Mr. KOSTMAYER, Mr. KASICH, Mr. ANNUNZIO, Mr. BLAZ, Mr. BOSCO, Mr. BOUCHER, Mr. BROWN of California, Mr. HAYES of Illinois, Mr. LAGOMARSINO, Mr. HANSEN, Mr. KILDEE, Mr. TRAXLER, Mr. TALLON, Mr. BATES, Mr. MCDADE, Mr. MRAZEK, Mr. LIPINSKI, Mr. MATSUI, Mr. GEREN, Mr. THOMAS of Wyoming, Mr. HORTON, Mr. HAMMERSCHMIDT, Mr. GALLO, Mr. MACHTLEY, Mr. MOODY, Mr. FUSTER, Mr. JOHNSON of South Dakota, Mr. GRADISON, Ms. KAPTUR, Mr. MCDERMOTT, Mr. CARPER, Ms. SCHNEIDER, Mr. TAUKE, and Mr. FASCELL.

H.R. 3643: Mr. COSTELLO, Mr. LIPINSKI, Mr. WALSH, and Mr. HANCOCK.

H.R. 3672: Mr. CHAPMAN.

H.R. 3705: Mr. BRENNAN.

H.R. 3713: Mr. EVANS.

H.R. 3716: Mrs. LLOYD and Mr. BUSTAMANTE.

H.R. 3732: Mr. PICKETT, Mr. JENKINS, Mr. GALLO, Mr. KANJORSKI, Mr. DYSON, Mr. BLAZ, Mr. CAMPBELL of Colorado, and Mr. COLEMAN of Texas.

H.R. 3734: Mr. GUARINI, Mr. TRAFICANT, Mr. PAYNE of New Jersey, Mr. FASCELL, Mr. ROE, Mr. FOGLIETTA, Mrs. COLLINS, Mr. COURTER, Mr. FORD of Tennessee, Mr. THOMAS A. LUKEN, Mr. ACKERMAN, Mr. COSTELLO, Mr. SMITH of Vermont, Mr. DWYER of New Jersey, Mr. KOLTER, Ms. PELOSI, Mr. RANGEL, Mr. TOWNS, and Mr. WHEAT.

H.R. 3735: Mr. PANETTA and Mr. PALLONE.

H.R. 3819: Mr. BUSTAMANTE, Mr. TORRICELLI, Mr. HARRIS, Mr. FOGLIETTA, Mrs. UNSOELD, and Mr. BATES.

H.R. 3824: Mr. SKELTON.

H.R. 3835: Mr. LANCASTER, Mr. HARRIS, Mr. WILSON, Mr. OBERSTAR, and Mr. EMERSON.

H.R. 3850: Mr. PAYNE of New Jersey, Mr. GONZALEZ, Mr. FAUNTROY, and Ms. PELOSI.

H.R. 3852: Mr. LIPINSKI, Mr. BOEHLERT, and Mr. KENNEDY.

H.R. 3855: Mr. ENGEL.

H.R. 3856: Mr. ENGEL, Mr. KENNEDY, and Mr. OBEY.

H.R. 3857: Mr. JONES of Georgia.

H.R. 3858: Mr. FROST, Mr. SHAYS, Mr. CONDIT, and Mr. LAGOMARSINO.

H.R. 3859: Mr. ROE, Mr. WELDON, and Mr. FAZIO.

H.R. 3860: Mr. PAYNE of New Jersey, Mr. POSHARD, Mr. SMITH of Vermont, Mr. GUNDERSON, Mr. FAUNTROY, Mr. DE LUGO, and Ms. PELOSI.

H.R. 3869: Mr. ECKART.

H.R. 3880: Mr. MOLLOHAN, Mr. PRICE, Ms. SCHNEIDER, Mr. FLIPPO, and Mr. GORDON.

H.R. 3901: Mr. ROE, Mr. JONTZ, and Mr. THOMAS A. LUKEN.

H.R. 3911: Mr. HARRIS, Mr. GORDON, Mr. DWYER of New Jersey, Mr. FAUNTROY, Mr. TOWNS, and Mr. SMITH of Florida.

H.R. 3917: Mr. GREEN.

H.R. 3949: Mr. GLICKMAN.

H.R. 3957: Mr. RAHALL.

H.R. 3971: Mr. MCGRATH and Mr. SCHEUER.

H.R. 3992: Mr. NAGLE, Mr. FUSTER, Mr. SANGMEISTER, Mr. GORDON, Ms. OAKAR, Mr. HAYES of Illinois, Mr. RANGEL, Mr. HERTEL, Mr. MARTINEZ, Mr. FRANK, and Mr. MCMILLEN of Maryland.

H.R. 3997: Mr. OLIN, Mr. SCHUETTE, Mr. HERGER, Mr. JONTZ, Mr. STALLINGS, and Mr. TALLON.

H.R. 4002: Mr. SENSENBRENNER.

H.R. 4025: Mr. PARRIS, Mr. STANGELAND, Mr. HUNTER, Mr. ROSE, Mr. TAUKE, Mr. CONYERS, Mr. STUDDS, and Mr. SABO.

H.R. 4026: Mr. HEFNER, Mr. TOWNS, Mr. MONTGOMERY, and Mrs. LLOYD.

H.R. 4059: Mr. ACKERMAN, Mr. ANNUNZIO, Mr. BARNARD, Mr. CARPER, Mr. CHAPMAN, Mr. FAUNTROY, Mr. FOGLIETTA, Mr. FUSTER, Mr. HUBBARD, Mr. JONTZ, Mr. KANJORSKI, Ms. KAPTUR, Mr. KLECZKA, Mr. LEHMAN of California, Mr. LIPINSKI, Mr. MCDERMOTT, Mr. MFUME, Mr. MORRISON of Connecticut, Mr. NEAL of North Carolina, Mr. NEAL of Massachusetts, Ms. OAKAR, Mr. OWENS of New York, Mrs. PATTERSON, Ms. PELOSI, Mr. PENNY, Mr. PRICE, Mr. RANGEL, Mr. ROE, Mr. STARK, and Mr. VENTO.

H.R. 4075: Mr. SMITH of Vermont, Mr. FAZIO, and Mr. PRICE.

H.R. 4083: Mr. PENNY and Mr. WALSH.

H.J. Res. 180: Mr. DWYER of New Jersey, Mr. FUSTER, Mr. APPLEGATE, Mrs. BENTLEY, Mr. FRENZEL, Mr. ROBERT F. SMITH, Mr. MCCOLLUM, Mr. FLIPPO, Mr. LEHMAN of California, Mr. LIPINSKI, Mr. TRAXLER, Mr. WYDEN, Mr. SABO, Mr. COURTER, Mr. SMITH of New Hampshire, Mr. SKEEN, Ms. OAKAR, Mr. MCEWEN, Mr. ROBERTS, Mr. HUTTO, Mr. JONES of North Carolina, Mr. FEIGHAN, Mr. HUGHES, Mr. SAVAGE, Mr. NATCHER, Mr. SLATTERY, Mr. MCNULTY, Mr. VANDER JAGT, and Mr. QUILLEN.

H.J. Res. 226: Mr. ROBERT F. SMITH, Mr. CARPER, Mr. LAFALCE, Ms. PELOSI, and Mr. NOWAK.

H.J. Res. 240: Mr. ANDERSON, Mr. KANJORSKI, Mr. MAZZOLI, Mr. MINETA, Mr. SISISKY, and Mr. WALSH.

H.J. Res. 294: Mr. PORTER.

H.J. Res. 398: Mr. MARKEY, Mr. FISH, and Mr. HATCHER.

H.J. Res. 427: Mr. ANDERSON, Mr. BONIOR, Mrs. BOXER, Mr. DE LA GARZA, Mr. DIXON, Mr. DWYER of New Jersey, Mr. ERDREICH, Mr. EVANS, Mr. FROST, Mr. GRAY, Mr. GREEN, Mr. GUARINI, Mr. HARRIS, Mr. HAWKINS, Mr. HEFNER, Mr. HUGHES, Mr. JOHNSTON of Florida, Ms. KAPTUR, Mr. LAGOMARSINO, Mr. LEHMAN of California, Mr. LIPINSKI, Mrs. LLOYD, Mr. MCHUGH, Mr. MINETA, Mr. MOORHEAD, Mrs. MORELLA, Mr. PANETTA, Mr. PRICE, Mr. PURSELL, Mr. QUILLEN, Mr. SABO, Mr. SAVAGE, Mr. SMITH of Florida, Mr. SMITH of Iowa, Mr. TAUZIN, Mr. TORRICELLI, Mr. WALGREN, Mr. WYDEN, Mr. YATRON, and Mr. FISH.

H.J. Res. 439: Mr. CLARKE, Mr. ENGEL, Mr. YATRON, Mr. RITTER, Mr. LAGOMARSINO, and Mr. FROST.

H.J. Res. 455: Mr. ENGEL, Mr. KENNEDY, Mr. OBEY, Mr. ROWLAND of Connecticut, Mr. WEBER, and Mr. STOKES.

H.J. Res. 456: Mr. DWYER of New Jersey, Mr. ENGEL, Mr. KENNEDY, and Mr. OBEY.

H.J. Res. 462: Mr. ACKERMAN, Mr. BOEHLERT, Mr. FALEOMAVAEGA, Mr. LANTOS, Mr. WHEAT, and Mr. DYMALLY.

H.J. Res. 475: Mr. FORD of Michigan, Mr. HORTON, Mr. SMITH of New Hampshire, Mr. HENRY, Mr. Conyers, Mr. BLILEY, Mr. LEHMAN of Florida, Mr. RAVENEL, Mr. MANTON, Mr. PAXON, Mr. PALLONE, Mr. TRAXLER, Mr. FUSTER, Mr. SANGMEISTER, Mr. ROYBAL, Mr. MOODY, Mr. DELLUMS, Mr. STARK, Mr. FOGLIETTA, Mr. OWENS of New York, Mr. ROE, Mr. WOLF, Mr. HOCHBRUECKNER, Mr. WAXMAN, Mr. DEFAZIO, Mr. FASCELL, Mr. SLAUGHTER of Virginia, Mr. GORDON, Mr. CROCKETT, Mrs. SAIKI, Mr. BATES, Mr. MCCLOSKEY, Mr. BROWN of California, Ms. PELOSI, Mr. CARR, Mr. WYDEN, Mrs. PATTERSON, Mr. ACKERMAN, Mr. KILDEE, Mr. HUGHES, Mr. SPENCE, Mr. JONTZ, Mr. MCNULTY, Mr. ESPY, Mr. OWENS of Utah, Mr. MADIGAN, Mr. MAZZOLI, Mr. FAWELL, Mr. HILER, Mr. DOUGLAS, Mr. BOEHLERT, Mr. MILLER of California, Mr. DWYER of New Jersey, Mr. AUCOIN, Mr. EVANS, Mr. CARPER, Mr. FROST, Ms. KAPTUR, Mr. LIPINSKI, Mr. FAUNTROY, Mr. THOMAS A. LUKEN, Mr. HARRIS, Mr. RICHARDSON, Mr. SKELTON, Mr. WALSH, Mr. WHEAT, Mr. GALLO, Mr. DARDEN, Mr. BILIRAKIS, Mr. RANGEL, Mr. WELDON, Mr. MARTINEZ, Mr. CONTE, Mr. LIVINGSTON, and Mr. DEWINE.

H.J. Res. 479: Mr. FRANK, Mr. NEAL of Massachusetts, Mr. KILDEE, Mr. MCNULTY, Mr. FROST, Mr. DYSON, Mr. SCHEUER, Mr. HUBBARD, Mr. ENGEL, Mr. BLILEY, Mr. TORRICELLI, Mr. PASHAYAN, Mr. MARTIN of New York, Mr. WYDEN, Mr. GEJDENSON, Mr. SHAYS, Mr. DEFAZIO, Mr. NAGLE, Mr. WEISS, Mr. BATES, Mr. ECKART, Mr. SWIFT, Mr. MCCLOSKEY, Mr. BERMAN, Mr. HUGHES, Mr. MURTHA, Mr. SMITH of Florida, Mr. MOAKLEY, Mr. MILLER of California, and Mr. BUECHNER.

H.J. Res. 480: Mr. BENNETT, Mr. CARR, Mrs. COLLINS, Mr. CONYERS, Mr. CROCKETT, Mr. DELLUMS, Mr. DE LUGO, Mr. DIXON, Mr. DYMALLY, Mr. ESPY, Mr. FALEOMAVAEGA, Mr. FAUNTROY, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FRANK, Mr. HAWKINS, Mr. HOYER, Mr. LEWIS of Georgia, Mr. THOMAS A. LUKEN, Mr. MATSUI, Mr. MCMILLEN of Maryland, Mr. MFUME, Mr. OWENS of New York, Mr. PALLONE, Mr. RANGEL, Mr. ROBINSON, Mr. SAVAGE, Mr. STALLINGS, Mr. STOKES, Mr. TALLON, Mr. TOWNS, Mr. WASHINGTON, Mr. WHEAT, Mr. NAGLE, Mr. CLAY, Ms. LONG, Mr. JONTZ, Mr. ACKERMAN, Mr. KILDEE, Mr. KENNEDY, and Mr. PAYNE of New Jersey.

H. Con. Res. 87: Mr. KOSTMAYER.

H. Con. Res. 138: Mr. COURTER and Mr. HOAGLAND.

H. Con. Res. 200: Mr. RIDGE and Mr. CROCKETT.

H. Con. Res. 260: Mr. BUSTAMANTE.

H. Con. Res. 261: Mr. HYDE, Mr. HANCOCK, Mr. DELAY, Mr. BURTON of Indiana, Mr. OXLEY, and Mr. NIELSON of Utah.

H. Con. Res. 267: Mr. SMITH of New Hampshire, Mr. RHODES, Mr. ROWLAND of Georgia, Mr. BROOMFIELD, Mr. DORNAN of California, Mr. KASICH, Mr. IRELAND, Mr. FIELDS, Mr. HANCOCK, Mr. NIELSON of Utah, Mr. CHAPMAN, Mr. DONALD E. LUKENS, Mr. APPLEGATE, Mr. HYDE, Mr. FROST, Mr. RAY, Mr. COMBEST, Mr. DUNCAN, Mr. PORTER, Ms. LONG, Mr. BLAZ, Mr. GINGRICH, Mr. GORDON, Mr. SMITH of Texas, Mrs. VUCANOVICH, Mr. LAGOMARSINO, and Mr. GALLEGLY.

H. Con. Res. 268: Mr. SOLOMON.

SENATE—*Tuesday, February 27, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable CHARLES S. ROBB, a Senator from the State of Virginia.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

For promotion cometh neither from the east, nor from the west, nor from the south. But God is the judge: he putteth down one, and setteth up another.—Psalm 75:6, 7.

* * * *For there is no power but of God: the powers that be are ordained of God.*—Romans 13:1.

Almighty God, omnipotent, omnicient, and omnipresent, at this incredible moment of history help us to comprehend what is really happening. In China, Eastern Europe, Central America, and the Soviet Union people are laying down their lives in their demands for freedom—a freedom which we have enjoyed for 200 years and now tend to take for granted. Awaken us to the awful contradiction that while many put their convictions on the line at great risk, many in America, where freedom is understood as our birthright, are avoiding risk, covering their bets, so to speak, unwilling to take a stand against popular trends, however destructive, turning freedom into moral anarchy. Revive us, Lord, to the high ground of responsibility, the indispensable corollary of freedom. In Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 27, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHARLES S. ROBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. ROBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order the majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning following the time for the two leaders, there will be a period for morning business until 11 a.m., with Senators permitted to speak therein for up to 5 minutes each. At 11 a.m. the Senate will resume consideration of S. 1430, the national and community service bill.

Today, from 12:30 to 2:15 p.m., the Senate will stand in recess for the party conferences. When the Senate reconvenes at 2:15 p.m., there will be 2 hours for debate on the motion to invoke cloture on the motion to proceed to Senate Joint Resolution 212, the Armenian genocide resolution, with a vote occurring on that motion at 4:15 p.m.

Following that vote the Senate will return to the consideration of the national and community service bill. Rollcall votes are likely today with respect to that bill.

RESERVATION OF LEADERS' TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time and I reserve all of the leader time of the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. Without objection, all time of the leaders is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for not to exceed 5 minutes.

The Chair recognizes the Senator from South Dakota [Mr. PRESSLER].

THE NICARAGUAN ELECTION

Mr. PRESSLER. Mr. President, it is my pleasure to report to the Senate on a trip to Nicaragua I made this past weekend as a member of President Carter's observer team.

This was a very inspirational experience for me. In fact, an old man voting in Nicaragua told me that he was voting because all his life he had never had a chance to vote in what he considered a fair and a free election, and he was 80-some years old and wanted to do it once before he died. That was the attitude in Nicaragua this weekend. I was privileged to be one of 40 official observers of the Nicaraguan election. We had Carter identification tags and could go into any polling place, participate in the counting, and so forth. There were over 1,000 other observers, but the presence of former President Jimmy Carter, I think, had a great impact on the fairness of this election.

I would say, as a Republican on the floor of this Senate, that our country owes President Carter a debt of gratitude for organizing his election observer team and being a moral force there. During the week before the election, 25 election officials were arrested by the Sandinista government or detained or harassed, and it was President Carter's moral force and ability to speak to the media that forced those people to be released. So, I think that former President Carter deserves a tip of the hat for organizing and standing for a fair and free election in Nicaragua. He was very instrumental in protecting the electoral process—and I say that as a Republican, as one who at certain times in the past may have been critical of some of his policies. He truly demonstrated great leadership in this operation. Without Jimmy Carter the election might not have been perceived to be fair and free, and probably it would not have been as fair and free as it was.

Mr. President, my trip was sponsored, as I mentioned, by the President Carter group known as the Council of Freely Elected Heads of Government, Nicaraguan Election Observation Group. We flew to Nicaragua Friday afternoon, and in this group were 12 Members of Congress, 12 former heads of state from Latin America, or other leaders, and 12 other distinguished Americans.

On Saturday morning, at 6:30 a.m., I was privileged to take a 2-mile run with former President Carter and had

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

a chance to discuss our mission to try to force a free election. Of course, he had been there on several previous visits regarding the registration and all the other activities that led up to the election. Saturday at noon we deployed to different regions. My group went to Matagalpa, a rural state, where there has been a lot of Contra activity. Our team, the team I was with, consisted of former Gov. Bruce Babbitt, of Arizona; the former President of Costa Rica, Daniel Oduber Quiros; New York businessman John Whitehead, a former Under Secretary of State; distinguished election expert and myself. We traveled in a four-wheel vehicle to Matagalpa where we prepared to observe the elections.

On election morning Sunday, February 25, we arose at 5 a.m. so we could arrive unannounced at a polling place as it opened. We chose a village polling place for our first shift. Amazement was next—nearly 150 voters were lined up in the rain at 6 a.m. waiting to vote. We interviewed some of them. Some had arrived at 3 a.m. Officials were opening the ballot boxes getting prepared and they were really proud of what they were doing. There were opposition party representatives, the UNO Party, and Sandinista party officials also were there observing the process.

Everyone seemed very determined to vote and the determination showed on their faces. They thirsted for a chance to vote in a free election, and, as a Senator who lives in the world of votes, quorum calls, and elections, I was absolutely amazed at this thirsting of people to vote in a fair and free election. Their determination made me a little worried about our own 50-percent turnout in Presidential elections because, before the day was over, 80 percent of the eligible voters had voted and not all of the statistics were yet in.

Next we drove to a remote polling place in the country. Coming from South Dakota, I asked to see a real rural precinct. We did this at my insistence. We took the four-wheeler and drove for nearly an hour and a half to an agricultural area in the mountains. It is all agricultural land around Matagalpa, but it is very mountainous. We came to a polling place that we had to walk to because the roads were not really roads. They were just rough cuts. Everyone else had gotten there by walking or riding horses. No motorized vehicles, no motor bikes. There were 150 people standing in line slowly voting. This was about 11 o'clock in the morning.

I say this because I think history was being made. I consider what happened in Nicaragua this past weekend to be as significant for Central America as the Berlin Wall coming down has been to the Eastern European region.

But there were 150 people standing in line in this rural precinct; horses tied to a fenceposts by people who had ridden there; not a motorized vehicle in sight. They were voting for President of their country and for members of their National Assembly and municipal officials, in what they perceived to be the first fair and open election ever held in Nicaragua, or at least in the memory of anyone living. Indeed, according to election experts, it was the only fair, free election ever held in that country.

We were in Contra country, guerrilla territory. We were told it was somewhat dangerous, but it was broad daylight and we doubted the Contras would do anything at this point. So we traveled through this rugged terrain to see that polling place in the midst of a pasture in an old schoolhouse building. We saw those volunteers going through the line. Some of the people arrived at the polling place at 2 or 3 in the morning because they just somehow did not believe that the election would occur, or they thought there would be long lines.

Everybody there, as I said, had arrived on foot or horseback. Some people had walked 5 to 10 miles to vote. Mothers carried their babies. People brought food anticipating an all-day wait. My heart went out to these poor people who wanted the precious right to vote.

Later in the day, we continued to visit other precincts unannounced. At the end of the day, we visited a precinct further up the mountains where it was quite cool and again the voters were lined up. The 6 o'clock closing time was extended for people who were in the line, so they got to vote.

Then there was the ceremony of counting the votes. This particular precinct only had one light. The votes were counted by flashlight. There was a system for double-checking. All the unused ballots were counted. This was the first time these people had ever engaged in an election. There were envelopes for the unused ballots. Then they were sealed, and the envelopes were signed by the observers from each side in a ceremony.

We checked to be sure there were opposition party observers at each place. We asked about incidents throughout the day. We had reports in our area in the afternoon of a shortage of ballots. We went to those precincts. It was usually an administrative mixup.

I went to Nicaragua skeptically thinking the Sandinistas were going to rig the election. But I think the presence of Jimmy Carter and his group did the preliminary work so well that this did not occur. I was emotionally moved, in my jaded state, by what I saw there. It surprised me.

Now there were reports from the UNO people. Mrs. Chamorro's party kept bringing up reports of people being intimidated and detained, and indeed they were true. There was almost no advertising for Mrs. Chamorro in the countryside. In the city the advertising was all of Daniel Ortega and the state-owned media was all Daniel Ortega.

I do not know how people knew Mrs. Chamorro was running, except she had rallies around the country and perhaps used radio broadcasts. But it was amazing to me that she won the election. If you had been down there before, you would not have seen any presence of her on the street or on signs and posters and so forth.

There was a real message here in that people felt strongly enough about voting that they walked to those polls and they exercised their right to vote.

I would also say this about Daniel Ortega, of whom I have been a great critic, and I have voted for Contra aid. I thought his concession speech was excellent. If he goes through with giving up the Ministry of Defense and the Ministry of Interior, there will be a smooth transition.

Mrs. Chamorro is supposed to be inaugurated in April. Some people are suspicious that the Sandinistas will try to keep Humberto Ortega as Minister of Defense and keep Tomas Borge as Minister of Interior and let all the economic problems fall on Mrs. Chamorro's shoulders. But, from the looks of it, Daniel Ortega is very wisely behaving in a very responsible way. He has congratulated Mrs. Chamorro.

It is amazing when you think about it. The nine cosmandantes have stayed together for 10 years without being assassinated or quitting or going off to do something else. But, Ortega said they had given the best leadership they could to the country, had obviously lost the election and they were turning the power over. And for him to say that that is as significant as the Berlin Wall coming down in terms of that region.

President Carter influenced Ortega's speech. At 2 a.m., he went to see Ortega. He also talked to our Secretary of State on the phone; woke him up at 4 in the morning and coordinated the statements of all three, also Mrs. Chamorro's. He talked to her and told her not to overstate her claim too much. The presence of Jimmy Carter there was just absolutely essential. The ingredient he brought to the statements after the election were important. I know that there are a lot of problems ahead for Nicaragua; the enormous economic problems that exist there must now be faced.

In any event, we concluded our visit to various polling sites, reported and demanded corrections when we saw irregularities, and finally returned to Managua.

On Monday we flew back to Washington, DC, and back to work; regular work, that is. So, thus ends my tale to the Senate of this trip. I shall never forget, even if I live to be 100, the looks on the faces of those determined peasants, who stood in the rain, the broiling Sun later in the day, and the mountains in the chilly darkness to vote. I shall never take our rights and privileges in our great country for granted again.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WALLOP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WALLOP. Mr. President, are we still in morning business?

The ACTING PRESIDENT pro tempore. The Senator is correct.

PRESIDENT REAGAN AND THE NICARAGUAN ELECTION

Mr. WALLOP. Mr. President, I rise this morning to bring my congratulations to President Reagan. The events in Nicaragua have been variously characterized by people of varying persuasions. The majority leader said yesterday that it was a triumph of the peace process. And I would say that, while recognizing this, there would have been no peace process had there not been a willingness to confront that Communist government and to sustain that effort all during the decade that preceded the election.

The events of the world this year have been extraordinary, by anybody's measure. I reckon that the last 12 months have been the most spontaneous year in history. As I look back on the achievements of President Reagan, I recall that it was he who characterized the Soviet Union as the Evil Empire. It was he who forecast the decline and collapse of the Soviet empire, in a speech in London, early in the last decade. I believe it was 1982.

It was he who had the courage to push forward the deployment of the INF, the Pershing II missile. It was he who had the courage to call attention to the strategic imbalance between ourselves and the Soviet Union. It was he who brought along SDI. It was he who sustained the pressure on the Soviet Union until, recognizing that change was at hand, he embraced and made possible some of the things which we now welcome as the events of the last several months—the changes in Eastern Europe, the change now in our own hemisphere.

So, while many of the liberal media would be quite comfortable in saying, as I have noticed Mr. William Sloane Coffin, who is not the liberal media but certainly of the liberal persuasion, this morning said, the Sandinistas would have never lost, and that theirs was a most promising revolution had it not been for the presence of the United States in that election.

I would say to Mr. Coffin, and those who are of the same persuasion, that the Nicaraguan people spoke at the first opportunity they had to speak. And when they spoke they rejected communism, as have people all over the world, every single time they were given the opportunity.

So, when President Reagan recognized what was taking place down there and confronted the Sandinista government with American purpose, and with the Contras, and with the sometimes cooperation of the Congress, it was an act that brought into place that which culminated in the election, freely participated in by the people of Nicaragua. To the great and welcome consequence of that vote, the Nicaraguan people spoke. Their choice was not to live a life of tyranny. Their choice was for the promise of democracy.

They now have it. It is incumbent upon the United States to give them the support they need in a very troubled country to move and progress, as other peoples in this hemisphere have been able to move and progress, toward democracy.

Surely the people of El Salvador would welcome it because it means, one would hope, a much lessened contribution to the FMLN by the Sandinista government. Surely the people of the region are now welcoming the dawn of democracy in yet another country down there.

Mr. President, that concludes my remarks. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LIEBERMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE WILL FOR FREEDOM

Mr. McCAIN. Mr. President, we are the most fortunate of American generations. We are the Americans who have lived to see the values of our revolution reaffirmed in some of the bleakest, most oppressed societies on Earth. As recent events in Eastern Europe and the Soviet Union have so vividly demonstrated, the aspirations of any nation cannot be overlooked, dismissed or resisted. The will for freedom is eternal. Eventually, the people will have their say.

On February 25, the people of Nicaragua had their say.

On that day, Nicaraguans made clear to the world that they would not relinquish the promise of the 1979 revolution. The betrayal of their aspirations, the theft of their revolution, created the conditions that so cruelly affected Nicaraguans for 11 years. Violence and misery were daily reminders of their betrayal.

But last Sunday, Mr. President, Nicaragua reaffirmed the hopeful creed of the great American writer, William Faulkner: "man will not merely endure: he will prevail." In their determination that Nicaragua should take its rightful place within the community of free nations, Violeta Chamorro, UNO, and the courageous people of Nicaragua have prevailed against extreme hardships and formidable disadvantages. As a free man, I welcome Nicaragua to the free world. As a legatee of an enduring democratic revolution, I rejoice in the ultimate success of Nicaragua's revolution.

Mr. President, I also commend the decision of the Government of Nicaragua to accept the verdict of the people. I pray their decision is an indication that the Sandinistas will accept Violeta Chamorro's pledge to seek national reconciliation between all parties to the Nicaraguan tragedy of the last decade. I know this good, generous, and intrepid woman is sincere in her determination to heal the wounds and alleviate the suffering of Nicaraguan society. I urge President Ortega to cooperate with her in the great task of reconciliation and reconstruction.

I urge Sandinista activists to adapt to democratic modes of behavior. The popular will is decided. Violence is no longer an acceptable form of political expression. And those Nicaraguans who are not happy with the result may appeal the decision in the next election. President Ortega can best serve his country by impressing upon his supporters the importance of abiding by democratic rules.

He can also impress upon his fellow Sandinistas that the huge and costly Nicaraguan Army, constituted only to serve the interests of the FSLN and not the nation, must be vastly reduced and depoliticized. Likewise, the Interior Ministry will have to make do without the services of Tomas Borge's goon squads. Separating political parties from the instruments of state security is essential to the success of Nicaragua's democratic experiment.

With this election come great opportunities. They are the opportunities that always accompany freedom—opportunities for peace, prosperity, and justice. Free a people from oppression, give them control of their lives and you free their hearts, their imagina-

tion, their creativity. In the exercise of their God-given rights, people will struggle to conquer natural obstacles, overcome accidents of geography and birth, feed the hungry, heal the sick, live in peace and prosperity.

The United States has sought the success of liberty in Nicaragua through very difficult times and often at the expense of a national consensus. We should now assure Mrs. Chamorro of our generous assistance as the process of social and economic reconstruction begins in Nicaragua. It will not be an easy process, but Nicaraguans have demonstrated with this election how formidable a force for reconstruction they are. They risked their welfare for an opportunity to advance their society. Let America keep faith with them.

Mr. President, let me again stress my admiration for the courage of all those Nicaraguans involved in moving their nation so dramatically forward. But let me also remind the Senate of the courage of the armed Nicaraguan resistance who contributed so importantly to this glorious moment's arrival. If the people's verdict is heeded, and I believe it will be heeded, Mr. President, their long and noble struggle will have succeeded.

We should also take pride in two American Presidents and their administrations who, with others, helped to keep the flame of liberty from being extinguished in Nicaragua. It was a moment in our history of which we can rightfully be proud. Once again, America helped another people to take up the example we have always provided the world: the example of a just government derived from the consent of the governed. And it is America's honor to now have the company of Mrs. Chamorro and her brave countrymen as we support the further progress of freedom in the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DERRIKE COPE—WINNER OF THE 1990 DAYTONA 500

Mr. GORTON. Mr. President, on Sunday, February 18, 1990, the stock car racing world focused its attention on the Pacific Northwest as a 31-year-old from Spanaway, WA, Derrike Cope, won the Daytona 500. He scored an exciting, if improbable, victory at one of racing's premier events with a combination of skill, durability and a little bit of timely luck.

Cope ran with the leaders throughout the race, but like the rest of the field, trailed Dale Earnhardt by an increasing margin as the race proceeded. With only a few laps to go, officials raised the yellow caution flag. The field bunched behind the pace car, eliminating the 30-second gap between the leaders.

Cope kept running while Earnhardt stopped for fresh tires and a shot of gasoline. When the green flag came out moments later, Earnhardt effortlessly passed Cope and another driver to regain the lead.

On the final lap, Earnhardt's car suddenly blew its right rear tire. Cope swerved his Chevrolet Lumina past the rapidly decelerating Earnhardt, and sped to the checkered flag.

The sweet trip to victory lane capped Cope's first NASCAR Winston Cup victory. The rewards of a fine performance awaited his arrival as Cope asked for directions on how to get to the unfamiliar territory.

Derrike Cope is a relative newcomer to stock car racing. His first love was baseball, which he played at Bethel High School in Spanaway and Fort Steilacoom Community College—now known as Pierce College—in Tacoma, WA. An injury forced him from that sport while playing for Whitman College in Walla Walla, WA, in 1979. His father, Don, and his late mother, Delores, encouraged him to take up stock car racing to fill the void.

Derrike Cope's exciting win at Daytona is a great victory, not only for himself, but also for the State of Washington and for stock car racing in the Pacific Northwest. I extend my heartiest congratulations to him, his pit crew and his sponsors on a tremendous race.

FRANK KEPPEL—OUTSTANDING COMMISSIONER OF EDUCATION

Mr. KENNEDY. Mr. President, early last week, Frank Keppel, one of America's greatest educators, died after a long illness. Mr. Keppel was appointed Commissioner of Education in 1962 by President Kennedy and held that position until 1966. During his tenure, the Federal Government launched the Vocational Education Act of 1963, the Elementary and Secondary Education Act of 1965, and the Higher Education Act of 1965. A quarter century later, these landmark measures remain the centerpiece of the Federal commitment to education and are an enduring monument to the vision of Frank Keppel.

After graduating Phi Beta Kappa from Harvard, Frank went to the American Academy in Rome to study sculpture. Sculpture's loss was education's gain when he returned to Harvard as an assistant dean. In 1948, at the age of 32, he was appointed dean of Harvard's prestigious Graduate School of Education. Under his leadership, the school undertook pathbreaking work on team teaching and programmed learning. He also designed the Master of Arts in Teaching Program, in an effort to improve the quality of school teachers.

In 1962, President Kennedy, with education as one of the priorities of his New Frontier, named Frank Keppel as U.S. Commissioner of Education, and he continued to serve with great distinction in the early years of the Johnson administration.

At that time, the Federal Government was attempting to devise an appropriate Federal role in elementary and secondary education. But the debate was stuck on three questions: Whether Federal aid should go to parochial schools, whether it should go to segregated schools, and whether it would mean Federal control of local schools.

Frank Keppel spent long hours working out a compromise on these complex and controversial issues—he did an outstanding job. The agreement he hammered out was so complete and so convincing that Congress enacted the Elementary and Secondary Education Act of 1965 less than 90 days after it was proposed. Later that year, Congress also enacted the Higher Education Act of 1965, which established the principle of need-based aid to students—grants, loans, and work study jobs—that have been the heart of Federal aid to college students ever since. Neither of these initiatives would have been possible without Frank Keppel's tireless work and skillful compromises.

After he left the Commissioner's post, Mr. Keppel returned to Massachusetts and remained an active and important participant in education policy matters. He last testified before the Senate Labor Committee in October 1987, discussing the impending teacher shortage and what we should do to alleviate it. He worked closely with many of us on the expansion of the National Assessment of Educational Progress [NAEP] that Congress approved in 1988. His advice was valuable and made its mark on both areas.

Frank Keppel's commitment to education was broad and deep. In addition to his efforts in American education policy, he advised many developing countries about education, worked on education issues for the World Bank, and lent his skills to the worldwide effort to prevent the deterioration of libraries. He was also committed to the performing arts and he advised the Lincoln Center about its program for the arts in education.

Frank Keppel brought dedication and wisdom to everything he did. Millions of disadvantaged schoolchildren have received a better education because of his efforts, and millions more will do so in the years ahead. Every

day in schools and colleges across America, a new chapter is being written in the enduring legacy of Frank Keppel and his legendary commitment to excellent education.

I extend my deepest sympathies to his wife Deedie and his daughters Edith Drury and Susan Keller. The country has lost a true giant in education, and many of us in Congress have lost one of our most respected friends.

FRANK KEPPEL, A VOICE FOR REFORM

Mr. PELL. Mr. President, it was with deep sorrow that I learned of the death of Francis Keppel, the former U.S. Commissioner of Education. Frank Keppel was truly a man who left an indelible mark upon educational policy. It is rarely the case that one person makes a large contribution through both his work and his vision. Frank Keppel was such a person. He proposed ideas that were far ahead of their time. He stood squarely above the fray in matters of innovation and reform. And he worked diligently to see that vision become a reality.

His stewardship as dean of the Harvard Graduate School of Education between 1940 and 1962 made that school the teacher training institution by which all other schools set their pace. He advanced the role of higher education institutions in educational reform by strengthening the linkages between teacher training programs and classroom experience. His imagination led to the practice of using local elementary and secondary schools as laboratories of educational improvement and research.

In 1962 he was called to Washington to serve as the U.S. Commissioner of Education, a post he held until 1966. During that time, he played a central role in the creation and implementation of the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965, the first two major acts which provide Federal assistance in education. He was a staunch proponent of using education as the avenue out of poverty, and directed the majority of his efforts to seeing that children in need received targeted educational services.

He was a welcome witness at hearings before our Education Subcommittee, and testified as well on the creation of the National Endowment of the Humanities, and National Endowment of the Arts. He also played a major role in the creation of the National Assessment of Educational Progress [NAEP]. It is the NAEP study which has given us critical information on educational achievement in this country, and which provides a data base for comparisons with other countries. After his service in Washington, he was the chairman of the board of the General Learning Corp., and in 1974 became the director of the educational policy program of the Aspen Institute.

His prescience and energy in the education enterprise continued throughout his life. A recent example of his foresight was his initiative on national goals. Early last year, he formed a coalition to determine the viability of developing national goals and a strategy for meeting those goals. His concern for building a world-class education—one that would carry this Nation forward into the next century—was the impetus behind his initiative. At the time, the subject of national goals was not welcome. Yet today, just a few months later, many have come to appreciate the impact that national goals might have upon improving educational quality.

That was Frank Keppel—interested in ideas, and committed to reform, pushing us until the end. We will sorely miss that voice which championed educational equity and educational quality. His work, however, will live on through the generations of students, teachers, and administrators who have had the great fortune to be touched by his life and by his efforts.

FRANCIS KEPPEL

Mr. KERRY. Mr. President, the death of Francis Keppel last Tuesday marks the loss of a great pioneer in the area of education. I was personally saddened by this loss and extend my deepest sympathies to the Keppel family.

Francis Keppel was a tireless advocate of improved education for all Americans. He instituted educational reform through his work in academia, Government, and the private sector.

Mr. Keppel began his career in Massachusetts at Harvard University, where at age 32 he was appointed dean of Harvard's Graduate School of Education. In his 14 years at Harvard, he quadrupled enrollment in the Graduate School of Education and designed a program for teacher training which was unequaled at the time.

In 1962, Francis Keppel was appointed by President Kennedy to be U.S. Commissioner of Education, a post in which he served with distinction and vigor. During the Kennedy and Johnson administrations, Commissioner Keppel effectively designed and executed important new programs which improved the quality and accessibility of public schooling for poor children. He used his position to urge vigorous enforcement of the Civil Rights Act of 1964 to ensure equal access to public education and he created the National Assessment of Educational Progress.

From 1966 to 1974, Francis Keppel was chairman of the board of the General Learning Corp., a joint venture between the General Electric Corp., and Time Inc. During these years he also served as vice chairman of New York City's Board of Higher Education and was an overseer of Harvard, where he remained a senior lecturer until his death.

Mr. President, it is striking to me that this man not only devoted his life to the improvement of education, but that he did so in so many different ways. Francis Keppel worked to improve educational opportunities for children and graduate students. He administered at Harvard and at New York's public City University. He served with distinction at the highest levels of Federal and city government, academia, and corporate America.

Francis Keppel's reach was felt by many. His legacy is great. I think we can best remember Francis Keppel, and honor his service to this country, by simply continuing his work.

The United States is facing critical needs in the area of education. We have enough rhetoric. Let's follow the example of Francis Keppel and work to make a truly first rate education the right of all Americans. This goal must be a top priority at all levels of Government, academia, and business.

Because of Francis Keppel, the tools with which to implement this task are in place. It remains up to all of us to continue his work.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,809th day that Terry Anderson has been held in captivity in Beirut.

TRIBUTE TO JUDGE JEAN G. BISSELL

Mr. THURMOND. Mr. President, I rise today to mark the passing of a distinguished jurist and South Carolinian, Judge Jean Galloway Bissell of the U.S. Court of Appeals. Judge Bissell was the first female South Carolinian to be appointed to a Federal judgeship. In this and many other ways, she made great contributions to our State and Nation, and I therefore take this time to pay her a brief tribute.

Jean Galloway Bissell was a native of Due West, SC, and received her bachelor of science degree from the University of South Carolina in 1956, graduating magna cum laude. Two years later, she graduated first in her class from the law school at the University of South Carolina. Her early academic excellence was a harbinger of the great success to come.

Upon completion of law school, she joined the law firm of Haynsworth, Perry, Bryant, Marion & Townsend, of Greenville, SC, where she worked as a partner from 1965 until 1971. In 1971, she affiliated herself with the Colum-

bia, SC, firm of McKay, Sherrill, Walker, Townsend & Wilkins.

With characteristic determination, Judge Bissell launched a new career in banking and accepted a post as senior vice president and general counsel of South Carolina National Bank. Then, in 1984, she was nominated by President Reagan to the U.S. Court of Appeals. She was the first woman from South Carolina to have been so honored.

It was my pleasure at that time to wholeheartedly support her nomination to this prestigious court. Her decisions as a member of the court of appeals were superbly judicious and sound, and she distinguished herself with grace and dignity on the bench.

Our State, Nation and Federal justice system, to which she rendered great service, have suffered a tremendous loss in the death of Judge Bissell. Though we will miss her sorely, the outstanding judicial legacy which she leaves behind will serve as a model of excellence for generations of upcoming young attorneys.

My wife Nancy joins me in extending our most sincere condolences to Judge Bissell's family, including her husband, Gregg C. Bissell; her stepson, Gregg C. Bissell, Jr.; her stepmother, Thelma Galloway; her brother, Robert S. Galloway, Jr.; and her sister, Lila G. McMillan.

Mr. President, I ask unanimous consent that the following articles regarding Judge Bissell be printed in full following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Abbeville Press and Banner, Feb. 14, 1990]

JEAN GALLOWAY BISSELL

Jean Galloway Bissell died in Washington on February 4, 1990 and was buried in Due West on Wednesday, February 7 in the Due West Associate Reformed Presbyterian Cemetery. At the age of 53 she had already earned considerable fame and distinction.

Until struck by a terminal cancer a few months prior to her death Jean Galloway was in a prime position to become one of this county's most famed citizens; for several years there had been serious conjecture that she would be named to the United States Supreme Court. She was recognized as a lady with the capacity for such high office.

This native of Due West, the daughter of the late Mr. and Mrs. Robert S. Galloway, Sr., attended Erskine College, graduated from the University of South Carolina and received her law degree from that institution at the age of 20. She held several highly responsible positions and served, too, on the Erskine College Board of Trustees and Presidential Search Committee of the college.

It was in 1984 that she was appointed by President Ronald Reagan to the U.S. Court of Appeals, becoming the first South Carolina woman to be appointed a federal judge. U.S. Senator Strom Thurmond hailed her as an "able lawyer and a capable member of the federal court on which she served." . . . She distinguished herself with the fair and superb decisions she handed down as judge. She rendered our nation outstanding service, and I deeply regret her loss to the federal court system."

Judge Jean Galloway Bissell's death is a loss to the nation, to South Carolina, to Abbeville County and to Due West. Erskine College has lost a highly distinguished alumna and a true friend, a friend who continued to serve until her untimely death.

JUDGE JEAN G. BISSELL DIES OF CANCER AT 53

(By Bill Higgins)

Judge Jean Galloway Bissell of the U.S. Court of Appeals for the Federal Circuit died of cancer Sunday in Washington, D.C., after a distinguished career as a lawyer, banking executive and jurist.

In her post in Washington, the 53-year-old judge heard cases involving patents, copyrights, the environment and civil tax appeals. Congress created the court in 1982 to hear appeals from federal courts in the Washington area. President Ronald Reagan named her to the court in 1984.

U.S. Sen. Strom Thurmond on Sunday called Judge Bissell "an able lawyer." Thurmond also said she was "a capable member of the federal court on which she served and distinguished herself with the fair and superb decisions she handed down as a judge. She rendered our nation outstanding service, and I deeply regret her loss to the federal court system.

"Mrs. Thurmond and I extend to her husband and the entire Galloway and Bissell families our deepest sympathy."

When appointed to the bench in 1984, Judge Bissell said, "When I got out of law school I thought that to sit on the U.S. Court of Appeals was the ultimate." The next year, she told a meeting of the South Carolina Bar that she missed South Carolina, but had tried to take a piece of it with her by filling her staff with law clerks who were University of South Carolina Law School graduates.

Before her appointment to the federal bench, she had been vice chairman and chief administrative officer of the South Carolina National Corp. and senior vice president and general counsel for South Carolina National Corp., and from 1982 to 1984 she was a director of South Carolina National Corp.

She had been chairman of the Corporate Counsel Committee of the American Bar Association and secretary to the South Carolina Commission on Continuing Lawyer Competence. She also had belonged to the Richard County, South Carolina and American bar associations.

She had served on the Columbia Philharmonic Orchestra Board, the Greater Columbia Community Relations Board, the state Chamber of Commerce executive committee and the S.C. Public Service Merit Selection Panel. She had been a trustee of Erskine College, the Associate Reformed Presbyterian Church's General Synod, the Daniel Foundation, the S.C. Foundation of Independent Colleges, Heathwood Hall Episcopal School and the Governor's Mansion Foundation. She also had served on advisory councils at Furman University and Columbia College.

She had been a member of the S.C. State Library Advisory Council and the S.C. State Library Board, a trustee of the Greenville County Public Library and a trustee, treasurer and board chairman of the Richland County Public Library. She chaired the first Governor's Conference on Public Libraries, was chairman of the S.C. Library Association trustee section, received the association's Award for Distinguished Service in 1973 and received its first Friend of Libraries Award in 1976.

In Washington, she and her husband belonged to The City Tavern Club and she was a member of the Cosmos Club. They also were members of the Poinsett and Palmetto clubs in South Carolina.

Surviving are her husband, Gregg C. Bissell of Washington; and his son, Gregg C. Bissell Jr. of Columbia; a sister, Lila G. McMillan of Davidson, N.C.; and a brother, Robert S. Galloway Jr. of Greenville.

She was a member of Phi Beta Kappa and the Order of Wig and Robe and was associate editor and business manager of the South Carolina Law Review. She later received honorary degrees from Furman University and Converse College, and in 1985 she received USC's Algernon Sidney Sullivan Award.

In a 1985 alumna profile, she said, "Teaching, medicine and law were the three professions open to women when I entered college. I didn't want to be a teacher, but enjoyed my years as lecturer-in-law at the USC Law School (1971-78 and 1980-84) almost more than anything else I've done. I didn't like science enough to consider medicine, but my judgeship requires me to deal with scientific matters now, and I find them fascinating. My father (Robert S.) Galloway was in the Legislature, and my brother was a lawyer, so I decided law was the place for me."

Practicing corporate law from 1958 to 1971, she was an associate and later a partner in the firm of Haynsworth, Perry, Bryant, Marion & Johnstone in Greenville and from 1971 to 1976 was a partner in the firm of McKay, Sherrill, Walker, Townsend and Wilkins in Columbia.

In 1976, she became general counsel to the South Carolina National Bank and South Carolina National Bank. She was then the hghest-ranking female executive among the one hundred largest bank holding companies in the United States.

A Due West native, she attended Erskine College for two years. In 1956, she graduated magna cum laude with a bachelor's degree in business from the University of South Carolina. Two years later, she graduated first in her class and magna cum laude from the USC Law School.

Harris Funeral Home of Abbeville is in charge of the graveside service at 11 a.m. Wednesday in Due West Associate Reformed Presbyterian Church cemetery. Memorials may be made to Erskine College in Due West.

TRIBUTE TO H. CHAPMAN ROSE

Mr. THURMOND. Mr. President, I would like to take this opportunity to pay brief tribute to Mr. H. Chapman Rose, of Washington, DC, who died on February 17, 1990. Mr. Rose was a fine man and an able lawyer who served his nation with dedication in several capacities, and all those fortunate enough to have known and worked with Mr. Rose will mourn his passing. I valued highly the friendship of Mr. Rose, and I feel his loss personally.

Mr. Rose was a former national managing partner of Jones, Day, Reavis & Pogue in their Washington, DC office, and a former Assistant Sec-

retary and Under Secretary of Treasury in the Eisenhower administration. His life and impressive accomplishments are examples of that which can be achieved when an exceptional individual's potential is tapped and fully applied. We will remember his many contributions for years to come.

My wife Nancy joins me in extending our deepest sympathy to the entire Rose family, including his wife, Katherine Cast Rose, and his fine son, Jonathan Chapman Rose, who I have had the pleasure of knowing and whose dedication, ability and public service I have greatly admired.

Mr. President, I ask that the following articles regarding Mr. Rose be printed in the RECORD at the close of my remarks.

[From the Columbus Dispatch, Feb. 20, 1990]

NOTED OHIO LAWYER, EX-U.S. OFFICIAL DIES

H. Chapman Rose, a former Columbus resident who was undersecretary of the U.S. Treasury in the Eisenhower administration and founded the Washington office of an international law firm, died Saturday in Washington of respiratory failure. He was 83.

His professional life included assignments under a U.S. Supreme Court justice, a four-year Army career in which he served the undersecretary of war, and a lengthy private law practice with Jones, Day, Reavis and Pogue.

Rose, who was nicknamed "Chappie," is survived by his wife, Katherine Cast Rose, 82; a son, Jonathan Chapman Rose, 47; and a grandson, Benjamin Chapman Rose, 7, all of Washington.

After graduating from Princeton University, he received his law degree *magna cum laude* from Harvard University in 1931. He was the last law clerk to Supreme Court Justice Oliver Wendell Holmes while Holmes was an active justice.

A year later, Rose placed first on the Ohio bar exam and became an associate with Tolles, Hogsett and Ginn, the predecessor of Jones, Day, Reavis and Pogue. He later became a partner and stayed with the firm until his commission into the Army in 1942.

He was first assigned to the office of the undersecretary of war and then to Army Service Forces in Washington. There he served with a group of 25 lawyers to assist the Army with the rapid defense mobilization necessary for World War II.

Rose was discharged from the Army as a colonel in 1946 and was awarded the Legion of Merit.

President Harry S. Truman appointed Rose director of the Office of Contract Settlement, where he served for one year before returning to private practice in 1947, founding the Washington office of Jones Day.

In 1953, Rose joined President Dwight D. Eisenhower's adminstration as assistant secretary of the Treasury for the Coast Guard, Customs and Secret Service under then Secretary George M. Humphrey. Rose was subsequently named undersecretary of the Treasury before resigning in 1956 to resume his partnership with Jones Day in Cleveland.

For the next two decades, Rose was active in Cleveland civic life and politics, including posts as president of the Cuyahoga County Bar Association, member of the Cuyahoga County Republican Finance Committee and former president of the 50 Club, an association of 50 Cleveland-area community leaders.

Rose increasingly centered his own practice in Washington, between 1976 and his retirement in 1983, and from 1974 to 1976 he was national managing partner of the firm. By 1990, Jones Day had grown to a firm with 17 offices around the world, including one in Columbus.

A memorial service will be held at St. John's Church in Washington on Friday, and another is being scheduled for Cleveland.

A private interment will be held at Greenlawn Cemetery in Columbus.

Memorial contributions may be made to the H. Chapman Rose Memorial Fund, c/o The Recording Secretary, Princeton University, Princeton, N.J., or to The Barbara Bush Foundation for Family Literacy in Washington.

[From the Washington Post, Feb. 20, 1990]

FORMER TREASURY OFFICIAL H. CHAPMAN ROSE DIES AT 83

(By Richard Pearson)

H. Chapman Rose, 83, a former national managing partner of the law firm of Jones, Day, Reavis & Pogue who was a former assistant secretary and undersecretary of the Treasury in the Eisenhower administration, died Feb. 17 at Sibley Memorial Hospital. He had emphysema.

In 1932, Mr. Rose became as associate in a predecessor firm of Jones Day in Cleveland. Except for his years in government service, he practiced law there until 1976. From 1974 to 1976, he was national managing partner of Jones Day. He then returned to Washington, became a counsel to the firm, and retired altogether in 1983. The firm now has 17 offices in this country, Europe, the Far East, and the Middle East.

Mr. Rose first came to Washington in 1931 and spent a year as law clerk and secretary to Supreme Court Associate Justice Oliver Wendell Holmes Jr. He returned again during World War II, when he was an Army lawyer. He attained the rank of colonel and earned the Legion of Merit.

From 1946 to 1947, he was director of the Office of Contract Settlement. In that post, he helped coordinate and direct the policies of the various military services in winding up canceled was contracts. After that, he helped found Jones Day's Washington offices, then returned to Cleveland in 1949 as a partner.

During his years in Cleveland, he advised numerous corporate clients and served as counsel to the M.A. Hanna Co. Its chief, George M. Humphrey, became Dwight D. Eisenhower's first secretary of the Treasury.

The beginning of the Eisenhower administration, in 1953, saw Mr. Rose return to Washington as an assistant secretary of the Treasury. He did administrative work and supervised the Coast Guard, Customs Service, and Secret Service. In 1955, he was named Treasury undersecretary. He left government to return to the legal practice in 1956.

During his next two decades in Cleveland, he not only helped direct the expansion of his law firm but was highly active in city Republican, civic and charitable endeavors. He was president of the Cleveland Bar Association in 1970.

A friend of former President Richard M. Nixon, he served as tax lawyer and adviser to the president in the 1970s.

News profiles of the Ohio lawyer in the mid-1970s described him as a "quiet, effective, soft-spoken and highly intelligent" man and one who was the "epitome of the work ethic."

Mr. Rose, who was a native of Columbus, Ohio, was a 1928 graduate of Princeton University, where he majored in history, and a 1931 magna cum laude graduate of Harvard University law school. At Princeton, he was editor of the Daily Princetonian and was elected to Phi Beta Kappa.

He was a trustee or director of Princeton University, the International Economic Policy Association, the Brookings Institution, the Atlantic Council and Bacon-Dacor House. He was a member of the Metropolitan, Chevy Chase, and Burning Tree clubs.

Survivors include his wife of 51 years, Katherine Cast Rose of Washington; a son, Jonathan Chapman Rose of Alexandria; and a grandson.

B-2 TERMINATION BILL

Mr. CRANSTON. Mr. President, a month ago, I addressed the Senate to introduce the B-2 Termination bill. This legislation, S. 2009, would halt further funding for procurement of the B-2 aircraft beyond the 15 planes in various stages of production. It would permit us to continue research and development of the B-2, but would stop us from spending exhorbitant sums of money—almost $50 billion—to build more B-2's before this plane has been tested adequately.

Every day we seem to be learning more about the skyrocketing costs of the B-2. And, we are realizing how much we don't know about the capabilities of this aircraft. Just last week, the GAO issued two scathing reports about Air Force accounting procedures and the status of the B-2 Program. These reports revealed that deceptive budgeting practices have hidden the true costs of the B-2 Program. Design changes, manufacturing defects, underestimated material costs and production schedule extensions have increased—and will continue to increase—the overall cost of the B-2 Program.

Mr. President, I ask unanimous consent that a copy of the GAO report on the status of the B-2 Program and the GAO's formal statement before the House Armed Services Committee on their findings be printed in the RECORD. I encourage my colleagues to examine these documents carefully.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GENERAL ACCOUNTING OFFICE,
NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION,
Washington, DC, February 22, 1990.

B-224698.

Hon. LES ASPIN,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: This report was prepared as part of your request that we review the B-2 program. This is our first unclassified report on the B-2. As you know, before

this year all aspects of the B-2 program were highly classified. Recent changes in the security classification of the program permit this unclassified report on the B-2's history and current cost, schedule, and test status. Information on performance remains classified and will be included in a separate report.

We are sending copies of this report to appropriate congressional committees; the Secretaries of Defense and the Air Force; the Director, Office of Management and Budget; and other interested parties.

This report was prepared under the direction of Nancy R. Kingsbury, Director, Air Force Issues, who may be reached on (202) 275-4268 if you or your staff have any questions concerning this report. Other major contributors to this report are listed in appendix I.

Sincerely yours,

FRANK C. CONAHAN,
Assistant Comptroller General.

EXECUTIVE SUMMARY

PURPOSE

The B-2 bomber is one of the most costly Department of Defense programs. Its high cost and highly classified nature have made it the subject of considerable controversy. Since 1986, GAO has issued five classified reports on the B-2 program. Recent changes in the security classification of the program permit this unclassified report on the program's history and current cost, schedule, and test status. This report contains information updated as necessary.

BACKGROUND

The B-2 has been in full-scale development since 1981. It is a flying wing aircraft with two crew members and provisions for a third. It has twin weapon bays and four engines and is designed to perform the traditional long-range bomber role for both nuclear and non-nuclear missions. The Air Force believes the B-2 has the greatest potential for a future capability against targets of uncertain locations, although concerns exist about the difficulties of locating movable targets.

The Air Force has been developing the B-2 while producing and deploying the B-1B bomber to modernize the aging B-52 bomber fleet. The B-2 is being developed to take advantage of low observable technologies, which, when combined with on-board avionics, are intended to allow penetration of current and postulated Soviet defenses.

In 1981 the Air Force estimated the cost to procure 133 B-2s—6 development aircraft and 127 production aircraft—would be $32.7 billion in 1981 dollars. In 1986 the Department of Defense announced the estimated cost would be $36.6 billion in 1981 dollars, which was equivalent to $58.2 billion in escalated dollars over the life of the B-2's procurement. This cost estimate and the related program schedule became the baseline from which subsequent budget and schedule changes are measured.

RESULTS IN BRIEF

The B-2 program's cost and schedule have changed significantly since 1986 and remain uncertain. The B-2 acquisition strategy includes cost and schedule projections that rely on very high annual funding levels and on ordering a large number of planes before the necessary testing to demonstrate that the B-2 can perform its mission is completed.

Since 1986 the B-2 cost estimate increased $12 billion, and the final B-2 delivery was extended 3 years to 1999. Future schedule changes and cost increases will occur if projected annual funding requirements are not appropriated or if planned program savings are not achieved.

The flight test program has just begun. If current schedules are met, it will be at least 3 years before critical performance requirements have been fully tested. That is the point in testing where problems are typically discovered. At that time, under the current schedule, over $48 billion would have been appropriated and 31 aircraft would have been ordered. In view of these uncertainties, as well as changing world conditions, GAO believes that alternative acquisition strategies should be considered.

Major design changes early in the B-2's development caused manufacturing difficulties that have contributed to a slower production schedule and labor cost increases. Contractors have reported improvements in productivity and reductions in manufacturing defects, but these improvements are less than anticipated. Also, further manufacturing improvements may be hindered by continuing design changes.

PRINCIPAL FINDINGS

Cost Estimate Increases:

In June 1989 the B-2 program was estimated to cost $70.2 billion, a $12 billion increase from the baseline estimate. The June 1989 estimate depends on achieving $6.2 billion in savings through a cost reduction initiatives program and multiyear procurement strategy. The amount of savings and the feasibility of achieving them are uncertain. If the projected savings are not realized, additional funding will be required, and the B-2 program's schedule may be extended.

Since 1986 B-2 estimated cost increases have been caused primarily by an incomplete aircraft design at the start of manufacturing, underestimated material costs, and production schedule extensions. The most recent increase, $2.6 billion, occurred between January and June 1989 and was primarily due to extending the schedule 1 year.

Funding Assumptions:

The current acquisition plan requires funding of $5.3 billion in fiscal year 1991 and $7.5 to $8 billion annually for fiscal years 1992 through 1995 to achieve the estimated program cost of $70.2 billion. If these funding levels are not achieved, the Air Force will have to delay or reduce the B-2's production program.

Program Schedule Changes:

The B-2 program schedule has changed each year since 1986. The latest change in June 1989 delayed both the first full production and multi-year procurement decisions by 1 year. It also extended the B-2 final deliveries from 1998 to 1999. The last B-2 delivery is now scheduled 3 years later than planned in the 1986 baseline estimate.

The Secretary of Defense approved this schedule extension because delays in completing the first aircraft delayed the start of flight testing. If the production schedule had not been extended, the concurrency in the program would have increased. The schedule extension maintained the previously planned relationship between flight testing and production.

Manufacturing Problems:

GAO reported in August 1988 that the contractors were encountering manufacturing problems, as evidenced by a large number of manufacturing defects, inefficient labor, and the transfer of work originally planned to be accomplished at the subcontractor plants to the final assembly site. These problems were caused in part because, to maintain schedule, manufacturing was started before the aircraft design was complete.

Manufacturing data collected in 1989 showed that the contractors are resolving some of these problems. The contractors are reporting they have reduced the number of manufacturing defects, improved worker efficiency, and transferred less work to the final assembly site. However, these improvements were less than anticipated.

As in the case of other programs, the contractors are initiating many changes to engineering drawings, which continue to disrupt the manufacturing process. Some of these changes require new parts, new tooling, and changes to the manufacturing plan, which hinder efforts to stabilize the manufacturing process.

B-2 Flight Test Program:

The B-2 flight test program began on July 17, 1989, with the first flight of the aircraft. To date, 1 percent of the flight test program has been completed. The program will likely continue into 1994. The pace of testing will increase as the remaining five development aircraft become available for testing.

The first 1½ years of flight testing is to demonstrate basic B-2 air worthiness and provide preliminary data on the low observable features of the aircraft. More critical operational testing, including integrated offensive and defensive avionics, where problems have frequently been discovered on other programs, is scheduled to begin in 1992.

MATTER FOR CONGRESSIONAL CONSIDERATION

There has been much debate on whether the Department of Defense can realistically expect to receive the funding levels projected by the Department for the B-2 program. Because of this and the fact that critical testing is several years away, the Congress may wish to require the Secretary of Defense to provide an analysis of alternative acquisition plans for the B-2 program, including various annual funding levels. This analysis woud provide the Congress with information on options for future funding decisions and their related impact on the B-2's cost and schedule.

AGENCY COMMENTS

GAO did not request official written comments on this report. However, GAO discussed a draft of this report with Department of Defense officials and incorporated their comments where appropriate.

CHAPTER 1: INTRODUCTION

The B-2 program has been in full-scale development since 1981. It is part of the Strategic Modernization Program, which was designed to modernize the strategic bomber forces by replacing the aging B-52 bomber fleet with B-1B and B-2 bombers. The B-2 is intended to be a long-range, multirole bomber capable of penetration at both low and high altitudes. It supports the Single Integrated Operational Plan [1] and various conventional missions.

The B-2 is a flying wing aircraft with two crew members and provisions for a third. It has twin weapons bays that provide up to 50,000 pounds total payload capacity. The actual payload carried by the B-2 will vary depending on the mission. It is powered by four turbofan engines that provide 19,000

[1] The Single Integrated Operational Plan allocates all strategic assets—bomber, tankers, land- and sea-based ballistic missiles and cruise missiles—to specific targets.

pounds of thrust each. The B-2 design includes low observable technologies such as special shaping and radar absorbing materials, which are intended to reduce the radar cross section of the aircraft. These materials require new manufacturing technologies that are more challenging that the technologies of aluminum aircraft. Figure 1.1 shows the B-2 in flight.

Although concerns exist about the difficulties of locating movable targets, the Air Force believes the B-2 has the greatest potential for an enhanced capability against targets with uncertain locations because of its expected increased survivability compared to other aircraft.

BACKGROUND

The B-2 program is managed by the Air Force System Program Office, Wright-Patterson Air Force Base, Ohio. Northrop B-2 Division, Pico Rivera, California, is the prime contractor. Major subcontractors include Boeing and Vought, which manufacture separate sections of the B-2 at production facilities in Seattle, Washington, and Dallas, Texas, respectively. These aircraft sections are shipped to the B-2 final assembly site in Palmdale, California, where Northrop is responsible for the B-2 final assembly and systems integration. General Electric, Evendale, Ohio, manufactures the engines for the aircraft.

The Air Force plans to procure 133 B-2s: 6 development aircraft and 127 production aircraft. All but one of the development aircraft will be modified after the completion of the flight test program and used as operational aircraft. The Air Force plans to keep the other development aircraft available for future test purposes. In 1986 the Congress directed the Secretary of Defense to release its estimate of the program's cost. The estimate of $36.6 billion in 1981 dollars and the related schedule serve as a baseline for the B-2 program. Except where noted, all cost estimates in this report are expressed in then-year dollars, which include the estimated impact of inflation.

The first flight of the B-2 occurred on July 17, 1989, taking off from Air Force Plant 42 in Palmdale, California, and landing at Edwards Air Force Base, California. The aircraft has since flown seven more times. According to the Air Force, most of the objectives of the eight flights were accomplished, but the analysis of the data gathered is still underway.

OBJECTIVES, SCOPE, AND METHODOLOGY

In 1986 the Chairman, House Committee on Armed Services, requested that we review the B-2 program. Since that time we have issued five classified reports. Recent changes in the security classification of the B-2 program permit this unclassified report on the B-2 program's history and current cost, schedule, and test status. This report contains information from our prior classified reports that is now unclassified and updated as necessary.

We obtained information from records and officials at the B-2 System Program Office and the Northrop B-2 Division. In addition, we reviewed program data provided by the Office of the Secretary of Defense and Air Force Headquarters, Washington, D.C.; the Strategic Air Command, Omaha, Nebraska; the Air Force Plant Representatives Office, Pico Rivera, California; the Air Force Flight Test Center, Edwards Air Force Base, California; Hughes Radar Division, El Segundo, California; Boeing Advanced Systems Division, Seattle, Washington; and other classified organizations.

We performed our review in accordance with generally accepted government auditing standards. We did not request written agency comments. However, we discussed a draft of this report with Department of Defense officials and incorporated their comments where appropriate.

CHAPTER 2. B-2 COST ESTIMATES FROM 1981 TO 1989

In 1981 the Air Force estimated the cost to procure 133 B-2s would be $32.7 billion in 1981 dollars. The Air Force based this and subsequent estimates through 1985 on development and production data for other aircraft. As the B-2 manufacturing process evolved, actual costs were used in the estimates, which caused them to increase.

In January 1986 the Department of Defense announced an estimate of $36.6 billion 1981 dollars. This estimate became the baseline to measure subsequent cost and schedule changes. In June 1989 the Secretary of Defense approved a new estimate of $43.8 billion in 1981 dollars.

These increases can be attributed primarily to design-related manufacturing difficulties, underestimated material costs, and changes to the production schedule. Manufacturing difficulties increased labor costs and delayed the delivery of the first aircraft. The Air Force extended the production schedule to reduce annual funding requirements and avoid increased program concurrency. The June 1989 estimate still contains optimistic funding assumptions that may cause further increases.

As program costs increased, the Congress directed the Air Force to identify ways to reduce costs through a cost reduction initiatives program. In June 1989 the Air Force estimated that $6.2 billion could be saved through the implementation of these initiatives and a multiyear procurement strategy. Some of the initiatives, however, are based on optimistic assumptions and are subject to change.

PROGRAM COST INCREASES

B-2 program cost estimates have increased since the 1986 baseline estimate, even though some increases were offset by projected savings from multiyear procurement and cost reduction initiatives. The estimate is now $43.8 billion in 1981 dollars, or $70.2 billion in then-year dollars, as shown in table 2.1.

TABLE 2.1.—AIR FORCE ESTIMATES OF B-2 ACQUISITION COSTS AND SAVINGS

[Dollars in billions]

	Jan. 1986	Jan. 1987	Jan. 1988 [1]	Jan. 1989	June 1989
Costs:					
Development	$14.5	$16.7	$18.4	$20.2	$20.8
Production	43.7	42.0	51.0	55.6	55.6
Total	58.2	58.7	69.4	75.8	76.4
Savings:					
Multiyear procurement	$0	$1.5	$1.6	$2.7	$2.6
Cost reduction initiatives	0	0	0	5.5	3.6
Total	0	1.5	1.6	8.2	6.2
Total reported program cost	58.2	57.2	67.8	67.6	70.2
1981 dollar equivalent	36.6	36.6	42.1	42.5	43.8

[1] The Office of Secretary of Defense did not approve these estimates.

The January 1986 estimate was based on a first flight date in December 1987 and delivery of the last aircraft in 1996. Increases in development costs in the January 1987 estimate were offset by lower estimates for production costs because of $1.5 billion in savings expected from multiyear procurement. This was the first estimate in which the Air Force assumed projected savings from multiyear procurement.

In January 1988 the Air Force revised its estimate to $67.8 billion. This increase reflected a 3-year extension of the program, with final aircraft delivery scheduled for 1999. This estimate was not approved by the Secretary of Defense, and the Air Force was directed to examine the program to identify ways to reduce the program's cost.

In January 1989 the program was estimated to cost $67.6 billion. This estimate was based on an accelerated schedule, with final aircraft delivery scheduled for 1998, and included $8.2 billion in potential savings from a cost reduction initiatives program. These potential savings lowered the estimate from $75.8 billion to $67.6 billion. In March 1989 we reported that the feasibility of some of these savings was uncertain.

In June 1989 the cost estimate increased to $70.2 billion. This increase was primarily due to extending the schedule 1 year, with final aircraft delivery scheduled for 1999. Expected savings from the cost reduction initiatives program were reduced to $6.2 billion.

We have been informed the Air Force revised the June 1989 estimate to reflect higher inflation rates, the impact of the labor strike at Boeing, and congressionally directed changes to the 1990 aircraft order schedule. As of February 9, 1990, the Department of Defense had not released a new estimate of B-2 program costs that reflected these factors.

CAUSES OF COST INCREASES

The B-2 program cost increases have been primarily caused by an incomplete aircraft design at the start of manufacturing, underestimated material costs for a composite aircraft, and production schedule extensions.

Incomplete Aircraft Design: In early 1981, before the full-scale development contract was awarded, the Air Force modified its requirements to include a low-altitude capability for the B-2. This change was made because the Air Force wanted the flexibility of a bomber that could fly at both high and low altitudes. The change forced Northrop to redesign its original B-2 airframe, adding additional control surfaces and improved structures to accommodate the stresses of low-altitude, high-speed flight. Northrop's efforts to redesign the airframe also delayed its efforts to complete the other aspects of the B-2's design. However, no change was made to the B-2's production schedule.

To meet its first flight deadline, the contractors started manufacturing the B-2 in January 1986, even though the aircraft design was not completed. In August 1988 we reported that problems caused by initiating manufacturing activities before the B-2 design was stabilized delayed the completion of the first development aircraft. Manufacturing personnel were receiving engineering drawings late or were not able to use existing drawings and thus forced to wait for new drawings and parts. As a result, manufacturing labor hours increased significantly. The incomplete B-2 design also led to parts shortages, tooling problems, and the transfer of manufacturing activities to the final B-2 assembly site.

Underestimated Material Costs: Material cost estimates have increased significantly since the 1986 baseline estimate. The Air Force used a cost estimating model in the 1986 estimate to predict B-2 material costs. The model was based on building an aluminum aircraft. Even though the Air Force at-

tempted to compensate for the differences between building an aluminum aircraft and a composite B-2 structure, the model produced an estimate that was lower than the costs actually incurred.

Schedule Changes: Development costs increased as a result of changes in the production schedule. As the production schedule is delayed, and fewer aircraft are in process, more fixed costs are allocated to each aircraft. Production costs increase as the schedule is extended because the aircraft are produced over a longer period of time, increasing the fixed costs required to build the aircraft.

COST REDUCTION INITIATIVES PROGRAM

The fiscal year 1988 Defense Authorization Act required the Department of Defense to establish a B-2 cost, performance, and management initiatives program. In response, the Air Force developed a cost reduction initiatives program with a 10-percent cost reduction goal. The Air Force also developed the program due to the $10 billion increase in estimated program costs from the January 1987 to January 1988 estimates. B-2 contractors and the Air Force identified over 150 technical and management initiatives to reduce program costs such as increased multiyear procurement, reduced overhead rates, and production improvements.

Lower Estimate of Savings: In March 1989 we reported that the Air Force estimates of cost reduction savings were based on optimistic assumptions. Many of the initiatives were still being evaluated and subject to change. In addition, we stated that it was uncertain if and when the Congress would approve multiyear procurement. Estimated savings from multiyear procurement were $2.7 billion in January 1989.

Because of the schedule changes in June 1989, two cost reduction initiatives included in the January 1989 estimate were removed. The enhanced schedule initiative was estimated in 1988 to save $1.4 billion by completing the production program in 1998. This initiative had to be eliminated when the production program was extended to 1999. Also, the Air Force eliminated an initiative to save $500 million to reduce direct costs because the changes to the program schedule made it difficult to predict when and how direct costs could be reduced.

ANNUAL FUNDING REQUIREMENTS

Figure 2.1 shows the distribution of the June 1989 $70.2 billion estimate from fiscal year 1990 through the completion of the program. In fiscal year 1991, $5.3 billion is required. The peak funding requirements occur in fiscal years 1992 through 1995 and are $7.8, $8, $7.7, and $7.5 billion, respectively. Annual funding levels for fiscal years 1989 and before totaled $22.6 billion.

The B-2 annual appropriations to date have not exceeded approximately $5.2 billion. More importantly, there are indications that future funding will not grow to the peak levels required in fiscal years 1992 through 1995. For example, the Chairman of the House Committee on Armed Services stated during the fiscal year 1990 defense authorization hearings that ". . . it is a . . . certainty that the B-2 program will not be funded at the $7 billion to $8 billion level. . . ."

CONCLUSIONS

B-2 program costs have increased substantially since the 1986 baseline estimate. Manufacturing problems and schedule instability continue to contribute to cost increases. The current estimate assumes several successive years of funding levels of approximately $8 billion. This assumption is not consistent with recent appropriation experience. If these funding levels are not achieved, cost will increase and schedule changes may occur.

CHAPTER 3: PROGRAM SCHEDULE CHANGES

The January 1986 baseline schedule estimated that the final B-2 would be delivered in early 1996. The schedule approved by the Secretary of Defense in June 1989 estimated that the final B-2 would be delivered in mid-1999, over 3 years later than the date in the baseline schedule. The schedule change affects the overall procurement plan, such as when full-rate production and multiyear procurement are initiated. The schedule change also affects fixed-price options currently held by the prime contractor, subcontractor schedules, the quantity and timing of tooling purchases, and flight testing.

CHANGES TO B-2 SCHEDULE

The B-2 program schedule has changed each year since the 1986 baseline. For example, as shown in table 3.1, in the 1986 estimate all 127 production aircraft were planned to be ordered and 52 aircraft were planned to be delivered by 1993, but in the June 1989 estimate only 47 production aircraft, or 37 percent, were planned to be ordered and only 9 aircraft were planned to be delivered by that time.

TABLE 3.1.—ORDER AND DELIVERY SCHEDULE COMPARISON FOR PRODUCTION AIRCRAFT

	Fiscal year—												
	1988 and prior	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	Total
1986 estimate (fiscal year 1987 budget):													
Order	13	14	18	30	36	16							127
Delivery			2	9	17	24	35	36	4				127
1987 estimate (fiscal year 1988 budget):													
Order	9	10	14	16	29	35	14						127
Delivery			2	9	12	23	32	36	13				127
1988 estimate (fiscal year 1989 budget):													
Order	5	5	7	15	16	17	24	24	14				127
Delivery				4	5	5	13	24	24	24	24	4	127
1989 estimate (fiscal year 1990 budget):													
Order	5	4	5	10	21	24	30	28					127
Delivery				2	5	6	10	24	36	36	8		127
1989 estimate (Secretary of Defense plan):													
Order	5	3	3	5	10	21	24	30	26				127
Delivery					3	6	5	8	18	30	36	21	127

CHANGES TO PROGRAM MILESTONES

The changes made to aircraft order and delivery schedules have changed program milestones. We used the 1986 schedule as a baseline to measure milestone changes. The first flight milestone was accomplished 19 months after originally scheduled. Other program milestones shown in figure 3.2 are projected to slip approximately 2 years. The third aircraft delivery milestone is important to the test program because this aircraft resembles the production aircraft more closely.

In addition, the required assets available milestone, which replaced the initial operational capability milestone and establishes the date that 15 aircraft have been delivered to the Strategic Air Command, has been delayed 37 months.

PROCUREMENT STRATEGY CHANGES

The June 1989 schedule changed the low-rate initial production, full-rate production, and multiyear procurement strategy. The full-rate production decision was delayed until 1991. This change added two aircraft to the low-rate production program and extended the last year of production orders from 1995 to 1996.

Although the Secretary of Defense approved a 1-year delay to the production program, concurrency between flight testing and production remained essentially the same because the changes were made to accommodate delays to the first flight.

OTHER SCHEDULE CHANGE IMPACTS

Schedule changes have affected previously negotiated fixed-price options for production aircraft subsystems delivery requirements, and contractor tooling requirements.

Fixed-price options between Northrop and various subcontractors for B-2 subsystems are affected by the aggressive schedule originally planned for the program. Northrop's full-scale development contracts with other subcontractors contain options for future purchase of B-2 components at fixed prices. These options were negotiated based on the earlier production schedule. As the production schedule is slowed, it places the fixed-price options at risk because the options cannot be exercised below a preestablished minimum production quantity. Northrop has estimated the cost of not exercising these options could be as high as $2.6 billion. We have not examined the assumptions on which this estimate was based.

Also, the new scheule affects the pace at which avionic subsystems are required, produced, and delivered for aircraft integration. The contractor is changing the manufacturing sequence of the B-2 radar and navigation subsystems based on funding availability rather than manufacturing requirements. Limited development funds combined with the availability of production funds have prompted the contractors, with

the Air Force's approval, to manufacture production radar and navigation units before the delivery and testing of development units.

Contractor plans for the quantity and timing of tooling and facilities are also affected by schedule changes. For example, Boeing has stated that the monthly production rate of aircraft will determine the number of major assembly tools it will need to keep pace with the production schedule. It has estimated tooling needs based on 1.8, 2, and 3 aircraft per month. At a rate of three aircraft per month, Boeing's analysis indicates it may need at least three additional major assembly tools. Adding these tools may also affect facility requirements.

Flight Test Schedule: The Air Force has planned a 3,600-hour flight test program to demonstrate B-2 performance capabilities over approximately 4 years. This test program includes development and some initial operational test activities. To date, 1 percent of the flight hours in this test program have been completed. As development aircraft deliveries are delayed, the flight test programs must also be adjusted.

The Air Force planned to complete the test program in 1993. It now appears that the completion of testing could slip into 1994 as a result of delays in delivering the development aircraft. The first 1½ years of flight testing will be primarily to demonstrate basic flying qualities and provide preliminary data on the low observable features of the aircraft. Approximately 6 months of this time the aircraft will not be flown while planned modifications are made. The pace of testing will increase as the remaining five development aircraft become available during 1990 and 1991. More critical operation testing, including integrated offensive and defensive avionics, is scheduled to begin in 1992.

CONCLUSIONS

The B-2 program schedule has changed each year since 1986. These changes affect program milestones, the overall procurement strategy, and the test program. Schedule extensions also increase program cost estimates. Additional schedule changes will contribute to the instability and uncertainty that have characterized the B-2 program since 1986. Also, the flight test program has just begun. If current schedules are met, it will be at least 3 years before critical performance requirements are proven. In view of these uncertainties, as well as changing world conditions, we believe that alternative acquisition strategies should be considered.

MATTER FOR CONGRESSIONAL CONSIDERATION

There has been much debate on whether the Department of Defense can realistically expect to receive the funding levels it has projected for the B-2 program. Because of this and the fact that critical testing is several years away, the Congress may wish to require the Secretary of Defense to provide an analysis of alternative acquisition plans for the B-2 program, including various annual funding levels. This analysis would provide the Congress with information on options for future funding decisions and their related impact on the B-2's cost and schedule.

CHAPTER 4: MANUFACTURING TRENDS

We used several key indicators to measure the B-2's manufacturing status, such as the amount of work transferred to final assembly, defects, and manufacturing inefficiencies. These indicators show that in 1989 the manufacturing process had improved, but not as much as planned. Also, a large number of engineering changes continue to hinder manufacturing improvements.

Department of Defense officials told us that the manufacturing problems discussed in the following sections have been considered in making the $70.2 billion program cost estimate. The officials agreed, however, that continued inability to meet planned improvements and schedule milestones may cause further cost estimate increases.

WORK REQUIRED AT FINAL ASSEMBLY

We previously reported that the Air Force had authorized contractors to transfer manufacturing work planned to be completed at the Northrop, Boeing, and Vought factories to the final assembly site. The transfer occurred because the contractors were not able to accomplish their work and still maintain the scheduled delivery date of December 1987 for the first development aircraft. Despite the transfer of work, the first aircraft was not delivered until June 1989, 19 months late. The Air Force and the contractors believed that the amount of work transferred to the final assembly site would subside because the contractors would begin to achieve a more efficient manufacturing process with each aircraft delivered.

The contractors have reported a reduction in the amount of work transferred to final assembly, but not as much as planned. In September 1988 the Air Force extended the development schedule by 9 months to minimize the amount of work transfered to final assembly. This extension was designed to provide Northrop, Boeing, and Vought enough time to install various systems into major aircraft sections before they were shipped to final assembly. Despite this extension, plus an additional 5-month delay to the scheduled completion of the fifth and sixth development aircraft, the contractors are not expected to finish installing all planned systems before the sections are shipped to final assembly.

Work transferred from the contractors' factories to the final assembly site is inefficient because it forces workers to travel to the site to complete installation of the systems. This creates inefficiencies because more personnel are working on the aircraft at the same time, which makes the aircraft structure less accessible. Table 4.1 shows the change in the projected amount of work transferred to final assembly, expressed in standard hours,[2] between September 1988 and August 1989. The amount of work has decreased significantly between the second and third aircraft. Nevertheless, the contractors' August 1989 estimate of the amount of work transferred to final assembly for the first six development aircraft increased from the September 1988 estimate.

TABLE 4.1—NUMBERS OF HOURS OF WORK TRANSFERRED TO FINAL ASSEMBLY

Aircraft	September 1988 estimate	August 1989 estimate [1]
1	18,620	19,431
2	14,211	17,258
3	3,712	4,525
4	3,204	3,500
5	2,284	3,000
6	1,600	2,900

[1] The current estimate for the first aircraft is final.

[2] A standard hour is an engineering estimate of labor hours required to accomplish a task. Early in the development program, because of labor inefficiencies, it takes many actual labor hours to accomplish a standard hour of work.

MANUFACTURING DEFECTS

A manufacturing defect is a flaw on the aircraft that may result in extra work to correct the defect or replace the defective part. In 1988 we reported that the Air Force had projected the number of defects for the first 2 aircraft to be approximately 160,000.[3] These defects were largely attributable to improperly drilled holes and difficulties in sealing the fuel tank. Even though manufacturing defects are expected during the fabrication and assembly of an aircraft, the number of defects should decrease as the workers gain experience and the aircraft design stabilizes.

The Air Force currently projects 190,000 defects on the first two aircraft. Although the total for the first two aircraft is more than previously projected, the number is expected to decrease from approximately 110,000 on the first aircraft and 80,000 on the second to approximately 60,000 on the sixth aircraft.

The two major causes of defects to date relate to improperly drilled holes and Boeing's difficulty in meeting Northrop specifications for sealing the fuel tank in the wing section of the aircraft. This is the primary cause of Boeing's work being transferred to final assembly. Air Force officials have stated that this is a temporary problem that will not affect future aircraft.

However, as shown in figure 4.1, quality in the manufacturing process has not improved. Data from the program office show that the rate of defects per 1,000 hours of work is about the same for the third through the sixth development aircraft but is greater than the rate for the first and second aircraft.

LABOR INEFFICIENCIES

In August 1988 we reported that continuing design problems were causing labor inefficiencies that increased the amount of manufacturing time required to build the aircraft. The actual hours needed to complete the first aircraft significantly exceeded the contractors' estimates.

Air Force and contractor officials told us that as workers learn the manufacturing process, they would become more efficient and the difference between the planned and actual hours would decrease. Recent data indicate that even though the contractors are reporting using fewer hours to complete subsequent aircraft, they have not been able to reduce the difference between the planned and actual labor hours.

Table 4.2 compares the contractors' planned labor hours with the number of projected hours the Air Force estimates will be needed to assemble the major sections of the first three development aircraft. As indicated, the percent difference between the planned and projected labor hours is increasing.

TABLE 4.2—COMPARISON OF PLANNED AND ACTUAL LABOR HOURS

Aircraft	Planned hours	Actual hours	Percent difference
1	819,408	1,505,774	84
2	603,123	1,124,059	86
3	406,998	789,713	94

[3] The defect quantities discussed in this section do not include any defects incurred during final assembly.

CHANGES TO ENGINEERING DRAWINGS

Engineering drawings are critical to the manufacturing process because they are the basis for all parts, tooling, and manufacturing plans. When engineering drawings are released late, planning, parts, and tooling needed to fabricate and assemble the aircraft are delayed and the manufacturing process is disrupted, causing worker inefficiency and schedule delays.

The contractors originally expected to release all engineering drawings (approximately 8,400) by early 1986. As of March 1989, more than 20,000 had been released. In addition, changes to released engineering drawings were taking place at approximately 2,000 per month through early 1989. The contractors and Air Force officials have stated that they expect the number of drawings and changes to decrease as the third development aircraft nears completion in 1990.

As with manufacturing defects, engineering changes are expected in a development program, but the number of changes should decrease as the design matures. Air Force officials have stated that the current rate of changes is not unusual.

CONCLUSIONS

Manufacturing problems delayed the first flight of the B-2 aircraft by 19 months. These problems were caused by the initiation of manufacturing activities before the B-2 design was stablilized. This immature design led to parts shortages, tooling problems, and a transfer of manufacturing activities to final assembly. Because workers were receiving engineering drawings late or were not able to use existing drawings, they were forced to wait on new drawings and new parts. As a result, the number of labor hours required to build the aircraft increased significantly.

The contractors have reported some improvements in each of these areas. These improvements, however, are less than anticipated. Also, design stability, which is important to improving the manufacturing process, may be hindered by continuing changes to engineering drawings.

APPENDIX I: MAJOR CONTRIBUTORS TO THIS REPORT

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STATUS OF THE B-2 BOMBER PROGRAM

(Statement of Frank C. Conahan, Assistant Comptroller General)

Mr. Chairman and Members of the Panel: I am pleased to be here today to discuss the current status of the B-2 stealth bomber program. Today, in conjunction with this hearing, we are pleased to release an unclassified and updated report on the history and status of the B-2 program. In my testimony, I will briefly summarize our principal findings about the program, and offer some conclusions and observations drawn from our work.

THE B-2 BOMBER PROGRAM

The Air Force plans to procure a total of 133 B-2 aircraft: 6 development aircraft and 127 production aircraft. Through fiscal year 1990, the Congress has authorized production of the 6 development aircraft, and 10 production aircraft, and a total of $26.8 billion has been appropriated for the program. The President's fiscal year 1991 budget requests $5.3 billion for an additional five production aircraft, long-lead items for future aircraft, and continuing the development and testing programs.

One development aircraft has been delivered. Deliveries of the second and third aircraft are scheduled during the next year or so. Currently, the first aircraft is undergoing some planned modifications after completing some early air worthiness flight testing. Flight testing of this aircraft is scheduled to resume in April.

PROGRAM COST

In 1981 the Air Force estimated that the cost to procure 133 B-2s would be $32.7 billion in 1981 dollars. In 1986 the Department of Defense announced the estimated cost would be $36.6 billion in 1981 dollars, which was equivalent to $58.2 billion in escalated dollars over the life of the B-2's procurement. A June 1989 program cost estimate, which is the most recent official total program estimates available, puts the cost for the 133 B-2's at $70.2 billion. This estimate represents a net increase of $12 billion over the 1986 estimate: $18.2 billion in cost increases offset by $6.2 billion in estimated savings from projected productivity improvements and multiyear procurement. We have been told that a revised cost estimate is being considered by the Office of the Secretary of Defense, which includes additional costs from such changes as increased inflation rates, and the cost of the recent strike at The Boeing Company. We estimate that the changes will add another several billion dollars to the B-2's estimated cost.

The principal causes for the cost increases to date have been an incomplete aircraft design at the start of manufacturing, underestimated material costs for composite aircraft, and production schedule extensions.

In early 1981, the Air Force modified its requirements to include a low-altitude capability for the B-2. This change forced Northrop to redesign its original B-2 airframe, adding additional control surfaces and improved structures to accommodate the stresses of low-altitude high-speed flight. Northrop's redesign of the airframe also delayed its efforts to complete other aspects of the B-2 design. To meet its first flight deadline, the Air Force directed Northrop to begin manufacturing of the aircraft in 1986, even though the design was not completed. The incomplete B-2 design led to cost growth from significant increases in manufacturing labor hours, parts shortages, tooling problems, and the unintended and uneconomical transfer of manufacturing activities to the final B-2 assembly site.

The Air Force's earlier cost estimates were based on a cost estimating model drawn from experience in building aluminum airplanes. Even though efforts were made to adjust the estimate to reflect building with composites, the model produced an estimate that was significantly lower than the costs actually incurred. Manufacturing delays and other factors also caused significant scheduled delays, which in turn increased development and production costs. The June 1989 cost estimate reflected a 3-year delay in the final aircraft deliveries compared to the 1986 estimate.

B-2 PROGRAM FLIGHT TESTING AND PRODUCTION SCHEDULE

The Air Force planned a 3,600-hour flight test program to demonstrate B-2 performance capabilities over approximately 4 years, which began with the first flight of the aircraft on July 17, 1989. To date, 1 percent of the flight hours in this test program have been completed. Under the current schedule, the Air Force plans to complete development and initial operational testing in 1993. It now appears that the completion of testing could slip into 1994, as a result of delays in delivering the development aircraft.

The first 1½ years of flight testing will be primarily to demonstrate basic flying qualities, and to provide preliminary data on the low observable features of the aircraft. The aircraft will not be flown approximately 6 months of this time, so additional planned modifications can be made. The pace of testing will increase as the remaining five development aircraft become available during 1990 and 1991. If current schedules are met, it will be at least 3 years before critical performance testing, including integrated offensive and defensive avionics, is completed. It has been during this critical performance testing that significant performance problems have been discovered in other advanced weapon systems programs.

OBSERVATIONS

The B-2 program's cost and schedule remain uncertain. In addition, the current acquisition strategy requires funding of $7.5 to $8.0 billion for fiscal year 1992 through 1995. There has been much debate on whether the Department of Defense can realistically expect to receive these funding levels. Revisions to the program to accommodate more moderate annual funding levels will also result in cost increases, unless the proposed production quantity is reduced.

The B-2 is a radically new aircraft design, and there is much uncertainty about whether its critical performance characteristics will be proven. Even in programs in which the aircraft design is more traditional, such as the B-1 bomber, significant problems persist, which require continuing investment of unanticipated resources. Under the current acquisition plan, 31 aircraft will be on order and over $48 billion will have been appropriated before anyone knows whether the B-2 will do its job.

We believe that it would be prudent to reduce the pace of funding and production for the B-2, to limit up-front investment until the critical performance elements of the aircraft are adequately evaluated.

Northrop Corporation officials have recently argued to us that an interruption in production funding would result in significant additional costs to maintain production capability for the future. Given the current production aircraft on order and the delivery schedule, which contemplates delivery dates for these aircraft several years hence, it is unclear when or how these costs would occur. Moreover, some level of increased cost may very well be warranted until such time as sufficient information on the B-2's performance capabilities is available to support moving into full-scale production.

Given the continuing difficulties and uncertainties in the development of the aircraft, the changing world circumstances, and the questions raised about the feasibility of funding levels as high as the current program requires, the Secretary of Defense in our opinion should provide the Congress with an analysis of practical and realistic alternatives for the future acquisition of this program. This analysis would form a more useful basis for budget action than the current program provides.

This concludes my prepared statement, Mr. Chairman. I will be happy to answer any questions you may have, to the extent possible in this open forum. In addition to the information provided in the unclassified report we issued today, we will be providing further details on certain performance and testing issues in a classified form. If your questions address issues that we believe to be classified, we will be pleased to provide answers at a later date in that form.

Mr. CRANSTON. Support for the B-2 program is eroding. I am pleased to announce that already 11 Senators have joined Senator LEAHY and myself as cosponsors of the B-2 termination bill. I am confident that even more Senators will join us in this effort to halt further procurement funding for the B-2 program.

Mr. President, I ask unanimous consent that the following Senators be added to S. 2009 as cosponsors. The Senator from Iowa [Mr. HARKIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Massachusetts [Mr. KERRY], the Senator from Wisconsin [Mr. KOHL], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Ohio [Mr. METZENBAUM], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Tennessee [Mr. SASSER], the Senator from Illinois [Mr. SIMON], and the Senator from Colorado [Mr. WIRTH].

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Hearing none, morning business is closed.

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 1430) to enhance national and community service, and for other purposes.

The Senate resumed consideration of the bill.

Mr. ARMSTRONG. Mr. President, in conferring with the manager, on behalf of the Democrats on this bill, I understand that the Republican manager will be on the floor shortly. When he arrives, it is my intention, when both managers are present, to offer an amendment to the volunteer service bill. Pending the arrival of the Senator from Utah who manages for the Republicans, my thought was to take a moment to explain the nature and purpose of the amendment.

Mr. KENNEDY. Will the Senator yield on that point?

Mr. ARMSTRONG. Yes, of course.

Mr. KENNEDY. I see the Senator from Utah here at the present time. Without losing his right to be recognized, will the Senator from Colorado permit us to at least offer the committee substitute?

Mr. ARMSTRONG. Yes, of course, I am happy to yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I appreciate the willingness of the Senator from Colorado to yield. We will do so just prior to the offering of the amendment, and then ask consent that it conform with the changes that have been made at the request of the administration. They had asked us to make some technical changes, which we have done, and we will now start to debate the bill.

I think we are familiar with the issues that will be brought forward, and the Senator from Utah and I are quite prepared to debate those. Then we will accommodate the Senator from Colorado. We are grateful for him bringing his amendment before the Senate at this time. I thank the Senator.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. ARMSTRONG. Mr. President, it is not entirely clear to me, the extent to which, if any, this amendment will need to be redrafted to conform to the new version of the bill that has just been laid before us. What I think I will suggest is, if staff would look at that issue, I will go ahead and discuss the amendment while we work out the issue of where it belongs in the bill, simply a question of being sure that the denomination of it is correct.

Mr. President, Americans are generous people. We all know that, but on November 22 of last year, a Gallup poll was released which documented what I thought was a very significant and interesting thing. The poll found 7 to 10 adults contributed money to a charitable organization during the preceding 12 months and 6 out of 10 gave money to their church that was earmarked in some specific way for charitable activities. Altogether, during the 12 months preceding the publication of this poll, 85 percent of Americans gave money to an organized charity, 42 percent of adults did unpaid volunteer work of some sort during the preceding 12 months, and the average volunteer contributed 6 hours of time in the 30 days preceding the publication of the poll.

The author of the poll wrote the following:

Religious spirit apparently motivates much of America's charity, since church and synagogue members are the most involved in charitable activity. Almost half the church members did unpaid volunteer work in the past year, compared with only a third on non-members. Nine in ten members gave money to a charity, compared with only seven in ten non-members. Eight in ten members gave food, clothing or other property to a charitable organization, compared with two-thirds of non-members.

In 1988, Mr. President, Americans gave more than $100 dollars to charitable organizations. About 46 percent of the donations went to religious groups and 54 percent to organizations in the following categories: public/society benefit; arts, culture and humanities; health; education; human services; and "all other uses." But of the billions of dollars that went to religious organizations, almost half was spent on a wide variety of human service, health, arts, educational, and societal improvement activities.

The following quotation, which is taken from a comprehensive survey of American philanthropy sums up well:

Religion today not only retains its historical influence on philanthropic giving—to secular as well as religious-affiliated organizations—it also functions as the Nation's major provider of a host of human services to neighborhoods and communities.

The discovery came to light in a nationwide survey of religious activities and finances conducted by Gallup under the sponsorship of Independent Sector.

Mr. President, some of the findings of that survey I think would be of interest to my colleagues: Between 64 and 93 percent of the congregations provide or support such services as housing, day care, free or low-cost meals, medical care, health instruction, counseling, and programmatic assistance to the disabled, and aid to international service organizations.

Between 29 and 45 percent of the congregations support, in addition to the above, programs for civil rights and social justice, community development, arts instruction and performances, elementary and high school education, and neighborhood and environmental improvements.

Beyond financial and in-kind giving, things like food, clothing, community support, so on, about one-third of the congregations provide up to 24 volunteers per month, another third offers up to 54 volunteers a month, and most of the remaining one-third provides 6 or more volunteers each month. The millions of hours thus donated by nonclergy congregation members amount to several billion dollars.

Mr. President, the reason I draw this to the attention of my colleagues as we consider S. 1430 I think is fairly obvious. We want to be sure that in the adoption of this legislation, about which there is substantial controversy, that if it is to be enacted, that we do not do so in a way that discourages religious organizations from performing their charitable work which has long been the hallmark of churches and church organizations in this country.

My amendment simply attempts to protect religious organizations, first by ensuring that they are not discriminated against under the act and, second, by helping those religious organizations that do choose to partici-

pate in the programs to maintain their religious identity and moral climate.

Mr. President, as my colleagues would suspect, I have not brought this amendment up because of any abstract reason or for consideration of some theoretical concerns, because in fact the problems to which this amendment is addressed have risen on a number of occasions in existing programs. Surely, if we are going to go foward with a broader-based Government-sponsored volunteer program, we ought to start to applying the Hippocratic oath to voluntarism. First, we should do no harm. That is really what my amendment seeks to do.

Mr. President, S. 1430 prohibits any funds authorized for the school-based community service program, the Youth Service Corps and the national service demonstration program from being used "by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization. The bill forbids a church to conduct a conservation corps program or human services corps program "unless such project does not involve any religious functions." S. 1430 is clear, therefore, in its prohibition of religious activities, but it is not so clear, Mr. President, about whether or not religious entities can participate in the programs authorized by this bill.

My amendment adds the phrase, "churches and other religious entities" at the appropriate places in the bill to make it clear that churches and other religious entities can receive funds under the act, subject to the prohibitions on religious activities. In one place in the bill the amendment adds the phrase "private sectarian and nonsectarian schools" to make it clear that private schools can also qualify for participation.

The first part of my amendment also changes the bill so that the prohibition on religious activity is consistent throughout the bill, that is, that no money under this act may be used by program participants and program staff for giving religious instruction, conducting worship services, or engaging in any form of proselytization.

My amendment is based upon the truth that churches and other religious organizations must be included in any of our attempts to address social problems, particularly if our attempts seek to draw on the strength and capacities of the private sector.

Mr. President, I think many of my colleagues will remember the Adolescent Family Life Act specifically authorized an integrated approach involving "family members, religious and charitable organizations, voluntary associations, and other groups in the private sector, as well as services provided by publicly sponsored initiatives."

This approach was given constitutional sanction in the case of Bowen versus Kendrick when the Supreme Court held that the religion-specific provisions of that act were not unconstitutional.

Mr. President, in the full version of my statement, I will include a portion of the majority opinion written by Justice Rehnquist.

The second part of my amendment, Mr. President, seeks to allow religious organizations to maintain at least in part their religious integrity even while they use Federal funds to help the Government achieve its secular goals. This portion of the amendment really is suggested by a problem which the Salvation Army encountered in dealing with the Department of Housing and Urban Development. Formerly, HUD regulations prohibited federally funded homeless programs from "displaying religious symbols or decorations" and a shelter in New Britain, CT, was told to return a grant of $9,635 because it refused to take down a painting of Jesus.

The Washington Times reported as follows:

> The painting showing Jesus in a long robe with outstretched arms hangs prominently to the right of the television set in the lounge of the Franklin Square men's shelter. A Federal regulator spotted it immediately during an inspection tour of the facility.

HUD's policy on shelters was changed last fall, and it now appears that the New Britain, CT, shelter can keep its picture of Jesus on its wall. However, this experience and others which have come to my attention, convince me that it would be wise for us to clarify Federal policy so that a similar episode will not arise in the future.

The amendment goes beyond pictures to allow voluntary prayers and hymns. It also allows a religious or religious-affiliated organization to "affirm or promote" moral tenets even if those tenets are based on religious precepts.

Subsection (b) of the amendment will allow religious organizations that choose to participate in programs authorized by S. 1430 to keep their religious identity and maintain a moral climate.

The third portion of my amendment, subsection (c) will allow a church to one, require that participants under S. 1430 adhere to its religious tenets; two, require that participants under S. 1430 adhere to rules forbidding the use of drugs and alcohol; and three, in choosing between two or more prospective participants, hire that applicant who is already involved on a regular basis in other church activities.

Mr. President, I think are familiar to my colleagues. They are taken directly from section 122(b) of S. 5, the Senate's version of the ABC child care bill which we passed on June 23, 1989. The first two provisions were contained in an amendment offered by Senator COATS and accepted by the measure's sponsors. I understand that the third provision was the product of negotiations between Senator DODD and a number of religious groups, including the U.S. Catholic Conference.

The Senate did not have a rollcall on the measures, but I believe there is little doubt this comprises the sense of the Senate and its intent.

Mr. President, that in brief is the purpose of my amendment. If I may consult a moment with staff as to whether or not we now have this in its correct form, I will be prepared to send it to the desk.

Mr. President, I am advised that as of this moment the substitute, which is evidently pending before us, is not available to us in text form, and, therefore, I inquire of the managers of this measure—I would be glad to offer the amendment and simply provide it be inserted at the correct point in the bill when the text becomes available or proceed in whatever manner they suggest.

Mr. HATCH. Mr. President, we appreciate the Senator's offer. The fact is we are trying to make technical changes. We just about have them done. We will file a substitute. But why do not we plan on doing that as soon as we can get that substitute?

Mr. ARMSTRONG. Mr. President, I take it it is the manager's suggestion we defer for the time being. I am happy to do that.

Mr. KENNEDY. Mr. President, if the Senator will yield at the present time.

The PRESIDING OFFICER. Did the Senator yield?

Mr. ARMSTRONG. Yes.

Mr. KENNEDY. Mr. President, the Chair has polled the committee and I have been authorized by the committee to offer the committee modification of the committee substitute as a complete substitute, which I now send to the desk.

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator has been authorized by the committee to make this modification. Therefore, the Senator has the right to do so. The amendment is so modified.

The committee amendment in the nature of a substitute, as modified, is as follows:

> Strike out all after the enacting clause and insert in lieu thereof the following:
>
> SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.
>
> (a) SHORT TITLE.—This Act may be cited as the "National and Community Service Act of 1990".
>
> (b) TABLE OF CONTENTS.—The table of contents is as follows:
>
> Sec. 1. Short title and table of contents.
> Sec. 2 Findings.

Sec. 3. Purposes.
TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM
Subtitle A—General Provisions
Sec. 101. Definitions.
Sec. 102. Authority to make State grants.
Subtitle B—School and Community Based Service
Sec. 110. Short title.
Sec. 111. General authority.
Sec. 112. Locality application.
Sec. 113. State application.
Sec. 114. Local application.
Sec. 115. Limitations on use.
Sec. 116. Use of funds.
Subtitle C—American Conservation and Youth Corps
Sec. 120. Short title.
Sec. 121 General authority.
Sec. 122. Allocation of funds.
Sec. 123. State application.
Sec. 124. Focus of programs.
Sec. 125. Related programs.
Sec. 126. Public lands or Indian lands.
Sec. 127. Training and education services.
Sec. 128. Amount of award.
Sec. 129. Preference for certain projects.
Sec. 130. Age and citizenship criteria for enrollment.
Sec. 131. Post-service benefits.
Sec. 132. Living allowance.
Sec. 133. Joint programs.
Sec. 134. Federal and State employee status.
SUBTITLE D—NATIONAL AND COMMUNITY SERVICE
Sec. 140. Short title.
Sec. 141. General authority.
Sec. 142. Grants.
Sec. 143. Types of national service.
Sec. 144. Terms of service.
Sec. 145. Eligibility.
Sec. 146. Vouchers.
Sec. 147. Living allowance.
Sec. 148. Training.
Sec. 149. Public-private partnership.
Sec. 150. In-service education benefits.
Subtitle E—Innovative Service Programs
Sec. 160. General authority.
Sec. 161. Grants.
Subtitle F—Administrative Provisions
Sec. 170. Limitation on number of grants.
Sec. 171. Reports.
Sec. 172. Supplementation.
Sec. 173. Prohibition on use of funds.
Sec. 174. Nondiscrimination.
Sec. 175. Notice, hearing, and grievance procedures.
Sec. 176. Nonduplication and nondisplacement.
Sec. 177. State advisory board.
Sec. 178. Evaluation.
Sec. 179. Engagement of participants.
Sec. 180. National Service Demonstration Program amendments.
Sec. 181. Partnerships with schools.
Sec. 182. Conforming amendments.
Sec. 183. Service as tutors.
Subtitle G—Commission on National and Community Service
Sec. 190. Commission on National and Community Service.
TITLE II—MODIFICATIONS OF EXISTING EDUCATION PROGRAMS
Sec. 201. References.
Subtitle A—Higher Education
Sec. 210. Innovative projects for community service.
Subtitle B—State Student Incentive Grant and Work Study Programs
Sec. 220. Additional reservation for campus-based community work learning study jobs.
Sec. 221. Work study programs.
Sec. 222. Public Health Amendment.
Subtitle C—Publication
Sec. 230. Information for students.
Sec. 231. Exit counseling for borrowers.
Sec. 232. Department information on deferments and cancellations.
Sec. 233. Data on deferments and cancellations.
Subtitle D—Direct Loans to Students in Institutions of Higher Education
Sec. 240. Loan cancellation authorized.
Sec. 241. Effective date.
Subtitle E—Loan Forgiveness
Sec. 250. Loan forgiveness.
Sec. 251. Effective date.
III—POINTS OF LIGHT INITIATIVE FOUNDATION
Sec. 301. Short title.
Sec. 302. Findings and purposes.
Sec. 303. Establishment.
Sec. 304. Board of directors.
Sec. 305. Employees.
Sec. 306. Powers and functions.
Sec. 307. Principal and branch offices.
Sec. 308. Nonprofit nature of the Foundation.
Sec. 309. Exemption from tax.
Sec. 310. Oversight.
Sec. 311. Annual budget.
TITLE IV—AUTHORIZATION OF APPROPRIATIONS
Sec. 401. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress finds that—

(1) service to the community and the Nation is a responsibility of all citizens of the United States, regardless of the economic level or age of such citizens;

(2) citizens of the United States who become engaged in service at a young age will better understand the responsibilities of citizenship and continue to serve the community into adulthood;

(3) serving others builds self-esteem and teaches teamwork, decision making, and problem-solving;

(4) the 70,000,000 youth of the United States who are between the ages of 5 and 25 offer a powerful and largely untapped resource for community service;

(5) conservation corps and human service corps provide important benefits to participants and to the community;

(6) the Volunteers in Service to America Program (hereinafter in this Act referred to as "VISTA"), as established by title I of the Domestic Volunteer Act of 1973 (42 U.S.C. 4951 et seq.), is one of the most cost effective means of fighting poverty in the United States;

(7) the cost of higher education, loan indebtedness, and the high price of housing deter many young adults from volunteering for service programs that involve a substantial time commitment;

(8) older Americans, through the Older American Volunteer Programs (as established by title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.)), provide 500,000,000 hours of service each year and are a vital force in addressing national problems;

(9) the VISTA and Older American Volunteer Programs have recently been expanded and are an important part of the national and community service effort of the United States;

(10) many Americans cannot participate in a full-time service program, but should have the option of part-time service; and

(11) a range of full-time and part-time national and community service opportunities should be made available to all citizens, particularly youth and older Americans.

SEC. 3. PURPOSES.

It is the purpose of this Act to—

(1) renew the ethic of civic responsibility in the United States;

(2) ask citizens of the United States, regardless of age or income, to engage in full-time or part-time service to the Nation;

(3) begin to call young people to serve in national service programs;

(4) enable young Americans to make a sustained commitment to national service by removing barriers to such service that have been created by high education costs, loan indebtedness, and the cost of housing;

(5) build on the existing organizational framework of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citizens, particularly youth and older Americans;

(6) involve participants in activities that would not otherwise be performed by employed workers; and

(7) generate 100,000,000 additional service hours each year to help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

As used in this title:

(1) ADULT VOLUNTEER.—The term "adult volunteer" means—

(A) an individual who is beyond the age of compulsory schooling, including an older American and a parent;

(B) an employee of a private business;

(C) an employee of a public or nonprofit agency; or

(D) any other individual working without financial renumeration in an education institution to assist students or out of school youth.

(2) COMMISSION.—The term "Commission" means the Commission on National and Community Service established under section 190.

(3) COMMUNITY-BASED AGENCY.—The term "community-based agency" means a private nonprofit organization that is representative of a community or a significant segment of a community and that is engaged in meeting human, educational, or environmental community needs.

(4) CREW SUPERVISOR.—The term "crew supervisor" means the adult staff individual who is responsible for supervising a crew of participants, including the crew leader.

(5) EDUCATION INSTITUTION.—The term "education institution" means a local educational agency, elementary or secondary school, library or a community-based agency that provides educational services.

(6) ELEMENTARY SCHOOL.—The term "elementary school" has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

(7) INDIAN LANDS.—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes that is subject to restrictions on alienation imposed by the United States.

(8) INDIAN TRIBE.—The term "Indian tribe" means an Indian tribe, band, nation, or other organized group or community, in-

cluding any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(9) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(10) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

(11) LOCAL GOVERNMENT AGENCY.—The term "local government agency" means a public agency that is engaged in meeting human, social, educational, or environmental needs.

(12) OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means an individual who—

(A) has not attained the age of 27;

(B) has not completed college or the equivalent thereof; and

(C) is not enrolled in an elementary or secondary school or institution of higher education.

(13) PARTICIPANT.—The term "participant" means an individual enrolled in a program that receives assistance under this title.

(14) PARTNERSHIP PROGRAM.—The term "partnership program" means a program through which adult volunteers, public or private agencies, institutions of higher education, community organizations, or businesses assist an education institution.

(15) PLACEMENT.—The term "placement" means the matching of a participant with a specific project.

(16) PROGRAM.—The term "program" means an activity carried out with assistance provided under this title.

(17) PROGRAM AGENCY.—The term "program agency" means—

(A) a Federal or State agency designated to manage a youth service corps program;

(B) the governing body of an Indian tribe that administers a youth service corps programs; or

(C) a local applicant administering a youth service corps program.

(18) PROJECT.—The term "project" means an activity that results in a specific identifiable service or product that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

(19) PUBLIC LANDS.—The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by an agency or instrumentality of a State or local government.

(20) SECONDARY SCHOOL.—The term "secondary school" has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

(21) SERVICE OPPORTUNITY.—The term "service opportunity" means a program or project that enables students or out-of-school youth to perform meaningful and constructive service in agencies, institutions, and situations where the application of human talent and dedication may help to meet human, educational, linguistic, and environmental community needs, especially those relating to poverty.

(22) SPECIAL SENIOR SERVICE MEMBER.—The term "special senior service member" means an individual who is age 60 or over and willing to work full-time or part-time in conjunction with a full-time national service program.

(23) SPONSORING ORGANIZATION.—The term "sponsoring organization" means an organization, eligible to receive assistance under this title, that has been selected to provide a placement for a participant.

(24) STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau.

(25) STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).

(26) STUDENT.—The term "student" means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.

(27) SUMMER PROGRAM.—The term "summer program" means a youth service corps program authorized under this title that is limited to the months of June, July, and August.

(28) YOUTH SERVICE CORPS PROGRAM.—The term "youth service corps program" means a program, such as a conservation corps or human services corps program, that offers full-time, productive work (to be financed through stipends) with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training, and support services.

(29) YOUTH COMMUNITY SERVICE PROGRAM.—The term "youth community service program" means a program in which students or out-of-school youths are offered service opportunities in the community or an educational institution.

SEC. 102. AUTHORITY TO MAKE STATE GRANTS.

The Commission may, in accordance with the provisions of this title, make grants to States, or to local applicants, to enable such States or applicants to carry out national or community service programs under subtitle B, C, D or E.

Subtitle B—School and Community Based Service

SEC. 110. SHORT TITLE.

This subtitle may be cited as the "Service America, the Service to America Act of 1990".

SEC. 111. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or local applicants for the creation or expansion of service opportunities for students and out-of-school youth and to increase the number of community members, particularly senior citizens, who are volunteering in schools.

SEC. 112. LOCALITY APPLICATION.

If a State does not apply for assistance under this subtitle or if a State does not have an application approved under section 113, the Commission may make grants directly to local applicants. The Commission shall apply the criteria described in section 114 in evaluating such local applications.

SEC. 113. STATE APPLICATION.

To be eligible to receive a grant under this subtitle a State, acting through the State educational agency, shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission shall reasonably require, including a description of the manner in which—

(1) local applications will be ranked by the State according to the criteria described in section 114, and in a manner that ensures the equitable treatment of local applications submitted by both educational and non-educational institutions;

(2) service programs within the State will be coordinated;

(3) cooperative efforts among education institutions, local government agencies, community-based agencies, businesses, and State agencies to provide service opportunities, including those that involve the participation of urban, suburban, and rural youth working together, will be encouraged;

(4) economically and educationally disadvantaged youths, including individuals with handicapping conditions, youth with limited basic skills or learning disabilities, and youth who are in foster care, are assured of service opportunities;

(5) service programs that receive assistance under this subtitle will be evaluated;

(6) programs that receive assistance under this subtitle will serve urban and rural areas and any tribal areas that exist within such State;

(7) technical assistance and training will be provided to service programs within the State;

(8) non-Federal and other types of Federal assistance will be used to expand service opportunities for students and out-of-school youth; and

(9) information and outreach services will be disseminated and utilized to ensure the involvement of a broad range of organizations, particularly community-based organizations.

SEC. 114. LOCAL APPLICATIONS.

(a) APPLICATION REQUIRED.—

(1) PARTNERSHIP.—

(A) IN GENERAL.—Any education institution, local government agency, community-based agency, or consortia thereof that desires to receive a grant—

(i) from a State that has received assistance under this subtitle; or

(ii) in the case of a State that does not apply for assistance under this subtitle or have an application approved under section 113, directly from the Commission;

shall form a partnership consisting of one or more education institutions and one or more local government or community-based agencies.

(B) EXCEPTION.—The provisions of subparagraph (A) shall not apply if the applicant is—

(i) an education institution that intends to provide service opportunities solely within such education institution; or

(ii) an education institution that has formed a partnership with one or more private businesses to conduct a partnership program.

(2) CONTENT OF APPLICATION.—To be eligible to receive a grant under this subtitle, a partnership under paragraph (1) shall prepare and submit, to the State educational agency (or the Commission if paragraph (1)(A)(ii) applies), an application at such time, in such manner, and containing such information as the State educational agency (or the Commission) shall reasonably require. Each such application shall—

(A) contain a written agreement, between the institution with which participants are affiliated and one or more representatives of the community or education institution

where service opportunities will be provided, stating that the program was jointly developed by the parties and that the program will be jointly executed by the parties;

(B) establish and specify the membership and role of an advisory committee that shall consist of representatives of community agencies, service recipients, youth serving agencies, youth, parents, teachers, administrators, school board members, labor, and business, one-half of which shall be selected by the community partner and one-half of which shall be selected by the education institution;

(C) describe the goals of the program which shall include goals that are quantifiable, measurable, and demonstrate any benefits that flow from the program to the participants and the community;

(D) describe the service opportunities to be provided under the program;

(E) describe the manner in which the participants in the program will be recruited, including any special efforts that will be utilized to recruit out-of-school youth with the assistance of community-based agencies;

(F) describe the manner in which participants in the program were or will be involved in the design and operation of the program;

(G) state the name, if available, qualifications, and responsibilities of the coordinator of the program assisted under this subtitle;

(H) describe the preservice and inservice training to be provided to supervisors and participants in the program;

(I) describe the manner in which exemplary service will be recognized;

(J) describe any potential resources that will permit continuation of the program, if needed, after the assistance received under this subtitle has ended;

(K) disclose whether the program plans include addressing basic skill needs and reducing illiteracy; and

(L) contain assurances that, prior to the placement of a participant, the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

(3) YOUTH COMMUNITY SERVICE PROGRAM.—If an applicant under this section intends to operate a youth community service program, such applicant, in addition to providing the information described in paragraph (2), shall include in the application required under such paragraph—

(A) a description of an age-appropriate learning component for participants in the program that shall include a chance for participants to reflect on service experiences and expected learning outcomes;

(B) a description of whether or not the participants will receive academic credit for participation in the program;

(C) a description of the target levels of students and out-of-school youth who will participate in the program and the target levels for the hours of service that such participants will provide individually and as a group;

(D) a description of the proportion of expected participants in the program who are educationally or economically disadvantaged, including participants with handicapping conditions;

(E) a description of the ages or grade levels of expected participants in the program;

(F) other relevant demographic information concerning such expected participants; and

(G) assurances that participants in the program will be provided with information concerning VISTA, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), chapter 30 of title 38, United States Code, chapter 106 of title 10, United States Code, full-time Youth Service Corps and National Service programs receiving assistance under this title, and other service options and their benefits (such as student loan deferment and forgiveness) as appropriate.

(4) PARTNERSHIP PROGRAM.—If an applicant under this section intends to operate a partnership program, in addition to the information required to be included in the application under paragraph (2), such applicant shall describe the students who are to be assisted through such program, including the ages and grade levels of such students.

(b) APPROVAL.—

(1) YOUTH COMMUNITY SERVICE PROGRAMS.—The State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall approve applications submitted by entities under this section that intend to operate youth community service programs, only if such applications meet the applicable requirements of subsection (a) and describe programs that provide—

(A) an age-appropriate learning component to enable participants to reflect on service experiences;

(B) preservice and inservice training for both supervisors and participants involving representatives of the community where service opportunities will be provided; and

(C) evidence that participants in the program will make a sustained commitment to the service project.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAMS.—The State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall approve applications submitted by entities under this section that intend to operate adult volunteer and partnership programs, only if such applications meet the applicable requirements of subsection (a) and describe programs that provide—

(A) preservice and inservice training for both supervisors and adult volunteers in the program; and

(B) opportunities for adult volunteers in the program to work with at-risk children or their teachers.

(c) PRIORITY.—

(1) IN GENERAL.—In providing assistance under this subtitle, the State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall give priority to applications that contain a description—

(A) of programs that involve participants in the design and operation of the program;

(B) of programs that are in the greatest need of assistance, such as programs targeting low-income areas;

(C) of programs that involve individuals of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds serving together; and

(D) in the case of applicants that are educational institutions, of programs that are integrated into the academic program.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAM.—In the case of an adult volunteer and partnership program, the State educational agency, or the Commission if subsection (a)(1)(A)(ii) applies, shall give priority to applications that contain a description of programs—

(A) that involve older Americans or parents as adult volunteers;

(B) that involve a partnership between an educational institution and a private business in the community;

(C) that include a focus on drug and alcohol abuse prevention, school drop-out prevention, or nutrition; or

(D) that will improve basic skills and reduce illiteracy.

SEC. 115. LIMITATIONS ON USE.

(a) REQUIREMENT FOR LOCAL APPLICANTS.—Assistance provided under this subtitle shall not be used by a local applicant to pay in excess of—

(1) 80 percent of the costs of programs that receive assistance under this subtitle for the first year in which the applicant receives assistance under this subtitle; and

(2) 70 percent of the costs of programs that receive assistance under this subtitle for the second year in which the applicant receives assistance under this subtitle.

(b) PAYMENT BY LOCAL APPLICANT.—

(1) NON-FEDERAL SOURCES.—That portion of the costs of programs that receive assistance under this subtitle that are to be paid by a local applicant from sources other than Federal funds may be paid in cash or in kind (fairly evaluated).

(2) PRIVATE PROFITMAKING ORGANIZATIONS.—If that portion of the costs of programs that receive assistance under this subtitle to be paid by a local applicant from sources other than Federal funds are paid by private profitmaking organizations, subsection (a) shall be applied by substituting—

(A) "85 percent" for "80 percent"; and

(B) "75 percent" for "70 percent".

SEC. 116. USE OF FUNDS.

(a) STATES.—

(1) ADMINISTRATION.—A State shall use not to exceed 20 percent of the amounts provided under this subtitle in each fiscal year for costs associated with administration, including training, technical assistance, curriculum development, and coordination activities.

(2) ADULT VOLUNTEER AND PARTNERSHIP PROGRAMS.—A State shall use not to exceed 10 percent of the amounts provided under this subtitle in each fiscal year to carry out adult volunteer and partnership programs.

(b) LOCAL APPLICANTS.—Local applicants may use assistance provided under this subtitle for supervision of participants, program administration, training, reasonable transportation costs, insurance, and other reasonable expenses.

(c) STIPENDS.—Assistance provided under this subtitle shall not be used to pay any stipend, allowance, or other financial support to any participant except to reimburse such participant for costs associated with transportation, meals, and other reasonable out-of-pocket expenses incident to participation in a program assisted under this subtitle.

Subtitle C—American Conservation and Youth Corps

SEC. 120. SHORT TITLE.

This subtitle may be cited as the "American Conservation and Youth Service Corps Act of 1990".

SEC. 121. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or local applicants, to the Secretary of Agriculture, to the Secretary of the Interior, or to the Director of ACTION for the creation or expansion of full-time or summer youth service corps programs.

SEC. 122. ALLOCATION OF FUNDS.

(a) COMPETITIVE GRANT.—The Commission shall award grants under this subtitle on a competitive basis to States or Indian tribes that have submitted applications under section 123.

(b) DIRECT GRANTS.—

(1) IN GENERAL.—In the case of a State that does not apply for a grant under this subtitle or have an application approved under section 123, the Commission may award grants directly to public or private nonprofit agencies within such State.

(2) EVALUATION.—The Commission shall apply the criteria described in section 123 in determining whether to award a grant to such local applicants.

(c) LIMITATION.—

(1) CAPITAL EQUIPMENT.—Not to exceed 10 percent of the amount of assistance made available to a program agency under this subtitle shall be used for the purchase of major capital equipment.

(2) ADMINISTRATIVE EXPENSES.—Not to exceed 15 percent of the amount of assistance made available to a program agency under this subtitle shall be used for administrative expenses.

SEC. 123. STATE APPLICATION.

(a) SUBMISSION.—To be eligible to receive a grant under this subtitle, a State or Indian tribe (or a local applicant if section 122(b) applies) shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including the information required under subsection (b).

(b) GENERAL CONTENT.—An application submitted under subsection (a) shall describe—

(1) any youth service corps program proposed to be conducted directly by such applicant with assistance provided under this subtitle; and

(2) any grant program proposed to be conducted by such State with assistance provided under this subtitle for the benefit of entities within such State.

(c) SPECIFIC CONTENT.—To receive a grant under this subtitle to directly conduct a youth service corps program, each applicant shall include in the application submitted under subsection (a)—

(1) a comprehensive description of the objectives and performance goals for the program to be conducted, a plan for managing and funding the program, and a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided by such program;

(2) a plan for the certification of the training skills acquired by participants and the awarding of academic credit to participants for competencies developed through training programs or work experience obtained under this subtitle;

(3) an age appropriate learning component for participants that includes procedures that permit participants to reflect on service experiences;

(4) an estimate of the number of participants and crew leaders necessary for the proposed program, the length of time that the services of such participants and crew leaders will be required, the support services that will be required for such participants and crew leaders, and a plan for recruiting such participants, including educationally and economically disadvantaged youth, youth with limited basic skills or learning disabilities, youth with handicapped conditions, and youth who are in foster care;

(5) a list of requirements to be imposed on the sponsoring organizations of participants in the program, including a requirement that a sponsoring organization that invests in a program that receives assistance under this subtitle, by making a cash contribution or by providing free training to participants, shall be given preference over a sponsoring organization that does not make such an investment;

(6) a description of the manner of appointment and training of sufficient supervisory staff (including participants who have displayed exceptional leadership qualities), who shall provide for other central elements of a youth corps, such as crew structure and a youth development component;

(7) a description of a plan to ensure the on-site presence of knowledgeable and competent supervisory personnel at program facilities;

(8) a description of the facilities, quarters and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment that will be provided by such applicant;

(9) a description of the basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner that such standards shall be enforced;

(10) a description of the plan to assign participants to facilities as near to the homes of such participants as is reasonable and practicable;

(11) an assurance that, prior to the placement of a participant under this subtitle, the program agency will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program; and

(12) such other information as the Commission shall require.

(d) GRANT PROGRAM.—To be eligible to receive a grant under this subtitle, a State shall establish and implement a program to make grants to applicants within the State pursuant to subsection (b)(2) and, in the application submitted under subsection (a), such State shall describe the manner in which—

(1) local applicants will be evaluated;

(2) service programs within the State will be coordinated;

(3) economically and educationally disadvantaged youth, including youth with handicapping conditions, youth with limited basic skills or learning disabilities, and youth in foster care, will be recruited;

(4) programs that receive assistance under this subtitle will be evaluated;

(5) the State will encourage cooperation among programs that receive assistance under this subtitle and the appropriate State job training coordinating council established under the Job Training and Partnership Act (29 U.S.C. 1501 et seq.);

(6) such State will certify the training skills acquired by each participant and the credit provided to each participant for competencies developed through training programs or work experience obtained under programs that receive assistance under this subtitle; and

(7) prior to the placement of a participant under this subtitle, the State will ensure that program agencies consult with each local labor organization representing employees in the area who are engaged in the same or similar work as the work that is proposed to be carried out by such program.

SEC. 124. FOCUS OF PROGRAMS.

(a) IN GENERAL.—Programs that receive assistance under this subtitle may carry out activities that—

(1) in the case of conservation corps programs, focus on—

(A) conservation, rehabilitation, and the improvement of wildlife habitat, rangelands, parks, and recreational areas;

(B) urban revitalization, historical and cultural site preservation, rural revitalization, and reforestation of both urban and rural areas;

(C) fish culture, wildlife habitat maintenance and improvement, and other fishery assistance;

(D) road and trail maintenance and improvement;

(E) erosion, flood, drought, and storm damage assistance and controls;

(F) stream, lake, waterfront harbor, and port improvement;

(G) wetlands protection and pollution control;

(H) insect, disease, rodent, and fire prevention and control;

(I) the improvement of abandoned railroad beds and rights-of-way;

(J) energy conservation projects, renewable resource enhancement, and recovery of biomass;

(K) reclamation and improvement of strip-mined land;

(L) forestry, nursery, and cultural operations; and

(M) making public facilities accessible to individuals with disabilities.

(2) in the case of human services corps programs, include participant service in—

(A) State, local, and regional governmental agencies;

(B) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, day care centers, programs serving individuals with handicapped conditions, and schools;

(C) law enforcement agencies, and penal and probation systems;

(D) private nonprofit organizations that primarily focus on social service;

(E) activities that focus on the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training that benefits educationally disadvantaged individuals, weatherization of and basic repairs to low-income housing, energy conservation (including solar energy techniques), removal of architectural barriers to access by handicapped individuals to public facilities, and conservation, maintenance, or restoration of natural resources on publicly held lands; and

(F) any other nonpartisan civic activities and services that the Commission determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs (particularly needs related to poverty) or in the community where volunteer service is to be performed; or

(3) encompass the focuses and services described in both paragraphs (1) and (2).

(b) INELIGIBLE SERVICE CATEGORIES.—To be eligible to receive assistance under this subtitle, the activities conducted through programs referred to in subsection (a) shall not be conducted by any—

(1) business organized for profit;

(2) labor union;

(3) partisan political organization;

(4) organization engaged in religious activities, unless such activities do not involve any religious functions; or

(5) domestic or personal service company or organization.

(c) LIMITATION ON SERVICE.—No participant shall perform services in any project for more than a 1-year period.

SEC. 125. RELATED PROGRAMS.

An activity administered under the authority of the Secretary of Health and Human Services, that is operated for the same purpose as a program eligible to be carried out under this subtitle, is encouraged to use services available under this subtitle.

SEC. 126. PUBLIC LANDS OR INDIAN LANDS.

(a) LIMITATION.—To be eligible to receive assistance through a grant provided under this subtitle, a program shall carry out activities on public lands or Indian lands, or result in a public benefit.

(b) REVIEW OF APPLICATIONS.—In reviewing applications submitted under section 123 that propose programs or projects to be carried out on public lands or Indian lands, the Commission shall consult with the Secretary of the Interior.

(c) CONSISTENCY.—A program carried out with assistance provided under this subtitle for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—

(1) the provisions of law and policies relating to the management and administration of such lands, and all other applicable provisions of law; and

(2) all management, operational, and other plans and documents that govern the administration of such lands.

(d) RESERVATION.—The Commission shall reserve not to exceed 5 percent of the amounts appropriated in each fiscal year under section 401(a)(2) to make grants under this subtitle for Federal disaster relief programs.

SEC. 127. TRAINING AND EDUCATION SERVICES.

(a) ASSESSMENT OF SKILLS.—Each program agency shall assess the educational level of participants at the time of their entrance into the program, using any available records or simplified assessment means or methodology and shall, where appropriate, refer such participants for testing for specific learning disabilities.

(b) ENHANCEMENT OF SKILLS.—Each program agency shall, through the programs and activities administered under this subtitle, enhance the educational skills of participants.

(c) PROVISION OF PRE-SERVICE AND IN-SERVICE TRAINING AND EDUCATION.—

(1) REQUIREMENT.—Each program agency shall use not less than 10 percent of the assistance made available to such agency under this subtitle in each fiscal year to provide pre-service and in-service training and educational materials and services for participants in such a program. Program participants shall be provided with information concerning the benefits to the community that result from the activities undertaken by such participants.

(2) AGREEMENTS FOR ACADEMIC STUDY.—A program agency may enter into arrangements with academic institutions or education providers, including—

(A) local education agencies;

(B) community colleges;

(C) 4-year colleges;

(D) area vocational-technical schools; and

(E) community based organizations;

to evaluate the basic skills of participants and to make academic study available to participants to enable such participants to upgrade literacy skills, to obtain high school diplomas or the equivalent of such diplomas, to obtain college degrees, or to enhance employable skills.

(3) COUNSELING.—Career and educational guidance and counseling shall be provided to a participant during a period of in-service training as described in this subsection.

(4) PRIORITY FOR PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS.—A program agency shall give priority to participants who have not obtained a high school diploma or the equivalent of such diploma, in providing services under this subsection.

(d) POST-SERVICE EDUCATION AND TRAINING ASSISTANCE.—

(1) USE OF FUNDS.—A program that receives assistance under this subtitle shall use not less than 10 percent of such assistance to comply with the requirements of section 131 for post-service education and training assistance.

(2) ACTIVITIES.—The activities conducted under this section may include activities available to an eligible participant under in-service education and training assistance programs, career and vocational counseling, assistance in entering a program under the Job Training Partnership Act (29 U.S.C. 1501 et seq.), and assistance for other activities considered appropriate for such participant by the appropriate program agency and the Commission.

(e) STANDARDS AND PROCEDURES.—

(1) CONSISTENCY WITH STATE AND LOCAL REQUIREMENTS.—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and the certification of educational attainment in programs conducted under subsection (c) are consistent with the requirements of applicable State and local law and regulations.

(2) ACADEMIC STANDARDS.—The standards and procedures described in paragraph (1) shall provide that an individual serving in a program that receives assistance under this subtitle—

(A) who is not a high school graduate, participate in an educational curriculum so that such individual can earn a high school diploma or the equivalent of such diploma; and

(B) may arrange to receive academic credit in recognition of the education and skills obtained from service satisfactorily completed.

SEC. 128. AMOUNT OF AWARD.

In determining the amount of a grant to be awarded to an applicant under this subtitle, the Commission shall consider—

(1) the number of the unemployed youth population of the area to be served; and

(2) the type of project or service proposed to be carried out with the amounts appropriated under section 401(a)(2).

SEC. 129. PREFERENCE FOR CERTAIN PROJECTS.

In the consideration of applications submitted under section 123, the Commission shall give preference to programs that—

(1) will provide long-term benefits to the public;

(2) will instill a work ethic and a sense of public service in the participants;

(3) will be labor intensive, and involve youth operating in crews;

(4) can be planned and initiated promptly; and

(5) will enhance skills development and educational level and opportunities for the participants.

SEC. 130. AGE AND CITIZENSHIP CRITERIA FOR ENROLLMENT.

Enrollment in programs that receive assistance under this subtitle shall be limited to individuals who, at the time of enrollment, are—

(1) not less than 16 years nor more than 25 years of age, except that summer programs may include individuals not less than 15 years nor more than 21 years of age at the time of the enrollment of such individuals; and

(2) citizens or nationals of the United States (including those citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau) or lawful permanent resident aliens of the United States.

SEC. 131. POST-SERVICE BENEFITS.

The program agency shall provide post-service education and training benefits (such as scholarships and grants) for each participant in an amount that is not in excess of $100 per week, or in excess of $5,000 per year, whichever is less.

SEC. 132. LIVING ALLOWANCE.

(a) FULL-TIME SERVICE.—

(1) IN GENERAL.—From assistance provided under this subtitle, each participant in a full-time youth service corps program that receives assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

(2) NON-FEDERAL SOURCES.—Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

(b) REDUCTION IN EXISTING PROGRAM BENEFITS.—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program.

(c) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), program agencies are encouraged to provide health insurance to each participant in a full-time youth service corps program who does not otherwise have access to health insurance.

(d) FACILITIES, SERVICES, AND SUPPLIES.—

(1) IN GENERAL.—The program agency may deduct, from amounts provided under subsections (a) and (c) to a participant, a reasonable portion of the costs of the rates for any room and board that is provided for such participant at a residential facility.

(2) EVALUATION.—The program agency shall establish the amount of the deductions and rates under paragraph (1) after evaluating the costs of providing such room and board to the participant.

(3) DUTIES OF PROGRAM AGENCY.—A program agency may provide facilities, quarters, and board and shall provide limited and emergency medical care, transportation from administrative facilities to work sites, and other appropriate services, supplies, and equipment to each participant.

(e) GUIDANCE AND PLACEMENT.—

(1) IN GENERAL.—Each program agency shall provide such job and educational guidance and placement information and assistance for each participant as may be necessary, including referrals of such participants to organizations where such participants may receive basic skills training or be tested and receive services for specific learning disabilities.

(2) COORDINATION WITH OTHER ENTITIES.—Assistance under paragraph (1) shall be provided in coordination with appropriate State, local, and private agencies and organizations.

SEC. 133. JOINT PROGRAMS.

(a) DEVELOPMENT.—The Commission may develop, in cooperation with the heads of

other Federal agencies, regulations designed to permit, where appropriate, joint programs in which activities supported with assistance made available under this subtitle are coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including the Job Training Partnership Act (29 U.S.C. 1501 et seq.)).

(b) STANDARDS.—Regulations promulgated under subsection (a) shall establish standards for the approval of joint programs that meet both the purposes of this title and the purposes of such statutes under which assistance is made available to support such projects.

SEC. 134. FEDERAL AND STATE EMPLOYEE STATUS.

(a) IN GENERAL.—Participants and crew leaders shall be responsible to, or be the responsibility of, the program agency administering the program on which such participants, crew leaders, and volunteers work.

(b) NON-FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a participant or crew leader in a program that receives assistance under this subtitle shall not be considered a Federal employee and shall not be subject to the provisions of law relating to Federal employment.

(2) WORK-RELATED INJURY.—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, a participant or crew leader serving in a program that receives assistance under this subtitle shall be considered an employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty", as used in such subchapter, shall not include an act of a participant or crew leader while absent from the assigned post of duty of such participant or crew leader, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date that the employment of the injured participant or crew leader is terminated.

(3) TORT CLAIMS PROCEDURE.—For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, a participant or crew leaders assigned to a youth service corps program shall be considered an employee of the United States within the meaning of the term "employee of the government" as defined in section 2671 of such title.

(4) ALLOWANCE FOR QUARTERS.—For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, a participant or crew leader shall be considered an employee of the United States within the meaning of the term "employee" as defined in paragraph (3) of subsection (a) of such section.

Subtitle D—National and Community Service

SEC. 140. SHORT TITLE.

This subtitle may be cited as the "National and Community Service Act".

SEC. 141. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States for the creation of full- and part-time national and community service programs.

SEC. 142. GRANTS.

(a) TERM OF GRANT.—The term of a grant awarded under section 141 shall not extend beyond September 30, 1991.

(b) CRITERIA FOR RECEIVING APPLICATIONS.—In determining whether to award a grant to a State under section 141, the Commission shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for a large-scale national service program;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the expediency with which the State proposes to make the program operational.

(c) DIVERSITY.—The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

(d) ALTERNATIVE VOUCHER OPTION LIMITED.—The Commission shall ensure that not to exceed 25 percent of States receiving a grant under section 141 are authorized to exercise the alternative voucher authorized under section 146(e)(3).

(e) COMPOSITION OF PROGRAMS.—The Commission shall ensure that not less than 25 percent of the programs that receive assistance under this subtitle include full-time, part-time and special senior service participants.

(f) STATE APPLICATION FOR GRANT.—To receive a grant under section 141, a State shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the State administrative plan for the implementation of a program with assistance provided under this subtitle, including such functions, if any, that will be carried out by public and private nonprofit organizations pursuant to a grant or contract;

(2) a description of the manner in which an ethnically and economically diverse group of participants, including economically and educationally disadvantaged individuals, college-bound youth, individuals with handicapping conditions, youth in foster care, and employed individuals, shall be recruited and selected for participation in a program receiving assistance under this subtitle;

(3) a description of the procedures for training supervisors and participants and for supervising and organizing participants in such program;

(4) a description of the procedures to ensure that the program provides participants with an opportunity to reflect on their service experience;

(5) a description of the geographical areas within such State in which the program would be operated to provide the optimum match between the need for services and the anticipated supply of participants;

(6) a description of the plan for placing such participants in teams or making individual placements in such program;

(7) assurances that, prior to such placement, the State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program;

(8) assurances that, prior to such placement, such State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such program;

(9) a description of the anticipated number of full- and part-time participants and special senior service members in such program;

(10) a plan for the recruitment and selection of sponsoring organizations that will receive participants under programs that receive assistance under this subtitle;

(11) a description of the procedures for matching such participants with such sponsoring organizations;

(12) a description of the procedures to be used to assure that sponsoring organizations that are not matched with participants shall be provided with information concerning the VISTA program and the programs established under title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.);

(13) the State budget for the program;

(14) a description of whether the State desires to exercise the voucher alternative option authorized under section 146(e)(3);

(15) a plan for evaluating the program and assurances that such State will fully cooperate with any evaluation undertaken by the Commission pursuant to section 178; and

(16) any other information as the Commission may reasonably require.

(g) NUMBER OF STATES.—

(1) IN GENERAL.—The Commission shall ensure that not more than five States are authorized to operate full-time programs and not more than five States are authorized to operate part-time programs in fiscal year 1991 under this subtitle.

(2) SINGLE PROGRAM.—For purposes of this paragraph (1), a State operating a single national service program with both full- and part-time options shall be counted as a State operating a full-time program and a State operating a part-time program.

(3) COOPERATIVE ARRANGEMENT.—For purposes of this paragraph (1), a State operating a national service program involving a cooperative arrangement with a multi-State organization or with sites in more than one State shall be counted as a single State.

SEC. 143. TYPES OF NATIONAL SERVICE.

(a) IN GENERAL.—A participant in a program that receives assistance under this subtitle shall perform national service to meet unmet educational, human, environmental, and public safety needs, especially those needs relating to poverty.

(b) TYPES OF NATIONAL SERVICE.—National service performed under subsection (a) may include—

(1) educational service, such as service in literacy programs, the Head Start program (as established under the Head Start Act (42 U.S.C. 9831)) and other early childhood education programs, tutorial assistance, and service in schools, libraries, and adult education centers;

(2) human service, such as—

(A) service in hospitals, hospices, clinics, community health centers, public health organizations, facilities serving individuals with acquired immune deficiency syndrome, homes for elderly individuals, programs serving individuals with handicapping conditions, and child-care programs; and

(B) service in programs to assist elderly, disabled, poor, and homeless individuals, including programs to build, restore, and maintain housing for poor or homeless individuals and self-help programs;

(3) environmental service, such as service in programs to conserve, recycle, maintain, and restore natural resources in urban and rural environments, to provide recreational opportunities, and to encourage community betterment or beautification;

(4) public safety service, including placement with police and fire departments, courts, the border patrol, and prisons; and

(5) in the case of special senior service members, service to assist a State in administering a program, including mentoring, supervision, and other functions.

SEC. 144. TERMS OF SERVICE.

(a) LENGTH OF SERVICE.—

(1) PART-TIME.—An individual performing part-time national service under this subtitle shall agree to perform community service for not less than 2 years.

(2) FULL-TIME.—An individual performing full-time national service under this subtitle shall agree to perform community service for not less than 1 year nor more than 2 years, at the discretion of such individual.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service under this subtitle shall serve for a period of time as determined by the Commission.

(b) PARTIAL COMPLETION OF SERVICE.—If the State releases a participant from completing a term of service in a program receiving assistance under this subtitle for compelling personal circumstances as demonstrated by such participant, the Commission may provide such participant with that portion of the financial assistance described in section 146 that corresponds to the quantity of the service obligation completed by such individual.

(c) TERMS OF SERVICE.—

(1) PART-TIME.—A participant performing part-time national service under this subtitle shall serve for—

(A) 2 weekends each month and 2 weeks during the year; or

(B) an average of 9 hours per week each year of service.

(2) FULL-TIME.—A participant performing full-time national service under this subtitle shall serve for not less than 40 hours per week each year of service.

(3) SPECIAL SENIOR SERVICE.—A special senior service participant performing national service under this subtitle shall serve either part- or full-time as permitted by the Commission.

SEC. 145. ELIGIBILITY.

(a) PART-TIME.—

(1) REQUIREMENTS.—An individual may serve in a part-time national service program under this subtitle if such individual—

(A) is 17 years of age or older; and

(B) is a citizen of the United States or lawfully admitted for permanent residence.

(2) PRIORITY.—In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.

(b) FULL-TIME.—An individual may serve in a full-time national service program under this subtitle if such individual—

(1) is 17 years of age or older;

(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and

(3) is a citizen of the United States or lawfully admitted for permanent residence.

(c) SPECIAL SENIOR SERVICE.—An individual may serve as a special senior service member under this subtitle if such individual—

(1) is 60 years of age or older; and

(2) meets the eligibility criteria for special senior service membership established by the Commission.

SEC. 146. VOUCHERS.

(a) PART-TIME.—

(1) IN GENERAL.—Subject to subsection (d), the Commission shall annually provide to each part-time participant a non-transferrable voucher that is equal in value to $2,000 for each year of service that such participant provides to the program.

(2) WAIVER.—A State may apply for a waiver to reduce the amount of a voucher provided under paragraph (1) to an amount that is equal in value to not less than the average annual tuition and required fees at 4-year public institutions of higher education within such State.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of a voucher provided under paragraph (1) to an amount in excess of that described in such paragraph.

(b) FULL-TIME.—

(1) IN GENERAL.—Subject to subsection (d), the Commission shall annually provide to each full-time participant a non-transferrable voucher that is equal in value to $5,000 for each year of service that such participant provides to the program.

(2) WAIVER.—A State may apply for a waiver to reduce the amount of a voucher provided under paragraph (1) to an amount that is equal in value to not less than the average annual tuition, required fees, and room and board costs at 4-year public institutions of higher education within such State.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of a voucher provided under paragraph (1) to an amount in excess of that described in such paragraph.

(c) SPECIAL SENIOR SERVICE PARTICIPANT.—A special senior service participant shall be ineligible to receive a voucher under this section.

(d) INDEXING.—The Commission shall increase the value of vouchers provided under this section in each fiscal year based on the increase in the costs associated with attending a 4-year institution of higher education during that fiscal year. The Commission shall determine such increases in costs based on information made available by the Bureau of Labor Statistics and the National Center for Education Statistics.

(e) USE OF VOUCHER.—

(1) PART-TIME.—A voucher provided under subsection (a) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs associated with purchasing a first home;

(C) downpayment, closing costs, or other costs associated with purchasing a small business concern; or

(D) tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) FULL-TIME.—A voucher provided under subsection (b) shall only be used for—

(A) payment of a student loan from Federal or non-Federal sources;

(B) downpayment or closing costs associated with purchasing a first home;

(C) downpayment, closing costs, or other costs associated with purchasing a small business concern; or

(D) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(3) ALTERNATIVE VOUCHER OPTION.—A State administering a full-time national service program under this subtitle may apply to the Commission for authorization to offer an alternative voucher option limiting the use of vouchers for education, housing, or costs associated with the purchase of a small business concern, including downpayment or closing costs.

(4) DEFINITION.—As used in this subsection, the term "small business concern" shall have the same meaning given such term in section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)).

SEC. 147. LIVING ALLOWANCE.

(a) FULL-TIME SERVICE.—

(1) IN GENERAL.—From assistance provided under this subtitle, each participant in a full-time national service program receiving assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

(2) NON-FEDERAL SOURCES.—Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

(b) REDUCTION IN EXISTING PROGRAM BENEFITS.—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program.

(c) HEALTH INSURANCE.—In addition to the living allowance provided under subsection (a), grantees are encouraged to provide health insurance to each participant in a full-time national service program who does not otherwise have access to health insurance.

(d) SPECIAL SENIOR SERVICE PARTICIPANT.—

(1) FULL-TIME.—Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a), and such other assistance as the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

(2) PART-TIME.—Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program, and such other assistance that the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

SEC. 148. TRAINING.

(a) PROGRAM TRAINING.—

(1) IN GENERAL.—Each participant shall receive 3 weeks of training provided by the Commission in cooperation with the State.

(2) CONTENTS OF TRAINING SESSION.—Each training session described in paragraph (1) shall—

(A) orient each participant in the nature, philosophy, and purpose of the program;

(B) build an ethic community service; and

(C) train each participant to effectively perform the assigned program task of such participant by providing—

(i) general training in citizenship and civic and community service; and

(ii) if feasible, specialized training for the type of national service that each participant will perform.

(b) ADDITIONAL TRAINING.—Each State may provide additional training for participants as such State determines necessary.

(c) AGENCY OR ORGANIZATION TRAINING.—Each participant shall receive training from the sponsoring organization in skills relevant to the work to be conducted.

SEC. 149. PUBLIC-PRIVATE PARTNERSHIP.

The Commission shall consider and develop opportunities for cooperation between public and private entities in the funding and implementation of a program receiving assistance under this subtitle, including cost-sharing arrangements with sponsoring organizations.

SEC. 150. IN-SERVICE EDUCATION BENEFITS.

Each State that receives assistance under this subtitle shall provide to each participant enrolled in a full-time program in-service educational services and materials to enable such participant to obtain a high school diploma or the equivalent of such diploma.

Subtitle E—Innovative Service Programs

SEC. 160. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States for the creation of innovative national and community service programs.

SEC. 161. GRANTS.

(a) CRITERIA FOR RECEIVING APPLICATIONS.—In determining whether to award a grant to a State under section 160, the Commission shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for other States;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the degree to which the program responds to State and community human, educational, environmental and public safety needs in an innovative manner.

(c) STATE APPLICATION FOR GRANT.—To receive a grant under this subtitle, a State shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the proposed program to be established with assistance provided under the grant;

(2) a description of the human, educational, environmental or public safety service that participants will perform and the State or community need that will be addressed under such proposed program;

(3) a description of the target population of participants and how they will be recruited;

(4) a description of the procedure for training supervisors and participants and for supervising and organizing participants in such proposed program;

(5) a description of the procedures to ensure that the proposed program provides participants with an opportunity to reflect on their service experiences;

(6) a description of any stipend or benefit that participants will receive, if any;

(7) an estimate of the anticipated number of participants and the anticipated number of hours of service such participants will perform;

(8) a description of the State budget for the program;

(9) assurances that, prior to the placement of a participant in a project, the State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such project; and

(10) assurances that, prior to the placement of a participant in a project, the State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such project.

Subtitle F—Administrative Provisions

SEC. 170. LIMITATION ON NUMBER OF GRANTS.

(a) IN GENERAL.—The Commission shall not award more than one grant during each fiscal year to each State under section 102.

(b) NUMBER OF APPLICATIONS.—In submitting applications for a grant under section 102, a State shall consolidate all of the applications of such State for the conduct of programs under subtitles B through E, into a single application that meets the requirements of such subtitles.

(c) MULTIPLE USE.—A grant awarded under section 102 to a State may be used by the State in accordance with the applications consolidated, submitted, and approved under subtitles (B) through (E).

SEC. 171. REPORTS.

(a) STATE REPORTS.—

(1) IN GENERAL.—Each State receiving assistance under this title shall prepare and submit, to the Commission, an annual report concerning the status of the national and community service programs that receive assistance under such title in such State.

(2) LOCAL GRANTEES.—Each State may require local grantees that receive assistance under this title to supply such information to the State as is necessary to enable the State to complete the report required under paragraph (1), including a comparison of actual accomplishments with the goals established for the program, the number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

(3) REPORT DEMONSTRATING COMPLIANCE.—

(A) IN GENERAL.—Each State receiving assistance under this title shall include information in the report required under paragraph (1) that demonstrates the compliance of the State with the provisions of section 176 and 113(9).

(B) LOCAL GRANTEES.—Each State may require local grantees to supply such information to the State as is necessary to enable the State to comply with the requirement of paragraph (1).

(4) AVAILABILITY OF REPORT.—Reports submitted under paragraph (1) shall be made available to the public on request.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 120 days after the end of each fiscal year, the Commission shall prepare and submit, to the appropriate authorizing and appropriation Committees of Congress, a report concerning the programs that receive assistance under this title.

(2) CONTENT.—Reports submitted under paragraph (1) shall contain a summary of the information contained in the State reports submitted under subsection (a), and shall reflect the findings and actions taken as a result of any evaluation conducted by the Commission.

SEC. 172. SUPPLEMENTATION.

(a) IN GENERAL.—Assistance provided under this title shall be used to supplement the level of State and local public funds expended for services of the type assisted under this title in the previous fiscal year.

(b) AGGREGATE EXPENDITURE.—Subsection (a) shall be satisfied, with respect to a particular program, if the aggregate expenditure for such program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure for such program in the previous fiscal year, excluding the amount of Federal assistance provided and any other amounts used to pay the remainder of the costs of programs assisted under this title.

SEC. 173. PROHIBITION ON USE OF FUNDS.

(a) IN GENERAL.—Assistance provided under this title shall not be used by program participants and program staff to—

(1) provide religious instruction, conduct worship services, or engage in any form of proselytization;

(2) assist, promote, or deter union organizing; and

(3) finance, directly or indirectly, any activity designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

(b) CONTRACTS OR COLLECTIVE BARGAINING AGREEMENTS.—A program that receives assist under this title shall not impair existing contracts for services or collective bargaining agreements.

SEC. 174. NONDISCRIMINATION.

(a) IN GENERAL.—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and the regulations issued under such Acts.

(b) NONDISCRIMINATION.—Any individual with responsibility for the administration of a program that receives assistance under this title shall not discriminate in the selection of participants to such program on the basis of race, religion, color, national origin, sex, age, handicap, or political affiliation.

(c) RULES AND REGULATIONS.—The Commission shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

SEC. 175. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Commission may in accordance with the provisions of this title, suspend or terminate payments under a contract or grant providing assistance under this title whenever the Commission determines there is a material failure to comply with this title or the applicable terms and conditions of any such

grant or contract issued pursuant to this title.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Commission shall prescribe procedures to ensure that—

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance provided under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under this title.

(c) TRANSCRIPT OR RECORDING.—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) STATE LEGISLATION.—Nothing in this title shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

(e) GRIEVANCE PROCEDURE—

(1) IN GENERAL.—State and local applicants that receive assistance under this title shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning programs that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence.

(3) DEADLINE FOR HEARING AND DECISION.—

(A) HEARING.—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days of filing such grievance.

(B) DECISION.—A decision on any grievance shall be made not later than 60 days after the filing of such grievance.

(4) ARBITRATION.—

(A) IN GENERAL.—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration.

(C) DEADLINE FOR DECISION.—A decision concerning such grievance shall be made not later than 30 days after the date of such arbitration proceeding.

(D) COST.—The cost of such arbitration proceeding shall be divided evenly between the parties to the arbitration.

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a program that receives assistance under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

(A) suspension of payments for assistance under this title;

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

SEC. 176. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Assistance provided under this title shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) PRIVATE NONPROFIT ENTITY.—Assistance made available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance under this title.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created under this title that will infringe in any manner on the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program receiving assistance under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in any program receiving assistance under this title shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker;

(ii) employee who recently resigned or was discharged;

(iii) employee who is subject to a reduction in force;

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick); or

(v) employee who is on strike or who is being locked out.

SEC. 177. STATE ADVISORY BOARD.

(a) FORMATION OF BOARD.—Each State that applies for assistance under this title is encouraged to establish a State Advisory Board for National and Community Service.

(b) MEMBERS.—

(1) IN GENERAL.—The chief executive officer of a State referred to in subsection (a) shall appoint members to such Advisory Board from among—

(A) representatives of State agencies administering community service, youth service, education, social service, and job training programs; and

(B) representatives of labor, business, agencies working with youth, community-based organizations such as community action agencies, students, teachers, Older American Volunteer Programs as established under title II of the Domestic Volunteer Act of 1973 (42 U.S.C. 5001 et seq.), full-time youth service corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, educational partnership programs, and other organizations working with volunteers.

(2) BALANCE OF MEMBERSHIP.—To the extent practicable, the chief executive officer of a State referred to in subsection (a) shall ensure that the membership of the Advisory Board is balanced according to race, ethnicity, and gender.

(c) DUTIES OF BOARD.—A State Advisory Board for National and Community Service established under subsection (a) shall assist the State agency administering a program receiving assistance under this title in—

(1) coordinating programs that receive assistance under this title and related programs within the State;

(2) disseminating information concerning service programs that receive assistance under this title;

(3) recruiting participants for programs that receive assistance under this title; and

(4) developing programs, training methods, curriculum materials, and other materials and activities related to programs that receive assistance under this title.

SEC. 178. EVALUATION.

(a) IN GENERAL.—The Commission shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under this title, including evaluations that measure the impact of such programs, to determine—

(1) the effectiveness of such programs in achieving stated goals and the costs associated with such;

(2) for purposes of the reports required by subsection (h), the impact of such programs, in each State in which a program is conducted, on the ability of—

(A) the VISTA and older American volunteer programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

(B) each regular component of the armed forces (as defined in section 101(4) of title 10, United States Code);

(C) each of the reserve components of the armed forces (as described in section 216(a) of title 5, United States Code); and

(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.));

to recruit individuals residing in such State to serve in such program; and

(3) the structure and mechanisms for delivery of services for such programs.

(b) COMPARISONS.—The Commission shall provide for inclusion in the evaluations required under subsection (a), where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

(c) CONDUCTING EVALUATIONS.—Evaluations of programs under subsection (a) shall be conducted by individuals who are not directly involved in the administration of such program.

(d) PROGRAM OBJECTIVES.—The Commission shall ensure that programs that receive assistance under subtitle D are evaluated to determine their effectiveness in—

(1) recruiting and enrolling diverse participants in such programs, consistent with the requirements of section 145, based on economic background, race, ethnicity, age, marital status, education levels, and handicap;

(2) promoting the educational achievement of each participant in such programs, based on earning a high school diploma or the equivalent of such diploma and the

future enrollment and completion of increasingly higher levels of education;

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America Program and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

(4) promoting of positive attitudes among each participant regarding the role of such participant in solving community problems based on the view of such participant regarding the personal capacity of such participant to improve the lives of others, the responsibilities of such participant as a citizen and community member, and other factors;

(5) enabling each participant to finance a lesser portion of the higher education of such participant through student loans;

(6) providing services and projects that benefit the community;

(7) supplying additional volunteer assistance to community agencies without overloading such agencies with more volunteers than can effectively be utilized;

(8) providing services and activities that could not otherwise be performed by employed workers and that will not supplant the hiring of, or result in the displacement of, employed workers or impair the existing contracts of such workers; and

(9) attracting a greater number of citizens to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

(e) COMPARISON OF PROGRAM MODELS.—The Commission shall evaluate and compare the effectiveness of different program models in meeting the program objectives described in subsection (d) including full- and part-time programs, programs involving different types of national service, programs using different recruitment methods, programs offering alternative voucher options, and programs utilizing individual placements and teams.

(f) OBTAINING INFORMATION.—

(1) IN GENERAL.—In conducting the evaluations required under subsection (d), the Commission may require each program participant and State or local applicant to provide such information as may be necessary to carry out the requirements of this section.

(2) CONFIDENTIALITY.—The Commission shall keep information acquired under this section confidential.

(g) DEADLINE.—The Commission shall complete the evaluations required under subsection (d) not later than 2 years after the date of enactment of this Act.

(h) REPORTS.—

(1) INITIAL REPORT.—Not later than 24 months after the date on which the first program is initiated under this title, the Commission shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the evaluations conducted under subsection (a)(2) with respect to the first 18 months after such initiation date.

SEC. 179. ENGAGEMENT OF PARTICIPANTS.

A State shall not engage a participant to serve in any program that receives assistance under this title unless and until amounts have been appropriated under section 401 for the provision of vouchers and for the payment of other necessary expenses and costs associated with such participant.

SEC. 180. NATIONAL SERVICE DEMONSTRATION PROGRAM AMENDMENTS.

(a) TREATMENT OF EDUCATION AND HOUSING VOUCHER.—For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), vouchers received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such a voucher be considered as—

(1) annual adjusted family income as defined in section 411F(1) of subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a-6); or

(2) total income as defined in section 480(a) of part F of title IV of such Act (20 U.S.C. 1087vv(a)).

(b) TREATMENT OF STIPEND FOR LIVING EXPENSES.—In no case shall stipends received under this Act be considered in the determination of expected family contribution or independent student status under—

(1) subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a et seq.); or

(2) part F of title IV of such Act (20 U.S.C. 1087kk et seq.).

(c) CONTINGENT EXTENSION.—Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

SEC. 181. PARTNERSHIPS WITH SCHOOLS.

(a) DEFINITIONS.—As used in this section:

(1) PARTNERSHIP PROGRAM.—The term "partnership program" means a cooperative effort between an agency or department of the Federal government and an educational institution to enhance the education of students.

(2) SCHOOL VOLUNTEER.—The term "school volunteer" means an individual, beyond the age of compulsory schooling, working without financial remuneration under the direction of professional staff within a school or school district.

(b) DESIGN OF PROGRAMS.—The head of each Federal agency and department shall design an implement a comprehensive strategy to involve employees of such agencies and departments in partnership programs with elementary schools and secondary schools. Such strategy shall include—

(1) a review of existing programs to identify and expand the opportunities for such employees to be school volunteers;

(2) the designation of a senior official in each such agency and department who will be responsible for establishing school volunteer and partnership programs in each such agency and department and for developing school volunteer and partnership programs; and

(3) the encouragement of employees of such agencies and departments to participate in school volunteer and partnership programs.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.

SEC. 182. SERVICE AS TUTORS.

Notwithstanding any other provision of this Act, a service opportunity through which a part-time participant serves as a classroom tutor under the supervision of a certified professional shall be considered an acceptable placement if the requirements of section 176(b)(1) and (2) and section 173 are met.

SEC. 183. CONFORMING AMENDMENTS.

The Higher Education Act of 1965 is amended—

(1) in section 411F(9) (20 U.S.C. 1070a-6(9)), by adding at the end thereof the following new subparagraph:

"(F) Annual adjusted family income does not include any stipend received by a participant a programs established under the National and Community Service Act of 1990.";

(2) in section 411F(12)(B)(vi) (20 U.S.C. 1070a-6(12)(B)(vi)), by striking "(including all sources of resources other than parents)" and inserting "(including all sources of resources other than parents and stipends received as a result of participation in a program established under the National and Community Service Act of 1990.";

(3) in section 480(f) (20 U.S.C. 1087vv(f)), by—

(A) striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon and "and"; and

(C) adding at the end thereof the following new paragraph:

"(3) any stipend received by a participant in a program established under the National and Community Service Act of 1990."; and

(4) in section 480(d)(2)(F) (20 U.S.C. 1087vv(d)(2)(F)), by inserting after "other than parents" "and stipends received as a result of participation in a program established under the National and Community Service Act of 1990)".

Subtitle G—Commission on National and Community Service

SEC. 190. COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) ESTABLISHMENT.—There is established a Commission on National and Community Service that shall administer the programs established under this title.

(b) BOARD OF DIRECTORS.—

(1) COMPOSITION.—The Commission shall be administered by a Board of Directors (hereinafter referred to in this section as the "Board") that shall be composed of 21 members, to be appointed by the President with the advice and consent of the Senate, who shall be individuals who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints. The membership of the Board shall be balanced according to the race, ethnicity and gender of its members.

(2) POLITICAL PARTIES.—Not more than 11 members of the Board shall belong to the same political party.

(3) TERMS.—Each member of the Board shall serve for a term of 2 years, except that, subject to the provisions of paragraph (4), eleven of the initial members of the Board shall serve for a term of 1 year, as designated by the President.

(4) VACANCIES.—

(A) IN GENERAL.—As vacancies occur on the Board, new members shall be appointed by the President with the advice and consent of the Senate and serve for the remainder of the term for which the predecessor of such member was appointed.

(5) CHAIRPERSON.—The Board shall elect a chairperson and vice-chairperson from among its membership.

(6) MEETINGS.—The Board shall meet not less than three times each year. The Board shall hold additional meetings if seven members of the Board request such meetings in writing. A majority of the Board shall constitute a quorum.

(7) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) DUTIES.—The Board shall—

(1) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress;

(2) design and administer the programs or initiatives established under this title;

(3) shall consult with appropriate Federal agencies in administering programs that receive assistance under title I;

(4) may delegate authority to administer the programs established under this title to any other agency or entity of the Federal government, on the agreement of such agency or entity, as the Board determines appropriate;

(5) shall provide, directly or through contract with public or private nonprofit organizations with extensive experience in service programs, training and technical assistance to States, school and community-based service programs, full-time youth service corps, and national service demonstration programs;

(6) shall arrange for the evaluation of programs established under this title, in accordance with section 178;

(7) coordinate with the Secretary of Defense in evaluating the effect of the national service demonstration program on the recruitment efforts of the active and reserve components of the Armed Forces; and

(8) carry out any other activities determined appropriate by the Secretary.

(d) EXECUTIVE DIRECTOR OF THE BOARD.—

(1) IN GENERAL.—The Board shall appoint an individual to serve as Executive Director of the Board (hereinafter referred to in this section as the "Director").

(2) DUTIES.—The Director shall advise the Board concerning developments in volunteer or national service that the Director determines merits the attention of the Board, identify promising service initiatives, and coordinate the work of the Board with the work of other Federal agencies involved in service activities and in the design of a competitive grant to provide assistance as authorized under this title.

(e) TECHNICAL EMPLOYEES.—The Director may, at the discretion of the Board, appoint not more than 10 technical employees to administer the Committee. Such employees shall be appointed for terms that shall not exceed 2 years, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(f) CLEARINGHOUSES.—

(1) IN GENERAL.—The Board shall provide assistance to not less than three national or regional service clearinghouses.

(2) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—Public and private nonprofit agencies that have extensive experience in community service, adult volunteer and partnership programs, youth service, and other volunteer programs shall be eligible to receive funds under paragraph (1).

(3) FUNCTION OF CLEARINGHOUSES.—National and regional clearinghouses that receive assistance under paragraph (1) shall—

(A) assist State and local community service programs with needs assessments and planning;

(B) conduct research and evaluations concerning community service;

(C) provide leadership development and training to State and local community service program administrators, supervisors, and participants;

(D) administer award and recognition programs for outstanding community service programs and participants; and

(E) facilitate communication amongst community service programs and participants.

(4) GRANTS.—

(A) IN GENERAL.—The Board may make grants to national model service programs.

(B) ELIGIBILITY.—States, education institutions, local government agencies, community-based agencies, nonprofit organizations, or consortia composed thereof shall be eligible to receive grants under subparagraph (A).

(C) DISSEMINATION OF INFORMATION.—The Board shall widely disseminate information concerning national model service programs that receive assistance under subparagraph (A).

(5) INNOVATIVE CURRICULUM MATERIALS.—The Board may make grants for the development of innovative curriculum materials for use in youth community service and adult volunteer partnership programs.

(g) PRESIDENTIAL AWARDS FOR SERVICES.—

(1) PRESIDENTIAL AWARDS.—

(A) IN GENERAL.—The President, acting through the Commission, is authorized to make Presidential Awards for service to individuals demonstrating outstanding community service and to outstanding service programs.

(B) NUMBER OF AWARDS.—The President is authorized to make one individual and one program award in each Congressional district, and one Statewide program award in each State.

(C) CONSULTATION.—The President shall consult with the Governor of each State, and with the Board, in the selection of individuals and programs for Presidential Awards.

(D) PARTICIPANTS IN PROGRAMS.—An individual receiving an award under this subsection need not be a participant in a program assisted under this title.

(2) INFORMATION.—The President shall ensure that information concerning individuals and programs receiving awards under this subsection is widely disseminated.

(h) DETAIL OF EMPLOYEES.—Any Federal government employee may be detailed to the Commission without payment of reimbursement to the detailing agency. Such detail of a Federal employee shall not result in the interruption or loss of civil service status or privilege of such employee.

(i) LIMITATION.—In each fiscal year the Commission shall limit the value of any benefits conferred under this Act, to an amount that is not in excess of the appropriations for such fiscal year to carry out this Act, and if the fulfillment of the requirements of this Act requires amounts in excess of the limitation described in this subsection, such benefits shall be reduced to the extent necessary to comply with the requirements of this subsection.

TITLE II—MODIFICATIONS OF EXISTING EDUCATION PROGRAMS

SEC. 201. REFERENCES.

Whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965.

Subtitle A—Higher Education

SEC. 210. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

(a) PURPOSE.—Section 1061 of the Act (20 U.S.C. 1135e) is amended by striking out "projects in exchange" and all that follows through the end thereof, and inserting in lieu thereof "activities before, during, or after the completion of such student's higher education.".

(b) USE OF GRANTS.—Section 1062 of the Act (20 U.S.C. 1135e-1) is amended to read as follows:

"SEC. 1062. INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

"(a) GENERAL AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants to, and enter into contracts with, institutions of higher education (including combinations of such institutions), and other public agencies and nonprofit organizations working in partnership with institutions of higher education, for purposes including—

"(1) encouraging students to participate in community service activities that will engender a sense of social responsibility and commitment to the community;

"(2) encouraging students to assist in the teaching of individuals with limited basic skills or an inability to read and write;

"(3) creating opportunities for students to engage in community service activities in exchange for financial assistance that reduces the debt acquired by students in the course of completing postsecondary education;

"(4) encouraging student-initiated and student designated community service projects; and

"(5) encouraging the integration of community service into academic curricula.

"(b) ADMINISTRATIVE PROVISIONS.—

"(1) APPLICATION.—No grant may be made, and no contract may be entered into, under this section unless an application is made to the Director of the Fund for Improvement of Postsecondary Education (hereinafter referred to as the 'Director') at such time, in such manner, and contained or accompanied by such information as the Director may reasonably require. Such applications shall include plans that describe the manner in which appropriate training is to be provided to participants and supervisors.

"(2) ADVISE.—Consistent with the provisions of section 1003(c), the National Board of the Fund for the Improvement of Postsecondary Education shall advise the Director on programs, priorities, and the selection of projects developed under the authority of this section.

"(3) TECHNICAL EMPLOYEES.—

"(A) IN GENERAL.—The Secretary may appoint, for terms of not to exceed 2 years, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, technical employees to administer this part who may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such

title relating to classification and General Schedule pay rates.

"(B) LIMITATION.—The Secretary may appoint not more than 1 technical employee for each $2,000,000 appropriated under section 1063.

"(4) APPLICATION OF OTHER SECTION.—The provisions of section 1004(b) shall apply to grants made under this section.

"(5) CONSTRUCTION.—Nothing in this part shall be construed as requiring an institution of higher education to offer academic credit as a requirement of receiving assistance under this part.".

Subtitle B—State Student Incentive Grant and Work Study Programs

SEC. 220. ADDITIONAL RESERVATION FOR CAMPUS-BASED COMMUNITY WORK LEARNING STUDY JOBS.

Section 415B(a) of such Act (20 U.S.C. 1070c-1(a)) is amended by inserting the following new paragraph at the end thereof:

"(3)(A) If the amount appropriated to carry out this subpart exceeds $75,000,000, the Secretary shall, notwithstanding the provisions of section 415(C)(b)(3)(A), allot 50 percent of such excess to the States for the purpose described in section 415(C)(b)(3)(B).

"(B) The Secretary shall make the allotment required under subparagraph (A) based on the number of students participating in campus-based community work learning study jobs assisted under this subpart in each State as compared to the total number of students participating in such jobs in all States.

SEC. 221. WORK STUDY PROGRAMS.

(a) WORK STUDY PROGRAMS.—Section 443(b)(5) of such Act (42 U.S.C. 2753(b)(5)) is amended by striking "and 70 percent for academic year 1990-1991" and inserting "70 percent for academic years 1990-1991 and 1991-1992, and 60 percent for academic year 1992-1993".

(b) COMMUNITY SERVICE LEARNING PROGRAMS.—Section 443(b)(5)(B) of such Act is amended by striking "90" and inserting "100".

SEC. 222. PUBLIC HEALTH AMENDMENT.

Section 361(a) of the Public Health Service Act (42 U.S.C. 264(a)) is amended by striking out "The" and inserting in lieu thereof "Notwithstanding any other provision of Federal law, the".

Subtitle C—Publication

SEC. 230. INFORMATION FOR STUDENTS.

(a) INSTITUTIONAL AND FINANCIAL.—Section 485(a)(1) of such Act (20 U.S.C. 1092(a)(1)) is amended—

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following new subparagraph:

"(L) the terms and conditions under which students receiving guaranteed student loans under part B of this title or direct student loans under part E of this title, or both, may—

"(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness, and

"(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.).".

(b) PARTICIPATION AGREEMENTS.—Section 487(a)(7) of such Act (20 U.S.C. 1094(a)(7)) is amended by inserting before the period a comma and the following: "particularly the requirements of subsection (a)(1)(L) of such section".

SEC. 231. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of such Act (20 U.S.C. 1092(b)) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by inserting after paragraph (2) the following new paragraph:

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

SEC. 232. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of such Act (20 U.S.C. 1092(d)) is amended by inserting before the last sentence the following new sentence: "The Secretary shall provide information concerning the specific terms and conditions under which students may obtain partial cancellation or defer repayment of loans for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness, shall indicate (in terms of the Federal minimum wage) the maximum level of compensation and allowances that a student borrower may receive from a tax-exempt organization to qualify for a deferment, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.".

SEC. 233. DATA ON DEFERMENTS AND CANCELLATIONS.

Section 485B(a) of such Act (20 U.S.C. 1092b(a)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (4):

"(5) the exact amount of loans partially canceled or in deferment for service under the Peace Corps Act (22 U.S.C. 2501 et seq.)), for service under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), and for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness.".

Subtitle D—Direct Loans to Students in Institutions of Higher Education

SEC. 240. LOAN CANCELLATION AUTHORIZED.

(a) CANCELLATION FOR CERTAIN SERVICE.—Section 465(a)(2) of such Act (20 U.S.C.1087ee(a)(2)) is amended—

(1) by striking out "or" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new subparagraph:

"(F) as a full-time volunteer in service comparable to service referred to in subparagraph (E) for an organization of demonstrated effectiveness which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code 1986.".

(b) CANCELLATION PERCENTAGE.—Section 465(a)(3)(A) of such Act (20 U.S.C. 1087ee(a)(3)(A)) is amended—

(1) by striking out "or" at the end of clause (iii);

(2) by striking out the period at the end of clause (iv) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding at the end thereof the following new clause:

"(v) in the case of service described in subparagraph (F) of paragraph (2) at the rate of 15 percent for the first or second year of such service and 20 percent of the third or fourth year of such service.".

SEC. 241. EFFECTIVE DATE.

The amendments made by section 240 shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this subtitle to individuals who are new borrowers on that date.

Subtitle E—Loan Forgiveness

SEC. 250. LOAN FORGIVENESS.

(a) IN GENERAL.—Part B of title IV of such Act is amended by inserting after section 432 (20 U.S.C. 1082) the following new section:

"SEC. 432A. TREATMENT OF STUDENTS VOLUNTEERS.

"(a) IN GENERAL.—Notwithstanding any other provision of law except subsection (c), a loan insurable under section 427, or the student loan insurance program of a State, institution, or organization under section 428, shall provide that, in the case of any student borrower who, prior to the beginning of the repayment period, agrees in writing to volunteer for service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax exempt organization of demonstrative effectiveness, for the payment by the United States of the percent of the amount of loans specified in subsection (b).

"(b) PARTIAL CANCELLATION AUTHORITY.—

"(1) AGREEMENT.—The Secretary shall enter into an agreement with any student borrower described in section 427(a)(2)(H) or 428(b)(1)(V) under which the borrower shall agree to serve as a volunteer under the Peace Corps Act (22 U.S.C. 2501 et seq.) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer with a tax-exempt organization of demonstrated effectiveness.

"(2) ASSURANCES.—The agreement entered into under paragraph (1) shall contain provisions designed to assure that—

"(A) the Secretary will assume the obligation of paying the percent of any loan made, insured, or guaranteed under this part, except those described in sections 428A, 428B and 428C, pursuant to the schedule described in paragraph (5); and

"(B) the student borrower who fails to volunteer for service in accordance with the agreement will assume the obligation of paying the amount of any such loan attrib-

utable to the period for which the student borrower failed to comply with the agreement.

"(3) PAYMENT.—The Secretary shall in each fiscal year pay to the holder of each loan for which the Secretary assumes responsibility under this subsection the amount specified in paragraph (5).

"(4) WAIVER OR SUSPENSION.—The Secretary shall waive or suspend any obligation of service or payment of any loan, or any part thereof, to which the United States is entitled under paragraph (2)(A) whenever the Secretary determines that compliance by an individual with the agreement is impossible or would involve extreme hardship to the individual.

"(5) AMOUNT OF PAYMENT.—

"(A) IN GENERAL.—The percentage of a loan that shall be paid by the United States under paragraph (2)(A) shall be 15 percent for the first or second year of service and 20 percent for the third or fourth year of service as described in paragraph (1).

"(B) INTEREST.—If a portion of the loan is paid by the Secretary under this subsection for any year, the entire amount of interest on such loan which accrues for such year shall be paid by the Secretary.

"(C) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the refunding of any repayment on the loan.

"(c) LIMITATION.—In each fiscal year, the Secretary shall limit the value of any benefits conferred under this section to an amount that is not in excess of the appropriation for such fiscal year to carry out this section, and if the fulfillment of the requirements of this section requires amounts in excess of this limitation described in this subsection, such benefits shall be reduced to the extent necessary to comply with the requirements of this subsection.".

(c) TECHNICAL AMENDMENTS.—

(1) STUDENT VOLUNTEER.—

(A) NOTE.—Section 427(a)(2)(B)(ii) of such Act (20 U.S.C. 1077(a)(2)(B)(ii)) is amended by inserting after "that" a comma and the following: "subject to the provisions of subparagraph (H),".

(B) PAYMENT BY FEDERAL GOVERNMENT.—Section 427(a)(2) of such Act (20 U.S.C. 1077(a)(2)(B)(ii)) is amended by—

(i) striking out "and" at the end of subparagraph (G);

(ii) redesignating subparagraph (H) as subparagraph (I); and

(iii) inserting after subparagraph (G) the following new subparagraph:

"(H) complies with section 432A.".

(2) FEDERAL PAYMENT TO REDUCE INTEREST.—

(A) INSURANCE PROGRAM REQUIREMENT.—Section 428(b)(1)(D) of such Act (20 U.S.C. 1078(b)(1)(D)) is amended by inserting after "paragraph" the following: "and subject to subparagraph (V)".

(B) PAYMENT BY FEDERAL GOVERNMENT.—Section 428(b)(1) of such Act (20 U.S.C. 1078(b)(1)(D)) is amended by—

(i) striking out "and" at the end of subparagraph (T);

(ii) striking out the period at the end of subparagraph (U) and by inserting in lieu thereof a semicolon and "and"; and

(iii) adding at the end thereof the following new subparagraph:

"(V) complies with section 432A.".

SEC. 251. EFFECTIVE DATE.

The amendments made by section 250 shall apply only to loans made to cover the costs of instruction for periods of enrollment beginning on or after 30 days after the date of enactment of this Act to individuals who are new borrowers on that date.

TITLE III—POINTS OF LIGHT INITIATIVE FOUNDATION

SEC. 301. SHORT TITLE.

This title may be cited as the "Points of Light Initiative Foundation Act".

SEC. 302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) community service and service to others is an integral part of American tradition;

(2) existing volunteers and volunteer programs should be praised for their efforts in helping and serving others;

(3) the definition of a successful life includes service to others;

(4) individuals should be encouraged to volunteer their time and energies in community service efforts;

(5) if asked to volunteer or participate in community service, most Americans will do so;

(6) institutions should be encouraged to volunteer their resources and energies and should encourage volunteer and community service among their members, employees, affiliates; and

(7) volunteer and community service programs are intended to complement and not replace governmental responsibilities.

(b) PURPOSE.—It is the purpose of this title—

(1) to encourage every American and every American institution to help solve our most critical social problems by volunteering their time, energies and services through community service projects and initiatives;

(2) to identify successful and promising community service projects and initiatives, and to disseminate information concerning such projects and initiatives to other communities in order to promote their adoption nationwide; and

(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others and to convince all Americans that a successful life includes serving others.

SEC. 303. ESTABLISHMENT.

There is established a nonprofit corporation to be known as the "Points of Light Initiative Foundation" (hereinafter referred to in this title as the "Foundation"). The Foundation shall be subject to the provisions of this Act and, to the extent consistent with this section, to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code 501 et seq.).

SEC. 304. BOARD OF DIRECTORS.

(a) COMPOSITION.—

(1) IN GENERAL.—The management of the Foundation shall be vested in a Board of Directors (hereinafter referred to in this title as the "Board") that shall be composed of not less than 19 and not more than 25 members.

(2) APPOINTMENT.—

(A) BY PRESIDENT.—The members of the Board shall be appointed by the President. Such members shall be appointed so as to ensure a broad bipartisan representation, including women and minorities, of groups and individuals associated with volunteer and community service.

(B) CRITERIA.—In appointing members under this paragraph, the President shall consider individuals who—

(i) have made significant contributions to existing volunteer and community service programs;

(ii) are capable of bringing significant resources, expertise, and experience to the Foundation; or

(iii) have a significant interest in promoting community service and volunteerism.

(C) UNITED STATES OFFICERS.—Notwithstanding any other provision of law, the President may appoint officers of the United States to serve on the Board.

(3) CHAIRPERSON.—The President shall designate one member of the Board to serve as Chairperson.

(4) HONORARY CHAIRPERSON.—The President shall serve as the Honorary Chairperson of the Foundation.

(5) TERM.—Except as otherwise provided in this paragraph, each member of the Board shall serve a 2 year term. The terms of such members shall be staggered by 1 year intervals to provide for continuity in the management of the Foundation.

(b) COMPENSATION AND EXPENSES.—

(1) NO COMPENSATION.—Members of the Board shall serve without compensation.

(2) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) BOARD AUTHORITY; RULES AND REGULATIONS; QUORUM.—

(1) AUTHORITY.—The Board shall manage the exercise of all the powers and duties of the Foundation.

(2) RULES AND REGULATIONS.—The Board may prescribe, amend, and repeal bylaws, rules, and regulations that govern the manner in which the business of the Foundation may be conducted and in which the powers granted to the Foundation by law may be exercised.

(3) QUORUM.—A majority of members of the Board shall constitute a quorum.

(d) EXECUTIVE COMMITTEE.—The Board may appoint an Executive Committee or any other such committees or establish such affiliated groups to carry out the functions and duties of the Foundation.

SEC. 305. EMPLOYEES.

(a) APPOINTMENT.—The Board shall appoint a President or an Executive Director, and may appoint such other officers and employees as may be necessary to administer the Foundation, for such terms and at such rates of compensation as are fixed by the Board. Such officers and employees shall be exempt from the civil service regulations and requirements.

(b) OTHER PERSONNEL AND SERVICES.—The Board may request the assistance of personnel and the use of services from other public and private corporations and agencies. Such personnel shall serve at the pleasure of the Board and without compensation from the Foundation.

SEC. 306. POWERS AND FUNCTIONS.

The Foundation, in addition to the other powers and functions provided for in this title—

(1) shall have perpetual succession, except that such Foundation may be dissolved by an Act of Congress;

(2) may adopt, alter, and use a corporate seal;

(3) may make and perform contracts and other agreements with any individual, corporation, or other entity and with any government agency;

(4) may acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and

improve, such real and personal property as the Board finds to be necessary to achieve the purposes of the Foundation;

(5) may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise;

(6) may establish and operate such programs, adopt such policies, and pursue such activities as may be determined appropriate by the Board to further the purposes of the Foundation; and

(7) shall have such other powers as may be necessary and appropriate to carrying out its powers and duties under this Act.

SEC. 307. PRINCIPAL AND BRANCH OFFICES.

The Foundation shall establish a principal office in the District of Columbia and may establish such branch offices or other offices in any place within the United States or elsewhere where the Foundation may carry out its operations.

SEC. 308. NONPROFIT NATURE OF THE FOUNDATION.

(a) IN GENERAL.—The Foundation shall be a nonprofit corporation and shall have no capital stock.

(b) REVENUE AND EARNINGS.—No part of the revenue, earnings, or other income or property of the Foundation shall inure to the benefit of the members of the Board, the officers, or the employees of the Foundation, and such revenue, earnings or other income, or property shall be used for carrying out the purposes of this title.

(c) CONFLICT OF INTEREST.—No member of the Board, officer or employee of the Foundation shall in any manner, directly or indirectly, participate in the deliberation or the determination of any question affecting the personal interests of such members, officer or employee or the interests of any corporation, partnership or organization in which such members, officer or employee is directly or indirectly interested.

(d) CONTRIBUTIONS.—The Foundation shall not contribute to or otherwise support any political party or candidate for elective public office.

SEC. 309. EXEMPTION FROM TAX.

The Foundation, including its income, shall be exempt from taxation imposed by the United States or any territory or possession thereof, or by any State, county, municipality, or local taxing authority.

SEC. 310. OVERSIGHT.

The Board shall use amounts appropriated under section 401(a)(7) to—

(1) prepare and submit, to the appropriate Committees of Congress and the President, an annual report concerning the activities of the Foundation and the expenditure of funds by such;

(2) procure audits of its activities by the Comptroller General; and

(3) participate in the Office of Management and Budget budget review process.

SEC. 311. ANNUAL BUDGET.

The Foundation shall establish an annual budget for use in allocating amounts available to the Foundation under section 401(a)(7). The Foundation may, in each fiscal year, supplement the appropriation for such fiscal year under such section (a) with private resources.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act, $50,000,00 for fiscal year 1990 and $75,000,000 for fiscal year 1991, of which the Secretary shall make available—

(1) to carry out subtitle B of title I, $10,000,000 for fiscal year 1990 and $15,000,000 for fiscal year 1991;

(2) to carry out subtitle C of title I, $14,000,000 for fiscal year 1990 and $21,000,000 for fiscal year 1991;

(3) to carry out subtitle D of title I, $14,000,000 for fiscal year 1990 and $21,000,000 for fiscal year 1991;

(4) to carry out subtitle E of title I, $400,000 for fiscal year 1990 and $600,000 for fiscal year 1991;

(5) to carry out subtitle G of title I, $800,000 for fiscal year 1990 and $1,200,000 for fiscal year 1991;

(6) to establish clearinghouses under section 190(f), $800,000 for fiscal year 1990 and $1,200,000 for fiscal year 1991; and

(7) to carry out title III, $10,000,000 for fiscal year 1990 and $15,000,000 for fiscal year 1991.

(b) POINTS OF LIGHT FOUNDATION.—If any amounts made available under subsection (a)(7) are not used by the Points of Light Foundation, such amounts shall be made available to carry out subtitles B, C, and D of title I on a pro rata basis.

(c) UNUSED APPROPRIATIONS.—If an amount authorized to be appropriated in any fiscal year is not appropriated, or is appropriated but not expended in such fiscal year, such amount shall remain available to be appropriated, or expended, in the following fiscal year.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the amendment of the Senator from Colorado be permitted and that the technical change to conform his amendment with the substitute be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Colorado still has the floor.

AMENDMENT NO. 1262

(Purpose: To allow religious organizations that receive Federal financial assistance under this Act to keep their religious identity and maintain a moral climate in their programs and activities)

Mr. ARMSTRONG. Mr. President, with that understanding, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ARMSTRONG] (for himself), Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MACK, and Mr. MCCONNELL, proposes an amendment numbered 1262 to the committee modified amendment.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 8, line 2, after the word "needs" insert the following: ", including, but not limited to, churches and other religious entities";

On page 8, line 9, after the words "secondary school" insert the following: ", including, but not limited to, private sectarian and nonsectarian schools";

On page 10, line 6, after the words "public or private agencies" insert the following: ", including, but not limited to, churches and other religious entities";

On page 36, line 3, strike "any religious function" and insert in lieu thereof, "the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization".

On page 69, line 7, strike the semicolon and insert in lieu thereof the following: ", but nothing in this Act shall be construed to prevent any church or other religious entity from—

"(A) displaying religious symbols or decorations;

"(B) allowing persons to pray voluntarily, whether silently or vocally;

"(C) allowing persons to sing religious hymns; or

"(D) affirming or promoting any moral tenet that may be based on religious precepts;".

On page 70, line 6, after the word "affiliation" insert the following: ", except that a church or other religious entity may require that participants adhere to the religious tenets and teachings of such organization and further, such organization may require that participants adhere to rules forbidding the use of drugs or alcohol".

On page 70, line 7, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following new subsection:

"(c) QUALIFIED APPLICANTS.—If two or more prospective participants are qualified for any position with a church or other religious entity that is funded under part A of title I or titles II or III, nothing in this Act shall prohibit such organization from accepting a prospective participant for such position who is already participating on a regular basis in other activities of the church or other religious entity.".

Mr. ARMSTRONG. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ARMSTRONG. Mr. President, I will now, unless someone wishes to address the amendment, suggest the absence of a quorum.

Did the Senator from Massachusetts wish to speak?

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Massachusetts.

Mr. KENNEDY. Mr. President, we are not hostile to the purposes for which the Senator from Colorado is offering his amendment. The path we have followed in this legislation with regard to the activities of religious institutions follows what has been done with other voluntary service programs which have been in existence, some of them for some 25 years—VISTA volunteer programs, Foster Grandparent program, the higher education grant programs, and other programs. What we have done in this bill is to include language that is similar to church-state language in those various authorizations. Rather than list various

particular items, our proposal does not exclude the participation of religious organizations so long as the programs themselves do not involve religious worship or instruction.

It is still my hope and belief that we are wiser to try, rather than listing the things that would be authorized, to include a straightforward statement prohibiting the funding of religious activities. It may be at some point down the line if we adopt the amendment, that some will say that things that were not specifically referenced may not be permitted. We took the approach included in the proposal because it has been time tested. There have been religious organizations and groups which have participated in service programs. We know at this time and we have inquired whether there had been any problems to date that had been troublesome from a constitutional point of view or from religious organizations that felt they were being excluded. In the course of our inquiring about those matters, they were not brought to our attention.

So, that is why we proceeded in this way. It seems to me to be preferable, but I am not opposed to the essence of what the Senator from Colorado is attempting to do. He has a list of the various items on this in part (a) of his amendment. We are just going over the particular items at this time.

If it would be agreeable to the Senator from Colorado, we would like to do is just review these for a few moments, come back to him, and see if we cannot reach agreement. I believe that we will be able to do so. But I think we want to make sure that, if we do that, we are able to represent accurately to the Senate exactly where we are going and what we are intending.

As I understand, the Senator understands and supports the various other provisions that we have included prohibiting the funding of religious instruction, worship, and proselytization.

Mr. ARMSTRONG. If the Senator will yield, that is absolutely right. The issue arises because of that prohibition in the first place. In general, it seems to me that the Senator is correct in suggesting that the less we say the better, but in this particular case, since there is a general prohibition on religious activities, we need to be sure that we do not, without intending to do so, forbid religious entities from participating. So, in the spirit and intent that I believe the text of my amendment is to modify what is already in the bill and narrow the scope of the prohibition that exists in the bill. I will be happy to entertain any suggestions he may have on it, but my belief is that we rested the narrow grafted way.

Mr. KENNEDY. Mr. President, S. 1430, states that assistance provided under title I shall not be used by program participants or program staffs to provide religious instruction, conduct religious services, or to engage in any form of proselytization. And then we left the other matters to be addressed by the courts. By contrast, the Senator from Colorado's approach is to list those that would be permitted.

Mr. President, I understand the Senator from Georgia has a matter he would like to talk about, and perhaps in that time I could talk to the Senator from Colorado.

Mr. FOWLER. I thank the Senator.

The PRESIDING OFFICER. The Senator from Georgia [Mr. FOWLER] is recognized.

Mr. FOWLER. I thank the Senator from Massachusetts. I have a brief statement and in a few minutes I do have a couple of questions I would like to ask the sponsor.

Mr. President, I am extremely pleased that the National and Community Service Act has been brought on the floor. We certainly all agree on the value and importance of public service. I believe this bill creates some exceptional programs and expands programs which have been very successful in the past. These programs do offer enormous benefits to our communities and our Nation as well as the many rich rewards for the volunteers that give their time and talent and their effort.

I would like to stress that the programs in this bill can be particularly effective in rural America. Many times on this floor many of us have spoken of the challenges facing people living in our rural communities. Many of the problems we associate with the inner city—inadequate health care, jobs, education, housing—all of these have become increasingly rural problems. We can all go to the rural areas of the States we represent and see how these problems are threatening the viability of life in the countryside.

These problems have worsened in a time when spending on rural programs has decreased, declining 75 percent in the last 10 years. National service programs offer a way to make up for those losses, and we must make every effort to improve the quality of life in rural America.

Rural communities need the contributions that young people participating in community service programs can make. The illiterate need to be taught to read and write. Disadvantaged students need to be tutored. The elderly and disabled and children of working parents need someone to care for them. The land, water, and air—the precious resources of rural America—need to be preserved.

The young people living in rural America can benefit greatly from participation in such service programs. Providing service to their communities gives young people a sense of responsibility to their communities—and also to their Nation. It matures them and elevates their self-esteem. These programs can also give young people training to better prepare them for their future careers.

Let us not overlook what is just as important. The increased participation of our young people in their communities can strengthen the ties that hold them to these communities. Young people are leaving rural areas for the cities in alarming numbers. Increased civic and community involvement can cause more young peope to decide that they can make a life for themselves in their home towns as adults, choosing the place that they would prefer to live.

Some of the mechanisms for national and community service activities are already in place. For example, our land grant colleges and universities have traditionally played a role in the revitalization of rural America, and these schools, under these programs, continue to play an increasing role.

The National and Community Service Act contains great potential benefits both for our communities and the participants in the programs. Rural America sorely needs the concentration of human resources fostered by the National and Community Service Act. I want to make sure that the citizens in our small towns and countryside will have the opportunity to realize the benefits of this legislation.

I have a couple of questions. But before I ask them, I see one of the primary sponsors of this legislation and certainly a woman as a private citizen and a public servant—our association goes back now almost 20 years to our days as city council persons, me in Georgia, BARBARA MIKULSKI in Maryland—who, along with the senior Senator from Massachusetts and the senior Senator from my State, Senator NUNN, has been the unquestioned leader in bringing this legislation to the floor and seeing to it that its expanse includes the rural areas of her State and my State that I have spoken of.

Ms. MIKULSKI. If the Senator will yield. I thank the Senator for his gracious comments. The chairman of the committee, Senator KENNEDY, is working with Senator ARMSTRONG on the religious exemption amendment and, as one of the prime architects and a member of the committee, I would be happy to enter into a colloquy with the Senator. Senator KENNEDY has designated me to be the floor manager during this segment.

Mr. FOWLER. I am delighted, I say to the Senator. I just have two questions for the record and for those inquiries that continue to come in.

How does the Senator see the provisions of this bill operating in rural areas of our country?

Ms. MIKULSKI. Like the Senator, I made a transition of being a Member

of the House of Representatives, representing a large, exciting metropolitan area—he in Atlanta; I in Baltimore—to representing a whole State with rural constituencies.

As we listened and learned about rural America, the way we would help them in this program is, No. 1, the program would be operated under the aegis of a Governor. A Governor would submit a State plan to this quasi-public corporation we have so we could keep bureaucracy lean and benefits in the community greater. The Governor submits a plan based on the State's needs.

As the Senator has indicated, Georgia, the great State he represents, has the large metropolitan area of Atlanta and yet a lot of rural areas. That Governor would know what the needs of Georgia are just like the Governor of Maryland knows the needs of my State. And the State plan would develop how the needs of rural areas would be met.

The program will function, I say to the Senator, primarily through nonprofit organizations. This is for the part-time voucher program and then through the nonprofits, your kids could be delivering weekend Meals on Wheels out of those clay hills. They can be working for Habitat for Humanity by building housing for the poor. But it would be operated by the local groups in local communities to a plan developed by a Governor.

Mr. FOWLER. I thank the Senator. I know she would agree, and we would love to have to any other comments, that we do not underestimate the possible impact for our rural areas for the goals that we know are necessary; am I correct?

Ms. MIKULSKI. Absolutely. What this program does, I think, is really reward the values of rural America, because it is rural America where the values of the habits of the heart that deTocqueville talks about are so alive and well and flourishing. It is there where neighbor continues to help neighbor; it is there where a contemporary version of the barn raising continues to go on.

I think we are going to have a lot to learn from the creative ways rural America implements it. Also I say to the Senator this provides an opportunity structure. That is what this bill is. It goes to three basic values we want to foster in our society: Access to the American dream, the ability to pursue higher education or accumulate a nest egg for a down payment on first-time home ownership, but not a giveaway program, and that you earn that voucher through your own sweat equity working in the community.

We also want to inculcate the value of civic obligation. You, like I, have heard Walesa, we have heard Havel, one day we will hear Mandela talk about the fact there is no such thing as no cost democracy. We must put that in our own community.

Last, but not at all least, the habits of the heart, I think that is what this legislation does. It goes right to the values of Main Street America.

What we did in this bill is we get away from the values of Wall Street and go back to the values of Main Street, and that is why I think rural America is going to be an active participant.

Mr. FOWLER. All I can say is, if we can fit rural America into that great American tradition now, from deTocqueville to MIKULSKI, there will be no question that our country will remain strong; our country will get stronger because of the full participation of the democratic ideal that, as Vaclav Havel said, is always an illusive horizon which we continue to travel toward but we never actually achieve it.

But, unless we find a way that brings on those kids who have been left behind through no fault of their own, but who want to work, who want to contribute, who want to emerge as full, operating, productive citizens in their own communities, not having to go running off to Atlanta and Boston, I think under the leadership of the Senator from Maryland and that of the Senator from Massachusetts, who has now returned to the floor, I believe we can do it. I am thankful for your collective leadership on behalf of those kids.

I thank the Senator.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington [Mr. GORTON].

Mr. GORTON. Mr. President, I wish to speak briefly in favor of the Armstrong amendment of which I am a cosponsor, and to thank the distinguished Senator from Massachusetts for his careful consideration of that amendment. Awaiting his answer with respect to his position on it, I would simply like to add to the illustrations which the Senator from Colorado elicited in connection with his support of the proposal, with this one.

New York City's foster care system, which was obviously already filled with troubles, overburdened and unable to cope with a growing caseload, almost self-destructed when the city imposed onerous requirements on religious foster care agencies. Those agencies, of course, provide relief to a public system that sorely needs it by finding foster homes for children who need those homes.

But city leaders, after having been pressured by the American Civil Liberties Union, started requiring these religious agencies to stop preferring children of their own faiths, to drop requirements that children in the care of individuals attend religious services, and to require that those children be given, "meaningful access to the full range of family planning information, services and counseling."

In other words, Mr. President, Jewish agencies were forced to stop giving priority to Jewish children, Presbyterian agencies could not require that foster parents take children in their care to church, and Catholic agencies had to provide abortion counseling and referral to children in the care of Catholic foster parents.

The net result of regulations like that was that the government was hurt, because a greater burden was imposed on it when private social welfare agencies could no longer handle the caseload because they refused to go along with these requirements. The religious agencies of course are hurt badly because they are forced to choose between adhering to their own moral tenets and providing care to those in need, the homeless, the poor and other disadvantaged people. They may have had services which they need—and for which they have asked—disrupted because of disputes among lawyers.

Happily there was a compromise. The city of New York backed away, in part—but did not in its entirety—from those requirements. It simply raises the questions with which we have been dealing as Americans over the course of 200 years, recently in increasingly distorted ways.

We seem to have concentrated overwhelmingly on that half of the first amendment dealing with religion which prohibits the establishment of religion and to have ignored almost completely the free exercise provisions of that first amendment. We do not deal in neutral fashion with social welfare agencies which are connected with churches, with synagogues, or with other religious organizations.

It is obvious to all of us that those organizations engage in many activities which have highly laudable secular purposes. They ought to be able to receive funding in order to engage in those secular purposes. And, when they have that public money, they should not be required to behave as though they were no longer religious agencies at all.

The Salvation Army is not the District of Columbia Department of Human Services and the law should not require it to act as if it were that kind of agency. The Armstrong amendment would assure that S. 1430 embodies these principles. It really does three things.

The bill itself is clear in its prohibition of religious activities. But it is unclear about whether religious entities are eligible to participate in publicly supported national and community service programs. This amendment makes it clear that those entities are eligible.

The amendment states that religious entities that participate in programs funded under the act are not thereby required to transform themselves into secular organizations. They can continue to display religious symbols and decorations, allow people to pray and voluntarily recite religious hymns, promote moral tenets like honesty, dependability, and fidelity which are accepted by the vast majority of our society but which in these cases are often based on religious precepts.

And finally the amendment includes provisions similar to those included in S. 5, the Act for Better Child Care, which we debated at great length on the floor of this body last year.

Those provisions would allow a religious entity which participates in programs funded under S. 1430 first to require that participants adhere to its religious tenets; second, to require that such participants adhere to rules forbidding the use of drugs and alcohol; and third, that in choosing between two or more prospective participants, to hire a person who is already involved on a regular basis in the activities of the organization which is engaged in the hiring.

It seems to this Senator, Mr. President, that this is a fair and appropriate addition to S. 1430. The goal of S. 1430, after all, is to encourage volunteer activities, to encourage people to become foster parents, to encourage people to work to help the homeless, to encourage a myriad of other salutary activities in our society.

We should encourage, therefore, rather than discourage, religious organizations' participation in the provision of these services which, after all, is their history and, in many cases, one of their major reasons for being.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I rise in strong support of the Armstrong amendment.

Mr. President, throughout the history of our great nation, churches and religious organizations have formed the very heart of voluntary action. President Reagan once said, "How can we love our country and not love our countrymen and, seeing our countrymen in need, not reach out a helping hand?" In the entire history of the Republic, churches and religious organizations have led that effort.

If we are about to enter into a Federal funding program to try to encourage voluntarism, to try to reward people who volunteer—in fact, this bill, some would say, makes being a volunteer a paid profession, which many would suggest is not in the spirit of voluntarism—I can see no logic whatsoever for not adopting the Armstrong amendment because it simply assures that a bill aimed at encouraging voluntarism not exclude the very heart of the voluntary effort in America. That very heart of the effort has been centered in churches and religious organizations.

I think this is a needed clarification in this bill. I think it is a needed clarification in law. I congratulate our distinguished colleague from Colorado, and I urge my colleagues to support this amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FOWLER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I rise in strong support of S. 1430, the National and Community Service Act of 1990, and the proposed committee modification offered by the senior Senator from Massachusetts [Mr. KENNEDY].

S. 1430 is the result, as you know, of months of work on behalf of the chairman of the committee, Senator KENNEDY, Senator PELL, Senator NUNN, Senator MIKULSKI, and my office. This legislation contains provisions for 15 national service proposals introduced by a number of our colleagues in 1989 and provides for service opportunities for Americans of all ages.

Mr. President, before I get into the details of the bill I would like to commend our colleague from Utah [Mr. HATCH] for his willingness to work out a compromise to make S. 1430 a bipartisan package of service opportunities.

While the compromise would only authorize a modest $125 million for fiscal year 1990 and fiscal year 1991, an amount considerably lower than when S. 1430 was first proposed, it should be noted that we will have the opportunity to reauthorize the programs within the next 2 years. At that time the programs will have been tested, and if they prove to be successful, as I am confident they will, we will have every reason to increase the authorization levels and to expand the programs.

Once again the Senator from Utah has provided that there is the opportunity to reach a compromise in this institution, and to do what is necessary to try to deal with some of the pressing problems of this country.

I have had the unique pleasure and privilege to work with him on other matters, and frankly it comes as no surprise to me that he was able and willing to work out a compromise on this proposal. I commend him for that effort.

S. 1430 is comprehensive, and I would add complementary of existing service programs. States would be given the opportunity to apply a newly created Corporation for National Service for grants to expand or develop service programs. The States would apply for Federal funds to, one, develop programs for school age youth and local schools or community organizations; or, number two, expand or develop full time or summer conservation or Youth Service Corps for youths between the ages of 16 and 25; and, third, develop a community-serviced demonstration program; or, lastly, develop an innovative idea of their own outlined in the grant application.

Moreover, S. 1430 would also authorize President Bush's Points of Light Foundation to promote volunteer service in this country.

The Federal Government's commitment to inspire civic responsibility has a very long and proud tradition.

Mr. President, as we all know, it has waned since the leadership of President Kennedy in the early 1960's. "Ask not what you can do for your country" is a long long way from our "Are you better off than you were in 1980." S. 1430 would restore the Federal Government's commitment to make service attractive to young people, and to foster a service ethic in all America.

Mr. President, our country has a wide variety of problems that are literally crying out for a greater commitment to the public good. We are suffering the fallout of a decade that has seen the gulf between the affluent and poor become a very wide chasm indeed. Children, those who are in the dawn of life, are falling through the cracks of society each and every day.

Let me share some of the statistics which all of us are all too painfully aware of. One out of every four children in this country is living in poverty as the majority of homeless are families today. And 20 percent of our young people are dropping out of high schools.

Let me quickly add that in the societies of Japan and the Federal Republic of Germany those numbers hover around zero. So we begin to think in terms of competition with the 20-percent dropout rate. And, by the way, that is the national average. When you get into our cities in this country that number reaches into the 50-to 60-percent category.

Also, many of the 37 million Americans without health insurance are children. In fact, 15 million kids in this society have no health coverage what-

soever. Whatever complaints you may want to level at their parents, you cannot blame 15 million kids for not having health insurance.

Many large and small cities across this country are in a state of decay. Drugs, as we all know, are ravaging many of our cities and communities, and eroding the next generation of workers, parents, and leaders.

Mr. President, we are not going to solve all of these problems with a line item in the Federal budget. We are not going to solve them all by coming up with more taxes at the local or State level. We are going to need a commitment from all levels of government. But one of the things we ought to be able to do is to encourage Americans of all ages, of all backgrounds, to participate in doing what we can to turn some of these statistics around in this next decade. That is what the bill proposed by Senator KENNEDY, myself, Senator MIKULSKI, Senator NUNN, Senator HATCH, and others attempts to do.

It is one small piece in that puzzle. It is not going to solve the problem. But if we fail to convince Americans of all ages, of all economic levels, to participate in resolving these problems, then I would suggest to you the problems are going to become worse.

The state of affairs demands the urgent attention and leadership of every one of our citizens at all levels of government, including the Federal Government as well.

We must mobilize our human resources to attack the myriad of societal ills. We must once again call, as I said a moment ago, all Americans to service.

Americans of all ages and from all economic backgrounds and circumstances can and should feel like contributing members of our society. They just need to be asked. I will never forget when I joined the Peace Corps back in the 1960's a particular interview which I think may have had more to do with my decision, as I was in my senior year in college, to join the Peace Corps than anything else.

It was an interview with a person who had joined that Peace Corps and come back. They asked him why he had not done something like that before. His simple one line answer was, "Nobody ever asked me before."

All of sudden I remembered that there was this fellow in the White House who had asked me to do something like that. I got excited about it. I thought if he got excited about it this really might be something worth doing. That, more than anything else, is the spark that lit my interest in serving in the Peace Corps in the Dominican Republic. That event had, more to do with my adult life, with the exception of my family, than any other event or set of circumstances.

So volunteering made a big difference. It can make a big difference in others' lives as well. All we need to do in many ways is really just ask and back up our request for a greater number of opportunities for service. Young people today complain of feeling detached, isolated from society. According to a poll conducted by Peter Hart Associates, fewer young people feel compelled today to serve the community than ever before. There is little doubt that these emotions contribute to the dropout rate, low morale, substance abuse, and extremely low voter turnout of young people between the ages of 18 and 24. For the young people, for our communities, and the Nation, we need to take the necessary steps to convince young people to realize that they have tremendous potential and can contribute significantly. More importantly, we need to help young people to appreciate that each and every one of them has something to contribute to this country.

One of the best ways I know of to instill in young people a sense of pride in accomplishment is through service. As I said, I know because it happened to me. I am confident that people across this country, given the same kind of opportunities here at home, will respond to them as I did. There is nothing different from my generation than this generation, not a single thing. The difference was, in my generation there was a government that asked a generation to participate. Regretfully, we have failed to make that similar request of this generation. But they are there, they are willing ot participate, they are willing to serve. All that needs to be done is for them to be asked to participate. I think all of us are confident they will respond accordingly.

When I have the opportunity to speak to high school students in my own State I cannot emphasize enough the benefits of national community service. Last spring, when I heard testimony in Hartford on community service, middle school and high school young people discussed the enjoyment and satisfaction they experienced when tutoring or bringing food to elderly or fighting a forest fire. In particular, one witness, a young man by the name of Richard Innaimo, of the Connecticut Conservation Corps, was quoted as saying, "I am proud of what I do and the knowledge and experience I get out of CCC. I get a sense of accomplishment when I do something that will make people enjoy our State parks." Mr. President, we need to get the word out that service can be an exciting and rewarding experience.

The programs outlined in title I are designed to build on the existing structure of service opportunities available in States. There are prototypes of school, community, and conservation service programs already in place in many States in this country. In particular, title I, section C, of the modification, which I originally sponsored, to make grants available to States for conservation and youth service corps programs, would build on model programs already in place in some 20 States.

Title I section (c) of the bill is really taking advantage of a program that already exists in some 20 States. It is a tested program that has already been working extremely well. The participants in the existing Conservation Corps, for instance, have already made enormous contributions to our country. Just in 1989, corps members from around the country traveled to Yellowstone, SC, and California to help rebuild communities and parks devastated by fires, earthquakes, and hurricanes.

It is not enough to make service opportunities more available to Americans. The programs have to be affordable to the sponsors and participants. S. 1430 attempts to make service more affordable for all Americans. To help defray living expenses, States could provide participants in the full-time programs stipends not to exceed the poverty level for a family of two, $8,020. For each year of service participants would also receive a voucher, not to exceed $5,000, to invest in an education or the purchase of a first home.

Some will say that is not volunteering. If you are going to provide a stipend at the poverty level and you are going to provide additional resources to encourage one's further education, then you are actually engaging in a contradition of terms here; this is not volunteering, it is fully paying someone. I suppose in an absolute literal sense there is some merit to that.

I was a Peace Corps volunteer, I was paid $5,000 a year; $100 a month, to pay for my rent and food in the small village I lived in in the Dominican Republic. I was one of the more affluent people in town. At $100 a month I guess I could suggest I was not a volunteer. My house cost $13 a month, my food was $30 a month, my laundry was $5 a month, and the rest was considered excess, I suppose, if you will. That made me one of the richest guys in town. But in a sense I think I was a volunteer at $100 a month. Certainly in this country today if you are living at the poverty level and putting money away for one's education is roughly the same thing.

Second, I would add, volunteering ought not to be something one can do because you are affluent enough to do it. If your suggestion would be that the only people who could volunteer would be the people who would not have to accept the stipend or would not have to accept some assistance for

furthering their education, then you will eliminate some of the very people who may benefit the most from volunteering.

I mentioned a moment ago about speaking to high school students in Hartford, CT, who were involved in volunteer programs. Some of those young people were the poorest people in Hartford, CT, who were volunteers, out there doing a good job. They had a sense of participation and contribution.

Mr. President, I see that the Chair is interested in moving on to another matter.

Mr. KENNEDY. Will the Senator yield?

Mr. DODD. I am happy to yield.

ORDER FOR RECESS FROM 12:45 P.M. UNTIL 2:15 P.M.

Mr. KENNEDY. Mr. President, as I understand the order is to recess at 12:30, am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I ask unanimous consent that the time be extended to 12:45, and that the Senator from Connecticut be permitted to conclude his remarks and, as I understand, the Senator from California wants to make some remarks.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mr. DODD. I thank the Senator from Massachusetts and I will be very, very brief here.

But the point is Mr. President, that volunteering ought not to be something that one is affluent enough to do.

When I joined the Peace Corps in early 1950's, I certainly could afford to do it in many ways. I was fortunate enough to grow up in a home where my parents could afford to pay for my education. I did not have to get involved in a lot of student loans or a lot of debt to pay for my college education. I am not sure my parents would be able to do that today given the cost of education.

When I went off and joined the Peace Corps, I could do so. I did not have to go to work and immediately pay off student loans. Today we would like to attract all people to service and including people who dropped out of school. And what title I says is, you do not have to have a high school education or high school diploma to participate.

I talked to some young people here in Maryland who were involved in a conservation program. Many of them had dropped out of school and were attracted and drawn into this conservation program. And, in every single case, every one of them had gone back and gotten a high school diploma. Every single one of them said the reason they did so was because of the positive experience they had had as volunteers in the Conservation Corps program of Maryland, and that they felt with an education they could even do more.

So, volunteering ought not to just be for middle- or upper-class folks. It ought to be available as well to the poor and people who have not completed a high school education. And title I is designed to do it. Volunteering is not only good for the recipient of a volunteer service, it is extremely good for the volunteer. It can give a person who has never had the sense of self-worth and accomplishment that experience for the first time in their lives.

So our title I is designed to build on existing programs and to make volunteering something available to all Americans, even though there is a cost involved here of a living stipend and an educational grant assistance program to put money aside to further one's education.

S. 1430 will make service more affordable for college graduates with outstanding student loan costs. In the 1986 Higher Education Act reauthorization, I sponsored a provision which partially cancels the direct student loans of Peace Corps and Vista volunteers. These benefits would be extended to cover Stafford student loans as well, thanks to the provisions in S. 1430 first introduced by Senator BUMPERS. Furthermore, provisions authored by Senator BUMPERS would allow participants in Peace Corps-type positions with tax-exempt community service organizations to also qualify for the loan forgiveness.

Opponents of S. 1430 will argue that the Federal Government should not be spending this kind of money for volunteers. I think I have addressed that point as effectively as I know how. It does involve a commitment of some dollars. But if we can reduce the dropout rates of young Americans, if we can increase the literacy of people who dropped out of school or who have fallen through the cracks, if we can improve on a health care system, if we can improve the feeding conditions, nutrition programs of elderly Americans, there is no way you can calculate the dollars saved by becoming involved in programs like this.

I do not think anyone would argue with the notion that we would be saving millions of dollars if we can save some of these people, make them more self-sufficient or reduce the likelihood they are going to have serious health problems.

This bill allows us to do that, allows us to invest small amounts of money and reap tremendous benefits for the recipients as well as those who will be motivated to serve our great Nation.

There are a lot of problems in our country. Again this bill will not solve all of them but it comes close to at least making it possible for all Americans to participate in the resolution of these problems.

I again commend our colleague from Massachusetts for bringing these various ideas together; our colleague from Utah for being a significant, positive and, once again, contributing factor to the development of this legislation; my colleague from Maryland [Ms. MIKULSKI], who has been deeply involved and interested in the subject matter for a long, long time; and Senator NUNN for his deep interest in national service.

I hope that our colleagues will support and adopt this legislation before too long.

I thank the Chair and I yield the floor.

Mr. KENNEDY. Mr. President, I wish to once again pay tribute to the Senator from Connecticut for his strong commitment in voluntarism and in service. He has demonstrated that with his own life's commitment as a volunteer in the Peace Corps, and he has been one of the strongest and most active members of our committee in the shaping of this legislation. He is also chairman of a subcommittee of our Committee on Human Resources that extends the various other voluntary programs, the ACTION Program and others. They have all benefited from his oversight and involvement. As a member of the Foreign Relations Committee, he continues to pursue the support for the Peace Corps. He and I can remember it was not long ago when there were attempts by the administration to basically emasculate that program, that has been so successful.

So we are indeed grateful for not only his strong statement but for the very commendable work that he has involved himself in in this area as well as many others.

Mr. President, I ask unanimous consent that the amendment of the Senator from Colorado be temporarily set aside. The Senator from Colorado has agreed to this procedure.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1263

(Purpose: To provide for national service in programs involving drug and alcohol abuse, education and treatment and for other purposes)

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes an amendment numbered 1263.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 19, line 18, strike "and".

On page 19, between lines 18 and 19, insert the following:

(L) disclose whether the program plans include preventing and treating school age drug and alcohol abuse and dependency; and

On page 19, line 19, strike "(L)" and insert (M).

On page 35, line 5, after "facilities," insert "activities that focus on drug and alcohol abuse education, prevention and treatment,".

On page 53, line 4, strike "and".

On page 53, after the semicolon, insert "and".

On page 53, between lines 9 and 10, insert the following:

(C) service in programs engaged in the education, prevention, and treatment of drug and alcohol abuse, including care programs for cocaine-addicted babies;

Mr. DOMENICI. Mr. President, I could take a long time to discuss the philosophy and notion encapsulated in this bill. I have listened with attention to my friend from Connecticut and others. The Senator from Connecticut cited various experiences he has had with reference to the joy and fulfillment that comes from the kind of services that he described here, including the Peace Corps.

I might say to my good friend I am very privileged in that I happen to have a lot of children. They are now almost grown. My twins are 22, and I have eight children, so they are the babies. I can tell you there is no question that the young people—and I know this is not just a young people bill, but the young people of this country truly yearn for an opportunity to help others. As a matter of fact, I think we are remiss because our society is so built around competition and success and getting a niche in life that it is very difficult for it to find a niche for those who want to take a little time in an orderly and organized way and be helpful to others. We have a difficult time structuring that because it is obvious that is not the prime activity of the country. We have to get along with our economic concerns, our private sector development, and jobs. But I do not need my family to be convinced that we ought to provide more opportunity for young people to help other young people, or to participate in being helpful to those in need.

Having said that, my amendment is a simple one. At various places in the bill where we mention and describe specific service activities, knowing full well that those were not intended to be all inclusive, I have asked that in each of those three places in the bill we include drug treatment and drug-related preventative activities in the scope of community service in which we are encouraging American citizens, young and old, under this bill to participate.

It would not necessarily be excluded if my amendment is not part of the bill, but I think the managers of the bill agree with me that it would serve well to list drug prevention and related activities as one of the areas where we would like our citizens to help other citizens in various social service modes. That is essentially the amendment. I ask for its immediate consideration.

Mr. KENNEDY. Mr. President, I commend the Senator from New Mexico for this amendment. What it would do is, in the various school-based systems, it would make a part of the application that an indication that there are drug and alcohol education programs, and, second, it would make the drug and alcohol treatment programs, rehabilitation programs, prevention programs in the community eligible for these kinds of activities. This is completely consistent with what we intend with this program. I think it is a useful and valuable amendment. I urge the Senate to accept it.

The PRESIDING OFFICER. The question occurs on the amendment of the Senator from New Mexico [Mr. DOMENICI].

The amendment (No. 1263) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, let me commend my colleague from New Mexico for this amendment and thank him, as well, for his remarks. He has almost a whole youth corps right there under his own roof with eight children. Having been one of six, I can relate to what that experience is like. And I have had the opportunity to meet a number of his children. He and his lovely wife have done a fantastic job with that crew of theirs. I am not surprised at all they are anxious to participate and volunteer.

AMENDMENT NO. 1264

(Purpose: To ensure that Indian tribes are eligible to receive grants under all subtitles of title I)

Mr. KENNEDY. Mr. President, I send an amendment to the desk on behalf of Senator CONRAD and ask unanimous consent that the Armstrong amendment be temporarily set aside and that we proceed to the consideration of this amendment.

The PRESIDING OFFICER. Hearing no objection, it is so ordered. The Armstrong amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for Mr. CONRAD, proposes an amendment numbered 1264.

Mr. KENNEDY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, line after line 19, add the following new section:

SEC. 117. TREATMENT OF INDIAN TRIBES.

An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 27, between lines 20 and 21, insert the following new paragraph:

(3) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 52, between lines 9 and 10, insert the following new subsection:

(h) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 66, between lines 2 and 3, insert the following new subsection:

(d) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

Mr. CONRAD. Mr. President, this amendment will ensure that Indian reservations are eligible to participate in community service programs regardless of whether their States do so.

Indian reservations stand to benefit substantially from the programs proposed in S. 1430. Community service will help Indian youth learn about the interworkings of their communities and of government, while at the same time providing valuable contributions that make a difference close to home.

Reservations in North Dakota and elsewhere have unemployment rates that reach as high as 80 percent. They frequently need assistance in water, sanitation and various natural resource areas. They need housing improvements. And like any other community, they need enlightened leadership.

Community service opportunities for Indian youth and for others in their communities will help reservations build for the future. There are many benefits that this legislation can provide to reservations, and I am pleased to offer this amendment today.

Mr. KENNEDY. Mr. President, this amendment basically clarifies that Indian tribes are eligible to receive grants directly from the Federal Government to operate a Conservation Corps or Youth Service Corps. It is completely consistent with our intentions, and it is supported by my colleague, the Senator from Utah.

We are prepared to support that amendment.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment of the Senator from North Dakota, offered by the distinguished chairman.

The amendment (No. 1264) was agreed to.

Mr. KENNEDY. Mr. President, we are looking for our colleague and

friend from Colorado to see if we cannot have a disposition of that legislation. I believe that we will, at 4:30 when we resume consideration of this bill.

We are prepared to consider the remaining amendments. We have been able to dispose of a number of those amendments. There are, perhaps, at least that have been communicated to me, a half a dozen that need our attention. So I ask our colleagues on both sides of the aisle, when we resume consideration of this bill, if they would be good enough to come to the floor and offer these amendments.

We are prepared to debate these amendments. We support some. We will be glad to work out with our colleagues as many of those that can be worked out.

Hopefully, we can move along. We have had a good discussion of this legislation yesterday. To my knowledge, we have yet to have anyone speak in opposition to it. There are some ideas that we will have to address. Some we support, some we do not feel should be a part of this legislation. But we are glad to get to them this afternoon.

We know we have other urgent business here on the agenda, so we are eager to dispose of these matters as quickly as we can.

I hope our colleagues will come to the floor immediately after the cloture vote and be prepared to dispose of these amendments.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, I am delighted that the National and Community Service Act has finally reached the floor, and contains my original proposal to establish a National Service Demonstration program with educational benefits.

As one who has been a longtime advocate of national service, I am very encouraged by the considerable national attention this issue has now received.

We are at the point where we should enact a demonstration program of voluntary national service involving a strong community service and education component. The demonstration program contained in this bill will enable us to test the concept of national service, and to gain valuable information in several areas.

First, this demonstration program will enable us to learn how much interest there is in community service. While community service programs exist on many college campuses today, we do not have detailed information on either the extent or the depth of student interest in this area. Consequently, before we embark on a full-blown program, it is, to my mind, very important that we have this kind of information.

Second, we do not know the kind of people who will be interested in community service. The demonstration program will accomplish that by giving us crucial information on the socioeconomic background of those who participate.

Third, the demonstration program would give us a much better idea of just how expensive a comprehensive program might be, and would enable us to judge whether or not we could afford such a program given the severe budgetary constraints confronting us. Estimates are that a comprehensive program could cost as much as $50 billion a year, and that would most certainly place any program beyond our reach. The demonstration program would enable us to determine whether or not such an estimate is accurate, as well as whether or not we could get along with a more limited program.

This legislation also involves a commitment to what I consider a very important concept, namely that successful completion of community service should involve an educational benefit. Most important, the educational benefit should supplement, and not replace, our existing, proven Federal student aid programs.

It would be cruel, indeed, to replace programs that today serve over 6 million students with one that would serve less with less assistance, and would require a special obligation of service by the poor simply because they are poor.

Mr. President, under the provisions of my demonstration program, citizens of all ages could elect to serve in either a full- or part-time community service program. Participants would be paid a stipend during their tenure. Such a provision would open the doors of community service to all Americans—rich or poor. Without stipends, community service would become the domain of the rich, or those able to depend on others for financial support during their tenure. Such people do not make up the majority of Americans.

When participants successfully complete the community service requirement, they would be entitled to receive an educational benefit of $5,000 for each year of full-time service and $2,000 for each year of part-time service. The stipend could either be used at an institution of higher education or for enrollment in an apprentice and training program. A second option is to use the voucher for a down payment on a home.

It is appropriate, indeed, that the fulfillment of two aspects of the American dream—home ownership and a college education—are made more obtainable by this bill. For millions of American families, these two goals are of utmost importance. I am proud to be part of such an innovative program and look forward to the benefits it will bring to so many citizens in our Nation.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:45 p.m. having arrived, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:45 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. KOHL].

ARMENIAN GENOCIDE DAY OF REMEMBRANCE

MOTION TO PROCEED

The PRESIDING OFFICER (Mr. KOHL). Under the previous order, the hour of 2:15 p.m. having arrived, there will now be 2 hours of debate on the motion to proceed to the consideration of Senate Joint Resolution 212, to be equally divided and controlled by the Senator from West Virginia [Mr. BYRD] and the Senator from Kansas [Mr. DOLE].

Mr. BYRD. Mr. President, I ask unanimous consent that no time be charged against either side on the quorum call.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I yield myself such time as I may consume. My purpose in asking consent that the time not be charged against either side was to assure that both conferences were completed and that the Republican leader was here. That was my only purpose in doing that. I ask unanimous consent therefore that the vote on cloture be extended accordingly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, while listening to the proponents of Senate Joint Resolution 212 in the course of last week's debate, I had occasion to recall the words of that most eloquent interpreter of Whig historical philoso-

phy, the 19th century English scholar Thomas McCaulay, who, in his famous essay entitled "History," penned the following words:

No picture then, and no history, can present us with the whole truth; but those are the best pictures and the best histories which exhibit such parts of the truth as most nearly produce the effect of the whole. He who is deficient in the art of selection may, by showing nothing but the truth, produce all the effect of the greatest falsehood.

As one after another I heard my colleagues present tiny pieces of the complicated history of Turkish-Armenian relations during the years 1915-23 as if they were revealing the greater truth, I realized that despite my firmly held contention that this body is not the place to judge history, I still have a responsibility to try to ensure that the selections presented here do not—and I quote McCaulay again—"produce all the effect of the greatest falsehood."

Throughout last week's debate, we heard countless references to our American envoy to the Ottoman Empire, Ambassador Henry Morgenthau, as a primary supporter for the view that the deaths of Ottoman Armenians between 1915 and 1923 are best termed a "genocide." However, a review of the chronology in question establishes a number of interesting and indisputable facts: First, Ambassador Morgenthau's tenure in Turkey covered only the first 9 months (from April 24, 1915-January 31, 1916) of the 108 months covered by the resolution. In other words, both his reports and his expertise are clearly confined to less than 10 percent of the period encompassed by the dates 1915-23, and those the first 10 months at that.

It was another American envoy, Mark L. Bristol, who, first as U.S. high commissioner and later as Ambassador served in Turkey for over 50 percent of the period covered by the resolution (from February 1919-December 1923), that is, for 59 of the 108 months covered by the resolution's dates. In addition, as Bristol's tenure encompassed the second half of the period in question, he had the advantage of having access to all the reports and written records of his predecessors, including those of Morgenthau.

Realistically, we might have expected that the proponents of the resolution would have made frequent reference to the reports, letters, opinions of Admiral Bristol, who, by their own reasoning was the highest ranking American witness throughout 5 years of what they would have us believe was a Turkish perpetrated genocide lasting 9 years against their minority Armenian population.

A careful perusal of the CONGRESSIONAL RECORD for February 20-22, 1990, does not uncover a single reference in the speeches of the resolution's proponents to the views of Bristol. One can not help but wonder why? Bristol was a prolific writer, and the "Papers of Adm. Mark Lambert Bristol," housed just blocks away from us in the "Library of Congress," comprise some 33,000 items, including reports, diaries, correspondence, copies of official dispatches, telegrams and appointment sheets. By far, the overwhelming majority of this material dates from his tenure in Turkey.

Throughout Bristol's sojourn in Turkey he received almost daily reports from hundreds of American missionaries, relief workers, as well as from his own intelligence staff, as to events in the countryside. Included in these reports was a great deal of material concerning Turco-Armenian relations. Even a cursory examination of the "Bristol papers" establishes the fact that the Admiral had a thorough grasp of the complexities involved. Far from endorsing the one-sided view of Armenians as innocent victims, and Turks as guilty perpetrators, Bristol clearly understood that there was plenty of blame to go around. The following passage from a letter dated August 14, 1920, from Bristol to a Mr. Walter H. Bradley of the Pepperell Manufacturing Company in Boston, MA, is typical of the way he expressed the struggle between the two peoples:

It is an unfortunate fact that the Armenians have practically the same traits as the other races in this part of the world. It is a fact that whichever race is in power vents its revenge upon the subordinate races, especially the members of that race which may have previously been in power over the race now exercising power. I have it from absolute first-hand information that the Armenians in the caucasus attacked Tartar (Turkish) villages that are utterly defenseless and bombarded these villages with artillery and then murder the inhabitants, pillage the village and often burn the village. (Bristol Papers, General Correspondence: Container #32-Bristol to Bradley Letter of September 14, 1920.)

Clearly, Bristol, rather than being an advocate for one position or another, visualized his role as commissioner/ambassador, to accurately report to his superiors in Washington on what was occurring in the Ottoman Empire. In short, Bristol interpreted his brief to mean that rather than advance the partisan claims of one or another ethnic group, it was his job to provide Washington with an objective analysis of the situation on the ground. This meant that he recognized the strengths and weaknesses of all the peoples living in the region.

Through the objective eye of the trained observer, Admiral Bristol wrote these words:

These races in the Near East are all very much the same, and if you put them all in a bag and shake them up you would not know which one would come out first. (L.C.-Bristol Papers, General Correspondence: Container #33. Letter of December 27, 1920 from Bristol to Mr. Walter George Smith.)

In a letter to James Barton, the Secretary of the American Board of Commissioners for Foreign Missions, written on March 28, 1921, Bristol wrote:

I see that reports are being freely circulated in the United States that the Turks massacred thousands of Armenians in the caucasus. Such reports are repeated so many times it makes my blood boil. The "Near East relief" have the reports from Yarrow and our own American people which show absolutely that such Armenian reports are absolutely false. (L.C.-Bristol Papers, General Correspondence, Container #34.)

James Barton replied to Bristol on May 6, 1921, in the following terms:

With reference to the false reports that come through reporting massacres of the Armenians by the Turks. There is no one who can deprecate this more than I do. But there is a situation over here (in the U.S.) which is hard to describe. There is a brilliant young Armenian, a graduate of Yale University, by the name of Cardashian. He is a lawyer, with offices down in Wall Street, I believe. He has organized a committee so-called which has never met and which is never consulted, with Mr. Gerard (former U.S. Ambassador to Germany) as chairman. Cardashian is the whole thing. He has set up what he calls an Armenian publicity bureau or something of that kind, and has a letterhead printed. Gerard signs everything that Cardashian writes. He told me this himself one time. * * * We have had many a conference with Armenian leaders as to what can be done to stop this vicious propaganda carried on by Cardashian. He is constantly reporting atrocities which never occurred and giving endless misinformation with regard to the situation in Armenia and in Turkey. (L.C.—Bristol Papers, General Correspondence: Container #34.)

One cannot help but be struck by the similarity between Mr. Cardashian's activities in 1921, activities designed to portray the Turks as vicious killers before the Court of American Public Opinion and the intent of Senate Joint Resolution 212 today. Nor, when one reads the CONGRESSIONAL RECORD for February 20, 1990, (S1212-S1214) which contains an attack on the 69 leading American authorities on Turkish studies in this country, by yet another Armenian attorney, this one, Van Z. Krikorian, Director of government and legal affairs for the Armenian Assembly of America, can one fail to recall Barton's comments on the propaganda activities of Mr. Cardashian. Lawyers, as well as Senators, would be well advised to leave historical determinations to those trained to make them.

Clearly, as even these few examples from the papers of Adm. Mark L. Bristol, our envoy to the Ottoman Empire, between February 1919 and the end of December 1923 establish, he was one first hand official American observer who did not feel that the human tragedy which affected the Ottoman Empire in those years could be called a Turkish perpetrated genocide of Armenians as stated in the wording of Senate Joint Resolution 212. To the contrary, Bristol's comments leave no doubt in the mind of any objective

reader but that he: (a) Viewed the conflict as a tragic civil war which took the lives of Turks and Armenians alike; and, (b) that he was seriously disturbed by efforts to portray that human tragedy as a sectarian suffering of Armenians at the hands of Turks. While in no way excusing any excesses committed by the Ottoman authorities against nonbelligerent Armenians, the facts are clear; namely the Ottoman rulers had every reason to doubt the loyalty of large numbers of their indigenous Armenian population. Likewise, when two people are fighting a war with one another, the casualties can hardly be termed victims of a "genocide."

Last week, the credibility of Prof. Bernard Lewis, the Emeritus Cleveland Dodge professor at Princeton University, and the present director of the Annenberg Institute in Philadelphia, PA, was challenged by a statement on this floor on the grounds that his opposition to the resolution's terming the tragic events, of 1915-23 a "genocide" contradicts earlier statements on the subject made by Lewis in his 1961 study entitled: "The Emergence of Modern Turkey." It was said on this floor that, "Lewis actually wrote that the Armenians suffered 'the terrible Holocaust of 1915, where a million and a half Armenians perished.'"

That will be found on page S1324 of the Congressional RECORD of February 21, 1990.

In point of fact, Mr. President, had the entire passage from the Lewis book been read, we all would have realized that this distinguished scholar's 1961 position was quite in keeping with the sentiments expressed in the "sixty-nine Scholars' Statement" made in 1985. Lewis describes the events leading up to 1915 in the following terms:

Most tragic was the case of the Armenians, who at the beginning of the 19th century were still known as the Millet-I Sadika, the 'loyal community.' . . . The political and cultural impact of russian Armenia on the one hand, and the new national and liberal ideas coming from Europe on the other, powerfully affected the Ottoman Armenians . . . and stimulated the growth of an ardent and active Armenian nationalist movement.

For the Turks, the Armenian movement was the deadliest of all threats. From the conquered lands of the Serbs, Bulgars, Albanians, and Greeks, they could, however reluctantly, withdraw, abandoning distant provinces and bringing the imperial frontier nearer home. But the Armenians, stretching across Turkey in Asia from the caucasian frontier to the Mediterranean coast, lay in the very heart of the Turkish homeland—and to renounce these lands would have meant not the truncation, but the dissolution of the Turkish state. Turkish and Armenian villages, inextricably mixed, had for centuries lived in neighborly association. Now a desperate struggle between them began—a struggle between two nations for a single homeland, that ended with the terrible Holocaust of 1915, when a million and a half Armenians perished. (Lewis *Emergence:* p. 356.)

So, Mr. President, the sentiments expressed in the passage that I have just read, written in 1961, are fully in keeping with the following section of the "sixty-nine scholars statement," to which Professor Lewis affixed his signature:

As for the charge of "genocide." No signatory of this statement wishes to minimize the scope of Armenian suffering. We are likewise cognizant that it cannot be viewed as separate from the suffering experienced by the Muslim inhabitants of the region. The weight of evidence so far uncovered points in the direction of serious intercommunal warfare (perpetrated by Muslim and Christian irregular forces), complicated by disease, famine, suffering and massacres in Anatolia and adjoining areas during the First World War. Indeed, throughout the years in question, the region was the scene of more or less continuous warfare, not unlike the tragedy which has gone on in Lebanon for the past decade. The resulting death toll among both Muslim and Christian communities in the region was immense. But much more remains to be discovered before historians will be able to sort out precisely responsibility between warring and innocent, and to identify the causes for the events which resulted in the death or removal of large numbers of the eastern Anatolian population, Christian and Muslim alike.

Clearly, Bernard Lewis in 1961 believed, just as he did a quarter century later in 1985, that the tragedy which affected Armenians and Turks alike during the First World War resulted, not for some kind of "genocidal" plot on the part of Turkey, but, rather from a tragic civil conflict between two peoples fighting over a single homeland. In short, nationalism run amuck.

How many died as a result of this conflict? Last week, my colleague, Senator SIMON, answered that query in the following terms:

. . . at a minimum, hundreds of thousands of people were slain simply because they were Armenian. That is the reality. Many will put that number higher. I wish there were a good scholarly book. If there is anyone from a university press watching this proceeding, I hope someone will do it. (CONGRESSIONAL RECORD, February 22, 1990, S1428.)

I am happy to be able to inform my colleague that someone has done it. I have in my hands a copy of a demographic history on the very question he raised, which, in keeping with his suggestion, was published by a major American university press, that of New York University, copyright 1983. Its author, Prof. Justin McCarthy, is chairman of the history department at the University of Louisville in Kentucky, and a scholar whose expertise in this subject is so universally recognized by his peers that he has chosen to write the entry on "demography" in the major reference work in the field of Middle Eastern studies, "The Encyclopaedia of Islam." Nor has his expertise been ignored by our own Government. Professor McCarthy holds perhaps the unique honor of having held a National Science Foundation "national needs post-doctoral fellowship in demography" and a National Endowment for the Humanities "senior fellow" grant in history. In short, his 1983 book, "Muslims and Minorities: The Population of Ottoman Anatolia and the End of the Empire," is exactly the study my colleague Senator SIMON bemoaned the lack of. I should like to share with my colleagues this distinguished scholar's conclusions as to the fate of the Anatolian population in the years covered by Senator DOLE's resolution.

I quote from pages 137 and 138 of Professor McCarthy's book:

The pattern of mortality in Anatolia was both geographic and ethnic. Those in the regions of Anatolia with a high proportion of Christian inhabitants were very likely to have died. This was true regardless of the religious or ethnic group of the inhabitant. While Christian-Muslim warfare was with foreign invasion, at the root of the Anatolian mortality, it is an error to speak of Greek deaths, Muslim deaths, or Armenian deaths as if each somehow had a separate existence. To mention the sufferings of one group and avoid those of another gives a false picture of what was a human, not simply an ethnic, disaster.

In the east, the areas of Muslim deaths and Armenian deaths were almost perfectly correlated. From all evidence, the "Six Vilâyets" of the Armenian homeland were the area of the greatest number of Armenian deaths. Some 40% of the total Armenian population of Anatolia died, but the percentage must have been higher in the "Six Vilâyets." In the same area, the Muslims suffered their worst mortality. In numbers, the Muslims lost many more persons than did the Armenians, in percentage of total population, less. The great mortality of both Muslims and Armenians does not fit into any theory that posits one group of murderers, another group murdered. Both Muslims and Christians were killers, both Muslims and Christians were killed.

In the west it was much the same. The number of Muslim deaths was greater and the percentage of Christian deaths was higher though figures for both Christians and Muslims are greatly affected by the need to consider large areas of Anatolia in the figures of table 7.13. Because of the effect of post-war migration and lack of knowledge of the home provinces of Greek refugees, a very large geographic area, including many relatively tranquil provinces, was selected for table 7.13. Actual mortality in war areas such as Aydin Province must have been much higher for both groups.

Mr. President, I reserve the remainder of my time for now. I hope that the other side will produce a speaker.

Mr. SPECTER. Mr. President, I have been waiting in the wings, Mr. President. I just left the floor a moment ago, because Senator DOLE has just returned from a commitment in the Judiciary Committee.

Mr. President, I spoke at some length last Thursday in support of the

resolution and sought the floor to do so again today.

I believe that a good starting point in support of the resolution is a comment which was made by the distinguished Senator from West Virginia [Mr. BYRD] when he made the comment that there was reason to doubt the loyalty of Armenians. I believe that that is the starting point for what is the crux of the issue, that Armenians were subject to massacre solely because they were Armenian. When the fighting was going on, the Ottoman Empire turned on Armenians, not only men who were noncombatants but women and children who were conclusively noncombatants. They turned on the Armenians simply because they were Armenians.

You cannot justify that conduct by the contention that there was reason to doubt the loyalty of Armenians. You cannot justify the massacre of noncombatant men and obviously noncombatant women and children there was reason to doubt the loyalty of the Armenians. What we are really saying is an extension of the concept of guilt by assocation to the action of death by association.

Mr. BYRD. Would the distinguished Senator yield for what I believe is a correction? I may have misunderstood him.

Mr. SPECTER. I am pleased to do so.

Mr. BYRD. I do not think the Senator from West Virginia said anything about his doubting the loyalty of Armenians. I was quoting from the text. It was not my words. These were not my words.

Mr. SPECTER. I am pleased to add that modification. I had heard the Senator from West Virginia say, "There was reason to doubt the loyalty of Armenians," and I was not certain in that context that it was a quotation from another text. The Senator from West Virginia did quote extensively from other texts and I am glad to accept that modification.

Moving from the modification, I would then contend that the core argument from the source cited by the distinguished Senator from West Virginia puts the issue squarely in the context which I would submit shows the impropriety of that kind of reasoning and the propriety of the categorization of this conduct is being genocide and that the argument follows that when the authority cited by the distinguished Senator from West Virginia seeks to justify the conduct of the Ottoman Empire, because there was reason to doubt the loyalty of Armenians, that they are really picking out women and children who were obviously noncombatants, and some men who were noncombatants, and subjecting them to massacres because they were Armenians.

As I had started to develop the point, there is an obvious repugnance under U.S. law to guilt by association. That is a concept which has been the subject of numerous court decisions and conclusions on civil liberties. Here we have not only the concept of guilt by association, but we have the action by association, the action of death by association.

I believe, Mr. President, that that really is the core issue of what constitutes genocide, and that is the picking out of people for extermination solely because they belong to a certain race or a certain religion or a certain ethnic group. Here the categorization was by virtue of being Armenian. It is in the context where people are killed simply because of that categorization that we have the essence of genocide.

Mr. President, I believe that there are two questions which have arisen as a result of the extensive floor debate on this subject. One is, did genocide occur? And, the second is, should United States strategic interests with Turkey take precedence over the human rights issue involved here?

I believe it is a fair statement that the evidence which has been presented on the Senate floor supports an affirmative answer to the first question; that is, "Did genocide occur?"

In my presentation last Thursday, Mr. President, I cited extensive authorities on the facts, the most persuasive of which for me was what former Ambassador to the Ottoman Empire, Henry Morgenthau, said. Ambassador Morgenthau held the position of Ambassador to the Ottoman Empire during the critical period from 1913 to 1916. So he was there contemporaneously with the events. I cited—and I read them into the RECORD and will not repeat them today—example after example of atrocities, placing the number of Armenians subject to massacre between 60,000 and 1 million. That question had arisen during the course of the comments by the distinguished Senator from West Virginia.

Mr. President, of even greater weight to this Senator was the submission of statements from Armenians in Pennsylvania who took an active interest in this matter after the issue came before the Judiciary Committee last October. I read into the RECORD statements from Armenians, now Americans, now Pennsylvanians, who are living in this country, attesting to what they personally observed: The murder of a father, the mother of a mother, the murder of a brother and of a sister, in this specific context.

One of these statements was submitted by a man who was 104 years old. Another was submitted by an individual 92 years old. Others were in their eighties.

Senator DOLE had in his office earlier today a group of people who are now living in the United States who were in Armenia at that time, an elderly group, principally from Pennsylvania, a few from New Jersey. They, again, provide live testimony to what the facts were.

I had expressed the opinion and made the comment last Thursday, that I had some doubts on October 17 when this issue came before the Judiciary Committee as to whether this resolution should be supported. I expressed those doubts on the record in the Judiciary Committee, and I think the Presiding Officer was there, as a member of the committee, on that day when we took the issue up.

Those doubts centered on two points: Whether it was appropriate for the Senate to make an historic determination; and second, what the facts were. I was not prepared last October 17 to speak on the subject, as to what the facts were.

I have since thought through the matter at some length and have concluded that the issue of human rights is so important that the Senate should speak on it. It is a matter of overwhelming importance, in fact, a tribute to the Senate that so many people are paying so much attention to this issue.

We might think Senators might express themselves on this issue and take a vote and it would not attract much attention. But it has attracted worldwide attention, with very active lobbying efforts on all sides. I think that is a tribute to our institution. And I think, second, it is a tribute to the importance of human rights, which we are seeing all over the world.

Institutions are crumbling. Elections are being held, like the one the day before yesterday in Nicaragua, which are stunning in their upset quality because of concern for human rights. Governments have toppled one after another in Eastern Europe because of the concern for human rights. The Soviet Union has gone to plural political parties because of concern for human rights.

It is for those reasons, Mr. President, that I think we should give a resounding "no" to the second question, "Should United States strategic interests with Turkey take precedence over human rights?" Because our strategic interests with Turkey, in NATO, are to advance values which are important to the United States: The value of democracy, the value of freedom, the value of security. What human right is more fundamental than the right to exist? What more fundamental human right than the right to exist in the context of protecting your own life?

How can a child protect his or her own life when there are adults with weapons bent on massacre? How can a woman, or for that matter a noncombatant man, protect their lives? Here

we have what is obviously the most basic of human rights.

So, when the Senate voted 49 to 49 last Thursday on this cloture motion, it seemed to me to be a very delicate balance, as the Senate is wont to do from time to time, between the Armenian interests and the interests asserted by the Turkish Government.

I hope there would be a stronger vote today. I hope we would have cloture so we can proceed to the merit of the issue.

In conclusion, I would like to again make the point that this resolution does not call into any criticism the current Turkish Government or the Turkish people. We are talking about what was done by the Ottoman Empire in another day.

I have friends on both sides of this issue, friends who are espousing the side of the Armenians, friends who are espousing the side of the Turkish Government—the side of one distinguished Pennsylvanian, I put his comments in the RECORD, Ayhan Hakimoglu, last Thursday.

When we talk about the Turkish Government as a friend of the United States Government, I do not think this should have any effect on those friendship relationships, just as there should not be any effect on the friendship relationship of any individual Senator who votes here with people who are on the other side of the issue. If friends cannot tolerate an honest expression of opinion on a matter of great importance like this, then we have a real question as to the solidity or the underpinning of the friendship.

But on the facts, Mr. President, and on the law, it seems to me this resolution should be adopted, and I urge my colleagues to vote in favor of cloture.

I thank my distinguished colleagues from Kansas for allocating this time to me, and I yield the floor.

Mr. BYRD. Mr. President, will the distinguished Senator, the Republican leader, allow me to take 1 minute?

Mr. DOLE. I will be happy to.

Mr. BYRD. Mr. President, in response to the distinguished Senator from Pennsylvania, I indicated earlier that I was quoting someone else. What happened was, I had been quoting a former United States envoy to Turkey who had served as Ambassador to Turkey and also the United States High Commissioner, and it was in the context and background of those quotes—and other quotes, which I did not read into the record—that I said, "The Ottoman rulers had every reason to doubt the loyalty of large numbers of their indigenous Armenian population. Likewise, when two peoples are fighting in a war with one another, the casualties can hardly be termed victims of a genocide."

So those were my words but, I was not speaking as ROBERT BYRD in doubting the loyalty of the Armenians.

I was saying that the Ottoman rulers had every reason to doubt the loyalty of large numbers of their indigenous population. That is against the background of the quotations that I used, and some that I did not use, from the papers of the former U.S. Ambassador and High Commissioner, Admiral Bristol.

Mr. SPECTER. Mr. President, may I take a moment to thank the distinguished Senator from West Virginia for that explanation.

Mr. DOLE. Mr. President, the Senator from Illinois [Mr. SIMON] is on his way to the floor, as are both Senators from Massachusetts. I suggest it might be a good time for anybody who wants some time on this side—we only have an hour on each side. As I understand, I have about 48 minutes left.

The PRESIDING OFFICER. That is correct; 48 minutes.

Mr. DOLE. The Senator from West Virginia has about 36 minutes left. I would like to reserve at least the last 12 minutes to close the debate on this side of the issue.

While I am waiting for additional speakers, I want to thank, first of all, the distinguished Senator from Pennsylvania for his thoughtful statement and his willingness to keep an open mind on this issue until he had a chance to study it, and he did study it for weeks. He had a number of visits with Armenians, and some who are here today. Some remembered their mothers, fathers, sisters, and brothers who were slaughtered during this period. We met with these people this morning. The oldest is 99 years of age; the youngest is 76. Most were in their early eighties. They are here for one reason. They are not able, in most cases, to run around the Capitol and buttonhole Senators. They do not have wealth and influence; they do not have an Armenian Embassy; they do not have an ambassador here; there is nobody to help them out.

They feel so strongly about this issue, just as strongly as members of the Jewish community felt a few years ago when we were arguing the Genocide Convention. They would not rest easy until at least they came to Washington, DC, and for many of them it is the first time they have been here. They do not want anything. They are not endangering anyone. Some said today they cannot sleep at night thinking about what happened in the years 1915 to 1923.

One of the group called my attention to the speech last week by President Havel of Czechoslovakia. We all went over to hear this outstanding statement by a man who just a few short months ago was in prison and is now the President of Czechoslovakia. He said a lot of things that got our attention, but I think the one thing that really caught the attention of most of my colleagues and most of the people who were watching him around the world, was: "In other words, we still do not know how to put morality ahead of politics, science, and economics. We are still incapable of understanding that the only genuine backbone of all of our actions if they are to be moral is responsibility." The bottom line is, he said, put morality ahead of politics: What is right and what is wrong.

There is no doubt in my mind what is right in this case and no doubt in my mind some Senators, who are opposing us on this motion, know they are wrong, but they have made commitments for a number of reasons they say they cannot betray. We had 60 Senators committed to support the resolution. Some of those yielded on those commitments.

But the issue is right or wrong, and I defy anybody to go in the back and read the headlines that appeared in the New York Times and other papers. I mentioned this a number of times. Part of them are combined in this book called "The Armenian Genocide." There are hundreds of pages of news accounts, papers around the world, all over this country, talking about how women were sold, how children were starved, how people were slaughtered, and I have yet to hear a voice that those are not accurate.

I read the other day at least two times the statement by Talaat, the Minister of the Interior, who had information that they were feeding some of the Armenian children in orphanages. They did not want to feed the Armenian children. They wanted to starve the Armenian children. And so he sent this directive, which appears at the back of the Chamber, in which he makes it very clear you are not to give any sustenance to these children; they are Armenians. They are not worth saving, in other words; starve them to death. Is that inhumanity to man? I think so.

I think we have demonstrated—the Senator from Pennsylvania has—it is pretty clearly genocide. Some people say, oh, that is the problem. If you take out the word "genocide," we might vote for this. In my view, all these are faulty arguments and have been faulty arguments raised by the proponents. But I want to round out the documentary records with a few more inserts raised because of the debate last week.

The Senator from Wyoming [Mr. WALLOP] raised a couple of arguments. The first of these two refutes the suggestion that there is ongoing terrorism conducted by Armenian extremists against Turkey. This was, indeed, a serious problem a number of years ago. In my opening statement, I indicated that all Americans, including all responsible Armenian Americans, acknowledge and deplore all terrorism, but the fact is these terrorist acts have

virtually ceased as of a couple of years ago.

Mr. President, I ask unanimous consent to print in the RECORD a paper produced by the State Department entitled "Patterns of Global Terrorism," which confirms this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[U.S. Department of State]

PATTERNS OF GLOBAL TERRORISM: 1988

ARMENIAN SECRET ARMY FOR THE LIBERATION OF ARMENIA (ASALA) AKA: THE ORLY GROUP, 3D OCTOBER ORGANIZATION

Description: Marxist-Leninist Armenian terrorist group formed in 1975 with stated intention to compel Turkish Government to acknowledge publicly its alleged responsibility for the deaths of 1.5 million Armenians in 1915, pay reparations, and cede territory for an Armenian homeland. Led by Hagop Hagopian until he was assassinated in Athens in April 1988.

Activities: Initial bombing and assassination attacks directed against Turkish targets. Later attacked French and Swiss targets to force release of imprisoned comrades. Made several minor bombing attacks against US airline offices in Western Europe in early 1980s. Bombing of Turkish airline counter at Orly airport in Paris in 1983—eight persons killed and 55 wounded—led to split in group over rationale for causing indiscriminate casualties. Suffering from internal schisms, group has been relatively inactive over past four years but, according to press reports, assassinated several Armenian rivals in Lebanon during the period 1985–86.

Strength: Several hundred.

Location/Area of Operation: Lebanon/Western Europe, United States, and Middle East.

External Aid: Has received aid, including training and safehaven, from Syria. May also receive some aid from Libya. Has extensive ties to Palestinian terrorist groups, including the PFLP and PFLP-GC.

JUSTICE COMMANDOS OF THE ARMENIAN GENOCIDE (JCAG) AKA: ARMENIAN REVOLUTIONARY ARMY (ARA)

Description: Rightwing Armenian nationalist group founded in 1975, probably to counter influence of leftist ASALA. Goals are similar to ASALA's, but ideological differences preclude working together.

Activities: Operations limited to attacks against Turkish targets, chiefly diplomats. Later operations conducted in name of ARA. Inactive since last attack in 1985.

Strength: Unknown.

Location/Area of Operation: Unknown. Operates in Western Europe, United States, Canada, and Middle East.

External Aid: Receives aid from rightwing segments of Armenian community worldwide.

(Mr. KERREY assumed the chair.)

Mr. DOLE. Mr. President, the second item refutes Senator WALLOP'S assertion that the atrocities stopped with the end of World War I. In fact, the atrocities continued into 1923. We have chosen the dates 1915 to 1923 simply because the facts bear out our assertion that atrocities continued throughout that 8-year period.

Mr. President, I ask unanimous consent to print a study of atrocities committed against Armenians after World War I and up to 1923 in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

MASSACRE IN MARASH 1920

Issue: Turks engaged in massacre of Armenians in the region of Marash in 1920 after the end of WWI.

POINTS AND AUTHORITIES

1. Deportations and massacres of Armenians continued through the period of 1915 to 1923 in Turkey.

2. Armenians in the region of Marash were deported and massacred in 1920.

3. Stanley Kerr, an American relief worker, was witness to the massacre in Marash and reported on the atrocities.

SUPPORTING MATERIALS ATTACHED

1. Stanley Kerr, "The Lions of Marash."

THE LIONS OF MARASH

CHAPTER SEVENTEEN—DEVASTATION AND MASSACRE

Koulaghi Kourtlou and Sheker Deré

From Saint Stephen's Church on 20 January a procession of mourners went to the cemetery carrying on a bier the body of an Armenian legionnaire who had been killed by a sniper firing from the minaret of a mosque. The Turkish authorities had made no move to find the culprit, nor did the French commander take any steps to force an investigation. This caused great resentment among the Armenians, who felt that the Turks were testing the ability of the French to punish such an incident.

On his return from the cemetery Khatchig Der Vartanian, who had been one of the pall bearers, deposited the wooden framework on which the body had been carried in the courtyard of Saint Stephen's Church, not knowing that it would soon serve for the escape of his sister Makrouhi—bride of a few months—and his mother. Aware of the tension in the city, Khatchig urged his sister to move to his home near the Church of the Forty Sainted Youths where a large detachment of Senegalese troops was quartered and where her brother Yervant served as interpreter to the commander, Major Corneloup. Disregarding his advice, Makrouhi was busy the next morning assisting her mother-in-law in the preparation of a feast for her relatives and those of her husband, Arsen Der Ohannesian, when shortly after the noon hour the unusual quiet of the quarter was shattered by a fusillade of gun fire. People caught in the streets were screaming and running for shelter, many to the nearby Church of Saint Stephen. Arsen took his bride and his mother across to the church compound without stopping to carry food or bedding. That evening hundreds of Armenians from the Bektoutiyé Quarter came to the church. They barricaded the doors and stretched out to sleep on the floor, using the church carpets for mattresses. Only a few steps away there was food in abundance, the banquet prepared for the family gathering, but no one dared move outside the door.

A week passed. The Turks had begun a systematic campaign to clear the quarter of Armenians, burning their homes and killing the inhabitants. Finally they set fire to a group of houses close to the church, and a few survivors escaped to Saint Stephen's. They were shocked and exhausted but cried to those already in the church, "Run! Run! They will burn you alive if you stay here!"

This created a panic among the five or six hundred refugees. it had become dark. The great door was opened and many ran into the yard, but to open the main gate would be suicide, for across the street snipers were waiting in the Turkish reformatory. Could they climb the high wall and escape into the side street?

While the crowd milled about, Arsen noticed the bier last used to carry the dead legionnaire to the cemetery. It could serve as a ladder, with the crossbars for steps! Placing it against the wall, he directed his mother and wife to remove their shoes so they would make no noise when they dropped over the wall to the stone paved street. Some twenty-five other refugees followed, each one helping to boost the one ahead over the wall. Outside the Turks were busy carrying water to save their own houses from burning. In small groups the Armenians slipped quietly down the alley to the street leading to the Church of the Forty Sainted Youths.

Arsen discovered that his mother was missing and did not know whether she had gone ahead or had been left behind. Reaching the foot of the citadel and Cutthroat Lane, they decided to take shelter in the house of Arsen's cousins—Der Sahag's house. They climbed a wall in the rear and entered the house, finding only a small boy and his grandfather who was unable either to walk or talk because of a stroke. The others had fled to the Francisan Monastery. For a week Arsen, Makrouhi, and six others hid in the basement, going to the kitchen for food only at night. An Armenian neighbor kept watch over them, as well as over his own household, and finaly persuaded them to join his family for better protection and comfort. There, too, was an Algerian soldier caught away from his base on 21 January.

At midnight a daring young Armenian came to them from the Franciscan Monastery for his sister, knowing her to be there. As they left together for the monastery, the others decided to risk the journey, for it was even more dangerous to stay. Shortly after they set out in the darkness the one armed man in the party accidentally discharged his rifle. All over the neighborhood Turks began shooting—their technique for scaring off would-be aggressors. Some of the group turned back and were never seen again. Makrouhi hung on to her husband's arm and ran on, passing a mill and the body of its Armenian owner in the street which runs along the Kanli Deré. They climbed the forty or fifty steps up the steep slope to the high-walled monastery, perched like a castle on the ridge, and approached the main entrance with its barricade. Would the defenders shoot, assuming them to be enemies? "Armen! Armen!" they shouted to identify themselves as Armenians, and a French soldier called back for them to approach and enter. Only three of the group had reached the monastery: Makrouhi, Arsen, and the son of Der Sahag's neighbor. In the monastery they found Der Sahag's family, who had gone there on the first day of fighting. Father Joseph assigned them to a room on the second floor, already occupied by twenty-five others.

Those who remained at Saint Stephen's—said to be about five hundred—died in the flames as the church was burned on the following day. Makrouhi's sister Nevart had fled with her two children to Saint Sarkis Church in the Kumbet Quarter when fighting began. A number of the men who took refuge there were armed, and under the

leadership of Sarkis Ghadeyan resisted the attacks of Turkish insurgents for some time. As the forces opposing them grew in number they decided to abandon the church and move to the nearby orphanage, Beitshalom, where eighty French soldiers were quartered. The move was made successfully at night. In the orphanage Nevart found her brother Hovsep among the three thousand Armenians who had sought refuge there. Finding Saint Sarkis without defenders, the Turks looted and burned it.

Safe in the monastery, Makrouhi knew nothing of what had happened to the other members of her large family. At that time her mother-in-law, two sisters, and two brothers were among those who had taken refuge in the Church of the Forty Sainted Youths. Her brother Hovsep, a teacher, had gone to his classes at Beitshalom Orphanage and was unable to return to his wife and three sons. In his history of these events he states that he never saw them again. Another account by Dr. Haroutune Der Ghazarian, surgeon at the German Hospital in Marash, published in the Boston journal Bahag, records that the band which slaughtered approximately three thousand Armenians in that area was composed of Turkish, Kurdish, and Cherkez villagers led by Bayazid Zadé Shukri and the sons of Kadir Pasha.

Also members of Saint Stephen's Church were the Chorbajians. Boghos, one of five brothers, lived with his wife and seven children in the Divanli Quarter close to the home of Abraham Hoja Berberian. Of these only the eldest son, Karekin, survived, for he was not at home when the siege began. Hovsep, son of Baghdasar, who lived near the Belediyé ("Municipal Building") relates his experiences. At the outbreak of hostilities he was in the home of an uncle at Boghaz Kesan and remained there for eight days, helping in the defense. When it became clear that greater security was to be found in the Franciscan Monastery with its garrison of French troops, some of those in the Chorbajians residence agreed to attempt to reach that haven. Since success depended upon moving quickly and silently at night, it was decided that the elderly and the very young should remain in the residence. At nine p.m. fifteen of them set out by way of the Turkish cemetery and reached the Monastery safely. Two weeks later Hovsep was to witness an episode of historic importance.

The Church of Asdvadsadzin

Shortly after the burning of the Church of Saint George and the destruction of the Armenian community in the Sheker Deré Quarter, the *chété* turned their attention to the buildings in the Church of Asdvadsadzin compound. The defenders were numbered only thirty-one legionnaires, a strange distribution in view of the fact that half a mile distant in the Church of the Forty Sainted Youths was a powerful force of some eight hundred soldiers under the command of Major Marty. Among the latter was Sergeant Krikor Ajemian, who faithfully kept up his diary.

The burning of Sourp Asdvadsadzin was a horrible sight. Two days ago the Turks set fire to the orphanage and burned the three hundred fifty orphans in it. Their cries still pierce my heart. We could not go to their aid because of the barbed wire and the enemy machine-gun fire. It reminded me of the massacre of the two thousand children by Herod. Fourteen of our legionnaires, led by Stephan, and three hundred of the people were able to escape and join us, leaving seventeen legionnaires still there. Sergeant Baghdasar Odabashian, although wounded, decided to stay with the people and kept his seventeen comrades with him even though all had the means to escape. For two days they waved flags signaling for help. Together with other sergeants we asked Major Marty for permission to go to the aid of these people but were refused.

This morning the Turks succeeded in opening two holes in the roof of the church, poured kerosene inside, and set the church on fire. Those who tried to escape were shot by the Turks. Poor Ghazaros Adamian! He came out of the church, fired on the Turks, and then turned back into the fire.

From the Franciscan Monastery across the city, Father Muré watched the conflagration through his field glasses. First he noted the destruction of the presbytery, then on the following day the school, and on the third day the church itself. "The Christians who ran out were slaughtered, while those who stayed perished in the flames. Almost no one of the fifty soldiers and two thousand Christians was saved."

Nishan Saatjian reports that a twelve-year-old girl had volunteered to carry an appeal for help directly to General Quérette and by a miracle reached him safely, but without result. Likewise two legionnaires from the besieged church succeeded in approaching Major Marty to appeal for arms, but they were refused. Knowing that it spelled their end, they returned to the church. One hundred civilians who had taken refuge in the Church of the Forty Sainted Youths volunteered to rescue those in the besieged church if only they could be armed, but Major Marty was unwilling to weaken his own force by relinquishing so many rifles. The next night Major Marty met his own death. While he walked in the courtyard of the Church of the Forty Sainted Youths a sniper's bullet struck his chest. He was buried with military honors next to the tomb of Archbishop Murgerditch Aghavnoun.

The Soap Factory

On their way to the Christmas service at the Apostolic Church of Saint George on 19 January, the family of Ohannes Kusajukian noted that the Turks were digging trenches around the *konak*, the seat of government for the district of Marash. Ohannes Efendi and his brothers operated an establishment engaged in the production and distribution of soap and of food products made from olive oil and from grapes. The factory, warehouse and stables were located in the Turkish quarter immediately south of the citadel. On one side rose the minaret of Ulu Jami while on the other was a Turkish bath. The buildings faced the Sheker Deré which assured a plentiful supply of water. Across the stream was the Second Evangelical Church in the Armenian quarter. The family residence had been constructed of wood as a second story on the stone walls of the soap factory.

When the fighting began, many friends and relatives of the Kusajukian brothers came to the soap factory for refuge, and soon nearly eighty persons had crowded into the spacious living quarters, where they were assured of food sufficient for a long siege; for below them were the storerooms filled with dried fruits, olive oil, and *tarhana* (a dried product made from parboiled wheat and yogurt).

For nearly eight days they were not molested but were keenly aware of the devastation across the Sheker Deré where all homes in the Armenian Quarters were burned. They must have witnessed also the burning of the churches of Saint George and Asdvadsadzin, both nearby. It is probable that the location of the soap factory in the heart of the city close to the Ulu Jami and the covered market accounted for the reprieve, for the Turks were busy cleaning up the Armenian residences and strongholds north and west of the citadel. But finally the *chété* encircled the soap factory and in spite of its defenders broke into a storeroom where they found kerosene. With this they set fire to the wooden second floor, forcing a retreat to the ground floor with its stone walls. The horses in the stable died in the fire, but two iron doors prevented the fire from spreading to the factory area. Here the men blocked the main outside door by rolling the huge cylindrical stone used for pressing oil from olives against it. The women emptied every available vessel, including the jars of the precious oil, in order to carry water and save the lower structure. The Turks, seeing that no one ran from the burning building, concluded that all had perished, and went to new conquests.

Avedis Seferian versus Evliyé Efendi

The area assigned to the Armenian volunteers commanded by Avedis Seferian lay between the *konak* and the citadel. The Seferian property, enclosed by a wall of mud brick, was situated directly across a narrow street from a similar walled compound owned by Evliyé Haji Evliyé Efendi, the highest ranking of all Muslims in Turkey—the Sheikh-ul-Islam. His nephew, a lawyer also named Evliyé, commanded a group of Muslim fighters from this quarter. Although the two families had maintained good relations as neighbors over a period of many years, the political events in 1920 had placed them in opposing camps. About one hundred fifty Armenian residents of the quarter had taken refuge in the three Seferian buildings. After three days of fighting the Turkish band commanded by Evliyé Efendi had encircled the Seferian compound and demanded the surrender of its defenders. The Armenians understood that surrender meant death, despite the promise of protection. Avedis Efendi took counsel with his group of fifteen fighters and with the leaders of the unarmed refugees. He proposed that they should create a diversion by setting fire to Evliyé Efendi's house. The Turkish fighters would certainly attempt to save the property of the Sheikh-ul-Islam from burning, and this might provide an opportunity for the Armenians to escape either to the Tash Khan in the covered market, or possibly to the Church of Asdvadsadzin.

Avedis and his helpers made several bundles of clothing, each one weighted with a stone, and soaked them in kerosene. One by one these were set on fire and tossed across the street on to the house of Evliyé and his uncle the Sheikh. The house caught fire. Shouting to each other to help, the Turkish fighters set their rifles aside in order to carry water. Evliyé himself directed the fire fighters. One of the Armenians spotted Evliyé and fired. Evliyé disappeared. The marksman insisted that he had hit him.

While this action was taking place, refugees had been slipping out of the Seferian compound to seek shelter elsewhere. Avedis and his fighters remained until the last to cover their retreat. After dark they divided into groups of three or four, altered their headgear to resemble that of the Turks, and sauntered into the street talking like Turks

instead of using the somewhat simpler dialect used by the Armenians. They found it impossible to reach any of the churches, which were already under attack, but took shelter in an Armenian house near the Bedesten. Within a few days this was besieged and set on fire. Those who ran out were shot down, and only a dozen of the three hundred in the building escaped. Avedis and two armed companions made a dash for shelter. Two of them fell, but Avedis reached the Tash Khan and only there discovered that his trousers were covered with blood from a flesh wound in his thigh.

The Turkish historian Saral records the following:

Muallim Evliyé Efendi, who had been fighting since the beginning of the Marash events, took with him enough fighters to clean out the French from the Tash Khan and captured it. After this he turned northward and continued the mopping up, one by one, for the houses near the barracks where French and Armenians had taken shelter, but an enemy bullet made this son of a Turk a shehit ("fallen patriot").

The historian was in error about the Tash Khan, which remained in French hands throughout the siege.

Appeals for Help

By the fifth day of the rebellion, General Quérette became concerned over the fact that no help had been sent him by General Dufieux, the divisional commander, in response to the message he had telegraphed by way of Aintab on 21 January. He decided to send couriers to Adana, these being his only means of communication, for the telegraph lines had been cut. On that Sunday afternoon Lieutenant Colonel Thibault and Major Roze des Ordons came to the Wilson house. Mrs. Wilson served them with tea, assuming that they had come for a social call. It had been a very noisy Sabbath with the French artillery in action. We had seen the shelling of the Ulu Jami, pieces of masonry flying as high as the mineret when high-explosive shells landed on the dome of the mosque. The colonel explained that Turkish fighters had been firing from the minaret.

The purpose of the visit was revealed when the colonel turned to Paul, "Mr. Snyder, I understand that you have a German rifle—a Mauser. We need one to complete the disguise of a courier to Isahiyé. Would you be willing to exchange it for one of our French rifles?" Paul agreed to the exchange and brought this rifle. Five of the Turkish-speaking legionnaires had volunteered to make the dangerous trip disguised as Turkish gendarmes. Weeks later we learned that only one of them reached Isahiyé.

Our confidence in an ultimate victory for the French forces diminished day by day as we witnessed one Armenian center after another go up in flames while the French commanders refused to engage their troops in any effort to save the Christian population. American personnel and their relief work were also in danger of destruction, for the French officers were occupying mission property. For some time Dr. Wilson and Mr. Lyman had been searching for a courier willing to carry a message destined for American diplomatic officers in Aleppo or Constantinople. An opportunity came unexpectedly from the most unlikely quarter.

Early on 31 January a stalwart blond Armenian in the dress of a Zeitun mountainer came asking for Dr. Wilson. Nine of these famous fighters had reached Marash, avoiding Turkish forces by using trails across the mountains. They had had several skirmishes with chété during the trip but had known nothing of the major conflict in Marash until they came in sight of the burning city and heard the rifle fire. They had come for rifles and ammunition so that their own people could defend themselves; Zeitun was also surrounded by chété. Villagers around Zeitun had come into the town for protection.

While our visitor was talking with Dr. Wilson, the other Zeitunlis were asking General Quérette for arms which at first he refused but consented to give when he learned of their fame as fighters. They promised not only to defend Zeitun but to take the offensive and put the chété to flight. In gratitude the nine Zeitunlis attacked a Turkish position near the barracks, burned several houses, and claimed to have shot nine of their enemies. Two of them were wounded, but they promised to make another raid that night. Dr. Mabel Elliott recorded in her diary on 1 February:

"Yesterday two Zeitun men came through the trench from the French barracks, both with flesh wounds. They are magnificant men, mountaineers, tall, strong and very proud. They told me, as I dressed their wounds, that the men of Zeitun are fighting again. . . . They want to go back tonight. Zeitun can hold out forever, they say, if only they have ammunition."

Aram Hadidian, an employee of NER who knew that the Americans were looking for a courier, suggested to me that the Zeitun men might undertake such a mission. He brought two of them to me and we discussed the problem. I asked, "What city could be reached where there is an American consul, or a missionary, with access to the telegraph line?"

"Hadjin!" replied one of the Zeitunlis. "Your organization had a station there. There is also a telegraph office."

Hadidian was incredulous. "Hadjin is more than one hundred twenty-five miles from here, and there are several mountain ranges to be crossed. Can you do that in the winter?"

"If we cannot do it, no one can. We can reach Hadjin within seven days."

Together we went to consult Lyman and Wilson, who approved heartily and authorized me to reward the Zeitunlis. The messages typed on thin paper which could be concealed in their clothing, read as follows:

Situation in Marash desperate. Reign of terror in city since January 21. Hundreds of men, women and children massacred daily. No power to stop this as French are distinctly on defensive, forces and munitions inadequate. Americans have little hope if French are overpowered, as soldiers defend from our property. No assurance of help as large forces bar all roads. Leave nothing undone to relieve situation, as lives of all Christians are seriously threatened. Our auto and flag fired on repeatedly January 20. Our institutions under fire and many refugees and orphans wounded. Food short. Notify Arnold and Bristol.

Major Arnold, personnel director for NER throughout Anatolia, had an office in Constantinople, and we felt that a telegram to that city had a better chance of getting through than one to Aleppo. Further, Arnold would undoubtedly pass the message on to Dr. Lambert in Aleppo and to NER headquarters in New York.

I also prepared a draft, chargeable to the Marash station, authorizing payment of twenty Turkish gold lira to the courier on delivery of message. As the Zeitunlis left they said, "Till death! If we cannot deliver the letter, no man can."

We learned later that they carried letters also from the Armenian leaders of Marash and from General Quérette, each appealing for help. Of the five Zeitun men who set out for Hadjin, only two reached the city, delivering the messages on 10 February.

On 13 February Dr. Peet in Constantinople had just put his signature to a letter addressed to Dr. Barton in Boston when a telegram was handed to him, dated Hadjin, 11 February 1920. It had been transmitted in English, identical to the message quoted above. Dr. Peet added a handwritten postscript to his letter, enclosed a copy of the telegram, and stated that copies were being sent to Admiral Bristol and Major Arnold.

At this stage of the siege the Armenian population was concentrated in eight compounds, four of which formed a semicircle: Beitshalom Orphanage to the southeast, The First Evangelical Church, the Franciscan Monastery, and the Armenian Catholic Church. These were close enough to each other, it seems, to have enabled the French detachments quartered in each of them to dominate the area between, provided they could communicate and coordinate their attacks. However, the Kanli Deré which flowed across the city from its source—Kirk Geuz—cut through the semicircle, passing under a bridge just south of the monastery. The French had failed to secure control of this bridge, over which passed the main street between the southern gate of the city and the German Hospital. The Turks placed strong forces in buildings commanding each approach to the bridge, thus cutting communications north and south, and east and west. Major Corneloup commanded large forces in the southern area, where the Church of Forty Sainted Youths housed several thousand refugees.

The course of events at each of these defense posts, where records were made by eyewitnesses, follow. The Armenians in Saint Sarkis Church had already abandoned it, moving to Beitshalom Orphanage. Those in Saint George's, Saint Stephen's, and Asdvadsadzin churches had been killed as these buildings burned.

MASSACRE IN SMYRNA 1922

Issue: The Armenian Genocide during the years 1915-1923 included the great massacre of the burning of Smyrna by the forces of the Turkish Army in September 1922.

POINTS AND AUTHORITIES

1. In September 1922, well after World War I ended, the Turkish army burned the Armenian quarters of Smyrna to kill the Armenians living in that city. New York Times, September 15, 16, 17 ("Smyrna Wiped Out, Killings Continue").

2. The era of the massacres continued from 1915 through 1918 and did not end with World War I.

3. The Armenian population remained exposed to mass violence throughout the period of 1915 and 1923.

4. Even Armenians who survived the deportations of 1915 and 1916 were eventually massacred.

SUPPORTING MATERIALS ATTACHED

1. Marjorie Dobkin, Smyrna 1922: The Destruction of a City.

SMYRNA 1922: THE DESTRUCTION OF A CITY

(By Marjorie Housepian Dobkin)

CHAPTER XIV

(*Auxilium Deus ipse negavit.* Even God refused his aid. The Greek historian Christobulus, referring to an adverse wind preceding the fall of Constantinople)

For several days there had been signs in the Armenian quarter that the Turks were preparing a conflagration. 'Today (Monday, 11, September) I saw with my own eyes the Turks taking bombs, gunpowder, kerosene and everything necessary to start fires, in wagonfulls here and there through the streets,' the Reverend Abraham Hartunian had recorded in his diary. That same day Anita Chakerian, a young teacher at the Institute, saw the Turkish guards dragging into the building large sacks, which they deposited in various corners. They were bringing rice and potatoes, the men said, because they knew the people were hungry and would soon have nothing left to eat. The sacks were not to be opened until the bread was exhausted. Such unexpected generosity led one of the sailors to investigate; the bags held gunpowder and dynamite. On Tuesday night, wagons bearing gasoline drums again moved through the deserted streets around the College.

Just after midnight on Tuesday the wind shifted its direction away from the Moslem quarter and a gusty breeze began blowing toward the harbour. A rash of fires broke out within an hour.

At 1:00 a.m. on Wednesday, Mabel Kalfa, Greek nurse at the Collegiate Institute, saw three fires in the neighborhood. At 4:00 a.m. fires in a small wooden hut adjoining the College wall and on a veranda near the school were put out by firemen. At noon on Wednesday a sailor beckoned Mabel Kalfa and Miss Mills to the window in the dining-room. 'Look there,' he said. 'The Turks are setting the fires!' The women could see three Turkish officers silhouetted in the window of a photographer's shop opposite the school. Moments after the men emerged, flames poured from the roof and the windows. 'Like all the other buildings this was burning from the inside,' said the nurse. The soldiers moved on to the Khan, a Turkish hotel with a series of shops beneath. Their departure signalled an explosion and another fire. Said Miss Mills: 'I could plainly see the Turks carrying tins of petroleum into the houses, from which, in each instance, fire burst forth immediately afterward. There was not an Armenian in sight, the only persons visible being the Turkish soldiers of the regular army, in smart uniforms.' Two stone houses with iron shutters were fired next, then the baker's shop. By three o'clock in the afternoon, one entire street was ablaze.

Because the wind was carrying sparks toward the school's laundry rooms, the sailors set some of the refugees to spreading rugs on the rooftops and organized a bucket brigade to wet them down. The Turkish guards ordered the refugees to come down. 'I told them to stay where they were and not be afraid,'' Nurse Kalfa reported. 'But then a Turkish officer came and told them he would shoot them if they did not come down. He said it was forbidden to go on the roof. As our men were anxious to save the school, and as we had refugees in the laundry rooms, they did not listen to the officer. At that, he fired a shot into the air and we told them to come down.'

The Smyrna fire brigade had been working steadily for fourteen hours by this time. A mixed company of Turks and Greeks (the Greek firemen had taken their families to the fire station for safety on Saturday), it was organized and supported by the London insurance firms which underwrote the properties in Smyrna. Fires were not unusual in that city but this, Sergeant Tchorbadjis soon decided, was an epidemic. Between midnight on Tuesday and ten thirty Wednesday morning, he had already responded to six alarms, all in the Armenian quarter and each fire more devastating than the one before.

The ten-thirty alarm on Suyane Street disclosed ten houses ablaze. These fires were barely under control when an alarm came from the Armenian church several streets away. Leaving some firemen at the church, Tchorbadjis hurried on alone toward some flames on Tchoukour Street. 'I climbed to the roof and found bedding on fire,' he testified later. 'Then I went down into one of the rooms and saw a Turkish soldier, well armed. He was setting fire to the interior of a drawer. He looked rather fiercely at me when he saw me, but he left. I caught the strong smell of petroleum.'

According to Sergeant Tchorbadjis there was no keeping up with the fires after that; they broke out so often and burned so fiercely that there was neither enough water nor enough manpower to contain them. Orders came from Fire Chief Grescovitch to try to keep the fire within the bounds of the Armenian quarter.

'In all the houses I went into I saw dead bodies,' Tchorbadjis said. 'In one house I followed a trail of blood that led me to a cupboard. My curiosity forced me to open this cupboard—and my hair stood on end. Inside was the naked body of a girl, with her breasts cut off. At another house there was a girl hanging from a lemon tree in the yard. There were plenty of armed soldiers going about. One of them went in where there was an Armenian family hiding and massacred the lot. When he came out his scimitar was dripping with blood. He cleaned it on his boots and legging.

'On one of the roads I saw a man about forty-five or fifty years old. The Turks had blinded him and cut off his nose and left him on the streets. He was crying out, in Turkish, "Isn't there anyone here Christian enough to shoot me so that I will not get burnt in the fire?"

'We had to evacuate, finally. The streets became too hot to work in and we wanted to get all our gear away before the station burned. At the end, we had to leave it behind.'

Fireman Emmanuel Katsaros was hosing down the Armenian Club to halt the advance of flames from next door when two soldiers went into the building carrying tins of petroleum. Looking through the window, Katsaros noticed that they were emptying the liquid on the piano. He turned to a soldier who was guarding the door: 'On the one hand we are trying to stop the fires, and on the other you are setting them,' he said.

'You have your orders,' said the soldier, 'and we have ours. This is Armenian property. *Our* orders are to set fire to it.'

It was four o'clock in the afternoon; fires were closing in on three sides of the Institute, and there was still no word from Navy headquarters. The buildings were arranged around a courtyard and as the fires encroached, refugees who had been sheltered in the laundry rooms at the most vulnerable point in the compound were added to the crush in the main building and told to wait for the signal to leave. They could smell the smoke and hear the explosions just beyond the school walls. There were over 2,000 refugees within the Institute by now.

'I stood all afternoon in front of the gate,' Petty Officer James Webster wrote in a letter to his family. 'I had to use the butt of my gun to keep the people away from the door, as the fire was getting closer all the time. But we knew that if we let them out, the Turks would kill them.'

Realizing that evacuation was inevitable but that with only twelve sailors on hand a mass exodus of all the inmates would spell disaster, Miss Mills, after a conference with the Chief, instructed her staff to weed out the 'school family' from the bulk of refugees, so that the sailors might escort the smaller group to the quay ahead of the mob. But the sorting out, which had to be done discreetly to avoid a stampede, was complicated by the fact that the vast majority of teachers, servants, and students refused to be separated from their families. Instructed to gather at the rear gate, they brought their relatives with them and crowded behind Miss Mills and the sailors, accompanied by several hundred alert refugees who were keeping a close watch on the movements of the Americans and taking no chances on being left behind.

The shutters at one end had caught fire just as Ensign Gaylord drove up to the rear gate in a truck, with orders from Captain Hepburn that the sailors were to abandon the building and escort bona fide Americans only to the docks. Miss Mills refused to budge without her students and staff. Gaylord barked an order, three of the men lifted her to their shoulders, and carried her through the back door. 'Girls, follow me!' she shouted. She was still struggling when they put her, along with several dozen students and employees, into the truck and drove away.

Petty Officer James Webster and six sailors remained. 'We cannot be responsible for you once we open the doors,' one of them announced. 'We advise you all to leave together. Stay close together, as close as you can.' Then he opened the gates to lead the way.

Webster had to push his way through the gate. They were miles from the waterfront and none of the sailors knew which way to turn. Some of the streets were on fire, burning rubble was blocking others. Turks were shooting into the crowd behind him. To keep from being stampeded, he had to stop every few moments and fire over the heads of his followers.

Anita Chakerian tried to follow, but the door was narrow and the crush at the exit overwhelmed her. She found herself being pushed and pulled in circles. She stumbled, lost a shoe, and would have been trampled but for two strong arms lifting her and carrying her out the door. It was one of the sailors. 'To this day I will wonder who he was,' she says. 'God bless him for saving my life.' Outside, he set her down and tried to force his way back. There were over a thousand refugees waiting behind the front entrance to the main building.

When the sailor guarding the front door was summoned to the rear gate on Ensign Gaylord's arrival, he had asked the Reverend Abraham Hartunian to take his place for a moment. The minister and his family, with the rest of the refugees massed behind, were still standing obediently behind the door. '*Badveli*, what is going to happen?' a friend asked.

'I don't know,' said the clergyman, 'but I feel God is about to do something.'

Suddenly someone shouted, 'The building has caught fire from one side!' Another man, returning from the rear of the building where he had gone to investigate, announced that the Americans and all the sailors had fled.

'We are betrayed!'

They poured out into the approaching dusk. The sky was lit up in a fearful orange glow, and across the road Turkish soldiers were standing with their rifles in hand. Hartunian started to turn back. 'But where am I going? The building is on fire!' He went forward.

Mabel Kalfa, who had come around to the front entrance to find her mother, now found herself stumbling forward with the rest. 'There were shots, and everyone turned back in a panic,' she said. 'Afterwards we came out again but we did not know where we were going.'

Neither did Rose Berberian. Linking arms with her mother, trying to stay with the herd as the sailor had suggested, she found the winding streets a fiery labyrinth. Turks were still shooting into the crowd, killing some, wounding others, pulling the men aside. Flames rose up in sheets, walls crashed, cinders burned underfoot. After weaving about for seveal hours, Rose found that the group had come to the street running parallel to the quay, one short block from the water, and was standing before the French consulate. When Rose saw the Tricolour, and French marines guarding the building, she decided that this was the place to stop. Most of the school crowd moved on.

The street was mobbed with people begging entrance to the consulate, and the marines had linked hands to form a chain around the building. 'I was in rags,' Rose says, 'no shoes, my dress torn, my face and arms black with dirt and dust. I had found two pairs of men's socks—white ones—in the attic of the Italian family and I was wearing these, one pair on top of the other. They were now black, too.

'Fortunately I spoke French fairly well; I had learned it at the Armenian school I attended before entering the Institute. I asked my mother to stay outside and wait for me and I walked up to a marine and began talking to him in French. "For God's sake," I said, *"Pour l'amour de Dieu, laissez-moi entrer.* I am French. They killed my family. I have no papers, they were destroyed in the fire. My home is burned. Look at me; how can I have papers when I could not even save my shoes? I want to go back to my country. I do not want to stay in this place anymore."

'One of the marines turned to the man beside him, "Lift your hand and let her through."

'But I was hardly inside when over the megaphone they were announcing that everyone had to leave at once. The fire was nearing the consulate. But now we could leave under the protection of the French soldiers! We were escorted to another building, this one on the waterfront. Immediately they set up tables there, and they said, "Ladies first," and people began to line up to obtain papers.

'I was not anxious to be near the head of the line. If I could hear the questions, I would have time to prepare my answers. So I listened; "Name? Age? Nationality? Your passport?" That was all. The answers came in halting, often badly accented French, yet the consuls were turning no one away.

'And so my turn came. "Name?" "Rose Berberian." "Age?" "Sixteen." "Nationality?" "French." "Your passport?" "Burned. Our house burned. We lost everything. I have my mother with me."

' "You speak French very well," the man said, smiling. "Where did you go to school?" And he handed me the paper authorizing our passage to a French battleship.

'It was the wildest scene imaginable on that quay. Women, men, children, weeping, crying. One lady, I remember, had gone mad and was dancing and singing. People were sobbing for their families. It was a scene of horror—all those suffering people!

'I began explaining to everyone near me. "If any one of you speaks French, get on the line. They will give you a paper. Just say you are French." I kept walking through the crowds telling this to everyone. Then, incredible as it seems, I heard my sister calling my name.

'She looked like something out of a bandbox. Dressed in her best clothes, her broad-brimmed straw hat with blue velvet ribbons. For a moment I felt sure that I too had gone insane, but she began talking and quickly explained: After my mother and I were taken away, she and my brother had escaped from the attic by climbing back over the vines to Mr. Aram's house. Then, before the fires had reached our street, they took the chance and slipped over to our own house. There they changed into their finest clothes. The house had been looted—the desk with the money and our jewellery was gone—but they had not touched the wardrobes upstairs, so my brother wore his best suit, and my sister her Easter clothes. He took his cane and even put on his spats. Then she took his arm and they walked casually out the front door and down the street, arm in arm, talking French. In his way my brother escorted my sister to the quay. Since he was a strong swimmer, he decided to try for the nearest ship. Months later, when we were reunited in France, he told us that it was an English ship. When he reached it, the sailors had thrown hot water down on him and on others circling the ship begging to be taken aboard. So he had gone farther out, to an Italian ship. The Italians had pulled up everyone who managed to swim that far.

'I explained to my sister that I had a French pass, and I went back in the line to get one for her. The official was very obliging.

'When I returned to my mother and sister, a poor woman was standing nearby with four small children. "Please," she said, "I don't speak French. Please go once more and tell them that you have found your aunt and cousins. You will be saving our lives."

'This time they laughed to see me coming. "What? You again? And who have you found this time?"

' "My aunt and four small cousins," I said sheepishly. "What can I do?" The Frenchman added their names to the pass.

'Motorboats had been coming to the quay and those with papers were being taken aboard. The French sailors were exceptionally good to us. They fed us, washed us, took care of the wounded and the sick among us. For three days we were on this ship. We discovered that those who could pay their way were being transferred to merchant ships. But we had no money, not a penny. I mentioned this to one of the sailors on the third day, and he said I must speak with the Captain.

'The Captain was a gentle man. He took all our names, including those of my "aunt" and "cousins". "Don't worry, my child," he said, and he wrote a paper for all of us. We and other penniless passengers were authorized to go to Marseilles, where the Sisters of Charity had set up a camp to receive us.'

Virtually everyone saved that evening owed his life to a sympathetic foreigner. Fifteen-year-old Charles Kassabian was following on the heels of one of the sailors. 'I didn't take my eyes off him,' he related recently, 'even though it meant losing the rest of my family. My father had taken out a passport and a visa to bring us all to America. My older brothers were in America. The tickets were paid for, but we ran to the American school the day the Turks came in and there was no boat, nothing after that. And then when the fires started, my father, he had a few hundred dollars with him, he said to my mother, "We'll divide this money in case we lose each other." So my mother pinned this money in a handkerchief inside my shirt.

'So we're running out from the school and I lose them because I'm watching that sailor, and when he goes this way, I go this way. And there are thousands—if I say millions it won't make any difference because it's that crowded—and the streets are burning all over. Buildings burning. Every place burning. Every place! We come to the quay and I don't know how it happens but I see my family. In all that mess we find each other. We can't believe it. Boy, are we happy! But what are we going to do now? My mother is cold, shaking. I pick up a rug right off the ground there and I put it on her shoulders. Then I see this sailor again, and he's taking people to a little boat, and I run to him and try to make him understand. I say, "Brother in America." I say, "Passport." And maybe that makes the difference because he waves his hand, "O.K., come on," and all of us run to the boat. So pretty soon we're safe and alive on this big American ship.

"It's dark. September it gets dark already six thirty, seven. And these people are swimming out to the boats and they're turning the floodlights on them and pushing them back. From the English boats they're pouring water on them. We can't believe it but that's what happened. They didn't pick up the swimmers. They took moving pictures.

It has taken Petty Officer James Webster an hour to get to the docks. He had lost the greater part of his following along the way, but there were still thirty or forty people behind him. He left them at one end of the quay and pushed his way to headquarters to see about getting them on a boat that would take them off to one of the destroyers. The fire, blazing fiercely, was lapping its way to the quay, and Webster noticed that the Turks had guards at the end of the docks to prevent people from moving away. 'It looked to me as though they wanted to burn them up,' he wrote.

John Kingsley Birge spotted Anita Chakerian and a small contingent of students and teachers from the Institute huddled together at the north end of the quay. 'Don't move,' he told them. 'I'll see what I can do.' He managed to find a boat, piled the group in, and rowed to the *Simpson.* Recognizing him, Hepburn ordered his men to lower the ropes. 'We think Mr. Birge told them we were U.S. citizens,' Anita says, 'because when the Captain realized his mistake, he tried to have us put off, but the Second Mate argued with the Captain, saying he would rather be hanged than let us girls off the boat to a sure death. The Captain kept saying he had no orders. Finally they hid us below decks until we were safely out of the harbour.'

Holding hands, winding their way through the flaming streets, the Hartunians, too, found the quay at last. 'What a hellish scene!' Hartunian wrote. 'The quay was bulging with humanity from end to end. Exhausted! Defeated! Pale! Terrified! Hopeless! The sea on one side, the flames on the other. The fire had spread so rapidly and become so intense that it devoured all before it and advanced with a roar. In a little while the magnificent buildings on the quay would also go up. And what about the people then?'

Half-dead with exhausting and terror, the family found a place to rest on the stones, while Albert, the eldest son, went off to investigate the possibility of rescue and returned with the news that the Americans were taking their citizens aboard a destroyer. At the embarkation point Hartunian discovered that the civilian in charge was Jacob, the YMCA director, who had visited him in Zeytun years before. Hartunian had entertained him and taken him around the area. 'In this or that way I had cast my bread upon the waters,' he thought. And so the Hartunians, too, were rescued. Because they had American visas, there was no problem about keeping them aboard.

Hepburn had been working feverishly all afternoon, directing the evacuation of citizens on the *Simpson*, by now loaded and ready to lift anchor the moment Consul Horton arrived. The Americans had been grouped in squads in the lobby of the theatre, and as a pair of whale-boats drew up to the sea wall, officers rushed two squads at a time across the road and into the boats. A double file of guards posted from doorway to shoreline kept the desperate refugees from boring into the line. Despite the Captain's misgivings, the operation had gone off without a hitch.

There had been some nervous moments. Against everyone's better judgement, Anna Birge had insisted on bringing eight Greek and Armenian boys along from Paradise, hidden among the luggage. They were the younger 'beneficiary' students at the College, scholarship boys who had been orphaned in earlier massacres and had been living at the school. For three years she had mothered them, and as the cars drove up to take the women and children away, she had called them together and offered them their choice of coming along in the truck or staying behind. There was a risk either way; if they did not come, the Turks might deport them; if they did come, they might be shot. They must decide which risk to take. There was an outcry from the faculty; with all her good intentions, Mrs. Birge was proposing to endanger the entire convoy. But the sailors were willing and she was adamant. 'Where's the baggage?' asked the driver.

'I have human baggage,' said Mrs. Birge, and she turned to the boys. 'Which of you is coming?'

'We were about twenty in number, and it seemed as if each one of us looked on the truck as a lifesaver for a moment, and then the picture changed in our weary imaginations into a funeral procession,' one of the boys wrote later. 'It was a question of life and death, and yet one that required an instant decision. Eight of us declared that we would take the risk and go.

'The men protested to the sailors, but Mrs. Birge won out. We were put on the truck with bags, suitcases, and blankets around and over us. The truck started for Smyrna. In a smaller car, just ahead, Mrs. Birge rode with her three boys and some other Americans.

'As we came to a turn in the road we looked down and saw Turkish soldiers looking up at us with their guns in hand. We expected to be fired on, as they blocked our road. The truck stopped. Everybody was terror-stricken, motionless and almost breathless. I uttered a few English words and tried to look as calm as I thought an American would. Then they cleared our way, and standing by the side of the truck began talking, pointing to a woman who had been shot through the legs and lay groaning by the roadside. Suddenly the engine started and we rushed past in safety. Among the many dead bodies, we saw men, women, and children shot to death, bodies drawn up into horribly strained postures, with expressions portraying the endurance of excruciating pain. A picture of our own fate, we thought.'

Two Turkish officers, one a former student at the Boys' College, stood at the door of the theatre to insure that only Americans entered the building. The theatre was guarded, as well, by sailors from the *Litchfield*. Recognizing the officer as a former student, Mrs. Birge walked up to him and said, in Turkish, 'Something is going to happen here in a moment, and if you do anything to prevent it you will spend eternity in the hottest kind of hell.'' Rushing her own three boys into the theatre, she found her husband and asked him to watch the children for a moment. 'I want to see someone,' she said.

Captain Hepburn blocked her way at the door. 'Some of my family have not arrived,' she told him and pushed her way out. To the sailors, who tried to urge her back, she explained, 'Some of my sons are arriving.' They stood her against the wall; gun shots were flying wild up and down the street.

The truck drew up and stopped. The boys jumped out. 'Right through the door, boys,' said Mrs. Birge, herding them together. Again the Captain blocked the way. 'Only Americans,' he insisted.

'These are my sons,' said Mrs. Birge.

'Oh?' said the Captain. 'And how long have they been your sons?'

'For three years,' she said.

'That's quite a family to raise in three years. I'm sorry but I can take only American names.'

'All right, then, take this,' said Mrs. Birge: 'H.M. Casparian Birge, Evangelides Birge . . .' Vice-Consul Barnes was calling on the assemblage to group themselves by families. 'Only Americans will be taken abroad,' he announced firmly. Mrs. Birge rushed from one family to another; would each of them adopt one boy as their own? Eight mothers agreed. An hour later, she gathered her sons together aboard the *Simpson*.

A car from headquarters stopped at the YWCA to collect the guards before they had time to evacuate their gear: 'Hurry up, hurry up, get in, quick.' Melvin Johnson never knew what happened to the refugees, the women and children they had been forced to leave behind; but some had evidently escaped, for on the docks he ran across an Armenian girl he had talked to a lot at the Y. She was a school teacher, 'a very interesting young woman,' he says. 'She spoke good English. Her name was Liberty. That's how it got translated anyway. We called her Liberty. So I took her with me and slipped her aboard ship, and I got two blankets and stood guard over her all night, and I gave her ten dollars; that's all I had just then. She didn't want to take it. I said, "Look. You're going to a strange country and you don't know a soul. There's bound to be an Armenian section in there but you'll need this anyway." So she wrote me two or three letters from Greece, and I finally got one from Boston. Said she'd found her mother in Greece and she gave me the address, said if I ever hit Boston . . . Nyland the street was, but I lost the number.

'And now this is the funny part. We got out so quick I had to leave the gear behind, and for one solid year I had to write a report—what become of the rubber ponchos. Finally I got a chief yeoman to dictate me a letter. I said: "I think you'll find 'em in the ashes in Smyrna, Turkey, if you look for 'em." They stopped bothering me after that.'

Great clouds of smoke were engulfing the consulate when an officer arrived to prod Horton to the ship. In ten more minutes they would be unable to get a car through. Horton, who had been signing safe-conduct passes up to the last available moment, took up his personal files, grabbed a roll of rugs that were still encased in their summer wrapping, and ran to the car with his wife and a Greek servant. His priceless books, paintings, and classical objects, the collection of a lifetime, were left behind.

The spectacle along the waterfront haunted Melvin Johnson for the rest of his life. 'When we left it was just getting dusk,' he remembers. 'As we were pulling out I'll never forget the screams. As far as we could go you could hear 'em screaming and hollering, and the fire was going on . . . most pitiful thing you ever saw in your life. Could never hear nothing like it any other place in the world, I don't think. And the city was set in—a kind of a hill, and the fire was on back coming this way toward the ship. That was the only way the people could go, toward the waterfront. A lot of 'em were jumping in, committing suicide. It was a sight all right.'

The *Simpson* lifted anchor at 7:45 p.m. Horton, too, was on deck, watching the flames relentlessly down on a human wall nearly two miles long. Banks of smoke rose so high that days afterward travellers on the Sea of Marmara, one hundred and forty miles away, mistook the spectacle for an emmense mountain range. The glow and flame of the burning city were plainly visible for fifty miles, according to passengers on the *Simpson*.

Among them was reporter John Clayton, whose latest dispatch was at that moment on Chicago news stands: 'After forty-eight hours of Turkish occupation the population has begun to realize there is not going to be any massacre. Remembering the horrors of the Greek occupation in 1919, when more than four thousand Moslems were butchered, the Christian population has been clamouring for protection.' Clayton article referred to a little looting and a few victims of private feuds ('Turks, Greeks, and Armenians'), but announced that 'the discipline and order of the Turks was excellent'.

But now Clayton was pounding a new epic on his portable typewriter, without mincing words: 'Except for the squalid Turkish quarter, Smyrna has ceased to exist. The problem of the minorities is here solved for all time. No doubt remains as to the origin of the fire. . . . The torch was applied by Turkish regular soldiers.' Clayton had a scoop. His story, sent from Athens at dawn, was the first to reach print. Constantine Brown's dispatch in the *Chicago Daily News* was to be no less frank: 'A crime which will brand the Turks forever was committed yes-

terday when Turkish soldiery, after finishing pillaging, set this city on fire.'

George Horton thought that only the destruction of Carthage by the Romans could compare to the finale of Smyrna in the extent of its horror, savagery, and human suffering. 'As the destroyer moved away from the fearful scene and darkness descended, the flames, raging now over a vast area, grew brighter and brighter, presenting a scene of awful and sinister beauty,' he wrote. 'Yet there was no fleet of Christian battleships at Carthage looking on at a situation for which their government were responsible.' The Turks had plundered, slaughtered, and now burned the city 'because they had been systematically led to believe that they would not be interfered with.

'One of the keenest impressions which I brought away with me from Smyrna was a feeling of shame that I belonged to the human race.'

Mr. DOLE. Finally, I want to have printed a particularly significant document in the RECORD. This is a document from the British Archives. It is a report on papers that British Intelligence officials took from the archives of the Ottoman Empire. We cannot get to them now. Some say they are being scrubbed; some say they are being deleted, sanitized, catalogued—call it what you will; we cannot have access to them during this period of 1915 to 1923.

One of those papers, which we have in full text, outlines "the 10 commandments." The 10 commandments—think about it—promulgated by Ottoman authorities for implementing the genocide. Let me read a couple of the commandments.

Number 3: Excite Moslem opinion by suitable and special means in places . . . where as a point of fact Armenians have already won the hatred of the Moslems and provoke organized massacres as the Russians did at Baku.

Number 4: Use military disciplinary forces . . . ostensibly to stop massacres, while on the contrary . . . actively help the Moslems with military force.

Number 5: Apply measures to exterminate all males under 50, priests and teachers.

Think about it. These are the 10 commandments for genocide, and they speak for themselves. We believe we have made our case. We are told, yes, everybody is sorry about the Armenians. We wish it had not happened. A million and a half killed. It is a long time ago. Why bring it up now? Why did we bring up after 36, 37 years in the Senate the Genocide Convention? It had been languishing in the Senate for 37 years; 38 years almost. Why did we bring it up? Because sometimes we practice morality over politics in this country and in this Chamber.

We did what was right. We did the right thing. Let us face it: I think we are right back to David and Goliath; Armenia, a small country, a half million homeless, battered by an earthquake less than a year and a half ago, 30,000, 40,000, 50,000 killed, thousands of orphaned children. No American business investment. They do not have any embassy in this country. We do not have any there. They do not have any political influence. They do not have any power. They do not have any paid lobbyists.

They do not have big American business doing business in their country. And here they are taking on mighty Turkey, where American businesses with billions of dollars of investments, have called Members in this Chamber, where the Turks have reportedly broken off negotiations with all American business until we settle this resolution. If that is not intimidation, what is?

And you would think, to listen to some of the debate, that it is not a two-way street between the United States and Turkey, that we have great dependence on them and they do not have any relationship with us at all. Well, they have a $500 million Federal aid check, which is substantial, and they might have gotten more, I might add, under a plan talked about by some of us.

But I want the record to show that it is not a fair match. It is not a fair match. It is like somebody taking on an incumbent Senator in politics, some unknown person in our State with no money and no influence taking on an incumbent. That is essentially what it is.

With reference to taking 75 years to bring this matter before the Senate, the statute of limitations does not run out on murder in America. But this matter was before the Congress in 1920 when we had eyewitnesses and we had people who understood it, and we acted in the affirmative.

All we are asking is the right to go to the merits of what we seek to do. This is not a vote on the merits. All we are voting on is whether or not to proceed to the resolution. Seldom are we denied that opportunity in the Senate, to even go to the resolution, because if we went to the resolution, we could work out amendments, maybe compromise with the majority in this body—maybe not with everyone—because it is not the intent of this Senator or any other Senator to offend our friends in Turkey. This did not happen on the watch of the Republic of Turkey. It happened in the days of the Ottoman Empire. Keep in mind, they were fighting with the Germans against us.

But this sudden deference and almost capitulation to the whims of Turkey further underscores the David and Goliath nature of this effort.

I told the Armenians who came from Atlantic City and Philadelphia and other points in New Jersey and Pennsylvania, it is a tough battle. I doubt that we are going to win. Mighty forces are aligned on the other side and some refuse to listen to any debate. Their minds are made up or they have changed their minds once and they are not going to change their minds again.

If you had a secret vote in this Chamber: Do you think the Armenians were victims of genocide? there would be a clear majority. But we cannot even proceed to the resolution to make that determination.

I happen to share the view of the Senator from West Virginia, as I have said. I will make the statement for the record. I understand the importance of Turkey. I understand the importance of Turkey in the eyes of the distinguished President pro tempore. I went to Turkey at the suggestion of the distinguished Senator from West Virginia, who is my friend. I took four other Senators with me. It is an important ally. It is an important country. I would not do anything to disrupt that relationship. But we are not talking about the Republic of Turkey or of President Ozal, who was Prime Minister at the time of my visit. There were Turks and Armenians who lived in peace and harmony and were neighbors. So we are not trying to create problems. We are just trying to address something that happened, and we are trying, as Mr. Havel said just last week, to put morality above politics, what is right and what is wrong, what was right and what was wrong.

In my view, we have made our case. Will we have the votes? Hopefully, yes. Will we demonstrate to the people who care that we made the best possible effort we could? I hope so. Is this partisan? No. In the last vote, I think there was probably pretty much of a split on each side on the issue. So I urge my colleagues who wish to speak for the motion to proceed to come to the Senate floor so that we may continue to make the record. I think the record has been made.

I see the distinguished Senator from Massachusetts is here now. He needs just a minute to get organized.

I should say that one of my colleagues said after the last vote:

I do not understand what happened. I cannot understand, we cannot even proceed to the resolution on a commemorative resolution. It is not a matter of cost to our Government.

I may try again today, I say to the Senator from West Virginia, so he will not be surprised, to get unanimous consent to convert the joint resolution to a concurrent resolution, then modify the language, in an effort to reach some compromise. So I hope that we will have that opportunity—or at least I will make the request.

But in the meantime, since we have more time than the Senator from West Virginia, I will yield 5 minutes to the Senator from Illinois, and then 5 minutes or whatever to the Senator from Massachusetts.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. I thank my colleague from Kansas for yielding, and I thank him for his leadership on this issue. As I said on one other occasion on the floor of this body, there are not very many Armenians in the State of Kansas, and yet Senator BOB DOLE has been in there fighting for this cause for human rights. I applaud him for doing so. He and his wife went to Soviet Armenia and I think in the process became more attached to a people who have been abused through the centuries.

Maybe we ought to thank the Turkish Government for the fight that has been caused here. From their perspective in opposing this, I think they would have been better off just quietly letting this joint resolution pass. Instead, we have had several days of debate on what happened to the Armenian people. I think there are people around this country who have heard about this debate, who have seen it on television, who have a little more understanding of what the Armenians have gone through.

The argument against adopting this resolution is, frankly, a strategic argument, that we should not do this because of Turkey's strategic position in that area of the world. I simply underscore what everyone has said. We are not attacking this Government. We are not attacking the people of Turkey today. What we are saying is let us not forget this massacre, this slaughter. It was genocide.

There is revulsion from the use of that term, but when hundreds of thousands at a minimum—no one knows the precise number, but at a minimum when hundreds of thousands—are people who are killed because they are Armenians, that is genocide. Those who say it is not in the national interest—and I have great respect for the President pro tempore, and I see my colleague from Wyoming on the floor who will argue that too very shortly—because of the strategic position of Turkey, my friends what is in the national interest is to stand up for human rights consistently no matter what the numbers are and no matter what the situation is. And when we fail to stand up for human rights, that is when we lose ultimately. We ought to stand up.

I recall the story that Clark Clifford tells, distinguished former counsel to President Truman. The decision was whether or not to recognize Israel. The Secretary of State, then General Marshall, came in and said:

> The numbers are not there. The numbers are on the side of the Arab countries. We shouldn't recognize Israel. It is not in our national interest.

Then the Secretary of what was then called the Secretary of War—you are too young, Mr. President, to recall when we called it the Secretary of War—but the Secretary of War, James Forrestal, came in, and said "It is in our strategic interests not to recognize Israel." Again the numbers on the side of the Arab countries. When he walked out, Harry Truman turned to Clark Clifford and said:

> You don't decide issues like this on the basis of numbers. You decide it on the basis of right and wrong.

My friends, that is what this is all about. We ought to decide this on the basis of what is right and wrong. It is not simply to remember those who were massacred in this Armenian slaughter. It is to remind humanity how low we can get, and to make sure this does not happen again.

My strong hope is that we can pick up a few more votes this time, and gradually move in the direction of getting cloture so that we can do what is right and what is clearly in our national interests, and that is to stand up for human rights.

Mr. President, I yield the remainder of my time.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I rise to speak in support of the motion to proceed I know my friend, the very distinguished President pro tempore, will understand the bonds that unite us despite the fact that we disagree on a particular issue and our interpretation of it.

Mr. President, the U.N. convention, ratified by the United States in 1986, defines genocide in terms of particular acts "committed with intent to destroy in whole or in part a national, ethnic, racial or religious group." We have been cautioned against making judgments that perhaps only historians should make. But I would very respectfully disagree that that should hold us back from making a judgment historians have already made.

First of all, this judgment has been made already. It has been made by historians. It is part of history. It is part of history because two Presidents had formally acknowledged it, because it has been acknowledged in other international parliamentary bodies, because in fact the Turkish Government itself acknowledged it in the aftermath of the war when it tried the young Turk government for the very acts they had committed, and at that time called it "genocide."

Those of us who support proceeding forward on this resolution have laid out documentation which is now part of the CONGRESSIONAL RECORD. In the last statement on the floor I did not think it was necessary to publicly read through all of that documentation nor will I now. But I want to draw on some of those materials in order to underscore the importance of what the United States Senate is debating here today and has been for several days.

As noted previously, the most damning evidence of it comes from the Turkish Government which succeeded the young Turks of the Ottoman Empire—I stress this—is the Ottoman Empire's actions. We are not talking about our friend the Government of Turkey today. The Government of Turkey in fact responded after the fact to some of these events.

As the Senator from Illinois just said, would but the Government of Turkey had simply acknowledged the facts there would not be any need for this resolution. Because it has not, this critical issue is getting far more airing and far more analysis by virtue of this confrontation than it might have otherwise. But the most damning evidence of the Ottoman Empire's involvement in this moment of history came from the new Turkish Government itself which was established in the aftermath of World War I.

It is documented in the indictments which were handed down relating to the genocide in trials which the Turkish Government itself conducted. Following World War I, as Dr. Leo Kuper of UCLA points out, the new Turkish Government instituted court-martials against the young Turk dictators, including the ministers of war, interior, the Navy, and other members of the so-called Committee of Union and Progress. These are the people who perpetrated the genocide against the Armenians.

These proceedings established beyond any doubt that the deportations and massacres against the Armenian people during the war were planned and premeditated. The aim of the policy was clearly, as the indictment said, the extermination of all Armenians in Ottoman Turkish territories.

The evidence gathered and introduced at these trials included official telegrams that were sent by the central government to the provinces, and the accounts by eyewitnesses from various nationalities. The transcripts reporting this evidence are widely available since they were reported in the official gazette of the Ottoman Empire. Yet the Turkish Government has never released the actual evidence. In fact, some of the verified testimony of former officials acknowledges that they were ordered to destroy some of that critical evidence.

At the time these indictments took place there was a specific rejection of the so-called orders from higher authorities argument. In fact, the courts overwhelmingly found those indicted guilty as charged. After World War II, the allies based our proceedings at Nuremberg on this precedent that had been set by the Turkish Government

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itself with respect to what had happened to the Armenians.

Our Ambassador to the Ottoman Empire at the time of the genocide was Henry Morgenthau, Sr. Henry Morgenthau was so outraged over the persecution of the Armenian people that he devoted a full chapter of his book, "The Secrets of the Boshorus" to this massacre.

Let me just share with the Senate a few of the excerpts from our own Ambassador at that time. He wrote:

In order that they might have no strength to resist and to escape by flight, these poor creatures were systematically starved. Government agents went ahead on the road, notifying the Kurds that the caravan was approaching and ordering them to do their congenial duty. Not only did the Kurdish tribesmen pour down from the mountains upon this starved and weakened regiment, but the Kurdish women came with butcher's knives in order that they might gain that merit in Allah's eyes that comes from killing a Christian. These massacres were not isolated happenings; I could detail many more episodes just as horrible as the one related above. Throughout the Turkish Empire a systematic attempt was made to kill all males who might propogate a new generation of Armenians, but for the purpose of rendering the weaker part of the population an easy prey.

* * * these happenings did not constitute what the newspapers of the time commonly referred to as the Armenian atrocities; they were merely the preparatory steps in the destruction of a race.

In response to the argument that the Ottoman government was only relocating a potentially hostile Armenian community during a war, Morgenthau had this to say:

The Turks never had the slightest idea of reestablishing the Armenians in this new country. They knew that the great majority would never reach their destination and those who did would either die of thirst or starvation or be murdered by the wild Mohammedan desert tribes.

The real purpose of the deportation was robbery and deportation. It really represented a new method of massacre.

When Talaat, as Minister of the Interior, gave the death warrant to a whole race, he understood this well, and in his conversations with me, he made no particular attempt to conceal this fact.

It is absurd for the Turkish Government to assert that it ever seriously intended to "deport Armenians to new homes." The treatment which was given the convoys clearly shows—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KERRY. I ask for 3 additional minutes.

Mr. DOLE. I only have 11 left.

Mr. KERRY. If I can have 2.

The PRESIDING OFFICER. The Senator has 2 more minutes.

Mr. KERRY. I will not go through the rest of this evidence except to say the evidence is bone chilling; it is heart rending; extraordinary in the level of cruelty and the clear design for the extermination of a race. And it is clear that the U.S. Senate now has an opportunity to not fall prey to the politics of this moment, which would require us to accept concepts of which George Orwell warned us by which you rewrite whole notions of history.

How can the U.S. Senate take a vote that ignores the reality of what happened when Presidents of the United States have acknowledged it, international bodies have acknowledged it, when our own State Department witnessed and acknowledged it, when history has recorded it? For the U.S. Senate, for some political consideration of today, to support that the history and the past can be rewritten or ignored is to do a kind of injustice which fails prey to an expediency that permits these kinds of massacres to take place.

What then of the people in China and Tibet? What then of the Cambodians or East Timor? What do we say to those who have been subject to the other tragedies of history, which even now as we stand here, some people try to rewrite?

There are those in this world who are willing to support that the holocaust never took place. If the U.S. Senate cannot stand up in favor of the Armenian people and make clear what we all know is reality and still acknowledge our friendship to the Turkish people, who will still get our aid, who will still be our friends because this Government had nothing to do with that, we will make an enormous mistake.

I urge my colleagues to vote for the motion to proceed.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN addressed the Chair.

Mr. DOLE. I yield 5 minutes.

Mr. President, as we continue to debate Senate Joint Resolution 212, designating April 24 as "The National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923," it is imperative that we not let political consideration of the moment interfere with the truth.

Those of us who support Senate Joint Resolution 212, have laid out a wealth of material documenting the facts that this act of genocide did in fact occur. I would like to draw upon some of the materials that have already been presented which supports the necessity for enacting this resolution.

As noted previously, the most damning evidence of the Ottoman Empire's stated policy of perpetrating genocide upon the Armenian people came from the new Turkish Government itself, which was established in the aftermath of World War I. It is documented in indictments which were handed down relating to the genocide—in trials which the Turkish Government conducted:

Following World War I, the new Turkish Government instituted courts martial against the Young Turk dictators, including the ministers of War, Interior, and Navy and other members of the dominant Committee of Union and Progress [CUP] who had perpetrated the genocide of the Armenians.

These proceedings established, beyond any doubt, that the deportations and massacres against the Armenian people during the War were planned and premeditated. The aim of the policy was clearly the extermination of all Armenians in Ottoman Turkish territories.

The evidence gathered and introduced at these trials included official telegrams sent by the central government to the provinces and accounts by eyewitnesses from various nationalities. The transcripts recording this evidence are widely available, since they were reported in the official gazette of the Ottoman Empire. * * * Yet the Turkish government has never released the actual evidence. In fact, in some of the verified testimony, former officials acknowledged that they were ordered to destroy critical evidence.

Rejecting defenses based on the 'orders from higher authorities' argument, the courts overwhelmingly found those indicted guilty as charged.

After World War II the Allies used these proceedings as precedent for the Nurnberg trials.

Our Ambassador to the Ottoman Empire at the time of the genocide, Henry Morganthau, Sr., was so outraged over this persecution of the Armenian people, that he devoted a full chapter in his book, "Secrets of the Bosphorus," to this massacre. Important excerpts from this chapter include the following, in Ambassador Morganthau's own words:

In order that they might have no strength to resist and to escape by flight, these poor creatures were systematically starved. Government agents went ahead on the road, notifying the Kurds that the caravan was approaching and ordering them to do their congenial duty. Not only did the Kurdish tribesmen pour down from the mountains upon this starved and weakened regiment, but the Kurdish women came with butcher's knives in order that they might gain that merit in Allah's eyes that comes from killing a Christian. These massacres were not isolated happenings; I could detail many more episodes just as horrible as the one related above. Throughout the Turkish Empire a systematic attempt was made to kill all able-bodied men, not only for the purpose of removing all males who might propagate a new generation of Armenians, but for the purpose of rendering the weaker part of the population as easy prey * * * these happenings did not constitute what the newspapers of the time commonly referred to as the Armenian atrocities; they were merely the preparatory steps in the destruction of a race.

In response to the argument that the Ottoman Government was only relocating a potentially hostile Armenian community during a war-time situation, Morganthau had this to say:

The Turks never had the slightest idea of re-establishing the Armenians in this new country. They knew that the great majority would never reach their destination and that those who did would either die of thirst and starvation, or be murdered by the wild

Mohammedan desert tribes. The real purpose of the deportation was robbery and destruction; it really represented a new method of massacre. When Talaat, as Minister of the Interior, gave the orders for these deportations, he was merely giving the death-warrant to a whole race; he understood this well, and in his conversations with me he made no particular attempt to conceal this fact.

• • • It is absurd for the Turkish Government to assert that it ever seriously intended to deport the Armenians to new homes; the treatment which was given the convoys clearly shows that extermination was the real purpose of Enver and Talaat. How many exiled to the south under these revolting conditions ever reached their destinations?

Ambassador Morganthau felt compelled to address this horrendous crime against humanity. In his own words:

My only reason for relating such dreadful things as this is that, without the details, the English-speaking public cannot understand precisely what this nation is which we call Turkey. I have by no means told the most terrible details, for a complete narration of the sadistic orgies of which these Armenian men and women were the victims can never be printed in an American publication. Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecution and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

In comparing the Armenian genocide with previous atrocities of other peoples and races, Morganthau had this observation:

And these earlier massacres, when we compared them with the spirit that that directed the Armenian atrocities, have one feature that we can almost describe as an excuse: they were the product of religious fanaticism, and most of the men and women who instigated them sincerely believed that they were devoutly serving their Maker. Undoubtedly religious fanaticism was an impelling motive with the Turkish and Kurdish rabble who slew Armenians as a service to Allah, but the men who really conceived the crime had no such motive. Practically all of them were atheists, with no more respect for Mohammedanism than for Christianity, and with them the motive was a cold-blooded, calculating state policy.

In 1922, Allen Dulles, who would later become Director of the Central Intelligence Agency, but who at that time was head of the State Department's Near East desk, stated:

Confidentially the State Department is in a bind. Our task would be simple if the reports of the atrocities could be declared untrue, or even exaggerated. But the evidence, alas, is irrefutable and the Secretary of State wants to avoid giving the impression that while the United States is willing to intervene actively to protect its commercial interests, it is not willing to move on behalf of Christian minorities.

In a 1985 United Nations report on Genocide, the international community recognized fully the Armenian case and stated that "at least one million and possibly well over half of the Armenian population are reliably estimated to have been killed or death marched." The report stated further eyewitness reports were

• • • corroborated by reports in the United States, German and British archives and of contemporary diplomats in the Ottoman Empire, including those of its ally German. The German Ambassador, Wangenheim, for example, on 7th July 1915 wrote the government is indeed pursuing its goal of exterminating the Armenian race in the Ottoman Empire (Wilhelmstrasse Archives). Though the successor Turkey government helped to institute trials of a few of those responsible for the massacres of which they were found guilty, the present Turkish contention is that genocide did not take place although there were many casualties and dispersals in the fighting, and that all the evidence to the contrary is forged.

On June 18, 1987, the European Parliament approved a resolution stating that "the tragic events which took place in 1915-1917 against the Armenians in the Ottoman Empire constituted a Genocide."

Further, Mr. President, the 65 members of the U.S. Holocaust Memorial Council, voted unanimously to memorialize the Armenian Genocide with appropriate displays and interpretations in the Holocaust Museum in Washington.

Mr. President, the truth is all around us, if we want to acknowledge that the truth exists. What useful purpose do we serve to deny this truth, except to justify the genocide itself?

Yes, the United States has a national security interest in Turkey. Yes, it is important to maintain relations with other countries in the world and to sell our goods abroad. But we also have a paramount interest in preventing genocide. There is a danger inherent when the institutions of government shape facts to fit the needs of the moment. George Orwell saw the rewriting of history as characteristic of totalitarian regimes. However, Orwell also saw the danger that this phenomenon could also become ingrained in what are ostensibly democratic governments.

Are we going to allow politics to cover up the truth? Will we allow ourselves to be victimized by ignoring the truth and becoming a party to rewriting history?

Mr. President, the simple fact of the matter is that unless genocide is seen as a serious problem, action to prevent such massacres will not be taken. If previous examples of genocide are consigned to oblivion, the problem of prevention will lack urgency. If one forgets the atrocities against the Armenians, Cambodians, the people of East Timor, and others, we are in effect rewarding those who have managed successfully to use genocide as an instrument of state policy. Denial strikes at our first defense to genocide—namely the capacity to remember and acknowledge the truth.

On a moral and cultural level, denial continues the genocide. It suggests that the Armenians deserved their fate and that removal of any trace of their existence is justified or at least, acceptable.

This resolution of remembrance is important. It promotes a healing process and a greater sensitivity to genocide as a crime, not only against a particular people, but against mankind. It has deep significance for those concerned with the dangers inherent in the manipulation of history by government, denial, if allowed to succeed, becomes the justification for such an event—past, present, and future.

The argument for justification is subtle and indirect. It consists of three mutually reinforcing propositions: That the Armenians constituted a serious threat to the old Ottoman Empire; that they deserved to die; and that they died so that Turks might live.

Healing is only possible where there is recognition of wrongdoing, particularly when such wrongdoing involved politically imposed mass death. Remembrance involves more than regard for the truth. Remembrance expresses compassion for those who have suffered, respect for their dignity as persons, and revulsion against the injustice done to them. In a much more deeper sense, recognition and remembrance are related not only to what happened, but to the questions of who we are, what society is, and how life and community can be protected. To remember those who have come before us is an expression of ourselves—our care, our capacity to join in a community, and our respect for other human beings.

Will we allow ourselves to be persuaded by politics which deals not so much with truth, but with perceived interests? Will we allow perceived security concerns, access to resources or profits, to stand in the way of our recognition of past events, even when such events involve the horrible and prolonged destruction of a people? Will we allow our government to emulate the Government of Turkey by suppressing the truth? That is the real issue before us—an issue which Senate Joint Resolution 212 appropriately addresses.

Mr. LEVIN. Mr. President, I thank the Republican leader. The first issue that each of us must decide in voting on this resolution is whether or not we are satisfied that there was a genocide against the Armenians in the period of 1915 through 1923.

There are many ways we can reach this determination. We can talk to survivors. I think many of us have done that. We can listen to the words of

eyewitnesses, and I would hope that each of us would do that.

That same Ambassador that Senator KERRY referred to sent a telegram in 1915 back to our Secretary of State—this is the Ambassador from the United States to Turkey—and he said that harrowing reports of eyewitnesses, from those reports, it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.

Ambassador Morgenthau's book is full of eyewitness accounts, and there are dozens, indeed hundreds of other books and tracts of the survivors. A million and a half did not survive, the victims; they are the real eyewitnesses who can never speak. Others must speak for them.

But there are survivors, and we can read their accounts. We should consider the statements of contemporary statesmen of note. Lord Bryce in the House of Lords said that there is not a case in history since the days of Tamerlane where a crime on so gigantic a scale has been recorded, and this is Lord Bryce speaking in 1915. And he said that the horrible policy has been carried out thoroughly by the present Turkish Government.

There have been many references to Ambassador Morgenthau and his book. I urge each of us to read that book. It is a hair-raising book. It is a contemporaneous eyewitness account of the events of 1915.

The Senate Foreign Relations Committee at that time, contemporaneously, unanimously said that the testimony adduced at the hearings before it had clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered. And their resolution was passed by the Senate.

Winston Churchill, a pretty good historian, wrote the following:

> In 1915 the Turkish Government began and ruthlessly carried out the infamous general massacre and deportation of Armenians in Asia Minor. The clearance of the race from Asia Minor was about as complete as such an act on a scale so great could well be.

Then he writes:

> There is no reasonable doubt that this crime was planned and executed for political reasons.

Our Consul Jackson said that there was "a gigantic plundering scheme going on," and listen to this, "as well as a final blow to extinguish the Armenian race."

Ataturk himself, the founder of modern Turkey, was quoted in the Los Angeles Examiner on August 1, 1926, as saying that the earlier Government of Turkey, the Ottoman Empire, should have been made to account for the lives of millions of our subjects who were ruthlessly driven en masse from their homes and massacred.

The European Parliament has adopted the following statement:

> It believes that the tragic events of 1915 to 1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide.

The PRESIDING OFFICER. The Senator has 1 additional minute.

Mr. LEVIN. The European Parliament has adopted this statement. These are our allies in Europe, who are also allies of Turkey. They said that it believes, the European Parliament, that those events involving the Armenians constitute genocide.

Mr. President, Hitler, when he was planning the extermination of the Jewish people, told his cohorts the world would not notice. In his words, he said, "Who remembers the Armenians?" I believe that a decency, a respect for human rights and history, requires that we participate in remembering the Armenians and proving to Hitler that the world will finally remember the Armenians.

I yield the floor.

Mr. BYRD. Mr. President, I yield to the distinguished Senator from Wyoming [Mr. WALLOP] 5 minutes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. WALLOP. I rise to find myself in an unusual position, Mr. President, on speaking contrary to the direction and philosophy of my leader. I really do not recall another time in which that has taken place.

Be that as it may, I feel compelled to rise in opposition to this resolution. Once more, I take issue with some of what I have heard on the floor here this afternoon. We have not had a debate. We have had the reading of many papers and many quotations.

This resolution asks us to accept one version of events. It, in effect, asks us to legislate history, to put our imprimatur on events that have troubled, as well they might, historians, the large majority of whom has yet to come to the conclusion that the Senate now proposes.

Much of what has occurred on the Senate floor has focused on whose version of events is correct. It is hard to tell; yet, the Senate is being asked to make a profound and moral judgment on very faulty information.

Once again, were it to have been so clear, the case so easily made, why was it that the committee did not hear it?

Why was it that the committee has merely voted it out and presented it to the full floor of the Senate? It is clear that the events of that era were appalling, were repugant. It is less clear after listening to this debate that Armenians were the only ones killed or the only ones who suffered during those dreadful days.

The Ottoman Empire, which the Turks themselves overthrew, was surely bad and was an empire in decline. But it was not simply a matter of going after an innocent population. It was in the middle of war. How many of these people were in revolt, how many died from disease, how many died from famine of the era is entirely uncertain and it further intensifies the complexity of this period.

No one denies, least of all this Senator, that the deaths of Armenians were atrocious as the newspaper reports well described. But if one is to read newspaper reports, one must also read the other reports of that same era in which the suffering of people of that level of the Middle East and south Europe are described in detail.

History has not made the case of genocide. There were at least as many Turks—a large number at the hands of the Armenians, as well as at the hands of the Russian Army—who died. Was their suffering less? Does it matter to this Senate that people of every race and every religion in that region were dying at this time, or that war consumed the entire period of time in question?

It was a period of time when warfare in that region was pretty well continuous, resulting in an enormous death toll among both Moslem and Christian communities and it continues today. Ask those Armenians who live in Azerbaijan, who live in the Gorno-Badakhshan.

Mr. President, the entire history of Moslem-Armenian relations must be studied in depth.

Mr. President, will the Senator yield me 1 minute?

Mr. BYRD. I yield the Senator 2 additional minutes.

Mr. WALLOP. The study of that is going to take longer than what we can accomplish on the floor of the Senate. Indeed, the floor of the Senate is not a place where study takes place. It is where speeches are made, headlines, and where clippings and quotations of great historians and politicians are read. It is a job better left to historians.

The murders of Moslems must be studied. And again, Mr. President, I say we ought to have had the committee hearing on it. When the Turkish Republic emerged from the ruins of the Ottoman Empire after World War I, it adopted western standards and has continued to live up to those standards. It has been our ally straight through. It has been our ally in World War II; it was our ally in Korea. It is our strongest and longest border with the Soviet Union in NATO.

The World War I peace treaties obligated the Turks to do certain things, and they have done them. At that time the Armenians, whose suffering I do not deny, approached the peace conferences and for all the talks, cables, reports, and eyewitness accounts, the world did not see it that way then and there. They did not

order Turkish reparations to be paid to Armenians. So while one cannot minimize the suffering of the Armenians, it also cannot minimize the suffering of other peoples in the region at that time.

I believe that Armenian deaths cannot be seen as separate from the suffering of Moslem inhabitants as well as other Christian inhabitants. Evidence thus far points in the direction of serious intercommunal warfare, like that which exists today. It was complicated then by disease, famine, suffering, and massacres in Anatolia and adjoining areas during the First World War.

I say again, Mr. President, a debate on the floor of the Senate is not a study; it is a place to arouse emotions, elicit sympathies, but it is not the place to define history.

Mr. President, I yield the floor.

Mr. BYRD. Mr. President, I thank my friend from Wyoming for an excellent statement.

Mr. President, I shall begin to sum up the reasons that this motion to invoke cloture ought not be agreed to and why the Senate should not proceed to the consideration of Senate Joint Resolution 212:

First of all, as we have heard many times from both sides of the aisle and both sides of the issue, Turkey is a very important NATO ally and has demonstrated its dedication, its resolve, its loyalty to NATO, and its determination to live up to its requirements and the expectations of Turkey in that regard.

There are a number of Turkish and other bases in Turkey to which NATO and the United States have access. There is a fuel depot which supplies the ships of the U.S. 6th Fleet with fuel and ammunition, and there are monitoring facilities which will continue to be extremely important to the United States and our own security interests and to the security interests of all the other countries of NATO.

And as the focus on the world stage shifts away from the Warsaw Pact countries, and from NATO, to some extent, that focus will shift to the Middle East, and it is there that we will continue to need the monitoring facilities in Turkey that will be necessary if we are to monitor arms control agreements, and it is of the greatest necessity, as I deem it, that we not act here in such a way as will offend that extremely important NATO ally.

Turkey has a 300-mile land border with the Soviet Union and many more hundreds of miles of sea border.

The Turks have demonstrated their Western orientation, their pro-West attitude in many more ways than one. There is no question that there are extreme fundamentalists today in Turkey who would like to see Turkey turn away from that pro-Western orientation. They would like nothing better than for Turkey to turn its back on the West and no longer be pro-West in its orientation. We saw in the Korean War the extent to which the Turks went in their desire to be aligned with the West and their desire to thwart the advance of communism. We saw them in Korea, when they fought side by side with our own forces, demonstrate great courage and patriotism and loyalty.

There has recently been a book published entitled "The U.S.-Turkish-NATO Middle East Connection" by George McGhee, former United States Ambassador to Turkey, a book that was copyrighted in 1990, this year. McGhee writes as follows on page 77 of his book:

A month after the landslide victory of the Democratic Party on 14 May 1950, the Korean War broke out. For the first time communists and Western forces engaged in battle. At the urging of the United States, the UN sent out a general appeal to members to contribute troops. At this time Turkey had received no pledges from the Western powers regarding its own defenses, but it showed clearly its own commitment to the West. The Menderes government, without consultation with the opposition party, decided in a cabinet meeting in Yalova to send a brigade of 4500 men to join the US forces in Korea.

Turkey was the first nation, after the United States, to respond to the UN appeal . . .

The first Turkish brigade arrived in Korea on 24 October 1950. The next month would witness its greatest triumph. What the Turkish brigade had achieved, during the well-known 'Kunuri' battle, was described by General Walker, then the commander of the Eighth Army:

"The Turkish Brigade, which has been operating with the 2nd U.S. Division, has, by the great courage it has displayed and the delaying actions it fought continuously for 4 days, prevented the defeat and annihilation of the Army. In the 2 days' fighting (from November 28) the strength of the enemy forces in the sector held by the Turkish Brigade was 6 divisions. Despite this, the enemy was unable to penetrate our lines. The Turkish Brigade, together with the 2nd U.S. Division, secured the necessary time to avert the complete encirclement of the whole 8th Army."

Turkish troops suffered the most casualties of the Korean War after South Korea—and the United States, with 706 killed and 2111 wounded, 168 missing and 219 taken prisoner—66 percent of the Turkish representation.

Now, that is an ally. I hold in my hand, from the Department of the Army, July 11, 1951, the general orders that awarded the distinguished unit citation to the Turks. Let me read the citation:

4. The Turkish Brigade a member of the United Nations Forces in Korea, and the following attached units: Turkish United Nations Brigade Advisory Group; Company A, 79th Tank Battalion; Company D, 89th Medium Tank Battalion; 3d Platoon, Battery A, 25th AAA AW Battalion.

Are cited for exceptionally outstanding performance of duty in combat in the area of Kumyangjang-ni, Korea, from 25 to 27 January 1951. The Turkish Brigade and attached units were deployed along a 7-mile front between I and IX Corps, against numerically superior hostile forces defending their vital supply route and their main line of resistance south of the Han River. Enemy-held hills 185 and 156 and Kumyangjang-ni were defended tenaciously and stubbornly against savage and relentless attacks by the Turkish Brigade, but finally fell in dogged and bitter hand-to-hand combat. The success of the savage bayonet assault is reflected in the 1,734 casualties inflicted on the hostile forces during the period. The fanatical defense by well-entrenched communist troops was finally smashed by the gallant, intrepid United Nations personnel engaged in the encounter. This sustained drive carried all strong points for a depth of 10 miles and crushed the defenders of the sector. The fidelity, indomitable fighting spirit, and outstanding heroism displayed by the Turkish Brigade and attached units in this bitter assault are in keeping with the finest and noblest traditions of heroic fighting men, and reflect the highest credit on the United Nations Forces, the United States military service, and the Turkish homeland.

Mr. President, let there be no doubt as to the courage and the patriotism of the Turkish fighting men and as to their dedication to the NATO Alliance and as to their pro-Western orientation.

Mr. President, we have heard much on this floor about Ambassador Morgenthau and what he had to say about genocide. But, as I pointed out earlier today, his tenure in Turkey covered only the first 9 months of the 108 months covered by the resolution.

I have quoted from another American envoy, Admiral Mark Bristol, who, as United States High Commissioner and later as Ambassador, served in Turkey for over 50 percent of the period covered by the resolution; in other words for 59 of the 108 months covered by the resolution. His observations serve to refute Morgenthau's words.

Much has been put into the RECORD by Senators from one source or another. But what it adds up to is that there is no real unanimity among the historians and scholars, among the ambassadors or whatever, as to what really happened and as to whether or not it should be termed genocide. It has been shown that terrible atrocities occurred on both sides during a civil war in Anatolia. That is the reason why I say that we as Senators should not attempt to decide this here on the floor of the Senate on the basis of the flimsy information and the sundry documents that have been selectively chosen to be put into the RECORD by both sides in the debate.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Fifteen minutes and twenty-six seconds.

Mr. BYRD. Mr. President, I yield myself 5 additional minutes.

Mr. President, I urge that we not proceed to the Senate resolution be-

cause to do so would contribute to the unrest, the turmoil, the ethnic hatreds that we are seeing in the Southern republics in the Soviet Union and in much of Central Europe for that matter, in the Balkans and in the Caucasus, a situation which I think we ought to do everything that we possibly can at this time to calm, rather than to exacerbate. And to adopt this resolution would contribute to the animosities and antagonisms that exist, to the ethnic strife that has occurred.

Mr. President, my good friend, Mr. DOLE, continues to refer to this as a David and Goliath match. Well, Goliath of Gath, who was 6 cubits and a span tall, 9 feet and 9 inches, challenged David. He challenged David. He challenged Israel. "Come on out and fight," he said. And David used his slingshot and the 5 pebbles, and with faith in God, killed Goliath and, with Goliath's own sword, cut off Goliath's head.

I hope that from what we hear from my good friend from Kansas we should not infer that he wishes Turkey, the Goliath in this instance, according to my friend, to be killed and have its head cut off.

I think we ought to retreat to our biblical references and, before using them, see just how they might be turned around on us here.

Turkey is not challenging Soviet Armenia. And we certainly do not want to see Turkey receive a fatal blow in this debate.

Mr. President, the distinguished Senator from Illinois [Mr. SIMON], said there are not many Armenians in the State of Kansas. There are also not many Turks there, I would suppose. There are also not many in the State of West Virginia. There may be a handful of Turks in West Virginia. But we ought not to decide this matter on the basis of how many Armenians there are in Kansas or how many Turks there are in West Virginia or vice versa. We need to decide this matter on the basis of what is in the best interests of the United States, what is in the best interests of peace in the Balkans and in the Transcaucasus, what is in the best interests of peace in the Middle East.

Mr. President, Turkey is the diplomat of the Middle East and is on good terms with both Israel and with Syria. Turkey has the confidence of both. Turkey is the only non-Arab Muslim country that I know of in the Middle East, that is a friend of Israel, or that has recognized Israel.

So, let us not slap Turkey around. We may need Turkey in the days to come. And Israel may need Turkey in the days to come.

God forbid that Turkey would ever become a second Iran. God help Greece, God help Israel, if Turkey—located on that strategic position, astride the Bosporus and the Dardanelles, the land bridge between Asia and Europe—God help both of those countries if Turkey should ever become a second Iran.

Let us not forget, as I said before, that there are extreme fundamentalists in Turkey who would like to turn Turkey away from its pro-Western orientation and see it become another Iran.

How much time do I have left, Mr. President?

The PRESIDING OFFICER (Mr. BINGAMAN). The Senator has 10½ minutes left.

Mr. BYRD. I yield the floor.

Mr. DOLE. I yield 5 minutes to the Senator from Michigan.

Mr. RIEGLE. Mr. President, for years I and other Senators have come to this floor to call attention to the act of genocide committed against the Armenian people. Our purpose in doing so has been to ensure not only the record is clear about what happened to the Armenians but to assure that such atrocities are never allowed to happen again.

Here we are now, one more time, on the Senate floor to retell the story of one of the most tragic episodes in the history of the Armenian people or any people. It is clearly a tragedy that has scarred every Armenian family that is alive today.

We do this to remember the suffering of the Armenian people in order to ensure the accuracy of the historical record and to challenge those who would like to believe that this act of genocide never occurred.

While we consider this somber issue, I want to particularly commend the minority leader for his outstanding leadership in moving ahead with this resolution, despite strong pressure from a number of directions to drop its consideration or water down its pertinent language. So I am pleased to join him in signing the cloture motion. Let us go ahead and vote; I think this is crucial.

Despite overwhelming evidence of the death of between 1 and 2 million Armenians the world has still not acknowledged the suffering inflicted on Armenians by the Turkish Ottoman Empire 75 years ago. With the passage of this resolution, humanity will be more keenly aware of the devastation inflicted on the Armenian people.

In the waning days of the Ottoman Empire, Turkish rulers began to view the growing Armenian nationalist spirit as a threat to the control of their huge domain. Literally, hundreds of thousands of Armenian men, women, and children were slaughtered or starved to death in vicious attempts to quell the Armenian drive for self-determination.

The scope of the inhumanity revealed itself on the night of April 14, 1915, when Turkish police rounded up all of the Armenian intellectuals from their homes in Constantinople, effectively silencing the voice of a generation. Not long after, in a no less reprehensible fashion, Armenians serving in the Ottoman Army were disbanded and disarmed, removing any possible protection for the Armenian minority. Powerless and overwhelmed by the cruelty of their Ottoman captors, Armenians were deported from cities and towns throughout Turkey and Asia Minor. A majority of the deportees perished when forced on long death marches to the deserts of what is now Syria and Iraq.

The end of World War I brought a short period of relief for the surviving Armenians. In 1918, the ill-equipped Armenian Army, comprised of refugees and volunteers from abroad, arose and defeated invading Turkish forces. On May 28 of that year, having thwarted the designs of their invaders, Armenians triumphantly established an independent and sovereign state. Although Turkey and the Soviet Union pledged to respect the independence of the newly formed state, 1918 concluded with the tragically successful invasion of armies from both Turkey and the Bolshevik Soviet Union. Eastern Armenia subsequently was renamed the Armenian Soviet Socialist Republic, while Armenians under Turkish rule continued to face butchery at the hands of their former oppressors.

These deliberately perpetrated atrocities, which virtually eliminated the entire Armenian community of the Ottoman Empire, should forever be recalled as one of the most horrific acts of genocide ever perpetrated against an ethnic community anywhere.

Unfortunately many continue to deny the indisputable testimony provided by numerous observers and survivors. At the same time, I agree with the point that those on the other side have made. That is, while we stress the importance of establishing the factual accuracy of the genocide of the Armenian people, it is important to point out that this resolution is not directed against the present Turkish Government and it is not intended to harm the deep ties between the United States and Turkey.

The genocide of the Armenian people occurred long before the current Republic of Turkey was even created.

But there is nothing that so clearly threatens our future than the refusal to recognize the mistakes of the past. Not to acknowledge the full extent of the suffering of the Armenian people is an offense, not only to the victims of that genocide, but also to those who survived in the generations of Armenians that followed. A half-hearted position of the United States Government to the recognition of the Armenian

genocide raises a question as to whether we are committed to the spirit of the recently ratified United Nations treaty against genocide.

I think we must align ourselves firmly on the side of truth and human rights and recognize clearly and forcefully and without ambiguity the suffering of the Armenian people.

I want to note as well that the Armenian research and publishing center, the only one that we have affiliated with an American University, is located in my home State in Dearborn, MI. This is a very important center that has helped America and the world learn of the historic relationship between the Armenian and American peoples and will continue to help balance, with objective scholarship, the efforts of those who seek to alter history by denying the significance of the Armenian genocide.

The large Armenian-American community in Michigan—some 60,000 people—has made and continues to make a powerful and positive statement about the vitality of the Armenian people and the validity of their cause. Moreover, as a unified group around the world, Armenians have represented a powerful symbol against persecution and oppression. Their consistent pursuit of the truth has resulted in the resolution before the Senate today which would recognize and remember the genocide of 1915-23.

Others today who spoke before me recalled the words of others; Ambassador Morgenthau, even that of Adolf Hitler. When it was suggested to Hitler that world public opinion would be hostile if he proceeded with his so-called final solution to the Jewish problem he responded, "Who, after all, speaks of the annihilation of the Armenians?"

The world has proven Hitler wrong and we have remembered the crimes against the Jewish people. And it is imperative that we do no less for Armenians. Because ignorance of history is an invitation to repeat it. And I daresay the genocides that we have seen in the years past may be, in part, due to the fact that there was too little attention paid at the time, or since, to the Armenian genocide.

So it is through the passage of Senate Joint Resolution 212 that the Senate can assist Armenians in the United States and abroad in enlightening the world to this tragic act of genocide and in so doing assure that history does not repeat itself.

I think to those who suffered directly at that time and to those who are part of the bloodline that flows from that time forward to today, that we have an obligation to see that these facts are put out into the clear light of day. Some may not like it. It may challenge some centers of power here or there.

I think it's very important that we get the historical record out here, that it be in the clear light of day, that we put this issue to a vote and put the Senate on record.

Mr. BIDEN. Mr. President, I have listened with great interest to my distinguished colleagues debate Senate Joint Resolution 212 over the past few days. And I have been struck by the argument that some of them have made regarding the central question of whether the atrocities perpetrated against Armenians in the Ottoman Empire during the early 20th century should or should not be termed genocide. They contend that judgments about historical events such as these should be left to historians, not politicians.

But those who embrace this view seem to have overlooked one very important fact: The proponents of Senate Joint Resolution 212 are not attempting to decide history, rather they are trying to reaffirm it. For this is not the first time this body has deliberated on the question of Armenian genocide.

Nearly 70 years ago, during the period in which the atrocities were taking place, the Senate adopted a resolution on this same question. Senate Resolution 359 was agreed to on May 13, 1920 and read in part:

> Whereas the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered.
> * * *

After hearings in the relevant committee and debate on the Senate floor, our predecessors, who sat in this body at the time the tragic events were occurring in Armenia, expressed their judgment by agreement to Senate Resolution 359. Just as today, the Senate expresses its views about the massacres in Tiananmen Square or human rights abuses in Nicaragua, Senators in 1920 rendered their verdict about the situation in Armenia. The resolution we are debating now merely reaffirms their views.

Why is such a reaffirmation necessary 70 years after the fact? Unfortunately, in 1982 the Department of State issued a statement that described the record of the massacres as "ambiguous" and declared that "the Department of State does not endorse allegations that the Turkish Government committed as genocide against the Armenian people." Understandably, the Armenian-Americans felt it was important to counter this attempt to rewrite history. They have been fighting since 1982 to get Congress to repudiate the State Department's assertion of ambiguity.

If we are to heal the wounds inflicted against the Armenian people and prevent a recurrence of such a tragic crime against humanity, we must recognize the genocide, as Senate Joint Resolution 212 does. Then we must put this issue behind us once and for all. But to deny that these atrocities ever took place is an insult to human dignity, and assault on history and a gross injustice to the Armenian people.

Innumerable documents and eyewitness accounts that corroborate the occurrence of genocide against the Armenians—in addition to the 1920 Senate resolution—have been cited by proponents of Senate Joint Resolution 212. American, French, British, German, and Austrian archives are full of documents that demonstrate a campaign of race extermination that was in progress against the Armenians during the period from 1915 to 1923. Over the last few days, my colleagues have cited reports from our then-Ambassador to Constantinople, Henry Morganthau, as well as countless press reports, which support this view.

Also, I think it is important to stress that Senate Joint Resolution 212 is not insensitive to the feelings of the Turkish people. They are our valued friends and allies. Proponents of this resolution have been careful to point out that it is not aimed at the Government or people of modern day Turkey. Rather, in an effort to ensure that such a tragedy never occurs again, the measure is intended to serve as a reminder of the crimes perpetrated against the Armenians by the leaders of the Ottoman Empire nearly 75 years ago.

Therefore, it is particularly regrettable that the Turkish Government has chosen to make an issue of this resolution and wage an unprecedented lobbying campaign against it in Congress. Ankara has threatened to retaliate by shutting down United States military facilities in Turkey. We cannot cave into pressure and rewrite history by denying the occurrence of the genocide—even to placate an important ally.

And to those who fret that this measure will undermine the NATO alliance, I would just ask: What should NATO stand for, if not the cherished values of truth, justice, and basic human rights that this resolution aims to reaffirm?

I urge my colleagues to vote in favor of this resolution and go on record to condemn the terrible atrocities perpetrated against the Armenian people at the beginning of this century.

Mr. HEINZ. Mr. President, the issue before the Senate deals with one of the darkest subjects in modern history. The ability of men and governments to perpetrate the most horrific atrocities on each other on behalf of political causes has, more than anything else, blackened the record of civilization in the 20th century.

The tragic events at the end of the Ottoman Empire that resulted in the devastation of the Armenian people are events that should not be forgotten. I think it is a mistake to attempt comparisons between different disasters that have befallen different peoples during this century. Rather we should make sure that attention is given to cases which, in their scale and their characteristics, are representative of avoidable horrors that should never be repeated.

The destruction of the Armenian community of eastern Anatolia is such a case. While the immediate causes of the massacres, and questions of culpability, remain matters of intense dispute, the scale of the tragedy is clear. Whether the total deaths in the Armenian community were the 1.5 million often cited or the 700,000 estimated by some scholars, about half of the Armenian population died. Many of the survivors were scattered to the diaspora—Soviet Armenia, the Middle East, Europe, and the United States.

I believe that this awful chapter in human history deserves a day of commemoration. For this reason I have cosponsored Senate Joint Resolution 212 and support its adoption by the Senate.

In my view this resolution need not, and should not, affect our historically strong relations with the Republic of Turkey, a solid NATO ally. Nor should a day of remembrance of a human tragedy of relevance to all be offensive to citizens of Turkey or Turkish-Americans. The events commemorated in this resolution occurred in the period 1915-23, before the establishment of the Turkish Republic. Today's Turkey—Government or people—bear no responsibility for what happened so many years ago.

We all bear a responsibility to see that such events are never repeated. To me this is the importance of commemorations such as Senate Joint Resolution 212. They serve as reminders of the potential evil in all of us, however well-intentioned, and in our systems of government, however democratic.

The PRESIDING OFFICER. The Republican leader is advised he has 6 minutes and 41 seconds.

Mr. DOLE. I wonder if the distinguished Senator from West Virginia would mind if we each had 14 additional minutes? We may not use it all.

I ask unanimous consent that each side may have 15 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

Mr. DOLE. I yield 3 minutes to the distinguished Senator from Maryland and 5 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The vote will be postponed accordingly. The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I rise in very strong support of the resolution that is before us. We actually are considering a motion to proceed to consider the resolution. I hope the Senator will support that so we may actually consider the substance of the resolution.

I commend the distinguished minority leader for his efforts over the last few days to keep the historical record correct with respect to this issue.

Mr. President, 75 years ago this coming April began one of the great martyrdoms of modern history, a systematic and methodical campaign, beginning in 1915, to exterminate an innocent people, the Armenians living within the borders of the Ottoman Empire.

There is a long historical record on this issue. And although there are some revisionist efforts now to, in effect, rewrite the history as though this tragic massacre never occurred, what happened is clear from eyewitness accounts, from contemporaneous newspaper accounts at the time, from reports of diplomats on the scene, not only American diplomats, not only Ambassador Morgenthau who later, of course, became a very distinguished Secretary of the Treasury and who wrote at the time when it began in 1915:

> I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres of persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

Winston Churchill wrote in 1929:

> In 1915, the Turkish Government began and carried out the infamous general massacre and deportation of Armenians in Asia Minor, and the clearance of the race from Asia Minor was about as complete of such an act on a scale so great as could be.

Mr. President, this question was alluded to earlier: Why have this remembrance? Why remember the past? I submit that the purpose of remembrance, of refusing to forget, is to make certain we are not doomed to repeat the past. Those who do not learn from history are doomed to repeat it.

In a moving ceremony right in this building, in the rotunda of the Capitol in April 1981, Elie Wiesel, speaking at a Holocaust memorial service—the days of remembrance—expressed eloquently, I think, for all of us the importance of recognizing the Armenian genocide when he said:

> Before the planning of the final solution, Hitler asked, "Who remembers the Armenians?" He was right. No one remembered them, as no one remembered the Jews. Rejected by everyone, they felt expelled from history.

That is why, as part of coming to terms with ourselves, we seek to acknowledge what has occurred in the past. Coming to terms with the past was part of building for the future. We have done that in our own country. We have tried to come to terms with slavery. In recent years, we sought to come to terms with the treatment of Japanese-Americans at the outset of World War II. We have tried to come to terms with the treatment of Native Americans. Would West Germans be better off today if they had not come to terms with the Holocaust? There have been other occasions on which the Senate has affirmed the proposition with respect to the tragic massacre which took place with respect to the Armenians beginning in 1915.

Mr. President, the issue that will be before us very shortly is whether the Senate should even proceed to consider this resolution of remembrance. I urge the Senate to vote to take up the resolution in order to undertake the sober reflection with respect to this historical occurrence, historical tragedy with which the world has labored for now almost 75 years. I thank the minority leader for yielding me time.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. I yield 5 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KENNEDY. Mr. President, 75 years ago, one of the worst atrocities in the history of humanity began. Over the next 8 years, more than a million innocent Armenian men, women, and children lost their lives in a series of massacres stemming from a cruel and inhuman policy of the government of the Ottoman Empire. The resolution before us would set aside April 24, 1990, as a day of remembrance for those Armenians who died.

The historical facts upon which this resolution is based are agreed upon by virtually all historians who have studied this time period. These facts are that between 1915 and 1923, officials in the government of the Ottoman Empire implemented a policy under which individuals of Armenian ancestry were deported from their homes and villages and subjected to a forced march to Syria.

This policy resulted in the deaths, through massacres, disease, and starvation, of a large segment of the Armenian population.

The resolution does not disparage the modern Government of Turkey, which is a good friend and strong ally of the United States, and which had nothing to do with the tragic events that will be commemorated by the resolution.

What this resolution does do is to honor the courageous and proud Armenian people and recognize their suffering. In doing so, we here today will be committing ourselves to every pos-

sible effort to prevent the repetition of such atrocities again in any nation at any time.

All of us were appalled in recent months to learn of the new rounds of violence directed against the long-suffering Armenian people who live in the Soviet Union. The latest brutality is fresh evidence of the need for this resolution. We in America must do all we can to prevent further bloodshed and to halt this festering ethnic and religious strife. The resolution before us can help to make clear our firm conviction that such violence must end.

America is at its best when it stands for human rights and human spirit, not only for our citizens but for citizens of all nations throughout the world.

By adopting the Armenian genocide resolution now, by honoring the victims of these massacres, America stands on the side of truth and justice for all peoples of all races and nationalities.

I urge the Senate to invoke cloture and to pass this long overdue resolution. I yield the remaining time back to the minority leader.

Mr. BYRD. Mr. President, I yield to the able Senator from Nebraska [Mr. EXON] 3 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. EXON. I thank the Chair, and I thank my friend and colleague from West Virginia.

Mr. President, I want to compliment both Senator BYRD and Senator DOLE for the tremendously interesting debate that we have had on this matter. I think this filibuster has been a very gentlemanly one; one of the most gentle filibusters I have seen in the U.S. Senate since I have been here. There have been many impassioned speeches pro and con on this issue.

I just want to say, again, Mr. President, that I have listened with a great deal of interest to the excellent presentations that have been made by Senator DOLE, and the presentations that have been made just a moment ago by the Senator from Massachusetts and also my other friend and colleagues from the State of Maryland. I have heard other statements pro and con on this issue.

As one Senator, I am very much disturbed about what happened 75 years ago. I had heard of it previously, but I had never been brought up to date on it fully, as I have with the debate that has taken place on the floor of the U.S. Senate. So I think that we certainly are all better informed on this tragedy than we were previously.

Time and time again, though, I have heard those who are supporting the resolution and pleading for the 60 votes that would allow the Senate to go ahead and vote on this saying time and time again that this will do no harm to the present Government of Turkey. Mr. President, I think that that probably might be the case in their minds. I am not accusing any of those Senators of not being up front. I think, though, that if they would look back, if they would step back for a moment and listen to the objections that have been clearly enunciated by the present Government of Turkey, members of NATO, the important military allies of the United States of America situated in a particular part of the world that many people think will be the next hot spot, if you will, and the potential for more than one country conflicts, I simply say, coupled with that, and the fact that the Commander in Chief, the President of the United States, has not endorsed the proposed action by the U.S. Senate to endorse this resolution, I think it would be good if and when we vote on this matter and if the U.S. Senate eventually, after breaking the gentlemanly filibuster, does approve the resolution, it is going to salve a lot of consciences about whether or not we are doing the right thing.

From that standpoint, I would agree with this resolution, and under normal circumstances I would be one supporting the resolution offered by the Senator from Kansas. But the facts do not sustain the positions they are taking, no matter how well intended. I would certainly think that we should go along with the wishes of the President of the United States, the Commander in Chief. I think it is not in the short- or long-term interests of the United States to take up or even pass this resolution at this particular juncture, as I outlined in more detail when I spoke on this matter last.

Mr. President, I hope a sufficient number of votes will be there when we vote within the hour to not take up this resolution, above all else, for what I think it might adversely do to the national security interests of the United States today regardless of whatever happened 75 years ago.

I yield the floor. I yield back the remainder of my time.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DOLE. Mr. President, when I made the request for additional time, I confess I failed to clear it with majority leader. I do not intend to use all my time because I know some Members have made plans to vote at about 4:30. So I will use just a few moments. We have additional Senators who are prepared to speak—Senator PRESSLER, who is a strong supporter of the resolution, and Senator WILSON of California—but they have indicated they would forgo speaking at this time.

WE DESERVE A VOTE

Mr. President, in a few moments, we will have a second cloture vote. For the public, outside the Beltway, cloture votes can be hard to understand.

So let us be clear about the meaning of this vote.

A vote to invoke cloture is a vote to face up to the issue of the Armenian Genocide. It is a vote which says: the Senate cares about the slaughter of 1.5 million people more than it fears the threats of the Turkish Government; more than it buys the blandishments of its high-priced lobbyists.

A vote against cloture is a vote to keep ducking the issue, as many have tried to do for three-quarters of a century. It is a vote which says: The Senate is willing to bury history along with those 1.5 million victims; and to turn a deaf ear to the anguished cry of their survivors—their children and their grandchildren—a cry not for revenge, but only for some simple act of remembrance.

A vote against cloture is a vote which says: The only genocides we can talk about are those which do not embarrass an ally, do not threaten an American company's profit margin, do not require us to spend a few hours studying the facts.

Mr. President, our opponents charge we are trying to decide history.

I think they are trying to avoid it.

Yesterday, I sent a personal letter to each of my Republican colleagues. The letter did not ask for a knee-jerk, support-the-leader vote to invoke cloture. It asked, instead, for this: To look seriously at the record of last week's debate, and to make a fair call—who make a better case about the events of 1915–23, the supporters or the opponents of Senate Joint Resolution 212?

I wrote in that letter, and I repeat now: "In all honesty, I believe that none of the significant historical facts and interpretations we presented were even addressed, much less refuted, by opponents of Senate Joint Resolution 212."

Mr. President, this is indeed a vote about history. And I am convinced—even more than when this debate commenced—that history, the facts of history, are on our side.

Mr. President, I made a second point in that letter—that I have tried to find a way to keep faith with the victims and survivors of the Armenian genocide, without damaging United States-Turkish relations.

No one can fault the administration's vigor in protecting United States-Turkish relations. But—working with Governor Sununu, General Scowcroft and others—I have worked out a compromise that the White House can accept, and the leadership of the Armenian-American Community can enthusiastically endorse.

That compromise involves changing the joint resolution to a concurrent resolution, and amending its text. Last

Thursday, I sought unanimous consent to make that change, prior to our first cloture vote. The distinguished Senator from West Virginia objected, as is his right.

I may seek unanimous consent to make the change again today, in order to reinforce the point that a compromise is available.

I must admit to a bit of surprise that one of the reasons he advanced for that objection was a concern that we not cut out the President on this matter involving our foreign policy—by acting on a concurrent resolution, which would not require his signature.

As I have said, the White House is already deeply involved in this issue, and has been actively engaged with me on negotiations about it. It has not been cut-out at all. The President indicated to me in a letter that he is perfectly comfortable with a concurrent resolution.

In any event, the key point I want to make is this: I am willing to compromise. The President is willing to compromise. The Armenian-American community is willing to compromise.

Indeed, we have made an agreement.

I am disappointed to have to do so, but I fee compelled to say it clearly on the record—it is the stance of the opponents of Senate Joint Resolution 212 that is preventing that agreement from being achieved.

It is the stance of the opponents of Senate Joint Resolution 212 that is perpetuating this minicrisis in United States-Turkish relations.

Mr. President, let me make one last point—not as a threat, but as a statement of fact.

Some who will vote against cloture may hope they can avoid a tough, up-down vote on Senate Joint Resolution 212.

I am sorry to rain on anyone's parade, but the fact is this issue is not going to go away on a failed cloture vote.

If we do not get cloture, and then an up-down vote on Senate Joint Resolution 212—a vote we deserve—then we will get a vote on this issue on some other vehicle, at some other time, through some other parliamentary option.

This issue is not going to go away—unless, and until, we face up to it, fairly and squarely.

If we do—if we get an up-down vote and fail—I will concede that additional efforts in the Senate this year would not be fruitful. The only exception would be if the House on its initiative passed and sent us legislation.

Mr. President, we have a procedure for commemoratives. It is a pretty rigorous procedure, as things go around here.

We met every single requirement to have our resolution considered. We obtained the requisite number of cosponsors. We received a favorable judicary Committee vote. We agreed to delay floor consideration, to explore every avenue for compromise, and to give everyone a chance to be heard.

We played by the rules.

And now we deserve a vote, not a muddied-up procedural vote but a clean, up-down vote on the merits of our resolution.

Maybe we would win such a vote, and maybe we would lose.

But we deserve the vote.

We—the author of the resolution; my cosponsors; my supporters—deserve the vote.

More importantly, the survivors of the genocide, their children and their grandchildren deserve the vote.

And most important of all, the victims, the 1.5 million men, women and children slaughtered, starved, mutilated and maimed; 1.5 million human beings killed—murdered—because they were guilty of this crime: that they were Armenian.

Mr. President, they deserve a vote.

I ask every Senator: do they not deserve at least a vote?

Mr. President, we talk about cloture like everyone knows what it is. Some people say, "I never had it. Can you get rid of it in 10 days?" They do not know what it is. We have to get cloture so we can proceed to the resolution. I have to have 60 votes to get there. That is tough in this body.

But normally on a motion to proceed, you can go through the morning hour and avoid cloture on a motion to proceed. I have always felt there should not be unlimited debate on the motion to proceed. I have always felt 2 hours would be enough, and you ought to have an up-or-down vote. We might lose on an up-or-down vote. I still have a vote on the motion to proceed. If that is adopted, then you go to the merits. Then you give those of us who support the resolution a chance, if necessary, to compromise, to amend it, to accommodate some who have maybe justifiable concerns. But in this case it is whether we are going to face up to this Armenian genocide.

I think the Senate cares about the slaughter of 1½ million people more than it fears the threats of the Turkish Government. And I think a vote against cloture is a vote just to keep ducking the issue, thinking maybe it will never come up again, and bury history along with those 1½ million Armenians. "Do not worry; they are already gone anyway. It has been 75 years. What are you doing?" As some just suggested, it has been a long time. They were allies of ours in Korea, and they were brave soldiers, the Turks, no doubt about it. I admire them. They are not the same people who committed the atrocities between 1915 and 1923.

We are going to turn a deaf ear to the anguished cries of the survivors, their children and their grandchildren, and this is a cry not for revenge but for only a simple act of remembrance.

We are saying that we cannot talk about this gencoide; it might embarrass somebody. We can only talk genocides from here on that do not embarrass anybody. "You find me somewhere where they have killed a million people or 500,000 or 100,000 and if they do not embarrass anybody and do not threaten any American company's profit margin and do not require a few hours studying the facts, then we will bring it up and pass it."

They say we are trying to decide history. History was written 75 years ago.

Yesterday I sent a personal letter to each of my Republican colleagues. The letter did not ask for a knee-jerk, support-the-leader vote to invoke cloture. Instead, I sent along this book titled "The Armenian Genocide." That may be misleading to some but, as I have said before, if anybody reads this book and then votes not to proceed, I do not understand what we are doing around here. This is a compilation not of all the stories but of hundreds of news stories from papers all around America, all around the world, talking about deaths of Armenians, slaughter of Armenians, thousands and thousands and thousands. I did not put this together. It was put together between 1915 and 1923.

It seems to me that we ought to address the facts. I think history is on our side. I have tried to find a way to keep faith with the victims and survivors without damaging United States-Turkish relations.

No one can fault anybody for trying to protect those relations, including the administration. But I have been working with Governor Sununu, General Scowcroft, and others. We have worked out a compromise the White House can accept. That compromise involves changing the joint resolution to a concurrent resolution and amending the text.

Last Thursday I sought unanimous consent, which you have to have around here to make changes, and the distinguished Senator from West Virginia, who was within his rights, objected. I am going to make the same request in 30 seconds or so and he will probably object again.

But the point I am trying to make for those who have not decided, I am just trying to reinforce the point that we are willing to try to compromise. You cannot compromise history; you cannot compromise the facts. Some say, "Oh, you do not want to cut out the President."

Well, the President has been involved through his staff. The White House is up to its knees in this negotiation. The President has indicated to me in a letter, portions of which I will include in the RECORD, that he is per-

fectly comfortable with a concurrent resolution.

So I wish we could work it out. I hope we will have more votes today than we had on Thursday. We have met every test for voting on commemoratives. We had the requisite number of signatures. We had 60 Senators. We met every single requirement—we had 20 on each side. We received a favorable Judiciary Committee vote. It is hard to get a controversial commemorative resolution. We have played by the rules. And now we believe that we deserve a vote.

Mr. President, again I indicate to my colleagues, if not on the other side, on this side of the aisle, we are willing to compromise. In the spirit of compromise, I would like to propose—and I will ask unanimous consent later—that Senate Joint Resolution 212 be converted into a concurrent resolution with the wording which I send to the desk and ask to be read.

The PRESIDING OFFICER. Is there objection to the reading of the amended resolution?

Without objection, the clerk will read.

The assistant legislative clerk read as follows:

Resolved by the Senate and House assembled, that April 24, 1990, is designated as "Armenian Martyrs Day," commemorating the seventy-fifth anniversary of the systematic destruction of the Armenian people in the period from 1915 to 1923. Congress calls on the people of the United States to join the millions of Armenians and other people around the world to commemorate every April 24th as the anniversary of the Armenian genocide, a day of remembrance of the 1,500,000 Armenian people who were the victims of the Government of the Ottoman Empire of that period. These events occurred prior to the establishment of the Republic of Turkey, which was in no way involved in any of the activities of that period.

Mr. DOLE. Mr. President, I think that wording should meet the objections of the opponents of the joint resolution. This form will not have the force of law. It would only be an expression on the part of the Congress as to its feelings about the events in 1915-1923. It would make clear that the present Republic of Turkey was in no way being held responsible for those events.

So, Mr. President, I quote the third paragraph of the President's letter dated February 22.

The Administration could support a balanced, commemorative concurrent resolution. I have reviewed a draft of a concurrent resolution that properly reflects views I expressed in 1988 as Vice President. I commend that to you as a concurrent resolution, in lieu of the present joint resolution.

So the President is on record. Therefore, Mr. President, I ask unanimous consent that the joint resolution, Senate Joint Resolution 212, be converted into a concurrent resolution in the form in which I have submitted.

Mr. BYRD. Mr President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOLE. Mr. President, I thank the Senator. I do not thank the Senator from West Virginia, but I am not surprised. I indicated earlier I would do this.

Mr. President, I again want to advise the Senator from West Virginia that under the consent agreement I had two cloture votes. The only way I can protect myself on the third cloture vote I am advised by the Parliamentarian, is to send a cloture motion to the desk prior to the vote. I am not certain whether there will be a third cloture vote.

Again I have not discussed this with the Senator from West Virginia. I do not want to surprise anybody. But I do intend to send that cloture motion to the desk. I have notified the majority leader. I have never been one to try to surprise anyone around here. But we have had in many cases as many as eight cloture votes, six, seven, five, four. Depending on what the vote is today, that may indicate we are not going to be able to proceed. If we have an increase, we may want to proceed to a third vote. We cannot tell that until after the vote.

Under the consent agreement if I wait until after the vote, I am finished for all practical purposes. It would be wiped out by adjournment. The majority leader could properly go to the National Service Act, the Clean Air Act, which might take 2, 3 weeks. So Mr. President, I send——

Mr. BYRD. Mr. President, Will the Senator yield?

Mr. DOLE. I am happy to yield.

Mr. BYRD. Mr. President, I, of course, hope that the distinguished Senator will not proceed with a third cloture motion. But may I say, as far as I am concerned, if he wishes to wait until after the vote occurs and then send his cloture motion to the desk, that will give him the opportunity to have a little more time and make a determination, as he says, based on the vote. I do not know what the outcome of the vote will be. But I would not object if he asks unanimous consent so that he will not be forced to send his motion up now, in order to retain his option for later.

Mr. DOLE. Mr. President, I thank the distinguished Senator from West Virginia for his usual courtesy. I think he understands I am well-intentioned. So I would make the request, but notwithstanding the unanimous-consent agreement previously entered into, that I may be permitted the option of filing a cloture motion on Senate Joint Resolution 212 following the vote today on the motion to proceed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOLE. Mr. President, I reserve my time but I have indicated to others I will use my time. I think we are prepared to vote.

Mr. BYRD. Mr. President, how much time does each side have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 20½ minutes; the minority leader has 1 minute and 34 seconds.

Mr. BYRD. Mr. President, I am not going to yield back my time; not yet.

Mr. President, my good friend, the distinguished Republican leader, has held up his book on a number of occasions, and he has said today that, if one reads the book and then does not vote for cloture or does not vote to proceed to consider the resolution, he does "not know what we are doing around here."

Mr. President, may I say that I do not know what is in the book. But regardless of what is in the book, that misses the point. We have heard so-called documentations and statements that have been made by various individuals and by Ambassadors and what not to prove this side of the case or that side of the case. I have presented some of those statements on the part of Admiral Bristol, who was Ambassador and U.S. Commissioner in Turkey for 59 months out of the 108 months that are covered in the timespan concerning which this resolution speaks. But we still have not proved anything by all of these statements, quotations, and whatnot.

I heard a Senator say, "when hundreds of thousands of Armenians are killed, that is a genocide." That is not the definition of genocide. There were also hundreds of thousands of Muslims killed in that civil war in Anatolia following the First World War. There were hundreds of thousands killed on both sides of the civil war. But that does not necessarily mean that it was genocide.

I do not doubt that atrocities were committed on both sides.

I decry atrocities that may have occurred there or may have occurred anywhere else in the world. But we are being asked here to go back 75 years and put the label of "genocide" on the Ottoman Empire. What is to keep us from going back 175 years or 200 or 300 years or 400 years and, by a vote here, charge that some other nation or race committed genocide against another nation or race or group at that long-ago time in history? How far back do we draw the line?

I have heard it said that we must stand up for human rights. This Senate has gone on record many times in standing for human rights. It would do so again if there were atrocities being committed today in Turkey against Armenians, against Muslims, against Christians, against whatever. But going on record for human rights now with respect to something that

happened, may have happened—we do not know what happened—75 years ago, is quite another matter.

If it is currently going on, the Senate may speak. But even if it were currently going on, the Senate has no authority to determine whether it is genocide or not genocide. Why? Because the Senate has already decided that question. The International Convention on the Prevention and Punishment of the Crime of Genocide was ratified by our Government in 1988.

In 1986, this Senate, under the Constitution which gives it the responsibility of approving or disapproving treaties, put its stamp of approval on the International Genocide Convention. Turkey acceded to—ratified—the Genocide Convention in 1950, not in 1986, but in 1950. The U.S. Government actually ratified the convention in 1988—2 years after the Senate gave its approval. Thirty-six years before this Senate, which is so desirous of standing up for human rights, before this Senate gave its approval and before this Government ratified the convention, Turkey ratified in 1950.

Why would it have ratified the Genocide Convention, if Turkey had felt that it was guilty of genocide or if Turkey had felt that its forebears were guilty of genocide? Turkey willingly and voluntarily acceded to the Genocide Convention in 1950, 36 years before this Senate approved it, and 38 years before our Government ratified that convention. That should speak as to where Turkey stands on genocide.

But Turkey, I think, has a right to object to being labeled as a criminal by implication, and that is what this resolution would do. Not only would this resolution by implication do that, but anyone reading the legislative history on this matter in the CONGRESSIONAL RECORD will find that Senator after Senator after Senator has stood on this floor and individually branded the Ottoman Empire as having committed the crime of genocide. So there is legislative history to show where certain Senators in this body stand on the question. To them, it is an open and shut case. Genocide is the verdict.

The Senate, when it approved the convention, took the stand that it was approving a mechanism for determining the crime of genocide, and that mechanism was being placed outside this Senate. The convention provides for the codification of international law concerning the crime of genocide. And it provides, along with the implementing legislation, the mechanism whereby the contracting parties in dispute may go to the United Nations, go to the Security Council or the General Assembly, and bring their charges.

For an interpretation of the meaning of the convention and for a determination of the responsibility of a state for having committed the crime of genocide, the contracting parties are to go to the International Court of Justice.

So, in its wisdom, the Senate of the United States in 1986—the distinguished Republican leader from Kansas was the majority leader—approved the ratification of that convention. Each of us said, yes, there is where it should go; that is the mechanism. It should go to the Security Council or to the General Assembly of the U.N. and to the International Court of Justice. That is where such very serious questions as to whether or not the crime of genocide has been committed should be determined.

And now may I say, as I have said time and time and time again, when each side has selectively put into the RECORD this statement or that statement, this document or that document, to prove its case, it is all beside the point.

The point is, that this Senate, in its wisdom, determined 4 years ago, and implemented by legislation 2 years ago, set into place the mechanism whereby the question of whether or not a nation, a group, a race has committed genocide should be decided.

That is why I say that to read this or that or some other book, and to look at these newspaper clippings or other newspaper clippings is not the point. We can all produce documents, and we can all produce books, and we can all produce statements that selectively may, in our own judgment, make the question clear to us. But that is not what the Senate said in 1986.

We said, let up put it where it can be determined methodically, systematically, objectively, based on the facts—and that is not here on this floor. Yet, today we have a resolution on the calendar of the Senate on which there was not any hearing conducted. No evidence was submitted; no witnesses were called to testify. There was only a half hour of debate, as I understand it.

The resolution was reported from the committee to the floor. And now we hear it said that we should go to the resolution and determine it on its merits and make a judgment on the substance. We are only dealing with a procedural motion here, it is said, and that is accurate. It is a procedural motion.

But, Mr. President, we have debated the subject matter, limited though the number of hours may be—and there have only been 16 hours at most, up to this point; but we have debated the substance. We have not debated the motion to proceed. We have not debated the motion to invoke cloture. We have all talked about substance, so that we have had a substantive debate here. It has been a good debate, and I think Senators have spoken with sincerity. They have been conscientious in their beliefs, and I salute them all for it.

I salute the distinguished Republican leader. He feels very strongly about this, and I feel strongly about it. He has said, let us not determine this on the basis of politics. I agree with that. It is not a matter that ought to be determined on the basis of politics. It is a matter that I think we ought to let be determined elsewhere, as the Senate in its wisdom voted to do 2 years ago and 4 years ago.

That wise decision was reaffirmed last Thursday when the effort to secure 60 votes failed. The Senate again, in its wisdom, reaffirmed its judgment of 1986, that this is a matter that has to be and ought to be determined elsewhere.

Who am I to say that genocide occurred? Who am I to say that Moslems committed genocide against Christians? Who am I to say that Christians committed genocide against Moslems? There were killings, and as I read today, our Ambassador, who had been there for 59 out of the 108 months covered by this resolution, Christian killed Moslem. Moslem killed Christian. Atrocities were committed on both sides.

Who are we to determine this fateful decision as to whether or not a friendly ally should be branded a criminal before the world?

I say, let us keep our eyes on what we are doing here, and let us not adopt through passion what reason would reject.

Some Senators say, but it is right; it is right! Mr. President, what is right? Who are we to say what is right, on this question? We determined 4 years ago where that court would be located, and where the evidence would be submitted and where the judgment would be made as to what is right and what is not, regarding a charge of genocide.

Some of our friends believe that the right thing is to reach a determination that the tragic events of the time period at issue constitute genocide.

I believe that even further discussion on this matter on the Senate floor may run the risk of offending a valued and strategic ally, inflaming passions over which we have little understanding and no control. We may be doing the Armenian people a great disservice. Who knows? We may be helping to inflame passions, right on this floor where too much has already been said and where too many have already branded Turkey as a criminal.

They say we are not talking about the present Republic of Turkey; we are talking about its forbears. I would not want my grandfather to be branded a horse thief by this body, and one can understand how the present people of Turkey would not want their grandparents to be branded criminals by this Senate.

My good friend, Mr. DOLE, will say what about the children of the Armenians? I agree with him. What about the children of the Moslems? What about the children of the Christians? What about the children of all those who were killed and murdered on both sides? We surely cannot blame the Ottoman Empire, or the Republic of Turkey for the earthquake that occurred in Armenia 15 months ago, to which reference has repeatedly been made. Our hearts went out to Armenians then, but that has nothing to do with what we are talking about here.

Mr. President, I feel that we ought to get on to other things in this body. There are plenty of other matters that we need to debate but we need to let this matter go where we said 4 years ago it should go, to be determined.

There is not one Senator in this body who has all the facts, or has been able to devote the time to study the facts or who has had access to all of the records. Not one. Not this Senator from West Virginia. Not one Senator can make an objective judgment as to what really happened, and we ought not to try. We ought not to be pretending otherwise. Let the historians do that. The Council of Ministers in the Republic of Turkey have determined only last year that the records of the period will be open, the archives will be open. So let the historians and the scholars go and dig out the facts. The politicians are not equipped to do this.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute and 3 seconds.

Mr. BYRD. Mr. President, I objected to the request of the distinguished Republican leader because if this joint resolution were to be converted to a concurrent resolution, that would mean that the matter would not be presented to the President. If the Congress is going to act on a matter as grave and serious as this, it should go to the President. Let him veto it or let him sign it or let it become law without his signature.

Mr. President, a concurrent resolution does not go to the President. But the proposed concurrent resolution will contain inflammatory language just as does Senate Joint Resolution 212.

I took down the words of the distinguished Republican leader. I believe I have a copy of his resolution. He has the words "systematic destruction" of the Armenian people, I believe it is. He also used the word "genocide" in the proposed concurrent resolution.

"Systematic destruction of the Armenian people" is to say there was a genocide. So the language of his proposed concurrent resolution is just as inflammatory. It would be just as upsetting to Turkey, and it would still be turning on its head, the action that the Senate took 4 years ago when we approved ratification of the Geneva Convention.

The PRESIDING OFFICER. The Senator is advised that his time has expired.

Mr. BYRD. Mr. President, I urge Senators to vote against cloture.

Mr. DOLE. Mr. President, I will just take about 10 seconds.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, there is a lot of reference to Admiral Bristol who was Ambassador and High Commissioner. He was asked in an interview one time:

You have been long enough in Constantinople as to have an opinion about the Turks. What do you think about us? I beg you to tell it.

He said:

I would not be right to give quickly an opinion about nations. In principle, there are in a nation always good and bad elements.

Smiling, he continues:

You put this question to me with the intention of getting a good answer, but I really do not know what to say. I think it would be better to be put it aside for a later time, the answer to your question.

But in the public opinion of the world, you have got a bad reputation. In fact, the massacres of the Armenians have made a spot which it is difficult to eradicate. You ought not to have done such things, yes, you ought not to have done it.

I ask unanimous consent to print in the RECORD additional quotes from the former Ambassador of High Commissioners for Turkey.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From British Intelligence Archives]

SIR: I have the honour to enclose a copy of a verbatim translation of documents relating to the Committee of Union and Progress Organization in regard to the Armenian Massacres, with an explanatory memorandum by Commander C. E. Heathcote Smith, R.N.V.R. The originals are being retained here.

A copy of this letter is being sent to the General Officers Commanding-In-Chief, British Salonika Force and Egyptian Expeditionary Force.

I have the honour to be,

A. CALTHORPE,
High Commissioner.

I beg to hand in a memorandum dealing with certain secret Turkish documents, the most important of which is believed to be the original draft instructions issued by the Committee of Union and Progress relative to their plan for massacring Armenians. It is known as the Ten Commandments of the Committee of Union and Progress.

The man in whose handwriting it is drafted is among those who have been signalled to the Turkish Government as fit subjects for arrest, and revelations may be expected.

I should add that I was first put on the track of these documents by Mr. Percival Hadkinson of Smyrna, one of our ex-Intelligence Agents.

C.E. Heathcote Smith.

MEMORANDUM ON THE "TEN COMMANDMENTS" OF THE COMMITTEE OF UNION AND PROGRESS

Just before Christmas 1918, I was approached confidentially by someone who stated that there was still in the Direction of Public Security, Constantinople, an official who had been in the Minister of the Interior's Department during the whole of the war, and who had charge of the archives relating to the secret measures and orders issued by the Minister of the Interior as a result of the decisions taken by the Committee of Union and Progress. He said that just before the Armistice, officials had been going to the archives department at night and making a clean sweep of most of the documents, but that the original draft of the orders relating to the Armenian massacres had been saved and could probably be procured by us through him on payment of Ltq. £10,000 paper money. He pledged me to secrecy if I went any further in the matter.

In the course of the next few weeks, I followed the matter up. The man who stole or rescued this draft copy is today an official in the Direction of Public Security. I persuaded him without any great difficulty that it would be in his own interests to let us have the documents without payment, and that if in the future he gets into trouble, we would protect him.

There are four documents in this dossier. The first is what is called the "Ten Commandments" and is by far the most interesting. It is unsigned as is the rough draft, but the handwriting is said to be that of Essad Rey, who was at the time one of the confidential secretaries keeping secret archives in the Ministry of the Interior. The second document which is a decypher of a wire from Ahmed Djemal Pasha in Syria regarding the Armenian expulsion is in the actual handwriting of Ahmet Essad and undoubtedly the handwriting of those two documents numbers 1 and 2 in the original Turkish are of that of one and the same man.

There remains therefore only the arrest of this individual to prove up to the hilt the authenticity or otherwise of the draft "Ten Commandments" document. It is extremely important from the point of view of bringing home their guilt to all these responsible for the Armenian massacres, who directed rather than executed them. My informant states that at the meeting when this draft was drawn up, there were present Talaat Pasha, Dr. Beheddin, Shakir, Dr. Nazim, Ismail Jambolet and Colonel Sefi, sub-Director of the Political Section at the Ministry of War; its date is given as December or January 1914 or 1915.

My informants declares that messengers were sent to the different Vali's in the provinces with instructions to read these orders to them and then return the originals which were to be destroyed. Analysis of the documents the "Ten Commandments" numbers 3 and 4 shows that in order to economise their forces, the Turks distinguished between places where they could rely on the population to go ahead with the massacres almost unaided, and other localities where they felt it required the presence of the military in case the * * *

The rest of the instructions are too clear to require any observations.

DOCUMENTS RELATING TO COMITE UNION AND PROGRES ORGANIZATION IN THE ARMENIAN MASSACRES

The 10 commandments of the COMITE UNION AND PROGRES.

(1). Profiting by Arts: 3 and 4 of Comité Union and Progres, close all Armenian Societies, and arrest all who worked against Government at any time among them and send them into the provinces such as Bagdad or Mosul, and wipe them cut either on the road or there.

(2). Collect arms.

(3). Excite Moslem opinion by suitable and special means, in places as Van, Erzeroum, Adana, where as a point of fact the Armenians have already won the hatred of the Moslems, provoke organised massacres as the Russians did at Baku.

(4). Leave all executive to the people in provinces such as Erzeroum, Van, Mamuret ul Aziz, and Bitlis, and use Military disciplinary forces (i.e. Gendarmerie) ostensibly to stop massacres, while on the contrary in places as Adana, Sivas, Broussa, Ismidt and Smyrna actively help the Moslems with military force.

(5). Apply measures to exterminate all males under 50, priests and teachers, leave girls and children to be Islamized.

(6). Carry away the families of all who succeed in escaping and apply measures to out them off from all connection with their native place.

(7). On the ground that Armenian officials may be spies, expel and drive them out absolutely from every Govern * * * Armenians in the Army—this to be left to the military to do.

(9). All action to begin everywhere simultaneously, and thus leave no time for preparation of defensive measures.

(10). Pay attention to the strictly confidential nature of these instructions, which may not go beyond two or three persons.

(n.b. Above is verbatim translation—date December 1914 or January 1910.)

Mr. DOLE. Mr. President, I yield back any time and I urge my colleagues to vote to shut off debate so we can go on to the resolution.

CLOTURE MOTION

The PRESIDING OFFICER. All time having been yielded back, under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of S.J. Res. 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the Seventy-Fifth Anniversary of the Armenian Genocide of 1915-1923.

Bob Dole, Edward Kennedy, Pete Wilson, James M. Jeffords, Paul Sarbanes, Jake Garn, Arlen Specter, Pete Domenici, Alfonse D'Amato, Larry Pressler, Bill Bradley, John Heinz, John F. Kerry, Nancy L. Kassebaum, Carl Levin, Strom Thurmond.

Mr. BYRD. Mr. President, I ask that the clerk announce the names of the Senators as they vote.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, is it the sense of the Senate that debate on the motion to proceed to the consideration of Senate Joint Resolution 212, a joint resolution designating April 24, 1990, as "National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915-1923" shall be brought to a close.

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] necessarily absent.

The PRESIDING OFFICER (Mr. WIRTH). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 51, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—48

Armstrong	Garn	Lautenberg
Bentsen	Glenn	Levin
Biden	Gore	Mikulski
Bingaman	Grassley	Mitchell
Boschwitz	Harkin	Moynihan
Bradley	Hatch	Murkowski
Burdick	Heflin	Pell
Chafee	Heinz	Pressler
Coats	Helms	Riegle
Cohen	Humphrey	Rudman
Cranston	Jeffords	Sarbanes
D'Amato	Kassebaum	Simon
DeConcini	Kasten	Specter
Dole	Kennedy	Stevens
Domenici	Kerry	Thurmond
Durenberger	Kohl	Wilson

NAYS—51

Adams	Fowler	Metzenbaum
Baucus	Gorton	Nickles
Bond	Graham	Nunn
Boren	Gramm	Packwood
Breaux	Hatfield	Pryor
Bryan	Hollings	Reid
Bumpers	Inouye	Robb
Burns	Johnston	Rockefeller
Byrd	Kerrey	Roth
Cochran	Leahy	Sanford
Conrad	Lieberman	Sasser
Danforth	Lott	Shelby
Daschle	Lugar	Simpson
Dixon	Mack	Symms
Dodd	McCain	Wallop
Exon	McClure	Warner
Ford	McConnell	Wirth

NOT VOTING—1

Matsunaga

The PRESIDING OFFICER. On this vote, the yeas are 48; the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate return to consideration of S. 1430, the National and Community Service Act.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1430), to enhance national and community service, and for other purposes.

The Senate continued with the consideration of the bill.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERREY. Mr. President, I ask unanimous consent that I might be permitted to proceed 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESULTS OF THE NICARAGUA ELECTIONS

Mr. KERREY. Mr. President, the elections in Nicaragua last Sunday produced a startling and heartening result: Violeta Chamorro unexpectedly and decisively defeated Daniel Ortega.

Much of the early comment we have heard focuses on the faulty polling data which predicted an easy Sandinista victory, declarations of support for economic aid and assistance, and assertions that this election vindicates President Reagan's legal and illegal war against the Sandinista government. Most remarkably we have heard it said that the election was a statement for freedom and democracy by the people of Nicaragua.

Mr. President, there is another side to this story.

This morning, I heard a member of the Nebraska delegation, Congressman DOUG BEREUTER, as part of the President Carter observer group, describe the poor and often illiterate people who were willing to risk and endure a great deal in order to cast their vote. He described the efficiency of the election itself and the manner in which the Sandinista government appears willing to turn over power to the duly elected Mrs. Chamorro.

He described peasants walking all day in order to vote. He described the care that was taken to guarantee the citizens the secrecy needed if votes were not to be coerced. He spoke about men and women who thrilled at the freedom they enjoyed on Sunday: The right to vote for whomever they wanted.

Mr. President, the American people should understand that this right to vote originated in an accord which was signed by the Central American presidents on February 14, 1989, under which Sandinistas agreed to political

reforms and early elections in exchange for a commitment to draw up a plan to disband the Contras within 90 days.

This diplomatic approach was in striking contrast to the Contra war financed by the Reagan administration which contributed heavily to the death and destruction in Nicaragua.

The United States did not participate in this accord. The Bush administration was, in fact, caught completely by surprise when these leaders reached their agreement. Suddenly, we were on the sidelines. The Bush administration and Congress agreed to continue nonlethal aid to the Contras and stated our qualified support of the elections.

As long as the expectation was that the Sandinistas would win the election, their willingness to freely provide this right was discounted. It seemed beyond the realm of the believable to consider the possibility that the Sandinistas would be voted out from office. Therefore, by definition the election themselves were suspect.

In the end, the Nicaraguan people who have endured years of war, authoritarian rule, and the effects of long distance policymaking, stood up for their freedom and their right to a democratic government.

The United States did not provide the people of Nicaragua with a free election. They did it for themselves. It is theirs to enjoy and savor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent to speak out of order for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. I thank the Chair.

(The remarks of Mr. COCHRAN pertaining to the introduction of S. 2187 and S. 2188 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

The Senate continued with the consideration of the bill.

Mr. McCAIN. Mr. President, I rise in support of the pending amendment by my colleague from Colorado [Mr. ARMSTRONG].

I think it is an important amendment and one that will allow us, I believe, as a nation, to make maximum use of the funds available, which we all agree are very scarce, in order to provide for the needs of so many of the needy in our Nation.

Mr. President, churches and other religious entities provide social services to troubled young people, to homeless, seniors, people with disabilities, and others in communities throughout the country. Because of their demonstrated effectiveness in meeting human needs, religious organizations have sometimes received public funds to help carry out those services.

I think one of the best examples of that, Mr. President, is the Salvation Army which, for example, for many decades has provided effective service to the homeless. It has in the past received funding from Housing and Urban Development to help deliver these services.

I think if we look at an organization where the maximum use of the dollars donated and used go directly to the recipient, we would be hard pressed to find an organization that is more effective because the members of the Salvation Army, as we know, are volunteers who live at bare subsistence levels themselves.

There are many organizations like the Salvation Army that I believe would make use of these funds in a most effective fashion—in fact, perhaps more effectively than some other organizations that are layered with bureaucracies and high-priced employees.

I think one example of the problems that some have experienced in getting some of these funds to the homeless took place in New York City, where the foster care system was unable to cope with the growing caseload and nearly self-destructed from city-imposed onerous requirements on religious foster care agencies.

In other words, we can make it clear with this amendment that religious organizations which engage in many activities that serve clearly secular purposes should be able to receive public funding to achieve those secular ends. This is by no means interpreted as a method to impose any religious belief of any kind, or in any way, on any of the recipients.

At the same time, I believe, and I think the majority of this body will express its opinion very shortly, that religious bodies should be able to help those who are in most dire need of help.

I want to restate that the amendment states that the religious entities that participate in programs under the act are not required to become secular organizations. They can continue to display religious symbols or decorations. They can allow people to pray and to sing religious hymns voluntarily, and I emphasize voluntarily, and they can affirm and promote moral tenets like honesty, dependability, and fidelity.

Finally, this amendment includes provisions similar to those incorporated in S. 5, the Act for Better Child Care, which the Senate adopted last year. These provisions would allow a religious entity that participates in the program to require the participants adhere to the religious tenets and teachings of such organization, and in choosing between two or more prospective participants, nothing shall prohibit such organization from accepting a prospective participant who is already participating on a regular basis in other church activities.

Mr. President, this is a good amendment. I think it is one that would clarify an otherwise tangled legal system, and I appreciate my colleague from Colorado bringing the amendment up at this time.

Mr. President, I yield the floor.

Mr. SASSER. Mr. President, I rise today as a cosponsor and strong supporter of both the National and Community Service Act and the substitute amendment offered by Senators KENNEDY, HATCH, and others.

As a citizen of the State of Tennessee, the Volunteer State, I understand the value of national and community service. Throughout the history of the United States, Tennesseans have always responded in times of need—when war, depression, or natural disaster demanded that everyone do their part.

Well, Mr. President, now more than ever that Tennessee tradition of voluntarism is needed all across this Nation. Throughout the United States, basic needs in education, health care, child care, and the environment are being neglected. According to a recent study, there are approximately 3.5 million positions as tutors, orderlies, health care aides, and laborers in forests, farms, parks, and neighborhoods ready for civilian service volunteers.

Mr. President, I believe the measure before us will help foster the new volunteer spirit so badly needed in this country. The National and Community Service Act combines the best elements of 10 national service bills introduced in Congress last year. While our legislation provides opportunities for persons of all ages, I believe a crucial aspect of the bill is its emphasis on service by young persons of high school and college age. Our youth represent a tremendous resource to help meet America's volunteer needs—and if we are to tap this resource, we must develop programs that will attract and also benefit young people.

Last spring, I held 4 days of hearings at high schools throughout Tennessee to learn what students, school officials, and community leaders thought about volunteer service and the varie-

ty of plans that had been proposed in Washington. I am very proud of the young citizens of Tennessee who are giving their time and their caring to their communities. Through their schools, community, and church groups, and other organizations, these young Americans are involved in a diverse mixture of projects that help people of all ages and income groups. From those hearings I learned something very important—that no matter how students first get involved in community service, their volunteer experience was more rewarding than they ever imagined.

The hearings also helped me to identify several major characteristics necessary for a successful national service program. First, if people are going to make volunteer service a part of their life, they need to be introduced to it at an early age. Second, even when incentives are offered, many young people are reluctant to sign up to volunteer for a full year. Third, high schools and colleges that promote or require community service for credit experience a great deal of success.

I am pleased to say that the National and Community Service Act incorporated the recommendations that I received in my Tennessee hearings. Through the administration of a newly created Points of Light Foundation, competitive grants will be awarded to States and local governments to run a variety of service programs—including one available for students as young as kindergarten age. These programs will offer participants the opportunity to earn a weekly stipend and/or education, training, housing, and other benefits depending on the amount of time served—giving them flexibility as to the extent of service time committed. Finally, the legislation will also provide incentives for colleges to use work-study funds for community service-learning programs and allow college students to pay back their loans through community service.

Mr. President, the genius of the measure before us is that it brings together a tremendous set of public needs with a bountiful pool of human resources. The work done by the volunteers will provide long-term public benefits to the communities of the United States. Volunteers will be working in government agencies, nursing homes, hospitals, libraries, day care centers, schools, law enforcement agencies, social service organizations, parks, wetlands and forests, and depressed urban neighborhoods. And just as important, the volunteer experience will provide our youth with training, work experience, basic and life skills, and instill in them a work ethic and sense of public service.

Mr. President, as chairman of the Senate Budget Committee, I am acutely aware of the limited funds available to address the tremendous domestic problems facing our Nation. Despite tighter budgets, we must find ways to meet the basic needs of our citizens and prevent the deterioration of our public lands and neighborhoods. This bill goes a long way toward providing individuals an opportunity to help America meet her needs—and represents the type of wise investment in America and Americans which is so necessary today.

Mr. KENNEDY. Mr. President, for the information of Senators, the Senator from Arizona has an amendment. If he desires to offer the amendment, then I will ask unanimous consent to temporarily set aside the Armstrong amendment, which is one of the major issues remaining. Hopefully we can address the McCain amendment in a reasonable period of time, dispose of it, and in the meantime see if we can resolve the Armstrong amendment.

Then we have the Gramm amendment and the remaining McConnell amendment. I mentioned that the Gramm amendment will take some time. Whether the leader will want to continue on through the evening, I do not know. But I hope we could address the McCain amendment, if that is possible.

I have talked to the Senator from Arizona. He has indicated he would offer his amendment very shortly. Hopefully we would be able to debate that and dispose of that this evening, and then I think the majority leader will indicate to the membership what the plan will be.

The PRESIDING OFFICER. The Senator from Utah.

Mr. McCAIN. Will the Senator yield?

Mr. HATCH. Yes.

Mr. McCAIN. Mr. President, I would be glad to bring up my amendment, if there are no Members who would like to continue to address the Armstrong amendment. After the Senator from Utah finishes his remarks, I would be glad to bring up my amendment.

AMENDMENT NO. 1266

Mr. HATCH. If the distinguished Senator will yield, I will send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. HATCH. I ask unanimous consent that the pending amendment be set side for the purposes of considering this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Utah, [Mr. HATCH] for himself, Mr. BUMPERS, Mr. KENNEDY, and Mr. INOUYE, proposes an amendment numbered 1266.

Mr. HATCH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In section 241, strike out "to individuals who are new borrowers on that date".

In section 251, strike out "to individuals who are new borrowers on that date".

At the appropriate place, insert the following new sections:

SEC. . GRAND CIRCLE ADVENTURE PASS.

Section 4(a)(1)(B) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a(a)(1)(B)) is amended by adding at the end thereof the following new sentence: "The Secretary shall make such a permit (to be known as the Grand Circle Adventure Passport) available for admission, for a period of at least 7 days, to the group of Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Zion National Park, Mesa Verde National Park, and Grand Canyon National Park (north rim), including admission to all monuments in those parks.".

SEC. . EMERGENCY MEDICAL SERVICES FOR CHILDREN.

Section 1910(a) of the Public Health Service Act (42 U.S.C. 300w-9(a)) is amended in the first sentence—

(1) by striking out "not more than four";

(2) by striking out "in any fiscal year"; and

(3) by striking out "in such States".

SEC. . PHYSICIAN'S COMPARABILITY ALLOWANCE.

The positions of the Assistant Secretary for Health, the Deputy Assistant Secretary for Health, the heads of the Public Health Services agencies, and other positions that are compensated under subchapter II of chapter 53, of title 5, United States Code, relating to the Executive Schedule, when employed as physicians shall be defined as "government physicians" for purposes of eligibility for physicians comparability allowance as defined in section 5948 of title 5, United States Code.

Mr. HATCH. Mr. President, this amendment is acceptable to both sides. It is a set of amendments proposed by myself, Senator BUMPERS, Senator KENNEDY, and Senator INOUYE.

These amendments represent refinements and additions to make this legislation better. We have agreed on language that I believe would be acceptable to virtually every Senator.

I urge the adoption of this amendment.

Mr. KENNEDY. Mr. President, I hope the Senator will accept the amendments.

EFFECTIVE DATE FOR LOAN CANCELLATION PROVISIONS

Mr. BUMPERS. Mr. President, under the bill as reported from the Labor Committee, the modest cost of the loan cancellation provisions is not felt until 1993 because the loan cancellation provisions apply only to "individuals who are new borrowers" 30 days after the date of enactment of the bill. Thus, the loan cancellation

provision would apply only to students who had never obtained Federal Government loans. This is what the "new borrowers" limitation means.

If this limitation remains in the bill, we will have to wait for at least 4 or 5 years before many people could qualify for the loan cancellation provisions. A student would have to enter college, take out some loans, graduate from college, begin voluntary service, and then complete at least 1 year of service before he or she would qualify for any loan cancellation benefits.

Senator KENNEDY and Senator HATCH have agreed that this limitation is overly restrictive and we have reached an agreement to modify the limitation. The modification provides that the loan cancellation provisions apply to new loans, even for borrowers who have previously taken out some loans.

The Congressional Budget Office has found that this change in the effective date still leaves the cost of the loan cancellation provision at less than $500,000 in the first 2 years of the program. This cost level leads to an asterisk in the CBO cost estimate tables.

In making this change, we are not providing loan cancellation for young people who have already begun their service; they made their decisions to serve without regard to the loan cancellation provisions. But any student who enters service after the loan cancellation provisions go into effect, and after they have taken out new loans, is likely to be aware of the loan cancellation benefits and is likely to be relying on them as an inducement to service.

PARK FEES IN UTAH

Mr. HATCH. Mr. President, I have talked with my friend from Arkansas, Senator BUMPERS, regarding an issue that comes within the jurisdiction of the subcommittee of which he is the chairman, the Subcommittee on Public Lands, National Parks and Forests.

The issue is whether the National Park Service will be given the authority to implement a plan to charge one fee for a 7-day pass to the national parks situated in Utah. Senator BUMPERS has said that he would like for me to introduce a bill to this effect, that his subcommittee will act on this matter expeditiously, that he'll do all he can to move this through the subcommittee and committee in an attempt to implement this plan for this summer's park visitors. He sees no reason why he would oppose the idea. He simply wants me to introduce the proposal as a bill so it can be sent to the Park Service and other interested persons for comments. He does not want to set the precedent of setting park fees with amendments on the Senate floor to an unrelated bill.

I ask Senator BUMPERS, have I stated the substance of our conversation correctly?

Mr. BUMPERS. Yes, the Senator has. I agree with everything that my friend from Utah, Senator HATCH, has said. I am happy to take expeditious action on his proposal and believe it may be an excellent idea that might even be applied nationwide, not just in Utah.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment (No. 1266) was agreed to.

Mr. HATCH. I move to reconsider the vote by which the amendment was agreed to.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. I yield the floor.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Colorado, I note the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOSCHWITZ. Mr. President, will the Senator yield for a question? Is it my understanding that the Armstrong amendment has been laid aside?

The PRESIDING OFFICER. That amendment is still pending.

Mr. BOSCHWITZ. I thank the Chair.

Mr. McCAIN. Mr. President, if I might ask my colleague from Massachusetts, I understand that it is his desire to lay aside the pending Armstrong amendment in favor of consideration of my pending amendment. Is that correct?

Mr. KENNEDY. That would be my request. We have done it for three other amendments earlier in the day. We have been looking for the Senator from Colorado. I have for the last hour, quite frankly, and we looked for him prior to the Republican caucus. So we are trying to move the process forward. We have a number of amendments.

The Senator from Arizona has been extremely accommodating and has some very important measures. What we are trying to do is accommodate, at least have a vote on that, and let the majority leader announce the rest of the schedule. In the meantime, we could try to contact the Senator from Colorado.

Mr. BOSCHWITZ. I say to my friend from Massachusetts that I will want to speak on the Armstrong amendment at the appropriate time. I will not agree at this point on any time arrangement. I thank the Chair. I do not ask to lay it aside at this time.

Mr. McCAIN. Mr. President, I ask unanimous consent that the pending Armstrong amendment be set aside at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1267

(Purpose: To make the benefits paid under the bill comparable to benefits paid to persons for service in the Armed Forces of the United States)

Mr. McCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Arizona [Mr. McCAIN] for himself, Mr. GORTON, Mr. LOTT, Mr. MACK, Mr. COATS, Mr. BOSCHWITZ, Mr. MCCONNELL, Mr. ARMSTRONG, and Mr. GRAMM, proposes an amendment numbered 1267.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of subtitle F of title I add the following new section:

SEC. 182. LIMITATION ON PAYMENTS.

(a) IN GENERAL.—(1) No participant or former participant in a program under this title may be paid benefits under this title, in the form of educational and training benefits or in voucher form, or both, in any amount that would exceed the amount of educational assistance benefits paid to a person under chapter 30 of title 38, United States Code, or under chapter 106 of title 10, United States Code, as determined by the Secretary of Defense in consultation with the Chairperson of the Board of Directors of the Foundation.

(b) LIMITATIONS ON USES OF BENEFITS.—Notwithstanding any other provision of this Act, vouchers provided under section 146 may be used for the purposes set forth in clause (A) or (B) of subsection (d)(1) of that section only if educational assistance payments made under chapter 30 of title 38, United States Code, and under chapter 106 of title 10, United States Code, are permitted to be used for the same purposes.

Mr. McCAIN. On behalf of myself, Mr. GORTON, Mr. LOTT, Mr. MACK, Mr. COATS, Mr. BOSCHWITZ, Mr. MCCONNELL, Mr. ARMSTRONG, and Mr. GRAMM, I propose this amendment, which I will briefly describe.

Mr. President, this amendment simply incorporates the principle that postservice benefits under the national service program, which is embodied in the bill, S. 1430, shall not exceed the postservice benefits we provide to the men and women who volunteer and risk their lives for our country in the Armed Forces.

I want to restate that I have been a strong supporter of the concept of national service. I believe in it, and I believe there is a wide variety of services that can be provided by all American

citizens on behalf of this Nation. But I also feel that we are making a grave mistake if we propose postservice benefits which would exceed that of the men and women who serve in the military.

Mr. President, S. 1430 would provide postservice benefits to national service volunteers that exceed those that serve in the military. S. 1430 offers a voucher of $5,000 per year for full-time national service, and $2,000 per year for part-time national service. Additionally, the pending legislation would allow national service volunteers three options for use of the vouchers. The vouchers can be used for payment of student loans from Federal and non-Federal sources; downpayment or closing costs associated with purchasing a first home; or tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

Mr. President, on April 3, 1989, I introduced S. 781, the National Service Act of 1989. In this legislation, which was also introduced in the House by Mr. PORTER of Illinois, we attempted to draft legislation that was balanced and fair. A bill that looked into the future and tried to address the question of national service from the standpoint that we, as a nation, and those of us in Congress, have as a primary responsibility—I emphasize primary responsibility—the defense of the Nation.

At the same time, we believed that the idea of national service could include certain forms of community service. The basis of our legislation was that every citizen has a responsibility of service to the Nation. To this end, we drafted S. 781 to reflect the need for a quality military force, while introducing a part-time community service program that was a demonstration project designed to observe and evaluate how national service would be received and how it would operate.

In addition, we knew that the idea of national service deserved a close and thorough review by the Congress and the President. We knew that the President needed sufficient time to consider the impact of a bill with such wide ranging implications.

S. 781 called for the President to transmit to the Congress by February 15, 1991, a plan that would implement a comprehensive national service program. The program that the President recommended was to include a plan that had a military service component and a part- and full-time community service component, applied to young people between the ages of 16 and 26, include provisions to encourage national service by retired persons and was to be consistent with the following findings:

One, that the principal responsibility of the Federal Government is to provide for the defense of the United States.

Two, that an obligation of citizenship in a democracy is service to the Nation.

Three, that while most citizens of the United States view national service as a membership in the Armed Forces, national service also includes community service.

Four, that the obligation of national service, whether military or community service, should be shared equally by all citizens of the United States, regardless of race, creed, ethnic origin, or socioeconomic status.

Five, that the recent high quality of volunteers to the Armed Forces should not be allowed to diminish as a result of demographic declines or economic upturns.

That service in the Active or Reserve components in the Armed Forces or full- or part-time community service should be considered as necessary to fulfill the national service obligation.

I add that our bill did not call for the elimination of educational loans or grants. So you see, I am one who strongly believes a national service program is possible. I am also one who strongly believes it is imperative that we maintain a relative balance between the recognition of service in the military in the form of the Montgomery GI bill education benefit and the benefit of service in the community service side of national service.

It is on this point that I take exception with S. 1430. Title I, subtitle (d), of this bill would give a full-time community service volunteer a postservice benefit of $10,000 for 2 years of service. This national service voucher could be used for educational loan payments, future education expenses, or a downpayment on a first home. Contrast this with the current Montgomery GI bill for the U.S. service man or woman, a basic education voucher of $10,800, of which he must contribute $1,200. The military receives a yearly benefit of $3,200 per year for a 3-year service requirement. The Reserves and National Guard benefit is $900 a year.

Mr. President, this is clearly not a fair situation. We ask our military to serve 3 to 6 years, to move out of their home, to go to boot camp and to be assigned to anywhere the military chooses to send them, to respond to the orders of higher authority, with the possibility that we will ask them to risk their lives in the defense of freedom for peoples throughout the world. For all of this, the Government contributes $3,200 per year to their postservice educational benefit.

Compare this to what we are offering in this bill, a $5,000 a year benefit to stay at home and work a 40-hour workweek with no risk, no disruption of lifestyle, no moves, no Uniform Code of Military Justice, no separation from family, no risk of life in combat. In addition to being able to use the voucher for education, the national service volunteers are given a tremendous option of being able to use the voucher for the downpayment on a first home, or to pay off an education loan. The part-time voucher is $2,000 a year.

Mr. President, the differential in postservice benefits between military and community service must be fair. It must be equitable. We must recognize the sacrifices of those who serve in the military. This amendment would make the benefits more equitable. This amendment will make the postservice benefits no greater for national service than that for the Montgomery GI bill recipient.

Mr. President, some would like to compare military service with national service. They would try to show how much more compensation the military service man or woman makes than a national service volunteer. They want to somehow equate them. Apparently, they do not understand what the country asks of our military forces. When a person enlists in the military, they sign a binding contract for service in the defense of the Nation. They have their background scrutinized to ensure they are of the quality required in the military. They are required to take remote tours, away from family, for extended periods of time.

They are uprooted from their home and community every 2 to 3 years, their children are pulled out of school and sent to wherever the military wants to send them.

They perform peacekeeping duty in the Sinai Desert or with the UNIFIL contingent in Lebanon.

They stand guard duty at the stark, critical outposts along the Korean DMZ.

They are deployed on board ships for 6 months at a time.

They stand midwatch on the fan tail of a destroyer in 50-knot winds and 20-foot seas.

They conduct interdiction operations against a murderous drug cartel.

They do night recovery operations on board an aircraft carrier.

They are required to be on call 24 hours a day, 7 days a week.

They are trained and ready for combat.

They are aware that they could be in combat in a matter of hours as they were recently in the Panamanian operation.

They always know that their chosen profession could leave their wife a widow and their children fatherless.

Mr. President, the mothers and fathers, the wives and children of those who serve in the military know the

sacrifices of which I speak. They know that their son or husband, their brother or father may well be asked to give his life in the defense of our Nation.

Those who pretend that you can equate what is being called for in this bill in the way of national service work with what we ask of our military do not understand that military service comes at a much higher cost in terms of personal and family sacrifice. It is naive to try and equate picking up trash along a roadside with the sacrifices made by the men in the Marine Corps, the Navy, and the Army who were killed in action in Panama.

That is in no way a denigration of the outstanding and wonderful contributions that men and women who engage in national service will perform in behalf of this country. My point is that the roles and missions we ask them are significantly different.

Mr. President, those who go into the military know what they are being asked to do. We pay our military based, in part, on the risk, the responsibility, the personal sacrifice, and the family disruption that they will experience during their career. Let us not mock their dedication by trying to make some wild proclamation that national service is worth some percentage of combined in-service and postservice benefit of military service. Mr. President, it was stated that the military receives 40 percent more benefits than this bill will offer national volunteers. They should, Mr. President; they should. In fact, they should receive much more than that.

Mr. President, how can we quantify the sacrifice of those killed in Panama? Go to Arlington Cemetery and give me some percentage of how much more they were paid. Try and compare their sacrifices with the national service jobs in this bill and tell me that it is worth 40 percent more.

Mr. President, the All-Volunteer Force is a very professional, very dedicated and very necessary part of our ability to protect our way of life. The All-Volunteer Force is a career force. Trying to compare an in-service stipend of the national service volunteer program with the compensation of our military force falls short of logic and understanding.

To use military in-service benefits to justify this bill's obvious shortcomings is unfair to the men and women who daily make great sacrifices to protect our Nation and the free world.

Ms. MIKULSKI. Mr. President, will the Senator yield?

Mr. McCAIN. I say to my friend from Maryland I have about 60 more seconds and then I will be glad to yield to the Senator from Maryland. Go ahead.

(Mr. DODD assumed the chair.)

Ms. MIKULSKI. I am very happy to wait for the Senator to complete his statement. I just have a few questions to clarify the amendment in order to respond at a later time. The questions are not in the nature of a debate.

Mr. McCAIN. Good. I will conclude very soon, and I will look forward in trying to respond to the questions of my friend from Maryland.

Mr. President, there are many good reasons to change this bill when you look at the impact on the relationship to young Americans in the Armed Forces. But about all, the one decisive reason that I base this amendment on is fairness. It is unfair to provide greater benefits for people participating in this bill's National Service Program, as worthy as that program is than the young Americans in the Marine Corps, Army, Air Force, Navy, or Coast Guard, in the Active and Reserve Forces and the National Guard.

The question we should ask ourselves is are we going to provide American youth more in post-service benefits for national service than those serving their country in the military?

I believe that this disparity needs to be rectified and I believe that this amendment will make sure that at least equal benefits are provided for those who serve in the military as those who will engage in the very worthwhile and important endeavor of national service.

Ms. MIKULSKI. Mr. President, will the Senator yield for a few questions?

Mr. McCAIN. I will be glad to yield to the Senator from Maryland.

Ms. MIKULSKI. Since we dispensed with the reading of the amendment, is it in the Senator's amendment; does he drop the ability for that voucher to be used, not only drop the ability to use that voucher toward first time homeownership? In the original bill the voucher either part time or full time could be used to reduce student debt or as a kind of housing or nest egg first time homeownership. Does the Senator drop the housing part?

Mr. McCAIN. If I may respond to my friend from Maryland, yes, it does. If the Senator from Maryland would like to revise her legislation so that those who presently serve in the military receive that benefit of a first home nest egg as she describe it, then it would certainly be something that I could support. But again I go back to the fairness issue. I am sure that those young men and women who are in the military also deserve every consideration to have that nest egg as well.

My answer is yes, it does preclude that.

Ms. MIKULSKI. I promised the Senator I will not use the questions to debate. I will make those comments later.

Those wonderful, gallant men and women who serve in the military do have access to Veterans' Administration mortgages upon completion of the military with no downpayment even though the administration is currently circulating an idea to change the requirements for VA mortgages requiring a substantial down payment, and I look forward to joining with the Senator from Arizona destroying such an unpatriotic idea.

But at the same time, if we could just then think of this: What would be then the voucher under the amendment of the Senator from Arizona, what would then be the voucher received for full-time service and part-time service under the community service under the Senator's amendment, the actual dollar amount? It is a complicated formula, and I am not very good at that.

Mr. McCAIN. First of all, as far as the veterans eligible for home loans, as the Senator points out, first, they have to qualify for that. Second of all, many veterans would attest to the fact that it is not exactly a good deal given the interest on the home loan mortgages are up to 10 percent and the possibility of them going higher.

Again, I would like to restate if the Senator would like to have that as part of the national service voluntary program, I would certainly be supportive of changing her legislation to include those same benefits which our veterans now receive rather than cut it out for all.

The voucher, as outlined in my amendment, would result in $61.54 a week $3,200 a year full time.

Ms. MIKULSKI. Excuse me. With the conversations going on, it was difficult to hear. How much a year? I could not hear the Senator.

Mr. McCAIN. $3,200 a year for full time, $5,400 total for part time.

Ms. MIKULSKI. Excuse me; $3,200 for the full time?

Mr. McCAIN. Yes.

Ms. MIKULSKI. Of course, that is taxable under the Senator's amendment. Or is it tax exempt?

Mr. McCAIN. That would be nontaxable, just like the veteran's VA loan.

Ms. MIKULSKI. In the course of our amending the legislation and in the process of conciliation with the others concerned about it, we dropped the tax-exempt status. But anyway what would be the part-time voucher?

Mr. McCAIN. $5,400 per year, total.

Ms. MIKULSKI. $5,000. No, I am talking about that part of the bill modeled on the National Guard.

Mr. McCAIN. Excuse me, $900 a year, part time.

Ms. MIKULSKI. $900.

Mr. McCAIN. It is $900.

Ms. MIKULSKI. $900 and then that is taxable?

Mr. McCAIN. As I informed the Senator, not taxable.

Ms. MIKULSKI. So the Senator's amendment would be nontaxable.

Mr. McCAIN. Yes.

Ms. MIKULSKI. I thank the Senator. That clarifies my questions.

Let me restate, if I might, before I give up the floor, if the Senator wants to raise the benefits of those in the military to make them the same as the part-time or full-time national service volunteers, I am absolutely totally in favor of it. But again I would restate unequivocally, to give people, as wonderful and as admirable as the work is for national service volunteers, to give them larger postservice benefits than those who serve in the military in my view is something that has to be rectified. Given the parameters of this legislation, the only option I have is to, of course, have an amendment which puts them on an equal basis for postservice benefits.

I would eagerly join both my friend from Massachusetts, who is a member of the Armed Services Committee, as well as the Senator from Maryland, in seeking to increase those benefits for our men and women in the military as far as postservice benefits are concerned. As it is, the only option I have on this amendment is to make sure that they are at least treated on an equal basis so far as postservice benefits are concerned.

Mr. KENNEDY. Mr. President, the chairman of the Armed Services Committee, Senator NUNN, is intending to come over to the floor shortly and has been necessarily detained. But he has announced his strong opposition to this amendment and outlined very briefly the reasons for that. I would like to bring those issues to the attention of the Senate and ask for Senators' attention to these observations.

He opposes the amendment of Senator MCCAIN lowering the voucher levels for post-service benefits and requiring that the post-service benefit for national service be no greater than the post-service benefit for military service under the Montgomery GI bill.

Some of the fundamental principles about national service and military service bring the sponsors of the bill in complete agreement with the sponsors of this amendment.

First, while military service is one form of national service, we must also remember that it is different from most other forms of national service because of the sacrifices we ask of those who serve in the military.

As we have seen recently in Panama, military members live with the possibility that they will be sent into combat and asked to risk their lives for their country.

Second, for several reasons military members should receive more compensation than we give to people who perform other forms of national service.

Military service involves greater risks to the individual.

The military services must be able to attract sufficient numbers of high quality youth into service.

And finally, any national service program should assist the Department of Defense in recruiting young people to enter the military, and not compete with the military services recruiting efforts.

The national service demonstration programs in this bill recognize these important aspects of the relationship between military service and other forms of national service.

Senator MCCAIN is concerned that the postservice benefit for some people in the national service demonstration programs could be higher than the postservice benefits for some military members under the Montgomery GI bill.

Under S. 1430 as amended this could happen in some instances. But this concern misses a key point: The overall compensation for military service—the combination of inservice and postservice benefits is substantially higher for military service than the overall compensation for civilian national service.

This includes the basic pay, the retirement pay, disability benefits, health care in service and after service, preferential hiring as veterans, housing allowances, group insurance, veterans home loans, spousal employment preference, and day care programs.

The in-service compensation for full-time military service is more than two times greater than the level of in-service compensation for full-time national service participants.

The postservice educational benefit for most 2-year enlistees in the military is $9,000, which includes a $1,200 contribution by the member.

The main point is that the overall compensation—in-service pay plus postservice benefits—is substantially higher for 2 years of service in the military than it is for 2 years of civilian national service.

Another way to look at this question is to compare the weekly compensation of military service and civilian national service.

A 2-year enlistee in the military receives an average of $287 a week in compensation. The value of his post service benefit is worth $86 per week of service, for a total weekly compensation of $373.

A 2-year civilian national service participant receives about $162 per week. The value of his postservice benefit is $96 per week of service, for a total of $258, approximately two-thirds of the value of the total compensation of his military counterpart.

Mr. President, this is even more dramatic in the part-time service. We have worked very carefully to ensure that the national service demonstration programs complement rather than compete with recruiting programs for the military service. The overall compensation in service pay plus deferred postservice benefits is much higher for full-time and part-time military service than it is for full-time and part-time civilian national service.

Mr. President, these numbers have been calculated by the Armed Services Committee which as reviewed all of these various items. It reviewed in great detail the McCain amendment. For that reason the chairman of the Armed Services Comittee believes very strongly that our program presents no competition really for the GI bill which he has also supported. He has revised his own program in a very significant way to try and ensure that it would not.

We have reviewed very, very carefully the comparison of the total benefit package. We will submit those items for the RECORD. But they indicate, Mr. President, that this total package versus both the full-time and part-time national service are not even comparable to the kind of benefit package that is included in the military. For that reason we are opposed to the amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. BOSCHWITZ. Mr. President, I seem to have missed something in this bill. I just heard my friend from Massachusetts pointing out the value of civilian national service at $231 a week. I thought this was a bill about voluntarism.

I noticed that the report on the bill starts off: "Background and Need. Service to others is an ideal that has served America well throughout history." Then it goes on to talk about John Winthrop, the first elected Governor of Massachusetts Bay Colony, who captured the idea of voluntarism in words that still ring true three-and one-half centuries later.

All we are trying to do by this amendment is to see that people who are in the armed services, not people who go home at night as they do in civilian national service—the Senator from Massachusetts forgot to mention those going home at night—are treated equally. When you are in the service you are away from your family, you are away from your home. It is a difficult, different thing altogether.

What the Senator from Arizona says is that the benefits to people who are essentially volunteers should not be greater in any sense or in any aspect than the benefits that accrue to people who have been in the Armed Services of the United States. Young men and women who get involved, unfortunately, from time to time, in activities that put their lives in jeopardy, as was mentioned, most recently in Panama.

Then I hear my friend from Maryland talk about the home mortgage. As I understand this bill, there is some

mortgage credit given, some monetary credit that can be applied to the purchase of a house. As I recall I had a VA guarantee on my first mortgage, they did not give me anything. I took out a rather long mortgage and paid the going rate and I had to qualify. None of these things apply to the civilian national service person. There are some great differences here, and the Senator from Arizona's amendment is very much in order. There are differences just in the nature of what people are being called on to do.

As I look at this report, the next sentence after what I read begins, "In this spirit, volunteers have served the Nation in times of crisis—in war, depression, national disaster."

All throughout this report, Mr. President, it talks about voluntarism. And now I am told that individuals will receive more benefits in this bill than if they leave their homes and serve in the Armed Services of the country. This bill is about setting up some compensation to compensate volunteers. What this amendment is about is that these volunteers should not receive greater benefits in any way than the people who serve in the armed services.

The difference is, in my judgment, very meaningful. There is a postservice benefit differential between this bill and the current Montgomery GI bill that really is the reverse of what it should be. Some of those things have been pointed out by my friend from Arizona.

Title III of this bill gives full-time community service volunteers postservice benefit of $10,000. The GI bill authorizes only a $10,800 postservice education voucher for a serviceman or woman, of which the volunteer has to put up $1,200 of his own, as the Senator from Arizona pointed out.

Community service volunteers under this bill are only required to serve for 2 years to qualify for their benefit, the military volunteer must serve 3, 4, or 6 years. I mean, there are some great differences.

The amendment of the Senator from Arizona is well founded and it should be adopted. This bill is going to underwrite voluntarism, a contradiction in terms, in my judgment.

When the Senator from Arizona says that the members of the armed services should at least receive the same amount of benefits that these so-called volunteers get, he is told by the manager of the bill that the inservice benefits—and I am not sure if he counted the uniforms and the food and the housing in figuring the inservice benefits—that the inservice benefits are more for servicemen than they are for civilian national service volunteers. "Volunteers," I emphasize again, community service volunteers. They can use their postservice vouchers for education costs, or to forgive previous student loans, or for the down payment on a first home. The military volunteers may use their vouchers only for education costs.

Under the Montgomery GI bill military volunteers serve 3 to 6 years, do a boot camp, move to wherever the military assigns them and they do not come home at night. They are subject to the Uniform Code of Military Justice and face the real possibility that they will risk life and limb to protect vital U.S. interests.

Under S. 1430, national service volunteers, would serve for 2 years, stay at home, work 40 hours a week, suffer no grave hardships, encounter no risks to life and limb, essentially endure no interruption of lifestyle, and are not subject to the Uniform Code of Military Justice. For this, they receive a $10,000 voucher for their education or for their first home.

Clearly, many will ask: What should I do? Should I go into community service or military service? Many recruits are armed service volunteers because of the postservice educational benefits. Many of my constituents have told me they enter the service so they can, indeed, get a postservice educational benefit.

For example, 70 percent of the Army rangers who served in Grenada were enrolled in the Army college fund. Better benefits will make community service more attractive to those recruits than military service. Mr. President, that is just plain wrong. It will impose additional burdens on our military recruiters.

Call a local recruiting station and ask them what S. 1430 would do to their ability to recruit quality high school graduates to our armed services. Clearly, this bill would become well known in the high schools and colleges of our country and do a great disservice to those who are trying to recruit graduates to our armed services.

Some argue that the manpower pool from which the military and national service would recruit is so large that both services would enjoy adequate levels of recruits. They argue that there are 30 million high school graduates in the recruiting age group for both these services. Since title III is mainly a demonstration program, it should have no impact on military recruiting.

But, subtract from the 30 million all those who are not mentally, physically, or morally qualified and fit for military service. Subtract high school graduates who go immediately on to college. Consider that the vast majority of military recruits enlist within 1 year of high school graduation and most are males. Then the real population for military recruits shrinks to about 1 million, perhaps somewhat more, but around 1 million.

Even if military recruiting goals are reduced from 300,000 to 225,000 to correspond to the reductions in Armed Forces manpower from 2.1 to 1.8 million, the military must still recruit one out of every four qualified high school graduates. Community service becomes considerably more attractive when you can stay at home, and receive benefits that apply to education that are as meaningful or more meaningful, indeed that are more flexible than the types of benefits that are offered to people who go into the service.

The military recruiters are going to have their problems. We simply will not be able to recruit the exceptional volunteers that comprise today's armed services.

I recall, Mr. President, when I came to the Senate, the difficulty we had in recruiting people to the armed services. At that time people in the armed services simply were not being paid enough.

When I came to the U..S. Senate, half a million members of the armed services and their spouses and dependents qualified for food stamps. We do not want to return to that once again.

This bill would not necessarily return us to it, but why create a competitive situation that would undermine recruitment to the armed services? Why create a situation where one gets paid for volunteering? Volunteering goes right back to the Massachusetts Bay Colony. It has played a major role in the development of our country.

I have been the head of many volunteer organizations. For 3 years, I was the head of the American Cancer Society in Minnesota. For 3 years, I was the head of the Kidney Foundation in Minnesota and the Dakotas and for a year, I was chairman of the Minnesota Mental Health Association. Mr. President, I have worked with volunteers.

I do not believe that volunteers should be paid, but if they are, their benefits should not be better than those who volunteer to serve in America's armed services. I support the amendment offered by the Senator from Arizona and thank him for bringing it to the floor. I urge my colleagues to adopt it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I would like to rise in opposition to the McCain amendment, yet at the same time acknowledge the very fine points made by the Senator from Arizona as he outlined the rather substantial sacrifice that military service calls for from our men and women.

There is no doubt that a career in the United States military is hard, is arduous, and there can be no compen-

sation adequate to meet those demands often placed upon them.

We salute the U.S. military, and I can tell my colleagues, as one of the principal architects of this bill, there is no intention in any way to undermine the ability of the U.S. military to both recruit and retain adequate personnel, either now or in the future.

Our commitment is to the U.S. military, and that is why so many of us have been aggressive in supporting the Montgomery bill, and also adequate funding in appropriations for veterans benefits that I will comment on in a minute or two.

One of the things that I think our bill, the current Kennedy-Mikulski-Nunn bill does, is actually do a demonstration project, which I know the Senator from Arizona would like.

We are talking about a bill that, by the way, will only be authorized for 2 years. We are talking about a bill, which the Senator from Arizona perhaps does not realize, is only authorized for 2 years, and we have to authorize it. If, in the course of that 2-year period, we see a drastic slump in military recruitment, we can jettison the bill. That is No. 1.

Second, if the bill continues along the demonstration proposal, we are talking about 35 States over a 5-year period.

I bring out the significance of this because, in order to participate, a Governor must submit a plan. No Governor is going to submit a plan that negatively impacts upon the military and, in the course of the first 18 months, we will again know the consequences of this in terms of this demonstration project over a 5-year period. That is why we will find out what its impact is. We do not anticipate a negative consequence because of the way we have carefully designed this bill.

Let me go to this much-criticized voucher program and what really the men and women who participate in this will actually get.

First, for those who participate on a full-time basis, either in Peace Corps, in VISTA, a conservation corps, or so on, they will get a $5,000 taxable benefit. They will go away from their home; they will live in Bangladesh; they will work in South Africa; they will work in neighborhoods that are as terrorizing as any foreign country that they could ever work in in the Peace Corps. For that, there will be a skimpy subsistence level with no other backup. For that, yes, they will receive a $5,000 voucher. And then, whatever full-time program they participate in, they will leave with their heads up high, but they will not leave with their pockets filled. There will be no other benefit than this one-time-only voucher.

For the part-timers who live at home, Mr. President, that is a $2,000 voucher, and it is presumed the young men and women will be working in the community as well as volunteering. We are going to ask two weekends a month out of them, or the time equivalent, plus two weekends during the summer. At 9 hours a week, with the $900 voucher of the Senator from Arizona, it is going to come out to something like $1.91 an hour. Mr. President, our kids can do better selling shoes at a mall than they can delivering weekend Meals on Wheels under this program.

That is not the point of the program. The point of the program is to give a jump start to these young men and women. By the way, if they pay taxes in the 15-percent bracket, this voucher will come in at $1,800, and, also, under the urging of Senator HATCH and our Republican colleagues, we have made it even more flexible, Mr. President, because a Governor can submit a State plan making the voucher lower as long as it is not below a year's tuition cost in his own public college.

So we think we are not creating a bill that is a new pot of gold for people. We also do not think that that in any way is a distraction to the men and women who want to serve in the National Guard.

Two last points on housing. Mr. President, not every kid in this country is going to go to college. Not every kid in this country wants to go to college. Not everybody wants to work on a Ph.D. or get a law degree. What many of them want to do is go to our technical schools and, in the end, they want to volunteer. They want to be voluntary firefighters in rural areas, where we are running a shortfall; they want to build houses for habitat for their community, like Garrett County that has the severest housing shortage of any part of my State. While they are going to the Garrett Community College, they might not have a tuition bill, but through their own sweat equity, they might want to accumulate that nest egg for first-home benefits.

This takes me to veterans' benefits. The Senator from Arizona is right, the veterans' package has, indeed, been austere. I chair the Appropriations Subcommittee on VA, HUD, and Independent Agencies. I had to go against the whole White House and OMB to squeeze more money to put money into veterans' health care, and they deserve it, and they deserve more. I am glad the President this year is catching up with the Democratic Congress of last year.

We are taking a look at the veterans housing programs and the VA mortgage. While we are seeing how we can strengthen them in the Appropriations Committee, out comes this new ad out of the administration to want downpayments from our veterans. Sure, some of them might not qualify, but most would. I want to work with any and all in this U.S. Senate to improve veterans' benefits. But do not penalize the good kids who are going to want to do national service because there are potholes in the current Veterans Administration program. Let us not make two wrongs to make a right. And at the same time, I do believe the veterans' package is substantially better than one would indicate.

At the same time, our kids in civilian service will not get veterans' preference in jobs, and they should not. They should not qualify for a VA mortgage, and they will not. They will not qualify for veterans health care and a variety of other things, but that is OK. They will perhaps learn the habits of the heart, and, with the skimpy voucher we provide them, maybe they can go on having access to the American dream.

Mr. President, let me just conclude with one fact. There is a new study out in Washington that talks about how 25 percent of the black men are now in prison. Twenty-five percent of the black men are now in prison. There are more black men in prison than there are in colleges. That is a heartbreaking circumstance.

I want to say yes to the kids who say no to drugs, no to getting pregnant, who want to make something out of their lives. Mr. President, this is an opportunity for that 75 percent who see no opportunities for them, and I hope we defeat the McCain amendment. Honor our military in the veterans and defense programs, but let us also honor the volunteers in this program.

Mr. KENNEDY. Mr. President, I will just take a couple of moments here to indicate to the membership effectively what we are talking about with this part of the program. Basically, what we are talking about is that the stipend for those who are going to volunteer for full-time service is effectively the poverty wage. That troubles some when you calculate it and find out how much it is a week. It bothers some to say we have volunteers, and we are truly paying them a poverty wage. Some Members of this body think that any remuneration—even for those in full time service that lasts a year—is too much. I disagree. Anybody who commits a year should get some minimal living allowance.

What we are telling these people is simply this: if you are willing to spend an extended period of time involved in community service at basically a poverty wage for a period of time, that at the end of that service—some modest resources may be available to help them meet college costs or to help them purchase a home.

Mr. President, I know that there are some who think service should only be available to those with resources to volunteer. Who are going to be those people? It is just going to be the very

wealthy. Our proposal provides a small stipend and vouchers to enable young people to do this. Our proposal also recognizes that an education benefit is something that benefits not only the individual but also benefits the country as well.

I see now the chairman of the Armed Services Committee. He has worked extremely hard and long on this bill. He has been a real leader in the development of this proposal. He has commented that the full time service participant would get 60 percent of the benefit going to a military enlistee. I hope the Senate will listen to the chairman of the Armed Services Committee whose proposal we are addressing at this time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. I thank the Senator from Massachusetts. As I said yesterday, I thank him for his leadership on this issue. I want to, first, agree with the Senator from Massachusetts. If we want nobody but the rich people or the upperclass in this country to volunteer, then let us kill this bill and go on about our business and hope we will have rich people who will be willing to spend their time in sufficient numbers to do the job we need in social services.

This bill has a different philosophy and a different concept. This bill says that there are a lot of people out there—middle-income people, lower income people, and even poor people—who would like to do something for their community. They would also like to get an education and be a contributing member of society.

I do not know how many people focused on it, but we have had a 25-percent decrease in low-income students going to college since 1985, including minorities but not limited to minorities—something like a 25-percent decrease at the very time when we are trying to get more competitive in our society to be able to compete in the world.

Before I say why I am against the McCain amendment, which I am opposed to—I vigorously oppose the amendment—let me talk about a couple of things on which I agree with the Senator from Arizona because the philosophy behind the amendment is something with which I think we all agree.

The philosophy is that the military ought to be paid more than people in these jobs we are now making available for civil and community service. I agree with that. The military takes risks that civilians do not take. In Panama, we had people in the military down there who not only risked their lives but who gave their lives. So I do not think anyone quarrels with that principle. The military should be paid more, substantially more than people who are serving in community-based activities, although they are also serving the country, and we should make no mistake about that.

Military service must be able to attract sufficient numbers of high-quality youth in the service. There is no doubt about that. And a national service program, any national service program should take into account the recruiting capabilities and potentials and problems and challenges of the military, and this bill does that. So we all agree on that point.

But I think everyone ought to understand that if this bill passes and becomes law, 2-year enlistees in the military will be receiving 31 percent more than these people in these jobs, because we are paying them very low wages. The main thing we are trying to do is stimulate young people to serve in exchange for an educational benefit.

Now, if the amendment of the Senator from Arizona passes, you can wipe this program out because they are not going to get enough educational benefit to really be able to complete their school work or to go to school, and you are not going to have the incentive to get people to go into very low-income jobs in order to get the educational benefit.

The main part of this carrot is not the wage and the compensation. The main part of this carrot is really the educational benefit. What the amendment of the Senator from Arizona says is you get no more in part service benefits than 2-year enlistees in the military are getting. But what he does not do is raise the wage of the civilian national service participant to compete with that military wage. And we do not want to do that either, because we want to attract people who are interested not primarily in making money but primarily interested in serving their fellow man and also getting an education. That is what we are trying to appeal to.

So what we have to emphasize to our colleagues is, this amendment looks good on its face but what it does not tell you is that we have already calibrated that differential between the military and this civic volunteer. The military will be making 31 percent more. And it is even larger than that if you compare the part-time volunteer with the part-time reservist. It is much more than that because the part-time volunteer does not get paid anything. Their whole compensation is in the form of the educational voucher—they don't receive any pay while they are serving.

One other point, Mr. President, the Senator from Arizona does not point out that there are much larger benefits available in the military than what his amendment is geared to. He has geared his amendment to the minimum educational benefit in the military. He has not geared it to the larger benefits that are available.

The 2-year civil volunteer under our program would be able to get about $10,000 in educational benefits. A 2-year volunteer in the military, normal program, can get $9,000, approximately $9,000, minus $1,200 that they contribute themselves, which gets down to $7,800. So it is $7,800 versus $10,000.

But guess what? If that same military member decides he wants to get more educational benefit and decides to go into combat arms or other types of endeavors, they can get $18,000 in benefits, a lot higher than anybody can qualify for under this program. But he does not address that because he gears his amendment simply to the lowest benefits that are available if you sign up for scholarship. And if someone serves in the military for 3 years and decides to go into certain specialties where you get additional benefits, they can get up to $25,800.

So what the Senator is doing here is ostensibly comparing apples to apples in this amendment. We are not comparing apples to apples at all. We are comparing two different philosophies, two different programs that have already been calibrated but have been calibrated by paying the civic volunteer much less overall than we pay the military counterpart.

We also are not comparing apples to apples in terms of what is available to the military, which is up to $18,000. In fact some 20,000 people in the military get supplemental educational benefits because they go into certain critical skills.

So I hope that this amendment will be voted down because it, in effect, as the Senator from Maryland has already said, would gut this program. If you do not want the program, vote against the bill. But let us not do it by the back door. Let us not kill it by making it so low in terms of educational benefits that we defeat the whole purpose of the bill, which is to get young people to go to school and to further their education and to help America become more competitive.

If this same type of amendment had applied back when we were trying to entice people into the military, we never would have signed them up. We have tried to make the military much more lucrative, not simply by educational benefits but by the total pay package. I do not think anyone ought to be deceived. The military has a total package. It includes all sorts of benefits, including housing benefits, including food benefits, including a lot of things that are not part of this rather austere pilot program. So I would hope that we would vote down the McCain amendment.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I certainly am impressed by some of the remarks of the distinguished chairman. I hope he recognizes that the Department of Defense is in strong disagreement with many of the points he just made, including the fact that the Department of Defense points out major objections which clearly refute some of the statements the distinguished chairman of the committee was making.

In the words of the Department of Defense:

> This legislation appears to offer significant competition to military recruiting in the test areas without recognizing that the national imperative of the military recruiting objectives be met.
>
> The legislation appears to rely upon flawed test designs and will not permit proper assessment of national impact. The bill fails to require coordination programs of military activities likely to be affected. The bill does not make use of existing resources when counseling potential applicants on service opportunities.

The Department of Defense states, Mr. President, that "the net result of this legislation is to tip the playing field, particularly military recruiting programs, at a distinct disadvantage," with which I obviously agree.

Mr. President, the issue is fairness. I thought we were talking about inducing people to volunteer, not trying to compete on a salary basis with men and women in the military, who are asked to risk their lives. The distinguished chairman of the committee simply points out that a member of the military is paid more than this national service program. That certainly should not surprise or astound anyone. But the fact is that the benefits postservice for national service would exceed those of a person who serves in the military and risks his life or, tragically, sacrifices his life and never gets to enjoy those benefits with which we provide him.

Mr. President, equating national service to military and the fact that a member of the military is paid more, I would hope that all of us would see how appropriate that is. I would also point out that the Department of Defense is deeply concerned about tipping the scales against the military, and that is why they oppose the bill.

I also want to say in addition to that, Mr. President, that $1.91 an hour for volunteer work, although low, may not be entirely inappropriate if we are talking about people who are volunteers and people who are going to receive substantial posteducational benefits.

The distinguished chairman points out about large amounts of money for posteducation benefits for certain numbers in the military. He fails to point out that these are very, very limited programs. They target programs. They target scarce and demanding skills that are used to manage the force. The majority of those that enter the military have a Montgomery GI bill benefit of $10,800 of which the service man or woman is required to contribute $1,200. I might point out there is no contribution on the part of any of these national service volunteers to help defray the costs of the posteducation benefits that are provided.

Mr. President, I would not like to go home to the VFW post or the American Legion or the DAV and tell those veterans who have served and sacrificed that we now have a program that is going to provide greater benefits to people who do not serve in the military.

The purpose of this amendment is to level the playing field. I am not even seeking less for those who are engaged in national service. I am asking for equal and equitable and level playing field numbers for those who engage in national service as well as those who engage in service in the military and defense of this Nation and freedom.

Mr. ARMSTRONG. Mr. President, I wonder if we have forgotten the reason why the GI bill of rights education benefits were restored a decade ago? Perhaps some have forgotten but I remember quite vividly during the last half of the seventies our military was falling apart. We were hearing the most dire predictions about the inability of the Navy particularly, and to a lesser extent the Army, to fill its critical skills. The Secretary of the Navy actually beached some ships because they could not find enough qualified seamen to sail them. We read day after day reports in newspaper accounts of the declining education levels of military personnel, including those in both the Army and the Navy, and to a lesser extent the Air Force.

The manuals which were given to soldiers to run these complicated sophisticated weapons, and we should remember that a modern tank which is operated by a crew of high school graduates is far more complicated than the World War II airplane for which we required a college educated person to fly. These manuals related to sophisticated complex weapons were being written down from 12th grade standard English down to 8th grade English.

At one point, if memory serves me correctly—I do not think I have forgotten the main issue. I do not have the statistics. If I recall correctly at one point we reached the point where the educational achievement of recruits had fallen so low that there really was a growing movement to reinstate the draft.

It was about at that point that as one Member of the Senate I concluded something had to be done. I had long believed that peacetime conscription is an evil that should be avoided. That conscription is a great imposition on any person and should only be restored to in a free country under the most extreme circumstances—in general only at time of war.

So with the prospect and a growing clamor for peacetime conscription, ships being beached, and hollow units showing up in the Army, and with a trend apparently almost irreversible of the least capable persons being the only ones who would seek entry into the armed services, we realized something had to be done.

People like Prof. Charles Moskos of Northwestern University and others came forward and said you cannot buy, or spend enough in salary to attract and hold the kind of people in the armed services you want. The only way that we could think of to do so was the GI bill education benefit because that benefit was precisely the kind of incentive that would be attractive to the type of people we were seeking to bring into the military; that is, the upward mobile people who would be attracted not so much by $10, $50, or $100 a month more in pay but who would have a tremendous incentive to come in to get the education benefit.

In short, Mr. President, we did not reinstitute the GI bill benefits for any abstract or altruistic reason. We did it because our military services were crumbling, crumbling all around us. We needed to do so to attract and hold the quality of people that we needed in the service.

How has it worked out? The answer is as Senators know, it has worked out great. It has fulfilled everything that we expected for it. The military services have reported to us over and over again on the success of the program. But not only are we filling the numbers that we need of new recruits, but we are attracting and holding highly qualified, capable people who are necessary to make a modern military machine function properly. So the program has worked.

Mr. President, it appears to me that if we fail to adopt the McCain amendment we are just asking for trouble. I know at this point perhaps the military is going to be entering a period when it is not as fashionable as it was. Peace is breaking out all over the world. It appears the cold war is over, and in effect we have won the battle. So it is natural that military service is not going to be as popular, as glamorous, as much as in the center of the limelight as it is at times of great tension or even during times of war.

We have seen that before. We went through it in the thirties with disastrous results when World War II came along. Perhaps it is inevitable we are going to do that again.

Mr. President, it seems to me that Senators should be the last ones to fall for that kind of trendy thinking. This

is not a moment to undermine the attractiveness of our military service by offering to a new class of Federal employee, and that is really what we are talking about. We call them volunteers, but they are in effect a new class of Federal recipients, at least, whether they are technically employees. To undermine the GI bill benefits which have proven to be a successful recruiting and retention program by offering right out of the box something that is more attractive to a different class of volunteers seems to me to be a great mistake.

Whether it is just or not I leave to others to discuss. I am disposed to believe, as Senator McCain has said, that it is unfair. Whether or not we are offering enough to the volunteers I leave to others to debate. It seems to me that we are offering plenty.

But I would ask Senators to consider as they think of this amendment the probable practical effect on our ability to recruit and hold highly qualified people in the military. It seems to me there is no urgent, compelling reason for us to fool around with the program that is working well or to set up in competition with it something which will make it less attractive.

So I am going to vote for the McCain amendment.

Mr. MURKOWSKI. Mr. President, I speak in support of the amendment before us today because of my concern for Americans who are not mentioned in the proposed bill. Americans whose interests are directly and indirectly affected by its provisions. I speak because of my concern for America's veterans.

The Congress expresses the will of the American people, and the American people have long insisted that the unique hardships and risks of military service be recognized by appropriate benefits for those who have served.

Those benefits, Mr. President, have frequently blazed a path for programs to serve nonveterans.

At the end of World War II there was no generally available program of low, or no, down payment long-term mortgage finance. The VA home loan guarantee program demonstrated the benefit of such a program and started this country down the path to becoming a nation of homeowners.

At the end of World War II, opportunities for higher education were limited. But then the colleges and universities of America were flooded with veterans making use of the GI bill. This country has never been the same.

Most Americans can only dream of the safety net which would be provided by a guaranteed minimum income. Wartime veterans who are 65 years of age or older, or who are disabled, from any cause, enjoy such a safety net. A VA pension will pay them the difference between their actual income and $6,767 per year.

This year, VA will provide free impatient hospital treatment to over 1.1 million veterans and, in addition, almost 23 million outpatient visits.

Mr. President, many of these veterans benefits now have parallels available to non-veterans. But never has the comparison been so direct, or unfavorable, as that between the benefits proposed in title III of this bill and those available to the young men and women who serve in our Armed Forces.

A young person entering the Armed Forces desiring post-service education benefits must elect to endure, during the first 12 months of service, a $100 per month salary reduction.

This service member must then successfully complete his or her enlistment and receive an honorable discharge to receive benefits. The basic benefit for 3 years military service is $300 per month for 36 months or $10,800. The basic benefit for a 2-year enlistment is $250 per month or $9,000.

In comparison, a 2-year volunteer participating in the title III pilot program would receive vouchers valued at $10,000.

Mr. President, I will leave it to the Committee on Armed Services to evaluate the effect on recruiting should a program similar to the title III pilot become law. I admit that it defies commonsense to expect that there would be no adverse impact.

My concern, as I noted earlier, is to America's veterans. I believe that enactment of this bill would be interpreted as a congressional judgment on the relative worth, and the relative hardship, of military and domestic service.

Frankly, I can't agree with the judgment that this bill would make.

Based on the benefits provided, this bill values domestic service more highly than military service. I agree that hospital, literacy, and other domestic tasks are of value. But, their value pales against the value of the freedom secured and defended by the members of our armed services. We are currently basking in the warm glow of a world apparently liberated from a cold war.

I urge the Senate not to forget that liberation was in large measure secured by the service of young men and women who endured difficult service to ensure that our adversaries knew there was no viable armed solution to the inevitable internal contradictions of communism.

Incredibly, based on the benefits provided, this bill places a higher premium on domestic service than military service.

This would be the case even though a domestic service volunteer could live at home, eat "mom's home cooking," enjoy the companionship of his or her friends and the atmosphere of his or her hometown. A service member lives on a ship or in barracks, eats messhall chow, has an NCO to keep him in line and endures the hardship of remote bases or long deployments. And, of course, a service member is committed to follow, without question or hesitation, orders which may lead to death or injury.

Mr. President, the relative benefits, hardship, and commitment of domestic service and military service are not consistent with the relative rewards of the benefits which would be provided should this bill become law. The Congress could respond by initiating a bidding war for the services of America's youth. I submit that a better course would be to put domestic service back on a true volunteer basis. We do not need to create what would, in reality, be a new domestic publicly funded jobs program.

We didn't provide veterans' benefits to those who served in the WPA. I believe we should not provide them to the participants in the public works program proposed by this bill.

I thank the Chair.

Mr. NUNN. Mr. President, just one brief word. I listened carefully to my friend from Colorado. I know how hard he is working on making the volunteer military work, because he is exactly right. I remember when he stood on the floor and pointed out the inadequacies of military pay. His leadership had a lot to do with some of the restoration that was made. But let me just throw out a few figures here. I cannot really see how anyone believes that this bill could possibly undermine military recruiting, if you look at the numbers.

I mean, forget the argument about compensation which I have already made. Forget about the argument that the full-time national service participant earns only two-thirds of the total compensation of most 2-year enlistees in the military.

Forget those arguments for a minute. Just look at the numbers. There are 700,000 people that try to get in the military each year that apply. They can only take 300,000. I will be the first to say some of that 700,000 is not qualified, or cannot meet the standards. But only 300,000 are accepted by the military; 700,000 apply.

When you look at the number of jobs we are talking about here, we are talking about no more than 1,400—not thousands, not 140,000—1,400 full-time pilot project jobs. Anything else has to come back to the Congress. We are talking about no more than 7,200 part-time jobs.

How can anyone believe that 1,400 full-time jobs where they earn 31 percent less than they would earn in the military can affect in any significant way 700,000 people who now apply to the military? I just do not even under-

stand the arithmetic of that. I do not understand the logic of it both from the point of view of compensation, and from the point of view of numbers.

The purpose of this program is to find out some things. One of the things we want to find out is the attractiveness of these positions versus the attractiveness of normal work versus the attractiveness of the military. We have to test this to be able to know what to do on the national basis. That is the test program.

So I urge my colleagues again not to vote for this amendment. If they are against the program, vote against the program, but do not gut the program with the McCain amendment. That is what that would do.

Mr. McCAIN. Mr. President, we have the highest respect and regard for the distinguished chairman and his many years of involvement in manpower issues, and, of course, it is always a great privilege to work with him on a wide variety of issues.

He does not see how anybody could object to this amendment or bill on grounds of recruiting. I say in response that the Department of Defense, and I quote, says, "The net result is a tip in the playing field that places the military recruiting programs at a distinct advantage." That is the view of the Department of Defense. I happen to share it.

My argument on this amendment is not recruiting; it is not anything except fairness. Fairness is what I seek here, and fairness is what the men and women of this country deserve, those in the military. It is not fair to give people greater benefits, who do not serve in the military, than those that do. That is the reason for my amendment, not because of recruiting, not for a variety of other reasons, but simply on the grounds of fairness.

I hope that we will vote affirmatively on this amendment. I look forward to working with the Senator from Massachusetts and the wonderful Senator from Maryland, who has devoted much of her time in trying to help those men and women who have served and are serving in the military. This sends a wrong message, Mr. President, to the men and women who are serving and those who did serve, and we tell them compensation will be higher in a post-service fashion than those who serve in the military.

Mr. ARMSTRONG. If the Senator will yield, I am not trying to have the last word, but it sure as thunder does affect recruiting. If somebody thinks that potential recruits or potential reenlistees in the services will fail to be sensitive to the meaning of this, which is to say we value service under the new program of volunteers more than we value your service as a member of the Military Establishment, I just think they underestimate the perspicacity of people who are or are thinking about joining the Army, Air Force, Navy, or Marines. They are going to know it, and they will say the emphasis the country and Congress puts on the new program is greater than the old program. It is not just the 1,400 who may or may not join the new program. That is not going to stay at 1,400 if we enact this thing. It will go up. Everything else does around here. It is the message we are transmitting, and it will have an effect on recruiting, and do not kid ourselves about it.

Mr. McCAIN. I might add, our All-Volunteer Force.

Mr. KASTEN. I rise in strong support for the Senator of Arizona and ask that I be made a cosponsor of this amendment.

Mr. McCAIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Mr. KENNEDY. Mr. President, it is my hope that we will dispose of the McCain amendment and the Armstrong amendment. I understand now that there will be a perfecting amendment by the Senator from Colorado, and then we were going to put in the RECORD a very brief exchange regarding its interpretation and then it is my understanding that the desire of the majority leader for the convenience of the membership is that we vote on both these measures back to back. That is what we would like to be able to accomplish.

So if the Senator from Arizona would permit us to go back to the completion of the Armstrong amendment with at least our understanding that we will have back-to-back votes, either on the amendments or on some motion related thereto.

Mr. ARMSTRONG. I think we can do that in perhaps a few seconds.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the amendment of the Senator from Colorado to the underlying Armstrong amendment be in order at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1268 TO AMENDMENT NO. 1262

Mr. ARMSTRONG. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ARMSTRONG], for himself, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MACK, Mr. MCCONNELL, Mr. KASTEN, and Mr. HATCH, proposes an amendment numbered 1268 to his amendment 1262.

Mr. ARMSTRONG. I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

In lieu of the matter proposed in amendment 1262:

On page 8, line 2, after the word "needs" insert the following: ", including, but not limited to, churches and other religious entities";

On page 8, line 9, after the words "secondary school" insert the following: ", including, but not limited to, private sectarian and nonsectarian schools";

On page 10. line 6, after the words "public or private agencies" insert the following: ", including, but not limited to, churches and other religious entities";

On page 36, line 3 strike "any religious function" and insert in lieu thereof, "the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization".

On page 69, line 7, strike the semicolon and insert in lieu thereof the following: ", but nothing in this Act shall be construed to prevent any church or other religious entity from—

(A) displaying religious symbols or decorations;

(B) allowing persons to pray voluntarily, whether silent or vocally;

(C) allowing persons to sing religious hymns; or

(D) affirming or promoting any moral tenet that may be based on religious precepts;".

So long as no funds provided under this Act are used by program participants and program staff for such activities and so long as these activities are conducted in a manner consistent with the Constitution.

On page 70, line 6, after the word "affiliation" insert the following: ", except that nothing in this Act shall prohibit a church or other religious entity from requiring that participants adhere to the religious tenets and teachings of such organizations and further, such organizations may require that participants adhere to rules forbidding the use of drugs or alcohol".

On page 70, line 7, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following new subsection:

"(c) QUALIFIED APPLICANTS.—If two or more prospective participants are qualified for any position with a church or other religious entity that is funded under part A of title I or titles II or III, nothing in this Act shall prohibit such organization from accepting a prospective participant for such position who is already participating on a regular basis in other activities of the church or other religious entity.".

Mr. ARMSTRONG. Mr. President, this has been worked out with the managers and the staff of the managers and by my staff. It satisfies some concerns which the managers raised and does so in a way which is consistent with my intent. Frankly, it is partly styled, and I believe the explanation of the amendment which I previously submitted still applies. However, it is, I think, the intention of the Senator from Massachusetts to submit a colloquy.

And with that explanation, I ask for adoption of the amendment to the amendment, and then the yeas and

nays on the underlying amendment that have been ordered.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it appeared as though the responses to this particular amendment are that we follow the pattern that has been accepted with other legislation dealing with the church-State issue, and we wanted to deal with that issue in a particular way. The Senator from Colorado prefers to list certain kinds of activities. We have dealt with that. But I believe that is a constitutional way.

Some adjustments have been made in the Senator's amendments. It seems to me that this is a satisfactory way of proceeding.

Does the Senator desire a rollcall vote on the amendment as amended?

Mr. ARMSTRONG. I do.

I think the business now is the amendment to the amendment.

The PRESIDING OFFICER. The Senator is correct.

Is there further debate on the amendment to the amendment?

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. This has been worked out over a long period of time. I think it worked out to the satisfaction of all parties.

It is my understanding that after this amendment is adopted, we will vote on the Armstrong amendment and have a back-to-back vote on the McCain amendment.

I ask unanimous consent that that be the order.

Mr. KENNEDY. Mr. President, it is my understanding that we would vote on the Armstrong amendment, and I think the Senator from Georgia intended to make a tabling motion for the McCain amendment.

Mr. HATCH. Mr. President, this amendment will authorize a reduction in benefits in national service to be lower than military.

Mr. President, I agree with my colleague from Arizona that there should be some concern over the impact of this legislation on the military. And, none of us who have been involved in the drafting of this legislation want to see other important programs hurt. This legislation is intended only to expand the opportunities for all Americans from all different backgrounds to serve.

In fact, this legislation requires an evaluation of the impact of this program on VISTA, the Older Americans Volunteer Programs, the regular Armed Forces, the Reserve Armed Forces, and the Peace Corps. We already have thousands of volunteers working in these efforts and I am sympathetic to those who have concerns that this new service program will drain people from our existing corps of volunteers.

We should do what we can to encourage more participants in existing volunteer programs, but still work to develop new ways for all Americans to have the opportunity to serve.

I believe Senator MCCAIN has made an important point. We should not make military service an unattractive option to other programs.

My sole concern with this legislation is the limiting of the vouchers, to education benefits only. However, I am very sympathetic to all these issues.

The PRESIDING OFFICER. Is there further debate on the amendment of the Senator from Colorado to his own amendment?

Mr. BUMPERS. Mr. President, Senator ARMSTRONG has raised the church-state issue with respect to the various grant programs in S. 1430. I want to briefly comment on the church-state issue as it applies to the loan deferment and cancellation provisions of the legislation.

Since 1980, the Higher Education Act has provided that student borrowers may defer repayment of student loans if they perform full-time, low-paid community service with tax exempt community service organizations. In implementing this deferment, the Department of Education has ruled that student borrowers may perform this service for organizations which are tax-exempt because they are religious organizations under section 501(c)(3) of the Internal Revenue Code. However, students who serve in religious organizations may not give religious instructions, conduct worship services, engage in religious proselytizing, or engage in fundraising to support religious activities.

The regulations promulgated (35 C.F.R. 674A(B)(4)(V); 682.508(D)(5); and 683.58(D)(5), conform with the intent of Congress in authorizing the deferments in 1980 to avoid violating the constitutional provisions for separation of church and state.

Students who serve with tax-exempt religious organizations should be eligible for loan deferments and loan cancellation benefits under the national services bill, just as they were under the loan deferment program of the Higher Education Act of 1980.

The amendment (No. 1268) was agreed to.

Mr. ARMSTRONG. I ask unanimous consent that the Senator from Wisconsin [Mr. KASTEN] and the Senator from Utah [Mr. HATCH] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. Is there further debate on the amendment of the Senator from Colorado?

Mr. McCAIN. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. The yeas and nays have been ordered on the amendment of the Senator from Arizona.

Is there further debate on the amendment of the Senator from Colorado?

If not, the question is on agreeing to the amendment of the Senator from Colorado.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas [Mr. BENTSEN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Tennessee [Mr. SASSER], and the Senator from Illinois [Mr. SIMON] are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] would vote "yea."

The PRESIDING OFFICER (Mr. BRYAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 18 Leg.]

YEAS—91

Adams	Ford	McCain
Armstrong	Fowler	McClure
Baucus	Garn	McConnell
Biden	Gore	Mikulski
Bingaman	Gorton	Mitchell
Bond	Graham	Moynihan
Boren	Gramm	Murkowski
Boschwitz	Grassley	Nickles
Bradley	Harkin	Nunn
Breaux	Hatch	Packwood
Bryan	Heflin	Pressler
Bumpers	Heinz	Reid
Burdick	Helms	Riegle
Burns	Hollings	Robb
Byrd	Humphrey	Rockefeller
Chafee	Inouye	Roth
Coats	Jeffords	Rudman
Cochran	Johnston	Sanford
Cohen	Kassebaum	Sarbanes
Conrad	Kasten	Shelby
Cranston	Kennedy	Simpson
D'Amato	Kerrey	Specter
Danforth	Kerry	Stevens
Daschle	Kohl	Symms
DeConcini	Lautenberg	Thurmond
Dixon	Leahy	Wallop
Dodd	Levin	Warner
Dole	Lieberman	Wilson
Domenici	Lott	Wirth
Durenberger	Lugar	
Exon	Mack	

NAYS—3

Glenn	Hatfield	Metzenbaum

NOT VOTING—6

Bentsen	Pell	Sasser
Matsunaga	Pryor	Simon

So the amendment (No. 1262) as amended, was agreed to.

AMENDMENT NO. 1267

The PRESIDING OFFICER. The Senator from Georgia [Mr. NUNN] is recognized.

Mr. NUNN. Mr. President, what is the pending business now?

The PRESIDING OFFICER. The pending business is the amendment of Senator MCCAIN, amendment No. 1267, on which the yeas and nays were ordered.

Mr. NUNN. Mr. President, on behalf of Senator ROBB and myself, I move to table the McCain amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate?

There being no further debate, the question is on agreeing to the motion of the Senator from Georgia to lay on the table the amendment of the Senator from Arizona. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas [Mr. BENTSEN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Arkansas [Mr. PRYOR], the Senator from Tennessee [Mr. SASSER], and the Senator from Illinois [Mr. SIMON] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 19 Leg.]

YEAS—54

Adams	Exon	Levin
Baucus	Ford	Lieberman
Biden	Fowler	Metzenbaum
Bingaman	Gore	Mikulski
Boren	Graham	Mitchell
Bradley	Harkin	Moynihan
Breaux	Hatfield	Nunn
Bryan	Heflin	Packwood
Bumpers	Heinz	Pell
Burdick	Inouye	Reid
Byrd	Jeffords	Riegle
Conrad	Johnston	Robb
Cranston	Kennedy	Rockefeller
Daschle	Kerrey	Sanford
DeConcini	Kerry	Sarbanes
Dixon	Kohl	Shelby
Dodd	Lautenberg	Warner
Durenberger	Leahy	Wirth

NAYS—41

Armstrong	Gorton	McConnell
Bond	Gramm	Murkowski
Boschwitz	Grassley	Nickles
Burns	Hatch	Pressler
Chafee	Helms	Roth
Coats	Hollings	Rudman
Cochran	Humphrey	Simpson
Cohen	Kassebaum	Specter
D'Amato	Kasten	Stevens
Danforth	Lott	Symms
Dole	Lugar	Thurmond
Domenici	Mack	Wallop
Garn	McCain	Wilson
Glenn	McClure	

NOT VOTING—5

Bentsen	Pryor	Simon
Matsunaga	Sasser	

So the motion to lay on the table the amendment (No. 1267) was agreed to.

Mr. METZENBAUM. Mr. President, I rise today in support of S. 1430, the National and Community Service Act of 1989.

I am particularly pleased that we have worked to include strong language to prevent job displacement. We all agree that the community service bill should expand options so people can work for the public good—not replace existing workers with federally funded volunteers.

The antidisplacement provisions in S. 1430 are the product of lengthy discussions between majority and minority staff, employees and employer groups.

These provisions will ensure active community support, cooperation, and creativity as volunteer programs are implemented.

And active community support from local business, labor, education and other community leaders is essential.

When we first considered S. 1430, organized labor alerted us to the potential for the displacement of paid workers by volunteers, especially in local jurisdictions under financial pressure. I felt strongly—as did organized labor and many of my colleagues—that bitter disagreements between sponsoring employers and their employees would be detrimental to a well-run volunteer program. And we were clear that we did not want to see a federally funded volunteer program result in the loss of paid jobs.

The antidisplacement provisions in this legislation establish the clear intent of Congress to prevent displacement of both existing workers and paid jobs. They also prohibit the conduct of activities that duplicate activities already performed in the jurisdiction.

To achieve speedy resolution of any disputes that might arise, S. 1430 also includes an expedited grievance procedure for resolving any antidisplacement disputes. I am hopeful that, by including such a process, the volunteer program will be protected from protracted disagreements that would cause longlasting animosities. Instead, differences can be resolved promptly, and energies can be focus on the true intent of the program—voluntarism.

In addition, by prohibiting duplication of activities already performed, this bill will guide volunteer programs toward creative activities that meet local needs that are not being met. We do not regard volunteer programs set up under this bill as a replacement for local and ongoing activities. Rather, our intent is to encourage the participation of local volunteers in the development of volunteer activities.

Mr. President, I commend Senator KENNEDY and his staff for their assistance on these antidisplacement provisions. The Senator from Massachusetts, along with Senators DODD, MIKULSKI and PELL, have shown a great deal of leadership in bringing about consensus.

The National and Community Service Act will provide interesting and meaningful community experience for many Americans. It will give us a good indication of how we can best tap into the public spirit and good will of our people. I salute those individuals who will take up the cause of helping others as a result of this bill.

Mr. HATCH. Mr. President, Senator GRASSLEY is to be commended for his efforts to include in the substitute language to authorize the use of the vouchers for the start of a small business or a farm. Senator KENNEDY and I appreciate his assistance on this fine amendment and we were happy to include it in the compromise.

Mr. GRASSLEY. Mr. President, I rise to address an amendment of mine which the committee has included in its substitute amendment. This amendment, which I was prepared to offer on the floor today, would have been cosponsored by Senator HATCH. I thank him for his support and I thank the committee for including my language in their substitute amendment.

The bill provides a voucher to full-time and part-time work for young adults in the national service program. The bill as first reported from the committee allowed the vouchers to be used for the purchase of a home and for educational expenses.

My amendment simply expands the allowed uses for the voucher to include the purchase of a farm or small business, as defined by the Small Business Administration, including production of food, fiber, livestock, aquaculture, and other agricultural industries, as well as most other small business concerns up to $500,000.

Mr. President, beginning farmers and entrepreneurs have difficulty obtaining seed capital for starting up businesses. Banks are frequently unwilling or unable to make unguaranteed loans to small businesses with terms and conditions suited to their needs.

Commercial lenders consider new business ventures as poor risks, as they are usually supported only weakly with collateral and equity. Equity for small business startup is generated from personal savings and home equity about two-thirds of the time.

As you know, Mr. President, new farmers and businessmen usually have little home equity or personal savings built up. My amendment would help farmers and small businessmen obtain capital, enabling them to better meet lenders' requirements.

This capital gap is particularly prevalent for new and smaller businesses. Further, startup capital is an even bigger problem for businesses owned by minorities and women. Women

typically begin business with about half as much capital as do men. Venture capital, instead, is attracted to larger, established businesses.

The $10,000 that would be available to participants in the full-time national service demonstration project would go a long ways to getting people started in business or farming. The Congressional Budget Office estimates that the average business owner begins with less than $15,000. If national service participants combine their resources with other partners, their capital will go even further in starting up the business.

Sufficient capital is not necessary only to obtain financing, it is also significant for ultimate success. According to an article in the Journal of Small Business Management, undercapitalization is a major cause of small business failure.

In recognition of the steady flow of people and income from rural economies, Congress has been working on rural development legislation. Much of the focus of the legislation has been for alternative financing sources.

Such financing, especially for beginning farmers, ranchers, and businessmen, is the one rural credit need admitted by the Task Force of Agricultural Finance.

This voucher, Mr. President, would help young people build the down payment necessary to get that first loan.

The benefits of my amendment would flow not just to the individuals receiving the vouchers. Their communities would reap significant economic and social rewards from investment in businesses and farms. Economically distressed areas of the country face tremendous challenges in attracting business or encouraging the startup of new ones.

Providing financial backing is critical to reinvigorate development in these areas.

Again, Mr. President, I thank the bill sponsors for their cooperation and insight into this matter.

LABOR DISPLACEMENT PROVISIONS

Mr. HATCH. I am a little concerned about the nonduplication and nondisplacement provisions in section 176. While I absolutely agree that we do not want to turn the National and Community Service Act into a public service employment bill—and that includes replacing municipal employees with participants who are stipended under this bill—I do not want to make the provisions in section 176 so strict that we do not allow legitimate volunteer organizations to support causes which may overlap with the duties or work performed by state or municipal employees.

Let me first ask the Senator from Massachusetts about section 176(a)(1). I understand the intent of this paragraph is to avoid duplication of existing programs. I agree with that. We do not necessarily want group A, which is assisted with funds provided under this act, to compete with group B, which has had to raise its funds privately.

However, the term "activity" as it is used in this paragraph is ambiguous, and I hope the sponsor of the bill can shed some light on what is meant here. For example, if the Cache County blood bank operated a bloodmobile 1 day a week, that would be a specific activity. Would this provision prevent assistance under this title from being used to operate the bloodmobile for 2 days a week? Arguably, this is not an additional activity, but rather an expansion of an existing activity. Would this provision prevent assistance provided under this title from being used by an organization to expand an existing activity?

Mr. KENNEDY. No, it would not prevent expansion of an existing activity such as the one described by the Senator from Utah so long as the nondisplacement requirements in subsection (b) are met. It would prohibit funds from going to another organization to operate a bloodmobile program if that organization is not now operating one.

Mr. HATCH. I appreciate that explanation. Now, let me ask the Senator from Massachusetts about section 176(a)(2) and the related requirements in section 176(b).

Subsection (a)(2) states that assistance under this title may not be given to private, nonprofit entities to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met. I understand that subsection (b)(1) and (b)(2) require that a private nonprofit agency cannot receive funds if State or local government workers are displaced from their jobs or if promotional opportunities are infringed upon. I agree with the thrust of these requirements.

But, who is responsible for making the determination that the requirements are met? Let's say the Sierra Club of Salt Lake City has organized an ongoing project to pick up the litter along Utah's scenic highways. That would normally be a function of employees at the State highway department. Is it the responsibility of the Sierra Club to secure assurances from the Utah Highway Department that no workers will be laid off as a result of their organization's cleanup project? And, what is the Sierra Club's liability if, in fact, the State highway department improperly reduces wages or hours anyway?

Mr. KENNEDY. It is not our intention to subject volunteer organizations to unreasonable burdens of proof or liability for violations that are not deliberate or that are not within the control of the organization.

Mr. HATCH. I thank the Senator. Now, on a related point, paragraph (3) states that no assistance may be provided to a private nonprofit organization if the services it will provide duplicate any services "that would otherwise be performed" by government employees. This appears to mean that the Sierra Club project to pick up litter would be disallowed since the State highway department performs this function. This provision would also eliminate literacy programs if school district employees also teach such programs or youth recreation programs if the city parks or school districts offer such programs. I am sure there are dozens of other overlapping services. Do the bill's sponsors intend a strict interpretation of this provision?

Mr. KENNEDY. The intent of the provision is to discourage State and local governments from viewing the National and Community Service Act as a means to finance the public duties they are already committed and obligated to perform. The National and Community Service Act should not sanction the substitution of unpaid labor, or labor that is stipended at a minimal amount, for regular employees who are entitled to normal wages and benefits.

The standards set forth in section 176(b)(3) are intended to be enforced in a reasonable manner. It is not our intent to discourage the Sierra Club and other volunteer organizations from performing public service functions which do not displace workers.

Mr. HATCH. I appreciate that response. I have one final inquiry that also has to do with section 176(a)(2) and (b)(3). Subparagraph (C) lists a set of additional circumstances under which volunteers assisted by the bill may not substitute for employees of State or local governments. I find these are quite reasonable provided we are talking about a long-term substitution. For example, I agree that a volunteer should not be substituted on a long-term or indefinite basis for a worker who has resigned or been discharged. However, I wonder if the Senator from Massachusetts objects to volunteers filling in on temporary basis. For example, if the ambulance dispatcher in Moab, UT, is on sick leave or vacation, would this bill prohibit a community action program receiving assistance under this title from helping out for a time? Clearly, in a case like this, there is no harm to the employee and no intent on the part of the city to make a permanent substitution.

Mr. KENNEDY. The Senator from Utah understands the purpose of the provision. Subparagraph (C) is intended to enumerate the conditions under

which improper substitutions could not take place. Once again, it is subject to a reasonable interpretation. In the case mentioned by the Senator from Utah, I do not see a problem because, as the Senator stated, the employee would not be disadvantaged nor would this action supplant the hiring of employed workers.

Mr. HATCH. I thank the Senator very much for his answers.

Mr. KENNEDY. I would like to confirm the intention of the Senator from Colorado with respect to part (c) of his amendment. It would provide that nothing on the act shall prohibit a church or other religious entity from requiring that participants not violate the religious tenets of the organization while participating in programs funded by the act. So, for example, a kosher Jewish soup kitchen could bar volunteers from distributing ham sandwiches. But the institution could not require participants in the volunteer program to convert to the religion. Do you agree with this interpretation of your amendment?

Mr. ARMSTRONG. Yes. The Senator is correct. As the Senator knows, this language is taken from S. 5, the A-B-C child care bill. The brief legislative history of the provision in S. 5 shows that a religious institution cannot require a participant to profess to any religious principle or convert to any creed. However, the amendment allows a religious organization to set rules based on its religious precepts and to require participants under this act not to violate those rules. The Senator from Massachusetts cites a dietary rule. I would add that churches can set rules relating to alcohol use, drug use, sexual activity, and other matters that are of deep and abiding concern to religious organizations.

Mr. KENNEDY. I also want to state my own understanding of part (b) of this amendment. The bill, even with the Armstrong amendment, bars the use of Federal funds in programs that give religious instruction, conduct worship services, or engage in any form of proselytization. The amendment simply makes clear that activities conducted by a church or other religious entity—such as displaying religious symbols or decorations; allowing persons voluntarily on their own to engage in prayer or sing religious hymns; or affirming or promoting any moral tenet based on religious precepts—do not endanger the entity's funding under the bill so long as they are conducted separate and apart from the programs funded by the bill, and not as a part of the program itself.

NONDISCRIMINATION

Mr. HATCH. There is one clarification I would like to make in section 174(a) concerning nondiscrimination. All of the listed civil rights statutes, as well as regulations issued under such statutes, apply to activities carried out under this title. Am I correct that the regulations that apply will be those which are in effect at any given point in time? In other words, if the regulations implementing any of these civil rights statutes are changed in the future, programs assisted under the National and Community Service Act must abide by the new regulations, not those which are in effect today or on the day of enactment.

Mr. KENNEDY. The Senator is correct.

Mr. DOLE. Mr. President, I ask unanimous consent that I may proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND CLOTURE VOTE ON SENATE JOINT RESOLUTION 212

Mr. DOLE. Mr. President, I still think "David" won the debate—but it is pretty clear that "Goliath" won the vote.

So—whatever the merits of our position—it is clear after two tries that we do not have the votes to prevail on cloture, at least on the current form and text of Senate Joint Resolution 212.

I will not seek a third cloture vote and so advise the Senator pro tempore, the Senator from West Virginia [Mr. BYRD].

I want to say a special word of thanks to those who led the floor effort for the resolution—on both sides of the aisle.

From outside the Senate, I want to take special note of the following people, who have been very helpful.

Congressman PASHAYAN of California has worked very hard trying to find an acceptable compromise, and deserves a lot of credit for moving the administration toward a position acceptable to the Armenian-American community.

California Governor Deukmejian, and two of his close associates, Carl Samuelian and Greg Kahwajian, have also been actively involved in our discussions with the administration, and in urging support for the resolution. I thank them for their efforts from long distance.

Officials from the Armenian assembly—one of the major Armenian-American groups—have also worked with us every step of the way, and have provided great support during this debate. I would mention three in particular: Ross Vartian, Van Krekorian and Rouben Adalian.

I also want to commend those who have been working around the country, those senior Armenians who made the trip today from Philadelphia and Atlantic City. As I said, the eldest in the group is 99, and they have told us a number of incidents, stories that have been brought to the attention of some of our colleagues.

I also want again to commend the distinguished President pro tempore, Senator BYRD. As usual, he was extremely effective in managing his forces and making his case; and, as always, he was a gentleman.

As I indicated several time during the debate—there may be other legislative options open in the future. We will be exploring those.

I remain hopeful that a vote on the amended text I sought to offer, either in concurrent resolution form or as a sense-of-the-Congress amendment, might garner a better vote. I also will want to consult with some of my friends on the House side, to explore the potential for action on an appropriate resolution there.

I hope we fought a good fight. I know it was an important fight. Perhaps it will be a fight that will be fought again.

I still believe it was a question of right or wrong. I believe in this instance, those who supported the motion to proceed were in the right. I will repeat, as I said many times, this was never an effort to offend the Turkish Republic, President Ozal, or the Ambassador to the United States, or anybody else connected with the present Turkish Government. I hope they will understand that has been my position. My position has not changed.

I have been in that country. I know its importance. I know it is a friend and ally. I also believe in this instance we were correct, and we will persevere. Perhaps it will be a fight that will be fought again because I do believe it says something about the institution, something about America, something about human rights, something about commitment to human rights and I hope—in fact, I will say we will not abandon what I believe is a correct course of action because, for the time being, I think it will be futile to proceed any further in an effort to obtain cloture on a motion to proceed.

Again, I thank the distinguished majority leader for his courtesies, for his moving to proceed to the resolution and all others who participated in the debate on either side of the issue.

MORNING BUSINESS

Mr. FOWLER. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRISH-AMERICAN HERITAGE MONTH—A TRIBUTE TO THE SHARED TRADITIONS AND VALUES OF THE UNITED STATES AND IRELAND

Mr. PELL. Mr. President, today I am pleased to join Senators SIMON, KERRY, MOYNIHAN, KENNEDY, and others in introducing legislation to pay tribute to the contributions that Irish-Americans have made to the United States.

The United States enjoys a long-standing and friendly relationship with Ireland, due in large measure to the strong Irish strands in the fabric of America. Indeed, at the last census count, more than 40,000,000 residents of the United States reported that they were of Irish descent. Irish-Americans have made an indelible mark on the many diverse aspects of American culture, and they have played an important part in our Nation's history.

The legislation we are introducing would designate March 1990 as Irish Heritage Month. It would also reaffirm the special relationship between the United States and Ireland at a time when events in Europe warrant a coherent response by the United States and its Western allies.

Earlier today, the Senate Foreign Relations Committee hosted a private meeting with Irish Prime Minister Charles J. Haughey, who is visiting Washington in conjunction with Ireland's ascendancy to the presidency of the European Economic Community. The Economic Community will likely emerge as one of the primary actors in the formulation of a new order in Europe. Ireland, as president of the Economic Community will play an important role in that process. It is thus particularly timely that we in the United States reflect on our deep ties with Ireland and our common bonds with the Irish people.

Mr. President, it is clear that the United States has a real interest in designating March 1990 as Irish-American Heritage Month. Not only would the celebration be a fitting tribute to the contributions that Irish-Americans have made to United States society, but it would also solidify our friendship with a signficant ally in Europe. Accordingly, I urge my colleagues to support this timely and important legislation.

ANNUAL REPORT ON MINE SAFETY AND HEALTH ACTIVITIES—MESSAGE FROM THE PRESIDENT—PM 98

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with section 511(a) of the Federal Mine Safety and Health Act of 1977, as amended (30 U.S.C. 958(a)), I transmit herewith the fiscal year 1988 annual report on mine safety and health activities as submitted by the Secretary of Labor.

GEORGE BUSH.

THE WHITE HOUSE, *February 27, 1990.*

TRADE POLICY AGENDA AND REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT—PM 99

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with the provisions of section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1990 Trade Policy Agenda and 1989 Annual Report on the Trade Agreements Program.

GEORGE BUSH.

THE WHITE HOUSE, *February 27, 1990.*

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2414. A communication from the Deputy Assistant Secreary of Defense (Installations), transmitting, pursuant to law, a report entitled "Report on the Performance of Department of Defense Commercial activities"; to the Committee on Armed Services.

EC-2415. A communication from the Acting Administrator of the Farmers Home Administration, transmitting, pursuant to law, a report on the feasibility of making available properties owned by the Farmers Home Administration to low-income persons whose homes were destroyed by Hurricane Hugo or the Loma Prieta earthquake during 1989; to the Committee on Banking, Housing, and Urban affairs.

EC-2416. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on surplus real property transferred or leased for public health purposes in fiscal year 1989; to the Committee on Banking, Housing, and Urban Affairs.

EC-2417. A communication from the Comtroller General of the United States, transmitting, pursuant to law, a report entitled "Homelessness—McKinney Act Programs and Funding for Fiscal Year 1989"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2418. A communication from the Assistant Vice President of the National Railroad Passenger Corporation (Government and Public Affairs), transmitting, pursuant to law, the 1989 Annual Report; the Report on the Performance of Passenger Routes Operated During Fiscal Year 1989; the report on employee salaries in excess of federal executive Level I; and the 1990 Legislative Report; to the Committee on Commerce, Science, and Transportation.

EC-2419. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report on the proposed use of certain research and develoment funds for the modernization of the Space Environment Simulator at the Goddard Space Flight Center, Greenbelt, Maryland; to the Committee on Commerce, Science, and Transportation.

EC-2420. A communication from the Secretary of the Interstate Commerce Commission, transmitting, pursuant to law, notice of an extension of time for rendering a decision in Docket No. 31387 (Sub-No. 1) Canadian National Railway Company—Lease From Grand Trunk Western Railroad Company; to the Committee on Commerce, Science, and Transportation.

EC-2421. A communication from the General Counsel of the Department of Commerce, transmitting a draft of proposed legislation to permit the Federal Communications Commission to utilize competitive bidding in awarding licenses for use of the electromagnetic spectrum; to the Committee on Commerce, Science, and Transportation.

EC-2422. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2423. A communication from the Chairman of the Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, a report on the Safety Research Program of the Nuclear Regulatory Commission; to the Committee on Environment and Public Works.

EC-2424. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the quarterly report on abnormal occurrences at licensed nuclear facilities for the third calendar quarter of 1989; to the Committee on Environment and Public Works.

EC-2425. A communication from the Deputy Assistant Secretary of Defense (Environment), transmitting, pursuant to law, the report on the Department of Defense Environmental Restoration Program for Fiscal Year 1989; to the Committee on Environment and Public Works.

EC-2426. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of Council Resolution 8-189 entitled "National Park Service—Georgetown Branch Rail Right-of-Way Acquisition Resolution of 1990"; to the Committee on Governmental Affairs.

EC-2427. A communication from the Chairman and Chief Executive Officer of the Federal Home Loan Mortgage Corporation, transmitting, pursuant to law, a report on actions taken by the Corporation to promote equal employment opportunities; to the Committee on Governmental Affairs.

EC-2428. A communication from the Senior Vice President (Policy and Public Affairs) of the Fannie Mae Foundation, transmitting, pursuant to law, a report on actions taken by the Foundation to promote equal employment opportunities; to the Committee on Governmental Affairs.

EC-2429. A communication from the Comptroller General of the United States,

transmitting, pursuant to law, a list of the reports issued by the General Accounting Office during January 1990; to the Committee on Governmental Affairs.

EC-2430. A communication from the President of the Institute of American Indian Arts, transmitting, pursuant to law, the report on the activities of the Institute from June 3, 1988 to December 30, 1989; to the Select Committee on Indian Affairs.

EC-2431. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the annual report of the Commission under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2432. A communication from the Director of the United States Information Agency, transmitting, pursuant to law, the annual report of the Agency under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2433. A communication from the Attorney General of the United States, transmitting a draft of proposed legislation to amend 42 U.S.C. 1981 in regard to the formation and implementation of contracts, and Title VII of the Civil Rights Act of 1964 to protect against discrimination in employment, and for other purposes; to the Committee on Labor and Human Resources.

EC-2434. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report of a plan to implement a program of Services Research on Community-Based Alcohol and Drug Abuse Treatment; to the Committee on Labor and Human Resources.

EC-2435. A communication from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to extend and amend programs under the Head Start Act; to the Committee on Labor and Human Resources.

EC-2436. A communication from the President of the Legal Services Corporation, transmitting, pursuant to law, copies of the Legal Services Corporation's Fact Book for 1988-1989; to the Committee on Labor and Human Resources.

EC-2437. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Smoking and Health, A National Status Report", covering calendar years 1986 and 1987; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 90. Concurrent resolution authorizing the use of the rotunda of the Capitol for a dedication ceremony incident to the placement of a bust of Lajos Kossuth in the Capitol and authorizing the printing of a transcript of the proceedings of the ceremony (Rept. No. 101-244).

S. Res. 246. Resolution authorizing printing additional copies of Senate report titled "Developments in Aging: 1989".

S. Res. 250. An original resolution to amend the Standing Rules of the Senate to require each committee to publish the rules of such committee only during the first year of a Congress unless such rules are amended and to provide that an amendment to committee rules shall not take effect until published in the CONGRESSIONAL RECORD.

By Mr. NUNN, from the Committee on Armed Services, without amendment:

S. 2151. A bill to permit the transfer of the obsolete submarine U.S.S. *Requin* to the Carnegie Institute in Pittsburgh, Pennsylvania, before the expiration of the 60-day waiting period that would otherwise be applicable to the transfer.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. NUNN, from the Committee on Armed Services:

William James Haynes II, of North Carolina, to be General Counsel of the Department of the Army;

Stephen Kay Conver, of Virginia, to be an Assistant Secretary of the Army;

Douglas Alan Brook, of Virginia, to be an Assistant Secretary of the Army;

Colin Riley McMillan, of New Mexico, to be an Assistant Secretary of Defense;

Enrique Mendez, Jr., of Puerto Rico, to be an Assistant Secretary of Defense; and

The following-named officer for appointment as Vice Chairman of the Joint Chiefs of Staff under the provisions of title 10, United States Code, section 154:

To be Vice Chairman of the Joint Chiefs of Staff

To be admiral

Adm. David E. Jeremiah, [redacted], U.S. Navy.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. FORD, from the Committee on Rules and Administration:

Robert William Houk, of Ohio, to be Public Printer.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SIMON (for himself, Mr. DECONCINI, Mr. HOLLINGS, Mr. JOHNSTON and Mr. METZENBAUM):

S. 2179. A bill to maintain funding for State and local law enforcement programs in the war against drugs and crime; to the Committee on the Judiciary.

By Mr. GORTON:

S. 2180. A bill to remove certain prohibitions to the licensing of a vessel for employment in the coastwise trade of the United States for the vessel Artic Sounder; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2181. A bill to authorize the National Aeronautics and Space Administration to purchase approximately 8 acres of land at the Fort Sumner Municipal Airport, De Baca County, New Mexico; to the Committee on Commerce, Science, and Transportation.

By Mr. GARN (for himself and Mr. HATCH):

S. 2182. A bill to increase the amounts authorized to be appropriated for the Colorado River Storage Project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself, Mr. BURDICK, Mr. CHAFEE, and Mr. SYMMS):

S. 2183. A bill to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BAUCUS (for himself, Mr. MITCHELL, Mr. BYRD, Mr. BURDICK, Mr. BENTSEN, Mr. SASSER, Mr. DASCHLE, Mr. SARBANES, Mr. COHEN, Mr. BRADLEY, Mr. JEFFORDS, Mr. CONRAD, Mr. HARKIN, Mr. SIMON, Mr. KERREY, Mr. ROCKEFELLER, Mr. D'AMATO, Mr. SANFORD, and Mr. KOHL):

S. 2184. A bill to assist small communities in construction of facilities for the protection of the environment and human health; to the Committee on Environment and Public Works.

By Mr. COATS:

S. 2185. A bill to impose a criminal penalty for flight to avoid payment of arrearages in child support, and for other purposes; to the Committee on the Judiciary.

By Mr. McCONNELL:

S. 2186. A bill to repeal the provisions of the Revenue Reconciliation Act of 1989 which require the withholding of income tax from wages paid for agricultural labor; to the Committee on Finance.

By Mr. COCHRAN (for himself, Mr. HATFIELD, Mr. PACKWOOD, Mr. BURDICK, Mr. INOUYE, Mr. DURENBERGER, Mrs. KASSEBAUM, Mr. HARKIN, and Mr. GRASSLEY):

S. 2187. A bill to amend the Public Health Service Act to make grants to encourage States to establish Offices of Rural Health to improve health care in rural areas; to the Committee on Labor and Human Resources.

By Mr. COCHRAN:

S. 2188. A bill to amend the Rural Development Act of 1972 to provide for the establishment of rural health and safety education programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. BAUCUS, Mr. DASCHLE, Mr. KOHL, Mr. GLENN, Mr. COHEN, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. BURDICK, Mr. GRAHAM, Mr. WILSON, Mr. BRADLEY, Mrs. KASSEBAUM, Mr. DANFORTH, and Mr. DURENBERGER):

S. 2189. A bill to establish a grant program to provide health insurance information, counseling, and assistance to individuals eligible to receive benefits under title XVIII of the Social Security Act, and for other purposes; to the Committee on Finance.

By Mr. DIXON:

S. 2190. A bill to correct the Harmonized Schedule of the United States as it applies to parts of ionization smoke detectors; to the Committee on Finance.

By Mr. JOHNSTON (for himself and Mr. WIRTH):

S. 2191. A bill to amend Part 3, Title V, of the National Energy Conservation Act; to the Committee on Energy and Natural Resources.

By Mr. CRANSTON:

S. 2192. A bill relating to the tariff treatment of certain paper products and synthetic detergents; to the Committee on Finance.

By Mr. DECONCINI (for himself, Mr. SIMON, and Mr. HATCH):

S. 2193. A bill to amend title 35, United States Code, to clarify that States, instrumentalities of States, and officers and employees of States acting in their official capacity, are subject to suit in Federal court by any person for infringement of patents, and that all the remedies can be obtained in such suit that can be obtained in a suit against a private entity; to the Committee on the Judiciary.

By Mr. KASTEN (for himself and Mr. KOHL):

S. 2194. A bill to provide for reimbursement to the State of Wisconsin for extraordinary law enforcement costs incurred during operations associated with the exercise of court-determined tribal treaty rights; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. KASTEN):

S. 2195. A bill to establish within the Office of Justice Programs of the Department of Justice an Indian Treaty Law Enforcement Assistance Program; to the Committee on the Judiciary.

S. 2196. A bill to establish an Office of Indian Treaty Conflict Resolution; to the Select Committee on Indian Affairs.

By Mr. HARKIN (for himself, Mr. HATFIELD, Mr. CRANSTON, Mr. LEAHY, and Mr. KERRY):

S. 2197. A bill to lift trade and other economic sanctions imposed on Nicaragua by the President in 1985; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SIMON (for himself, Mr. KENNEDY, Mr. KERRY, Mr. DECONCINI, Mr. INOUYE, Mr. LIEBERMAN, Mr. WILSON, Mr. MOYNIHAN, Mr. BRADLEY, Mr. PELL, and Mr. DIXON):

S.J. Res. 262. Joint resolution designating March 1990 as "Irish-American Month"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FORD:

S. Res. 250. An original resolution to amend the Standing Rules of the Senate to require each committee to publish the rules of such committee only during the first year of a Congress unless such rules are amended and to provide that an amendment to committee rules shall not take effect until published in the CONGRESSIONAL RECORD; from the Committee on Rules and Administration; placed on the calendar.

By Mr. FOWLER (for Mr. MITCHELL):

S. Res. 251. Resolution to direct the Senate Legal Counsel to appear as amicus curiae in Metro Broadcasting, Inc. v. Federal Communications Commission, et al; considered and agreed to.

By Mr. FORD:

S. Con. Res. 96. Concurrent resolution to urge the Administration in the strongest possible terms not to propose civil air transport services for inclusion under the General Agreement on Tariffs and Trade [GATT], or the proposed General Agreement on Trade in Services [GATS], and to actively oppose any proposal that would consider civil air transport services as a negotiation item; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SIMON (for himself, Mr. DECONCINI, Mr. HOLLINGS, Mr. JOHNSTON, and Mr. METZENBAUM):

S. 2179. A bill to maintain funding for State and local law enforcement programs in the war against drugs and crime; to the Committee on the Judiciary.

FUNDING FOR STATE AND LOCAL LAW ENFORCEMENT PROGRAMS

● Mr. SIMON. Mr. President, I rise today to introduce important legislation that will maintain funding for State and local law enforcement programs that are crucial to our efforts in the war against drugs and crime.

Mr. President, our Nation is faced with a terrible crisis. While government studies report a decrease in casual drug use, there are more people using dangerous drugs like cocaine, and its derivative crack, in greater quantities than ever before. The ravaging effects of illegal drug use and drug abuse do not discriminate between young and old, rich or poor, black or white. We, as a nation, are all victims.

There are many tactics that can be used to fight against illegal drug use. I have vigorously supported education and user accountability programs to attack the demand side of the drug problem. We must also make inroads on the wide distribution and availability of illegal drugs, by supporting law enforcement efforts against dealers and distributors.

The frontline in the war on drugs is at the local level. State and local law enforcement personnel put themselves at risk every day as they pursue dealers and distributors.

One source of funding for many of these efforts is the Federal Government. The Department of Justice, through the Bureau of Justice Assistance, distributes block grant funds to support many antidrug abuse programs carried out by State and local law enforcement agencies. States administer the overall programs, distributing the block grant funding to support local law enforcement. Currently, this funding is based on a 75 to 25 cash match. That is, local governments must pay 25 percent of the program costs, while the Federal Government pays the remaining 75 percent.

Beginning with fiscal year 1991, the matching formula will be decreased to 50-50. This means that local governments will have to pay for 50 percent of program costs. Thus, local governments will be required to pay significantly more to maintain even the same level of antidrug programming. The Illinois Criminal Justice Information Authority, as well as many representatives from local law enforcement, tell me that local authorities truly depend on the Federal passthrough aid. While the bulk of program funds are provided by this aid, local units of government are still dedicating significant resources to these efforts. It their share of the financial burden is increased, many communities would be forced to end their participation in the State-administered program. That is exactly what we do not want to have happen, and why I am introducing legislation today to maintain the 75 to 25 matching formula.

The President's 1991 budget provides $490 million for this antidrug abuse block grant. In my own State of Illinois, $18,668,000 would be contributed to the program. The 75 to 25 formula would result in local government payments totaling $6,222,333. If the Federal share of the match is reduced, that total would be $18,668,000, a difference of $12,445,667. The loss of this support would force many communities to end their participation in the program—they would simply be unable to afford these increased costs.

Mr. President, now is not the time to pull the rug from under the feet of our men and women in local law enforcement. My proposal will ensure their continued participation in the Block Grant Program, thereby ensuring the people of Illinois and the rest of the Nation protection from drug dealers and the crime that comes with them. I strongly urge my colleagues to join me in this effort.●

By Mr. GORTON:

S. 2180. A bill to remove certain prohibitions to the licensing of a vessel for employment in the coastwise trade of the United States for the vessel *Arctic Sounder*; to the Committee on Commerce, Science, and Transportation.

REMOVAL OF CERTAIN RESTRICTIONS FOR THE VESSEL "ARCTIC SOUNDER"

● Mr. GORTON. Mr. President, today I am introducing legislation that would restore coastwise privileges to the U.S.-flag research vessel *Arctic Sounder*, O.N. 569927.

The *Arctic Sounder* was built in the United States in 1944 for the U.S. Navy and later served as a research vessel for survey and seismic research work under the ownership and operation of the University of Oregon. The vessel has unique research capabilities including seven laboratories with regulated power, purified water, and atmospheric controls, as well as two moon pools and substantial accommodations for research personnel. The vessel lost its coastwise privileges

when purchased by a Canadian company and redocumented under the Canadian flag where it was employed in oil seismic research for several years.

In July 1989, Jim and Beverly Hanson of Seattle purchased the vessel and redocumented it under the U.S.-flag. Last summer and fall the vessel was on charter to Exxon in the biological effects monitoring program conducting research activity to assess the environmental effects of the *Exxon Valdez* oilspill. The Customs Service ruled that these research activities do not constitute coastwise trade. Nonetheless, the continued employment of the vessel in the Exxon environmental studies will require some oil recovery capability necessitating the incidental coastwise carriage of oil containment booms and recovery personnel. This is necessary in the event residual oil deposits are encountered during research activities. In addition, the incidental movement of occasional related cleanup and scientific equipment will facilitate the efficient and flexible employment of the vessel in its research work.

The legislation I am introducing today would restore to the vessel its coastwise privileges which were lost when the vessel was owned by the Canadian interests.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12105, 12106, 12107, and 12108 of title 46, United States Code, and sections 27 and 27A of the Merchant Marine Act, 1920 (46 U.S.C. 883, and 883-1), as applicable on the date of this Act, the Secretary of the Department in which the Coast Guard is operating may issue a certificate of documentation for employment in the coastwise trade of the United States for the vessel *Arctic Sounder*, United States official number 569927.●

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2181. A bill to authorize the National Aeronautics and Space Administration to purchase approximately 8 acres of land at the Fort Sumner Municipal Airport, De Baca County, NM; to the Committee on Commerce, Science, and Transportation.

WEATHER BALLOON LAUNCH SITE ACT

● Mr. BINGAMAN. Mr. President, I rise today to introduce a bill that would authorize the National Aeronautics and Space Administration [NASA] to purchase approximately 8 acres of land at the Fort Sumner Municipal Airport in De Baca County, NM.

The National Scientific Balloon Facility in Palestine, TX, has been used by NASA as the primary domestic launch facility for a variety of atmospheric studies. Safety considerations associated with the high populations to the east of the launch site required NASA to find alternate locations for approximately one half of their balloon launches.

To find a suitable launch site, NASA completed numerous studies and tests. Each concluded that a site at Fort Sumner, New Mexico met the requirements of the program. In 1987 NASA began use of a site at the Fort Sumner Municipal Airport.

Use of the site confirms that the location meets the needs of the program. However, the lease on the facility NASA has been using expires this spring and they must relocate. There are no other facilities available to lease and, as a result, NASA is willing to build the necessary facilities. It is critical that a new facility be available prior to the fall of 1990 if the research programs are to be maintained. To facilitate these needs, the Village of Fort Sumner has worked with NASA to find a suitable site for the facility. Congress must authorize acquisition of the land before NASA can proceed.

If the site is acquired, NASA plans to develop the site over a 2- or three-year period. The initial phase would include acquisition of the land and construction of a building which would be completed prior to the fall of 1990. Completion of the initial phase will allow for balloon launches to continue this fall.

Mr. President, this legislation simply allows NASA to acquire the lands required to continue their atmospheric research studies at the Fort Sumner Municipal Airport. Funds for land acquisition and building construction would come from funds already appropriated in the fiscal year 1990. I stress that no additional appropriations for this project are required.

Senator DOMENICI has cosponsored this legislation and similar legislation is being introduced in the House of Representatives by Congressman STEVE SCHIFF.

I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of this bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Weather Balloon Launch Site Act of 1990".

SEC. 2. PURCHASE OF LAND FOR BALLOON LAUNCHING FACILITY.

The Administrator of the National Aeronautics and Space Administration may purchase, with funds appropriated to the Administrator for fiscal year 1990 under the heading "Construction of facilities", approximately 8 acres within Section 16, Township 3 North, Range 26 East, N.M.P.M., De Baca County, New Mexico, to use as a balloon launching facility.●

● Mr. DOMENICI. Mr. President, I rise today to join my colleague from New Mexico, Senator BINGAMAN, in introducing the NASA Weather Balloon Launch Site Act. This bill would authorize NASA to purchase 8 acres of land near the municipal airport in Fort Sumner, NM. This land transfer is necessary for NASA to continue its data collection on such critical issues as global warming and ozone depletion. Without this legislation, NASA's research is going to be homeless.

NASA has been launching balloons at Fort Sumner since 1987. Carrying payloads of approximately 6,000 pounds, these balloons provide a relatively inexpensive means to collect atmospheric data. Presently, NASA averages 50 launches per year from Fort Sumner. As it becomes more important to study the atmosphere and to determine the critical parameters associated with global warming, we must look to all possible means to study this complex scientific problem. The scientific balloon launches from Fort Sumner provides important data for the study of climate change.

NASA's project is currently housed in a hanger at the municipal airport in Fort Sumner. The village of Fort Sumner however, has developed plans to utilize this facility for industrial development, and as a consequence, NASA must move their operation to this new site.

Ownership of this land would give NASA a permanent site upon which it can construct buildings and expand their operations. In addition, there are plans to construct a downrange tracking station for similar operations conducted from the National Scientific Balloon Facility at Palestine, TX.

The purchase of this land by NASA will perpetuate a cooperative effort between NASA and academia. New Mexico State University manages and operates the Palestine, TX facility. As a result, graduate students are intimately involved in day-to-day experimental work.

This legislation will not increase Federal expenses, as the funds for this transaction as well as the initial phase of building construction have already been appropriated in the fiscal year 1990 budget.

I am pleased to cosponsor this legislation and look to its enactment. I ask unanimous consent that a letter written by the mayor of Fort Sumner be included in the RECORD following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VILLAGE OF FORT SUMNER INC.
Fort Sumner, NM, January 9, 1990.
Hon. PETE DOMENICI,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR DOMENICI: On January 8, 1990, representatives of NASA and the National Scientific Balloon Facility of Palestine, Texas met with the Village Council of Fort Sumner, New Mexico.

NASA representatives expressed a desire to build a building on the Fort Sumner Airport Facility. The intent of NASA is to establish this facility and location as their permanent western site for launch of scientific balloons as well as a down range tracking station for balloons launched from the Palestine, Texas facility. They intend (if anticipated revenues continue) to update the initial building over a period of 2 to 3 years.

Their desire is to own the property on which they build. Village officials agreed to sell the proposed site and a price has been agreed upon. The situation requires that all the paperwork be completed in time to construct the facility for early fall of 1990 balloon launchings.

Their acquisition of lands requires an Act of Congress. It is our mutual desire that this be possible. The level of presence of NASA in the community, region and state should be enhanced by their commitment to this site and this program. Our hope is that our congressional delegation might be helpful in expediting the land acquisition process.

We are presently working out the details of land description as well as a Memorandum of Operation. This phase should be complete within 10 days or so and the finality would await consent of Congress.

We will assist with necessary information, etc., as you require.

Sincerely,

DAVID BAILEY, *Mayor.*●

By Mr. GARN (for himself and Mr. HATCH):

S. 2182. A bill to increase the amounts authorized to be appropriated for the Colorado River storage project, and for other purposes; to the Committee on Energy and Natural Resources.

CENTRAL UTAH PROJECT COMPLETION ACT

● Mr. GARN. Mr. President, I rise today to introduce legislation to complete the Colorado River storage project [CRSP] and the central Utah water project [CUP]. The bill is crucial to the economic well being of the people of Utah.

Utah is the second driest State in the Union. The CUP was authorized as a major component of the CRSP. Originally, the project was divided into several units: The Vernal unit, the Jensen unit, the Upalco unit, the Ute Indian unit, and the largest unit of all, the Bonneville unit. Construction began on the municipal and industrial [M and I] features of the Bonneville unit in 1965 after elections were held committing those M and I water users to repay to the Government, the cost of that water.

The Bureau of Reclamation completed the Vernal, Jensen, and Uintah irrigation project, but has trudged along with the Bonneville unit. In 1986, Bonneville unit M and I users in 12 counties vote—by a 73 percent plurality—to raise the amount they would repay to the Government from approximately $150 million—1965 amount—to over $550 million to complete the project. Delays due to low requests by various administrations, low funding by the Congress, and especially poor management by the Bureau of Reclamation have been terribly frustrating to the people of Utah.

The Bonneville unit was originally authorized for approximately $800 million in 1956. It was reauthorized for $2.1 million in 1972. It is under this authorization ceiling that the M and I provisions of the Bonneville unit will be completed in the next 5 years. The main feature, the Jordanelle Dam will provide 320,000 acre feet of storage capacity, or enough water to provide 400,000 Utahns with culinary drinking water.

Mr. President, the bill Senator HATCH and I are introducing today is designed primarily to raise that authorization ceiling so that central Utah farmers will receive their irrigation water. This was a promise the Government made to rural areas of Utah in tandem with the promise to provide M and I water to the urban areas. We propose raising the ceiling by a total of $550 million to accomplish this and the unfinished environmental mitigation features of the project.

To assure better productivity at lower costs we are proposing that a separate commission be created—apart from the Bureau of Reclamation—to assure environmental compliance and importantly, we propose to have the Central Utah Water Conservancy District build the remaining irrigation features in the Uintah Basin and the central Utah areas.

Finally, Mr. President, this is a consensus bill between several members of the Utah delegation. It has a strong environmental section, a strong Indian section, and fulfills the Government's age-old commitment to construct the irrigation features of the project. I hope the Congress will act expeditiously on the bill and give it fair consideration.●

By Mr. MOYNIHAN (for himself, Mr. BURDICK, Mr. CHAFEE, and Mr. SYMMS):

S. 2183. A bill to provide for the conservation and development of water and related resources, to authorize the U.S. Army Corps of Engineers Civil Works Program to construct various projects for improvements to the Nation's infrastructure, and for other purposes; to the Committee on Environment and Public Works.

WATER RESOURCES DEVELOPMENT ACT

● Mr. MOYNIHAN. Mr. President, the bill I introduce today, with the support of our distinguished chairman, Senator BURDICK, ranking minority member, Senator CHAFEE, and Senator SYMMS, the Water Resources Development Act of 1990, continues the practice of biannual authorizations for the U.S. Army Corps of Engineers. We returned to this practice with the passage of Public Law 99-662, the Water Resources Development Act of 1986.

There had been a 10-year wait for this legislation. The 1986 bill established our current requirements for water projects which center on cost sharing, user fees, and environmental protection.

The next step in this process was the Water Resources Development Act of 1988. This legislation was signed into law on November 17, 1988.

As in 1988, we intend to proceed with deliberation this year. We plan to maintain the system of authorizations that have been successful in 1986 and 1988. With this in mind, and in keeping with the goal of a biannual authorization, I am pleased to introduce a 1990 water bill.

Mr. President, the legislation I offer today along with Senators BURDICK, SYMMS, and CHAFEE, represents a consensus of our committee's needs, as evident from the bipartisan support it has received. The bill authorizes 18 Corps of Engineers projects, all of which have completed the corps planning process. Projects for navigation improvements, recreation, storm damage reduction, and flood protection are included in the bill. They all have a positive benefit to cost ratio. All have complete and favorable environmental impact statements.

In addition to these project authorizations, the legislation contains seven project related provisions and eight general provisions to provide additional management guidance to the Corps of Engineers. I believe them to be noncontroversial and important for the continued operating effectiveness of the corps.

Mr. President, the Subcommittee on Water Resources, Transportation, and Infrastructure will hold a hearing on this bill on March 1. It is my intention to have this bill reported to the Senate by the Environment and Public Works Committee with dispatch. And I hope we will soon see it favorably considered by the Senate.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Water Resources Development Act of 1990".

SEC. 2. For purposes of this Act, the term "Secretary" means the Secretary of the Army.

TITLE I—PROJECT AUTHORIZATIONS

SEC. 101. The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, recommended in the respective reports designated in this section:

(1) Bayou La Batre, Alabama. The project for navigation for Bayou La Batre, Alabama: Report of the Chief of Engineers, dated August 3, 1989, at a total cost of $16,230,000, with an estimated first Federal cost of $4,490,000, and an estimated first non-Federal cost of $11,740,000.

(2) Clifton, San Francisco River, Arizona. The project for flood control, Clifton, San Francisco River, Arizona, authorized by section 401(d) of the Water Resources Development Act of 1986, is modified to authorize the Secretary to construct the project substantially in accordance with the report of the Chief of Engineers, dated September 6, 1988, at a total cost of $12,510,000, with an estimated first Federal cost of $9,150,000, and an estimated first non-Federal cost of $3,360,000.

(3) Nogales Wash and Tributaries, Arizona. The project for flood control, Nogales Wash and Tributaries, Arizona: Report of the Chief of Engineers, dated February 28, 1989, at a total cost of $7,260,000, with an estimated first Federal cost of $5,440,000, and an estimated first non-Federal cost of $1,820,000. The Secretary shall cooperate with the Government of Mexico as necessary to provide for flood warning gauges in Mexico.

(4) Coyote and Berryessa Creeks, California. The project for flood control, Coyote and Berryessa Creeks, California: Report of the Chief of Engineers, dated February 7, 1989, at a total cost of $56,300,000, with an estimated first Federal cost of $39,000,000, and an estimated first non-Federal cost of $17,300,000.

(5) Miami Harbor Channel, Florida. The project for navigation, Miami Harbor Channel, Florida: Report of the Chief of Engineers dated September 25, 1989, at a total cost of $65,700,000, with an estimated first Federal cost of $41,920,000, and an estimated first non-Federal cost of $23,780,000.

(6) Martin County, Florida. The project for storm damage reduction, Martin County, Florida: Report of the Chief of Engineers dated November 20, 1989, at a total first cost of $9,400,000, with an estimated first Federal cost of $3,850,000, and an estimated first non-Federal cost of $5,550,000. In addition, periodic nourishment costs are estimated at $5,220,000, with an estimated Federal cost of $2,140,000, and an estimated non-Federal cost of $3,080,000.

(7) Fort Wayne, St. Mary's and Maumee Rivers, Indiana. The project for flood control, Fort Wayne, St. Mary's and Maumee Rivers, Indiana: Report of the Chief of Engineers, dated May 1, 1989, at a total cost of $16,300,000, with an estimated first Federal cost of $12,100,000, and an estimated first non-Federal cost of $4,200,000.

(8) Boston Harbor, Massachusetts. The project for navigation, Boston Harbor, Massachusetts: Report of the Chief of Engineers, dated May 11, 1989, at a total cost of $17,960,000, with an estimated first Federal cost of $8,250,000, and an estimated first non-Federal cost of $9,710,000.

(9) Ecorse Creek, Wayne County, Michigan. The project for flood control, Ecorse Creek, Wayne County, Michigan: Report of the Chief of Engineers, dated August 8, 1989, at a total cost of $7,280,000, with an estimated first Federal cost of $4,560,000, and an estimated first non-Federal cost of $2,720,000.

(10) Coldwater Creek, Missouri. The project for flood control, Coldwater Creek, Missouri: Report of the Chief of Engineers, dated August 9, 1988, at a total cost of $22,380,000, with an estimated first Federal cost of $15,500,000, and an estimated first non-Federal cost of $6,880,000.

(11) River Des Peres, Missouri. The project for flood control, River Des Peres, Missouri: Report of the Chief of Engineers, dated May 23, 1989, at a total cost of $20,550,000, with an estimated first Federal cost of $15,270,000, and an estimated first non-Federal cost of $5,280,000.

(12) Passaic River Main Stem, New Jersey and New York. The project for flood control, Passaic River Main Stem, New Jersey and New York: Report of the Chief of Engineers, dated February 3, 1989, at a total cost of $913,500,000, with an estimated first Federal cost of $674,600,000, and an estimated first non-Federal cost of $238,900,000.

(13) Rio De La Plata, Puerto Rico. The project for flood control, Rio De La Plata, Puerto Rico: Report of the Chief of Engineers, dated January 3, 1989, at a total cost of $56,990,000, with an estimated first Federal cost of $34,780,000, and an estimated first non-Federal cost of $22,210,000.

(14) Myrtle Beach, South Carolina. The project for storm damage reduction, Myrtle Beach, South Carolina: Report of the Chief of Engineers, dated March 2, 1989, at a total cost of $59,730,000, with an estimated first Federal cost of $38,820,000, and an estimated first non-Federal cost of $20,910,000. In addition, periodic nourishment costs are estimated at $13,500,000, with an estimated Federal cost of $8,780,000, and an estimated non-Federal cost of $4,720,000.

(15) Mill Creek, Nashville, Tennessee. The project for flood control, Mill Creek, Nashville, Tennessee: Report of the Chief of Engineers, dated April 21, 1986, at a total cost of $14,500,000, with an estimated first Federal cost of $7,250,000 and an estimated first non-Federal cost of $7,250,000.

(16) Buffalo Bayou and Tributaries, Texas. The project for flood control, Buffalo Bayou and Tributaries, Texas: Report of the Chief of Engineers dated February 12, 1990, at a total cost of $544,604,000, with an estimated first Federal cost of $309,313,000, and an estimated first non-Federal cost of $235,291,000.

(17) Ray Roberts Lake, Greenbelt, Texas. The multiple purpose project, Ray Roberts Lake, Greenbelt, Texas, authorized by section 301 of the Rivers and Harbors Act of 1965, is modified to authorize the Secretary to construct recreation features substantially in accordance with the Report of the Chief of Engineers, dated December 24, 1987, at a total cost of $4,620,000, with an estimated first Federal cost of $1,730,000, and an estimated first non-Federal cost of $2,890,000.

(18) Upper Jordan River, Utah. The project for flood control, Upper Jordan River, Utah: Report of the Chief of Engineers, dated November 16, 1988, at a total cost of $7,900,000, with an estimated first Federal cost of $5,200,000, and an estimated first non-Federal cost of $2,700,000.

TITLE II—PROJECT RELATED PROVISIONS

SEC. 201. (a) The Congress finds that the historic community of Belen, New Mexico, and its population suffer chronic flooding problems that originate in the watershed and mesas west of Belen.

(b) The Congress finds further that a major canal, the Belen Highline Canal, is located immediately adjacent to Belen, New Mexico, and that a serious danger exists to life and property in the event that flood waters breach the canal.

(c) The Congress, therefore, authorizes a project for flood protection for the city of Belen, New Mexico. Such project shall include measures to increase the capacity of the Belen Highline Canal so that it will function as a conveyance system to divert flood waters safely around the city of Belen, as well as irrigation facility.

(d) Subject to the provisions of section 903(c) of the Water Resources Development Act of 1986 (Public Law 99-662), the Secretary is directed to undertake the flood control measures described within subsection (c) of this section in order to protect the city of Belen, New Mexico, and its residents, at a total cost of $19,576,000, with an estimated first Federal cost of $12,130,000, and and estimated first non-Federal cost of $7,446,000 including lands, easements, rights-of-way, and relocations.

SEC. 202. Section 1114 of the Water Resources Development Act of 1986 (100 Stat. 4232-4235) is amended to read as follows:

"SEC. 1114. CROSS FLORIDA BARGE CANAL.

"(a) The barge canal project located between the Gulf of Mexico and the Atlantic Ocean is not authorized for the purposes described in the Act of July 23, 1942 (56 Stat. 703) after the date of enactment of this Act.

"(b) Notwithstanding section 203 of the Federal Property and Administrative Services Act of 1949 and any other provision of law, the Secretary of the Army is directed to transfer all lands and interests in lands acquired by the Secretary and facilities completed for the project described in subsection (a) to the State of Florida without consideration, except as provided in subsection (c) if the State agrees to hold the United States harmless from all claims arising from or through the operations of the lands and facilities conveyed by the United States.

"(c) Actual transfer of the lands and management responsibilities shall not occur on the constructed portions of the barge canal project lying between the Atlantic Ocean and the Eureka Lock and Dam, inclusive, and between the Gulf of Mexico and the Inglis Lock and Dam, inclusive, until 24 months following the date of enactment of this Act.

"(d) In the intervening 24 months following the date of enactment of this Act, the Secretary of the Army shall carry out any and all programmed maintenance on the areas outlined in subsection (c).

"(e) The exact acreage and legal description of the real property to be transferred pursuant to subsection (b) shall be determined by a survey which is satisfactory to the Secretary and the State of Florida. The cost of such survey shall be borne by the State of Florida.

"(f) All lands and interests in land acquired for the barge canal project lying between the Atlantic Ocean and the western boundaries of Sections 20 and 29, Township 15 South, Range 23 East, shall be used by the State of Florida for public parks, conservation or recreational uses only.

"(g) With respect to the remaining lands and interests in land acquired for the barge canal project, lying west of Sections 20 and 29, Township 15 South, Range 23 East, the

State shall preserve, enhance, interpret, and manage the water and related land resources of the area containing unique cultural, fish and wildlife, scenic, and recreational values, as determined by the State, for the benefit and enjoyment of present and future generations and the development of outdoor recreation.

"(h) The State of Florida shall pay to the counties of Citrus, Clay, Duval, Levy, Marion, and Putnam a minimum aggregate sum of $32,000,000 in cash or, at the option of the counties, payment to be made by conveyance of surplus lands selected by the State at current appraised values.".

SEC. 203. (a) Subject to the provisions of sections 906(e) and 1135 of the Water Resources Development Act of 1986 (Public Law 99-662) the Secretary, in consultation with the Pyramid Lake Indian Tribe and the Secretary of the Interior, is authorized and directed to develop a plan for a project with a total cost of $25,000,000 to rehabilitate the Lower Truckee River.

(b) The plan of the project authorized in subsection (a) shall include designs to—

(1) restore the riparian habitat and vegetative cover;

(2) stabilize the course of the lower Truckee River and minimize erosion damage;

(3) provide the best possible spawning habitat for the cui-ui fish; and

(4) provide improved spawning habitat for the Lahontan cutthroat trout to the extent deemed feasible.

(c) Subject to the provisions of sections 906(e) and 1135 of the Water Resources Development Act of 1986 (Public Law 99-662), the Secretary, in consultation with the Pyramid Lake Indian Tribe and the Secretary of the Interior, is authorized to develop a plan for facilities with a total cost of $20,000,000 to enable the efficient passage of cui-ui and Lahontan cutthroat trout through or around the delta at the mouth of the Lower Truckee River to obtain access to their upstream spawning grounds.

SEC. 204. Section 1149 of the Water Resources Development Act of 1986 (Public Law 99-662) is amended by adding the following sentence at the end of the section: "On or before June 1, 1991, the Chief of Engineers and the Secretary shall make a recommendation to Congress on the method of payment to be employed for cost sharing purposes, and the identification of eligible project sponsors pursuant to section 101 of this Act.".

SEC. 205. The Secretary of the Army shall not proceed with the divestiture of locks and dams numbered 5 through 14 of the Kentucky River, Kentucky, pursuant to section 301(a) of the Water Development Act of 1986 (Public Law 99-662) until he has complied with the terms of the Memorandum of Understanding between the United States Army Corps of Engineers and the Commonwealth of Kentucky, as approved by the Louisville District Engineer on February 22, 1985, at a total cost of $3,500,000.

SEC. 206. (a) The Assistant Secretary of the Army for Civil Works and the Administrator of the Environmental Protection Agency, and the Governor of the State of New York, acting jointly, shall convene a management conference for the restoration, conservation, and management of Onondaga Lake. The purpose of the management conference shall include but not be limited to—

(1) developing, within the 180-day period following the date of the enactment of this Act, a comprehensive restoration, conservation, and management plan that recommends priority corrective actions and compliance schedules for the cleanup of Onondaga Lake; and

(2) coordinating implementation of the plan by the State of New York, the Army Corps of Engineers, the Environmental Protection Agency and all local agencies, governments, and other groups participating in the conference.

(b)(1) The members of the management conference shall include, at a minimum, the Assistant Secretary of the Army for Civil Works, the Administrator of the Environmental Protection Agency, the Governor of the State of New York, and a representative of—

(A) the Attorney General of the State of New York;

(B) Onondaga County, New York;

(C) The City of Syracuse, New York;

(2) The members of the management conference may designate a permanent representative to attend meetings of the management conference and otherwise represent and vote on their behalf on the management conference.

(3) The management conference shall include the following ex officio members:

(A) the United States Senators from the State of New York; and

(B) the member(s) of the United States House of Representatives within whose congressional district(s) lies Onondaga Lake.

(4) There shall be two standing committees of the management conference:

(A) the Citizens, Advisory Committee; and

(B) the Technical Review Committee.

(c)(1) Not later than 120 days after the completion of a plan and after providing for public review and comment, the Assistant Secretary of the Army for Civil Works and the Administrator shall approve such plan if the plan meets the requirements of this section, and the Governor of the State of New York concurs in such approval.

(2) Upon approval of the plan under this section, such plan shall be implemented.

(d)(1) The management conference, with the approval of the Assistant Secretary of the Army for Civil Works, the Administrator of the Environmental Protection Agency, and the Governor of the State of New York, is authorized to make grants to the State of New York and public or nonprofit private agencies, institutions, organizations, and individuals.

(2) Grants under this subsection may be made for—

(A) research, surveys, and studies necessary for the development of the plan under this section, except that grants to any person under this paragraph shall not exceed 70 percent of the costs of such work and that the non-Federal share of such costs are provided from non-Federal sources;

(B) conducting activities identified in the plan developed pursuant to this section, except that grants to any person under this paragraph shall not exceed 70 percent of the costs of such work and that the non-Federal share of such costs are provided from non-Federal sources; and

(C) gathering data and retaining expert consultants in support of litigation undertaken by the State of New York to compel clean up or obtain clean up and damage cost from parties responsible for the pollution of Onondaga Lake.

(3) In-kind payments shall qualify for the purpose of meeting the non-Federal matching requirements of this subsection.

(e) There are authorized to be appropriated to the Assistant Secretary of the Army for Civil Works and the Administrator of the Environmental Protection Agency such sums as may be necessary to carry out this section.

SEC. 207. (a) The Secretary, in conjunction with the Administrator of the Environmental Protection Agency, is authorized and directed to conduct a reconnaissance study for the purpose of providing plans for the design and construction of a wastewater treatment project in Cranston, Rhode Island. The scope of such study shall include, but is not limited to, a review of the wastewater treatment needs of the City of Cranston focusing on the prevention of groundwater contamination and an investigation of innovative and alternative technology to demonstrate the feasibility of transporting leachate from a sanitary landfill and wastewater from a new waste-to-energy solid waste facility to the City's existing sewage treatment plant.

(b) There are authorized to be appropriated to the Secretary such sums as necessary to carry out this section.

TITLE III—GENERAL PROVISIONS

SEC. 301. The "Federal interest" in water resource development projects of the civil works program of the Army Corps of Engineers shall be determined only through the application of:

(1) benefit/cost analysis; and

(2) an Environmental Impact Statement or Assessment, whichever is appropriate.

SEC. 302. (a) Any changes in eligibility criteria for a water resource development project of the civil works program of the Army Corps of Engineers proposed in rule or regulation shall be submitted, for informational purposes, to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives at least one year prior to its issuance.

(b) Any change in eligibility criteria for a water resource development project of the civil works program of the Army Corps of Engineers proposed by the Secretary in rule or regulation shall not be considered in the evaluation of any water resource development project, or separable element thereof, for which the reconnaissance study has been initiated prior to the issuance of such rule or regulation.

SEC. 303. Not later than December 31, 1991, and every two years thereafter, the Secretary is directed to provide the Congress with a management report on the conduct of the civil works program in each of the Corps of Engineers Districts and Divisions.

SEC. 304. Section 105 (b) of the Water Resources Development Act of 1986 (Public Law 99-662) is amended by adding at the end thereof the following: "This subsection shall not apply to planning and engineering of projects for which the non-Federal interests contributed fifty percent of the cost of the feasibility study.".

SEC. 305. Section 402 of the Water Resources Development Act of 1986 (Public Law 99-662) is amended by adding at the end thereof the following sentence at the end of the section: "The recommended level of protection for a Corps of Engineers flood control project shall be that level of protection which maximizes national economic development benefits or the 100-year level of protection if the benefits of providing the 100-year level of protection exceeds its cost, whichever provides the greater level of protection.".

SEC. 306. Section 101 of the Water Resources Development Act of 1986 (Public Law 99-662) is amended by adding at the end thereof the following new subsection:

"(f) MILITARY BENEFITS.—The Secretary shall reduce proportionally the percentage share of navigation project costs required of the non-Federal sponsor of such project equivalent to the percentage of direct benefits of the navigation improvements which are credited to agencies of the Armed Forces of the United States.".

SEC. 307. Section 33 of the Water Resources Development Act of 1988 is amended by inserting "acquisition of real property and associated improvements (from willing sellers), and monetary compensation to affected landowners" after "including maintenance and rehabilitation of existing structures,".

SEC. 308. (a) In developing water control plans which propose to change the operation of Federal water projects from the operations established in the existing water control manuals in accordance with existing congressional project authorizations, the Secretary shall—

(1) solicit comments from the appropriate Federal, State, local, and regional agencies in States affected by such change, and from interested persons who are or could be impacted by project regulation. Copies of such comments shall be made a part of the comprehensive statement required by subsection (b), shall be made available to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review process; and

(2) prepare a comprehensive statement prior to implementation of the plan which sets forth—

(A) the Corps' authority to make such a change pursuant to the project's congressional authorization;

(B) all reasonable alternatives to the proposed change;

(C) any changes in the originally authorized project purposes caused by the proposed change, or any of the alternatives available to accomplish the intended result; and

(D) the costs and direct benefits of the proposed change in comparison to the cost-benefit analysis upon which Congress authorized the project, and the effect of the proposed change on the project repayment schedule, including an identification of the source of revenue for any new repayment schedule.

(b)(1) Upon completion of the comprehensive statement, the Secretary shall issue a finding.

(2) If the Secretary finds that the proposed change will—

(A) significantly affect the originally authorized purposes of the project;

(B) alter the initial cost-benefit ratio upon which the project was authorized so as to alter the feasibility of the project; or

(C) alter the repayment of project costs such that the United States Treasury's ability to recover the costs of building, operating, and maintaining the project are impeded or threatened,

the Secretary shall submit his comprehensive statement to the Congress, together with recommended legislation for a change in the authorized purposes of the project.

(3) If the Secretary finds that the proposed change—

(A) is in accordance with the project's congressional authorization;

(B) is in the public interest;

(C) will result in greater direct economic benefits to the public;

(D) provides an equal to or better cost-benefit ratio than was submitted when the project was authorized; and

(E) will enable the United States' Treasury to recover the costs of building, operating, and maintaining the project in the same timeframe as initially authorized,

the Secretary shall send the comprehensive statement to the Congress and implement the proposed change.

(c) The Secretary shall review existing water control plans, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act, and shall propose to the President, not later than one year after the date of enactment of this Act, such measures as may be necessary to bring its authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

(d) Nothing in this Act shall permit the Secretary to make changes in project operations which extend beyond each project's specific congressional authorization.

(e) Nothing in this Act forbids any person to bring suit under any other statute challenging a change in project operations.

SEC. 309. (a) The Secretary of the Army is authorized to develop a pilot program to design and construct a high-speed magnetic levitation system to be integrated with the interstate highway rights-of-way and other appropriate rights-of-way.

(b) To carry out subsection (a), the Secretary of the Army is authorized to expend funds appropriated by Public Law 101-101 for such purpose and any funds made available to the Army by any law enacted after the date of enactment of such public law for such purpose.

SECTION-BY-SECTION SUMMARY ON THE WATER RESOURCES DEVELOPMENT ACT OF 1990

Section 1: Short Title and Table of Contents.

Section 2: Defines the term "Secretary" for the purposes of the act as the Secretary of the Army.

TITLE ONE—PROJECT AUTHORIZATIONS

Section 101: Authorizes the Secretary to construct seventeen water resource development projects in accord with plans approved by the Chief of Engineers. All of these projects have completed the entire Corps of Engineers planning process; have been found to be economically and environmentally sound, and engineeringly feasible by the Chief of Engineers. Three of these projects are for the purpose of providing navigation improvements, one project is for the purpose of recreation, two projects are for the purpose of storm damage reduction, and eleven projects would provide flood protection. The total cost of these seventeen projects is $1,595,200,000, with an estimated first Federal cost of $1,137,200,000 and an estimated first non-Federal cost of $458,000,000. All projects are to be constructed in compliance with the cost sharing provisions of the 1986 Water Resource Development Act. The following is a summary of these projects.

[In millions of dollars]

Project and State	Total cost	Estimated Federal cost	Estimated local cost
Bayou La Batre, Alabama	$16.2	$4.5	$11.7
Clifton, Arizona	12.5	9.1	3.4
Nagles Wash, Arizona	7.3	5.4	1.8
Coyote Creek, California	56.3	39.0	17.3
Miami Harbor, Florida	65.7	41.9	23.8
Martin County, Florida	9.0	3.8	5.6
Fort Wayne, Indiana	16.3	12.1	4.2
Boston Harbor, Massachusetts	17.9	8.2	9.7
Ecorse Creek, Michigan	7.3	4.6	2.7
Coldwater Creek, Missouri	22.4	15.5	6.9
River Des Peres, Missouri	20.6	15.3	5.3
Passaic River, New Jersey	914.0	675.0	239.0
Rio De La Plata, Puerto Rico	57.0	34.8	22.2
Myrtle Beach, S. Carolina	59.7	38.8	20.9
Mill Creek, Tennessee	14.5	7.3	7.2
Ray Roberts Lake, Texas	4.6	1.7	2.9
Buffalo Bayou, Texas	544.6	309.3	235.3
Upper Jordan River, Utah	7.9	5.2	2.7

TITLE TWO—PROJECT RELATED PROVISIONS

Section 201: Belen, New Mexico. This project has been reviewed by the Corps of Engineers and is authorized subject to the cost sharing requirements of section 903 (c) of the 1986 Water Resource Development Act.

Section 202: Cross Florida Barge Canal. This section modifies section 1154 of the 1986 Water Resources Development Act to provide for the deauthorization of the Federal Barge Canal project and the transfer of all project related lands and facilities associated with the project to the State of Florida. Such transfer would occur two years after the date of enactment of this legislation subject to a survey of project related lands satisfactory to the Secretary of the Army and paid for by the State of Florida.

Section 203: Sections 906 (e) and 1135 of the 1986 Water Resources Development Act authorized the Secretary to review existing facilities to determine if modifications could be made which would enhance environmental quality. In the early 1960's the Corps of Engineers constructed a flood control project in Truckee Meadows. At the present time this project interferes with the natural spawning cycle of two endangered species of fish and contributes to the degradation of Pyramid Lake, one of the most unique biological environments in North America. This provision authorizes the Secretary to plan and install such facilities as are found necessary to remedy these environmental deficiencies. The total cost of the facilities authorized in this section is $45,000,000.

Section 204: This section modifies Section 1149 of the Water Resources Development Act of 1986 to provide that if the Secretary of the Army and the Chief of Engineers fail to make a determination on how a direct beneficiary of the Lock Replacement at Sault Ste. Marie can provide to the Federal Government the required cost sharing on this project, that the project shall become eligible for full federal funding.

Section 205: This section directs the Secretary not to proceed with divestiture of Locks and dams numbered 5 through 14 of the Kentucky River until such time as the Corps of Engineers complies with a memorandum of understanding on the divestiture approved by the State of Kentucky and the Louisville District Engineer on February 22, 1985.

Section 206: This section establishes a management conference for the restoration, conservation, and management of Onondaga Lake. The Assistant Secretary of the Army for Civil Works is a member of the conference.

Section 207: This section authorizes the Secretary in conjuncture with the Administrator of the EPA to conduct a reconnaissance study for the purpose of providing plans for the design of a wastewater treatment project in Cranston, Rhode Island.

TITLE THREE—GENERAL PROVISIONS

Section 301: Provides that the "federal interest" in water resource projects is to be determined only through an evaluation of a prospective projects economics and environmental impacts.

Section 302: Requires that administrative changes to the eligibility criteria for water projects be submitted to the relevant Committees of Congress for oversite review at least a year prior to their implementation; and further provides that any changes made in the eligibility criteria for water projects shall not apply retroactively to projects which have been under study prior to the implementation of new criteria.

Section 303: Requires the Secretary to provide the Congress with a report on the management of the civil works program in each district and division of the Corps of Engineers. It is expected that such report will include an evaluation of the execution of the civil works missions of the Corps of Engineers, an evaluation of resource management in the execution of civil works missions, an assessment of the District and Division Commander's performance as a civil works manager, an assessement of the strengths and weaknesses of the civil works program in each district and division, and recommendations for the improvement of the management of the civil works program specific to each district and division.

Section 304: Amends Section 105(b) of the 1986 Water Resources Act of clarify original congressional intent. In the 1986 Act a number of projects were authorized only for preconstruction planning, engineering, and design, when they had not had any work associated with the feasibility study phase of planning. "Preconstruction planning, engineering, and design" are normally activities done with construction funds and not part of the feasibility process. At the time, it was the intent of the Committee to have the sponsors of these projects authorized only for this "preconstruction planning, engineering, and design" contribute half of the cost of such work, similar to the cost sharing which was imposed on the sponsors of feasibility studies. It was not the intent of the Committee to require a fifty percent cost share for "preconstruction planning, engineering and design" of projects which follow the normal authorization and planning process. The sponsors of these projects contribute half the cost of the feasibility study and whatever the appropriate cost share is for the construction of the project.

Section 305: Provides that the recommended level of protection for a Corps flood control or storm damage prevention project is to be at least the 100 year level of protection, provided that such protection can be provided economically. There is at present an inconsistency between the governing policy of the Federal Emergency Management Agency which looks to the 100 year level of protection as a national "standard" and the Corps of Engineer policy to provide this level of protection only if such protection "maximizes" economic benefits. This provision would require the Corps to recommend the 100 year level of protection provided that it was economic to do so, but removing the requirement that the economic benefits be "maximized".

Section 306: Amends section 101 of the 1986 Water Resource Development Act to reduce the local cost sharing required for a navigation project to the extent that the benefits of such project accrue to the armed services of the nation. A version of this provision was approved by the conferees on the 1986 Water Resource Development Act and inadvertently omitted from the final legislation.

Section 307: Amends Section 33 of the 1988 Water Resource Development Act to permit the acquisition of real property and associated improvements and monetary compensation to affected landowners whose property has been eroded on the Missouri River due to the operation of the reservoirs on the river by the Army Corps of Engineers.

Section 308: Establishes a procedure for Secretarial review of operational changes made at Corps of Engineer projects.

Section 309: This section directs the Secretary of the Army to develop a pilot program to design and construct a high-speed magnetic levitation system to be integrated with the interstate highway right-of-way and other appropriate rights-of-way.●

● Mr. BURDICK. Mr. President, I am pleased to join with my colleagues on the Environment and Public Works Committee to introduce the 1990 Water Resources Development Act.

When Congress passed the historic 1986 Water Resources Development Act, the Committee on Environment and Public Works made a commitment to work for regular biennial water resources authorizing legislation. Today we continue to fulfill that pledge.

This legislation is fully consistent with the cost-sharing and user-fee reforms of the 1986 Water Resources Act and authorizes only new projects which have completed planning by the Corps of Engineers, are economically sound, and have no known environmental issues.

This legislation also addresses in a limited way a number of management related issues which have been brought to the committee's attention. I believe that since 1986 the Corps of Engineers has made remarkable progress toward refocusing its mission on environmental engineering. However, I am concerned about other administrative practices of the corps; in particular the use of "discretionary authority", negotiation practices with local sponsors, and Army imposed changes to the technical economic criteria used to evaluate projects which are not subject to public review and comment.

I hope to address these issues in the future.●

● Mr. SYMMS. Mr. President, I am pleased to join my colleagues on the Environment and Public Works Committee to introduce the Water Resources Development Act of 1990. The 1986 Water Resources Act ended a 17-year dry spell in which Congress was unable to pass authorizing legislation for the Army Corps of Engineers, and the bill we are introducing today represents our commitment to renewing the regular 2-year authorization cycle for corps projects.

In 1986, Congress finally resolved the thorny issues of cost sharing and user fees that had prevented passage of a water resources bill since 1970. The bill we introduce today continues our commitment to those fundamental principles.

It is a straightforward authorization of 18 water projects around the country with an estimated total cost of $1.852 billion and an estimated Federal share of $1.232 billion. There are 11 flood control projects, 3 projects to provide navigation improvements, 2 for storm damage reduction, and 1 for recreation. Details remain to be worked out between the Corps of Engineers and sponsors with respect to several of these projects, but I hope and expect a satisfactory solution can be reached during the course of committee deliberations on the bill.

There are very important provisions in titles II and III, some of which may elicit concern from the corps. I look forward to hearing administration comments on those provisions and will do everything possible to work out an agreement on legislation the President can sign this year.●

● Mr. CHAFEE. Mr. President, today I am pleased to join with my colleagues on the Committee on Environment and Public Works in introducing the Water Resources Development Act of 1990. Introduction of this bill represents a continuation of the commitment to report authorizing legislation for the U.S. Army Corps of Engineers civil works program every 2 years.

As you know, Mr. President, the 1970's and early 1980's saw a departure from the previous practice of approving omnibus bills and predictable appropriations to fund the construction of water projects. In 1986, however, we broke the logjam. After years of legislative-executive policy confrontations over the role of the Federal Government in water policy, the 99th Congress approved the Water Resources Development Act of 1986.

The 1986 act was truly landmark legislation in the area of water policy and formed the basis of the Water Resources Development Act of 1988 and the bill we are introducing today. Most importantly, the 1986 act contains a number of provisions for increased local cost sharing for beneficiaries of Army Corps projects. I support those provisions wholeheartedly. The intent of cost sharing, I might add, is not to prevent the construction of a particular project but rather to recognize our limited Federal resources and the financial responsibility of local project sponsors.

The bill we are introducing today is straightforward. Title I authorizes 18 water resources projects from across the country at a cost of $1.8 billion,

with an estimated first Federal cost of $1.2 billion and an estimated first non-Federal cost of $600 million. Twelve projects would provide flood control, three entail navigation improvements, two provide for storm damage reduction and one for the purpose of recreation. All of the projects have completed the corps planning process. Furthermore, the Chief of Engineers has determined that the projects are both economically and environmentally sound.

Title II contains seven project related provisions, with title III dealing with policy changes to the 1986 and 1988 Water Resources Development Acts. Let me say here at the outset, however, that I do have concerns with a number of provisions in title III that, in my view, inhibit the ability of the Army Corps to effectively manage operations at water project sites. It is imperative that the corps have the flexibility to manage and respond to a changing water environment.

The goal of this legislation is to authorize a steady flow of sound projects for the Army Corps of Engineers. As my former colleague Senator Stafford said in 1988, if the water bill "becomes a magnet for * * * ill conceived policy initiatives, the experiment will have been a failure and we will have learned something about Congress' ability to successfully regularize the Corps of Engineers authorizing process." The key is to remain faithful to the provisions of the 1986 act.

The Committee on Environment and Public Works has scheduled a hearing on this legislation for March 1. I look forward to the testimony of Mr. Robert Page, Assistant Secretary of the Army for Civil Works and Maj. Gen. Patrick J. Kelley, Director of Civil Works for the Army Corps of Engineers, especially with regard to title III of the bill.

Mr. President, I intend to work closely with my colleagues on the committee to report an economically sound and environmentally sensitive piece of legislation.●

● Mr. LAUTENBERG. Mr. President, I commend the leadership of the Committee on Environment and Public Works for moving ahead with this important legislation. I would like to call to the attention of my colleagues a provision in this bill that would authorize construction of a major flood control project along the Passaic River Basin in New Jersey.

This project is sorely needed. Every year, flooding in this basin results in tens of millions of dollars of damage. Tragically, that flooding has, from time to time, also resulted in a loss of life.

The project, as now described in this bill, would be a multifaceted effort to control and protect against flooding in the area. It would include the purchase and setting aside of land for flood water retention. The focus of much of the attention to this project has been on the tunnel that would carry flood waters away from problem areas.

As proposed by the Corps of Engineers, this tunnel would have its outfall in the Passaic River near Nutley, NJ. Because of the concerns of local residents over possible impacts on their area from this outfall, I support an extension of the tunnel south to Newark Bay. This was an option considered by the Corps of Engineers in its general design memorandum of December 1987.

I've discussed with my colleagues on the committee my interest in including in this bill the extension of the tunnel to Newark Bay. Any concerns I have heard about possible environmental impacts resulting from the extension have been addressed. Some concern has also been expressed about authorizing elements of a project that go beyond what was proposed by the administration. I hope to be able to address those concerns in the committee's upcoming hearing on this legislation. Another issue is whether the State of New Jersey is committed to the extension.

Mr. President, we in New Jersey have a new Governor, our former House colleague Jim Florio. Governor Florio's administration is just getting underway; it is busy addressing important issues such as the automobile insurance problem in New Jersey. Consequently, it has been difficult for the State to clearly state its position on the Passaic River project. I am hopeful that a position will be forthcoming shortly.

I am hopeful that the committee will support authorizing the tunnel extension as part of this project. I would like to ask my good friend, the distinguished chairman of the Subcommittee on Water Resources, Infrastructure, and Transportation, for his thoughts.

Mr. MOYNIHAN. Mr. President, we are well aware of the interest of the Senators from New Jersey in extending the flood tunnel. But, this would go beyond the proposal submitted by the Corps of Engineers. The committee has had guidelines in place to assist in the development of water resources legislation. Those call for a Chief of Engineers report on each project. In this case, there is a Chief's report, but the extension is not included in the recommendation. But, as we have a Chief's report and the corps has studied the extension, I do not think we should foreclose the committee's consideration and possible approval of the extension. The committee has scheduled a hearing on this bill for March 1. I want to assure my friend that we will give his proposal serious consideration.

I appreciate the concerns of my colleague from New Jersey, and know how hard he works for his State. The subcommittee will work with him to try to resolve this situation.

Mr. LAUTENBERG. Mr. President, I thank my colleague and friend from New York, and look foward to continuing to work with him on this important matter. I would like to make it clear that the concerns over including this modification of the Passaic River Basin project in the bill at this time are procedural; the project would be subjected to the usual cost-sharing requirements for water resources projects.

Mr. President, along with my colleague Senator BRADLEY, I am filing an amendment to the water resources bill to authorize extension of the tunnel to Newark Bay, and I ask unanimous consent that it be printed in the RECORD and referred to the committee. That way, it will be pending before the committee when we hold hearings on this proposal on March 1.●

By Mr. BAUCUS (for himself, Mr. MITCHELL, Mr. BYRD, Mr. BURDICK, Mr. BENTSEN, Mr. SASSER, Mr. DASCHLE, Mr. SARBANES, Mr. COHEN, Mr. BRADLEY, Mr. JEFFORDS, Mr. CONRAD, Mr. HARKIN, Mr. SIMON, Mr. KERREY, Mr. ROCKEFELLER, Mr. D'AMATO, Mr. SANFORD, and Mr. KOHL):

S. 2184. A bill to assist small communities in construction of facilities for the protection of the environment and human health; to the Committee on Environment and Public Works.

SMALL COMMUNITY ENVIRONMENTAL ASSISTANCE ACT

● Mr. BAUCUS. Mr. President, I rise today to introduce legislation to assist small communities throughout the Nation in the construction of facilities for the protection of the environment and human health.

I am very pleased that the chairman of the Environment and Public Works Committee, Senator BURDICK; the chairman of the Appropriations Committee, Senator BYRD; the chairman of the Finance Committee, Senator BENTSEN; the chairman of the Budget Committee, Senator SASSER; the majority leader, Senator MITCHELL; and a number of other Senators are joining me in introducing this important legislation.

Small communities around the Nation are fighting an uphill battle to provide up-to-date environmental protection facilities. In my discussions of this problem with community officials from my home State of Montana and other parts of the country, I have heard three concerns.

First, small communities, by which I mean communities under 2,500 population, have a significant need for im-

proved or expanded environmental protection facilities, including sewage treatment plants, drinking water systems, solid waste facilities, and underground storage tanks.

Second, small communities face special problems in financing environmental facilities including reduced economies of scale, limited access to financing, and modest managerial resources.

Finally, the Federal Government needs to do more to assist these communities in financing the construction of basic environmental facilities and projects.

The legislation we are introducing today, titled the "Small Community Environmental Assistance Act," will assist States in establishing loan and grant funds to help small communities finance essential environmental projects.

Small communities face staggering demands for new and expanded environmental services. While there has been no comprehensive national assessment of the cost of environmental facilities for these communities, costs clearly total billions of dollars.

The Environmental Protection Agency reports the cost of needed sewage treatment in communities of under 10,000 population as $12 billion.

The National Council on Public Works Improvement assessed the need for expanded drinking water systems in 1988 and concluded:

A national problem does exist for small water systems . . . small water systems operate on a marginal basis, with inadequate resources—operational and managerial—to correct existing deficiencies.

Estimates of the cost of new requirements under the Safe Drinking Water Act for some 60,000 water systems under 3,300 users are approximately $5 billion. The costs to the 6,000 incorporated communities under 3,300 system users is about $500 million.

Improvement of solid waste disposal facilities, compliance with leaking underground tank regulations, and implementation of other important environmental efforts will also involve substantial costs for small communities.

Many of the communities in my home State of Montana are working to improve environmental facilities.

In 1986, the Montana State Legislature commissioned a report on infrastructure issues and concluded that parts of Montana's infrastructure are in serious disrepair.

The report found that sewage treatment systems serving about two-thirds of the population were in need of repair or expansion at an estimated cost of $231 million. The estimated costs of bringing drinking water systems into compliance with State standards was about $100 million. About 10 percent of the solid waste facilities were not in compliance with State standards and estimated costs of compliance amounted to $6.4 million.

While financing environmental facilities can be difficult in any community, small communities face special problems and difficulties not faced by larger units of government.

In 1988, EPA published a report assessing the need for local environmental facilities and available resources. The report concluded:

Most municipalities will be able to meet the expected increase in environmental expenses and still remain financially sound. The municipalities most likely to experience difficulties will be those with populations of 2,500 or less.

The EPA reported that communities of under 2,500 population face the highest increase in average annual environmental service costs—a projected increase of $170 per year, compared to $80 to $90 per year in communities between 2,500 and 250,000.

This increase for small communities translates into a relatively larger increase as a percent of household income because incomes are generally lower in small communities—0.7-percent increase for households in small communities but 0.2- to 0.4-percent increase for communities of 2,500 to 250,000.

The EPA also assessed the expected increases in environmental user fees and concluded:

Most of the municipalities that would experience the largest overall percentage increase in fees are the smallest municipalities . . . The user fees of 20 percent of the municipalities under 2,500 persons may rise over 100 percent above current levels by 1996 . . . Many of the households that are expected to experience initial "rate shocks" when confronted with rising user fees are in communities having fewer than 2,500 persons.

In addition, EPA examined the relative access of small and large communities to various financing options. The study concluded:

Between 21 percent and 30 percent of communities under 2,500 persons may have difficulty using revenue bonds, general obligation bonds, and loans . . .

The EPA report also suggests that small communities face additional problems, not faced by many larger communities, in financing environmental projects, including lack of economies of scale, limited management capability, and limited access to technical services.

Several other studies address the problem of funding environmental projects in small communities.

A 1987 report by the Congressional Budget Office indicates the per capita costs of water supply are seven times greater for small communities than large communities.

A 1989 study by the EPA of small water systems concluded:

Plagued by personnel and infrastructure problems, many small systems are unable to meet the challenges of regulations mandated by the 1986 Safe Drinking Water Act amendments. Underlying their difficulties are a lack of financial capacity, technical and management capacity, and information about the regulations.

Lack of financial resources for environmental services in small communities shows up in compliance data. For example, EPA reports that small drinking water systems serve only 8 percent of the population, but account for 93 percent of drinking water standards violations and 94 percent of reporting violations.

We have clear evidence that small communities face significant demands for new and expanded environmental facilities and that these communities are seriously handicapped in addressing these needs.

Without expanded financial assistance from the Federal Government, many of our smaller communities may be unable to attain the environmental goals we have set for the country as a whole.

We must act now to assure that environmental services and facilities in small communities do not become second-class services and facilities.

The legislation we are introducing today is intended to assure that large and small communities throughout the Nation have the benefit of first-class environmental facilities.

The bill provides for establishment of State loan and grant funds to assist small communities in financing environmental facilities, including sewage treatment, drinking water, solid waste, and underground storage tanks.

The bill is modeled after the revolving loan fund in the Clean Water Act. At a hearing of my Subcommittee on Environmental Protection in May of last year, we heard testimony that the Clean Water Act revolving loan program was generally a success, but that small communities, especially disadvantaged small communities, needed additional assistance.

The bill authorizes the EPA to help capitalize loan funds in each State. State loan funds would be available to provide low-interest loans to communities. Communities would repay loans and maintain a permanent environmental financing resource at the State level.

The proposed bill also would provide grants, rather than loans, to the very poor communities—those communities with median household income less than 75 percent of median household income nationally. This authority to provide grants is essential if our poorest communities are to achieve the environmental standards we have established for other communities.

A program of technical assistance for communities is also established to assure that small communities have the best possible information and assistance as they address the difficult

issues of financing environmental facilities.

A total authorization of $1.5 billion over 5 years is provided. The authorization levels are timed to coincide with the phased decreases in authorizations we have provided for funding of the Clean Water Act revolving loan funds.

Mr. President, I ask unanimous consent that a section-by-section description of the bill and a copy of the bill be printed at an appropriate place in the RECORD.

In conclusion, Mr. President, I look forward to working with all my colleagues in advancing this important legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.—(a) This Act may be cited as the "Small Community Environmental Assistance Act of 1990".

(b) TABLE OF CONTENTS.—

Sec. 1. Short Title and Table of Contents
Sec. 2. Findings
Sec. 3. Purposes
Sec. 4. Definitions
Sec. 5. Grants to States for Establishment of Small Community Pollution Control Revolving Funds
Sec. 6. Small Community Pollution Control Revolving Funds
Sec. 7. Intended Use Plan
Sec. 8. Audits, Reports, and Fiscal Controls
Sec. 9. Small Community Technical Assistance and Outreach
Sec. 10. Authorization of Appropriations

FINDINGS

SEC. 2. FINDINGS.—The Congress finds that—

(1) small communities face special problems in providing for facilities to protect the environment and human health, including sewage disposal, safe drinking water, and environmentally sound solid waste disposal;

(2) small communities often lack economies of scale necessary to provide an adequate financial base for construction and operation of environmental protection facilities;

(3) small communities often have limited access to financial markets due to limited management capability and limited access to financial and technical services;

(4) the Environmental Protection Agency estimates that between 21 percent and 30 percent of small communities will have difficulty using revenue bonds for environmental facilities because of limited financial resources;

(5) many small communities have not benefitted from existing environmental financing and assistance programs of the Federal Government because such assistance programs are often focused on the largest environmental problems caused by larger municipalities (e.g., only 8 percent of the Federal sewage treatment plant grant funds have been devoted to small communities);

(6) existing Federal grant assistance programs for waste water treatment are being phased out in favor of State loan funds and some small communities will have limited access to such funds and some disadvantaged small communities may be unable to comply with pollution control requirements without grant assistance;

(7) residents of small communities often spend a larger portion of household income for environmental services than do residents of large communities;

(8) recent amendments to Federal environmental laws will require additional efforts by small communities to address environmental problems and devote a larger percentage of resources to this effort;

(9) the Environmental Protection Agency estimates that small community households may face an average increase of $170 for environmental user charges and fees as a result of new environmental requirements;

(10) the National Council on Public Works Improvement recently concluded that "A national problem does exist for small water systems . . . and . . . these small water systems operate on a marginal basis, with inadequate financial resources to correct existing deficiencies . . ."

(11) the Environmental Protection Agency reports that small water systems serve 8 percent of the United States population, but account for over 90 percent of the violations of the Safe Drinking Water Act;

(12) the Environmental Protection Agency reports that 80 percent of the communities in violation of sewage treatment requirements are rural communities and that rural community sewage treatment needs exceed $28,000,000,000;

(13) it is essential that the Federal Government play a more active role in providing financial assistance to small communities for construction of environmental protection facilities;

(14) it is essential that the Federal Government make a special effort to provide financial assistance, including grant assistance, to small communities which are economically disadvantaged; and

(15) it is essential that the Federal Government expand and strengthen technical assistance and outreach programs to assist small communities in complying with environmental requirements.

SEC. 3. PURPOSE.—The purpose of this Act is to—

(1) provide for the creation of State revolving loan funds to assist small communities in financing of sewer, water, and solid waste facilities and projects;

(2) to provide for grant assistance to disadvantaged small communities for construction of sewer, water, and solid waste facilities and projects; and

(3) to expand and strengthen Federal programs for providing technical assistance and outreach to small communities on issues relating to environmental protection and construction of environmental facilities and projects.

DEFINITIONS

SEC. 4. DEFINITIONS.—For the purposes of this Act—

(1) the term "Administrator" refers to the Administrator of the Environmental Protection Agency;

(2) the term "State" has the same meaning as established in section 502(3) of the Federal Water Pollution Control Act;

(3) the term "treatment works" shall have the same meaning as established in section 212(2) of the Federal Water Pollution Control Act;

(4) the term "solid waste management facility" shall have the same meaning as that established in section 1004(29) of the Solid Waste Disposal Act;

(5) the term "sanitary landfill" shall have the same meaning as that established in section 1004(26) of the Solid Waste Disposal Act;

(6) the term "public water system" has the same meaning as that established in section 1401(4) of the Safe Drinking Water Act;

(7) the term "construction" has the same meaning as that established in section 1004(2) of the Solid Waste Disposal Act;

(8) the term "small community" refers to local units of government in which the population is less than 2,500 individuals, as determined by the latest decennial census of the United States;

(9) the term "disadvantaged small community" refers to a small community in which the median household income of the residents of such community is less than 75 percent of the national median household income, as determined by the latest decennial census of the United States;

(10) the term "investor owned system" means any treatment works, public water system, or solid waste management facility which is owned and operated by a private person for profit; and

(11) the term "underground storage tank" has the same meaning as that established in section 9001(1) of the Solid Waste Disposal Act, as amended.

SEC. 5. GRANTS TO STATES FOR ESTABLISHMENT OF SMALL COMMUNITY POLLUTION CONTROL REVOLVING FUNDS.—(a) GENERAL AUTHORITY.—Subject to the provisions of this Act, the Administrator shall make grants to each State for the purpose of establishing a small community pollution control revolving fund.

(b) PURPOSE.—State small community revolving loan funds shall be available for providing financial assistance to small communities for—

(1) construction of waste-water treatment works;

(2) construction of public water systems;

(3) construction of solid waste management facilities; and

(4) assuring that underground storage tanks which are owned and operated by small communities are in compliance with section 9003(c) of the Solid Waste Disposal Act, as amended.

(c) SCHEDULE OF GRANT PAYMENTS.—The Administrator and each State shall jointly establish a schedule of payments under which the Administrator will pay to the State the amount of each grant to be made to the State under this Act. Such schedule shall be based on the State's intended use plan under section 7 of this Act, except that—

(1) such payments shall be made in cash in quarterly installments, and

(2) such payments shall be made as expeditiously as possible, but in no event later than the earlier of—

(A) 8 quarters after the date such funds were obligated by the State, or

(B) 12 quarters after the date such funds were allotted to the State.

(d) FORMULA.—Sums authorized to be appropriated to carry out this section shall be allotted by the Administrator in accordance with a formula, to be established by the Administrator, which reflects the need for construction of facilities for wastewater treatment, drinking water supply, and solid waste disposal in small communities and the proportion of such need in each State in disadvantaged small communities.

(e) MINIMUM ALLOTMENT.—Notwithstanding any other provision of law, the Administrator shall ensure that each State receives a minimum allotment of not less than one percent of the funds appropriated pursuant to this Act in each fiscal year.

(f) ALLOTMENT PERIOD.—(1) PERIOD OF AVAILABILITY FOR GRANT AWARD.—Sums allotted to a State under this section for a fiscal year shall be available for obligation by the State during the fiscal year for which sums are authorized and during the following fiscal year.

(2) REALLOTMENT OF UNOBLIGATED FUNDS.—The amount of any allotment not obligated by the State by the last day of the 2-year period of availability established by paragraph (1) shall be immediately reallotted by the Administrator on the basis of the same ratio as is applicable to sums allotted under subsection (d) of this section. None of the funds reallotted by the Administrator shall be reallotted to any State which has not obligated all sums allotted to such State in the first fiscal year of such 2-year period.

SEC. 6. SMALL COMMUNITY POLLUTION CONTROL REVOLVING FUNDS.—(a) GENERAL RULE.—To receive grant funds made available under this Act, a State shall first establish a small community pollution control revolving fund which complies with the requirements of this section.

(b) SPECIFIC REQUIREMENTS.—The Administrator shall enter into an agreement under this section with a State only after the State has established to the satisfaction of the Administrator that—

(1) the State shall accept grant payments with funds to be made available under this Act in accordance with a payment schedule established pursuant to section 5(c) of this Act and will deposit all such payments in the small community pollution control revolving fund established by the State in accordance with this Act;

(2) the State will deposit in the fund from State moneys an amount equal to at least 25 percent of the total amount of all grants which will be made to the State with funds to be made available under this Act on or before the date on which each quarterly grant payment will be made to the State under this Act;

(3) the State will enter into binding commitments with small communities to provide assistance in accordance with the requirements of this Act in an amount equal to 125 percent of the amount of each such grant payment within 1 year after the receipt of such grant payment;

(4) all funds in the fund will be expended in an expeditious and timely manner;

(5) in addition to complying with the requirements of this Act, the State will commit or expend each quarterly grant payment which it will receive under this title in accordance with laws and procedures applicable to the commitment or expenditure of revenues of the State;

(6) in carrying out the requirements of this Act, the State will use accounting, audit, and fiscal procedures conforming to generally accepted government accounting standards;

(7) the State will require as a condition of making a loan or providing other assistance from the fund that the recipient of such assistance will maintain project accounts in accordance with generally accepted government accounting standards; and

(8) the State will make annual reports to the Administrator on the actual use of funds in accordance with section 7(b) of this Act.

(c) TYPES OF ASSISTANCE.—Except as otherwise limited by State law, a small community pollution control revolving fund of a State under this section may be used only—

(1) to make loans to small communities, on the condition that—

(A) such loans are made at or below market interest rates, including interest free loans, at terms not to exceed 30 years;

(B) annual principal and interest payments will commence not later than 3 years after completion of a project and all loans will be fully amortized not later than 30 years after project completion;

(C) the recipient of a loan will establish a dedicated source of revenue for repayment of loans; and

(D) the recipient of the loan agrees to repay the loan and the fund will be credited with all payments of principal and interest on all loans; and

(E) any loan made to an investor owned system shall be at market interest rates;

(2) to make grants to small communities, on the condition that—

(A) such grants do not exceed 75 percent of the costs of eligible projects; and

(B) the local unit of government receiving a grant is a disadvantaged small community;

(3) to guarantee, or purchase insurance for, small community obligations where such action would improve credit market access or reduce interest rates;

(4) as a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the State if the proceeds of the sale of such bonds will be deposited in the fund;

(5) to earn interest on fund accounts; and

(6) for the reasonable costs of administering the fund and conducting activities under this Act, except that such amounts shall not exceed 4 percent of the balance of such fund.

(d) ADMINISTRATION.—Each State loan fund shall be administered by an instrumentality of the State with such powers and limitations as may be required to operate the fund in accordance with the requirements of this Act.

(e) CONSISTENCY WITH PLANNING REQUIREMENTS.—(1) A State may provide financial assistance from its small community pollution control revolving fund only with respect to a waste-water treatment project which is consistent with plans, if any, developed under sections 205(j), 208, 303(e), 319, and 320 of the Federal Water Pollution Control Act.

(2) A State may provide financial assistance from its small community pollution control revolving loan fund only with respect to a public water system which is approved by the chief executive officer of the State agency with primary enforcement authority pursuant to section 1413 of the Safe Drinking Water Act.

(3) A State may provide financial assistance from its small community pollution control revolving loan fund only with respect to a solid waste management facility which is consistent with a plan approved pursuant to section 4007 of the Solid Waste Disposal Act.

SEC. 7. INTENDED USE PLAN.—(a)(1) IN GENERAL.—Prior to the beginning of each fiscal year, each State shall prepare and submit to the Administrator a plan identifying the intended uses of the amounts available to its small community pollution control revolving fund. Such intended use plan shall include, but not be limited to—

(A) a list of those projects for construction of waste-water treatment works, water supply systems, and solid waste management facilities which are pending;

(B) a description of the short- and long-term goals and objectives of the pollution control revolving fund;

(C) information on the activities to be supported, including a description of project categories, terms of financial assistance, and communities served;

(D) assurances and specific proposals for meeting the requirements of subsection (G) of section (6) of this Act; and

(E) the criteria and method established for the allocation of funds to proposed projects.

(2) The Administrator shall review the plan developed pursuant to this subsection and shall not make grant payments pursuant to section 5 of this Act unless he determines that such plan is consistent with the requirements and objectives of this Act.

(3) The State shall provide for public review and comment on the plan developed pursuant to this section.

(b) RESERVATION OF FUNDS FOR PLANNING.—Each State shall reserve each fiscal year 1 percent of the sums in the fund, or $100,000, whichever amount is greater, to carry out planning and related activities pursuant to this section.

SEC. 8. AUDITS, REPORTS, AND FISCAL CONTROLS.—(a) FISCAL CONTROL AND AUDITING PROCEDURES.—Each State electing to establish a small community pollution control revolving fund under this Act shall establish fiscal controls and accounting procedures sufficient to assure proper accounting during appropriate accounting periods for—

(1) payments received by the fund;

(2) disbursements made by the fund; and

(3) fund balances at the beginning and end of the accounting period.

(b) ANNUAL FEDERAL AUDITS.—The Administrator shall, at least on an annual basis, conduct or require each State to have independently conducted reviews and audits as may be deemed necessary or appropriate by the Administrator to carry out the objectives of this section. Audits of the use of funds deposited in the pollution revolving fund established by such State shall be conducted in accordance with the auditing procedures of the General Accounting Office, including chapter 75 of title 31, United States Code.

(c) ANNUAL REPORT.—Beginning 60 days after the end of the first fiscal year after the receipt of payments under this Act, the State shall submit an annual report to the Administrator describing how the State has met the goals and objectives for the previous fiscal year, as identified in the plan prepared for such year pursuant to subsection (a), including identification of loan and grant recipients, loan and grant amounts, and terms and similar details on other forms of financial assistance provided from the small community pollution control revolving fund.

(d) NONCOMPLIANCE.—(1) If the Administrator determines that a State has not complied with the requirements of this Act, the Administrator shall notify the State of such noncompliance and the necessary corrective action.

(2) WITHHOLDING OF PAYMENTS.—If a State does not take corrective action within 60 days after the date a State receives notification of noncompliance under paragraph (1), the Administrator shall withhold additional payments to the State until the Administrator is satisfied that the State has taken the necessary corrective action.

(3) REALLOTMENT OF WITHHELD PAYMENTS.—If the Administrator is not satisfied that adequate correction actions have been taken by the State within 12 months after the State is notified of noncompliance, the payments withheld from the State by the Administrator shall be made available for reallotment in accordance with the formula for allotment of funds under this Act.

SMALL COMMUNITY TECHNICAL ASSISTANCE AND OUTREACH

SEC. 9. SMALL COMMUNITY TECHNICAL ASSISTANCE AND OUTREACH.—(a) OFFICE OF SMALL COMMUNITY ENVIRONMENTAL ASSISTANCE.—(1) The Administrator shall establish an Office of Small Community Environmental Assistance.

(2) FUNCTIONS.—The functions of the Office of Small Community Environmental Assistance shall be to—

(A) manage grants pursuant to section 5 of this Act;

(B) oversee the operation of State small community pollution control revolving funds;

(C) provide information and guidance to small communities in financial analysis, financial planning, and assessment of project feasibility;

(D) provide small communities with information and guidance concerning compliance with environmental protection requirements of Federal statutes; and

(E) provide information and guidance to small communities on issues including regionalization of environmental facilities, reform of existing rate structures, and operation of special management districts.

(b) SMALL COMMUNITY CIRCUIT RIDER PROGRAM.—(1) In implementation of the functions identified in subsection (a) the Office of Small Community Environmental Assistance may provide grants to appropriate State agencies and not-for-profit organizations, including organizations operating at a multistate level to assist in the dissemination of information to small communities and to assist small communities in assessment of issues relating to financing of environmental facilities and compliance with environmental laws.

(2) Grants pursuant to this section shall be in an amount determined by the Administrator and shall be matched by non-Federal funds in an amount equal to not less than 25 percent of the small community environmental assistance program cost in a given fiscal year.

(3) In awarding grants pursuant to this section the Administrator shall, to the fullest extent practicable, assure that communities in all States have access to assistance pursuant to this subsection, that award of grants is on a competitive basis, and that past performance of an applicant is considered in awarding future grants.

(4) Recipients of grants pursuant to this section shall provide such information as the Administrator deems appropriate in applications for grant assistance and in reports of program activities.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Administrator shall work with other Federal agencies, including the Department of Agriculture, in the implementation of this section.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $200,000,000 for fiscal year 1992, $300,000,000 for fiscal year 1993, $500,000,000 for fiscal year 1994, and $500,000,000 for fiscal year 1995.

SECTION-BY-SECTION DESCRIPTION OF THE SMALL COMMUNITY ENVIRONMENTAL ASSISTANCE ACT OF 1990

Section 1: Short Title and Table of Content.—This Act may be called the "Small Community Environmental Assistance Act of 1990."

Section 2: Findings.—The Congress finds that small communities face special problems in financing environmental facilities, that residents of small communities spend a larger share of income for environmental services than do residents of large communities, and that the Federal government should take a more active in providing financial and technical assistance to small communities in constructing environmental facilities.

Section 3: Purpose.—The purposes of this Act are to create State revolving loan funds to assist small communities in financing environmental programs, to provide grant assistance to disadvantaged communities, and to expand Federal technical assistance to small communities.

Section 4: Definitions.—Key terms used in the Act are defined including "small community" (a community of under 2,500 pop.) and "disadvantaged small community" (a small community with a median household income 75% of the national average).

Section 5: Grants to States.—The EPA is to make grants to States to establish pollution control revolving funds to assist small communities in financing sewage, drinking water, and solid waste facility construction, and compliance with underground tank regulations. Payment schedules, allotment formula, and procedures for reallotment are specified.

Section 6: Small Community Pollution Control Revolving Funds.—States are to establish revolving funds which meet the conditions of this Act, including provision of a 25% State match for Federal funds, obligation of funds promptly, and assurance of proper accounting. Assistance to be provided by the fund may include loans, 75% grants to disadvantaged communities, purchase of insurance, and other assistance.

Section 7: Intended Use Plan.—States are to develop an annual plan identifying the intended uses of monies in the fund.

Section 8: Audits, Reports and Fiscal Controls.—States are to provide for appropriate fiscal controls and audits and provide reports to the EPA.

Section 9: Small Community Technical Assistance and Outreach.—EPA is to establish an Office of Small Community Environmental Assistance to administer this Act and to provide technical assistance to States and small communities in financing of environmental projects.

Section 10: Authorizations.—A total of $1.5 billion is authorized over 4 years ($200, $300, $500, and $500 million).●

● Mr. D'AMATO. Mr. President, I am pleased to join with many of my colleagues in introducing legislation which will assist small communities in financing facilities for the protection of the environment and human health.

There is growing evidence that small communities under 2,500 have a significant need for improved or expanded facilities such as sewage treatment plants, drinking water systems, solid waste facilities, and underground storage tanks. Estimates of the cost of these needed improvements range from $6 to $8 billion.

It has become increasingly evident that small communities face special problems in financing these types of facilities. The Environmental Protection Agency reports that small communities are most likely to experience rate shock as a result of new environmental projects. It is projected that the user fees of 20 percent of municipalities under 2,500 persons may rise over 100 percent above current levels by 1996. The Small Community Environmental Assistance Act will help our Nation's smaller communities finance needed environmental programs.

This legislation establishes an Office of Small Community Environmental Assistance within the EPA to administer this act and provide technical assistance to States. State revolving funds would provide low-interest loans and would be a permanent environmental financing resource at the State level. Disadvantaged communities with a median household income of 75 percent of the national average would be eligible for grants at the State level.

All communities, big and small, are faced with the need to either build or upgrade environmental facilities. Larger communities are generally more fortunate in that their budgets can absorb the expenses associated with these projects. Smaller communities need special help. The Small Community Environmental Assistance Act addresses these special needs. I urge my colleagues to act on this legislation.●

● Mr. CONRAD. Mr. President, I am pleased to rise today to express my support for the Small Community Environmental Assistance Act of 1990. I commend the Senator from Montana, Mr. BAUCUS, for bringing the issue of environmental compliance in small communities to the attention of the Senate. As the Senator points out, residents of small communities spend a larger share of income for environmental services than do residents of larger communities.

I come from a State of mostly small communities: Over 95 percent of North Dakota communities have a population of less than 2,500. I know firsthand the problems faced by these communities complying with new environmental regulations. These problems are greatly compounded when the community is economically disadvantaged. Unfortunately for the residents of North Dakota, many of our communities have been ravaged by drought-related economic impacts and a downturn in the State economy over the past few years.

These communities simply lack the resources to invest in new or expanded water plants, sewage treatment plants, landfills, and other facilities required by Federal environmental regulations.

An immediate problem for all small communities across the country will be to respond to what is anticipated to be very costly improvements to municipal landfills. In my mail and in meetings all across North Dakota, representatives from small communities have expressed concern over their ability to pay for EPA's pending new regulations. The cost of compliance with these regulations will be a significant burden for these communities.

This bill would provide economic or technical assistance to small communities through the creation of State-established and State-operated revolving funds. Economic assistance would be in the form of a loan and could be applied to the construction of either new or expanded environmental facilities. If the small community were also economically disadvantaged, it could apply for a grant rather than a loan.

Mr. President, for the reasons I have cited here, I wholeheartedly support the Small Community Environmental Assistance Act of 1990 and I encourage my colleagues to do likewise.●

By Mr. COATS:

S. 2185. A bill to impose a criminal penalty for flight to avoid payment of arrearages in child support, and for other purposes; to the Committee on the Judiciary.

FLIGHT TO AVOID PAYMENT OF ARREARAGES IN CHILD SUPPORT

● Mr. COATS. Mr. President, over the last 20 years, we have seen a dramatic rise in the number of divorced women and their children living in poverty. Women and children often find their standard of living dropping dramatically following a family breakup. Usually, these families depended upon the father's income to support the family.

Alone, with small children and lacking job experience, it is not hard to understand why broken families wind up poor—especially if the parent without custody does not pay child support. One woman, Edie Matthews from Madison, WI, spent 8 years on welfare after her husband left her. The reason for her poverty was that during that time, she received a meager $5,000 in child support to help raise her two children—far less than the court had awarded her.

I am here today to propose legislation to help end this widespread tendency to avoid paying child support. The proposal is a relatively simple one. Provide stiff penalties for those who avoid their responsibility. This legislation would provide for the imposition of jail terms for those who ignore their legal child support obligation by fleeing and remaining outside the States in which the obligation is imposed. A criminal penalty is a just punishment for those who think they can simply walk away from their children.

If enacted, this legislation will provide the courts with added enforcement power. The additional threat of punishment would deter parents from flight to avoid basic and essential parental obligations. I urge my colleagues to enact this legislation for the good of the children who are not only faced with the tragedy of a broken home, but must also confront the demoralizing and degrading consequence of poverty.●

By Mr. McCONNELL:

S. 2186. A bill to repeal the provisions of the Revenue Reconciliation Act of 1989 which require the withholding of income tax from wages paid for agricultural labor; to the Committee on Finance.

REPEAL OF WITHHOLDING PROVISIONS RELATING TO AGRICULTURAL LABOR

● Mr. McCONNELL. Mr. President, last year in our rush to complete the Omnibus Budget Reconciliation Act of 1989—Public Law 101-239—a provision was included in the passed version of the legislation. Unfortunately, this provision has placed an added burden to our Nations' farmers by requiring farmers to withhold Federal taxes from workers' income.

All farmers with a payroll of $2,500 per year must keep W-4 forms on all workers and then file quarterly reports on wages paid and to whom. Farmers who pay less than $2,500 in wages each year must still withhold Federal income taxes on every employee who receives more than $150 in wages from the farmer. This legislation is clearly an attempt to use the employer to enforce the tax code.

The nature of the farming business requires hiring workers on a seasonal, part-time basis. Because farmers are unable to provide work year round they cannot employ one person to do the hired labor. For example, during the business time of the year a farmer must hire two or three extra people to get the necessary work completed in a timely manner. This could be getting the crop planted early enough to ensure adequate growing time or getting the crop harvested before the winter weather sets in. In turn, it would be virtually impossible to move heavy farm equipment through muddy or snow-covered fields.

Consider the case of a small specialized crop farmer that may have 10 acres of strawberries, but only has 2 weeks to get the crop picked before they rot in the field? What about the Kentucky farmer who grows bell peppers as an alternative crop to tobacco? He must harvest them while the peppers are the required size by the processor or bear an extensive loss at the marketplace because the peppers are too large.

In both of these instances time is critical and farmers must often hire 10, 20 or even 30 people, but just for a short period of time. The farmer may only pay $200 to each employee, but the employer still has to withhold income taxes for every person hired. Anyone familiar with farming realizes how critical time can be during the peak periods of harvest and now placing added bureaucratic red tape to the farmers' lives will only make an already difficult situation more difficult.

My colleagues may say the solution is simple, just hire fewer people, but that means fewer jobs for those people that desperately need work no matter how small the paycheck. As a direct result of this legislation farmers will hire fewer workers simply to avoid the extra paperwork. Furthermore, most farm laborers do not even earn enough to incur a tax liability. Consequently, the money, earned by those who are least able to afford an income loss, is spent by the Federal Government until the farm workers can file for a refund.

The Joint Tax Committee estimates that over a 5-year period $404 million in new revenue will be generated from this legislation. While this may appear to be a significant amount, over 60 percent of this money is generated in the first year. In years three through five tax revenues would average only $22 million. I suggest that the added cost to employers and employees far outweighs the Government benefits.

A Utica, KY farmer and a friend of mine, John Burns, puts it in perspective by saying "Most of us aren't set up for this. We don't have offices. We're our own office help." That is exactly my point. This legislation penalizes those least in a position to handle the extra burden making it hardly beneficial to the Government. Instead, it adds another layer of unneeded and unwanted paperwork for America's hard-working men and women.

Mr. President, I believe a mistake has been made in enacting this provision of Public Law 101-239. Farmers, laborers, and the entire farm community will bear the undue burden of this legislation. American consumers will pick up the tab for the expense of complying with the withholding tax. Finally, my bill represents an opportunity to do something good for the small family farmer—the backbone of our Nation.●

By Mr. COCHRAN (for himself, Mr. HATFIELD, Mr. PACKWOOD, Mr. BURDICK, Mr. INOUYE, Mr. DURENBERGER, Mrs. KASSEBAUM, Mr. HARKIN, and Mr. GRASSLEY):

S. 2187. A bill to amend the Public Health Service Act to make grants to encourage States to establish State Offices of Rural Health to improve health care in rural areas, and for

other purposes; to the Committee on Labor and Human Resources.

By Mr. COCHRAN (for himself, Mr. HATFIELD, Mr. PACKWOOD, Mr. INOUYE, Mr. HEFLIN, Mr. HARKIN, Mr. BURDICK, and Mr. GRASSLEY):

S. 2188. A bill to amend the Rural Development Act of 1972 to provide for the establishment of rural health and safety education programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

RURAL HEALTH LEGISLATION

Mr. COCHRAN. Mr. President, today I introduce two bills designed to improve access to health care services in rural areas.

While the American health care system is the most technologically advanced in the world, access to basic services in small towns and rural communities is threatened by hospital closures, shortages of health professionals, and increasing costs.

Over the past 5 years, rural health care has been a major concern of the Congress and various agricultural and health care organizations. An important step was taken in 1987 when the Department of Health and Human Services established the Office of Rural Health Policy to work within the Department and with other Federal agencies, States, national associations, foundations, and private sector organizations to seek solutions to rural health care problems. The office has very effectively disseminated information to those seeking assistance in rural health care delivery.

To supplement Federal efforts, I believe it is important for each State to begin building its own infrastructure to facilitate coordinated approaches to rural health care problems. Since it is evident that solutions to these problems will require cooperative effort, I am introducing the State Offices of Rural Health Act of 1990 to establish Federal matching grants to encourage creation of State offices of rural health and to augment those that already exist. These offices will concentrate on eliminating current deficiencies in our rural health care delivery systems. Unhampered by Federal requirements, they will be given maximum flexibility to meet the needs of communities within each State and will coordinate their activities with other public and private health agencies, and with the Agricultural Extension Service.

These offices will: First, examine rural health care delivery and recommend improvements in quality and cost effectiveness; second, assist in recruitment and retention of health professionals; third, make recommendations to the Federal Office of Rural Health Policy for consideration as part of Federal rural health policy; and fourth, develop plans to enable community health care systems to respond to changes in their circumstances.

States will decide how to organize these offices, whether within another agency or through an educational institution or a private contracting organization. However organized, the aim of these State offices of rural health will be the integration of State, Federal, and private sector activities and the development of innovative solutions for improving access to quality care in rural communities. I hope other Senators will join me in working for enactment of this important legislation.

I also introduce today the Rural Health and Safety Education Act of 1990. Over the past several years, an increasing number of programs have been established to assist development efforts to improve the quality of life in rural America. While the emphasis in rural development efforts has been economic growth, attention has been focused recently on improving rural health care services. In the effort to improve health care delivery in small towns and rural communities, I believe we should utilize the Cooperative Extension Service of the U.S. Department of Agriculture. While the Agriculture Extension Service has been involved in health and safety education programs since 1914, the legislation I am introducing authorizes special grants for the Service to expand these programs.

These grants will be used to establish individual and family health education programs to encourage people in rural areas to participate in more health promotion activities and make more effective use of available health services. They will also be available to the Extension Service for rural health leadership development education programs to assist community leaders and public officials understand their roles and responsibilities relative to rural health services.

The legislation can be used to establish farm safety education programs through the Extension Service to help farm workers, timber harvesters, and farm family members to learn better safety practices in the workplace. Emphasis will be given to farm chemicals and their use, respiratory disease prevention, and noise-induced hearing loss, as well as training for emergency medical care and farm accident rescue procedures. These activities, like the others authorized by this legislation, will be coordinated with the State offices of rural health.

I encourage Senators to support this legislation and I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 2187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State Offices of Rural Health Act of 1990".

SEC. 2. GRANTS FOR ESTABLISHMENT OF STATE OFFICES OF RURAL HEALTH.

Title XVI of the Public Health Service Act (42 U.S.C. 300q et seq.) is amended by adding at the end thereof the following new part:

"PART E—STATE OFFICES OF RURAL HEALTH

"SEC. 1651. STATE OFFICES OF RURAL HEALTH.

"(a) IN GENERAL.—The Secretary shall make grants to States in accordance with this section to enable such States to establish State Offices of Rural Health, or to assist existing State rural health offices, to engage in the activities described in subsection (d)(2).

"(b) AMOUNT OF GRANT.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make grants to any State for any fiscal year in an amount equal to the amount obligated by the State for such fiscal year for the establishment and ongoing operation of a State Office of Rural Health in accordance with subsection (d).

"(2) MAXIMUM AMOUNT.—The Secretary shall not make grants to a single State for a fiscal year under this section in an amount aggregating more than 2 percent of the aggregate of the amounts appropriated pursuant to subsection (f) for such fiscal year.

"(3) MATCHING REQUIREMENT.—A State that receives a grant under this section shall provide an amount equal to the amount provided under such grant to establish, administer, or enhance the ongoing operations of the Office. Such amounts may be provided in cash or in-kind.

"(c) LIMITATION ON USE OF GRANT FOR RESEARCH ACTIVITIES.—Each State receiving a grant under this section shall not use in excess of 5 percent of the amounts provided under such grant for research activities.

"(d) STATE OFFICES OF RURAL HEALTH.—

"(1) ESTABLISHMENT.—Each State that receives a grant under this section may establish, or continue the operations of, the State Office of Rural Health in a State agency, or through contract with a public or private educational institution or other organization, or any combination of the preceding entities, as determined by the State.

"(2) ACTIVITIES.—

"(A) DUTIES.—Each State Office of Rural Health established or operated under a grant made under this section shall—

"(i) provide leadership and advocacy for rural residents with regard to rural health;

"(ii) coordinate the activities of such Offices with Federal, State, local, and private health entities, and with the rural development activities of, and cooperate with, the Agricultural Extension Service;

"(iii) make recommendations on improving the quality and cost effectiveness in the delivery of rural health care;

"(iv) prepare and submit reports periodically to the Office of Rural Health Policy concerning the activities of the office; and

"(v) communicate and cooperate with rural health research centers established by the Federal Office of Rural Health Policy established under section 301.

"(B) OPTIONAL ACTIVITIES.—Each State Office of Rural Health established under a grant made under this section may—

"(i) assist rural areas in responding to changes in access to health care;

"(ii) plan and assist in the professional recruitment and retention of medical professionals and assistants in rural areas;

"(iii) improve community involvement in health care delivery through methods including the conduct of leadership development programs for the members of the community;

"(iv) improve rural emergency medical services;

"(v) improve access to health care in rural areas through innovative transportation and communications services;

"(vi) encourage the sharing of rural health care information;

"(vii) evaluate data on rural health conditions and needs; and

"(viii) provide technical assistance for rural hospital transition grants.

"(3) ANNUAL MEETINGS.—Representatives from each State Office of Rural Health that receives a grant made under this section shall meet annually with representatives from the Office of Rural Health Policy to share information and coordinate strategies for improving quality and cost effectiveness in the delivery of rural health care.

"(4) LIMITATION.—No amounts appropriated under subsection (f) shall be used for health planning uses of the type performed under title XV (as such title existed prior to January 1, 1987,) such as certificate of need programs.

"(e) STATE DEFINED.—As used in this section, the term 'State' means the 50 States.".

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $3,750,000, for fiscal year 1991, $2,500,000, for fiscal year 1992, and $1,250,000, for fiscal year 1993, such sums shall remain available until expended.".

S. 2188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Health and Safety Education Act of 1990".

SEC. 2. RURAL HEALTH AND SAFETY EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 502 of the Rural Development Act of 1972 (7 U.S.C. 2661) is amended by adding at the end thereof the following new subsection:

"(g) RURAL HEALTH AND SAFETY EDUCATION PROGRAMS.—

"(1) PROGRAMS AUTHORIZED.—

"(A) INDIVIDUAL AND FAMILY HEALTH EDUCATION.—The Secretary may make grants for the establishment of individual and family health education programs that shall provide individuals and families with—

"(i) information concerning the value of good health;

"(ii) information to increase the individual or families motivation to take more responsibility for their own health;

"(iii) access to health promotion activities;

"(iv) information to enable the individual and family to learn new health information relating to diet and human nutrition, prevention of disease, health maintenance, health promotion, effective consumer use of health services, prenatal health and reduction of infant mortality, and radon testing in rural homes; and

"(v) training for volunteers and health services providers concerning nutrition and health care for children and older Americans, home health care services, AIDS care services, and related health promotion and health care services.

"(B) RURAL HEALTH LEADERSHIP DEVELOPMENT.—The Secretary may make grants for the establishment of rural health leadership development education programs that shall assist rural communities in developing health care services and facilities that will provide the maximum benefit for the resources invested and assist community leaders and public officials in understanding their roles and responsibilities relative to rural health services and facilities, including—

"(i) community decisions regarding funding for and retention of rural hospitals;

"(ii) rural physician and allied health professionals recruitment and retention;

"(iii) the aging rural population and senior services required to care for such;

"(iv) the establishment and maintenance of rural emergency medical services systems; and

"(v) the application of computer assisted capital budgeting decision aids for rural health services and facilities.

"(C) FARM SAFETY EDUCATION.—The Secretary may make grants for the establishment of farm safety education programs that shall provide information and training to farm workers, timber harvesters, and farm families concerning safety in the work place, including information and training concerning—

"(i) the reduction of occupational injury and death rates;

"(ii) the reduction and prevention of exposure to farm chemicals;

"(iii) the reduction of agricultural respiratory diseases and dermititis;

"(iv) the reduction and prevention of noise induced hearing loss;

"(v) the occupational rehabilitation of farmers and timber harvesters with physical disabilities; and

"(vi) emergency medical technicians and nonprofessionals on farm accident rescue procedures.

"(2) COORDINATION OF PROGRAMS.—Educational programs conducted with grants awarded under this subsection shall be coordinated with the State offices of rural health.

"(3) DISSEMINATION OF INFORMATION.—Educational programs conducted with grants awarded under this subsection shall provide leadership within the State for the dissemination of appropriate rural health and safety information resources possessed by the Rural Information Center established at the National Agricultural Library.

"(4) PROCEDURES AND LIMITATIONS.—The Secretary shall establish policies, procedures and limitations that shall apply to States that desire to receive a grant under this subsection. In States with land-grant colleges and universities that are eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, such eligible institutions shall mutually determine the type of rural health and safety education program needed in the State within which such institutions reside.

"(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection, $5,000,000 for fiscal year 1991, $10,000,000 for fiscal year 1992, $15,000,000 for fiscal year 1993, and $20,000,000 for fiscal year 1994 and each subsequent fiscal year. Amounts appropriated under this subsection shall remain available until expended.".

(b) TECHNICAL AMENDMENT.—Section 503(c) of such Act (7 U.S.C. 2663(c)) is amended by striking out "and section 502(f)" and inserting in lieu thereof "section 502(f), and section 502(g)".

Mr. HATFIELD. Mr. President, I am pleased to rise today as an original cosponsor of the State Offices of Rural Health Act of 1990. I commend my colleague from Mississippi [Mr. COCHRAN] for his efforts to recognize the vital importance of these institutions throughout the United States.

As many of my colleagues well know, much of the activity in improving rural health care occurs at the State level. This legislation will assist States in developing coordinated, focused approaches to rural health care problems by authorizing a matching grant program to encourage the establishment of State Offices of Rural Health. These offices will coordinate activities with the Agricultural Extension Service, examine and make recommendations on improving quality and cost effectiveness in the delivery of rural health care, work with the five existing health research centers, and develop and implement plans to enable the community to respond to various changes in their circumstances.

I firmly believe in the ability of State Offices of Rural Health to work hand-in-hand with communities to identify the problems and the solutions of rural health care delivery. In 1979, my State created and funded the Oregon Office of Rural Health, one of the first of its kind in the Nation. Prior to 1979, many different organizations were attempting to address health concerns in rural Oregon. Although these groups each held an interest in rural health as part of their mission, there was no one entity whose primary responsibility was to assist rural areas to develop and manage health services and systems.

First located within the State Health Planning and Development Agency, the Office of Rural Health was moved by the Oregon legislature to Oregon Health Sciences University in July 1989. With OHSU's focus on community outreach and rural health, and a President interested in establishing Area Health Education centers in rural areas, several legislators and university officials sought to place most of the State's rural health efforts under one umbrella. The Office of Rural Health is an ideal partner to help coordinate rural health care efforts and to look for solutions to the serious concerns raised by residents of rural areas.

The Office of Rural Health has always had the support of professionals, the public and the leadership in my State. It is a fine example of a "helping agency—one looking for answers to hard questions, surveying the field of professionals and organizations most directly involved in rural

health care delivery. It offers several examples of service to Oregon's rural communities.

Since 1979, the Office of Rural Health has funded a small grant program as an incentive to rural communities to develop and improve their health care systems. Grants have been awarded to 22 different remote communities for such things as clinic equipment, medical supplies and recruitment of mid-level practitioners.

The agency has provided staff assistance to rural communities and hospitals, offering guidance in the areas of community organization, problem solving, assessment of community needs, general information and referrals, and basic overall support.

The Oregon office has coordinated with public and private agencies to address rural health problems and avoid duplication of services; to make informed referrals to the communities; to alert appropriate agencies of rural health issues within their purview and maximize the effectiveness of each agency's efforts; and to share ideas and information that relate to health care in rural communities. The Office of Rural Health is a spokesperson and advocate for the health interests of the people in rural areas.

Perhaps most importantly, the Office of Rural Health provides information to rural communities and hospitals, health professionals, and health related organizations. The office handles numerous calls and inquiries each day from within the State and across the Nation. This sharing of information has greatly increased the awareness of the problems rural areas encounter and helped identify communities that can benefit from various programs and opportunities.

Quite frankly, Mr. President, Oregon's Office of Rural Health is one of the most valuable assets we have to offer the rural communities in my State. I believe this resource should exist in each and every State and each State Office of Rural Health should serve as a primary advocate for rural health care in this Nation.

Mr. President, 50 percent of my State's population lives in rural areas. Thirty-six, or almost 50 percent, of Oregon's hospitals are rural and of those, six have closed in the last 10 years. We must reverse this trend by increasing the States' ability to respond to the needs of their rural communities.

I am firmly committed to strengthening our national rural health care infrastructure and I believe this legislation is a vital first step. I hope that my colleagues will recognize the important advocacy that will come from a national network of State rural health offices.

By Mr. PRYOR (for himself, Mr. HEINZ, Mr. BAUCUS, Mr. DASCHLE, Mr. KOHL, Mr. GLENN, Mr. COHEN, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. BURDICK, Mr. GRAHAM, Mr. WILSON, Mr. BRADLEY, Mrs. KASSEBAUM, Mr. DANFORTH, and Mr. DURENBERGER):

S. 2189. A bill to establish a grant program to provide health insurance information, counseling, and assistance to individuals eligible to receive benefits under title XVIII of the Social Security Act, and for other purposes; to the Committee on Finance.

HEALTH INSURANCE COUNSELING AND ASSISTANCE ACT OF 1990

● Mr. PRYOR. Mr. President, I am pleased to be joined by Senators HEINZ, BAUCUS, DASCHLE, KOHL, GLENN, COHEN, RIEGLE, ROCKEFELLER, BURDICK, GRAHAM, WILSON, BRADLEY, KASSEBAUM, DANFORTH, and DURENBERGER in introducing today the "Health Insurance Counseling and Assistance Act of 1990." This legislation will give States the ability to establish programs, which emphasize the use of trained volunteers to provide objective, one-on-one health insurance counseling and assistance to older Americans.

CONSUMER CONFUSION

During the debate leading to both enactment and repeal of the Medicare Catastrophic Coverage Act, it became abundantly clear that older Americans and their families are very confused about what's covered and not covered under Medicare. Beyond the complexities of Medicare and Medicaid, decisionmaking about private coverage—Medigap, long-term care insurance, and other forms of health coverage—is exceedingly difficult for most people.

Decisionmaking about coverage can also be difficult within a highly competitive insurance market. In spite of State and Federal regulatory efforts, many serious problems in the private insurance market persist. Reports of marketing and sales abuses—including agent ignorance, high-pressure marketing techniques, agent efforts to sell unnecessary and even fraudulent policies, as well as insurance company practices and policies that deny or restrict coverage that seniors thought they had, continue.

I plan to focus additional attention on the Medigap issue by convening an Aging Committee hearing on March 7. This hearing will address the problems faced by older Americans in securing adequate health coverage. In preparing for this hearing, my staff has uncovered a number of startling abuses within the private insurance market. Some of these are variations on old scams, and others are new forms of flim-flam.

For example, a constituent of mine recently received a so-called cold lead card exclaiming:

> The Repeal of the Catastrophic Benefit simply means Senior Americans will pay a much larger part of hospital and medical bills than ever before * * * a few selected insurance companies are offering new 100 percent special plans to pay what Medicare doesn't.

In one State, a hospital was providing billing services to attract Medicare beneficiaries. The alarming fact was that, unbeknownst to the beneficiaries, insurance agents were providing the billing services. Evidently, the hospital received a percentage of the commission from policies sold through the so-called billing service process.

An insurance agent told us how he was trained to never say he was an insurance agent. Instead, he was trained to say "I'm on the Medicare route" or to use his business card that stated he was an investigator from the State insurance commission office.

These approaches are misleading at best. Worse yet, these marketing tactics are scaring and confusing our old constituents.

COUNSELING PROGRAMS

Several States have started programs that rely extensively on volunteers, with the support of paid staff, to provide one-on-one counseling to older people. Some programs are sponsored by the State department of insurance, others are sponsored by the State unit on aging. Programs such as those in Wisconsin, California, and Washington State are well established and have a strong commitment from the State. However, other States eager to replicate these efforts report that funding to sustain or build their effort is a major barrier.

A counseling and assistance program provides the opportunity for a senior to seek advice about the adequacy of their current coverage and the gaps that they have. For example, during a free-look period on a policy they have purchased they can speak with knowledgable trained—and conflict of interest free—individuals about the policy.

Counseling programs save older Americans money. California's HICAP [Health Insurance Counseling and Assistance Programs] is estimated to have saved senior citizens twice as much money as the program costs, saving an average of $900 each for over 5,000 people annually.

A modest investment, with the use of volunteers, can yield large dividends. The Senior Health Insurance Program in New Jersey has an annual budget of $100,000 and relies on volunteers to counsel older persons in the State. In the program's first 3 years of existence, it helped 15,000 clients.

THE BILL

In light of the misunderstandings so many older persons have about their health insurance needs and coverage, and their vulnerability to high pressure, and sometimes unscrupulous, sales practices, I am introducing the Health Insurance Counseling and As-

sistance Act of 1990. The bill has widespread support.

The National Association of Insurance Commissioners recently encouraged all States to adopt a counseling program by passing a resolution encouraging development of counseling programs. Such programs are also strongly supported by consumer groups including Consumers Union and Families USA. Also, I am particularly pleased to note, the Blue Cross and Blue Shield Association, and the Health Insurance Association of America support this legislation.

We know there are many problems faced by seniors in obtaining adequate health care coverage. We know many of them face staggering increases in their Medigap premiums. And, we have been unsuccessful in bringing these costs down and in significantly improving health coverage. We can, however, do something about the confusion and vulnerability of older Americans by giving them an objective source of timely and accurate information. This legislation will do just that, I urge the rest of our colleagues to join us as cosponsors and in ensuring that this modest proposal is enacted into law.

Mr. President, I request unanimous consent that the text of the bill be inserted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Health Insurance Counseling, and Assistance Act of 1990".

SEC. 2. HEALTH INSURANCE INFORMATION, COUNSELING, AND ASSISTANCE GRANTS.

(a) GRANTS.—The Secretary of Health and Human Services (hereafter in this Act referred to as the "Secretary") shall make grants to States that submit applications to the Secretary that meet the requirements of this section for the purpose of providing information, counseling, and assistance relating to the procurement of adequate and appropriate health insurance coverage to individuals who are eligible to receive benefits under title XVIII of the Social Security Act (hereafter in this section referred to as "eligible individuals"). The Secretary shall prescribe regulations to establish a minimum level of funding for a grant issued under this section.

(b) GRANT APPLICATIONS.—(1) In submitting an application under this section, a State may consolidate and coordinate an application that consists of parts prepared by more than one agency or department of such State.

(2) As part of an application for a grant under this section, a State shall submit a plan for a State-wide health insurance information, counseling, and assistance program. Such program shall—

(A) establish or improve upon a health insurance information, counseling, and assistance program that provides counseling (including direct counseling) and assistance to eligible individuals in need of health insurance information, including—

(i) information that may assist individuals in obtaining benefits and filing claims under titles XVIII and XIX of the Social Security Act;

(ii) policy comparison information for medicare supplemental policies (as described in section 1882(g)(1) of the Social Security Act (42 U.S.C. 1395ss(g)(1)) and information that may assist individuals in filing claims under such medicare supplemental policies;

(iii) information regarding long-term care insurance; and

(iv) information regarding other types of health insurance benefits that the Secretary determines to be appropriate;

(B) in conjunction with the health insurance information, counseling, and assistance program described in subparagraph (A), establish a system of referral to appropriate Federal or State departments or agencies for assistance with problems related to health insurance coverage (including legal problems), as determined by the Secretary;

(C) provide for a sufficient number of staff positions (including volunteer positions) necessary to provide the services of the health insurance information, counseling, and assistance program;

(D) provide assurances that staff members (including volunteer staff members) of the health insurance information, counseling, and assistance program have no conflict of interest in providing the services described in subparagraph (A);

(E) provide for the collection and dissemination of timely and accurate health care information to staff members (including volunteer staff members) of the health insurance information, counseling, and assistance program and regular staff meetings and continuing education programs for the purpose of informing the staff of current developments in legal and economic issues relating to the provision of health insurance;

(F) provide for training programs for staff members (including volunteer staff members);

(G) provide for the coordination of the exchange of health insurance information between the staff of departments and agencies of the State government and the staff of the health insurance information, counseling, and assistance program;

(H) make recommendations concerning consumer issues and complaints related to the provision of health care to agencies and departments of the State government and the Federal Government responsible for providing or regulating health insurance;

(I) establish an outreach program to provide the health insurance information and counseling described in subparagraph (A) and the assistance described in subparagraph (B) to eligible individuals; and

(J) demonstrate, to the satisfaction of the Secretary, an ability to provide the counseling and assistance required under this subsection.

(c) SPECIAL GRANTS.—(1) A State that is conducting a health insurance information, counseling, and assistance program that is substantially similar to a program described in subsection (b)(2), shall, as a requirement for eligibility for a grant under this section, demonstrate, to the satisfaction of the Secretary, that such State shall maintain the activities of such program at least at the level that such activities were conducted immediately preceding the date of the issuance of any grant during the period of time covered by such grant under this section and that such activities will continue to be maintained at such level.

(2) If the Secretary determines that the existing health insurance information, counseling, and assistance program is substantially similar to a program described in subsection (b)(2), the Secretary may waive some or all of the requirements described in subsection (b)(2), and issue a grant to the State for the purpose of increasing the number of services offered by the health insurance information, counseling, and assistance program, experimenting with new methods of outreach in conducting such program, or expanding such program to geographic areas of the State not previously served by the program.

(d) CRITERIA FOR ISSUING GRANTS.—In issuing a grant under this section, the Secretary shall consider—

(1) the commitment of the State to carrying out the health insurance information, counseling, and assistance program described in subsection (b)(2), including the level of cooperation demonstrated—

(A) by the office of the chief insurance regulator of the State, or the equivalent State entity;

(B) other officials of the State responsible for overseeing insurance plans issued by nonprofit hospital and medical service associations; and

(C) departments and agencies of such State responsible for—

(i) administering funds under title XIX of the Social Security Act, and

(ii) administering funds appropriated under the Older Americans Act;

(2) the population of eligible individuals in such State as a percentage of the population of such State; and

(3) in order to ensure the needs of rural areas in such State, the relative costs and special problems associated with addressing the special problems of providing health care information, counseling, and assistance to the rural areas of such State.

(e) ANNUAL STATE REPORT.—A State that receives a grant under subsection (c) or (d) shall, not later than 180 days after receiving such grant, and annually thereafter, issue an annual report to the Secretary that includes information concerning—

(1) the number of individuals served by the State-wide health insurance information, counseling and assistance program of such State;

(2) an estimate of the amount of funds saved by the State, and by eligible individuals in the State, in the implementation of such program; and

(3) the problems that eligible individuals in such State encounter in procuring adequate and appropriate health care coverage.

(f) TRAINING CONFERENCES.—On at least an annual basis, the Secretary shall convene a conference for the purpose of providing training and information to staff members of State health insurance information, counseling, and assistance programs, as described in subsection (b)(2). Each State that receives a grant under this section shall, as a condition to receiving such grant, agree to send, on at least an annual basis, not less than two staff members (including one volunteer staff member) to a conference described in this subsection. Such State shall reimburse from funds received under a grant such staff members who attend such conference for travel expenses and per diem, at rates not exceeding the rates authorized for persons serving intermittently in the Government service under subchap-

ter I of chapter 57 of title 5, United States Code.

(g) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall issue a report to the Committee on Finance of the Senate, the Special Committee on Aging of the Senate, the Committee on Ways and Means of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Select Committee on Aging of the House of Representatives that—

(1) summarizes the allocation of funds authorized for grants under this section and the expenditure of such funds;

(2) summarizes the scope and content of training conferences convened under subsection (f);

(3) outlines the problems that eligible individuals encounter in procuring adequate and appropriate health care coverage; and

(4) makes recommendations that the Secretary determines to be appropriate to address the problems described in paragraph (3).

SEC. 3. NATIONAL RESOURCE CENTER.

(a) IN GENERAL.—The Secretary shall establish a national resource center for the purposes of—

(1) creating a clearinghouse for information relating to health insurance information, including information concerning health insurance information, counseling, and assistance programs in the United States and information concerning public and private health insurance programs;

(2) distributing the information described in paragraph (1) to the States; and

(3) providing to the States technical assistance and training in disseminating such information.

(b) INFORMATION EXCHANGE.—The Secretary may request such information from the head of any Federal department or agency as the Secretary may require for the purposes of carrying out this subsection. Each such department or agency is authorized, to the extent permitted by law, and subject to the provisions of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), to furnish such information in a form that is accurately compiled and within a reasonable period of time.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR GRANTS.—There are authorized to be appropriated, in equal parts from the Federal Hospital Insurance Trust Fund and from the Federal Supplementary Medical Insurance Trust Fund, $14,000,000 for each of fiscal years 1991, 1992, 1993, 1994, and 1995, and such sums as are necessary for each succeeding fiscal year, to fund the grant programs described in section 2. Not more than 10 per cent of such funds may be expended for administrative costs of the Department of Health and Human Services related to such grant programs.

(b) AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL RESOURCE CENTER.—There are authorized to be appropriated, in equal parts from the Federal Hospital Insurance Trust Fund and from the Federal Supplementary Medical Insurance Trust Fund, $1,000,000 for each of fiscal years 1991, 1992, 1993, 1994, and 1995, and such sums as are necessary for each succeeding fiscal year, to fund the national resource center described in section 3.●

● Mr. HEINZ. Mr. President, I am pleased to sponsor the Health Insurance Counseling and Assistance Act of 1990 with my distinguished colleague and chairman of the Special Committee on Aging, Senator PRYOR. Through this legislation, States will be able to create educational and counseling programs for our aged citizens. This act is a positive step to help seniors navigate the treacherous shoals of supplemental health insurance options left in the wake of the Medicare Catastrophic Coverage Act's repeal.

I have three longstanding concerns about Medigap insurance policies that this legislation addresses. First are reports of questionable tactics used by some insurance agents in marketing their policies to seniors. Seniors are pushed into purchasing multiple policies by high pressure salesmen with suitcases full of horror stories. Even those seniors with an employer-purchased supplemental policy often pay out-of-pocket for another because they are purposely misled about the benefit protection provided by their original policy. Unfortunately, in almost every instance, multiple policies result in duplicate coverage rather than additional protection.

Second, there seems to be widespread confusion among the elderly and their families when it comes to identifying just what services are covered—and to what extent—by Medicare. For example, a recent study by the American Association for Retired Persons shows that more than one-third of seniors believes that Medicare will cover long term nursing home expenses. The passage and now repeal of the Medicare Catastrophic Coverage Act only exacerbates this confusion.

Finally, my concern has been with the cost of these Medigap policies and the added burden Medigap premiums place on the elderly individual struggling to make ends meet on a limited budget. Last year, about 25 million people, or 78 percent of the aged and disabled Medicare beneficiaries, each spent an average of $705 for so-called Medigap insurance policies. Premiums will jump 20 to 70 percent this year in response to catastrophic's repeal.

The Health Insurance and Counseling Act of 1990 addresses each of these concerns. By ensuring that Medicare beneficiaries have access to clear, accurate, and impartial information about the Medicare Program and supplementary health insurance, it will empower them with the type of information necessary to make wise decisions concerning their health insurance needs. And it will do so at a very low cost.

The act will provide limited grants to States, totaling $15 million annually, to establish or enhance existing counseling programs. These programs, which emphasize the use of volunteers, have been shown to be extremely popular and effective in several States already. Compared to an annual Medicare budget of almost $100 billion and an annual Medigap market of at least $12 billion, this is a very small price to pay for a program that is so desperately needed and wanted by Medicare beneficiaries and that has such excellent potential for a positive return on investment in the form of beneficiaries that are secure about their health insurance decisions.

I urge all of my colleagues in the Senate to join me in supporting this legislation.●

● Mr. BAUCUS. Mr. President, I am pleased to rise today with Senators PRYOR, HEINZ, and others in introducing the Health Insurance Counseling and Assistance Act of 1990.

As chairman of the Aging Committee, Senator PRYOR has shown his strong commitment to improving the lives of senior citizens across the Nation. I am proud to join him today in offering legislation that will give seniors more peace of mind when it comes to buying Medigap health insurance policies.

As the author of the original 1980 Medigap law. I am concerned about the status of these regulations and how they are implemented at the State level.

Mr. President, I remember how chaotic the Medigap market was before 1980. We knew that something had to be done to protect seniors from fraudulent marketing practices and ridiculously high premiums.

But since States regulate insurance, the Federal Government could not just step in and take over. So we worked out a structure that was largely advisory—that relied on States but had Federal backing.

We were able to craft a solid law that bridges the gap between what Medicare covers and what it does not cover. We also managed—not without a struggle—to develop a law that bridges the States' role in regulating insurance, and the need for Federal involvement.

That law, known as section 1882 or the Baucus amendment, has cut down on fraud. It has improved the market.

But the law can be beefed up. I believe it should be.

First, we need to make sure consumers are knowledgeable. The legislation we are introducing today will help to do that. It will give States the ability to establish programs, which emphasize the use of trained volunteers, to provide objective health insurance counseling to seniors. This will help seniors to be informed buyers of Medigap policies.

I am especially pleased that this bill contains provisions that recognize the difficulties involved in delivering counseling services in rural areas.

Second, we need to make sure the law is enforced. The Health Care Financing Administration hasn't done anything to enforce it. The Depart-

ment of Justice hasn't done anything to enforce it. And the States aren't doing enough either.

Mr. President, I believe we need to make sure that the standards, especially on loss ratios, are upheld—that the standards are not just a paper tiger. I am working on another bill to be introduced shortly that will provide for tougher enforcement of the law that is now on the books. That bill, and the one we are offering today, will go a long way toward ensuring seniors that they are protected from medical costs they can't afford, and to ensure they get their money's worth when they buy Medigap policies.

Thank you, Mr. President.●

● Mr. DASCHLE. Mr. President, I am proud to join Senator PRYOR today in introducing the Health Insurance Counseling and Assistance Act of 1990. I commend Senator PRYOR for tackling one of the most compelling problems associated with the sale of Medigap—the lack of reliable, independent information that seniors can draw upon to help them make informed decisions about the purchase of Medigap insurance.

Sifting through the jumble of complex terms and widely varying benefit packages characteristic of Medigap policies can be a daunting task for anyone. It is especially difficult for individuals who are subject to high pressure marketing techniques that prey on seniors' understandable fear of financial devastation following a serious illness.

In most States, seniors have little access to solid consumer information about Medigap. A recent study by AARP reveals that a majority of State insurance officials believe they are hampered in conducting consumer education and protection activities because of funding and staffing constraints. While the Federal Government bemoans the fact that States are not getting information about Medigap insurance to consumers, we have obviously failed to provide States with the resources to do so.

Senator PRYOR's bill addresses this problem by providing States with grants to develop counseling programs that provide objective information to Medicare beneficiaries who want to purchase Medigap insurance. This is an important first step in ensuring that consumers get the best value for their money. Better informed consumers undoubtedly lead to a better functioning market.

Beyond this step, we must also be more vigilant about ensuring that the Medigap market is adequately regulated, and that current regulations are rigorously enforced. Evidence indicates that we are failing on both counts. The message from a recent Finance Committee hearing on Medigap price increases was clear: regulation of the Medigap market is uneven at best, and opportunities for fraud and abuse still abound.

Most people have heard the anecdotes about seniors with twelve duplicative Medigap policies. Statistics also paint a gloomy picture. For example, a recent AARP survey revealed that over one-half of Medicaid-elgible seniors have a supplemental health insurance policy, despite the fact that few, if any, of these Medicaid recipients need additional coverage. The General Accounting Office found that in 1987, 55 percent of the Medigap policies they reviewed had loss ratios below the 60 percent minimum standard for commercial insurance established under the Baucus amendments, which means that a majority of these policies return less than 60 cents on every dollar of premiums collected.

Congress needs to put an end to these abuses and make it possible for consumers to spend their hard-earned health insurance dollars more effectively. I look forward to working with Senator PRYOR and other Members of Congress who agree that we have a responsibility to address these problems and ensure that the Medigap market offers high value policies to consumers who have all the necessary information to evaluate various health insurance options.●

● Mr. KOHL. Mr. President, I am honored to join my distinguished colleague and chairman, Senator PRYOR, in introducing the Health Insurance Counseling and Assistance Act of 1990. He has once again indicated his deep commitment to defending the welfare of millions of senior citizens in this country.

Purchasing Medicare supplemental insurance is just not an easy thing to do. To make a sound decision, the consumer needs to understand Medicare itself—what is covered, what is not—and the budget driven Medicare reforms in recent years have made that a next to impossible task in and of itself.

While many States have attempted to make comprehensive policy comparison information available to consumers, there are several problems: First, in some States that information is not readily available to consumers until after the policy has been purchased; second, the sheer number of product lines sold in a State make it virtually impossible to study all options; third, the variation in policies make it very difficult to compare "apples to apples," if you will; and fourth, there is no real way for anyone other than an insurance actuary to calculate the value of certain "rider" and "phantom" benefits, like 365 days of home care. While that sounds like a benefit that almost any senior citizen would want, the reality is that it is generally conditioned on many other things happening. And the vast majority of senior citizens paying for it will not see a benefit in return. Given the number of senior citizens in my own State who purchase that benefit as a rider, I am not altogether convinced that they are given that information in a straightforward manner by salespeople.

Now I believe that most insurance salespeople are decent, honest human beings who have an interest in serving their customers well. There is a power to a one-on-one sales situation that can be used to the advantage or disadvantage of the customer, depending on the integrity of the agent. If the agent happens to be seen as welcomed company or as a friend to the consumer, well the odds are pretty good that the agent is going to make a sale. In the case of an honest, forthright agent, that is probably okay. But what of the situation where the motivation to make a commission, or sell another policy, is greater than the motivation to serve the consumer's best interest?

Then there ought to be some recourse for the consumer, some objective counsel with whom that senior citizen can discuss his or her health insurance needs—an opportunity to balance that one-on-one sales situation with one-on-one health insurance counseling.

With the support and encouragement of my good friend from Arkansas, I chaired a Special Committee on Aging hearing in Wisconsin in early December. I discovered that at least in Wisconsin, there were two critical safety nets for Medigap consumers.

At that time, several witnesses pointed to the Wisconsin model of benefit specialists as a progam that ought to be available nationwide. Troy Keeling, director of the Western Wisconsin Area Agency on Aging testified to the success of Wisconsin's benefit specialist program:

> In the 1980's the State of Wisconsin's Aging Network found a partial solution to eliminating the confusion, fear and insecurity caused by the complexities of paying for health care. Supported by the Coalition of Wisconsin Aging Groups and other advocacy groups, the Bureau on Aging of the State Department of Health and Social Services, created a benefit counseling service. At first funded only with Title III-B funds under the federal Older Americans Act, the State's Area Agencies used their funds to give legal backup to a county service to older persons. Over the past years, since 1983, the state legislature and administration have added significant funds to the program, allowing for a benefit specialist in all 72 counties, at least on a part-time basis.
>
> The well-trained corp of benefit specialists, known as tapecutters, work in the counties through the county aging units. Older consumers are guided through the maze of paperwork—assisted by one-on-one contact and through group training—and in understanding the complexities of the Medicare system. One of the most important services offered by this well-run, if under funded program, is in the area of medigap supplemental insurance. It would be hard to imag-

ine Wisconsin going back to a haphazard system of information provision now that the elderly are provided with a service which helps explain a system and at the same time assists the consumer through his or her insurance problem. The benefit specialist is kept informed of changes in the state insurance laws and in federal Medicare. The service is given legal and benefit counseling backup by the State's Area Agencies on Aging.

In Wisconsin, the one-on-one counseling program is supplemented by a State-administered "toll-free Medigap hotline". Originally conceived and supported by the Center for Public Representation, the success and popularity of the service led to it's adoption by the State of Wisconsin. It is now administered by the Wisconsin Board on Aging and Long Term Care and is funded through revenues levied from the insurance industry. The Medigap Hotline is a source of objective, unbiased information and individual conseling about Medicare supplemental health insurance. The toll-free number is printed on policy comparison and insurance advice brochures produced by the Office of the Commissioner of Insurance. Thousands of Wisconsin residents become aware of the existence of area agency on aging benefit specialist services through an original contact with the hotline. At the same time, the hotline provides access to counseling information to those elderly who are just physically not able to make it to an area agency on aging office. The two services work hand in glove to provide universal access to objective health insurance counseling to hundreds of thousands of senior citizens.

The legislation put forth by Senator PRYOR today incorporates much of the good of the Wisconsin program. Creation of such a statewide system, building on the Area Agency on Aging network, would give to senior citizens in other States the access to health insurance counseling available to Wisconsin residents. The county benefit specialists and the aging advocates in Wisconsin are proud of their contribution to this proposal. And I am equally proud to join my colleagues in sponsoring this legislation today.

I am enclosing, for the interest of our colleagues, memoranda by two trained benefit specialists from the Dunn Country Office on Aging in Menomone, WI. I believe their statements most adequately describe the problems faced by senior citizens in purchasing Medigap insurance, and attest to the need for a national effort to train volunteers and to provide objective health insurance counseling to Older Americans.

I ask unanimous consent that this statement, along with the attached statements by Harold Halfin and Margaret Hagaman be inserted into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DUNN COUNTY OFFICE ON AGING,
Menomonie, WI, December 1, 1989.

Hon. Senator HERBERT KOHL,
Senate Office Building,
Washington, DC.

DEAR HONORABLE SENATOR KOHL: The following are a number of cases where the elderly have been subjected to either fear or the very nice guy syndrome by unethical health insurance agents who are determined to sell their policies even though the additional policy or a policy change is not necessary. In one case the same agent in a year called on this person to convince her that the previous policy is not as good as the policy he now has for sale. Please note the agent receives up to 70 percent of the first year's premium and one can see why the agent wants to sell a replacement policy.

In another case, a lady I like to think of as a pillar of the community, was sold five policies. She needed one policy to meet her needs. Or, the lady who had an agent in her home for six hours (wouldn't leave) trying to sell her a replacement policy.

Names are not listed because of confidentiality. Because of the ages of the people in the cases listed and their frailty prevents them from being at the Senate hearing today.

The cases are:

Case #1: A widow of 92 years old, just above the medical assistance income level, thought she was buying coverage for nursing homes. After paying for the policy she was given the booklet explaining coverage. The policy was a Medicare Supplement.

Case #2: An 83-year-old widow on PartnerCare has had a 20 percent Medicare Supplement for many years costing $584.00 per year. An agent from 200 miles away convinces her to buy a policy for $900.000 that covers usual and customary charges which is not necessary in her situation.

Case #3: A woman told the agent of preexisting condition. However the agent did not accurately complete the form. Later when a claim was filed there was no coverage because of these preexisting conditions. The company canceled the policy.

Case #4: A 79-year-old widow was afraid to drop insurance because of serious heart problems. Three different agents are involved switching her to four different individual policies during a four-year period. All during this time she continues to keep a Medicare Supplement through AARP, two cancer policies with different companies and an accident policy. She spends over $1,700.00 per year for health insurance policies (not including Medicare) but has a medical assistance medically needy spend down of $735.00 a year.

Case #5: A couple is dropped from their group health insurance when she turns 65. She is not insurable under any Medigap individual policy without a waiting period because she is in the hospital and seriously ill.

Case #6: An 83-year-old single woman who has shown signs of serious confusion for several years has five Medicare Supplements and a nursing home policy. The last agent to sell a policy helps to cancel all previous policies. This woman has Social Security Income of only $318.00 per month. A relative is power of attorney now that he is in a nursing home after a fall.

Case #7: A woman is told by an agent that he can sell her a policy that is a "twin" to her present Medicare Supplement but at half the price! She buys the policy but finds out later after talking with the County Benefit Specialist that it isn't even a Medicare Supplement. The policy was a surgical/medical policy.

Case #8: A 76-year-old widow with no family support had shown serious signs of dementia. Her bank notified the County Benefit Specialist because all her checks were being written to insurance companies. In the previous eight years she had been sold nine Medicare Supplements (four of the policies were still in force), one daily indemnity, five life insurance) and two cancer policies. Several agents switched policies regularly or sold her one of each kind of policy. This woman was unable to say no to agents. Three years later she still has no protection help. She has no family willing to intervene and the court system is saying she is still competent enough to make her own decisions.

Case #9: Agent sells a couple a Medicare Supplement costing over $2,600.00 for both. They already have two other Medicare Supplements and a cancer policy. They do not understand Medicare or supplemental insurance.

Case #10: Three widows in their 80's have been on the high option group plan with the federal government at $187.00 per month. The low option for $38.00 per month has never been explained to them and they have been afraid to change.

These are just a few examples of cases showing the confusion and problems older people are having with Medicare Supplements. There are many others who never come to the attention of the County Benefit Specialist or volunteers assisting as Medicare Helpers What is happening to them?

The Wisconsin proposed rule change would be a move in the right direction but more must be done to protect older people and help them understand the complicated health care system.

Sincerely,

MARGARET HAGAMAN,
Dunn County Benefit Specialist.

DUNN COUNTY OFFICE ON AGING,
Menomonie, WI.

MEMORANDUM

To: Honorable Herbert Kohl, U.S. Senator, Hart Senate Office Bldg.,
From: Harold Halfin, Volunteer, Dunn County Office on Aging.
Date: December 7, 1989.
Subject: Testimony on Medigap Supplemental Insurance Policies.

I am Harold Halfin, a volunteer from the Dunn County Office on Aging, who has had approximately 25 hours of training as a Medicare Helper. In addition I have had six hours of training on Medigap policies from the Office of the Insurance Commissioner. I also enroll people who qualify for the PartnerCare program.

I would like to speak from the point of view of consumer protection for, in the majority of cases, the female elderly. This is not to say that the male elderly does not have a problem. In rural Western Central Wisconsin the majority of people calling for help are the vulnerable female elderly whose husband in many cases took care of the books and paid the bills and when he died she did not have any inkling of what to do or how to do it. These female elderly may or may not be low income elderly. Some are just above medical assistance income while some have sufficient funds. Some are on PartnerCare. Some have a

visual problem while some have difficulty reading and understanding the written word. Some are very lonely and some have no family in the immediate area.

With the above background I would like to discuss three different cases where the elderly have been subjected to unethical insurance agents. These agents are determined to sell their policies even though the additional policy or a policy change is not necessary. They (the agents) "butter-up" these female elderly and they (the elderly) buy another policy or a replacement policy. Sometimes, in taking the application the agent fills out the application not listing the preexisting conditions and when it is time to collect the insurance company will not pay because they say it is a fraudulent application.

Case #1: A widow, 92 years old, whose income is just above the medical assistance level but eligible for PartnerCare thought she was buying insurance coverage for a nursing home. She currently has a comprehensive Medigap policy with an HMO. An insurance agent called on her and found she was concerned about nursing home coverage and proceeded to tell her he had the policy she needed. She paid him $861.00 for another policy which was nothing more than a Medigap policy with coverage considerably less then her HMO. The agent would have collected 60 percent or $516.60 for his day's work.

Here is a case where the agent was so nice and told the lady that she needed help and he was there to help her using what I call the "nice guy syndrome" and instilling fear in her about the need for nursing home coverage. After three weeks she wondered if she had done the right thing and called the Office on Aging. We wrote the company about the policy; we also wrote the Complaint Department of the Commissioner of Insurance about this unethical practice. This agent did not follow correct procedure because all agents are to provide an OCI brochure on Medigap policies prior to any sale. This he did after the sale. Also the signature of the agent was illegible and no address was given. As yet she does not have her money back.

Case #2: A 76 year old widow who shows serious signs of dementia has no family support and loves to have visitors. She also is unable to say no to insurance agents. Her banker asked the country benefit specialist to investigate when this woman was over drawing her accounts due to a number of large checks written to insurance companies. During a two year period, this woman had bought 15 different insurance policies. Two other additional Medicare Supplements had recently lapsed. The policies included seven Medicare Supplements, one daily indemnity, five life insurance and two cancer policies.

Upon investigating it was obvious that this woman had no understanding of insurance. She didn't even know the difference between life insurance and a Medicare Supplement.

Several agents switched her regularly every year to either a new company or a new policy for her Medicare Supplement. Other agents sold her one of each kind of policy.

With the assistance of the benefit specialist and the Office of the Insurance Commissioner some money was recovered however most of the policies lapsed or were canceled.

Three years later this vulnerable woman still has little protection from unethical agents. Her banker, neighbors and social worker try to check on her regularly. However she is unwilling to ask for help, has no family and the court system is unwilling to intervene saying she is still competent to make her own decision.

Case #3: This involves a couple who purchased a Supplemental policy and the insurance agent completed the application incorrectly on preexisting conditions. There are questions on the application that ask about the possibility of preexisting conditions. These questions were, according to the couple, answered honestly detailing the preexisting conditions of the wife. The agent answered "yes" to the question whether she had been advised by a physician . . . and the agent proceeded to check "no" on medical history of the wife even though she told the agent of her medical history. The wife became ill and later filed a claim which was refused on the basis of a preexisting condition not shown on the application. This couple had to pay or is paying out of their pockets for this tragic mistake which should not have happened.

What is needed is a rule or legislation that requires agents to be more responsible for their actions. Possibly a form requiring the agent to indicate whether the policy he/she is trying to sell is a new policy, an additional policy or a replacement policy. The agent should indicate why the different policy is better and detail exactly what is covered on a separate sheet of paper. The agent should sign the form and come back at a later time to get the person's signature and payment. This form would become part of the policy and it would also be sent to the Office of the Commissioner of Insurance. Such a rule has been proposed by the Commissioner of Insurance.

One last note, the people I contact are only a small portion of those needing assistance with Medigap insurance issues.

● Mr. COHEN. Mr. President, I am pleased to join my colleague Senator PRYOR in cosponsoring the Health Insurance Counseling and Assistance Act.

Last fall, the Senate voted to repeal the Catastrophic Coverage Act. It did so in response to the expressions of outrage and anger from thousands of older Americans about an issue close to their hearts and financial security: Health insurance.

Most older Americans understand that Medicare does not provide complete coverage. The difference between what is covered and the total bill—the Medigap—worries these individuals. They worry that a single illness could erode their life savings, leaving them destitute or dependent on the help of their children and relatives.

Because the elderly are concerned about their financial—as well as physical—health, many are easily persuaded that additional insurance policies will protect them from disaster. In fact, many of the policies do not offer the kind of protection claimed by the salespeople. These policies duplicate Medicare coverage and even the policy the purchaser already owns. By changing an insignificant word or two, and by employing high-pressure sales tactics, the insurance agent plays on the prospective buyer's fears. The sale is made and the buyer has thrown money down the drain.

Recently a constituent wrote to me, asking for advice on choosing an insurance policy. Fortunately, the Maine Bureau of Insurance Consumer Division offers Maine citizens this counseling. The consumer division sends representatives to community centers and clubs for retirees. These representatives will even visit the home to review the individual's current coverage, financial obligations, and insurance needs. I was able to put this man in touch with those who could offer him—free of charge—exactly the information he sought.

But I was reminded that not every State offers this service and elderly individuals nationwide need the same kind of advice to avoid spending their limited incomes on policies which offer them no additional protection. In Maine, competent advice is only a phone call away. In other States, the elderly have no place to turn.

The bill introduced today, the Health Insurance Counseling and Assistance Act, is designed to provide older Americans with advice about insurance coverage. By establishing a national resource center and, more importantly, by allocating funds to the States to offer these services—or to improve existing programs—this bill would offer the elderly guidance in the bewildering world of insurance coverage.

Although there is a cost—$15 million—90 percent of these funds would go directly to the States in grants. Moreover, the Department of Health and Human Services would prepare an annual report which would describe the problems the elderly are facing and assess the effectiveness of the State counseling programs. This legislation would help define the scope of this problem and offer solutions to it. The cost in Federal funding is more than outweighed by the benefits of giving the elderly the information to make intelligent choices about their health insurance coverage.

I encourage my colleagues to protect our older Americans by supporting the Health Insurance Counseling and Assistance Act.●

By Mr. DIXON:

S. 2190. A bill to correct the Harmonized Tariff Schedule of the United States as it applies to parts of ionization smoke detectors; to the Committee on Finance.

TARIFF TREATMENT OF PARTS OF IONIZATION SMOKE DETECTORS

● Mr. DIXON. Mr. President, I am today introducing legislation to change the tariff classification on parts of ionization smoke detectors. I believe that the issue presented by this bill needs to be addressed. I understand that the Finance Committee

is considering putting together an omnibus tariff bill; I strongly believe this provision should be included in that measure.

The bill is simple and noncontroversial. It merely corrects an inequity created by the new harmonized tariff schedule. Until recently, ionization smoke detectors and ionization smoke detector components were classified at the same rate of duty. The new harmonized tariff schedule, however, neglected to include a separate provision for smoke detector components. The result is that now ionization smoke detector components are placed in a classification that carries a higher rate of duty.

This oversight results in a significant handicap for American producers of ionization smoke detectors. If a U.S. firm wants to do the bulk of the work here in the United States, using some imported parts, they have to pay more duty on those parts than for the duty on fully assembled ionization smoke detectors.

This legislation simply maintains what had been the status quo to provide an opportunity to pursue administrative relief through the U.S. Trade Representative and the Department of Commerce.

Mr. President, this is a meritorious bill, and I look forward to working with my colleagues to ensure its prompt enactment.

Mr. President, I ask unanimous consent that a copy of the bill be included at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PARTS OF IONIZATION SMOKE DETECTORS.

Chapter 90 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new subheading with the article description having the same degree of indentation as the article description in subheading 9022.90.60:

"9022.90.70	Of smoke detectors, ionization type	2.7%	Free (A, B, E, IL) 2.1% (CA) 35%".

SEC. 2. STAGING OF RATES.

Any staged rage reduction of a rate of duty set forth in subheading 9022.29.40 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before the date of enactment of this Act and that takes effect after such date of enactment shall also apply to the corresponding rate of duty set forth in subheading 9022.90.70 (as added by section 1).

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendment made by section 1 shall apply with respect to goods entered, or withdrawn from warehouse for consumption, after the 15th day after the date of the enactment of this Act.

(b) RELIQUIDATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon a request filed with the appropriate customs officer before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in subheading 9022.90.70 of the Harmonized Tariff Schedule of the United States (as added by section 1) that was made—

(1) after December 31, 1988; and

(2) on or before the 15th day after the date of the enactment of this Act;

shall be liquidated or reliquidated as though such entry occurred on the day after such 15th day.●

By Mr. JOHNSTON (for himself and Mr. WIRTH):

S. 2191. A bill to amend part 3, title V, of the National Energy Conservation Policy Act; to the Committee on Energy and Natural Resources.

FEDERAL ENERGY MANAGEMENT AMENDMENTS

● Mr. JOHNSTON. Mr. President, as chairman of the Committee on Energy and Natural Resources I have a concern with certain provisions of the Clean Air Act amendments currently under discussion because I believe that these provisions are within the jurisdiction of the Energy Committee.

More specifically, section 403 of S. 1630, as reported, would alter current Federal policy regarding the use of energy conservation and renewable energy resources in Federal facilities. The Committee on Energy and Natural Resources has jurisdiction over energy conservation and renewable energy issues. In fact, comprehensive legislation regarding this issue was considered by the committee and enacted in 1978 as part 3, title V, of the National Energy Conservation Policy Act [NECPA] (42 U.S.C. 8253). This law was reviewed and amended by the committee just 15 months ago pursuant to the Federal Energy Management Improvement Act of 1988, Public Law 100-615. I strongly believe that any changes to Federal policy regarding energy conservation and renewable energy should be made through the amendment of NECPA, and after consideration by the Committee on Energy and Natural Resources.

Accordingly, I am introducing the Federal Energy Management Amendments of 1990. This legislation includes the ideas which have come to my attention regarding this issue, and while I do not endorse each of these ideas at this time, I believe that they are worthy of consideration by the committee. I look forward to working with the Department of Energy and with other Senators who have an interest in energy conservation and renewable energy sources.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2191

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Federal Energy Management Amendments of 1990".

SEC. 2. Part 3 of title V of the National Energy Conservation Policy Act (NECPA) (42 U.S.C. 8251 et seq.), as amended, is further amended as follows:

(a) In section 541:

(1) insert the following new finding and renumber accordingly:

"(4) there are also significant opportunities in the Federal Government to increase the use of renewable and alternative clean energy sources;"; and

(2) in the renumbered finding "(6)", insert the following after the words "energy efficiency": "and the use of renewable and alternative clean energy sources";

(b) in section 542 insert ", and the use of renewable and alternative clean energy sources," after the words "use of energy";

(c) in section 543: (1) Strike subsection (a) and insert the following new text in lieu thereof:

"(a) ENERGY MANAGEMENT REQUIREMENT FOR FEDERAL BUILDINGS.—(1) Not later than January 1, 2000, each Federal agency shall, to the maximum extent practicable, install all energy conservation measures, and all renewable and alternative clean energy measures, with payback periods of less than ten years as calculated using the methods and procedures developed pursuant to section 544. Each Federal agency shall have substantially completed at least 25 percent of these projects by January 1, 1995. If any agency has been unable to meet this objective, such agency shall spend no funds for the construction or acquisition of a building except to meet the requirements of this section. If any agency has not met the requirements of this section for the year 2000, then such agency shall spend no funds for the construction or acquisition of a building except to meet the requirements of this section. The Secretary may waive the requirements of this section if the Secretary finds that an agency is taking all practicable steps to meet the requirement and that the sanctions of this section will pose an unacceptable burden upon the agency.

"(2) An agency may exclude from the requirements of paragraph (1) any building, and the associated energy consumption and gross square footage, if the head of such agency finds that compliance with the requirements of paragraph (1) would be impractical. A finding of impracticability shall be based on the type and amount of energy consumed, the technical feasibility of making the desired changes, and the unique character of many facilities operated by the Departments of Defense and Energy. Each agency shall identify and list in each report made under section 548 the buildings designated by it for such exclusion. The Secretary of Energy may reverse a finding of impracticability, in which case, the agency shall comply with the requirements of paragraph (1). This section shall not apply to an agency's facilities which are associated with the generation and transmission of electric energy, nor to the uranium enrichment facilities operated by the Department of Energy.";

(2) In subsection (b):

(A) after the words "subsection (a)," insert the following:

"The Secretary of Energy shall consult with the Secretary of Defense and the Ad-

ministrators of the Environmental Protection Agency and the General Services Administration in developing guidelines for the implementation of this part, and"

(B) strike the phrase "Federal Energy Management Improvement Act of 1988" in paragraph (1) and insert in lieu thereof "Federal Energy Management Amendments of 1990, and submit to the Secretary of Energy";

(C) after the words "high priority projects;" insert the following: "and such plan shall include steps to take maximum advantage of contracts authorized by 42 U.S.C. 8287 et seq., financial incentives and other services provided by utilities for efficiency investment and other forms of financing to reduce the direct costs to the Government."

(D) at the end of paragraph (2) strike the semicolon and insert the following: ", and update such surveys periodically, but not less than every three years;"

(E) replace paragraph (3) with the following new paragraph:

"(3) using such surveys, determine the cost and payback period of energy conservation and renewable and alternative clean energy measures likely to achieve the goals of this section;"; and

(F) insert a new paragraph (4) as follows, and renumber paragraph (4) as "(5)".

"(4) install those energy conservation and alternative clean energy measures which will attain the requirements of this section in a cost effective manner and";

(d) in section 544:

(1) strike "National Bureau of Standards," in subsection (a) and insert in lieu thereof "National Institute of Standards and Technology, the Administrator of the Environmental Protection Agency,";

(2) strike "; and" at the end of paragraph (a)(1) and insert in lieu thereof the following: ". These methods shall also incorporate the value of environmental externalities as determined by the Administrator of the Environmental Protection Agency, who shall determine such value within 18 months of enactment of this legislation."; and

(3) strike all after the word "agency", in paragraph (b)(2) and insert in lieu thereof: "no agency shall, after January 1, 1994, enter into or renew a lease for space exceeding thirty-five thousand square feet in new or renovated buildings where the space exceeds 70 percent of the building's leasable space unless that building has installed all energy conservation, efficiency and renewable energy improvements with paybacks of less than ten years based on the methods established under this section or the landlord has begun to make such investments and will complete installation by January 1, 2000. Any agency unable to comply with this section shall, in a report to the Secretary, demonstrate that it has used its best efforts to persuade the lessor to install these improvements and that no reasonable alternatives for leased space are available.

(e) in section 545, strike the word "measures." and insert in lieu thereof the following: "and renewable and alternative clean energy measures as needed to meet the goals established in section 543.";

(f) in section 546, strike the text of subsection "(b)" and insert in lieu thereof the following:

"Implementation.—To facilitate the financing of energy conservation, and renewable and alternative clean energy measures, each Federal agency shall promote the use of contracts authorized by title VIII of this Act. Each agency shall procure such contracts, notwithstanding any other procurement requirements, by utilizing the following procedures:

(1) By January 1, 1991, each Federal agency shall encourage firms engaged in providing energy services to submit annually a statement of qualifications, including financial and performance information. Each agency shall, by June 1, 1991 and annually thereafter, designate and list, from these submissions, those firms that are presumptively qualified to provide energy services. Such qualifications shall be based upon criteria published by each agency. The Secretary of Energy, in consultation with the Secretary of Defense and the Administrators of the Environmental Protection Agency and the General Services Administration, may issue a form for use by the agencies to obtain the necessary information and provide for other means to facilitate the qualification process.

(2) The agency shall select three firms from the qualifying list, or from formal proposals supplied by other firms, to conduct discussions with same concerning each proposed agency project undertaken pursuant to 42 U.S.C. 8287. The selection shall be based upon criteria established and published by each agency. The agency may request a technical and price proposal from the three firms.

(3) The agency shall select from the three firms the best qualified firm to provide energy services at contractual arrangement that the agency determines is fair and reasonable to the government, taking into account the estimated value and cost of the services to be rendered, and the scope and nature of the project. The agency is authorized to enter into a contract with this firm. In the event that the agency cannot execute a satisfactory contract with this firm, the agency shall then proceed to negotiate a contract with one of the remaining firms. If the agency is unable to execute a contract with the second firm, the agency may negotiate with the remaining firm, or select another firm from the qualified list on file. The agency is not obligated to enter into a contract if it determines it is undesirable to do so.

(4) each Federal agency shall endeavor to do at least three contracts in 1991 and six contracts in 1992 employing this procedure, and then, as required in the plan to be submitted pursuant to section 543(b), shall use these contracts to the maximum extent practicable. In the plans submitted pursuant to section 543(b), the agencies shall report on their experience with these contracts in 1991 and 1992.

(g) in section 548:

(1) strike the word "each" in subsection (a) and insert in lieu thereof the following: "In addition to the plan required to be submitted to the Secretary pursuant to Section 543(b)(1), each"; and

(2) insert the phrase "by April 2 of each year," after the word "annually" in subsection (b);

(3) insert the words "by each agency", after the words "under this part" in subsection (b)(1); and

(h) in section 549:

(1) insert after the word "renewable" the phrase "and alternative clean" in subsections (4) and (8); and

(2) strike the word "geothermal energy" and insert "geothermal energy, fuel cells" in lieu thereof.●

By Mr. CRANSTON:

S. 2192. A bill relating to the tariff treatment of certain paper products and synthetic detergents; to the Committee on Finance.

RELATING TO TARIFF TREATMENT OF CERTAIN PAPER PRODUCTS AND SYNTHETIC DETERGENTS

Mr. CRANSTON. Mr. President, today I am introducing a bill which would correct an inequitable situation affecting a California company which imports industrial tissue products and detergents. When the United States changed to the Harmonized System on January 1, 1989, some of the products imported by this company were reclassified and subjected to a higher tariff rate. When the International Trade Commission considered conversions to the Harmonized System, it was not aware of any significant trade in these particular product areas and felt that the international standard could be adopted without adversely affecting any U.S. importers. Legislation is needed to correct this oversight.

The bill I am introducing today is similar to legislation which was introduced in the House by Congressman STARK. His bill, H.R. 2100, was reviewed in hearings held by the Ways and Means' Subcommittee on Trade. At that time, the administration and two domestic companies raised concerns about the scope of H.R. 2100. This legislation contains changes which will address these objections.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PAPER PRODUCTS.

Chapter 48 of the Harmonized Tariff Schedule of the United States is amended by striking out subheadings 4818.10.00 and 4818.20.00 and inserting the following new subheadings with the article descriptions having the same degree of indentation as the article description in subheading 4818.40.20:

	"Toilet paper:			
4818.10.05	Of cellulose wadding or webs of cellulose fibers, in rolls of a width exceeding 15cm or in rectangular (including square) sheets with one side exceeding 36cm and the other side exceeding 15cm in unfolded state	3.5%	Free (A*, E, IL)	35%
4818.10.05	Other	5.3%	Free (A*, E, IL) 4.2% (CA)	35%
	Handkerchiefs, cleansing or facial tissues or towels			

4818.20.05	Of cellulose wadding or webs of cellulose fibers, in rolls of a width exceeding 15cm or in rectangular (including square) sheets with one side exceeding 36cm and the other side exceeding 15cm in unfolded state	3.5%	Free (A*, E, IL)	35%
4818.20.15	Other	5.3%	Free (A*, E, IL) 4.2% (CA)	35%".

SEC. 2. SYNTHETIC DETERGENTS.

Chapter 34 of such Schedule is amended by striking out subheading 3402.90.10 and inserting the following new subheading with the article descriptions having the same degree of indentation as the article description in subheading 3402.90.30:

	"Synthetic detergents:			
3402.90.15	Containing synthetic aromatic compounds, or containing non-aromatic compounds obtained, derived, or manufactured in whole or in part from synthetic aromatic compounds.	6.6%	Free (A, E, IL) 3% (CA).	15.4c/kg+53.5%
3402.90.20	Other	Free		25%".

SEC. 3. EFFECTIVE DATE.

The amendments made by sections 1 and 2 of this Act apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

By Mr. DECONCINI (for himself, Mr. SIMON, and Mr. HATCH):

S. 2193. A bill to amend title 35, United States Code, to clarify that States, instrumentalities of States, and officers and employees of States acting in their official capacity, are subject to suit in Federal court by any person for infringement of patents, and that all the remedies can be obtained in such suit that can be obtained in a suit against a private entity; to the Committee on the Judiciary.

PATENT REMEDY CLARIFICATION ACT

● Mr. DECONCINI. Mr. President, I rise today to introduce a bill with my colleagues Senators SIMON and HATCH to clarify Congress' intent that States not be immune from patent infringement suits under the Patent Code. As you may remember, my two colleagues and I introduced similar legislation last session clarifying Congress' intent that States be subject to suit under the Copyright Act of 1976. That bill, S. 497, was necessitated by circuit court opinions holding that States are immune from prosecution for infringement of copyright material.

Until recently, the general understanding in this country was that States and their instrumentalities were subject to suit for patent infringement to the same extent as a private entity. However, in Chew versus California, a Federal district court dismissed an inventor's suit against the State of California for patent infringement when California asserted sovereign immunity under the 11th amendment as a defense. The Federal circuit affirmed this decision earlier this year, noting that the Patent Code lacked the specificity in language of congressional intent that is necessary to abrogate the 11th amendment immunity.

As with the circuit court cases in which States successfully asserted the eleventh amendment as a defense for copyright infringement, the Chew decision requires congressional action to restore patent protection. This case portends an ominous future for patent holders of inventions that are beneficial to States. The Chew case provides a prime example of a patent beneficial to a State's operations; the inventor had obtained a patent on a process to test exhaust fumes from automobiles. As State universities enter the race to commercialize scientific discoveries, the cases in which the sovereign immunity defense is asserted will grow in number.

As I stated when I introduced the Copyright Remedy Clarification Act, permitting States to infringe copyrights with impunity leads to the anomalous result of State universities being permitted to infringe private universities' copyrights but not vice-versa. Thus, UCLA can sue USC for copyright and patent infringement, but USC cannot sue UCLA. There are, of course, other detrimental effects for private universities from the assertion of the sovereign immunity defense. As State and private universities vie for research projects sponsored by industries, the sovereign immunity defense will create an uneven playing field. A private company looking to do research in a competitive area will consider a state university more favorably as a research partner since that institute would be immune from competitors' infringement suits.0

There exists in this country, and rightfully so, tremendous concern about our global competitive position. It therefore appears to me to be contrary to our best interests to limit protection for our inventors from infringement. Moreover, without the restoration of patent protection which this bill would provide, we also greatly hamper U.S. trade negotiators' attempts to improve international protection of intellectual property rights. Many nations have patent laws that include nonvoluntary licensing and governmental-use provisions. These provisions are merely devices for legal expropriation. How can our negotiators continue to urge foreign governments to reform these laws when we allow our State governments to freely infringe patents? They cannot sustain such a position with the end result that American inventors will have to continue to venture into international markets unprotected.

The purpose behind the constitutional provision that sets out Congress' patent and copyright authority is to encourage innovation. To fulfill that goal, the patent and copyright laws of this country must provide for an inventor to recoup his/her investment. It should not matter whether the defendant in a patent infringement suit is a State or a private entity. In either instance, the Patent Code must effectively protect the constitutionally mandated incentive to invent.

Mr. President, this bill will do nothing more than what Congress already intended to do when it passed the Patent Code. Congress never intended for the rights of patent owners to be dependent upon the identity of the infringer. With this bill Congress is merely fulfilling the Supreme Court's new requirement for abrogating 11th amendment immunity.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent Remedy Clarification Act".

SEC. 2. LIABILITY OF STATES, INSTRUMENTALITIES OF STATES, AND STATE OFFICIALS FOR INFRINGEMENT OF PATENTS.

(a) LIABILITY AND REMEDIES.—(1) Section 271 of title 35, United States Code, is amended by adding at the end the following:

"(h) As used in this section, the term 'whoever' includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his or her official capacity. Any State, and any such instrumentality, officer, or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity.".

(2) Chapter 29 of title 35, United States Code, is amended by adding at the end the following new section:

"§ 296. Liability of States, instrumentalities of States, and State officials for infringement of patents.

"(a) IN GENERAL.—Any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his or her official capacity, shall not be immune, under the eleventh amendment of the Constitution of the United States or under any other doctrine of sovereign immunity, from suit in Federal court by any person, including any governmental or nongovernmental entity, for infringement of a patent under section 271, or for any other violation under this title.

"(b) REMEDIES.—In a suit described in subsection (a) for a violation described in that subsection, remedies (including remedies

both at law and in equity) are available for the violation to the same extent as such remedies are available for such a violation in a suit against any private entity. Such remedies include damages, interest, costs, and treble damages under section 284, attorney fees under section 285, and the additional remedy for infringement of design patents under section 289.".

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 29 of title 35, United States Code, is amended by adding at the end the following new item:

"Sec. 296. Liability of States, instrumentalities of States, and State officials for infringement of patents.".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect with respect to violations that occur on or after the date of the enactment of this Act.●

By Mr. KASTEN (for himself and Mr. KOHL):

S. 2194. A bill to provide for reimbursement to the State of Wisconsin for extraordinary law enforcement costs incurred during operations associated with the exercise of court-determined tribal treaty rights; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. KASTEN):

S. 2195. A bill to establish within the Office of Justice Programs of the Department of Justice an Indian Treaty Law Enforcement Assistance Program; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. KASTEN):

S. 2196. A bill to establish an Office of Indian Treaty Conflict Resolution; to the Select Committee on Indian Affairs.

LEGISLATION PERTAINING TO INDIAN TREATY RIGHTS

● Mr. KASTEN. Mr. President, I rise today with my distinguished colleague from Wisconsin, Senator KOHL, to introduce three pieces of legislation pertaining to Indian treaty rights.

For years now, northern Wisconsin has been bitterly divided because of Federal court interpretations of the treaties the United States made with the Chippewa nation in the 1800's.

On July 29, 1837, and again on October 4, 1842, the United States agreed to treaties with the Lake Superior Chippewa Indians. These treaties guaranteed certain usufructuary, or land use, rights to the Chippewa on the territory that they ceded to the non-Indian population. Today that territory covers most of northern Wisconsin. In 1974, the Lac Courte Oreille Band of the Chippewa Tribe took the State of Wisconsin to court in an effort to determine the limits of their usufructuary rights. The State was named party to the lawsuit, as opposed to the Federal Government, because it has been the States which have administered the wildlife and natural resource regulations in their jurisdictions.

The initial decision, known as the Voigt decision, was made in 1983. The Voigt decision reaffirmed that the tribes had rights to hunt and fish on non-tribal lands. The Voigt decision also called for further clarification through the courts regarding the scope of those rights. In 1987 and again in 1989, the U.S. district court ruled on their interpretation of the treaties. The Doyle decision, handed down in 1987, determined that the natural resources should be available to the Chippewa and the harvest should be sufficient to provide a "moderate standard of living." The Crabb decision affecting Indian fishing rights, handed down in March of last year, gave the Chippewa the right to self-regulate their harvest, and because it did not set a specific tribal harvest allocation limit, the tribe is currrently able to harvest up to 100 percent of the safe harvest level on any lake in the ceded territory.

Northern Wisconsin erupted in response to the Crabb decision. Thousands of non-Indians protested, and Indian attempts to exercise their constitutional rights last year were marred by violence, threats of violence, verbal abuse, and racist acts. Local law enforcement agencies had to utilize extraordinary measures to maintain the peace, and incurred huge costs in doing so.

Mr. President, the State of Wisconsin cannot afford, either humanely or financially, a repeat of last year's events. Interested parties on all sides have been working to foster a spirit of reconciliation, accommodation, and compromise. Congress must support this effort.

Last year, the Wisconsin congressional delegation introduced legislation that would prohibit the tribe from taking more than 10 percent of the safe harvest level of sport fish from any lake in the ceded territory. We urged Congress and the administration to promptly consider and pass this legislation. But there has been no action.

The administration and the congressional committees with jurisdiction over Indian policy strongly oppose any unilateral Federal changes to the treaties. They refuse to act on our legislation or on any other proposal which would amend or modify the treaties, unless such changes have first been agreed to at the local level.

Thus, while we cannot give up hope on this legislation, it is clear that local initiatives must be our priority. Wisconsin must make an effort to follow the lead of other States which have reached agreements at the State level—agreements that have ultimately been approved by Congress. We applaud recent initiatives in Wisconsin designed to achieve meaningful change. State, local, and tribal officials have been working to maintain law and order, defuse the tension, protect the natural resources, and promote a greater sense of understanding between cultures. Congress should help in this regard.

The first bill we have introduced is the Wisconsin Law Enforcement Reimbursement Act. This legislation would repay the State of Wisconsin the $2.5 million in extraordinary law enforcement costs incurred while protecting Federal treaty rights in 1988 and 1989.

The second bill is the Indian Treaty Law Enforcement Assistance Act. This proposal would establish a new Federal framework, within the Department of Justice, for reimbursing treaty-related law enforcement costs. Specifically, any State which must greatly increase law enforcement funds in order to protect the exercise of Federal treaty rights would be eligible for reimbursement from the Federal Government. This is only fair. If Federal law is causing these extraordinary expenses, the Federal Government should help pay for them. This legislation would allow States which petition the Attorney General for reimbursement to receive up to 90 percent of their treaty-related expenses.

The final bill we are introducing today is the Indian Treaty Conflict Resolution Act. This legislation would establish a new office within the Department of Justice to provide neutral mediation and conflict resolution assistance in local disputes over treaty rights. Hopefully a neutral Federal party can provide the spark needed to get negotiations back on track in States like Wisconsin. With this legislation, we can help put an end to misinformation and mistrust, and focus on ways the Federal Government can help local groups resolve their differences.

These three bills, in conjunction, would ensure law and order in States like Wisconsin and provide a framework for resolving treaty disputes at the local level.

I urge my colleagues to look favorably and act promptly upon these important bills.●

● Mr. KOHL. Mr. President, I rise today with my distinguished colleague from Wisconsin, Senator KASTEN, to introduce three bills which address the conflict which has developed in Wisconsin surrounding treaty rights retained by the Chippewa tribes in Federal treaties and affirmed by the Federal courts. I am hopeful that these bills will help the State and the tribes to resolve this conflict in a mutually acceptable manner.

The first bill, the Wisconsin Law Enforcement Reimbursement Act, would reimburse the State of Wisconsin $2.5 million for a portion of the extraordinary law enforcement costs incurred

in peacekeeping efforts during the 1988 and 1989 Indian spearing seasons.

The second bill, the Indian Treaty Law Enforcement Assistance Act, would establish a general fund through which any State can apply for reimbursement of excessive law enforcement costs related to the protection of Indian treaty rights. This new system would be administered by the Department of Justice.

The third bill, the Indian Treaty Conflict Resoluton Act, would establish a new office within the Department of Justice to provide assistance to State, local, and tribal entities who are attempting to resolve treaty rights disputes. This office would be available to provide neutral mediation and conflict resolution assistance to the State and the tribes, at their request.

Congress and successive administrations have made it very clear that treaties with Indian tribes will no longer be broken. Indeed, it is clear that despite the immediate problems any of us may have with a given treaty, those "supreme laws of the land" cannot even be modified without the consent of all affected parties. Given that reality, it is clear that the treaty rights conflict in Wisconsin will not be resolved unless the State and the tribes sit down together and negotiate a mutually acceptable agreement. To the extent that the Federal Government can help that negotiating process along by providing neutral mediation services, the third bill will promote a speedier resolution to the conflict in Wisconsin.

The first two bills, which provide reimbursement to the State of Wisconsin and other States for excessive law enforcement costs related to treaty enforcement, implicitly recognize that Federal treaties are straining State and local law enforcement budgets. I am hopeful that Congress and the administration will agree to support these bills as a measure of good faith to the States who are attempting to enforce court-affirmed treaty rights, and to the tribes who are attempting to exercise their legal and traditional rights.

I urge my colleagues in the Senate to support these bills and give them prompt approval. I believe passage of these bills will demonstrate the Federal Government's desire to play a useful role in resolving this very serious conflict in Wisconsin. I ask unanimous consent that the text of the three bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 2194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the Wisconsin Law Enforcement Reimbursement Act.

THE WISCONSIN LAW ENFORCEMENT REIMBURSEMENT ACT

SECTION 2. (a) PAYMENTS TO THE STATE OF WISCONSIN.—The Attorney General shall pay, subject to subsection (b), such sums as are appropriated under section 3 to the State of Wisconsin as reimbursement for extraordinary law enforcement costs incurred by State and local law enforcement agencies while preserving public peace during operations associated with the tribal exercise of court-determined treaty rights by the Chippewa Indians of Lake Superior, including hunting and fishing, in 1988 and 1989.

(b) CERTIFICATION OF THE ATTORNEY GENERAL.—Reimbursements may be provided pursuant to subsection (a) upon submission by the Governor of the State of Wisconsin of a statement to the Attorney General that the State has incurred expenses described in section (a), together with such supporting evidence as the Attorney General may require.

SECTION 3. AUTHORIZATION OF FUNDS.—There is hereby authorized to be appropriated for fiscal year 1991 $2.5 million to make payments pursuant to Section 2.

S. 2195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the Indian Treaty Law Enforcement Assistance Act.

THE INDIAN TREATY LAW ENFORCEMENT ASSISTANCE PROGRAM

SEC. 2. (a) There is hereby established within the Office of Justice Programs of the Department of Justice the Indian Treaty Law Enforcement Assistance Program.

(b) The Attorney General, acting through the Office of Justice Programs, is authorized as provided in this section to make payments to States which have reimbursed local, and tribal law enforcement agencies in meeting any extraordinary law enforcement costs incurred while preserving public peace during operations associated with the tribal exercise of court determined treaty rights, including hunting and fishing.

(c) Payments may be provided pursuant to subsection (b) upon submission by the Governor of a State of a statement to the Attorney General that the State has reimbursed local or tribal law enforcement agencies which have incurred expenses described in section (b), together with such supporting evidence as the Attorney General may require.

(d)(1) The Attorney General shall make payment under this section if it is determined that—

(A) the extraordinary law enforcement costs incurred by local or tribal law enforcement agencies for which reimbursement was provided by such State and for which federal reimbursement is sought pursuant to subsection (b) were directly incurred by such local or tribal law enforcement agency in carrying out its responsibilities to preserve peace and maintain order during operations associated with the tribal exercise of court-determined treaty rights;

(B) such extraordinary costs of local or tribal law enforcement agencies, on an average daily basis, exceed by at least ten percent the average daily law enforcement expenditure of such local or tribal agency. Extraordinary costs are defined as those costs incurred beyond budgeted levels and normal work schedules.

(2) In any case where the above criteria have been met the Attorney General shall reimburse such State an amount not to exceed 90 percent of the extraordinary costs so determined.

(e) There is hereby authorized to be appropriated not to exceed $10 million for each of the fiscal years 1991, 1992, and 1993 to make payments as provided in this section.

S. 2196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Indian Treaty Conflict Resolution Act of 1990."

FINDINGS AND STATEMENT OF POLICY

SEC. 2. (a) FINDINGS.—The Congress finds that:

(1) Other than to provide for the implementation of agreements or settlements negotiated between Indian tribes and local entities regarding court-affirmed Indian treaty rights, the federal government has no direct responsibility for resolving disputes arising out of the exercise or potential exercise of those rights.

(2) The federal government can, however, as a neutral party, play a useful role in facilitating discussions between affected parties.

(b) STATEMENT OF POLICY.—It is the policy of Congress that: The federal government should, to the extent federal involvement is desired by the affected parties, be prepared to provide such services as may be helpful to the affected parties in resolving their disputes over Indian treaty rights, without assuming any responsibility or obligation for resolving those disputes.

THE OFFICE OF INDIAN TREATY CONFLICT RESOLUTION

SEC. 3. (a) There is hereby established an Office of Indian Treaty Conflict Resolution (hereinafter referred to as the "Office"). The Office, which shall be physically located within the Department of Justice, shall report to the U.S. Attorney General and the Secretary of the Interior, and shall be under the supervision of an Executive Director who shall be paid at an annual rate of basic pay payable for GS-18 of the General Schedule under Section 5332 of title 5, United States Code, and such other employees as may be necessary to carry out provisions of this section.

(b) It shall be the responsibility of the Office, as provided in this section, to provide mediation and conciliation services and any other services which may be beneficial in resolving conflicts between an Indian tribe and other entities arising out of the exercise or potential exercise by such Indian tribe or its members of rights to the use of natural resources determined by a federal court to be reserved by such tribe in a treaty with the United States. The activities of the Office, in providing conflict resolution services, shall be strictly neutral in character and shall include—

(1) assisting in the identification of parties having a significant interest in the resolution of a dispute involving Indian treaty rights;

(2) providing intermediary contact among concerned parties designed to lead to negotiations among such parties;

(3) the identification of, and assistance in acquiring, funding and other negotiating resources, not including its own funds and resources, needed by negotiating parties;

(4) the provision of factual, neutral information to the negotiating parties and other concerned parties; and

(5) rumor-control services relating to matters in dispute and the conduct of negotiations.

(c)(1) The services of the Office shall be made available upon the request of an Indian tribe, a State, or a unit of local government of any State which has an interest in a natural resource subject to an Indian treaty right or an interest in the resolution of a dispute involving a natural resource under an Indian treaty.

(2) The Office may provide its own dispute resolution services either directly through its own employees or by the appointment of an Ad Hoc Dispute Resolution Team. No employee of the Office involved in providing conflict resolution services and no person appointed to a conflict resolution team shall have any direct interest of any kind in the subject matter involved in any Indian treaty conflict nor in resolution of such conflict.

(d) There is hereby authorized to be appropriated not to exceed $1,000,000 for each of the Fiscal Years 1991, 1992, and 1993.●

By Mr. HARKIN (for himself, Mr. HATFIELD, Mr. CRANSTON, Mr. LEAHY, and Mr. KERRY):

S. 2197. A bill to lift the trade and other economic sanctions imposed on Nicaragua by the President in 1985; to the Committee on Banking, Housing, and Urban Affairs.

LIFTING OF SANCTIONS AGAINST NICARAGUA

● Mr. HARKIN. Mr. President, yesterday, more than 90 percent of the Nicaraguan people went to the polls, voted for peace and reconciliation and an end to their decade-long civil war.

Yesterday's outcome, with opposition candidate, Violeta Chamorro, defeating President Daniel Ortega by a 55-to-42-percent margin, signals a dramatic affirmation of the success of the Arias peace plan and the failure of the Contra war.

Yesterday's vote was a vote for peace as well as a vote for democracy.

Mrs. Chamorro should be commended for her surprising victory. So, too, should the Nicaraguan people as well as the Nicaraguan Government and President Ortega, who insured the conduct of a free and fair election.

The United States should now acknowledge the new political reality in Nicaragua by finally putting an end to the contra program and begin normalizing relations between our two countries. As a first step, I will offer today legislation to lift the United States trade embargo against Nicaragua.

On May 1, 1985, President Ronald Reagan declared a national emergency to deal with what he called the unusual and extraordinary threat posed by Nicaragua and imposed an economic embargo against that country. By imposing sanctions under the International Emergency Economic Powers Act [IEEPA], President Reagan acted unilaterally, without consulting with Congress or any of our allies.

Now, 4 years later it's time to put an end to the embargo and our economic as well as military war against Nicaragua. Regardless of the outcome of yesterday's election, I've long believed that the United States should take this step. Indeed, most Nicaraguans, including members of Mrs. Chamorro's victorious coalition, called for an end to the embargo long before yesterday's election.

In January 1989, Carlos Hembes, who heads the Democratic Coalition, an anti-Government coalition, was quoted in the press as saying, "The embargo was a mistake from the beginning. The new [Bush] administration * * * should dump it."

Anti-Sandinista members of the business and labor support the end of trade sanctions. Gilberto Cuadra, who heads the largest business federation in Nicaragua, has said that "the embargo has no practical effect." Alvin Guthrie, leader of the Nicaraguan Confederation of Trade Union Activity [CUS], has stated that, "for the Sandinistas, the embargo is just a convenient excuse for the country's collapse."

More important, La Prensa, Mrs. Chamorro's own newspaper, has been outspoken in its criticism of the embargo, since it was first imposed. In 1985, La Prensa condemned the U.S. trade sanctions and argued that the internal opposition "would be punished by the embargo." La Prensa repeated this criticism in April 1988, when it criticized the embargo as "both unjust for the Nicaraguan people and highly profitable for the Sandinistas."

In light of yesterday's outcome, Mrs. Chamorro's victory, the free and fair conduct of the election, and Ortega's acceptance of the results, it is difficult to believe that Nicaragua now poses an "unusual and extraordinary threat" to the national security of the United States.

Indeed, the only emergency now posed by Nicaragua is the threat of its own economic collapse. For the Nicaraguan people who yesterday voted in record numbers for peace and democracy, what better reward than to begin normalizing economic and political relations with their country.

Let's begin by lifting the embargo as a first step toward restoring full economic relations with Nicaragua. Then, as negotiations between the Sandinistas and UNO proceed from now until April, where critical questions such as the composition of the armed forces and police will be resolved, the United States should consider other economic incentives for Nicaragua, such as foreign aid and approval of loans from multilateral banks.

Lifting the embargo is a demonstration of our support for democracy in Nicaragua. Ending sanctions is a recognition of the new reality in that country. Opening economic ties is a symbol not only of our desire to normalize relations between our two countries but also is a positive contribution to healing the wounds inside Nicaragua.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD:

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the prohibitions on trade and other transactions and activities involving Nicaragua which were established under the International Emergency Economic Powers Act and other laws pursuant to the national emergency declared by the President in Executive Order 12513 of May 1, 1985, shall cease to apply as of the date of enactment of this Act.●

By Mr. SIMON (for himself, Mr. KENNEDY, Mr. KERRY, Mr. DECONCINI, Mr. INOUYE, Mr. LIEBERMAN, Mr. WILSON, Mr. MOYNIHAN, Mr. BRADLEY, Mr. PELL, and Mr. DIXON):

S.J. Res. 262. Joint resolution designating March 1990 as "Irish-American Heritage Month"; to the Committee on the Judiciary.

IRISH-AMERICAN HERITAGE MONTH

● Mr. SIMON. Mr. President, I rise today to introduce a resolution to designate March 1990 as "Irish-American Heritage Month." This resolution will, for the first time, nationally recognize the many contributions Irish-Americans have made throughout our Nation's history.

Approximately 40.7 million Americans are of Irish descent. From Andrew Jackson, our seventh President, to James Hoban, the man who designed the White House, Irish-Americans have played an integral role in shaping our national heritage. Artists, playwrights, social reformers, inventors, and politicians, including eight signers of the Declaration of Independence, are only a fraction of the many Irish-Americans who have helped enrich our great Nation. Their legacy and achievements will be better appreciated by the celebration of "Irish-American Heritage Month".

America is known as the melting pot of the world. Our national heritage is not the product of just one culture or one tradition but takes the contributions of all the peoples of the world and combines them into the wonderful, colorful, and diverse society called America. This resolution honors one of those proud traditions. I am pleased to sponsor this bill and look forward to celebrating "Irish-American Heritage Month" this March.●

ADDITIONAL COSPONSORS

S. 563

At the request of Mr. MATSUNAGA, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 563, a bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the Armed Forces to receive retired pay concurrently with disability compensation after a reduction in the amount of retired pay.

S. 619

At the request of Mr. SARBANES, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 619, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 1000

At the request of Mr. MCCLURE, the names of the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 1000, a bill to amend the Agricultural Act of 1949 to require the Secretary of Agriculture to exclude the malting barley price from the national weighted market price for barley in determining the payment rate used to calculate deficiency payments for the 1989 and 1990 crops of barley, and for other purposes.

S. 1394

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 1394, a bill to provide permanent duty-free treatment for corned beef in airtight containers.

S. 1791

At the request of Mr. ROCKEFELLER, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 1791, a bill to amend the International Travel Act of 1961 to assist in the growth of international travel and tourism into the United States, and for other purposes.

S. 1853

At the request of Mr. CHAFEE, the names of the Senator from Washington [Mr. GORTON], the Senator from Wyoming [Mr. SIMPSON], the Senator from Louisiana [Mr. BREAUX], the Senator from Wisconsin [Mr. KOHL], the Senator from North Carolina [Mr. SANFORD], the Senator from Wisconsin [Mr. KASTEN], the Senator from Tennessee [Mr. GORE], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of S. 1853, a bill to award a Congressional Gold Medal to Laurence Spellman Rockefeller.

S. 1865

At the request of Mr. DANFORTH, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1865, a bill to require the Comptroller General of the United States to review and report on the effectiveness and fairness of agency policies and procedures for distributing Federal research funds.

S. 1911

At the request of Mr. DODD, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 1911, a bill to provide assistance in the development of new or improved programs to help younger individuals through grants to the States for community planning, services, and training; to establish within the Department of Health and Human Services an operating agency to be designated as the Administration on Children, Youth, and Families; to provide for a White House Conference on Young Americans; and for other purposes.

S. 1942

At the request of Mr. ROCKEFELLER, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 1942, a bill to provide for home and community care as optional statewide service, and for other purposes.

S. 1969

At the request of Mr. FORD, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1969, a bill to amend the Water Development Act of 1986.

S. 2003

At the request of Mr. HOLLINGS, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 2003, a bill to establish a commission to advise the President on proposals for national commemorative events.

S. 2006

At the request of Mr. GLENN, the names of the Senator from Maryland [Ms. MIKULSKI] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 2006, a bill to establish the Department of the Environment, provide for a global environmental policy of the United States, and for other purposes.

S. 2009

At the request of Mr. CRANSTON, the names of the Senator from Iowa [Mr. HARKIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Massachusetts [Mr. KERRY], the Senator from Wisconsin [Mr. KOHL], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Ohio [Mr. METZENBUAM], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Tennessee [Mr. SASSER], the Senator from Illinois [Mr. SIMON], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of S. 2009, a bill to limit the use of appropriated funds for the B-2 advanced technology bomber aircraft program.

S. 2021

At the request of Mr. DOLE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 2021, a bill to amend title 11, United States Code, to ensure that the bankruptcy laws are not used to prevent restitution to, or recovery of, failed financial institutions.

S. 2048

At the request of Mr. SARBANES, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 2048, a bill to provide for cost-of-living adjustments in 1991 under certain Government retirement programs.

S. 2111

At the request of Mr. MATSUNAGA, the names of the Senator from California [Mr. CRANSTON], the Senator from Ohio [Mr. METZENBAUM], the Senator from Maine [Mr. MITCHELL], the Senator from New Hampshire [Mr. HUMPHREY], and the Senator from Maryland [Ms. MIKULSKI], were added as cosponsors of S. 2111, a bill designating the month of May as "Asian/Pacific American Heritage Month."

SENATE JOINT RESOLUTION 206

At the request of Mr. GORE, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of Senate Joint Resolution 206, a joint resolution calling for the United States to encourage immediate negotiations toward a new agreement among Antarctic Treaty Consultative parties, for the full protection of Antarctica as a global ecological commons.

SENATE JOINT RESOLUTION 229

At the request of Mr. CRANSTON, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of Senate Joint Resolution 229, a joint resolution to designate April 1990 as "National Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 235

At the request of Mr. HUMPHREY, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of Senate Joint Resolution 235, a joint resolution proposing a constitutional amendment to limit congressional terms.

SENATE JOINT RESOLUTION 238

At the request of Mr. SARBANES, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Michigan [Mr. RIEGLE], the Senator from Utah [Mr. HATCH], the Senator from Virginia [Mr. ROBB], the Senator from Idaho [Mr. MCCLURE], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Joint Resolution 238, a joint resolution to designate the week beginning March 5, 1990 as "Federal Employees Recognition Week."

SENATE JOINT RESOLUTION 240

At the request of Mr. SYMMS, the names of the Senator from Colorado [Mr. ARMSTRONG], the Senator from Missouri [Mr. BOND], the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Nevada [Mr. BRYAN], the Senator from Alabama [Mr. SHELBY], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of Senate Joint Resolution 240, a joint resolution designating the week of June 10, 1990, through June 16, 1990, as "Multiple-Use Sustained-Yield Week."

SENATE JOINT RESOLUTION 242

At the request of Mr. THURMOND, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Oregon [Mr. HATFIELD], the Senator from Indiana [Mr. COATS], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Maine [Mr. MITCHELL] and the Senator from Kansas [Mr. DOLE] were added as cosponsors of Senate Joint Resolution 242, a joint resolution designating the week of April 22 through April 28, 1990, as "National Crime Victims' Rights Week."

SENATE JOINT RESOLUTION 250

At the request of Mr. CHAFEE, the names of the Senator from Maryland [Ms. MIKULSKI], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of Senate Joint Resolution 250, a joint resolution designating April 1990 as "National Recycling Month."

SENATE CONCURRENT RESOLUTION 53

At the request of Mr. DODD, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Senate Concurrent Resolution 53, a concurrent resolution concerning Iranian persecution of the Baha'is.

SENATE RESOLUTION 206

At the request of Mr. DANFORTH, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of Senate Resolution 206, a resolution to establish a point of order against material that earmarks research moneys for designated institutions without competition.

SENATE CONCURRENT RESOLUTION 96—RELATING TO INCLUSION OF AIR TRANSPORT SERVICES UNDER THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Mr. FORD submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 96

Whereas, the national defense and security of the United States depends on a strong and economically healthy United States air transportation industry, which has been encouraged and promoted since its inception to provide essential service to the national defense of the United States, and

Whereas, the commercial needs of the traveling and shipping public of the United States continue to rely to a significant degree on having an economically strong air transport industry flying under the flag of the United States in foreign and domestic markets, and

Whereas, the Federal Aviation Act of 1958, as amended, contains in Section 102(11) the declaration of aviation policy of the United States, and in Section 1102(b) the goals for international aviation policy, which mandate ". . . the promotion, encouragement and development of civil aeronautics and a viable, privately owned United States air transport industry", and

Whereas, the Federal Aviation Act of 1958, as amended, provides guidelines for negotiating with other nations, which if air transport services were to be included under the GATT, (or GATS), would eliminate the long standing statutory laws on ownership and control, and the preservation of domestic traffic for domestic air carriers, and

Whereas, in a formal submission on July 17, 1989, to the Group of Negotiations on Services in Geneva, Switzerland, the U.S. Administration officially took the position that "Application of MFN/Nodiscrimination to aviation services would require dismantling the bilateral treaties", and that ". . . MFN would apply to other, inseparable aspects of aviation services currently addressed under bilateral aviation agreements; for example, groundside handling, access to airport and airspace slots, access to computer reservations systems, and access for carriers as computer reservation system vendors", and

Whereas, the Congress and the Administration in excluding civil air transport services from the United States-Canada Free Trade Agreement recognized the unique national security aspects of this service industry, and

Whereas, any trade agreement which would introduce a "stand still" of present rights and benefits to the carriers of signatory nations would be completely unacceptable to U.S. airline interests: Now therefore be it

Resolved by the Senate (House of Representatives concurring), That the Congress strongly urges the Administration to refrain from submitting any proposal to include civil air transport services, in whole or in part, under the General Agreements on Tariffs and Trade, or the proposed General Agreement on Trade in Services (GATS), and to oppose any proposals made by other nations to include civil air transport, and to oppose any proposal which would allow for any "stand still" of current rights, benefits, rules, or regulations in order to insure that aviation not be treated in any way under the GATT (or GATS); and to oppose any proposal which would require another examination of this idea in the future, because of the potentially disastrous effect this would have on the traveling and shipping public, the U.S. aviation industry, national security, and the existing regime for obtaining and maintaining international air transportation rights and obligations, and because the failure to oppose the inclusion of aviation would gravely imperil the outcome of the entire negotiation on trade in services involving other U.S. service industries.

● Mr. FORD. Mr. President, I rise today to submit a concurrent resolution to urge the administration not to bargain away any more of our economic strength and turn over our domestic air transport market to foreign air carriers.

I understand that the U.S. Trade Representative is considering including service sectors, including air transportation service, under the General Agreement on Tariffs and Trade. For years, issues involving international air transportation services have been handled by bilateral negotiations, and that process has worked very well. It has assured that U.S. air carries have gotten the same rights to service as foreign carriers were granted.

If air services were placed under GATT, all bilateral arrangements would cease to mean anything. Foreign carriers would receive the same rights as domestic carriers within the United States. Second, if air transportation is mixed with other services, it is likely that air transportation would be tradedoff to benefit some other service industry. Third, I am told by those with experience with GATT disputes, that resolution of disputes takes years: there would be no quick solutions and critical air commerce decisions could be tied up endlessly.

In December 1989, 11 Senators wrote to U.S. Trade Representative Carla A. Hills on this matter. I would like to include the text of the letter as a part of my statement.

In short, I can't see any reason to mess with a system that works and benefits our domestic air transport industry. My concurrent resolution urges the administration to refrain from submitting any proposal to include aviation under GATT, and I ask for the support of my colleagues.

Mr. President, I ask unanimous consent that the letter to the U.S. Trade Representative be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC, December 20, 1989.

Hon. CARLA A. HILLS,
U.S. Trade Representative, Winder Building, Washington, DC.

DEAR MADAM AMBASSADOR: We understand that your office is currently involved in negotiations to include service sectors under the General Agreement on Tariffs and Trade (GATT). Our concerns specifically relate to the air transportation sector. We are strongly opposed to any inclusion of the air transportation service sector under GATT.

Issues relating to the provision of international air transportation services have traditionally been addressed through the process of bilateral negotiations. This process has been successful in ensuring that U.S. air carriers have obtained rights to initate or improve foreign air service commensurate with rights which foreign air carriers have been granted by our Government. The process has been helpful in assuring speedy resolution of ancillary issues, such as ground handling, communications, ticketing, computer

reservation systems, and other "doing business" problems.

The bilateral process has resulted in a marked liberalization of air services between the U.S. and virtually every region of the world. While providing substantial service benefits to consumers, the process has also fostered the economic development and competitive vigor of our domestic carriers. In short, the bilateral system works and enjoys widespread support.

We are concerned that the national treatment principle of GATT could weaken our national defense. Granting foreign countries unrestricted access to the U.S. domestic market would have a devastating impact on U.S. air carriers. It is very possible that our carriers could be weakened to the point where they could no longer voluntarily turn over aircraft in the Civil Reserve Air Fleet to the military during times of national emergencies. From a defense posture, we feel this is intolerable. From an economic point of view, we believe there is simply no reason why the United States should turn over its domestic air transport market to foreign air carriers.

The GATT dispute mechanism, which is characterized by long delays and ineffective remedies, is inferior to the current process used in the aviation sector. Today, the ability of our Government to restrict or suspend bilateral authority provides substantial leverage in assuring a generally prompt resolution of doing business and other aviation-related issues.

We understand that your office has prepared a document, which all nations are using for discussion purposes, intended to form the framework for this new treaty. We have been told that you have taken the position that all sectors must be included, but that individual nations may take reservations which eliminate crucial sectors like air transportation. We cannot accept that position because elsewhere in the U.S. draft framework document, Article 25 provides that the parties to the agreement will immediately begin negotiating over sectors that have been left out through reservation, to attempt to include them at a later date.

We recognize, and support, the attempt of the United States to get the best agreement possible under the GATT for the U.S. as a whole. Bringing aviation under GATT, however, would create several substantial problems without providing offsetting benefits. We strongly believe that inclusion of aviation services in GATT is not in the national interest of the United States, its consumers, its airlines, and its labor force, and urge you not to do so.

Sincerely,

Wendell Ford, John McCain, Daniel Inouye, James Exon, Don Riegle, Chuck Robb, Fritz Hollings, Alfonse D'Amato, Howell Heflin, Richard Shelby, Carl Levin.●

SENATE RESOLUTION 250—ORIGINAL RESOLUTION REPORTED TO AMEND THE STANDING RULES OF THE SENATE RELATING TO THE PUBLISHING OF COMMITTEE RULES

Mr. FORD, from the Committee on Rules and Administration, reported the following original resolution; which was placed on the calendar:

S. RES. 250

Resolved, That paragraph 2 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in the second sentence by striking "March 1 of each year" and inserting "March 1 of the first year of each Congress"; and

(2) by striking the last 2 sentences and inserting "Any amendment to the rules of a committee shall not take effect until the amendment is published in the Congressional Record.".

SENATE RESOLUTION 251—DIRECTING AN APPEARANCE BY THE SENATE LEGAL COUNSEL

Mr. FOWLER (for Mr. MITCHELL) submitted the following resolution; which was considered and agreed to:

S. RES. 251

Whereas, in *Metro Broadcasting, Inc.* v. *Federal Communications Commission, et al.*, No. 89-453, pending in the Supreme Court of the United States, the petitioner has presented for review a question of the constitutionality of a provision of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. No. 101-162, 103 Stat. 988, 1020, and related measures for Fiscal Years 1988 and 1989, to provide for the expansion of minority and women ownership of broadcasting licenses;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(c), 288e(a), and 288*l*(a) (1988), the Senate may direct its Counsel to appear as amicus curiae in the name of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to appear as amicus curiae in the name of the Senate in *Metro Broadcasting, Inc.* v. *Federal Communications Commission, et al.*, in support of the constitutionality of provisions of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. No. 101-162, 103 Stat. 988, 1020, and related measures that the Congress has enacted to promote the expansion of minority and women ownership of broadcasting licenses.

AMENDMENTS SUBMITTED

NATIONAL AND COMMUNITY SERVICE ACT

ARMSTRONG (AND OTHERS) AMENDMENT NO. 1262

Mr. ARMSTRONG (for himself, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MACK, and Mr. MCCONNELL) proposed an amendment to the bill (S. 1430) to enhance national and community service, and for other purposes, as follows:

On page 8, line 2, after the word "needs" insert the following: ", including, but not limited to, churches and other religious entities";

On page 8, line 9, after the words "secondary school" insert the following: ", including, but not limited to, private sectarian and nonsectarian schools";

On page 10, line 6, after the words "public or private agencies" insert the following: ", including, but not limited to, churches and other religious entities";

On page 36, line 3 strike "any religious function" and insert in lieu thereof, "the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization".

On page 69, line 7, strike the semicolon and insert in lieu thereof the following: ", but nothing in this Act shall be construed to prevent any church or other religious entity from—

(A) displaying religious symbols or decorations;

(B) allowing persons to pray voluntarily, whether silently or vocally;

(C) allowing persons to sing religious hymns; or

(D) affirming or promoting any moral tenet that may be based on religious precepts;".

On page 70, line 6, after the word "affiliation" insert the following: ", except that a church or other religious entity may require that participants adhere to the religious tenents and teachings of such organization and further, such organization may require that participants adhere to rules forbidding the use of drugs or alcohol".

On page 70, line 7, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following new subsection:

"(c) QUALIFIED APPLICANTS.—If two or more prospective participants are qualified for any position with a church or other religious entity that is funded under part A of title I or titles II or III, nothing in this Act shall prohibit such organization from accepting a prospective participant for such position who is already participating on a regular basis in other activities of the church or other religious entity.".

DOMENICI (AND KASTEN) AMENDMENT NO. 1263

Mr. DOMENICI (for himself and Mr. KASTEN) proposed an amendment to the bill S. 1430, supra, as follows:

On page 19, line 18 strike "and".

On page 19, between lines 18 and 19, insert the following:

(L) disclose whether the program plans include preventing and treating school-age drug and alcohol abuse and dependency; and

On page 19, line 19, strike "(L)" and insert (M).

On page 35, line 5, after "facilities," insert "activities that focus on drug and alcohol abuse education, prevention and treatment,".

On page 53, line 4, strike "and".

On page 53, after the semicolon, insert "and".

On page 53, between lines 9 and 10, insert the following:

(C) service in programs engaged in the education, prevention, and treatment of drug and alcohol abuse, including care programs for cocaine-addicted babies;

CONRAD AMENDMENT NO. 1264

Mr. KENNEDY (for Mr. CONRAD) proposed an amendment to the bill S. 1430, supra, as follows:

On page 26, line after line 19, add the following new section:

SEC. 117. TREATMENT OF INDIAN TRIBES.

An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 27, between lines 20 and 21, insert the following new paragraph:

(3) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 52, between lines 9 and 10, insert the following new subsection:

(h) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

On page 66, between lines 2 and 3, insert the following new subsection:

(d) INDIAN TRIBES.—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

WATER RESOURCES DEVELOPMENT ACT

LAUTENBERG (AND BRADLEY) AMENDMENT NO. 1265

(Ordered referred to the Committee on Environment and Public Works.)

Mr. LAUTENBERG (for himself and Mr. BRADLEY) submitted an amendment intended to be proposed by them to the bill (S. 2183) to provide for the conservation and development of water and related resources, to authorize U.S. Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes, as follows:

Paragraph (12) of section 101 is amended to read as follows:

(12) Passaic River Main Stem, New Jersey and New York. The project for flood control, Passaic River Main Stem, New Jersey and New York: Report of the Chief of Engineers, dated February 3, 1989, except that the main diversion tunnel shall be extended to outlet in Newark Bay, New Jersey, at a total cost of $1,200,000,000, with an estimated first Federal cost of $890,000,000, and an estimated first non-Federal cost of $310,000,000. The Secretary shall design and construct the project in accordance with the Newark Bay tunnel outlet alternative described in the Phase I General Design Memorandum of the District Engineer dated December 1987. The total project, including the extension to Newark Bay, shall be cost shared in accordance with the provisions of section 103 of Pub. L. 99-662.

NATIONAL AND COMMUNITY SERVICE ACT

HATCH AMENDMENT NO. 1266

Mr. HATCH proposed an amendment to the bill S. 1430, supra, as follows:

In section 241, strike out "to individuals who are new borrowers on that date".

In section 251, strike out "to individuals who are new borrowers on that date".

At the appropriate place, insert the following new sections:

SEC. . GRAND CIRCLE ADVENTURE PASS.

Section 4(a)(1)(B) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a(a)(1)(B)) is amended by adding at the end thereof the following new sentence: "The Secretary shall make such a permit (to be known as the Grand Circle Adventure Passport) available for admission, for a period of at least 7 days, to the group of Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Zion National Park, Mesa Verde National Park, and Grand Canyon National Park (north rim), including admission to all monuments in those parks.".

SEC. . EMERGENCY MEDICAL SERVICES FOR CHILDREN.

Section 1910(a) of the Public Health Service Act (42 U.S.C. 300w-9(a)) is amended in the first sentence—

(1) by striking out "not more than four";

(2) by striking out "in any fiscal year"; and

(3) by striking out "in such States".

SEC . PHYSICIAN'S COMPARABILITY ALLOWANCE.

The positions of the Assistant Secretary for Health, the Deputy Assistant Secretary for Health, the heads of the Public Health Services agencies, and other positions that are compensated under subchapter II of chapter 53, of title 5, United States Code, relating to the Executive Schedule, when employed as physicians shall be defined as "government physicians" for purposes of eligibility for physicians comparability allowance as defined in section 5948 of title 5, United States Code.

McCAIN (AND OTHERS) AMENDMENT NO. 1267

Mr. McCAIN (for himself, Mr. GORTON, Mr. LOTT, Mr. MACK, Mr. COATS, Mr. BOSCHWITZ, Mr. MCCONNELL, Mr. ARMSTRONG, and Mr. GRAMM) proposed an amendment to the bill S. 1430, supra, as follows:

At the end of subtitle F of title I add the following new section:

SEC. 182. LIMITATIONS ON PAYMENTS.

(a) IN GENERAL.—(1) No participant or former participant in a program under this title may be paid benefits under this title, in the form of educational and training benefits or in voucher form, or both, in any amount that would exceed the amount of educational assistance benefits paid to a person under chapter 30 of title 38, United States Code, or under chapter 106 of title 10, United States Code, as determined by the Secretary of Defense in consultation with the Chairperson of the Board of Directors of the Foundation.

(b) LIMITATIONS ON USES OF BENEFITS.—Notwithstanding any other provision of this Act, vouchers provided under section 146 may be used for the purposes set forth in clauses (A) or (B) of subsection (d)(1) of that section only if educational assistance payments made under chapter 30 of title 38, United States Code, and under chapter 106 of title 10, United States Code, are permitted to be used for the same purposes.

ARMSTRONG (AND OTHERS) AMENDMENT NO. 1268

Mr. ARMSTRONG (for himself, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MACK, Mr. MCCONNELL, Mr. KASTEN, and Mr. HATCH) proposed an amendment to amendment No. 1262 proposed by Mr. ARMSTRONG (and others) to the bill S. 1430, supra, as follows:

In lieu of the matter proposed in Amendment 1262:

On page 8, line 2, after the word "needs" insert the following: ", including, but not limited to, churches and other religious entities";

On page 8, line 9, after the words "secondary school" insert the following: ", including, but not limited to, private sectarian and nonsectarian schools";

On page 10, line 6, after the words public or private agencies" insert the following: ", including, but not limited to, churches and other religious entities";

On page 36, line 3 strike "any religious function" and insert in lieu thereof, "the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization".

On page 69, line 7, strike the semicolon and insert in lieu thereof the following: ", but nothing in this Act shall be construed to prevent any church or other religious entity from—

(A) displaying religious symbols or decorations;

(B) allowing persons to pray voluntarily, whether silently or vocally;

(C) allowing persons to sing religious hymns; or

(D) affirming or promoting any moral tenet that may be based on religious precepts;".

So long as no funds provided under this Act are used by program participants and program staff for such activities and so long as these activities are conducted in a manner consistent with the Constitution.

On page 70, line 6, after the word "affiliation" insert the following: ", except that nothing in this Act shall prohibit a church or other religious entity from requiring that participants adhere to the religious tenets and teachings of such organization and further, such organization may require that participants adhere to rules forbidding the use of drugs or alcohol".

On page 70, line 7, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following new subsection:

"(c) QUALIFIED APPLICANTS.—If two or more prospective participants are qualified for any position with a church or other religious entity that is funded under part A of title I or titles II or III, nothing in this Act shall prohibit such organization from accepting a prospective participant for such position who is already participating on a regular basis in other activities of the church or other religious entity.".

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee hearing on the President's proposed budget for the Small Business Administration and on the reauthorization of the agency's programs. The hearing will be held on Wednesday, March 7, 1990, at 2 p.m., in room 428A of the Russell Senate Office Building. For further information,

please call John Ball, staff director of the committee at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FOWLER. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Tuesday, February 27, 1990, at 9 a.m., for a hearing on the Civil Rights Act of 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON MOD REHAB/HUD INVESTIGATIONS

Mr. FOWLER. Mr. President, I ask unanimous consent that the MOD Rehab/HUD Investigation Subcommittee of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Tuesday, February 27, 1990, at 10 a.m. and continuing at 2:30 p.m., to hold hearings on the anatomy of a deal.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FOWLER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 27, 1990, at 2 p.m., to hold a hearing on the nomination of Harry F. Manbeck, Jr., to be Commissioner of Patents and Trademarks; Douglas B. Comer, to be Deputy Commissioner of Patents and Trademarks; Rhesa H. Barksdale, to be U.S. circuit judge for the fifth circuit; Robert H. Hodges, to be a judge of the U.S. Claims Court.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. FOWLER. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Veterans' Affairs Committee to hear a legislative presentation by the Disabled American Veterans on Tuesday, February 27, 1990, at 9:30 a.m., in SH-216.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. FOWLER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 27, 1990, at 9:30 a.m. to hold the third in a series of hearings on a proposal to reduce Social Security taxes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. FOWLER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Tuesday, February 27, 1990, at 2 p.m., to receive testimony on the amended Defense authorization request for fiscal year 1991 and on the fiscal years 1991-95 5-year defense plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. FOWLER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 27, at 11 a.m. to hold a nomination hearing on Ronald Roskens to be Administrator of the Agency for International Development.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

MUDDLED THINKING ON TRANSPORTATION TRUST FUNDS

● Mr. LAUTENBERG. Mr. President, there is an awful lot of confusion about the transportation-related trust funds. Some believe that the Government is hoarding surpluses in these funds in order to make the deficit look smaller. Others believe that changing the budget treatment of the trust funds would somehow necessarily increase spending for transportation. Both views are simply wrong.

The New York Times recently published an editorial that helps explain some of the issues surrounding the aviation trust fund. I hope my colleagues will read it. As the Times understands, the so-called surplus in the aviation trust fund is illusory. In fact, the Government already spends much more on aviation than the trust fund takes in. So, and I quote the New York Times, "contrary to popular belief, the Government is not hoarding the fund to make the deficit look smaller."

I ask that a copy of the editorial be printed in the RECORD.

The editorial follows:

[From the New York Times, Feb. 20, 1990]

A MODEST WAY TO REBUILD AIRPORTS

Since 1973, Federal law has prohibited local airports from imposing head taxes or departure fees on passengers. Now the Bush Administration is asking Congress to lift that ban and to raise the Federal airline passenger tax to 10 percent. Both proposals merit passage.

The strongest argument for the changes is that they would put badly needed dollars into the overburdened air traffic system. The strongest argument against is that the Aviation Trust Fund, fed by the current 8 percent Federal tax on tickets and other aviation-related levies, already contains a surplus of about $7 billion. But the "surplus" is illusory and the trust fund takes in too little to meet the needs of the system.

The Aviation Trust Fund was created principally to finance capital improvements like airport construction and expansion and new hardware for the air traffic control system. This fiscal year, for example, the fund will take in about $3.9 billion. Government spending for aviation will be far more, about $6.5 billion. So contrary to popular belief, the Government is not hoarding the fund to make the deficit look smaller.

The trust fund can be spent only for aviation, but like all Federal monies it must be appropriated by Congress. The buildup of the "surplus" is a consequence of a 1982 law passed to encourage use of the fund for capital purposes and limit its use for F.A.A. operations. For every $1 shortfall between authorizations and actual spending for capital purposes, spending for operations was to be cut by $2.50. For many reasons, including problems with new air traffic control equipment, capital spending fell behind and the penalty was triggered.

The effect was to force the Government to dip into a different pocket for funds it would otherwise have taken from the trust fund—which in any case still takes in too little to cover the full cost of civil aviation. Increasing the passenger tax and other aviation levies would boost the fund's revenues by an estimated $623 million.

The prohibition on local departure taxes resulted partly from local authorities making a botch of collecting them. But collecting shouldn't be hard in the computer age. Moreover, departure taxes would give local authorities an additional source of revenue to expand terminals, lengthen runways and fund other capital projects. According to the Department of Transportation, a fee of $3 per passenger at the nation's 50 busiest airports could produce more than $1 billion a year.

On departure fees, Congress needs only to strike the current prohibition from existing law. Legislatively, raising the ticket tax would be even simpler. Both plans are overdue.●

THE OLDER AMERICANS' FREEDOM TO WORK ACT OF 1990

● Mr. McCONNELL. Mr. President, I rise today to announce my strong support for and cosponsorship of the Older Americans' Freedom To Work Act. This legislation would eliminate the Social Security earnings limit for individuals who reach the normal retirement age which is currently age 65. As we all know, the earnings limit was enacted during the Depression to encourage senior citizens to leave the workforce and open jobs for younger individuals. In 1990, the earnings limit for Social Security recipients age 65 to 69 is $9,360. For every $3 earned over this limit, the recipient will lose $1 in Social Security benefits that were earned over a lifetime. When this 33 percent effective tax from the earnings limit is combined with other income taxes paid by the working senior, those who earn as little as $10,000 are faced with an effective marginal tax rate of 56 percent. The time has come to stop penalizing senior citizens who want or need to work after age 65. It is time to repeal the earnings limitation.

Senior citizens have a wealth of knowledge and experience to offer younger individuals in the work force.

Every effort should be made to keep these active and productive seniors in the workplace after they reach age 65. Additionally, many sectors of the economy are facing a labor shortage. The experience of senior citizens is greatly needed. Repeal of the earnings limit would encourage senior citizens to provide a valuable resource to this country's work force; themselves. Numerous senior citizens' organizations, newspapers, and even the former administrator of Social Security believe that the time has come to repeal the earnings limit. At a meeting in Lexington, KY, former Social Security Administrator Dorcas Hardy stated: "People who want to work past age 65 should be able to do so without penalties to their retirement benefits." Additionally, during the last session of Congress the Senate voted several times to liberalize the earnings limit with a majority of those votes passing with wide bipartisan majorities.

The Social Security Administration has estimated that total repeal of the earnings limit will cost an average of $4.8 billion per year for the next 10 years. This does not, however, factor in any recoupment of revenues. A report by the Dallas-based Institute for Policy Innovation and the National Center for Policy Analysis calculates that "repeal of the earnings limit would encourage more than 700,000 Social Security recipients to enter or remain in the labor force." The report states that output of goods and services would increase by at least $15.4 billion and Government revenue would rise by $4.9 billion. Another study released by the same organization, "Paying People Not To Work: the Economic Cost of the Social Security Retirement Earnings Limit," finds that almost any increase in the earnings limit would reduce the Federal deficit by generating more in new taxes than the Government would lose in increased Social Security benefits payments.

Social Security benefits should be regarded as a floor on which senior citizens can build, not a ceiling that limits them. Enacting this legislation to repeal the earnings limit will allow all senior citizens to build on that floor and contribute their knowledge and experience to the U.S. economy.●

THE NEED TO ENCOURAGE SAVINGS

● Mr. SIMON. Mr. President, recently, David Hinson, the chief executive officer of one of the Nation's more successful new airlines, Midway Airlines, sent me a note and enclosed an article by Peter Drucker from the Wall Street Journal titled "Japan's Not-So-Secret Weapon."

It is a fascinating article about how the Japanese have moved from a low savings rate to a high savings rate.

Clearly, we have to do something along that line in the United States.

Our savings rate is miserable. Because of that and because of our indefensibly high Federal deficit figures, we have interest rates that discourage investment.

Clearly, we have to encourage more savings.

I urge my colleagues to read the Peter Drucker article from the Wall Street Journal, and I ask to insert it into the RECORD at this point.

The article follows:

[From The Wall Street Journal, Jan. 9, 1990]

JAPAN'S NOT-SO-SECRET WEAPON

(By Peter Drucker)

"What makes Japan succeed?" is the hottest discussion topic today. But what few mention is Japan's cost of capital.

American and other Western companies pay between 10% and 15% for money, whether short-term borrowings, fixed debt or equity. The large Japanese firm has been paying 5% at most. And a capital-cost advantage of 200% or 300% is almost unbeatable. Neither "culture" nor "structure"—the factors most often invoked to explain Japan's success—underlie Japan's low cost of capital. The American Occupation gave it to Japan, 40 years ago.

It's common knowledge that the Japanese savings rate is twice as high as the American, and is, indeed, the developed world's highest. But only a few historians note that before World War II Japan had one of the lowest savings rates among major countries. After Japan's defeat, this rate plunged even further and in fact became a dissavings rate, with inflation and violent labor strife rapidly eating up whatever savings had survived confiscatory taxation and destruction during the war.

With cities and factories largely reduced to rubble, the country needed massive capital investment—and there was no possibility to borrow abroad and no Marshall Plan. In this crisis the Americans brought in a Detroit banker, Joseph Dodge, as the Occupation's economic adviser. He decided that only a radical shift to an investment-driven economy could stave off disaster. He proposed a very sharp increase in income-tax rates even on fairly low incomes; to this day tax rates, especially marginal rates on large incomes, are a good bit higher in Japan than in the U.S. But he also proposed exemption from all taxes the interest earned on Postal Savings Bank deposits of up to three million yen per person.

THE EXPERTS HOWLED

In 1950, three million yen was equal to only a little more than $8,000. Yet in 1950 Japan, that was an astronomical sum—25 times the annual income of the average Japanese, and more than any but the top 2% of the population earned in a year.

All the experts howled: the Japanese because of the horrendous loss of tax revenue to an already deficit-wracked treasury; the Americans (especially Washington's "liberal" economists and politicians) because of the horrendous giveaway to the rich. But Dodge succeeded in persuading a new, young Japanese Minister of Finance, Hayato Ikeda (10 years later to become prime minister) of the merits of his plan. Ikeda pushed it through a skeptical cabinet and an openly hostile Diet.

Inflation disappeared within weeks. Six months later the savings rate turned up and kept on climbing. But tax revenues also began to rise almost immediately. And when the tax-exempt accounts, having done their work, were finally scrapped in 1988, practically every Japanese—poor, middle-income or affluent—had one. (Some had as many as 20; the limit of one account per person was ignored.) And the highest concentration of tax-exempt accounts was among fairly low-income earners.

These savings financed the explosive growth of the Japanese economy and the export drive. They explain why—almost unprecedented in economic history—a rapidly growing Japan has not had to borrow abroad. And, of course, these tax-free savings explain Japan's low-cost capital and the tremendous competitive edge it provided.

But that the investment-driven economy worked in Japan is not nearly as important as that America's and Britain's alternative—the consumption-driven economy—has not delivered what it promised: investment and low capital costs. Yet the consumption-driven economy still dominates economic theory and economic policy in both the U.S. and the U.K.

Despite their differences, Keynesians, monetariats and supply-siders all accept a few basic Keynesian postulates: "Over-saving" is an ever-present danger, causing under-consumption and depression. Saving should therefore not be encouraged and might even be penalized safely. If consumption drives the economy, the necessary and productive investment will take care of itself. Rising consumption will create demand for new and profitable production and productive capacity. It will act as the "multiplier" for investment. Fostering and promoting consumption will thus automatically generate both rising incomes and high capital formation.

That there are serious flaws in these postulates was immediately noted by such eminent mid-1930s economists as Lionel Robbins at the London School of Economics and Joseph Schumpeter at Harvard.

No over-saving, they showed, had ever been documented. Nor is there the slightest evidence that, as John Maynard Keynes asserted, over-saving had caused the Great Depression. Worse, Keynes's own theory rules out the multiplier on which his consumption-driven economy depends. For at the heart of all of Keynes is the postulate that businessmen will invest only if they have "confidence," which in Keynesian theory is a function of low interest rates and low costs of capital. To play down saving, let alone to discourage it, must drive up interest rates and thus undermine confidence.

The consumption-driven economy triumphed—though mainly in English-speaking countries—because it perfectly fitted the political mood of the postwar period. To penalize saving "soaks the rich." And to promote consumption "spreads the wealth." Politically, Keynes himself was pretty much what we now call a "neo-conservative" (then called a "Liberal" with a capital L). He had nothing but biting contempt for Progressives and "bleeding hearts." Yet, in superb irony, the Progressives accepted his theories and gave them dominance. These theories bestowed legitimacy on their political agenda.

By now we know, however, that to promote saving does not favor the rich. Any country that has given a tax exemption or tax deferment to saving has had the same

experience as Japan: Middle- and lower-income earners take the most advantage of these opportunities. This has, for instance, been the experience with whatever meager tax deferments have been offered for saving in the U.S. (e.g. in individual retirement accounts or in Keogh Plans).

We also know that a consumption-driven economy does not "spread the wealth." There is far more equality of income in investment-driven Japan than in consumption-driven America or Britain. In addition, though the Internal Revenue Service still refuses to accept this, tax revenues are higher within a few years when saving is favored.

We have learned in the 40 years since Joseph Dodge that nothing works as well in a developed country as legalized tax-avoidance. His tax-exempt accounts in Japan paid laughably low interest—never more than 2% a year. Yet the Japanese could not get enough of them. The money savings in America's IRAs and in its Keogh Plans for the self-employed are often more nominal than real. Yet they are always highly popular. And as attorneys and accountants will attest, people rush into the most dubious "tax shelters" just because they want to beat the tax collector.

THE "INCIDENCE" OF TAXATION

We know, in other words, how to jack up America's dismal savings rate and how to bring down America's prohibitively high cost of capital. It is less a matter of the level than of the "incidence" of taxation—which is economists' doubletalk for a chance legally to avoid taxes. And we also know that Keynes was right when he said that high costs of capital destroy "confidence" and inhibit investment. Few investments will earn enough to repay capital cost of 15%—but many can easily earn 5% which is what the Japanese pay.

There are indeed profound differences between Japan's society and the West, especially the U.S. But there is little or nothing that the U.S. and the West as a whole can do about whatever Japanese differences there are. We can, however, do quite a bit to get rid of, or at least to assuage, the enormous competitive disadvantage we suffer vis-a-vis the Japanese through out prohibitive cost of capital. It is not "structural"; it is the result of an inadequate savings rate caused in the main by our clinging to the belief in the consumption-driven economy against our own experience and against all the evidence.

(Mr. Drucker is a professor of social sciences at the Claremont Graduate School in California.)●

PEQUANNOCK TOWNSHIP, NJ, CELEBRATES 250 YEARS

● Mr. LAUTENBERG. Mr. President, I rise to honor the historic township of Pequannock, NJ. The year 1990 marks the 250th anniversary of the township's founding, and on March 24, an anniversary ball will be held to commemorate this historical date.

In 1696, Arent Schuyler and others purchased the Pompton Patent from the Lenape Indians and the Duke of York. In 1710, the Le Mattre, Comley, and VanNess families settled the west bank of Pequannock River.

A historically significant event occurred on March 25, 1740, when the first court to sit in Morristown created Pequannock, the largest of the then three Morris County townships. It encompassed the entire northern section of Morris County; including the present day municipalities of Jefferson, Rockaway, Kinnelon, Butler, Riverdale, Boonton, Montville, Lincoln Park, and sections of Dover and Wharton.

Pequannock continued to play an important role in New Jersey. From 1776 until 1783 there was constant movement of the American Continental Army along King's Highway. In 1781, Rochambeau's French Army camped in Pompton Plains going to and from the Battle of Yorktown.

In 1804, Jefferson Township was separated from Pequannock Township and 3 years later the Newark-Pompton road was opened as a toll road. Thirty years later, Randolph separated from the township, and became Dover, and that same year, Rockaway separated. In 1867, Boonton Township, Boonton and Montville became separate boroughs. In 1895 Wharton separated from Pequannock Township and in 1901 Butler separated. In 1922 the turnpike was paved and Riverdale, Kinnelon, and Lincoln Park separated from Pequannock Township. 1930 was the year that the first township offices were opened and consisted of municipal clerk and police office.

In 1951, the first master plan was adopted for the township, followed by the opening of Chilton Memorial Hospital and in 1956 the new municipal building was dedicated. In January 1957, the council/manager form of government became effective and by 1980, the Pequannock Township had grown to 13,776 people.

Since that time, the township has thrived, and has entered the last decade of this century with strong public spirit. The history of this outstanding community would not be complete without acknowledging its citizens and their sense of pride today. Throughout 1990, many events are scheduled in celebration of Pequannock's 250th anniversary. I extend my best wishes for a grand celebration and congratulations as this historic occasion is commemorated.●

JOHN F. MORSE, INVENTIVE GENIUS

● Mr. GLENN. Mr. President, the history of the great State of Ohio is replete with examples of innovative and technological achievement. As we enter the final decade of the 20th century, we have the opportunity to mark the 50th anniversary of one of Ohio's premier manufacturing concerns and to recognize the significant and invaluable contributions of its founder, John F. Morse.

Morse Controls of Hudson, OH, is an established world leader in the business of remote control systems. In founding the corporation some 50 years ago, Mr. Morse's inventive genius and entrepreneurial spirit established the definitive course of design principles for mechanical remote engine control systems and steering systems. This spirit is manifested even today in his continuing activities.

Over the door to John F. Morse's shop hangs a large airplane propeller complete with a deicing system he invented for the B.F. Goodrich Co. in 1934. Below that hangs an old deep-sea diver's helmet. The diversity of these two items exemplifies Morse's intense curiosity about the way things work. It is a curiosity that has led the 85-year-old inventor and founder of Morse Controls to receive over 75 patents in industries as diverse as boating, photography, aviation, and equipment manufacturing for off-highway vehicles.

At 85, when most people are slowing down and buying things for recreation and leisure, John Morse is buying equipment to upgrade his two complete research and development labs, one at his home in Hudson, OH, and the other in Fort Myers, FL. They are every inventor's dream: Complete machine shops filled with state-of-the-art equipment. Now, Mr. Morse spends his days doing what has always been his form of recreation and leisure—turning ideas into tangible, working products.

Mr. Morse's shop in Hudson, is a study in contrasts: An 1888 lathe that belonged to his father stands next to a 1988 CNC version that takes up half a room. Above the expensive, state-of-the-art machine tool equipment hangs a rebuilt 1918 aircraft engine used in training planes for American pilots during World War I. When Morse was 12 years old, he would skip school and use his father's lathe to make variometer spools for radios. For his work, he earned $2 per hour, which was a real fortune back then.

He quickly learned that it took more than just a lathe and more than just great ideas for an inventor to be successful. A recent article, prepared for his patent attorneys, points out that less than 5 percent of issued patents ever make their inventor enough money to cover the legal costs of securing the patent. John Morse overcame that bleak reality in 1941 when he started Morse Instrument Co. to develop and manufacture photographic equipment. Photography was an early passion for Morse. In fact, while in the Army, he made what he believes to be the world's largest focal plane shutter, used to make aerial photos. Today, he still maintains a complete photographic lab in his Hudson home.

During the war effort, Morse Instrument Co. thrived by making photo print straighteners, gun cameras and

other products he developed for the military.

John Morse's work exemplifies the old adage that necessity is the mother of invention. But in his case, it is also true that curiosity is the father of necessity. Every patent he holds evolved from his hobbies or from his curiosity about the objects around him and how they functioned. He did not invent things because the world needed them; he invented them because he needed them. That was also the scenario when John Morse bought his first boat in the early 1940's. Soon thereafter, he was inventing products to enhance the pleasure of his new hobby—recreational boating.

John Morse's piloting experience helped him develop his first marine product, which was a single lever control. Like an airplane, it centralized all essential functions of steering and engine control. Transmission, throttle, and rudder were all hydraulically controlled by movement of only one unit—"the stick."

The next marine product was docking lights, which he invented in 1945 so he could travel to a nearby island at night and avoid the maze of commercial fishing nets and lines in his course. The docking lights were patented in 1951 and are still offered as part of the Morse product line.

Then Mr. Morse began finding other areas of need in his boat. His solutions to those problems became highly marketable marine products that had a profound effect on the industry; the resolution of those problems quickly catapulted Morse Company into the role of a leading accessory manufacturer.

One of John Morse's biggest contributions to the marine industry was the single lever all-mechanical control he introduced in 1950. The MH-2 was the first all-mechanical control to combine the throttle and transmission functions in one mechanism utilizing push-pull cables. This was initially used on large Coast Guard boats. Derivatives of this system can still be found on the ice breaker USCGC *Mackinaw* and on the *Maid of the Mist* at Niagara Falls.

After World War II, when the pleasure boat market really began to explode, Morse capitalized on the opportunity by adapting his single lever control for small boat applications. Other innovations followed, most notably improvements in control cable design and production technology.

For example, in the 1950's, most cables had a single strand stainless steel core. The conduit was short lay construction, which made them quite rigid. Without better cables you could only go so far in improving the performance of single lever controls.

So Mr. Morse approached his supplier and asked for a long lay cable conduit with a multiple strand stainless steel core; the supplier said it could not be done.

So John Morse cordoned off a back room in his plant, marked it Top Secret, and began the research that eventually led to the development of the famous Morse Red Jaket cable. But in order to produce the cables, Mr. Morse also had to design the equipment necessary for manufacturing. In the next several years, Morse would perfect his cable, removing the standard lubrication fittings, resulting in pre-lubricated, long life cables and later adding self-adjusting protective seals, a concept and design he pioneered.

Mr. Morse adapted the push-pull technology he developed for control cables to steering systems and in 1962 introduced Morse rack and pinion steering. This technology dramatically improved the quality and performance of both rack and pinion and rotary steering. Morse's cable and controls were so successful that it led the company to a leadership position in numerous industrial markets as well.

Today at 85 years old, John Morse puts in 8 to 10 hours a day in his shop. He gets around a little more slowly these days, but his inventive drive springs eternal. He recently received three patents for improvements and safety innovations for three-wheeled electric-powered cars.

John Morse believes that life moves in circles. When he was 12, he threw away an old flywheel and pulley that powered his father's lathe and replaced them with an electric engine. Today, in the later years of his life, Morse is trying to recreate these mechanical parts from old patterns and pictures he found in a Rhode Island library. Once restored, he will place the antique lathe alongside the modern version in use today. In fact, John Morse has a deep love and a profound respect for anything that works well. As for things that do not work well, he just invents something better.●

LACK OF WATER DIVIDES MIDEAST

● Mr. SIMON. Mr. President, recently, Jay Bushinsky had an article in the Chicago Sun-Times under the heading, "Lack of Water Divides Mideast."

One of the issues that we are going to have to face up to, and I hope we do soon, is the question of pushing research for finding an inexpensive way of converting salt water to fresh water.

You do not have to be a prophet to understand that not only in the Middle East, but in much of the world, we are going to be facing some very severe water problems before too long. And yet we are spending only pennies on research on this vital area.

I will be presenting this body with an opportunity to do better, and I hope we will.

I ask that this article be printed in the RECORD.

The article follows:

[From the Chicago Sun-Times, Jan. 18, 1990]

LACK OF WATER DIVIDES MIDEAST

(By Jay Bushinsky)

It is more dangerous to play with water than with fire in the Middle East.

In this arid region, water has been the underlying if not immediate cause of wars since human history began here more than 6,000 years ago.

Abraham (Ibrahim, in Arabic), whom Jews and Arabs claim as the father of their respective nations, clashed with his neighbors in the biblical land of Canaan (now Israel) over the sparse but vital well around Beersheba.

Today, Turkey has upset its longstanding live-and-let-live relationship with neighboring Syria and Iraq by building the massive Attaturk Dam on the upper reaches of the Euphrates river.

To fill the giant reservoir behind the dam, the Turks have reduced the normal flow of water downstream by 75 percent.

There was an instant outcry from the Syrians and Iraqis, because the dam presumably will impair their agricultural yields.

And in the long run, the dam will give Turkey a powerful instrument to influence the downstream states' foreign policies.

For their part, the Syrians also have been tampering with nature's stingy allocation of water. To harness the Yarmuk, a major Jordan river tributary, they have been building the Mukhaiba Dam near where the Syrian, Jordanian and Israeli borders intersect. And to the northeast, the Syrians are building a series of dams and artificial lakes the consequences of which evidently have yet to be evaluated by Jordan and Israel.

A similar propensity for regional tension appears to be developing between Egypt and Ethiopia. Reports in the British press tell of Ethiopian efforts to divert a substantial portion of water from the Blue Nile, which converges with the White Nile at Khartoum in the Sudan to form Egypt's lifeline, the mighty Nile river itself. Some of these accounts suggest that Israeli experts have been helping the Ethiopians.

Egypt reacted vehemently to the prospective drop in the Blue Nile's input and reportedly warned Ethiopia and Israel against changing the status quo.

The cause of these crises is a lack of regional cooperation exemplified by the United States' Tennessee Valley Authority.

American experts, notably the late Walter Clay Lowdermilk, tried to circumvent the bitter political differences between Israel and the Arab states and get them to establish a Jordan Valley Authority. His efforts ostensibly were in vain, but the late Eric Johnston, at the behest of President Dwight D. Eisenhower, worked out an understanding among the governments that has worked for 35 years.

One unanswered question is whether there should not be an international law against unilateral interference with rivers that cross international boundaries.

Another is whether the ecological damage from such projects might not inspire second thoughts about their presumed benefit to the rest of humanity.●

CAMPAIGN FINANCE REFORM

● Mr. KERRY. Mr. President, today I had the opportunity to testify before the Senate Rules Committee on the urgent need for campaign finance reform.

In a time when countries around the world are emulating our democracy, we remain locked in to a system that many of our citizens have concluded is in serious need of being fixed.

Since my arrival in this body at the beginning of 1985, I have sought to change our campaign finance laws to a system of public financing of general elections tied to limits on overall campaign spending. These reforms would help take the money out of politics, and restore the public trust.

In recent years, Senators opposed to these reforms have filibustered the Senate to prevent them from being enacted into law. I hope that will not happen again this year. The time for reform is past due.

I ask that my testimony before the Rules Committee be entered into the RECORD in full.

The statement follows:

TESTIMONY OF SENATOR JOHN KERRY BEFORE SENATE RULES COMMITTEE, FEBRUARY 27, 1990

Senator Ford and Distinguished Members of The Committee:

At a moment when people around the world are seeking to emulate the standards of democracy which our nation was the first to develop, it is ironic that so much of our electorate has grown so cynical and so angry about our democratic process.

While there are many factors involved, it is clear to most of us that an important factor in that cynicism has been the perception that money has come to dominate the process of how laws get made—that the system is rigged—that special interests get special favors because they contribute money to politicians—and that elected officials spend so much time and energy raising money that they aren't doing the jobs they were elected to do.

Citizens have less faith in their government, and we must respond to these perceptions. They have lost confidence in the process. Campaign finance reform is fundamental to our ability to restore that sense of confidence. I believe the situation has been critical for some time now and is even more so now. We must act.

In 1984, when I first ran for Senate, as I was personally experiencing the treadmill of fundraising in the midst of a tough campaign, I decided that there had to a better way of funding campaigns. First of all, too much of my own time and energy was going into fund-raising, rather than communicating with voters on the issues. Second, the campaign was too expensive and went on too long. Finally, there was the problem of PAC money.

Even in 1984, many members of the public believed that PAC money was special interest money, that PACs were dominating the political process and that individual voices could not be heard. I made a personal decision not to accept political aciton money, in order to make a statement about the need for campaign finance reform. That decision resulted in the first PAC-free Senate race in the nation. I have not gone back on that pledge, which shows that you can raise money for campaigns without relying on PACs, though clearly, it is more work.

While in the Senate I've sponsored campaign reform legislation that would impose spending caps through public finance, and today I remain convinced that the only proper way to restore the public trust is through limits on campaign spending and public financing, together with changing the mix to reduce the overall reliance by some on PAC money.

This is actually the third time I have had the privilege of appearing before this Committee regarding the need for caps on spending and public financing of campaigns.

The first was on November 4, 1985, when as a newly elected Senator I called for limits on overall campaign spending and for the public financing of federal general elections. I remember then characterizing the system under which we are forced to operate a disgrace—even a moral disgrace.

The second time was on March 18, 1987.

Today I hope will be the final time, because I hope the time has finally come that we will actually enact the needed reforms. They are past due.

I believe that spending caps and some form of public financing would substantially reduce the problem of perception that currently clouds the process. They would make it possible for both major parties to be on an equal footing with equal spending at a reasonable level. Taken together, they offer us the best way of insuring that the reforms we enact now do not create as many new problems as they solve.

A recent poll demonstrates that the vast majority of Americans agree with me: last week, a national poll of 1000 voters across the country by KRC Communications and the American Political Network found that 77 percent of the public favored a limit on spending for congressional campaigns, and 78 percent support public matching funds for congressional campaigns similar to the mechanism used in presidential races.

It is not very often that three-quarters of the public agrees about anything. In an election, 77 or 78 percent of the vote is a landslide. What we have in this poll is a demonstration that there is a landslide of public support for spending caps and for the public financing of federal elections.

Why are these reforms at the core of campaign finance reform?

First, there can be no reform without spending caps. As the Majority Leader has said, "campaigns last too long and cost too much." Today, candidates for office spend too much time chasing too many people for too many dollars as a result. Without spending caps, no matter what kind of limits are placed on PAC money, candidates for office will be condemned to spend an ever-increasing amount of time and resources on raising funds from individuals for their campaigns. That means going after donors who will "max out," in the phraseology of campaign finance, by giving a candidate $2,000. It means letting the current situation continue, where in the words of Senate Appropriations Chairman Robert Byrd, we have some Senators who are "full-time fundraisers and half-time legislators." Without spending caps, that could worsen in the future.

Why public finance? Caps alone do not solve the perception problem created by the situation in which a candidate raises substantial amounts of money from high-dollar donors and PACs. In fact, spending caps alone, without public finance, may actually worsen this aspect of the current campaign finance crisis.

The problem is as follows: if you have spending caps, it becomes very important to conserve as much of the money you raise as possible for paid media and other forms of communication, and to spend as little as possible in fund-raising. As the Majority Leader has noted, "fund raising is time-consuming and absorbs the personal attention of candidates, so candidates focus on the most efficient means of fund-raising." That means PACs and high-dollar donors.

By contrast, raising money from smaller dollar donors—who amount to representatives of the vast majority of the people in this country—can be very expensive. Direct mail, for example, can reach millions of voters at a time with a message about a candidate, and a simultaneous request for a contribution. But with spending caps, it becomes very difficult to do direct mail, because direct mail can cost as much to send out as any revenue it brings in. You may have communicated with a lot of people in the process. You may have located thousands of people who support your candidacy. But in the process, you will have spent a substantial portion of the funds you have been allotted under any cap, leaving yourself incapable of responding to whatever the opposition decides to do in the final and critical weeks of a campaign.

Candidates will not by willing to put themselves in that position. The consequence will be, that if we pass spending caps without public financing of campaigns for a general election, we are in effect saying that from now on, we must give up on low-dollar fundraising and direct mail. Instead, we will have to raise most of our funds from the people who can afford to give us the maximum, or nearly the maximum. We must go for the big money whenever we can, and we can afford to spend little to seek contributions from the average voter who is not so well-heeled.

S. 137, the Boren bill, tries to deal with this problem by offering incentives such as lower broadcast and mail rates to Senate candidates who accept a cap and who raises a threshold amount from contributors, of which only the first $250 is counted towards the threshold.

But this does not go far enough to deal with the problem of spending caps without public financing. In my case, for example, to qualify for the Boren bill's incentives I would have to raise $453,500 from individuals in amounts of $250 or less—in other words, from about 1800 people. But those same 1800 people would also be enough, if many of them provided me with the maximum contribution, to finance my entire campaign up to my cap of $1.2 million for the primary and $1.7 million for the general. In other words, if I identified less than 2000 maximum donors, I could have financed my entire campaign without a single contribution from a small donor.

By contrast, in my current campaign, I have raised funds from about 50,000 different people, and my average contribution is less than $35 a supporter. That's the kind of campaign that reaches out to people throughout a state. My fear is that with a spending cap and no form of public financing for the general election, these kind of broad-based campaigns will disappear.

Instead, I recommend an approach in which, like S. 137, candidates raise threshold amounts to qualify for the incentives in S. 137, except that the general election is paid for directly by the public at large.

The consequences of moving to this system are profound. First, public funding

in the general ends the reliance on large dollar donors by eliminating them from the picture from the day of the primary on. Second, it ends the reliance on PACs for the same reason. Third, it insures that both parties will have a fair shot at getting their message across to the voters in equal degrees during the height of the election season. Fourth, it would cut in half the maximum that any individual could give from $2,000 to $1,000, and thus reduce each candidate's reliance on high dollars donors.

Finally, by changing the dollar amount of the contribution credited towards the threshold for receiving public funds—from $250 to $100—one could simultaneously help campaigns to reach out more broadly to voters by pushing candidates to seek out more lower dollar contributors.

I note in passing that public financing has a distinguished history of advocates, beginning early in this century with President Teddy Roosevelt, who of course, was also a Republican. One of my predecessors in this Senate seat, Henry Cabot Lodge, another Republican, was another strong advocate of public financing for federal campaigns.

Public financing would create an appropriate constitutional basis for specific spending limits to stop the unconscionable increases in campaign spending. It would also do so in a manner that favors neither Democrats nor Republicans. It would thus strengthen both parties, making it easier for the parties to field candidates for more seats, by creating relatively low threshold necessary for general election financing. While putting all serious candidates on an equal and fair footing in the general election, public financing would also prevent soaring campaign costs from favoring persons of personal wealth over those without such wealth.

How should we go about creating a public finance system? There have been several options recommended in the past, which I think are worthy of exploration.

First, the simplest and I believe best option would be to take S. 137 and its thresholds, reduce the contribution to be used as credit for the threshold from $250 to $100, make use of the reduced mail and broadcast provisions, and turn to full public funding for general elections.

Funds for public financing could be generated from raising the current checkoff on individual tax returns to $3. The amount it would cost the Treasury, amounting to perhaps $150 million a year, would pay for itself many times over in clean government.

A second option would be the same as above, except that instead of full-funding for general elections by the public, we would adopt a system of matching funds for the general election, targeted to small donations. For every dollar contributed up to a threshold, again, say $100, the federal government would contribute one dollar. This approach would create substantial incentives for campaigns to limit themselves to smaller contributions to obtain the maximum federal matching funds before reaching the overall cap.

A third option would be a matching system in which instead of providing cash, the federal government provided campaigns with vouchers in lieu of cash to match contributions of $100 or less. These vouchers would be used to buy lowest-unit-cost broadcast advertising and other media, postage and mail, and would be redeemable for cash not by the campaigns, but only by their vendors. What is attractive about a voucher system is that it tells the public that their money can only be used for the purpose of communicating with them, and for nothing else. To those who fear public concern about permitting campaigns to receive cash from the federal government directly, a voucher system may be very appealing.

A final option would be to use public financing, as the Boren bill, S. 137, does, only as a means of enforcing spending caps. If public financing is limited to be used as a cap, it is critical that the Boren bill face the fund-raising problem regarding small donors directly. I recommend as an approach that adopted by the FEC for Presidential campaigns. Specifically, campaigns are allowed to spend up to 20 percent of their total allotment for campaign spending on fund raising, without those funds being counted as part of the cap. This 20 percent credit would allow campaigns to spend a reasonable portion of their overall resources on programs aimed at communicating with and recruiting small donors.

With the adoption of one of these options, I support the group of reforms contained in S. 137 governing soft money, bundling, and independent expenditures, and related reforms.

In conclusion, I believe limits on campaign spending in combination with public financing of campaigns is the solution to the current crisis. In the days to come I hope to work closely with the Chairman of this Committee and the Senate Democratic Task Force on Campaign Finance Reform to achieve legislation that is realistic, and which meets our urgent needs for reform.

For the record, I would also like to register my strong opposition to the Administration's campaign finance reform approach, as adopted in the Dole bill, S. 1727, which is before this Committee today as a counterpart to H.R. 3425 in the House, introduced by Congressman Michel.

S. 1727's main approach to campaign finance reform is through substantially eliminating PACs from the process, leaving in place only those PACs which are not sponsored by groups and prohibiting those associated with labor unions and corporations.

The Dole bill thus is an attempt to correct the problem of candidates becoming too reliant on "special interest" money tied to corporations or labor. The problem with this legislation is that it does nothing at all to address the problem of the overall cost of campaigns, or the amount of time and resources that are necessary to raise funds for campaigns.

Indeed, by substantially removing PACs from the process, without in any way constraining overall spending, the Dole bill could make some aspects of today's problems worse. For example, a candidate faced by a millionaire opponent would under the Dole bill have no alternative but to devote as much time as necessary to raising money at $1000 or $2000 a clip from individuals, with all the burdens that kind of fund-raising imposes. The Dole bill contains no solution to the millionaire problem; it contains no limitation on spending; it is fundamentally flawed.●

THE AUDIT OF THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH ON ANTI-SEMITIC VIOLENCE

● Mr. SIMON. Mr. President, I rise today to commend the Anti-Defamation League of B'nai B'rith [ADL] for their work to both expose and combat hate crimes and to bring to your attention their most recent audit of anti-Semitic incidents. For the past 11 years, the ADL has compiled data about incidents of anti-Semitism. Their efforts in data collection as well as awareness projects and education regarding anti-Semitic acts have played a critical role in increasing public attention to this problem and helping to address it.

Unfortunately, the Anti-Defamation League's 1989 survey indicates that the number and severity of anti-Semitic hate crimes have worsened nationwide. According to the 1989 audit, there were 845 episodes of vandalism and desecration, and 587 acts of harassment, threat, and assault against Jewish individuals, their property, and their institutions in 44 States and the District of Columbia. The combined total of 1,432, an approximate 12-percent increase from 1988, was the highest number of anti-Semitic incidents ever reported in the 11-year history of the audit. Figures regarding harassment, threats, and assaults alone increased 28 percent from 1988 to 1989.

While the numbers themselves make a powerful statement about the extent of the problem, some specific examples illustrate even more graphically the sad story of hatred present in our society today. The ADL reports that in La Verne, CA, four skinheads attacked an Iranian couple and newborn infant with a baseball bat. The assailants thought their victims were Jewish and subjected them to racial slurs and insults such as "Jewish niggers" during the assault. Despite pleas to be left alone, they were beaten to the ground and kicked. Witnessing the brutality, a black man came to their aid and was himself attacked. In Illinois, a Buffalo Grove Jewish community center received four bomb threats last year. With each case, the building was evacuated and the children were told the procedure was just a typical fire drill. The center chose not to publicize the incidents to avoid copycat threats. But when the center was vandalized, windows shattered and swastikas painted on the wall, the officials went public.

Equally as troubling examples can be found on our Nation's college campuses where anti-Semiti acts are up approximately 26 percent from 1988 to 1989. In New York, two Jewish students leaving a Brooklyn College fraternity party on the eve of Yom Kippur, the highest holy day in the Jewish religion, were attacked by 20 members of a gang. A third man was assaulted when he came to the aid of the students. This rising trend of violence against students is especially disturbing as university environments are meant to stimulate free ideological exchange in the pursuit of knowledge.

While the ADL's report is very important to understanding anti-Semitic violence, we must also have a means to learn about crimes against other

groups as well. That is why I am pleased that the Senate overwhelmingly passed the Hate Crimes Statistics Act S. 419 on February 8. As you know, the bill requires the Attorney General to collect data on crimes motivated by hatred based on race, religion, ethnicity, or sexual orientation. I am hopeful that the House will quickly pass the Senate bill so the Attorney General can begin national data collection.

In discussing the hate crimes bill on the Senate floor, my colleague from Utah, Senator HATCH, most accurately noted the destructiveness of hate in our society and crimes committed as a consequence. "Hate crimes are among the most heinous of all crimes because they strike so deeply at their victims' individuality and self esteem." Members of the Jewish faith know only too well the pain of this aggression and have a deep-seated desire to stop it and prosecute these hate-mongers. I salute the efforts of the ADL and believe that the Hate Crimes Statistics Act will greatly complement their efforts.

I ask that the following portion of the Anti-Defamation League's audit be printed in the RECORD.

The excerpt follows:

THE 1989 ADL AUDIT OF ANTI-SEMITIC VANDALIM AND OTHER INCIDENTS

State	Vandalism											Harassment, threats and assaults			
			Locations			Serious crimes						Targets			
	1989 total	1988–89 change	Inst	Pvt	Pub	Ars	Att	Bmb	Att	Cem. des.	Inst	Ind	1989 total	1988 total
New York	213	208 + 5	60	79	74	3	0	0	0	2	12	103	115	115
New Jersey	112	67 + 45	21	45	46	0	0	0	0	2	7	35	42	40
Massachusetts	95	35 + 60	11	25	59	0	0	0	0	0	11	34	45	28
California	75	121 − 46	29	11	35	1	3	4	0	1	30	52	82	49
Florida	66	89 − 23	18	22	26	0	0	0	0	0	14	26	40	40
Michigan	39	16 + 23	5	20	14	1	0	0	0	0	6	12	18	10
Pennsylvlania	30	33 − 3	10	9	11	1	0	0	0	3	3	19	22	25
Maryland	25	36 − 11	7	7	11	0	0	0	0	1	3	19	22	13
Colorado	24	7 + 17	2	8	14	0	0	0	0	0	2	9	11	1
Ohio	21	16 + 5	7	8	6	0	0	0	0	2	11	17	28	8
Georgia	15	22 − 7	2	7	6	0	0	0	0	1	7	19	26	23
Minnesota	15	11 + 4	3	7	5	0	0	0	0	0	6	16	22	22
Connecticut	13	19 − 6	5	4	4	0	0	0	0	0	3	4	7	4
Illinois	12	29 − 17	4	6	2	0	0	0	0	1	8	14	22	28
Oregon	11	7 + 4	4	3	4	0	0	0	0	3	2	4	6	5
Texas	10	23 − 13	4	2	4	0	0	0	0	0	2	5	7	2
Viriginia	9	7 + 2	5	2	2	0	0	0	0	0	0	3	3	7
Nebraska	6	7 − 1	1	3	2	0	0	0	0	1	0	3	3	0
North Carolina	5	4 + 1	4	0	1	0	0	0	0	0	0	1	1	1
Arizona	5	7 − 2	3	1	1	0	0	0	0	0	6	2	8	3
Indiana	4	4 0	2	0	2	0	0	0	0	0	6	5	11	2
Mississippi	4	4 0	4	0	0	0	0	0	0	1	0	0	0	2
Rhode Island	4	4 0	2	2	0	1	0	0	0	0	2	2	4	1
Tennessee	4	8 − 4	4	0	0	0	0	0	0	0	1	0	1	9
New Hampshire	3	2 + 1	1	0	2	0	0	0	0	0	2	0	2	0
Washington	3	4 − 2	2	1	0	0	0	0	0	1	4	5	9	9
Iowa	2	0 + 2	0	0	2	0	0	0	0	0	0	0	0	0
Maine	2	1 + 1	2	0	0	0	0	0	0	0	1	0	1	0
Missouri	2	3 − 1	1	0	1	0	0	0	0	0	0	2	2	2
New Mexico	2	1 + 1	2	0	0	0	0	0	0	1	0	1	1	3
Oklahoma	2	3 − 1	2	0	0	0	0	1	0	0	0	1	1	0
West Virginia	2	1 + 1	0	0	2	0	0	0	0	0	0	0	0	0
Wisconsin	2	0 + 2	2	0	0	0	0	0	0	0	2	0	2	2
Alabama	1	8 − 7	0	1	0	1	0	0	0	0	2	4	6	3
Arkansas	1	1 0	1	0	0	0	0	0	0	1	0	0	0	3
Delaware	1	1 0	0	0	1	0	0	0	0	0	0	0	0	0
Kansas	1	3 − 2	1	0	0	0	0	0	0	0	3	2	5	0
Louisiana	1	4 − 3	1	0	0	0	1	0	0	0	1	0	1	1
Montana	1	0 + 1	0	1	0	0	0	0	0	0	0	1	1	0
South Carolina	1	1 0	0	0	1	0	0	0	0	0	0	3	3	3
South Dakota	1	0 + 1	0	1	0	0	0	0	0	0	0	1	1	0
District of Columbia	0	3 − 3	0	0	0	0	0	0	0	0	0	1	1	1
Idaho	0	0 0	0	0	0	0	0	0	0	0	0	1	1	0
Kentucky	0	1 − 1	0	0	0	0	0	0	0	0	1	1	2	2
Vermont	0	0 0	0	0	0	0	0	0	0	0	0	2	2	0
North Dakota	0	0 0	0	0	0	0	0	0	0	0	0	0	0	1
Puerto Rico [1] Rico	0	2 − 2	0	0	0	0	0	0	0	0	0	0	0	0
1989 totals–	845	823 + 22	232	275	338	8	4	5	0	21	158	429	587	458

[1] For comparison to 1988 figures.●

SENATE AMENDMENT 110

● Mr. DOMENICI. Mr. President, today I would like to add my name as a cosponsor to Senate amendment 110, which would provide certain service-connected disabled veterans who are retired members of the Armed Forces to concurrently receive military retirement pay and VA disability compensation.

Under current law, career soldiers wishing to receive VA disability compensation must waive an amount of their retirement pay equal to the amount of VA disability compensation they collect. Over the past couple of years, I have been contacted by many new Mexicans who feel military retirees are being treated unfairly, and they want the current situation remedied. At this time, I would like to have printed in the RECORD an example of letters from two of my constituents that describe the disabled military retirees concerns.

The letters follow:

NOVEMBER 2, 1989.

Hon. PETE V. DOMENICI,
U.S. Senate,
Senate Dirksen Bldg.,
Washington, DC.

DEAR SENATOR DOMENICI: This great Nation was built and founded on trust, fairness and equality. The Revolutionary War was fought by our Forefathers in order that we future Americans would enjoy the above. The Civil War was fought to eliminate bondage. World War II also was fought in order that our way of life would be preserved. Then why has Congress placed the service-connected disabled career military veterans into bondage?

Yes, bondage. The service-connected disabled military retirees are the only service-connected disabled American veterans forced to pay for their sc disabilities. This particular group of America's veterans must surrender a dollar of earned retired pay for each dollar received from the Veterans Affairs for their disabilities. Where is the trust, fairness and equality granted to us by our Forefathers in the 18th Century and continued to be protected by today's military retirees and active duty personnel?

It is stated that the cost to permit concurrent receipt of earned retired pay and VA compensation would be tremendous. The military retirees did not question what the

cost would be to protect the American way of life; why does Congress question concurrent receipt? The retirees earned the retired pay for services rendered. The VA compensation is to compensate those who became disabled while serving in the military. Therefore, these are two (2) separate entitlements. Veterans Affairs Compensation is for pain and suffering and loss of earning capacity.

Bills have been introduced in both, the Senate and House of Representatives to eliminate this gross injustice. I ask for your cosponsorship to make certain that the injustice is eliminated, please contact Senator Spark M. Matsunaga indicating your cosponsorship of S. 190 as amended.

Thank you.

Sincerely,

STEPHEN WOLONSKY.

FEBRUARY 11, 1990.

Hon. PETE V. DOMENICI,
U.S. Senate,
Committee on the Budget,
Washington, DC.

DEAR SENATOR DOMENICI: Your distinguished colleague, Senator Spark M. Matsunaga, (D-HI), has requested a mark-up on S 190 as amended.

To help in making your decision in cosponsoring the bill, I would like to dispel several of the false accusations made by Dept. of Defense, Dept. of Veterans Affairs and Congressional Budget Office.

1. The 1891 law prohibiting concurrent receipt of earned military pay and Veterans Affairs Compensation is an obsolete law for this era. When first enacted, one Senator Cockrell of Missouri could not visualize a military retiree receiving retired pay based on 75 percent of base pay and a measly $8.00 per month disability compensation.

2. DOD, DVA and CBO continually stated that 430,000 + service connected disabled military retirees would come under the bill. This is erroneous. It would only affect approximately 280,000 who have earned the longevity retirement. The others served less than 20 years military.

3. April 1988, DOD stated that $762 million is being waived by the military retirees. CBO states that the cost will be much higher because of the Budget Authority. S 190 as amended as Senator Matsunaga has indicated would cost approximately $150 million per year. CBO again uses two (2) sets of figures: Budget Authority of $2 billion and outlays of $900 million over the next five (5) years. Why is it that CBO uses these two figures concerning concurrent receipt, but not for any other expenditures?

4. Civil Service retirees do receive both retired pay and disability compensation under FECA, 5 USC, section 8107.

5. Disabled veterans employed by/retired from Civil Service are permitted to count military service towards Civil Service retirement. The military years are the same period in which the disability was incurred, thus the "same period of service."

6. So-called "generous" benefits mentioned by Judge Margolis, U.S. Court of Claims, are given to all 100 percent service-connected disabled veterans and families. Therefore, there are "similarly situated groups" which the Judge stated do not exist.

After reviewing these claims, it is hoped that you would cosponsor S 190 as amended in honor of a great warrior on the battlefield and in the Halls of Congress. Senator Spark M. Matsunaga deserves your praise and honor by cosponsoring S 190 as amended. Thank you.

Most sincerely,

DOUGLAS M. ROGERS,
U.S. Navy, retired,
40 percent service-connected disabled.

Mr. President, after having looked carefully into this issue, I have concluded that the disabled military retirees have legitimate concerns. It appears that there may be inequities in the system, and I think it is important for these concerns to be addressed.

The Senate Veterans' Affairs Committee has scheduled markup for this amendment on March 8. I think the committee needs to work through this matter. Obviously, cost is a consideration, and the committee will have to accommodate inequities within this context. According to CBO, this bill will increase budget authority by $1.5 billion and outlays by $740 million over a 5-year period. This is considered to be direct spending.

While we are a long way from enacting this bill into law, I would remind my colleagues that this is entitlement legislation. The increases we approve in entitlement legislation would have a direct and permanent effect on the deficit.

There are many of us in Congress who would like to do more for those who have served our country. However, this fiscal year we will need to reduce the deficit by $36 billion under the Gramm-Rudman-Hollings law. Simply put, the Federal deficit limits how much we can do—not just for our Nation's veterans, but in all areas of national priority.

Mr. President, in cosponsoring this legislation, I am hopeful that the committee will be able to work through the concerns of the military retirees as well as concerns about the cost of this bill. With that in mind, I am sure the committee can find an equitable solution to all concerned.●

LITHUANIAN INDEPENDENCE

● Ms. MIKULSKI. Mr. President, on February 16 we celebrated the 72d anniversary of the declaration of an independent Lithuania. This anniversary is one of great importance not only to Lithuanians and to Lithuanian-Americans, but to all people concerned with freedom.

On February 16, 1918, the Lithuanian people, after subjugation by czarist Russia and imperial Germany, gained control of their own country. But after only 21 short years, this flourishing democratic nation again fell victim to its totalitarian neighbors. Both Nazi Germany and the Soviet Union invaded the country. Stalin forcibly incorporated Lithuania into the Soviet Union in 1940, undertaking mass deportations and executions of Lithuanian leaders.

Now, almost 50 years since Stalin's invasion, Lithuanians are still fighting for their independence. Over the years their country has been illegally occupied and politically, economically, and culturally repressed. Huge demonstrations for independence in Vilnius and across Lithuania continue to remind Americans what is means to have to fight for freedom.

That, Mr. President, is exactly what the anniversary of Lithuanian independence symbolizes: fighting for freedom. At a time when so many peoples have recently made significant democratic gains and when the Lithuanians have just conducted highly successful elections, it is easy to become complacent that the tide of democracy is moving along well. The tide is not moving fast enough.

Lithuania has sought true self-determination for five decades. Its people, like all those in the Baltic states, have suffered censorship, religious repression and russification. Lithuania is still recognized as an independent nation by this government. Its continued occupation is immoral and illegal.

The struggle of Lithuanians to restore their nation is the struggle of all domocratic people. It is a struggle that reminds us all of the sacrifices that are freely made for democracy. It is a struggle that represents the highest ideals of this country: self-determination for free people in a free society. It is a struggle for true democracy that this Congress and this administration must fully support.●

WETLANDS AS AN EDUCATIONAL TOOL

● Mr. WIRTH. Mr. President, educators in America are always looking for new and innovative ways of teaching our children. That's not always an easy task. It's even more difficult to combine book learning and essential life skills with broader and less exacting interests.

However, Mr. Jim Mundell, a life science teacher at Dunstan Junior High School in Lakewood, CO, has found an approach to teaching science that not only is interesting but is beneficial to the community. His hands-on approach to science has a large impact on his students, who come to learn and enjoy science through active community programs.

This creative approach has engendered an "Adopt-a-Wetland" service project. Students in Mr. Mundell's class were taught about the environmental importance of wetlands and their ecosystems. Interest in the subject led the students to adopt a nearby wetland which they now assist in maintaining. Beside instilling a sense of civic responsibility and pride in the students, this project has given many students a greater understanding of basic science, and lower animal life cycles. Further, the project has pre-

served for the community an important environmental, ecological, and aesthetic property for everyone to enjoy.

America needs to emphasize science at the elementary school level. I believe Jim Mundell and his students at Dunstan Junior High have found a way to make learning fun, interesting, and useful.

As part of their wetlands project, some of the students studied the different insects and animals native to a wetlands. I would like to take this opportunity to insert in the RECORD the students' descriptions of this program and of their research

The material follows:

MEET THE WETLANDS

Swamps, marshes and bogs were for years thought to be worthless lands. Only in recent years have we discovered the importance of these wetland areas. Wetlands are wet spongy lands that act as collection and drainage areas. Farmers often plowed these areas under in order to use the wetlands to grow crops. Urban developers used to fill these lands in to build homes or offices. The true importance of wetland areas is just beginning to be revealed. The Environmental Protection Agency has been charged with the responsibility of enforcing national legislation that protects these areas.

Wetlands serve an important purpose in regulating water run off. During high run off periods, water collects in wetland areas where the excess water is slowly absorbed into the water table. If wetlands are filled in, the water that would have collected in the wetland will run into the rivers, swelling them above flood stage.

Wetlands help to filter the waters that accumulate in them. As the water collects in the wetlands, it slowly seeps into the soil and down to the water table. As it does this, many wastes and other materials are filtered out. This filtering process is very important to reclaiming the water in the wetlands.

Perhaps the most obvious role of the wetlands is the variety of wildlife that it can support. Within the wetlands is a complex and very unique ecosystem. The articles inside are descriptions of some of the different types of organisms that can be found in a wetland area. The articles are a result of the Adopt-A-Wetland project started by the students at Dunstan Junior High this past school year (1988-1989).

ADOPT-A-WETLAND

Adopt-A-Wetland is a service project started by the 7th grade students at Dunstan Junior High. Mr. Jim Mundell, a Life Science teacher at the school, was looking for a project that would get students involved in doing science instead of just learning about science Students involved with this project brainstormed things that they would like to do with their newly adopted wetland and decided on the following list of ideas:

1. Pick up trash regularly.
2. Write a brochure describing the wetland.
3. Conduct classes for neighborhood schools and others decribing the importance of the wetland.
4. Post "No Littering" signs.
5. Post habitat descriptor signs that describe different habitats and animals in the wetland.
6. Conduct scientific surveys of the area that would include such things as water tests, population studies and changes that take place seasonally and over a long term.
7. Place nesting boxes in the area.

This project could not have been accomplished without the support and involvement of the Environmental Protection Agency and in particular CeCe Forget. If you have any questions about this project, please feel free to call Ms. Forget at 293-1693 or Mr. Mundell at Dunstan Junior High School at 985-1545.

MALLARDS

(By Steve Sprague and Jeff Miller)

Mallards fertilize the grass for the wetlands with their disposables. Mallards eat some of the bad stuff at the bottom of the lake to preserve the wetlands. Mostly mallards use the wetlands to hide their nests from predators such as raccoons, skunks, foxes, crows, gulls, snapping turtles, and humans.

Mallards or greenheads are one of the most common wild ducks found throughout North America, Europe and Asia. Mallards range from 20-28 inches (51-71 centimeters) in length. During the breeding season, the mallard drake is strikingly colored, having a glossy head that is green, a white ring neck, a purple chestnut breast, gray black feathers that curl up at the end. The hen mallard is not pretty. She has duller, brownish feathers. In warmer months, mallards nest chiefly near northern prairie marshes, wetlands, and ponds. Migration is near southern wetlands in the winter. Mallards usually nest on the ground. Females lay 8 to 10 dull yellow or greenish eggs. It takes 26 days for the eggs to hatch. When the eggs are hatched the ducklings are able to swim immediately and will be able to fly in 8 weeks.

A hen mallard's voice is a loud resonant quack when she is flying and the drake mallards voice is a lower-pitch kwek-kwek when it is flying. When mallards fly, they have their white tail and underwings contrast with their dark chest and head.

CATTAILS

(By Danielle DeSawl and Jamie Jernigan)

These tall brown spiked plants are found in the marshy areas throughout the U.S. and are favorable habitat for marshlike birds and muskrats. There are 15 species of cattails all classified in the genus Typha.

Cattails stand 3 to 9 feet high. The leaves are 1" wide and taller than the stem. They also have a flat swordlike shape. Flowers on the cattail are the calyv and corolla which are represented by britles. The male and female flowers are on separate stems that are 6" long. Male flowers fade after pollen is shed leaving bare stalk May through July. The spike of the flower is made up of hundreds of closely packed petals that appear in July and August.

The rootstock is made up mostly of starch and can be eaten like asparagus. The spikes can be boiled and also eaten like corn on the cob. Sprouts can be put on salads or boiled and served like greens. The brown spikes are sometimes used as winter decorations.

FROGS: AN ANIMAL OF THE WETLANDS

(By Tania Pagliasotti and Jane Luebcke)

Frogs belong to the class called Amphibians. They spend part of their lives on water and part of their lives on land. Their name accounts for their double life "amphi" means "double" and "bois" means "life." Frogs have moist, smooth skin and are long and slender waisted. They live in swamps and forests. In the spring when it is time to lay her eggs, she goes back to the water and lays 1,000-20,000 eggs.

Baby frogs' lives begin in a jelly covered egg laid in the water. When it hatches it has a streaming body and a rudder-like tail. It lives in water and breathes with gills. While it is a baby, it is called a tadpole. The tadpole is fish-like shaped and has no eyelids and a mouth suited to nibble. This stage is called Larva. Then it hatches into an adult frog.

The grown frog hops on four legs and breathes through lungs. From childhood to adulthood is called Metamorphosis. The grown frog has a mouth suited for catching insects and has eyelids. They have no tails, but have very strong legs and are excellent leapers and hoppers.

Mating is a time when the male frog attracts its mate by calling "JUG-O-RUM". The call is made with mouth closed. The sound is made by air passing back and forth between the lungs and vocal chords. When the pouch swells it makes the sound louder. Then it starts all over from the beginning.

DRAGONFLIES

(By Jim Morgan)

Dragonfly or "Darning Needle" is the name for an order of large beneficial insects that feed on harmful insects such as gnats and mosquitoes. There are two suborders: damsel flies and true dragonflies.

Dragonflies generally are brightly colored with yellow, green, blue, or red spots or stripes that stand out against darker backgrounds. A dragonfly has a large head, bulging eyes, and strong jaws. Three pairs of medium-sized legs are set forward of a long, slender abdomen. Two pairs of transparent, veined wings are attached to the central body. Wingspread varies from two to seven inches.

Damsel flies are smaller and more fragile than true dragonflies. Damsel flies fly over reeds and grasses around ponds where they obtain food by catching insects. At rest, damsel flies hold their wings straight up from their bodies.

True dragonflies are larger, stronger, and more ferocious. They chase insects through the air, use all six legs to catch the prey, and crush it with strong jaws. At rest, true dragonflies spread their wings flat, at right angles to their bodies.

THE LIFE OF A CRAYFISH

(By Cassandra Ringel)

The Crayfish is closely related to a lobster. Like the lobster, the crayfish is also edible. The crayfish is considered good food in Europe and North America. The crayfish lives in swampy places. It lives along lakes, rivers, and under stones in wet soil. Crayfish are fresh-water crustaceans and are also called crawfish. Crayfish seldom grow over six inches long.

The colors can range from white through pink, orange and brown to greenish black and dark blue. Crayfish have a hard back structure called an exoskeleton. At night and at daybreak, crayfish are most active. Most crayfish find their food at night including snails, small fish, tadpoles, and insects. Crayfish have five legs on each side of its body. The front two legs are shaped as sharp claws used to capture prey. The other legs are used for walking and also structured for swimming. These legs are called swimmerets. Crayfish can shed a leg or claw

if it gets caught and a new one will soon grow back.

The crayfish have bad burrowing habits that may destroy cropland or weaken levees and mill dams. They breed in the fall and the females curl up their tails to form a basket for carrying eggs until they hatch the next summer.

THE MUSKRAT

(By Steven Wahrle)

The muskrat is a relative of the beaver. It is equally aquatic but much smaller. This little animal rarely reaches three pounds. With its plump little body, whiskered face, and long naked tail it looks like an overgrown mouse. The tail of a muskrat is flattened on the sides and is quite scaly. The hind feet of this rodent are partially webbed. This give them additional thrust when swimming. The soft upper fur of the muskrat is a uniform dark brown in contrast to its gray underparts.

The muskrat gets its name from two little scent glands. These glands, or castor bags, produce a reeking musk-like odor, especially strong in breeding time. The muskrat feeds mainly on plant material. Muskrats sometimes add meat to their diet. They have been seen eating fish, clams, insects and snails. The muskrat especially enjoys mussels and regularly explores the banks and bottoms of lakes to find them.

Muskrat lodges vary in size. Some of the biggest lodges have been known to be ten feet in diameter and four feet high. The smallest lodges are hardly larger than a bushel basket. A muskrat's home may be built on a dense mass of sweet flag, a group of willow sprouts or a pool choked up with emergent plants and silt. The muskrat will most often choose a moist little promontory and have to dig a channel and plunge hole several feet below the floor to reach navigable water.

THE COMMON SNAPPING TURTLE

(By Brad Judy)

This nocturnal reptile can be very vicious or calm. The Common Snapping Turtle is about 18" long and weighs 20-30 pounds. The Common Snapper is a relative to the larger Alligator Snapping Turtle which is usually about 26" long nad weighs 150 pounds. Although the Common Snapper has a longer neck, they both have powerful jaws.

The Common Snapper's diet is one third plants and the rest is divided between fish, young waterfowl and aquatic invertebrates. It forages its food from the bottom of its muddy, still watered home where it spends most of its time.

The Snapper's vicious temper on land makes them dangerous to handle. When captured, they secrete an unpleasant odor. Often found basking on the surface, this turtle rarely comes on land. In the water, though, it is seldom ill-tempered.

SQUIRRELS

(By Jenny Clay)

Many people have been fascinated by squirrels for years. There are roughly 1300 different kinds of squirrels. The word squirrel comes from two Greek words meaning "shadow tail." A squirrel's tail serves many purposes. A tail will ease falls if a squirrel falls down. Squirrels use their tails as shields when fighting. They also use them as unbrellas when it rains, as a blanket when it's cold, and when balancing on high tree tops. Squirrels live in all parts of the world. They can adapt very easily. Some squirrels live in hollow logs and treetops. Others live in burrows under the ground. Squirrels build nests of trees or leaves. The offspring are born in the spring or the summer. There are 2-6 squirrels in a litter. The young ones stay in the nest for up to 7 weeks. Squirrels are blind and hairless when first born. At 10 weeks they are completely weaned. At 5 or 6 months the squirrels are on their own. The mother will leave the nest for them and build another one for herself.

Some squirrels can be 3 inches to more than on foot long. The tail can be just as big. The color of a squirrel can vary from black, reddish-brown, to gray. A squirrel's diet consists mostly of nuts, fruits, berries, and wild honey, but they will eat anything. They will eat pine seeds, even pine cones, fungi, tree buds, bark, birds, and eggs.

Squirrels can be classified into two different groups, ground squirrels and tree squirrels. The squirrel is usually diurnal, but some are nocturnal. A diurnal (daytime) squirrel's main enemies are the weasels and hawks. A nocturnal (nightime) squirrel's main enemy is the owl.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the latest budget scorekeeping report for fiscal year 1990, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended.

This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $3.5 billion in budget authority, and over the budget resolution by $4 billion in outlays. Current level is under the revenue floor by $5.2 billion.

The current estimate of the deficit for purposes of calculating the maximum deficit amount under section 311(a) of the Budget Act is $114.6 billion, $14.6 billion above the maximum deficit amount for 1990 of $100 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 26, 1990.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1990 and is current through February 23, 1990. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 1990 concurrent resolution on the Budget (H. Con. Res. 106). This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 first concurrent resolution on the budget.

Since my last report, dated February 22, 1990, there has been no action that affects the curent level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 101ST CONG. 2D SESS. AS OF FEB. 23, 1990

[In billions of dollars]

	Current level [1]	Budget resolution H.Con.Res. 106	Current level +/− resolution
FISCAL YEAR 1990			
Budget authority	1,325.9	1,329.4	−3.5
Outlays	1,169.2	1,165.2	4.0
Revenues	1,060.3	1,065.5	−5.2
Debt subject to limit	2,956.7	3,122.7	−166.0
Direct loan obligations	19.1	19.3	−.2
Guaranteed loan commitments	114.7	107.3	7.4
Deficit	114.6	[2] 100.0	[3] 14.6

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval and is consistent with the technical and economic assumptions of H. Con. Res. 268. In addition, estimates are included of the direct spending effects for all entitlement or other mandatory programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions. In accordance with sec. 102(a) of the Balanced Budget and Emergency Deficit Control Reaffirmation Act (101 Stat. 762) the current level deficit amount compared to the maximum deficit amount does not include asset sales.

[2] Maximum deficit amount [MDA] in accordance with section 3(7)(E) of the Congressional Budget Act, as amended.

[3] Current level plus or minus MDA.

PARLIAMENTARIAN STATUS REPORT: 101ST CONGRESS, 2D SESSION SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEBRUARY 23, 1990

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			1,068,600
Permanent appropriations and trust funds	954,917	791,226	
Other legislation	639,255	638,374	566
Offsetting receipts	−237,825	−233,738	
Total enacted in previous sessions	1,356,347	1,195,862	1,069,166
II. Enacted this session			
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution:			
Salaries of judges	−2	5	
Payment to judicial officers' retirement fund	−4	−4	
Judicial survivors' annuities fund	−3	−3	
Fees and expenses of witnesses	−2		
Justice assistance	−4		
Fisherman's guaranty fund	1	1	
Administration of territories	−1		
Firefighting adjustments	−624	−192	
Federal unemployment benefits [FUBA]	5		
Advances to unemployment trust fund	(48)	(48)	
Special benefits	−24		
Black Lung disability trust fund	52	32	
Vaccine improvement program trust fund	7	7	
Federal payment to railroad retirement	1	1	
Retirement pay and medical benefits	−4		
Supplemental security income	263	263	
Special benefits, disabled coal miners	21		
Grants to States for Medicaid	−907		
Payments to health care trust funds	(325)	(325)	
Family support payments to States	84	84	
Payments to States for AFDC work programs	15	15	
Payments to States for foster care	−83		

PARLIAMENTARIAN STATUS REPORT: 101ST CONGRESS, 2D SESSION SENATE SUPPORTING DETAIL, FISCAL YEAR 1990 AS OF CLOSE OF BUSINESS FEBRUARY 23, 1990—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Health professions student loan insurance fund	−25	−7	
Guaranteed student loans	−175		
College housing and academic facilities loans	−3	−3	
Rehabiliation services	−79		
Payments to widows and heirs	(*)	(*)	
Reimbursement to the rural electrification fund	111	111	
Dairy indemnity program	(*)	(*)	
Conservation reserve program	720		
Special milk program	−2		
Food Stamp Program	−800		
Child nutrition programs	−74		
Federal crop insurance corporation fund	(*)		
Agriculture credit insurance fund	342		
Rural housing insurance fund	(*)		
Rural communication development fund	(*)		
Payments to the farm credit system financial assistance corporation	−2		
Coast Guard retired pay	−17		
Payment to civil service retirement	(84)	(84)	
Government payments for annuitants	−3	−2	
Readjustment benefits	−62		
Compensation	448	398	
Pensions	−62		
Burial benefits	−4		
Loan guaranty revolving fund	238	238	
Disaster relief	−1,100	−883	
Total entitlement authority	−1,757	62	
VI. Adjustment for Economic and Technical Assumptions	−28,685	−26,763	−8,900
Total current level as of Feb. 21, 1990	1,325,905	1,169,160	1,060,266
1990 budget resolution H. Con. Res. 106	1,329,400	1,165,200	1,065,500
Amount remaining:			
Over budget resolution		3,960	
Under budget resolution	3,495		5,234

* Less than $500.000.

Notes.—Numbers may not add due to rounding. Amounts shown in parenthesis are interfund transactions that do not add to totals.●

TRIBUTE TO GENE JOYCE, OAK RIDGE, TN

● Mr. SASSER. Mr. President, I rise today to pay tribute to Mr. Gene Joyce of Oak Ridge, TN, who recently retired from the law firm he joined nearly 40 years ago. Of course, it's hard for those who know Gene to imagine that he'll ever really retire. Even after official retirement, his involvement in the business and political life of Oak Ridge continues to be as effective and widespread as ever. Gene's merely doing what he's done so well for half a century—making a difference.

Since coming to work for Tennessee Eastman during World War II, Gene Joyce has been a vital leader in the development of Oak Ridge as one of the Nation's premier scientific research centers. From serving as Oak Ridge's first city attorney to helping start the city's first bank, Gene has been a key force behind Oak Ridge's success. Among the many organizations Gene has helped develop or lead are the Roane/Anderson Economic Council, the University of Tennessee Research Corp., the Tennessee Resource Valley on Regional Economic Development, and the Tennessee Technology Corridor. In my opinion, it's because of people like Gene Joyce that the United States has a bright future in technology development and a continued role as the world's scientific leader.

Although Gene may never slow his pace and enjoy the leisurely retirement he deserves, I am pleased to have this opportunity to let him know how grateful his fellow Tennesseans are for his faithful efforts on behalf of Oak Ridge and the entire State.●

TRIBUTE TO HARRY MOSKOS—RELIGION JOURNALIST OF THE YEAR

● Mr. SASSER. Mr. President, today, I would like to join with the Tennessee Association of Churches in commending editor, Harry Moskos and the Knoxville News-Sentinel for "its imaginative venture in reporting religion."

Harry Moskos was recently honored by the Tennessee Association of Churches as its "Religion Journalist of the Year" during the association's 40th annual general assembly in Nashville.

The association singled out Mr. Moskos and the News-Sentinel for moving to expand the print space devoted to coverage of religious news and renaming the section "Family and Religion."

Mr. Moskos, is an Archon of the Ecumenical Patriarchate of the Greek Orthodox Church, and an active member of St. George Church in Knoxville.

Before joining the News-Sentinel, Mr. Moskos was executive editor of the El Paso Herald Press. He had also served as managing editor of the Albuquerque Tribune, and as bureau chief for the Associated Press, Honolulu bureau.

Mr. Moskos is regarded by his peers as both a thorough and fair journalist. Under his stewardship, as editor of the News-Sentinel, he continues to be both insightful and innovative in his efforts to ensure that the paper reflects the views and concerns of the Knoxville community.

Clearly, Harry Moskos' dedication to the community, as well as his commitment to the values of faith and family, make him a most worthy recipient of this award, and I congratulate him and the staff of the News-Sentinel.

Mr. President, I would like to request that the article which appeared in the Orthodox Observer recognizing this honor be inserted following my remarks.

The article follows:

[From the Orthodox Observer, December 20, 1989]

HARRY MOSKOS NAMED RELIGION JOURNALIST OF THE YEAR

KNOXVILLE, TENN.—The Tennessee Association of Churches recently honored Harry Moskos, editor of The News-Sentinel, as its Religion Journalist of the Year. His newspaper was singled out for its "imaginative venture in reporting religion."

The association noted that The News-Sentinel doubled the space given to religious news and renamed the section Family & Religion.

Moskos, an Archon of the Ecumenical Patriarchate, accepted the award at the association's 40th annual General Assembly in Nashville.

Before joining the Knoxvillle daily, Moskos served as executive editor of the El Paso Herald Post. Previously, he was managing editor of the Albuquerque Tribune and also was a former chief of the Associated Press' Honolulu bureau.

While in Hawaii, Moskos helped organize Sts. Constantine and Helen Greek Orthodox Church. He also played a key role in organizing St. Nicholas Church in El Paso. He is currently an active member of St. George Church in Knoxville.

Moskos is a former member of the Archdiocesan Council and has served on the Denver and Atlanta diocesan councils.●

AUTHORITY FOR USE OF HART SENATE OFFICE BUILDING ATRIUM

Mr. FOWLER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 249 authorizing the use of the Hart Atrium on March 5, 1990, for a performance by the Western Kentucky University Choir.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 249) authorizing the use of the Hart Senate Office Building Atrium on March 5, 1990, for a performance by the Western Kentucky University Choir.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 249) was agreed to.

The resolution reads as follows:

S. RES. 249

Resolved, That the Western Kentucky University Choir under the sponsorship of Senator Ford is authorized to use the Hart Senate Office Building Atrium on March 5, 1990 for a musical performance beginning at approximately 12:30 p.m. and ending at 1:00 p.m.

Mr. FOWLER. I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF PROCEDURE—HOUSE CONCURRENT RESOLUTION 87

Mr. FOWLER. Mr. President, I ask unanimous consent that on Wednesday, February 28, upon the conclusion of the first rollcall vote, the Senate proceed immediately, without any intervening action or debate, to the consideration of House Concurrent Resolution 87, concerning Iranian persecution of the Baha'is, provided the resolution has been received by the Senate.

I further ask unanimous consent there be no time for debate on the resolution; that no amendments or motions be in order except a motion to reconsider and table; that the Senate proceed immediately to vote on the resolution; and that Senators be permitted to insert statements in the RECORD relating to the resolution until the close of business on Wednesday.

I further ask unanimous consent that it now be in order to request the yeas and nays on the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. Mr. President, I dislike doing this, but I did not know about this particular request myself, and therefore I am constrained to object. Perhaps by morning we can work it out.

Mr. FOWLER. I thank the Republican leader.

The PRESIDING OFFICER. Objection is noted.

EXECUTIVE SESSION

Mr. FOWLER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar No. 608, Erich W. Bretthauer, to be an Assistant Administrator of the Environmental Protection Agency;

Calendar No. 609, Jacqueline L. Phillips, to be Federal Cochairman of the Appalachian Regional Commission;

Calendar No. 610, Hilda Gay Legg, to be Alternate Federal Cochairman of the Appalachian Regional Commission.

I further ask unanimous consent that the nominees be confirmed en bloc, that any statements appear in the RECORD as if read, that motions to reconsider be laid upon the table en bloc, the President be immediately notified of the Senate's action and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

ENVIRONMENTAL PROTECTION AGENCY

Erich W. Bretthauer, of Nevada, to be an Assistant Administrator of the Environmental Protection Agency.

APPALACHIAN REGIONAL COMMISSION

Jacqueline L. Phillips, of Maryland, to be Federal Cochairman of the Appalachian Regional Commission.

Hilda Gay Legg, of Kentucky, to be Alternate Federal Cochairman of the Appalachian Regional Commission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 101-13

Mr. FOWLER. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Consular Convention with the Democratic and Popular Republic of Algeria (Treaty Document No. 101-13), transmitted to the Senate today by the President.

I also ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

I am transmitting, for the Senate's advice and consent to ratification, the Consular Convention between the United States of America and the Democratic and Popular Republic of Algeria signed at Washington on January 12, 1989. I am also transmitting, for the information of the Senate, the report of the Department of State with respect to the convention.

The signing of this convention is a significant step in the process of enhancing and broadening the relationship between the United States and Algeria. There currently does not exist a bilateral agreement on consular relations between the two countries. The convention sets forth clear obligations with respect to matters such as notification of consular officers of the arrest and detention of nationals of their country and protection of the rights and interests of nationals of their country.

The people of the United States and Algeria have a tradition of friendship and cooperation. I welcome the opportunity through this consular convention to promote the good relations between the two countries. I recommend the Senate give early and favorable consideration to the convention and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, *February 27, 1990.*

MEASURE TO BE PLACED ON CALENDAR—H.R. 3910

Mr. FOWLER. Mr. President, I ask unanimous consent that H.R. 3910 providing for a national assessment of programs under title I of the Elementary and Secondary Education Act of 1965 be placed on the calendar when received from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. FOWLER. Mr. President, on behalf of Senator MITCHELL, I send to the desk a resolution to direct the Senate legal counsel to appear as amicus curiae in the name of the Senate in a pending case in the U.S. Supreme Court and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 251) to direct the Senate Legal Counsel to appear as amicus curiae in Metro Broadcasting, Inc. v. Federal Communications Commission, et al.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MITCHELL. Mr. President, the Supreme Court will be considering this term several challenges to a policy of the Federal Communications Commission to promote ownership by minorities and women of television and radio stations. Among the questions being presented to the Supreme Court is whether the Congress acted constitutionally in enacting legislation, most recently as part of the Commerce, Justice, and State Appropriations Act for fiscal year 1990, that requires the Federal Communications Commission to continue to implement its affirmative action policy.

The Congress has recognized two needs in legislating in this area during the last decade. One need, as recognized by a House-Senate conference committee in 1982, is to overcome "the effects of past inequities stemming from racial and ethnic discrimination [that] have resulted in a severe underrepresentation of minorities in the media of mass communications." H.R. Rept. No. 765, 97th Cong., 2d Sess. 43 (1982). The other, as articulated by the Senate Committee on Appropriations in 1987, is to promote diversity in station ownership in order to promote, in turn, "diversity of programming and improved service to minority and

women audiences." S. Rept. No. 182, 100th Cong., 1st Sess. 76 (1987).

While the Federal Communications Commission is defending its policy in the Supreme Court, the Department of Justice has filed a brief for the United States as amicus curiae in one of the pending cases, Metro Broadcasting, Inc., versus Federal Communications Commission, which joins the petitioner in challenging the Commission's policy. Under the aspect of the policy that is directly involved in this case, the FCC, in evaluating applications for licenses, gives credit to minority and female ownership in addition to other attributes of applicants such as broadcasting experience.

It should be emphasized, as the court of appeals did in the opinion that is under review in this case, *Winter Park Communications, Inc.* v. *FCC*, 873 F. 2d 347, 354-55 (D.C. Cir. 1989), that the Commission's policy is a flexible one that does not involve any quotas or fixed targets, and that the policy has been endorsed by the Congress, which the Supreme Court recognizes to possess particular competence and authority to enforce the Constitution's guarantee of equal protection.

The following resolution would authorize the Senate legal counsel to file a brief in the name of the Senate as amicus curiae in support of the Commission's policy and the actions that the Congress has taken to ratify the policy and to require its continuation.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 251) was agreed to.

The preamble was agreed to.

The resolution and its preamble are as follows:

S. RES. 251

Whereas, in Metro Broadcasting, Inc., v. Federal Communications Commission, et al., No. 89-453, pending in the Supreme Court of the United States, the petitioner has presented for review a question of the constitutionality of a provision of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. No. 101-162, 103 Stat. 988, 1020, and related measures for fiscal years 1988 and 1989, to provide for the expansion of minority and women ownership of broadcasting licenses;

Whereas, pursuant to sections 703(c), 288e(a); 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(c), and 288l(a)(1988), the Senate may direct its Counsel to appear as amicus curiae in the name of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to appear as amicus curiae in the name of the Senate in Metro Broadcasting, Inc. v. Federal Communications Commission, et al., in support of the constitutionality of provisions of the Departments of Commerce, Justice, and Senate, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. No. 101-162, 103 Stat. 988, 1020, and related measures that the Congress has enacted to promote the expansion of minority and women ownership of broadcasting licenses.

MODIFICATION OF AMENDMENT NO. 1266

Mr. DOLE. Mr. President, I ask unanimous consent that amendment No. 1266 to S. 1430 just agreed to be modified to reflect the change which I send to the desk.

The PRESIDING OFFICER. Is there objection?

Mr. FOWLER. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TOMORROW

RECES UNTIL 10:30 A.M.; MORNING BUSINESS

Mr. FOWLER. Mr. President, I ask unanimous consent that when the Senate completes its business today, as it now almost has, it stand in recess until 10:30 a.m. tomorrow morning, Wednesday, February 28, and following the time for the two leaders there be a period for morning business until 11 a.m., with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PROGRAM

Mr. FOWLER. Mr. President, on tomorrow, Wednesday, at 11 a.m., the Senate will resume consideration of S. 1430, the National and Community Service Act of 1989. Rollcall votes can be expected early and continuing throughout Wednesday's session.

RECESSS UNTIL 10:30 A.M. TOMORROW

Mr. FOWLER. Mr. President, I see the Republican leader has no further business. If there is no other Senator seeking recognition, I now ask unanimous consent the Senate stand in recess under the previous order until 10:30 a.m., Wednesday, February 28.

There being no objection, the Senate, at 7:56 p.m. recessed until Wednesday, February 28, 1990, at 10:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 27, 1990:

APPALACHIAN REGIONAL COMMISSION

JACQUELINE L. PHILLIPS, OF MARYLAND, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

HILDA GAY LEGG, OF KENTUCKY, TO BE ALTERNATE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

ENVIRONMENTAL PROTECTION AGENCY

ERICH W. BRETTHAUER, OF NEVADA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

IT IS TIME TO ADDRESS THE ROOT CAUSES OF THE PROBLEMS IN KOSOVO

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BROOMFIELD. Mr. Speaker, recent reports have told the American people about the bloodshed in Kosovo and the tragic history of that province. Over 30 innocent protesters were killed in past weeks, and hundreds detained for peacefully demanding an end to martial law in that province and the release of ethnic Albanian political prisoners. Like millions of other Eastern Europeans who fought for change in their countries, ethnic Albanian demonstrators are asking that Yugoslavia be opened up to the winds of freedom that could bring welcome change in that country. All problems have a root cause. The lack of freedom, democracy, and respect for human rights are the root causes of the crisis in Kosovo. It is time for Yugoslav officials to quickly address the causes of the violence in that province.

The Albanians in Kosovo want free elections, respect for basic liberties, political pluralism, and the restoration of the autonomy that the province of Kosovo enjoyed until it was recently taken away at the insistence of the President of Serbia, Slobodan Milosevic. He is a rabid Serbian nationalist who is determined to reassert Serbian control of that country. His policies are driving Yugoslavia to the brink of civil war.

Mr. Milosevic is also wedded to the idea of a one party state for Yugoslavia and is determined to keep the Communist Party of Yugoslavia in the driver's seat. He should wake up and realize that his blind pursuit of these short-sighted goals is running against the tide of change in Eastern Europe. It is time for him to follow the lead of other Eastern European nations and strongly support the introduction of political pluralism, market economics, justice, and respect for basic freedoms in Yugoslavia.

I have been closely monitoring the crisis in Kosovo and want to share with other Members a thoughtful article from the French newspaper, "Le Monde Diplomatique," which carefully documents the terrible human rights abuses directed against the ethnic Albanian community in Kosovo. Our European friends share our concerns about recent tragic events in that province. After reading this article, it becomes evident that the protesters in Kosovo are voicing legitimate complaints about the absence of basic freedoms, and justice and the threats of Serbian nationalism that could lead to the destruction of Yugoslavia. It is time for Yugoslavia to join the nations of Eastern Europe who made 1989 a new dawn of freedom in those once closed societies.

I commend the following article concerning Kosovo by Mr. Antoine Garapon, a magistrate and a member of the International Federation of Human Rights, to my colleagues and want to thank Mr. Petraitis of CRS for this translation of the original article.

The article follows:

[Source: Le Monde Diplomatique, November 1989]

SERIOUS ATTACKS ON HUMAN RIGHTS IN YUGOSLAVIA—"THE DIFFERENTIATED ONES," ALBANIANS OF THE KOSOVO PROVINCE

(An explosive situation prevails in Kosovo, a province in the Serbian Republic (Yugoslavia) mainly populated by Albanians. Grappling with the reappearance of nationalism, threatened with breaking up, has the Yugoslav Federation no other means to save itself than to encourage attacks on human rights? Since the proclamation of the state of siege by the Belgrade authorities last February, the local leaders have been expanding their repression which is called "differentiation.")

(By Antoine Garapon) [1]

An atmosphere of fear reigns in Kosovo. Several individuals refused to meet the delegation of the International Federation of Human Rights coming to investigate on the spot.[2] The provincial authorities, especially Mr. Vejsel Latifi, Minister of Justice, have rejected its request to visit the prison where Mr. Azem Vllasi, former secretary of the League of Communists, as well as other political detainees are jailed, including the young Hartmona, sentenced to two and a half years in prison for having "crossed" a demonstration accompanied by a girl friend. Nevertheless, we were able to collect eyewitness testimonies thanks, especially, to the help of a Catholic priest: the majority of the population is Muslim, but often atheist, and our interlocutors were unanimous in admitting that the tensions have no religious undertones.

After several miles of a dirt road, about 35 miles from Pristina, the capital of Kosovo, we were welcomed at a very modest farm. "I was a judge in Klina," Ali Foniqi, 35, explains to us, "when on December 6, 1985 in the morning, when I was on my way to work, I was arrested by policemen in civilian dress, and taken to the commissariat where I was savagely beaten. I fainted at 11 a.m. and a physician came to examine me. From 1:00 to 8:00 p.m. they stopped beating me, but from 8:00 p.m. until 5:00 a.m. the next morning, two policemen continued to beat me, threatening to jail my wife and my brothers; during all this time I had to stay in a standing position, hands against the wall. Finally, I had to "confess" that I had crossed into Albania—which was impossible that winter due to snow and bad weather—and that I had met politicians: not knowing the names, I had to give those of singers.

"The torturing was very cruel: I urinated blood for 10 days, and I caught pleurisy due to cold water being poured on my face and body to revive me. Moreover, a physician came to give me injections. The torturing lasted two and a half months: I was interrogated from 6:00 a.m. until 2:00 p.m. every day. Afterwards the policemen took me to a psychologist who asked me stupid questions such as knowing which was heavier, one kilogram of feathers or one kilogram of lead, or which were the neighboring countries of Yugoslavia.

"I was sentenced to seven and a half years in prison in the first instance, but the punishment was reduced to a three-year term after an appeal. I have been out of prison for the last two years and I had to leave for the countryside; I no longer have the right to be hired, the same applies to my wife, who was a teacher. My passport was taken away. But I am an intellectual: I don't know how to work the land, and, since the tortures, I don't have a lot of strength; from time to time I get dizzy and even have hallucinations.

"In my opinion, all this happened because my brother really went to Albania. He thought he would complete his studies easier over there. He has been arrested and is serving his five and a half year prison sentence in Croatia."

Mr. Mustaf Krasnici's story is nearly identical: he was arrested with his father on the day of his wedding, during the reception. He was accused of possession of a book published in Albania and containing all the clippings from the international press pertaining to the 1981 events in Kosovo. Both of them were tortured, above all the father, 68, a former underground fighter who is still a member of the Communist Party. They complain that needles were stuck under their fingernails. He was sentenced to two years in jail, his father to two and half years: the latter contracted tuberculosis from which he died just after he had been released. He was not informed of the death of his wife during his detention.

At this time, Mr. Mustaf Krasnici, who is in his third year of sociology studies, works on a farm: his passport was also taken from him, as well as from all his cousins, and he is under house arrest in his village which he is not allowed to leave. He is "differentiated."

The "differentiation" is quite an official procedure which enables the League of the Communists to declare an idea as contrary to the interests of the people, and, thus, to ostracize any person who adheres to it by depriving him of his employment (the Communist Party still is issuing certificates of good ideological political standing which are indispensable for getting a job!), by banning the publication of his works, and from bequeathing him property, etc. It then becomes dangerous to visit a "differentiated" individual, and, for instance, to attend a fu-

[1] Magistrate, member of the office of the International Federation of Human Rights.

[2] The mission of the International Federation of Human Rights [IFHR] stayed in Kosovo from September 24 to 29, 1989. It was comprised of Louise Christian, Attorney of the London Bar, Salih Kabasi, professor, member of the Slovenian Committee of Human Rights, and Mr. Antoine Garapon.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

neral of one of his family. It is a question of the loss of all civil rights.

It was by pure coincidence that we met Dr. X * * * (he would not like to have his name published) the day he received a letter informing him, without motivation, that he is excluded from the League of the Communists. It is in this way that the "differentiation" generally begins. The physician is the object of strong pressures since he has signed the famous appeal which asked nothing more than to preserve the 1974 Constitution. Representatives of the Party came to his office to intimidate him and ask him to leave. "It is impossible for me to live here," he said accompanying us. "I'm aware that I'll have to leave one day: they want to prevent me from talking, but they will never be able to blind me, to prevent me from understanding what is happening; my scalpel does not differentiate between Serbians and Albanians."

X * * * is a university professor, he lectures entirely in the foreign language which he teaches. Serbian students—only three of them—have refused to attend his lectures and have demanded—and obtained—teaching in the same foreign language, but given by a Serbian.

This differentiation has caused unemployment and alienated hundreds of Albanian intellectuals for eight years, but it has not affected any Serbian.

In March 1989, on the eve of the constitutional amendment restricting the autonomy of the region, the police jailed without due process several hundred economic cadres, influential personalities, even—to a lesser degree—intellectuals. This procedure, irreproachable from a strictly formal view, because the law allows assigning special residence to whomsoever tries to trouble law and order (without specifying that it is the question of imprisonment), is called "isolation."

Mr. Rexhep Iberdemaj reports that the police came at 3:00 a.m., heavily armed, to arrest him and to take him to the Pec commissariat. Then he was taken by bus with other individuals to the Leskovac prison, where they were mistreated, some of them were even tortured.

"At the entrance, a prison guard was sitting at a table with a physician, at least a man with a white jacket with a stethoscope around his neck who asked questions about our health. When I said that I had heart trouble, they left me with a shirt and I was beaten less than the others. What was the most difficult to bear was to listen to the screams of my friends who were being tortured. Has anybody died? I cannot say this: but what is certain is that ambulances came several times. I helped a comrade who passed out several times during the night and who was vomiting." (Here we recognize certain modesty of tortured persons, always preferring to speak about the suffering of others instead of their own).

"The next morning they gave me a document by virtue of which I was isolated: "The aforementioned person is capable of uniting other individuals and leading them where he wants.

"In fact the police have never forgiven me for employing a former law professor in my cafe who had been "differentiated" and who was unemployed. I did this for humanitarian reasons to help him to regain his social security for himself and for his family.

"Since my release [from prison], they have taken away my passport. I cannot have more contacts with my brothers who work abroad; one of them did not dare to come here to the funeral of my parents."

His story is interrupted by the arrival in the pub of two policemen in plain clothes who followed us for the remainder of the day. Our witness leaves us informing us of his fears of being taken to the commissariat in the evening. * * *

Mr. Anton Kollaj, from village of Zilakuqan, and Mr. Ramadan Murtez Kraniqi from the village of Zajmi, were isolated for 86 days for opposing the renaming of an Albanian school and giving it the name of Josef Broz Tito.

In the same way as the authorities "differentiate" and isolate dissidents, it seems as if Kosovo are "differentiated" from the rest of the Yugoslav Federation and isolated from the rest of the world. The violations of human rights have reached, hidden from the public international opinion, an extent and gravity with no equal in Europe, with the exception of Romania. Until now, no assessment has been made, no report presented: "Because," Mr. Ibrahim Rugova, chairman of the Writers' Association, explains to us, "people from here have acquired a phobia of any document, such terrible penalties have been imposed for keeping at home a simple text, a list, a newspaper clipping, etc."

Even as admitted by the regional authorities, from 1981 to 1988, 584,373 Kosovars of Albanian origin were summoned by the police for various reasons (from simple questioning to imprisonment) or one third of the Albanian population of the region, and 71,000 were subjected to penal trials. The repression of the March 1989 riots officially caused 27 deaths. The organizations of the defense of human rights from Kosovo in exile established a list of 58 names.

Everything that is reported here reminds us of the most archaic Stalinism, the most primitive; and this is happening in 1989, at the time of perestroika, 1,500 kilometers from Paris, in a country like Yugoslavia, about which we thought that it had banned such methods before the other Socialist countries.

HISTORY OF THE KOSOVO REGION

1913-89

1913: The Kosovo region is integrated into Serbia following the Balkan wars. It becomes a part of the new Yugoslav State in 1918.

1974: The new Yugoslav Constitution. The Kosovo region enjoys the status of an autonomous region within the Serbian Republic, with its own assembly and government.

1980: Death of Tito.

Spring 1981: Tens of thousands of Albanians of Kusovo demand the status of Republic. Bloody repression.

Summer of 1988: Demonstrations in Serbia under the slogan, "Kosovo belongs to us!"

November 1988: The Kosovo Albanians go to the streets to support their leaders dismissed by the central government.

February 1989: General strike. February 23, Belgrade imposes the state of siege on the region.

March 1989: The Kosovo Parliament ratifies a provision of the 1974 Constitution decided in Belgrade which cancels a number of regional prerogatives. At the end of March: new riots violently suppressed. Twenty-nine dead, according to the official version.

(Translated by C. Petraitis, CRS—Language Services, February 5, 1990)

TRIBUTE TO GEORGE RUDES

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to honor an outstanding citizen, George Rudes. He is a dynamic community leader and a visionary philanthropist. He has the high honor of being the recipient of this year's Jerusalem Award for his passionate commitment to the State of Israel.

George Rudes has been a community activist for many years. He was the youngest member of the board of directors of the Jewish Community Center and a founding member of B'nai B'rith. At the age of 30, he was elected president of the Men's Club.

Currently, George is a key activist in a number of important organizations. He is a board member of the American Israel Public Affairs Committee [AIPAC]. As a member of the Prime Minister's Club of Israel Bonds, he plays a major role in protecting the welfare of the Jewish State. Through his work at City of Hope, research is being conducted into life-threatening illnesses and his commitment to AIDS Project Los Angeles [APLA] in helping secure resources to battle the fatal disease and provide vital services for its victims.

George is president of Saint Germain, a highly successful contemporary sportswear firm that he founded in 1978. He is married to Maria Teresa and they have three children—Leslie, Lisa, and Kenneth.

Mr. Speaker, I ask my colleagues to join with me in saluting George Rudes—a dedicated leader and activist whose vision and commitment inspires us all.

NEW DEVICE LIKELY TO PARE NEED FOR ANIMAL RESEARCH

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. STARK. Mr. Speaker, I'd like to include in today's RECORD an article from the December 4, 1989, issue of HealthWeek. The article talks about a new device, the biosensor, which can measure a cell's biochemical response to a new drug or chemical and converts that measure into an electrical signal. As a long-time supporter of legislation to ensure the humane treatment of research animals, I am very excited about this new device because its application may do away with such cruel practices as the LD-50 test and the Draize test. Congratulations to Molecular Devices Corporation for coming up with this product.

[From HealthWeek, Dec. 4, 1989]

NEW DEVICE LIKELY TO PARE NEED FOR ANIMAL RESEARCH

(By Karen Southwick)

MENLO PARK, CALIF.—Futuristic technology that merges living cells and silicon chips may one day alleviate that scourge of scientific research—animal testing.

Instead of measuring the safety of an ointment by rubbing it into rabbits' eyes or the toxicity of a drug by determining how much will kill half of a group of mice, researchers could turn to biosensors—light-activated devices that detect metabolic changes in cells exposed to chemicals.

FINGERTIP SIZE

About the size of a fingertip, a biosensor screens a small number of cells extracted from an animal or a person. The sensor measures the cell's biochemical response to a new drug or chemical and converts that measurement into an electrical signal.

Biosensors are at least a year away from widespread marketing, but early results from a product made by Molecular Devices Corp., a 6-year-old private company here, indicate a host of potential applications ranging from chemical testing to medical monitoring.

Procter & Gamble Co., the giant household products and health care concern in Cincinnati, is trying out Molecular Devices' biosensor to assess how much new substances might irritate the skin or body.

"We think it's a revolutionary method [of testing] and has excellent potential," said P&G spokeswoman Linda Ulrey. The company has just begun comparing findings of the biosensor with traditional animal testing and expects that process to last about a year.

Cancer researchers at Stanford University in Stanford, Calif., have used a biosensor to identify tumor cells resistant to chemotherapy. They reported their results in the Oct. 13 issue of Science.

"We could tell in a few hours which cells were resistant and which were sensitive" to the cancer drug, said Kevin L. Ross, a postdoctoral fellow in the Stanford School of Medicine's oncology division. He said doctors eventually might use the biosensor to adjust the level and type of chemotherapy for cancer patients.

DRUG-SAFETY APPLICATIONS

Ross also saw the possibility of replacing some animals with biosensors in pharmaceutical toxicology testing. Early trials of a drug's safety often result in animal deaths, Ross said. For example, the LD50 test determines what dose of a drug is lethal to 50 percent of animals receiving it.

By using biosensors to monitor how different types of cells—such as those from the kidney or liver—respond to a drug, "qualitatively you could get as much information as from the Draize [rabbit-eye] test or the LD50," he said.

Animal rights advocates were predictably pleased with an alternative to animal testing.

WILL PREVENT MISERY

"Anything that allows you to use human cells [for testing] rather than animals will save animals a whole lot of misery and give more precise results," said Dr. Neal Barnard, president of the Washington-based Physicians Committee for Responsible Medicine.

However, researchers cautioned that biosensors won't ever totally replace animals.

"Biosensors can do certain things in terms of screening a drug before it's tested in a living animal," said Dr. Michael Debakey, chancellor and head of surgery at Baylor College of Medicine in Houston. "But you've got to know how the whole body responds to the drug in an integrated setting."

Gillian Humphries, Molecular Devices' director of biological sensor development, agreed that biosensors probably will find their greatest use in early drug testing, when animals are subject to the most acute and painful tests.

SEES MARKET NICHE

Humphries said Molecular Devices sees drug research as the first market niche for biosensors. Next year, the company hopes to line up drugmakers willing to test biosensors' ability to measure the toxicity of new products. By early 1991, Molecular Devices plans to market biosensors for that purpose.

After that, Humphries said, the company will look at medical applications, including screening tumors. She said one challenge for the company will be simplifying the complicated technology enough for routine use.

Said Jim McCamant, editor of the Medical Technology Stock Letter in Berkeley, Calif.: "There is no question that biosensors are an interesting tool with many possible uses. The problem is deciding which ones to focus on."

THE SOUTH FLORIDA TREATMENT CENTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, it is a pleasure for me to share with my colleagues the opening of a new detoxification clinic in Miami's Little Havana area.

The Florida Department of Health and Rehabilitative Services [HRS] has granted the South Florida Treatment Center a license to administer a maintenance and detoxification program for heroin and other opiate addicts. This private clinic will open on Monday, March 5 and will be a fully bilingual center. An additional function of the center—in cooperation with HRS—will be to work with AIDS patients. Those who voluntarily inform the clinic and authorize its staff to do so, will be assisted through the AIDS/Overlay with Partner Notification and Education Program. This program consists of general helpful information and proper referrals for treatment.

In recommending the awarding of the license to the center, John C. Farie, HRS's district administrator wrote: "The location of this project will offer the Hispanic community an opportunity to receive services in a culturally competent environment. We view this as a major opportunity for us in our efforts to service Hispanics with drug problems."

The center uses a methadone detoxification program. This treatment has been successful in clinics in Orlando and Cocoa. The medical director will be Dr. David Moises; the president and owner is Mr. Carlos Ball-Llovera; Mr. Héctor J. Pérez is the program director; and, Mr. Eliseo Riera-Gómez is the clinic's public affairs coordinator.

Mr. Speaker, this center is committed to the eradication of drug use in our community. I applaud their efforts and wish them much success. They are helping us win the war against drugs.

TRIBUTE TO DR. CHANG-LIN TIEN

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. MATSUI. Mr. Speaker, I rise today to congratulate one of the truly outstanding figures in American education, Dr. Chang-Lin Tien, on his appointment as the next chancellor of the University of California, Berkeley. Mr. Tien is the first Asian-American to head a major research university in the United States.

Dr. Tien, a naturalized American citizen, was born in 1935 in Wuhan, China. He received his undergraduate degree from the National Taiwan University in 1955, and in 1965, came to the United States to study at the University of Louisville in Kentucky. He went on to earn a doctorate in mechanical engineering in 1959 from Princeton University.

Dr. Tien has contributed significantly to the field of education in California and across the Nation. He has written and edited numerous books and articles about heat transfer and infrared radiation, received the Distinguished Teaching Award at Berkeley in 1962, was a Guggenheim fellow in 1965, and has been a member of the National Academy of Engineers since 1976. Additionally, last year, he was named "most distinguished Chinese scholar" by the Society of Hong Kong Scholars, which cited his "keen sense of concern for social affairs in the world and in China."

Mr. Speaker, on behalf of all my colleagues and all Americans who value a high quality of education for the next generation of Americans, I pay honor and commend Dr. Chang-Lin Tien as he prepares for his chancellorship for the University of California's prestigious Berkeley campus.

TRIBUTE TO DANIEL MILLER: FOSTERING AN APPETITE FOR READING AMONG YOUTH

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SOLARZ. Mr. Speaker, it gives me great pleasure in rising today to pay tribute to Dr. Daniel Miller, assistant vice principal of the Longfellow School, PS 94, in the Sunset Part portion of my distirct, a recent recipient of the Congressional Medal of Merit.

Dr. Miller created the successful and rewarding Reading Rainbow Program, which has encouraged his students to broaden their horizons and expand their knowledge through books. The results of this program have been astonishing. In the past 4 months, Dr. Miller's students have completed reading over 6,000 books. The children participating in this program have greatly improved their reading skills and, at the same time, have become very proud of their achievements. I have personally visited the school to see Dr. Miller and his students at work, and I am convinced that it is an

exemplary program worthy of recognition nationwide.

An honors graduate of both Brooklyn College and Pace University, Dr. Miller has made a strong commitment to education from the very beginning of his career. He has gained recognition from his school for supporting the United Nations' efforts of implementing a Worldwide Children's World's Fair in Flushing Meadows, Queens. Dr. Miller has also served as acting principal in Brooklyn's District 15 with great distinction and pride.

Dr. Miller's endeavors in bettering the education of his students have not gone unnoticed. He has been honored by the Doctorate Association of New York Educators, was the recipient of the Laurel Wreath Award, and currently sits on their board of trustees. The New York City Council, the New York State Senate, and the New York Senate Assembly have all recognized his forthright attitude in creating a better public education system for the children of New York.

Dr. Miller takes pride in serving the best interests of his community. In fact, he was at one time involved with the youth of his neighborhood by becoming a baseball and soccer coach.

Dr. Daniel Miller is an inspiring individual, whose career has reached great heights. I only hope he will continue his hard work and dedication to make New York's educational system a model nationwide. I believe he is an asset to the New York Board of Education and to the communities in my congressional district, and I wish him much success in the future.

TRIBUTE TO IRVING AND LINDA RUBENSTEIN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to two outstanding members of our community—Irving and Linda Rubenstein. They are being honored by the Valley Torah High School for their dedication to Jewish eduation and the community at large.

Irving Rubenstein was born in Glasgow, Scotland, and emigrated to Canada at the age of 2. He is a highly successful entrepreneur and businessman and with his brother, Ralph, owns and operates a leading marketing consulting firm—Premier Productions and Marketing Inc.

Both Linda and Irving are actively devoted to the task of developing and expanding Jewish educational opportunities. Irving is currently vice president of Emek Hebrew Academy and cochairman of the academy's building campaign. He is also an active board member of Valley Torah High School as well as the Shaarey Zedek Synagogue and the Western United States Orthodox Congregations of America. He is a generous philanthropist and has been honored worldwide for his contributions.

Linda Rubenstein is also a community activist. She is a past president of Emek Hebrew Academy and is currently vice president of Emek's PTA and the Shaarey Zedek Sisterhood.

Linda and Irving are the proud parents of three children—Rachel, David, and Daniel.

Mr. Speaker, it is with pleasure that I ask my colleauges to join me in saluting Linda and Irving Rubenstein—community leaders and role models for us all.

TRIBUTE TO MARY F. BARDSLEY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WAXMAN. Mr. Speaker, I would like to commend Ms. Mary F. Bardsley for her 13 years of dedicated service to Fair Avenue Elementary School and her 37 years of outstanding work on behalf of the Los Angeles Unified School District.

February 2, 1990, marks Ms. Bardsley's retirement as principal of the Fair Avenue Elementary School. Needless to say, her colleagues and students will miss her dearly.

Ms. Bardsley has had a lifelong commitment to improving the quality of education provided in Los Angeles County. Her distinguished history with LAUSD began in 1953 as teacher at the Ivanhoe Elementary School. Ms. Bardsley worked in several positions with the LAUSD until 1967 when she entered the Sisters of Immaculate Heart.

In 1960, Ms. Bardsley earned her M.A. degree in supervision and administration. In 1972, she received her secondary teaching credential at Mount St. Mary's College taking a second major in history. She also earned her secondary administration credential at the same time.

Mr. Speaker, the striking achievements of Ms. Bardsley in the field of education make her a true hero. Congratulations, Ms. Bardsley. I hope your retirement is peaceful and fulfilling.

PRESIDENT HAVEL—ON THE CUTTING EDGE OF FREEDOM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BROOMFIELD. Mr. Speaker, last week's visit to the House of Representatives by the new President of Czechoslovakia, Vaclav Havel, was a truly historic occasion for democracy. He captured the hearts, if not the minds, of all of us. He talked about politics, history and moral philosophy and I benefited from his insights into the political sea change that is now occurring in Eastern Europe. His speech was both inspiring and moving and his presence in Congress was a tribute to the man and to the spirit of freedom.

He had been imprisoned in that country for his deep commitment to democracy and his belief that one day his country would enjoy the fruits of liberty. His comments revealed that he had thought much about democracy and understands the essence of it better than most Americans who take our open system and its many benefits for granted. As he said:

A person who cannot move and live a somewhat normal life because he is pinned under a boulder has more time to think about his hopes than someone who is not trapped in this way.

I commend him for highlighting the role that America played in making the spread of freedom to Eastern Europe a reality. Although the people of Eastern Europe have themselves turned the tide against communism, and deserve our admiration for this accomplishment, I want to highlight America's role in the wondrous process of freeing Europe for the second time.

Although America sent its young men to Europe to free that continent from the madness of Hitler, this second European revolution is a revolution of democracy, an idea that America preserved and strongly supported over the years. Through America's sound foreign policy and firm military posture, we held the line against Communist expansion and told the world that democracy, not totalitarianism, was the wave of the future. America also preserved the hope for change in Eastern Europe in another way.

The millions of Americans of Eastern European descent kept the flame of freedom burning and never abandoned the hope that someday their ancestral lands would be free. When some in Washington doubted that the captive nations of Eastern Europe would ever be democratic, America's ethnic communities kept the dream alive through the dark night of totalitarian rule in those nations. They deserve our gratitude.

I also salute past and present American political leaders on both sides of the aisle for their commitment to freedom and their vision of a better world for all mankind. As President Havel said in his speech:

When Thomas Jefferson wrote that governments are instituted among men deriving their just powers from the consent of the governed, it was a simple and important act of the human spirit. What gave meaning to that act, however, was the fact that the author backed it up with his life. It was not just his words, it was his deeds as well.

Jefferson and other leaders in the United States have transformed these words into deeds that often were challenging and costly.

This Nation has paid a high price for its vigilance over the years. We have sent our sons to do battle with the forces of totalitarianism in many different ways. We have sent our soldiers to confront them on distant battlefields. We have sent our diplomats to hold the line in negotiations with them and to tell the world about the advantages of freedom. We have sent our intelligence officers to counter them in other ways. Many of our fellow citizens have given their lives for America's commitment to liberty. We have also asked the average American to fund our vision of a new world order driven by democracy. Historians in the future may remember the United States for having given the world many things. Our most precious export, however, is our export of the spirit of freedom.

Eastern Europeans have bought our product. President Havel and other brave Eastern Europeans are planting the roots of democra-

cy in their countries and are blazing freedom's trail. I wish President Havel and his colleagues in Eastern Europe good fortune as they labor in those emerging democracies and welcome them to the family of free nations.

TAX INSTRUMENTS OF TRAUMA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. STARK. Mr. Speaker, the following editorial from Modern Healthcare of February 19, 1990, speaks volumes in support of an idea advanced by Ways and Means Chairman ROSTENKOWSKI:

TAX INSTRUMENTS OF TRAUMA

(By Clark Bell)

Rep. Dan Rostenkowski (D-Ill.) has come up with a good idea for raising money to relieve foundering big-city trauma networks.

The chairman of the House Ways and Means Committee suggests "imposing a tax on instruments of trauma," such as guns and motorcycles. Money from the levy should be earmarked for hospitals that are having difficulty operating their emergency departments.

The soaring demand for treatment comes at a time when many hospitals are reducing emergency services. Meanwhile, trauma care networks are deteriorating in many metropolitan areas.

People with deadly weapons are responsible for much of the upsurge in trauma care. They may have a right to own guns, but society has a right to charge them for the havoc caused by their weapons.

TRIBUTE TO THE LATE TOM SHIMASAKI

HON. ROBERT MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. MATSUI. Mr. Speaker, I rise in great sadness today to advise you that an outstanding citizen of Lindsay, CA, Tom Shimasaki, has recently passed away. He has made numerous contributions to the community and the State of California and we will all miss his presence.

Mr. Shimasaki was a man who gave of himself in many ways. Being an active member of his community was a very important priority of his. He was a prominent advocate for Japanese Americans and a volunteer with an extensive record of community service. Some of his accomplishments include: past president of the Tulare County YMCA, Lindsay Chamber of Commerce, the board of trustees of Lindsay District Hospital, the Tulare County Historical Society, the Lindsay Kiwanis Club, the Tulare-Kings Counties Underwriters Association and the Fresno chapter of the American Society of Chartered Life Underwriters, to name a few.

Mr. Shimasaki's career of public service also involved being an active supporter of the redress movement, serving as chairman for the Japanese-American Citizen League Redress Committee's Central California District Council and also serving in several national positions within the organization. His outstanding contributions to various organizations, clubs, and communites were acknowledged through his receipt of the Lindsay "Man of the Year Award" in 1965.

Mr. Shimasaki was employed as a chartered life underwriter for the New York Life Insurance Co. for 30 years and during World War II, he was involved in the Army Specialized Training Program for the Japanese language at the University of Michigan.

Mr. Shimasaki is survived by his wife, Mitsuye Shimasaki of Lindsay; his two sons, Robert Shimasaki and Lynn Shimasaki both of Pasadena; three daughters, Christine Shimasaki of Palm Desert, Janet Yoshida of Hayward, and Irene Cannon of San Diego; five brothers, Joe Shimasaki of Lindsay, Walter Shimasaki of Eureka, Sam Shimasaki of Chicago, Fred Shimasaki of Hayward, and Ira Shimasaki of Torrance; two sisters, Rinko Enosaki of Harrisonburg, VA, and Atsuko Kusuda of Madison, WI; and seven grandchildren. I offer my sincerest sympathy to his entire family and friends. We will all mourn the loss of such a giving, dedicated, and exceptional man.

TRIBUTE TO THE BROOKLYN DAILY BULLETIN ON ITS 35TH ANNIVERSARY

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SOLARZ. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to the Brooklyn Daily Bulletin, a local publication circulated in the Brooklyn Heights section of my district, which is celebrating its 35th anniversary this year. I am proud that this prestigious newspaper has given my community such essential information for so many years.

The Brooklyn Daily Bulletin has continuously published since 1955, focusing on news of the court system and on real estate auctions in downtown Brooklyn. These articles consistently contain interesting and important information, and they uniquely differ from the news regularly printed in other local newspapers.

Recently, the Bulletin has expanded to cover a more extensive realm of issues, and it reaches approximately 5,200 subscribers every week. In fact, because of the escalating demand for these papers, the Bulletin is now available at local newsstands, rather than solely by mail.

The Brooklyn Daily Bulletin is a highly reliable and informative business-oriented paper, which truly benefits the communities of my district. On its 35th anniversary, I would like to wish the Brooklyn Daily Bulletin and its publisher, Dozier Hasty, much prosperity and continued success in the future.

TRIBUTE TO THE LIGA CONTRA EL CANCER—LEAGUE AGAINST CANCER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, it is an honor to share with my colleagues the story of Miami's League Against Cancer, better known under its Spanish name, La Liga Contra el Cáncer. It is especially relevant due to the telecast of the liga's telethon on Sunday, May 6. Last year's telethon yielded a total amount of $2,111,827 in pledges. This money is used to treat the many patients who are treated by the liga each day.

The liga was founded in Florida in 1975, modeled after a similar organization that began in 1925 in Havana, Cuba. That organization grew to include a world renowned oncology center which operated until 1959. In Miami, the league's medical center serves as an intake and treatment facilities for individuals who have been diagnosed with cancer or who suspect they may be afflicted with the disease. The only prerequisite for treatment is that the patient be a resident of Florida. Once determined to be eligible for services, patients receive the appropriate treatment and follow-up services completely free of charge. There are also support services for patients and their families, as well as home health care. Services are provided at the clinic's own facility, in private physician's offices, and at local hospitals, depending on the need.

Since its foundation in 1975, the liga has served over 17,000 patients, adults and children alike, from over 38 countries of origin. Many lives have been saved, much suffering has been spared, and many destitute cancer victims have been able to die with a level of dignity usually reserved for those who have medical insurance or personal wealth. Liga officials believe they are the only privately supported institution of this kind in the continental United States. The liga does not deny treatment to anyone, regardless of race, ethnic origin, or creed.

Mr. Speaker, I would especially like to commend the great accomplishments of Mrs. Lourdes P. Aguila. Lourdes has been involved with the liga since Cuba. She is a founding member and vice coordinator of the Miami liga, and since 1978, she has served as the liga's general coordinator. Lourdes has always worked as a volunteer, giving her time, efforts, and love to the Liga Contra el Cáncer. Among her responsibilities are: Coordinating all fundraising activities which support the operation of the liga's cancer treatment center. Some of the activities are: Telethon; an annual gala ball; raffles; art auctions; fairs; and, fashion shows. Lourdes is an example of our community to emulate.

My thanks to the liga for this wonderful labor of love. There are so many people who are involved in the day-to-day doings of this wonderful organization that I am unable to mention all their names. They give of their time and knowledge so that others may live and face a healthy future, free of cancer's

threats. All the doctors, nurses, and technicians who work for the liga are licensed volunteers, mainly recruited from the ranks of cancer specialists at Miami's best hospitals.

Mr. Speaker, this year is also the liga's 15th anniversary. My congratulations and best wishes for many more years of success, and my thanks for this marvelous task they have undertaken so brilliantly.

TRIBUTE TO BENJAMIN REZNIK

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to honor a leader and activist in our community and someone I am proud to call my friend—Benjamin Reznik. Ben is being honored by the Encino Chamber of Commerce as he concludes an outstanding year as its president.

Ben devotes a substantial amount of his time and resources to a wide variety of organizations and causes. As an outstanding lawyer, he heads, with his wife, Janice, one of the city's most innovative practices. He also blazes a trail in using the law to protect the less fortunate. In recent months he has taken action to uphold child day care in Los Angeles and ensure affordable housing for seniors.

From 1984 to 1986, Ben chaired the legal division of the United Jewish Fund's San Fernando Valley Region. He is currently a director of Encino Hospital and last year was elected a director of the Greater Los Angeles Building Industry Association.

During his tenure as president of the Encino Chamber, Ben has, characteristically, had a tremendous impact on the chamber's growth. From a series of special events and luncheon programs to an aggressive antigraffiti campaign, Ben has given the chamber outstanding service, boosting membership, and expanding publications, services, and outreach.

Ben and his wife, Janice—an outstanding attorney and activist in her own right—have three children, Yoni, Devorah, and Sami.

Mr. Speaker, it is my distinct privilege and pleasure to ask my colleagues to join with me in saluting Ben Reznik; leader, innovator, and role model for all.

THE ERECTION OF A MONUMENT HONORING DRAZA MIHAILOVICH

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. CRANE. Mr. Speaker, I would like to share with my colleagues a letter I recently received from the Air Force Association endorsing a resolution I introduced, which authorizes the erection of a monument in honor of Gen. Draza Mihailovich on Federal land.

I introduced this bill at the request of the National Committee of American Airmen Rescued by General Mihailovich. This organization will be responsible for covering the cost of the monument once the bill is passed. For over 40 years, this group of American veterans have been attempting to clear the name of the Yugoslav general who saved their lives in World War II.

Originally hailed as a hero by the Allies for his resistance campaign against the Nazis, General Mihailovich was suddenly abandoned by Winston Churchill, despite reservations on the part of the United States. The support of the Western Allies was withdrawn from the General's cause because it was believed that he was collaborating with the Nazis. Allied support then went to General Tito, the leader of the communist forces in Yugoslavia at the time. Evidence reveals, however, that this decision was based on falsified intelligence reports that charged Mihailovich with collaboration.

Even after he had been abandoned by the Western Allies, General Mihailovich and his forces were responsible for saving the lives of over five hundred American airmen who were shot down or forced down over Yugoslavia on their way back from raids on Axis oil and communication installations in Romania. Picked up, clothed, fed, medically cared for, and protected by Mihailovich's Chetnik forces throughout Yugoslavia, these airmen became eyewitnesses to the bitter battles between Nazi and Chetnik forces, and reported absolutely no incidents of collaboration.

On March 29, 1948, President Harry S. Truman, on the recommendation of Gen. Dwight D. Eisenhower, posthumously awarded the Legion of Merit in the Degree of Chief Commander to General Mihailovich in recognition of his services to the Allied cause. Among other things, President Truman's citation said of General Mihailovich, "Through the undaunted efforts of his troops, many United States airmen were rescued and returned safely to friendly control."

I urge you to take the time to read over the letter from the Air Force Association.

AIR FORCE ASSOCIATION,
Arlington, VA, February 19, 1990.

Hon. STROM THURMOND,
Russell Senate Office Bldg,
Washington, DC.

Hon. PHILIP M. CRANE,
Longworth House Office Bldg.,
Washington, DC.

DEAR SENATOR THURMOND AND REPRESENTATIVE CRANE: The 200,000 members of the Air Force Association salute your efforts, through the introduction of Senate Joint Resolution 18 and House Joint Resolution 156, to grant authority to erect a monument to honor the memory and recognize the efforts of Yugoslavian General Draza Mihailovich.

While there has been significant controversy over the years about General Mihailovich, of one thing there is no dissention—he is responsible for saving the lives of some 500 American flyers during World War II and, for that act, this nation owes him a debt of gratitude. It is only fitting to erect a monument to his memory. This token recognition will preserve what he did as a permanent history lesson to future generations of Americans.

Many of those he saved now are deceased. Many more will be in the near future. Now is the time for this belated project to move ahead. Please let us know if we can be of assistance.

Sincerely,

JACK C. PRICE.

TAX DOLLARS DID FUND ANNIE SPRINKLE

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. ROHRABACHER. Mr. Speaker, last Friday I entered a statement into the RECORD concerning tax dollar subsidization of performances of porn star Annie Sprinkle at the Kitchen Theatre in New York. Unfortunately, the CONGRESSIONAL RECORD made a transcription error in the amount of money the National Endowment for the Arts gave to the Kitchen Theatre. My statement was correct as submitted. Therefore, I am resubmitting the statement today:

Mr. Speaker, it appears that Annie Sprinkle, the Kitchen Theatre, and the New York State Council on the Arts have changed their tune.

But don't be fooled—the Annie Sprinkle show did receive government money—not once but twice.

First, the Kitchen Theatre in New York City, which hosted 12 performances by Annie Sprinkle, received $60,000 directly from the National Endowment for the Arts for operating expenses.

Second, the New York State Council on the Arts, which receives $500,000 in unrestricted funds from the NEA every year, funded a performing art series at the Kitchen Theatre which included Annie Sprinkle.

The Kitchen Theatre applied for $30,000 from the NYSCA to produce 36 shows in the series. The Kitchen's grant application to the NYSCA describes Sprinkle as a feminist post-porn modernist who "* * * uses her experiences within the pornography industry to comment upon gender roles and sexual identity in contemporary society." The NYSCA disbursed a partial grant of $25,000, 32 performances worth, but did not stipulate which shows were excluded from funding.

Here is what the key players initially had to say about the Annie Sprinkle show:

On stage during her performance, Annie Sprinkle announced, "Usually I get paid a lot of money for this, but tonight it's government funded."

On January 21, 1990, Bobby Tsumagari, executive director of the Kitchen Theatre in New York, confirmed Ms. Sprinkle's claim. "What NYSCA looks for from the Kitchen is a kind of risk taking, experimental programming and that is predominately what they fund us for," Tsumagari said. She added that a list of programming was submitted to the NYCSA "which did in fact represent what we were doing this year. They could have easily chosen not to fund these 12 productions."

A few days later Tsumagari said, "One interpretation is because of the way that contracting works with the NYSCA, there is no State council funding, as they are only funding 32 of our 54 performances. Another interpretation is that a list of programming was submitted to them which did in fact clearly represent what we were doing this year." But, because the council did not specifically tell the Kitchen which four performances it was not funding, Tsumagari added, "it really is a

matter of how one wants to interpret the facts."

On January 21, NYSCA spokesman Tim Mulligan confirmed that the council gave $25,000 to the Kitchen for a "performance art series" that included 12 performances of Annie Sprinkle. A few days later he added, "You can't say one way or another" if four performances of Sprinkle were part of the 32 which the council eventually approved.

The Chairman of the NEA, on February 2, 1990, when asked about the Ms. Sprinkle show, said, "The point is, we are not the moral arbiter of this country. We're not going to run around and respond just because something happened somewhere that someone didn't like."

Two weeks after the story broke and after the public expressed its opinion of government funds going to Annie Sprinkle, people began to change their stories.

On February 7, the Kitchen claimed that it "did not utilize funds from the NYSCA to present these performances." The NYSCA chairman said "we specifically limited our funding because the council felt the Annie Sprinkle presentation was not of artistic quality to warrant council support." Nevertheless, despite their denials, the NYSCA has yet to produce any evidence that they excluded Annie Sprinkle from their grant or that they informed the Kitchen prior to the Annie Sprinkle performances that they were not to use their grant for that purpose. In fact, it's now clear that the NYSCA kept any misgivings they may have had about Ms. Sprinkle to themselves. As Mr. Mulligan explained in a recent Village Voice article, "The council didn't want to fund Annie Sprinkle but we didn't say it because that gets into censorship."

Make no mistake about it, the NEA, the NYSCA and the Kitchen are playing a shell game with taxpayer dollars. The NEA gives more than $500,000 to the NYSCA which, in turn, gave $25,000 to the Kitchen and Annie Sprinkle. Tracing from its source to its ultimate destination—no matter how the NEA tries to hide behind front groups—Federal dollars are going to XXX-rated pornography. Mr. Speaker, this must cease. Later this session, I will offer an amendment to the Interior Appropriations bill to end Government funding for the National Endowment for the Arts. I urge my colleagues to support my amendment. I also ask that my colleagues take a moment and read the following editorial which appeared in the Washington Times. Furthermore, I would like to place in the RECORD articles from the New York City Tribune, which broke the Annie Sprinkle story, along with their editorial on the subject.

PUBLIC FUNDING OF EROTIC SHOW STIRS NEW FUROR, ART VS. SMUT DEBATE

(By Walter Skold)

A new fight in the battle surrounding public funding of controversial art has erupted over a show in Manhattan that is called avant-garde by defenders but labeled pornographic by its critics.

Critics feel that the show, Annie Sprinkle: Post-Porn Modernist, may actually be in violation of state and federal anti-obscenity laws and think that Manhattan District Attorney Robert Morgenthau should launch an investigation.

The show, which contains very explicit sexual acts and images, was performed 12 times over the last 2 weeks at The Kitchen, a theater at 512 W. 19th St. in the Chelsea section of Manhattan. The show was part of a 32-performance series funded by a $25,000 grant from the New York State Council on the Arts (NYSCA).

Last night was the final performance of Annie. A new show will replace it, continuing the state-funded series.

Annie's main writer and only actor is Annie Sprinkle, a self-proclaimed "feminist-porn activist" who has previously appeared in more than 150 X-rated films, according to a press release put out by The Kitchen. She now says that: "porn is dead" and calls herself an artist who performs "post-porn modernism."

Her critics say that if what she did is considered art, it is "obscene" art that should not have been funded at taxpayers' expense.

As part of her performance last Thursday evening, Sprinkle did the following:

Masturbated with various "sex toys" until she supposedly experienced orgasms.

Invoked the spirits of "ancient, sacred, temple prostitutes" into the theater.

Performed oral sex on rubber penises (dildoes) and invited the audience to massage her breasts and photograph her scantily clad body.

To conclude her performance, she opened her vaginal canal with a gynecological tool known as a speculum and invited the audience to the stage to inspect her cervix.

After the show, some 50 men and women paid $5 apiece to have a picture taken with Sprinkle's large breasts resting atop their heads.

Efforts to find out who at NYSCA approved the funding for Annie and whether those involved in the decision were aware of the show's controversial content were unsuccessful.

$25,000 PROVIDED

Tim Mulligan, a spokesman for NYSCA, said that top council officials were not in the office Friday to make any comments. He did confirm that the council gave $25,000 to The Kitchen for a "performance art series" that included the 12 performances of Annie.

Mulligan said he was unsure exactly how much of the $25,000 went specifically to fund Annie.

"How somebody in a decision-making position from the state could say, 'Oh boy, let's go with that,' is beyond me," said Joseph Riley head of Morality in Media (MIM).

"You know, Gov. Cuomo is talking about no possibilities to bring the budget down further," said Riley, "but it it seems to me that this could be one of the first things to go."

This latest controversy comes in the wake of numerous political and cultural controversies last year eventually led to the passage of a congressional amendment prohibiting the National Endownment for the Arts (NEA) from funding "obscene art."

The issue exploded when the New York City Tribune reported last year that artist Andres Serrano had received NEA funding for his Piss Christ, a photo of a crucifix in a jar of urine.

Shortly afterward, photographer Robert Mapplethorpe stirred debate over an NEA-funded exhibit built around home-erotic pictures that were considered obscene by critics both in and out of Congress.

The incidents and the ensuing legislation have sparked a heated debate within both the political and artistic communities as to what the proper relationship between the artist and the state should be.

Sprinkle herself made reference to these events during her performance last Thursday.

At one point, after purportedly inducing the first orgasm with her favorite "sex toys," she smiled and said to the audience. "Usually I get paid a lot of money for this, but tonight it's government funded."

Most of the 200 men and women in the audience roared with laughter, but others failed to see the humor.

"That an indictment could be gained from a grand jury, I have no doubt," Riley said, "and what would happen at a trial is a very good question."

Riley, whose group fights obscenity nationwide, said that Morgenthau should consider investigating the performance for possible violations of the state's anti-obscenity laws.

"It is ironic that, at a time of supposed frugality, the state is funding what is arguably an obscene performance by someone who admittedly has appeared in 150 porn films."

"It's also ironic that Mr. Morgenthau was sworn in again, yet this sort of thing goes on under his jurisdiction, when to the best of my knowledge he has not sought an obscenity indictment in about a decade."

"Look, we have an $8-billion porn industry which is controlled by organized crime, according to the California Department of Justice," complained Page Mellish, president of Feminists Fighting Pornography (FFP).

"Why is tax money being used to present this pornography?" she asked.

Bobbi Tsumagari, The Kitchen's executive director, told the New York City Tribune that critics should not castigate the show without having seen it first. She fears that a "simple, verbal description" of certain parts of the show, without seeing it performed in context, could indeed make Annie sound like pornography.

Riley and Mellish did not see the risque show, but they made their comments based on the descriptions of others and a review in the latest edition of Screw magazine.

The Screw review said, "Sprinkle has always inhabited the extreme edges of the sexual underworld . . . to exploit the revolutionary, or at least irreverent, aspects of pornography."

"The piece itself is not pornographic," said Tsumagari, "but it does question, as much as contemporary art does, what is appropriate material for artists, and what is a public and a private act."

She also said it "comments on the sex industry in a very stringent way, from a first-hand point of view."

Tsumagari may have been referring to one scene that graphically and gruesomely depicted the violence and abuse often associated with pornography. At the beginning of the skit, called "100 Blow Jobs," Sprinkle becomes very angry and despondent, and admits she "met a lot of rotten people" in her career.

Then, with a background of the loud voices of demanding men shouting curses and insults at her, she proceeds to give frantic oral sex to various dildoes, which represent abusive sex partners.

"Sprinkle can claim that it's art," said Mellish, "but you can go to 42nd Street right now, and put a couple of bucks in a machine, and have the same interaction with a woman.

"Now, I don't know if those women claim [what they are doing] is art, but very few people would claim that it is not pornography," she said.

"What she is doing is no different than what is inside Playboy, Penthouse and in booths on 42nd Street," added Mellish.

Screw magazine said, "By casting her act in the form of a Tony 'performance piece,' Annie snares all the artsy nabobs who might otherwise turn up their noses at a six-shows-a-night Show World stand."

Show World is a pornographic theater in Manhattan that has movies, private booths and live-sex acts. Sprinkle herself first developed and performed some of her skits in burlesques, strip joints and in live-sex theaters.

"Some avante-garde people may consider this art, but a jury may not agree," said Robert Peters, an attorney with MIM.

He said that most people are not aware of the state's obscenity laws, a situation he blamed on a "very successful public relations campaign by the American Civil Liberties Union [ACLU]."

"The ACLU always talks about the First Amendment," said Peters, "but the fact is, the First Amendment does not protect" pornography if jurors judge it to be obscene.

MORGENTHAU CRITICIZED

Peters also criticized Morgenthau for not enforcing New York's obscenity laws against the state's booming pornography industry. He thinks convictions can be obtained if "enough political pressure is brought to bear" on the district attorney, but he said many people are tired of complaining because "they get no response."

Tsumagari disagrees with critics who say the show is obscene. "This show encourages you to think about something that you think you know about," she said, "and makes you see the issue of pornography in a new light.

"Frankly, real pornography doesn't do that, which is one of its pernicious influences," she said.

A "Post-Porn Modernist Manifesto," which is printed in the show's program and is signed by more than 20 people, describes the philosophy of such modernists who "celebrate sex as the nourishing, life-giving force."

It states, "We embrace our genitals as part, not separate, from our spirits," and adds, "We utilize sexually explicit words, pictures and performances to communicate our ideas and emotions."

The signers also "denounce sexual censorship as anti-art and inhuman."

The widespread disagreement over Annie seems to illustrate the clash between personal philosophies and public opinions that often occurs when people try to draw the line between "art," "pornography" and "obscenity."

The state obscenity law at one point describes obscenity as "patently offensive" descriptions of sexual acts like sodomy, masturbation, sadism, excretion or the rude exhibition of the genitals.

It also stipulates that material or performances judged to be obscene must, as a whole, lack "serious literary, artistic, political and scientific appeal."

Annie does contain masturbation, excretion and the displaying of genitals, but its defenders say it cannot be considered legally obscene because the show is primarily artistic in content and form.

"The current legislation [initiated by Sen. Jesse Helms, R-N.C.] uses a definition of obscenity which used the phrase 'without artistic merit,'" pointed out Tsumagari, "but this show, in our estimation, has a lot of artistic merit."

Steve Cain, a talk show host on WABC-AM radio, saw the show with his wife, and found it to be "enjoyable," not objectionable.

"It was artistic, enjoyable and provocative, but not pornographic," said Cain, who said he felt the show's main message to be "that society is too hung up about sex."

Mellish said her group won't "get into what is and isn't art," and Riley asked, "Is this art or garbage?"

Regarding a clear-cut, definitive answer, he said, "It's very hard to say."

Still, he and Peters said that Albany legislators should consider whether the funding of the show was a violation of the new federal regulations regarding the NEA.

The state council receives large grants from the NEA every year. Under the new regulations, the federal arts agency is not allowed to fund "obscene" material directly or indirectly.

"Obviously, I'm very much concerned about the move to restrict the NEA from using its best resources to evaluate the merits of programs," said Tsumagari. "And that is essentially what the Helms legislation is about."

She said the legislation "is not really about people stopping shows, its about people trying to prevent public funds from going to these shows, which is a different issue."

"These are the very same principles which were involved in the Mapplethorpe controversy," agreed Cain, who said the state should attempt to develop criteria for funding art "based on what is credible."

"If the state is going to fund the arts," said Cain, "it should not be able to censor the content, but should give to legitimate artists equally."

Many observers, however, have said that it is probably impossible, and maybe not even appropriate, for the state to decide just what is "legitimate" art.

The Kitchen has a tradition of presenting works that "test certain boundaries of art forms and of public acceptability," said Tsumagari, "and let's face it, that stage of public acceptability changes."

She said that what NYSCA "looks for from The Kitchen is a kind of risk-taking, experimental programming, and that is predominantly what they fund us for."

Tsumagari said a list of programming was submitted to NYSCA. "We did in fact represent what we were doing this year."

"They could easily have chosen not to fund these 12 productions" of Annie Sprinkle, she said.

She adamantly defended the grant however, saying, "You need to look at all the programming here, not just our show, so you can filter it into a balance across the board."

Mulligan was able to tell the City Tribune what the Kitchen application said about the show in question.

It described Sprinkle as a "self-described feminist post-porn modernist who "uses her experiences within the pornography industry to comment upon gender roles and sexual identity in a contemporary society."

"Her work is particularly concerned with developing physical and psychological states of health and well-being and in some of the oppressive qualities of everyday life, as well as the AIDS epidemic."

Sprinkle was not available for an interview, but the show's press release program and previous interviews give an idea of how she sees herself and her work.

A Kitchen theater release said, "The work charts writer/performer Annie Sprinkle's personal odyssey through the worlds of art and ideology, commerce and pornography, a journey which leads her to alternative models of sexual health and well-being."

FAST-PACED AND WITTY

The show's program says Sprinkle "has constructed a fast-paced and witty show which draws on her own experience as a sex researcher who has explored her own and society's sexuality in depth through work in pornography and prostitution."

It also describes Sprinkle as someone who "understands sex as her hobby, politics, spiritual discipline, expertise, main source of income, only subject matter, foremost topic of thought and conversation and the key to her great health and happiness."

During the performance, Sprinkle said her sexual obsessions are "new age" spirituality, and likened her art to ancient sacred prostitutes and Taoist masters who could lengthen their orgasms. She also prayed with the audience to invoke the spirits of past sex goddesses.

"I like to evoke spirits," she told the crowd, "they love having sex."

At one point, she mounted an altar of candles and lit them in honor of former friends and lovers who had died from AIDS. She then prayed to their spirits, lit incense, and, with the audience chanting along and applauding, induced an orgasm with a vibrator.

That skit was called "Sex Heals," and in an interview with New York Native last year, Sprinkle called such techniques "ecstatic mind altering masturbation rituals."

Riley agreed that there are similarities between ancient sexual/religions rituals and what is presently considered pornography. "But," he said "For her to talk today in that same kind of reference, is the same kind of con that Al Goldstein uses in claiming first amendment protections for what he does."

Goldstein publishes the pornographic magazine Screw and produces the cable show "Midnight Blue," which Sprinkle has often appeared on.

"What we have here is a uni-sex P.T. Barnum," said Riley. "Barnum said there is a sucker born every minute, only in this case it is almost literal."

Goldstein and Riley have clashed for years over pornography and have both become national symbols for those who either want to enforce or abolish state and federal laws restricting obscenity.

[From the New York City Tribune, Jan. 31, 1990]

DISPUTE GROWS OVER WHETHER NEW YORK FUNDED SEX SHOW IN CHELSEA THEATER

(By Walter Skold)

A controversial performance by a famous pornography star who participated in a series of state-funded performances has lawmakers and artists arguing again about government and corporate funding of "obscene art."

Based on interviews with officials at the New York State Council on the Arts (NYSCA), and with the director of the Kitchen theater in Manhattan's Chelsea section, where the shows were performed, the New York City Tribune reported last week that public funds made possible a show that some critics called "patently obscene."

Now NYSCA denies having funded the performances of Annie Sprinkle: Post-Porn Modernist. The Council this week released a statement calling the show "not of an artistic quality." However, officials said internal records that could prove exactly what they did or did not fund are not available to the public.

Critics say NYSCA is playing a "shell game" and maintain that Sprinkle was in fact funded, because the state was the major funding source for the series in which the show appeared.

The show featured graphic and explicit sexual scenes that included masturbation, oral sex, urination, orgasmic ritual dances and the inspection of Sprinkle's vagina by some members of the audience.

Assemblyman Joseph Pillittere (D-Niagra), the chairman of the Assembly's Tourism, Sports, and Art Committee, was shocked at the content of Sprinkle's performance and said that "based on what she did in her last performance, I would not want the state to fund anything that she is involved with" in the future.

He called NYSCA's funding of the series a mistake but said the nature of the agencies funding procedures make it possible for such things to happen occasionally.

He said the funding of such events "is almost impossible to control unless you have total censorship and demand that everyone who gets state money has to predetermine what their exact performance is going to be."

Presently, contracts and applications between NYSCA and institutions are so vague, critics say, that the facts of just what the Council is and is not funding is often a matter of interpretation.

In a statement sent to the Tribune, NYSCA Chairperson Kitty Carlisle Hart said that "council contracts are drawn in broad terms for a simple reason: to avoid the slightest hint of censorship."

But critics say the cry of censorship is a smokescreen for the fact that public funds are used to sponsor art production series that include objectionable material.

"The bottom line is that if taxpayer's dollars were taken out of the formula, the show would not have been funded," said an angry Dana Rohrabacher, a congressman from California who has been extremely critical of the National Endowment for the Arts (NEA).

"The fact that artists are able to get their hands on tax dollars and use it to fund obscene and sexually graphic presentations," said Rohrabacher, "suggests there is something pretty wrong with the system."

The circumstances surrounding the performance of Sprinkle at the Kitchen seem to provide a good example of just how the sometimes complicated funding process works.

The Kitchen originally applied to the state for $30,000 to produce 36 shows in its performance art series. NYSCA only gave the Kitchen $25,000 to put on 32 performances, but it did not stipulate just which shows it was not funding.

The original application from the Kitchen included 4 performances of Sprinkle, but the show was actually performed 12 times. This happened because the Kitchen, as is often the case with theaters, added 22 more performances to its schedule after the application was submitted.

Barbara Tsumagari, the executive director of the Kitchen, said when first contacted that "one interpretation is, that because of the way that contracting works with NYSCA, there is no state council funding as they are only funding 32 of our 54 performances."

"Another interpretation is that a list of programming was submitted to them which did in fact clearly represent what we were doing this year," added Tsumagari.

But because the Council did not specifically tell the Kitchen which four performances it was not funding, she said "it really is a matter of how one wants to interpret" the facts.

When first contacted, Jim Mulligan, a NYSCA spokesman, said "you can't say one way or the other" if the 4 performances of Sprinkle were part of the 32 which the Council eventually approved.

Neither Hart nor NYSCA director, Mary Hays, were in the office when Mulligan first spoke with the Tribune however, and after the first story was published, NYSCA then said that the Sprinkle performances had in fact been turned down.

Part of the reason for the confusion is because nowhere on the approved contract with the Kitchen does it specify that the four controversial performances were being denied funding. This decision was an internal one made by the panel of artists who make recommendations on funding requests.

Still, the Council will not release these internal records because they say the decisions are meant to be confidential to protect the panelists.

"As a corollary," to not telling recipients just which shows are being denied, said Hart, "we believe that a reduced amount from requested funding is a very clear comment to the agency involved that, while much of their effort is worthy of public funding, some clearly is not."

She reiterated that "We wish to avoid the slightest appearance of censoring any artist," and claimed that "over the years, the State legislature, in every examination and reexamination of our funding process, has strongly supported this viewpoint."

While Pillittere is upset over the Sprinkle performance, he is sympathetic with the Council. He said he has talked about this funding problem with Hart and Hays and agreed that "it is almost impossible to control every aspect of the total fiscal budget."

He said the Council has a good overall record and that the Council record is good and that "Out of the total budget, this is one of the few of this type of performances that the state has been involved in" that is objectionable.

But John Mashburn, a legislative aide for Senator Jesse Helms, said that is "like saying the Exxon Valdez is only one of a thousand ships that wrecked."

Mashburn said "People are being fast and loose with just who is funding who," and added that many governmental art agencies "know who they give it too, but they don't necessarily know what the entity does with it once they get the funds."

"We are not saying that they can't do it," said Mashburn. "They can call it whatever they want to, but don't tax the American public is what we're saying."

[From the New York City Tribune, Feb. 8, 1990]

WHO PAID ANNIE SPRINKLE TO DO THOSE DIRTY THINGS?

Did the National Endowment for the Arts (NEA) and the New York State Council for the Arts (NYSCA) fund a public show in which porn star Annie Sprinkle masturbated with a variety of sex toys and invited the audience to examine her vagina with a flashlight? Or were we wrong?

On January 22 the New York City Tribune reported that the Council gave a $25,000 grant to The Kitchen theater for a series of performances that included a show called Annie Sprinkle: Post-Porn Modernist. In his original story, City Tribune reporter Walter Skold quotes a spokesman for the state council, the director of The Kitchen and Spinkle herself as saying that the performances were funded by the NYSCA. The council, we noted, is funded by the NEA.

Now, in the wake of a blistering attack from Congressman Dana Rohrabacher, R-Ca., the NEA, the NYSCA and The Kitchen all say in published interviews that we got the story wrong. It's amazing how a little heat from the right person can jog one's memory.

The NYSCA says it never intended to fund the Sprinkle performances because they were deemed to be lacking in artistic merit. And the spokesman said he was mistaken when he originally spoke to our reporter. However, for more than two weeks the council has refused to provide us with documentation that could easily validate this claim. Surely, if the council reviewed the application from The Kitchen and decided not to fund Sprinkle, there must be some letter to that effect.

Is the NYSCA stonewalling us? If no letter exists then how was The Kitchen to know that the $25,000 shouldn't go to Sprinkle? The more likely scenario is that the council is in the habit of pouring tax dollars down a black hole.

Sprinkle says she was only kidding when she interrupted an orgasm to thank the government for funding her show.

The program for Sprinkle's show lists the NYSCA as a funder as well as a number of non-profit organizations that probably thought they were helping some kind of legitimate theatrical performance.

The NEA says based on press accounts, it would not have funded the Sprinkle show although it admits to giving $60,000 directly to The Kitchen for operational expenses. Their position seems to be it's not the NEA's problem if the theater happens to put on live sex shows.

In a letter to NEA Chairman John Frohnmayer, Rohrabacher, correctly notes, "No other government agency would have the gall to hold itself unaccountable for the ultimate destination of the tax dollars it disburses."

Most Americans would be shocked to know their tax dollars are wasted on the kind of pornographic anti-religious trash consistently funded by the State Council for the Arts and the NEA. The refusal of the agencies to take responsibility for their remarkably bad judgment is distressing.

These agencies have become the Exxon Valdez of American culture. They were created for good purpose, but, oh my, what pollution they have caused.

[From the Washington Times, Feb. 12, 1990]

THE WELL-ENDOWED MS. SPRINKLE

The Greek philosopher Diogenes used a lantern in his unavailing search for an honest man. Porn artiste and ex-prostitute Annie Sprinkle uses a flashlight, and the taxpayers have to shell out for it.

Actually, it's not clear whether the flashlight that serves to inspect the interior regions of Ms. Sprinkle's anatomy is funded by the American taxpayer, but parts of her

bizarre stage act may be. Several newspapers in the last week have documented the passage of public money from the taxpayers through the National Endowment for the Arts to the New York State Council on the Arts to The Kitchen, one of Manhattan's steamier nocturnal haunts, where performs the incomparable Ms. Sprinkle.

What Ms. Sprinkle does on your nickel makes the homoerotic and excretory concoctions of Robert Mapplethorpe and Andres Serrano look like finger painting by the Mouseketeers. Her act includes masturbation on stage, urinating in a toilet and asking members of her audience if they'd like to peer up her nether body openings by means of the flashlight. Whatever spectators find when they accept her invitation, it's probably not an honest man.

Barbara Tsumagari, executive director of The Kitchen, denies that Ms. Sprinkle's contributions to the lively arts are financed by the NEA. She says the 12 shows Ms. Sprinkle is putting on are only part of a series of 54 performances, and taxpayers had to swallow the tab for a mere 32 of them. But the publicly funded New York State Council on the Arts spewed up $25,000 for the series and receives $500,000 annually from the NEA. The Kitchen's share of the NEA booty is $60,000 for operating expenses. Ms. Sprinkle herself, during her performance, says, "Usually I get paid a lot of money for this, but tonight it's government funded."

Meanwhile, The New York Post, The New York City Tribune and other papers have disrobed several other well-veiled instances of weird funding by the NEA: A San Francisco gallery that offers a video on "genital openings"; an excursion into "woundings and cuttings by women as a healthy response to a sick society"; and $20,000 to three lesbian writers "known for the homoerotic content in some of their works," according to The Washington Blade. Then there's Ms. Sprinkle's fellow aesthete, Johanna Went, whose performances with excrement, menstrual products and male genitals transcend the imagination of even Ms. Sprinkle and were partly funded by the NEA and the NYSCA in the 1980s.

Critics of the NEA like Sen. Jesse Helms and Rep. Dana Rohrabacher are properly volcanic over the agency's apparent inability to refrain from funding human waste products. Last year, when the Mapplethorpe and Serrano controversies broke, these and few other lawmakers proposed drastic remedies, but their colleagues overrode them with more modest measures. As a result, we find ourselves still encumbered with the likes of Ms. Sprinkle, Ms. Went and other "post-porn modernists" as these fraudulent weirdos bill themselves.

Not too long ago the whole lot of them would have been locked up by the vice squad or scooped up by the garbage trucks. Today literati and legislators solemnly pronounce them to be heralds in the vanguard of beauty, rush to champion their rights of free expression and ladle up largesse so they can indulge their tiny imaginations in comfort.

The moral here ought to be clear. Federal art almost always will be bad, small-minded stuff, and the Annie Sprinkles will always find ways to get their hands on the federal loot. Everyone hereabouts knows this political fact, but few will confess the awful truth. You can use a lantern or a flashlight, but when you peer into the bellies of Congress or the NEA, you won't find many more honest men than Diogenes did.

STEVEN ANSON HONORED

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to recognize a leading resident of the San Fernando Valley, Steven Anson. He is being honored by the Sylmar Chamber of Commerce on completion of a distinguished term as president.

Steve's tenure was highlighted by a significant growth in the chamber's membership: an average of four new members a month. He was responsible for setting up the innovative "Business to Business Networking" program, which, by spotlighting a different area business on a monthly basis, has helped promote business cooperation and growth.

Steven was also responsible for boosting the chamber's outreach to the wider community. He added the honorary sheriff's jamboree and contest to the already successful annual parade and fair.

In addition to his chamber duties, Steve is a successful and respected businessman and banker. He is currently chairman of the Santa Clarita Bank.

Mr. Speaker, I ask my colleagues to join me in acclaiming Steven Anson, a community leader and role model for all.

FROM THE INNER CITY TO THE SUBURBS COMES A CALL AND A WARNING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. RANGEL. Mr. Speaker, I would like to call to your attention the following sermon by the Rev. Leon Sullivan, pastor emeritus of Zion Baptist Church of Philadelphia and founder of the Opportunities Industrialization Centers. He urges all people, especially those in the suburbs, to act now and invest effort and resources in the innercity. His speech serves as both a warning and an inspiration. The sermon was delivered on October 8, 1989 at the Episcopal Church of St. Martin-in-the-Fields in Chestnut Hill, Philadelphia.

FROM THE INNER CITY TO THE SUBURBS COMES A CALL AND A WARNING

(By the Rev. Leon Sullivan)

From the fifth chapter of Luke, the fifth and sixth verses: "Launch out into the deep and let down your nets."

A call to the suburbs from the inner city. All too often we give up on solving problems because, in our minds, we live in a "can't do it" world. Therefore we are defeated before we begin. As a man thinketh in his heart, so is he.

So I ask you today, as we face grave American problems, to try to think differently about things. If you think affirmatively, you'd be surprised what you can do. If you think problems can be solved, with the help of God, you can do extraordinary things. Unbelievable things. Impossible things.

The objective of religion is not to get people into heaven but to get heaven into people. And not just to keep people out of hell but to get hell out of people.

You must not only preach religion, but live religion. The problem in America is we have preached it, but not lived it.

The story of the Bible is a story of men and women proving with God's help that something can be done. It is the story of Moses, of people wanting to be free, but they had been slaves so long they thought nothing can be done. And God spoke to Moses and said, "Go down to Egypt and tell pharaoh to let my people go." And Moses said, "What will I use?" And God said, "Use the rod in your hand! Use what you have! Don't say it can't be done."

And the story of Jesus, when he saw the fishermen of Gennesaret holding their nets. They said, "There are no fish today." And Jesus said, "It can be done. Launch into the deep off the beach. Let down your nets. Have faith." And they launched down and their nets were so filled they almost broke.

Time and time again there have been those who launched into the deep. Impossible situations. Fifty years ago a little man in India put a loincloth about his body. Faced the most powerful empire in the world and appealed for freedom for his people, using nonviolence and civil disobedience for the first time in the modern world. And in 1947, India declared its independence from Britain, starting a movement of freedom that sprang around the world.

In 1955 a young black minister in Montgomery, Ala., said the time had come for racial segregation to end in the South. And he led a year-long boycott that aroused the consciousness of America and began the great civil rights movement that broke down barriers the length and breadth of this country.

In the city of Philadelphia in 1958, 400 black preachers led boycotts against companies that discriminated against blacks. In 1958, not a single soft-drink company had a black salesman driving a truck. There were no bank managers who were black. Except for a few, there were no blacks in any position of consequence, other than the most menial and the most servile.

For three years these black preachers launched boycotts against soft-drink companies, banks, newspapers, oil companies, large chains, until the time the little Caesars of Philadelphia said, "It's time to open the doors." And thousands of jobs were open to blacks.

In 1968, following the assassination of Dr. King, Congress passed the Civil Rights Act that prohibited racial discrimination in the sale of rental housing. Still in America today, with all we've got, with all the laws, 90 percent of our urban areas are de facto segregated. Ninety percent of our urban schools are de facto segregated, and it is still two times more difficult for a black to get a job in America than a white.

Something can be done about it. In Philadelphia you and I will launch out into the deep and let down our nets and believe something can be done, if you want something to be done. If we don't, we will see devastation.

If we do not ease the problems of the inner cities and deal soon with the problems of the homeless, the drug-addicted, the unemployed, the poorly educated—and the helplessness and hopelessness that grows and festers every day—within three years at least 30 American cities will explode.

We must launch a collective effort to steer this nation from the tragedy of urban violence. There must be a collective effort to

avert this disaster because the conditions the people face now, and the increasing number affected, will make the riots of the '60s look like a picnic three years from now.

There is need in America today for new priorities for the poor, new priorities from Congress, new priorities from the President of the United States.

We will never solve the problem of drugs by saying no to drugs, or going after drug traffickers in Colombia. They will only move their operations to another place. We must deal with the hopelessness of the people in the cities who are unemployed, living in falling-down, rat-infested and decaying houses with no one reaching out with a helping hand. The fact is, we are more interested in Poland, Hungary and East Germany than the poor and the homeless of America. And we have the resources to help make the difference.

All the people in the inner city want is a job, a decent house, safety for their children and some American justice. And hope.

We are a crisis-motivated country; we only move by crisis. Society did not feel threatened by the cities until the cities were set on fire. That's the only way we act in America to help the poor. In three years, I say we will have that crisis if we do not act now. I assure you trouble is on the way. There will be marches in the streets of Chestnut Hill.

So, there must be a collective effort that will include the suburbs, to help the problems of the inner city. The suburbs will not be safe until the inner cities are safe. We are all in this thing together: blacks and whites, Jews and Gentiles, Asians, together in American now. We all came over in separate boats but we're in the same boat now.

Twenty-five years ago in an old, abandoned jailhouse in Philadelphia, with the help of a few friends, we launched a program called Opportunities Industrialization Centers. It has trained one million men and women for jobs. It started with a pinch of government help, and with a few Americans who believed they could use what they had to reach thousands of people.

Now we are going on. To the next challenge. We shall take abandoned buildings in the inner cities of America and we shall reach out to the people who need help and love. We shall bring them in, we shall turn them around, we shall dress them up and clean them up, we shall teach them, we shall motivate them, we shall help them to know that somebody out there loves them because now most of us don't think anybody gives a damn.

We shall reach out to the suburbs for your resources. We shall work in the inner cities, but you in the suburbs must help, too. You must help with your money, you must help with your churches, you must help with your resources, you must help with your volunteer assistance, you must help with doctors and nurses and medical aides, you must help with clothing. You who are executives of department stores that supply clothes for people, you who own businesses that supply food to feed the people, you in the suburbs who have but will not share with those who do not have.

It is plea to the suburbs from the inner city. This is your challenge. This is the first time I've spoken of this in a church in America, except in my own church.

Here in the suburbs I'm speaking to you and to the thousands of churches in the suburbs, around this nation, to use what you have to help those who want to help themselves. Your resources, your money, your time. The suburbs and the inner city must work together to solve the problems, while the government as yet does not perceive the poverty in this country. Until it does, we must act. We who say we love God, we must humble ourselves and pray and work toward the salvation of the people of God now.

Launch out into the deep and let down your nets. Impossible? Impossible dreams? God deals with impossible dreams, and God is able. So then let us reach out and take God's hand, and each other's hands, black and white. It is a call from the inner city to the suburbs of America.

Let us walk together, children, and not get weary, and there will still be a camp meeting in the promised land.

MISS ROSIE ISN'T ALWAYS WRONG

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. CRANE. Mr. Speaker, the economists who assist the administration in preparing its yearly budget proposal are often accused of basing their calculations on overly optimistic predictions about the state of the Nation's economy; figuratively put, seeing the world through rose-colored glasses. These accusations have proven to be blatantly false.

In fact, the administration's economic forecasts have been consistently more accurate than those of the Congressional Budget Office or private sector economists. This would seem to nullify any negative comments about the administration's budget based on rosy forecasts. Perhaps the blame for our budgetary problems lies elsewhere. I commend to your attention the following article, "White House Economists Spurn Ms. Rosie Scenario," by Joseph A. Grundfest, which appeared in the Wall Street Journal on February 13, 1990.

[From the Wall Street Journal, Feb. 13, 1990]

WHITE HOUSE ECONOMISTS SPURN MS. ROSIE SCENARIO

(By Joseph A. Grundfest)

Every year, come the end of January, the nation's attention turns to Washington, D.C., where there is said to live a mysterious temptress named Rose Scenario. Legend has it that Rosie casts a seductive spell on the administration's economic forecasters, enticing them to make wildly optimistic projections that distort the nation's budgetary process.

Last month was no different. The allegation: The administration was predicting healthy economic performance in order to avoid forecasting a larger deficit that would require deeper cuts in military or domestic spending, or new taxes, to achieve deficit-reduction targets. The trouble with this story, however, is that it doesn't fit the facts. Lately the administration has been doing a remarkably accurate job of predicting economic performance.

Consider the administration's mid-year forecasts issued last July. These also were criticized as having been generated under Rosie's seductive gaze. How well have those forecasts fared since they were issued?

The administration predicted 2.9% real GNP growth for 1988. Bull's eye: Real GNP grew 2.9%. Unemployment was projected at 5.2%. Bull's-eye again. Ten-year Treasury notes were supposed to close the year at 8.5%. Yet another bull's eye.

Where did the administration miss the mark in its projections? It was low by a tenth of a percentage point in its estimate of the three-month Treasury bill rate. It also overestimated growth in the consumer price index by two-tenths of a percentage point and in the gross national product deflator by four-tenths of a percentage point. (These inflation overestimates aren't, by the way, the kind of mistakes you'd expect Rosie to entice. After all, overestimating inflation doesn't make you a wild-eyed optimist.)

How many private-sector economists beat this performance?

A comparison of the administration's estimates with July's Blue Chip Economic Forecast based on a survey of 52 leading private-sector economists reveals that not a single private-sector economist hit three home runs by predicting real GNP, unemployment and long-term interest rates right on the nose. Indeed, the best private-sector performance on any of those measures was turned in on the unemployment number, where only 29% of the economists got it right.

Even when the administration missed, it was closer to the mark than the majority of the private-sector forecasters. On short-term interest rates only 12% of the private-sector estimates were more accurate than administration forecasts. And on the inflation numbers, the best the private sector could do was in the GNP deflator competition, where only 15% of private forecasters beat the administration.

"Beginner's luck!" you say. But the problem with that story is that even if one goes back to the period spanning 1984 through 1988 it turns out that administration forecasts were eminently credible. For example, administration estimates of fourth-quarter real GNP growth were more accurate than both Congressional Budget Office and Blue Chip consensus estimates in four of the five years. Moreover, given the mistakes made by private-sector and CBO economists, there is no reason to believe that they are consistently better forecasters than administration economists.

Indeed, if one is looking for biases, observe that in seven of the past eight years the CBO has overestimated the GNP deflator and three-month Treasury bill rates, thereby predicting inflation and interest rates higher than those actually experienced. Has Rosie's evil half-sister, Gloomie, been working the other end of Pennsylvania Avenue? If one wants to believe in conspiracy theories, it's not hard to concoct a tale that has congressional economists generating dour predictions to serve Congress' political goals.

Regardless of the facts, the fear behind Rosie's legend is understandable. After all, if the administration can finesse a dicey budget problem by fudging a decimal point here or there, then why not do it?

The answer is that administration economists understand that to be consistently wrong in a direction that suggests a political thumb on the scale is one of the worst events that could befall them. Congress could use that evidence to push for a greater role for the CBO at the expense of administration economists. At least some administration officials would also come to see that a politically motivated projection has the potential to backfire in the worst way imaginable.

On a more personal level, economists who toil for an administration typically have professional reputations to protect. Few charges are as professionally damning as the allegation that objectivity and principle have been compromised.

Administration economists therefore have reason to turn their backs on Rosie. They might dream of her at night, and they might flirt with her if given half a chance, but the evidence to date is that Rosie hasn't seduced them into generating unreliable forecasts.

(Mr. Grundfest, who teaches at Stanford Law School, was an SEC commissioner, from 1985 until last month, and senior economist at the Council of Economist Advisers, 1984-85.)

BURGER KING CITIES IN SCHOOLS ACADEMY OF MIAMI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, on September 5, 1989, a wonderful school opened in Miami. The Burger King Academy is the first of a group of schools serving dropout-prone students in the 9th through 12th grades. Sponsored by Cities in Schools, Inc., its purpose is to bring together existing public and private resources and people into schools where they most benefit at-risk youth. CIS is supported by a variety of private businesses, foundations, and individuals, as well as an interagency grant from the Justice, Labor, and Health and Human Services Departments.

In Miami, as well as in other cities, CIS has brought together local government, school officials, and private business representatives to form a board of directors. This board assesses the community's needs and arranges for CIS projects to be established at educational sites throughout the community.

The Burger King Academy's services include academic instruction by certified teachers, internships and jobs, skills classes, and tutoring. Students are also offered specialized counseling and access to social services. The academy staff will focus on the individual and create a family-like atmosphere where students can build self-esteem and confidence. Each school can serve up to 125 students, with classes not exceeding 20 students. The atmosphere can be most closely compared to the old-fashioned one-room schoolhouse where teachers knew students personally.

This program is so very important because it is targeting our youth. Our young people must be encouraged to continue their education, to become active and fruitful members of our society. They must be guided to a path which will lead them to a productive future: the options are so many, and education is the most helpful tool we have to prevent drug abuse and crime.

Mr. Speaker, I commend all who are involved in this marvelous program, especially the board of directors of the Cities in Schools of Miami, Inc., and the students and faculty who are working so hard to make tomorrow better for all of us.

SALUTE TO DAN SEYMOUR

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to salute an individual whose acting career embodies the golden age of Hollywood—Dan Seymour. He is being honored by his family and friends on the occasion of his 75th birthday, including his son Jeff—a personal friend.

Dan was born in Chicago in 1915. Excelling in his craft at an early age, by the 1930's, Dan was both acting and managing on the New York stage. He toured the country at the height of the Depression, bringing theater to thousands as he performed with a variety of road companies.

In the 1940's, Dan was persuaded to screen test in Hollywood and won his first film role with Bob Hope and Bing Crosby in "Road to Morocco." Following that success, Dan quickly became established as one of the movie industry's leading character actors. His film credits have included "To Have and Have Not," "Key Largo," "The Way We Were," and the immortal "Casablanca."

During the 1950's, 1960's, and 1970's, Dan appeared in close to 200 television shows including "The Adventures of Superman," "I Spy" and "Perry Mason."

I have followed Dan Seymour's career with special interest because of my close friendship with his son Jeff. Jeff is an outstanding member of the community in his own right and he is justly proud of his father's accomplishments. Thus, it gives me special pleasure to be a part of this celebration.

Mr. Speaker, I ask my colleagues to join me in saluting Dan Seymour, a man of talent and vision whose life and career have brought pleasure to millions.

TRIBUTE TO PERCY SUTTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. RANGEL. Mr. Speaker, it's with great pleasure that I call to your attention the following tribute to Mr. Percy Sutton given by the distinguished Jamaican Ambassador to the United States, Hon. Keith Johnson. Ambassador Johnson spoke in Jamaica on the occasion of the Martin Luther King Jamaican Awards Banquet on Monday, January 15, 1990, as Mr. Sutton received the Dr. King Humanitarian Award.

Ambassador Johnson, a dedicated representative of his country and good friend of the United States, honored Mr. Sutton's selfless commitment to social and economic justice, not only in the United States but in Africa and the Caribbean. An outstanding leader in communications and business, Percy Sutton is also a humanitarian who has exemplified the spirit, principles and courage of the Reverend Martin Luther King, Jr.

A TRIBUTE TO HON. PERCY SUTTON ON THE OCCASION OF THE MARTIN LUTHER KING JAMAICAN AWARDS BANQUET BY HIS EXCELLENCY HON. KEITH JOHNSON, MONDAY, JANUARY 15, 1990

The Martin Luther King Award was conceived by a person who was an advisor and dear friend to our honoree, the Honorable Percy Sutton. He was also advisor and friend to me: I refer to the late Ken Sherwood. I believe that in spirit tonight Ken is following these proceedings with a special pride, knowing that those we honour exemplify the humanitarian concern, the commitment to service and the devotion to principles and justice which characterized the life and contribution of Dr. Martin Luther King, Jr.

How well, I remember Percy as the Grand Marshall of the Martin Luther King Memorial Parade on Fifth Avenue in New York, sponsored by the 369th veterans!—a role that I had the honour of filling on another occasion.

Percy Sutton is an extraordinary man who has lived the American dream by dint of his remarkable abilities, perserverance and courage. Born to a Texas family of humble means, Percy has worked hard to achieve, and achieve he has, in his chosen arenas of law, politics, business, and service to humanity, within the United States and internationally.

Percy Sutton deserves our tribute on this occasion because, like Dr. King, he rejected the easy path to success which his brains and acumen would have assured him. He has tackled the big apple—New York City, and succeeded in its fastest tracks. First as a legal counsel and a pioneer political leader of colour and then as an opener of doors toward the economic empowerment of the minority business community. Although to count his achievements is to provide a mere glimpse of the man, yet tonight let us briefly be reminded of some of them. Percy Sutton was among the leaders of the post war Harlem political movement that defined the meaning of black political power in New York City and culminated last year in the election of Percy's long-time friend and ally, David Dinkins—as Mayor. Percy paved the way, first in the New York Assembly, then in two terms as Manhattan Borough President, and then in his historic run for the mayoralty in 1978.

Percy founded the Inner City Broadcasting Corporation when he left politics: He has built it into a broadcasting empire active in the ownership and operation of numerous radio stations, cable television franchises, and television production.

We honour Percy Sutton because he has been more than the sum total of his achievement. While accomplishing, Percy has contributed. Thus, in politics he always found the time to teach and to be mentor, and as a result we have the leadership of the Basil Pattersons, the Charlie Rangels, and the David Dinkins. In business he insisted on being rooted in the community, and as a result, in Harlem, the renovated and reborn Apollo theatre is the cornerstone of Percy's production company. The new Apollo under Percy Sutton's leadership has revitalized the community which has nurtured him and gives promise of a new Harlem renaissance.

Through it all, there is a consistency to Percy Sutton that we recognize and honour. A commitment to the international struggle of people of colour to achieve self-determination and economic progress, is a consist-

ent stream in Percy Sutton's life. He is a Pan Africanist, giving of his time and money to the cause of political and economic liberation in Africa and the Caribbean even though this struggle promised no immediate benefit to him in his careers in politics or business. And perhaps this is the best measure of the man, Percy Sutton: That he is rooted in the principles which guided great leaders such as Dr. Martin Luther King, Jr., that he follows an internal value system which does not compute the potential cost of lost influence or lost revenue, but perserveres instead toward what is right and just.

If the definition of a humanitarian is one who exemplifies in his life a consistent love for the human race, then Percy Sutton is well deserving of this award. He has endeavoured, in countless ways, to alleviate the suffering of his fellow man, to provide hope and opportunity for those too often denied it.

The Salvation Army, the Boy Scouts movement and a home in New York for the children of drug addicted mothers are among the many channels that he utilizes in this connection.

Percy Sutton relates to individuals, as well as, to mankind in general, he will provide assistance to young people without the means to go to school, he gives of his time to work with and counsel young minority business persons, he fights the evil of apartheid on the boards of Transafrica and the African-American Institute, he responds to world hunger by raising money for organizations such as Africare, and he neither seeks nor takes any credit for his good works.

Despite, this, he is the recipient of more than 400 awards honouring his contribution in the fields of civil rights, human rights, communications, business and philosophy.

Percy Sutton does not count the cost; he is there for Transafrica, for the African National Congress, struggling for the peoples of southern Africa, for the oppressed and threatened throughout the world. He has been there, when it has counted, for Jamaica and the Caribbean. Percy Sutton is a truly outstanding American—indeed a great son of the Americas. But most of all, he is a friend and a brother.

It is, therefore, a great honour for me to have this opportunity to recognize this humanitarian, this loyal friend, and to thank him for his unflagging support of many deserving Jamaican causes.

FRED AND PONI CRAF: 78 YEARS OF SERVICE TO DISABLED AMERICAN VETERANS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. STARK. Mr. Speaker, on March 16, 1990, the Bronson M. Cutting Center Chapter No. 34 and the auxiliary of the Disabled American Veterans in Hayward, CA, are honoring Fred and Pomona "Poni" Graf for a combined 78 years of service. Mr. Speaker, today I rise to pay tribute to this dedicated couple from California's Ninth Congressional District.

Fred Graf was born on September 19, 1918, in Hebron, CO. He served as a corporal in France with the 3d Armored Tank Division of the 1st Army and was severely wounded at the Battle of St. Lo. Fred was hospitalized for a total of 2 years, first in England to save his arm, then at Fitzsimmons Veterans' Administration Medical Center in Denver, CO.

Fred has a disabled rating of 100 percent yet his disability certainly has not hindered his devotion to others. In 1946, he joined the Disabled American Veterans [DAV]. Fred has been commander of Hayward Chapter No. 34 twice and, for many years was the adjutant and treasurer of the chapter.

Fred became the first commander of DAV District No. 14. He then served for 18 years as the State executive committee officer before becoming the Disabled American Veterans representative to the Livermore Veterans' Administration Medical Center. Fred continues to serve as honorary representative.

In 1957, Fred was voted into the DAV Honor Society, the National Order of Trench Rats. The honor society is a group that honors DAV members who have devoted unusual time and service to other disabled American veterans. He became "Golden Rodent" of the local chapter, Dugout No. 135, which encompasses the San Francissco Bay area from San Francisco south to San Jose, as well as the east bay counties of Alameda and Contra Costa.

Fred has held many positions in the National Order of Trench Rats, even attaining the highest position of "Imperial Golden Rodent." He also served as "Red-Eyed Gnawer"—adjutant/treasurer—of local Dugout No. 135.

In 1946, Fred married Pomona "Poni" Davies. Poni was born on August 20, 1923, in Denver, CO. In 1956, Poni helped found charter members. She was soon elected commander of the auxiliary, a position that she held four times. She was also elected commander of the District No. 14 auxiliary and was elected department—State—auxiliary commander in 1970 and 1971.

Poni served several times on the State executive committee for the Chapter No. 34 auxiliary, and was elected to serve as national executive committee representative for the years 1972 and 1973. She also was the Disabled Veteran's Auxiliary representative to the Livermore Veterans' Administration Medical Center for 17 years and now, like Fred, is the honorary representative.

Poni was voted into the honor society of the DAV Auxiliary, the National Order of Alley Cats. Again, members of this order are selected for their devotion and service to disabled American veterans. Poni has held every position in this organization, including "Golden Cat" in the local "RatTrap" which serves the bay area from San Francisco to San Jose, including Alameda and Contra Costa counties. She has also served in various offices in the national order, including the highest post, "Exalted Golden Cat."

Poni continues to serve in many official positions of the DAV Auxiliary and the honor society. For many years, she has been the author of the chapter newsletter which goes out to all members of Chapter No. 34 and the auxiliary.

Fred and Poni have a daughter, Deborah Hageman, of Anchorage, AK, two sons—deceased—and four grandchildren.

Mr. Speaker, I rise today to wish Poni and Fred good luck in the future and to express my sincere thanks to them for their matchless devotion to disabled American veterans. Their dedication to this group serves as an inspiration to us all.

MOTHER MARY OF JESUS THE GOOD SHEPHERD

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SOLARZ. Mr. Speaker, I take great pleasure in rising today to pay tribute to the Sisters of the Holy Family of Nazareth, a religious order currently teaching in three parish schools in my congressional district, and to the foundress of the order, the Blessed Frances Siedliska, who was beatified by Pope John Paul II in Rome on April 23, 1989.

Born near Warsaw in Poland on November 12, 1842, Frances Siedliska became an apostle of religion in her home, her country, and her church at an early age. Inspired into religious service by Father Leander Lendzian, the priest who prepared her for First Holy Communion, Frances struggled against the wishes of her family to answer her calling.

Following the death of her father, Frances formally became a servant of God and set out to establish a new religious congregation in the church. Known by the name "Mary" in religious life, she began her new order with a small group of candidates which performed various apostolic services while Mother Mary directed her efforts to the formation of the spiritual life of the members of the congregation.

Officially founded in Rome in 1875, Mother Mary opened the congregation's first convent in Cracow, Poland, in 1881, and her work expanded rapidly throughout Poland and then to England and France. Moving to the United States in 1885, the flock expanded splendidly, and, despite many obstacles and difficulties, the vigorous efforts of Mother Mary led the way for the establishment of 29 foundations worldwide, 20 of which are in the United States.

Through all of this, the pervasive thought and message that dominated the life and teachings of Mother Mary of Jesus the Good Shepherd was love—love of God, which shows itself in the active love of neighbor. She modeled her congregation on the hidden life and virtues of the Holy Family of Nazareth, and the chief purpose of the order she founded was total self-immolation through prayer, work, and suffering for the intentions of Christ and the church.

When Mother Mary finally succumbed to illness in 1902, she bequeathed to her congregation—and all those familiar with her good work—the personal example of her life and teachings, and her spirit, on which her Sisters depend as they fulfill her mission.

Presently teaching at three parish schools in my congressional district—St. Stanislaus Koska School, and Saints Cyril and Methodius School in the Greenpoint section, and in Our Lady of Czenstochowa School in the Sunset Park section—the Sisters of the Holy Family of Nazareth respond to the contemporary needs of the church and the world by engag-

ing in a diversity of services, mindful that their particular gift to the church is ministry to the family.

I am proud of the exemplary service that these devoted Sisters have given to the residents of my district for so many years, and in commemoration of this magnificent occasion, I am delighted to honor Mary the Mother of Jesus the Good Shepherd and the Sisters of the Holy Family of Nazareth.

TRIBUTE TO THE LATE JOE NALL

HON. LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. THOMAS of Georgia. Mr. Speaker, on November 27, 1989, Mr. Joseph T. Nall, a member of the National Transportation Safety Board, was killed in a plane crash near Caracas, Venezuela. He was in Caracas to deliver a speech to the Venezuelan Aeronautical Congress.

Joe had been by my office on a number of occasions to discuss the needs of transportation safety in America, and his enthusiasm and commitment to service were invigorating.

But in addition to his professional life in Washington, Joe was a generous and committed person in his church and his community.

I would ask that I be permitted to include in the RECORD at this point a memorial statement by my administrative assistant, who knew Joe through his membership at Riverside Baptist Church in Washington. I also include statements by Rev. David Jordan, Mrs. Jean Davis, and Rev. Bill Smith, delivered at Riverside's December 5, 1989, memorial service in honor of Joe Trippe Nall.

STATEMENT OF ROBERT H. HURT, ADMINISTRATIVE ASSISTANT TO U.S. REPRESENTATIVE LINDSAY THOMAS

The term "public servant" has become an expression we use so often that most of us forget the magnitude of its meaning. But Joe Nall put power into the words "public servant," and those of us who are privileged to serve in some capacity in our government could have loved him for that fact alone.

In short, he was the uniquely American "public servant"—someone who loved his country and his government, but who was restlessly anxious to make it serve its people better. He took pride in the dedication of his colleagues and staff. He took exception to the wearisome inefficiencies of a bureaucracy.

He also enjoyed the excitement of the political process, and so he enjoyed the company of the men and women who were elected to Congress, and the staff members who work to serve them.

When Joe Nall entered a room, the air seemed to crackle with his special energy and enthusiasm.

But his was not the energy of self importance that is so often a facet of official Washington—it was an energy that flowed through the bright light of his love for life and his interest in others.

As a fellow deacon at the Riverside Baptist Church, I had the pleasure of seeing Joe's special energy in action in his church life as well as his professional life. His attitude was the same in both—to volunteer to do whatever was needed, to back up his words with his deeds, and to take joy in getting to know the people he worked with.

For me, Joe Nall's life will always be a reminder of how much one person can give—to his family, his friends, and to God.

And it will also be a reminder of the eternal truth of how short our lives are, and how we fail ourselves if we do not live the days we have to the fullest.

I remember that soon after Joe's death, I called our fellow deacon Bill Clohan to talk about that tragic event, and I was struck by the fact that we shared the same two powerful feelings—the pain of Joe's loss, and the fact that we had in some way cheated ourselves by not spending even more time with him.

It had seemed that there would always be time to do everything with Joe, to enjoy his company, to learn from him, and to be engaged by his quick mind that was always ready to learn a new fact and make a new friend.

But, of course, there was not enough time, and so we have learned an old lesson in a sorrow-filled way.

Joe used his time to make a memorial to his memory more perfect than any stone we might carved or words we might speak in his honor. His memorial is written in the hearts of the men, the women, and the children who shared the joy of knowing him.

As our government begins this new year and this new decade, we will do so in a diminished way because we will be without one of our very best.

We will all have to try a little harder and work a little longer, because one of the finest "public servants" I have known is close to our hearts, but no longer at our side.

INVOCATION BY THE REV. DAVID JORDAN, PASTOR, TWINBROOK BAPTIST CHURCH, ROCKVILLE, MD

Dear Lord, we come together today with many feelings. We feel anger at the unfairness of having such a wonderful friend taken from us. We feel shock. We feel sadness. We do not understand why this has happened, and we are frustrated that we have no answers.

We will miss Joe Nall in many ways. We will miss his willing spirit. We will miss his enthusiasm that would light up a room. We will miss his love of children. We will miss his friendship. We will miss his companionship. We will miss the deep and abiding love that he brought to You and to Your Church.

We will miss the special human things about Joe Nall. We will miss his cute Southern accent. We will miss his Dr. Zhivago good looks. We will miss his warm smile that would light up a room. We will miss that stupid beeper he always wore.

We thank you for giving us such a great friend. We ask Your blessings in bringing Your peace to our hearts. In the name of Jesus Christ, we pray, amen.

MEMORIAL TRIBUTE TO JOE NALL

(By Mrs. Jean Davis, Board of Deacons, Riverside Baptist Church)

It is an honor to represent the Board of Deacons of this church and speak on its behalf to pay tribute to our fellow deacon, Joe Nall. I do this with both joy and sorrow. (A former Deacon in our church described such occasions as "Sadhappy" . . . Life for a Christian, filled with "Sadhappy" events). I am sad that Joe is gone; but I am happy that we had him for the time that we did.

I must confess that presently the sorrow and sadness seem to far outweigh the joy and happiness. That is probably the case with all of us. However, the joy and happiness will emerge upon reflection of Jesus' promises to us; upon reflection of Joe's wonderful life, and strength in our personal faith. Joe was such a good man! A wonderful person! Joe was good by any standard that one could apply in evaluating a good person. The first, and I believe, the highest standard would be his Christianity. He lived his Christianity! He was kind. He was sensitive. He loved his neighbor. The neighbor that he loved crossed all boundaries of education, race, economics, and geography. He helped feed the hungry, he cared for the poor, he lived a life that promoted the kingdom of God. Jesus said, "Thou shall love the lord, thy God, with all thy heart and thy neighbor as thyself." Joe heard him!

When I was elected Deacon to this church a year ago, our pastor gave to me a book entitled, The Emerging Role of Deacons. In reading that book, several points struck me as I struggled to learn what being a Deacon means. One line said "Deacons exist to serve God and the Church." Another, "Deacons are ideally people of vision, excitement, and creative energy." Another, "Deacons take upon themselves a major duty to families, and the families develop the feeling that they are now being ministered to in a special way." And finally, "The fundamental impact is that in Deacons, God has special church servants through whom he continues to share a ministry of compassion." Those of us who served with Joe as Deacons here at Riverside can take those thoughts, take out the word Deacon and place in its stead, Joe, and have a powerful wonderful description of the man who's life we celebrate today.

For you see, Joe existed to serve God and the Church. Joe was a—person of vision, excitement and creative energy. Joe took upon himself families and ministered to them in a very special way. . . and we have witnessed his compassion.

Our sadness and sorrow over being separated from Joe is perhaps understandable. It is certainly human. For we will miss seeing him on Sunday mornings, and Tuesday nights; we will miss him singing in the choir; attending Deacons' meeting, helping with communion, sharing his knowledge and his talents with us. We will miss the warm and loving fellowship that each of us enjoyed with him. (Joe had the uncanny ability, when talking with you, to make you feel like the most important person on earth to him at that time). We will miss all of that.

However, there is joy and hope today because Joe did live and we got to share his life. We are thankful for that life, and the opportunity we had to share in it. (What if he had taken another job . . . never had come to Washington . . . think what we would have missed!) We can be happy that he touched our lives and having touched us, we are better people.

The ultimate job will come when we are re-united with Joe, as Jesus has promised. For he teaches us that when he returns, he will gather all believers and there will be a new heaven and a new earth. Being a body of believers, we take comfort in the knowledge that we will be gathered together . . . Joe will be there and we will all spend eternity together. That belief is the source of my joy today and hope for tomorrow.

WORDS IN MEMORY OF JOSEPH T. NALL

(By William H. Smith, Pastor, Riverside Baptist Church)

Jesus told the story of a man who put his business affairs in the hands of his servants while he left the country on an extended journey. When the man returned he called his servants to give an accounting. He was delighted with a servant who had not only taken good care of the capital entrusted to him but had actually doubled the value of the investment. The proud master said,

"Well done, good and faithful servant; thou hast been faithful over a few things, I will make thee ruler over many things: enter thou into the joy of thy lord." (Matthew 25:23)

I am sure that Monday evening, November 27, 1989, Joe Nall heard those same words, "Well done, good and faithful servant . . . enter thou into the joy of the Lord." Our confidence that Joe has met Christ and received his reward gives us comfort to bear the pain of our loss through his death.

We are also helped in our grief by our good memories of Joe. I have my own memories of this fine Christian to share. On the day before he left to go to Venezuela I had lunch with Joe. Because he was preparing to go out of town he wanted me to come up to the office and spend some time talking with him about church concerns before he left. We talked about his plans to help the church in its outreach program. He wanted more people to know about the good news of our faith. He wanted the church to include more people in its witness. He wanted to help more children in our tutoring program. As always Joe was upbeat about the work of the church and dedicated to widening the circle and including more people. We talked about family. He asked about my children. With great pride he gave me the latest news about Molly and Anna Kate. I don't think I ever talked with Joe for any length of time that he didn't mention his daughters and his great pride in them. He shared his excitement about Bernard, his pupil in the church tutoring program, and the good progress that Bernard was making. We also talked about his work. He appreciated those who shared his mission at the National Transportation Safety Board. He believed in the importance of their task and was proud of the high competence of the team. He obviously liked the people with whom he worked. As we made our way through the building toward the cafeteria, Joe stopped again and again to say hello, to introduce me to a co-worker, to make some friendly inquiry. On the elevator he got so involved in conversation that we missed our stop and had to back-track a couple of floors. When I said good-bye that afternoon I felt again, as I always did with Joe, his intense human warmth and enthusiastic good will.

There is one word that I can use as a summary description of my memories of Joe Nall. The word is enthusiasm. He was enthusiastic about his family, his church, his work, and his friends. I especially like this word, enthusiasm, as a description of Joe because it derives from two Greek words, *en Theos*, words that we find in the Bible. Those words mean, "in God." Joe was enthusiastic. Joe was in God. He was God-filled. His enthusiasm, by his own testimony, came from his faith. His life ambition was to be a good and faithful servant of Jesus Christ. On this day of grief we are comforted by our faith and by our memories. We can say together, thanks be to God for the life of Joe Nall. Amen.

TRIBUTE TO LEONARD SHANE

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WAXMAN. Mr. Speaker, we rise today to honor an outstanding individual and exemplary member of our community—Leonard Shane. He is being honored for 50 years of public service by American Associates, Ben-Gurion University of the Negev [AABGU], where he will receive an honorary doctorate at AABGU's 1990 tribute dinner. It is with particular pride that I note that this is the first time such an honor has been bestowed in California.

Leonard's record of commitment and leadership extends across both the public and private sectors. He was the founding president of the Los Angeles Zoo, president of the Orange County Jewish Federation, chairman of the United Jewish Welfare Fund and currently serves on the boards of the Orange County Performing Arts Center, the Orange County Philharmonic Society and Orange County Public Television.

Leonard has received over 300 citations and awards from civic groups and organizations. He is also the holder of the Ben-Gurion Medal from the State of Israel and the Humanitarian Award from the National Conference of Christians and Jews.

Leonard's work for Ben-Gurion University of the Negev is of particular importance to him. He currently chairs the southwest region and is national vice president of American Associates. He is a member of the university's international board of governors and the Shane family has founded the Hubert Humphrey Institute for Social Ecology and endowed a chair in education at the institution.

Leonard is chairman and CEO of the Mercury Savings and Loan Association. He has been married to Marjorie for almost 50 years and they have four married children and seven grandchildren.

Mr. Speaker, it is our privilege and pleasure to ask our colleagues to join us in saluting Leonard Shane, a leader in our community, a role model for all and a man we are proud to call our friend.

RESPONSE TO FDIC CHAIRMAN WILLIAM SEIDMAN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. KAPTUR. Mr. Speaker, many experts give Federal Deposit Insurance Corporation [FDIC] Chairman William Seidman high marks for his performance in guiding the FDIC during a tumultuous period in our Nation's commercial banking industry. Mr. Seidman is now entrusted with an additional important responsibility—assisting the Resolution Trust Corporation in managing the massive bailout of our savings and loan industry. But on February 19, 1990 at the Phoenecian Resort in Scottsdale, AZ, Mr. Seidman made statements about a sector of our Nation's financial institutions that he apparently still needs to learn more about—our Nation's 15,000 credit unions.

According to a February 20, 1990 Associated Press story, Mr. Seidman told the American Bankers Association National Conference for Community Bankers the following:

First, credit unions are growing extremely fast; second, credit unions are increasing their investments in areas where they have little experience; and third, the strength of the credit union Federal deposit insurance fund may be overstated.

I would like to take this opportunity to set the record straight for my House colleagues as well as for Mr. Seidman:

Credit unions are not growing quickly. In fact, in 1989 credit unions experienced their third straight yearly drop in growth of assets, posting a modest growth of just 5 percent.

Credit unions are not engaging in risky investments. They remain heavily involved in their traditional and best investments—loans to their members. In fact, loans in 1989 increased nearly 5 percent as a percentage of total assets. Credit unions may have slightly increased residential lending to their members, but commercial banks still have nearly double the amount of assets in residential and risky commercial loans. Federal law also prohibits credit unions from making investments in risky activities such as junk bonds and luxury resort hotels such as the Phoenecian.

The Credit Union Share Insurance Fund [NCUSIF] has enjoyed success and stability in recent years. Its reserve-to-insured deposits ratio is far superior to that of the Bank Insurance Fund [BIF]. While BIF lost $2.60 per $1,000 in 1988, NCUSIF lost only 38 cents. In addition, NCUSIF's reserve ratio has averaged over $1.25 per $100 insured since 1985. In contrast, the BIF lost $4.5 billion last year.

Mr. Speaker, when an official in Mr. Seidman's position makes erroneous remarks about the soundness of 15,000 of our Nation's safest financial institutions it is a very serious matter. When these remarks are made at the Lincoln Savings and Loan financed Phoenecian Resort—a nationally known symbol of the abuses that caused the thrift debacle—this borders on irresponsibility. I would strongly suggest to Mr. Seidman that he learn the facts the next time he chooses to publicly discuss financial institutions that he is not responsible for regulating. Charles Keating did not rise from the ranks of the credit union industry.

THE YOUNG AMERICANS ACT

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. KENNEDY. Mr. Speaker, there are a number of important legislative initiatives that are desperately needed in order to improve the lot of our children today. We are the only industrialized Nation in the world in which children are the poorest age group—13 million children and over 1 in 5 live in poverty. On

any given night, 100,000 children have no home. There is a 50-percent dropout rate in our innercity high schools. One-half of our Nation's black females become pregnant before they reach the age of 20. We're all familiar with these statistics and there is legislation targeted at each and every one of these problems. But I feel legislation is also needed that will define desirable goals for our children and then spur local action to reach these goals. This legislation will outline a national young policy for America.

The Young Americans Act introduced by our beloved colleague, the late Senator Claude Pepper, is the youth policy our country needs. The goals of the Young Americans Act are lofty but its methods are down-to-earth as evidenced by its overwhelmingly successful parent, the Older Americans Act. Passed in 1965, the Older Americans Act began with a vision that went far beyond what its modest $6 million budget would realistically allow. But the vision to improve the lot of our elderly served as the impetus for people at the local level to design innovative programs to reach out to seniors—Meals on Wheels, transportation services, adult day-care, home renovation programs—and the Older Americans Act has expanded to a $1 billion endeavor which has remarkably improved the nutrition, health and general well-being of our elderly. And it is this same kind of spirit which will make the Young Americans Act a building block for future children services at the community level.

The Young Americans Act was extremely important to Senator Pepper. He greatly wanted to see this legislation enacted. In order to gather momentum for passage, I have been collecting names of Members of Congress who wanted to be on record as supporters of this important legislation. The names of these following Representatives are in addition to the other 56 Representatives who are on record as supporting H.R. 1492:

Congressman JOHN J. LAFALCE, Congressman MARTIN FROST, Congressman ROBERT W. DAVIS, Congressman HAROLD E. FORD, Congressman ENI F. FALEOMAVAEGA, Congressman JAIME B. FUSTER, Congressman JAMES H. BILBRAY, Congressman TERRY L. BRUCE, Congresswoman JOLENE UNSOELD, Congressman TOM SAWYER, and Congressman BART GORDON.

There is no greater social task than to improve the lot of our children. I urge other Members to support this extremely important legislation to invest in the future of America.

TRIBUTE TO A FINE YOUNG AMERICAN

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DORNAN of California. Mr. Speaker, Thomas Charles Lizardo has just retired as executive director of Young Americans for Freedom [YAF] and I wish to recognize the valuable service which he provided to that organization during his tenure and his exemplary loyalty to the conservative cause.

YAF is a conservative youth organization founded on the principles of the "Sharon Statement," scribed in 1960 at the Connecticut estate of William F. Buckley, Jr. The organization has a long and proud history of conservative activism on high school and college campuses across the Nation.

Thomas C. Lizardo planned and implemented the largest and most successful fall offensive in YAF history, and as executive director he worked diligently and tirelessly to advance the goals and principles of the organization. His achievements have earned for him the great respect and admiration of his fellow YAF'ers and of myself.

I wish to honor Thomas Lizardo for his distinguished record, and extend my sincere best wishes for continued success as he battles the forces of evil with only a sword and a shield—these being the right of free will under God, and "Roberts Rules of Order Revised." Keep up the good fight, Thomas.

SALUTE TO JO ANN AINSWORTH

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, it is my privilege to rise today and ask this House to salute Jo Ann Ainsworth. She is being honored by the Sylmar Chamber of Commerce for outstanding service as its executive manager.

Jo Ann has been the Sylmar Chamber's executive manager for the past 4 years. During that period she has played a key role in expanding the chamber's outreach and has involved herself in the development and promotion of the Sylmar business community. She has launched new initiatives and has been a bedrock of professionalism and competence for the chamber's executive officers.

In addition to her chamber work, Jo Ann has been deeply involved in a wide range of community organizations. She is a vice-president of the Kiwanis, an activist in the Foothill Advisory Booster Association and a board member of Sylmar Baseball.

Jo Ann is married to Alfred and they have three children.

Mr. Speaker, I ask my colleagues to join me in saluting Jo Ann Ainsworth, a community leader of whom we can all be proud.

BLACK HISTORY MONTH—SELMA TO MONTGOMERY NATIONAL TRAIL STUDY ACT OF 1989

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, as we near the end of Black History Month 1990, I believe we can honestly say that this month illustrated the importance in studying this rich history and the valuable lessons to learn from it. One facet of black history is being addressed through H.R. 3834—the Selma to Montgomery National Trail Study Act of 1989—introduced by Mr. LEWIS of Georgia. I am here today to request your support on this piece of legislation which would amend the National Trails System Act to designate the route from Selma to Montgomery for study for potential addition to the National Trails System.

This legislation recognizes the historic march from Selma to Montgomery in March 1965, which led to the passage of the Voting Rights Act of 1965, achieving the legal right to vote for all Americans. Events associated with the march from Selma to Montgomery and from what came to be known as "Bloody Sunday" sent shock waves around the world, raised the Nation's consciousness, and convinced political leaders that the time had come for voting rights legislation. It is very important that we all consider this piece of legislation, for it recognizes the tremendous contributions made by our black leaders during times of turmoil. These courageous leaders furthered our Nation's pursuit of our most fundamental rights of life, liberty, and the pursuit of happiness.

Through remembering events such as the Selma to Montgomery march, we are called to remember the ignorance of racial prejudices which ran rampant in the sixties. Since our founding, our country has prided itself as a melting pot of all races, creeds, and cultures. We achieve our excellence through this diversity. Throughout this month we have given recognition to the tremendous contributions made by all black men and women in furthering our Nation's excellence.

In closing, I ask you to support this legislation, for it serves as a reminder to all the importance of interracial harmony as well as the sacrifices made by men and women who dedicated their lives to achieve voting rights for all Americans.

EAGLE SCOUT HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues, an outstanding young individual from the Fifth Congressional District of Illinois who has completed a major goal in his Scouting career. On Sunday, March 25, 1990 at the Doremus Congregational Church located in Chicago, IL, John Risley will be honored at an Eagle Scout Court of Honor.

It is important to note that less than 1 percent of all young men in America attain the rank of Eagle Scout. This high honor can only be earned by those Scouts demonstrating extraordinary leadership abilities. This young individual has clearly demonstrated such abilities through his dedicated community service and deserves special recognition.

In light of the commendable leadership and courageous activities performed by such a fine young man, I ask you, my fellow colleagues, to join me in honoring John Risley for attaining the highest honor in Scouting—the Eagle Scout. With God's blessings, let us wish him the very best in all of his endeavors.

TRIBUTE TO ZONTA CLUB OF SANTA BARBARA

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. LAGOMARSINO. Mr. Speaker, I rise to commend the Zonta Club of Santa Barbara on its 60th anniversary of service to the community of Santa Barbara. The Zonta Club of Santa Barbara was established in February 1930, as a branch of Zonta International, a global network of executives in business and the professions working to improve the legal, political, economic, and professional status of women. Founded in 1919 in Buffalo, NY, it has become a worldwide network sponsoring projects such as the Ann Frank Village in Germany, the School for Girls at Ramallah, Jordan, and UNIFEM projects to teach functional skills to women in Latin America and Third World countries.

The club's local projects include the Santa Barbara Search and Rescue Team, Shelter Services for Women, the Rape Crisis Center, and many others. The Zonta Club of Santa Barbara also participates in the Amelia Earhart scholarship fund, which gives scholarships to women for advanced studies in aeronautics and aerospace.

Mr. Speaker, on behalf of the U.S. House of Representatives, I commend and congratulate the Zonta Club of Santa Barbara for its 60 years of achievement and service to the community, and extend our warmest best wishes for the future.

THE INSURANCE FUND FOR CREDIT UNIONS WORKS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. KAPTUR. Mr. Speaker, last year, Congress enacted the most significant banking law since the Great Depression—the Financial Institutions Reform, Recovery and Enforcement Act of 1989 [FIRREA]. The widely perceived purpose of this legislation was to come to the financial rescue of the faltering savings and loan industry. In fact, it did much more.

FIRREA is wide ranging legislation that went to the core of how our Nation's depository institutions are regulated and operated. Its countless regulatory and operational changes impact not only savings and loans, but also credit unions and commercial banks. FIRREA also authorizes numerous studies to identify areas that will still need improvement. These studies will have particular significance because it is becoming increasingly evident that—for as far as FIRREA went—many problems still remain for Congress to solve.

Foremost among these issues is deposit insurance reform. By now, the multibillion dollar collapse of the Federal Savings and Loan Insurance Corporation—now known as the Savings Association Insurance Fund [SAIF]—is well known. However, few realize that $4.5 billion in losses were experienced last year by the Bank Insurance Fund [BIF]—formerly known as the Federal Deposit Insurance Corporation [FDIC]. Moreover, in less than 2 years, BIF's reserve-to-insured deposits ratio has dropped over 25 percent from a $1.10 per $100 insured to just under 80 cents.

These severe losses indicate that there may be something systemically amiss with these two insurance funds. However, while BIF and SAIF have been experiencing record losses, their credit union counterpart—the National Credit Union Share Insurance Fund [NCUSIF]—has enjoyed success and stability in recent years. NCUSIF's reserve ratio has averaged over $1.25 per $100 insured since 1985. Additionally, while BIF lost $2.60 per $1,000 insured in 1988, NCUSIF lost only 38 cents.

One reason for the credit union fund's success is that it's structure was modernized by Congress in 1984. Prior to that time, NCUSIF was—like its bank and thrift counterparts—operated as a premium-based insurance fund. Under this system, credit unions payed annual insurance premiums to the NCUSIF based on the amount of their insured accounts. Credit unions typically payed 8.6 cents per $100 insured each year.

In 1984, Congress recognized the shortfalls in the credit union fund's system. Congress required credit unions—not the taxpayers—to recapitalize their depleted insurance fund. It also changed the fund from a premium-based to a "pay as you grow" system. Credit unions must now maintain a deposit of 1 percent of their insured accounts with the NCUSIF. If a credit union grows, it must pay 1 percent of the amount of its growth to the NCUSIF. Furthermore, the NCUSIF keeps all the interest earned off the 1 percent deposits and may assess an additional premium if necessary. Because the credit union industry has been so healthy, this additional premium has not been necessary.

It has been suggested that had the credit union insurance system been imposed on banks and savings and loans earlier this decade, the FIRREA may never have been necessary. At the very least, the $300 billion cost of the thrift bailout could have been reduced. Here's why:

First, the credit union system provides for a virtually "fail proof" insurance fund. Again, the NCUSIF's reserves to insured accounts ratio stands today at 1.25 percent—more than 50-percent stronger than BIF. Nearly $400 million of the NCUSIF is in retained earnings, while $1.6 billion consists of credit union deposits equal to 1 percent of insured accounts. In the unlikely event that retained earnings are expended to cover losses, credit unions would be required to restore any and all money necessary to keep the fund at a 1-percent reserve ratio. For example, had such a mechanism been in effect at FDIC last year when its reserve ratio dropped from 1.10 to 0.80 percent, insured banks would have been automatically required to provide roughly $3.5 billion in new funds to restore FDIC to a level of 1 percent. If thrifts had such a requirement when FSLIC's reserve ratio dropped below 1 percent in 1983, the hemorrhage from the FSLIC could have been reduced.

Second, a direct consequence of this system is that it imposes market discipline upon deposit insurance. Since insured credit unions are collectively responsible if losses drive the insurance fund's reserve ratio below 1 percent, the system places a strong economic incentive on credit unions to operate in a safe and sound manner. An additional incentive is that if NCUSIF losses are negligible and its reserve ratio grows beyond 1.3 percent, credit unions are entitled to a rebate of funds above this level.

In the coming year as Congress continues to contemplate the future regulatory framework in which our Nation's depository institutions will operate, perhaps we should consider using the one Federal deposit insurance fund that has worked—the credit union fund—as a model for the others to follow.

INTRODUCTION OF THE MICKEY LELAND MEMORIAL DOMESTIC HUNGER RELIEF ACT OF 1990

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. EMERSON. Mr. Speaker, agriculture is a way of life in the United States and touches each and every one of us on a daily basis. Many people contribute to the bountiful harvest we all enjoy. No one should be left out of this harvest; and yet we know there are people among us who are in dire need and lack the resources to obtain nutritious diets. That is why I have joined with my colleagues to introduce a bill that will provide food assistance to needy families through the Food Stamp Program and through the Emergency Food Assistance Program, better known as TEFAP.

It is fitting that this bill is named after my close personal friend and colleague, Mickey Leland. Mickey and I shared a dream of a world in which no person ever went hungry. He and I had long discussions on this topic in the halls of the Congress and whenever we traveled here and abroad. I particularly remember our last trip to Ethiopia in the spring of 1989—almost 1 year ago. I remember Mickey with children who had not eaten a decent meal in their brief lives. I remember how much he cared and wanted to help, and I believe this bill furthers the goals he and I and so many others aspire to.

I firmly believe that in our Nation of abundance, it is a tragedy for any child, elderly person, or anyone to go hungry. We are a generous country. That is why we have programs like the $16 billion Food Stamp Program and other supplementary programs to feed needy people. When these programs do not work or provide insufficient help we have a responsibility to know why and then do something about it. That is what I hope this bill will do.

The bill my colleagues and I are introducing today reflects what we hope to be able to do to improve the Federal food assistance programs. I do realize that the budget resolution for 1991 has not yet been adopted by the Congress. Whatever additional funding that is provided in the budget resolution will dictate the parameters of our efforts in the food as-

sistance area. I feel confident saying that the final bill, what will eventually be a title in the 1990 farm bill, will be in accord with the budget resolution. Additionally, as we have done in the past, should there be sequestration, as provided for by Gramm-Rudman-Hollings, the additional spending provided in the food assistance bill will be adjusted.

The manner in which we, as a country, provide assistance to needy families should be governed by a sense of compassion, a desire to help people get back on their own feet when their need is temporary, and a clear view that the system now in place must be reformed from one in which we have programs for food, programs for financial assistance, and programs for special needs. Remember, we are trying to help whole people, not just parts of them. A program that provides help for those unable to help themselves and makes taxpayers out of the able-bodied is my ultimate goal.

The bill my colleagues and I are introducing today accomplishes several important goals, most importantly, it reauthorizes the Food Stamp Program and the Emergency Food Assistance Program [TEFAP]. From the aspect of Federal food assistance programs the mainstay of feeding programs is the Food Stamp Program. It is a program that will provide $16 billion in benefits this year, as compared to the $9 billion provided in 1980.

FOOD STAMP PROGRAM

This bill makes several changes in the Food Stamp Program. Food stamp benefits are increased across-the-board through an increase in the Thrifty Food Plan. Participants will have their benefits based on 105 percent of the Thrifty Food Plan by 1995. In addition, by 1994 the ceiling on the excess shelter expense deduction will be lifted. Currently 25 percent of the food stamp households are not able to deduct full shelter and heating expenses because of the ceiling on that deduction. Lifting the ceiling will allow full accommodation of shelter costs of food stamp participants.

The definition of a household for food stamp purposes is simplified. This has been one area that has proved to be a significant problem for States administering the Food Stamp Program. Under the bill introduced today, the household, for food stamp purposes, will consist of persons purchasing and preparing food together. Parents and their minor children must apply together as a single household.

This bill also proposes to exclude the first $50 a month paid as child support from consideration as income in the Food Stamp Program, consistent with the AFDC regulations. This provision highlights the importance of securing child support payments from absent parents, who, I believe, have the obligation to support their children. It is extremely important that Federal assistance programs stress this responsibility. I am pleased that the USDA is proposing to provide the child support enforcement services now available to AFDC families, to food stamp families. I am anxious to review the USDA proposal and have it included in the food stamp reauthorization.

Other changes proposed to be made to the Food Stamp Program include an increase in the $4,500 limit on cars to $5,500; allowing persons 50 years and older who are college students to participate in the Food Stamp Program, if otherwise eligible; and, an increase to $75 per month the amount of actual expenses that may be reimbursed during participation in the Food Stamp Employment and Training Program.

In addition, States will be required to implement automated data processing systems by October 1993, with annual review by the secretary. The Secretary will be permitted to waive these requirements for small States and in certain other circumstances. This provision will contribute to the efficient administration of the Food Stamp Program, provide necessary help to overworked administrators, and help provide a means to deliver the correct amount of benefits in an effective manner.

An extremely important provision in the bill introduced today concerns the complicated nature of the Food Stamp Program and the AFDC program. Both programs are designed to serve needy families. However, the rules and regulations differ to a great degree providing confusion and inefficiency for participants and administrators alike. For those families receiving AFDC, we ought to be able to provide food stamp benefits without requiring them to go through a maze of applications, forms, verifications and procedures that are different from those applicable to the AFDC program. After all, we are talking about needy families—families needing income and food assistance.

When a family is in need of help, that need often crosses program lines. Need for income assistance often means need for housing assistance, food assistance, and for some, help in finding and keeping a job. The hurdles that families must scale in applying for help are immense. They often must go to different agencies, different eligibility workers, meet different eligibility standards and abide by different rules and regulations. That they are able to receive help is often a reflection of their abilities, rather than the system presented to them.

Administrators of these programs—both on the State and local levels—have similar problems. The resolution of the differences in the Federal assistance programs is often not within their ability to achieve. Many efforts have been made by States; but they may have gone as far as they can go. The proposal in the bill introduced today makes an initial step to resolving the differences between the two major assistance programs—AFDC and food stamps. We are proposing that certain sites be allowed to determine food stamp eligibility based on the AFDC regulations, for those AFDC families in which all members receive AFDC. While we propose that AFDC rules be applied in almost all instances, food stamp rules will be used for income deductions and processing standards, including the provision of expedited services for families in immediate need.

This important, innovative procedure is a first step in the process of resolving the differences among the several Federal assistance programs. Needy families are not well served by the complicated, confusing process now in place. Administrators on the State and local level cannot get a handle on the myriad of programs and deliver services to needy families in an effective and efficient manner. The current system does not deliver benefits to needy families in either a compassionate or efficient manner. I hope this bill will change that.

COMMODITY DISTRIBUTION PROGRAMS

One of the debates that arose during the consideration of the Hunger Prevention Act of 1988 concerned the differences between the Food Stamp Program and TEFAP. Both programs are valuable and necessary programs. However, for some of the ability to receive commodities through TEFAP may mean the only assistance they receive. Some needy families, especially elderly families, were much more likely to desire and receive commodities through TEFAP. That is why this bill requires the purchase of $190 million in commodities for TEFAP for each of 1991 and 1992; $220 million is authorized each year for 1993, 1994 and 1995. I am an ardent supporter of the commodity distribution programs. I believe this is an efficient and effective means by which we can provide food to needy people. The rural, elderly poor are able to benefit from commodity distribution programs much more readily than the Food Stamp Program.

Homeless people are also in need of food assistance. Therefore this bill continues the commodity homeless program at the level established in the Hunger Prevention Act of $32 million. This program is continued through 1995, so that soup kitchens and food banks can receive commodities and serve needy people without permanent homes.

Other changes to the commodity distribution program include establishment of a commodity supplemental food program for elderly persons, permanent food bank projects, and a requirement that the Secretary of Agriculture make surplus commodities available to emergency feeding organizations when available and if necessary, on an irregular or seasonal basis, depending on availability.

I hope my colleagues will join with me and the other sponsors of this bill to work to provide food assistance to needy families and individuals in a compassionate and efficient manner. My ultimate goal is to see true reform of the welfare system—through which we provide benefits to needy people through coordinated and simplified programs and also provide employment and training to able-bodied participants.

We have a responsibility to maintain programs for those who are aged or disabled; but we also must simplify the programs we have now and provide a method to make taxpayers out of those able-bodied people now in need of help.

TRIBUTE TO HAIM AND SARAH ARAZI

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to salute Haim and Sarah Arazi. They are being

honored by Chabad of the Valley at the organization's Banquet-Concert '90 for their outstanding support of Chabad's work in our community.

Haim was born and raised in Cairo where he experienced firsthand the persecution and eventual expulsion of the Egyptian Jewish community. Haim went to Israel where he quickly became active in building the young country. He moved to New York in 1969, met Sara and together they founded a series of successful businesses.

Since their arrival in Los Angeles almost a decade ago, Sarah and Haim Arazi have devoted large amounts of their time and resources to various charitable and religious institutions within the Jewish community. They have been instrumental in establishing schools, summer camps, community centers, and outreach programs. They are also active in several congregations in the city and pioneered Chabad's most recent expansion program.

Mr. Speaker, I ask my colleagues to join me in acclaiming Haim and Sarah Arazi, community leaders and role models for all.

THE TRIUMPH OF THE NICARAGUAN PEOPLE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate President-elect Violeta Chamorro and the Nicaraguan people on their stunning victory over Daniel Ortega and the Sandinista party. All eyes were focused on this election and many predicted a Sandinista win, but the true desire of the Nicaraguan people prevailed, the desire to live in peace and freedom.

It is my hope that world attention does not fade from Nicaragua as the path just chosen by its brave people is a long and arduous one. The success that Ms. Chamorro and her new government will achieve depends significantly on the obstacles she will encounter when she is sworn in on April 25, 1990.

Among these obstacles are control of the Nicaraguan military and interior police who still owe allegiance to Ortega and the Sandinista party. Dismantling this Sandinista apparatus will be the first major challenge of the newly elected democratic government. To alleviate the fear of violence and instabliity, it is clear that the Sandinista party must make a full transference of political and military power.

Mr. Speaker, Daniel Ortega said the voice of the Nicaraguan people would be heard on election day. It was, and it sang of democracy. My message to the Nicaraguan people is "Viva Violeta, viva Nicaragua, y viva la democracia."

ALBANIANS DENIED HUMAN RIGHTS IN YUGOSLAVIA—STATE DEPARTMENT REPORT CRITICIZES GOVERNMENT POLICY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. LANTOS. Mr. Speaker, the annual State Department report to Congress—"Country Reports on Human Rights Practices"—was released last week. Media coverage of the contents of the document have focused on a few high-profile countries with serious human rights abuses, but the media has not given appropriate attention to one extremely serious problem—treatment of ethnic Albanians in Yugoslavia.

Since this State Department report is one of the most important documents on human rights conditions in 1989, it is important that we be aware of its conclusions regarding Yugoslavia. I would like to call some of the comments regarding human rights abuses against the Albanian ethnic community to the attention of my distinguished colleagues in the Congress.

Yugoslavia is a multiethnic federal state which has enjoyed excellent relations with the United States in the past. Currently Yugoslavia is undergoing significant social and political changes, as are the other countries of Eastern Europe. Unfortunately, the trends in Yugoslavia are not consistently in the direction of greater democracy, pluralism, and observance of human rights. While positive democratic progress has taken place in the northern Republics of Slovenia and Croatia in the Kosovo Autonomous Province of the Serbian Republic and in the Macedonian Republic, Yugoslav citizens of Albanian ethnic background are increasingly subject to serious human rights abuses.

The State Department report notes that "according to government reports released in 1989, of 436 persons officially acknowledged to have been sentenced for political offenses in Yogoslavia, 336 were in Kosovo. March demonstrations by ethnic Albanians protesting the Serbian effort to assert greater control over the Province of Kosovo led to at least 25 deaths." Official government statistics for 1988 indicated that "of 517 political charges filed nationwide, 43 percent of the defendants were ethnic Albanians from Kosovo" and "Albanians were tried in other republics as well as in Kosovo." It is absolutely shocking, Mr. Speaker, that Albanians, which make up only 8 percent of the population of Yugoslavia should make up well over half of those punished for supposed political crimes in Yugoslavia. This is a case of serious discrimination by Yugoslav authorities.

Mr. Speaker, an area of great concern is arbitrary arrest and detention. Here there appears to be a deterioration of human rights conditions in Yogoslavia, particularly as they apply to ethnic Albanians. The State Department reports:

As part of government measures to counter demonstrations by Albanians protesting Serbian efforts to expand Serbian influence in Kosovo Province, Yugoslav authorities subjected 237 Albanians from Kosovo to a legal procedure knows as "isolation" which has not previously been used in Yugoslavia in this fashion. These people were rounded up and held for up to 3 months, in most cases denied access to attorneys or to familes. The majority were not held in Kosovo but in prisons in Serbia, where they were subjected to beatings, cold, inadequate food, and harsh interrogations. Isolated prisoners were reportedly detained under suspicion of belonging to illegal organizations, contact with "hostile" emigre groups, illegal arms trafficking, and organizing strikes and demonstrations. Of the 237 persons isolated, 41 were eventually charged with criminal offenses and 18 with misdemeanors.

Azem Vlasi, an ethnic Albanian who was a former leader of the League of Communists of Kosovo, was arrested in February and put on trial in November. That trial is still continuing. Based on the charges brought forward against him by government prosecutors, however, Yugoslav human rights advocates have argued that the charges against Vlasi amount to holding him criminally liable for policies he carried out as a leader in Kosovo which were counter to those policies being pursued by the Serbian Republic. This denial of a fair trail and the conditions of his imprisonment are in serious violation of human rights.

Mr. Speaker, limitations by Yugoslav officials on freedom of speech and freedom of the press, particularly against Albanians, are a very serious matter. In March of last year, an ethnic Albania was sentenced to 60 days' imprisonment for shouting slogans in a restaurant and in a public square in the Yugoslav Republic of Macedonia. The State Department report notes particular discrimination against ethnic Albanians in this regard: "Albanians in Kosovo may well be jailed for calling for their Province to be given republic status within Yugoslavia, while in other parts of the country journalists or public figures may openly advocate this step."

Academic freedom was severely damaged in the Province of Kosovo when at least 30 instructors were expelled from the University of Pristina, and large numbers of teachers at all educational levels were disciplined or fired under suspicion of influencing students toward Albanian separatist views. Those who espouse views not favored by the Serbian Government are not only subject to expulsion from the Kosovo Communist Party, but party officials have demanded that they be fired from "leading positions," including those in managerial level of business enterprises.

Mr. Speaker, the freedom to peacefully assemble and the right of association are human and civil rights that we in the United States consider the cornerstone of our democratic system. These are rights which citizens of East Germany, Poland, Czechoslovakia, Hungary, Romania, and Bulgaria are finding essential in their march toward democracy and the establishment of pluralistic political systems. For ethnic Albanians in Yugoslavia, however, these are rights they are still explicitly denied.

With regard to the right of association, the State Department report noted:

Association for the purpose of hostile activities is a crime under Yugoslav criminal law, and this law has been used to prosecute ethnic Albanians who advocate republic status for Kosovo. In February [1989] 11 Albanians were convicted in Pristian, Kasova, on this charge, receiving sentences of from 4 months to 8 years. In April, 10 ethnic Albanians were convicted in Prizren, Kosovo, on this charge, receiving sentences of from 1 to 6 years.

With regard to the right to assemble peacefully, the State Department notes the following about Yugoslav efforts to suppress demonstrations by ethnic Albanians:

In 1989 there were a number of large demonstrations in Serbia, Kosovo, Montenegro, and elsewhere. Demonstrations by Serbs were tolerated or even encouraged if they coincided with the Serbian leadership's objectives. Albanian demonstrators in Yugoslavia, even if peaceful, faced possible use of force by police and dismissal from their jobs. Albanian demonstrations in Kosovo were banned and eventually dispersed by force.

In Macedonia, one ethnic Albanian was sentenced to 10 years and four others to terms of 6 to 8 years for organizing a demonstration of ethnic Albanians. In another Macedonian city, 10 ethnic Albanians were tried for hostile propaganda, association with the aim of carrying out hostile activities, and counterrevolutionary acts. Another eight ethnic Albanians in Macedonia were sentenced to prison terms of 5 to 11 years for participating in a demonstration on language rights.

In February and March of last year, there were major protest demonstrations by ethnic Albanians in Kosovo against the Serbian Republic's effort to reduce the autonomy of the Kosovo Province. Serbian officials cracked down harshly against the Albanians who dared to protest—1,180 Albanians were indicted for misdemeanors and 56 more for more serious crimes in connection with these March demonstrations. These demonstrations turned violent, resulting in the official toll of 25 deaths, including those of 2 police officers. "Unofficial sources assert that the security forces used excessive force in dispersing the demonstrators, including by beating them, indiscriminately firing on them—sometimes from helicopters—and using ammunition designed to increase deaths and injuries." Unofficial reports assert that the number of demonstrators killed was substantially larger. In November demonstrations were held protesting the imprisonment and trial of Azem Vlasi, and at least 3 people were killed and 138 people were convicted of misdemeanors in connection with the demonstrations.

Mr. Speaker, not only has there been serious human rights violations in Yugoslavia, but international human rights groups have been restricted in their ability to monitor deteriorating conditions there. A factfinding mission from the European Parliament in June was denied a meeting with political prisoners and was harshly criticized in the press. A September delegation from the International Helsinki Federation met unofficially with ethnic Albanians and Serbs but was denied any meetings with government officials."

The State Department report specifically raises concerns about discrimination against ethnic Albanians.

There is legitimate suspicion that certain government policies on family subsidies are specifically aimed at ethnic Albanians, who have the highest birthrate in Europe. Macedonia already limits "social welfare" payments to the first three children in a family; Serbia is considering plans to follow suit. Macedonian authorities have manipulated building code regulations governing the height of walls to justify the bulldozing of walls that traditionally surround Albanian homes in the Republic.

Albanians have been subject to serious discrimination because of official Serbian policy to encourage Serbs to remain in Kosovo and other areas where the proportion of Albanians has increased in recent decades. For example, "In an effort to reverse the emigration of Serbs and Montenegrins from Kosovo, Serbia restricts all sales of real property in Kosovo by Serbs and Montenegrins to Albanians." Some individuals have attempted to avoid the restriction by engaging in secret sales, which are a criminal offense. "In September two ethnic Albanians were sentenced to 60-day jail terms for secretly buying Serbian property" but "only Albanian buyers are prosecuted for such transactions, not Serbian sellers."

Similarly, "jobs and housing are reserved for ethnic Serbs who wish to move back to Kosovo." The State Department report notes that "some Albanians were fired simply to make room for returning Serbs. In one instance, the nephew of the former Kosovo party chief Azem Vlasi was fired because 'his presence was an irritant to the Serbs in the workplace,' according to the Yugoslav press."

Mr. Speaker, I have only summarized some of the particularly disturbing aspects of the State Department human rights report on the treatment of ethnic Albanians in Yugoslavia. There is no question in my mind that we have here one of the most blatant examples of human rights violations. I urge my colleagues to consider these serious problems that our State Department has identified and join me in urging the Government of the Serbian Republic and the Government of the Socialist Federal Republic of Yugoslavia to take much needed action to correct these very serious human rights abuses.

ESCALATING ANTI-SEMITISM IN SOVIET UNION

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. COLEMAN of Texas. Mr. Speaker, despite the many positive changes appearing in the Soviet Union, disturbing reports are emerging about an increase in anti-Semitism in Leningrad, Moscow, Kiev, Baku and elsewhere. As the Soviet political climate improves, many of us in Congress are concerned that some will feel that they have a free hand, that Soviet authorities will not prosecute violators of human rights.

I have joined a number of my colleagues in signing a letter to Soviet President Gorbachev, asking him to denounce anti-Semitism and other forms of hatred. We have also asked him to state clearly that Soviet law enforcement agencies will protect targets as well as prosecute any violators.

The letter reads as follows:

We are pleased to witness the positive changes concerning human rights that are taking place in the USSR under your leadership. We are encouraged by the improvements your government has made in granting people their basic human right to live in the country of one's choice or, should they decide to stay in the USSR, to observe their cultural and religious heritage without government interference. We hope you will continue to expand these rights so that all citizens wishing to emigrate may do so, and those who choose to engage in cultural activities may do so with the official recognition of your government.

We are writing to you now regarding an equally serious matter. We have been receiving frequent reports of escalating anti-Semitism in the Soviet Union. We regard this as a very disturbing development, and we believe that public statements made by you denouncing this menace would be very useful in discouraging the perpetuation of these ugly activities. We also urge you to make clear that law enforcement agencies will give full protection to any potential victims of such efforts.

In his recent State of the Union address, President Bush took the opportunity to condemn racism, bigotry, and anti-Semitism. We think you would agree with us that these forms of hatred have no place in any society. With that in mind, we hope that you recognize the importance of forcefully denouncing the espousers of anti-Semitism and provide full law enforcement protections to all of their potential targets.

Mr. Speaker, we have an obligation to speak out against anti-Semitism and all other forms of hatred whenever we encounter them. I hope President Gorbachev shares our concerns, and takes immediate action to ensure the safety and dignity of all those who reside in the Soviet Union.

REGARDING THE INTRODUCTION OF A BILL TO DIVEST THE SAN CARLOS INDIAN IRRIGATION PROJECT

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. KOLBE. Mr. Speaker, I join with my colleagues from the Arizona congressional delegation in sponsoring legislation to get the Bureau of Indian Affairs out of the business of acting as an electric utility in Arizona. This legislation has been 5 years in the making. It will directly effect over 10,000 families in at least a dozen different communities.

When this process is finally completed, these central Arizona communities will enjoy more reliable power; the Department of the Interior will be rid of a system that has outgrown its usefulness and effectiveness; and the Gila River and San Carlos Apache communities will have made a giant step toward economic self-sufficiency and self-determination.

Today, I am introducing legislation to divest the San Carlos Indian Irrigation Project's power transmission and distribution system. I

introduced a simpler and shorter version of this bill, H.R. 2060, in 1987. At that time, the bill simply amended the act of September 22, 1961 (25 U.S.C. 15). That act permits the Secretary of the Interior to dispose of BIA electric utility system except those, like SCIP that were constructed and operated as part of an irrigation system. H.R. 2060 proposed to change that narrow exception.

At that time, the Department of the Interior testified that they would support enactment of the bill if certain concerns could be addressed. In order to address these concerns, the Interior Committee instructed me to go back with the various parties involved in this matter, and negotiate a resolution to various questions that would naturally follow from divestitute of this utility system by the BIA. Three years, countless meetings and several agreements later, we believe we are now ready.

At that hearing in June 1987, six entities expressed interest in providing power to the area served by SCIP after completion of divestiture. Those parties, the Arizona Public Service Co., Electrical District 2, the Gila River Indian Community, the San Carlos Apache Tribe, the San Carlos Irrigation and Drainage District, and Trico Electrical Cooperative, left that hearing with the committee's message that they were to decide among themselves how to divide the service area, with the Arizona Corporation Commission, our public utilities commission, as the final arbiter of the new franchise areas. There was only one instruction from the committee that SCIDD, the original bond holder for the project's off-reservation electrical system, would have the right to establish an economically viable system.

After the initial hearing in Congress there followed lengthy negotiations regarding divisions of territory, the reallocation of Federal hydroelectric power, wholesale power contracts, and the distribution of unobligated balances collected by SCIP. An initial agreement appeared to be reached near the end of the 100th Congress. But significant community-based opposition to some specific divisions of territory caused parties to go back to the negotiating table. This is an example of how these decisions were made; not in the back room, but in a public-oriented fashion.

Less than 1 year after that, the parties reached a new set of agreements. Since then, staff has been drafting legislation to put these agreements into effect. An initial draft was sent out last fall, and based on comments received, a final draft was completed this week.

Certain issues remain to be resolved. First and foremost, the Interior Department has been conducting an audit of the assets of the project. This audit takes into account every pole, every line, every transformer, and every dollar. The final audit report is expected within a few weeks. With that, and a subsequent hearing, final details of this legislation can be worked out.

Divestiture of SCIP must follow a very precise and detailed course. Specific guarantees and assurances must be met to ensure that everyone, including the U.S. Government and its tax-paying citizens, receive fair and equitable treatment under this Act.

Upon enactment of this act, and upon approval of the Arizona Corporation Commission, the Secretary will enter into an agreement with the Gila River Indian Community, the San Carlos Apache Tribe, and the San Carlos Irrigation and Drainage District for the division of project assets. All agreements necessary for the reallocation of Federal hydroelectric power will be executed and SCIP contracts will be assigned to GRIC, SCAT, and SCIDD.

Off reservation, SCIDD will be the successor in interest to the project. In return, for succession to this interest, SCIDD will enter into an agreement with the Secretary to pay an amount equal to the present value of the SCIP electric system debt obligation owed by SCIDD to the United States. Once that obligation has been satisfied, SCIDD will sell the system assets they do not intend to keep to Arizona Public Service and to Trico Electrical Cooperative, consistent with the statement of principles entered into.

On reservation, the Secretary will transfer to the Gila River Indian Community that portion of the system on their reservation. The Secretary will transfer to the San Carlos Apache Tribe that portion of the system on their reservation.

Finally, the bill calls for a feasibility study to be performed on repairing the power generation facilities at Coolidge Dam.

The fundamental motivation for this bill is the desire of the Gila River Indian Community and the San Carlos Apache Tribe to establish their own utility authorities. Without the two tribes to serve, the Bureau of Indian Affairs has no reason to be in the business of providing electrical service to anyone else.

Generally speaking, the current situation is one in which the project's electric power system has come to principally serve the needs of "secondary and non-project" beneficiaries, or, non-Indians. This bill will provide a method for the BIA to disengage itself from the responsibility of administering, operating, maintaining, and requesting Federal appropriations for the project.

In addition to providing certainty and reliability to electrical service throughout central Arizona, this bill will accomplish some other important goals. It will settle debt obligations of the two main clients of the San Carlos project: the San Carlos Irrigation and Drainage District and the Gila River Indian Community. The money received from these debt settlements will go to establish an environmental protection account. This account will go to solve any problems uncovered associated with the disposal of transformers or equipment which contain hazardous materials.

The existence of these hazardous materials is not confirmed, but the rumors come from reliable sources. The sponsors of this legislation believe it is important to investigate and solve problems if and where they exist. Five years after enactment of this act, any funds remaining in the environmental protection account will revert to the General Treasury.

I want to also add a word about the employees of the San Carlos Irrigation project. Currently, 65 people are employed at SCIP whose jobs are related to the power system. Many of these may be affected by the disposition of this legislation. Let me add a personal word to these people. This legislation is not intended to reflect on their work. Clearly, the Federal Government is not able to dedicate sufficient resources to manage a project that has grown in a way that could never have been foreseen.

I truly regret any hardship that this divestiture may have on those dedicated individuals involved in operation of the project, and I would assure them that we will see that these employees are treated fairly and equitably. This divestiture will create opportunities for many to work in an environment where their efforts will not only be vital to the quality of service, but can be appreciated and rewarded.

We have included language in this legislation to provide a greater variety of post-divestiture employment opportunities to these Federal employees.

This process has been going on for over 5 years. During that time, the uncertainty associated with divestiture has only added to the problems that existed when I was moved to advocate divestiture. It is time to eliminate that uncertainty—it's time to provide reliability and opportunity to the people in Gila, Pinal, and Pima Counties. This legislation is a comprehensive and thoughtful approach to the issue. With Chairman UDALL's support, I look forward to early hearings on this bill and to quick passage in the House.

SETTING THE RECORD STRAIGHT

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WOLPE. Mr. Speaker, our political system enshrines freedom of expression as the best means of discovering the truth and achieving democratic self-government. Therefore, it is painful to see that freedom used to spread baseless lies and deceive public opinion. A case in point is the article, "The Prince Metternichs of Congress," authored by David Brock and published in the American Spectator of February 1990. As Dan Matthews, editor of Africa Insider, recently observed, "Brock's pitch is cleverly done, but smacks of the ugly, rock-bottom smear campaign stuff expected on some United States-Africa policy issues during this congressional election year." (*Africa Insider,* January 31, 1990, p. 3.)

Particularly outrageous is the personal attack on Steve Weissman, staff director of the House Subcommittee on Africa, for his role in congressional criticism of repression and corruption in Zaire. Brock's blend of false facts and falsely attributed motivations, published without any attempt to contact Mr. Weissman, has in turn been diffused to Members of Congress and others by Zaire's lobbyist, van Kloberg and Associates.

In order to set the record straight so that my colleagues and others can see this effort at character assassination for what it is, I am entering into the RECORD Mr. Weissman's response to Mr. Brock's article.

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 22, 1990.

R. EMMETT TYRELL, Jr.,
Editor-in-Chief, The American Spectator, Arlington, VA.

DEAR MR. TYRELL: Congressional policy towards Zaire is a legitimate and important issue, worthy of informed public debate. However, David Brock's article, in your February issue, contains a number of inaccurate statements about my personal experiences and motives that amount to character assassination.

Contrary to Mr. Brock's reporting, I was not a Peace Corps Volunteer in Zaire during the 1960's. Nor did I publicly criticize the Mobutu Government resulting in my getting thrown out of the country. And therefore, I haven't "harbored a grudge ever since" contributing to a "zeal" to oppose Mobutu.

The truth of the matter is that I was engaged by the autonomous, Protestant-supported Université Libre du Congo in Kisangani as an Associate Professor of Political Science during 1969-1971. My salary was paid by the Congo (now Zaire) Government. During an episode of peaceful student protest against internal unversity policies, which resulted in the expulsion of the entire sophomore class and the temporary arrest of several hundred students, I and other faculty perceived to be privately sympathetic to the students were forced to leave the University and go to the capital city of Kinshasa. There both President Mobutu and his Minister of the Interior were helpful to me and my family. We subsequently left the country voluntarily but continued to be paid by the Government. Well before this incident I had completed my doctoral dissertation at the University of Chicago on "American Foreign Policy Towards the Congo 1960-1964". That work, subsequently revised and published by Cornell University Press in 1974, contained a scholarly critique of the United States' association with the overthrow of the elected Lumumba Government and the rise of the Mobutu regime.

Mr. Brock's article contains other inaccuracies on Zaire as well (e.g., his contention that Subcommittee on Africa Chairman Howard Wolpe refuses to talk to Mobutu. In fact, Wolpe has done so several times, most recently at a Foreign Affairs Committee coffee he hosted for Mobutu last summer).

But what is most shocking to me is that you and your publisher, Ronald E. Burr, would publish material defaming me without even requiring that the author interview me to obtain my reaction to these allegations.

Sincerely,

STEVE WEISSMAN,
Staff Director.

PUERTO RICO GOVERNOR CRITICIZES STATEHOOD MOVE

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. FUSTER. Mr. Speaker, hearings will begin this Friday, March 2, before the House Subcommittee on Insular and International Affairs on legislation designed to hold a congressionally sanctioned political status plebiscite in Puerto Rico next year. The choices will be between statehood, independence, and an enhancement of the existing commonwealth status, which I favor.

As you know, similar legislation was marked up last August by the committee of jurisdiction in the other body, the Senate Energy and Natural Resources Committee. The legislation in both bodies is complex and far reaching, and I hope we, in the House, can act expeditiously in what is shaping up as a rather short legislative year.

Having said all that, Mr. Speaker, I now commend to the attention of my colleagues a succinct and perceptive article by the Governor of Puerto Rico, the Honorable Rafael Hernandez Colon, which appeared on the op-ed page of the New York Times of February 26, 1990. In this article, Gov. Hernandez Colon explains well why commonwealth status, more than statehood, is in the best interest of both Puerto Rico and the United States.

Our economic and cultural circumstances in Puerto Rico are different, Mr. Speaker. We have great respect for the institution of statehood, but, as Gov. Hernandez Colon explains, it is commonwealth that best addresses the unusual realities of Puerto Rico.

Thus, I urge my colleagues to carefully study the issues raised by the Governor of Puerto Rico in the following article:

STATEHOOD FOR PUERTO RICANS

(By Rafael Hernandez Colon)

SAN JUAN, P.R.—Next year, the people of the Commonwealth of Puerto Rico may have a chance to vote themselves into the Union as America's 51st state. I am firmly convinced that statehood is not in the best interest of Puerto Rico or the United States. I believe that the present commonwealth relationship should be continued and enhanced.

But others, including President Bush, want statehood for Puerto Rico. They have endorsed a bill, now before Congress, that contains three options: commonwealth, statehood or independence. Puerto Ricans would vote on these options in 1991; as soon as 51 percent of the voters made their choice, their decision would be implemented automatically.

But the bill as it now stands does not strike a fair balance among the three options. For example, under statehood, the Federal safety net—food stamps, Medicaid, Social Security and welfare benefits—would be extended to all Puerto Ricans. Yet, under the commonwealth option identical protections would be denied to the same U.S. citizens.

The present bill does not create an even playing field for free determination. To be fair, the bill should make clear that the sovereignty of the commonwealth government would be unequivocal. It should also make clear that such self-government measures as negotiating air routes, setting shipping rates, etc., would be granted.

As little as 5 percent of the population of Puerto Rico has expressed a preference for independence. But if Puerto Ricans were to vote for statehood, there would be many adverse consequences.

Under statehood, our economic development could not continue. Why? Because under the existing arrangement with the U.S., no Federal taxes are levied on the island. This has enabled Puerto Rico to undertake a highly successful economic development program, which has raised its per capita income from $342 in 1950 to $5,574 in 1989. Still, that is less than half of that of Mississippi, the poorest state. Our unemployment rate is now about 14 percent.

Our economic growth is sustained mainly by investments in manufacturing, which accounts for 40 percent of our gross domestic product. Such investment has been promoted since the 1950's through tax incentives offered to industry under commonwealth arrangements. It is the only proven policy to reduce the gap with the mainland in jobs and income.

Our industrial development program could not exist under statehood. The U.S. Constitution demands that Federal taxes throughout the nation must be uniform, thus making our Federal-tax incentive impossible. Taxes in Puerto Rico, except for exempted industries, are already higher than the combined Federal, state and local taxes of most states. Federal taxes on top of these would sink our developing economy into stagnation.

Puerto Rico would be the first state to come into the Union as a dependent of the Federal Treasury. After our transition to statehood, our economy almost certainly would decline. The Federal Government would have to spend $2 billion to $3 billion annually in excess of revenue generated in Federal taxes paid by Puerto Ricans to provide the safety net necessary to make up for a devastated economy.

Another set of problems with statehood are cultural and linguistic. Puerto Rico's language is Spanish; 60 percent of the people do not speak English at all. If Puerto Rico became a state bilingualism would in effect, become official U.S. policy.

Culturally, making Puerto Rico a state is the same as making Costa Rica, Honduras or the Dominican Republic a state. Puerto Ricans, including those advocating statehood, consider themselves a people with a strong national identity. A recent poll showed that 91 percent of the people think of themselves as Puerto Ricans first and Americans second.

The U.S. was founded on the premise of e pluribus unum—from many, one. Advocates of statehood would change that into e pluribus duo to accommodate, as a state, a nationality living on its own territory—something quite different from an ethnic minority scattered on the mainland. So far, this potentially emotional issue has merited no debate in the Congress. It deserves serious attention.

The Congress thus faces some tough political, economic, fiscal and cultural decisions in order to go ahead with the referendum bill. The task calls for fairness and statecraft of the highest order.

Otherwise, the people of Puerto Rico might choose to become the 51st state simply because this prospect offers some quick revenues through the Federal system. Yet statehood would destroy our economic achievements and the possibilities of commonwealth—a noble experiment in flexible political relationship for people with different cultures.

HONORING RALPH AND LAURA KOSTANT

HON. HOWARD L. BERMAN

OF CALIFORIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I rise today to honor Ralph and Laura Kostant. They are being honored by the Shaarey Zedek Congregation for their dedication to the synagogue and the community at large.

The Kostants have been members of Shaarey Zedek for 11 years. After graduating from Cornell University, she received a master's degree in romance languages from Ohio State University and spent 18 months in Colombia on an Organization of American States grant. Ralph received his bachelor's degree from Stanford University and his law degree from Arizona State University where he graduated magna cum laude.

After their marriage in 1976, Ralph and Laura volunteered in Israeli development towns, tutoring disadvantaged children.

Since that time, Ralph and Laura have become active and involved members of the community putting their knowledge and experience to good use. Ralph is a board member of Shaarey Zedek and serves as the congregation's parliamentarian. In addition he is on the board of Emek Hebrew Academy and is a regional vice president of the American Jewish Committee.

Laura is a past president of the Carmiel Chapter of Emunah Women and is also an Emek board member.

Laura and Ralph are the proud parents of Sara, Esther and twins, Elise and Nathan.

Mr. Speaker, it is my distinct pleasure to ask my colleagues to join me in saluting Laura and Ralph Kostant, community leaders and role models for all.

HONORING CUBAN POLITICAL PRISONERS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to pay tribute to the thousands of brave men and women who suffered as political prisoners in the jails of Fidel Castro's Cuba.

We just recently celebrated the anniversary of Cuba's independence, February 24, when the independence war began which made Cuba a free and independent country.

So it is fitting that we should pay homage on this occasion to honor these political prisoners who risked their lives for the cause of freedom, just as the Cubans in 1895 did.

It is that same fighting spirit, in favor of freedom and democracy, which carried these brave men and women forward in the last century, just as in this century.

The Cuban people fight today to reestablish freedom of speech and expression, freedom to worship God, freedom from want and fear.

However, there are still many political prisoners in Cuban jails and they are deprived of their basic human rights. These men and women are being kept in jail after having completed their sentences and some are being held in solitary confinement.

This terrible plight continues for women political prisoners who are especially subject to cruel and inhuman treatment.

It is proper, therefore, to honor brave women political prisoners who have survived the horrors of Cuban jails. It is fitting that we praise them for their solidarity and their preservation of the human spirit.

There are hundreds of surviving women political prisoners living in the Miami area and beyond and I offer a strong "Thank you" to them for their brave sacrifices in favor of freedom and democracy.

LIFECARE LONG-TERM CARE ACT (H.R. 4093)

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. ROYBAL. Mr. Speaker, on February 22, I along with Representative MARY ROSE OAKAR, introduced the Lifecare Long-Term Care Protection Act (H.R. 4093). This bill is the companion to the bill S. 2163 introduced by Senator EDWARD KENNEDY last Thursday.

As the bipartisan Commission on Comprehensive Health Care makes its recommendations and we move more heavily into the debate over health and long-term care reform, I would hope this bill contributes to a meaningful debate resulting in comprehensive health and long-term care reform. I would like to take this opportunity to provide the Members with a detailed description of this long-term care initiative.

Though this is the companion bill to the bill by Senator KENNEDY, the House bill has several unique features. First, it ultimately extends the basic nursing home coverage—6 months or under—and home care coverage to persons of all ages as of the fourth year after enactment. (See sections 2112 and 2122.) Second, coinsurance costs for the Federal Long-Term Care Insurance Program are subsidized for persons with incomes under 200 percent of poverty. (See section 2136.) Both bills subsidize the premium. Third, the bill directs the Secretary of DHHS to make the Federal long-term care insurance open to persons of any age. (See section 2137.) Persons aged 45 to 65 are eligible in both bills.

THE LIFECARE LONG-TERM CARE PROTECTION ACT

LEGISLATIVE SUMMARY

The Lifecare Long-Term Care Protection Act was introduced in the Senate as S. 2163 by Senator Edward M. Kennedy and in the House of Representatives as H.R. 4093 by Edward R. Roybal and Mary Rose Oakar on February 22, 1990. This act is designed to provide long term protection for both younger and older Americans whether their needs be for nursing care or for home and community-based care.

Section 2. Lifecare Long-Term Care Protection Program

Part A—General Provisions

Sec. 2101. Definitions are provided for activities of daily living, long term care providers, care plans, case management services and team, comprehensive needs assessment, and covered services.

Sec. 2102. Long term care agencies are defined including Long-Term Care Screening Agencies (screening for overall eligibility) and the Long-Term Care Case Management Agency (case management for eligible beneficiaries).

Sec. 2103. As a condition of their residents being eligible for this program States are required to contribute funds equal to the amount spent on long term care under current Federal-State entitlement programs.

Part B—Coverage of Home and Community-Based Care Services

Sec. 2111. Benefits covered must be determined as necessary by a Case Management Agency, be described in the care plan, be eligible services and be consistent with the need for care of the individual.

Sec. 2112. Eligible individuals include Medicare beneficiaries (a) who are completely dependent in at least one age-appropriate activity of daily living or unable to perform two or more age-appropriate activities of daily living without human assistance or supervision, or (b) cognitively impaired and requiring substantial supervision. They also include persons under age 19 unable to perform one or more age-appropriate activities of daily living or require a medical device to avert death or major loss of bodily functional capacity. Persons would also be eligible if (a) they would be eligible for Medicare except for the required 24-month waiting period, (b) if they are completely dependent in at least one age-appropriate activity of daily living or unable to perform two or more age-appropriate activities of daily living without human assistance or supervisions and (c) if their life expectancy is 12 months or less. As of January 1 of the fourth year after enactment, persons of all ages are covered subject only to the ADL and cognitive impairment requirements.

Sec. 2113. Respite care is covered and can include nursing home or home and community-based services for short periods of time not to exceed 30 days or 720 hours during a calendar year.

Sec. 2114. Qualified home and community-based service providers include a home care agency certified by the State, a home health agency certified by the Secretary of HHS, an adult day health care center certified by the State other certified or licensed providers.

Sec. 2115. Payment for services is provided to the Case Management Agencies by the Secretary based on the number and type of eligible individuals. The Case Management Agencies pay the services providers and the service providers are required to accept those amounts as payment in full, except for any coinsurance.

For the first three years after enactment, payments are limited to a maximum of 65 percent of the cost of nursing home care under Medicare in that geographic area. After that, payments are limited to nursing home care less the cost of room and board and are adjusted to match the severity of need for services. In the case of children, the maximum amount is tied to 100 percent of the cost of institutional care under Medicaid.

Beneficiary coinsurance is set at the lesser of 10 percent of service costs or 5 percent of the beneficiary's Social Security check.

Sec. 2116. The Secretary is required to establish a Home and Community-Based Advisory Council with 60 days of enactment.

Sec. 2117. States are required to establish Quality Assurance Boards and Community Advisory Boards.

Sec. 2118. Under quality assurance, the Secretary is required to establish a consumers' bill of rights, set up home and community-based provider quality assurance requirements (compliance with bill of rights, handle grievances, adequate training). The Secretary is required to establish quality assurance requirements for Case Management Agencies. Also, standard and extended survey requirements will apply to home health agencies and home care agencies.

Sec. 2119. States are required to certify provider agencies and individual providers.

Sec. 2120. Certified providers are required to provide services and accept reimbursement as payment in full, subject to any coinsurance.

Part C—Coverage of First 6 Months of Nursing Home Care

Sec. 2121. For a spell of illness, six months of nursing home coverage is provided which can include nursing care, room and board, physical/occupational/speech therapy, medical social services, and such other health services necessary to the health of the patient and generally provided by a nursing home facility. Additional coverage may be provided if (a) there is a different diagnosis or a substantial worsening of the patient's condition, and (b) six months have elapsed since the last stay.

Sec. 2122. Eligible individuals include Medicare beneficiaries (a) who are completely dependent in at least one age-appropriate activity of daily living or unable to perform two or more age-appropriate activities of daily living without human assistance or supervision, or (b) cognitively impaired and requiring substantial supervision. They also include persons under age 19 unable to perform one or more age-appropriate activities of daily living or require a medical device to avert death or major loss of bodily functional capacity. As of January 1 of the fourth year after enactment, persons of all ages are covered subject only to the ADL and cognitive impairment requirements.

Sec. 2123. Reimbursement is the amount necessary, taking into account the average cost of providing care. The Secretary is required to establish a prospective payment system based on resource utilization for different types of patients.

Sec. 2124. Certified nursing homes are required to accept reimbursement as payment in full.

Sec. 2125. This program will be a secondary payer to any other Federally administered entitlement program, not including Medicaid.

Part D—Insurance Coverage for Nursing Home Care That Exceeds 6 Months

Sec. 2131. The Secretary is required to establish a voluntary insurance program for individuals 45 and over to cover nursing home stays that exceed six months.

Sec. 2132. Eligibility for benefits is subject to a determination by a Screening Agency. Persons have the option to purchase this coverage within six months of their 45th and 65th birthdays. In the first two years after enactment, certain limitations apply to people already in nursing homes or hospitals.

Sec. 2133. Premium rates are set separately for those purchasing at age 45 and age 65. The Secretary is to establish rates that cover 45 percent of the estimated cost of nursing home stays exceeding six months.

For poorer persons, a 100% subsidy of the premium is provided for those under 100 percent of poverty, a 75% subsidy is provided for those between 100 and 150 percent of poverty, and a 50% subsidy is provided for those between 150 and 200 percent of poverty.

Sec. 2134. Benefits are similar to those for stays under six months, except the duration is unlimited subject to continued certified need.

Sec. 2135. Nursing homes are qualified providers if they are certified by State and meet Federal requirements and standards.

Sec. 2136. Reimbursement, on a monthly basis, is 65 percent of the amount the Secretary determines to be reasonable and appropriate. The Secretary is required to establish a prospective payment system based on resource utilization for different types of patients. Room and board costs are to be paid by the patient directly to the nursing home and are to be 35 percent of the average per diem rate.

For poorer persons, 100% of coinsurance costs is paid for those under 100 percent of poverty, 75% is paid for those between 100 and 150 percent of poverty, and 50% is paid for those between 150 and 200 percent of poverty.

Sec. 2137. The Secretary is authorized and required to modify the Federal Long-Term Care Insurance Program to allow persons other than those aged 45 or 65 to purchase this insurance. The federal subsidy for these persons can be no higher than the subsidy provided to persons purchasing at age 45 to 65. This takes effect on or after January 1 of the fifth year after enactment.

Part E—Training and Research

Sec. 2141. Grants to universities are authorized for training home care providers in amounts of $15 million for FY 1991, $20 million for FY 1992 and $25 million for FY 1993.

Sec. 2142. Grants to States are authorized for training home health aides in the amounts of $10 million for FY 1991 and 1992 and $25 million for FY 1993.

Sec. 2143. Grants to university schools of nursing are authorized for developing model consumer training programs in the amounts of $5 million for FY 1991, $10 million for FY 1992 and $15 million for FY 1993.

Sec. 2144. At least six centers for long-term care planning and technical assistance are authorized with funding levels of $10 million for FY 1992, $15 million for FY 1993 and 1994.

Part F—Demonstration Projects

Sec. 2151. The Secretary is required to establish 5-10 demonstration projects on different models of providing and reimbursing long term care for seriously mentally ill individuals and their family caregivers. Funding is authorized from the Federal Hospital Insurance Trust Fund for FY 1991, 1992 and 1993 up to $10 million annually for the demonstration projects and $1 million to carry out the evaluation.

Sec. 2152. Secretary is required to establish demonstration projects on different models of providing and reimbursing long term home care for people with disabilities and needing long term care but who are not covered under the previous sections. Funding is authorized from the Federal Hospital Insurance Trust Fund for FY 1991, 1992 and 1993 up to $10 million annually for demonstation projects and $1 million to carry out the evaluation.

Sec. 2153. General demonstration authority.

Section 3. Effective Date

Home and community-based care is effective one year after the date of enactment.

Nursing home coverage for stays under six months is effective on or after January 1 of the third year after enactment.

Nursing home coverage under the Federal Long-Term Care Insurance Program is effective on or after the third year after enactment.

Training and research programs begin on or after January 1, 1991.

INTRODUCTION OF THE FAIR CREDIT AMENDMENTS OF 1990

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SCHUMER. Mr. Speaker, today I introduce the Fair Credit Reporting Amendments of 1990.

This legislation is a comprehensive reform package for the Federal law that regulates the credit reporting industry, the Fair Credit Reporting Act of 1970 [FCRA]. That law has accomplished a great deal for consumers, providing them for the first time the right to obtain copies of their credit files and to dispute and correct inaccurate information.

However, in the 20 years since enactment of the FCRA and the 12 since the last amendment, technology has changed the face of the credit reporting industry. Where once records were maintained in actual paper files and banks and other creditors employed credit officers who reviewed that information, the entire process is now highly automated. Bank computers access credit bureau computers and then make credit decisions based on specified criteria and send out the appropriate form letter. Often, no human being intervenes in the credit-granting process at all. Moreover, information in a consumer's credit file has become more important to credit decisions as the relationship between the bank and the consumer has become less exclusive and personal.

Necessarily, while greater automation and dependence upon credit bureau information makes the credit-granting process more efficient and more widely available, it also makes the process more arbitrary and the impact of inaccurate information more devastating. In addition, the uses of credit file information have expanded dramatically. Some credit bureaus now use that data to prepare mailing lists for direct mail marketing of products and services completely unrelated to credit.

Together, these changes have altered the balance which was struck in the original FCRA between the right to privacy and accuracy of consumers and the need for business to have access to credit information in a timely manner. These changes have made alterations to the FCRA to provide consumers with greater and more effective protections and—even more fundamentally—with greater knowledge of how the credit reporting system works imperative.

This bill would realign that balance by requiring that credit file information be used only for credit purposes and only with the consumer's consent and by giving consumers a number of important new tools:

Consumers would be able to obtain, free of charge at least once per year, a copy of their credit file.

Consumers would automatically receive a copy of their credit file whenever they are denied credit.

Credit bureaus would be required to give consumers a "Credit Report Bill of Rights," listing all of their rights and options under the FCRA, which would include who to contact to dispute inaccurate information and which agency enforces violations of the FCRA.

Investigations of disputed information by a credit bureau would be required to follow established, published guidelines, to take into account evidence provided by the consumer, and to be completed within 30 days.

Creditors which provide disputed information, as well as the credit bureau which transmitted that information in a credit report, would be required to reinvestigate the disputed data and would have a duty and legal responsibility to ensure maximum possible accuracy of the information they provide.

The actual problems faced by consumers range from simple incorrect data, to mistaken identities in which a consumer is tagged with the bad credit rating of some other person, to outright fraud in which the consumer's credit file contains fraudulently generated bad debts. Consumers also face incredible and disturbing obstacles in correcting these errors. Some examples are illustrative of the problems and difficulties consumers constantly face in dealing with the credit reporting system:

A New York state woman, after months of fighting unreturned phone calls and unfulfilled promises, managed to get one credit bureau to correct inaccurate information in her credit file. She then discovered that two other major bureaus and two local bureaus also had the same inaccurate information and has had to go through the same battles with each separately. One of the major bureaus, CBI, has yet even to respond three months later and she only gets a computer answering machine in response to repeated calls. She still has no idea which of the many smaller credit bureaus may hold the same incorrect information and how to contact them. She also faces a $10-$15 charge with each bureau just to gain a copy of her report to see if it contains the inaccurate information.

Eight credit cards were obtained fraudulently under a California man's name which severely impacted his credit record and ended his employment with a major bureau. After extensive effort including investigations by the Secret Service and the California Attorney General's office, that record was cleared and he assumed his credit rating was secure. Later he was denied credit based on reports from other bureaus which he is still contesting three and one-half years after initially discovering the fraudulent accounts.

A New York man with a name similar to that of his father, but with a different social security number and birth date, has been tagged with the credit problems of his father. The son has been trying unsuccessfully for two years to get the error corrected.

A man living in Hawaii has been tagged with the credit problems of a California man with the same name after Chase Manhattan used the same credit card number for both people. The bureau corrected the report after ten months but soon thereafter Chase again reported the incorrect information, damaging the man's credit record, which they have not yet corrected three and one-half years after the man first discovered the error.

Mr. Speaker, this bill would help those consumers and, as a result, it enjoys the support of many consumer groups, including the U.S. Public Interest Research Group, the Consumers Union, and the BankCard Holders of America.

I look forward to working with Chairman LEHMAN of the Subcommittee on Consumer Affairs and Coinage and the members of that subcommittee to develop final legislation that addresses these important issues and provides consumers with the privacy and protections they need and deserve.

THE EXCLUSIONARY RULE IS AT THE CORE OF THE FOURTH AMENDMENT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. EDWARDS of California. Mr. Speaker, as Eastern Europe, the Soviet Union, and South Africa take the first steps toward freedom, we Americans should be reaffirming the principles of law that have made us a beacon for the world. At such a time, it is ironic that there are those who suggest that we surrender some of our freedoms, in order to fight the drug wars.

One cornerstone of our democracy is the right under the fourth amendment to be free from unreasonable searches. That freedom is enforced by the exclusionary rule, which imposes a consequence on Government authorities who violate the fourth amendment. The rule is simple: Evidence seized in violation of the fourth amendment cannot be used in American courts.

Sadly, the Supreme Court in recent years has chipped away at the exclusionary rule and in the process has undermined our fourth amendment rights. But in a decision last month, the Court rejected, by a slim majority, a proposal to erode the rule yet further. I hope that this case reflects a renewed commitment to the principles in the fourth amendment. Columnist Nat Hentoff has written about this important decision, and I ask that his article be inserted in the RECORD at this point.

[From the Washington Post, Feb. 24, 1990]

EXCLUDING TAINTED EVIDENCE

(Nat Hentoff)

The justices of the Supreme Court are routinely sorted out as being "conservative" or "liberal." A more useful and accurate way of characterizing them might be to distinguish between those most concerned with protecting individual liberties against the state and those who often balance those liberties in favor of the state's need to secure the common good—very much including the efficient functioning of the criminal justice system.

From time to time some of the justices will change sides on a particular case. But two—William Brennan and Thurgood Marshall—hardly move at all from their posts as protectors, in their view, of the individual liberties safeguarded by the Bill of Rights and the 14th Amendment.

In a radio interview three years ago, a journalist asked Brennan: "Why do you let some of those creeps go? They do such bad things, and on a technicality, you let them go."

Uncharacteristically, Brennan became angry: "You and the media ought to be ashamed of yourself to call the provisions and the guarantees of the Bill of Rights technicalities. They're not. We are what we are *because* we have those guarantees, and this court exists to see that they are faithfully enforced. These guarantees have to be sustained—even though the immediate result is to help out some very unpleasant person. They're there to protect all of us."

In recent years, Brennan—again uncharacteristically—seemed to have just about given up hope that the Supreme Court had any intention of faithfully enforcing one of those guarantees—the exclusionary rule.

That rule forbids the use in a trial of illegally obtained evidence by the state. For decades some justices have claimed that this is just a judge-made rule aimed at deterring the police from bending the law to get the goods on someone they know shouldn't be on the streets.

Other justices, including Brennan, are convinced that the exclusionary rule is at the very core of the Fourth Amendment, which prohibits unreasonable searches and seizures. The amendment specifically defines "unreasonable" searches as those made without the authority of a warrant and without probable cause. Any evidence seized as a result of such unreasonable searches is therefore a violation of the Constitution.

There is also the matter of judicial integrity. A court that admits this tainted evidence becomes an accomplice of law-breaking police.

Over the years, a majority of the Supreme Court, however, has permitted exceptions to the exclusionary rule. If, for instance, a defendant testifies in contradiction to certain illegally obtained evidence by the police, prosecutors can use that evidence to impeach him. If he doesn't so testify the evidence is inadmissible.

As other exceptions were added, Brennan said six years ago, in a dissent, that he figured the court had finally eviscerated the Fourth Amendment. But that mood did not last, and this year, Brennan prevented the Fourth Amendment from becoming a museum piece. For the time being.

In *James v. Illinois* last month, Brennan wrote for a 5-to-4 majority in refusing to permit another exception to the exclusionary rule. This one would have permitted the use of illegally obtained evidence in order to impeach *witnesses* for the defense. And since there are many defense witnesses than there are defendants, this exception would be very broad indeed.

Fifteen-year-old Darryl James had been indicted for murder and attempted murder after making incriminating statements to police who had arrested him. The collar had been made, however, without a warrant and without probable cause. Accordingly, James's statements were suppressed.

James did not testify at his trial, but a friend offered testimony that conflicted with the statements by James that had been illegally obtained by the police.

The trial court then allowed what James had said when arrested to be used at the trial in order to impeach the testimony of his friend. James was convicted and sentenced to 30 years. The Illinois Supreme Court agreed that the exclusionary rule should be exempted to include defense witnesses in order to prevent a defendant from engaging in perjury "by proxy."

But the Brennan majority, in one of Brennan's most satisfying victories in recent years, reversed the Illinois Supreme Court, insisting that "So long as we are are committed to protecting the people from the disregard of their constitutional rights during the course of criminal investigations, inadmissibility of illegally obtained evidence must remain the rule, not the exception."

Justice Benjamin Cardozo once complained that criminals sometimes go free "because the constable has blundered." But years later, Justice Tom Clark answered: "If the criminal goes free . . . it is the law that sets him free. Nothing can destroy a government more quickly than its failure to observe its own laws."

THE NECESSITY OF REFORM OF THE SUGAR PROGRAM

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GRADISON. Mr. Speaker, since the early days of the Republic, the Federal Government has intervened in the sugar market—primarily to protect the domestic industry from the vagaries of the international market, but also to attempt to stabilize domestic prices. For most of our history, this intervention took the form of protective tariffs. In 1934, the Roosevelt administration, through authority granted under the Jones-Costigan Act, moved U.S. sugar policy away from tariffs to a system of domestic production and import quotas which governed access to the American market. Subsequently, Congress passed a series of sugar acts and agricultural acts that combined the quota allocation system with price supports for domestic sugar producers.

In 1974, Congress permitted the sugar act to expire, thereby ending 40 years of direct Federal management of the domestic sugar market. The international sugar regime also expired at that time. Market uncertainty and significant price volatility followed.

In addition to wide fluctuations in sugar prices, American producers began to confront two other challenges. One challenge eminated from the European Community [EC]. Under the sugar provisions of the EC's common agricultural policy, the Community, which had been a net importer of sugar in 1967, became a major exporter of sugar by the early 1980's. The second challenge arose from the emergence of corn sweetners as economically viable substitutes for cane and beet sugar in a number of finished products.

In an effort to regain control over prices and stabilize the agricultural sugar economy, a domestic price support program was reestablished by Congress in 1981. In an attempt to manage the program effectively, the Reagan administration exercised its authority to reimpose import quotas the following year. In the Food Security Act of 1985, Congress mandated a minimum nonrecourse loan rate of 18 cents per pound and required that the sugar program operate at no net cost to the Federal Government.

The effects of these policy decisions were almost predictable. In spite of an approximate 15-percent decline in the domestic consumption of sugar between 1981 and 1988, domestic cane and beet sugar production increased about 23 percent over the same period. This unprecedented increase in domestic production, which bore no relationship to demand, directly threatened traditional foreign suppliers to the American market.

During the brief relatively open market period of the late 1970's, the annual average level of sugar imports was 4.4 million short tons. With the reimposition of import quotas in order to maintain the integrity of the price support program, imports fell rapidly. As late as 1984, imports totaled roughly 3 million short tons. The following year, imports fell to 2 million short tons. In 1988, imports were originally limited to 758,000 short tons—a nearly 75 percent reduction over a 5-year period.

Drought conditions in the United States over the last 2 years have slightly eased these trends. The 1990 annualized import quota is currently 1.6 million short tons. However, given domestic consumption and production trends, absent further drought conditions or changes in the program, the recent improvement in foreign access to the U.S. market will be an aberration. The overall trend of escalating domestic production under a relatively high Government guaranteed price support program, declining consumption, and a contraction in market access to foreign suppliers will ultimately make the United States self-sufficient in sugar. At that juncture, which, in my view, is not far off into the future, the no net cost provision of the program will become untenable.

The trend in domestic production, relative to consumption, is worrying in and of itself. Domestic overproduction is a direct result of the incentives built into the current sugar program. However, it is clear that the administration of the program is also having a deleterious effect on traditional foreign suppliers to the American market in violation of our international obligations under the General Agreement on Tariffs and Trade [GATT].

In September 1988, the Government of Australia challenged the tariff headnote authority of the United States to impose restrictive quotas on sugar imports. In May 1989, the three-member panel examining the Australian complaint found in favor of Australia. The panel concluded that the U.S. quota regime is inconsistent with article 11 of the GATT and could not be justified under the provisions of article 2 of the agreement. On June 22, 1989, the GATT Counsel, with the concurrence of the United States, adopted the panel report.

The United States has two basic options in order to settle the dispute with Australia. We can either terminate the offending import restrictions, or we can bring them into conformity with the GATT. Although the GATT does not contain provisions providing for a timetable in the dispute resolution process, delay could lead to either demands for compensation by Australia and, presumably, by other contracting parties who are similarily affected, or could lead to retaliation against American products. Delay in resolving the dispute with Australia is clearly not in our interest.

We are faced with two distinct, yet intertwined, problems. On the one hand, the integrity of the domestic price support program is clearly at risk given consumption and production trends. On the other hand, attempting to maintain the integrity of the program has led the United States down a road that places us squarely outside our international obligations to our trading partners. What are our options? Certainly, there is more than one option. I will concentrate on what I believe to be the preferable one.

Mr. Speaker, as you know, I have long been critical of the dynamics of the sugar program in stimulating overproduction and the negative effects on international trade that have resulted. I continue to believe that an adjustment in the nonrecourse loan rate for sugar is the key to solving these problems. H.R. 1055, the Sugar Supply Stabilization Act, which Representative DOWNEY and I introduced earlier in this Congress, contains two basic elements. The first is a reduction in the nonrecourse loan rate by 1.5 cents per pound over a 4-year period. The second is a recommended increase in imports of 500,000 short tons per year.

Philosophically, this is the proper direction for American policy. I recognize, however, that the adverse panel report adopted by the GATT in response to the Australian complaint renders H.R. 1055 an inappropriate response as a comprehensive solution to the problem. It is likely that H.R. 1055 would also be found to be inconsistent with the GATT. Although the numbers change, the sugar program would be administered in the same manner under H.R. 1055 as it is now. Although the Government of Australia has indicated it would be prepared to accept implementation of H.R. 105 as an interim measure, because it would ease import restrictions, all parties recognize that it would not be sufficient, in and of itself, to resolve the underlying issue. Therefore, Representative DOWNEY and I have developed a new proposal, based on H.R. 1055, that we believe is consistent with our GATT obligations.

This legislation, H.R. 4042, the Sugar Equity and Reform Act, would:

Continue the basic method of operation of the current sugar program;

Reduce the nonrecourse loan 5 percent per year over a 5-year period;

Reduce the gap between the market stabilization price [MSP] and the loan rate slightly by basing the MSP on the Hawaiian loan rate for cane sugar rather than on a national average (effectively calculating the MSP from the base from which it was originally intended) and by removing the incentive factor;

Establish a minimum import quota of 1 million metric tons (equivalent to approximately 1.1 million short tons) which would increase over a 5-year period to 2 million metric tons (equivalent to approximately 2.2 million short tons);

Retain all current quota allocations and duty preference on quota sugar; and

Attain GATT legality through requiring the President to exercise his existing authority to establish a tariff rate quota for sugar.

Mr. Speaker, some have suggested that the sugar program be extended, in its present form, for at least a year pending the outcome of the negotiations in the Uruguay round of the GATT. Merely extending the present program would be an affront to the dispute resolution process in the GATT. We are certain to hear complaints about the trade distorting practices of the EC. I agree with my colleagues who suggest that the policies of the Community are a major factor in depressing world sugar prices over the long term. However, our immediate dispute is with Australia, not the Community. Failing to deal effectively with that could invite consequences that no one wants.

Others have suggested the possibility of marketing and/or production controls as a solution to the problem. Press reports of proposals circulating within some producer groups concern me greatly. Any proposal to adopt marketing and/or production controls, combined with some form of subsidized exports of sugar, would essentially be replicating the EC's program. If our goal in the Uruguay round is to reduce all trade distorting subsidies, particularly in agriculture, it would be a significant setback for the Americn position if we adopt changes in sugar policy that mimic the worst practices we are attempting to eliminate in Geneva.

In that vein, I was disappointed earlier this month when the administration released its proposals for the 1990 farm bill. In 1985, Congress enacted changes in most of the major commodity support programs. The trend in Federal support is downward in an effort to reduce outlays and reduce Federal incentives for overproduction. The administration has proposed some changes in the dairy program, alterations in the honey, wool, and mohair programs, and significant changes in the peanut program. The administration's package is silent on sugar.

I understand the preference of the administration to deal with sugar in the Uruguay round. I simply disagree with that approach. The round has not affected our efforts to open the Japanese and Korean markets to United States agricultural products, it did not affect renegotiation of the steel VRA agreement with Japan, and it did not hinder completion and implementation of the United States-Canadian Free Trade Agreement. In addition, the round also has not affected the administration as it continues to press for resolution of the case we argued successfully in the GATT against the EC on oilseeds.

The United States has proposed tariffication in the Uruguay round as the best road toward an international trading environment free of restrictive practices. Tariff rate quotas, which the GATT recognizes as legal, are the inevitable waystations along that road. The dispute with Australia offers the United States an opportunity to lead. We would not be unilaterally disarming, as critics of sugar reform like to call it. We would be strengthening the U.S. position in Geneva which can only work to the long-term benefit of American agriculture.

As I indicated earlier in my remarks, there are compelling reasons to move forward on reform of the sugar program. I recognize that H.R. 4042 is likely to be but one option on the table. It is not a panacea. I believe, however, that it offers the best hope to provide support for domestic producers as necessary and to bring the United States into compliance with its international obligations. I urge my colleagues to join Mr. DOWNEY and me in this effort.

COUNTRY MUSIC GRAMMY AWARDS

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. CLEMENT. Mr. Speaker, last week in Los Angeles, CA, the National Academy of Recording Arts and Sciences [NARIS] paid tribute to the top performers, songwriters and music industry personnel in the recording industry during the 32d annual Grammy Awards.

I would like to take this opportunity to salute the Grammy winners in various country music categories, many of whom live or work in my hometown, Nashville, TN.

During the past 60 years the country music business has grown from infancy to an industry which has annual sales of over $550 million. According to a recent Harris survey, country music is the best liked music in America, with over 60 percent of adult Americans stating that country music is their favorite music.

I am very proud to represent Music City U.S.A., the home of country music. I am equally proud to honor this year's Grammy Award winners in the different country music categories.

Last October my colleagues in the U.S. House of Representatives and the U.S. Senate joined me in adopting House Joint Resolution 401, officially proclaiming October as Country Music Month. Today I ask my colleagues to join me in saluting these talented individuals.

Country vocal, male: Lyle Lovett.

Country vocal, female: K.D. Lang.

Country vocal, duo or group: the Nitty Gritty Dirt Band.

Country instrumental, Amazing Grace, by Randy Scaggs.

Country song, After All This Time, by Rodney Crowell.

Bluegrass recording, the Valley Road, by Bruce Hornsby, and the Nitty Gritty Dirt Band.

There are two other awards which went to country music artists and writers which should be given special recognition.

Larry Henley and Jeff Silbar won the prestigious Record of the Year Award for Wind Beneath My Wings. What made this honor particularly noteworthy was the fact it is given for the best pop song of the year.

Larry and Jeff cowrote the song in Nashville in 1980 while working as songwriters for House of Gold. Larry is still living in Nashville and writing more great songs, while Jeff has moved to Los Angeles.

The song has been recorded by several artists and won the Record of the Year Grammy for the version recorded by Bette Midler. The fact that the song achieved such recognition nearly a decade after it was authored simply proves that great music lives on forever.

Perhaps the most notable achievement of the 32d annual Grammy Awards was the award won by a father and his son over 37 years after the father passed away.

Hank Williams and Hank Williams, Jr., were honored for country vocal collaboration for the song "There's a Tear in my Beer."

In my opinion these two country music legends have achieved more success in the music industry, and have had the most important impact on music history, of any father and son in the history of recorded music.

Hank Williams, Sr. is responsible for writing some of the most touching and memorable songs ever recorded. He was a pioneer and perhaps the first true country music superstar in history. It is estimated that his songs have sold over 100 million records.

His son, Hank Williams, Jr., has sold more than 50 million records worldwide. He has won numerous awards including being honored five times as the Country Music Association and Academy of Country Music's "Entertainer of the Year." And Hank Williams, Jr., like his father, has been a pioneer and trailblazer in the country music industry.

The Grammy Award they shared last week was the first Grammy ever awarded to Hank Williams, Sr., or Hank Williams, Jr. They both certainly deserved this recognition.

I also want to salute Nancy Shapiro, executive director of NARIS in Nashville, and Lisa Neideffer, her executive assistant, for the outstanding job they do year after year in helping to coordinate Grammy-related events in Nashville. They should also be recognized for their time and effort on behalf of civic and charitable causes in the Nashville area undertaken on behalf of NARIS.

I have said before that "there is nothing more American than apple pie, our Flag and country music." Today I am proud to represent the community that is the home of country music, and I consider it my distinct privilege to pay tribute to this group of talented musicians and songwriters.

SALUTE TO LUIS LAINER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BERMAN. Mr. Speaker, I am proud to rise today to salute a truly outstanding member of our community and an individual I am proud to call my friend—Luis Lainer. He is being honored by Bet Tzedek Legal Services for his years of dedicated service—as a founder, executive director, president and board member of one of our city's premiere nonprofit organizations.

After graduating from Yale Law School, Luis served as a VISTA volunteer, bringing legal services and resources to the Puerto Rican community. Inspired by that experience, Luis came to California and, after a brief stint in

private practice, joined a group of other young activists determined to ensure access to the law for all regardless of ability to pay.

In 1973 they established Bet Tzedek Legal Services on the premise that clients should be entitled to the highest standards of service provided to paying clients in private practice. Luis and his associates wanted clients to develop a sense of empowerment, as they became participants in solving their own problems in a caring and supportive environment.

Luis became Bet Tzedek's first executive director—building the organization from scratch. He is currently completing a 4-year term as president of Bet Tzedek and he can reflect with pride on an organization that has helped thousands of clients and has won several landmark cases on behalf of some of the most defenseless and disadvantaged members of our society.

In addition to Bet Tzedek, Luis is involved in a wide range of community activities. He is a governor of the Jewish Federation Council, regional chair of the New Israel Fund, a Los Angeles board member of Haifa University and a past chair of the Chicano-Jewish Dialogue of the Jewish Federation Council.

Luis is married to lee and they have three children—Jesse, Anne, and Zachary.

Mr. Speaker, It is my distinct honor to ask my colleagues to join with me in saluting Luis Lainer—visionary, leader, and role model for all.

VIETNAM VETERANS EDUCATIONAL ASSISTANCE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to offer a bill which executes promises to Vietnam veterans before they risked their lives for democracy. I would like to invite my esteemed colleagues to join me as a cosponsor of H.R. 3889, which ensures that all veterans eligible to receive educational assistance under the Veterans' Educational Assistance Program [VEAP] have 10 years after discharge or release from active duty in which to use their educational benefits. It also provides 1 day of additional assistance for every day a veteran served in combat in Vietnam.

Vietnam-era veterans entered the military with the understanding that the educational benefits granted under the VEAP would be available upon their discharge. Because the December 31, 1989, termination date has passed, these educational benefits are no longer available to those who chose to prolong their service in the U.S. Armed Forces. Educational assistance was promised to these citizens as they marched off to sacrifice their lives for democratic justice. This promise should not be broken. Educational aid should be provided to those who defended our country in combat.

According to the national Vietnam veterans readjustment study conducted by the Research Triangle Institute, many Vietnam veterans who participated in combat in Vietnam are more susceptible to encounter difficulties in educational and occupational ajustment. One of the findings of the study determined that combat veterans suffered greater complications adapting to civilian life. The study subsequently demonstrated that veterans who participated in combat were less educated than those veterans who did not. Their need for educational assistance is critical.

We assured these brave citizens of our support before they joined our Armed Forces. To turn our backs on them at this crucial stage is unforgivable. We owe them the educational assistance that was promised and deserved. Vietnam veterans deserve action, not rhetoric.

DETECTIVE BEN ARMSTRONG DALLAS POLICE OFFICER FOR THE MONTH OF JANUARY

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BRYANT. Mr. Speaker, our local law enforcement agencies and their dedicated employees are our first line of defense against crime. It is always a great pleasure for me, as a member of the House Committee on the Judiciary and its Criminal Justice Subcommittee, as well as a Dallas resident, to join in paying tribute to some of our best local law enforcement officers.

Dallas Police Detective Ben Armstrong has been recognized as January Officer of the Month, and I take pride in calling his achievements, described in the Dallas Police News, to the attention of my colleagues and fellow citizens:

OFFICER OF THE MONTH ARMSTRONG RECEIVES JANUARY HONOR

Det. Ben Armstrong of the Identification Division has been selected as the January Officer of the Month by the Dallas Community Police Awards Committee. He will be honored during a luncheon hosted by the Dallas Market Center Rotary Club.

A 15-year veteran, he started his law enforcement career as a police officer with the Henrico County Police in Virginia. During his DPD career, Det. Armstrong has received 25 commendations including two for identifying, through latent fingerprints, suspects wanted for two double murder offenses of elderly couples.

He is also the recipient of a Certificate of Merit, 10-Year Safe Driving Award and five Marksmanship Awards.

For the past 10 years, Det. Armstrong has kept abreast of automated fingerprint identification (AFIS) technology. When AFIS funding was approved in 1987, Det. Armstrong was selected as a member of the evaluation team.

As the first member selected for the new AFIS Unit, he assisted in the implementation of the system and made sure performance criteria was met. Because of his hard work, the AFIS Unit identified more than 100 suspects in cases ranging from capital murder to burglary of a motor vehicle during its first two months of operation.

MERGER MANIA

HON. MICHAEL DeWINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DEWINE. Mr. Speaker, James Brock, professor of economics at my alma mater, Miami University, and Prof. Walter Adams have examined the effect larger scale mergers have had on our national economy. Their concise analysis recently appeared in the Cincinnati Enquirer. The article is a summary of their book, "Dangerous pursuits: Mergers and Acquisitions in the Age of Wall Street." In their article, Professors Brock and Adams detail the extent of "Merger Mania" in the past decade and its negative effects on our economy. I urge all of my colleagues to read this thought-provoking analysis of the economic inefficiencies created by the explosion of leveraged acquisitions:

MERGER MANIA ISN'T HELPING U.S. ECONOMY

(By James Brock and Walter Adams)

In the annals of American business history, the 1980s will go down as the decade of the deal—a trillion-dollar corporate feeding frenzy that produced phenomenal profits for a few but economic stagnation for the country.

Acquisitions exploded from 1,565 corporate deals in 1980 worth $33 billion, to 3,487 deals valued at $227 billion in 1988—a spectacular 600 percent jump. In all, some 26,000 corporate deals have been consummated since 1980, totaling more than $1 trillion in value.

But this deal-mania isn't creating new plants or new jobs, instead, it amounts to rearranging deck chairs on the Titanic.

This is because for a nation, as for individuals, there is no such thing as a free lunch. A decade of managerial energy devoted to concocting—or fighting off—corporate deals is a decade during which energy has been diverted from the critically important task of investing in new plants, new products, new state-of-art manufacturing techniques and new jobs. By the same token, the hundreds of millions of dollars absorbed in deals by legal fees and bankers' commissions have not been plowed directly into the nation's industrial base.

It is especially sobering that in 1986, corporate America spent more on mergers and acquistions—$204 billion—than it did on research and development—$55 billion—and net new plant investment—$81 billion combined. This hardly bodes well for a nation struggling to reindustrialize in the face of massive foreign trade deficits.

Further, a raft of studies show that typical merger is followed by deteriorating profit performance, and losses—not gains—in operating efficiency.

The American steel industry poignantly illustrates the futility of the merger game. The industry giants are the product of eight decades of mergers and acquisitions, beginning with the formation of the U.S. Steel Corporation in 1901 as a consolidation of hundreds of formerly independent plants.

But, alas, America's steel giants are anything but models of economic efficiency. They have lost jobs and market share, not

only to foreign producers, but to small, hyper-advanced steel minimills at home.

The economic infirmities of mergers, takeovers and acquisitions are graphically reflected by their atrocious failure rate. As summarized by *Business Week*, a half to two-thirds of all mergers don't work, with one in three later undone. Management expert Peter Drucker puts the record in even starker terms: On average, he finds, two mergers out of five are "outright disasters," two "neither live nor die" and one works—scarcely a stirring testimonial for claims that deal-mania benefits the nation's economy.

Nor is deal mania a boom for investors. Studies find the stock values of acquisitive firms to typically fall following takeovers—losses that cancel out gains in the stock of target firms at the time of takeover. Bondholders—who also are investors—have been slaughtered by deal-mania as high takeover premiums, high debt-equity ratios and astronomical interest payments erode the value of their holdings.

In the final analysis, a nation chooses the kind of economic game it plays. A nation chooses, either explicitly or by default, the kinds of skills it will encourage by virtue of the rewards it provides. A nation also chooses the economic consequences it will have to endure, based on the kind of economic game it plays.

If the objective is improved productivity, enhanced efficiency and accelerated innovation, then corporate deal-mania is simply the wrong game to play.

The challenge is to channel business activity away frrom speculative capitalism, and into creative capitalism. This distinction is crucial: Creative capitalism generates new productive wealth; speculative capitalism merely redistributes ownership claims. Creative capitalism gives birth to new goods, new services and new production techniques; speculative capitalism merely rearranges control over the production process. Creative capi talism contributes to economic growth; speculative capitalism is a sterile zero-sum game.

Henry Ford personifies creative capitalism as its best. He took the automobile, considered as a luxury for the few, and turned it into an affordable commodity for the many. He did it by building, not by buying; by creating, not by trading what already existed.

Fortunately, Ford is not an anachronism from a bygone age. America is still blessed with innovative entrepreneurs like Edwin Land, inventor of the instant camera and founder of the Polaroid Corporation; Ross Perot, who founded Electronic Data Systems (EDS) with $1,000 and built it into a multibillion dollar business; and Steven Jobs, the wizard who from his family's backyard garage revolutionized the computer industry with his MacIntosh personal computer.

As a society, we must decide which game we want the business community to play. We must decide between enterprise and speculation. We must decide between enterprise and speculation. We must decide between creating wealth and trading it—between investing in the future or wasting it away in an economically counterproductive game.

Given the right rules, American business can play the right game. It can rise to the challenge of world-class competitiveness.

EAGLE SCOUTS HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues, an outstanding group of young individuals from the Fifth Congressional District of Illinois who have completed a major goal in their Scouting careers. On Sunday, April 29, 1990 at the Morriane Valley Community Church located in Palos Hills, IL, James Gillen, Joseph Grzesik, Erick Hanson, Eric Krzystofiak, and Bradley Poynter will be honored at an Eagle Scout Court of Honor.

It is important to note that less than 1 percent of all young men in America attain the rank of Eagle Scout. This high honor can only be earned by those Scouts demonstrating extraordinary leadership abilities. These young individuals have clearly demonstrated such abilities through their dedicated community service and deserve special recognition.

In light of the commendable leadership and courageous activities performed by such a fine group, I ask you, my fellow colleagues, to join me in honoring James Gillen, Joseph Grzesik, Erick Hanson, Eric Krzystofiak, and Bradley Poynter for attaining the highest honor in Scouting—the Eagle Scout. With God's blessing, let us wish them the very best in all of their endeavors.

WHO WILL BUY THE ELECTRIC CAR?

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. MADIGAN. Mr. Speaker, I recently read with great interest a commentary in Forbes Magazine written by Peter Huber, entitled "Who Will Buy The Electric Car? I commend this article to my colleagues.

WHO WILL BUY THE ELECTRIC CAR?

At the beginning of January, with some modest fanfare, General Motors rolled out a prototype, two seater electric car. It's called the Impact, as in "environmental." The car comes with good acceleration, pretty good range [120 miles between recharges] and the electric car's classic weakness—a battery pack that costs too much and dies too young. Sooner or later, however, better batteries will be developed.

And then what? Then the fate of electric cars will be up to government types and environmentalists. Judging from their early reaction to the Impact, the bureaucrats and self-appointed protectors of the earth will mostly vote the wrong way. And that will be bad news for both the environment and our national economy.

For now, the gasoline engine enjoys a huge advantage over any potential competition: an established network of fuel and service stations. To crack that advantage, the first generation electric cars will have to shine in some other way that counts. Barring miraculous advances in battery technology, the edge won't be either the price of the electric car or the cost of running it.

The first potential advantage is national interest. The gryrating price of oil was behind President Carter's economic problems in the 1970s, just as it has been behind Comrade Gorbachev's in the 1980s. Oil imports acount for half of our trade deficit and 60 percent of the Soviets' hardcurrency exports. The point is, oil remains the most politically potent commodity on the planet, at both ends of the pipeline. Today, we import two out of every five barrels that we burn—which is to say, we import only a bit more than it takes to run our cars. Get the oil out of the car and we win a huge new measure of national independence.

Then there's the environmental side of things. Contrary to intuition, it's better to burn fuel in the external combustion engine of an electric power plant than in the internal combustion engine of your average car—even if the fuel is oil, which it rarely is in a power plant.

Technology Management Services of Washington, D.C. has worked the numbers. A good electric power plant converts about 35 percent of its thermal energy into electricity. The best car engine can convert barely 20 percent of its heat to mechanical energy at the wheel. Transmitting electricity, charging a battery and running an electric motor entail some energy loss, but refining oil for cars entails even more.

Add it all up and it becomes a good bit more efficient to burn oil and distribute electricity than to refine oil and distribute gasoline. That means that right off the bat generating electricity for transportation causes less pollution than refining and burning gasoline.

Besides, even if it has a smokestack, an electric power plant can be sited miles from urban areas, operated with high-temperature, well-maintained combustors and sanitized with scrubbers and such. Internal combustion engines, by contrast, stick close to people, and exhaust is dirty even when run through the best catalytic converter on the market. And when it's up to millions of individuals to tune the engine and maintain the pollution controls, millions won't. As recent research has confirmed once again, auto exhaust is far harder on the environment than anything coming out of power plant smokestacks.

If the electric car is still a distant prospect, the electric train isn't. Most U.S. locomotives rely on internal combustion diesel engines, hardly more efficient than car engines. Europe and Japan (by contrast) are rushing to embrace all-electric locomotives. Batteries aren't needed here, and the electric engines are well developed. U.S. companies in fact did much of the developing in the early part of this century. Once again, burning the fuel at a power plant and delivering electricity to the train is considerably more efficient than burning fuel in the train.

You'd think with cleaner air, domestic jobs and a better balance of trade at stake, electric power would win hands down. You would also expect that the liberals and their friends in the environmental movement would be clamoring for electric transportation of any kind. No way. Why will they stand in the way of getting the gasoline out of transportation? It's a sad story.

Too many of the greens launched their careers fighting central power stations, and they shun technology that would require more. The Natural Resources Defense Council dismissed General Motors' Impact project with a sour remark: "We have to generate the electricity somewhere, and

that would create a great deal more pollution."

It would create a great deal less. Electric transportation wouldn't even require much in the way of new power plants. Running every car in the country on electricity would consume about 25 percent of the power existing plants can generate. Battery recharging would occur largely at night, however, in off-peak hours when there is already abundant capacity to spare. As a side benefit, the price of electricity would fall as we squeezed major new revenues out of a sunken, often idle, capital investment.

So who will buy the electric car? No one, until we collectively put a new premium on energy independence, the balance-of-trade relief that goes with it, and the considerable environmental benefits of going electric. Those aren't priorities that any individual is going to set alone. But sooner or later the government may. If not the government in Los Angeles or Washington, DC, then perhaps the government in Azerbaijan, Tehran or Tripoli.

PUTTING THE HEART IN HEALTH CARE

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. TAUKE. Mr. Speaker, today, Tuesday, February 27, 1990, the Finley Hospital of Dubuque, IA, celebrates its centennial anniversary. The hospital was founded on this date in 1890 with the bequest of Mrs. Helen "Corriell" Finley, who had made a provision in her will that her estate should be used to found a private, nonsectarian hospital in the city of Dubuque and that is should be named Finley Hospital in memory of her husband, Dubuque medical pioneer, Dr. John W. Finley.

A group of concerned citizens first met on June 11, 1885, to discuss the formation of the hospital according to the terms of the Finley will. They decided that the Finley residence should be purchased and remodeled to become the first hospital building.

The Finley Hospital opened to accept patients in April 1891, and could accommodate 40 patients. The mission of the Finley Hospital was to "afford medical and surgical aid to the sick, hurt or disabled persons." Hospital care was to be provided to men and women from all walks of life, regardless of their ability to pay.

From this simple beginning, the Finley Hospital has grown into a 158-bed regional medical center serving patients in a three-State area of northeastern Iowa, southwestern Wisconsin, and northwestern Illinois. Many specialized services are provided by a caring and dedicated staff.

The Finley Hospital today celebrates its 100th anniversary and the beginning of its second century of "putting the heart in health care."

TRIBUTE TO THE LATE BEATRICE COLEMAN KEMP

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DYMALLY. Mr. Speaker, it is with great sorrow that I convey to you the passing away of Beatrice Coleman Kemp, a dear friend and a community leader in the Los Angeles area. Her absence will be missed by her close ones and the community at large.

THE OBITUARY—SHE INSPIRED LOVE AND COMMITMENT TO GOD, FAMILY, FRIENDS AND COMMUNITY

Such was the life of Beatrice Coleman Kemp, beloved mother, grandmother, great grandmother, church and community worker who left us on Saturday morning, at 2:30 a.m., February 10, 1990, after 74 years, and one month on this earth.

Beatrice was born January 9, 1916 in Shreveport, Louisiana, the fourth child of Mr. Charlie S. Coleman and Mrs. Mattie Hill-Coleman, both now deceased. Also preceding her in death are one brother, Wesley Leroy Coleman and three sisters: Mrs. Bernice Coleman Moore, Mrs. Delilah Coleman Cook and Mrs. Mary Ruth Coleman Duncan.

She attended Mooretown and Davis Chapel Elementary Schools. Having attended Central High School (presently named Booker T. Washington High School) through the ninth grade, Beatrice never stopped educating herself over the years.

On March 1, 1934, when she was 18 years old, Beatrice married LeRoy Kemp, Sr., of Boley, Oklahoma. Of this union, four children were born, two deceased at birth.

A devoted wife and mother, one who always put the interest of her family first, Bea was a Christian, a strong believer in The Redeemer Jesus Christ and Prayer, as well as a devout Baptist. She was baptized at age 9 at Mount Chapel Baptist Church in Shreveport, Louisiana. Early 1926, she changed her membership to Midway No. 2 Missionary Baptist Chruch where she served on the Senior Usher Board. For 15 years, she was Secretary of the Senior Usher Board at Midway.

In 1943, Beatrice and her family moved to Los Angeles, where she worked as a maid at various hotels and in private homes. Because Bea and Roy were anxious to own their own home as they had in Shreveport, Bea and her mother crocheted and sold doilies for tables, sofas, chairs, and crocheted and embroidered sheets, and pillow cases and other beddings. Also in 1943, she joined St. Paul's Baptist Church, where she served on the Senior Usher Board until 1948.

Forty-two years ago (1948), she joined the membership of Paradise Baptist Church, where she has remained a member ever since. At Paradise, she served as a Sunday School teacher, and served on the Senior Usher Board, and served as a volunteer to various groups in the church such as the Youth Choir, and the Sunday afternoon BYPU.

Beatrice believed in and was dedicated to service and people, throughout her employment life, and community and political activities. In May 1944, she was employed by the Los Angeles County General Hospital in the Housekeeping Department in the main hospital. In 1946 she was promoted to Nurses' Aide and transferred to the staff in the Psychiatric Department. In 1951 she received another promotion, becoming a Hydrotherapist Technician.

Early on in her employment at Los Angeles County General Hospital she spent many hours endeavoring to improve and upgrade working conditions and job opportunities for all employees, as well as alleviating discriminatory practices in hiring and firing of minorities and women. With a few of her colleagues, Bea was one of the original organizers and founding members of Los Angeles County Employees Union Local 434, AFL-CIO. Although often called upon to hold several posts within Local 434, she chose to remain a Shop Steward from 1951 until her forced retirement in 1973.

Over her 47 years of residence in Los Angeles, she has held membership in many civic, social and political organizations. Among those she held dear are the NAACP, Urban League, Eastern Star (Queen Esther Grand Elective Chapter No. 19 of America), the Committee for the Rights of the Disabled, Los Angeles County Employees Union Local 434, AFL-CIO just to name a few. Politically active throughout the 1960's and 70's, Bea worked for the successful election campaigns of Augustus F. Hawkins for Congress, Mervyn M. Dymally for the State Assembly, State Senate and Lt. Governor, Billy G. Mills for City Council, Bill Greene and Leon Ralph for the State Assembly, Robert C. Farrell for City Council, Diane Watson for the State Senate, and many others too numerous to mention.

Fondly and lovingly called "Mama Bea" by family members, neighbors and friends, young and old, her heart and her home was a quiet refuge of warmth, comfort, strength and generosity to all of fortunate enough to be blessed to ahve known her.

Cherishing her memory are:

Son: Leroy Kemp, Jr., Los Angeles.

Daughter: Doris Jeanne Kemp Berryman Blaker and husband, Charles Randolph Blaker, Los Angeles.

Grandchildren: Robert Lee Berryman, Jr., Los Angeles; Randi Lynne Berryman-Phillips and husband, Carl Lorenzo Phillips, Los Angeles; Rory Lynnard Berryman and wife, Norma Jean Marshall-Berryman, Los Angeles.

Great Grandchildren: Christian Lorenzo Phillips, Los Angeles; Chrystal Lynn Phillips, Los Angeles; Cameron Lemuel Phillips, Los Angeles; Camille Leigh Phillips, Los Angeles.

Sisters: Mrs. Marie Coleman Jackson, Los Angeles; Mrs. Pearline Coleman Meriweather, Los Angeles; Mrs. Charlesezetta Coleman Miles, Shreveport; Mrs. Crealor Coleman Thomas, Shreveport; Ms. Arlillian Coleman, Washington, D.C.; Mrs. Bobbie J. Coleman Harrison, Cleveland, OH.

Brothers: Mr. Clarence Coleman, Ottawa, Ontario, Canada; Mr. Charlie Coleman, Jr., Shreveport; Mr. Frank Coleman; Mr. Jesse Coleman, Shreveport; Mr. Clifford Coleman, Sr., U.S. Navy; Reverend Nathanial Coleman, Shreveport; Mr. Tommy Coleman, Shreveport; Mr. Melvin Coleman, Sr., Shreveport.

Nieces and Nephews, 56; Great Nieces and Nephews, 77; Great-Great Nieces and Nephews, 50.

Stepmother: Mrs. Elziner Coleman, Shreveport, LA.

Uncle: Mr. Henry Coleman, Shreveport, LA.

Sisters-in-law, 8; brothers-in-law, 6; and a host of other relatives and friends.

TRIBUTE TO ST. ALBAN'S CHILD CARE CENTER

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. MAZZOLI. Mr. Speaker, last week the St. Alban's Child Care Center on Beulah Church Road in Louisville was accorded a high honor: The "PERQC" Award—Project the Evaluate and Recognize Quality in Child Care—in recognition of the quality child care they provide above and beyond requirements for State licensing.

St. Alban's is just the sixth of more than 250 State-licensed child care centers in Jefferson County to receive this recognition since Community Coordinated Child Care—or 4C's—in Louisville began honoring high quality programs in this way in 1985.

St. Alban's is fortunate to have such able leaders as Fr. Lester Gross—who first envisioned the child care center years ago—and executive director Mavis Higgs, and board member Charley Smith. The individuals who work at the center should be proud, also, for it takes each person making a contribution every day to create such a quality, carring, and loving environment for the more than 200 families served there daily.

It seems just yesterday that I visited St. Alban's for the groundbreaking ceremony for the new addition and that Mavis Higgs joined me in downtown Louisville for the congressional field hearing on the ABC bill—although it was really 1988.

Since that time we have come close in Washington to passing a comprehensive child care bill which incorporates the heart and soul of the ABC bill. Unfortunately, these efforts fell apart in the last days of 1989. I am pleased the House leadership has made child care one of its top priorities for 1990 and I am hopeful we can approve a bill this spring.

I look forward to visiting the newly-completed facilities at St. Alban's soon, and commend all involved with this winning effort.

HOUSE JOINT RESOLUTION 81, A CONSTITUTIONAL AMENDMENT DESIGNATING ENGLISH AS THE OFFICIAL LANGUAGE OF UNITED STATES

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SHUMWAY. Mr. Speaker, I am the primary House sponsor of House Joint Resolution 81, which would provide for a constitutional amendment designating English as the official language of the United States. The bill now enjoys the sponsorship of 64 of my colleagues, all of whom are enthusiastically supported by their respective constituencies on this important issue. Just last week, I was presented with more than 30,886 declarations of support for House Joint Resolution 81 from citizens across the Nation.

Seventeen States already have declared English their official language, including my own State of California. Twelve more are considering official English legislation. Polls and surveys continue to demonstrate that the public overwhelmingly endorses the concept of a single language in Government.

Official English is a commonsense idea. A single language in Government use, a common language, greatly enhances national unity, political stability, social equality, and economic efficiency. Contrary to the opinion of those who oppose the official language movement, such a step would not prohibit or discourage the use of foreign languages in homes, churches, community groups, private organizations, tourism, or commerce. Only Government functions would be affected. I applaud and encourage the ethnic diversity from which the rich tapestry of our heritage is woven. However the unifying thread in this varied tapestry, the thread which has forged unity from our diversity, is a common language.

As the most pluralistic Nation in the world, the United States is more dependent than any other on the unifying bond of language to facilitate communication, cooperation, and the exchange of knowledge. The petitions, I have just received, make it clear that Americans understand that dependency, and that they endorse the effort to designate English our official language. I strongly urge my colleagues to do likewise.

WEBSTER'S PULASKI BRASS BAND MARKS A CENTURY OF MUSICAL ACHIEVEMENT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. NEAL of Massachusetts. Mr. Speaker, 1989 was a banner year for the Pulaski Brass Band of Webster, MA. The band, which has become a respected musical resource for the people of Webster, marked its 100th anniversary last year, and will officially commemorate the event on April 29, 1990.

The Pulaski Brass Band was established in 1889 by 19 men from Saint Joseph's Parish, led by Valerian Kreft, Joseph Woznicki, John Ryzewski, Louis Kreft, and Daniel Zatorski. The original members, who were primarily Polish immigrants, named their band after the great Polish freedomfighter, and hero of the American Revolution, Count Casimir Pulaski. The selection of the name Pulaski served as an inspiration to the newcomers to the Webster area as they pursued the dreams of freedom and success that had brought them to the United States.

From its first performance on the balcony of the Joslin House in Webster in 1890, to its current summer concerts on Webster's town green, the defining characteristics of the Pulaski Brass Band have been its musical ability and the spirit of its members. The bands outstanding reputation was evidenced by the invitation it received to play before His Holiness, Pope John Paul II, on his historic visit to Boston in 1979.

Mr. Speaker, the Pulaski Brass Band has a current membership of approximately 50 musicians, ranging from young adults to retired citizens. For a century, the appeal of this organization has spanned generational lines in Webster. Through its ability to entertain, it has become a vital part of the civic and social life in the town. I salute president Robert Grzych, vice president Susan George, secretary Walter Motyka, treasurer Bernard Baldyga, historian Richard Zawislak, musical director Thomas Kruczek, and all the members of the Pulaski Brass Band on their 100 years of outstanding service through music to their community. With its proud history as prelude, I am confident that the Pulaski Brass Band will enjoy continued success as it begins its second century of musical excellence.

CAMPAIGN FINANCE REFORM LEGISLATION

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DORGAN of North Dakota. Mr. Speaker, I am offering today a resolution which calls for the development of campaign finance reform legislation to attempt to limit the mushrooming spending in congressional campaigns and to reduce somewhat the role of PAC's in campaign financing.

My resolution sets out spending limits and PAC limits that I feel we should consider. Let me be clear that these limits only work in connection with incentives that we must develop to encourage candidates to participate.

In my resolution I suggest setting a $200,000-per-election limit on spending for U.S. House races. This would mean $400,000 including a primary and a general election. I also suggest limits of $2,500 contributions from political action committees and a $75,000 limit per candidate—these are limits for each of the primary and general elections.

Again, let me emphasize that these are simply my thoughts about some limits we should consider in reform legislation. They cannot be considered alone and they cannot stand alone. They must be related to the resolution of other issues such as political party contributions to candidates, the soft money issues, the bundling issues and more.

Most importantly, we need to take action to address these campaign issues and we need to do it in this session of Congress.

LET'S EXTEND THE JOB CORPS TO HOMELESS FAMILIES

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WILLIAMS. Mr. Speaker, today I rise to introduce legislation to extend the Job Corps Program to serve homeless families. The Job Corps has proven to be an excellent Federal investment, returning $1.45 for every $1 invested. Thirty-three Members of the House have joined me as original cosponsors of this legislation.

This legislation authorizes the Job Corps to provide services and facilities at existing or special Job Corps centers to respond to the needs of members of homeless families. Participation by such families would be strictly voluntary.

The bill stipulates that an agreement be established with one or more State or local governments or agencies which requires that State and local entity: provides, in the aggregate, not less than 50 percent of the costs of such services and facilities; contains provisions to ensure that enrollees and their families are effectively assisted in obtaining all necessary health, education, and social services provided by existing Federal, State, and local programs in such State or locality; provides such transitional assistance, including housing, necessary to effect successful job placements for enrollees.

Federal, State, and local governments are now using significant sums of money simply to house many homeless families. We can make better use of those dollars in this joint venture. We can do a good job of keeping families together while providing necessary assistance to them in one setting. This legislation would also reduce the Federal costs necessary to serve these families by involving family members in food preparation and other activities at these centers.

This bill would not mortgage funds for existing Job Corps centers at current operating levels but would seek to use the successful experiences we have learned in the 25 years of operating the Job Corps and apply them to helping homeless families.

LEGISLATION INTRODUCED TO CREATE NATIONAL PARK IN CONNECTICUT

HON. JOHN G. ROWLAND

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. ROWLAND of Connecticut. Mr. Speaker, I am pleased today to join in sponsoring legislation to establish the J. Alden Weir Farm—located in the Wilton and Ridgefield area of my district in Connecticut—as our State's first national park. The Weir Farm has received tremendous support from conservationists and local residents to have this area included in the National Park Service system.

J. Alden Weir was one of the founders of the American impressionist movement in painting. The farm, which was originally obtained by Mr. Weir in a trade for a work of art, was the site on which hundreds of landscape and rural life scenes were painted. Located approximately 45 miles from New York City, the farm has been continuously occupied by working artists and their families since 1882. Barely altered since Weir's tenure, it is a landscape of rolling hills with fields buffered from the surrounding suburban area by a hardwood forest.

Last year, the State of Connecticut approved the purchase of 60 acres included in the original Weir Farm. With the adjacent Weir Preserve owned by the Nature Conservancy, a national land stewardship organization, and a sizable open space tract owned by the town of Ridgefield, close to 175 contiguous acres are now protected.

The National Park Service recently conducted a favorable study to assess the suitability of including the Weir farm in the National Park System. The legislation being introduced today would ensure the protection of this area by asking Congress to authorize the acquisition of the remaining 2-acre core parcel of land which includes the houses, barns, and studios for an amount not to exceed $1 million. In addition, this bill allows the Park Service to enter into cooperative agreements with the State of Connecticut concerning the maintenance, restoration, and management of the lands.

I believe that this measure being introduced today offers an excellent opportunity for this body to ensure the preservation of an historic national site that has received much support already on the State and local level. I urge my colleagues to support this important legislation.

STUDENT LOAN DEFAULT REDUCTION AMENDMENTS OF 1990

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DENNY SMITH. Mr. Speaker, today I am pleased to introduce the Student Loan Default Reduction Amendments of 1990, a measure which will amend the Higher Education Act of 1965 to reduce student loan defaults and increase efficiency in the Guaranteed Student Loan Program.

Section 2 of the bill would amend section 427(a)(2) of the Higher Education Act of 1965—the Act—and require that lenders offer to borrowers of Stafford loans and supplemental loans to students the option of repaying their loans on a graduated repayment schedule. Only the accrued interest would be repaid during the first 12 months, yet the borrower would resume payment on a normal schedule and retire the debt in the normal 10-year period.

A new paragraph would be added to the act as part of section 3. This new provision would prohibit an institution from employing anyone other than salaried employees or volunteers to conduct recruiting activities with regard to student financial assistance. An institution would also be prevented from paying a commission to an individual based directly on securing enrollments.

Section 4 of the bill would revise section 428E of the act to provide guaranty agencies with a uniform authority to garnish the wages of student loan defaulters. This would allow the agency to garnish up to 10 percent of defaulters' disposable pay.

Section 5 would amend section 484(d) of the act to require that any student admitted on the basis of ability to benefit must pass a test in order to obtain Federal student financial aid assistance. This provision would reduce the abuse of the ability to benefit criterion by limiting institutions' ability to enroll inadequately prepared students.

Section 6 of the bill would amend section 487(a) of the act to require that all institutions participating in title IV programs implement a fair refund policy, and inform prospective students in writing of that policy. These amendments would help to minimize the problem of defaults by students who drop out near the beginning of a term.

Section 7 of the bill would provide the effective dates for the amendments made by the bill.

MARXISM-LENINISM, COMMUNIST TOTALITARIANISM, IS NEVER THE ANSWER

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WELDON. Mr. Speaker, on January 25, 1990, the voters of Nicaragua spoke. Their message was loud and clear. Marxism-Leninism, or more accurately, Communist totalitarianism, is never the people's choice. For years a few Americans, among them a former and a current President, and thousands of brave Nicaraguans have been saying the very same thing.

Of late, their voice had been largely ignored. One only has to look to the preelection media coverage of Nicaragua. From the Washington Post, to the New York Times and the Christian Science Monitor, virtually every major newspaper forecast a Sandinista victory. Relying on Sandinista controlled polls, they each in turn concluded that the FSLN had the support of the people.

As has happened in the past, the big Sandinista lie, like the big Soviet lie before it, was given credibility. The U.S. Congress has always recognized that communism was not the answer for Central Europe, but maybe in Central America, in a few selected poor nations, where freedom and democracy have never been the norm. Maybe in Nicaragua the FSLN could be the answer.

Mr. Speaker, I stand before you today, with a message from the Nicaraguan people. Marxim-Leninism, Communist totalitarianism, is never the answer, Not in Nicaragua, not in Angola, and certainly not in El Salvador.

MANDATORY DEPOSIT OF FOREIGN PUBLICATIONS IN THE LIBRARY OF CONGRESS

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SLATTERY. Mr. Speaker, section 407 of the Copyright Act—title 17, United States Code—requires deposit of two copies of every work published in the United States in which copyright is claimed. The House and Senate reports accompanying the bill later enacted as the Copyright Act of 1976 explicitly state that the mandatory deposit requirements "become applicable as soon as a work first published abroad is published in this country through the

distribution of copies or phonorecords that are either imported or part of an American edition." Since the copyright registration system became the responsibility of the Library of Congress in 1870, copyright deposits have been one of the principal sources of development of the collections.

This requirement of legal deposit of printed works in a country outside the place of publication—where the publication merely is distributed—is of great concern to the International Group of Scientific, Technical and Medical Publishers [STM]. I recently received from Mr. Arly Allen, president of Allen Press, Inc., of Lawrence, KS, a copy of an article authored by the secretary of the STM Group which outlines their concerns in this regard. Allen Press, Inc., publishes a wide variety of scholarly journals and books for academic and scholarly readerships. I hope my colleagues with an interest in copyright issues will thoughtfully review the arguments presented in this article:

THE GUTENBERG BIBLE WAS PUBLISHED IN THE USA: LEGAL DEPOSIT IN THE MODERN WORLD

(By Paul Nijhoff Asser, secretary, STM Group)

"No one shall be arbitrarily deprived of his property" (Universal Declaration of Human Rights, art. 17).

A very curious event has happened recently and since it is potentially dangerous to publishers I believe all should know about.

The US Library of Congress is taking the German STM publisher Springer-Verlag to court because this publisher has not complied with a "demand" from the Library for free deposit copies of three research journals published in Germany.

Everybody knows—I suppose—that legal deposit is a fact of publishing life. It has an old history. In olden times, and nowadays still under many authoritarian, totalitarian or other backward regimes, publishing was subject to censorship. The authorities did not like to see things printed against them and looked for ways to prevent (their notions of) subversion, treason and/or immorality—all threatening their very authority and therefore, as they saw it, the stable structure of society. So they instituted laws and regulations requiring all those who controlled the media (i.e., the printing press) to submit one or two copies of all printed works.

Later, of course, this changed. Societies opened up, as it were; deviating theories and their expressions were tolerated. The media changed, too. Now it became more a matter of collecting, and of describing, what was printed in particular countries. For reasons of space I am skipping over the history of copyright or authors' rights: suffice it to say that in conjunction with censorship, printers/publishers were given privileges to print, and this public privilege was the original right to copy or "copy-right". Obviously, this is the historical reason why, in many legislations, the obligation for publishers to deposit one or a few copies free of charge in a national depository is still part of the copyright law, even though the "right to copy" has been disconnected completely from that obligation.

My *first proposition*, therefore, is that legal deposit as such does not belong in a copyright law since it has nothing to do with copyright, and that publishers of countries where it still is part of the copyright law should try to get it removed.

Next: when the art of bibliography started to come into its own and more enlightened and democratic laws came into being to mitigate censorship and to tolerate dissension, not to speak of the shift from printer/publishers' "privilege" to authors' rights, and nations started to understand that collecting and describing "the national imprint" was a worthwhile activity, it was felt that for those reasons alone a continued obligation for publishers to provide copies of their authors' books to a central depository would be justified.

Publishers considered this to be a form of unfair taxation because it was not levied on other citizens whose products were also intellectual property; some legislators were quick to react, and henceforth other producers (phonogram and film makers, designers, etc.) were also brought in. . . . Yet books remained the first target—and the taxation remained unfair since there was no such obligation on car or aeroplane manufacturers, producers of cameras, radios and television sets, and others. But you who read this know as well as I do that works of the mind are special: Books Are Different, remember? And we are, after all, proud of that (otherwise, for example, we would not be politically campaigning in Europe to obtain the VAT zero rate—and to maintain the zero rate in the UK and other such civilized countries).

However, there are advantages. Publishers recognize that their publications, archived in and bibliographically described by a central national depository, will be more accessible. And that is what they publish them for: to be tracked down, to be located, to be available, to be purchased. Somewhere, there is a copy of every book ever published; somewhere, there is a description of every title; and that title can nowadays even be "accessed" electronically by many entries: author, title, subject, ISBN. . . . Also, the sum total of all national bibliographies is one global bibliography—the goal of the Universal Bibliographical Control Programme of IFLA, the International Federation of Library Associations and Institutions.

My second proposition, therefore, is that publishers should not protest, at least not too loudly, against their obligation to give one or a few copies of their books to the nation, because there are a few not quite negligible advantages attached to it. And these, on the whole, can be balanced against the expense.

This inexorably leads to my third proposition, which is that where publishers (and in some countries other producers of works of the mind as well) are taxed over and beyond that which other citizens have to pay, and live with it because they get something "in return," the special tax should be reasonable, i.e., balanced against benefits. One example of irrationality is found in the United Kingdom which expects its publishers to send copies not only to the national depository for archiving and bibliographic capture, the British Library, but to not less than five other libraries including Trinity College Library in Dublin, Ireland! So the involuntary gift to the nation (in this case, to two nations one of which is outside British jurisdiction) is really beyond the stated function of "normal" legal deposit, which was, but is no longer, to facilitate control over the printed word as well as claims to copyright, and which is to establish and preserve a public archival collection for scholars, and to base the national bibliography on that archive.

Sixteen years ago, at 1973 prices, the sum total of all the retail prices of books deposited by British publishers during a 12-month period was estimated by the British Department of Education and Science at over £1 million. Obviously, this should be diminished by the trade discount in order to estimate the "tax" paid by the publishers, or "revenue foregone" if that term seems more appropriate. Also, the six libraries probably would not have purchased all the titles (33,000 at that time!) they would otherwise be given.

However, the title output has almost doubled since then, and new book prices have risen dramatically, too (131.7 percent over the years 1980-7 alone, as Somerset's county librarian has found—"The Bookseller," 25 August 1989, p. 582). So the one million pounds of 1973 could well be two million by 1989.

Finally, there is the problem of specialized short-run (and expensive) limited editions. It would be highly unreasonable for a publisher of such works to be forced to part with six copies without any compensation, if the total print run were something like, say, 75 or 150 copies.

The Whitford Committee, established in 1977 to revise the UK Copyright Act of 1956, concluded in this respect that, since there was 'no requirement that other aids to knowledge should be provided at the expense of their makers', it seemed hard "that the cost should fall exclusively on the authors and their publishers". Yet, "the principle that a national archive of published literature should be maintained by legislative requirement for deposit has not been challenged".

The Committee recommended, inter alia, that "the question of relieving publishers from the financial burden involved in legal deposit, possibly through fiscal concession, should be considered," and that "the revised provisions for deposit should be the subject of legislation separate from the law of copyright".

Whitford also spoke about the "uniquely confiscatory nature" of the legal deposit requirements.

What became of this in the new UK law of 1988 which recently came into effect? Nothing, unfortunately. The only consolation is that non-compliance still will be subject to a fine of £5.00. . . .

Instead I will put forward my fourth proposition. This is that voluntary deposit is better than legal (compulsory) deposit. In the matter of expensive short-run publications which I have already mentioned, an accommodation should be found anyway. In The Netherlands, which, immediately after Waterloo, abolished the dépôt légal imposed by Napoleon in 1811, the national imprint is collected by the Royal Library in The Hague on a voluntary basis: should a publisher not be able or willing to deposit free of charge, he will be asked to grant a discount. This works well, and almost all Dutch books and journals are thus collected, on a voluntary basis, and at little cost, since most professional publishers do supply their list free of charge or at a discount and only very few charge the full price. At least the voluntary system does not have the "uniquely confiscatory nature" which Napoleon imposed and which still prevails in so many countries.

This brings me to my fifth proposition. Obviously, we still have some Napoleons to cope with in our world. But to obey a ruler who is not even occupying one's country seems nowadays rather out of place—to put

it mildly. So my proposition is that no one should be compelled arbitrarily to part with his or her possessions, or to be "taxed," by a foreign power. In other words, even if one accepts that publishers, under controlled and reasonable conditions, would be ready to supply their national depository with one or two copies of their publications free of charge, it would be unacceptable for them to be obliged to send free copies abroad. This serves no archival or bibliographic purpose because that has already been taken care of by the national depository or bibliographic centre in the publisher's own country.

Certainly there are exceptions one could think of. One is where the publisher has designated an exclusive distributor in the other country. Another, even more obvious exception is where the publisher has made a special edition for that other country, possibly even in a co-publishing venture with a colleague. "Transnational" publishers, therefore, could easily—and indeed do—find themselves in a position where they supply free copies not only to the national depository of the country in which they have published the book but in maybe three other countries as well, depending on exclusive agencies, co-publishing arrangements, etc. The advantage of this is that the exclusive agent or the co-publisher will be supported by the national "bibliographical control" he can offer his customers.

In all other cases, however, there is no earthly reason why a publisher should be deprived of his property by a foreign country. The benefit is not his: it is the other nation's alone.

Unfortunately, the Library of Congress, the richest library of one of the richest countries of the world, has chosen to enforce a section of the U.S. Copyright Act (Section 407) by initiating a court action against Springer-Verlag of Heidelberg, Germany. Springer-Verlag had not complied with a "demand" from the Library to supply three research journals. Why these journals? Because the Library needed them. Why not buy them? Because the Library allegedly has a legal right to receive anything free of charge that is "published with notice of copyright in the United States of America".[1] But these journals are not published in the United States of America at all, they are published in Heidelberg, Germany! Yes, they are published in the United States of America, "after first publication in Germany" . . .

The solution to this riddle is simple: according to the US law, "publishing" means "distributing"—even "offering for sale"!—and so you can publish something in, say, Bristol, England, and then, by just sending a copy of your catalogue to a library in, say, Kalamazoo, "again" publish it in America: and this leads you "legally" into the trap of the obligation mentioned in Section 407.

Thus, because there are copies of the Gutenberg Bible in a few US libraries (including the Library of Congress), and the book therefore must have been distributed in the USA, Gutenberg would be surprised to learn that his Bible was published in America. . . .

How legal is legal? This is something to be found out. How this story will end cannot be foreseen, but it would be a sad day if and when the Librarian of Congress (who has so far disregarded pleas from IPA and STM to use his discretionary powers) got his way. That would mean that he, in order to "enrich his collections" (the stated purpose of the deposit requirements!), could "demand" virtually all publications wherever published in the world. How embarrasing. But also, what a glorious example for other countries to follow—countries that genuinely have not enough money to buy what they need! Golden times for India, Mexico et alii!

Admittedly, the Library of Congress has so far used this extraordinary, "uniquely confiscatory" power given it by Congress, only sparingly. It is actually the first time since the new Copyright Act came into effect in 1978 that a foreign publisher has been taken to court—although it is certainly not the first time that the Library has "demanded" foreign publications for free deposit. Many publishers ignored these demands. Some complied, grudgingly, to avoid hassle. But the Library indeed never "demanded" all foreign publications. In fact, it can hardly cope with the enormous mass of domestic publications it receives now—let alone with all the foreign ones it would receive if every British, French, German, Soviet, and Dutch publisher (or, for that matter, all other 150 nations) obeyed the U.S. law. So why enforce such an impracticable law? Why does the Librarian say that he has "no choice" while he has? Was it simple greed, or just ignorance, that prompted Congress in 1976 to interpret "publishing" in a way no bookman or -women, let alone a publisher or a librarian, would even dream of? An easy way to save money on the acquisitions budget? Would the Library act in the same way against a Soviet state publishing house because it "needed" its publications? Against an Indian one? A Japanese?

Why would the Library of Congress risk its reputation and good relations with the publishing community for a budget item which is—for them—negligible? and maybe cause the U.S. Department of Justice, the German Justizministerium and, last but not least, Springer-Verlag to spend perhaps millions of dollars, partly American and German texpayers' money, in legal expenses?

It is all an absurdity and if it were not true, I am sure you would not believe it. The only thing one might, very tentatively, suggest is that Springer-Verlag should perhaps have complied in the first place? I believe this cannot simply be answered by a yes or no. There is a limit to which people, or indeed publishers, will go. It is not as if this has not been going on for years: already in 1984-5 even the Association of American Publishers complained to the Library that the danger of retaliation by other countries was threatening their own members; yet the Library stuck to its guns.

Is it then strange that at one point one publisher stands up and says, like Churchill, "This is something up with which I will not put," and fights for his rights?

Laws, however, have a habit of being powerful and not easy to change. In countries other than the USA, a case like this might be laughed out of court, but in litigious America it is no laughing matter. Let us hope that a solution will be found which takes into account at least the normal usages and decencies that are commonplace in civilized society, and between citizens of different countries. The present bizarre confrontation only leads to the opposite.

You may have noticed, by now, that the action of the Library of Congress is based on exactly the opposite of all my propositions:

The U.S. Copyright Act contains a provision on deposit which has nothing to do with copyright whatsoever;

The Library's legal deposit requirements are unreasonable because foreign publications are allegedly included;

Its deposit regulations are compulsory, not voluntary;

The compulsory deposit of foreign publications only serves to enrich the US collections and so does not provide any advantages in return to those who allegedly are obliged to part with their property.

I have not even gone into the arbitrary nature (Why journals? Why these journals? Why this publisher?) of the "demands". There seems to be no guide as to what criteria are applied except the rather lame, "we need these journals (books, materials, etc.)". This reminds us of the thief who was asked why he had robbed a bank. His reply was: "Because that's where the money is". At least his target was clear. The Library's explanation—seemingly backed up by the Copyright Law—has no such specific target: its "demands" are arbitrary and this is enhanced by their not having to be justified to anyone, least of all to the victims. "No one shall be arbitrarily deprived of his property" is one of the categorical articles of the Universal Declaration of Human Rights. Need more be said?

My last proposition, therefore, is that the book world (publishers and librarians in particular) should get together in an effort to arrive at a uniform or at least harmonized world system of deposit and bibliographical control. The present excess is an unfortunate interlude; but maybe we can turn it to our advantage.

If a reasonable, professional solution cannot be found, things may get seriously out of hand, worldwide, and authors and publishers—not just Springer-Verlag—will suffer. The matter is too serious to be left to the politicians.

POST SCRIPT:

The following Policy Statement was accepted and endorsed by the General Assembly of STM (International Group of Scientific, Technical and Medical Publishers) on 10 October 1989, and by the International Committee of the International Publishers Association on 14 October 1989.

STM Policy Statement on Legal Deposit ('dépôt Légal')

1. In many countries, compulsory legal deposit systems enable the national patrimony of publications, in particular of published writings ("the national imprint"), to be as comprehensive as possible.

At the same time, such a central archive of the nation's publications may serve as a basis for the national bibliographic control to the fullest extent possible.

The advantages of these two aspects of legal deposit, both to the public and to the publishers, are obvious.

2. It is for this reason that publishers in general, and publishers in the sciences and the humanities in particular, on the whole do not object to their being legally obliged—in the countries where this applies—to supply one or two copies of each of their publications to their national depository.

3. Although some countries still maintain the legal deposit system in the national copyright laws even though deposit is not a condition of copyright protection, publishers consider this to be nothing but a remnant of olden times when "copy-right" was

[1] In the new version of the Copyright Act, after the US accession to Berne, this wording was changed to: "published in the United States of America".

a "privilege" against which copies had to be presented to the authority who exercised censorship and who conferred the printing monopoly.

Legal deposit is no longer related to copyright and should not ever be again, as the Berne Convention makes clear.

Publishers should call upon the national legislators, wherever necessary, to remove from their copyright laws the references to legal deposit.

4. Compulsory deposit without payment is often regarded as a form of discriminatory taxation of one section of the public, or as expropriation of private property without compensation: "for the many by a few". Publishers share these views if free deposit is required of more than two copies in their national depository or bibliographic centre, or if free deposit is required of more than two copies to more than two deposit libraries in their country, or if they have to pay for the postage, packaging and handling as well.

5. Publishers should not be obliged to deposit their publications in national depositories other than their own. For purposes of national archiving and national bibliographical control, the national depository should be uniquely designated; amalgamating the national bibliographies results in an international bibliography.

Compulsory deposit of publications in foreign depositories, therefore, serves other purposes which are of no benefit to publishers. At best, such deposit should be voluntary; if a publisher cannot or will not deposit free-of-charge, the foreign depository should purchase the relevant publication.

6. Voluntary deposit of paper and micro publications is better than involuntary deposit, as practices in some countries show.

Opto-electronic publications should be subject to the same voluntary deposit rules, and pubishers should call upon their national bibliographic centres to collaborate with them on exclusive arrangements for use by the public in this respect.

7. For low print-run publications in general, and bibliophile editions and other rare and expensive items such as facsimiles, special relief should be available.

8. Finally, for purposes of defining the "nationality" of a publication, publishers maintain their traditional usage in that a book, journal or other information carrier is published in one certain fixed location, although it may be distributed and sold in thousands of places worldwide. Publishing and distributing are emphatically not one and the same thing.

The place of publication is the point of attachment for legal deposit, not the locations or countries of sale and distribution; collecting "the national imprint" is the purpose of deposit.

Where sole agents or exclusive distributors are appointed for certain regions or countries other than the country of origin, these agents or distributors may consider themselves to be the publisher in these regions or countries, and to be subject to legal deposit requirements there, in particular if a special edition has been produced for that region or country.

EDUCATION'S IMPORTANCE IN AMERICA

HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. HAYES of Illinois. Mr. Speaker, I rise to join my colleagues in discussing the importance of education. As a member of the House Education and Labor Committee, and as the Representative of a congressional district with one of the largest African-American populations in America, I know all too well the relationship between obtaining a good education and achieving success in life.

When I travel through my district, it is apparent to me that for the majority of my constituents, the key to their upward mobility is not the lottery, or a big inheritance from a wealthy relative. For the vast majority of them, the key is education. I was heartened on February 20 when the other body finally passed H.R. 2281, legislation I introduced to extend the School Dropout Demonstration Assistance Act. By extending this measure, we are keeping the Federal Government committed to addressing a segment of our youth—high school dropouts—who would othewise end up as part of the permanent underclass of society.

While I am proud of the fact that as a result of my School Dropout Demonstration Assistance Act, 82 dropout prevention programs have been funded across the country, I am dismayed that we still are unable to serve the vast majority of students who are at risk of dropping out of school or who have already dropped out. This Nation is too rich and too progressive to allow upward of 750,000 young people to drop out of school. While the School Dropout Demonstration Assistance Act, with its limited $50 million authorization level is a good beginning, without additional resources, it is simply not going to be enough to keep thosands of our young people from a lifetime of self-imposed poverty and lost opportunities.

I believe we can do better and I challenge my colleagues to join me in addressing our Nation's education needs. Our children are our most precious commodity and educating them is our Nation's best defense. Let's not shortchange them under the guise of a budget deficit. Investing our money in them today will provide us with untold resources tomorrow.

NATIONAL EMPLOYEES HEALTH AND FITNESS DAY

HON. BEVERLY B. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mrs. BYRON. Mr. Speaker, today, I am introducing a joint resolution requesting the President designate May 16, 1990, as "National Employee Health and Fitness Day."

As a member of the leadership task force on health, the Maryland Commission on Physical Fitness and a longtime fitness advocate, I would like to introduce this resolution because of my strong commitment to the importance of a balanced diet, regular exercise, and physical fitness activities. One out of every three adults in the United States participate regularly in sports or exercise programs. Studies have shown that a regular program of physical fitness activities have increased higher productivity levels, higher morale, less sick leave and a significant reduction in health care costs among private and public sector employees.

In 1988, over 1.5 million people died from coronary disease and 333,000 underwent heart bypass surgery. These figures represent people who could have benefited from regular fitness programs. Regular health and physical fitness activities strengthens the mind as well as the body and have been shown to prevent coronary disease, hypertension, and in several cases the occurrence of colon cancer.

I hope my colleagues will join me in supporting this worthwhile endeavor.

CITY OF HOPE HONORS DAVID G. HOLLANDER

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SMITH of Florida. Mr. Speaker, on March 3, 1990, the Pembroke Pines Florida Auxiliary of the City of Hope will honor David G. Hollander by establishing a Cancer Research Fellowship in his name.

Mr. Hollander, president of Silver Builders, Inc., is being recognized by the City of Hope for his many philanthropic endeavors. David and his wife, Stephanie, have four children, Evan, Melissa, Marnie, and Brett. Mr. Hollander has always been involved in community events and has been more than generous to those less fortunate than himself. A charter member of the Boys and Girls Club of Hollywood, FL, and an active participant on the Citizen's Advisory Board of the City of Hollywood, David Hollander has been tirelessly involved in a diverse array of important causes. He is dedicated to supporting research for such terminal illnesses as cancer, diabetes, cerebral palsy, muscular dystrophy, and multiple sclerosis. Additionally, Mr. Hollander is a member of the Fort Lauderdale, Hollywood, and Miramar/Pembroke Pines Chambers of Commerce, the Center for Family Learning Advisory Board, Rotary Park, Commitment to Youth, and his Temple's Brotherhood. David Hollander is a man who demonstrates every day that much can be done when community dedication is combined with an energetic sense of social and moral responsibility.

The establishment of the David G. Hollander Cancer Research Fellowship will enable the City of Hope to expand its services and provide even greater medical care. The City of Hope has been long recognized as an institution that serves to improve health centers and medical care by supporting such projects in south Florida as a Pilot Medical Center and the Beckman Research Institute. Personalized care is made available to patients free of cost at this ultramodern facility. Patients at the center suffer from serious diseases—primarily cancer and leukemia. By pioneering new approaches in individualized attention, the center

combines innovative treatments with a warm compassion to produce the highest quality of care.

I commend the City of Hope for honoring David G. Hollander by establishing the Cancer Research Fellowship in his name. Mr. Hollander's compassion and generosity has been and, now, will continue to benefit all who live in south Florida.

TRIBUTE TO EDWARD LaSOTA, PIUS THE IX CHAPTER OF THE KNIGHTS OF COLUMBUS

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. YATRON. Mr. Speaker, today I would like to pay tribute to one of the most inspiring men in Berks County. I am speaking of Mr. Edward LaSota, who, for the past 2 years, has been the faithful navigator of the Pius the IX Chapter of the Knights of Columbus in Reading, PA. On March 3, 1990, the Pius the IX Chapter will be honoring Mr. LaSota for his remarkable leadership of the chapter for the years 1988 and 1989.

Edward LaSota has been intimately involved with the Knights of Columbus for the past 14 years. He has chaired various functions for the chapter, and his past successes naturally led to his being chosen as faithful navigator for the past 2 years. In this most honored position, Edward LaSota represented the chapter throughout the region and across the Nation with other Knights of Columbus groups. As you know, Mr. Speaker, members of the Knights of Columbus are actively involved in helping those less fortunate and in bringing help, guidance, inspiration, and leadership to the communities they serve. Their selfless efforts have brought much light into the lives of many, and Edward LaSota epitomizes the essence of civic and community service. Mr. Speaker, Edward LaSota's compassion has touched Berks County and the surrounding regions, and it is only fitting that he be recognized for his leadership and endeavors to better his community. It is an honor and privilege to commend Edward LaSota and to say congratulations and thank you for many years of service.

OTTAWA COUNTY CELEBRATES ITS SESQUICENTENNIAL ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GILLMOR. Mr. Speaker, Ottawa County, OH, is celebrating its sesquicentennial anniversary this year. I want to take this opportunity to extend the celebration of this important anniversary from Ohio all the way to this esteemed Chamber, the House of Representatives.

It is with great pride, Mr. Speaker, that I mention that I am a resident of Ottawa County. It is a beautiful and neighborly Ohio county sitting on the shores of Lake Erie. Through a commitment to good citizenship and friendliness, Ottawa County reaches its 150th year as one of the finest locations in Ohio.

Ottawa County celebrates its sesquicentennial not by chance or merely the simple passage of time. It celebrates its 150th birthday because its people live by the values that enable the county to endure—family, hard work, community, and caring. Mr. Speaker, it is because of these enduring values that I am proud to call Ottawa County my home.

AN AMERICAN SUCCESS STORY

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. IRELAND. Mr. Speaker, I rise today to commend one of the finest small businessmen I know. Marty Higgenbotham is a good friend, and an outstanding example of the hard work and creative drive that has made this country great. On the occasion of his 30th anniversary in business as president of Higgenbotham Realty, Inc./Auctioneers, I want to share with my colleagues the excellent record he has set for himself and countless numbers of small business men and women like him across this country.

Marty Higgenbotham obtained his broker's license the day he turned 21 at which time he had already completed auction college and had been conducting auctions for nearly a year. He has continued in the real estate brok-erage and auctioneering field for the past 30 years. He has conducted real estate and personal property auctions in 30 States over the years. Today, Higgenbotham Realty is one of the largest real estate auction companies in America, ranking in the top five nationwide.

Marty Higgenbotham has achieved his business success while never failing to give back to his profession and his community some of the great gifts given him. He has travelled extensively conducting seminars, advising, and acting as an expert witness for attorneys, banks, and the like. At home, he is known for a generous heart as he has given countless hours and dollars to charities and worthwhile causes in his own backyard.

It gives me great pleasure today to join with Marty's many friends in tipping my hat to someone who has become a true American success story.

INTRODUCTION OF RESOLUTION COMMEMORATING THE 25TH ANNIVERSARY OF CHAPTER 1

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GOODLING. Mr. Speaker, it is with sincere pleasure that I am introducing today along with my distinguished colleague, Chairman AUGUSTUS HAWKINS, a resolution to commemorate 25 years of Federal support for programs in elementary and secondary education. This April will mark the 25th anniversary of the Elementary and Secondary Education Act of 1965.

The chapter 1 program, the largest Federal elementary and secondary education program, has enjoyed a long history of success in providing educational services to our Nation's children. This program has undergone a number of amendments over the years to reflect the changing educational needs of our Nation.

Given the demographic changes of our Nation, the seemingly insurmountable educational needs of our people, our desire to remain a world economic leader, and the correlation between economic prosperity and educational attainment, I believe we should express a renewed commitment to continue our efforts to support education for our country in the years to come. I hope you will join me in supporting this resolution to do just that.

ELIMINATE THE RTC OVERSIGHT BOARD

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. VENTO. Mr. Speaker, today I am introducing legislation to abolish the Resolution Trust Corporation [RTC] Oversight Board.

Created, at the request of the administration, under the Financial Institutions Reform, Recovery and Enforcement Act [FIRREA], the oversight board was to be a check, insuring that regulators charged with cleaning up the S&L mess carried out the law at the least possible cost to the American taxpayer.

At that time, the establishment of an independent oversight board seemed to be a reasonable safeguard. There was broad consensus that a major factor at the core of the S&L crisis was the lack of adequate oversight by the S&L regulators. Caught up in the rhetoric of the Reagan administration's deregulation mania, the Federal Home Loan Bank Board completely lost sight of one of its principal responsibilities, to make sure that the individual savings and loans operated in a safe and sound manner. By the time that the Reagan/Bush administration regulators faced up to what had occurred, not only had the horses left the barn, but they had taken all of the hay—the hundreds of billions of dollars of deposits-with them.

With that track record in mine, Congress cooperated with the Bush administration's request for an independent five member oversight board. The oversight board is composed of the Secretary of Treasury, the Chairman of the Federal Reserve Board, the Secretary of Housing and Urban Development, and two, thus far unappointed, representatives from the private sector to represent the public.

It has been nearly 7 months since the President has signed FIRREA into law. During that time, there has been continuing debate and discussion of the new law and its implementation. As Chairman of the Financial Institutions Task Force on the RTC, I have held hearings on many of the issues that have been raised about the law and have also met with individ-

uals from the private and public sector to discuss the implementation of the law.

Frankly, there is a growing and deep concern about the successful implementation of this crucial S&L bailout law. Individuals and organizations have pointed out short falls concerning the tough new law. The single concern that they all identified as a pitfall is the lack of leadership and accountability.

It has become absolutely clear that this legislation and the $166 billion bailout cost is suffering from benign neglect within the Bush administration. I and other Members of this Body have continually sought in vain to shake and to shock the President into focusing attention on the deterioration and lack of focus on this important new law. Today we still have crucial posts for implementing the S&L bail-out law unfilled. No nominations for the public representatives on the oversight board have ever been submitted to the Senate for confirmation. The Senate has also been waiting these 7 months for an official nomination to head the Federal Housing Finance Board.

In addition, other crucial slots are filled on a temporary basis. We now have an acting President for the oversight board and there may soon be an acting director to replace the acting director of the Office of Thrift Supervision.

There is an administration leadership vacuum. That vacuum is being filled by Treasury timidity and naysayers. I wish that I could report to my colleagues today that the goal of Treasury is to implement the law. Unfortunately, their motives seem more designed for political damage control. Rather than working with and seeking the qualified individuals needed to address the myriad of complex issues associated with the S&L bailout, these Treasury spin control experts seem more interested in exercising their muscle through micromanagement and limiting political damage.

Thus, we have sadly seen the recent resignation of Oversight Board president Dan Kearney out of frustration because of Treasury meddling. The decision of Frederick Wolf finally declining to be further considered for the job of Director of OTS is further evidence of the neglect that this $166 billion S&L bailout law is receiving from the administration.

Mr. Speaker, it is time for the administration to face reality and stop looking for political expediency. According to FDIC Director Bill Seidman, the cost of the bailout grows by $14 million per day. I know that the administration faces many difficult decisions concerning this tough new law and that oftentimes they will be second-guessed. Now is not the time for Bush administration political timidity. The failed S&L assets are not like red wine, they will not get better with age.

The legislation that I am introducing today was not submitted lightly nor on the spur of the moment. It is the result of in depth discussions and is introduced based upon the belief that we must move to cut the red tape. Whether it is the RTC Oversight Board itself or its members, the board is a bottleneck that is slowing down and confusing the S&L resolution process.

As it is currently structured, the oversight board represents a significant barrier to the implementation of the law. While testifying before the House Banking Committee, Chairman Seidman stated that the current process is cumbersome and a hindrance to the implementation of the law. The intermediable negotiation and review process between the Board, the RTC and the staffs of the three Board members has slowed to a snail's pace the implementation of the simplest regulations. Decisions on the more complex and politically sensitive issues, such as working capital, wind up in a bureaucratic deep freeze.

In addition to the time lag, we are faced with a lack of accountability. Today, more than ever, we need to know who is in charge of the thrift resolution and where the buck stops. With the oversight board, Treasury, and the RTC, we have everyone in charge with the proverbial buck stuck in a revolving door with no exit.

Instead of acting as a safeguard, the oversight board has become a shackle around the neck of those trying to solve the S&L crisis. It is time to free the RTC so that it can do the job as the law intended. My legislation is not a panacea for all the ills that face the S&L industry nor the effective implementation of FIRREA. But it is an important step to insure that the law that we approved last year finally will go into effect and perhaps will wake the administration from its lethargic comatose state of indifference.

It is bad enough to pay for this S&L bailout once, much less paying tomorrow for today's timid, fumbling enforcement of the law.

DEMOCRACY FOR NICARAGUA

HON. LOUISE M. SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Ms. SLAUGHTER of New York. Mr. Speaker, democracy emerged victorious in Nicaragua this week. And it won fair and square.

It was not the Contras but the people themselves who succeeded in ousting Sandinista President Daniel Ortega. The new President-elect, Violeta Chamorro, now faces the challenge of bringing unity to her war-weary nation and of forging new ties with the United States.

I would like to commend the United Nations and the Organization of American States for sending an international delegation of observers to ensure a successful and honest election. These observers, including former President Jimmy Carter, should be congratulated on a job well done.

A tarnished victory—no matter which candidate had emerged as the winner—would have only added to the strife in the already divided nation.

President Ortega also deserves to be commended for allowing international scrutiny of the elections and for conceding to the will of the people.

The United States must offer our assistance to the new President. I am also encouraged by President Bush's statements that there is no longer any reason for military action by opponents of the Sandinista government. It is my sincere hope that this will signal the end of U.S. aid to the Contra rebels.

I congratulate Ms. Chamorro on her election, but it is the people of Nicaragua who have won the biggest victory. They are now charged with the task of making their newfound democracy work.

SUPPORT VOLUNTARY FAMILY PLANNING

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. PORTER. Mr. Speaker, the world's population is growing faster today than it ever has before. Every year, 90 million more people are added with nearly all of them born into impoverished and overcrowded villages throughout the Third World.

Rapid population growth depresses income and accelerates environmental destruction. In India, per capita income has stagnated for 50 years. In Brazil, population pressures strengthen the siege against the Amazon.

The economic, environmental and political costs of runaway growth are obvious. Future population projections show that we cannot afford a weak voluntary family planning policy.

The International Voluntary Family Planning Assistance Act of 1990 is part of the solution. The United States must rejoin the rest of our allies around the world in helping to provide families with the knowledge and the means they need to plan their families. I urge members to cosponsor this bill and become involved in offering solutions to this growing crisis.

CUMMINS ATTRACTED BY CORPORATE RAIDERS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GORDON. Mr. Speaker, I rise today to express my deep concern about an assault by corporate raiders on Cummins Engine Co. This assault could threaten the future of Fleetguard, a Cummins Division which is a major employer in my district.

Cummins is one of those enviable U.S. companies which has managed to stay competitive with foreign firms by sacrificing short-term profits for long-term investments in research and development and new technology. Because it has achieved success as the largest independent diesel engine manufacturer in the world, Cummins now has attracted the interest of corporate raiders.

A Hong Kong-based firm, Industrial Equity Pacific [IEP] has bought up almost 15 percent of Cummins stock. Although claiming to be a passive investor, IEP now has demanded a seat on Cummins board of directors and reportedly is threatening the company with financial ruin. Alleging that IEP obtained its stock in an illegal and unethical manner, Cummins has filed suit against IEP for violations of securities, antitrust and antiracketerring laws.

Some corporate takeovers can be beneficial. Hostile takeovers, however, often leave companies saddled with debt and unable to

meet its previous commitments to workers and communities. Pension funds become a target for cash-hungry raiders, and employees face an uncertain future where their jobs are threatened and their long-term security is in question.

I do not want the 881 employees of Fleetguard in Tennessee to face this kind of future because a corporate raider illegally won control of Cummins.

The allegations against IEP are serious and warrant a full investigation. I would like to join my colleagues, Mr. DINGELL and Mr. SHARP, in asking for such an investigation of IEP by the Securities and Exchange Commission and the Federal Trade Commission. This is not a call for special treatment of a company that cannot compete; it is a call for proper enforcement of the law to allow valuable American company to protect both its integrity and its employee's jobs.

INTRODUCTION OF LEGISLATION TO ESTABLISH THE WEIR FARM NATIONAL HISTORIC SITE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GEJDENSON. Mr. Speaker, I rise today to introduce legislation to make the J. Alden Weir Farm in Wilton and Ridgefield, CT, a national park. Not only would this be the first national park in my home State of Connecticut, but this would be the first national park unit in the United States to commemorate an American painter. I am pleased to be joined today in sponsorship of this landmark legislation by the entire Connecticut House delegation. A companion bill has already been introduced in the Senate.

As many of my colleagues know, J. Alden Weir is considered to have been the leader of the American impressionist movement. The Weir farm served as the home and studio to most of the greatest American impressionist painters of the late 19th and early 20th centuries. John Twachtman, Albert Pinkham Ryder, Childe Hassam, and numerous others all came to the Weir Farm to perfect their craft and interpret the beautiful New England landscapes for the world to enjoy. These great artists not only captured the beauty of the land, they provided us with an opportunity to understand the relationship with the land that was so important and they help us to realize a greater appreciation for the beauty of the environment around us.

Mr. Speaker, this legislation was not conceived in a vacuum. Six years ago, the concerns of Sperry and Doris Andrews, the current artists-in-residence of the Weir Farm and the descendants of Mr. Weir, prompted a local campaign to save Weir Farm from development. Subsequently, the Trust for Public Lands, a nonprofit conservancy organization, worked with the families and the local community to purchase as much of the original Weir Farm as they could. At the same time, the Weir Farm Heritage Trust was formed by local residents, local town officials, State legislators, conservationists, and appreciators of art, to raise money for the protection of the farm and to manage it until the National Park Service, with its technical expertise and experience, could become involved. In 1984, the Weir Farm was listed on the National Register of Historic Places.

In addition, under its own initiative, the U.S. Park Service recently conducted a study on the feasibility of making the Weir Farm into a national park, which is expected to be finalized very shortly. And on the State level, the legislature of the State of Connecticut recently voted to bond approximately $4.25 million to purchase the 60 acres available of the original Weir Farm. With the adjacent Weir Preserve owned by the Nature Conservancy, and a protected tract of open space owned by the town of Ridgefield, the protected site now covers close to 175 contiguous acres.

This legislation does not call for the Federal acquisition of the entire farm, but will authorize the appropriation of "not more than $1 million" for the National Park Service to acquire the 2-acre core parcel of Weir Farm land which includes the houses, barns, and studios with their original furnishings.

To our western colleagues, with 1,000 acre national park units in their State, the Weir Farm does not seem like much, but in a small urban State, like Connecticut, this legislation will assist the State of Connecticut, the local community, and others in protecting, managing, and interpreting a unique piece of our Nation's cultural history.

Protection of the Weir Farm, however, is not just the whim of a few art lovers in Connecticut. This project has gained the support of a coalition of more than 20 national conservation and environmental groups, including the National Wildlife Federation, the Sierra Club, the National Audubon Society, the National Association of Parks and Conservation, and many others. In fact, this coalition recently issued a report calling on Congress to fund the acquisition of available land at the Weir Farm.

Mr. Speaker, this action is supported and welcomed by all those involved in the Weir Farm. The State of Connecticut welcomes the expertise and the leadership of the National Park Service and will relinquish its lands to Park Service management. The Nature Conservancy has indicated its willingness to work with the Park Service on a variety of projects and the Weir Farm Heritage Trust has pledged to continue to raise money for the improvement of the farm and will advise the Park Service on interpretation of the site.

Mr. Speaker, with this legislation, we have the opportunity to join in a Federal, State, local, and private partnership with each making a significant contribution toward protecting this important natural and cultural resource. I urge my colleagues to join me and the entire Connecticut congressional delegation in support of this important legislation that has attracted so much local, State, and National support. Acquisition of this small parcel of land will provide an opportunity to protect and preserve an important part of our Nation's cultural heritage.

THE NEED FOR CHILD SAFETY RESTRAINTS ABOARD AIRCRAFT

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. LIGHTFOOT. Mr. Speaker, Senator KIT BOND, of Missouri, and I recently introduced legislation, H.R. 4025, to require the Federal Aviation Administration [FAA] to implement regulations mandating the use of approved child safety restraints for infants and toddlers aboard airline flights.

I would like to take this opportunity to discuss my reasons for introducing this legislation. Following the crash of United Airlines flight 232 in Sioux City, IA, last summer, increased attention was given to the safety of infants and toddlers under age 2 traveling on airline flights. Additionally, the recent crash of Avianca flight No. 52, with a number of injuries among unrestrained children, makes this issue even more important. As you know, children under age 2 can fly free if they ride in a parent's lap.

As a flight instructor and volunteer FAA safety counselor, I am well aware of the dangers involved in air travel. Not only does the potential of a crash pose a danger, but the much more frequent occurrence of in-flight turbulence is a threat as well. When the captain of an airline flight requires his passengers to fasten their seatbelts, why should children under age 2 be unprotected?

In my view, the potential for injury in an aircraft flying at 550 miles per hour is much greater than the potential for injury in an automobile traveling at 50 miles per hour. Since World War II, it has been recognized that passengers and crews of aircraft should be restrained. Even corpses are required to be restrained aboard aircraft. The FAA and most aircraft safety experts recognize the need to provide better protection for traveling infants and toddlers.

On October 30, 1989, 55 Members of Congress joined me in writing to FAA Administrator James Busey requesting the FAA to implement regulations requiring the use of adequate child safety restraints aboard airline flights. While the FAA has recognized the need to revise its policy, I do not believe the steps FAA is taking will be adequate. Therefore, I have introduced legislation, H.R. 4025, requiring the FAA to issue such regulations.

My proposal simply states that an adequate child restraint be required at those times that the captain deems seatbelts to be necessary for adult passengers. Virtually every child safety restraint manufactured for automobile use since 1985—now required in all 50 States—is also approved for aircraft use. Therefore, parents will not have to purchase a new restraint; if they drive to the airport in a car, they can simply bring aboard the plane with them the same child restraint they used to get to the airport. Child safety restraints used in automobiles are currently the best available technology determined by the FAA to protect infants adequately during airline flights. However, my legislation contains

enough flexibility for FAA to approve other types of restraints as they become available.

In some circumstances, parents may have to purchase an additional seat when an airline flight is full. However, my proposal does not require parents to purchase an additional seat, nor does it require parents to purchase a new child safety restraint.

Virtually every major U.S. airline now permits the use of vacant seats free of charge for infants under age 2 traveling in child safety restraints. Parents may wish to travel during off-peak hours in order to be assured they can take advantage of the current policy. I also do not believe most families will quit traveling by air once their children reach 2 years of age; most continue to fly and pay for the child's seat as current airline policy requires.

I was pleased to note the Air Transport Association [ATA], representing the major U.S. airlines, has reversed its earlier position, and has now endorsed the idea of mandating child safety restraints for children under age 2 aboard airline flights. I believe this is the appropriate direction to go, and I am pleased to have their support on this issue.

To date, 26 Members of the House of Representatives have joined me in cosponsoring H.R. 4025, and I have requested that the House Public Works and Transportation Subcommittee on Aviation hold hearings on this measure. I welcome the support of my colleagues on this important matter.

LEGISLATION TO ESTABLISH THE WEIR FARM NATIONAL HISTORIC SITE IN THE STATE OF CONNECTICUT

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SHAYS. Mr. Speaker, I would like to express my strong support for legislation introduced today by my colleague from Connecticut, SAM GEJDENSON, to establish the first national park in Connecticut. The park will be dedicated to J. Alden Weir, one of the leading painters in the American impressionist movement.

With their dashes of paint and loose brushwork, Weir and other American impressionist painters beautifully captured the New England landscape. He and his contemporaries recorded Weir Farm through the various seasons. They painted their surroundings—rocks, trees, streams, Weir's house and barn during winter, spring, summer, and fall—with intimacy that showed an almost transcendental appreciation for the landscape and wilderness.

This legislation will provide a $1 million appropriation to purchase a 2-acre parcel of land where Weir lived and painted. The acquisition will include his house, barn and studios, with Weir's original furnishings intact. The State of Connecticut has already voted to provide $4.25 million to purchase 60 acres of the original farm, which will provide Connecticut with some lovely open space.

I urge my colleagues to support this legislation which is a wonderful tribute to American impressionism. It also will preserve for our children and our children's children a lovely New England landscape to be enjoyed both for its natural beauty and its artistic heritage.

A TRIBUTE TO MICHAEL CUDDY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. HORTON. Mr. Speaker, we have just witnessed the closing of a decade in which millions of people who had long suffered from repressive regimes have toppled those regimes in their quest for freedom and democracy. We, who have benefited from the longest lasting constitutional democracy in history, should rejoice in the overthrow of those tyrannical governments and in the recognition by their citizens of the importance of the principles and values of free government we have cherished for so long.

We must wish the people of these nations well in the difficult tasks that lie ahead. And, we must do everything we can to ensure the success of their endeavors to establish governments based upon the principles of constitutional democracy.

At the same time, we must not neglect to pass on to our own youth the understanding of the fundamental principles and values of our democratic institutions that leads to a reasoned commitment to their preservation and improvement. In this regard, I am pleased to commend the efforts of Michael Cuddy, an educational leader in my congressional district, whose dedication to the improvement of the civic education of our students has been exemplary. Michael Cuddy coordinates the We the People—Bicentennial Programs on the Constitution and Bill of Rights, which includes the National Bicentennial Competition, its noncompetitive companion program, Congress and the Constitution, and the National Historical Pictorial Map Contest in my congressional district, the 29th District of New York.

Through the dedicated and voluntary efforts of Michael Cuddy, thousands of upper elementary, middle, and high school students have studied the program's curriculum. This curriculum, incorporated in the We the People text, introduces students to the philosophical ideas of our founders, the historical background of the Philadelphia Convention, and the issues and debates that shaped the writing of our Constitution. Students learn how our Government is organized and how it protects the rights and liberties of all citizens. Finally, and most important, students learn of the responsibilities which accompany the rights of citizenship in a democracy.

It is ironic that while those who have experienced repressive regimes throughout the world are clamoring for the right to vote in free elections, in the United States, only one out of five eligible voters under the age of 30 takes advantage of that very right. With so few young people understanding the purpose and importance of our Constitution, it is clear that we must do all we can to turn the tide of political apathy into a wave of active and informed participation. I am pleased to express my admiration and appreciation to Michael Cuddy for his impressive contributions to the development of competent and responsible citizenship.

Last month, I had the opportunity to address some of the students with whom Michael Cuddy has been working when I was holding office hours in Oswego County. I was impressed with the genuine interest in government which these students at Oswego High School displayed. I attributed their interest to his efforts and to those of their teachers. I was similarly impressed last December when I met with students from Auburn High School, the school where Michael Cuddy teaches, which is in Auburn, NY.

I have worked with Michael Cuddy for several years. He has always been extraordinarily helpful. I know that the programs have benefited from his efforts, as have his students.

THE FISCAL YEAR 1991 EDUCATION BUDGET

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. RAHALL. Mr. Speaker, I rise today to say that when George Bush said he wanted to be the education President, I believed him.

Since his inauguration, however, I have become bitterly disappointed in his actions, for they fall far short of matching his words.

President Bush reminds me of the man who, when he saw a great crowd of people rushing by, united strongly in the pursuit of some mutual goal, said: "I must hurry and get in front of that crowd so that I might lead them!"

I say to President Bush, if you are not the person who organized the crowd in the first place, and haven't bothered to find out what they are for, its a little late to assume a leadership role.

President Bush has had two chances now to become the education President, by sending two budgets to the Congress since he took office. He has failed the test of leadership for education both times.

Its too late to get in front of the crowd that is clamoring for education funding in order to become their leader. The best thing the President can do now is to at least join the followers.

The leader, indisputably, is the distinguished chairman of the Education and Labor Committee, Mr. HAWKINS, who has proposed a budget that would double education funding in the coming year to $42.4 billion, an increase of $24 billion.

If I had the time, I would give you an item by item explanation of what the $42.4 billion is for—but it is sufficient to say that the new money would go to fund proven successful education programs such as Head Start, Chapter 1, Dropouts and Drugs, enhancing Competitiveness, strengthening higher education, and new initiatives such as the critically needed child care bill, literacy training, and the equalization of per pupil expenditures within states.

When it comes to rhetoric and sloganeering about education funding, we've heard it all.

But if we must have a slogan, our chairman has provided it: "Double or nothing!" Translated, that means if we don't double the education budget, we cease to be a superpower—for a Nation that does not educate its people first cannot hope to remain secure from forces without.

What's at stake here? Everything we are or ever have been; all that we hold sacred and dear. If a Nation is truly judged by other nations on how it treats its children, we are about to fail the test.

Mr. President, if you are not going to lead us out of our educational quagmire, get out of the way so that someone most eminently qualified, the education chairman, can do it for you.

RECOGNITION OF BRAD BEAN, OUT-STANDING YOUNG FARMER OF THE YEAR (1989)

HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. PARKER. Mr. Speaker, today I stand in the Halls of Congress, in the people's Chamber, to speak in honor of a great citizen of my district, Brad Bean.

Brad Bean, a native of Amite County, MS, was born on May 27, 1960. He is married to Amy Jones Bean and they have two children, Austin, who is 4 years old, and Tyler, who is 18 months old.

Brad and Amy's farming operation includes a herd of 180 dairy cattle, plus timber and hay sales. The Beans operate their farm on 700 acres. They have one part-time employee and two full-time employees. Brad has been in farming and/or ranching for the past 8 years.

In 1984 Brad became an operating partner with his mother and took over the management and labor of the operation. After visiting dairies in Georgia and Florida, they built a three-bay commodity shed which enables them to buy certain feedstuffs in bulk. In 1986 they installed a computerized feeding system which feeds the cows in stalls in 12-hour periods by computer. The parlor was also expanded to 12 milking units.

In addition to those changes, the Beans completed a commodity shed and purchased a weigher mixer wagon which they use to blend feedstuffs into a total ration to feed their cows. Brad recently designed a commodity shed which will hold bulk loads of commodities. Also, he devised his own wet grain holding facility. These additions have proven to give good results to his operation.

Brad holds a bachelor of science degree in dairy science from Mississippi State University. Brad has been honored with placement in several positions: He is on the young farmer and rancher State committee of Mississippi Farm Bureau Federation; president of Amite County D.H.I.A.; vice president of Dairymen, Inc., Young Dairymen Chapter; and on the board of directors of Amite County Farm Bureau.

Brad has been given several special awards, including Master Dairyman—herd achieved 115 percent of State average for fat per cow; Purina Distinguished Dairyman-Purina Mills; Amite County Top Herd—last 3 years; Amite County Top Cow—last 2 years; and Farm Bureau District 5 discussion meet winner.

To win the Outstanding Young Farmer of the Year Award, Brad had to compete with young farmers from all across Mississippi. He was the winner of district 5. There are seven districts in the Mississippi Farm Bureau Federation. The State winner was decided by an on-farm visit by judges from Mississippi State University and other organizations.

Mr. Speaker, I commend Mr. Bean on his noteworthy accomplishments to the farming industry and to the State of Mississippi.

CELEBRATING 25 YEARS OF HEAD START

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. KILDEE. Mr. Speaker, today I am introducing legislation, along with several of my colleagues on the Education and Labor Committee, to commemorate the 25th anniversary of Project Head Start.

Project Head Start was launched in 1965 as part of the war on poverty to help ensure that economically disadvantaged 3- to 5-year-olds began school on an equal basis with their more advantaged peers. At the time, Head Start was a pioneer in a unique approach to helping children, emphasizing strong parent involvement and comprehensive service delivery. This approach is reflected in the program's broad set of objectives. These include working to improve children's health; aiding their emotional, social, and motivational development; improving and expanding their ability to think, reason, and speak clearly; and helping both children and their families to gain greater confidence, self-repect, and dignity.

Head Start began in 1965 as a 6- to 8-week summer program serving 561,000 children. Since then, it has grown in size and scope, serving nearly 11 million children. Currently, 451,000 children are enrolled in mostly part-day, part-year programs. It is located in more than 1,200 communities across the country. The program has a committed staff of over 78,000 as well as nearly eight times that number in volunteers.

Today I am inviting you to join me in celebrating 25 years of success. May 18, 1990, marks the 25th anniversary of President Lyndon B. Johnson's signing of the Executive order which began Project Head Start. Our resolution commemorates this day. I invite my colleagues to cosponsor this resolution and help celebrate the 25th anniversary of Project Head Start.

COMMENDATION OF INTERNATIONAL PROFESSIONAL EXCHANGE

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay a special tribute to an outstanding organization located in my district. The International Professional Exchange [IPX] has served the world community for the past 25 years. The exchange has welcomed over 600 human service professionals, from over 100 countries, to the Philadelphia area since 1963.

I take great pleasure in recognizing IPX. This fine organization fosters better global understanding through cross-cultural linkages. IPX has brought over 30 teachers, doctors, lawyers, social workers, and health administrators to the Delaware Valley each year to work with corresponding businesses. The exchange has proven beneficial for both the business and the participant. The business gains a highly qualified and skilled associate, who brings a unique perspective and experience, for a year and enables the participant to gain invaluable experience and knowledge which he or she can bring back to their home country.

Mr. Speaker, it is quite fitting that the International Professional Exchange is celebrating its silver anniversary in a period of great global and cultural change. It is programs such as this which will bring greater global understanding and harmony to the world community.

PARTICIPATORY DEMOCRACY IMPORTANT HERE, TOO

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. DYSON. Mr. Speaker, we have just witnessed the closing of a decade in which millions of people who had long suffered from repressive regimes have toppled those regimes in their quest for freedom and democracy. We should rejoice with the people of these nations and wish them well in the difficult tasks that lie ahead. We must do everything we can to ensure the success of their endeavors to establish governments based upon the principles of constitutional democracy.

At the same time, we must not neglect to pass on to our own youth an understanding of the principles and values on which our constitutional democracy, the longest lasting in history, is based. It is important to inculcate in our youth a reasoned commitment to the preservation and improvement of our democratic institutions. In this regard, I am most pleased to commend the efforts of Ms. Barbara Graves, Ms. Diana Scott, and educational leaders in Maryland's First District, whose dedication to the improvement of the civic education of our students has been exemplary. Barbara coordinated the We the People

. . . bicentennial programs on the Constitution and Bill of Rights, which include the National Bicentennial Competition, its noncompetitive companion program, Congress and the Constitution, and the National Historical Pictorial Map Contest. Diana has taken over from Barbara as district coordinator.

A life-long resident of Charles County, Barbara has been active in social studies education on both the State and national level. She was instrumental in obtaining a bicentennial grant for the Prince Georges County school system. Diana teaches social studies to middle school students at Benjamin Stoddert Middle School in Charles County, and she is an up-and-coming leader in the field of social studies education.

Through the dedicated and voluntary efforts of Barbara and Diana, many upper elementary, middle, and high school students have studied the program's curriculum. This curriculum, incorporated in the We the People . . . text, introduces students to the Philadelphia Convention, and the issues and debates that shaped the writing of our Constitution. Students learn how our Government is organized and how it protects the rights and liberties of all citizens. Finally, and most importantly, students learn of the responsibilities which accompany the rights of citizenship in a democracy.

It is ironic that while millions of people living under the yoke of repressive regimes have risked their lives to obtain the right to vote in free elections, in the United States only one of five eligible voters under the age of 30 takes advantage of this privilege. With so few young people understanding the purpose and importance of our Constitution, it is clear that we must do all we can to turn the tide of political apathy into a wave of active and informed participation.

Mr. Speaker, I would like to express my admiration and appreciation to Barbara and Diana for their impressive contributions to the development of competent and responsible citizenship.

THE RELEASE OF NELSON MANDELA

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. BLILEY. Mr. Speaker, today I would like to take the opportunity to express my thrill over the release of black activist Nelson Mandela. Mr. Mandela, after 27 years of imprisonment, was released from prison by the South African white minority government on Sunday, February 11, 1990. As the symbol of the most vocal and prominent black organization in South Africa, Mr. Mandela spent almost three decades of a life sentence leading the fight against South Africa's oppressive apartheid. He has been the beacon of light that has guided the black movement. This movement has been working assiduously to achieve equality with the white minority. Mr. Mandela has finally been released and the black majority is finally gaining the momentum to truly move toward the democracy and equality it so desires and deserves.

President de Klerk has taken extraordinary steps toward this racial equality, yet unfortunately, the apartheid system remains fundamentally intact. The Population Registration Act, classifying South Africans by race, and the Group Areas Act, enforcing the segregation of neighborhoods, are still in place. Also remaining unaltered are the national state of emergency laws. At this critical juncture, where tremendous changes are taking place, further reforms must continue. Apartheid seems to be stumbling, but it is certainly far from dead. Not only is it time to take this movement further by repealing those acts and completely lifting the state of emergency laws, but it is also time to institute the critical reforms which will allow the blacks to participate politically in a truly democratic manner.

Had we lessened sanctions over the course of the past several years, the fight to end apartheid would not have reached this advanced stage. Now is the moment we must seize to bring apartheid to its knees. The black majority must truly begin the final steps toward political equality and toward economic desegregation. This does not mean that the sanctions should be lifted. The international community must continue to pressure the minority government. It is time for the blacks in South Africa to share the same freedoms and opportunities presented in a democratic system.

Mr. Mandela's daughter, Zindzi, in 1985, stated on behalf of her father, "* * * only free men can negotiate." Now, after years of delay, Mr. Mandela may truly act as negotiator. As a free man and as the symbol of the black movement, he will be an integral force in the negotiation process to achieve true democracy, where the majority is fully represented in the government. Mr. Speaker, I look forward to the day when the ultimate goal has been achieved; when we see the last days of apartheid and racial segregation in South Africa is simply a part of the past.

FIRE SALE DISCLOSURE BILL

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. SYNAR. Mr. Speaker, today, I have filed a bill, with Representative LEON PANETTA, which could be titled the Federal Investment Recovery, Economic Security and Liquidation Examination Disclosure Act or for short, the Fire Sale Disclosure Act.

This bill, while very short in length and minimal in its requirements, will shed light on practices of the administration that eliminate from Federal revenues amounts estimated conservatively from $5 to $10 billion and possibly up to $15 billion. The bill requires that the annual budget submitted by the President include a separate section with a statement of revenues projected to be obtained from the sale, lease, and transfer of Government assets and an accompanying statement which details the fair market value of these assets.

We are struggling with budget deficits, budget cuts and gimmicks to enhance Federal revenues without raising taxes. The burden for supporting Government expenditures has shifted to lower and middle income Americans. All the while, we have allowed the administration to sell and lease our natural resources for prices that would put any private company into a chapter 11 bankruptcy. While the Government advocates a business attitude to be employed for some governmental operations, the same rationale does not seem to apply to the sale and lease of Federal assets.

To give a few examples: First, in enhancing uranium for use in commercial ventures, the Federal Government has failed not only to collect backcharges and undercharges of approximately $7 billion but its usual and customary charge does not even cover the full cost of operation; second, below cost timber sales, which permits some commercial, private ventures to compete unfairly with other commercial ventures, loses approximately $400 million per year; third, grazing fees in certain States are set at ridiculously low rates, lower than the actual cost determined by the BLM, while ranchers in nongrazing States cannot take advantage of such low overhead costs and are forced to compete on an unfair basis with federally subsidized commercial ranchers. These operations lose over $150 million per year.

One of the more egregious examples involves the lease of two golf courses by the Bureau of Reclamation in Arizona. These two courses are leased to the city of Scottsdale for 50 years with a 20-year extension option. The leases agreed to by the BLM are for no fees. There are 400 acres which cover the golf courses and an additional 350 acres on which a 20,000 seat amphitheater and a "Horse World" exist. The golf courses have been subcontracted to the Professional Golf Association [PGA] and other subcontractors. These subcontractors pay the city of Scottsdale 10 percent of all green fees, 10 percent of event fees and 2 percent of all other revenues. Nationally televised major golf tournaments are run by the PGA on these golf courses for which significant cash prizes are provided and television revenues are paid. The Federal Government obtains no financial benefit.

Despite the fact that these courses were developed on land meant for water project recreation areas and were to benefit the general public, luxury hotels built on the fringes of these courses are able to control much of the green time available to the general public. Neither the PGA nor the city of Scottsdale has had to invest any money in land costs for the acquisition of these lucrative projects. Lost revenue from this project means that the fund used to purchase additional park lands in the U.S. suffers.

The resources involved in these examples and others include minerals, timber, water, the use of Federal lands and facilities for commercial ventures and the processing of certain minerals by Federal facilities. While there may be justifiable and sound reasons for Federal subsidies, many of the pricing decisions have been made outside these parameters. Application of fair market value, even with allowing justified subsidies, could increase revenues anywhere from $5 to $10 billion. This amount

of revenue can be collected while maintaining our natural resources for the benefit and enjoyment of future generations.

I am tired of having to explain to my constituents why programs vital to their health, education, and economic security are attacked in every Federal budget while practices such as those described are allowed to continue unquestioned. We are requiring the administration to provide the basic information in the annual budget so that decisions on the sale and lease of our natural resources can be made in an informed manner. The American public deserves to know how and why it is being shortchanged by the administration.

ADVANCED RURAL TELECOMMUNICATIONS AND ECONOMIC DEVELOPMENT ACT OF 1990

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. WISE. Mr. Speaker, I rise today to invite my colleagues to join me in the introduction of H.R. 4068, the Advanced Rural Telecommunications and Economic Development Act of 1990. My legislation should be of particular interest to those Members from lesser developed or rural areas in our country. Recent years have been a time of rapid technological development in the telecommunications industry. Urban businesses and consumers have come to take for granted such minor miracles as fax machines, personal computers, and computerized databases.

But for some rural Americans, even single-line telephone service is still not yet a reality. Because of the comparative expense of bringing new telecommunications services to sparsely populated areas, there is a danger that it will be many years before the entire country will fully enjoy the technological advances of recent times.

As a nation, we can't afford to let the information age pass rural America by. Small-town America is striving to recover from a period of economic decline. The rural economy has shifted away from its traditional mainstays—agriculture, mining, and manufacturing—and turned instead to service industries. Deregulation of the transportation industry has made travel and transport less available and more costly. As a result, residents are leaving the less populous regions of America to make their fortunes in our increasingly congested and polluted metropolitan areas.

Information age technology is a major key to reversing this trend. Modern telecommunications can help replace the buses, trucks, and trains that pass the small towns by. It can allow businesses such as mail order companies and airline reservation services to locate in rural areas. And it can make sophisticated educational and medical services available throughout the countryside.

My bill would assist rural America in tapping the potential of telecommunications to help revitalize our Nation's countryside. The legislation would make grants available to rural school systems to establish distance learning programs. Under these programs students and instructors can see and hear other program participants in one or more distant locations and be seen and heard by the participants as well. With distance learning capabilities, rural school systems can get far more benefit out of their limited educational dollars.

The bill would make loan guarantees available to rural hospitals and other rural health care providers to enable them to take advantage of telecommunications technologies, computer networks and related advanced technologies to improve medical diagnosis and treatment. The bill would also expand the provisions of section 310B of the Consolidated Farm and Rural Development Act to permit businesses and entrepreneurs in rural areas to obtain Federal loans to fund facilities for shared telecommunications equipment and computer hardware and software.

Under the legislation, States would be able to establish rural telecommunications zones—rural areas with advanced telecommunications capabilities. Federal agencies would be required to consider moving to a rural telecommunications zone whenever they contemplated relocating their data processing or other telecommunications-intensive activities. Finally, the bill would make funds available for the creation of street addresses in rural areas that are unable to have emergency 911 service because of the lack of such addresses.

The Advanced Rural Telecommunications and Economic Development Act of 1990 would help the rural areas of country overcome the economic obstacles they face. And that is good not just for rural America but for the entire Nation.

THE LEADERSHIP OF ROSS W. KIRBY

HON. ED JENKINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. JENKINS. Mr. Speaker, when some people die, we cannot let their passing go unnoticed because of their distinguished qualities and contributions. Ross William Kirby of Snellville, GA, was one of those special people.

Ross Kirby was a doer and a giver of his time and his money, right down to the last. A couple of months before his death, he was inducted into the Endowed Century Club of Young Harris College, recognition for the money and time he had contributed to his alma mater where he had financed his own education during the Depression by working at a local store.

Born in the northeast Georgia mountains in Hiawassee and growing up in Young Harris, he carried the code of the mountains with him, always finding time to help others. His community service ranged from serving 4 years on the Snellville City Council, on the Unemployment and Training Board of Gwinnett County, on the Gwinnett Senior Citizens Board, and the Georgia Council on Aging to contributing his own time to represent people before administrative law judges after their Social Security disability claims had been denied. Of the 52 he represented, only 2 lost their cases. When he died, he was on the Downtown Development Authority of Snellville. Last February, he was recognized for his community service with the "Oustanding Citizen of Snellville" award from the local newspaper.

Ross Kirby also was a worker for his church. He was director of the Senior Adult Sunday School at Snellville First Baptist Church for 15 years, chairman of the Board of Deacons twice, chairman of the Building Committee, chairman of the Benevolence Committee for many years, and at the time of his death, he still served on the Board of Deacons and the Church Growth Council.

His desire for his own education fostered a lifetime interest in education for others first as a teacher for 4 years and through the PTA on the local and State levels. He was awarded a lifetime membership in Georgia's PTA for his contributions to that organization. And he never forgot to promote the school which gave him a chance, Young Harris College, serving on the Alumni Association Board of Directors and through other contributions of his time and money.

Following his retirement in 1972 as a supervisor after more than 30 years in the U.S. Postal Service, he had served as president of Retired Federal Employees.

Ross Kirby was a good example. He gave back to society where he felt he owed for his own success, and he gave to society enriching his own community and State with selfless service far beyond what he had taken. Although he died October 24 at the age of 74, his deeds and influence will live long after him. He was a good citizen and a good person.

I was proud to be his friend in life and proud to have known him and benefited from his wise counsel.

SUPPORT RECONCILIATION IN NICARAGUA

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. CROCKETT. Mr. Speaker, the February 25 election in Nicaragua—pronounced as free and fair by the more than 3,000 international observers—has validated the position that an internal political solution, rather than war, was the answer in Nicaragua. It was the influence of Costa Rican President Oscar Arias and the other Central American Presidents who brought the appropriate mix of diplomatic pressure and regional cooperation to bear on the Nicaraguan Government. It was that pressure, not the Contras, that made this election possible.

We commend the winner, Violeta Chamorro, for her impressive victory and wish her good luck as she grapples with the enormous task of rebuilding Nicaragua's economy. But we also commend President Daniel Ortega, and the Supreme Electoral Commission, for conducting a truly democratic election under the specter of war. President Ortega accepted the results of the election in a statement reflective of the hopes of Nicaraguans—and Latin and

Northern Americans alike—for peace and reconciliation in Nicaragua.

We hope that the example that Nicaraguans on both sides of this campaign have set for settling their differences peacefully and democratically will bode well for El Salvador. The United States has premised our massive military aid to El Salvador on the claim that Nicaragua was arming the FMLN. It is safe to say that Mrs. Chamorro's government will not be aiding the Salvadoran guerrillas, and we would hope therefore that we can take steps to redirect our aid, as we did in Nicaragua, away from war, and toward supporting a peaceful settlement. If ever there was a time ripe for agreement in that tragic country, it is now. Let Nicaragua serve as a model.

The process of reconciliation in Nicaragua will be a slow one, and one fraught with confrontation. The size and makeup of the Nicaraguan military will certainly be prominent among those problems. But these are problems for Nicaraguans to solve. Hopefully, the administration and this Congress will choose to play the role of facilitator, and will recognize the important role that the Sandinistas will continue to play in Nicaraguan society.

EDUCATION IN THIS NATION HAS TAKEN A DISMAL PATH

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. MURPHY. Mr. Speaker, just 2 days ago I read that Jaime Escalante, the Los Angeles teacher who gained national attention for his success in teaching college-level calculus to urban high school students is threatening to quit his job. He blames parents who "don't see education as the way to succeed in this country". He says he has received letters from parents whose children wanted to drop out of advanced math classes in favor of sports.

This story of a dedicated teacher who becomes disillusioned and decides to quit is heard all to often. Unlike Mr. Escalante, I do not blame parents for the education problems this Nation is experiencing. It is a combination of many factors. Many parents do not have the involvement in their child's education that they would like to have due to the demands of their jobs. The computer age has overtaken us and many are not ready. Today America is outranked in math and science education. Illiteracy is on the rise. What can we say about an educational system that produces graduates that can't read or fill out a basic job application? Drugs and crime have taken over our schools. Some of our young people ask why they should waste time in class when they can make more money in 1 week dealing in drugs than their parents do in a month. The teaching profession is still one of the lowest paid. How do we expect to get and keep good teachers when they can make more money elsewhere? Textbooks and technology are frequently outdated. Are we trying to teach in a starship age with dinosaur methods?

President Bush says he wants to be the education President. I am waiting to see if this is true. If he is serious, let us see the Federal funding for programs to educate those who have been left to fend for themselves for the last decade by Mr. Bush's former boss. We must also give the teaching profession the recognition it deserves. Let us see, Mr. President, if together we can bring our educational system back to where we can be proud of our schools again.

Education in this Nation has taken a dismal path. Let us point it in the right direction once again and lead our scholars down the path for success.

TRIBUTE TO NEW MEXICO CONGRESS OF PARENTS AND TEACHERS

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. RICHARDSON. Mr. Speaker, this spring, the New Mexico Congress of Parents and Teachers will celebrate its 75th anniversary. The PTA in New Mexico was organized in May of 1915, just a few years after New Mexico was granted statehood.

For 75 years, this outstanding group, made up of caring parents and teachers, has provided a much needed helping hand in improving the health, education and welfare of our children. The children raised in New Mexico are smarter, kinder, and healthier today because of the exceptional service and leadership provided by the thousands of men and women who have served and who are serving in the New Mexico Congress of Parents and Teachers.

During this, the group's 75th year, I ask that my colleagues in the Congress recognize the New Mexico Congress of Parents and Teachers and take note of the group's achievements. I am enclosing for my colleagues' review a list of milestones reached by the New Mexico Congress of Parents and Teachers during the past 75 years.

MILESTONES IN THE NMCPT 1915-90

1915-1917—May 7, 1915—Organization meeting. Firm foundation established. Dues 10 cents state and national. "Need for more enlightened treatment of the problem of child delinquency and of raising children to make better citizens" was stressed.

1917-1923—Furnished warm lunches for school children, weighing children and assisting with physical examinations, visiting homes and adding to libraries.

1925—National president presented first leadership training workshop at state convention. First County Council organized in Dona Ana County. Rosewell had the only City Council in the state.

1926—Published first state bulletin. Established state office in Chavez County courthouse.

1927—State convention in Raton with theme "In essentials, unity; in nonessentials, liberty; in all things, charity."

1930—Goals were to have an informed membership, have an informed leadership, encourage interesting educators and increase student loan fund.

1932—State divided into 7 districts.

1933—Convention resolution denounced reduction in school budgets and urged US Congress to make an emergency appropriation of monies available. Governor Hockenhull proclaimed the first PTA week in the state's history.

1934—Resolution endorsing enactment of Federal Food and Drug bill.

1935—Worked successfully to pass legislation requiring a driver's license and legislation for a sales tax to support the schools.

1937—Resolution recommending adequate monies for inoculations against diptheria and other health needs.

1938—New Mexico Congress served as cohost at the 42nd National Convention in Salt Lake City.

1939—Recommended materials be published in Spanish as well as English.

1940—Asked cooperation with the State Dept. of Public Health in registering all births and issuing birth certificates.

1941—Many hot lunch projects sponsored by local units.

1944—Resolution urging annual health examinations for students in public schools.

1946—Resolution urging legislation to provide additional teachers for handicapped children.

1947—Sponsored enabling legislation for the school lunch program which passed both state houses.

1949—Resolution supporting adequate teachers' salaries.

1952—Sponsored dental clinics.

1953—Resolution reaffirming belief in the ideals of the United Nations. Safety Program of traffic lights or speed control regulations around schools put into effect.

1955—Resolution urging public school authorities to integrate Indian children into New Mexico schools and urging eating establishments, hotels, motels and theaters in implementing principles of desegregation.

1957—Intensive campaign to inform the public on legislation that would allow for an elected State Board of Education which passed in 1958 after many years of hard work by NMCPT.

1959—Bernalillo County Council receives national acclaim on their Clothing Bank project.

1961—Resolution supporting legislation to arrive at a permanent solution to the financial problems of the schools.

1963—Resolutions urging traffic safety enforcement in school zones and requesting funds for guidance and counseling in the schools.

1964—Resolution encouraging the establishment of kindergartens in New Mexico public schools.

1965 & 1983—National PTA Convention held in Albuquerque.

1967-69—Elizabeth Hendryson (former State President 1952) of Albuquerque serves as National PTA president.

1970—Resolutions encouraging enforcement of air pollution standards and supporting a funding program for equal education opportunities.

1972-1978—Resolutions passed concerning violence on TV and supporting the teaching of music and art in schools.

1984—Resolutions passed in support of a Safety Public Awareness Week.

1985—Supported Adopt-A-School concept.

1987—Resolutions on safety for school age child care and requesting help on personal liability for volunteers.

1988—Resolutions on background checks for school and day care personnel, supporting the Volunteer Protection Act, and legislative funding for education.

1989—Resolution on testing and removal of lead in school water and testing for radon gas levels.

TRIUMPH OF DEMOCRACY

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. GALLO. Mr. Speaker, I am delighted with the manner in which the election process took place on Sunday in Nicaragua, and with the results of that election.

This election was one of the most closely monitored in history. Clearly, the Nicaraguan people have spoken, free of fear from intimidation, and confident that Nicaragua's future—like that of so many other nations around the world—will now be marked by freedom and democracy.

President-elect Chamorro has a difficult task ahead. Nicaragua has paid a heavy price on its march to freedom. I know the United States will stand with the Nicaraguan people as they begin to rebuild their country in the months ahead.

It is vitally important that President Ortega do all that he can to ensure a peaceful transfer of power in April. His remarks yesterday make for a good beginning. But he must do more. He must use his influence within his party to ensure that President-elect Chamorro receives the cooperation and support she needs to effectively govern.

I think a healthy measure of credit should be given to President Reagan and President Bush for staying the course, often in the face of much criticism. There is no doubt in my mind that without the United States strong support for freedom in Nicaragua, we would not now be hailing the triumph of democracy there.

THE 25TH ANNIVERSARY OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1990

Mr. HAWKINS. Mr. Speaker, today, my colleague Mr. GOODLING and I are introducing a joint resolution commemorating 25 years of Federal aid to elementary and secondary schools.

On April 11, 1965, the Elementary and Secondary Education Act [ESEA] was signed into law. This landmark legislation provided the authority for Federal assistance to educate disadvantaged, handicapped, and other special populations children and illiterate adults, to improve libraries, to strengthen State educational agencies, and to expand educational research. Twenty-five years later, these programs continue to be the foundation of Federal elementary and secondary education programs.

Since ESEA was enacted, we have seen that Federal aid has had an impact on the education of our children. The chapter 1 program has assisted in improving the reading scores of low achieving children, as measured by the National Assessment of Educational Progress. Today, handicapped children are guaranteed access to a free and appropriate public education. Our libraries are strong, our educational research is more extensive, and the State educational agencies have matured. While we should celebrate such achievements, there is still much work to be done.

The resolution we are introducing today, calls for a renewed, sustained commitment to Federal aid for elementary and secondary education, including annual funding increases of $500 million above inflation for the chapter 1 compensatory education program. With this sort of a commitment from the Congress and the President, the Federal role in education will continue to be a positive force in the schools across America.

Finally, the resolution calls on the Nation to commemorate the 25th anniversary of the Elementary and Secondary Education Act. While Mr. GOODLING and I are working with the Senate to plan events in Washington to celebrate this very important anniversary, we are also working with the education community to ensure that the majority of the commemoration activities take place in schools and local communities across the United States.

We urge our colleagues to cosponsor this resolution, thereby joining us in commemorating this anniversary and recommitting the national government to making education the number one priority.

HOUSE OF REPRESENTATIVES—*Wednesday, February 28, 1990*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As our minds are filled in these days with thoughts of freedom and new liberties from many people, our prayers, O God, are with those who do not share in these same blessings. We recall the hostages and all those held alone who are denied the basic freedoms that are our heritage. May Your good spirit, gracious God, that transcends every human separation, touch the lives of every hostage with the hope and comfort that You alone can give. May the faith and strength that You freely give to all be with them and their families and may Your benediction remain with them always. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas [Mr. COMBEST] please come forward and lead the House in the Pledge of Allegiance.

Mr. COMBEST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF CONFEREES ON H.R. 3729, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION MULTIYEAR AUTHORIZATION ACT OF 1989

Mr. ROE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3729) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes; with a Senate amendment, thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

The Chair hears none and appoints the following conferees, and without objection, the Chair reserves the right to appoint additional conferees: Messrs. ROE, NELSON of Florida, VALENTINE, and BROWN of California, Mrs. LLOYD, and Messrs. GLICKMAN, VOLKMER, MINETA, TORRICELLI, NAGLE, WALKER, SENSENBRENNER, LEWIS of Florida, BUECHNER, PACKARD, SLAUGHTER of Virginia, and ROHRABACHER.

There was no objection.

ZEBRA MUSSELS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, the colorful, striped European zebra mussel now proliferating in the Great Lakes poses very serious consequences for northwest Ohio, the Great Lakes, and our entire inland waterway system. The mussel was first discovered in 1988 in Lake Erie and Lake St. Clair, and was apparently introduced into Lake St. Clair in 1985 through the dumping of ballast water into the lake from international cargo ships.

Since 1985, this mussel has spread rapidly. Some areas of western Lake Erie now contain over 30,000 mussels per square meter. In September of last year, 3 cubic yards of mussels, for example, were removed daily from the water intake of one of our major powerplants. Mussel shells now literally litter the shores of Maumee Bay. The mussels are expected to spread to every lake and stream in the United States in the next 5 years, and in fact, will endanger our entire fish population base, and the small plankton that the fish feed on. However, the administration and the EPA have told Members there is no money for research in this real threat to our Great Lakes and freshwater systems.

The rapid growth and expansion of the zebra mussel population in my region has a potential for creating environmental and ecological problems of proportions equivalent to those experienced in the Great Lakes with the introduction of the sea lamprey and alewife.

I urge colleagues to support zebra mussel research, and the Bush administration to come on board and put more than rhetoric behind its words on the environment.

COMMEND BUSH ADMINISTRATION

(Mr. PAXON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAXON. Mr. Speaker, I would like to commend the Bush administration for agreeing to my request to save the MBA Program taught by the University of Buffalo in China. The education of 83 young Chinese men and women has now been ensured. In addition, future classes will be educated as a result of the administration's decision to seek out other funding avenues in the years to come.

For 2 weeks now, western New Yorkers have spoken out strongly for this important education program, and for good reason. These Chinese students literally risk their lives to attend the classes at the University of Buffalo, held in China. This program is helping to build the future free market leaders of this nation. I am proud that they will be standing and continue to stand with these courageous men and women.

ENVIRONMENT ACTION NEEDED FROM PRESIDENT

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, the President's environmental policies, like many of his other policies, are put forth with strong words but terribly weak actions. We have a President that speaks about elevating the Environmental Protection Agency to a Cabinet-level position. While the President speaks, Mr. Sununu and others work to undermine our environmental policies.

In the clean air bill, working at times even to make the law weaker than it is today.

Mr. President, you desire to be the education President, you desire to be the child care President, you desire to be the environment President. Well, like the emperor without clothes, this President needs to put actions behind his words. We truly do need to address the environment of our country. In my State we already have seven lakes affected by acid rain. We need a leader in the White House on the environment. The President has tried to fight to get one more tax cut for the richest Americans. Spend a little bit of your time trying to save the environment

instead of trying to save all that money for the wealthiest people in this country.

MANDATED PARENTAL LEAVE OPPOSED

(Mr. HANCOCK asked and was given permission to address the House for 1 minute.)

Mr. HANCOCK. Mr. Speaker, the small business community is overwhelmingly opposed to mandated parental leave. The 1986 White House Conference on Small Business voted in opposition to Government-mandated benefits, such as parental leave, their No. 2 priority. It was parental leave that brought the issue of mandated benefits into focus for the 1,175 small business owner delegates who attended the conference. Likewise, the results of the National Foundation of Independent Businesses April 1989 poll of 550,000 small businessowners nationwide showed that 84 percent opposed Government-mandated parental and medical leaves.

Small businessowners fear that this minimum labor standard would open the floodgates to an increasing number of attempts to force business to pay for every benefit arbitrarily deemed desirable by various elements in the national workforce. I urge my colleagues to oppose mandated parental leave.

DO NOT WEAKEN CLEAN AIR BILL

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SKAGGS. Mr. Speaker, when the President announced his clean air plan last year, I was encouraged that he had taken an important first step. But ever since taking that momentous step, the President has been inching backward. And now that we are down to the wire, the President is scrambling away from his promises and his responsibility to clean up the air that all Americans must breath to survive.

In an unfortunate turn of events, the administration is now working behind closed doors to strangle some of the most important provisions in the Senate's clean air bill. If the administration succeeds in this effort, we all lose in the long run.

It remains a great puzzle and perplexity that we hear so much from the administration about the cost of compliance and so little about the cost of disease.

The hand that chokes this bill also strangles tomorrow's children. Our children. Our future. I urge the President to stop trying to weaken the clean air bill. I ask him to work with us to pass a tough clean air bill this year.

REINTRODUCING H.R. 3723

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise today to alert my colleagues who have rural electric cooperatives in their districts of an ongoing problem. The REA and the Federal financing bank have once again failed to sign their annual loan commitment agreement. The absence of such an agreement has had a severe effect on generation and transmission cooperatives across the country. The agreement details the fiduciary responsibilities the REA has with the FFB, which is an arm of the U.S. Treasury.

In July of 1987, I worked diligently with rural cooperatives in my district to get this agreement signed. After 2 months, and a personal meeting with the Secretary of Agriculture, the agreement was signed, 11 months late.

□ 1210

This year the FFB has again demonstrated its lack of cooperation. This year's agreement, now 5 months overdue, is setting the stage for serious repercussions for cooperatives in Texas, Alabama, Nebraska, Ohio, and Florida.

Mr. Speaker, I urge my colleagues to join with me in cosponsoring legislation to solve this ongoing problem. I plan to reintroduce H.R. 3723, a measure I introduced in the 100th Congress. This commonsense piece of legislation simply keeps the previous year's agreement in force until a new one is signed. I ask the Members to please help me solve this ongoing problem by joining as a cosponsor.

A FIRSTHAND REPORT ON THE EMERGENCE OF DEMOCRACY IN EUROPE

(Mr. SARPALIUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARPALIUS. Mr. Speaker, at the turn of the century my ancestors left the country of Lithuania and came to this country seeking freedom—freedom and new opportunities. I was very fortunate these past few days to have the opportunity to go back to the country of Lithuania.

After spending 5 days in a hotel in Berlin, along with three of my colleagues, waiting for a chance to go there and watch the results of the first elections ever held with the Communist Party, elections by two parties—one the Communist Party and the other one, the Sajudis Party—seeking democracy and freedom, I felt such a thrill to stand there in Berlin and watch them slowly chip the wall down, the Berlin Wall which has been such a symbol.

I brought with me a piece of that wall which for many years symbolized what the Communist Party stood for. We were able to see in Lithuania its first fall and the first free elections of that party.

We also saw a church that was once a Catholic Church and then slowly turned into a church for atheism. That church has now come back to be a church for God.

Mr. Speaker, this was certainly a privilege and an opportunity for me, and I encourage my colleagues to do whatever they can to support democracy.

RECOGNIZING THE TEXAS TECH CENTER FOR THE STUDY OF ADDICTION

(Mr. COMBEST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COMBEST. Mr. Speaker, I would like to bring to the attention of my colleagues and to the Nation, an innovative one-of-a-kind Center for the Study of Addiction at Texas Tech University located in my congressional district.

This unique state of the art learning facility has undertaken one of the most serious problems facing our society, the war on drugs.

The center, which began informally in 1986, is headed by Dr. Carl Anderson whose keen leadership abilities and tremendous understanding of substance abuse has been indispensible. Working with Dr. Anderson is a host of devoted volunteers, whose selfless dedication helps promote the addiction center and assist students in recovering from substance abuse.

The center offers a powerful program for recovering abusers through a rigid academic curriculum and counseling initiatives. The center also recognizes that many substance abusers have burned their financial bridges, so it offers a limited number of scholarships to encourage recovering addicts to return to college. Another interesting concept is that recovering members are encouraged to give something back to the cause, by qualifying for certification as alcohol and drug abuse counselors. These ideas are all translating into a tremendous success. I am very proud to recognize the center and their great work.

A BUSH LEAGUE PERFORMANCE BY THE WHITE HOUSE ON THE ENVIRONMENT

(Mr. OWENS of Utah asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. OWENS of Utah. Mr. Speaker, I rise today to suggest that President Bush recall his reputation as a former college baseball player. Since we put him on the mound, his delivery and followthrough on promises to protect our environment have left the bases loaded and he is hoping for an acid rainout.

When the President pitched for clean air we got a knuckleball.

Then his manager, Mr. Sununu, told the President to balk on his own call for no net loss of wetlands.

The President then threw a curve on global warming which was far wide of the plate.

That is three balls, no strikes for the President, and we are still in the early innings. Maybe he should put some Valdez crude on the ball.

Mr. Speaker, somewhere in this favored land,
The sun is shining bright,
The band is playing somewhere,
Somewhere hearts are light,
But there is no joy in Washington,
Because our President prefers to play on artificial turf.

THE RECORD OF THE WHITE HOUSE ON THE ENVIRONMENT

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, it is important to talk about the environment. In any bureaucracy there are always disputes. We hear about the disputes between the White House Chief of Staff, Mr. Sununu, and Mr. Bill Reilly. Always it seems there is conflict.

President Bush has stated that he is the environmental President. On the wetlands issue the White House Chief of Staff has weakened the President's position. On the alternative fuels issue and on clean air the White House Chief of Staff has weakened the President's position. On many other environmental issues, global warming and the entire acid rain matter, we have seen a weakening by the White House Chief of Staff.

The question is: Who is the President? Who is the environmental leader in this administration? Is it William Reilly, is it John Sununu, or is it President George Bush?

Mr. Speaker, President Bush has good instincts on the environment. The rhetoric is good, and in some cases he has a fine record, but this record is being decimated by bureaucratic wrangling, and it is time that he stepped in and stood up for the environment.

Mr. Speaker, in recent days, John Sununu, the White House Chief of Staff, has been in the news on a daily basis. The media has not been extolling his virtuous environmental record. On the contrary, it is blasting his meddling in, and some would say derailment of the President's environmental program.

In fact, Mr. Sununu is getting so much media attention that I am beginning to wonder just who's running the show? The President or Mr. Sununu?

For instance, the press reported on a battle between Mr. Sununu and Mr. William Reilly, EPA Administrator, on global warming in which Mr. Sununu moderated the President's speech by urging "continued research" rather than "using the White House effect to deal with the greenhouse effect."

Since we know where Mr. Sununu stands on global warming and we know where Mr. Reilly stands on global warming, the question has to be asked, to borrow a phrase from my good friend, Senator KENNEDY, where was George?

Mr. Sununu has also made the news by weakening a wetlands agreement on behalf of the oil industry, despite the President's pledge to allow "no net wetlands loss."

Again, we have to ask, where was George?

In announcing his Clean Air Act, the President stated, "We propose bold new initiatives to reconcile the automobile to the environment. * * * We'll accomplish this through alternative fuels and clean-fueled vehicles."

Yet, when the Health and Environment Subcommittee acted on the President's Clean Air Act, Mr. Sununu is quoted as saying the President did not object to an amendment weakening the Clean Fuel Program. At the same time, Mr. Reilly was quoted as saying the President opposed the same amendment.

The American people want to know, "Where was George?"

OPPOSE FEDERAL MANDATES

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, it is an election year and some in Congress are searching for yet another special mandated benefit to give to the American workers. This time, its the Family and Medical Leave Act.

Few will argue with the legislation's intent. If a business can afford to offer flexible benefits to its employees, it should. But, as a former small businessman, I can tell you that any type of leave policy must be tailored to the individual company involved—not mandated by Congress.

I am particularly concerned about provisions in the bill that require an employer to hold open a job for the employee on leave and restore the employee to the same position upon completion of leave. This creates special problems for many small businesses because the employee is not required to notify the employer of his or her intentions to return to work.

Most employers want to do what they can to help their employees. Periodically reporting back to the employer is only fair and this can be accomplished with a simple phone call or letter during the time of leave. Yet the bill fails to address this very real problem.

Employee needs differ from one business to another. Mandating one particular benefit limits the ability of employers to offer benefits that appeal to their workers. Mandating family and medical leave forces employers to offer one benefit at the expense of another.

The issue is not the leave which is a good policy to pursue, the issue remains the appropriate role for government.

The Family and Medical Leave Act will hamper the growth and productivity of the very businesses that we rely upon to create the jobs that make this country tick. Think twice before agreeing to mandate legislation that will destroy job creation.

THE NEED FOR LEGISLATION TO ELIMINATE TOXIC POLLUTANTS

(Mr. LAUGHLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAUGHLIN. Mr. Speaker, like most Americans, I am deeply concerned about the effect toxic pollutants have on our air and water supplies. Being environmentally health conscious is not enough. We have a great responsibility to the American people to take appropriate steps to address their concerns about the environment.

It is obvious that our well-being and that of future generations is inseparable from the quality of our environment. That is why it is imperative that Congress enact legislation that will prudently eliminate toxic waste pollutants from the air and water. I believe that we can accomplish this by working with industry to achieve our goals for a healthier environment.

As Congress moves forward on the issue of the environment, let us seek to establish a policy that is responsive to our health concerns and is economically feasible.

□ 1220

MARIA DUDEK SAYS IVAN MARCZENKO IS REALLY IVAN THE TERRIBLE

(Mr. TRAFICANT asked and was given permission to address the House and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, CBS's crew of "Sixty Minutes" flew to Poland. They heard of a woman who said she had known of Ivan the Terrible. Maria Dudek, 70 years old, told Ed Bradley off camera that she knew Ivan well. He would take gold from the Jewish prisoners and come to town. He would buy vodka from her husband

and pay for the right and privilege to sleep with her.

Also, Mr. Speaker, Maria Dudek said she knew this man by his real family's name, Ivan Marczenko.

Ivan Marczenko's name is listed under the Polish War Crimes Committee as being a known Ukrainian guard at Treblinka. John Demjanjuk, convicted of this crime; his name appears on no list anywhere in the world.

Mr. Speaker, I think the Justice Department should come clean on this case. We must track down Nazi war criminals and put them to death, but we do not blindfold the Statue of Liberty and shred the Constitution to do it.

I want to know who Ivan the Terrible really is, and Congress should want to know beyond a reasonable doubt, and in this case there is not even any reason now. Look at the RECORD tomorrow.

PROVIDING ASSISTANCE TO VICTIMS OF RAPE, INCEST, AND SPOUSE ABUSE

(Mr. LIGHTFOOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIGHTFOOT. Mr. Speaker, today I am introducing legislation which I believe will enhance our abilities to perform our jobs as public servants. Currently, under House rules, a Member of Congress cannot include in a franked, mass mailing the phone numbers of organizations that provide assistance to rape, incest, and spouse abuse victims unless the phone number belongs to a Federal agency. Apparently, the reasoning behind this rule is that State and local officials should be the ones to provide information on State and local agencies that provide such assistance. In my opinion, this ruling is misguided and unnecessary. In sending out mass mailings, we have a perfect opportunity to provide the unfortunate victims of sexual and spousal abuse with the information they need to begin to heal the wounds of their trauma. Whether they get this information from a Federal, State, or local official is immaterial. All that really matters is that they do get it. For this institution to put up an obstacle to the flow of this information is ludicrous at best and at worst, could prolong the suffering and misery of an innocent victim. My legislation states simply that a Member of Congress may include in franked, mass mailings the phone numbers of State, local and nonprofit private agencies that provide information and assistance to the victims of rape, incest, and spouse abuse. I urge all of my colleagues to join me in supporting this legislation which has the potential to make a real difference in the lives of our constituents.

CELEBRATING NELSON MANDELA'S RELEASE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, I take this opportunity to celebrate the release of South African civil rights leader Nelson Mandela from his 27 years of imprisonment.

Mr. Speaker, the winds of democracy and social change are sweeping across Eastern Europe, across Central America, across South Africa, and, Mr. Speaker, across the entire globe. These are indeed remarkable times in which to live and legislate.

I hope Mr. Mandela's release, and the courage of President F.W. de Klerk of South Africa in ordering that release, will provide both the impetus and the framework for ending apartheid, that shameful and most grievous and malevolent system of government which sanctions discrimination based on a person's skin color.

While Mr. Mandela's release from prison, the reinstatement of the African National Congress as a legitimate and recognized political institution, and the upcoming discussions between Pretoria and the ANC represent a sea change for South Africa, the sanctions currently applied to that nation should remain largely in place until all its citizens have freedom.

Mr. Speaker, I hope Mr. Mandela and Mr. de Klerk will be invited to separate sessions of this Congress to explain to us and to the world these remarkable and welcome events of recent days.

THE CONTRAS MUST REMAIN A FORCE TO ENSURE TRANSITION OF POWER IN NICARAGUA

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, yesterday I introduced with my colleague, the gentleman from Missouri [Mr. SKELTON], a resolution which congratulates both Mrs. Chamorro and Daniel Ortega for the way in which they have handled the election which took place on Sunday.

However, Mr. Speaker, I am very concerned about some of the developments which have taken place in the last 24 hours. Both Mrs. Chamorro and Daniel Ortega have called for the Contras to turn in their arms and immediately assimilate back into Nicaraguan society. That clearly is a goal which I have. In fact, it is mentioned in the resolution which we introduced.

Now, Mr. Speaker, it is very important for us to remember that in July of 1979 Daniel Ortega promised free and fair elections, an end to human rights violations, a nonaligned foreign policy and political pluralism. On December 13, 1987, Daniel Ortega said,

> If we hold an election in Nicaragua, and by chance the Sandinistas lose, we will give up the government, but we will never give up power.

Mr. Speaker, we know that in the Sapoa agreement, Esquipulas II and Tela agreement, Ortega said that he was not providing an influx of Soviet bloc weapons into El Salvador, and then we of course saw that plane crash with 24 SAM-7's on board.

Last night Mr. Ortega told colleagues in the Sandinista Party that he planned to "continue to govern the country from below" and implied that he might not turn over power of the military to the newly elected government.

I support the demobilization of the Contras; as long as the Nicaraguan military is turned over to new government. We all know how important control of the military is in Latin America. Should Mr. Ortega seek to ignore the will of the Nicaraguan people, the Contras will serve to keep the pressure on his regime. I do, however, certainly hope that this is unnecessary and that Ortega will support the decision that 54.2 percent of the Nicaraguan people made this past weekend.

In the meantime, let's make sure that Mrs. Chamorro becomes not only President, but Commander in Chief of the Nicaraguan Army.

NATIONAL SHERIFF'S WEEK

(Mr. ORTIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ORTZ. Mr. Speaker, I rise today to introduce a House Joint Resolution declaring June 24 through June 30, 1990, as "National Sheriffs' Week."

During this week, the National Sheriffs' Association will commemorate 50 years of service at their national conference in Denver, CO.

Sheriffs represent the chief law enforcement officer in the county.

As a former sheriff, I remember the difficulties that are faced on the front line.

This legislation will honor the efforts of current sheriffs as well as those who have proudly pinned on the star in the past.

It will honor all of the sheriffs and deputies who have died in the service of others.

The National Sheriffs' Association has continued to perpetuate the ideals of an efficient organization of the Sheriffs of the United States, striving to raise the level of professionalism for the office of sheriff and their deputies.

The National Sheriffs' Association also continues to bring about and pre-

serve legislative harmony on the Federal and State level by being cognizant of the needs of the enforcement officials and the safety of the public.

I hope my colleagues will join me in honoring our Nation's sheriffs for their outstanding efforts to preserve peace and insure domestic tranquility.

□ 1230

A GREAT VOTE FOR FREEDOM IN NICARAGUA

(Mr. LEHMAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEHMAN of California. Mr. Speaker, last night I returned from Nicaragua. I was in the northern mountain municipality of Telepenaca near the Honduran border. All day long I saw people walk miles to vote. Some were barefoot, some were crippled, some were pregnant. They stood in long lines, often for an hour or more. They were desperately poor. To vote, they knelt down on the bare cement behind a cardboard facade and marked their secret ballots one at a time. They folded them and walked over to the ballot box where they purposely inserted them. It was so still, you were conscious of the sound your feet made.

The next person in line looked on intently to see how his predecessor did it. I have never experienced a scene so moving.

The children watched outside and were well behaved. Voting was a strange new curiosity. Children watched their parents render their opinions, which would count just as much as the opinions of anyone else in the country, rich or poor.

Who won was minuscule compared with that.

THE EUROPEANIZATION ISSUE

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, the proponents of H.R. 770, the so-called mandated parental leave legislation, tell us that we must enact this legislation because every other industrialized nation in the world has done so.

But, Mr. Speaker, this is precisely a reason not to. Our Nation is the most compassionate on Earth, but we oppose rigid mandates because we value free enterprise—among other things, because it creates jobs.

In fact, while Western European countries have gone far down the road of mandating benefits, those countries have not created any new jobs since 1975, and are facing very high unemployment levels. America's small businesses, less hampered by the costly nonwage benefits, created 1,000,000 new jobs this decade even including the recession years 1980–83. Clearly, if we "Europeanize" employee benefits in the United States, we will also Europeanize away job growth. The first and foremost need of the American labor force is jobs.

Mr. Speaker. I ask my colleagues to vote for jobs by opposing H.R. 770, the mandated parental leave bill.

LEADERS OF PUERTO RICO'S POLITICAL PARTIES INVITED TO HEARINGS

(Mr. DE LUGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LUGO. Mr. Speaker, the leaders of Puerto Rico's three political parties have asked Congress to authorize a referendum between improving the current commonwealth and granting statehood or independence and commit to implementing the results.

President Bush, who supports statehood, endorsed their request before a joint session last year.

A Senate committee has reported a bill supported by the President which would automatically lead to statehood, independence, or commonwealth improvements, depending on a referendum next year.

The stakes include: the rights of 3.4 million of our fellow Americans; billions of dollars in taxes, program costs, and investments; national security; and political power.

The Insular and International Affairs Subcommittee, which has primary jurisdiction and which I chair, will hold an initial hearing with the leaders of Puerto Rico's parties this Friday at 9:45 a.m in room 2167, Rayburn Building.

We will hold further hearings in Puerto Rico March 9, 10, and 12.

I invite any Member interested to sit with us for these hearings.

INTRODUCTION OF LEGISLATION TO BLOCK PARTISAN VOTER REGISTRATION ACTIVITIES BY TAX EXEMPT ORGANIZATIONS

(Mr. THOMAS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of California. Mr. Speaker, after much reflection and examination of the subject area, I am today introducing legislation to block partisan voter registration activities by tax-exempt organizations. My bill permits tax-exempt organizations to conduct voter registration activities, but under defined standards of nonpartisanship. It also clearly limits exempt organization activities that could lead to tax-subsidized political activity.

Recently there have been a number of stories and allegations about hundreds of thousands of dollars in so-called charitable contributions that have been given to voter registration drives that have been designed to benefit one candidate, or perhaps one party. This has been a particularly prominent issue in my home State of California.

In a year in which we are considering campaign finance reform concepts, it is clear that we should not leave open an opening for disguised campaign exemptions, particularly one permitting tax deductible contributions or tax-exempt organizations to conduct partisan activities.

Mr. Speaker, I would invite attention to my legislation.

TERRY ANDERSON, 5 YEARS OF CAPTIVITY

(Ms. SLAUGHTER of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER of New York. Mr. Speaker, almost 5 years have passed since American journalist Terry Anderson was dragged into a car in West Beirut and taken hostage by Shiite Muslim militants loyal to Iran.

Perhaps the greatest atrocity Terry has suffered during his captivity is being robbed of precious time with his family. He has never even held his daughter, who was born 3 months after he was snatched from the streets of Beirut.

We cannot replace those lost years, but we owe it to Terry, to his little girl, and to the seven other American hostages to secure their release.

My sorrow for these captives is profound, but my spirits are lifted by recent developments. Last week, the spiritual leader of Hezbollah declared that the 18 Western captives in Lebanon should be freed.

And now Syria has pledged renewed efforts to help secure the release of the hostages. Terry Anderson's sister, Peggy Say, has reason to feel heartened by this promising news.

These recent developments keep alive our hope that Terry will soon be free.

Now is an opportune time for the United States to appeal to the kidnapers for release of our hostages. Senator MOYNIHAN and I will reintroduce a resolution urging the President to appoint a special envoy to negotiate for the release of the hostages.

We must let these Americans know we have not forgotten them. We cannot forget, and we will not rest until they are safely back on American soil.

SANDINISTAS SHOULD NOW TURN OVER ALL FORMS OF POWER TO NEW GOVERNMENT

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, many of us believe that the Nicaraguan people chose wisely and well when they chose Mrs. Chamarro to head the Government of Nicaragua for the next several years, and we have been pleased that the initial reports were that the Sandinistas were going to go about turning over power to Mrs. Chamarro. Then in the last few hours some elements within the Sandinista movement have begun to indicate otherwise. They have begun to indicate that what they would like to hold on to is the military and the security apparatus within the country. That is interesting, because some of the left wing church-related groups, like Witness For Peace, have told us for years that the Sandinistas were simply a benign Government wanting social reform.

Now it is very clear that when the Sandinistas have to choose what it is they really want to hang on to, given their defeat, what is it that they want to hang on to? They want to hang on to the military and hang on to the secret police.

Well, what we need to send is a message to the Sandinistas that the election means more than simply that you got defeated in an election. It means that you have to turn over the power and the trappings of power to the newly elected Government. That includes the military and it includes the secret police apparatus, which hopefully Mrs. Chamarro will eliminate altogether.

So our message now needs to be to the people of Nicaragua that all elements of the Government need to be turned over to the new people who were elected.

INTRODUCTION OF RESOLUTION OF SUPPORT FOR REESTABLISHMENT OF POLISH-GERMAN BORDER

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, German unification is not an exclusive German issue. It is a matter in which all the signatories of the Helsinki Accord have a serious interest. This is of great and grave concern for Poles in Poland, and by extension, the Polish-American community.

It is important that our President of the United States and this Congress take a clear position, and express unequivocal support for the present Polish-German border.

History is clear in its recognition of this border. East Germany and Poland entered into the Zgorzelec Agreement on July 6, 1950, recognizing the Oder-Neisse as the inviable border between the two nations.

The United States, East and West Germany, and Poland all signed the 1975 Helsinki Final Act confirming this border.

Today I will introduce a resolution to express that:

The United States should reaffirm its unequivocal support for the Polish-German border as set after World War II;

Chancellor Helmut Kohl should state, without reservation, that Germany respects and will preserve this border; and

Poland should be included in the German unification discussions, known as two plus four, in matters involving the borders of a unified Germany and the security of countries sharing borders with Germany.

With democratic elections, the People of Poland took their first breath of freedom after 40 years of repressive Communist rule. But, as the unification of Germany draws near, Poles should not have to fear for the sanctity of their borders.

I urge my colleagues to join me in helping to alleviate their fear.

□ 1240

CAN WORKERS OF AMERICA AFFORD 10 WEEKS WITHOUT PAY?

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, in these modern times it has been exciting to watch the innovations in labor-management relationships that have been brought about by voluntary bargaining between labor and management. There have been such incredible innovations that have now become commonplace such as flextime, shared time, cafeteria plans, where the workers can choose the benefits package that they want, paid maternity leave, and the wonderful thing, if we look at this, not one of these innovations in labor-management relationships that today are commonplace were mandated by the Federal Government. They exist because they benefit the workers, and because they can be accommodated to within the requirements of profitability and remaining in business by the firm.

What do we now see? The Government has come on the scene with the Family and Medical Leave Act and said:

We would choose to impose on these workers and these businesses a mandate that you take in this benefits package despite the objectives of either the workers or the management, something that is of value to scarcely any workers in America, 10 weeks without pay.

I would ask all of the workers in America who can afford to have 10 weeks without pay to write their Congressman and ask him to vote yes. If they cannot afford 10 weeks without pay mandated on them by the Federal Government, write and ask for a "no" vote.

LET US MAKE CABLE TV AFFORDABLE

(Mr. NEAL of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, last week I met with cable television advisory board members from seven communities in my district. The meeting was one of a series that I have had with cable TV officials in central and western Massachusetts. At every meeting I get the same message: Cable television subscription costs are rising to unreasonable levels. Cable television rates have doubled in many areas in just a few years. For example in Southbridge, MA, the basic rate as of March 1 will be $18.95. In 1984 the basic rate was $8.95. Many elderly and low- and moderate-income people simply can no longer afford cable TV. It is my feeling that cable television operators, as beneficiaries of virtual local monopolies on access to their subscribers, must be subject to regulation and local oversight.

Tomorrow the Energy and Commerce Subcommittee on Telecommunications and Finance will begin consumer-oriented hearing on the cable television situation. The Senate is also moving forward with the process of reregulating cable TV. I urge my colleagues to join in the effort to make cable TV affordable to all consumers.

LEGISLATION TO TERMINATE EXPENDITURES FOR GWEN TOWERS

(Mr. MACHTLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACHTLEY. Mr. Speaker, yesterday I introduced a bill to terminate new expenditures for GWEN towers.

During the 1980's, the Air Force designed a program of ground wave emergency networks [GWEN] which was designed to be able to survive a nuclear attack and to preserve our capacity to communicate to our bombers and ICBM's for retaliation.

GWEN requires the construction of 299-foot towers throughout the continental United States. Each tower costs more than $1 million. Of the 96 planned, 42 of these towers have yet to be constructed.

Terminating the GWEN tower plan now makes sense and will save $60 million.

At this time of serious financial constraints, we should be looking for defense programs to cut which will respond to the lessening tensions around the world and will have limited economic impact upon businesses and jobs. This is such a program.

If what I have said does not make sense, consider this: These towers have already been targeted for replacement by a series of satellites. Let us not build a monolithic network of future dinosaurs which will waste away our tax dollars with the passing of the cold war.

If we cannot cut this program, what can we cut? I urge my colleagues to join me in this effort.

THE ADMINISTRATION'S ENVIRONMENTAL POLICIES

(Mr. AKAKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AKAKA. Mr. Speaker, in the headlines today, we see that Exxon is being sued by the administration for the Alaska oilspill. Sadly, this looming legal logjam will do nothing to help the wildlife in Prince William Sound.

Wildlife, in Prince William Sound and everywhere, does not need endless court battles. It needs policies that prevent appalling oilspills like the Exxon disaster from ever happening again.

Wildlife needs clean water to swim in, clean air to fly in, and our fishing fleets need uncontaminated fish to catch.

Protecting our environment demands policies that the current administration has failed to provide.

We have heard many promises of clean air initiatives and clean water initiatives from the administration, but there has been no delivery. We have even heard that the greenhouse effect would be combated by the White House effect.

Unfortunately, failed promises are simply having no effect.

OPPOSE MANDATED PARENTAL AND MEDICAL LEAVE ACT

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, we are currently experiencing one of the longest peacetime expansions in our history, an unprecedented 8 years of economic growth. Since 1982, more than 18.8 million jobs have been created and disposable income has increased significantly. This first rate progress will be threatened if we pursue a dangerous path of Government mandated benefits.

Proponents of H.R. 770, the Mandated Parental and Medical Leave Act, argue that Europe has successfully provided these benefits to its employees. The truth is some people have been given a few more benefits at the expense of creating millions of jobs for Europe's massive number of unemployed. Europe's economy is stagnate, experiencing no net growth and creating no new jobs. Burdensome and unfair mandates have created an inflexible business community that cannot easily adapt to new competitive forces. Mandated parental and medical leave threatens to europeanize our country's job creation and economic growth records.

I urge my colleagues to consider the more than 18 million new jobs, consider the unprecedented peacetime economic growth, consider the almost 30-percent increase in disposable income in the United States over the past 8 years. These are real benefits to people.

Keep our economy competitive. Do not put the brakes on jobs and growth. Oppose the Mandated Parental and Medical Leave Act.

DOWN-TO-EARTH ANALYSIS FROM A NORTH DAKOTA FARMER

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, we hear a lot of highbrow theory and interesting thoughts here in the well of the House of Representatives.

I received a letter this morning that I thought I would read to my colleagues. It comes from a North Dakota dairy farmer who gives us some down-to-earth analysis.

Here is what he says:

> There is a lot of complaint about the price of milk lately. After doing a little research, I find out that milk costs about $2.80 a gallon; soda pop, soft drinks, $.50 a can, costs $5.70 a gallon; beer is only $4 a gallon if you buy it by the keg, but if you buy it by the can at the bar, it comes to about $11.40 a gallon.

To repeat, soda pop, $5.70 a gallon; beer, $11.40 a gallon; milk, $2.80 a gallon. He says:

> In 1988, the average American drank 21 gallons of milk, 24 gallons of beer, 46 gallons of soft drinks.

He said:

> The way I figure it, maybe if milk was not so cheap, people would buy more.
>
> Signed Jerome Blumhagen, Harvey, ND.

MULTIPLE-USE, SUSTAINED-YIELD ACT WEEK

(Mr. NIELSON of Utah asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NIELSON of Utah. Mr. Speaker, the Earth is encountering many problems today due to the demands being placed upon it be competing economic and environmental interests. Regretfully, many countries utilize their resources for short-term gains rather than for the long-term benefit of their nation and the world. Ignored in the rush to develop are scientific, aesthetic, and other values important to the public.

Thirty years ago Congress and President Eisenhower recognized the need to manage our national resources on national forest lands in a manner that would preserve these values. As a result the Muiltiple-Use, Sustained-Yield Act was enacted June 12, 1960. This act requires forest service manager to consider outdoor recreation, range, timber, watershed, wildlife, fish, and wilderness values when making land-use decisions. The act also prescribes the founding principle of sustained yield; that no renewable resource should be exploited be consuming it faster than nature can replenish it.

In short it meant our forest lands would be forever, for everyone.

In order to commemorate, the 30th anniversary of this landmark legislation, I, in behalf of Representatives CAMPBELL, CHANDLER, CRAIG, HANSEN, OBERSTAR, OWENS, SMITH of Oregon, STALLINGS, VUCANOVICH, and STUMP, am introducing a resolution to designate the week of June 10–16, 1990, as "Multiple-Use, Sustained-Yield Act Week."

I urge each of my colleagues to cosponsor and support this opportunity to recognize such a landmark piece of legislation.

FUNDAMENTAL FLAW IN BUSH BUDGET WITH REGARD TO ENVIRONMENT

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, I want to call the House's attention to what I think is a fundamental flaw in the Bush budget with regard to the environment.

Mr. Speaker, I think most of us in this Chamber, are now aware of the problems of the global environment, and the fact is the President alluded to it in, I think, a commendable effort to plant a large number of trees in the next fiscal year.

□ 1250

Unfortunately, the fact is if we want to maintain forests in our Nation, then on a global basis we have to address taking care of those forests that are

now in place. In one breath the President provides additional funding for planting of hundreds of millions or 1 billion new trees. But, in fact, President Bush proposed budget cuts out almost all the money that is necessary to keep the trees that we have, the current forests that we have, healthy. The Bush recommendation for the budget eliminates funds for fire suppression for disease and insect infestation.

In addition to that, the President has cut, eliminated, the very program that the United States provides for tropical forestry research, study, and technical assistance and global forestry, where, in fact, our Nation reaches out and tries to help areas in the world like in Puerto Rico and Brazil and many other nations trying to promote intelligent tropical forestry management for our global environment.

If we are serious about it, Mr. Speaker, I would hope that the Congress would restore those funds and deal with a complete global environmental package by saving the existing forests around the world, and not a fragmented policy which tends to plant seedlings, but that promotes policy which is indifferent or antagonistic to the preservation of both American, and the global forests. Mr. Speaker, we need to make certain that "America the Beautiful" the theme for the President's tree planting initiative is more than a one note tune as we address the budget and our responsibilities.

DEMOCRATS SHOULD LET THE PENTAGON MANAGE ITS SPENDING

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, every American should be offended by the Democratic leadership's decision to block the Secretary of Defense from shifting $770 million to protect military personnel. It is routine, and has been for years, to allow the Pentagon to manage its spending. It is absurd for the Democratic chairman of the Committee on Armed Services to deliberately be putting a block to what is a practical management decision.

The American people expect us to use some common sense in managing the Federal Government. The fact is that the Democrats in Congress impose more and more and more micro management. It becomes harder and harder to run the Federal Government intelligently, and this latest act is not only dumb, but will have a very direct effect on the men and women in our armed services.

I think it is ridiculous that we would make the men and women in the armed services pay because the Democratic leadership in Congress is frustrated.

A GREAT DAY FOR THOSE WHO LOVE DEMOCRACY

(Mr. McEWEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McEWEN. Mr. Speaker, this is an exciting time for those that believe in democracy and freedom. As we know, during the 1984 elections the Sandinistas stole the election. Due to the efforts of the Freedom Fighters, they forced Mr. Ortega to sit down with the other Presidents of Central America and before the klieg lights of international observation to agree to an election.

That is all we wanted. We wanted a fair chance at the ballot box.

Yesterday the foreign minister of the Soviet Union said:

> Regardless of who won, the Nicaraguans made their choice. They voted for peace, for freedom, for democracy, for national reconciliation, and consent for the country's economic revival and for social progress.

Ladies and gentlemen, the Soviet Union said in the headlines in the Washington Post this morning, "Soviets say Nicaragua voted for freedom." To those Freedom Fighters that forced the Sandinistas to agree to an internationally observed election so that their sisters, their grandmothers, their wives, and their aunts could go to the ballot box and vote, as the Soviets said, for freedom, it is a great day for those who love democracy.

ORTEGA SHOULD PARTICIPATE IN A DEMOCRATIC POLITICAL PROCESS

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, I am very worried about Central America, as I think every person of conscience in this body is. I think we have to have as many congressional delegations go down to Nicaragua between now and the inaguration of President Violeta Barrios de Chamorro on the 25th of April as we have had go down there in these past months.

There were eight Members that were blocked from entering Nicaragua to observe the recent elections. Our passports have been sitting over at the Nicaraguan Embassy for the past 3 weeks. They are still there. I am hoping that the new interim government team that is at the Nicaraguan Embassy will be gracious and get us visas so those of us who want to can go down and make sure that there is a smooth transition.

Not every Member in this House has lost an election or had their political dreams abruptly halted. My dream was derailed through gerrymandering in 1982, and I spent 2 years outside of Government, all the time wishing that I could still pursue a full political career. I dusted myself off, moved to a different county, and got reelected for a second 6-year go-around in three 2-years bursts. And I am still going.

Now I am going to go down to Nicaragua and tell President Ortega to dust himself off, participate in the government and political process. Maybe he can make a comeback in 6 years. But I will also tell him that if he ever expects to get back on top, he had better reject his Communist philosophy and convert to a free market message.

Now the reason they do not have a 4- or 5-year Presidency is Ortega's fault. It is the only one of all the eight nations down there, except for Mexico, that has a 6-year Presidency. Obviously Ortega didn't plan on losing.

One last thing, Danny Ortega is going to have to ask his brother Humberto to take off his military uniform and both are going to have to give up their little mini-Pentagon power down there.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 28, 1990.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 6:09 p.m. on Tuesday, February 27, 1990 said to contain a message from the President on the 1990 Trade Policy Agenda and the 1989 Annual Report on the Trade Agreements Program.

With great respect, I am,
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

THE 1990 TRADE POLICY AGENDA AND 1989 ANNUAL REPORT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means.

(For message, see proceedings of the Senate of Tuesday, February 27, 1990, at page S1732.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LEHMAN of California). Pursuant to the provisions of House Resolution 344, the Chair desires to inform Members that the official picture of the House while in session will be taken immediately after the approval of the Journal when the House convenes on Wednesday, March 14, 1990.

RE-REFERRAL OF H.R. 2894, REMOVAL OF LIMITATION ON AMOUNT OF WATER ANNUALLY SUPPLIED TO CITY OF DENISON, TX

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the consideration of the bill, H.R. 2894, and that it be re-referred to the Committee on Public Works and Transportation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1096, PROVIDING FOR USE AND DISTRIBUTION OF FUNDS AWARDED TO SEMINOLE INDIAN TRIBE

Mr. UDALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1096), to provide for the use and distribution of funds awarded the Seminole Indian in dockets 73, 151, and 73-A of the Indian Claims Commission, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. The Speaker will appoint the conferees upon his return to the Chair.

ARIZONA DESERT WILDERNESS ACT OF 1990

The SPEAKER pro tempore. Pursuant to House Resolution 338 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2570.

□ 1257

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2570) to provide for the designation of certain public lands as wilderness in the State of Arizona, with Mr. MAZZOLI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 30 minutes and the gentleman from Arizona [Mr. RHODES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I am very pleased that this bill is here. I yield such time as he may consume to the gentleman from Arizona [Mr. UDALL], the esteemed chairman of the committee and the driving force behind this legislation.

Mr. UDALL. Mr. Chairman, it is a great pleasure today to rise in support of H.R. 2570, the Arizona Desert Wilderness Act. This measure is half of a package of bills aimed at substantially completing the wilderness review process in my State of Arizona. The other half of this package, H.R. 2571, addresses four wildlife refuges in Arizona and is currently before the Merchant Marine and Fisheries Committee.

Today's measure addresses public lands under the jurisdiction of the Bureau of Land Management. For many years, the BLM lands were considered the leftovers, the lands not good enough for the parks, refuges, or forests. But anyone who has experienced these lands knows what a terribly mistaken notion this is. The lands proposed for designation as wilderness include richly varied desert mountains steep canyons, and meandering desert rivers that are literally streams of life. They include lands with a fascinating array of plant life and wildlife habitat, all of which have adapted to the harsh conditions of the desert. Many areas have rich cultural resources that need protection. These, truly, are lands of undisputable national significance.

BLM inventoried more than 2 million acres of its lands for its wilderness review and recommended a little over half for designation as wilderness. As introduced, this legislation proposed about 1.4 million acres of wilderness. Over the course of a year of intensive discussions and negotiations with innumerable individuals and interests in Arizona, a process that involved everyone in the Arizona congressional delegation, we arrived at the compromise that is before the House today.

This bill proposes about 1.1 million acres, just about the figure BLM arrived at. Frankly, we could have had more acreage in this bill, but in the tough bargaining that produced the final compromise, I felt that it was more important to have quality than quantity. All but one of the study areas with major riparian resources are protected by this bill. The largest and most diverse areas are retained and even expanded, such as the Arrastra Mountains. And many of the smaller and more delicate areas are protected as well.

Mr. Chairman, we have made innumerable adjustments to accommodate mining and other commercial interests. We have incorporated language specifying that grazing, where established prior to wilderness designation, may continue in a manner compatible with wilderness, including, where necessary, the use of motorized equipment. We have incorporated language outlining appropriate terms and conditions for the continuation of wildlife management activities in wilderness areas. And perhaps most importantly, we release from wilderness study management about 950,000 acres of BLM lands.

We have extended the creative model of the San Pedro Riparian National Conservation Area to the controversial Gila Box in southeastern Arizona. Probably the single most controversial study area in the BLM inventory, Gila Box was not recommended by BLM but was proposed for wilderness in my bill. The conservation area is not just a compromise providing some less than wilderness level of protection, however. It is a different notion, really. We have established an area for specific purposes, with all uses and activities within the area to be managed in a way that is compatible with and promotes those purposes. Moreover, we have not just replaced a study area with a conservation area, we have expanded it to include other related riparian areas, including Bonita Creek and additional portions of the Gila River. This is a very strong conservation tool. I want to thank Congressman KOLBE for his hard and diligent work on this very important product.

Mr. Chairman, over the long and arduous road that brought us here, we have labored endlessly over mining claims and hunting permits, management plans and cherrystems, water rights, boundaries, and interests of great complexity. We strive to meet the tests that all our acts here strive to meet—of fairness and balance, of reasonableness and common sense, of vision and practicality. I think we have done a good job on those important counts.

But for just a moment today I would like to also lift our thoughts above these matters and touch on what we are really doing here. Mr. Chairman, each generation has its important tasks to complete. The generations of Udalls before me met their challenge to tame the wilderness, to settle it and make it a home for succeeding generations.

But the challenge of our generation is different. We must show ourselves

capable not only of conquering nature but also of caring for it and aware that we are not only masters of our world but also its dependents. It is important that those who come after us know that we cherished these living deserts, their waters and all the life that regenerates itself there season after season, generation after generation. In wilderness, we value that which man did not create and by restraining man's altering hand, we hope to honor this powerful work.

Long after our own footsteps have been forgotten, these places will remain. Their eloquent stillness will bear testimony that we as a people are grateful for our chance to walk upon this Earth and that we have the strength, the courage and the wisdom to leave at least these places as we found them.

□ 1300

Mr. VENTO. Mr. Chairman, I reserve the balance of my time.

Mr. RHODES. Mr. Chairman, I yield myself such time as I may consume.

Mr. RHODES. Mr. Chairman, it has been a long road to get H.R. 2570 on the floor. Before I begin my remarks, I would like to say one thing. It is customary when we reach a point such as this where a delegation is united on legislation that directly impacts the entire State for us to stand here and congratulate each other on the tremendous work we have done, and certainly I would do so and will. But I think it is very appropriate that we take a moment to recognize the fact that without our staffs, both the committee staff, minority and majority, and the personal staff of every Member of the Arizona delegation, both House and Senate, this never would have been accomplished. They have put in literally thousands of hours working on very contentious issues, and I know I speak for all of my colleagues in the delegation in thanking them and also in thanking the staff of the gentleman from Minnesota [Mr. VENTO] and the gentleman from California [Mr. MILLER] for their invaluable assistance in getting us to this point as well.

Mr. Chairman, on balance this is a good bill. It has evolved from a very lengthy, open public process. Virtually every interest group involved has been heard and fully considered by the delegation and by the committee.

H.R. 2570 releases from wilderness study roughly as many acres, almost a million, back to multiple use management as it designates as wilderness, which is about 1.1 million, and that is a pretty good balance. Personally I am an active supporter and will continue to be an active supporter of multiple use management, and the concepts of multiple use management which is why having nearly 1 million acres released from restrictive wilderness study management is important to me, to my constituents, to hunters, to miners, outdoor enthusiasts, ranchers, and thousands of others who enjoy the public use of our lands in the West.

I also recognize that some of the very special and sensitive desert lands and the relatively few desert riparian areas deserve special protection, and that special protection is provided by this bill.

Because this is a consensus bill, there are geographical areas in the bill that many think should have been left out. There are geographical areas not in the bill that I know many think should have been included. I have a special concern about three specific areas that I think I should mention. They include the Gila Box, the Needles Eye, and Upper Burro Creek, and Lower Burro Creek.

First of all as to the Gila Box, difficulties abounded with this particular area, but they were resolved and reconciled by the development of a new riparian national conservation area. I especially want to congratulate my colleague, JIM KOLBE, for the enormous amount of time and effort that he put in, not only in devising this management device, but also in getting consensus agreement as to how to handle this particular area.

□ 1310

This bill designates Upper Burro Creek as a wilderness area, and releases from wilderness management Lower Burro Creek.

My preference would have been to release them both. My basic concern has been with the potential impact the wilderness designation may have on continued operation and expansion and jobs recommended to the nearby Cyprus Bagdad Copper Mine. I want to make it abundantly clear that the language of the committee report and my supplemental views include the proposed expansion of the Cyprus Mine, include and recognize, the proposed expansion of the Cyprus Mine. Our clear intent is that this wilderness designation for Upper Burro Creek will have no adverse impact on the present operation of the mine, nor the proposed expansion of the mine and its related tailing ponds and tailing ties. The continued operation and expansion of the mine is crucial to the town of Bagdad, and to hundreds of Cyprus employees and their families.

Likewise, the report language recognizes and protects the existing water system for the town of Bagdad, and recognizes that it is available for maintenance, for repair, and for expansion when necessary.

I am also concerned about over 6,000 acres private subsurface mineral rights in the Upper Burro area. In my view this amounts to taking of private property rights and should have been excluded, or the area should not have been designated. As for Needle's Eye, this area has a high voltage power line running through it. The power line will be upgraded and replaced in the future, and although statutory language is included to include the existing right-of-way, it should not have been designated.

I am pleased with other important parts of this bill. We have included statutory and report language to protect continued grazing where established prior to the designation, and we have included statutory and report language to allow wildlife and wildlife habitat activities, facilitating and management to be maintained and improved.

The most important issue, and the most difficult issue in coming to this point in this bill has been the issue of water rights. This issue is not over, and I want to emphasize this point. This issue is not over, whether or not there should be a Federal reserve water right for wilderness purposes in Arizona. There should be, and it is recognized in this bill. On that, my colleague from Arizona and I depart from many of our colleagues in this body, and some in the other body, on both sides of the aisle. Nonetheless, I recognize and respect their viewpoints and convictions on this vital issue, and will continue to respect them.

My concern is not with the reserving of the right, but where and in what form these reserve water rights are quantified and adjudicated. It should be done in Arizona, in our courts, and under our system. That has been the focus of our debate.

I am pleased to advise my colleagues that virtually at the very last moment we have been able to reach agreement on this issue. At the appropriate time I will be offering on behalf of all my colleagues in the Arizona delegation, with the exception of the gentleman from Arizona [Mr. STUMP], an amendment which makes a specific reference to our intent that these reserve water rights should be quantified and adjudicated in the courts of the State. This amendment would resolve the existing conflict between bill language and report language regarding the nature of the wilderness water right, and it further asserts that this water language applies to this bill, not to any past or future bills in other States. It is not to be determined or cited as precedent in future legislative consideration. We believe this compromise addresses our concerns in Arizona. We do not expect or intend that this language will address concerns in other western States. That is a matter that will be decided in the future, on a case-by-case and State-by-State basis.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Arizona [Mr. RHODES] has consumed 8 minutes.

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

I rise first to recognize the outstanding job done under the leadership of Chairman UDALL with regard to the Arizona wilderness bill—H.R. 2570. This measure is the first BLM wilderness bill that we have brought before the House. I think the gentleman from Arizona [Mr. UDALL], is blazing a new path in terms of setting policy with regard to these important BLM wilderness measures that will be coming before the Congress for the next decade, dealing with our important public BLM lands. As the chairman said, that too often the BLM areas have been looked upon as lands of little value. The truth is, as we look at these lands now, we recognize the tremendous natural resources, the Sonoran Desert, the Mohave Desert, in the Southwest for example, qualities that persist in many of them, the very unique ecosystem, and the biological diversity that persists, the silent desert, are indeed very special almost magical resources, clearly we have all learned a great deal under the leadership of the gentleman from Arizona [Mr. UDALL], in terms of the value of Arizona. As Members look at the map of reapportionment, we notice that Arizona now has a lot of folks moving to Arizona from other parts of the country. Therefore, I think Chairman UDALL's sales pitch with regard to Arizona as being a very special place is appropriate, and obviously will be recognized by the 1990 Census numbers that will surely emphasize the importance of this special State. These BLM wilderness areas are very special areas, these public lands.

The Chairman mentioned to me that 10 million acres of BLM lands exist in Arizona. This bill, the Arizona desert wilderness bill, seeks to put about 1.1 million of those 10 million into wilderness categories, which means that once designated as wilderness the qualities that make them very special today will be preserved. The bill has introduced, of course, designating 53 separate wilderness areas, 1.4 million acres but through the committee process and the achievement of consensus, that has been reduced to about 39 areas. Actually about 300,000 acres less than the 1.4 million in the initial measure. However, one of these areas that have been so special like the Gila Box have been conserved, through the hard work of the Arizona delegation this will be designated a national conservation area under BLM land management scheme in this subsitute before the House.

Two additional areas that are very important—I was amazed to learn about the quality of these areas in committee—are outlined in the committee report will remain wilderness study areas, which I think will someday be addressed in substantive way for wilderness classification. We are putting off making a decision until a later date for the Baker Canyon area and cactus plain wilderness study areas.

The bill, of course, embodies changes worked out by the subcommittee and the full committee, agreed to by the Arizona delegation. I want to thank the entire Arizona delegation. We, in some cases, agreed to disagree on issues, but I think there has been a good professional working relation with the staff and with the members, especially the gentleman from Arizona [Mr. RHODES], who serves well on our committee and subcommittees of the Committee on Interior and Insular Affairs.

Mr. Chairman, I rise in strong support of this bill.

The Subcommittee on National Parks and Public Lands, which I chair, held all-day hearings on the bill last summer in Phoenix and Lake Havasu City, AZ, and another hearing here in Washington, DC, in September.

The reported bill embodies changes worked out in the subcommittee and full committee and agreed to by the Arizona delegation. The wilderness designations would be reduced to a total of 39 areas, amounting to almost 1.1 million acres in all, while two areas would remain in their present status as wilderness study areas. The reported bill would also designate a new national conservation area, the Gila Box Riparian National Conservation Area, amounting to about 21,000 acres to be managed by BLM in a manner essentially identical to the way the existing San Pedro National Conservation Area, also in Arizona, is managed now.

The rest of the BLM wilderness study areas in Arizona, amounting to some 947,200 acres, would be released from study status and returned to multiple-use management.

The reported bill would more precisely and clearly address the management of wildlife in BLM wilderness, esssentially by affirming BLM's present guidelines; similarly, it affirms existing guidelines for grazing of livestock in those newly-designated areas where that use has been established.

In summary, the reported bill represents a very high degree of balance. It is a good bill, a wilderness bill that protects outstanding resources that rival any elsewhere in the Nation, and does so in a way that recognizes the need for a balanced approach and the importance of continued development of resources on some of the public lands. I am proud to have worked with the chairman to develop it. I think he sets a high mark for others that will propose BLM wilderness bills to this House.

There is one area in which there was not complete agreement among the Arizona delegation and members of the committee when the bill was ordered reported. I refer to the language regarding the process which would be followed for quantification of water and water rights reserved by the bill.

The present language in the bill is quite appropriate in my judgment and all that is needed. But I have been striving to understand my Arizona colleagues' concerns and remain flexible today concerning possible revision, so long as the national interest and essential legal principles of water rights are properly protected—a subject and topic of great concern with regards to public land policy.

Mr. Speaker, I want to join in congratulating the Arizona delegation and especially our esteemed chairman, Mr. UDALL, for their hard work on this bill. I urge its approval by the House.

□ 1320

Mr. Chairman, I reserve the balance of my time,

Mr. RHODES. Mr. Chairman, I yield 8 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I support this bill to designate 39 areas as wilderness to be managed by the Bureau of Land Management. I do so because I believe that the wilderness areas we preserve today will be the areas we most cherish tomorrow.

This bill designates seven wilderness areas totaling 74,000 acres in my district, and releases seven areas from study status, for a total of 70,000 released acres. In addition, and perhaps most important, it designates the 20,000-acre Gila Box Riparian National Conservation Area. This designation is the most appropriate for an area which contains some wilderness qualities, but requires more restorative management to enhance the resource to its potential.

Conservation Area status will provide for preservation of this remarkable approach is the San Pedro Riparian National Conservation Area which was designated by Congress near the end of the 100th Congress. That designation has been a remarkable success. The Bureau of Land Management has made the San Pedro a showcase of intelligence management emphasizing its most outstanding values.

In my statement, I would like to discuss each of the areas being designated for wilderness or conservation, and some of the issues thereto.

GILA BOX

This section represents the most significant compromise achieved in this bill. When this process began, the local communities, ranchers, and the managers of one of the world's largest copper mines stood opposed to designation of the Gila Box as wilderness.

On the other side were hikers, rafters, hunters and a variety of environmentalists who felt that protection was absolutely vital for the area. Some even suggested making the area a national park. It was a situation made to order for protracted conflict and disagreement.

After considering all the issues, I concluded that this most definitely deserved protection, but that wilderness was not the most appropriate management strategy to pursue. I think all of Arizona is united in its appreciation for riparian areas, and the unique vegetation and wildlife that makes its home streamside. Protection of our riparian areas is and should be a statewide priority.

But the kind of intense use this area has seen, its extreme proximity to a huge open copper mine and associated tailings—less than a mile away in some areas—and the type of management the area requires calls for a unique, flexible and restorative kind of management. It is tailor made for conservation area designation, one that requires the area be preserved, protected and enhanced.

There are three issues of particular concern to some of the citizens and businesses in the vicinity of the Gila Box. One is the question of grazing within the conservation area. Report language from the committee identifies the fact that grazing is a long standing historical use within the conservation area. It also notes that allotment management plans currently in place are designed to remove cattle from the streamside habitat along the Gila River and Bonita Creek. These efforts should continue in the name of riparian habitat enhancement. I consider this kind of management, through the use of pumps, watering facilities and fences to be consistent with the bill's requirement for enhancement of the riparian area.

Under these circumstances, with appropriate steps being taken to eliminate grazing in the river bottom, I believe grazing is acceptable and appropriate within the conservation area and for public lands adjacent to the conservation area.

Within the conservation area, the Corps of Engineers has a withdrawal for an authorized flood control dam, called the Camelsback Dam. This dam has a poor cost/benefit ratio, and its certificate of withdrawal is scheduled to expire in 1992. The NCA designation is not intended to deauthorize the dam. If flood control strategies can be found outside of the conservation area to benefit residents in the Gila Valley, then the Camelsback Dam authorization should be considered sufficient authority to provide that flood control.

Finally, the Phelps Dodge Corp. has agreed not to oppose designation of the Gila Box National Conservation Area because of language included in the bill and committee report assuring that their activities outside of the Area would not be restricted or regulated more strictly because of the designation of the NCA. What is in the conservation area is in; and what is out, is out.

Therefore, conservation area regulations should not apply outside of the conservation area. There is no "buffer zone" created by designation of this area. If clean air or clean water laws, on their own, require more strict enforcement of mining activities, so be it. But that regulation should not hinge on the designation or existence of this conservation area.

The Gila Box Riparian National Conservation Area will be a valuable asset to the communities in Graham and Greenlee County. This unique and special designation will provide appropriate protection, but will permit a variety of recreational activities that will be extremely attractive to tourists from the crowded cities, as well as to the residents of more rural parts of Arizona.

WHITE CANYON

The White Canyon Wilderness Area is another site of significant compromise between environmentalists and mining interests. In this case, significant mineral claims lie just adjacent to the wilderness area. Asarco, Inc., negotiated with members of the Arizona Wilderness Coalition and agreed to boundary modifications to give them a greater degree of comfort about the proximity of their mining operation to the wilderness area. Mining just outside the area should not detract from the wilderness qualities within because of the topographical features of the wilderness area.

Committee report language discusses the possibility that the Forest Service should study the wilderness qualities of land immediately to the north of the BLM wilderness area. This area was somehow excluded from study leading up to the RARE II bill of 1984. While we do not require its study in this legislation, we do recommend that a study be undertaken at an appropriate time within the framework of the Forest Service planning schedule.

BLACK ROCK

At the appropriate time in this debate, I will offer an amendment to clarify the rights of private land owners, the land management agencies and the public relative to the Black Rock Wash Road in the San Carlos Apache Indian Reservation. I will reserve my discussion of this designated area until then.

NEEDLE'S EYE

Although the Needle's Eye wilderness lies immediately outside my district, I want to express my concern about how the BLM will manage the area. Bisecting almost the entire area is an old power line serving the town of San Carlos in the San Carlos Apache Indian Reservation. That right of way is owned by the Bureau of Indian Affairs and is permanent. Yesterday, I introduced legislation to divest the Federal Government of the San Carlos Indian Irrigation project, which operates and maintains this power line. Upon enactment, the Arizona Public Service Co. will take title to the line.

An upgrade of this line is of extreme importance. Most of the area where the power line crosses is inaccessible by motorized vehicle anyway. When the upgrade takes place, helicopters will be used, consistent with the Wilderness Act's minimum tool requirement.

It should be made clear that transfer of title of this line to APS should not effect the right of way. There really is no effective way to move or relocate the line. The Bureau of Land Management declared this area as suitable for wilderness despite the power line, because of its antique condition. Therefore, this act should not be construed as preventing this right-of-way from being renewed.

WATER RIGHTS

For the last several years, Congress—and more importantly, the courts—have been wrestling with the issue of Federal water rights in wilderness areas. Language to be offered today by Mr. KYL, Mr. RHODES, and Chairman UDALL will successfully identify the rights of the States to adjudicate Federal water rights under State law and State procedures.

The doctrine of "first in time, first in right" is important to protect. It offers certainty to water users throughout the State, and preempts severe conflicts that would take place if newer rights were to impinge on historical uses.

The Rhodes-Kyl amendment ensures that State procedures will apply to Federal reserved rights within wilderness areas. The wilderness areas we designate will not suffer as a result. The Federal Government has shown that it can and will aggressively pursue wilderness water rights within State court.

For the sake of the rule of law, the prevention of chaos and the orderly disposition of water priority, the Rhodes-Kyl amendment deserves the support of the House.

Representative RHODES, KYL, and Chairman UDALL deserve a great deal of credit for finding a satisfactory resolution to this extremely complicated and technical question.

CONCLUSION

This wilderness bill was built upon the efforts of many—not just seven members of the House and Senate and their staffs. Ranchers, conservationists, miners, local elected officials,

hunters—to name only a few—were involved at every step and at every turn in this process. The final product represents to the extent possible a consensus. A perfect consensus was, regrettably, not achieved in the final analysis. While I regret this failure, I believe all points of view were fairly considered in this legislation.

Wilderness debates are difficult, because they focus on values as much as they focus on facts. That's why it's easy for reasonable people to disagree about the appropriateness of wilderness designation in specific areas.

It's up to elected representatives to make such difficult judgments based on the information available. Some difficult decisions have been made here—some unpopular decisions as well, I imagine. But all in all, this bill is positive for the State and the Nation.

It's not just a matter of local pride when I say that Arizona has some of the most beautiful areas in the country. We have more national parks and monuments than any other State in the Nation. We also have more Riparian National Conservation Areas than any other State in the Nation. And, by the time the 101st Congress comes to an end, we will have the first statewide BLM wilderness bill enacted into law.

Mr. VENTO. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MILLER], who is the chairman of the Subcommittee on Water, Power and Offshore Energy Resources of the Committee on Interior and Insular Affairs. Let me say here that I want to thank the gentleman from California for his assistance in working on this bill, especially with reference to the water language.

Mr. MILLER of California. Mr. Chairman, I would like to extend my compliments to Chairman UDALL and the members of the Arizona delegation in putting together the Arizona Desert Wilderness Act. I can appreciate the long hours and hard work that went into this bill.

In particular, I would like to say that I appreciate the hard work and difficult decisions that Chairman UDALL, Mr. RHODES, and Mr. KYL had to make to reach an agreement on the water rights language that is being offered here today.

My understanding of the language in the amendments is that: There is an express reservation of water to the Federal Government sufficient to fulfill the purposes of the wilderness areas set aside by this bill; the Secretary of the Interior is directed to take all those steps necessary to protect the reserved water rights; and one of the steps the Secretary would take would be to file a claim in an appropriate stream adjudication in the Arizona State courts to quantify those claims.

This language does not amend the McCarren Act. This language does not prevent the Secretary from going to the Federal courts to protect the Federal reserved water rights, as the Secretary may do today, should that action be necessary.

The language of the amendments reflects our expectation that the Secretary will seek to quantify the reserved water for the areas protected by this bill in an appropriate stream adjudication in the Arizona State courts. I understand that there are several major stream adjudications, covering about 90 percent of the streams in Arizona, already underway. The Federal Government has been joined in these adjudications and that is the forum where the reserved water rights for much of the area covered by this bill is likely to be quantified. There appears to be only two major areas, included in wilderness in this bill, which is not part of a stream adjudication already. It is my expectation that this area will be part of a stream adjudication at a later date and that the Secretary will participate in that adjudication.

Again, I would like to compliment Chairman UDALL and his colleagues from Arizona for their hard work and their willingness to make the compromises necessary to develop this water rights language.

□ 1330

Mr. RHODES. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. CRAIG].

Mr. CRAIG. Mr. Chairman, I oppose the creation by Congress of a Federal reserved water right for wilderness. H.R. 2570 does just that.

Water is the lifeblood of the West, vital to our economy and way of life. We have fought hard over the years to maintain State preeminence, and it's good to see our efforts have met with at least some success.

In Idaho and the West, be believe water belongs to the States and that water issues should be resolved in State jurisdictions.

In an ideal world, States and their representatives in Congress could remain silent, knowing that States rights would remain States rights, and that outside forces would not intrude. Unfortunately, those days have passed.

Today we must fight for States' water rights at every level. We must not only confront an intrusive Federal Government, but also overactive courts and the legal system.

The Colorado decision of 1985, Sierra versus Block, asserted Federal water claims. And that decision was augmented by still other decisions diluting our States' positions and assuming greater Federal control.

To confuse things further, a court in New Mexico has concluded the opposite of the Colorado decision.

The courts have placed a huge cloud over water rights, creating an atmosphere of uncertainty. As a result, to remain silent is to risk the complete loss of State control.

Legislation that creates Federal wilderness must expressly state that such a designation does not establish a Federal water right. This is a matter Idaho's two Senators and I have brought to Congress time and time again.

A failure to explicitly state the intent of legislation on water rights can lead to the courts deciding what water rights are created—it can lead to the creation of an implied water right for wilderness.

As a Representative from Idaho, I cannot let that happen.

It is my duty to take out an insurance policy against the intrusion of the courts and the Federal Government into a States rights issue. And, together with Senator JIM MCCLURE, I'll continue to do so.

In Idaho, water is a matter of States rights. It has always been and always will be. We must not allow the Federal Government or courts to decide how a State manages its waters.

In addition, we should not be creating wilderness areas before the BLM makes its final recommendations concerning wilderness study areas. To do so would be to deny Congress the benefit of that organization's information and guidance.

Because the legislation before us today creates a Federal water right and for the aforementioned reason, I must oppose H.R. 2570.

Mr. VENTO. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Utah [Mr. OWENS].

Mr. OWENS of Utah. Mr. Chairman, I rise with genuine pleasure to support this important legislation and to commend the gentleman from Arizona [Mr. UDALL] and the Arizona delegation for bringing it forward. It is significant legislation, and it has been artfully crafted. It is a tribute to Chairman UDALL that this legislation is in its current condition. This is the man who is, perhaps, respected as much or more than anyone in the Congress on environmental and wilderness issues, and I commend him especially for the attainment of this important legislation today.

Mr. Chairman, I have in a small way been involved in the process which gave rise to the Arizona Desert Wilderness Act. Last year I traveled to Arizona to assist the gentleman from Minnesota [Mr. VENTO] at his request to help chair hearings in which the merits of protecting this land was debated. We had more than 150 witnesses on one day. The result of this equitable process is a fair bill which would designate 1.1 million acres of Bureau of Land Management land as

wilderness. It will allow 60 million acres to remain as wilderness study areas and to establish a national conservation area as well.

Mr. Chairman, wilderness is precious and limited. Man cannot create it. He can only protect it or destroy it. Wilderness cannot defend itself; only wise laws and wise government can. What we fail to protect now will ultimately lose its true character forever.

Mr. Chairman, we have protected some of our national forests as wilderness, but little of our desert lands. This act will serve to set aside a portion of our arid lands to preserve their beautiful and irreplaceable scenic treasures. It will also stop the destructure of wildlife habitat, rare plants, and archeological resources caused by marginal economic exploitation and offroad vehicles.

Mr. Chairman, I have spent a great deal of time studying the issues of protecting wild desert lands as a result of my own efforts to save 5.1 million acres of BLM lands in my own State. As we must protect the portion of the high desert ecosystem of the Colorado Plateau in Utah, we should also protect some of the Sonoran Desert of Arizona. This act will serve that latter goal very well.

Twenty-five years ago, Mr. Chairman, people such as the gentleman from Arizona [Mr. UDALL] had the foresight to create the wilderness preservation system. It is time now to implement that act to protect the totally natural character of some of our remaining desert lands, and that is what this bill today will accomplish.

Mr. RHODES. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I, too, rise in support of the addition of this important wilderness to the State of Arizona or in the State of Arizona. This is a bill about the future, and I think it is important that we lay these lands aside for future generations to enjoy, much as we have enjoyed the wonderful wilderness and lands in the State of Arizona in the past.

With respect to the water rights which are a very important part of this bill, we are doing two very critical things. One, we are designating reserved water rights to accompany this wilderness, which I think is critical to the preservation of the wilderness as we know it. Second, because we have very good proceedings for adjudicating water rights in the State of Arizona pursuant to State law, we are saying that the quantification of these wilderness water rights, these reserved water rights, should be in the State courts of Arizona, and we will be requesting approval of an amendment which specifically provides for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarren amendment.

The point of this, Mr. Chairman, is to ensure that the State court proceedings in which most of the water rights are currently being adjudicated in the State of Arizona will be the forum in which these water rights will be adjudicated as well. Under the McCarran amendment generally there is an option for the Federal Government to litigate reserved rights either in Federal or State courts. We are not upsetting that option in any other cases. We are saying in this case that we, the Congress, being the people who create this water right, are exercising the option of going into the State courts if there are proceedings there in which the Federal Government is or may be joined as a party and which are conducted in accordance with the principles of the McCarran amendment.

Mr. Chairman, we believe this is the best way to ensure that all of the rights are adjudicated vis-a-vis each other, that there will not be duplicative proceedings. We anticipate that there could be a situation in which the Federal Government needed to go into Federal court for the protection of water rights and for some other reason in some other way not to quantify the water rights, and that right would certainly continue to exist for the Federal Government, but for the quantification of the rights, that would be done in the State court proceedings under our proposed amendment.

With all of those thoughts in mind, Mr. Chairman, this is a bill which we are all proud to support, and I urge my colleagues to support it.

□ 1340

Mr. RHODES. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I simply rise briefly to express my concern about the principle of the expressed reservation of water rights as set forth in this particular piece of legislation. I certainly recognize the hard work that has gone into it, the recognition of the problem; but the concept of State appropriation of water is vital to our arid Western States, and I must rise in opposition to the notion of an expressed reservation. Even though it does refer to the State appropriation process for the development of the volume question, I am afraid that over the years we will simply go to court and say that water rights have been expressly reserved and that in fact the courts will then set that volume amount.

Therefore, Mr. Chairman, I rise in opposition.

Mr. RHODES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding me this time.

I rise to speak regarding H.R. 2570, not because I pretend to be an expert in the problems of Arizona, but because of the precedents in this bill that relate to developing and establishing wilderness in other Western States. My district involves territory that will be subject to the California Wilderness bill. You could easily place five Eastern States in my congressional district and yet a relatively small group of people are trying to decide how much wilderness should be accommodated there.

In our case, the Congress felt the issue was so important that we established a process whereby a public commission met for several years to hear all the parties involved. We spent $8 million over 4 years doing that. At the end of it, a very few people decided to walk away from the public process and develop their own desert wilderness bill behind closed doors.

In this case, at least the delegation has been negotiating in a prolonged and bipartisan way.

I must say, I do have serious reservations about the water language that is a part of this bill.

On the other hand, I am rather pleased that this bill does set three positive precedents which should be followed as we fashion a California bill. First, it returns 950,000 acres to multiple use.

Second, it allows for the upgrade and expansion of utility corridors. Third, it recognizes the 1964 Wilderness Act's preservation of grazing rights where they do exist. These precedents should be maintained and held over, if you will, as preconditions for passage of the California bill.

Having said that, my greatest concern now about this bill is that an accommodation has not been made that is acceptable to the Arizona Member that has 75 percent of the land, and that individual, of course, is my colleague, the gentleman from Arizona [Mr. STUMP].

Indeed, items that affect Members' individual districts dramatically and directly should be settled to that Member's satisfaction before we move such bills out to the House floor.

Mr. RHODES. Mr. Chairman, I yield 5 minutes to my colleague, the gentleman from Arizona [Mr. STUMP].

Mr. STUMP. Mr. Chairman, I thank my colleague for yielding this time to me.

I would like to express special thanks to my colleague, the gentleman from Arizona [Mr. RHODES], a member of the committee. I would also like to tell Chairman UDALL how much I ap-

preciate his having hearings in Arizona last year to accommodate us, and I appreciate the efforts of my colleagues in the Arizona delegation to try to resolve the question of wilderness designations.

However, Mr. Chairman, I must rise in strong opposition to H.R. 2570, the Arizona Desert Wilderness Act. Almost 75 percent of the 1.1 million acres of public lands being designated to the wilderness system by this bill are located in my district. This bill does not represent a reasonable balance between the multiple use of our public resources and environmental concerns.

It is no secret that I am a strong multiple use advocate. Yet I recognize that there are unique lands in our State which could be added to the wilderness system. However, wilderness advocates would have you believe that the designation of 1.1 million acres of BLM lands as wilderness represents the only opportunity to save these lands, and that the lands are incapable of being managed otherwise in a responsible manner. Wilderness designations may, in fact, remove the flexibility necessary to manage public resources in a way which preserves and enhances the land for the future.

When we designate wilderness areas, we are not just preserving those lands for future generations, but we are in fact telling future generations that we do not trust them to make the right decisions on how to best use and manage public resources.

We also cannot ignore our responsibility to the present. At a time when Arizona's economy is in need of new stimulation, it makes no sense to me to impose additional constraints on new and needed economic development.

Specifically, the inclusion of two areas in this bill illustrate my point, and generally, the inclusion of lands which have been determined to hold moderate to high mineral potential cannot be ignored for Arizona's future or the future of this country. With regard to mineral potentials, not all of the lands which have been considered or will be designated by this bill have been inventoried for mineral potential. In addition, it should be noted today in Arizona, there already exists more than 2 million acres in wilderness, there are 2.5 million acres of National Park lands, and another 2.5 million acres of wildlife refuges, effectively precluding mineral entry in 7 million acres, not to mention the multitude of lands included in the half-dozen or so military installations in Arizona.

An area upon which no conclusion could be reached is the 57,800 acres of the Cactus Plain Wilderness Study Area. One of the factors why its status could not be resolved, and it will remain classified as a wilderness study area, is the proximity of the new townsite for the town of Parker. The town is located in La Paz County, a county of 4,400 square miles, in which only 141,000 acres is privately owned—the remainder being public lands, wildlife refuges, a military installation, State lands, and Indian reservation.

Immediately adjacent to Cactus Plains, and a separate unit only by virtue of a concrete-lined portion of the Central Arizona Project water canal, is an area called East Cactus Plains which is being designated wilderness. The quality of the lands in East Cactus Plains have far more value as wilderness than those in Cactus Plains.

But aside from the questionable wilderness values of Cactus Plains, it is inevitable that the area will see a tremendous growth of residential and commercial development, including an airport facility. There is no doubt but that the encroachment of development will be an adverse pressure on managing Cactus Plain as a wilderness area. The town is currently surrounded on all sides by an Indian reservation, and the new townside offers the opportunity for growth and economic development. The potential of the new townsite being bounded by the reservation on the west and a wilderness area on the east leaves little optimism for growth. The ability of the BLM to manage the area as wilderness under such encroachment must be considered, as should the opportunities for those who will be in the immediate vicinity to use the area for a variety of recreation purposes.

The inclusion of the Upper Burro Creek Wilderness Area also troubles me. Included in the 27,390 acre area are 6,400 acres of private, subsurface mineral rights owned by Santa Fe Minerals. While Santa Fe has over the last few years negotiated the exchange of more than 140,000 acres of subsurface mineral rights to clear the way for the designation of 8 wilderness areas included in this bill, and the Havasu National Wildlife Refuge included in H.R. 2571, the inclusion of Upper Burro Creek will force the company to look toward yet another exchange rather than be encumbered with the difficulties of developing their holdings in a wilderness area.

Further, Upper Burro Creek is within a mile or so of an existing copper mine, owned by Cyprus Minerals. That mine contributes more than 620 jobs and in 1989, generated about $2 million in tax revenue to the economy of the area and the State. The designation of Upper Burro Creek will undoubtedly have an adverse impact on the operation of the mine, and can only throw the future expansion of the mining operation into serious doubt.

In an overzealous effort to protect public lands from human intrusion, we are too often sacrificing the historical use of lands by a public which deserves consideration in their use and access to public resources. Mr. Chairman, Arizona is the sixth largest State in the Union—with more than 113,000 square miles and over 72 million acres. Yet, only 18 percent of the State is privately owned. Consequently, every decision we make regarding public resources is extremely critical.

While we heard and responded to some of the concerns which have been expressed by those Arizonans who are directly affected by the decisions in this bill, I do not believe that this bill is in the best interest of Arizona's future.

Mr. Chairman, I urge my colleagues to take a hard look at the contents and the consequences of this bill, and to vote no.

Mr. RHODES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I simply would like to say in closing that I and all my colleagues do appreciate the efforts of the gentleman from Arizona [Mr. STUMP]. We recognize his concerns. He and his staff worked just as hard as anybody else on this issue.

Mr. Chairman, I yield back the balance of my time.

Mr. VENTO. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time has expired

Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered as an original bill for the purpose of amendment, and each section shall be considered as having been read.

The Clerk will designate section 1.

Mr. VENTO. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arizona Desert Wilderness Act of 1990".

SEC. 2. WILDERNESS DESIGNATION AND MANAGEMENT.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act, the following public lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in Mohave County, Arizona, which comprise approximately 23,600 acres, as generally depicted on a map entitled "Mount Wilson Wilderness" and dated February 1990, and which shall be known as the Mount Wilson Wilderness.

(2) Certain lands in Mohave County, Arizona, which comprise approximately 31,070 acres, as generally depicted on a map entitled "Mount Tipton Wilderness" and dated February 1990, and which shall be known as the Mount Tipton Wilderness.

(3) Certain lands in Mohave County, Arizona, which comprise approximately 27,530 acres, as generally depicted on a map entitled "Mount Nutt Wilderness" and dated February 1990, and which shall be known as the Mount Nutt Wilderness.

(4) Certain lands in Mohave County, Arizona, which comprise approximately 76,600 acres, as generally depicted on a map entitled "Warm Springs Wilderness" and dated February 1990, and which shall be known as the Warm Springs Wilderness.

(5) Certain lands in Mohave County, Arizona, which comprise approximately 15,900 acres, as generally depicted on a map entitled "Aubrey Peak Wilderness" and dated February 1990, and which shall be known as the Aubrey Peak Wilderness.

(6) Certain lands in La Paz County, Arizona, which comprise approximately 14,630 acres, as generally depicted on a map entitled "East Cactus Plain Wilderness" and dated February 1990, and which shall be known as the East Cactus Plain Wilderness.

(7) Certain lands in Mohave and Yavapai Counties, Arizona, which comprise approximately 41,600 acres, as generally depicted on a map entitled "Rawhide Mountains Wilderness" and dated February 1990, and which shall be known as the Rawhide Mountains Wilderness.

(8) Certain lands in Mohave, Yavapai, and La Paz Counties, Arizona, which comprise approximately 129,525 acres, as generally depicted on a map entitled "Arrastra Mountain Wilderness" and dated February 1990, and which shall be known as the Arrastra Mountain Wilderness.

(9) Certain lands in La Paz County, Arizona, which comprise approximately 25,287 acres, as generally depicted on a map entitled "Harcuvar Mountains Wilderness" and dated February 1990, and which shall be known as the Harcuvar Mountains Wilderness.

(10) Certain lands in La Paz and Maricopa Counties, Arizona, which comprise approximately 22,865 acres, as generally depicted on a map entitled "Harquahala Mountains Wilderness" and dated February 1990, and which shall be known as the Harquahala Mountains Wilderness.

(11) Certain lands in Maricopa County, Arizona, which comprise approximately 20,600 acres, as generally depicted on a map entitled "Big Horn Mountains Wilderness" and dated February 1990, and which shall be known as the Big Horn Mountains Wilderness.

(12) Certain lands in Maricopa County, Arizona, which comprise approximately 30,170 acres, as generally depicted on a map entitled "Hummingbird Springs Wilderness" and dated February 1990, and which shall be known as the Hummingbird Springs Wilderness.

(13) Certain lands in La Paz, Yuma, and Maricopa Counties, Arizona, which comprise approximately 94,100 acres, as generally depicted on a map entitled "Eagletail Mountains Wilderness" and dated February 1990, and which shall be known as the Eagletail Mountains Wilderness.

(14) Certain lands in Maricopa County, Arizona, which comprise approximately 15,250 acres, as generally depicted on a map entitled "Signal Mountain Wilderness" and dated February 1990, and which shall be known as the Signal Mountains Wilderness.

(15) Certain lands in Maricopa County, Arizona, which comprise approximately 61,000 acres, as generally depicted on a map entitled "Woolsey Peak Wilderness" and dated February 1990, and which shall be known as the Woolsey Peak Wilderness.

(16) Certain lands in Maricopa County, Arizona, which comprise approximately 14,500 acres, as generally depicted on a map entitled "Sierra Estrella Wilderness" and dated February 1990, and which shall be known as the Sierra Estrella Wilderness.

(17) Certain lands in Maricopa and Pinal Counties, Arizona, which comprise approximately 34,400 acres, as generally depicted on a map entitled "Table Top Wilderness" and dated February 1990, and which shall be known as the Table Top Wilderness.

(18) Certain lands in Pima County, Arizona, which comprise approximately 5,080 acres, as generally depicted on a map entitled "Coyote Mountains Wilderness" and dated February 1990, and which shall be known as the Coyote Mountains Wilderness.

(19) Certain lands in Pima County, Arizona, which comprise approximately 2,065 acres, as generally depicted on a map entitled "Baboquivari Peak Wilderness" and dated February 1990, and which shall be known as the Baboquivari Peak Wilderness.

(20) Certain lands in Gila County, Arizona, which comprise approximately 9,201 acres, as generally depicted on a map entitled "Needle's Eye Wilderness" and dated February 1990, and which shall be known as the Needle's Eye Wilderness. The right-of-way reserved by right-of-way reservation A-16043 dated October 20, 1986, together with the right of ingress and egress thereto, shall not be affected by this Act, and the existing powerline utilizing such right-of-way may be operated, maintained, and upgraded, subject to reasonable requirements to protect wilderness values.

(21) Certain lands in Graham County, Arizona, which comprise approximately 6,590 acres, as generally depicted on a map entitled "North Santa Teresa Wilderness" and dated February 1990, and which shall be known as the North Santa Teresa Wilderness.

(22) Certain lands in Graham County, Arizona, which comprise approximately 10,883 acres, as generally depicted on a map entitled "Fishhooks Wilderness" and dated February 1990, and which shall be known as the Fishhooks Wilderness.

(23) Certain lands in Cochise County, Arizona, which comprise approximately 11,998 acres, as generally depicted on a map entitled "Dos Cabezas Mountains Wilderness" and dated February 1990, and which shall be known as the Dos Cabezas Mountains Wilderness.

(24) Certain lands in Graham County, Arizona, which comprise approximately 6,600 acres, as generally depicted on a map entitled "Redfield Canyon Wilderness" and dated February 1990, and which shall be known as the Redfield Canyon Wilderness.

(25) Certain lands in La Paz County, Arizona, which comprise approximately 18,805 acres, as generally depicted on a map entitled "Gibraltar Mountain Wilderness" and dated February 1990, and which shall be known as the Gibraltar Mountain Wilderness.

(26) Certain lands in La Paz County, Arizona, which comprise approximately 15,755 acres, as generally depicted on a map entitled "Swansea Wilderness" and dated February 1990, and which shall be known as the Swansea Wilderness.

(27) Certain lands in La Paz County, Arizona, which comprise approximately 29,095 acres, as generally depicted on a map entitled "Trigo Mountain Wilderness" and dated February 1990, and which shall be known as the Trigo Mountain Wilderness.

(28) Certain lands in Yuma County, Arizona, which comprise approximately 8,855 acres, as generally depicted on a map entitled "Muggins Mountain Wilderness" and dated February 1990, and which shall be known as the Muggins Mountain Wilderness.

(29) Certain lands in Yavapai and Maricopa Counties, Arizona, which comprise approximately 9,200 acres, as generally depicted on a map entitled "Hells Canyon Wilderness" and dated February 1990, and which shall be known as the Hells Canyon Wilderness.

(30) Certain lands in Maricopa County, Arizona, which comprise approximately 63,600 acres, as generally depicted on a map entitled "North Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the North Maricopa Mountains Wilderness.

(31) Certain lands in Maricopa County, Arizona, which comprise approximately 72,004 acres, as generally depicted on a map entitled "South Maricopa Mountains Wilderness" and dated February 1990, and which shall be known as the South Maricopa Mountains Wilderness.

(32) Certain lands in Mohave County, Arizona, which comprise approximately 38,400 acres, as generally depicted on a map entitled "Wabayuma Peak Wilderness" and dated February 1990, and which shall be known as the Wabayuma Peak Wilderness.

(33) Certain lands in Mohave County, Arizona, which comprise approximately 27,390 acres, as generally depicted on a map entitled "Upper Burro Creek Wilderness" and dated February 1990, and which shall be known as the Upper Burro Creek Wilderness.

(34) Certain lands in Yavapai County, Arizona, which comprise approximately 11,840 acres, as generally depicted on a map entitled "Hassayampa River Canyon Wilderness" and dated February 1990, and which shall be known as the Hassayampa River Canyon Wilderness.

(35) Certain lands in Pinal County, Arizona, which comprise approximately 5,800 acres, as generally depicted on a map entitled "White Canyon Wilderness" and dated February 1990, and which shall be known as the White Canyon Wilderness.

(36) Certain lands in Mohave County, Arizona, which comprise approximately 8,700 acres, as generally depicted on a map entitled "Tres Alamos Wilderness" and dated February 1990, and which shall be known as the Tres Alamos Wilderness.

(37) Certain lands in Cochise County, Arizona, which comprise approximately 19,650 acres, as generally depicted on a map entitled "Peloncillo Mountains Wilderness" and dated February 1990, and which shall be known as the Peloncillo Mountains Wilderness.

(38) Certain lands in Yuma County, Arizona, which comprise approximately 21,860 acres, as generally depicted on a map entitled "New Water Mountains Wilderness" and dated February 1990, and which shall be known as the New Water Mountains Wilderness.

(39) Certain lands in Gila and Graham Counties, Arizona, which comprise approximately 12,711 acres, as generally depicted on a map entitled "Aravaipa Wilderness Additions" and dated February 1990, and which

shall be added to and managed as part of Aravaipa Wilderness.

(b) MANAGEMENT.—Subject to valid existing rights, the wilderness area designated by this Act shall be administered by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior.

(d) NO BUFFER ZONES.—The Congress does not intend for designation of wilderness area in the State of Arizona to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e) FISH AND WILDLIFE.—As provided in paragraph (7) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to wildlife and fish on the public lands located in that State.

(f) LIVESTOCK.—(1) Grazing of livestock in wilderness areas designated by this Act, where established prior to the date of the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101-405).

(2) The Secretary is directed to review all policies, practices, and regulations of the Bureau of Land Management regarding livestock grazing in Bureau of Land Management Wilderness areas in Arizona in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this Act.

(g) WATER.—With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be the date of enactment of this Act. The Secretary of the Interior shall file a claim for the quantification of such rights in an appropriate stream adjudication, and shall take all steps necessary to protect such rights in such an adjudication. The Federal water rights reserved by this Act shall be in addition to any water rights which may have been previously reserved or obtained by the United States for other than wilderness purposes.

(h) WILDLIFE MANAGEMENT.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas, where consistent with relevant wilderness management plans, in accordance with appropriate policies and guidelines such as those set forth in appendix B of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101-).

SEC. 3. CONGRESSIONAL FINDING.

Excepting for the Baker Canyon area (AZ-040-070), and the approximately 57,800 acres of public land as generally depicted on a map entitled "Cactus Plain Wilderness Study Area" dated February, 1990, the Congress hereby finds and directs that all public lands in Arizona, administered by the Bureau of Land Management pursuant to the Federal Land Policy and Management Act of 1976 not designated as wilderness by this Act, or previous Acts of Congress, have been adequately studied for wilderness designation pursuant to section 603 of such Act and are no longer subject to the requirement of section 603(c) of such Act pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

SEC. 4. GILA BOX RIPARIAN NATIONAL CONSERVATION AREA.

(a) PURPOSES.—In order to conserve, protect, and enhance the riparian and associated areas described in subsection (b) and the aquatic, wildlife, archeological, paleontological, scientific, cultural, recreational, educational, scenic, and other resources and values of such areas, there is hereby established the Gila Box Riparian National Conservation Area (hereafter in this section referred to as the "conservation area").

(b) AREAS INCLUDED.—The conservation area shall consist of the public lands generally depicted on a map entitled "Gila Box Riparian National Conservation Area" dated February 1990, and comprising approximately 20,900 acres.

(c) MAP.—As soon as practicable after the date of enactment of this Act, a map and legal description of the conservation area shall be filed by the Secretary with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Such map shall have the same force and effect as if included in this section. Copies of such map shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Interior, and in appropriate office of the Bureau of Land Management in Arizona.

(d) MANAGEMENT OF CONSERVATION AREA.—(1) The Secretary shall manage the conservation area in a manner that conserves, protects, and enhances its resources and values (including the resources and values specified in subsection (a)), pursuant to the Federal Land Policy and Management Act of 1976 and other applicable law, including this section.

(2) The Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established. Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles in the conservation area shall be permitted only on roads specifically designated for such use as part of the management plan prepared pursuant to this section.

(e) WITHDRAWAL AND WATER.—(1) Subject to valid existing rights, all Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

(2) Congress hereby reserves a quantity of water sufficient to fulfill the purposes (as specified in subsection (a)) for which the conservation area is established. The priority date of this reserved right shall be the date of enactment of this Act. The Secretary shall file a claim for the quantification of this right in an appropriate stream adjudication, and shall take all steps necessary to protect such right in such adjudication. The Federal water right reserved by this paragraph shall be in addition to any other water rights reserved or obtained by the United States.

(f) MANAGEMENT PLAN.—(1) No later than two years after the date of enactment of this Act, the Secretary shall develop a comprehensive plan for the long-term management of the conservation area in order to fulfill the purposes for which the conservation area is established. The management plan shall be developed with full public participation and shall include provisions designed to assure protection of the resources and values (including the resources and values specified in subsection (a)) of the conservation area. For the purposes of this section, the term "management plan" means the plan developed under this subsection.

(2) The management plan shall include a discussion of the desirability of the inclusion in the conservation area of additional lands, including the lands not in Federal ownership that are contiguous to the boundary of the conservation area (as depicted on the map referenced in subsection (b) or as hereafter adjusted pursuant to subsection (g)) and within the area extending two miles on either side of the centerline of Eagle Creek from the point where Eagle Creek crosses the southern boundary of the Apache National Forest to the confluence of Eagle Creek with the Gila River (this area is hereafter referred to in this section as the "Eagle Creek riparian area").

(3) In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate State and local agencies pursuant to section 307(b) of the Federal Land Policy and Management Act of 1976.

(4) In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, and other characteristics, resources, and values of the conservation area, pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976.

(g) ACQUISITION AND BOUNDARY ADJUSTMENTS.—(1) The Secretary is authorized to acquire non-Federal lands or interests therein within the boundaries of the conservation system unit or within the Eagle Creek riparian area.

(2) The Secretary is authorized to adjust the boundaries of the conservation area so as to incorporate within the conservation area any lands or interests within the Eagle

Creek riparian area that may be acquired after the date of enactment of this Act as well as public lands within that portion of the Eagle Creek riparian area west of the centerline of Eagle Creek that the Secretary finds appropriate in order to properly manage such acquired lands as part of the conservation area. Any lands or interests so incorporated shall be managed as part of the conservation area.

(3) No lands or interests therein owned by the State of Arizona or any political subdivision of such State shall be acquired pursuant to this subsection except through donation or exchange, and no lands or interests within the conservation area or the Eagle Creek riparian area shall be acquired from any other party or entity except by donation, exchange, or purchase with the consent of the owner of such lands or interests.

(h) NO BUFFER ZONES, AND SO FORTH.—The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area not permitted in the conservation area shall not preclude such activities or uses up to the boundary of the conservation area to the extent consistent with other applicable law.

(i) ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee to advise the Secretary with respect to the preparation and implementation of the management plan. Such advisory committee shall consist of seven members appointed by the Secretary. One member shall be appointed from nominations supplied by the Governor of Arizona and one member each shall be appointed from nominations supplied by the supervisors of Graham and Greenlee Counties, respectively. The remaining members shall be persons with recognized backgrounds in wildlife conservation, riparian ecology, archeology, paleontology, or other disciplines directly related to the purposes for which the conservation area is established.

(j) REPORT.—No later than five years after the date of enactment of this Act, and at least each ten years thereafter, the Secretary shall report to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the implementation of this section, the condition of the resources and values of the conservation area, and the progress of the Secretary in achieving the purposes for which the conservation area is established.

(k) ENFORCEMENT.—Any person who violates any regulation promulgated by the Secretary to implement this section shall be subject to a fine in accordance with applicable provisions of the Sentencing Reform Act of 1984 (18 U.S.C. 3572) or to imprisonment for at least six months but no more than one year, or both such fine and imprisonment.

(l) AUTHORIZATION.—There are hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this section.

AMENDMENTS OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer a series of technical amendments, which have been cleared with the minority.

The Clerk read as follows:

Amendments offered by Mr. VENTO:

Page 2, line 22, change "76,600" to "90,600".

Page 3, line 11, change "Yavapai" to "La Paz".

Page 3, line 19, change "129,525" to "126,760".

Page 4, line 24, change "94,100" to "89,000".

Page 9, line 2, change "72,004" to "60,800".

Page 9, line 12, change "Mohave" to "Yavapai".

Page 10, line 3, change "Mohave" to "Yavapai".

Page 10, line 14, change "Yuma" to "La Paz".

Page 10, line 15, change "21,860" to "21,680".

Page 13, line 21, change "H. Rept. 101–" insert "405".

Page 13, line 22, change "CONGRESSIONAL FINDING." to "AREAS RELEASED.".

Page 16, line 18, change "reserved" to "which may have been previously reserved".

Page 19, line 1, strike ", AND SO FORTH".

Page 19, line 5, change "not" to "that would not be".

Page 19, line 7, after "activities or uses" insert "on such lands".

Mr. VENTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc, considered as read, and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, these are simply technical amendments in nature. As I said, they have already been cleared with the minority. They correct some typographical errors in the committee substitute, revise some section headings, revise acreages to reflect the recalculations made by the Bureau of Land Management and make similar technical changes. I know of no objection to them and I urge their adoption.

I would be happy to yield to the manager on the part of the minority, if he wishes, for concurrence in my technical amendments.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Arizona.

Mr. RHODES. I thank the gentleman for yielding to me.

Mr. Chairman, we have reviewed the technical amendments. We agree with them, and we have no objection to them.

Mr. VENTO. Mr. Chairman, I appreciate the gentleman's comments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Minnesota [Mr. VENTO].

The amendments were agreed to.

□ 1350

AMENDMENTS OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. KOLBE: Page 6, after line 24, insert the following: "The Secretary of the Interior, acting through the Bureau of Indian Affairs, shall administer that portion of the Black Rock Wash Road located within the boundaries of the San Carlos Apache Reservation so as to allow reasonable use of the road for private and administrative purposes and may permit limited public use of such road for the purpose of access to the public lands outside the reservation boundary.".

Page 13, after line 21, insert the following:

(i) AMENDMENT.—Section 101(a)(23) of the Arizona Wilderness Act of 1984 (98 Stat. 1487) is amended by striking "the governmental agency having jurisdictional authority may authorize limited access to the area, for private and administrative purposes, from U.S. Route 70 along Black Rock Wash to the vicinity of Black Rock;".

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. KOLBE. Mr. Chairman, the intent of this amendment is to clarify rights and uses along a road which passes through the San Carlos Indian Reservation on its way from U.S. Route 70 to several ranches and the North Santa Theresa Wilderness Area. This amendment should resolve longstanding questions which have put the private landowners, the tribe and the land management agencies in a perpetual state of potential conflict.

This amendment clarifies that the administration of the road is the responsibility of the Secretary of the Interior, working through the Bureau of Indian Affairs. This ensures that decisions will be made with utmost sensitivity to the needs of the San Carlos Apache Tribe, as well as the ranchers who live between the reservation and the wilderness, and the land management agencies and public visitors.

There is some question extant about whether the Black Rock Wash Road, where it passes through the reservation, is a tribal road or a public road. This amendment does not attempt to answer that question. Emotions run too high, and the stakes are too great for that kind of confrontation to be joined here. Rather, within that uncertainty, this amendment endeavors to establish a structure and a process which will meet the needs of all concerned parties.

The San Carlos Apaches have legitimate concerns about the possibility that increased public access along the Black Rock Wash Road could lead to increased vandalization, looting of cultural resources, or other criminal activities. They assert that their law enforcement capabilities in this remote area require the implementation of a permit system so that they can keep

tabs on those who enter their reservation.

This system is not to be applied to the private landowners whose only access to their land is through the reservation. At this time, these families are not required to obtain permits. Based on recognition, the tribal authorities allow these non-Indian families to proceed to their homes and to their grazing allotments. Those that are not recognized are stopped.

However, this is a haphazard system which creates tensions and uncertainties. I intend to convene a meeting with the tribal chairman of the San Carlos Apaches, and to include the Bureau of Land Management, the Forest Service, and the private landowners, to see if this system can be refined and coordinated.

Many members of the public will no doubt want to visit the new North Santa Theresa Wilderness, and the adjacent Santa Theresa Wilderness designated in the 1984 Arizona RARE II Act. Such visits should not be denied, but they can be managed through a permit system that is flexible and accessible. Such a permit system will serve to protect both the San Carlos Apache's and the ranchers in the area.

This permit system should not be extended to the ranchers themselves. They have the right to all reasonable access they may desire so they can carry out their daily activities. Working together with the tribe, they can ensure that problems along the road are reported and repaired. The potential for mutual cooperation and assistance between the tribe and the ranchers is great.

If the designation of wilderness is responsible for increased traffic along Black Rock Wash Road, I am prepared to advocate increased appropriations for the San Carlos Apaches for both law enforcement and maintenance. Funds for these activities are authorized under the Snyder Act, and not by the Arizona Desert Wilderness Act of 1990.

Mr. Chairman, I offer this amendment in an attempt to make the designation of the North Santa Theresa Wilderness a constructive vehicle for resolving longstanding frictions. I ask for the support of the House membership in this effort so that the rights of the tribe, the private inholders, the land management agencies and the public will be clear.

Mr. VENTO. Mr. Chairman, I rise in support of the amendments en bloc.

Mr. Chairman, just briefly, I want to rise in support.

I have consulted with the chairman, the gentleman from Arizona [Mr. UDALL], on this amendment. Obviously the amendments en bloc repeal a section of the law that was written in the Wilderness Act of 1984, and it further goes on to direct the Secretary of the Interior to provide, and to try to resolve these access problem for private inholders, for public land management purposes, and for some public use with regard to access to the wilderness.

This amendment, we think, is necessary and feel that it is appropriate to place in the bill so that we can resolve this particular issue in Arizona.

We look forward to working with the gentleman as the administrative procedure emanates from this legislative direction.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Arizona [Mr. KOLBE].

The amendments were agreed to.

AMENDMENTS OFFERED BY MR. RHODES

Mr. RHODES. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. RHODES: Page 13, strike lines 1 through 11 and in lieu thereof insert the following:

"(g) WATER.—(1) With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be the date of enactment of this Act.

"(2) The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the rights reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment, 43 U.S.C. 666."

"(3) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before the date of enactment of this Act."

"(4) The federal water rights reserved by this Act are specific to the wilderness areas and national conservation area located in the State of Arizona designated by this Act. Nothing in this Act related to reserved federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto." Page 16, strike lines 10 through 19 in their entirety and in lieu thereof insert the following:

"(2)(A) Congress hereby reserves a quantity of water sufficient to fulfill the purposes (as specified in subsection (a)) for which the conservation area is established. The priority date of this reserved right shall be the date of enactment of this Act.

"(B) The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the right reserved by this paragraph, including the filing by the Secretary of a claim for the quantification of such right in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment, 43 U.S.C. 666."

Mr. RHODES (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES. Mr. Chairman, let me say for the record that this amendment is cosponsored by myself, the gentleman from Arizona [Mr. KYL], the gentleman from Arizona [Mr. KOLBE], the gentleman from Arizona [Mr. UDALL], and the gentleman from Minnesota [Mr. VENTO].

As I mentioned in my remarks during general debate, this issue concerning water rights and the adjudication of water rights has been the most difficult for us to resolve during our negotiations on the bill. There has been honest disagreement on both sides as to just exactly how this issue should be addressed. Again, let me reiterate that the question is not the existence of a Federal reserve water right. That has always been in the bill. It has always been agreed to by all parties to this debate. That is not the issue.

The issue is how, where, and when should that right be quantified and adjudicated. Our concern has been the forum in which those rights should be determined. It has been our concern that they be done in Arizona, that they be adjudicated in the Arizona courts under the Arizona system.

This amendment, which is now agreed to by all those who have been engaged in this debate, speaks to those concerns raised by those of us from Arizona worried about this particular issue, and I particularly want to thank my colleague, the gentleman from Arizona [Mr. KYL], for the work he put in on helping us to be able to come to closure on this issue.

The amendment makes specific reference to our intention that these reserve water rights should be quantified and adjudicated in the courts of the State. The amendment resolves the conflict between existing bill language and existing report language regarding the nature of the wilderness water right.

I need to elaborate on that briefly. These wilderness water rights will not necessarily be greater than any existing Federal water rights which the United States may have acquired for any other purposes. That will be determined in the State quantification process, and in any case, no existing Federal water rights are intended to be relinquished or diminished in any way under this amendment.

This language was supported by the State of Arizona, specifically by the Arizona Department of Water Resources.

Finally, the amendment asserts that the water language applies to this bill, the Arizona Bureau of Land Management Wilderness bill, and not to any past or future wilderness bills in any other State. It is our firm belief that these issues related to water should be resolved on a State-by-State basis as each State's BLM and Forest Service wilderness bills are brought to the floor of this House for consideration. We have no intention, no intention, that the solution to this problem that we have found for our State should be imposed upon any other State. We believe the compromise addresses our concerns for Arizona.

As I have just said, we do not expect that they will address or resolve concerns in other States.

Mr. Chairman, at this point, I would like to engage the chairman, the gentleman from Minnesota [Mr. VENTO], in a colloquy with respect to these amendments and certain portions of them.

Mr. Chairman, is it your understanding that in order to quantify the Federal reserved water rights being created, the Secretary of the Interior would file a claim in an appropriate stream adjudication in the courts of the State of Arizona?

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. The McCarran amendment allows the United States to be joined as a defendant in a general stream adjudication in State courts. It is my expectation that when the United States is so joined, that the Secretary will participate under the McCarran amendment to adjudicate the Federal reserve water rights created by H.R. 2570 in the Arizona State court system.

Mr. RHODES. Although the Secretary retains the right to file in the Federal district court in cases in which the United States is not joined, would the amended bill require that he file there?

Mr. VENTO. No. The amendments do not amend the McCarran amendment, so neither the State court option nor the Federal court option would be mandated. However, with regard to the Federal reserve rights being created for wilderness areas in Arizona, we expect that the Secretary act to quantify such rights through the State system, when afforded an appropriate opportunity to do so consistent with the McCarran amendment.

□ 1400

Mr. RHODES. Does the gentleman anticipate a filing by the Secretary in Federal district court with respect to the Gila or Little Colorado River systems?

Mr. VENTO. We have been informed that the pending State adjudications of the Gila and Little Colorado River systems presumably may serve as the appropriate forum for quantification of the rights reserved by the bill related to those systems. Further, it is my understanding that if the Secretary were to file for claims on those systems in the Federal district court, the proceedings would probably be removed to State court.

Mr. RHODES. Does the gentleman or the committee anticipate a filing by the Secretary in Federal district court with respect to the Federal reserved rights being created on the Bill Williams River?

Mr. VENTO. No State adjudication is currently pending for the Bill Williams. The committee does not intend to prompt a premature adjudication on the Bill Williams, as was noted in the committee's report. Based on what we know now, we do expect that the Secretary would more than likely file for quantification of rights in a future Bill Williams adjudication in the courts of the State of Arizona at the appropriate time.

Mr. RHODES. Mr. Chairman, I thank the gentleman for his participation. I would remind the Committee of the Whole and the House that this has been a hard fought amendment. We are pleased to be joined in it by our colleagues. I would urge its adoption.

Mr. UDALL. Mr. Chairman, I move to strike the requisite number of words. Before we wind up tonight, I want to respond to the compliments that have been showered upon me. I want to return the compliments, especially to my colleague, the gentleman from Arizona [Mr. RHODES]. The gentleman has been almost an instant leader since he came to the committee. He is responsible, long suffering, innovative, and just a genuine good legislator.

The gentleman could have ducked the issue. He could have sabotaged what was going on here at several points. But, working with the gentlemen from Arizona, Mr. STUMP, Mr. KOLBE, and Mr. KYL, they have a lot to be proud of. I think Arizona in looking back will have to say this is one of the finest hours of our congressional delegation.

Mr. Chairman, I support this amendment. I join in the colloquy, which has accurately stated my position.

Mr. Chairman, I am extremely pleased that we have been able to arrive at an understanding on this very important matter. The issue of Federal reserved water rights for wilderness areas created by this act is without doubt among the most hotly contested and complex of the many issues we have faced in this legislation.

Over the past several months, there have been very detailed discussions between myself, my colleagues in the Arizona delegation and the relevant subcommittee chairmen. We have learned a great deal in the course of those discussions, which led directly to the agreement now before us. I believe this amendment is an important and appropriate clarification of the language previously agreed to by the Interior Committee.

Those concerned that the water rights reserved by H.R. 2570 be adjudicated and quantified in Arizona State courts under Arizona water law can expect that they will be. At the same time, we have left the McCarran amendment fully intact and protected the ability of the United States to defend its rights in appropriate court proceedings.

I want to associate myself entirely with the colloquy that has just been entered into regarding the meaning and intent of the amendment and say that I share their interpretation.

Mr. Chairman, I want to commend Mr. RHODES, Mr. KYL, Mr. MILLER, and Mr. VENTO for the diligent and patient work on this amendment. It is important work and I am pleased to support it.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendments en bloc and have joined as an author of it myself with Chairman UDALL. These amendments would revise the language in the bill dealing with the reservation of water rights. The first amendment would apply to the water rights reserved with respect to the 39 wilderness areas designated by the bill, and also would state that nothing in the bill should be construed as a relinquishment of any other Federal water rights in Arizona.

The second amendment is similar, but relates specifically to the reservation of a water right related to the Gila Box Riparian National Conservation Area that would be established by section 4 of the bill.

Mr. Chairman, these amendments would require the Secretary of the Interior and all other officials of the National Government to take whatever steps may be necessary to protect the water rights that would be reserved by the bill. One of those steps would be the filing of claims for the quantification of the amounts of water reserved by the bill, in any present or future appropriate stream adjudication in the Arizona courts in which the United States is joined under the McCarran amendment, and which is conducted in accordance with that provision of existing law.

As a practical matter, Mr. Chairman, that is exactly what we would expect would happen in any event, whether or not this language is included in the bill. In fact, the committee has been told that about 90 percent of the streams in Arizona are already the subject of State adjudications, and after enactment of this bill the water rights reserved by the bill will be added to the matters dealt with in those proceedings. And, for the major

river system not now in adjudication, the Bill Williams River, the major concern of the State, as explained to us, is that adjudication not occur too soon. Neither the bill as reported nor these amendments would require that. This is explained in detail in the committee's report, and that discussion will remain applicable after adoption of the amendments.

Still, Mr. Chairman, I support the amendments because it seems appropriate to include their explicit reference to State stream adjudications.

At the same time, the amendments would leave intact the existing law and practice in this area, specifically the McCarran amendment, which provides the basis for concurrent Federal and State court jurisdiction over adjudication of Federal water rights. This is a most important point, because I am convinced that this existing law is sound and works well, not only in Arizona but in other States as well.

The existing law is not "broken," Mr. Chairman, and so Congress should not be "fixing" it in the context of this bill.

As to the part of the amendments that disclaim any intent to relinquish any existing Federal water rights, that is really only a rewording of what is now in the bill. I believe that the bill as it stands means and accomplishes the same thing, but the gentleman from Arizona [Mr. RHODES], and others have raised questions about it, and prefer the rewording included in the amendments. I believe that the effect is exactly the same, and so I support the rewordings.

So, Mr. Chairman, to summarize, these amendments would leave existing law, including the McCarran amendment intact. They would not change the jurisdiction of the Federal courts. They would not reduce the procedural options now available to officials of the national government to protect the rights of the United States or to enforce or implement such Federal laws as the Endangered Species Act. They would not require quantification in State courts. However, they would accurately reflect a congressional expectation that these the Federal reserved water rights will presumably be quantified in the State courts of Arizona in adjudications in which the United States has been joined under the provisions of the McCarran amendment.

Thus, Mr. Chairman, these amendments en bloc maintain the same careful, sound balance between Federal and State judicial jursidiction and procedures as reflected in the McCarran amendment and other existing law and practice.

The amendments deserve the strong approval of the House and I urge their adoption.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Arizona [Mr. RHODES].

The amendments were agreed to.

Are there any further amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLIPPO) having assumed the chair, Mr. MAZZOLI, Chairman of the Committee of the Whole House on the State of the Union, reported that Committee, having had under consideration the bill (H.R. 2570), to provide for the designation of certain public lands as wilderness in the State of Arizona, pursuant to House Resolution 338, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. VENTO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 356, nays 45, not voting 30, as follows:

[Roll No. 18]

YEAS—356

Ackerman	Billrakis	Carper
Akaka	Bliley	Carr
Alexander	Boehlert	Chandler
Anderson	Boggs	Chapman
Annunzio	Bonior	Clarke
Applegate	Borski	Clay
Archer	Bosco	Clement
Aspin	Boucher	Clinger
Atkins	Boxer	Coleman (MO)
Baker	Brennan	Coleman (TX)
Ballenger	Brooks	Collins
Barnard	Broomfield	Condit
Bartlett	Browder	Conte
Bateman	Brown (CA)	Conyers
Bates	Bruce	Cooper
Bellenson	Bryant	Costello
Bennett	Buechner	Coughlin
Bentley	Bunning	Courter
Bereuter	Bustamante	Cox
Berman	Callahan	Coyne
Bevill	Campbell (CA)	Crockett
Bilbray	Cardin	Darden
Davis	Kleczka	Regula
de la Garza	Kolbe	Rhodes
DeFazio	Kostmayer	Richardson
DeWine	Kyl	Ridge
Dickinson	LaFalce	Rinaldo
Dicks	Lagomarsino	Ritter
Dingell	Lancaster	Roe
Dixon	Lantos	Rohrabacher
Donnelly	Laughlin	Ros-Lehtinen
Dorgan (ND)	Leach (IA)	Rose
Douglas	Lehman (CA)	Rostenkowski
Downey	Lehman (FL)	Roth
Dreier	Lent	Roukema
Duncan	Levin (MI)	Rowland (CT)
Durbin	Lewis (GA)	Rowland (GA)
Dwyer	Lightfoot	Roybal
Dymally	Lipinski	Russo
Dyson	Livingston	Sabo
Early	Lloyd	Saiki
Eckart	Long	Sangmeister
Edwards (CA)	Lowey (NY)	Sarpalius
Engel	Luken, Thomas	Savage
English	Lukens, Donald	Sawyer
Erdreich	Machtley	Saxton
Espy	Madigan	Scheuer
Evans	Markey	Schiff
Fascell	Martin (NY)	Schneider
Fawell	Martinez	Schroeder
Feighan	Matsui	Schuette
Fish	Mavroules	Schulze
Flake	Mazzoli	Schumer
Flippo	McCloskey	Sensenbrenner
Foglietta	McCollum	Sharp
Frank	McCurdy	Shaw
Frenzel	McDade	Shays
Frost	McDermott	Sikorski
Gallegly	McEwen	Sisisky
Gaydos	McGrath	Skaggs
Gejdenson	McHugh	Slattery
Gephardt	McMillan (NC)	Slaughter (NY)
Geren	McMillen (MD)	Slaughter (VA)
Gibbons	McNulty	Smith (IA)
Gillmor	Meyers	Smith (NE)
Gilman	Mfume	Smith (NJ)
Gingrich	Miller (CA)	Smith (TX)
Glickman	Miller (OH)	Smith (VT)
Gonzalez	Miller (WA)	Smith, Robert (NH)
Goodling	Mineta	Snowe
Gordon	Moakley	Solomon
Goss	Mollohan	Spence
Gradison	Moody	Spratt
Grandy	Moorhead	Staggers
Grant	Morella	Stangeland
Green	Morrison (CT)	Stark
Guarini	Morrison (WA)	Stearns
Gunderson	Mrazek	Stokes
Hall (OH)	Murphy	Studds
Hamilton	Murtha	Swift
Harris	Myers	Synar
Hastert	Nagle	Tallon
Hatcher	Natcher	Tanner
Hawkins	Neal (MA)	Tauke
Hayes (IL)	Neal (NC)	Tauzin
Hayes (LA)	Nowak	Taylor
Hefley	Oakar	Thomas (GA)
Hefner	Oberstar	Torres
Henry	Obey	Torricelli
Hertel	Olin	Towns
Hiler	Ortiz	Traficant
Hoagland	Owens (NY)	Traxler
Hochbrueckner	Owens (UT)	Udall
Holloway	Oxley	Unsoeld
Hopkins	Packard	Upton
Horton	Pallone	Valentine
Hoyer	Panetta	Vander Jagt
Hubbard	Parker	Vento
Huckaby	Pashayan	Visclosky
Hughes	Patterson	Volkmer
Hutto	Paxon	Walgren
Inhofe	Payne (NJ)	Walker
Ireland	Payne (VA)	Walsh
Jacobs	Pease	Watkins
James	Pelosi	Waxman
Jenkins	Penny	Weber
Johnson (CT)	Perkins	Weiss
Johnson (SD)	Petri	Weldon
Johnston	Pickett	Whitten
Jones (GA)	Pickle	Williams
Jones (NC)	Porter	Wilson
Jontz	Poshard	Wise
Kanjorski	Price	Wolf
Kaptur	Pursell	Wyden
Kasich	Quillen	Wylie
Kastenmeier	Rahall	Yatron
Kennedy	Rangel	Young (AK)
Kennelly	Ravenel	Young (FL)
Kildee	Ray	

NAYS—45

Armey	Hammerschmidt	Shuster
Barton	Hancock	Skeen
Brown (CO)	Hansen	Skelton
Burton	Herger	Smith, Denny (OR)
Campbell (CO)	Hunter	Smith, Robert (OR)
Coble	Leath (TX)	Stallings
Combest	Lewis (CA)	Stenholm
Craig	Marlenee	Stump
Crane	McCandless	Sundquist
Dannemeyer	Montgomery	Thomas (CA)
DeLay	Nielson	Thomas (WY)
Dornan (CA)	Roberts	Vucanovich
Emerson	Robinson	Whittaker
Fields	Rogers	
Gekas	Schaefer	
Hall (TX)	Shumway	

NOT VOTING—30

Andrews	Gallo	McCrery
Anthony	Gray	Michel
AuCoin	Houghton	Nelson
Byron	Hyde	Parris
Dellums	Kolter	Smith (FL)
Derrick	Levine (CA)	Solarz
Edwards (OK)	Lewis (FL)	Washington
Fazio	Lowery (CA)	Wheat
Ford (MI)	Manton	Wolpe
Ford (TN)	Martin (IL)	Yates

□ 1433

Messrs. STANGELAND, GALLEGLY, MORRISON of Washington, YOUNG of Alaska, and WAXMAN, changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2570, ARIZONA DESERT WILDERNESS ACT OF 1990

Mr. VENTO. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical, conforming and grammatical corrections in the engrossment of H.R. 2570, Arizona Desert Wilderness Act of 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material on H.R. 2570, the bill just passed.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PERSONAL EXPLANATION

Mr. NELSON of Florida. Mr. Speaker, had I been present, I would have voted "aye" on rollcall No. 18.

LEGISLATIVE BUSINESS

(Mr. GINGRICH asked and was given permission to address the House for 1 minute.)

Mr. GINGRICH. Mr. Speaker, I ask for this time for the purpose of receiving the schedule for the rest of the day and for next week.

Mr. Speaker, I yield to my friend, the majority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

The House has finished its business for the day. There will be no legislative business on tomorrow, March 1. The House will not be in session on Friday, March 2.

On Monday, March 5, the House will meet at noon, but again, no legislative business. Tuesday, March 6, the House will meet at noon to consider six bills under suspension, first,

H.R. 4077, regarding Farmers Home Administration delinquent loans and inventory.

H.R. 4099, to suspend section 332 of the Agricultural Adjustment Act of 1938 for the 1991 crop of wheat.

H.R. 1159, to amend the National Trails System Act by designating the Juan Bautista de Anza National Historic Trail.

H.R. 1109, California National Historic Trail and Pony Express National Trail.

H.R. 1243, requiring the Secretary of Energy to establish three Centers for Metal Casting Competitiveness Research.

H. Res. 17, to provide for the concurrence of the House to the amendments of the Senate to H.R. 1396, with an amendment.

On Wednesday, March 7, and Thursday, March 8, the House will meet at 10 a.m.

On March 7, the House will recess immediately and reconvene at 11 a.m. to receive His Excellency, the President of the Council of Ministers of the Italian Republic, Mr. Giulio Andreotti, in a joint meeting. Following the joint meeting, the House will reconvene for legislative business.

The House meets at 11 a.m. on Thursday, March 8, and legislative business will be H.R. 1231, to establish a Commission To Investigate and Report Respecting the Dispute Between Eastern Airlines and Its Collective Bargaining Units (veto override; 1 hour debate), and H.R. 3581, Rural Economic Development Act (subject to a rule).

On Friday, March 9, the House will not be in session.

On Tuesday, March 6, as I said, there will be six suspension bills. The votes will be held until after all of the suspensions have been considered. We will have votes on that day.

Mr. GINGRICH. Let me ask a couple of questions: Does the gentleman know, will the majority be appointing conferees on the TV violence bill, H.R. 1391?

Mr. GEPHARDT. If the gentleman will yield, we will be, but not this week. It will be sometime soon in the future.

Mr. GINGRICH. So, sometime after the week of the 6th?

Mr. GEPHARDT. It will not be next week. It will be sometime after that.

Mr. GINGRICH. Second, when will we have an anticipated vote schedule for the rest of March for Members who are trying to figure out when they will go back and forth to their districts?

Mr. GEPHARDT. We will provide for Members a March calendar before this week is out, either tomorrow or the next day. Most likely, tomorrow.

Mr. GINGRICH. Lastly, I noticed with some concern this morning, the fall in the durable goods order for January, and that brings Members back to the question of a tax bill, and the capital gains proposal by the President, or a modified version thereof.

Do you have any notion at this time as to when Members might expect the Committee on Ways and Means to be reporting such a bill?

Mr. GEPHARDT. As the gentleman knows, there is a capital gains bill in the Senate at this time. We will be proceeding on the budget, and our reconciliation, and obviously, tax and revenue measures in that context as well. Therefore, I believe there will be ample opportunities in the near future for Members of both sides to consider questions on the Tax Code.

Mr. GINGRICH. I only raised it because I think there is some very real concern about the danger of the economy sliding into recession, and we are looking, frankly, for some legitimate ways to accelerate economic growth. I appreciate the knowledge that we will, between the budget and other things, be getting on to that.

□ 1440

ADJOURNMENT FROM THURSDAY, MARCH 1, 1990, TO MONDAY, MARCH 5, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that then the House adjourns on Thursday, March 1, 1990, it adjourn to meet at noon on Monday, March 5, 1990.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednes-

day rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, MARCH 7, 1990

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, March 6, 1990, it adjourn to meet at 10 a.m. on Wednesday, March 7, 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REPEAL THE EARNINGS TEST

(Mr. DONALD E. "BUZ" LUKENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous material.)

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, I rise once again to encourage my colleagues to join in repealing the Social Security earnings test limit by passing H.R. 2460, introduced by our colleague, Representative DENNIS HASTERT, of Illinois, and already sponsored by 174 of our Members.

In the past 6 months the world has witnessed the creation of new freedom in Eastern Europe and now Nicaragua. It's about time this body created some new freedom from oppressive tax laws. If any law which imposes a 50-percent tax on any person, but especially a senior citizen, that law is unfair, oppressive and must be discarded. Let us abolish this unfair tax.

Abolishing this tax will be good for seniors, national productivity, and our entire economy. Restoring freedom from the Social Security earnings tax will be beneficial to the American economy and will increase the productivity of our most talented and experienced labor resource—our senior citizens.

[From the Dayton Daily, Sept. 20, 1989]

SENIORS' CRY: PRODUCTIVE LIVES AFTER 65

(By Joan Beck)

CHICAGO.—Generational jealousy is growing. Complaints are multiplying that the nation's workers can no longer afford to support its elderly in the style to which they now feel entitled. The urgent needs of millions of poor children go unmet while affluent seniors clutch benefits they don't need.

Why should the able-bodied elderly idle away their energies in the sunshine when everyone else has to work so hard?

The question makes increasing sense. The 65-and-older set is healthier than ever before. Life expectancy is increasing. Demographics and economic realities will eventually force bitterly resented cutbacks in Social Security and Medicare promises.

Why not rethink the traditional life-and work stages and spread work more evenly over the adult years? Why not ease some of the frantic pressures of career and family on young adults and extend the years of productivity and earning into what can now be two decades or more of retirement?

These should be logical questions for this nation to consider in the decades ahead. And adventuresome people should be encouraged to try some life style experiments that would help find necessary answers. Instead, they are stopped cold by brutal tax policies that lock most of the elderly into idleness.

Two small cases suggest the problem; a 67-year-old man and a 65-year-old woman.

He wasn't ready to retire, he decided, after he'd tried it. He had too much energy to be satisfied with golf, yard work and television. He needed the mental stimulation of a job. He had employable skills. And a few more years of salary would ease his worries about running out of money before he ran out of life.

Forget it, his accountant told him. You can't afford to do more than a little part-time work. A retiree between ages 65 and 70 earns more than $8,880 a year—in essence a 50 percent marginal tax rate. Add on the 28 percent federal income tax, state income taxes, the new Medicare catastrophic coverage surtax and the Social Security taxes workers must pay even if they are 65. What's the point of working?

She isn't ready to retire, either. She hadn't held a job for 15 years while she put family needs first. Then, at 45, she'd caught the first surge in the changing opportunities for women and with energy and exhilaration earned success in a career she loves.

Now she is 65, making more money than she ever expected, her sense of identity and self-esteem so rooted in her job she can't bear to give it up. Her employer wants her to stay. But to keep working is a financially silly choice.

First, she is losing all the Social Security benefits she has paid for and could get at 65: $10,788 a year. Yet she still must pay Social Security, an annual $3,604. She's not getting the pension she could have from her employer if she retired: $19,800.

On top of that, she still has commuting and other job expenses. And she must pay federal income taxes in the 28 percent bracket on her salary, plus $800 for the Medicare Catastrophic Coverage Act, although she uses her employer's health insurance plan and has not yet signed up for Medicare.

Now she's trying to calculate whether the psychological satisfactions she gets from her job are worth the money they are costing her.

Recently, the National Center for Policy Analysis released a new study showing that Congress could begin to correct this complex problem by raising the earnings limitations for seniors and still increase federal revenues by as much as $3.2 billion a year.

If the earnings limitations were completely abolished and elderly retirees didn't have to pay a penalty for working, about 700,000 more of them would take paying jobs, the report estimates. They would produce at least $15 billion in goods and services. That would boost federal tax revenues by $4.9 billion and more than make up for the $4.8 billion the government would pay in extra Social Security benefits.

Congress is already committed to taking one small step toward reducing the penalties on the working elderly. It is raising the limitations on earnings to $9,360 in 1990 and to $10,440 in 1991. It is also cutting the penalty on earnings over this ceiling to 33 percent instead of the current 50 percent. If the ceiling were $39,360, the federal government would net $3.2 billion, the new study calculates.

When Social Security was first set up during the Depression, one purpose was to push older workers out of the labor force to make room for unemployed younger people. That may not be desirable in the 1990s. And it may not be affordable after that.

A move is under way in Congress to abolish the earnings penalty completely on seniors who are 65 or older. At least 138 members of the House have signed on as cosponsors of the proposed legislation, pushed by the House Republican Research Committee.

A single bill won't solve the complex problems of Social Security or create a happy balance among generational interests. But it will begin to free up people financially to experiment with new solutions and to lead more productive lives after 65.

"HEAL"—HEALTHCARE EMPOWERMENT AND ACCESS LEGISLATION

(Mr. GRANDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. GRANDY. Mr. Speaker, with the 21st century fast approaching, it is clear that a workable blueprint for health-care reform is necessary if we are to lower the cost of health care for those with coverage and widen access to those less fortunate.

Numerous studies and congressional hearings document that a rising number of Americans lack basic health care coverage. It is estimated that between 31 to 37 million Americans have no health insurance coverage at all, either public or private. The price of health care is skyrocketing for those with health coverage at a rate nearly three times the rate of inflation. Meanwhile, the United States is continuing to devote nearly 12 percent of its GNP or $650 billion per year to health care costs.

Today I am hearing a consensus among all interested parties—employers, employee organizations, consumers, health care providers, and policymakers from all ranks. These individuals are saying true health-care reform must take place and deal with the problems of access, cost, and quality. The consensus is that these issues must be placed high on our national agenda. It is in this spirit that my colleagues, Congressmen WILLIAM F. GOODLING, JIM BUNNING, and I have introduced a legislative framework to help "HEAL" these pressing problems.

In shorthand, my bill (H.R. 4070) can be described as "Healthcare Empowerment and Access Legislation," the [HEAL] bill. "HEAL" provides incentives for private and public-private partnership arrangements to be established to simultaneously address the issues of access to health care coverage and the affordability of

such coverage, with an emphasis on improving health care quality.

"HEAL" offers 100 percent tax deductibility of contributions for the self-employed and their employees, preemption of State health benefit mandates, and incentives for small businesses to group together and offer soundly financed multiemployer health plans. Additionally, H.R. 4070 provides for outcomes research to educate consumers who purchase health care. This information would be used to create treatment practice guidelines that would work to reduce unnecessary services and malpractice costs.

The key to this approach is flexibility. Local government is given an opportunity to build on current successes. Ideas come from the bottom up. Upfront mandates are not passed from Washington, DC, down.

While actual policy will likely not be voted on for a few years, I firmly believe we are framing the debate on this important issue in the 101st Congress. The reason for the "HEAL" bill is to assure that discussion allows for workable solutions from the private sector. H.R. 4070 provides a framework for discussion—an effort that will require input and responsibility from all sectors, expecially employers, employees, insurers, providers, patients, Federal, State, and local government.

The "HEAL" bill is tailored to provide incentives to make health care more affordable and accessible, without heavy handed Government controls. As we renew our efforts to form a national health care strategy, I ask each Member of this body to give the H.R. 4070, "HEAL" bill, their strong consideration.

HEALTHCARE EMPOWERMENT AND ACCESS LEGISLATION [HEAL] BLUEPRINT FOR HEALTHCARE COVERAGE REFORM

With the twenty-first century fast approaching, it is clear that a workable blueprint for healthcare reform is necessary, if in the near future our Nation is to adequately address the interrelated problem of healthcare access, costs, and quality.

The problems have been well-documented in numerous studies and Congressional hearings—the rising number of Americans who lack basic health care coverage, now estimated at between 31 and 37 million individuals; the escalating costs of such coverage, especially for small businesses; the increasing structural barriers to obtaining basic coverage, e.g. because of the lack of affordability, of job mobility, of uninsurability, of pre-existing conditions, of occupational denial, and otherwise; the inability to properly evaluate the relationship of health care quality and costs; and other related concerns involving "cost-shifting", etc.

It is the consensus among all interested parties—employers, employee organizations, and other consumers; providers of healthcare services and group plan coverage; policymakers from all ranks; etc.—that these are problems deserving of being afforded a place among other national priorities. It is in this spirit that my colleagues, Rep. William F. Goodling, Rep. Jim Bunning, and I have introduced a legislative framework to help "HEAL" these pressing problems.

In shorthand, my bill (H.R. 4070) can be described as Healthcare Empowerment and Access Legislation, or "HEAL". The bill provides incentives for private and/or public-private partnership arrangements to be established to simultaneously address the issues of access to health care coverage and the affordability of such coverage, with an emphasis on improving health care quality.

To avoid the initial demand-push inflation inherent under other proposals, the bill first puts into effect various affordability and health care cost control measures.

The "HEAL" blueprint utilizes a "carrot and stick" approach to induce the development and implementation of private sector mechanisms to provide for the universal availability of health care coverage (i.e., for all citizens who do not have access to basic group health coverage and who are uninsurable or uninsured). To the extent the private sector "carrot" under Section 4 of the bill is not implemented within a fixed period of elapsed-time, a state-based "fall-back" mechanism would be triggered.

The affordability of coverage will be enhanced under the bill in several ways. First, the required universal availability of group health coverage would spread risk and help lower expenses—because employees must be offered access to employer based group health coverage; because Basic Group Health coverage must be available to other uninsured and COBRA eligibles, that is state systems may provide COBRA coverage; and because barriers would be removed and 501(c)(9) tax incentives provided to encourage soundly financed multiple employer Basic Group Health Plans.

Secondly, the ERISA preemption of state health benefit mandates under the bill will encourage insurers to offer more affordable group plans to uninsured employers.

Thirdly, the ERISA preemption of state barriers to managed care options under the bill will encourage competition, innovation of cost-control approaches, and quality review.

Fourthly, the provisions under this bill for treatment practice guidelines and outcomes research will aid in reducing unnecessary services and in increasing quality while offering a possible means for reducing malpractice costs.

Fifthly, the deduction under the bill of 100 percent of contributions for the self-employed and their employees provide coverage incentives for 25 percent of workers and their families who are currently uninsured.

After a fixed period of time, HEAL requires that all mechanisms providing universal access to coverage be implemented. First, under ERISA employers would be obligated to offer employees access to basic group health coverage. Employers are encouraged but not required to contribute to such plans. A state-based non-profit corporation would serve as a "back-up" only in the event group coverage for the employer's employees is rejected by a group health coverage provider. Secondly, individuals who would be denied access to group health coverage because of uninsurability, material pre-existing conditions, or otherwise must be eligible for coverage either under an employer based plan, a state-based system or an alternative system equivalent to the fall-back system.

HEAL also provides for a transition period to universal access to basic group health coverage. Before the effective date occurs for the fall-back state system, the Secretary of HHS may make a determination that an alternative arrangement provides "substantially equivalent" elements of health care coverage, thus obviating the need for the state system. Such determination may be made separately or in combination with respect to—(a) uninsurable risk coverage, (b) coverage for substantial material pre-existing conditions, and (c) COBRA continuation coverage for individuals ineligible for other basic group health coverage. The alternative arrangements may be voluntary or adopted pursuant to state or federal law and administrated by insurers, other providers, or various other private or public partnerships.

In summary, the Healthcare Empowerment and Access Legislation provides a workable federal framework which will induce the formation of the private and public partnerships necessary to assure that all Americans have access to more affordable health care coverage. The following is a section by section analysis of the legislation.

Under Section 1, the Short Title, reads that this Act may be cited as the "Universal Health Benefits Empowerment and Partnership Act of 1990".

Under the Section 2 "Findings and Declaration of Policy", the Congress finds that—

First—the health care delivery system of the United States provides most Americans with a level of access and quality of care that is unsurpassed;

Second—for a significant minority of Americans, the system works less well because they cannot obtain or otherwise do not have basic health care coverage under either public or private programs;

Third—these individuals represent a diversity of situations for which there is no single solution;

Fourth—assuring access to basic health care coverage and quality of care for these individuals is a compelling national priority that will require commitments from both the private and public sectors;

Fifth—the most practical and effective solutions for these access problems are ones that—preserve the pluralistic base of the health care delivery system of the United States; emphasize incentives, innovations, and the removal of current barriers to access; and recognize that both the complexity of the problem and the existence of fiscal constraints means that responsibility must be shared among employers, employees, insurers, providers, and patients, as well as Federal, State, and local governments;

Sixth—Federal efforts need to be closely coordinated with others who share in the responsibility for improving access to basic health care services;

Seventh—federal efforts need to reflect not only the diversity of interested parties but also the diversity of areas where action is appropriate, including public health, basic group health coverage, State initiatives, medical malpractice laws, Medicaid, and tax incentives; and

Eighth—improving access requires dealing with many of the most difficult problems in the health system, including—

The escalating costs, State mandated health benefits, and other factors that have made health care coverage less affordable for many employers and individuals, especially the near poor who need more creative workplace and public options to be able to obtain basic health care coverage; and

The inability of many individuals to protect themselves against catastrophic health care expenses because pre-existing conditions make them "uninsurable".

Under subsection (b), "Purposes", it is stated "Therefore the Congress declares that the purposes of this Act to be to provide a sound, flexible, and workable Federal framework to simultaneously address the issues of access to basic health care coverage and the affordability of such coverage, with an emphasis on improving health care quality by—

First—empowering employers, employees, and other individuals to obtain more affordable basic health care coverage, and

Second—providing incentives for private and public-private partnership arrangements to be established for such purposes.

Under subsection (c), "Declaration of Policy", it states that "In carrying out such purposes, it is the policy of this Act to—

First—provide universal access to basic group health coverage for all Americans under plans offered by employers or, in the case in which such coverage is unavailable to employees and other individuals from private sources or existing public programs, under a State health benefits system; and

Second—make such basic health coverage more affordable—

By removing barriers and encouraging "group" plans and arrangements to spread risk and lower expenses;

By preempting State health benefits madates, thereby encouraging group health coverage providers to offer lower cost basic coverage to the uninsured;

By preempting State barriers to the providing of managed care, thereby encouraging competition, innovation of cost-control approaches, and quality review;

By encouraging the development of treatment practice guidelines and outcomes research to aid in reducing unnecessary services, increasing quality care, and reducing malpractice costs;

By eliminating tax inequities and barriers—

First—to the full deductibility of contributions to health plans covering the self-employed, and

Second—to the establishment of soundly financed multiple employer basic group health plans.

Under Section 3, it reads "Universal Coverage under Group Health Plans and State Health Benefit Systems".

In general, the key concepts under this section are:

"Universal access"—the bill provides a framework for access to basic health care coverage for all Americans;

"Partnership and Empowerment"—the bill induces federal and state governments, employers, insurers and providers to participate in constructing a workable system for providing access to basic health care coverage at more affordable costs; and

"Flexibility"—the bil provides a framework which allows states and local governments to build on current successes; encourages local resolution of the best means of targeting the uninsured population, of delivering health care services and of structuring premiums and financing to maximize program participation; it avoids rigid, detailed federal requirements which would stifle innovation, competition, and efficiency in the delivery, quality, and financing of care.

This section amends ERISA Part 6 to read "Part 6—Universal Coverage Under Group Health Plans and State Health Benefits Systems."

New Subpart A provides "Definitions and Special Rules" under Section 601.

A "Basic Group Health Plan," hereinafter referred to as a BGHP, means an ERISA health plan, or any combination of two or more plans, which includes at least a "basic health benefits provision." As explained later in more detail, each covered employer must offer coverage to certain employees (and dependents) under either one or more BGHP's or "Group Health Payroll Deduction Plans" (hereinafter referred to as a GHPDP). Although the bill does not prevent an individual who is offered coverage from rejecting such coverage (i.e., plan provisions and related contracts can continue to govern rejection of coverage), coverage must be made available to any individuals that the plan may treat, but is not required to treat, as being an "uninsurable risk" (hereinafter referred to as "UR") or having a material pre-existing condition (hereinafter referred to as a "MPC") leading to a "substantial restriction" of coverage under the plan.

The bill does not change existing law with respect to any requirement that an employer contribute to a BGHP for employees or others.

Therefore, a plan meets the requirements of a BGHP by either offering coverage regardless of a UR or MPC condition (as do many larger plans), or, if the concept of UR or MPC is continued under a plan, then coverage for such UR or MPC conditions must be made available to the affected individual under a "State Health Benefits System" (hereinafter referred to as a SHBS) or a similar private or public/private "alternative arrangement" determined by the Secretary of HHS under section 4 to meet specified requirements (for example, a statewide or nationwide reinsurance mechanism established by health care providers to assure coverage availability for UR's and MPC's). Employers would contribute to such UR and MPC arrangements for affected employees (or dependents) in the same manner and extent as if such individuals were not subject to a UR or MPC condition.

This requirement that ERISA plans offer coverage, even in the case of UR and MPC, is the jurisdictional means under the bill for encouraging employers and employees to demand the establishment of SHBS's or alternative systems providing coverage for such conditions. This mechanism will assure the universal availability of basic group health coverage for all Americans under BGHP's, SHBS's, or alternative systems.

Section 3(b) of HEAL and ERISA Section 601(3) establishes a mechanism for defining "basic health benefits provision." Not later than July 1, 1991 the Secretary of HHS would publish proposed regulations taking into account the recommendations made by the Federal Advisory Council on Health Care Coverage and Cost (see section 9). Such regulations could not be finalized before July 1, 1992 and would be subject to review by the Congress in the interim. The definition of basic health benefits, consists of two parts—services consisting of basic health care services (including physician's inpatient hospital, and outpatient hospital services which are prevalent under group health plans and other services which may be necessary for basic health care; and the reimbursement formulation defining the minimum extent to which such services are to be covered at a percentage of cost determined by the Secretary under regulations (by means of deductibles, coinsurance, and other limits on covered services) to be not less than a percentage which is, taking into account the population covered and the extent of cost currently covered under group health plans, adequate to meet basic health care needs. Under this mechanism statutory rigidity would be avoided. Section 3(b)(3) provides an administrative mechanism for periodically updating the content of basic health benefits and takes into account recommendations submitted to the Secretary by the Federal Advisory Council on Health Care Coverage and Costs.

New ERISA Subpart B of Part 6 defines Required Basic Health Care Coverage Options for Employees and Their Dependents.

ERISA Section 611 provides that each covered employer shall maintain with respect to each eligible individual a basic group health plan or a group health payroll deduction plan under which coverage of such individual may be elected. Therefore, subject to certain permitted exclusions, employees (and dependents) must be offered coverage under an employer's existing BGHP or the employer must establish one or more GHPDP's for those employees not made eligible under such existing plans. A State Health Benefit System could provide coverage to an employer plan, but only if a provider of group health plan coverage with respect to the plan rejects an individual otherwise eligible for coverage under such plan because of a requirement that a certain number or percentage of individuals otherwise eligible for coverage under the plan are not covered. Of course health care coverage providers could change current underwriting practices so as to obviate the need for the back-up state system.

All private and governmental employers are obligated to make basic group health coverage available, although newly formed and very small employers are exempted. In addition, plans may exclude certain temporary employees. Any employee (or dependent) excluded under these exceptions is still eligible to obtain basic group health coverage under a state health benefits system.

New ERISA Subpart C defines the back-up role of State Health Benefits Systems (SHBS) in providing individuals with access to basic group health coverage who are not otherwise eligible for coverage under an employer BGHP or GHPDP.

Under ERISA Section 621 a SHBS would be established as a non-profit corporation under state law and would be required to meet certain reporting, participation, benefits, contribution, and UR/MPC coverage requirements.

Under the Section 623 participation requirements eligible individuals include employees (or dependents) not otherwise eligible for coverage under GHPDP's or BGHP's; individuals no longer eligible for coverage under BGHP's or GHPDP's who are eligible for so-called COBRA continuation coverage; individuals whose benefits are limited under BGHP's and GHPDP's because of UR and MPC conditions; and other individuals not otherwise eligible for coverage under a BGHP or public program.

A number of states have a head start in the offering of health care coverage to the uninsured. The state-based mechanism under HEAL is designed to accommodate such programs and improve on the progress already made. For example the Washington State Basic Health Plan and the proposed Hawaii State Health Insurance Plan (SHIP) are innovative state-based programs offering coverage to the uninsured in those states on a basis consistent with the intent of the provisions of this bill.

Under Section 624 state system would be encouraged to offer a range of health care coverage options in order to induce individ-

uals to choose coverage at a cost which best meets their needs and ability to pay.

State system options would include at least state-employee equivalent benefits, a "basic and catastrophic" option and a catastrophic only option. A "Medicaid-benefits" package may, but is not required, to be made available. Therefore a "Medicaid-buy-in" may be administered either under this system or outside the system.

Once eligible, early retirees and other "COBRA" individuals must continue to be eligible for state system coverage (until Medicare eligibility) although state system coverage is secondary to any ERISA employee benefit plan coverage.

The Section 625 contribution provisions permits program flexibility to vary premium rate structures by income level, geography, family composition, etc., so as to be able to maximize the number of individuals covered. The state system must provide children-only coverage and is permitted, but not required, to include a "Medicaid-buy-in" type program.

Under Section 626, state systems are enabled to reciprocate with other states to achieve benefit portability to accommodate residency changes and to achieve multistate or even a national mechanism of insurance or reinsurance for uninsurables and material pre-existing conditions.

New ERISA Subpart D of Part 6 reads "State Coverage for Uninsurable Risks and Material Pre-Existing Conditions."

Under ERISA Section 631, a state "UR" and "MPC" coverage system must meet certain participation and benefit requirements and, to the extent practicable and actuarially sound, provide for separate cost and premium structures for the experience of MPC's and UR's who are employees restricted under BGHP's (i.e., non-worker UR's could be treated separately). It should be noted that the "UR" and "MPC" elements of a state system need never be established if under Section 4 another mechanism is implemented to provide UR and MPC coverage (Subpart D serves only as a fall-back mechanism).

Under ERISA Section 632, separate experience accounts may be provided for UR's and for MPC's. State system coverage under Section 624 could also provide for UR and MPC conditions so that individuals eligible for state system coverage under Subpart C could also fall into the Subpart D UR and MPC risk-spreading coverage mechanism.

Under ERISA Section 633, individuals eligible for UR coverage must be provided the range of benefit options described in section 624; therefore a person could obtain a "high cost" or "low cost" benefit option, thus making at least some coverage more affordable.

Section 4 of HEAL provides for "Alternatives to State Health Benefit Systems."

Before the effective date for the all-back state system occurs, the Secretary of HHS may make a determination that an alternative arrangement provides "substantially equivalent';' elements of health care coverage, thus obviating the need for the state system. Such determinations may be made separately or in combination with respect to uninsurable risk coverage, coverage for material pre-existing conditions, and so-called COBRA "continuation coverage."

An example of an alternative system that HEAL would encourage and which is currently being discussed among providers of group health plan coverage might have the following elements.

First, guarantee that small employers who seek to purchase group health coverage for their employees will not be denied such coverage even if one or more employees might otherwise be either uninsurable or a high health risk.

Secondly, provide that once covered, neither the group nor an individual in the group may be denied continued coverage because the group's or the individual's health deteriorates.

Thirdly, limit the rate of year-to-year premium increases relative to other groups insured by the same group coverage provider.

Fourthly, not deny coverage or apply new preexisting condition restrictions to an insured individual in a group changing either employers or coverage providers; and

Finally, establish a privately funded and administered reinsurance mechanism through which coverage providers could reinsure high risk persons.

Under Section 5 of the Act, COBRA continuation coverage requirements can be met by employer plans by facilitating coverage of COBRA eligibles under a state system (thus relieving employers of one of the biggest disincentives to set up a plan or provide liberal eligibility rules). Existing covered plans may, but are not required, to permit COBRA eligibles to elect state system COBRA coverage. As is the case for UR and MPC, an alternative private system may be established pursuant to Section 4 to extend COBRA coverage under the terms of this section.

Section 6 of HEAL relates to "ERISA Preemption of State Mandated Health Benefits and Restrictive Managed Care Laws."

To allow group health plan providers to offer more affordable coverage and better target uninsured employers with "prototype" plans, the bill restores the ERISA preemption of state insurance laws which require that one or more specific benefits must be provided or made available by a contract or policy of health insurance issued to an ERISA employee benefit plan or which require that services rendered by one or more particular classes of health care providers must be covered under such a contract or policy.

In addition, state laws restricting "managed care" (such as in negotiating rates or restricting provider options, utilization review, etc.) would be "deemed" insurance laws preempted by ERISA.

Section 7 of HEAL provides "Encouragement of Multiple Employer Arrangements Providing Basic Health Benefits."

To encourage the Cleveland-based "COSE-like" affordable insurance for small businesses a tax "carrot" is offered to multiple employer welfare arrangements providing basic health benefits coverage. The restrictions on the "business commonality" and "geographic" tests under section 501(C)(9) of the Internal Revenue Code (allowing tax-exempt VEBA trusts to be established) are removed for MEWA's if (1) they provide Group Basic Health Benefits, (2) they provide participating employers with SPD's and other information to meet ERISA reporting requirements, and (3) they are fully insured or, if not, they meet state law requirements as to funding and solvency standards. In addition, to restore accountability to all healthcare MEWA's under ERISA, such arrangements would be required to file annual reports to the Federal government and the states in which they do substantial business.

Section 8 of HEAL expands on the "Treatment Practice Guidelines and Outcomes Research" recently enacted under the Omnibus Budget Reconciliation Act of 1989 to make such provisions applicable for all Americans living in both rural and urban areas. The purpose of the recodified Agency for Health Care Policy and Research is to enhance the quality, appropriateness, and effectiveness of health care services for all Americans, and access to such services, through the promotion of improvements in clinical practice and in the organization, financing, and delivery of health care services.

For the purpose of promoting the quality, appropriateness, and effectiveness of health care, the Agency is to arrange for the development of clinically relevant guidelines that may be used by physicians, educators, and health care practitioners to assist in determining how diseases, disorders, and other health conditions can most effectively and appropriately be prevented, diagnosed, treated, and managed clinically; and standards of quality, performance measures, and medical review criteria through which health care providers and other appropriate entities may assess or review the provision of health care and assure the quality of such care.

The bill requires the newly established Federal Advisory Council on Health Care Coverage and Costs to undertake a study of the manner in which these practice guidelines may be used in reducing medical malpractice costs. The council is to submit the results of such study together with any recommendations to the Secretary of Health and Human Services.

Section 9 of HEAL establishes a "Federal Advisory Council on Health Care Coverage and Costs" for the purpose of reviewing, overseeing, and making recommendations relating to the implementation of the provisions of this Act and studying the causes of changes in the costs of health care coverage and delivery.

Section 10 of HEAL provides for the "Deduction of 100% for Self-Employed Basic Group Health Plans." While the recently enacted budget reconciliation bill extended the 25% tax deduction for one more fiscal year, the bill would provide for a deduction of 100% and make it permanent for plans established by the self-employed for themselves and their employees.

Section 11 of HEAL provides for "Effective Dates".

The amendments made by section 3 shall take effect January 1, 1993 and those found in section 5 shall apply with respect to plan years beginning on or after such date.

The provisions of section 4 shall take effect on the date of enactment.

The amendments made by section 6(b) shall take effect January 1, 1991. The amendments made by section 6(a) shall take effect January 1, 1991, except that with respect to plans in effect on the date of the enactment of HEAL, such amendments shall take effect on the effective date of section 3.

The amendments made by section 7(a) shall apply with respect to determinations made on or after January 1, 1991. The amendment made by section 7(b) shall apply to plan years beginning on or after January 1, 1991.

The amendments made by section 8 shall take effect on the date of the enactment of HEAL.

The provisions of section 9 shall take effect on the date of the enactment of HEAL.

The amendments made by section 10 shall apply with respect to taxable years beginning on or after January 1, 1991.

HARDEN AND WEAVER CELEBRATE 30 YEARS ON WMAL

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include therein extraneous material.)

Mr. WOLF. Mr. Speaker, in this town where tenure is marked by 2's in the House of Representatives, 4's in the White House, and 6's in the Senate, for anyone to survive for 30 years is quite an accomplishment.

But there's one Washington institution which has been on the scene since March 7, 1960, and continues to thrive. That's the broadcast team of Frank Harden and Jackson Weaver who will mark the 30th year of their top-rated morning radio show on WMAL–AM 630 in Washington, DC, with a live broadcast celebration from the Kennedy Center next Wednesday, March 7.

Frank and Jack have been the wake-up voice to three generations of Washington area residents and to eight Presidents. They have a unique appeal that has made them legends in the radio business. On their silver anniversary in 1985, they became the longest running two-man program in the history of radio.

Harden and Weaver could very well be our "U.S. Ambassadors of Humor and Goodwill." They start our day off with all the important things we need—the news, time, weather, and traffic conditions. But in a town that tends to take itself a bit too seriously, the most important ingredient they share is humor. They help us laugh at ourselves and ease us into what can become the frenzied pace of the Washington workday.

But their quips and ad-libs are just part of what makes them special. Their community involvement is without equal. Their promotions for local and national charities—with over $6 million raised for Children's Hospital National Medical Center perhaps their greatest success—the thousands upon thousands of announcements and personal appearances they have made for community, civic and church events, and all the thoughtful personal wishes they have given to their faithful listeners have linked the Washington metropolitan area and shown us that even in a power center like Washington, neighbors can reach out to neighbors.

Thank you Frank and Jack for 30 great years. And we expect you two to be around to keep us smiling and launch our mornings for many years to come.

WMAL,
January 23, 1990.

Rep. FRANK R. WOLF,
Cannon Office Building,
Washington, DC.

DEAR REPRESENTATIVE WOLF: You are most cordially invited to be our guest on Wednesday, March 7th, in the Grand Foyer of the Kennedy Center from 6 to 10 a.m., to help celebrate one of the most remarkable anniversaries in broadcasting history—the 30th Anniversary of the Harden & Weaver Show on WMAL Radio.

Since March 7, 1960, Frank Harden and Jackson Weaver have been the wake-up voice to three generations of Washington area residents, and to eight Presidents! For 30 years they have brought special meaning to the words "community involvement" by making personal appearances and special announcements on behalf of literally thousands of local and national charities and service organizations. More than twenty years ago, they "adopted" Children's Hospital, and have collected over 6 million dollars in donations.

Our celebration, broadcast live from the Kennedy Center, will highlight some of their remarkable accomplishments, and we'd like very much to have you be part of it. If you can attend, please let us know what time would be most convenient, and we'll help make the necessary arrangements. If you cannot be there in person, we would appreciate a live message from you for Harden & Weaver, either by telephone during the celebration broadcast, or one that we may pre-record prior to March 7, by telephone or wherever it's most convenient for you.

Bill Madden, Harden & Weaver's producer, will be in touch with your office in the near future to answer any questions and to work out details. Or you can call him directly if you like, at 686-3181.

We look forward to seeing you, or hearing from you, for what promises to be the Anniversary Celebration of the Year!

Sincerely,

Tom Bresnahan.

[From the Advertising & Marketing News]

ON AIR: HARDEN & WEAVER, 30 YEARS

(By Carol A. Rolle)

Good Morning! Harden & Weaver here. The time is now 6 A.M." If we counted the number of ears that hear those words everyday it would probably come to over 200,000. And we've heard those words for 30 years.

Frank & Jack will celebrate 30 years as WMAL's morning team in March of this year. Thank goodness they have no thoughts of retiring! What would we do? How would we wake up—How would we drive to work? They give us the correct time, the weather, the traffic conditions, the news and belly laughs all the things necessary to start our day off on the right foot.

The humor part just flows. We conducted our interview for this article as our photographer Larry Chapman snapped pictures. "Its hard to get a good picture of a guy with two bad sides," quipped Frank. Asked if they nap during the day since they get up at 4:00 A.M. (Jackson) and 4:30 A.M. (Frank), "No way" came the answer. "The only naps we take are at long traffic lights."

Their community involvement is legendary. It is easier to count the local charities they haven't helped than it is to identify those who have benefitted from a Harden & Weaver appearance or an on-air plug. Their most notable success is Washington's Children's Hospital National Medical Center. They have raised more than $5 million in contributions for the center.

In earlier years they made several appearances almost every day. "If there was a gathering of three or more people, we were there. PTA meetings, social clubs, etc., all we needed was an invitation and we were there." It was a killer pace and now they are more selective. However, their schedules would still exhaust most people half their age.

One highlight that stands out in their memories is the time they traveled to London via new York to do a live show broadcast back to the U.S. The president of ABC radio, then owners of WMAL, hosted a star studded party for the pair at Studio 54. ABC reached even a larger audience that morning by running a full page ad in the New York Times to congratulate Frank & Jack on their success.

Speaking of success, Frank & Jack remember with some modesty that it came relatively easy. Their show was an instant success. They climbed to the top ratings within the first year and have continued at that lofty level ever since. They attribute this consistency to their genuine respect and appreciation for one another. This true feeling comes across in person as well as on the air.

The Harden & Weaver reach is far greater than the WMAL signal strength would demonstrate. They receive hundreds of letters from military and government families from around the world. These are people who enjoyed the show during their tours of duty here and continue to send in bits of information. Of course, Frank and Jack air that information which brings these people closer to their friends and relatives who have remained here. These same people rejoice upon their return to Washington to learn that Frank & Jack are still "on-the-air". It's as if they have been re-united with old friends.

Frank & Jackson reached a broadcast milestone on their 25th anniversary in 1985 when their WMAL show became the longest-running two-man program in the history of radio. They are legends. They have hosted WMAL's morning show throughout the terms of seven U.S. presidents, beginning with Dwight D. Eisenhower. On their 25th anniversary, President Reagan and Vice President Bush both sent congratulatory messages in tribute to the team.

Do they have fun at work? You bet they do! "In fact," they said, "there is no real need for us to retire. We're not doing anything now, so why retire to do nothing?" "I retired once for six weeks," said Jack "no one noticed so I decided to come back."

Fun outside of work is "not what it used to be." "Mother Nature and Father Time have taken their respective tolls," they joked. However, they still enjoy life to the fullest. Frank spends summer weekends at Dewey Beach, Delaware and Jackson spends time on his restored tugboat on the Chesapeake Bay. The boat is scheduled for the cover of Chesapeake Magazine in an upcoming issue.

How about exercise? People who eat kosher pickles, matzo ball soup, chocolate cake and drink champagne for breakfast don't think too much about it. This concoction was brought to the studio one morning by restauranteur Mel Krupin. Many studio guests bring sweets & goodies and Frank and Jack say they enjoy every mouthful.

There was only one time that they even considered leaving WMAL. They were invited by the management of WNEW in New York for an interview. It took place on the 65th floor of the RCA building. They were offered the morning show job right then and there. Of course, they would have to move to New York. They asked for "time to think it over," rode down the elevator, got in a cab, looked at each other and in unison shook their heads "no." They never spoke about it again. That was 20 years ago.

Frank began his radio career at WSAV in Savannah, Georgia, and continued it in Atlanta and Denver before joining WMAL's staff in 1947. He and his wife Berit live in Chevy Chase, Maryland. They have five children and five grandchildren. The oldest child is 45 and the youngest granchild is nine months.

Jackson began his broadcasting career in his hometown of Buffalo, New York at WGR Radio. He also worked at radio stations in Niagara Falls, New York, Youngstown, Ohio and Erie, Pennsylvania before his long career at WMAL began in 1943. And let's not forget he is the voice of Smokey the Bear! He resides in Silver Spring, Maryland with his wife Elsie. They have three children and three grandchildren. Their son Mark is a top newsman at WMAL.

Don't ever retire Frank & Jack. We love you and we need you! Thanks for 30 great years!!——

[From the Congressional Record, Mar. 5, 1985]

HARDEN AND WEAVER'S 25TH ANNIVERSARY ON WMAL RADIO

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, in a town where administrations change, Congressmen come and go and policies vary with politics, one institution remains unchanged. The Frank Harden and Jackson Weaver program of radio station WMAL-AM has been the top-rated Washington radio show in that time slot since Arbitron began surveying the market in 1965.

On Thursday, March 7, 1985, WMAL will celebrate the 25th anniversary of the Harden and Weaver morning team that has launched our mornings since 1960. I bring this occasion to the attention of my colleagues because these two good will ambassadors have set an example of community spirit and cooperation for the entire Nation to follow.

They are especially active in fund-raising for the Children's Hospital National Medical Center, bringing in more than $4 million in donations for that facility to date, with the proceeds from their annual golf tournament and other events. They have been recognized by countless civic and professional associations for their charity and community involvement, including the Washingtonian magazine which named them "Washingtonians of the Year" in 1975.

I can speak from personal experience of their help when the Claude Moore Colonial Farm at Turkey Run in McLean was faced with closing in 1981 due to budget cuts. Harden and Weaver helped me raise funds to keep the farm operating much to the delight and benefit of northern Virginia's citizens and schoolchildren. On behalf of northern Virginia, I want to say thank you, Harden and Weaver, for making our world a better place in which to live.

Frank Harden's engaging sense of humor and Jackson Weaver's legendary ad libs combine to produce a show that's as unpredictable as Washington's weather. But the Harden and Weaver show has a serious side as well, providing listeners with the news and information they need every day, from community bulletins to school closings.

The team of Harden and Weaver comes complete with a cast of imaginary characters like the senator, the lady with the high spirited voice, Dr. Thorndike Willoughby, Dr. Lucifer Headcold, Larry, the orchestra conductor, and Bosco Osgood, the roving reporter who is always in the wrong place at the right time. These people help us laugh at ourselves which is quite an accomplishment in a town that often takes itself a bit too seriously.

Although they weren't officially a team until 1960, Harden and Weaver have each worked at WMAL for more than 30 years. Jackson Weaver began his career at WMAL in 1943 after working for stations in Erie, Youngstown, Niagara Falls, and in his hometown of Buffalo. His fame extends beyond the Washington area, however, with his voice familiar to millions of Americans as that of the National Fire Prevention symbol, Smokey the Bear. Frank Harden has been a WMAL staff member since 1947. He is a native of Macon, GA, who worked at stations in Savannah, Atlanta, and Denver before making his home in Washington, DC.

Harden and Weaver were first approached by WMAL management to work as a team in 1950. Their "Frank and Jackson Show" began as a 45-minute afternoon program with a "Bob and Ray" flavor. Soon after their debut as a team, Harden and Weaver visited New York and convinced ABC to put their show on the broadcasting company's "Blue" network. Their show aired on the ABC Blue network for 15 minutes, three times a week until 1953.

Between 1953 and 1960, Harden and Weaver did not work together regularly as a team. Both men continued to work for the WMAL Radio/TV operation, and for ABC Radio. Frank Harden was an announcer for network radio shows, including "The Lone Ranger" and "The Edward PM Morgan Show." Jackson Weaver worked primarily as an on-camera television announcer during this period, and was best known for his appearances on "The Jimmy Dean Show" and "Ruth Crane/Modern Woman." Weaver also hosted his own nightly show. "Captain Jack's Weather and Fishing Report" on WMAL-TV.

In late 1959 when rumors of an impending vacancy in WMAL AM's morning schedule surfaced, Harden and Weaver made a pitch for the job. They convinced then station manager Fred Houwink to give them an audition. Harden and Weaver were selected over all other applicants and signed to a 13-week contract. Fortunately, for the Washington metropolitan area, those 13 weeks turned into 25 years of wit, information, and good will.

VACATION OF SPECIAL ORDER ON TODAY

Mrs. BENTLEY. Mr. Speaker, I ask unanimous consent that the 5-minute special order today reserved for Mr. PARRIS be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

A FURTHER REVIEW OF THE NICARAGUAN ELECTIONS

The SPEAKER pro tempore (Mr. CLARKE). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Mr. Speaker, these truly are remarkable times we are living through. All we have to do to see that this is so is turn to page 18 of today's Washington Post newspaper on this last day of the month of February. Look at this headline on an article by one of the Post's foreign service reporters, David Remnick. He is in the Soviet Union, in Moscow, and his dateline is yesterday. The headline says: "Soviets Say Nicaragua Voted for 'Freedom' and Offer Military as Well as Economic Aid."

Well, their offer of military aid is a bit peculiar because their aid has been a large part of the problem. As many Members know, I was denied the right to go down to Nicaragua as an election observer. I was appointed as 1 of the 20 by President Bush, but we were all rejected. Some of us were able to get on other delegations, be it the Organization of American States, the United Nations delegation, or Jimmy Carter's delegation. But about eight of us were singled out for special treatment by the Communist government in Managua, which was just voted down and which will leave office at noon on April 25. They singled out eight of us and said, "You can't go under any circumstances."

I have been down there seven times. I have been up to Matagalpa, Leon, and Esteli. I know the countryside. I have been down to Grenada, then to Nadaime. I have been all over Managua and marched in parades. So I know the neighborhood pretty well.

Now, get this, opposite polarity of viewpoint by some of our House observers. This is from an observer on the Republican side, a conservative. I said to him, my friend from California, "Did you see during your poll-watching all day long that amounted to a true love for Daniel Ortega and the Sandinistas?" And then I interjected, probably rudely, and said, "Tell me the truth now. Did you see concern or a warm friendship for Daniel Ortega?"

His answer was one word: "Zero." And it came quickly—"Zero."

On this side, I was told by a Member who has postured himself as a moderate and has been all over this issue for the last 6 or 7 years, one way or the other, back and forth and back and forth, causing a lot of agony in this House: "We must respect Daniel Ortega," he said to me. "As you say, DORNAN, give the devil his due. Forty-one percent of the people really voted passionately for Daniel Ortega. He is a factor to be reckoned with, and with the fact that he has had this election at all, as he promised he would 6 years ago, he deserves our respect."

Now, let me say that I must question how deep the passion for Ortega runs when you have Air Force helicopters with the party symbol replacing the national symbol inside the insignia on the helicopter, leading parades. When you have a young person dragged off the perimeter of an UNO parade 2½ weeks ago and is later found murdered

and tortured, his body lying in a ditch. Consider the intimidation of Sandinistas coming to rallies on trucks, and Hollywood people like Kris Kristofferson giving rock festival advice, and with Danny Ortega riding around on a big white horse with his white cowboy hat on trying to use every visual symbol to give the impression that he is one of the good guys. And then there is the absolute government intimidation of the turbas divinas, the divine mobs who are on the payroll to beat up people, including pregnant women.

We had three Congressmen and women, BARBARA VUCANOVICH, one Democrat whose name escapes me, and TOM DELAY of Houston, who witnessed the beating of women by these turbas divinas with clubs. Then we see the bureaucracy and their neighborhoods in Managua. These people are on the dole. They are the Central American equivalent of the nomenclatura which we have seen exposed, with their special privileges, in East Germany, in Hungary, and in Czechoslovakia. And we know how the military was told to vote. And remember, the military does not vote in El Salvador.

Let me repeat. Former Salvadoran President Duarte established that as policy, and President Cristiani has continued it. The military does not vote in El Salvador. In Nicaragua, however, they are all but ordered: "You had better vote for Danny."

The truth is that the only people who voted for Ortega were those people on the payroll and those people who were intimidated, terribly intimidated. If you take away the intimidation factor, he got about 30 percent or less, which is about all on the Sandinista payroll. And remember that Adolf Hitler got 34½ percent when he came to power.

I remember riding on a train once from Florence to Rome in 1966. I was talking to a gentleman at night by the window. He had a German accent, but spoke fluent English. I said, "Where did you learn to speak English?"

He said, "In Arizona."

"Arizona? When?"

"1944."

I said, "You were a POW?"

"Yes."

"When were you captured?"

"D-Day plus 19 days."

I said, "Tell me something I have always wanted to know. During the Claus von Stauffenberg plot, when the plotters came within a microsecond of killing Adolf Hitler on July 20, 1944, what was the reaction in the country?"

He said, "Let me go to confession to you."

He was going down with a German choral group to sing for the Pope.

He said, "I thought von Stauffenberg was a traitor."

So Hitler had 35- to 40-percent support in that country as late as 1944 when the war was winding down. I say, folks, Adolf Hitler probably could have gotten 30 percent in Nicaragua—the same 30 percent who voted willingly and passionately for Danny Ortega. Members have got to go down there and monitor what the New York Times calls this treacherous transition to freedom. The Soviets say that freedom won. They had communism a few days ago, and now they have freedom. What a great day.

□ 1450

IF THIS IS AN EDUCATION PRESIDENT, THEN THE BUDGET SHOULD BE AN EDUCATION BUDGET

The SPEAKER pro tempore (Mr. CLARKE). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

Mr. OWENS of New York. Mr. Speaker, this morning we had representatives from the administration to discuss the funding for the education budget, the funding for the education programs of the education President, and these representatives came with the argument that there is no correlation of importance between the amount of money spent on education and the results that we are able to achieve in education. They come with this argument despite the fact that the Head Start Program, longitudinal studies of the Head Start Program, have demonstrated very clearly there is a great benefit in spending money for preschool education. Great results are achieved as a result of those expenditures. They come with that argument despite the fact that chapter one demonstrates that when money is spent on remedial education we get an impressive result with poor children, but they insist that we do not need to throw any money at education. Throwing money they consider an increase. If we increase the present Federal commitment from 6 percent to 7 percent, that would be throwing money at education. Actually that 6 percent represents a decrease in the last 8 years, from 8 percent down to 6 percent.

Mr. Speaker, throwing money at problems often does help solve problems. Spending more money is the pattern that this administration has demonstrated to us, and the previous administration showed that when they consider something really important, they will spend money. We consider our space program important, so we spend large amounts of money because John Kennedy decided to spend large amounts of money to put a man on the Moon, and we achieved that. We put a man on the moon. Our current space program has difficulties, but we do not spend less money. We spend more money as a result of those difficulties. We said we wanted star wars. We wanted a B–2 bomber. We want more aircraft carriers. We spend more money. We spend more and more money because we said defense was important.

So, we have been shown by this administration and the previous ones that, when they think something is important, they spend money. If they think education is important, they know they must spend money.

Our schools in this Nation face two problems, and one extreme is we have the very best schools in this Nation that will not measure up to the other schools in the industrialized, their counterparts in the industrialized world. Other nations produce better students. There are assessment studies which show that when we place our best math and science students against the best students in Korea, Japan, Germany and other countries, we rank very low among the industrialized nations, so our very best students, very best math and science students, are still not being adequately trained to keep up with the competition in this century. At the other extreme we have the very worst, large numbers of schools that are collapsing because the money is not there to really maintain an infrastructure. Just buildings, and equipment, and supplies and decent teachers every day is a basic problem.

To correct these two extremes we need to spend more money, but States and the localities have been taxed to the point where they can do no more. At the same time the Government, the Federal Government expenditure for education has gone down, we have had to go raise expenditure at the local and at the State level. Why not have the Federal Government deal with these two extremes by becoming more involved?

The one difference between our education system and the systems of the other industrialized nations whose students are being better prepared for the 20th century than ours is that the Government, the central government, has more involvement. Central government has more involvement. We do not want the central government, the Federal Government, to take over our schools, but there is a great difference between a takeover of the schools and more involvement. If our Government were to be involved by spending 25 percent of the total education budget, contribution to 25 percent instead of 6 percent, that would not be overinvolvement. That would not wipe out local control, and maybe our Government should be involved in 25 percent of the decisionmaking about education, about how our schools are going to be run, about some kind of national standards. Twenty-five percent of the

decisionmaking about education would not be a takeover by the Federal Government. The other 75 percent is still there for the State Government and for the local government.

Mr. Speaker, we need to learn these lessons, and, as we move toward the year 2000, the President has set certain goals. I applaud him for the goals. I support those goals. But we are going to be No. 1, as the President said we should be. If we are going to be No. 1 in math and science, then we are going to have to spend money to reach that goal. We are going to have to buy the necessary equipment. We are going to have to guarantee that the local schools are relieved of the burden of some of the expenditures on capital items, and even we are going to have to promote the training of more and more teachers. We cannot accomplish what has to be accomplished in this century in education without spending more money. There may be no immediate correlation between the dollars that are put in, but let us stop and think about the tremendous problem we face if we do not expend the money.

Mr. Speaker, we must spend more if we are serious about education. If this is an education President, then the budget should be an education budget as well.

BIPARTISANSHIP IN CAMPAIGN REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. GUNDERSON] is recognized for 5 minutes.

Mr. GUNDERSON. Mr. Speaker and Members, I, like I think every Member of this body, Republican and Democrat alike, have been very pleased and very thankful that the gentleman from Washington [Mr. FOLEY], our Speaker, has brought back the bipartisan fairness and decorum to this body that we have witnessed over the past few months, and it is within that context that I have to express my surprise at the remarks he apparently made yesterday regarding campaign reform.

One of the top priority issues of this Congress and the two sessions of this Congress on a bipartisan basis was campaign reform. The other was obviously the ethics reform. As my colleagues may recall or not recall, then Speaker Jim Wright and the Republican leader, the gentleman from Illinois [Mr. MICHEL] reported a task force, bipartisan task force, on ethics reform and, similarly, a bipartisan task force on campaign reform, six Democrats, six Republicans. I happen to have been one of those Republicans honored by being named to the campaign task force.

Mr. Speaker, I believe in campaign reform. I believe in the need for campaign reform, and I absolutely believe in the need for bipartisan campaign reform.

Thirty-five percent of the American people believe in our electoral process today based on turnout, the smallest of any turnout of any democracy in the world, and, frankly, it is a disgrace when compared to the 90 percent that turned out in Nicaragua last Sunday, so I was very disappointed that yesterday the Speaker apparently said that we are probably going to bring to the floor a Democratic campaign reform proposal because the Republicans would not accept some kind of spending limits.

Mr. Speaker, I was disappointed in that for a couple of reasons. First, if I recall correctly, it is the Republican leader, the gentleman from Illinois [Mr. MICHEL] who said that he would discuss the issue of spending limits. I have not seen a similar comment from our Democratic leadership in discussing the issue of reducing the role of PAC's, increasing the role of raising money from within our congressional district and reducing the role of soft money, all issues which happen to be priority issues in the eyes of Republicans for real campaign reform. Second, I was disappointed that that statement would come at a time when I understand we are about to have the Speaker, and the Republican leader and others try to get together to take campaign reform off dead center. Now, if we are really committed in these talks to a bipartisan campaign reform, then let us withhold these kinds of partisan charges. But third, and most important of all, I was disappointed because as a member of that campaign bipartisan task force we better meet if we are serious.

Mr. Speaker, the fact is the bipartisan campaign reform task force has not met since August 1 of last year. Now, if we are truly serious about efforts to come up with a bipartisan reform, the first thing we have to do is take the six Democrats and the six Republicans, get them back into the room, and close the door and say, "Work out a deal. Come up with a compromise that you all can defend that is in the interests of the American people, and in the absence of doing that come meet with us in the leadership, BOB MICHEL, TOM FOLEY, and work out that deal so that in 1990 and in 1992 America still does not talk about only 35 percent voter turnout, but rather we have the highest voter turnout as the father of democracy."

Mr. Speaker, there is a chance for bipartisanship in campaign reform. There is a real need, and I hope that the words of the Speaker yesterday do not represent a decision by the majority party in this Congress that bipartisanship and campaign reform is dead because, if that is dead, if that is dead, then it will be to the detriment of our Nation and our democracy.

□ 1500

FARMERS NEED JUSTICE IN WETLANDS MANAGEMENT POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Speaker, today I am introducing a bill to protect farmers. It would exempt wetland that has been used for agricultural production purposes from regulation, under section 404 of the Federal Water Pollution Control Act, of deposit dredged and fill material.

My mission here is to work for fair play for farmers.

Wise wetlands management is of vital importance to the Nation and to the future of all Americans. So, the cost should be borne by all Americans, not primarily by the Nation's farm families.

It has long been my view that actions needed to feed, house, and clothe the Nation's people and to protect and conserve our Nation's environment can be carried out in harmony.

I urge that the Congress give full and favorable consideration to my bill.

Due to the lack of clear, concise, and understandable answers to questions, there is tremendous confusion among farmers of the Nation—

About just what requires a section 404 permit and what does not;

About what is a "wetland" and what is not; and,

About what restrictions the Government can impose as conditions for granting a section 404 permit.

The "normal farming" exemption in section 404(f) would seem to cover any concerns the agriculture industry might have. But, in practice, interpretation of section 404(f) by the Federal agencies can be confusing and inconsistent.

Farmers deserve better from their Government.

The fifth amendment to the Constitution says that if a person's property is taken for public purpose, the property owner must receive just compensation for the property.

If the American people want the wetlands saved, then all the American people, not just farmers and their families, should pay the cost. That is not happening when farmers' actions are being regulated under section 404.

Farmers are angry at what is happening. They are afraid of what will happen given the history of the actions the Government has already taken. I share their concern.

I am also concerned about inaction by Government agencies in connection with another matter related to section 404.

For nearly 4 months I have been trying to get answers and data out of the Department of the Army, the Environmental Protection Agency, the Department of the Interior, and the Department of Agriculture.

In November, I sent letters to each one asking some very detailed questions. I am still waiting for the answers.

A prudent Government agency would have had answers to many of those questions. And, it would have been able to answer others because it was keeping track of what it is doing. Not even those questions have been answered.

When Government agencies are so slow to respond to legitimate inquiries from Members of Congress that ought to tell us something has gone very wrong.

I urge that Congress take every care to ensure that any changes to section 404 of the Federal Water Pollution Control Act or any other existing law and any new law that is written will be carefully constructed to protect the rights of farmers and their families.

And, I urge that Congress ensure that the costs associated with restricting farmers' use of agricultural lands in the name of protecting the environment is borne by all beneficiaries, not just by farmers.

PROBLEMS FOR FARMERS

As a class, American farmers are the Nation's first conservationists. Farmers are conservationists because their livelihood demands that they care for the integrity of the land and water.

Farmers do not deserve to be treated as destroyers of the environment.

Farmers do not deserve to be—

Encouraged by Government officials to apply for section 404 permits when those same officials fail to tell the farmers what the hazards of such action are; or

Required to give the Government control over two, four, and even five times as much land as that involved in alterations aimed at improving farming efficiency on their land; or

Forced to spend tens of thousands of dollars defending themselves against after-the-fact Government penalties for actions they took with the approval and encouragement of that same government; or

Obliged to spend their life savings and all that they can borrow to defend themselves against Government charges that they acted wrongly when the farmers' actions were taken to protect their families and land from the damage flowing from governmental action.

These are just a few of the types of actions which have been reported to me in connection with the current implementation of section 404.

The effort to preserve harmony between man and the environment will be ill-served by unbalanced implementation of section 404, such as is now occurring in connection with farmers.

When farmers are expected to comply with a provision of law, they should be able to demand and receive unambiguous, clear, and concise answers to their questions about actions they may wish to take which would be regulated under section 404. The questions farmers are asking are many. However, for some of them the answers are confusing or nonexistent.

A sampling of farmers' questions includes the following:

Does excavating land to build catfish ponds require a permit?

Does building a reservoir to contain surface water for irrigation require a permit?

Does building a levee to hold water in a seasonally flooded rice field require a permit, particularly when that field has been used for rice production in previous years?

Does precision leveling of land that hasn't been a wet, wetland for years require a permit?

Is land that was once a swamp but which was drained for agricultural production decades ago a "jurisdictional wetland"?

Wetlands protection is important to us all. But, placing restrictions on the use of land that has been farmed for generations doesn't mean "no net loss" of wetlands. It means a net gain of wetlands at the expense of unwilling, uncompensated landowners. I think that is wrong.

BROADER QUESTIONS

The implementation of section 404, particularly as it is being carried out now, has some very broad implications for the Nation.

Some of these implications include:

Revenue losses for the Federal Treasury, which will exacerbate the budget deficit;

Losses of agricultural export trade sales, which will aggravate the U.S. international balance of trade deficit troubles;

Potential increase in loan defaults which will further undermine the stability of private sector and Government sector financial organizations; and

Erosion of established administrative policies and practices governing implementation of Federal laws.

All of these issues were covered in the questions which I directed to the Department of the Army, the Interior and Agriculture, and the Environmental Protection Agency.

I also asked for information on Federal Government programs, activities, and projects affected by the implementation of Federal "wetlands" policy; and on specific restrictions imposed on farmers as a part of the implementation of Federal "wetlands" policy.

In my letters to these Government departments and EPA, I specifically requested that the responses to my separate questions be provided as they were prepared, rather than waiting until responses to all of the questions were prepared.

CONCLUSION

It is time to put reason, justice, and equity for farmers into the enforcement of section 404.

H.R. 4133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Agricultural Wetlands Exemption Act."

SEC. 2. AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT.

Section 404 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1344), is amended by adding at the end thereof the following subsection:

"(u)(1) This section shall not apply to the discharge of dredged or fill material into any wetland:

"(A) which was used for agricultural production on any calendar date during the twenty-four months prior to the date of enactment of this subsection; and,

"(B) which was used for agricultural production for at least one year in the period between January 1, 1972 and the date of enactment of this subsection

so long as such land shall be used for agricultural production.

"(2) For purposes of this subsection, the term 'agricultural production' shall include, but not be limited to, production of row crops; horticulture; vinticulture; silviculture; aquaculture; mariculture; grazing, haying; apiculture; hydroponics; production of tree fruits or nuts; raising of cattle, horses, poultry, swine, sheep, goats and other livestock; storage of surface water for agricultural production; distribution of water for agricultural production; conserving uses required as a condition of enrollment in an acreage reduction program administered by the Secretary of Agriculture under the Agricultural Act of 1949 or any amendments thereto; all other activities identified in Sec. 404(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344) as of July 31, 1989 and the construction, expansion, improvement, maintenance and operation of farm residences and facilities."

NEW FREEDOM AND OPPORTUNITY IN LITHUANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. SARPALIUS] is recognized for 5 minutes.

Mr. SARPALIUS. Mr. Speaker, at the turn of the century my ancestors left the country of Lithuania and came to this country seeking freedom and opportunity. This past week I had the opportunity to return to the country of Lithuania and watched them observe the final days of their election in their quest for freedom. Myself and three of our colleagues had that goal of going to Lithuania to watch the first elections ever held within the Communist Party where two parties were involved, one the Communist Party and the second was the Sajudis Party, a party that was put together in the quest for independence for the country of Lithuania, a small country.

We were denied that right to go into that country by the Soviets. My colleagues and I spent 5 days in a hotel in Berlin trying to get visas granted so we could go and observe and watch those elections.

We found it puzzling that at the same time the Soviets had granted visas to our Canadian friends, our friends from Austria, and other media throughout the world to witness these first elections that were held. My colleagues and I tried very desperately to be there at the time of the elections, but we hit a wall.

It was interesting that while in Berlin we were able to talk to people about the unification of Germany. We went to the Berlin Wall and saw that wall gradually come down. I brought with me a piece of that wall that once symbolized where the Communist Party was holding people in to believe in their form of government, but now it symbolizes freedom and the people of East Berlin now have the opportunity to obtain the opportunities and freedoms that we enjoy.

We were finally granted a visa to come to Lithuania. We were only there for 18 hours, but, oh, what an experience, what an experience to see the excitement in those people to be able to seek freedom and independence.

You see, at the end of World War II the Soviets had taken that country and had taken all their educated leaders, all of their teachers, they had taken close to one-third of the population of the country of Lithuania and executed them.

We heard of one case where 350,000 were sent up north and were forced to starve to death.

We saw a church, a Catholic church, where they took the bishop and imprisoned him for 27 years. They took that church and turned it into a symbol of atheism. Now the Lithuanians took the church and removed all the articles of atheism from that church and brought in the paintings, the statues and the alter, and turned the church back into a religious Catholic church. The cardinal was released from prison and is a symbol in that country.

You could see the enthusiasm among the Lithuanians on the right to be able to worship their God, to be able to have an election and choose their leaders, to have the opportunity to get up and speak and to say whatever they wanted to say. Oh, what a spark it put into our hearts to see that enthusiasm for democracy and for independence.

But the battle has only begin. The Soviets are now turning down any requests for visas for any Member of Congress to come and witness any other elections.

We saw history being made. We saw the beginning of the end of the Communist Party as we know it.

I encourage my colleagues to look at what is happening in Lithuania, to look at it with enthusiasm, to look at it with hope, look at the dreams they have of becoming an independent country and get behind their motives, get behind their dream, get behind their vision of being able to give to their children the same opportunities that we have been able to enjoy in this country.

We will see in the next few weeks a ripple occurring throughout the Communist Party. We will see elections in Estonia, Latvia, and other states within the country of the Communist Party. We will see a cry for democracy and we will witness the fall of the Communist Party.

I encourage my colleagues to do whatever you can to encourage support and enthusiasm for those people who are still struggling for freedom and independence as we know it.

AMERICA'S GRASSROOTS—THE NEW TARGET

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, over the last 2 years I have read chapters from a book, "The Japanese Conspiracy," by Marvin Wolf. That book, which was published in 1983, details how various segments of American industry have been targeted by the Japanese Government.

In fact, the book is such a hot item in Congress that a committee staffer told me they were unable to keep it from the library for more than 2 or 3 days because it was in such demand. I am pleased with that. We all need to know the kind of economic battle this country is in—this battle includes our businesses, our organizations, and the very fiber of America—our grassroots volunteers.

I was thinking about the targeting of our industries and all the criticisms by the Japanese about the alleged shortcomings of the American people when I read an article in the February 18, Washington Post titled "Nation's Capital in Eclipse As Pride and Power Slip Away."

That article quoted Arthur M. Schlesinger, Jr., a well-known historian, as saying that power was slipping away from Washington—and that means the American people—principally for two reasons.

One, "The age of the superpowers has come to an end" and two, "despite our wealth, we represent ourselves as poor, or refuse to mobilize our resources, so we circumscribe ourselves."

The article quoted my colleague SILVIO O. CONTE: "We're carrying this huge deficit, and we've become the world's debtor, and that means we've lost control of our own destiny."

I don't think so. We can regain our destiny. It is wrapped up in the American people and our wonderful political system. We are a Nation of volunteers and have an organization for everything where American citizens work out their goals and express a direction for business, for music, art, politics, and education. We have volunteer fire departments, rescue units—volunteer everything.

We are a friendly, outgoing, and helpful people. Sixty Minutes recently interviewed young Russian lawyers in the United States about what stood out to them about America. Each one replied, we were friendly, just smiling and encouraging one another and we were so free.

That freedom, friendliness, openness, and politeness has been generated by the spirit of volunteerism in this country. We won our freedom with a volunteer army and we have kept it with our political system and volunteerism.

Now, that is beginning to change. A foreign government wants to use it for its national economic gains. We are now seeing the reverse of the "Ugly American" who did not observe the customs of the country where he served, throwing his weight around loudly proclaiming what needed to be changed so a foreign country could be like us.

That book so captured our imaginations that we would admonish one another "Don't be an ugly American." Now we are seeing the reverse of that imported to the United States from other countries. It takes many forms.

One form of the reverse "Ugly American" was detailed in the recent article "The Japanese Megaphone" by John B. Judis in the New Republic. It, like the speech I did in 1988 on "Who Makes Policy? Them Or Us?" details how our think tanks, lobbyists, and publicists are "tilting the policy debate about our economic future to reflect Japan's views and not the American people."

Judis points out that "the money is also creating what the Japanese call structural corruption—a kind of systemic bias that does not require conscious acts of corruption but yields much the same results."

Mr. Speaker, I include at this point the entire article by Mr. Judis.

[From the New Republic, Jan. 22, 1990]

THE JAPANESE MEGAPHONE

(By John B. Judis)

Last January Kaoru Kusuda, a slight young woman who joined the Japanese foreign service after graduating from Keio University, arrived in Washington after tours of duty in Great Britain and Singapore. Kusuda, the first Japanese official especially assigned to monitor Washington think tanks, says, "The embassy and the foreign ministry think it is an important thing to follow their activities."

Kusuda's arrival was the latest move in Japan's massive effort to influence American opinion—an effort made more urgent by growing American resentment of Japan's $50 billion annual trade surpluses. According to Pat Choate, a vice president of TRW and Japan critic, who is writing a book on Japanese lobbying, Japanese government agencies, corporations, and foundations spent $150 million in 1988 and $250 million in 1989 trying to win American "hearts and minds." This is far more than any other foreign country spends. Moreover, unlike the funds spent by Canada and Great Britain and their companies, the Japanese contribution is part of a concerted political and economic strategy.

Some of this money is directed toward what the Japanese call "good corporate citizenship," but much of it is aimed at reinforming the viewpont of the Japanese in the raging American debate over trade and foreign investment. Currently, they are targeting their funds on scholars and think tanks that blame the trade deficit on American fiscal or corporate policies rather than on Japanese trade barriers or state-subsidized export strategies. Not surprisingly, the Japanese have avoided funding proponents of "managed trade" who believe that Japan

must agree to specific increases in its imports. "What the Japanese are trying to do is maintain the status quo," says Donald Hellmann, professor at the University of Washington's Jackson School of International Relations.

According to Choate, the Japanese also spend a mimimum of $100 million last year hiring Washington layers and public relations experts. Most of those hired have been what Washingtonians call "Guccis"—$350-an-hour former legislators or government officials like former Republican Cabinet official Elliot Richardson or former Carter White House aide Stuart Eizenstat. Through these prestigious ex-officials, the Japanese expect to influence Congress and the White House policies on trade and investment. Last year, for instance, Japanese companies tried to keep semiconductors and telecommunications equipment off the Administration's list of products that Japan was refusing to import and to block Congressional efforts to fund American consortia in high technology.

There is nothing illegal about Japan's funding of think tanks and academics and hiring lobbyists. Nor is there any evidence that Japan's contributions have led scholars to reverse their positions. Without Japanese funding, policy experts would still be arguing about what causes American trade deficits and whether Japan's investments in the United States are a boon or a bane. But the hundreds of millions that Japan is spending annually are tilting the debate about America's economic future without the public being aware of it. The Japanese are radically reinforcing opinions that mirror their own. "It's like giving certain people a megaphone and forcing everybody else to shout," Choate says.

The money is also creating what the Japanese call "structural corruption"—a kind of systemic bias that does not require conscious acts of corruption but yields much the same results. Government officials in the U.S. Trade Representative's office and the Commerce Department are constantly tempted to allow their negotiating stance to be colored by lucrative future employment possibilities as Japan lobbyists. Two years ago Robert E. Watkins, Deputy Assistant Secretary of Commerce for automotive affairs and consumer goods, resigned after the Associated Press reported that he had sent about 500 letters and résumés to companies including Mazda, Toyota, and Nissan, describing himself as "uniquely qualified to establish and lead an automotive association committed to market principles."

Academics and think tanks are subject to similar temptations. The graduate student in Japan studies worries about who is going to fund his research, and the resident fellow at a think tank, who now has to raise his own salary, worries about how he is going to do so without substantial Japanese contributions. Hellmann says, "If you've got academic institutions and think tanks pandering to where the money is, then you become unable to generate new ideas and policies."

I.

The Japanese are especially interested in think tanks because they play a critical role in Washington, translating academic research into policy recommendations. Think tankers like the Brookings Institution's Robert Lawrence frequently testify in Congressional hearings on U.S.-Japan issues. Think tank reports also carry considerable weight in policy debates. Administration and Congressional critics of the Omnibus Trade Bill relied heavily on an Institute for International Economics study of U.S.-Japan relations. The study, partially funded by the U.S.-Japan Foundation, claimed that a "complete elimination of Japanese trade barriers" would reduce the trade deficit only by $5 billion to $8 billion. "People were always citing the institute's research to show that the trade barriers were minor," says former Commerce Department official Clyde Prestowitz, a leading Japan critic.

The Japanese first approached Washington think tanks in 1972, after President Nixon slapped a ten percent surcharge on imports, but they were initially rebuffed. According to a former Brookings fellow, when Sumitomo Bank offered the Brookings Institution a million-dollar grant that year, then Brookings President Kermit Gordon turned it down because the money came from "a foreign lobby."

In the intervening years, however, Washington's think tanks lost whatever qualms they had about accepting Japanese grants. With the rise of new conservative think tanks such as the American Enterprise Institute (AEI) and the Heritage Foundation and the decline in contributions from large American foundations such as Rockefeller and Ford, Washington's think tanks began to compete aggressively for funding. Most of the major think tanks in Washington, from the liberal Brookings to the conservative AEI and Center for Strategic and International Studies (CSIS), now gladly accept funding from Japanese firms and foundations. The exceptions are the liberal Economic Policy Institute and the new right Free Congress Foundation, which favor aggressive trade policies: they have neither wooed nor been wooed by the Japanese.

The Japanese funders have sometimes sought immediate returns for their money. When Nomura Securities funded a Brookings-sponsored annual conference on Japan with other think tanks, Brookings officials became upset when Nomura tried to set the agenda. Brookings Senior Fellow Ed Lincoln explains, "The Japanese just don't have the same kind of eleemosynary background in their society, and the first thing they ask when they give money is what do we get."

In the face of this pressure, some think tanks have allowed the Japanese funders unusual kinds of influence. One of the first major Japanese grants after Ronald Reagan's election in 1980 went to CSIS. Housed on six floors of a K Street office cube, CSIS has been a major outlet of conservative foreign policy opinion. It is chaired by former NATO Ambassador David Abshire and still advertises a connection with former Secretary of State Henry Kissinger. It specializes in private briefings for political and business leaders.

In early 1981 CSIS accepted a million-dollar endowment from Toyota to found a chair of Japanese studies, the appointment to which would be for two-year nonrenewable terms. CSIS calls it their "Japan chair," but Japan specialists sometimes refer to it derisively as the "Toyota chair." Unlike universities, which customarily do not allow firms or individuals who endow chairs to have any say over who is appointed to them, CSIS consults Toyota officials about who is appointed. Appointees are also expected to give Toyota officials special briefings when they come to town. Former Treasury official C. Fred Bergsten, the director of the Institute for International Economics, thinks CSIS has gone too far. "To consult with any funder compromises the independence and integrity of an operation based on analytic research," he says.

Brookings, the oldest of the think tanks and traditionally a source of Democratic administration officials, began accepting Japanese grants in the early '70s, but it insisted that Japanese firms donate their money to American foundations like the Japan Society, which then gave grants to Brookings's general fund, where Brookings's administrators parcelled it out. Last fall, however, Brookings accepted a major grant from Japanese business to endow a permanent chair in international economics, named after former Treasury official Robert Roosa. According to Brookings officials, the three funding organizations, the Federation of Tokyo Bankers Association, the Life Insurance Association of Japan and the Japan Securities Dealers Association, will not be consulted on who fills the chair or on the kind of work produced. But Ed Lincoln worries that accepting the gift was a "significant step" for Brookings. "The chair deals with international financial issues, but that is only one step removed from being directly involved with Japan." The pressures raised by such a gift are obvious. If Brookings were to appoint a critic of Japan's trade practices to the new chair, it might have trouble getting further gifts from Japanese companies.

The Committee for Economic Development (CED), a policy group based in Washington and New York, has played an important role in inflencing government fiscal policy. But its ties to Japanese firms and lobbyists raise questions about its intellectual independence in addressing U.S.-Japan issues. Owen Butler, the chairman of CED and a former chairman of Procter & Gamble, now serves as a salaried senior adviser to Daiwa Securities America, the American subsidiary of the Tokyo financial firm. This fall Daiwa donated $1 million to CED for a program named after Butler.

CED produces biannual reports on "United States-Japan Trade Relations" with Keizai Doyukai, the Japan Association of Corporate Executives. The reports themselves are funded by the United States-Japan Foundation, whose money comes from the Japan Shipbuilding Association. The current report could be labeled the "Nissan report." CED chose former U.S. Special Trade Representative William Eberle, the president of a firm that lobbies for Nissan, to chair CED's committee. Keizai Doyukai's committee was chaired by Takashi Ishihara, the chairman of Nissan.

The 1989 report predictably reflected the view being promulgated by Japan and its Washington lobbyists. For instance, it blamed the trade deficit primarily on the U.S. budget deficit, and warned that citing Japan for trade barriers under the bill "could trigger a protectionist spiral." It rejected a "managed trade" strategy favored by some of CED's business members. Such a view by itself is intellectually defensible, but it was intellectually defensible to present this view, as CED did, as the result of the deliberations of independent American and independent Japanese businessmen.

II.

The Japanese heavily fund Japan studies programs as well as think tanks. Chalmers Johnson, a Japan expert at the University of California, San Diego, estimates that Japan funds about three-quarters of university research about Japan. Like the think tanks, the Japan studies programs face the challenge of maintaining an environment of disinterested objectivity while seeking funds from donors very interested in the results of

the research. Some of the programs have clearly failed to meet this challenge.

Washington's Reischauer Center for East Asian Studies, which is part of Johns Hopkins's Paul Nitze School for Advanced International Studies, doubles as a think tank and a graduate school. From its building down the street from Brookings, it not only teaches students but also publishes papers and holds conferences for legislators and business leaders. The Reischauer Center has always been unusually dependent on Japanese political and financial support, which has created concern among some academics. Johns Hopkins officials announced the formation of the center in Tokyo in June 1984 at the same time as it awarded Japanese Premier Yasuhiro Nakasone an honorary degree.

The center made Nakasone the honorary chairman of its advisory council, and in 1987 the Japan Shipbuilding Foundation endowed a chair at the center in Nakasone's name. In raising funds, one former faculty member says, the center has "peddled the Nakasone connection." For instance, in the center's promotional film, its director, George Packard, attributes the founding of the Reischauer Center to Nakasone's "extraordinary kindness and encouragement."

According to Packard, the center gets about ten percent of its annual budget, or $300,000, from Japanese sources—a large amount, considering the contribution of student tuitions and the fact that the center also covers China and Southeast Asia. Donors include Japanese government agencies and major Japanese corporations, among them Toyota, Sony, All Nippon Airways, Nomura Securities, and NEC. The chairmen of these corporations and a representative from Japan's Ministry of International Trade and Industry (MITI) have sat on the center's advisory council.

The center's annual reports on U.S.-Japan relations mirror Japanese positions. In the center's 1988 report, which was funded by Equitable Japan and the Nissho Iwai Corporation, it denounced the Omnibus Trade bill, passed with wide Senate and House support and signed by the President, as "protectionist." The center's report also referred to the "alleged dumping" of Japanese semiconductors, even after an official Commerce Department finding that dumping had occurred. (Such an assertion proved too much even for Japanese semiconductor industry lobbyist Stanton Anderson. "Under U.S. dumping laws, dumping occurred," Anderson told me. "Nobody challenged that.")

The Japanese themselves tend to think of the center as a lobby. The Japanese newspaper *Asahi Shimbun* included an account of the center's activities in a 1985 article titled "The Fifth Branch of the U.S. Government: Lobbyists." Robert Angel, a political scientist at the University of South Carolina, says: "Japanese government and business public relations types seem to interpret the center's appeals for funding as an opportunity to support a public relations platform in Washington."

Packard, a former aide to Ambassador to Japan Edwin O. Reischauer, is both director of the center and dean of the Nitze School. Packard is also a business consultant on salary to KRC Pacific Partners Limited, which advises American and Japanese firms. He writes advertorials for the Japanese Chamber of Commerce in New York. He has served on the board of Telejapan, a Japanese television company that produces what it claims to be independent shows for American television. Former *Newsweek* reporter Kim Willenson quit the board after learning that officials of MITI were supervising Telejapan. Willenson says that Packard told him he was "making a mountain out of a molehill."

Packard denies that either his own outside connections or the Japanese contributions to the center have any bearing on its teaching or publications. "We are uninfluenced by Japanese money," Packard says. Packard dismisses his academic critics: "In the academic world, there is a bitterness toward those who try to explain Japan's side."

But the center and Packard have what Chalmers Johnson calls a "truth in advertising problem." If the center were billed as a joint operation of Japanese and American businesses, and if Packard were presented on television or in op-ed pieces as a consultant and fund-raiser with links to Japanese companies rather than simply as an academic dean, then the public would not be misled. But when the center and Packard both present themselves solely under the guise of disinterested scholarship, the public is indeed being fooled, and the debate over U.S.-Japan relations is being corrupted.

III

To influence directly the White House and Congress, Japan has assembled a virtual who's who of lobbyists and advisers in Washington. The Japanese have hired more than 110 former government officials. Almost every important ex-trade official works for the Japanese in some capacity. These include three former U.S. trade representatives: Eberle; William Brock, who advises Toyota; and Robert Strauss, who is a senior partner in the law firm Akin, Gump, Strauss, Hauer, and Feld, which lobbies for the Japanese electronics giant Fujitsu, and who, according to a Toyota representative, advises that company.

Most of the top Democratic and Republican Party officials work for the Japanese. Last December, when the Democratic Party was going to choose a chairman, three of its four leading candidates—Ron Brown and former Representatives Jim Jones and Michael Barnes—all represented Japanese firms. Former Democratic chair Charles Manatt represents Japanese firms, and when Hogan and Harston's Frank Fahrenkopf was Republican chair, he helped one of his law firm's Japanese clients gain entrée to the Department of Commerce.

Many lawyers and public relations men who enjoy or have enjoyed high White House connections work for the Japanese. These include former Eisenhower White House aide Robert Gray, former Nixon aides Leonard Garment and Stanton Anderson, former Carter domestic policy chief Eizenstat, and former Reagan and Bush campaign aide James Lake.

Some government officials who become lobbyists reenter government as trade negotiators. The Bush Administration's U.S. Trade Representative, Carla Hills, hired Julius Katz of the public relations firm Hill and Knowlton as her deputy. Hill and Knowlton represents more than 25 foreign firms and government agencies, including Toyota, Hitachi, and the Japan Trade Center. When Katz's appointment was announced, the general manager of Hill and Knowlton circulated a memo in which you could practically hear the spinning of the revolving door. "I thought you might want to write Jules a note of congratulations," the official prompted. "Obviously, he is with us until his confirmation and perhaps he will return after a stint with USTR."

Japan and America's other economic rivals do not condone these sorts of interlocking relationships between their own governments and foreign lobbyists, reasoning that they make it too hard for the government to distinguish between its interests and those of its competitors. In Japan no self-respecting lawyer, let alone former government official, is willing to lobby for an American company. "They would be seen as paid men," one Japanese official remarked. But what is culturally and morally forbidden in Japan is accepted procedure in contemporary Washington. "In Washington," Chalmers Johnson says, "the fix is always in."

This army of lobbyists and advisers furnishes Japanese companies with the troops necessary to win battles in Washington. The Japanese usually know what the Administration plans to do before most Administration members do. Through their lobby and their funding of think tanks, the Japanese have also acquired a virtual monopoly of economic expertise. When House or Senate members want to learn about a complex trade issue, they will almost inevitably fall back on someone who is an adviser to, a lobbyist for, or a recipient of funding from the Japanese. When the House Ways and Means Committee held a retreat in 1986 to discuss trade legislation, journalists Doug Frantz and Catherine Collins recently reported in Selling Out, they invited Strauss and Eberle to brief them.

When a policy organization names a distinguished group of experts to develop a position paper on trade, Japan's lobbyists invariably lead the list. The Council on Foreign Relations appointed a multinational working group last year to develop a paper on "Business and Government in an Interdependent World." The Americans included Eberle and former Deputy Trade Representative William Walker, who also lobbies for Japanese firms.

Through its lobbyists and advisers Japan also has unprecedented clout and access in the White House and Congress. In the Bush White House, Stanton Anderson commands the attention due a friend and a key fundraiser for the 1988 campaign. When Congressional Democrats vote, they are likely to take seriously the recommendation of a former Democratic official who now commands party influence and fund-raising resources. "If you're a Democrat and a protectionist, you run up against Chuck Manatt, Bob Strauss, and Ron Brown," says one lobbyist for a domestic manufacturer. "If you're interested in your career, why bump up against these powerhouses?"

Most of Japan's lobbying feats go unnoticed except by the businesses affected, but there have been some dramatic public successes. In a battle lasting two years, lobbyists got Congress to reduce drastically the sanctions against Toshiba for selling advanced submarine technology to the Soviet Union—a sale that cost the United States an estimated $30 billion to counter. When the Senate first learned of the sale in June 1987, it voted 92-5 to bar Toshiba sales for three years. A year later, after Toshiba had spent $10 million lobbying, the House and Senate finally reached a compromise, limiting the ban to government sales by Toshiba's subsidiary, Toshiba Machine. Instead of costing Toshiba $10 billion, Congress's action cost it several hundred million.

During the same years the lobby also defeated Representative John Bryant's bill that required foreign investors to disclose their holdings in American firms, even

though most Western European countries and Japan require even closer scrutiny of foreign investments. After the House narrowly passed the measure, the Japan lobbytists, led by Eizenstat, Richardson, and former USTR General Counsel Richard Rivers from Strauss's law firm, secured its defeat in the Senate by 83-11.

The Japan lobby rarely wins battles on its own. Instead it throws its considerable weight behind one side in a debate. During Bush's first year the lobby mounted a major offensive to prevent the Administration from citing Japan for blocking American sales of semiconductors under the "Super 301" legislation passed by Congress in 1988. Citing these products would have entailed raising a threat of sanctions against Japan if negotiations didn't remove trade barriers.

One lobbyist, who asked not to be identified, described the battle to keep semiconductors off the list as "a war." The Japanese may have spent as much as $5 million lobbying on this issue alone. Stanton Anderson's law firm received $167,000 between April and June alone from the Electronics Industry Association of Japan (EIAJ). William Walker's law firm, Mudge Rose Guthrie Alexander and Ferndon, received $181,000 from the EIAJ during the same period for lobbying White House aides Michael Boskin, Steve Ferrer, and Roger Porter. During the first six months of 1989, Strauss's firm collected $577,585 from Fujitsu. And these were only a few of the law firms and Japanese companies involved.

In the Bush Administration debate over Super 301, the Japan lobby's massive effort tipped the scales in favor of Boskin, Porter, and budget director Richard Darman and against the Commerce Department. When the Bush Administration announced the products that it was citing Japan for, semiconductors were not on the list. "I thought the decision reached by the President was masterful," lobbyist Anderson said. Four months later U.S. Trade Representative Hills announced the United States would no longer pursue the Reagan Administration's demand that Japan import a targeted percentage of American semiconductors.

Recently the Japan lobby has also tried to frustrate attempts by the American electronics industry to develop an American high-definition television industry. As was the case with semiconductors, the lobby has reinforced efforts by a vocal faction within the Administration. At the beginning of September Secretary of Commerce Robert Mosbacher, who had kicked lobbyists Anderson and Walker out of his office in March, threw in the towel. At Anderson's request, Mosbacher held a high-level meeting in Japan with the chairman of NHK, the Japan broadcasting company that is heavily committed to HDTV. During the same visit Mosbacher announced that he no longer favored American Government support for HDTV.

The Japanese are also fighting Congressional attempts to exclude foreign companies from government-funded industrial consortia that are meant to help the United States compete in high technology. Congress has been willing to include companies like Phillips or Thomson that do their research and development in the United States, but it wants to exclude companies that use the United States merely to assemble their products and refuse to allow American companies to join similar consortia. This applies to the Japanese companies. According to Congressional sources, Mitsubishi Electronics, which employs Jim Lake's public relations firm, has been lobbying heavily against the proposals.

In waging these battles, Japan's lobbyists invariably appeal to American support for free markets and free trade, implying that the United States is violating international standards of good capitalist behavior. But in the battles over foreign investment disclosure, semiconductors, and government funding of high-technology consortia, the Japanese are using their lobby to block precisely the kind of trade and industrial strategy that they themselves used to win foreign markets for their consumer electronics industry. Like the proverbial bad parents, the Japanese are saying, "Don't do as we do, do as we tell you."

During the '80s the Japanese developed an even more subtle strategy for influencing Congress and the White House. They got American business that depended upon Japanese companies to pressure Congress and the White House. They tried this first with imported car dealers and, during the mid-'80s, with computer and other high-technology companies that used Japanese components.

During the fierce debate over Toshiba sanctions, computer firms like NCR, Apple, and Hewlett-Packard that used Toshiba disk drives, printers, and other components lobbied Congress against sanctions. Some of the same firms protested the Reagan Administration's semiconductor agreement with Japan and have sought the agreement's repeal. In fighting against government funding of American HDTV efforts, the Japanese have been able to rely on companies like Ampex that now get an important part of their profits from selling Japanese technology. "We've got to the point where we can say, 'We've met the enemy and he is us,'" says Bill Reinsch, an aide to Pennsylvania Senator John Heinz.

The Japanese also use a traditional front group strategy to get their point across. Japanese subsidiaries now play a significant role in the Electronics Industry Association, but in debates with the American Electronics Association, the EIA presents itself as merely a rival American trade association. The EIA first opposed any government HDTV funding whatsoever and then, when that position appeared impolitic, insisted that foreign subsidiaries enjoy the fruits of any government intervention. The EIA's position was not without merit intellectually—its position paper was ably drafted by the Berkeley Roundtable on International Economics—but it lacked candor. What appeared to be a plea for free market principles was also part of a strategy for foreign domination of the American HDTV market.

IV.

Japan's funding of think thanks and universities and its support for a powerful lobby in Washington has created an untenable situation in Washington. The most important questions facing Americans concern our economic future, and some of these revolve around our relationship with Japan and Japanese companies. Our trade with Japan is the single greatest cause of the U.S. trade with Japan is the single greatest cause of the U.S. trade deficit; and Japan has come to dominate precisely those areas of industry upon which our growth and prosperity will rest. The United States has to decide how to respond to what Akio Morita and Shintaro Ishihara in *The Japan That Can Say "No"* candidly call "economic warfare," but it's hard for Americans to have a meaningful debate when Japan and its lobbyists have acquired such extensive influence over the debate itself.

To put it as simply as possible: the United States must hold discussions among its own citizens before it can hold discussions with Japan. There have to be two separate debates or discussions. Americans first have to decide among themselves what is in their national interest. But the effect of Japan's influence campaign is to make the first debate impossible. When two prominent Americans rise to discuss U.S.-Japan trade relations, there's a good chance one or both is in the pay of the Japanese.

What can be done? The American public must at least be informed when a participant in the discussion of U.S. trade and investment has financial ties with the Japanese. The current means for such disclosure are, however, woefully inadequate.

Lobbyists for foreign companies are supposed to register with the Justice Department's Foreign Agents Registration Office. But the office is hopelessly understaffed—it has only a dozen employees, and has yet to submit its report for 1987—and the regulations themselves are extremely loose. Those who advise foreign companies but do not directly lobby public officials—like Brock or former chairman of the Council of Economic Advisors Martin Feldstein—do not have to register. Nor do lobbyists like Ron Brown who represent American subsidiaries of Japanese companies. This means that the public has no way of knowing that these people have a financial stake in holding certain views about trade and investment issues.

Senator Heinz has introduced a bill that will require publicists or lawyers who represent the Ameican subsidiaries of foreign companies or who represent foreign firms and their subsidiaries in administrative and judicial cases to register with the Justice Department. But Heinz's bill is being fiercely fought by the lobby. Al Yamada, who lobbies for Toyota U.S.A., says, "I think it is unfair. When you register as a foreign agent, you have all kinds of restraints."

Even if Heinz's bill passes, however, it will not cover the case of advisers, think tanks, policy groups, and universities. Here, part of the responsibility for disclosure must rest with the individuals and institutions themselves. When the Council on Foreign Relations publishes its forthcoming report on business-government relations, it should acknowledge that the authors included two prominent Japan lobbyists. And academics like Packard should identify their business interests when appearing in public forums. But when voluntary self-disclosure fails, the responsibility for revealing potential conflicts of interest reverts to the press.

So far the press has not lived up to this responsibility. The classic instance is an October 1986 *Washington Post* article on the debate over Reagan's semiconductor agreement. The story was headlined, "Former U.S. Official Assails Japanese Pact." It reported that "former Commerce Under Secretary Lionel Olmer" had criticized the agreement in a debate with Alan W. Wolff, "who represented the domestic semiconductor industry."

The story's headline and the identification of the principals gave the reader the impression that a disinterested former official had challenged the opinion of a paid industry lobbyist, but in fact, Olmer was employed at the time the piece appeared as an adviser to Nippon Telephone and Telegraph. Moreover, Wolff, besides representing the semiconductor industry, was himself

a former trade official in the Carter Administration. The argument was really between two former trade officials, both of whom had a financial stake in their own positions.

The practice continues unabated. In an October 1989 *Washington Post* story on Japan, Packard is identified merely as "dean of Johns Hopkins School of Advanced International Studies." In an October column attacking proponents of managed trade, *Washington Post* reporter Hobart Rowen cites as an authority "Washington attorney William N. Walker," who is in fact a New York attorney who lobbies for the Japanese electronics industry. Readers who assume that Packard or Walker are expressing disinterested opinions are being misled. And the *Post* is not alone. Of major national publications, only *Business Week* consistently ferrets out potential conflicts of interest.

Only when the participants are adequately identified can the great debate begin. Should the government try to break down Japanese trade barriers through demanding specific quotas? Should it scrutinize foreign investments? Should the U.S. Government help develop its own HDTV industry? Should it help fund a consortium to develop the next generation of computer chips? Should it establish a new Cabinet department that performs the same kind of functions that Japan's MITI does? America's future rests on the answers to these questions, but they cannot be adequately debated as long as many of the leading participants have an undisclosed financial stake in one answer rather than another.

We should keep the statements from this article in mind now that the Japanese Government is targeting our charities and community organizations—and targeting is the right word.

We have always accepted contributions of money for organizations, because that too, is a way of sustaining the American system. But—and that is a big but—Americans have always carefully examined money with strings attached to it. We all too well know in Congress how carefully we must examine what we do. Well, organizations and charities are just as aware as we are what it means to receive contributions with strings attached.

Now our organizations are about to receive money and volunteers with strings attached by the Japanese Government. According to a New York Times article by David E. Sanger, on February 22 titled, "Japan To Give Tax Benefits For Charitable Aid In U.S." Sanger wrote:

Worried about mounting hostility to Japan's huge investments in the United States, the Japanese Government has offered Japanese companies a large tax deduction if they give money to hospitals, schools and philanthropic activities in the United States, according to Government officials.

Japan has made no formal announcement of the move, but it was discussed at length during a highly unusual meeting of 300 of the country's top business executives, who were summoned by the Foreign Ministry last Friday.

The tax break—effectively a Japanese Government subsidy to American organizations—is the latest and most significant move yet to try to defuse tension with the United States over Japan's growing presence there, which Japan now fears may be poisoning relations between the two countries.

Moreover, the tax deduction for charitable donations seems to be part of a broader effort by the Government and industry to burnish the image of Japanese as solid citizens in the American communities where Japanese companies have built plants. Indeed, the tax breaks are merely one element in the drive to encourage Japanese expatriates working in the United States to integrate more in the activities of the American communities.

The article goes on;

In recent days, for example, the Japanese Chamber of Commerce has begun distributing 5,000 copies of an 85-page handbook containing advice to Japan-based companies in America on how to participate effectively in communities, supporting local charities and volunteering to work for local organizations.

Tsutomu Karino, an executive director, explained that the handbook was issued because the American tradition of volunteerism was not much developed in Japan.

"Most Americans feel this is common sense," Mr. Karino said, "Most Japanese feel this is not common sense, this is unusual."

Published with Japanese and English text on facing pages, the book is entitled, "Joining In! A Handbook for Better Corporate Citizenship in the United States."

The book does urge the Japanese to promote their community efforts. That "It is important in American society to take credit for good works accomplished. This is not bragging, it is a matter of getting deserved credit."

If the Japanese are so concerned about getting deserved credit—then I suggest they pay their fair share of taxes instead of their being so concerned about mixing in our grassroots political and social system where we work out the directions for our communities and our country.

The New York Times carried a story by Robert Pear on February 18: "IRS Investigating Foreign Companies Over Units in U.S." It carried a subtitle: "Low Tax Payments Cited—Officials Say the Prices Used for Internal Transactions Cut Taxes $12 Billion." Pear wrote:

Bolstered by new auditing powers, Federal tax officials are investigating many American subsidiaries of Japanese companies on the suspicion that they have underpaid corporate income taxes by billions of dollars.

As foreign-owned assets in the United States more than tripled in a decade to $1.8 trillion, the gross income foreign-owned companies made here more than doubled. But the total taxes they paid hardly changed, data compiled by the Internal Revenue Service show. Of the 36,800 foreign-owned companies filing returns in 1986, more than half reported no taxable income.

Tax officials assert that some subsidiaries understate income, thus minimizing tax liability, by manipulating transactions with parent companies. But the IRS has been frustrated in an effort to audit these companies' returns because important financial records are often kept at headquarters abroad in foreign languages, with much less detail than would be required in the United States.

How this is done was explained:

Federal tax officials say American distributors of foreign-made goods can reduce their profits, and thus their tax liability, by paying high prices to the parent corporations for goods, services and technology.

Under U.S. Federal law, a parent company is supposed to charge its subsidiary the same price as a buyer would pay an unrelated seller in the open market—the "arm's length" price.

Cited as an example was the American subsidiary of Yamaha Motor Co. who understated its income and overstated what it paid to its parent company. Yamaha is now in court for an alleged underpayment of $133 million in taxes, plus $13 million in penalties.

The article explained that Toyota is fighting giving documents to the IRS for charging American distributors more than it does their Japanese distributors.

Of course they are concerned about their image and with underpaying their taxes, so they now propose to channel some of this money to our charities and organizations. I mention this, because the charity giving is one thing—but the working in an American community with the Japanese goals in mind—and that is what it is if the government is directing and coordinating them—is another.

The pattern of targeting that Marvin Wolf pointed out in the "Japanese Conspiracy" is being repeated. They are coordinating with the government. The system of interlocking businesses is functioning.

Now we have an infusion of Japanese small businesses setting up in the San Diego area, according to the Wall Street Journal on February 23. They are investing and "serving large Japanese corporations already in the San Diego area."

In Kentucky in the past six months alone, five foreign toolmakers have started operations to supply Toyota's auto factory in Georgetown.

Now, are we to have our social and political life inordinately influenced by the Japanese as Mr. Judis pointed out in the New Republic? It is not in our best interest.

The best explanation comes in a review of the book "Democracy and Its Critics" by Robert A. Dahl. In his review, Robert Bellah wrote:

In an advanced democratic country the economic order would be understood as instrumental not merely to the production and distribution of goods and services but to a much larger range of values, including democratic values. The economic order would be seen as intended to serve not merely consumers but human beings in all the activities to which an economic order may contribute.

Mr. Dahl believes we are on "the threshold of a third democratic transformation involving a significant increase in citizen participation in our economic and political life."

This cannot be done through reverse "Ugly Americanism." It must be done by our citizens.

That citizen participation must come from those who are American citizens, who vote in our elections and accept all the obligations that citizenship carries with it. Expatriates may like us—may love us—may understand us—but they are not the citizens who are responsible to uphold this great country.

Paying taxes is one way to uphold that responsibility—working in our organizations—and voting. The Japanese meet none of these criteria.

This country is filled with creative, friendly people. When challenged, we will respond. We know what it means when we sing "America The Beautiful" or we hear the "Star Spangled Banner." The vision of freedom and opportunity runs through our mind and our spirits lift. We cannot pervert and must not pervert this for an economic gain by another country. We are free and must remain free, economically and spiritually. I know Americans will rise to meet this challenge. I am.

□ 1520

CRITICISMS OF PRESIDENT'S PROPOSED HIGHER EDUCATION BUDGET, FISCAL YEAR 1991

The SPEAKER pro tempore (Mr. CLARKE). Under a previous order of the House, the gentleman from Pennsylvania [Mr. GAYDOS] is recognized for 60 minutes.

Mr. GAYDOS. Mr. Speaker, I am very disappointed with the administration's proposed higher education budget for fiscal year 1991 for two reasons. First, the funding is extremely inadequate, meaning that fewer students will be assisted; and second, many of those students who will be assisted will receive less money, especially at a time when college costs are rising faster than the inflation rate.

I somehow expected more than a trite, all-too familiar package that provides less for our Nation's post-secondary students, especially from our self-proclaimed "Education President."

I'm surprised the President even submitted this proposal as it is, because it contains exactly the same elements that caused him to veto the 1990 appropriations bill last October. Namely, it "underfunds the Pell Grant Program, weakening the Nation's commitment to expanding opportunity for higher education."

A recent article in the Wall Street Journal reported that "College tuition looks likely to leap past inflation for the 10th year in a row." While inflation is expected to be about 4 percent, tuitions for the 1990-91 school year may rise as much as 11 percent.

And, despite the fact that student aid programs have not even kept pace with inflation, our "Education President" is requesting $486.7 million less in the student aid for fiscal year 1991 than Congress appropriated for fiscal year 1990. This reduction in funds means that 74,000 fewer students in the 1990-91 school year will be served as compared to the number served in the 1989-90 cycle.

How this administration can imply it is committed to expanding educational opportunities is beyond me.

To me, the proposed budget shows more of a commitment to stifling opportunities for four main reasons: First, it underfunds the Pell Grant Program; second, it completely eliminates four other student aid programs; third, it provides no Federal funds for two student aid programs without actually doing-away with them; and fourth, it substantially reduces funds for two other aid programs.

No. 1—the Pell Grant Program, the Department of Education's most need-focused student aid program, is underfunded in three ways.

First, while there is an apparent increase of $473 million—$371 million of that will go to cover the previous year shortfalls and we lose an additional $218 million unless we pass a package of cost-reduction measures the Department of Education plans to propose.

Second, the maximum Pell grant is still set at $2,300. This is the same level as the 1989-90 academic year even though tuition costs are rising. This means for the 1990-91 cycle, the value of each grant will decrease by about 9 percent, making the awards going to those students who need the assistance the most worth even less than ever before.

And third, the administration did not request a supplemental appropriation to restore $66.5 million sequestered from the Pell program for fiscal year 1990, meaning 14,000 students will be dropped from the program for the 1990-91 academic year, and 1.3 million of the 3.2 million grant recipients—more than a third of those served—will receive awards reduced by an average of $50.

No. 2, the administration proposes to completely cut four programs—Cooperative Education, Law School Clinical Experience, Veterans' Education Outreach, and Innovative Projects for Community Service. For fiscal 1990, Congress appropriated a total of $22.6 million for them.

These programs provided a wide range of opportunities for students, ranging from work experience to tutoring and counseling services for veterans to helping students reduce their acquired debt by participating in community service projects.

No. 3, the administration selected two programs to receive no Federal funds for fiscal year 1991—the State student incentive grants and the Perkins loan programs.

Last fiscal year, Congress appropriated $59.2 million for the State Student Incentive Grants Program and that money assisted 197,000 students.

The administration wants no Federal money to go to this program for fiscal year 1991 because it believes "Federal funds are no longer necessary" because State expenditures for grant aid have continued to expand in recent years. It also believes the "Work-Study program provides more than adequate Federal incentives for the creation of part-time community service employment opportunities for needy students."

I have a problem with this for two reasons.

First, most Americans who qualify to receive grant money already have to work while they attend school to come up with the expected contribution toward their education. If we accept this proposal by the administration, these students will have to spend even more time working instead of studying if they want to further their education.

Second, I don't understand how the administration expects these 197,000 students to be miraculously absorbed into the Work-Study Program. The administration is not requesting any more money for work-study than it did for the 1989-90 school year, so the program will have to assist 5,000 fewer students in 1990-91 than it is today, not counting the other 197,000 that received SSIG funds.

The other program the administration wants to cut off from all Federal funding for fiscal year 1991 is the Perkins Loan Program. The program can still operate for the 1990-91 school year without Federal support by using the money collected from previous loans to fund new loans, but 108,900 fewer students will be assisted without this important Federal support.

The administration says that it is not appropriating money for the Perkins Loan Program for fiscal year 1991 because the loans "provide heavy and unnecessary Federal interest subsidization."

The administration says this action does not represent a policy shift but that is exactly what it is—and, it seems to me, a much misinformed one, since the burden of subsidizing the Stafford loans is much greater.

And, No. 4, the administration has targeted two programs to receive less money in fiscal year 1991 than Congress had appropriated in fiscal year 1990—the guaranteed student loans, and the college housing and academic facilities programs.

The administration has proposed that the guaranteed student loans programs receive $459 million less in fiscal year 1991. If the Congress goes along, 9,000 fewer students will be assisted

during the 1990-91 academic year than during the 1989-90 year.

Although there is an overall anticipated drop in the number of students served in the three guaranteed student loan programs—the Stafford loan, formerly the guaranteed student loan, which lends money to students based on need; the Parent Loan for Undergraduate Students [PLUS], which lends supplemental money to students' parents; and the Supplemental Loan for Students [SLS] which lends additional money primarily to independent students, the Department of Education expects the number of PLUS loans will increase by 34,000. One reason for the increase, according to the Department, is because students are hitting the maximum awards and need even more money than they needed in the past to finance their education.

The $3.3683 billion proposed for all three of the guaranteed student loan programs sounds like a lot of money, and it is, but the amount is more than a little misleading since not all of it goes to students in the form of loans. The largest cost of these programs is the interest subsidies and special allowances paid in the Stafford Loan Program. Close to $1.7 billion—almost half of the total amount requested for all three programs—is targeted for interest subsidies and special allowances.

And even this may not be an accurate figure since the Department's estimate of what it will need is based on the expectation that the interest rate of the Treasury bill decrease. If the rate does not decrease, it may cost closer to $2.4 billion, or over 71 percent of the total requested for the three programs, to pay the interest subsidies and special allowances.

The other program the administration targeted to reduce funds for is the College Housing and Academic Facilities Loans Program.

The administration wants to reduce funds to this program from $30 million to $5 million—a reduction of $25 million—because the administration believes these loans do not carry out an appropriate Federal role since they are not tied to national priorities. Even though the President has targeted education as a national priority, I guess he isn't concerned about whether there are enough classrooms to teach the students or enough dorms to house them.

Which programs are targeted or not targeted as national priorities has a direct impact on what I call the seesaw policy.

The administration's proposal targets science, mathematics, and engineering as priority programs. To encourage students to enroll in them, the administration has earmarked more money to support those programs and the students who do enroll in them.

It sounds easy enough doesn't it? But who gets hurt?

For fiscal 1991, the administration is proposing to seriously cut funds that support programs such as the arts, humanities, social sciences, and programs that encourage careers in public service because the administration does not consider these national priorities right now. To demonstrate what is really going on here, let's look at what the administration wants to do with the fellowship and scholarship programs.

Last fiscal year, Congress appropriated and earmarked a total of $11.2 million to support two fellowship programs that encourage students to enroll in arts and humanities programs, namely, the Jacob K. Javits Fellowship, and the Patricia Roberts Harris Public Service Fellowship programs.

The administration's proposal not only calls for reducing the amount of money these programs will receive for the 1990-91 academic year, but also puts them on a track to be completely eliminated.

The administration wants to reduce the amount of money the Jacob K. Javits Fellowship Program will receive for fiscal year 1991 from $7.9 million to $5.4 million—a reduction of about 30 percent. These fellowships are targeted to be phased out over a 3-year period because the administration feels the program does not support study in areas of high national priority.

The administration also plans to reduce the amount of money the Patricia Roberts Harris Public Service Fellowship Program will receive from $3.3 million to $1.2 million—a reduction of $2.1 million. These need-based fellowships are targeted to be phased out because the administration says it sees no shortages in public service.

Don't you think common sense would tell a person that by cutting these two fellowship programs and not encouraging students to pursue careers in the arts or humanities, we will create shortages in these areas?

I guess it's something our "Education President" doesn't want to think aobut right now because, for now, national priorities are mathematics, science, and engineering.

Last fiscal year, Congress appropriated $15.8 million for a program called Graduate Assistance in Areas of National Need. That's $4.6 million more than we appropriated for the two fellowship programs the administration proposes to eliminate.

The Graduate Assistance in Areas of National Need Program provides fellowships to graduate students in areas of national need as determined by the Secretary of Education in conjunction with the National Science Foundation, the National Academy of Sciences, the National Endowment for the Arts and Humanities, and other Federal and nonprofit agencies and organizations.

For fiscal year 1991, the administration plans to increase funding for this program to $25.5 million—an increase of $9.7 million over fiscal year 1990 appropriations.

But that's not all.

The administration also wants to create a new program called National Science Scholars and fund it for $5 million during the 1990-91 academic year and increase funding to $20 million a year by fiscal year 1994.

This new program would provide scholarships for students graduating from high school to enroll in mathematics, science, and engineering programs at the post-secondary level.

If the administration's fiscal year 1991 proposal is accepted as it is, the balance board of the seesaw will be tilting considerably with $30.5 million for mathematics, science, and engineering on one end and $6.6 million for the arts and humanities on the other end. Unfortunately the arts and humanities are quickly slipping off their end of the board because, if you remember, the two programs supporting them are on the track for elimination.

What happens when they finally are eliminated and we realize we will soon have a shortage of students graduating from these types of programs? And, believe me, it will happen—our Nation's educational history is proof of that.

We'll say the arts and humanities should be a national priority, of course. Then we'll take money away from programs not considered to be national priorities at that time, probably mathematics, science, and engineering, and spend those funds to encourage students to pursue study along the lines of our latest national priority. Sound familiar?

The ironic part is that while we're patting ourselves on the back for stopping a virtual disaster once again, the process will start all over again because we will have underfunded other programs to satisfy our new short-term goals.

We are not gaining any ground by following this unwritten policy. We're simply seesawing back and forth according to what is and is not a national priority at a particular point in time.

This way of funding higher education has never worked in the past and it doesn't matter how long we continue trying to make it work. It never will.

Maybe if we have enough faith in the diversity of interest and ability among our student population and make higher education accessible and affordable for all of our students, the diversity of the students themselves might take care of any potential shortages in particular areas. But we can

never know if we don't give our students the resources they need to pursue the education of their choice.

When it comes right down to it, the students are the ones who ultimately suffer while we carry on with this extremely inane and destructive tradition. Too many of our country's brightest students are being forced to choose their programs of study based on how much financial aid is available instead of being able to study what interests them most.

I'd like to see the day when we can rest assured that we have approved an education budget that would enable any American who wants to pursue higher education to study the program of his or her choice without having to look at the price tag attached to that program. But, frankly, it won't happen this year because this proposal from our "Education President" falls far short of that mark.

This proposed budget shows no commitment to expanding higher educational opportunities and entrenches us deeper in an all too familiar pattern of underfunding programs and reducing the amount of financial aid going to our students. If the President keeps going at this rate, his desire to be the "Education President" may become nothing more than an unfunny and very cruel joke played on our Nation's students.

I, for one, am not laughing.

□ 1540

ACT TO CREATE IMITATION SENATORS AND REPRESENTATIVES OUGHT TO BE REPEALED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. PARRIS] is recognized for 30 minutes.

Mr. PARRIS. Mr. Speaker, I take the floor of the House today to discuss the decision yesterday of the D.C. City Council to proceed with the election of shadow Senators and Representatives to lobby Congress for statehood.

First, the provision establishing these offices conflicts with the D.C. Home Rule Act which provides for WALTER FAUNTROY the current delegate's presence in Congress, it is in opposition to other congressional enactments, and is in addition, simply unnecessary and ill-advised. It may also conflict with the original voter initiative and referendum which called for the selection of these shadow Senators and Representatives.

Second, while the bill contains little or no funds at present, that is not likely to remain the case over the long run. The fact is that the bill has potentially very high and unnecessary costs for the District of Columbia, for the Congress and, indirectly, the Nation's taxpayers.

Third, it is not a citizen lobby which is constitutionally protected. It is, rather, an employment and involvement opportunity for self-styled activists who have not yet run and apparently have no desire to offer themselves for positions of real responsibility.

THE POSITION IS UNNECESSARY AND CREATES CONFLICT AND CONFUSION

The proponents of statehood say that these shadow congressional officials are needed to help lobby the statehood bill through Congress and to provide an increased form and level of congressional representation for the residents of the District of Columbia.

The District of Columbia, however, already has a representative in Congress to lobby for its interests including statehood. Whether that Representative, the nonvoting Delegate, is effective or not is for the citizens to once again decide on election day in November. If the citizens want a Delegate to spend full-time seeking support for statehood, they can and should elect a Delegate pledged to that proposition. They will have that opportunity. They have it every 2 years.

That is, in fact, consistent with the American election process and is the current law of the land. But establishing shadow congressional officials is not the way to do it. These shadow officials will not have the access to the Members of the Congress which the Delegate now possesses. They will, however, create inevitable conflicts on the questions of where the city stands on any number of issues and they will surely sow confusion as to who rightfully exercises the representational privilege.

Congress had provided the current nonvoting Delegate with all of the resources, including full financial resources as well as the rights and privileges of the House, its committees and its floor. The nonvoting Delegate also has the privileges of the floor in the Senate if he chooses to avail himself of it.

Congress has the obligation to protect the office, if not the individuals in it, and ought not be confronted by an ill-considered proposition which will further denigrate the authority of that position. I would point out, Mr. Speaker, that as an interesting aside the constitution which would be supported by these shadow Senators and Representatives is not the one approved by the voters. Despite what one may think of the previous constitution, that was the one approved by over 70 percent of the citizens of this city in a public referendum.

□ 1550

Unfortunately, that constitution which was admittedly far-reaching and perhaps even unique, was discarded by the city's political leaders who then simply rewrote and substituted their own version of what they thought was a desirable constitution for the District of Columbia, which reflects their individual judgments and values.

Perhaps it is a more politically acceptable document. The citizens, however, ought to have the opportunity, even if they do not have the legal right, to approve or disapprove the current constitution prior to the election of representatives who are purportedly advocating this new approved version on their behalf and in their best interests. That was the position taken by the gentleman from Kentucky [Mr. MAZZOLI], one of the members of the committee, at the time the statehood bill was considered in the committee. It was a good position then, and it is a good position now. The new constitution ought to be required to survive a new public forum before creating these shadow offices. Unfortunately and obviously, that is not to be the case in this matter. I would argue that the reason the supporters of that position will not provide an opportunity for the people to vote on this document is that it would most probably fail, and that alternative is simply not acceptable to the proponents. A bad idea cannot be made into a good idea merely because it will now be low cost or even ostensibly and arguably free. Even if the shadow members were to serve without appropriated resources, these would still be official positions bearing the imprimatur of the city government and by implication, of the Federal Government. It seems to me that if there are to be lobbyists for statehood for the District of Columbia, they should be men and women without a government portfolio. They should be citizen lobbyists. This not what was done, and indeed, I predict there will be requests for funds, at least for citizens that will come upon Members, sooner rather than later.

A motion before the city council considered in its session yesterday which would have prohibited public funding of these offices was defeated, and the question of providing from $1 to $3 million to appropriate each of these offices was merely deferred to adoption of the city's budget, a document that will contain authorization for some $3.2 billion.

The most distressing aspect of this entire effort may well center on the fact that it is not a citizen's lobby which is and ought to be constitutionally protected. A true citizen's lobby would have credibility. A citizen's lobby would raise the funds, organize a selection process, and pay the bills which the selected lobbyists incurred on their behalf. They would not have sought Federal funds. Neither would

they have sought Federal or local approval in a mock election. They would have wanted only the support and approval of those individuals who committed themselves, their funds, and their efforts to the cause. They would have done it the old-fashioned way, with hard work, diligence, dedication, and care. Instead of that, we see this effort to utilize public imprimatur of the government of the city of the District of Columbia, and of the Federal Government, in an attempt to influence this Congress, which has laws that prohibit the use of public funds for that purpose.

While I have said it before, I think it is worth repeating. The questions of statehood, congressional representation, and greater levels of home rule are serious issues, not only to the District of Columbia but to the Nation as a whole. They should not be taken lightly. They are not the private preserves of a few self-styled activists who may or may not be representating anyone except themselves and their sympathizers. Instead of posturing and threatening to withhold taxes in considering how to make a bad idea palatable, perhaps some efforts should be considered for solutions to the problems which confront the citizens who live in our Nation's Capital. The problems are many, and they are difficult, and at recent times they have been most serious. So, too, are the solutions. If we will remove our blinders and set aside our differences and our ideology, perhaps even we can find an acceptable solution to many of those problems.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and exend their remarks and include therein extraneous material on the special order about to be taken.

The SPEAKER pro tempore (Mr. CLARKE). Is there objection to the request of the gentleman from American Samoa.

There was no objection.

DEVASTATION IN AMERICAN AND WESTERN SAMOA IN THE WAKE OF HURRICANE OFA

The SPEAKER pro tempore (Mr. CLARKE). Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 60 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I have returned recently from my home district, American Samoa, after spending weeks there assisting with early relief efforts in the wake of Hurricane Ofa. Many of our colleagues, as well as much of the Nation, however, may not be aware that a catastrophe spawned by the forces of nature has wreaked havoc in the countries of the South Pacific. Unlike the extensive media coverage given to our friends in Puerto Rico, the Virgin Islands, and the Carolinas in the aftermath of Hurricane Hugo, little attention has been given by the national press to the destructive legacy of Hurricane Ofa.

On the evening of Friday, February 2, Hurricane Ofa ripped through American and Western Samoa with high seas, heavy rains, and winds in excess of 165 mph. When the storm finally subsided, days later on Monday, February 5, a path of widespread destruction and rubble was left behind in both Samoas. Although residents of the islands received limited warnings about the storm developing to the northwest, most were led to believe that the brunt of the hurricane would pass by with, at most, high winds resulting. The National Oceanic and Atmospheric Administration [NOAA] weather station in American Samoa, relying on weather updates from Fiji and Hawaii, was incapacitated during parts of the hurricane. Consequently, few in the public were prepared for the savage ferocity and extended duration of Hurricane Ofa.

In American Samoa, hundreds of families, with women, children and the elderly, huddled on floors when the howling storm descended on their homes. For many, as reported by a housewife with a 2-month-old infant in Tafuna Village, the roofs of their homes simply exploded, with their life's possessions being scattered to the winds. Upon running to neighbors for shelter and safety, before the traumatized mother could even settle in, their neighbors' houses would also have their roofs ripped off by the gale force winds. For those residents living by the seashore, huge wind-driven waves erupted over beaches and simply swallowed up homes. Entire villages by the coastline, such as Onenoa and Aoa, were engulfed by high seas with virtually all homes destroyed, agriculture lost and possessions swept out to sea.

With preliminary estimates indicating that over 3,700 homes incurred damage from Hurricane Ofa, with almost 600 homes destroyed or rendered uninhabitable, thousands of residents were left homeless. Many have taken refuge at public buildings offering emergency shelter or with relatives.

Fortunately, no fatalities were reported, although hundreds required immediate medical treatment. Several people were hospitalized for serious injuries.

The agricultural crops on the main island of Tutuila, a vital and important food source for all of American Samoa, were decimated. With high velocity winds stripping trees bare, 95 percent of all crops were ravaged.

Damage to American Samoa's infrastructure was also extensive. The hurricane knocked out all electric and water systems islandwide for days. Telecommunication systems were disrupted. Due to wave erosion and felled trees, major roads incurred damage and were rendered impassable. Schools and many businesses, sustaining injury and lacking power, were shutdown. The total damage to American Samoa's infrastructure has been estimated to be well in excess of $25 million.

Upon being notified of Hurricane Ofa hitting American Samoa, I was on the next available flight to the territory and arrived on Tuesday, February 6, a day after the hurricane subsided. On that date, Gov. Peter T. Coleman, after conducting a preliminary assessment of damages to the territory, requested of President Bush that American Samoa be declared a major disaster area.

Although I had received prior reports of the extent of damage to American Samoa, it still came as a great shock to see first hand the level of devastation to Samoa. After briefings with Governor Coleman, Lt. Gov. Galeai Poumele, our legislative leaders, and members of both the Senate and House, Cabinet officials and representatives from the Federal Emergency Management Agency [FEMA] on-island, I have nothing but the highest praise for the manner in which the local government responded to the crisis. Governor Coleman and Lieutenant Governor Poumele are to be commended for their quick action and decisive judgment in initiating recovery efforts and pursuing Federal assistance on behalf of our people.

Shortly after my arrival in Samoa, I contacted a long-trusted friend of the Samoan people, Hawaii Senator DANIEL INOUYE, House Speaker TOM FOLEY, Majority Leader RICHARD GEPHARDT and Majority Whip WILLIAM GRAY to solicit their assistance in expediting the President's declaration of disaster relief. Mr. Sichan Siv and Mr. Fred McClure of the administration were also contacted for their help and played an instrumental role. I give my heartfelt thanks to each of these honorable public servants that so graciously gave of their time and effort to respond in Samoa's time of need.

On February 9, 3 days after Governor Coleman's request, President Bush notified my office of his decision to declare the territory of American Samoa to be a major disaster area under Public Law 93-288, as amended by Public Law 100-707. In doing so, the President directed FEMA to provide individual and public disaster assistance in accordance with the law. I thank the President for his quick action to assist the only U.S. territory south of the Equator.

Upon notification of the presidential declaration, FEMA swung into action by quickly establishing a disaster field office in Pago Pago. I have been very impressed by the FEMA officials coordinating the Samoa disaster relief operation, especially with reference to Mr. Tommie Hamner FEMA's regional representative.

They arrived immediately after Hurricane Ofa hit the territory and have been very conscientious in laying the groundwork to assist the people of Samoa, well in advance of the President's official declaration approving disaster relief.

With 44 FEMA personnel on-island, they have set up four disaster application centers on Tutuila Island. Over 3,300 applications for Federal assistance programs are being processed at this very moment—ranging from requests for emergency funds to procure temporary rental housing or to make essential housing repairs, to grants for serious disaster related needs, to low-interest SBA loans for rebuilding devastated homes and businesses. From all indications, FEMA is taking pains to process requests for assistance as rapidly as possible.

FEMA has also been supervising and coordinating the disaster recovery efforts of several other organizations. In particular, the American Red Cross has been very generous in addressing the need for emergency food, clothing, and temporary shelter. As of last week, they have processed over 1,500 separate requests for emergency assistance, many for food. In addition, the Red Cross has been distributing hundreds of tents obtained by FEMA to families whose homes were demolished. Wherever disaster strikes throughout the world, the Red Cross has always been there. They have certainly made their presence felt in American Samoa, and their indispensible contribution is much appreciated.

Within a couple of days of Hurricane Ofa breaking, the U.S. military, Cincpac, sent a task force of soldiers to American Samoa to aid our local utility authority in getting power and water services restored. Accompanying the soldiers were several 60 and 5 kilowatt generators to provide portable emergency power. Working in conjunction with the American Samoa Power Authority [ASPA], the military task force played an integral role in efforts to reestablish the supply of drinking water, electricity, and sewage services to the territory. On February 12, a detachment of 32 Navy Seabees, electrical specialists with support equipment, arrived in American Samoa to further assist in the mission to restore power islandwide. The Seabees have been going house to house in the remote areas of the north shore to repair electrical lines. Mr. Speaker, I want to personally commend our civilian aide to the Secretary of the Army, high talking Chief Fuga Tolani Teleso, for his outstanding contributions and tremendous assistance in coordinating our military assistance programs with local government officials.

With the hardworking people of ASPA manning emergency shifts around the clock, and with the invaluable assistance provided by Cincpac, I am happy to report that clean drinking water is now available to all residents with power restored to 75 percent of American Samoa. I thank the U.S. military and ASPA for a job well done. Within a short time, we can look forward to complete provision in the territory of these basic yet vital necessities of civilization.

One last agency that has played a pivotal role in the recovery operation has been American Samoa's Army Reserve. Working under FEMA supervision, the 50-man unit since activation has been distributing and installing plastic tarps on homes suffering from roof damage. The Army Reserve unit has been servicing hundreds of damaged residences and is moving village to village with the repair project. Those with gaping holes in their roofs have been very grateful for the temporary protection afforded their belongings from the elements. Our reservists are to be commended for the fine job they are doing. In addition, the commanding officer of B Company, 100th Battalion, 442d Infantry, First Lieutenant Keomalu, certainly ought to be commended for his leadership of the soldiers under his command. I also want to commend Lt. Gen. Claude Kicklighter, commanding general of Westcom; Brig. Gen. Paul Lister of the IX Corps; and Lt. Comdr. Robert Lee, commanding officer of the 100th Battalion, 442d Infantry, stationed at Fort Derussy, for their invaluable assistance.

Mr. Speaker, recovering from a major disaster the magnitude of Hurricane Ofa is a long and arduous task. American Samoa is still reeling from the devastation caused by Hurricane Tusi a few years back. However, after personally inspecting most of the villages ravaged by Hurricane Ofa and watching the people busy in their repairs, I have been deeply touched by the courage and high spirits shown by the Samoan people in the face of adversity. We have lived through hurricanes, cyclones, tidal waves and other forces of nature before, and while it will be difficult, I am confident our people will once again face the challenge of rebuilding their lives with courage and determination.

Mr. Speaker, although a good portion of the damage caused by Hurricane Ofa to American Samoa's public facilities will be covered by our local government's insurance, it is certain that not all costs will be reimbursed. Moreover, much of the extensive damage to private property will be borne by our citizens, despite FEMA's assistance. American Samoa needs the support and help of our colleagues to get back on its feet. On a related matter, to safeguard against a hurricane of Ofa's intensity arriving unexpectedly again, we definitely need expansion of an up-to-the-minute weather service in the territory. It is my intention to conduct an in-depth review of our current weather reporting system, as there is definitely a need for improvement. I say this, however, without casting any doubt upon the tremendous efforts put forth by our local manager and staff before, during and after Hurricane Ofa struck the territory with such terrible force.

Mr. Speaker, as a member of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs, I also traveled to our neighboring country, the independent state of Western Samoa, to assess the impact of Hurricane Ofa on the people of Western Samoa. Western Samoa lies but 40 miles away from the territory of American Samoa. The people of the two Samoas share a common culture, language, and way of life.

After meeting with Prime Minister Tofilau Eti Alesana and his cabinet about the state of emergency, I surveyed the countryside from a U.S. Army Blackhawk helicopter engaged in search and rescue missions. In witnessing the widespread devastation caused by Hurricane Ofa, especially on the island of Savaii, it was sobering to realize that Western Samoa was much harder hit than the territory.

Whereas 95 percent of Western Samoa's people live in coastal areas, entire chains of villages were flattened by the phenomenally destructive heavy seas whipped up by winds exceeding 165 mph. Preliminary estimates hold that up to 25,000 residents of Savaii and Upolu Islands have been rendered homeless. Hurricane-related fatalities numbered over 12, 2 weeks ago, and are expected to climb when more complete reports are received from outlying areas. Many have required immediate medical attention, with several people being hospitalized for serious injuries.

Western Samoa's infrastructure was severely impacted. Although 3 weeks have passed since Hurricane Ofa ravaged the country, power and water services have still not been restored to much of Apia, the nation's capital. Folks in the countryside are faring less well. Approximately 80 percent of Western Samoa's telecommunication systems are not functioning. Many of the country's hospitals were damaged and are shutdown. The central wharf and harbor port facilities in Apia sustained damage. The interisland ferries incurred major damage, with one vessel being left stranded on landfill by the heavy seas and high winds.

Much of the road systems on the northwest side of Western Samoa's islands have been destroyed. Roads in other areas, however, have been cleared of debris and temporarily repaired, allowing use by the public.

Of particular concern to this agrarian nation is the devastating toll Hurricane Ofa took on the crops. As occurred in American Samoa, much of the crops were destroyed. Since the breadfruit, banana, and taro crops are staple foods that constitute the foundation of the Samoan diet, dire food shortages have been predicted. With no crops to feed themselves, 80 percent of Western Samoa's 180,000 people are expected to rely on the government for emergency food. Faced with the prospect of feeding its populace for the next 7 months and destruction of basic infrastructure concerns, the Government of Western Samoa faces a potential need for approximately $150 million, which is several times its total annual budget. Media sources in the South Pacific report that Western Samoa has only about 2 week's supply of food left.

The United States, upon learning of the hurricane, was one of the first countries to provide disaster relief assistance to Western Samoa. The United States Ambassador to New Zealand and Western Samoa, Della M. Newman, declared on February 6 that a disaster existed in Western Samoa. Stationed at the Embassy in Apia, U.S. Charge D'Affaires William P. Francisco played a central role in collecting, coordinating, and routing information to the State Department for disaster relief purposes. Both diplomatic officers are to be commended for their quick action in facilitating a timely U.S. response to Hurricane Ofa.

On February 6, the first United States supply of tools and building materials were delivered to Peace Corps volunteers in Western Samoa to aid in their reconstruction projects. A second supply of building materials was delivered days later. Utilizing the supplies, the 53 hardworking Peace Corps volunteers have contributed much to Western Samoa's recovery effort.

On February 8, the weather finally broke, permitting the huge C-5A Galaxy aircraft sent by the U.S. military, Cincpac, to land in Western Samoa. On board was a 57-member joint task force, with two Blackhawk helicopters, a power generator, and assorted support equipment. The task force, utilizing the Blackhawks, conducted several search and rescue missions for missing persons in addition to medivacing sick Samoans. Besides delivering emergency food and medicine to inaccessible areas, the task force also opened up the first communication line to the outside world after Hurricane Ofa's devastation. The task force further assisted in road rebuilding operations and other aspects of repair to the infrastructure.

The State Department also purchased $50,000 worth of food, which was shipped to Western Samoa for emergency purposes. An additional $35,000 has been committed by the State Department for funding necessary disaster relief assistance as the need arises.

The total amount of disaster assistance contributed by the United States to Western Samoa stands at a little over $1 million. Even when combined with the disaster relief contributions from New Zealand, Australia, Japan, the United Kingdom, and France, however it is clear that Western Samoa's damage assessment of $150 million far outstrips the international resources made available for her recovery.

Mr. Speaker, our Nation has a tradition of generosity when responding to disasters abroad. I sincerely hope that our colleagues in the House will continue to extend the hand of support to Western Samoa, the oldest independent democracy in the South Pacific, in this her time of greatest need.

Mr. Speaker, I would be remiss if I did not mention certain individuals who contributed significantly to providing assistance to Hurricane Ofa. First and foremost, Adm. Huntington Hardisty, CINCPAC commander of our Armed Forces throughout Asia and the Pacific; Lt. Gen. Claude Kicklighter, commanding general of U.S. Army Western Command; Col. John Castleberry, officer in charge of military task force assigned to provide assistance to the residents of both American and Western Samoa; Lt. Col. Francis Maronski, deputy officer; Col. Wendell Wong, U.S. Air Force CINCPAC liaison officer; Maj. George Corley, Maj. William Walsh, and Cmd. Sgt. Maj. Felomino Malate.

Mr. Speaker, I submit the list of our military personnel who participated in the recovery program also to be made part of the RECORD.

Mr. Speaker, I want to commend our Governor and members of his cabinet for their quick responses to this emergency. Additionally, I want to commend our President of the Senate, Paramount Chief Letuli Toloa, Speaker of the House, High Chief Tuana'itau Tuia, and all of our Senators and Representatives in the Legislature.

In particular, I commend Lt. Governor Galea'i Poumele for his leadership as head of our territorial task force to address the problems caused by Hurricane Ofa.

Mr. Speaker, hopefully in the near future there will be a final report to be submitted both from our local government and FEMA to determine exactly what our needs will be—and then at that time I will inform my colleagues and the Congress for possible options and solutions to those needs.

Mr. Speaker, I am particularly pleased with the support I have received from our colleagues in the House. And I want to especially commend my distinguished chairman of the House Interior Committee, the gentleman from Arizona [Mr. UDALL]. Also, Mr. Speaker, the chairman of the House Foreign Affairs Subcommittee on Asia and Pacific, the gentleman from New York [Mr. SOLARZ]. Also our chairman of the House Interior Subcommittee on International and Insular Affairs, the gentleman from the U.S. Virgin Islands [Mr. DE LUGO]. Also my good friends and colleagues, Mr. BEN BLAZ, Mr. GEORGE MILLER, and Mr. JAIME FUSTER.

Mr. Speaker, there are certain individuals in our territorial government who also should be commended for their work in this emergency. I recognize the diligence and leadership performance of our Commissioner of Public Safety, High Talking Chief Tuilefano Vaelaa and all the men and women who are associated with our law enforcement agency; High Chief Maiava Olive Hunkin as director of our territorial emergency programs; Mr. Abe Malae and Mr. Perelini Perelini of our local power, water, and waste water agency; Mr. Ace Tago as treasurer and in charge of the territory's finances; Mr. Aleki Sene in charge of our telecommunications systems; and our editors of our two newspapers—the Samoa News and Samoa Journal. Last but not least, the management of both radio stations—radio station WVUV and radio station KSBS.

AMERICAN SAMOA GOVERNMENT,
Pago Pago, American Samoa,
February 6, 1990.

The PRESIDENT,
The White House, Washington, DC.
Through: Regional Director, FEMA Region IX, San Francisco, CA.

DEAR MR. PRESIDENT: Under the provisions of Section 401, Public Law 93-288, as amended by Public Law 100-707, as implemented by 44 CFR 206.36, I request that you declare a major disaster for American Samoa as a result of Hurricane "OFA". Damage was widespread in the territory as a result of road erosion caused by high wave surge. There was widespread damage to roads, buildings, utilities, homes, businesses and agricultural crops. The total extent of the damage is not known at this time. Preliminary damage surveys are continuing. Water and power are hampering early recovery. No fatalities are known at the present time. Due to advance warning, injuries have been minimal although in excess of 75 to 100 have been reported with 28 requiring hospital treatment.

The preliminary assessment of areas that have been surveyed:

Private Residence—4,000 affected.
Number of Businesses—Unknown.
Agricultural—95 percent destroyed.
Primary secondary school system—$8 million.
Electric Utilities—$7.4 million.
Federal aid roads—$4 million.

The storm commenced on Friday, February 2, 1990, with the aftermath still in progress as this is written. The storm affected all of American Samoa: Tutuila, Ta'u, Ofu, Olosega and Swains Island. Any damage to Rose Atoll must be assessed when weather conditions permit aerial inspection. We do not have a firm indication of when this storm will subside.

In response to the situation, I have taken the appropriate action under Territorial Law and directed the execution of the Territorial Emergency Plan pursuant to a State of Emergency declared by Acting Governor Galea'i P. Poumele on Sunday, February 4, 1990. I have also directed all appropriate actions be taken under Territorial Law.

On February 6, 1990, I also requested a joint Federal-Territorial Survey on the damaged areas. That survey is underway today. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the territorial government which also assumes the functions of local government as normally found in the States.

I am respectfully requesting all appropriate Individual Assistance, Public Assistance, Unemployment Assistance and Small Business Administration Assistance.

Our government is currently engaged in a Financial Recovery Program designed to eradicate a budgetary deficit of $12 million. Nevertheless, I intend to meet with the President of the Senate and Speaker of the House of Representatives of the Legislature of American Samoa just as soon as the weather makes such a meeting possible, to fashion an emergency legislative package to provide additional financial resources to help alleviate this crisis. It is my intention to call a special session of the Legislature for this purpose at the earliest possible time. I have also taken initial steps to have the American Samoa Army Reserve activated to assist in recovery efforts as appropriate.

I intend to implement the Individual and Family Grant Program (IFGP). I certify that the territory is unable to immediately pay its 25 percent share of the cost to implement the program and request that the American Samoa Government share be loaned by the Federal Government. I certify that the loan will be repaid as soon as funds become available. I anticipate that funds will become available by the close of the current fiscal year on September 30, 1990. However, it is my intention to ask for a waiver of the territorial share when costs are known.

I certify, for this major disaster, that the territorial government will assume all applicable non-federal shares of costs required by Public Law 93-388, as amended by Public Law 101-707. Total expenditures for which no Federal reimbursement will be requested is unknown at this time.

I have designated Lieutenant Governor Galea'i P. Poumele as the Territorial Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessments and may provide further information or justification on my behalf.

Sincerely,

PETER TALI COLEMAN,
Governor.

THE WHITE HOUSE,
Washington, DC, February 9, 1990.

Hon. ROBERT H. MORRIS,
Acting Director, Federal Emergency Management Agency, Washington, DC.

DEAR MR. MORRIS: I have determined that the damage in certain areas of the Territory of American Samoa, resulting from Hurricane Ofa beginning on February 2, 1990, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288, as amended by Public Law 100-707. I, therefore, declare that such a major disaster exists in the Territory of American Samoa.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under PL 93-288, as amended by PL 100-707, for Public Assistance will be cost shared. The final terms of this cost sharing arrangement can include per capita cost sharing.

Sincerely,

GEORGE BUSH.

U.S. DISASTER RESPONSE TEAM IN WESTERN SAMOA

APIA, WESTERN SAMOA—For the 57 members of the U.S. Pacific Command's Joint Task Force in Western Samoa, it seemed as though getting here was the hardest part. Hurricane Ofa began hitting this island nation on Thursday Feb 1, with winds that eventually exceeded 160 knots. Damage was extensive. The Government of Western Samoa (GOWS) requested assistance from the United States. The U.S. Pacific Commander in Hawaii designated the U.S. Army Western Command its executive agent for the formation and deployment of a disaster response joint task force to assess the damage caused by the storm.

The response would have gladdened an old soldier's heart. Fifty soldiers, five airmen and two Navy Seabees—from disparate units all over Oahu, many with only two hours notice—began assembling at Hickam Air Force Base at 10 a.m. Tuesday, Feb 6. They were unquestionably ready (and eager) to go. But Ofa frustrated them. The storm refused to leave Western Samoa. The team waited at Hickam most of Tuesday, then assembled twice the following day. The weather refused to break. Late Wednesday, they were recalled. Take off of the huge C-5A Galaxy that was to rush them to Apia came at 3:00 a.m., Thursday, Feb 8.

When they arrived at Western Samoa's Faleolo International Airport five and a half hours later, the rain had stopped for the most part but the local skies were darkly overcast and heavy with moisture.

The team quickly disembarked and began offloading its equipment. The Joint Task Force (JTF) was operational two hours after its arrival. Twenty-four hours later, its two UH-60 Blackhawk helicopters from the 53rd Aviation Bn., 25th Inf Div (Light) had been test flown and were ready to respond to requests from the GOWS for emergency assistance missions.

Maj. Bill Walsh, Operations officer of the 45th Support Group, quickly set up an operations center in two small borrowed rooms behind the airports' control tower. After a week's operations, Maj. Walsh was the only team member still sleeping there each night—to stay on top of every thing happening.

Initially, all JTF members were billeted in storm-damaged buildings at the airport. There was no running water or electricity at the camp but morale—fed by cold "meals ready to eat"—was high. The unit set about preparing for search and rescue and damage assessment operations. Col. John M. Castleberry, the JTF commander, met with the prime minister and several cabinet members to discuss the unit's mission and priorities. He and other JTF officers met with officials of the Peace Corps, which has a major effort in Western Samoa, with a total of 54 volunteers assigned to villages on the two main islands of Upolu and Savaii.

The JTF's top initial priority was search and rescue (SAR) for U.S. citizens, 15 of which were unaccounted for after the hurricane. Within 24 hours, all had been found, none of them hurt. The second priority was medical evacuation—getting seriously injured Samoans to medical facilities in Apia for treatment.

Next came the distribution of the food, tools and emergency medical equipment. Not forgotten was the JTF's basic task of damage assessment.

Late Saturday night, the JTF's third day in country, the GOWS requested an emergency medical evaluation. An accident on Savaii had resulted in one death and three injuries, two of them very serious. A blackhawk took off with the unit's doctor, Maj. Cliff Cloonan, an emergency medicine specialist from Tripler Army Medical Center in Hawaii, abroad. In two night flights, they returned the injured, and the body, to the hospital in Apia. The aircrew, who had flown all day Saturday, finally stood down at 3:00 a.m. Sunday.

Dr. Cloonan, working with Preventive Medicine Specialist Mark Hanne of the 25th Inf. Div. at Schofield Barracks, have also conducted a public health assessment on both main islands. With this now completed, they are now coordinating distribution of emergency medical supplies.

While the basic mission of the Disaster Response JTF is damage assessment, in some instances task force members have been able to contribute directly to the restoration of services. All electrical power was knocked out by the hurricane. The local power company is still in the process of restoring service on the island of Upolu. One of the most difficult locations to restore service to will be in the INTELSAT station, 12 miles into the hills behind the capital of Apia at an elevation of 2750 feet. Not only are the lines down, but for long stretches of the only partially-paved road leading to the site, the poles themselves were blown down by the storm's high winds.

The backup generator at the site is an old one and inoperative because of a lack of spare parts that have to be ordered from England. Without electrical power at the satellite earth station, the island nation had no communications with the outside world.

The JTF arrived with a 50 KW generator, intended as its own power source. Since power was restored to much of the airport area shortly after their arrival, the generator was no longer needed for this. It was made available to the GOWS so this vital service could be restored.

SSgt. Kevin W. Sargent, NCO in Charge of the Power Generation Team, was the right man for the job. The 8-year Army veteran, a master fitness trainer as well as generator mechanic supervisor, enjoys overseas

duty and can best be described as a real people-to-people American. The day after the JTF's arrival, he and his 4-man team struggled up the mountain in their aging 2½-ton truck with the generator in tow, hooked it up, ensured it was running well, and instructed Western Samoan operators in how to keep it running. That night, it went down. The next morning, it was learned that a new shift of operators had come on duty and a few details had been lost in translation. A new routine puts the Army team back up at the satellite dish at each shift change. Uninterrupted power now permits tens of thousands of Western Samoans to communicate with worried relatives in New Zealand and elsewhere. SSgt. Sargent, meanwhile, has found Western Samoa a beautiful place and its people delightful. "I'd like to come back sometime on my own," he says.

After arriving in the storm-torn island nation, the JTF's Damage Assessment Team, headed by Lt. Col. Greg Maronski—who is also the deputy JTF commander—quickly determined that one of the greatest needs was the reopening of many miles of roads washed out by Hurricane Ofa. One big obstacle blocked all progress in this direction: the local quarries were inoperative. Crushed rock and gravel essential to the road-repair task could not be produced.

SSgt. Robert G. Parsons is a quarry foreman supervisor assigned to the 45th Support Group's 84th Engineer Battalion at Schofield Barracks, Hawaii. SSgt. Parsons has been to Western Samoa twice before on a civic action assignment with the same objective: provide the GOWS Public Works Department with working quarries to produce rock and gravel. He spent a few days on a reconnaissance in June 1989, then returned for a longer stay in Aug. and Sept. When he returned to his unit in Hawaii, Western Samoa had two functioning rock quarries—and SSgt. Parson had a wide circle of good friends. But the storm shut the quarries down again.

JTF Commander Col. John Castleberry is also commanding officer of the 45th Spt. Gp. When he realized the urgent need for rock and gravel, he immediately ordered SSgt Parson's return. The old Samoan hand caught an Air Force C-141 to Pago Pago, American Samoa with two heavy equipment mechanics, Sgt. Donald Byron and Spec. Eric Holt. The three were ferried into Apia by JTF UH-60 on Saturday, Feb. 9.

The warm welcome with which SSgt. Parsons was met by many of his old Western Samoan friends made a lasting impression on JTF members who had preceded him here. SSgt. Parsons says he's happy to see his old friends again and to be able to give them a helping hand. Chris Hewson, a New Zealander who operates the quarries for the GOWS, adds, "I was bloody glad to see him, too."

The joint task force is truly a joint effort. Air Force Major Jack Snyder commands Detachment 5, Air Rescue Service, and also serves as a special assistant for rescue on the Pacific Air Forces staff at Hickman Air Force Base in Hawaii. He deployed with the JIF as the head of a 5-man Air Force search and rescue (SAR) team. Following completion of the initial SAR effort, he has coordinated all JFT emergency resupply missions, working out of the National Police headquarters in Apia.

Two members of the Commander, Construction Battalions, Pacific staff at Makalapa deployed with the fly-away units. Lt. Mike Blount and Senior Chief Tom Wright were tasked with performing harbor, channel, pier and ferry damage assessments. After wrapping up their own work, the Seabees joined Army Capt. Michael Richey, Engineer Construction Officer with the 84th Eng. Bn. and Sgt. Maj. Wayne Casteel of the Army's Western Command staff in performing damage assessments on the roads circling the islands of Upolu and Savaii. This, too, has now been completed.

The JIF also has an element in American Samoa. Maj. Greg Corley, senior U.S. officer there, heads up a contingent of 14 soldiers from the 84th Eng. Bn. who arrived in Pago Pago on Feb. 8 with three 60 KW and two 5 KW generators. Their mission: to provide an emergency power supply for electric lighting, water and sewer operations.

As the local commercial power company restored service to one area, the Army engineers leapfrogged their generators to another. Seventy-five percent of the American territory's power service has now been restored with their emergency help. At the request of Governor Peter Coleman, the team also flew an emergency mission to the small island of Manua, delivering parts and the expertise to get that small community's only power generator back in operation.

A more permanent type of help is being provided by a detachment of 32 Seabees headed by Lt. Eric Sorrell, who arrived from Guam on Feb 12. Their mission is to raise or replace utility poles knocked down by the storm and repair severed power lines.

By dusk on the seventh day in Western Samoa, the JIF's hard-working aircrews had flown a total of 32 aerial resupply missions, delivering a total of 18.5 short tons of urgently needed food, medical equipment and tools and equipment needed for rebuilding the isolated villages all over Western Samoa.

A different sort of mission was flown Sunday. England's Queen Elizabeth and Prince Edinburgh, decided to fly to Western Samoa to inspect the damage caused by the hurricane. At the request of the GOWS, JTF's two helicopters provided the Duke and his party an extensive tour of both main islands. Col. Castleberry briefed him on the JTF's operations.

The colonel has been spending long hours with American Charge de Affairs Bill Francisco, the prime minister of Western Samoa, Governor Peter Coleman of American Samoa and the territory's congressional delegate Eni Faleomavaega, who returned from Washington to inspect damage and facilitate relief.

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By dusk on the seventh day in Western Samoa, the JTF's hard-working aircrews had flown a total of 32 aerial resupply missions, delivering a total of 18.5 short tons of urgently needed food, medical equipment and tools and equipment needed for rebuilding to isolated villages all over Western Samoa.

A different sort of mission was flown Sunday. England's Queen Elizabeth and Prince Edinburgh, decided to fly to Western Samoa to inspect the damage caused by the hurricane. At the request of the GOWS, JTF's two helicopters provided the duke and his party an extensive tour of both main islands. Col. Castleberry briefed him on the JTF's operations.

The colonel has been spending long hours with American Charge de Affairs Bill Francisco, the prime minister of Western Samoa, Governor Peter Coleman of American Samoa and the territory's congressional delegate Eni Faleomavaega, who returned from Washington to inspect damage and facilitate relief.

Col. Castleberry has good reason to be proud of his troops, at the end of their first week's operations. He says he's most impressed by the performance of the young, junior soldiers. "They all pitched in to unload the plane and get up upon our arrival. They had us operational within 2 hours. They've been working 17-18-hour days ever since with professionalism and total dedication in extreme tropical conditions. I haven't heard a single complaint, nor have we had a single accident or adverse incident. Morale is high and the JTF is moving full steam ahead."

PACOM DISASTER RESPONSE TEAM AMERICAN SAMOA

PACOM DISASTER RESPONSE TEAM

Castleberry, Johnny M., Col, [redacted], OIC.
Corley, George Gregory, Jr., Maj, [redacted], engineer officer.
Walsh, William Harold, Maj, [redacted], operations officer.
Malate, Felomino Nabong, CSM, [redacted], NCOIC.

DISASTER ASSESSMENT TEAM (DAT), HEADQUARTERS, WESTCOM, CONTROL CELL

Maronski, Francis Gregory, LTC, [redacted].
Thomas, Douglas Clark, Maj, [redacted], civil liaison.
Borja, Martin M., MSG, [redacted], NCOIC.
Stack, Michael J., SGT, [redacted], supply.
Harris, Steven M., SGT, [redacted], admin.
Casteel, Vernon W., SGM, [redacted], civil engineer.
Figures, Gloristeine, SFC, [redacted], funding.
Gesner, Ryan V., PFC, [redacted], military photographer.
Lee, Marilyn D., SPC, [redacted], tacsat.
Psomas, Jay L., SGT, [redacted], tacsat.
Blount, Michael, Lt, USN, [redacted], harbor survey.
Wright, Thomas, BUCS, USN, [redacted], harbor survey.
Ortega, Anthony, SGT, [redacted], preventive med.
Jones, Bruce A., GS-11, [redacted], PAO.
Supervielle, Manuel E.F., CPT, [redacted], SJA.
Cloonan, Clifford C., Maj, [redacted], EMT-TAMC.
Cabello, Abraham, MSG, [redacted], OPNS NCO, DCSIM.

45TH SPT GP POWER GENERATOR TEAM

Sargent, Kevin W., SSG, [redacted].
Shaull, Christopher E., SGT, [redacted].
Bishop, Benjamin, SPC, [redacted].

Pringle, Christopher K., SPC, xxx-xx-x... xxx-...
Vento, George, SGT, xxx-xx-xxxx.

PACAF SEARCH & RESCUE TEAM (SAR)

Snyder, Jack M., Maj, xxx-xx-xxxx.
Wagner, Michael L., SMSGT, xxx-xx-xxxx.
Andersen, Neil C., SSGT, xxx-xx-xxxx.
Minnie, William, TSGT, xxx-xx-xxxx.
Phillips, Lorenzo P., SGT, xxx-xx-xxxx.

HHC 53RD AVIATION BATTALION

Vigil, Kelly A., SFC, xxx-xx-xxxx.
Houston, Stephen, CPT, xxx-xx-xxxx.
Shanmugaratnam, E., CPT, xxx-xx-xxxx.
Hinton, Scott A., CW2, xxx-xx-xxxx.
Keel, Raymond L., Jr., CW4, xxx-xx-xxxx.
Martinez, Richard, CW2, xxx-xx-xxxx.
Ott, James R., CW2, xxx-xx-xxxx.
Schmidt, William D., CW1, xxx-xx-xxxx.
Little, Keith C., SSG, xxx-xx-xxxx.
Norcross, Richard H., SSG, xxx-xx-xxxx.
Peterson, Jerry J., SSG, xxx-xx-xxxx.
Sexton, Gerald L., SPC, xxx-xx-xxxx.
Hernandez, Anthony, CW3, xxx-xx-xxxx.
Gonzalez, Jose R., SSG, xxx-xx-xxxx.
Haase, Harold W., III, SPC, xxx-xx-xxxx.
Horabin, Anthony R., SGT, xxx-xx-xxxx.
Shepley, Donald, PFC, xxx-xx-xxxx.
Carpenter, Brian E., SPC, xxx-xx-xxxx.
Topp, Ronald L., SPC, xxx-xx-xxxx.
Holmes, Sidney P., SGT, xxx-xx-xxxx.
Hanne, Mark, SPC, xxx-xx-xxxx.
Total PAX: 52.

NAME, RANK, AND SSN

Browning, Steven L., CE1(E6), xxx-xx-... xxx-x...
Cope, Alan R., SWCA(E2), xxx-xx-xxxx.
Corring, Richard J., CEC(E7), xxx-xx-... xxx.
Davis, Earl K., CECN(E3), xxx-xx-xxxx.
Eldridge, Timothy H., UT3(E4), xxx-xx-... xxx.
Endres, Anthony P., CM3(E4), xxx-xx-... xxx.
Faulkner, Matthew H., BU3(E4), xxx-xx-... xxx.
Ferry, William M., CECA(E2), xxx-xx-... xxx-x...
Fleming, Edward R., CECA(E2), xxx-xx-... xxx.
French, Rodney T., CE2(E5), xxx-xx-xxxx.
Henderson, Robert L., Jr., CECA(E2), xxx-... xxx-xx-xx...
Hughey, James E., EOCN(E3), xxx-xx-... xxx-...
Keenlance, Trenton D., CE3(E4), xxx-xx-... xxx.
Ketchum, Douglas NMN, CM3(E4), xxx-xx-...
Kuklinski, Donald T., Jr., CE2(E5), xxx xxx-x...
Lee, Guy W., Jr., CECA(E2), xxx-xx-xxxx.
Martin, Joe N., HM3(E4), xxx-xx-xxxx.
Michael, John A., CE3(E4), xxx-xx-xxxx.
Miller, Andrew J., CE3(E4), xxx-xx-xxxx.
Oliver, Curtis E., CE3(E4), xxx-xx-xxxx.
Riddick, Walter J., CE3(E4), xxx-xx-xxxx.
Rivenbark, Eugene N., CE1(E6), xxx-xx-... xxx-x...
Roberts, Anthony T., CECA(E2), xxx-xx-... xxx.
Roscoe, Vincent E., CE2(E5), xxx-xx-xxxx.
Rumbley, Eugene M., CECA(E2), xxx-...
Sciacca, Joseph A., Jr. CECN(E2), xxx-xx-... xx...
Southwell, Thomas G., CE2(E5), xxx-xx-... x... x...
Urbati, Chester E., Jr., CECS(E8), xxx-xx-... xxx-x...
Vasquez, Michael M., MSSN(E3), xxx-xx-... xxx-x...
Sorrells, Eric N., LT, xxx-xx-xxxx.

Mr. DE LUGO. Mr. Speaker, on behalf of the people of the U.S. Virgin Islands I would like to send our sincere regrets to our sister territory of American Samoa in the aftermath of Hurricane Ofa. We in the Virgin Islands also are saddened to hear of the total destruction on Western Samoa, the neighboring islands which bore the brunt of the storm, and where 11 deaths have been recorded to date.

Ofa damaged or destroyed over 50 percent of American Samoa's structures. It totally destroyed 175 homes and severely damaged another 417 homes, leaving many homeless. According to a FEMA's estimate 3,719 homes were affected by this catastrophe in American Samoa. Power was knocked out and is being restored.

I know all too well the terrible shock that my colleague, ENI FALEOMAVAEGA, and the good people of American Samoa are now going through. It was only last September 17 that Hurricane Hugo and its terrible winds devastated the U.S. Virgin Islands, with extremely severe damage to the island of St. Croix. We are still feeling its effects everyday, in our economy, our schools, our hospitals, and our homes. Rebuilding is slow and arduous, but we in the Virgin Islands sympathize with our friends in American Samoa who must also go down this difficult road of reconstruction.

Before long, American Samoans will be very familiar with the workings of the Federal Emergency Management Agency, Small Business Administration, Department of the Interior, and other agencies that must be counted on for assistance in such terrible disasters. These Federal agencies must do their best to see that the recovery is complete—from rebuilding public buildings and homes to restoring power, phone and roads, and even the traditional tales that represent the strong community spirit of the people of American Samoa.

I will stand behind the U.S. territory of American Samoa throughout this rough period, and do all I can to help the people of American Samoa through their recovery from Hurricane Ofa.

Mr. UDALL. Mr. Speaker, I want to join my friend and colleague, Congressman FALEOMAVAEGA, in directing your attention to a catastrophe that befell American Samoa in early February. Sadly, it was a tragedy of a proportion that, had it occurred on the American mainland, would have been page one news for several days. I'm afraid few of us heard about Hurricane Ofa. Unfortunately, the people of American Samoa will not soon forget it.

I had the good fortune to visit American Samoa last summer, as the leader of a delegation of members from the House Interior Committee, and including Interior Secretary Manuel Lujan. It is a beautiful place, populated by hospitable and caring people. Those memories make it all the more troubling for me to acknowledge the level of devastation inflicted on these islands by Hurricane Ofa.

Miraculously, there were no reported fatalities. But the damage was incredible.

I am pleased to know that American disaster relief agencies, both public and private, moved quickly to help in American Samoa, along with elements of the U.S. Armed Forces. Much of the suffering was immediately tended to. But we all know that real recovery in such situations can take months, if not years.

As chairman of the committee with jurisdiction over American insular areas, I want Congressman FALEOMAVAEGA to know that I stand ready to lend a hand in whatever long-term help we can offer.

Mr. SOLARZ. Mr. Speaker, I rise today to call attention to the plight of the people of American Samoa and Western Samoa, who are just now beginning to recover from the devastating impact of Hurricane Ofa, which struck the islands with 130-plus mile an hour winds on February 4.

I particularly want to express my deepest sympathies to the families of the eight residents of Western Samoa who were killed in the combination of heavy winds and tidal waves which surged over the islands. At this time of great national tragedy, my heart particularly goes out to all those who now find themselves suddenly bereft of a loved one.

Imagine, if you will, the chaos of the storm at its height: Roofs being ripped off houses, wave surge sweeping entire buildings off their foundations, tearing up roads and destroying electric pylons, two large inter-island ferries being thrown up on shore in Apia harbor as all dock and port facilities there were destroyed, entire seaside villages being engulfed by 20- to 25-foot waves of sand and water on the island of Savai'i in Western Samoa and eastern part of Tactuila island in American Samoa, and crops being wiped out as large portions of the islands were totally stripped of their foliage.

In both American Samoa, which is a U.S. territory, and in Western Samoa, which is an independent state, the destruction wrought by Ofa was heavy, and, in many cases, total.

In American Samoa alone, which was declared a disaster zone by President Bush on February 9, recent reports estimate that 85 businesses and well over 400 homes were either wiped out completely or heavily damaged. To date, almost 5,000 people have applied for temporary housing at the FEMA office which has been set up in Pago Pago.

On both islands, electricity is still out in many areas, and the need for medical supplies and facilities is great.

I also understand that between 20,000 and 25,000 individuals were made homeless in Western Samoa by the storm. Compounding difficulties in reconstruction efforts is the fact that much of that country's communications network is still inoperable.

And as if the situation there weren't bad enough, I am told that an even more serious crisis—a shortage of food—is now facing the inhabitants of Western Samoa.

I understand that over 95 percent of the breadfruit, banana, avocado and papaya crops in Western Samoa were destroyed by the storm. According to experts on the scene, between only 1 and 2 weeks of food supply is currently left, and it is estimated that it will take over 6 months before the country can once again reach self-sufficiency in food.

According to press reports, it is estimated by Western Samoan Government officials that almost $18 million will be required to meet the emergency food needs of the people, a sum

which amounts to one-third of the entire Government operating budget for last year. This is an enormous sum for a Government seeking to undertake the wholesale reconstruction of large parts of its countryside.

I understand that the United States has provided some assistance in the form of outlays from Ambassadors' discretionary funds and in-kind contributions from U.S. CINCPAC, which I think were provided on a timely basis and serve as a shining example of the best humanitarian traditions of United States foreign assistance.

In conjunction with other assistance from other regional governments, such as New Zealand, Australia, and Japan, and international organizations, such as the United Nations, the beneficial impact of our assistance is beginning to be felt. Electric power is being restored, food and medical aid is starting to reach the populace, roads are beginning to be rebuilt, and temporary housing is under construction.

Nevertheless, the U.S. Government and the American people as a whole have an obligation to do more for the people of American and Western Samoa immediately, in this, their hour of most urgent and desperate need.

In particular, immediate action is necessary to head off what could become a serious food shortage in Western Samoa. I understand that the government of Western Samoa is seeking to purchase flour and rice, and I hope it would be possible for the United States to assist in this effort, working in conjunction with Western Samoa, in order to avert a famine.

I stand ready to work with all my colleagues, particularly ENI FALEOMAVAEGA from American Samoa whose hard work in the islands in the immediate wake of the storm deserve our praise and gratitude, to seek the resources necessary to make sure these pressing needs are met.

I would be sorely remiss if I didn't note that ENI has done an outstanding job in bringing the grave situation facing American Samoa and Western Samoa to the attention of the Congress—this special order being just the latest example of his efforts. Over the time I have served with him in the Congress, his unique perspective and intimate knowledge about the South Pacific have provided the Subcommittee on Asian and Pacific Affairs, which I chair, with invaluable expertise and understanding about the region. His efforts in the wake of Hurricane Ofa are further proof of his dedication to his constituents and the region as a whole.

Mr. FUSTER. Mr. Speaker, I am no stranger to the devastation caused by hurricanes. My island of Puerto Rico certainly suffered its share of destruction wreaked by Hurricane Hugo, which hit the Caribbean and South Carolina last September with particular viciousness. Now come reports of similar devastation in the Pacific Ocean, this time in the home district of our colleague, Delegate ENI F.H. FALEOMAVAEGA of American Samoa.

According to the distinguished Congressman from American Samoa, Hurricane Ofa slashed across his islands on February 2, washing away roads, stripping trees bare, destroying 95 percent of farm crops and leaving hundreds of families homeless. Damages to roads alone were estimated at more than $4 million. Public schools suffered an estimated $7.4 million in damages.

The litany of losses continues. It reads like a repeat of the tragedy in Puerto Rico which I detailed at length to my same colleagues here in the House last September. For example, some 4,000 homes in Samoa have been either severely damaged or destroyed. In many Samoan coastal villages, many homes were simply washed away. Similarly, a large number of Samoan businesses suffered severe damages. Two weeks after Hurricane Ofa struck, the majority of American Samoan families were still without electricity.

As I said, Mr. Speaker, we in Puerto Rico know what all of that means. So, my full compassion goes out to the American Samoan people, and I know all of us want to see the recovery process there expedited. Already, relief teams from the Federal Emergency Management Agency [FEMA], the Army Corps of Engineers and the Red Cross, among others, are on the scene to reconstruct buildings and to offer other forms of assistance.

But, as my distinguished colleague, ENI FALEOMAVAEGA, has pointed out, the road to recovery will be a very difficult one, despite all of the work currently under way. Mr. Speaker, I urge my colleagues to remember American Samoa in its hour of need. Our fellow Americans in Samoa can't do the full job of recovery by themselves, and I further urge that we in the Congress find ways to help the Samoans over the financial hump that they are bound to face in the months ahead.

Mr. BLAZ. Mr. Speaker, I rise in solidarity with my fellow Pacific islanders in the South Pacific. I am speaking of the plight which befell the islands of American Samoa from late on Friday, February 2, 1990.

Packing winds of over 100 miles per hour, Hurricane Ofa knocked out electricity, tore off roofs, and forced the evacuation of hundreds of residents. Fortunately, injuries to persons were minor, but the hurricane disrupted communications and caused a blackout of information to the outside world.

Ofa's winds destroyed electrical power to about 90 percent of American Samoa's principal island, Tutuila. Airport officials closed American Samoa's main airport in the west of Tutuila for days. Winds gusting to over 100 miles per hour had blown off the roof of one of the airport's hangars.

High waves along the north of Tutuila led officials of the American Samoa Government to evacuate scores upon scores of residents. The territory's emergency management committee reported flooding as well. In the Manu'a Islands of American Samoa, 60 miles to the east of Tutuila, high waves also damaged docks.

Members of the U.S. Army Corps of Engineers arrived in American Samoa and have begun assessing damage to our fellow citizens and nationals from Hurricane Ofa. At least two-thirds of the territory's residents went without water because of the power outage. Even days after Ofa had struck, areas outside of Tutuila's central villages of Utulei, Fagatogo, and Pago Pago remained blacked out, especially in the villages of Nu'uuli and Tafuna.

Those assessing damage found that the hurricane had damaged buildings and roads, toppled power poles and stripped palm, breadfruit, and banana trees. Leaving thousands of residents homeless, Ofa has caused tens of million of dollars' worth of repairs.

It was my pleasure earlier this month to join our colleague, Mr. FALEOMAVAEGA, in contacting the White House to urge that it issue a Presidential Declaration of Emergency for the people of American Samoa. I was happy to learn that, the morning after my call to the office of the Chief of Staff, the White House issued the declaration. This will prove a tremendous help to the people of American Samoa. This action by the White House has provided the mechanism to help the territory to rebuild and recover from Ofa's affects.

On behalf of the people of Guam, I offer our fellow citizens and nationals in American Samoa full moral support at this very difficult time in their territory's history.

Mr. MILLER of California. Mr. Speaker, on February 2, 1990, the islands of Samoa—both American Samoa and the independent nation of Western Samoa—were devastated by Hurricane Ofa.

American Samoa was declared a disaster area by President Bush on February 9, 1990. High velocity winds, tidal waves, and heavy rains have caused extensive damage to public utilities, private homes, businesses, and agriculture. A disaster field office has been set up in the capital at Pago Pago to provide needed assistance.

Western Samoa has also suffered extensive damage. Here, the hurricane has claimed 13 lives. Those injured number in the hundreds. Without immediate emergency assistance, banana and breadfruit crop losses present a threat of famine.

My colleague, Mr. FALEOMAVAEGA, has been at the forefront working to provide relief to the Samoan Islands. I would like to extend my concern for his tireless efforts and offer my full support in seeking appropriate aid for the victims of this disaster.

Mr. AKAKA. Mr. Speaker, I rise today to join my dear friend and colleague, Congressman ENI FALEOMAVAEGA of American Samoa, to call the attention of Congress to the devastating hurricane, Hurricane Ofa, which hit American Samoa and Western Samoa on February 2. I do so to ask the support of my colleagues to provide additional resources if that becomes necessary. I also wish to extend my deepest sympathy to the families of those who died in Western Samoa, and commiserate with my Pacific Island friends in the Samoas.

The immediate effects of Hurrican Ofa were devastating to say the least, and its continuing impact grave. Fortunately, though damage and destruction of property was extensive, there were no deaths in American Samoa. However, hundreds were injured, some seriously. Twelve died in Western Samoa. We in Hawaii, especially the Samoan community, have risen to the emergency with food and clothing drives. However, the devastation is so great that volunteer action alone will not meet the crisis of food, clothing and housing, and power shortages. Immediate congressional action may become necessary after a more complete posthurricane assessment is com-

pleted, and I urge my colleague to rise to the occasion.

Under the proven and forceful leadership of Congressman FALEOMAVAEGA, the administration acted with alacrity to come to the assistance of American Samoa. Once requested by Governor Coleman for a declaration of emergency on February 9, the President declared American Samoa to be a major disaster area within 3 days, thus setting the stage for immedate action by the Federal Emergency Management Agency which I'm advised is doing a splendid job with the resources available to it. I want to assure Congressman FALEOMAVAEGA that he and the people of Samoa have my full support.

PERSONAL EXPLANATION

Mr. FALEOMAVAEGA. Mr. Speaker, I just want to inform my colleagues concerning certain names that were not included in the CONGRESSIONAL RECORD. I certainly do not fault the recorders and reporting staff, because some of these names are in the Samoan language, and as such they were just not able to correctly spell the names of those individuals whom I mentioned in my statement yesterday.

Mr. Speaker, for the record, I made reference to the honorable president of the senate who is Paramount Chief Letuli Toloa, and also our speaker of the house, High Chief Tuana'itau Tuia.

Additionally Mr. Speaker, I made reference to Lt. Gov. Galea'i Poumele, who is presently in charge of our overall territorial disaster task force to address the problems caused by Hurricane Ofa.

Mr. Speaker, I want to note the names of the above gentlemen as it should have been printed in the CONGRESSIONAL RECORD.

I appreciate very much the patience and professionalism of our reporters and printers who work so diligently each day to provide what I consider the most comprehensive and accurate accounting of our proceedings each day we are in session.

Mr. Speaker, I also want to add for the RECORD a statement from my dear friend and colleague, the gentleman from Hawaii [Mr. AKAKA] for his support and willingness to assist me with whatever Samoa may need as a result of the devastation caused by Hurricane Ofa.

Mr. Speaker, thank you for your attention to this matter.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ERDREICH) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 5 minutes today.

Mr. SARPALIUS, for 5 minutes today.

Mr. ANNUNZIO, for 5 minutes today.

MR. FALEOMAVAGEA, for 60 minutes each day, today and March 1.

Mr. OBEY, for 60 minutes, on March 1.

Mr. BONIOR, for 60 minutes, on March 1.

Mr. GAYDOS, for 60 minutes each day, on March 6 and March 7.

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remakrs and include extraneous material:)

Mr. GUNDERSON, for 5 minutes, today.

Mr. PARRIS, for 30 minutes, today.

Mr. PARRIS, for 5 minutes, on March 1.

(The following Member (at her own request to revise and extend her remarks and include extraneous material:)

Mrs. BENTLEY, for 60 minutes, on March 6, 7, 13, and 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. SAXTON in two instances.

Mr. GALLEGLY in two instances.

Mr. LEWIS of Florida.

Mr. HUNTER.

Mr. HAMMERSCHMIDT.

Mr. QUILLEN.

Mr. PORTER.

Ms. SNOWE.

Mr. DORNAN of California.

Mr. MACHTLEY in four instances.

Mr. BLILEY.

Mr. LAGOMARSINO in two instances.

Mr. LENT.

Mrs. BENTLEY in two instances.

(The following Members (at the request of Mr. ERDREICH) and to include extraneous matter:)

Mr. MCMILLEN of Maryland.

Mr. NEAL of Massachusetts.

Mrs. KENNELLY.

Mr. SLATTERY.

Mr. LANTOS in two instances.

Mr. SMITH of Florida.

Mr. HAMILTON.

Mr. BROOKS.

Mr. WAXMAN.

Mr. FUSTER.

Mr. RICHARDSON.

Mr. RAHALL.

Mr. BORSKI.

ADJOURNMENT

Mr. FALEOMAVAEGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Thursday, March 1, 1990, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2588. A letter from the Deputy Assistant Secretary (Logistics), Department of the Air Force, transmitting notification of the decision to convert to contractor performance the commissary resale warehouse function at Langley Air Force Base, VA, which was found to be the most efficient and cost-effective organization for in-house performance, pursuant to Public Law 100-463, section 8061 (102 Stat. 2270-27); to the Committee on Appropriations.

2589. A letter from the Secretary of the Air Force, transmitting notification that the advanced medium range air-to-air missile [AMRAAM] program manager acquisition unit cost has increased by more than 25 percent over unit cost shown in baseline SAR determined on January 26, 1990, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2590. A letter from the Secretary of the Air Force, transmitting notification that the sensor fuzed weapon [SFW] program manager's acquisition unit cost has increased by more than 15 percent over unit cost shown in baseline SAR determined on January 26, 1990, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2591. A letter from the Secretary of Education, transmitting the views of the Department on H.R. 2666, the "Mildred and Claude Pepper Scholarship Act"; to the Committee on Education and Labor.

2592. A letter from the Secretary of Health and Human Services, transmitting the 1988 annual report on the National Health Service Corps [NHSC], the NHSC Scholarship Program [NHSCSP], and the NHSC Loan Repayment Program [NHSC/LRP], pursuant to 42 U.S.C. 254(g); to the Committee on Energy and Commerce.

2593. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 01-90, concerning a proposed memorandum of understanding [MOU] with the Ministry for National Defense of Canada concerning a joint project for harmonization, development, production, and support of the ECCM upgrade development to the AN/APG-65 radar system, short title [AN/APG-65 radar upgrade MOU], pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

2594. A letter from the Secretary of Agriculture, transmitting the inspector general's first management report for the 6-month period ending September 30, 1989, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2595. A letter from the Chairman, Commodity Futures Trading Commission, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2596. A letter from the Assistant Secretary for Management and Administration, Department of Energy, transmitting a report on activities under the Freedom of Information Act for the calendar year 1989, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2597. A letter from the Administrator, Environmental Protection Agency, transmitting a report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2598. A letter from the Director, Management and Budget, transmitting a copy of "Statistical Programs of the United States Government, Fiscal Year 1989," pursuant to Public Law 99-591, section 814(a), (100 Stat. 3341-336); to the Committee on Government Operations.

2599. A letter from the Secretary of Transportation, transmitting a report of actions taken to increase competition for con-

tracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2600. A letter from the Secretary of Veterans Affairs, transmitting a report of actions taken to increase competition for contracts, fiscal year 1989, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2601. A letter from the Chairman, Panama Canal Commission, transmitting a draft of proposed legislation to authorize expenditures for fiscal years 1991 and 1992 for the operation and maintenance of the Panama Canal and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Merchant Marine and Fisheries.

2602. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Science, Space, and Technology.

2603. A letter from the Secretary of State, transmitting notification of his determination that Israel is not being denied its right to participate in the activities of the International Atomic Energy Agency, pursuant to Public Law 99-88, chapter V (99 Stat. 323); Public Law 100-461, title I (102 Stat. 2268-3); jointly, to the Committees on Foreign Affairs and Appropriations.

2604. A letter from the Comptroller General of the United States, transmitting a report on the Air Force's financial management operations and its efforts to prepare consolidated financial statements (GAO/AFMD-90-23); jointly, to the Committees on Government Operations and Armed Services.

2605. A letter from the Secretary of Transportation, transmitting the Department's 1989 annual report on the recommendations received from the National Transportation Board regarding transportation safety, pursuant to 49 U.S.C. app. 1906(b); jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X: the following action was taken by the Speaker:

H.R. 3386: Referral to the Committee on Energy and Commerce extended for a period ending not later than March 15, 1990.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWKINS (for himself, Mr. WILLIAMS, Mr. GOODLING, Mr. GAYDOS, Mr. CLAY, Mr. MURPHY, Mr. KILDEE, Mr. MARTINEZ, Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. PERKINS, Mr. SAWYER, Mr. PAYNE of New Jersey, Mrs. LOWEY of New York, Mr. POSHARD, Mrs. UNSOELD, Mr. WASHINGTON, Mr. RAHALL, Mr. FUSTER, Mr. JONTZ, and Mr. MFUME):

H.R. 4130. A bill to provide financial assistance for the development, recruitment, and training of teachers and other instructional personnel, and for other purposes; to the Committee on Education and Labor.

By Mr. CONYERS (for himself, Mr. HORTON, Mr. BROOKS, Mr. ERDREICH, Mrs. BOXER, Mr. BUSTAMANTE, Mr. SHAYS, Mr. SMITH of Vermont, Mr. SCHEUER, and Mr. MILLER of Ohio):

H.R. 4131. A bill to ensure that executive agencies have adequate authority to review the performance of foreign contractors and subcontractors under certain procurement contracts, and for other purposes; to the Committee on Government Operations.

By Mr. CONYERS (for himself, Mr. HORTON, and Mr. BUSTAMANTE):

H.R. 4132. A bill to amend section 2 of title III of the act of March 3, 1933 (commonly known as the Buy American Act), to require the approval of the U.S. Trade Representative in order for the head of a Federal agency to waive the Buy American Act; to the Committee on Government Operations.

By Mr. ALEXANDER (for himself, Mr. EMERSON, Mr. ESPY, Mr. ANTHONY, Mr. LAUGHLIN, and Mr. TANNER):

H.R. 4133. A bill to exempt agriculture from certain requirements under the Federal Water Pollution Control Act; to the Committee on Public Works and Transportation.

By Mr. CHANDLER:

H.R. 4134. A bill to amend the Internal Revenue Code of 1986 with respect to the tax treatment of the transfer of excess pension assets to retiree health accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. EARLY:

H.R. 4135. A bill to provide an additional district judgeship for the District of Massachusetts; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself, Mr. FRENZEL, Mr. ARCHER, Mr. SCHULZE, Mr. PEASE, Mr. MATSUI, Mr. DORGAN of North Dakota, Mr. MCGRATH, Mr. LEVIN of Michigan, and Mrs. JOHNSON of Connecticut):

H.R. 4136. A bill to amend the Internal Revenue Code of 1986 to remove U.S. tax barriers inhibiting competitiveness of U.S.-owned businesses operating in the European Community; to the Committee on Ways and Means.

By Mr. HENRY (for himself, Mrs. BOGGS, and Mr. SISISKY):

H.R. 4137. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Bill of Rights; to the Committee on Banking, Finance and Urban Affairs.

By Mr. JACOBS:

H.R. 4138. A bill to amend title 37, United States Code, to provide for the payment of temporary lodging expenses incurred by family members who receive transportation incident to the hospitalization of a member of the Armed Forces for a serious illness or serious injury sustained by the member in the line of duty; to the Committee on Armed Services.

By Mr. LENT (for himself, Mr. MCDADE, Mr. SOLOMON, Mr. YATRON, Mr. KANJORSKI, Mr. MARTIN of New York, Mr. WALSH, Mr. GEKAS, Mr. BOEHLERT, Mr. MCHUGH, Mr. MCNULTY, and Mr. WALKER):

H.R. 4139. A bill to provide for preservation of competitive rail freight service routes in the Northeastern United States; to the Committee on Energy and Commerce.

By Mrs. MARTIN of Illinois:

H.R. 4140. A bill to amend the Internal Revenue Code of 1986 to provide a 10-percent tax credit for investments in pollution control facilities; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 4141. A bill to amend title 11 of the United States Code to provide that the actual and necessary expenses incurred by creditors' and equity security holders' committees in making a substantial contribution to a case under chapter 11 may be paid as administrative expenses; to the Committee on the Judiciary.

By Mr. RAHALL:

H.R. 4142. A bill to provide for the preservation and enhancement of significant cultural, historical, and architectural resources associated with the coal mining heritage of southern West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RICHARDSON (for himself, Mr. SKEEN, and Mr. SCHIFF):

H.R. 4143. A bill to settle certain claims of the Zuni Indian Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SANGMEISTER (for himself, Mr. DURBIN, Mr. POSHARD, Mr. SCHEUER, Mr. LIPINSKI, Mr. WAXMAN, Mr. PANETTA, Mr. HOAGLAND, Mr. MCNULTY, Mr. ENGEL, Mr. FUSTER, Mr. MCDERMOTT, Mr. SAVAGE, Mr. BRUCE, Mrs. UNSOELD, Mr. FAUNTROY, Mr. EVANS, Mr. HAYES of Illinois, Mrs. COLLINS, Mr. JOHNSTON of Florida, Ms. SCHNEIDER, Mr. JONES of Georgia, Mr. FAWELL, Mr. DWYER of New Jersey, Mr. PAYNE of New Jersey, Mr. RICHARDSON, Mr. ANNUNZIO, Mr. ESPY, Mr. BOUCHER, Mr. FOGLIETTA, Mr. TOWNS, Mr. FROST, Mr. BILBRAY, Mr. WOLF, Mr. COSTELLO, Mr. WALSH, Mr. BOSCO, Mr. NEAL of Massachusetts, Mr. ROYBAL, Mr. JONTZ, Mr. NOWAK, and Ms. PELOSI):

H.R. 4144. A bill to establish programs to improve elementary school instruction in foreign languages and cultures; to the Committee on Education and Labor.

By Ms. SNOWE (for herself and Mr. BRENNAN):

H.R. 4145. A bill to designate certain lands in the State of Maine as Wilderness; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

By Mr. THOMAS of California:

H.R. 4146. A bill to amend the Internal Revenue Code of 1986 to deny the charitable deduction for contributions to organizations which participate in voter registration drives, and for other purposes; to the Committee on Ways and Means.

By Mr. TORRES (for himself, Mr. CONDIT, Mr. RIDGE, Ms. SCHNEIDER, Mr. BATES, Mr. BEILENSON, Mr. BERMAN, Mrs. BOXER, Mr. BROWN of California, Mrs. COLLINS, Mr. DEFAZIO, Mr. DELLUMS, Mr. DE LUGO, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. ENGEL, Mr. FAZIO, Mr. FAUNTROY, Mr. FRANK, Mr. FUSTER, Mr. HUGHES, Mr. JAMES, Ms. KAPTUR, Mr. KLECZKA, Mr. KOLBE, Mr. LANTOS, Mr. LIPINSKI, Mrs. MEYERS of Kansas, Mr. MILLER of California, Mr. OBERSTAR, Mr. OWENS of Utah, Mr. PALLONE, Ms. PELOSI, Mr. POSHARD, Mr. RANGEL, Mr. SIKORSKI, Mr. WILSON, Mr. WOLPE, and Mrs. UNSOELD):

H.R. 4147. A bill to amend the Solid Waste Disposal Act to require producers and importers of tires to recycle a certain percent-

age of scrap tires each year, to require the Administrator of the Environmental Protection Agency to establish a recycling credit system for carrying out such recycling requirement, to establish a management and tracking system for such tires, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UDALL (for himself, Mr. STUMP, Mr. KOLBE, Mr. RHODES, and Mr. KYL):

H.R. 4148. A bill to authorize the Secretary of the Interior to acquire certain water rights for the settlement of Indian water rights claims in the State of Arizona; to the Committee on Interior and Insular Affairs.

By Mr. DYMALLY:

H.J. Res. 495. Joint resolution designating the week of April 15, 1990, through April 21, 1990, as "National Minority Cancer Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. NIELSON of Utah (for himself, Mr. CAMPBELL of Colorado, Mr. CHANDLER, Mr. CRAIG, Mr. HANSEN, Mr. OBERSTAR, Mr. OWENS of Utah, Mr. ROBERT F. SMITH, Mr. STALLINGS, Mr. STUMP, Mrs. VUCANOVICH, Mr. AUCOIN, Mr. BEILENSON, Mrs. BOGGS, Mr. DEFAZIO, Mr. GUNDERSON, Mr. HORTON, Mr. JONTZ, Ms. KAPTUR, Mr. LAGOMARSINO, Mr. LEWIS of California, Mr. MACHTLEY, Mr. MAVROULES, Mr. MILLER of Washington, Mr. PAYNE of Virginia, Mr. DENNY SMITH, Mr. SMITH of Vermont, Mr. WILLIAMS, Mr. WYDEN, and Mr. YOUNG of Alaska):

H.J. Res. 496. Joint resolution designating the week of June 10, 1990, through June 16, 1990, as "Multiple-Use Sustained-Yield Week"; to the Committee on Post Office and Civil Service.

By Mr. ORTIZ (for himself, Mr. ROBINSON, Mr. SCHUMER, Mr. MANTON, Mr. WOLF, Mr. HUGHES, Mr. SMITH of Florida, Mr. RAY, Mr. KASICH, Mr. PURSELL, Mr. WILSON, Mr. BOUCHER, Mr. MAZZOLI, Mr. RANGEL, Mr. LANCASTER, Mr. HORTON, Mr. RAHALL, Mr. CHAPMAN, Mr. WOLPE, Mrs. BENTLEY, Mr. SMITH of Texas, Mr. FEIGHAN, Mr. DYSON, Mr. GALLEGLY, Mr. JENKINS, Mr. WALSH, Mr. KOLTER, Mr. STAGGERS, Ms. LONG, Mr. LAGOMARSINO, Mr. ROWLAND of Georgia, Mr. NELSON of Florida, and Mr. SPRATT):

H.J. Res. 497. Joint resolution designating June 24 through 30, 1990, as "National Sheriffs' Week"; to the Committee on Post Office and Civil Service.

By Mr. CLAY:

H. Con. Res. 272. Concurrent resolution authorizing printing of the transcript of proceedings of the Committee on Post Office and Civil Service of the House of Representatives incident to presentation of a portrait of Hon. William D. Ford; to the Committee on House Administration.

By Mrs. KENNELLY (for herself and Mr. KLECZKA):

H. Con. Res. 273. Concurrent resolution expressing the sense of the Congress that the Polish Government should be included in talks relating to German unification; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself and Ms. SCHNEIDER):

H. Con. Res. 274. Concurrent resolution expressing the sense of the Congress that the U.N. Human Rights Commission should continue to report on human rights in Cuba; to the Committee on Foreign Affairs.

By Mr. LIGHTFOOT:

H. Res. 349. Resolution permitting certain information to be included in franked mass mailing by Members of the House of Representatives; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

316. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to the upgrading of the Resurrection Creek Road in the Chugach National Forest; to the Committee on Agriculture.

317. Also, memorial of the Senator of the Commonwealth of Kentucky, relative to health care; to the Committee on Energy and Commerce.

318. Also, memorial of the Legislature of the State of Alaska, relative to a joint commission on the status of Alaska Natives; to the Committee on Interior and Insular Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. SAXTON.

H.R. 101: Ms. SLAUGHTER of New York.

H.R. 283: Mr. DELAY.

H.R. 505: Mr. BROWDER and Mr. TAYLOR.

H.R. 529: Mr. SIKORSKI, Mr. ROBINSON, and Ms. PELOSI.

H.R. 530: Mr. SIKORSKI, Mr. ROBINSON, and Ms. PELOSI.

H.R. 572: Mr. MILLER of Ohio.

H.R. 645: Mr. STAGGERS.

H.R. 978: Mr. SANGMEISTER.

H.R. 995: Mr. LEVINE of California.

H.R. 1400: Mr. KASTENMEIER, Mr. HERTEL, Mrs. MARTIN of Illinois, Mr. HAWKINS, Mr. COSTELLO, Mr. CAMPBELL of California, and Mr. WOLPE.

H.R. 1540: Mr. HEFLEY, Mr. JAMES, Mrs. BOXER, Mr. JOHNSON of South Dakota, Mrs. MARTIN of Illinois, and Mr. BATES.

H.R. 1641: Mr. JACOBS.

H.R. 2798: Mr. SMITH of New Jersey, Mr. WELDON, and Mr. HILER.

H.R. 2804: Ms. KAPTUR.

H.R. 3087: Mr. LANCASTER.

H.R. 3088: Mr. LANCASTER.

H.R. 3089: Mr. LANCASTER.

H.R. 3333: Mr. KOLBE.

H.R. 3472: Mr. THOMAS A. LUKEN, Mr. DAVIS, Mr. MACHTLEY, Mr. ESPY, Mr. SCHUETTE, Mr. GINGRICH, Mr. PETRI, Mr. MCEWEN, Mr. JAMES, and Mr. GRANDY.

H.R. 3582: Mr. BEREUTER, Mr. CAMPBELL of California, Mr. COX, Mr. ERDREICH, Mr. FALEOMAVAEGA, Mr. FROST, Mr. JAMES, Mr. LIVINGSTON, Mr. NIELSON of Utah, Mr. PAXON, Mr. ROHRABACHER, Mr. SMITH of Vermont, Mr. TRAFICANT, Mr. SHUMWAY, and Mr. WALSH.

H.R. 3643: Mr. BATEMAN and Mr. NIELSON of Utah.

H.R. 3686: Mr. PASHAYAN, Mr. DEFAZIO, Mr. GALLEGLY, and Mr. CRAIG.

H.R. 3735: Mr. LIPINSKI.

H.R. 3785: Mr. CONDIT, Mr. BUECHNER, and Mr. BATES.

H.R. 3802: Mr. ROHRABACHER, Mr. GRAY, Mr. FUSTER, Mr. BUSTAMANTE, Mr. DWYER of New Jersey, Mr. ROYBAL, Mr. MCHUGH, Mr. FOGLIETTA, Mr. SCHEUER, Mr. HOUGHTON, Mr. RANGEL, Mr. MCGRATH, Mr. DONALD E. LUKENS, Mr. DEFAZIO, Mr. FAZIO, Ms. KAPTUR, Mr. JOHNSON of South Dakota, Mr. HYDE, Mr. JONES of Georgia, Mr. LANTOS, Mr. FISH, Mr. SLATTERY, Mr. SABO, Mr. ROSE, Mrs. UNSOELD, Mr. SKELTON, Mr. OWENS of New York, Mr. NAGLE, Mr. THOMAS A. LUKEN, Mr. RAHALL, Mr. RITTER, Mrs. MORELLA, Mr. PASHAYAN, Mr. SOLOMON, Mr. BOEHLERT, Mr. GILMAN, Mr. LENT, Mr. MARTIN of New York, Mr. PAXON, Mr. WEISS, and Mr. GREEN.

H.R. 3859: Mr. RAHALL.

H.R. 3903: Mr. SMITH of New Jersey.

H.R. 3906: Mr. KASTENMEIER Mr. CONDIT, Mr. OWENS of Utah, Mr. WOLPE, Ms. KAPTUR, Mr. ROSE, and Mr. POSHARD.

H.R. 3927: Mrs. BENTLEY and Mr. ANNUNZIO.

H.R. 3978: Mr. WHEAT, Mr. SAWYER, Mr. ECKART, Mr. SANGMEISTER, Mr. CLAY, Mr. POSHARD, Mr. RUSSO, Mr. KASTENMEIER, Mr. FLAKE, Mr. DEFAZIO, and Mr. STARK.

H.R. 3988: Mr. KOSTMAYER, Mr. ENGEL, Mr. LANCASTER, Mr. HUCKABY, and Mr. MCMILLEN of Maryland.

H.R. 4036: Mr. JAMES.

H.J. Res. 54: Ms. SLAUGHTER of New York.

H.J. Res. 81: Mr. MYERS of Indiana.

H.J. Res. 443: Mr. LEACH of Iowa, Mr. GRANT, Mr. FASCELL, Mr. GORDON, Mr. SHAW, Mr. MOAKLEY, Mr. COURTER, Mr. LEWIS of Florida, Mr. TANNER, Mr. NELSON of Florida, Mr. ROE, Mr. HUGHES, Mr. COUGHLIN, Mr. FAZIO, Mr. TOWNS, Mr. NOWAK, Mr. PALLONE, Mr. DWYER of New Jersey, Mr. MCNULTY, Mr. HUTTO, Mrs. ROUKEMA, Ms. OAKAR, Mr. MARKEY, Mr. FUSTER, Mr. GALLO, Mr. LEHMAN of Florida, Mr. JACOBS, Mr. DONNELLY, Mr. MAVROULES, Mr. CONTE, Mr. PRICE, Mr. CLEMENT, Mr. STUDDS, Mr. HORTON, Mr. DURBIN, Mr. RANGEL, Mrs. COLLINS, Mr. GRANDY, Mr. LEWIS of Georgia, Mr. BILIRAKIS, Mr. TORRICELLI, Mr. MILLER of Washington, Mr. BILBRAY, Mr. CHANDLER, Mr. BURTON of Indiana, and Mr. MORRISON of Connecticut.

H.J. Res. 452: Mr. FISH, Mr. RICHARDSON, Mr. LEATH of Texas, Mr. MORRISON of Connecticut, Mr. DOUGLAS, Mr. FAZIO, and Mr. BUECHNER.

H.J. Res. 473: Mr. ROWLAND of Connecticut, Mr. BENNETT, Mr. JONTZ, Mr. HUGHES, Mrs. PATTERSON, Mr. FAWELL, Mr. MCNULTY, Mr. DWYER of New Jersey, Mr. BOUCHER, Mr. MCDADE, Mr. HENRY, Mr. EVANS, Mr. NELSON of Florida, Mr. FAZIO, Mr. KANJORSKI, Mrs. JOHNSON of Connecticut, Mrs. MORELLA, Mr. CONTE, Mr. RITTER, Mr. RANGEL, Mr. ERDREICH, Mr. KOSTMAYER, Mr. CARPER, Mr. JONES of Georgia, Mr. WALSH, Mr. FRANK, Mr. GALLEGLY, Mr. STUDDS, Mr. PASHAYAN, Mr. YATRON, Mrs. MARTIN of Illinois, Mr. BUSTAMANTE, Mr. BROOMFIELD, Mr. FUSTER, Mr. BLILEY, Mr. ANNUNZIO, Mr. DYMALLY, Mr. RINALDO, Mr. KOLTER, Mr. MANTON, Mr. PORTER, Mr. YATES, Mr. PICKETT, Mr. FAUNTROY, Mr. GORDON, Mr. NEAL of Massachusetts, Mr. MAVROULES, Mr. SMITH of New Hampshire, Mr. ROE, Mr. SHAYS, Mr. FLIPPO, Mr. CALLAHAN, Mr. MACHTLEY, Mr. GEKAS, Mr. STALLINGS, Mr. TORRICELLI, Mr. BATES, Mrs. BENTLEY, Mr. MCMILLEN of Maryland, Mr. GALLO, Mr. THOMAS A. LUKEN, Mr. GOODLING, Mr. WOLF, Mr. STOKES, Mr. ROSE, Mr. MRAZEK, Mrs. COLLINS, Mr. FEIGHAN, Mr. COBLE, Mr. FORD of Tennessee, Ms. PELOSI, Mr. RAVENEL, and Mr. KILDEE.

H. Con. Res. 246: Mr. HATCHER, Mrs. SAIKI, Mr. DERRICK, Mr. DWYER of New Jersey, Mr. HASTERT, Mr. LANCASTER, Mr. NAGLE, Mr. TALLON, Mr. SMITH of New Jersey, Mr.

McDERMOTT, Mr. THOMAS of Georgia, Mr. ANTHONY, Mr. KILDEE, Mr. MONTGOMERY, Mr. RINALDO, Mr. JENKINS, Mr. BATES, Mr. Mr. VOLKMER, Mr. BATEMAN, Mr. ANNUNZIO, DAVIS, Mr. PICKETT, Mr. SMITH of Vermont, and Mr. GRANT.

SENATE—*Wednesday, February 28, 1990*

(Legislative day of Tuesday, January 23, 1990)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. As we reverence our Father and our Maker, we will be led in prayer by the Senate Chaplain, the Reverend Dr. Richard C. Halverson.

Dr. Halverson.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D. offered the following prayer:

Let us pray:

God hath spoken once; twice have I heard this; that power belongeth unto God.—Psalm 62:11.

Almighty God, our Heavenly Father, listening to Senator PRESSLER's report on the election in Nicaragua was both exciting and disturbing. His description, "citizens thirsting to vote," 150 people waiting in the rain at 6 a.m., some having arrived at 3 a.m., one could not avoid thinking of our last national election when nearly 50 percent of the people did not bother to go to the polls.

What is happening to us as a nation, Father? At a time when democracy is winning all over the world, are we forfeiting it at home? Have we forgotten our legacy: "inalienable rights," "endowed by God," "government instituted to secure those rights, receiving its just powers from the consent of the governed," despite which many have divorced themselves from people sovereignty and abandoned the democratic process. Forgive us, patient God, for our indifference, our apathy—our cynicism. Reawaken us to the moral obligation of citizenship, fundamental to our political system. Renew us in fresh commitment to our cherished Republic.

In the name of Jesus who said, "Ye shall know the truth, and the truth shall make you free." Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The Senate will be in order.

Under the standing order, the majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning, following the time for the two leaders, there will be a period for morning business until 11 a.m., with Senators permitted to speak therein for up to 5 minutes each. At 11 a.m., the Senate will resume consideration of S. 1430, the national community service bill. Senators should be alerted that rollcall votes are expected throughout today's session.

RESERVATION OF LEADERS' TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time, and I reserve all of the time of the distinguished Republican leader.

The PRESIDENT pro tempore. Without objection, the remainder of the time of the two leaders is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. There will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m. with Senators permitted to speak therein for up to 5 minutes each.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CAMPAIGN REFORM

Mr. REID. Mr. President, we live in a country with the best system of government in the world. In the past year, our political tradition has inspired millions throughout Europe, South America, Africa, and the Far East.

The symbol of freedom and democracy in China's Tiananmen Square was the Statue of Liberty.

The cries of freedom in East Berlin and South Africa were sung to the strains of "We Shall Overcome."

In the last few days, a free election was held in Nicaragua for the first time in its history.

If the Berlin Wall can come down and Nelson Mandela can be set free, then surely we in America can reform a part of our own political system. I am talking about campaign finance reform and the need for reform.

Genuine campaign reform in the United States can come about only through bipartisan cooperation.

For years, we have seen a lot of posturing on this issue. One side says: "Abolish PAC's or nothing." The other side says: "Campaign spending limits or nothing."

This "all or nothing" attitude on both sides solves exactly one thing: nothing. It solves nothing.

There are several issues on which agreement and real reform are feasible. It is possible, this year and in this Congress, to do something about independent expenditures, bundling, the "Millionaire's Loophole," abuse of so-called loans that candidates make their campaigns, and the complete and utter absence of tough penalties and procedures to enforce present campaign laws.

The bill I have introduced with Senator MCCONNELL of Kentucky can be the bipartisan nucleus of real campaign reform. In 1990, a year in which other nations around the world will take broad, courageous steps to reform their own political processes.

The Federal Election Enforcement Act addresses many campaign problems, but none as critical as the shortcomings of the FEC.

The FEC is a toothless tiger. Real campaign reform will give teeth to the Federal Election Commission. Fake reform will ignore the FEC.

The first 11 sections of our bill will stiffen penalties and streamline the enforcement process.

The average Senate campaign now costs over $3 million, and some campaigns spend much more than that. A fine of $5,000 for an FEC violation is a drop in the bucket for most political campaigns. Our bill will make penalties count. Violators must be punished where it hurts: in the checkbook and in the court of public opinion.

Not only does this bill stiffen penalties, but it reduces the amount of time in which the FEC must act and gives the FEC injunctive powers.

Our legislation also solves the tie-vote problem at the FEC. Under present law, there are three Republican members of the FEC and three Democrats. Under our legislation, complainants can sue in any U.S. dis-

trict court if the FEC is deadlocked by a tie vote.

Currently, complainants can sue only in the D.C. Federal court—an unnecessary hardship for candidates or campaigns in Nevada or Massachusetts or Florida or anywhere outside the beltway.

None of the other provisions in this bill or in S. 137 or in any other campaign reform bill will mean anything without the FEC reform offered by the Federal Election Enforcement Act. This is the only bill that contains such reform.

Mr. President, these are historic times. There is a tide of freedom and reform sweeping across the world. In Berlin, Prague, Warsaw, Johannesburg, Managua, and elsewhere, America is once again an inspiration to millions of people yearning to breathe free.

We have set high standards for oursevles and others. To paraphrase a famous passage, "Responsibility is the first step toward reform." Let us take up that responsibility and pass laws, here in Washington, that meet our high ideals.

We owe it to ourselves; we owe it to our constituents, and they are right when they demand nothing less.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized for not to exceed 5 minutes.

Mr. SPECTER. Mr. President, I had come to the floor with the intention of speaking when the Senate went on the pending bill and had explained to the Chair prior to seeking the floor that that was my intention, but since there is no one on the floor for morning business I thought I would utilize this time. As I had explained to the Chair, my comments cannot be completed in the course of 5 minutes but since no one else is on the floor I ask unanimous consent that I be permitted to speak in excess of 5 minutes, if I may up to 10 minutes at this time, Mr. President.

The PRESIDENT pro tempore. Without objection, the Senator from Pennsylvania is recognized for not to exceed 10 minutes.

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER pertaining to the submission of Senate Resolution 252 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,810th day that Terry Anderson has been held in captivity in Beirut.

I would also like to remark that Peggy Say's recent visit to Syria has brought more promising news. Reports of her sanguine reaction to meetings with Syrian cabinet ministers were included in articles from yesterday's Buffalo News and New York Times. I ask unanimous consent that these articles be reprinted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 27, 1990]

SIGNS OF HOPE FOR LEBANON HOSTAGES

(By Ihsan A. Hijazi)

BEIRUT, LEBANON, February 26.—Encouraged by promising signals from Iran, Syria plans a new effort to free 18 Western hostages believed held in Lebanon by Shiite Muslim militants with connections to Iran, a relative of an American hostage said today.

Peggy Say, the sister of an American journalist who was kidnapped five years ago, said the Syrian Foreign Minister, Farouk al-Sharaa, told her that he would soon visit Teheran, Iran, to discuss freedom for the captives.

Mrs. Say, whose brother is Terry Anderson, told reporters in Damascus today that Mr. Sharaa told her of his projected trip when the two met late last week. She said she was heartened by the Syrian offer.

"Instead of leaving the Middle East with heavy heart like I always do, I feel the burden has been lifted," Mrs. Say said.

Syria, the main foreign power broker in Lebanon with 40,000 troops that virtually control two-thirds of Lebanon's territory, has played a role in past releases of American, French and other Western hostages in Lebanon.

Mr. Anderson, now 42 years old, was the Middle East bureau chief for The Associated Press when he was kidnapped by gunmen in West Beirut. An organization calling itself Islamic Holy War took responsibility for his abduction. The same group said it was holding another American, Thomas Sutherland, the acting dean of agriculture at the American University of Beirut.

Mohammed Salman, Syria's Information Minister, told Mrs. Say that his Government was optimistic about the eventual release of the hostages in light of the latest statements from Teheran, but that he did not expect it at once. Sana, the state-run Syrian press agency, quoted him as saying, "This is because the matter needs a thorough study, patience and coordination between local and international quarters."

Mrs. Say left today for London, where she is to meet the Archbishop of Canterbury, the Most Rev. Robert Runcie, whose envoy, Terry Waite, is also missing in Lebanon. Mrs. Say has also met recently with Pope John Paul II and with Yasir Arafat, the chairman of the Palestine Liberation Organization, in her campaign to free her brother.

SHIITE LEADER URGES RELEASE

Last Thursday, the Government-controlled English-language daily newspaper Teheran Times called for prompt freedom for the captives in Lebanon. Today the newspaper quoted Iran's top Shiite Muslim justice as saying that his country opposes hostage taking, terrorism and air piracy because "they are contrary to Islamic and humanitarian principles."

The official, Ayatollah Mohammed Yazdi, was quoted in an exclusive interview with the paper that was excerpted and distributed by Iran's official press agency.

Last Friday Sheik Mohammed Hussein Fadlallah, the spiritual mentor of the Lebanese Party of God, said the time had come to free the hostages. The Party of God, while denying any role in hostage taking, is widely thought to be the parent organization for kidnappers operating under different titles.

Sheik Fadlallah's statement was not his first call for the release of the captives, but the timing of the statement lends it significance. He had just returned from Teheran, where he attended the celebration of the eleventh anniversary of the Islamic revolution. Sheikh Fadlallah met with Ayatollah Ali Khamenei, Iran's religious leader, and President Ali Akbar Hashemi Rafsanjani.

Islamic Holy War insists that Kuwait release 17 pro-Iranian Lebanese who were convicted of bomb attacks in Kuwait seven years ago. Iran has demanded that in return for using its influence with kidnappers here, three Iranian diplomats and their Lebanese chauffeur, who vanished in northern Lebanon eight years ago, must be found.

[From the Buffalo News, Feb. 27, 1990]

SAY IS OPTIMISTIC AFTER VISIT TO SYRIA

BEIRUT, LEBANON.—The sister of U.S. hostage Terry Anderson said Monday she was optimistic his five years of captivity could soon end and urged hi not to despair.

"You are all sent strength, love and hope," said Peggy Say, formerly of Batavia, NY, in an open letter addressed to Anderson and 16 other Westerners held hostage in Lebanon. "Do not despair, for someday—soon, please God—we will all be reunited," she said in the letter released here by the Associated Press.

Anderson, 42, was Middle East bureau chief for AP when kidnapped in Beirut in March 1985. The pro-Iranian Islamic Jihad, or Holy War, claimed responsibility.

An Arabic translation of the letter was published in Beirut on the front page of the independent An-Nahar and on an inside page in the leftist As-Safir. A second message, signed by Bill Foley in the name of the Journalists Committee to Free Terry Anderson, said "Countless people around the world remember all of you and work to end your suffering."

Mrs. Say, on a tour with an AP delegation, Monday ended a visit to Syria, an ally of Iran, where she sought the help of Cabinet ministers in winning Anderson's release. She said she was heartened by a Syrian offer of help.

"Instead of leaving (the Middle East) with a heavy heart like I always do, I feel the burden has been lifted," she said in Damascus. "For several years the situation seemed only to get more complicated. Soon, God willing, we will be united . . . There is no doubt in my mind that nobody wants this hostage situation to end more than Syria."

Iran's main opposition group said Monday in Geneva that Tehran had offered to secure the release of the hostages in exchange for a less-critical United Nations report on Iran's human rights situation.

THE NICARAGUA ELECTIONS: BEWARE OF TROJAN HORSES

Mr. HELMS. Mr. President, the election results in the Nicaraguan elections constitute a stunning reversal for Daniel Ortega and the Communist Sandinistas—a verdict by the people, of the people and for the people of Nicaragua. What we see all over the world is that, if you give the people a chance in a free and fair election, the people will overwhelmingly reject communism.

We saw the people reject communism in Poland. We saw it in Czechoslovakia. We saw it just last Sunday in Lithuania. We saw that East Germany, Bulgaria, Hungary, Estonia, and Latvia are just itching for elections in the next few weeks so they can vote against communism. The only people that like communism are the tyrants themselves.

But whether, in the long-run, Ortega and his cohorts will accept the will of the people is by no means clear. The statements of Ortega yesterday indicate that he is willing to give up the Presidency, but not the real base of his political power, the so-called Popular Sandinista Army [EPS] and the Sandinista Party members installed in key government positions of power. If Nicaragua is to be free from communism, Nicaragua must have fundamental reform; but it is now apparent that Ortega and the Sandinistas can be expected to block every attempt at reform.

So the battle for freedom in Nicaragua is just beginning. Let's face it: There would have been no election had the freedom fighters not waged their lonely and hard-fought battle against the Sandinista tyranny. It must not be overlooked, in this time of exultation, that the only thing the Sandinista regime ever worried about was the determination of the freedom fighters to make it possible for free government. Ortega's whole policy was to destroy the freedom fighters at any cost; and that remains his policy today.

This election is a tribute to the farsighted policy of the policy of Ronald Reagan. Had it not been for his support for the freedom fighters, there would have been no victory in the elections Sunday. The vote by the people of Nicaragua flatly rejecting communism is a repudiation of all those who were willing to deny the Nicaraguan people a non-Communist alternative.

But caution now is imperative. The 2-month transition period to the installation of the new government is fraught with danger. The Nicaraguan freedom fighters have said that they will not disband until a transfer of power has in fact taken place. They are wise to be cautious. Their years of military opposition have, at last, forced the Sandinistas to the ballot box, but Daniel Ortega clearly intends to keep his illegitimate hold on power.

Prudence dictates that it must be assumed that the Sandinistas will dig in their heels and attempt to keep power intact under the new government of Mrs. Chamorro. There are still Soviet, Cuban, East German, Czechoslovakian, and other Communist advisers on hand to help the Sandinistas overthrow the will of the people. We must not forget that the Sandinistas have played host to various terrorist groups operating around the world. That is why Mrs. Chamorro needs, and must have, the help and support of not just the former political representatives of the freedom fighters, but the leaders of the actual fighting groups themselves.

Moreover, it is not merely the new government that is at risk. The Sandinistas have been the main exporters of Marxism-Leninism to El Salvador. They have been the conduit for tons of Soviet and East bloc arms flowing to the Salvadoran guerrillas, the FMLN. And they have also provided training, logistics, communications, and even rest and recreation for the guerrillas in El Salvador. The bloody November offensive of the FMLN in El Salvador was "Made in Nicaragua." There is no reason to doubt that the Sandinistas will accelerate deliveries of weapons in the 2 months of power before the shift in the Presidency. Having been rejected by the people in Nicaragua, the Sandinistas must not be allowed to negate the election by deviously imposing more suffering on the people of El Salvador.

So, Mr. President, the United States should think twice about lifting sanctions or providing other actions of support, unless and until certain benchmarks are met. For example:

First, all current officials of the Sandinista Party must be removed from positions of power in the new government.

Second, no cabinet posts should be conceded to the Sandinista Party [FSLN], especially the Ministries of Defense and Interior, or to any members of either the Communist Party or the Socialist Party of Nicaragua.

Third, the party-controlled armed forces, the so-called Popular Sandinista Army [EPS] should be disbanded, and a new armed forces, about one-third the size, should be organized under control of the new government, as in Panama. The new government should seize the Soviet arms now held by the EPS, and sell them to the United States to raise immediate cash flow. These weapons could be sent by the United States to freedom fighters elsewhere, such as UNITA in Angola, the Mujahidin in Afghanistan, and the Salvadoran Army.

Fourth, the secret police [MINT] of the Ministry of the Interior should be disbanded.

Fifth, prominent and competent members of the exile community from the major parties and from the private sector, as well as members of the Nicaraguan Resistance fighting forces should be invited to participate in key posts in the Cabinet.

Sixth, international observers must monitor all weapons depots and movements of weapons during the next 2 months. No weapons should be sent to El Salvador, Guatemala, Honduras, Colombia, or Peru, with special caution that hand-held, heat-seeking missiles, such as the SA-7, not fall into the hands of Communist terrorists in those countries.

Seventh, all other support facilities now in Nicaragua that have been strengthening the hands of guerrillas in El Salvador and terrorist movements elsewhere should be dismantled immediately, including training bases and communications headquarters.

Eighth, all foreign military and civilian advisers must leave Nicaragua during the transition period, including Soviet, East German, Czechoslovakian, and Cuban personnel.

In the United States, we are accustomed to assuming that elections anywhere are in fact a transfer of power. But in Communist countries, such as Nicaragua, the real power is never in the organs of the State, but in the organs of the Communist Party. Whereas Americans think of political parties as free, voluntary organizations within the State, Communist doctrine holds that the people's will is expressed in the Communist Party first of all, while the government is one of the party's secondary instruments.

In Nicaragua, it was the Sandinista Party—the Sandinista National Liberation Front—[FSLN]—that brought about the revolution, and imposed its will on the country. Today the Sandinista Party is still controlled by the nine-man military junta which has not been, and never will, be elected by the people. As Communist Parties all over the world adapt to the pressure of the people everywhere for a multiparty State, they continue to use the organs of the party organization to control the government, even when the Party changes its name. In Nicaragua, there can never be peace, and there can never be fundamental reform of the social and economic system unless all Sandinista, Marxist, and Communist ideologies are removed from decision-making posts.

In Nicaragua today, there are 65,000 active troops in the Communist Sandinista Armed Forces. This is by far the largest in Central America. The armed forces are not a part of the Nicaraguan Government—they are an instrument of the Communist Sandinista Party. That is the case today, and will continue to be, unless the new govern-

ment acts promptly to change the situation. This army has received over $5 billion in assistance in military aid from the Soviet Union—as compared to the $227 million that the Nicaraguan freedom fighters received from the United States. This is an armed force that has received the most modern Soviet weapons, such as:

Tanks and self-propelled guns, such as the T-54 tank and the 122mm artillery guns;

Light armor, such as the PT-76 amphibious tank and BMP armored personnel carriers;

Missile attack boats;

Attack helicopters, such as the MI-8 and the MI-17 HIP assault helicopters, and the MI-25/35 HIND attack helicopter gunships;

Surface-to-air missiles, such as the shoulder-launched SAM-7, which are used for air defense, and some mobile SAM launchers.

In 1989, in the 8-month period preceding the election, the Bush administration disclosed that the Soviet Union had shipped 12,000 tons of war-fighting materiel.

But the regular army in Nicaragua is by no means the only problem. The Sandinistas have built a reserve army of 200,000—again one of the largest in all of Latin America—organized in local militias. Again, these local militias have been armed with the most modern Soviet weapons, and these militias exist in every locality.

Finally, there is the third force which is the smallest—but the most important. These are the troops [MINT] of the Ministry of Interior—some 5,000 highly trained and deeply motivated Communist agents, ruthlessly dedicated to the survival of Sandinista communism. This is the type of forces we have seen in operation in other Communist countries in transition—in Romania, in Georgia, in Armenia, in Azerbaijan. We must assume that, in Nicaragua, these forces are likewise prepared to perpetrate murder and destruction for the survival of Marxist power. The Nicaraguan secret police operate in every block, in every work place, in every school, in every organization. They have at their disposal groups of paramilitary gangs trained to harass individuals and break up peaceful gatherings.

President Chamorro would do well to examine what she is inheriting. The last thing she needs is a stable full of Trojan Horses poised to undermine and destroy the hope of freedom for which the Nicaraguan people overwhelmingly voted this past Sunday.

As long as the Sandinista Party controls these forces, Ortega has an enormous bargaining tool to demand cabinet posts and government control of the economy. The mere changing of the head of government will have little impact on these forces, which are deep-rooted in the Communist society, unless the Sandinista command-and-control system is broken.

There is no surprise in the postelection statements of the arrogant and devious Mr. Ortega. The depth of this problem was revealed in the statement by feared Tomas Borge, director of the secret police—as Minister of Interior—in a speech on February 7:

> This electoral coalition [UNO] cannot govern because there have been deep transformations in Nicaragua that it would try to reverse, causing serious social consequences.
>
> For example, with the existing Revolutionary Armed Forces—EPS [Sandinista Peoples' Army] and the MINT [Interior Ministry]—how can the officers obey harebrained orders imparted by those who are appointed [by UNO] as ministers of defense and the interior?
>
> Since these structures are revolutionary, UNO will attempt to destroy them, causing chaos in Nicaragua. This would be a country without a government.

What Borge meant is that the revolutionary command structure will refuse to obey the new Government. And he was correct—the Government will have no countervailing force, unless the freedom fighters of the Nicaraguan Resistance are brought in to the country to defend the people against the Sandinista revolutionary power. Borge was candid in predicting at least passive resistance to the disbanding of Sandinista power, and perhaps military resistance to the Government—he used the term "chaos." After all, the Communist Sandinistas have armed not only the 65,000 regular troops, but also the 200,000 trusted cadres throughout the country. By using the threat of chaos, Borge is warning that the Sandinistas will bargain to retain substantial control over the Government and the countryside.

If that is allowed to happen, the stunning result of this past Sunday's election—when the people of Nicaragua so emphatically stated their disgust of communism—that stunning result will have been reversed and negated.

It must not be allowed to happen.

VISIT OF CHIEF MINISTER MANGOSUTHU G. BUTHELEZI, SOUTH AFRICA

Mr. HELMS. Mr. President, today I had a delightful chat with Chief Minister Mangosuthu G. Buthelezi of South Africa who is currently in this country for a short, private visit. This morning he had a personal meeting with President Bush, and this afternoon met with Secretary of State Baker before leaving for the west coast.

Unfortunately, this brief visit prevented a number of Senators from visiting with and hearing Chief Minister Buthelezi's message as an authentic leader of South African opposition forces. I take the floor to discuss Dr. Buthelezi's role in the immediate and long-term future of the Republic of South Africa. Senators HATCH, SYMMS, THURMOND, MACK, WALLOP, MCCLURE, and BURNS joined me in a luncheon meeting today and have indicated their strong support for the statement I am about to make.

In the opinion of this and other Senators, Chief Minister Buthelezi is a highly credible political leader. Recently, there has been much excitement and speculation accompanying the release of Nelson Mandela from prison. Many Americans incorrectly believe that Mr. Mandela, almost alone, is the voice for antiapartheid South Africans, but that is not accurate.

Mr. President, the truth of the matter is that South Africa is an extremely diverse country. Recent courageous actions by South Africa's President, F.W. de Klerk, have suddenly and dramatically opened the door to reform and negotiations. If reform and negotiations succeed, and I believe that all responsible Americans believe they must, and I believe that South Africa will simultaneously achieve a more representative government and the end of the discriminatory system known as apartheid.

Talks about talks are already taking place. But to accomplish the necessary ends, every segment of South African opinion will need a place at the table. Chief Minister Buthelezi heads the Zulu nation. The 7 million Zulus, organized politically in the Inkatha movement, have a cohesiveness and moderate political program. They deserve an important place in negotiations about South Africa's future.

Dr. Buthelezi has been a strong advocate for decades of a new system providing liberty and opportunity for all. Inevitably, Dr. Buthelezi believes such goals can be achieved only through a multiparty system, by protecting property and other fundamental rights, and by encouraging a free market economic system. His presence in negotiations provides important counterpoint to organizations drenched in the rhetoric of the South African Communist Party.

As a leader in South Africa, Chief Minister Buthelezi is second to none. Following President de Klerk's state visit, I believe it would be entirely appropriate for Dr. Buthelezi to return, and perhaps to travel with Nelson Mandela.

Certainly, a variety of other communities, parties, and factions will require representation in negotiations—if they are to succeed. Americans cannot determine who should negotiate, but we advocate that they be completely inclusive.

In the meantime, Chief Minister Buthelezi's moderate message should be heard by the American people and others throughout the world. He is

always welcome to return to the United States.

One final element should be mentioned, Mr. President. Chief Minister Buthelezi opposed wrong-headed punitive sanctions imposed by the Reagan administration and this Congress on the people of South Africa. But sanctions have been the law of the land since 1986.

Recent events in South Africa have deeply disturbed many advocates of punitive sanctions. They never believed that the South African Government would move so sweepingly. Prime Minister Thatcher has responded to South Africa's courage by lifting punitive sanctions totally. This Senator commends that action, it is entirely appropriate.

Even if American sanctions remain in force for a while longer, Mr. President, this Senator believes that effective, visible, and public U.S. political encouragement should be given to get on with reform and negotiations. In this context, Chief Minister Buthelezi's responsible message needs to be heeded and his leadership needs to be recognized, frequently and publicly.

UTAH—HOME OF BEST DRIVING AND GREATEST SCENERY IN AMERICA

Mr. HATCH. Mr. President, Car and Driver magazine has discovered something that I have been telling my colleagues for years: Utah has some of the best driving and greatest scenery in America. The January 1990 issue of Car and Driver named two Utah highways, U.S. 89 and State Road 12, among the 10 best driving roads in the Nation. Of all the roads in America, this famous automotive magazine has chosen the 10 best, and 2 of these are in Utah.

The article, written and photographed by Larry Griffin, names the entire 2,000 miles of U.S. 89, from Canada to the Mexican border, as a great driving highway. In truly poetic style, Mr. Griffin captures the feel of the great West that I love. He says that U.S. 89 "traverses the True West, clean and pure and strung with parks and forests that still set the tone for the region. * * * The road strides across the expanses and the heights and the depths of the giant ripples and the plush textures and colors of the ranges like an overinked illustration for an 1890 dime novel."

Nearly 400 miles of this great American road traverse my State of Utah and I, too, have felt inspired by it. In fact, I often tell people who want to learn about Utah to drive this road. Driving it will give you a good understanding of what Utah is. In addition to its own beauty, U.S. 89 provides the best access to Utah's five beautiful national parks.

The second Utah road among the 10 best is Utah State Road 12. This road leaves U.S. 89 and climbs through Red Canyon to Bryce Canyon National Park. From there, it winds through the Dixie National Forest and Bureau of Land Management lands until it finishes at Torrey on Utah 24 just outside Capitol Reef National Park. But, I will let Mr. Griffin describe Utah State Road 12 for you. He says:

> Stirring is as stirring does, and Utah 12 churned us like an atomic blender. It stands almost unequaled as a road with something for everyone. The early giant slalom fed, in no order we'd be able to verity in our later daze, into a canyon rip; a Virginia reel; a coastering slew through outsize range cattle and garishly golden aspens; a sensuous slither through an erogenous zone of rocks that loomed suggestively in the softening light, and—gad, don't breathe—a set of esses floating atop the teetery spine of a mountain that falls away without a prayer or shoulders or guardrails. Hand a wheel or trip over your tires and you may well mate with the rocks far, far below. Take the plunge and you're guaranteed to be spread around like hot peanut butter and jelly over hard rolls.

Mr. President, I would like to invite all my colleagues to come to Utah and try that one for themselves. But perhaps my colleagues will indulge me in one more quote from Car and Driver: "Understand about Utah: it may be our most spectacular State. Scenic glitter abounds in the remaining 49 States, some of it marvelous, but nowhere in our recollection is a State packed with more stellar sites and ohwows than Utah." Those are their words, not mine, though I completely agree.

THE 1-YEAR ANNIVERSARY OF THE ALAR SCARE

Mr. GORTON. Mr. President, today is the 1st year anniversary of the events which led to the removal of the chemical "alar" from the marketplace. I am not here, however, to recount those events. Instead, I am here to reiterate the importance all citizens, and in particular government, must place on food safety. Further, I wish to enlist the support of my colleagues for the important measures that have been implemented or proposed to prevent a recurrence of another unwarranted and economically devastating food safety situation.

The U.S. food supply is the safest in the world. This past year, however, a number of food scares have alarmed consumers and drawn attention to food regulatory laws and programs. Heightened public awareness of food quality has significantly increased the importance of food safety to government, farmers, and the consumer alike. While consumer advocacy groups have been the most vocal group on the subject of food safety, I wish to point out that they are certainly not alone in their concern.

Last fall, the agricultural chemical industry demonstrated its commitment to a safe food supply when it voluntarily asked the EPA to restrict the use of EBDC's, a fungicide used on more than 40 crops. This restriction will remain until a market-based study can be completed that will help scientifically determine the risk associated with the use of EBDC's. In addition, economically viable ways to reduce the use of chemicals have been adopted by farmers throughout the country by means of such recognized methods as integrated pest management.

Government, too, has addressed the issue of food safety. In his budget, President Bush requested $118 million for food safety programs. The President's proposal would provide $25 million for a multiagency effort to collect and analyze residue data regarding actual exposure levels in the U.S. food supply.

The President has also recognized the opportunities available to researchers to solve increasingly complex agricultural problems. Thus, the President has proposed spending $100 million to fund the first year of the National Initiative for Research on Agriculture, Food, and Environment.

Mr. President, Washington State grows nearly half of the Nation's apples. Therefore, it is fitting that President Bush has included funds for the much needed construction of a replacement Agricultural Research Service laboratory in Yakima, WA, located near the heart of apple country. The mission of the laboratory will concentrate on developing alternative techniques of biological control for crop pests, research the fate of pesticides, and develop quarantine treatments to help increase exports of fruits and vegetables. Not only will this lab play a significant role in food safety, but will be of paramount importance for U.S. trade.

Clearly, Government's role is more than just regulatory; it must also provide good information to the producer and consumer. Government is the one entity with the resources and systems in place to generate, interpret, and disseminate scientific and statistical information free from the taint of special interests. I believe the administration's funding initiatives further strengthen Government's ability effectively to monitor the safety of the food supply and prevent a repeat of the alar scare.

Food safety has not escaped notice in Congress, either. In addition to an administration proposal, two other food safety bills have been introduced in Congress. Further, a food safety title is likely to be included in the most important piece of legislation to be debated in the Agriculture Committee this year, the 1990 farm bill.

Mr. President, concern for food safety does not end when the food leaves the farm. For that reason, I have introduced S. 1751, the Safe Transportation of Food Act, a bill which would prohibit the transport of food in a cargo tank that has been used to transport hazardous materials or hazardous waste. My bill will be the subject of a hearing tomorrow in the Commerce Committee.

Finally, legislation has been introduced to prohibit exporting chemicals banned for use in the United States. I am a cosponsor of this legislation and believe it will help to ensure that imported foods are safe, as well as enable our producers to compete on a level playing field.

Extensive research, combined with appropriate legislation, may not prevent future, unsubstantiated claims such as those that fueled the alar fiasco, but they will further establish a genuine scientific process. Mr. President, unbiased laboratory science is a sounder group upon which to rest our decisions than nonscientific opinions put forth by the media and special interests.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Under the order, morning business is closed.

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

The PRESIDENT pro tempore. The Senate will now resume consideration of S. 1430, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1430) to enhance national and community service, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDENT pro tempore. The pending question is the committee substitute, as modified.

Mr. KENNEDY. Mr. President, we are prepared to move ahead with a series of amendments. We invite our colleagues to bring their amendments to the floor. We look forward to debating them and, hopefully, disposing of them.

(Mr. ROBB assumed the chair.)

Mr. SPECTER. Mr. President, I know Senator MCCONNELL is on the floor and intends to offer an amendment, but I would like to make a very brief statement in support of the bill prior to Senator MCCONNELL seeking the floor.

Mr. President, as a cosponsor of the National and Community Service Act, S. 1430, I support the pending compromise legislation which would provide $125 million to encourage individuals to engage in service to their communities across the Nation.

I have seen firsthand how the kinds of programs this bill would support can help economically disadvantaged youth and other high-risk young people not only to stay drug-free, but also to gain the basic skills necessary to make it in college or in the job market. Last September I had the honor of participating in the Commonwealth of Pennsylvania's First Annual Student and Youth Service Celebration at Fairmont Park in Philadelphia. This celebration was designed to recognize the achievement of summer youth corps and other summer community service groups and to kick off the many school and college-based student volunteer programs which would be active in community service during the new school year. This important event helped focus public attention on the impact which the thousands of youth volunteers throughout Pennsylvania have had on their communities and encouraged young people to continue as active citizens.

Pennsylvania is fortunate in that numerous school- and community-based organizations are active throughout the State. A fall 1988 survey by PennSERVE, the State's Office of Citizen Service, showed that 240 out of 501 Pennsylvania school districts have community service programs. The participants in these programs meet a variety of needs within their communities including landscaping public gardens, cleaning up neighborhoods, tutoring and counseling, and providing companionship for infirm elderly persons.

The citizens of Pennsylvania also are well served by several youth corps programs. The Pennsylvania Conservation Corps, the second largest full-time service corps in the Nation, has provided invaluable education, job training, and life skills to 8,000 young people. After a term of service with the corps, more than 70 percent of participants moved directly into private sector jobs, the military, or back into school. The Philadelphia Youth Service Corps and the Philadelphia Ranger Corps provide more than 100 Philadelphia youth with full-time service opportunities as well. Recently, the State has initiated the Urban Service Corps Program in Pittsburgh and in McKeesport, serving 200 youth each year. These local programs are strongly supported by the National Association of Service and Conservation Corps.

Mr. President, I strongly believe that official recognition of the invaluable contributions made by volunteers is a fitting tribute. In this regard, last week I wrote to the Labor and Human Resources Committee chairman, Senator KENNEDY, and the ranking minority member, Senator HATCH, urging that the committee amendment to S. 1430 include an appropriate awards provision. I am pleased that the compromise legislation pending before us today includes the establishment of a Commission on National and Community Service which would be authorized to make Presidential awards for service to individuals demonstrating outstanding community service and to outstanding service programs. In addition, the bill would authorize the establishment of a Points of Light Initiative Foundation, which also would accord appropriate recognition for extraordinary volunteer efforts.

As a cosponsor of S. 1430, I have worked to promote and expand opportunities for volunteer service at all levels of society. It is my sense that there are many individuals who already possess the will to volunteer and that passage of S. 1430 will provide them necessary encouragement and support. The Nation's volunteers have proven time and again that they can make invaluable contributions to their communities. The passage of the National and Community Service Act will help to stimulate new interest in voluntarism and provide new and existing volunteers the support they deserve. Accordingly, I urge my colleagues to join in support of this vital legislation.

Mr. President, the national and community service legislation is an important measure and I have cosponsored this bill. There are so many problems in our Nation which cannot be reached by Government that it is absolutely indispensable that volunteers in an independent way undertake to address many of these problems.

I have had the opportunity in recent days to work with a very distinguished group of volunteers in the city of Philadelphia, led by a distinguished Philadelphian, Mr. Herman Rice. This group is seeking to take back the street corners from the drug dealers, to provide voluntary day care services, to provide youth counseling, and, in effect, to supplement what the police force of the city can possibly do.

I had an opportunity to meet with a large group in north Philadelphia recently and another large group in west Philadelphia recently. I commend the activities that Mr. Herman Rice and his colleagues are undertaking in that regard. I mention it because it is illustrative of the vital role for voluntarism and community services. There simply are not enough police to be on every street corner, and not enough child care, counseling, and guidance services available. But when community activity is undertaken, that is really a unique way to move in a very forceful direction and to address the problem head on.

Mr. President, there was an excellent editorial in the Philadelphia Inquirer on a subject called Mentoring, where again it is illustrative of com-

munity actions, where citizens are volunteering their time.

I ask unanimous consent, at the conclusion of my comments, that this editorial be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. Mr. President, there is another very outstanding community group called the Retired Senior Volunteer Program of Montgomery County where more than 1,300 volunteers provided nearly 160,000 hours of service to hospitals, nursing homes, shelters, libraries, schools, rehabilitation centers, and museums. At the minimum wage, this would represent nearly $700,000 that the Federal Government and the administrators of these agencies did not have to spend.

I could talk at some length, Mr. President, about this excellent organization, but since Senator MCCONNELL is on the floor waiting to proceed with an amendment, I would instead ask unanimous consent that a letter from Mr. Henry E. Schleicher to me be printed in the RECORD, because it summarizes the activities of the Retired Senior Volunteer Program of Montgomery County.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PHILADELPHIA, PA,
January 26, 1990.

Hon. ARLEN SPECTER.

DEAR ARLEN: With the current emphasis on recognizing the value of civic volunteerism as an effective means of compensating for a declining ability to provide tax dollars, you may be interested in the work of the Retired Senior Volunteer Program of Montgomery County.

DIMENSIONS

In 1989, this RSVP's more than 1300 volunteers provided nearly 160,000 hours of service to hospitals, nursing homes, shelters, libraries, schools, rehabilitation centers and museums. At the minimum wage, this represents nearly $700,000 that the federal government and the administrators of these agencies didn't have to spend.

Of RSVP's annual budget, only 26 percent comes from the federal government through ACTION. Montgomery County provides another 25 percent, and the rest—more than $127,000—is raised through vigorous action by RSVP members and staff.

ACCOMPLISHMENTS

In 1989, RSVP Montco volunteers served 230 community agencies.

Beyond the regular volunteerism, RSVP Montco has innovated a number of programs which exemplify the programs of national significance being encouraged by the White House Office of National Service:

Talk to Me program provides telephone reassurance for latchkey children. Every afternoon, older adults, many of whom are homebound, talk by phone with a child who comes home from school to an empty house. Innovated by RSVP in 1988, the program has expanded to 12 school districts, with 78 children and 71 volunteers.

Cassette Pal was created by this RSVP to enable homebound and nursing home residents and classes of elementary and middle school children to engage in an ongoing dialog by exchanging audio cassette tapes. Both groups develop an appreciation of each other, discovering mutual interests and dispelling age-related stereotypes. By the end of 1989, 9 nursing homes and 7 schools, including classes of retarded students, were participating.

Senior Adults Generating Enrichment (SAGE) is the newest innovation of the Montgomery County RSVP. Just now getting started, SAGE will enable school teachers in grades K to 12 to arrange for speakers, mentors and field trips with RSVP volunteers. Speakers would draw on their own training and life experience to talk about geography, history, economics, government, law, technology, arts and crafts, and to help with skills development. Mentors will be provided to work with individual students including those with special needs.

RSVP's special programs target community needs:

Volunteer Executive Consultants mobilizes retired managers and professionals to volunteer their expertise to charitable organizations and community service agencies. VEC also holds a number of workshops each year to help people prepare for retirement, to counsel the aging, and to help community agency staffs build skills.

Adult Literacy puts together RSVP tutors with hospital patients, prison inmates, the foreign born, and children who will then read to the blind and frail elderly.

Homefriends provides volunteers who spend a few hours each week with a special needs child—reading, doing crafts, sharing skills, being a friend.

Volunteers Serving the Homebound Elderly is RSVP's support service for homebound and institutionalized older adults. More than 300 volunteers provide companionship, transportation, do shopping, deliver meals and assist with basic household tasks.

RSVP'S COMMITMENTS FOR 1990

To expand the volunteer rolls, especially with the harder to recruit groups of males and members of minority groups.

To create additional meaningful volunteer opportunities for the homebound, institutionalized, and the disabled.

To promote the creative use of volunteer by community agencies.

To service as an advocate for older adult volunteers on issues that concern them.

There are more than 400,000 older Americans volunteering through the 750-plus RSVPs across the country; there are 30 RSVPs in Pennsylvania alone. Their work needs both financial support and encouragement. One important step in the right direction is the effort of the White House Office of Volunteer Services to ensure that all Americans recognize the value being created by volunteers.

If you would like more information about the RSVP of Montgomery County, I'd be happy to provide it. I am an active participant on its board. Also, if you have the opportunity to nominate people to be nationally recognized for their work, I can assure you that our RSVP has a number of individuals who make outstanding contributions. Many of them overcome their own handicaps to be of service to others.

Your interest and support would be greatly appreciated.

Cordially,

HENRY SCHLEICHER.

Mr. SPECTER. As I say, Mr. President, the activities of Mr. Schleicher were truly outstanding, as are the activities of this volunteer civic group.

One of the important aspects of the legislation which is pending is a program to give recognition to individuals who have made outstanding voluntary contributions. Last week, I had occasion to meet with Mr. Robert Field and Mr. Mel Allen of Lancaster to hear about a program which they are undertaking in the city of Lancaster on a voluntary basis to aid underprivileged youngsters. These comments could be extended very materially, but I mention these programs to give some recognition of the very valuable contributions community service organizations can make. As these few instances illustrate, the contributions of volunteers in this country are worthy of recognition and support. I believe that this legislation will be a significant advance of this very important kind of community activity.

I thank the Chair, I thank my colleague from Kentucky, and I yield the floor.

EXHIBIT 1

[From the Philadelphia Inquirer, Dec. 16, 1989]

MENTORING: THE NEXT GENERATION OF PHILADELPHIANS NEEDS HELP—MAYBE FROM YOU

Nick Wahl threw more gutterballs than strikes a few days ago at Boulevard Lanes, as his Big Brother—Lee Fisher—offered tips, such as how to stride less like a gazelle. But the low score didn't matter because their get-togethers aren't about scoring points. The idea is for Nicholas, 10, an only child who lives with his mother, to know an older guy he likes, trusts and looks up to. For more than a year now, Lee Fisher, 43, has filled the bill. At least once a week, they get together, often just hanging around the Fisher house.

These fellows are the picture of steadiness, not trendiness. After all, Lee Fisher has been a Big Brother since 1971, helping five boys. And the Big Brother/Big Sister Association of Philadelphia celebrates its 75th anniversary next year.

Yet these one-on-one relationships—also called "mentoring"—are becoming downright trendy. President Bush touts them. A new nonprofit group called Philadelphia Futures is creatively expanding their numbers. Another sign that mentoring is hot and that 1980s-style greed is not: Some of the stars of thirtysomething are doing a public-service spot that will urge local viewers to help Philadelphia Futures.

Thus as the Helmsley-Boesky era ends, the fresh interest in serving youth is a reason for hope. Although there's no magic cure to the multiple problems of young people, especially in inner-city ghettos, one-on-one relationships can help kids in terms of maturity, academics and other challenges of adolescence. For example, one of Lee Fisher's Little Brothers—a teenager who had seemed unaffected by their relationship—stunned him one day by saying Lee probably was the difference between going to jail and going to college.

The big question is this: Can the number of these mentoring relationships be dramatically increased without trivializing the concept? Basically, Philadelphia Futures is

trying to show that it can be done. So far, this new kid on the block is succeeding in terms of numbers, but it's too soon to judge the impact on the kids.

Let's look at the numbers. There are two organizations in Philadelphia that are affiliated with the national Big Brothers/Big Sisters. Altogether, they created about 200 one-on-one relationships in the last year (while overseeing hundreds of matches started earlier). Since January, Philadelphia Futures created more than 150 mentoring relationships. That's an impressive start.

One way Philadelphia Futures has pulled in new volunteers is by sheer pushiness. Its founder, Merciene S. Mattleman, employs a range of roles, from a fence-painting Tom Sawyer to a press-agent-from-hell. And instead of waiting for volunteers to trickle in one by one, she succeeded at involving whole organizations, such as CMS Financial Services and the Pennsylvania Institute of Certified Public Accountants. Her program also has a lure for volunteers who might not feel up to the challenges of a one-on-one relationship: They can interact with kids in a group setting in school, which need not lead to a one-on-one relationship but often does.

One of the basic distinctions of Philadelphia Futures is that it's aimed at adults who feel they don't have enough time to meet with a kid once a week. The minimum commitment of a mentor in this program is to meet with the young person at least once a month, make contacts such as phone calls in between, and stick with it for at least a year. Some participants go way beyond that, of course, but many do not.

Research and common sense make the same point about these relationships: The more frequent the get-togethers, and the longer the tie lasts, the more likely the young person will benefit. But the countervailing reality is that there aren't nearly enough volunteer mentors to meet the need. In the Big Brother/Big Sister programs in Philadelphia and its suburbs, for every three kids being helped, one boy or girl is on a waiting list. The need for more volunteers—which is especially acute for black and Hispanic adults—shows why it's important to test the impact of relationships less intense than weekly get-togethers.

This is shaping up as a time of creative competition for mentoring efforts in Philadelphia (home of the national headquarters of Big Brother/Big Sister of America). One hope is that Philadelphia Futures' excellent performance at recruitment will prod the established organizations to do better on that front. The big unknown is whether it's less time-consuming mentoring—a key to luring volunteers among thirtysomething workaholics—will do much good.

Ideally, all of the organizations that do mentoring—and there are many—will benefit from a new degree of competition, innovation and cooperation. If that happens, the real winners will be thousands of kids who need help now.

AMENDMENT NO. 1269

(Purpose: To provide certain protections from civil liability to volunteers and nonprofit corporations under section 501(c) of the Internal Revenue Code of 1986)

Mr. McCONNELL. Mr. President, shortly I will be sending to the desk an amendment on behalf of myself, and Senators ARMSTRONG, BOSCHWITZ, COATS, GORTON, GRAMM, HATCH, LOTT, MACK, MCCAIN, NICKLES, SYMMS, and KASTEN.

This amendment, Mr. President, in addition to being supported by the Senators I just listed, is also supported by the following nonprofit volunteer organizations in America: the umbrella group, the National Coalition for Volunteer Protection, and within that group, Little League Baseball, the Air Force Association, the Boy Scouts of America, B'nai B'rith, the American Horse Council, Second Harvest, National Ski Patrol, American Society of Association Executives, General Federation of Women's Clubs, Academy of Model Aeronautics, National Society of Professional Engineers, Big Brothers/Big Sisters of America, National Employee Services and Recreation Association, Credit Union National Association, American College of Cardiologists, International Legal Fraternity of Phi Delta Phi, National Junior College Athletic Association, American Motorcycle Association, International Executive Service Corporations, American Association of Blood Banks, American Association of Museums, Christian World Relief Commission, American Institute of Architects, National Multiple Sclerosis Society, American Association of Marriage and Family Therapy, American Dental Hygenists Association, Railway Progress Institute, Hale Foundation, Human Ecology Action League, Far West Ski Association, Electronics Industries Association, Water Pollution Control Federation.

These organizations, Mr. President, among other things, represent millions of volunteers.

I want to talk just for a moment, Mr. President, about a measure that I am not offering today, one that I introduced last summer. Then I will get back to the one that I will be proposing today.

Last June, I introduced the Lawsuit Reform Act, to reform the "sue-for-a-million" mentality that has gripped our civil justice system.

That bill is not designed to help just manufacturers or doctors—It is designed to help everybody. As a result, it has the broadest base of support of any legislation ever introduced on this subject. Nearly 40 major organizations have announced their support of the Lawsuit Reform Act.

Among the organizations represented in this coalition are volunteer organizations like the Boy Scouts, the Little League, and the American Red Cross; local government groups like the National League of Cities and the National Association of Counties; health care providers like the American Hospital Association and the American College of Nurse-Midwives; professional associations like the American Association of Engineering Societies and the American Institute of CPA's; education groups like the American Council on Education and National High School Athletic Coaches Association; Law Enforcement Association like the National Institute of Municipal Law Officers and the National Law Enforcement Council; and business organizations like The National Federation of Independent Business and the U.S. Chamber of Commerce.

All of these organizations, with their thousands of members and literally millions of people that they represent, are saying "enough!" of the lawsuit craze—it is time for a solution. And whether the rest of America knows it or not, everyone pays for the lawsuit lottery in our court system. The cost of lawsuits and lawyers is a part of everything we buy and use in society. I refer to this cost factor as the "lawyer's tax."

The lawyer's tax accounts for 95 percent of the cost of child vaccines—at a time when our infant mortality rate is becoming one of the worst among industrialized nations. The lawyer's tax accounts for a third of the cost of a step-ladder. And it adds a surcharge of $300 on the bill that parents pay to have their baby delivered—If they can find a doctor willing to take the liability risk. The lawsuit craze also is one of the principal reasons behind the lack of business-sponsored on-site child care facilities.

It also is the reason why many high schools are getting rid of their chemistry labs—at a time when the need for America to stay competitive in the sciences is critical. In football—that uniquely American sport—the players' helmets are made in Korea. This is not because America can't make a better football helmet, but because no one can afford the risk of being sued.

Mr. President, the lawsuit crisis affects every one of us, cradle to grave at every stage of life. Just recently, a young lady could not go to the prom because her date had broken his ankle 5 days beforehand. So she did what any other red-blooded American would do in those circumstances: she sued her date for damages. To her credit, she at least did not ask for compensation for pain and suffering. This case is symbolic of a national trend—to hire a lawyer and go to court whenever anything goes wrong.

Fortunately, we can do something about the lawsuit craze without limiting the right of injured people to receive fair compensation for their losses and suffering. My bill, the Lawsuit Reform Act, strikes a fair balance between the victims of wrongful injuries and the victims of wrongful lawsuits.

Again, I am referring to a bill I introduced last year which I will not be offering as an amendment this morning.

First, this bill would say that no one can be held liable for the wrongdoing of others. If a person is only marginally responsible for causing an injury,

then their share of the damages ought to be proportional with their share of the responsibility for causing the injury.

Under today's law, a person who is only marginally at fault for causing an injury can end up paying all of the damages, under the doctrine of joint and several liability. My bill would abolish the joint and several liability doctrine once and for all.

Second, my bill provides that if you sue someone else and you lose, you have to pay the other side's attorneys' fees and court costs. The same rule applies if you are sued and you lose—you have to pay the plaintiff's costs and fees. This is the English rule. Although my bill is slightly different, it protects the right of truly indigent persons to bring suit, by exempting them from this provision altogether. It also limits the amount of the other side's expenses you have to pay to what you are paying for your own attorney and other costs.

With these changes, my loser pays provision will lessen the number of frivolous lawsuits and encourage people to settle out of court—without depriving anyone of full access to the courtroom.

The last critical area my bill addresses is alternative dispute resolution. With our court system becoming more clogged by the minute, we should be encouraging litigants to use alternative means of dispute resolution. My bill would require the lawyers on both sides of any lawsuit to inform their clients of these alternative methods of solving legal problems.

I would stipulate that, if the parties voluntarily agreed to through ADR [alternative dispute resolution] instead of the courts, the decision of the alternative forum would be binding. They could not go back into the court system to get the ADR's decision reversed.

The main reason today why most people do not opt for ADR, is because the decision is not binding. Either side can appeal to the courts if they do not like the result.

This legislation would make the result final if both sides voluntarily agreed to submit to ADR.

Mr. President, another issue my bill addresses is the problem of illegal drugs and alcohol which causes many serious accidents every year. My bill provides if a person was under the influence of illegal drugs or alcohol and this condition was at least 50 percent responsible for any injury suffered by that person, the person shall not be allowed to get money from anyone else for their injury.

The Lawsuit Reform Act also alleviates the liability burden on local governments by reducing their exposure to statutory lawsuits, under title 42 of the United States Code. Although local governments would be subject to the same rules as everyone else in conventional tort suits, they would no longer be such sitting ducks for lawsuits brought under this Federal statute. At a time when the Federal Government looks to the States and counties to provide basic services, we should not be trying to tie a noose of liability around their necks.

Mr. President, I have outlined what was in the bill that I introduced last summer.

Also significant is what is not in that bill; I repeat: What is not in that bill. There are no caps on damages for pain and suffering. There are no caps on attorney contingency fees. There are no restrictions on punitive damages, while we await the Supreme Court's decision on this issue. Finally, in a major departure from past legislative efforts on my part, there is no fault requirement; no fault requirement in the Lawsuit Reform Act.

I had several reasons for this omission. First of all, fault or negligence already is required in nearly all tort actions except product liability. Second, fault-based standards tend to be controversial and I wanted to craft a reasonable bill, capable of getting bipartisan support. And finally, fault-based standards are being addressed in a separate product liability bill that has been kicking around the Senate for some time.

Mr. President, all of the bill that I just described is, in fact, not what I am offering today. What I am offering today is only a portion of that proposal.

Mr. President, the amendment I am offering today has to do with the real crisis in the nonprofit sector in this country. Exactly at a time when the President of the United States is calling for more participation by volunteers through his thousand points of light initiative, organizations, and volunteers providing charitable services are finding a hard time surviving liability premiums and attracting unpaid workers and board members. My amendment addresses this problem in a comprehensive fashion.

First, it would abolish the joint and several liability doctrine. This amendment says that no nonprofit organization can be held liable for the wrongdoing of others. If a person is only marginally responsible for causing an injury, then his share of the damages ought to be proportional to his share of the responsibility for causing the injury.

Under today's law, a person who is only marginally at fault for causing an injury can end up paying all of the damages under the doctrine of joint and several liability. My amendment will abolish the joint and several liability doctrine for nonprofit corporations except from tax under 501(c) of the Federal Code. I might say, there are certain 501(c)'s we specify. Others are not included, and I will go over that at the end of my statement.

Alternative dispute resolution: Second, my amendment provides a mechanism for nonprofit organizations to look at alternatives to full-scale litigation of a dispute involving a civil liability action. With our court system becoming more clogged by the minute, we should be encouraging litigants to use alternative means of dispute resolution.

My amendment requires the lawyers on both sides of a lawsuit, where a nonprofit corporation is a party, to inform their clients of alternative methods of solving legal problems, and it would stipulate that if the parties voluntarily agree to use an alternative means, ADR, to resolve their dispute instead of the courts, the decision of the alternative forum would be binding. They could not go back to the courts to get an ADR decision reversed.

The main reason today why most people do not opt for ADR is because the decision is not binding; either side can appeal to the courts if they do not like the results. This provision would make the results final if both sides decide to submit to ADR at the beginning of the action.

The third provision in my amendment provides limited immunity for an unpaid volunteer as an individual from liability exposure. To qualify for this limited insulation from liability, the volunteer would have to be, first, acting in good faith; second, be acting within the scope of his or her volunteer function; and third, not be engaging in wanton, willful, or reckless activity.

This provision would shield volunteers from liability except in the most extreme of circumstances. And although I can see that the tort laws have traditionally been considered matters of State law, my amendment proposes a uniform Federal standard which would partly, and only partly, preempt State tort law.

Why have I chosen a Federal approach? Quite simply, every single charity and nonprofit organization looks not to State law to establish and organize itself, but to the Federal Tax Code. Section 501(c) of the Tax Code, to be specific.

Provisions in 501(c) determine what a nonprofit association's articles of incorporation and bylaws will look like if almost every activity that organization engages in follows the guidelines set out in the Tax Code and accompanying regulations. These organizations are like nationally chartered banks in that they look to the federal system for their organization's structure and authority and not, I repeat not, the State law. I believe this represents a compelling argument for a Federal response to the problem.

Mr. President, my amendment would allow volunteers to come forward to offer their services without the fear of putting their home or their assets at risk for volunteer activity which is benefiting society.

Mr. President, people in America are not coming forward to offer their services because of the fear of being sued. Yet, no other country on Earth depends more on volunteer efforts of so many throughout their society.

Let me provide several facts to illustrate my claim. In 1985, a Gallup study showed that 85 million Americans volunteered, giving 16.5 billion man-hours of service valued at about $110 billion. One year later, Mr. President, in 1986, the American Association of Association Executives surveyed their membership of 8,000 associations and found that 60 percent—yes, 60 percent—had a problem recruiting volunteers.

In 1987, Peat Marwick surveyed CEO's six nonprofit associations and found that 28 percent of those surveyed believed that there was a crisis in getting volunteers to come forward. Later that year, in November, the Gallup Organization conducted a survey of CEO's of nonprofit associations and found 20 percent of the CEO's stating that they are losing volunteer participation because of libel fear.

Mr. President, is that fear a reasonable one? One in five of these nonprofit associations has had to face a suit on the issue of officer and director liability during the last 5 to 7 years. Mind you that many of these associations are very small outfits which can hardly afford to pay the utility bill, let alone the fees of expensive litigation.

This crisis in our nonprofit sector has prompted these associations to form a coalition to help them solve this problem. More than 800 organizations have come together under the National Coalition for Volunteer Protection to begin to seek a solution to this problem.

My distinguished colleague from Arizona [Mr. DECONCINI] has introduced a bill, S. 520, which provides a limited immunity for volunteers.

The third provision of my amendment is almost identical to the language used in S. 520, and my amendment is supported by the National Coalition for Volunteer Protection and the individual nonprofit associations to which I referred at the beginning of my remarks.

The conceptual framework for this legislation was the subject of a hearing before the Senate Judiciary Subcommittee on Courts and Administrative Practice on May 30, 1988.

I might say parenthetically, I chaired that subcommittee back in 1986 when our party was in power in the Senate. I will be happy to furnish a copy of the hearing record for any of our colleagues who want to learn about the crisis in the nonprofit sector of our country.

Mr. President, you would not believe some of the horror stories which this hearing nonprofit brought to the Senate's attention. In my home State of Kentucky, there was a flood in 1978 and the Phelps Community Hospital in Phelps in eastern Kentucky lost all of its communications and closed down. A team of amateur operators was flown in by helicopter. They supplied communications support, and the hospital was reopened.

One of the first messages passed by the ham operators was a 2-page request for drug supplies. The drugs were flown in and all was well. But suppose, Mr. President, the amateur operator, who was a volunteer, stumbled over one of the medical names and the wrong medicine was flown in? This good samaritan would share liability for whatever happened.

In New Jersey, a little league coach, who was an unpaid volunteer, reassigned a 10-year-old shortstop to a position in the outfield. In playing the outfield, a flyball to him was misjudged, striking the player in the eye, and he was injured. His parents sued the coach for failing to recognize that the 10-year-old was a born infielder. The National Little League was overwhelmed with calls by coaches from across the country who were worried they would be sued if they moved a player from one position to another.

One of my favorite anecdotes involves a mountain rescue unit in Riverside, CA. In the fall of 1983, this volunteer rescue unit was called to save an individual who had been drinking alcohol and had fallen off a cliff. The person was severely injured. He had no feeling in his legs, some feeling in his hands, and had a piece of wood lodged in his left leg where ants were crawling in and out of his open wound.

The rescue team had no alternative but to use a helicopter to airlift this individual out. Even though it was approaching midnight, the volunteers provided emergency aid, immobilized the injured person, and arranged for an evacuation. The helicopter flew over the top of the injury site, the litter was attached, and the subject was raised to the top of the mountain and then placed in the helicopter and sent to the nearest trauma center.

One year later, Mr. President, this individual sued and won an $11 million judgment against the volunteers who saved his life.

That anecdote, Mr. President, sums up our current priorities in this area. We are much more concerned about individual rights and litigation to the exclusion of other societal interests.

I think this situation needs to be corrected. We cannot continue to abuse these people and organizations which care enough to give of themselves to benefit their community. These are young people and needy citizens who are benefitting from these volunteer hours.

Escalating litigation and skyrocketing verdicts are threatening to extinguish the American system of voluntarism. Voluntarism is one of our most venerated traditions, and this is an activity which, ironically, President Bush wants to encourage, not discourage, through his thousand-points-of-light initiative. The fear of litigation and the cost of insurance are driving many fine people away from community service at a time when the need for volunteer participation is at its greatest. Volunteers and nonprofit organizations are a natural resource deserving of some measure of protection from the lawsuit liability crisis.

My amendment addresses this issue in a balanced and comprehensive fashion. Mr. President, I have made some changes to the amendment that I am about to send to the desk for consideration. To respond to some of the concerns expressed about this amendment, I have authorized three changes in the original draft that I filed, and they will be reflected in the amendment that I will shortly send to the table.

First, I have limited the scope of coverage to only certain organizations under 501(c) of the Tax Code. There are over 20 different types of 501(c) organizations, and I have only included the most deserving for this type of treatment. There are seven. The amendment will apply to 501(c)(1), congressionally chartered organizations, such as Boy Scouts, Red Cross, and the Little League. It will apply to 501(c)(3), which is charitable, religious, educational, and scientific organizations. The amendment will apply to 501(c)(4), social welfare organizations. The amendment will apply to 501(c)(6), business leagues and trade associations, such as the Chamber of Commerce and the American Chemical Society. The amendment will apply to 501(c)(7), social and recreational clubs, which would include the General Federation of Women's Clubs, junior leagues, that type of organization. The amendment would apply to 501(c)(14), which includes credit unions, which rely a lot on volunteers in rural areas. And, finally, the amendment would apply to 501(c)(19), veterans organizations.

Mr. President, the amendment would apply only to those kinds of 501(c) groups.

Second, I have added the term "reckless" to the standards which are not exempt from liability protection. Reckless conduct or misconduct includes activity which may not be intentional but clearly should not be shielded from liability. So voluntarily engaging in reckless conduct, Mr.

President, would not be included in this amendment.

Third, I have added an exception for volunteer activity which is subject to Federal or State professional licensing or certification procedures. Certain professionals, such as doctors and lawyers, should not be completely shielded from liability to the extent that there are existing standards of care already established for these licensed professionals.

Mr. President, that basically covers my opening statement on the amendment.

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for himself, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. HATCH, Mr. LOTT, Mr. MACK, Mr. MCCAIN, Mr. NICKLES, Mr. SYMMS, and Mr. KASTEN, proposes an amendment numbered 1269.

Mr. McCONNELL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill add the following new title:

TITLE IV—VOLUNTEER LIABILITY PROTECTION

SEC. 401. JOINT AND SEVERAL LIABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), joint and several liability may not be applied to any civil liability action if one party is a tax-exempt organization described in sections 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986. A person found liable for damages in any such action may be found liable, if at all, only for those damages directly attributable to the person's pro rata share of fault or responsibility for the injury, and may not be found liable for damages attributable to the pro rata share of fault or responsibility of any other person (without regard to whether that person is a party to the action) for the injury, including any person bringing the action.

(b) EXCEPTION.—This section shall not apply as between persons acting in concert if the concerted action proximately caused the injury for which one or more persons are found liable for damages.

(c) DEFINITION.—As used in this section, the term "concerted action" or "acting in concert" means the participation in joint conduct by two or more persons who agreed to jointly participate in such conduct with actual knowledge of the wrongfulness of the conduct.

SEC. 402. ALTERNATIVE DISPUTE RESOLUTION.

(a) POLICY.—Because the traditional litigation process is not always suited to the timely, efficient, and inexpensive resolution of civil actions, it is the policy of the United States to encourage the creation and use of alternative dispute resolution techniques, and to promote the expeditious resolution of such actions.

(b) ALTERNATIVE DISPUTE RESOLUTION OPTIONS.—In any action in which one party is a tax-exempt organization described in sections 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986, each attorney who has made an appearance in the case and who represents one or more of the parties to the action shall, with respect to each party separately represented, advise the party of the existence and availability of alternative dispute resolution options, including extrajudicial proceedings such as minitrials, third-party mediation, court supervised arbitration, and summary jury trial proceedings.

(c) ADVISING CLIENTS OF OPTIONS.—Each attorney described in subsection (b) shall, simultaneous with the filing of a complaint or a responsive pleading, file notice with the court certifying that the attorney has so advised his client or clients, and indicating whether such client will agree to one or more of the alternative dispute resolution techniques.

(d) AGREEMENT TO ALTERNATIVE DISPUTE RESOLUTION.—If all parties to an action described in subsection (a) agree to proceed with one or more alternative dispute resolution proceedings, the court shall issue an appropriate order governing the conduct of such proceedings. The issuance of an order governing such further proceedings shall constitute a waiver, by each party subject to the order, of the right to proceed further in court.

SEC. 403. NATIONAL GOOD SAMARITAN RULE.

(a) EXEMPTION FROM LIABILITY.—Except as provided in subsections (b) and (d), any volunteer of a tax-exempt organization described in section 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986 shall not be subject to liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization if—

(1) such individual was acting in good faith and within the scope of such individual's volunteer functions and activities with the organization; and

(2) such damage or injury was not caused by willfull, wanting or reckless misconduct by such individual.

(b) ACTIONS AGAINST VOLUNTEERS.—Nothing in this section shall be construed to affect any civil action brought by any such tax-exempt organization against any volunteer of such organization.

(c) INJURY TO A PERSON.—Nothing in this section shall be construed to affect the liability of any such tax-exempt organization with respect to injury caused to any person.

(d) EXCEPTION.—The protection from liability required by subsection (a) does not (1) apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's or other form of operator's license is required; or (2) the volunteer was performing an activity which is subject to Federal or State professional license or certification.

Mr. McCONNELL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, there are a number of features included in the McConnell amendment for which I think anyone who is committed to voluntarism and understands the burden that exists for voluntary foundations and organizations has to have some empathy and some sympathy. But the way this particular amendment is drafted, it would go far beyond anything that was ever thought to be included in this particular legislation. I think the membership ought to understand the strongly held views and positions of the Senator from Kentucky with regard to product liability. That is not what this bill is about.

As I understand the amendment, there are literally thousands of organizations that would be covered by the sweep of this particular amendment. Every week there are 20 or 30 organizations that are put on the list and taken off the list of tax-exempt organizations. I know that only a handful of our colleagues are on the floor at the moment, but these 2 700-page books give you some idea of the sweep of this particular legislation. Effectively, this amendment would preempt all of the State laws that have been developed across the country. You would be establishing criteria on the floor of the Senate virtually without any hearings other than what has been held in the Judiciary Committee on a related matter of the Senator from Arizona [Mr. DECONCINI] who has devoted a good deal of time on the issue.

I am not familiar with the kinds of egregious situations that have been suggested by the Senator from Kentucky. Yet, we have not had submitted to our committee, in the course of our hearings, how there were additional kinds of burdens being placed on the various foundations, the various charitable organizations. So we do not have any of that information.

It does seem to me, Mr. President, we ought to review this legislation in the committee, and review it carefully. If the Senator wants some hearings on this measure, I am sure that the chairman of the Judiciary Committee, where this particular amendment, if it had been introduced as legislation would be sent—not the the Human Resources Committee but to the Judiciary Committee—would be willing to give it consideration. I want to give assurance to the membership that virtually every consumer group is strongly opposed to this particular measure. I know that our colleague, Senator HEFLIN, on the Judiciary Committee, and also the Senator from Arizona [Mr. DECONCINI], who has spent a good deal of time on related matters, wish to address the substance of the amendment.

But I point out that this is of great concern to the chairman of the Judiciary Committee, Senator BIDEN, and other members of the committee, who feel that this matter ought to be addressed by the Judiciary Committee. I must say that in the course of our hearings on this legislation we did not have the indication, based on quantifiable data, from any of the foundations, the voluntary organizations,

that this is a particular problem. Effectively, if we accept the McConnell amendment, we are saying that the laws of every State in the country that has reviewed this particular issue about what the liability will be for charitable organizations will be virtually off the books. It seems to me to be inappropriate to take that sweeping step at this particular time.

Mr. President, I know my colleagues want to speak to the substance of this amendment. We welcome their comments.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DECONCINI. Mr. President, I thank the Chair. I thank the Senator from Massachusetts.

I thank the Senator from Kentucky [Mr. MCCONNELL]. He has, indeed, put in a lot of time on this. I happened to be listening to his statement in another office this morning about the crisis and the severity of the problem, and I compliment him for laying it out.

The crisis today is partly the litigation, but also many other things involved in our society. But certainly he laid out a problem that I do not think anybody will dispute. I do not dispute that the problem exists; it is real. There are a lot of ways of going after it. Really, the difference I have with the distinguished Senator from Kentucky is his particular mode. I do not claim to have the best answer or the only answer or maybe not even a better answer. But I am compelled to oppose the amendment offered by the Senator from Kentucky to the National and Community Service Act. The amendment represents both bad public policy, in my judgment, and bad Senate procedures.

While I agree with Senator MCCONNELL's goals of encouraging volunteers to offer their services to society, I disagree with the method he has proposed in his amendment. I disagree very strongly, and I would like to touch on it a little bit.

I believe that there is a much less intrusive way to implement a system that will protect volunteers from civil liability which I support. I have introduced legislation, S. 520, the Volunteer Protection Act, which I believe is a more appropriate way to encourage voluntarism. My bill encourages States to protect citizens who volunteer their services to their communities by providing incentives to the States to enact State voluntary protection laws.

I do not want the Federal Government to start regulating this part of the volunteer community. S. 520 is pending in the Judiciary Committee, and in the subcommittee of the Committee on Courts and Administrative Policy.

The chairman of that, the distinguished Senator from Alabama [Mr. HEFLIN,] has assured me that the subcommittee will have hearings on this legislation in the very near future. My experience with the Senator is that when he says he is going to have hearings he has done it—for this Senator and I know for other Senators. At that time I am sure the members of the Judiciary Committee and any other members, including the distinguished Senator from Kentucky, who served on the Judiciary Committee with great distinction and chaired some hearings in 1986, I believe, or 1985, will be available and can have a complete hearing to approach not only this legislation of mine, but any other legislation that is pending on the subject matter.

The amendment before us is an inappropriate intrusion by the Federal Government into the affairs of the States. It is but a small skirmish in the long-running battle between those who believe that the Federal Government has all the answers and therefore should impose Federal solutions on the States, and those who believe that the more decisions that can be made at the State level closer to the people the better off we all are.

I happen to fall in that latter category, not that I do not on occasion support Federal solutions. Sometimes there is no alternative in a situation. To me there is here.

In the past, Congress has attempted to persuade the States of the correctness of certain policies by penalizing them for not implementing certain specific State laws that would comply with the direction of a Federal policy.

An example of this procedure that immediately comes to mind relates to speed limits. In many areas of the country, including my own, the measure was bitterly opposed. In that situation, the Government attempted to impose its will on the States. The legislation that I have introduced does not attempt to impose certain policy decisions on the States. They do not have to do what we might pass here, but there is an incentive.

Instead, it offers financial incentives for those States who agree that citizen volunteers need certain protection under State laws. I am aware that all States may not follow the suggestions that Congress and the Federal Government make in specific policy decisions, I think rightfully so. Those are legislative choices made by the individual States by their legislatures, by their Governors and hopefully by their people.

I am hopeful that, if S. 520 were to pass, all the States would decide that the policies suggested therein are correct and should be implemented because I believe they are very reasonable. But I do not think that these decisions should be imposed mandatorily by the Federal Government on the States.

Senator MCCONNELL's bill contains three sections. If I were a State legislator presented with these amendments to the State laws I could support all of them. The three provisions are an elimination of joint and several liability, promotion of alternative dispute resolution, and a national Good Samaritan rule.

My State of Arizona has already abolished the principle of joint and several liability. I believe that this was a good change, but I also believe that it was appropriately made at the State level, not a dictate from the Federal Government.

The second provision is related to alternative dispute resolutions, known as the ADR. I have supported efforts to promote ADR in the Federal courts to resolve Federal disputes. I would support my State legislators if they chose to promote and pass such procedures in the State of Arizona. But I would oppose an effort in Congress to impose an ADR on the States from the Federal level.

The third and most important provision of Senator MCCONNELL's amendment enacts a national Good Samaritan rule. The provision is very similar to one contained in my Voluntary Protection Act. There is, however, one important difference. The amendment proposed today unilaterally imposes such a provision on all the States as I read that amendment. As I have said, and hopefully made it clear, I believe that such an imposition is clearly inappropriate and something that I cannot support.

I look forward to working with Senator HEFLIN, with Senator MCCONNELL, with Senator KENNEDY, not only to proceeding with S. 520, but maybe there are better ways to approach this problem.

In my view to mandate something from the Federal level is not the answer. The States need to work this problem through themselves, and we should give them an incentive or at least a direction that we think is a policy or a proper way to go.

I am working with Senator MCCONNELL to ensure that S. 520 or his legislation is approved by the Senate as modified, if it is not a mandatory dictate from the Federal Government. But I urge my colleagues to not approve this amendment today. And if a motion to table this amendment is made, I will vote for it.

I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I want to express my support for the amendment offered by the distinguished Senator from Kentucky and commend him, as has the Senator from Arizona, for his long and thoughtful work on a very difficult and complex subject.

As most of the Members of this body know, the Senator from Kentucky has

introduced on more than one occasion a much broader bill on tort liability in response to what is a clear challenge and a clear problem both to justice and to American productivity.

He has drafted this amendment in a much more narrow fashion to apply specifically to the subject matter of this debate. On voluntarism, the Senator from Arizona points out with great candor and honesty, that he supports as a matter of general policy each of the three elements of this proposal, but simply feels that it is inappropriate to establish them as Federal policy.

That is a forceful argument. It is an argument well worth making. It is however an argument which is rather considerably weakened when the amendment is attached to a Federal attempt to encourage and to a certain extent to regulate the field of voluntarism itself.

I doubt seriously that the distinguished Senator from Kentucky would have proposed this specific amendment on an entirely different subject matter. This is proposed because the Congress of the United States and this body now sees fit to interject itself into the field of voluntarism.

There are Members I suspect on both sides of the aisle here who are troubled by the concept that we should be dealing with a subject like voluntarism in general as against the military at all. I suspect however that a vast majority of the Members of this body, nonetheless, will weigh that consideration in favor of a bill which encourages and supports voluntarism.

But as it is doing so, it seems to me anomalous, Mr. President, to say that while we are getting into a new field, the field of voluntarism, we will not do something which may impinge upon a traditional State effort to limit the liability of both those volunteers and of the organizations of which they are a part.

My memory does not go far enough to know whether or not the Presiding Officer is one of the sponsors on both sides of the aisle of a much more sweeping bill which will preempt State liability laws with respect to product liability. This Senator must announce that he is one of the sponsors of just such a bill. That proposal, that philosophy, has been debated in the Commerce Committee of the U.S. Senate now for more than a decade. As recently as 1986, a significant majority of the members of the Commerce Committee, representing members of both parties, voted to report to the floor a much more sweeping bill, preempting State laws with respect to product liability.

In passing, this Senator voted against that bill in 1986, but voted against it for reasons which are not relevant to the debate here today. This Senator strongly supported the preemption of joint and several liability rulings on the part of the States in that bill and does this year with respect to the product liability legislation, which is before the Commerce Committee and which I am willing to predict will get a substantial majority vote on the Commerce Committee as and when there is a markup session on the bill itself.

So I believe, in summary, that the objection that we should not deal with what the Senator from Arizona regards as highly valued social priorities, simply because this has traditionally been a matter left to the States, falls, while we are debating a bill which I suspect he supports, which puts the Federal Government into a field in which it has not traditionally been involved. That leads us, of course, to a debate over the policy merits of the three proposals which have been made by the distinguished Senator from Kentucky, in connection with this amendment. And there, I gather, at least if the Senator from Arizona speaks for a substantial number of Members of this body, there is probably a majority position here in the U.S. Senate in favor.

The first of these proposals deals with that interesting concept of joint and several liability, which simply translated into the language of the street means that if there are two or more parties, both of whom contributed by their negligence or by some other mark of liability to an injury, any one of them can be held responsible for the entire damages awarded by a jury or by a court. Even in the extreme set of circumstances in which one of those parties was 90 percent responsible, and the other 10 percent responsible. Obviously, the goal is to see to it that the injured party is fully compensated, even though one of the defendants is judgment proof or otherwise cannot respond to that judgment.

That question is a troubling one, in any event, for any company, even for a large corporation. Why, what justification is there for holding a relatively minor participant in an accident fully and totally and completely responsible for all of the consequences of that accident? In any event, when one asks that question with respect to a volunteer organization, to the Boy Scouts of America, to a church or other charity, social and recreational clubs, to the seven categories which are the subject of this amendment, it becomes even more difficult to answer, yes, we have to stick it to them, simply in order to see to it that an entire judgment is paid.

Does that discourage volunteer and social organizations? Yes, it does. Does it wipe them out? Obviously, it does not. Does it discourage them from getting into certain kinds of activities which may create a risk of liability? Yes. Does it reduce the number of charitable and social activities which take place? Almost certainly it does. When one goes beyond that to the effect on the volunteer, himself or herself, the problem is doubled or tripled or more.

It seems to me very difficult, in other words, Mr. President, to argue against the proposition that these organizations which we all support, and which to a very considerable degree are the subject of the bill to which this amendment is offered, should suffer from this broad concept of joint and several liability. I say that this is particularly the case when, unless the Commerce Committee members are most unrepresentative of the body as a whole, a majority of the Members of this body will be willing to support a much more sweeping change and restriction of State laws on joint and several liability.

The second provision in this amendment is a mild method of alternative dispute resolution, almost hortatory in nature, but one which certainly every Member can support. The ability and the encouragement to settle disputes without full blown trials is of great advantage to the litigants. It is a tremendous advantage to our system of justice. As a matter of fact, it is difficult to think of any party to whom it is not an advantage, except for certain unprincipled lawyers.

Finally, the national Good Samaritan rule, of course, is nothing new, as the Senator from Arizona pointed out. Many States have adopted such good Samaritan rules on a statewide basis. The justification for doing it here is, first, that it is good policy because it will encourage more voluntarism and prevent at least certain frivolous or unjust lawsuits from being brought. Second, because it is proposed as an amendment to a bill which already deals with voluntarism.

I am encouraged to hear that the Judiciary Committee is likely soon to have hearings on the bill which I am certain I would support, if it were on the floor of the Senate for debate, and which is authored by the distinguished Senator from Arizona. But even if it were, it would only encourage States to do what a number of States are already doing. And what its fate will be in the Judiciary Committee after that hearing is very much an open question.

There are occasions, Mr. President, on which this former State attorney general, while he is delighted to be a lawyer, is delighted to not be on the Judiciary Committee, which seems to take a great deal of time to debate the simplest issues.

Here we have an opportunity to debate and decide on what seems to me to be a relatively simple issue, the inclusion of which in this bill would probably do as much to encourage vol-

untarism and volunteer organizations as the entire bill itself will accomplish.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. President, the amendment that has been proposed has some rather broad and far-reaching consequences that could occur. There have been no hearings on this amendment as proposed in the Judiciary Committee.

There was a hearing 2 years ago on the bill that had somewhat of a similar label, but none of the contents that are included in this amendment were included in the bill that was up for a hearing some 2 years ago. It is rather treacherous to pass legislation, particularly in a complex field where there have been no hearings, and where we do not realize the consequences that could arise from ill-advised action without some thorough study.

Let me say that I am a supporter of voluntarism and volunteer services, and I commend the civic mindedness of those who serve in volunteer capacities. The spirit of voluntarism is a centuries-old tradition which I believe the State and Federal Government should promote and protect.

But in looking first at the doctrine of joint and several liability as it is drafted, and in the language that is here, it would apply to 501(c) tax-exempt organizations and say that joint and several liability may not be applied to those organizations.

Senator KENNEDY, in effect, showed you two books of the list of 501(c) organizations which were published by the Internal Revenue Service, but somehow or another, if you get the cameras on it and show the fine print on each page, there must be on one page some 200 different organizations that qualify, and this first book alone has 783 pages of them.

The second book, which is another volume of the same thing, has over 760-some-old pages. More than 1,500 pages multiplied by 200 or 300 organizations to the page would indicate that the proposed amendment would cover a great number of organizations. You would be granting, in effect, almost immunity as it would apply to these organizations, and I want to go a little bit further when I say granting immunity to them from all practical tort litigation that might occur relative to this matter.

Just to name a few of those who are in it and not to indicate any one way or another, there is a Ossibaw Foundation—I do not understand what that is—and a RFW Foundation, and other numerous ones you cannot figure, but there are also labor unions. There is the American Civil Liberties Union, and there are all sorts of hospitals, universities, and others that are included within it. The amendment also includes trade associations and the Chamber of Commerce, and I assume that would include the opposite of labor unions that still were included in it. I am not critical of this or saying one way or the other, but the point I am making is the breadth, the far-sweeping aspects of this amendment that have not been studied or had witnesses to review and testify before a committee of Congress.

Now, the breadth and the far-sweeping aspect of this is not limited to organizations, but the implication of the "joint and several" section has such far-sweeping language that it does things that I do not believe that Senator MCCONNELL realizes or that others realize what it would do.

I have discussed this with some lawyers and raised this issue. The way the joint and several liability section of this amendment is written and the language that it is in, it says that an organization may not be found liable for damages attributable to pro rata share of fault or responsibility of any other person.

Let me read that again: An organization may not be found liable for damages attributable to pro rata share of fault or responsibility of any other person.

From the lawyers that I have consulted with and the way I view that, that abolishes the doctrine of master-servant. There may be some question here since he has an amendment, but this is a following illustration: if a nurse by negligence gives an individual a hypodermic needle that causes that person to be a vegetable, that nurse is responsible, but the hospital, under the language here, is not.

We all know that hospitals carry insurance. In some hospitals there are provisions in insurance that woud cover the nurse but in some there are not and the issue would arise. They might get a judgment against the nurse, but it would be uncollectible and a person being a vegetable would have to require constant care, perhaps oxygen, for the remaining part of his or her life.

Mr. MCCONNELL. Mr. President, will the Senator yield on the hypothetical?

Mr. HEFLIN. Yes.

(Mr. SHELBY assumed the chair.)

Mr. MCCONNELL. First, I say to my friend, nurses and doctors are excluded in the amendment.

Mr. HEFLIN. I just used that as an illustration. We can use it for a janitor or anybody else. That is also one illustration. The Senator has just changed his amendment, and I had my prepared remarks based on his initial amendment, so I did not immediately change my illustration. I can change it to another scenario, but it is the same principle.

Mr. MCCONNELL. I urge my friend to address the amendment before us. I make the point the doctors and nurses are exempted.

Mr. HEFLIN. I am addressing the issue of master-servant and addressing the language that is contained in this bill. It has to be that whoever drafted this, in my judgment, either did not know the law of master-servant or was trying to put a sleeper in it.

I have seen a lot of sleeper amendments that have been brought before the Senate and before committees, and one of the standard methodology of handling legislation is to have hearings in order to identify sleepers and sleeper language.

In this instance we have had no hearings. I am perfectly willing to have a hearing on the doctrine of joint and several liability.

This amendment also would, in my judgment, abolish the law of agent and principal with this language that is contained herein.

This could mean that the hospital or, we can say, the university could not be responsible under this language for the fault of its bookkeeper.

Again, in looking at the amendment's language and expressing a need for a hearing in this regard, could this mean—and I think it is subject to this interpretation—that the Government could not hold a 501(c) organization responsible for civil fines for the fault of an officer or an employee in regards to Superfund cleanup?

We have the Clean Air Act that is before us today and under the 501(c) there are hospitals, there are universities, and there are all sorts of organizations that would be included herein that could be involved in polluting the air. Under the joint and several immunity that is granted here in this regard, it would mean that the Government could not bring a civil liability suit for civil fines relative to this. I have to admit this might be subject to a different interpretation, but unless we have a hearing this issue does not get cleared up.

On the issue of civil liability, does this include violations pertaining to price fixing? Can the Government take action to bring suits pertaining to various antitrust provisions? It is in the realm of civil liability, but the way this is written it appears to me that it has such a broad sweep that it could give immunity in many different ways.

The antitrust dispute resolution section here does not seem to me to add much one way or the other. I suppose it is there for window dressing. It says basically that the plaintiff has to advise a defendant party or parties of the existence and the availability of alternative dispute resolution options, including extrajudicial proceedings such as minitrials, third-party meditation, court supervised arbitration and summary jury trial proceedings. But some of those have not yet been

adopted by the various States relative to being available. It is somewhat putting the cart before the horse—the issues now pertaining to court-supervised arbitration, minitrials and third-party mediation. Some of these are on an experimental basis in the country today, but basically it is window dressing.

Then we must address the issue of the section which deals with a fine, very attractive term called national Good Samaritan rule. Again, this applies to a volunteer of a tax-exempt organization described in section 501(c) of the Internal Revenue Code of 1986, similar to the joint and several liabilities section of this amendment. And then this section raises the issue as to whether or not a volunteer can be held liable. Basically, it was originally written "willful and wanton," which meant only international. He amended that now to put the word "or reckless" in it.

But this just to point out the need for hearings: The word "and" between willful and wanton or the words "or reckless" after willful and wanton are very, very materially different in the application of the law pertaining to torts. I am delighted to see he made that change, but it points out the need for a hearing in regard to his amendment.

We have basically over the years felt that tort law should be left to the States. There are several proposals that are pending in regards to issues like product liability, general aviation product liability. There is division among industry and among business groups and insurance groups as to whether or not there ought to be Federal preemption in these fields.

As one person who believes in States rights and believes that the tort law ought to stay in the States said, "You know, every Federal cure turns out to be a Federal plague." And I thought about that, and I said, "You know, that makes some sense."

There are some people that think that the business community has been misguided and may need a guardian relative to the issue pertaining to Federal preemption.

But now I want to address the issue pertaining to the question of injuries and damages where volunteers are present. This, of course, would mean that they could not be held liable for their negligence. It is questionable. I think a hearing is needed to determine whether or not volunteers could be held liable for gross negligence. The amendment gives certain immunity in regards to the issue of gross negligence.

Our laws have been developed with the idea that citizens had a right of remedy for injuries that are inflicted against them. We usually call a person that inflicts injury a tort-feasor. As a result of that, we have seen insurance companies develop that provide various types and forms of liability insurance.

A few years back, the insurance industry wanted to give broader and more fuller coverage—and it was a very commendable idea and it was something that they sold—and they came forward with a homeowners insurance policy. Now, the homeowners policy was primarily for property damage, protecting the house from being burned, but it also included a new provision that gave comprehensive liability coverage when you went and took an activities. In practically every instance in regards to a volunteer, whether it be Little League or whether that be Boy Scouts or anything else, a homeowners policy provides protection against the homeowner and his family relative to any tort liability that might be brought in that connection.

I think we need to have a thorough hearing as to whether or not this is needed. I am not advocating this one way or the other because my main purpose in arguing today is to let the Judiciary Committee have a hearing and let the committee determine the broad sweep of this, let us look into this and be more careful.

But there are a lot of other problems that are connected with the amendment. Some say that there is a volunteer crisis. I do not know whether there is or not. But I think that is a subject of a hearing and that we ought to delve into that issue.

I want to quote a few unfair results that could be produced by the McConnell amendment. This is sort of a superfund illustration. A community discovers that a contractor has illegally dumped medical waste from a number of hospitals in a wooded area, or from various other places, not just necessarily hospitals. The nonprofit negligently allowed this dumping, although claiming that very little of their medical waste was involved.

Under the McConnell amendment, the community would not be able to recover fully from any one of the defendants from the damages and costs of waste removal, because this amendment goes futher and gives some shield, some protection to the for-profit companies and individuals in regard to this joint and several liability in cases where one of the parties, or the defendant is a 501(c) organization.

I could list other unfair results, I think, that would occur. But it appears to me that this aspect needs a hearing. I am the chairman of the Subcommittee on Courts. I am perfectly willing to hold hearings on this. I have never been asked to give any hearings.

But, as I look at this, the breadth, the far-sweeping consequences that can arise in this instance certainly should mean that this ought not to come up at this time and we ought to have hearings to further investigate and to review proposed legislation in this area, including the McConnell proposal.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I do want to say a few words about this because I think the Senator from Kentucky has an excellent amendment. I think he deserves the support of some of us who believe he is doing this country a favor in bringing this amendment to the floor of the U.S. Senate.

I think we should encourage persons who volunteer to make our communities and our country a better place. America has become great because of her people. We have become a great country because we have people who are willing to give of their time to help others without any expectations.

This bill fosters that. That is why I am a strong supporter of this bill.

I believe this amendment will foster increased voluntarism.

Without this amendment, this bill may not be as effective in encouraging increased volunteer activity. It is very natural that volunteers today have a reasonable fear of financial responsibility every time they perform a service in this community. The mere threat of liability is sufficient to stop some in America from donating their time, their talent, and their goodwill.

After all, there are trial lawyers in every community offering—even advertising—to take cases on a contingency fee basis. I would be the last to argue that contingent fees are wrong. I, frankly, think that the contingent fee case is a way that many, many people can afford lawyers. And I have no problems with that.

What really is there, though, for an injured party to lose from filing a case in which an attorney has been willing to handle it for a contingent fee? An injured party really does not have a very substantial way of losing, in those circumstances. So we have lots of lawsuits. Some of them are valid. Some of them are not. But here we are talking about volunteers. We are talking about people who, out of the goodness of their heart, are going to help others within the community, help the community as a whole, the State as a whole, and our country as a whole. And, that will help all of us.

I understand that this amendment is a Federal exemption of tort activity which is normally subject to State law. But, this is a very narrowly tailored exemption. This Good Samaritan rule applies only to individuals. Even now it only applies to individuals volunteering for certain section 501(c) tax-exemptions—tax exemptions given by the Federal Government. These orga-

nizations have voluntarily taken advantage of the provisions of the Federal Tax Code. It is not unreasonable for Congress to offer some protection for those volunteers who carry out the purposes of this particular exemption.

Moreover, the individual must be acting in good faith and within the scope of the tax-exempt organization's activities.

No person is exempted from liability for damage or injury caused by willful, reckless, or wanton misconduct. That covers a wide variety of causes of action.

No tax-exempt organization is exempted from liability. Indeed, the tax-exempt organization itself remains free to bring a civil action against any of its own volunteers.

This exemption does not apply to any individual volunteer who caused damage or injury while operating a motor vehicle, vessel, aircraft, or other vehicle for which a license is required. For all of those we can bring lawsuits.

This exemption does not even apply at all to any volunteer undertaking an activity for which he or she has a Federal or State license. For example: A physician voluntarily providing health services in a homeless clinic is not exempt from personal liability if he or she provides those health services in a manner inconsistent with professional standards.

If this same doctor, however, volunteers to serve as a little league coach, he or she should not be subject to personal liability for good faith acts or omissions in that role. This amendment ensures that the doctor in that situation will not be subject to liability.

What we are talking about here is protecting a volunteer for the Boy Scouts, a volunteer for the Girl Scouts, the Little League coach, and countless others who give of themselves to others. We can take this narrow, carefully tailored step to protect and encourage volunteers.

I want to compliment the distinguished Senator from Kentucky for being willing to bring this to the floor on our bill. I think it will help our bill. I think it enhances voluntarism. I think it will save Americans money, and certainly we ought to, under these narrow circumstances, protect these people.

Let me talk just a minute about an aspect of it, the alternative dispute resolution part.

ALTERNATIVE DISPUTE RESOLUTION

This amendment also requires that, in cases where one party is a specified section 501(c) tax-exempt organization, attorneys advise their clients of the availability of alternative dispute resolution options.

I believe this is a very worthwhile requirement. Our courts are overloaded. Protracted litigation is expensive. No party is required to use an alternative dispute resolution. But this will encourage more amicable and less expensive resolutions of disputes, and this will help our tax-exempt organizations and the courts.

With regard to joint and several liability this amendment also abolishes joint and several liability for certain nonprofit, tax-exempt organizations. The unfairness of joint and several liability laws has been recognized in many States in recent years: They have adopted comparative liability standards which make sure that each defendant in a civil lawsuit pays only for the damage attributable to his or her wrongful conduct. There should be nothing controversial about this feature of the proposed amendment. It just reflects basic fairness and, again, is subject to all of the narrowness that this amendment restricts itself to.

I also wish to note that this provision does not apply as between persons acting in concert, if the concerted action proximately caused the injury for which one or more persons are found liable for damages.

This amendment, in my opinion, is well thought out, it is well constructed, it is an amendment that makes sense and, frankly, it is an amendment that will help this bill to reach its purpose of encouraging more and more people to get involved in volunteer activities.

It makes sense. And I think to fight the amendment means we are getting on the side of those lawyers who have plenty of lawsuits anyway to bring, under legitimate circumstances, and who really ought not to be bringing lawsuits in this particular instance anyway.

It is narrowly tailored, a very restrictive set of circumstances. I think we ought to encourage this. I think it is one of the prices you pay. I happened to have been a trial lawyer, as I am sure many others in this body have been. I have tried many negligence cases and personal injury cases. I have a lot of empathy with that system, especially the contingent fee system, because it is a way those who are poor or who cannot afford an attorney can come to court. I agree with all that, and I agree with the attorneys who want to protect them from personal injuries and get them proper damages in those cases, but I think it is going a little too far when you say this amendment should be accepted because of any reason at all. It is so narrowly construed that it basically takes care of volunteers in a simple situation that would not make sense to take care of. I hope my colleagues will think about this because it is precisely the type of thing that even attorneys ought to be prospering.

We have been Little League coaches, too. We have gone in there and helped people in distress. Some of us have even been Boy Scout scout masters. Some of us have even been Girl Scout scout masters. I think those type of activities ought to have some degree of protection. Keep in mind there are protections for the person who gets injured if there is willful, wanton, or reckless conduct. I think all of that needs to be said.

I hope my colleagues will look seriously at this amendment. I compliment the Senators from Kentucky for bringing it to the floor. It is like him; it is the way he does things in this body: cautious, considerate, worthwhile, and a decent thing to do. I want to compliment him for it and tell him I am going to support him on the floor and hope others will also.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I want to thank my friend from Utah. I know for many years he has been a strong advocate of States' rights in these matters. Obviously, the case that has been made here today convinced him that, at least in this particular instance, there was enough of a nexus to the Federal Government to warrant Federal legislation.

I think it is important to remember, Mr. President, that we are talking here about groups whose very existence is authorized under Federal legislation. This amendment applies not to a huge number of organizations throughout 501(c), but this amendment applies only to organizations in 501(c)(1), that is, congressionally chartered organizations, such as Boy Scouts, Red Cross, and Little League; 501(c)(3), charitable religious and scientific organizations; 501(c)(4), social welfare organizations; 501(c)(6), business leagues and trade associations; 501(c)(7), social and recreational clubs, such as women's clubs; 501(c)(14), credit unions, which rely a lot on voluntarism in rural areas; and, most important, Mr. President, 501(c)(19), veterans organizations.

If I may offer, Mr. President, just a couple of observations about some of the comments made by my colleagues on the amendment. There is some indication that this was somehow a new issue; that it had not surfaced before; and that there are additional hearings needed.

I might say that on the general question of tort reform, whether it is product liability or more comprehensive measures, such as those I have supported and introduced over the last few years, most congressional committees have had some hearings on some aspect of this problem or another. On the volunteer part of it, the Subcommittee on Courts and Administrative Practice, which my friend from Alabama chairs, held a hearing on May 20, 1988, regarding Senator Melcher's S. 929—on the Volunteer Protection Act of 1987. The record in that hear-

ing, over 300 pages, covered many aspects of the problem that we are talking about today. So I think this is not a new issue, and it is certainly totally germane to the bill that is before us.

There has been some discussion about laying back and allowing the States to take care of this problem on their own, and certainly some States have acted and some have not. But I would refer to the very hearing that I mentioned, held on May 20, 1988, before the subcommittee of the Senator from Alabama. Gordon MacDougall, who is head of the National Coalition of Volunteer Groups, in response to questions about waiting for States to act was going to solve this particular problem, had this to say:

Many states have acted to both protect volunteers from being named in negligence lawsuits and reduce liability insurance costs for nonprofits. Over forty states have passed laws limiting the liability of directors and officers of nonprofit organizations. About fifteen states have properly instituted nonprofit risk-management programs and/or risk pools to stabilize liability insurance premiums.

He goes on, Mr. President, and this is the part I particularly want to emphasize:

Some of these state laws, though, are dangerously limited. Indiana's law names fraternity and sorority volunteers, the Michigan law names ski patrol volunteers, and the Wyoming law names hazardous waste clean-up volunteers and amateur rodeo volunteers. While we recognize that each state has different volunteer needs, we firmly support a federal effort to design consistent and comprehensive guidelines for state volunteer liability standards.

He goes on to say in reference to the States efforts:

This problem is not being corrected, rather it is being exacerbated by states providing limited liability for select groups of volunteers.

Mr. President, we have historically, when there was a compelling Federal need for uniformity, ignored, if you will, federalism in order to meet a compelling Federal need. Here we have groups that are authorized under 501(c) of the Tax Code. We have groups that are providing an important volunteer service for America. By their testimony on Senator Melcher's S. 929, they have stated a serious litigation problem. Various States are trying to meet the need, but they are meeting it in a way that is inconsistent and is not providing relief. So we have the head of the coalition group on volunteer protection which represents over 800 groups, saying the State approach is not going to work because we are getting entirely different results in each State. Of course, many of these volunteer organizations operate across State lines. Take the Red Cross, for example. The Red Cross has 50 different sets of standards in terms of its volunteer activities.

Mr. President, I suggest most respectfully to my colleagues who oppose this amendment that this is a Federal problem that requires a Federal fix. What we have here today in the amendment of the Senator from Kentucky is a very modest, restrained, narrowly crafted amendment to deal with the problem.

Let me repeat what the amendment does. We are not giving volunteers unqualified immunity. I repeat, we are not giving volunteers unqualified immunity. What we are saying is that a volunteer who, No. 1, acts in good faith; No. 2, acts within the scope of activities of the organization; and No. 3, does not act in a willful, wanton, or reckless way in carrying out volunteer activities should be protected. All three of these have to be met.

We are also stating that the volunteer is not afforded this protection where the volunteer was operating a motor vehicle, aircraft, vessel, or other vehicle requiring an operator's license or where the volunteer was performing an activity which was subject to State or Federal license or certification. For example, doctors, lawyers, and others who offer their services pro bono will be held to the same standard of negligence as they presently are.

So this is a very narrowly crafted amendment to deal with the specific problem that is confronting volunteer organizations across America.

Mr. President, we need to make some effort to be consistent. I know that it has often been said that consistency is the hobgoblin of little minds, but, in fact, everybody in this body waves notions of Federal preemption periodically. An awful lot of people in this body support product liability legislation. That is clearly a proposal preemption of State tort law to the extent that it is enacted.

But the organizations the Senator from Kentucky is talking about receive their very life blood from the Federal Government. They are authorized under 501(c) of the Internal Revenue Code. They would not, I suspect, be in existence but for the tax status granted them by 501(c). Further, 501(c)(1) organizations, the Boy Scouts, and so forth, are actually chartered by the Congress of the United States.

It has been suggested that we are somehow tampering with the master-servant relationship. The Senator from Kentucky is certainly not an expert on that relationship, but I believe it is correct that a servant is not a volunteer. He is an employee. We are dealing with volunteers and volunteer organizations. We are abolishing joint and several liability only for those volunteer organizations specifically stated in the amendment.

The Senator from Alabama finally, I would point out, mentioned that in certain suits we are giving protection to for-profit as well as to not-for-profit corporations if they are involved in the same lawsuit. It is the view of the Senator from Kentucky that joint and several is a bad doctrine anyway, and I am in favor of eliminating this doctrine across the board, whether it is a for-profit corporation or a not-for-profit corporation.

I do not know whether the Senator from Alabama has indicated that he might support my amendment if I were to, even in that situation he defined, limit the protection to only the nonprofit organization in that lawsuit. But I say to my friend, if it would pick up his support, I will be happy to so modify my amendment.

The view of the Senator from Kentucky is that the joint and several doctrine needs to be gone for a whole lot of reasons across our society, not just for nonprofits. But is the Senator from Alabama would support the amendment of the Senator from Kentucky, in that situation he described, that hypothetical in which you had both not-for-profits and for-profits in the same litigation, the Senator from Kentucky would modify his amendment to bring on board the Senator from Alabama.

Mr. President, that is all the remarks I wish to make at this particular point. I see there are others on the floor who would like to speak, and I will gain the floor later in the debate.

Mr. PELL. Mr. President, I support the notion of protecting volunteers from civil liability. In fact, I have agreed to consponsor a bill introduced by Senator DECONCINI, S. 520, the Volunteer Protection Act, which has been referred to the Senate Judiciary Committee. This bill is designed to protect from civil liability volunteers who are acting in good faith and within the scope of their duties.

At the same time, I recognize that Senator DECONCINI's bill, and Senator MCCONNELL's proposal offered today, would make significant and dramatic changes in tort law. I believe that such changes should be considered first by the committee of jurisdiction, in this case the Judiciary Committee. We should not be in the business of making important policy changes on the floor of the Senate without consideration first by the committee with the greatest expertise in the area.

While I would like to support the Senator from Kentucky in his effort to protect volunteers from the civil liability that many feel reduces their ranks, I cannot support this change in law today when the Senate, and, in fact, the members of the Judiciary Committee, have not yet reached a consensus on how best to approach this problem.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. May I inquire of the Senator from Alabama very briefly, and then I will yield the floor. On the section of the amendment that relates to joint and several liability, I just want the RECORD to reflect that even though there were general volunteer liability hearings, I do not understand there have been hearings on this particular issue as it relates joint and several liability. I would require whether under section A, except as provided, joint and several liability may not be applied to any civil liability action if one party is a tax-exempt organization as described in this amendment; and that organization, to get this exclusion, would not have to have a single volunteer, would it?

Mr. HEFLIN. No. The Senator was right.

Mr. KENNEDY. So you are creating that kind of exclusion for joint and several liability when it has nothing to do with voluntarism. is that one of the parts the Senator was referring to when he was talking about the breadth and the scope of this particular amendment? That is only one section of this amendment. Does the Senator find that that is somewhat troublesome? That in this first part of the amendment we are excluding from coverage all of the various organizations that the Senator from Kentucky has talked to and they do not even have to have a single volunteer involved? We are just giving them a blanket exemption.

Mr. HEFLIN. I think the Senator from Massachusetts is correct. That is what sort of disturbs me in this instance. It is called the Volunteer Liability Protection Act. The third section deals with that, but why put in abolishing the doctrine of joint and several liabilities for tax-exempt organizations? And that is what makes me very suspicious that this is a sleeper amendment. It has nothing to do with volunteers, and the Senator from Massachusetts is certainly correct. You could have a university that might not have a volunteer at all. There are thousands and thousands of organizations that have never had a volunteer, and the issue of abolishing the doctrine of joint and several liaiblity has nothing to do with volunteers. That volunteer section deals with those organizations that are 501(c) organizations under the Internal Revenue Code. So really that first section dealing with abolishing the doctrine of joint and several liability has nothing to do with voluntarism.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, this McConnell amendment is a new concept to me and I really did not look at it until this morning. But the more I examine it, the more I am convinced it is a terrible idea.

It is based on what I believe is an absolute false premise; that is many people are not volunteering because they are afraid of being sued. Betty Bumpers is the founder of a voluntary organization, Peace Links. They have about 40,000 people involved. I do not think anybody in that organization has ever raised the question of whether they would be sued if they worked for Peace Links.

No. 2, as a former Governor, I am greatly concerned that the States be allowed to determine their own tort laws. I can tell you that this amendment is a radical departure. I know of no other time that Congress has tried to determine what ought to be the tort laws of a particular State.

I am not a big fan of joint and several liability, but that is a law in my State. I do not know whether there are other States that do not permit joint and several liability. But we should not, on first impression on the floor of the Senate, adopt an amendment which tells the States, "You are no longer supreme in tort law in your States."

No. 3, the amendment states that plaintiffs must notify the parties of alternatives to litigation. There is a strange one for you, Mr. President. We do not have any way of resolving disputes like this in my State except in court. There is no forum in my State before which these people can go to resolve tort actions except for civil courts.

So I assume the Senator from Kentucky wants the State of Arkansas to set up a new forum with all the costs that that would entail before which people who are considered volunteers, and those whom they have damaged, could appear to resolve any claims for damage.

No. 4, consider this issue of not holding volunteers liable for damages and injuries caused by willful or reckless misconduct. If you are dead, it does not really matter whether you were killed by negligent conduct or grossly negligent conduct. The effect is the same on the decedent. And the effect is the same particularly on the survivors, the children of a young mother—who is now dead and can furnish no further nurturing to her children. These survivors get nothing, for their future support, for their education or anything else because she only died as a result of negligence, not gross negligence.

No. 5, the term "volunteer" is not even defined in the amendment. We are debating a bill which says, in part, that young people can have part of their student loans cancelled by volunteering. This provision, which I authored, is an attempt to alleviate the terrible burden of students who are graduating from colleges and universities all across this country burdened with an unconscionable debt through direct and guaranteed loans. We are saying with this provision that if you want to work for community service you can be paid a minimum wage, and the Government will pay something on top of that in the way of forgiveness of your direct and guaranteed student loans.

The question arises, "Is somebody really a 'volunteer' because he is only making $3.35 cents an hour and could be making $30 an hour or $20 an hour?" Are they volunteers? Do you have to be unpaid in order to be a volunteer under this amendment?

Sixth, what is even worse is the point that was just made by the Senator from Massachusetts and the Senator from Alabama; that this amendment applies to every single 501(c)(3) tax-exempt organization in America, hundreds of thousands of organizations, whether they employ or use a single volunteer or not. This amendment has nothing to do with voluntarism.

Then there is the Good Samaritan rule. The effect of this amendment is, if you are a layman, you are trying to be helpful, and you do not know what you are doing, you are exempt from liability. If you are a doctor, or even a lawyer, or a CPA, a chiropractor, a member of any profession licensed by the State, you know what you are doing, and you are trying to perform pro bono work you are not exempt from liability.

For example, I hate to keep alluding to my wife, but when I was a Governor, one Saturday, after 2 years of work, we immunized 300,000 children in one day in my State. Doctors and nurses all across the State lined up to volunteer, knowing that when you give a DPT shot, 1 out of every 300,000 kids is going to suffer profound retardation. Incidentally, I might say not one single doctor or nurse in the entire State—and virtually all of them were involved in it—ever asked one question about whether they were going to get sued. But doctors would not be exempt from liability under this amendment. They are really Good Samaritans because they are performing a service that is in their line of work. They know what they are doing. But you take some jackleg who does not know what he is doing, and he is exempt from liability.

What kind of a perverse result was intended from this amendment on that point? There is absolutely nothing in here alluding to punitive damages, or attorneys' fees and whether they can be contingent. There is nothing covering pain and suffering.

I do not intend to denigrate those who favor this amendment. I am simply saying that this is a classic case of why we ought not to legislate

things like this on the floor of the Senate with no hearings, no consideration, and no right or opportunity for people to testify in opposition to it. But I will say this: it would not be any time at all until we would be extremely sorry we adopted an amendment like this.

It is unfair to the States for us to rewrite their tort laws. It is unfair to the States to force them to set up some sort of a forum, to allow these people some alternative to civil litigation.

It is not that it could not be done. It could be. We have done it in the childhood vaccine safety program. If a child suffers an ill effect today from an immunization, we allow them two courses of action. They can go before a commission and try to resolve the amount of damages they are entitled to, or they can sue. They have that option. Here I guess they would too. But this amendment does not set up a forum. It does not set up a commission to hear these claims.

Mr. President, in short, this amendment is fatally defective. We have never done this sort of preemption before. We ought not to even think of starting off on this course without extensive hearings and opportunities for the experts of this country to testify as to what the likely result is going to be.

Mr. President, I yield the floor.

Mr. CRANSTON. Mr. President, I want to join in expressing my very strong opposition to the amendment proposed by the Senator from Kentucky.

This amendment involves making fundamental changes in tort law. In fact, it would preempt State tort law by abolishing the doctrine of joint and several liability for nonprofit, tax-exempt organizations. It would require all defense and plaintiff attorneys to inform clients of alternatives to civil litigation, and finally it would exempt volunteers from liability for negligent acts under certain circumstances.

Mr. President, this amendment would open up a very complex issue that goes far beyond the simple issue of tort liability of volunteers and volunteer organizations and would draw the Federal Government into an area which has historically been within the providence of the State Governments.

Obviously a step of this magnitude should not be taken on the floor of the Senate. It ought to be considered and debated in the Judiciary Committee after thorough hearings. I am strongly opposed to this attempt to rewrite State laws dealing with tort liability. I have always been opposed to this and I see no justification for federalizing State tort law any more than State divorce and child custody law. Under our Federal system, the States have historically had jurisdiction in this area and we ought to defer to their expertise in this complex and controversial area.

This amendment raises extremely complex issues particularly when we venture into the area of joint and several liability. Joint and several liability is a well-established doctrine in the law. To abolish it as it relates to certain organizations as this amendment proposes to do, without the benefit of having the Judiciary Committee even examine this issue is irresponsible. The chairman of the Judiciary Committee, Mr. BIDEN, and the chairman of the subcommittee, Mr. HEFLIN, have indicated their willingness to hold hearings on this issue and examine it and similar legislation. That is the way we should proceed.

Adoption of this amendment would seriously jeopardize passage of S. 1430 and I encourage my colleagues to vote against this amendment.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I listened with interest to the Senator from Arkansas, and he is, of course, a fine speaker and speaks very passionately on an issue before this body. The Senator from Arkansas also indicated that there was not a problem with volunteer organizations; that he was unaware that there was a problem here. And he indicated an organization which his wife had been involved seemed not to express a concern about this.

I am going to read this at the end. There are a number of organizations that do think there is a problem. I will read that at the end before we vote. But there is an umbrella organization called the National Coalition for Volunteer Protection which includes 800 organizations which certainly do believe that there is a problem. There have been hearings on that subject which I referred to earlier in the debate, raising some of the issues that the Senator from Kentucky is offering to address today. But there certainly have been hearings on the problems. Clearly, Little League Baseball, Boy Scouts of America, B'nai B'rith, and a host of others believe that there is a problem out there.

With regard to the definition of volunteer, I think the Senator from Arkansas or the Senator from Massachusetts, whichever one made the point, made a valid point, and in order to create legislative history, let me read into the RECORD the definition of volunteer that the Senator from Kentucky certainly expects to be applied to this legislation. I read the definition of volunteer from S. 929, the Volunteer Protection Act of 1987, in the previous Congress introduced by Senator MELCHER.

The term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed $300 per year for government service), and such term excludes a volunteer serving as director, officer, trustee, or direct service volunteer.

Mr. President, I argue that this is indeed a narrowly crafted amendment, not a broad sweeping amendment. It applies only to certain selected sections of 501(c). This amendment applies only to section 501(c) subsections 1, 3, 4, 6, 7, 14, and 19.

Those groups, Mr. President, include congressionally chartered organizations, such as the Boy Scouts, Red Cross, Little League, and charitable, religious, educational and scientific organizations, social welfare organizations, business leagues and trade associations, social and recreational clubs like women's clubs, credit unions who rely on volunteers in rural areas, and veterans' organizations.

So this is not a broad amendment. It is a very narrowly crafted amendment designed to deal only with volunteers of those specific organizations. It also does not insulate volunteers from their reckless acts. And it does not—I repeat, does not—apply where they are professionally licensed; it does not apply where the volunteer who is performing an activity is subject to State or Federal professional license or certification. For example, doctors, lawyers and others who offer their services pro bono will be held at the same standard of negligence they are now.

I understand how reasonable people can differ. However, the feeling of the Senator from Kentucky is that this is not a broad amendment. It is appropriate on this piece of legislation, because this legislation brings certain kinds of volunteer activity within the purview of the Federal Government which has actually chartered, or made possible the existence of, the organization.

Mr. President, there are at least two other Senators on this side of the aisle who would like to speak. I also ask unanimous consent to add Senator WALLOP and Senator BOND as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask if there are others on that side of the aisle who wish to speak.

Mr. KENNEDY. We were trying to accommodate the membership. We also want to move along with the legislation, as well.

Mr. McCONNELL. I could not agree more. Senator KASTEN, I am told, is on his way.

Mr. President, I therefore suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LIEBERMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, it is now my understanding that there are no more speakers on this side of the amendment. It is my understanding, even though he is not on the floor at the moment, the chairman of the committee would like to go ahead and wrap this up. So I think I will make my closing statement and ask for yeas and nays.

Mr. President, the amendment before us does three things.

First, the amendment says that no nonprofit organizations can be held liable for the wrongdoing of others. If an organization person is only marginally responsible for causing an injury, then its share of the damages ought to be proportional to his share of responsibility for causing the injury. We abolish joint and several liability for these nonprofit organizations.

No. 2, this amendment provides a mechanism for all parties in a litigation with nonprofit organizations to look at alternatives from full-scale litigation of disputes involving civil liability action, in other words, the advocacy of alternative dispute resolution.

No. 3, my amendment provides limited immunity for an unpaid volunteer, as previously defined earlier in the record, as an individual from liability exposure. To qualify for this limited insulation from liability the volunteer would have to be, first, acting in good faith, second, be acting within the scope of his or her voluntary function and, third, not be engaging in wanton, willful, or reckless activity.

Mr. President, my amendment does not do any of the following things: There are no fault base standards in this amendment. There are no limitations on punitive damages. There are no caps on attorneys' fees, punitive damages for pain and suffering; and, no Federal preemption of State tort law except in the very modest way that I have suggested.

Some have said that this is improper somehow for the Federal Government to preempt State law to the limited extent that my amendment would do it. Let me say that the organizations which are covered by this amendment have their very lifeblood as a result of Federal law. My amendment covers organizations in 501(c)(1), that is congressional chartered organizations such as Boy Scouts, Red Cross, and Little League; 501(c)(3), charitable, religious, scientific, educational organizations; also, 501(c)(4), social welfare organizations; 501(c)(6), business leagues and trade associations; 501(c)(7), social and recreational clubs, women's clubs; 501(c)(14), credit unions; 501(c)(19), all volunteers and veterans organizations.

That is what the amendment does Mr. President, and what it does not do and who it applies to.

In terms of the politics of this, it is pretty simple. There is one organization against this amendment, and that is the American Trial Lawyers Association.

I would like to close by reading the names of the organizations in favor of this amendment.

First, Mr. President, there is an umbrella organization of 800 groups called the National Coalition for Volunteer Protection which supports the amendment as well as the following groups:

Little League Baseball, the Air Force Association, Boy Scouts of America, B'nai B'rith, American Horse Council, Second Harvest, National Ski Patrol, American Society of Association Executives, General Federation of Womens Clubs, Academy of Model Aeronautics, National Society of Professional Engineers, Big Brothers/Big Sisters of America, National Employee Services & Recreation Association, Credit Union National Association, American College of Cardiologists, International Legal Fraternity of Phi Delta Phi, National Junior College Athletic Association, American Motorcycle Association, International Executive Service Corps, American Association of Blood Banks, American Association of Museums, Christian World Relief Commission, American Institute of Architects, National Multiple Sclerosis Society, American Association of Marriage & Family Therapy, American Dental Hygenists Association, Railway Progress Institute, Hale Foundation, Human Ecology Action League, Far West Ski Association, Electronics Industries Association, and the Water Pollution Control Federation.

Mr. President, all of these volunteer organizations support this amendment. There is one organization in opposition, the American Trial Lawyers Association; all of these other organizations support it.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts [Mr. KENNEDY].

Mr. METZENBAUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask uanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, just for the understanding of the membership about where we are in terms of the volunteer liability issue, the fact is that any volunteer that is operating in good faith in any of these programs is effectively protected against any suit by most, if not all, of the 50 States.

So that aspect, as nice as it sounds in terms of trying to encourage voluntarism, is already protected.

I ask unanimous consent that the outline of the relevant State provisions and a letter from Public Citizen and the Consumers Union be printed in the RECORD.

There being no objection, the outline and letter were ordered to be pritned in the RECORD, as follows:

STATE VOLUNTEER PROTECTION LEGISLATION VM SYSTEMS

[October 1989]

State	St Code Cite	Org Coverage	Vol Coverage	Protection (X=Exception)
Alabama	10-11-1	501(c)(3), St/local govt	Board, Adv Board	Xwillful, wanton, gross; Xfraud or bad faith; Xmotor vehicle.
Alaska	09.17.050	NP Corp; public or NP hospital; school board; municipal board.	Board, commission	Xgross negligence; Xto corporation.
Arizona	10-1017	NP Corp	Board	Xwillful, gross.
	12-571	NP Health Clinic	Vol Physician, dentist	Xgross negligence for malpractice.
Arkansas	16-6-101	St/local govt; com vol org or 501(c)(3)	"Any person who provides goods or services w/o compensation..	Not vicariously liable; not liable acts/omissions Xto extent of insurance for ordinary negligence; Xbad faith, gross negligence; Xoperation of motor vehicle, boat; Xprofessional services; protection limited to beneficiary of vol's services.

State	St Code Cite	Org Coverage	Vol Coverage	Protection (X=Exception)
California	5047.5	NP Corp; 501(c)(3,6)	Board	Within scope; Xgross, reckless; Good faith; part of policy-making duties; Org must have insurance; Xself-dealing; X actions involving discrimination.
	5239	NP public benefit corp	...do	Act in good faith; within scope; Xwanton, intentional, gross; must have insurance; Xto corporation; Xto Att General.
	7231.5	NP mutual benefit corp	...do	Act in good faith; within scope; Xwanton, intentional, gross; must have insurance; Xto corporation; Xto Att General.
	9247	Religious Corp	...do	Act in good faith; within scope; Xwanton, intentional, gross; must have insurance; Xto corporation; Xto Att General.
Colorado	13-21-108	Vol Rescue Unit	Volunteer	No liabilty for acts or omissions in good faith.
	13-21-116	NP Corp	Board	Xwillful, wanton act.
	13-21-116	Individual	Volunteer	No duty of care; no liability for acts or omissions in good faith.
Connecticut	52-557m	501(c)	Board	Act in good faith, within scope; Xwillful, wanton.
Delaware	8133	501(c)	Board, Volunteer	Xwillful, gross; Xmotor vehicle to extent of insurance.
District of Columbia				
Florida	607.1645	501(c)(3,4,5,6)	Board	Xbreach of duties; Xviolation of criminal law; Xderive improper benefit; Xrecklessness, bad faith, willful, wanton.
Georgia	14-3-113.1	NP Corp	...do	Act in good faith, like ordinarily prudent person.
Hawaii	416-?	NP Corp	...do	Xgross negligence.
Idaho	6-1605	NP Corp	...do	Xwillful, gross.
Illinois	32-108.70	501(c)	...do	Xwillful, wanton.
Indiana	34-4-11.5-1	St/local govt; NP corp; Business trade assoc	Board, Commission	Liability limited to insurance coverage, if no coverage, then immune.
Iowa	25A.24	State Govt	Commission, Vol	Xintentional misconduct, knowing violation of law or transaction in which derives improper benefit.
	613A.2	Municipality	...do	Xintentional misconduct, knowing violation of law or transaction in which derives improper benefit.
	613.19	Unincorporated assoc; NP Corp	Board, Volunteer	Xintentional misconduct, knowing violation of law or transaction in which derives improper benefit.
Kansas	60.3601	501(c)	Board, 'other person who provides services'; Xvol who delivers health care services in medical facility.	Xauthorizes, approves, actively participates and is willful, wanton; Xonly to extent of insurance.
Kentucky	411.200	501(c)	Board, Volunteers not compensated by salary or on prorated equivalent basis.	Good faith, within scope; Xwillful, wanton.
Louisiana	9:2792.1	Public, chartiable or NP hospital or org	Board	Xwillful, wanton; Within good faith, scope.
	9:2792.3	NP Org w/civic or historic purpose	Board, Volunteer	Good faith, scope; Xwillful, wanton.
Maine	13B-716	NP Corp	Board	Not liable for monetary damages if acted honestly or in reasonable belief on behalf of corporation.
Maryland	CJ5-312	501(c)(3)	Board, Volunteer	Org must carry insurance; Xmalice, gross negligence; Xto Att Gen; Xhealth care malpractice.
Massachusetts	231-85v	NP Corp	Sports Vol, Board	Xintent, Xgross, Xcommercial activity, Xtransportation related.
	231-85w	Ch Org. 501(c)(3)	Board	Xgross negligence, intent; Xrelated to commercial activities; Xvehicle.
Michigan	450.2541	NP Orgs	...do	Protects from suit by corporation or Third parties. Org must amend bylaws to qualify. Good faith requirement.
	691.1401	St/local agency	Board, Volunteer	Xgross; Xhospital or med care facility.
Minnesota	317.201	NP Org	Board, Volunteer	Good faith, within scope; Xwillful, reckless; Xto govt entity; Xto org; Xcause based on federal law; Xbased on contractual obligation.
Mississippi	79-11-267	NP Corp	Board	Good faith.
Missouri	537.117	501(c)	...do	Xwillful, intentional gross.
Montana	27-1-732	501(c)	Board, Volunteer	Xwillful, wanton.
Nebraska	21-1917	501 (c)(2,3,4,5,7,8,11,19)	Board	Good faith & reaasaonable; Xgross, wanton intentional; Xmotor vehicle; X to extent of insurance.
Nevada	41.485	NP Corp, Assoc, Org formed under laws of state	Board, Volunteer	Xintent, willful, wanton.
New Hampshire	508.16	Ch Orgs & Societies	Board	Good faith; Xwillful, wanton.
New Jersey	2A:53A-7	NP Corp. Society, Assoc, Federation	Board, Volunteer	Xreckless disregard; Xwillful, wanton; Xmotor vehicle.
	2A:62A-6	NP Org	Sports Vol	Not liable to player or participant if trained, acting within supervision; Xeducational institution; Xmotor vehicle; Xwillful, wanton.
New Mexico	53-8-25.3	NP Corp	Board	Xwillful, wanton.
New York	N-P CL 720-a	501(c)(3)	...do	Xgross, intent; Xto corporation.
North Carolina	43B-539.10	Ch Org	Volunteer	Good faith & reasonable; Xwillful, wanton; Xto corporation; Xvehicle or alcohol related.
	55A-28.1A	NP Corp	Board	Within scope, acting in good faith; Xgross, willful, wanton; Ximproper benefit; Xmotor vehicle.
North Dakota	32-03-44	NP Orgs	Board	Good faith, scope, Xwillful, wanton, gross; Xreimbursement of expenses above $2000; Xreceipt of compensation.
	32-03-45	NP Orgs	Volunteer	Act in scope; Xwillful, gross; Xvehicle.
	32-03-46	NP Orgs	Sports Vol	Act within scope; Xwillful, gross; participated in training and safety program; Xvehicle; Xexercising supervision; Xpart of educational institution.
Ohio	2305.38	Ch NP Corp; Xhospital	Board, Volunteer	Xprior knowledge and approval, or ratification; Xwillful, wanton, intent.
Oklahoma	18-865	501(c)	Board	Not responsible for acts of employees or other employees Xown negligence or intent.
	18-867	501(c)	...do	Not liable to corporation Xbreach of duty, Xbad faith, intent.
Oregon	61-258	NP Corp, unincorp assoc; commission of state of political subdivision.	Policy-setting Board	Xgross or intential acts.
Pennsylvania	42-1144	501(c)(3,4); st/local agency; engaged in 'public service'	Volunteer	Below generally practiced standards; knowing of risk; Xtransportation.
	42-8332.1	NP Assoc	Sports Volunteer	Xbelow generally practiced standards; Xtransporation; Xplaying area.
	42-8332.2	501(c)3)	Board	Xbelow generally practiced standards.
Rhode Island	7-6-9	501(c)	...do	Xmalicious, willful, wanton.
	7-6-9(b)	501(c)	Board, 'servants'	No liability to participant in sporting event if signed waiver.
South Carolina	33-31-180	501(c)(3,6,12)	Board	Xwillful, wanton, gross.
South Dakota	47-23-4.1	501(c)	Board	Xwillful, wanton.
	47-23-29	501(c); Govt entity	Volunteer	Xwillful, wanton; Xvehicle; Xto extent of insurance.
Tennessee	28-3-301	501(c)(3.6)	Board	Xwillful, wanton, gross.
	29-20-201	Govt Agencies	Board, Commission	Xwillful, wanton, gross.
Texas	CP&R 84.001	501(c)(3,4), Xhealth care	Board, Volunteer	Act in good faith and within scope; Xmotor vehicle (to extent of insurance); Xintent, willful, wanton; XBd member liability to organization and its members.
Utah				
Vermont	12-5781	501(c)(3)	Board	Good faith; Xwillful, wanton, Xvehicle.
Virginia	13.1-692.1	Corporation	...do	Liable only to amount of compensation; Xwillful, knowing violation.
Washington	4.24.64	NP Corp	...do	Not liable for 'discretionary decision; Ygross; Xto corporation.
	7.70.090	Public/private hospital	...do	Not responsible for care by health care provider Xgross negligence in granting privilege.
West Virginia				
Wisconsin	181.287	NP Corp; credit union; fraternal benefit insurance	...do	Xconflict of interest, criminal violation; Xreason to believe conduct unlawful; Xwillful misconduct.
	181.297	NP Corp; credit union fraternal benefit insurance	Volunteer	Xcriminal violation; Xreason to believe conduct unlawful; Xvehicle related; Xprofessional services.
Wyoming	1-23-107	NP Corp; Government	Board, Commission	Xintentional tort or illegal acts.

CONSUMERS UNION,
Washington, DC, February 27, 1990.

DEAR SENATOR: We are told that the Senate may consider a McConnell amendment to the National Community Service Act, S. 1430, that would immunize volunteers and non-profit organizations from liability judgments. As a non-profit organization, and as a consumer group, we must urge you to oppose this misguided amendment.

Individuals, or organizations, whose negligence inflict harm on others should be held liable for their conduct. The fact that such individuals or groups may be inflicting this harm in their capacity as a non-profit organization or a volunteer should not control the outcome of a personal injury dispute. Courts must be free to evaluate the relative reprehensability of the conduct at issue, without a rigid directive from the Congress.

For the past decade, product manufacturers, the general aviation industry, and the insurance industry, have sought federal legislation that would make it harder for tort victims to recover damages in court. Proponents argue, without producing any objective evidence to support the contention, that legislation would stave off the ravages of skyrocketing insurance costs. The crisis in insurance availability and affordability during the mid-1980's was not caused by "runaway" juries. Instead the insurance crisis was caused by run amok insurance executives who engaged in underwriting based on their case flows. When interest rates were high, insurers wrote as much business as possible so that they could benefit from investment income; when rates fell, insurers lost on investments. To reduce those losses, the insurance industry raised rates for all liability insurance consumers and dropped certain higher risk customers.

It's time to end this quest to punish victims for the excess of the insurance industry. We urge you to focus your attention in this last session of the 101st Congress on insurance reform, and defeat all measures that would only serve to deprive victims of recoveries.

Sincerely,

PAM GILBERT,
Legislative Director, Public Citizen's Congress Watch.
LINDA A. LIPSEN,
Legislative Counsel, Consumers Union.

Mr. KENNEDY. Second, Mr. President, I wish to point out that Independent Sector, which is one of the largest umbrella organizations for the voluntary agencies, has commented to us, along with United Way, another one of the very important and largest agencies that is in support of voluntarism. United Way said that if this was a freestanding measure they would be inclined to support it, but not in this context where it would be circumventing the whole procedure of having this matter studied by the Judiciary Committee. The Red Cross has indicated a similar position.

In addition, Mr. President, the fact is that every major consumer group is opposed to it. Many of the most important and significant and well-known voluntary agencies do not find that this is a particular issue of undue concern to them.

I do not believe that the case has been made about the proliferation of different suits against voluntary organizations and volunteers that have taken place in recent time. The case just has not been made.

We have asked the various foundations and organizations for material to sustain it, and they have not indicated that this issue is a problem to them. To the contrary, they believe that the actions which have been taken by the States have addressed their principal concerns.

We will be following this issue closely in committee, as both the Senator from Alabama and the Senator from Arizona have stated. It seems to me that this is not the time to effectively preempt all 50 States that have addressed this issue in one way or the other over recent years.

We ought to permit this legislation to move forward to provide an opportunity to study this concept in the Judiciary Committee. Both the chairman of the Judiciary Committee and the chairman of the Courts Subcommittee have indicated they would be willing to address it and, if it has merit, to consider it as a freestanding measure.

Mr. PACKWOOD. Mr. President, I rise today in opposition to Senator MCCONNELL's amendment which would abolish the joint and several liability doctrine for volunteer nonprofit, tax-exempt organizations. The amendment also would limit the liability of volunteers who injure someone in the course of their duties unless there is willful and wanton misconduct by the volunteer. Finally, it would require attorneys in any civil action involving nonprofit corporations to inform clients of the option of alternative dispute resolution.

The proponents of this amendment say that it will advance the cause of voluntarism in America by protecting those public-spirited people who give of their time and themselves to provide needed services in communities. Let me be very clear that I support voluntarism to the hilt. In my home State of Oregon, volunteers provide every conceivable kind of needed service from providing hands-on care for hospitalized infants to remodeling shelters for the homeless. If Oregon or the Federal Government had to pay for those thousands of hours of labor, many of the services simply could not be provided. Truly, community volunteers in this country are a national treasure and Congress should indeed do everything in its power to recognize and encourage their efforts.

What I question is not the concern of Senator MCCONNELL and my other colleagues for the health of the volunteer movement. I question whether it is appropriate to reform tort law in this country in a very drastic way by means of an amendment to the National and Community Service Act. As my colleague Senator KENNEDY has pointed out, no evidence was introduced in the committee hearings on the underlying bill by any nonprofit organization that fear of liability has kept citizens from volunteering for community service.

Senator MCCONNELL is careful not to use the words "tort reform." He emphasizes that this amendment would not limit punitive damages or attorney fees, or require fault as an element of a tort. Well, my esteemed colleagues, tort reform is exactly what this legislation is. The abolition of the joint and several liability doctrine for nonprofit organizations is a major change, and we would be imposing this change at the Federal level on each one of our States. Joint and several liability is not a newfangled notion. It developed from the common law. Simply put, it allows a plaintiff who proves an injury by more than one defendant to recover from each defendant separately or all of them together, at his option. Some States have abolished joint and several liability; others have chosen to keep it. I personally oppose limiting the number of theories under which an injured party may recover. However, I am not here today to argue the merits of joint and several liability. My point is that in the area of torts, States should and must have the option of determining what theories of recovery and remedies are available in their jurisdictions. What is workable and acceptable in one State may not be in another.

I am also troubled by the standard this amendment would set for recovery against a volunteer who injures someone while performing his or her duties. The volunteer would have to be grossly negligent by the terms of this amendment. That means the plaintiff would have to prove that the volunteer acted intentionally and in reckless disregard of consequences. Any lawyer will tell you that this is a very difficult standard and would pretty much eliminate recovery for accidental injuries caused by volunteers.

Some of the rhetoric in favor of this amendment has suggested that Americans have become very litigious and that failure to enact this amendment will place well-meaning volunteers in danger of losing everything in a lawsuit at the hands of a greedy beneficiary of the volunteer's services. Although anecdotal examples have been placed on the record, what is lacking is any hard evidence that this is a national problem. As is usual with tort reform rhetoric, today's discussion has been long on worst case scenarios and short on statistical proof.

I would like to address the alternative dispute resolution section of Senator MCCONNELL's amendment. It requires that attorneys in civil actions involving nonprofit corporations

inform clients of alternatives to civil litigation. Now I'm not against alternative dispute resolution and I think it can be very beneficial in appropriate cases, but you have to have a system set up to handle it. In Oregon we have mandatory mediation in domestic relations cases. I understand it is working fairly well. However, it was put into operation after years of planning and coordination between the court system and the State bar. If this amendment were to pass, Oregon and every other State would suddenly be expected to provide a forum for alternative dispute resolution for tort cases. We in Congress may think that is a good idea, but again we would be imposing something on the States that may or may not make sense for them.

Mr. President, I oppose this amendment in the strongest possible terms, and I will vote against it.

Mr. HEFLIN. Mr. President, in a sort of closing statement—and I intend to make a motion to table—let me say that this amendment takes away long established common law rights. Any student of the law who has studied the development of the common law realizes that it came from England to the United States and has been developed over centuries.

This is really the first effort to bring about Federal preemption and take it away from the States in the field of injured rights and tort law. Many business people do not support this movement.

I remember when I came to the Senate in 1979, there was great fear on the part of business people that they were going to establish a Federal workmen's compensation law. If you get into the field of tort liability and into the field of injured rights by Federal preemption, you open a Pandora's box. And just consider the various consequences from a business viewpoint.

So I mention that to those people who may think that some business organizations are supporting this effort.

I made the argument that the breadth of this joint and several liability section was so sweeping that it had many consequences, such because certain organizations may not be found libel for damages attributable to a pro rata share, fault, or responsibility of another person, and this implication touches the area of master-servant, and principal-agent.

The only reply that I heard was that this section did not apply because those at issue are volunteers and therefore a master-servant relationship did not exist.

But what we are pointing out is that section 1, as Senator KENNEDY pointed out, has nothing to do with volunteers. It is applicable to 501(c) tax-exempt organizations. So no one has given a satisfactory answer pertaining to that question.

There are a number of Senators who are nonlawyers. They probably at this time are scratching their heads and saying: What is joint and several liability? Or what is wantonness; what is wanton conduct? What is gross negligence? What is negligence? All of those are various issues that they may have heard one time or another.

So I say to those nonlawyers, if you do not know what it is and you do not understand it, then support my position that this amendment demands a hearing and let's invite some experts to look at the amendment to determine how far-sweeping it is, whether there are sleepers in it that are designed to take care of a particular lawsuit or whether there are other aspects of this.

So to the nonlawyers, hearings are designed for your protection. Let us exercise that protection.

I, therefore, move to table this amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. HEFLIN] to table the amendment of the Senator from Kentucky [Mr. MCCONNELL].

The yeas and nays have been ordered, and the clerk will call the roll.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] and the Senator from New York [Mr. MOYNIHAN] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from California [Mr. WILSON] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 65, nays 32, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—65

Adams	Ford	Nunn
Baucus	Fowler	Packwood
Bentsen	Glenn	Pell
Biden	Gore	Pryor
Bingaman	Graham	Reid
Bradley	Harkin	Riegle
Breaux	Heflin	Robb
Bryan	Hollings	Rockefeller
Bumpers	Inouye	Roth
Burdick	Jeffords	Rudman
Byrd	Johnston	Sanford
Chafee	Kennedy	Sarbanes
Cochran	Kerrey	Sasser
Cohen	Kerry	Shelby
Conrad	Kohl	Simon
Cranston	Lautenberg	Simpson
Daschle	Leahy	Specter
DeConcini	Levin	Stevens
Dixon	Lieberman	Thurmond
Dodd	Metzenbaum	Warner
Durenberger	Mikulski	Wirth
Exon	Mitchell	

NAYS—32

Armstrong	Boschwitz	D'Amato
Bond	Burns	Danforth
Boren	Coats	Dole
Domenici	Helms	McClure
Garn	Humphrey	McConnell
Gorton	Kassebaum	Murkowski
Gramm	Kasten	Nickles
Grassley	Lott	Pressler
Hatch	Lugar	Symms
Hatfield	Mack	Wallop
Heinz	McCain	

NOT VOTING—3

Matsunaga	Moynihan	Wilson

So the motion to lay on the table amendment No. 1269 was agreed to.

Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. HEFLIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, if there are other amendments, I hope that the Members will get them to me. I understand now we are down to probably three or four additional amendments. We have tried to work them out. We have made good progress. We have a considerable Senate Calendar and the leader wants us to move forward expeditiously, so we are going to try to follow his request. We understand that the Senator from Texas might have an amendment.

AMENDMENT NO. 1270

(Purpose: To express the sense of the Senate regarding the use of the so-called "peace dividend")

Mr. GRAMM. Mr. President, I send an amendment to the desk for myself, Mr. HELMS, Mr. GORTON, Mr. LOTT, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. KASTEN, Mr. MACK, Mr. MCCAIN, Mr. SYMMS, and Mr. WALLOP and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself, Mr. HELMS, Mr. GORTON, Mr. LOTT, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. KASTEN, Mr. MACK, Mr. MCCAIN, Mr. SYMMS, and Mr. WALLOP, proposes an amendment numbered 1270.

At the appropriate place in the bill, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Congress finds that—

(1) in recent months dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union;

(2) these democratic reforms may permit the preservation of our Nation's security at a cost less than current budget projections;

(3) the changes in Eastern Europe and the Soviet Union are a direct result of the American taxpayer's willingness and determination to pay the price for the advancement of freedom throughout the world;

(4) the changes in Eastern Europe and the Soviet Union are also a direct result of the total inability of socialist economies to compete with free-market economies;

(5) the family has been the keystone of the ability of Western democracies to promote growth and opportunity; and

(6) the recent democratic reforms in Eastern Europe and the Soviet Union have again demonstrated the need to redirect resources from government to the family to meet effectively individual needs of health, education, training, and nutrition.

(b) POLICY.—It is the sense of the Senate that—

(1) any savings resulting from lower defense expenditures below the level required for balanced fiscal restraint to meet the Gramm-Rudman-Hollings deficit targets and to achieve a balanced budget should be returned to America's taxpayers;

(2) only by returning defense savings to American families to invest in their futures and, thus, America's future can the United States assure that the "peace dividend" will be wisely invested; and

(3) savings from the so-called "peace dividend" should be returned to the American taxpayer in the form of measures such as a refundable child care tax deduction, repeal of the Social Security earnings test, an increase in the personal exemption, expansion of a permanent research and development tax credit, a long-term capital gains tax cut, further lowering of marginal tax rates, and other savings and investment incentives.

AMENDMENT NO. 1271 TO AMENDMENT NO. 1270

(Purpose: To state the sense of the Senate on the uses of the peace dividend)

Mr. KENNEDY. Mr. President, on behalf of Senator SASSER, myself, and others, I send to the desk an amendment in the second degree and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for Mr. SASSER (for himself, and Mr. KOHL), proposes an amendment numbered 1271 to amendment 1270:

Strike all after the word "SEC. 17." in the pending amendment and insert the following:

POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, as we have all looked at what is happening in Eastern Europe and as we have assessed its impact on us, naturally our primary attention has been on the fact that the events in Eastern Europe and the Soviet Union represent dramatic changes that will make for a more secure and peaceful world, and the impact of that obviously is going to be felt by every man, woman, and child in the world. However, other than in caucus meetings of the two parties that control the House and Senate, there has not been any real discussion about the impact of the collapse of the Soviet empire on defense spending and in turn on the budget of the American Government and on the relative priority usage of resources in the American economy.

Mr. President, to this point there has been only one real proposal as to what to do with the peace dividend, and that proposal has been to spend it. The White House has taken the view that there is not a peace dividend; that it is too early to talk about a peace dividend; that we do not want to declare a dividend before the money is in the bank. They clearly have concern that if a fever pitched debate should occur over the so-called peace dividend, there will be a natural incentive to cut defense beyond the bounds that would be dictated by reason and by the remaining threat, and that this would undercut our ability to negotiate conventional and nuclear arms reductions with the Soviet Union.

Mr. President, I am in agreement with the White House that it is too early to declare a peace dividend based on Soviet words; that to this point while we are very encouraged and I believe will be successful in our negotiations, these words are not matched by Soviet deeds.

I believe it is not too early to begin to debate in earnest as to what is going to be done with the resources that will be freed as a result of the dramatic changes that are occurring in Eastern Europe and the Soviet Union. In fact, Mr. President, I do not believe it is too dramatic to say that the No. 1 issue in the 1990's, if things continue to move in the current direction in Eastern Europe and the Soviet Union, will be what to do with the peace dividend.

As we have seen from a substitute that has been offered here today, this is not a normal debate concerning a sense-of-the-Senate resolution. I offered this one today because I believe it is imperative for the American people to hear that there is an alternative in using the peace dividend other than having the Federal Government spend it.

I would like to begin by talking about opportunities that have existed in the past which have been taken and have been used productively and those which have not. I will start by talking about the post-World War I, post-World War II period. The periods after World War I and World War II basically were periods whereby we reordered priorities, we reduced the scope of Federal expenditures, and in the process we returned to the American worker and the American taxpayer the resources we had taken to fight the war. For example, in 1917, 1 percent of GNP was going into defense. That rose to a peak of 16.1 percent in 1919, but by 1926 it was back down to 0.6 percent. The Federal Government as a percentage of GNP was 3.1 percent in 1917; it rose to a peak of 22 percent in 1919, but by 1926 it was down to 2.9 percent.

During the war, we called on the taxpayer to pay the cost of defending freedom and supporting democracy around the world, making the world safe for democracy. They responded, and when the war was over, we gave them back their resources. They invested their resources, Mr. President, in their own futures, and in doing so they invested in the future of America.

Mr. President, exactly the same pattern occurred in World War II. Defense as a percentage of GNP at the beginning of the war was 5.7 percent; it rose to a peak of 39.1 percent, but by 1950 it had fallen back to 5 percent. Government as a percentage of GNP started out at 10 percent; it rose to a peak of 45.2 percent, but by 1948 it was back down to 12 percent of GNP, and exactly in the same pattern the American worker and the American family were called upon to shoulder the burden of defending the free world, of winning World War II.

But when the war was over, the resources went back to the working families of America. Mr. President, the pattern in the Korean conflict was similar because the end of the struggle on the Chosen Peninsula with an unstable trust not only did end the cold war, but it really started the cold war. The level of defense never went back to the level it existed prior to the Korean conflict and the size of government rose at the peak of the war effort, fell back, but ended up falling back based on the lack of decline in the size of defense spending.

Mr. President, when we go to the Vietnam conflict, we see a pattern that is dramatically different. I would like to focus most of my attention today in setting up this debate on our experience post-Vietnam.

Mr. President, I think there are few here today in talking about the potential size of the peace dividend who would argue that the dramatic changes we see in Eastern Europe and the Soviet Union are likely to have a smaller impact on defense spending than the changes that occurred at the end of the Vietnam war.

It is within that context, talking about the size of the so-called peace dividend at the end of the Vietnam war, the fact that the peace dividend was squandered by government is the

focal point of the sense-of-the-Senate resolution that I have offered today.

Mr. President, when the Vietnam war started, we followed exactly the same pattern that we had followed in our previous conflicts in the 20th century. Defense spending rose, Government as a percentage of GNP rose, and taxes rose as we provided the resources for the war effort. But where the unique break with past American experience ended was when the war was over.

I have put together a table here because pictures are sometimes more powerful than words, and I want to go through this picture to give people an idea of the magnitude of the peace dividend post-Vietnam, and the magnitude of the squandering of the birthright of the working men and women of America that made the decade of the 1970's the lost decade of the 20th century for working Americans.

The first point I would like to make is that if you begin in 1970, and you go to 1977, you find that real defense spending fell from 1970 to 1977 on a cumulative basis—that is, if you add up the reduction in real defense spending and you adjust it for inflation—real defense spending by 1977 cumulatively from 1970 was $380 billion less than it would have been had we continued to spend at the real 1970 level.

If one wanted to try to measure what the post-Vietnam war peace dividend was and you looked at what we were spending in 1970, and then what we spent each year through 1977, in essence, over that 7-year period the peace dividend was $380 billion. That is in real 1982 dollars. By 1977, we were spending $71 billion less on defense in real 1982 dollars than we spent in 1970.

Mr. President, you would think that a dramatic decline in real defense spending would free up resources, that those resources would lower the deficit, and that those resources might have gone back to the long-suffering American taxpayer. That was the pattern at the end of World War I, it was the pattern at the end of World War II, and it was the pattern at the end of the Korean conflict. But if you assume that happened, you were absolutely wrong because what happened was as defense spending fell off, nondefense spending skyrocketed. Total spending rose, and the Federal deficit went up like a rocket, as did tax collections.

Mr. President, what happened between 1970 and 1977 is a peace dividend of $380 billion was spent dollar for dollar on new domestic spending programs. The deficit went up, not down. In fact, the deficit during this period rose very substantially, and also during this period Federal taxes rose.

So not only did the Federal Government spend the entire $380 billion of peace dividend, they spent more; the deficit went up, and taxes went up.

Mr. President, my point here is twofold: No. 1, at the end of the Vietnam conflict, we did something that we had not done before in the 20th century in America. That is, when a conflict ended, instead of giving the money back to the working men and women of America, instead of giving the money back to the working families, Government kept the money and they spent every single dollar of it.

Mr. President, what happened to the index of the well-being of the people of America? I think it is interesting, and I do not think it is an accident. It is not the major point of my amendment. But it is relevent that in January of 1981 the average American worker after taxes, after inflation, was worse off than that worker was in 1970. The decade of the 1970's was a decade of lagging growth, falling productivity, declining position of America's world leadership in which the working men and women of America did not benefit from that economic growth which did occur because every penny of the economic growth that occurred was absorbed by Government.

Mr. President, what happened in America in the 1970's is what is happening in Eastern Europe; that is, government does not work, government does not solve problems, and when you take resources away from working people and give it to the government, you make people poorer.

Mr. President, the purpose of this sense-of-the-Senate resolution is to recognize that beginning this year there is going to be a fundamental debate. Make no doubt about it. There are two distinct views as to what should be done with the peace dividend. One view is that it should be spent on Government. And the halls of this great body are full of those planning new programs and new expenditures.

But, Mr. President, there is an alternative. And the alternative is to take the amount of the peace dividend that is necessary as part of a balanced response to our requirement for fiscal responsibility to meet the Gramm-Rudman targets with part of the savings coming from defense growth limitations and part coming from the limitations on the growth of nondefense, but beyond that level of defense restraint to return the peace dividend to the long-suffering American taxpayer.

Mr. President, I do not believe in this year the peace dividend will be large. My guess is it is going to be larger than that proposed by the President. But I do not believe in this year with the tight Gramm-Rudman constraint we face on the deficit that this is the time to be declaring a peace dividend. Also let me say if the lion and the lamb are about to lie down together, I want to be sure that we are the lion. The world will be a lot safer if that is the case.

But I want to put this body on notice. And the notice is that beginning next year there are going to be alternatives to spending money and those alternatives are going to start with the alternative of lowering taxes on working Americans, alternatives such as the alternative to have a child care tax credit so we do not have to have a Federal child care program.

Mr. President, if Federal child care really worked, we would not have knocked down the Berlin Wall to get into Eastern Europe. They would not have knocked it down to get into the west.

I propose that next year we begin to debate about eliminating the Social Security earnings test so that our senior citizens can earn their Social Security and continue to work. Next year, we need to begin the debate about increasing the personal exemptions on the income tax. We need to expand R&D the tax credit.

We need to have a long-term reduction in capital gains tax rates, hopefully adopted this year, but fully in effect next year. Finally, we need to look at lowering marginal tax rates and other savings and investment incentives.

Mr. President, I think it is important that we note that the fundamental issue here is what are we going to do with the peace dividend beyond the level required to balance the budget? Nobody here is proposing that we forget about the Gramm-Rudman targets. Obviously, I am not proposing that we forget it. But the next point I wish to make before we launch into this debate over the two resolutions before us is where we are in terms of meeting the Gramm-Rudman targets.

Mr. President, it is my opinion that the full impact of the peace dividend will probably be felt in fiscal year 1994 or 1995. By that point, under existing law, we would have been required to balance the unified balance deficit, and hopefully we would have moved on to take Social Security off budget, set up a freestanding trust fund, and balance the budget without counting the Social Security trust fund, so that we could have a legitimate trust fund, not just to pay benefits to our parents, but to our children, too.

I want my colleagues to look at this next chart, because this next chart shows us basically where we are today in terms of receipts coming from the Federal Government, in terms of expenditures to the Federal Government; and basically, if we take the average of CBO and OMB data on economic growth, what this first chart shows is that this year we can meet the Gramm-Rudman targets, if we can limit the total level of Federal spending to about 3 percent above the level we spent last year.

I am sure at some point somebody is going to jump up and talk about cuts

in spending to meet deficit reduction targets. In case they do, you need to remember that government uses a different language other than official English. Official English says "cut" means spend less than you used to spend, but here in the Senate and the House, "cut" means spend less than you would have spent. So if you would have spent 8 percent more and you are going to spend 3 percent more, only in government is that called a 5-percent cut.

My point is, if you start here in fiscal year 1991 and you go forward, you basically find that in order to meet the Gramm-Rudman targets, we have to limit the growth of Federal spending to between 2 and 5 percent a year, if the economy remains relatively healthy, between the CBO and OMB projections. Now, beginning in 1994, if we make the decision to take Social Security off budget—which I support—in fiscal year 1993, when we can begin to run a surplus, if we do that, we still can have spending growing almost by 5 percent in 1994 and still meet the Gramm-Rudman targets without counting Social Security.

So the debate, Mr. President, is a debate about what are you going to do with the defense savings beyond the level of balanced fiscal restraint necessary in order to meet the Gramm-Rudman targets and balance the budget, first, in a unified budget and, second, without counting Social Security.

Mr. President, there are going to be those who will say what we need to do is simply apply the peace dividend to deficit reduction. Well, if we are going to do that, what we need to do is change the Gramm-Rudman targets and make those targets more demanding; because if we do not do that, let us say, for example, that in 1993, that we were spending $50 to $60 billion less on defense than we would have been spending had things not changed in Eastern Europe, to simply apply that to the deficit would mean allowing nondefense discretionary to grow by over 10 percent.

Mr. President, that is not the kind of balanced fiscal restraint that I think we are looking for. Also, I think we have to be mindful of the fact that that is exactly what produced the decade of the 1970's when, in fact, the $380 billion that were saved over a 7-year period from the end of the Vietnam war was absorbed in government spending, and then the deficit went up and then taxes went up.

So, Mr. President, the real issue here is this: We are going to make a decision over the next 4 years that is going to fundamentally effect the future of America. If we take this peace dividend in the range of $50 to $70 billion by the mid-1990's, and we let government spend it, we are going to be the only nation on Earth that is moving toward more government and not less.

When we hear a proposal on the floor of the House or the Senate of the United States of America that we take defense savings and spend those savings on government, we are putting ourselves in a very select group, because we are the only people on Earth—not in Eastern Europe, not in the Soviet Union itself, is there any organized, respected body of thought that believes that the answer is more government. Only in the United States of America are we hearing an argument that the fruits of the success of freedom, in reducing the necessity that we outlay from the Treasury to keep Ivan back from the gate and to keep the world free, should go not to the people who won the cold war, the long-suffering American taxpayer, but that that money should go to Government.

If we make that decision, if the result of the end of the cold war under the best case scenario resulted in Government getting bigger and more powerful in the United States of America, it would be the ultimate paradox, because when the rest of the world is moving to affirm the sovereignty of the individual, we would be moving to enthrone government with more power and more resources. Mr. President, that would be a great tragedy indeed.

So I wanted to begin the debate today, not to end the debate today. It may be—and I have not read the alternative which has been offered—that that alternative is acceptable, that it is a clever ploy that will get a partisan division. But I want to assure my colleagues that as long as I am in this body, we are going to vote every single day starting next year when the alternative is to increase spending on government and follow the dead-end path that every organized body of thought on Earth has rejected, except the body of thought in the United States of America, that sees government as the answer to every problem and the solution to every ill.

People are going to have an opportunity to vote on whether we want these programs or whether we want to raise the standard deduction, whether we want these programs, or whether we want to eliminate the earnings test under Social Security, whether we want these programs, or whether we want to activate the enterprise zone bills.

What a great paradox it is, Mr. President, that we are trying to use free enterprise to build Eastern Europe; yet, we will not take the fruits of our success and use it through the enterprise zone bill to rebuild the inner cities of our own Nation. That is what this debate is about today.

Today is not the end of the debate, but the beginning. I rejoice in it, that it is coming, and it is going to have a profound impact on the future of America, and I think people understand that. That is why I am happy that, finally, we are beginning the debate.

I yield the floor.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, I am delighted to hear our colleagues on the other side of the aisle start to talk about a peace dividend and address the question of creating a peace dividend out of savings that will come from cutting back on defense spending. There seems to be universal agreement now all the way around that defense spending is indeed heading down.

But there is going to be, I think, less agreement on the size of that peace dividend. There has been a lot of confusion surrounding the whole question of a peace dividend and the confusion began early when the Department of Defense and the Secretary of Defense, Mr. Cheney, said that they were considering $180 billion in cuts in the defense budget.

Upon closer examination, we find that that $180 billion cut in defense spending actually comes over 5 years, and when we peel that all the way back we find that this $180 billion cut over 5 years is a cut from a sharply increasing defense budget proposal. And when we examine it closer, we find that at the end of the day, at the end of the 5-year period, under the proposal advanced by Secretary Cheney and the administration, we are actually spending $20 billion more for defense than we did at the beginning of this so-called cut in defense spending.

Now, I hope that as this debate progresses we can get assistance from all of our colleagues, including my distinguished friend from Texas, assistance to carve out a peace dividend.

But I would urge my colleagues that before we start indicating what is to be done with this peace dividend, before we start creating the desire for a tax cut, or creating the desire for anything else, we first address the issue: Is there going to be a peace dividend, and if so, how large will it be?

I well remember back in 1981 when we got into the debate on the tax cut at that particular time. My distinguished friend from Texas was one of the leaders in that debate, and the problem with that tax cut, among others, was that we put the checks in the mail to the taxpayers before we found the money for all those magic asterisks that were swimming around in the so-called Gramm-Latta budget.

I was hoping that this time we would actually find the money before we pass it out.

An interesting document, issued by the Office of Management and Budget, the Office of Management and Budget of Ronald Reagan, indicates that as of January 19, 1989, the tax cut of 1981, the so-called Gramm-Latta tax cut, the Economic Recovery Act of 1981, as it is so euphemistically labeled, deprived the Federal Government and its Treasury of $1.441 trillion as of the end of the fiscal year 1989.

That, Mr. President, represents the cumulative deficit of our Government in that period of time.

So before we go breaking the Treasury again, I want to determine the actual size of this peace dividend and I want to have it in hand.

The national defense budget outlays in 1990 amounted to $296.3 billion. There will be a lot of eloquent speeches made about how we ought to use plain English in describing these outlay numbers. Let us not use this Washington jargon of factoring in inflation into the so-called baseline.

Well, if we use that actual plain English approach, we find that the administration this year is increasing defense spending somewhere in the neighborhood of about $8 billion above the defense spending for fiscal year 1990.

So in plain English, the question becomes where is the peace dividend?

On the issue of tax cuts, we are all for cutting taxes. I am certainly for cutting them. But given the recent past, we have to ask tax cuts for whom? Just recently, the President and his budget director dismissed out of hand a tax cut for working American men and working American women.

When they heard of a tax cut proposed by the Senator from New York, our distinguished colleague, Mr. MOYNIHAN, which would have reduced the oppressive burden of the payroll taxes that marched steadily upward during the decade of the 1980's, the administration immediately turned thumbs down.

This President and this administration seems to think that a tax cut for middle-income Americans would be just plain disastrous for the American economy. But on the other hand, the administration argues that a cut in the capital gains tax would simply do wonders for the economy.

I am left in a quandary. Whose economy are we really concerned about here?

The Joint Tax Committee estimates that two-thirds of the Bush capital gains tax cut will be showered on people who earn more than $200,000 a year. These are the same people who saw their incomes grow by 45 percent during the 1980's.

These individuals, Mr. President, were the beneficiaries of this so-called Economic Recovery Act that was passed in 1981 that robbed the Federal Treasury of $1.4 trillion, the same funds that future generations are either going to have to pay back or compromise their standard of living as a result of the squandering that took place in the decade of the 1980's.

Oh, sure, there is going to be plenty of rhetoric: Were it not for that tax cut, we would not have enjoyed all of this so-called unparalleled prosperity that we enjoyed over the past decade. Who enjoyed that prosperity? The prosperity was enjoyed by a very small minority at the top. If you look underneath and see the real figures, you see that the real income of the average American working person has not increased over the past 13 years one whit.

If we have enjoyed better economic times, and I debate that point, it is not a result of this so-called tax cut for the wealthy. It comes about as the result of the breakup of OPEC, among other things. It comes about as a result of many other factors in the economy.

When we talk about middle-income and poor Americans, it seems that we cannot consider taxing them less. These are the people who have been burdened with higher tax rates while faced with stagnant or falling real incomes in the decade of the 1980's.

I am wondering why tax cuts for the wealthy are just so wonderful and why cutting taxes for working men and working women are not.

I hope that all of my colleagues and perhaps even the Senator from Texas, my distinguished friend, might speak to the President of the United States and get him on board tax reductions for working Americans. Perhaps he might even look favorably on the MOYNIHAN proposal, or have an offshoot of it.

Senator MOYNIHAN, our distinguished colleague from New York, has helped point out that the regressive shift in the Tax Code during the 1980's was not kind to working Americans. Senator MOYNIHAN has highlighted the embezzlement that has gone on and is going on today in the Social Security trust fund, embezzlement that we seek to mask by another device called Gramm-Rudman. As long as the operating portion of this budget remains in deficit, this administration will be stealing from the Social Security trust fund, robbing Peter to pay Paul, as we stand here talking about a tax cut.

No matter what arcane accounting procedures are introduced, until the day comes when operating revenues exceed operating expenditures, this embezzlement will continue. And the Congressional Budget Office tells us that the day is a long way off before operating receipts and revenues exceed operating expenditures.

Any proposal to cut taxes at this point would only push that day farther into the future.

At a time when the American people at the grassroots are waking up to the fact that they are being charged with a regressive payroll tax, that these funds are allegedly being set aside for their old age and a rainy day, at a time when they are waking up to the fact that these funds are being used improperly to finance the operating deficit of this Government, I think this is a poor time to be discussing the whole question of tax cuts.

If there is a peace dividend, a lot of other people believe that the peace dividend might be used to offset this embezzlement of the Social Security fund. The administration's answer to that has been to propose more tax cuts for wealthy and more Rube Goldberg accounting schemes, all to prevent the embezzlement from the trust fund from being brought to an end.

But I do not think these gimmicks wash any more. I think the day of reckoning is very near. No accounting games or gimmicks can hide the fact that as long as this operating budget is in deficit, those Social Security trust funds are going to be used to pay for the rest of the operation of this Government.

So I, too, am looking forward to an interesting debate later this year. I look forward to speaking at length about the ongoing embezzlement of Social Security that we have continued to perpetrate here.

I listened with interest to my distinguished friend speak of the increase in Government spending during the decade of the 1970's. But what he did not tell you, Mr. President, is that two-thirds of this increase is accounted for by spending in Social Security and by spending in medicare. And most of this spending, in fact, almost all of it, is financed by taxes brought in by the regressive payroll tax.

So my view comes down to this: Yes, we need to carve out a peace dividend. It is high time that we quit squandering the Nation's resources on overly sophisticated weapons systems for which I can foresee no need in the immediate future or even in the far future. We need to take this peace dividend and we need to apply these funds wisely.

First and foremost, these funds need to be applied to the operating deficit that is soaking up the Social Security trust funds today as I stand here speaking. Then, if there is going to be a tax cut, it needs to be carefully crafted and carefully targeted to help the working men and women of this country, not a tax cut similar to the one that passed in 1981 that simply lined the pockets of the wealthy in this country and caused the rush of sales

of Mercedes Benz automobiles and Cadillacs.

We need a tax that helps working men and women, and not one such as the capital gains tax proposal advanced by the President. We need funds to deal with the problems of drugs. We need funds to deal with the problems of crime here at home. We need funds to deal with the problems of education. We need funds to deal with the problems of our environment.

Mr. President, the amendment that I have offered today, in conjunction with my distinguished colleague from Massachusetts, calls for this peace dividend to be judiciously applied: First, to reduce the budget deficit to stop the hemorrhage, thereby to stop the thievery from the Social Security trust funds; second, to put this Government on a sound financial basis so that we can once more be the master of our own fate, our own economic destiny, and not have to depend on the Japanese, as we did just a few weeks ago, to come in and buy the security instruments of this Government so that we can finance our own deficit. As I stand here today, the Japanese are buying about 25 to 40 percent of the indebtedness sold by this Government by which we finance our budget deficit. A couple of weeks ago, the Japanese sat on the sidelines. They hesitated, and we had to raise interest rates a half point before we could attract them into buying. If sustained, that would cost us about $6 to $8 billion more in 1991 in Federal outlays. The fastest growing components of the Federal budget today is interest paid on the national debt.

So I say it is premature today to be standing here talking about a tax cut or a peace dividend that is illusory. I think the first thing that we must do is join together so that we can have a peace dividend that is substantial. Once we have that peace dividend in hand, then I think we can allocate the means by which it will be used.

I say, first, it ought to be used to reduce this deficit, to get us operating in the black again. Second, it ought to be used to deal with the long-neglected problems that we have in this country. Last, Mr. President, if there is to be a tax cut, it ought to be one that is carefully crafted, that will give some tax relief to these working Americans who have seen their taxes go up steadily during the decade of the 1980's.

Mr. President, just looking at some figures here, we note that during the 1980's, according to the Congressional Budget office, the effective tax rate on the wealthiest 5 percent in this country dropped by 9.5 percent, whereas, on the poorest 10 percent, their effective tax rates went up 28 percent. So much for the tax relief that we got in the decade of the 1980's as a result of the so-called Economic Recovery Act of 1981. We should be very careful to not repeat that grievous error that we committed in 1981 here in the year 1990 if, indeed, a so-called peace dividend should emerge.

Mr. President, I yield the floor.

Mr. KENNEDY. Mr. President, let me say at the outset that it would have been my desire that we not have this debate and discussion on this particular measure, the measure that is dealing with voluntary service for communities across this country, but the Senator from Texas is entitled to raise this issue for discussion and debate. I welcome the leadership that is being provided by the chairman of the Budget Committee, Senator SASSER, and I welcome the opportunity to join with him in an alternative for the Senate to consider.

Mr. President, I was somewhat startled to hear from my good friend, the able legislator, the former distinguished professor of economics, and listen to his analysis in his presentation and review some of the material that he provided for us.

First of all, Mr. President, in looking over the material provided by the Senator from Texas, he talks about a post-Vietnam peace dividend and that the war in Vietnam ended in 1970. Well, I am sure that is news to the many hundreds of thousands of Americans who served in Vietnam in 1971, 1972, 1973, 1974. The last helicopters left in 1957. But the Senator from Texas uses 1970 for the basis of his analysis. Could it be that he was using it not because it was the end of the war—although his presentation would suggest that that is the basis of the argument, the post-Vietnam peace dividend. Well, the war went right through 1975. And when you start his kind of analysis, in 1975 to 1977, you have to reach a rather dramatic different conclusion.

Then, the Senator from Texas tells us that the behavior of the official poverty rate between 1983 and 1988 proves something about the virtues of slashing domestic spending and cutting taxes massively. Let me quote him precisely:

> Tax cuts plus limiting the growth of Federal spending in the 1980's has proven superior in terms of reduction of misery and poverty.

Mr. President, in 1988 the official measured poverty rate was 13.1 percent. The statistic, when translated, means that over 30 million Americans, over 12 million of them children, are living in poverty. Over a decade earlier, in 1977, the officially measured poverty rate was only 11.3 percent.

Just what it is that has been proven superior is not immediately clear to this Senator. Because using the standard of proof of the Senator from Texas, one would be entitled to the obviously absurd conclusion that the stagflation, inflation, slow growth of 1973 through 1976 was proven superior in terms of reduction of misery and poverty.

We do not make that case and we do not suggest that that is the situation. We just cannot follow that kind of logic. It does not justify the lowering of the poverty rate in the late 1970's, when we had other factors that impacted it. And the figures which the Senator from Texas took, when the poverty rate went up during the Reagan period and then went down a little, to try to say all those economic policies really were the thing that brought it down—the statistics, I do not believe, justify. And I think the statistical game has no place here in the Senate.

I will just mention a final one, Mr. President. The Senator from Texas suggested that an analysis of the economic data proves that there is a single right answer to the question of how best to employ a peace dividend. Let me give just one example.

In the materials circulated by the Senator from Texas, he notes that the ratio of total Federal spending to GNP declined by approximately 18 points between 1945 and 1946. He suggests that this single measure explains why the domestic economy boomed in the postwar era.

What the Senator's data does not tell us is that something even more striking happened between 1945 and 1946. Domestic spending doubled. It doubled in the forms of commitment in education, health care, and the development of our road system. It just doubled in 1 year.

So, does this prove that the correct path in 1991 is to double domestic spending? Of course not. And no one is suggesting it.

But using the standard of proof advanced by the Senator from Texas, one would be entitled to such a conclusion. And that is, of course, the key point here. There are no simple, infallible, easily proved and always correct answers. We face an historic opportunity to wind down decades of cold war spending and to use the newly freed-up resources to build economic and social strength. We must take that opportunity seriously and not substitute ideology for careful analysis.

Mr. President, I see my friend and cosponsor, the Senator from Maryland, would like to speak. Then I would like to at least put forward a real alternative for the peace dividend for at least the debate and discussion here on the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I modify my pending first-degree amendment, amendment No. 1270, to accept the pending second-degree amendment No. 1271.

The PRESIDING OFFICER. The Senator has a right to modify his

amendment. The amendment is so modified.

The amendment (No. 1270), as modified, is as follows:

At the appropriate place in the bill, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDED".

(a) FINDINGS.—The Congress finds that—

(1) In recent months dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union;

(2) these democratic reforms may permit the preservation of our Nation's security at a cost less than current budget projections;

(3) the changes in Eastern Europe and the Soviet Union are a direct result of the American taxpayer's willingness and determination to pay the price for the advancement of freedom through the world;

(4) the changes in Eastern Europe and the Soviet Union are also a direct result of the total inability of socialist economies to compete with free-market economies;

(5) the family has been the keystone of the ability of Western democracies to promote growth and opportunity; and

(6) the recent democratic reforms in Eastern Europe and the Soviet Union have again demonstrated the need to redirect resources from government to the family to meet effectively individual needs of health, education, training, and nutrition.

(b) POLICY.—It is the sense of the Senate that—

(1) any savings resulting from lower defense expenditures below the level required for balanced fiscal restraint to meet the Gramm-Rudman-Hollings deficit targets and to achieve a balanced budget excluding the Social Security Trust Fund should be returned to America's taxpayers;

(2) only by returning defense savings to American families to invest in their futures and, thus, America's future can the United States assure that the "peace dividend" will be wisely invested; and

(3) savings from the so-called "peace dividend" should be returned to the American taxpayer in the form of measures such as a refundable child care tax deduction, repeal of the Social Security earnings test, an increase in the personal exemption, expansion of a permanent research and development tax credit, a long-term capital gains tax cut, further lowering of marginal tax rates, and other savings and investment incentives.

Mr. GRAMM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized as in morning business.

THE PRESIDENT'S FISCAL YEAR 1991 BUDGET REQUEST FOR INDIAN PROGRAMS

Mr. McCAIN. Mr. President, I rise today to express my dismay and indignation about the lack of adequate funding to assist our most needy citizens, the Indian and native people of this Nation.

Under the leadership of Senator INOUYE, the Select Committee on Indian Affairs has been engaged in a careful analysis of the historic trends in Federal funding for Indian programs and services. This study reveals a very disturbing fact: funds for Indian programs and services are declining by any accepted measure.

The eligible Indian service population has nearly doubled in the last 20 years. Although it is very likely that the Congress will appropriate in excess of $3 billion for Indian programs in fiscal year 1991, in terms of constant 1982 dollars this appropriation is equivalent to only $1.6 billion. The fact is that Congress is not appropriating and the administration is not requesting sufficient annual funding to keep pace with inflation. When the increase in Indian populations is factored in, which it never is, the funding crisis takes on a new dimension. In general, Indian and native peoples suffer the highest poverty and unemployment rates in the Nation. Yet over the past 15 years Federal funding per capita has increased for all citizens in this Nation except Indians and natives. In fact, the steady decline in funding is such that we are now spending more per capita on everyone else—a condition which has existed and worsened since 1985.

The fiscal year 1991 budget request will continue this trend. The Bureau of Indian Affairs is seeking a net increase over 1990 of less than 1 percent. With projected pay absorptions the BIA budget will actually decline. The IHS claims to be seeking an increase of at least 7 percent, but the net increase is actually closer to 2 percent when pay absorptions and unrealistic assumptions about third-party payments are taken into account. HUD proposes complete elimination of the Indian Housing Program. Funding for the Office of Indian Education and the Administration on Native Americans would basically be stagnant. In sum, inflation will once again result in an actual decrease in funding for Indian programs and services in fiscal year 1991 if we accept the President's budget request.

This is an intolerable situation. We are effectively compelling our poorest citizens to bear a disproportionate share of the Federal fiscal burden. It is simply not acceptable for the administration to propose to eliminate Indian housing funds when there is a documented need for tens of thousands of new homes. It is simply not acceptable to only request $15 million for sanitation facilities when there is a documented backlog of $675 million.

It is simply not acceptable to propose essentially level funding for Indian education programs when student populations and education costs are increasing. These comments serve to highlight only a few points. A careful review of the 1991 budget request for Indian and native programs reveals that virtually every program or service is slated for a real reduction in funding. There is and can be no viable justification for this fact. I hope that the responsible officials in the administration will begin to work with us so we can reverse the downward trend in funding for Indian and native programs and services. I, for one, believe we are legally and morally bound to do no less.

Mr. President, this chart that I have here is a comparison of real annual percent changes in Federal budgets and the Indian budget. You might notice the Department of Education has received an increase in health functions, HUD, et cetera, while Indian education has a serious decrease in BIA education, Indian housing, economic development for Indians, BIA economic developments, Association for Native Americans, American Natives Administration, total Indian programs in BIA as opposed to total Federal budget.

Mr. President, there is another chart I would like to point out here, and that has to do with the overall funding since fiscal year 1975. Projected BIA and overall Indian spending in real dollars, as we can see, is declining.

Mr. President, the reason these graphs are so incredibly onerous, in my view, is that there is no way you can put on the chart the dramatic and dynamic explosion in population of native Americans which exacerbates these numbers rather dramatically. Most statistics indicate that over half the population on Indian reservations today are below the age of 18. These people need these programs; they need help; they need assistance.

Finally, Mr. President, as the vice chairman of the Select Committee on Indian Affairs last year, we held a series of hearings which I believe will prove to be important in addressing some of these issues. The first hearing, the first witness was Mr. Leonard Garment who likened Congress and the American people's attention to Indian issues with that of the 17-year locust. Once every 17 years, the locust comes out and makes a lot of noise, we pay a lot of attention to it and then it goes back into the woodwork, the trees, the ground or wherever 17-year locusts disappear to.

The fact is today, Mr. President, America's neediest citizens, America's poorest citizens are receiving the least

amount of the Federal dollar. I will be proposing amendments and increases in appropriations throughout the coming year in order to rectify some of these gross inequities, and I look forward to receiving the support of my colleagues in what I think is an effort which is a moral imperative.

Mr. McCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

The Senate continued with the consideration of the bill.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays on the Gramm underlying amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I send an amendment to the desk. I ask for the regular order.

The PRESIDING OFFICER. Is there debate on the amendment?

Mr. GRAMM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

AMENDMENT NO. 1272 TO AMENDMENT NO. 1270, AS MODIFIED

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 1272 to the Gramm amendment No. 1270 as modified.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. KENNEDY. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued as follows:

In lieu of the matter proposed to be inserted insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, head start, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

MOTION TO RECOMMIT WITH INSTRUCTIONS AMENDMENT NO. 1273

Mr. GRAMM. Mr. President, I move to recommit the pending bill with instructions to report back in status quo, with the following amendment which I send to the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas moves to recommit the bill with instructions to report back in status quo with the following amendment, Amendment Numbered 1273:

At the appropriate place in the bill, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Congress finds that—

(1) in recent months dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union;

(2) these democratic reforms may permit the preservation of our Nation's security at a cost less than current budget projections;

(3) the changes in Eastern Europe and the Soviet Union are a direct result of the American taxpayer's willingness and determination to pay the price for the advancement of freedom throughout the world;

(4) the changes in Eastern Europe and the Soviet Union are also a direct result of the total inability of socialist economies to compete with free-market economies;

(5) the family has been the keystone of the ability of Western democracies to promote growth and opportunity; and

(6) the recent democratic reforms in Eastern Europe and the Soviet Union have again demonstrated the need to redirect resources from government to the family to meet effectively individual needs of health, education, training, and nutrition.

(b) POLICY.—It is the sense of the Senate that—

(1) any savings resulting from lower defense expenditures below the level required for balanced fiscal restraint to meet the Gramm-Rudman-Hollings deficit targets and to achieve a balanced budget excluding the Social Security Trust Fund should be returned to America's taxpayers;

(2) only by returning defense savings to American families to invest in their futures and, thus, America's future can the United States assure that the "peace dividend" will be wisely invested; and

(3) savings from the so-called "peace dividend" should be returned to the American taxpayer in the form of measures such as a refundable child care tax deduction, repeal of the Social Security earnings test, an increase in the personal exemption, expansion of a permanent research and development tax credit, a long-term capital gains tax cut, further lowering of marginal tax rates, and other savings and investment incentives.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I rise in support of the pending Gramm amendment on the "peace dividend."

Before proceeding, I would like to remind my colleagues that it is well not to be too premature in judging to the size and availability of this so-called peace dividend. We have along way to go to secure the kind of peace we need to obtain a significant dividend. We must sign and implement conventional reductions agreements and START agreements, and see the U.S.S.R. make good on its promises of major unilateral arms reductions. However, I do not think there is any serious reason to doubt that there will be a significant peace dividend.

This dividend may well help us cut taxes, but it is important to note that it will not make a significant reduction in the budget deficit. Defense spending has already dropped to around 5 percent of the GNP and the current budget plans of the Bush administration call for it to drop to 4 percent in fiscal year 1995—the lowest level in 50 years.

Defense spending has not driven the increase in Federal spending, taxes, or the budget deficit that has placed such a burden on the American people. The increases have taken place in civil spending and entitlements—which have risen from less than 50 percent of the Federal budget in the 1950's to more than 60 percent in the late 1960's, to 75 percent in the late 1980's. As a result, Federal spending on domestic and entitlement programs has risen from 7.3 percent of GNP at the end of the Korean war, and 11.5 percent at the end of the Vietnam war, to 17 percent in fiscal year 1990.

Important as the peace dividend may eventually be, our primary goal must be to cut the budget deficit and Federal spending. Nondefense Federal, State, and local programs are consuming an ever increasing percent of our GNP. State and local taxes have compensated for most reductions in Federal taxes, and the total tax burden Government places on the American people is over 30 percent of our GNP,

and virtually one-third of all the economic activity in the United States.

We also know that the American people want a strong economy. They know the best way to maintain a strong economy is to have money in their pockets and in their bank accounts—money which they can both save and invest in the future of this country.

We also need to reduce taxes to help deal with the impact of cutting defense spending on the economy.

In a State like mine, Mr. President, we will experience significant defense cuts. We will need sufficient capital to stimulate small and large businesses, and compensate for the unemployment which we are bound to experience when major defense industries experience significant reductions.

More generally, I worry about the perception throughout the world that this Congress keeps trying to hide the deficit rather than reduce it. Using the savings from the peace dividend to pay for more civil spending would just be another example of such "smoke and mirrors." In contrast, restraint on the part of the Congress that reduced total Federal spending would serve us well.

Accordingly, I cannot support Senator GRAMM too strongly in saying when the peace dividend comes, and we can safely begin to spend it, it is the American people who have earned it. It is the American people, through their steadfast adherence to the principles of freedom and democracy, their respect for human rights and, very importantly, their willingness to spend hundreds and hundreds of billions of their tax dollars for defense and freedom throughout the world, that sacrifice should be repaid to them in the form of a tax cut so that they can have those moneys to invest, to save, and to use for their education, for their welfare, and that of their children.

So I want to congratulate my friend from Texas on a very well-thought-out amendment, and one that I think most of the American people will support. I congratulate him on his recognition that larger governments and larger government programs do not necessarily mean that we will have a healthy economy and healthy Americans, but giving the American people more money for investment, for savings, and to make our economy continue to grow is the best thing we can do for all Americans.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you, Mr. President. I rise in support of the Kennedy alternative to this discussion on the peace dividend.

I find it very intriguing that the party of the administration has brought up even the concept of the peace dividend because I have seen nothing in the Defense Department budget that indicates that we are heading toward a peace dividend.

I hope we will. We spend $157 billion on the defense of Western Europe. If in fact the cold war is over, maybe we could get one ice cube back for the American people and put it to work here in our own country. What would be my idea of one ice cube? Ten percent, which would be approximately $15 billion. What will we do with it? I would say yes, we apply it to deficit reduction. But at the same time, to then apply a substantial part of that in investing in a America's future.

That $157 billion that we spent on the defense of Western Europe has been well spent. It has been spent on the preservation of our national security. But, Mr. President, what then is the new call for our national security? How do we maintain our security, particularly in the 21st century? I believe that our political freedom rests on our economic freedom and our economic vitality. In order to do that we have to think of a global economy. We have to think of science. We have to think of technology.

Mr. President, I then want to take the next step to talk about my Subcommittee on Appropriations. I feel very privileged and honored to chair the Subcommittee on Appropriations that I think deals with America's future.

Mr. President, it deals with veterans, housing, the National Space Agency, EPA, and the National Science Foundation, as well as 23 other agencies.

The distinguished Senator from Texas, who offered the original amendment or the first-degree amendment, is on that subcommittee, and he knows how squeezed for revenue we were. Where were we squeezed for revenue? A program like NASA: In order to keep America flying in space we have to have White House meetings—and I must say the White House is very cooperative—on how we can keep the shuttle flying, and how we talk about the space station. Now our Vice President wants to take us to the Moon and to Mars at the cost initially this year alone of $175 million.

Mr. President, there is an old song that says "Fly Me to the Moon." But right now I only have those high notes to take me there. I have no sustainable revenue source for the NASA program.

Let us take a look at the National Science Foundation. When I finished with my 302(b), working with Senator GARN, my very able ranking minority, all we could put into the National Science Foundation was $2 billion. Mr. President, in times of the real American need for scientific research and scientific education, that is a rinky-dink amount of money. In the area of science education alone, Mr. President, all we could put into science education was $191 million. Our whole community college system only had access to $4 million for reinstrumentation of their laboratories, and this is the institutional framework, the educational framework that is supposed to educate the kids for the 21st century in technical fields. Mr. President, that was $4 million.

Then we talked about the laboratory rehabilitation we talked about the laboratory and those schools that are most likely to be the incubators for bachelors, masters, and Ph.D.'s; primarily our small- to medium-sized colleges. The authorizing committee authorized $100 million for that revitalization of our college laboratories. The most I could squeeze to get into it was $20 million.

Mr. President, in historic black colleges, this afternoon in some of those schools, the laboratories are of such an age that they constitute health hazards. When we talk about why did our guys fight for this country, why did we continue to fund NATO, so that we could have the freedom to pursue our future. In order to do that, we have to put our money into something. So if there is a peace dividend, let us make sure we reinvest so we keep the peace in terms of our economic prosperity.

Mr. President, there is no tax deduction to do the kinds of things that I am talking about. There is no tax deducations to fund NASA. There is no tax deduction to fund elementary and secondary education in science-education. So I think I make my point.

I really am sympathetic to the middle class who feel besieged, beleaguered and beset. A lot of it is because of local property tax, and local property taxes have increased because we have shifted the burden. We have shifted; we have not alleviated the burden. We have shifted the burden.

Now that middle class feels that general revenue sharing alone—in my own community—has resulted in a diminishment in service and increase in property tax. I am sure it is true in Dallas and Houston as it is in Phoenix, and in any other part of this country, Mr. President.

If we really want to reduce taxes, the Federal Government ought to assume that responsibility which is theirs, and do not leave it to local city councils to foot the bill. And those ordinary people who own homes, Mr. President, if there is a peace dividend, let us make sure we invest in our 21st century some of the results.

Mr. BOSCHWITZ. Mr. President, I agree with what my friend from Maryland said because it is not clear to me either that there is a peace dividend in the offering.

I have not seen the negotiations that have allowed us to really make the kind of cuts in defense that would constitute a peace dividend. On the other hand, some people might say there has already been a peace dividend, because defense has not grown.

While the budget has grown at a rate in excess of inflation in the last few years, defense has grown at a rate a good deal less than inflation. So in a way there has already been a defense dividend.

One has to ask: Have we made some savings? Has the budget deficit really gone down? With the exception of 1987, when overall Government spending went up by just 1.3 percent, we were able to hold Government increases in spending down. As a matter of fact, the budget deficit came from $221 to $150, down by a third. Regretfully, we have not been able to do that 2 years in a row.

That is what the Senator from Texas stands for, what the Senator from Colorado stands for, and what I stand for. We would like to keep spending down for more than a couple of years in row. In a sense, there has been a defense dividend already that all of us can spend. As we look ahead and say that it is likely we are going to have some truthful negotiations, it is not unlikely that our commitments in defense may indeed go down. It is simply too soon to say.

This morning at the Budget Committee one of my colleagues said we are already to receive our mustering-out pay. The cold war is over. That is not clear to me at all. I have seen no evidence that the Russians have reduced their numbers of missiles, reduced their number of people in the armed services, and their number of tanks or anything else.

I certainly have seen some evidence that society struggles with this defense burden. It is not unlikely that there will be some reductions, as it is not unlikely that there will be some future negotiations that will lead to a meaningful peace dividend.

But this bill, Mr. President, is already an effort to spend it. That is why the Senator from Texas and now the Senator from Minnesota wishes to speak out about this bill. This is an effort to spend. And, as a matter of fact, if you look at the report of this bill, on page 72, the estimated outlays as, I understand, have been changed.

The estimated outlays are about $700 million in a 5-year period, and the estimated budget authority is $2.406 billion over a 5-year period. I understand that some changes have been made, but I also understand there is a smaller initial outlay and authorization, and we will see that grow in future years.

This amendment expresses our efforts to whack away at the budget deficit in the event there is a peace dividend. This amendment assures our children and grandchildren that debts still larger than the ones that we have before us today will not be imposed on them.

We hope that there will be a peace dividend. It would be good for our children, our grandchildren and the world. Whether or not it is to come is still, I believe, a matter of negotiation in most areas.

As the Senator from Texas has pointed out, many peace dividends are indeed inured to the benefit of the taxpayers, because taxpayers and citizens of this country have been able to increase and improve their living standards. But he also pointed out that the peace dividend we most recently experienced following the Vietnam conflict was a peace dividend that was consumed entirely by growing Federal programs. Many of these programs were initiated at a time when the Vietnam war was escalating. None of that inured to the benefit of the taxpayer, and indeed it established the deficit at about the level that it was now.

Many people criticize President Reagan for the level of the deficit. Few here in this body point out that the President submits a budget, and thereafter, it is the Congress that passes the budget. The budget, unlike other pieces of legislation here, does not have to be signed. It is not a piece of legislation in the sense that it is subject to a Presidential veto.

After the President submits the budget, the Congress determines what is going to be spent and what the balances are going to be at the end of the year. yes, the President can veto some legislation, if required, but by and large the budget is in our hands. Perhaps we, and not the President, should share the major part of the blame for the deficit.

Even if the President is to blame, it is interesting to note that the level of the deficit presently is somewhat lower than the deficit when Ronald Reagan became President in 1981, if you compare it as a percentage of gross national profits. Frankly we want a peace dividend and we hope a peace divident will come. It would be a marvelous thing for all of America.

We understand that not all of it will be used to reduce the deficit. I think that probably is a practical and realistic assessment of what is going to happen. But nevertheless, some or perhaps even most of it, should be applied to the deficit so that people will not have to see their taxes increased, so that the people of the United States will be able to experience better and higher living standards, so that the people of the United States will have a choice to make about how the money is spent and not we here in the Senate or in the House or the Government.

That really is the essence of a free people, that they have control of their lives and of their futures, and that the Government does not have the ability, or has not sought to have the ability to do all things for them.

So I am in total agreement with my friend from Texas. I think this is a good amendment on the right bill. I think that this bill is one of a number of bills that we are going to see here, that in effect are efforts to spend the peace dividend even before it arrives. As the Senator from Maryland has stated, the peace dividend has not yet arrived.

She listed a number of other areas, and I do not disagree with her in those areas. There are many things I would like to spend more money on in the Government, particularly the areas she spoke about: education, research and development.

Yes, we have this compulsion, this mandate that we have to get the budget deficit under control. It is one of the serious undone jobs that we face before us. Therefore, I compliment the Senator from Texas for bringing forward this amendment at this time and for putting it on this bill. This bill is one of a series of steps that all of us are going to experience in an effort to spend the peace dividend even before it arrives.

I yield the floor.

Mr. ARMSTRONG addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, a lot of times in this body, we vote on things that have sort of hidden meanings. We vote on issues that are in fact proxies for larger issues. We vote on pieces of legislation that give us a chance to sort of hint at our underlying principles and philosophies which guide us. Once in a while we really get to vote on something that clearly says here is how we feel about the country and how we feel about where we ought to go.

The Gramm amendment is such an occasion. It is fairly rare that you get such a direct, broad-gauged issue presented with such clarity and simplicity, This is a very simple matter. If there is a peace dividend—and I have skepticism about that, and I will comment on that briefly. But if we have a peace dividend, if additional funds are released for military spending, we have some option over what happens to those funds.

Some in the Chamber believe that we ought to spend that money by creating or increasing funding for existing programs in domestic spending, many of which are worthy programs. Others think we ought to give it back to the taxpayers or use it to reduce the national debt.

Senator GRAMM says that to the extent there is money available, it ought to go back to the taxpayers. After all, they financed the cold war in the first place and made it possible to win the victories that seem to be on the horizon.

I do not know if he used this expression today, but I have heard him tell about the distinction between those who are pulling the wagon and those who are riding in the wagon and the ones shooting the wheels off the wagon. If he did not use that analogy today, he should have, because this is a clear-cut case.

If we have extra money, do we want to give it back to the people who have made all this possible in the first place? It is their money to start with. Should they be permitted to keep a greater fraction of it? I am sure none of my colleagues will be surprised to learn that I come down on the side of giving it back to the taxpayers or using the money, to the extent there is a peace dividend, to reduce the national debt.

Will there be a peace dividend? I am agnostic about that. I am sure that there really will be. In fact, with all the discussion about how we are going to save money in defense spending, I have been trying to think, where are we going to make these gigantic savings?

I cannot help recalling that even those who seldom or never vote for a defense measure around here, when it comes to closing down a base in their home constituency, by gosh, they think that is a terrible idea. Even those who, all through the years, when some of us were fighting to build up the armed strength of this country because we thought that was the way to keep peace and win victories without violence, we could not get support from a certain contingent in this body. And yet whenever there was a proposal to close down a camp, post, installation, or even a recruiting office, some of these same people stood up and said: You cannot close that; that is in my District.

That is their right, but knowing human nature, I guess when it comes right down to making some of these savings, it will not be as easy to do as a lot of people think.

It may be that those Senators and Members of the House that represent the great sea ports of this country where there are ships home ported will say, yes, it is time to decommission a bunch of ships and discharge a bunch of sailors and close down naval yards. I will be surprised if that happens. Perhaps I shall be pleasantly surprised.

But I recall, for example, when there was a proposal to close an installation or two in my own home State of Colorado, that every Member of the Colorado congressional delegation, except one, stood up to say that that was just unthinkable, that we could not possibly close anything that would affect our constituents.

I guess that is the same thing that has happened in a lot of States and a lot of areas.

There is a natural desire to continue spending even for things that might seem to be outmoded by world developments. I do not know if there will be a peace dividend. Frankly, I hope there is. To some extent I believe there should be. It appears to me we should not miss the opportunity to put our fiscal house in order if there is a peace dividend. To the extent that we have funds available where we have an option of either spending them to create or fund new programs or give it back to the taxpayers, it seems to me it is time to give the taxpayers a break.

So I congratulate my friend from Texas. I am not sure if I am a cosponsor of this amendment. If I am not, I ask unanimous consent that I be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

Mr. GORTON. Mr. President, I wish to add my voice to those which have offered support to the amendment proposed by the distinguished Senator from Texas. I understand we have now resolved the procedural difficulties and will have an opportunity to vote for or against both his amendment and that which the distinguished Senator from Massachusetts offered for Senator SASSER.

I believe, however, that I should begin my remarks by pointing out that the principal peace dividend which the United States has received as a result of its strength and determination is peace itself. To the extent that Members are willing to congratulate this country and themselves for the proposition that the cold war is either completely over, as some claim, or that at the very least we live in a much safer world this year than was the case 1 year ago, that happy set of circumstances is, I believe, due to the fact that the people of the United States have been willing to sacrifice, have been willing to burden themselves with the cost of a national defense system which has made them secure, has secured the balance of the free world and which has provided the kind of beacon which has caused many other nations to select the kind of freedom and opportunity which we represent as against that of our erstwhile rivals.

In fact, one of the most salutary results of this period of time has been the domestic changes in the Soviet Union itself, and while it perhaps has greater difficulties than do any of its former satellities in Eastern Europe, nevertheless, the Soviet people are no different from those of any other country in their desire for freedom and for economic opportunity.

So, we really have already gained an immense peace dividend, the kind of peace dividend for which Presidents as long ago as Harry Truman and Dwight Eisenhower worked, a peace dividend which has been the goal of those who have believed in the message of the United States and in its strength over a period of close to five decades now.

As a consequence of this true peace dividend, there also will be a fiscal dividend as well. Whether we can define it as precisely as did the distinguished Senator from Maryland [Ms. MIKULSKI]—I believe she used the figure $157 billion—of course, I am not quite certain, but there will be immense savings in expenditures in national defense from those we expected we would have to undertake as recently as a year or 2 ago. Yes, there will be.

The debate, which is essentially being initiated here on the floor of the U.S. Senate this afternoon, is over how we deal with that fiscal defense dividend, where does that money go, where would it be most constructively utilized.

If the Senator from Texas has offered us any insight in that program, and I believe he has offered serveral such insights, the most important is his recalling of the history of the last similar peace dividend and a reminder that we should take certain lessons from the way in which that peace dividend was utilized. Wherever or whenever that peace dividend began, and it certainly did begin before the formal termination of the Vietnam war, it did amount to at least several hundred billion dollars.

Yet, as the distinguished Senator from Texas has pointed out, the net result after that huge multihundreds of billions of dollars of peace dividend had been granted to the United States was that we were spending more money than we had been spending before, that the tax burden on the American people was greater than it had been before, that the rate of inflation was higher than it had been before, and that the national deficit was greater than it was at the beginning of the term of that peace dividend, largely because so many undifferentiated, different, and sometimes inconsistent, spending programs had been launched, each with a good will and each with its own individual justification by the Congress of the United States.

As a consequence, the Senator from Texas has suggested that we learn from that lesson and that the next time around we first get our own fiscal house in order, and in this respect his proposal and that of the distinguished Senator from Massachusetts, at least chronologically, are identical. Each of

them speaks of this peace dividend really beginning only when we have brought our national fiscal house in order and have balanced the budget, specifically, in the case of the proposal of the Senator from Massachusetts, after we have balanced the budget without counting into that calculation receipts which go into the Social Security trust fund. Thereafter, the two proposals differ. The Senator from Massachusetts proposes, as a second priority, that the money be used on a wide range of social or infrastructure programs, each of which, taken individually, is obviously desirable for the country, but which do not differ in their philosophy, in the view of this Senator, from the way in which we handled the priorities at the time of that earlier post-Vietnam peace dividend, with a very slight change in phraseology.

What the Senator from Massachusetts commends to us is precisely what led us into all of our various difficulties toward the end of the 1970's.

Then after that, the proposal of the Senator from Massachusetts again becomes more or less identical, certainly highly similar to that of the Senator from Texas. Then the balance of the money should be returned to the American people as individuals and as families to set priorities as they wished.

This similarity, however, hides a fairly profound difference between the two approaches. The Senator from Texas has great faith in the wisdom and the ability of the American people to set their own priorities with their own money. The Senator from Massachusetts, by setting that priority third and having so many others ahead of it, almost effectively precludes any real tax relief to the American people themselves and essentially says that the Congress can determine a better set of priorities for the spending of this money than can the people themselves.

On consideration, Mr. President, I suspect that I will vote for both of these amendments. I greatly prefer that proposed by the Senator from Texas because, it seems to me, that it takes counsel of the lessons which we have learned from history and sets the orders of priorities correctly. But I will say for the Senator from Massachusetts that, by setting at the very beginning of this process an appropriate, proper, and, I would say, a conservative fiscal policy, it is certainly a better order of priorities than to do nothing at all and to move helter-skelter into the future without even having considered how we will order these priorities.

So, I am delighted to be a cosponsor of the amendment proposed by the Senator from Texas, which seems to me to set proper fiscal priorities. I am almost equally pleased that it has elicited from the Senator from Massachusetts the kind of response it has, because that response, while I do not believe it to be as positive as the proposal from the Senator from Texas, is certainly an improvement over doing nothing.

This is a debate which obviously will engage Members of this body and the other body and the people of the United States through the entire decade of the 1990's. I believe we have made a good start today, and we could do far worse than to adopt both of these amendments.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, what I would like to do is propound the request to deal with the proposal of Senator GRAMM and Senator SASSER. I understand it is agreeable to the Senator from Texas.

I ask unanimous consent that the motion to recommit be withdrawn and that there be 60 minutes equally divided between Senators KENNEDY and GRAMM, that immediately upon the conclusion or yielding back of time the Senate vote immediately, without any intervening action, on a Sasser amendment identical to amendment No. 1271, to be modified as a first-degree amendment, and that immediately upon the completion of that vote, the Senate vote, without any intervening action, on the Gramm amendment No. 1270, as further modified by amendment No. 1273, that amendment No. 1272 be withdrawn, that no amendments or motions be in order to the amendment, except a motion to table the motion to reconsider the vote.

The PRESIDING OFFICER. Is there objection?

Mr. HELMS. Reserving the right to object and I hope I will not have to object.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. If it would be agreed that I would have no more than 7 or 8 minutes, but I want to be assured of that much.

Mr. GRAMM. I would be happy to yield to the Senator from North Carolina.

Mr. LOTT. Reserving the right to object, we are going to be protected and have an opportunity to participate in this debate even under this agreement, are we not?

Mr. GRAMM. It would be my intention, knowing the great eloquence of the Senator from Mississippi, to yield him a substantial amount of the time that I have. And I intend to yield a part of that time to the distinguished Senator from Idaho.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 1274

(Purpose: To state the sense of the Senate on the uses of the peace dividend)

Mr. SASSER. Mr. President, I send an amendment to the desk for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. SASSER], for himself, Mr. KENNEDY, and Mr. KOHL, proposes an amendment numbered 1274.

Mr. SASSER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. SYMMS. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue reading the amendment.

The legislative clerk continued reading as follows:

At the end of the bill, insert the following:

SEC . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. I yield such time as the Senator from Tennessee desires.

Mr. SASSER. Mr. President, I thank the distinguished Senator from Massachusetts.

I think this debate today is significant because for the first time I think there is a general consensus that there is going to be a peace dividend. I said in times past that if there is going to be a peace dividend this year in this budget it is going to be up to the Congress to carve out a peace dividend.

Last year, the administration, in their defense function of the Federal budget, spent somewhere in the neighborhood of $296 to $298 billion in outlays. This year, the administration is requesting $306 billion in funds for the 1991 defense budget.

Clearly, Mr. President, there is no peace dividend in this budget that was submitted this year by the Bush administration. But judging from the tenor of this debate so far, it would appear that there is a general consen-

sus here among our colleagues that there is going to be a peace dividend. And the question simply is, how should this peace dividend be utilized?

Well, I could not agree more that a peace dividend ought to be utilized initially, and substantial portions of it, to reduce the Federal deficit.

How large a peace dividend should we strive for? The years immediately following the Korean war, leading up to the war in Vietnam and in the years immediately following the war in Vietnam before we engaged in the massive military buildup beginning in 1982, we averaged spending somewhere in the range of $215 billion in 1990 dollars for defense. Now, in 1990 dollars, that is roughly about $80 to $85 billion more than the administration is requesting in their defense budget this year.

Bear in mind that following the war in Korea and following the war in Vietnam, we were facing a Soviet Union that we deemed to be inherently hostile to the United States, one that was threatening and that we perceived to be armed to the teeth. I submit now that we are making some judgments which indicate that perhaps our original estimates of the military prowess of the Soviet Union during those periods was overestimated. But, nevertheless, we felt that $215 to $220 billion a year in 1990 dollars was sufficient to meet the Soviet threat during the decade of the 1950's, during a portion of the decade of the 1960's, before we became actively engaged in Vietnam, and we felt that amount was sufficient following our disengagement from Vietnam. This was during the period of the Eisenhower administration, the early years of President Kennedy's administration, the years of President Nixon's administration, following Vietnam, and President Ford's administration following Vietnam, and also during the era of President Carter.

So clearly there is a peace dividend to be had here if the Congress will simply carve it out, a peace dividend that can amount to as much as $80- or $90 billion in a period of 2 or 3 years without impairing the ability of this Government to protect the national security of the United States one whit.

Now let us say that that peace dividend is delivered. Where should it go? Well, I submit, No. 1, it ought to go to help balance this budget deficit. We have been running, during this decade of the 1980's, the largest budget deficits in the history of this country. We have seen the national indebtedness of the United States triple during the space of the 1980's.

It took this country 200 years to buildup a national debt of slightly under $1 trillion, but from 1981 forward we have seen that national debt more than triple.

Then we look to see what is the proximate cause of this hemorrhage from the Treasury of the United States. Well, I called my colleagues' attention just a moment ago to the Economic Recovery Act of 1981. According to the Office of Management and Budget of President Reagan, Reagan's OMB, the Economic Recovery Act of 1981, the so-called supply side tax cut, deprived this Treasury of $1.400 trillion over the decade of the 1980's. You take that number and add to it the military buildup during the decade of the 1980's and there is your increase in the national debt.

Now, the question comes: Where did this tax cut go to? Who benefited from the tax cuts in 1981?

Well, Mr. President, clearly the working men and women of this country did not benefit from that tax cut. During the decade of the 1980's, the richest 5 percent, as I said earlier, saw there incomes go up 45 percent. The poorest 10 percent saw their incomes go down by 8.4 percent, according to the Congressional Budget Office.

During the decade of the 1980's, we saw the formulation of the most regressive tax structure in the 20th-century history of this country. During the 1980's the effective tax rate of the wealthiest 5 percent dropped by almost 10 percent and the poorest 10 percent saw there effective tax rate rise by 28 percent. So when we start talking about tax cuts, I say to my colleagues, we better give some consideration to who those tax cuts should be for.

There has been some statement on the floor of this body that as a result of these tax cuts we unleashed this mightly economic engine of the American economy. Mr. President, I call the attention of my colleagues to these statistics. During the decade 1970–79, the real gross national product of this country grew by 32.1 percent. Bear in mind, Mr. President, this occurred during a period when we were suffering from two very severe oil shocks. This came at a time when we were talking about stagflation. This came at a time when we were concerned about slow growth in our GNP.

During the decade of the 1980's from 1980 to 1989, we saw this real growth in GNP slow by 2.1 percent; 32.1 percent real growth in GNP from 1970 to 1979 vs 30.0 percent real GNP growth from 1980 to 1989.

I know my colleagues, many of them on the other side of the aisle, are very fond of talking about economic growth from 1932 forward. They are very fond of using as a basline the worse recession, indeed depression, that this country has had since the 1930's and then building up from there. Mr. President, I submit that is mistaken. In my view we ought to look at it from decade to decade.

Then the statement was made earlier, well the deficit is down now as a percent of GNP from what it was in 1980. The facts are that the deficit as a percent of GNP in 1980 stood at 2.8 percent. Bear in mind we were not borrowing or taking or embezzling money, as one of our colleagues characterized it, from the Social Security fund in 1980 to offset the deficit. Today, in 1990, when we take out the embezzlement that is occurring with the Social Security trust fund we find that the deficit as a percent of GNP is percent, almost double what it was in 1980.

So, Mr. President, when we state talking about tax cuts the first question is who should these cuts got to? Then, when we start talking about unlocking the economic engine of this country with these tax cuts, I think we need to restudy some of the recent history.

Mr. President, I am going to strive mightily to see that we realize a peace dividend this year and in the following years, if international conditions remain as they are at the present time. But I submit the funds from this peace dividend ought to go first to addressing the imbalance in this deficit that we have now; to redressing the imbalance in the tax structure that we see in this country at the present time when some would wish to perpetuate even further.

Just let me give an example. Under the capital gains tax proposal that was passed last year in one House and espoused by the administration, we find that those making less than $50,000 would get 8 percent of the benefits of that capital gains tax cut. But if we take the Moynihan tax proposal, a real tax cut for real working people, we find that fully 55.7 percent of the benefit would flow to people making less than $50,000.

So when we start talking about cutting taxes, Mr. President, I think we need to give some consideration as to whose taxes we are talking about and whose taxes are going to be cut.

But this peace dividend should be directed, I think, first to putting the fiscal house of this Government in order, redressing what I think will be characterized by historians in the future as the fiscal madness of the U.S. Government during the decade of the 1980's. And then it ought to be applied to some of the long-neglected domestic needs of this country, things like education, rebuilding the infrastructure—the list goes on and on. And then we ought to discuss the question of giving a real meaningful tax cut, Mr. President, to the working men and women of this country who have paid the cost of bringing us through the period of the last 50 or 60 years, to the point that we can get to this payoff and actually look forward to a peace dividend.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Texas.

Mr. GRAMM. Mr. President, I want to focus on the real issues here. Let me first of all make it clear that the amendment which I have proposed does not prejudge a peace dividend. I personally believe there will be one. I also believe it will be declared prematurely, before the money is in the bank. And that it will probably represent imprudent public policy. But that really is not the issue here.

In my amendment I simply say the reforms in Eastern Europe "may permit the preservation of our Nation's security at a cost less than current budget projections." And then, any savings below the level necessary in defense savings to parallel nondefense savings to allow us to meet the Gramm-Rudman targets, balance the budget, and then balance the budget without counting the Social Security trust fund, that defense savings beyond that level if they occur should go back to families to invest in their future and therefore to invest in the future of America. That is what my resolution is about.

Let me turn, Mr. President, to the difference between the two resolutions. First of all, I intend to vote for the first resolution. It is a kind of kiss-your-sister resolution. But I never had a sister so this gives me an opportunity to do something I always wanted to do. I am also going to vote for it in part because of my distinguished colleague, Senator KENNEDY. I salute him for having been an early supporter of Gramm-Rudman. But now when I get to see our distinguished colleague from Tennessee who wants to repeal Gramm-Rudman talking about balancing the budget and reducing taxes, I cannot let that go unrewarded. So I intend to vote for this resolution.

But let me make it clear, Mr. President, that this is a do-anything kind of resolution but it does mention two things that I think it is good that we mention.

The difference really boils down to the second section of their resolution and I want to read that section. It says:

> The savings from defense should go to urgent national priorities, including investing in America's future.

Mr. President, I ask my colleagues, who can we trust to invest in America's future, the Federal Government or the families of America?

I submit, Mr. President, that my amendment, which calls for us to give this money back to American families to let them invest in their own future, represents the transferring of resources to the one repository in American society that has proved itself up to the challenge. It also represents a fundamental continuation of the policy which won the cold war and tore down the Berlin Wall. If investment in America's future comes from Government, then how are we fundamentally different from the economic systems that are collapsing?

Second, we have a lot of talk in here about infrastructure. I heard several of my colleagues talk about new spending programs and talk about new infrastructure. Let me remind my colleagues that the record of the Congress on spending on infrastructure is dismal. In 1965, on infrastructure programs, the space program, air traffic controllers, we spent 2.6 percent of the budget on those items. Today we are spending 1.3 percent of the budget. Where is the investment in infrastructure?

Might I remind my colleagues that in these areas, consistently we have cut, first, President Reagan's budget proposals, and now President Bush's proposals. I heard our dear colleague from Maryland—and I congratulate her for being an excellent committee chairperson—who has within her allocation of funds tried to fund important programs. But, Mr. President, I am not talking about starving the Government in my amendment. I am saying the Government should grow as the economy grows, not faster than the economy grows. The Government should grow and can grow in meeting the Gramm-Rudman targets without a tax increase between 3 and 5 percent a year. That is between $30 billion and $50 billion a year. Is there not money in a $50 billion growth in the ability to fund the space program or the National Science Foundation?

Mr. President, to criticize a proposal to balance the budget for not giving us enough money for those important investments is like a drunk who goes out and spends all his money on whisky and then cusses his employer for not giving him enough money. The problem is in the priorities; the problem is not in the budget.

Finally, let me say that I think our dear colleague from Minnesota touched on something when he talked about the appropriateness of this amendment on this bill. Mr. President, this is yet a new spending program and, quite frankly, it is an Eastern European spending program. Only in Eastern Europe do you have to pay people to volunteer. Only in a collectivist society do you have to pay people to do something they claim to be doing voluntarily or make them do it.

This bill is a throwback to the failed policies of the past, but, in one important way, it is relevant to this debate. It is relevant to this debate because it is one of these rear-end loaded spending programs. The reason I have offered my amendment is that we are going to be voting on hundreds of these amendments. They are going to be adopted. They are going to cost a little money at first, but by 1993, 1994, 1995, we are going to find, just as we did in the post-Vietnam era, that we have squandered the defense savings on big Government.

Mr. President, I have several people who are ready to speak. No one on the other side wants to speak.

Let me first yield to the distinguished Senator from Idaho and, if I may, let me begin by yielding 5 minutes.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. SYMMS. I thank the distinguished Senator from Texas for yielding.

Mr. President, I rise in opposition of this bill—the National and Community Service Act of 1989.

The title of the legislation sounds very impressive. It seems to connote good old American values and the importance of volunteer service to the community and the Nation as a whole. If the bill did, in fact, stand for this, I would support it wholeheartedly. However, I believe the National and Community Service Act misses the mark of the original intention.

Volunteer service means to give one's time and effort to a cause or service that will benefit others without self-interest. That is not what this bill promotes. Instead, it offers financial rewards for those who voluntarily participate in various programs; it pays people to volunteer. And, we all know that when the Government claims to finance something, it means the taxpayers will pay for it. So, the reality of this legislation is that the taxpayers will pay others to volunteer their services. If the original goal of the National and Community Service Act was true volunteer participation, the bill has badly missed its mark.

I would like to point out a few of the problems I see with this legislation. First, I do not believe it is in the best interest of local communities to have community services directed by the Federal Government. The communities themselves know what types of programs would be most appropriate, all areas being diverse with different needs. It is inconceivable that direction at the Federal level would be effective in all communities.

Second, before Congress authorizes new programs for the next 5 years and spends hundreds of millions of dollars, it would be helpful to know whether or not those programs will be effective. If we must mandate such things, it would be much wiser to do so for a shorter time period to ensure they will be beneficial.

Third, it is not the Federal Government's responsibility to mediate between volunteers and local service providers, which is exactly what will happen if this bill passes. I believe

Congress has better things to do with its time.

Further, if we begin paying volunteers to participate in community services, it will create a tremendous disincentive for those who truly volunteer their services. These are the people that we are trying to encourage—caring American citizens.

And finally, all this Federal intervention at the local level will only create further bureaucratic regulations and redtape in the daily lives of Americans—a clearly undesirable achievement.

Obviously, Congress needs to take another look at this issue. Let us not make the common mistake of legislating without really considering the impact of our actions on those we are here to represent.

Mr. President, I also thank the Senator from Texas for his amendment.

I want to make two points in my remarks in the short time that I have, which continue on the line of what the distinguished Senator from Texas said about the comments the Senator from Minnesota made earlier. I think it is appropriate that this amendment be on this bill. This bill will end up costing $1.2 billion, I believe.

Mrs. KASSEBAUM, on page 92 of the report, files her views. She says:

My opposition to this legislation is based on two main concerns: first, the $300 million authorized for service programs is a substantial sum of money. Should such additional funds become available, they would be spent more effectively on programs such as Head Start.

I just met with a group of constituents from my State who are asking for a meager amount of $300,000 to continue some important research on feed grains, barley specifically, in the Pacific Northwest, at Washington State University, and the University of Idaho. This money is competition to that.

Mr. President, I think the Senator from Texas is absolutely correct. If there is a peace dividend, the safest thing for the American people is to return this money to them. I have said all year this country would be better off if the Congress of the United States would pass a continuing services budget, allow the Gramm-Rudman-Hollings sequester to kick in to force the balanced budget, adjourn the Congress, and return next January. The country would be better off because everything we are going to pass is going to cost money and it is going to add regulations to the cost of doing business in the country for very little good.

We have a massive, expensive clean air bill coming up. Everyone wants to be recorded as being for the environment, so it will probably pass. That is one of the reasons we had the recession in the late seventies and early eighties because this country was aggressively adopting the 1977 Clean Air Act amendments. That is something that is not often talked about, but it had a great deal to do with the depths of the recession that went on in this country in the late seventies and the early part of the eighties.

Mr. President, I want to say one other thing with respect to the peace dividend. For a brief period of 5 years, the United States from 1981 through 1985 spent 1.5 percent more of our GNP on defense spending than we had previously. During that 5-year period, we literally demonstrated to the Soviet Union they could not compete with us in the arms race, and we have seen a massive revolt of people across the world seeking freedom. We have seen the Berlin Wall come down. We have seen people emboldened in Nicaragua to vote out a Communist government just this week. Why? Because they perceive the United States as strong. They have great hope in their hearts with the fact the United States has helped the people in Panama to throw out the dictator and put in the people they legitamately elected.

Mr. President, I call to the attention of my colleagues, now that we are talking about the so-called post-Vietnam peace dividend, and I agree with Senator GRAMM's wording. If there is a peace dividend, the worst thing this Congress can do is add fuel to what the news media has already done.

I want to quote Ray Cline from the book "Behind the Smile Are Teeth of Iron." This is not Ray Cline's quote:

"Behind the smile are teeth of iron" are the actual words used to describe Mikhail Gorbachev by former Soviet President Andre Gromyko, the perennial Communist Foreign Minister who died in 1989 after being summarily ousted from office.

Mr. President, I want to quote in the foreword of this book:

A brilliantly conducted public relations campaign by Mikhail Gorbachev, abetted by the enthusiastic (and unprecedented) cooperation of the U.S. news media, has convinced most Americans that the Cold War is over and a long period of peaceful relations with the Soviet Union lies ahead.

I hope that is true, Mr. President. But I think we should be extremely cautious of where we are going and be extremely mindful of what has happened.

I heard the sophistry on the floor of my friend from Tennessee talking about how the tax rates are now titled so that the rates have gone down for the wealthy. The sophistry of it is he does not tell the people in that speech that the wealthy people in this country, the high-income people are paying for a bigger share of the Government.

It is true their rates are down, but they are not in tax shelters as they were at the end of the seventies. They are actually paying a bigger share of the cost that is coming into the Federal Government. That is the sophistry of that argument. There are 20 million more Americans working today than there were 7 years ago. They have good jobs and good opportunities and over half of those jobs can reach as high as $50,000 per year. So it is not low-income jobs that people are getting.

Mr. President, we should be extremely cautious, but we should also be very mindful of the fact, as the Senator from Texas points out, we are starting, with this bill that is before us today, the National and Community Service Act of 1989, another new program. It is another new program to go out and build another constituency of government. It is the same thing that has happened across the world. People are trying to get rid of big, oppressive government. Why should we follow that pattern in the United States when we have been the example for which they are reaching. We seem to be coming right in line to try to pass, as we say, Eastern-European-type programs. What we need are volunteer programs in the private sector like we formed in Idaho, called Working Partners.

I ask unanimous consent that pages 1 through 24 of "Behind the Smile Are Teeth of Iron" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE REAL GORBACHEV

"Proposals for nuclear and conventional force reductions are flowing freely from Soviet officials. Hopefully they will eventually lead to something good. On the other hand, real-world trends in Soviet Strategic nuclear weapon deployments—the kind that directly threaten the United States—have little or no resemblance to Mikhail Gorbachev's soothing words."—*Maj. Gen. Henry Mohr, (U.S.A. Ret.), Distributed by Heritage Features Syndicate, March 3, 1989.*

Ever since the Soviet march towards increasing world power started, American leaders have repeatedly been misled into wishful thinking about their counterparts in the Kremlin.

At Yalta in 1945, President Roosevelt was optimistic about cooperating with "Uncle Joe" Stalin, a man who had exterminated well over twenty million of his fellow citizens. Roughly seven million Ukrainians were deliberately starved to death by Stalin in his farm collectivization program.

Jimmy Carter kissed Brezhnev on both cheeks in Moscow at the end of the 1970s just months before the Soviet invasion of Afghanistan, an abortive act of political aggrandizement that resulted in over 1 million Afghans being killed.

President Reagan, after denouncing the Soviet empire as "evil," finally came to call Mikhail Gorbachev his "friend."

Is Gorbachev different from his predecessors, or is he the more skillful protege of Yuri Andropov, former head of the Soviet state and chief of KGB, the Soviet secret police, which has a seventy-year record that rivals Hitler's Gestapo in arrests, torture, imprisonment, and murder of millions?

Repeated images of a smiling, friendly Gorbachev on TV, a never ending flow of "peaceful" proposals, and ringing endorse-

ments of the Gorbachev regime by opinion leaders in Europe and the United States have convinced most Americans that he is a new kind of Soviet leader. But is he? He is smooth and persuasive, but are his goals fundamentally different from those of Lenin, Stalin, Khrushchev, and Brezhnev?

"Despite Soviet rhetoric about 'democratization,' Gorbachev's specific reform proposals tolerate no opposition parties and have led chiefly to a greater consolidation of power in the hands of Gorbachev himself."—*Center for Security Policy, Washington, D.C., January 25, 1989.*

In Afghanistan, during Gorbachev's presidency, the Soviet military forces distributed mines disguised as toys, butterflies, small birds, and stones that maimed thousands of children. When the Soviet military forces pulled out, which they did at a leisurely pace, they left between ten and thirty million mines, some buried, some scattered randomly about the countryside, that will be killing people for many years. And, of course, Moscow still gives massive political, economic, and military aid to the communist regime in Kabul, hoping to frustrate the political goals of the mujahhedin freedom fighters who won on the battlefield but have not yet made much progress in the political arena. As a political presence, the Soviet Union is still very much in Afghanistan—a major power player in the great game of nations.

"Moscow is supporting Afghanistan's communist government with the largest military airlift in Soviet history, Western diplomatic sources said yesterday."

"The diplomats, who spoke on condition of anonymity, estimated Soviet military aid to Afghanistan during the first half of 1989 was worth more than $1.5 billion".—*The Washington Times, October 4, 1989.*

While Gorbachev talks of glasnost (openness) and new freedoms for Soviet citizens, he is keeping millions of people in harsh labor camps inside the Soviet Union. The U.S. news media rarely mention this fact, even though it is documented in official U.S. Government reports.

Much of the terrorism in the world has had Soviet support. For 20 years, the Soviets have provided training, explosives, guns, and material supplies to terrorists. Outrageously, in the spring of 1989, Gorbachev sold Muammar el-Qaddafi SU-24 bombers that enable Libya, the most determined terrorist state of the whole world, to threaten Israel's existence.

Several Soviet-backed nations provide direct support to drug traffickers. The most widely publicized examples are Cuba, Nicaragua, and Bulgaria. The vast majority of terrorists and armed revolutionary groups are Marxist-Leninist in ideology and cooperate with international narcotics cartels throughout the world. Their main purpose is making money. At the same time, however, they are happy to be damaging the social fabric of capitalist societies, and they are doing so.

Under Gorbachev, the Soviet Union continues to violate vitally important treaties, agreements, and understandings with the United States. This undisputed fact raises the question of the value of making new agreements with Moscow.

Under Gorbachev, the Soviet Union's efforts to acquire U.S. technology and vital defense secrets through theft and spying have risen to unprecedented levels.

And of special significance to every American is the fact that Gorbachev continues to produce vast quantities of new advanced-technology military weapons. He continues to modernize his armed forces, despite the financial strains the Soviet economy is undergoing at home and despite his repeated assurances that he wants only sufficient military strength for security. Five months after he said the Soviets would withdraw 10,000 tanks from Europe, the Soviet production of new tanks—according to American estimates—reached a record high of 1,025 in the first quarter of 1989 which if continued would be 4,200 new tanks per year. Soviet officials have said the production rate will be only about half that level, but it is unquestionably very high.

"Since Gorbachev took office the Soviets have fielded more tanks and artillery pieces than currently exist in the combined armies of Britain, France and West Germany."—*General James Galvin, Supreme Allied Commander in Europe.*

Deployments of new ICBM mobile missiles continue, and work proceeds on still another generation of strategic missiles—with the United States plainly the primary target.

As the facts in this book reveal, the Soviet threat continues to be real and menancing. Even though Gorbachev declares that the Soviet Union is no longer an enemy of the United States, the main obstacle to Soviet dominance in world politics is still the strength and national security preparedness of the United States. Communist party leaders have called the United States the main enemy for 70 years.

Gorbachev says his goal is restructuring the Soviet economy (perestroika). He is sincere about that because he is presiding over a failing economy. He needs foreign capital and technology to strengthen the socialist state and save the increasingly unpopular communist party bureaucracy. Yet, in November 1987, just before he conducted a wildly successful summit with President Reagan in Washington D.C., culminating in the signing of the Intermediate-Range Nuclear Forces Treaty, Gorbachev said in a speech to Soviet leaders: "In October, 1917, we parted with the old world, rejecting it once and for all. We are moving toward a new world, the world of Communism. We shall never turn off that road."

In covering the speech for the American public, NBC TV News edited out these words. They evidently wanted to portray Gorbachev as a man with a new agenda somehow compatible with market economies and pluralist democracy. Many Americans are prone to wishful thinking.

Gorbachev's real agenda is preserving the political and economic power of the one-party dictatorship he now leads. He has seized more direct political control over the regime than any leader since Stalin.

Rhetoric aside, if he chose in earnest to undermine the basic structure of Leninist dictatorship, millions of privileged communist party bureaucrats, secret police, and military commanders would almost certainly force him to return to Lenin's goals or step aside.

We must remember that what Gorbachev is doing is far from new. In 1921, less than four years after the Russian revolution, Vladimir Lenin instituted the first Soviet *perestroika*, the New Economic Policy (NEP), inviting economic subsidies from capitalist countries. He wanted foreign money and technology, just as Gorbachev does, and Lenin engaged in an effort, for a few years successful, to confuse the capitalists as to his true intentions.

". . . the Soviets hope their reductions will diminish the West's *perception* of a Soviet threat while enhancing the *reality* of that threat. This is consistent with Soviet claims that the goal of Gorbachev's glasnost policy is to 'eliminate the enemy' of the USSR."—*Committee on the Present Danger, Eugene Rostow, Chairman, September 5, 1989.*

Under Joseph Stalin, who ruled the Soviet Union for nearly 30 years, the savage repression of Soviet citizens and the hostile attitude toward owners of private property everywhere became crystal clear. Yet, he too made conspicuous attempts, including nominal abolition of the Communist International, to lull the West into thinking the Soviet Union was turning away from spreading communism abroad. It never happened, and Stalin presided over the greatest expansion of Soviet power in history in the late 1940's, precipitating the "Cold War" for so many now hope is over.

In 1956, Nikita Khrushchev attacked the political style of Stalin, withdrew Soviet troops from occupied territory, announced cutbacks in the army and navy, altered Soviet strategic doctrine, promised wide-ranging political reforms, allowed the publication of anti-Soviet literature, released political prisoners, and invited the capitalists to do business with the Soviets. As described by several defectors with inside knowledge, the actions were all orchestrated to deceive the West into thinking the Soviet Union was changing, and enable the flow of foreign financial and technical assistance. Khrushchev's program is the model for what Gorbachev is doing today.

Between 1970 and 1975, Leonid Brezhnev undertook a *glasnost* policy of his own, which became known as "detente", and for years the West relaxed in a feeling that Soviet policies were turning favorable. The United States was also told by former communist officials who had defected that "detente" was a Soviet strategic intelligence operation, not intended to transform the one-party dictatorship. Their warnings were ignored and discredited .

Through all these periods of "relaxation" of international tension the Soviet threat continued to build, just as it is building today. The object has been to get Americans to relax so Soviet power could grow unopposed. It is necesssary to pay attention to military hardware, not only to words.

THE GIANT DECEPTION

"Gorbachev told the Congress People's Deputies in May that although he was cutting spending and reducing forces, the cuts would give "a new quality to the U.S.S.R. Armed Forces without any detriment to the country's defense capability."—*Paul Wolfowitz, Undersecretary of defense policy, July 27, 1989.*

The Soviet Union of Mikhail Gorbachev is a nation beset with social, ethnic, and financial troubles. This fact has led most Americans to think Soviet aggressive policies will be forced to change and will lead to "peace in our time," just as everyone hoped in 1939.

Most Americans believe Gorbachev's withdrawal from Afghanistan is evidence of his need to erase his financial problems at home, which is true. It is far from certain, however, that the withdrawal is permanent or that it wil permanently ease international tension.

"A senior Soviet official said today that the Kremlin had decided to provide the Afghan Government with whatever weapons were needed to defend its cities against guerilla attack.

The official, who is known to be in close contact with Mikhail S. Gorbachev, the Soviet leader, said the move was decided on after Moscow considered reinvolving Soviet forces in the Afghan war."—*The New York Times, April 14, 1989.*

Many European and American observers point to *glasnost* and *perestroika* a proof that Gorbachev is a new kind of Soviet leader, and to the labor and ethnic unrest in the Caucasus and in the Ukraine, as well as demands for reform in Soviet client states in Eastern Europe, as proof of Gorbachev's need to change to a policy of butter instead of guns.

But what are the facts? Contrary to what most Americans have been led to believe, under Gorbachev there is no indication yet of any decrease in military spending or in weapons production.

Most experts say the Soviet leaders are now spending between 15 and 20 percent of GNP on the military. By comparison, the United States spends about 6 percent of GNP. The truth is, no one knows exactly what the Soviet Union spends. Estimates made public in 1989 are still full of ambiguities and do not cover all expenditures. True costs are higher. The real Soviet military budget is still secret.

"Taking all defense-related spending into account, the Soviets devote roughly 23-28 percent of their GNP and roughly one-half of their state budget to military forces and military power."—*Committee on the Present Danger, Eugene Rostow, Chairman, September 5, 1989.*

We are told that the Soviet Union is in dire economic straits, that Gorbachev has changed his military forces from an offensive to a defensive doctrine, and that all he wants is reasonable sufficiency to protect the Soviet Union. But this is what Soviet leaders have been saying for 70 years. They have often been an economic basket case, but have continued to give first priority to the military forces and secret police, irrespective of how badly the population suffers.

As columnist Charley Reese askes, "if the Soviet economy is so bad, why are they keeping the military rates of expenditure so high? Why do they keep turning out so many weapons? If Gorbachev really intends to create a more open and democratic society, why do changes in the Soviet constitution concentrate even more power in the hands of Gorbachev? If American TV programs spent more time reporting facts and less time interviewing Soviet propagandists, perhaps the situation would be clearer to the American people."

"Although Gorbachev proposes to reduce the Soviet defense budget by 14.2 percent, since 1985 Soviet defense expenditures have increased by an average of 3 percent per year in real terms."—*Soviet Military Power 1989, U.S. Department of Defense.*

There is no better Soviet propagandist than Mikhail Gorbachev himself. In the United States and in Europe, a large majority of the public and political leadership have been taken in by his smile and his promises. Today, four out of five West Germans believe the Soviet threat is disappearing. Obviously, what is creating these impressions are the relatively minor military cutbacks in Europe and the massive Gorbachev-directed publicity campaign designed to influence the German people. There is nothing new about this approach. The Soviet Union spends over $4 billion yearly on active intelligence measures, primarily propaganda, to influence the West.

Gorbachev has promised to remove 10,000 tanks from Eurpoe. All the network TV news programs features this dramatic evidence of goodwill. What goes seldom reported is that the Soviet have over 50,000 main battle tanks and some 60,000 armored vehicles, and that the reduction amounts to little more than the retirement of the obsolescent portion of their stockpile. By removing his old tanks Gorbachev will actually increase the fighting power of his army.

The same can be said about his promise to cut force levels by 10 percent, which is less than 5 percent of the combined active and ready reserve. These cuts would have an imperceptible effect on Soviet military capabilities. How is one to judge the reductions?

During the past twenty years of negotiations on conventional force reductions, the Soviets have repeatedly lied about the number of forces in Eastern Europe and have also required their Eastern European satellites to report false troop strengths to the West European and U.S. negotiators.

The inescapable truth is that the Warsaw Pact has overwhelming superiority over NATO in tanks, artillery, aircraft, number of troops, and in modern and efficient chemical weapons military units. The announced cuts do not change the decided Soviet military superiority. If anything, the superiority will actually increase if NATO nations cut back on their defense spending in response to the publicity campaign associated with the Soviet announcements.

"Even if the Soviets completely eliminated the forces discussed in Gorbachev's 7 December 1988 United Nations' speech, Warsaw Pact forces would still out-number NATO in tanks, artillery, and divisions by a ratio of over 2 to 1."—*Soviet Military Power 1989, U.S. Department of Defense.*

Why does Gorbachev really need the military strength he is preserving? Through establishing both an image of friendship and the reality of massive military superiority, experts foresee the continued use of the "carrot and stick" approach. The Soviet plan is to eliminate from Europe all nuclear weapons by creating obstacles to modernization of NATO's remaining nuclear weapons, thus rendering Europe helpless against the Soviet Unions remaining massive European conventional superiority. And Gorbachev plans eventually to detach Europe politically and strategically from the United States, a high priority Soviet objective since the early 1950's.

Virtually every one of the many Gorbachev proposals which seem to advance the cause of peace are suspect or misleading.

Everywhere he goes, Gorbachev continues his "peace" proposals, all of which are duitifully reported to the American people by TV, radio, and newspapers. No one bothers to explain what the Soviet Union means by "peace," which Soviet ideologists since Lenin have insisted can be achieved only after all competing social systems, especially democracies, are destroyed and replaced by Marxist-Leninist societies.

When he visited Cuba in April 1989, Gorbachev called for an end to all outside military aid to Central America. The Soviet military subsidies to Cuba and Nicaragua continue. White House spokesman, Marlin Fitzwater, correctly responded, "While his words about not exporting revolution are welcome, they are not matched by deeds which would give those words credence."

"American experts on military affairs said today that President Mikhail S. Gorbachev's plan to remove nuclear-armed submarines from the Baltic Sea would not significantly change the balance of power between the Soviet bloc and NATO."

"John F. Lehman Jr., who served as Secretary of the Navy from 1981 to 1987, said Mr. Gorbachev was making a political virtue of a military and fiscal necessity. For years, Mr. Lehman said, Soviet admirals have wanted to retire the Golf-class submarines because they are 'ancient, rickety machines that add almost nothing to the military equation and are very expensive to maintain."—*The New York Times, October 27, 1989.*

ISOLATING THE UNITED STATES

"The Central Intelligence Agency reported earlier this year that in 1988 the Soviet Union supplied $515 million worth of military equipment to Nicaragua, the second-highest yearly total since the Kremlin began shipping weapons to Managua in 1980."—The Washington Post, May 16, 1989.

Few Americans have stopped to realize that the countries around the world that have fallen into Soviet hands and Soviet control are not randomly selected. They are all strategically located along sea lanes of commerce—Vietnam, Ethiopia, Yemen, Mozambique, Angola, Grenada, Cuba, and Nicaragua. They lie along or near chokepoints on sea passages vital to American trade with other nations.

One reason is that the Soviet goal is to separate the industrialized states from their foreign sources of strategic minerals, and to disrupt the sea lanes through which these economic resources move. Stalin explained this strategy nearly 40 years ago. Thus they hope in the long run to weaken the industrialized states and hasten the ultimate victory of Moscow-brand socialism. The communist states have not succeeded yet, but it is premature to believe they have abandoned their goal.

The destablization of capitalist societies is what is behind the political unrest in South Africa. Virtually never reported by the American press is that fact that the African National Congress, the organization behind the massive effort to overthrow the present government in Pretoria, is led by members of the Communist Party of South Africa and is financed and provided arms by Moscow. The goal is not only in the long run to obtain for the Soviet Union the vital minerals upon which U.S. military technology is heavily dependent, but also to control the critically important sea lanes around the tip of South Africa where the waters of the Atlantic and Indian Oceans converge.

In our part of the world alone the Soviet efforts to undermine American influence and create communist client states are massive. Gorbachev is now sending perhaps as much as $1 billion a year in military and economic aid to Nicaragua. The Sandinistas plan to expand their military forces to 600,000 by 1995. They have indicated a desire to upgrade their air power with fighter aircraft and more helicopters. In addition, they have talked about acquiring long-range artillery, armored personnel carrier, and anti-tank weapons, as well as greatly strengthening their navy with warships, patrol boats, minesweepers and hydrofoils. For a nation of three and one-half million people, these goals are rediculous—unless a threat to the sealanes leading to the Panama Canal is envisaged.

Sixty-five percent of the ships carrying goods to and from the United States pass through the Panama Canal, all within range of MIG-21s if they are stationed in Nicaragua.

Soviet-supported Cuba, where Gorbachev sends $7 billion a year, is already capable of interdicting U.S. ships passing through the Florida Straits—through which pass 45 percent of all U.S. exports and imports and 60 percent of U.S. resupply material to NATO.

"The Cold War cannot be won without the Soviet's renunciation of their claims upon other countries of the world. If they wish to renounce those claims, why do they continue to arm in such fashion as makes sense only if they harbor aggressive designs?"—*William F. Buckley, Jr., June 7, 1989.*

Whether it is south of our border, in the West Pacific, or Southern Africa, the Soviets are still staking out positions of strength to be exploited later by mounting a threat to American freedom of passage through the ocean chokepoints.

Gorbachev's goal is clear. He is sending $16 to $18 billion a year to maintain client governments. He is laying the groundwork for separating America from foreign sources of vital minerals and strategic supplies by distrupting the sea lanes upon which we and our European allies depend. In this way, he can dislocate our economy, weaken our ability to resist Soviet unterventions abroad, and speed the day when the United States will appear to most foreigners to be a second rate nation no longer more prosperous than the communist states and without the national will to defend American interests overseas.

Vital to the realization of this long range goal is for Gorbachev to move quickly to neutralize our entire nuclear deterrent, which he has made amazing progress toward doing.

SOVIET MISSILE SUPERIORITY

"Mr. Gorbachev's December proposal to cut the military forces by 500,000 was mostly symbolic, while the new "defensive posture" in Europe remains just a pledge. Meanwhile, every report we get is that new mobile intercontinental nukes like the SS-24 and SS-25 continue to roll off the production lines, as do Blackjack bombers armed with Cruise missiles, advances in anti-missile defenses, and submarines."—*Robert Gates, former CIA Deputy Director, October 1988, reported in the Wall Street Journal, April 14, 1989.*

Walter Cronkite of CBS News once explained the way the U.S. news media deal with defense matters: "There are always groups in Washington expressing views of alarm over the state of our defenses, We don't carry those stories. The story is that there are those who want to cut defense spending."

For years, the media have concentrated on news about defense department overspending, insider information peddling, criticism of the arms race, and news of U.S. weapons failures. Almost completely overlooked has been any comment about the massive arms build-up that was launched by Leonid Brezhnev and is still going on under Gorbachev.

For example, the Soviet leaders now have in their arsenal the most fearsome weapon of destruction ever devised by man. It is the SS-18, an intercontinental missile (IBCM) twice as large as the U.S. Air Force's largest and most modern missile, the MX (now known as Peacekeeper) and much, much larger than the standard American Minuteman missile. The SS-18 weighs 200 tons and is as high as a 10-story building. Each SS-18 can carry at least 10 warheads—each with destructive power exceeding half a million tons of TNT. It has sufficient range to be targeted on the entire United States.

At last report the Soviet military forces had 308 SS-18s in the field, carrying about 3,000 warheads. They also had 360 SS-19s and 150 SS-17s. On just these latter two weapons they have about 2,500 warheads. The destructive power in the deployed SS-18s alone is greater than the destructive power of the entire U.S. land-based missile force.

"Despite talk of reduced military budgets, Moscow still spends an estimated 15 to 17 percent of its GNP on defense, while the United States spends less than 6 percent."—Soviet Military Power 1989, U.S. Department of Defense.

And the Soviet ICBM build-up continues under Gorbachev. He has been deploying the new SS-25 for some time, and the 10-warhead SS-24 is in the initial stages of deployment. Both are mobile, which means they do not need to be deployed in a fixed site. The SS-24, which is the size of the U.S. Peacekeeper missile, of which we have only a few, is designed for both rail and silo deployment. The SS-25, about the size of a U.S. Minuteman missile, is transported by road.

The mobility of the new Soviet missiles makes a mockery of offers by Gorbachev to reduce his nuclear forces. We will never be able to tell how many SS-24s and SS-25s the Soviets have because they can be concealed in bunkers, hangars, factories, tunnels, or garages. U.S. reconnaissance satellites cannot see or count them if they are covered. Therefore we cannot target them.

"What security needs in the Soviet Union require this enormous number of ICBM warheads? The Soviet arsenal has long since passed the limits of any reasonable nuclear force aimed solely at deterrence of an American attack."—Robert Jastrow and James Frelk, George C. Marshall Institute.

Not long ago, the USSR successfully tested a follow-on to the SS-18, with even more accurate warheads. Finally, the Department of Defense has reported signs of a sixth generation of ICBMs—follow-ons to the SS-24 and SS-25, and also mobile. U.S. Secretary of Defense Harold Brown under President Carter said it best some years ago: "When we build, they build. When we stop building, they build." Gorbachev has promised to stop building but he is not stopping even though he already has a tremendous arsenal of intercontinental missiles 30 minutes away from every American city.

It is almost transparently clear, once the facts are known, that Gorbachev has other reasons for such a massive superiority. His aim is to intimidate Americans and thereby constrain the freedom of American decisionmakers to take risks in defense of the national security of the United States.

One of Gorbachev's aims is to have such overwhelming and threatening force as to prevent the United States from making any move to stop the Soviet Union from intervening in other countries and extending its hegemony wherever political and military vulnerabilities exist. This is not conjecture. This is directly stated by Soviet ideologists in their official writings.

American military power has forced Moscow to retreat from aggressive moves in earlier days. In 1956, when Khrushchev threatened to intervene in the Suez crisis NATO Commander Gruenther replied, "Moscow will be destroyed as night follows day." In that day it was true. Khrushchev backed away. When confronted by Kennedy in 1962, Khrushchev withdrew the missiles he was secretly deploying in Cuba. Today our options are more limited. We face a Soviet superiority in ICBMs with no defenses against them. Moscow has extensive active and passive anti-missile defenses. It has become dangerous and not very persuasive for the United States to threaten the Soviet Union with nuclear retaliation in view of the military capability of Gorbachev's armed forces. Our deterrent is diminished, if not totally gone.

But there is another, far worse challenge facing America—the prospect of an effective Soviet defense against incoming American missiles.

SOVIET MISSILE DEFENSES

"Nothing could be more dangerous to the security of the west and global stability than a unilateral Soviet deployment of a nationwide ABM system combined with its massive offensive missile capabilities."—Former Secretary of Defense, Caspar Weinberger.

There is no more convincing proof of the failure of the U.S. Government and the news media to get across to the public the facts about the dangers our country faces than the results of a recent poll. It shows that 64 percent of the American people believe our country has a defense against incoming nuclear missiles.

The truth is that the United States is completely, totally defenseless against a missile attack. We cannot prevent a single warhead, even one launched accidentally, from detonating on our country. We cannot even prevent nuclear warheads fired at us by a terrorist state like Libya or Iran from exploding on an American city at the will of a fanatic like Colonel Muammar Qaddafi.

In 1975 the Congress, relying on the arms agreements of the period of "detente" in the early 1970s, disbanded our only ballistic missile defense system and has allowed none to be built since.

The Soviet Union, on the other hand, today has 100 underground silos around Moscow loaded with Gazelle and modified Galosh missiles. The Gazelle can intercept missiles and warheads at the edge of space, and the Galosh can destroy them lower down in the earth's atmosphere. New hardened silos have been constructed for these missiles. The interceptor missiles are guided by an elaborate system of radars; one giant phased array radar, which can track large numbers of warheads, determines which targets they are aimed at, and then passes the instructions on to small radars which direct the interceptors to make the "kill."

The Moscow system in general is permissible under the ABM Treaty. On the other hand, this system is being designed and tested for rapid reload missiles, thus greatly extending its capability, in violation of the Treaty. Also, the U.S. government now knows that the Soviet Union has production lines for turning out components of the Moscow ABM system in large quantities despite the fact that their deployment in other areas is prohibited by the ABM Treaty.

"The Soviet Union has made a tremendous investment in air defenses. We have almost none in this country. We have very light air defenses in this country, which means we give Soviet bombers and cruise missiles essentially a free ride into U.S. air space."—Donald B. Rice, Air Force Secretary, September 27, 1989.

Already the Soviets have 9 giant phased-array radars with "faces" the size of 2 football fields located around the periphery of

their country. Three more are under construction.

Each of the 12 will have the range and precision needed to pick up oncoming U.S. warheads as they approach the USSR, determine which target each warhead is headed for, and alert individual ABM sites in the warhead's path to send up a missile to intercept it.

"Taken together, all of the Soviet Union's ABM and ABM-related activities are . . . more ominous than anyone considered individually. Cumulatively, they suggest that the U.S.S.R. may be preparing an ABM defense of its national territory—the only missing element in their defenses."—1989 Strategic Defense Initiative Organization's Report to Congress.

A network of 12 battle management radars, combined with the facilities for mass production of ABM components, gives the Soviet Union the means for setting up a nationwide ABM defense if Moscow decides to break out of the ABM Treaty while the United States is still defenseless. Interceptor missiles are now being produced at Tyumen in Western Siberia. U.S. Air Force Intelligence has confirmed that the controlling radars are being mass produced at Gomel in the Byelorussian Republic.

Could U.S. bombers deal with the ICBM or ABM systems? The truth is that our old, slow flying B-52 bombers as well as our new B-1s depend on warning for survivability. In the event of a surprise attack (the preferred Soviet choice) many of the bombers stand a good chance of being destroyed on the ground. Those that survive will have to contend with Soviet long-range interceptors, and if the bombers penetrate Soviet air space they will face a sophisticated, in-depth air defense system, which includes some 9,000 surface-to-air (SAM) missile launchers and thousands of anti-aircraft guns. As for the B-2 stealth bomber, its $70 billion price tag for 132 bombers and its technological complexity indicate it is at least years from deployment at best, and Congress seems to be debating whether to slow the program or cancel it entirely.

In this past decade the Soviets have deployed about 150 SA-10 missile launch units around Moscow and major military industrial areas. They are testing a new SAM system, the SA-X-12B, which will be an all-altitude system. The SA-10 is the first Soviet SAM with any real capability against cruise missiles. They can already defend against low flying, slow flying cruise missiles with their large force of aircraft with look-down, shoot-down radar capability.

"The Soviets are still improving their strategic nuclear capabilities. They are hardening facilities, making many of their forces mobile, have plans to disperse their military forces in time of crisis and continue to maintain the world's only recently upgraded anti-ballistic missile system"—*(Adm.) C.A.H. Trost, Chief of Naval Operations, Sept. 16, 1989.*

In these circumstances, the main retaliatory force that might survive a first strike against the United States is the latest U.S. strategic submarine, the Ohio class, which can launch Trident II nuclear missiles carrying 10 warheads from secret underwater locations remote from the Soviet Union. Navy sources maintain the Ohio class submarine will be invulnerable into the indefinite future.

The USSR now has in operational status more than 200 attack submarines. Since only 10 or 12 U.S. Trident submarines will actually be at sea at any time in the 1990's, the Soviet Navy could assign four or five attack submarines to each Trident to trail it from the time it leaves port, keeping it in a box from which it would be very hard to escape . . . and hence would be in danger of being destroyed.

"A (Soviet) nuclear submarine is launched every 7 weeks and a conventional type every 10 weeks."—*Jane's Underwater, Warfare Systems 1989-90.*

Any one of these Soviet defense activities is cause for concern. The United States still abides by the ABM Treaty. Thus the Soviet Union of Mikhail Gorbachev could be preparing a strategic breakthrough by establishing a nationwide defense against U.S. missiles while we are still defenseless against their missiles. If this situation ever comes about, the United States is in peril.

SOVIET MILITARY CONTROL OF SPACE

"Glasnost has led to a variety of new public reports on the Soviet space program. These reports, however, have been highly selective and continue to downplay the largely military orientation of Soviet space systems and operations."—Soviet Military Power 1989, U.S. Defense Department.

The Soviet Union's massive efforts to achieve a nationwide defense against ballistic missiles, cruise missiles and gravity bombs are enough to alarm the public. Soviet developments in military use of space compound the worry about strategic stability and a possible future conflagration. The space-oriented military efforts are closely related to defense of the Soviet Union and are a direct threat to the United States. As we have seen over and over in this book, the public is largely ignorant of what is going on.

A high-ranking defector reported that control of the cosmos (space) was made a high priority research and development activity shortly after the Cuba missile crisis and at the time of the big Soviet missile build-up in the 1970s.

The Soviet Union has conducted a propaganda effort accusing the United States of military efforts in space. Meanwhile, according to a Defense Department report, the Soviet Union "operates some 50 types of space systems for military and civilian uses, including space stations . . . and reconnaissance, launch-detection, navigational, meteorological and communications satellites." They are also developing space systems designed to support military operations on the earth.

On January 25, 1989, The Center For Security Policy in Washington issued a report which stated, "The sustained commitment and breadth of the Soviet space program is overwhelming . . . The Soviet space program is aimed at enduring military control of space; it stands in direct contradiction of the Soviet charge against the United States concerning the 'militarization of space' and throws into question the sincerity of the USSR's diplomatic initiative ostensibly aimed at preserving space solely for peaceful purposes."

"The Soviets have deployed 50 killer satellites capable of sweeping every U.S. and NATO military satellite from the sky in a single week."—General Thomas Krebs, former Chief of Space Systems Analysis, U.S. Defense Intelligence Agency.

For missions designed to put weapons in space the Soviet SL-X-17 heavy lift space launch vehicle can lift payloads almost 4 times heavier than the U.S. space shuttle. A Department of Defense report says, "potential payloads include modules for a large space station, components for manned and unmanned interplanetary missions and perhaps directed-energy and anti-satellite and ballistic missile defense weapons."

The USSR puts about 120 to 130 payloads into orbit each year, requiring about a hundred space launches. The total weight probably exceeds 600,000 pounds, the equivalent of twenty space shuttle missions.

Another Defense Department publication concluded: "Today we face a situation in which the Soviets can negate many critical U.S. space assets while their space systems that would support their offensive military operations enjoy a sanctuary in space. This situation does not contribute to a stable deterrence."

The Soviet Union of Mikhail Gorbachev clearly means in the long run to have superiority in space. This is happening despite all the promises and assurances to the contrary. It is happening without the American people being told of the truly grave long term significance these developments can have.

"The most striking feature of Soviet military power today is the extraordinary momentum of its offensive strategic nuclear force modernization."—Richard B. Cheney, U.S. Secretary of Defense September, 1989.

One warning the American public has not heard much about came from former U.S. Defense Secretary Caspar Weinberger on February 2, 1988. "For three decades, the Soviets have been building an impressive capability to support the 'terrestrial' armed forces with space-based systems. They have built the infrastructure needed to fight a war from space, and more recently, to fight a war in space. We must understand and appreciate these developments and consider their implication for our national security." This warning of long-range challenge to national security needs to be known by every American.

THE CHEMICAL AND BIOLOGICAL THREAT

This multipolar world is not "necessarily going to be a safer place than the cold war era from which we are emerging, given the existence and indeed proliferation of weapons of mass destruction."—Lawrence S. Eagleburger, Deputy Secretary of State, In The New York Times, Sept. 16, 1989.

The Soviet chemical and biological threats are of a different strategic dimension and not so immediately aimed at the United States, but they are in some ways as frightening as the Soviet nulcear threat. The Soviet capability for deploying chemical and biological weapons is ten to a thousand times greater than that of the United States. The United States has very little effective defenses against such weapons. Soviet scientists have made a massive effort to apply genetic engineering and biotechnology to chemical and biological warfare. The United States acts as if it were oblivious to the enormous scientific developments in these areas that will affect our security more and more as time passes and even now pose an immense threat to our NATO allies in Western Europe.

The United States has no capability because Americans, civilians and military, sensibly dislike the very idea of chemical and biological warfare. We set about unilaterally to disarm in these fields in 1969 and have never built up a serious capability—apart from a modest potential for making new binary weapons that were offered to NATO and rejected. Our strategic planners have ignored intelligence warnings of Soviet capabilities since 1969 and have made U.S. security dependent primarily on arms control

negotiations and treaties, notwithstanding Soviet violations of such agreements.

The chemical and biological threats are serious because of the revolutionary developments in the underlying science and technology. They are frightening because modern agents can be used covertly and disguised to mimic naturally occurring diseases. The potential threats demand action, most of all because Soviet leaders, on the basis of their past record, seem to have no moral qualms against using the weapons. Indeed, they have been testing and using them in areas remote from foreign view, particularly in Afghanistan.

Chemical weapons have been used by other nations—Iraq, Iran, Ethiopia, and Chad. Considerable publicity has been focused recently on the growing number of Middle East chemical weapons. They are especially ominous when coupled with the deployment of intermediate range ballistic missiles by some of these nations, including Libya and Iran.

While these developments are frightening and deserving of attention, far more serious developments are taking place within the Soviet Union.

Clearly the Soviet Union of Mikhail Gorbachev has the capability for the mass use of such weapons in a regional conflict anywhere in Eurasia. A Defense Intelligence Agency report says the "Soviets have vaccines or antidotes for many of the diseases that they might use in a BW (Biological Warfare) attack. These include those for anthrax, tularemia, plague and botulism."

Frank Gaffney, formerly a senior member of the U.S. Defense Department, writes, "Today the United States has neither offensive BW capabilities nor even any appreciable capacity to defend itself against biological first-use by an adversary."

Chemical and biological weapons have become the most sophisticated weapons imaginable and the potential for auxiliary military of clandestine use are just beginning to emerge.

Unfortunately the U.S. has made no signficant effort to analyze either what needs to be done, what can be done, or what the Soviet Union is doing. U.S. thinking in chemical and biological warfare is twenty years behind, and Americans simply are talking about bans rather than defenses. A Soviet threat to use these weapons of mass destruction or, more likely, some unidentifiable but highly covert employment of this capability would send a shockwave of panic through any targeted state or population group.

Lest we feel confident that the impact of nuclear weapons on public consciousness will prevent conflicts from reaching a military showdown, the Soviet armed forces' ability to deploy chemical and biological weapons at any point on their periphery in Eurasia suggests the United States must keep its guard up and its deterrent weapons ready. Our strategic defense vulnerability is a most urgent problem in light of the vast array of Soviet missiles.

A SCENARIO FOR SOVIET VICTORY

The development of small high-accuracy nuclear weapons means that the enemy can launch a surprise attack that decapitates the opponent's command structure and destroys the bulk of his forces, leaving him "strategically crippled, capable of only a spasmodic, disorganized and strategically aimless response—or none at all."—*Dr. Zbigniew Brzezinski.*

Why, despite the desperate condition of the Soviet economy, is Gorbachev spending so much of Soviet GNP on the Soviet military and continuing to increase the numbers of advanced technology weapons of many kinds that are already far more numerous than similar weapons in the United States?

Why is he building the main elements of a nationwide "Red Shield" missile defense? Why does he move towards military control of space? Why does he keep building nuclear missiles so far in excess of what he claims to be "reasonable sufficiency?"

Is it Gorbachev or simply the momentum of a centrally controlled state that has always viewed military power as its greatest geopolitical asset? Does it make any difference what Gorbachev thinks if the military teeth are there behind the smile?

Is it possible that what happened before World War II is happening again? Is Gorbachev, much like Hitler in the 1930s, deftly and brilliantly taking actions and making proposals that alternately alarm and reassure the world that he wants peace? Is the object to cause the United States to lower its guard by cutting back on military preparedness? Is the Soviet Union positioning itself so that at some not too distant time it will be able to threaten a credible first strike against the United States?

Major propaganda efforts have been undertaken in many quarters to convince the West that nuclear war is simply impossible because of the massive force of nuclear explosions and resulting fallout. Yet, the development of high accuracy missiles means that targets can be destroyed with much lower-yield warheads, while each missile can carry greater numbers of warheads. Known and located targets can now be destroyed with relative ease. Peace rests on the balance of military strike forces and the awareness of decision-makers and public alike in the democracies that weakness leads to blackmail and surrender. Although there is no indication that the Soviets have ever targeted cities to destroy people, millions of American's certainly would die if military targets were actually attacked. In the high-stakes game of cashing in on military superiorty, there is no need to destroy cities. It is the fear of their being attacked or the possibility of retaliatory weapons being neutralized that will determine what happens. Clearly, because of its restraint, the United States is more vulnerable in any real confrontation.

"The Soviet military has made clear its enormous interest in the new technologies of guidance and precision, and will have the capability to destroy military targets in the United States with low-yield nuclear weapons.

"This means that fewer weapons are needed to attack military targets, and collateral damage to civil society can be held to very low levels or totally avoided."—*Discriminate Deterrence Report of The Commission On Integrated Long Term Strategy, January 1988.*

Soviet military writers for a long time have been fascinated with the concept of a surgical first strike—a surprise attack that decapitates the opponent's command structure and destroys the bulk of his forces, leaving him "strategically crippled, capable of only spasmodic, disorganized and strategically aimless response—or none at all." For the amoral military planner, a first strike is simply "a viable option." While Soviet writers usually carefully say the United States is the likely country to launch a first strike, they are—for whatever the reason—clearly thinking seriously about the concept and outlining the enormous advantages a first stike would confer.

In this situation, it is incredible that U.S. policy cannot decide whether to build missile defenses, or to maintain an adequate civil defense system, or even to invest very heavily in a command, control, and communications system designed to survive in a nuclear war. This is not true of the Soviet Union, which has devoted as much effort to defense and survivability as they have to offense over the years. Indeed, their efforts have been so extensive that many elements of the Soviet leadership, command and control systems as well as strike forces are likely to survive a U.S. retaliatory strike. This is true even if you discount the potential shield provided by Soviet ballistic defense deployments.

To a Soviet Union beset by unrest at home, facing an upsurge of nationalism among the captive nations of Eastern and Central Europe, and rebelliousness among its own national minorities and workers, the resort to a strategy of threatening a first strike may one day seem to be irresistible to beleagued Soviet leaders.

Gorbachev—deliberately or under pressure of the momentum of a militarized command system—seems to be taking all the correct measures necessary to prepare for a day when the Soviet Union, facing the signs of collapse of a 70 year old campaign to achieve a dominant role in world affairs, can threaten in one strike to knock out the only country standing in the way of that goal. If the United States and its allies recoil from the threat and submit to blackmail, Gorbachev could almost overnight provide his people with economic booty from the European community that would then be at his mercy.

"Undeniably, major political changes are taking place in the Soviet Union. It is not clear, however, that these changes have yet, or will, reduce the threat posed by the Soviet military. Despite all the talk of new thinking in foreign and defense policy and despite all the real actions for domestic reform, the Soviets continue to improve their military forces, which are already the world's largest."—*Richard Cheney, U.S. Secretary of Defense, May 1, 1989.*

Whether or not Gorbachev actually has such a game plan, the temptation for his successors would be overwhelming to grab power by mounting a challenge—perhaps a bluff, but a meancing one—to the classical capitalist enemies of the communist state.

"Nothing could be more shortsighted for the West today than to run down its defense unilaterally at the first sign of more peaceful and stable relations between the East and West."—*Margaret Thatcher, quoted in William Buckley column.*

If the United States begins now to lower its guard by reducing its own deterrent military strength, Americans will in due course have only a choice between acquiescing to nuclear blackmail or accepting a devastating attack on our major defense installations. In either case, Gorbachev or some successor to his post is very likely to be in a position to assure the fulfillment of his promise made to the Soviet communist leadership in 1987, "We shall never turn off that road . . . to a "new world, the world of Communism."

The scenario of how this strategic game could be be started is alarmingly simple. The necessary ingredients Gorbachev or any other paramount leader need to make it possible are already falling into place.

The U.S. satellites on which we depend for early warning of nuclear attack can be destroyed, as can the communications satellites on which our ICBMs depend for guid-

ance. Twenty years ago this kind of preliminary attack would have been considered cause to launch an American attack on Soviet military targets. But not necessarily today. It may be we can no longer afford to initiate a broad preventive attack. Certainly there would be divided counsels in NATO on how to respond to a Soviet *demarche*. Soviet leaders believe we can only react with words if they hold in reserve an overwhelming capacity to destroy American military weapons—and, if necessary, American cities.

An attack by the Soviet Union on our space satellite vehicles would leave us blind and vulnerable to a wide variety of Soviet military options. Soviet military forces have already tested weapons to attack these satellites. If current Soviet trends persist, and the U.S. Congress continues to weaken our nuclear triad and prevent our country from having a missile defense while the Soviets complete theirs, eventually the Soviet Union will have sufficient strength in space to challenge Washingron. What choice would the United States have if the Soviet Union threatened to attack military payloads, early warning satellites, and a communications platforms in space all probably in the name of "preserving space for peaceful purposes?" No overt military act would be needed to bring the world to a terrifying crisis in the face of such a threat.

"In contrast to the recent Soviet announcement that total defense spending in 1989 will be 77.3 billion rubles, Western estimates in current rubles would put Soviet defense spending at roughly 150 billion rubles."—*Soviet Military Power 1989, U.S. Department of Defense.*

The tragedy is that unless major changes in the American public's awareness of the danger occurs, the answer will continue to be what it is today—we have no good response when such a demarche would be credible from the Soviet Union.

American officials would know at that point that an attack on space vehicles might be followed by limited attacks aimed at neutralization of top U.S. strategic leadership. What would we do if there were also evidence of clandestine dissemination of bacteriological contaminants, such as a new type of flu virus appearing on the United States, perhaps threatening to immobilize the nation just as happened from natural causes in 1917?

Held in reserve, then, as a blackmail threat, with the conviction it would never need to be used, would be the nuclear strike, which everyone would know could in fact be delivered by the Soviet Union at the least expected time, masked by deception and disinformation. Soviet leaders would not need to threaten very much very specifically. Fear would trigger the crisis and might immobilize democratic capitals if the military balance has been allowed to change for the worse.

Under such an anticipated attack, U.S. based ICBM forces, our bomber force, and at least 50 percent of the submarine force in port could be destroyed. The prospects for battle would then focus on the remaining elements of the U.S. submarine force, which might not know too clearly what was happening. Both Moscow and Washington, woud know in that circumstance that the limited, ragged response we could then make might be substantially neutralized by a Soviet missile defense system.

It is almost certain in such dire circumstances that U.S. government officials would sense a loss of resolve and will, making it hard for anyone, even the President, to make decisions potentially so disastrous for our people.

The mind recoils from the possibility of this kind of "bolt out of the blue," but the danger is precisely what now may be becoming a reality. Our strategic policy appears to be driven by budget problems and Soviet propaganda about "detente" and peace. All Americans are under enormous pressure to join the surge to weaken U.S. military capability—even the administration, the Congress, the military services, and the Joint Chiefs of Staff, which are already acquiescing in reducing many elements of our military strength. Few seem to be demanding the maintenance of U.S. strategic security—at lest on one with the power to take corrective actions. Yet a few years of American slowdown and Soviet military modernization raises the specter of the kind of Soviet victory here outlined.

"The country stands before the necessity of making a cardinal change of direction. This could lead to the right or to the left. In such a dangerous situation, any thing is possible, even a military, fascist takeover."—*Andrei D. Sakharov, in the New York Times, June 24, 1989.*

There is no way to be sure what secretive and dictatorial leadership in Moscow will do some day if faced with the dilemma of seeing the communist system crumble or exploiting its military might to humble the capitalist democracies. The right answer is easy. The United States must avoid sliding into the danger of vulnerability to first strike blackmail and ultimate Soviet geopolitical victory.

THE WORST CRIME

"The worst crime is not to tell the truth to the public."—Winston Churchill, prior to World War II.

Why is Mikhail Gorbachev promoting *glasnost* (openness) and trying to depict the Soviet Union as a friend, not an adversary? Why also does he continue to spend a staggering amount of money on new and advanced arms? The answer is that he is in a race against time.

A front page story in the *New York Times* of March 9, 1989, reported, "Nationalism in the Ukraine, which is the Soviet Union's breadbasket and industrial engine, is surely high on Mikhail Gorbachev's list of nightmares as Soviet leader." There is widespread dissatisfaction among the Ukrainians, just as there are demands for greater freedom in the Baltic states annexed by Stalin, and ethnic unrest in Georgia, Armenia, Azerbaijan, and Uzbekistan.

Dr. Alan Keyes, former U.S. Ambassador to the U.N. under Jeane Kirkpatrick, says the Soviet Union might one day self-destruct under the mounting pressures of ethnic nationalism and economic stagnation. Zbigniew Brzezinski warns that the Soviet economic crisis is worsening and consumer unrest is rising.

Does Gorbachev intend to permit the Communist dream of 70 years to self-destruct? Not very likely! Moreover, is it not possible that those who oppose Gorbachev will seize power, perhaps led by Viktor Chebrikov and his KGB colleagues or the general still in the wings who were ousted by Gorbachev as leaders of the still powerful Soviet armed forces?

Momentous changes are occurring in the USSR, but it is not wise to engage in wishful thinking about fundamental systematic changes for the better. Probably Gorbachev himself cannot predict exactly what will happen, and neither can we.

While it is wise to encourage developments toward economic and political reform in the Soviet Union, it is also clear that a highly militarized one-party dictatorship will be a geopolitical and military threat to the United States. As the facts and photos in this book make clear, the American people must not allow themselves to be lulled by promises from Gorbachev. If Americans are innocent of the truth, our people will be much like the uninformed citizens who blundered into World War II 50 years ago, or the guileless Americans of the early postwar years who sobered up about Soviet geopolitical ambitions only when confronted with the Berlin Blockade and the Korean War.

"It is absurd to suggest that they must go on spending at anything like the current rate to protect themselves."—*Richard Perle, Assistant Secretary of Defense under President Reagan.*

The answer is not throwing more dollars at weapons systems but a strategy of maintaining a competitive economic-technical and politico-military balance of power compatible with American economic growth and social stability. The answer is in paying attention to facts about potential conflict and paying the price to protect our security.

Winston Churchill used the words at the beginning of this chapter to describe how he felt about keeping the English people in the dark about Nazi Germany's massive military build-up.

After the war, and millions of casualties later, Prime Minister Stanley Baldwin admitted, "Supposing I had gone to the country and said that Germany was rearming and that we must rearm, does anybody think that this pacific democracy would have rallied to that cry at that moment? I could not think of anything that would have made the loss of the election from my point of view more certain."

His successor, Neville Chamberlain, was the man who in 1938 spoke of "peace in our time." These short-sighted politically expedient attitudes cannot be tolerated by Americans in the world situation today.

The facts in this book make clear that history may be repeating itself, yet can be changed for the better if Americans are given the facts in time.

"While we hope to move beyond containment, we are only at the beginning of our new path. Many dangers and uncertainties are ahead. We must not forget that the Soviet Union has acquired awesome military capabilities. That was a fact of life for my predecessors, and that's always been a fact of life for our allies. And that is a fact of life for me today as President of the United States."—*George Bush, May 12, 1989*

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM. Mr. President, I yield 7 minutes to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. I thank the chair. I thank the Senator from Texas for giving me this most ample time. I congratulate him for bringing up this issue so we can have what I think is a most timely and serious discussion. We should begin it now, not later, not after the fact.

Before I get into some of my points, I want to offer a few housekeeping

comments, just as did the Senator from Texas.

First, I think it is curious that there are those who say we should not have this debate on this particular bill. I have never noticed this body being overly concerned about germaneness or whether one amendment should go to a particular bill or another one.

This debate is timely. That is the important thing. It is a timely discussion, and I think certainly a case can be made and has been made that this is a good place for this discussion, as to what we are going to do with the money we will have in the future. So I see no problem with bringing it up now. In fact, I think it is essential that we begin this discussion throughout America and between parties and between both bodies in the Capitol.

Awhile ago I could not believe some of the things I was hearing. I could not help but believe it was a revision of history, of the way things actually occurred in the 1980's. You can come up with statistics until you are blue in the face, but I do not think you can disprove that the 1980's happened to be one of the best periods of years we have had in this century. The key statistics are there: Inflation came down, interest rates came down, unemployment came down. So many things were good in the 1980's.

Perhaps you could come up with some statistic here or there to support: "Well, it was not as good as it could have been." But it was good, and the American people thought it was good. They said so in 1984, and they said it again in 1988. I believe if we will do the right thing to keep our economy growing and our Nation moving, they are going to say the same thing again in 1992 and in the future.

When someone stands up in this body and says the President spent $298 billion on defense, that's not accurate. The President does not spend one nickel on defense that this institution does not approve and usually cut. We can go back and come up with a lot of statistics on that, too, going all the way back to Jimmy Carter and the Congresses when he was President. The Congress, time and time again, cut his requests.

I do not think we are going to be able to go back and make the 1980's look bad. Let us not talk about history. We are here. It is now. There are some wonderful things happening. Let us talk about how we can take advantage of our current climate.

I do still believe very strongly one comment I heard earlier, that certainly unlimited opportunity is not well served by unlimited government. I believe the Senator from Texas said that. That is what we are talking about.

I do not like for us to call it a peace dividend. I keep reminding myself—the Senator from Florida always says this—peace without freedom is not very much. So if we are going to call it something, let us call it a freedom dividend. With that I feel more comfortable.

The question is: Will there really be a freedom dividend? If so, how and when? As a member of the Armed Services Committee, I can report that we are working on that right now. We are trying to assess the threat. We are trying to see if we can get the Pentagon to help us develop a strategic plan, to see what we can do systematically, cautiously, and capably, looking at what is being done in Eastern Europe, what the Soviets are doing. Are the Soviets going to do what they say they are going to do?

In a lot of important areas there is still a lot to be done. I do not think we should rush headlong into the future. I do think we are going to reduce defense spending. The President, through the Secretary of Defense, already has recommended some changes. But I do not think we are going to get a big chunk of money this year. It is not going to happen even if we cut out major programs. Reductions in spending will spin out over a period of years. If you start trying to get multibillions of dollars this year, you will be cutting into manpower, readiness, and some other very important areas.

We need to emphasize that there is not going to be much of a freedom dividend this year. It is going to be in the outyears, and we need to be careful when we do get it.

Now, what should be done with the money? We will go back to our respective States. I tell you what I hear in my State, the poorest State in the Nation, by the way. The people down there still do not think that deficits are OK. Back home in Mississippi they still think you must live within your means. I spoke to my State house of representatives just a couple of weeks ago, and I commended them because they do a better job than we do. Poor as they are, with all the many needs they have, they balance their budget every year. And they think we ought to do the same.

So when we start setting these priorities, it is very important that we continue to work at chopping down that deficit and getting rid of the national debt before we start spending this tremendous bonanza that we may or may not have.

Does anybody ever think about the national debt? Would there ever be a consideration of dealing with that national debt or is it just really a nonexistent thing up here—too big to comprehend, so we will forget about it?

At the very minimum let us get the budget deficit down to zero. I still believe that counts. I believe in people power. We can argue back and forth about where we are going to spend our money and what the people would do with it and different types of tax changes, but I just have to wonder: You talk about getting back to the people. That really counts. How about the idea of reducing and eliminating the tax on the incomes of people after they retire? That seems like a good idea.

There are several proposals the Senator from Texas has outlined—places where we can make changes—which we should really consider.

I still maintain that a reduction in the capital gains tax benefits all people. Tell the elderly couple who would like to sell their residence that they are in the upper income bracket and have to pay a tremendous capital gains tax on the sale. That is something on which we should focus.

What about personal exemptions? Percentagewise, we do not give people as much of personal exemption now as we did in the 1940's. I believe in returning the power back to the people and letting them make some decisions about where that money should be spent.

Yes; there are important national priorities. We need to spend money to fight the war on drugs. We are not doing nearly enough there. Crime is a tremendous problem, in the District of Columbia and across the country.

The PRESIDING OFFICER. The time yielded to the Senator has expired.

Mr. GRAMM. Mr. President, I yield 1 additional minute.

Mr. LOTT. I thank the Senator. We do have these priorities, but there is plenty of room in the proposal before us to deal with that—a 3- to 5-percent increase a year, a $30 to $50 billion increase each year that we can spend for such priorities. Believe me, if the money is there, the Congress is going to be inclined to spend it. But we must set some priorities and deal with those priorities. That is vital because a lot of what we spend money for is not in the drug area or crime or education or infrastructure it is for private programs like this one. I would urge my colleagues to develop a plan of where we are going with this freedom dividend.

I thank the Senator for the additional time.

Mr. KASTEN. Mr. President, I rise in support of Senator GRAMM's amendment to return the peace dividend to America's families by cutting their taxes. Now more than ever, the working men and women of America need a tax cut.

From 1955 to 1988, the Federal tax burden on middle-income Americans rose twice as fast as their income.

In 1955, a median-income family of four paid annual Federal taxes at a rate of: 9 percent; in 1970—16 percent; in 1988—24 percent.

Despite the Reagan tax cuts which reduced income taxes for working families and removed millions of the working poor from the tax rolls, the American family is still overtaxed.

According to the Tax Foundation, a moderate-income family—two workers earning $45,000 with two dependent children—faces a total Federal tax bill of $12,938 for 1990. This includes income, payroll, and excise taxes.

These excessive taxes have stuck at the heart of the American family. The costs of child raising—child care costs, health, housing, college education—have increased dramatically. Congress has responded by creating more Government programs for middle-income families, like Head Start and the Act for Better Child Care. These programs require more money—and lots of it—so the tax burden on these families goes up.

We're widening the gap between what Americans earn and what the Government lets them keep—and that's unacceptable.

The emergence of the peace dividend provides an opportunity to turn back this tide. Ideally, we should use the peace dividend to reduce the deficit—but our experience with the Vietnam war dividend shows that Congress will immediately spend it. And more spending will eventually lead to higher tax burdens in the future.

So let's give that money back to the American family. We should further cut marginal tax rates. We should boost incentives to save and invest by enacting a revenue-winning cut in the capital gains tax and expanding IRA's.

We should repeal the Social Security earnings limit on America's seniors and reduce the payroll tax burden on America's working families.

Mr. President, let's turn the peace dividend into an opportunity dividend. Only by restoring control of the economy to individual Americans can we ensure continued prosperity for all Americans.

I urge the adoption of the Gramm amendment and I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 5 minutes.

Mr. President, the first vote will be on the Sasser proposal that states it is the sense of the Senate that funds saved as a result of the reductions in military expenditures shall be used in addressing the problems that we are facing in balancing the budget, in meeting basic needs, and also tax relief for working men and women.

I am very hopeful that that particular proposal will gain as much support as possible when we vote in less than a half-hour.

I believe that if I were writing this resolution, I would certainly have supported working out some figures to bring some life into that particular resolution. Hopefully, the Budget Committee as it moves toward its deliberations, will bring the question of a peace dividend to the floor of the Senate.

But I hope, since no figures are actually established here, we can gain a broad consensus of the Members of the Senate that will support that particular proposal. I think it has identified the areas which the great majority of the Members of the Senate can support. When we get that peace dividend, it will be targeted toward the budget, toward basic needs, and tax relief.

I quite frankly believe that it is justifiable to consider a 7-percent reduction in the military for 1991, and a 5-percent reduction for the 4 years that would follow. That would bring real spending in constant dollars to about $220 billion, or the $80 billion savings that the Senator from Tennessee has outlined.

That would bring military spending to where it was during the Eisenhower-Kennedy period, or the Nixon-Ford period; a time when the cold war was still hot, when there were dramatic moments and tensions in the relationship between the United States and the Soviet Union which there are not today. A $163 billion peace dividend is possible—and I wish we were voting on implementing that very measure this afternoon.

I think quite frankly it is justified, and I find it difficult, quite frankly, to understand why those that are supporting the Gramm measure equivocate on whether there is one.

As members of the Armed Services Committee, we heard the former three chairman of the Joint Chiefs of Staff, all under President Reagan, say that the threat of military conflict has been substantially reduced. Three former Secretaries of Defense have stated the same.

There is not a hard-core Communist government left in Eastern Europe. The threat in the Persian Gulf has changed dramatically. Soviet troops are out of Afghanistan. There is movement in South Africa, and we have seen extraordinary changes in Central America.

Everything has changed around the world except President Bush's military budget. Everything, Mr. President. It is like nothing has happened around the world. It is like nothing has happened.

Why are we so reluctant to say that there has been a dramatic change, and it ought to be reflected in the size of our military budget?

We know that with these dramatic changes you hear those who say, well, they may be reversible. How are you going to reverse what has happened in Eastern Europe now? How are we going to see those kinds of alterations and changes?

We have had impressive testimony before the Armed Services Committee that said even if you are going to, President Gorbachev is not going to be out of office tomorrow. And if you put the hardest hardliner in the Soviet Union in office, it would be 2 to 3 years before the Soviet Union could be back to where they were just over a year ago.

Mr. President, we have extremely important needs. Obviously, the needs are here at home. I find the underlying premise of the Gramm proposal troublesome. I appreciate his willingness to support the Sasser proposal, but I find it difficult to justify the logic of his presentation when we have seen the major tax cuts that have gone to the wealthiest individuals in our society.

Obviously, we are going to have to deal with our budgetary considerations. But effectively, in supporting the Gramm proposal, you are saying, all right Mr. Average Hard-Working American, you are going to pay your taxes, and do you know something? If we get a little surplus it is going to go to offset those reductions we have had for the wealthiest individuals in America.

I just find that is troublesome. It is not warranted or justified.

I hope, Mr. President, that we will have a serious opportunity to debate this issue. I was impressed by the strong support for the peace dividend from the chairman of the Budget Committee. I identify myself with those remarks. I think we can see a very substantial dividend that should be reflected in the ways that the Senator from Tennessee has outlined in his proposal.

I am hopeful we will get a debate and that we will begin to accommodate American defense policy with the realities of the world today, and give the average working American, hard-working American taxpayer, a really important break.

I reserve the remainder of my time.

Mr. GRAMM. Mr. President, how much time do I have?

The PRESIDING OFFICER. Eight minutes and two seconds.

Mr. GRAMM. I yield 6 minutes to the distinguished Senator from North Carolina.

Mr. HELMS. Mr. President, may I be advised when I have used 4½ minutes of my time?

Mr. President, I am delighted to be an original principal cosponsor of the Gramm amendment, but as I told him, I confess a reservation about it. I just do not want to encourage all of these people who are trotting around talking about a peace dividend, as if the Congress was somehow coming into a windfall of money.

The fact is that we may not spend as much money on defense in the future as we once planned, but that is in no way a dividend. It reminds me, I say to the Senator from Texas, of the PTA meeting down in my little hometown of Monroe when I was a boy. They had a report from the treasurer. She said, "I must advise all of you that we have a $200 deficit. What are we going to do about it?"

One lady raised her hand and she said, "I want 50 percent of it to go to Red Cross; 25 percent to go to the Salvation Army; and we'll use the rest of it to have ourselves a party."

That is what the Congress is doing. We are even, with this bill, adding yet another Federal program that is going to cost the taxpayers dearly. That is exactly the wrong way to go. I am glad to be a cosponsor of Senator GRAMM'S amendment.

If savings are to be realized in the coming years as the result of the events in Europe, the Soviet Union, Central America, et cetera, we have to determine whether we are going to take advantage of those savings to expand economic opportunity and to get the Federal Government off the backs of the people of the United States.

Mr. President, in the area of domestic policy, I think we can identify two problems that are the cause of most other domestic problems: First, the growth of the Federal debt; and second, the breakdown of the traditional American family.

If our country is to remain a great power, we must continue to restrain and reduce the growth of Federal spending until the Federal Government achieves a balanced budget. It is imperative that the Federal debt be reduced.

Let me tell you something. Because of that profligacy of the U.S. Congress—and this is the place where the Federal deficits are created; this is the place that the Federal debt was run up—because of Congress, the tax burden on the American people has become absolutely outrageous.

I have to read some figures to you. Since 1955, the tax burden on most Americans has gone up twice as rapidly as their income, and you can rest assured that they know it.

Senator KASTEN, bless his heart, pointed out recently that on the average, a median-income family of four in the year 1955 paid Federal taxes of 9 percent of the family income.

In 1970, it was 16 percent of the family income. In 1988, it was 24 percent.

That is a trend we must reverse, rather than talking about how we are going to spend this so-called peace dividend. There "ain't no such animal," Mr. President, and we ought to 'fess up and level with the American people and stop talking nonsense.

Mr. President, we must foster public policies that will promote strong, traditional families. As that is done, I'm confident that we can more effectively address other major societal problems, such as illegal drug use and the poor quality of public education.

The Gramm amendment makes it clear that we can meet the needs of the people of this country better by strengthening the family rather than by expanding the government. I commend my friend from Texas.

Mr. GRAMM. Mr. President, I believe I have a couple minutes. I want to sum up and be brief. I understand there will be no remarks on the other side, so we can move on the votes.

Mr. President, we have two resolutions before us, and they are fundamentally the same, except in one way. Both talk about balancing the budget, about a commitment to do that without counting the Social Security trust fund. Both talk about cutting taxes. Senator KENNEDY raises concerns about which taxes. I list the taxes: Refundable child care tax credits; repeal of Social Security earnings tax, increase the personal exemption; expand and make permanent the R&D tax credit; a long-term capital gains tax cut; lower marginal rates, and other saving and investment incentives.

Mr. President, where the difference comes is in the provision of the Kennedy-Sasser proposal, which proposes, as the alternative, Government spending money.

Mr. President, on the proposal that I have made, the growth of government would be limited by the growth of the economy. The Government could not grow faster. If the economy grew at 3 percent a year, so would the Government. If it grew by 5 percent, Government would grow by 5 percent.

Under the Sasser proposal, Government would be a beneficiary of the peace dividend, setting the predicate to move out, as we did in the post-Vietnam era, when $380 billion in defense cuts were spent, and the deficit still went up and taxes still went up.

So, Mr. President, I am going to vote for the Sasser amendment, because two out of three is not bad. But if you want a chance to vote, to say the peace dividend ought to go back to American families, there is only one way you can get it: Vote for the Gramm resolution.

Mr. KENNEDY. Mr. President, I understand Senator KERREY wishes to speak. I yield him 3 minutes.

Mr. KERREY. Mr. President, the amendment offered by the Senator from Texas is a little difficult for me to understand. I begin my budget decisions trying to justify every single dollar made. Sometimes I vote for things not in Nebraska. Sometimes I vote for things that are in Texas, because I believe, for example, the space station is justified as a national investment. I try to justify each and every dollar that is spent.

The dilemma I have, listening to the proposal and to the comments being made on the other side, is that it seems to me that we are being dishonest, fundamentally, with the American people, because we are not generating a dividend here. We begin with $800 billion that we are going to generate in taxes this year, and then we are going to borrow $200 billion more and give the American people the proceeds.

The fundamental assumption contained in the proposal offered by the Senator from Texas is that the American people have sacrificed a great deal in the eighties. I offer, Mr. President, that we have taken them off the hook. We have let them borrow, and we are telling them borrowing is the same thing as paying for it with tax revenue. It is not. We have created this debt. It made it necessary for us to consider the kind of resolution that is being offered by the Senator from Tennessee that forces us to consider that balancing the budget will in fact accrue benefits to the poor of this country.

The other part of the resolution offered by the Senator from Tennessee is that the American people understand who, in fact, has sacrificed in America in the eighties, who has paid the price in the eighties for the recovery, who has in America been tightening their belts in the eighties, so that we can recover.

It has been the working poor and the middle class, and the amendment offered by the Senator from Tennessee addresses those people who have sacrificed the most. The resolution or amendment offered by the Senator from Texas perpetuates a myth that at some point, Mr. President, we in this Congress and in this Senate are going to have to stop agreeing to.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I ask unanimous consent that it be in order to ask for the yeas and nays on both these proposals.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. I yield back the remainder of my time.

VOTE ON AMENDMENT NO. 1274

The PRESIDING OFFICER. The question is on agreeing to the amendment, No. 1274, of the Senator from Tennessee. The yeas and nays have been ordered. The clerk will call the roll.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from California [Mr. WILSON] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—79

Adams	Ford	McClure
Armstrong	Fowler	McConnell
Baucus	Glenn	Metzenbaum
Bentsen	Gore	Mikulski
Biden	Gorton	Mitchell
Bingaman	Graham	Moynihan
Boren	Gramm	Nickles
Boschwitz	Harkin	Nunn
Bradley	Hatch	Packwood
Breaux	Hatfield	Pell
Bryan	Heflin	Pressler
Bumpers	Heinz	Pryor
Burdick	Hollings	Reid
Burns	Inouye	Riegle
Byrd	Johnston	Robb
Coats	Kasten	Rockefeller
Cochran	Kennedy	Sanford
Cohen	Kerrey	Sarbanes
Conrad	Kerry	Sasser
Cranston	Kohl	Shelby
D'Amato	Lautenberg	Simon
Daschle	Leahy	Specter
DeConcini	Levin	Symms
Dixon	Lieberman	Thurmond
Dodd	Lott	Wirth
Durenberger	Mack	
Exon	McCain	

NAYS—19

Bond	Helms	Rudman
Chafee	Humphrey	Simpson
Danforth	Jeffords	Stevens
Dole	Kassebaum	Wallop
Domenici	Lugar	Warner
Garn	Murkowski	
Grassley	Roth	

NOT VOTING—2

Matsunaga	Wilson

So the amendment (No. 1274) was agreed to.

Mr. BOND. Mr. President, I rise today to say a few words about the amendment of my good friend from Texas.

Senator GRAMM, along with his famous partners RUDMAN and HOLLINGS, did this country a great service when he pushed through his plan to help move us toward a balanced budget. I believe his ideas were sound then, and I believe we should give full support to his ongoing efforts to preserve the only spending discipline we have.

However, I am not sure if the amendment he proposes today continues us down that deficit-reduction path.

My reading of the purpose of GRH is that it sets a minimum rate of deficit reduction for Congress to meet. All the penalties are for not meeting the minimum; all the incentives are aimed at moving as quickly as possible to a balanced budget.

Unfortunately, the targets, along with the $10 billion fudge factor, has become a maximum deficit-reduction target. And when we consider accounting gimmicks, and one-time savings, the maximum is lowered to one-half of the original target.

I'm not sure why I should be surprised that Congress lacks the will to do any better than that—but I don't believe we should encourage ourselves by stating that as long as we skin by and meet the deficit-reduction targets that we can then spend any additional savings from the mystic peace dividend.

This is like telling the dieter that if they meet their weekly weight loss goal by Thursday, they can go back to binging until Sunday.

That is simply the wrong way to go.

Instead, we should use any savings from the so-called peace dividend to make the GRH targets into a minimum, rather than a maximum—who would be hurt if we got to a balanced budget sooner rather than later? And who would ever believe that Congress would get something done on time, much less early.

Personally, I believe all savings should go directly into deficit reduction, and then, once we have finally balanced the budget, the funds should go to retiring our massive Federal debt.

I am a firm believer in Government's setting priorities. As Governor of Missouri I faced fiscal difficulties when I came into office. But I made some tough decisions, and we brought the books back into balance—and funded some new needed priorities at the same time.

Our problem here is that while we are very good at crafting new solutions, we are terrible at letting go of programs that don't work or have become outdated. So, while I support many of the goals of my friend Senator GRAMM, I do not think we should approve his amendment here today.

Savings from defense should be savings—not redirected spending. No matter how worthy the new cause, no matter how attractive the tax cut.

Otherwise, the debt—the interest payments on which are now our third largest Federal program—will continue to haunt us and our children for decades rather than years.

VOTE ON AMENDMENT NO. 1270, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1270, as modified. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Hawaii [Mr. MATSUNAGA] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from California [Mr. WILSON] is necessarily absent.

The PRESIDING OFFICER (Mr. BRYAN). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 22 Leg.]

YEAS—48

Armstrong	Gramm	McConnell
Baucus	Grassley	Murkowski
Biden	Harkin	Nickles
Boschwitz	Hatch	Packwood
Breaux	Heflin	Pressler
Burns	Heinz	Reid
Coats	Helms	Roth
Cochran	Humphrey	Rudman
D'Amato	Kasten	Shelby
Dixon	Levin	Simpson
Dole	Lieberman	Specter
Domenici	Lott	Stevens
Durenberger	Lugar	Symms
Exon	Mack	Thurmond
Garn	McCain	Wallop
Gorton	McClure	Warner

NAYS—50

Adams	Dodd	Leahy
Bentsen	Ford	Metzenbaum
Bingaman	Fowler	Mikulski
Bond	Glenn	Mitchell
Boren	Gore	Moynihan
Bradley	Graham	Nunn
Bryan	Hatfield	Pell
Bumpers	Hollings	Pryor
Burdick	Inouye	Riegle
Byrd	Jeffords	Robb
Chafee	Johnston	Rockefeller
Cohen	Kassebaum	Sanford
Conrad	Kennedy	Sarbanes
Cranston	Kerrey	Sasser
Danforth	Kerry	Simon
Daschle	Kohl	Wirth
DeConcini	Lautenberg	

NOT VOTING—2

Matsunaga	Wilson

So, the amendment (No. 1270, as modified) was rejected.

Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Republican leader is recognized.

AMENDMENT NO. 1275

(Purpose: To improve the bill)

Mr. DOLE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself, Mr. MCCAIN, Mr. KASTEN, Mr. HATCH, Mr. DOMENICI, Mr. COHEN, Mr. PRESSLER, Mr. WARNER, and Mr. RUDMAN, proposes an amendment numbered 1275.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 7, line 11, insert "an individual with a disability," before "and".

On page 15, lines 17 and 18, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 20, lines 23 and 24, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 29, lines 24 and 25, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 30, line 21, after "sites," insert "accommodations for individuals with disabilities,".

On page 31, lines 24 and 25, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 34, line 16, strike out "handicapped conditions" and insert in lieu thereof "disabilities".

On page 35, line 4, strike out "handicapped individuals" and insert in lieu thereof "individuals with disabilities".

On page 44, line 2, after "sites," insert "accommodations for individuals with disabilities,".

On page 49, line 11, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 53, line 3, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 53, line 4, strike out "; and" and insert in lieu thereof a semicolon.

On page 53, line 9 after the semicolon insert "and".

On page 53, between lines 9 and 10, insert the following new subparagraph:

"(C) service in programs to assist elderly, disabled, poor, and homeless individuals obtain meaningful employment;"

On page 63, between lines 6 and 7, insert the following new subsection:

(d) ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES.—In accordance with the nondiscrimination provisions of section 174, each training program shall provide reasonable accommodations for individuals with disabilities.

On page 70, line 5, strike out "handicap" and insert in lieu thereof "disability".

On page 79, line 19, strike out "handicap" and insert in lieu thereof "disability".

Mr. DOLE. Mr. President, I spoke earlier this week on the importance of ensuring that individuals with disabilities be involved in national service programs as volunteers, not just as recipients. The amendments which I am offering have been agreed to on both sides of the aisle and will guarantee that these citizens are given the opportunity to participate fully in any national service initiative.

My proposal will amend this legislation to include "a person with a disability" under the definition of an adult volunteer and add "individuals with disabilities" to the list delineating program participants.

It will also modify that portion of the bill which suggests the types of national service that may be made available under national service demonstration programs, to include programs that assist those who are elderly, disabled, poor, and homeless in obtaining meaningful employment.

People with disabilities are eager and ready to contribute yet still face discrimination and lack of accessibility.

Another amendment under my proposal will make the 3-week training program required by this legislation accessible wherever appropriate for individuals with disabilities.

The responsibility to support people with disabilities begins and ends where it does with everyone else. These amendments will send a signal that people with disabilities, like everyone else, have the knowledge and skills to make a difference in their communities.

Finally, Mr. President, where the bill refers to individuals, or participants, with "handicapping conditions," my proposal would substitute the term "with disabilities" wherever the term "with a handicapping condition" occurs. The usage of the term "with disabilities" is consistent with langauge found in the Rehabilitation Act of 1973 and the Fair Housing Act, as well as disability related legislation pending before Congress, including the Americans With Disabilities Act and the Education of the Handicapped Act. This important change in terminology will bring outdated terminology up-to-date with state-of-the-art policy for people with disabilities.

Mr. DOMENICI. Mr. President, I am pleased to cosponsor Senator DOLE's amendment designed to ensure that people with disabilities will be able to fully participate in the service programs of this bill. When we think of community service, almost automatically we think of the importance of helping the disadvantaged, and this thought usually includes helping people with disabilities.

Too often we forget that people with disabilities have a great many abilities as well. I commend Senator DOLE for putting together this excellent amendment recognizing that people with disabilities often have much to contribute to their fellow citizens and their communities, and we should make sure they get that opportunity.

Mr. President, over the years I have had the pleasure to meet with many of my New Mexico constituents who have disabilities, and have heard much about their struggle to have their capabilities, and willingness to contribute, be accepted and understood by society. I think we would be remiss if we failed to assure that in this bill the disabled are given as much an opportunity as possible to participate in helping others. I urge the Senate to adopt this amendment.

Mr. KENNEDY. Mr. President, this is a very worthwhile and useful amendment. We had intended that all those with disabilities would be able to participate in this program. This makes it extremely explicit. I think it is an important addition.

I commend the Senator for offering this amendment. I hope the Senate will accept it.

The PRESIDING OFFICER. Is there further debate? The Senator from Utah.

Mr. HATCH. I compliment the distinguished Senator from Kansas. This amendment will assure that disabled persons can work as volunteers as well as the recipients of service.

Mr. President, I support the amendment offered by the distinguished Republican leader. After working so closely with all of our colleagues to develop the Americans With Disabilities Act, I think it is only fair that the suggested changes be incorporated.

Many of those with disabilities have been great examples of courageous service. Despite their limitations, I have been amazed at stories I have heard of those who are not afraid to go beyond what is expected to make their lives worthwhile. Those with disabilities have a great understanding of service.

This amendment acknowledges that understanding and ensures even greater access to service opportunities for all Americans.

So again, thanks to the distinguished Republican leader, we are willing to accept this amendment. We think it is a terrific amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 1275) was agreed to.

Mr. DOLE. I move to reconsider the vote by which the amendment was agreed to.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ARMSTRONG. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. BOSCHWITZ], the Senator from Indiana [Mr. COATS], Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MCCAIN, and Mr. MCCLURE, I am about to send an amendment to the desk. But pending that, I am advised I am going to yield the floor to the Senator from Washington.

AMENDMENT NO. 1276

Mr. GORTON. I thank the distinguished Senator from Colorado.

I have an amendment at the desk for which I ask immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes an amendment numbered 1276.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At page 46 of the substitute amendment, line 19 after "program," insert the following: "for which a grant has been made to the Secretary of Agriculture, Secretary of Interior, or the Director of ACTION,".

Mr. GORTON. Mr. President, this amendment simply corrects an anomaly which was overlooked by the drafters and removes a risk of tort liability for the actions of State employees

which was not meant, I understand, to be included in the bill.

I have checked it with both the majority floor manager of the bill and the minority floor manager of the bill, and they agree.

Mr. KENNEDY. Mr. President, the Gorton amendment clarifies the extent to which the Federal Tort Claims Act is applicable to Conservation Corps participants under the act. We think that is a useful clarification.

I urge that the Senate accept the amendment.

Mr. HATCH. Mr. President, I agree with the distinguished Senator from Massachusetts and the distinguished Senator from Washington. He is doing a very good service here, and we accept the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1276) was agreed to.

Mr. GORTON. I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The moton to lay on the table was agreed to.

AMENDMENT NO. 1277

(Purpose: To provide that any program receiving grants provided under the National and Community Service Act of 1990 is subject to Drug-Free Workplace Requirements for Federal Grant Recipients)

Mr. HATCH. Will the distinguished Senator from Colorado yield to me to send an amendment to the desk?

Mr. ARMSTRONG. Of course.

The PRESIDING OFFICER. The Senator from Utah, [Mr. HATCH].

Mr. HATCH. Mr. President, I send an amendment to the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. HATCH], for Mr. D'AMATO, proposes an amendment numbered 1277.

Mr. HATCH. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that any program receiving grants provided under the National and Community Service Act of 1990 is subject to Drug-Free Workplace Requirements for Federal Grant Recipients)

at the appropriate place in the bill insert the following: "All programs receiving grants provided under this Act shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under section 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707)."

Mr. HATCH. Mr. President, I have sent this amendment to the desk on behalf of my colleague from New York [Mr. D'AMATO]. This amendment clarifies that all programs receiving funds under the act will be subject to the drug-free workplace requirement for Federal grant recipients.

I understand this amendment has been cleared on both sides and I want to thank Senator D'AMATO for clarifying this issue.

Mr. D'AMATO. Mr. President, my amendment makes it clear that all programs receiving grants provided under the National Community Service Act of 1990 will be subject to the drug-free workplace requirements for Federal grant recipients that we included in the Anti-Drug Abuse Act of 1988.

The drug-free workplace requirements in the Anti-Drug Abuse Act of 1988 are intended to prohibit the awarding of a Federal grant to any organization that does not take specific steps to provide a drug-free workplace. It provides for suspension or termination of any grantee found to be in violation.

The drug-free workplace requirements of the Act of 1988 specifically provide that grant recipients must insure that they will provide a drug free workplace by: notifying all employees that the illegal manufacture, distribution, dispensation, possession, and use of a controlled substance is prohibited; and establishing a drug-free awareness program designed to inform employees about the perils of drug-abuse in the workplace, counselling and educational programs designed to address this problem, and the penalties and sanctions which may be imposed upon violators.

By applying these requirements to grants awarded under the National and Community Service Act of 1990 this amendment also requires that grantees make a good-faith and thorough effort to maintain a drug-free workplace, and cooperate with granting agencies to insure that all policies designed to promote drug prevention in the workplace are followed.

This amendment also makes it clear that Federal agencies may suspend payments or terminate grants for those recipients who do not comply with the act.

Making any program receiving grants provided under the National Community Service Act of 1990 subject to the Drug-Free Workplace requirements will certainly strengthen the act, and, because of the additional accountability imposed, it should enhance our present drug strategy initiatives aimed at eliminating drugs from the workplace.

Mr. HATCH. I urge adoption of the amendment.

Mr. KENNEDY. Mr. President, I support the amendment and urge the Senate to accept it.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1277) was agreed to.

Mr. HATCH. I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1278

Mr. HATCH. Mr. President, will the Senator from Colorado yield for just one more amendment.

Mr. ARMSTRONG. Sure. Yes, of course.

The PRESIDING OFFICER. The Senator from Utah [Mr. HATCH].

Mr. HATCH. Mr. President, I send an amendment to the desk to modify language under title III of the substitute. This amendment has been cleared. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. HATCH], proposes an amendment numbered 1278.

Mr. HATCH. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At page 111, of the substitute offered by Senator Kennedy, strike all after line 12 through and including line 15, page 115, and insert in lieu thereof the following:

SEC. 303. AUTHORITY.

(a) The President is authorized to designate a private, nonprofit organization (hereafter referred to as the Foundation) to receive funds pursuant to section 401(a)(7), upon his determination that such organization is capable of carrying out the undertaking described in section 302. Any such designation by the President shall be revocable.

(b) Nothing in this Act shall be construed either (i) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government, or (ii) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

SEC. 304. GRANTS TO THE FOUNDATION.

(a) Funds made available pursuant to sections 303 and 401(a)(7) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

(1) to assist the Foundation in carrying out the undertakings described in section 302; and

(2) for administrative expenses of the Foundation.

(b) Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this Act in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a) of this section, and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

Sec. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

(a) Grants may be made to the Foundation pursuant to this Act only if the Foundation agrees to comply with the require-

ments specified in this Act. If the Foundation fails to comply with the requirements specified in this Act, additional funds shall not be released until the Foundation brings itself into compliance with these requirements.

(b) The Foundation may use funds provided by this Act only for activities and programs consistent with the purposes set forth in sections 302 and 304.

(c) The Foundation shall not issue any shares of stock or declare or pay any dividends.

(d) No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

(e) No director, officer, of employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

(f) The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

(g) During the second fiscal year in which funds are granted to the Foundation pursuant to this Act, the Foundation shall raise from private sector donations an amount equal to at least one-fourth of any funds granted to the Foundation pursuant to this Act in that fiscal year. Funds shall be released to the Foundation during the fiscal year only to the extent that this matching requirement has been met.

(h) The accounts of the Foundation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The report of each such independent audit shall be included in the annual report required by subsection (l) of this section

(i) So long as the Foundation is receiving grants pursuant to this Act, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

(j) So long as it is receiving grants pursuant to this Act, the Foundation shall be subject to appropriate oversight procedures of the Congress.

(k) The Foundation shall ensure—

(1) that any recipient of financial assistance provided by the Foundation from funds granted pursuant to this Act keeps separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully (i) the amount and the disposition by such recipient of the assistance received from the Foundation, (ii) the total cost of the project or undertaking in connection with which such assistance is given or used, (iii) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and (iv) such other records as will facilitate effective audits; and

(2) that the Foundation, or any of its duly authorized representatives (including any agency designated by the President pursuant to subsection (i) of this section), shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

(l) The Foundation shall submit to the President and to the Congress an annual report, which shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the preceding fiscal year. This report shall be submitted not later than three months after the conclusion of any fiscal year in which the Foundation receives grants pursuant to this Act.

Mr. HATCH. Mr. President, the amendment has been agreed to, and I urge its adoption.

Mr. KENNEDY. Mr. President, we have looked at the legislative language surrounding the Points of Light Initiative Foundation that was proposed by the White House. These are good changes that add important provisions with respect to lobbying, conflict of interest, and accountability, and I am pleased to urge the Senate accept the amendment.

The PRESIDING OFFICER. Is there further debate on amendment 1278? If not, the question is on agreeing to the amendment.

The amendment (No. 1278) was agreed to.

Mr. HATCH. I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. I thank my colleague from Colorado.

AMENDMENT NO. 1279

Mr. ARMSTRONG. Mr. President, on behalf of a number of colleagues, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ARMSTRONG], for himself, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MCCAIN, and Mr. MCCLURE, proposes an amendment numbered 1279.

Mr. ARMSTRONG. Mr. President, ordinarily at this point I would suggest that we dispense with reading of the amendment, but I think it would be appropriate to read it. It is only about 4 or 5 lines long, and it well expresses the intent and purpose of the amendment.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

SEC. . Section 1-2503 of the District of Columbia Code (1981 edition) is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

"(c) Nothing in this chapter shall be construed to bar any organization or entity from denying, restricting, abridging, or conditioning the participation of any adult homosexual person or adult bisexual person in any program or activity that—

(1) educates, coaches, or trains any minor, or

(2) holds out the adult as a role model, mentor, or companion to any minor.".

Mr. ARMSTRONG. Mr. President, when I learned a few months ago that the District of Columbia had in effect forced the Big Brothers of America organization to admit homosexuals into their counseling program, I must say I was dumfounded. In fact, my first reaction was to disbelieve, in fact, that it was happening.

There were some published articles to that effect at the time, and I asked my staff to look into it. I discovered that this relevant provision of the D.C. Human Rights Act was exactly that effect, and that the D.C. goverment, in fact, is vigorously enforcing it.

I think my colleagues know that the purpose of the Big Brothers of America is to match adult volunteers with boys who need role models. Big Brothers of the National Capital Area has had a policy of rejecting any applicant who wishes to be a Big Brother if the applicant is homosexual.

Last fall, under pressure from the D.C. department that enforces the Human Rights Act, Big Brothers of the National Capital Area changed its policy and began accepting homosexuals.

I ask unanimous consent, Mr. President, that there be inserted in the RECORD at this point a brief news item taken from the Washington Post of October 24, 1989, which discusses this issue.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 24, 1989]

BIG BROTHERS SHIFT RULES

The Big Brothers of the National Capital Area has altered a policy under which it rejected the applications of homosexuals who volunteered to serve as role models for youngsters, officials of the organization said.

Under a vote taken last week by the private organization, the determination for matching a youngster with a volunteer is to be left to the youngster's mother, Big Brothers officials said.

In August, the D.C. Office of Human Rights decided to investigate a complaint filed by a Greenbelt man who alleged that the Big Brothers excluded him because he is homosexual.

The man alleged that the group violated a D.C. law prohibiting discrimination against homosexuals by employers and public accommodations.

A Human Rights Office spokeswoman said in August that the agency had categorized Big Brothers as a "place of public accommodation."

United Press International quoted an official of the Gay and Lesbian Activist Alliance of Washington as expressing satisfaction yesterday that Big Brothers "will finally

allow gay men to contribute to the community as they would anyone else."

Mr. ARMSTRONG. Mr. President, my amendment simply will allow Big Brothers and other similar organizations in the District of Columbia to set their own policy without coercion from the City Council with respect to the participation of adult homosexuals or bisexual persons in such programs or activities.

Mr. President, in a sense, it was tempting for me and for my cosponsors to simply forbid such participation, but to do so would in effect make the mirror-image mistake of judgment and public policy that the D.C. City Council is making. They have a coercive policy which says if you are going to have a volunteer organization that works with young people, you have to admit and permit homosexuals to participate and to be role models.

We are not saying that they may not have such persons, though it would be my earnest hope that homosexual persons would not be placed in such capacities or roles where impressionable young people would see them as role models.

We are just simply saying that this particular provision of the District of Columbia Code will not require or could coerce or force Big Brothers in similar organizations to do so.

We just would be absolutely clear about that. If my amendment is adopted Big Brothers could keep its current policy, revert to its former policy, or adopt some other policy. It leaves the option to the volunteer organizations affected.

Mr. President, let me also make it clear that the amendment is not as broad or sweeping as some might desire in that it deals only with adults, only with those adults who work with minors, and only with adults who are in the District of Columbia. We are not trying to set out to chart new policy for some broad-gauged agenda nationwide. We are only dealing with a volunteer organization situation that is not speculative, that has arisen, that is a present problem in the District of Columbia where Congress has the legislative jurisdiction.

If some State government is foolish enough to adopt a similar policy, that is up to the voters of that State. If some city council in Colorado or Utah or Massachusetts or somebody someplace decides to do it, that is up to them. Our responsibility is over the District of Columbia.

It fits on this bill because this is a bill about voluntarism. But I have deliberately tried to draft an amendment which is narrow in its scope and application, which is implemented to a clearly defined specific abuse, and is not hypothetical or speculative in nature.

Mr. President, with that word of explanation, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I hope the Senate will not accept the amendment of the Senator from Colorado. We have been over this issue over the period of the last 2 years. There has been no request to us from the District or from any of the groups in the District. Each State writes its own laws in terms of tax exemptions and human rights. So does the District of Columbia.

This amendment says we will only apply this to the District of Columbia, and we will let the rest of the States do whatever they want. If it is sauce for the goose, it ought to be sauce for the gander. If the Senate wants to preempt all State laws, that is one thing. But this is only targeted to one jurisdiction. That is the District of Columbia.

We have had no request from any of the voluntary organizations indicating that this is a problem.

So I think it is particularly intrusive. Therefore, I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. ARMSTRONG. Mr. President, will the Senator withhold?

Mr. KENNEDY. I am glad to yield. I hold the floor.

The PRESIDING OFFICER. Is the motion withdrawn?

Mr. KENNEDY. Yes.

I am glad to yield.

Mr. ARMSTRONG. Mr. President, I thank the Senator.

The distinguished Senator from Massachusetts, who is the manager on behalf of the Democrats, makes a couple of points that deserve to be answered. He points out there had been no request for legislation from the D.C. government. Of course, that is true because of the very abuses we are trying to correct are not only agreed to but, in fact, are caused by and are vigorously insisted upon by the D.C. city government. What we are doing is seeking to amend the human rights code of the District of Columbia.

The Senator from Massachusetts points out that this is a matter that we have considered before in this Chamber. That is correct. On a previous occasion, in fact on a couple, I have asked the Senate, with a narrowly drawn amendment, to preclude the District of Columbia from forcing religious institutions to grant to homosexual organizations on colleges campuses, on the campuses of religious institutions within the District of Columbia, or to impose requirements that they be given recognition or material support. In fact, at my request and on my motion, the Senate has done so. It has been enacted. It is the law of the District of Columbia.

Why, if that has been done, do we need this? The reason is when I offered the amendment previously, I only addressed the then existing abuse. I did not seek to repeal the entire D.C. statute, though, if I were a member of the D.C. City Council, that is exactly what I would seek to do. But, instead, I simply aimed at what was on the table without speculating with other problems that might subsequently arise.

This is a problem which has subsequently arisen. In other words, I did not know at the time—in fact, I cannot imagine that any Senator would have foreseen, that the District of Columbia would enact an ordinance, and then vigorously prosecute the ordinance, the effect of which is to force a volunteer organization, which is seeking to do a worthy and important work to help young boys who need role models, to force upon them against their will to admit into the capacity of counselor and role model homosexual persons.

Again, I have not offered to make this a broad-gauged, sweeping amendment that solves a lot of problems that have not arisen. I am only addressing the problem that we know about. It is real. It is not hypothetical. It is a great injustice. It is abhorrent. It seems to me that there should be little dispute about the need to amend this section of the D.C. Code.

Finally, let me address the point that somehow the Senator thinks that it is unfair to do this only for the District of Columbia; that we are letting other States make their own arrangements. I just want to point out that while some think of the District of Columbia as a State, I do not think that. Maybe it will be someday. But in the meantime, it is something other than a State, and we treat it legislatively quite differently than we treat the respective States which retain at least, in some respects, a degree of sovereignty. Under the Home Rule Act, as well as under the Constitution, Congress is the legislative body for the District of Columbia in much the same way that the General Assembly of Colorado is the legislative body for my State.

So we have a legislative jurisdiction. We know what the problem is. We have a clear responsibility to act on it. If the Senator persists in his intention to table my amendment, I hope we will vote down the tabling motion.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. KENNEDY] is recognized.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, as I mentioned before, this is limited just to the District of Columbia. We have taken action relevant to this a little over a year ago. The issue that was raised was at Georgetown University on a particular group that was on the campus. Georgetown University explicitly has indicated that it does not wish to have this kind of legislative interference, and the issue has been resolved satisfactorily, as I understand it, at the university, and it has explicitly requested that there not be this kind of Federal intrusion. Therefore, I move to table the amendment.

Mr. ARMSTRONG. Will the Senator yield for a question? I think he misstates the situation.

Mr. KENNEDY. Mr. President, I yielded earlier, and this amendment now just came on 10 minutes ago. We have been on the floor now for 3 days, and I move to table.

Mr. ARMSTRONG. Mr. President, will my colleague care to withhold that motion?

Mr. KENNEDY. I yield for a question.

Mr. ARMSTRONG. Mr. President, I have two or three questions I want to raise. I believe the Senator actually does not understand the intention of the amendment, because it has nothing to do with Georgetown. That issue is settled. A statute has been enacted on it. This has nothing to do with any college or university.

The PRESIDING OFFICER. We have a motion to table, which is not debatable.

Mr. KENNEDY. I am going to persist in the motion, Mr. President.

The PRESIDING OFFICER. The question then is on the motion.

Mr. ARMSTRONG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ARMSTRONG. Mr. President, I believe my colleague from Massachusetts has graciously consented to withhold his motion to table.

The PRESIDING OFFICER. There is a motion to table.

Mr. ARMSTRONG. I believe it is the Senator's intention to withhold or withdraw that motion.

Mr. KENNEDY. Mr. President, I withhold that motion.

The PRESIDING OFFICER. Without objection, the motion is withdrawn. The Senator from Colorado is recognized.

Mr. ARMSTRONG. Mr. President, my only desire is to clarify an unintentional misunderstanding. The Senator mentioned that this had not been requested by Georgetown or by any university. That is correct. This has nothing to do with the Georgetown case. That has been settled.

Congress has enacted a statute which, in effect, preempts a similar section of the D.C. Human Rights Code, because the D.C. city government has imposed really what, in the opinion of an overwhelming majority of Members of this Chamber, was an intolerable and unfair burden on the universities.

This has nothing to do with that. This addresses a similar abuse of a volunteer organization, the Big Brothers of the National Capital Area. So anyone who thinks we did the right thing in the case of the so-called Georgetown amendment, or what is technically known as the religious liberty amendment, I think would be disposed to vote for this. I did not want to leave, unintentionally, confusion that somehow we were solving a problem we have already dealt with. This is not the same problem, but it is similar.

The District of Columbia is trying to force Big Brothers and other similar organizations to admit homosexuals into their program as counselors and role models for the youngsters that they work with. I think that is intolerable. My amendment does not say they may not have such persons in their organization. It says it is up to them.

To sum up, I leave it at this: If this amendment passes and is enacted, Big Brothers and similar organizations can keep the policy they have, and they can go back to the policy they had formerly, or they can have some other kind of policy.

My amendment does not require them to do anything. What it does is prevent the D.C. City Council and the D.C. department that enforces this statue from imposing on them in this way, imposing what I believe to be a very unfair requirement.

Mr. President, I again thank my colleague from Massachusetts for his courtesy. I think we are now ready to take up his motion to table.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. KENNEDY] is recognized.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALLOP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WALLOP. Mr. President, oftentimes the Senate seems unable or unwilling to look at what it has already done that is pretty good and sets off on a new Quixotian conquest, to try to reinvent the wheel. Mr. President, I am speaking about the Congressional Award, much of the style of which has been plagiarized by the Senate Labor and Human Relations Committee, but none of the good of which has been.

I will give a little history to the Senate. The Congressional Award, was signed into law by President Carter in 1979. We have had a hard time, Mr. President, getting Congress to recognize the good that it did when it established that program. But it provides for 3 medals for young people in America, competing against themselves. So we do not need the handicap amendment, we do not need the award—in this instance only one per congressional district. These are young people who in America go out and earn their own awards in three areas: physical self improvement, in community service—voluntarism, if you will—and in exploration.

Mr. President, the young people of America where these programs exist have given three-quarters of a million hours and this committee did not even pause to recognize it. Three-quarters of a million hours to all kinds of things, like Meals on Wheels, to community ambulance services, to go sit with an elderly couple who were injured on a farm.

This committee takes all of the structure and creates a new award program but only one person per district.

We know, Mr. President, that turns into elitism and it becomes political. That is precisely what it is going to do. Whereas the Congressional Award is precisely the opposite. It encourages the young people of America and they have responded; where there have been Members of Congress interested enough to set up such a program in their district, they have responded incredibly.

We had the handicap amendment just a little while ago. Mr. President, one of the first recipients of the gold medal was a youth who had been perennially handicapped, who lived in a wheelchair, and set for himself the task of walking the length of a football field for his physical self-improvement. He achieved that. It would be like any of these flaccid old Senators running seven marathons in an afternoon. This young fellow did that.

We have this program. I ask the chairman of the committee or the Republican manager of the bill, why was the Congressional Award not considered when creating this voluntarism bill?

Mr. KENNEDY. I apologize to the Senator. I was just gathering, from the end of his remarks; he asked why did we not consider the Congressional Award?

Mr. WALLOP. Why did my colleague consider a new award, for one person in a district, which competes with the Congressional Award which has already been set up which encourages the young people of America to do just precisely that kind of thing? But in that instance they have people in their districts who work with them, volunteer to take care of these incredible achievements that they have. Instead, my colleagues set up another award?

Mr. KENNEDY. I am delighted to respond. The Senator has identified an issue which we believe has some merit. It is basically ancillary to the other provisions, which we hope will encourage voluntarism. We know there are those who do not believe there should be a stipend given, or that there ought to be an opportunity to work for benefits, such as in education. We know there are those who would like to have only the very wealthiest individuals be able to volunteer. But we have recognized that voluntarism goes all the way through the economy and goes to those with low incomes and middle incomes as well as higher incomes. So we have structured this with a variety of different programs.

The purpose of the variety of different programs is to do an evaluation, after 2 years, to look at the Conservation Corps, to look at the Serve America Program, to look at what has been done in the area of education in five or six different kinds of proposals. And one of them permits the President of the United States to give an award in a congressional district for outstanding service.

We do not say that is the answer. That is just an add-on. This whole provision is a variety of different recommendations.

We have suggestions from Members, including Members from my colleague's own side. This particular proposal was strongly advocated by the Senator from Pennsylvania [Mr. SPECTER].

It is not obligatory. If the President does not want to provide them, he does not have to. There is no obligation.

So I have difficulty, Mr. President, wondering why at this hour of the night the Senator is so excited about this particular provision. I think it is probably a generally useful one. If, over a period of time the President makes a decision to grant an award, and finds that individual in that particular district, and we see that that type of support and encouragement does increase the numbers of volunteers in different parts of the country—so be it. If he does not, so be it.

We have a variety of different kinds of awards, Mr. President. We are now also considering honoring teachers, scientists. We have different corporations that do it. I know there are some who think perhaps there are too many. We do think this, at least, is a useful idea.

There is no obligation. If the President does not desire to use those particular provisions, there are no requirements.

So I hear what the Senator is saying, but I cannot quite reach the same conclusion as the Senator has.

Mr. WALLOP. Mr. President, I feared the response that I would get from the Senator would be precisely the one I got.

The committee does not know about the Congressional Award. In fact, the committee does not understand what it, this Congress, has already done, and the good it has already created in America.

First of all, let me say these volunteers are genuine volunteers. And they are not wealthy children. It insults the program to suggest that only the wealthy have participated in the Congressional Awards. In fact, quite the contrary, most of the children who have won these awards have come from inner-city schools. Most of them have.

Just so we can get into the RECORD what we have already, we have the Congressional Award, which is an earned honor, that any young person in America can earn. He does not have to be cited by the President. He does not have to have a political connection., He has to have an award program, period.

It goes to youth between the ages of 14 and 23, a bronze medal, a silver medal, or a gold medal, based on their achievements, and each level of award is based on attaining a set number of activities in each of three areas: Volunteer public service, not paid volunteer but voluntary; personal development; physical fitness. Each of these young people has an adult American who is willing to volunteer and commit his time to oversee that program while the award is earned.

Anyone who has read the report for the National Community Service Act will realize that the existing Congressional Award Program is similar to the Award for Service Program proposed by section 417 of the act.

The act just does, in effect, duplicate an existing volunteer award program, but for the fact that only one in a congressional district can earn it. And he has to be discovered by the President of the United States.

The National Service Act actually pays the volunteers for their services. It does not recognize that young people in America of every class, are, today, volunteering their services.

This is a Nation of good and decent people, and the committee somehow or another thinks it has to pay people to be good and decent. It does not recognize what exists now today and is working in America.

We went through the same exercise of the public works employment in the late 1970's. Even President Carter eventually rejected the program as wasteful. It is an ill-disguised attempt to revise that program.

In my opinion, Mr. President, the Senate should delete section 417, the awards program, since it duplicates ours, competes with ours, and diminishes the award the Congress has already created.

This Senate and the House of Representatives paid short shrift to the award, and if they would pay half as much attention as this committee has to creating a duplicate system, that award would be thriving in every congressional district in America today.

Mr. President, I yield the floor, expressing my profound discouragement. It does not seem to care to advocate its continued use and expansion.

Mr. HATCH. Will the Senator yield?

Mr. WALLOP. I will be happy to.

Mr. HATCH. I appreciate what the Senator is saying, and it is important. I think the Congressional Awards are very important.

This bill gives permission to the President, if he wants, to grant awards. It just is another way of providing recognition for those who provide exemplary meritorious service.

Mr. WALLOP. Is he aware that the only award given in the name of Congress is the Congressional Award, given by the Congress of the United States?

Mr. HATCH. Is the President aware?

Mr. WALLOP. It is the Congressional Award. This is our program. It is the only award that bears the name of Congress. And the committee chose to ignore it, not even reference it in their report.

Mr. HATCH. I am aware of that, and I think the fact this bill ignores it does not mean we do not have Senators, individual Senators, who recognize how valid the system of Congressional Awards really is.

I think the Senator has raised a valid point, but we already knew about the Congressional Award. What we are doing here is just permitting the President, if he wants to, to issue additional awards.

Mr. WALLOP. Please forgive me. I understand what is being done here, and I understand it is permissive and not mandatory.

But here is a committee setting about to examine voluntarism in America, ignoring the achievements of what Congress has already done, and

not even giving encouragement that that be part of the program of voluntarism.

Mr. HATCH. I take the Senator's criticism seriously, and I have to say I think he points out a defect in the bill. I am not opposed to remedying that defect if he wants to, but I personally think everybody here recognizes Congressional Awards are important. We accept them. We want them to have the prestige that they do have.

I do not know that adding them to this bill, when they are already in existence, does anything to add more to their prestige.

Mr. WALLOP. Mr. President, I say to the Senator that everybody here does not recognize it, including this committee. That is the level of frustration that this Senator has, who was one of the founders of that award, who sat on the board of it and has been trying to gain the attention of the Senate now for over a decade, and people ignore it.

This is the best example we have of its being ignored, an incredible program that exists in some 24 of our States now is just overlooked.

I guess my plea here on the floor tonight is not to continue this argument, but to tell us that we have something that is attracting enormously good qualities out of the young people of America, and it is the only award that Congress gives in its own name.

I plead with the Senator from Utah and the Senator from Massachusetts that they recognize and try and help support the award that we already have. Go ahead with your voluntary bill, go ahead with the paid volunteers, but for heaven's sake, recognize that young people from every level and walk of life, whole and lame and halt, have been a part of this award, have achieved enormously inspiring things, and we choose here tonight to ignore it. We cannot even get Senators to come to the award ceremonies that we have in this Capitol from time to time.

I am just suggesting that what Congress has already done is really good, and what Congress is doing now, is ignoring what good it has already created with the Congressional Award Program.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HEFLIN). The Senator from Tennessee is recognized.

Mr. GORE. Mr. President, I want to express my appreciation to the managers of the bill for the courtesy to set this time aside for me to make brief remarks on another subject.

Before doing so, I would like to compliment the managers of the bill for the excellent work they have been doing on the floor and the authors of this legislation for bringing it forward for our consideration.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. GORE. I thank the Chair.

(The remarks of Mr. GORE pertaining to the submission of Senate Concurrent Resolution 97 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KOHL). The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ARMSTRONG. Mr. President I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AND COMMUNITY SERVICE ACT OF 1989

The Senate continued consideration of the bill.

Mr. ARMSTRONG. I gather we are sort of at ease while we work out things behind the scenes, so perhaps this is a good moment for my annual speech about colloquys and committee reports.

From time to time, I have noted that there are some uninformed souls who take what appears in the reports of committees of the Senate, and what appears in the CONGRESSIONAL RECORD as colloquys and statements to be valid statements of legislative intent. If there should be anybody who is inclined to do so, I would like to point out a couple of things, particularly if there should be a judge some place in a court who might read a committee report or read a colloquy that is inserted in the RECORD and say, "So that is what Congress intended," and thereby decide some pending lawsuit in accordance with that understanding.

I would just like to put such judges and other persons on notice. First, Senators do not write committee reports. For the most part, Senators do not read committee reports. So, obviously, they cannot actually represent any valid legislative intent.

In fact, I just happened to pick up a committee report that was on this desk. I would judge that there probably is not even one Senator who has read as much as half of the 709 pages of this committee report. I would judge there is not any Senator who has read all of it. Probably it would be safe to say something over 90 Members of Senate have not read any of it.

I do not say this to criticize, because it nonetheless is a document that is useful as a point of reference for certain purposes, but let me just say to a judge or others who think this is legislative intent, it is not.

The reason why this is important is because sometimes I know courts are inclined to so interpret committee reports and colloquys and so on. I made a statement similar to this a few years ago and not too long afterward a judge in Virginia cited my comments in pointing out why he had ignored some committee report, and I am glad he did. He did the right thing. Legislation speaks for itself. An attempt to legislate by committee report is not only a bad practice, but, in fact, it does not represent valid legislative intent.

Now, about colloquys. On yesterday, I entered into a colloquy with one of my colleagues, and I was dismayed to note that right after that colloquy there appeared in the RECORD a statement which he made, of which I was not aware, and would not have been had not a sharp-eyed member of my staff spotted his statement, which may be interpreted by some as in some way undoing the colloquy.

I just wanted to say for the RECORD—and I want to say it publicly so that nobody gets sandbagged—I am going to put another statement in the RECORD which restates what I thought the colloquy was all about. The bottom line is colloquys are hot air and should be ignored by thoughtful people.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON. Mr. President, the evidence is clear: When Americans are asked to serve others and are given the opportunity, they come forward eagerly. What is also clear is that we have not been sending a strong message from the Federal level about the importance of serving. And we are not giving the kinds of assistance that make it possible for Americans of all ages and walks of life to give such service. The National and Community Service Act of 1990 sends a strong message and moves us in the direction of giving those opportunities.

I commend our Labor and Human Resources chairman, Senator KENNEDY, for his efforts on this legislation. I am grateful to him and to Senator HATCH for agreeing to include in this substitute bill a number of amendments I recommended. These amendments give greater attention to basic skills needs and illiteracy among both the volunteers and program recipients, and provide testing and services to those who may have learning disabilities. In addition, the amendments include libraries in the definition of an education institution, making it clear that libraries are eligible for funding under the School and Community-based Service Partnership Program.

Mr. President, as I read the debate from Tuesday evening I noted some

misunderstanding in regard to the benefits available to those who serve in what I believe is an excellent model for national service, the VISTA program. I'd like to make it clear to my colleagues that VISTA volunteers, who must serve at least 1 year and be on call 24 hours a day, 7 days a week, currently receive a stipend at the end of their year of service of only $75 a month. That is only a $900 reward for their 1 year of service. That figure will go up to $90 a month next year and to $95 a month in the following year. At the maximum, in 1992, it will result in a stipend of only $1,140 per year. This is in comparison to the $5,000 in housing or education vouchers for a year of service under the National Service Demonstration Program under this bill.

VISTA is the domestic equivalent of the Peace Corps, a program that has provided great service to hundreds of thousands around the world while providing an invaluable service to the United States. These volunteers have postservice benefits a little more generous than VISTA's: $2,400 a year for up to 2 years of service—still not half of the amount that will be available to the national service volunteers.

One of the more valuable parts of this bill is our colleague Senator BUMPERS' provision to expand loan forgiveness and to make sure that applicants for Stafford and Perkins student loans are informed of the loan forgiveness available if they serve as a VISTA or Peace Corps volunteer or in an equivalent full-time volunteer capacity. This loan forgiveness in some respects compensates for the discrepancy in the postservice rewards for the national service volunteer and the VISTA volunteer. It is my understanding that the intent of the legislation is that this loan forgiveness is not an additional benefit available to national service volunteers under S. 1430.

But I would like to make sure that VISTA volunteers who may be working side by side with national service volunteers in the same antipoverty project will not feel they are less valued by those of us who design these programs. When each VISTA literacy corps volunteer recruits and trains from 100 to 200 community volunteers in literacy each year, as they are doing in Chicago and throughout Illinois today, we should be doing all we can to let them know their magnificent efforts are recognized and appreciated. And we should be encouraging more people to sign on as VISTA's. VISTA has a 25-year record of service that few programs can match.

And I also want to make sure that Peace Corps volunteers are not denigrated by being considered less valuable to their country than those who serve in communities here at home.

Because it is late in this process to be coming up with an amendment to provide equity for VISTA and Peace Corps volunteers, I have asked our chairman for an assurance that we will work with the House to address this issue in the final bill that comes out of conference. I believe the level of national service benefits could and should be made an option for these volunteers—not on top of their existing benefits or the new loan forgiveness benefits, but as an alternative option for these volunteers who live and work among the poorest of the poor in this country and countries around the world, and who generally have more stringent service requirements than will be required of national service volunteers.

In another area, Mr. President, just recently the Senate demonstrated strong concern for the problem of illiteracy in this country by voting 99 to 0 to pass the National Literacy Act. I appreciate my colleagues' support on that legislation and want to point out that we should not overlook the fact that this bill, S. 1430, can serve as a complement to the National Literacy Act. There is no question that as we expand and develop programs to combat illiteracy, our need for committed volunteers in a variety of areas will increase.

This legislation offers an opportunity to reach and train volunteers to serve in literacy programs. In addition, the attention to youth who are educationally disadvantaged, particularly in the American Conservation and Youth Corps, will help us reach many young people who may soon be among the millions of adult illiterate in this country if we don't give them the help they need now.

Since my early days in Congress, I have been in favor of enacting some type of national service. Back in 1979, as chairman of the House Subcommittee on Select Education, I chaired a hearing in which we looked at a variety of national service models and heard testimony on the need for such programs. My longtime friend, Harris Wofford, then cochair of the Committee for the Study of National Service, stated that the idea of voluntary national service was an "invitation to the imagination of both the public and private sectors." A decade later, at a hearing I chaired in Philadelphia last year, Harris Wofford, as Pennsylvania's secretary of labor, was arguing the same issue while testifying on S. 543, a bill I've introduced to amend the Job Training Partnership Act and establish a Fair Chance Youth Opportunities Program. He pleaded with us once again to act on a national level to help states meet these urgent needs.

S. 1430 responds by giving young people an opportunity to learn the significance of service to others while addressing important national needs. I might add that when we take up S. 543 here in the Senate, will have another chance to reach the 600,000 to 700,000 young people who drop out each year and are left behind in our society—as well as those millions of adults who continue to be out of work and out of hope. To make a meaningful impact on a problem of such magnitude, and of such importance to the economic and social well-being of the Nation, we clearly need to act through a variety of approaches that complement and reinforce each other. These legislative initiatives working together can give real hope and opportunity to millions.

Mr. President, I am pleased that the contributions and importance of VISTA and the Older American Volunteer Programs are not ignored in the enactment of this national service legislation. Because we just recently reauthorized the Domestic Volunteer Service Act and increased the funding for VISTA and the Older American Volunteer Programs, this bill does not include them. But it would be a significant oversight if they wre not goven recognition in the consideration of national service and in the findings of this bill. There are no better models for national and community service that exist under the Domestic Volunteer Service Act, and I'm pleased that much of the National and Community Service Act is drawn from the concepts in these long effective programs. I trust that the attention we are giving to new service opportunities will increase our commitment to expanding these older ones as well. And I hope we will not fail to provide fairness and equity in the benefits for these volunteers.

Once again, I'm pleased we are acting to use our human resources more wisely. We will be enriching our Nation and enriching each one of the volunteers who participates in these programs. I urge my colleagues to support this legislation.

Mr. DASCHLE. Mr. President, I rise to express my support for S. 1430, the National and Community Service Act.

Let me begin by congratulating my colleagues who have promoted the concept of national service. Senator KENNEDY, Senator NUNN, Senator MIKULSKI, Senator ROBB, Senator DODD, Senator GRAHAM, and Senator BUMPERS have each made significant contributions to this legislation and have worked together to bring forward a comprehensive and effective national service proposal.

My gratitude and appreciation also go to Majority Leader MITCHELL, whose leadership made public service a priority by placing it on the Democratic agenda last March.

I wholeheartedly support the National and Community Service Act, which recognizes the need to revive the spirit of voluntarism in America. Our modern society places many personal demands on every American's

time and energy, and, as a result, civic responsibility has simply become a low priority for too many Americans. A culture of apathy has begun to emerge in our Nation as Americans too often forget the important role they have to play in serving their communities and their country.

Congress must help reverse this societal trend that dissociates citizens from involvement in civic life. Most importantly, adults must teach young Americans about the important responsibilities that accompany democracy's freedoms and rights. Teachers and students alike admit that today's generation of young adults has a diminished willingness to become involved in activities outside the sphere of their own personal lives. Young adults, however, also express a definite interest in serving in their communities through a planned volunteer program.

The National and Community Service Act will establish an organized volunteer program that will tap into the resources and talents of all Americans. School-based and community agencies will work together to create and expand service opportunities for students, and a full-time youth corps will provide opportunities for young adults to earn postservice education and training benefits. For adults, this legislation would provide full- and part-time service opportunities in a wide range of areas, with full-time participants able to earn either education benefits, first-home benefits, or both.

In my home State of South Dakota, this legislation will open up a wide variety of service opportunities for people of all ages. South Dakotans may become involved in efforts to promote and preserve our precious but limited forest, agricultural, recreational, and wildlife areas, as well as our cultural and historical resources. Existing community programs that serve the elderly and shut-in will also be given a boost by this legislation, and new programs may be developed to target the specific needs of the elderly who live in rural areas. From social service programs like tutoring and literacy training to environmental protection efforts, I am confident that South Dakotans will join in a renewed national commitment to community service.

As the United States enters a new decade, the National and Community Service Act will help young and old alike work together to help themselves by helping others. Active volunteers will help rebuild America's infrastructure as they earn basic job skills and a sense of civic pride. In the words of President Lyndon Johnson, who created the Volunteers in Service to America Program, these volunteers will gain that "ultimate reward which comes to those who serve their fellow man."

Mr. LEAHY. Mr. President, I am very thankful to my colleagues who have worked so hard to craft national and community service legislation. This bill is long overdue.

The National and Community Service Act provides many opportunities for Americans of all ages to volunteer in their communities. It will generate 1 billion hours of community service over the next 5 years by building on existing programs, encouraging schools to involve students in volunteer service, and offering incentives to those who wish to make a substantial full- or part-time commitment to civilian service.

I am glad this bill has a special focus on youth. Too often on this floor we debate the amount of money to spend on law enforcement, or how tough we should make laws to deter young people from drugs and crime.

Not often enough do we spend our time passing laws which give children something to which they can say "yes."

I have been a supporter of community service for a long time, and I am pleased to be a cosponsor of this bill. This is a compromise measure that incorporates aspects of 14 Senate bills. It has the support of over 65 national organizations.

So many volunteer efforts on the local level deserve our support. In my own State of Vermont, hundreds of volunteer programs involving youth, seniors, and adults of all ages provide needed services in our towns and rural areas.

There is one volunteer program in Vermont of which I am especially proud.

It is at St. Michael's College in Winooski, VT—my alma mater. Two years ago the school recognized the value of getting its students out into the community. They established a program called MOVE, or Mobilization of Volunteer Efforts. This program has been successful beyond the hopes of its creators. During the 1988-89 academic year alone, more than 400 students—that is about 25 percent of the student body—performed over 20,000 hours of community service.

MOVE has successfully channeled the talents, creativity and energy of St. Michael's students into innovative and effective service programs that make a difference in the community.

MOVE is addressing unserved needs in its local community. The "Hunger Garden," for example, was started in the summer of 1988 by Rev. Thomas Hoar. St. Michael's gave two plots of land for the garden, where squash, tomatoes, potatoes, string beans, carrots, and other vegetables are planted. After student volunteers harvested the vegetables, all the food was shipped to the Chittenden County Emergency Food Shelf which services the hungry in this Vermont county.

Students are becoming more aware of the needs of persons with disabilities. After spending "Physical Awareness Day" in wheelchairs, students learned about the barriers some of their students encounter. The day was effective in spreading awareness of the physically challenged and their needs. A student named Larry, who has cerebral palsy, has benefited from this awareness. Many students volunteer to help Larry get to classes and live in student housing.

On a warm September afternoon in the fall, St. Michael's campus was filled with colorful balloons, clowns and smiling faces. The event was the First Annual Kids' Day. With about 150 area children, the day's activities included of art tables, games, a puppet show, a magician, a story teller, and refreshments. It was a time for the children to enjoy themselves and chance for St. Michael's students to become familiar with volunteering.

Many students spend their spring breaks volunteering in other areas of the county. For several years, the MOVE Program has sponsored week-long programs that offer an alternative to more traditional spring break activities. St. Michael's students have volunteered at Covenant House, a home for runaway teenagers, and have worked with social service organizations in Appalachia.

I am proud to say that the MOVE Program at St. Michael's College has been named by President Bush as the "Thirty-fourth Point of Light." This national recognition is well-deserved.

But it is not enough that we support efforts like the MOVE Program with a title, however prestigious. We must provide them with the financial and organizational support they need.

The National and Community Service Act provides that structure, and the necessary funding. Americans have proven time and time again that they are willing to give of themselves in volunteer services, that the ethic of civic responsibility is still alive. In passing this legislation, the Senate makes itself a partner in those valuable efforts.

Mr. GORE. Mr. President, we often discuss the problems our citizens are experiencing—overcrowded classrooms, understaffed care facilities for the elderly, diminishing forests. Therefore, I am pleased to be a cosponsor of the National and Community Service Act, which will encourage our Nation's citizens to become more involved in their communities, to contribute to the solutions of the problems facing society. I wish to congratulate the members of the Labor Committee who have brought to the Senate this legislation, which will provide a framework to channel the limitless energies of those who wish to serve their neighbors.

Since the time when a young President challenged our Nation to "ask not what your country can do for you; ask what you can do for your country," the idea of voluntarism and service to community and nation has lost its luster. The 1980's seemed to have been characterized by greed and avarice. As we enter the 1990's our Nation should commit itself once again to community service and involvement, to making the world in which we live a better place—this bill is the first step.

Once again we need our citizens to work together to build a better society. We need our citizens to participate in their neighborhoods—to strengthen the connection between individuals and the communities where they live. Young people who volunteer for national service become more self-reliant and develop a better understanding of their roles and responsibilities in the community. National service is a practical way for our citizens—young and old—to learn and grow through training, guidance, and group interaction.

The National and Community Service Act establishes school and community based programs to encourage students to serve their communities—by teaching the illiterate, by spending time with children in day care centers, by planting trees, working in recycling centers, helping with activities at senior citizens centers. The possibilities are limited only by the participants' imaginations. These summer and part-time positions would provide participants with productive work that would make them feel positive about themselves and their contributions; and these volunteer opportunities would provide important benefits for all the people served.

This legislation provides States with competitive grants to fund educational, environmental, public service, or public safety programs. College students would be encouraged to participate in community service programs with incentives such as academic credits, deferred or partially canceled loans or work-study options. As more and more people get involved, our neighborhoods, our communities and every person in America will be the winners.

I urge all of my colleagues to support the National and Community Service Act. By expanding volunteer efforts our citizens will help create more cohesive, connected communities. And, our communities will become more vital, more vibrant places to live.

Mr. KENNEDY. Mr. President, I appreciate the patience of our colleagues as we have been trying to bring this legislative effort to a conclusion this evening. We have made some very substantial progress during the course of the day.

It had been my hope that we might have been able to conclude at a reasonable hour this evening. It is my understanding that we are down to probably one or two important items that remain to be addressed, and I recognize that we could conclude this evening, but we would probably go on into the evening for a period of time. It is acceptable to those who are offering the amendments to address these issues in the morning.

So it is my intention, and I have talked with the leader, and I believe the majority and minority leaders should be to bring this matter back on the floor as early as 10 tomorrow morning, so we can take up where we are right at this present time. I do believe we will be able to move the legislation and resolve it in an expeditious way which will permit us to address other measures tomorrow. So that is our intention.

I have talked this over with my colleague and comanager, the Senator from Utah, and this is an agreeable way for him as well. We have mentioned this to the Senator from Colorado, who has the pending amendment, and it is satisfactory to him.

We have not been able to get the attention of Senator NICKLES. We hope we will be able to resolve that particular issue, and we hope we will be able to announce something on that remaining item. Then hopefully, Mr. President, with the acceptance of the amendments of the Senator from California [Mr. WILSON] we will, in terms of what we have been notified at the present time, be ready to move toward a third reading.

That is currently the situation. I will let the majority leader make the definitive declaration about what, if anything, we are going to be doing for the remainder of this evening, but this legislation will go over until tomorrow morning.

Mr. HATCH. Will the Senator yield? As I understand it, for the benefit of our colleagues, I think it is correct there will be no further votes tonight.

Mr. ARMSTRONG. A little louder, please.

Mr. KENNEDY. The question on the votes or nonvotes really has to be stated by the majority leader, appropriately. There will not be votes on this particular measure.

The leader says that we can say it, so we have said it. There are no more votes. I am always glad to bring good news.

Mr. ARMSTRONG. Mr. President, will the Senator yield?

Mr. KENNEDY. I am glad to yield the floor.

Mr. ARMSTRONG. My understanding is that we will return to this at 10 tomorrow, but that we have not entered into any agreement as to when we will vote.

The PRESIDING OFFICER. The Senator is correct. There has been no agreement.

Mr. ARMSTRONG. I am agreeable, although I am ready to vote tonight. I am ready to vote at any time.

The only concern I feel about this arrangement—and I am agreeable to it just to expedite the business of the Senate—is that I hope no Senator would feel that this would be the moment to offer a second-degree amendment that might confuse the issue. I would like to have a vote up or down on my amendment, or if somebody wants to move to table me, that is all right.

I will not be agreeable if the effort is to simply offer an amendment which confuses the issue. This is a simple matter. To bring in unrelated or extraneous issues as a second-degree amendment will, in my opinion, not expedite the work of the Senate and would not be a good practice. I hope no Senator will dream up that idea overnight. It is not something that is complicated or that requires a lot of refinement, and I hope we can dispose of it quickly in the morning.

I do not see other Senators seeking recognition. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SIMON). Without objection, it is so ordered.

MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRISH-AMERICAN HERITAGE MONTH—A TRIBUTE TO THE SHARED TRADITIONS AND VALUES OF THE UNITED STATES AND IRELAND

Mr. PELL. Mr. President, today I am pleased to have joined Senators SIMON, KERRY, MOYNIHAN, KENNEDY, and others in introducing legislation to pay tribute to the contributions that Irish-Americans have made to the United States.

The United States enjoys a longstanding and friendly relationship with Ireland, due in large measure to the strong Irish strands in the fabric of America. Indeed, at the last census count, more than 40 million residents of the United States reported that they were of Irish descent. Irish-Americans have made an indelible mark on the many diverse aspects of American

culture, and they have played an important part in our Nation's history.

The legislation we introduced would designate March 1990 as Irish Heritage Month. It also reaffirms the special relationship between the United States and Ireland at a time when events in Europe warrant a coherent response by the United States and its Western allies.

Yesterday, the Senate Foreign Relations Committee hosted a private meeting with Irish Prime Minister, Charles J. Haughey, who is visiting Washington in conjunction with Ireland's ascendancy to the Presidency of the European Economic Community.

The EC will likely emerge as one of the primary actors in the formulation of a new order in Europe. Ireland, as president of the EC, will play an important role in that process. It is thus particularly timely that we in the United States reflect on our deep ties with Ireland and our common bonds with the Irish people.

Mr. President, it is clear that the United States has a real interest in designating March 1990 as Irish-American Heritage Month. Not only would the celebration be a fitting tribute to the contributions that Irish-Americans have made to U.S. society, but it would also solidify our friendship with a significant ally in Europe. Accordingly, I urge my colleagues to support this timely and important legislation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations and treaty received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 4:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1016. An act to change the name of "Marion Lake", located northwest of Marion, Kansas, to "Marion Reservoir".

At 4:40 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3729) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. ROE, Mr. NELSON of Florida, Mr. VALENTINE, Mr. BROWN of California, Mrs. LLOYD, Mr. GLICKMAN, Mr. VOLKMER, Mr. MINETA, Mr. TORRICELLI, Mr. NAGLE, Mr. WALKER, Mr. SENSENBRENNER, Mr. LEWIS of Florida, Mr. BUECHNER, Mr. PACKARD, Mr. SLAUGHTER of Virginia, and Mr. ROHRABACHER as managers of the conference on the part of the House.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3910. An act to require the Secretary of Education to conduct a comprehensive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

H.R. 4010. An act to provide the Secretary of Agriculture authority regarding the sale of sterile screwworms.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 87. Concurrent resolution concerning Iranian persecution of the Baha'is;

H. Con. Res. 226. Concurrent resolution providing for acceptance of a statue of Philo T. Farnsworth, presented by the State of Utah, for placement in National Statuary Hall, and for other purposes; and

H. Con. Res. 251. Concurrent resolution authorizing use of the rotunda of the Capitol for a dedication ceremony incident to the placement of a bust of Lajos Kossuth in the Capitol and authorizing the printing of a transcript of the proceedings of the ceremony.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 4010. An act to provide the Secretary of Agriculture authority regarding the sale of sterile screwworms; to the Committee on Agriculture, Nutrition, and Forestry.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 226. Concurrent resolution providing for acceptance of a statue of Philo T. Farnsworth, presented by the State of Utah, for placement in National Statuary Hall, and for other purposes; to the Committee on Rules and Administration.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3910. An act to require the Secretary of Education to conduct a comprehensive national assessment of programs carried out with assistance under chapter 1 of title I of the Elementary and Secondary Education Act.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 87. Concurrent resolution concerning Iranian persecution of the Baha'is.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2438. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled "Allies Assuming a Greater Share of the Common Defense Burden"; to the Committee on Armed Services.

EC-2439. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Monetary Policy Report of the Board; to the Committee on Banking, Housing, and Urban Affairs.

EC-2440. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report on activities under the Steel and Aluminum Energy Conservation and Technology Competitiveness Act for fiscal year 1989; to the Committee on Energy and Natural Resources.

EC-2441. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report on the National Assessment of Radon Gas; to the Committee on Environment and Public Works.

EC-2442. A communication from the Administrator of General Services, transmitting, pursuant to law, prospectuses for the fiscal year 1991 General Services Administration Public Buildings Service Capital Improvement Program; to the Committee on Environment and Public Works.

EC-2443. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 8-156 adopted by the Council on January 30, 1990; to the Committee on Governmental Affairs.

EC-2444. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 8-154 adopted by the Council on January 30, 1990; to the Committee on Governmental Affairs.

EC-2445. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 8-155 adopted by the Council on January 30, 1990; to the Committee on Governmental Affairs.

EC-2446. A communication from the Postmaster General of the United States, trans-

mitting, pursuant to law, the annual report of the Postmaster General for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2447. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the annual report of the Agency on competition advocacy for fiscal year 1989; to the Committee on Governmental Affairs.

EC-2448. A communication from the Director of the Federal Judicial Center, transmitting, pursuant to law, the 1989 Annual Report of the Federal Judicial Center; to the Committee on the Judiciary.

EC-2449. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, the annual report of the Board under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2450. A communication from the Chairman of the Board of Directors of the Tennessee Valley Authority, transmitting, pursuant to law, the annual report of the Authority under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2451. A communication from the Senior Deputy Director, Congressional Relations and Communications, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the annual report of the Federal Home Loan Bank Board under the Freedom of Information Act for calendar year 1989; to the Committee on the Judiciary.

EC-2452. A communication from the Acting Assistant Attorney General (Legislative Affairs), transmitting a draft of proposed legislation to provide for the recovery by the United States of the costs of hospital and medical care and treatment furnished by the United States in certain circumstances; to the Committee on the Judiciary.

EC-2453. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the 1988 annual report on the National Health Service Corps, the NHSC Scholarship Program, and the NHSC Loan Repayment Program; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, with an amendment:

S. 1543. A bill to authorize the Colonial Dames at Gunston Hall to establish a memorial to George Mason in the District of Columbia (Rept. No. 101-245).

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 93. Concurrent resolution providing for acceptance of a statue of Philo T. Farnsworth presented by the State of Utah, for placement in National Statuary Hall, and for other purposes (Rept. No. 101-246).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Edwin G. Foulke, Jr., of South Carolina, to be a Member of the Occupational Safety and Health Review Commission for the term expiring April 27, 1995;

Bernard E. DeLury, of New Jersey, to be Federal Mediation and Conciliation Director;

John T. MacDonald, of New Hampshire, to be Assistant Secretary for Elementary and Secondary Education, Department of Education;

Tony E. Gallegos, of California, to be a Member of the Equal Employment Commission for the term expiring July 1, 1994;

Antonia Coello Novello, of the District of Columbia, to be Surgeon General of the Public Health Service for a term of four years;

Wanda L. Forbes, of South Carolina, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 1993;

Charles E. Reid, of New Jersey, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 1993;

Daniel W. Casey, of New York, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 1994;

Elinor H. Swain, of North Carolina, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 1994;

Joyce T. Berry, of the District of Columbia, to be Commissioner on Aging;

Frederick M. Bernthal, of Tennessee, to be Deputy Director of the National Science Foundation; and

William Hughes Graves III, of Mississippi, to be Director of the National Institute on Disability and Rehabilitation Research.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. KENNEDY. Mr. President, for the Committee on Labor and Human Resources, I also report favorably a nomination list in the Public Health Service which was printed in full in the CONGRESSIONAL RECORD of January 23, 1990, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. GLENN, from the Committee on Governmental Affairs:

Allan V. Burman, of Virginia, to be Administrator for Federal Procurement Policy.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BRADLEY (for himself, Mr. DURENBERGER, Mr. MATSUNAGA, Mr. CHAFEE, Mr. HARKIN, Mr. SHELBY, Mr. KOHL, Mr. DODD, Mr. ROCKEFELLER, and Mr. RIEGLE):

S. 2198. A bill to amend title XIX of the Social Security Act to reduce infant mortality through improvement of coverage of services to pregnant women and infants under the medicaid program; to the Committee on Finance.

By Mr. PACKWOOD (for himself and Mr. BOSCHWITZ):

S. 2199. A bill to amend the Internal Revenue Code of 1986 with respect to the tax treatment of the transfer of excess pension assets to retiree health accounts, and for other purposes; to the Committee on Finance.

By Mr. RIEGLE:

S. 2200. A bill to repeal the temporary suspension of duty on C-amines; to the Committee on Finance.

By Mr. DASCHLE:

S. 2201. A bill to amend title 38, United States Code, to eliminate a means test applicable to determinations of eligibility of certain veterans for veterans hospital care and other care and services; to the Committee on Veterans' Affairs.

By Mr. FORD:

S. 2202. A bill to authorize the use of receipts from customs user fees to pay for additional customs personnel and services; to the Committee on Finance.

By Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mr. MCCAIN):

S. 2203. A bill to settle certain claims of the Zuni Indian Tribe, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. BENTSEN (for himself and Mr. DASCHLE):

S. 2204. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff treatment of foliage-type artificial flowers of man-made fibers; to the Committee on Finance.

By Mr. MITCHELL (for himself and Mr. COHEN):

S. 2205. A bill to designate certain lands in the State of Maine as wilderness; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRANSTON:

S. 2206. A bill to enhance exports by eliminating government-imposed obstructions to freer trade; to the Committee on Finance.

By Mr. CRANSTON (for himself, Mr. DODD, and Mr. ADAMS):

S. 2207. A bill to amend the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself and Mr. GARN):

S. 2208. A bill to provide for issuance of a 7-day permit for the Grand Circle Adventure comprising 7 national parks in Utah, Colorado, and Arizona; to the Committee on Energy and Natural Resources.

By Mr. HEINZ (for himself, Mr. BOREN, and Mr. PRYOR):

S. 2209. A bill to amend the Internal Revenue Code of 1986 to provide that small life insurance companies need not amortize acquisition expenses for purposes of the minimum tax; to the Committee on Finance.

By Mr. D'AMATO (for himself and Mr. MOYNIHAN):

S. 2210. A bill to provide for preservation of competitive rail freight service routes in the Northeastern United States; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. ARMSTRONG, Mr. BURNS, Mr. HUMPHREY, Mr. KASTEN, and Mr. SYMMS):

S. Res. 252. Resolution to express the sense of the Senate regarding refusal by the Soviet Union to implement the commercial airline agreement between El Al and Aeroflot; to the Committee on Finance.

By Mr. LEVIN (for Mr. FORD (for himself and Mr. STEVENS)):

S. Res. 253. Resolution authorizing the printing of a revised edition of the Senate Election Law Guidebook as a Senate document; considered and agreed to.

By Mr. GORE (for himself, Mr. PELL, Mr. D'AMATO, and Mr. PRESSLER):

S. Con. Res. 97. Concurrent resolution expressing the sense of the Congress with respect to popular anti-Semitism in the Soviet Union; to the Committee on Foreign Relations.

By Mr. LEVIN (for Mr. GORE (for himself and Mr. HEINZ)):

S. Con. Res. 98. Concurrent resolution authorizing a public event with music for Earth Day 1990 on the United States Capitol Grounds; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BRADLEY (for himself, Mr. DURENBERGER, Mr. MATSUNAGA, Mr. CHAFEE, Mr. HARKIN, Mr. SHELBY, Mr. KOHL, Mr. DODD Mr. ROCKEFELLER, and Mr. RIEGLE):

S. 2198. A bill to amend title XIX of the Social Security Act to reduce infant mortality through improvement of coverage of services to pregnant women and infants under the Medicaid Program; to the Committee on Finance.

INFANT MORTALITY AMENDMENTS OF 1990

Mr. BRADLEY. Mr. President, I rise to introduce the Medicaid Infant Mortality and Children's Health Act of 1990. This legislation amends the Medicaid Program to require States to provide health care coverage for pregnant women and infants up to 185 percent of the Federal poverty level by 1993; to phase in coverage for children up to age 18 from families living at or below 100 percent of the Federal poverty level; and to ensure adequate payment to disproportionate share hospitals for medically necessary care rendered to children under the age of 18.

Mr. President, for the past 3 years we have taken several important steps to address a problem that can only be characterized as a national disgrace. This proposal takes us one step further in attacking our failure to protect the lives of infants and children in America.

As we watch the amazing changes that are overtaking the world today, I am more and more convinced that the test of our leadership in the world will be the example we set in providing for the human needs of our own people. Our record on how we treat our children in America is less than exemplary. It is unacceptable that in America today, infant mortality is higher than in all other industrialized nations. In the past year alone we have slipped from 19th to 20th on the list of industrialized nations. More children die in America before the age of 5 than in East Germany and Singapore. It is also intolerable that our country, which pioneered the development of vaccines, should have a childhood immunization rate among nonwhite Americans which ranks behind 48 other countries including Albania and Botswana. A country that can put men on the Moon and can dream of sending men to Mars can surely find ways to add ounces to the birthweight of newborns.

Mr. President, the tools to attack this problem successfully do not require years of additional study and research. The travesty of America's shameful record on infant mortality and child health is underscored by the fact that we now know what will work. We know that adequate prenatal care can substantially reduce the chance of a woman giving birth to an infant with low birthweight or one who will die in infancy. Further progress would be made by ensuring that pregnant women have access to adequate nutrition, such as through the WIC Program, and to adequate information and treatment programs with respect to both legal and illegal substance abuse.

Each year, 40,000 infants die before their first birthday in America. A quarter of a million infants are born with low birthweight giving them 40 times the risk of a normal weight infant for dying; for survivors there is a substantial risk for significant lifelong health problems and hampered intellectual development. Early, adequate, and coordinated prenatal care can impact on these risks.

If the tools exist to attack the problem, then why are our children faced with such grim prospects at the start of their young lives? Access to comprehensive prenatal care in this country is not guaranteed. There are numerous barriers that a pregnant woman faces to getting care at a time when barriers should be far from her mind. Last year, as we have done for the past years, we took significant steps to erase financial barriers when we required that States provide Medicaid coverage for women up to 133 percent of the poverty level. This provided insurance coverage to approximately 112,000 women who would not have received coverage before the law was passed. Broadening the coverage to 185 percent of the poverty level as proposed in this bill will cover the pregnancies of an additional 223,000 women. This will mean that in the 2 years of the 101st Congress, we will have provided prenatal care coverage to 335,000 out of the 555,000 uninsured women giving birth. This is a good first step in trying to solve the problem.

Financial barriers are not the only barriers faced by women who need prenatal care. Insurance coverage without the provider network to give the needed care would be a paper victory for better care. Last year we attempted to deal with this problem by trying to ensure adequate payment to providers for Medicaid beneficiaries in order to guarantee that women have someone to go to. In addition, we began the process of trying to address some of the deep-seated social and cultural barriers that the most vulnerable women have to getting care. We attempted to cut bureaucratic redtape by encouraging coordination between Medicaid and the WIC Program. We also endorsed an important home-visiting concept that has the potential of enabling providers to reach out to women who feel alienated from the health care system and as a result do not get the care needed to ensure healthy babies. This legislation would enable States to opt to cover, under Medicaid, home-visiting programs.

Finally, Mr. President, last year, we took an important first step in trying to improve the health of our children. We provided Medicaid coverage to all children up to the age of 6 under 133 percent of the Federal poverty level. This year, with this bill, we will be phasing in coverage for children from age 7 to 18 under 100 percent of the poverty level. We will be allowing States to immediately cover these children as well as the 660,000 children up to the age of 6 whose parents earn between 133 and 185 percent of the Federal poverty level. Our children are our future, Mr. President. Our greatness as a nation is fully diminished by our reluctance to provide basic health care to our children. I believe it is time for us to redress this glaring omission.

I ask unanimous consent that the summary of the legislation and the text of the bill appear at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Infant Mortality Amendments of 1990".

SEC. 2. PHASED-IN COVERAGE OF PREGNANT WOMEN AND INFANTS UP TO 185 PERCENT OF POVERTY LEVEL.

(a) IN GENERAL.—Section 1902(l)(2)(A) of the Social Security Act (42 U.S.C. 1396a(l)(2)(A)), as amended by section 6401(a) of the Omnibus Budget Reconciliation Act of 1989, is amended—

(1) in clause (ii)—

(A) in subclause (I), by striking "and" at the end of subclause (I),

(B) by striking the period at the end of subclause (II) and inserting a comma, and

(C) by adding at the end the following new subclauses:

"(III) July 1, 1991, 150 percent, or, if greater, the percentage provided under clause (v), and

"(IV) July 1, 1993, 185 percent."; and

(2) by adding at the end the following new clause:

"(v) In the case of a State which, as of the date of the enactment of this clause, has established under clause (i), or has enacted legislation authorizing, or appropriating funds, to provide for, a percentage (of the income official poverty line) that is greater than 150 percent, the percentage provided under clause (ii) for medical assistance on or after July 1, 1991, shall not be less than—

"(I) the percentage specified by the State in an amendment to its State plan (whether approved or not) as of the date of the enactment of this clause, or

"(II) if no such percentage is specified as of the date of the enactment of this clause, the percentage established under the State's authorizing legislation or provided for under the State's appropriations.".

(b) FLEXIBILITY IN INCOME METHODOLOGY AND DEDUCTION OF CHILD CARE IN COMPUTATION OF INCOME.—Section 1902(1)(3)(E) of such Act (42 U.S.C. 1396a(1)(3)(E)) is amended by striking "(E)" and inserting the following:

"(E)(i) with respect to an individual described in subparagraph (A) or (B) of paragraph (1), family income shall be determined in accordance with a methodology which is no more restrictive than the methodology employed under the State plan under part A or E of title IV (except to the extent such methodology is inconsistent with subparagraph (D) of subsection (a)(17) and except that there shall be disregarded costs for such child care as is necessary for the employment of the pregnant woman or the caretaker of the infant), and costs incurred for medical care or for any other type of remedial care shall not be taken into account, and

"(ii) with respect to an individual described in paragraph (1)(C) or (1)(D),".

(c) PROHIBITING APPLICATION OF RESOURCE TEST.—Section 1902(1)(3) of such Act (42 U.S.C. 1396a(1)(3)) is amended—

(1) by amending subparagraph (A) to read as follows:

"(A)(i) no resource standard or methodology shall be applied to individuals who are eligible for medical assistance because of subsection (a)(10)(A)(i)(IV), and (ii) application of a resource standard or methodology for individuals who are eligible for medical assistance because of subsection (a)(10)(A)(i)(VI) or (a)(10)(A)(ii)(IX) shall be at the option of the State, but any such resource standard or methodology may not be more restrictive than the corresponding standard or methodology that is applied under the State plan under part A of title IV;",

(2) by striking subparagraphs (B) and (C), and

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(d) REPORT AND TRANSITION ON ERRORS IN ELIGIBILITY DETERMINATIONS.—

(1) REPORT.—The Secretary of Health and Human Services shall report to Congress, by not later than July 1, 1991, on error rates by States in determining eligibility of individuals described in subparagraph (A) or (B) of section 1902(l)(1) of the Social Security Act for medical assistance under plans approved under title XIX of such Act. Such report may include data for medical assistance provided before July 1, 1989.

(2) ERROR RATE TRANSITION.—There shall not be taken into account, for purposes of section 1903(u) of the Social Security Act, payments and expenditures for medical assistance which—

(A) are attributable to medical assistance for individuals described in subparagraph (A) or (B) of section 1902(l)(1) of such Act, and

(B) are made on or after July 1, 1989 as amended by section 2 of this Act, and before the first calendar quarter that begins more than 12 months after the date of submission of the report under paragraph (1).

(e) EFFECTIVE DATES.—

(1) HIGHER INCOME STANDARDS.—Except as provided in paragraph (3), the amendments made by subsection (a) shall apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, with respect to eligibility for medical assistance on or after such date, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(2) INCOME METHODOLOGY AND RESOURCE STANDARD.—Except as provided in paragraph (3), the amendments made by subsections (b) and (c) shall apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, with respect to eligibility for medical assistance on or after such date, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(3) EXCEPTIONS FOR CERTAIN STATES.—(A) In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(B) In the case of the State of Texas, the State plan shall not be regarded as failing to comply with the requirements of title XIX of the Social Security Act solely on the basis of its failure to meet the additional requirements imposed by the amendments made by this section before September 1, 1991.

SEC. 3. PHASED-IN MANDATORY COVERAGE OF CHILDREN UP TO 100 PERCENT OF POVERTY LEVEL.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as amended by section 6410(a) of the Omnibus Budget Reconciliation Act of 1989 and as amended by section 2 of this Act, is amended—

(1) in subsection (a)(10)(A)(i)—

(A) by striking "or" at the end of subclause (V),

(B) by striking the semicolon at the end of subclause (VI) and inserting ", or", and

(C) by adding at the end the following new subclause:

"(VII) who are described in subparagraph (D) of subsection (l)(1) and whose family income does not exceed the income level the State is required to establish under subsection (l)(2)(C) for such a family;";

(2) in subsection (a)(10)(A)(ii)(IX), by striking "or clause (i)(VI)" and inserting ", clause (i)(VI), or clause (i)(VII)";

(3) in subsection (l)—

(A) by amending subparagraph (D) of paragraph (1) to read as follows:

"(D) children born after September 30, 1983, who have attained one year of age but have not attained 19 years of age,";

(B) by striking subparagraph (C) of paragraph (2) and inserting the following:

"(C) For purposes of paragraph (1) with respect to individuals described in subparagraph (D) of that paragraph, the State shall establish an income level which is equal to 100 percent of the income official poverty line described in subparagraph (A) applicable to a family of the size involved.";

(C) in paragraph (3)—

(i) by inserting ", (a)(10)(A)(i)(VII)," after "(a)(10))(A)(i)(VI)", and

(ii) in subparagraph (C) as redesignated by section (2)(C), by striking "the methodology employed" and inserting "a methodology which is no more restrictive than the methodology employed";

(D) in paragraph (4)(A), by inserting "or subsection (a)(10)(A)(i)(VII)" after "(a)(10)(A)(i)(VI)"; and

(E) in paragraph (4)(B), by striking "or (a)(10)(A)(i)(VI)" and inserting ", (a)(10)(A)(i)(VI), or (a)(10)(A)(i)(VII)"; and

(4) in subsection (r)(2)(A), by inserting "(a)(10)(A)(i)(VII)," after "(a)(10)(A)(i)(VI),".

(b) APPLICATIONS USING OUTREACH LOCATIONS.—Section 1902(a)(2) of such Act (42 U.S.C. 1396a(a)) as amended by section 6406(a) of the Omnibus Budget Reconciliation Act of 1989, is amended—

(1) by striking "and" at the end of paragraph (52),

(2) by striking the period at the end of paragraph (53) and inserting "; and", and

(3) by inserting after paragraph (53) the following new paragraph.

"(54) provide for receipt and initial processing of applications of individuals for medical assistance under subsections (a)(10)(A)(i)(IV), (a)(10)(A)(i)(VI), (a)(10)(A)(i)(VII), or (a)(10)(A)(ii)(XI)—

"(A) at locations which include locations (such as hospitals or clinics providing covered services to such individuals, without discrimination based on whether the hospital or clinic is public or private) which are other than those used for the receipt and processing of applications for aid under part A of title IV, and

"(B) using applications which are other than those used for applications for aid under such part.".

(c) CONFORMING AMENDMENT TO QUALIFIED CHILDREN.—Section 1905(n)(2) of such Act (42 U.S.C. 1396d(n)(2)) is amended by striking "age of 7 (or any age designated by the State that exceeds 7 but does not exceed 8)" and inserting "age of 18".

(d) ADDITIONAL CONFORMING AMENDMENTS—

(1) Section 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)) is amended—

(A) by striking "1902(a)(10)(A)(i)(IV)," and inserting "1902(a)(10)(A)(i)(III),

1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(V),", and

(B) by inserting after "1902(a)(10)(A)(i)(VI)," the following: "1902(a)(10)(A)(i)(VII), 1902(a)(1)(A)(ii)(I),".

(2) Subsection (a)(3)(C) and (b)(3)(C)(i) of section 1925 of such Act (42 U.S.C. 1396r-6), as amended by section 6411(i)(3) of the Omnibus Budget Reconciliation Act of 1989, are each amended by inserting "(i)(VII)," after "(i)(VI)".

(e) EFFECTIVE DATE.—(1) The amendments made by this section apply (except as otherwise provided in this subsection) to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(2)(A) In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(B) In the case of the State of Texas, the State plan shall not be regarded as failing to comply with the requirements of title XIX of the Social Security Act solely on the basis of its failure to meet the additional requirements imposed by the amendments made by this section before September 1, 1991.

SEC. 4. OPTIONAL COVERAGE OF CHILDREN UP TO AGE 6 WITH INCOME BELOW 185 PERCENT OF THE POVERTY LEVEL.

(a) IN GENERAL.—Section 1902 of the Social Security Act, as amended by section 6401(a) of the Omnibus Budget Reconciliation Act of 1989 and section 3 of this Act, is amended—

(1) in subclauses (VI) and (VII) of subsection (a)(10)(A)(i), by inserting "minimum" before "income level", and

(2) in subsection (l)(2)(B), by striking "133 percent" and inserting "a percentage (established by the State, which is not less than 133 percent and not more than 185 percent)".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, with respect to eligibility for medical assistance on or after such date, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

SEC. 5. OPTIONAL COVERAGE OF CHILDREN UP TO AGE 18 WITH INCOME BELOW 100 PERCENT OF THE POVERTY LEVEL.

(a) IN GENERAL.—Section 1902(1) of the Social Security Act (42 U.S.C. 1396a(1)) as amended by section 6401(a) of the Omnibus Budget Reconciliation Act of 1989, and by section 3 of this Act, is amended—

(1) in paragraph (1)—

(A) by striking "and" at the end of subparagraph (C);

(B) by adding "and" at the end of subparagraph (D); and

(C) by adding after subparagraph (D) the following new subparagraph:

"(E) at the option of the State, children who are not described in subparagraph (C) or (D), but have not attained 19 years of age,"; and

(2) in paragraph (2), by adding at the end thereof the following new subparagraph:

"(D) If a State elects, under subsection (a)(10)(A)(ii)(IX), to cover individuals not described in subparagraph (A), (B), (C), or (D) of paragraph (1), for purposes of that paragraph and with respect to individuals not described in such subparagraphs the State shall establish an income level with a percentage not more than 100 percent of the income official poverty line described in subparagraph (A), applicable to a family of the size involved.".

SEC. 6. OPTIONAL COVERAGE OF PRENATAL AND POSTPARTUM HOME VISITATION SERVICES.

(a) IN GENERAL.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)), as amended by section 6405(a) of the Omnibus Budget Reconciliation Act of 1989, is amended—

(1) by striking "and" at the end of paragraph (21),

(2) by redesignating paragraph (22) as paragraph (23), and

(3) by inserting after paragraph (20) the following new paragraph:

"(22) prenatal home visitation services for high-risk pregnant women, postpartum home visitation services with respect to high-risk infants under 1 year of age, or both (as specified by the State), as prescribed by a physican; and".

(b) CONFORMING AMENDMENT.—Section 1902 of such Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(C)(iv), by striking "(20)" and inserting "(22)", and

(2) in subsection (j), by striking "(21)" and inserting "(23)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after July 1, 1991, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

Sec. 7. Presumptive Eligibility.

(a) EXTENSION OF PRESUMPTIVE ELIGIBILITY PERIOD.—Section 1920 of the Social Security Act (42 U.S.C. 1396r—1) is amended—

(1) in subsection (b)(1)(B)—

(A) by adding "or" at the end of clause (i),

(B) by striking clause (ii), and

(C) by amending clause (iii) to read as follows:

"(ii) in the case of a woman who does not file an application by the last day of the month following the month during which the provider makes the determination referred to in subparagraph (A), such last day; and"; and

(2) in subsections (c)(2)(B) and (c)(3), by striking "within 14 calendar days after the date on which" and inserting "by not later than the last day of the month following the month during which".

(b) FLEXIBILITY IN APPLICATION.—Section 1920(c)(3) of such Act (42 U.S.C. 1396r-1(c)(3)) is amended by inserting before the period at the end the following: ", which application may be the application used for the receipt of medical assistance by individuals described in section 1902(l)(1)(A)".

(c) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) apply to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

(2) The amendment made by subsection (b) shall be effective as if included in the enactment of section 9407(b) of the Omnibus Budget Reconciliation Act of 1986.

Sec. 8. Extension of payment provisions for medically necessary services in disproportionate share hospitals to children under 18 years of age.

(a) COVERAGE OF MEDICALLY NECESSARY SERVICES FOR CHILDREN.—Section 1902(a)(10) of the Social Security Act (42 U.S.C 1396a(a)(10)) is amended, in the subdivision (X) following subparagraph (E), by striking "under one year of age" and inserting "under 18 years of age".

(b) ASSURING ADEQUATE PAYMENT FOR INPATIENT HOSPITAL SERVICES FOR CHILDREN IN DISPROPORTIONATE SHARE HOSPITALS.—Section 1923(a)(2) of such Act (42 U.S.C. 1396r-4) is amended by adding at the end the following new subparagraph:

"(D) If a State plan under this title provides for payments for inpatient hospital services on a prospective basis (whether per diem, per case, or otherwise), in order for the plan to be considered to have met such requirement of section 1902(a)(13)(A) as of July 1, 1991, the State must submit to the Secretary by not later than April 1, 1991, a State plan amendment that provides, in the case of hospitals defined by the State as disproportionate share hospitals under paragraph (1)(A), for an outliner adjustment in payment amounts for medically necessary inpatient hospital service provided on or after July 1, 1991, involving exceptionally high costs or exceptionally long lengths of stay for individuals one year of age or older, but under 18 years of age.".

(c) EFFECTIVE DATES.—(1)(A) The amendment made by subsection (a) applies (except as provided under subparagraph (B)) to payments under title XIX of the Social Security Act for calendar quarters beginning on or after July 1, 1991, without regard to whether or not final regulations to carry out such amendment have been promulgated by such date.

(B) In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirement imposed by the amendment made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet this additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SUMMARY OF THE INFANT MORTALITY AND CHILDREN'S HEALTH ACT OF 1990

1. INFANT MORTALITY PROVISIONS

a. *Phased in Mandatory Coverage of Pregnant Women and Infants up to 185% of poverty.*—Under current law, States must cover women and infants with incomes at or below 133% of poverty as of April 1, 1990. This provision phases in mandatory coverage of pregnant women and infants from the current law minimum of 133% of the Federal poverty level up to 150% by July 1, 1991, and up to 185% by July 1, 1993. It prohibits the application of resource tests for pregnant women and infants effective July 1, 1991. Under current law States have the option of imposing resource tests for pregnant women and infants.

b. *Presumptive Eligibility.*—The Medicaid eligibility determination process is often a barrier to the timely and appropriate receipt of prenatal care. States currently have the option to provide "presumptive eligibility" for pregnant women. This provision revises the current presumptive eligibility option for pregnant women by (1) extending the period of time by which the woman must file application for benefits and (2) extending the presumptive eligibility period to the date the State makes a final eligibility determination.

c. *Optional Coverage of Home Visitation Services.*—This provision allows the States, at their option, to offer coverage for prenatal and postpartum home visitation services to high-risk pregnant women or infants, as prescribed by a physician. Home visitation services can be effective in bringing necessary prenatal services to women who would otherwise be hidden from the health care system. The effective date is July 1, 1991.

2. CHILDREN'S HEALTH PROVISIONS

a. *Phased in Coverage of Children up to 100% of poverty.*—This provision phases in the mandatory coverage of all children in families with incomes below 100% of the Federal poverty level. Effective July 1, 1991, States would be required to cover all children below poverty born after September 30, 1983. So long as these children remained poor, they would continue to be eligible for Medicaid, up to age 18. Thus, poor children 7 and over would be "aged in" one year at a time so that by the year 2002, all poor children up to age 18 would be covered.

This bill also requires States to process applications for Medicaid benefits for pregnant women and infants and children at locations other than welfare offices, including hospitals and clinics. This provision will be effective July 1, 1991.

b. *Optional Coverage of children up to Age 6 with incomes below 185% of the poverty level.*—Under current law, effective April 1, 1990, States are required to cover all children born after September 30, 1983, up to age 6, in families with incomes at or below 133% of the poverty level. This provision allows States the option of extending Medicaid to these children with family incomes at or below 185% of the poverty level. Effective January 1, 1991.

c *Optional Coverage of children up to age 18 with incomes below 100% of the poverty level.*—States would be given the option to cover all children up to age 18 immediately with income levels below 100% of poverty.

d. *Payment for Medically Necessary Services in Disproportionate Share Hospitals to Children under 18.*—Under current law, with respect to infants under age 1 receiving medically necessary inpatient hospital service from disproportionate share hospitals, States may not limit the number of medically necessary inpatient hospital days they will cover, and, if they reimburse on a prospective basis, must make outlier adjustments for exceptionally high-cost or long-stay cases. These current law provisions would be extended beyond infants to all children under 18, effective July 1, 1991.

By Mr. PACKWOOD (for himself, and Mr. BOSCHWITZ):

S. 2199. A bill to amend the Internal Revenue Code of 1986 with respect to the tax treatment of the transfer of excess pension assets to retiree health accounts, and for other purposes; to the Committee on Finance.

HEALTH AND LONG-TERM CARE SECURITY ACT

● Mr. PACKWOOD. Mr. President, today I am introducing legislation, the Health and Long-term Care Security Act of 1990, to increase access to affordable long-term care and retiree health benefits for the Nation's senior citizens.

This bill is the first part of a two-part plan I have been working on to address the health and long-term care needs of our seniors. The bill provides tax incentives to stimulate the private sector—employers and insurance companies—to offer affordable retiree health and long-term care benefits. The second part of my plan, which I will introduce in a separate bill in the next few months, will address access to long-term care for those least able to afford it.

Affordable health care is one of the most pressing issues facing our Nation today. Health-care expenditures in the United States have almost doubled over the last 25 years, rising from about 6 percent of GNP to 12 percent of GNP.

This trend is particularly troubling to seniors who typically live on a fixed income in their golden years. A year or so ago, I held several hearings in Oregon on this subject. The message was loud and clear: Seniors want access to affordable health and long-term care.

There are no easy answers to this problem. One thing I am convinced of, though, is that the solution is not a $60 billion Government-financed program for everyone. People who can afford to should plan now for their health and long-term care needs.

I believe employers can play a key role in this effort. Roughly 60 percent of all employers currently provide some kind of health benefits for retirees. The General Accounting Office estimates that the cost of providing these benefits to current employees and retirees exceeds $400 billion. Obviously, the cost will go up as the baby boom generation ages and the number of seniors double over the next 30 years. Faced with these staggering costs, it would be unfortunate if employers started curtailing the current level of retiree health benefits. It is important that we in Congress encourage employers to maintain the level of these benefits and to set aside money to pay for them. And we need to get more employers to offer these benefits. I believe my bill will do this.

The picture is very different for long-term care. Less than 50 U.S. employers currently offer long-term care benefits to employees. Yet a long-term illness is the most likely source of financial catastrophe for seniors. In fact, the single largest out-of-pocket expenditure for health care is for nursing home care. For example, in 1987, seniors and their families spent over $20 billion on nursing home care.

One of the biggest hurdles to affordable long-term care has been the lack of insurance. In 1986, only a hand full of insurance companies offered long-term care policies. While roughly 100 companies offer this coverage now, only a very small percentage of those expected to require long-term care are currently covered. The legislation I am introducing today should go a long way to stimulating more afforable insurance coverage for long-term care.

The size of the problem dictates that Congress must begin taking action now. My bill takes a first step by combining four provisions intended to expand private long-term care coverage and to assure that employers have sufficient funds to pay retiree health and long-term care benefits.

First, the bill clears up confusion in the current Tax Code over the tax treatment of long-term care expenditure and benefits. Long-term care will be treated like any other medical care. Thus, individuals will be able to deduct long-term care expenses as an itemized deduction on their Federal income tax return. Long-term care benefits will not be subject to Federal income tax. Employers will also be allowed to offer long-term care as one of the benefits that may be selected under a cafeteria plan. For purposes of this bill, long-term care means the care of an individual who requires assistance with daily living for a period of at least 90 days.

Second, the bill codifies an Internal Revenue Service ruling dealing with the tax treatment of long-term care insurance reserves held by an insurance company. This provision eliminates uncertainty over the deduction of the money set aside by an insurance company to pay benefits under long-term care policies, thereby opening the door for more innovative and affordable policies.

Third, the bill provides a new tax incentive for employers who wish to prefund—set aside funds—for retiree health and long-term care benefits for their employees. Employers will be allowed to prefund an annual retirement benefit of up to $1,500 per employee for long-term care and up to $1,500 per retiree for retiree health benefits.

Lastly, the bill allows employers to use excess pension assets—assets in excess of 150 percent of current pension liabilities—to pay for retiree health benefits. Employers will be allowed to make an annual transfer to a special retiree health account to cover the cost of the employer's retiree health liability for the year. Employers who elect to use excess pension funds for retiree health will be required to establish—but need not necessarily pay for nonadministrative costs of—a long-term care insurance program for employees and retirees within 2 years.

These provisions are described in more detail in the attached section-by-section description of the bill. Also attached are letters in support of the bill provided by the American Council of Life Insurance, the Association of Private Pension and Welfare Plans, and the Health Insurance Association of America.

In addition, I want to thank Congressman ROD CHANDLER for introducing this bill in the House of Representatives today. Congressman CHANDLER has been very interested in retiree health and long-term care and I look forward to working with him on these very important issues.

I believe this bill is an excellent first step in addressing the health and long-term care needs of our seniors. I hope that many of my colleagues will join with me and embrace the concepts in this bill.

Mr. President, I ask unanimous consent that a section-by-section analysis and the letters mentioned earlier be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION DESCRIPTION OF THE HEALTH AND LONG-TERM CARE SECURITY ACT OF 1990

Section 1. This section provides that the short title of the act shall be the "Health and Long-Term Care Security Act of 1990."

Section 101. This section clarifies that the term "medical care" under the tax code includes long-term care. Long-term care is defined as the care given to an individual requiring assistance with daily living for a period of at least 90 days. This will ensure that: 1. long-term care expenses can be deducted as itemized deductions, 2. long-term care benefits will be excluded from income, and 3. long-term care insurance may be offered to employees through a cafeteria plan.

Section 102. This section codifies Revenue Ruling 89-43 which provides that long-term care insurance reserves held by insurance companies may qualify as life insurance reserves.

Section 202. This section permits employers to set aside funds ("prefund") to provide an annual retirement benefit of $1,500 for retiree health care and $1,500 for long-term care. The prefunded amounts are subject to rules similar to the current tax law rules that apply to pension plan assets (including rules for vesting and actuarial funding of these benefits). The prefunded amounts will be portable. Retirees who are not eligible to receive prefunded benefits will be allowed to purchase long-term care insurance based on a group premium rate.

Section 301. This section provides that employers can use excess pension plan assets (assets in excess of 150% of current pension liabilities) to pay for retiree health costs. Employers will be allowed to make an annual transfer to a special retiree health account; the amount transferred cannot exceed the employer's retiree health liability for the year. Employers will not be required to immediately vest pension benefits or provide annuities to employees. Within two years from the date of the first transfer, employers must also establish (but not necessarily pay for non-administrative costs) a long-term care insurance program for employees and retirees.

STATEMENT OF THE ASSOCIATION OF PRIVATE PENSION AND WELFARE PLANS

Senator Bob Packwood and Representative Rod Chandler are to be commended for introducing today "The Health and Long-Term Care Security Act of 1990," legislation that addresses the health care security of millions of American workers and their families.

America's health care crisis is no more apparent than when a family is impoverished due to the costs of providing extended care for a loved one whose ability to function independently is severely limited. As we have known for some time, there is a huge need to encourage development of long-term care programs and benefits so that today's workers can protect themselves against the financial catastrophe that can result from severe and chronic illnesses. Senator Packwood and Representative Chandler have taken a big step toward filling that need today.

The Health and Long-Term Care Security Act wisely recognizes the major role played by the private employer system in the provision of health care to their employees and dependents. Today, private employers cover around 90 percent of their full-time employees and have been seeking for some time responsible ways to extend that protection and provide long-term care benefits. Permitting prefunding on both retiree health care benefits and long-term care benefits, as well as allowing the transfer of surplus pension assets for retiree health care accounts, will enable employers to meet this need. It is important to note that this legislation correctly decouples the issue of transferring surplus pension assets from the issue of pension plan termination reversions.

As America continues to age, the need for more long-term options will grow. In 1984 it was estimated that more than 25 percent of noninstitutionalized persons in America over age 64, and 41 percent of those aged 75 or older required long-term care. However, it is not a need confined to the elderly; from one-third to one-half of those who need long-term care are under age 65. And the demand for nursing home care will increase 80 percent between 1980 and the year 2000.

We can stave off a major crisis before it happens if we have the will. We look forward to working with Senator Packwood and Representative Chandler to achieve the laudable goal of this legislation to ensure that American employers will continue to provide for the health care security of their employees and families.

AMERICAN COUNCIL OF LIFE INSURANCE,
Washington, DC, February 27, 1990.

Hon. BOB PACKWOOD,
U.S. Senate, Washington, DC.

DEAR BOB: Thank you for sharing a description of your proposed "Health and Long-Term Security Act of 1990." Your decision to address the challenge of financing long-term care is commendable.

Few individuals can finance an extended nursing home stay entirely out of current income and assets. However, we are convinced that many people will be able to provide for their long-term care needs through the purchase of long-term care insurance.

Your bill addresses one of the problems that we have encountered in developing and marketing long-term care insurance—the uncertainty of the tax treatment of these products. As we understand it, your bill clarifies the tax treatment of premiums and benefits received under a long-term care policy. In addition, the bill provides a major incentive to include long-term care among employer-provided benefits. Long-term care as an employee benefit offers great promise for quickly extending this protection to many Americans.

We urge you to consider including yet another tax clarification of a long-term care insurance approach that also offers great promise. This is the use of life insurance policies to provide long-term care help. With these policies, life insurance policyholders can accelerate their death benefits in order to meet the costs of long-term care. Again the tax treatment of these benefit payouts is uncertain and needs to be clarified.

You may count on our industry's support for these tax clarifications.

Sincerely,

RICHARD S. SCHWEIKER.

HEALTH INSURANCE ASSOCIATION OF AMERICA,
Washington, DC, February 27, 1990.

Hon. BOB PACKWOOD,
U.S. Senate, Washington, DC.

DEAR SENATOR PACKWOOD: On behalf of the Health Insurance Association of America I commend you on the introduction of legislation which will clarify that the term "medical care" includes long-term care in the Internal Revenue Code of the United States.

The legislation takes important steps toward stimulating the development of private long-term care insurance, especially employer-sponsored coverage, which has the greatest potential for reaching the most people. By providing tax treatment similar to that afforded health insurance, which has resulted in 90 percent of the insured population under age 65 receiving their health insurance through the workplace, it gives many important advantages to the insured.

Administrative and marketing costs per person covered drop dramatically when coverage is offered through the workplace. Favorable tax teatment is a strong inducement for employers themselves to pay some or all of the cost of the employee benefit, a further strong inducement for coverage. Furthermore, with the employer as the purchaser for the group, the buyer has access to more sophisticated market expertise, making for harder bargaining in the insurance marketplace. Premiums are lower and more affordable when people are younger and healthier.

With amendments such as those proposed in this bill, long-term care coverage can

begin to be folded into this country's extensive private employee benefits system. Employers play an important role in selecting plans and educating their employees about benefits. These circumstances provide working age consumers more opportunities to gain information to understand their long-term care needs. It also benefits the workers' parents, since adult children often serve as financial advisors to their elderly parents. Employer-sponsored plans today also offer coverage for the parents of enrolled employees as well.

Enactment of the "Health and Long-term Care Security Act of 1990" would be a major step forward in the development of an extensive private long-term care insurance market, thus reducing the elderly's dependence on Medicaid. Stimulating the growth of a private insurance market for long-term care would benefit not only the elderly but would free up scarce public funds which would be able to be used for other critical needs. According to then HHS Secretary Bowen's report to the President on catastrophic illness expenses, 500,000 elderly a year spend down into Medicaid for nursing home care. Furthermore, the September 1987 Report to Congress by the HHS Task Force on Long-Term Health Care Policies estimated a savings of two Federal Medicaid dollars for each dollar of Federal revenue lost through tax incentives for private long-term care financing. Over half of Medicaid's current dollars go for funding long-term care.

By assisting middle and upper income Americans finance their own long-term care, your bill will make a major contribution towards freeing up needed tax dollars to provide for those who cannot provide for themselves.

Best regards,

LINDA JENCKES.●

By Mr. DASCHLE:

S. 2201. A bill to amend title 38, United States Code, to eliminate a means test applicable to determinations of eligibility of certain veterans for veterans' hospital care and other care and services; to the Committee on Veterans' Affairs.

VETERANS' HOSPITAL CARE ENTITLEMENT FAIRNESS ACT

● Mr. DASCHLE. Mr. President, I rise today to introduce the Veterans' Hospital Care Entitlement Fairness Act of 1990, a bill that would eliminate the means test as a mechanism for restricting essential health care services to eligible veterans. The purpose of this measure is to ensure that all veterans, regardless of their assigned category, have access to VA health care services.

In 1986, the enactment of Public Law 99-272 established a means test for veterans' health care benefits. This law separated veterans into three categories based on their income and the service or nonservice origin of their condition.

As a member of the House Veterans' Affairs Committee, I fought the establishment of the means test because I fervently believed, as I do today, that it is wrong for the Government to renege on its commitment to provide medical care to all our Nation's veterans. When these men and women entered the service, they were told they would receive free health care after they completed their military obligation. Now, when many veterans most need that benefit, it has been taken away from them.

For many veterans, the means test stretches their personal resources and raises questions about the value of their Government's commitments. Others, however, are not just inconvenienced by the means test. They are cut off from necessary health care. For these veterans, who took the Government's promise at face value and did not purchase private health insurance, an alternative to VA medical care simply does not exist.

Recently, I read about a veteran who, when he joined the Marine Corps in 1968, was told that "the real cost of war comes after the shooting stops." That veteran remarked that while he didn't fully understand what that statement meant at the time, he is now reminded of it every day he is unable to obtain health care at the local VA medical center. Sadly, the implementation of the means test is doing to many veterans what bullets and shrapnel did to their colleagues.

The Department of Veterans Affairs does not keep official statistics of exactly how many veterans seeking medical care have been turned away from VA medical facilities. However, VA officials estimate that during the first 5 months of this year around 170,000 veterans were denied care because of budget limitations and bed closings. Others suggest that as many as 120,000 veterans a week are being denied VA health care.

To the bureaucrats sitting at their desks in the bowels of the Department of Veterans Affairs, these may be just statistics, not worth tracking for the VA's official record. But, to veterans and their families in my State, they represent untold stories of human heartache, grief, and unfulfilled promises.

Because the Department of Veterans Affairs does not keep track of these veterans, I have been collecting the names of veterans in my State who have been told they can no longer rely on the VA for their health care needs. The 5-inch stack of letters I have received graphically demonstrates the extent of the VA health care crisis that exists in South Dakota. The letters, full of both pain and anger, share stories of empty Government promises and allude to the fear of growing old without the financial means to purchase private health insurance or receive needed health care.

As a Veterans' Service officer in South Dakota, recently wrote:

Many of the veterans that come to my office have told me they never carried health insurance because they were told they would be able to go to a VA hospital. Now they can't qualify for insurance because of their medical history, and the VA says they can't provide further care. This is happening at a time when World War II veterans are retiring in huge numbers.

Contrary to what past administration may have wanted us to believe, the veterans who are angry about having the doors of VA medical centers shut in their faces are not self-centered individuals simply looking for a Government handout. Rather, they are patriotic Americans who trusted their Government when it pledged to provide them VA health care services upon their discharge from the service. Now, many of these veterans are left emptyhanded, worrying about making ends meet on a fixed income and praying that their medical ailments won't force them to enter a private hospital for care they cannot afford.

As a veteran from Dante, SD, said:

I was one of those 18-year-olds that was drafted in 1945 . . . I'm not old enough for Medicare, so I'm a vet with poor health, financially battered from the agricultural crunch and health problems. I will count my blessings and wear a smile, but I do wonder how I can get by without health care at the VA hospital.

Another grim effect of the means test is its impact on farmers who are veterans. Under current regulations, which impose a $40,000 limit on assets, a farmer who owns a tractor outright is ineligible for VA health care. As a result, even though that farmer's annual income may be $1,000 or less—a situation which unfortunately has become quite common in South Dakota lately—he will be turned away from the VA hospital he had come to depend on for years for his medical care. For these farmers in my State, getting VA health care during the past several years has been as hard as getting rain for their crops.

It it interesting to note that at the time the means test was adopted, the National Academy of Science reported that the capacity of the hospital-based VA health care system was sufficient to meet the needs of the veterans who applied for care. Today, there is clear evidence that after the means test was established in 1986, the Reagan administration submitted budgets that failed not only to reflect the real demands placed on the medical centers, but even to keep pace with inflation. As a result, the VA health care budget plunged into the red at the same time I and other Members of Congress were being assured by administration officials that adequate funding was being requested.

Mr. President, one doesn't have to be a rocket scientist to determine what place the Nation's 27 million veterans occupied on the previous administration's list of spending priorities. In 1975, VA medical funding represented 5 percent of the total national budget. Now it represents less than 2.5 per-

cent. Meanwhile, at the very time VA medical funding was shrinking, the veteran population was aging, and the VA was taking on a bigger patient load.

Since 1980, the VA has experienced a 7-percent increase in the number of inpatient admissions, a 29-percent increase in outpatient visits, and a 63-percent jump in nursing home patients. It did not take long for the irresistible force of this escalating VA patient load to meet the immovable object of the Reagan administration's realistic VA budgets.

Some have warned that if access to VA health care is further restricted, our Nation faces the possibility of VA hospitals becoming nothing more than holding wards for terminally ill patients who have no place else to go. This certainly is not the kind of health care system Congress envisioned, or the kind of health care system we promised our Nation's veterans when they consented to give up their personal liberty to serve in our Armed Forces.

President Kennedy acknowledged the debt of gratitude our Nation owes its veterans when he proclaimed, "never let it be said that our Nation forgot its soldiers." I cannot imagine that he would be proud of the means test. Rather than offering our hand to our Nation's veterans, we have chosen, instead, to offer them a cold shoulder, slamming hospital doors shut and sending our veterans elsewhere to obtain medical care.

Some well-meaning observers regret the means test, yet contend that the urgent need to combat our omnivorous Federal budget deficit requires its continuation. I reject that notion.

Early estimates on what it would cost to eliminate the means test vary widely—some suggest that it would cost little to no additional money to eliminate the means test while others estimate that it would add over $1 billion to the fiscal year 1991 budget. Even the highest estimate should not be prohibitive given the fact we have a budget that contains $4.3 billion for the development of the Stealth bomber, $12 billion for foreign aid, and $100 billion for Medicare.

Are the objectives of upholding our commitment to veterans and reducing the deficit incompatible in an era of limited resources? Clearly they are not. We simply have to get our priorities in order.

Mr. President, we can begin to renew our commitment to our Nation's veterans by eliminating the means test. The legislation I am introducing today does just that. It recognizes that our Nation made a moral commitment to its veterans that is not revocable. Elimination of the means test, however, is only half the equation. It must be accompanied by funding levels that will allow VA medical centers throughout the country to do their job.

Recent VA budget shortfalls have taken a toll on VA health care professionals as well as on veterans. For example, I read recently in the Federal Executive magazine that physicians in some VA medical centers were forced to help with emptying bed pans because of the severe shortage of VA personnel.

I have met with VA personnel in South Dakota and can attest to the fact that VA health care professionals are being asked to perform tasks far beyond those defined in their job descriptions. We cannot continue to ask these dedicated people to pick up more and more of the slack caused by inadequate VA health care budgets.

We are off to a good start in reversing the downward trend in VA medical care funding. I am pleased that the administration's fiscal year 1991 budget request earmarks $12.28 billion for the VA medical care account—an 8.4-percent increase over the amount appropriated and available for fiscal year 1990. This budget request recognizes the shortcomings of the Reagan administration, which submitted budgets to Congress that dangerously undermined the stability of the VA health care system. I am confident that we can build upon the administration's VA medical funding request to both restore veterans' confidence in our VA health care system and deliver the kind of quality care we promised.

I ask my colleagues to join me in supporting the Veterans' Hospital Care Entitlement Fairness Act of 1989 as the first step toward renewing the commitment proudly carved in stone outside the Department of Veterans Affairs: "To care for him who shall have borne the battle and for his widow and his orphan."●

By Mr. FORD:

S. 2202. A bill to authorize the use of receipts from customs user fees to pay for additional customs personnel and services; to the Committee on Finance.

DISPOSITION OF CUSTOMS USER FEES

● Mr. FORD. Mr. President, I rise today to introduce legislation which addresses the pressing problem of Customs Service personnel. In 1986, Congress passed the Consolidated Omnibus Budget Reconciliation Act [COBRA] which authorizes the collection of a $5 user fee for each passenger arriving from an overseas destination. Present law allows use of user fees revenue only for inspection overtime and unreimbursed costs in customs preclearance. User fee revenues cannot be used for regular staff position salaries and expenses. The bill that I am introducing today will allow use of the approximately $35 million a year in excess user fees to improve Customs Service staffing and equipment.

As chairman of the Aviation Subcommittee, I have had many airline executives, airport operators and community leaders raise this problem. There is no excuse for the current situation where passengers are sitting on planes for long periods after an overseas trip and international flights are being denied by the Customs Service because of budgetary limitations and staffing shortages. It is time that the surplus be spent to service the airport facilities that generated the user fee.

INS has been more responsive to increased demands for service than the Customs Service because of their ability to utilize all of the funds collected from its user fee statute. Customs role is different than INS and, therefore, requires a different user fee statute, but INS pays for its entire air and sea inspections program which includes positions and equipment with only one $5 air-sea passenger fee. Customs is only permitted to use its COBRA user fee collections on air-sea passengers, commercial truck-vessel-railcars and mail processing for overtime and certain preclearance expenses.

Allowing the Customs Service to use the surplus in the user fee collections is an opportunity for both the Government and the private sector alike to benefit and draw on each others' resources to meet the growing demands for customs Service across the country. The ability to purchase automation and information systems equipment to support customs personnel and for continued facilitation will benefit all the payors of the user fees. The funding of joint industry-customs research and development projects would speed up these efforts and bring them on-line and benefit the user more promptly than in the past.

I have firsthand knowledge of what can happen to an airport with inadequate Customs Service staffing. The Greater Cincinnati Airport has growth beyond belief since Delta Air Lines, Inc., established a hub there in 1985. Greater Cincinnati has two international flights already and has requested landing rights for nonstop service from Greater Cincinnati to Paris. The landing rights have been denied by the Customs Service due to staffing difficulties. The Customs Service has problems already at the Greater Cincinnati Airport as they do not have adequate staff for the passengers from London and Frankfurt. Many afternoon passengers are left on the plane while their connection takes off due to Customs staffing. The Customs people are working a full day at the downtown Cincinnati office before driving to the airport to process the present two international flights and there is no staff to handle another flight, so the rights have been denied. This is happening while the passenger is paying a $5 user fee for these services. Unfortu-

nately, as the law is now written, the Customs Service cannot use the user fee for personnel and equipment.

Greater Cincinnati Airport is not the only facility to have these problems. In 1988, Customs Service directors in the field turned down every single request for landing rights for international services filed by one of the largest U.S. airlines. Mexicana Airlines was recently denied landing rights for new service from Mexico to Los Angeles and San Jose, CA. Such cases are often appealed to the Commissioner of Customs and it is very common for community leaders and airport operators and board members to appeal to their Members of Congress for assistance. I can just imagine what will happen if foreign carriers take advantage of the new open-skies policy.

The Department of Transportation recently issued an open-skies policy which will open up the U.S. market to foreign carriers to virtually every airport where domestic carriers are not providing nonstop or connecting service in the United States. This action has come about because a number of cities have been pressing for foreign service. There as a lot of media attention when the proposal was announced and there is always good press when the State Department has success in negotiating agreements that allow new service. What happens to the communities expecting service when the Customs Service cannot supply personnel? The Secretary of Transportation has taken the position in the open-skies policy that DOT will not decline to issue licenses for markets simply because they currently lack inspection facilities. What will happen, in my opinion, is that the Customs Service will be forced to steal resources from another airport to supply the new location. This is not a desirable way to conduct the Government's role in processing international passengers especially when airports are generating the user fees.

According to the U.S. Travel and Tourism Administration, the number of international passengers to the United States has increased by over 40 percent while Customs personnel levels have remained the same. I cannot overstate the importance of tourism to the Nation's economy and it is one of the few areas where there is a favorable balance of expenditures. It is estimated that there will be a doubling of international trade and travel over the next 10 years which will require greater funds for the Customs Service. We must fix the problem now and one way is to allow the Customs Service to use the COBRA surplus to meet the immediate service demands of the airline industry and other payers of the fee. Increased staffing is immediately needed to service new work locations such as airports, land border ports and seaports, meet the workload growth as small to midsize airports become full-service Customs airports, and meet the multiple terminal expansion at existing airports. The Customs Service is now placed in the position of denying service to those paying a user fee while surplus money exists in the COBRA user fee account. It seems that an equitable method of distributing the surplus funds in the COBRA user fee account would be to divide the fund proportionately on the basis of fee paid. For airports and airlines about 70 percent of the surplus would benefit them.

I would urge my colleagues, especially those who serve on the Finance Committee to review this simple proposal. It is only fair for the paying passenger to be processed in a businesslike manner without undue delays due to inadequate staffing by the Customs Service.

Mr. President, I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2202

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DISPOSITION OF CUSTOMS USER FEES.

(a) IN GENERAL.—Paragraph (3) of section 13031(f) of Public Law 99-272 (19 U.S.C. 58c(f)(3)) is amended to read as follows:

"(3)(A) The Secretary of the Treasury, in accordance with section 524 of the Tariff Act of 1930 and without regard to apportionment or any other administrative practice or limitation, shall directly reimburse, from the fees collected under subsection (a) of this section (other than subsection (a)(10)), each appropriation for the amount paid out of that appropriation for the costs incurred by the Secretary—

"(i) in providing—

"(I) inspectional overtime services, and

"(II) all preclearance services,

for which the recipients of such services are not required to reimburse the Secretary of the Treasury, and

"(ii) to the extent funds remain available to make reimbursements under clause (i), in providing such additional personnel and equipment (distributed on a basis proportionate to the fees collected under subsection (a), other than subsection (a)(10)), and in paying such other necessary expenses, as may be necessary to provide service to those persons paying such fees.

"(B) Reimbursement under this paragraph shall apply with respect to each fiscal year occurring after September 30, 1987, and shall be made at least quarterly. To the extent necessary, reimbursement of appropriations under this paragraph may be made on the basis of estimates made by the Secretary of the Treasury and adjustments shall be made in subsequent reimbursements to the extent that the estimates were in excess of, or less than, the amounts required to be reimbursed.".

(b) REPORT.—Subsection (f) of section 13031 of Public Law 99-272 (19 U.S.C. 58c(f)) is amended by adding at the end thereof the following new paragraph:

"(5) At the close of each fiscal year, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate summarizing the expenditures for which reimbursement has been provided under paragraph (3)(A)(ii).".

(c) PERMANENT EXTENSION.—Paragraph (3) of section 13031(j) of Public Law 99-272 (19 U.S.C. 58c(j)(3)) is amended by striking out "under subsection (a)" and inserting in lieu thereof "under subsection (a)(10)".

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of enactment of this Act.●

By Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mr. MCCAIN):

S. 2203. A bill to settle claims of the Zuni Indian Tribe, and for other purposes; to the Select Committee on Indian Affairs.

ZUNI CLAIMS SETTLEMENT ACT

● Mr. DOMENICI. Mr. President, I rise today to introduce the Zuni Claims Settlement Act. This bill, which is being cosponsored by my colleague from New Mexico [Mr. BINGAMAN], would allow the Zuni Indian Tribe to rehabilitate and reclaim their natural resources that have been damaged, directly and indirectly, by misguided policies of the U.S. Government.

Located 40 miles south of Gallup, Zuni Pueblo encompasses 408,000 acres and is the largest of the 19 pueblos in New Mexico. The Zuni Valley has been occupied continuously from an early period. In 1540, Coronado visited Zuni during his famous search for the "Seven Cities of Cibola" and found a thriving community with a substantial agricultural base.

Since the United States gained sovereignty over New Mexico in 1846, the Zunis have lost 90 percent of their cultivated land to erosion. In the mid-19th Century, the Zunis were cultivating 10,000 to 12,000 acres of crops using traditional farming methods. Today only 1,370 acres are being cultivated. According to the best available evidence, the erosion of the Zuni's agricultural lands is directly due to the negligence and mismanagement of the U. S. Government, which led to destructive logging practices on adjoining National Forests, severe livestock overgrazing on the deforested lands, loss of mineral resources, destruction of archaeological sites, and unwise development of dams and reservoirs on and adjacent to reservation land.

The Zuni Claims Settlement Act would establish a $25 million trust fund to remedy these damages. Up to $1.2 million of the trust fund would be used to develop a Zuni Resource Development Plan for watershed rehabilitation, land protection, resource management, and renewable resource development. $8 million could be used

to pay off loans and debts of the Zuni Tribe and for legal expenses related to the Zunis effort to obtain compensation for their damaged lands. The interest and investment income of the trust fund would be used to implement the Zuni Resource Development Plan to rehabilitate and reclaim the Zuni's land and to create, using traditional Zuni technology and state-of-the-art scientific methodology, a model of sustainable agricultural development.

Mr. President, this legislation is needed to remedy damages to the Zuni Pueblo that resulted from the actions of the United States Government.

I am pleased to be joined in this effort by Senator BINGAMAN and Representative RICHARDSON, who has agreed to introduce identical legislation in the House of Representatives. I look forward to quick action by the Congress on this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Zuni Claims Settlement Act of 1990".

FINDINGS

SEC. 2. The Congress finds that—

(1) it is the policy of the United States to promote tribal self-determination and economic self-sufficiency and to support the resolution of disputes over historical claims through settlement;

(2) extensive damages to the trust lands within the Zuni Indian Reservation have occurred, including severe land erosion, loss of timber and minerals, spoilation of archaeological sites, and loss of the use of water;

(3) these damages have occurred, in part, by reason of acts and omissions of the United States in breach of its trust responsibilities;

(4) corrective measures are needed immediately to prevent continued degradation of tribal resources;

(5) the Zuni Indian Tribe has sought compensation from the United States for these damages through civil actions;

(6) further Indian prosecution of these claims will cause unnecessary stress on the working relationship between the Zuni Indian Tribe and the United States Government and delay cooperative efforts to remedy continuing problems; and

(7) a legislative settlement of these civil actions is appropriate because, notwithstanding any determination of liability, the United States retains a trust responsibility to the Zuni Indian Tribe for the continued protection of tribal resources.

ZUNI RESOURCE DEVELOPMENT PLAN

SEC. 3. (a) Before the first day of the third fiscal year beginning after the date of enactment of this Act, the Secretary of the Interior and the Zuni Indian Tribe shall jointly formulate a Zuni resource development plan for the Zuni Indian Reservation, which shall include (but not be limited to)—

(1) a methodology for sustained development and management of renewable resources;

(2) a program of watershed rehabilitation;

(3) a computerized system of resource management and monitoring;

(4) programs for funding and training of Zuni Indians to fill professional positions that implement the overall plan;

(5) proposals for cooperative programs with the Bureau of Indian Affairs and other private or public agencies to provide technical assistance in carrying out the plan; and

(6) identification and acquisition of lands necessary to sustain Zuni resource development.

SEC. 3. (b) The Resource Development Plan shall be implemented in a manner that protects resources owned and controlled by the Zuni Tribe and promotes sustained yield development.

TRUST FUND

SEC. 4. (a) There is hereby established within the Treasury of the United States the Zuni Indian Resource Development Trust Fund (hereafter in this Act referred to as the "Trust Fund"). The Trust Fund shall consist of amounts appropriated to the Trust Fund and all interest and investment income that accrues on such amounts.

(b)(1) The Secretary of the Interior shall be the trustee of the Trust Fund and shall invest the funds in the Trust Fund with a financial institution.

(2) The Secretary of the Interior shall not deduct any amount from the Trust Fund for administrative expenses or charge the Zuni Indian Tribe for expenses incurred by the Secretary in acting as trustee.

(c)(1) The funds appropriated to the Trust Fund under the authority of section 6 shall constitute the corpus of the Trust Fund and may be expended, subject to paragraph (2), only for the following purposes:

(A) payment of any loans, debts, or future expenses incurred by the Zuni Indian Tribe to any person for the purchase of land or obtaining or defending rights of access to the area described in Public Law 98-408;

(B) payment of up to $600,000 per year for two years for the formulation of the Zuni resource development plan described in section 3;

(C) payment of all costs, attorneys' fees, and expenses incurred by the Zuni Indian Tribe in the prosecution of docket numbers 327-81L and 224-84L of the United States Claims Court; and

(D) payment of all invoices submitted by any person to the Zuni Indian Tribe for which proper vouchers have been received prior to September 30, 1990, and subsequently approved by the Secretary of the Interior.

(2) The total amount of the corpus of the Trust Fund that may be expended under paragraph (1) shall not exceed $8,000,000.

(3) The interest and investment income that accrues on the corpus of the Trust Fund may be expended by the Secretary of the Interior pursuant to the Zuni resource development plan described in section 3.

(4) No funds appropriated under the authority of this Act may be used to make per capita payments to members of the Zuni Indian Tribe.

SETTLEMENT OF CLAIMS

SEC. 5. (a) Upon the deposit into the Zuni Indian Resource Development Trust Fund of all the funds authorized to be appropriated under section 6, all claims of the Zuni Indian Tribe against the United States that are raised in docket numbers 327-81L and 224-84L of the United States Claims Court shall be considered to be extinguished.

(b) This compromise settlement is made without a finding of liability on the part of the United States with respect to the claims raised in docket numbers 327-81L and 224-84L of the United States Claims Court.

(c) The United States shall continue to have a trust responsibility to protect the resources of the Zuni Indian Reservation.

(d) No sums paid or forgiven pursuant to this Act shall be offset against any award of judgment against the United States which may be rendered in favor of the Zuni Indian Tribe in docket number 161-79L of the United States Claims Court. Any sums paid pursuant to this Act shall be considered to be in the nature of a settlement of claims in law and equity against the United States and shall not be considered for any purpose to be payments to the Zuni Indian Tribe pursuant to a contract, grant, loan, cooperative agreement, judgment, or other kind of appropriation.

AUTHORIZATION OF APPROPRIATIONS

SEC. 6. There are authorized to be appropriated to the Zuni Indian Resource Development Trust Fund $25,000,000. Such funds shall remain available without fiscal year limitation.●

By Mr. BENTSEN (for himself and Mr. DASCHLE):

S. 2204. A bill to amend the harmonized tariff schedule of the United States to clarify the tariff treatment of foliage-type artificial flowers of manmade fibers; to the Committee on Finance.

TARIFF TREATMENT OF FOLIAGE-TYPE ARTIFICIAL FLOWERS

● Mr. BENTSEN. Mr. President, today I introduce a bill to clarify the law to prevent an inadvertent change in the tariff treatment of foliage made of manmade fibers that may have been occasioned by the changeover to the harmonized tariff schedule [HTS]. This bill would clarify that the 9-percent tariff provided under subheading 6702.90.40 does not apply merely to artificial flowers of manmade fibers but applies generally to articles described under heading 6702 (artificial flowers, foliage and fruit and parts thereof and articles made of artificial flowers, foliage or fruit) when made of manmade fibers.

Prior to implementation of the HTS, artificial flowers and foliage of manmade fibers were subject to a 9 percent tariff. Since last November, however, the Customs Service has assessed a 17-percent duty on imports of artificial foliage, but not flowers, of manmade fibers because of an inadvertent change in the tariff schedules made in the conversion to the HTS which Customs did not notice until that time.

This new interpretation has caused problems for importers who have longstanding pricing agreements with their customers and will not be able to pass on the increased duty for some time. I also understand that it is difficult for Customs to administer different tariff rates for artificial flowers and artifi-

cial foliage because it is sometimes difficult to distinguish flowers from foliage. Nonetheless, Customs does not believe it has the authority to change its interpretation of the tariff provision. Therefore, I am introducing this bill to clarify that Congress did not intend to limit the 9-percent tariff provided under subheading 6702.90.40 to artificial flowers of manmade fibers.

It appears that there is no U.S. manufacturer of artificial foliage of manmade fibers, and domestic interests should not be harmed by this clarification.

In sum, Mr. President, I believe that this legislation is desirable and noncontroversial, and I urge my colleagues to support it. I ask uanimous consent that a copy of the bill be printed following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2204

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FOLIAGE-TYPE ARTIFICIAL FLOWERS.

Subheading 6702.90.40 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007) is amended by striking out "Artificial flowers, of" in the article description and inserting in lieu thereof "Of".

SEC. 2. EFFECTIVE DATE.

(a) IN GENERAL.—The amendment made by this Act shall apply with respect to articles entered, or withdrawn from warehouse for consumption, after the date that is 15 days after the date of enactment of this Act.

(b) RELIQUIDATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon a request filed with the appropriate customs officer before the date that is 90 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in heading 6702.90.40 of the Harmonized Tariff Schedule of the United States (as amended by this Act) that was made—

(1) after December 31, 1988, and

(2) on or before the date that is 15 days after the date of enactment of this Act,

shall be liquidated or reliquidated as though such entry or withdrawal occurred on the day after the date that is 15 days after the date of enactment of this Act.●

By Mr. MITCHELL (for himself and Mr. COHEN):

S. 2205. A bill to designate certain lands in the State of Maine as wilderness; to the Committee on Agriculture, Nutrition, and Forestry.

MAINE WILDERNESS ACT

Mr. MITCHELL. Mr. President, I am pleased to join my colleague BILL COHEN in introducing the Maine Wilderness Act of 1990.

Identical legislation is being introduced today in the House by Representatives SNOWE and BRENNAN.

This legislation will designate 12,000 acres in the Caribou-Speckled portion of the White Mountain National Forest in Maine as wilderness.

The Caribou-Speckled Mountain roadless area contains 16,000 acres. The area is 2 hours north of Portland and lies entirely within the State of Maine.

The western edge of the area is State Route 113 where the road is the boundary between New Hampshire and Maine. U.S. Highway 2 is to the north of the area and Maine Route 5 is to the east.

The topography varies from lush river valley to exposed rocky peaks. The highest point is Speckled Mountain. Other peaks include Caribou, Peabody, Durgin, and Ames Mountains. Two major ridges are Blueberry Ridge, running between Blueberry Mountain and Ames Mountain and Red Rock Ridge, running between Miles Notch and Speckled Mountain.

Recreation use of the area historically includes hunting, fishing, cross-country skiing, snowshoeing, snowmobiling, hiking, and camping. They use peaks from June to September.

There are 36 miles of trails inside the roadless area boundary which includes 13 different trails. Winter use is dependent on the amount of snowfall.

This area, one of the last large undeveloped tracts of land in Maine, contains no roads, has not seen any logging for many years, contains a wide variety of wildlife and plant species, and many spectacular views and opportunities for solitude and relative isolation from the intrusions of modern life.

Enactment of this legislation will add an additional 12,000 acres as wilderness to the White Mountain National Forest. With 102,000 acres already designated, 14 percent of the forest is now protected as wilderness.

Enactment of this legislation will add an additional 12,000 acres designated as wilderness in Maine. There is some land in Maine designated as wilderness now—5,000 acres in the Moosehorn National Wildlife Refuge. In addition, 36,000 acres in the Allagash Wilderness Waterway are managed as wilderness.

The Maine congressional delegation has arrived at this point after an extended process of public discussion, study, evaluation, deliberation, negotiation, and compromise involving the Forest Service, the delegation, and a variety of interested parties including the timber products industry, conservation groups, State and local governments, snowmobiles, and regional planning agencies.

In 1983, the issue of wilderness designation for Caribou-Speckled arose in the context of the New Hampshire Wilderness bill. In order to get a reasoned view of this matter, the delegation asked representatives of industry, State, conservation, and recreation interests to serve on an ad hoc committee.

That committee conducted its work while the Forest Service was in the process of conducting its development of the forest's 10-year management plan.

In the fall of 1984, the Forest Service, in a draft management plan recommended that 12,000 of the 16,000 acres in Caribou-Speckled be studied by Congress for possible wilderness designation.

The remaining 4,000 acres were to be released for multiuse.

In the Forest Service's final plan, some modifications to the originally proposed wilderness area were made, but the recommendation to designate 12,000 acres as wilderness and release 4,000 acres for multipleuse remained the same.

The ad hoc committee, by a 9-to-2 vote, agreed to the Forest Service proposal.

In November 1987, the congressional delegation held a hearing in Bethel, ME, on the wilderness recommendation. We heard from a wide number of individuals and groups on the recommendation.

Mr. President, this bill represents a compromise that we believe balances the many, some times competing interests this Nation places on its national forest.

Originally, a number of conservationists had pressed for wilderness designation for the entire 16,000 acres of Caribou-Speckled. Many representatives of the forest products industry on the other hand opposed any wilderness designation for Caribou-Speckled.

They have compromised and as a result, 4,000 acres of the roadless area will be released for mixed use management. If no action is taken, the entire 16,000 acres will remain managed by the Forest Service so as to retain its wilderness character.

The issue would remain unresolved, there would be no access to the area's timber by local wood-using industries and there would be no permanent protection of the area as wilderness.

I hope that the Senate Committee on Agriculture, Nutrition, and Forestry will be able to consider this legislation in the coming weeks and we will be able to finally conclude the debate over wilderness designation for Caribou-Speckled.

Mr. President, I ask unanimous consent that the text of the legislation be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Maine Wilderness Act of 1990".

SEC. 2. DESIGNATION OF WILDERNESS AREAS.

In furtherance of the purpose of the Wilderness Act (16 U.S.C. 1131-1136), certain lands in the White Mountain National Forest, in the State of Maine—

(1) which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Caribou-Speckled Mountain Wilderness—Proposed", dated January 1987; and

(2) which shall be known as the Caribou-Speckled Mountain Wilderness,

are hereby designated wilderness, and, therefore, as components of the National Wilderness Preservation System.

SEC. 3. MAPS AND DESCRIPTIONS.

As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of the wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. The map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such map and description may be made by the Secretary. The map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

SEC. 4. ADMINISTRATION OF WILDERNESS.

Subject to valid existing rights, the wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

SEC. 5. WILDERNESS REVIEW CONCERNS.

(a) FINDINGS.—The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the Maine section of the White Mountain National Forest and of the environmental impacts associated with alternative allocations of such areas.

(b) DETERMINATION.—On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in the State of Maine; such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Maine;

(2) with respect to the National Forest System lands in the State of Maine which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Maine reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Maine are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Mangement Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Maine for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) REVISION.—As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) APPLICATION OF SECTION.—The provisions of this section shall also apply to National Forest System roadless lands in the State of Maine which are less than 5,000 acres in size.

SEC. 6. PROHIBITION ON BUFFER ZONES.

Congress does ot intend that the designation of a wilderness area in the State of Maine lead to the creation of protective perimeters or buffer zones around the wilderness area. The fact that nonwilderness activities or uses can be seen or heard from within the wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

SEC. 7. CONTROL OF FIRE, INSECTS, AND DISEASES.

As provided in section 4(d)(1) of the Wilderness Act, such measures may be taken within wilderness areas designated by this Act as may be necessary in the control of fire, insects, and diseases, subject to applicable laws and such additional reasonable conditions as the Secretary deems desirable. This shall include the use of herbicides for plant and noxious weed control and the practice of reseeding a badly damaged area.

SEC. 8. STATE FISH AND WILDLIFE AUTHORITY.

As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Maine with respect to wildlife and fish in the national forests in Maine.

Mr. COHEN. Mr. President, I am pleased to join with my colleague from Maine, Senator MITCHELL, in sponsoring legislation that designates a 12,000-acre wilderness area in the White Mountain National Forest in Maine. The area would be called the Caribou-Speckled Mountain Wilderness. Identical legislation is being introduced in the House by Representatives OLYMPIA SNOWE AND JOSEPH BRENNAN.

In designating the 12,000-acre wilderness area, this legislation would also release an additional 4,000 acres to multiple use, including timber harvesting as called for in the land and management plan for the White Mountain National Forest. I believe this provision will end uncertainty over the future management of the entire 16,000-acre roadless area that was reviewed by the U.S. Forest Service during the development of the forest plan, and that is currently being managed as wilderness.

Finally, the bill reiterates language in the Wilderness Act that authorizes continued State regulation of fish and game activity in the area and allows the Forest Service to take whatever measures are deemed appropriate to control fire, insects, and disease in the wilderness area.

Our legislation is based not only on the Forest Service's forest plan recommendations, but also on the recommendation of the Maine Ad Hoc Wilderness Committee, established by the Maine congressional delegation in 1983. The committee consisted of representatives of the forest products industry, environmental groups, local and State government, snowmobilers, and others. In 1984, the committee voted in favor of the Forest Service's preferred alternative, which was the designation of the 12,000-acre wilderness area and the release of the remaining 4,000 acres to multiple use.

Since then, the Forest Service issued its final plan for the White Mountain Forest, which included the 12,000-acre wilderness recommendation. Extensive public comment was received by the Service, and significant support for the wilderness designation was evident at that time. In addition, the delegation held a public hearing in Bethel, ME, in November 1987 at which time further public comment was solicited.

While the issue of wilderness designation is controversial in Maine, as it is in many areas of the country, the delegation has agreed, after reviewing the circumstances in Maine, that the resolution of this matter as proposed

is in the best interests of Maine citizens.

Designation of the 12,000-acre Caribou-Speckled wilderness will preserve a relatively undeveloped parcel of forestland for future generations. Maine has few large areas of public land suited to the wilderness experience—Baxter State Park and the Moosehorn National Wildlife Refuge are among the few that meet this standard. The creation of the Caribou-Speckled wilderness area will add another dimension to this experience, since it differs from the type of forest found in the other areas. The Caribou-Speckled forest is a deciduous hardwood one, with two mountain peaks a few miles apart. To the west, hikers can view the majestic peaks of Mount Washington and other mountains in the White Mountain range. Views in other directions provide a panorama of western Maine's foothills and rolling mountains. There are few preserves of this kind in Maine, and certainly none of this size.

The other component of our bill, the release of the remaining 4,000 acres, provides the means for the forest products industries and other nonwilderness users to have access to forest resources. Timber sales are scheduled in this area beginning in 1991, and this will allow for adequate timber supply levels.

Since the Forest Service issued its recommendation in 1986, the entire 16,000-acre area has been managed as wilderness. If the delegation did not act on the 12,000-acre recommendation, the remaining 4,000-acre area would remain off limits to timber harvesting and other nonwilderness uses for an indefinite period of time.

Under the provisions of the National Forest Management Act, the Forest Service is expected to revise its forest plans every 10 to 15 years. A review of the White Mountain National Forest would therefore begin between the years 1996 and 2000. At that time, the Forest Service would again review the 16,000-acre roadless area, but there is no precedent to show that the agency would, or could alter its recommendation and release the entire area or a lesser portion of it to nonwilderness uses.

Just what the Forest Service would do is unknown, and I believe that this situation is the worst of all possible worlds. The uncertainty and debate over this matter would go on, to no one's benefit, for many years to come. There is little reason to allow this to happen when it had been debated so extensively already.

Since wilderness is one of the forms of multiple use included in the Multiple-Use Sustained Yield Act and is sanctioned in the Wilderness Act of 1964, it is important that it be offered as an option for the public, where appropriate. It is certainly appropriate in this case.

At the same time, local industries depend on the National Forest for much of their timber supply. It is also important that this relationship be maintained so that the quality sawlogs needed by the forest products firms continue to be made available. The Forest Service has stated, in its environmental impact statement, that the designation of the 12,000-acre wilderness would not diminish that supply.

Overall, this compromise should bring about the most balanced use of the national forest in Maine. Those who desire to hike and camp in the forest in relative solitude will have that opportunity, but the tradition of access to public timber by forest-dependent industries in Maine will also continue.

I believe it is time to act on this proposal, and I hope the Senate will look favorably on it.

By Mr. CRANSTON:

S. 2206. A bill to enhance exports by eliminating Government-imposed obstructions to freer trade; to the Committee on Finance.

EXPORT ENHANCEMENT ACT OF 1990

Mr. CRANSTON. Mr. President, today I am introducing two separate bills to give our exporters the tools they need to compete in the rapidly changing world by eliminating U.S. Government-imposed obstructions to freer trade. The first bill, the Export Enhancement Act of 1990, is comprised of two titles: The first title is an overhaul of the Export Administration Act. The second title provides trade and investment benefits for Eastern Europe. The other bill I am introducing, the Export Administration Act of 1990, is simply title I of the first bill. I have introduced the bills separately for jurisdictional reasons. A statement on the Export Administration Reform Act accompanies that bill in the RECORD. I ask unanimous consent that the text of the Export Enhancement Act and a section-by-section analysis of the Export Enhancement Act of 1990 follow this statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Export Enhancement Act of 1990".

TITLE I—EXPORT ADMINISTRATION ACT

SEC. 101. CONTROLLED COUNTRIES.

(a) IN GENERAL.—In light of the rapidly changing strategic environment, the President shall—

(1) assess the current list of controlled countries and determine whether the list remains appropriate; and

(2) review the criteria contained in section 5(b)(1) of the Export Administration Act of 1979.

(b) REPORTS.—Not later than 3 months after the date of enactment of this Act, the President shall report to the Congress the results of the assessment under subsection (a)(1) and recommend any changes he deems appropriate. Not later than 6 months after the date of enactment of this Act, the President shall report to the Congress the results of the review under subsection (a)(2) and recommend any changes he deems appropriate.

SEC. 102. EXPORTS TO EASTERN EUROPE.

Section 5(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(b)) is amended by adding at the end the following:

"(8) Within 6 months of the effective date of this paragraph, controls on exports to Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania shall be no more rigorous than were controls on exports to the People's Republic of China on January 1, 1989, if the countries have in place safeguards equivalent to those in the People's Republic of China. The application review procedure for such exports should be the same as that for exports to the People's Republic of China on January 1, 1989.".

SEC. 103. SOVIET REFORM.

(a) IN GENERAL.—Section 5 of the Export Administration Act of 1979 (50 U.S.C. App. 2404) is amended by adding at the end the following:

"(r) SOVIET EXPORTS.—The Secretary shall identify, and report to Congress within 3 months after the date of enactment of this subsection on, those nonmilitary industries and sectors thereof that can undertake projects to assist the economic reforms in the Union of Soviet Socialist Republics. In connection with such projects, approvals of export licenses for goods or technology at higher levels shall be granted to assure project completion unless the end-user presents a significant risk of diversion to a military use.".

(b) POLICY.—Section 2(11) of the Export Administration Act of 1979 (50 U.S.C. App. 2401(11)) is repealed.

SEC. 104. BULK LICENSES.

Section 4(a)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2403(a)(2)) is amended by inserting after "People's Republic of China" each place it appears the following: ", Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, or Romania".

SEC. 105. TRADE SHOWS.

Section 5(e)(6) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(e)(6)) is amended—

(1) by striking "the People's Republic of China" the first place it appears and inserting "any country";

(2) by striking "the People's Republic of China" in subparagraph (A) and (B) and inserting "such country"; and

(3) by adding at the end the following: "This paragraph does not apply in the case of a trade show in the Soviet Union to supercomputers, goods or technology for sensitive nuclear uses (as defined by the Secretary), or devices for surreptitious interception of wire or oral communications.".

SEC. 106. EXPORTS TO COCOM.

(a) IN GENERAL.—Section 5(a)(4) of the Export Administration Act of 1979 (50

U.S.C. App. 2404(a)(4)) is amended to read as follows:

"(4) Effective on and after the expiration of 1 year after the date of enactment of this paragraph, a validated license is not required for any export to or reexport to or from a foreign country that is a member of the group known as the 'Coordinating Committee' or a party to an agreement under subsection (k), except for those end-users specified by the Secretary.".

(b) CONFORMING AMENDMENT.—Section 5(b)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(b)(2)) is repealed.

SEC. 107. DUAL USE ITEMS.

Section 17(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2416(b)) is amended to read as follows:

"(b) AGENCY JURISDICTION.—Notwithstanding any other provision of law, the Secretary shall determine whether an item is subject to controls under this Act. Upon the expiration of 3 months after the date of enactment of this subsection, no item subject to controls under section 5 may be subject to controls under the Arms Export Control Act. In any case where there is a dispute regarding the applicability of controls under this Act or controls under the Arms Export Control Act, the head of any dissenting agency may notify the Secretary in writing of his or her objection. If the two agencies cannot concur on which controls should apply within 20 days after such notification, the matter shall be referred to the President for a determination. If no action is taken within 20 days after the matter is referred, the determination of the Secretary of Commerce is final.".

SEC. 108. REPRESENTATION ON THE COORDINATING COMMITTEE.

Section 15(a) of the Export Administration Act of 1979 (50 U.S.C. App. 2414(a)) is amended by adding at the end thereof the following: "The Secretary shall designate an official of the Department of Commerce to represent the Secretary on a permanent basis in the United States delegation to the Coordinating Committee. Not later than December 31, 1990, the President shall transmit to the Congress a report describing the structure of the United States delegation to the Coordinating Committee and setting forth any reasons why the representative of the Department of Commerce should not be the chairperson of the delegation.".

SEC. 109. TREATMENT OF NEWLY INDUSTRIALIZED COUNTRIES.

(a) IN GENERAL.—Section 5(k) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(k)) is amended by adding at the end the following: "The Secretary of Commerce shall undertake a review of, and report to the Congress not later than 3 months after the date of enactment of the Export Enhancement Act of 1990 on, the goods and technology available from newly industrialized countries to determine if such goods and technology are of such sophistication that they warrant multilateral control. If so, the Secretary of State, in coordination with members of the Coordinating Committee, shall initiate negotiations with such newly industrialized countries to reach agreements with them under this subsection or to obtain their participation in the Coordinating Committee.".

(b) REPEAL.—Section 5(i)(11) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(i)(11)) is repealed.

SEC. 110. REGULATORY AUTHORITY.

Section 15(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2414(b)) is amended by striking the last two sentences and inserting the following: "The Secretary may refer any such regulations the purpose of which is to carry out the provisions of section 5, or of section 4(a) for the purpose of administering the provisions of section 5, to such other departments and agencies as the Secretary considers appropriate and to the appropriate technical advisory committee. Unless otherwise specifically provided in this Act, the approval or concurrence of any other agency or official of the United States Government is not required prior to the promulgation of any regulation of the Secretary under this Act.".

SEC. 111. INDEXING.

Section 5(g)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(g)(1)) is amended by striking "may" in the first sentence and inserting "shall on an ongoing basis".

SEC. 112. CONTROL LIST.

Section 5(c)(7) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(c)(7)) is amended to read as follows:

"(7) Notwithstanding any other provision of this section, effective after the expiration of 2 years following the enactment of the Export Enhancement Act of 1990, and every 2 years thereafter, no controls under this section shall apply to the export of any goods or technology on the control list to a country not on the list of controlled countries unless the Secretary determines and reports to the Congress that continued controls on each item within each control list entry is necessary. Notice of all items removed shall be immediately forwarded to COCOM for multilateral East-West decontrol consideration.".

SEC. 113. DOD REVIEW.

Section 5(p) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(p)) is amended by striking "of Defense Policy" and inserting "for Acquisition".

SEC. 114. LIMITATION OF CONTROLS.

Section 5(d)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(d)(1)) is amended by striking the parenthetical phrase.

TITLE II—TRADE AND INVESTMENT

SEC. 201. MOST-FAVORED-NATION STATUS.

Title III of Public Law 101-179 is amended by adding at the end thereof:

"SEC. 308. MOST-FAVORED-NATION STATUS.

"(a) It shall be the policy of the United States to achieve normal trade relations with countries that have institutionalized free emigration and taken substantial steps to establish free political and economic institutions.

"(b) The President shall, at the earliest possible time, act, in accord with the criteria and procedures set forth in section 402 of the Trade Act of 1974, to confer nondiscriminatory ('most-favored-nation') trade status on Bulgaria, Czechoslovakia, Estonia, the German Democratic Republic, Latvia, Lithuania, Romania, and the Union of Soviet Socialist Republics.".

SEC. 202. ELIGIBILITY FOR GENERALIZED SYSTEM OF PREFERENCES.

Subsection (b) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462(b)) is amended—

(1) by striking out "Czechoslovakia",

(2) by striking out "Germany (East)", and

(3) by striking out "Union of Soviet Socialist Republics",

in the table within such subsection.

SEC. 203. ELIGIBILITY FOR OPIC PROGRAMS.

Section 239(f) of the Foreign Assistance Act of 1961 is amended by inserting after "Hungary," the following: "Bulgaria, Czechoslovakia, East Germany, Romania,".

SEC. 204. EXPORT-IMPORT BANK PROGRAMS FOR ADDITIONAL EASTERN EUROPEAN COUNTRIES.

Notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)), the Export-Import Bank of the United States may guarantee, insure, finance, extend credit, and participate in the extension of credit in connection with the purchase or lease of any product by Bulgaria, Czechoslovakia, East Germany, or Romania, or any agency or national thereof.

SECTION-BY-SECTION ANALYSIS: EXPORT ENHANCEMENT ACT OF 1990

TITLE I: EXPORT ADMINISTRATION ACT

Section 101. Controlled Countries.—This section requires the President to review the current list of controlled countries and make a determination as to whether all countries on the list should remain. He must also review the criteria in the Act for determining a controlled country and report to Congress his recommendations for change.

Section 102. Exports to Eastern Europe.—Adds a new subsection 8 to Section 5(b). This section creates a "China Green Line" for the emerging democracies of Eastern Europe. Items that can now be exported to the People's Republic of China without COCOM approval will be allowed for Eastern Europe by establishing a new, higher national discretion level.

Section 103. Soviet Reform.—Adds a new section (r) to Section 5. This section requires the President to identify non-military sectors that would help the economic reforms in the Soviet Union (e.g., telecommunications, financial institutions, environmental protection). Technology in these sectors would then be eligible for export at levels higher than currently allowed. In addition, the bill stipulates that there must be consistent liberalization across product lines to allow the projects to be completed.

Section 104. Bulk Licenses.—Amends 4(a)(2). This section allows a form of bulk license to Eastern European countries, making it easier for exporters to send numerous shipments of the same items to preapproved end-users. This provision is similar to what was done for the PRC in the 1988 trade bill.

Section 105. Trade Shows.—Amends 5(e)(6). This section allows items to be exported for trade shows that would not otherwise be exportable, as long as certain conditions are met. Again, this is similar to actions taken in 1988 for the PRC. Exceptions for certain technologies would be made in the case of trade shows in the Soviet Union.

Section 106. Exports to COCOM.—Replaces Section 5(a)(4). This section establishes a license-free COCOM. It mandates that within one year of enactment, no validated licenses may be required for exports to COCOM or 5(k) nations (except certain end-users specified by Commerce). In addition, no reexport controls would be required to or from COCOM.

Section 107. Dual Use Items.—Replaces Section 17(b). This section gives the Commerce Department sole authority to determine what is controlled under this Act (State would still maintain and control the munition list). This provision also mandates that there be no overlap between Commerce's dual-use list and State's munitions list. If another agency disagrees with Commerce's decision that something is dual-use,

they can petition Commerce to resolve the disagreement. If the two agencies can't agree within 20 days, it must be sent to the President. He then has 20 days to make a determination, and if no action is taken, Commerce's ruling stands.

Section 108. Representation on the Coordinating Committee.—Amends Section 15(a). This section gives Commerce a permanent representative at COCOM and requires the Administration to report to Congress on why Commerce should not be the lead agency. Currently, State leads the U.S. delegation to COCOM and Defense has a permanent representative in Paris, but Commerce doesn't.

Section 109. Treatment of Newly Industrialized Countries.—Amends Section 5(k). This section requires the Administration to review the sophistication of goods and technology available in the NICs and determine if those technologies warrant multilateral controls. If so, the U.S. should work with our COCOM allies to get these countries to join the multilateral control system.

Section 110. Regulatory Authority.—Amends Section 15(b). This section gives Commerce the authority to issue regulations to administer export controls without the concurrence of any other agency, unless expressly stated otherwise in the Act.

Section 111. Indexing.—Amends Section 5(g)(1). This section changes the current indexing provision to state that the Secretary shall index performance levels (where appropriate), instead of "may".

Section 112. Control List.—Replaces Section 5(c)(7). This section creates a sunset provision. All items on the control list will automatically be decontrolled to Free World destinations after two years unless Commerce formally determines controls should remain. The Administration will then have to take a list of the decontrolled items to COCOM immediately to advocate multilateral East/West decontrol.

Section 113. DOD Review.—Amends Section 5(p). This section moves Defense's authority in the review process from the Undersecretary for Defense Policy to the Undersecretary for Acquisitions, where the Militarily Critical Technologies List is made and there is greater technical expertise.

Section 114. Limitation of Controls.—Amends Section 5(d)(1). This section deletes a phrase to ensure that controls cover, and are limited to, items which are militarily critical.

TITLE II: TRADE AND INVESTMENT

Section 201. Most Favored Nation Status.—This section amends Title III of P.L. 101-179 (SEED I) and urges the President to waive Jackson-Vanik and grant MFN status for Bulgaria, Czechoslovakia, Estonia, East Germany, Latvia, Lithuania, Romania and the Soviet Union.

Section 202. Eligibility for Generalized System of Preferences.—This section amends Section 502(b) of the Trade Act of 1974 to allow Czechoslovakia, East Germany and the Soviet Union to be eligible for GSP.

Section 203. Eligibility for OPIC Programs.—This section amends Section 239(f) of the Foreign Assistance Act of 1961 to allow Bulgaria, Czechoslovakia, East Germany and Romania to be eligible for Overseas Private Investment Corporation programs.

Section 204. Export-Import Bank Programs.—This section allows Ex-Im funding for projects in Bulgaria, Czechoslovakia, East Germany and Romania.

By Mr. CRANSTON (for himself, Mr. DODD, and Mr. ADAMS):

S. 2207. A bill to amend the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EXPORT ADMINISTRATION REFORM ACT OF 1990

Mr. CRANSTON. Mr. President, I rise to introduce a major piece of legislation that will remove more than a dozen serious impediments to U.S. export expansion. For too long, our Government has been a hindrance to exporters, instead of a partner. We must turn that around; this bill will turn that around. When enacted, this legislation will significantly enhance our exporters' ability to compete in Eastern Europe, Asia, and worldwide. The world order is rapidly changing, presenting our exporters with new market opportunities around the globe. We as a Nation must be prepared to act swiftly and decisively to take advantage of these opportunities. In reauthorizing the Export Administration Act this year, we have a unique chance to reform the system significantly so as to eliminate Government-imposed obstructions to freer trade. We must not miss this chance.

The legislation I am introducing today will give businesses the tools they need to increase exports by penetrating new markets and expanding within existing markets. We have a vested interest in the success of the economic and political reforms in Eastern Europe. We must lend a helping hand to these countries, and help American businesses to gain a foothold in their markets. If the Government maintains excessive controls that are not multilateral, our exporters will never be able to crack these potentially large markets. In rewriting the Export Administration Act, I propose an all-out attack on the impediments in the current export control regime. This will greatly expand the export opportunities of our high-technology companies in Eastern Europe and throughout the world.

Three years ago, I introduced the High-Technology Trade Enhancement Act. My goal in that bill was to streamline the export control system, decontrolling items that did not pose a threat to our national security and ending the Defense Department's de facto veto over dual-use controls. Much of my bill was incorporated into the Omnibus Trade and Competitiveness Act of 1988. Unfortunately, there is still much more to be done. The reforms I am proposing today are aimed at completing this unfinished business.

In addition, because of the incredible changes in the Soviet Union and Eastern Europe, I am proposing several reforms specifically aimed at easing restrictions to those countries. We must not waste this once in a lifetime opportunity to make the most of, and to encourage, the reforms in those countries. In light of the changing strategic environment, it is imperative that we rethink the fundamental premise which underlies our export control regime. Therefore, I am calling for the administration to reevaluate the status of all currently controlled countries—that is: The Soviet bloc and the criteria for determining which countries should be controlled and to report to Congress on its findings.

Let me briefly outline the other major export control provisions in the bill: With regard to Eastern Europe, I propose establishing a new, higher threshold for items that will be exportable without multilateral approval. Specifically, I suggest that items which can now be shipped to the People's Republic of China without approval should be allowed to Eastern Europe. This is the so-called "China green line." Surely if it's not against our national interest to export to the repressive Communist regime in China, it should not be against our interests to export to the blooming democracies of Europe. To ensure that our exporters aren't then disadvantaged by multilateral decontrol that isn't followed in the United States, there would be a presumption of approval for items under the green line. The bill will also allow the use of trade show and bulk licenses for certain items exported to Eastern Europe.

As President Havel of Czechoslovakia stated so dramatically last week before the joint session of Congress, "You can help us most of all if you help the Soviet Union on its irreversible but immensely complicated road to democracy." I share his view and believe it's in our national interest to enhance the reform process in the Soviet Union and to increase United States-Soviet trade. Therefore, although I think it may be premature to allow all goods up to the green line to the Soviet Union, my bill calls for the Secretary of Commerce to identify sectors in the Soviet Union that would qualify for a significantly higher level of technology than is currently permitted. For example, we could help the Soviets in areas such as telecommunications, finances, and environmental protection. In identifying these sectors, the President must make sure that all goods and technology needed to advance the favored sectors are given preferential treatment.

Mr. President, representatives of the administration recently returned from a COCOM meeting in Paris. While the U.S. position has progressed for the better in recent months, it is obvious that the United States is still the "odd-man out" in COCOM. If the administration doesn't act quickly and become more flexible in its position, there is a very real chance that COCOM will fall apart at the seams. I doubt that's what the administration

wants. Congress should assert itself on this issue by using the reauthorization of the EAA to move the administration in the right direction.

My bill also contains major reforms concerning trade with Asia and the rest of the free world, as well as the administration of the control system. Regrettably, no matter what reforms we legislate, the administration seems to drag its feet and get bogged down in interagency disputes. Therefore, I am proposing that the jurisdiction over dual-use items be clarified once and for all. While the Commerce Department and the State Department are haggling, our exporters are losing sales. This bill will provide Commerce with the sole authority to determine what is dual-use and will set up a dispute settlement mechanism with strict time limits. I am also calling for a license-free Cocom. The trade bill intended this, but the administration has refused to take action. A license-free Cocom is absolutely essential, particularly in light of the fact that the European Community will soon eliminate all internal barriers. If the United States is the only country requiring licenses, our exporters might as well hang up the "gone fishin" sign, because it will be all over.

Mr. President, the bill has several other important provisions which create a smoother, more rational system of controls. While this bill will provide considerable relief to our exporters, it is not meant to address all the problems of the Export Administration Act and its implementation; nor is it a comprehensive statement of my priorities. This legislation is simply an important first step toward a more efficient and effective control system.

There are many other issues that could, and should, be addressed at this time. Frankly, I think we must reevaluate the entire premise of the current control regime—is it really appropriate in light of the changes occurring in the world? I have always, and continue to, question the role of the Defense Department in the system—is it necessary, particularly now, for DOD to be involved in West/West trade? Should DOD look at individual licenses at all, or should it only give technical advice on what is militarily critical? What role should the State Department play? Is it really the best qualified to administer the munitions control list? Should Commerce provide one-stop shopping for export licenses? Or at a minimum, should there be one entry point for all licenses to avoid confusion and possible duplication? Shouldn't Commerce have the authority to do overseas investigations to enforce the act? Don't we need a better definition of "defense article" what more accurately reflects the realities of today's high-technology world? Are there ways that the foreign policy controls and the Arms Export Control Act can be reformed? These are just some of the many questions we should address in the near future. As a member of both the Banking and Foreign Relations Committees, I look forward to doing just that.

Mr. President, I urge my colleagues to review this bill carefully and join as cosponsors. It is moderate in scope, but essential not only to the health of our exporters, but for the economic and political success of the reformers in the Soviet Union and Eastern Europe. I ask unanimous consent that the text of the bill follow my statement.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Export Administration Reform Act of 1990".

SEC. 2. CONTROLLED COUNTRIES.

(a) IN GENERAL.—In light of the rapidly changing strategic environment, the President shall—

(1) assess the current list of controlled countires and determine whether the list remains appropriate; and

(2) review the criteria contained in section 5(b)(1) of the Export Administration Act of 1979.

(b) REPORTS.—Not later than 3 months after the date of enactment of this Act, the President shall report to the Congress the results of the assessment under subsection (a)(1) and recommend any changes he deems appropriate. Not later than 6 months after the date of enactment of this Act, the President shall report to the Congress the results of the reivew under subsection (a)(2) and recommend any changes he deems appropriate.

SEC. 3. EXPORTS TO EASTERN EUROPE.

Section 5(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(b)) is amended by adding at the end the following:

"(8) Within 6 months of the effective date of this paragraph, controls on exports of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania shall be no more rigorous than were controls on exports to the People's Republic of China on January 1, 1989, if the countries have in place safeguards equivalent to those in the People's Republic of China. The application review procedure for such exports should be the same as that for exports to the People's Republic of China on January 1, 1989.".

SEC. 4. SOVIET REFORM.

(a) IN GENERAL.—Section 5 of Export Administration Act of 1979 (50 U.S.C. App. 2404) is amended by adding at the end the following:

"(r) SOVIET EXPORTS.—The Secretary shall identify, and report to Congress within 3 months after the date of enactment of this subsection on, those nonmilitary industries and sectors thereof that can undertake projects to assist the economic reforms in the Union of Soviet Socialist Republics. In connection with such projects, approvals of export licenses for goods or technology at higher levels shall be granted to assure project completion unless the end-user presents a significant risk of diversion to a military use.".

(b) POLICY.—Section 2(11) of the Export Administration Act of 1979 (50 U.S.C. App. 2401(11)) is repealed.

SEC. 5. BULK LICENSES.

Section 4(a)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2403(a)(2)) is amended by inserting after "People's Republic of China" each place it appears the following: ", Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, or Romania".

SEC. 6. TRADE SHOWS.

Section 5(e)(6) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(e)(6)) is amended—

(1) by striking "the People's Republic of China" the first place it appears and inserting "any country";

(2) by striking "the People's Republic of China" in subparagraph (A) and (B) and inserting "such country"; and

(3) by adding at the end the following:

"This paragraph does not apply in the case of a trade show in the Soviet Union to supercomputers, goods or technology for sensitive nuclear uses (as defined by the Secretary), or devices for surreptitious interception of wire or oral communications.".

SEC. 7. EXPORTS TO COCOM.

(a) IN GENERAL.—Section 5(a)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(a)(4)) is amended to read as follows:

"(4) Effective on and after the expiration of 1 year after the date of enactment of this paragraph, a validated license is not required for any export to or reexport to or from a foreign country that is a member of the group known as the "Coordinating Committee' or a party to an agreement under subsection (k), except for those end-users specified by the Secretary.".

(b) CONFORMING AMENDMENT.—Section 5(b)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(b)(2)) is repealed.

SEC. 8. DUAL USE ITEMS.

Section 17(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2416(b)) is amended to read as follows:

"(b) AGENCY JURISDICTION.—Notwithstanding any other provision of law, the Secretary shall determine whether an item is subject to controls under this Act. Upon the expiration of 3 months after the date of enactment of this subsection, no item subject to controls under section 5 may be subject to controls under the Arms Export Control Act. In any case where there is a dispute regarding the applicability of controls under this Act or controls under the Arms Export Control Act, the head of any dissenting agency may notify the Secretary in writing of his or her objection. If the two agencies cannot concur on which controls should apply within 20 days after such notification, the matter shall be referred to the President for a determination. If no action is taken within 20 days after the matter is referred, the determination of the Secretary of Commerce is final.".

SEC. 9. REPRESENTATION ON THE COORDINATING COMMITTEE.

Section 15(a) of the Export Administration Act of 1979 (50 U.S.C. App. 2414(a)) is amended by adding at the end thereof the following: "The Secretary shall designate an official of the Department of Commerce to represent the Secretary on a permanent basis in the United States delegation to the Coordinating Committee. Not later than De-

cember 31, 1990, the President shall transmit to the Congress a report describing the structure of the United States delegation to the Coordinating Committee and setting forth any reasons why the representative of the Department of Commerce should not be the chairperson of the delegation.".

SEC. 10. TREATMENT OF NEWLY INDUSTRIALIZED COUNTRIES.

(a) IN GENERAL.—Section 5(k) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(k)) is amended by adding at the end the following: "The Secretary of Commerce shall undertake a review of, and report to the Congress not later than 3 months after the date of enactment of the Export Administration Reform Act of 1990 on, the goods and technology available from newly industrialized countries to determine if such goods and technology are of such sophistication that they warrant multilateral control. If so, the Secretary of State, in coordination with members of the Coordinating Committee, shall initiate negotiations with such newly industrialized countries to reach agreements with them under this subsection or to obtain their participation in the Coordinating Committee.".

(b) REPEAL.—Section 5(i)(11) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(i)(11)) is repealed.

SEC. 11. REGULATORY AUTHORITY.

Section 15(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2414(b)) is amended by striking the last two sentences and inserting the following: "The Secretary may refer any such regulations the purpose of which is to carry out the provisions of section 5, or of section 4(a) for the purpose of administering the provisions of section 5, to such other departments and agencies as the Secretary considers appropriate and to the appropriate technical advisory committee. Unless otherwise specifically provided in this Act, the approval or concurrence of any other agency or official of the United States Government is not required prior to the promulgation of any regulation of the Secretary under this Act.".

SEC. 12. INDEXING.

Section 5(g)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(g)(1)) is amended by striking "may" in the first sentence and inserting "shall on an ongoing basis".

SEC. 13. CONTROL LIST.

Section 5(c)(7) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(c)(7)) is amended to read as follows:

"(7) Notwithstanding any other provision of this section, effective after the expiration of 2 years following the enactment of the Export Administration Reform Act of 1990, and every 2 years thereafter, no controls under this section shall apply to the export of any goods or technology on the control list to a country not on the list of controlled countries unless the Secretary determines and reports to the Congress that continued controls on each item within each control list entry is necessary. Notice of all items removed shall be immediately forwarded to COCOM for multilateral East-West decontrol consideration.".

SEC. 14. DOD REVIEW.

Section 5(p) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(p)) is amended by striking "of Defense Policy" and inserting "for Acquisition".

SEC. 15. LIMITATION OF CONTROLS.

Section 5(d)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(d)(1)) is amended by striking the parenthetical phrase.

By Mr. HATCH (for himself and Mr. GARN):

S. 2208. A bill to provide for issuance of a 7-day admission permit for the Grand Circle Adventure comprising seven national parks in Utah, Colorado, and Arizona; to the Committee on Energy and Natural Resources.

GRAND CIRCLE ADVENTURE PASS

Mr. HATCH. Mr. President, I rise today to introduce a bill that is for the benefit of every traveler who visits the beautiful State of Utah. I am pleased Senator GARN is joining me as a cosponsor.

The State of Utah is the proud keeper of five national parks: Arches National Park, Canyonlands National Park, Capitol Reef National Park, Bryce Canyon National Park, and Zion National Park. These five parks, with the addition of Arizona's Grand Canyon North Rim National Park and Colorado's Mesa Verde National Park, comprise what is known as the Grand Circle Adventure area.

Presently, visitors who wish to visit the Grand Circle Adventure area must either pay a daily admittance fee of $5 each day they enter a park or purchase an entire season pass for $25. My bill would offer a 7-day pass for visitors who wish to visit the Grand Circle Area and its monuments for a 1-week time period. The Grand Circle Adventure pass would cost approximately $15 and would make visiting all the parks in the area an easier and more convenient wilderness experience.

Utah, with its five national parks all within convenient driving distance of one another, stands in a unique position. Only California has as many national parks as Utah—and even California's parks are not within the easy driving distance of one another quite like those of Utah.

Mr. President, this is a good bill, written with the American tourist's best interest in mind. It has enjoyed enthusiastic support from all parties concerned. I urge my colleagues to support this legislation and help establish a Grand Circle Park pass in Utah.

At this point I ask unanimous consent that my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2208

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRAND CIRCLE ADVENTURE PASS.

Section 4(a)(1)(B) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*-6a(a)(1)(B)) is amended by adding at the end thereof the following sentence: "The Secretary shall make such a permit (to be known as the Grand Circle Adventure Passport) available for admission, for a period of at least 7 days, to the group of Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Zion National Park, Mesa Verde National Park, and Grand Canyon National Park (north rim), including admission to all monuments in those parks.".

By Mr. HEINZ (for himself, and Mr. PRYOR):

S. 2209. A bill to amend the Internal Revenue Code of 1986 to provide that small life insurance companies need not amortize acquisition expenses for purposes of the minimum tax; to the Committee on Finance.

TAX TREATMENT OF ACQUISITION EXPENSES

● Mr. HEINZ. Mr. President, today, along with the distinguished Senators from Oklahoma, Mr. BOREN, and from Arkansas, Mr. PRYOR, I am introducing legislation to remedy a serious problem created by an unfortunate provision of the corporate alternative minimum tax.

As part of the Tax Reform Act of 1986, we substantially revised and enhanced the alternative minimum tax. The goal was to assure that any corporation that had real income, paid some tax on that income. Unfortunately, in our zeal, we painted the tax law with too broad a brush. One of these overdrawn provisions now jeopardizes the financial stability of some of our most successfully small life insurance companies.

The provision to which I am referring is the requirement that, effective this year, life insurance companies must capitalize and amortize deferred acquisition costs. These costs consist primarily of commissions paid to agents for selling new policies. Standard practice in the industry is to pay substantial commissions out of premiums received in the year a policy is first sold. This means that a company will often have little or no premium income in the year it signs up a new policyholder. In practical effect, the premium goes to the agent, not the company.

Amortization of these costs for minimum tax purposes means that a life insurance company pays tax on income it does not really have. That is why for regular tax purposes and, until this year, for minimum tax purposes as well, insurance companies deduct these costs currently.

For large, older life insurance companies the amortization of acquisition costs really does not mean too much, other than a certain amount of increased tax in the short run. This is because new business represents a relatively small part of a large company's book of business.

However, for a younger, rapidly growing small company, the change that went into effect this year can be devastating. It goes to the heart of

their ability to do business because it taxes away capital, not profits.

The ability of a life insurance company to do business is regulated by the insurance departments in the States in which it does business. In order to write new policies, such a company is required by State insurance laws to maintain adequate levels of surplus—that is, paid-in capital and retained earnings—over and above the amounts necessary to meet obligations under existing policies. The smaller the statutory surplus, the smaller the amount of new business that they are allowed to write.

In contrast to the giant life insurance companies with a large book of existing business, startup and other smaller companies which have found a niche in which they are successful, are severely penalized for the success that they have earned in the marketplace. This is because the increased tax directly reduces a company's statutory surplus. A small company which has a high percentage of new business compared to existing policies will have a very severe reduction in its surplus and corresponding reduction in its ability to continue to sell new policies.

I am aware of cases where companies will have their surplus reduced by as much as 40 or 50 percent, and I would be surprised if there are not companies with situations which are even more dire.

For this reason, I am introducing legislation which will exempt rapidly growing small life insurance companies from the requirement to capitalize and amortize acquisition costs. In order for a company to qualify for this exemption, it will have to meet a threshold of increasing growth by showing that it had an increase in business of more than 5 percent over the preceding year. This growth requirement will ensure that the relief will be targeted to precisely the companies who will be most severely affected by the capitalization and amortization requirements of existing law.

I should point out that this exemption will, by its nature, provide only temporary relief to any company since, as a company builds its book of existing business, it will eventually no longer be able to meet the 5 percent growth test. Thus, once again, we have assured that the relief is targeted only to those companies who otherwise will run substantial risk of problems with the State insurance regulators caused solely by our inadvertent error in the Tax Reform Act of 1986.

Mr. President, this is a reasonable response to a very severe, practical problem. I am confident that if we knew the facts in 1986, we would have provided relief at that time. It is imperative that we correct this problem at the earliest possible time this year.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MINIMUM TAX TREATMENT OF ACQUISITION EXPENSES OF SMALL LIFE INSURANCE EXPENSES.

(a) IN GENERAL.—Subparagraph (F) of section 56(g)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

"(F) ACQUISITION EXPENSES OF LIFE INSURANCE COMPANIES.—

"(i) IN GENERAL.—Acquisition expenses of life insurance companies other than small life insurance companies shall be capitalized and amortized in accordance with the treatment generally required under generally accepted accounting principles as if this subparagraph applied to all taxable years.

"(ii) SMALL LIFE INSURANCE COMPANY.—For purposes of clause (i), a life insurance company shall be treated as a small life insurance company for a taxable year if—

"(I) a deduction is allowable to such company under section 806 for such taxable year (determined without regard to section 806(c)(2)), and

"(II) the amount determined under section 803(a)(1) with respect to such company for the taxable year exceeds by at least 5 percent the amount determined under such section for the preceding taxable year."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1989.●

By Mr. D'AMATO (for himself and Mr. MOYNIHAN):

S. 2210. A bill to provide for preservation of competitive rail freight service routes in the Northeastern United States; to the Committee on Commerce, Science, and Transportation.

COMPETITIVE NORTHEASTERN RAIL FREIGHT SERVICE ACT

● Mr. D'AMATO. Mr. President, last week I took to the Senate floor to describe the need for continued operation of the Delaware & Hudson Railroad. Today, I join with my colleague Senator MOYNIHAN in introducing a bill that protects the future of the D&H.

My legislation, which is being introduced in the House by Congressman LENT, and other members of the New York and Pennsylvania delegations, addresses an issue that had brought efforts to sell the bankrupt D&H to a grinding halt. That issue is vital trackage rights over a route owned by the Consolidated Rail Corp. [Conrail] between Harrisburg, PA, and Hagerstown, MD. Without these trackage rights the D&H lacks a commercially viable north-south route to compete with the giant Conrail system.

The D&H is now under a trustee's protection. He is attempting to sell the railroad as a going concern, without breaking it up in liquidation. To attract a strong bidder, the D&H must be able to show that it can be operated at a profit. The trustee had accepted a bid that was conditioned on reaching an agreement with Conrail refuse to make a commercially reasonable bargain, and the bid was withdrawn. There is every indication that the bid would be resubmitted—and perhaps others would be made—if Conrail would change its position.

I along with other elected officials have written and spoken to Conrail officials regarding the D&H's need for these trackage rights. We have been met with intransigence. I am convinced that Conrail is simply waiting for the clock to run out on the trustee's ability to keep the D&H operating so that it will be dismantled in liquidation, removing any threat of future competition in the Northeast. I dislike the idea of Federal involvement in private business dealings, however, there are compelling public policy concerns here that cannot be ignored. Our failure to act would advance Conrail's clear plan to have a monopoly over rail freight in the Northeast.

The legislation I am introducing would enable the Interstate Commerce Commission [ICC] to ensure that there are at least two competitive single carrier rail freight routes from points in New York State permitting access to Montreal, Quebec, from Hagerstown, MD, and from Harrisburg PA, to Potomac Yard, VA. If the parties cannot agrees on the terms and conditions of new trackage rights necessary to create competition, then the ICC shall use procedures available to it to fix compensation for these rights.

The D&H Railroad began operations in 1867 and is the Nation's oldest continually operated railroad. Congress created Conrail out of the bankrupt wreckage of a half-dozen or so railroads in the midseventies, and gave the D&H trackage rights over it to provide competition for Conrail. These rights vastly extended the original D&H system, stretching the small regional railroad to 1,830 miles. Meanwhile Congress pumped $7 billion into Conrail, exempting it from strict Federal regulation including environmental and antitrust laws, until it was sold—as a strong profit producing business—at a public stock offering in 1987.

In retrospect, the original trackage rights provided to the D&H were deficient and did not enable it to provide strong competition to Conrail. Over the years the financial position of the D&H continually declined. If it is not now purchased by a strong railroad operator, with access to strategic trackage rights, it will never be a competitor to Conrail. The D&H was intended to be a viable competitor to Conrail. The D&H was intended to be a viable competitor to Conrail—not just a small regional shortline—but first we

must solve some of the most basic problems with its route structure.

The urgency of the situation is clear. Without rapid action on this legislation, the D&H Railroad is likely to be broken up and Conrail will have a monopoly in the region. I urge my colleagues to support this important bill and press for its early passage.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Competitive Northeastern Rail Freight Service Act of 1990".

SEC. 2. FINDINGS.

The Congress finds and declares that—

(1) the current arrangements for the provision of competitive rail freight service in and across the Northeast region of the United States is threatened by the imminent collapse and liquidation of the bankrupt Delaware & Hudson Railway;

(2) the critical deficiency preventing the bankrupt rail carrier or any successor from providing effective rail competition in the region is the lack of competitive routes and interchange arrangements between the bankrupt carrier and the major rail carriers serving the South and Southeast;

(3) the lack of adequate southern connections for the bankrupt rail carrier is a direct consequence of uncorrected flaws in the Final System Plan that established the route system of the Consolidated Rail Corporation;

(4) adequate southern connections must be guaranteed for the Delaware & Hudson Railway or any successor in order to allow the functioning of competitive market forces in the Northeastern rail transportation market, as intended by the Regional Rail Reorganization Act of 1973, the Railroad Revitalization and Regulatory Reform Act of 1976, the Staggers Rail Act of 1980, and the Conrail Privatization Act; and

(5) the threatened collapse of rail competition in the Northeast region of the United States uniquely warrants Federal intervention to avoid conferring unintended monopoly power on the successfully privatized Consolidated Rail Corporation, such power being incompatible with the goals and purposes of the Federal laws and Federal funds that made such privatization possible.

SEC. 3. COMPETITIVE ROUTES FOR NORTHEAST RAIL FREIGHT SERVICE.

(a) ESTABLISHMENT OF ROUTES.—No later than 5 days after the date of enactment of this Act, the Interstate Commerce Commission shall provide for access by a second, competitive rail freight carrier over routes from Montreal, Quebec, through the State of New York, via Harrisburg, Pennsylvania—

(1) to Hagerstown, Maryland; and

(2) to Potomac Yard, Alexandria, Virginia.

(b) REQUIREMENTS.—In establishing competitive routes pursuant to subsection (a), the Interstate Commerce Commission shall—

(1) utilize where practicable trackage rights arrangements existing as of the date of enactment of this Act, including the terms and conditions thereof;

(2) provide access to yards and the right to interchange traffic with connecting carriers at Binghamton, New York, Harrisburg, Pennsylvania, Shippensburg, Pennsylvania, and Hagerstown, Maryland;

(3) grant trackage rights needed for the effectuation of the competitive routes in perpetuity; and

(4) ensure that the routes are designed to offer, and are suitable for, competitive rail freight service.

(c) COMPULSORY TRACKAGE RIGHTS.—If new trackage rights not existing on the date of enactment of this Act are considered necessary by the Interstate Commerce Commission to establish the competitive routes required by subsection (a), and if the parties necessary to implement the trackage rights cannot agree on the terms and conditions thereof by the end of the 5-day period specified in subsection (a), the Interstate Commerce Commission shall grant the necessary trackage rights within 15 days after the expiration of that period, and shall simultaneously establish terms and conditions for such trackage rights under the principle controlling compensation in condemnation proceedings. Such terms and conditions shall be subject to the requirements specified in subsection (b).●

ADDITIONAL COSPONSORS

S. 276

At the request of Mr. DURENBERGER, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 276, a bill to establish a Department of Environmental Protection.

S. 775

At the request of Mr. SHELBY, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 775, a bill to require the Secretary of Energy to establish three Centers for Metal Casting Competitiveness Research.

S. 1600

At the request of Mr. FORD, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1600, a bill to enhance the safety of air travel through a more effective Federal Aviation Administration, and for other purposes.

S. 1664

At the request of Mr. HEINZ, the names of the Senator from North Carolina [Mr. HELMS], the Senator from Oregon [Mr. HATFIELD], and the Senator from California [Mr. CRANSTON] were added as cosponsors of S. 1664, a bill to establish a congressional commemorative medal for members of the Armed Forces who were present during the attack on Pearl Harbor on December 7, 1941.

S. 1853

At the request of Mr. CHAFEE, the names of the Senator from Nevada [Mr. REID], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Washington [Mr. ADAMS], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of S. 1853, a bill to award a Congressional Gold Medal to Laurence Spelman Rockefeller.

S. 1929

At the request of Mr. DECONCINI, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1929, a bill to provide for a program to monitor and improve air quality in regions along the border between the United States and the United States of Mexico.

S. 1933

At the request of Mr. HEINZ, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Idaho [Mr. SYMMS], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Iowa [Mr. GRASSLEY], the Senator from Nevada [Mr. BRYAN], the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HEFLIN], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of S. 1933, a bill to provide for the minting of coins in commemoration of the bicentennial of the death of Benjamin Franklin and to enact a fireservice bill of rights and programs to fulfill those rights.

S. 1943

At the request of Mr. PRESSLER, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of S. 1943, a bill to authorize a program of scientific drilling into the continental crust of the United States.

S. 2006

At the request of Mr. GLENN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 2006, a bill to establish the Department of the Environment, provide for a global environmental policy of the United States, and for other purposes.

S. 2019

At the request of Mr. SYMMS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 2019, a bill to amend title XVIII of the Social Security Act to eliminate the reimbursement differential between hospitals in different areas.

S. 2041

At the request of Mr. SYMMS, the names of the Senator from Montana [Mr. BURNS], the Senator from Iowa [Mr. HARKIN], the Senator from Oregon [Mr. HATFIELD], the Senator from Michigan [Mr. LEVIN], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of S. 2041, a bill to amend title XVIII of the Social Security Act to provide uniform national conversion factors for services of certified registered nurse anesthetists.

S. 2100

At the request of Mr. CRANSTON, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a co-

sponsor of S. 2100, a bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to amend title 38, United States Code, to improve veterans' compensation, healthcare, insurance, and housing programs, and to provide for transitional group residences for veterans recovering for substance-abuse disabilities; and for other purposes.

S. 2119

At the request of Mr. KASTEN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 2119, a bill to amend the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, to increase the total amount of commitments which may be made to finance projects for housing and infrastructure in Israel for Soviet refugees, and for other purposes.

S. 2158

At the request of Mr. PRYOR, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 2158, a bill to direct the Secretary of Health and Human Services to promulgate regulations to require that an individual telephoning the Social Security Administration has the option of accessing a Social Security Administration representative in a field office in the geographical area of such individual, and for other purposes.

SENATE JOINT RESOLUTION 224

At the request of Mr. BYRD, the names of the Senator from Kansas [Mr. DOLE], the Senator from Hawaii [Mr. INOUYE], and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Joint Resolution 224, a joint resolution to designate the month of May 1990 as "National Trauma Awareness Month."

SENATE JOINT RESOLUTION 238

At the request of Mr. SARBANES, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from New Jersey [Mr. BRADLEY], the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. METZENBAUM], the Senator from Louisiana [Mr. JOHNSTON], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Joint Resolution 238, a joint resolution to designate the week beginning March 5, 1990 as "Federal Employees Recognition Week."

SENATE CONCURRENT RESOLUTION 97—RELATING TO ANTI-SEMITISM IN THE SOVIET UNION

Mr. GORE (for himself, Mr. PELL, Mr. D'AMATO, and Mr. PRESSLER) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 97

Whereas the emergence of popular anti-Semitism in the Soviet Union is of great concern to the United States;

Whereas the more than 2,000,000 Soviet Jews constitute the third largest Jewish community in the world;

Whereas through the Soviet Union, anti-Semitic sentiment, including demonstrations by Pamyat, a nationalist anti-Semitic organization, statements by electoral candidates, threatening phone calls and letters, and harassment of Jews, is becoming commonplace in certain Soviet cities;

Whereas on January 18, 1990, a Moscow writers' meeting was disrupted by a group of individuals shouting anti-Semitic statements;

Whereas many Soviet Jews live in fear of violence, intimidation, and harassment;

Whereas the Anti-Defamation League conducted an 11-day investigation into anti-Semitism in the Soviet Union, and has concluded that the situation poses a serious threat to the Soviet Jewish community; and

Whereas the Soviet Government has not responded forcefully to the rise in popular anti-Semitism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President of the United States should urge President Gorbachev of the Soviet Union to—

(1) publicly condemn the emergence of popular anti-Semitism in the Soviet Union; and

(2) take whatever measures are necessary to protect Soviet Jews from acts of harassment and violence.

Mr. GORE. Mr. President, as we all know, there has been an upsurge of anti-Semitism in various parts of the Soviet Union, to the extent that the Jewish population has begun to live in fear of direct physical violence. For once, it does not appear that this is the work of the Soviet government. On the contrary, anti-Semitism is now being used by political opponents of President Gorbachev's reform policies. Moreover, Soviet authorities are reported to have launched an investigation into some of the threats that have been leveled against Jews, which hopefully will lead to prosecution.

It is a supreme irony that glasnost and perestroika should have released some of the darkest forces of Soviet society. But it is indisputable that this is a byproduct of the greater latitude for political expression which now exists in the U.S.S.R. The kinds of threats which are now being made against Jews, however, goes far beyond anyone's concept of political expression, much less political free expression. These are threats against the safety and even the lives of Soviet Jews. These are threats that need to be taken seriously, lest they one day materialize.

It does not matter to us whether anti-Semitism is the product of official state propaganda, as it was in the past, or the product of the far right wing in the Soviet Union's new political spectrum. It is vicious in either case. And we need to oppose it in either case. Let no one tell us that the existence of venemous hatreds of this sort is an internal matter. We know better. History teaches us better. Great nations that believe they have something to offer the moral development of the world must expect that others will measure the quality of their daily life, not the quality of their propaganda.

Therefore, I am introducing today the Senate version of a resolution known in the House of Representatives as House Concurrent Resolution 264, expressing the sense of the Congress with respect to popular anti-Semitism in the Soviet Union. It deserves to be read in full on the floor of this Chamber, and since it is also short and to the point, I ask your indulgence for me to do so.

Whereas the emergence of popular anti-Semitism in the Soviet Union is of great concern to the United States;

Whereas the more than 2,000,000 Soviet Jews constitute the third largest Jewish community in the world;

Whereas throughout the Soviet Union, anti-Semitic sentiment, including demonstrations by Pamyat, a nationalist anti-Semitic organization, statements by electoral candidates, threatening phone calls and letters, and harassment of Jews, is becoming commonplace in certain Soviet cities;

Whereas on January 18, 1990, a Moscow writers' meeting was disrupted by a group of individuals shouting anti-Semitic statements;

Whereas many Soviet Jews live in fear of violence, intimidation, and harassment;

Whereas the Anti-Defamation League conducted an 11-day investigation into anti-Semitism in the Soviet Union, and has concluded that the situation poses a serious threat to the Soviet Jewish community; and

Whereas the Soviet Government has not responded forcefully to the rise in popular anti-Semitism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President of the United States should urge President Gorbachev of the Soviet Union to—

(1) publicly condemn the emergence of popular anti-Semitism in the Soviet Union; and

(2) take whatever measures are necessary to protect Soviet Jews from acts of harassment and violence.

Mr. President, I am pleased that Senator PELL joins me as an original cosponsor of this Senate concurrent resolution, along with Senators D'AMATO and PRESSLER. This resolution is the beginning of what I trust will be shortly the strongest possible expression of support from both sides of the aisle for the proposition that we should forcefully condemn the emergence of popular anti-Semitism in the Soviet Union. The signs are truly disturbing and we cannot stand back and just ignore this situation. History teaches us the folly of that course of action.

Mr. President, one other matter before I conclude.

After the disruption of the Soviet writers' meeting in the Soviet Union on January 18, the Soviet poet Yevtushenko, a legendary poet of conscience, wrote a declaration against racism which was inspired by the events he witnessed in the disruption of the writers' meeting. I brought it back from Moscow, had it translated by the Congressional Research Service into English, and I would like to put it into the RECORD. Let me just read one short passage from this. This declaration was signed by some 700 writers in the Soviet Union:

It happened in Moscow on January 18th, in the Central House of Writers. The "April" writers group had planned a meeting. However, two hours before the meeting, a group of people with no connection to literature spread through the hall (there were roughly 50 people, the majority were wearing George the Victorious on their breasts). They carried megaphones and put on an anti-perestroika chauvinist witch hunt. They provoked a fight. Their Black Hundreds shouts and physical anti-rights acts insulted the writers, who included USSR deputies. They waved antisemitic slogans, and threatened to start a pogrom against the Jews. These latter-day nazis shouted, "Lousy yids! Beat it to your Israel!" to everyone present, whether they were Jews or not. Their pathological racist hatred brought them to a state where any non-antisemite seemed like a Jew to them.

He goes on to talk about how several of the writers, including elderly women, were physically attacked and roughed up by these Nazi-like intruders. Of course, the news reports and analyses coming from the Soviet Union are filled with accounts that are not dissimilar from this. Given the history of this problem and given the conditions of uncertainty now present in the Soviet Union, I truly feel it is an important matter for this body to go forcefully on record as calling for the steps contained in this Senate concurrent resolution.

I ask unanimous consent that the full text of this declaration against racism from the Soviet writers be printed in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

A DECLARATION AGAINST RACISM

An aversion to the word "racism" has been instilled in us since childhood. We have always perceived it as something remote from us, something foreign and capitalist. The older ones among us remember the little black boy who is saved from an American racist and carefully passed from hand to hand in the film "Circus."

Our Constitution legislatively condemns arousing hatred among peoples. We saw one of the brutish faces of racism during the Second World War, which was won by all the people of our nation. Later we saw another face of racism, this time our own indigenous kind: state genocide against entire nationalities, the Kalmyks, Checheno-Ingushch, and Crimean Tatars; the murder of the great Jewish actor Mikhoels, the destruction of the so-called Cosmopolitans in 1949, and the case of the "doctor poisoners" in 1953, monstrous antisemitic satires in newspapers. At first, it seemed like all of this would never happen again after Stalin's death. We were truly indignant at the American Ku Klux Klan, the Bartholomew Nights in Ireland, and the endless blood-letting in the Middle East.

However, like SPEED, racism recognizes no borders. The microbes of racism developed marvelously in the culture medium of stagnation and in cadre politics, where question number five in the questionnaire acquired such tragic significance. Recently, we shook with indignation and shame as we witnessed flashes of a raging epidemic of racism on our own streets, or in the next city, or in a distant Soviet republic.

It happened in Moscow on January 18th, in the Central House of Writers. The "April" writers group had planned a meeting. However, two hours before the meeting, a group of people with no connection to literature spread through the hall (there were roughly 50 people, the majority were wearing George the Victorious on their breasts). They carried megaphones and put on an anti-perestroika chauvinist witch hunt. They provoked a fight. Their Black Hundreds shouts and physical anti-rights acts insulted the writers, who included USSR deputies. They waved antisemitic slogans, and threatened to start a pogrom against the Jews. These latter-day Nazis shouted, "Lousy yids! Beat it to your Israel!" to everyone present, whether they were Jews or not. Their pathological racist hatred brought them to a state where any non-antisemite seemed like a Jew to them. For example, how else can one interpret the slogan "A.N. Yakovlev, Beat it to Tel Aviv!"? Several husky fellows savagely beat the famous Russian writer Anatoly Kurchatkin, who had tried to calm them down.

They broke his glasses and injured his eye. They struck Yelizar Maltsev, who is one of our oldest prose writers. In their debauch, these unrestrained toughs of Russian naziism went so far as to even attack women writers, despite the advanced age of some of them. It took the help of a reinforced police detail, which was late in arriving, to remove the vandals from the hall. A number of the instigators slipped through police fingers in some unknown fashion. One thing is clear. That scandal was no random occurrence, but a planned demonstration. This leads me to believe that extremists from the "Pamyat" society and organizations associated with it are banking on disorders, in the hope that they will lead to an imperial, militarized dictatorship.

One of the most dangerous forms of organized criminality today is racism. Racism is a speculative imitation of the struggle for national interests. In reality, racism is an instrument for manipulating the people for the career goals of a narrow reactionary group.

Naturally we draw a connection between the witch hunt in our writer's club and the antisemitic tone of the last plenum of the RSFSR Writers Union. It, in turn, coincided with a gathering of the same sort, which was organized on Red Square by "Pamyat." These and other related demonstrations in Moscow and Leningrad are being reinforced by a constant ideological artillery preparation in a number of articles with a clearly racist aftertaste. They are being published in "Molodaya Gvardiya," "Nash Sovremennik," "Leningradskaya Pravda," "Moskovsky Literator" and other publications. We are saddened and shocked by the position of certain famous writers on the editorial staffs of these publications. At times they not only passively permit the use of their names, but also openly support racist tendencies. I would like to remind these writers that a transition to reactionary positions usually ends in artistic sterility. An association with racism has never yet given birth to a single great writer, but it has discredited many.

We angrily and contemptuously condemn all forms of nationalism and chauvinism, including antisemitism. It was said before in a previous "April" declaration that, "there will be no united front of Russian chauvinism" on the nationality issue. Right now, in this heated situation, we say this: there is and will be a united, steadfast front against chauvinism and any violence, no matter what national flag shrouds it. We call upon all the citizens of our nation to close ranks in a united front: the working class, which has lost its sense of proletarian solidarity, and the intelligentsia, which has not forgotten its humanitarian function.

Our consciences are troubled by the victims of the carnage in Baku, Sumgait, Fergana and Uzen, the Azerbaijani refugees from Armenia and the Armenian refugees from Azerbaijan; the Turkimeskhtins, who have shed their native blood; the residents of Nagorno-Karabakh, where shots ring out night and day; peaceful Volga Germans, who for some reason are paying for the crimes of Fascism; and Crimean Tatars, whose small tent towns are furtively set ablaze when they return to the land of their forefathers.

Imperial thinking should be foreign to us, for the law of history is clear: in the end, all empires fall apart. Yet, we are against the disintegration of interracial and human relations. We are for the free union of free, sovereign peoples. We must also protect the right of the Baltic peoples to a sovereign development path, and the right of the Russian people, and any other nationality living in the Baltic region, to not lose faith in tomorrow.

We are against the violent usurpation of the right to consider only one point of view correct in the highest instance, for that is a form of ideological racism. We are against just one religion considering itself God's representative and calling for war against other religion and believers, for that is religious racism. Enough fire and blood! Enough distrust, mutual accusations and reproaches which reach the point of deadlocked mutual resentment.

Enough national egoism, enough of any racial narrow-mindedness!" Let's look one another in the eye. Don't we share the same problems? Are intellect and conscience identified through a blood analysis?

With bitterness and pain, we see all around us racism which is not imported, but home-grown and indigenous. Surely we are not headed for a new, gigantic, genocidal civil war. After all, no one knows better than we that civil war is primarily fratricide.

We believe in the inner potential of each individual people in our nation and of all of its peoples together. We are for democratic pluralism, but not for pandering to Fascism. No other name exists for hate propaganda toward other peoples. We demand that our government finally begin applying every effort against pogrom organizers who try to take advantage of democracy only in order to smother it.

Written by—

"APRIL."

[Note.—"April" is an organization which has existed for a year and a half. It includes 620 writers.]

Mr. PELL. Mr. President, I am pleased to join my distinguished colleague from Tennessee in cosponsoring this concurrent resolution on anti-Semitism in the Soviet Union. Over the last year we have witnessed remarkable and unforeseeable changes in the Soviet Union. The liberalization of Soviet society, which we all welcome, has been accompanied by a disturbing rise in anti-Semitism among the populace.

Nationalist anti-Semitic organizations such a Pamyat are now operating openly and freely in the Soviet Union. Although initially founded to help preserve and secure traditional Russian historical and cultural monuments, Pamyat has become a chauvinistic Russian organization which openly expresses hatred of Jews and blames all problems in the Soviet Union on the Jews. Anti-Semitic statements by public officials and harassment and intimidation of Jews by their neighbors are increasing.

The revival of traditional Russian anti-Semitism is a dangerous development. It threatens the lives and culture of Jews in the Soviet Union, and it subverts President Gorbachev's policies of glasnost and perestroika. As a nation committed to fundamental rights and freedoms, we must do all that we can to expose this growing anti-Semitism.

The concurrent resolution which we have introduced today will do that. It calls upon the President to urge President Gorbachev to condemn publicly anti-Semitism in the Soviet Union and to take whatever steps are necessary to protect Soviet Jews from harassment and violence. This is an important concurrent resolution and I will do all that I can to move it quickly through the Foreign Relations Committee.

SENATE CONCURRENT RESOLUTION 98—AUTHORIZING A PUBLIC EVENT FOR EARTH DAY 1990 ON THE CAPITOL GROUNDS

Mr. LEVIN (for Mr. GORE, for himself and Mr. HEINZ) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 98

Whereas Congress has adopted Public Law 101-186 designating April 22, 1990, as "Earth Day";' to promote the preservation of the environment;

Whereas the President has proclaimed his support for Earth Day 1990 and called on the people of the United States to observe the day with appropriate programs, ceremonies, and activities designed to promote greater understanding of ecological issues; and

Whereas Earth Day 1990 has expressed an interest in organizing a public event with musical entertainment to promote environmental awareness and environmentally responsible behavior; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Earth Day 1990 shall be permitted to sponsor a public event with musical entertainment on the United States Capitol Grounds on April 22, 1990. This event shall be free to the public and arranged not to interfere with the needs of Congress, under conditions to be provided by the Architect of the Capitol and the Capitol Police Board. For the purpose of this resolution, the promoters of Earth Day 1990 are authorized to erect upon the United States Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment, as may be required for the event and are authorized to make any arrangements that may be required to carry out the event.

SENATE RESOLUTION 252—RELATING TO THE SOVIET REFUSAL TO IMPLEMENT THE COMMERCIAL AIR AGREEMENT BETWEEN EL AL AND AEROFLOT AIRLINES

Mr. SPECTER (for himself, Mr. ARMSTRONG, Mr. BURNS, Mr. HUMPHREY, Mr. KASTEN, and Mr. SYMMS) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 252

Whereas the Jackson-Vanik Amendment, section 402 of the Trade Act of 1974 (19 U.S.C. 2432, Title IV, Section 402, Jan. 3, 1975, 88 Stat. 2056; Pub. L. 96-39, Title XI, Section 1106(f)(1), July 26, 1979, 93 Stat. 312), prohibits the extending of Most Favored Nation tariff status to any nonmarket country that denies its citizens the right or opportunity to emigrate;

Whereas the provisions of the Jackson-Vanik Amendment currently apply to the Soviet Union;

Whereas the United States currently is involved in negotiations aimed at reaching a comprehensive trade agreeement with the Soviet Union;

Whereas the Soviet airline Aeroflot entered into a commercial airline agreement with the Israeli airline El Al in December 1989 which would give El Al the right to have direct airline flights between the Soviet Union and Israel;

Whereas the direct airline flights as agreed to would facilitate the transport of Soviet Jews to Israel;

Whereas on February 5, 1990, the United States Senate sent a letter to Soviet President Gorbachev signed by all 100 Senators urging the implementation of the commercial airline agreement between the Soviet Union and Israel.

Whereas the Arab nations have applied intense diplomatic pressure on the Soviet Union to prevent the implementation of the direct flights for fear of increased settlements on the West Bank but conclusive evidence shows fewer than two per cent of Soviet emigres to Israel settle on the West Bank;

Whereas the Soviet Union refuses to allow Aeroflot to comply with the terms regarding implementation of the commercial airline agreement;

Whereas the United States has continued its support for free emigration of Soviet Jews especially in light of the recent rise in incidents of virulent anti-Semitism in the Soviet Union in the past year culminating with threats of pogroms on May 5, 1990; Therefore, be it

Resolved, That it is the Sense of the Senate that the United States should not complete trade negotiations with the Soviet Union until the Soviet Union complies with the agreement to allow El Al the right to have direct airline flights between the Soviet Union and Israel; and therefore be it

Resolved, That it is the Sense of the Senate that the Senate will not approve a waiver of the Jackson-Vanik Amendment to implement any trade agreement unless and until the Soviet Union implements the commercial airline agreement between Aeroflot and El Al airlines.

Mr. SPECTER. Mr. President, as I had said, I had intended to offer an amendment, having given notice to Senator KENNEDY yesterday of my intention to do so, which is not directly related to the bill, S. 1430, but in accordance with the rules of the Senate would be appropriate. I have since decided to file the resolution and not offer it at this time to give others an opportunity to consider the resolution. I will see what their responses may be, with my intention perhaps to offer it later today and call for a vote on it perhaps tomorrow.

Mr. President, I send this resolution to the desk and ask that it be filed at this time.

The resolution, Mr. President, would tell the Soviet Union that the United States will not grant the Soviet Union most-favored-nation status under Jackson-Vanik unless the Soviet Union honors the agreement between El Al and Aeroflot to transport Soviet Jews to Israel.

This resolution is based on two fundamental propositions. First, Jackson-Vanik conditions most-favored-nation status on the right to emigrate and, second, the United States should not make concessionary agreements with the Soviet Union where the Soviet Union is in breach of its contract to honor its firm commitments on the El Al-Aeroflot agreement to transport Soviet Jews to Israel.

Mr. President, the provisions of Jackson-Vanik are plain as set forth in 19 United States Code 2432: "To assure the continued dedication of the United States to fundamental human rights", and then continuing, that a nation shall "Not be eligible" to receive "most-favored-nation treatment" where "there is a denial of its citizens of the right and opportunity to emigrate."

Mr. President, I believe that at the present time there is that denial because there are Jews in the Soviet Union who hold visas permitting them to leave the Soviet Union and to enter Israel. Since they have airline tickets 10 months away or so, they are in effect, being denied the right to emigrate. This is a very fundamental

breach because, given what is happening in the Soviet Union today, there is considerable evidence of virulent antisemitism. There is considerable talk about massive pogroms of Jews on May 5 and it is a matter of the utmost urgency. It is sufficiently urgent, Mr. President, that when a letter was circulated calling for President Gorbachev to implement this agreement—because of the Soviet Government refusal to allow Aeroflot and El Al to carry out the agreement to have El Al flights come to the Soviet Union—a letter was circulated and received signatures of 100 United States Senators. My inquiries have failed to disclose any recollection of 100 Senators having signed this kind of a letter in the past.

Mr. President, I ask unanimous consent at this point that the full text of the letter appear following my presentation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. Mr. President, there is concern in some quarters that tying the issue of Jackson-Vanik to the El Al flights may be a considerable problem for the current leadership of the Soviet Union to President Gorbachev. But this matter, Mr. President, has been an item of top-level negotiation. It was on the agenda when Secretary of State Baker spoke to Foreign Minister Shevardnadze, and when Secretary of State Baker met directly with President Gorbachev. So it has been called to the attention of officials in the highest level; the President and Foreign Minister of the Soviet Union.

So when I consider the filing of this resolution it is not hasty and it is not inconsequential and it is a matter where many lives are at stake.

Mr. President, if the Senate must choose, or if I must choose between the welfare of President Gorbachev and the welfare of the Soviet Jews, I must come down with the decision to utilize what a Senator may do or what the United States Senate may do on the side of Soviet Jewry.

Mr. President, I speak with some considerable personal conviction because my father was a Russian Jew and came to the United States in 1911 before there was a Soviet Union. My mother came from part of Russo-Poland—it depended on what day it was, whether it was in Russia or whether it was in Poland—in 1905 at the age of 5. And notwithstanding the passage of many years, my ears still ring with my father's comments about the anti-Semitism in his small town Bachkerina in the Ukraine when he was a boy growing up in 1900 or 1, 2, 3, 4, until he made up his mind with barely a ruble in his pocket to leave Russia to come to the United States in 1911. He talked about the pogroms in Russia and talked about the vile treatment of the Cossacks against the Jews.

At a time when this ugly face of antisemitism is being reared and there is virulent antisemitism in many parts of the Soviet Union—there is active talk about pogroms on May 5 of this year—it is my view that this Senator and the United States Senate and the United States Government should do all that it can within its power to take forceful action to allow Jews to leave the Soviet Union.

Where you have an agreement which has been entered into between Aeroflot and El Al on this subject, a binding contract, and the Soviet Union is interfering with its enforcement because of pressure from the Arab countries, the United States ought not to sit still.

Secretary of State Baker did carry this matter as I say, to Mr. Shevardnadze and to Mr. Gorbachev. But more can be done when you have on the face of Jackson-Vanik itself the statement: We will not give most-favored-nation treatment to a country that denies its citizens the right to emigrate, and that is what is happening when they cannot board El Al planes that would be provided for them. This is a matter of the utmost importance.

Mr. President, I would prefer not to have had to formulate this resolution had President Gorbachev acceded to the wishes of the letter signed by 100 U.S. Senators. It would still be my hope that this is a matter which can be negotiated so it is not necessary for this kind of pressure to be placed.

But this is the precise purpose for which Jackson-Vanik was enacted, and this is a specific important issue that Jackson-Vanik ought to be used in the context where the United States is negotiating with the Soviet Union for a major trade agreement. The President has stated his intention to make the Soviet Union a most favored nation. Where there are good reasons for the United States to be supportive of the Soviet Union nonetheless, with this very serious threat to Soviet Jewry it is my sense that this kind of resolution ought to be acted upon by the United States Senate if its objective cannot be obtained collaterally.

In conclusion, Mr. President, I would like to add that I have long supported close relations and negotiations and effort to improve the bilateral relationship between the United States and the Soviet Union. This Senator was the first Senator to press for a summit, having filed a resolution back in April 1982, calling on President Reagan to have a summit at that time with General Secretary Brezhnev, a resolution which was opposed very forcefully by the chairman of the Senate Foreign Relations Committee, Senator Percy, and by the chairman of the Senate Armed Services Committee, Senator Tower. It passed the Senate. I renewed that resolution and pressed it in personal conversations with President Reagan.

So my record is clear on moving in a forceful way to try to improve relations with the Soviet Union and to be supportive of detente. And there are good reasons why the United States would move in the direction of the most-favored-nation status for the Soviet Union to strengthen glasnost and perestroika and the reforms which are being made in the Soviet Union at the present time.

Mr. President, yesterday one of my colleagues said to me that he had grave questions and tentative opposition to this resolution because it would weaken Gorbachev. I found a conclusive answer to that contention on the front page of the New York Times today which carries the headline at the top, "Gorbachev Forces Bill on Presidency Past Legislature," and a detailed statement as to Mr. Gorbachev's power and solidity today—much more power than is possessed by say Russian Jews in the Ukraine. I ask unanimous consent that the text of this article be provided following my statement.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SPECTER. As I say, Mr. President, I do not intend to call this matter to a vote imminently, but I did want to file the resolution and state these considerations for the RECORD.

The PRESIDENT pro tempore. The Chair inquires of the Senator as to whether or not he would wish to change the form of the amendment which was proposed to have been offered to S. 1430 as a sense-of-the-Senate amendment. Does he propose to change that to the form of a resolution?

Mr. SPECTER. I had come to the floor early this morning intending to offer it as an amendment. But having revised my thinking, at least for the moment, I will change the form, and I thank the Chair for that suggestion.

EXHIBIT 1

U.S. SENATE,
Washington, DC, February 5, 1990.

His Excellency MIKHAIL GORBACHEV,
President, Supreme Soviet, The Kremlin.

DEAR PRESIDENT GORBACHEV: Noting the historic concern of the American people regarding the compelling plight of Soviet Jews, we are writing at this time to request that prompt action be taken to implement the agreement between Aeroflot and El Al Airlines to transport Soviet Jews to Israel.

This laudable agreement was signed in Moscow on December 6, 1989, with the "intention to advance air transport and aerial services between the two parties, between Soviet and Israeli points directly." Implementation was scheduled to begin on January 1, 1990, but as of this day, no actions related to the agreement have been taken.

It is our understanding that all aspects of authorization for the Soviet Jewish emigres to leave for Israel already have been arranged. We understand that these emigres have their exit visas from the USSR and their entrance visas to Israel in hand as well as airplane tickets. It is, of course, extremely difficult for such individuals who are very anxious and concerned about their future.

We have been assured that these Soviet Jewish emigres have the money for transit from either private or public sources and that Israel is prepared to receive them. We are advised that two, or perhaps even more, 747 flights per day can be arranged once the signed agreement between Aeroflot and El Al is implemented.

To accomplish this humanitarian purpose, we urge you to take whatever action is appropriate to have the agreement implemented. We are advised that the El Al mission that conducted the negotiations was informed that approval for implementation must come from the "political level" of the Soviet Union. When Foreign Minister Shevardnadze met with Israeli Foreign Minister Moshe Arens preceding the signing of the agreement, however, Mr. Shevardnadze offered that this was strictly a commercial rather than a political issue. In either case, we ask that you assist in removing whatever obstacles currently exist so that the flight may begin.

Thank you for your personal attention to this important matter.

Sincerely,

Bob Dole, Arlen Specter, George J. Mitchell, Alan Cranston, Wendell H. Ford, Thad Cochran, Carl Levin, John McCain, Paul Simon, James M. Jeffords, Slade Gorton, John D. Rockefeller IV, Dennis DeConcini, James A. McClure, Mark O. Hatfield, John W. Warner, Richard H. Bryan, Phil Gramm, Kent Conrad, Steve Symms, Quentin N. Burdick, Herb Kohl, Alan J. Dixon, Harry Reid, Brock Adams, Frank R. Lautenberg,

J. James Exon, Daniel Patrick Moynihan, John Heinz, Larry Pressler, Charles E. Grassley, Rudy Boschwitz, Claiborne Pell, Don Nickles, Joseph I. Lieberman, Daniel K. Inouye, Bill Bradley, Alfonse M. D'Amato, Pete V. Domenici, Bob Packwood, Dave Durenberger, John Glenn, Pete Wilson, Orrin G. Hatch, John H. Chafee, Connie Mack, Dan Coats, William S. Cohen,

Warren Rudman, Jim Sasser, Edward M. Kennedy, Christopher S. Bond, Spark Matsunaga, Charles S. Robb, Lloyd Bentsen, Ted Stevens, John B. Breaux, J. Robert Kerrey, Joseph R. Biden, Jr., Richard G. Lugar, Gordon J. Humphrey, Donald W. Riegle, Jr., David L. Boren, Albert Gore, Jr., Patrick J. Leahy, Max Baucus, Bob Graham, Sam Nunn, Mitch McConnell, J. Bennett Johnston,

Tom Harkin, Dale Bumpers, Jeff Bingaman, William V. Roth, Jr., Frank H. Murkowski, Strom Thurmond, Jake Garn, Nancy Landon Kassebaum, Trent Lott, Jesse Helms, William L. Armstrong, Christopher J. Dodd, John C. Danforth, John F. Kerry, Terry Sanford, Conrad Burns, Ernest F. Hollings, David Pryor, Alan K. Simpson, Malcolm Wallop, Paul S. Sarbanes, Howell Heflin, Timothy E. Wirth, Barbara A. Mikulski, Thomas A. Daschle, Wyche Fowler, Jr., Robert W. Kasten, Jr., Richard Shelby, Robert C. Byrd, Howard M. Metzenbaum.

EXHIBIT 2

GORBACHEV FORCES BILL ON PRESIDENCY PAST LEGISLATURE—DRIVE TO EXPAND POWERS—FINAL ACTION COULD BE TAKEN AT CONGRESSIONAL SESSION IN TWO WEEKS' TIME

(By Francis X. Clines)

Moscow, February 27.—Under fierce prodding from President Mikhail S. Gorbachev, the Supreme Soviet gave initial approval today to his proposal to secure greater executive powers through the institution of a popularly elected presidency.

In an angry, intense session that culminated in a virtuoso display of Mr. Gorbachev's power to dominate the legislative process, the Supreme Soviet, the standing Parliament, yielded to the hard-driving leader and sent the emergency proposal on to the Congress making a law.

"Calm down, calm down, calm down," Mr. Gorbachev said, glaring around the Kremlin hall as he took over the microphone for a long, obviously heartfelt denunciation of the chamber's nascent opposition minority and its often stinging criticism of the proposal.

NEXT STEP MARCH 12 AND 13

"Life itself dictates quick action on this matter," he said, closing off debate in a chairman's flat that soon produced a vote of 306 to 65 to send the proposal on to the 2,250-member Congress of People's Deputies, the final step in the legislative process. Mr. Gorbachev scheduled an emergency session of the Congress for March 12 and 13.

"People who are opposed to this proposal are trying to sow distrust," he said, his voice steeled by exasperation at criticism of the plan as too close to the nation's totalitarian history to be dealt with in such haste.

Anatoly A. Sobchak, a leading opposition deputy who warned that the proposal was far from ready for a vote, said, "We are not talking about electing some all-union gendarme. We are talking about a president."

The measure was proposed by Mr. Gorbachev in tandem with his recent concession that the Communist Party might consider yielding its constitutional monopoly on power.

The plan would institute a popularly elected president with a five-year term—but only after a transition period of four years, during which Mr. Gorbachev would seem quite likely to keep the post by winning selection by the national Congress.

In addition to being commander in chief and chief of state, the new president would have the power to declare a state of emergency and martial law in any troubled area.

"If the law is adopted in its present form, the president can do almost everything," said Sergei B. Stankevich. "We can still feel the great totalitarian tradition in this country."

Mr. Gorbachev argued that modern needs required a stronger executive, but not, he promised, of the sort represented by his more notorious predecessors such as Stalin.

Mr. Gorbachev and supporters of the new presidency plan say that the parliamentary system introduced last year gives Mr. Gorbachev insufficient power, because he must consult with the Supreme Soviet or, in emergencies, with its ruling Presidium before acting—slowing him down in dealing with ethnic or economic crises.

He agreed that the crisis-ridden nation might need a stronger executive system but he stressed that it must be cast with careful regard for checks and balances.

One deputy, alarmed at the sudden display of executive power that curtailed the debate, took to a floor microphone to complain, "The way the vote was carried out today is an indication of what executive presidential power will be."

Another deputy, Vladimir I. Denisov warned the lawmakers that under the president could easily turn into a kind of eastern despotism."

ABSENCE OF CHECKS AND BALANCES

While the broader executive powers might seem comparable ot those of such democracies as the United States, Mr. Denisov said, there was no other established center of power to provide the checks and balances of the American system.

The new legislature, Mr. Denisov said, is already "a shop that is dying," and the judiciary is riddled with party appointees. He drew widespread laughter of agreement in arguing, "No supreme court judge in this country would dream of judging against him in his worst nightmare."

Before Mr. Gorbachev signaled the Communist Party loyalists of the majority that he wanted fast approval, various deputies sought speaking time to raise questions about the measure. In particular they wondered how it would fit into Mr. Gorbachev's earlier plans to decentralize authority, taking it away from the Kremlin and giving it to the nation's republics and local goverments.

After hearing Mr. Gorbachev and other proponents reply that any legislative delay would only compound the national crisis, one deputy, Tengiz P. Buachidze, turned to Mr. Gorbachev and pleaded, "Equal to equal, human to human, please make clear to us what the rights of the republics are."

Mr. Gorbachev, who only six months ago was defending the one-party monopoly of government and dismission a Western-style executive system as alien to national tradition, said he had had this "third stage" of political reform in mind for some time.

The nation's crisis was so pressing, longer be measured as a matter of "years or even months."

He asked rhetorically whether he should resign now because, as he heatedly noted, "we are now dealing with an open opposition" willing to question his motives.

"That is a wild thought," he said, dismissing the notion as he pushed the majority to deliver the vote.

NO WISH TO UNSEAT GORBACHEV

A number of critics conceded that a more effective executive system was badly needed, and even as they said the proposed executive was far too powerful to be approved in haste, many of them implicitly acknowledged they had no wish to unseat Mr. Gorbachev, who is widely perceived as the nation's indispensable emergency leader.

"What does Gorbachev have to do with it?" he asked the lawmakers, disowning a dictator's appetite but saying he would be guilty of cowardice if he did not seek the widespread elected authority he says he needs to deal with such problems as rebellion and ethnic violence in some republics.

"Life has brought us to this point, nothing else," he prodded the lawmakers. "We must make a decision."

Such critics as Yuri Boldyrev, a deputy from Leningrad, focused on the increased powers of legislative veto the new president would have and pleaded with the chamber not to continue the Soviet "illusion that our problems can be solved by increasing central authority."

Mr. Gorbachev denounced this as "cheap demagoguery."

"Comrades, you will be ashamed of other deputy said the urgency was too reminiscent of the founding Bolsheviks: "The comrades back then were in a hurry, too."

SENATE RESOLUTION 253—AUTHORIZING THE PRINTING OF A REVISED EDITION OF SENATE ELECTION LAW GUIDEBOOK

Mr. LEVIN (for Mr. FORD, for himself and Mr. STEVENS) submitted the following resolution; which was considered and agreed to:

S. RES. 253

Resolved, That the Committee on Rules and Administration hereby is directed to prepare a revised edition of the Senate Election Law Guidebook, Senate document 100-25, and that such document shall be printed as a Senate document.

SEC. 2. There shall be printed 600 additional copies of the document specified in section 1 of this resolution for the use of the Committee on Rules and Administration.

AMENDMENTS SUBMITTED

NATIONAL AND COMMUNITY SERVICE ACT

McCONNELL (AND OTHERS) AMENDMENT NO. 1269

Mr. McCONNELL (for himself, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. HATCH, Mr. LOTT, Mr. MACK, Mr. MCCAIN, Mr. NICKLES, Mr. SYMMS, Mr. KASTEN, and Mr. WALLOP) proposed an amendment to the bill (S. 1430) to enhance national and community service, and for other purposes, as follows:

At the end of the bill add the following new title:

TITLE IV—VOLUNTEER LIABILITY PROTECTION

SEC. 401. JOINT AND SEVERAL LIABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), joint and several liability may not be applied to any civil liability action if one party is a tax-exempt organization described in sections 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986. A person found liable for damages in any such action may be found liable, if at all, only for those damages directly attributable to the person's pro rata share of fault or responsibility for the injury, and may not be found liable for damages attributable to the pro rata share of fault or responsibility of any other person (without regard to whether that person is a party to the action) for the injury, including any person bringing the action.

(b) EXCEPTION.—This section shall not apply as between persons acting in concert if the concerted action proximately caused the injury for which one or more persons are found liable for damages.

(c) DEFINITION.—As used in this section, the term "concerted action" or "acting in concert" means the participation in joint conduct by two or more persons who agreed to jointly participate in such conduct with actual knowledge of the wrongfulness of the conduct.

SEC. 402. ALTERNATIVE DISPUTE RESOLUTION.

(a) POLICY.—Because the traditional litigation process is not always suited to the timely, efficient, and inexpensive resolution of civil actions, it is the policy of the United States to encourage the creation and use of alternative dispute resolution techniques, and to promote the expeditious resolution of such actions.

(b) ALTERNATIVE DISPUTE RESOLUTION OPTIONS.—In any action in which one party is a tax-exempt organization described in sections 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986, each attorney who has made an appearance in the case and who represents one or more of the parties to the action shall, with respect to each party separately represented, advise the party of the existence and availability of alternative dispute resolution options, including extrajudicial proceedings such as minitrials, third-party mediation, court supervised arbitration, and summary jury trial proceedings.

(c) ADVISING CLIENTS OF OPTIONS.—Each attorney described in subsection (b) shall, simultaneous with the filing of a complaint or a responsive pleading, file notice with the court certifying that the attorney has so advised his client or clients, and indicating whether such client will agree to one or more of the alternative dispute resolution techniques.

(d) AGREEMENT TO ALTERNATIVE-DISPUTE RESOLUTION.—If all parties to an action described in subsection (a) agree to proceed with one or more alternative dispute resolution proceedings, the court shall issue an appropriate order governing the conduct of such proceedings. The issuance of an order governing such further proceedings shall constitute a waiver, by each party subject to the order, of the right to proceed further in court.

SEC. 403. NATIONAL GOOD SAMARITAN RULE.

(a) EXEMPTION FROM LIABILITY.—Except as provided in subsections (b) and (d), any volunteer of a tax-exempt organization described in sections 501(c) (1), (3), (4), (6), (7), (14) and (19) of the Internal Revenue Code of 1986 shall not be subject to liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization if—

(1) such individual was acting in good faith and within the scope of such individual's volunteer functions and activities with the organization; and

(2) such damage or injury was not caused by willful, wanton or reckless misconduct by such individual.

(b) ACTIONS AGAINST VOLUNTEERS.—Nothing in this section shall be construed to affect any civil action brought by any such tax-exempt organization against any volunteer of such organization.

(c) INJURY TO A PERSON.—Nothing in this section shall be construed to affect the liability of any such tax-exempt organization with respect to injury caused to any person.

(d) EXCEPTION.—The protection from liability required by subsection (a) does not (1) apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's or other form of operator's license is required; or (2) the volunteer was performing an activity which is subject to federal or state professional license or certification.

GRAMM (AND OTHERS) AMENDMENT NO. 1270

Mr. GRAMM (for himself, Mr. HELMS, Mr. GORTON, Mr. LOTT, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. KASTEN, Mr. MACK, Mr. MCCAIN, Mr. SYMMS, and Mr. WALLOP) proposed an amendment, which was subsequently modified, to the bill S. 1430, supra, as follows:

At the appropriate place in the bill, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Congress finds that—

(1) in recent months dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union;

(2) these democratic reforms may permit the preservation of our Nation's security at a cost less than current budget projections;

(3) the changes in Eastern Europe and the Soviet Union are a direct result of the American taxpayer's willingness and determination to pay the price for the advancement of freedom throughout the world;

(4) the changes in Eastern Europe and the Soviet Union are also a direct result of the total inability of socialist economies to compete with free-market economies;

(5) the family has been the keystone of the ability of Western democracies to promote growth and opportunity; and

(6) the recent democratic reforms in Eastern Europe and the Soviet Union have again demonstrated the need to redirect resources from government to the family to meet effectively individual needs of health, education, training, and nutrition.

(b) POLICY.—It is the sense of the Senate that—

(1) any savings resulting from lower defense expenditures below the level required for balanced fiscal restraint to meet the Gramm-Rudman-Hollings deficit targets and to achieve a balanced budget excluding the Social Security Trust Fund should be returned to America's taxpayers;

(2) only by returning defense savings to American families to invest in their futures and, thus, America's future can the United States assure that the "peace dividend" will be wisely invested; and

(3) savings from the so-called "peace dividend" should be returned to the American taxpayer in the form of measures such as a refundable child care tax deduction, repeal of the Social Security earnings test, an increase in the personal exemption, expansion of a permanent research and development tax credit, a long-term capital gains tax cut, further lowering of marginal tax rates, and other savings and investment incentives.

SASSER (AND OTHERS) AMENDMENT NO. 1271

Mr. KENNEDY (for Mr. SASSER, for himself, Mr. KENNEDY, and Mr. KOHL) proposed an amendment to amendment No. 1270 proposed by Mr. GRAMM (and others) to the bill S. 1430, supra, as follows:

Strike all after the word "SEC. ." in the pending amendment and insert the following:

POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic free-

dom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

KENNEDY AMENDMENT NO. 1272

Mr. KENNEDY proposed an amendment to amendment No. 1270 proposed by Mr. GRAMM (and others) to the bill S. 1430, supra, as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, Head Start, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

GRAMM (AND OTHERS) AMENDMENT NO. 1273

Mr. GRAMM (for himself, Mr. HELMS, Mr. GORTON, Mr. LOTT, Mr. ARMSTRONG, Mr. BOSCHWITZ, Mr. COATS, Mr. KASTEN, Mr. MACK, Mr. MCCAIN, Mr. SYMMS, AND Mr. WALLOP) made a motion that the bill S. 1430 be recommitted with instructions to report back with the following amendment:

At the appropriate place in the bill, insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(a) FINDINGS.—The Congress finds that—

(1) In recent months dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union;

(2) these democratic reforms may permit the preservation of our Nation's security at a cost less than current budget projections;

(3) the changes in Eastern Europe and the Soviet Union are a direct result of the American taxpayer's willingness and determination to pay the price for the advancement of freedom throughout the world;

(4) the changes in Eastern Europe and the Soviet Union are also a direct result of the total inability of Socialist economies to compete with free-market economies;

(5) the family has been the keystone of the ability of Western democracies to promote growth and opportunity; and

(6) the recent democratic reforms in Eastern Europe and the Soviet Union have again demonstrated the need to redirect resources from government to the family to meet effectively individual needs of health, education, training, and nutrition.

(b) POLICY.—It is the sense of the Senate that—

(1) any savings resulting from lower defense expenditures below the level required for balanced fiscal restraint to meet the Gramm-Rudman-Hollings deficit targets and to achieve a balanced budget excluding the Social Security Trust Fund should be returned to America's taxpayers;

(2) only by returning defense savings to American families to invest in their futures and, thus, America's future can the United States assure that the "peace dividend" will be wisely invested; and

(3) savings from the so-called "peace dividend" should be returned to the American taxpayer in the form of measures such as a refundable child care tax deduction, repeal of the Social Security earnings test, an increase in the personal exemption, expansion of a permanent research and development tax credit, a long-term capital gains tax cut, further lowering of marginal tax rates, and other savings and investment incentives.

SASSER (AND OTHERS) AMENDMENT NO. 1274

Mr. SASSER (for himself, Mr. KENNEDY, and Mr. KOHL) proposed an amendment to the bill S. 1430, supra, as follows:

At the end of the bill insert the following:

SEC. . POLICY REGARDING "PEACE DIVIDEND".

(2) FINDINGS.—The Senate finds that—

(1) in recent months, dramatic movements toward greater political and economic freedom have occurred in Eastern Europe and the Soviet Union; and

(2) these democratic reforms will permit the preservation of our Nation's security at a cost less than current budget levels.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that funds saved as a result of reductions in military expenditures shall be used for—

(1) balancing the budget, without resorting to use of the Social Security surpluses, in order to stop the ongoing "thievery" and "embezzlement" from the Social Security Trust Funds;

(2) urgent national priorities, including investing in America's future, anti-drug and anti-crime efforts, education, health care, the environment, rebuilding the infrastructure, assisting emerging democracies, and other critical needs;

(3) tax reductions for working men and women.

DOLE (AND OTHERS) AMENDMENT NO. 1275

Mr. DOLE (for himself, Mr. MCCAIN, Mr. KASTEN, and Mr. KERRY) proposed an amendment to the bill S. 1430, supra, as follows:

On page 7, line 11, insert "an individual with a disability," before "and".

On page 15, lines 17 and 18, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 20, lines 23 and 24, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 29, lines 24 and 25, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 30, line 21, after "sites," insert "accommodations for individuals with disabilities,".

On page 31, lines 24 and 25, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 34, line 16, strike out "handicapped conditions" and insert in lieu thereof "disabilities".

On page 35, line 4, strike out "handicapped individuals" and insert in lieu thereof "individuals with disabilities".

On page 44, line 2, after "sites," insert "accommodations for individuals with disabilities,".

On page 49, line 11, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 53, line 3, strike out "handicapping conditions" and insert in lieu thereof "disabilities".

On page 53, line 4, strike out "; and" and insert in lieu thereof a semicolon.

On page 53, line 9 after the semicolon insert "and".

On page 53, between lines 9 and 10, insert the following new subparagraph:

"(C) service in programs to assist elderly, disabled, poor, and homeless individuals obtain meaningful employment;"

On page 63, between lines 6 and 7, insert the following new subsection:

(d) Accommodations for Individuals with Disabilities.—In accordance with the nondiscrimination provisions of section 174, each training program shall provide reasonable accommodations for individuals with disabilities.

On page 70, line 5, strike out "handicap" and insert in lieu thereof "disability".

On page 79, line 19, strike out "handicap" and insert in lieu thereof "disability".

GORTON AMENDMENT NO. 1276

Mr. GORTON proposed an amendment to the bill S. 1430, supra, as follows:

At page 46 of the substitute amendment, line 19 after "program," insert the following: "for which a grant has been made to the Secretary of Agriculture, Secretary of Interior, or the director of ACTION,".

D'AMATO AMENDMENT NO. 1277

Mr. HATCH (for Mr. D'AMATO) proposed an amendment to the bill S. 1430, supra, as follows:

At the appropriate place in the bill insert the following;

"All programs receiving grants provided under this Act shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under section 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707)."

HATCH AMENDMENT NO. 1278

Mr. HATCH proposed an amendment to the bill S. 1430, supra, as follows:

At page 111, of the substitute offered by Senator Kennedy, strike all after line 12 through and including line 5, page 115, and insert in lieu thereof the following:

SEC. 303. AUTHORITY.

(a) The President is authorized to designate a private, nonprofit organization (hereafter referred to as the Foundation) to receive funds pursuant to section 401(a)(7), upon his determination that such organization is capable of carrying out the undertakings described in section 302. Any such designation by the President shall be revocable.

(b) Nothing in this Act shall be construed either (i) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government, or (ii) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

SEC. 304. GRANTS TO THE FOUNDATION.

(a) Funds made available pursuant to sections 303 and 401(a)(7) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

(1) to assist the Foundation in carrying out the undertakings described in section 302; and

(2) for administrative expenses of the Foundation.

(b) Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this Act in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a) of this section, and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

(a) Grants may be made to the Foundation pursuant to this Act only if the Foundation agrees to comply with the requirements specified in this Act. If the Foundation fails to comply with the requirements specified in this Act, additional funds shall not be released until the Foundation brings itself into compliance with these requirements.

(b) The Foundation may use funds provided by this Act only for activities and programs consistent with the purposes set forth in sections 302 and 304.

(c) The Foundation shall not issue any shares of stock or declare or pay any dividends.

(d) No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

(e) No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

(f) The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

(g) During the second fiscal year in which funds are granted to the Foundation pursuant to this Act, the Foundation shall raise from private sector donations an amount equal to at least one-fourth of any funds granted to the Foundation pursuant to this Act in that fiscal year. Funds shall be released to the Foundation during the fiscal year only to the extent that this matching requirement has been met.

(h) The accounts of the Foundation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The report of each such independent audit shall be included in the annual report required by subsection (l) of this section

(i) So long as the Foundation is receiving grants pursuant to this Act, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

(j) So long as it is receiving grants pursuant to this Act, the Foundation shall be subject to appropriate oversight procedures of the Congress.

(k) The Foundation shall ensure—

(l) that any recipient of financial assistance provided by the Foundation from funds granted pursuant to this Act keeps separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully (i) the amount and the disposition by such recipient of the assistance received from the Foundation, (ii) the total cost of the project or undertaking in connection with which such assistance is given or used, (iii) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and (iv) such other records as will facilitate effective audits; and

(2) that the Foundation, or any of its duly authorized representatives (including any agency designated by the President pursuant to subsection (i) of this section), shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

(l) The Foundation shall submit to the President and to the Congress an annual report, which shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the preceding fiscal year. This report shall be submitted not later than three months after the conclusion of any fiscal year in which the Foundation receives grants pursuant to this Act.

ARMSTRONG (AND OTHERS) AMENDMENT NO. 1279

Mr. ARMSTRONG (for himself, Mr. BOSCHWITZ, Mr. COATS, Mr. GORTON, Mr. GRAMM, Mr. LOTT, Mr. MCCAIN, and Mr. MCCLURE) proposed an amendment to the bill S. 1430, supra, as follows:

At an appropriate place in the bill insert the following new section:

SEC. . Section 1-2503 of the District of Columbia Code (1981 edition) is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

"(c) Nothing in this chapter shall be construed to bar any organization or entity from denying, restricting, abridging, or conditioning the participation of any adult homosexual person or adult bisexual person in any program or activity that—

"(1) educates, coaches, or trains any minor, or

"(2) holds out the adult as a role model, mentor, or companion to any minor.".

CLEAN AIR ACT AMENDMENTS

SPECTER (AND METZENBAUM) AMENDMENT NO. 1280

(Ordered to lie on the table.)

Mr. SPECTER (for himself and Mr. METZENBAUM) submitted an amendment intended to be proposed by them to the bill (S. 1630) to amend the Clean Air Act to provide for attainment and maintenance of health protective national ambient air quality standards, and for other purposes; as follows:

At the appropriate place, insert the following new title:

TITLE —TAX CREDIT FOR ACID RAIN REDUCTION EQUIPMENT

SEC. . TAX CREDIT FOR EQUIPMENT TO MEET ACID RAIN REDUCTION STANDARDS.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to foreign tax credit, etc.) is amended by adding at the end thereof the following new section:

"SEC. 30. ACID RAIN CONTROL EQUIPMENT.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit for any taxable year an amount equal to 20 percent of the taxpayer's qualified investment in qualified acid rain control property for such taxable year.

"(b) QUALIFIED ACID RAIN CONTROL PROPERTY.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified acid rain control property' means tangible property—

"(A) which—

"(i) is required to be installed by reason of the phase I sulfur dioxide emission limitations under title IV of the Clean Air Act (as in effect after the Clean Air Act Amendments of 1990), and

"(ii) reduces sulfur dioxide emissions by 65 percent or more at the source (or sources) in connection with which such property is installed, or

"(B) which is installed on or in connection with property described in subparagraph (A).

"(2) ONLY DEPRECIABLE PROPERTY ELIGIBLE.—The term 'qualified acid rain control property' includes only—

"(A) property to which section 168 applies (without regard to any useful life), or

"(B) any other property—

"(i) with respect to which depreciation (or amortization in lieu of depreciation) is allowable, and

"(ii) which has a useful life (determined at the time the property is placed in service) of 3 years or more.

"(3) PROPERTY MUST BE NEW.—

"(A) IN GENERAL.—The term 'qualified acid rain property' includes only property the original use of which commences with the taxpayer.

"(B) RECONSTRUCTION.—For purposes of subparagraph (A), a rule similar to the rule of the last sentence of section 48(b)(1) shall apply.

"(4) CERTAIN OTHER REQUIREMENTS.—In determining whether property is qualified acid rain control property, rules similar to the rules of the following provisions of section 48(a) shall apply:

"(A) Paragraph (2) (relating to property must be used predominately in the United States).

"(B) Paragraphs (4) and (5) (relating to exclusion of property of certain tax-exempt organizations, governmental units, and foreign persons and entities).

"(C) Paragraph (7) (relating to property completed abroad or predominately of foreign origin).

"(c) QUALIFIED INVESTMENT.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified investment' means, with respect to any taxable year, the basis of the qualified acid rain control property placed in service during such taxable year.

"(2) QUALIFIED PROGRESS EXPENDITURES.—A taxpayer may elect to increase the qualified investment of the taxpayer for any taxable year by the qualified progress expenditures of the taxpayer for such taxable year. For purposes of this paragraph, qualified progress expenditures shall be determined in the same manner as under section 46(d).

"(3) LIMITATIONS WITH RESPECT TO CERTAIN PERSONS.—In determining qualified investment, rules similar to the rule of section 46(e) shall apply.

"(d) LIMITATION BASED ON AMOUNT OF TAX.—

"(1) LIABILITY FOR TAX.—The credit allowable under subsection (a) for any taxable year shall not exceed—

"(A) the sum of—

"(i) the taxpayer's minimum tax liability under section 55(a) for such taxtable year, plus

"(ii) the taxpayer's regular tax liability for such taxable year (as defined in section 26(b)), over

"(B) the sum of the credits allowable against the taxpayer's regular tax liability under subparts A and D of this part and sections 27, 28, and 29.

"(2) CARRYBACK AND CARRYFORWARD OF UNUSED CREDIT.—

"(A) IN GENERAL.—If the amount of the credit allowed under subsection (a) for any taxable year exceeds the limitation under paragraph (1) for such taxable year (hereinafter in this paragraph referred to as the 'unused credit year'), such excess shall be—

"(i) an acid rain control credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(ii) an acid rain control credit carryforward to each of the 15 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit under subsection (a) for such years, If any portion of such excess is a carryback to a taxable year beginning on or before the date of the enactment of this section, this section shall be deemed to have been in effect for such taxable year for purposes of allowing such carryback as a credit under this section. The entire amount of the unused credit shall be carried to the earliest of the 18 taxable years to which such credit may be carried, and then to each of the other 17 taxable years to the extent that, because of the limitation contained in paragraph (1), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(B) LIMITATIONS.—The amount of the unused credit which may be taken into account under subparagraph (A) for any succeeding taxable year shall not exceed the amount by which the limitation provided by paragraph (1) for such taxable year exceeds the sum of—

"(i) the credit allowable under subsection (a) for such taxable year, and

"(ii) the amounts which, by reason of this paragraph, are added to the amount allowable for such taxable year and which are attributable to taxable years preceding the unused credit year.

"(e) RECAPTURE UPON DISPOSITION.—

"(1) IN GENERAL.—If, during any taxable year, qualified acid rain control property is disposed of (or otherwise ceases to be such property with respect to the taxpayer) before the close of the 5-year period beginning on the date such property was placed in service, the tax under this chapter for such taxable year shall be increased by the recapture percentage of the aggregate decrease in the credits allowed under this section for all taxable years which would have resulted solely from reducing to zero the qualified investment taken into account with respect to such property.

"(2) RECAPTURE PERCENTAGE.—For purposes of paragraph (1), the term 'recapture percentage' has the meaning given such term by section 47(a)(5)(B).

"(3) OTHER RULES.—Rules similar to the rules of section 47(a)(5)(D) and (a)(6) shall apply for purposes of this subsection.

"(f) OTHER LIMITATIONS.—For purposes of this section—

"(1) LIMITATION IN CASE OF CERTAIN REGULATED COMPANIES.—No credit shall be allowed under this section with respect to any property which is public utility property (as defined in section 46(f)(5)) with respect to which a credit would not be allowed under section 38 if section 46(f)(2) (relating to cost of service and base rate reductions) applied to such property, except that subparagraph (B) of section 46(f)(2) shall be applied by inserting 'not' before 'reduced'.

"(2) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is determined under subsection (a) with respect to qualified acid rain control property, the basis of such property shall be reduced by the amount of such credit (determined as if the entire credit with respect to such property was allowable in the taxable year such property was placed in service).

"(g) APPLICATION OF SECTION.—This section shall apply to periods after the date of the enactment of this section and before January 1, 1997, under rules similar to the rules of section 48(m)."

(b) CONFORMING AMENDMENTS.—

(1) Section 196 of the Internal Revenue Code of 1986 (relating to deduction for certain unused business credits) is amended by adding at the end thereof the following new subsection:

"(e) ACID RAIN CONTROL CREDIT.—The provisions of subsections (a) and (b) shall apply in the same manner to the credit allowed under section 30(a)."

(2) Section 383(a)(2) of such Code (defining excess credit) is amended by striking "and" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting a comma and "and", and by adding at the end thereof the following new subparagraph:

"(C) an unused acid rain control credit of the corporation under section 30(d)."

(3)(A) Section 6411(a) of such Code (relating to tentative carryback and refund adjustments) is amended by inserting "by an acid rain control credit carryback provided in section 30(d)," after "section 172(b),".

(B) Section 6411(a) of such Code is amended—

(i) by inserting "unused acid rain control credit," after "net capital loss," and

(ii) by inserting "or an acid rain control credit carryback" after "business credit carryback".

(C) Sections 6411(b) and 6411(c) of such Code are each amended by inserting "unused acid rain control credit," after "net capital loss," each place it appears.

(4) Subparagraph (C) of section 6511(d)(4) of such Code is amended by inserting "or any acid rain control credit carryback under section 30(d)" after "section 39".

(5) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting at the end thereof the following new item:

"Sec. 30. Acid rain control equipment."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 1990, in taxable years ending after such date.

NATIONAL FOSTER CARE MONTH

THURMOND AMENDMENT NO. 1281

Mr. ARMSTRONG (for Mr. THURMOND) proposed an amendment to the joint resolution (S.J. Res. 10) to designate the month of May 1989, as "National Foster Care Month," as follows:

Page 2, line 2 of whereas clause, strike "1989:" and insert in lieu thereof "1990:".

Page 2, line 3 of resolve clause, strike "1989," and insert in lieu thereof "1990,".

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee has rescheduled its hearing on the President's proposed budget for the Small Business Administration and on the reauthorization of the Agency's programs. The hearing which was scheduled for March 7, 1990, will now take place on Thursday, March 8, 1990, at 2 p.m., in room 428A of the Russell Senate Office Building. For further information, please call John Ball, staff director of the committee at 224-5175.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that the Senate Committee on Veterans' Affairs and the House Committee on Veterans' Affairs, are scheduled to hold a joint hearing on March 6, 1990, in SH-216 at 9 a.m. to consider the legislative presentation by the Veterans of Foreign Wars.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Feburary 28, 1990, at 10 a.m. to hold the first of three hearings on proposals for deficit reduction and spending initiatives contained in President Bush's budget for fiscal year 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, February 28, 1990, at 10 a.m., to hold a hearing on Senate Joint Resolution 48, a joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional and Presidential elections and Senate Joint Resolution 26, a joint resolution proposing an amendment to the Constitution of the United States relative to campaign expenditures.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 28, 1990, at 10 a.m. to hold a hearing on the nominations of Eugene Wong, of Missouri, and William D. Phillips, of California, both to be Associate Directors of the Office of Science and Technology Policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 28, at 10 a.m. to hold a hearing to review the Andean Drug Summit.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 28, at 3:30 p.m. to hold an Ambassadorial nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 28, at 1 p.m. to hold a hearing on prospects for peace in Cambodia with former Secretary of State Muskie.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in open session on Wednesday, February 28, 1990, at 9 a.m. to receive testimony on the amended Defense authorization request for fiscal year 1991 and on the fiscal years 1991-95 5-year defense plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMERS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Consumer Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on February 28, 1990, at 9:30 a.m. to hold a hearing on S. 114, a bill regarding certain activities of soft drink manufacturers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, February 28, at 10 a.m., for a markup on: S. 2006, the Department of the Environmental Act of 1990, and the nomination of Allan Victor Burman to be Administrator for Federal Procurement Policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Wednesday, February 28, 1990, at 10 a.m. to hold hearings on the Office of Technology Assessment's Report, "Making Things Better: Competing in Manufacturing."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet on February 28, 1990, beginning at 9:00 a.m., in 485 Russell Senate Office Building, on the fiscal year 1991 budget for Indian Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 28, 1990, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, February 28, 1990, at 3:30 p.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TASTE OF THE NATION

● Mr. DIXON. Mr. President, across America, the following ritual is completed on a nightly basis. Americans, both young and old, will return home tonight after a long day of work or school, relax with their family and eat a satisfying home cooked meal.

Unfortunately Mr. President, for an increasing number of Americans this ritual is only a dream. Millions of Americans, including an alarming number of children, will go to sleep hungry tonight. Tragically, in our land of plenty this number has increased substantially over the past decade.

The combination of cuts at the Federal level, a decline in corporate donations, and the increasing number of homeless Americans have all contributed to a crisis situation in emergency food networks across the Nation. There simply are not enough resources to meet the increasing need.

Happily, I rise before my colleagues today to bring attention to the heroic efforts that the Nation's finest chefs and the internationally recognized Save Our Strength organization [SOS] are making an effort to raise money to be used in the fight against hunger both at home and abroad.

In cooperation with Bon Appetit magazine, SOS and chefs in over 70 cities are sponsoring a Taste of the Nation benefit on March 29. This benefit is expected to be the largest tasting event ever and raise over a million dollars in ticket sales. One-hundred percent of the money being raised will be distributed to fight hunger.

In Chicago, chefs Jackie Shen of Jackie's, and Martin Gagne of Cafe 21 in Hotel 21 East head a long list of internationally renowned chefs from 23 of Chicago's finest restaurants. The Chicago benefit will take place at Excalibur located at 632 North Dearborn Street. Proceeds will benefit the Greater Chicago Depository, the Eastern Illinois Food Bank, and international relief agencies.

I urge my colleagues to publicize this noteworthy event in their communities across the country. It will only be through efforts such as the Taste of the Nation benefit that the scourge of hunger will be driven from the United States.●

ALEX SMEKTA: ROCHESTER'S ELDER STATESMAN

● Mr. DURENBERGER. Mr. President, our Founding Fathers once deemed adequate that each State should elect two Senators and a number of Representatives proportional to that State's population. A modern Senator, representing often more than 5 million people, needs the help of good staff, and the service of volunteers, to best serve his or her constituents.

Alex Smekta is a long time friend and staff member who spends hundreds of hours a year doing what he loves and does best. Alex is Rochester's elder statesman. With all the drive of a successful businessman, the charm of a politician and the wisdom of a favorite professor, the Honorable Alex Smekta—he served as Rochester's mayor for 17 years—keeps in touch with Minnesotans.

Listening to people, asking them questions about how the Government is serving, or in many cases aggravating them and seeking out their thoughts on controversial issues facing us here in Congress—those are all elements of Alex's week in southern Minnesota.

He doesn't limit himself to the farm fields and main streets of Minnesota's First and Second Congressional Districts, though. He ventures northward, usually visiting the Iron Range in north central Minnesota during midsummer. Visiting with government officials, business and farm people and fellow Kiwanians, Alex has reported back to me on a regular basis throughout my tenure in the Senate.

As the months and years of our busy lives go by, we often lose perspective of the tremendous work that is done by those not in our immediate presence. Alex was recently written up in the Rochester Post Bulletin, and reading that clip reminded me that he is a real treasure, invaluable to me and my staff.

I would like to submit Harold Severson's "Town and Country Scene" column to the RECORD at this time, as a tribute to a good friend of mine, and of all Minnesotans. As I continue to represent the concerns and interests of the people of Minnesota, I am proud to have Alex on my team.

The article follows:

[From the Rochester (MN) Post-Bulletin, Jan. 13, 1990]

EX-MAYOR WILL WEAR OUT BEFORE HE RUSTS OUT

(By Harold Severson)

What's the antithesis of wimpiness?

It's somebody like Alex Smekta, the one-time mayor of Rochester who came to America as a 3½-year-old Polish boy unable to speak a word of English.

He grew up to be an all-conference guard on a Mankato State College football team. Next he came to Rochester and served 17 years as its mayor. He became a president of Toastmasters International, he met scores of celebrities, he conducted himself with dignity and charm, he operated a successful business.

In short, he was the Lech Walesa of Minnesota. A brainy, resourceful, don't-push-me-around type, Alex is now retired.

Years ago, Rudyard Kipling wrote of men like Alex. A couplet from a Kipling poem reads in part, "Nor walk with kings nor lose the common touch."

There isn't much danger of success going to Alex's head. He'll never see 80 again, but he's still in motion. Watch him at a Kiwanis Club luncheon. He may sit at the back of the room but he's constantly keeping in touch with those around him. Does a waitress fill his coffee cup? He takes notice of her with a pleasant greeting. When a fellow Kiwanian wins an award, Alex is there with a firm handshake.

You can't help loving a man like Alex. That's why he became president of Toastmasters International. It's why the walls of his office, living room and bedroom are festooned with plaques, certificates and pictures.

There's no secret to Alex's success as a businessman and as a politican. He's on firm ground with millionaires, governors, U.S. senators and those of us who never have ascended to the heights. He never aspired to be the richest man in town but he's never going to miss a meal. He married Naida Anderson, his college sweetheart, and they had nearly 48 years of happiness until her death.

It's been a good life for this man with oratorical skills that found him ascending to the top rank in Toastmasters. He's met people of the calibre of Willy Brandt, the mayor of West Berlin, and Prince Fahad Alfaisal, the Saudi Arabian prince he entertained at his home with a serving of tea and Girl Scout cookies.

Devoted to the maxim that it is better to wear out than rust out, Alex is on the move. He continues to act as Sen. Dave Durenberger's liaison to the people of southeastern Minnesota. Lately, the senator has been twisting on the griddle over disclosures about to his earnings.

Alex brushes aside the remarks about Durenberger.

"We all make mistakes," he says, "The senator is only a human being."

Few are as adept at taking the pulse of the average man and woman in southeastern Minnesota as Alex. He's been doing it for years. He breezes into towns such as Kasson or New Richland or Caledonia in his somewhat aged car and soon is making his calls. He has a notebook filled with names and notations concerning who to see. In an average day, he may shake anywhere from 30 to 50 hands. He knows his voters. He knows their preferences in politics, their standing with their fellow citizens, their likes and dislikes. He uses them as a sounding board.

People respond to Alex.

"I like people," he says. "Rochester has been good to me. I've been lucky."

He makes no pretense of being better than the fellow at the service station who repairs a ruptured tire or the waitress who brings his coffee to him.

"My father had a job lined up at a St. Louis brewery when he left Poland," he said. "Mother and I followed later. He came down with lead poisoning and followed a doctor's suggestion to go somewhere where there was a lot of fresh air."

That proved to be a farm at Floodwood, Minn. Alex learned the rudiments of farming. Enough to carry on a learned conversation with hog producers, potato growers and dairy farmers. Then came the decision to go to college, acquire an education so he could teach and coach, and the switch after graduation to become a supervisor with Standard Oil.

In the best tradition of Horatio Alger's "Sink or Swim" heroes, Alex made himself a success at everything he undertook.●

THE CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWRY

● Mr. DIXON. Mr. President, as cochairman of the Union of Councils for Soviet Jews, Congressional Call to Conscience, along with my good friend and distinguished cochairman, Senator ARMSTRONG, I want to take this opportunity to thank my colleagues for their participation in the past session of the 101st Congress in the call to conscience. The call to conscience is one of the most effective means by which we in the Senate can focus attention on the plight of Soviet Jews.

While much progress has been made in the Soviet Union, and many Soviet Jews have been able to emigrate, much more still needs to be done.

Specifically, we must continue to work for the right of Soviet Jews to emigrate, to work for the release of political prisoners, and to press for an end to anti-Semitic violence in the Soviet Union.

The American people have been captivated by the whirl of events in the Soviet Union. From the White Sea to the Black Sea, a collective upheaval of Soviet Society is taking place. There is greater freedom to express opposing opinions and to worship. You can even get a big mac is Pushkin Square, and it will taste just like one in Chicago or Denver.

However, freedom is a double edged sword. Freedom of expression not only allows individuals to challenge the inefficiency of an entrenched bureaucracy, it also allows expressions of hate and violence to be voiced without fear of reprisal. Much of this expression has been directed at the Jews of the Soviet Union, who for the first time in modern Soviet history, are worshiping, meeting, discussing Judaism and Judaic culture openly. The efforts to make known the richness and beauty of the Jewish faith have frequently

run into bald-faced prejudice. Some Soviet people are trying to blame the economic plight of their country on Soviet Jews. There have been announcements of a pogrom against Soviet Jews, giving rise to a very real fear of persecution from others taking out their despair and bitterness on Soviet Jews. The Ultra-Nationalist, Anti-Semitic hate group "Pamyat," for instance, carries out acts of prejudice unfettered by the state. Their tactics are more confrontational and more violent. Freedom, as we said, Mr. President, is indeed a double edged sword.

We must also keep our attention focused on the plight of political prisoners in the Soviet Union, incarcerated for "crimes" which under present Soviet law would no longer be considered crimes. Perestroika has not meant justice for many in camps and prisons such as Perm-35, the notorious prison camp written about recently by A.M. Rosenthal of the New York Times. Some individuals in prisons, such as Leonid Lubman and Mikhail Kazachov are imprisoned for crimes that today would not even warrant arrest and questioning. These cases must be reviewed in light of President Gorbachev's policy of perestroika if the Soviet Union is to show it is truly committed to reform.

There is another side to the story of Soviet Jewish emigration as well, Mr. President. As you know, some 80,000 Jews have left the Soviet Union since Mikhail Gorbachev came to power. The pace of Soviet Jewish emigration has almost reached that during the days of United States-Soviet détente under former leader Leonid Brezhnev. The rest of the story is that there continue to be hundreds of long-term refuseniks whose cases still languish, 10, 12, even 15 years after first applying to emigrate.

There are 140 remaining long-term refusenik cases who have already received refugee status from I.N.S. In Moscow and who will be permitted immediate entry when they receive permission from the Soviet Government. These Soviet jews are still denied permission to emigrate for reasons of "State secrets." The real secret, Mr. President, is that there are no state secrets held by these individuals. These Soviet Jews are the victims of a long, cruel, Soviet practice of using people as barter.

The Congressional Call to Conscience has consistently brought the cases of long-term refuseniks to the attention of this body and to the world. The efforts of individuals Senators as well as collective efforts have worked. The Soviets have responded to American pressure. In light of the upheavals in the Soviet Union, and the uncertainty it creates, our efforts on behalf of Soviet Jews must not decrease, they must be redoubled.

Let me also mention one last concern for the Soviet Jewish community both in the United States and abroad. There has been a great deal of discussion about the Jackson-Vanik trade amendments to the 1974 Trade Act. Some in Congress have advocated lifting Jackson-Vanik as a reward or favor to Mikhail Gorbachev for his efforts at democratization in the Soviet Union and Eastern Europe. Let us remind our colleagues that the Soviet Union has not passed any right of emigration legislation. It has not taken any steps to curb the activities of hate groups such as Pamyat, and it continues to deny Soviet Jews and others the right to emigrate on the most arbitrary grounds. Not until the Soviet Union passes emigration legislation, codifies it and implements it for some time will it then be appropriate to consider lifting Jackson-Vanik. We must ensure that the Soviets match their words with deeds. To lift Jackson-Vanik at this time would be tragic for the remaining Soviet Jews.

Mr. President, I encourage my colleagues to participate in the Congressional Call to Conscience this session. Soviet Jews continue to seek our assistance. Our vocies must be heard.

I ask to have printed in the RECORD articles from the Chicago Tribune, and the New York Times which speak to the issues raised above.

The articles follow:

[From the Chicago Tribune, Jan. 4, 1990]

SOVIET JEWS SEE SURGE OF ANTI-SEMITISM

(By James Yuenger)

Moscow.—Deep beneath *perestroika* and *glasnost*, captive to the undercurrents of a harsh and unforgiving history, the Jews of Russia are frightened once again.

As always in the Soviet Union, they are on the butt end of low-level harassment such as personal snubs and crude graffiti, such as swastikas on public buildings.

What worries them more is the government's failure to crack down on slyly anti-Semitic periodicals and ultranationalist groups that engage in Jew-baiting.

Leonid Vlasuk, a slender 22-year-old Muscovite, thought it might be wise to have some insurance after friends, learning he was Jewish, dropped him. His solution was to earn a black belt in karate.

"No problem," he said, grinning as he demonstrated a vicious head-high kick.

Other, older Jews, less agile and in any event horrified at the thought of personal violence, don't have ready-made solutions.

"What is true today is that we don't know what will happen tomorrow," said Mark Borodovsky, a soft-spoken molecular biologist. "The situation is growing dangerous. The deepening of the economic crisis may lead to outbursts of violence against Jews."

The resurgence of anti-Semitism in the USSR was a major threat at an international conference on Soviet Jewry in Moscow last week. It was the first such major gathering since just after the Bolshevik Revolution, when Lenin actively sought Jewish support to further his drive for control.

The conference ended Friday with new resolutions calling for eased emigration procedures. But because the Jewish emigration rate is the highest in decades, with 11,000 departing in November alone, Soviet delegates accorded far greater significance to a declaration that anti-Semitism at home is visibly on the increase.

They called attention to the dozens of roughnecks gathered outside the conference hall all week who jostled and jeered at participants, calling them "Jewish prostitutes" and worse names. Police made no effort to intervene.

The demonstrators were members of the Pamyat Society, a group of right-wing nationalists who have lined up behind the conservative wing of the Communist Party in opposing change.

Arkady Kisin, who traveled to the conference from Dniepropetrovsk in the Ukraine, said harassment is definitely on the rise against the 70,000 Jews in that populous Soviet republic.

Soviet President Mikhail Gorbachev's *glasnost* has helped ease emigration, he said, but largely because that is an issue tied to Soviet foreign policy. The purely domestic aspects of anti-Semitism remain unaffected, he said.

His audience, in a makeshift Jewish museum and library tucked away in two rooms of a ninth-floor apartment in Moscow, murmured and nodded assent.

The museum, established two years ago by retired army Col. Yuri Sokol, is one of the few places in Moscow where Jews feel free to meet and discuss their concerns. They are uncomfortable in Moscow's main synagogue. Ironically, they considered it tainted by long years of official sanction.

"This is the only place where I can meet other men from the Jewish nation," said Semyon Malkin, 65. "After many years of darkness, it is a first glimmer of light at the end of the tunnel."

The museum gets about 800 visitors a week. They thumb through books and periodicals in several languages stacked ablock on over-flowing shelves and look at ancient grisly photos from Nazi concentration camps.

Among its holdings are some of the virulent anti-Semitic material currently being published in Young Guardian and Our Contemporary magazines, hateful screeds that bray in every issue that international Zionism has given strong support to Gorbachev's policies only in the interests of protecting the privileged status of Jews in Soviet society.

It is an old and flawed argument—that Jews enjoy disproportionate access to education, high government position, good apartments and all the other best things the USSR has to offer.

Borodovsky, who does computer research in genetics at the Soviet Academy of Sciences and, therefore, could himself be considered privileged, is worried less by the attacks than by the Kremlin's refusal thus far to do something about it.

Anti-Semitic hysteria, he noted, was condemned by 200 members of the Congress of People's Deputies, or parliament, who called for an official renunciation.

"But there still has been no answer from the president [Gorbachev] and the Central Committee Party," he said. "What's behind the silence, I wonder?"

A senior Western diplomat, who asked not to be named, said he had heard reports of rising but nonviolent anti-Semitism across the USSR. "And there's no doubt about it," he said, acknowledging that the Communist leadership "hasn't taken forcible steps to shut these groups up."

But at the same time, he added, the government-dominated press appears to be under orders to depict anti-Semitic groups in a critical light.

That seemingly balanced view has little appeal for Jews like those gathered at the Sokol Museum.

"I am a Soviet Jew, and yet I grew up in an assimilated family never having heard of the Holocaust," said Alexander Sklerski, 46, a painter. "When I did, it was a shock, just as Stalin's death was a shock. And now that my Jewish soul is reawakened, the anti-Semitism I see happening today is a shock."

A FEAR OF POGROMS HAUNTS SOVIET JEWS

(By William Korey)

At the historic Congress of Jewish Organizations held in Moscow in December, the most talked-about worry was the real possibility of pogroms in the near future. This month's slaughter of Aremenians by Azerbaijanis in Baku, which has repeatedly been described as a pogrom, suggests that during the nationalist unrest across the Soviet Union Jews could again become mob victims. Thus, Jews, recalling the bad old czarist days, are particularly worried by the Kremlin's continued cold silence about their fears.

When delegates from 126 Jewish cultural organizations in 70 cities assembled, the most important speech stressed a "sharp upsurge of public anti-Semitism," which is the flip side of glasnost.

Severe economic dislocations and political instability, the analysis noted, aggravate tensions and permit the Jew to be a scapegoat for the problems of perestroika.

Documentation was not difficult to come by; more than 50 desecrations of Jewish cemeteries, some 1,000 anti-Semitic rallies, and vitriolic hate leaflets in the thousands distributed everywhere. Moreover, some 60 goons from Pamyat, a chauvinist Russian national movement, greeted the delegates with cries of "Yid!" and "Jewish prostitute!"

Beyond these hate-spewing vulgarities, and reinforcing them, is the defense and promotion of Pamyat and anti-Jewish stereotypes by prominent and conservative nationalist publications.

Then, too, there are newly formed patriotic and religious organizations that would ostracize the Jew as "alien" and "cosmopolitan" (a resurrected Stalinist era code word meaning "traitor"), and populist novelists fill their books and essays with flagrant appeals to bigotry.

Only the Young Communist League newspaper has carried a Cassandralike warning. Written by the Lithuanian Jewish writer Grigory Kanovich, a member of the Congress of People's Deputies, the article described "clouds of pogroms . . . gathering over our heads." He expressed dismay that "as this incitement to murder takes place before the eyes of all," the authorities "ignore the thugs and inciters."

From President Mikhail Gorbachev not a single word has come—no repudiation of Pamyat or of omnipresent Jew-baiting. Last year, when Mr. Kanovich, joined by two members of the Academy of Sciences, Vitaly Ginzburg and Oleg Gazenko, submitted to the presdium of the Congress of People's Deputies a petition calling for a condemnation of anti-Semitism, and for creating a special committee to follow up on the issue, the petition was buried.

Even though the petition was signed by more than 200 deputies, and Mr. Kanovich is reported to have conferred briefly with Mr. Gorbachev on three occasions, urging him to make the appeal known to the Congress, not only was it not brought before the Congress, it was stricken from the list of petitions submitted to the presidium.

It is not that Soviet prosecutors are unware of Pamyat's provocations. In one instance, Pamyat's chief was summoned by the K.G.B. and warned against stirring up "national hatred." In another, the Leningrad city public prosecutor said he had brought an end to Pamyat's numerous rallies in one of the public parks because they violated the Soviet Constitution. Yet no arrests have been forthcoming anywhere and Pamyat's provocations remain undiminished.

The absence of any official public denunciation is especially disturbing. When anti-Jewish pogroms seemed to loom on the horizon in 1918, Lenin, the founder of the Soviet state, personally drafted the language in a decree requiring that "pogromists and persons inciting to pogroms be outlawed." Later, in a historic address broadcast to the Russian people, Lenin cried: "Shame on those who foment hatred toward the Jews."

President Gorbachev, glasnost's great advocate, has repeatedly insisted that he draws his inspiration from Lenin. He could take a leaf from his mentor's book by now forcefully expressing humane concern. It could even prove helpful to his program of perestoika. Certainly, he must be aware that his enemies on the right have no hesitancy in exploiting anti-Semitism in their attempts to turn back the clock.●

LEAP-YEAR CAPITOL OF THE WORLD

● Mr. DOMENICI. Mr. President, I ask that the following letter be entered into the RECORD. Today is the last day of February, an important day for many in Anthony, NM-TX—the Leap-Year Capitol of the World.

The letter follows:

WORLDWIDE LEAP YEAR
BIRTHDAY CLUB,
Anthony, NM-TX.

The Hon. PETE V. DOMENICI,
U.S. Senate, Washington, DC.

Dear SENATOR DOMENICI. Did you know that thousands of citizens nationwide, who were born in February, will not have a birthday this month? This is because that, by accident of birth, they were born of February 29, Leap Year Day.

Thank you very much for entering into the Congressional Record, (Volume 134#146, October 14, 1988) our request that Congress join Governors Garrey Carruthers and William B. Clements, of New Mexico and Texas respectively, in proclaiming Anthony, New Mexico-Texas, "Leap Year Capitol of the World".

To date we have 66 dues-paying members from seventeen of the United States and two foreign countries. These states include; California, Maryland, Arizona, New York, Kansas, Florida, Wisconsin, Virginia, Michigan, New Hampshire, Nebraska, Massachusetts, Maine, Montana, Connecticut, Texas and New Mexico, plus Munich, Germany and Seoul, Korea.

Response to our club has been tremendous since it was founded in February, 1988. Now, Whereas, never before has any organization, or place, or person given any special recognition to the unusual date which occurs only once every four years, and, Whereas, the Anthony Chambers of Commerce of the two state town of Anthony, New Mexico-Texas, has recognized people born on this special day, and have organized for them the one and only Worldwide Leap Year Birthday Club, and Whereas, Anthony has proclaimed itself Leap Year Capitol of the World and established "a home" for people everywhere who were born on February 29, we, hereby, respectfully ask that you pursue our request for a National Proclamation for Anthony as Leap Year Capitol of The World.

Please read this letter into the record on the last day of February, February 28, 1990.

Respectfully,

MARY ANN BROWN,
CHAIRMAN AND FOUNDER, WORLDWIDE
LEAP YEAR BIRTHDAY CLUB.●

COMMENDING LT. COL. RICHARD B. WADE

● Mr. JOHNSTON. Mr. President, I rise today to honor native Farmerville, LA, Lt. Col. Richard B. Wade, of the U.S. Air Force. He will be retiring today, February 28, 1990, after 21 years of exemplary service to the Air Force and to our Nation. A consummate professional, he has amassed an absolutely outstanding military record. Lieutenant Colonel Wade completed officer training school as a distinguished graduate prior to entering pilot training in 1969. After completing pilot training he was assigned to the Republic of Vietnam where he flew 257 combat missions in the A-37 and was awarded three Distinguished Flying Crosses as well as 10 Air Medals. After his combat tour in Vietnam, Lieutenant Colonel Wade served as an instructor pilot to American and allied pilots. In follow-on tours, Lieutenant Colonel Wade served as an air liaison officer with the Army, and later as one of the initial pilots assigned to the first operation A-10 squadrons. He later served as an operational test pilot at the U.S. Tactical Fighter Weapons Center. Lieutenant Colonel Wade completed his flying career as a squadron commander in the F-117 Stealth Fighter Unit at Nellis AFB, NV.

In 1987 Lieutenant Colonel Wade was assigned to the Pentagon as a branch chief in the tactical fighter division and subsequently served as the F-117 program monitor. He ended his career as an action officer and deputy division chief in Air Force legislative liaison. In this capacity, he is credited with developing and then articulating key Air Force initiatives on Capitol Hill. As a result, Lieutenant Colonel Wade ensured congressional support for important tactical fighter programs which will enhance force readiness and capabilities Air Force wide. In addition, Lieutenant Colonel Wade has organized and attended numerous meetings between senior DOD leaders and Members of Congress. Those meetings have always been productive, benefiting myself, many of my col-

leagues, and thousands of our constituents.

A gentleman of Lieutenant Colonel Wade's talent and integrity is rare indeed. While his honorable service will be genuinely missed, it gives me great pleasure today to recognize him before my colleagues and to wish him clear skies and favorable winds as he brings to a close a long and distinguished career in the service of the U.S. Air Force and our country. His wife, Judy, has been by his side the whole way, supporting him through the good times and the bad times that characterize military life. His son, Richard, now an honor student at Arizona State University, and his son, Robert, also an honor student at Oakton High School, are both fine young men who are following their father's footsteps on the road toward high achievement. This family has served our Nation well. I salute them and wish them Godspeed in the years ahead.●

BLACK HISTORY MONTH

● Mr. SARBANES. Mr. President, it is a great privilege for me to join my colleagues in commemorating Black History Month. Although February has annually been designated as Black History Month, the tradition can be traced back to 1926 when the late Dr. Carter G. Woodson conceived the celebration as a means for all Americans to learn about the extraordinary contributions of African-Americans to this country. The celebration is an important time for reflection on the part of every citizen of Maryland and indeed the entire country about the role African-Americans have made in our Nation's life and about the struggles they have endured.

We, in Maryland, are particularly fortunate to have a magnificent African-American tradition with Marylanders who have excelled in fields as varied as journalism, law, medicine and the arts. Benjamin Banneker of Baltimore County, became known as the pioneer African-American of science. He is best remembered for his farmer's almanac and for his Presidential appointment to serve on the surveying team to determine the boundary lines and lay out the streets of the District of Columbia.

Frederick Douglass was born a slave on Maryland's Eastern Shore and escaped when he was 19. Against great odds, he learned how to read and write as a young boy and spent most of his free time improving these skills. Mr. Douglass became an eloquent and forceful speaker, abolitionist and newspaper editor, earning an international reputation as an advocate for civil liberties, acting on behalf of all oppressed and poor people.

Harriet Tubman was also born into slavery in Dorchester County. Known as Moses, she escaped to freedom after overhearing a conversation that she was to be sold. She returned to the South 19 times over many years to guide more than 300 men, women and children from slavery to freedom through the "underground railroad." During the Civil War, she served as a nurse, scout and spy.

The courageous tradition which Benjamin Banneker, Frederick Douglass, and Harriet Tubman exemplified is a long and distinguished one. In this century, Marylanders take special pride in Thurgood Marshall, Associate Justice of the U.S. Supreme Court, who was born in Baltimore. The first African-American appointed to the U.S. Supreme Court, he began his career as an attorney for the National Association for the Advancement of Colored People [NAACP] and represented the NAACP in the landmark case, Brown versus the Board of Education of Topeka, KS, in 1954.

Mr. President, I would like to mention three other Marylanders who have made singular contributions to the Civil Rights Movement. One is Clarence Mitchell, Jr., who served as the head of the NAACP's Washington office in 1950 until his retirement in 1978. For nearly three decades he lobbied ceaselessly for civil rights legislation and is widely regarded as the architect of all major civil rights legislation designed to end segregation and inequality. Another is Juanita Mitchell, a lawyer and the wife of Clarence Mitchell, Jr., who unequivocally established her own reputation as a champion of the poor and disadvantaged citizens of Baltimore. yet a third Marylander is Parren Mitchell, a former colleague in the House of Representatives who served for 16 years, devoting his great ability and energy to the causes of African-Americans. He continues to work for the fundamental principles which are the bedrock of our Nation and meant for all Americans—peace, equal justice under the law, and opportunity. Today his efforts range from fighting drug abuse to championing equal opportunities for minority businessmen.

We dedicate this month to celebrating these men and women, to honor those who, in the face of great obstacles, have triumphed oppression. At the same time that we honor these and other leaders who have left an indelible mark on our Nation's history, we must pledge to address ourselves to the goals and dreams which guided them. We must look to the future and seek to assure all young Americans that the doors of opportunity will be open to them—that their efforts will be recognized and their achievements honored.

Many schools in the area are having Black History Month speech competitions, and I would like to congratulate Jamie Jefferson, an eighth grade student and daughter of a member of my staff. Jamie won third prize for her speech in the Arlington County Black History Month Oratorical Contest. Her speech emphasized role models such as actor and comedian Bill Cosby, olympic star Florence Joyner, musicians Stevie Wonder and Diana Ross, Gov. Douglas Wilder and her uncle, Federal Judge Perker Meeks.

In Maryland, the celebration of Black History Month will highlight the ongoing cultural contributions of African-Americans. There will be art exhibits, movies, plays, lectures, and seminars to honor these Americans. This is an opportunity for us to reflect on the struggles for equality in this country and to experience the rich cultural heritage of African-Americans and their enormous contributions to this great Nation.●

INFANT MORTALITY

Mr. SHELBY. Mr. President, I rise today to voice my support for legislation to combat infant mortality.

Earlier this month, a group of southern lawmakers met with Dr. Louis Sullivan, Secretary of the Department of Health and Human Services. The Members of the Congressional Sun Belt Caucus' Task Force on Infant Mortality Discussed the administration's efforts to combat infant mortality and encouraged initiatives, particularly in the South, where infant mortality rates remain unusually high.

Ten of the twelve States with the highest infant mortality rates are in the South.

I have a particular interest in this issue since my home State of Alabama has the fourth highest infant mortality rate in the Nation, followed by Georgia, South Carolina, and Mississippi.

Consequently, each year since my election to the Senate, I have spoken here in the Senate and to various organizations regarding the national crisis of infant mortality and have supported legislation to reduce infant mortality in the United States.

Last year, I joined with a number of my colleagues as a cosponsor of S. 339, the Medicaid Infant Mortality and Children's Act of 1989, introduced by Senator BRADLEY of New Jersey. A portion of that measure was incorporated into the omnibus budget reconciliation expanding Medicaid coverage for females and children 6 and under at or below 133 percent of the poverty level.

I commend Senator BRADLEY for once again taking a leadership role on this issue with the introduction today of the Infant Mortality and Children's Health Act of 1990. I am proud to be an original cosponsor of this measure, which I believe to be a bold step in addressing the issue of infant mortality.

This legislation will make approximately 223,000 pregnant women and infants eligible for Medicaid coverage each year. Between July 1991 and 2002, roughly 1.7 million children born after September 30, 1983, would be eligible for Medicaid coverage. I can think of no better investment we can make than in our children and the future of our country.

Mr. President, it is my hope that the day is fast approaching that no Member of Congress will have to make statements or draft legislation on infant mortality.

It is my hope that in the not too distant future in my home State of Alabama, more than 12 of every 1,000 live births will not end in death.

It is my hope that one day the United States, which ranks first in per capita expenditures for health care, will no longer have an infant mortality rate ranked 20th among the 22 major economic powers.

Mr. President, I am pleased to see the administration taking an active interest in making these goals a reality.

The Bush administration has created a task force to study the infant mortality crisis and recommend possible courses of action to confront the problem.

Also, the Department of Health and Human Services has proposed a $63 million increase in public health service programs for infant mortality.

Twenty-five million dollars is being set aside for pregnant women to obtain a variety of health and welfare services through the development of a one stop shopping program for low-income women.

These are significant efforts in the fight to reduce infant mortality. However, much remains to be done.

We must step up efforts to ensure the availability, affordability, and accessibility of quality health and prenatal care, especially in rural areas. The current urban/rural reimbursement differential has played a major role in discouraging gynecologists and obstetricians, as well as many other medical professionals, from practicing in rural areas. As I have stated before, the maldistribution of health care professionals in urban centers will continue as more rural hospitals are forced to close their doors. Pregnant women in rural areas who are already disinclined to seek prenatal care are further discouraged if they have to travel long distances to receive medical attention.

Also, we must continue to seek ways to provide adequate health insurance. Approximately 10 million women of childbearing age and 11 million children have inadequate or no health insurance whatsoever. These individuals are at high risk of receiving late prenatal care or none at all.

We must be vigilant in our efforts to educate the public about the importance of proper nutrition and prenatal care and treatment for infants during the first year of life.

We cannot lose sight of the fact that infant mortality is not just a medical issue, rather it is linked with a number of our society's most pressing social issues. Homelessness, poverty, unsanitary living conditions, adolescent pregnancy, smoking, alcohol, and substance abuse, all threaten the survival of an unborn child.

Finally, Mr. President, in a report prepared by the National Commission to Prevent Infant Mortality, we are warned that unless we continue our fight against infant mortality, "we will lose more American infants than we have lost soldiers in all the wars fought by the Nation in this century." Mr. President, we cannot let that happen.●

SMALL COMMUNITY ENVIRONMENTAL ASSISTANCE ACT OF 1990

● Mr. KOHL. Mr. President, yesterday I joined with 18 of my colleagues in introducing legislation critical to the environmental and economic health of our small communities.

This legislation, the Small Community Environmental Assistance Act of 1990, will provide rural communities with needed Federal assistance in the construction and development of environmental facilities—facilities such as wastewater treatment plants, drinking water systems, landfills, and recycling projects. Its approach is fiscally sensible: It would contribute Federal funds to State revolving loan funds, which in turn would be used to provide low interest loans to small communities and grants to financially disadvantaged communities for the purpose of financing these projects.

Mr. President, in April we will be celebrating the 20th anniversary of Earth Day. It will be an opportunity to acknowledge the environmental gains we have made over the past two decades. As importantly, it will also be an opportunity to acknowledge the implications of this progress; namely, the increased environmental regulatory and financial burden we have asked small towns and local governments to bear.

With the passage of the Solid Waste Disposal Act, for example, we required communities across the country to either retrofit local dumps to meet strict Federal standards or to close them. As a result, about 650 landfills in Wisconsin will be closed this year. Landfill closure costs alone—not including the cost of developing an alternative solid waste management system—average between $25,000 to $50,000 per acre. For many small towns, this will mean a total bill of more than $200,000, excluding the cost of developing an alternative solid waste system.

It is clear that small communities are increasingly unable to meet the requirements of the Solid Waste Disposal Act, as well as those of the Safe Drinking Water Act and the Federal Water Pollution Control Act. According to the Environmental Protection Agency, small town water systems, which serve 8 percent of the U.S. population, account for 90 percent of the violations under the Safe Drinking Water Act. More than 80 percent of the communities in violation of sewage treatment requirements are small towns.

These violations have certainly not been willful. Rather, they are the result of not only the limited tax bases and financial resources available to small towns, but the bias of existing Federal environmental programs toward larger municipalities. For example, of the Federal sewage treatment grant funds made to date, 92 percent have gone to large communities. A mere 8 percent has been spent on small town treatment systems.

Mr. President, the answer to this problem is not to delay the implementation of these statutes and needed environmental protection. The answer is to provide the financial and technical assistance these small communities need to be in compliance with them. The legislation we introduced yesterday is designed to do just that.

There have been other efforts to provide this type of assistance. One of these was an amendment offered by Senator SANFORD and myself last year to the rural development bill. The amendment authorized the use of Farmers Home Administration funds to help rural communities develop alternative solid waste plans. While the amendment passed and the legislation passed the Senate, the House has not yet taken action on it.

I am hopeful that the House will act on that legislation soon. I am also hopeful that this legislation, the Small Communities Environmental Assistance Act, will see prompt action in both bodies of Congress this year. I commend Senator BAUCUS for his work on this bill, and look forward to working with him on making this legislation a priority for Congress this year.●

HONORING JOHN F. GORDON, A DISTINGUISHED CITIZEN OF WASHINGTON STATE

● Mr. GORTON. Mr. President, each of us occasionally encounters individuals of integrity, dedicated service and achievement in the course of our official duties and travels. We are blessed with the good fortune to meet and confer with men and women of exceptional abilities and stature.

I am pleased to bring to your attention such a person, a good friend and

distinguished leader, Mr. John F. (Jack) Gordon.

Jack Gordon has served as executive director of the Restaurant Association of the State of Washington for 23 years. In this capacity he has established many worthy programs for the hospitality industry and the general welfare of his home State. He has, in fact, been a one-man public relations emissary for Washington State. Let me detail some of his many accomplishments in this regard.

Over 40 years ago, Jack Gordon organized a successful welcome-to-Washington program for a former Member of this august body, President Harry S. Truman. From that beginning, he went on to organize ceremonies honoring a broad spectrum of nationally and internationally respected figures, including Presidents Eisenhower, Kennedy, Johnson, Ford, and Carter; Vice Presidents Nixon, Mondale, and Humphrey; Queen Elizabeth and Prince Philip; Crown Prince Akikito; the King and Queen of Sweden; the Presidents of the Republic of Iceland and West Germany; Gen. Douglas MacArthur and Adlai Stevenson; and astronauts of several different missions.

But Jack Gordon did not stop at honoring outstanding individuals. He also made sure that worthy groups received Washington State's accolades. The U.S. Army, in fact, presented to him an Award of Merit for his leadership in honoring over 1 million returning Korean war veterans, an act for which he was also commended by President Eisenhower and Vice President Nixon.

I am especially grateful to Jack for his role in creating the Plaza of the States for the Seattle World's Fair. This site is now used annually to honor naturalized citizens of the United States. The Plaza of the States is a dignified and beautiful location for this ceremony.

I could go on: Jack has served in leadership roles for 20 different civic organizations, including 10 years on the Seattle Human Rights Commission. Let me conclude, however, by noting that on March 14, 1990, Jack Gordon will be honored by his fellow Washingtonians at a dinner which I hope to attend.●

EXCELLENCE AT HASTINGS MIDDLE SCHOOL

● Mr. BOSCHWITZ. Mr. President, today I rise to recognize an outstanding educational institution, Hastings Middle School, from the great State of Minnesota.

I recently had the opportunity to visit Hastings Middle School and present to the students and staff the Excellence in Education Award for their truly superb achievement. Hastings Middle School received this award following a rigorous, multistage review process, where they compete on both the State and national levels.

This award, which is sponsored by the U.S. Department of Education, goes only to those schools who are unusually effective in educating their students with the resources they have available. Last year only 218 schools received this prestigious award.

I strongly believe the time and money we put into education is an investment in America's future. My support for education is unfailing, and Hastings Middle School is an example of a very wise investment.

Therefore, Mr. President, it is with great honor and respect that I salute the students, faculty and administration of Hastings Middle School on their accomplishments.●

CONGRATULATING ROBERT J. SHERER

● Mr. BRYAN. Mr. President, I rise today to congratulate Mr. Robert J. Sherer, of Las Vegas, NV, a recipient of the much coveted "Others Award." This award presented by the Salvation Army recognizes volunteers who have given generously of their time and energy.

Mr. Sherer has been unrelenting in his efforts for the Salvation Army. Presently, he serves as the chairman of the Las Vegas Salvation Army Advisory Board, and he has chaired the annual Salute Dinner for 3 years. In one of his many pursuits of community service, he personally located over 5 acres to purchase for a new emergency lodge and family service department and obtained all necessary approval for the project from the Las Vegas City Council. He has also coordinated the effort to raise the half-million dollars needed to renovate the existing facility. In addition, he has worked extensively during the holiday season, volunteering for numerous Salvation Army activities.

In an age where the value of community service is increasingly important, yet so rarely recognized, I ask my colleagues to join me in saluting Robert Sherer—a dedicated community leader whose accomplishments are an inspiration to us all.●

THIEVERY AND EMBEZZLEMENT OF THE SOCIAL SECURITY TRUST FUNDS

● Mr. DOMENICI. Mr. President, there has been much discussion of the budgetary treatment of the Social Security trust funds. The current situation is that, because of Federal accounting rules, the Social Security trust fund reserves offset the deficit in the rest of the Government.

In effect, Social Security lends the money to the rest of the U.S. Government. But, when doing so the U.S. Government makes an ironclad promise to pay those funds back to Social Security—with interest—whenever Social Security needs those funds.

The IOU's that Social Security gets when it lends the funds to the rest of the Government are backed by the full faith and credit of the U.S. Government. That remains the safest investment in the world. To claim that the U.S. Government will not pay back Social Security is to claim the U.S. Government will default on its obligations.

I raise this, because, earlier today, I voted against a Sasser amendments to the National Volunteer Service Act. The Sasser amendment was a resolution only—it would have no effect on any law and not change anything. One respect of the Sasser resolution indicated that we should take Social Security out of the calculation of the deficit because the current treatment of Social Security in the budget is "thievery and embezzlement" of Social Security's reserves.

If I really believed that the current situation was thievery and embezzlement, then I would not be satisfied with a resolution saying we should fix it. I would demand that we change the law—now.

But the point is, the current situation with regard to Social Security is not thievery and embezzlement. The current situation is wrong and needs to be changed, I'll agree, but it does not represent thievery and embezzlement. That is why I voted against the Sasser resolution.

I should make another point. Whatever the current situation, Congress voted to create it. The 1983 Social Security amendments—which saved Social Security from going bankrupt—and the Gramm-Rudman-Hollings created the current situation. The 1983 Social Security Amendments caused Social Security to build reserves for the long-run solvency of the program. And the Gramm-Rudman-Hollings laws spelled out in black and white that Social Security reserves were going to offset the non-Social Security deficit for a period of time.

I don't think that is thievery, but if it is, it was created by the Social Security Amendments of 1983 and the Gramm-Rudman-Hollings law.

I don't believe that the Government is stealing anything from Social Security, and I don't believe Senators who voted for the Social Security rescue in 1983 and Gramm-Rudman-Hollings law voted for "theft and embezzlement."

Mr. President, now that I have gotten that off my chest, I want to be clear on one thing. We do need to take steps to ensure that the Social Security reserves are separate from the calculation of the deficit. We cannot use Social Security to offset the deficit.

In fact, soon after the vote on the Sasser amendment, we voted on an amendment offered by Senator GRAMM that also resolved to take OASDI out of the deficit calculation. I voted for that resolution. We must wall Social Security off from the rest of the budget, and take steps to ensure the Social Security reserves are not used to offset the deficit. We must do so carefully, so that we protect Social Security and our economy.●

CHARLES HAUGHEY AND JAMES BAKER ARE ON THE RIGHT TRACK: CLOSER COORDINATION BETWEEN THE UNITED STATES AND THE EUROPEAN COMMUNITY IS NEEDED

● Mr. BOSCHWITZ. Mr. President, as the United States focuses increasingly on Eastern Europe and the challenges of adjusting our policies to the new security situation there, we should not forget that our most important economic and political relationship in Europe during the next decade will be with the European Community. Accordingly, I warmly welcome this week's visit of Irish Prime Minister Charles J. Haughey in his capacity as President of the Community's European Council. His visit is most timely. "The Revolution of 1989" has wrought truly incredible changes in Eastern Europe, changes that make it appropriate for both the United States and the European Community to examine together ways to preserve and strengthen Western unity.

Last week, in an interview in the Washington Post, Mr. Haughey said "the need to keep the United States in Europe is vital." I fully agree. We need to stay involved. In an age of intercontinental ballistic missiles and extensive economic and political interdependence we are not free to retreat into isolationism. We have no choice but to remain actively engaged with Europe.

The transformation of the European security landscape we are witnessing includes dangers, some unforeseeable. A coordinated Western stance can provide needed stability as old regimes are swept away and new democratic institutions and market economies grow strong enough to take their place.

Mr. Haughey has also called for steps to be taken to institutionalize an increased American role in Europe's future "to avoid a situation where the community, acting through its own procedures, presents the United States with some particular fait accompli." This is exactly right. Given the cumbersome decisionmaking mechanisms of the European Community and the difficulty of reversing decisions that prove impractical, we need some mechanism that allows the fullest possible discussions between the European Community and our Government before decisions that affect us are made; we need some way to avoid unnecessary dispute and acrimony that can weaken the fabric of our invaluable partnership. Prime Minister Haughey's visit and the proposals he brings with him represent an opportunity to advance the dialogue called for by Secretary Baker in Berlin. I urge both partners to treat this friendly exploration with the urgency it deserves. As "1992" grows ever closer, and as "European Political Cooperation" takes on additional responsibilities, the United States and the European Community need to find a wide variety of ways to deepen understanding between the world's two strongest economic and political entities.●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 101-14

Mr. LEVIN. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation (Treaty Document No. 101-14), transmitted to the Senate today by the President.

I also ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation, done at Montreal on October 6, 1989. I also transmit, for the information of the Senate, the report received from the Department of State with respect to the protocol.

Article 56 of the convention concerns the composition of the Air Navigation Commission of the International Civil Aviation Organization and currently provides that it shall be composed of 15 members. The present protocol would increase the membership of the Commission to 19 members.

I recommend the Senate give early and favorable consideration to the protocol submitted herewith and give its advice and consent to ratification.

GEORGE BUSH.

THE WHITE HOUSE, *February 28, 1990.*

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar No. 611, William James Haynes II, to be General Counsel of the Department of the Army;

Calendar No. 612, Stephen Kay Conver, to be an Assistant Secretary of the Army;

Calendar No. 613, Douglas Alan Brook, to be an Assistant Secretary of the Army;

Calendar No. 614, Colin Riley McMillan, to be an Assistant Secretary of Defense;

Calendar No. 615, Erique Mendez, Jr., to be an Assistant Secretary of Defense; and

Calendar No. 616, Adm. David E. Jeremiah, to be Vice Chairman of the Joint Chiefs of Staff.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

William James Haynes II, of North Carolina, to be General Counsel of the Department of the Army.

Stephen Kay Conver, of Virginia, to be an Assistant Secretary of the Army.

Douglas Alan Brook, of Virginia, to be an Assistant Secretary of the Army.

Colin Riley McMillan, of New Mexico, to be an Assistant Secretary of Defense.

Enrique Mendez, Jr., of Puerto Rico, to be an Assistant Secretary of Defense.

The following-named officer for appointment as Vice Chairman of the Joint Chiefs of Staff under the provisions of title 10, United States Code, section 154:

To be Vice Chairman of the Joint Chiefs of Staff

To be admiral

Adm. David E. Jeremiah, [redacted], U.S. Navy.

STATEMENT ON THE NOMINATION OF STEPHEN KAY CONVER

Mr. WARNER. Mr. President, I am pleased to rise in support of the nomination of Stephen K. Conver, to be an Assistant Secretary of the Army.

I ask unanimous consent to print in the RECORD at the conclusion of my remarks a letter I received from Congressman WILLIAM DICKINSON, the leading Republican on the House Armed Services Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WARNER. Mr. President, as all Senators can see, Steve Conver serves as the principal staff adviser to Congressman DICKINSON.

I join all my colleagues and Congressman DICKINSON in congratulating the White House for nominating Mr. Conver and urge all Senators to confirm him without any reservations. I thank the Chair.

EXHIBIT 1

HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 1990.

Hon. JOHN WARNER,
Ranking Republican, Senate Armed Services Committee.

DEAR SENATOR WARNER: I would like to take this opportunity to endorse Stephen A. Conver's nomination to become the Assistant Secretary of the Army for Research, Development, and Acquisition. I urge all Senators to cast an "aye" vote when Mr. Conver's nomination is considered today.

Steve Conver has worked as my Minority Staff Director on the House Armed Services Committee for more than four years. He has served me and all committee Republicans well during this time and he will be missed. As the Senate Armed Services Committee's recent endorsement of Steve indicates, he is well qualified for the challenging job of Senior Acquisition Executive for the Department of the Army. Before coming to the House Armed Services Committee, Steve served as Deputy Assistant Secretary of the Air Force for Programs and Budget, with the Nuclear Regulatory Commission, and as an active-duty officer in the Air Force for ten years. His broad range of personal, political, and professional experience will prove to be an invaluable asset to the Army.

Beyond our professional relationship, I consider Steve and his wife Nan to be personal friends. As you so eloquently stated during your committee's consideration of Steve's nomination, accepting a job like the Assistant Secretary of the Army is not just a personal commitment, but also a family commitment. I am convinced that with the full support of Nan and his two sons Brad and Andy, Steve will excel in the years ahead. I wish Steve only the best and want to assure each and every member of the Senate that you can confirm him without reservation.

Sincerely,

WILLIAM L. DICKINSON,
Ranking Republican, House Armed Services Committee.

STEPHEN K. CONVER

Stephen K. Conver is a member of the professional staff of the House Armed Services Committee, where he serves as the principal staff advisor to Congressman Bill Dickinson (the Ranking Republican) and the twenty other Republican Members of the HASC. The scope of his responsibilities includes all defense matters under the jurisdiction of the Committee.

Prior to joining the Armed Services Committee in December 1985, Mr. Conver served for four years on the staff of Secretary of the Air Force Verne Orr as Deputy Assistant Secretary (Programs and Budget). In this career Senior Executive Service position, he was responsible for overseeing the development, approval, and execution of the Air Force budget.

Between 1975 and 1981, Mr. Conver held several positions with the U.S. Nuclear Regulatory Commission, beginning as an operations analyst and progressing to Chief of Analysis and Planning for the agency.

After receiving his bachelor of science degree from the U.S. Air Force Academy in 1966, Mr. Conver served for nine years as a commissioned officer in the Air Force. He earned a Master's Degree in Operations Research from Ohio State University in 1970. Mr. Conver's Air Force experience covered a broad range of subjects, including technical analysis of Soviet weapon systems, long-range planning studies in support of advanced Air Force weapons acquisitions, and analysis of U.S. strategic force options under a SALT agreement.

Mr. Conver was born in Memphis, Tennessee and grew up in Cincinnati, Ohio. He presently resides in Great Falls, Virginia with his wife Nan and his sons Brad and Andy. His hobbies include running, golf, and coaching youth basketball.

STATEMENT ON THE NOMINATION OF COLIN MCMILLAN

Mr. DOMENICI. Mr. President, I rise today to voice my support for President Bush's nomination to be Assistant Secretary of Defense for Production and Logistics, Colin McMillan. I have known Colin for many years, and I am happy to see my good friend and a fellow New Mexican being confirmed today for this important position.

The Assistant Secretary of Defense for Production and Logistics is charged with enormous responsibilities ranging from serving as an adviser to the Under Secretary of Defense on the construction and maintenance of all installations and facilities under the direction of the Department of Defense to exercising authority and control over the Defense Logistics Agency, and the Defense Management College. Mr. President, clearly this position requires strong leadership, superior management skills, and the desire to sacrifice.

Colin McMillan brings to this job a wide range of leadership and management experience in the military, in government and in business. I have known Colin for over 20 years Mr. President, and I can tell you that, since I have known him, he has exhibited the leadership and management skills that make him an excellent choice for this position.

He served our country as a member of the U.S. Marine Corps from 1957 to 1960 as platoon commander, company executive officer, and company commander. He was discharged in 1960 as a first lieutenant. Colin then went on to serve for 7 more years in the Marine Corps Reserves, eventually achieving the rank of major.

Mr. President, Colin McMillan has been a prominent figure in New Mexico government for almost three decades. He served in the New Mexico House of Representatives from 1971 to 1983. He served as chairman of the House Taxation and Revenue Committee for 4 years, he was nominated for Lieutenant Governor in 1982, and was a candidate for Governor in 1986.

Furthermore, Colin brings to this job the level-headed management ability that has made him a successful businessman. Colin is the chairman of the board and chief executive officer of Permian Exploration Corp., a high-tech energy exploration firm, the managing partner of the Three Rivers Ranch in Lincoln and Otero counties, and chairman of the board of First Federal Savings Bank of Roswell.

As budget constraints take bigger bites out of the defense budget, Colin will have the very important job of ensuring that our tax dollars are spent wisely, and I have no doubt that the superior managerial skills he has gained as a businessman will be of great value to the President as well as to the Secretary of Defense.

Through his record as a marine, as a State representative, and as a businessman, Colin McMillan has demonstrated the leadership skills necessary to provide the quality of performance that is demanded by the position for which President Bush has nominated him.

Furthermore, Mr. President, Colin has demonstrated that he is willing to sacrifice his own interests in the interests of serving the President and the United States. Although he is a very successful businessman in New Mexico, he has agreed to comply with our rules in order that he may be able to serve the President and the United States.

I look forward to the confirmation of Colin McMillan by the full Senate. Mr. President, this is another example of President Bush looking to New Mexico for strong leaders to place in his administration, and he has once again picked a man that will serve his administration and the United States very well.

AUTHORITY FOR PRINTING OF SENATE ELECTION LAW GUIDEBOOK

Mr. LEVIN. Mr. President, on behalf of Senators FORD and STEVENS, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 253) authorizing the printing of a revised edition of the Senate Election Law Guidebook as a Senate document.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 253) was agreed to, as follows:

S. RES. 253

Resolved, That the Committee on Rules and Administration hereby is directed to prepare a revised edition of the Senate Election Law Guidebook, Senate document 100-25, and that such document shall be printed as a Senate document.

SEC. 2. There shall be printed 600 additional copies of the document specified in section 1 of this resolution for the use of the Committee on Rules and Administration.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. ARMSTRONG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EARTH DAY 1990 AUTHORIZATION

Mr. LEVIN. Mr. President, on behalf of Senators GORE and HEINZ, I send a concurrent resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 98), authorizing a public event with music for Earth Day 1990 on the United States Capitol grounds.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 98) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 98

Whereas Congress has adopted Public Law 101-186 designating April 22, 1990, as "Earth Day" to promote the preservation of the environment;

Whereas the President has proclaimed his support for Earth Day 1990 and called on the people of the United States to observe the day with appropriate programs, ceremonies, and activities designed to promote greater understanding of ecological issues; and

Whereas Earth Day 1990 has expressed an interest in organizing a public event with musical entertainment to promote environmental awareness and environmentally responsible behavior: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Earth Day 1990 shall be permitted to sponsor a public event with musical entertainment on the United States Capitol Grounds on April 22, 1990. This event shall be free to the public and arranged not to interfere with the needs of Congress, under conditions to be provided by the Architect of the Capitol and the Capitol Police Board. For the purposes of this resolution, the promoters of Earth Day 1990 are authorized to erect upon the United States Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment, as may be required for the event and are authorized to make any arrangements that may be required to carry out the event.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. ARMSTRONG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. LEVIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of the following joint resolutions: Senate Joint Resolution 153, "National Tourism Week," Senate Joint Resolution 223, "Neurofibromatosis Awareness Month," and that the Senate proceed to their immediate consideration en bloc; that they be read a third time and passed and that the motion to reconsider the vote by which they were agreed to be laid on the table; that their preambles be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL TOURISM WEEK

The Senate proceeded to consider Senate Joint Resolution 153, a joint resolution designating the third week in May 1990 as "National Tourism Week," which was read the third time and passed as follows:

S.J. RES. 153

Whereas travel and tourism is the third largest retail industry and the second largest private employer in the United States, generating more than five million five hundred thousand jobs and indirectly employing another two million two hundred thousand Americans;

Whereas total travel expenditures in the United States amount to more than $313,000,000,000 annually, or about 6.4 percent of the Gross National Product;

Whereas tourism is an essential American export, as thirty-three million seven hundred thousand foreign travelers spend approximately $18,000,000,000 annually in the United States;

Whereas development and promotion of tourism have brought new industries, jobs, and economic revitalization to cities and regions across the United States;

Whereas tourism contributes substantially to personal growth, education, appreciation of intercultural differences, and the enhancement of international understanding and good will; and

Whereas the abundant natural and manmade attractions of the United States and the hospitality of the American people establish the United States as the preeminent destination for both foreign and domestic travelers: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning on the second Sunday in May 1990 is designated as "National Tourism Week". The President is authorized and requested to issue a proclamation calling on the people of the United States to observe that week with appropriate ceremonies and activities.

NEUROFIBROMATOSIS AWARENESS MONTH

The Senate proceeded to consider Senate Joint Resolution 223, a joint resolution to authorize and request the President to issue a proclamation designating May 1990 as "Neurofibromatosis Awareness Month," which was read the third time and passed as follows:

S.J. RES. 223

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating May 1990 as "Neurofibromatosis Awareness Month".

NATIONAL FOSTER CARE MONTH

Mr. LEVIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of Senate Joint Resolution 10 a joint resolution designating National Foster Care Month, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 10) to designate the month of May, 1989 as "National Foster Care Month."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the Senate proceeded to consider the joint resolution.

AMENDMENT NO. 1281

(Purpose: To change the year of "National Foster Care Month" from 1989 to 1990)

Mr. ARMSTRONG. Mr. President, on behalf of Senator Thurmond, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. ARMSTRONG], for Mr. THURMOND, proposes an amendment number 1281.

Mr. ARMSTRONG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Page 2, line 2, of whereas clause, strike "1989:" and insert in lieu thereof "1990:".

Page 2, line 3, of resolve clause, strike "1989," and insert in lieu thereof "1990,".

Mr. THURMOND. Mr. President, I am pleased that the Senate is acting

today on my joint resolution which designates May of this year as "National Foster Care Month." I have offered an amendment which changes the designated date from May 1989 to May 1990.

It is acknowledged that a family environment with loving and caring parents is the ideal situation for children. However, in the United States there are hundreds of thousands of foster children who through no fault of their own have been deprived of this normal home relationship involving love, shelter, and other needs that are the basic necessities of all children. Foster parents volunteer their time, energy, and material resources 24 hours a day, 7 days week, to help enable these children to develop into mature responsible, and productive adults.

Our Nation's foster parents have a long and proud tradition of reaching out to those children who need them most. We need to publicly recognize these efforts and call attention to the vital needs of all foster children in the United States. Acknowledgment of the valuable contributions of foster care parents will provide for greater public awareness of and community support for these Americans.

Mr. President, I urge my colleagues to join me in supporting this joint resolution.

The PRESIDING OFFICER. The question is an agreeing to the amendment.

The amendment (No. 1281) was agreed to.

The PRESIDING OFFICER. Are there further amendments? If there are no further amendments to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble, as amended, was agreed to.

The joint resolution (S.J. Res. 10), with its preamble, reads as follows:

S.J. RES. 10

Whereas there are more than 250,000 licensed foster families in the United States who temporarily provide guidance, emotional support, food, shelter, and nurture to children who cannot remain in their own home;

Whereas foster parents devotedly and unselfishly open their home and family life to children in need;

Whereas foster parents are a vital part in permanency planning to protect the best interests of a foster child;

Whereas foster parents work cooperatively with human service agencies and biological parents to strengthen family life;

Whereas foster parents must have the commitment of the national, State and local communities in terms of funding, support, and training; and

Whereas the National Foster Parent Association holds its annual training conference during the month of May 1990: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May, 1990, is designated as "National Foster Care Month". The President is requested to issue a proclamation calling on the people of the United States to observe such month with appropriate ceremonies and activities.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. ARMSTRONG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ARMSTRONG. Mr. President, on behalf of Senator THURMOND, I send to the desk an amendment to the title and ask for its immediate consideration.

The PRESIDING OFFICER. The assistant legislative clerk read as follows:

Amend the title so as to read:

To designate the month of May 1990 as "National Foster Care Month."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the title.

The amendment was agreed to.

Mr. ARMSTRONG. I move to reconsider the vote by which the amendment was agreed to.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDERS FOR THURSDAY, MARCH 1, 1990

RECESS UNTIL 9:30 A.M.; MORNING BUSINESS; RESUME CONSIDERATION OF S. 1430, AT 10 A.M.

Mr. LEVIN. Mr. President, I ask unanimous consent that when the Senate recesses tonight it stand in recess until 9:30 a.m. tomorrow and that, following the time for the two leaders, there be a period for morning business until 10 a.m., with Senators permitted to speak therein for up to 5 minutes each. I further ask unanimous consent that the Senate resume consideration of S. 1430 at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. LEVIN. Mr. President, if the acting Republican leader has no further business, I ask unanimous consent that the Senate stand in recess under the previous order until 9:30 a.m. tomorrow.

There being no objection, the Senate, at 7:12 p.m., recessed until Thursday, March 1, 1990, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 28, 1990:

DEPARTMENT OF JUSTICE

DEXTER W. LEHTINEN, OF FLORIDA, TO BE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF 4 YEARS VICE LEON B. KELLNER, RESIGNED.

LEO A GIACOMETTO, OF MONTANA, TO THE U.S. MARSHAL FOR THE DISTRICT OF MONTANA FOR THE TERM OF 4 YEARS VICE RONALD J. ALLES, TERM EXPIRED.

DEPARTMENT OF DEFENSE

THE FOLLOWING-NAMED PERSONS TO BE MEMBERS OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR THE TERMS INDICATED:

FOR A TERM EXPIRING MAY 1, 1995:

GEORGE TRYON HARDING, IV, OF OHIO (REAPPOINTMENT).

FOR A TERM EXPIRING JUNE 20, 1995:

CLARENCE S. AVERY, OF CALIFORNIA, VICE ANN S. PETERSON, TERM EXPIRED.

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

THE FOLLOWING-NAMED INDIVIDUALS TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR TERMS EXPIRING DECEMBER 17, 1992:

J. CARTER BEESE, JR., OF MARYLAND, VICE DONLEY L. BRADY, TERM EXPIRED.

DONALD BURNHAM ENSENAT, OF LOUISIANA, VICE MITCHELL E. DANIELS, JR., TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE U.S. INFORMATION AGENCY FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS STATED, AND FOR THE OTHER APPOINTMENTS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR; AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOHN M. BAKER, OF VIRGINIA.
DONALD C. HAUSRATH, OF CALIFORNIA.
FRANK M. SMITH, OF TEXAS.

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS ONE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

AGENCY FOR INTERNATIONAL DEVELOPMENT

JERRY D. PERRY, OF TEXAS.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

WILBRT STITT, JR., OF NORTH CAROLINA.

AGENCY FOR INTERNATIONAL DEVELOPMENT

LARRY LEE HOOVER, OF MARYLAND.
ELIZABETH ANN MILLS, OF FLORIDA.
DEBORAH LOUISE ZUBOW PRINDLE, OF NEW YORK.
JACK A. ROYER, OF INDIANA.
ANTHONY N. VANCE, OF VIRGINIA.

U.S. INFORMATION AGENCY

MARCELLE M. WAHBA, OF CALIFORNIA.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETAIRES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

PHYLLIS DANHOF SPECK, OF TEXAS.

AGENCY FOR INTERNATIONAL DEVELOPMENT

ROANLD J. GREENBERG, OF THE DISTRICT OF COLUMBIA.

U.S. INFORMATION AGENCY

JOAO M. ECSODI, OF PENNSYLVANIA.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

PHILLIP LEE ANTWEILER, OF VIRGINIA.
JOHN F. BELZ, OF THE DISTRICT OF COLUMBIA.
MICHELLE BERNIER-TOTH, OF FLORIDA.
MATTHEW GORDON BOYSE, OF CONNECTICUT.
JOHN CHRISTOPHER BRADSHAW, OF NEW JERSEY.
AUBREY ALEXANDER CARLSON, OF TEXAS.
MARCIA ELIZABETH BAR COLE, OF MARYLAND.
JEANINE MARLEN COLLINS, OF TENNESSEE.
MATT A. ELLSWORTH, OF CALIFORNIA.
EDGAR LEROY EMBREY, OF ILLINOIS.
THOMAS S. ENGLE, OF THE DISTRICT OF COLUMBIA.

ANN MELINDA EVANS, OF TEXAS.
JEFFREY DAVID FELTMAN, OF OHIO.
RICHARD A. FIGUEROA, OF PUERTO RICO.
PATRICK J. FREEMAN, OF CALIFORNIA.
GERRY WILLIAM FULLER, OF PENNSYLVANIA.
FRANCISCO JAVIER GONZALEZ, OF NEW JERSEY.
STUART MACKENZIE HATCHER, OF PENNSYLVANIA.
KATHLEEN M. HENNESSEY, OF VIRGINIA.
SIMON HENSHAW, OF MASSACHUSETTS.
INGEBORG ALIX LOUISE KUMMANT, OF PENNSYLVANIA.
DAN JONATHAN LARSEN, OF VIRGINIA.
HARVEY S. LEE, OF OREGON.
MARK STEVEN MAYFIELD, OF TEXAS.
DONALD MAXWELL MILLER, OF CALIFORNIA.
MARCIA NYE, OF MICHIGAN.
EVELYN O'BRIEN, OF COLORADO.
PAMELA JEAN PEARSON, OF TEXAS.
MICHAEL DEAN PUCCETTI, OF NEW MEXICO.
NANI SUZETTE PYBUS, OF OKLAHOMA.
CAROL TYSON REYNOLDS, OF GEORGIA.
LYSBETH JOHNSON RICKERMAN, OF WASHINGTON.
RICARDO A. ROBERTO, OF CALIFORNIA.
FERNANDO MARK RONDON, OF THE DISTRICT OF COLUMBIA.
DALE L. RUMBARGER, OF PENNSYLVANIA.
PHILIP WILLIAM SAVITZ, OF VIRGINIA.
ELIZABETH TURNER SHELTON, OF CALIFORNIA.
ANDREW T. SIMKIN, OF WASHINGTON.
EARL JAMES STEELE, OF ARIZONA.
DARNALL C. STEUART, OF VIRGINIA.
STEPHANIE SANDERS SULLIVAN, OF NEW YORK.
W. STUART SYMINGTON IV, OF MISSOURI.
DENISE M. VALOIS, OF VIRGINIA.
WILLIAM WEINSTEIN, OF CALIFORNIA.

U.S. INFORMATION AGENCY

PHILIP JACKSON BREEDEN, JR., OF CALIFORNIA.
JUDITH MARIANNE BUTTERMAN, OF CALIFORNIA.
LAWRENCE N. CORWIN, OF TEXAS.
MARK J. DAVIDSON, OF NEW JERSEY.
SUSAN MARY ELBOW, OF NEW YORK.
JENNIFER S. GALENKAMP, OF NEW JERSEY.
JAY P. GURIAN, OF COLORADO.
AUDREY L. HELFANT, OF MASSACHUSETTS.
PHILLIP R. IVES, OF FLORIDA.
BRUCE ALAN LOHOF, OF MONTANA.
THOMAS ELEUTERIO MESA, OF FLORIDA.
WILLIAM HENRY SCHAUER, OF NEW YORK.
ROBIN ANGELA SMITH, OF THE DISTRICT OF COLUMBIA.
DONNA JAE WINTON, OF CALIFORNIA.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF STATE AND COMMERCE, TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:
JAMAL ALIAH, OF MICHIGAN.
SUSAN M. ALBERTS, OF MARYLAND.
ARUNA S.G. AMIRTHANAYAGAM, OF NEW YORK.
LARRY EDWARD ANDRE, JR., OF TEXAS.
LOUFUNMILAYO B. AREWA, OF OHIO.
MICHAEL A. BARRON, OF VIRGINIA.
SHIRLEY J. BECHTEL, OF VIRGINIA.
JOHN T. BERNLOHR, OF CALIFORNIA.
EDWARD P. BIRSNER, OF NEW JERSEY.
JOHN D. BLAGG, OF VIRGINIA.
ISABELLA DEBARROSO BLAKE, OF CALIFORNIA.
ANN CATHERINE BLANK, OF VIRGINIA.
ALEXANDER P. BOLLING, OF VIRGINIA.
JAMES G. BOURNE, OF VIRGINIA.
DAVID A. BROWN, OF VIRGINIA.
DIANA F. BROWN, OF MICHIGAN.
JOHN C. CAMPBELL, OF VIRGINIA.
NED F. CARMODY, OF TENNESSEE.
DOUGLAS PAUL CLIMAN, OF NEW YORK.
JAMES E. CONNOR, JR., OF TEXAS.
NANCY J. COOPER, OF NEW YORK.
DANA L. DANIELS, OF VIRGINIA.
STUART ANDERSON DWYER, OF MAINE.
BRIAN HAMILTON ENOCHS, OF VIRGINIA.
ALEJANDRO B. ESPARZA, OF VIRGINIA.
JENNIFER K. EWBANK, OF VIRGINIA.
SONDRA D. FERGUSON, OF PENNSYLVANIA.
BRADLEY ALAN FREDEN, OF MARYLAND.
GREGORY WRIGHT FRENZEL, OF NEW JERSEY.
LUDWELL EBERSOLE GAINES, OF THE DISTRICT OF COLUMBIA.
CHRISTOPHER D. GLASENAPP, OF VIRGINIA.
JOSE GOMEZ-RIVERA, OF VIRGINIA.
TRACY K. GRIGGS, OF SOUTH DAKOTA.
LINDA MARIE HALL, OF VIRGINIA.
HARDY MICKEL HARGREAVES, OF VIRGINIA.
CELIA D. HEMER, OF WASHINGTON.
EDITH E. HESSBERG, OF TEXAS.
CHARLES N. HUDSON, OF VIRGINIA.
DAVID E. JABERG, OF MINNESOTA.
JOHN A. JENCKS, OF VIRGINIA.
ERIC ANTHONY JONES, OF MICHIGAN.
SOTIRIS KATSOULOS, OF VIRGINIA.
STACEY G. KAZACOS, OF VIRGINIA.
JEROLD H. KLAIMON, OF VIRGINIA.
CORAL KNEHANS, OF VIRGINIA.
GARY A. KORKOWSKI, OF VIRGINIA.
STEVEN CHRISTOPHER KOUTSIS, OF MASSACHUSETTS.
VIRGINIA KRIVIS, OF FLORIDA.
BARBARA A. KUEHN, OF MARYLAND.
SUZANNE ILENE LAWRENCE, OF ARIZONA.
WOO CHAN LEE, OF CALIFORNIA.
JOHN FREDERICK LEWIS, JR., OF VIRGINIA.
EILEEN FAITH LEWISON, OF MASSACHUSETTS.
KATHLEEN LIST, OF MICHIGAN.
DUKE GREGORY LOKKA, OF VIRGINIA.
HELEN OSBORNE LOVEJOY, OF VIRGINIA.
KENT A. LUCKEN, OF VIRGINIA.
SEAN EDWARD MAYBERRY, OF VIRGINIA.
JONI L. MITCHELL, OF VIRGINIA.
KATHERINE ANNE MUNCHMEYER, OF TEXAS.
THOMAS J. MURPHY, OF VIRGINIA.
WAYNE K. NAKASONE, OF VIRGINIA.
DARIUS NASSIRY, OF CALIFORNIA.
ERIC GEORGE NELSON, OF TEXAS.
THOMAS NEMETH, OF NEW HAMPSHIRE.
LYNN O'CONNELL, OF LOUISIANA.
CLARENCE E. OGBURN, OF MARYLAND.
FERNANDO R. OLIVENCIA, OF VIRGINIA.
WILLIAM S. PENNINGTON, OF VIRGINIA.
DIANE S. PHILLIPS, OF VIRGINIA.
JOHN MARK POMMERSHEIM, OF PENNSYLVANIA.
BRAD ROBINSON, OF CALIFORNIA.
ISMAIL K. SARSOUR, OF WISCONSIN.
JOLEEN ANN SCHWEITZER, OF VIRGINIA.
DAVID WILLIAM SECKLER, OF CALIFORNIA.
SUZANNE P. SHANNON, OF VIRGINIA.
DEBORAH L. SHERMAN, OF VIRGINIA.
CHRISTINE E. SHINE, OF VIRGINIA.
JULES DAMIAN SILBERBERG, OF PENNSYLVANIA.
THEODORE J. SINGER, OF THE DISTRICT OF COLUMBIA.
SUSAN M. SNYDER, OF VIRGINIA.
CARLOS E. SOLTERO, OF VIRGINIA.
PAMELA LEORA SPRATLEN, OF CALIFORNIA.
CALVIN STOKES, OF VIRGINIA.
MARGOT A. SULLIVAN, OF NEW YORK.
JOHN A. SYLVESTER, OF VIRGINIA.
SCOTT S. THOLAN, OF TEXAS.
CHARLES E. THOMAS, OF OHIO.
RANDI THOMAS, OF OHIO.
KURT WALTER TONG, OF CALIFORNIA.
JENNIFER OWEN UNDERWOOD, OF OHIO.
THOMAS G. WALKER, OF VIRGINIA.
JENNIFER DARROW WATSON, OF VIRGINIA.

CONSULAR OFFICERS OF THE UNITED STATES OF AMERICA:
HOWARD SHERMAN BRISCOE, OF ILLINOIS.
EDWARD DIXSON, OF CALIFORNIA.
KARL FAHR, OF CALIFORNIA.
GERT LINDENAU, OF VIRGINIA.
THOMAS QUINN, OF MICHIGAN.
JACK RICHARDSON, OF CALIFORNIA.
WILLIAM H. TOLSON, OF FLORIDA.

SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:
POLLY ELLEN HOLCOMBE, OF VIRGINIA.
FREDERICK F. MCGOLDRICK, OF MARYLAND.
THOMAS M. MURPHY, OF VIRGINIA.
TERRY SORGI, OF WISCONSIN.

THE FOLLOWING-NAMED PERSON OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JULY 19, 1985.

THOMAS STEPHAN PABST, OF CALIFORNIA.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. DONALD S. PIHL, xxx-xx-xxxx, U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. MARVIN D. BRAILSFORD, xxx-xx-xxxx, U.S. ARMY.

IN THE NAVY

THE FOLLOWING-NAMED REAR ADMIRALS IN THE STAFF CORPS OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS

To be rear admiral

REAR ADM. (1H) ROBERT BENSON HALDER, xxx-x... xx... U.S. NAVY.
REAR ADM. (1H) ROBERT WALTER HIGGINS, xxx-x... xx... U.S. NAVY.

SUPPLY CORPS

To be rear admiral

REAR ADM. (1H) ROBERT MARION MOORE, xxx-x... xx... U.S. NAVY.
REAR ADM. (1H) HARVEY DONALD WEATHERSON, xxx-xx-xxxx, U.S. NAVY.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER THE PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

To be colonel

JAMES C. MOORE, xxx-xx-xxxx

LINE OF THE AIR FORCE

To be lieutenant colonel

STEPHEN E BISHOP, xxx-xx-xxxx
NICHOLAS D BOLEY, xxx-xx-xxxx
GEORGE L BOURNE, xxx-xx-xxxx
KENNETH S GINGRICH, JR, xxx-xx-xxxx
KEITH M LANGE, xxx-xx-xxxx
JOSEPH A MENTECKI, xxx-xx-xxxx
ROGELIO RODRIQUEZ, xxx-xx-xxxx
DAVID F WITKOWSKI, xxx-xx-xxxx

CHAPLAIN

RICHARD J. CATHY, xxx-xx-xxxx

JUDGE ADVOCATE

DAVID F. BARTON, xxx-xx-xxxx

NURSE CORPS

MARY C. REPKO, xxx-xx-xxxx

LINE OF THE AIR FORCE

To be major

STEPHEN K. GLASS, xxx-xx-xxxx
ALAN L. KISHIN, xxx-xx-xxxx
MAURICE E. REGISTER, xxx-xx-xxxx
MARK C. WARD, xxx-xx-xxxx

CHAPLAIN

GORDON E. SNYDER, xxx-xx-xxxx

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

LINE OF THE AIR FORCE

WILLIAM J. BUECHEL, xxx-xx-xxxx
TERRANCE S. DOVE, xxx-xx-xxxx
JAMES P. LUCZKA, xxx-xx-xxxx

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICER IDENTIFIED WITH AN ASTERISK IS ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE:

DENTAL CORPS

To be major

TIMOTHY E. BODEY, xxx-xx-xxxx
NANCY K. RICKETTS, xxx-xx-xxxx
MARK V. VAIL, xxx-xx-xxxx

JUDGE ADVOCATE GENERAL CORPS

To be major

*MICHAEL G. SKENNION, xxx-xx-xxxx

IN THE NAVY

THE FOLLOWING-NAMED OFFICER IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER AS INDICATED, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 628, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

SUPPLY CORPS

To be lieutenant commander

MICHAEL AMMONS

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 1990:

DEPARTMENT OF DEFENSE

WILLIAM JAMES HAYNES II, OF NORTH CAROLINA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY.

STEPHEN KAY CONVER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

DOUGLAS ALAN BROOK, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

COLIN RILEY MCMILLIAN, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF THE DEFENSE.

ENRIQUE MENDEZ, JR., OF PUERTO RICO, TO BE AN ASSISTANT SECRETARY OF THE DEFENSE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT AS VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 154:

TO BE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

To be admiral

ADM. DAVID E. JEREMIAH, [redacted], U.S. NAVY.

EXTENSIONS OF REMARKS

THE COLLAPSE OF COMMUNISM

HON. ROBERT J. LAGOMARSINO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LAGOMARSINO. Mr. Speaker, I strongly recommend the following article written by Fred Barnes which recently appeared in the Reader's Digest. I believe that Mr. Barnes is on the mark when he details how the "determined defense" of the Reagan and Bush administrations share a large part of the credit for the incredible changes happening in Eastern Europe. Clearly, the Communist system has failed and I believe that this article helps illustrate some of the reasons why. I urge my colleagues to carefully review it. I am sure they will find it as interesting and insightful as I have.

COMMUNISM'S INCREDIBLE COLLAPSE: HOW IT HAPPENED

(By Fred Barnes)

How could the flame of freedom, dampened by so many years of Soviet tyranny, burn so suddenly and brightly in Eastern Europe?

A decade ago, Soviet power appeared to be gaining everywhere. The Soviets solidified their hold on Angola and Ethiopia, acquired new client states in Nicaragua and Cambodia and launched their invasion of Afghanistan. Massive demonstrations by communist-backed "peace" groups in Europe led President Jimmy Carter to drop plans for deploying the neutron bomb in West Germany. Government officials on both sides of the Iron Curtain believed that America was suffering a severe loss of will. Communism's advance seemed inexorable.

But by 1989, the Soviet troops had retreated from Afghanistan. In Poland, the independent trade union Solidarity—formed nine years earlier—toppled the communist regime. It took less than nine months for dissidents to bring the Hungarian government to its knees; nine weeks for East Germany; nine days for Czechoslovakia; five for Romania.

This heady rush of freedom across Eastern Europe is one of the most profound political and social changes in history. Here are the people, events and forces that turned the tide:

DETERMINED DEFENSE

When the Soviet army invaded Afghanistan, the U.S. Senate retaliated by refusing to ratify the SALT II treaty. Even worse, from the Soviet standpoint, the United States dramatically hiked military spending.

In 1981, the communist bloc got another shock. A new American President, Ronald Reagan, began fulfilling his promise to challenge the Soviets, not placate them. Over the next few years, he accelerated the military buildup and announced the Strategic Defense Initiative (SDI), a space-based system for protecting against missile attack. He backed anti-communist rebels in Nicaragua, Angola, Cambodia and Afghanistan. And with American troops, he liberated the island of Grenada from communist thugs.

The Soviets' confidence was shaken. Soon Soviet leader Leonid Brezhnev was admitting "foreign policy difficulties." Marshal N. V. Ogarkov, chief of the Soviet general staff, complained his forces were falling behind in military technology.

In 1985, when the new Soviet leader, Mikhail Gorbachev, met Ronald Reagan in Geneva, the thing that impressed him most was the American President's determination to build the missile defense system. "Gorbachev witnessed Reagan's deep belief that SDI would work," says Paul Nitze, former chief arms-control adviser at the State Department. "SDI really bothered Gorbachev. He made that clear in every meeting."

Gorbachev's military chiefs had warned that SDI involved technologies the Soviets couldn't match. SDI epitomized the scientific-technological-military revolution Ogarkov had foreseen. And the Reagan Administration, led by Assistant Defense Secretary Richard Perle, repeatedly blocked the Soviets from buying high technology from America and its allies.

The Western Europeans also pressured the Soviets. NATO forged ahead with military modernization. German voters spurned Soviet "peace overtures" and elected a government that voted to deploy new intermediate-range missiles.

In 1936, Gorbachev backpedaled and accepted a Reagan offer scorned for five years: the Soviets would eliminate all intermediate-range missiles in Europe, if the United States and its allies removed theirs. In 1988, with American-supplied "Stinger" missiles destroying Red Army helicopters in Afghanistan, Gorbachev ordered his troops withdrawn from the engagement he acknowledged as the Soviets' "bleeding wound."

Military pressure from America and its Western allies had caused the Soviets to flinch.

A SYSTEM THAT FAILED

In the 1980s, communist economies, always inefficient, went belly up. Before, they had lacked consumer and luxury goods. Now perennial shortages of staples worsened as well. When Soviet miners went on strike in 1989, their demands included soap, toilet paper, and sugar.

But what alarmed communist leaders most was the technological revolution sweeping the West. "Anything that springs from innovation does not flourish under a centrally controlled system," says Judy Shelton, author of *The Coming Soviet Crash.*

Without market prices, the system of production goes haywire. In Poland there was a toothpaste shortage because chalk (a key ingredient) was unavailable, even though Poland has ample chalk deposits. Jam couldn't be exported because factories lacked the paper to print labels. As much as 40 percent of coal production was used up in coal extraction.

Meanwhile, the myth of the vaunted Marxist health system was painfully exposed. In the U.S.S.R. "life expectancy was lower in the mid-1980s than it had been in the mid-1960s," says demographer Nick Eberstadt of Harvard. "According to the World Bank, there is not a single country today in Eastern Europe where life expectancy is as high as in Jamaica."

Without incentives to work, save and invest, the standard of living plummeted throughout the communist world. In Poland workers recited a couplet to Michael Kaufman of the New York *Times* that encapsulated the communist work ethic: "If you lie down, or you stand erect/A thousand zlotys you expect." The result was that no one really worked.

WAGE WAR WITH IDEAS

Before President Reagan's trip to Berlin in 1987, a White House speechwriter asked him what he most wanted to say there. "Tear down the wall," the President shot back. Some State Department and White House officials tried to expunge that cry from Reagan's text as too provocative. But the line remained. "Just because our relationship with the Soviet Union is improving doesn't mean we have to deny the truth," Reagan observed later. "That is what got us into such a weak position in the first place."

For decades, Presidents set the highest priority on getting along with the Soviets while maintaining a military balance. Waging a war of ideas was spurned. Not by the communists, however. To them ideology is more important than military strength. It gives them the justification for their actions.

Reagan and a few other democratic leaders, such as British Prime Minister Margaret Thatcher, realized this. They set out boldly to dispel the notion that democracies no longer believed in themselves. "We were always too worried we would offend the Soviets," says Reagan. "Well, so what?"

The President scotched diplomatic cant about "stability" and "global equilibrium." Says his speechwriter Anthony R. Dolan, "No one will mount the ramparts for global equilibrium. But moral force, summoned by words, has power. People react to it."

In a speech before the British Parliament in 1982, Reagan attacked communism as immoral and inefficient, and said it will wind up "on the ash heap of history." When the Soviets complained bitterly, Reagan knew he had hit home. In 1983, he called the Soviets an "evil empire." That, said Reagan, "woke up everybody."

SPIRITUAL FORCE

When Tadeusz Mazowiecki took over in August 1989 as Poland's first noncommunist prime minister in 45 years, he was asked if he was a socialist. "I am a Catholic," he answered tersely.

Without the spur of religious faith, anti-communist dissidents would never have succeeded. Lutherans in East Germany turned a government-sponsored anti-NATO "peace campaign" into a protest against tyranny. In Czechoslovakia, many leaders of Civic Forum, the organization that ousted the communist government, are deeply religious. In Russia, Jews put the world spotlight on religious persecution and other human-rights abuses.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

But the election of John Paul II, a Polish Pope, in 1978 was the signal event. When he visited Poland in 1978, six million of his countrymen, a sixth of the population, turned out to see him. He proclaimed Christianity and communism incompatible. The church became the center of political protest in Poland.

With the Pope's support, Solidarity was formed, and John Paul II sent word to Moscow that if Soviet forces crushed Solidarity, he would go to Poland and stand with his people. The Soviets were so alarmed they hatched a plot to kill him. In 1981 the Pope was shot by a professional killer in St. Peter's Square, but miraculously he survived.

The Pope cautioned Solidarity leaders, particularly his friend Lech Walesa, to proceed slowly. They did. In 1988 General Wojciech Jaruzelski, the Polish communist leader, went to them offering a deal. Solidarity insisted on an election, which it carried with some 80 percent of the vote. When the communist government fell, the impact on Eastern Europe was electrifying.

POWER OF WORDS

Jan Nowak, the head of Radio Free Europe (RFE) for 25 years, visited his native Poland in 1989, and he was hailed as a national hero. Asked if RFE had been important to democracy in Poland, Walesa replied: "Would there be earth without the sun?"

RFE, Radio Liberty and Voice of America, the three American-run radio networks, plus Britain's BBC, kept East Europeans from total isolation and immunized them against communist indoctrination. When Gdansk was blacked out in 1980 during a Solidarity strike, RFE aired articles from Western reporters back to the city, assuring strikers their story was getting out.

Radio wasn't the only medium that helped thwart communist repression. West German television is received by 90 percent of East Germans. In Poland a strongly anti-communist movie called *The Interrogation* was officially banned in 1984, but it was viewed by thousands on VCRs and was the most talked-about film of the year. In Hungary satellite dishes in many villages pick up Western TV. Copiers and fax machines proliferated in the Eastern bloc and became powerful weapons in the hands of dissidents.

DECISIVE LEADERSHIP

After Solidarity won all but one of the seats it was allowed to contest in the election last year, the communists still held power, relying on two splinter parties for their parliamentary majority. Against his advisers' unanimous counsel, Walesa made an extraordinary decision. He declared that Solidarity would try to form a government with the two parties.

The announcement electrified Poland. Within a few weeks, the communist government was ousted.

The shift from communism was not inevitable. It required individuals willing to take bold steps. Without Walesa, the former electrician whose resourcefulness as a politician was untapped until he assumed leadership, Solidarity might have died at birth. Without playright Vaclav Havel, jailed repeatedly in the 1980s, Czechoslovakia would have lacked a moral leader to spearhead its revolt. And without Ronald Reagan, an ardent anti-communist, America might have lacked a leader determined to reverse communist gains. Like ideas, individuals matter.

Mikhail Gorbachev's role is singular. Known early in life for his ideological zeal, Gorbachev proved to be extraordinarily flexible. Unlike other Soviet leaders, Gorbachev had seen free-market economies up close. In the late 1960s, he and his wife Raisa rented a car and spent weeks driving around France and Italy. He had to be astonished at the wealth he saw, especially in agricultural products. While his predecessors had stared at the decay of communism and stuck with the status quo, Gorbachev did not.

His motive—to keep the Communist Party in power—is conventional. But his methods are not. He sharply curtailed state terror, communism's traditional means of maintaining order, and allowed criticism (though sometimes not of himself) and elections. He sought to uproot the authority of party hacks. He informed communist leaders in Eastern Europe that they couldn't rely on the Soviet army to keep control. In similar circumstances, Khrushchev and Brezhnev had unleashed their troops.

Despite many eager declarations, the Cold War is not over. Communism is on the ropes, but with a zombie-like momentum it thrashes on.

There has been little evidence of any real contraction in Soviet military power. Soviet espionage is at a worldwide high. Soviet-made weapons continue to pour into Cuba and Nicaragua and find their way from there to El Salvador.

The goal now for America and its allies should be free economies and open elections in every communist nation. As one Romanian revolutionary put it: "You cannot have a free-market economy without a democracy, and you cannot have a democracy without a free-market economy."

When people who have experienced the catastrophic failures of the communist system—in economic and human terms—are all allowed to vote, communism will indeed be relegated to the ash heap of history.

TRIBUTE TO MAJ. GEN. JOHN WHELAN KIELY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to honor an outstanding member of my district who is retiring after 47 years of dedicated and loyal service to this Nation.

Maj. Gen. John Whelan Kiely began his career in 1943 by enlisting in the U.S. Army. Commissioned as a second lieutenant in 1944, General Kiely served until 1946 where he held the distinction of being the youngest officer in the 75th Division. His subsequent commands from 1952 to 1955 included company commander and battalion adjutant in the 351st Regiment, Trieste FTT and as adjutant for the 6th Regiment in Berlin. From 1957 to 1959, General Kiely served as commander for the 1st Ranger Battalion. He graduated from the Naval War College in Newport, RI, in 1960 and in 1963 he became chief of plans, office director of Army budget.

He graduated from the Army War College in 1968 and was assigned to the Military Assistance Command in Vietnam. Upon his return, General Kiely served in the office comptroller of the Army at many distinguished levels including assistant director of the Army budget. In 1977, the U.S. Senate confirmed him as brigadier general in the Army National Guard. In 1983, General Kiely was appointed the adjutant general of Rhode Island and commanding general of the Rhode Island National Guard and promoted to the grade of major general.

General Kiely has served his country both in times of war and peace, earning several decorations and medals. Among these are the Purple Heart Medal, a Bronze Star with Valor Device and Oak Leaf Cluster, the Legion of Merit Medal with two Oak Leaf Clusters, and the Rhode Island Star. General Kiely has truly earned the respect of his fellow officers through his outstanding and distinguished record.

General Kiely has also been active in his community outside of his career. He is a member of the Knights of Columbus, the Rhode Island Historical Society, and commissioner of the Narragansett Council for the Boy Scouts of America. He has shared his career with his wife Marilyn of 41 years and he has three children.

On this occasion of his retirement, I extend my congratulations to John and his family and wish them both continued success and best wishes for the future.

A TRIBUTE TO DESMOND BUTLER

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. SAXTON. Mr. Speaker, I rise today to pay tribute to a constituent whose efforts with today's youth have insured the continued understanding of the fundamental principles and values of our democratic institutions.

Desmond Butler, a teacher at Rancocas Valley Regional High School in Mount Holly, NJ, has demonstrated dedication to the improvement of the civic education of the State's youth. His coordination of the "We the People * * * Bicentennial Programs on the Constitution and Bill of Rights," including the National Bicentennial Competition, its non-competitive companion program, Congress and the Constitution, and the National Historical Pictorial Map Contest in the 13th Congressional District, are examples of his dedication.

Because he cares enough to volunteer, thousands of students of all ages have been afforded the opportunity to study the bicentennial program's curriculum, which introduces students to the philosophical ideas of our Founders, the historical background of the Philadelphia Convention, and the issues and debates that shaped the writing of our constitution. Students learn how our Government is organized and how it protects the rights and liberties of all citizens. Most important, they learn of the responsibilities which accompany the rights of citizenship in a democracy.

I call on my colleagues in the House to join with me, and the people of New Jersey's 13th District, in extending our gratitude and appreciation to Desmond Butler for his impressive contributions to the development of competent and responsible citizenship.

INTRODUCTION OF THE ZUNI CLAIMS SETTLEMENT ACT OF 1990

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. RICHARDSON. Mr. Speaker, I am very pleased to announce today the introduction of the Zuni Claims Settlement Act of 1990. This bill will settle out of court two lawsuits which the Zuni Tribe has filed against the United States for allegedly causing, through mismanagement, severe damage to the Zuni Indian Reservation in the State of New Mexico. The Zuni Tribe has agreed to compromise the lawsuits for the sum of $25 million which is approximately 50 cents on the dollar for claimed damages.

This settlement is unique in that it provides that the money received by the Zuni Tribe in the compromise of claims will be used for land conservation projects under the control and direction of the tribe. The bill provides for the money to be put into a trust fund. After the tribe's obligations are paid, only the interest on the fund can be spent pursuant to a Zuni Reservation restoration plan. This legislation establishes a mechanism which will assure these funds are expended in a calculated and effective manner which will directly benefit the tribe and its lands.

Instead of spending more valuable time and money trying to determine ultimate responsibility for the damages to the Zuni Reservation in the Court of Claims, the Zuni Tribe and the Department of Interior will work together to solve continuing erosion problems.

The Zuni people and the residents of the State of New Mexico will be the beneficiaries of the far-sighted settlement. I wish to personally congratulate and thank the Governor and Tribal Council of the Zuni Pueblo, the superintendent of the Zuni agency and the Albuquerque area director of the Bureau of Indian Affairs, for working out a compromise which will be of lasting value to this and future generations.

The Zuni people themselves will be the key to the future success of erosion control on the reservation. This bill will enable labor intensive projects of reseeding and reforestation of the watershed areas to be funded in perpetuity. The building of check dams and other erosion control measures will be closely monitored and supervised with technical expertise provided by the Zuni Tribe and the Bureau of Indian Affairs.

This is an important milestone in the history of the Zuni Reservation. I encourage my colleagues to support this measure and I look forward to working with all interested parties to assure the Zuni Claims Settlement Act of 1990 becomes a reality this year.

PROTECTING THE RIGHTS OF NONSMOKERS AND DEFENDING AGAINST NEW EFFORTS TO ENCOURAGE SMOKING

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LANTOS. Mr. Speaker, last Sunday—February 25, 1990—was the first day of an expanded ban on smoking on airlines. We've come a long way. In 1973, the Civil Aeronautics Board first issued regulations that all airlines provide separate seating for smokers and nonsmokers. Then, in 1988, Congress prohibited smoking on all domestic flights of less than 2 hours. The smoking ban now applies to all flights of up to 6 hours, which includes all but a few domestic flights to Alaska and Hawaii.

Since the Surgeon General first reported on the risks of lung cancer from smoking cigarettes in 1964, smoking has been shown to be a devastating addiction that increases the risk of cancer, heart attack, strokes and other diseases in smokers. We now know that smoking also increases health risks for nonsmokers. As many as 5,000 Americans die each year from inhaling second-hand cigarette smoke. One scientific study after another has confirmed that cigarette smoke endangers the health of those who happen to inhale it. The dangers of cigarette smoke are most acute for smokers and for nonsmokers who breathe the smoke of others in confined spaces. Most vulnerable, however, are the very young and the very old.

After sparing no expense in mounting their campaign against the airline smoking ban, tobacco companies are now mounting a new and more serious war. It is a war against another vulnerable group—our Nation's young people.

Mr. Speaker, the risk of smoking for both smokers and nonsmokers are issues of concern that cross political lines. Recently, two political commentators, George Will and Carl Rowan, agreed that targeted marketing by the tobacco companies is reprehensible. I urge my colleagues in the Congress to consider the thoughtful views of these two excellent commentators, and I ask that they be placed in the RECORD:

TOBACCO'S TARGETS

(By George F. Will)

While you read this column, three Americans will die of smoking-related illnesses. Not surprising, considering that in 1986 the surgeon general reported, among other horrific things, benzene concentrations in cigarettes up to 2,000 times greater than the amounts that caused Perrier water to be pulled from markets worldwide. What is surprising, and will flabbergast future generations, is that public policy is so flaccid regarding the nation's foremost cause of preventable death.

Policy may become more muscular in the aftermath of an anomalous controversy, one concerning a major corporation's attempts to market in a normal way a legal, indeed a subsidized, product. The product is addictive (80 percent of adults using it want to quit; two-thirds have tried and failed), sickening and often lethal when used as it is intended to be used.

Today's subject is cigarettes, and the task, not exactly chivalric, is one of protecting "virile females." These women have various attributes, but the one most lovely to R.J. Reynolds Tobacco Co. is that they are minimally educated.

According to a company marketing memo, virile females are 18 to 20, have no education beyond high school, work in entry-level service or factory jobs, wear jeans and knit tops, watch "Roseanne, enjoy such events as motorcycle races, tractor pulls and monster truck competitions. Virile females are the market segment targeted by the new brand "Dakota," which may be promoted by Dakota-sponsored "Nights of the Living Hunks" and male strip shows.

Reynolds recently retreated from a plan to test-market a brand, "Uptown," targeted at blacks in inner cities, a group that already smokes much more than whites. (Billboards—advertisements that cannot be turned off or otherwise avoided—hawking cigarettes are concentrated most heavily in inner cities.)

Tobaccco companies bring a chilly clarity to the task of coping with a shrinking market. They use sophisticated marketing like a sniper's rifle, drawing beads on the most vulnerable, manipulable Americans. The rate of smoking is two-and-a-half times as high among Americans who have not finished high school as among college graduates.

America pays $52 billion annually—$221 per American—in health care, insurance costs and lost productivity because of tobacco, which every year kills more Americans than World War II did. The toll from tobacco is far higher than from cocaine, crack and heroin combined. One thousand deaths a day, one every 90 seconds. If an industrial accident killed everyone in the Augusta, Ga., metropolitan area, the nation would be horrified. That is the scale of the annual tobacco disaster.

Last week, Sen. Edward Kennedy chaired a spirited hearing that considered, among other good ideas, Sen. Bill Bradley's proposal to deny tax deductions for tobacco advertising—$2.5 billion of it annually. The companies, spending $6.9 million a day on advertising and promotions, cheekily claim it is all aimed at winning market shares, and none of it is aimed at children.

But about half of all smokers start by the time they are 15; few start after 21. Only 10 percent of smokers switch brands in a year. Death and intelligence cost the cigarette companies 6,000 customers a day. That many new smokers must be found daily to keep the companies running in place.

Cigarette advertising plays upon teenagers' desire for autonomy and anxiety about social acceptance and sexual allure. If just 3 percent of cigarette sales are to underage children, that market segment spends $1 billion, giving the companies $150 million in profits.

New smokers are disproportionately women and minorities. Forty years ago, just 3 percent of women with cancer had lung cancer. Now 20 percent do.

You say cigarette advertising is off television? Look again. Cigarette signs are in most of the key television camera sight lines in sports arenas and stadiums. On NBC's 93-minute telecast of the 1989 Marlboro Grand Prix, there were 4,997 images of Marlboro signs, 519 of Marlboro billboards and 249 of the Marlboro car. The brand name was visi-

ble 46 of the 93 minutes—49 percent of the telecast.

Targeted marketing, a common tactic, is now considered disgusting when the targeted group is picked because it is badly educated and informed, and hence manipulable, and the product being marketed is injurious. But senior executives who set the tobacco companies' marketing strategies do not have daughters who fit the "virile female" profile.

One wonders: Do the executives' daughters smoke? If so, are the executives pleased? If so, are they not strange parents?

SULLIVAN'S CRUSADE

(By Carl T. Rowan)

Hallelujah! You and I can fly from one end of America to the other today without having to breathe any of that "Uptown" cigarette smoke targeted at blacks, or that "Dakota" smoke that the R. J. Reynolds Tobacco Co. planned to market among "virile white women." Fact is, you won't have your sinuses and lungs befouled by anyone else's smoke of any kind, because this is the day when the "no smoking" light stays on permanently during some 18,000 flights within the 48 contiguous states.

But that is not the important tobacco story of this time. The news is that Secretary of Health and Human Services Louis W. Sullivan has gone on an anti-tobacco crusade, bringing the Bush administration closer to a posture of honesty in its war on plants that kill people.

For years the United States has had the audacity to tell farmers in other countries they couldn't grow poppies or coca plants because someone would turn those crops into heroin and cocaine and make it possible for millions of Americans to destroy themselves. At the same time, the U.S. government was knuckling under to farmers in the U.S. tobacco states and to the tobacco lobby, even to the point of subsidizing tobacco crops that would produce emphysema, lung cancer and other life-shortening diseases for millions of Americans.

The United States has provoked snickers and outrage in recent days because of the revelation of a scheme to unleash the "drug bug"—the voracious malumbia caterpillar—on the coca crops of Peru, Bolivia, Colombia or any other neighboring countries.

The caterpillar caper would have looked even more outrageous than it does if Sullivan had not been on Capitol Hill saying that he was "troubled, outraged" that the tobacco industry is targeting ads at "women, minorities and young people." Sullivan spoke in the context of a campaign launched by Sen. Edward Kennedy to create a federal agency that would regulate tobacco products the way the Food and Drug Administration regulates medicines and certain food products.

While Sullivan did not endorse the Kennedy proposal, he gave it a push by releasing a report showing that smoking costs the nation $52 billion in health-care costs and lost productivity every year. Sullivan said tobacco products cause more than 15 percent of all deaths in this country, with some 390,000 Americans dying of smoke-related illnesses last year.

Sullivan should be commended for adding nicotine to the list of the "dopes" that American are trying to banish.

There are, of course, millions of people in the tobacco industry who are screaming that "the government is trying to take away my source of livelihood."

That is, verbatim, what the impoverished coca-growing farmers of the Andean nations are saying.

CONGRESSIONAL TRIBUTE TO KENNETH AND MEREDITH RODMAN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. GALLEGLY. Mr. Speaker, I rise today to pay tribute to two of the most committed and tireless volunteers I know, Ken and Meredith Rodman of Westlake Village, CA. For the past 13 years, Ken and Meredith have volunteered their time and talents for countless clubs and organizations in the Conejo Valley, but have been especially important to the success of projects for the Jewish community.

Among their many activities, they have together chaired the Conejo Valley division of the United Jewish Fund for the past 5 years, represented the Conejo Valley on the San Fernando Valley Region Jewish Federation Council board and executive committee, and planned and implemented the 1989 Conejo Valley Jewish community survey.

Individually, they have served the Jewish Federation and Temple Etz Chaim in many other capacities, and have served in volunteer capacities in civic and school organizations. To honor their achievements and dedication, Ken and Meredith were presented with the inaugural Jewish Community Service Award on Sunday. It was richly deserved.

Mr. Speaker, President Bush referred to Americans serving their communities as a thousand points of light. By any reckoning, Ken and Meredith Rodman are two of the brightest stars in that firmament. I am sure my colleagues join me today in honoring their many contributions to their community, and to the spirit of voluntarism that helped make this country great.

WILLIAM E. TOLMAN HIGH SCHOOL CELEBRATING ITS 135TH ANNIVERSARY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. MACHTLEY. Mr. Speaker, today it is my distinct pleasure to honor the students, alumni, teachers, and administrators of William E. Tolman High School which is celebrating its 135th anniversary this year.

Since 1855, Tolman High has been proudly serving the city of Pawtucket, RI. Tolman High has produced many great men and women for that community and for our Nation. Tolman High is known in the community as an exemplary school for preparing young men and women for the future. Tolman High sets high standards of excellence for all its members both inside and outside of the classroom. Tolman High also seeks to instill its students with the qualities needed to become productive citizens.

I am especially proud to recognize the school for its long tradition as an educational institution at a time when quality education is the primary need of our Nation. Tolman High has provided a guarantee for the future of our Nation for 135 years. I wish the school and its community continued success in the years to come.

A SALUTE TO UNITY DAY

HON. H. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. SAXTON. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to an organization dedicated to laying the foundation for true cultural understanding.

The Strength to Love Outreach Ministry of Mount Holly, NJ has created a program which will help us all to meet the social and racial challenges before us and lead us into the 21st century. The diversity of cultures being encountered by all citizens of this great American melting pot presents the opportunity for greater cultural awareness for all.

Many Burlington County residents will benefit from the presentation of Unity Day, being held at the Holbein School Wednesday, February 28. The program includes speeches, poetry readings and musical presentations designed for the cultural enrichment of the whole community.

The Rev. Eric Johnson, pastor of the Strength to Love Church of Mount Holly, believes the key to eradicating racism and promoting tolerance and understanding among all people lies in the hands of youth. The Strength to Love Outreach Ministry plans to make the concepts presented at Unity Day part of a national thrust toward education through the creation of academic learning centers at which members of many cultural backgrounds will have the opportunity to interact and share life experiences.

I applaud the concept of Unity Day and the work of the Strength to Love Outreach Ministry as means to convey interracial and cultural understanding to those who can make a difference.

TAMMY TUCKER: PALM BEACH COUNTY'S BRIGHT AND SHINING STAR

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LEWIS of Florida. Mr. Speaker, each and every day we are exposed to an aspect to the drug war. Some days give us hope while other days bring us despair. It is hope that we hold on to as we work to bring our Nation together as we fight this war.

Today, I would like to share with you a part of the hope we cling to in Palm Beach County. That hope was found in the life of Tammy Tucker. He has since passed on but left a

bright and shining path for our children to follow.

Tammy's work was consuming and the impact enormous. He established "No Dope" days and a "Rap-a-thon" in an attempt to keep our kids off drugs. His efforts in Palm Beach County were outstanding. More importantly, we can count on Tammy Tucker's work to provide a clear direction for our youth.

I hope you will join with me in saluting this bright and shining star of Palm Beach County.

FIGHTING THE SCOURGE OF ANTI-SEMITISM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LANTOS. Mr. Speaker, as many of my colleagues and I have noted in the Congress, the dramatic and welcome changes in the Soviet Union and Eastern Europe have brought with them some unwelcome changes as well. The most disturbing is the rise of anti-Semitism, particularly in the Soviet Union, but in many cases in some of the countries of Eastern Europe as well.

It is important, Mr. Speaker, that we in the Congress express our unequivocal opposition to these renewed and very disturbing manifestations of racism in the Soviet Union. Earlier this week, there were press reports that Soviet prosecutors were beginning to take action against the most unsavory of these manifestations. While we welcome and applaud these official Soviet actions, it is important for us here in the Congress to make known our strong opposition to anti-Semitism. I have introduced House Concurrent Resolution 264 condemning anti-Semitism in the Soviet Union. I urge my colleagues to join in cosponsoring this legislation.

The New York Times recently published an excellent column by Flora Lewis, "The Old Russian Scourge," which discusses the rise of anti-Semitism and which is a particularly useful summary of the rise of this ugly phenomenon. Mr. Speaker, I ask that Ms. Lewis' fine column be placed in the RECORD, and I urge my colleagues to give it thoughtful attention.

THE OLD RUSSIAN SCOURGE

PARIS.—Among the ugly costs of Communist rule was the failure to keep pace with revulsion at the ancient disease of anti-Semitism, let alone create a new mentality, as boasted. So a side effect of advancing release from repression in the East is revival of slogans of hate.

They have appeared openly in parts of Eastern Europe in this year of budding democracy. But the most ominous have come in the Russian heartland, where a combination of deliberate attempts to stir provocative disorder and atavistic prejudice are bringing old demons to the surface.

It was not unforeseen. As much as three years ago, Jews in Moscow told me of signs of renewed persecutions. Gorbachev reformers warned of a coalition of Communist hard-liners clinging to their privilege and anti-Communist nationalists exalting the mystical "purity" of Mother Russia.

Last weekend the Leningrad schoolteacher Nina Andreyeva, dubbed the "Pasionaria of the conservatives," earned rousing applause at a Moscow rally denouncing Mikhail Gorbachev and company, crying, "Long live the unity of patriotic and socialist forces." Le Monde's correspondent Bernard Guetta translated it accurately to mean "Long live national-Communism," a reminder of an aggressive German movement called National Socialism.

The anguish expressed at the prospect of a unified German state comes in part from neighbors' concern at a new dimension of economic and political power in the center of Europe. But more, it stems from the livid memory of the Nazis and their calculated inhumanity. At this point in history, there is more reason to worry about the infection of anti-Semitism farther East. It remains endemic.

For the first time, the Gorbachev regime has opened a criminal investigation of the organization Pamyat, which means memory, for violation of the law against "incitement to hatred and to national and racial conflict." It clearly represents a decision that more would be lost by ignoring Pamyat's anti-Semitic campaign than by a publicized prosecution.

The challenge was flagrant. There were not only speakers at Ms. Andreyeva's rally listing Jewish names as the source of Soviet ills. There was not only the incursion of Pamyat members at a Moscow meeting of liberal writers last month, shouting "Jews, Freemasons out—next time we'll come with machine guns."

There was an underground pamphlet, finally published by Moscow's Institute of Energy to show how bad things were, demanding that "Jews and their relations be forbidden to submit theses, to acquire academic degrees and knowledge, to join the Soviet Communist Party, to be elected to the Soviets, and to be named to leading positions in the party, the state elsewhere." It still took urgent insistence by reformist newspapers such as Literaturnaya Gazeta and Moscow News to move the prosecutor's office to act.

In Romania, vandals attacked a synagogue in the town of Oradea last week. In Hungary, an undercurrent of anti-Semitism is being exploited by nationalists in the campaign for free elections in March. A noted Western economist was told she couldn't join the board of a new Budapest joint venture because she was Jewish.

The Catholic Primate of Poland last year spoke abusively of Jews during the dispute about the convent at Auschwitz. Now, at last, work has evidently started on a new building site, and the Solidarity-led Polish Government has "deplored" the officially inspired anti-Semitic campaign that forced thousands of Jews to emigrate in 1968, offering return of citizenship to all. Diplomatic relations are being restored with Israel.

There are only a few thousand Jews left in Poland. But the point is that it takes deliberate will and effort to expunge a mental scourge, as it does to establish democracy. In Spain, the Government has signed an agreement giving Jewish and Protestant religions equal status with Catholics for the first time since the expulsion of Jews in 1492, and it is prepared for a similar accord with Moslems. Spain has been an inspiring example for the East in showing it is possible to move from dictatorship to democracy.

Mr. Gorbachev has opened the way for mass emigration of Jews. But it is no gain for the creation of a civil society in his country for them to be driven out. Overcoming anti-Semitism is another test of his "new thinking" and his system's capacity for reform. It's another way in which Communism fell behind, and another reason to urge him to get on with democracy and guaranteed human rights.

TRIBUTE TO EAGLE SCOUT BRIAN PARKER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to pay tribute to Eagle Scout Brian Parker. Brian earned the rank of Eagle Scout while he was a member of Troop 10 in Lincoln, RI.

The process of becoming an Eagle Scout is a hardship which tests the fiber of the young men who take the challenge. Brian's perseverance and accomplishment lift him above the ordinary. Brian has displayed the courage, discipline, and leadership which forms the backbone of our Nation.

I wish to offer my congratulations to Brian and hope that he will continue to strive toward the goals he has established as a Boy Scout.

RECIPROCITY IN INTERNATIONAL GOVERNMENT PROCUREMENT ACT OF 1990

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. CONYERS. Mr. Speaker, on behalf of myself and our distinguished ranking minority member, Mr. HORTON, as well as Mr. BUSTAMANTE, I am, today, introducing legislation which will amend the Buy American Act of 1933 by requiring that any public interest waiver of that act meet with the approval of the U.S. Trade Representative.

I believe that this legislation is necessary to strengthen our negotiating position in the current renegotiation of the International Government Procurement Code. This legislative approach is the result of concerns raised at a hearing of the Legislation and National Security Subcommittee which was held on September 24, 1989. At that time, the subcommittee reviewed the implementation of the Buy American Act of 1989 and the operation of international procurement agreements.

As my colleagues know, the International Government Procurement Code is designed to eliminate procurement barriers to market access by extending equal treatment to foreign and domestic suppliers for Government purchases under the Code. Twenty countries, including the United States, are Code signatories. However, the provisions of the Code do not apply to procurement indispensable for national security or for national defense purposes. In addition, telecommunications, heavy electrical and transportation procurement are excluded.

It is estimated that only 10 to 20 percent of all Government procurement is covered by the Code and the vast majority of contracts and

dollar value—about 80 percent—are opportunities provided by U.S. Government procurement. However, at our September hearing the General Accounting Office reported that little progress had been made in expanding covered procurements and the United States was at a 4-to-1 disadvantage in sales opportunities under the Code.

As we have attempted to expand Code coverage in other areas where billions of potential sales opportunities with foreign governments for U.S. firms exist, it appears that defense trade agreements which have been negotiated outside of the Code may be complicating our ability to make progress in nondefense sectors. Under the so-called Reciprocal Memorandums of Understanding [MOU's], the Department of Defense has waived the Buy American Act. The practical effect of this has been to open up between 50 percent and 80 percent of U.S. Government procurement to those nations with whom we maintain bilateral MOU's. Unlike the Procurement Code, the MOU's provide for no specified procedures whereby U.S. contractors are assured information about prospective procurements. Thus, in exchange for access to a substantial share of our procurement market, we receive only a pledge of reciprocal access. This situation must change.

The problems such arrangements may cause to our larger trade goals was indicated at our hearing when the GAO in testimony on its review of international procurement issues for the subcommittee pointed out the following:

"* * * when you take into account the fact that roughly 80 percent of our procurement is defense procurement, when you take into account the fact that maybe as much as 80 percent of covered procurements under the Government Procurement Code are also covered under the reciprocal MOUs, I would say failure to link the defense reciprocal MOUs with what we are trying to achieve under the Government Procurement Code would probably weaken our hand.

"We are basically giving a lot of benefits under the reciprocal MOUs. However, we want things from foreign governments that don't fall under the MOUs. * * * so I think from a policy perspective * * * it seems to make better sense to try to link the two if we are going to have a better shot at achieving our trade policy objectives with respect to government procurement."

Mr. Speaker, the bill we are introducing today will do that. The Congress has attempted several times in the past to persuade, cajole, and otherwise nag the Department of Defense into looking at the broader trade and competitiveness implications in its defense trade agreements without much success. The world is changing too rapidly to disregard the fundamental fact that national security can no longer be defined purely in military terms. We must give our Government the tools to assert our international economic interest and end a situation where the trade policy of the United States has many conflicting voices within the executive branch. Such coordination can also assist in recognizing the rise of Government procurement opportunities in Eastern Europe which has recently shed the ideological straitjacket of communism. And it will certainly put us in a better position to deal with the economic challenges as well as exploit the opportunities presented by economic integration of the European Community in 1992.

I also wish to inform my colleagues that the Government Operations Committee intends to continue to perform intense oversight over the implementation of the Buy American Act of 1988, a very significant part of the 1988 Omnibus Trade and Competitiveness Act. On April 30, 1990, the U.S. Trade Representative will be reporting to the Congress on foreign government procurement discrimination. I am today announcing that hearings will be held on that report by the Legislation and National Security Subcommittee. The legislation which we have introduced today will, I hope, play an important role in the consideration of this important report to Congress.

Finally, I want to encourage my colleagues to cosponsor this legislation and look forward to early hearings by our subcommittee.

CONGRESSIONAL TRIBUTE TO DR. GEORGE RATHMANN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. GALLEGLY. Mr. Speaker, I rise today to honor Dr. George Rathmann, the chairman of AMGEN Inc., and a strong supporter of research into kidney disease. As my colleagues may know, AMGEN, headquartered in Thousand Oaks, CA, is a pioneer in the exciting new field of biotechnology, a field that promises to revolutionize medicine. Indeed, biotechnology is doing so already.

But in addition to his challenging work with AMGEN, George is a strong supporter of research into the treatment of anemia associated with chronic kidney disease. For those efforts, the National Kidney Foundation of southern California is honoring him with a testimonial dinner on March 11.

Thanks to people like George Rathmann, the Kidney Foundation is able to continue its research to find the cause and cure of kidney and urological diseases and to attempt to enrich the quality of life for millions of Americans who suffer from renal failure—850,000 in southern California alone.

Mr. Speaker, I'm sure my colleagues join me in paying tribute to Dr. George Rathmann, and acknowledging his contributions to medicine.

THE 10TH ANNIVERSARY OF CHANNEL ISLANDS NATIONAL PARK

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LAGOMARSINO. Mr. Speaker, March 5, 1990, marks the 10th anniversary of the Channel Islands National Park. It was on this date in 1980 that President Carter signed Public Law 96-199, establishing the Nation's 40th national park on the islands of Santa Cruz, Santa Rosa, Santa Barbara, San Miguel, and Anacapa off the coast of Ventura and Santa Barbara Counties in California.

These islands, which are the seaward extension of the Santa Monica Mountains, encapsule a unique marine and coastal environment. Because of their isolation from the mainland, they have remained relatively untouched, to the point where they have evolved several unique species and subspecies of plants and animals. They provide a refuge for many endangered marine mammals and birds, including sea elephants, sea lions, and seals, and their waters provide part of the annual migration route of the California Gray Whale.

Before the arrival of European explorers, the islands were used by the Chumash Indians, and artifacts may still be found there. "Discovered" by Portuguese explorer Juan Rodriguez Cabrillo on his voyage of discovery under the Spanish flag in 1542, the islands have remained in a relatively undeveloped state. Cabrillo himself has been reported to have been buried there. Today they remain as islands in time, representing what the southern California coastline was like in centuries past.

Mr. Speaker, there are many people involved in any undertaking as involved as creating a national park, and I will name only a few today. Recent owners of the islands, including the last Dr. Carey Stanton, the Gherini family, the Vail family, the Nature Conservancy, and the U.S. Navy, all played a role in preserving this unique resource.

My own interest and concern for the islands was sparked—like many others I know—by Dr. Stanton's gracious hospitality over the years at his home on Santa Cruz Island. His love for the islands, and his determination to preserve them for future generations, was a key factor in the creation of the park. It was with his encouragement that, following the disastrous oil well blowout in the channel in 1969, I introduced legislation creating an oil-free sanctuary on the State tidelands surrounding the islands. Then-Gov. Ronald Reagan signed the bill into law, providing a key element of protection to the islands. At the same time, my colleague, the late Congressman Charles Teague, successfully lobbied for the creation of a Federal ecological preserve and buffer zone off the Santa Barbara coast.

In 1979, following my own election to Congress, I introduced legislation in the House of Representatives, H.R. 2975, establishing the Channel Islands National Park. A key element in the progress of the legislation was Dr. Stanton's agreement to deed the major portion of Santa Cruz Island to the Nature Conservancy under very generous terms, an agreement facilitated by a timely grant of funds from ARCO.

Another key element was the enduring work and testimony of Bill Ehorn—superintendent of the Channel Islands National Monument and superintendent of the park itself until last year—who provided much of the motive power toward passage. The U.S. Navy contributed by its position on the legislation, a very generous decision on its part; the Navy continues to be helpful. And the many local residents who supported creation of the park—the people of Ventura and Santa Bar-

bara Counties—all share in the credit for its passage.

Finally, I cannot end this tale without reporting the contribution of the late Representative Phil Burton, then-chairman of the House Subcommittee on National Parks and Insular Affairs, on which I served then as now. Phil, whose persuasive powers are legend in this House, agreed to roll my bill into an omnibus parks bill he was pushing. The juggernaut swept through the House on the suspension calendar, passed the Senate by a vote of 67 to 6, and on George Washington's Birthday was sent to the President, who signed the bill on March 5, 1980.

And so it was that the home of Santa Cruz Island fox, the giant coreopsis, the brown pelican, the sea elephants, and the gray whale—"discovered" over time by the Chumash, by Cabrillo, by the Spanish Rancheros, and then the Americans—today lies off our coast as a permanent legacy to our own and future generations, a lasting preserve for the grandeur and glory of nature at its finest: the Channel Islands National Park.

Mr. Speaker, it is with a grateful mixture of both humility and pride that I extend to the citizens of Ventura and Santa Barbara Counties, to the National Park Service, to Mack Shaver, the current superintendent and his dedicated staff, to Fran Carter and the Friends of the Channel Islands National Park, and to all those individuals—named and unnamed, including my staff—who played a part in making this park a reality, the very best wishes and congratulations of the U.S. House of Representatives on the occasion of the 10th anniversary of the Channel Islands National Park.

May there be many more.

A TRIBUTE TO TWO NEW MEXICO FIRMS FOR SBA REGION AWARDS

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. RICHARDSON. Mr. Speaker, I rise today to recognize two firms in New Mexico who were recently awarded the Small Business Administration Region Awards.

MicroSage, which is based in Los Alamos and owned by Mitchell Chi and Vincent Nicolosi, has been named the Small Business Subcontractor of the Year in a 5-State region including New Mexico, Oklahoma, Texas, Louisiana, and Arkansas. MicroSage trains individuals to use computer software at Los Alamos National Laboratory. It also does consulting work and within the last 2 years, has opened a retail computer store in Los Alamos.

MicroSage was awarded a contract with Los Alamos laboratories last fall to supply harddisk drives and storage systems for computers in addition to their training more than 3,000 laboratory employees, from scientists to secretaries. Their success comes from going above and beyond contract requirements by spending the extra time needed so that each student completely understands the training.

S. Systems Corp. of Albuquerque has been named the 1990 Small Business Prime Contractor of the Year for the same region S. Systems is a Los Angeles-based firm owned by Troy Davis.

S. Systems provides engineering and technical services at the developmental Optics facility at the Air Force Weapons Laboratory at Kirtland Air Force Base. Working in support of the Lab's advanced radiation directorate laser program, S. Systems designs, fabricates and coats optics—lenses, mirrors and windows—primarily for two large research lasers at Kirtland.

Although S. Systems is a Los Angeles based firm its Albuquerque division received the SBA award. The Albuquerque division started in 1986 with a staff of four. Due to their superlative work and increase in business, they currently employ 24. S. Systems gets virtually all its business from the Air Force and the National Aeronautics and Space Administration and about 25 percent of the company's work here is related to the Strategic Defense Initiative, or star wars program.

I am pleased to commend MicroSage and S. Systems for their outstanding work in the computer and optics field, respectively, and as recipients of the 1990 Small Business Administration Region Awards.

TRIBUTE TO KEVIN PARKER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. MACHTLEY. Mr. Speaker, I rise today to pay tribute to an outstanding young man who has continued to excel at the highest level.

Kevin Parker, who already earned the rank of Eagle Scout while a member of Troop 10 in Lincoln, RI, has continued his mission as a Boy Scout. Kevin has earned the Silver Palm, an achievement which is among the highest that Boy Scouts can accomplish. Kevin has gone above and beyond the ordinary in his efforts and has displayed the qualities of courage and leadership for which our Nation stands.

I extend my congratulations to Kevin and I hope that he will continue to strive for excellence. His uncommon effort and achievement set outstanding examples that I hope others will follow.

REPAIRING EDUCATION

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. PORTER. Mr. Speaker, on February 8, 1990, the Allstate Insurance Company convened its third forum entitled "Labor Force 2000." Allstate brought together corporate and education leaders, government officials, and politicians from across the country to forge community-wide support networks for education.

The Allstate approach is based on two simple ideas. First, education is the most crucial element in America's economic strength. Second, our education systems can succeed only when business, schools, government, and the community work cooperatively to solve the real problems confronting education.

Mr. Speaker, Allstate is putting these ideas into practice. Through Labor Force 2000, businesses and educators are forming links that, I hope, will transcend their differences on education, and result in productive working relationships.

These forums are a first step toward repairing our Nation's educational achievement. Allstate is clearly making a difference.

Mr. Speaker, I would like to insert in the RECORD at this point remarks given by Wayne Hedien, chairman and CEO of Allstate, at the the Labor Force 2000 Forum. I commend this speech to anyone concerned about education in this country.

REMARKS BY WAYNE E. HEDIEN, CHAIRMAN AND CHIEF EXECUTIVE OFFICER, ALLSTATE INSURANCE CO.

Thank you.

There is a tradition of community involvement at Allstate.

It probably goes all the way back to our parent company, Sears Roebuck. A long time ago, Sears' legendary chairman Gen. Robert Wood said, "business must account for its stewardship, not only on the balance sheet, but also in matters of social responsibility."

We've tried to put that principle into practice in a number of ways.

Since 1951, for instance, the Allstate Foundation has been making significant contributions to worthwhile causes across the country.

As a corporation, we've also crusaded for safety on the highways, and in the home.

We've worked to increase the availability of affordable housing in urban neighborhoods.

We've helped promote health and fitness for all age groups in our society.

And above all, we've tried to lend a hand to our neighbors—whenever and however we can.

We even have an organization in Allstate called "Helping Hands," that supports the involvement of Allstate people in a wide variety of charitable projects.

I'm proud to say that three out of every four Allstate employees are active in these volunteer programs across the country—from community gardens . . . to special olympics . . . to seniors day celebrations.

So the idea of sharing our talents and resources with others is pretty well ingrained at Allstate. In fact, the commitment to society and community has been formally identified as one of four basic principles that guide the decision-making process in our company.

It's a priority right up there with our commitment to customers . . . to employees . . . and to quality in everything we do.

It's a commitment I personally support as Allstate's CEO.

But I don't think that makes me or my company unique.

For most leading corporations today, business as usual includes a dedication to corporate citizenship of the highest order.

In some ways, that represents a change from the prevailing attitudes of a century . . . or even a generation . . . ago.

But it's definitely a change for the better. And it's based on some very sound reasons.

In the first place, community involvement makes good business sense. Better fed, better housed, better educated employees make better workers.

And better communities make it easier to hire and retain them.

We've also learned that corporate social responsibility is good for our image. And a good image is absolutely essential in today's media-conscious environment.

But beyond these sometimes self-serving reasons, business gets involved in the community because this is America.

In Europe, for instance, companies traditionally aren't as active in civic and philanthropic affairs.

But in our pluralist and populist tradition, we believe that the ultimate aim of every institution must include serving the public interest.

That's true for government. It's true for nonprofit groups and community organizations. And it's true for business, too.

We have to pay our democratic dues just like everyone else.

But all that just helps explain why companies are involved with society in general.

What about the issue we are addressing today?

Why are corporations especially concerned with the future of America's schools?

And what can we do to help ensure the success of our joint efforts?

Let me briefly take a crack at answering those two questions.

First, why has business made the issue of education such a priority on its social agenda?

I think there are two reasons.

The first is simple self-preservation.

As we begin the '90s, businesspeople find themselves staring at double-barreled dilemma.

On the one hand, we're facing a severe labor shortage by the end of the decade.

Our population is increasing at a rate slower than in any era since the great depression. It's also getting older.

As a result, by the year 2000, the workforce will be growing at less than 1 per cent per year . . . while economists expect the GNP to be growing at something like 3 per cent annually.

But that's only part of the problem, because while we will have fewer workers to draw on . . . we will also be making more demands on them.

We may think that computers and cable TV already bombard us with too many facts. But as the information age unfolds, tomorrow's workers will have to know more than ever—about all kinds of things.

And it's not just raw knowledge they'll need. After all, microchips can shrink centuries of learning down into circuits smaller than your thumbnail.

But in a world where change is the rule, rather than the exception, what we really need are people who know how to use the information at their fingertips.

That means we need people who can make connections . . . explore options. We need innovation and entrepreneurship.

So when business looks at the year 2000, we see a world where fewer workers . . . will have to exercise more creativity and initiative than ever before.

Employees and corporations will have to learn how to work harder and, above all, smarter!

Obviously, such a scenario suggests that CEOs and school superintendents alike should re-think the way we prepare ourselves and our people for the future.

Which brings me to my second reason why business has become so involved with education—because corporations and the schools face many of the same issues . . . and have many of the same goals.

Take the labor shortage I mentioned. The same demographic facts of life will also produce a student shortage.

Or take another issue—the increasing ethnic diversity of our student and employee population.

By the year 2000, more than 85 percent of all new employees entering the workforce will be minorities and women . . . while one out of every three American students will be members of minority groups.

For both our institutions, the real challenge will be to create environments that are truly "heterogeneous"—where people are neither advantaged nor disadvantaged because of their background . . . and where different people are encouraged to make the best possible use of their different talents.

One more common issue facing business and education is the globalization of industry and ideas.

We're moving closer and closer to a world marketplace. Europe 1992 . . . the emerging economies of the Eastern bloc and Pacific rim—all the signs point to greater economic interdependence in the future.

Meanwhile, we're also moving closer to a world culture. Fashions . . . music . . . the media—they look and sound familiar, whether you're in Tokyo . . . Turin . . . or Toledo.

Now, globalization creates opportunities as well as challenges.

But when more than half of all adult Americans can't find England or France on a map . . . and when the average American business school graduate knows about as much math as the average eighth grader in Japan . . . we're clearly not ready to become full-fledged citizens of the world.

So as executives and educators, we face many of the same issues. There are many ways we can learn from . . . and help . . . each other.

Which brings me to my second topic.

What can we do to ensure the success of our emerging business/education partnerships?

Well, at meetings like this, we usually focus on the external obstacles we face. Funding, logistics, bureaucracy.

But to paraphrase "Pogo" . . . when it comes to joint efforts by executives and educators . . . maybe the real enemy is us.

Because even though we both have an enormous stake in the success of our schools, we still approach education reform from different directions . . . and envision solutions largely from our own perspective.

That's something we don't often say out loud. But it's an observation that's reinforced by the results of surveys done over the past year in conjunction with this forum.

The first, you may remember, was conducted last year by Allstate and Fortune magazine. It questioned business leaders around the country—people like me, and my colleagues.

The second survey was conducted this year by our Allstate research center. It was co-sponsored by the American Association of School Administrators.

We asked many of the same questions as in the Fortune study. This time, though, we surveyed members of the education establishment—people like Dean Speicher and his colleagues.

Comparing responses to the two surveys revealed some interesting differences of opinion and perspective.

For instance, asked to grade the performance of American public education, Dr. Speicher's colleagues said the system was doing a pretty good job. They gave it a B−.

My colleagues said the performance was only fair, and gave it a C−.

Here is maybe an even more revealing result. More than half of the educators said America's school system is as good or better than Japan's.

More than nine out of ten executives thought ours is clearly worse.

But what about trends—where we've been, and where we're going?

Well, about three-fourths of the educators said they believe our public schools are better in 1990 than they were ten years ago.

About the same percentage expects them to improve during the coming decade, too.

Almost two out of three executives, on the other hand, said public education got worse—not better—during the '80s.

And less than half predicted any real improvement in the next ten years.

All right then, we asked, why are our schools having problems?

Here, Dr. Speicher's colleagues and business people did agree on several important factors—including lack of parental involvement . . . and poorly motivated students.

But there were significant differences, too. Educators, for instance, were more than twice as likely to place part of the blame on budget cuts . . .

While executives cited inadequately trained . . . low academic standards . . . and lack of emphasis on basic skills—again, twice as often as educators.

When asked what it would take to turn our schools around, we did get agreement on several key points.

Both educators and executives believe getting parents more involved . . . making teachers more accountable . . . and doing a better job of motivating students were key objectives.

Again, though, there were differences. Some you might not expect—for instance, executives were more likely than educators to propose bigger salaries and smaller classes for teachers.

But executives were also twice as likely to favor a greater emphasis on basic skills . . . and three times more supportive of parents' right to choose whatever schools seem best for their children.

Finally, when we asked what companies should do to help the schools, educators were inclined to suggest supporting tax increases . . . and contributing materials and equipment.

Executives favored contributing materials, too. But they were also more likely to mention donating money . . . manpower, in the form of employee lecturers and tutors . . . and giving part time jobs to students.

Now, based on these differing responses, I'm not saying who's right . . . or whose perspective makes more sense. In most cases, the answer probably lies somehwere in the middle.

But one thing is clear. What we have here is a real failure to communicate.

And it's costing us.

Look, for example, at the survey's final question. We asked, "overall, considering what you know about current involvement, how much difference do you think U.S. companies' efforts have made in the quality of the education provided by your area's public education system?"

Only about a fourth of the executives and educators said companies were having a real impact on the schools in their area.

More than half said they hadn't made a difference at all.

If that's true, it probably reflects the fact that business and education have been focusing on joint efforts for a relatively short time.

Our first forum, for instance, was only held a year ago. And we all know it can take large organizations a while to translate ideas into action.

But, if business isn't having a major impact on education, it also reflects the fact that . . . executives and educators still often see the world in different ways.

And it's hampering our efforts to get America's learning curve pointed in the right direction once again.

So what can we do about it?

It seems to me we have two choices.

We can draw a line in the dirt and say, "you stay on your side, and we'll stay on ours."

That's been our traditional approach. Oh, we've crossed over from time to time with programs like adopt-a-school. But basically, we've kept our distance.

That plan, however, hasn't really resolved some of the fundamental problems confronting American education.

Which is why we created this forum in the first place. We believed that if executives and educators want to be truly effective advocates for reform, we have to get past our preconceptions . . . and focus on the problems instead.

And we have to include others in the effort.

In other words, we need to rub out the line between us . . . draw a big circle instead . . . and invite everyone in.

As our first forum report makes clear, the best way to do all that is to tackle the issue where it matters most . . . and where we can do the most good—at the local level.

In just a few minutes, we'll hear examples of that principle in action.

The projects highlighted on this afternoon's program . . . and in the supplemental forum report you'll be receiving today . . . were based on a consensus that came from within the community—not just business or education . . . but all the constituencies concerned about our schools.

Their experience shows that when people of good will get together, something very powerful happens.

Talk to those involved and you'll find that parents and teachers . . . executives and administrators . . . government officials and civic leaders . . . don't have to sit down for very long before they find that the other guys have something to offer, too.

From there, it's possible to create a common agenda . . . and a shared strategy.

And from that vision, springs success.

So that's our first recommendation—the revolution begins with one school . . . one district . . . one town at a time, and everyone plays a part.

But there is also a need to support that kind of consensus at the State and national level, too.

To keep communicating between and among the various groups with a stake in America's educational future.

I'll tell you the truth—I think of myself as a person who's fairly aware of the issues facing education. I read the articles and the reports, like all of you do.

But I rarely get the chance to exchange ideas with people like Lauro Cavazos and Phil Swain . . . Dean Speicher and Al Shanker . . . Bob Jones and Jean McGrew . . . and the panelists that we've assembled for this afternoon.

And every time I do get the opportunity . . . Like today . . . I learn something. I see an issue in a different way. I think about a problem from another perspective.

In other words. I also get educated.

So what I'm proposing is a kind of continuing education program for educators . . . and executives . . . and everyone else interested in our schools.

An ongoing forum where we can share insights and suggestions. Where we can learn more about each other's proposal. Where we can clean the air, and take a fresh look at our options.

I don't know that form such a group should take. But I do know that it's necessary if we expect to achieve real and lasting education reform in America.

So I promise that Allstate will further explore the idea in conjunction with other groups and individuals.

And we'll report back to you with the results.

Let me leave you with one final thought.

This is our third such forum on education. And it's our biggest turnout yet.

Which suggests that more and more executives and educators understand the importance of such efforts.

We realize we must act together and soon.

Because we're not just talking about improving our productivity . . . or raising S.A.T. scores.

We're talking about improving our society . . . and raising our expectations for generations to come.

When my predecessor, Dick Haayen, opened the first Allstate forum on education, he talked about "the wealth of nations."

He said Adam Smith's concept of people as a country's most valuable asset has been best illustrated by the history of free enterprise in America.

But history is full of little ironies. Today, we find millions of workers in Eastern Europe demonstrating—and even dying—for that deal . . .

While back here at home, America goes on squandering its human resources by allowing our schools and our students to settle for less than the best.

Maybe it's time we took a cue from the folks over there.

In his first New Year's Day address last month, New Czechoslovakian President Vaclav Havel told his people that they were at least partially responsible for 40 years of communism because "(we) accepted it as an inalterable fact, and thereby kept it running."

The same might be said of us—if we accept substandard education as an inalterable fact . . . and thereby keep our schools running at a fraction of their potential.

As Charles DeGaulle—another European leader of an earlier generation—said: "People get the history they deserve."

Let's agree to do what's necessary today . . . so that a generation from now, history can say we gave the children of America the education they deserved.

Thank you. And good luck in your good work.

FOREIGN CONTRACTING AUDIT EQUITY ACT OF 1990

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. CONYERS. Mr. Speaker, today I am introducing the Foreign Contracting Audit Equity Act of 1990. This legislation will correct a serious deficiency in our ability to protect U.S. tax dollars in the procurement of defense and other items from abroad.

The bill being introduced today would put audit requirements for U.S. firms and their foreign competitors on a level playing field. It will require foreign firms, when performing U.S. Government contracts, to open their books and records for audit purposes. Failure to respond to a subpoena for such records from the head of the U.S. Government agency making the procurement could trigger court action resulting in substantial penalties, including suspension of payments.

Congress took appropriate action in 1985 to outlaw what had become a practice of charging costs such as kennel fees, country club dues, advertising, and entertainment as part of overhead expenses for defense contracts. However, the Office of the Department of Defense inspector general's report last year on "Field Pricing Support and Postaward Audit of Contracts with Foreign Companies," reveals that we remain excessively vulnerable to such mischarges and overpricing when we contract with foreign firms providing goods to the U.S. Government.

The IG's extensive review supports the need for this legislation. It shows that hundreds of millions of dollars in potential reductions in defense contract costs are at stake. With billions of dollars being awarded each year to foreign firms by the Department of Defense, it is only fair that foreign firms be held to the same audit standards we apply to our own defense contractors. In addition, we must recognize that to accept lax enforcement of these standards, thereby paying for unallowable costs and overpricing, is undercutting our own international competitiveness by subsidizing foreign contractors. This is a form of "foreign aid" to foreign defense contractors that we cannot allow to continue.

Official Government policy, as directed by the Competition in Contracting Act and expressed in Federal Acquisition Regulations, is to acquire all goods and services on a competitive basis to the maximum extent possible. However, it is possible to have two or more suppliers for a product and still not have price competition. This occurs when factors such as technical design or performance, not price, dominate the source selection. Such "negotiated contracts," while still associated with competitive procedures, require the Government contracting officer to obtain accurate information on contractor costs.

When contractors fail to disclose relevant cost and pricing data with respect to such negotiated contracts, the Government may pay a higher price than warranted. The Truth in Negotiations Act of 1962 requires contractors and subcontractors to submit cost and pricing

data on certain noncompetitive price proposals and to certify that the data submitted are accurate, complete, and current. It also provides for price reductions if it is later found—through post-award audits—that "defective" information significantly increased the price of the contract.

Such defective pricing reviews which rely on access to contractor records have proven to be extremely useful tools in reducing the cost of defense and other contracts to the Federal Government. The inspector general of the Department of Defense has stressed the importance of such audits stating that about $19 is saved for the Government for every $1 of audit effort. The DOD contracting organizations reported that last year, 554 significant postaward Defense Contract Audit Agency contract audit reports had challenged $1.6 billion in proposed contract costs. It is clear from these figures that such audits can make a substantial contribution toward reducing the cost of defense through tough but fair review of defense contractor pricing proposals.

But tough and fair review of pricing proposals of foreign contractors, in many instances, is impossible due to the inability of U.S. auditors to inspect records. And the foreign auditors trained to assist U.S. contracting officials do not provide adequate support in negotiations. Since the Department of Defense spends more than $10 billion per year in contracts and subcontracts abroad, the potential for savings is considerable.

It is important to understand that such a situation was never intended under current law or through international government procurement agreements on defense trade with our allies. On the latter point, while the United States has negotiated so-called reciprocal audit annexes with Canada, France, the Netherlands, the United Kingdom, and West Germany, it was never intended that U.S. audit standards would be waived. On the contrary, the specific purpose of such agreements was to train auditors from these countries to assist U.S. contracting officials in reviewing cost proposals in concluding negotiated contracts with foreign firms consistent with Federal acquisition regulations.

Unfortunately, these agreements are just not working. U.S. contracting officers are unable to obtain quality audit services on a timely basis. The allowability of millions of dollars of costs of foreign contracts have come into question. Yet, our ability to challenge these costs has been undercut by the failure of effective implementation of the audit agreements and inability of the Department of Defense to remedy the situation.

Testimony taken at a hearing last year by the Legislation and National Security Subcommittee, which I chair, clearly demonstrated these problems. In one example cited by the DOD IG, the profit margin for a sole source weapons contract to a foreign firm was reportedly increased to cover the cost of a contingent fee of more than $600,000 to a U.S. agent of the foreign contractor for "expedited mail services." Contingent fees to U.S. contractors are unallowable under Federal acquisition regulations. An official memo on this negotiation stated that the fee could approach $6 million if all contract options were exercised. Yet, it appears that the profit margin in the contract was increased to block a stalemate in negotiations. Was such a fee allowable and how much of the profit margin covered such costs? We don't know because we can't get a good audit.

In another instance, $12.7 million was charged by a foreign contractor in so-called "levies" which are defined as commercial exploitation charges despite the fact that a 1987 agreement established procedures allowing U.S. contracting officers to request waivers of such charges. These levies do nothing except add to the cost of the contract. The lack of audit support to U.S. contracting officers helped result in this overcharge to the American taxpayer.

Timeliness of foreign audits performed is also another area of deficiency. A review of timeliness of two audit reports by the Department of Defense inspector general found U.S. requested audit reviews delayed by no less than 5 months and for as long as 8 months. It has been noted that these audits were received only after the matter was raised to higher levels of the contracting command and the ministries of defense in the countries involved.

U.S. contracting officers considered the foreign audit reports to be unresponsive because they did not provide sufficient details. Overall, the DOD inspector general found 65 percent of the European audit reports unresponsive to the audit requests. Of specific concern was the lack of coverage of unallowable costs which are based on U.S. law and cannot be waived under any circumstances. The Federal acquisition regulations, part 31 states that certain costs including entertainment, contributions, bad debts, interest, and other financial costs will not be charged to U.S. Government contracts. These unallowable costs were not addressed more than 75 percent of the time by foreign auditors, raising concern that millions of dollars may have been inappropriately charged by foreign firms to U.S. defense contracts. Moreover, certain foreign government officials absolutely refused to check for such unallowable costs.

On the average, roughly 15 percent of negotiated contract costs are questioned by Defense Contract Audit Agency auditors in reviewing foreign contract proposals in Europe. The IG study which was the subject of our subcommittee's hearing found that the foreign audit work reviewed questioned an average of only 1.26 percent of proposed costs with some foreign auditors actually adding about 6 percent to the negotiated contract price proposals. Clearly, the potential for reducing the cost of foreign defense contracts through adequate pricing reviews is considerable. Had 15 percent of the $819 million in proposed costs which were reviewed been questioned, instead of 1.26 percent, over $121 million would have been on the table for negotiation. If only 50 percent of those challenged had been sustained, the U.S. taxpayers would have saved over $60 million. Had 15 percent of the $4.2 billion in negotiated contracts awarded to the countries reviewed in this report been subject to question, the potential cost reduction would have soared to $600 million. We can certainly ill afford to leave hundreds of millions of dollars in such potential cost reductions in U.S. contracts with foreign firms on the negotiating table.

The value of foreign procurement funded by tax dollars each year is in the billions of dollars. However, the current arrangements whereby U.S. contracting officers appear to be routinely refused adequate audit support continues to put at risk tens of millions, if not hundreds of millions, of taxpayer dollars. The Foreign Contracting Audit Equity Act will correct this situation. The Government Operations Committee's legislation and National Security Subcommittee will hold hearings on the bill in the next few weeks. I encourage my colleagues to support its enactment when it reaches the floor.

ST. CROIX PARISHIONERS AND STUDENTS PROVIDE INSPIRATION AFTER HURRICANE HUGO

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. DE LUGO. Mr. Speaker, the fury of Hurricane Hugo, whose 200-miles-per-hour winds caused enormous destruction in the U.S. Virgin Islands, also brought out the dedication and strength of many people in our community. Thousands of our people huddled together in darkness to survive the storm, then joined hands to work together in the sunlight to rebuild their homes, businesses, and lives.

Two such heroic groups are the students and teachers at St. Joseph's High School and the parishioners and clergy of St. Ann's Parish at Barrenspot on St. Croix. Whether they were praying together for sheer survival, or working together to rebuild classrooms and the parish center, these students and parishioners have been a model of dedication and community effort. Under the leadership of Bishop Sean O'Malley, they have been an inspiration to the Virgin Islands.

Brother James Petrait, who chairs the Science Department at St. Joseph's High School, has recorded the experience of living through Hurricane Hugo in two moving articles that I want to include in the CONGRESSIONAL RECORD so they will get the national attention they deserve. Brother James also has begun a "Seeds for New Life" campaign that is seeking donations of garden tools and seeds, as explained in the first article.

In reading Brother Petrait's articles, I am reminded of two fundamental facts that we, too, easily forget. First, the value of humility. When Mother Nature unleashes her full power, we human beings are just grass in the wind. Our power is like nothing compared to that of nature. Second, when destruction is overwhelming, it is most important that we thank God for life. The people of St. Joseph's and St. Ann's, who lost so much in material wealth, have found renewed strength and deep meaning in the simple blessing of life. That is a lesson for us all.

Two articles from the Pilot, the paper of the Boston Archdiocese, and the St. Croix Avis follow here:

[From the Boston Pilot]

THANK GOD FOR LIFE AND FRIENDS

(By Brother James A. Petrait, O.S.F.S.)

It has been several months since we experienced living through the eye of Hurricane Hugo on St. Croix and the effects of the terrible disaster are still with us. Many still have no homes or have severely damaged dwellings. Much of the island is still without electrical power, phone service, and running water. But we are rebuilding thanks to generous help of our friends in the States and elsewhere.

I remember well that September night of devastation when the eye of Hugo and its six tornadoes and winds of over 200 miles per hour near it hovered over the island for a long time and I will never forget the awesome sight of the devastation of over 95 percent of the buildings on seeing it the "morning after". That included the twisted mass of steel which was once St. Ann's Parish Center located where I live and the millions of dollars of damage done to the campus of St. Joseph High School where I teach.

But I also remember the first words that many of us said to each other after this disaster. "Thank God for life" was both our greeting and our prayer. We may have lost many of our material things but we still had the gift of life from our Creator.

The first week after Hugo was as bad as the night of that hurricane. Almost all of the communications on St. Croix were nonexistent and it was very difficult for us to contact the outside world or each other. I recall desperately listening to the "Voice of America" on the shortwave radio for some news about St. Croix and finding out that there was little or none. Then I found out that much of the press in the States was giving the wrong news by sensationalizing the looting, which could have happened anywhere, and not the awesome devastation and human suffering.

However, many of our friends soon found out and during the second month after Hugo much help started to come in from all of these good people. We are very thankful for that help and we are thankful that we still have life. We of St. Croix still need your material help—at St. Ann's, St. Joseph High School, and all over this largest U.S. Virgin Islands. But we also need your prayers to sustain us during the many delays and turned-down insurance claims and other requests for help. In return you can be assured that you will be remembered in all of our prayers from this island of the "Holy Cross".

In addition to the other help, I am in need of any kind of flower and vegetable seeds and small garden tools for my "Seeds for a New Life" program for my science students. My mailing address is: St. Joseph High School, #3 Mt. Pleasant, Route 2, Frederiksted, St. Croix, U.S. Virgin Islands, 00840.

[From the St. Croix Avis, Nov. 5-6, 1989]

IN THE EYE OF HUGO

(By Brother James A. Petrait, O.S.F.S.)

During one of my science classes at St. Joseph High School on St. Croix on Friday, September 15, 1989, we said a prayer that the coming hurricane named Hugo would pass us by as most do. At least, we hoped that it would only come close enough to give us some more rain water for our cisterns and perhaps to give us a day off from school because of excessive rain.

By Saturday morning, the reports on radio and TV started becoming more serious. They said that it was a good chance that a Level 4 hurricane would hit St. Croix by Sunday evening. Looking at my hurricane map. I noted that a Level 4 hurricane would result in roofs coming from houses and lighter structures blowing away.

All day Saturday at St. Ann's Parish on Barrenspot Hill, where I live, everyone helped in putting up plywood to cover the picture windows on the rectory and taping all of the other windows. Few seemed to be convinced that this would be a hurricane that would cause much damage but that it was good to be ready for it. On Saturday afternoon, a hurricane warning was issued and the weather was already becoming stormier.

In the basement of St. Ann's rectory is a cable TV control station for the Catholic Cable Network on St. Croix. As one of the operators of the station, I played some announcements with a special prayer for protection of life from the coming hurricane. In the audio portion. I continuously played a tape of a group saying the mysteries of the rosary. I know that the prayers of all who joined in somehow did help to protect most of the human life on St. Croix.

On Sunday morning, the weather was still not too bad. The 9 am and 11:30 am Masses at St. Ann's were held as usual. St. Ann's is noted for being one of the largest and most charismatic Catholic parishes in the Caribbean area. The 9 a.m. Mass was held in the large Parish Center building. This open-sided structure made of steel beams could hold 1200 people. Many of the seats were filled and the congregation praised and worshipped the Lord in their usual dynamic way.

On Sunday afternoon, the winds started blowing much stronger. The first floor TV studio and guest room at St. Ann's rectory has a concrete ceiling and is below the main stairs. I know that this would be the safest place to stay during the storm. Around 4 p.m. in the afternoon, the pastor, Fr. Elliott Thomas, became convinced also.

By Sunday evening, the winds were blowing fast enough that it would have been dangerous to go outside the building anymore. After 7 p.m., the winds really started blowing and beginnings of around a foot of rain began to come down. Fr. Elliott and I waited, listened to the radio, and prayed several rosaries together. The radio gave a report that we should not worry because the eye of the hurricane would probably miss St. Croix.

Then we heard loud noises, things were falling all over on top of the concrete ceiling and all around us. There were sounds of heavy objects falling and the sounds of twisting and bouncing pieces of metal. Looking out the window, I could see nothing but an eerie glow with all of the debris from the building and trees looking like a snowstorm in a place that has never seen snow.

More rosaries were said and all of the local radio stations stopped operating. One of the stations on St. Thomas was still operating and was giving a continuous stream of messages for help. At one point the Governor of the Virgin Islands had to use this broadcast station to give instructions to the police chief of St. Croix. No one seemed to know what was really happening on our island. We knew by our experience however that this was a very destructive storm.

The winds continued to howl with a pitch that I never heard before and the loud noises continued into the small hours of Monday morning. Water started dripping through the concrete ceiling and for awhile, I thought some of the concrete walls would be blown over.

Then around 2 a.m., everything stopped and it was completely still and quiet. We were in the eye of the hurricane! They said previously that the average winds in the eye would be 140 mph! Around that time my ears felt the same way as they do in going up in an airplane or high location. They felt like popping! The air pressure had become extremely low.

After 3 a.m., the winds started to subside a little and we felt that the hurricane had finally passed us by. We were then able to fall asleep resting in the arms of our God as never before.

Around 6 a.m., we were awakened by the breaking of daylight. Even though the winds were still strong and the rain was still falling, we could not resist to take a look at the outside world. And what a look that was! This was our "day after"! All around there was incredible damage.

The St. Ann's Parish Center was no longer a Parish Center. It was now a mass of twisted steel and a monument to the force of destruction. The roof on 2 of the rooms of the rectory were completely blown off and most of the galvanized covering on the other parts of the house were far away.

One of the rooms with a missing roof was that of Fr. Elliott. Thank God that he did not stay up there! A piece of porch railing broke off and hit a covered picture window in the dining room and blew it out and hurled a huge dining room table across the room. A large and heavy cabinet of dishes moved down the room and turned the corner into Fr. Elliott's room! Dishes and other debris were all over in 2 or 3 inches of water.

The roof and galvanized sheets on the roof of my room had been spared but one window and curtains were completely blown away and a heavy air conditioner flew 20 feet from the wall in which it was mounted. Some of my belongings were water damaged but I was fortunate compared to the damage suffered by others.

Bishop Sean O'Malley of the Virgin Islands had been staying at St. Joseph's Rectory, 4 miles away from St. Ann's during the storm. Fr. Elliott and I attempted to go see him but we were not able to make it very far down the usual road because of all of the fallen trees. The destruction we saw all over was mind-boggling. Almost every house was damaged and many other buildings looked similar to the Parish Center at St. Ann's. And on top of that a heavy smell of rotting vegetation filled the air.

Later I was able to arrive at the campus of St. Joseph High School and I saw the tremendous damage done to the school. Many of the roofs of the individual classroom buildings were off and a large part of the gym building was damaged. My own science classroom had its roof completely lifted off and much of the contents inside were scrambled and laying in 3 inches of green water on the floor. If that wasn't bad enough, the mosquitoes had also become plentiful from the stagnant water.

During the time after the storm, a few of the people on St. Croix took part in what was now known here as the "second hurricane." With stores that were severely damaged and with few police or national guard, the looting took place. In a short while practically, the whole economic system on St. Croix had collapsed. Beautiful stores were now empty shells with debris decaying in putrid water.

What was the reason for this "second hurricane?" Was it due to abnormal psychology or was it due to immorality? I won't answer

that question here. But I will say that the news of that happening was distorted far out of proportion in the U.S. press. The people on St. Croix are good people and what happened here could happen anywhere in the States.

Soon after the hurricane, Bishop Sean O'Malley had a meeting with the priests and Religious on St. Croix. With his inspiring words and practical advice, we all began the important tasks of starting to rebuild our churches, schools, rectories, and convents. At St. Ann's Church, the parishioners were able to have the 9 a.m. Mass outside and all were filled with thankfulness for the sparing of most human life on St. Croix. On the following Sundays, the parish was able to use the old chapel with the help of an additionally scheduled Mass. However, the parishioners look forward to the day when they will have a new, strong, and large church.

At the St. Joseph High School campus, we were able to come up with 4 useable classrooms at the school and at St. Joseph Church. In addition, the pastor of St. Patrick's Church in Frederiksted donated the use of 4 unused classrooms at that location. On October 2 and 3, we had a meeting with the students and their parents at St. Joseph Church and all were filled in about the details of the school's reopening.

In addition, the students were given written and service assignments to do that were related to Hugo. My own project was called "Molecule For Life" and through it some students were able to help the St. Croix Catholic parishes to restore some additional quality of life. One student even helped out at the newly constructed tent-hospital.

Because the public schools on the Island are taking a long time to open and because they recognized the quality of education at our school, over 50 students took entrance tests to enter St. Joseph High School. St. Joseph High School is recognized as being one of the top schools in the Caribbean area. It is the only school in the entire United States that has had 3 Presidential scholars in the last 4 years!

On October 9, St. Joseph High School reopened at two campuses with an increasing number of students. All of the dedicated faculty of the school have returned and by praying and working together, we are making it work. In my own science classes, I hope to implement a program in the coming weeks to have students planting and caring for flower and vegetable seeds. I call it "Seeds for New Life." The success of that program will depend on the amount of seeds and small gardening tools that some may want to donate.

We are recovering on St. Croix and we hope that by this time next year life will be back to normal. But we still need your help and your prayers. Be assured that you and the many problems that you have are also in our prayers.

THE CASE FOR JOHN DEMJANJUK, SR.

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. TRAFICANT. Mr. Speaker, John Demjanjuk, Sr. is currently on death row awaiting appeal by the Israeli Supreme Court. Mr. Demjanjuk was convicted as being the infamous "Ivan the Terrible" of the Treblinka death camp. He was convicted on the basis of the investigation conducted by the Office of Special Investigation [OSI].

As long ago as last year, it was brought to my attention that investigative reports of OSI officers Garand and Dougherty (Exhibits A and B) were discarded in a McDonald's dumpster near K Street in Washington, DC. This represented critical evidence that former Nazi guard Otto Horn perjured his testimony during the denaturalization trial of Mr. Demjanjuk. (Exhibit C.)

In addition, CBS's "60 Minutes" conducted an investigation that revealed new information that now includes the statements of Maria Dudek. Dudek, a lifetime resident of a village near the Treblinka death camp, has stated off-camera that she knew Ivan "Grozny" or Ivan the Terrible in Polish. Dudek stated that Ivan "Grozny" would come to the village and buy sexual favors and vodka with gold that he had taken from Jewish prisoners. From that point she then identified, off camera, Ivan "Grozny" as Ivan Marczenko, not Ivan Demjanjuk. (Exhibit D.)

More alarming is the fact that the OSI has known since 1979 that John Demjanjuk's name was not listed in any World War II record associating him with the Treblinka death camp whatsoever. (Exhibit E.) Evidently, the Polish War Crimes Commission notified the Office of Special Investigation that they had no information linking Demjanjuk at Treblinka indicating to the OSI that there were 100 Ukranian guards at Treblinka, of which, 43 were known. Of those 43 names, Ivan Marczenko is listed. Demjanjuk is not. (Exhibit F.)

Here I would like to site the case of Frank Walus who was charged with having committed Nazi war crimes, was dropped because the Polish war crimes records did not indicate that he had been at a camp in Kielce. (Exhibit G.) Again, it is evident that the OSI was relying on fraudulent evidence. What is interesting is that the former director of the OSI, Allan Ryan, clearly recognized the misinformation involved in the Walus case but this same type of scrutiny did not lend itself to the Demjanjuk case. Frank Walus was an innocent man that had no business even being in court. Just as John Demjanjuk has no business rotting in a prison.

The OSI mandate of investigating Nazi war crimes is praiseworthy. However, the OSI should not blatantly ignore the rules and procedures developed by our forefathers to facilitate justice nor should they allow themselves to be so overcome with zeal that they operated in violation of individual rights. Justice will not be served until John Demjanjuk, Sr. is brought home.

EXHIBIT A

DEPARTMENT OF JUSTICE,
November 15, 1979.

To: Arthur Sinai, Deputy Director, OSI.
From: George W. Garand, Historian.
Subject: HORN, Otto—Report of Interview.
Ref: OSI #42—DEMJANJUK, Ivan.

On the morning of 14 November 1979 Norman Moscowitz, Staff Attorney, OSI, Bernard J. Dougherty, Jr., Criminal Investigator, and George W. Garand, Historian, OSI interviewed the German national Otto Horn at his residence located at 66 Yorkstrasse, West Berlin. The interview began shortly after 0900 and ended shortly before 1000. Mr. Dougherty and the undersigned translated during the interview which was conducted in German since Horn is conversant only in that language.

Horn is 76 years old and lives in a small one-bedroom apartment by himself. His place of residence was meticulously clean and despite his advanced years he conveys the impression of being stable with an excellent recall of events during the time he was stationed at Treblinka. Shown a sketch of the death camp at the beginning of the interview he identified various buildings within the camp without hesitation. He was assigned to the camp for approximately one year, from September 1943 to September 1943, and specifically to the upper part of the camp which housed the gas chambers. The old, smaller one remained in use until a larger new one went into operation in early 1943, at which time the old one was torn down. In connection with the layout and operation of the camp Horn mentioned that the installation was surrounded by guard towers manned by about 25 Ukranian guards at varying shifts. In addition, these Ukranians who were armed with rifles and wore some type of uniform the color of which the interviewee no longer remembered would await the arrival of trains at the unloading platform at which time the new arrivals were herded along a narrow walk to a shed where they were forced to take off their clothing. Thereupon, again following a narrow footpath which was fenced on both sides to block the view of the new arrivals from what was ahead, the victims were rushed to the gas chamber on the upper level. When the chamber was full the doors were slammed shut and a German named Schmidt or Schmitt would supervise the actual gassing. Two Ukranians worked directly under Schmidt. One of these operated the machinery that funneled the lethal gas into the chamber while the other supervised the inmate work detail that removed the bodies from the chamber and dumped them into two very large pits that had been dug nearby. While the Ukrainians at the train unloading platform rotated between there and the guard towers the two Ukrainians assigned to the gas chamber itself were invariably present at each gassing. He no longer recalled the name of the Ukrainian responsible for overseeing the removal of the bodies, but had a good recall of the one responsible for operating the death machinery. That man's first name was Iwan, a tall heavy set individual approximately in his mid-twenties at the time with shortly cropped hair and full facial features. He never knew Iwan's family name since such names were in any case very difficult to pronounce and the Ukrainians were invariably addressed only by their first names. Iwan took great pride in his position as assistant to Schmidt and felt that this status placed him a few rungs above the other Ukrainians who acted merely as guards. Iwan would appear on the scene only after a trainload of victims had arrived and would leave the premises as soon as he had accomplished his assigned task, leaving the removal of bodies to the second Ukrainian and his crew. Horn commented that he never did trust the Ukrainians who spent most of their time carousing in the nearby Polish villages from where they would return drunk late at night, shouting and carrying on and firing their weapons. In contrast to the other Ukrainians who were without exception armed with rifles, Iwan was armed with a

pistol of unknown make. He was never observed as making use of this weapon.

Horn's opinion of the Ukrainians was generally unfavorable. Not only did they fall asleep at their assigned guard posts, but they also tended to show disrespect towards the lower ranking Germans assigned to the camp. At the same time he questioned their political reliability, since later in the war, during 1943, a number of them deserted to the Russian partisans. In one instance, when the Treblinka camp was closed down in late 1943 and the Ukrainians were being transferred to Sobibor, escorted by a German officer, the Ukrainians murdered their escort and joined the partisans.

Initially shown a series of eight photographs of Caucasion males, Horn carefully viewed each photograph that depicted an individual wearing dark clothing. Each one of the photographs showed a frontal view of the individual down to a few inches below the neck. Hair styles of these individuals varies, as did length of hair, physical stature and age that varied from the low twenties into the forties. One of the photographs depicted Iwan Demjanjuk as he appeared in the early 1940s. After studying each of the photographs at length Horn initially could not make positive identification of any of the individuals though on one or two occasions he felt that one or two of the individuals shown looked vaguely familiar to him, though he could not recall where and under what circumstances he had met them. At this point the first group of photographs was gathered up and placed on one end of the table with the one depicting Demjanjuk left facing upward on top of the pile. Mr. Dougherty thereupon presented a second series of eight photographs to the interviewee, each showing a second group of male Caucasians clothed in what would normally be considered closer to civilian attire than the clothing worn by most members of the first group. One of the photographs in the second group was that of Iwan Demjanjuk, taken in the early 1950s and depicted Demjanjuk with a fuller and more rounded face and a more receding hairline. Horn studied this photograph intensively and then, looking at the earlier photograph of Demjanjuk, identified that individual on both. Nevertheless, he noted some minor differences, such as Iwan having had somewhat more hair at the time he knew him.

Towards the conclusion of the interview Horn expressed his willingness to be reinterviewed more formally provided there was no publicity. Throughout the interview Horn displayed an alert mind and with regard to the events at Treblinka during the period he was assigned there, his recall is excellent. All questions put to him were answered in a forthright manner and in the mind of the undersigned there is no doubt as to the man's honesty and integrity. It would appear that this man, at age 76, has had ample time to take stock of his life, and in the opinion of the undersigned, helping our investigation is one way in which in the twilight of his life this man is trying to make amends for the things that happened at Treblinka and elsewhere during World War II.

EXHIBIT B

DEPARTMENT OF JUSTICE,
November, 1979.

To: Arthur Sinai, Deputy Director, OSI.
From: Bernard J. Dougherty Jr., Criminal Investigator.
Subj: Horn, Otto—Report of Interview.
Ref: OSI #42—Demjanjuk, Iwan.

On November 14, 1979, Otto Horn, German national and citizen of West Berlin, was interviewed at this residence, Yorck-Strasse 66, Berlin, Germany, by Norman Moscowitz, Staff Attorney-OSI, and by the reporting officer. Due to the fact that Horn neither spoke nor understood English, the entire interview was conducted in his native German language, with George Garand-OSI and the reporting officer translating. The interview began at 9:04 a.m.

After initial greetings and introductory comments, Horn was shown a site plan of the death camp at Treblinka, Poland. Various buildings within the death camp area were pointed out to Horn and he was able to properly identify each of them. Of specific importance was the exact location of the new gas chamber, which Horn described. During the course of the questioning concerning the operation of the gas chamber, Horn voluntarily mentioned one "Iwan" (last name unknown), who was one of two Ukrainians who were responsible for the actual operation of the engines which provided the gas for the chambers. Horn was unable to recall the name of the other Ukrainian, describing him as tall and thin, with blond hair, and being approximately 22-23 years of age. Horn further recalled that the two Ukrainians were immediately subordinate to a German, known only as "Schmidt."

Horn described "Iwan" as being of stocky build, black hair—cut short, full rounded face, tall, with no distinguishing marks on his face. Horn remarked that "Iwan" had some technical ability, since he repaired and maintained the gas engine and was known by Horn as being able to drive an automobile (apparantly somewhat of a rarity among the Ukrainians at that time). Horn indicated that he arrived at Treblinka during September, 1942 and stated that "Iwan" was already working there. Horn added that "Iwan", Schmidt, and the other unidentified Ukrainian were the only three individuals who actually worked at the gas chamber, that is, in the operation of the engine. Horn stated that for the period September 1942-September 1943, when he was at Treblinka, "Iwan" worked at the gas chamber every day. Horn pointed out that "Iwan" looked upon the other Ukrainians in the camp, which he roughly estimated at 30-40, with disdain, because he was working with Schmidt. During the evenings, "Iwan" and some of the others would travel into nearby Polish towns and become drunk and boisterious.

Horn stated that he never witnessed "Iwan" beating, shooting, or otherwise abusing any of the prisoners. His sole task was to work at the gas chamber.

At this point, the reporting officers advised Horn that there were a series of 8 photographs of caucasian males, which he was requested to review carefully and individually. Each of the photographs depicted an individual in dark clothing. Prior to the interveiw, care was taken to minimize the amount of uniforms which would be readily discernable in each photograph. Nevertheless on a few photos, a portion of a uniform could be seen. Each picture showed the bust of the subject. The individuals possessed hair of different length, varying physical builds, and a variety of ages, ranging from the early twenties to the forties. One of the photographs was that of Iwan Demjanjuk, taken during the early 1940s. Horn studied each of the photographs at length but was unable to positively identify any of the pictures, although he believed that he recognized one of them (not Demjanjuk) but was not able to indicate where he had met this person or provide his name.

The first series of photographs was then gathered and placed in a stack, off to the side of the table—with that of Demjanjuk lying face up on the top of the pile, facing Horn. The reporting officer then presented another series of 8 photographs, each depicting the bust of a male caucasian. These photographs showed the individuals in clothing more similar to that normally worn by civilians. Among the 8 pictures was one of Iwan Demjanjuk, which had been taken during the early 1950's. This photograph was much better in quality than that presented to HORN in the first series, and depicted Demjanjuk as having a much fuller and more rounded face. Horn studied this photograph at length, and upon glancing at the earlier picture of Demjanjuk, identified them as being the same person. As he continued to study the picture from the second set, Horn indicated that it certainly resembled the man that he had known as "Iwan", although he stated that "Iwan" had had somewhat more hair. He further mentioned that the second picture, depicting the fuller face, was much more like that of "Iwan" than the person shown in the first series. After a few more moments of careful study, Horn positively identified the photographs of Iwan Demjanjuk as being the "Iwan" that he knew at the gas chamber in Treblinka.

After the identification was completed, Horn was asked if he would be willing to be re-interviewed on a formal basis in the near future, and he agreed, with the stipulation that it be "confidential", that is, there was to be no press or other publicity. Mr. Moscowitz agreed to this condition, and the interview was terminated at 0955 a.m.

It was the impression of Moscowitz, Garand, and the reporting officer that Horn was honest, sincere and forthright in all of his responses, and was fully cooperative throughout the interview. Due to his age (76) and request for absolutely no publicity, it is not believed that he would agree to travel to the United States to testify nor would he be favorable to video-taping an interview (as he would probably believe that it was actually a TV news camera). Prior to the formal re-interview, with defense counsel present (who would undoubtedly cross-examine and quite possibly upset Horn) it is highly advisable that he be informally briefed on what to expect, immediately prior to this interview. Furthermore, in view of his advanced age, it is requested that any follow-up business which may involve Horn be conducted on a priority basis. Finally, in the event that Horn must be telephonically contacted, his number is (030)7852465.

Following are excerpts from sworn testimony of Otto Horn:

EXHIBIT C

(The videotape deposition proceeded as follows:)

Q. Would you describe, in your own words, how these photos were shown to you and what, if anything, happened when you looked at them?

A. First I was shown these larger pictures.

Q. Approximately how many of those were there?

A. Eight, I should say.

Q. And what happended when you were shown—what, if anything, happened when you were shown these pictures?

A. I was asked if I knew anybody among these, of these.

Q. And did you look at these photographs?

A. Yes.

Q. When you were looking at them, was anyone holding them?

A. No.

Q. Where were the photographs?

A. They were on my table in front of me.

Q. Who laid them out in front of you on your table?

A. A gentleman—a gentleman of them.

Q. At the time you had the photo, you were looking at the photographs, were you in control of them?

A. Yes.

Q. Did anyone suggest to you that you pick out a particular photograph in any way?

A. No.

Q. Did you in fact identify or recognize someone in those photographs?

A. Yes, this Iwan.

Q. Were you shown another set of photographs, aside from these which we've just discussed?

A. Yes.

Q. When you looked at those photographs—this other set—where was this first set of photographs?

A. They had been removed again.

Q. And at this time you were looking at this other set, you could not see this first set?

A. Right.

Q. Now this other set—this second set—approximately how many photographs were in that set?

A. Also about eight.

Q. And generally what were these pictures of?

A. They were a bit smaller.

Q. And what did they depict?

A. Again people.

Q. Now when you looked at these photographs, was anyone holding them?

A. No.

Q. Where were they when you were looking at them?

A. In front of me, on the table.

Q. And did you have complete control over them at that time?

A. Yes.

Q. Did—while you were looking at these photographs—did anyone suggest to you that you pick—that you identify or pick—a particular photograph?

A. No.

Q. In this group, did you recognize the photograph of any person?

A. Yes.

Q. And whose photograph was that?

A. Again the one I found out on the first set.

Q. And what is his name?

A. Iwan.

Q. This Iwan whose photograph you selected, is he the same Iwan you were talking about previously?

A. Yes.

Q. The Iwan who you stated was at the gas chamber?

A. Yes.

(Photographs handed to Mr. Martin and Mr. Conakis.)

Q. At the time that you were looking at these photographs now in front of you, Government Exhibit 3, were you looking at the other set of photographs?

A. No.

Q. Were those photographs anywhere in your view?

A. No. They went back into an envelope and away.

Q. Mr. Horn, you stated previously that this Iwan was present at the gas chamber.

EXHIBIT D

INFORMATION FROM "60 MINUTES" PROGRAM OF FEBRUARY 25TH, RE: JOHN DEMJANJUK

Narration: Back in Cleveland, John Demjanjuk, Jr. and his mother continued to hope that they might find new witnesses that would clear Demjanjuk. These witnesses, they believe, are in Poland—but his defense lawyers have been denied entry visas.

John Demjanjuk, Jr.: All we want to do is get into Poland, find the witnesses, people that are still living near Treblinka that were there at the time, yet we are unable to do so.

Narration: We went to this small village about a mile from Treblinka that has changed little over the last forty years.

Ed Bradley: It was here that the Ukrainian guards came to get away from the camp. They bought vodka at a house over here from the Dudek family. The man known even to villagers here as Ivan Grozny—Ivan the Terrible—was a regular customer. He brought gold with him, gold he had taken from Jews at Treblinka, to pay for his vodka, and for the privilege of sleeping with Dudek's wife.

Narration: Dudek's wife, Maria, still lives in the same house. She was afraid to talk to the camera, but told us she remembers those evenings with Ivan the Terrible, and she remembers his real name—Ivan Marzcenko.

Narration: We found Ivan Marzcenko's name in the Polish War Crimes Commission in Warsaw, on a list of Ukrainian guards who were at Treblinka. And Ivan Demjanjuk? His name was not there.

John Demjanjuk, Sr.: "I'm innocent, innocent, innocent. And God is my witness."

Narration: But the fundamental weakness of Demjanjuk's attempts to establish that innocence was his alibi . . . That POW camp where he claimed to have been all this time, was a transit camp where no prisoner stayed for longer than a few weeks.

EXHIBIT E

EMBASSY OF THE
UNITED STATES OF AMERICA,
Poland, September 24, 1979.

Mr. MARTIN MENDELSOHN,
U.S. Department of Justice, Office of Special Investigation, Washington, DC.

DEAR MR. MENDELSOHN: Attached please find a letter from [——— ———] along with the informal translation, an information sheet concerning the ——— ——— and a Bulletin issued by the——— ———.

Sincerely,

GILBERT E. KINDELAN,
Second Secretary of the Embassy.

MINISTRY OF JUSTICE, MAIN COMMISSION INVESTIGATING NAZI CRIMES IN POLAND,
Warsaw, August 31, 1979.

Mr. MARTIN MENDELSOHN,
U.S. Department of Justice, Office of Special Investigations, Washington, DC.

DEAR SIR: Enclosed we are forwarding to you information concerning Trawnik—it is a copy of an article from the "Hitler Camps on the Polish Soil 1939-1945", Warsaw 1979, p. 523—as well as the XXVI-the volume of the Bulletin of the Main Commission Investigating Nazi Crimes in Poland, Warsaw, 1975, with the article about Treblinka by Stanislaw Wojtczak.

Respectfully,

——— ———

MINISTRY OF JUSTICE, MAIN COMMISSION INVESTIGATING NAZI CRIMES IN POLAND.
Warsaw, August 31, 1979.

Mr. MARTIN MENDELSOHN,
U.S. Department of Justice, Office of Special Investigations, Washington, DC.

DEAR SIR: With reference to your letter of July 27, 1979, 146-2-47, the Main Commission Investigating Nazi Crimes in Poland wishes to inform you that we do not have any data concerning Iwan Domjanjuk, Liudas Kairys and Vladez Zajanckauskas.

Enclosed we are forwarding to you information concerning Trawnik—it is a copy of an article from the "Hitler Camps on the Polish Soil 1939-1945", Warsaw 1979, p. 523—as well as the XXVI-th volume of the Bulletin of the Main Commission Investigating Nazi Crimes in Poland, Warsaw, 1975, with the article about Treblinka by Stanislaw Wojtczek.

Respectfully,

Professor Dr. Czeslaw Pilichowski,
Director.

EXHIBIT F

The guards, who were mostly recruited from Ukrainian nationalists, played a criminal role as well. All were volunteers and attended special training in the so-called Ausbildungslager in Trawniki.

The following names are among those known from the approximate 100 guards: Andrejew, Binimen, Bondare Peter, Bondarenko Mikolaj, Dmitrenko Piotr, Duszenko Fiodor, Fedorenko Mikolaj, Gonzural Mikolaj, Jegar Sasta, Jelentzchuk Wasil, Kolasrnikov, Yostenko, Kowalenko, Loch, Marczenko Iwan. Martoszenko Molaej, Helnik Teodozy, Mikoda, Nidoereiow Mikolaj, Onoprijenko Daniel. Ozyczanski Mikolaj, Pilman, Polakov Leon, Rittich Alexander, Rogoza, Rogow, Rubez Grigoril, Eudenzo Wasyl, Safonow, Scheffef Mikolzj, Schischejav Wasil, Schwidkin Iwan, Senykow Mikolaj, Skudowa, Strobel, Strejber, Szule, Tscherniawskij, Wladimir, Urnau Jakub, Wasilanko Iwan, Woloszyn Wasyl, Worenkov.

Next are excerpts from an article concerning Frank Walus:

EXHIBIT G

FRANK WALUS

Between the time the appeal was argued and the decision was handed down, however, the Office of Special Investigations had been established within the Justice Department. Its purpose was to handle the prosecution of all alleged war criminals in the country. The Walus case was consequently turned over to Special Investigations and its director, Allan Ryan.

"When the decision [on the appeal] came down," Ryan says, "I recall I had one very strong reaction: If this guy was guilty, we did not have a very persuasive case, and if he was not guilty, we did not have any business being in court at all."

He ordered a complete review of the evidence. All witnesses were re-interviewed. The authenticity of the documents and photographs introduced as evidence by Walus'

lawyers was verified. Hundreds of people who should have known Walus if he had been in Kielce and Crestochowa were contacted. "To make a long story short, we tried to find out everything we could about what Frank Walus had done during the war and afterward," he says.

Ryan consulted the archives of a Polish government commission that had prosecuted war criminals. Its work was considered thorough and impartial, its records voluminous. What he found surprised him. There were no allegations against Walus or against anybody for whom Walus could have been mistaken, Ryan says. "That, by itself, is significant," he says. "It's like the old cliché or the watchdog that didn't bark. If a person had been involved in the SS or the Gestapo, there certainly would have been some mention of him."

On November 26, 1980, Ryan and then-U.S. Attorney Thomas Sullivan announced they were dropping all charges.

Even so, prosecutors still maintain they were correct in filing the charges in the first place. "I thought we had a solid basis to proceed with the case," says Carlson.

Says Gubbins: "If you had seven people come in and say he killed my father or he killed my friend, you're going to go with the case.

"As it wound up," Gubbins adds, "the trial was based on eyewitness testimony. But the memories were 35 years old. If anything, the Walus case showed that eyewitness testimony that old and related to that kind of conduct is not something that works well in our system of justice."

"I think the [prosecution witnesses] were honest people," Ryan says. "I have no reason to think they were perjuring themselves, perjury meaning, of course, intentionally lying. I think they probably did have somebody in mind. But Mr. Walus was not the person."

KANSAS UNIVERSITY STUDY SUPPORTS AGENCY BASED VOTER REGISTRATION

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. SLATTERY. Mr. Speaker, recently the House of Representatives overwhelmingly approved H.R. 2190, the National Voter Registration Act. This measure will remove many existing barriers to voter registration and will make it possible for Federal and State Governments to actively encourage eligible citizens to register to vote. One way in which H.R. 2190 would encourage voter registration is by mandating that State and Federal offices and private sector locations which provide public services be required to distribute and collect applications for voter registration and forward the applications to the appropriate election officials.

Recently, researchers at the University of Kansas published in the American Journal of Community Psychology the results of a study they conducted of the effects of increasing the accessibility of registration at two community food distribution sites in Lawrence, KS. The article, authored by Stephen B. Fawcett, Tom Seekins, and Louise Silber, reveals an increase of up to 100 percent in the percentage of eligible persons registered to vote, with 51 percent of those registering after the onsite registration drive voting in the subsequent Presidential election. I commend this study to my colleagues and I am pleased that the House of Representatives has overwhelmingly supported agency-based voter registration efforts.

The article follows:

[From the American Journal of Community Psychology, Vol. 16, No. 5, 1988]

LOW-INCOME VOTER REGISTRATION: A SMALL-SCALE EVALUATION OF AN AGENCY-BASED REGISTRATION STRATEGY [1]

(By Stephen B. Fawcett,[2] Tom Seekins, and Louise Silber)

Voter registration by poor people is a prominent strategy for empowerment. On-site registration in accessible settings such as community centers and welfare offices is a promising tactic. This study provided a small-scale evaluation of this strategy by experimentally examining the effects of increasing the accessibility of registration, and providing prompts to register, in two commodity food distribution sites. Results showed up to a 100% increase in the percentage of people registered to vote, with 51% of those registering after the on-site registration drive voting in the subsequent presidential election. We discuss these findings and the potential contributions of such small-scale evaluations of social change strategies to community empowerment.

Historically, unnecessary monetary and behavioral requirements have been a primary means of restricting voting by people of low-income and minority status. In the past, these included poll taxes and literacy tests. Currently, they include denying voting rights to the homeless based on the absence of "fixed" street addresses, occasionally prohibiting registration in places that are frequented by the poor, and maintaining inconvenient times and places for voters registration. As a consequence, fewer lower income people vote; resulting in less political support for adequate nutrition, health care, housing, and other benefits for this group.

Agency-based voter registration is designed to remove some obstacles to registering to vote (Human Serve Fund, 1984; Piven & Cloward, 1988). This strategy facilities registration by bringing voter registrars, deputized by the county clerk or election board, to places frequented by people of low income such as community service centers, welfare offices, and unemployment offices. Despite the widespread use of this strategy, it has not been evaluated empirically.

This study examined the effects of providing on-site opportunities to register—reducing the behavioral requirements for registering—and verbal encouragements to register—a form of prompting—on voter registration and subsequent voting. We received permission from the directors of two community service centers to register poverty clients while they waited in line for government commodities on specified distribution days. We were also deputized by the county clerk to register voters during these times. Consequently, this situation permitted a small-scale evaluation of a widely used, agency-based strategy for voter registration.

D.C. METHOD

Participants and Settings

Five hundred and fifty-two enrollees in commodity distribution programs of two community service centers were targeted for voter registration. Both centers were located in Lawrence, Kansas, a city of 57,000 people. The program distributed cheese, butter, honey, flour, corn meal, and other commodities purchased and stored by the federal government as part of agriculture price-support policies. People with annual incomes less than 125% of the federal poverty level were eligible for the commodities distribution program. The amount of commodities received was determined by family size. To receive commodities, a person had to register with one distribution agency.

Penn House, the first service center, is located in a low-income neighborhood close to the city's business district. Its clients consist primarily of single mothers with young children. Penn House distributed commodities to approximately 379 different recipients during the intervention portion of the study. Ballard Center, the second distribution site, is located in a semi-rural, largely white, low-income neighborhood on the edge of the city and is separated from the city by a river. Its clients include a number of elderly people on fixed incomes. Ballard Center distributed commodities to approximately 173 registered recipients.

We secured the agreement of the county clerk to establish voter registration outposts at the two service centers and registered clients during times of commodity distribution. The authors, and one collaborator from each agency, were trained in registration procedures and officially deputized by the county clerk.

At Penn House, a deputized registrar approached each person as he/she waited in a line inside the building. The registrar stated that Penn House was sponsoring a voter registration drive and asked if the person was registered to vote. If the person answered "Yes," the registrar made a brief statement like, "Great!" or "Don't forget to vote!" and moved on to the next person in line.

If the person said he or she was not registered, the registrar asked "May I help you register?" For persons refusing, the registrar said "I hope you do so" or "Let us know if you change your mind," and noted that they could sign up at Penn House or the county clerk's office before a specific cutoff date and still vote in the next election.

If the person was willing to register, the registrar said something like "Terrific!", recorded the simple identification information required on the registration form, assigned the new voter a precinct and ward, and issued a voter's card. The registrar then moved on to the next person in line.

There were some minor differences in procedure at the second site to accommodate variations in how food was distributed and to enhance the modest effects of the procedure. At Ballard Center, recipients were seated, as a group, in a large classroom. Each was called forward individually to receive the commodity allotment. As they left the classroom, recipients were approached by registrars who followed the procedures described above. During the last registration period at Ballard Center, numerical information about the total number of Ballard recipients eligible to register and the

[1] The authors express appreciation to Patty Jaimes, county clerk in Douglas County, and to the staff of Penn House and Ballard Center. We are also grateful to Don Bushell, Jr., and Keith Miller for feedback on an earlier version of this manuscript.

[2] All correspondence should be sent to Stephen B. Fawcett, Department of Human Development and Family Life, University of Kansas, Lawrence, Kansas 66045.

number of recipients who were registered was posted on large signs outside the classroom. In addition to following the procedures described above, the registrar pointed out the signs to individuals indicating they were not registered and summarized the numerical information verbally.

Recording

The county clerk maintains a list of all registered voters who voted in any election within a four-year period. With permission of the directors of the centers, we checked each name and address on the alphabetized commodities lists against the alphabetized voter registration. When a name and address match was found, observers recorded the earliest date of registration. The county voting register was reviewed to identify registered commodity recipients who had voted in the presidential election held November 6, 1984. We recorded whether each registered commodity recipient had voted or not voted. In addition, we recorded the party affiliation (Democrat, Republican, or independent) of each registered recipient who voted.

To assess reliability, we independently scored the registration status of 15 randomly selected commodity recipients and the voting records for an equal number of participants. These checks repeatedly produced complete agreement.

Experimental Design

A multiple baseline design across groups, sometimes referred to as an "interrupted time series design with switching replications" (Cook & Campbell, 1979), was used to evaluate the effects of the voter registration drive. On-site registration and prompting was scheduled to coincide with commodity distribution days at each of the community service centers. The intervention was staggered across the two centers.

RESULTS

Figure 1 presents the results of the voter registration intervention. During the 13 weeks of baseline at Penn House, 85 (22%) of the 379 clients participating in the Commodities distribution program were registered voters. Following the three on-site registrations during commodity distribution days, 168 (44%) of the clients were registered and eligible to vote in the next election. [Figure 1 not reproducible in the RECORD.]

During the 15 weeks of baseline for Ballard Center, 121 (70%) of the 173 clients participating in the commodities distribution program were registered voters. Following four on-site registrations during commodity distribution days, 159 (92%) of the clients were registered to vote. A chi-square was computed on the increase in voter registration, using the number previously registered to vote and the total number registered to vote ($X^2 = 5.18$, $df = 1$, $p < .05$). Table I summarizes these results for clients in both agencies.

TABLE I.—VOTER REGISTRATION AMONG TWO GROUPS OF POVERTY CLIENTS [1]

	Registered to receive commodities	Previously registered to vote		Newly registered to vote		Registered to vote	
		Number	Percent	Number	Percent	Total number	Percent
Penn House	379	85	22	83	22	168	44
Ballard Center	173	121	70	38	22	159	92
Total	552	206	37	121	22	327	59

[1] A chi-square was computed on the increase in voter registration, using the number previously registered to vote and the total number registered to vote. ($X^2 = 5.18$, $df = 1$, $p < .05$).

TABLE II.—REGISTRATION, PARTY AFFILIATION, AND VOTING BY POVERTY CLIENTS [1]

	Originally registered		New registrants		Total number	Percent
	Number	Percent	Number	Percent		
Democrat	81	53	19	31	100	47
Republican	35	23	5	8	40	19
Independent	37	24	38	61	75	35
Total number percent voting	153	74	62	51	215	66
Total number percent not voting	53	26	59	49	112	34
Total number registered	206		121		327	

[1] A chi-square was computed on the differences in voting for old and new registrants, using the number not voting and voting for each group. ($X^2 = 17.96$, $df = 1$, $p < .01$).

Table II presents the voting pattern of registered commodity recipients. A grand total of 327 commodity recipients from both centers were registered and eligible to vote in the general election of November 6, 1984, and 215 of them (66%) voted. Of those who voted, 100 (47%) declared a Democratic party affiliation, 40 (19%) declared as Republicans, and 75 (35%) declared as independent voters.

Of the 206 commodity recipients registered to vote before intervention, 153 (74%) voted. Of those, 81 (53%) were declared Democrats, 35 (23%) were declared Republicans, and 37 (24%) were declared independent voters.

Of the 121 commodity recipients registered after intervention, 62 (51%) voted. Of those, 19 (31%) declared as Democrats, 5 (8%) as Republicans, and 38 (61%) as independent voters.

A chi-square was computed on the difference in voting for old and new registrants, using the number not voting and the number voting for both groups ($X^2 = 17.96$, $df = 1$, $p < .01$).

DISCUSSION

This study demonstrated the effectiveness of a simple and workable procedure—reduced response requirements and verbal prompts—on voter registration by clients of two poverty service agencies. Visual inspection of interrupted time series data showed the increases to occur only after agency-based registration, making less plausible the hypothesis that other correlated events may have caused the observed effect. Similarly, statistical analysis suggested that the effects were due to other than chance. Although over one half of the new registrants subsequently voted, those registered before the agency-based registration were significantly more likely to vote.

Despite the absence of any programmed prompts or consequences for voting, the results showed some generalization from registering to actual voting. This might be explained by the common practice of political parties in general, and the Democratic party in particular, of targeting new registrants for telephone prompts before and during election day. Although the necessity of registration drives is suggested by this study, their sufficiency in producing voting by substantial numbers of low-income people is an important focus for future research. This question is particularly important in light of the relatively low rates of voting observed for new registrants. Similarly, experimental evidence regarding the function of massive voter turnout by people of low income on regulatory and distributive policies and related benefits for this group is nonexistent.

Several features of this study may limit the generality of these findings. Since the registration sessions were conducted only at peak times for several cheese distributions, some of those considered as cheese clients did not receive even one personal verbal invitation to register while others received as many as four invitations. Second, because personal contacts may not have occurred for some participants and because more than one family member was occasionally present to pick up commodities, the number of participants was only an estimate of the actual number of people contacted by the intervention. Third, since one group consisted primarily of single mothers with young children and the other primarily of elderly people on fixed incomes, there is a need for caution in generalizing these effects to other groups and settings. Finally, because the authors were the voter registrars in this study, it is not known whether this procedure would be implemented by service providers in these settings, although its reported use by the other human service agencies suggests its potential for widespread implementation.

Incumbent politicians and front-runners may be particularly unlikely to support agency-based voter registration since it may encourage participation by unpredictable voters (Human Serve Fund, 1984; Piven & Cloward, 1988), and may fail to preserve a social structure that diminishes the extent and force of organized efforts by poor people (Piven & Cloward, 1979, p. 3). Yet voting in large numbers may be essential to the *empowerment* of people who share the common experience of being poor (Fawcett, Seekins, Whang, Muiu, & Suarez de Balcazar, 1984; Rappaport, 1981). By delivering their votes contingent on support for resource allocations (Seekins & Fawcett, 1987) and other desired outcomes, organized groups of low-income voters can create a more reciprocal relationship with elected officials whose votes on legislation affect the group's welfare (Seekins & Fawcett, 1986; Seekins, Maynard-Moody, & Fawcett, 1987). Such empowerment through voting may have the additional social benefit of avoiding the disruption and conflict that can be expected under conditions of sustained or growing inequality.

Small-scale experiments (Fairweather & Tornatsky, 1977) such as this one can contribute to the efficacy of broader strategies for social change. Because such experiments are relatively inexpensive in time and research costs, ineffective methods can be abandoned or modified without significant harm. By evaluating exemplars of more broadly used strategies, such as agency-based voter registration, researchers can contribute to knowledge of general use to social advocates. In so doing, scientists and advocates can collaborate with disadvantaged groups in the quest for a more equitable distribution of resources.

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A TRIBUTE TO VLADLEN KONSTANTINOVICH PAVLENKOV

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. GILMAN. Mr. Speaker, I wish to have placed in the RECORD a farewell statement by the son of Vladlen Pavlenkov. Mr. Pavlenkov, general manager and founder of Freedom of Communications, will be sorely missed by the dissidents and ethnic minorities of the U.S.S.R. He led the worldwide struggle to end of the Soviet Union's deliberate interruption of the international mail. This tribute from his son says many things about a dedicated father and a brave brother who was murdered by the KGB in reprisal for Vladlen's work here in the Congress.

Mr. Pavlenkov was our expert witness for many years at our Postal Committees hearings on the issue of Soviet Mail Interruption. His creativity, drive, sense of humor, and extraordinary compassion for individuals who lived behind the Iron Curtain was a great source of inspiration for me and many of my colleagues.

Accordingly, Mr. Speaker, I request that the full text of the statement be printed at this point in the RECORD:

A TRIBUTE TO VLADLEN KONSTANTINOVICH PAVLENKOV

Vladlen Konstantinovich Pavlenkov was born on May 4, 1929 in the city of Nizhnii Novgorod (Gorky). His parents were teachers: his mother taught Political Science in college; his father, colonel in the army during World War 2, was the head of the School System in Gorky. From a very young age, his work ethic and dedication were remarkable. In 1945 he was awarded a medal for his work effort during the WW2. In 1951 he graduated from Gorky University with a degree in history. During 1951-54 he worked as a history teacher in Germany. In 1957 he married Svetlana Borisovna Gerasimova who became his loyal friend and wife for all his life.

His teaching career, during which he was a school teacher, school principal and a lecturer in college was stopped on October 3, 1969 when he was arrested and later convicted of "antisoviet propaganda and agitation". The reason behind that was his writing of a book on economy "2×2=4", where he attempted to outline solutions to the economic problems of his country. He also felt a personal responsibility as a Russian to protest Soviet invasion of Czechoslovakia in 1968. His popularity among the people soared after his arrest and KGB used all of their methods trying to break him and force him to ask for forgiveness. But interrogations, tortures and hunger did not break his will. For one request from his views he was offered a free life! But he won that battle and served 7 years in jail proudly and he never collaborated with KGB. His name in Russian has two meanings: Will Power and Freedom. He embodied those two qualities.

He never wanted to leave, even though he could work after his release from jail only as a street sweeper. But when he was blackmailed with a life of his only son, Victor, he decided to emigrate. When he came to the USA, he was 50 years old and he did not speak English. He worked in the USA as a security guard all this years.

In 1982 he founded a non-profit organization, Freedom of Communications Committee (FC). The goal of FC was to promote opportunities for personal contact such as mail, telephone and travel between people in the US and in the USSR. By fighting for real freedom of contact, FC was working to make Soviet society more open and to aid in the development of democratic ideas and tendencies within the Soviet Union. Through FC, he accomplished outstanding results. He collected and disseminated a lot of information about communications with people in USSR. He published a book "Advice to Mailers" in Russian and in English. He issued a periodical newsletter "Mail to the USSR". Five amendments presented by the U.S. delegation to the Universal Postal Union (UPU) Congress in 1984 were initiated by him. Four of the amendments presented by U.S. delegation to the UPU Congress in Washington, DC in November 1989 were initiated by him. Under his pressure, the United States Postal Service took action to protect its customers from Soviet postal violations and published a booklet of advice for senders of mail to the USSR.

He testified many times before hearings of the US Congress on Soviet disruption of international mail.

His organization also donated medical equipment and computers to Russia to help victims of communist repression.

Thousands of thankful letters from the citizens of USA and USSR were the best indication of his successes.

But KGB did not forgive him his success. In 1983 in Gorky his younger brother Igor was forced to take his own life. In the memory of his brother he changed his name to Vladlen Igor Konstantinovich Pavlenkov. Even during period of 'glastnost', KGB tried to refuse him a visit to his homeland. Only after extensive help from the US House of Representatives, he was allowed a three day visit to Gorky. There he was met as a hero. He would be remembered in US and in Russia as a hero who dedicated his life to the cause of Freedom and Justice. He became a US citizen in 1987 and he never forget his troubled motherland. He died on January 31, 1990. "Thank you, Father, for Your Life!"

[From farewell speech of his son.]

REMOVAL OF TAX BARRIERS TO UNITED STATES BUSINESSES COMPETING IN THE EUROPEAN COMMUNITY

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. GIBBONS. Mr. Speaker, today I am introducing legislation along with our colleagues, Mr. FRENZEL, Mr. ARCHER, Mr. SCHULZE, Mr. PEASE, Mr. MATSUI, Mr. DORGAN, Mr. MCGRATH, Mr. LEVIN, and Mrs. JOHNSON, that would allow United States businesses a full and fair opportunity to take advantage of the expanding market opportunities in the European Community. This legislation would remove unnecessary barriers in the United States tax laws that prevent United States businesses from eliminating duplicative and costly operations in Europe. The European Community, soon to be the world's largest integrated market, provides great opportunity for United States companies and for the growth of United States and world trade. However, the creation of the unified European market could seriously injure the United States if United States companies are not permitted to compete with foreign enterprises in the European Community on equal terms or cannot participate fully in the benefits of the open market.

United States industries are working diligently to ensure that they will be competitive throughout Europe when the internal barriers to trade are eliminated, and the United States Government is working to ensure that new European barriers are not created. Despite these efforts, Congress must consider how our own laws will affect United States competitiveness in Europe and must eliminate or modify rules which unnnecessarily hamper United States industry.

This legislation would remove barriers under subpart F of the Internal Revenue Code of 1986 that unnecessarily restrict the ability of United States-owned businesses to compete with European, Japanese and other international enterprises in the European Community.

Under present law, U.S. multinationals are generally subject to current U.S. corporate income tax on undistributed earnings of their controlled foreign corporations to the extent those earnings constitute subpart F income. Two types of subpart F income are "foreign base company sales income" and "foreign base company services income." These rules often subject U.S.-based multinationals to current U.S. taxation on their foreign subsidiaries' undistributed profits from sales to, or services performed for, entities in other countries. For example, under these rules, a United States corporation is taxed immediately—even without repatriation of earnings—on its United Kingdom subsidiary's income attributable to purchases of goods manufactured in the United States by the parent and sold to unrelated buyers in Germany, France or any country other than the United Kingdom.

These subpart F rules were enacted almost 30 years ago to deter U.S. corporations from avoiding taxes by establishing base companies that artificially shift income to tax haven countries. Unfortunately, the rules have not kept pace with the country's need to compete internationally, and in some cases no longer serve their intended purpose. For instance, the subpart F rules provide strong incentives for United States-based multinationals to create separate subsidiaries in every European Community country into which the United States parent markets its products. This produces inefficiencies and additional costs that foreign-owned competitors avoid by centralizing their European operations.

Without the bill I am introducing today, our subpart F rules could seriously dampen the prospects for the United States to share equally in the foreign trade benefits created by the new European Common Market. United States-based multinational corporations will be discouraged from capturing one of the primary competitive advantages created through the European integration—advantages available to Japanese and European owned companies. Foreign owned companies have already started to rationalize operations to promote economies of scale and other efficiencies, while many U.S.-owned multinationals are faced with the Hobson's choice between consolidating but subpart F taxation, or maintaining separate, less-efficient subsidiaries in every EC country in which they do business.

The bill I am introducing would eliminate the subpart F handicap and encourage United States industry to expand into the European Community to help alleviate the United States trade deficit and create economic growth in the United States. The bill would treat European Community countries as a single country for purposes of applying the subpart F rules. For example, under the bill, like its Japanese and European based competitors, a United Kingdom subsidiary of a United States corporation could sell goods to customers throughout Europe without the income from such sales being subject to the subpart F penalty tax rules.

It is essential that we act as quickly as possible to remove these barriers to United States businesses operating in Europe. Our principal competitors in the European market are already able to consolidate their business operations and efficiently develop the new European market.

It has been suggested that this bill may not be necessary because most European Community countries have tax rates that currently result in sales and services income being excludible from subpart F income under the so-called high-tax exception. This is not the case, even in the high-tax jurisdictions of most of the European Community, a foreign subsidiary's earnings can fluctuate out of the high-tax exception in any particular year because the exception is based on U.S. tax accounting rules rather than those of the foreign jurisdiction. Thus, mere timing differences in reporting income under United States and foreign tax accounting rules can create subpart F income even though such timing differences were not the abuse that subpart F was intended to address.

Finally, to preclude opportunities for manipulating the relief granted by the bill, its single country rule is limited to European countries with statutory tax rates approximately equal to or greater than the maximum U.S. corporate tax rate and that do not exempt corporations from taxation of this type of income pursuant to any tax holiday.

In conclusion, I believe that U.S. foreign trade problems must be fought on all fronts, including the modification of U.S. tax laws that unwisely penalize sound business decisions by U.S.-based multinationals competing for foreign trade. The efforts of the administration to prevent the erection of European barriers and the efforts of U.S. companies to ensure our competitiveness in Europe after 1992 should not be undermined by U.S. tax rules which were not intended to deal with, and indeed never considered, the implications of an integrated Europe.

Economists predict that the new European common market will be a major source of economic growth in the 1990's and beyond. Without modifying U.S. tax laws which will have an adverse effect in the 1992 process, U.S. companies may not share equitably in that growth.

COAL HERITAGE INITIATIVE

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. RAHALL. Mr. Speaker, over the past couple of years I have developed in southern West Virginia what I call the coal heritage initiative. This coal heritage initiative reflects the renewed interest in our Appalachian culture and the heritage that has evolved, to a great extent, in the southern West Virginia coalfields as a result of the struggles and adversities faced by coal miners in the region during the late 19th century and the early years of the 1900's.

The basis for the coal heritage initiative is the historic preservation of the few physical vestiges remaining from that era. Throughout the region there are buildings, structures and sites with outstanding historical, cultural an architectural values relating to the coal-mining heritage of southern West Virginia. Many of these structures and sites have national significance and demand preservation for the benefit of future generations, educational purposes, and their tourism potential.

Historic preservation also comports well with our efforts to take advantage of and enhance the many natural, scenic, and recreational resources located in southern West Virginia; resources such as the federally designated rivers under National Park Service administration in the region, State parks and forests, and Army Corps of Engineers recreational lakes.

In a nutshell, the goal I am pursuing is the coordinated development and promotion of outstanding natural, scenic, recreational, cultural and historic resources within southern West Virginia with access by interstate highways and scenic roadways.

To date, we have made progress in setting the framework of the coal heritage initiative. A study has been completed by a nonprofit organization, Coalways, Inc., that represents a road map which can be used to plot the course of educational and tourism rated developments involving the unique cultural and historical resources associated with southern West Virginia's coal mining heritage.

Also, based on authorizing legislation I gained enactment of last year, the National Park Service was recently appropriated funds to conduct a coal heritage study that will identify sites of cultural and historical significance involving southern West Virginia's coal-mining heritage, evaluate the sites and identify a coal heritage trail linking these sites together with existing Federal and State park units and recreational lakes. In this regard, I would like to commend our senior Senator, ROBERT C. BYRD, for championing the fiscal year 1990 funds for this essential study.

What is lacking at the time, however, is a means to coordinate the various initiatives and proposals being advanced on the Federal, State, and local levels. For this reason, today I am introducing legislation that would establish a Southern West Virginia Heritage Preservation Commission to provide the means to recognize, preserve, enhance, interpret, and promote the coal-mining heritage of the region.

The purpose of this commission, to be comprised of private and public sector representatives, would be to make loans and grants from federally appropriated, or donated, funds to preserve and enhance significant cultural, historical, and architectural resources such as buildings, structures, and facilities associated with southern West Virginia's coal heritage; seek to coordinate governmental and private sector activities relating to historic preservation and economic revitalization; provide assistance in preparation of loan and grant applications to Federal agencies; and develop guidelines for the preservation of coal heritage sites. The legislation would also provide for a southern West Virginia coal heritage route along existing roads.

There is an unequivocal need for a dramatically increased historic preservation effort in southern West Virginia. In light of the resources at stake, I believe it appropriate for there to be some national role in the development of this initiative.

OVERCROWDED PRISONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 28, 1990, into the CONGRESSIONAL RECORD.

OVERCROWDED PRISONS

A huge gap exists between the number of crimes committed in the U.S. and the prison space now available to lock up criminals. The people who commit crimes know their chances of getting caught and sent to prison are slim. Overcrowding at both the state

and federal level has reached crisis proportions.

The number of inmates in state and federal prisons has jumped from 316,000 in 1980 to over 673,00 by June 1989. Two major policy changes in recent years driving up prison populations have been mandatory sentencing laws requiring offenders to be incarcerated for fixed periods without parole, and tougher federal anti-drug and anti-crime laws. Four-fifths of the increase in the federal prison population in recent years has been drug offenders. Federal prisons are operating at 67% over capacity, while overcapacity at the state level is 23%. The federal prison population is expected to almost double over the next five years.

Indiana, like most other states, is faced with the problem of having too many criminals and too few prison cells. In addition to the 11,000 beds currently in use in state prisons, officials estimate a need of 3,000-4,000 more by 1994. Along with 42 other states, Indiana is now under court order to do something about its overcrowded prisons.

Overcrowding is having a major effect on the correctional system. Current space limits and court orders force state authorities to consider releasing criminals long before the completion of their sentences. The length of the average prison term has declined recently from 18 months to one year. If judges are deprived of the sentencing option of imprisonment to keep dangerous criminals off the streets, the correctional system cannot function properly.

In the long run, we must confront the underlying causes of the ever-increasing crime rate, by, among other things, expanding crime and drug abuse prevention programs and improving the economic prospects of the underclass. But in the meantime, the problem of prison overcrowding must be addressed. Several options are available:

PRISON CONSTRUCTION

Some new prison construction will be necessary to house dangerous criminals. The cost of new prison construction is daunting—some $50,000 per cell. States have stepped up their construction efforts, and the federal government is planning to add 42,600 beds to the 32,500 existing beds in federal prisons by 1995. Even with this dramatic increase in prison capacity, overcrowding will remain a problem. We are now locking up criminals in overcrowded and underfunded facilities, so alternatives simply must be considered.

ALTERNATIVE PUNISHMENT

One solution to overcrowding is not constant construction but imaginative approaches to alternative penalties for nonviolent offenders. A large percentage of prisoners who have committed drug-related crimes, for example, are not violent. States are now developing intermediate punishments, such as house arrest, intensive probation, compulsory addiction treatment, and work programs and community service carefully overseen by probation officers. Under house arrest, for example, an offender is confined to his or her home and checks in with probation officers several times daily. Ankle bracelets can be used for electronic surveillance of the offender's movements. Although more research is needed on the safety and efficiency of intermediate punishments, such alternatives could free up prison space for dangerous offenders, reduce the costs of incarceration, and permit nonviolent offenders to repay their debt to society as taxpaying members of the community.

While intermediate punishments could provide judges with more alternatives, changes may also be needed in mandatory sentencing laws. Judges are increasingly dissatisfied with the trend toward longer sentences without parole. Some states have decided that harsh mandatory sentencing is too inflexible to be effective. The debate is vigorous between those who want "lock-'em-up" justice and those concerned about the cost and effectiveness of long imprisonment.

CONVERSION OF FACILITIES

Short-term relief to prison overcrowding can come through conversion of unused public facilities into low and medium security prisons. Converting military bases and closed dormitories into prison space for those convicted of nonviolent property crimes or drug violations could free up prisons to handle violent prisoners, organized crime figures, and habitual offenders. A number of federal properties have been transferred to the states for such purposes, and seven minimum security prisons have recently been established on active military bases.

PRIVATIZATION OF PRISONS

Private contracting and operation of adult correctional facilities is a controversial alternative to the traditional approach. Proponents argue that private vendors, unencumbered by bureaucracy, could provide the same services offered presently by government in a more cost-effective and efficient manner. Several states already have low security prisons being operated by private companies. Various questions, such as the reliability of the estimated savings and the wisdom of turning prisoners over to private businesses, need to be resolved.

Addressing the problem of prison overcrowding will likely take a combination of efforts on a variety of levels. President Bush has called for increased spending on prison construction, expanded staffs at overcrowded institutions, the development of electronic monitoring, and the conversion of military facilities. Indiana is beginning to address its problems through the construction of a $56 million, 650-bed maximum security prison in southern Indiana; the conversion of the Camp Atterbury Fish and Wildlife Area into a low-to-medium security prison that will house up to 200 inmates; and the proposed development of a state-of-the-art computer system that would facilitate alternative programs by classifying inmates based on their crime, past history, and length of sentence.

Prison overcrowding is not likely to disappear soon. And determining the right policy mix of new construction, conversion, privatization, alternative sentencing, and crime prevention will not be easy. Yet if the proper steps are taken now, we can reduce the crisis of prison overcrowding in the 1990s.

CELEBRATION OF THE LOS ANGELES FREE CLINIC'S NEW BUILDING

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. WAXMAN. Mr. Speaker, I rise today to congratulate the Los Angeles Free Clinic on the opening of its new Seniel Ostrow Building.

The Free Clinic was founded 23 years ago. Since then, the clinic has provided a variety of free services to the community—including medical and dental care, family planning services, health education programs, legal and mental health counseling, and two telephone helplines.

Over 1 million individuals have been served by the clinic. All have benefited greatly by the clinic's philosophy that health care is a right and not a privilege. In that spirit, the clinic provides barrier-free access to its services in a confidential and nonjudgmental environment.

The new building is truly spectacular. The clinic now enjoys the distinction of being housed in the only building that was specifically designed as a free clinic. The new building has 28,000 square feet of clinical and administrative space, including a two-level parking structure, nine legal and mental health counseling rooms, seven medical examinations rooms, four dental operatories, a medical laboratory, and a pharmacy.

Mr. Speaker, certain individuals who were instrumental in raising the new building deserve special recognition. They are: Building fund cochairs Mimi West and Ellen Hoberman who raised $3 million from private sources for the new building; Joel Schwartz, chair of the clinic's facilities committee and president of the board of directors; and the clinic's board of directors. Also, I applaud the clinic's 450 volunteers whose dedication and hard work make the clinic such a unique place.

Mr. Speaker, my hat is off to the Los Angeles Free Clinic. I wish them the best of luck in their future endeavors and hope that they enjoy the new Seniel Ostrow Building.

THE INTERNATIONAL WIRE TRANSFER RECORDKEEPING ACT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. TORRES. Mr. Speaker, last week I introduced H.R. 4064, the International Wire Transfer Recordkeepng Act of 1990. This legislation is needed to fill a void in the war against international money laundering.

Currently, the Bank Secrecy Act requires that financial institutions keep a record of all international wire transfers and book transfers of credit involving more than $10,000. However, there are currently no specifications as to what type of information must be contained in these records. Thus, many of the transactions are done anonymously, providing cover for billions of dollars in drug profits to be laundered into the international banking system. Officials estimate that up to $100 billion in illegal drug profits are transferred out of the U.S. annually by wire.

My legislation would require domestic financial institutions and financial agents to include in the record the identity, address, and account information of the person originating the transaction, the recipient of the transfer, and any third parties or other beneficiaries involved in the transfer. While not impeding legitimate international commerce, my legisla-

ion will certainly be a strong deterrent to those who have been using the international payments system for criminal means. Last year, the American Bankers Association recognized that, "Wire transfers, which are essentially unregulated, have emerged as the primary method by which high volume launderers ply their trade." Thus, I am seeking the support and cooperation of the banking industry to help shut down the illegal money laundering schemes involving international wire transfers. I also ask the support of my colleagues for this legislation by becoming cosponsors of the International Wire Transfer Recordkeeping Act.

THE AIRBORNE SELF-PROTECTION JAMMER

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. McMILLEN of Maryland. Mr. Speaker, today I rise to discuss the airborne self-protection jammer [ASPJ]. As some of you may be aware, the Air Force has eliminated funding for the ASPJ in the President's fiscal year 1991 budget. They have taken this action despite a dozen years of consistent congressional support for ASPJ. The Air Force has decided to cut this program because they have some questions regarding the test performance of ASPJ, and because they need to find some place to cut in their budget. But can the Air Force really afford to eliminate the ASPJ Program. The Navy, which has also invested considerable amounts of research and development funds believes that the ASPJ is absolutely necessary. Furthermore, every indication is that the ASPJ will indeed meet all expectations.

ASPJ is planned for approximately 2,200 Navy and USAF AV-8B, F-14, F-16, and F/A-18 aircraft. In constant year dollars the acquisition costs of these aircraft is approximately $60 billion. The acquisition cost of ASPJ to protect these aircraft is about $2.5 billion when purchased in economical quantities. That is what I call a leverage item. ASPJ is the most thoroughly tested system in the history of jammer developments. There have been over 8,000 hours of ground tests and 500 hours of flight test in the F-16 and F-18 aircraft. Any deficiencies in ASPJ relate more to the inability to define and provide the proper operational test environment than the ability of ASPJ to perform. For example, the measure of effectiveness criteria was so flawed that the Defense Acquisition Board declared that it must be redone. Amazingly, the important capability of ASPJ to prevent missiles from being launched wasn't even evaluated.

ASPJ is ready and it performs. There are over 400 Lantirn equipped F-16 aircraft and over 500 Navy F/A-18's that must have ASPJ today. The Air Force wonders if they can afford self protection. How can they not afford it? A 5-percent reduction in aircraft would provide sufficient offset for this critically needed protection. Where in the budget is the Air Force planning to provide protection for these high valued aircraft? Is there really a net cost benefit from other alternative systems considering planes and lives lost to a less effective system, not to mention the added cost and time needed to develop a replacement to ASPJ? The fact is, there are no other systems available that can do the job. Other existing systems have very limited threat capability and must be redesigned, combined, repackaged and retested in the F-16 aircraft. All of this for a system of less capable than the one we already have—ASPJ, the very type of leveraged system we need at this time of budget stretching. Every $1 million spent on ASPJ from this point forward will save us many millions more in saved aircraft or reduced force structure requirements. This is not the time to stop a very well conceived program after over $1 billion of expenditures, just when the cost and force structure benefits are being realized. ASPJ is in low rate production right now. As I stated before the Navy strongly supports the program. Reasonable public policy indicates that this low rate production should be continued by the Navy and Air Force without costly interruptions until the Defense Acquisition Board makes their determination for full rate production. The Air Force must continue its final verification testing of the ASPJ in the F-16 aircraft this year and should restore its support of the ASPJ Program in the 1991 budget. No other path makes sense.

TWENTY-FIRST CENTURY TEACHERS ACT

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. HAWKINS. Mr. Speaker, my colleagues and I are very pleased to introduce today the Twenty-First Century Teachers Act. We accept the challenge that Congress is being called on to continue as a full partner in helping to restructure and reform our Nation's schools. Our Education and Labor Committee has an open and continuing dialog with the education community at-large, and this legislation reflects this relationship.

Our legislation is straightforward and focused on the development of human resources as the most important ingredient of school reform. We provide funds for individuals who want to commit themselves to teaching careers and matriculate in our Nation's colleges and universities; we provide funds for those institutions of higher education who will provide successful recruitment and retention programs for students preparing to enter the teaching profession; and we provide funds so that local education agencies, together with institutions of higher education and other eligible entities, may develop successful programs which reflect the best practices in school reform. Finally, we provide the support necessary so that excellent teachers at various levels from across the country will be nationally recognized and honored.

Over the past decade, the Congress has attempted to prevent funding cutbacks in education programs from preschool through adult education. At present, the President's budget does not fully reflect the funding necessary for this Nation's schools.

While I do not intend to rehash the findings of dozens of reform reports and studies over the past few years, I do want to reference two particular efforts as we introduce this legislation. In 1987 the Rand Corp. noted,

> Growing enrollments, pending retirements, and educational reform initiatives have given rise to an increasing demand for teachers in the Nation's public schools. The supply of teachers, on the other hand, has been declining. It is anticipated that in 1992 the supply of newly graduated teachers will fill only two-thirds of the positions available. Inner city and rural school districts will have to contend with the effects of growing competition for teachers.

In that same year, the American Association of Colleges of Teacher Education reported that demographic data projected a future in which minorities would constitute a third of the pre-school-age population and nearly a third of the elementary and secondary school age population while, at the same time, the percentage of minority teachers was threatening to fall below 10 percent. The AACTE noted specifically that:

> The proportion of minority students enrolled in four year institutions where teacher education programs are offered, has declined, thus creating a smaller pool from which teacher education programs can recruit minority students;
>
> Large percentage of minorities attend two year community and junior colleges, which have low rates of transfer to four year institutions;
>
> Higher education is expensive and minority groups typically comprise much larger proportions of the low to middle socioeconomic status; and,
>
> Matriculation into certification following teacher education programs depends in many places on passing mandatory standardized tests; such tests have adversely affected the numbers of new minority teachers.

The Twenty-First Century Teachers Act reflects many of the good ideas and approaches proposed by our Senate colleagues as well as our previous committee efforts in this regard. This coming Saturday, we will be holding a hearing in Los Angeles on the bill, and by mid-March, the committee will be holding a hearing inviting a wide cross-section of individuals and organizations which will be most impacted by the bill.

Mr. Speaker, I commend this legislation to my colleagues and alert them to a forthcoming Dear Colleague letter on the bill. In the meantime, I would ask Members to call my committee office at 225-4944, Ms. Marilyn Marsh, if you wish to be added as cosponsors for the bill, or if you wish to obtain a copy of the bill.

We expect to move this legislation during the next couple of months in order that we, together with our Senate colleagues, may forward a bill to the President which will help him to become an education President.

INTRODUCTION OF LEGISLATION TO AMEND SECTION 503(b) OF THE BANKRUPTCY CODE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. QUILLEN. Mr. Speaker, I am pleased to introduce legislation today which will amend section 503(b) of title 11 of the Bankruptcy Code to allow for the reimbursement of actual and necessary expenses incurred by official committees of unsecured creditors and equity security holders in performing certain statutory functions during the pendency of a chapter 11 case. Over the years, official committees have played an important role in the reorganization process. Chapter 11, enacted by Congress in 1978, is structured to provide a system premised on arriving at an acceptable plan by active participation of all persons in interest through negotiations.

The Bankruptcy Code mandates the appointment of an official committee to represent the interests of unsecured creditors as well as equity security holders. Interested persons negotiate with the debtor through these official committees. The principal duties of official committees, as specified by the Code, are to investigate the affairs of the debtor and to present their constituencies in negotiations with the debtor for a plan of reorganization.

The 1978 Bankruptcy Code reflects Congress' view that creditors and equity security holders could be adequately protected by assuring that adequate information was disclosed to them at the time their votes were solicited for acceptance of a reorganization plan and by providing an opportunity to participate in the reorganization in a formal capacity through the committee process. I believe, as Congress did when it passed the Code in 1978, that the official committee system is the best way to ensure that all persons are adequately represented and that a fair and equitable reorganization plan is formulated.

However, there is a growing concern that many interested persons are not participating on these official committees. I believe that there is a reluctance to serve on official committees in bankruptcy matters largely because of the uncertainty of being reimbursed for expenses incurred while participating in committee business. The allowance of actual and necessary expenses of official committees is not specifically provided for under the present section 503(b). As a result, many courts have interpreted this omission as requiring denial of these expenses. Participation by committees, particularly in large, complex reorganization cases often involves the expenditure of substantial expenses. This not only places a burden on committee participation, but it also jeopardizes the entire committee process. My amendment to the Bankruptcy Code would encourage all interested persons to participate, instead of only those persons to whom cost is not a factor. It should be noted that before a committee may be reimbursed for expenses it has incurred under the amendment, the reimbursement request must be approved by the bankruptcy court. Moreover, before the bankruptcy court will award such a reimbursement, the committee must show that it made a substantial contribution to the case.

I commend the work of the Commercial Law League of America and its bankruptcy and insolvency section. Their excellent work is the foundation for much of this legislation.

I am optimistic that this legislation will help encourage more active participation in the official committee process and help ensure fair and equitable representation in chapter 11 reorganization cases.

A HERO'S PASSING

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. NEAL of Massachusetts. Mr. Speaker, it has been nearly 45 years since the end of World War II. In the ensuing five decades, Americans have enjoyed a period of relative peace and unparalleled prosperity which was won for us by the gallant soldiers, sailors, and airmen who fought their way from island to island in the Pacific, across the deserts of North Africa, and through the skies of Europe. Regrettably, our memories of their brave deeds are awakened most frequently now by the history books our children bring home from school, or notices in the newspapers when their ranks are depleted by death.

It was in the latter fashion that I learned of the passing on February 15, 1990, of one of the true heroes of World War II, Michael L. Arooth of Springfield, MA. Master Sergeant Arooth served as a tail gunner on an Eighth Air Force B–17 bomber, and is credited with shooting down 17 enemy aircraft in only 14 missions. In the process, he became the first American ace gunner of the war.

Michael Arooth's list of decorations and honors was lengthy and prestigious, as befitted his gallantry. Chief among his medals was the Distinguished Service Cross which he won for shooting down four aircraft on a single mission, including two after he had been wounded and was nearly unconscious from loss of blood. He was my hometown's most decorated combat hero of World War II. No city was ever prouder of one of its sons than Springfield was of Michael Arooth.

Mr. Speaker, the boys who won World War II and preserved the freedom we cherish are our senior citizens today. When they take their final leave, it is important that we acknowledge the extraordinary contributions they made to the history of our Nation and the world. Men like Michael Arooth might have seen themselves as simply doing their duty. But the uncommon dedication and bravery they brought to their tasks was the difference between victory and defeat for the United States and its allies. The surge of liberty we witness in Eastern Europe today would not have been possible without heroes like Michael Arooth wedged precariously in the tail sections of B–17's 45 years ago. To his son, David; daughters Carolyn and Virginia; brothers John and Joseph; sisters Ruth and Louise; and other relatives must go the thanks of a grateful Nation for the selfless service which Michael Arooth rendered at a time when his country was most in need.

TRIBUTE TO THE LATE ROY OTIS DAY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. HALL of Texas. Mr. Speaker, one of the great benefits of public service is to be part of the movement to better the system or at least observe works of public servants who dedicate their life to the political arena as a medium through which we can bring about, as the writer Jeremy Bentham said, "the greatest happiness of the greatest number is the foundation of morals and legislation"—such was Roy Day.

Roy Otis Day, former owner of a Pomona, CA, printing business and a longtime civic leader and political strategist, was known for 50 years as "Mr. Republican." Although I am a lifelong Democrat—I know when I observe an artist at work—and I deeply respect the Roy Day's across our country—those who make the political system work. In 1946, he managed Richard Nixon's first campaign for public office and remained a loyal supporter until his death in 1986, Mr. Day also managed the political campaigns for Representative Patrick J. Hillings, Representative John Rousselot and many other successful participants in the field of public service.

Roy Day was born October 20, 1900, in Pomona. He served in the Navy from 1919 to 1921 and soon afterward worked for the United Fruit Co. In Costa Rica. In the mid-1920's he joined the advertising sales staff at the old Pomona Progress, later purchased the newspaper's commercial printing equipment and built it into a multimillion dollar printing business.

A tireless community worker, Mr. Day served as president of the Pomona Chamber of Commerce, Pomona Central Business District Association, and Pomona Host Lions Club, and was a former member of the Pomona Planning Commission and the school board. Actually, Roy Day was a leader of every worthwhile project—Scoutmaster, Small Business Board of Advisors, YMCA membership drive, United Crusade, Navy League, Pomona First Baptist Church, Distinguished Service Award from the Jaycees, and you name it—he was a giver.

Roy was survived by his wife Florine, three loving daughters, Linda Baker, Patti Day, and Diana Brady, and one son Roy O., Jr., and five wonderful grandchildren Brandon Dickerson, Stacie Day Brady, Carolyn Brady, Sarah Beth Baker, and Andrew Baker.

Mr. Speaker, as we adjourn today, let us do so in remembrance of the wonderful public servant, Roy Otis Day, his wonderful family—and in tribute to the Roy Day's of the Nation—who give of themselves to make this a kinder and gentler and a happier nation.

Mr. Speaker, as we adjourn today, let us do so in remembrance of the wonderful public servant, Roy Otis Day.

HUMAN RIGHTS IN CUBA

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Ms. SCHNEIDER. Mr. Speaker, today my colleague, ILEANA ROS-LEHTINEN, and I are introducing a concurrent resolution expressing the sense of Congress that the United Nations Human Rights Commission should continue to investigate human rights abuses in Cuba.

The United Nations Human Rights Commission is presently meeting in Geneva to debate human rights abuses. Numerous human rights groups, including the nonpartisan America's Watch have pointed out the poor Cuba human rights record. The U.S. Ambassador to the UNHRC, Armando Valladares, also has personal experience in Cuban prisons.

In September 1988, the UNHRC sent a delegation, called the Cuba Working Group, to Cuba to investigate human rights abuses. Hundred's of Cubans came out to testify before the U.N. delegation. Reportedly more than 20 people who testified were subsequently arrested despite assurances against reprisals from the Cuban Government.

The U.N. delegation produced a 400-page report. The report drew no conclusions, but included testimony of "137 complaints of torture, cruel, inhuman or degrading treatment or punishment."

Fidel Castro has dismissed the new Eastern European democracy as "counterrevolutionary." Castro has repeatedly rejected perestroika and glasnost. He continues to promote single party domination of the political process.

Last July, Castro had several members of the military, including Gen. Arnaldo Ochoa Sanchez, executed on "drug charges." General Ochoa had received the Hero of the Republic of Cuba medal, fought in the Cuban Revolution and was the commander of Cuban forces in Angola. He also favored glasnost and perestroika.

This resolution expresses the Sense of Congress that the United Nations Human Rights Commission should continue to investigate human rights conditions in Cuba. It further urges the UNHRC to appoint a Special Rapporteur to monitor human rights in Cuba as was done in Iran, Afganistan, El Salvador, and Rumania.

I urge quick passage of this important resolution.

INTRODUCTION OF THE COMPETITIVE NORTHEAST RAIL FREIGHT SERVICE ACT OF 1990

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. LENT. Mr. Speaker, I am today introducing legislation to address a transportation crisis facing the economy of the Northeast, particularly upstate New York and Pennsylvania. This emergency arises from the bankruptcy of the Delaware & Hudson Railroad. The railroad's bankruptcy trustee has conducted a careful and even-handed bidding procedure to attract buyers for the railroad as a going concern. In this way, the trustee has sought to recognize and protect not only the legitimate interests of creditors, including the Federal Government and the State of New York, but also the broader public interest in the availability of competitive rail service.

At the culmination of this bidding process, the trustee has received an offer from the Canadian Pacific Railroad. However, the Canadian Pacific offer contained a contingency: To buy the D&H and operate it as a functioning railroad, Canadian Pacific would have to be assured of access to a critical interchange with two major southern rail carriers in western Maryland. And that interchange could be reached by D&H trains only if Conrail would cooperate by granting trackage rights over about 40 miles of Conrail track. Unfortunately, Conrail has adamately refused to arrange for the needed trackage rights, and now the survival of the D&H as a going railroad is directly threatened.

Normally, Mr. Speaker, we who fought long and hard to enact and then defend the Staggers Rail Act would argue for treating the dispute between Conrail and the D&H as a private-sector matter that is outside the realm of Federal transportation policy. In this instance, however, both the disputed route and one of the opposing parties are literally creatures of earlier Federal policy decisions.

Conrail itself was formed under Federal auspices out of the bankrupt northeastern rail carriers in the 1970's. After a decade of rehabilitation, including generous Federal assistance in matters ranging from labor protection obligations to abandonment of disused rail lines, Conrail was able to be successfully privatized through legislation enacted by the Congress in 1986, and implemented in 1987. Since then, Conrail has proven to be a successful and competitive participant in the freer transportation markets made possible by the Staggers Rail Act.

When Conrail was being designed by Federal planners in the 1970's, various routes and interchanges were awarded to Conrail or to other carriers in the Federal Government's grand design for Northeastern rail service, known as the final system plan. Under that plan, it was assumed that carriers serving the Southeastern and Mid-Atlantic regions would be assigned routes through Pennsylvania and upstate New York that would make it possible to compete directly with Conrail on traffic moving north and south along the eastern seaboard. The Delaware & Hudson was expected to be, in effect, a junior partner with these Southern railroads in competing with Conrail for the north-south traffic.

Actual events did not conform to the assumptions in the final system plan. The major Southern carriers were not given the direct connections with the D&H that had been expected. Shortly after the final system plan was adopted, the Interstate Commerce Commission reported that the D&H would be severely handicapped as a potential competitor to Conrail without suitable Southern connections. And quite prophetically, the ICC also warned that Conrail would be in a position to threaten the viability of the D&H by controlling the access of the D&H over various Conrail lines that were crucial to competitive connections needed by the D&H.

Now, Mr. Speaker, a decade and a half later, the prophecy has come true. The D&H is in bankruptcy, and even its last hope of survival as a unified operating railroad is threatened by Conrail. In this instance, Conrail's hard-line refusal to negotiate trackage rights of the Hagerstown route is a clear and present danger of the survival of any competition for Conrail on north-south freight traffic. Yet despite various entreaties by officials of the affected areas, Conrail has refused to cooperate regarding the trackage rights.

What the D&H needs is not charity, but a brought-and-paid-for trackage rights arrangement to move its trains directly across Maryland without traversing the Northeast corridor. This Conrail refuses to negotiate. Therefore, Mr. Speaker, I have reluctantly concluded that legislation is nesessary and appropriate to address this emergency.

I am taking this action only because I believe the Federal Government has an obligation to protect the public from a loss of rail service that is directly attributable to earlier Federal mistakes and oversights in the formation of Conrail. This legislation merely carries out the intention of the Congress that Conrail become a legitimate and health competitor in the American rail transportation system. Congress never intended that Conrail become a legitimate and healthy competitor in the American rail transportation system. Congress never intended that Conrail should become a regional monopolist as a result of governmental misadventure.

This bill is designed to guarantee the vitally needed trackage rights for the D&H, but on negotiated terms if posssible. The Interstate Commerce Commission is empowered to decide the amount of compensation if necessary, but that is a last-resort procedure to be used only if direct negotiations do not produce a viable trackage-rights agreement. This process is directly parallel to the powers the ICC normally has for guaranteeing access of one railroad to a terminal facility owned by another railroad. Constitutional principles of just compensation for property are observed, as are the requirements of due process. The only difference here is that this procedure is to be applied to a line of track about 40 miles outside the actual connection point, Hagerstown.

This modest and minimally instructive legislation is carefuly targeted to correct the Federal Government's past mistake in structuring the D&H and Conrail routes—and nothing more. I sincerly hope that Conrail will conduct prompt and fair good-faith negotiations with the D&H—or a successful bidder to purchase the D&H. A voluntary agreement is much to be preferred, but Government action can and must be taken to prevent the collapse of competitive rail service in an entire region—a collapse that can be controlled an manipulated by Conrail only because of a slip of the Federal pen.

TRIBUTE TO TOM REGAN

HON. ROBERT A BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. BORSKI. Mr. Speaker, I rise today to pay tribute to Tom Regan, the Mayo Association of Philadelphia's "Mayo Person of the Year."

Born in Kilkelly Derrycastle in County Mayo, Ireland, Tom Regan came from a large family of four boys and five girls. After witnessing the bloody Easter Monday rebellion of 1916 in his homeland, Tom followed his two brothers and a sister to America.

A resident of Jenkintown, PA, Tom has been married to his wife Cecelia for 60 years. They have six children: Cecelia, Mary, Josephine, Nellie, Matt, and Tom.

Tom has been active with the Irish movement since he was 15. He has been the recipient of many awards honoring him for his work for the cause of Irish freedom and has served as founder, president, and manager of the MacSwiney Club in Jenkintown. Tom is even listed in Ireland's Book of Fame.

Mr. Speaker, the Mayo Association has chosen to add to Tom Regan's honors by selecting him as the 1990 Person of the Year. Tom Regan deserves this great honor for his lifelong dedication to peace, justice and unity in Ireland.

PICKETT URGES FULL COLA'S FOR MILITARY AND FEDERAL RETIREES

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. PICKETT. Mr. Speaker, for the second year in a row, President Bush has proposed that there be no cost-of-living adjustment [COLA] for our Nation's military and Federal retirees and that all future COLA's be reduced 1 percent. Only disabled annuitants would be excluded from these provisions.

The President's proposal is as wrong this year as it was last year, Mr. Speaker, and it should again be rejected.

Military and career civil service retirees recognize the need to reduce our budget deficit, and like most Americans, they are willing to do their part as long as the reductions are fair and equitable.

But this proposal is not fair. It singles out military and civil service retirees for cuts when beneficiaries of other Federal retirement programs are scheduled to receive full COLA's. It also comes on the heels of a decade-long effort to delay COLA's, reduce COLA's, eliminate COLA's, and extend the time-interval between COLA's.

All this for a group of Americans who devoted their most productive years to public service.

Mr. Speaker, the gentlelady from Ohio, Ms. OAKAR, who has been a champion of Federal retirees, has introduced legislation, House Resolution 3914, to protect our military and civil service retirees from this shortsighted and unfair proposal.

I urge my colleagues to join me in cosponsoring this important legislation.

TRIBUTE TO THE LATE JACK LEWIS

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. McDADE. Mr. Speaker, on February 9, 1990, I was saddened to learn of the unexpected death of veteran Scrantonian Tribune editor and columnist and my friend of many years, Jack Lewis.

A native of Scranton, PA, Jack graduated from local schools before joining the U.S. Marine Corps and rose to the rank of sergeant during World War II. Upon his discharge, he joined the Scrantonian Tribune and rapidly moved up the ladder to become a correspondent, a staff reporter, copy editor and Sunday editor.

He was a member and a past officer of the Newspaper Guild and a member of the Holy Cross Athletic Association, Fifth Marine Division Association and Sloan Booster Association.

A fine athlete, Jack enjoyed tennis as a member of the Scranton Tennis Club and racquetball as a member of the greater Scranton YMCA. He was active in both sports until earlier this year. He also coached Little League baseball teams.

Our thoughts go out to his wife, the former Dale Thomas; three sons, Jack, an attache of the state attorney general's office; Jeff, an educator who resides in Washington, DC, and Glenn, of Atlanta, GA, a Marriott Hotel executive; a daughter, Mrs. Pamela Kane of Dunmore; a sister, Mrs. Jean Dowse of Scranton; five grandchildren; and several nieces and nephews.

THE IMPORTANCE OF EDUCATION FUNDING

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to express my views on the importance of education to this country. I believe that education ought to be the primary concern of this Nation and I am committed to achieving excellence in education.

The challenge of educating is already complicated by societal factors ranging from drugs and educating homeless children to the technological demands of the coming 21st century. The challenge is heightened by the limited resources available to teachers and schools. Financially, the past decade has been devastating. Federal dollars to support education programs have disappeared. And now, we are faced with a situation where we must play catch up.

The President has named himself the "Education President" and we must hold him to that. We need more Federal dollars to pay teacher salaries, purchase laboratory materials and schoolbooks, provide teacher training, and to make education accessible to everyone.

As we enter the 1990's I can't help but to be reminded of the leadership exercised by the late President John F. Kennedy on education. He brought about a renaissance in education. He said that, "the education of our people is a national investment. It yields tangible returns in economic growth, and improved citizenry and higher standards of living."

These words still hold true today, and it is our responsibility to arm the children and adults of this Nation with a solid education. This is the best defense to the challenges presented by the changing world community. It is imperative that the level of education funding is commensurate with the high value we place on education. Quality education should be our legacy to the future generations.

TRIBUTE TO MERVIN ADAMS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. GEKAS. Mr. Speaker, I ask my colleagues to join me in congratulating Mervin Adams of Millersburg, PA, on his retirement.

Mr. Adams, a longtime resident of the 17th Congressional District, has been a faithful servant to his community. During his long career, he served 24 years on the board of supervisors of Upper Paxton Township, 18 years as roadmaster for Upper Paxton Township, 8 years on the executive board of State Association of Township Supervisors, and 2 years as president of the State Association of Township Supervisors. And he remains a member of the Dauphin County Planning Commission.

Mr. Speaker, I am always impressed and overwhelmed when I encounter citizens who selflessly dedicate themselves to the good of their neighbors and community. Such an individual is Mervin Adams, and on behalf of Dauphin County, I thank him for his distinguished work.

NAVAL ARMS CONTROL: ANALYZING SOVIET INITIATIVES WITH CARE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. HUNTER. Mr. Speaker, I wanted to bring to my colleagues attention an article written by the Chief of Naval Operations, Adm. Carlisle Trost. As we being to examine our defense priorities it is essential that we take a good look at Soviet actions, not just words. Admiral Trost examines Soviet actions and makes a compelling case for the need to resist Soviet attempts to conclude the U.S.

Navy in arms control talks. I encourage all my colleagues to read this important article.

NAVAL ARMS CONTROL: ANALYZING SOVIET INITIATIVES WITH CARE

(By Adm. Carlisle A. H. Trost, U.S. Navy Chief of Naval Operations)

As the Soviet Union continues to make proposals about cutting conventional forces, a new wrinkle has been added. During his most recent visit to the U.S., Marshal Sergei Akhromeyev, Soviet President Mikhail Gorbachev's senior military adviser, said that Moscow might not sign any agreement reducing conventional forces in Europe unless the U.S. agrees to open talks on reducing its naval forces.

We must analyze such a proposal with much care. Although we welcome the lessened tensions which characterize the current global political climate, we must be careful to avoid actions whose consequences may be injurious to the long-term political and economic health of both our country and our allies, as well as to many other nations which depend on us to assure the peace.

One key fact underlies any argument against cutting U.S. Naval forces: the U.S. is a maritime nation whose dependence on the seas is the bedrock of U.S. political and economic security. For the U.S., world trade routes are vital links—a lifeline—to other nations. The trade routes we use exchange more than 600 billion dollars worth of our country's annual exports and imports.

The materials and products shipped by sea directly impact our lives. Some are the products of the American farmer, worker or miner. In return, some are the products on which we, as a nation of consumers, have come to rely (imported autos, VCR's, TV's, home computers, etc.). And some, too, are materials which are essential to our industrial might and strategic security but which are not available naturally in our country. A few examples are tin, chromium, manganese ore and beryl—all items either totally or almost totally imported. And, of course, we now import 42 percent of our oil, a figure that can be expected to grow.

Couple these realities with the fact that as a nation our vital interests are expressed in a web of 47 treaties and alliances with binding coalitions for mutual defense. These relationships, together with commercial dependencies which evolve from them and which support our economy, shape our national security objectives. Stated simply, our global commitments set the environment in which we live, work and prosper. And the sea is what ties us, our allies and our friends together and makes our relationships viable.

The Soviet Union, on the other hand, is a self-sufficient land power with no dependence on the seas for its economic survival. Whatever resources it needs are available indigenously or from Warsaw Pact allies which directly adjoin the Soviet landmass.

Consequently, the reason for Soviet interest in limiting the size of the U.S. Navy is apparent. It is the Navy that ensures the ability of free nations to use the sea and to prosper in a multi-polar, interdependent world.

The U.S. Navy is a strong contributor to our national defense strategy. To execute this strategy properly and to protect our global interests and commitments, we have learned from hard experience that our national interests are best served by a forward strategy. This means a globally deployed Navy, ready to contain problems before they start and to deter potential adversaries from challenging free use of the oceans. Our presence in the Persian Gulf is a prime example of how our Navy, by being on the scene, sent a clear message and brought stability to a war-torn region—and kept the oil flowing. This forward posture—a deterrent posture—has kept global peace for nearly 45 years, keeping conflicts isolated to local regions.

So one might ask why the Soviet Union is demanding reductions in our Naval forces—the very same forces that have been so successful in doing exactly what the Soviets supposedly are striving for—achieving global peace? How do we reconcile this question when we see the Soviets, a self-sufficient land power, continuing to build new warships of every class at rates exceeding any reasonable defensive needs—aircraft carriers, submarines, cruisers, destroyers and frigates?

The Soviets, as advertised, are indeed retiring older, difficult to maintain ships. But this effort will simply allow them to focus their resources, material and human, on new and very capable ships and aircraft. Make no mistake about it. The qualitative capability of the Soviet Navy is increasing—even if their numerical advantage diminishes.

How, also, do we reconcile the fact that the Soviets continue to support third world surrogates with the most sophisticated military hardware? Continuing arms deliveries to Libya, North Korea, Cuba, Iraq, Nicaragua and Afghanistan seem inconsistent, at best, with public proclamations of a defensive strategy.

There are many pundits, caught up in the euphoria of the moment, who advocate proceeding as if the future holds only the certainty of peace. We must consider a longer view.

All that is certain about the future is that it will challenge us from many quarters we may not now fully appreciate. If we are to be prepared to meet those challenges, far from our shores, a Navy unrestricted in its mobility and capability—a potent, unfettered force free to operate on distant seas—is something we simply cannot do without. Only an experienced and ready Navy will have the capability of responding, as we have in the recent past, to the wide spectrum of threats borne on winds of technological and geopolitical change.

ESTONIAN INDEPENDENCE

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mrs. KENNELLY. Mr. Speaker, I join with Connecticut's Estonian Society in observance of the 72d anniversary of the Proclamation of Independence of Estonia. Last year we witnessed miraculous events all over the world. The spirit of glasnost swept the world over, and independence from the Soviet bloc was experienced for many peoples throughout Eastern Europe.

As the saying goes, Poland won its freedom in 10 years, Hungary in 10 months, East Germany in 10 days, and Czechoslovakia in 10 minutes. But today, 72 years after declaring independence, the people of Estonia are still not the masters of their national destiny. Conditions may have eased, but their fate is still subject to the absolute dictates of the men in the Kremlin.

Estonia has remained a constituent republic in the Soviet Union since its incorporation in August 1940. The United States Government has never accepted the validity of the Soviet annexation of Estonia, and consequently, has not invalidated the recognition it accorded to the Estonian Republic in 1922.

Today, as the 72d anniversary of Estonian Independence Day approaches, I would like to commend the Estonian people for their unwavering commitment to freedom and dignity of every individual. We in this Chamber, along with the free people across this world, that someday soon the people of Estonia will be free again.

NEW POSTAGE STAMP HONORS PUERTO RICAN PATRIOT

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. FUSTER. Mr. Speaker, my colleagues may have noticed the new postage stamp issued this month by the U.S. Postal Service, as part of its "Great Figures of America" series, which commemorates the late Luis Munoz Marin, who in 1948 became Puerto Rico's first popularly elected Governor. It is a rare distinction and a fitting tribute to the father of modern Puerto Rico, the man who created my island's Commonwealth relationship with the United States.

This inventive and widely admired act of statesmanship has provided the people of Puerto Rico with a dynamic political framework of self-government and fiscal autonomy within its broader association with the United States.

It was Munoz Marin who in the 1950's launched "Operation Bootstrap," the pioneering program which transformed Puerto Rico from agrarian poverty into industrial prosperity. Today, Puerto Rico is the model for rapid industrial development not only in the Caribbean but also throughout the developing world.

Indeed, Mr. Speaker, it is fitting that we honor Luis Munoz Marin at a time when the Congress is considering legislation that would further enhance Munoz's vision of a Commonwealth status which was designed to evolve and grow to meet new realities in Puerto Rico.

From economic despair and political uncertainty, Luis Munoz Marin built the most steadfast democracy and the most prosperous economy in all of Latin America. Mr. Speaker, I well remember the words spoken by President John F. Kennedy when he awarded the Medal of Freedom to Luis Munoz Marin:

"Poet, politician, public servant, patriot, he has led his people on to new heights of dignity and purpose and transformed a stricken land into a vital society."

That superbly sums up the life of a remarkable man, the father of modern Puerto Rico. How fitting it is for the U.S. Postal Service to honor this giant among men, and I know my colleagues join in saluting this "Great Figure of America," don Luis Munoz Marin.

RETIREMENT OF DOROTHY CORINE WADLEY

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. BROOKS. Mr. Speaker, I want to take this occasion to call your attention to the retirement of Dorothy Corine Wadley, an outstanding employee of this Congress who for the past 17 years has been a staff member of the House Judiciary Committee.

Dorothy Wadley worked on the Subcommittee on Crime, the Subcommittee on Monopolies and Commercial Law, the Subcommittee on Economic and Commercial Law, and for the past year on the Judge Walter L. Nixon special impeachment staff.

She was office manager on the Monopolies and Commercial Law Subcommittee and in this position edited all transcripts and proofread all of the subcommittee's outgoing documents. She also conducted legislative research and managed the work flow of the subcommittee.

She is a business education graduate of Florida A&M University and prior to joining the Judiciary Committee, worked for the office of Congressmen JOHN HEINZ III, and WILLIAM S. MOORHEAD. She also worked for the 1972 National Democratic Convention staff and subsequently for the Democratic Presidential Campaign.

Mrs. Wadley is very active in her church and is deeply involved in the Montgomery County Foster Care Program. She has contributed immeasurably to the work of the House of Representatives and I want to wish her the very best that life has to offer during her retirement.

FAY JONES AWARDED THE AIA GOLD MEDAL

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. HAMMERSCHMIDT. Mr. Speaker, Arkansas architect Fay Jones has been awarded the highest honor of his profession, the American Institute of Architects [AIA] gold metal.

In ceremonies at the White House on February 22, 1990, President Bush joined AIA officials, past honorees, associates, and celebrities in making the presentation.

A gala banquet that evening at the National Building Museum here in Washington, with the Prince of Wales addressing the assembly, provided further opportunity to honor Fay Jones and his work.

Fay Jones' "Ozark" style is characterized by the AIA as "use of native stone and natural woods that integrate the natural environment into the building design."

He has designed more than 200 homes, more than a dozen of which were featured in national magazines in the 1960's and 1970's.

Greater recognition, as well as his first AIA honor award, came from one of his churches, Thorncrown Chapel in Eureka Springs, AR. Architectural Record said Thorncrown:

> Accepts every nuance of light and registers every subtlety in the landscape. It is a brilliant testimony to the power of architecture to intensify experience and inspire contemplation.

Fay Jones received the bachelor's architecture degree with the first architecture class at the University of Arkansas in 1950. After graduate studies at Rice, he taught architecture at Oklahoma University.

In 1953, he apprenticed at Taliesin in Spring Green, WI. After 4 months, he took Frank Lloyd Wright's advice and returned to Fayetteville and the University of Arkansas to teach.

That same year, he founded an architecture practice that endures today as a partnership with Maurice Jennings, with the able assistance of Mary Elizabeth (Gus) Jones, his wife of 46 years.

Fay Jones succeeded John Williams as chairman of the Architecture Department in 1966 and became the first dean of the School of Architecture in 1974. After 2 years, he gave up administrative duties but continued to teach, concurrently working as an architect, until taking emeritus status in 1988.

It has been my pleasure and honor to know Fay Jones for over three decades. In 1981, we were fellow recipients of University of Arkansas distinguished alumnus awards.

Fay Jones is the 48th recipient of the AIA gold medal, taking his place among such other notables as Louis Sullivan, Frank Lloyd Wright, Philip Johnson, and I.M. Pei.

Mr. Speaker, it is an honor to have you and your colleagues join in recognizing Arkansas architect Fay Jones, his superior talent and excellence in design that have earned him and his work the highest accolade of his profession.

The presentation by the American Institute of Architects gold medal salutes Fay Jones as an architect:

> Who, for more than four decades, has created an exquisite architecture of gentle beauty and quite dignity that celebrates the land and embraces the American spirit. Complex yet delicate, grand in vision yet human in scale, bound firmly to the Earth yet soaringly spiritual, his work strikes an emotional chord that touches the soul of all who encounter it. Humble, original, intelligent, and uncompromising, he embodies everything that architecture can and should be.

BROWARD COUNTY BURIES SHERIFF DEPUTY JOHN W. GREENEY III

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. SMITH of Florida. Mr. Speaker, this past Wednesday, south Florida buried one of its finest deputy sheriffs. John (Jack) W. Greeney III was killed in the line of duty by two men wielding semiautomatic weapons. Greeney and his partner, Robert Sallustio, were summoned by the silent alarm in a local fast food restaurant. Robert Sallustio's bulletproof vest saved him, and he is recovering in the hospital from several gunshot wounds. Jack Greeney was not that fortunate.

Deputy Greeney had public service and police duty in his blood: both his father and his grandfather served their communities as police officers. His father, John Greeney II, a former Cooper city police chief, went on to direct all Broward Sheriff's Office operations at Fort Lauderdale International Airport until he retired last year. Jack Greeney joined the military shortly after graduating high school, and by the time he retired from the U.S. Air Force in 1985, Greeney had attained the rank of chief master sergeant. He joined the Deputy Sheriff's Office in 1986.

Greeney's alleged killer is wanted in Massachusetts on two counts of assault with intent to murder and assault and battery with a deadly weapon. In spite of this, he easily purchased a gun in Dade County. Perhaps if a mandatory national waiting period were in place, the thug who fired on and killed Deputy Sheriff Jack Greeney would not have had access to such a deadly weapon. Certainly something must be done about the assault weapons such as the one that killed Deputy Greeney.

Jack Greeney loved being a cop and bravely and selflessly performed his duties. He was buried in Arlington National Cemetery in Virginia with full military honors. He is survived by his parents, John and Theresa, of Cooper City; sons John IV, Michael and Matthew; a sister, Patricia Huberig of Boca Raton; and a grandmother, Esther Greeney of Cooper City. I extend my condolences to Deputy Greeney's loved ones. South Florida will deeply miss this courageous spirit and mourns the loss of such a dedicated public servant.

FUTURE HOMEMAKERS OF AMERICA CELEBRATE FHA/HERO WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. NATCHER. Mr. Speaker, the Future Homemakers of America celebrated National FHA/HERO Week with the theme "Future Homemakers of America: Make a Difference."

During 1989 over 281,000 members in 11,000 chapters were involved in projects and activities that focused on such issues as substance abuse, AIDS prevention, peer pressure, teen pregnancy and parenting, helping the homeless, latchkey children, nutrition and fitness, and developing leadership skills on the job. The Future Homemakers of America continues to emphasize involvement by its members that allows them to develop skills for life—planning, goal setting, problem solving, decisionmaking and interpersonal communication—all of which are necessary in the world of work and home.

Last year in my home State of Kentucky 10,479 young people in 257 chapters participated in FHA activities and projects. There were 1,279 FHA members in the Second District of Kentucky, which I have the privilege of representing in the Congress. Chapter

projects in Kentucky continued to focus on issues that deal with AIDS prevention, prevention of family violence, peer pressure, peer counseling, handicap awareness, child emotional abuse, stress management, and teen runaways.

The 1989 Kentucky State meeting was held at the Galt House in Louisville, with the largest attendance ever. 1,400 members, advisers, and parents attended the meeting April 20–22. The 1990 State meeting will be held in Lexington on March 29–31.

Two of the State FHA/HERO officers for 1989–90 are from the Second Congressional District of Kentucky. Monica Knight, who attends LaRue County High School, is the secretary; Tammie Evans, who attends Franklin-Simpson High School, is the first vice president.

Two FHA members from the Second Congressional District received medals during the national meeting in 1989. Shannon England, Caverna Chapter, won the gold medal in the category of job application and interview; Bridgette Harper, Breckinridge County Chapter, won the silver medal in the category of illustrated talk. FHA members from Kentucky received seven gold medals, five silver medals and one bronze medal during the recognition ceremony at the national meeting.

Three chapters in the Second Congressional District were recognized as "Chapters With Impact" last year. The Bowling Green High Chapter assisted police and dental offices in fingerprinting and making dental x-rays for parents to keep. The Washington County Chapter donated money to the student council to finance school projects. The Hart County HERO had a speaker on choosing a career and completing job applications and résumés.

The Barren, Caverna, Franklin-Simpson, Hart, Larue, West Hardin, and Spencer Chapters were named 1988–89 Honor Roll Chapters.

The Future Homemakers of America is an excellent organization, and I would like to commend Mrs. Jeanette Downey, who resigned as State adviser last April, and all of those who participate in FHA/HERO activities and projects for your service. I wish Ginny Ellington, the new State adviser, and all the members and advisers of the Future Homemakers of America continued success in all their future endeavors.

HOW THE HEALTH CARE CRISIS CURED ITSELF!

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. RITTER. Mr. Speaker, I would like to bring to my colleagues' attention the following articles by John J. Iannantuono, CFP, ChFC., which are written in a prophetic manner.

They may provide insight on the health care crisis.

(October 1, 1999)

HOW THE HEALTH CARE CRISIS CURED ITSELF!

I was looking through old magazine and newspaper articles and what hit my eye was the frequency and intensity of the Health Care crisis a mere 10 years ago. Something that was so out of kilter is now not even given any attention at all in the press.

How did such an about face take place in such a short span of years?

If asked what the prime reason was for this change in the first place, my recollection is that Employers got so fed up with substantial medical insurance rate increases year after year that they just gave up and radically changed their insurance plans. They imposed really substantial deductibles and coinsurances. There was a lot of controversy.

First, just a few companies went to $1,000 deductibles and large coinsurances of (say) 60/40 percent on $15,000 of expenses. Employees really protested. But as experience data was coming in employers and employees began to realize this wasn't half bad. Most plans had become contributory anyway and the employees were soon welcoming the lower payroll deductions. Then the economic recession of 1992 set in with a big sting. Companies were forced to cut back in many areas so deductibles went up again. This time to $3,000, $5,000, and higher. Some coinsurances went to $25,000.

Interestingly and coincidentally, I guess, people started being much more conscious of the medical delivery system. At the same time the Providers of medical service (the hospitals and doctors) just had to be more sensitive to the pocketbook.

They weren't dealing with insurance companies as much as they had been in the 1970's and 1980's. Now they were going right into people's wallets because of those formidable deductibles.

Lots of people were taking responsibility for their own Wellness. Suddenly the light went on!

HEALTH INSURANCE HAD NOTHING TO DO WITH GOOD HEALTH!

By 1995 the government, in particular, had done a complete about-face. In 1991 and 1992 there was a host of laws passed giving employers and employees economic incentives for achieving good health. Tax deductions and tax credits—all for achieving wellness potential. The basics were promoted—weight reduction, cholesterol, smoking cessation, fitness.

School districts were given economic support for instilling the same Wellness objectives. Employers, because of the economic incentives and just because of the nature of the times, completed the cycle. The entire country now was on the same frequency.

The time was ripe for another phenomenon to fully evolve. There had been a fitness movement back then. Health Clubs, weight loss, lose this, end that, you name it! Employee Wellness programs which had heretofore been just token/lip service soon became fully developed parts of both large and small company culture.

Wellness! So simple, so easy! At the end of the 80's and beginning of the 1990's every politician, every legislator was bent on extending health care (you know, give everyone medical insurance).

But remember what was happening? Deductible and co-insurances were getting higher and higher, insurance for bottom end predictable expenses has disappeared. We collectively realized that health insurance had caused the health care crisis. Health insurance had completely overshadowed our individual responsibility to achieve wellness. And wellness is achievable!

Everything's back in perspective now!

As the twentieth century ends we still have medical insurance. It's really insurance nowadays. It covers only catastrophic losses, which is what insurance is intended for anyway. We still don't live in a riskless world. Thank God!

THIS IS HOW THE HEALTH CARE CRISIS CURED ITSELF—EDUCATION

Burn the Books! Imprison the Thinkers! Both are often used totalitarian methods to capture minds and bodies. On the contrary, academicians and lay people agree that the highest goal of education is to release the intellect sufficiently so that it realizes its unbound capabilities. Then, hopefully, the Renaissance person emerges, proficient in the arts and sciences. A contributing individual. An individual responsible for his own actions. Sadly, commonplace day-to-day life shadows such lofty goals.

By default we drift toward acceptance of less being normal. Consequently, for most, education captures and controls rather than promotes the inherent flights of genius. Those being "educated" are led to believe that something is being poured into them. This belief shifts responsibility if something goes wrong. And things do go wrong. Those being educated can refuse to be poured into. They can blame others for what goes wrong. Blaming others robs one of freedom. No responsibility, no freedom.

If education were to affirm and continually reaffirm that the process is actually an unfolding, not a pouring in, then there could be no shifting of responsibility. Whether or not the unbound capabilities are achieved becomes a matter of personal choice. We would all be somewhere on the continuum of unfolding.

Let's take a giant leap of logic. Intellectual unfoldment. If sold on the limitlessness of this human potential and it's affirmation as something inherent, then certainly wellness, another human potential, is just as limitless.

Presently, the collective thought, particularly the collective thought that students encounter, is that sickness is something that happens to you. It gets poured in, somewhat like the education process. Like educators, the professional class that manages the perceived pouring-in of knowledge, there is a professional class, the medical practitioners, that manages curing the sickness which happens to pour in.

For the Health Care Crisis to cure itself, educators will have to begin (and I believe they will) to affirm that the natural state is one of health. Students will learn to unfold their wellness potential. They will have a quite different collective thought.

Curriculum will be chock full of techniques for unfolding this inherent potential. Students will be responsible for the "degree" of wellness as well as the "degree" of intellectual success they achieve.

The professional classes that heretofore were perceived to pour in something can now transfer their energies to what they would rather be doing anyway. Educators and medical practitioners will now have a chance to focus on unleashing this potential and managing their students and patients progress. Their experience, knowledge, and skills will be greatly needed and tested as those they guide reach greater and greater heights of mental and physical accomplishments. It will be thrilling to rewrite the standards as they continually fall by the wayside.

The pouring-in thought is akin to the "Burning the Books" technique. It captures, imprisons, and removes the heritage of free-

dom and achievement through individual responsibility.

The unfoldment thought will cure the Health Care Crisis. Let's affirm it and empower ourselves.

JOHN J. IANNANTUONO, CFP, ChFC.

SUPPORT THE MAINE WILDERNESS ACT OF 1990

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Ms. SNOWE. Mr. Speaker, I am introducing the Maine Wilderness Act of 1990, which will designate 12,000 acres of pristine forest in the White Mountain National Forest as part of the National Wilderness Preservation System. This area includes Caribou and Speckled Mountains and is one of the most scenic locations in the State of Maine.

This legislation represents a compromise that has been the subject of thorough review and study by the people of Maine, as well as the U.S. Forest Service. The entire Maine congressional delegation supports this legislation and a companion bill is being introduced in the Senate by Senator COHEN.

Currently, Maine does not have a federally designated wilderness area despite the fact that over 90 percent of the State is forested. Only Baxter State Forest and the Moosehorn National Wildlife Refuge have preserved large tracts of land in its natural state. Caribou-Speckled Mountain has been approved under the Department of Agriculture's second roadless area review and evaluation program [RARE II]. In addition, the Congress has made its own review and examination of National Forest System roadless areas in the Maine section of the White Mountain National Forest and of the environmental impacts associated with alternative allocations of such areas.

The Caribou-Speckled Wilderness designation issue has been debated for the past 5 years. The Forest Service has held 16,000 acres of the White Mountain National Forest under de facto wilderness status. As such, this land is indefinitely closed to timber harvesting and motorized vehicles.

In response to concerns from forest product users and environmentalists, the Forest Service and an ad hoc committee developed a compromise proposal that would list 12,000 acres as permanent wilderness. Selective timber harvesting would be permitted in the remaining 4,000 acres of the White Mountain National Forest where such harvesting is currently prohibited.

The ad hoc committee which considered this proposal was comprised of members of the wood products industry, environmental groups, multiple use proponents, and State and local officials. The overwhelming approval of this proposal by the disparate interests represented on the ad hoc committee is indicative of the true nature of the compromise incorporated in this legislation.

It is this compromise proposal that is incorporated in the Maine Wilderness Act of 1990. I believe that this legislation represents a true compromise between the various interests involved in this issue. The Maine delegation has made every reasonable effort to balance the needs of the wood product industry and multiple use proponents with the environmental concerns that some land be protected for future enjoyment.

Mr. Speaker, I am proud of Maine's reputation as a leader in protecting its precious environment. I believe that the Maine Wilderness Act of 1990 reiterates our commitment in preserving portions of this environment for the enjoyment of future generations. I would like to thank the individuals who participated in reaching this compromise. I look forward to working with my colleagues in the passage of the Maine Wilderness Act.

AMERICAN LEGION HONORS ERNEST NYE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. FRANK. Mr. Speaker, one of the national organizations which continues to make an extremely important contribution to our deliberations on public policy is the American Legion. For those of us who serve in Congress it is an extremely useful resource for information about veterans programs—how they are working, what is needed to improve them, and what veterans think about them. In my own district, the American Legion benefits from the volunteer efforts of a number of active and thoughtful people, and I find myself very dependent on their advice when it comes to matters affecting veterans.

Recently, one of those dedicated volunteers, Ernest Nye, was honored by his friends and colleagues. Ernie has been commander of district 9 of the American Legion in Massachusetts and has performed the duties of that demanding job with great distinction. I was pleased to be one of those attending at the Venus de Milo in Swansea, MA, last Saturday night when leaders of the American Legion, elected officials and others paid a very deserved tribute to this hard working and able leader. Mr. Speaker, in recognition of the important work which American Legion does and of the countless hours of volunteer time which members of the Legion so willingly contribute to the good of others, I ask that the program from the dinner in honor of District 9 Commander Ernest Nye be printed here.

PROGRAM

Posting of colors: Raymond Foley.

Invocation: Rev. Philip G. Salois M.S.

Master of ceremonies: Herbert W. Church, Past District 9 Commander.

Remarks and presentations: State Repesentative Stephen J. Karol; Mayor, City of Attleboro Kai Shang; District 9 Director Cora Leblanc; Past Department Commander Leo A. Bernier Jr.; Post 20 Commander Frank McLoughlin; National Executive Committeeman John Mulkern; and Department Commander William Murphy.

Guest speaker: Richard Stockwell, Past Department Vice Commander.

Response: Ernest Nye, District 9 Commander.

Benediction: Rev. Philip Salois M.S.

DISTRICT COMMANDERS TESTIMONIAL COMMITTEE

Co-chairmen: Richard Stockwell, and Harold Nagle.

Ticket chairman: Tony Moniz.

Ad book chairman: Bernard Solomon.

Secretary/treasurer: Leo A. Bernier Jr.

Decorations: Jackie Bernier.

Housing: Billy Dolin.

Hospitality room, Days Inn Fall River: Fairhaven Post 166.

TO THE STALIN MAUSOLEUM

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. DORNAN of California. Mr. Speaker, we are all heartened by the historic events which are sweeping across Eastern Europe and the Soviet Union. In this age of glasnost, perestroika, with the promise of emerging democratization, we are filled with the hope that the age of living in the shadow of global war may soon draw to a close.

But it is precisely at this juncture where we in the United States must not be blinded by our hopes for the future, but instead we must focus clearly on the realities of today. This cautionary note is eloquently and convincingly stated in a historical analysis which appeared in the winter issue of Daedalus, journal of the American Academy of Arts and Sciences. In the article, the author, writing under the pseudonym "Z," both warns of the wounded bear, and gives a prescription for avoiding Tianamen Square type events from happening in the Soviet Union. I strongly urge all of my distinguished colleagues to take the time to read the full text of "To the Stalin Mausoleum," as it appeared in Daedalus.

Mr. Speaker, reprinted below is an abridged version of the "Z" article as it appeared in the January 4 issue of the New York Times, and a brief analysis by Mr. William Safire.

TO THE STALIN MAUSOLEUM

(The following article is adapted from the conclusion of a longer historical analysis to be published under the pseudonym "Z" in the winter issue of Daedalus, journal of the American Academy of Arts and Sciences. Daedalus is withholding the author's name from all parties at the author's request. (Although it is not The New York Times' usual practice to withhold an author's identity, it is honoring Daedalus' commitment.)

(By "Z")

It is clear that 1989 will enter history as the beginning of Communism's terminal crisis, and not just in Russia but from the Baltic to the China Sea, and from Berlin to Beijing.

It is also clear that perestroika and glasnost, welcome in their intention, have in their application only aggravated the systemic crisis they were intended to alleviate. They have done so because, like all forms of soft Communism, they go against the logic of the system they are trying to save.

Mikhail Gorbachev has been trying to promote soft Communism through structures and population programmed for hard Communism. But the latter is the only variety of Sovietism that is the genuine article, for the essence of all varieties of Sovietism

is party supremacy. Thus, the instrument of Mr. Gorbachev's reform—the party—is the basic cause of Sovietism's troubles.

The way out of this contradiction? As one Soviet reformer put it after the June Congress: "The country now stands at a crossroads. From here we either go the Chinese way or the Polish-Hungarian way." Although he obviously wished for the latter course, the alternative he posed may well be a Hobson's choice.

The Chinese way since June 1989 means relative, though now declining, market prosperity under a regime of political and military repression. Repression is certainly a possibility in Russia, but market prosperity is out of the question for the indefinite future. Conversely, the Polish-Hungarian way means genuine democracy, but in the midst of economic ruin so severe as to threaten the survival of the new constitutional order.

In Russia, the economic ruin is even worse than in Poland and Hungary, but real democracy, as opposed to mere democratization, is not even on the agenda. Thus, the Russian way could well combine the worst of the Chinese and the Central European scenarios: economic failure in conjunction with an inexpugnable leading role for the party.

Indeed, all paths of Communist reform seem to end in one or another type of impasse. Leninist regimes, when they enter their final decline, seem able only either to implode, as in Poland, Hungary, East Germany, Czechoslovakia and Rumania, or to dig in their heels militarily to stave off implosion, as under Deng Xiaoping in 1989. And this grim impasse at the end of utopia in power is the outcome of the structures that power built. The whole impossible enterprise of Lenin and Stalin was sustainable only as long as the human and material resources on which the system fed retained the vitality to endure the burden of the regime, and as long as some modicum of material success undergirded the party's monopolistic position.

When these conditions ceased to hold, beginning with Deng Xiaoping's marketization of 1979 and Solidarity's revolt of 1980, the Communist parties' will to power began to flag and their people's habit of fear began to fade. For the Soviet party-state's survival, this development soon made necessary the expedients of perestroika and glasnost. But these are only pale substitutes for the market and democracy, halfway measures designed to square the circle of making the vivifying forces of a resurrected civil society compatible with the party's leading role.

But this circle cannot be squared. If marketization and privatization are the economic goals of reform, then party planning becomes superfluous, indeed downright parasitical. If multiple parties, elections and the rule of law are the political goals of reform, then the dual administration of the party-state becomes supernumerary, indeed positively noxious.

There is no third way between Leninism and the market, between Bolshevism and constitutional government. Marketization and democratization lead to the revival of civil society, and such a society requires the rule of law. But civil society under the rule of law is incompatible with the preservation of the lawless leading role of the party.

At some point, therefore, the line will be reached where reform crosses over into the liquidation of the leading role and all the structures it has created. Russia and Central Europe are reaching that critical line. The false problem of how to restructure Leninism is now giving way to the real problem of how to dismantle the system, how to effect at last an exit from Communism. Perestroika is not a solution but a transition to this exit. As Milovan Djilas foresaw early in perestroika, Communism is not reforming itself—it is disintegrating.

So, as we rub our eyes in astonishment at the most stunning Communist implosion of all, the collapse of the Berlin wall, we should not conclude that the structures it shielded for so long can be transformed by a few reform decrees. The revolutionary rapidity of events in 1989 should not breed the illusion that the exit from Communism these events presage will itself be rapid.

And the most difficult case of all will be the Soviet Union. Russia, after all has had 70 not 45 years of Sovietism. Also, the Soviet party is a national institution, not an alien imposition, with deep roots in the patriotic success of World War II. Finally, this national-imperial party has the military apparatus of a superpower.

Can Mr. Gorbachev succeed? Should we help him? To answer these questions meaningfully, we must first rephrase them. Succeed at what? Help him to do what?

If by perestroika's success we mean producing a Communist system that is economically effective and politically democratic, then the answer must be no. The fundamental structures of the Leninist system reached an inextricable impasse at the end of the 1970's, and the mounting contradictions of perestroika indicate that the system cannot be restructured or reformed, but can only either stagnate or be dismantled and replaced by market institutions over a long period of time.

In this case, any aid the West might render to the Soviet state to save or improve the existing system would be futile: On this score, Mr. Gorbachev is beyond our help. Such aid would also work against the real interests of the restive Soviet peoples and thus of international stability. Like Western credits to Poland in the 1970's, aid to the Soviet Government would only prolong the agony.

Yet, if by perestroika's success we mean effecting a transition from a party-state and a command economy to democracy and the market, then the answer unfortunately must still be no. First, such a transition is not the aim of perestroika; its aim, rather, is to salvage what can be saved of the system by halfway-house concessions to economic and human reality.

Second, and even more important, such a transition would bring the end of the cardinal leading role and hence would amount to the self-liquidation of Communism, something Mr. Gorbachev clearly does not intend to do.

Still, events are pressing toward the eventual dwindling away of the system, whatever the Soviet leadership's intentions and whoever that leader might be in the future. And here Western help could pay a constructive role.

First, reducing the mutual burden of armaments, if carried out with due attention to legitimate security concerns, would ease the severity of the Soviet crisis (though it would not alter its structural causes). And Mr. Gorbachev has clearly indicated his willingness to engage in arms reductions, while taking care that the Soviet Union's international retreat does not turn into a rout.

Second, although Western aid should not go to shoring up Soviet economic institutions in the state sector, it could be usefully applied to the piecemeal development of parallel structures in a private sector operating on market principles so as to promote economic and, eventually, political pluralism. This could take the form, say, of free economic zones operating under international Monetary Fund conditions in such places as the Baltic states, Armenia or the Soviet Far East. In this case, the expectation would be that such a parallel sector, perhaps with its own convertible currency, would eventually spread across the Soviet Union.

Such a policy is, indeed, a modest approximation of the approach that the Government is now inaugurating in Poland. But what Mr. Gorbachev is prepared to accept for his outer empire in Central Europe (where he effectively lost control sometime in 1988) would be much more difficult for him to accept for the inner empire of the Soviet Union itself, since foreign investment would imperil national sovereignty.

So Western investment, in joint or other enterprises in Russia, would have to be handled without triumphalism about capitalism's superiority, and with due sensitivity to Soviet national pride. The West's aim should be to encourage the change of Soviet realities while leaving the old labels intact—in a kind of socialist-emperor-of-Japan arrangement.

Yet, however the Soviet Union edges toward its particular exit from Communism, this uncharted process can only be long and painful. Nor will it be a unilinear or an incremental progress toward integration in some "common European home." Instead, further crises will most likely be necessary to produce further, and more real, reforms. And a last-ditch attempt to stave off ruin by curtailing destabilizing reform altogether could lead to that military reaction so feared by Moscow liberals.

And—who knows—in this scenario Mr. Gorbachev might be agile enough to become his own successor, or if perestroika ends in another 18th of Brumaire, to be his own Bonaparte. Mr. Gorbachev would be hard to replace, because his international reputation is now the Soviet Union's chief capital asset yet he could not afford to be a very tough Bonaparte, since he has become the prisoner of his foreign policy successes.

Obviously, none of these prospects is a cheering one, and none would be easy for the West to live alongside. But it is better to look realistically at the genuine options in the East as they have been molded by 70 years of failed utopia than to engage in fantasies about Mr. Gorbachev as a demiurge of instant democracy or about the end of conflict in history. Nor should we forget that Communism, though a disaster in almost every creative domain, has always been supremely successful at one thing: resourcefulness and tenacity in holding onto its monopoly of power.

The Soviet world's transition to normality will be a long time coming. The party, though now dyed with the hues of glasnost and democratization will cling to the bitter end, like some poisoned tunic of Nessus, around the bodies of nations it has enfolded in its embrace for so many decades.

THE Z DOCUMENT: "MR. X" IN OUR TIME

(By William Safire)

WASHINGTON.—The cold war is over; the free world won and the evil empire lost; let's pick a date for V-C Day and celebrate the

history-ending victory over Communism." So say our triumphalists.

"The cold war is over; it was largely our uptight right-wingers' fault to begin with because the Russians were never coming." So say our sore winners.

Gorbophiles and Gorbophobes are on all fours in the same mindset: it's all over but the happy distribution of the peace dividend.

A ragtag band, taking exception to this consensus, is derided by both sides as unreconstructed cold warriors, skunks at the garden party of the nifty 90's. From Moscow, Brezhnevite retreads accuse us of howling because we were deprived, cold turkey, of our beloved Communist enemy.

We dissenters from the widespread wow-ee worldview have been reduced to Yogi Berra geopolitics—"the cold war ain't over till it's over." We mutter that Mr. Gorbachev is motivated only by the threat of incipient collapse, not by an interest in abandoning iron control. We warn that as soon as the West ameliorates the economic pain, the necessity for glasnost and free enterprise will lessen and the totalitarian system will survive.

Now, in the nick of time, comes substantial intellectual underpinning for the don't-save-Communism gang.

The American Academy of Arts and Sciences is based in Cambridge, Mass., not exactly a reactionary redoubt. The Academy publishes a quarterly, Daedalus, named after the Athenian who built an ingenious labyrinth.

Next week, an article will appear in that review titled "To the Stalin Mausoleum" (a play on Edmund Wilson's "To the Finland Station," about Lenin) and signed by "Z," a pseudonym recalling the "X" used by George Kennan a lifetime ago in suggesting a policy of containment.

Z surveys the 70 years leading to the political graveyard in a way that illuminates this past decade's events. Awareness of looming disaster began in Yuri Andropov's K.G.B.; the Novosibirsk Report by the sociologist Tatyana Zaslavskaya in 1983 "implied the necessity of radical restructuring for sheer survival"; its leaking (touted in this space) "first alerted the world to the impending end of Soviet stability."

Gorbachev was "Andropov redux," and at first tried to revitalize the Communist Party; when that failed, he built a parallel apparat—"reminiscent, mutatis mutandis, of the way Stalin had used the N.K.V.D. against the mainline Party."

Recent elections, held to insure Gorbachev against Khrushchev's fate of removal by the Central Committee, had an unintended result: "to produce a resounding defeat not just for the apparat, as Gorbachev wished, but for the Party as an institution. . . . the Party, which had hitherto inspired fear in the people, suddenly came to fear the population. . . ."

But the people's interests are not being served by the Communist Party or Gorbachev's parallel Sovietist apparat; private cooperatives were corrupted by the local political mafias, and decentralization was subverted because it threatened the party's monopoly of power. Result: "Gorbachev is left with the worst of two possible worlds: an old one that refused to die and a new one without the strength to be born."

Excerpts from the conclusion of Z's analysis are printed on this Op-Ed page. If they pique your interest, glom on to the magazine or insert yourself into the samizdat of faxes and photocopies that will follow the publication of the seminal article.

Gorbachev, trying to be both Luther and the Pope, cannot fix the stultifying system without going much further than he says he is willing or able to go. But, warns Z (an ideological soulmate whose identity I have no need to know), "decaying superpowers do not go quietly into the night."

In the historical epoch aborning, don't join the crowd expecting serenity or preaching stability. And don't start spending that peace dividend; as Tocqueville observed in Z's keynote, "The most dangerous time for a bad government is when it starts to reform itself."

INTRODUCTION OF THE MAINE WILDERNESS ACT OF 1990

HON. JOSEPH E. BRENNAN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. BRENNAN. Mr. Speaker, today I and my fellow Representative from Maine, OLYMPIA SNOWE, have introduced legislation to designate as wilderness 12,000 acres of the caribou-speckled mountain area of Maine. We have taken this action to protect this pristine and unspoiled area, one of the last possible wilderness areas in Maine, from development for all time.

Caribou-Speckled Mountain is part of the White Mountain National Forest, and the U.S. Forest Service recommended wilderness designation for the area in 1985. There has been extensive public debate regarding the wilderness proposal: The Maine delegation created an ad hoc committee, representing all concerned parties, to fomulate a consensus use plan for the region. The committee recommended a wilderness designation in 1985, and a public hearing was held on the proposal in Bethel, ME, in 1988.

This legislation demonstrates the State of Maine's commitment to protecting the northern forest, and at the same time addresses the concerns of the lumber industry. The bill will permanently protect 12,000 acres, and releases 4,000 acres for mixed use, including a limited amount of logging.

The Maine Wilderness Act is a significant step forward in the fight to safeguard Maine's and the Nation's, precious natural resources from development. I urge my colleagues to support this progressive and important legislation.

EXCELLENCE AMONG BOY SCOUT TROOP 777

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mrs. BENTLEY. Mr. Speaker, the Boy Scouts in my district are a very special group of citizens—in fact they are outstanding. They are so outstanding that I make it a point to recognize every Boy Scout in my district that receives the Eagle Award. All of them are great, but one troop deserves special recognition. That is Troop 777.

On January 14, 1990, I participated in an Eagle Scout Ceremony at Troop 777, which is sponsored by the Bel Air United Methodist Church of Bel Air, MD. The troop has been in existence since 1953 and beginning in 1963 has produced 34 Eagle Scouts or approximately 1 Eagle Scout for each of 31 registered. Nationally, in 1989 out of 4,246,915 Scouts registered, only 30,189 achieved the Eagle rank, or 1 in 140.

Three Troop 777 scouts were recognized on this occasion with the rank of Eagle; Jason Hall, Stephen Hill, and Matthew Sedgley all from Bel Air, MD. Each of these young people surpassed the necessary requirements of receiving over 25 merit badges and other awards for their participation in troop activities.

Another scout, George Paul Kuck II was the recipient of his second Silver Palm Award. This was the first time in the 37 year history of Troop 777 that a Body Scout had accomplished this feat. Once I realized what this young man had to accomplish to attain this award, I was amazed and even more proud of him. In order to receive this award, he achieved 30 merit badges beyond those required for the rank of Eagle. The merit badges he received in order to qualify for his second Silver Palm Award were: archery, botany, chemistry, dog care, emergency prep., energy, general science, handicap awareness, insect study, motor boating, nature, personal fitness, pets, rifle shooting, space exploraton, and weather. Truly George Paul Kuck III deserves this recognition of his accomplishments as a member of the Boy Scouts of America.

Scoutmaster Paul Kuck, his assistants and all of the volunteers of this troop are to be commended for their hard work, dedication and motivation on behalf of these fine young people. As their Representative in this Congress, I commend them and wish Troop 777 the best in the future.

THE FEBRUARY 25, 1990 NICARAGUAN ELECTIONS

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. BLILEY. Mr. Speaker, I would like to take a moment to recognize and commend the Nicaraguan people for the peaceful, free and fair election that took place on February 25, 1990. Most importantly, however, I would like to congratulate the UNO candidate, President-elect Violeta de Barios Chamorro, who the Nicaraguan people have chosen over the incumbent, President Daniel Ortega and his Sandinista one-party rule. This democratic election will pave the way for improved relations between Nicaragua and her Central American neighbors, the United States, and the international community.

As the first truly free election in Nicaragua, the registered voters have demonstrated a commitment to democracy. Although preelection polls indicated the UNO coalition and Ms. Chamorro trailing President Ortega, a tendency attributed to general fear of revealing a vote, there was clearly no trepidation felt by the voters as the 1.75 million registered Nica-

raguans spent up to 4 hours in line to cast their ballots.

The Nicaraguans have elected a woman who has been the political symbol of the freedoms and peace from which the Nicaraguans have been deprived in the past. President-elect Chamorro, publisher of the only opposition newspaper in Nicaragua, has received the unquestioned confidence of the people of Nicaragua.

Ten years ago, the Sandinistas overturned the oppressive Somoza government with promises of a democratic system. Instead, the Nicaraguan people have been subjected by the Marxist rule of the Sandinista forces. The Sandinistas maintained a centrally planned economy which was ravaged by mismanagement. It brought falling production, continual shortages and spiraling inflation which ran up to 1,700 percent last year. It seems that not only have the Nicaraguans chosen the freedoms represented in a democracy, but they have also chosen Chamorro's vision of a market driven economy in hopes of improving the production base and standard of living that has thoroughly deteriorated under the Sandinista regime.

Like the rest of the Communist world, it seems Nicaragua has joined the movement toward the freedoms and privileges enjoyed by other democratic nations. From Eastern Europe to Central America, the Communist theory is meeting its end. It has been refuted as both a political theory as well as an economic one. Nicaragua has now joined the ranks of those nations who participate in free elections in the presence of a political pluralism. The Nicaraguan citizens have enjoyed the opportunity to experience a balloting system that is not fraught with fear and oppression but with the freedom of choice. The Nicaraguan people have seized this opportunity to move toward political pluralism by choosing their leaders through the voting box and ending the one-party rule by the Sandinistas.

For 10 years the United States has been in support of the democratic opposition in Nicaragua and together we have worked toward the ultimate goal realized this weekend; an election in which the opposition has the opportunity to be represented. During this 10-year span, it has been the United States, led by the policies formed under the Reagan administration through the "Reagan Doctrine" that has been the driving force in keeping the opposition's desire for democracy and freedoms alive. Had it not been for the support provided by this country, there is every possibility that the results achieved over the weekend may never have taken place. We would have turned our backs on the people of Nicaragua, who, as it has become apparent, truly sought the freedoms and the privileges accompanied by democracy. With our assistance, the opposition has spoken, and the people have chosen.

I sincerely hope that the transition will be one that is established on reconciliation and peace. The Sandinistas and President Ortega must be commended for their commitment to holding a free election and for sticking to that commitment. Now, the Sandinistas must continue to prove their commitment by allowing a smooth transition to the new government.

It is time for reconciliation in Nicaragua after a decade of a crumbling economy, radical political policies, and internal turmoil which has spread to neighboring countries. Nicaragua has finally seen the fruits of democracy. The road will now be long in reforming the political and economic structure that was established under the Sandinista regime. The United States and the international community need to reanalyze their Nicaraguan policies. With the leadership of President-elect Chamorro and her opposition coalition, Nicaragua will have the opportunity to move into the economic mainstream of the international community. I hope that we may now recognize Nicaragua as a nation in whom we will see reflections of a true working democracy with leaders elected by the people and a market-oriented economic system.

FISCAL YEAR 1991 HEARING SCHEDULE FOR THE SUBCOMMITTEE ON THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1990

Mr. MURTHA. Mr. Speaker, I present a preliminary hearing schedule for the Subcommittee on the Department of the Interior and Related Agencies relating to the fiscal year 1991 budget requests. Members day is scheduled for Thursday, May 10.

FISCAL YEAR 1991 HEARING SCHEDULE FOR THE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES

MARCH 1990

Wed., Mar. 7: 10:00 a.m., Outside Witnesses, Natural Resources Programs.
1:30 p.m., Same.
Thurs., Mar. 8: 10:00 a.m., Outside Witnesses, Energy & Minerals Programs.
1:30 p.m., Same.
Tues., Mar. 13: 10:00 a.m., Institute of Museum Services, Pennsylvania Avenue Development Corporation, Advisory Council on Historic Preservation.
1:30 p.m., Bureau of Mines.
Wed., Mar. 14: 10:00 a.m., Outside Witnesses, Indian Programs.
1:30 p.m., Same.
Thurs., Mar. 15: 10:00 a.m., Outside Witnesses, Indian Programs.
1:30 p.m., Same.
Tues., Mar. 20: 10:00 a.m., DOE: Energy Information Administration, Economic Regulatory Administration, Emergency Preparedness, Office of Hearings & Appeals.
Wed., Mar. 21: 1:30 p.m., Office of Surface Mining.
Tues., Mar. 27: 1:30 p.m., Office of the Secretary, Interior, Inspector General, Solicitor, Construction Management.
Wed., Mar. 28: 10:00 a.m., Institute of American Indian Art, National Capital Planning Commission, Indian Education.
Thurs., Mar. 29: 10:00 a.m., DOE: Fossil Energy, Naval Petroleum Reserves, Strategic Petroleum Reserve, Clean Coal Technology.
1:30 p.m., Same.

APRIL 1990

Mon., Apr. 2: 1:00 p.m., FDR Memorial Commission, Commission of Fine Arts, National Gallery of Art.
Tues., Apr. 3: 10:00 a.m., Fish and Wildlife Service.
1:30 p.m., Same.
Wed., Apr. 4: 10:00 a.m., Minerals Management Service.
1:30 p.m., Same.
Thurs., Apr. 5: 10:00 a.m., Geological Survey.
1:30 p.m., Same.
Wed., Apr. 18: 10:00 a.m., Smithsonian Institution.
1:30 p.m., Same.
Thurs., Apr. 19: 10:00 a.m., National Park Service.
1:30 p.m., Same.
Mon., Apr. 23: 1:00 p.m., Navajo-Hopi Relocation Commission.
Tues., Apr. 24: 10:00 a.m., Secretary of the Interior.
1:30 p.m., Same.
Wed., Apr. 25: 10:00 a.m., Secretary of Energy.
1:30 p.m., Same.
Thurs., Apr. 26: 10:00 a.m., National Endowment for the Arts.
1:30 p.m., Same.
Fri., Apr. 27: 10:00 a.m., DOE: Conservation.
1:30 p.m., Same.
Mon., Apr. 30: 1:00 p.m., Indian Health Service.

MAY 1990

Tues., May 1: 10:00 a.m., National Endowment for the Humanities.
1:30 p.m., Same.
Wed., May 2: 10:00 a.m., Forest Service.
1:30 p.m., Same.
Thurs., May 3: 10:00 a.m., Outside Witnesses NEA/NEH/IMS.
1:30 p.m., Same.
Fri., May 4: 10:00 a.m., Trust Territories.
1:30 p.m., Same.
Mon. May 7: 1:00 p.m., Bureau of Land Management.
Tues., May 8: 10:00 a.m., Bureau of Indian Affairs.
1:30 p.m., Same.
Wed., May 9: 10:00 a.m., Woodrow Wilson, Holocaust.
Thurs., May 10: 10:00 a.m., Members of Congress.
1:30 p.m., Same.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL

RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, March 1, 1990, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 2

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wool and honey industries.
SR-332

Banking, Housing, and Urban Affairs
To hold hearings on the issues surrounding the collapse of Drexel Burnham Lambert, Inc.
SD-538

Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on handicapped access issues.
SR-253

Energy and Natural Resources
To hold oversight hearings on the implementation of the Department of Energy's civilian nuclear waste program.
SD-366

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Consumer Product Safety Commission, the Consumer Information Center, and the Office of Consumer Affairs.
S-126, Capitol

Finance
International Debt Subcommittee
To hold hearings to review the implementation of the President's plan to address Third World debt, and to examine methods to improve and broaden it.
SD-215

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on S. 1675 and S. 1676, bills to provide financial assistance to strengthen the recruitment and training of teachers in the United States and to provide a range of incentives for teachers to continue in the profession.
SD-430

1:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Research Service, Cooperative State Research Service, and Extension Service.
SD-138

MARCH 5

9:00 a.m.
Armed Services
Manpower and Personnel Subcommittee
To hold hearings on S. 2171, to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991.
SR-253

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on agricultural credit.
SR-332

Rules and Administration
To resume hearings on S. 1655, S. 1727, and other related measures on campaign finance reform.
SR-301

10:00 a.m.
Finance
International Trade Subcommittee
To resume hearings to assess progress on the U.S.-Japan Structural Impediments Initiative (SII).
SD-215

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the rice industry.
SR-332

MARCH 6

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Veterans of Foreign Wars.
SH-216

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the sugar industry.
SR-332

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Arms Control and Disarmament Agency, and the Securities Exchange Commission.
S-146, Capitol

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 366, a bill to enroll twenty individuals under the Alaska Native Claims Settlement Act, S. 1128, a bill for the relief of Richard Saunders, S. 1719, a bill to designate a segment of the Colorado River in the Westwater Canyon, Utah as a component of the National Wild and Scenic Rivers System, S. 1738, a bill to convey certain Oregon and California Railroad Grant Lands in Josephine County, Oregon to the Rouge Community College District, and S. 1837, a bill to direct the Secretary of the Interior to establish a Desert Research Center.
SD-366

Foreign Relations
To hold hearings on the nomination of J. Steven Rhodes, of California, to be Ambassador to Zimbabwe.
SD-419

Governmental Affairs
To hold hearings on the General Accounting Office's report on material weaknesses in the Department of Defense's supply system.
SD-342

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Food and Nutrition Service and Human Nutrition Information Service.
SD-138

Foreign Relations
To hold hearings on the nominations of Bradley Gordon, of Virginia, to be an Assistant Director for the Bureau of Nuclear and Weapons Control, Susan J. Koch, of the District of Columbia, to be an Assistant Director for the Bureau of Strategic Programs, and Michael L. Moodie, of Maryland, to be an Assistant Director for Multilateral Affairs, all of the Arms Control and Disarmament Agency.
SD-419

Judiciary
To hold hearings on S. 2027, to require certain procedural changes in the United States district courts in order to promote the just, speedy and inexpensive determination of civil actions.
SD-226

10:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Indian Affairs, and the Indian Gaming Commission.
SD-192

11:00 a.m.
Foreign Relations
Business meeting, to consider pending calendar business.
SD-419

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on crop insurance.
SR-332

Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 1976, to provide for continued United States leadership in high-performance computing, focusing on the Department of Energy.
SD-366

2:30 p.m.
Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings on S. 948, to revise title 28 of the United States Code, to divide the U.S. Court of Appeals for the Ninth Circuit into two circuits.
SD-226

MARCH 7

9:00 a.m.
Special on Aging
To hold hearings to examine marketing abuses in the medigap insurance industry.
SD-628

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the dairy industry.
SR-332

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
SD-406

Governmental Affairs
To hold hearings on S. 1978, to promote U.S. trade and technology interests by reorganizing the Department of Commerce into a Department of Industry and Technology.
SD-342

Labor and Human Resources
To resume hearings on S. 2104, to revise the Civil Rights Act of 1964 (P.L. 88-352) to restore and strengthen civil rights laws that ban discrimination in employment.
SD-430

10:00 a.m.
Appropriations
To hold hearings on the President's proposed budget for fiscal year 1991.
SD-192

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Secretary of the Treasury, and Departmental Offices.
SD-116

2:00 p.m.
Appropriations
To continue hearings on the President's proposed budget for fiscal year 1991.
SD-192

Armed Services
To hold hearings on operational requirements and military strategies for strategic forces.
SR-222

2:30 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine the current domestic and international developments affecting Soviet Jews.
B318 Rayburn Building

MARCH 8

8:30 a.m.
Office of Technology Assessment
The Board, to meet to consider pending calendar business.
H-131, Capitol

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense programs, focusing on the unified commands.
SD-192

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Environmental Protection Agency.
S-126, Capitol

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Toxic Substances, Environmental Oversight, Research and Development Subcommittee
To hold hearings to examine the effects of lead exposure on children's health and educational performance.
SD-406

Governmental Affairs
To hold hearings to examine fraud, waste and abuse, focusing on agencies on the high risk list.
SD-342

Rules and Administration
Business meeting, to consider pending legislation on campaign finance reform.
SR-301

Small Business
To hold hearings on implications of technology transfer on small business.
SR-428A

Veterans' Affairs
Business meeting, to consider budget recommendations for veterans programs and proposed legislation to reorganize the Veterans Health Service and Research Administration.
SR-418

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Commerce.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Transportation Safety Board and the Federal Highway Administration.
SD-138

Foreign Relations
To hold hearings to examine support for East European democracy.
SD-419

1:30 p.m.
Environment and Public Works
To hold hearings on the President's proposed budget request for fiscal year 1991 for the U.S. Fish and Wildlife Service.
SD-406

2:00 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Production and Stabilization of Prices Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on the wheat industry.
SR-332

Energy and Natural Resources
To hold hearings on S.J. Res. 154, to consent to certain amendments enacted by the Hawaii State Legislature to the Hawaii Homes Commission Act of 1920.
SD-366

Foreign Relations
To hold hearings on the nominations of Everett E. Briggs, of New Hampshire, to be Ambassador to the Republic of Portugal, Edward M. Rowell, of California, to be Ambassador to Luxembourg, Robert G. Joseph, of Virginia, for the rank of Ambassador during his tenure of service as U.S. Commissioner on the U.S.-U.S.S.R. Standing Consultative Commission, and John J. Maresca, of Connecticut, for the rank of Ambassador during his tenure of service as Head of the U.S. Delegation to the Conference on Confidence and Security Building Measures (CSBM).
SD-419

Small Business
To hold hearings on the President's proposed budget request for fiscal year 1991 for the Small Business Administration and on proposed legislation authorizing funds for the Small Business Administration.
SR-428A

MARCH 9

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on proposed legislation to strenghten and improve U.S. agricultural programs, focusing on noxious weeds.
SR-332

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration (NASA).
SR-253

1:00 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on S. 1908 and H.R. 737, bills to amend the Stock Raising Homestead Act to prescribe conditions under which U.S.-owned hardrock mineral deposits may be mined or removed from lands whose surfaces are privately owned.
SD-366

MARCH 15

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the American Ex-Prisoners of War, the Blinded Veterans' Association, and the Military Order of the Purple Heart.
SH-216

MARCH 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold hearings on proposed legislation to strengthen and improve agricultur-

al programs, focusing on conservation issues.
SR-332

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for military health programs.
SD-192

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-138

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Minerals Management Service, Department of the Interior, and the Smithsonian Institution.
S-128, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for the Small Business Administration, and the U.S. Information Agency.
S-146, Capitol

2:00 p.m.
Energy and Natural Resources
To hold hearings on S. 2088, to extend authority for Titles I and II of the Energy Policy Conservation Act (P.L. 94-163), to expand the strategic petroleum reserve (SPR) to one billion barrels, and to provide for predrawdown diversion authority for SPR oil.
SD-366

2:30 p.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Panama Canal Commission.
SD-116

MARCH 21

9:30 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposed legislation to strengthen and improve U.S. agricultural programs.
SR-332

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-192

Governmental Affairs
To hold hearings on proposed legislation to establish a position of chief financial officer.
SD-342

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Food and Drug Administration, Commodity Futures Trading Commission, Farm Credit Administration, and Farm Credit System Assistance Board.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the United States Secret Service, and the Internal Revenue Service.
SD-116

Judiciary
Constitution Subcommittee
To hold hearings S.J. Res. 232 and S.J. Res. 233, measures proposing an amendment to the U.S. Constitution with respect to the impeachment of Article III judges.
SD-226

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Institute of Building Sciences, the Neighborhood Reinvestment Corporation, and the Selective Service System.
SD-138

MARCH 22

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on S. 2108, to promote the production of organically produced foods through the establishment of a national standard production for organically produced products and providing for the labeling of such products.
SR-332

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-138

Governmental Affairs
To continue hearings on proposed legislation to establish a position of chief financial officer.
SD-342

Veterans' Affairs
To hold hearings on S. 1398 and S. 1332, to provide for the realignment or major mission change of certain medical facilities of the Department of Veterans Affairs.
SR-418

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on management reforms.
SD-192

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
SD-106

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the American Battle Monuments Commission, Cemeterial Expenses (Army), the National Credit Union Administration, and the United States Court of Veterans Appeals.
SD-116

MARCH 23

9:30 a.m.
Commerce, Science, and Transportation Aviation Subcommittee
To resume hearings on S. 1741, to increase competition among commercial air carriers at the Nation's major airports.
SR-253

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Agricultural Marketing Service.
SD-138

Finance
Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee
To hold hearings to review the Internal Revenue Code rules governing private pension plans and options for simplification.
SD-215

MARCH 27

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on manpower and personnel programs.
SD-192

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-138

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold hearings on S. 1355, to assist private industry in establishing a uniform residential energy efficiency rating system.
SD-366

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Indian Health Service of the Department of Health and Human Services, and the U.S. Fish and Wildlife Service, Department of the Interior.
S-128, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on Central America.
SD-366

MARCH 28

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-192

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Public Debt, and the Office of Personnel Management.
SD-116

MARCH 29

9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on proposed legislation to strengthen and improve U.S. agricultural programs, focusing on research issues.
SR-332

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Labor, Health and Human Services, Education, and related agencies.
SD-116

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed legislation to reauthorize the National Earthquake Hazards Reduction program.
SR-253

Energy and Natural Resources
To hold oversight hearings on the Department of Energy's Decision Plan relating to the opening of the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, and on proposed legislation to withdraw the public lands surrounding the WIPP site.
SD-366

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Army posture.
SD-192

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Science Foundation.
S-126, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Oceanic and Atmospheric Administration, and the National Institute for Standards and Technology.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Urban Mass Transportation Administration and the Washington Metropolitan Area Transit Authority.
SD-138

MARCH 30

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on the Farmers Home Administration, Federal Crop Insurance Corporation, and the Rural Electrification Administration.
SD-138

APRIL 2

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Bureau of Land Management, and the Office of Surface Mining, both of the Department of the Interior.
S-128, Capitol

APRIL 3

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Air Force posture.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. bilateral assistance.
SD-192

APRIL 4

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Foreign Agricultural Service, General Sales Manager, and Soil Conservation Service.
SD-138

APRIL 5

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on Navy and Marine posture.
SD-192

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Highway Traffic Safety Administration and the Research and Special Programs Administration.
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Postal Service, and the National Archives.
SD-116

2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Emergency Management Agency.
SD-192

APRIL 15

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on population policy and resources.
SD-138

APRIL 18

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, the Vietnam Veterans of America, the Veterans of World War I, and the Non-Commissioned Officers Association.
SH-216

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Housing and Urban Development.
SD-138

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Park Service, Department of the Interior, and the National Gallery of Art.
S-128, Capitol

APRIL 19

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Legal Services Corporation.
S-146, Capitol

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak).
SD-138

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Management and Budget,

and the Executive Office of the President.
SD-116

2:00 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on multilateral development banks.
SD-138

APRIL 23

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Forest Service of the Department of Agriculture.
SD-192

APRIL 24

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on the National Guard and Reserves.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on refugee programs.
SD-138

APRIL 25

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of the Attorney General.
S-146, Capitol
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Services Administration.
SD-116

APRIL 26

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Aeronautics and Space Administration.
S-126, Capitol

10:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for defense intelligence programs.
S-407, Capitol
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of State.
S-146, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the General Accounting Office.
SD-138

APRIL 30

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for fossil energy and clean coal technology programs of the Department of Energy.
S-128, Capitol

MAY 1

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Supreme Court of the United States, the Judiciary, and the Federal Trade Commission.
S-146, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on eastern Europe.
SD-138

MAY 2

10:00 a.m.
Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Bureau of Investigation, and the Drug Enforcement Administration, Department of Justice.
S-146, Capitol

MAY 3

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on strategic programs.
S-407, Capitol

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the National Endowment for the Arts, the National Endowment for the Humanities, and the Bureau of Mines, all of the Department of the Interior.
S-128, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Coast Guard.
SD-138

10:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Council on Environmental Quality, the National Space Council, and the Office of Science and Technology Policy.
SD-116

MAY 4

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Resolution Trust Corporation.
SD-138

MAY 8

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on tactical airpower.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. military assistance.
SD-138

MAY 10

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on land warfare.
SD-192
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Veterans Administration.
S-126, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Aviation Administration.
SD-138

MAY 14

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for activities of the Secretary of the Interior, the Secretary of Energy, and the Secretary of Agriculture.
S-128, Capitol

MAY 15

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on seapower.
SD-192

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Hous-

ing and Urban Development, and independent agencies.
SD-138

MAY 16

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 17

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on space programs.
S-407, Capitol

11:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans' Affairs, Housing and Urban Development, and independent agencies.
SD-138

MAY 22

9:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings on proposed budget estimates for the Department of Defense, focusing on classified programs.
S-407, Capitol

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on the global environment.
SD-138

MAY 24

9:00 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1991 for defense programs.
SD-192

JUNE 5

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense.
SD-192

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
SD-138

JUNE 12

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on organization and accountability.
SD-138

JUNE 19

9:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
Room to be announced

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1991 for foreign assistance.
Room to be announced

POSTPONEMENTS

MARCH 2

8:30 a.m.
Banking, Housing, and Urban Affairs
HUD/Moderate Rehabilitation Subcommittee
To hold hearings to examine HUD projects under the Moderate Rehabilitation program (Section 8), focusing on the coinsurance program.
SD-628

2:00 p.m.
Banking, Housing, and Urban Affairs
HUD/Moderate Rehabilitation Subcommittee
To continue hearings to examine HUD projects under the Moderate Rehabilitation program (Section 8), focusing on the coinsurance program.
SD-628